

#### THE CITY OF SAN DIEGO

# Report to the Planning Commission

DATE ISSUED: May 23, 2024

REPORT NO. PC-24-020

HEARING DATE: May 30, 2024

SUBJECT: AT&T MOBILITY USD CUYAMACA HALL CONDITIONAL USE PERMIT PROCESS FOUR DECISION

PROJECT NUMBER: <u>1066122</u>

OWNER/APPLICANT: University of San Diego, Owner and AT&T Mobility, Applicant

#### <u>SUMMARY</u>

<u>Issue:</u> Should the Planning Commission approve a Conditional Use Permit (CUP) to continue the operation of a Wireless Communication Facility (WCF) on the University of San Diego's Cuyamaca Hall Building at 1502 Via Las Cumbres in the RS-1-7 zone of the <u>Linda Vista Community Planning Area</u>?

#### Staff Recommendation:

1. Approve Conditional Use Permit (CUP) No. 3172717.

<u>Community Planning Group Recommendation</u>: On January 23, 2023, the Community Planning Group (CPG) voted 8-0-0 to recommend approval of the proposed project without conditions (Attachment 8).

<u>Environmental Review:</u> This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Replacement or Reconstruction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 1, 2024, and the opportunity to appeal that determination ended March 15, 2024.

#### DISCUSSION

AT&T Mobility has an existing Wireless Communication Facilities (WCF) on the University of San Diego's Cuyamaca Hall Building behind existing Fiberglass Reinforced Panel (FRPs) screen inside the existing rooftop cupola. The project proposes to modify the existing WCF. The proposed modifications consist of removal and replacement of nine (9) antennas, addition of three (3) new antennas for a total of twelve (12) antennas, and the addition of six (6) Remote Radio Units (RRUs) for a total of 15 RRUs concealed behind existing FRP decorative screens on an existing 48'-7" tall cupola. Ancillary equipment will be located in an existing 170 square-foot equipment enclosure located in an adjacent storage facility. The project will be completely concealed and integrated behind FRP screens painted and textured to match the existing building materials. The site is currently designated for institutional use in the Linda Vista Community Plan (Attachments 1-3). An apartment building for student housing is located on the site (Figure 1).



Figure 1: Cupola

A WCF has existed on this site since 2007. The existing permit, Conditional Use Permit (CUP) No. 863212 (PTS 240496) expired on December 8, 2021. The applicant acknowledged that the expired permit was due to their design schedule. Measures have been put in place to ensure permits will stay current on the site.

#### Zoning:

Pursuant to San Diego Municipal Code (SDMC) Section 141.0420(c)(2)(B), a CUP is required since the WCF is located on a residential use in a residential zone. The proposed project is modifying an existing WCF and would replace old equipment with new without expanding the use of the WCF. The project complies with the development regulations of the RS-1-7 zone and no deviations are proposed or required. Further, the project complies with all applicable development regulations of the Land Development Code (LDC) and the City of San Diego Wireless Communication Facilities Regulations (LDC Section 141.0420). WCF Regulations require, among other things, WCFs to use all reasonable means to conceal or minimize the visual impacts of the wireless communication facilities through integration. Integration with the existing structures or among other existing uses shall be accomplished through the use of architecture, landscape and siting solutions. The project is appropriately concealed behind FRP screenings inside the cupola on the roof and will be minimally visible. As reflected in the exhibits, the proposed AT&T Mobility modifications would result in minimal visual impacts with the replacement and proposed antennas concealed behind the FRP decorative screens. The design is not solid when viewed from close by, but it serves to partially conceal the antennas, meeting the intent of the WCF Guidelines, and it appears as a uniform structure when viewed from further away. Therefore, the proposed development has been designed to comply with the WCFs Regulations.

#### Community Plan:

The site is currently designated for institutional use in the Linda Vista Community Plan. On <u>page 109</u>, policy 5 of the Linda Vista Community Plan states that new development on the University of San Diego (USD) campus should continue to maintain the simplified 16th-century Spanish Renaissance architectural style. No changes are proposed to the building exterior. The project proposes to modify an already existing WCF. The antennas will remain concealed behind the existing FRPs screen inside the existing rooftop cupola. The WCF supports the general community plan policy 5 and encourages the promotion of the beautification of the USD campus. The equipment associated with this project will continue to operate inside the existing building nearby, at ground level, not visible to the public. More importantly, the proposed modifications will not impact the current design concealment. Therefore, the building's architecture will be preserved and maintained.

