



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2022-AWP-7351-OE

Issued Date: 04/28/2022

Kyle Stevens  
Kyle  
185 West F Street Suite 500  
San Diego, CA 92101

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane N - Viewpoint Old Town
Location:	San Diego, CA
Latitude:	32-45-22.44N NAD 83
Longitude:	117-12-06.86W
Heights:	10 feet site elevation (SE) 165 feet above ground level (AGL) 175 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

**\*\*SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION\*\***

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-AWP-7351-OE

**Signature Control No: 522166311-526759662**

( TMP )

Vivian Vilaro

Specialist

## **Additional Condition(s) or Information for ASN 2022-AWP-7351-OE**

**Proposal:** To construct and/or operate a(n) Crane to a height of 165 feet above ground level, 175 feet above mean sea level.

**Location:** The structure will be located 1.49 nautical miles northwest of SAN Airport reference point.

### **Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:**

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights- Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

As a condition to this determination, the temporary structure must be lowered to 156 feet above ground level ( 166 feet above mean sea level) , when not in use and during the hours between sunset and sunrise.

If the crane cannot be lowered to this height, then the following condition must also be met for nighttime conspicuity:

The structure must be lighted in accordance with FAA Advisory Circular 70/7460-1M , Obstruction Marking and Lighting, red lights – Chapters 4, 5(Red),&12.

It is required that the manager of SAN DIEGO INTL, (619) 400-2718 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

It is required that the manager of SAN Airport Traffic Control Tower at 619-299-1945 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Additionally, please provide contact information for the onsite operator in the event that Air Traffic Control requires the temporary structure to be lowered immediately.

This determination expires on 10/28/2023 unless extended, revised, or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

**Additional information for ASN 2022-AWP-7351-OE**

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:

Section 77.19 (a) Horizontal Surface by 9 feet as applied to SAN.

Preliminary FAA study indicates that the above mentioned structure would:

Have no effect on any existing or proposed arrival, departure, or en route instrument flight rules (IFR) operations or procedures.

Have no effect on any existing or proposed arrival, departure, or en route instrument/visual flight rules (IFR/VFR) minimum flight altitudes.

Not exceed traffic pattern airspace

Have no physical or electromagnetic effect on the operation of air navigation and communications facilities.

Have no effect on any airspace and routes used by the military.







Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2022-AWP-7350-OE

Issued Date: 04/28/2022

Kyle Stevens  
Kyle  
185 West F Street Suite 500  
San Diego, CA 92101

**\*\*DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE\*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane W Corner - Viewpoint Old Town
Location:	San Diego, CA
Latitude:	32-45-25.92N NAD 83
Longitude:	117-12-06.39W
Heights:	10 feet site elevation (SE) 165 feet above ground level (AGL) 175 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

**\*\*SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION\*\***

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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**Signature Control No: 522166309-526759661**

( TMP )

Vivian Vilaro

Specialist



## **Additional Condition(s) or Information for ASN 2022-AWP-7350-OE**

**Proposal:** To construct and/or operate a(n) Crane to a height of 165 feet above ground level, 175 feet above mean sea level.

**Location:** The structure will be located 1.54 nautical miles northwest of SAN Airport reference point.

### **Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:**

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights- Chapters 3(Marked),4,5(Red),14(Temporary),&15.

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**Additional information for ASN 2022-AWP-7350-OE**

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:

Section 77.19 (a) Horizontal Surface by 9 feet as applied to SAN.

Preliminary FAA study indicates that the above mentioned structure would:

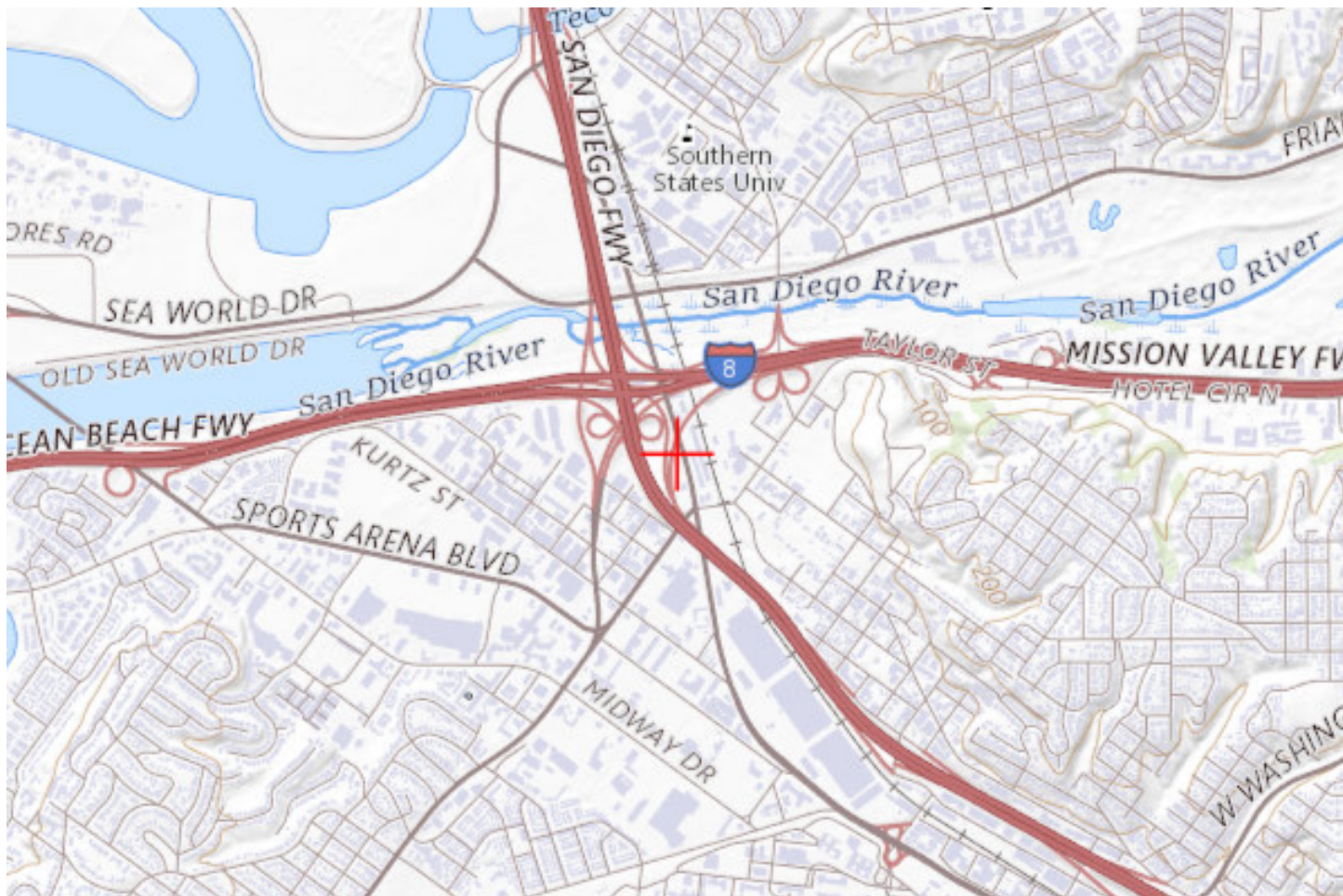
Have no effect on any existing or proposed arrival, departure, or en route instrument flight rules (IFR) operations or procedures.

Have no effect on any existing or proposed arrival, departure, or en route instrument/visual flight rules (IFR/VFR) minimum flight altitudes.

Not exceed traffic pattern airspace

Have no physical or electromagnetic effect on the operation of air navigation and communications facilities.

Have no effect on any airspace and routes used by the military.





**AREA STUDY REPORT**

To: *LFM Investment Holdings, LLC*  
*Attn: Rosie Cooper*  
*1634 Pacific Ranch Drive*  
*Encinitas, CA 92024*

Date: January 5, 2022

Location: San Diego, CA  
Client Case No.: Old Town Site  
ASI Case No.: 21-0-0904.002

**Subject of Report:**

A proposed 85 feet AGL building was evaluated for aeronautical effect near the intersection of Pacific Highway and Taylor Street in San Diego, CA.  
Refer to the Summary of Findings section for additional information.

