



THE CITY OF SAN DIEGO

DATE OF NOTICE: November 14, 2025

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

I.O. 11003679

PROJECT NAME / NUMBER: 3853 1/3 Modoc Street WCF / PRJ- 1134192

COMMUNITY PLAN AREA: Clairemont Mesa

COUNCIL DISTRICT: 2

LOCATION: 3853 1/3 Modoc Street, San Diego, CA 92117

PROJECT DESCRIPTION: The project is requesting a Site Development Permit for the installation of one new Alpha PN-4 system enclosure (52 inches [in.] x 26 in. x 24 in.) by Charter Communications, which would house two new Alpha XM-3 power supplies and six new 12V Alpha 4.0HP batteries. The enclosure would be located on a new precast concrete pad (6 in. x 30 in. x 30 in.) within the public right of way at 3853 1/3 Modoc Street. The project would include all associated conduits and cables for commercial power and connection to existing Charter equipment, as well as removal and replacement of portions of the sidewalk. The existing power supply enclosure would be removed once all of the new equipment has been installed and powered. The site is zoned CO-1-2 and designated Office Commercial in the Clairemont Mesa Community Plan. Additionally, the project is located within the Airport Land Use Compatibility Overlay Zone (Montgomery Field), Clairemont Mesa Height Limit Overlay Zone, Transit Priority Area, Airport Land Use Compatibility Plan Airport Influence Area (Montgomery Field – Review Area 2), Federal Aviation Administration Part 77 Noticing Area, and Very High Fire Hazard Severity Zone.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Planning Commission

ENVIRONMENTAL DETERMINATION: Categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 (Replacement or Reconstruction) and 15303 (New Construction or Conversion of Small Structures).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15302 (Replacement or Reconstruction) and 15303 (New Construction or

Conversion of Small Structures). CEQA Guidelines Section 15302 was deemed appropriate since the project would remove an existing power supply enclosure and replace it with a new power supply enclosure within the same site area. The new equipment would have substantially the same purpose and capacity as the equipment replaced. The project would also remove and replace sidewalk within the same site area. Similar to the telecommunication equipment, the new sidewalk would have substantially the same purpose and capacity as the sidewalk replaced. CEQA Guidelines Section 15303 was deemed appropriate since the project would install a small new concrete pad, conduits and cables. The exceptions listed in CEQA Section 15300.2 would not apply considering the project is not located within a particularly sensitive environment; would not significantly contribute to a cumulative impact would not result in any physical changes visible from a scenic highway; is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites; and the project would not cause substantial adverse change in the significance of a historical resource.

DEVELOPMENT PROJECT MANAGER:	John Sylvester
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On November 14, 2025, the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to CEQA. This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (December 1, 2025). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street,

San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

This information will be made available in alternative formats upon request.

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 11/14/25

REMOVED:

POSTED BY: Myra Lee