The General Plan, Section UD-A.15, states that WCFs 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. The design of facilities is to be aesthetically pleasing and respectful of the neighborhood context. The AT&T Mobility design is consistent with the General Plan's requirement since the WCF is appropriately concealed behind existing FRP screening features designed to match the existing cupola, minimizing any visual impacts to and from the site. The design is not solid when viewed from close by, but it serves to partially conceal the antennas, meeting the intent of the WCF Guidelines, and it appears as a uniform structure when viewed from further away. Therefore, the proposed WCF complies with the City of San Diego General Plan and will not adversely affect the applicable land use plan.

Council Policy 600-43 assigns preference levels to WCFs proposed on different land uses, with Preference 1 being the highest and Preference 4 the lowest. The most preferred locations, Preference 1, generally non-residential uses/zones and are permitted ministerially. The least preferred locations, Preference 4, are residential uses in residential zones and require a CUP decided in accordance with Process Four. Various land uses and zones between those Preference levels dictate decision levels and required permits from a Neighborhood Use Permit, Process Two to a CUP, Process Four. This project is in a residential zone, and the land use is residential which under SDMC Section 141.0420(c)(2)(c) may be permitted as a Preference 4 (four) which requires a, CUP Process Four. The applicant is required to submit a site justification letter explaining why a Preference 4 level site was selected over any lower Preference Level sites. For this project, AT&T Mobility letter indicated that antennas located inside an existing cupola tower maintain a consistent visual continuity among the surroundings. Both the height and the design of the cupola provide the necessary features to maintain the coverage and performance while camouflaging the antennas from the public view.

#### Conclusion:

The project complies with the development regulations of the RS-1-7 zone and the purpose and intent of the WCF Regulations (SDMC 141.0420), the Wireless Design Guidelines and Council Policy 600-43. City staff has prepared draft findings in the affirmative to approve the project and recommends approval of Conditional Use Permit No. 3172717 (Attachment 4 and 5).

#### **ALTERNATIVES**

- 1. Approve Conditional Use Permit No. 3172717, with modifications.
- 2. Deny Conditional Use Permit No. 3172717, if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Simon Tse

Supervising Development Project Manager Development Services Department

Karen Howard

Karen Howard Development Project Manager Development Services Department

#### Attachments:

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





**Project Location** 

Project No. PRJ-1066122 1502 Via Las Cumbres AT&T Mobility USD Cuyamaca Hall









Project No. PRJ-1066122 1502 Via Las Cumbres AT&T Mobility USD Cuyamaca Hall









#### PLANNING COMMISSION RESOLUTION NO. \_\_\_\_\_ CONDITIONAL USE PERMIT NO. 3172717 AT&T MOBILITY USD CUYAMACA HALL - PROJECT NO. 1066122

WHEREAS, University of San Diego, Owner and AT&T Mobility, Permittee, filed an application with the City of San Diego for a Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF) as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3172717;

WHEREAS, the project site is located at 1502 Via Las Cumbres in the Residential RS-1-7 zone of the Linda Vista Community Plan;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 14519 in the City of San Diego, State of California, filed in the office of the County Recorder of San Diego County on October 17, 1986;

WHEREAS, on March 1, 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 15302 (Replacement & Reconstruction) of the State CEQA Guidelines 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 May 30, 2024, the Planning Commission of the City of San Diego considered CUP No. 3172717 pursuant to the Land Development Code (LDC) of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to CUP No. 3172717:

#### A. <u>Conditional Use Permit San Diego Municipal Code [San Diego Municipal Code (SDMC)</u> <u>Section 126.0305]</u>

#### 1. <u>Findings for all Conditional Use Permits:</u>

# a. The proposed development will not adversely affect the applicable land use plan.

The project proposes to modify an existing WCF. The modifications consist of removal and replacement of nine (9) antennas, addition of three (3) antennas for a total of twelve (12) antennas, and addition of six (6) Remote Radio Units (RRUs) for a total of 15 RRUs concealed behind existing Fiberglass Reinforced Panel (FRP) decorative screens on an existing 48'-7" tall cupola. Ancillary equipment will be located in the existing 170 square-foot equipment enclosure located in an adjacent storage facility.

The site is currently designated for school use in the Linda Vista Community Plan. Policy 5 of the Linda Vista Community Plan states that new development on the University of San Diego (USD) campus should continue to maintain the simplified 16th-century Spanish Renaissance architectural style. The antennas are concealed behind the existing FRPs screen inside the existing rooftop cupola. The equipment modification will take place inside the existing enclosure with no exterior changes. The WCF supports Community Plan Policy 5 that encourages the promotion of the beautification of the USD campus.

