

# **REPORT TO THE HEARING OFFICER**

HEARING DATE:	July 22, 2015	REPORT NO. HO 15-092
ATTENTION:	Hearing Officer	
SUBJECT:	Sprint – New Life Church PROJECT NUMBER: 395980	
LOCATION:	766 28 <sup>th</sup> Street	
APPLICANT:	Sprint (Permittee)/ New Life Assembly of God, San Die	ego (Owner)

#### SUMMARY

<u>Issue:</u> Should the Hearing Officer approve a Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF) in the Greater Golden Hill community plan area?

Staff Recommendation: APPROVE CUP No. 1504292.

<u>Community Planning Group Recommendation</u>: The Greater Golden Hill Planning Committee voted to recommend approval of this project at their June 10, 2015 meeting. (Attachment 8)

<u>Environmental Review</u>: This project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines 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 May 21, 2015, and the opportunity to appeal that determination ended June 5, 2015. (Attachment 7)

#### **BACKGROUND & DISCUSSION**

Sprint – New Life Church is an application for a Wireless Communication Facility (WCF). The project consists of panel antennas mounted within an existing tower element (behind radio-frequency [RF] transparent screening) on an existing church. Equipment associated with the antennas is located in a 246 square-foot enclosure at the rear of the building. This project is located at 766 28<sup>th</sup> Street in the Greater Golden Hill Community Plan area, in the Golden Hill

Planned District (GHPD) GH-1500 zone. Residential uses are to the north and west and State Route 94 is located to the east and south. (Attachments 1, 2, 3, and 4)

WCF are permitted in residential zones, with a non-residential use, where there is a day care onsite with a CUP, Process Three. In this case, a day care is located on the premises and a CUP is required for this WCF.

Sprint originally received approval for operating a WCF on this property under permit number 41-0875-01. The current approval will replace the original approval. The new approval is subject to the current WCF Regulations in effect, found in Land Development Code §141.0420.

The antennas are located within an existing 46-foot 8-inch tower element. No changes are proposed to the tower and no additional permits are required. While the height limit for the GHPD-GH-1500 zone is 30 feet, San Diego Municipal Code (SDMC) Table 158-03D, allows that "20% of the length of the building façade may exceed the height limit... in order to provide... tower elements and other similar elements which do not increase the floor area of the structure."

The WCF Regulations require that applicants use all reasonable means to conceal or minimize the visual impacts of WCFs through integration, which includes the use of architecture, landscape, and siting solutions. This project has been designed to provide wireless coverage to the surrounding neighborhood in a way that is visually compatible. By locating the antennas in a tower element typically found on a church, the antennas are concealed from view. In addition, three street trees are proposed along the 28<sup>th</sup> Street frontage in order to improve the appearance of the WCF as viewed from the public right-of-way. (Attachment 10)

The City's General Plan addresses Wireless Facilities in UD-A.15. The visual impact of WCFs should be minimized by concealing WCFs in existing structures, or utilizing camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Equipment associated with the WCF should be located in underground vaults or unobtrusive structures. By locating the antennas within an architecturally compatible tower element typically found on a church, with equipment located in an enclosure at the rear of the building, the project is able to minimize the visual impact of the WCF. With the addition of the three street trees, the design of the WCF is aesthetically pleasing and respectful of the neighborhood context.

Based on the proposed design, the project complies with the WCF Regulations (LDC §141.0420). The project has received support from the community planning group, and draft findings have been made in the affirmative to approve the CUP. Therefore, Staff recommends approval of CUP No. 1504292.

#### **ALTERNATIVES**

1. Approve CUP No. 1504292, with modifications.

2. Deny CUP No. 1504292, 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,

Alex Hempton, AICP Development Project Manager

Attachments:

- 1. Aerial Photo
- 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. Notice of Right to Appeal Environmental Exemption
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement (ODS)
- 10. Photo Simulations
- 11. Photo Survey
- 12. Site Justification/Coverage Maps
- 13. Hearing Officer Public Notice
- 14. Project Plans





**Aerial Photo** 

Sprint New Life Church – Project Number 395980

766 N. 28th St.





# **Community Plan Land Use Designation**

Sprint New Life Church - Project Number 395980

Designated as Residential

766 N. 28th St.



# **PROJECT DATA SHEET**

PROJECT NAME:	Sprint – New Life Church         Wireless Communication Facility (WCF) consisting of antennas located in an existing tower element with equipment in an enclosure behind an existing church.	
PROJECT DESCRIPTION:		
COMMUNITY PLAN Greater Golden Hill AREA:		
DISCRETIONARY ACTIONS:	The second s	
COMMUNITY PLAN LAND Residential		

USE DESIGNATION:

### **ZONING INFORMATION:**

ZONE: GHPD-GH-1500

**HEIGHT LIMIT:** 30' (allows for deviations for tower elements)

#### FRONT SETBACK: 10'

SIDE SETBACK: 6' (street side 8')

**REAR SETBACK: 15'** 

ADJACENT PROPERTIES:	LAND USE EXISTING LAND USE DESIGNATION & ZONE		
NORTH:	Residential, GHPD-GH- 1500	Residential	
SOUTH:	Residential, GHPD-GH- 1500	State Route 94	
EAST:	Residential, GHPD-GH- 1000	Residential	
WEST:	Residential, GHPD-GH- 1500	Residential	
DEVIATIONS OR VARIANCES REQUESTED:	None.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Greater Golden Hill Community Planning Group voted unanimously to recommend approval of this project at their June 2015 meeting.		

#### HEARING OFFICER RESOLUTION NO. HO-XXXX CONDITIONAL USE PERMIT NO. 1504292 SPRINT – NEW LIFE CHURCH PROJECT NO. 395980

WHEREAS, NEW LIFE ASSEMBLY OF GOD SAN DIEGO, Owner, and SPRINT, Permittee, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) consisting of twelve (12) panel antennas mounted within an existing church tower element behind screening with equipment associated with the antennas located in an enclosure at the rear of the building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1504292);

WHEREAS, the project site is located at 766 28<sup>th</sup> Street in the GHPD-GH-1500 zone of the Greater Golden Hill community plan area;

WHEREAS, the project site is legally described as: Parcel A: Lot 1 of Church View Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5304, filed in the Office of the County Recorder of San Diego County, November 29, 1963; and, Parcel B: Lot 28 and 29 of Treat Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1454, filed in the Office of the Recorder of San Diego County, June 24, 1912;

WHEREAS, on May 21, 2015, 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) 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 July 22, 2015, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1504292 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated July 22, 2015.

