

Report to the Hearing Officer

DATE ISSUED: February 3, 2021 REPORT NO. HO-21-003

HEARING DATE: February 10, 2021

SUBJECT: SPRINT AVENIDA MAGNIFICA Three Decision

PROJECT NUMBER: <u>651217</u>

OWNER/APPLICANT: City of San Diego/Sprint

SUMMARY

<u>Issue</u>: Should the Hearing Officer approve a Wireless Communication Facility (WCF) within the City of San Diego Public Right-of-Way on the west side of Avenida Magnifica south of Pomeardo Road within the Scripps Miramar Ranch Community Planning area?

Staff Recommendation: Approve Conditional Use Permit (CUP) No. 2504091

<u>Community Planning Group Recommendation</u>: On May 7, 2020, the Scripps Miramar Ranch Community Planning Group voted 10-0-0 to recommend approval of the proposed project without conditions (Attachment 10).

<u>Environmental Review</u>: 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 January 13, 2021 and the opportunity to appeal that determination ended January 27, 2021 (Attachment 8).

BACKGROUND

Sprint is proposing to maintain an existing Wireless Communication Facility (WCF) integrated into a light standard located within the City of San Diego Public Right-of-Way on the west side of Avenida Magnifica, south of Pomeardo Road within the RS-1-8 zone of the Scripps Miramar Ranch Community Plan. The existing WCF was originally approved by the Development Services Department on October 28, 2004 with a ten-year expiration date. An expiration date is consistently applied to all wireless facilities that are not completely concealed and integrated as defined in the WCF Design Guidelines. The purpose and intent of this condition is to allow the City to analyze the WCF design with the current surrounding development in addition to upgrading the WCFs to address any advancements in design and technological innovation. Land uses surrounding

the project site include single-family residential dwellings approximately 1,000 feet to the north and south with open space immediately adjacent to the west and east (Attachments 1, 2, and 3).

Council Policy 600-43 assigns preference levels to WCFs proposed on different land uses. Since the WCF is located within the Public Right-Of-Way (PROW), it is identified as a Preference 1 location. This is considered the most preferred location and applicants are strongly encouraged to site a facility in the PROW before pursuing a preference 2 Location.

The City does not have a procedure to renew permits, instead, applicants are required to submit new applications for expiring permits. Additionally, the project as a whole shall be reviewed in accordance with the current regulations, City policies, General Plan, and the WCF Design Guidelines. Normally, WCFs located within a Preference 1 location will result in a Process 1 staff-level decision. However, this only applies for WCFs located in the PROW and attached on an existing vertical structure (City-standard light standard, SDG&E utility pole, etc.). According to the current regulations and pursuant to Land Development Code Section 141.0420(c)(B), the project as designed requires a Conditional Use Permit, Process Three, Hearing Officer decision as the project is in the PROW with ground-mounted equipment other than a pole to which the WCF antennas are attached.

DISCUSSION

EXISTING

The project consists of two (2) panel antennas mounted to a 30'-2" steel light standard. Supporting the WCF's radio/electrical equipment is in a 63-square-foot subterranean vault at the base of the pole. A four-foot tall strongbox and two, three-foot tall vent pipes are located adjacent to the vault lid (Figure 1). The connections to and from the antennas are concealed within the pole minimizing all visual impacts. Sprint does not propose any changes to the existing facility at this time, however, medium size shrubs will be planted around the vault and strongbox to screen these elements of the WCF.

PROPOSED



LOOKING SOUTH AT SUBJECT SITE

Figure 1: Photo of Proposed Light Standards (No Change)

Community Plan:

The Scripps Miramar Ranch Community Plan does not address WCFs. However, the City's General Plan, in the Urban Design Element (UD-A.15), requires that the visual impact of wireless facilities be minimized by concealing them in 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 to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

Pursuant to the San Diego Land Development Code, 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 to camouflage facilities from public view. The panel antennas are mounted at the top of the pole and are painted to match the steel light standard. The antennas are installed as close to the pole as possible to integrate with the light pole. As a result, the project compiles with SDMC Section 141.0420, and the WCF Design Guidelines and the City's General Plan. The proposed development would not adversely affect the Scripps Miramar Ranch Community Plan or the City of San Diego General Plan and Progress Guide.

ALTERNATIVES

- 1. Approve Conditional Use Permit No. 2504091, with modifications.
- 2. Deny Conditional Use Permit No. 2504091, if the Hearing Officer makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

William Zounes, Development Project Manager

Attachments:

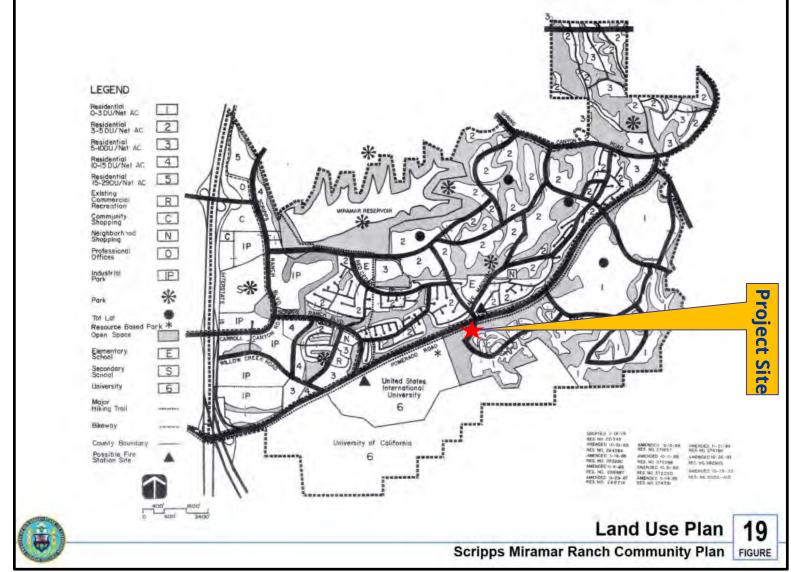
- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Coverage Maps
- 8. Environmental Exemption
- 9. Community Planning Group Recommendation
- 10. Ownership Form
- 10. Photosimulations
- 11. Project Plans





Aerial Photograph

Sprint Avenida Magnifica Project No. 651217 Public right-of-way on the west side of Avenida Magnifica, south of Pomerado Road





Scripps Miramar Ranch Land Use Map

Sprint Avenida Magnifica Project No. 651217

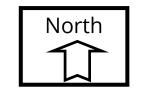
Public right-of-way on the west side of Avenida Magnifica, south of Pomerado Road





Project Location Map

<u>Sprint Avenida Magnifica Project No. 651217</u>
Public right-of-way on the west side of Avenida Magnifica, south of Pomerado Road



ATTACHMENT 4

PROJECT DATA SHEET					
PROJECT NAME:	Sprint Avenida Magnifica				
PROJECT DESCRIPTION:	Maintaining an existing Wireless Communication Facility (WCF) integrated into a light standard located within the City of San Diego Public Right-of-Way on the west side of Avenida Magnifica, south of Pomeardo Road				
COMMUNITY PLAN AREA:	Scripps Miramar Ranch				
DISCRETIONARY ACTIONS:	Conditional Use Permit				
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	Residential			
	ZONING INFORMATION:				
ZONE: RS-1-8					
HEIGHT LIMIT: 35 feet					
LOT SIZE: N/A					
FLOOR AREA RATIO: 0.45					
FRONT SETBACK: 25 feet					
SIDE SETBACK: 0.08					
STREETSIDE SETBACK: 0.10					
REAR SETBACK: 25					
PARKING: N/A	_				
	LAND USE DESIGNATION & ZONE	EXISTING LAND USE			
NORTH:	Residential; RS-1-8	Undeveloped Land			
SOUTH:	Residential; RS-1-8	Undeveloped Land			
EAST:	Residential; RS-1-8	Undeveloped Land			
WEST:	Residential; RS-1-8	Undeveloped Land			
DEVIATIONS OR VARIANCES REQUESTED (INCENTIVES):	None				
COMMUNITY PLANNING GROUP RECOMMENDATION:	On May 7, 2020, the Scripps Miramar Ranch Community Planning Group voted 10-0-0 to recommend approval of the proposed project without conditions.				

