

THE CITY OF SAN DIEGO REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	April 19, 2012	REPORT NO. PC-12-040
ATTENTION:	Planning Commission, Agenda of April	26, 2012
SUBJECT:	SPRINT – INGRAHAM PROJECT NO. 244423, PROCESS FOUI	R
OWNER:	CONRAD PREBYS TRUST	

APPLICANT: SPRINT NEXTEL

SUMMARY

Issue(s): Should the Planning Commission approve a modification to an existing Wireless Communication Facility (WCF) located at 3866 Ingraham Street within the Pacific Beach Community Planning Area?

Staff Recommendation: APPROVE Conditional Use Permit No. 878157.

<u>Community Planning Group Recommendation</u>: On January 25, 2012 the Pacific Beach Planning Group voted 15-0-0 to recommend approval of this project (Attachment 11).

Environmental Review: The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State 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 March 14, 2012, and the opportunity to appeal that determination ended March 29, 2012.

Fiscal Impact Statement: None with this action. All cost associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND - Sprint Nextel submitted an application to modify their existing Wireless Communication Facility (WCF) at 3866 Ingraham Street on top of an existing apartment complex. The project was originally approved on December 23, 1999 under Permit No.



99-0271-09 for a total of nine antennas and associated rooftop equipment. A ten year expiration date was added as a condition of approval. On July 18, 2011, Sprint Nextel submitted a new application to modify this existing WCF. The project under the current regulations requires a Conditional Use Permit (CUP) Process Four, Planning Commission decision. The property is zoned RM-3-7 and is designated for multi-family residential use in the Pacific Beach Community Plan. The site is surrounded with multi-family residential uses.

DISCUSSION

Project Description - Sprint Nextel is currently located on the roof of the building with façade mounted antennas on the north, south and west elevations. The proposed antenna configuration would allow Sprint to completely conceal their antennas on the north and south elevations behind the existing Fiberglass Reinforced Panel (FRP) screens from the Ingraham Street right-of-way. The antennas facing the west elevation will continue to operate behind the existing mechanical screen wall without any changes. The equipment associated with this project is proposed to be relocated inside the three-sided rooftop cupola as illustrated in the photosimulation (Attachment 9).

<u>Wireless Communication Facility (WCF) Regulation</u> – The WCF is located on a residential use and a CUP is required per Municipal Code Section 141.0420(f)(2).

<u>Community Plan Analysis</u> - The project location has been designated for multi-family residential use in the Pacific Beach Community Plan (Attachment 2). The Pacific Beach Community Plan does not contain specific policies on wireless communication facility development.

<u>Council Policy 600-43</u> - The guidelines establish hierarchy from the most preferred location (Preference 1) to the least preferred location (Preference 4) for WCFs. The project is proposed in a Preference 4 location according to Council Policy 600-43, which categorizes WCF's according to land use in which they are located. The project is located on a residential use and requires a CUP, Process 4 level decision. The applicant is required to submit a site justification explaining why a Preference 4 level site was selected over any lower Preference Level sites. For this project, Sprint Nextel has elected to remain at its current location and improve the existing appearance. Also, according to the coverage map, the existing location served a crucial role in the network's performance along Ingraham Street and to the surrounding residential use. Both the height and design of the apartment complex provided the necessary features to maintain the coverage performance while camouflaging the antennas from public view.

<u>General Plan</u> - The General Plan, Section UD-A.15, states that WCFs should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The design of the facility is to be aesthetically pleasing and respectful of the neighborhood context. The proposed modification would result in the relocation of two sectors of antennas. These antennas are to be lowered and concealed behind the existing Fiberglass Reinforced Panel (FRP) screen. Additionally, the equipment is proposed to be relocated inside a three-sided rooftop cupola. Consistent with the WCF Guidelines and the General Plan, these proposed modifications would eliminate any visibility of the WCF from the right-of-way. Therefore, staff has determined that the proposed WCF has been designed to be

integrated and respectful to the neighborhood context.

<u>Conclusion</u> - The project has been determined by staff to be consistent with the purpose and intent of the applicable development regulations of the San Diego Municipal Code, which includes the development regulations of the RM-3-7 zone and the Wireless Communication Facilities Regulations Section 141.0420. The proposed modification would result in a stealth WCF design and can be supported by staff. Therefore, staff recommends that the Planning Commission approved Conditional Use Permit No. 878157.

