

Report to the Planning Commission

DATE ISSUED: March 21, 2024 REPORT NO. PC-24-014

HEARING DATE: March 28, 2024

SUBJECT: AT&T MIRAMAR ROAD SD0443. Process Four Decision

PROJECT NUMBER: <u>PRJ-1098927</u>

OWNER/APPLICANT: Bread of Life Christian Church in San Diego, Owner, and AT&T Mobility,

Permittee

SUMMARY

<u>Issue(s)</u>: Should the Planning Commission approve a Planned Development Permit (PDP) for the continuation of the existing Wireless Communication Facility (WCF) located at <u>7084 Miramar Road</u> within the <u>Mira Mesa Community Planning Area?</u>

Staff Recommendations:

1. APPROVE PDP No. 3239317.

<u>Fiscal Considerations</u>: All costs associated with the processing of this project are paid by the applicant.

Code Enforcement Impact: None

<u>Housing Impact Statement</u>: This project application is for a wireless communication facility and is not associated with residential development.

<u>Community Planning Group Recommendation</u>: The Mira Mesa Community Planning Group voted to recommend approval of the project 13-0-0 on November 27, 2023, with no conditions (Attachment 9).

Environmental Review:

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 8, 2023, and the opportunity to appeal that determination ended December 22,

2023 (Attachment 7).

BACKGROUND

The project site is at 7084 Miramar Road in the Commercial Community (CC-4-2) zone, FAA Part 77 Noticing Area, of the Mira Mesa Community Planning area (Attachment 2). This WCF was initially approved to be installed at this location on September 28, 1999, with a 10-year expiration date. On July 26, 2012, a new permit was approved to modify the existing WCF, resulting in a new expiration date. Two integrated Fiberglass Reinforced Panels (FRP) were built to replace the existing unconcealed rooftop structures, which consisted of 12 antennas. The entire rooftop structure is currently concealed in the FRP. The existing use of the building is commercial use without dwelling units. To continue using the WCF, a new application was created on June 21, 2023.

DISCUSSION

Project Description:

The project proposes the continuation of the existing WCF. The previous permit allowing the WCF expired on November 26, 2022. There is no proposed work to be done in conjunction with this permit application. The existing WCF consists of 15 antennas and 19 remote radio units (RRUs) screened behind existing FRP structures, with two FRP structures on the roof containing 3 sectors. The existing equipment room is located on the third floor inside the building and will continue to operate without any exterior changes. The existing FRPs are maintained and are in good condition; no replacement FRPs are required. The existing FRPs are painted and textured to match adjacent building surfaces. These surfaces should be re-painted/re-textured to retain consistency. The existing FRP structure height of 65 feet, 6 inches exceeds the CC-4-2 height limit of 60 feet and requires a PDP for the height deviation of the zone's regulations pursuant to SDMC section 126.0602(b)(1).



This photo (to the left) shows the existing FRP structure on the roof looking east from a parking lot near Miramar Road. It is concealing six (6) antennas and five (5) RRUs. The photo shows roof mounted FRP structures. The other FRP structure located in the middle of the roof conceals nine (9) antennas and 14 RRUs cannot be seen from grade. The façade mounted FRP structure is for a different carrier and entitlement (Attachment 11).

Land uses surrounding the immediate site are commercial uses (Attachments 1,2,3). The project complies with the Wireless Communication Facility Guidelines as a Rooftop Concealment design (WCF Design Guidelines).

WCFs are permitted in all zones Citywide with the appropriate permit process. Council Policy 600-43

assigns preference location levels for where WCFs are located within different land uses, with Preference Location 1 being the most preferred and Preference Location 4 the least preferred. Preference 1 locations generally include non-residential land uses and zones and are permitted ministerially. Preference 4 locations include residential land uses in residential zones and require a Process Four Planning Commission approval. The Project is located in the CC-4-2 zone, a commercial zone, that does not contain residential development and is considered a Preference 1 Location. No significant changes have occurred on-site or in the surrounding neighborhood, and the location remains an appropriate site for wireless facilities. Therefore, continued use is appropriate at the existing location.

. Pursuant to SDMC Section <u>126.0604</u>, the Project requires a PDP, Process 4, when the project requires a deviation from the zoning regulations; see the below table.

Type of Approval		SDMC Section	
1.	Planned Development Permit	126.0604 – Deviation to Zone Regulations	

Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions to minimize potential impacts. The intent of the regulations is, among other things, to camouflage facilities from public view. The existing building envelope and FRP will remain the same with no new modifications or visual changes. No alterations are proposed to the exterior, and rooftop antennas and associated equipment are all behind the existing FRP structure, concealed from view.

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." A Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report dated February 21, 2022, from OSC Engineering, was submitted to the City verifying that the proposed Project is in compliance with FCC regulations. The report will be stamped as Exhibit "A" and provided within the project file.

Community Plan Analysis:

The Mira Mesa Community Plan does not address communication antennas. However, the City of San Diego's General Plan (<u>UD-A.15</u>) requires that the visual impact of wireless facilities be minimized by concealing them inside existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed aesthetically pleasing and respectful of the neighborhood context. Furthermore, the General Plan states that equipment associated with wireless facilities shall be concealed from view. The Project's rooftop antennas and associated equipment are screened within the existing FRP structure on the roof and facade, which are well-integrated with the existing architecture of the building. The Mira Mesa Community Plan designates the Project site as Heavy Commercial land use. The site is developed as a commercial property, and the existing FRP structures are aesthetically pleasing as they were designed to match the existing building, which integrates effectively with the neighborhood. As a result, the design of

the WCF will respect its neighborhood context and minimize any potential visual impacts.

Project-Related Issues:

<u>Deviation</u>- The project is located in the Commercial Community (CC-4-2) zone, with a maximum building height of 60 feet. The existing FRP structures on the roof extend to 65 feet, 6 inches, and 5.5 feet over the zone's height limit. A PDP is decided in accordance with Process Four and is required for the deviation, provided that the findings in SDMC Section 126.0604 are made. The following Table 1 is a matrix of the proposed deviation, which is followed by the justifications for the deviations:

Deviations Summary Table 1					
Deviation	Deviation from	Allowed/Required	Proposed		
Description	SDMC				
	SDMC Section		The existing FRP		
Maximum Height Limit	131.0507(B)(4) and	60-feet	extension is at 65'-6"-		
	Table 131-05D (CC-4-2		feet; 5.5-foot deviation		
	regs)				

Justification- AT&T has had WCFs on the site since 1999. The previous entitlement allowed for a deviation to exceed the 60-foot height limit. There are no modifications to the existing WCF proposed with this permit application. The use of the building for the WCF is preferred as it allows the carriers the additional height to provide service over a larger area. The City of San Diego prefers carriers to use existing structures to reduce the amount of WCF structures on a site.

This site provides coverage for AT&T Wireless customers in the surrounding community and commercial uses along a section of Miramar Road. Continued operation of this site is necessary to maintain the existing levels of service in the area for AT&T Wireless. The site is an integral part of telecommunication networks, as the site's operation is closely coordinated with other sites in the area. Coverage maps demonstrate the existing coverage provided on the property and the predicted loss of coverage without the continuation of the WCF (Attachment 6). A degradation of the existing service could significantly impact adjacent customers and essential emergency communication services. The above deviation has been analyzed by staff and determined to be consistent with the goals and recommendations of the City of San Diego's General Plan (UD-A.15), Mira Mesa Community Plan, and the purpose and intent of the WCF Ordinance. The project has been designed to integrate into the surrounding community and would not adversely impact the public's health or safety.

Conclusion:

The project's design effectively integrates with the architecture of the surrounding community, meeting the purpose and intent of the Wireless Communication Ordinance (SDMC 141.0420), the WCF Design Guidelines, and Council Policy 600-43. The WCF has existed at this location since 1999 and no modifications or construction is included in this project. City staff has prepared a draft permit with conditions of approval and draft findings in the affirmative to approve the project and

recommends approval of PDP No. 3239317 (Attachments 4 and 5).

ALTERNATIVES

- 1. Approve PDP No. 3239317 with modifications; or
- 2. Deny PDP No. 3239317 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Simon Tse

Supervising Development Project Manager

Development Services Department

Tracy Harris

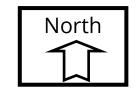
Development Project Manager II

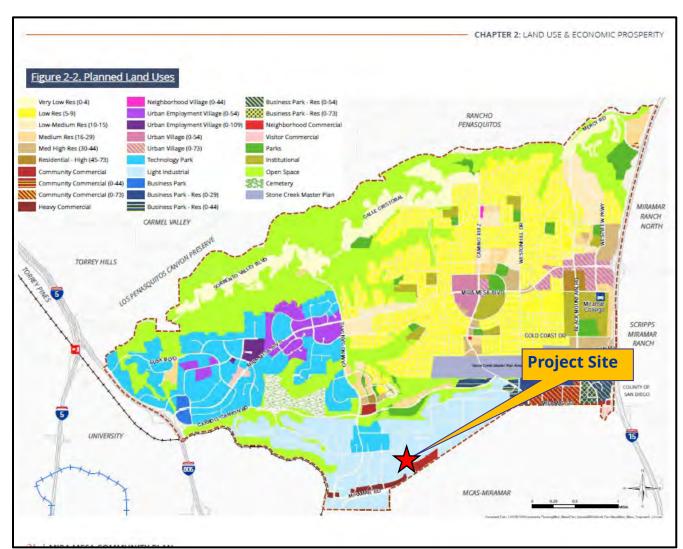
Tracy Harris

Development Services Department

Attachments:

- 1. Aerial Photographs
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Draft Permit with Conditions
- 5. Draft Permit Resolution with Findings
- 6. Coverage Maps
- 7. Environmental Exemption
- 8. Ownership Disclosure From
- 9. Community Planning Group Recommendation
- 10. Photo Survey
- 11. Photo Simulations
- 12. Project Plans



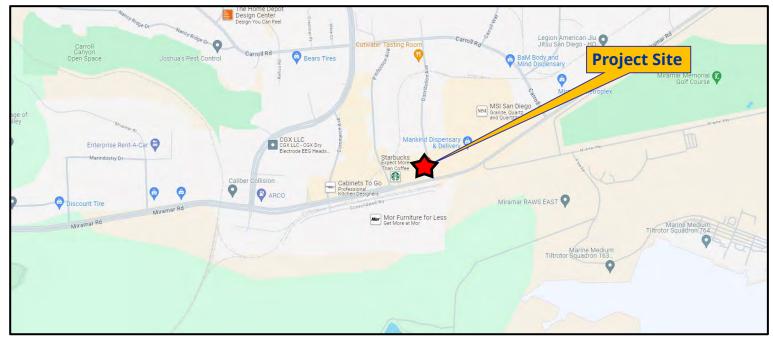




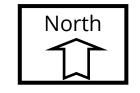
Mira Mesa Community Land Use Map

AT&T Miramar Road Project No. 1098927 7084 Miramar Road









RECORDING REQUESTED BY

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER:11003679

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT No. 3239317 AT&T MIRAMAR ROAD SD0443 PROJECT NO. 1098927 PLANNING COMMISSION

This Planned Development Permit No. 3239317 is granted by the Planning Commission of the City of San Diego to Bread of Life Christian Church in San Diego, Owner, and AT&T Mobility, LLC, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0602, 131.0507, and 141.0420. The site is located at 7084 Miramar Road in the CC-4-2 zone of the Mira Mesa Community Plan and the FAA Part 77 Noticing Area. This site is legally described as Parcel 1 of Parcel Map No. 14919, in the City of San Diego, County of San Diego, State of California, filed in the office of the county recorders of San Diego County on August 7, 1987.

Subject to the terms and conditions outlined in this Permit, permission is granted to Bread of Life Christian Church and AT&T Wireless for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 28, 2024, on file in the Development Services Department.

