

THE CITY OF SAN DIEGO

### **REPORT TO THE HEARING OFFICER**

HEARING DATE:September 9, 2015REPORT NO. HO-15-109ATTENTION:Hearing OfficerSUBJECT:SPRINT SAN DIEGO ICE ARENA<br/>PTS PROJECT NO. 397813LOCATION:11048 Ice Skate Place, San Diego, CA 92126APPLICANT:Sprint

#### **SUMMARY**

<u>Issue(s)</u>: Should the Hearing Officer approve a Conditional Use Permit (CUP) for a modification to an existing Wireless Communication Facility (WCF) at 11048 Ice Skate Place in the Mira Mesa Community Planning area?

Staff Recommendation(s) - APPROVE Conditional Use Permit No. 1526901.

<u>Community Planning Group Recommendation</u> - On May 18, 2015, the Mira Mesa Planning Group voted 17-0-1 to recommend approval of the Sprint San Diego Ice Arena project (Attachment 11).

<u>Environmental Review</u>: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing facilities) and 15303 (New construction or conversion of small structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 15, 2015, and the opportunity to appeal that determination ended April 29, 2015 (Attachment 7).

#### BACKGROUND

<u>Project Description</u> - The project site is currently occupied with an existing commercial use at 11048 Ice Skate Place (Attachment 3) in the Mira Mesa Community Planning area within the AR-1-1 zone. The site is being used as an ice skating rink and is surrounded by single family residences (Attachment 10). The Mira Mesa Community Plan Land Use Map currently identifies the parcel as private recreation (Attachment 2).

There are three other wireless communication providers at this location (AT&T Mobility, T-Mobile, and Verizon). Under the current application, Sprint is proposing to modify their existing WCF by concealing their replacement antennas behind Fiberglass Reinforced Panel (FRP) screening boxes to the top of the 26-foot tall building and painting and texturing them to match the mechanical screen wall appearance(Attachment 9). A total of four (4) FRP boxes will be installed and will conceal up to sixteen (16) antennas. A total of thirty-two (32) Remote Radio Head (RRH) Units will be installed on the roof behind the existing parapet. Additionally, two equipment cabinets will be installed inside the existing 114-square foot Concrete Masonry Unit (CMU) enclosure. The project requires a new permit application since the existing Limited Use Permit No. 114218 expired January 27, 2014. The project under the current regulations requires a Conditional Use Permit application pursuant to the City's Municipal Code Regulation Section 141.0420(e)(2). A Conditional Use Permit is required for all Wireless Communication Facilities (WCF) within an Agricultural zone.

#### **DISCUSSION**

<u>Wireless Communication Facility Regulation</u> - The site is located within the AR-1-1 zone and as designed, complies with Land Development Code (LDC) Section 141.0420. The antennas will be completely concealed behind FRP boxes, painted and textured to match the mechanical screen wall. This global design solution is consistent with the other wireless carriers on this building and was supported by the Mira Mesa Community Planning Group. The Remote Radio Head (RRH) units will be placed on the roof behind the existing parapet. The RRHs would allow Sprint to properly manage the increase in users by expanding capacity to this site. The two additional equipment cabinets will also allow Sprint to upgrade their technology to better accommodate the growing amount of users in addition to providing the latest Long Term Evolution (LTE) technology (Attachment 14).

<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. Staff did request to have the carrier investigate a design to recess the antennas behind the existing building wall but was informed that such design cannot be achieved without affecting the integrity of the building for fire safety. Instead, the applicant matched the existing global design solution supported by the Mira Mesa Community Planning Group.

<u>Community Plan Analysis</u> - The project location has been designated for private recreation in the Mira Mesa Land Use Plan (Attachment 2). The Mira Mesa Community Plan does not contain specific policies on wireless communication facility development.

#### **CONCLUSION:**

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 development regulations from the AR-1-1 zone and the Communication Antenna Regulations

Section 141.0420. The proposed design is consistent with the General Plan and was supported by the Mira Mesa Planning Board, which voted 17-0-1 to approve the project. Staff recommends that the Hearing Officer approve Conditional Use Permit No. 1526901.

#### **ALTERNATIVE:**

- 1. APPROVE Conditional Use Permit No. 1526901 with modifications.
- 2. DENY Conditional Use Permit No. 1526901 if the Hearing Officer makes written based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Simon Tsc, Development Project Manager

#### Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- Project Location Map 3.
- 4. **Project Data Sheet**
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. **Environmental Exemption**
- 8. **Project Plans**
- **Project Photosimulations** 9.
- 10. Photo Survey
- 11. **Community Planning Group Recommendation**
- 12. **Ownership Disclosure Statement**
- Justification Analysis 13.

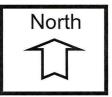
Rev 1/25/11 hmd



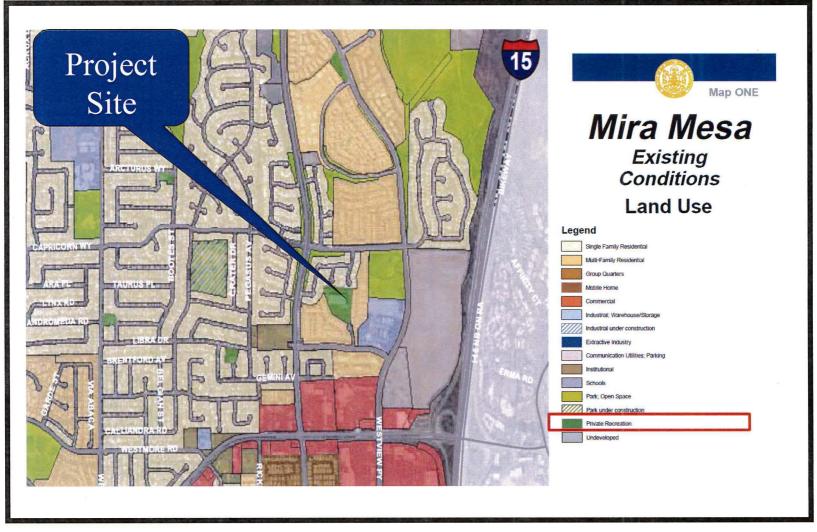


# **Aerial Photo**

<u>Sprint San Diego Ice Arena Project No. 397813</u> 11048 Ice Skate Place, San Diego, CA 92126



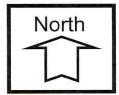
ATTACHMENT 1



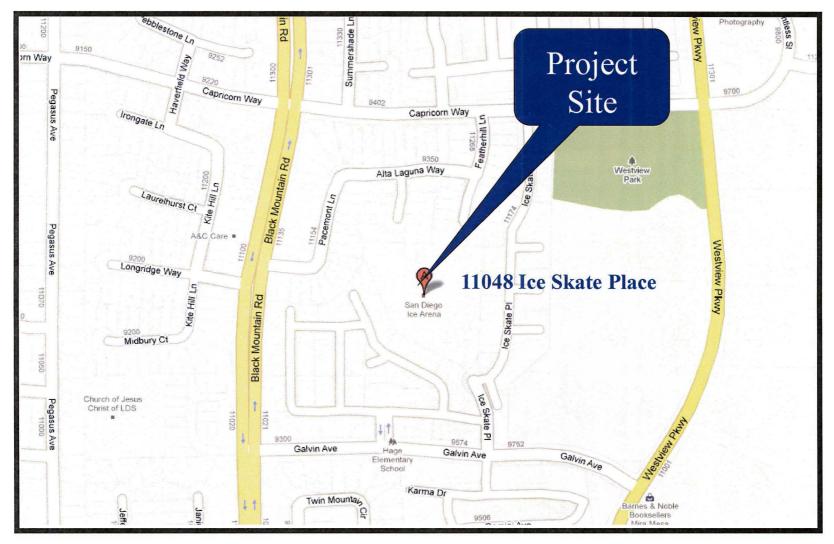


# Community Land Use Map (Mira Mesa)

Sprint San Diego Ice Arena Project No. 397813 11048 Ice Skate Place, San Diego, CA 92126



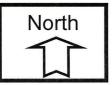
ATTACHMENT 2





# **Project Location Map**

Sprint San Diego Ice Arena Project No. 397813 11048 Ice Skate Place, San Diego, CA 92126



**ATTACHMENT 3** 

## **PROJECT DATA SHEET**

PROJECT NAME:		Sprint San Diego Ice Arena		
PROJECT DESCRIPTION:		A modification to an existing wireless telecommunication facility. The modification consists of up to sixteen antennas concealed inside four (4) Fiberglass Reinforced Panel (FRP) boxes, painted and textured to match the existing building. Two equipment cabinets would also be swapped out as part of this project inside the existing 114-square foot Concrete Masonry Unit (CMU) equipment enclosure.		
COMMUNITY PLAN A	REA:	Mira Mesa		
DISCRETIONARY ACTIONS:		Con	ditional Use	Permit
COMMUNITY PLAN LA USE DESIGNATION:	Privata Recreation			ation
	He Fr Sie	one: eight Limit: ont Setback: de Setback: ar Setback:	AR-1-1 30 feet 25 feet 20 feet 25 feet	
ADJACENT PROPERTIES:	LA	ND USE DESIGNATION & ZONE	E	XISTING LAND USE
NORTH:		Residential RS-1-14		Residential Use
SOUTH:		Residential RM-1-3		Residential Use
EAST:		Residential RM-1-3		Residential Use
WEST:		Residential RS-1-14		Residential Use
DEVIATIONS OR VARIANCES REQUESTED:		None		
COMMUNITY PLANNING GROUP RECOMMENDATION:	This project was presented to the Mira Mesa Community Planning Group on May 18, 2015 and was unanimously approved 17-0-1.			

#### HEARING OFFICER RESOLUTION NO. CONDITIONAL USE PERMIT NO. 1526901 SPRINT SAN DIEGO ICE ARENA NO. 397813 DRAFT

WHEREAS, **ISKATE INC.**, Owner, and **SPRINT**, Permittee, filed an application with the City of San Diego for a Conditional Use Permit (CUP) to modify an existing Wireless Communication Facility (WCF). The modification consists of the installation of four (4) Fiberglass Reinforced Panel (FRP) screen boxes concealing a total of sixteen (16) antennas. The FRP screen boxes are designed to replicate the existing mechanical screen wall appearance. A total of thirty-two Remote Radio Head (RRH) units will also be installed as part of this project. The RRHs will be placed on the roof and behind the existing parapet. The equipment associated with this WCF will continue to operate inside a 114-square foot Concrete Masonry Unit (CMU) enclosure. A total of two additional equipment cabinets will be installed inside this CMU enclosure as described in and by reference to the approved Exhibits "A," on file in Development Services Department, and corresponding conditions of approval for the associated Conditional Use Permit No. 1526901;

WHEREAS, the project site is located at 11048 Ice Skate Place, San Diego, CA 92126 in the AR-1-1 zone of the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as that portion of Lot 1 of Ice Skating Area, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 7424, filed in the Office of the County Recorder of San Diego County, September 8 , 1972, which lies within the portion designated as "Not a Part" on Sheet 7 of Map thereof Map No. 9407 of Mesa Del Sol, filed in the Office of the County Recorder of San Diego County;

WHEREAS, on September 9, 2015, the HEARING OFFICER of the City of San Diego considered Conditional Use Permit No. 1526901 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on April 15, 2015 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Sections 15301 (Existing facilities) and 15303 (New construction or conversion of small structures) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the HEARING OFFICER of the City of San Diego as follows:

That the HEARING OFFICER adopts the following written Findings, dated September 9, 2015.

FINDINGS:

#### Conditional Use Permit - Section 126.0305

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

The City of San Diego General Plan recommends that all WCFs minimize visual impacts by concealing wireless facilities in existing structures when possible. It also recommends that these facilities be aesthetically pleasing and respectful to the neighborhood context and to conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures. The proposed Sprint modification consists of the installation of four (4) Fiberglass Reinforced Panel (FRP) screen boxes concealing a total of sixteen (16) antennas. The FRP screen boxes will be designed to replicate the existing mechanical screen wall. The FRP screen boxes were supported by the Mira Mesa Community Planning Group who recommended this design for the previously approved T-Mobile installation in an effort to establish a universal design for all the WCFs on the building. It is anticipated that the other remaining WCF providers on this building would be redesigned to match this proposal in the future.

