



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 13, 2011 **REPORT NO. PC-11-006**

ATTENTION: **Planning Commission, Agenda of January 20, 2011**

SUBJECT: SPRINT/CLEARWIRE – SPRING CANYON - PROJECT NO. 196930.
PROCESS 4.

REFERENCE: HEARING OFFICER REPORT NO. HO-10-109 (ATTACHMENT 15).

**OWNER/
APPLICANT:** CITY OF SAN DIEGO
SPRINT/CLEARWIRE

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of the Hearing Officer's decision to approve a wireless communication facility located on the Spring Canyon Reservoir at 12225 Spring Canyon Road within the Scripps Miramar North Community Planning area?

Staff Recommendation: DENY the appeal and APPROVE Conditional Use Permit No. 696961.

Community Planning Group Recommendation: On May 6, 2010, the Scripps Ranch Planning Group recommended approval (unanimous) of the Sprint/Clearwire – Scripps Ranch Reservoir (Attachment 8).

Environmental Review: This project is not pending an appeal of the environmental determination. This project is exempt from environmental review pursuant to Article 19, Section 15302, Replacement or Reconstruction. The environmental exemption determination for this project was made on November 19, 2009, and the opportunity to appeal that determination ended December 14, 2009 (Attachment 7).

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: None.

BACKGROUND

This project includes an existing Sprint Wireless Communication Facility (WCF) consisting of nine antennas. Clearwire is proposing to replace three of the Sprint antennas with three Clearwire antennas and add three Clearwire microwave dishes. Clearwire also proposes to add an equipment cabinet within the existing 200 square foot Sprint equipment enclosure. On October 27, 2010, the Hearing Officer approved CUP No. 696961. On November 10, 2010, D. Todd Philips, Chair of the Scripps Ranch Planning Group, acting on behalf of Mark Palid, appealed the decision of the Hearing Officer to approve the modifications on the Sprint facility at the Spring Canyon Reservoir. The property is located at 12225 Spring Canyon Road in the RS-1-8 zone within the Scripps Ranch North Community Planning area (Attachments 1, 2 and 3). The appeal alleges that the decision to approve this WCF was based on factual error, conflict with other matters and new information (Attachment 9).

For reference, the Report to the Hearing Officer, dated October 27, 2010 is included as Attachment 15. For brevity, this Report to the Planning Commission addresses only the issues raised in the Development Permit Appeal Application that was filed by the appellant (Attachment 9). Although the significant project issues are summarized in this report, please refer to the Hearing Officer Report for more detailed project background information and staff's original analysis.

DISCUSSION

Project Appeal:

The appeal application generally cites three reasons for the basis of the appeal including failure to provide proper notice, the lack of adequate Radio Frequency (RF) testing and the lack of safety. The specific complaints and staff responses are as follows:

- 1. Conflict with San Diego Municipal Code Section 112.0302(b)(2)- failure for proper notice.*

Section 112.0302 - Notice by Mail. Section (b)(2) requires that Notices of Application, Future Decision and Public Hearing be sent to all addresses within 300 feet of the boundary of the real property that is the subject of the application, including each address within a condominium or apartment complex.

Compliance with LDC Section 112.0302 regarding all required noticing for this project has been achieved. Mr. Palid indicated at the Hearing Officer hearing that he did not receive notices for the other WCF's on the reservoir property. There are three other carriers on site, all of which were approved under previous regulations that allowed WCF's on non-residentially used sites through the ministerial process. Verizon has submitted an application for their expired permit and it is anticipated that AT&T will be

submitting a new application for their expired facility in the near future.

2. *Pursuant to San Diego Municipal Code Section 112.0506(c)(2)- new information not available to interested person: there is more than the applicant's cell tower on the facility- up to 36 pieces on reservoir; over FCC acceptable radio frequency levels; no regular independent testing of facility conducted; no independent evidence that current equipment is in compliance with FCC regs; lack of proper warning signs on facility; defective original permits.*

There are currently four WCF's operating at this project site, although Sprint/Clearwire is the only subject of this appeal. The other projects were processed under previous regulations, which allowed these facilities through a ministerial review process. All but one has an expiration date and those are either in process or will be submitted very soon. The appropriate notices will be sent out pursuant to LDC Section 112.0506.

The existing WCF's on site were approved prior to the requirement that a cumulative RF report be submitted to the City, however, Verizon received a Substantial Conformance Review for their monopole a few years ago and as part of the approval, they were required to submit a cumulative RF report. The facilities on site are all in compliance with FCC Guidelines. Although a new report will be required of Sprint/Clearwire prior to their obtaining permits for any work on site, it is important to note that The Telecommunication Act of 1996 does not permit local jurisdictions to base decisions on on the environmental effects of radio frequency. The RF report is always required after a land use decision has been made and it is maintained in the project file for the life of the permit.

The project site is approximately 30-feet higher than Spring Canyon Road where a block wall with chain link fencing separates the two. Mature eucalyptus trees also surround the property. Access to the site is through a private drive off of Spring Canyon Road and a locked gate keeps the public from entering the property. Each of the facilities has warning signage as required by CAL-OSHA, although it is not easily visible due to the elevational difference, the security fencing, and the mature trees surrounding the premises.

The last issue identified in the second point of the appeal is that there are "defective original permits". No explanation was provided by the appellant. It is important to remember that the only permit in question at this point is the Sprint/Clearwire CUP which is the subject of this appeal.

3. *Pursuant to San Diego Municipal Code Section 112.0506(c)(1) – factual error: decision maker relied on statements of safety – interested person contends there is an increased likelihood of fire and property damage when placed in a residential area; given fires of 2003 and 2007 this is a significant issue in Scripps Ranch.*

This section of the Code identifies grounds for appeals including factual error that the decision maker may have relied upon to base his decision. No evidence has been presented thus far that WCF's present a potential fire danger. If anything they provide an additional means for communication during emergencies if the landlines are impacted in a given area.


Conclusion:

The Sprint/Clearwire project has been determined to be consistent with the purpose and intent of the applicable development regulations of the Land Development Code, which includes the RS-1-8 development regulations and the Wireless Communication Facilities regulations, §141.0420. The project has also been determined to be consistent with the General Plan. The existing Sprint facility was approved in 2001 and is need of maintenance. The Clearwire additions will include upgrades to the facility including current antenna mounting practices, paint and coax cable organization. The proximity of the WCF's to the surrounding residential uses is a fair distance given that the reservoir property is significantly higher. The existing mature trees surrounding the property provide screening of the tank and the fact that the property is fenced and gated means that access is limited. The Hearing Officer was able to make the findings in the affirmative when he approved the project on October 27, 2010 and staff continues to recommend approval of CUP No.696961.


ALTERNATIVES:

1. **Approve, Conditional Use Permit No. 696961, with modifications.**
2. **Deny Conditional Use Permit No. 696961, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Karen Lynch-Ashcraft
Project Manager
Development Services Department

BROUGHTON/KLA
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map

3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Copy of Appeal
10. Photos
11. Photosimulation
12. Project Chronology
13. Planning Commission Notice
14. Project Plans

Rev 01-04-07/rh

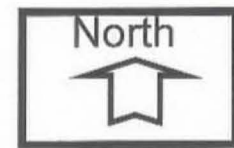


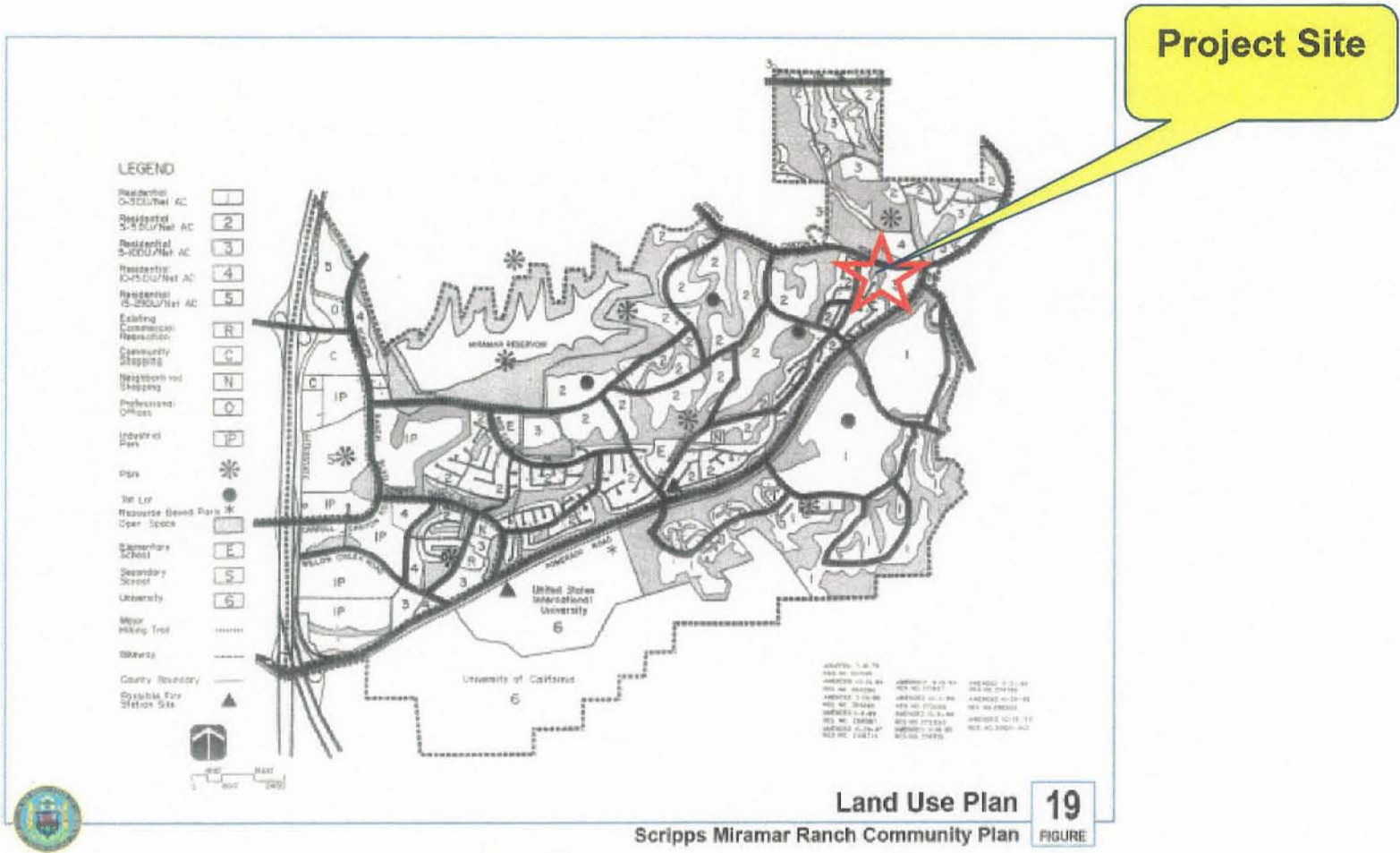
Aerial Photo

SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR PROJECT

NUMBER 196930

12225 SPRING CANYON ROAD





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SCRIPPS MIRAMAR RANCH COMMUNITY PLAN MAP

SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR- PROJECT

NUMBER 196930

12225 SPRING CANYON ROAD



ATTACHMENT 2

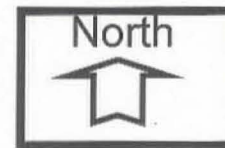




Project Location Map

SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR– PROJECT
NUMBER 196930

12225 SPRING CANYON ROAD



PROJECT DATA SHEET

PROJECT NAME:	Sprint/Clearwire – Scripps Ranch Reservoir	
PROJECT DESCRIPTION:	Modification of an existing wireless communication facility to add six antennas and update existing antennas and add a cabinet to the existing 200 square foot enclosure.	
COMMUNITY PLAN AREA:	Scripps Miramar Ranch	
DISCRETIONARY ACTIONS:	Conditional Use Permit.	
COMMUNITY PLAN LAND USE DESIGNATION:	Open Space.	
<u>ZONING INFORMATION:</u>		
ZONE: RS-1-8 HEIGHT LIMIT: 35-Foot maximum height limit. FRONT SETBACK: 25 feet. SIDE SETBACK: 10 feet. REAR SETBACK: 10 feet.		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Open Space; RS-1-8.	Open Space
SOUTH:	Open Space; RS-1-8.	Open Space
EAST:	Residential (3-5 du/ac); RM-1-1.	Single-Family Residential
WEST:	Residential (5-10 du/ac); RS-1-13.	Single-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On May 6, 2010, the Scripps Ranch Planning Group voted unanimously to approve this project, with no conditions.	

**PLANNING COMMISSION
RESOLUTION NO.
CONDITIONAL USE PERMIT NO. 696961
SPRINT/CLEARWIRE – SCRIPPS RANCH /CLEARWIRE
PROJECT NO. 196930
DRAFT**

WHEREAS, City of San Diego, Owner and Sprint/Nextel and Clearwire, Permittees, filed an application with the City of San Diego for a permit for a wireless communication facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 696961, on portions of a 1.67 acre site;

WHEREAS, the project site is located at 12225 Spring Canyon Road in the RS-1-8 zone of the Scripps Miramar Ranch Community Planning area;

WHEREAS, the project site is legally described as Lot 891 of Scripps Ranch Unit No. 11 according to Map thereof No. 8223 in the City of San Diego, County of San Diego, State of California.;

WHEREAS, on October 27, 2010, the Hearing Officer of the City of San Diego approved Conditional Use Permit No. 696961, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 10, 2010, J. Todd Philips, on behalf of Mark Palid, filed an appeal of the Hearing Officer's decision;

WHEREAS, on November 19, 2009, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15302, Replacement or Reconstruction; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated January 20, 2011.

FINDINGS:

Findings for Conditional Use Permit Approval – Section §126.0305

(a) The proposed *development* will not adversely affect the applicable *land use plan*;

Section A.15 of the Urban Design section of the City of San Diego's General Plan addresses Wireless Facilities. The intent is to minimize the visual impact of wireless facilities. The General Plan states that wireless facilities should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. In this

particular case, Sprint currently has antennas on the City-owned reservoir. Clearwire is requesting to add antennas and update the existing Sprint antennas. All components will be repainted to blend in with the reservoir.

The General Plan also states that facilities should be designed to be “aesthetically pleasing and respectful to the neighborhood context.” There is an approximate elevational difference between the reservoir site and the surrounding residential area of 40-feet and the entire reservoir site is surrounded by mature Eucalyptus trees, which provides screening for the antennas.

The Scripps Miramar Ranch Community Plan does not address WCF’s as a specific land use. The goal of the WCF regulations is to integrate facilities into the setting in which they are proposed. Utilizing an existing vertical element that is part of the neighborhood landscape is always recommended especially when there is such a great elevational difference and existing mature trees surrounding the site.

(b) The proposed *development* will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the “placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” The proposed project would be consistent with the FCC’s regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit that requires Sprint/Nextel and Clearwire to submit an RF study to demonstrate compliance with the applicable FCC regulations prior to building permit issuance. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within matters of the City’s jurisdiction.

(c) The proposed *development* will comply to the maximum extent feasible with the regulations of the Land Development Code; and

Sprint/Nextel currently has antennas on the reservoir that were approved in 2001. Clearwire is now requesting to add antennas to each of Sprint/Nextel’s three sectors in order to provide WiMax services to residents surrounding the Scripps Ranch Reservoir. The project complies with all development regulations for the RS-1-8 zone and it complies with the Wireless Communication Facility regulations, LDC Section 141.0420, which requires WCF’s to be minimally visible through the use of architecture, landscape architecture and siting solutions.

(d) The proposed use is appropriate at the proposed location.

Council Policy 600-43 outlines preference levels for Wireless Communication Facilities where residential properties are the least preferred and non-residential properties are more preferred. This project is considered a Preference 2 Location, which is a more preferred when carriers need to provide coverage in areas that are entirely residential. The preference then would be to utilize non-residential uses such as a reservoir. In this case, the elevation of the reservoir is approximately 40 feet higher than surrounding properties and the entire perimeter of the property is lined with mature Eucalyptus trees. Façade mounted antennas on the reservoir will be well screened by the trees and because the project site is much higher than the surrounding properties,

the visual impact is particularly minimized. Therefore, the Sprint/Clearwire project is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 696961 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittees, in the form, exhibits, terms and conditions as set forth in Permit No. 696961, a copy of which is attached hereto and made a part hereof.

Karen Lynch-Ashcraft
Development Project Manager
Development Services

Adopted on: January 20, 2011

Job Order No. 24000375

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000375

CONDITIONAL USE PERMIT NO. 696961
SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR
PROJECT NO. 196930
PLANNING COMMISSION
DRAFT

This Conditional Use Permit No. 696961 is granted by the Planning Commission of the City of San Diego to City of San Diego, Owner, and Sprint/Nextel and Clearwire, Permittees, pursuant to San Diego Municipal Code [SDMC] section 141.0420. The 1.67-acre site is located at 12225 Spring Canyon Road in the RS-1-8 zone of the Scripps Miramar Ranch Community Planning area. The project site is legally described as: Lot 891 of Scripps Ranch Unit No. 11 according to Map thereof No. 8223 in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittees for a wireless communication facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 20, 2011 on file in the Development Services Department.