ALTERNATIVE

- 1. Approve Conditional Use Permit No. 878157, with modifications.
- 2. Deny Conditional Use Permit No. 878157, if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

mar 1 Simon Tse Associate Planner Development Services Department

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. Environmental Exemption
- 8. Project Site Plans
- 9. Photosimulations
- 10. Photosurvey
- 11. Community Planning Group Recommendation
- 12. Ownership Disclosure Statement
- 13. Public Notice of Planning Commission
- 14. Project Chronology
- 15. Permit No. 99-0271-09





Aerial Photo

<u>Sprint Ingraham - Project No. 244423</u> 3866 Ingraham Street, San Diego, CA 92109







Community Land Use Map (Pacific Beach)

<u>Sprint Ingraham - Project No. 244423</u> 3866 Ingraham Street, San Diego, CA 92109







Project Location Map

<u>Sprint Ingraham - Project No. 244423</u> 3866 Ingraham Street, San Diego, CA 92109



			ATTACHMENT 4	
	P	ROJECT DATA SH	IEET	
PROJECT NAME:		Sprint Ingraham		
PROJECT DESCRIPTION:		Wireless Communication Facility (WCF) consisting of nine (9) antennas concealed behind Fiberglass Reinforce Panel (FRP) on the rooftop of an existing apartment complex. The equipment associated with this project is located inside a three-sided cupola on the roof of the building.		
COMMUNITY PLAN AR	EA:	Pacific Beach		
DISCRETIONARY ACTIONS:		Conditi	ional Use Permit	
COMMUNITY PLAN LA USE DESIGNATION:	ND	Residential		
	<u>(</u>]	RM-3-7) ZONING INFORMA	ATION:	
HEIGHT LIN FRONT SETI SIDE SETBA REAR SETB	BACK CK:	30-feet 20-feet 5-feet 10-feet		
ADJACENT PROPERTIES:	LA	ND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:		Residential/RM-1-1	Residential	
SOUTH:		Residential/RM-1-1	Residential	
EAST:	Residential/RM-3-7 Residential		Residential	
WEST:		Residential/RM-1-1	Residential	
DEVIATIONS OR VARIANCES REQUESTED:	None	2.	•	
COMMUNITY PLANNING GROUP RECOMMENDATION:		anuary 25, 2012 the Pacific Bea nmend approval of this project	ich Planning Group voted 15-0-0 to (Attachment 11).	

PLANNING COMMISSION RESOLUTION NO. CONDITIONAL USE PERMIT NO. 878157 SPRINT - INGRAHAM PROJECT NO. 244423

WHEREAS, CONRAD PREBYS TRUST, Owner, and SPRINT NEXTEL, Permittee, filed an application with the City of San Diego for a permit to modify an existing Wireless Communication Facility (WCF) with nine (9) antennas façade mounted on the rooftop of an existing apartment building. The equipment associated with this project is located inside a three-sided rooftop cupola (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit No. 878157;

WHEREAS, the project site is located at 3866 Ingraham Street, San Diego, CA 92109 in the RM-3-7 zone within the Pacific Beach Community Plan;

WHEREAS, the project site is legally described as Lot 2 of Crown Point Country Club Condominiums, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 10664, filed in the office of the county recorder of San Diego County, June 22, 1983,

WHEREAS, on April 26, 2012, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 878157 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on March 14, 2012, 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;

NOW, THEREFORE,

BE IT RESOLVED by the PLANNING COMMISSION of the City of San Diego as follows:

That the PLANNING COMMISSION adopts the following written Findings, dated April 26, 2012.

