



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: November 25, 2021 REPORT NO. PC-21-054

HEARING DATE: December 2, 2021

SUBJECT: COX COMMUNICATION OLT CABINET - Process Four Decision

PROJECT NUMBER: [683239](#)

OWNER/APPLICANT: COX COMMUNICATIONS

SUMMARY

Issue: Should the Planning Commission approve a new above ground mounted cabinet within the City of San Diego Public Right-of-Way on the 9400 block of Kearny Mesa Road within the Mira Mesa Community Planning area?

Staff Recommendation: Approve Site Development Permit No. 2516834.

Community Planning Group Recommendation: On March 15, 2021, the Mira Mesa Community Planning Group voted 15-0-0 to approve the project approval of this project with no conditions. (Attachment 6)

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 25, 2021, and the opportunity to appeal that determination ended November 8, 2021. (Attachment 7)

Fiscal Impact Statement: None.

Code Enforcement Impact: None.

BACKGROUND

Cox Communications is performing infrastructure upgrades throughout the City of San Diego. As part of the upgrade, new pedestals and equipment cabinets are quickly being deployed as more businesses rely on communications via broadband connections. For this project, Cox Communication is focused on providing Cox Business services to the Miramar industrial area and will enable those businesses to access competitive communication services. Once deployed, the

proposed Optical Line Terminal (OLT) Cabinet will support approximately 450 businesses through this single point of connection.

Historically, the City's regulations incentivize using the smallest and least intrusive equipment when possible. The City would prefer to underground all utility equipment; however, there are certain challenges. While there are available technologies that can be undergrounded, they are limited. Additionally, while improvements have been made to such technologies, there are still durability and performance related issues when undergrounding. Our undergrounding program highlights the need for above ground utility infrastructures for these same reasons as seen here:

<https://www.sandiego.gov/undergrounding/process/construction> For projects involving utility equipment that cannot be undergrounded, a Site Development Permit is required pursuant to Land Development Code (LDC) Section 126.0502(d)(6).

The current project is proposing an above ground mounted equipment due to technology limitation. This technology must be above ground mounted to ensure reliability in performance for Cox Communication's user. No viable underground solutions are available and other smaller equipment will be unable to cover the number of users this device is intended to serve. Therefore, Cox Communication submitted an SDP application to meet its intended coverage.

DISCUSSION

Project Description:

Cox Communications is proposing to install one Optical Line Terminal (OLT) equipment cabinet in the City of San Diego Public Right-of-Way (PROW) within the 9400 block of Kearny Mesa Road in the IL-3-1 Zone of the Mira Mesa Community Planning area. The equipment is measured 69.25 inches by 32.50 inches on a new 4-inch tall concrete pad and placed within the parkway in an existing grass area alongside other existing utility equipment. The OLT cabinet is intended to provide Cox Business services to the Miramar industrial area and will enable those businesses to access competitive communications services. Once installed, approximately 450 businesses on the eastern half of the Miramar area will be served. The cabinet is a self-contained unit which houses its own environmental controls, backup battery power system, and electronic equipment to allow high speed fiber optic connections.

Community Plan Analysis:

The Mira Mesa Community Plan relies on the [City's General Plan for Urban Design](#) policies for utility system (UD-A.16) within the Public Right-of-Way (PROW). (Attachment 9)

The OLT Cabinet meets the City's General Plan Policy for Urban Design UD-A.16 (b) by placing the OLT Cabinet in the Parkway within the grass area to avoid any pedestrian access. The entire 5-foot wide sidewalk will continue to be available after the installation of the OLT Cabinet. This includes compliance with ADA access to ensure the path of travel will not be interrupted. Additionally, the industrial zone use is common for utility equipment and integration is achieved by painting the equipment to match the nearby utility infrastructures.

The proposed project is also consistent with our [City's Strategic Plan Goal #2 and #3](#). Consistent with Goal #2, the proposed OLT equipment cabinet is part of a larger Cox initiative to continue to invest in their infrastructure to support the City of San Diego. As part of the upgrade, the Miramar Community will be provided with more options for connectivity and assist with our economy's recovery from the pandemic. Additionally, the proposed project will help the City's focus on connectivity and to assist with our growing economy consistent with Goal #3.

Community Planning Group Recommendation:

Mira Mesa Community Planning Group Voted 15-0-0 on March 15, 2021 to recommend approval of this project with no conditions.

Conclusion:

The project complies with the Land Development Code (LDC) Section 126.0502(d)(6). City staff has prepared draft findings in the affirmative to approve the project and recommends approval of CUP (Attachment 4).

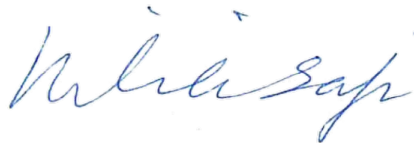
ALTERNATIVES

1. Approve Site Development Permit No. 2516834, with modifications.
2. Deny Site Development Permit No. 2516834, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