HEARING OFFICER RESOLUTION NO. _____ CONDITIONAL USE PERMIT NO. 2504091 SPRINT AVENIDA MAGNIFICA PROJECT NO. 651217

WHEREAS, City of San Diego, Owner, and Sprint PCS, Permittee, filed an application with the City of San Diego for a permit 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 Conditional Use Permit No. 2504091);

WHEREAS, the project site is located within the City of San Diego Public right-of-way on the west side of Avenida Magnifica, south of Pomerado Road in the RS-1-8 zone of the Scripps Miramar Ranch Community Plan area;

WHEREAS, the project site is legally described as Right-of-Way owned by the City of San Diego on the west side of Avenida Magnifica, south of Pomerado Road;

WHEREAS, on January 13, 2021 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 February 10, 2021, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2504091 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2504091:

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

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

The project proposes the continued use of a Sprint Wireless Communication Facility (WCF) consisting of two panel antennas mounted on top of a 30-foot tall City light standard. The connections to and from the antennas in addition to the mounting apparatus are concealed within the pole minimizing all visual impacts. The majority of equipment will be located within a subterranean vault approximately 63 square feet in size, adjacent to the pole. A 4- foot tall strongbox and two 3-foot tall vent pipes will be located adjacent to the vault lid. The project is located within the City of San Diego Public right-of-way (PROW)on the west side of Avenida Magnifica, south of Pomerado Road in the RS-1-8 zone of the Scripps Miramar Ranch Community Plan. The existing WCF was originally approved by the Development Services Department on October 28, 2004. That permit expired on October 28, 2014.

The Scripps Ranch Community Plan does not address WCFs as a specific land use. However, the City of San Diego's General Plan (UD-15) 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 to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities shall be concealed from view.

Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones citywide with the appropriate permit process. 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 to camouflage facilities from public view. Here, the panel antennas are mounted at the top of the pole and are painted to match the concrete aggregate light standard. The two three-foot tall vent pipes and one four-foot tall strongbox, will remain painted to match the existing environment.

Pursuant to Land Development Code (LDC) Section 141.0420(c)(1)(B) the project consists of a WCF within the ROW with ground-mounted equipment, which requires a Conditional Use Permit (CUP), Process 3, Hearing Officer decision. The project is located on the west side of Avenida Magnifica approximately 1,500 feet south of Pomerado Road. Avenida Magnifica is a two-lane residential collector street and the speed limit is 25 miles per hour. The light standard is located in an area where there is no development and adjacent to open space. The subject light pole, supporting two antennas near the top of the pole, integrates well and does not create visual impacts and provides safety during the night. As a result, the project compiles with

San Diego Municipal Code (SDMC) Section 141.0420, Wireless Communication Facilities, the WCF Design Guidelines, as well as the requirements of the Scripps Miramar Ranch Community Plan and the City's General Plan. The proposed development would not adversely affect the Scripps Miramar Ranch Community Plan or the City of San Diego General Plan and Progress Guide.

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

The project was determined to be exempt from CEQA pursuant to Section 15301 (Existing Facilities). 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 to include but not limited to height limitation, concealment requirements, and electromagnetic fields controls. All proposed improvement plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure 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. Therefore, the proposed development 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 project complies with all applicable development regulations including the RS-1-8 development regulations of the Land Development Code and the City of San Diego Communication Antenna Regulations (Land Development Code Section 141.0420(e)). This section of the code requires architectural integration and/or enhancements with the setting in which the facility is proposed. Antennas and associated above-ground equipment located within the Public right-of-way in a residential zone requires a Conditional Use Permit, Process Three decision (141.0420(c)). Utilizing a light standard in the Public right-of-way adjacent to non-residential uses is encouraged. This light standard and equipment are adjacent to a Homeowner's Association open space area in the Public right-of-way of a street leading into a residential neighborhood. There are no deviations from the development regulations or variances requested with this application. Therefore, the project is in full compliance with the applicable regulations of 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 is completely residential. The panel antennas located on top of the streetlight pole are painted to match the concrete aggregate light standard with minimal airspace between the antennas and the pole.

Sprint is proposing to maintain an existing WCF on the west side of Avenida Magnifica south of Pomerado Road within the Public right-of-way. A site justification analysis was prepared by Sprint demonstrating the need to maintain this WCF. According to the justification analysis, the current WCF sits in a bowl which, without the site, is a dead zone for wireless signals. The surrounding topography all around the current facility is approximately 50-100 feet higher than the radio frequency target area. If Sprint were to install a site anywhere north, south, east or west of the current facility then the propagation of the signal would skip over the top of this section of Pomerado Road and calls/data would be dropped. Additionally, a loss of service could possibly have a significant impact on customers' essential communications services. The WCF is appropriately designed at the location and integrates as a functional light standard.

The design is consistent with the City's General Plan for wireless facilities. There are currently no plans to expand and/or further develop this area of the right-of-way. However, a 10-year expiration will be included as a condition of approval to ensure that the design and use is still appropriate at that time. As demonstrated by both Verizon's justification analysis and the design, the existing WCF use is appropriate at the proposed Public right of way location.

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 Hearing Officer, Conditional Use Permit No. 2504091 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2504091, a copy of which is attached hereto and made a part hereof.

William Zounes
Development Project Manager
Development Services

Adopted on: February 10, 2021

IO#: 11004545

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: 11003639 SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 2486648 NEIGHBORHOOD USE PERMIT NO. 2490471 NEIGHBORHOOD DEVELOPMENT PERMIT No. 2940464 VERIZON TOWNSGATE EL CAMINO PROJECT NO. 651464 HEARING OFFICER

This Site Development Permit No. 2486648/Neighborhood Use Permit No. 2490471/Neighborhood Development Permit No. 2940464 is granted by the Hearing Officer of the City of San Diego to CITY OF SAN DIEGO, Owner, and VERIZON WIRELESS, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 142.0420 and 153.0201. The 19-acre site is located at 3700 Townsgate Drive in the CVPD-EP zone of the Carmel Valley Planned District within the Carmel Valley Community Planning Area. The project site is legally described as: all portions of the northeast quarter of the northwest quarter of section 19 and a portion of the southeast quarter of the southwest quarter of section 18, all in township 14 south, range 3, west, San Bernardino meridian, in the City of San Diego, County of San Diego, State of California;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 16, 2020, on file in the Development Services Department. The project shall include:

- a. The removal of two 60'-5" athletic light standards to be replaced with two new 60'-5" light standards supporting six panel antennas (four on light standard "A" and two on light standard "B" with a dimension of 72" tall x7") with six Remote Radio Units (RRUs) and three surge suppressors, screened by two cylindrical antenna shrouds measuring 15'-1" in length and 36" in diameter:
- A 200 square-foot enclosure with a trellis roof housing equipment cabinets and associated components;
- c. Every aspect of this project is considered an element 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. (Delete if necessary)

d. 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 December 30, 2023.
- 2. This permit and corresponding use of this site shall expire on **December 30, 2035**. Upon expiration of this approval, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
- 3. No later than ninety (90) days prior to the expiration of this approval, the Permittee 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 be cause for enforcement for noncompliance, which may include penalties and fines.
- 4. Under no circumstances, does approval of this permit authorize the Permittee 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 Office of the San Diego County Recorder.
- 6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

- 7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the 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 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. The Owner/Permittee shall secure all necessary building permits. The Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 11. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 12. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
- 13. If any condition of this Permit, on a legal challenge by the 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 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.
- 14. The 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 Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the 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, 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 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 Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any construction permit the 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.

PLANNING/DESIGN REQUIREMENTS:

- 16. No visible cabling is permitted.
- 17. The WCF shall conform to the approved construction plans.
- 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 may be required 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 Permittee.
- 20. The 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.
- 21. 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.
- 22. The 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, Owner/Permittee shall provide an updated RF Compliance Report to address any issues associated with the emitting components of the WCF.
- 23. 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.
- 24. 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.
- 26. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

PARKS AND RECREATION DEPARTMENT REQUIREMENTS:

27. The Permittee shall ensure that Park & Recreation Department review and approve construction plans prior to building permit issuance.

INFORMATION ONLY:

- Please note that a Telecom Planning Inspection Issue will be placed on the project prior to
 Final Clearance from the City's Building Inspector to ensure compliance with the approved
 plans and associated conditions. Prior to calling for your Final Inspection from your building
 inspection official, please contact the Project Manager listed below via email at
 wzounes@sandiego.gov to schedule an inspection of the completed facility. Please schedule
 this administrative inspection at least five working days ahead of the requested Final
 Inspection date.
- The issuance of this development permit alone does not allow the immediate commencement
 or continued operation of the proposed use on site. The 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 Hearing Officer of the City of San Diego on December 16, 2020.

ATTACHMENT 6

Permit Type/PTS Approval No.: 2486648/2940464/2940471 Date of Approval: December 16, 2020

William Zounes
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.

City of San Diego Owner	
By NAME TITLE	
Verizon Owner/Permittee	
By NAME	

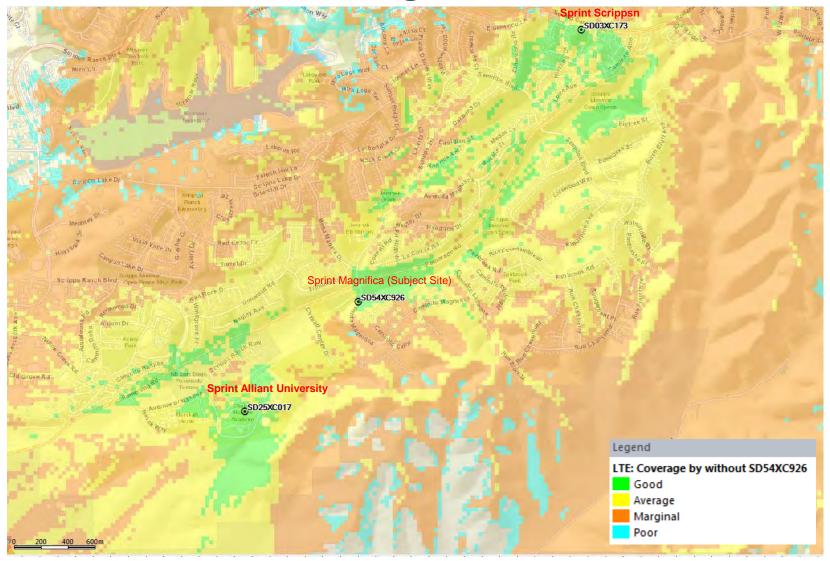
NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.



San Diego

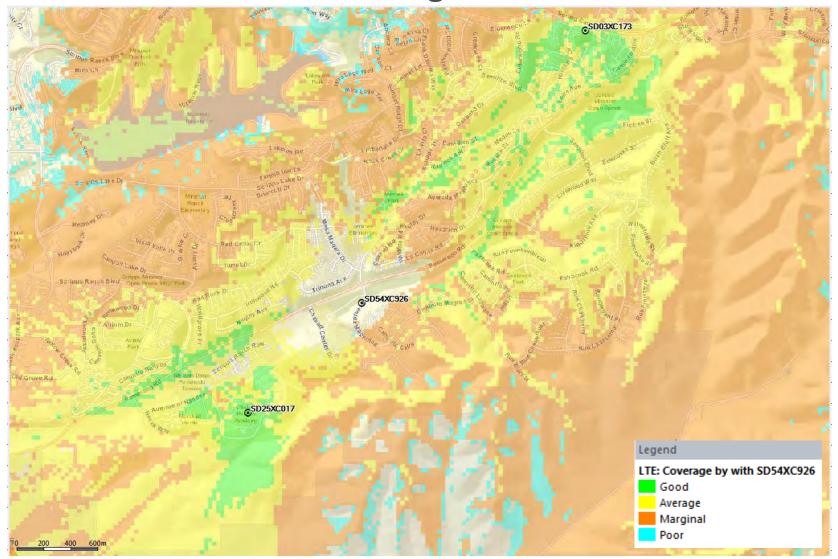
SD54XC926 RF Coverage Maps

1.9 LTE Coverage without SD54XC926





1.9 LTE Coverage with SD54XC926





NOTICE OF EXEMPTION

ATTACHMENT 8

TELEPHONE: 619 446-5324

(Check one or both)		ATTAOTIMENT
TO: X RECORDER/COUNTY CLE P.O. BOX 1750, MS A-: 1600 PACIFIC HWY, ROX SAN DIEGO, CA 92101	33 DM 260	CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101
OFFICE OF PLANNING AN 1400 TENTH STREET, RO SACRAMENTO, CA 9581	оом 121	

Project No.: 651217 Project Title: Sprint Avenida Magnifica

PROJECT LOCATION-SPECIFIC: The project is located at 9606 Yolanda Avenue, San Diego CA 92123.

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

<u>DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT:</u> A Conditional Use Permit (CUP) that would allow for the continuing use of an existing, previously permitted Wireless Communication Facility (WCF). The existing WCF consists of an existing city light pole supporting 3 panel antennas within the public Right of Way (ROW) on a previously permitted site as a Neighborhood Development Permit No. 161289 that expired on October 28, 2014. The WCF is located at the corner of Avenida Manifica and Pomerado Road. The site is in the RS-1-8 base zone, in the Scripps Miramar Ranch Community Plan Area. The WCF is unmanned and technicians would visit the site only as required for routine maintenance and repairs.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

Name of Person or Agency Carrying Out Project: Precepts Wireless Consultants- Mark Philips, 2014 Granada Avenue, San Diego CA 92104- (619) 379-3473.