#### FINDINGS:

#### Conditional Use Permit - Section 126.0305

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

The City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities 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. By locating the antennas within an architecturally compatible tower element typically found on a church, with equipment located in an enclosure at the rear of the building, the project is able to minimize the visual impact of the WCF. With the addition of the three street trees, the design of the WCF is aesthetically pleasing and respectful of the neighborhood context. Based on the design of this facility, the proposed development will not adversely affect the applicable land use plan.

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

The project consists of twelve (12) panel antennas located within an architecturally integrated radio-frequency (RF) transparent tower element. Equipment associated with the antennas is located in an enclosure at the rear of the church. The project is located at 766 28<sup>th</sup> Street, and is located in the Greater Golden Hill Community Plan Area.

The project was determined to be exempt from the California Environmental Quality Act (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. 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.

Additionally, 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) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities has been provided. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction.

In conclusion, the proposed project will not be detrimental to the public health, safety and welfare.

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

WCF are permitted in residential zones, with a non-residential use, where there is a day care on-site with a CUP, Process Three. In this case, a day care is located on the premises and a CUP is required for this WCF. The antennas associated with this WCF are located within an existing 46-foot 8-inch tower element. No changes are proposed to the tower and no additional permits are required. While the height limit for the GHPD-GH-1500 zone is 30 feet, San Diego Municipal Code (SDMC) Table 158-03D, allows that "20% of the length of the building façade may exceed the height limit... in order to provide... tower elements and other similar elements which do not increase the floor area of the structure." The WCF Regulations require that applicants use all reasonable means to conceal or minimize the visual impacts of WCFs through integration, which includes the use of architecture, landscape, and siting solutions. This project has been designed to provide wireless coverage to the surrounding neighborhood in a way that is visually compatible. By locating the antennas in a tower element typically found on a church, the antennas are concealed from view. In addition, three street

trees are proposed along the 28<sup>th</sup> Street frontage in order to improve the appearance of the WCF as viewed from the public right-of-way. Based on these considerations, the project complies with the WCF Regulations (LDC section 141.0420), the Greater Golden Hill Planned District regulations, and no deviations are proposed.

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

Council Policy 600-43 and the WCF Regulations, LDC Section 141.0420, encourage WCF to locate in commercial and industrial zones, by providing a lower permit process level for WCF in those zones. WCF located in residential zones are permitted with a higher permit process level. Wireless carriers are required to provide coverage throughout their FCC license area, however, and WCF are permitted throughout the City. This WCF is proposed in a residential zone with a non-residential use, which is more preferable than a residential zone with a residential use, but less preferable than a commercial or industrial zone. This WCF is permitted with the processing of a CUP, Process Three. The WCF has been designed to be minimally visible and respectful of the neighborhood context, by concealing the antennas in a radio-frequency transparent architectural tower element, designed to integrate with the existing church. Three street trees located along the public right-of-way will improve the appearance of the WCF as seen from the neighborhood. Equipment associated with the WCF is located in an unobtrusive enclosure at the rear of the property. Based on the permits required and the design of this WCF, the use is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer Conditional Use Permit No. 1504292 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. 1504292, a copy of which is attached hereto and made a part hereof.

Alex Hempton, AICP Development Project Manager Development Services

Adopted on: July 22, 2015

Internal Order No. 24005291

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

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005291

### CONDITIONAL USE PERMIT NO. 1504292 SPRINT NEW LIFE CHURCH – PROJECT NUMBER 395980 HEARING OFFICER

This CONDITIONAL USE PERMIT (CUP) NO. 1504292 is granted by the HEARING OFFICER of the City of San Diego to NEW LIFE ASSEMBLY OF GOD SAN DIEGO, Owner, and SPRINT, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420 and 126.0305. The site is located at 766 28<sup>th</sup> Street in the GHPD-GH-1500 zone of the Greater Golden Hill community plan area. The project site is legally described as: Parcel A: Lot 1 of Church View Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5304, filed in the Office of the County Recorder of San Diego County, November 29, 1963; and, Parcel B: Lot 28 and 29 of Treat Addition, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1454, filed in the Office of the Recorder of San Diego County, June 24, 1912.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 22, 2015, on file in the Development Services Department.

The project shall include:

- a. Twelve (12) panel antennas (with the following dimensions: 72.0" by 12.0" by 7.1") concealed within an existing 46'-8" tall architectural tower, behind radio-frequency (RF) transparent screening. Equipment associated with the antennas is located in a 246 square-foot enclosure;
- b. Locating the antennas inside an existing tower element, commonly found on a church building, results in a stealth design, based on the dimensions of the monument structure (height and width) shown on Exhibit "A";

- c. Landscaping (planting, irrigation and landscape related improvements);
- 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 **August 5, 2018**.

2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on August 5, 2025. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

3. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.

4. Under no circumstances, does approval of this permit authorize the Owner/Permittee to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit 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 Owner/Permittee and any successor(s) in interest.

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

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

10. 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.

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 determinednecessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

13. The Owner/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 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.

### **LANDSCAPE REQUIREMENTS:**

14. Prior to issuance of any construction permits for the telecom facility and associated structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance to Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.

15. Prior to Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections.

16. All required landscape, including in the rights-of-way shall be maintained by the Owner/Permittee in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees shall not be permitted.

17. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

### **PLANNING/DESIGN REQUIREMENTS:**

18. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

19. 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.

20. All facilities and related equipment shall be: maintained in good working order; free from trash, debris, graffiti; and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.

21. It is the responsibility of thee Owner/Permittee to 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 requiring the removal and the restoration of this site to its original condition.

22. The photosimulation(s) for the proposed project shall be printed (not stapled) on the building plans. This is to ensure the construction team building the project is in compliance with approved the Exhibit "A."

23. No overhead cabling is allowed for this project.

24. Any future modifications to the antennas must be approved by Development Services. The Permittee shall provide evidence demonstrating compliance with Federal standards for radio frequency emissions in accordance with the Telecommunications Act of 1996 and any subsequent amendments.

25. The WCF shall conform to Exhibit "A" (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.

26. The Permittee shall ensure that the WCF remains in compliance with FCC regulations pertaining to radio frequency/electromagnetic energy emissions.