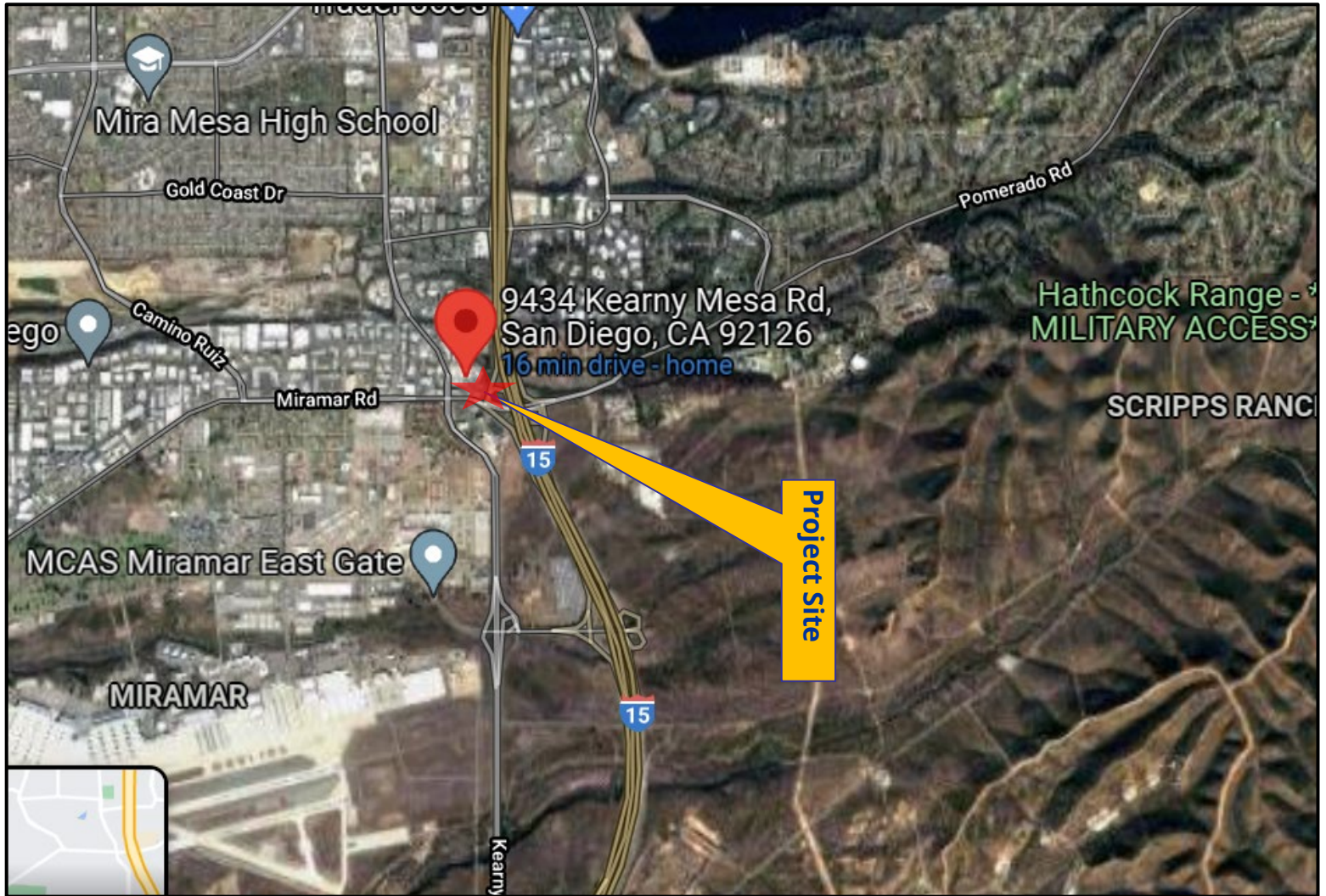
Tim Daly
Assistant Deputy Director
Development Services Department



Nilia Safi
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photographs
2. Community Plan Land Use Map
3. Project Location Map
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Environmental Exemption
8. Photo Survey, Sims and Plans
9. Copy of San Diego Municipal Code for Right-of-Way
10. Map of Right-of Way



Aerial Photograph

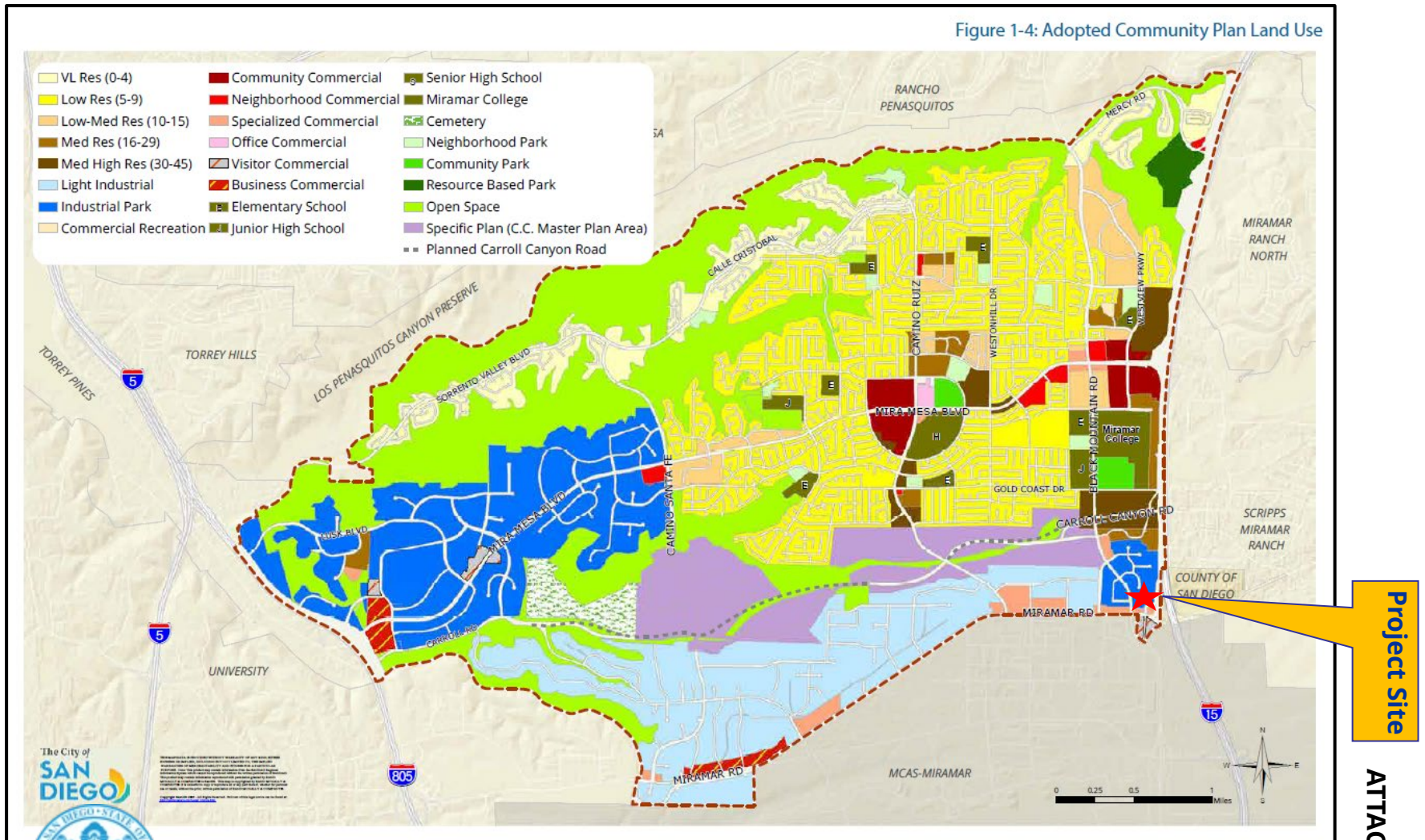
Cox Communication Project No. 683239

9434 Kearny Mesa Road



Mira Mesa Community Plan Land Use Map

Figure 1-4: Adopted Community Plan Land Use



Project Site

ATTACHMENT 2



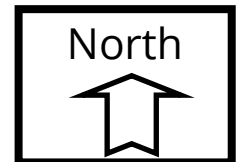
Cox Communication Project No. 683239
9434 Kearny Mesa Road