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)...
- (X) CATEGORICAL EXEMPTION: Exemption 15301 (Existing Facilities)
- () STATUTORY EXEMPTION:

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). 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 the exemption was deemed appropriate. The project is located on a developed site and no construction is being proposed so no environmental impacts would occur and none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

LEAD AGENCY CONTACT PERSON: Jeffrey Szymanski

ATTACHMENT 8

IF FILED	BY APPLICANT:	<u>.</u>			711 1710 11111
1.	ATTACH CER	TIFIED DOCU	MENT OF EXEMPTION FINDING	i .	
2.	HAS A NOTIO	CE OF EXEMP	TION BEEN FILED BY THE PUBL	C AGENCY APPROVING THE	PROJECT?
	() YES	() No			
IT IS HEF			ty of San Diego has deteri	MINED THE ABOVE ACTIVITY	TO BE EXEMPT FROM CEQA
Jeff	Szymar	ıski	Senior Planner		1/29/2021
SIGNATI	URE/TITLE				DATE
CHECK (ONE.				

DATE RECEIVED FOR FILING WITH COUNTY

(X) SIGNED BY LEAD AGENCY

CLERK OR OPR:



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name:		Project Number:		Number:	Distribution Date:	
Sprint Avenida Magnifica CUP		651217		51217	02/28/2020	
Project Scope/Location: SCRIPPS MIRAMAR RANCH - (Process 3) Conditional city light pole consisting of three (3) panel antennas on NDP No. 161289 expired on October 28, 2014 located RS-1-8 base zone, in Scripps Miramar Ranch Communications.	a stee at the	el streetlight corner of A	within venida	the Ma	Right of Way nifica and Por	on a previously-permitted site as a
Applicant Name:					Applicant I	Phone Number:
Phillips, Mark					(619)379-34	73
Project Manager:	Pho	ne Numbe	r:	Fax	Number:	E-mail Address:
White, Nathan	619-	446-5481		(619	9) 321-3200	NGWhite@sandiego.gov
Committee Recommendations (To be completed for	or Initi	ial Review)	:			
Vote to Approve May 7, 2020		Members 18	Yes	M	lembers No 0	Members Abstain
☐ Vote to Approve With Conditions Listed Below		Members	Yes	M	lembers No	Members Abstain
☐ Vote to Approve With Non-Binding Recommendations Listed Be	elow	Members	Yes	M	lembers No	Members Abstain
☐ Vote to Deny		Members	Yes	M	lembers No	Members Abstain
☐ No Action (Please specify, e.g., Need further in quorum, etc.)	forma	tion, Split v	ote, I	Lack	of	Continued
CONDITIONS:						
NAME: Wallace H. Wulfeck	20	$\overline{}$			TITLE:	Chair
SIGNATURE:		3			DATE:	May 8, 2020
Attach Additional rages 11 Necessary.	riease return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101					
Printed on recycled paper. Visit of Upon request, this information is a	our web	site at <u>www</u> e in alternativ	sandi e form	ego.g	ov/developmer or persons with	<u>it-services.</u> disabilities.



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 1

Project Name:		Project Number:	Distribution Date:
Sprint Avenida Magnifica CUP		651217	02/28/2020
Project Scope/Location: SCRIPPS MIRAMAR RANCH - (Process 3) Condit city light pole consisting of three (3) panel antennal NDP No. 161289 expired on October 28, 2014 loca RS-1-8 base zone, in Scripps Miramar Ranch Com	is on a steel street ated at the corner	tlight within the Right of V of Avenida Manifica and	Vay on a previously-permitted site as a
Applicant Name:		Applicant Phone	Number:
Phillips, Mark		(619)379-3473	
Project Manager:	Phone Number	: Fax Number:	E-mail Address:
White, Nathan	619-446-5481	(619) 321-3200	NGWhite@sandiego.gov
Attach Additional Pages If Necessary.	Projec City of Develo 1222 F	return to: It Management Division If San Diego Ipment Services Departme Pirst Avenue, MS 302 Iego, CA 92101	nt
Printed on recycled paper. V Upon request, this information			



For installation / modification of Telecommunication antenna facility on City owned property

5/20/2	019
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Date

The City of San Diego Real Estate Assets Department 1200 Third Avenue, Suite 1700 San Diego, California 92101

RE: Site Name: Avenida Magnifica @ Pornerado ROW Project# SD54XC926 Site Address: 9900 Avenida Magnifica , San Diego (the "Property") Agreement: Agreement dated 5/112007 (the "agreement") between The City of San Diego ("City") and Nextel of CA/Sprint PCS , ("Lessee" or "Permittee").
Sprint Is seeking Consent from the City to perform the following to the above referenced site:
D Modify, upgrade or changes to existing equipment or Site as describe in the attached plans/
photos. Installation of a New Wireless Communication Facility on City owned property.
$oxedsymbol{oxed}$ Apply for new Permlt/New Agreement on existing facility - NO modifications or changes to
Existing equipment or site.
Describe proposed project below:
Sprint Is looking to renew their lease agreement with the City of San Diego for an existing telecommunication site.

Permittee shall not construct any improvements, structures or installations of the Premises or make any alterations to the Premises (with the exception of equipment replacement or repairs) without City's prior written approval." h order to comply with such requirements, Sprint PCS would !Ike to request City's consent to submit to Development Services Department for review of the proposed items above. agent for Sprint Project Manager 111_ Sincerely, Mary Hamilton Aone-time, non-refund ble Processing Fee (\$4,920 for long term agreements - \$980 for Short term or ROE Permits) payable to City Treasures, MUST be paid at the time of application. This fee applies even if the agreement is never executed. Transportation Stormwater Department has provided its consent and approval to allow applicant to submit application for Required Permits needed for the proposed items listed herein, with the understanding that the Department will be allowed to review the improvement plans prior to any permits being issued and that a pre-construction meeting will be conducted with staff before any work begins, if required. Print Name & Title Date City of San Diego, acknowledgement and consent for Avenida Magnifica @ Pomerado ROW. Cybolo L. Thompsoo, Dkecto, READ Date Print Name & Title For READ ONLY Approved and Stamped plans received and attached Scan as Amendment to Agreement when executed B Processing fee received

Pursuant to Improvementlind Alterations, section of the above referenced agreement, "Lessee I

Real Estate Assets

EXISTING

PROPOSED



VICINITY MAP



LOOKING SOUTH AT SUBJECT SITE

Site ID: SD54XC926

Facility Type: Right-of-way

Description of Proposed Work: Existing use permit has expired. No proposed changes to existing facility.

Site Address: 9900 1/3 Avenida Magnifica San Diego, CA

PHOTO SIMULATION BY:



EXISTING

PROPOSED



VICINITY MAP



LOOKING NORTHWEST AT SUBJECT SITE

Site ID: SD54XC926

Facility Type: Right-of-way

Description of Proposed Work: Existing use permit has expired. No proposed changes to existing facility.