27. 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.

28. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department.

29. Use of or replacement of any building façade or mechanical screen with FRP material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the original building. All FRP shall be painted and textured to match the original building.

### **INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- A "Telecom Planning Inspection" will be required prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans, exhibits, and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at <u>ahempton@sandiego.gov</u> to schedule an inspection of the completed WCF. Please request the telecom inspection at least five working days ahead of the requested 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 July 22, 2015 and [Approved Resolution Number].

Permit Type/PTS Approval No.: CUP No. 1504292 Date of Approval: 7/22/2015

# AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Alex Hempton, AICP 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.

NEW LIFE ASSEMBLY OF GOD SAN DIEGO Owner

By

GORDON HOUSTON SECRETARY

SPRINT Permittee

By

NAME TITLE

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



THE CITY OF SAN DIEGO

# Date of Notice: May 21, 2015 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT Internal Order No. 24005291

PROJECT NAME/NUMBER: Sprint New Life Church CUP/395980

**COMMUNITY PLAN AREA:** Greater Golden Hill Community Plan **COUNCIL DISTRICT: 3 LOCATION:** The project site is located 766 N. 28th Street, San Diego, CA 92102.

**PROJECT DESCRIPTION:** The project is a request for a Conditional Use Permit (CUP) consisting of 12 antennas to be removed and replaced within an existing screened enclosure within a 46-foot 8inches tall tower element on a church structure. The project also includes the addition of a cabinet within an existing equipment enclosure. The project is located in the Greater Golden Hill Community Plan area and it is subject to the Golden Hill Planned District GH-1500 zone.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: CEQA Exemption 15301 (Existing Facilities)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The proposed project is exempt from CEQA pursuant to Section 15301 which 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. The approval of an application for a Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF), consisting of the replacement of 12 antennas and the addition of a cabinet to an existing cabinet enclosure, is not an expansion of use. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

DEVELOPMENT PROJECT MANAGER: MAILING ADDRESS: Alexander Hempton 1222 First Avenue, MS 501 San Diego, California 92101 (619) 446-5349

PHONE NUMBER:

On May 21, 2015, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (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 within 10 business days from the date of the posting of this Notice (June 5, 2015). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

From: Sent: To: Subject: Joanne Aguzar [joanne.aguzar@mmtelecominc.com] Tuesday, June 16, 2015 3:29 PM Hempton, Alexander RE: Sprint New Life Church

Hi Alex,

When are we scheduled for HO here? Morgan and I were able to present our projects and the Sprint New Life Church was supported by all the members. Let me know if you need anything else. Thanks!

JA

The Grow of Bash Dires	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclos Statem	
Neighborhood Dev	velopment Permit	sted: Neighborhood Use Permit 「Coastal Development Permit it Planned Development Permit F Conditional Use Permit Vaiver 「Land Use Plan Amendment • <b>Other</b>	
Project Title		Project No. For City Use On	ly
New Life Church	SD34XC714	39 5980	
Project Address:			
766 N. 28th Stree	ot San Diego, CA 92102		
art I - To be compl	eted when property is held by individu	l(s)	
om the Assistant Exec evelopment Agreemen lanager of any change ne Project Manager at	tached Yes Xo	one of the property owners. Attach additional pages if needed. A sig t Agency shall be required for all project parcels for which a Dispositic e City Council. Note: The applicant is responsible for notifying the F is being processed or considered. Changes in ownership are to be gi in the subject property. Failure to provide accurate and current own Name of Individual (type or print):	on and Project iven to
	ant/Lessee Redevelopment Agency	Conner Tenant/Lessee TRedevelopment Agen	су
Street Address:		Street Address:	
City/State/Zip:		City/State/Zip:	
hone No:	Fax No:	Phone No: Fax No:	
Signature :	Date:	Signature Date:	
Name of Individual (	type or print):	Name of Individual (type or print):	Contraction of the
Owner Tena	ant/Lessee   Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency	
Street Address		Street Address:	
City/State/Zip:		City/State/Zip:	
Phone No:	Fax No:	Phone No: Fax No:	
Signature :	Date:	Signature Date:	

Printed on recycled paper. Visit our web site at www.scredwoor.gov/development cervaces. Upon request, this information is available in alternative formats for persons with disabilities.

