



THE CITY OF SAN DIEGO

DATE OF NOTICE: NOVEMBER 30, 2023

# NOTICE OF PUBLIC HEARING

## PLANNING COMMISSION

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DATE OF HEARING:	December 14, 2023
TIME OF HEARING:	9:00 AM
LOCATION OF HEARING:	COUNCIL CHAMBERS, 12 <sup>th</sup> FLOOR, CITY ADMINISTRATION BUILDING 202 C STREET, SAN DIEGO, CA 92101
PROJECT NUMBER:	PRJ-1097475
PROJECT TYPE:	NEIGHBORHOOD DEVELOPMENT PERMIT AND PLANNED DEVELOPMENT PERMIT, ENVIRONMENTAL EXEMPTION, PROCESS FOUR
PROJECT NAME:	<u>DIAMOND VERIZON T-MOBILE DISH HOME DEPOT</u>
APPLICANT:	THE FRANCIS LAW FIRM, PC
COMMUNITY PLAN AREA:	SOUTHEASTERN SAN DIEGO
COUNCIL DISTRICT:	4
CITY PROJECT MANAGER:	Andrew Razon, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 687-5948 / <a href="mailto:AMRazon@sanidiego.gov">AMRazon@sanidiego.gov</a>

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As a property owner, tenant, or person who has requested notice, please be advised that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for a Neighborhood Development Permit (NDP) and Planned Development Permit (PDP) for the modification of an existing Wireless Communication Facility (WCF). The project would consist of removing 12 panel antennas, 3 Remote Radio Units (RRUs) and installing 18 panel antennas, and 12 RRHs. The monopine would also be modified with a top extension which would raise the height of the faux tree from 55 feet to 65 feet. Additionally, the project includes ancillary equipment consisting of 4 equipment cabinets. The 1,540-square foot equipment enclosure is located in an existing concrete block enclosure. The project is located at 355 Marketplace Avenue in the CC-2-3 Zone within the Southeastern San Diego Community Plan area and City Council District 4.

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Replacement or Reconstruction) on November 1, 2023, and the opportunity to appeal that determination ends on November 16, 2023.

### **APPEALS:**

The decision of the Planning Commission is final unless appealed to the City Council. In order to appeal the decision of the Planning Commission, you must register as a speaker at the public hearing concerning the application or have expressed interest in webform or in writing to the Planning Commission, (<https://www.sandiego.gov/planning-commission>), before the close of the public hearing. 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>). The appeal must be made no later than ten (10) business days after the date of the Planning Commission's decision. If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. The decision of the City Council is final. Appeals to the City Clerk may be filed by e-mail or in person as follows:

- 1) Appeals filed via e-mail/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 e-mail to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00 PM on or before the last day of the appeal period; your e-mail appeal will be acknowledged within 24 hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked within 5 business days of the date the appeal is filed.
- 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 City Administration Building—Public Information Counter, 1<sup>st</sup> Floor Lobby, (Open 8:00 AM to 5:00 PM Monday through Friday – excluding City-approved holidays) located at 202 C Street, San Diego, CA 92101, by 5:00 PM on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

### **COMMUNICATIONS:**

In lieu of in-person attendance, members of the public may participate virtually:

To join using the Zoom platform use this link:

<https://sandiego.zoomgov.com/s/1612210047>

To join by using Telephone:

Dial 1-669-254-5252 or (Toll Free) 1-833-568-8864. When prompted, input Webinar ID: 161 221 0047.

The public is encouraged to [subscribe](#) to receive meeting agendas.

This item may begin at any time after the time specified. Any interested person may address the Planning Commission to express support or opposition to this issue. Time allotted to each speaker is determined in the discretion of the Chair and, in general, is limited to three (3) minutes. Public comments can be in person, via the webform, written testimony or through teleconference and video conference options.

In lieu of in-person attendance, members of the public may also participate and provide comment via telephone, ZOOM, using the Planning Commission webform, or via U.S. Mail of written materials, as follows:

Comments may be submitted electronically using the Planning Commission webform, <https://www.sandiego.gov/planning-commission/agenda-comment-form> and indicate the agenda item number for your comment. Comments submitted using this form will be distributed to the Planning Commission and made a part of the record but will not be read into the record. Please note that electronic comments submitted using this form are limited to 500 words, but attachments are allowed.

Additionally, you can submit comments via U.S. Mail to the Planning Commission's attention at 1222 First Avenue, Mail Station 501, San Diego, CA 92101. Materials submitted via U.S. Mail will need to be received the business day prior for it to be distributed to the Planning Commission.

In accordance with the Brown Act, the agenda will be posted 72 hours in advance of the Planning Commission meeting. Please refer to the Planning Commission's [website](https://www.sandiego.gov/planning-commission) (<https://www.sandiego.gov/planning-commission>) to view the agenda, and for further instruction and applicable deadlines for submitting public comment or written materials.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the Development Project Manager listed above.

### **REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS:**

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting

participation, including requests for alternatives to observing meetings and offering public comment as noted above. This information will be made available in alternative formats upon request.

To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 or via e-mail to [planningcommission@sandiego.gov](mailto:planningcommission@sandiego.gov) at least five (5) business days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order No.: 11003679



**Development Services Department**

Andrew Razon / Project No. PRJ-1097475  
1222 First Avenue, MS 501  
San Diego, California 92101-4101

**RETURN SERVICE REQUESTED**