The project shall include:

- a. An existing WCF consisting of FRP structures on the roof concealing 15 panel antennas, 19 Remote Radio Units (RRUs), and the existing 596-sq ft equipment room on the 3rd floor of the building.
- b. 15-panel antennas, 19 Remote Radio Units (RRUs), and the existing 596-square-feet interior equipment room on the 3rd floor of the building;
- 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. This permit must be utilized by April 11, 2027.
- 2. This Planned Development Permit [PDP] and corresponding use of this site shall expire on **March 28, 2034.** 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.
- 3. No later than ninety (90) days prior to the expiration of this approval, the Owner/Permittees may submit a new application to the Development Services Department for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will cause enforcement for noncompliance, which may include penalties and fines.
- 4. Under no circumstances does approval of this permit authorize the Owner/Permittees to utilize this site for WCF purposes beyond the permit expiration date. Use of this permit approval beyond the expiration 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 San Diego County Recorder's Office.
- 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 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 Owner/Permittee 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. All 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/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" conditions(s) back to the discretionary body that 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.

11. The Owner/Permittee 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 the Owner/Permittee of any claim, action, or proceeding. If the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible for defending, 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 an election, the Owner/Permittee shall pay all the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the city and the Owner/Permittee 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/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by the Owner/Permittee.

PLANNING/DESIGN REQUIREMENTS:

- 12. No overhead cabling is permitted.
- 13. Every aspect of this project is considered an event of concealment, including (but not limited to) the dimensions, build and scale, color, materials, and texture. Any future modifications to this permit/project must not defeat concealment.
- 14. For any future modifications, photo simulations shall be printed in color on the construction plans.

- 15. The Owner/Permittee shall install and maintain appropriate warning signage on the WCF as required by State and Federal regulations. The Owner/Permittee shall be responsible for complying with all State and Federal regulations.
- 16. Antennas and associated components, such as, but not limited to, remote radio units (RRUs), surge suppressors, etc., shall not exceed the height of any existing or proposed screen walls.
- 17. Use of or replacement of any building façade or mechanical screen with RF-transparent material for the purpose of concealing antennas shall not result in any noticeable lines or edges in the transition to the original building. All RF-transparent material shall be painted and textured to match the original building and adjacent building surfaces. If necessary, these surfaces should be repainted/retextured/repaired to retain consistency.
- 18. Accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation. If requested by the City, the Owner/Permittee shall provide an updated RF Compliance Report to address any issues associated with the emitting components of the WCF.
- 19. The FRP should not warp and should be replaced if it is warping, discolored or damaged.
- 20. All equipment, including transformers, emergency generators, and air conditioners belonging to the Owner/Permittee, shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. The vibration resonance of operating equipment in the equipment room shall be eliminated.
- 21. All facilities and related equipment shall be maintained in good working order. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.
- 22. The Owner/Permittee shall notify the city within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational, in which case, the removal and restoration of this site to its original condition is required.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 Planning Commission of the City of San Diego on March 28, 2024, and [Approved Resolution Number].



ATTACHMENT 4

PLANNED DEVELOPMENT PERMIT NO. 3239317 Date of Approval: March 28, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO	DEVELOPMENT SERVICES DEPARTMENT
Tracy Harris Development Project Manager II	
NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.	
	cution hereof, agrees to each and every condition of devery obligation of Owner/Permittee hereunder.
	Bread of Life Christian Church in San Diego Owner/Permittee
	By NAME TITLE
	AT&T Mobility, LLC Owner/Permittee
	By NAME

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

TITLE

DEVELOPMENT SERVICES DEPARTMENT PLANNED DEVELOPMENT PERMIT No, 3239317 AT&T MIRMAR ROAD - PROJECT NO. 1098927

WHEREAS, Bread of Life Christian Church in San Diego, Owner, and AT&T Wireless,

Permittee, filed an application with the city of San Diego for the continued use of the existing WCF.

The existing WCF project consists of two rooftop mounted Fiberglass Reinforced Panel (FRP) screen concealing 15 panel antennas and 19 Remote Radio Units (RRUs). Additionally, the existing WCF includes ancillary equipment for support to the Wireless Communications Facility. which is located in an existing 569-square-foot equipment enclosure inside the building on the third floor (As described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3239317).

WHEREAS the project site is located at 7084 Miramar Road in the CC-4-2 Zone of the Mira Mesa Community Plan area. Overlay zones include the FAA Part 77 Noticing Area.

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 14919, in the City of San Diego, County of San Diego, State of California, filed in the office of the County recorders of San Diego County on August 7, 1987.

WHEREAS, on March 28, 2024, 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 15301 (Existing Facilities); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520.

WHEREAS, on March 28, 2024, the Planning Commission of the City of San Diego considered Planned Development Permit No. 3239317 pursuant to the Land Development Code of the City of San Diego.

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings for Planned Development Permit No. 3239317.

A. Planned Development Permit [SDMC}- Section 126.0605

- 1. <u>Findings for all Planned Development Permits</u>
 - a. The proposed development will not adversely affect the applicable land use plan.

The Mira Mesa Community Plan does not address wireless communication facilities (WCF) as a specific land use. However, the City of San Diego General Plan (UD-15) addresses these facilities, recommending that WCFs minimize the visual impact by concealing the wireless facilities in existing structures when possible, designing facilities to be aesthetically pleasing and respectful to the neighborhood context, and concealing mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures. Furthermore, the General Plan states that equipment associated with wireless facilities shall be concealed from view. The General Plan, Section L. Information Infrastructure, Policy PF-L.5, indicates that the City should work with private telecommunication service providers to develop and maintain an integrated information infrastructure system. The design of the WCF is respectful of the neighborhood context and does not adversely affect the applicable land use plans. This project is existing and requires a Planned Development Permit (PDP) to continue its use. The project consists of existing FRP structures with antennas on the roof. Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones Citywide with the appropriate permit process. Council Policy 600-43 assigns preference location levels for where WCFs are located within different land uses, with Preference Location 1 being the most preferred and Preference Location 4 the least preferred. Preference 1 Locations generally include non-residential land uses and zones and are permitted ministerially. Preference 4 Locations include residential land uses in residential zones and require a Process Four Planning Commission approval. The Project is located in the CC-4-2 zone, a commercial zone, that does not contain residential development and is considered a Preference 1 Location.

Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. The intent of the regulations is, among other things, to camouflage facilities from public view. The existing building envelope and existing FRP will remain the same with no new modifications and no visual changes. No alterations are proposed,

and rooftop antennas and associated equipment are all behind the existing FRP enclosure, concealed from view.

The existing building supports the continued use of the antennas with FRP boxes to minimize the look of the antennas. Each FRP box will be painted and textured to match the building on which they are located. The equipment enclosure will continue to operate on the 3rd floor. The continued use of the FRP box design is an opportunity to maintain a global cohesive solution for all the current carriers at this location. Consequently, the FRP box design also prevents a potential eyesore by eliminating various antenna dimensions that would otherwise be roof-mounted on the building. Therefore, the current solution of concealing the existing antennas would result in a design that is aesthetically neutral to the office building and the community. The proposed entitlement application date expiration date on the PDP is March 28, 2034.

The project's proposed continuation complies with the WCF Guidelines, LDC Section 141.0420, and the City's General Plan. As a result, the development would not adversely affect the Mira Mesa Community Plan or the City of San Diego General Plan. Therefore, the proposed development will not adversely affect the land use plan.

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

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing Facilities). There was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520. The project's approval conditions will require compliance with several operational constraints to ensure continued public health, safety, and welfare. The proposed project does not include any modifications at this time. All future modifications associated with the project will be reviewed before the issuance of construction permits and inspected during construction to ensure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing, and fire codes.

This site provides coverage for AT&T Wireless customers in the surrounding community and commercial uses along a section of Miramar Road. Continued operation of this site is necessary to maintain the existing levels of service in the area for AT&T Wireless. The site is an integral part of telecommunication networks, as the site's operation is closely coordinated with other sites in the area. Coverage maps demonstrate the existing coverage provided on the property and the predicted loss of coverage without the continuation of the WCF (Attachment 6). A degradation of the existing service could have a significant impact on adjacent customers and essential emergency communication services.

Additionally, the Federal Telecommunication Act of 1996 preempts local governments from regulating the placement, construction, and modification of wireless communication facilities based on the environmental effects of Radio

Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions. AT&T submitted an RF Report on February 21, 2022, from OSC Engineering to the City verifying that the proposed project is in compliance with FCC regulations. Therefore, the project would not result in any significant health or safety risks to the surrounding area. The proposed project will not harm public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The project requires a height limit deviation from the zone regulations outlined in the Land Development Code. Deviations to the SDMC may be processed through a PDP in accordance with SDMC section126.0601. The purpose of the PDP is to establish a review process for the development that allows an applicant to request greater flexibility from the strict application of the regulations to allow for a more desirable project. Expiration dates are imposed on WCFs to review and modify these facilities to comply with current design standards.

The maximum structure height in zone CC-4-2 is 60 feet. The existing FRP structures are measured at 65 feet, 6 inches. The existing building envelope and existing FRP will remain the same with no new modifications and no visual changes. No alterations are proposed to the exterior, and rooftop antennas and associated equipment are all behind the existing FRP enclosure, concealed from view.

The existing building that the WCF is on is one of the tallest structures in the area. If this project continuation is denied, a new standalone tower, whose height would far exceed the height of any existing structures in the area, would be the only other option to receive similar coverage. This would be far more intrusive than the proposed continuation of existing FRP structures on the building rooftop.

There are no other deviations from the development regulations or variances requested with this application. Based on these considerations, this project complies with all other permit and design requirements for WCFs as identified in the SDMC. Therefore, the proposed development will comply, with the approval of the PDP and its findings, with the regulations of the Land Development Code, including any proposed deviations pursuant to SDMC Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 3239317 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions as outlined in Permit No 3239317 a copy of which is attached hereto and made a part hereof.