Project Location Map

Cox Communication Project 683239
9434 Kearny Mesa Road



PLANNING COMMISSION
RESOLUTION NO. XXXX
SITE DEVELOPMENT PERMIT NO. 2516834
COX COMMUNICATION OLT CABINET PROJECT NO. 683239

WHEREAS, the City of San Diego, Owner, and Cox Communications, Permittee, filed an application with the City of San Diego for a permit to install a single Optical Line Terminal (OLT) Cabinet within the Public Right-of-Way (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2516834);

WHEREAS, the project site is located at within the City of San Diego Public Right-of-Way on the 9400 block of Kearny Mesa Road in the IL-3-1 Zone of the Mira Mesa Community Plan; the project is legally described as portions of Kearny Mesa Road relinquished to the City of San Diego per Doc. No. 107846, Series 7, Book 1966 O.R., recorded Office of the San Diego County Recorder, June 30, 1966."

WHEREAS, on October 25, 2021, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on December 2, 2021, the Planning Commission of the City of San Diego considered Site Development Permit No. 2516834 pursuant to the San Diego Municipal Code section 126.0505 of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 2516834:

A. SITE DEVELOPMENT PERMIT SDMC SECTION 126.0505 (a)-(c)

1. Findings for all Site Development Permits:

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

The Cox Communication OLT Cabinet project includes a single above ground mounted equipment within the City of San Diego's Public Right-of-Way on the 9400 block of Kearny Mesa Road. The OLT cabinet measures 69.25 inches by 32.50 inches directly above a new 4-inch tall concrete pad. The cabinet will be placed within the parkway to avoid any sidewalk access and the cabinet shall be painted green to match nearby above ground utility boxes. The Mira Mesa Community Plan identifies this area for industrial development. This proposal is intended to provide reliable communication services to the surrounding industrial businesses. The cabinet size is due to it being self-contained. It houses its own environmental controls, backup battery power system, and electronic equipment to allow high speed fiber connectivity to the surrounding businesses.

The Mira Mesa Community Plan designates the site as Industrial Use and is currently zoned IL-3-1 (Light Industrial, Office, and Commercial Uses).

The Mira Mesa Community Plan relies on the City's General Plan for Urban Design policies for utility system within the Public Right-of-Way (PROW) [under UD-A.16](#). Under this section, utilities projects shall "Minimize the visual and functional impact of utility systems and equipment on streets, sidewalks, and the public realm."

Additionally, under subsection (b), all application shall be, "Design and locate public and private utility infrastructure, such as phone, cable and communications boxes, transformers, meters, fuel ports, back-flow preventors, ventilation grilles, grease interceptors, irrigation valves, and any similar elements, to be integrated into adjacent development and as inconspicuous as possible. To minimize obstructions, elements in the sidewalk and public right of way should be located in below grade vaults or building recesses that do not encroach on the right of way (to the maximum extent permitted by codes). If located in a landscaped setback, they should be as far from the sidewalk as possible, clustered, and integrated into the landscape design, and screened from public view with plant and/or fence like elements."

The OLT Cabinet meets the City's General Plan Policy for Urban Design UD-A.16 (b) by placing the OLT Cabinet in the Parkway within the grass area to avoid any pedestrian access. The entire 5-foot wide sidewalk will continue to be available after the installation of the OLT Cabinet. This includes compliance with ADA access to ensure the path of travel will not be interrupted. Additionally, the industrial zone use is common for utility equipment and integration is achieved by painting the equipment to match the nearby utility infrastructures. Based on the information above, the proposed development 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 Cox Communication OLT Cabinet project includes a single above ground mounted equipment within the City of San Diego Public Right-of-Way on the 9400 block of Kearny Mesa Road. The OLT cabinet measures 69.25 inches by 32.50 inches directly above a new 4-inch tall concrete pad. The cabinet will be placed within the parkway to avoid any sidewalk access and the cabinet shall be painted green to match nearby above ground utility boxes. The Mira Mesa Community Plan identifies this area for industrial development. This proposal is intended to provide reliable communication services to the surrounding industrial businesses. The cabinet size is due to it being self-contained. It houses its own environmental controls, backup battery power system, and electronic equipment to allow high speed fiber connectivity to the surrounding businesses.

The project requires a Right-of-Way permit, because it is in the PROW and pursuant to San Diego Municipal Code section 129.0702 it must comply with all engineering standards which includes elements of public health, safety, and welfare. As designed, the equipment will be placed along the Parkway within the grass area to avoid any pedestrian access. The entire 5-foot wide sidewalk will continue to be available after the installation of the cabinet. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Cox Communication OLT Cabinet project includes a single above ground mounted equipment within the City of San Diego's Public Right-of-Way on the 9400 block of Kearny Mesa Road. The OLT cabinet measures 69.25 inches by 32.50 inches directly above a new 4-inch tall concrete pad. The cabinet will be placed within the parkway to avoid any sidewalk access and the cabinet shall be painted green to match nearby above ground utility boxes. The Mira Mesa Community Plan identifies this area for industrial development. This proposal is intended to provide reliable communication services to the surrounding industrial businesses. The cabinet size is due to it being self-contained. It houses its own environmental controls, backup battery power system, and electronic equipment to allow high speed fiber connectivity to the surrounding businesses.

The Mira Mesa Community Plan designates the site as Industrial Use and is currently zoned IL-3-1 (Light Industrial, Office, and Commercial Uses).

The Mira Mesa Community Plan relies on the City's General Plan for Urban Design policies for utility system within the Public Right-of-Way (PROW) [under UD-A.16](#).

Under this section, utilities projects shall “Minimize the visual and functional impact of utility systems and equipment on streets, sidewalks, and the public realm.” Additionally, under subsection (b), all application shall be, “Design and locate public and private utility infrastructure, such as phone, cable and communications boxes, transformers, meters, fuel ports, back-flow preventors, ventilation grilles, grease interceptors, irrigation valves, and any similar elements, to be integrated into adjacent development and as inconspicuous as possible. To minimize obstructions, elements in the sidewalk and public right of way should be located in below grade vaults or building recesses that do not encroach on the right of way (to the maximum extent permitted by codes). If located in a landscaped setback, they should be as far from the sidewalk as possible, clustered, and integrated into the landscape design, and screened from public view with plant and/or fence like elements.”

