

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

March 20, 2014

REPORT NO. PC-14-024

ATTENTION:

Planning Commission, Agenda of March 27, 2014

SUBJECT:

AT&T - Lightwave

PROJECT NO. 307064. PROCESS 4.

OWNER/

CRP-3 Spectrum, LLC/

APPLICANT:

AT&T Mobility

SUMMARY

<u>Issue:</u> Should the Planning Commission approve a Wireless Communication Facility (WCF) at 9246 Lightwave Avenue, within the Kearny Mesa community plan area?

<u>Staff Recommendation:</u> APPROVE Neighborhood Development Permit (NDP) No. 1257188 and Planned Development Permit (PDP) No. 1257189.

<u>Community Planning Group Recommendation:</u> The Kearny Mesa Planning Group voted 10-0-0 to recommend approval of this project at their December 18, 2013 meeting. (Attachment 12)

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 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 January 30, 2014, and the opportunity to appeal that determination ended February 18, 2014. (Attachment 7)

<u>Fiscal Impact Statement:</u> AT&T Mobility is the Financially Responsible Party responsible for costs associated with the processing of this application.

Code Enforcement Impact: Not applicable.

Housing Impact Statement: Not applicable.

BACKGROUND/DISCUSSION

AT&T – Lightwave is an application for a Neighborhood Development Permit (NDP) and a Planned Development Permit (PDP), Process 4, for a Wireless Communication Facility (WCF). The project is located at 9246 Lightwave Avenue in the Kearny Mesa community plan area, in the IL-3-1 zone (Attachments 1, 2, 3, and 4).

WCFs are permitted throughout the City as a separately regulated use by the WCF regulations, in accordance with Land Development Code (LDC) Section 141.0420. WCFs located in an industrial zone are permitted as a Limited Use (Process 1). For this particular project, an NDP and PDP are also required due to the project's design.

An NDP is required because the equipment enclosure, at 319 square feet, exceeds the 250 square feet permitted by LDC Section 141.0420(g)(3). A PDP is required because the equipment enclosure configuration reduces the "Refuse & Recyclable Materials Storage" square footage below that required by LDC 142.0801, and encroaches into the required IL-2-1 zone 10' side yard setback.

The two deviations, being requested with the processing of this PDP, can be supported based on this project's design. First, the encroachment into the setback, follows an existing setback established by the existing refuse and recyclable materials storage area and mechanical equipment enclosures. This configuration still allows for space between the enclosures and the property line for landscape screening for views from adjacent properties.

The second deviation deals with reducing the required square footage of the refuse and recyclable materials area from 355 square feet to 169 square feet. As stated in the LDC, "The purpose of these regulations is to provide permanent, adequate, and convenient space for the storage and collection of refuse and recyclable material. The intent of these regulations is to encourage recycling of solid waste and reduce the amount of waste material entering landfills..." AT&T has met with the property owner to determine the actual refuse and recycling needs of the building. Based on this analysis, AT&T determined that the existing configuration, consisting of two equally sized refuse and recycling containers, totals 47 square feet, and currently meets the needs of the building. Based on the reduction of size and reconfiguration of the storage area, the new enclosure will accommodate four containers (two refuse and two recycling) totaling 94 square feet. Consistent with the purpose of the Refuse and Recyclable Material Storage Area regulations, equally proportioned spaces will be allocated to both refuse and recyclable material storage needs, in excess of the space currently needed by the building. The reconfiguration will allow the WCF to effectively integrate with the site design and will not impede the goal of reducing the amount of waste material entering landfills.

Council Policy 600-43, "Wireless Communication Facilities," assigns preference levels to the locations of WCF's. This policy encourages these facilities to be located away from residential uses. Typically, WCF's proposed in non-residential zones, such as commercial or industrial, are considered more preferable than those located strictly in residential zones. To encourage carriers to locate in non-residential zones, projects proposed in those areas are permitted with a lower process level (such as a Limited Use or Neighborhood Use Permit). This project, located in an industrial zone, would be the most preferred location for a WCF.

The WCF Design Requirements, LDC Section 141.0420, identify that the applicant "shall use all reasonable means to conceal or minimize the visual impacts of WCFs through integration." AT&T has proposed locating antennas on the roof of an existing three-story office building, behind two roof-mounted screens, designed to integrate with the existing building. With this design, the applicant has been able to conceal and minimize the visual impacts of the WCF through integration with the existing buildings and structures on site.

Community Plan Analysis

While the Kearny Mesa Community Plan does not specifically address WCFs, the City's General Plan addresses WCFs in UD-A.15 as follows:

Minimize the visual impact of wireless facilities.

- a) Conceal wireless facilities in existing structures when possible, otherwise use camouflage and screening techniques to hide or blend them into the surrounding area.
- b) Design facilities to be aesthetically pleasing and respectful of the neighborhood context.
- c) Conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures.

This project complies with the General Plan recommendations by locating the antennas on the roof of an existing structure, behind architecturally integrated screening, which will result in a design that is respectful of the neighborhood context. The equipment associated with the antennas is located in an unobtrusive structure in the parking lot, that is consistent with the design of adjacent trash and mechanical equipment enclosures, and is screened by landscape material. The design of this WCF will not adversely impact the General Plan.

Conclusion:

This project complies with the applicable regulations of the Land Development Code and the City's General Plan and draft findings (Attachment 5) have been made in the affirmative. Therefore, staff recommends approval of NDP No. 1257188 and PDP No. 1257189.

ALTERNATIVES

- 1. Approve NDP No. 1257188 and PDP No. 1257189, with modifications.
- 2. Deny NDP No. 1257188 and PDP No. 1257189, if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Mike Westlake

Assistant Deputy Director

Development Services Department

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Alex Hempton, AICP

Development Project Manager Development Services Department

VACCHI/AFH

Attachments:

- 1. Aerial Photo
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Notice of (Environmental) Exemption
- 8. Photo Simulation
- 9. Site Justification and Coverage Maps
- 10. Photographic Survey
- 11. Project Plans
- 12. Community Planning Group Recommendation
- 13. Ownership Disclosure Statement
- 14. Project Chronology
- 15. Notice of Planning Commission Hearing

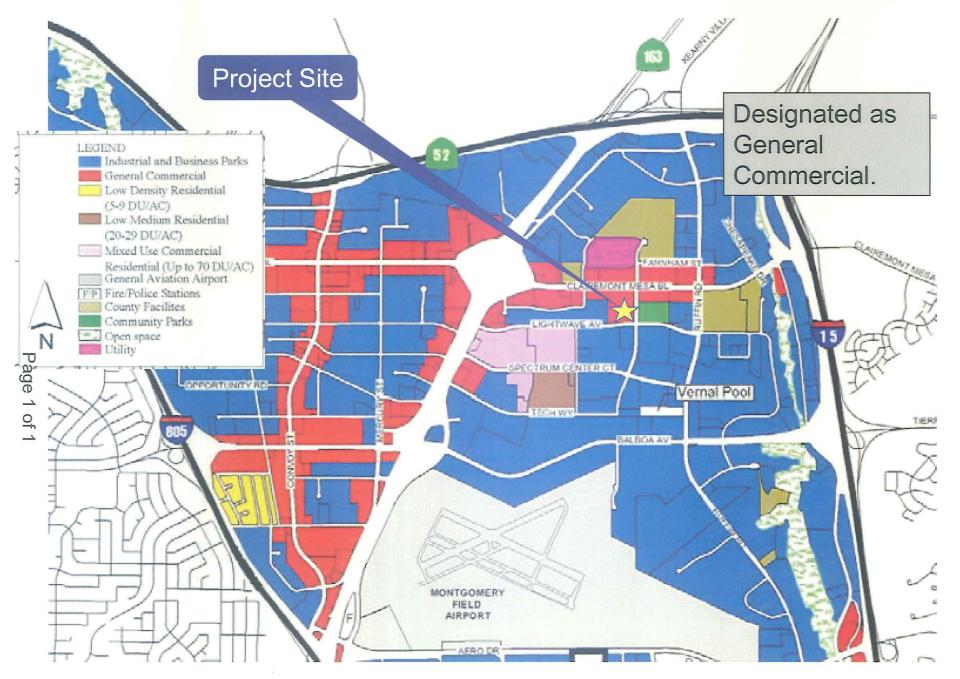




Aerial Photo

AT&T Lightwave - Project Number 307064

9246 Lightwave Ave.



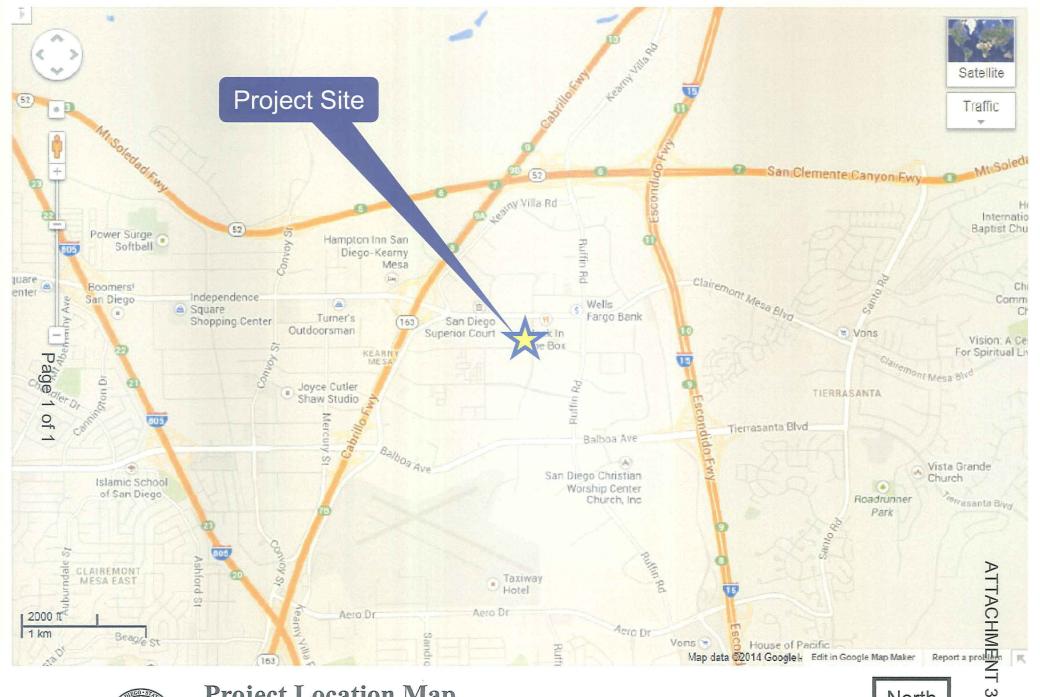


Community Plan Land Use Designation

AT&T Lightwave - Project Number 307064

9246 Lightwave Ave.







Project Location Map

AT&T Lightwave - Project Number 307064

9246 Lightwave Ave.



PROJECT DATA SHEET		
PROJECT NAME:	AT&T - Lightwave	
PROJECT DESCRIPTION:	Wireless Communication Facility (WCF) consisting of 12 panel antennas, mounted on the roof of an existing three-story building, concealed behind radio-frequency (RF) transparent, architecturally integrated screening. Equipment located in an enclosure in the parking lot.	
COMMUNITY PLAN AREA:	Kearny Mesa	
DISCRETIONARY ACTIONS:	Planned Development Permit and Neighborhood Development Permit (Process 4)	
COMMUNITY PLAN LAND USE DESIGNATION:	General Commercial	
ZONING INFORMATION:		

ZONE: IL-3-1

HEIGHT LIMIT: -

FRONT SETBACK: 15'

SIDE SETBACK: 10'

STREETSIDE SETBACK: 15'

REAR SETBACK: 15'

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	General Commercial, IL-3-1	Commercial
SOUTH:	Industrial and Business Parks, IL-2-1	Undeveloped/Graded
EAST:	Community Parks, Unzoned	Recreation/Park
WEST:	Industrial and Business Parks, IL-2-1	Business Park
DEVIATIONS OR VARIANCES REQUESTED:	Setback: The equipment enclosure encroaches into the side yard setback and the required Refuse & Recyclable Materials storage area is less than the required square footage.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Approved 10-0-0 by the Kearny Mesa Planning Group at the 12/19/2013 meeting.	