The project shall include:

- a. A total of 15 antennas mounted on the Scripps Ranch Reservoir in three sectors as follows: Sprint/Nextel will have three sectors of three panel antennas each for a total of nine antennas; Clearwire will have one microwave dish and one panel antenna in each of the three sectors for a total of six antennas;
- b. An existing 200 square foot equipment shelter containing Sprint and Clearwire equipment;

- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. This Conditional Use Permit and corresponding use of this site shall **expire on January 20, 2021**. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
3. No later than ninety (90) days prior to the expiration of this permit, the Permittees may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for compliance, which may include penalties and fines.
4. Under no circumstances, does approval of this permit authorize Permittees or their tenants to utilize this site for wireless communication purposes beyond the permit expiration date. Implicit use of this permit beyond the effective date of this permit is prohibited.
5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

9. Issuance of this Permit by the City of San Diego does not authorize the Permittees for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

10. The Permittees shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

11. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

12. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permittees are required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The Permittees shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Permittees of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Permittees shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election,

Permittees shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Permittees regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Permittees shall not be required to pay or perform any settlement unless such settlement is approved by Permittees.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permits, the Permittees shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

15. Prior to the issuance of any construction permits, the Permittees shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

16. Existing landscape material, as shown on Exhibit "A" photos, act to screen views of the equipment shelter. Landscape material shall be maintained in a healthy living condition. Prior to removal of landscape screening, the Permittees shall provide evidence to the Development Services Department that equipment shelters will be sufficiently screened by replacement landscape material or by other means, to the satisfaction of the Development Services Department. Significant changes to the existing landscape may require a Substantial Conformance Review or permit amendment.

PLANNING/DESIGN REQUIREMENTS:

17. All antennas and mounting apparatus shall be painted to match the reservoir.

18. No mounting pipes may be longer than the antennas they are supporting.

19. All antennas shall utilize skirts and chin straps as illustrated in Exhibit A, dated January 20, 2011. No exposed cables are permitted.

20. At no point in time, shall the approved antennas be different in size, other than those shown on the approved Exhibit A.

21. Prior to the issuance of a construction permit, the Permittees shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission's Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.

22. All equipment, including transformers, emergency generators and air conditioners belonging to Permittees shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
23. All facilities and related equipment shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days.
24. Once this site is deemed complete from construction, the Permittees are required to send a letter (Subject: Planning Inspection Project Number 196930) to the City of San Diego, Development Services Department requesting for a planning inspection. The site is officially deemed complete once the City Manager signs the letter. The Permittees shall be provided with a copy of the signed letter for record purposes.
25. The Permittees are responsible for notifying the city prior to the sale or takeover of this site to any other provider or if the site is no longer operational resulting in the removal and the restoration of this site to its original condition.
26. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittees.
27. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on January 20, 2011 by Resolution No. XXXXX.

Permit Type/PTS Approval No.: CUP No. 696961
Date of Approval: January 20, 2011, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Karen Lynch-Ashcraft

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

Sprint/Nextel
Permittee

City Of San Diego
Owner

By _____
NAME
TITLE

By _____
David Sandoval, CCIM
Deputy Director, Real Estate Assets

Clearwire
Permittee

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

NOTICE OF EXEMPTION

ATTACHMENT 7

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 196930

PROJECT TITLE: Sprint Clearwire Spring Canyon WT

PROJECT LOCATION-SPECIFIC: 12214 Chardonnay Street, San Diego, CA

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Conditional Use Permit to modify an existing unmanned wireless communication facility (WCF) on an existing water tank. The project consists of the replacement of Wimax equipment located inside an existing telecom equipment shelter; replace three (3) existing antennas with three (3) Wimax antenna assemblies; and install one (1) GPS antenna. The antennas would be installed around the top of the water tower, at the north, southeast, and southwest facades. The equipment shelter is located to the northwest of the water tower at ground level. The project is located at 12214 Chardonnay Street, in the RS-1-8 Zone, within the Scripps Miramar Ranch Community Plan area.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mike McNelly, Clearwire
4400 Carillon Point
Kirkland, WA 98033
619-454-1839

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268);
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- CATEGORICAL EXEMPTION: 15302: REPLACEMENT OR RECONSTRUCTION

REASONS WHY PROJECT IS EXEMPT: The proposed project would not have the potential for causing a significant effect on the environment, as the project proposes to replace existing telecom equipment with new equipment, with substantially the same purpose of the existing equipment. None of the exceptions described in CEQA Guidelines Section 15300.2 apply, and the project has no potential to result in significant effect on the environment.

LEAD AGENCY CONTACT PERSON: M. Blake

TELEPHONE: (619) 446-5375

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

Martha Blum / Senior Planner
SIGNATURE/TITLE

11/19/2009
DATE

CHECK ONE:

- SIGNED BY LEAD AGENCY
- SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

MIRAMAR RANCH NORTH PLANNING COMMITTEE (MRNPC)

MEETING MINUTES

November 3, 2009

7:03 p.m. Call to Order

1. Introductions

Members Present:

Bill Crooks(Chair), Tracy Reed (Vice Chair), David Berry, Fred Dudek, Peggy Shirey, Lorayne Burley, Dustin Steiner, Marian Marum.

Guests:

Kelly Batten (Councilman DeMaio office), Antoinette Meier (CALTRANS), Dan McAlister (County Treasurer), Oscar Valdivieso (City SD), John Keating (LLG), James Miller (LLG) Becky Siskowski (Sprint Nextel), Caitlyn Kes (Scripps Ranch Com. Member)

2. Public Comment (none)
3. Modifications to the Agenda (none)

7:07 p.m. Communications

1. City Council – Kelly Batten (report attached)
2. City of San Diego Planning Department – Tony Kempton (none)
3. City, County and State –
 - CALTRANS: Closure update was handed out
4. SRPG – Bob Ilko (none)
5. SRCA – Bill Crooks reported that Officer Gomez is aggressive on Tickets.
6. CPC – Tracy Reed
Reported on CPC discussions which included:
 - Medical Marijuana (smaller dispensaries)
 - Revenues down \$50 Mil overall
 - Calif Consumer Price Index could drop 2%

7:30 p.m. Presentations / Discussion / Action Items: (P / D / A)

1. The Economy: "Where are we and where is we going?" - Dan McAllister SD County Treasurer, Tax Collector:
Reported on Tax Bills, Forclosure Rates, Requests for Reassessments, Rebates sent out, Sacramento taking local funds, County Investments held in short term accounts for safety.
2. Traffic Light at Affinity Court: Marcy Harris requested some solution for dangerous situation. Dave requested Traffic Accident Statistics.

ATTACHMENT 8

3. Spring Canyon Traffic Study: Oscar Valdivieso reported that striping would be done by May or June 2010. Signal will follow later. LLG reviewed that current striping plans, based upon previous work by RBF and Committee. Comments included frustration that previous direction was not interpreted fully and properly. Median chokers were not included but were still desired. Accel and Decel Lanes were preferred in several locations. Bike Lane weaving and right turn pockets were discussed. It was decided that LLG should confer with RBF to better understand the previous community input. LLG would present plan refinements based on tonight's feedback and meeting with RBF.
4. Bike Path Project: (Item was rescheduled)
5. Sprint/Nextel: Becky Siskowski reported on new cell units being added to City Reservoir walls. Dave Berry made a motion to approve, based upon the fact that Federal Law prohibits discussion pertaining to health concerns. Marian seconded. Discussion followed and led to an amended motion by Dave 'to Approve'. The amended motion (with no reference to health issues) was Unanimously Approved.
6. Approval Minutes: October Minutes 2009 (A Item)

Committee Reports

1. Chair's Report – Bill Crooks (see attached)
2. MAD/LMD – Marian Marum reported that irrigation vandalism was still problematic. Geoff is working closely with Police Department. City Purchasing Department is still holding the new Landscape Maintenance Contractor selection paperwork...no resolution yet.
3. New Projects – (No report)
4. Roster Update – (None)
5. Facilities and Financing – (No report)
6. Schools – Lorayne Witte Burley (No report)
7. YMCA- David Berry (No report)
8. Transportation – Tracy Reed (No report)
9. Open Space, Parks and Recreation – David Berry (No report)

Other Business

9:30 p.m. **Adjournment**

 THE CITY OF SAN DIEGO	City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101 (619) 446-5210	<h2 style="margin: 0;">Development Permit/ Environmental Determination Appeal Application</h2>	FORM DS-3031 MAY 2010
--	---	--	------------------------------------

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

<input type="checkbox"/> Process Two Decision - Appeal to Planning Commission	<input type="checkbox"/> Environmental Determination - Appeal to City Council
<input checked="" type="checkbox"/> Process Three Decision - Appeal to Planning Commission	<input type="checkbox"/> Appeal of a Hearing Officer Decision to revoke a permit
<input type="checkbox"/> Process Four Decision - Appeal to City Council	

2. Appellant *Please check one* Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name: D. Todd Phillips		E-mail Address: dtodchilips@hotmail.com	
Address: 11017 Scripps Ranch Blvd.		City: San Diego	State: CA
		Zip Code: 92131	Telephone: (858) 935-9430

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Becky Slatowski, DePratt, Inc.

4. Project Information	Date of Decision/Determination:	City Project Manager:
Permit/Environmental Determination & Permit/Document No.: 198930	10/27/2010	Karen Lynch-Ashcraft

Decision (describe the permit/approval decision):
 Approval of an application for a wireless communication facility consisting of a modification to an existing project located on the Scripps Ranch Reservoir at 12225 Spring Canyon Road.

5. Grounds for Appeal (Please check all that apply)

<input checked="" type="checkbox"/> Factual Error (Process Three and Four decisions only)	<input checked="" type="checkbox"/> New Information (Process Three and Four decisions only)
<input checked="" type="checkbox"/> Conflict with other matters (Process Three and Four decisions only)	<input type="checkbox"/> City-wide Significance (Process Four decisions only)
<input type="checkbox"/> Findings Not Supported (Process Three and Four decisions only)	

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

1. Conflict with San Diego Municipal Code section 112.0302(b)(2) - failure for proper notice.

2. Pursuant to San Diego Municipal Code section 112.0506(c)(2) - new information not available to interested person:
 there is more than the applicant's cell tower on facility - up to 36 pieces on reservoir, over FCC acceptable radio frequency levels;
 no regular independent testing of facility conducted; no independent evidence that current equipment is in compliance with FCC reqs;
 lack of proper warning signs on facility; defective original permits

3. Pursuant to San Diego Municipal Code section 112.0506(c)(1) - factual error: decision maker relied on statements of safety - interested person contends there is an increased likelihood of fire and property damage when placed in a residential area; given fires of 2003 and 2007 this is a significant issue in Scripps Ranch.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

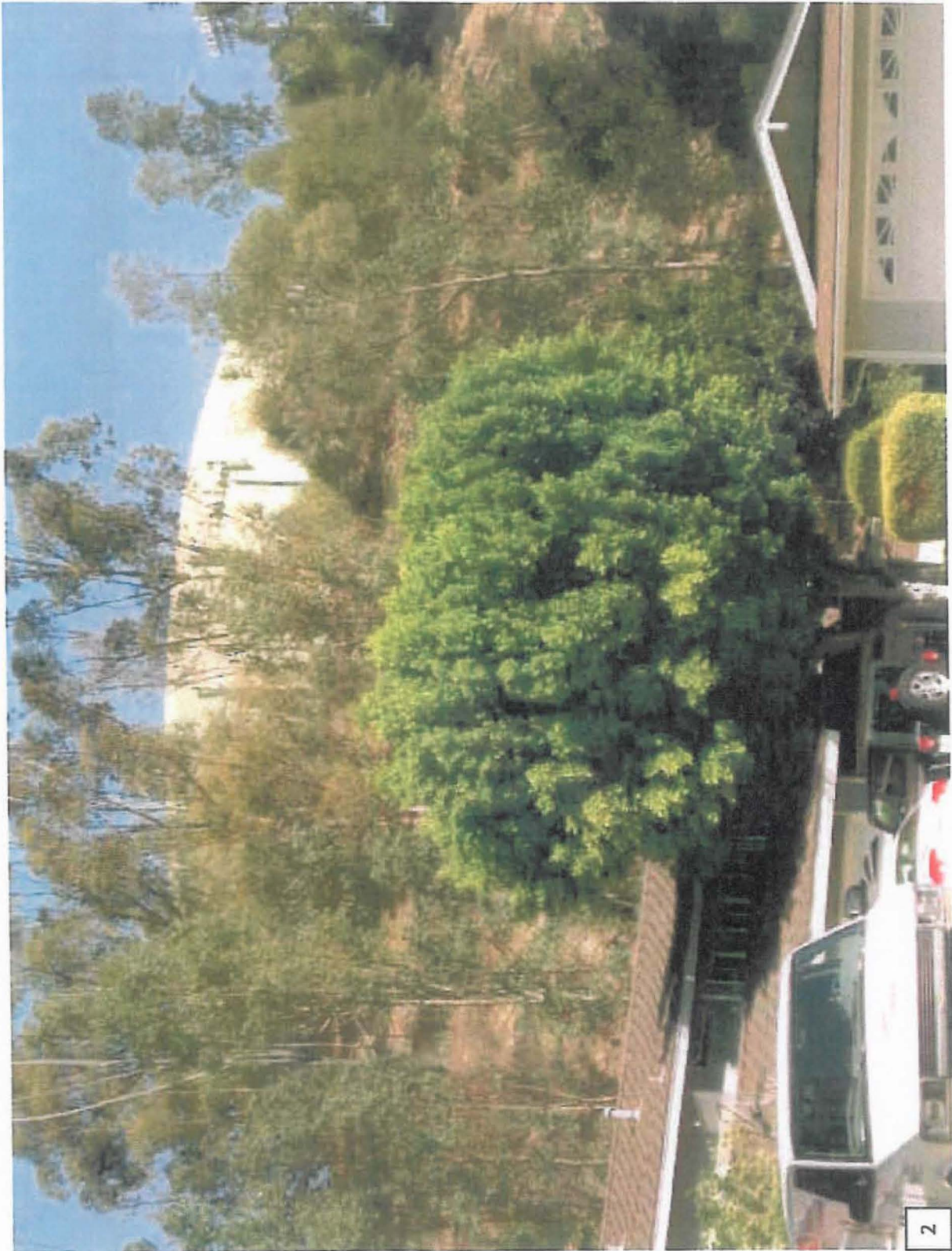
Signature:  Date: 11/10/2010

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.