Part II - To be completed when property is held by a corporation or partnership         Legal Status (please check):         X Corporation Cumited Liability -or- General) What State? Corporate Identification No. C1816392	Project Title:		Project No. (For City Use Only)
Corporation       Limited Liability-or-       General) What State?       Corporate Identification No. C1816392         Partnership       By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed will the City of San Diego on the subject propenty with the intent to record an encumbrance agains the property. Preseas list below the names, tiles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, and property. For any point on any public hearing on the subject property. Failure to provide accurate and current ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project.         Wanager at least third days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.       Additional pages attached       Yes       No         Corporate/Partnership Name (type or print):       Norporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):       No         If Yine, CA 29214       Tenant/Lessee       Street Address:       Street Address:       Street Address:         If Yine, CA 29214       Fax No:       Phone No:       Fax No:       Name of Corporate/Partnership Name (type or print):         Gordon Houston       Title (type or print):       Corporate/Partnership Name (type or prin	Part II - To be completed when	property is held by a co	rporation or partnership
Partnership         By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be field with the City of San Diego on the subject property with the intent to record an encumbrance agains the property. Nease list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partner in a partnership who own the application is being processes of or considered. Changes in ownership during the time the application is being processes of or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached Tyes Two         Corporate/Partnership Name (type or print):       New Life Assembly of God, San Diego       Corporate/Partnership Name (type or print):         New Life Assembly of God, San Diego       Fax No:       Ponne No:       Fax No:         (949) 252-8400       Name of Corporate Officer/Partner (type or print):       Corporate/Partnership Name (type or print):       Title (type or print):         Streat Address:       Signature i       Date:       Signature i       Date:         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):       Totant/Lessee       Fax No:         Signature :       Date:       Signature i:       Date: </td <td>Legal Status (please check):</td> <td></td> <td></td>	Legal Status (please check):		
as identified above, will be field with the City of San Diego on the subject property with the intent to record an encumbrance agains the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property. A signature is required of at least one of the corporate officers, and all parties is required of at least one of the corporate officers, and all parties the application is being processed or considered. Changes in ownership are to be given to the Project. Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [Yes No Corporate/Partnership Name (type or print): New Life Assembly of God, San Diego Street Address: T7951 Cowan City/State/Zip. Trvine, CA 92614 Farknership Name (type or print): Corporate/Partnership Name (type or print): Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Partner (type or print): New Corporate/Partnership Name (type or print): Corporate/Partnership Name (type or print): Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Partner (type or print): Corporate/Partnership Name (type or print): Title (type or print): Corporate/Partnership Name (type or print): C		ility -or- Г General) Wh	at State? Corporate Identification No. C1816392
New Life Assembly of God, San Diego         IX Owner       Tenant/Lessee         Street Address:       17951 Cowan         17951 Cowan       City/State/Zip:         Irvine, CA 92614       Phone No:         Phone No:       Fax No:         (949) 252-8400       Name of Corporate Officer/Partner (type or print):         Gordon Houston       Title (type or print):         Signature :       Date:         Signature :       Date:         Signature :       Date:         Corporate/Partner/Lessee       If owner         Tenant/Lessee       Signature :         Date:       Date:         Signature :       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Image:       Date:       Date:         City/State/Zip:       Phone No:       Fax No:         Phone No:       Fax No:       Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Title (type or print):       Title (type or print):         Title (type or prin	as identified above, will be filed with property. Please list below the otherwise, and state the type of plin a partnership who own the property. Attach additional pages ownership during the time the ap Manager at least thirty days prior	with the City of San Diego ne names, titles and addres property interest (e.g., ten perty). <u>A signature is rec</u> if needed. <b>Note:</b> The app plication is being process to any public hearing on	on the subject property with the intent to record an encumbrance against sses of all persons who have an interest in the property, recorded or ants who will benefit from the permit, all corporate officers, and all partners uired of at least one of the corporate officers or partners who own the blicant is responsible for notifying the Project Manager of any changes in ad or considered. Changes in ownership are to be given to the Project the subject property. Failure to provide accurate and current ownership
R Owner       Tenant/Lessee         Street Address:       17951 Cowan         City/State/Zip       City/State/Zip:         Phone No:       Fax No:         (949) 252-8400       Name of Corporate Officer/Partner (type or print):         Gordon Houston       Title (type or print):         Gordon Houston       Title (type or print):         Signature :       Date:         Signature :       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         City/State/Zip:       Phone No:       Fax No:         Phone No:       Fax No:       Name of Corporate Officer/Partner (type or print):         Name of Corporate Officer/Partner (type or print):       Title (type or print):       Title (type or print):         Name of Corporate Officer/Partner (type or print):       Title (type or pr			Corporate/Partnership Name (type or print):
17951 Cowan       City/State/Zip:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         (949) 252-8400       Name of Corporate Officer/Partner (type or print):         Gordon Houston       Name of Corporate Officer/Partner (type or print):         Gordon Houston       Title (type or print):         Signature :       Date:         Signature :       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Coty/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       City/State/Zip:         Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Name of Corporate Officer/Partner (type or print):       Title (type or print):         Signature :       Date: <td>the second second</td> <td>alterna a second de la compañía de l</td> <td>Cowner CTenant/Lessee</td>	the second	alterna a second de la compañía de l	Cowner CTenant/Lessee
Irvine, CA 92614       Fax No:       Fax No:         Phone No:       Fax No:       Phone No:       Fax No:         (949) 252-8400       Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):       Title (type or print):         Gordon Houston       Title (type or print):       Signature :       Date:       Date:         Signature :       Date:       Signature :       Date:       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):       City/State/Zip:         Phone No:       Fax No:       Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):       Title (type or print):         Title (type or print):       Title (type or print):       Title (type or print):       Title (type or print):         Signature :       Date:       Signature : </td <td></td> <td></td> <td>Street Address:</td>			Street Address:
Phone No:       Fax No:       Phone No:       Fax No:         (949) 252-8400       Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Gordon Houston       Title (type or print):       Name of Corporate Officer/Partner (type or print):         Signature :       Date:       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate Address:         City/State/Zip:       Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Title (type or print):       Title (type or print):       Title (type or print):         Signature :       Date:       Signature :       Date:	City/State/Zip	and the second second second second	City/State/Zip:
Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Title (type or print):       Title (type or print):         Signature :       Date:         Signature :       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Mame of Corporate Officer/Partner (type or print):       Corporate/Partnership Name (type or print):         Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Name of Corporate Officer/Partner (type or print):       Title (type or print):         Title (type or print):       Title (type or print):         Signature :       Date:         Signature :       Date:	Phone No:	Fax No:	Phone No: Fax No:
Title (type or print):       Signature :       Date:       Date:       Signature :       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         Corporate/Partnership       Tenant/Lessee       Corporate/Partnership Name (type or print):         Corporate/Partnership       Tenant/Lessee       Corporate/Partnership Name (type or print):         City/State/Zip:       City/State/Zip:       City/State/Zip:         Phone No:       Fax No:       Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Title (type or print):       Title (type or print):       Title (type or print):         Signature :       Date:       Date:       Signature :       Date:	Name of Corporate Officer/Partner	(type or print):	Name of Corporate Officer/Partner (type or print):
Signature :       Date:       Signature :       Date:         Corporate/Partnership/Name (type or print):       Corporate/Partnership Name (type or print):       Corporate/Partnership Name (type or print):         \[comporate/Partnership/Name (type or print):       \[comporate/Partnership Name (type or print):       \[comporate/Partnership Name (type or print):         \[comporate/Partnership/Name (type or print):       \[comporate/Partnership Name (type or print):       \[comporate/Partnership Name (type or print):         \[comporate/Partnership/Name (type or print):       \[comporate/Partner/Lessee       \[comporate/Partner/Lessee         Street Address:       Street Address:       \[comporate/Zip:       \[comporate/Partner/Lessee         Phone No:       Fax No:       Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Title (type or print):       Title (type or print):       Title (type or print):         Signature :       Date:       Signature :       Date:	Title (type or print):	1	Title (type or print):
Image: Constraint of the system       Image: Constraint of the system         Street Address:       Street Address:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Title (type or print):       Title (type or print):         Signature :       Date:	The second s	Date:	Signature : Date:
Street Address:       Street Address:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Title (type or print):       Title (type or print):         Signature :       Date:	Corporate/Partnership/Name (t	ype <b>or</b> print):	Corporate/Partnership Name (type or print):
City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Name of Corporate Officer/Partner (type or print):       Name of Corporate Officer/Partner (type or print):         Title (type or print):       Title (type or print):         Signature :       Date:	Cowner CTenant/Lesse	96	Cowner CTenant/Lessee
Phone No:     Fax No:       Name of Corporate Officer/Partner (type or print):     Name of Corporate Officer/Partner (type or print):       Title (type or print):     Title (type or print):       Signature :     Date:	Street Address:		Street Address:
Name of Corporate Officer/Partner (type or print):     Name of Corporate Officer/Partner (type or print):       Title (type or print):     Title (type or print):       Signature :     Date:	City/State/Zip:		City/State/Zip:
Title (type or print):     Title (type or print):       Signature :     Date:   Date:	Phone No:	Fax No:	Phone No: Fax No:
Signature Date: Date: Date:	Name of Corporate Officer/Partner	(type or print):	Name of Corporate Officer/Partner (type or print):
	Title (type or print):		Title (type or print):
Corporate/Partnership Name (type or print): Corporate/Partnership Name (type or print):	Signature	Date:	Signature : Date:
	Corporate/Partnership Name (t	/pe or print):	Corporate/Partnership Name (type or print):
Cowner CTenant/Lessee Cowner CTenant/Lessee	Cowner CTenant/Less	90	Owner Tenant/Lessee
Street Address: Street Address:	Street Address:		Street Address:
City/State/Zip: City/State/Zip:	City/State/Zip:		City/State/Zip:
Phone No: Fax No: Phone No: Fax No:	Phone No:	Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner	(type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print): Title (type or print):	Title (type or print):		Title (type or print):
Signature Date: Date: Date:	Signature	Date:	Signature Date:



Executive Team | Sprint Newsroom



#### Brandon "Dow" Draper

#### President, Sprint Wholesale & Prepaid Services

» Read More



Brandon "Dow" Draper is President – Prepaid and Wholesale Services for Sprint, responsible for acquisition, retention, sales and marketing for the company's prepaid products and services as well as the relationships with Sprint's wholesale and MVNO customers.

» Read More

#### **Bob Johnson**

#### Chief Experience Officer



Bob Johnson is Chief Experience Officer for Sprint. He is responsible for Customer Experience, Customer Care, Information Technology, Shared Services and Strategic Initiatives.

» Read More

## ATTACHMENT 9

Page 2 of 5

Connecting Customers to the Best Available Network 29 Apr 2015

Kansas City Royals Fans Pledge to Stop Driving Distracted 29 Apr 2015

#### » More Blog Posts

#### FEATURED NEWS STORIES

Sprint News - Week in Review: May 18 - 24 25 May 2015

Sprint Names Kevin Crull Chief Marketing Officer 20 May 2015

Get LG G Stylo from Boost Mobile Now, Sprint Prepaid June 7 and Sprint June 12 13 May 2015

Sprint Expands Free Data Roaming to Colombia, Denmark, Honduras, Ireland, Italy, Paraguay and Sweden 15 May 2015

No One Beats Sprint for Call and Text Performance in Sarasota, Florida 15 May 2015

#### IMPORTANT LINKS

Commitment to Privacy

**Consumer Resources** 

**Public Policy** 

Public Resources

#### **Jaime Jones**

#### President, Postpaid and General Business

Jaime Jones is president of the Postpaid and General Business organization for Sprint. In this role, he oversees consumer and general business sales strategy and distribution, sales and operations of more than 3,000 company-owned and indirect partner-owned stores, national retail, Telesales and Web sales channels.

Page 4 of 7

» Read More



#### **Doug Michelman**

# Senior Vice President, Corporate Communications and Corporate Social Responsibility



Doug Michelman is senior vice president of corporate communications for Sprint. In this role, he oversees all corporate communications and corporate social responsibility initiatives, including executive and internal communications, external relations, reputation-building efforts, issues management, marketing public relations, social media communications, industry analyst relations, corporate inclusion and diversity programs, and community relations and outreach.

» Read More

#### Junichi Miyakawa

#### **Technical Chief Operating Officer**



Junichi Miyakawa, Technical Chief Operating Officer at Sprint, is responsible for overseeing the company's network and technology organizations, including related strategy, network operations and performance, as well as partnerships with network equipment vendors

» Read More

#### Sandra J. Price

#### Senior Vice President, Human Resources

Sandy Price was named senior vice president of human resources for Sprint in May 2006, and is responsible for all



human resource initiatives, including compensation and benefits, staffing and employee relations, learning and development, talent management, and flight operations. Previously, Sandy served as senior vice president designee for the human resources, communications and brand management functions of the Sprint Local Telephone Division (LTD) as the organization prepared for its divestiture from Sprint in 2005 and subsequently became EMBARQ (now CenturyLink).

» Read More

#### John Saw

#### Chief Network Officer, Sprint



John Saw Ph.D. is Chief Network Officer at Sprint, responsible for network engineering, deployment and operations. Prior to this he was Senior Vice President, Technology Architecture.

#### » Read More

#### **Michael Schwartz**

#### Senior Vice President, Corporate Strategy and Development



Mr. Schwartz is responsible for overseeing Sprint's strategic growth initiatives including acquisitions and alliances.

» Read More

#### **Roger Solé**

# Senior Vice President for the Hispanic Market; Senior Vice President of Innovation

Roger Solé serves as Senior Vice President for the Hispanic Market and Senior Vice President of Innovation. He also will assume the role as President of Sprint Puerto Rico.

» Read More



SHOW MORE NEWS & RELEASES

Sprint.com / Newsroom / Executive Team

About Us Responsibility Newsroom Investor Relations Analysts Careers

Legal Privacy Contact Us @2015 Sprint.com. All rights reserved.