**Search Area Parameters:**

- Search Area Center Coordinates: N32° 45' 22.251" W117° 12' 5.936"
- Search Area: Approximately 1.75 acres
- Search Area Site Elevation: Approximately 20 feet AMSL
- Requested Structure Height: 85 feet AGL

**Relevant Facilities Search:**

- The nearest public use or military airfield affecting each search area under FAR Part 77 is San Diego International Airport (SAN).
- The nearest point in the search area is: 1.09 NM/ 6,624 feet southeast (188° True) from Runway 09.
- The airport reference elevation is 16 feet AMSL.
- Other Public and Private Airports or Heliports within 3 NM of the search area: (None ; Yes, see attachment(s) .)

- The attached "No Notice" plot (Figure 1) depicts the maximum height above mean sea level (AMSL) at which FAA notice is not required. At any point within the search area, the ground height subtracted from the "No Notice" height will yield the maximum permissible tower height above ground level (AGL) for which filing with FAA under Part 77 of the Federal Aviation Regulations (FAR) is not required.
- The attached "Obstruction Standard Limit" plot (Figure 2) depicts the Imaginary Surfaces at SAN. Exceeding an Obstruction Standard would trigger a Notice of Presumed Hazard (NPH) and require FAA further study to determine adverse effect (if any) on navigable airspace. If a structure exceeds an Obstruction Standard, the FAA may initially issue NPHs. However, please note that as a measure of impact severity, Obstruction Standards are not considered ultimate operational limitations, in the absence of any other limiting factor, the FAA could issue a Determination of No Hazard (DNH) after conducting a more in-depth impact study.
- The attached "Routine Approval" plot (Figure 3) depicts the height at which the Project would receive a routine approval if filed with the FAA.
- The Total Height is derived by adding the site/ground elevation (AMSL) plus the structure's height (AGL). Example: If the site elevation is 100 feet AMSL and the structure's height is 50-feet AGL, then the Total Height is 150 feet AMSL.

#### Summary of Findings:

A structure from 79 to 87 feet AMSL (approximately 59 to 67 feet AGL depending on site elevation) will require FAA Filing.

A structure up to 166 feet AMSL should receive a routine approval if filed with the FAA.

A structure from 166 to 237 feet AMSL would require FAA further study and should be approvable with marking/lighting per AC 70/7460-1M.

A structure greater than 237 feet AMSL would require FAA further study with approvability on a case-by-case basis.

#### Conclusion:

The proposed structure at 85 feet AGL (approximately 105 feet AMSL depending on site elevation) will require FAA filing as it exceeds FAR Part 77 criteria in Figure 1. The structure should subsequently receive a routine approval as it will not exceed the VFR Conical Surface in Figure 2.

#### Notes:

There is a slight chance that the NZY TACAN NAVAID would trigger an NPH due to its proximity. ASI has experience with other taller structures near the project area where the FAA found "no physical or electromagnetic effects on the operation of air navigation and communications facilities," hence, although significant impact is highly unlikely, the FAA could limit structure heights.

#### San Diego County Regional Airport Authority (SDCRAA) Land Use comment:

There should be no SDCRAA Land Use setbacks as the Project is outside of the SAN Airport Influence Area (AIA) Review Area 1, hence, it should be subject to AIA Review Area 2, which pertains to airspace protection mentioned above (outside of safety zones and threshold siting surfaces). An Airport Overflight Agreement may be required before completing the purchase of property in Review Area 2 as this area is subject to annoyances such as noise, vibration, overflights and/or odors.

**NOTE: Because of changing airspace conditions and FAA evaluation criteria, the information contained on the exhibit(s) is for planning purposes only and should not be used for actual FAA filings. Specific sites within the search area must be separately studied to determine the FAA filing requirements and obstruction standards impacts unique to the specific sites.**