PLANNING COMMISSION RESOLUTION NO. PC-XXXX NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1257188 PLANNED DEVELOPMENT PERMIT NO. 1257189 AT&T – LIGHTWAVE PROJECT NUMBER 307064

WHEREAS, CRP-3, LLC, Owner, and AT&T MOBILITY, Permittee, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1257188 and 1257189);

WHEREAS, the site is located at 9246 Lightwave Avenue in the IL-3-1 zone of the Kearny Mesa community plan area;

WHEREAS, the project site is legally described as: Parcel 3 of Parcel Map No. 18553, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on September 25, 2000, as File No. 2000-0511990 of Official Records;

WHEREAS, on January 30, 2014, 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 Section 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;

WHEREAS, on March 27, 2014, the Planning Commission of the City of San Diego considered Neighborhood Development Permit No. 1257188 and Planned Development Permit No. 1257189 pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated March 27, 2014:

FINDINGS:

Neighborhood Development Permit – Section 126.0404

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

While the Kearny Mesa Community Plan does not specifically address WCFs, the City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be

aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

The antennas associated with this WCF are located on the roof of an existing 3-story office building, concealed behind two radio-frequency (RF) transparent screen boxes, designed to architecturally integrate with the existing building. Equipment associated with the antennas is proposed within an enclosure, adjacent to existing mechanical and refuse/recycling enclosures. The design of the WCF allows it to effectively integrate with the existing building and the surrounding developments. The equipment associated with the antennas is located in an unobtrusive area, well integrated with the existing development, and not visible from the public right-of-way. The proposed WCF complies with the City's Land Development Code, Section 141.0420, Wireless Communication Facilities, as well as the requirements of the City's General Plan. The proposed WCF does not adversely affect the applicable land use plan.

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

The project consists of 12 panel antennas mounted on the roof of an existing three-story office building behind radio-frequency (RF) transparent screening. Equipment associated with the antennas is located in an enclosure in the parking lot, adjacent to an existing refuse/recyclable material storage area and mechanical units. The project is located at 9246 Lightwave Avenue, in the Kearny Mesa community plan area.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). 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 improvement plans associated with the project 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) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would 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 applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

WCFs are permitted in industrial zones with the processing of a Limited Use, Staff-level approval. In this case, an NDP is required, because the equipment enclosure exceeds 250 square feet. In addition, a PDP is required, to allow two deviations: 1) the equipment enclosure encroaches into the IL-3-1 zone 10' side yard setback; and, 2) the Refuse and Recyclable Materials Storage area is being reduced from the required square footage.

The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." The antennas associated with this WCF are concealed behind two RF transparent screen boxes, located on the roof of an existing 3-story office building. The screen boxes have received architectural details, to be compatible with the existing building. Equipment associated with the antennas is located in the parking area, adjacent to existing mechanical and refuse/recycling enclosures. Designed to be compatible with the existing building and surrounding development, the proposed WCF minimizes the visual impact of the WCF through integration, utilizing architecture, landscape, and siting solutions.

The two deviations, permitted with the processing of the PDP, are acceptable based on this project's design. First, the encroachment into the setback, follows an existing setback established by the existing refuse and recyclable materials storage area and mechanical equipment enclosures. This configuration still allows for space between the enclosures and the property line for landscape screening for views from adjacent properties.

The second deviation deals with reducing the required square footage of the refuse and recyclable materials area from 355 square feet to 169 square feet. As stated in the LDC, "The purpose of these regulations is to provide permanent, adequate, and convenient space for the storage and collection of refuse and recyclable material. The intent of these regulations is to encourage recycling of solid waste and reduce the amount of waste material entering landfills..." AT&T has met with the property owner to determine the actual refuse and recycling needs of the building. Based on this analysis, AT&T determined that the existing configuration, consisting of two equally sized refuse and recycling containers, totals 47 square feet, and currently meets the needs of the building. Based on the reduction of size and reconfiguration of the storage area, the new enclosure will accommodate four containers (two refuse and two recycling) totaling 94 square feet. Consistent with the purpose of the Refuse and Recyclable Material Storage Area regulations, equally proportioned spaces will be allocated to both refuse and recyclable material storage needs, in excess of the space currently needed by the building. The reconfiguration will allow the WCF to effectively integrate with the site design and will not impede the goal of reducing the amount of waste material entering landfills.

Based on the project's design and permits required, the proposed WCF complies with the applicable regulations of the Land Development Code, with the listed deviations.

Planned Development Permit - Section 126.0604

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

While the Kearny Mesa Community Plan does not specifically address WCFs, the City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

The antennas associated with this WCF are located on the roof of an existing 3-story office building, concealed behind two radio-frequency (RF) transparent screen boxes, designed to architecturally integrate with the existing building. Equipment associated with the antennas is proposed within an enclosure, adjacent to existing mechanical and refuse/recycling enclosures. The design of the WCF allows it to effectively integrate with the existing building and the surrounding developments. The equipment associated with the antennas is located in an unobtrusive area, well integrated with the existing development, and not visible from the public right-of-way. The proposed WCF complies with the City's Land Development Code, Section 141.0420, Wireless Communication Facilities, as well as the requirements of the City's General Plan. The proposed WCF does not adversely affect the applicable land use plan.

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

The project consists of 12 panel antennas mounted on the roof of an existing three-story office building behind radio-frequency (RF) transparent screening. Equipment associated with the antennas is located in an enclosure in the parking lot, adjacent to an existing refuse/recyclable material storage area and mechanical units. The project is located at 9246 Lightwave Avenue, in the Kearny Mesa community plan area.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). 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 improvement plans associated with the project 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) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would 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 proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

WCFs are permitted in industrial zones with the processing of a Limited Use, Staff-level approval. In this case, an NDP is required, because the equipment enclosure exceeds 250 square feet. In addition, a PDP is required, to allow two deviations: 1) the equipment enclosure encroaches into the IL-3-1 zone 10' side yard setback; and, 2) the Refuse and Recyclable Materials Storage area is being reduced from the required square footage.

The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." The antennas associated with this WCF are concealed behind two RF transparent screen boxes, located on the roof of an existing 3-story office building. The screen boxes have received architectural details, to be compatible with the existing building. Equipment associated with the antennas is located in the parking area, adjacent to existing mechanical and refuse/recycling enclosures. Designed to be compatible with the existing building and surrounding development, the proposed WCF minimizes the visual impact of the WCF through integration, utilizing architecture, landscape, and siting solutions.

The two deviations, permitted with the processing of the PDP, are acceptable based on this project's design. First, the encroachment into the setback, follows an existing setback established by the existing refuse and recyclable materials storage area and mechanical equipment enclosures. This configuration still allows for space between the enclosures and the property line for landscape screening for views from adjacent properties.

The second deviation deals with reducing the required square footage of the refuse and recyclable materials area from 355 square feet to 169 square feet. As stated in the LDC, "The purpose of these regulations is to provide permanent, adequate, and convenient space for the storage and collection of refuse and recyclable material. The intent of these regulations is to encourage recycling of solid waste and reduce the amount of waste material entering landfills..." AT&T has met with the property owner to determine the actual refuse and recycling needs of the building. Based on this analysis, AT&T determined that the existing configuration, consisting of two equally sized refuse and recycling containers, totals 47 square feet, and currently meets the needs of the building. Based on the reduction of size and reconfiguration of the storage area, the new enclosure will accommodate four containers (two refuse and two recycling) totaling 94 square feet. Consistent with the purpose of the Refuse and Recyclable Material Storage Area regulations, equally proportioned spaces will be allocated to both refuse and recyclable material storage needs, in excess of the space currently needed by the building. The reconfiguration will allow the WCF to effectively integrate with the site design and will not impede the goal of reducing the amount of waste material entering landfills.

Based on the project's design and permits required, the proposed WCF complies with the applicable regulations of the Land Development Code, with the listed deviations.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1257188 and PLANNED DEVELOPMENT PERMIT NO. 1257189 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1257188 and 1257189, a copy of which is attached hereto and made a part hereof.

Alexander Hempton, AICP Development Project Manager Development Services

Adopted on: March 27, 2014

Internal Order No. 24002474

CITY OF SAN DIEGO

DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO CITY CLERK

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003474

NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) NO. 1257188 PLANNED DEVELOPMENT PERMIT (PDP) NO. 1257189 AT&T – LIGHTWAVE PROJECT NO. 307064 PLANNING COMMISSION

This NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) NO. 1257188 and PLANNED DEVELOPMENT PERMIT (PDP) NO. 1257189 are granted by the Planning Commission of the City of San Diego to CRP-3, LLC, Owner, and AT&T MOBILITY, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0401, et seq., 126.0601, et seq., and 141.0420. The site is located at 9246 Lightwave Avenue in the IL-3-1 zone of the Kearny Mesa community plan area. The project site is legally described as: Parcel 3 of Parcel Map No. 18553, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on September 25, 2000, as File No. 2000-0511990 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 27, 2014, on file in the Development Services Department.

The project shall include:

- a. Twelve panel antennas, mounted on the roof of an existing building, behind two radio-frequency (RF) transparent architecturally integrated 8'6" tall screen boxes. The antenna dimensions are 11.9" by 7.1" by 72.0" and 14.8" by 8.6" by 78.0";
- b. Equipment associated with the antennas is located in a 319 square foot equipment enclosure, permitted with the processing of this NDP;

- c. Two deviations, permitted with this PDP: The equipment enclosure encroaches into the required 10' side yard setback and the required Refuse and Recyclable Materials storage area is reduced from 355 square feet to 169 square feet.
- d. This structure is for the primary purpose of commercial/office uses, but may have the secondary purpose of accommodating the Permittee's Operations on the Premises.
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

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 April 11, 2017.
- 2. The project complies with the Telecommunication Facility Guidelines as a Complete Concealment Facility and as a result, the permit will not contain an expiration date. It is the responsibility of the wireless carrier and owner(s) to maintain the appearance of the approved facility to the condition set forth in this permit unless the site is removed and restored to its original condition. Code compliance shall be notified if the appearance or the scope of the project has changed without the approval of the City Manager.
- 3. 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.
- 4. 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.
- 5. 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.