Pursuant to the Land Development Code (LDC), WCFs are permitted in all zones citywide with the appropriate permit process. WCFs 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. Conditions of approval for the project will require the FRP to be painted and textured to match adjacent surfaces exactly. If necessary, these surfaces should be repainted to retain consistency.

The General Plan, Section UD-A.15, states that WCFs 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. The design of facilities is to be aesthetically pleasing and respectful of the neighborhood context. The design is not solid when viewed from close by, but it serves to partially conceal the antennas, meeting the intent of the WCF Guidelines, and it appears as a uniform structure when viewed from further away. The AT&T Mobility design is consistent with the General Plan's requirement since the WCF is appropriately concealed behind existing FRP screening features designed to match the existing cupola, minimizing any visual impacts to and from the site. The Urban Design Policy states overhead utilities detract from the appearance of the community. The WCF is behind the existing FRPs screen inside the existing rooftop cupola and complies. Therefore, the proposed WCF complies with the City of San Diego General Plan and will not adversely affect the applicable land use plan.

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

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302, Replacement and Reconstruction. CEQA Section 15302 allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced. The proposed project is modifying an existing WCF and would replace old equipment with new without expanding the use of the WCF. The WCF will not have any emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions and ancillary equipment will be located in the existing 170 square-foot equipment enclosure located in an adjacent storage facility. The project does not include air conditioner units or a generator, so there is no noise to mitigate and the cabinets will have small vent fans to move hot air. No environmental impacts were identified for the proposed project. The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare. Conditions 21-24 address safety requirements. All proposed improvement plans associated with the project will be reviewed prior to 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.

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 Safety Survey Report was prepared by EBI Consulting dated March 14, 2022, which concluded that the project is in compliance with FCC standards for RF emissions but recommended that necessary signage be installed and restricted access. Condition number 22 requires warning signage on the WCF. The project would not result in any significant health or safety risks to the surrounding area within matters under the City's jurisdiction. Therefore, the proposed project will not be detrimental to the 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 proposed project is modifying an existing WCF and would replace old equipment with new without expanding the use of the WCF.

The project complies with all applicable development regulations of the LDC and the City of San Diego Wireless Communication Facilities Regulation (LDC Section 141.0420). The Wireless Communication Facilities regulations require, among other things, WCFs to use all reasonable means to conceal or minimize the visual impacts of the wireless communication facilities through integration. Integration with the existing structures or among other existing uses shall be accomplished through the use of architecture, landscape and siting solutions. The project is appropriately concealed behind FRP screenings inside the cupola on the roof and will be minimally

visible. As reflected in the exhibits, the proposed AT&T Mobility modifications would result in minimal visual impacts with the replacement and proposed antennas concealed behind the FRP decorative screens. The project complies with the development regulations of the RS-1-7 zone and no deviations are proposed or required. Therefore, the proposed development has been designed to comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

#### d. The proposed use is appropriate at the proposed location.

The City of San Diego encourages wireless carriers to locate on non-residential properties. In this case, the search ring identifies non-residential properties, but due to the height of the existing building, AT&T Mobility was able to cover a larger objective area with one site. Also, since this is an existing site, no additional exterior equipment space would be required. Finally, the existing cupola was able to accommodate a stealth design, appropriately concealing the WCF behind existing FRP decorative screens on the existing 48'7" tall cupola.

Pursuant to Council Policy 600-43, the project is considered a Preference 4 Location. Council Policy 600-43 assigns preference levels to WCFs proposed on different land uses, with Preference 1 being the highest and Preference 4 the lowest. The most preferred locations, Preference 1, are generally non-residential uses/zones and are permitted ministerially. The least preferred locations, Preference 4, are residential uses in residential zones and require a CUP decided in accordance with Process Four. The aerial maps provided with the application indicate that the surrounding area contains institutional and residential uses and the Preference 4 category remains the appropriate locational category. This preference 4 location was pursued because it provided the opportunity to conceal the existing and proposed antennas behind an architectural feature with little to no impacts on the surroundings area. The existing site provides coverage to the USD campus to the north and west, as shown on the aerial maps provided with the application. It also enhances coverage in the surrounding residential areas to the south and east. This is a residential area, adjacent to USD campus and Linda Vista Road. This stealth building provides maximum coverage with minimal visual impact. Due to the topography and the surrounding land uses, no other lower preference level locations were viable. Instead, AT&T Mobility opted to maintain the existing stealth appearance and focused on providing maximum coverage with minimal visual impacts. Therefore, the project complies with the development regulations of the RS-1-7 zone and Council Policy 600-43 and no deviations are proposed or required. Furthermore, the proposed modifications will comply with the regulations of the LDC including any allowable deviations pursuant to the LDC.

