

DATE ISSUED: November 21, 2001

REPORT NO. 01-250

ATTENTION: Honorable Mayor and City Council  
Docket of November 27, 2001

SUBJECT: **SPRINT PCS: CHURCH ON THE MOVE, CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT PERMIT NO. 41-0213-01.**  
Appeal of the Planning Commission decision to approve the construction and operation of a wireless Communication antenna facility located at 4481 Estrella Avenue. Council District Five. Process Four.

REFERENCE: Planning Report No. P-01-122, (Attachment 10)

OWNER/  
APPLICANT: CHURCH ON THE MOVE (Attachment 9)  
SPRINT PCS

#### SUMMARY

Issues - 1) Should the City Council deny the appeal of CUP/PDP No. 41-0213-01 and approve the installation of a wireless communication facility located on an existing church?

#### Manager's Recommendation -

1. DENY the appeal
2. APPROVE CUP/PDP No. 41-0213-01

Planning Commission Recommendation - The Planning Commission voted 6-1 on September 20, 2001, to approve the project with the conditions that; 1) the design of the screen be further refined to match the church; and 2) that the redesigned project be reviewed by the Community Planning Group and the Planning Director of the City of San Diego for their recommendations.

Community Planning Group Recommendation - The Kensington/Talmadge Community Planning Group approved the original project design on June 13, 2001, with a vote of 10 to 0 with two abstentions. The redesigned project was presented to the Planning Group by city staff on October 10, 2001, at which time the group supported the Planning Commission decision to provide further enhancement of the design to the satisfaction of the Planning Director.

Other Recommendations - Pursuant to Planning Commission direction, the revised plans..and several design alt

Environmental Impact - The project was reviewed according to the California Environmental Quality Act (CEQA) and determined to be exempt pursuant to Section Number 15303(e)

Fiscal Impact - None.

Code Enforcement Impact - None.

Housing Affordability Impact - None.

## BACKGROUND

The project site is located at 4481 Estrella Avenue in the Talmadge neighborhood of the Mid-City Community plan Area (Attachment 1). The Community Plan designates the site for medium to high density residential land use. The property is zoned RM-1-2. The site is surrounded by some single-family homes and a mix of apartments and condominiums. The approximate 0.7 acre site is developed with a church sanctuary and associated assembly and office uses. There is no day care facility or school activities associated with the church on the site.

The Church On The Move CUP was before the Planning Commission on July 19, 2001. A motion was approved to continue the project in order for staff to provide the Commission with additional information in response to issues raised during public testimony. The Commission had significant issues with the proposed demolition of the existing church steeple and the historical significance (if any) of the church itself. Additionally, the Commissioners requested information that would substantiate the applicants claim that this particular site was better suited for their coverage requirements than the neighboring commercial zones along Adams avenue (north) and El Cajon Boulevard (south). The issue of proper noticing was raised by some surrounding property owners. And lastly, Commissioner Butler commented that the existing steeple was more attractive in relation to the urban setting than the design modification proposed by Sprint. In response to these issues Sprint has modified the previous submittal and provided additional information to further assist in the analysis of the site.

On September 20, 2001, the revised project was approved by the Planning Commission and subsequently appealed to the City Council.

## PROJECT DESCRIPTION

The project consists of nine panel antennas (three arrays of three antennas each) mounted on the church roof at the base of the steeple, and associated electronic equipment which is located inside the church. The antennas would be totally concealed behind a new screening element at the base of the steeple. The screening element is designed as a pedestal that attempts to meld the post-war modern architecture of the church and the gothic style of the steeple. The electronic equipment is entirely enclosed within the church sanctuary. An air conditioning unit used to cool the equipment is the only system component located outside of the church (Attachments 2 and 3).

In addition to the CUP, the project includes a Planned Development Permit (PDP) for the requested height deviation above the 30 foot height limit established by the underlying zone. The proposed antennas and the screening element at the base of the steeple would be approximately 42 feet above grade.

### DISCUSSION OF ISSUES

The appeal of the Planning Commission decision to approve the project is based primarily on three issues. The appellant contends that: 1) procedural errors were made in regard to noticing the project; 2) that the environmental review was inadequate; and 3) that the project location would be more appropriate in one of the nearby commercial zones. In addition to these issues, the appeal raises the issues of setback encroachment and, inaccuracies on the project application. The appeal also references the September 19, 2001, Land Use & Housing Committee meeting at which, city staff was given direction to further review existing telecommunication ordinances and policies (Attachment 4).

Development Services acknowledges the issues raised by the appellant however, staff believes that these issues were addressed at the September 20, 2001 Planning Commission hearing and have been satisfactorily resolved. A brief summary of each of these issues follows:

### PUBLIC NOTICE

The issue of public notice was raised at the July 19, 2001, Planning Commission hearing. It was determined that the certified noticing package from the County Assessors Office was inadvertently missing a portion of the addresses of an apartment building included within the required 300- foot project radius. The Planning Commission continued the hearing until September 20, 2001, and directed staff to re-notice the continuance. A foot survey of the area concluded that the addresses were missing from the original mailing and a corrected noticing package was used for the September 20, 2001 hearing. However, the appeal contends that the Notice of Application (which occurs at the beginning of the process) was never corrected and therefore, the entire process preceding that notice should be invalidated.

The City Attorney opined at the September 20, 2001, Planning Commission hearing that the intent of the Notice of Application had been met and that the incomplete Notice of Application would not compromise the due process of the application. In stating this, the City Attorney pointed out that everyone opposed to the project seemed to have knowledge of the project and a reasonable chance to participate in the process. Also, the attorney said that no person in opposition to the project had come forward and claimed not to have an opportunity to fully participate in the proceedings since the revised notice went out to the public. Therefore, the conclusion is that the purpose and intent of the Notice of Application has been met.