- 6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 7. 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.).
- 8. 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.
- 9. 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.
- 10. All of the conditions contained in this Permit have been considered and were determined-necessary 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.

11. The 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 Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the 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, 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 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 Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Permittee.

ENGINEERING REQUIREMENTS:

- 12. Prior to the issuance of any construction permit, the Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 13. Prior to the issuance of any construction permit, the Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
- 14. Prior to the issuance of any construction permit the Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

- 15. Prior to issuance of any construction permits for the telecom facility and associated structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance to Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).
- 16. All required landscape shall be maintained by the Owner in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees shall not be permitted.
- 17. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

- 18. 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.
- 19. 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.

- 20. All facilities and related equipment shall be: maintained in good working order; free from trash, debris, graffiti; and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.
- 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. The photosimulation(s) for the proposed project shall be printed (not stapled) on the building plans. This is to ensure the construction team building the project is in compliance with approved the Exhibit "A."
- 23. No overhead cabling is allowed for this project.
- 24. Antennas and associated mounting apparatus, shall not extend beyond the RF-transparent screening.
- 25. The Owner/Permittee shall not cause or allow the antennas located on the structure to be different sizes (length, width, or height) than as shown on the stamped approved plans.
- 26. The WCF shall conform to Exhibit "A" (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.
- 27. Prior to the issuance of a construction permit, the telecommunication provider shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission's Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.
- 28. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
- 29. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department.

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.

- A "Telecom Planning Inspection" will be required prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans, exhibits, and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at 619-446-5349 to schedule an inspection of the completed WCF. Please request the telecom inspection at least five working days ahead of the requested Final inspection.
 - 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 §66020.
 - This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on March 27, 2014 by Resolution No. PC-XXXX.



ATTACHMENT 6

Permit Type/PTS Approval No.:

NDP/1257188

PDP/1257189

Date of Approval:

3/27/2014

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Alexander Hempton, AICP Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code §1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

CRP-3, LLC Owner

By

AT&T MOBILITY

Permittee

Bv

KEVIN BECKER SENIOR REAL ESTATE & CONSTRUCTION MANAGER

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



THE CITY OF SAN DIEGO

Date of Notice: February 3, 2014

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24003474

PROJECT NAME/NUMBER: AT&T - Lightwave Avenue

COMMUNITY PLAN AREA: Kearny Mesa

COUNCIL DISTRICT: 6

LOCATION: 9246 Lightwave Avenue, San Diego, CA 92123 (Parcel 3 of Parcel Map No. 18553, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego on September 25, 2000).

PROJECT DESCRIPTION: The new Wireless Communication Facility (WCF) consists of 12 panel antennas mounted behind two new screens on the roof of an existing building. The 250 square foot equipment enclosure, would be located on the ground level adjacent to the existing trash enclosure. The project is located at 9246 Lightwave Avenue in the IL-3-1 Zone in the Kearny Mesa Community Planning area.

ENTITY CONSIDERING PROJECT APPROVAL: Planning Commission

ENVIRONMENTAL DETERMINATION: 15303 - New construction or conversion of small structures.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: 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, Sections 15303 (new construction or conversion of small structures). 15303, allows for the construction of small facilities; installation of small new equipment and facilities in small structures. This WCF proposes 12 new panel antennas mounted behind two new screens on the roof of an existing building and an associated 250 square foot equipment enclosure. Since the site is currently developed and lacks sensitive resources the exemption is appropriate and the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER: Alexander Hempton

MAILING ADDRESS: 1222 1st Avenue, MS 501, San Diego, CA

92101

PHONE NUMBER: (619) 446-5349

On January 30, 2014 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice. That appeal deadline date is <u>February 18, 2014</u>. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

EXISTING



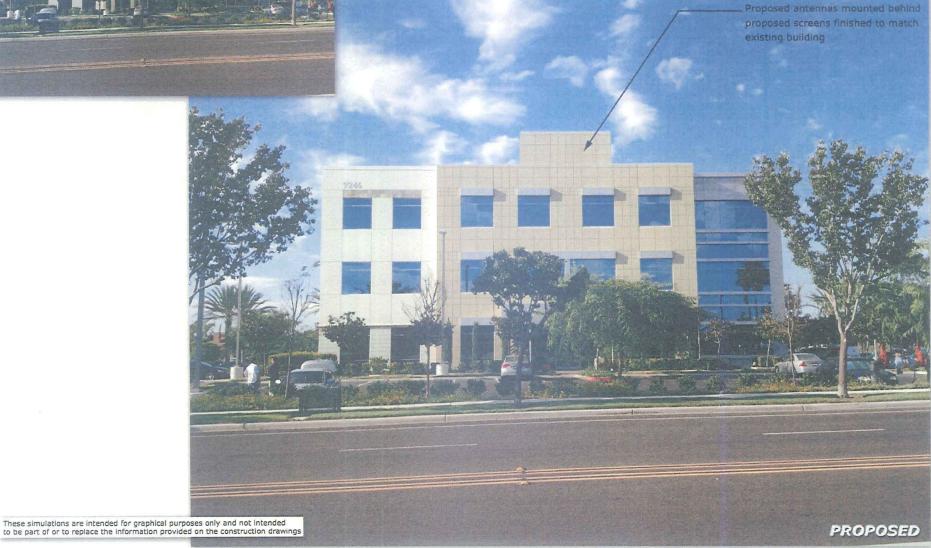




EXISTING



SD0731 Kearny Mesa and Clairemont 9242 Lightwave Ave. San Diego, CA 92123





SD0731 Kearny Mesa and Clairemont 9242 Lightwave Ave. San Diego, CA 92123



SITE JUSTIFICATION AT&T Kearny Mesa and Clairemont 9246 Lightwave Avenue

PROJECT DESCRIPTION

The project is a proposed wireless communication facility located at 9246 Lightwave Avenue in the Kearny Mesa Community Plan area. The property is zoned IL-3-1 and is developed with an existing office building. Office uses surround the property on all four sides.

The proposed facility consists of twelve (12) antennas and twenty-four (24) RRUs to be installed on the roof of the existing office building. The antennas and RRUs will be located inside two (2) new rooftop screens. The screens will extend 8 feet 6 inches above the existing roofline at the northern and southern ends of the building. The screens are designed to appear as architectural elements on the building. The associated equipment will be located on the ground behind an existing trash enclosure. The equipment is proposed inside an enclosure designed to match the existing trash enclosure. The equipment is approximately 300 square feet and will encroach into the side setback. A Planned Development Permit is proposed to address the proposed deviations.

TECHNICAL ANALYSIS/SITE JUSTIFICATION

The proposed facility will provide additional coverage and capacity to the surrounding area. As indicated in the attached coverage plots, this site will generally provide coverage between the I-805 and 163 freeways to the east and west and from the 52 freeway and Balboa Avenue to the north and south. The facility will operate in compliance with all permits and be maintained to meet the intent of the land use approval.

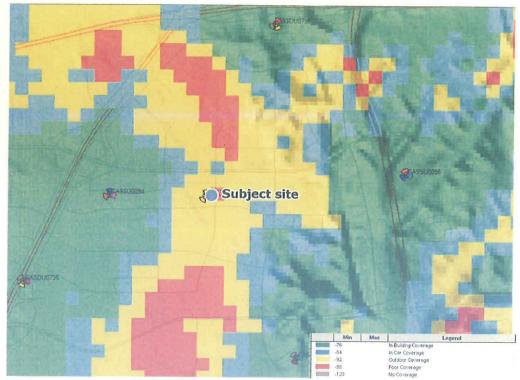
PREFERENCE 1 LOCATION/ PROCESS 4 DESIGN:

The project site is located on an industrially zoned property developed with office uses. The project site is a Preference 1 Location which requires a Process 1 decision; however a Planned Development Permit is also proposed to address the setback and equipment size deviations. The Planned Development Permit requires a Process 4 decision.

COLOCATION OPPORTUNITIES:

There are no existing wireless carriers located on this property, but there are opportunities for future carriers to collocate on this property.





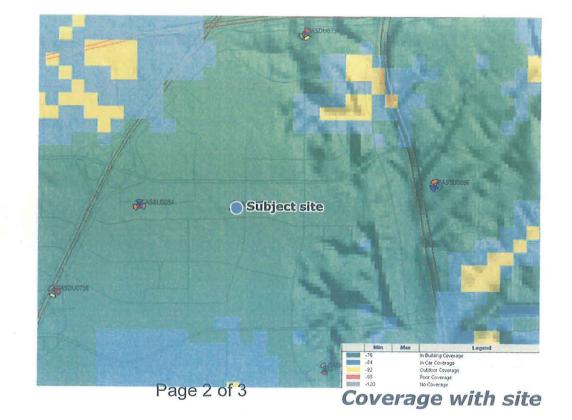


Coverage Levels:

Excellent Variable

No Coverage

12/14/2012





Selected Site



Existing sites within 1 mile radius:

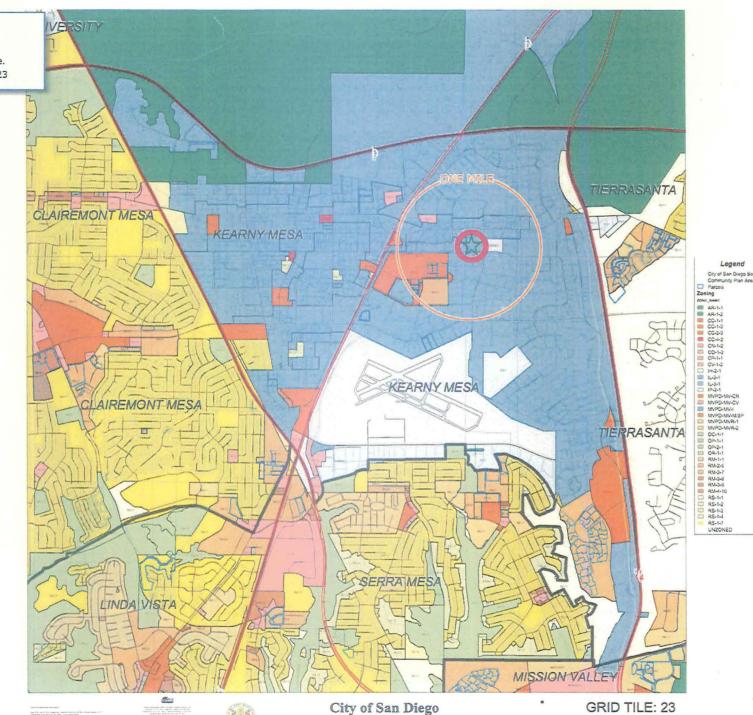
No sites within 1 mile



Alternative Sites:

No alternative sites

Page ယ



Development Services Department

ATTACHMENT 9

GRID SCALE: 800

DATE: 10/30/2006

Legend City of San Diego Boundary



PHOTO STUDY & KEY MAP

SD0731

Kearny Mesa & Clairemont 9242 Lightwave Avenue San Diego, CA 92123

Prepared for:
City of San Diego
Department of Planning
1222 First Avenue MS 301
San Diego, CA 92101

Prepared by:

PlanCom, Inc.
Contractor Representatives for
AT&T Wireless

302 State Place Escondido, CA 92029 Contact: Shelly Kilbourn, Planning Consultant (619) 208-4685

November 13, 2012





Looking at north elevation



Looking at south & west elevation





Looking at east elevation



Looking north from site





Looking south from site



Looking east from site





Looking west from site

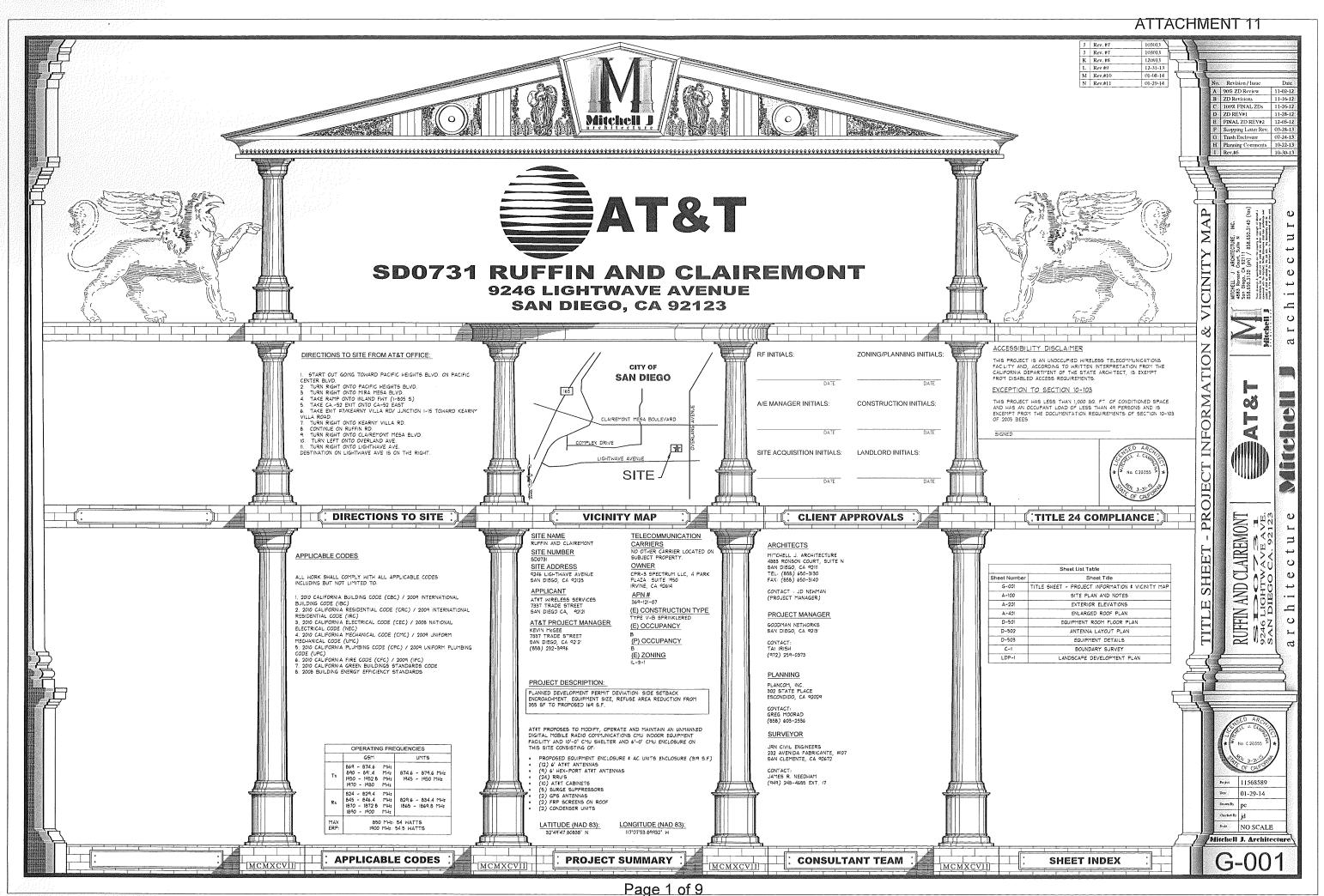


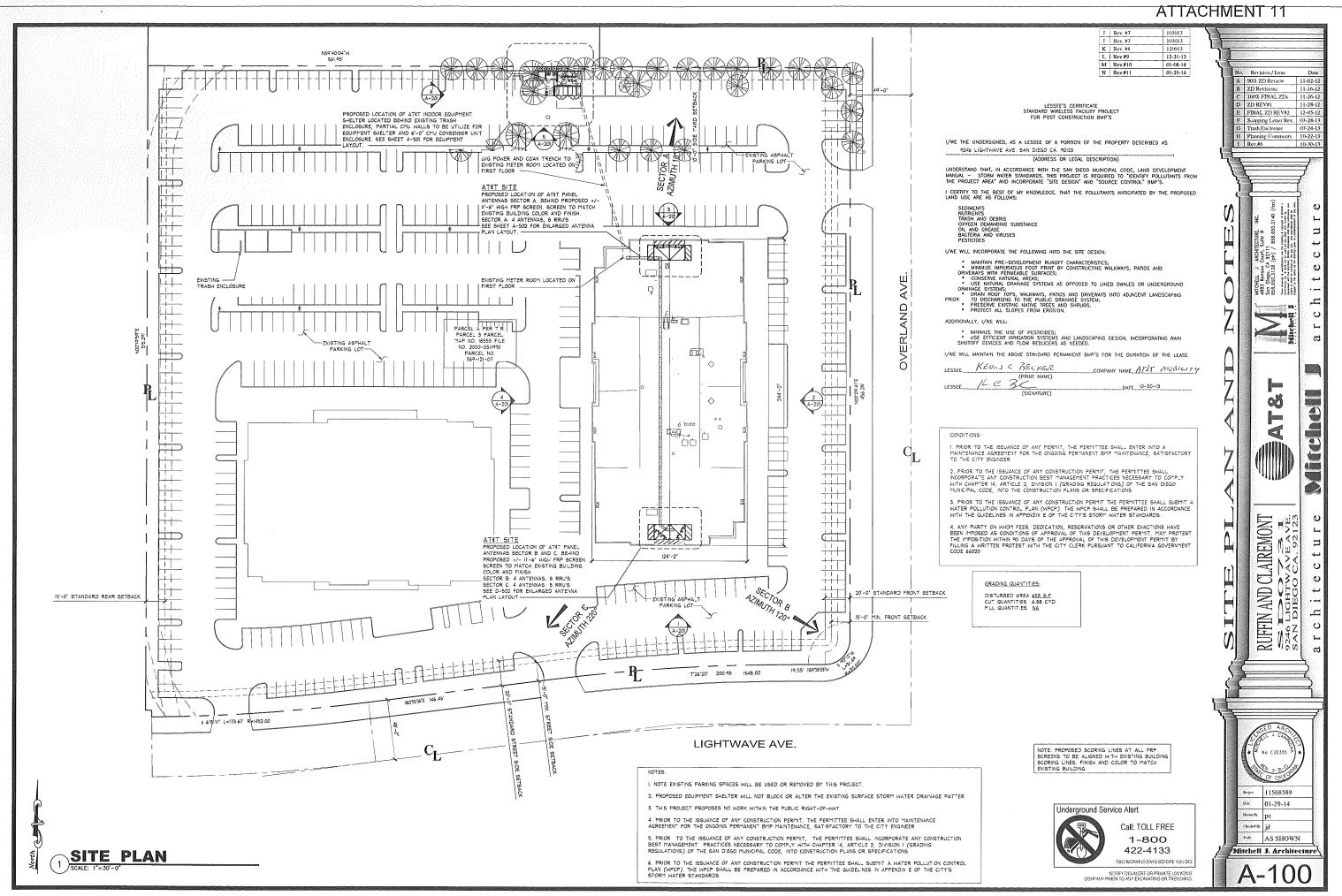
Looking at proposed equipment location

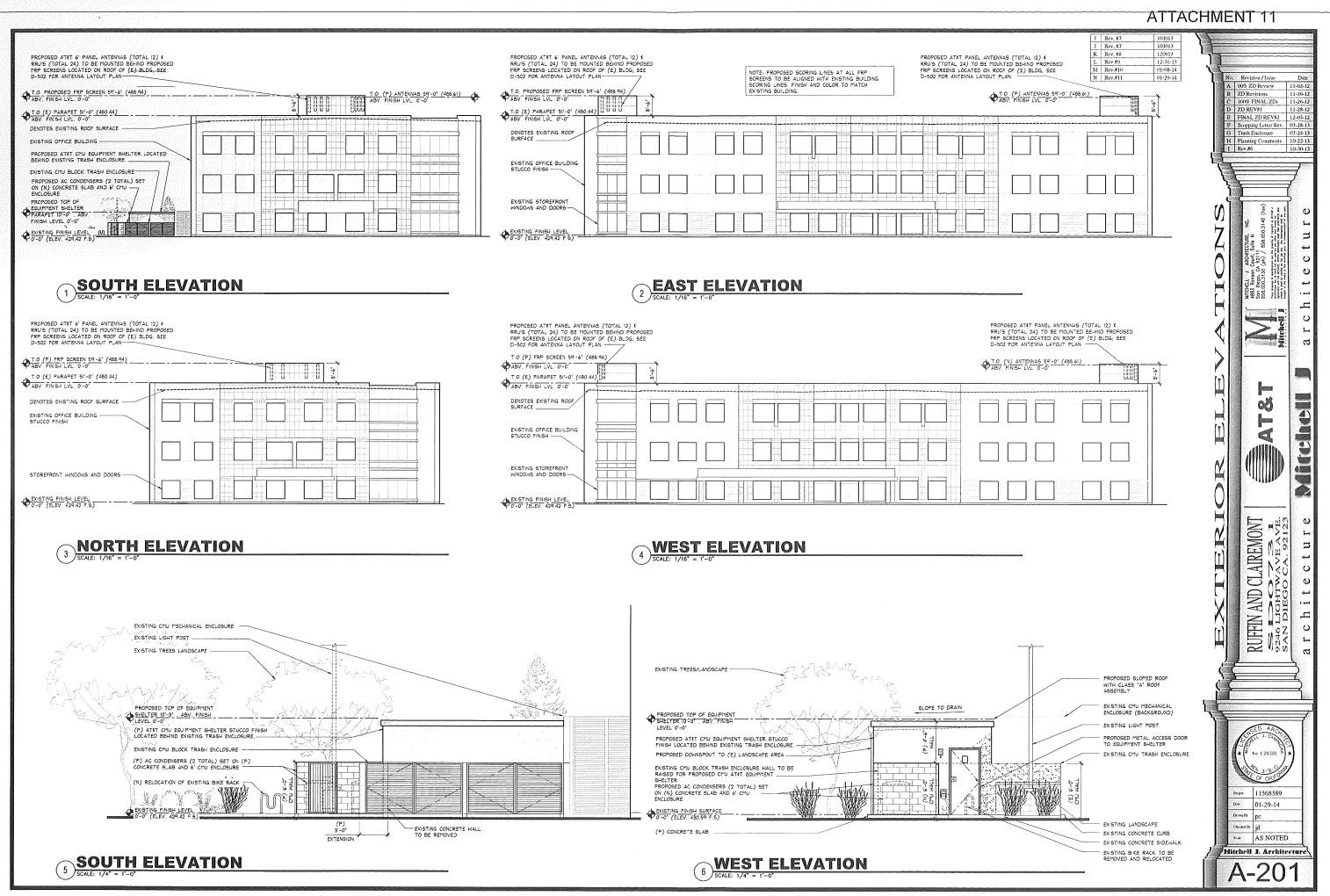


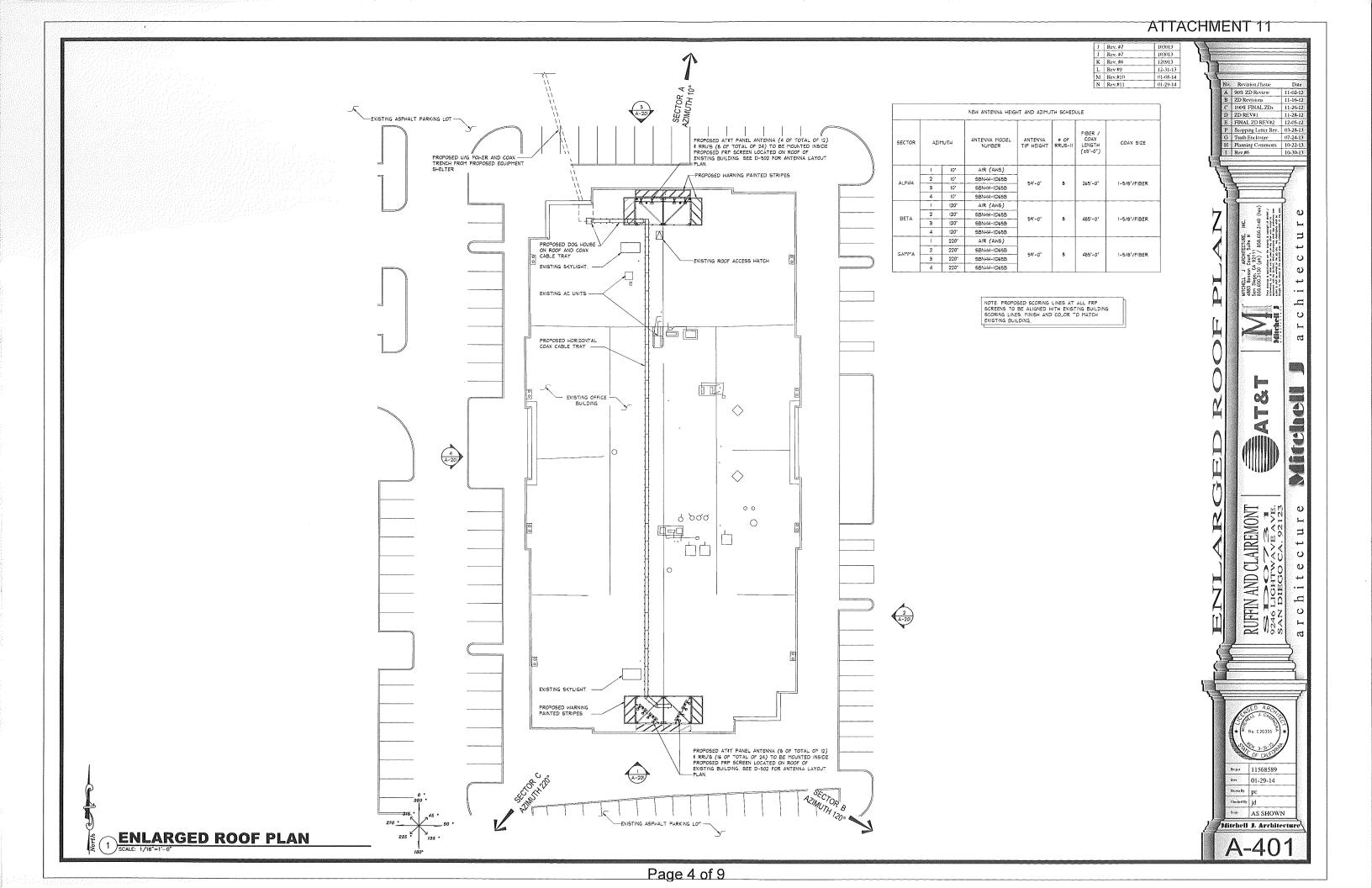


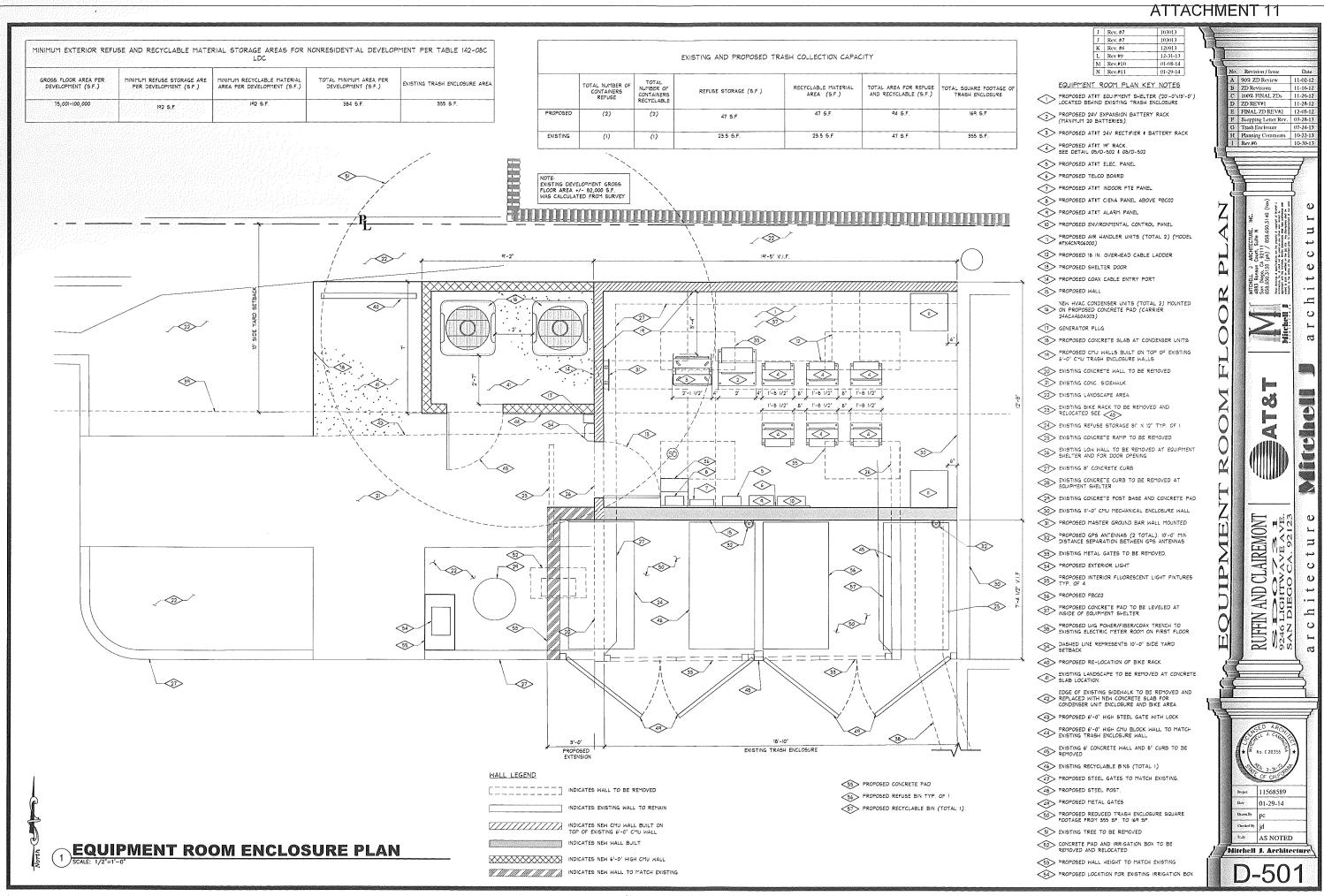
Aerial photo of site

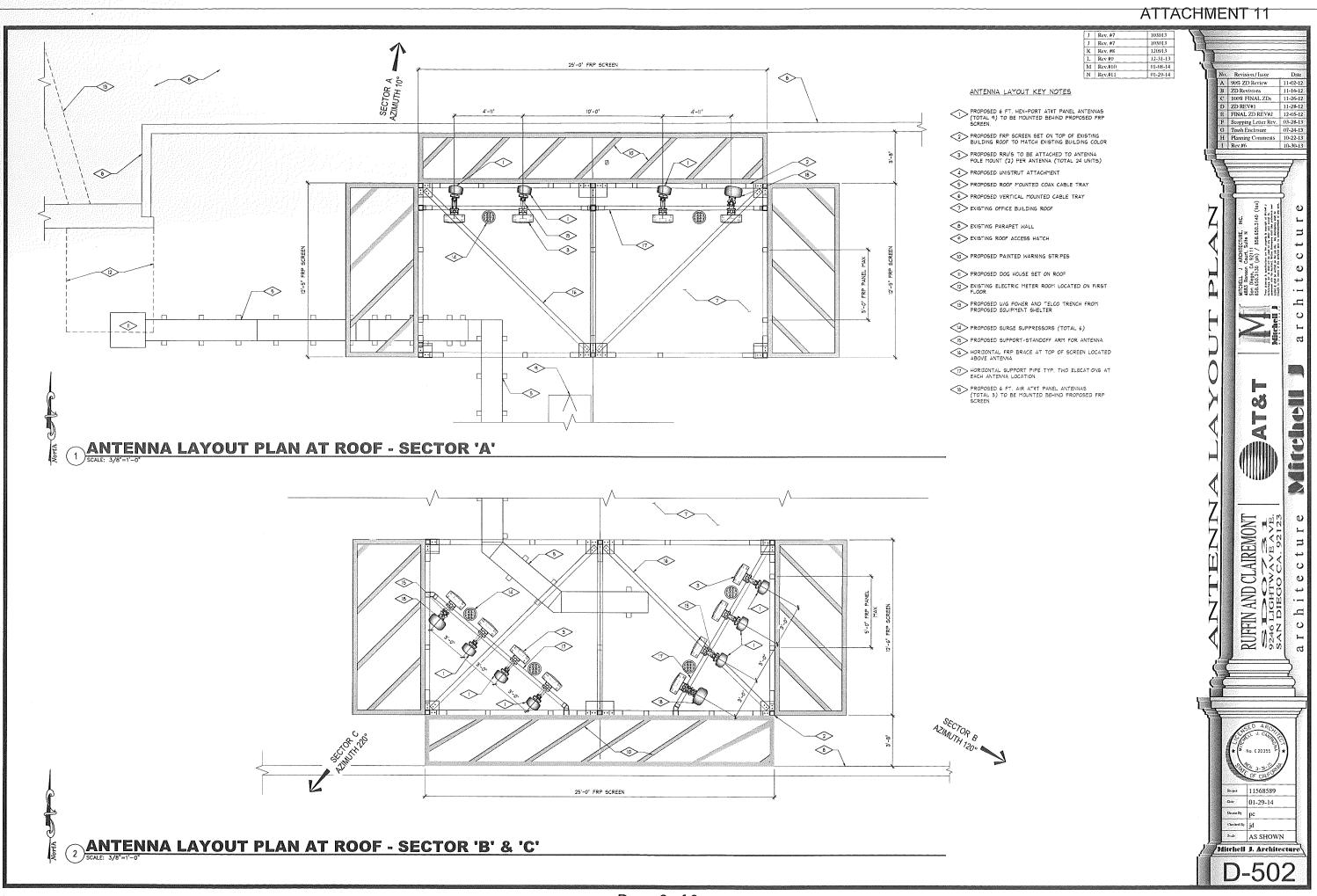