LOOKING EAST

1

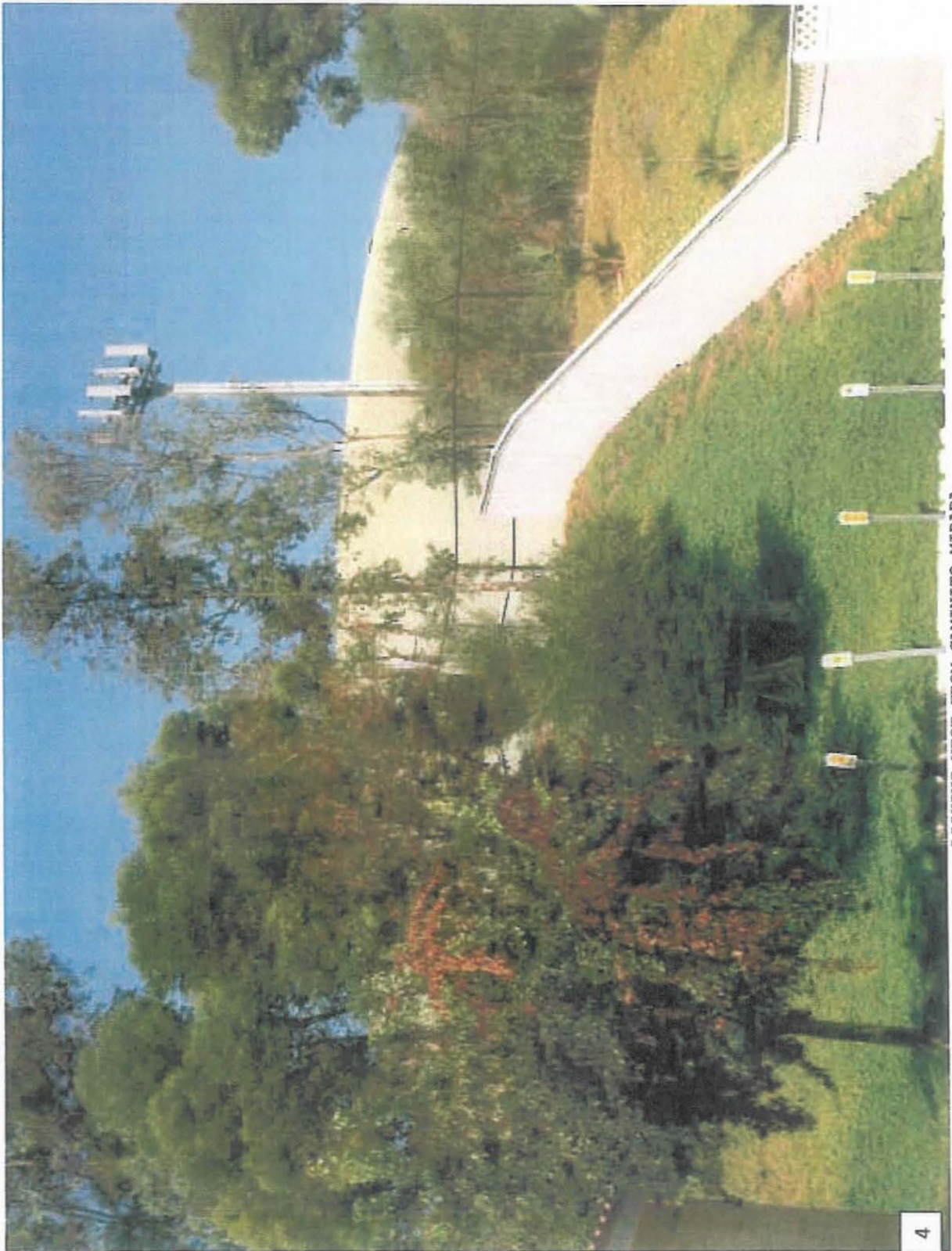


LOOKING NORTH FROM CHARDONNAY STREET

2

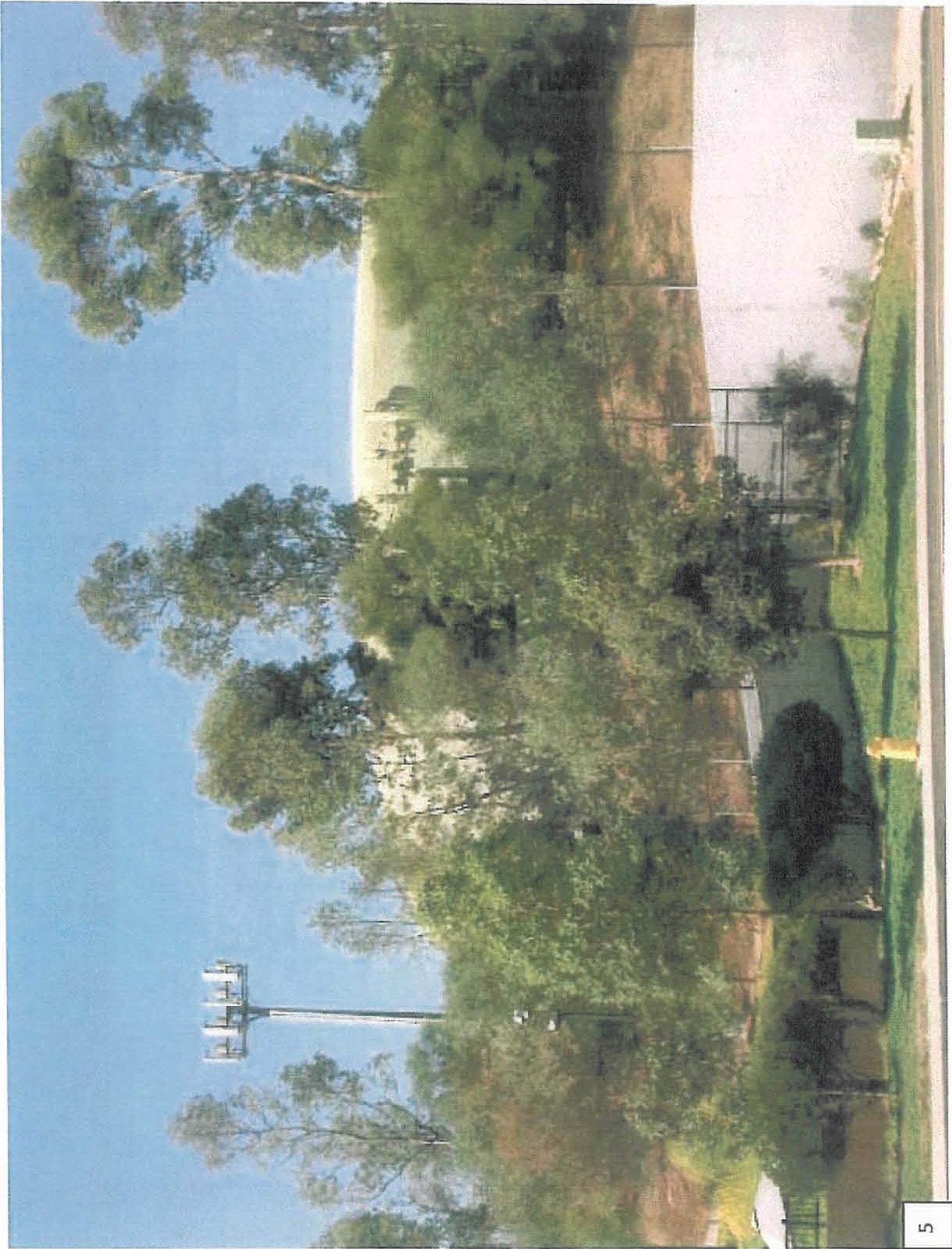


LOOKING WEST



LOOKING WEST FROM CAMINITO MIRADA

4



LOOKING SOUTH FROM SPRING CANYON ROAD

5

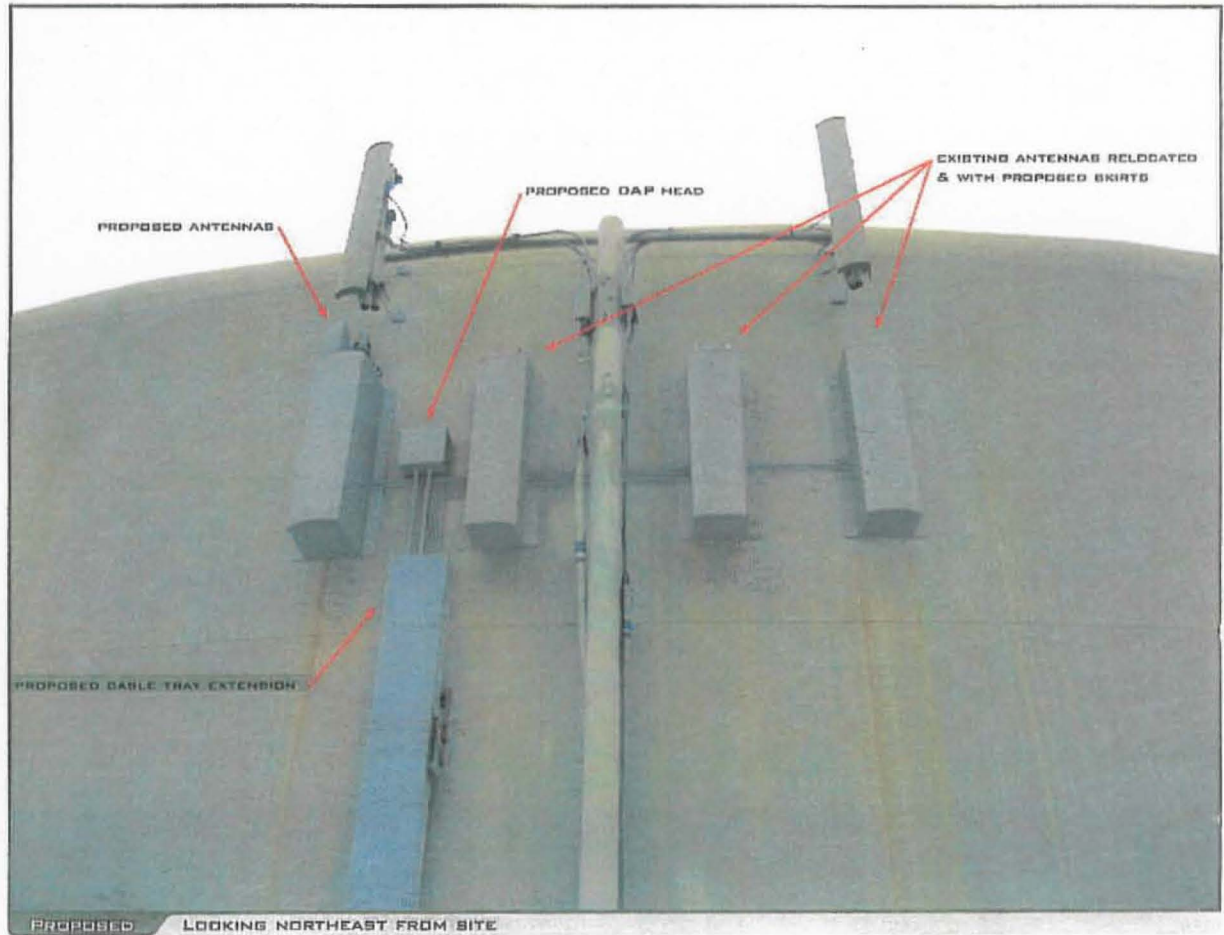


CA-SDG5173A SPRING CANYON WATER

12225 SPRING CANYON ROAD SAN DIEGO CA 92131



VIEW 1



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



Together with NEXTEL

CA-SDG5173A SPRING CANYON WATER

12225 SPRING CANYON ROAD SAN DIEGO CA 92131

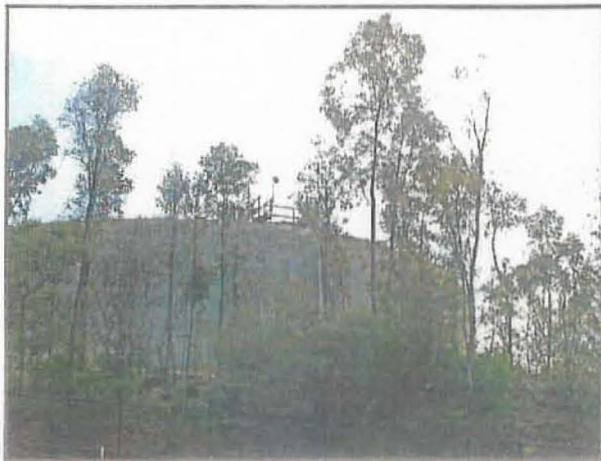


VIEW 1

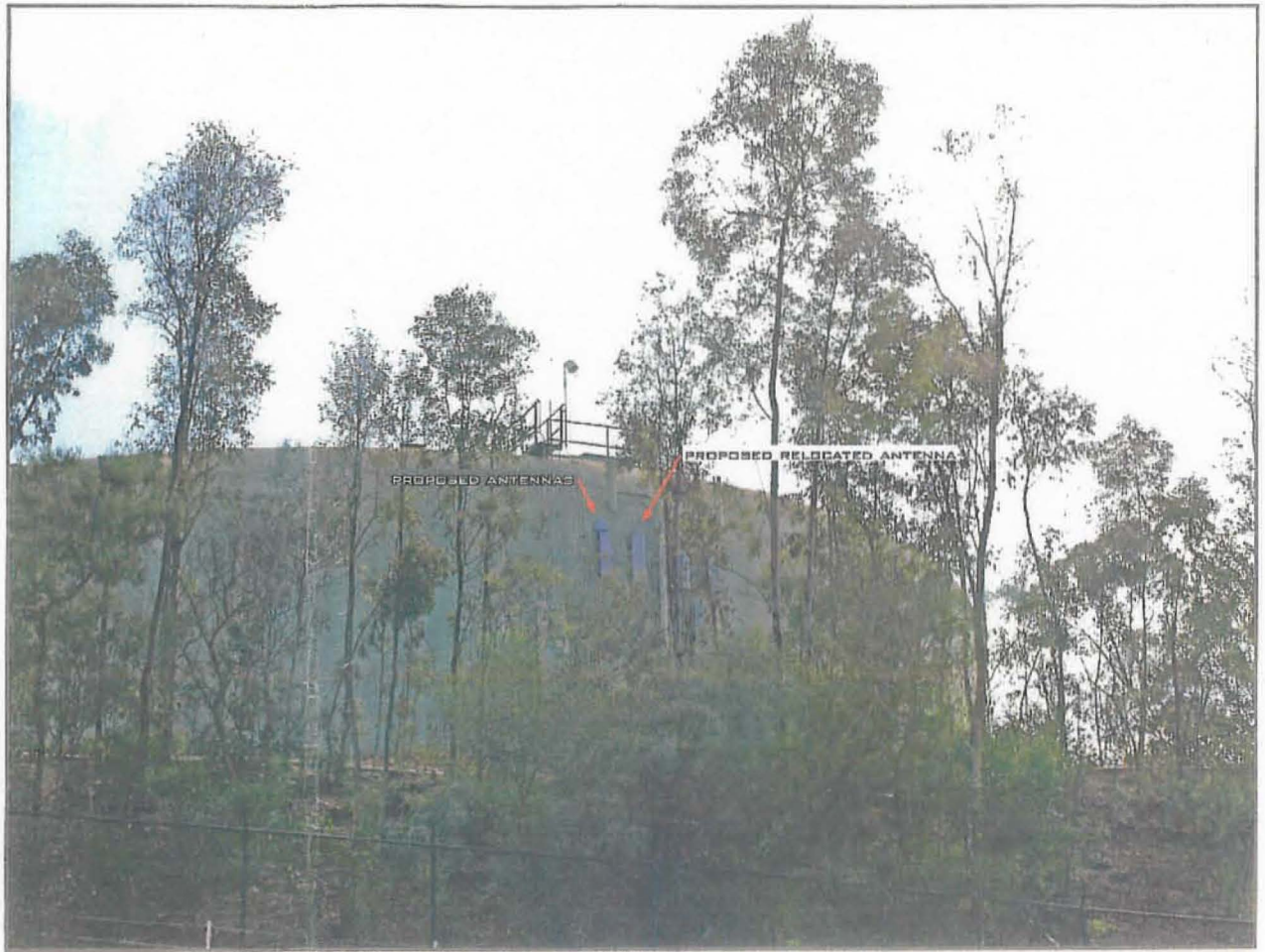


LOCATION

©2008 Google Maps



EXISTING



PROPOSED

LOOKING SOUTHWEST ACROSS SPRING CANYON ROAD

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



Together with NEXTEL

CA-SDG5173A SPRING CANYON WATER

12225 SPRING CANYON ROAD SAN DIEGO CA 92131



AEsims.com
877.9AE.sims

VIEW 2



LOCATION

©2009 Google Maps



EXISTING



PROPOSED

LOOKING EAST FROM RIESLING DRIVE

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

Sprint / Nextel / clear wire[®]

CA-6982 - SCRIPPS RANCH RESERVOIR

(CA-SDG5173a)

12225 SPRING CANYON ROAD
SAN DIEGO, CA 92131

DEVELOPMENT SUMMARY

PROJECT SCOPE OF WORK:

SPRINT PROPOSES TO MODIFY THE EXISTING UNMANNED TELECOMMUNICATIONS FACILITY AS FOLLOWS:
 EXISTING ENTITLEMENT: 12 ANTENNAS TOTAL (3 SECTORS AT 4 ANTENNAS PER SECTOR)
 EXISTING SPRINT INSTALLATION:
 SECTOR A: 3 PANEL ANTENNAS
 SECTOR B: 3 PANEL ANTENNAS
 SECTOR C: 3 PANEL ANTENNAS
 EQUIPMENT ENCLOSURE: EXISTING CABINETS LOCATED IN THE SPRINT LEASE AREA INSIDE THE EXISTING SHELTER
 GPS ANTENNA: 2 GPS ANTENNAS MOUNTED ON THE OUTSIDE OF THE EXISTING SHELTER WALL
 PROPOSED MODIFICATION:
 SECTOR A: ADD 1 'SPRINT' PANEL ANTENNA AND ADD 1 'SPRINT' DIRECTIONAL ANTENNA TO THE EXISTING PIPE MOUNT
 SECTOR B: ADD 1 'SPRINT' PANEL ANTENNA AND ADD 1 'SPRINT' DIRECTIONAL ANTENNA TO THE EXISTING PIPE MOUNT
 SECTOR C: ADD 1 'SPRINT' PANEL ANTENNA AND ADD 1 'SPRINT' DIRECTIONAL ANTENNA TO THE EXISTING PIPE MOUNT
 EQUIPMENT ENCLOSURE: 1 NEW 'MAX' RACK IN THE EXISTING SHELTER LEASE AREA
 GPS ANTENNA: 1 NEW 'SPRINT' GPS ANTENNA MOUNTED ON THE OUTSIDE OF THE EXISTING SHELTER WALL

• BOXED BELOW IS A LIST OF DEVELOPMENT REGULATION DEVIATIONS, AND THE REQUIRED PERMITS/APPROVALS, N/A IF LEFT BLANK:

TO BE FILLED OUT BY ZONER/APPLICANT:
 CONDITIONAL USE PERMIT

PROPERTY INFORMATION:

• LEGAL DESCRIPTION:
 LOT 89 OF SCRIPPS RANCH UNIT NO. 11 ACCORDING TO MAP THEREOF NO. IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO STATE OF CALIFORNIA.

• ASSESSOR PARCEL NUMBER: 319-211-35-00
 • LEASE AREA: EXISTING

OWNER:

OWNER: CITY OF SAN DIEGO PUBLIC UTILITIES DEPARTMENT WATER BRANCH
 ADDRESS: 2707 CAMINITO CHOLLAS SAN DIEGO, CA 92105
 CONTACT: CAROL YOUNG
 PHONE: (619) 236-6081

EXISTING WCFs ON SAME PROPERTY:

1. TMO
2. NEXTEL

BUILDING CODE INFORMATION:

• EXISTING BUILDING/STRUCTURE:
 OCCUPANCY = S2
 CONSTRUCTION TYPE = V-B
 SPRINKLER SYSTEM = NO
 • PROPOSED STRUCTURE:
 OCCUPANCY = S2
 CONSTRUCTION TYPE = V-B
 SPRINKLER SYSTEM = NO

ZONING INFORMATION:

JURISDICTION: SAN DIEGO
 ZONING DESIGNATION: RS-1-B
 LATITUDE: 32°55'18.58" N
 LONGITUDE: 117°04'01.85" W
 TOP OF (E) STRUCTURE: 32'-00" AGL
 BASE OF STRUCTURE: - AMSL

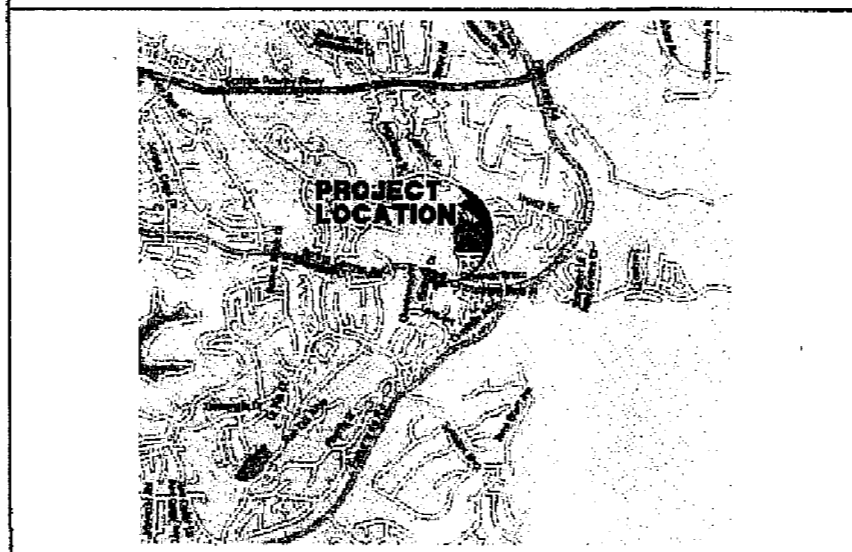
PROJECT TEAM:

RF ENGINEER: WELDA CUEVAS
 PHONE: (760) 250-3579
 CONSTRUCTION: PAUL HOGNESS
 PHONE: (858) 231-8889
 SITE ACQUISITION: BECKY SISKOWSKI
 PHONE: (858) 243-2900
 PLANNING: BECKY SISKOWSKI
 PHONE: (858) 243-2900
 ARCHITECT: D.K. DO, RA
 PHONE: (949) 475-1000
 SURVEYOR: N/A
 CIVIL/STRUCTURAL ENGR. N/A
 PHONE: -

CODE COMPLIANCE

1. CALIFORNIA BUILDING CODE CBC-2007
 2. CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25) 2007
 3. ANS/ISA-222-F LIFE SAFETY CODE
 4. NFPA-101-2008
 5. CALIFORNIA ELECTRICAL CODE CEC-2007
 6. CALIFORNIA MECHANICAL CODE CMC-2007
 7. CALIFORNIA PLUMBING CODE CPC-2007
 8. LOCAL BUILDING CODE(S)
 9. CITY AND/OR COUNTY ORDINANCES
- ** NOTE: ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THESE CODES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

VICINITY MAP



DRIVING DIRECTIONS

DEPART FROM SAN DIEGO INTERNATIONAL AIRPORT.
 START OUT GOING EAST TOWARD N HARBOR DR.
 TURN LEFT ONTO N HARBOR DR.
 TURN LEFT ONTO W GRAPE ST.
 MERGE ONTO I-5 S
 MERGE ONTO CA-163 N VIA EXIT 16 TOWARD ESCONDIDO.
 MERGE ONTO I-15 N.
 TAKE THE POMERADO RD/MIRAMAR RD EXIT, EXIT 14.
 TURN RIGHT ONTO POMERADO RD.
 TURN LEFT ONTO SPRING CANYON RD.
 12225 SPRING CANYON ROAD

APPROVAL	DATE	SIGNATURE
P.M.:		
LANDLORD:		
CONST:		
S/A:		
R.F.:		
ZONING:		
ASE:		
R.F.:		

REVIEWERS SHALL CLEARLY PLACE INITIALS ADJACENT TO EACH REDLINE NOTE AS DRAWINGS ARE BEING REVIEWED

DRAWING INDEX

SHEET	DESCRIPTION
T1	TITLE SHEET
T2	WPCP CHECKLIST
A1	SITE PLAN
A2	ANTENNA & EQUIPMENT LAYOUT PLAN
A3	ELEVATIONS
A4	ELEVATIONS

APPLICANT INFORMATION

APPLICANT:
 SPRINT
 5781 COPLEY DR. #100
 SAN DIEGO, CA 92111
 CONTACT: GLORI JAMES-SUAREZ
 PHONE: (760) 250-7544
 FAX: (858) 850-4202
 E-MAIL: -

ARCHITECT:
 DCI PACIFIC
 2450 DUPONT DRIVE
 IRVINE, CA 92612
 CONTACT: D.K. DO, RA
 PHONE: (949) 475-1000
 FAX: (949) 475-1001
 E-MAIL: DK@DCIPACIFIC.COM

SITE ACQUISITION:
 DEPRATH INC.
 13948 CALLE BUENO CANAR
 JAMUL, CA 91935
 CONTACT: SEE PROJECT TEAM FOR INFO.
 PHONE: (619) 726-8110
 FAX: -

ABBREVIATIONS

A/C	AIR CONDITIONING	GA	GAUGE	OC	ON CENTER
AGL	ABOVE FINISH GRADE	GALV	GALVANIZED	OD	OUTSIDE DIAMETER
APPROX	APPROXIMATELY	CC	GENERAL CONTRACTOR	PLYWD	PLYWOOD
BLDG	BUILDING	CC	GROUND	PROJ	PROJECT
BLK	BLOCKING	CRAD	GYPSUM WALL BOARD	PROP	PROPERTY
CLR	CLEAR	GYP BD		R	RADIUS
CONC	CONCRETE	HORZ	HORIZONTAL	REQ	REQUIRED
CONSTR	CONSTRUCTION	HR	HOUR	RW	ROOM
CONT	CONTINUOUS	HT	HEIGHT	RO	ROUGH OPENING
		HVAC	HEATING, VENTILATION, AIR CONDITIONING	SHT	SHEET
				SIM	SIMILAR
DBL	DOUBLE	ID	INSIDE DIAMETER	SPEC	SPECIFICATION
DR	DIAMETER	IN	INCH	SF	SQUARE FOOT
DIAG	DIAGONAL	INFO	INFORMATION	SS	STAINLESS STEEL
DN	DOWN	INSUL	INSULATION	STL	STEEL
DET	DETAIL	INT	INTERIOR	STRUCT	STRUCTURAL
DWG	DRAWING	CEC	CALIFORNIA BUILDING CODE	SUSP	SUSPENDED
		L	LENGTH	THRU	THROUGH
E	EXISTING	LBS	POUNDS	T.O.	TOP OF
EA	EACH	MAX	MAXIMUM	TYP	TYPICAL
ELEV	ELEVATION	MECH	MECHANICAL	UNO	UNLESS NOTED OTHERWISE
ELEC	ELECTRICAL	METL	METAL	VERT	VERTICAL
EQ	EQUAL	MFR	MANUFACTURE	VF	VERIFY IN FIELD
EQUIP	EQUIPMENT	MGR	MANAGER		
EXT	EXTERIOR	MEN	MEMORANDUM		
		MISC	MISCELLANEOUS		
FIN	FINISH	NA	NOT APPLICABLE	W/	WITH
FLOR	FLOOR	HC	HOT IN CONTRACT	W/O	WITHOUT
FLR	FLOOR	HTS	HOT TO SCALE	WP	WATER PROOF
FT	FOOT				

Sprint
 Together with NEXTEL

5781 COPLEY DR. #100, SAN DIEGO, CA 92111
 PHONE: (858) 656-4200 FAX: (858) 656-4202

DCI PACIFIC

ARCHITECTURE • ENGINEERING • LANDSCAPE ARCHITECTURE
 3250 LA JOLLA VILLAGE DRIVE, SUITE 110, IRVINE, CA 92614
 TEL: 949-453-1000 FAX: 949-453-1001

PROPRIETARY INFORMATION
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CA-6982
 SCRIPPS RANCH
 RESERVOIR
 CA-SDG5173a
 12225 SPRING CANYON ROAD
 SAN DIEGO, CA 92131

LICENSURE

NO.	DATE	DESCRIPTION	INITIAL
1	05-05-08	PRELIM 2D	HL
2	05-05-08	ISSUE 2D	HL
3	05-05-08	REVISED TROOP 2D	HL
4	05-05-08	PER CITY COMMENTS	HL
5	05-05-08	PER CITY COMMENTS	HL
6	05-05-08	PER CITY COMMENTS	HL
7	05-05-08	PER CITY COMMENTS	HL

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T1

City of San Diego
Development Services
1225 First Ave., 12th Floor
San Diego, CA 92101
619 445-8200

**Storm Water Requirements
Applicability Checklist** FORM DS-560 February 2010

Project Address: 12225 Scripps Canyon Rd., San Diego
Answer Form Number: 310-211-35-00
Project Number (for City Use Only):

This form must be completed and submitted with your permit application.

Section 1 - Permanent Storm Water BMP Requirements
If any answers to Part A are answered "Yes," your project is subject to the "Priority Project Permanent Storm Water BMP Requirements," and "Standard Permanent Storm Water BMP Requirements" of the Storm Water Standards Manual, Section III. If all answers to Part A are "No," and any answers to Part B are "Yes," your project is only subject to the Standard Permanent Storm Water BMP Requirements. If every question in Part A and B is answered "No," your project is exempt from permanent storm water requirements.

Part A: Determine Priority Project Permanent Storm Water BMP Requirements.
Does the project meet the definition of one or more of the following priority project categories? (Refer to the definition section in the Storm Water Standards for a partial definition of the priority project categories.)

- Effective as of 1/22/2010: Does the project disturb one acre or more and not meet one of the following listed sub-1? Yes No
- Projects meeting less than 5,000 sq ft of impervious surface that add landscaping that does not require regular use of pesticides and fertilizers such as a slope stabilization project using native plants; does not require regular use of pesticides and fertilizers; or, such as for emergency or maintenance areas, or for public or private use, if they are built with impervious surfaces or if they show signs of surrounding pervious surfaces; and, projects that do not meet the definition of New Development or Significant Re-development in the Storm Water Standards. Yes No
- New detached or attached residential development of 10 or more units Yes No
- New developments of heavy industry greater than 1 acre Yes No
- New commercial development greater than 1 acre Yes No
- New automotive repair shop Yes No
- New restaurant Yes No
- New building development greater than 5,000 square feet Yes No
- New project within 500 feet of a discharge to receiving waters within Water Quality Sensitive Areas Yes No
- New parking lot greater than or equal to 2,000 square feet or with at least 10 parking spaces Yes No
- New roads, roads, highways, and driveways which would create a new paved surface that is 5,000 square feet or greater Yes No
- New retail gasoline station Yes No
- Underground (that includes under-slab) 5,000 square feet or more of impervious surface and the existing site must be at least one of the categories 1-11 above? Yes No

Limited Exclusion: Trucking and emergency maintenance utility projects are not considered priority projects.

Part B: Determine Standard Permanent Storm Water Requirements.
Does the project propose:

- New impervious areas, such as parking, roads, parking, law, driveways, patios and sidewalks? Yes No
- New pervious landscape areas and hardscape systems? Yes No
- Professional structures within 100 feet of any natural water body? Yes No

Based on completed form, fill in whether or not applicable to your project.
Upon receipt, this information is available in the City's records for review and distribution.
DS-560 (02-10)

Page 2 of 2 City of San Diego - Development Services Department - Storm Water Requirements Applicability Checklist

- Trash storage areas? Yes No
- Liquid or solid material loading and unloading areas? Yes No
- Vehicle or equipment fueling, washing, or maintenance areas? Yes No
- Engines or Generators (Excludes the Storm Water Requirements Associated with Industrial Activities (IWI) the Storm Water Requirements Manual (SWM) (IWI) is required.) Yes No
- Commercial or industrial waste handling or storage, including typical office or household waste? Yes No
- Any grading or ground disturbance during construction? Yes No
- Any new storm drains, or alteration to existing storm drains? Yes No

Section 2. Construction Storm Water BMP Requirements
If any of the answers to the questions in Part C are "Yes," applicable to the construction site pertains to Part D below.

Part C: Determine Construction Phase Storm Water Requirements.
If any of Part C is answered "Yes," then the project is subject to Section IV of the Storm Water Standards Manual. If question 1 is answered "Yes" then a Storm Water Pollution Prevention Plan (SWPPP) is required; otherwise a Water Pollution Control Plan (WPCP) is required.

Which the project meet any of these criteria during construction?

- Is the project subject to California's statewide General NPDES Permit for Storm Water Discharges Associated with Construction Activities? Yes No
- Does the project propose grading or soil disturbance? Yes No
- Will it store water or other runoff here that potentially to contact any portion of the construction area, including washing and cleaning areas? Yes No
- Will the project use any construction materials that could negatively affect water quality if discharged from the site to a creek, pond, stream, reservoir, wetland? Yes No

Part D: Determine Construction Site Priority
This determination shall be completed with city staff, based on the plans and location in the SWPPP or WPCP. The City reserves the right to adjust the priority of the project both before and during construction. (Note: The construction priority does NOT change construction BMP requirements that apply to projects; rather, it determines the frequency of inspections that will be conducted by City staff.)

1) High Priority

- Projects where the site is 50 acres or more and grading will occur during the wet season
- Projects 1 acre or more and tributary to an impaired water body (e.g., tributaries watershed)
- Projects 1 acre or more which are directly adjacent to or discharging directly to a natural stream or other receiving water within a Water Quality Sensitive Area
- Projects subject to phased grading or advanced treatment requirements.

2) Medium Priority
Projects 1 acre or more but not subject to a high priority designation.

3) Low Priority
Projects requiring a Water Pollution Control Plan but not subject to a medium or high priority designation.

Name of Owner or Agent: DCI PACIFIC / D.K. DO
Title: ARCHITECT/PRINCIPAL
Date: 03-18-10

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Together with NEXTEL

6781 COPLEY DR. #100, SAN DIEGO, CA 92111
PHONE: (619) 650-4200 FAX: (619) 650-4202

DCI PACIFIC

ARCHITECTURE • ENGINEERING • CONSULTING
33 EXECUTIVE PARK | SUITE 110 | DUNSMIR, CA 92014
TEL: 619-775-2222 FAX: 619-775-1031

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**CA-6982
SCRIPPS RANCH
RESERVOIR
CA-SDG5173a**

12225 SPRING CANYON ROAD
SAN DIEGO, CA 92131

LICENSURE

REVISIONS

NO.	DATE	DESCRIPTION	INITIAL
1	03-04-10	ISSUED SET	DK
2	03-04-10	ISSUED SET	DK
3	03-04-10	ISSUED SET	DK
4	03-04-10	FOR CITY COMMENTS	DK
5	03-04-10	FOR CITY COMMENTS	DK
6	03-04-10	FOR CITY COMMENTS	DK
7	03-04-10	FOR CITY COMMENTS	DK

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

**SHEET TITLE
WPCP CHECKLIST**

**SHEET NUMBER
T2**

Sprint
Together with NEXTEL

5751 CORLEY DR. #100, SAN DIEGO, CA 92111
PHONE: (619) 850-4201 FAX: (619) 850-4202

DCI PACIFIC

ARCHITECTURE - ENGINEERING - CONSULTING
21 EXECUTIVE PARK I SUITE 110 & DRIVE I CA 92114
TEL: 261-475-1000 FAX: 261-475-1001

PROPRIETARY INFORMATION
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CA-6982
SCRIPPS RANCH RESERVOIR
CA-SDG5173a
12225 SPRING CANYON ROAD
SAN DIEGO, CA 92131

LICENSURE

REVISIONS			
NO.	DATE	DESCRIPTION	BY/REV
1	02-05-08	PRELIM ED	101
2	02-05-08	ISSUE 2D	101
3	02-05-08	REVISED TANK TO	101
4	02-05-08	PER CITY COMMENTS	101
5	02-05-08	PER CITY COMMENTS	101
6	02-05-08	PER CITY COMMENTS	101
7	02-05-08	PER CITY COMMENTS	101

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
SITE PLAN

SHEET NUMBER
A1

WIMAX PANEL ANTENNAS:

SECTOR	AZIMUTH	CABLE LENGTH	REMARKS
1	TBD	±110'	
2	TBD	±270'	
3	TBD	±385'	

MICROWAVE DISHES:

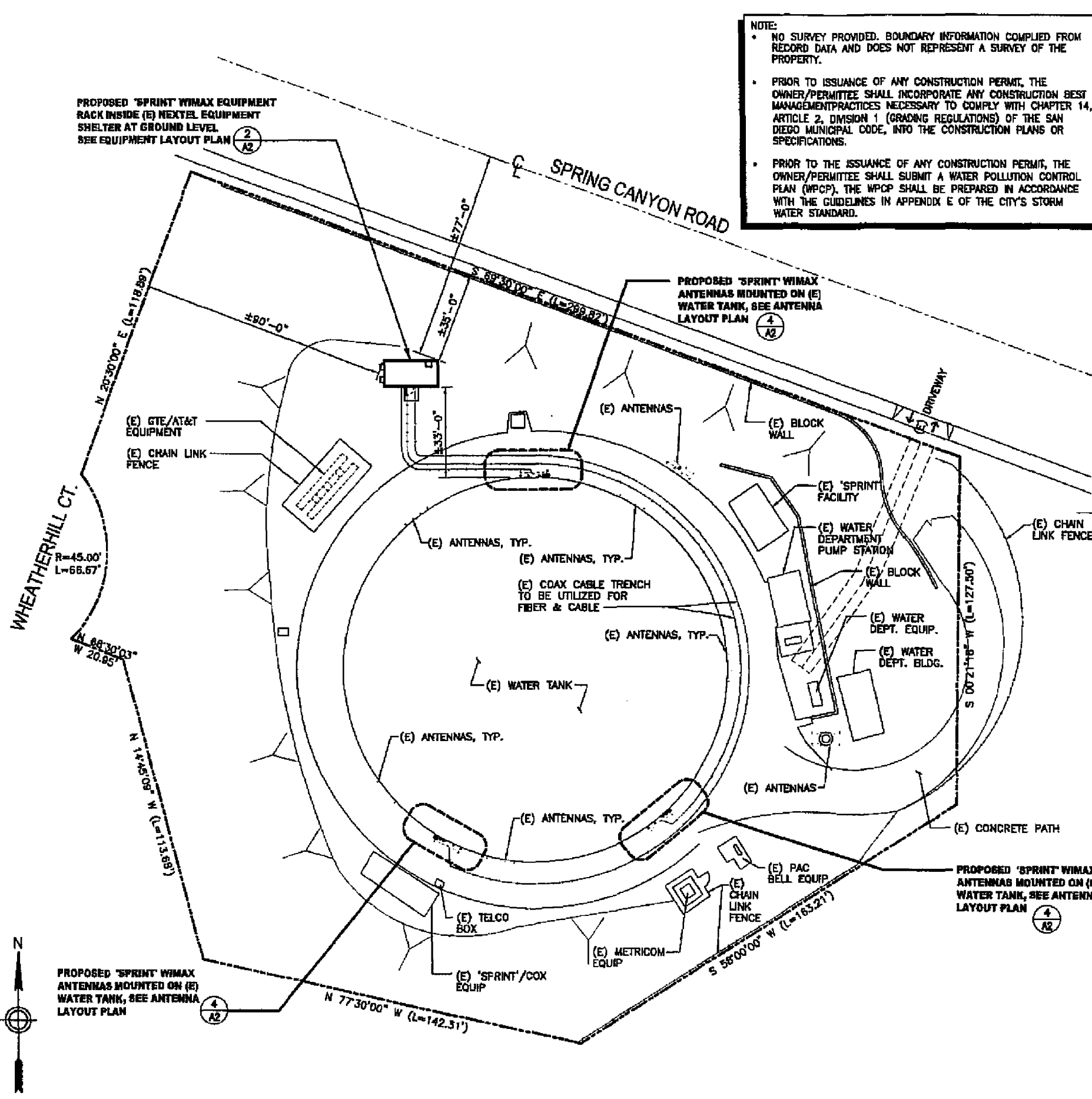
DISH#	AZIMUTH	CABLE LENGTH	REMARKS
1	82.78°	±110'	
2	82.78°	±270'	
3	282.08°	±385'	

CABLE LENGTHS ARE APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ACTUAL CABLE LENGTHS IN FIELD, INCLUDING ALL BENDS, TURNS, AND SWEEPS, PRIOR TO ORDERING OF CABLE AND/OR START OF CONSTRUCTION.