Site Address: 9900 1/3 Avenida Magnifica San Diego, CA

PttoTo SIMULATION BY:



ISSUE STATUS REV. DATE DESCRIPTION BY 0 08/20/19 90°4 20 REVIEW 1 12/12/19 100%20 2 02/11/20 100%20

302 STATE PLACE, ESCONDIDO, CALIFORNIA 92029

PROPRIETARY INFORMATION

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO

0

ZÖ

TOWNSGATE & EL CAM

3777 TOWNSGATE DR. SAN DIEGO, CA 92130

PROJECT DESCRIPTION

VERIZON PROPOSES TO CONSTRUCT AN LINMANNED WIRELESS TELECOMMUNICATION FACILITY

- INSTALL NEW VERIZON WIRELESS CONCRETE BLOCK EQUIPMENT ENCLOSURE WITH CHAINLINK LID & TRELLIS AT GRADE LEVEL
- INSTALL (3) NEW VERIZON WIRELESS EQUIPMENT CABINETS ON A CONCRETE PAO INSIDE THE NEW CONCRETE BLOCK ENCLOSURE
- INSTALL (3) NEW VERIZON WIRELESS ANTENNA SECTORS, TWO (2)ANTENNAS EACH AT SECTORS 'A' & 'G' ON LIGHT STANDARD -A", TWO (2) ANTENNAS AT SECTOR 'B' ON LIGHT STANDARD MB (TOTAL OF GANTENNAS). ANTENNAS SHALL BE MOUNTED INSIDE RF TRANSPARENT CONCEALMENT RADOM ES ON TWO NEW 60'-SM HIGH REPLACEMENT LIGHT
- INSTALL ONE (1) NEW RRU UNIT PER ANTENNA INSIDE RADOME ON NEW LIGHT STANDARDS: (2) RRU'S PER SECTOR: (6) TOTAL
- INSTALL (2) NEW RACAP DC SURGE SUPPRESSORS ON NEW LIGHT STANDARD -A" & (1) NEW RACAP DC SURGE SUPPRESSOR ON NEW LIGHT STANDARD -e"; (1) SURGE SUPPRESSOR PER SECTOR: (3) TOTAL
- INSTALL (1) (N) VERIZON WIRELESS E911 GPS ANTENNA ON EQUIPMENT CABINET
- INSTALL NEW 200 AMP ELECTRICAL SERVICE FROM AN EXISTING ELECTRICAL ROOM
- INSTALL NEW FIBER/ TELCO SERVICE FROM AN EXISTING FIBER MANHOLE AT STREET

PROJECT TEAM

SITE ACQUISITION:

PLANCOM, INC. 302 STATE PLACE ESCONDIDO, CALIFORNIA 92029 CONTACT: BRENT HELMING TELEPHONE: (760) 533-6065

ARCHITECT:

PLANCOM, INC.

912 STATE PLACE
ESCONDIDO, CALIFORNIA 92029
CONTACT: VIILLIAM BOOTH
TELEPHONE: (760) 889-3201

PLANNING:

PLANCOM, INC. 302 STATE PLACE ESCONDIDO, CALIFORNIA 92029 CONTACT: KERRIGAN DIEHL TELEPHONE: (760) 587-3003

SURVEYOR:

AJK ENGINEERING & SURVEY 23072 LAKE CENTER DRIVE, SUITE 211 LAKE FOREST, CALIFORNIA 92630 CONTACT: ANDREWKOLTAVARY TELEPHONE: (714)624-9027

VICINITY MAP Comp.

DRIVING DIRECTIONS

15505 SAND CANYON AVE IRVINE, CA 92618

TURN LEFT ONTO SANO CANYON AVENUE. TURN RIGHT TO MERGE ONTO i-5 SOUTH.

TAKE EXIT 34 FOR DEL MAR HEIGHTS RD (59.1 MI)
USE LEFT TWO LANES TO TURN LEFT ONTO DEL MAR HEIGHTS RD (0.3 MI)
TURN RIGHT ONTO EI CAMINO REAL (0.3 MI)
TURN LEFT ONTOTOINNSGATE DR (0.1 MI)

DESTINATION WILL BE LOCATED ON THE RIGHT (SOUTH SIDE) OF TOWNSGATE DR. TURN RIGHT INTO THE PARKING LOT.

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

THE GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS MATCH THE ORAWNIGS AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES. PROCEEDING NITH CONSTRUCTION WITHOUT SUCH NOTIFICATION OF OISCREPANCIES INDICATES THE GENERAL CONTRACTOR ACCEPTS RESPONSIBILITY FOR THE EXISTING CONDITIONS AND HAS INCLUDED RESOLUTION OF THOSE DISCREPANCIES IN THE BID FOR CONSTRUCTION.

PROJECT SUMMARY

wrtmn 15505 SAND CANYON AVENUE DI

IRVINE CA 92618 OFFICE: (949) 286-7000

APPLICANTS REPRESENTATIVE:

PIANCOM, INC.
302 STATE PLACE
ESCONDIDO, CALIFORNIA 92029
CONTACT: BRENT HELMING
TELEPHONE: (760) 533-6065

PROPERTY OWNER:

PROPERTY INFORMATION:

TOWNSGATE & FL CAM SITE ADDRESS: 3777 TOVINSGATE DR. SAN DIEGO, CA 92130

JURISDICTION: CITY OF SAN DIEGO

CONSTRUCTION INFORMATION:

AREA OF CONSTRUCTION: 200 S.F. OCCLIPANCY: TYPE OF CONSTRUCTION:

ZONING CLASSIFICATION: ADA COMPLIANCE:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE OBC SECTION 118-203.5.

COORDINATES (NAD 83); LIGHT STANDARD A

32* 56' 53.53^M NORTH {32.948203·) LATITUDE: LONGITUDE: 11r 13'58.62"WEST(-117.23295o-

LIGHT STANDARD B

32• 56' 53.26• NORTH (32.948128•) 11r 14'01.20"WEST(-117.23366J-)

THERE ARE NO EXISTING WIRELESS TELECOM FACILITIES ON THIS SITE

CODE COMPLIANCE

2019 CALIFORNIA BUILDING CODE

2019 CALIFORNIA GREEN BUILDING CODE 2019 CALIFORNIA MECHANICAL CODE

2019 CALIFORNIA ELECTRICAL CODE 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA FIRE CODE

N THE EVENT OF A CONFLICT. THE MORE RESTRICTIVE CODE SHALL GOVERN

ASSESSOR'S PARCEL NUMBER:

LEGAL DESCRIPTION: THE NORTHEAST QUARTER OF THE NORTHMEST QUARTER OF SECTION 19 AND A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18. A I I N TONNISHIP 18 SOUTH, RANGE 3 NIEST SAN BEENLANDEN MEDIPIONAL 3 WEST, SAN BERNARDINO MERIDIAN, N THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

SHEET DESCRIPTION TITLE SHEET AΩ SITE PLAN ENLARGED SITE PLAN EQUIPMENT PLAN & LIGHT STANDARD a. PLAN A-2 LIGHT STANDARD "A" PLAN A-21 A-3 CHAINLINK LID & TRELLIS PLANS LIGHT STANDARD "A+" ELEVATION & DETAILS A-5 LIGHT STANDARD ** FLEVATION & DETAILS M: D-1 DETAILS DETAILS

ZONING DRAWINGS

Call before you dig. BEFORE You EXCAVATE

Know what's below.