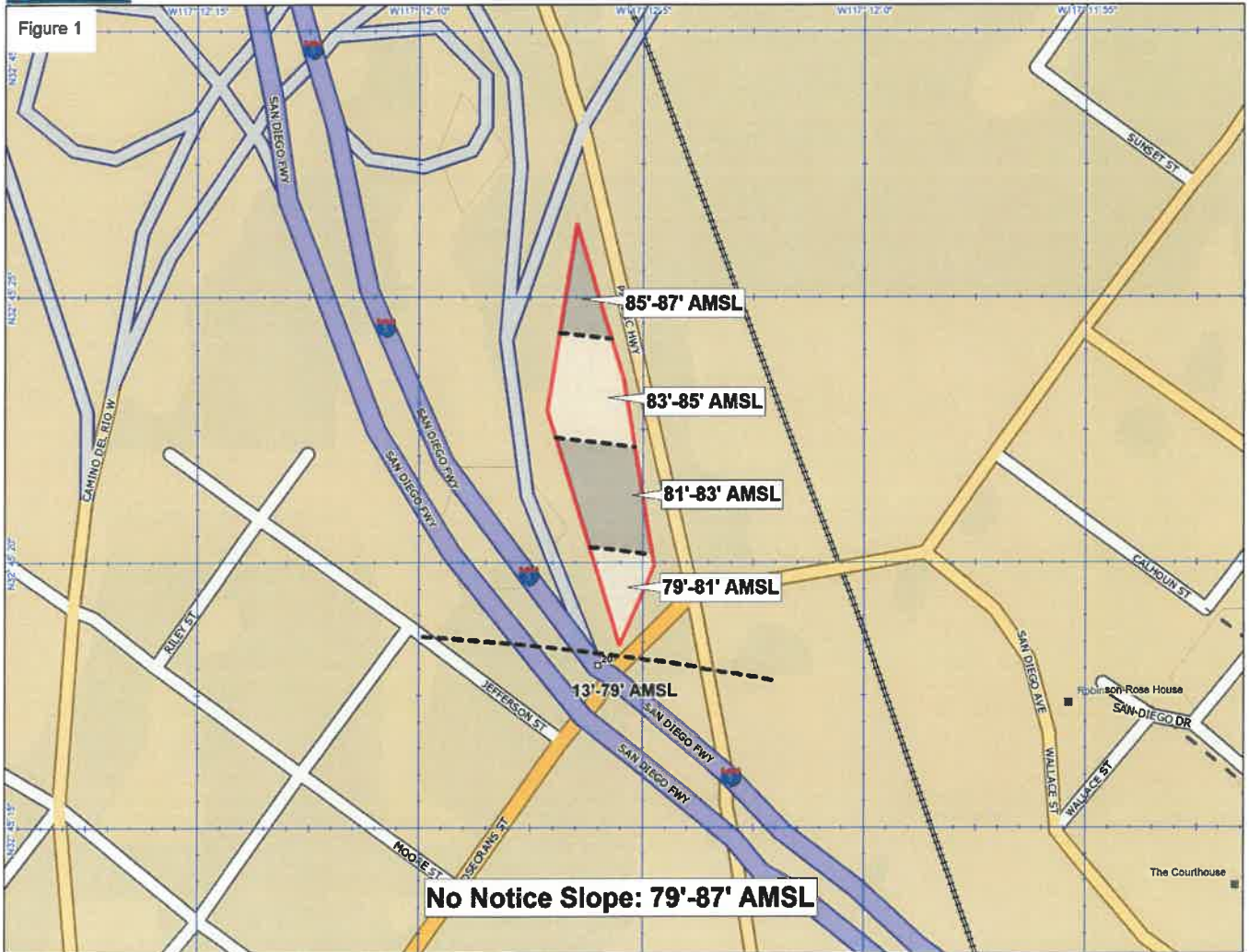
# Airports with Runways

Search Latitude: 32-45-22 Search Radius: 3  
 Search Longitude: 117-12-06 Height (MSL):

ID	Name	City	State	ARP Lat	ARP Long	Type	Rways	Primary	RwyLat	RwyLong	Elev.	Dist/NM	Dist/feet	Bear
NZY	NORTH ISLAND NAS /HALSEY FLD/	SAN DIEGO	CA	32-41-53.5060N	117-12-47.1960W	MNPR	18/36	18	32-42-36.1250N	117-12-42.0590W	18.9	2.81	17,087	190.36
SAN	SAN DIEGO INTL	SAN DIEGO	CA	32-44-00.8000N	117-11-22.8000W	PUPU	09/27	27	32-43-48.0086N	117-10-29.9018W	16.4	2.08	12,613	138.99
SAN	SAN DIEGO INTL	SAN DIEGO	CA	32-44-00.8000N	117-11-22.8000W	PUPU	09/27	09	32-44-13.6413N	117-12-15.6841W	13.7	1.16	7,029	186.27
CL97	SCRIPPS MERCY HOSPITAL	SAN DIEGO	CA	32-45-04.5000N	117-09-38.1300W	PRPR						2.10	12,756	98.21
20CN	UCSD MEDICAL CENTER HILLCREST	SAN DIEGO	CA	32-45-14.8900N	117-09-55.7600W	PRPR						1.84	11,203	94.14



