



SAN DIEGO COUNTY CLERK  
CEQA FILING COVER SHEET

**FILED**  
May 01, 2024 10:55 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2024-000364  
State Receipt # 37050120240345

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

DIAMOND TOWERS HOME DEPOT

**Check Document being Filed:**

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

<b>FILED IN THE OFFICE OF THE SAN DIEGO</b>	
<b>COUNTY CLERK ON</b> <u>May 1, 2024</u>	
<b>Posted</b> <u>May 1, 2024</u>	<b>Removed</b> _____
<b>Returned to agency on</b> _____	
<b>DEPUTY</b> _____	

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

**NOTICE OF EXEMPTION**

(Check one or both)

TO:  RECORDER/COUNTY CLERK  
P.O. Box 1750, MS A-33  
1600 PACIFIC HWY, ROOM 260  
SAN DIEGO, CA 92101-2422  
 OFFICE OF PLANNING AND RESEARCH  
1400 TENTH STREET, ROOM 121  
SACRAMENTO, CA 95814

FROM: CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
1222 FIRST AVENUE, MS 501  
SAN DIEGO, CA 92101

Project No.: 1097475

Project Title: Diamond Towers Home Depot

PROJECT LOCATION-SPECIFIC: The project is located at 355 Marketplace Avenue, San Diego, CA 92113.

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: 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 the 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.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Francis Law Firm, 112 E. Pecan Street, San Antonio, Texas, 78205. (210) 696-6912.

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: 15302 (Replacement)
- STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15302. CEQA Section 15302 allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced. The proposed project is modifying an existing WCF and would replace old equipment with new without expanding the use of the WCF. No environmental impacts were identified for the proposed project and none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

LEAD AGENCY CONTACT PERSON: Jeffrey Szymanski

TELEPHONE: 619 446-5324

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

Jeff Szymanski / SENIOR PLANNER  
SIGNATURE/TITLE

NOVEMBER 21, 2023  
DATE

CHECK ONE:

SIGNED BY LEAD AGENCY  
CLERK OR OPR:

DATE RECEIVED FOR FILING WITH COUNTY

San Diego County



Transaction #: 7751751  
Receipt #: 2024153528

JORDAN Z. MARKS

Assessor/Recorder/County Clerk  
1600 Pacific Highway Suite 260  
P. O. Box 121750, San Diego, CA 92112-1750  
Tel. (619) 237-0502 Fax (619) 557-4155  
[www.sdarcc.gov](http://www.sdarcc.gov)

Cashier Date: 05/01/2024  
Cashier Location: SD

Print Date: 05/01/2024 10:55 am

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment

CHECK PAYMENT #6809802615 \$50.00

Total Payments \$50.00

Filing

CEQA - NOE FILE #: 2024-000364 Date: 05/01/2024 10:55AM Pages: 3

State Receipt # 37-05/01/2024-0345

Fees: Fish & Wildlife County Administrative Fee \$50.00

Total Fees Due: \$50.00

Grand Total - All Documents: \$50.00



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (Rev. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: 37-05/01/2024-0345
STATE CLEARING HOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT	LEAD AGENCY EMAIL	DATE 05/01/2024
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2024-0345	

PROJECT TITLE  
DIAMOND TOWERS HOME DEPOT

PROJECT APPLICANT NAME FRANCIS LAW FIRM	PROJECT APPLICANT EMAIL	PHONE NUMBER 210-696-6912
PROJECT APPLICANT ADDRESS 112 E. PECAN STREET	CITY SAN ANTONIO	STATE TX
		ZIP CODE 78205

PROJECT APPLICANT (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00

- Exempt from fee
- Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

**PAYMENT METHOD:**

Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED    \$    50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, TIFFANI HOOD, Deputy
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Payment Reference #: CHECK #6809802615