TO OBTAIN LOCATION OF PARTICIPANTS

UNDERGROUND FACILITIES BEFORE YOU DIG N CAUFORNIA (SOUTH). CALL

TOLL FREE: 1-800-227-2600 OR

CALIFORNIA STATUTE

W

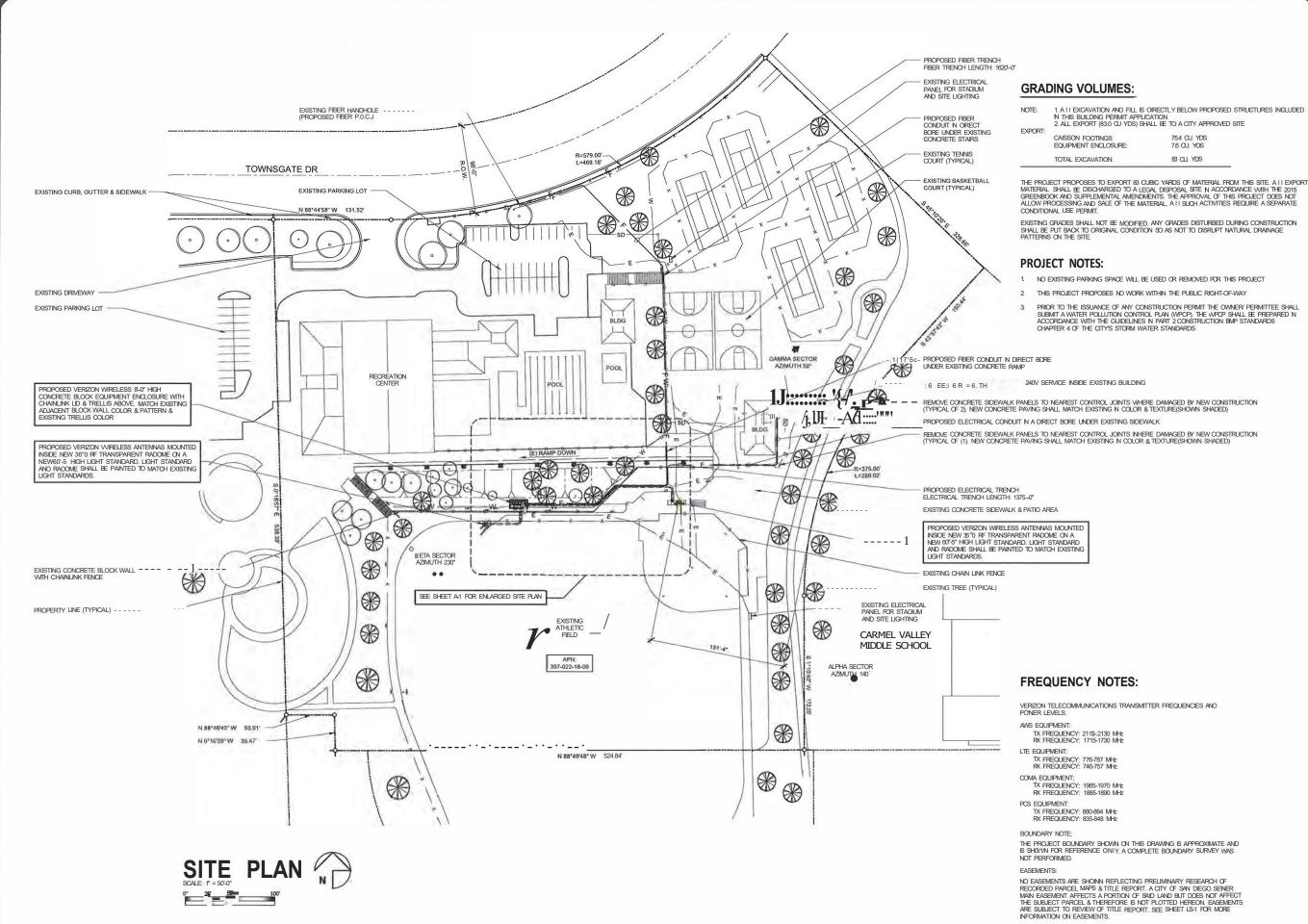
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REV. DATE DESCRIPTION

ISSUE STATUS

PLANCOMI

ESCONDIDO, CALIFORNIA 92029

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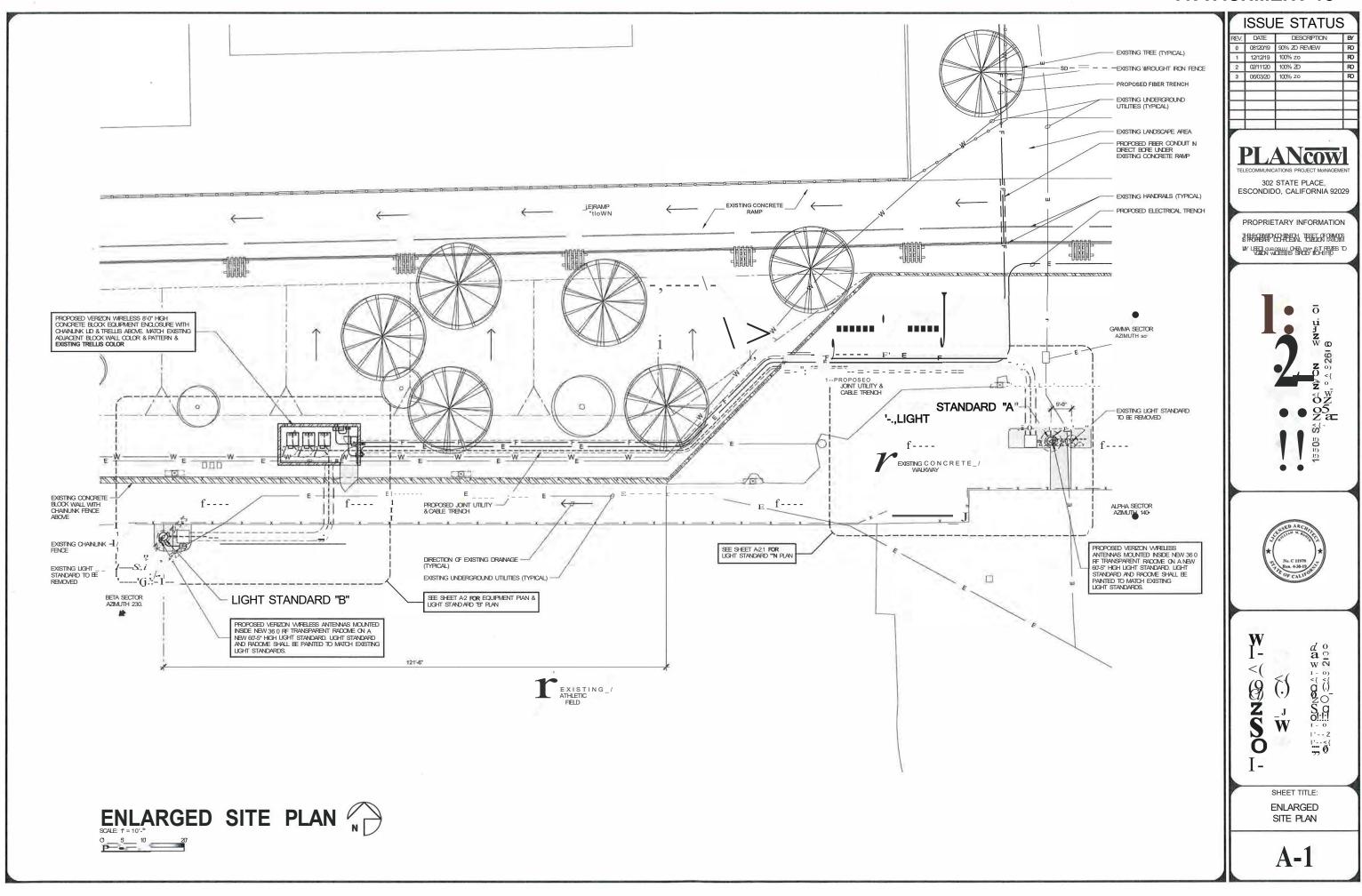