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 of the City of San Diego considered CUP No. 3172717 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 3172717 a copy of which is attached hereto and made a part hereof.

Karen Howard Development Project Manager Development Services

Adopted on: May 30, 2024

IO#: 11004545

rm 4.25.24

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: 11004545 SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### CONDITIONAL USE PERMIT APPROVAL NO. 3172717 AT&T MOBILITY USD CUYAMACA HALL - PROJECT NO. 1066122 PLANNING COMMISSION

This Conditional Use Permit No. 3172717 is granted by the Planning Commission of the City of San Diego to the University of San Diego, Owner and AT&T Mobility, Permittee pursuant to San Diego Municipal Code [SDMC] section 126.0305, 131.0422, and 141.0420(c)(2)(B). The site is located at 1502 Via Las Cumbres, in the Residential RS-1-7 zone of the Linda Vista Community Plan. The project site is legally described as: Parcel 1 of Parcel Map No. 14519 in the City of San Diego, State of California, filed in the office of the County Recorder of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to the University of San Diego, Owner and AT&T Mobility, Permittee for a Wireless Communication Facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 30, 2024 on file in the Development Services Department.

The project shall include:

- Removal and replacement of nine (9) antennas, addition of three (3) antennas for a total of twelve (12) antennas, addition of six (6) Remote Radio Units (RRUs) for a total of 15 RRUs concealed behind existing Fiberglass Reinforced Panel (FRP) decorative screens on an existing 48'-7" tall cupola; and
- b. Ancillary equipment will be in the existing 170-square-foot equipment enclosure located in an adjacent storage facility;
- 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 June 13, 2027.

2. The above utilization date notwithstanding, the granting of this discretionary permit does not entitle the continued operation of the existing, expired facility. Within 60 days of permit approval, applications must be made for all required construction permits. Within 90 days of application, all required construction permits must be issued. Within 90 days of permit issuance, final inspection must be obtained.

3. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on May 30, 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.

4. 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.

5. 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.

6. 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.

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

8. 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.).

9. The Owner/Permittee 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.

10. 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.

11. 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.

12. 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 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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, 13. 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/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee 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/Permittee 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/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 Owner/Permittee.

#### PLANNING

14. Every aspect of this project is considered an element of concealment including but not limited to the dimensions, bulk and scale, color, materials and texture. Any future modifications to this permit must not defeat concealment. No overhead cabling is permitted.

15. Use of or replacement of any building façade or mechanical screen with RF-transparent material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the original surface. All RF-transparent material shall be painted and textured to match the original and adjacent surfaces. The WCF shall conform to the approved construction plans.

16. Rooftop additions should be concealed on all sides.

17. Remote Radio Units and associated mounting apparatus shall be set back from the edge of the building and shall not be visible from any ground public views.

18. Photo simulations shall be printed in color on the construction plans.

19. The City may require the Permittee to provide a topographical survey conforming to the provisions of the SDMC if the City determines 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/Permittee.

20. The Permittee shall install and maintain appropriate warning signage on the WCF as required by State and Federal regulations. The Permittee shall be responsible for complying with all State and Federal regulations.

21. The accuracy and validity of the Radio Frequency (RF) Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation. If requested by the City, Permittee shall provide an updated RF Compliance Report to address any issues associated with the emitting components of the WCF.

22. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee 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. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.

25. The 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 the restoration of this site to its original condition is required.

#### **ENGINEERING**

26. 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 Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

#### **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 Commisson of the City of San Diego on May 30, 2024 and [Approved Resolution Number].

Conditional Use Permit No. 3172717 Date of Approval: May 30, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Karen Howard Development Project Manager

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.