Tracy Harris Development Project Manager II Development Services

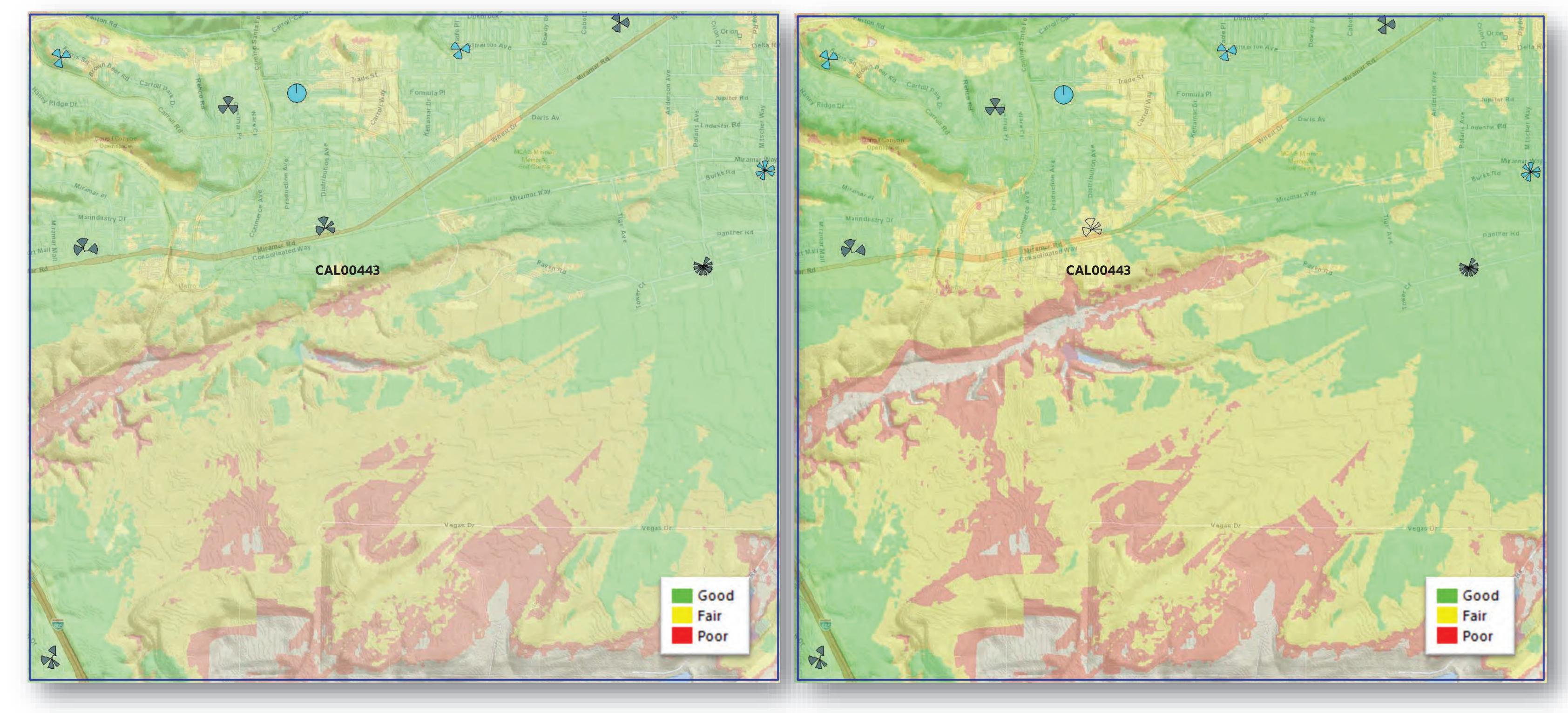
Adopted on: March 28, 2024

IO#: 11003679

CAL00443

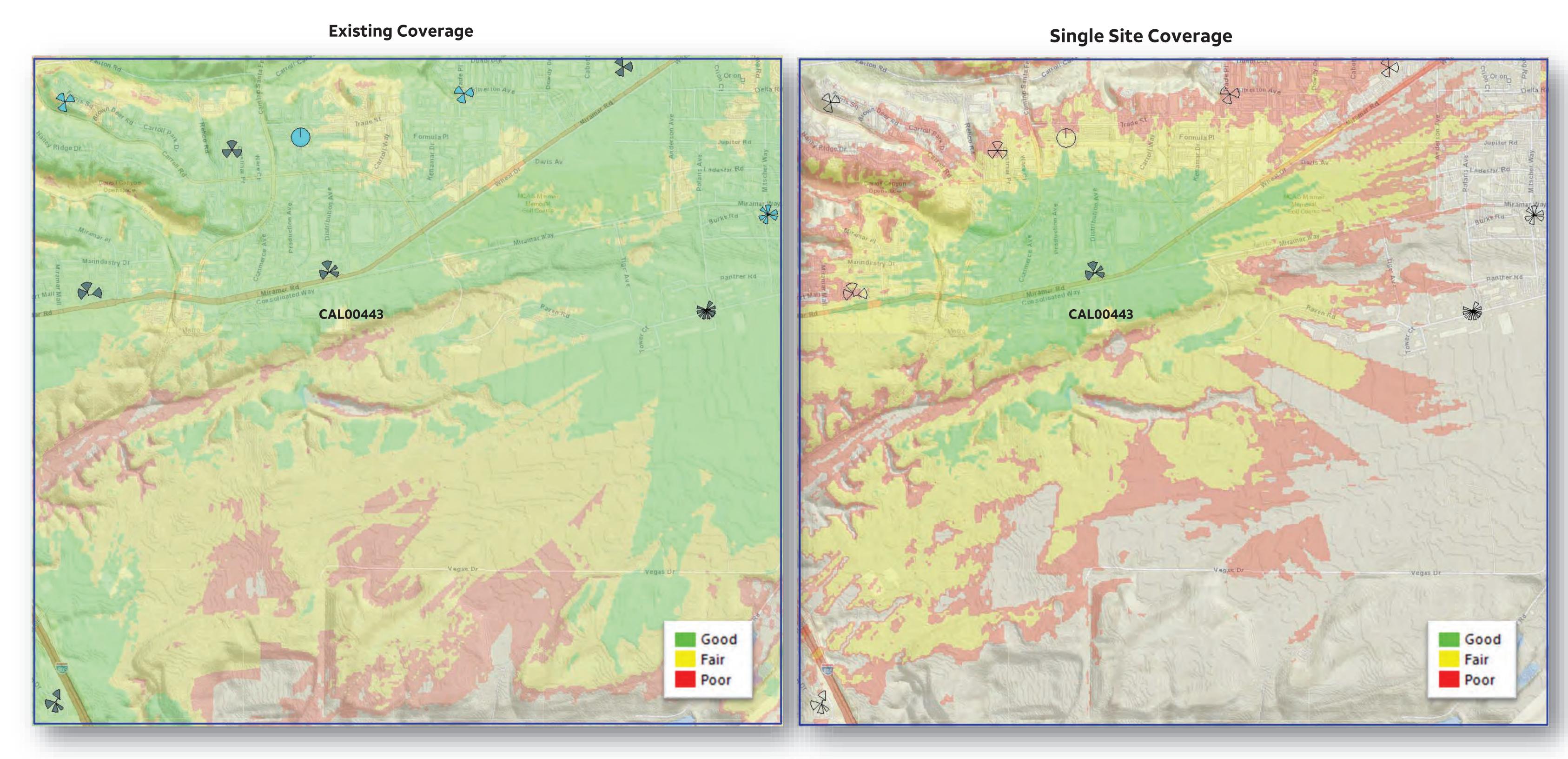
Existing Coverage

Existing coverage without SITE





CAL00443





NOTICE OF EXEMPTION

TO:

Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400

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 Title / Number: 7084 Miramar Road/ 1098927

State Clearinghouse No.: N/A

Project Location-Specific: 7084 Miramar Road, San Diego, CA 92121

Project Location-City/County: San Diego/ San Diego

Description of nature and purpose of the Project: Planned Development Permit (PDP) for the continual operation and modification of an existing Wireless Communication Facility (WCF). The WCF would consist of 15 new panel antennas and 19 Remote Radio Units (RRUs) at an existing WCF. Additionally, the project includes ancillary equipment to support the WCF. The WCF is located on a developed site on the rooftop of an existing office building at 7084 Miramar Road in the CC-4-2 Zone, Mira Mesa Community Plan area, FAA Part 77 and City Council District 6.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: MD7 LLC., 10592 West Ocean Air Drive Suite 250 San Diego, CA 92130. (858) 9521936

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LACIII	ivi viatus	, ICHECK	OHIC

Ministerial (Sec. 21080(b)(1); 15268)

Declared Emergency (Sec. 21080(b)(3); 15269(a)) Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) П

Categorical Exemption: Section 15301 (Existing Facilities). 冈

Reasons why project is exempt: The City of San Diego conducted an environmental review and determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities). Section 15301 allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of use beyond that existing at the time of the determination. Since the project would only permit the continual operation of an existing WCF and would only change some equipment and would not expand the use, the exemption was deemed appropriate. The project is located on a developed site and no environmental impacts would occur and none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

 Lead Agency Contact Person:
 Jeffrey Szymanski
 Telephone:
 619 446-5324

 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 the California Environmental Quality Act.

 January
 3/13/20241

 Date

 Check One:
 Date Received for Filing with County Clerk or OPR:

☐ Signed by Applicant



City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000

Ownership Disclosure Statement

FORM

DS-318

October 2017

Neighborhood Development Per	rmit 🗆 Site Dev	pproval(s) requested:	ent Permit (☐ Conditional Use P	ent Permit ermit 🗅 Variance
Project Title: ATT - 10086168 - Entitle	ement Renewal		Project No	. For City Use Only	79 0
Project Address: 7084 Miramar Roa		2145	-		
Specify Form of Ownership/Lega	<mark>l Status</mark> (pleaso	e check):		22 -0	
☐ Corporation ☐ Limited Liability	-or- 🛘 General	- What State? (A Corporate	Identification	n No. <u>33 - 08</u>	34481
☐ Partnership ☐ Individual					
with the City of San Diego on the owner(s), applicant(s), and other fi individual, firm, co-partnership, joi with a financial interest in the applindividuals owning more than 10% officers. (A separate page may be ANY person serving as an officer A signature is required of at least notifying the Project Manager of a ownership are to be given to the F	e subject proper inancially interest int venture, assolication. If the 6 of the shares, attached if necer or director of tone of the propert Manager in Project Manager	ne owner(s) acknowledge that an applic ty with the intent to record an encum sted persons of the above referenced p ociation, social club, fraternal organizal applicant includes a corporation, includ issary.) If any person is a nonprofit org the nonprofit organization or as trus operty owners. Attach additional page ownership during the time the applical at least thirty days prior to any public described in a delay in the hearing process	brance again property. A stion, corpora rtnership, inde the name: canization or stee or bene s if needed. tion is being hearing on t	nst the property. Financially interesteration, estate, trust, relude the names, the strust, list the name at trust, list the name ficiary of the nong processed or const	Please list below the digraph party includes any eceiver or syndicate cles, addresses of all ses of the corporate less and addresses of profit organization. It is responsible for sidered. Changes in
Property Owner					
Name of Individual: Martin	G. Wang		⊠ Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address:7084 Miramar Road					
City: San Diego				State: _CA	Zip: _92121
Phone No.: (858)83749	85	Fax No.:	Email: M	5 martin w @ s	3 mail com
Signature: 200 W	->	-	Date:6	/1/23	
Additional pages Attached:	☐ Yes	□ No			
Applicant					
Name of Individual: AT&T Wireless			☐ Owner	Tenant/Lessee	☐ Successor Agency
Street Address: 5855 Copley Drive					
City: San Diego				State: _CA	Zip: 92111
Phone No.: 858-964-7403		Fax No.:	Email: _cstri	leckis@md7.com	
Signature: Mod Allh			Date: _05/1	7/2023	
Additional pages Attached:	☐ Yes	□ No			
Other Financially Interested Pers	sons				
Name of Individual:			□ Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address:					
City:				State:	Zip:
Phone No.:		Fax No.:	Email:		
Signature:			Date:		
Additional pages Attached:	☐ Yes	□No			