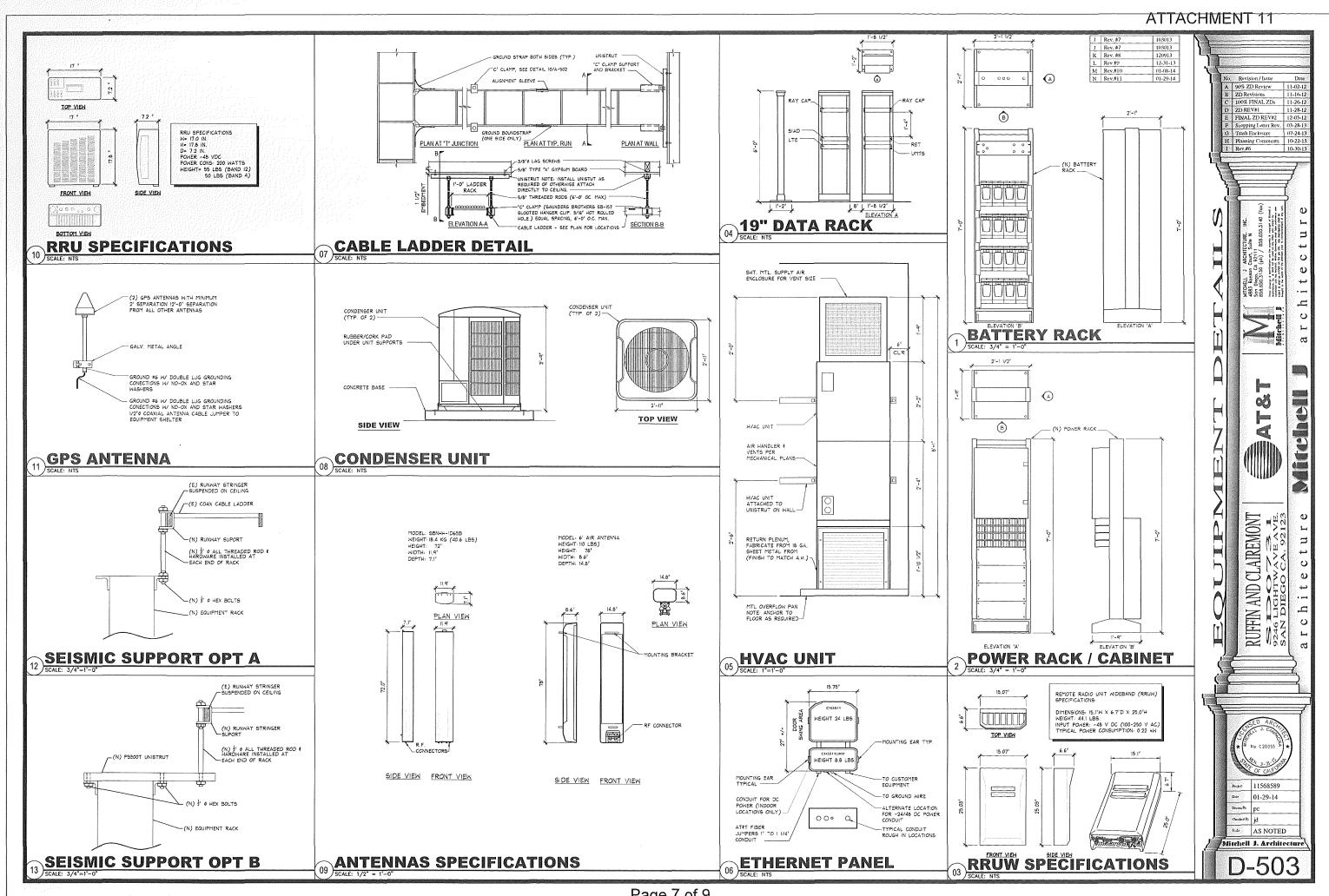


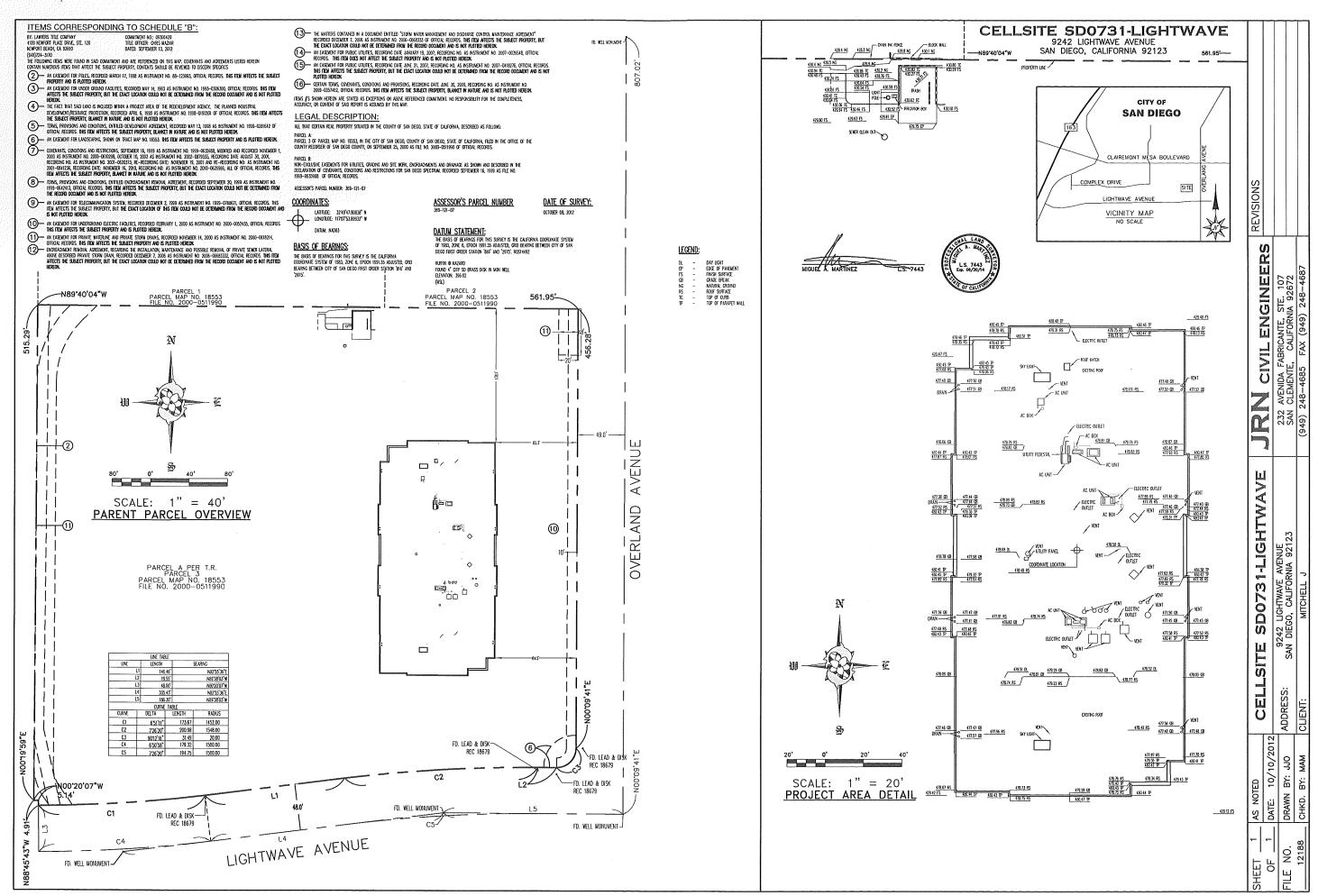






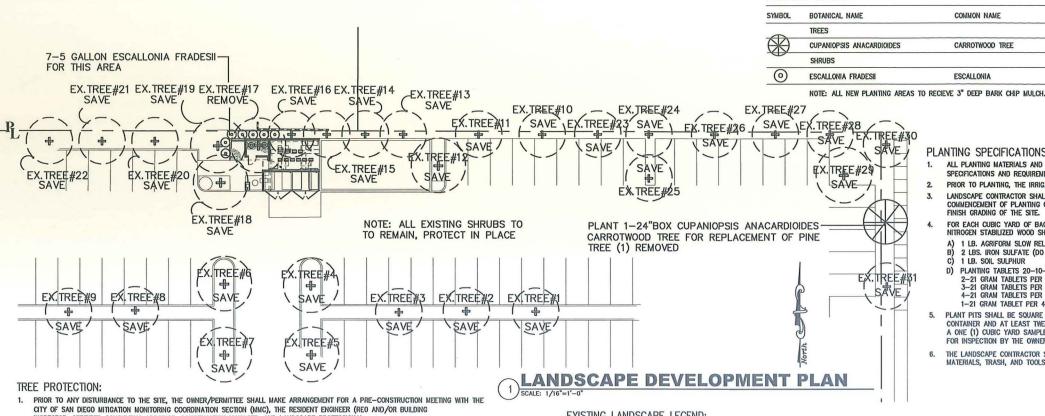






90% ZD Review

100% FINAL ZDs



PLANT PITS SHALL BE SQUARE AND TWO (2) TIMES GREATER IN DIAMETER THAN THE PLANT CONTAINER AND AT LEAST TWELVE (12) INCHES BELOW THE BOTTOM OF THE CONTAINER.

COMMON NAME

CARROTWOOD TREE

PLANTING SPECIFICATIONS:

C) 1 LB. SOIL SULPHUR

D) PLANTING TABLETS 20-10-5

SPECIFICATIONS AND REQUIREMENTS.

A ONE (1) CUBIC YARD SAMPLE OF MULCH TO BE USED SHALL BE DELIVERED TO THE SITE FOR INSPECTION BY THE OWNER/LANDSCAPE ARCHITECT.

SIZE/HEIGHTS X SPREAD

ALL PLANTING MATERIALS AND PROCEDURES SHALL CONFORM TO THE CITY OF SAN DIEGO

FINISH GRADING OF THE SITE. SITE SHALL BE RECEIVED AT PLUS OR MINUS ONE (1) INCH.

PRIOR TO PLANTING, THE IRRIGATION SYSTEM SHALL BE FULLY OPERATIONAL

2 LBS. IRON SULFATE (DO NOT PLACE ON CONCRETE SURACES)

FOR EACH CUBIC YARD OF BACKFILL CONSISTING OF 60

A) 1 LB. AGRIFORM SLOW RELEASE FERTILIZER 12-12-12

2-21 GRAM TABLETS PER 1 GALLON CONTAINER
3-21 GRAM TABLETS PER 5 GALLON CONTAINER
4-21 GRAM TABLETS PER 15 GALLON CONTAINER

1-21 GRAM TABLET PER 4" OF BOX SIZE

24"BOX/7X3'X1"C/

5 GALLON /16"X16"

REMARKS

STANDARD

QUANTITIES

THE LANDSCAPE CONTRACTOR SHALL LEAVE THE SITE IN A CLEAN CONDITION REMOVING ALL USED MATERIALS, TRASH, AND TOOLS ON A DAILY BASIS.