<b>UNIVERSITY OF SAN DIEGO</b> Owner
Ву
AT&T MOBILITY Permittee
Ву

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

#### 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: WCF Via Las Cumbres /1066122

State Clearinghouse No.: N/A

Project Location-Specific: 1502 Via Las Cumbres, San Diego, CA 92111

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

**Description of nature and purpose of the Project** Conditional Use Permit (CUP) to modify an existing Wireless Communication Facility (WCF) that consists of the installation of nine (9) additional antennas for a total of twelve (12) antennas and a total of 20 Remote Radio Units (RRUs) concealed behind FRP decorative screens on the existing 48'7' tall cupola. Nine (9) antennas and (2) two TMA's would be removed. Ancillary equipment would be located within an existing 170-sqaure-foot equipment enclosure in an adjacent storage facility to support the WCF. The project site is developed and lacks sensitive resources and is located within the Residential RS-1-7 zone.

#### Name of Public Agency Approving Project: City of San Diego

**Name of Person or Agency Carrying Out Project:** Interlink Planning- 1502 Via Las Cumbres, San Diego CA 92111 (619) 632-2569

#### 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: Section 15302 (Replacement Reconstruction)

**Reasons why project is exempt:** The City of San Diego conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15302. CEQA Section 15302 allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced. The proposed project is modifying an existing WCF and would replace old equipment with new without expanding the use of the WCF. No environmental impacts were identified for the proposed project 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.

zymanski /Senior Planner Signature/Title(

<u>April 22, 2024</u> Date

Check One: ☑ Signed by Lead Agency □ Signed by Applicant

Date Received for Filing with County Clerk or OPR:

Ň	ENGINEERING FOR CODE COMPLIANCE, REFER DETAIL NO. 3 OF SHEET NO. GO1.0 FOR STRUCTURAL REVIEW, REFER DETAIL NO. 5 OF SHEET NO. GO1.0 <b>GENERAL NOTES</b> THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, ON TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED. FOR FULL LIST OF GENERAL NOTES, REFER DETAIL NOS. 4 & 5 OF SHEET NO. GO1.0 <b>PROJECT DESCRIPTION</b> AT&T WIRELESS PROPOSES TO MODIFY AN EXISTING WIRELESS INSTALLATION. THE SCOPE WILL CONSIST OF THE FOLLOWING: <b>IOWER NORK:</b> • REMOVE (3) ANTENNAS PER SECTOR. TOTAL OF (9) • INSTALL (2) ANTENNAS PER SECTOR (STACKED). TOTAL OF (6) • INSTALL (2) MATEN FOR SECTOR (STACKED). TOTAL OF (3) <b>EDUIPMENT AREA WORK</b> • INSTALL (2) FRANCIC PROPERTION MOVE (8) EXSTING TO NEW POWER PLANT • INSTALL (2) FRANCIC PROPERTION MOVE (8) EXSTING TO NEW POWER PLANT • INSTALL (2) FRANCIC PROPERTIENTS IN (2) EATTERY MODULES • INSTALL (2) FRANCIC PROPERTIENTS IN (2) EATTERY MAX • INSTALL (2) FRANCIC PROPERTIENTS IN (2) EATTERY MAX • INSTALL (2) FRANCIC PROPERTIENTS IN (2) EATTERY MODULES IN (2) EATTERY MAX • INSTALL (1) POWER PLANT AND MOVE (8) EXSTING TO NEW POWER PLANT • INSTALL (1) POWER PLANT AND MOVE (8) EXSTING TO NEW POWER PLANT • INSTALL (2) FRANCIC COVER CABLE TRUNKS • REMOVE (2) FOWER PLANT AND MOVE (8) EXSTING TO NEW POWER PLANT • INSTALL (2) FANT AND MOVE (3) EATTERY MODULES IN (2) EATTERY MAX • INSTALL (4) EATTERY MODULES IN (2) EATTERY MAX • INSTALL (4) MATENAN PLANT AND MOVE (5) EATTERY MAX • INSTALL (4) HATTERY BOTONA IN (6) TELCO RACK PROJECT VALUATION: <b>\$</b> 50,000.00	CONTROLEMENT CONTROL C	ACA HALL A: 10068651 CUMBRES , CA 92111	APPROVALS         THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE D         AUTHORIZE THE SUBCONTRACTEDY ATO PROVED WITH THE COONSTR         HEREIN, ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL         AND MAY IMPOSE CHANGES OR MODIFICATIONS.         AT&T QUALITY MANAGER:         AT&T PM:         AT&T PM:         AT&T RF:         AT&T OPS:         AT&T OPS:         AT&T OPS:         B&V QUALITY MANAGER:         B&V CM:         B&V COMPLIANCE:         B&V COMPLIANCE:         B&V COMPLIANCE:         B&V COMPLIANCE:         B&V COMPLIANCE:         PROPERTY OWNER:
N EXEI	SITE INFORMATION	LOCATIO	ON MAPS	PROJECT DESCRIPTION
CONFIDENTIAL, PROPRIETARY OR TRADE SECRET	PROPERTY OWNER:       UNIVERSITY OF SAN DIEGO 1502 VIA LAS CUMBRESS SAN DIEGO, CA 22111         LTE 5G PACE #:       MRSDL037074         ZONING JURISDICTION:       CITY OF SAN DIEGO         ZONING DISTRICT:       RS-1-7         LATITUDE (NAD 83):       32' 46' 24.45996" N         LONGITUDE (NAD 83):       117' 10' 54.41016" W         PARCEL #:       37-010-19-0         OCCUPANCY GROUP:       R1 AT STUDENT BUILDING S-2 AT EQUIPMENT ROOM / STORAGE BUILDING         CONSTRUCTION TYPE:       V-B         OTHER WIRELESS FACILITIES:       NONE         POWER COMPANY:       SDG&E         TELEPHONE COMPANY:       AT&T         LEGAL DESCRIPTION:       PARCEL I OF PARCEL MAP NO. 14519, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 17, 1986		LOCAL MAP	SHEET     DESCRIPTION       ATS01     TITLE SHEET       G01.0     GENERAL NOTES, LEGEND AND ABBREVIATIONS       A01.0     SITE PLAN       A01.1     ENLARGE SITE PLAN       A02.0     EQUIPMENT PLAN       A03.0     ANTENNA PLAN & SCHEDULE       A04.0     ELEVATIONS       A04.1     ELEVATIONS       A04.2     ELEVATIONS       A04.3     ELEVATIONS       A05.0     DETAILS       A06.0     ANTENNA PLUMBING DIAGRAM       E01.1     GROUNDING PLANS, DETAILS & NOTES       Image: Comparison of the plane of the
THIS PAGE CONTAINS	PROJECT TEAM           PROJECT MANAGER         ENGINEER           BECHTEL INFRASTRUCTURE AND POWER CORPORATION 16808 ARMSTRONG AVENUE         ENGINEER           SUITE 225. IRVINE, CA 92606 CONTACT: DAN LEISSE (619) 213-1407         TELECOM MANAGEMENT GROUP 302 WASHINGTON ST., #150-6850 SAN DIECO, CA 92103           GIB 23-1407         deisge@bechtel.com         SUTACT: ENGENCO AKAPONO PHONE: 808-250-2261           SILTE ACQUISITION         ZONING CONTACT: REBECCA KAPONO PHONE: 808-250-2261         CONTACT: RESECCA KAPONO PHONE: 808-250-2261           R E LEGNEER CONTACT: RAVI JINDAL PHONE: 925-922-4394         CONTACT: BJ. ACOBA PHONE: 925-922-4394         CONTACT: BJ. ACOBA PHONE: 46916	In the second se	ECTIONS ARD CAMINO SANTA FE. TURN LEFT ONTO CAMINO SANTA FE. USE THE RIGHT 2 LANE 5 S. TAKE CA-163 S. TO FRIARS RD. TAKE EXIT 4 FROM CA-163 S. MERGE ONTO 1-BG TAKE EXIT 4 FOR FRIARS RD. FOLLOW FRIARS RD AND VIA LAS CUMBRES TO YOU-BG	AT AT AT AT AT AT AT AT AT AT

# Attachment 7





5









# Attachment 7

# Click here to complete and submit this form online

Page 3	age 3 City of San Diego · Information Bulletin 620			May 2020	
SD	City of S Developmen	an Diego t Services	Comn Commit	nunity Pla tee Distril	anning bution Form
Project Name: AT	&T Wireless (CA	L02088)	Project Number: <b>PRJ-1066122</b>		
Community: Linda Vista Plai	nning Group				
<ul> <li>For project scope and contact information (project manager and applicant), log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a>.</li> <li>Select "Search for Project Status" and input the Project Number to access project information.</li> <li>X Vote to Approve</li> <li>Vote to Approve with Conditions Listed Below</li> <li>Vote to Approve with Non-Binding Recommendations Listed Below</li> </ul>					
□ Vote to Deny # of Members Yes	;	# of Members	5 No	# of Members Abs	tain
8		0		0	
Conditions or Recommendations: None. Approved as presented. No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)					
NAME: Howard Wayne					
TITLE: Interim Cr	nair			DATE: 1-23-2023	
Attach additional pages if necessary (maximum 3 attachments).					