ANTENNA CABLE SCHEDULE 2

NOTE:

- NO SURVEY PROVIDED. BOUNDARY INFORMATION COMPILED FROM RECORD DATA AND DOES NOT REPRESENT A SURVEY OF THE PROPERTY.
- PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARD.



Lessee's Certificate
Standard Wireless Facility Project
For Post-construction BMP's

I/we the undersigned, as lessee of a portion of the property described as
12225 SPRING CANYON ROAD, SAN DIEGO, CA 92131
(Address or legal description)
understand that, in accordance with the San Diego Municipal Code, Land Development Manual - Storm Water Standards, this project is required to "Identify Pollutants from the Project Area" and incorporate "Site Design" and "Source Control" BMP's.

I certify to the best of my knowledge, that the pollutants anticipated by the proposed land use are as follows:

- Sediments
- Nutrients
- Trash & debris
- Oxygen Demanding Substance
- Oil & Grease
- Bacteria & Viruses
- Pesticides

I/we will incorporate the following into the site design:

- Maintain pre-development runoff characteristics
- Minimize impervious foot print by constructing walkways, patios and driveways with permeable surfaces
- Conserve natural areas
- Use natural drainage systems as opposed to lined swales or underground drainage systems
- Drain roof tops, walkways, patios and driveways into adjacent landscaping prior to discharging to the public drainage system
- Preserve existing native trees and shrubs
- Protect all slopes from erosion

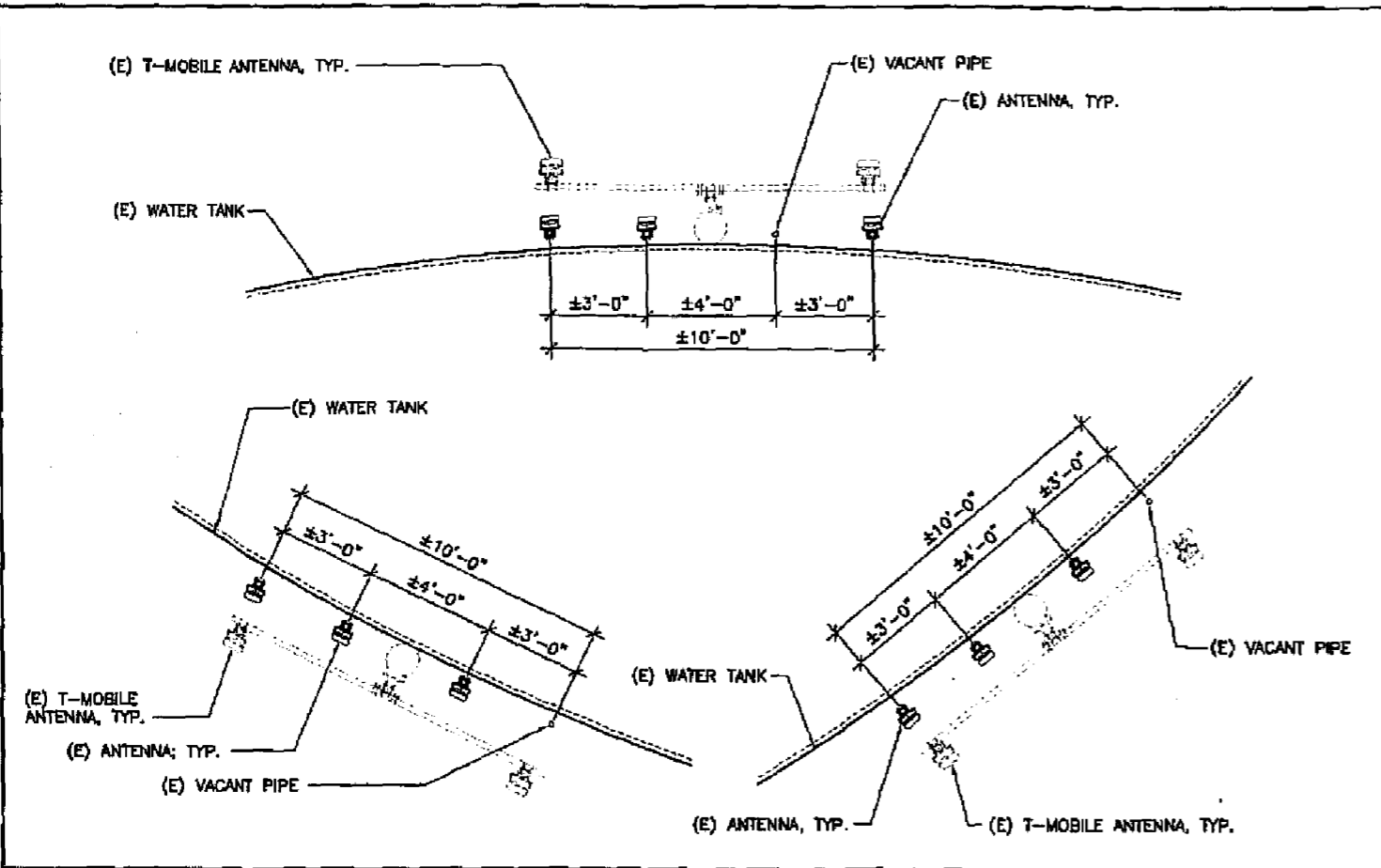
Additionally, I/we will:

- Minimize the use of pesticides
- Use efficient irrigation systems and landscape design, incorporating rain shutoff devices and flow reducers as needed

I/we will maintain the above Standard Permanent BMP's for the duration of the lease.

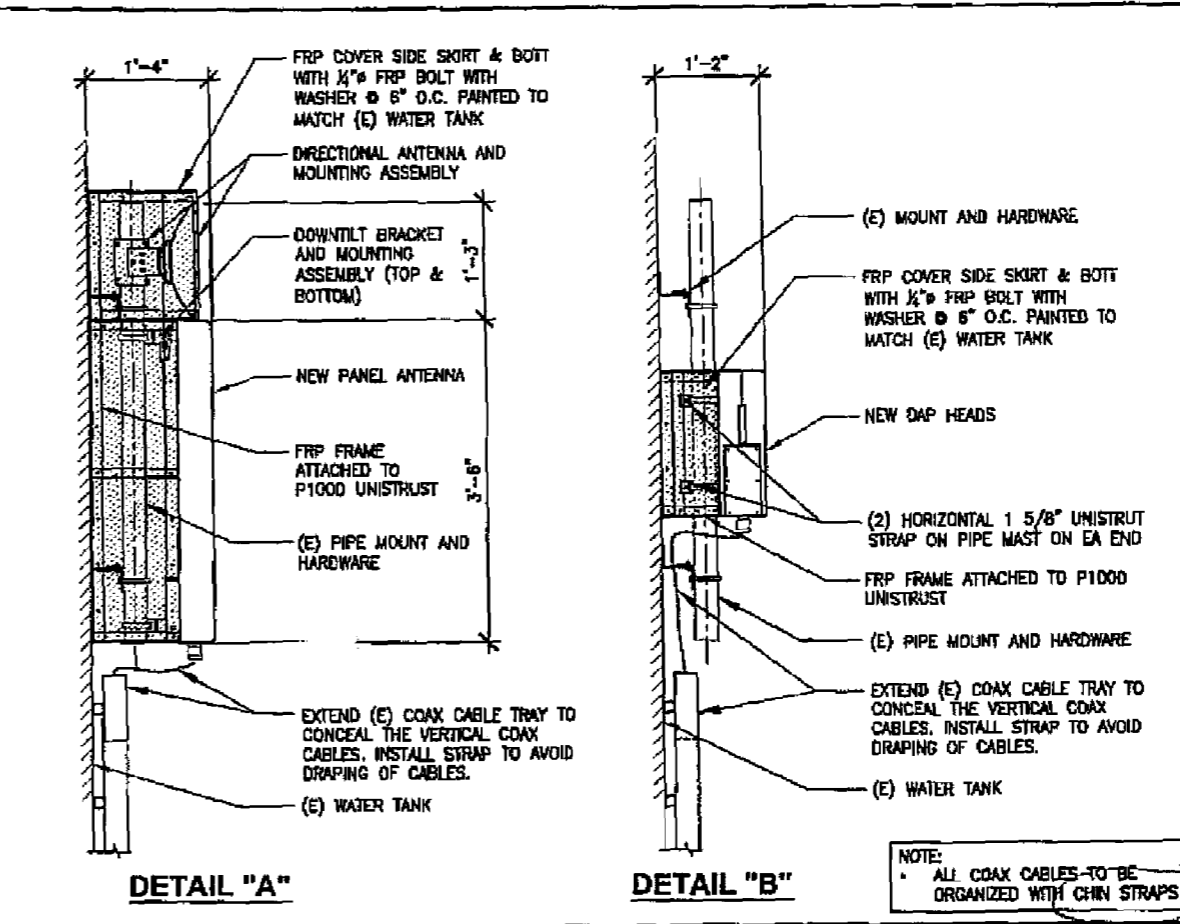
Lessee: ANNE FORD Company Name: SPRINT/NEXTEL/CLEARWIRE
(print name)

Lessee: [Signature] Date: 03-10-10
(signature)



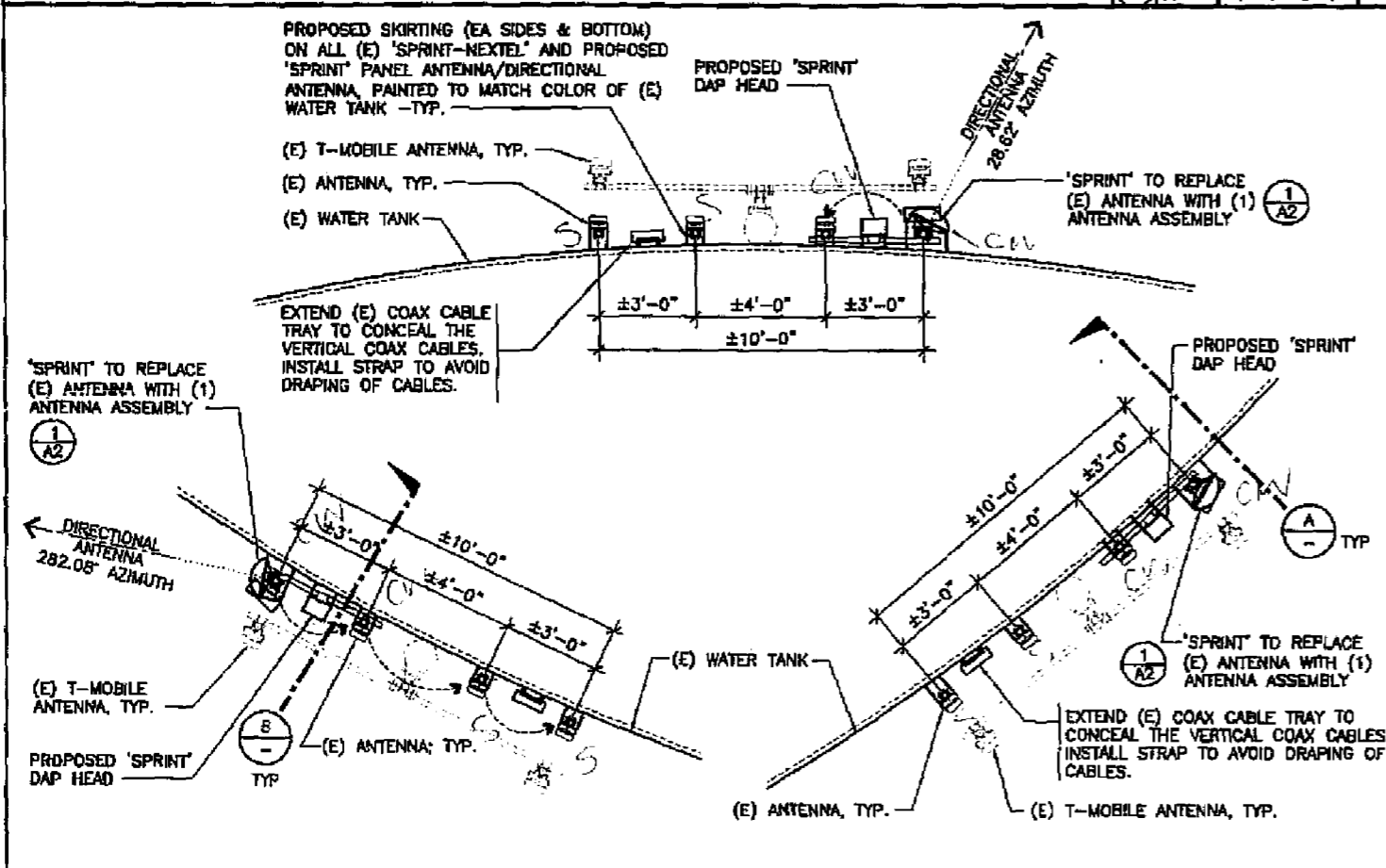
EXISTING ANTENNA LAYOUT PLAN

SCALE: 1/8" = 1'-0" 3



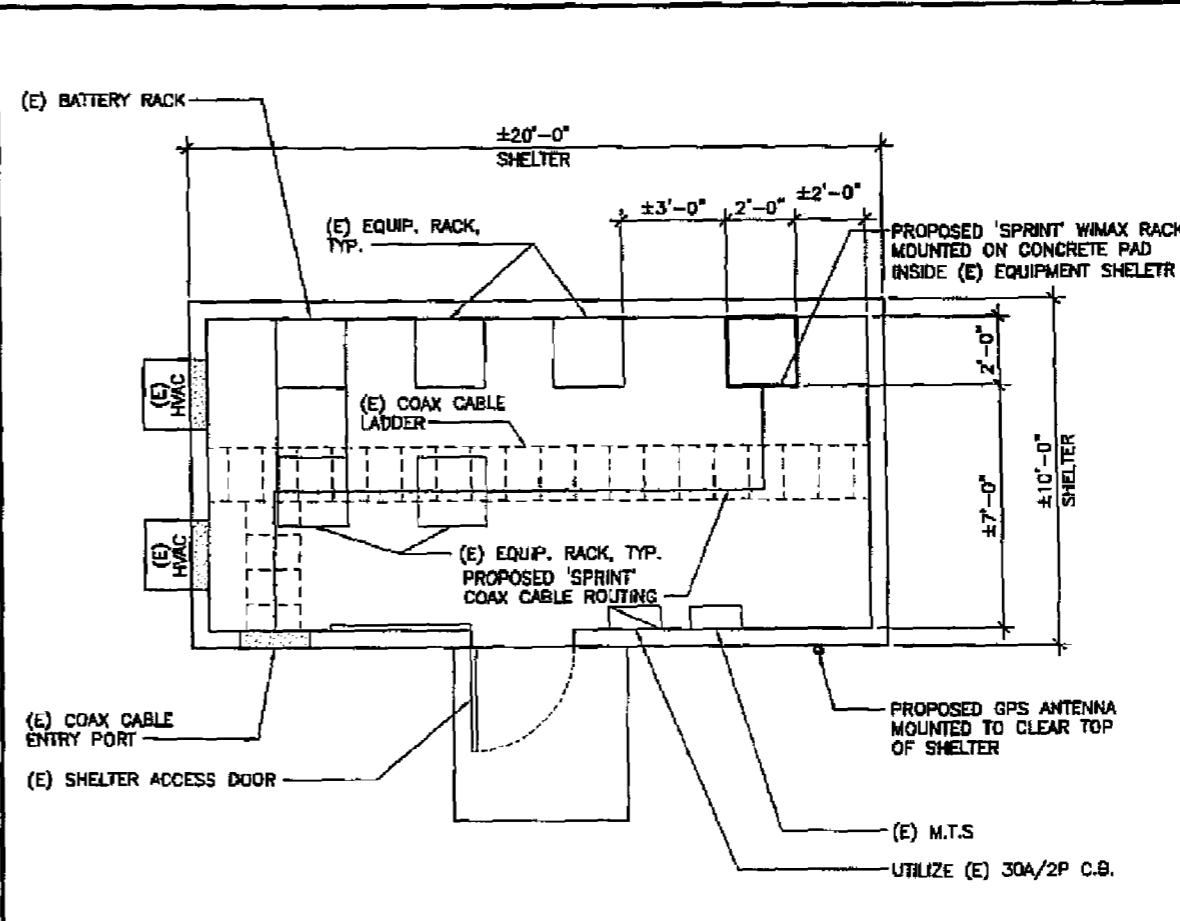
ANTENNA MOUNTING AND SKIRTING DETAIL

SCALE: 1/4" = 1'-0" 1



PROPOSED ANTENNA LAYOUT PLAN

SCALE: 1/8" = 1'-0" 4



EQUIPMENT LAYOUT PLAN

SCALE: 1/8" = 1'-0" 2

Sprint
Together with NEXTEL

5761 COMLEY DR. #100, SAN DIEGO, CA 92121
PHONE (619) 593-4280 FAX (619) 593-4222

DCI PACIFIC

ARCHITECTURE • ENGINEERING • CONSULTING
22 EXECUTIVE PARK I SUITE 1100 THE VILLAGE | CA 92114
TEL: 916-475-1000 FAX: 916-475-9811

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THIS PROJECT IS STRICTLY PROHIBITED.