FINDINGS:

Findings for Conditional Use Permit Approval – Section §126.0305

(a) The proposed *development* will not adversely affect the applicable *land use plan;*

The Pacific Beach Community Plan does not address WCFs as a specific land use. Pursuant to the San Diego Land Development Code, WCFs are permitted in all zones citywide with the appropriate permit process. WCF's 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 views. The proposal to relocate and lower the existing antennas on the north and south elevations behind Fiberglass Reinforced Panel (FRP) screens results in a completely concealed design. The third sector of antennas on the west elevation will continue to operate behind the existing mechanical

screen wall, not visible to the public. The associated equipment will also be relocated inside the existing three-sided rooftop cupola and will not be visible from the Ingraham Street right-of-way. The General Plan, Section UD-A.15, states that WCFs should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The design of facilities is to be aesthetically pleasing and respectful of the neighborhood context. Sprint's modification would comply with the General Plan's recommendation since the antennas and the equipment are completely concealed from the public view. As a whole, this project complies with the General Plan's requirements and will not adversely affect the applicable land use plan.

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

The 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." On March 16, 2012, Sprint Nextel submitted an RF report to the City of San Diego demonstrating compliance with the FCC standards for wireless facilities. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area.

(c) The proposed *development* will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and

The WCF has been designed to have minimal visual impacts to the surrounding uses and complies with Municipal Code Section 141.0420 and the RM-3-7 zone. The proposed modification to relocate and lower two sectors of antennas on the north and south elevations behind the FRP screen would result in a stealth antenna design. The third sector of antennas is currently located behind an existing mechanical screen wall, facing the west elevation, not visible to the public. The associated equipment is proposed to be relocated inside a three-sided cupola on the rooftop of the existing building and will not be visible from any public views. The antennas associated with this project comply with the City Guidelines and Standards. As designed, the proposed modifications to the WCF will comply with the regulations of the Land Development Code.

(d) The proposed use is appropriate at the proposed location.

The antennas are located on an apartment complex behind FRP screens and surrounded by other residential uses. According to Sprint's site justification, this location is crucial in providing data and voice communications along Ingraham Street and to the residential uses to the west. Due to the Coastal Height Limit Overlay Zone, Sprint is limited to a 30-foot height restriction for a new stand along structure. In this situation, this previously conforming structure provides the necessary height and design features to conceal Sprint's WCFs while effectively maintaining the wireless coverage to the surrounding community uses. Therefore, the proposed WCF is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 878157 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 878157, a copy of which is attached hereto and made a part hereof. Simon Tse Associate Planner Development Services

Adopted on: April 26, 2012

Internal Order No. 24001973

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001973

CONDITIONAL USE PERMIT NO. 878157 SPRINT – INGRAHAM PROJECT NO. 244423 PLANNING COMMISSION

This Conditional Use Permit No. 878157 is granted by the Planning Commission of the City of San Diego to **Conrad Prebys Trust**, Owner, and **Sprint Nextel**, Permittee, pursuant to San Diego Municipal Code [SDMC] section Chapter 12, Article 6, Division 3 and Land Development Code Section 141.0420. The project is located at 3866 Ingraham Street in the RM-3-7 zone of the Pacific Beach Community Plan. The project site is legally described as Lot 2 of Crown Point Country Club Condominiums, in the City of San Diego, County of San Diego, State of California, according to map thereof no. 10664, filed in the office of the county recorder of San Diego County, June 22, 1983.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner and Permittee for a Wireless Communication Facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 26, 2012, on file in the Development Services Department.

The project shall include:

- a. A Wireless Communication Facility (WCF) consisting of nine (9) antennas concealed behind Fiberglass Reinforced Panel (FRP) screens, painted and textured to match the existing building. The equipment associated with this project is located inside a three-sided rooftop cupola, not visible to the public.
- b. 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 May 11, 2015.

2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on **April 26, 2022**. 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. The Owner/Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational requiring the removal and the restoration of this site to its original condition.

6. 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.

7. 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.

8. 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.

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

10. 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.).

11. 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.

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.

PLANNING/DESIGN REQUIREMENTS:

14. Owner/Permittee shall not cause or allow the antennas located on the WCF to be different sizes (length, width, or height) than as shown on the stamped approved plans and as listed here:

- a. Three antennas with the following dimensions: 6.2-inches (Diameter) by 48-inches.
- b. Six antennas with the following dimensions: 48-inches by 12-inches by 7-inches.

15. No overhead cabling is permitted.

16. The WCF shall conform to the stamped approved plans and approved photosimulations prior to final Telecom Planning Inspection approval.