Figure 1



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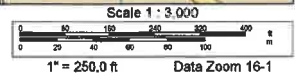
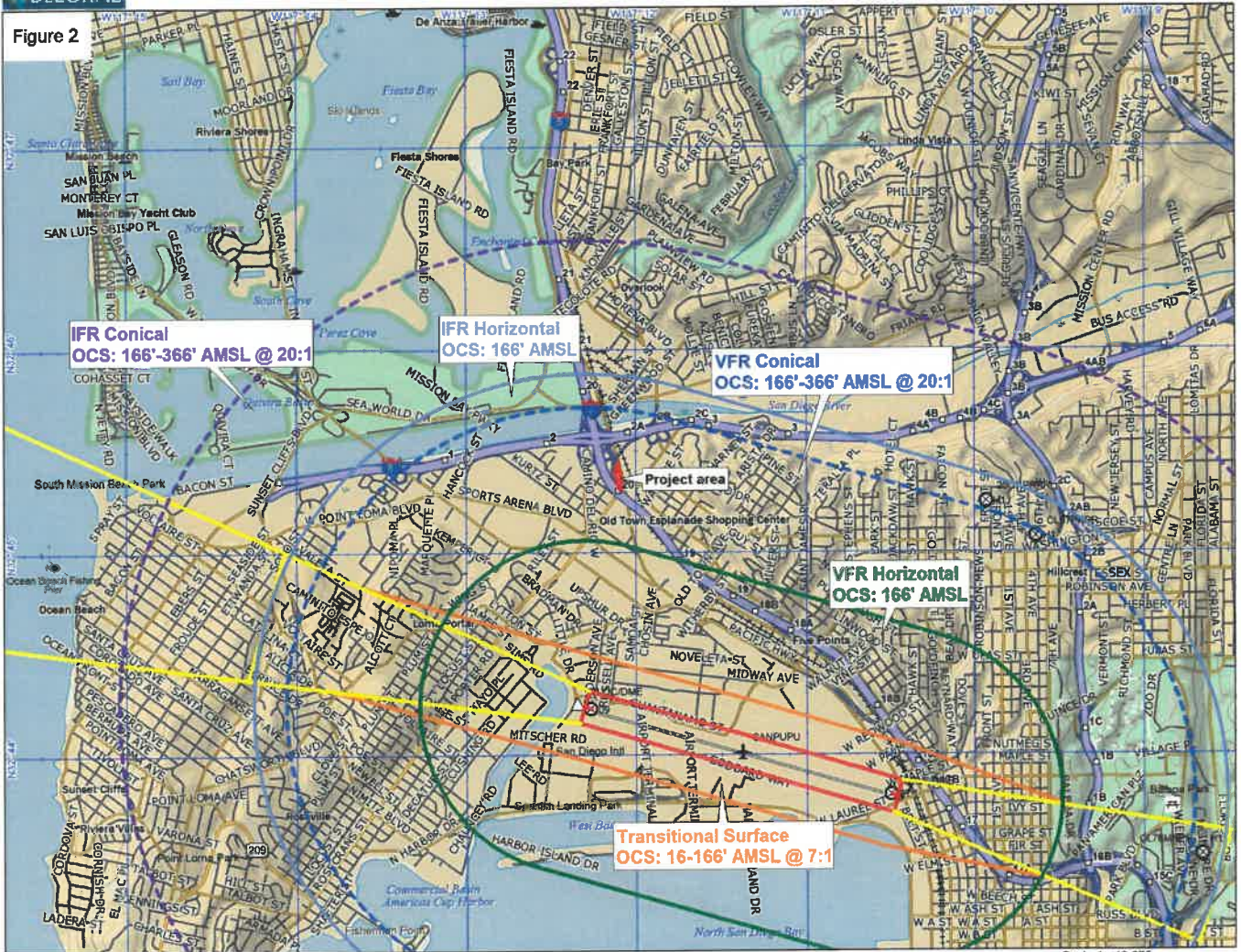