Page 3

City of San Diego · Information Bulletin 620

August 2018



Community Planning Committee Distribution

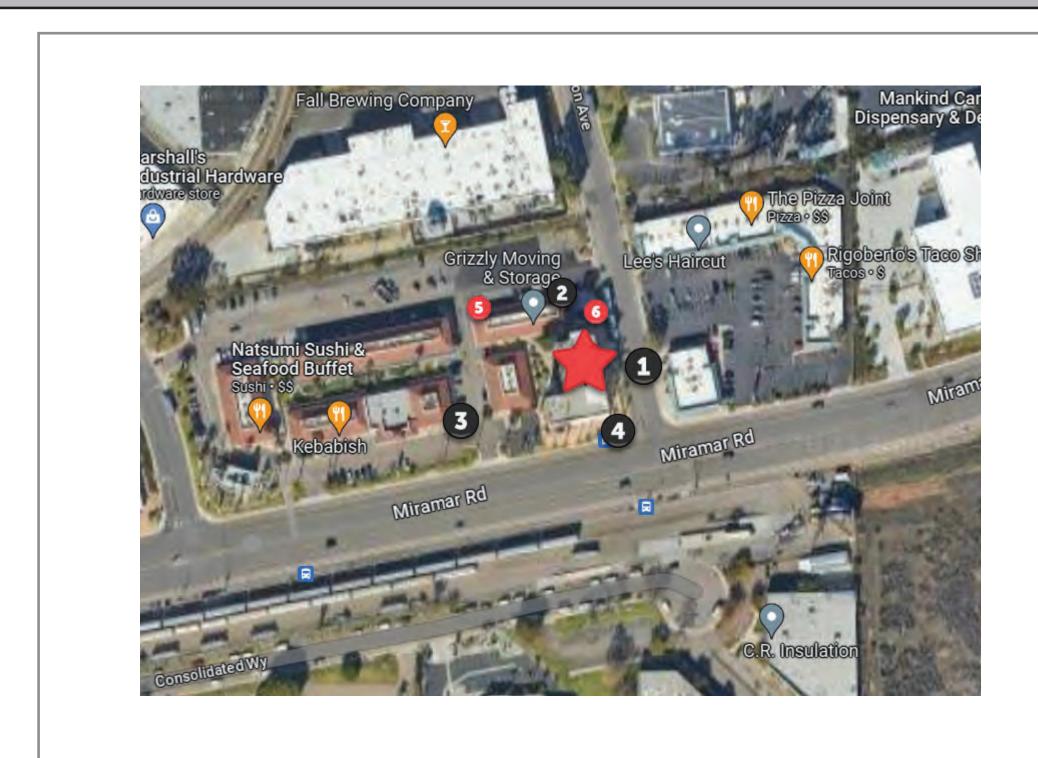
שעטכ	1222 First Av San Diego, C				Form
Project Name: Wireless Commun	ication Facility	,	Project Num 1098927	ber:	
Community: Mira	a Mesa				
	log into Op	penDSD at https	mation (project i :://aca.accela.co ne Project Numb	m/SANDIE	
■ Vote to Approx □ Vote to Approx □ Vote to Approx □ Vote to Deny	ve with Condit		w endations Listed	d Below	Date of Vote: November 27,
# of Members Yes 13		# of Members	No 0	# of M	embers Abstain 0
Conditions or Reco			e, Lack of quorum, 6	etc.)	
NAME: Chris Cate	9				
TITLE: Chair				DATE:	December 04, 2023
	Attach additio	onal pages if nec	essary (maximur	m 3 attach	ments).

LOCATION



7084 Miramar Rd., San Diego, CA 92145

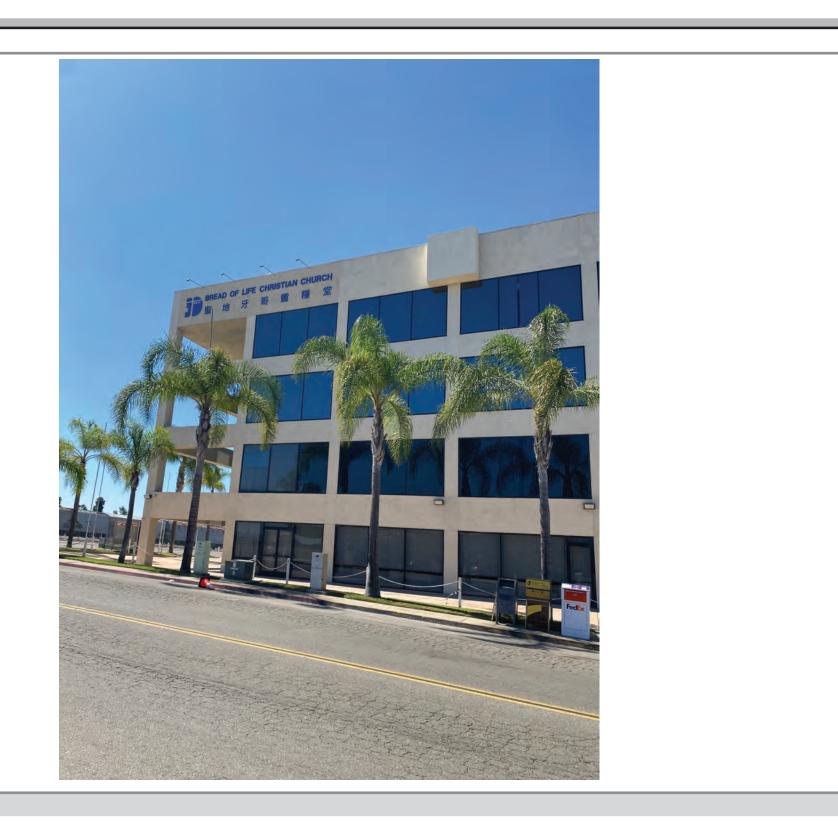
Map





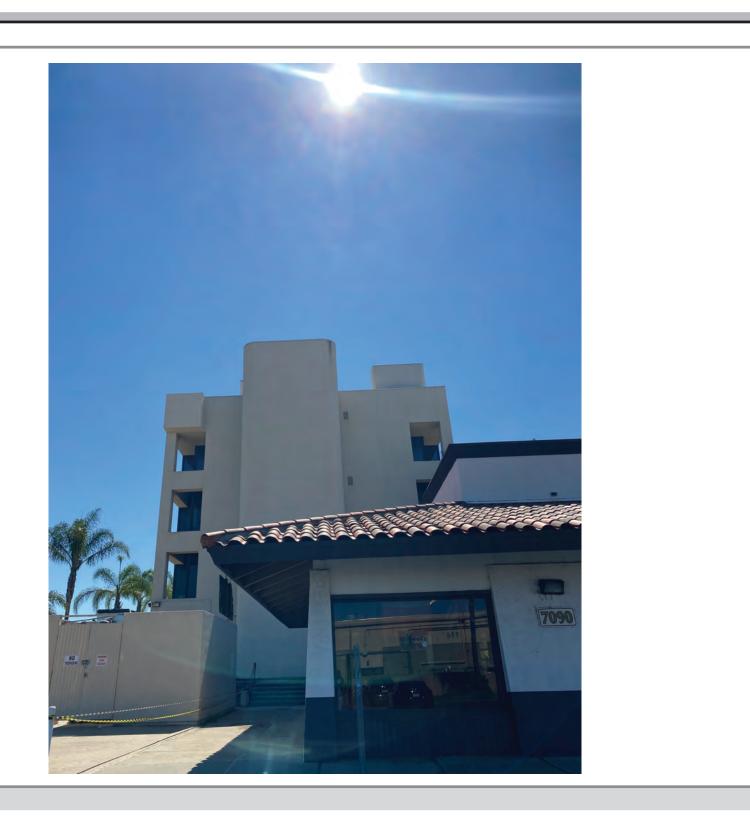
7084 Miramar Rd., San Diego, CA 92145

View



7084 Miramar Rd., San Diego, CA 92145

View

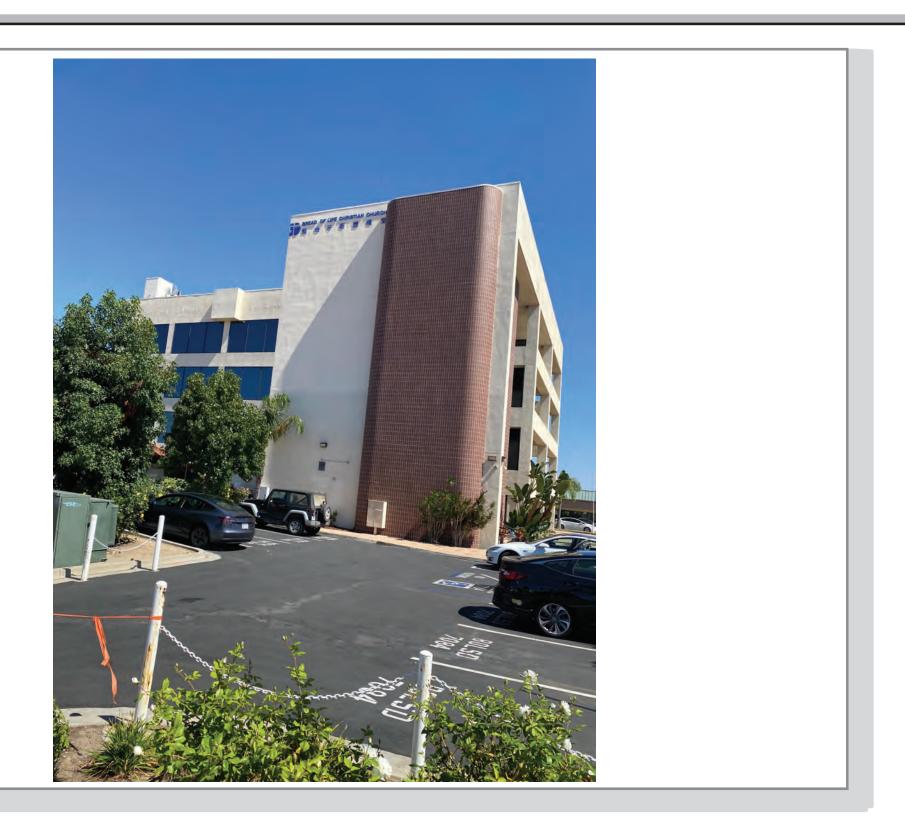


view



7084 Miramar Rd., San Diego, CA 92145

View:



view .