17. Photosimulations for the WCF shall be printed (not stapled) on the construction plans. This helps ensure that the construction team building the project constructs the project in compliance with approved the Exhibit "A."

18. The Permittee must submit construction documents for building permits within six months from the date of this approval or this authorization shall be null and void.

19. The Owner/Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department. The Owner/Permittee shall be responsible for complying with all State and Federal regulations, as applicable.

20. Antennas shall not exceed the height of any existing or proposed screen walls.

21. 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/adjacent building surfaces.

22. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

23. All facilities and related equipment shall be maintained in good working order and 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. 24. The Owner/Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational requiring the removal and the restoration of this site to its original condition.

25. 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.

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

27. 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.

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.
- 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.

APPROVED by the Planning Commission of the City of San Diego on April 26, 2012 and by Resolution No.

Conditional Use Permit No. 878157 Date of Approval: April 26, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT



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.

[Conrad Prebys Trust] Owner

By

NAME TITLE

[Sprint Nextel] Permittee

By

NAME TITLE

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

NOTICE OF EXEMPTION

(Check one or both)

TO: <u>X</u> RECORDER/COUNTY CLERK P.O. BOX 1750, MS A-33 1600 PACIFIC HWY, ROOM 260 SAN DIEGO, CA 92101-2422 FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH 1400 TENTH STREET, ROOM 121 SACRAMENTO, CA 95814

PROJECT NO.: 244423

PROJECT TITLE: SPRINT INGRAHAM

PROJECT LOCATION-SPECIFIC: 3866 Ingraham Street, San Diego, CA 92109 (Lot 2 of Crown Point Country Club Condominiums, Map 10664)

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Conditional Use Permit (CUP) for modifications to an existing Wireless Communication Facility (WCF) located at 3866 Ingraham in the RM-3-7 zone. The existing WCF Permit No. 99-0271-09 expired 2/25/2010. Sprint is proposing to lower and relocate 6 antennas behind a Fiberglass Reinforced Panel (FRP) screen. The equipment will be located inside the existing rooftop structure, not visible from the Ingraham Street right-of-way. The project requires a Conditional Use Permit. The project site is within the Pacific Beach Community Planning Area.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Becky Siskowski 726 Atwood Place San Marcos, CA 92069 858-243-2900

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: 15301(b), Existing Facilities Private or Public Owned Utilities
- () STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: This project is exempt because the project is existing, minimal exterior alterations would [°] occur, no grading is proposed, and no additional parking or outside improvements are required. In addition the project meets the criteria set forth in CEQA section 15301(b), which allows for existing facilities and the exceptions listed in CEQA section 15300.2 would not apply. Therefore, no adverse impacts would occur.

LEAD AGENCY CONTACT PERSON: Lizzi

TELEPHONE: (619) 619-446-5159

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT? () YES () NO

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

unan SIGNATURE/TITLE

3/14/12

U CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:





ANTENNA SPECIFICATIONS

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Sprint Nextel SD35XC090 Ingraham Photo Sims



PACIFIC BEACH PLANNING GROUP EARL AND BIRDIE TAYLOR LIBRARY JANUARY 25, 2012 MEETING MINUTES

6:32 p.m. meeting called to order, quorum established. **Attendees**: John Shannon, Eve Anderson, Ruben Carrillo, Scott Chipman, Brian Curry, Greg Daunoras, Tricia Fox, Tanya Ho, Brenda Hollis, Jennifer Nowak, Chris Olson, Curtis Patterson, David Russell, Rosalie Schwartz, Damon Westwood, and Baylor Triplett (6:53 p.m.). **Absent**: Paul Falcone, Jim Morrison, Clif Smith and Barbara Williams.

Agenda & Minutes: Brian Curry motioned to adopt the meeting agenda for the evening, Curtis Patterson seconded, motion passed 14-0-0. Chris Olson motioned to approve the November 2011 meeting minutes, Scott Chipman seconded, motion passed 12-0-2.