Page 1 of 5

# ATTACHMENT 10 **SD34XC714 NEW LIFE CHURCH** 766 N. 28TH STREET, SAN DIEGO, CA 92102





ADL Simulations, Inc. + (415) 559-2121 + adisimulations@gmail.com

ATTACHMENT 10

New Life Church 766 N 28<sup>th</sup> St. San Diego, CA 92102







# New Life Church 766 N 28<sup>th</sup> St. San Diego, CA 92102







ADL Simulations, Inc. + (415) 559-2121 + adlsimulations@gmail.com

New Life Church 766 N 28<sup>th</sup> St. San Diego, CA 92102







ADL Simulations, Inc. + (415) 559-2121 + adlsimulations@gmail.com

New Life Church 766 N 28<sup>th</sup> St. San Diego, CA 92102





Centred Woman Owned Business

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com



Looking towards subject property

Looking away from subject property

SD34XC714 NEW LIFE CHURCH



4. Certified Woman-Owned Business

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com



SD34XC714 NEW LIFE CHURCH



Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com



SD34XC714 NEW LIFE CHURCH



A Cempled Wrenan Owned Busideas

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com



SD34XC714 NEW LIFE CHURCH


A Certified Woman-Owned Busines

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com



SD34XC714 NEW LIFE CHURCH



"A Certified Woman-Owned Business

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com

## SD34XC714 SITE JUSTIFICATION REPORT

CUP Process 4 Background

The modification for Sprint "New Life Church" site is necessary for the Sprint wireless network to provide the coverage mandated by the federal government as a condition of its operating license. There is a significant gap in coverage in many neighborhoods around the project area as demonstrated by the attached RF Coverage Maps. The Sprint site development team evaluated the search ring area and identified an existing church, as the most viable location in terms of zone-ability and aesthetics that would also achieve desired coverage and capacity needs.

## Analysis

I. Site Selection

The Sprint site development team recognized from the outset that the coverage objective was essentially residential. Per the zoning map submitted with this report, the site is within the Golden Hill Planned Distrct – GH-1500 zone, and the surrounding land uses consist of single-family residential properties. Due to the volume of traffic, distance, and capacity needed in the surrounding area, nearby Sprint sites cannot provide enough coverage to the Golden Hill community. The east-facing sector of the proposed modification of New Life Church facility will provide coverage to the Golden Heights neighborhood of Golden hill. The west-facing sectors grants coverage to the East Village and the south-facing sectors bridges the gap south of 94 Highway. In 2002, a telecommunication facility system through the City of San Diego was filed for a new telecommunications site and on January 27, 2003 Sprint was granted for a Neighborhood Use Approval for 12 panel antennas and ground level equipment space.

The subject site, New Life Church, has a top antenna height of 46'-8" which is enclosed within existing FRP screening. The surrounding residential communities of the site are at generally lower elevations and would therefore receive the coverage from the subject site. This church is located on rolling hills with a growing population and would certainly benefit from the coverage and capacity needs the proposed project would provide.

SD34XC714 NEW LIFE CHURCH



"A Certified Woman-Owned Business

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com

## II. Site Justification

The site is needed to address significant coverage and capacity gaps in the community surrounding the project area, in particular in the north-, southeast-, and southwest-facing directions. The RF Coverage Maps attached to this justification report depict the existing coverage gaps and show the significant coverage gain that would be achieved with the proposed project. However, it is important to note that coverage is only half of the objective; Sprint also strives to boost the capacity of every cell site to satisfy the customers around it. What we are seeing increasingly is that more customers are relying almost entirely on their mobile devices to provide all phone needs, as well as Internet, email, apps, etc. All of this individual phone use makes it vital that each and every wireless communication facility in Sprint networks be built and upgraded to meet this customer usage. Even if a site provides sufficient coverage, the more people are utilizing their devices, the more the network slows down. We are trying to keep the 4G technology moving smoothly and quickly.

The project follows the preference objectives of Council Policy 600-43 by having identified a site within the project area that allows the gap in coverage to be addressed, locating on a site having a defensible zoning preference level, and utilizing the least visually obtrusive design.

Other sites in the area were assessed and deemed unfeasible due to the largely residential nature of this area and the topographic limitations of coverage. There is also a gradual incline westward of all other Sprint sties in the area. For these reasons the Stonebridge Water Tower site was the most viable option for coverage objectives and zoning.

SD34XC714 NEW LIFE CHURCH



"A Certified Woman-Owned Business

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com

Justification Map

# III. Site Design

As noted above, the project follows the preference objectives of Council Policy by having utilized a location, which allows the coverage needs to be satisfied with an appropriate location and design. The proposed project includes the installation of (12) Sprint antennas inside an existing FRP enclosure. A proposed growth cabinet and a new top hat on top of the existing BTS cabinet will be proposed in the existing ground-level equipment. Fortunately, the greater existing elevation AMSL allows RF signals to reach further distances than if they were at a lower elevation, which increases coverage of the area without significantly fewer changes to the water tower site. The site development team considered various design iterations, but finally settled on a proposed design. The combined factors of height and incorporation of antennas within architectural features will allow Sprint to provide focused coverage to the area

### SD34XC714 NEW LIFE CHURCH



"A Certified Woman-Owned Business'

Joanne Aguzar, Land Use Planner 6886 Mimosa Drive Carlsbad, CA 92011 • PH. (858) 442-7235 EMAIL: joanne.aguzar@mmtelecominc.com

surrounding the proposed site without deterring from or interfering with the peacefulness of the surrounding neighborhood.

Furthermore, the  $10'-0'' \times 17'-9''$  equipment shelter does not exceed the 250-sq-ft limit set forth in LDC Section 141.0420(g)(3). The project follows the preference objectives of Council Policy 600-43 by having identified a site within the project area that allows the gap in coverage to be addressed, locating on a site having a defensible zoning preference level given the surrounding zoning in the area, and utilizing the least visually obtrusive design.

## Conclusion

The proposed Sprint wireless installation provides a material benefit to the community with the providing of communications services for personal, business, and emergency purposes. There is currently a sea-change under way relative to communications, with communications of all kinds utilizing the wireless networks. Approximately 25% of homes in the U.S. are now "wireless only," having no landlines. The rate of wireless-only homes is increasing at about 5% a year. Over 50% of all 911 calls are now done so via cellular phone. Thus, providing reliable wireless services to all of our communities is vital for the public health, safety, and welfare, a basic finding for a use permit.

