



THE CITY OF SAN DIEGO

DATE OF NOTICE: July 21, 2026

NOTICE OF FUTURE DECISION

DEVELOPMENT SERVICES DEPARTMENT

As a property owner, tenant, or person who has requested notice, you should know that Development Services Department Staff will make a decision to approve, conditionally approve, modify, or deny an application for a CHARTER A Neighborhood Development Permit, Process 2, for the Installation of (1) new backup battery power node system cabinet supporting Charter Communications Fiber Optic resiliency. The site is proposed in the Public Right-of-Way, adjacent to the sidewalk within the parkway, in front of 3876 Modoc St, with a physical address of 3853 1/3 Modoc St. The site is zoned CN-1-2 (Commercial), and is located within the Clairemont Mesa Community Plan Area, and Council District 2.

PROJECT NO:	PRJ-1134192
PROJECT NAME:	<u>CHARTER COMMUNICATIONS BACKUP BATTERY CABINET</u>
PROJECT TYPE:	NEIGHBORHOOD DEVELOPMENT PERMIT, PROCESS 2
APPLICANT:	CHARTER COMMUNICATIONS
COMMUNITY PLAN AREA:	CLAIREMONT MESA
COUNCIL DISTRICT:	2
CITY PROJECT MANAGER:	John Sylvester, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5099 / JSylvester@sandiego.gov

The decision by City staff will be made **without** a public hearing no less than thirty (30) calendar days after the date of mailing the Notice of Future Decision. If you wish to receive a "Notice of Decision," you must submit a written request to the Development Project Manager listed above no later than ten (10) business days from the date of this Notice. This project is undergoing environmental review.

The decision of the Development Services Department Staff is final unless appealed to the Planning Commission. The decision made by the Planning Commission is the final decision by the City. Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505) (<https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505>). Appeals to the Planning Commission can be filed by email/mail or in person:

- 1) Appeals filed via email/mail: Send the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>)

(including grounds for appeal and supporting documentation in pdf format) via email to PlanningCommission@sandiego.gov by 4:00 PM on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within five (5) business days of invoice issuance will invalidate the appeal application.

- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (including grounds for appeal and supporting documentation) to the reception desk in the first-floor lobby of the Development Services Center, located at 7650 Mission Valley Road, San Diego, CA 92108-4423 by 4:00 PM. on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per Information Bulletin 505 in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer." Please include in the memo of the check the invoice number or Project number or attach the invoice to the check. Cash payments are only accepted by appointment; email DSDCashiers@sandiego.gov to schedule an appointment.

Please note that Community Planning Groups provide citizens with an opportunity for involvement in advising the City on land use matters. Community Planning Group considerations are a recommended, but not required, part of the project review process. Please see the [Community Planning Group Contact List](https://www.sandiego.gov/planning/community-plans/cpg/contacts) (<https://www.sandiego.gov/planning/community-plans/cpg/contacts>) to inquire about Clairemont Mesa Community Planning Group meeting dates, times, and location for community review of this project.

If you have any questions about the project after reviewing this information, you may contact the Development Project Manager listed above.

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

Internal Order No.: 11003679



Development Services Department

John Sylvester / Project No. 1134192
7650 Mission Valley Road, MS DSD-1A
San Diego, CA 92108-4423

RETURN SERVICE REQUESTED