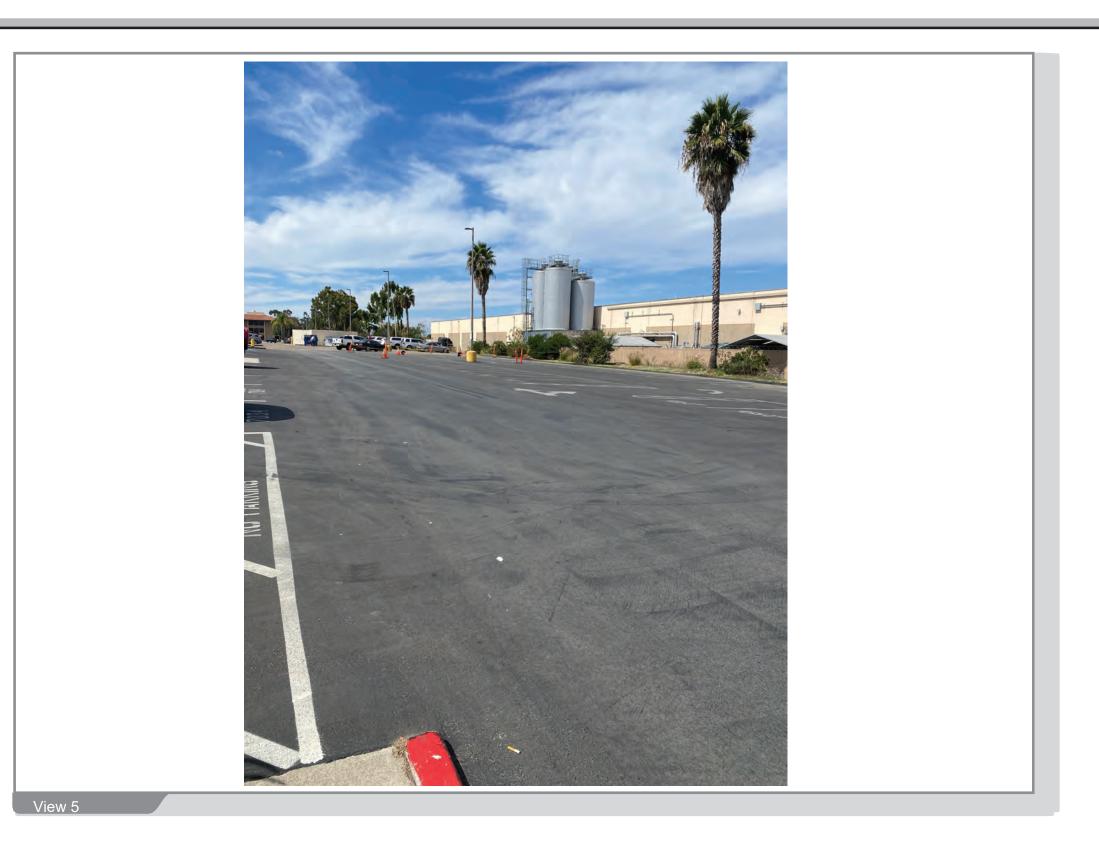


7084 Miramar Rd., San Diego, CA 92145



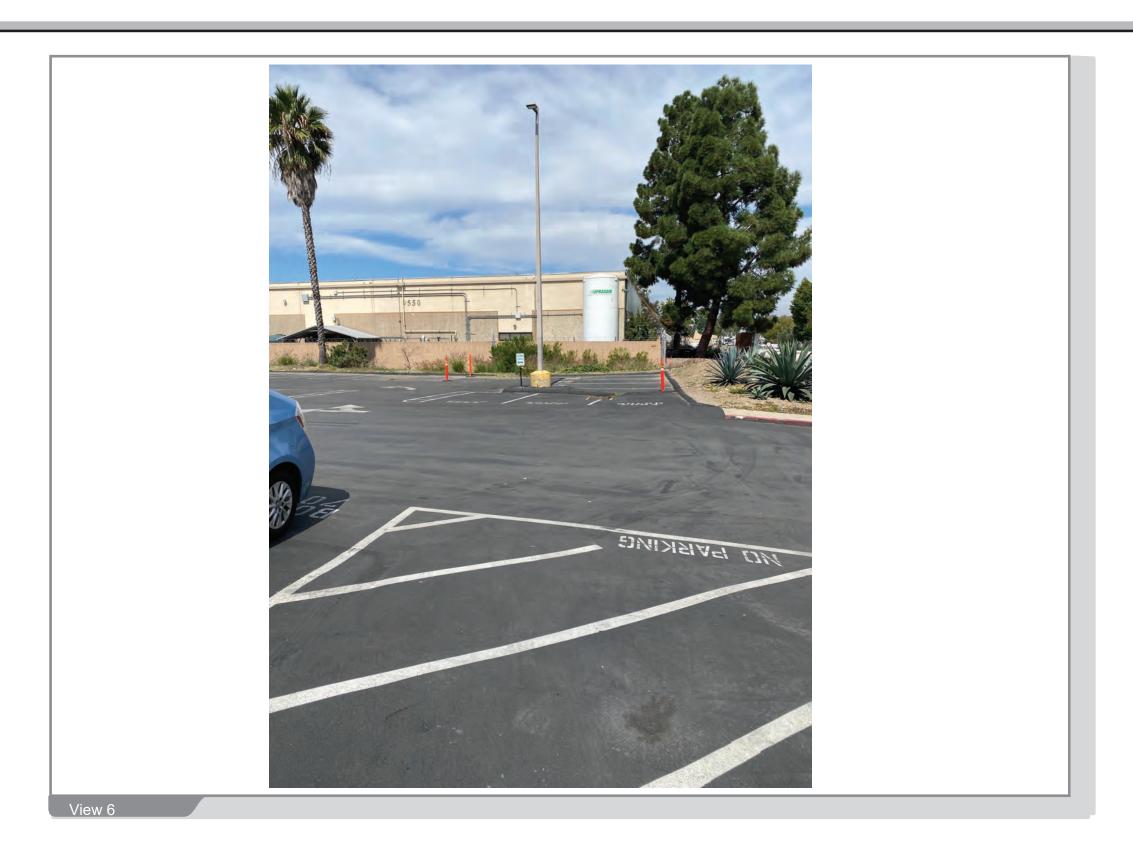


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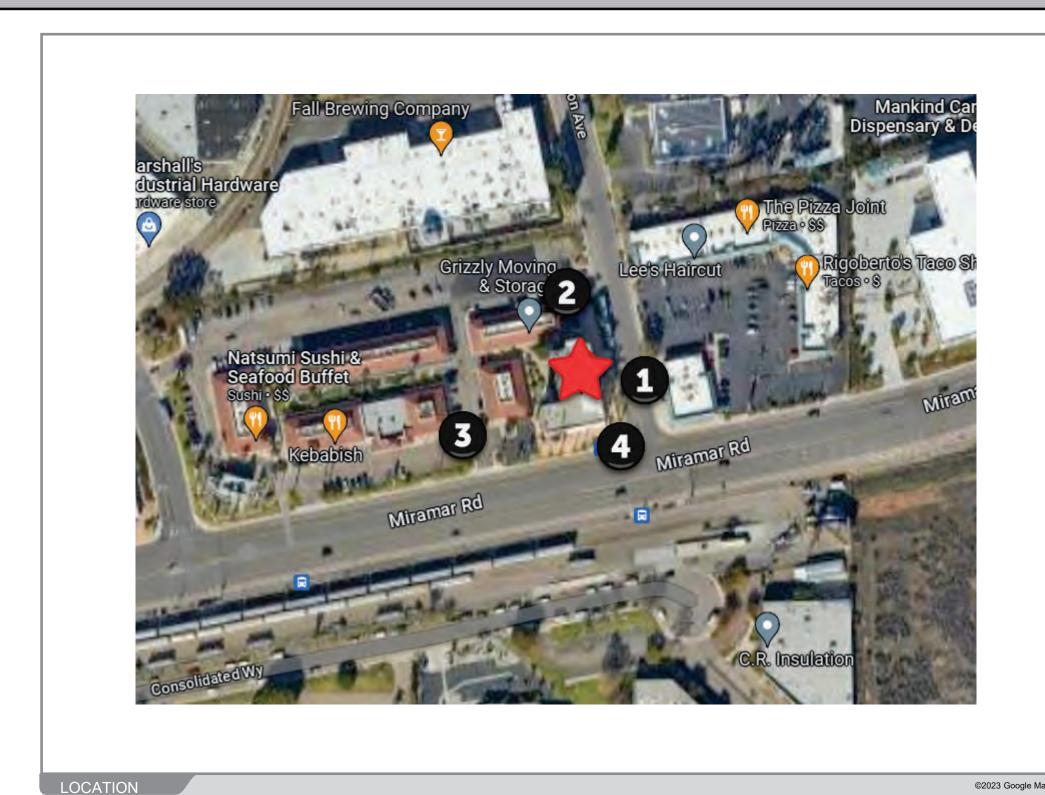