More importantly, this global design solution complies with the City's General Plan requirement by screening and blending the facility to match the existing mechanical screen wall for an aesthetically pleasing result. The Mira Mesa Community Plan does not address wireless communication facilities as a specific land use however, the project complies with the General Plan's requirement for wireless facilities as detailed above. Pursuant to the San Diego Land Development Code (LDC), wireless communication facilities are permitted in all zones citywide with the appropriate permit process. WCF are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. Therefore, the proposed development would not adversely affect the Mira Mesa Community Plan or the City of San Diego General Plan.

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

The proposed Sprint modification consists of sixteen (16) antennas concealed inside four (4) FRP boxes designed to replicate the appearance of the existing mechanical screen wall. The proposed modification to install the FRP screen boxes is consistent with the Mira Mesa Community Planning Group request to establish a universal design for all the WCFs on the building. The equipment associated with this project will continue to operate inside the existing 114-square foot prefabricated equipment enclosure with interior modifications.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing facilities) and 15303 (New construction or conversion of small structures) on April 15, 2015. The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare. All proposed improvements plans will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing, and fire codes.

Additionally, the Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." Sprint submitted an RF Report, which concluded that the project complies with FCC RF Standards. Therefore, the project will not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction.

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

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

The project complies with all applicable development regulations of the Land Development Code and the City of San Diego Wireless Communication Facilities Regulations (Land Development Code Section 141.0420). This section of the code requires all wireless communication facilities to be minimally visible through the use of architecture, landscape architecture and siting solutions. The antennas associated with this WCF will be minimally visible and concealed through the use of FRP screen boxes as recommended by the Mira Mesa Community Planning Group. The FRP boxes will be designed to replicate the appearance of the existing mechanical screen wall and will extend no more than 18-inches from the face of the wall to comply with LDC Section 141.0420(g)(8).

The associated equipment is located inside an existing 114-square foot CMU enclosure on the westerly portion of the property adjacent to T-Mobile's equipment enclosure. The property is within the AR-1-1 zone and as such, requires a Conditional Use Permit. There are no deviations from the development regulations or variances requested with this application. Therefore, the project is in full compliance with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

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

As designed, the project is located on a commercial property within the AR-1-1 zone. Per Municipal Code Regulation 141.0420, a Wireless Communication Facility within an Agriculture zone requires a Conditional Use Permit. In accordance with Council Policy 600-43, this is a Preference Level 3 location and therefore, the applicant must provide an analysis evaluating potential lower level preference sites as part of the application review process. Within the Justification Analysis and the defined search ring, the only viable Preference Level 1 and Preference Level 2 sites are Right-of-Way facilities in front of single family residences, resulting in multiple sites to meet the current coverage objective. This collocation property will continue to be able provide wireless coverage with an integrated design and therefore, the proposed use for a wireless communication facility is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the HEARING OFFICER, Conditional Use Permit No. 1526901 is hereby GRANTED by the HEARING OFFICER to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1526901, a copy of which is attached hereto and made a part hereof.

Simon Tse Development Project Manager Development Services Adopted on: September 9, 2015

SAP or WBS Number: 24005337

Modified HMD 1-26-15

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: 24005337

#### CONDITIONAL USE PERMIT NO. 1526901 SPRINT SAN DIEGO ICE ARENA PTS NO. 397813 HEARING OFFICER DRAFT

This Conditional Use Permit No. 1526901 is granted by the Hearing Officer of the City of San Diego to **ISKATE INC.**, Owner and **SPRINT**. Permittee, pursuant to San Diego Municipal Code [SDMC] section Chapter 12, Article 6, Division 3 and Section 141.0420. The site is located at 11048 Ice Skate Place. San Diego, CA 92126, in the AR-1-1 zone of the Mira Mesa Community Plan. The project site is legally described as that portion of Lot 1 of Ice Skating Area, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 7424, filed in the Office of the County Recorder of San Diego County, September 8, 1972, which lies within the portion designated as "Not a Part" on Sheet 7 of Map thereof Map No. 9407 of Mesa Del Sol, filed in the Office of the County Recorder of San Diego County.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a modification to an existing Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 9, 2015, on file in the Development Services Department.

The project shall include:

- a. A modification to an existing Wireless Communication Facility (WCF) for the installation of four (4) Fiberglass Reinforced Panel (FRP) screening boxes designed to replicate the existing mechanical screen wall. These FRP screen boxes will conceal up to sixteen (16) antennas; and
- b. The installation of thirty-two (32) Remote Radio Head (RRH) units, located on the roof behind the existing parapet; and

- c. The installation of two equipment cabinets inside the existing 114-square foot Concrete Masonry Unit (CMU) enclosure, painted to match the existing building; and
- d. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### **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 **September 23, 2018**.

2. This approval and corresponding use of this site shall **expire on September 23, 2025.** Upon expiration of this approval, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.

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

4. Under no circumstances, does approval of this permit authorize the Owner/Permittee to utilize this site for WCF purposes beyond the permit expiration date. Use of this permit approval beyond the expiration date of this permit is prohibited.

5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

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

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

10. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

11. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

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

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

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

City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

#### PLANNING/DESIGN REQUIREMENTS:

14. The approved antenna dimensions up to 72" by 12" by 7.1" are illustrated on the Exhibit "A" dated September 9, 2015. Any future modifications to the antennas must be approved by Development Services. Antennas deviating up to the approved size (length, width, or height), must include screening designed to create the appearance of uniformity among the antennas to the satisfaction of the Development Services Department. The Permittee shall provide evidence demonstrating compliance with Federal standards for radio frequency emissions in accordance with the Telecommunications Act of 1996 and any subsequent amendments.

15. The accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation.

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 the approved Exhibit "A."

18. 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.

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

20. 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 surfaces.

21. 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.

22. 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.

23. 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.
- Please note that a **Telecom Planning Inspection Issue** will be placed on the project prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans and associated conditions. <u>Prior to calling for your Final Inspection from your building inspection official</u>, please contact the Project Manager listed below at (619) 687-5984 to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five working days ahead of the requested Final Inspection date.
- Per LDC §59.5.0404 Construction Noise (a), It shall be unlawful for any person, between the hours of 7:00 p m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on September 9, 2015 and Resolution No.

Conditional Use Permit No. 1526901 September 9, 2015

#### AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Simon Tse	
Development Project Manager	
NOTE: Notary acknowledgment	
must be attached per Civil Code	
section 1189 et seq.	
	ecution hereof, agrees to each and every condition of
this Permit and promises to perform each an	d every obligation of Owner/Permittee hereunder.
,	
	ISkate Inc.
	Owner
	By
	NAME
	TITLE
A $N$ $V$	
	Sprint
	Permittee
le la	By
	NAME
	TITLE
NOTE: Notary acknowledgments	

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

#### NOTICE OF EXEMPTION

#### ATTACHMENT 7

(Check one or both)

TO:

X **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.: 397813

PROJECT TITLE: Sprint SD Ice Arena

PROJECT LOCATION-SPECIFIC: The project is located at 11048 Ice Skate Place, San Diego, CA 92126 in the AR-1-1 zone within the Mira Mesa Community Plan Area.

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Conditional Use Permit (CUP) to modify an existing Wireless Communication Facility (WCF), consisting of 16 antennas concealed inside four Fiberglass Reinforced Panel (FRP) boxes, painted and textured to match the existing building mechanical screen wall. The equipment will continue to operate inside the existing equipment enclosure with no exterior modification.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Joanne Aguzar, M&M Telecom Inc., 6886 Memosa Drive, Carlbad, CA 92011. (858) 442-7235.

**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: Section 15301 Existing Facilities and 15303 New construction or conversion of (X) small structures
- () **STATUTORY EXEMPTIONS:**

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an initial review of this project and it was determined that the WCF meets the categorical exemption criteria set forth in the CEQA State Guidelines, Sections15301 (Existing Facilities) and 15303 (New construction or conversion of small structures). Section 15301 allows for the operation, maintenance, permitting or minor alteration of existing public or private structures, facilities or mechanical equipment and Section 15303 allows for new construction and installation of small new equipment and facilities in small structures. Since the project is modifying an existing WCF by replacing antennas and adding new FRP screening on a site lacking sensitive environmental resources the exemptions do apply and the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: de Freitas

TELEPHONE: (619) 446-5187

- 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 URE/TITLE

APRIL 14, 2015

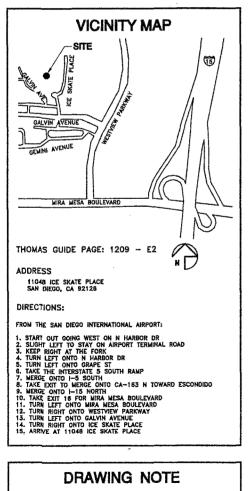
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DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

() SIGNED BY APPLICANT

# Sprint W

SD60XC116 SAN DIEGO ICE ARENA 11048 ICE SKATE PLACE **SAN DIEGO, CA 92126** 



THE BASE OF THESE DRAWINGS WERE TAKEN FROM "AS-BUILT" DRAWINGS PROVIDED BY SPRINT. THE ACCURACY OF THE AS-BUILT DRAWINGS WERE ASSUMED TO BE CORRECT AND WERE NOT THOROUGHLY REVIEWED FOR ACCURACY.

# CONSULTANT TEAM ARCHITECT: ROOTH & SUAREZ ARCHITECTURE INC. 325 CARLSBAD VILLAGE DRIVE, SUITE D2 CARLSBAD, CA 92008 (760) 434-8474 (750) 434-8598 (FAX) LEASING/PLANNING: NAM TELECOM INC. LEASING: ADELINE CONNOLLY 8886 MIMOSA DRIVE CARLSBAD, CA 92011 adeline.connoilv@r PLANNING: JOANNE AGUZAR 6886 MIMOSA DRIVE CARLSBAD, CA 92011 LEGAL DESCRIPTION PORTION DF LOT 1 OF ICE SKATE ARENA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MAP THEREOF NO. 7424, FILED IN OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY SEPTEMBER 8, 1972.

#### SCALE

The drawing scales shown in this set represent the correct scale only when these drawings are printed in a 24" x 36" format, if this drawing set is not 24" x 36", this set is not to scale.

PRO	DJECT SU	MMARY		SHEET SCHED
APPLICANT:	SAN DIEGO, CAIFOR	R DRIVE, SUITE 150 NIA 32122 Murphy, project Manager	T1 A1 A2 A3	TITLE SHEET & PROJECT DATA SITE PLAN Enlarged site plan Equipment floor plan
OWNER:	ISKATE INC. 2560 1ST AVE STE SAN DIEGO, CA 92		A-4 A-4.1 A-5 A-6 A-7	ENLARGED EXISTING ANTENNA P ENLARGED NEW ANTENNA PLANS EXTERIOR ELEVATIONS EXTERIOR ELEVATIONS EXTERIOR ELEVATIONS
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NOTE: THERE ARE EXISTING TELECOMMUNICATION FACILITIES ON THIS PROPERTY (VERIZON, AT&T, T-MOBILE).