EXISTING LANDSCAPE LEGEND:

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/HEIGHTS X SPREADXCA (CALIPER)	REMARKS
EX.TREE#1	FICUS RUBIGINOSA	RUSTY LEAF FIG	15'TALLX15'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#2	FICUS RUBIGINOSA	RUSTY LEAF FIG	15'TALLX15'MDEX6"CA	EXISTING TO REMAIN
EX.TREE#3	FICUS RUBIGINOSA	RUSTY LEAF FIG	15'TALLX15'MDEX6"CA	EXISTING TO REMAIN
EX.TREE#4	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#5	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#6	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#7	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#8	FICUS RUBIGNOSA	RUSTY LEAF FIG	15'TALLX15'MDEX6"CA	EXISTING TO REMAIN
EX.TREE#9	FICUS RUBIGINOSA	RUSTY LEAF FIG	15'TALLX15'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#10	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WIDEX8"CA	EXISTING TO REMAIN
EX.TREE#11	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WIDEX8"CA	EXISTING TO REMAIN
EX.TREE#12	JACARANDA MIMOSIFOLIA	JACARANDA	35'TALLX20'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#13	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WIDEX8"CA	EXISTING TO REMAIN
EX.TREE#14	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WIDEX8"CA	EXISTING TO REMAIN
EX.TREE#15	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WDEX8"CA	EXISTING TO REMAIN
EX.TREE#16	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WDEX8"CA	EXISTING TO REMAIN
EX.TREE#17	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'MDEX6"CA	EXISTING TO BE REMOVE
EX.TREE#18	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'MDEX6"CA	EXISTING TO REMAIN
EX.TREE#19	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#20	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WIDEX8"CA	EXISTING TO REMAIN
EX.TREE#21	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WDEX8"CA	EXISTING TO REMAIN
EX.TREE#22	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WIDEX8"CA	EXISTING TO REMAIN
EX.TREE#23	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WDEX8"CA	EXISTING TO REMAIN
EX.TREE#24	PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WDEX8"CA	EXISTING TO REMAIN
EX.TREE#25	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	30'TALLX30'MDEX6"CA	EXISTING TO REMAIN
EX.TREE#26 EX.TREE#27	PINUS HALEPENSIS	ALEPPO PINE ALEPPO PINE	30'TALLX15'MDEX8"CA 30'TALLX15'MDEX8"CA	EXISTING TO REMAIN EXISTING TO REMAIN
EX.TREE#27	PINUS HALEPENSIS PINUS HALEPENSIS	ALEPPO PINE	30'TALLX15'WDEX8"CA	EXISTING TO REMAIN
EX.TREE#29	CASSIA LEPTOPHYLLA	GOLD MADALLION TREE	35'TALLX35'WDEX6"CA	EXISTING TO REMAIN
EX.TREE#30	CUPANIOPSIS ANACARDIOIDES	CARROTWOOD TREE	20'TALLX20'WDEX4"CA	EXISTING TO REMAIN
EX.TREE#31	CUPANIOPSIS ANACARDIOIDES	CARROTWOOD TREE	20'TALLX20'WDEX4"CA	EXISTING TO REMAIN

PLANTING LEGEND:

PROJECT CONDITIONS:

1.PRIOR TO ISSUANCE OF ANY CONSTRUCTION 1.PRIOR TO ISSUARCE OF ANY CONSTRUCTION
PERMITS FOR TELECON FACILITIES AND ASSOCIATED
STRUCTURES, COMPLETE LANDSCAPE PLAN AND
IRRIGATION CONSTRUCTION DOCUMENTS CONSIST
WITH THE LANDSCAPE STANDARDS SHALL BE
SUBMITTED TO THE DEVELOPMENT SERVICES DEPARTMENT FOR APPROVAL. THE CONSTRUCTION DOCUMENTS SHALL BE IN SUBSTANTIAL CONFORMANCE TO EXHIBIT 'A' LANDSCAPE
DEVELOPMENT PLAN, ON FILE IN THE OFFICE OF THE
DEVELOPMENT SERVICES DEPARTMENT. CONSTRUCTION PLANS SHALL TAKE INTO ACCOUNT A 40 SQ-FT AREA AROUND EACH TREE WHICH IS UNENCUMBERED BY HARDSCAPE AND UTILITIES AS SET FORTH UNDER LCD 142.0403(b)5.

2. ALL REQUIRED LANDSCAPE SHALL BE MAINTAINED BY THE OWNER IN A DISEASE, WEED AND LITTER FREE CONDITIONS AT ALL TIMES. SEVERE PRUNING OR "TOPPING" OF TREES SHALL NOT BE PERMITTED

E 3. IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTING, HARDSCAPE LANDSCAPE FEATURES, ETC. INDICATED ON THE APPROVED CONSTRUCTION DOCUMENTS PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE.

3. MINIMUM TREE SEPARATION DISTANCE IMPROVEMENT/MINIMUM DISTANCE TO STREET TREE
TRAFFIC SIGNALS (STOP SIGN) — 20 FEET
UNDERGROUND UNILITY MINES — 5 FEET (10' FOR SEWER)
ABOVE GROUND UTILITY STRUCTURES — 10' FEET DRIVEWAY (ENTRIES) - 10 FEET INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

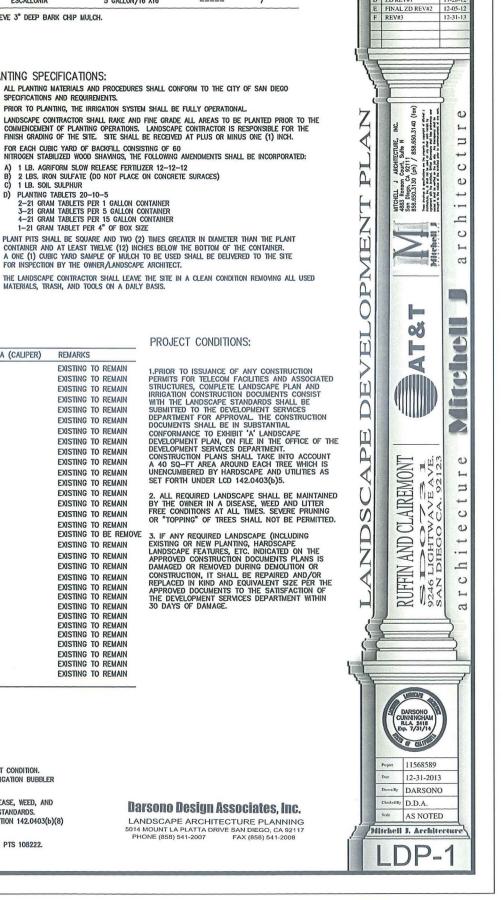
4. "IRRIGATION: ALL AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTH, DISEASE-RESISTANT CONDITION.
THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED." EXISTING IRRIGATION BUBBLER

5. "MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE PROJECT ASSOCIATION IN A DISEASE, WEED, AND LITTER FREE CONDITION AT ALL TIMES CONSISTENT WITH THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS AND STANDARDS. ANY DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORY TREATED OR REPLACED CONSISTENT WITH SECTION 142.0403(b)(8) OF THE LAND DEVELOPMENT CODE."

6. EXISTING LANDSCAPE TO REMAIN WAS ORIGINALLY INSTALLED WITH BUILDING PERMITS FOR THE ENTIRE SITE UNDER PTS 108222.

Darsono Design Associates, Inc.

LANDSCAPE ARCHITECTURE PLANNING 5014 MOUNT LA PLATTA DRIVE SAN DIEGO, CA 92117 PHONE (858) 541-2007 FAX (858) 541-2008



2. ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142.04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL [142.0411(a)].

1. "ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY WIDE LANDSCAPE REGULATIONS

AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED

INSPECTOR, CERTIFIED CONSULTING ARBORIST, CONSTRUCTION MANAGER, AND LANDSCAPE PROFESSIONAL

d) ATTACH AN ORANGE OR YELLOW PROTECTIVE FENCE (MIN. 3' HGH) TO THE CHAIN LINK FENCE.

h) SUBMIT TO MMC A TREE MAINTENANCE SCHEDULE PREPARED BY THE CERTIFIED CONSULTING ARBORIST.

f) POST "KEEP OUT" SIGNS IN BOTH SPANISH AND ENGLISH TO THE CHAIN LINK FENCE.

g) PLACE STORY POLES WHERE PROPOSED BUILDING(SO AND TREE BRANCHES INTERFACE.

a) CONSTRUCTION AND MAINTENANCE STAFF SHALL AVOID UNNECESSARY ACTIVITIES WITHIN THE DRIPLINE OF TREES.

3. ANY DAMAG OR INJURY TO TREES SHALL BE REPORTED WITHIN 24 HOURS TO MMC BY THE CERTIFIED CONSULTING ARBORIST. 4. THE CERTIFIED CONSULTING ARBORIST SHALL BE RESPONSIBLE FOR ESTABLISHING, IMPLEMENTING, AND MAINTAINING THE TREE PROTECTION

b) FINES SHALL BE ASSESSED TO THOSE INDIVIDUALS FOUND TO BE RESPONSIBLE FOR THE ILLEGAL REMOVAL OR DAMAGE OF PROTECTED TREES

b) ROOTS SHALL BE CLEANLY CUT BACK APPROX. 6" FROM THE LIMIT OF DISTURBANCE, UNLESS OTHERWISE DIRECTED BY THE CERTIFIED

c) INSTALL A TEMPORARY 6-FT. HIGH CHAIN LINK FENCE AROUND THE IDENTIFIED DRIPLINE, UNLESS OTHERWISE DIRECTED BY THE CERTIFIED

e) WHEN AREAS UNDER THE TREE CANOPY CANNOT BE FENCED, ANOTHER METHOD SHALL RE REQUIRED, AS RECOMMENDED BY THE CERTIFIED

1) IF A TREE IS ADJACENT TO OR IN THE IMMEDIATE PROXIMITY TO A GRADE SLOPE OF 8% (23 DEGREES) OR MORE, PROVIDE ADEQUATE

5. THE CERTIFIED CONSULTING ARBORIST SHALL VERIFY IN WRITING TO THE OWNER/PERMITTEE THAT THE TREE PROTECTION ZONE HAS BEEN

INSPECTION WITH MMC, THE RE AND/OR BUILDING INSPECTOR, CERTIFIED CONSULTING ARBORIST, AND LANDSCAPE PROFESSIONAL

d) THE EXISTING GRADE SHALL NOT BE DISTURBED UNLESS OTHERWISE APPROVED BY MMC, THE RE, AND BUILDING INSPECTOR o) ROOT SYSTEM SHALL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, AND EXCESSIVE VARIATIONS IN SOIL MOISTURE BY

9. THE OWNER/PERMITTEE SHALL BE RESPONSIBLE FOR A MINIMUM 3 YEARS MONITORING AND MAINTENANCE PERIOD, DESIGNED BY THE

CERTIFIED CONSULTING ARBORIST AFTER CONSTRUCTION TO ENSURE THE SUCCESS OF PROTECTED AND/OR REPLACEMENT TREES.