Chair's Report: John Shannon reflected on the recent holiday season and that we had not met as a group since November 30, 2011. He praised the efforts of Discover PB for the Crystal Pier holiday decorations to include a wreath placed by the Pacific Beach Planning Group. At this time a member of the public asked to be heard because of his approved action item from the subcommittee level was not placed on the evening's agenda. Scott Chipman motioned to adjust the agenda to allow this action item to be placed under the residential/ commercial projects as number 7, Eve Anderson seconded, motion **passed 11-2-1**.

Government Office Reports:

Mayor Sander's Office – Not Present City Council District 2 – Not Present Long Range Planner – Not Present

Non-Agenda Public Comment: The following individuals made public comments of 2 minutes or less:

<u>Don Gross</u> discussed pedestrian safety issues on certain public sidewalks in PB <u>Sara Berns</u> provided an update from Discover PB

<u>Kristan Victor</u> provided an update to the revitalization project from PB Drive to Grand Avenue and from Mission Blvd to the Boardwalk

<u>Chris Olson</u> encouraged persons planning to continue with the PBPG and those running for election to plan on doing more that show up once a month for the 3 hour meeting. Between meetings members should study the issues so they can make informed votes, attend sub-committees or lead a new imitative for the community that they feel passionate about. Mr. Olson congratulated the traffic and parking committee for their accomplishments over the last year. He would like to see this continue but he thinks the PBPG should place even more effort to promote changes in PB to make it more pedestrian, bicycle and skate friendly. He said, "We should emphasize public transport and alternative means of transport. It should not be our primary focus to get vehicles as quickly as possible from La Jolla to the freeway, rather we should slow things down and be known as a walk-able community" <u>Dave Russell</u> briefed the board on the acceleration of bluff edge erosion in North PB due to uncontrolled pedestrian access and vandalism.

Informational Items:

Don Gross provided an update to the Rose Creek Bridge project.

Govwernment Reports:

Katherine Miles arrived a few minutes late and provided an update from City Council District 2 to include a Bond issue being proposed for deferred infrastructure maintenance.

Action Items:

PBPG annual report and objectives: Chair John Shannon distributed a draft annual report, but no vote was taken.

Residential/ Mixed Use/ Commercial Subcommittee Projects:

1. **Project # 253786**: Sprint Mt. Soledad Foothills – 1010 Turquoise St., action to approve renewal of antenna permits. After a presentation from Anne Regan, Curtis Patterson motioned to approve the permits, Brian Curry seconded, motion passed 14-0-0.

2. **Project # 244423**: Sprint PB Community Rec Center – 1405 Diamond St., action to approve to move antennas. After a presentation from Anne Regan, Brian Curry motioned to approve the project, Curtis Patterson seconded, motion **passed 14-1-0**.

3. **Project # 255096**: **Sprint PB Ingraham St.** – 3866 Ingraham St, action to approve renewal and relocation of antennas. After a presentation, Curtis Patterson motioned to approve the project, Scott Chipman seconded, motion **passed 15-0-0**.

4. **Project # 264468: Seacrest Mixed-Use** – 732 Hornblend St, action to approve project extension of time (EOT). After a brief presentation, Curtis Patterson motioned to approve the extension of time, Bruian Curry seconded, motion **passed 14-0-0**.

5. **Project # N/A: 3805 Ingraham Future Development** – Mixed use project with commercial on ground floor with Eight (8) - 2 BR, Eight (8) - 1 BR and four (4) studio apartments in the remaining area of the project structure. No vote: information only.

6. Project # N/A: Update: South Pacific Beach Oceanfront Planning Project – Development plan between PB Drive and Grand Avenue and from Mission Blvd, to the Boardwalk. Chris Olson reported that there was a special meeting held on December 5th for the purpose of a Design Charrette. It was attended by 14 people. The attendees split up into two groups and each group marked up large aerial maps of the project area. A follow-up meeting was held on Jan 13, 2012 and it was again attended by 14 people. The group was presented with an opportunity diagram based upon community input from the design Charrette and previous meetings. The aerial maps delineated public right-of-ways(ROW) and possible opportunities for these ROW. This included changes to Mission Blvd. to reduce the traffic lanes, making it more pedestrian and bicycle friendly. Enhancements included more green public open spaces and a promenade like the boardwalk. Streets leading to the beach, namely Grand, Thomas, Reed, Oliver and PB Drive have opportunities for different uses including vehicle drop off, viewing areas, children's areas, skate parks, amphitheaters, fitness areas, retail and vendor opportunities. A parking study was presented that allows us to relocate parking, providing more useful areas on the oceanfront and remain parking neutral. Kristen Victor is leading our efforts for funding, naming the project, messaging and medial. Matt Winter, one of the lead volunteer architects on the project, was in the audience and provided additional insight. The next meeting is Feb 13th at 5:30pm at Discover PB where we will seek more input and add composition photographs. We are on the agenda for the PB Town Council on February 15th and PBPG for Feb 22, 2012. No vote: information only.