Visit our web site at <u>www.sandiego.gov/development-services</u>.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM

FORM

**DS-318** 



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

# Ownership Disclosure Statement

October 2017

Approval Type: Check appropriate box for type of approval(s) requested:       □ Neighborhood Use Permit       □ Coastal Development Permit         □ Neighborhood Development Permit       □ Site Development Permit       □ Planned Development Permit       □ Conditional Use Permit         □ Tentative Map       □ Vesting Tentative Map       □ Map Waiver       □ Land Use Plan Amendment       • □ Other						
Project Title:	ect Title: Project No. For City Use Only:					
Project Address:						
Specify Form of Ownership/Legal Status (pleas	e check):					
Corporation Limited Liability -or- Genera	l – What State?Corporate	Identification	ו No			
🗖 Partnership 🗖 Individual						
By signing the Ownership Disclosure Statement, with the City of San Diego on the subject proper owner(s), applicant(s), and other financially intervindividual, firm, co-partnership, joint venture, asswith a financial interest in the application. If the individuals owning more than 10% of the shares officers. (A separate page may be attached if new <b>ANY</b> person serving as an officer or director or A signature is required of at least one of the pr notifying the Project Manager of any changes in ownership are to be given to the Project Manager accurate and current ownership information could	rty with the intent to record an encur ested persons of the above referenced sociation, social club, fraternal organiza applicant includes a corporation or pa If a publicly-owned corporation, inclu- ressary.) If any person is a nonprofit org f the nonprofit organization or as tru- operty owners. Attach additional page ownership during the time the applica ar at least thirty days prior to any public	hbrance again property. A tion, corpora rtnership, in- de the name: ganization or stee or bene s if needed. ation is being hearing on t	nst the property. P financially interested tion, estate, trust, r clude the names, tit s, titles, and address a trust, list the nam ficiary of the nonp Note: The applicar g processed or cons	lease list below the d party includes any eceiver or syndicate les, addresses of all ses of the corporate es and addresses of orofit organization. It is responsible for idered. Changes in		
Property Owner						
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					
Applicant						
Name of Individual:		Owner	Tenant/Lessee	Successor Agency		
Street Address:						
City:			State:	Zip:		
Phone No.:	Fax No.:	Email:				
Signature: Michele Vernotico		_				
Additional pages Attached: 🛛 🖵 Yes	No					
Other Financially Interested Persons						
Name of Individual:		Owner	Tenant/Lessee	Successor Agency		
Street Address:						
City:			State:	Zip:		
Phone No.:	Fax No.:	Email:				
Signature:		Date:				
Additional pages Attached:						

Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u>. Upon request, this information is available in alternative formats for persons with disabilities.



November 11, 2021

City of San Diego Planning and Building Services Division

Authorization to Submit for Permits/Approvals granted to Bechtel / SCV Consulting Inc. Re: For AT&T

#### SITE ID: CAL02088 SITE ADDRESS: 1502 Via Las Cumbres, San Diego CA 92111

Dear Planning and Building Staff,

Please be advised that We, the Landlord / Owner of the above mentioned property have an existing Site License Agreement with AT&T Mobility to install, operate and maintain telecommunications equipment at said property. The terms of the Agreement grant AT&T Mobility and its representatives, employees, agents and subcontractors ("representatives") the right to submit for all necessary permits in regard to the site.

Please grant the bearer of a copy of this letter to obtain Land Use Entitlements, Zoning Approvals, Building Permits or any other application, permit or approval required for the modifications at an existing AT&T Wireless telecommunications site. Thank you for your assistance.

University of San Diego Landlord / Owner Name (Print)

atture Roig VE Finance + CFO.



March 24<sup>th</sup>, 2022

#### Re: LETTER OF AUTHORIZATION SoCal Market – MCA / LTE MODS

To Whom It May Concern:

SCV Consulting Inc, its employees and agents are authorized representatives of Bechtel Infrastructure and Power Corporation to New Cingular Wireless PCS, LLC, doing business as AT&T Mobility. SCV Consulting, Inc, its employees and agents have been contracted to perform real estate leasing, land-use entitlements, and architectural, construction, and engineering services on behalf of Bechtel Infrastructure who represent AT&T Mobility telecommunications facilities.

As an authorized representative of Bechtel Infrastructure and Power Corporation, its employees and or agents may sign, file, review land-use applications and permits, representing AT&T Mobility at hearings, accept conditions of approval, and negotiate leases on behalf of AT&T Mobility.

Should you have any questions, or need additional information, please do not hesitate to contact me at the above contact information.