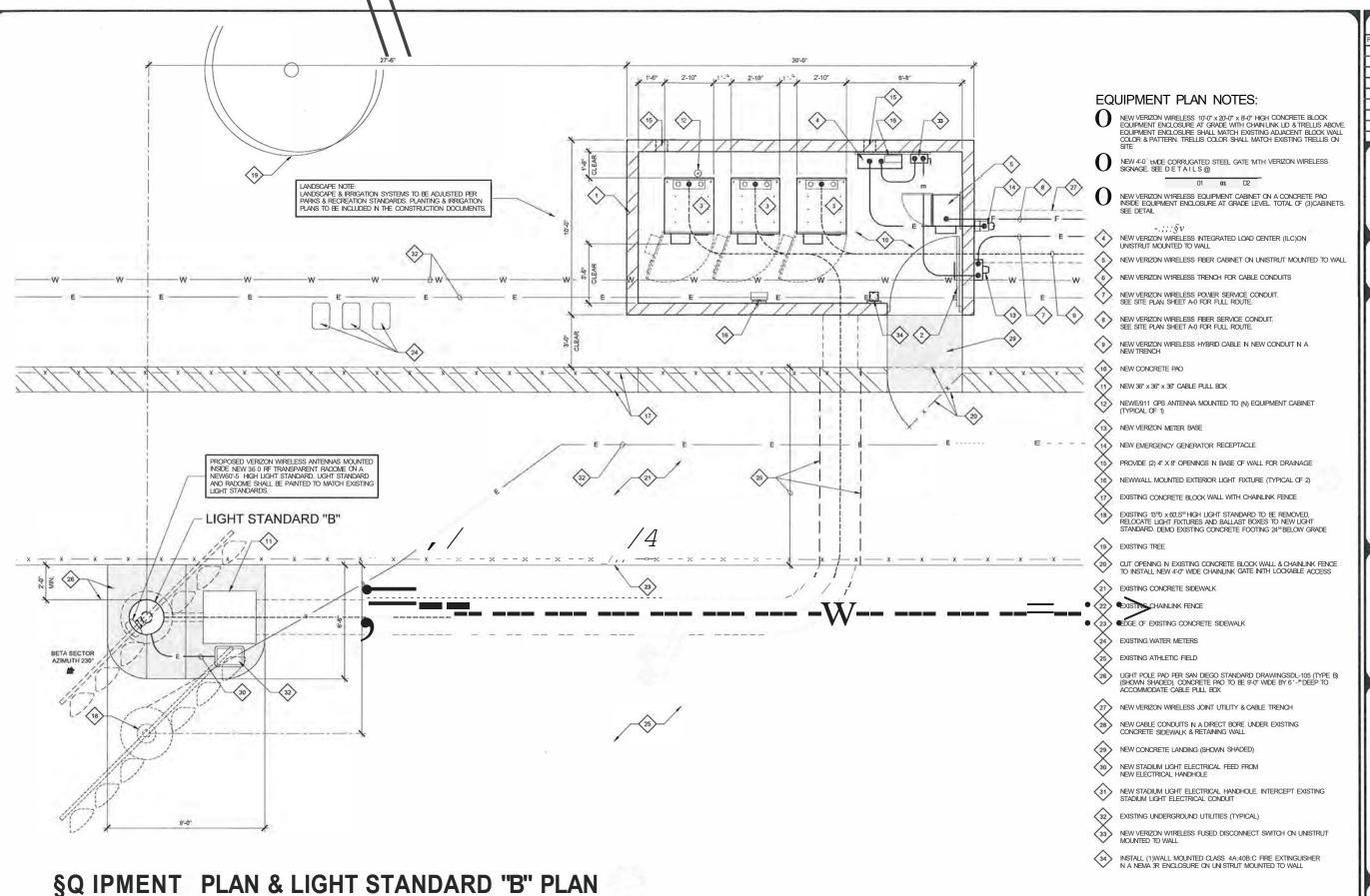


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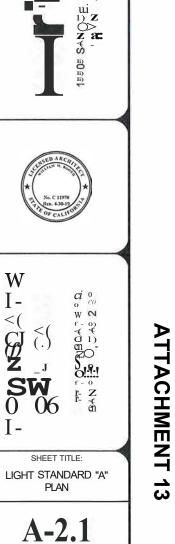