Figure 2



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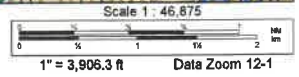
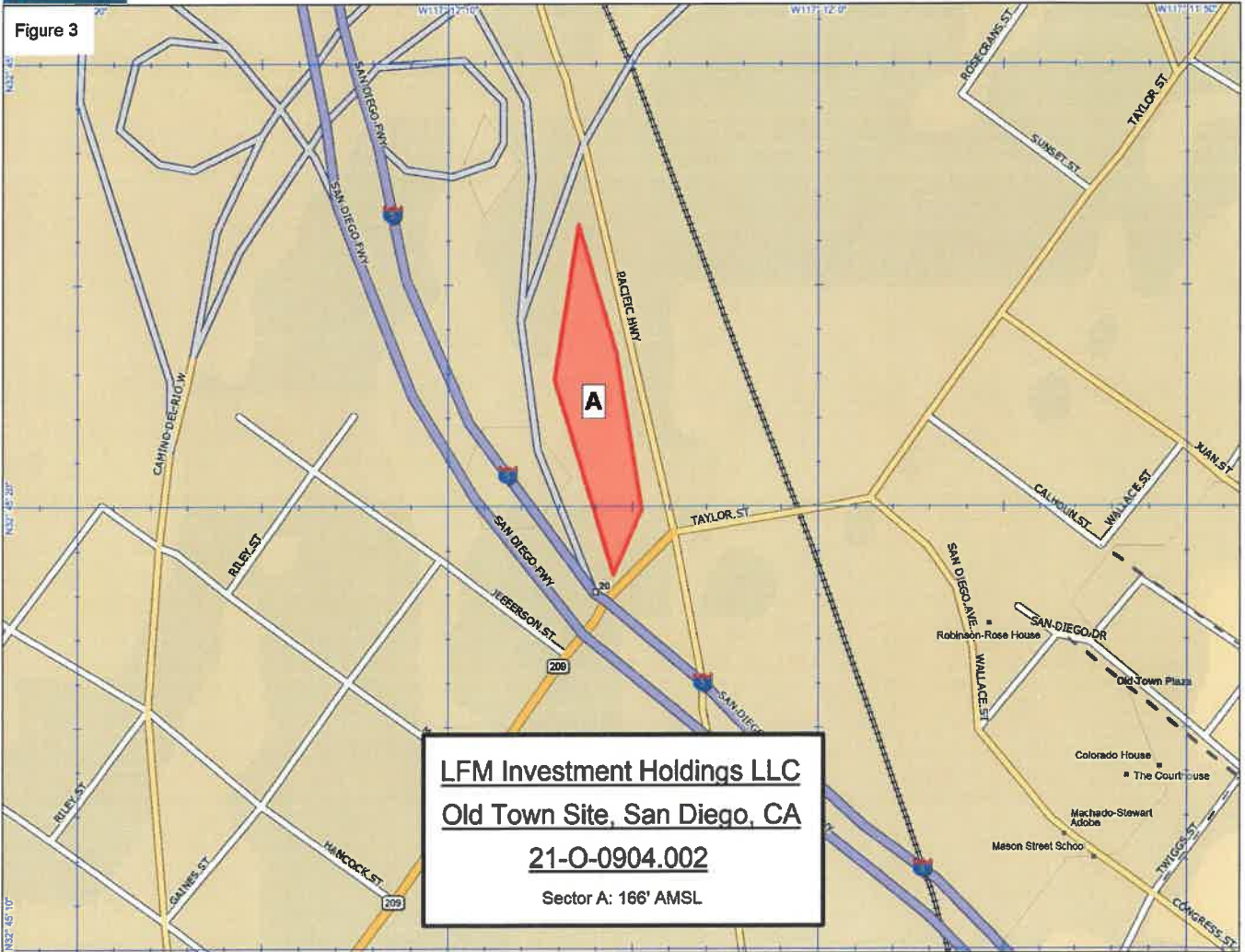


Figure 3



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