Sincerely,

(RAKAPONO) (RAKAPONO)

Digitally signed by: Kapono, Rebecca (RAKAPONO) DV: CN = Kapono, Rebecca(RAKAPONO) C = US O = Bechtel Global Corporation Date: 2022.03.24 17:13:42 -07'00'

Rebecca A Kapono Site Acquisition Manager AT&T Mobility | MCA/LTE Project | SoCal Market M:808-250-2261 W:725-223-0856 E: rakapono@bechtel.com



# SS0088 USD CUYAMACA HALL 1502 VIA LAS CUMBRES, SAN DIEGO, CA 92111



LOCATION

EXISTING



PROPOSED



NORTHWEST ELEVATION LOOKING SOUTHEAST



# SS0088 USD CUYAMACA HALL 1502 VIA LAS CUMBRES, SAN DIEGO, CA 92111



LOCATION

EXISTING



PROPOSED



WEST ELEVATION LOOKING EAST







LOCATION



NORTHEAST ELEVATION LOOKING SOUTHWEST



July 15, 2022

City of San Diego Development Services Department 1222 1<sup>st</sup> Avenue, San Diego, CA 92101

RE: Applicant Correspondence Letter for a Conditional Use Permit and Modification to an Existing Wireless Communication Facility

Project Address:1502 Via Las Cumbres, San Diego, CA 92111Project Type:Conditional Use PermitATT Site ID:CAL02088

Dear Development Services Department Staff,

On behalf of New Cingular Wireless PCS, LLC ("AT&T") and Bechtel Infrastructure and Power Corporation (Bechtel), we are pleased to submit the required application to reestablish the previously approved Conditional Use Permit for a Wireless Communication Facility land use and modify the existing macro cell site at the above-referenced address. Please accept this letter and its contents as a written description of the existing facility and new scope of work.

The new scope of work consists of the following:

Replace 9 antennas, remove 6 TMAs, install 3 new surge protectors located within the existing FRP screening in the existing cupola of the building. Install 2 power cable trunks, install 1 base band unit in an existing teleco rack, remove and replace 1 power plant, transfer existing equipment to new power plant with 14 new rectifiers located in the equipment room, inside an existing building, south of the wireless facility. Install 4 new batteries with this project.

#### Conformance with FCC Regulations

The proposed antenna and equipment installation is considered categorical excluded by the FCC based on the attached RF Report. Installations that are categorically excluded are considered to meet or exceed the FCC standards for RF Emissions.



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619.417.9925 801.910.2965

STEPHANIE@SCVGRP.NET JEFF.VANDERVEEN@SCVGRP.NET



Compliance with Existing Wireless Facility and Municipal Code

The proposed modification will not impact the visual character of the existing building as it remains screened by the existing FRP screening of the cupola tower and meets the requirements of the San Diego Municipal Code. As noted above, the associated equipment to be located inside the existing extended storage facility on the south end of the building. The proposed installation minimizes visual impact due to its small scale, shape, materials and colors. It remains to meet to the city's maximum height standards since there is no change in height. No additional above ground equipment is proposed to be installed within the public right--of---way, which makes this installation as the smallest possible technology in order to provide the residents and business of the University of San Diego, on which the site is located, with an improved and robust mobile communication service.

#### Maintenance and Monitoring

Maintenance of the subject facility is minimal and remains in compliance. The telecom operator will be responsible for maintenance of the telecom facility including, but not limited to, any missing, discolored or damaged screening, all graffiti removed promptly, and the facility kept clean and free of litter. Monitoring is done from AT&T's switching offices. If needed, a site visit to change any radio equipment will be coordinated with the city through the appropriate process.

Thank you in advance for your consideration of this project.

Sincerely,

Michele Vernotico

Michele Vernotico Contractor, AT&T Mobility & Bechtel Infrastructure and Power Corporation SCV Consulting Inc. Email: michele@scvgrp.net



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619.417.9925 801.910.2965

STEPHANIE@SCVGRP.NET JEFF.VANDERVEEN@SCVGRP.NET

# Existing/proposed coverage With CAL02088<sup>12</sup>



# **Coverage Without CAL02088**

Attachment 12



## Photo Survey AT&T CAL02088 1502 Via Las Cumbres, San Diego, CA 92111

## View of Site: Looking Southeast (Sector A)



## View of Site: Looking West (Sector B)



## View of Site: Looking Southwest



## View of Site: Looking East (Sector C)



## Map Legend