The OLT Cabinet meets the City’s General Plan Policy for Urban Design UD-A.16 (b) by placing the OLT Cabinet in the Parkway within the grass area to avoid any pedestrian access. The entire 5-foot wide sidewalk will continue to be available after the installation of the OLT Cabinet. This includes compliance with ADA access to ensure the path of travel will not be interrupted. Additionally, the industrial zone use is common for utility equipment and integration is achieved by painting the equipment to match the nearby utility infrastructures. Lastly, the proposed equipment is cluster with other utilities and setback from the sidewalk appropriately. Based on the information above, the project is not proposing any deviations and have been designed to comply with the Land Development Code Regulations.

2. **Supplemental Findings – Public Right-of-Way Encroachments pursuant to San Diego Municipal Code section 126.0505(m).**

- a. **The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property.**

The proposed OLT Cabinet and accompanying development of the existing unused portion of public right-of-way benefits a public purpose in two main ways: 1) the OLT Cabinet will provide fiber connectivity access for approximately 450 businesses on the eastern half of Miramar area; 2) This project will provide another competitive fiber option for communication services to the businesses nearby.

- b. **The proposed encroachment does not interfere with the free and unobstructed use of the public right-of-way for public travel.**

The proposed OLT Cabinet encroachment is located in an unused portion of public right-of-way and does not obstruct the use of the existing road or sidewalk. The OLT Cabinet is placed on the parkway within the grass area to avoid any sidewalk access and will not interfere with the free and unobstructed use of the public right-of-way for public travel.

- c. The proposed encroachment will not adversely affect the aesthetic character of the community.**

The proposed encroachment is located in an unused portion of public right-of-way and does not obstruct the use of the existing road or sidewalk. The OLT Cabinet as designed will be painted to match the nearby utility cabinets consistent with the City's General Plan Urban Design requirement for infrastructures within the Public Right-of-Way and does not adversely affect the aesthetic character of the community.

- d. The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.**

The proposed Cox Communication OLT Cabinet design complies with the applicable regulations of the Municipal Code and would be permitted with the approval of a Site Development Permit and will not violate any other Municipal Code provisions or other local, state, or federal law,

- e. For coastal development in the coastal overlay zone, the encroachment is consistent with Section 132.0403 (Supplemental Use Regulations of the Coastal Overlay Zone).**

This project is located within the City of San Diego Public Right-of-Way on the 9400 block of Kearny Mesa Road within the Mira Mesa Community Planning area. Therefore, the project is not located within the Coastal Overlay Zone.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 2516834 is hereby GRANTED by the Planning Commission to the City of San Diego Owner and Cox Communications Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2516834, a copy of which is attached hereto and made a part hereof.

Nilia Safi
Development Project Manager
Development Services

Adopted on: December 2, 2021

IO#: 24008806

DRAFT

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008806

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 2516834
COX COMMUNICATION OLT CABINET PROJECT NO. 683239
PLANNING COMMISSION

This Site Development Permit No. 2516834 is granted by the Planning Commission of the City of San Diego to City of San Diego, Owner and to Cox Communications, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0501 and 131.0601. The site is located within the City of San Diego Public Right-of-Way on the 9400 block of Kearny Mesa Road in the IL-3-1 Zone of the Mira Mesa Community Plan. The project site is legally described as "portions of Kearny Mesa Road relinquished to the City of San Diego per Doc. No. 107846, Series 7, Book 1966 O.R., recorded Office of the San Diego County Recorder, June 30, 1966."

Subject to the terms and conditions set forth in this Permit, permission is granted to Permittee, Cox Communications to install an Optical Line Terminal (OLT) Cabinet as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 2, 2021, on file in the Development Services Department. The project shall include:

- a. One OLT Cabinet (69.25" by 32.50") within the Public Right-of-Way (PROW), on the parkway, painted green to match nearby above ground mounted utility cabinets.
- 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 December 16, 2024.

2. 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.

3. 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.

4. 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.

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

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

7. The Permittee shall secure all necessary right-of-way permits pursuant to SDMC 129.0701. The Owner/Permittee is informed that to secure these permits, substantial modifications and site improvements may be required to comply with applicable public right-of-way, building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Right-of-Way 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.

9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the 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.

10. The Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify 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.

ENGINEERING REQUIREMENTS:

11. The permittee shall obtain a Public Right-of-Way permit for the proposed work in the Kearny Mesa Road's Right-of-Way adjacent to project site.

12. The permittee shall obtain a Nonexclusive Right-of-Way Use Agreement from the City of San Diego for the proposed work in the Kearny Mesa Road's Right-of-Way adjacent to project site.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

APPROVED by the Planning Commission of the City of San Diego on December 2, 2021 and [Approved Resolution Number XXXX].

ATTACHMENT 5

Site Development Permit No. 2516834
Date of Approval: December 2, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Nilia Safi
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.

Cox Communications
Permittee

By _____
NAME
TITLE

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

Page 3		City of San Diego • Information Bulletin 620	May 2020
		City of San Diego Development Services	Community Planning Committee Distribution Form
Project Name: Digital-Cox Communication SDP		Project Number: 683239	
Community: Mira Mesa			
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input checked="" type="radio"/> Vote to Approve <input type="radio"/> Vote to Approve with Conditions Listed Below <input type="radio"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="radio"/> Vote to Deny			
# of Members Yes	# of Members No	# of Members Abstain	
15	0	0	
Conditions or Recommendations:			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Jeffry L Stevens			
TITLE: Chair, Mira Mesa Community Planning Group		DATE: March 15, 2021	
<i>Attach additional pages if necessary (maximum 3 attachments).</i>			

NOTICE OF EXEMPTION

ATTACHMENT 7

(Check one or both)

TO: ☒ 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.: 683239

Project Title: Cox Communications

PROJECT LOCATION-SPECIFIC: The project is located at 9400 block of Kearny Mesa Road, San Diego, CA

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: SITE DEVELOPMENT PERMIT (SDP) for the installation of one Optical Line Terminal (OLT) equipment cabinet in the City of San Diego Public Right-of-Way (PROW) within the 9400 block of Kearny Mesa Road in the IL-3-1 zone of the Mira Mesa Community Planning area. The equipment is measured 69.25" by 32.50" on a new 4-inch tall concrete pad and placed within the parkway in an existing grass area alongside other existing utility equipment. The OLT cabinet is intended to provide Cox Business services to the Miramar industrial area and will enable those businesses to access competitive communications services. Once installed, approximately 450 businesses on the eastern half of the Miramar area will be served. The cabinet is a self-contained unit which houses its own environmental controls, backup battery power system, and electronic equipment to allow high speed fiber optic connections. The facility is unmanned and technicians would visit the site only as required for routine maintenance and repairs.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Cox Communications, Debbie Capter, 5159 Federal Boulevard, San Diego, CA 92101. (619) 266-5220

EXEMPT STATUS: (CHECK ONE)

- ☐ MINISTERIAL (SEC. 21080(b)(1); 15268);
- ☐ DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- ☐ EMERGENCY PROJECT (SEC. 21080(b)(4); 15269(b)(c)).
- ☒ CATEGORICAL EXEMPTION: 15303 (New Construction)
- ☐ STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15303 (New Construction). The exemption allows for the construction and location of limited numbers of new, small facilities or structures where only minor modifications are made. Since the project would only construct one equipment cabinet within an existing developed site without substantially altering the facility it was determined that the exemption was appropriate, and the exceptions listed in CEQA Section 15300.2 would not apply.