SD34XC714 NEW LIFE CHURCH



Page 5 of 6



**ATTACHMENT 13** 



THE CITY OF SAN DIEGO

DATE OF NOTICE: July 8, 2015

# NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	July 22, 2015
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	Council Chambers, 12th Floor, City Administration Building,
	202 C Street, San Diego, California 92101
PROJECT TYPE:	<b>CONDITIONAL USE PERMIT, PROCESS THREE</b>
PROJECT NO:	395980
<b>PROJECT NAME:</b>	SPRINT – NEW LIFE CHURCH
APPLICANT:	JOANNE AGUZAR, M&M TELECOM, INC., AGENTS
	REPRESENTING SPRINT
<b>COMMUNITY PLAN AREA:</b>	Greater Golden Hill
<b>COUNCIL DISTRICT:</b>	District 3
<b>CITY PROJECT MANAGER:</b>	Alex Hempton, Development Project Manager
<b>PHONE NUMBER/E-MAIL:</b>	(619) 446-5349 / ahempton@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Wireless Communication Facility (WCF) consisting of panel antennas, located inside an existing tower element, with equipment associated with the antennas located in an enclosure behind the church. The project is located at 766 N. 28<sup>th</sup> Street, north of CA State Route 94 and west of 28<sup>th</sup> Street.

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

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

This project was determined to be categorically exempt from the California Environmental Quality Act on 5/21/2015 and the opportunity to appeal that determination ended 6/5/2015.

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

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

Internal Order Number: 24005291

Revised 11-17-14 wjz



# SD34XC714 **NEW LIFE CHURCH 766 N 28TH STREET** SAN DIEGO, CA 92102



### CONSULTANT TEAM

ARCHITECT: BOOTH & SUAREZ ARCHITECTURE INC. 325 CARLSBAD VILLAGE DRIVE, SUITE D2 CARLSBAD, CA 92008 (760) 434-8474 (760) 434-8596 (FAX)

LEASING/PLANNING: M&M TELECOM INC. LEASING: HANS NANSEN 6886 MIMOSA DRIVE CARLSBAD, CA 92011

PLANNING: JOANNE AGUZAR 6886 MIMOSA DRIVE CARLSBAD, CA 92011 joanne.oguzar@mmtelecominc.com

## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, AND IS DESCRIBED AS FOLLOWS: PARCEL A: LOT 1 OF CHURCH VIEW SUBDIVISION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 5304, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 29, 1963 PARCEL B: LOT 28 AND 29 OF TREAT ADDITION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1454, FILED IN THE OFFICE OF RECORDER OF SAN DIEGO COUNTY, JUNE 24, 1912

## SCALE

THE DRAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE DRAWINGS ARE PRINTED IN A 24"  $\times$  36" format. If this drawing set is not 24"  $\times$  36", this set is not to scale.

PRO	JECT SU	IMMARY	
APPLICANT:	SPRINT 9191 TOWN CEI San Diego, Cai Contact: Maeg (619) 985-663	AN MURPHY	T-1 A-1 A-2 A-3
OWNER:	SOUTHERN CA E Assemblies of 17951 Cowan Irvine, ca 926		A-4 A-5 A-6 D-1
PROJECT DESCR INSTALL (12) NEW INSTALL (24) NEW INSTALL (1) NEW I INSTALL (1) NEW I LANDSCAPE DEVELO	6'-0" PANEL ANT RRHS GROWTH CABINET TOP HAT ON TOP O	ENNAS DF EXISTING BTS CABINET	L-1 L-2
ASSESSORS PAR	CEL NUMBER:	534-430-38-00	
EXISTING ZONIN	G:	GOLDEN HILL PLANNED DISTRICT GH~1500	
JURISDICTION:		CITY OF SAN DIEGO	
TYPE OF CONST (EXISTING):	RUCTION	V—N	
OCCUPANCY OF BUILDING:	EXISTING	A-3	
OCCUPANCY OF SPRINT EQUIPMI	EXISTING ENT ROOM:	S-2	ALL WORK
LEASE AREA:		± 246 SQ. FT.	CALIFORNI CALIFORNI CALIFORNI CALIFORNI CALIFORNI CALIFORNI
			IN THE EV Shall pri
			ACC

## NOTE: THERE ARE NO OTHER EXISTING TELECOMMUNICATIONS FACILITIES ON SITE

## SHEET SCHEDULE

T-1	TITLE SHEET & PROJECT DA
A-1	SITE PLAN
A-2	ENLARGED AREA PLAN
A-3	EQUIPMENT FLOOR PLAN
A-4	ENLARGED ANTENNA PLANS
A5	EXTERIOR ELEVATIONS
A-6	EXTERIOR ELEVATIONS
D-1	DETAILS
L-1	LANDSCAPE DEVELOPMENT F
L2	IRRIGATION PLAN

# APPLICABLE CODES

NIA STATE BUILDING CODE, TITLE 24, 2013 EDITION NIA PLUMBING CODE, 2013 EDITION NIA MECHANICAL CODE, 2013 EDITION NIA ELECTRICAL CODE, 2013 EDITION A FIRE CODE, 2013 EDITION NIA ENERGY CODE, 2013 EDITION

EVENT OF CONFLICT. THE MOST RESTRICTIVE CODE REVAIL

# ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNOCCUPIED WIRELESS PCS TELECOMMUNICATIONS FACILITY AND, ACCORDING TO WRITTEN INTERPRETATION FROM THE CALIFORNIA DEPARTMENT OF THE STATE ARCHITECT, IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

ATA

PLAN

RK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES









ATTACHMENT 14
ARCHITECTURE SUBAREZ ARCHITECTURE SUBAREZ SUITE DE CARLSBAD VILLAGE DA:VE. SUITE DE CARLSBAD VILLAGE DA:VE. SUITE DE CARLSBAD, CA 92008 (740) A34-8474
PREPARED FOR Sprint 9191 TOWN CENTER DRIVE, SUITE 150 SAN DIEGO, CA 92122
APPROVALS
APPROVALS
RE DATE
RF DATE
INT DATE
EE/IN DATE
OPS DATE
EE/OUT DATE
PROJECT NUMBER
SD34XC714
PROJECT NAME
NEW LIFE CHURCH
766 N 28TH ST SAN DIEGO, CA 92102 CITY OF SAN DIEGO
DRAWING DATES DB/18/14 90% ZD (nt) OB/22/14 100% ZD (se) OB/26/14 100% ZD REVISION 1 (se) 03/07/15 100% ZD REVISION 2 (jt) 03/20/15 100% ZD REVISION 3 (jt)
SHEET TITLE
ENLARGED AREA PLAN
PROJECTS\Sprini\14213
II <del></del>
A-2