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

#### SHEET SCHEDULE

TITLE SHEET & PROJECT DATA

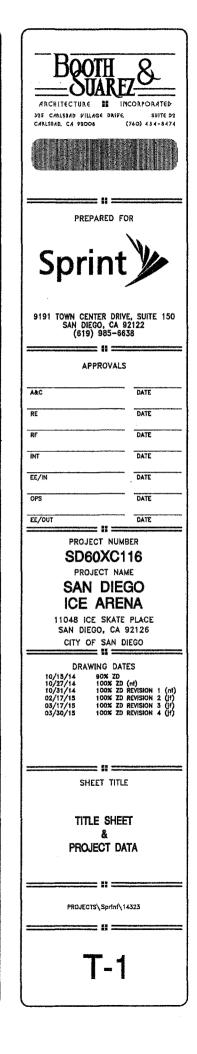
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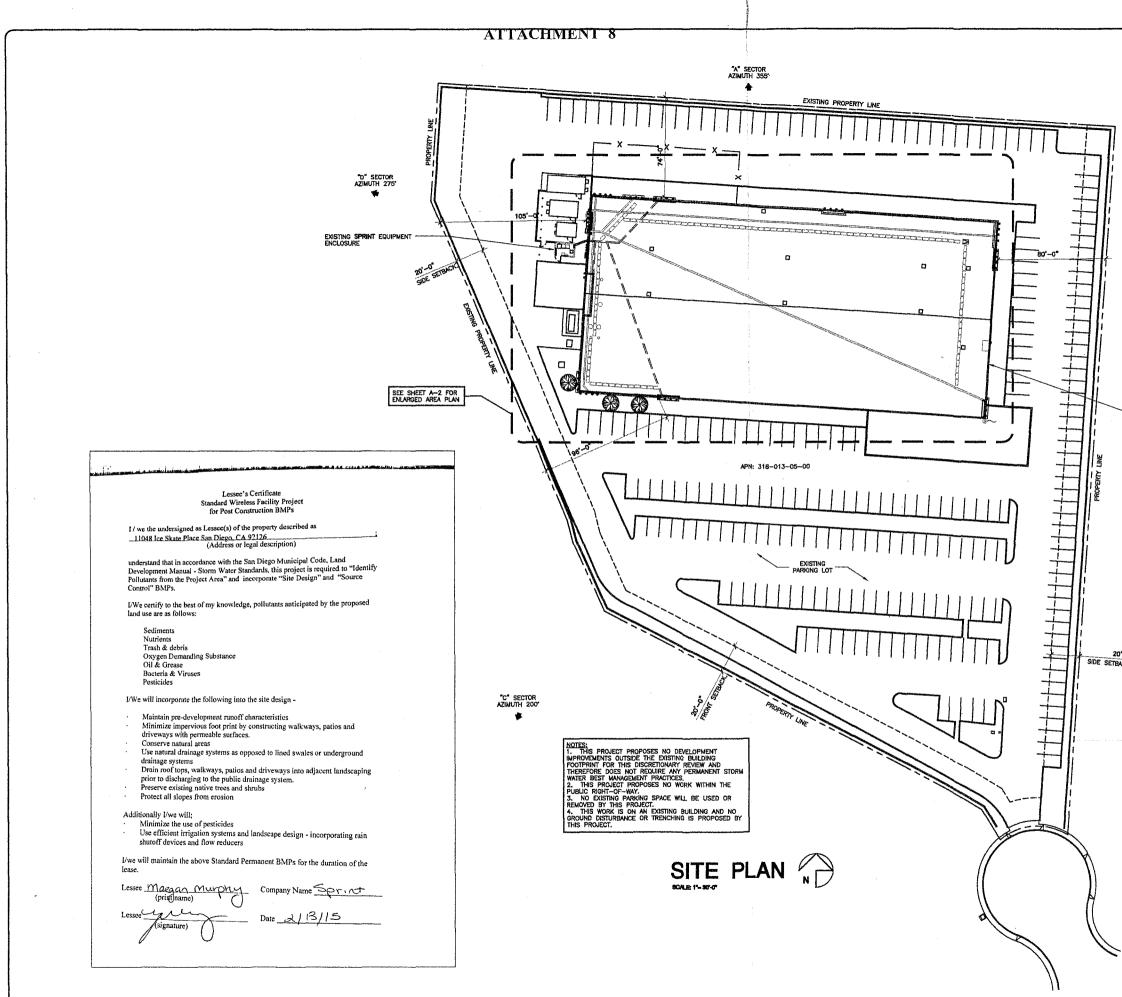
#### PPLICABLE CODES

ALL COMPLY WITH THE FOLLOWING APPLICABLE CODES TATE BUILDING CODE, TITLE 24, 2013 EDITION LUMBING CODE, 2013 EDITION

OF CONFLICT. THE MOST RESTRICTIVE CODE

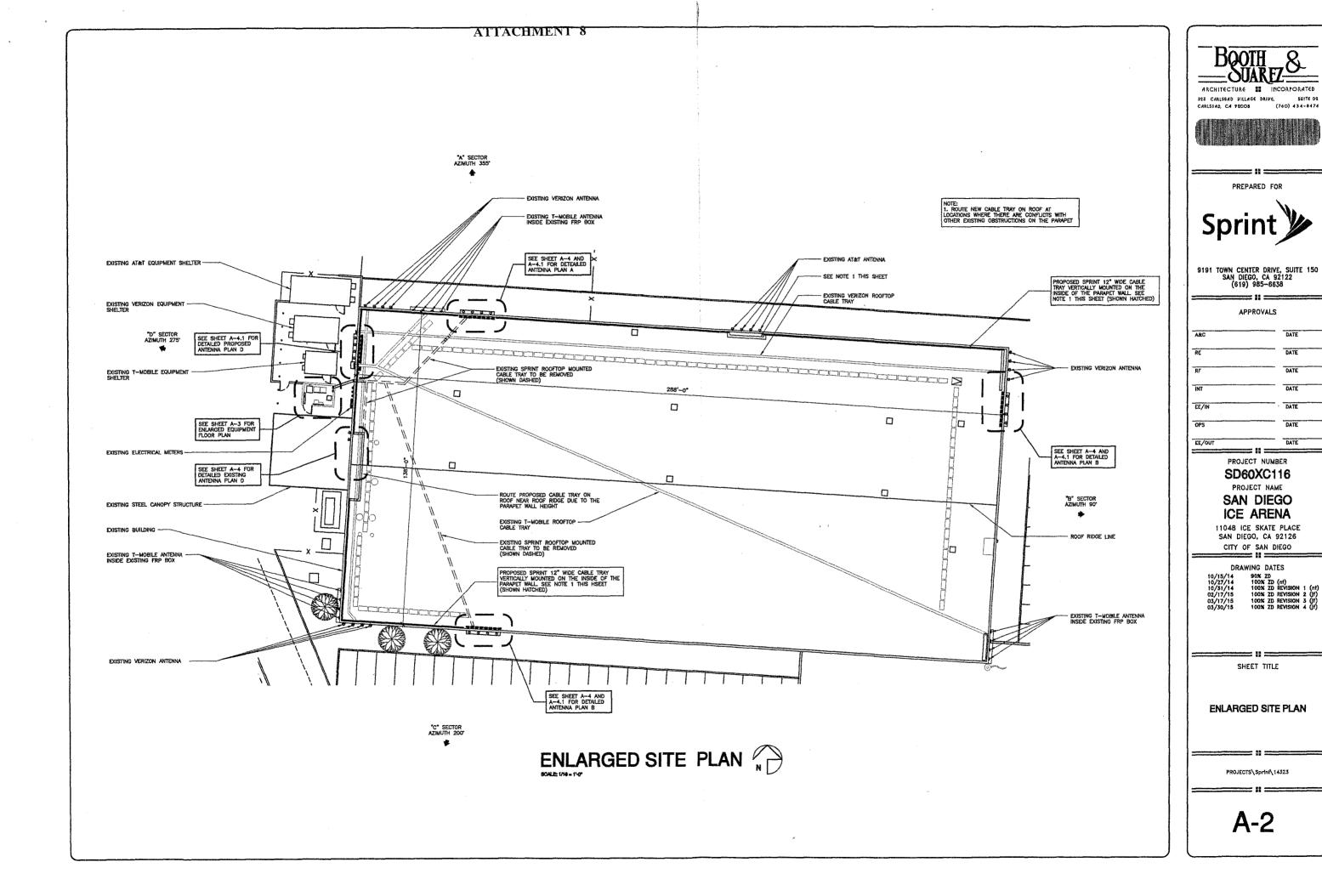
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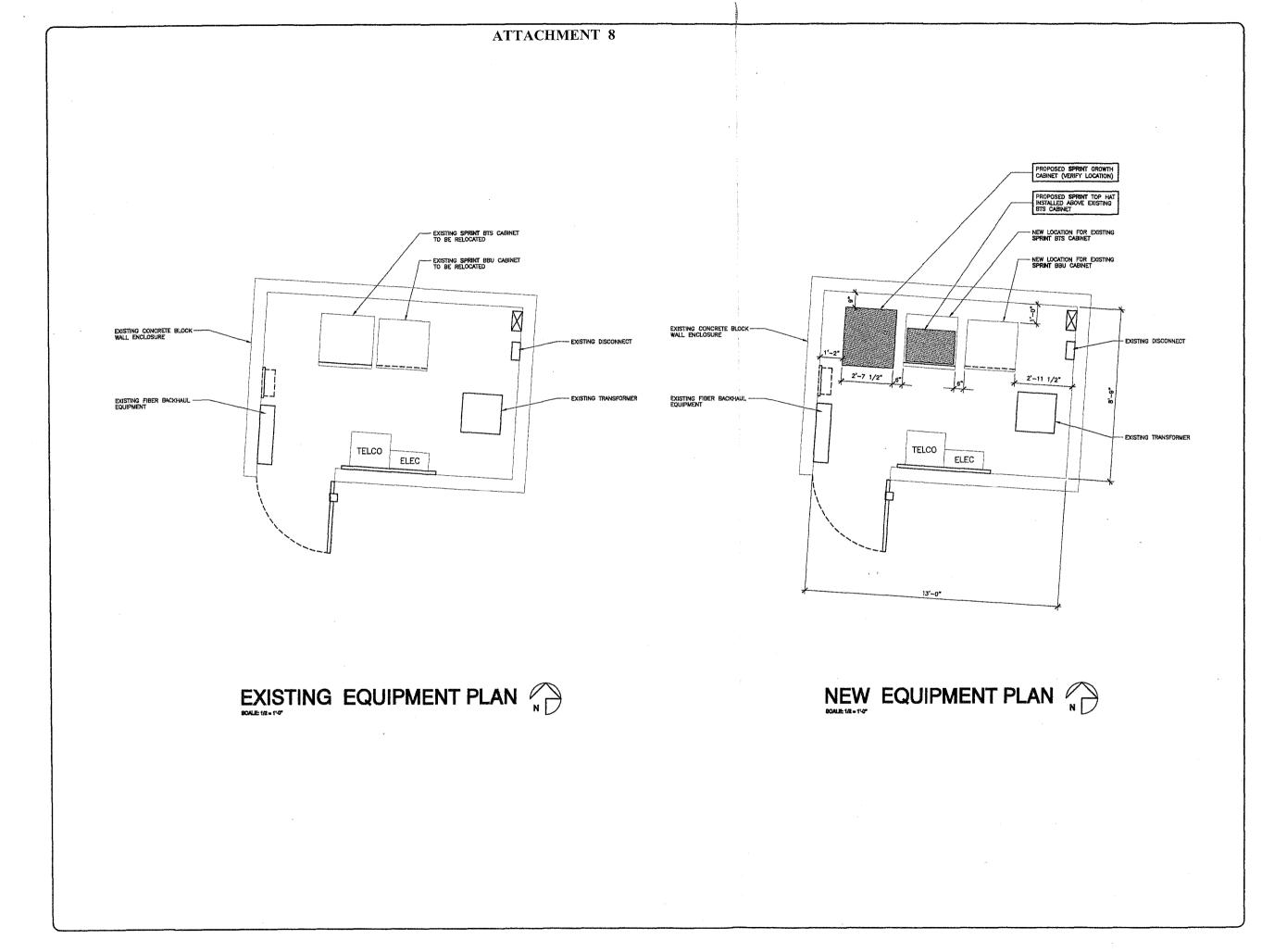