CA-6982
SCRIPPS RANCH
RESERVOIR
CA-SDG5173a

12225 SPRING CANYON ROAD
SAN DIEGO, CA 92131

LICENSURE

REVISIONS			
NO.	DATE	DESCRIPTION	INITIAL
1	10-24-08	PRELIM 2D	TEC
2	10-29-08	COORD 2D	SH
3	10-29-08	PERMITS LAYOUT 2D	SH
4	12-16-08	PER CITY COMMENTS	SP
5	12-16-08	PER CITY COMMENTS	SP
6	12-16-08	PER CITY COMMENTS	SP
7	12-21-08	PER CITY COMMENTS	JDD

SHEET TITLE
ANTENNA & EQUIPMENT LAYOUT PLAN

SHEET NUMBER
A2

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET



5751 COPLEY DR. #100, SAN DIEGO, CA 92111
PHONE: (619) 696-4200 FAX: (619) 696-4207



ARCHITECTURE - ENGINEERING - CONSULTING
23 EXECUTIVE PARK I, SUITE 110, RIVERSIDE, CA 92514
TEL: 951-478-1200 FAX: 951-478-1187

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO SPRINT PROJECT IS STRICTLY PROHIBITED.

CA-6982
SCRIPPS RANCH
RESERVOIR
CA-SDG5173a
12225 SPRING CANYON ROAD
SAN DIEGO, CA 92131

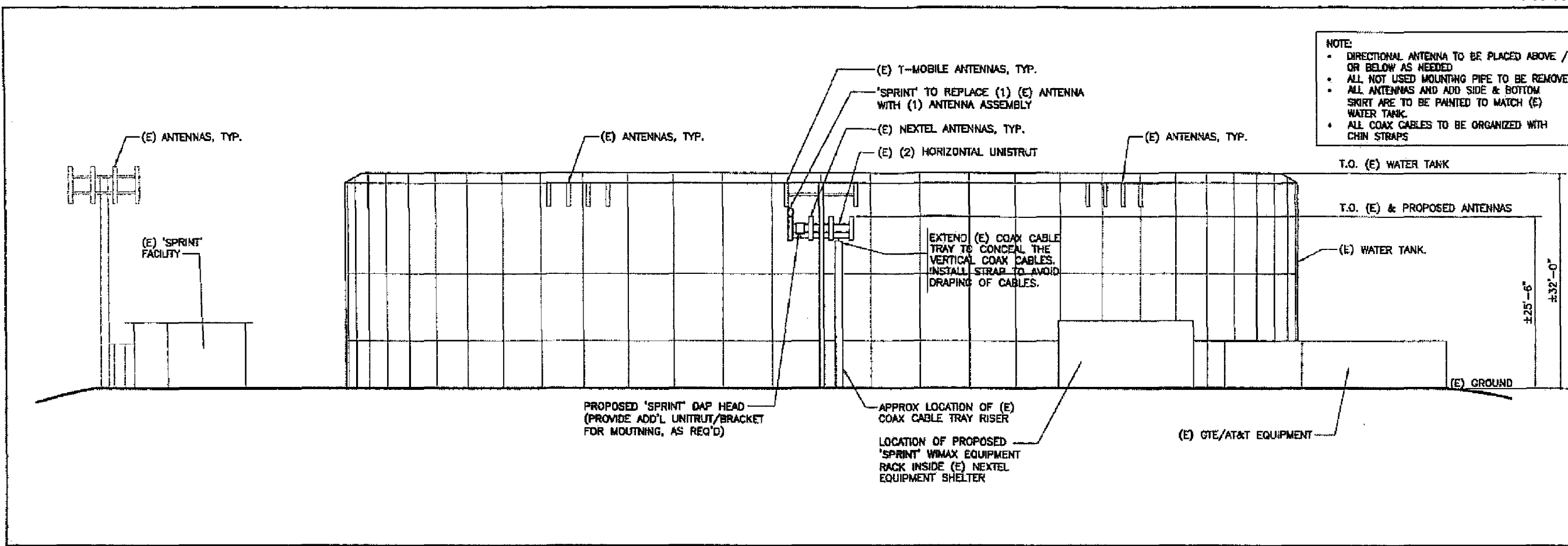
LICENSURE

REVISIONS			
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2	10-25-07	ISSUE 2D	LN
3	10-25-07	REVISED ISSUE 2D	LN
4	10-25-07	PER CITY COMMENTS	RF
5	10-25-07	PER CITY COMMENTS	RF
6	10-25-07	PER CITY COMMENTS	RF
7	10-25-07	PER CITY COMMENTS	JDD

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

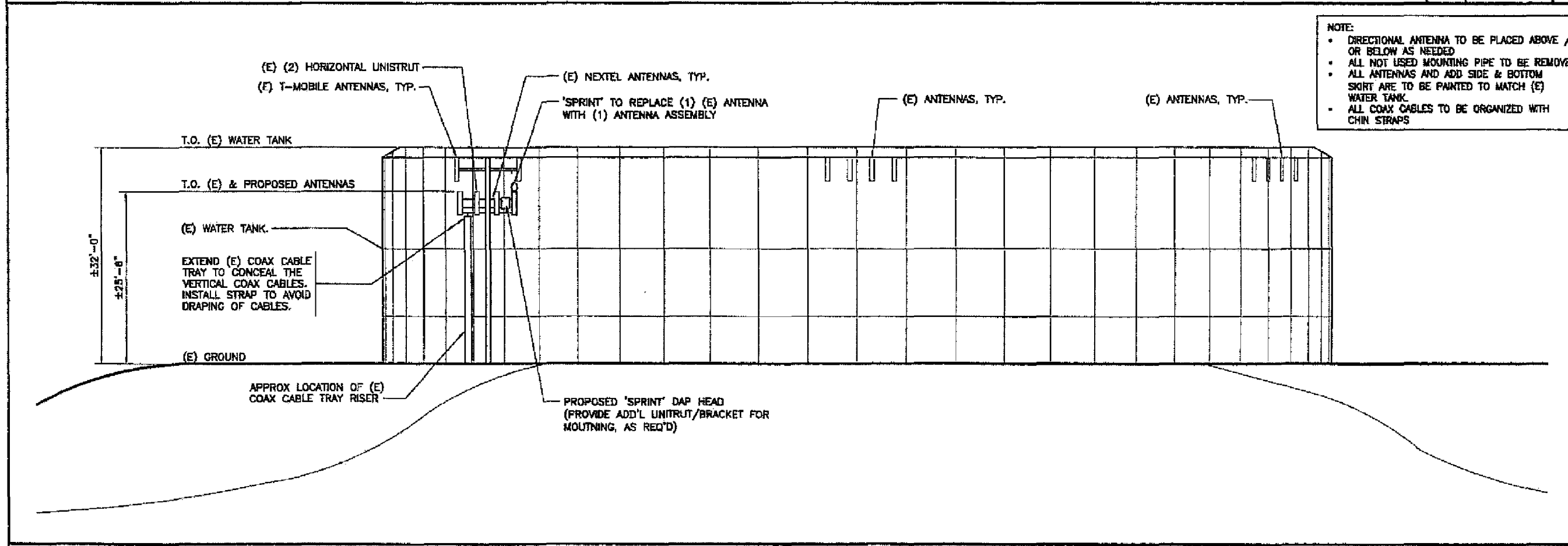
SHEET TITLE
ELEVATIONS

SHEET NUMBER
A3



NORTH ELEVATION

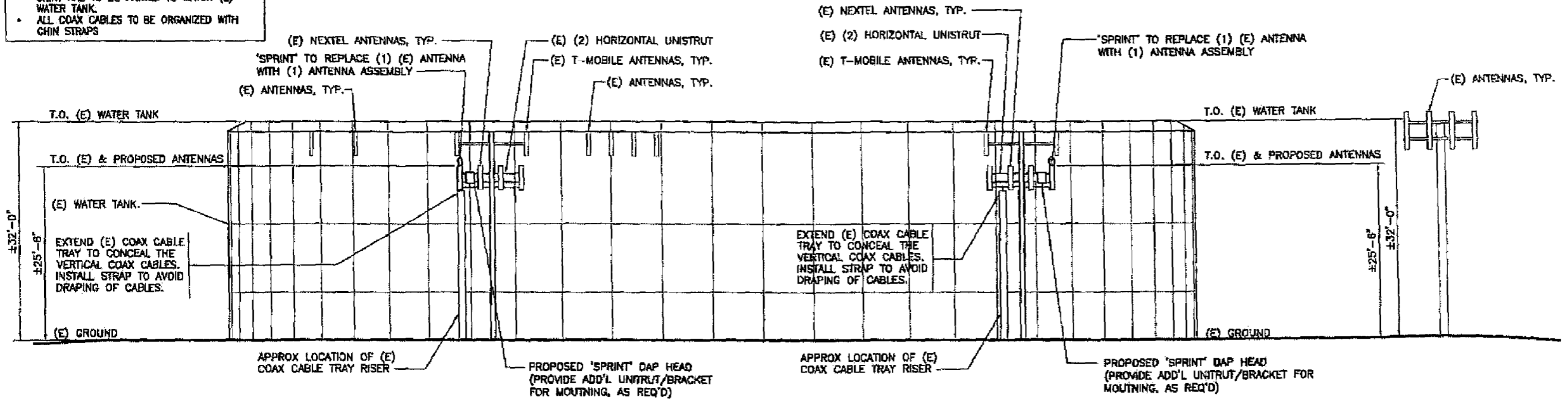
SCALE: 1/8"=1'-0" 1



EAST ELEVATION

SCALE: 1/8"=1'-0" 2

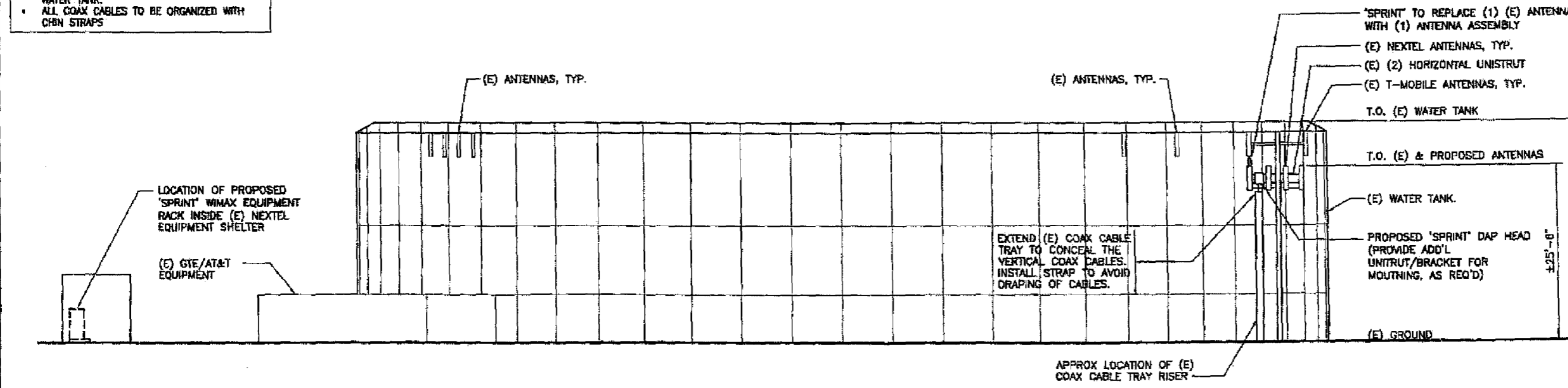
NOTE:
 • DIRECTIONAL ANTENNA TO BE PLACED ABOVE / OR BELOW AS NEEDED
 • ALL NOT USED MOUNTING PIPE TO BE REMOVE
 • ALL ANTENNAS AND ADD SIDE & BOTTOM SKIRT ARE TO BE PAINTED TO MATCH (E) WATER TANK.
 • ALL COAX CABLES TO BE ORGANIZED WITH CHIN STRAPS



SOUTH ELEVATION

SCALE: 1/8"=1'-0" 1

NOTE:
 • DIRECTIONAL ANTENNA TO BE PLACED ABOVE / OR BELOW AS NEEDED
 • ALL NOT USED MOUNTING PIPE TO BE REMOVE
 • ALL ANTENNAS AND ADD SIDE & BOTTOM SKIRT ARE TO BE PAINTED TO MATCH (E) WATER TANK.
 • ALL COAX CABLES TO BE ORGANIZED WITH CHIN STRAPS



WEST ELEVATION

SCALE: 1/8"=1'-0" 2

Sprint
 Together with NEXTEL
 5761 CORLEY DR. #100, SAN DIEGO, CA 92111
 PHONE: (619) 650-1200 FAX: (619) 650-4222

DCI PACIFIC
 ARCHITECTURE • ENGINEERING • CONSULTING
 22350 VIA PACIFIC, SUITE 110, SAN DIEGO, CA 92131
 TEL: (619) 475-1000 FAX: (619) 475-1001

PROPRIETARY INFORMATION
 THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO SPRINT PROJECT IS STRICTLY PROHIBITED.

CA-6982
SCRIPPS RANCH
RESERVOIR
CA-SDG5173a
 12225 SPRING CANYON ROAD
 SAN DIEGO, CA 92131

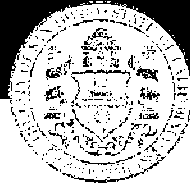
LICENSURE

REVISIONS			
NO.	DATE	DESCRIPTION	BY/IN
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2	04-24-08	ISSUE 2D	SH
3	04-24-08	ISSUED 150X 2D	SH
4	04-24-08	PER CITY COMMENTS	SH
5	04-24-08	PER CITY COMMENTS	SH
6	04-24-08	PER CITY COMMENTS	SH
7	04-24-08	PER CITY COMMENTS	SH

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A4

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: October 27, 2010 REPORT NO. HO 10-109

ATTENTION: Hearing Officer

SUBJECT: SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR
PROJECT NUMBER: 3

LOCATION: 12214 Chardonnay Street

APPLICANT: Sprint/Clearwire

SUMMARY

Requested Action - Should the Hearing Officer approve a Conditional Use Permit for a modification to a Wireless Communication Facility (WCF) located at 12214 Chardonnay Street

Staff Recommendation: Approve Conditional Use Permit No. 696961.

Community Planning Group Recommendation: On May 6, 2010, the Scripps Ranch Planning Group recommended approval (unanimous) of the Sprint/Clearwire – Scripps Ranch Reservoir.

Environmental Review: This project is not pending an appeal of the environmental determination. This project is exempt from environmental review pursuant to Article 19, Section 15302, Replacement or Reconstruction. The environmental exemption determination for this project was made on November 19, 20~~10~~⁰⁹, and the opportunity to appeal that determination ended December 14, 2009.

BACKGROUND

This project is located on a City water reservoir at 12214 Chardonnay Street within the RS-1-8 zone of the Scripps Miramar Ranch Community Planning area. The project consists of an existing Sprint/Nextel facility, approved January 8, 2001, consisting of 12 panel antennas mounted to the exterior of the reservoir and a 200 square foot equipment enclosure located on the north side of the reservoir. Clearwire is proposing to amend the permit to add three panel antennas and three microwave dishes to the reservoir and an equipment cabinet within the equipment room area. WCF's are permitted on non-residential uses within residential zones with

a Conditional Use Permit if the antennas are within 100-feet of a residentially used property line.

Currently, there are two other wireless carriers on the property: Verizon and T-Mobile. Adjacent uses include single family residential to the east and west and open space to the north and south.

DISCUSSION

Project Description:

The project will consist of a total of 12 panel antennas and three microwave dishes mounted to the exterior of the reservoir. Skirts will be used with the antennas to give the appearance of a more integrated look and the antennas will be painted to match the reservoir. The associated cables will be covered with chin straps in an effort to present a clean installation. A new equipment cabinet will be located in the existing Sprint/Nextel equipment enclosure. The site is elevated approximately 40-feet above the surrounding homes and the property is completely surrounded by Eucalyptus trees. Visibility of the new antennas will be negligible.

LDC Section 141.0420 states that the applicant shall use all reasonable means to minimize the visual impacts of the WCF through integration. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape architecture and siting solutions. Over the years, antennas have been installed on the reservoir and today the resulting antennas and past mounting methods are in varying states of disarray. With this application, the Sprint/Clearwire antennas will be updated to current installation requirements and painted to better integrate with the tank façade. Chin straps will be used to hide the cables on the antennas and the existing cable trays will be updated and extended to hide cables also. A ten-year expiration is included in the permit so that the project can be reviewed in the future for conformance with current standards.

Conclusion:

Staff supports the design as proposed. The antennas will be updated to current installation practices and all components will be repainted. This project complies with the City's Land Development Code, the Wireless Communication Facility regulations, and the applicable land use plans. Therefore, Staff recommends approval of this project.

ALTERNATIVES

1. Approve Conditional Use Permit No. 696961, with modifications.
2. Deny Conditional Use Permit No. 696961, if the findings required to approve the project cannot be affirmed.