ATTACHMENT 14			
BOOTH 8.			
ARCHITECTURE II INCORPORATED 395 CARLSDAD VILLAGE DRIVE. SVITE D2			
CARLSEAD. CA 92008 (760) 434-8474			
PREPARED FOR			
Sprint 🎾			
9191 TOWN CENTER DRIVE, SUITE 150 SAN DIEGO, CA 92122			
APPROVALS			
A&C DATE			
RE DATE			
RF DATE			
EE/IN DATE			
OPS DATE			
EE/OUT DATE			
PROJECT NUMBER			
SD34XC714			
PROJECT NAME			
NEW LIFE CHURCH			
766 N 28TH ST SAN DIEGO, CA 92102 CITY OF SAN DIEGO			
DRAWING DATES 08/18/14 90% ZD (nt) 08/22/14 100% ZD (se) 08/26/14 100% ZD REVISION 1 (se) 03/07/15 100% ZD REVISION 2 (ft) 03/20/15 100% ZD REVISION 3 (ft)			
SHEET TITLE			
EQUIPMENT FLOOR PLAN			
PROJECTS\Sprint\14213			
A-3			



EXISTING ANTENNA PLAN

"C" SECTOR AZIMUTH 200"

PROPOSED	ANTENNA	PLAN	N
----------	---------	------	---

			AN'	ENNA A	ND CO	AXIAL CABLE	SCHEDULE						
Sector Antenna	DIRECTION	AZIMUTH	ANTENNA MODEL NUMBER	DOWNTILT	SKEW ANGLE		SIZE	NUMBER OF CABLES PER SECTOR	COAX. CABLE LENGTH (+ / - 5')	LENGTH	CABLE SIZ		
A1 .		0.	(N) DHHTT65B3XR			72.0"H x	12.0"W x 7.1"D						
A2	NORTH	σ	(N) DHHTT658-3XR	0"	O" N/A	72,0"H x	12.0"W x 7.1"D	T.B.D.	187'-0"	10'-0"	1-1/4 HYBRIFLEX		
A3		0.	(N) DHHT7658-3XR			72,0°H x	12.0"W x 7.1"D						
B1		80'	(N) DHHTT658-3XR	O,	O'		72.0°H x	12.0"W x 7.1"D			1		
B2	EAST	80'	(N) DHKTT65B-3XR			Ċ,	N/A	72.0"H x	12.0 W x 7,1 D	T.B.D,	185"0"	10'-0"	1-1/4" HYBRIFLE
63		80"	(N) DHHTT65B-3XR			72.0°H x	12.0"W × 7.1"D				HIGKIFLE		
C1		200	(N) DHHTT65B-3XR	0°		72.0 H ×	12.0"W x 7.1"D						
C2	WEST	200	(N) DHHTT65B-3XR		0.	0.	0,	N/A	72.0"H x	12.0 W × 7.1 D	T.B.D.	180'-0"	10'-0"
C3		200'	(N) DHHTT658-3XR			72.0"H ×	12.0"\ x 7.1"D				TIGRIFLEA		
D1	270' (N) DHHTT658-3XR	(N) DHHIT658-3XR			72.0"H x	12.0"W x 7.1"D							
D2	SOUTH	270'	(N) DHHTT65B-3XR	o	N/A	72.0"H x	12.0"W × 7.1"D	T.B.D.	B.D. 185'-0"		1-1/4" HYBRIFLE		
D3		270'	(N) DMHTT65B-3XR			72.0"H x	12.0 W x 7.1 D				H I DRIFLC		





"A" SECTOR AZIMUTH 0"







	ARCHITECTUR 325 CARLSDAD U CARLSDAD, CA 920	ILLAGE DRIVE, SUI
	PR	EPARED FOR
	Spr	int 🎾
ING CHURCH		ENTER DRIVE, SUITE Diego, ca 92122
		APPROVALS
EXISTING EQUIPMENT AREA	A&C	DATE
	RE	DATE
	RF	DATE
	INT	DATE
	EE/IN	DATE
	OPS	DATE
	EE/OUT	
		JECT NUMBER
		34XC714
		OJECT NAME
	SAN D	IEGO, CA 92102
	DR/ 08/18/14 08/22/14 08/25/14 03/26/14 03/07/15	AWING DATES 90% ZD (nt) 100% ZD (se) 100% ZD REVISION 1 100% ZD REVISION 2

<u> </u>		
ARCHITECTURE II INC 39.5 CANISOAD VILLAGE DRIVE.	ORPORATED	
	60) 434-8474	
II		
PREPARED FOR	ł	
\ 	W.	
Sprint	V	
9191 TOWN CENTER DRIVE,	. SUITE 150	
SAN DIEGO, CA 92	122	
APPROVALS		
APPROVALS		
A&C	DATE	
RÉ	DATE	
RF	DATE	
INT	DATE	
EE/IN	DATE	
OPS	DATE	
PROJECT NUMBE		
PROJECT NAME		
NEW LIFE CH		
766 N 28TH S		
SAN DIEGO, CA 92 CITY OF SAN DIE		
DRAWING DATE:		
08/18/14 90% ZD (nt 08/22/14 100% ZD (s 08/26/14 100% ZD RI	LVISION 1 (se)	
03/07/15 100% ZD RI 03/20/15 100% ZD RI	evision 2 (jf) Evision 3 (jf)	
SHEET TITLE		
EXTERIOR		
ELEVATION	S	
PROJECTS\Sprint\142	213	
A-5		





ATTACHMENT 14
ARCHITECTURE II INCORPORATED 2025 CARLSEAD VILLAGE DAIVE. SUITE DO
CARLSBAD. CA 92008 (760) 434-8474
PREPARED FOR
Sprint
9191 TOWN CENTER DRIVE, SUITE 150 SAN DIEGO, CA 92122
APPROVALS
A&C DATE
RE DATE
RF DATE
INT DATE
EE/IN DATE
OPS DATE
SD34XC714 PROJECT NAME
NEW LIFE CHURCH
766 N 28TH ST SAN DIEGO, CA 92102 CITY OF SAN DIEGO
DRAWING DATES 08/18/14 90% ZD (nt) 08/22/14 100% ZD (se) 08/26/14 100% ZD REVISION 1 (se) 03/07/15 100% ZD REVISION 2 (jt) 03/20/15 100% ZD REVISION 3 (jt)
IN
EXTERIOR ELEVATIONS
PROJECTS\\$pr/mf\14213
A-6

TOP OF EXISTING TOWER

TOP OF SPRINT ANTENNAS

RAD CENTER OF SPRINT ANTENNAS 36'-1" A.G.L. TOP OF CHURCH

GRADE