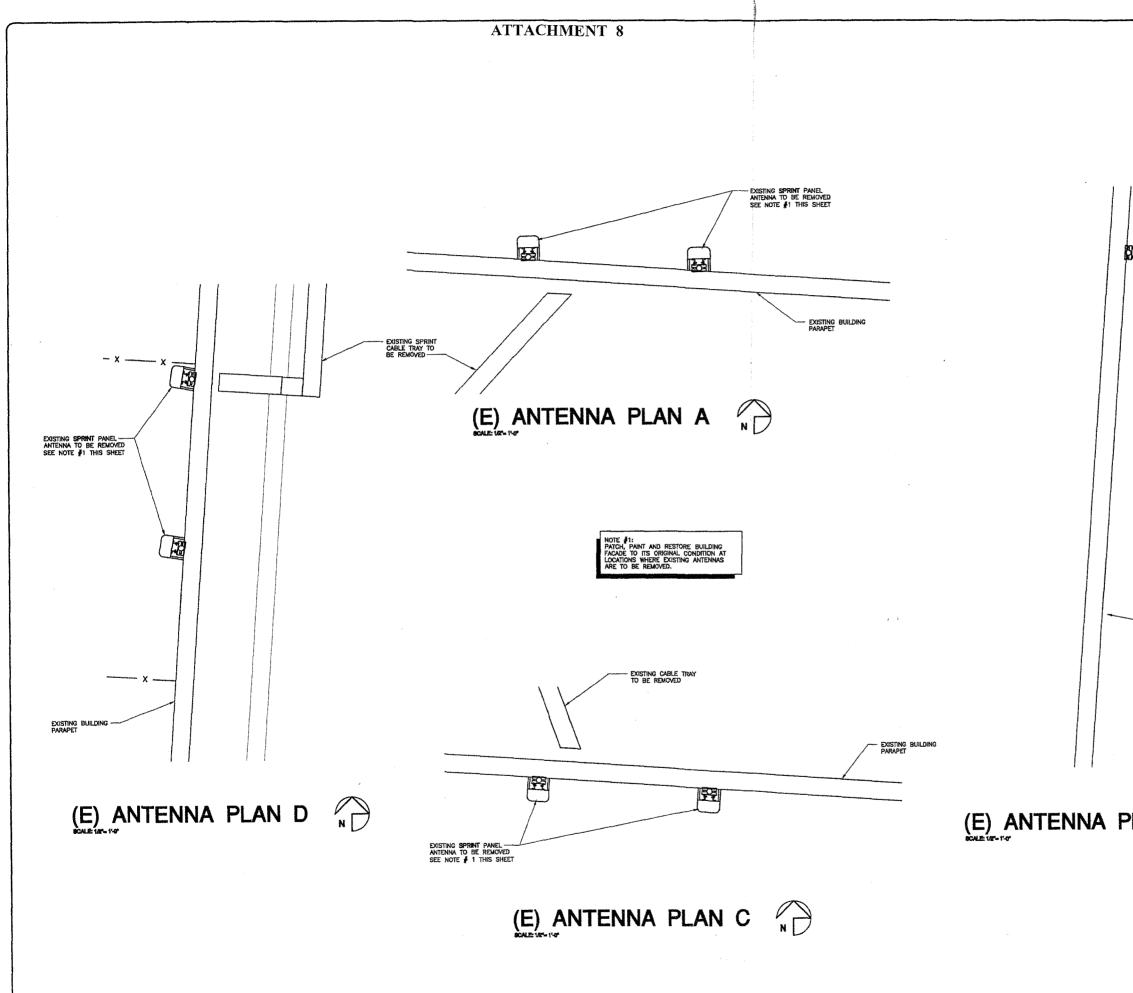
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INT DATE
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ICE ARENA
SAN DIEGO, CA 92126 CITY OF SAN DIEGO
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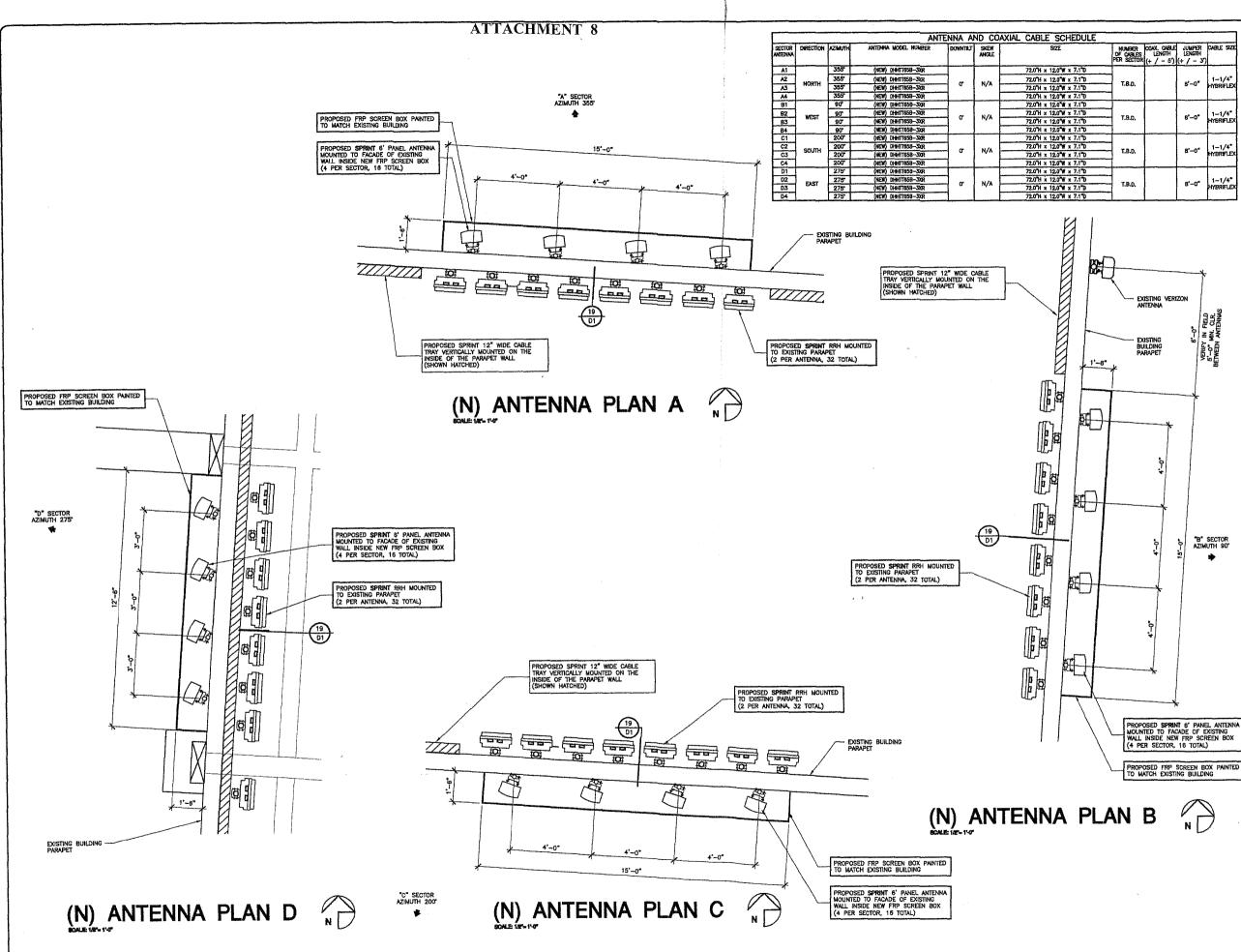




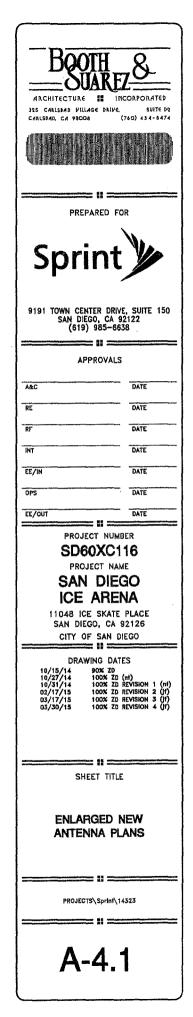
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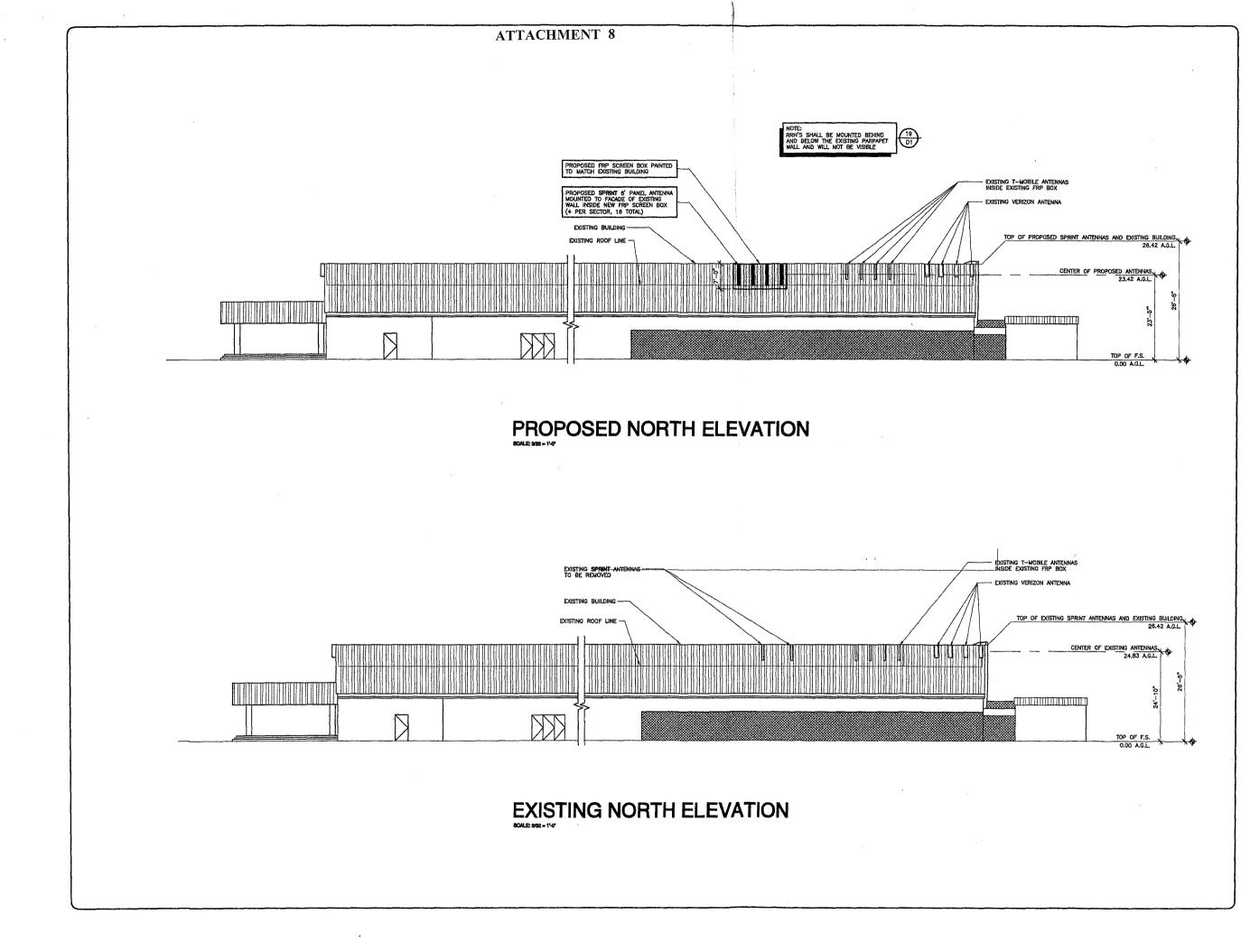