- more -

7. **Project # 227970: 1845 Reed Avenue** – Mixed use residential to add a new single family residence on the rear portion or an existing lot. After a presentation from Ron Schneider, Curtis Patterson motioned to approve the project, Brian Curry seconded, motion **passed 14-0-0**. Note: Curtis Patterson recused himself from voting and left the room during the vote due to a potential economic interest in the project.

Subcommittee Reports:

<u>Election and Vacancies</u>: Damon Westwood gave an update to the upcoming PBPG annual election; he mentioned that he would hold onto the public sign-in sheets for all future PBPG meetings.

David Russell motioned to extend the meeting by 10 minutes, Curtis Patterson seconded, motion **passed 13-1-0**.

<u>Community Planning Committee</u>: Brian Curry mentioned the committee discussed the retention of documents and the issue of residential parking permits cam up.

Mission Bay Gateway: Scott Chipman reported the project is wrapping up.

Traffic and Parking/ OVO: No report

Eve Anderson motioned to extend the meeting by another 10 minutes, Tricia Fox seconded, motion **passed 13-1-0**.

Neighborhood Code Compliance: Tricia Fox provided a brief update.

Bylaws Review and Revision: Eve Anderson reported that she is working with Damon Westwood regarding the upcoming PBPG elections.

Alcohol License Review: No report

Meeting adjourned at 8:51 p.m.

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Approval Type: Check appropriate box Neighborhood Development Permit Variance Tentative Map Ves	Site Development Permit	Planned Development Permi	t 🔀 Conditional Use Permit
Project Title			Project No. For City Use Only
Sprint Nextel SD35XC090 Ingrah	iam		244422
Project Address: 3866 Ingraham Street			
art I - To be completed when pro	perty is held by Individual	(s)	
	prior to any public hearing or nearing process.	the subject property. Failure to	Changes in ownership are to be given to provide accurate and current ownership
		Name of Individual (type	or print):
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ATTACHMENT 12

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

Project Title: Sprint Nextel SD35XC090 Ingraham	Project No. (For City Use Only)
Part II - To be completed when property is held by a corpora	ation or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) What Sta	ate? Corporate Identification No
as identified above, will be filed with the City of San Diego on the the property Please list below the names, titles and addresses otherwise, and state the type of property interest (e.g., tenants w in a partnership who own the property). <u>A signature is required</u> <u>property</u> . Attach additional pages if needed. Note: The applican ownership during the time the application is being processed or Manager at least thirty days prior to any public hearing on the su information could result in a delay in the hearing process. Add	who will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the it is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project ubject property. Failure to provide accurate and current ownership ditional pages attached Yes No
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Tenant/Lessee	Owner Tenant/Lessee
Street Address: 3866 INGRAHAM ST.	Street Address:
City/State/Zip: SAN DIF.60 CD. 92109	City/State/Zip:
Phone No: Fax No: CONRDO PRIZZYS	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: Dona Frebac	Signature : Date:
Corporate/Partnership Name (type or print)	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
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Title (type or print):	Title (type or print):
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THE CITY OF SAN DIEGO

DATE OF NOTICE: April 11, 2012

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING: TIME OF HEARING: LOCATION OF HEARING:

PROJECT TYPE: PROJECT NUMBER: PROJECT NAME: APPLICANT:

COMMUNITY PLAN AREA: COUNCIL DISTRICT:

CITY PROJECT MANAGER: PHONE NUMBER/E-MAIL: April 26, 2012 9:00 A.M. Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101

CONDITONAL USE PERMIT, PROCESS 4 244423 <u>SPRINT INGRAHAM</u> Becky Siskowski

Pacific Beach 2

Simon Tse (619) 687-5984/<u>stse@sandiego.gov</u>

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application to modify an existing Wireless Communication Facility (WCF) located at 3866 Ingraham Street, in the RM-3-7 zone within the Pacific Beach Community Planning area, Council District 2. This WCF consists of nine antennas and associated equipment on the rooftop of the existing building. The project requires a Conditional Use Permit, Process 4, Planning Commission decision.