10. THE CERTIFIED CONSULTING ARBORIST SHALL PROVIDE ANNUAL REPORTS TO AND REQUEST INSPECTIONS FROM MMC DURING THE MONITORING

8. ANY MODIFICATIONS AND/OR ADDITIONS TO THE APPROVED TREE PROTECTION ZONE SHALL BE SUBMITTED BY THE CERTIFIED CONSULTING

RESTRICTIONS WITHIN THE TREE PROTECTION ZONE TO BE MONITORED BY THE CERTIFIED CONSULTING ARBORIST AS FOLLOWS: a) TREE PRUNING OR ROOT PRUNING WILL ONLY OCCUR UNDER THE GUIDANCE OF THE CERTIFIED CONSULTING ARBORIST WITH WRITTEN b) PRUNNING FOR VERTICAL CLEANANCE OF BUILDINGS, TRAFFIC, AND CONSTRUCTION EQUIPMENT SHALL BE PERFORMED BY THE CERTIFIED

THE OWNER/PERMITTEE SHALL SUBMIT THE CERTIFIED CONSULTING ARBORIST'S VERIFICATION LETTER TO MMC BEFORE SCHEDULING A SITE

c) CONSTRUCTION EQUIPMENT AND MATERIALS SUCH AS STOCKPILING OF SOIL, VEHICLE USE, FOOT TRAFFIC, UTILITY CONTAINERS, AND STORAGE

2. CONSTRUCTION MANAGER IS RESPONSIBLE FOR PERVENTING DAMAGES TO TREES.

ZONE AS SHOWN ON THESE PLANS DURING THE ENTIRE CONSTRUCTION PERIOD.

a) STAKE THE COMPLETE DRIP LINE.

CONSULTING ARBORIST ONLY.

OF ANY KIND, ARE PROHIBITED.

ARBORIST WITH ADEQUATE INFORMATION TO MMC FOR APPROVAL.

CONSULTING ARBORIST AND APPROVED BY MMC.

CONSULTING ARBORIST

CONSULTING ARRORIST.

ESTABLISHED.

PROJECT NOTES:

Page 9 of 9



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

oject Name: Project Number: Distribution Date:						
AT&T Lightwave Avenue			307064			11/6/2013
Project Scope/Location:						
KEARNY MESA. Neighborhood Development Permit and Planned Development Permit, Process 4, for a Wireless Communication Facility (WCF) consisting of 12 panel antennas mounted on an existing building and an equipment area that exceeds the 250 sq. ft. max. permitted and reduces the required refuse and recycling area. IL-3-1. 9246 Lightwave Ave. CD; 6.						
Applicant Name:					Applicant I	hone Number:
Krystal Patterson					(760) 715-8	*
Project Manager:	Phon	ne Numbe	r:			E-mail Address:
Hempton, Alexander	(619	9) 446-53	49	(619) 446-5245	AHempton@sandiego.gov
Committee Recommendations (To be completed for Initial Review):						
Vote to Approve		Member,	y Yes	M	lembers No	Members Abstain
☐ Vote to Approve With Conditions Listed Below		Member	s Yes	IM	lembers No	Members Abstain
☐ Vote to Approve With Non-Binding Recommendations Listed Bel		Member	s Yes	M	lembers No	Members Abstain
☐ Vote to Deny		Member	nbers Yes Members No		lembers No	Members Abstain
□ No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) □ Continued						
CONDITIONS: NOWE						
NAME: JEFFREY SALLEN			TITLE: - BAKEBB KMPG CHAIR			
SIGNATURE: Jummy W					DATE: 12	19.13
Attach Additional Pages If Necessary.	P C D 1	Please retur Project Ma City of San Developme 222 First A San Diego,	nagen Diego nt Ser Avenu	vices e, MS	Department	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.						

(01-12)



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested	: Neighborhood Use Permit Coastal Development Permit
Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map Map Waive	Planned Development Permit Conditional Use Permit Land Use Plan Amendment • Other
Project Title	Project No. For City Use Only
SD0731 Ruffin & Clairemont	
Project Address:	
9242 Lightwave Avenue	
Part I - To be completed when property is held by Individual(s)	
By signing the Ownership Disclosure Statement, the owner(s) acknowledge above, will be filed with the City of San Diego on the subject property, will below the owner(s) and tenant(s) (if applicable) of the above referenced purple who have an interest in the property, recorded or otherwise, and state the transitional individuals who own the property). A signature is required of at least one from the Assistant Executive Director of the San Diego Redevelopment Agreement (DDA) has been approved / executed by the City Manager of any changes in ownership during the time the application is been the Project Manager at least thirty days prior to any public hearing on the information could result in a delay in the hearing process.	th the intent to record an encumbrance against the property. Please list property. The list must include the names and addresses of all persons ype of property interest (e.g., tenants who will benefit from the permit, all of the property owners. Attach additional pages if needed. A signature tency shall be required for all project parcels for which a Disposition and ty Council. Note: The applicant is responsible for notifying the Project bing processed or considered. Changes in ownership are to be given to
Additional pages attached Yes No	
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature: Date:	Signature: Date:
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:
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Upon request, this information is available in alternative formats for persons with disabilities.

AT&T SD0731 Ruffin & Clairemont		Project No. (For City Osa Only)
Part II - To be completed when property is held by a corporate	on or partnership	and Assert ability and the Art Co. See See Section and Assert Ass
Logal Status (please check):		Explant the second control of the second process of the second control of the second con
Corporation Limited Liability -or- General) What State	? DE Corporate Identifica	ation No.
By signing the Ownership Disclosure Statement, the owner(s) ackreas identified above, will be filed with the City of San Diego on the state property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants whin a partnership who own the property). A signature is required of property. Attach additional pages if needed. Note: The applicant is ownership during the time the application is being processed or comander at least thirty days prior to any public hearing on the subjuinformation could result in a delay in the hearing process. Additional could result in a delay in the hearing process.	subject properly with the intent all persons who have an Inter o will benefit from the permit, a at least one of the comporate of responsible for notifying the fi neidered. Changes in owners ect property. Fallure to provide	to record an encumbrance against rest in the property, recorded or all corporate officers, and all partners officers or partners who own the Project Manager of any changes in thip are to be given to the Project the accurate and current ownership
Corporate/Partnership Name (type or print): CPR-3 Spectrum, LLC	Corporate/Padnership Nam	e (type or print):
X Owner Tenant/Lessee	Owner TenanVLe	98866
Stroot Address 365 EXECUTIVE Dr Sk 1600	Street Address:	offered the second sections (sections and section for the states of
City/State/Zip Chy/State/Zip DRay CA 9212)	City/S(ale/Zip	oring agents of a first transmiss represented and table to the real to
Phone No. Col. 21 Ao Fax No. 1 At 1211	Phone No	Fax No.
Namy of Comprate Officer(Pariner (type or print):	Name of Corporate Officer/Part	ner (type or print)
Tilla (typeror print):	Title (type or print):	
Vice Mediculate	ATTENDED TO THE PERSON	Date.
Signaturi: Date: 12.11.2012	SIGN HERE	Date.
Corporate/Partnership Name (type or print):	Corporate/Partnership Name	B ((type or print);
Par Acres Par Secretary		
Owner Fenant/Lessae	Owner Tenant/Le	
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Phone No: Fax No:	Phone No:	Fax No
Name of Corporate Officer/Partner (type or print)	Name of Corporate Officer/Pach	ner (Type ur print)
Title (Type or print)	Title (type or print):	
Signature Date:	Signature .	Dale
Corporate/Partnership Name (type or print)	Corporate/Partnership Name	Charles of the property of the
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Phone No. Fax No	Phone No.	Fax No.
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partr	ner (type or print)
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Signature Date	Signature	Nate
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AT&T Executives

Randall L. S	tephenson
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Chairman and Chief Executive Officer

William A. Blase, Jr.

Senior Executive Vice President – Human Resources

James W. Cicconi

Senior Executive Vice President — External and Legislative Affairs, AT&T, Inc

Cathy M. Coughlin

Senior Executive Vice President and Global Marketing Officer

Ralph de la Vega

President and Chief Executive Officer - AT&T Mobility

John Donovan

Senior Executive Vice President, AT&T Technology and Network Operations

Andrew M. Geisse

Chief Executive Officer — AT&T Business Solutions

Lori Lee

Senior Executive Vice President — Home Solutions

John T. Stankey

Group President and Chief Strategy Officer

John Stephens

Senior Executive Vice President and Chief Financial Officer

Wayne Watts

Senior Executive Vice President and General Counsel

Project Chronology

AT&T – Lightwave – Project No. 307064

Date	Action	Description	City Review Time	Applicant Response Time
8/21/2013	First Submittal	Project Deemed Complete		
10/7/2013	First Assessment Letter		47	
11/6/2013	Second Submittal			30
12/11/2013	Second Assessment Letter		35	is .
1/17/2014	Third Submittal			37
2/6/2014	All issues resolved		20	
3/27/2014	Public Hearing – Planning Commission		49	
TOTAL STAFF TIME			151	
TOTAL APPLICANT TIME			-	67
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission Hearing	218 (in calendar days)	



THE CITY OF SAN DIEGO

DATE OF NOTICE: March 13, 2014

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING:

March 27, 2014

TIME OF HEARING:

9:00 A.M.

LOCATION OF HEARING:

Council Chambers, 12th Floor, City Administration Building,

202 C Street, San Diego, California 92101

PROJECT TYPE:

NEIGHBORHOOD DEVELOPMENT PERMIT AND

PLANNED DEVELOPMENT PERMIT, PROCESS FOUR

PROJECT NUMBER:

307064

PROJECT NAME:

AT&T - LIGHTWAVE

APPLICANT:

SHELLY KILBOURN, PLANCOM, INC., AGENTS

REPRESENTING AT&T

COMMUNITY PLAN AREA:

KEARNY MESA

COUNCIL DISTRICT:

District 6

CITY PROJECT MANAGER:

Alex Hempton, Development Project Manager

PHONE NUMBER/E-MAIL:

(619) 446-5349 / ahempton@sandiego.gov

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for a Wireless Communication Facility (WCF) consisting of panel antennas mounted on the roof of an existing office building, behind screening, and ground-mounted equipment, located adjacent to the parking lot in an enclosure. The project is located at 9246 Lightwave Avenue.

The decision of the Planning Commission is final unless the project is appealed to the City Council. In order to appeal the decision of the Planning Commission you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Planning Commission before the close of the public hearing. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the office of the City Clerk, 202 "C" Street, Second Floor. The appeal must be made within 10 working days of the Planning Commission

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.

This project was determined to be categorically exempt from the California Environmental Quality Act on January 30, 2014 and the opportunity to appeal that determination ended February 18, 2014.

If you have any questions after reviewing this information, you can contact the City Project Manager listed 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 <u>Support Services at (619) 321-3208</u> at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24002474

Revised 10-4-12 HMD-