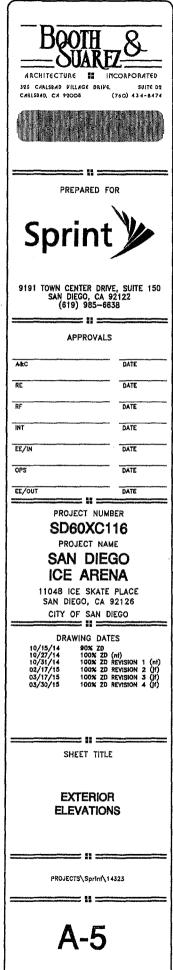
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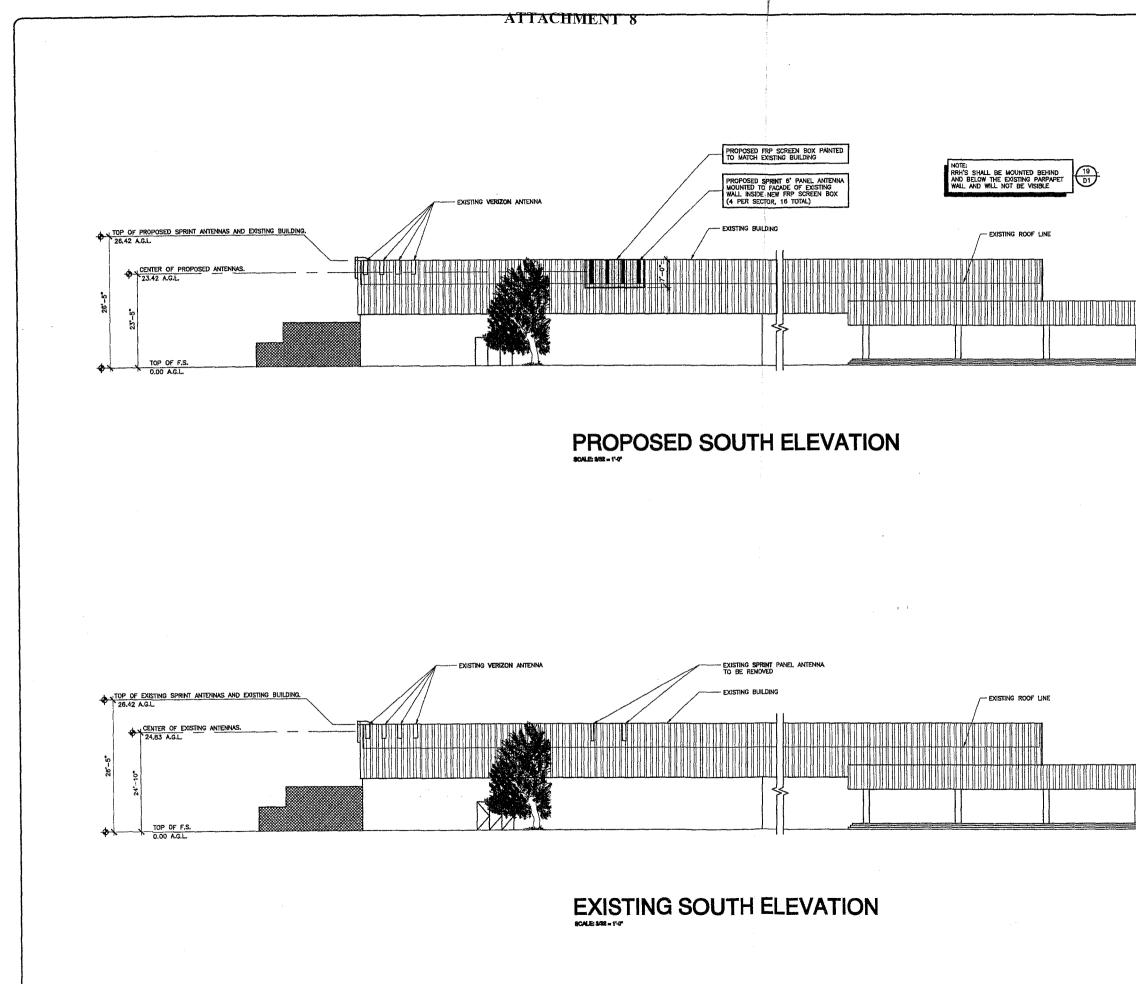


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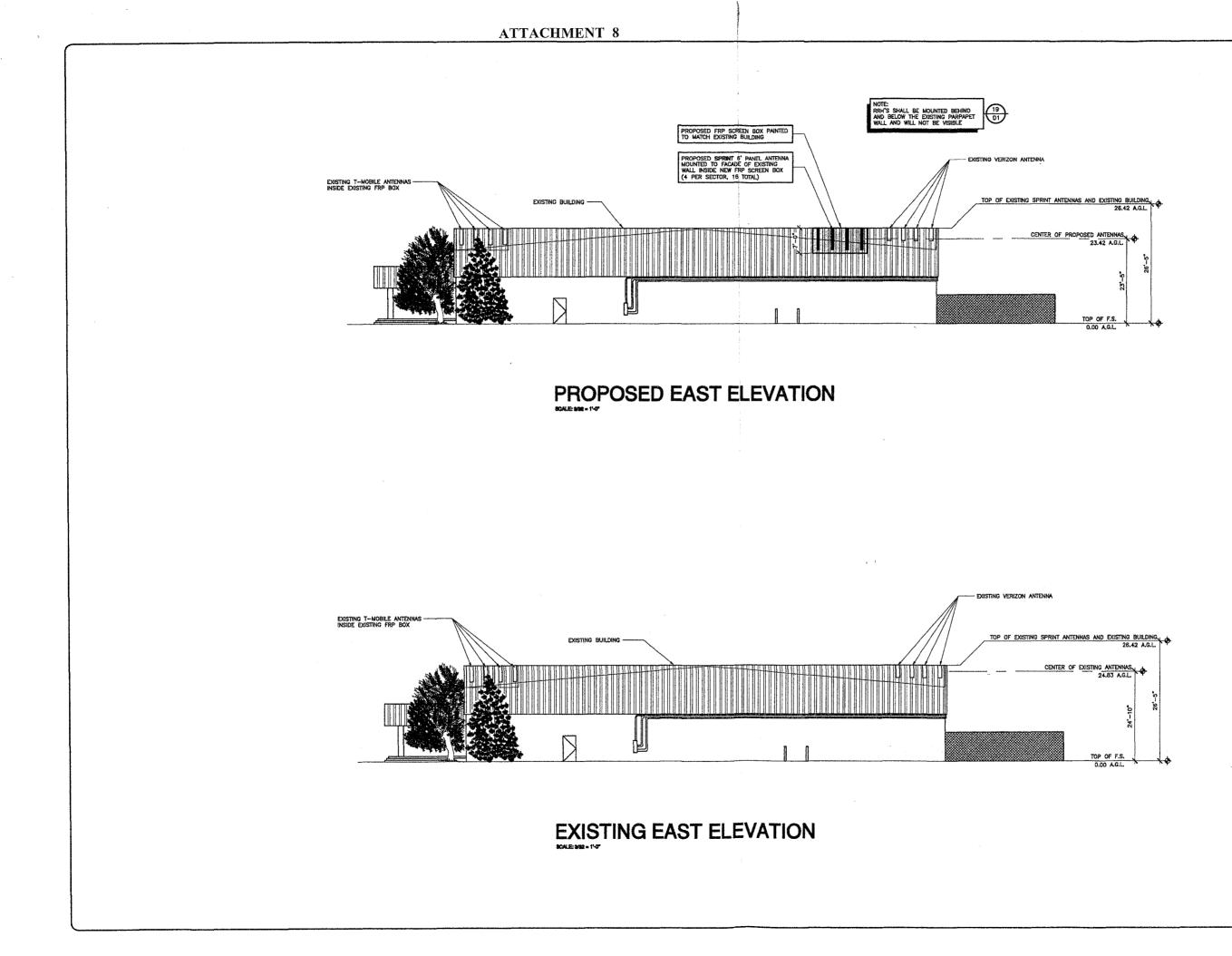