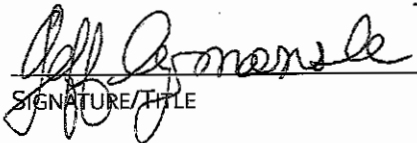
LEAD AGENCY CONTACT PERSON: Jeffrey Szymanski

TELEPHONE: 619 446-5324

IF FILED BY APPLICANT:

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

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

 /SENIOR PLANNER
SIGNATURE/TITLE

11/3/2021
DATE

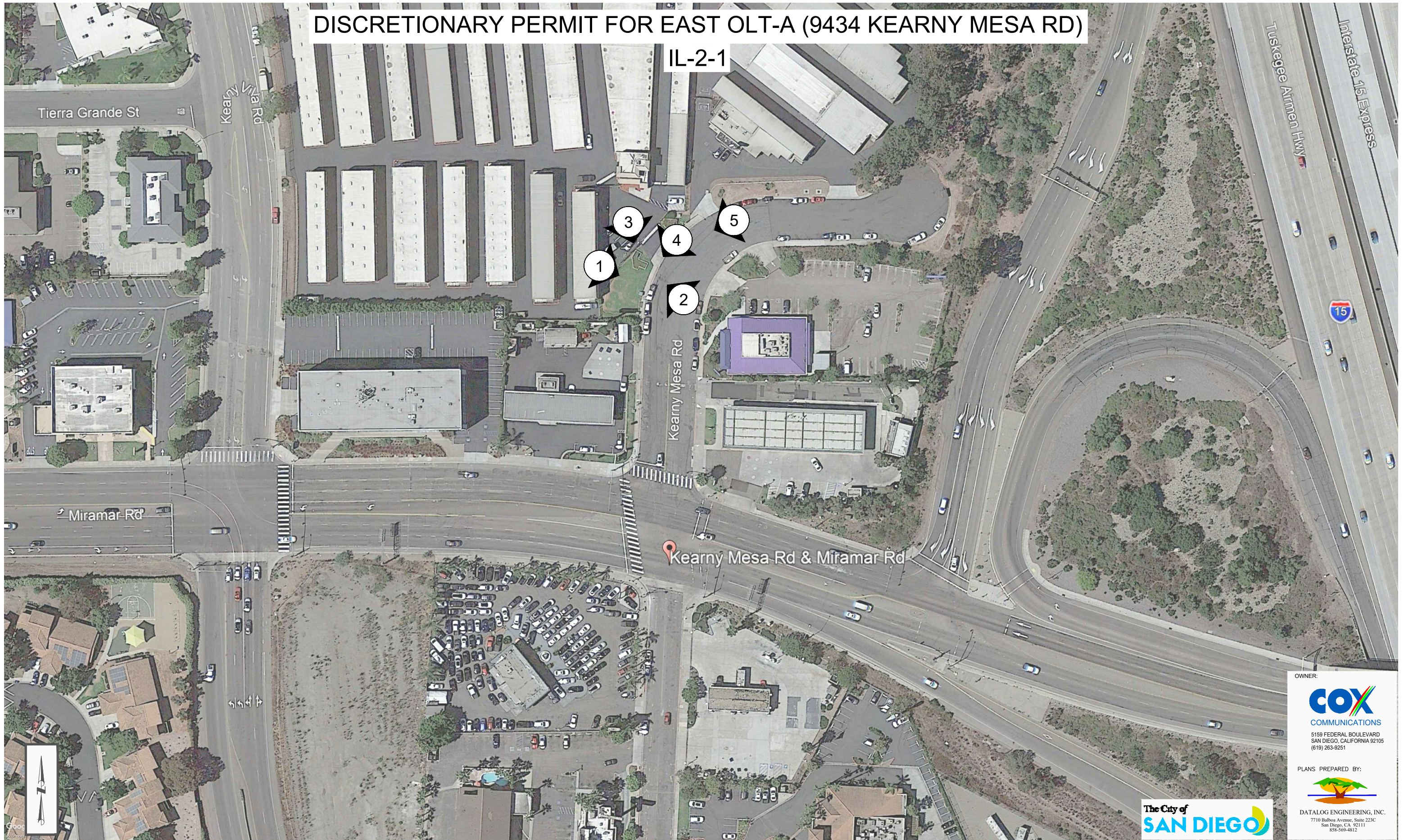
CHECK ONE:

(X) SIGNED BY LEAD AGENCY
CLERK OR OPR:

DATE RECEIVED FOR FILING WITH COUNTY

DISCRETIONARY PERMIT FOR EAST OLT-A (9434 KEARNY MESA RD)

IL-2-1



OWNER:
COX
COMMUNICATIONS
5159 FEDERAL BOULEVARD
SAN DIEGO, CALIFORNIA 92105
(619) 263-9251

PLANS PREPARED BY:

DATALOG ENGINEERING, INC.
7710 Balboa Avenue, Suite 223C
San Diego, CA 92111
858-569-4812



IL-2-1

1 BACK VIEW



3 BACK RIGHT SIDE VIEW



2 FRONT VIEW



4 FRONT RIGHT SIDE VIEW



5 SITE LOCATION (PROPOSED FACILITIES NOT TO OBSTRUCT VIEW FROM TRAFFIC TURNING OUT OF DRIVEWAY)



OWNER:

COX
COMMUNICATIONS
5159 FEDERAL BOULEVARD
SAN DIEGO, CALIFORNIA 92105
(619) 263-9251

PLANS PREPARED BY:

DATALOG ENGINEERING, INC.
7710 Balboa Avenue, Suite 223C
San Diego, CA 92111
858-569-4812

The City of
SAN DIEGO

PTS: 683239

SHEET

2

OF

3

EAST OLT (9434 KEARNY MESA RD) PROPOSED FACILITIES IN PUBLIC R.O.W.