7084 Miramar Rd., San Diego, CA 92145



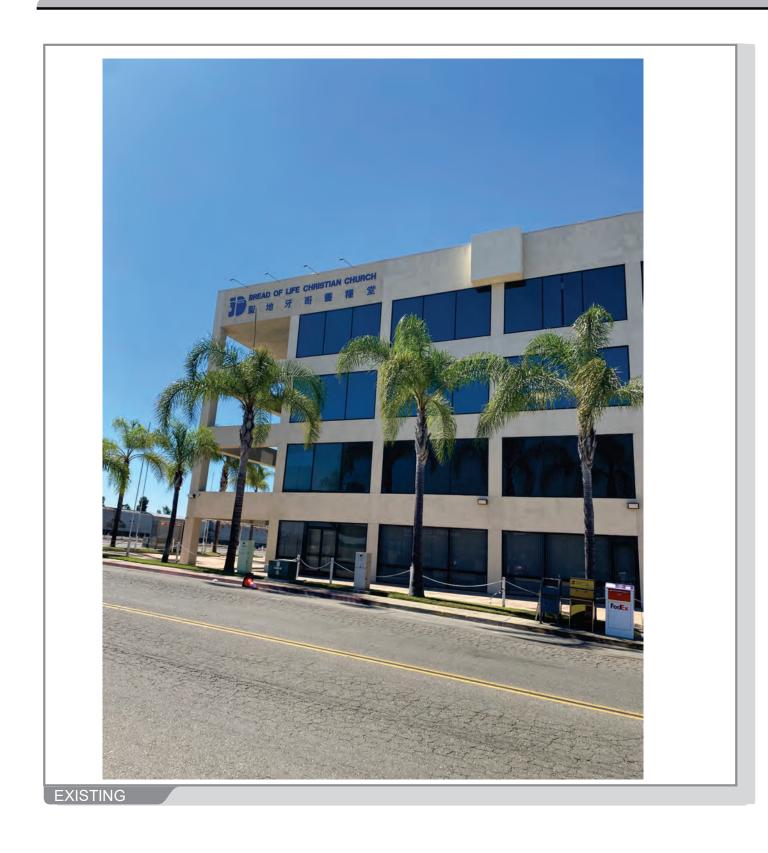
7084 Miramar Rd., San Diego, CA 92145



©2023 Google Maps

MD7

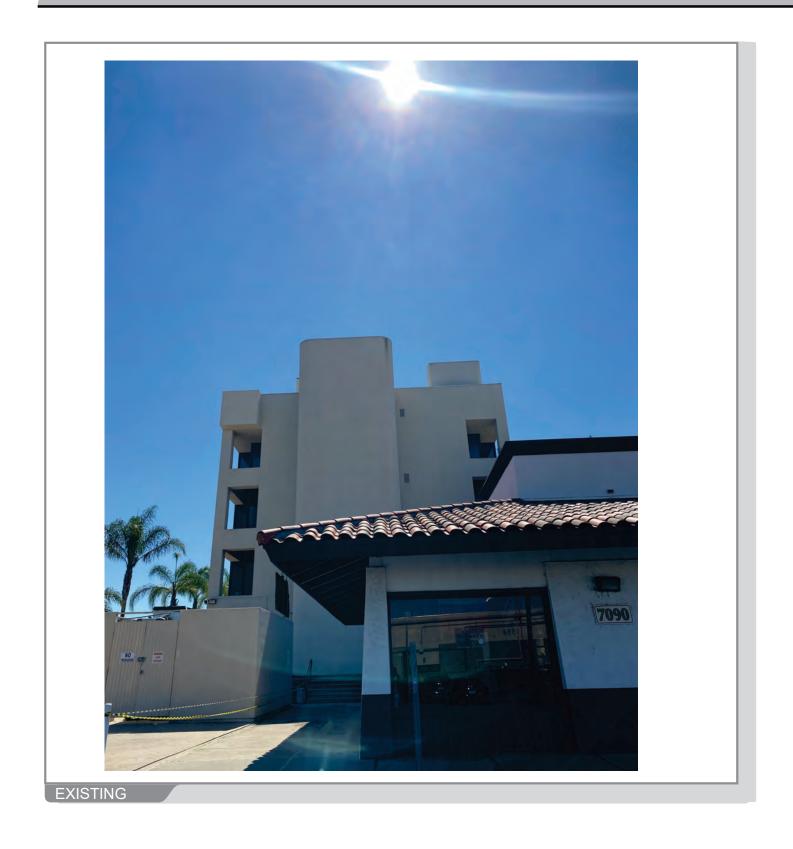
7084 Miramar Rd., San Diego, CA 92145

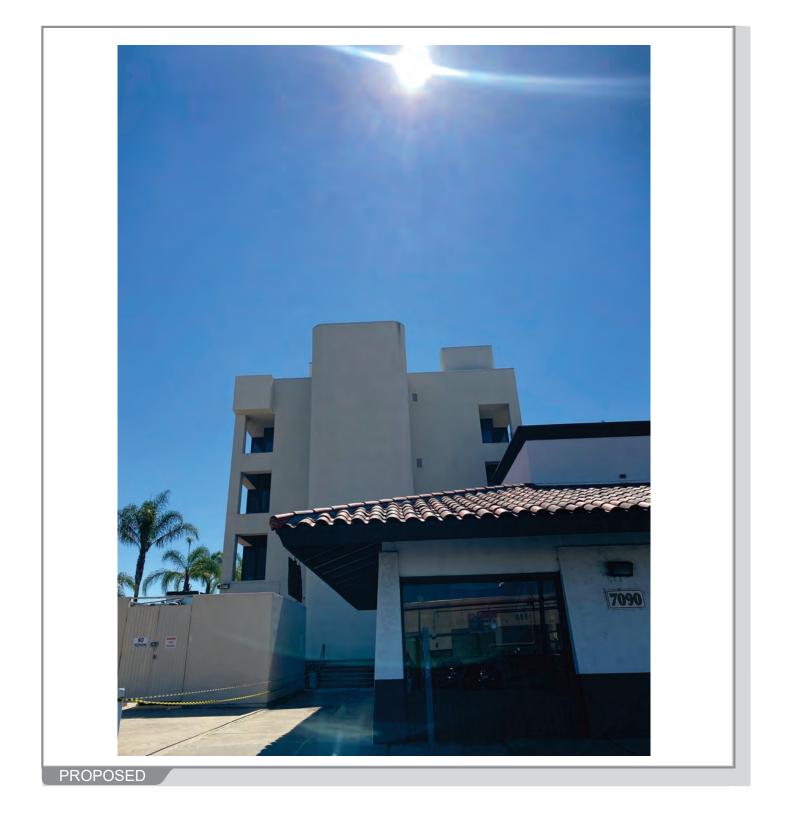




MD7

7084 Miramar Rd., San Diego, CA 92145

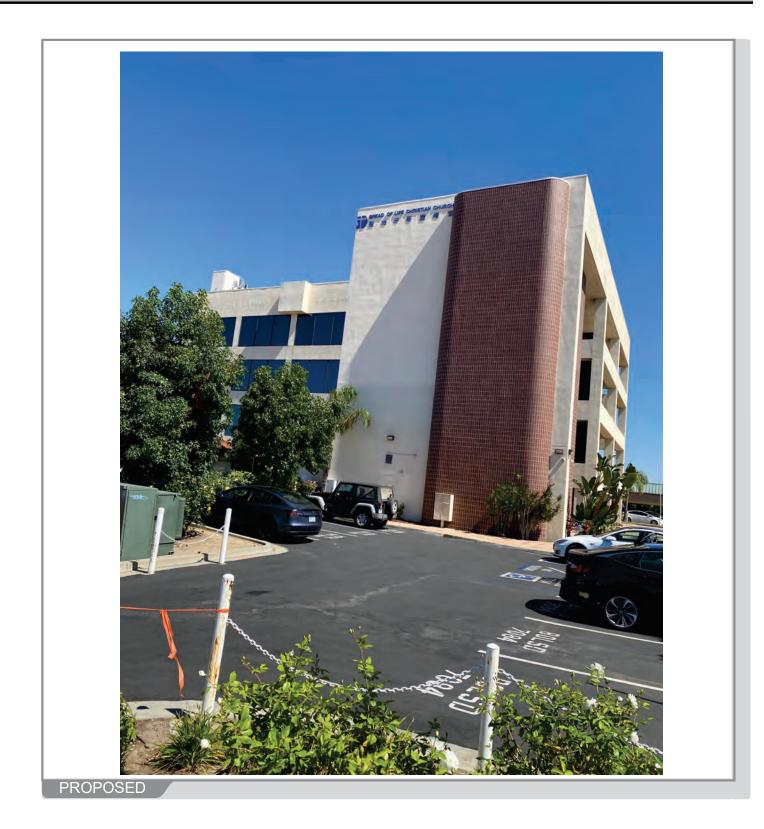




MD7

7084 Miramar Rd., San Diego, CA 92145

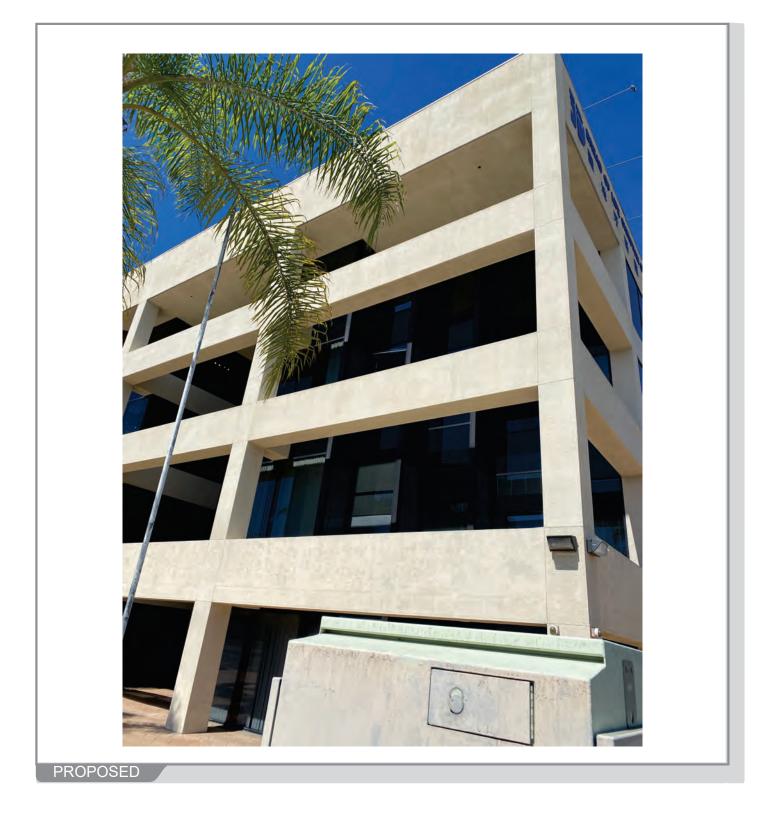




MD7

7084 Miramar Rd., San Diego, CA 92145

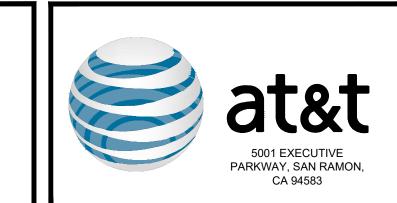






MIRAMAR ROAD

SD0443 ENTITLEMENT RENEWAL FA: 10086168 7084 MIRAMAR ROAD SAN DIEGO, CA 92145





AHJ APPROVAL

			REVISIONS	
RE	V.	DATE	DESCRIPTION	INITIALS
0)	05/10/2023	100% ZDs	VB
1		09/29/2023	REVISED 100% ZDs	RA
2		10/31/2023	REVISED 100% ZDs	RA
		1		1

"I HEREBY CERTIFY THAT THESE PLANS WERE REPARED BY ME AND UNDER MY DIRECT SUPERVISIO AND THAT I AM DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF CALIFORNIA"

SITE INFORMATION MIRAMAR ROAD SD0443 10086168 7084 MIRAMAR ROAD SAN DIEGO, CA 92145

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1.0

PROJECT TEAM

APPLICANT AGENT: AT&T WIRELESS 5855 COPLEY DRIVE SAN DIEGO, CA 92111 CONTACT: ROBERT POLITO PHONE: (858) 291-115 EMAIL: rpolito@md7.com

SITE ACQUISITION AGENT MD7, LLC.

10590 WEST OCEAN AIR DRIVE SUITE 250 SAN DIEGO, CA 92130 CONTACT: ROBERTO POLITO PHONE: (858) 291-1915 EMAIL: rpolito@md7.com

RF ENGINEER: AT&T WIRELESS 5855 COPLEY DRIVE SAN DIEGO, CA 92111 CONTACT: JORGE MELCHOR EMAIL: jm934p@att.com

MD7 ARCHITECTURE SERVICES, INC 10590 WEST OCEAN AIR DRIVE SUITE 250 SAN DIEGO, CA 92130 **CONTACT: JUSTIN CAUSEY**

PHONE: (858) 291-1869 EMAIL: jcausey@md7.com

ZONING MD7, LLC. 10590 WEST OCEAN AIR DRIVE SUITE 250 SAN DIEGO, CA 92130 CONTACT: ROBERTO POLITO PHONE: (858) 291-1915 EMAIL: rpolito@md7.com

VICINITY MAP

(15) EXISTING WCS FILTERS

CODE COMPLIANCE

2022 CALIFORNIA BUILDING CODE 2022 CALIFORNIA RESIDENTIAL CODE 2022 CALIFORNIA FIRE CODE 2022 CALIFORNIA ENERGY CODE 2022 CALIFORNIA PLUMBING CODE

RESTRICTIVE CODE SHALL PREVAIL TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN NEVADA, CALL USA NORTH 811

TIA-222 CODE

TOLL FREE: 1-800-227-2600 OR www.usanorth811.org

2022 CALIFORNIA MECHANICAL CODE

2022 CALIFORNIA ELECTRICAL CODE

IN THE EVENT OF CONFLICT, THE MOST

NEVADA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

NOT FOR DISCLOSURE OUTSIDE TELECOMMUNICATION CLIENT WITHOUT WRITTEN PERMISSION.

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; 2022 CALIFORNIA TITLE 24 NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

DRAWING SYMBOLS

ELEVATION NUMBER SHEET NUMBER FOR **ELEVATION**

DETAIL NUMBER SHEET NUMBER FOR DETAIL # REVISION

REFER: ELECTRICAL FOR Know what's below. ADDITIONAL SYMBOLS Call before you dig.

T-2.0

T-3.0

A-2.0

A-6.0

DRAWING INDEX

DETAILS

DETAILS

RF SIGNAGE DETAILS

RF LOCATION PLAN

OVERALL SITE PLAN

ENLARGED SITE PLAN

EQUIPMENT & ANTENNA PLAN

NORTHWEST & SOUTHWEST ELEVATIONS

SOUTHEAST & NORTHEAST ELEVATIONS

NO PROPOSED WORK, ZONING DRAWINGS MEANT FOR OBTAINING **ENTITLEMENTS**

AT ANTENNA LEVEL: (4) EXISTING PANEL ANTENNAS (78.9" X 20" X 6.9") EXISTING PANEL ANTENNAS (72.87" X 11.85" X 7.09") EXISTING PANEL ANTENNAS (49.9" X 28.5" X 9.7")

PROJECT SUMMARY

EXISTING PANEL ANTENNAS (30.63" X 15.87" X 10.55") EXISTING PANEL ANTENNAS (28.0" X 15.7" X 6.7") (19) EXISTING RRUS SURGE PROTECTORS

(THE 596 SQ. FT. EQUIPMENT AREA IS LOCATED ON THE 3RD FLOOR OF **EXISTING BUILDING):**

AT EQUIPMENT LEVEL (15) BATTERY PACKS (1) POWER PLANT TELCO RACK **GSM CABINETS UMTS CABINETS** (13) RRUS

NORTH

SITE INFORMATION

PROPERTY OWNER: BANKERS 4REAL ESTATE LLC 7084 MIRAMAR RD. SUITE 100, LEMON GROVE, CA 91945

STRUCTURE HEIGHT 65'-6" PARCEL NUMBER: 343-111-42-00 32° 52' 46.2936" LATITUDE (NAD 83): LONGITUDE (NAD 83): -117° 9' 46.5588" **ZONING JURISDICTION:** CITY OF SAN DIEGO **ZONING DISTRICT** CC-4-2 OTHER WIRELESS FACILITIES: NONE

CONFIDENTIAL AND PROPRIETARY





Beyond This Point you are entering a controlled area where RF Emissions may exceed the FCC Occupational Exposure

Obey all posted signs and site guidelines for working in an RF environment

Caution Sign 1



AT&T operates antennas at this site. Beyond This Point you are entering an area where radio frequency (RF) fields may exceed the FCC Occupational Exposure Limits.

Follow safety guidelines for working in an RF

Contact AT&T at 800-638-2822 and follow their instructions prior to performing any maintenance or repairs beyond this point.

Caution Sign 2



Caution Sign 2B (Tower)

Couline Sign ICAOTT-AL-157 This is AT&T site_____

Caution Sign 2C (5x7)



AT&T operates antennas at this site. Beyond This Point you are entering an area where radio frequency (RF) fields exceed the FCC Occupational Exposure Limits. Contact AT&T at 800-638-2822, options 9 and 3, and request assistance prior to proceeding beyond this point.