The decision of the Planning Commission is final unless the project is appealed to the City Council. In order to appeal the decision of the Planning Commission you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Planning Commission before the close of the public hearing. 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 office of the City Clerk, 202 "C" Street, Second Floor. The appeal must be made within 10 working days of the Planning Commission decision. 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.

This project was determined to be categorically exempt from the California Environmental Quality Act on March 14, 2012 and the opportunity to appeal that determination ended March 29, 2012.

If you have any questions after reviewing this information, you can contact 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</u> <u>Services at (619) 321-3208</u> at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24001973

Revised 8/4/2011

<u>Sprint - Ingraham</u> PROJECT CHRONOLOGY PTS #244423 INT #24001973

Date	Action	Description	City Review	Applicant Response
7.18.2011	First Submittal	Project Deemed Complete		
8.9.2011	First Assessment Letter		22 days	
11.2.2011	Second Submittal			24 days
12.14.2011	Second Assessment Letter		42 days	
2.9.2012	Third Submittal			57 days
3.13.2012		All project issues cleared.	32 days	
4.26.2012	Scheduled for Planning Commission		44 days	
Total Staff Time:		Including City Holidays and Furlough	140 days	
Total Applicant Time:		Including City Holidays and Furlough		81 days
Total Project Running Time:		From Deemed Complete to PC Hearing	221 days	· · · · · · · · · · · · · · · · · · ·



THE CITY OF SAN DIEGO



Date: February 25, 2000

Applicant: JM Consulting Group, Agent for: Sprint PCS 6691 Convoy Court San Diego, CA 92111 Attn: Brad Werdick

Permit No.: 99-0271-09 Telecommunication Administration Review, Ingraham

Address: 3866 Ingraham

Subject: PROPOSED MINOR TELECOMMUNICATION FACILITY

PLANNING AND DEVELOPMENT REVIEW ACTION:

It has been determined by **Planning & Development Review** that this proposal does not substantiate a major telecommunication facility and therefore will not be required to proceed with the Conditional Use Permit (Process Four). This decision is based on the City of San Diego's Telecommunication Antenna Policy, City Council Policy 600-43. This proposal has been reviewed with the California Environmental Quality Act (CEQA) and has been determined to be exempt per Section 15061 (b)(3).

Planning and Development Review grants **APPROVAL** of your application subject to the following:

• The facility shall be designed and constructed in accordance with the approved Exhibit "A", dated February 25, 2000. No modification or alteration shall be permitted to the approved Exhibit "A" unless revised plans are submitted and approved by Planning and Development Review.

• The facility will consist of a total of nine (9) panel antennas, 3- arrays. Antennas on the north and south to be mounted on the penthouse, antennas on the east behind a screen. Each antenna to measure 8-inches x 40-inches positioned to be hidden from view, flush mounted and painted to match the building.



Sprint PCS Ingraham February 25, 2000 page 2

The facility shall include a 340 square-foot equipment area screened on the rooftop of the building. The equipment storage will house up to eight (8) equipment cabinets and associated electronic equipment.

- This Conditional Use Permit and corresponding use of this site shall expire on February 25, 2010 Upon expiration of this permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to it's original condition preceding approval of this permit.
- Prior to the expiration date of this Conditional Use Permit, the Permit Holder may submit a new Conditional Use Permit application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time

All work authorized by this permit shall be in conformance with the description of work contained herein and as indicated on the plans submitted to the Building Services Division and stamped with the Planning & Development Review "CONFORMS" stamp. All modifications to this structure or site not directly approved by this permit shall require further review by Planning and Development Review. Building permits must be obtained within six months from the date of this approval or this authorization shall be null and void.

Ernie Contreras Project Manager