IL-2-1

1 BACK VIEW



IMAGE NOT TO SCALE

3 BACK RIGHT SIDE VIEW

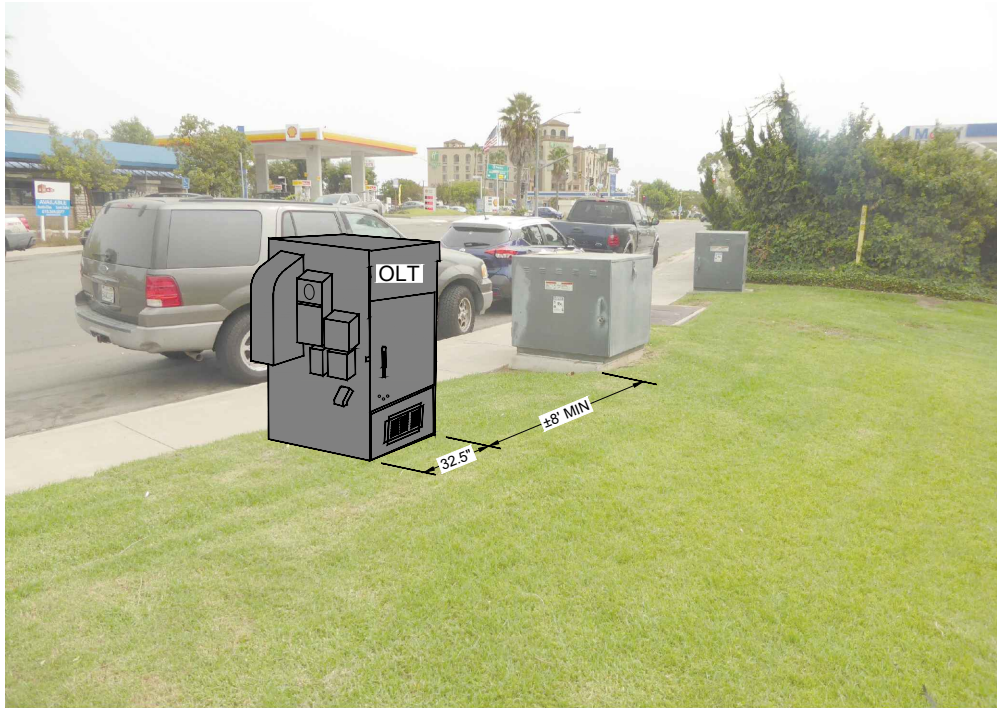


IMAGE NOT TO SCALE

2 FRONT VIEW

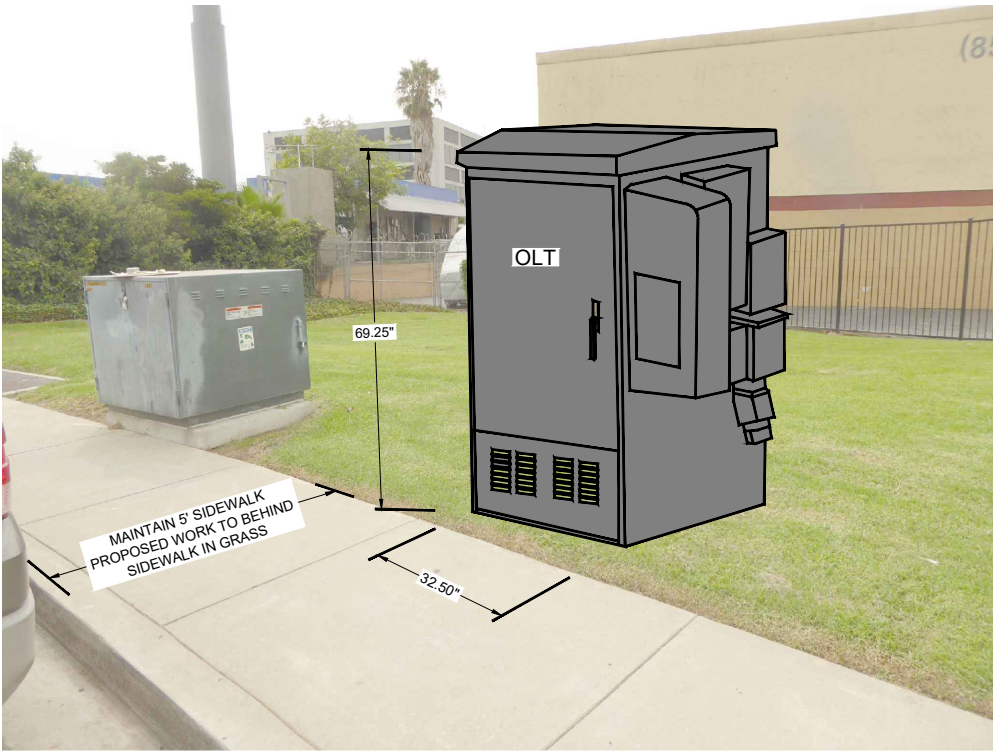


IMAGE NOT TO SCALE

4 FRONT RIGHT SIDE VIEW



IMAGE NOT TO SCALE

Utilities

UD-A.16. Minimize the visual and functional impact of **utility** systems and equipment on streets, sidewalks, and the public realm.









- a. Convert overhead utility wires and poles, and overhead structures such as those associated with supplying electric, communication, community antenna television, or similar service to underground.
- b. Design and locate public and private utility infrastructure, such as phone, cable and communications boxes, transformers, meters, fuel ports, back-flow preventors, ventilation grilles, grease interceptors, irrigation valves, and any similar elements, to be integrated into adjacent development and as inconspicuous as possible. To minimize obstructions, elements in the sidewalk and public right of way should be located in below grade vaults or building recesses that do not encroach on the right of way (to the maximum extent permitted by codes). If located in a landscaped setback, they should be as far from the sidewalk as possible, clustered and integrated into the landscape design, and screened from public view with plant and/or fence-like elements.
- c. Traffic operational features such as streetlights, traffic signals, control boxes, street signs and similar facilities should be located and consolidated on poles, to minimize clutter, improve safety, and maximize public pedestrian access, especially at intersections and sidewalk ramps. Other street utilities such as storm drains and vaults should be carefully located to afford proper placement of the vertical elements.