Failure to follow safety guideline for working in an RF environment could result in serious injury. Warning Style PMR-2A-AL-128 This is AT&T site USID

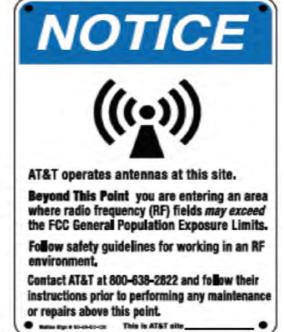
Warning Sign 1B



Beyond This Point you are entering an area where RF Emissions may exceed the FCC General Population Exposure

Follow all posted signs and site guidelines for working in an RF environment Lef. FCC 47CFR 1.1397(b)

Notice Sign 1



Notice Sign 2



Contin Spurcial?- & ear This is ATAT site _____

Notice Decal (1', 2', 3')

RF Safety Information Signs 11



Favor comunicarse con la oficina de la administración del edificio si esta puerta o compuerta se encuentra sin Information Sign 1



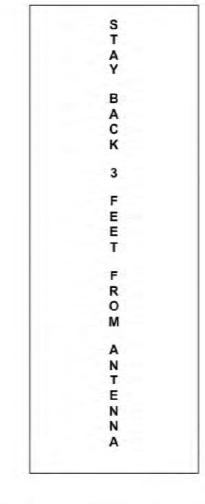
Information Sign 2



Information Sign 3



Information Sign 2 (reduced size)



Information Sign 4



Trilingual Sign





AHJ APPROVAL

	REVISIONS						
REV.	DATE	DESCRIPTION	INITIALS				
0	05/10/2023	100% ZDs	VB				
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SITE INFORMATION MIRAMAR ROAD SD0443 10086168 7084 MIRAMAR ROAD SAN DIEGO,CA 92145

SHEET TITLE

RF SIGNAGE **DETAILS**

SHEET NUMBER

T-2.0

RECOMMENDATIONS

AT&T Sector A

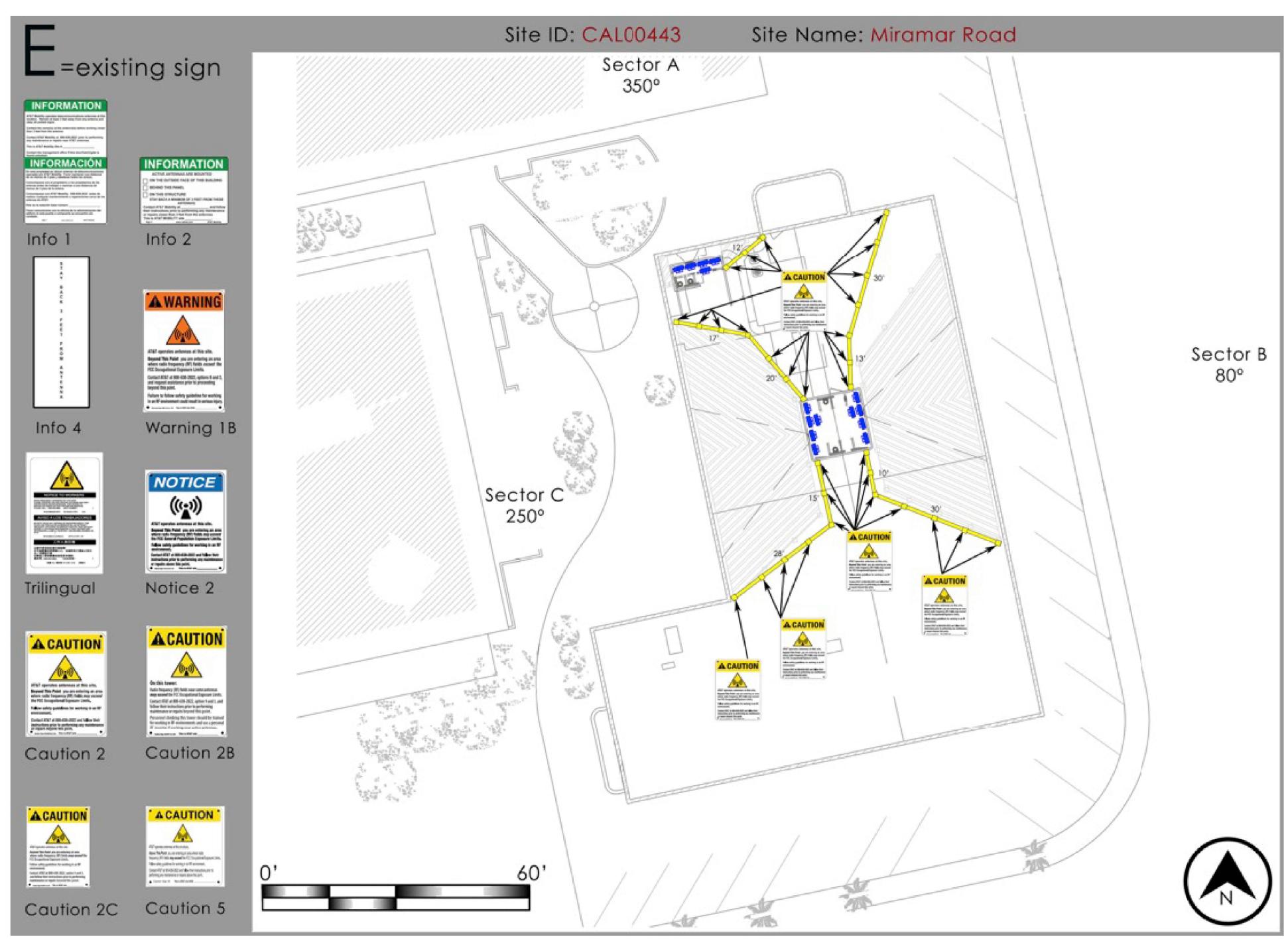
To be installed: a 12' physical barrier with Caution 2 sign every 8' on all approaches to the physical barrier If the parapet is less than 36" in height: Barriers must be built a minimum of 6 feet away from the roof edge to comply with AT&T safety standards

AT&T Sector B

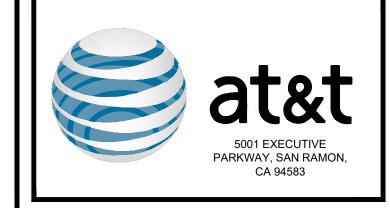
To be installed: a 13' x 30' and a 10' x 30' physical barrier with Caution 2 sign every 8' on all approaches to the physical barrier If the parapet is less than 36" in height: Barriers must be built a minimum of 6 feet away from the roof edge to comply with AT&T safety standards

AT&T Sector C

To be installed: a 20' x 17' and a 15' x 28' physical barrier with Caution 2 sign every 8' on all approaches to the physical barrier If the parapet is less than 36" in height: Barriers must be built a minimum of 6 feet away from the roof edge to comply with AT&T safety standards



If work is being performed in the vicinity of the transmitting antennas, site shut-down procedures must be followed. See page entitled <u>AT&T Antenna Shut-down protocol</u> for further information.





AHJ APPROVAL	

	REVISIONS					
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> MIRAMAR ROAD SD0443

10086168 7084 MIRAMAR ROAD SAN DIEGO,CA 92145

SHEET TITLE

RF LOCATION PLAN

SHEET NUMBER

T-3.0



OVERALL SITE PLAN





AHJ APPROVAL

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MIRAMAR ROAD
SD0443
10086168
7084 MIRAMAR ROAD
SAN DIEGO,CA 92145

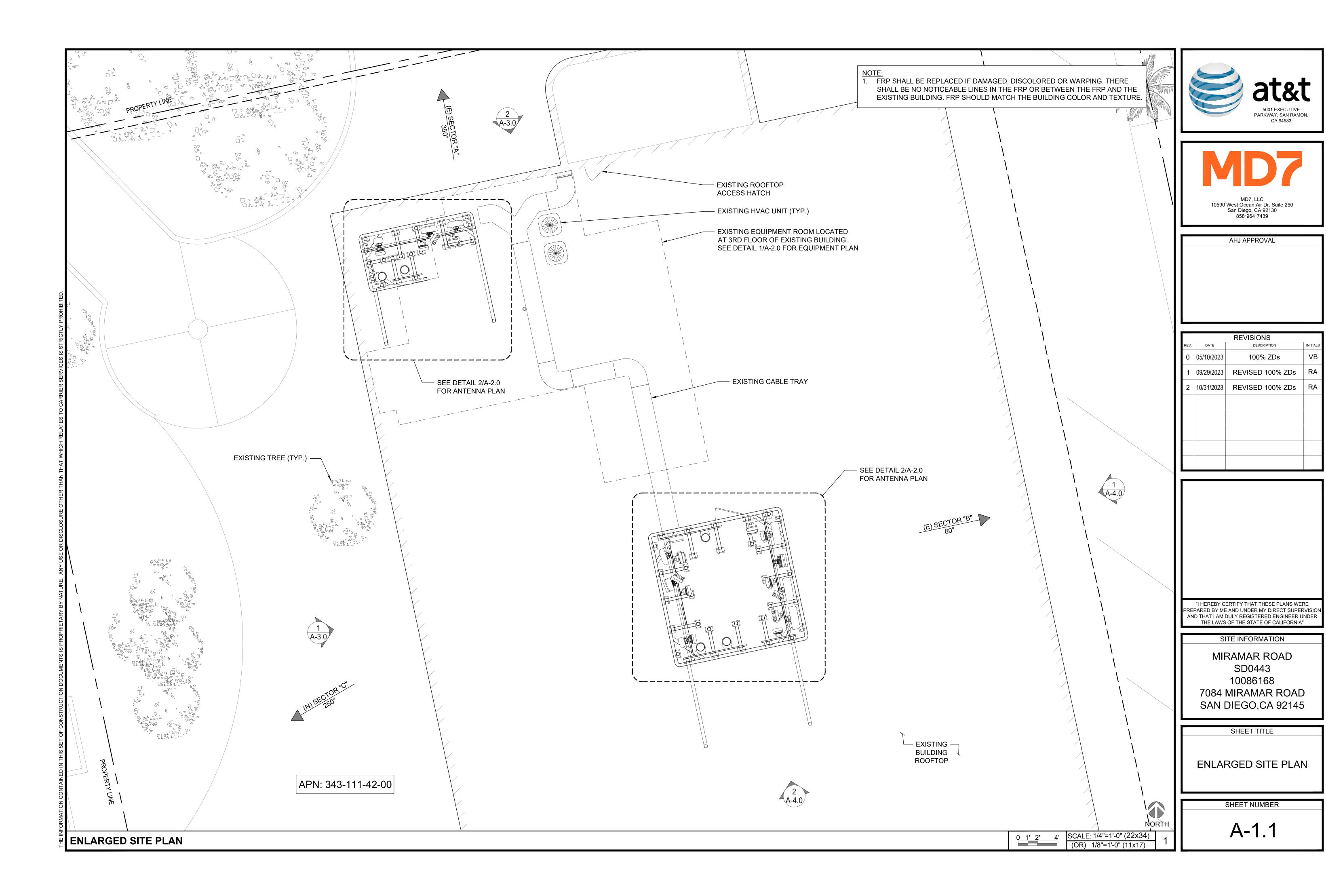
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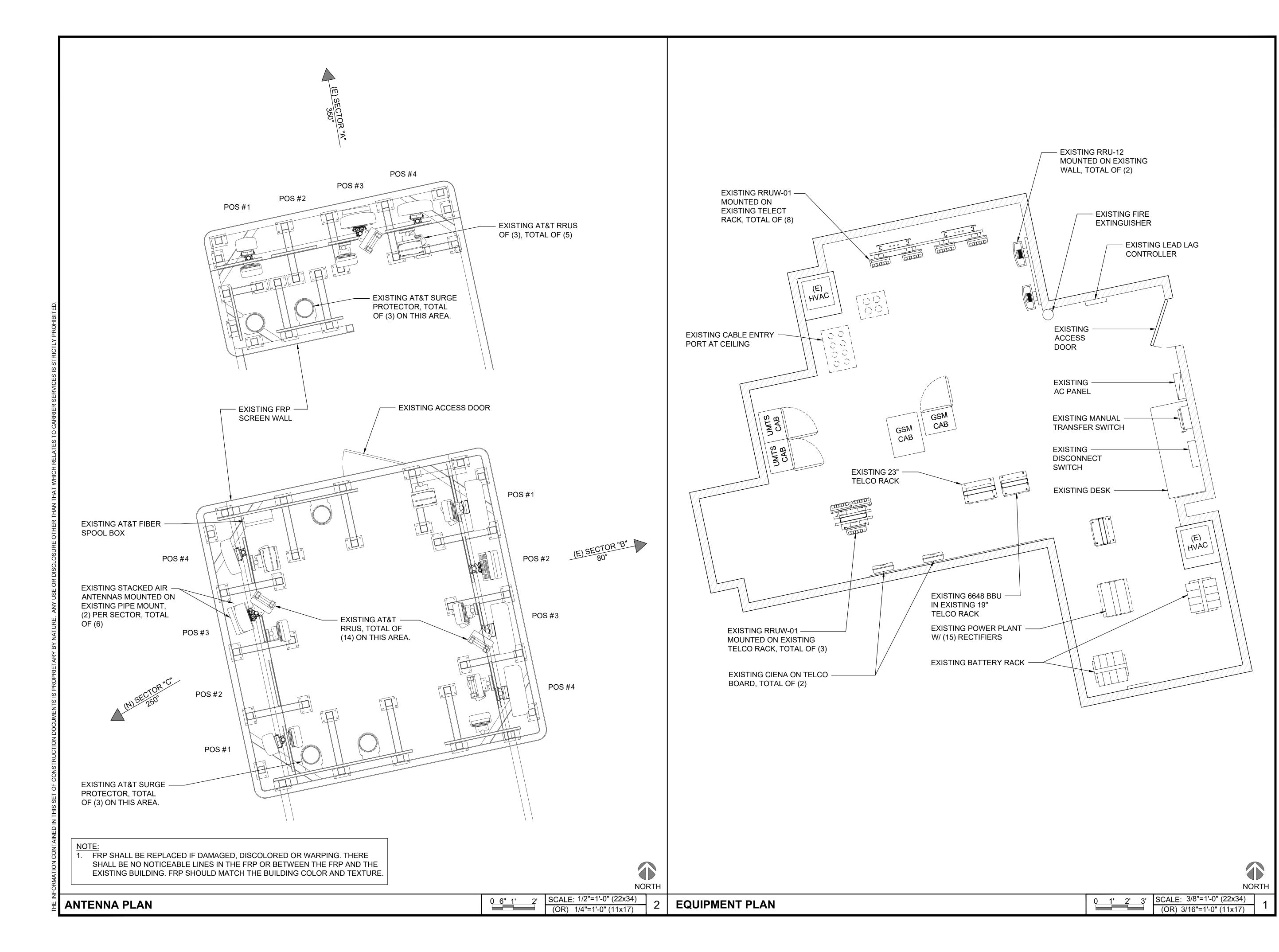
OVERALL SITE PLAN