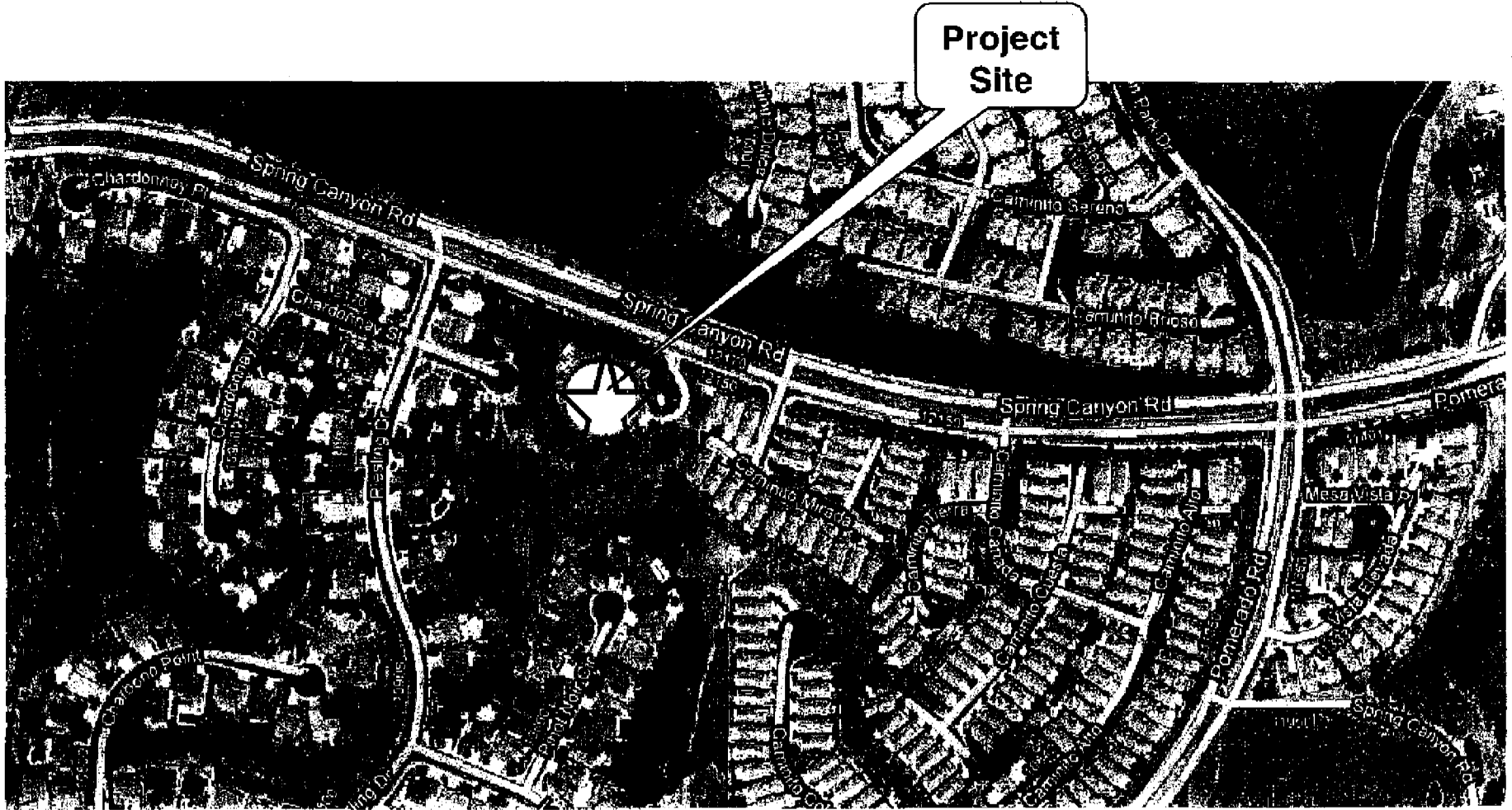
Respectfully submitted,

Karen Lynch-Ashcraft, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Copy of Existing Permit
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. Photo Survey
13. Photosimulations
14. Copy of Planning Commission Hearing Notice
15. Project Plans

Rev 10/08 hmd



Aerial Photo

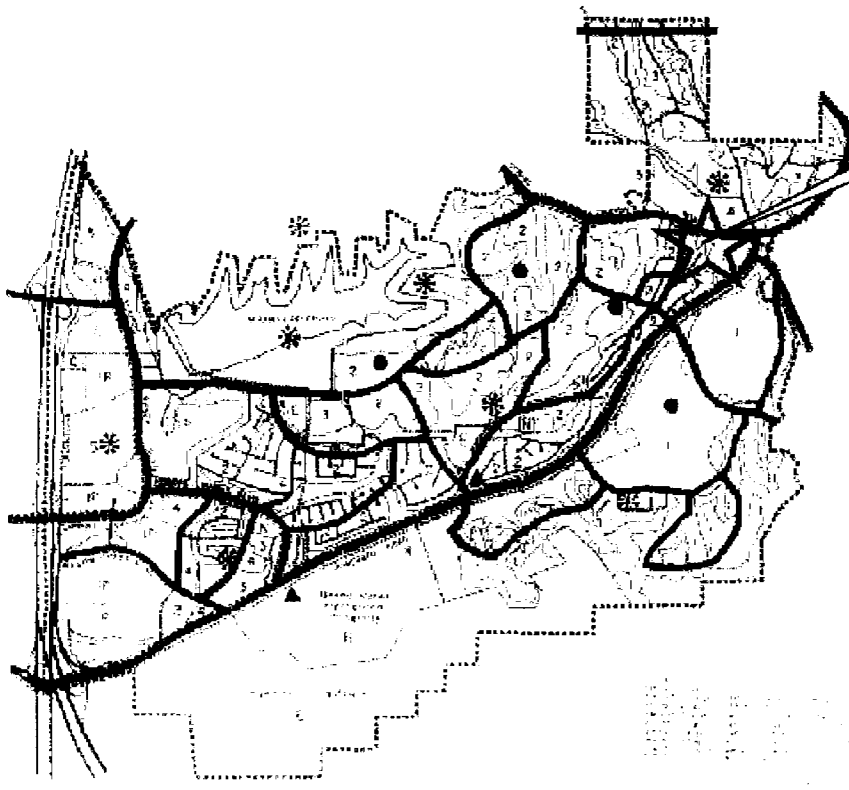
SPRINT/CLEARWIRE - SCRIPPS RANCH RESERVOIR PROJECT

NUMBER 196930

12225 SPRING CANYON ROAD



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- 100000'



Project Site



- 78 -

Land Use Plan 19
Scripps Miramar Ranch Community Plan FIGURE

SCRIPPS MIRAMAR RANCH COMMUNITY PLAN MAP



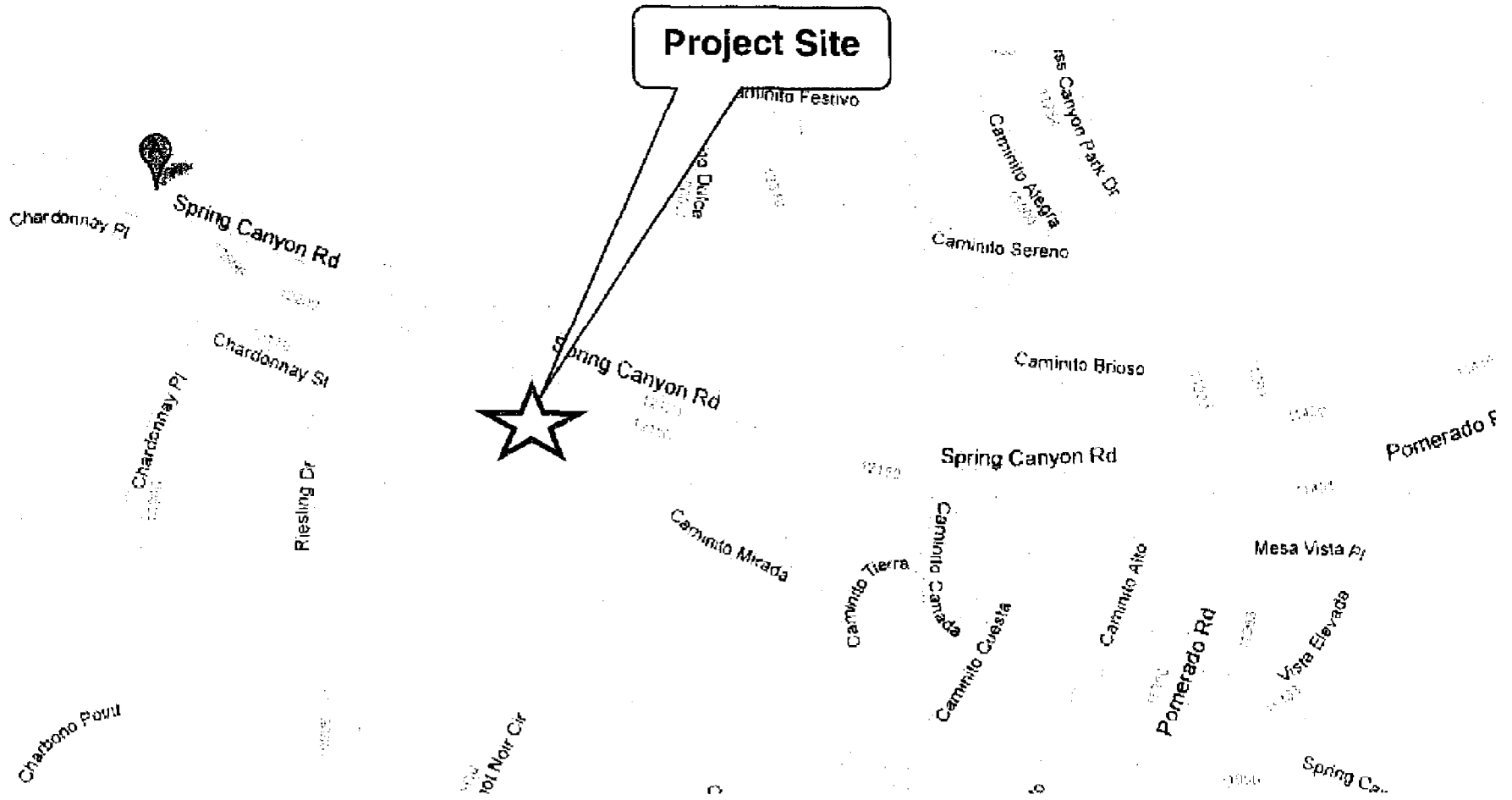
SPRINT/CLEARWIRE - SCRIPPS RANCH RESERVOIR- PROJECT

NUMBER 196930

12225 SPRING CANYON ROAD



ATTACHMENT 2



Project Location Map

SPRINT/CLEARWIRE - SCRIPPS RANCH RESERVOIR- PROJECT NUMBER 196930

12225 SPRING CANYON ROAD



PROJECT DATA SHEET

PROJECT NAME:	Sprint/Clearwire – Scripps Ranch Reservoir	
PROJECT DESCRIPTION:	Modification of an existing wireless communication facility to add six antennas and update existing antennas and add a cabinet to the existing 200 square foot enclosure.	
COMMUNITY PLAN AREA:	Scripps Miramar Ranch	
DISCRETIONARY ACTIONS:	Conditional Use Permit.	
COMMUNITY PLAN LAND USE DESIGNATION:	Open Space.	
<u>ZONING INFORMATION:</u>		
ZONE: RS-1-8		
HEIGHT LIMIT: 35-Foot maximum height limit.		
FRONT SETBACK: 25 feet.		
SIDE SETBACK: 10 feet.		
REAR SETBACK: 10 feet.		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Open Space; RS-1-8.	Open Space
SOUTH:	Open Space; RS-1-8.	Open Space
EAST:	Residential (3-5 du/ac); RM-1-1.	Single-Family Residential
WEST:	Residential (5-10 du/ac); RS-1-13.	Single-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On May 6, 2010, the Scripps Ranch Planning Group voted unanimously to approve this project, with no conditions.	

**HEARING OFFICER
RESOLUTION NO.
CONDITIONAL USE PERMIT NO. 696961
SPRINT/CLEARWIRE – SCRIPPS RANCH /CLEARWIRE
PROJECT NO. 196930
DRAFT**

WHEREAS, City of San Diego, Owner and Sprint/Nextel and Clearwire, Permittees, filed an application with the City of San Diego for a permit for a wireless communication facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 696961, on portions of a 1.67 acre site;

WHEREAS, the project site is located at 12225 Spring Canyon Road in the RS-1-8 zone of the Scripps Miramar Ranch Community Planning area;

WHEREAS, the project site is legally described as Lot 891 of Scripps Ranch Unit No. 11 according to Map thereof No. 8223 in the City of San Diego, County of San Diego, State of California.;

WHEREAS, on October 27, 2010, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 696961, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 19, 2009, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15302, Replacement or Reconstruction; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated October 27, 2010.

FINDINGS:

Findings for Conditional Use Permit Approval – Section §126.0305

(a) The proposed *development* will not adversely affect the applicable *land use plan*;

Section A.15 of the Urban Design section of the City of San Diego's General Plan addresses Wireless Facilities. The intent is to minimize the visual impact of wireless facilities. The General Plan states that wireless facilities should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. In this particular case, Sprint currently has antennas on the City-owned reservoir. Clearwire is requesting to add antennas and update the existing Sprint antennas. All components will be repainted to blend in with the reservoir.

The General Plan also states that facilities should be designed to be “aesthetically pleasing and respectful to the neighborhood context.” There is an approximate elevational difference between the reservoir site and the surrounding residential area of 40-feet and the entire reservoir site is surrounded by mature Eucalyptus trees, which provides screening for the antennas.

The Scripps Miramar Ranch Community Plan does not address WCF’s as a specific land use. The goal of the WCF regulations is to integrate facilities into the setting in which they are proposed. Utilizing an existing vertical element that is part of the neighborhood landscape is always recommended especially when there is such a great elevational difference and existing mature trees surrounding the site.

(b) The proposed *development* will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the “placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” The proposed project would be consistent with the FCC’s regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit that requires Sprint and Clearwire to submit an RF study to demonstrate compliance with the applicable FCC regulations prior to building permit issuance. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within matters of the City’s jurisdiction.

(c) The proposed *development* will comply to the maximum extent feasible with the regulations of the Land Development Code; and

Sprint currently has antennas on the reservoir that were approved in 2001. Clearwire is now requesting to add antennas to each of Sprint’s three sectors in order to provide WiMax services to residents surrounding the Scripps Ranch Reservoir. The project complies with all development regulations for the RS-1-8 zone and it complies with the Wireless Communication Facility regulations, LDC Section 141.0420, which requires WCF’s to be minimally visible through the use of architecture, landscape architecture and siting solutions.

(d) The proposed use is appropriate at the proposed location.

Council Policy 600-43 outlines preference levels for Wireless Communication Facilities where residential properties are the least preferred and non-residential properties are more preferred. This project is considered a Preference 2 Location, which is a more preferred when carriers need to provide coverage in areas that are entirely residential. The preference then would be to utilize non-residential uses such as a reservoir. In this case, the elevation of the reservoir is approximately 40 feet higher than surrounding properties and the entire perimeter of the property is lined with mature Eucalyptus trees. Façade mounted antennas on the reservoir will be well screened by the trees and because the project site is much higher than the surrounding properties, the visual impact is particularly minimized. Therefore, the Sprint/Clearwire project is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 696961 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittees, in the form, exhibits, terms and conditions as set forth in Permit No. 696961, a copy of which is attached hereto and made a part hereof.

Karen Lynch-Ashcraft
Development Project Manager
Development Services

Adopted on: October 27, 2010

Job Order No. 24000375

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501
Delete one of the above.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000375

CONDITIONAL USE PERMIT NO. 696961
SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR
PROJECT NO. 196930
HEARING OFFICER
DRAFT

This Conditional Use Permit No. 696961 is granted by the Hearing Officer of the City of San Diego to City of San Diego, Owner, and Sprint/Nextel and Clearwire, Permittees, pursuant to San Diego Municipal Code [SDMC] section 141.0420. The 1.67-acre site is located at 12225 Spring Canyon Road in the RS-1-8 zone of the Scripps Miramar Ranch Community Planning area. The project site is legally described as: Lot 891 of Scripps Ranch Unit No. 11 according to Map thereof No. 8223 in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittees for a wireless communication facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 27, 2010, on file in the Development Services Department.

The project shall include:

- a. A total of 15 antennas mounted on the Scripps Ranch Reservoir in three sectors as follows: Sprint will have three sectors of three panel antennas each for a total of nine antennas; Clearwire will have one microwave dish and one panel antenna in each of the three sectors for a total of six antennas;
- b. An existing 200 square foot equipment shelter containing Sprint and Clearwire equipment;

- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. This Conditional Use Permit and corresponding use of this site shall **expire on October 27, 2020**. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
3. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittees may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for compliance, which may include penalties and fines.
4. Under no circumstances, does approval of this permit authorize (insert applicant name) or their tenants to utilize this site for wireless communication purposes beyond the permit expiration date. Implicit use of this permit beyond the effective date of this permit is prohibited.
5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittees signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittees and any successor(s) in interest.

8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

9. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittees for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

10. The Owner/Permittees shall secure all necessary building permits. The Owner/Permittees is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

11. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

12. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittees of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittees shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The Owner/Permittees shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittees of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittees shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the

event of such election, Owner/Permittees shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittees regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittees shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittees.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permits, the Owner/Permittees shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

15. Prior to the issuance of any construction permits, the Owner/Permittees shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

16. Existing landscape material, as shown on Exhibit "A" photos, act to screen views of the equipment shelter. Landscape material shall be maintained in a healthy living condition. Prior to removal of landscape screening, the Owner or Permittees shall provide evidence to the Development Services Department that equipment shelters will be sufficiently screened by replacement landscape material or by other means, to the satisfaction of the Development Services Department. Significant changes to the existing landscape may require a Substantial Conformance Review or permit amendment.

PLANNING/DESIGN REQUIREMENTS:

17. All antennas and mounting apparatus shall be painted to match the reservoir.

18. No mounting pipes may be longer than the antennas they are supporting.

19. All antennas shall utilize skirts and chin straps as illustrated in Exhibit A, dated October 27, 2010. No exposed cables are permitted.

20. At no point in time, shall the approved antennas be different in size, other than those shown on the approved Exhibit A.

21. Prior to the issuance of a construction permit, the telecommunication provider shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission's Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.

22. All equipment, including transformers, emergency generators and air conditioners belonging to Sprint or Clearwire shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
23. All facilities and related equipment shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days.
24. Once this site is deemed complete from construction, the Permittees is required to send a letter (Subject: Planning Inspection Project Number 196930) to the City of San Diego, Development Services Department requesting for a planning inspection. The site is officially deemed complete once the City Manager signs the letter. The applicant shall be provided with a copy of the signed letter for record purposes.
25. Sprint and/or Clearwire is responsible for notifying the city prior to the sale or takeover of this site to any other provider or if the site is no longer operational resulting in the removal and the restoration of this site to its original condition.
26. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittees.
27. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on October 27, 2010 by Resolution No. _____.