COURSE	ITEM	RADIUS	DELTA OR BEARING	LENGTH
C 1	6" TYPE H CURB	144.82	39-18-40	99.36
C 2			S89-31-49E	86.59
C 3		175.00	4-06-37	12.55
C 4		30.00	57-10-42	29.94
C 5		50.00	66-00-00	57.60
	6" TYPE H CURB		TOTAL	286.04
W 1	12" AC		N 2-50-57E	82.32
W 2		88.57	443-48-48	67.73
W 3		88.57	7-51-56	12.16
W 4	8" AC	88.57	35-56-30	55.56
W 5			S89-31-49E	86.55
W 6		210.00	5-59-13	21.94
	12" AC		TOTAL	162.21
	8" AC		TOTAL	164.06

THE IMPROVEMENTS CONSIST OF THE FOLLOWING WORK TO BE DONE ACCORDING TO THESE PLANS AND THE FOLLOWING STANDARD DRAWINGS AND SPECIFICATIONS OF THE CITY OF SAN DIEGO.

CITY OF SAN DIEGO STANDARD SPECIFICATIONS , DOCUMENT NO. 727731, FILED APRIL 14, 1969
AND AMENDMENTS PER DOCUMENT NO. 746317, FILED FEBRUARY 12, 1974; SPECIAL CONDITIONS
P-18 REVISED DECEMBER 10, 1971; AND SPECIAL CONDITIONS P-22, APRIL 23, 1974 FOR
PLASTIC WATER AND SEWER PIPES.

DOCUMENT NO. 735691 FILED APRIL 26, 1971.

IMPROVEMENTS	STD. DWGS.	SYMBOL
GRADING		
PAVEMENT	G-58; G-59	
2" A.C. SURFACING	G-58	
6" TYPE H CURB	G-45	 C1
A.C. WATER MAIN & APPURTENANCES (3-4)	W-6; W-61; W-10	 W1 #67C
2" COPPER WATER SERVICE (SEE SPECS. SECOND 20)	W-59; W-35	 W
GATE VALVE & BOX (CLOW)	W-71; W-72	 FH
6" FIRE HYDRANT & SERVICE (3-WAY) RICH	W-14; W-15; W-17	

STREET LIGHT (J- 7000 LUMEN, 175-WATT, TYP. III) E-5; E-17; E-18; E-71T _____ 
LEGEND EXISTING WORK _____ P-1
COMMERCIAL DRIVEWAY _____ G-24 _____ 

16648-2-D GRADING PLAN
16648-3-D & 4-D LANDSCAPE & IRRIGATION

CITY B.M. 14-3; LEAD AND TACK IN
CONCRETE MONUMENT 50 FT SOUTH & RD. AT BC-
MON. IS 15 FT NORTH & 60 FT WEST OF N.E.
CORNER NAVAL AIR STATION FENCE.
ELEV. 506.67 M.S.L. DATUM

TELETYPE UNIT

<u>STREET NAME</u>	<u>PAVEMENT SCHEDULE</u>	<u>STREET WIDTH</u>	<u>20-YR. A.D.T.</u>
KFARNY MESA ROAD	I	50'	LOCAL INDUSTRIAL
2. COST FOR WATER MAIN CONNECTION IS: \$ <u>830.00</u>			
3. THE ENGINEER OF DESIGN SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE CONSTRUCTION WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS NOR SHALL HE BE REQUIRED TO SUPERVISE CONDUCT OF THE WORK OR THE CONSTRUCTION PROCEDURES AND SAFETY PROCEDURES FOLLOWED BY THE CONTRACTOR OR SUBCONTRACTORS OR THEIR RESPECTIVE EMPLOYEES OR BY ANOTHER PERSON AT THE JOB SITE OTHER THAN THAT OF THE ENGINEER'S EMPLOYEES.			
4. PROVIDE A MINIMUM OF 3 TO 5 FEET OF COVER OVER TOP OF WATER MAIN.			
5. PRESSURE REGULATORS REQUIRED ON WATER SERVICES.			
6. PRIOR TO MIXING WITH CEMENT AND WATER, ALL MINERAL AGGREGATE USED FOR PRODUCTION OF CEMENT-TREATED BASE SHALL HAVE A SAND EQUIVALENT OF NOT LESS THAN 80 WHEN TESTED BY CALIFORNIA DIVISION OF HIGHWAY TEST METHOD NO. CALIF. 217.			
7. ELECTRICAL AND TELEPHONE FACILITIES SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH ORDINANCE NO. 10068-NS, RE ALL NEW FACILITIES AND EXISTING ELECTRIC WITHIN LOT 1.			
8. STREET LIGHT SYSTEM INSTALLATION INCLUDES, BUT IS NOT LIMITED TO, THE ELECTRIC SERVICE CONDUIT AND WIRE SYSTEM FROM THE STREET LIGHT TO THE SAN DIEGO GAS & ELECTRIC CO. STREET LIGHT ELECTRIC SERVICE TRAIL VERIFY EXIST LOCATOR OR THE S.D.G. & E. CO. SERVICE POINT TO BE USED FOR THE STREET LIGHT ELECTRIC SERVICE AND EXTEND THE CONDUIT AND WIRE TO THIS LOCATION. ALL WORK SHALL BE IN ACCORDANCE WITH STD. DWG. E-71-T.			

CHARLES W. CHRISTENSEN & ASSOCIATES

Bill K. Bramble
Bill K. Bramble, R.C.E 8102

PLANS FOR THE IMPROVEMENTS OF
KEARNY MESA ROAD
FOR
LOCK-IT LOCKERS

CITY OF SAN DIEGO, CALIFORNIA					TM 75-84 NO. 10436	
SHEET 1 of 4 SHEETS						
BY <u>W. J. Speth</u>				DATE <u>10-28-15</u>		Drawn <u>W. J. Speth</u>
City of San Diego - CITY ENGINEER						
DESCRIPTION		BY	APPROVED	DATE	FILMED	
ORIGINAL CWC&A		W. J. Speth				L. M. J. Jones CIVIL ENGINEER
AS BUILT <u>10-28-15</u> <u>10-28-15</u>		W. J. Speth		2-1-77		L. M. J. Jones CIVIL ENGINEER
						CONTRACT CERTIFICATION
						266-1733
						LATEST COORDINATES
CONTRACTOR <u>REHAZARD DYNAMICS</u> STARTED <u>11-11-15</u>						
INSPECTOR <u>F. L. JONES</u> DATE COMPLETED <u>11-11-15</u>						
						16648-1 - D

PARCEL MAP NO. 12923

SHEET 1 OF 1 SHEET

PARCEL MAP

Being a lot line adjustment of Parcel 1, 2 & 3 of Parcel Map 11700 in the City of San Diego, County of San Diego, State of California, Filed in the Office of the County Recorder of said County, October 2, 1981.