SHEET NUMBER

100' 0' 50' 100' SCALE: 1"=100'-0" (22x34) (OR) 1"=200'-0" (11x17)

A-1.0









AHJ APPROVAL

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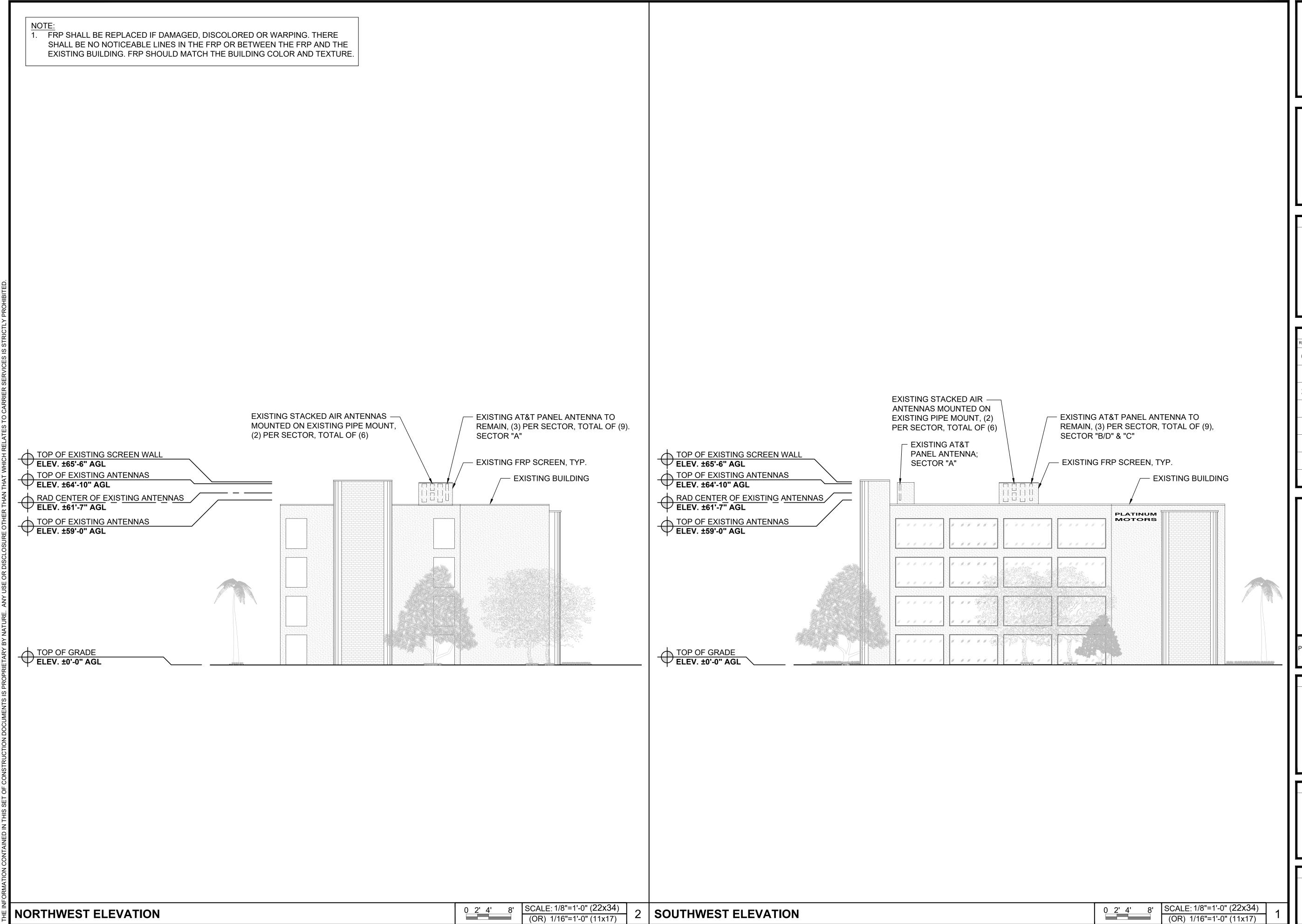
MIRAMAR ROAD
SD0443
10086168
7084 MIRAMAR ROAD
SAN DIEGO,CA 92145

EQUIPMENT & ANTENNA PLAN

SHEET TITLE

SHEET NUMBER

A-2.0







AHJ APPROVAL

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MIRAMAR ROAD
SD0443
10086168
7084 MIRAMAR ROAD
SAN DIEGO,CA 92145

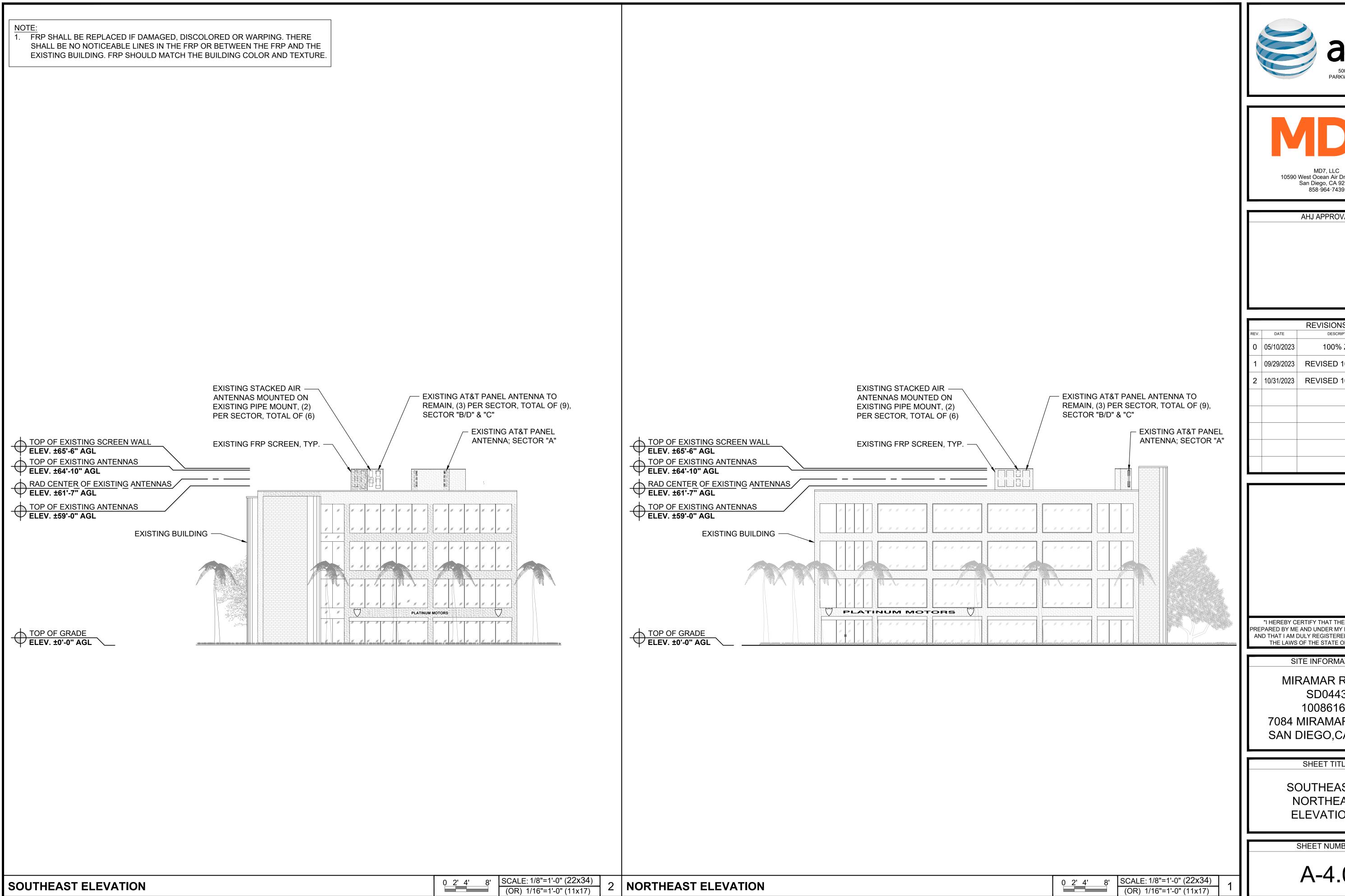
NORTHWEST & SOUTHWEST

ELEVATIONS

SHEET TITLE

SHEET NUMBER

A - 3.0







AHJ APPROVAL

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SITE INFORMATION

MIRAMAR ROAD SD0443 10086168

7084 MIRAMAR ROAD SAN DIEGO,CA 92145

SHEET TITLE

SOUTHEAST & NORTHEAST **ELEVATIONS**

SHEET NUMBER

A-4.0