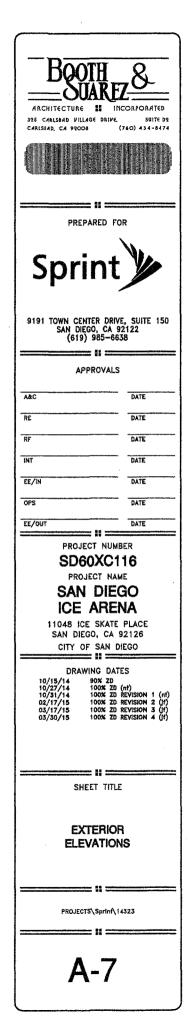


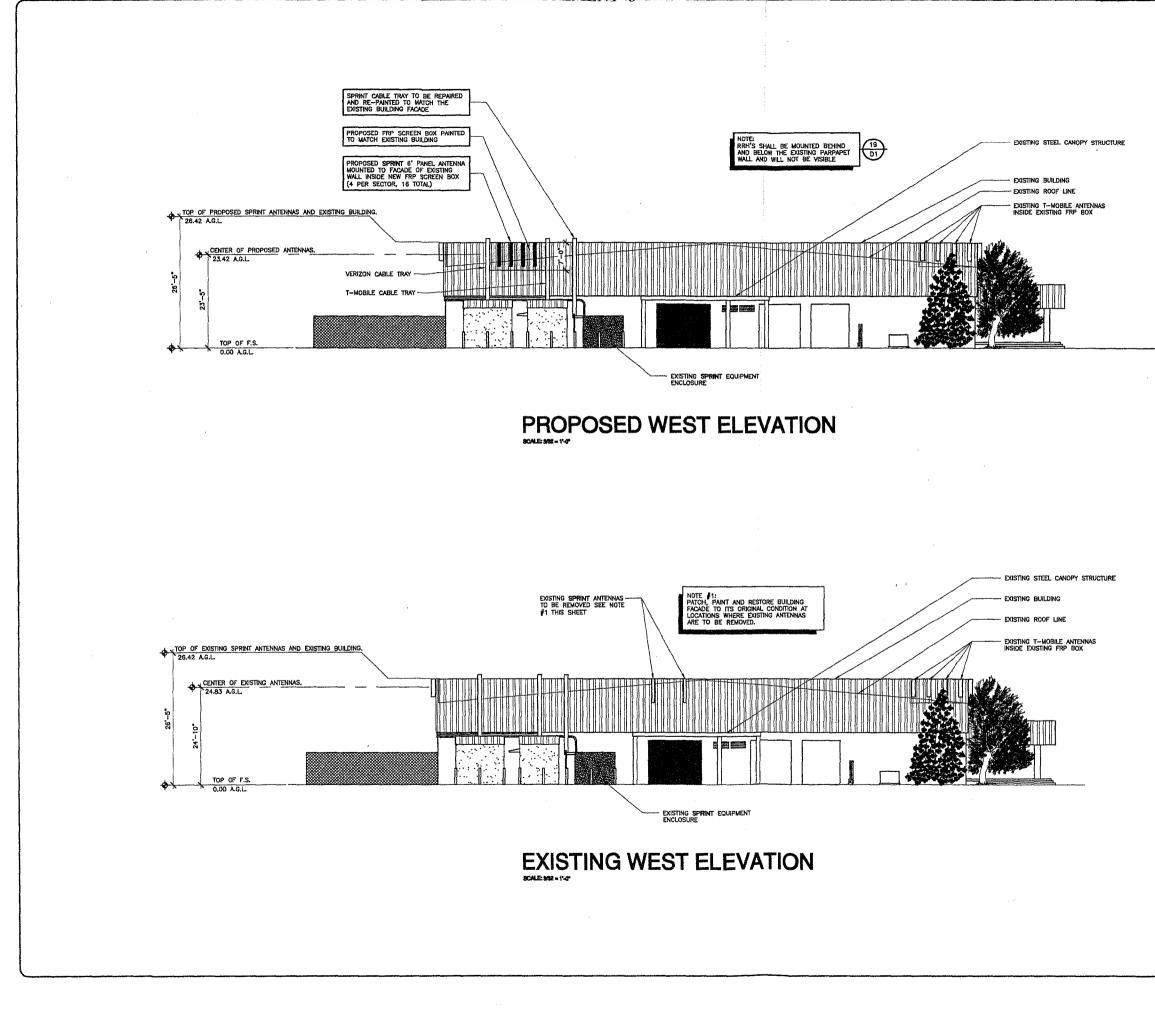


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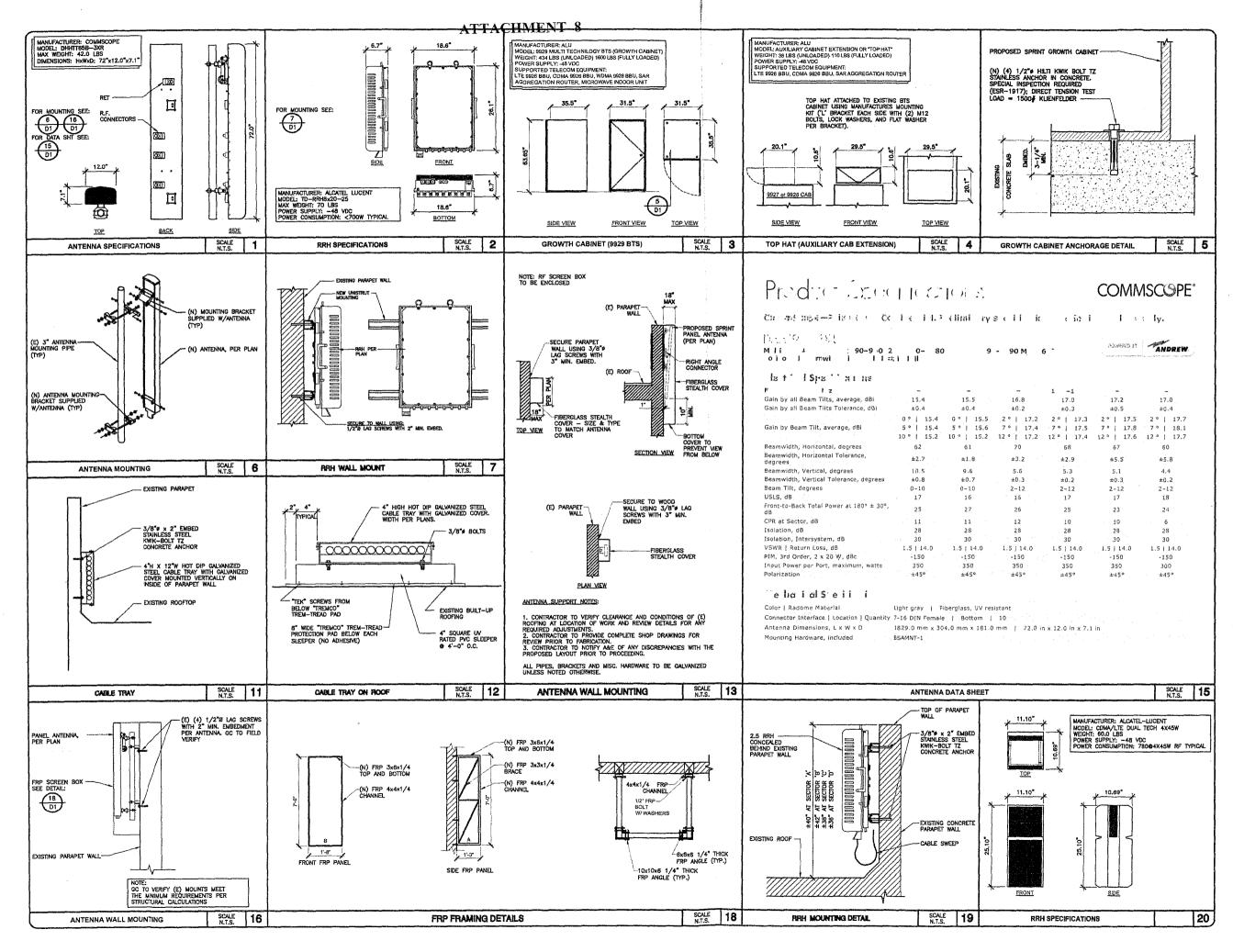
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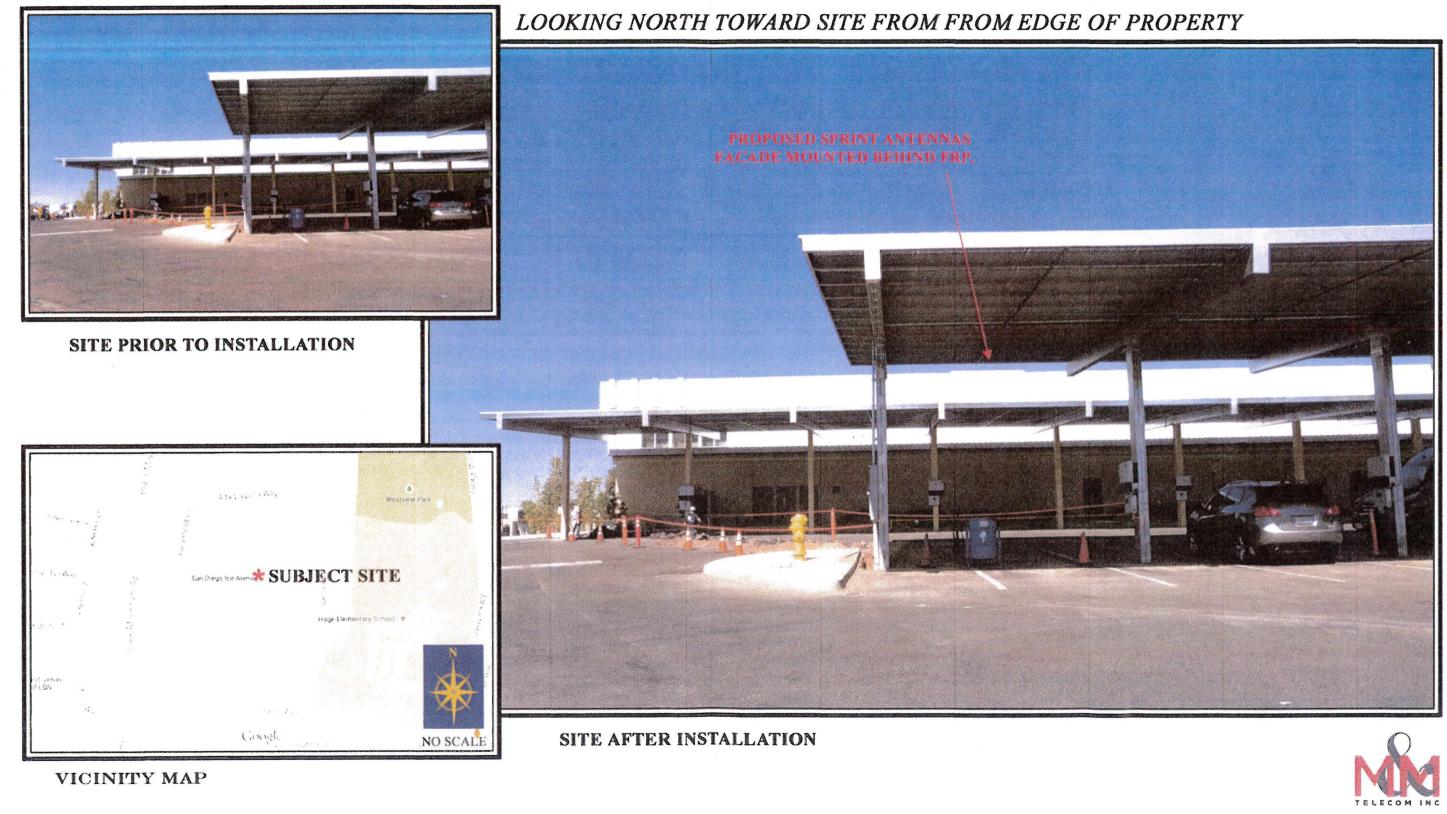
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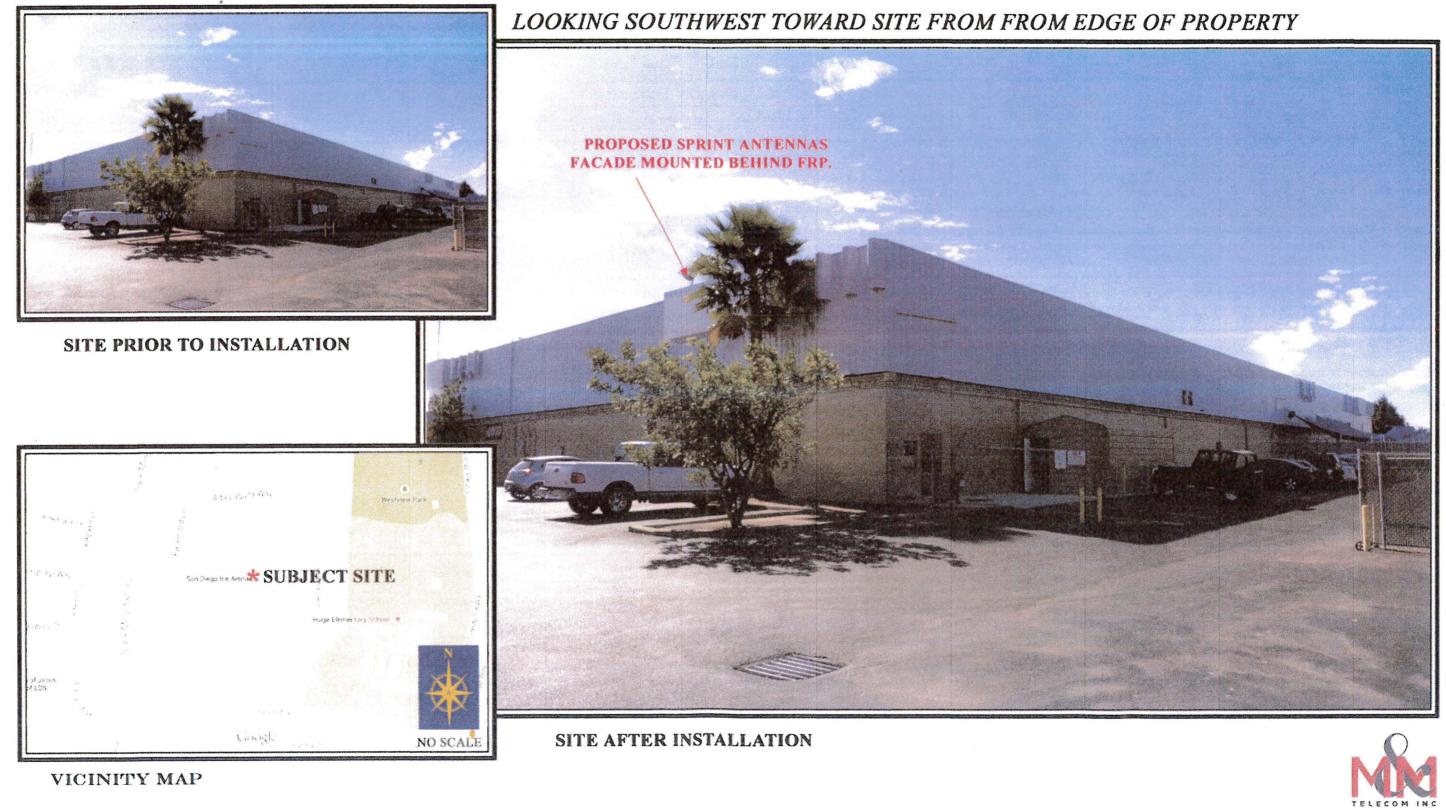




# **SD60XC116 SAN DIEGO ICE ARENA** 11048 ICE SKATE PLACE, SAN DIEGO, CA 92126



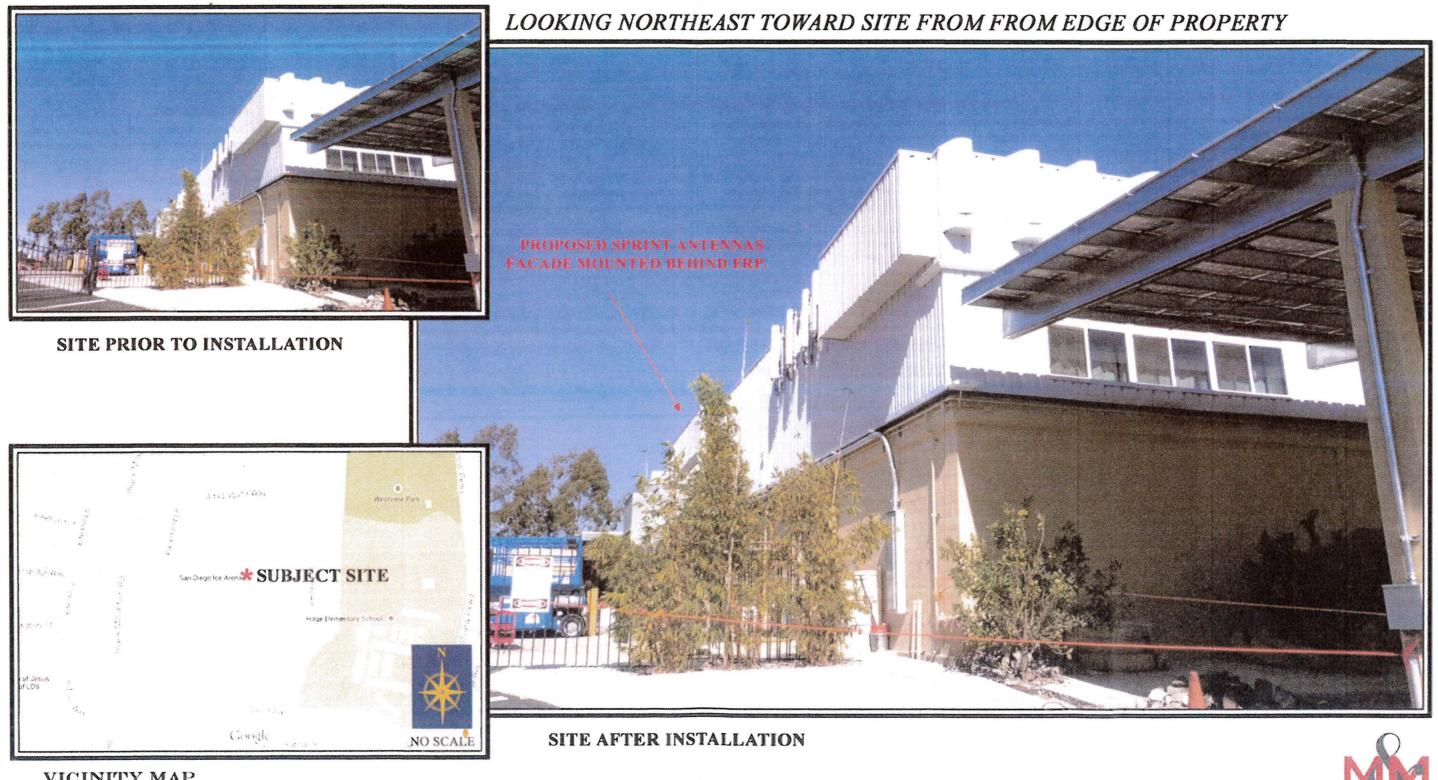




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11048 ICE SKATE PLACE, SAN DIEGO, CA 92126