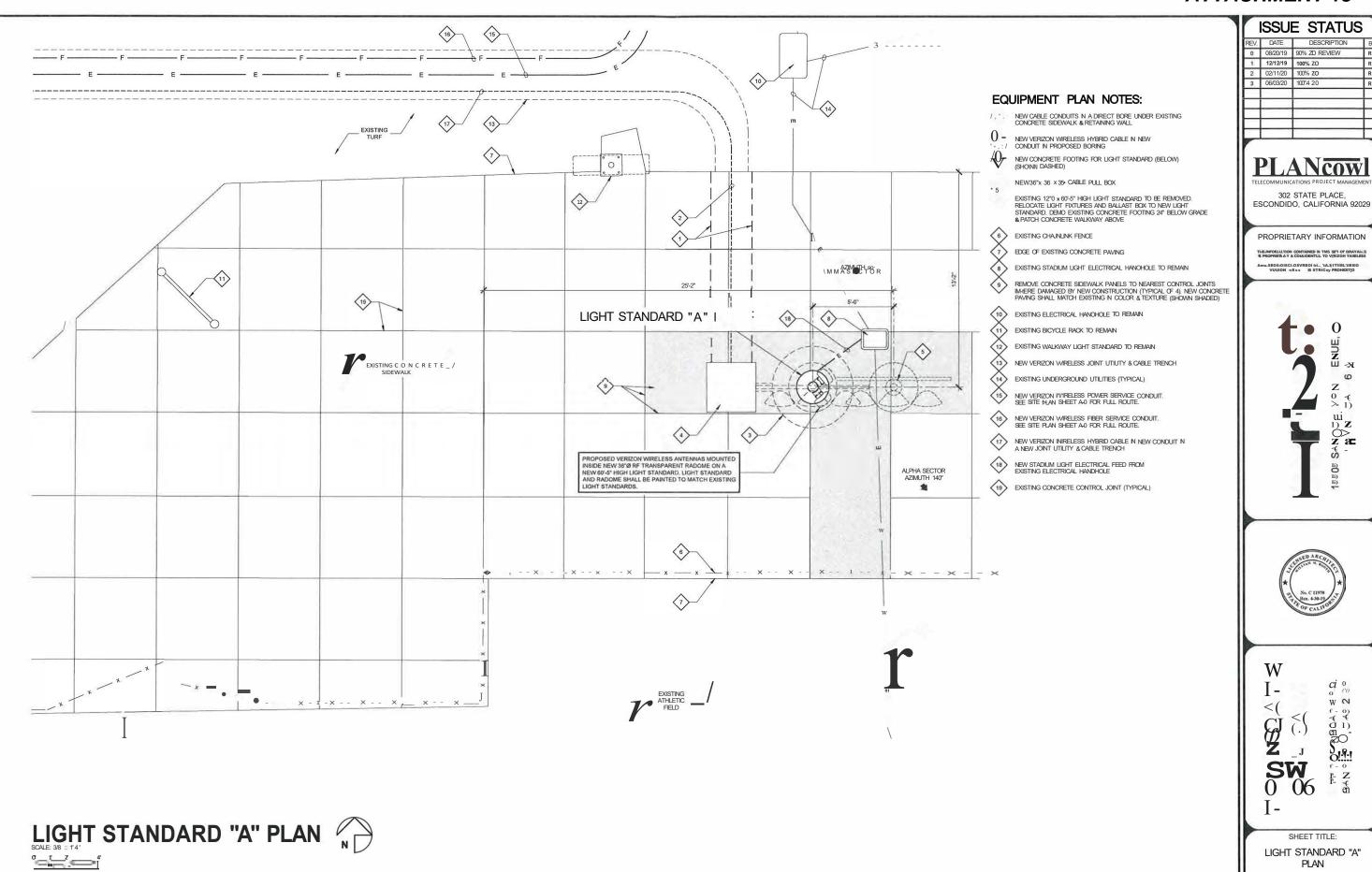


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CHAINLINK LID & TRELLIS PLANS SHEET TITLE:

3777 TOWNSGATE DR. SAN DIEGO, CA 92130

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302 STATE PLACE, ESCONDIDO, CALIFORNIA 92029

PLANCOW

OFENING N CONDRETE WALL BELOW (271-271-1)
PROPOSED BRACKET SUPPORT CLAMP FOR CHAINLINK LID AT 440" OC. MAX,
2 EACH PANEL MINIMUM.

8 PROPOSED 6x12 ROUGH SWANN REDWOOD BEAM PAINTED TO MATCH
EXISTING ON-SITE TRELLIS (TYPICAL) PROPOSED 86 ROUGH SWAN REDWOOD PURIUMS PAINTED TO MATCH EXISTING ONISITE TRELLIS (TYPICAL)

PROPOSED GALVANZED CHAINLINK MESH PARTIALLY REMOVED FOR CLARITY. PROVIDE STANDARD WIRE TIES TO FRAME@ 12" O.C. WITH DOUBLE KNOTS ON BOTTOM SDE OF FRAME

PROPOSED GALVANZED TENSIONER STRIP (TYPICAL)

*** INDICATES A SINGLE PANEL OF ***

*** PROPOSED GALVANZED TENSIONER STRIP (TYPICAL)

*** INDICATES A SINGLE PANEL OF ***

*** PROPOSED OF THE STRIP (TYPICAL)

*** PROPOSED OF THE STRIP (TYPICAL)

*** PROPOSED OF THE STRIP (TYPICAL) CHAINLINK LID & TRELLIS PLAN NOTES:

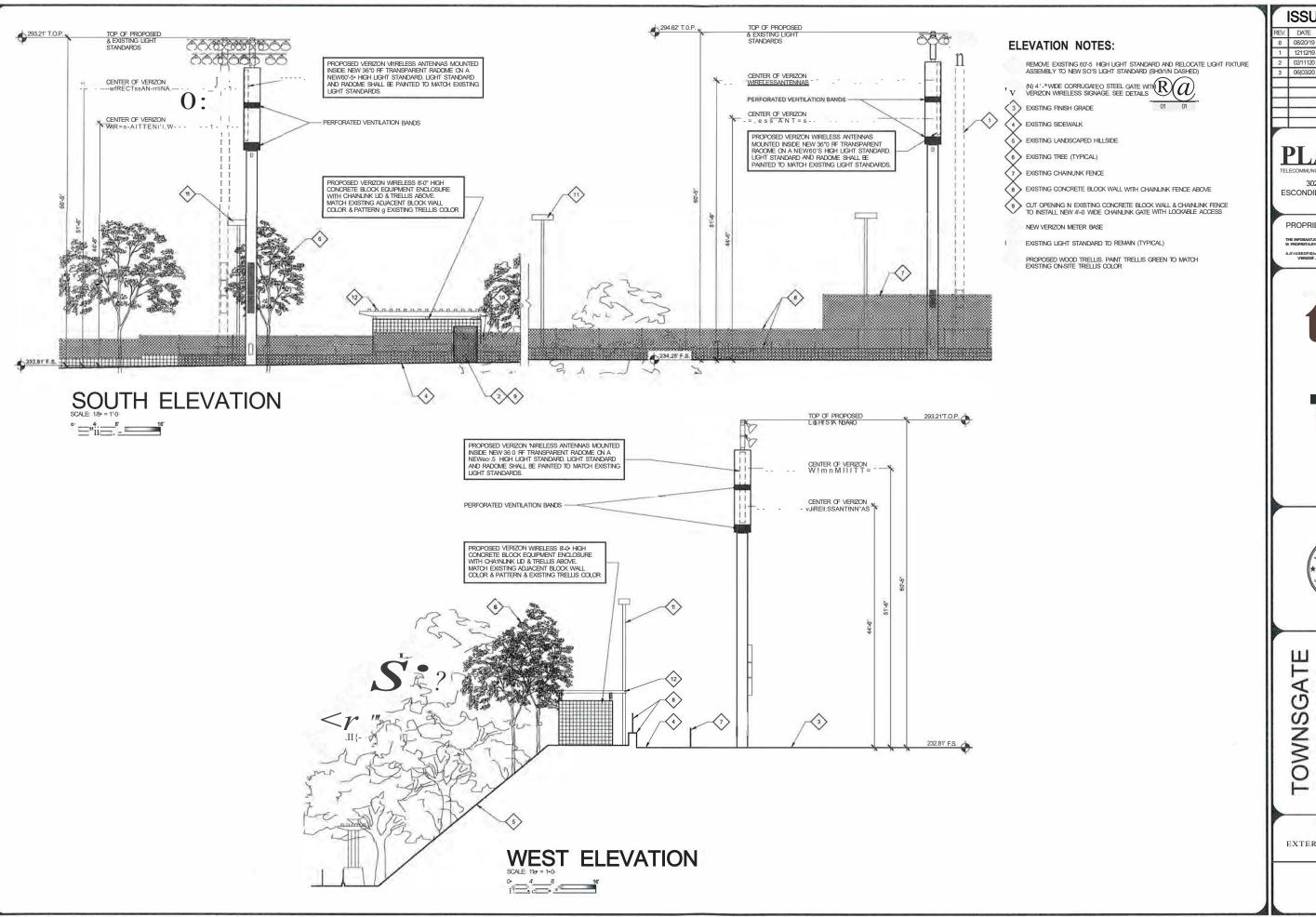
PROPOSED 3"0 SCHEDULE 40 GALVANZED STANDARD PRE FRAME (TYPICAL)

CHAINLINK LID PLAN N

TRELLIS PLAN

ATTACHMENT 13

ISSUE STATUS





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SHEET TITLE:

EXTERIOR ELEVATIONS