### ENVIRONMENTAL REVIEW

The appeal contends that the project was not reviewed in compliance with the California Environmental Quality Act (CEQA). Specifically, the appeal contends that the issues of noise, aesthetics and historical significance were not addressed. However, all three of these issues, as

well as other potential environmental issues were analyzed as part of a required Environmental Initial Study (EIS). The Initial Study concluded that there were no significant impacts associated with the project including visual, noise and historical significance, and therefore, staff exempted the project from further environmental review. The original project design involved demolition of the steeple. During the July 19, 2001 Planning Commission hearing, the historical significance of the steeple came into question and environmental staff was unavailable to address the issue. However, prior to the September 20, 2001, hearing a Cultural Resource Report was prepared in accordance with the State Historical Preservation Office (SHPO) guidelines. The Cultural Resource Report concluded that the church was not historically significant, however, it stated that the church is a “structure of merit” and that the steeple is a “character defining feature” worthy of preservation. The report recommends that if demolition of the steeple were approved the steeple should be removed and stored so it could be reinstalled once the communication facility is removed at some future date. Staff prefers the revised plans because the proposed redesign integrates elements of the existing church with the steeple to soften the visual impact of the facility while preserving the character of the church and the neighborhood. Staff concludes that the project was justifiably exempt from further environmental documentation and concedes that the retention of the steeple greatly enhances the project.

## PREFERRED LOCATIONS

The appeal contends that the communication facility would be better suited in the commercial corridor along El Cajon Boulevard within close proximity of the proposed project site. Further, the appeal contends that if the project would locate in the commercial zone it would “substantially lessen the significant environmental effects of the project”. However, as stated above, the project was analyzed pursuant to CEQA Guidelines and it was determined that the project has no significant impacts at the proposed location. Additionally, the applicant stated that they already have a facility on El Cajon Boulevard and that another one would create interference issues with that equipment. Nevertheless, the Planning Commission requested the applicant provide a Search Area Map and a Coverage Data Map in order to demonstrate that 1) the coverage is necessary and, 2) that the proposed location is the only viable option for the applicant.

The Search Area (Attachment 5) and Coverage Data Map (Attachment 6) concludes that a site is necessary in this vicinity to infill and overlap coverage from existing Sprint facilities located on and around the Adams Avenue and El Cajon Boulevard corridors. The information provided by the applicant shows that while the existing facilities located in commercial zones provide coverage to the south, east and west, there is a significant coverage gap between Montezuma Road and Fairmont Avenue. This gap is primarily in the residential neighborhoods and caused by topographical variations due to the natural land form of the canyon system in the area.

The Planning Commission concluded that the proposed site is appropriate for the proposed facility (Attachment 7).

## OTHER ISSUES

In regard to the setback issue, the appellant contends that an air conditioning unit is located

within a required interior side yard. However, the site plan indicates that the equipment is observing the minimum five-foot setback.

In regard to the application materials, the appellant notes that the Parcel Information Checklist misidentifies the age of the structure. This observation is correct as the age of the structure is listed as being built in the seventies. This error is unfortunate, however, the issue of historical significance was identified and resolved to the satisfaction of the planning Commission and staff in the course of the permit process.

In regard to the Land Use and Housing Committee workshop that is currently reviewing City policy and regulations relating to telecommunications, the appellant contends that city staff should proceed with the project “in a manner that acknowledges the paramount importance of the public welfare and the abiding integrity of residential neighborhoods.” Staff has reviewed the project for compliance with our currently adopted policy. Any future policies will be considered as appropriate once adopted by the City Council.

### CONCLUSION

Development Services reviewed the proposed facility and the requested height deviation and has determined that the project is consistent with the applicable Municipal Code sections regulating this type of development. The project is consistent with the purpose and intent of the Communication Antenna Regulations (SDMC141.0405) in that the proposed antennas are well integrated with the architectural style of the existing building. Moreover, the antenna arrays are placed entirely within the pedestal element rather than facade mounted to the exterior, thereby totally concealing the facility. Likewise, the radio equipment is located within the church eliminating the need for further screening on the property.

The requested deviation to the 35-foot height limit is minimal when considering the overall height of the existing 66 foot steeple. The new design compliments the existing architecture of the church building, blending more readily the modern lines and angles of the structure with the gothic style of the steeple. And, as previously noted, the lower pedestal element accommodates the interior installation of the antenna arrays.

The Planning Commission was satisfied with the adequacy of the environmental review and stated for the record that the applicant fulfilled the Commission’s request for data supporting the proposed location . The City Attorney opined that the purpose and intent of the noticing has been met and Development Services has determined the project issues have been substantially resolved. Therefore, Development Services staff recommends that the City Council deny the appeal and approve CUP/ PDP No. 41-0213-01(Attachment 8).

Respectfully submitted,

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Tina P. Christiansen, A.I.A.  
Development Services Director

Approved: George I. Loveland  
Senior Deputy City Manager

BROUGHTON/HOOPER

Note: The attachments are not available in electronic format. A copy is available for review in the Office of the City Clerk.

- Attachments:
1. Location Map
  2. Site Plan and Elevations
  3. Photographic Simulation
  4. Copy of Appeal
  5. Search Area Map
  6. Coverage Data Map
  7. Draft Resolution
  8. Draft Permit and Conditions
  9. Ownership Disclosure
  10. Planning Commission Report No. P-01-122