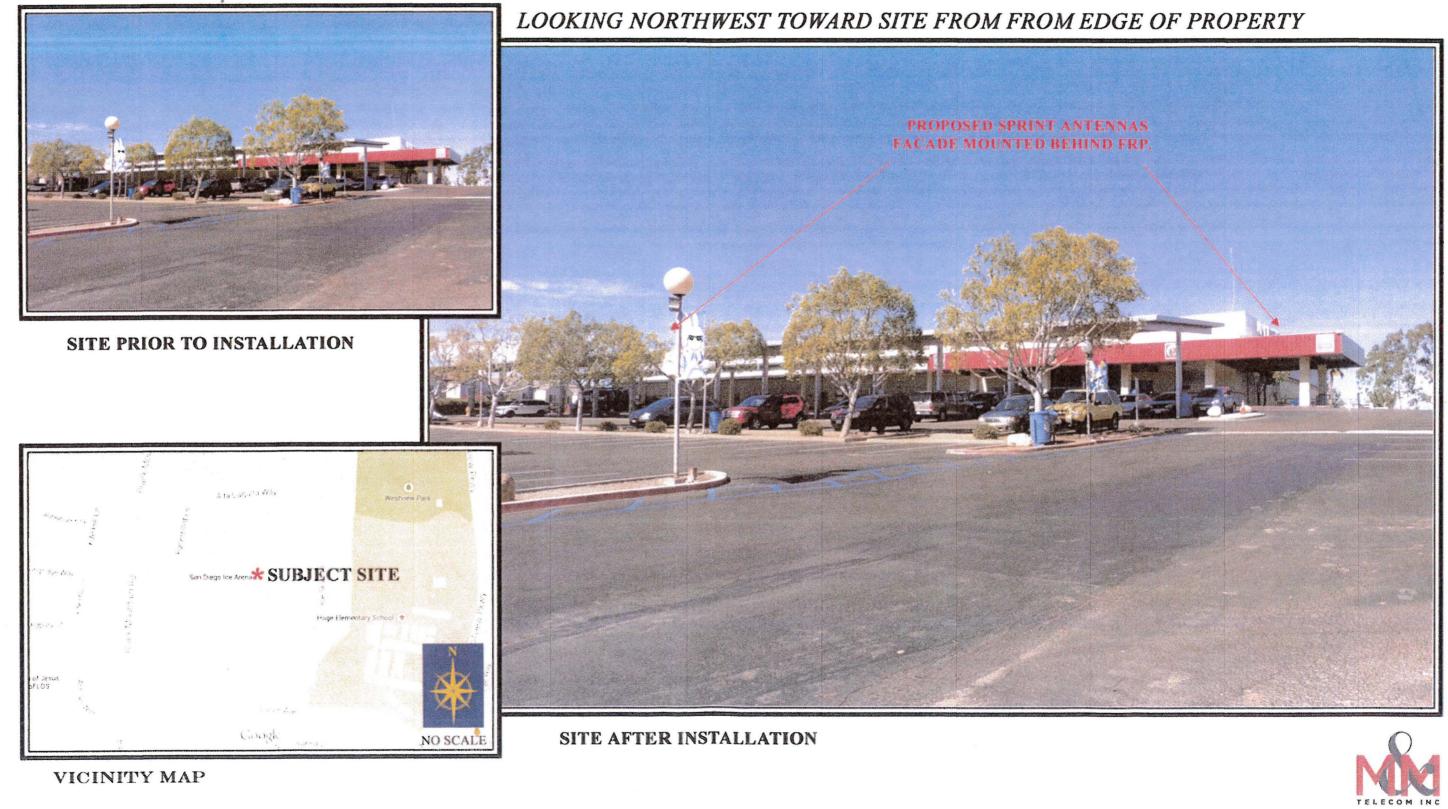


VICINITY MAP

# **SD60XC116 SAN DIEGO ICE ARENA**



# **SD60XC116 SAN DIEGO ICE ARENA** 11048 ICE SKATE PLACE, SAN DIEGO, CA 92126





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



Looking towards subject property

Looking away from subject property

11038 ICE SKATE PLACE



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SD60XC116 SAN DIEGO ICE ARENA

11038 ICE SKATE PLACE



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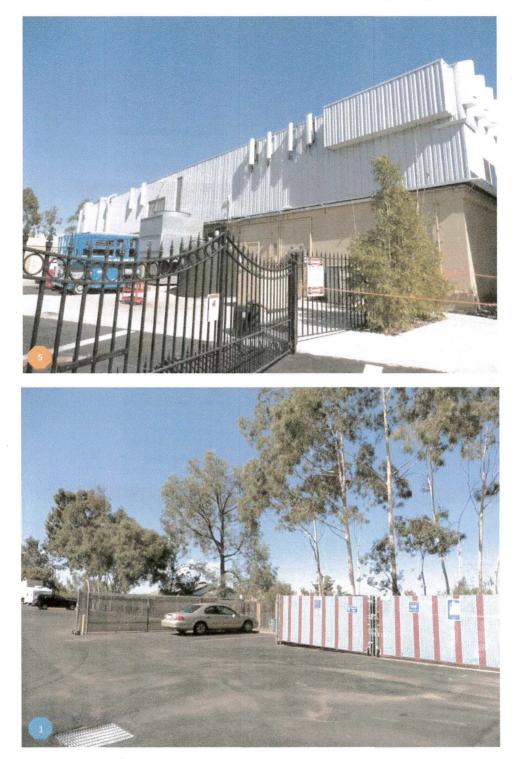


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11038 ICE SKATE PLACE



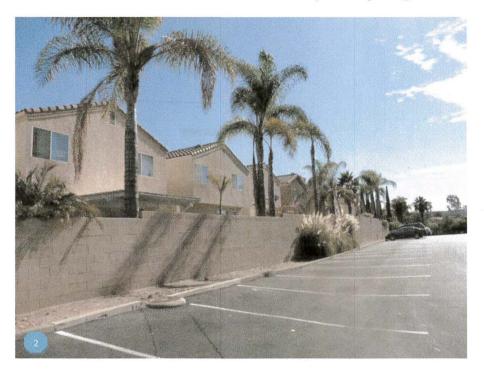
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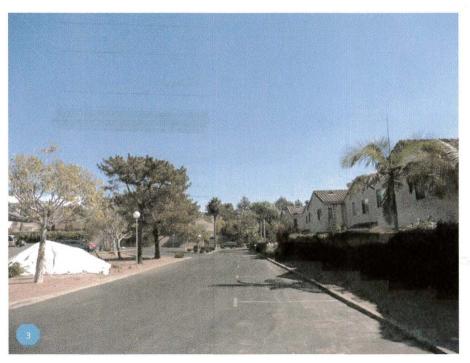


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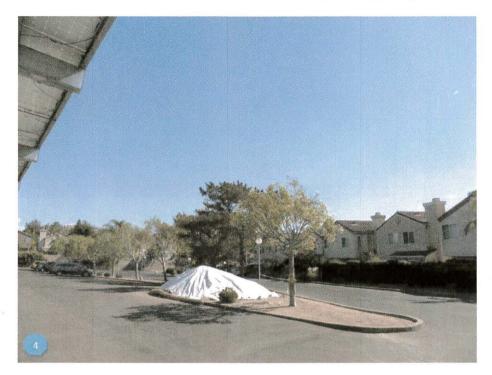




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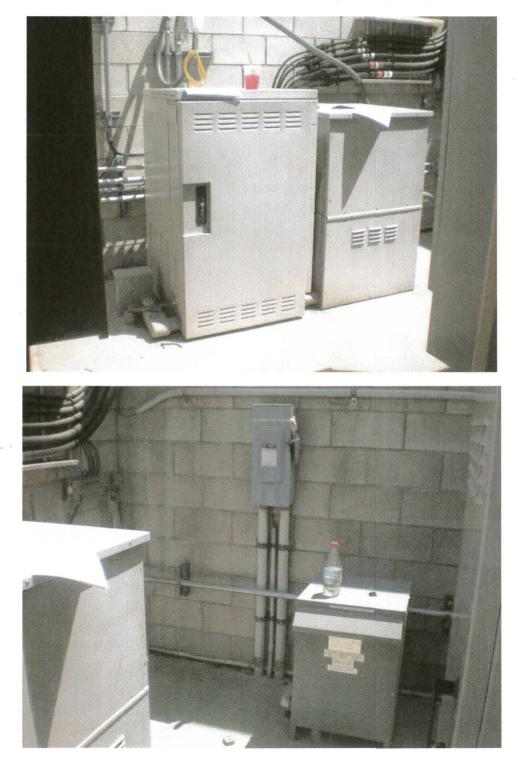
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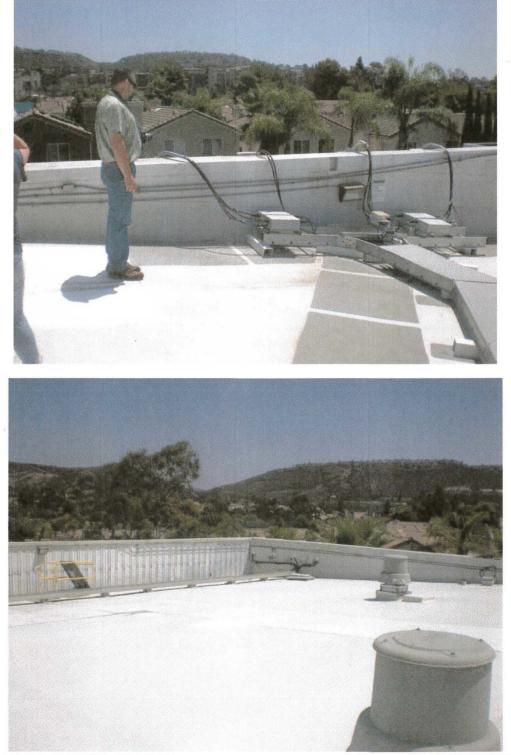
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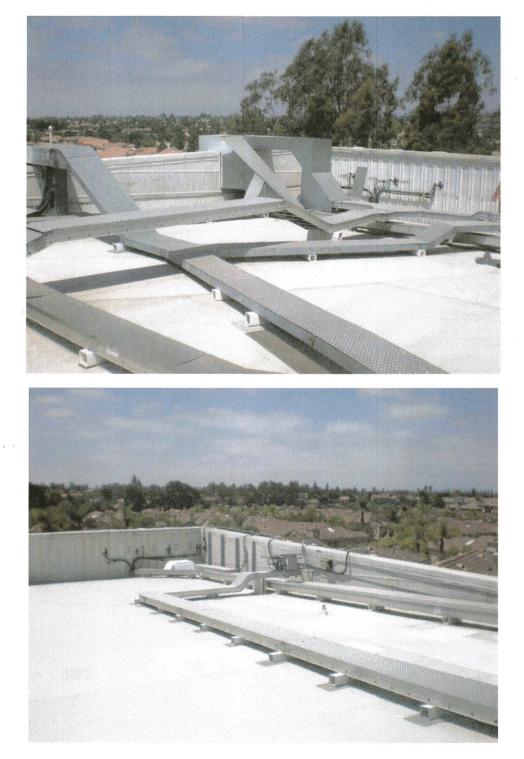
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#### Mira Mesa Community Planning Group Meeting Minutes

#### Date/Time: May 18, 2015 7:00 pm

Location: Mira Mesa Library, San Diego, CA 92121 Call to Order - John Horst

Members In attendance:

1.	Jon Labaw	6.	Tom Derr	11.	Ted Brengel*	16.	Joe Punsalan
2.	Bob Mixon	7.	John Horst	12.	Ken Kaplan	17.	Craig Radke
3.	Vik Chaudhry	8.	Julia Schriber	13.	Kent Lee	18.	Pat O'Donohoe
4.	Craig Jackson	9.	Ralph Carolin	14.	Joe Frichtel		
5.	Jeff Stevens	10.	Walt Kanzler	15.	Michael Linton		
	* arrived at 7:11		]				1

1) Non-Agenda Public Comments:

Janet Kaye-

Non profit - Clean Elections non partisan - publicly financed - sdcleanelections.org

John Malaw- Ricker Road- signs and barriers difficult to traverse- asks MMCPG

Mira Mesa Night Market-

- 2) Adopt Draft Agenda requires a majority vote.
- 3) Remove item 4C S Stone Creek presentation.
  - a) First Jeff Second Ken
    - b) Approved 17-0-0
- 4) Adopt Previous Meeting Minutes –

Continue minutes until next month

April and May minutes to be approved in June.