Permit Type/PTS Approval No.: CUP No. 696961
Date of Approval: October 27, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Karen Lynch-Ashcraft
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittees, by execution hereof, agrees to each and every condition
of this Permit and promises to perform each and every obligation of Owner/Permittees
hereunder.

Sprint/Nextel
Permittee

City of San Diego
Owner

By _____
NAME
TITLE

By _____
David Sandoval, CCIM
Deputy Director, Real Estate Assets

Clearwire
Permittee

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

NOTICE OF EXEMPTION

ATTACHMENT 7

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 196930 PROJECT TITLE: Sprint Clearwire Spring Canyon WT

PROJECT LOCATION-SPECIFIC: 12214 Chardonnay Street, San Diego, CA

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Conditional Use Permit to modify an existing unmanned wireless communication facility (WCF) on an existing water tank. The project consists of the replacement of Wimax equipment located inside an existing telecom equipment shelter; replace three (3) existing antennas with three (3) Wimax antenna assemblies; and install one (1) GPS antenna. The antennas would be installed around the top of the water tower, at the north, southeast, and southwest facades. The equipment shelter is located to the northwest of the water tower at ground level. The project is located at 12214 Chardonnay Street, in the RS-I-8 Zone, within the Scripps Miramar Ranch Community Plan area.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mike McNelly, Clearwire
4400 Carillon Point
Kirkland, WA 98033
619-454-1839

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268);
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- CATEGORICAL EXEMPTION: 15302: REPLACEMENT OR RECONSTRUCTION

REASONS WHY PROJECT IS EXEMPT: The proposed project would not have the potential for causing a significant effect on the environment, as the project proposes to replace existing telecom equipment with new equipment, with substantially the same purpose of the existing equipment. None of the exceptions described in CEQA Guidelines Section 15300.2 apply, and the project has no potential to result in significant effect on the environment.

LEAD AGENCY CONTACT PERSON: M. Blake

TELEPHONE: (619) 446-5375

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

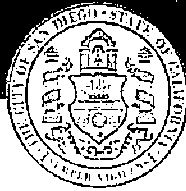
Wanda Blum / Senior Planner
SIGNATURE/TITLE

11/19/2009
DATE

CHECK ONE:

- SIGNED BY LEAD AGENCY
- SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



ATTACHMENT 8

THE CITY OF SAN DIEGO



Date: January 08, 2001

Applicant: Terina McCandless
Nextel Communication - Spring Canyon Reservoir
5761 Copley Drive, Suite 100
San Diego, CA 92111

Permit No.: 94-0330-97 Telecommunication Antenna Approval

Address: 12225 Spring Canyon Road, San Diego, CA 92131

Subject: **PROPOSED MINOR TELECOMMUNICATION FACILITY**

The Planning & Development Review has determined that this proposal does not substantiate a major telecommunication facility and therefore will not be required to proceed with the Conditional Use Permit (Process Three). This decision is based on the City of San Diego's Land Development Code, Section 141.0404, Communication Antennas. This proposal has been reviewed with the California Environmental Quality Act (CEQA) and has been determined to be exempt per California Public Resource Code Section 15268 (Ministerial Projects).

Planning and Development Review grants **APPROVAL** of your application subject to the following:

- The facility shall be designed and constructed in accordance with the approved Exhibit "A", dated January 08, 2001. No modification or alteration shall be permitted to the approved exhibit "A" unless revised plans are submitted and approved by the Planning and Development Review Department.
- The facility will consist of a total of twelve antennas mounted below existing Pac Bell antennas on the existing water tank facility. All proposed cable and wiring associated with the antennas located on the roof shall be painted to match the existing tank facility.
- The facility shall include a 200 square foot outdoor equipment enclosure located to the north of the tank facility. The equipment storage will house up to three equipment cabinets and associated electronic equipment.

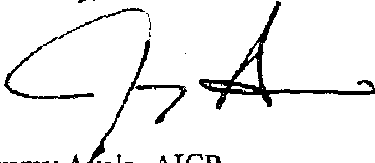


ATTACHMENT 8

- This approval and corresponding use of this site shall expire on January 8, 2011. Upon expiration of this approval, the facilities and improvements described herein shall be removed from this site and the property shall be restored to it's original condition preceding approval of this permit.
- Prior to the expiration date of this approval, the Permit Holder may request an Administrative Extension of Time to the permit for an additional ten years. An Administrative Extension of Time may be granted by Planning and Development Review Department if it is determined that no material change in circumstance has occurred that would effect the validity of the permit as a Minor Telecommunication facility.

All work authorized by this permit shall be in conformance with the description of work contained herein and as indicated on the plans submitted to the Building Services Division and stamped with the Planning & Development Review "CONFORMS" stamp. All modifications to this structure or site not directly approved by this permit shall require further review by Planning & Development Review Department. Building permits must be obtained within six months from the date of this approval or this authorization shall be null and void.

Sincerely,



Jimmy Ayala, AICP
Project Manager
Planning and Development Review Department

Scripps Ranch Planning Group

www.scrippsranchplanning.blogspot.com

DRAFT MEETING MINUTES

Thursday, May 6, 2010 at 7:00 p.m.

Scripps Ranch Community Library - Community Room
10301 Scripps Lake Drive, San Diego, CA 92131
(858) 538-8158

I. Welcome!

Call to order: 7:05pm

A. Roll Call: Tamar Silverstein, Todd Philips, John Lowe, Bob Petering, Paul Vaughan, Natalia Moorehead, Marvin Miles, Marc Sorenson, Angela Parker Brown, Karen Ringel, Jennifer Wilson, Elizabeth Hanson, Bob Ilko, Mike Asaro, John Lyons, Mike Butcher, Gordon Boerner

Excused Absent: Mike Page, Jim Paterniti, Julie Ellis,

B. Modifications to Agenda: None

II. Non-Agenda Public Comment:

Dorothy Stout on Elderwood Lane, concerning the Median on east end. Kelly will follow-up with this issue. Karen from Caltrans gave an I-15 construction update: Northbound Off Ramp from Pomerado Road improvements installed, two right turn lanes also. In early June 5-6 water line work. Closures will have signage posted.

III. Announcements

A. Councilman Carl DeMaio (Kelly Batten)

- i. Budget Hearings on-going for next fiscal year
- ii. Spring Cleaning was very successful this year, 8K pounds of e-waste recycled
- iii. Neighborhood Watch interest increasing due to increase in burglaries in RB and SR. Kick-off meeting scheduled for 10Jun10. Register with neighborhood watch to receive emails about this information.
- iv. Spring Canyon Road emails acknowledged and sent response from city.
- v. Eucalyptus Tree FEMA Grant update (cut up to 3 inches in diameter for fire safety, recommendation from fire chief. See maps for exact locations, timelines and dates.

B. Miramar Ranch North Planning Committee (Bill Crooks)

Update from last meeting; Med-Impact update coming August 2010. Spring Canyon meeting held.

C. MCAS Miramar Update (Juan Lias)

- i. Dept. of Navy Draft EIS for Joint Strike Fighter will be released soon, stay tuned for updates.

IV. Information Reports, Presentations & Discussion

A. Chairperson's Report

B. Spring Canyon Road SRCA Forum Update (T. Philips)

- i. B. Ilko gave the presentation/overview and history and shared counts on the emails from community members that were in opposition not the ones for the proposal. Presented preferred alternatives.
- ii. Each attendee was given an opportunity to voice their opinions, row by row. Session went from 7:30pm-8:30pm. Approximately 35-40 people were against narrowing of the road and against adding traffic lights. Then SRPG members gave their opinions and vote for another 30 minutes. Proposal for the 2 Planning groups to get together and have an adhoc meeting and bring it back as an action item on the Agenda in June 2010.

Do nothing or create the 2 lane narrowing, regardless both plans include the light at Spruce Lane.

iii. Motion/2nd: Ilko /Moorehead

iv. Proposal: Reconsider decision and place it as an action item on June 2010 SRPG agenda.

v. **Vote: Unanimous**

C. Giant Grove Update (B. Ilko/M. Sorensen)

The Giant Grove is open for use. The road is accessible.

MAD- cut down trees at Brookwood, because a tree fell over onto a house during a storm. The city removed the trees, especially the 80ft tall Eucalyptus Trees that were in a shallow rooted stream bed. Eileen informed us TRIP will be out in Scripps Ranch less often, due to funding cut backs in tree service.

V. Action Items

- A. Sprint Clearwire – Spring Canyon Water Tank (B. Siskowski)
Becky presented information about adding the 4th antennae that has already been approved.
Motion/2nd: Ilko/Lyons
Approve 4G antennae on water tank.
Vote: Unanimous
- B. Scripps Lake Dr./Miramar Lake entrance Parking and Re-striping (T. Philips)
Motion/2nd: Ilko/Vaughan
Proposal: Recommend Class II bike lane, adding parking from filtration plant entrance towards east, re-stripe west lane and add extra bike width.
Vote: 9-6-1 Passes
- C. Large Truck Prohibition on Pomerado Road (T. Philips)
Only needs a request, put up a sign coming out of Poway, No trucks over 10 tons. SRPG does not have to take a position on this issue. B.Ilko will send him a note about how to submit this request. Send a recommendation to Steve Denny. **No action taken.**

VI. Approval of Minutes

- A. April 1, 2010 Minutes
Motion/2nd: Gordon/Sorenson
Vote: 14-0-2
Minutes approved.

VII. Committee Reports

- A. SR LMD-MAD (M. Sorensen) – Update
- B. MCAS Miramar (J. Paterniti) – No Update
- C. CPC (T. Philips) – No Update

VIII. Adjournment 9: 21pm

**Note time-specific items.*

DEVELOPMENT SERVICES
Project Chronology
SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR
CONDITIONAL USE PERMIT- PROJECT NO. 196930

Date	Action	Description	City Review Time	Applicant Response Time
10/29/09	First Submittal	Project Deemed Complete		
11/19/09	CEQA Exemption		21 days	
12/8/09	First Submittal Assessment Letter	Initial Review completed	1 month, 9 days	
3/23/10	Second Submittal			3 months, 15 days
4/21/10	Second Assessment Letter		29 days	
6/17/10	Third Submittal			1 month, 27 days
7/14/10	Third Assessment Letter		1 month, 7 days	
9/24/10	Fourth Submittal			2 months, 10 days
9/24/10	Issues Resolved		1 day	
10/27/10	Hearing Officer Hearing		1 month, 3 days	
TOTAL STAFF TIME**			4 months, 19 days	
TOTAL APPLICANT TIME**				7 months, 22 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to Planning Commission Hearing	11 months, 28 days	

**Based on 30 days equals to one month.











Sprint

Together with NEXTEL

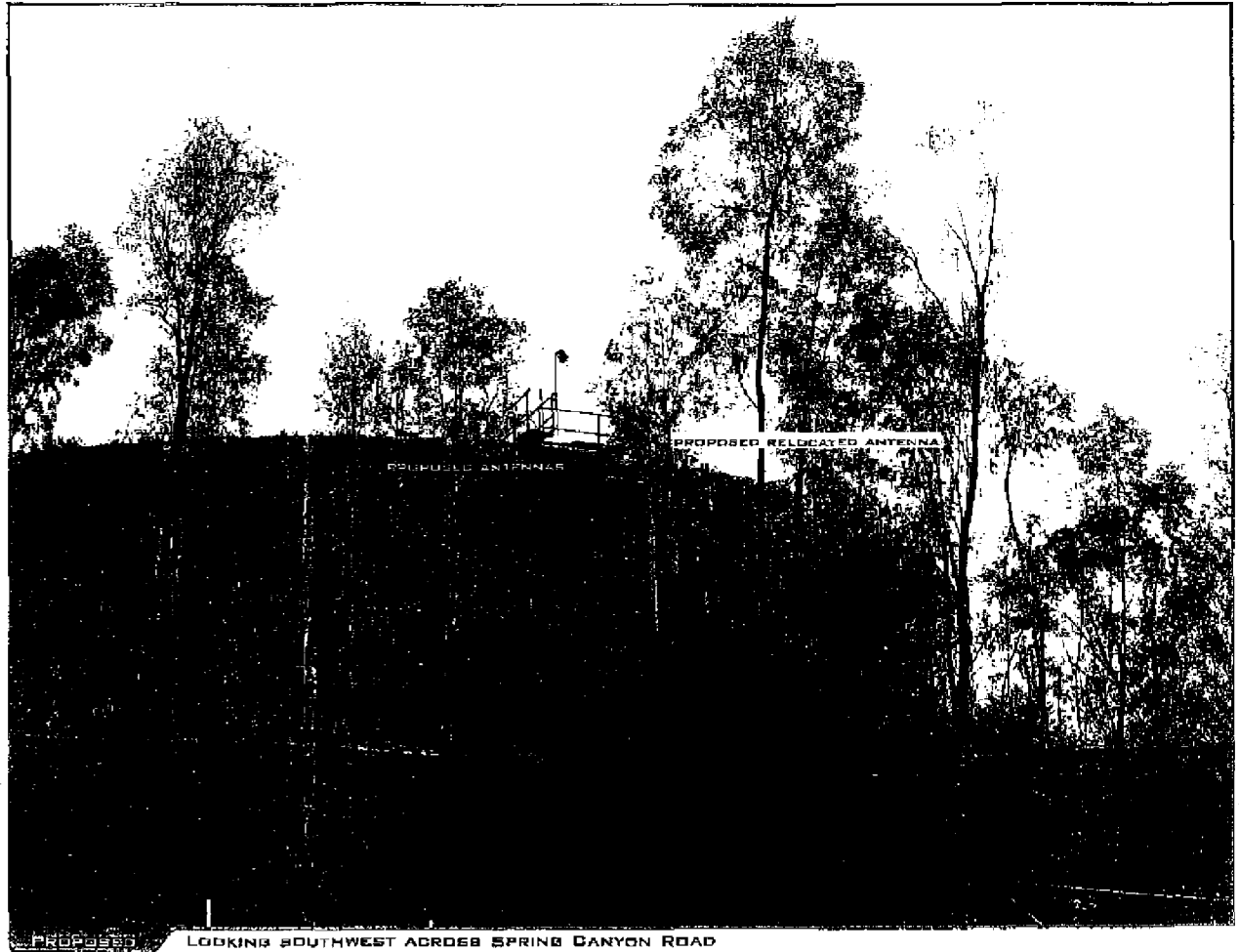
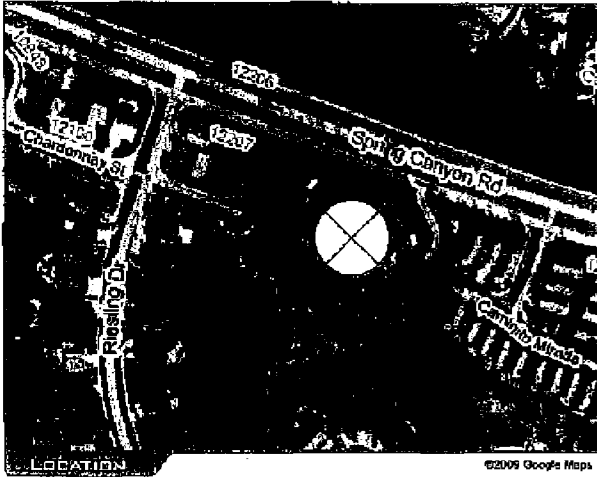
CA-SDG5173A

SPRING CANYON WATER

12225 SPRING CANYON ROAD SAN DIEGO CA 92131



AEsim.com
877.9AE.sims



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

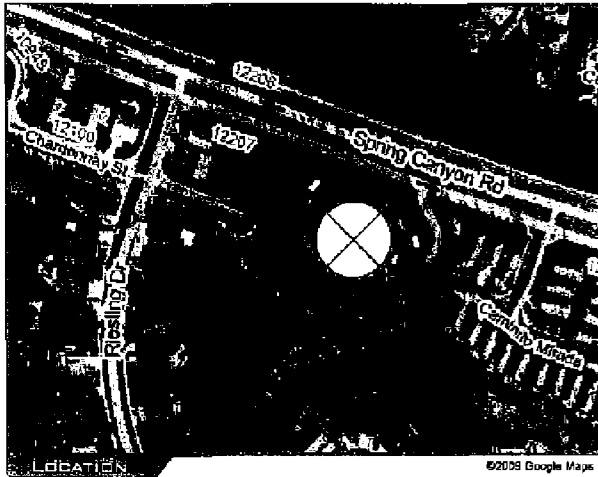
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Together with NEXTEL

CA-SDG5173A SPRING CANYON WATER

12225 SPRING CANYON ROAD SAN DIEGO CA 92131

ARTISTIC
engineering
AESims.com
877.9AE.sims



ACCURACY OF RISE/SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



ATTACHMENT 13

THE CITY OF SAN DIEGO

DATE OF NOTICE: October 13, 2010

NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	October 27, 2010
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE:	Conditional Use Permit, CEQA Exempt, Process 3
PROJECT NO:	<u>196930</u>
PROJECT NAME:	<u>SPRINT/CLEARWIRE – SCRIPPS RANCH RESERVOIR</u>
APPLICANT:	Becky Siskowski, DePratti, Inc.
COMMUNITY PLAN AREA:	Scripps Miramar Ranch
COUNCIL DISTRICT:	District 5
CITY PROJECT MANAGER:	Karen Lynch-Ashcraft, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5351 klynchash@sanidiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a wireless communication facility consisting of a modification to an existing project located on the Scripps Ranch Reservoir at 12225 Spring Canyon Road.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101

The decision made by the Planning Commission is the final decision by the City.

ATTACHMENT 13

This project was determined to be categorically exempt from the California Environmental Quality Act on November 19, 2009 and the opportunity to appeal that determination ended December 3, 2010.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.
Internal Order Number: 24000375.

Revised 04/08/10 HRD