Assessor's Parcel No.: 541-230-70, 71, 72
Total Area: 5.276 Acres
No. of Parcels: 2
Title Report by: TICOA Title Insurance Company Order No. 1109058

BASIS OF BEARINGS

The Basis of Bearings for this map is the east boundary of Parcel Map 11700 i.e. N 8° 13' 04" E

- Set 3/4" x 1/8" I.P. w/ disc. marked R.C.E. 13,177, except as noted.
 - Found Lead and Disc stamped, R.C.E. 13,177 per P.M. 11700
 - Found monuments as noted
 - Found st. survey monument, per P.M. 11700
 - (R) Indicates radial bearing
 - (C) Indicates record of disc per P.M. 7153, unless otherwise noted
- A final compaction and engineering observation report was prepared for this map on May 31, 1978 by Woodward-Clyde Consultants and signed by Steven C. Halsey, R.C.E. 13,577 and a further report was prepared by Woodward-Clyde Consultants on Sept. 1, 1981 and signed by James E. Coyall, R.C.E. 17553. Said reports are both on file in the office of the City Engineer, of the City of San Diego.

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of William W. Carstens in May, 1983, and I certify that said survey is true and complete as shown, that all stakes, monuments, and marks set, together with those found, are of the character and occupy the positions shown thereon and are sufficient to enable the survey to be retraced. See legend this sheet.

I, hereby state that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any.

Samuel F. Safino 9/19/83
Samuel F. Safino, R.C.E. 13,177

STATE OF CALIFORNIA ss.
COUNTY OF SAN DIEGO ss.
On this 16th day of September, in the year 1983 before me a Notary Public in and for said County and State, personally appeared William W. Carstens, personally known to me, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said Trust and acknowledged to me that said Trust executed it.



Estelle L. Brandon
Notary Public in and for said County and State

My commission expires September 20, 1985.

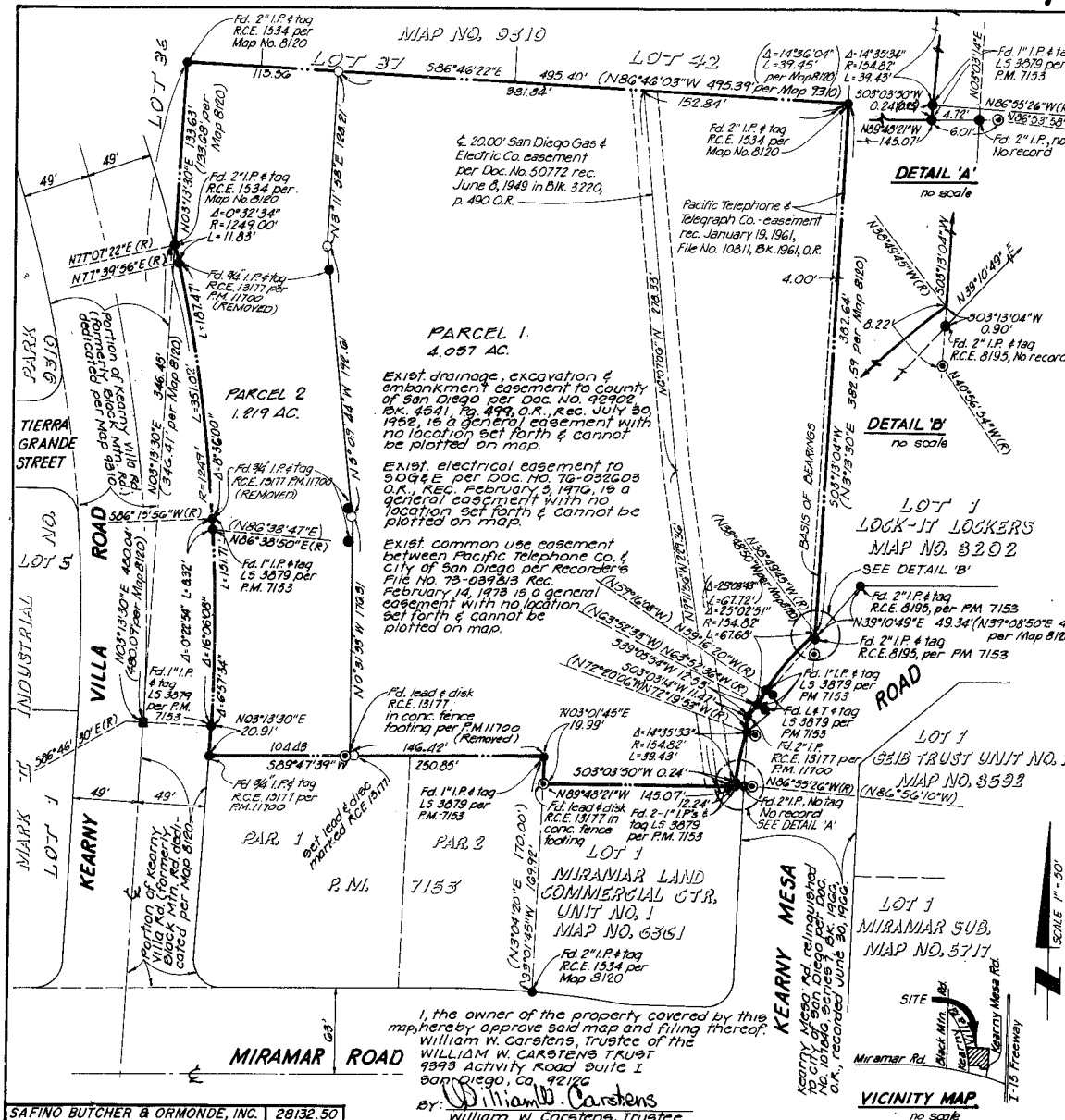
This map conforms with the requirements of the Subdivision Map Act and local ordinance.

J. P. Casey
City Engineer
By: *R. K. Goodhue* 9-23-83
Deputy Date

File No. 83-341901
Filed this 22nd day of September, 1983 at 3:54 P.M. in Book of Parcel Maps at Page 12923 at the request of Samuel F. Safino.

Vera L. Lyle
County Recorder
By: *Thomas H. Hanger*
Deputy County Recorder

Fee: \$3.00
MF: \$1.00
T.M. 83-0372 W.O. 830372 L.C. 264-1753



VICINITY MAP

no scale