- 5) Minutes pending distribution and review
- 6) Old Business
  - a) Sprint Wireless Ice Arena
    - i) First Bob Second Joe
    - ii) 17-0-1
  - b) One Paseo Resolution
    - i) John Horst proposes- we consider resolution for City Council to reconsider One Paseo
    - ii) First Pat Second Ted adopt resolution as presented
    - iii) 11-4-3 Approved
  - c) Stone Creek- deferred until June

#### Mira Mesa Community Planning Group Meeting Minutes

#### 7) New Business

- a) Medical Marijuana CC: Possible substitute permit application. tabled
- b) Draft Proposed Plan Amendment
  - (1) Craig Jackson Request deferment of Plan Amendment for further study
  - (2) Request Proposed Draft Amendment to be initiated and forwarded to the city planning department
    - (a) Motion Ralph Carolin Second Ken
  - (3) Julia suggested creating a sub committee for draft plan amendment. That was intended by JH and JS
  - (4) Jeff- consider in two parts items 1-3 and 4-6
    - (a) 1-3 update the plan to match existing conditions (considered technical amendment)
    - (b) 4-6 secondary items that may be addressed (plan update)
  - (5) John use all 6 for sub committee review.
  - (6) Jeff amend the motion
  - (7) Pat O Donohue
    - (a) Need amendment resolution before we can provide plan update
  - (8) Dan Monroe
    - (a) Initiate the process vs. the actual plan update
    - (b) Plan update timeline
    - (c) Mira Mesa is at top of list based on numerous criteria
    - (d) 2-3 years start to finish
    - (e) Can provide amendments in the interim as needed to address outdated plan.
  - (9) Traffic Issues raised Carrol Canyon Road needs to connect
  - (10)Stone Creek Traffic Study covers entire Mira Mesa area
  - (11)Amendment to be initiated and forwarded to the city planning department 17-0-1 Approved.
- 8) Elected Officials/Government Agencies
  - a) United States Congress Scott Peters, California 52nd District: no info
  - b) California Senate Marty Block, District 39: No info
  - c) California Assembly Brian Maienschein, District 77: No Info
  - d) San Diego County Dave Roberts, Board of Supervisors District 3: Harold Meza
    - i) 21% lower on water use
    - ii) Drought issues, conserve,
    - iii) Added helicopter, to address future fires
    - iv) Laura's law, adds another tool for those with mental illness
  - e) City of San Diego Mayor's Office: georgea@sandiego.gov, no info
    - f) City of San Diego Chris Kate, City Council District 6
      - i) Luis Pallera

#### Mira Mesa Community Planning Group Meeting Minutes

- (1) Wed 5/20 breakfast meeting, review Mayor's budget. Expanded rec center hours.
- (2) Night Market supporting 10k Mayor will be attending
- (3) Traffic Signal optimization Lusk + Mira Mesa Boulevard starting on West
- (4) Slurry seal gravel all over the roads

CalTrans: No Info

- g) City of San Diego Planning department no info
- h) San Diego Unified Schools no info
- i) Mira Mar
  - i) BMX bikers caused damage on property
  - ii) 858-577-4068 Military Police to contact
- 9) Announcements:
  - a) Joe Frichtel
    - i) Cell phone tower winterwood park
    - ii) Soccer tournament- 7-10k expected
  - b) Bruce Brown recommends all exec members review community plan
  - c) Available on City of SD DSD website-
  - d) Request for information on FBA
  - e) Jeff and Bruce can do a presentation on FBA at future MMCPG meeting.i) Facilities Finance at City of SD
  - f) Ken Kaplan- Athlete Ally- San Diego Padres Tolerance in sports day.
  - g) Kent Lee D6 Night Market expect large crowd 10-15k
  - h) Pam- Mira Mesa's got talent

Stone Creek Sub Committee- presentation in June

Group not meeting in July and August.

Need to make alternate timing for review and sub committee meeting.

Pam- Los Penasquitos Canyon adobe ranch house- ranger house

Joe P Bike to work day – Friday May 28

Public Attendees: David Miller, Joanne Aguzar, John Malo, Al Radick, Bruce Brown

Adjourn: Unanimous consent 8:35

	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101	Ownership Disclosure
The Cov of San Data	1010 110 0000	Statemen
		uested: 「 Neighborhood Use Permit 「 Coastal Development Permit rmit 「 Planned Development Permit IX Conditional Use Permit p Waiver 「 Land Use Plan Amendment + 「 <b>Other</b>
Project Title		Project No. For City Use Only
	Diego Ice Arena SD60XC116	
Project Address:		
11048 Ice Ska	ite Place San Diego CA 92126	
		an a
Part I - To be cor	npleted when property is held by Individ	lual(s)
who have an interes individuals who owr from the Assistant E Development Agree Manager of any cha the Project Manage	st in the property, recorded or otherwise, and sta n the property). <u>A signature is required of at lea</u> Executive Director of the San Diego Redevelopre ement (DDA) has been approved / executed by anges in ownership during the time the applicati	anced property. The list must include the names and addresses of all persons to the type of property interest (e.g., tenants who will benefit from the permit, all <u>st one of the property owners</u> . Attach additional pages if needed. A signature tent Agency shall be required for all project parcels for which a Disposition and the City Council. Note: The applicant is responsible for notifying the Project on is being processed or considered. Changes in ownership are to be given to g on the subject property. Failure to provide accurate and current ownership
Additional nages	attached TYes NO No	
		Name of Individual (type or print):
Name of Individu	Jal (lype or print):	Name of Individual (type or print):
Name of Individu		Name of Individual (type or print):
Name of Individu	Jal (lype or print):	
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Name of Individu Owner Street Address: City/State/Zip: Phone No: Signature : Name of Individu	Jal (type or print): Tenant/Lessee Redevelopment Agency Fax No: Date:	Owner       Tenant/Lessee       Redevelopment Agency         Street Address;       City/State/Zip:         Phone No:       Fax No;         Signature :       Date:         Name of Individual (type or print);
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DS-318 (5-05)

Project Title: Sprint - San Diego Ice Arena SD60XC116	Project No. (For City Use Only)
Part II - To be completed when property is held by a corp	oration or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) What Partnership	State? Corporate Identification No
as identified above, will be filed with the City of San Diego on the property. Please list below the names, titles and address otherwise, and state the type of property interest (e.g., tenant in a partnership who own the property). <u>A signature is requir</u> property. Attach additional pages if needed. Note: The applic ownership during the time the application is being processed	acknowledge that an application for a permit, map or other matter, the subject property with the intent to record an encumbrance against es of <b>all</b> persons who have an interest in the property, recorded or s who will benefit from the permit, all corporate officers, and all partners ed of at least one of the corporate officers or partners who own the ant is responsible for notifying the Project Manager of any changes in or considered. Changes in ownership are to be given to the Project subject property. Failure to provide accurate and current ownership additional pages attached Yes X No
Corporate/Partnership Name (type or print): Iskate Inc.	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address: 2560 First Ave #101	Street Address:
City/State/Zip: San Diego CA 92103	City/State/Zip:
Phone No: Fax No: (6195440943)	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): PHILIP LINSSEN	Name of Corporate Officer/Partner (type or print):
Title (type or print): PRESIDENT	Title (type or print):
Signature : Tyle Tyle Date: 10/29/2014	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:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature ; Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Cowner CTenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print).

# Sprint San Diego Ice Arena PROJECT CHRONOLOGY PTS #397813 IO #24005337

Date	Action	Description	City Review	Applicant Response
11.14.2014	First Submittal	Project Deemed Complete		
12.04.2014	First Assessment Letter		20 days	
02.23.2015	Second Submittal			91 days
04.01.2015	Second Assessment Letter		37 days	
06.04.2015	Third Submittal			64 days
07.24.2015	All issues resolved		60 days	
09.09.2015	Scheduled for Hearing Officer		47 days	
Total Staff Time:		Does not include City Holidays and Furlough	164 days	
Total A	pplicant Time:	Does not include City Holidays and Furlough		155 days
Total Proje	ect Running Time:	From Deemed Complete to HO Hearing	319 days	



"A Certified Woman-Owned Business"

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

### SD60XC116 SITE JUSTIFICATION REPORT

CUP Process Background

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

### Analysis

### I. Site Selection

The Sprint site development team recognized from the outset that the coverage objective was essentially residential. Per the zoning map submitted with this report, the site is within the Agricultural Residential (AR-1-1) zone, and the surrounding land uses consist of single-family residential properties. Due to the volume of traffic, distance, and capacity needed in the surrounding area, nearby Sprint sites cannot provide enough coverage to the Scripps Miramar Ranch community. The east-facing sector of the proposed modification of ice skate arena facility will provide coverage to the Scripps Ranch neighborhood of Scripps Miramar Ranch and the 15 freeway. The west-facing sectors grants coverage to the Mira Mesa community. In 2004, a telecommunication facility system through the City of San Diego was filed for a new telecommunications site and Sprint was granted for a Conditional Use Permit approval for 9 panel antennas and ground level equipment space.

The subject site, San Diego Ice Arena, has a top antenna height of 26'-5" which will be enclosed within proposed FRP boxes. The surrounding residential communities of the site are at generally lower elevations and would therefore receive the coverage from the subject site.

#### SD60XC116 SAN DIEGO ICE ARENA



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### II. Site Justification

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

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

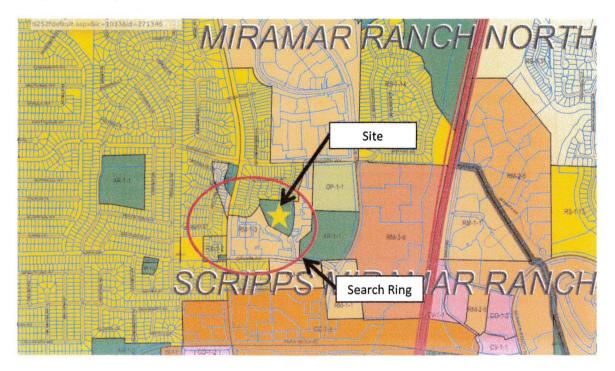
Other sites in the area were assessed and deemed unfeasible due to the largely residential nature of this area and the topographic limitations of coverage. There is also a gradual incline westward of all other Sprint sties in the area. For these reasons the Stonebridge Water Tower site was the most viable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

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### Justification Map



#### III. Site Design

As noted above, the project follows the preference objectives of Council Policy by having utilized a location, which allows the coverage needs to be satisfied with an appropriate location and design. The proposed project includes the installation of (16) Sprint antennas inside (4) new FRP screen boxes on façade of existing building. Installation of (32) RRHs mounted to the existing parapet wall will also be proposed. A proposed growth cabinet and a new top hat on top of the existing BTS cabinet will be proposed in the existing ground-level equipment. Fortunately, the greater existing elevation AMSL allows RF signals to reach further distances than if they were at a lower elevation, which increases coverage of the area without significantly fewer changes to the existing site. The site development team considered various design iterations, but finally settled on a proposed design. The combined factors of height and incorporation of antennas within architectural features will allow Sprint to provide focused coverage to the area surrounding the proposed site without deterring from or interfering with the peacefulness of the surrounding neighborhood.

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Furthermore, the 8'-9" X 13'-0" equipment shelter does not exceed the 250-sq-ft limit set forth in LDC Section 141.0420(g)(3). The project follows the preference objectives of Council Policy 600-43 by having identified a site within the project area that allows the gap in coverage to be addressed, locating on a site having a defensible zoning preference level given the surrounding zoning in the area, and utilizing the least visually obtrusive design.

### Conclusion

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

#### SD60XC116 SAN DIEGO ICE ARENA

