REPORT TO THE HEARING OFFICER

HEARING DATE: April 23, 2014
REPORT NO. HO-14-022

ATTENTION: Hearing Officer

SUBJECT: T-MOBILE – KENSINGTON CHURCH
PTS PROJECT NUMBER: 290646

LOCATION: 4773 Marlborough Drive

APPLICANT: Anne Regan, DePratti, Inc.

SUMMARY

Issue(s): Should the Hearing Officer approve a Conditional Use Permit for a Wireless Communication Facility (WCF) located at 4773 Marlborough Drive in the Kensington Talmadge Community Plan area?

Staff Recommendation(s) - Approve Conditional Use Permit (CUP) No. 1019706

Community Planning Group Recommendation – On July 10, 2013, the Kensington Talmadge Planning Group voted 11-1 to recommend approval of the T-Mobile – Kensington Church project (Attachment 10).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 5, 2014 and the Notice of Right to Appeal (NORA) was posted on March 7, 2014. The opportunity to appeal the determination ended March 21, 2014 (Attachment 7).

BACKGROUND

This project is a WCF consisting of six panel antennas concealed within a church bell tower and an associated equipment room in the basement of a building on the church property. The project is existing, originally approved in 2000 for a period of ten years (Attachments 8 and 14). T-Mobile is seeking to obtain a new permit to continue operating the WCF with no modifications to the facility. The site is zoned RS-1-7 and is designated residential (6-10 du/acre) in the Mid-Cities Community Plan (Attachment 2). The site is surrounded by residential uses on all sides (Attachment 1).
WCFs in residential zones containing non-residential uses require a CUP, process 3. The WCF regulations and policies strongly encourage WCF carriers to locate their WCFs on non-residential uses by providing reduced processing levels. Additionally, WCFs are required to "use all reasonable means to conceal or minimize the visual impact of the WCF..." Integration with existing structures or among existing uses shall be accomplished through the use of architecture, landscape, and siting solutions. In this case, the antennas are enclosed in architecturally integrated RF-transparent boxes on the upper portion of the bell tower. The result is a clean installation that does not compromise the historicity of the tower or detract from the overall appearance (Attachment 8). The associated equipment is located in the church basement resulting in a complete concealment project. The Wireless Communication Facilities Design Guidelines outlines three conditions, which if fulfilled, qualify the project as a "complete concealment facility." Those conditions include, completely concealing the antennas in an architectural manner consistent with the design of the building on which they are attached; routing the coaxial cable internally; and locating the equipment within the existing structure. This project accomplishes each of those conditions.

Community Plan Analysis:

While the Kensington Talmadge 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 1) locating the equipment associated with the antennas in the basement of a building on the church property and 2) locating the antennas within architecturally integrated RF-transparent boxes installed on the church bell tower. This design will allow the WCF to be aesthetically pleasing and respectful of the neighborhood context.

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 CUP No. 1019706.
ALTERNATIVES

1. Approve Conditional Use Permit No. 1019706, with modifications.

2. Deny Conditional Use Permit No. 1019706, if the Hearing Officer makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

[Signature]
Karen Lynch, Development Project Manager

Attachments:

1. Aerial Photograph
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. Environmental Exemption
8. Project Photos
9. Coverage Maps
10. Community Planning Group Recommendation
11. Ownership Disclosure
12. Project Chronology
13. Hearing Officer Notice of Public Hearing
14. Project Plans

Rev 1/25/11 lmd
KENNINGTON TALMADGE COMMUNITY
PLAN MAP
T-MOBILE–KENNINGTON CHURCH PROJECT NUMBER 290646
4773 MARLBOROUGH DRIVE
Project Location Map
T-MOBILE– KENSINGTON CHURCH PROJECT NUMBER 290646
4773 MARLBOROUGH DRIVE
## PROJECT DATA SHEET

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>T-Mobile – Kensington Church</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>A wireless communication facility consisting of a total of 6 panel antennas within RF-friendly architecturally integrated boxes located on the church tower. Associated equipment is located in the basement of the church.</td>
</tr>
<tr>
<td>COMMUNITY PLAN AREA:</td>
<td>Kensington Talmadge</td>
</tr>
<tr>
<td>DISCRETIONARY ACTIONS:</td>
<td>Conditional Use Permit</td>
</tr>
<tr>
<td>COMMUNITY PLAN LAND USE DESIGNATION:</td>
<td>Residential 6-10 du/ac.</td>
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### ZONING INFORMATION:
- **ZONE:** RS-1-7
- **HEIGHT LIMIT:** 30-feet

<table>
<thead>
<tr>
<th>ADJACENT PROPERTIES:</th>
<th>LAND USE DESIGNATION &amp; ZONE</th>
<th>EXISTING LAND USE</th>
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<td>EAST:</td>
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<tr>
<td>WEST:</td>
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<td>Residential</td>
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### DEVIATIONS OR VARIANCES REQUESTED:
None.

### COMMUNITY PLANNING GROUP RECOMMENDATION:
On July 10, 2013, the Kensington Talmadge Planning Group voted 11 to 1 to recommend approval of the T-Mobile – Kensington Church project.
WHEREAS, Kensington Community Church, Owner and T-Mobile West Corporation, Permittee, filed an application with the City of San Diego for a wireless communication facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1019706 on portions of a 0.86-acre lot;

WHEREAS, the project site is located at 4773 Marlborough Drive in the RS-1-7 zone of the Kensington Talmadge Community Plan area;

WHEREAS, the project site is legally described as: Lots 1, 2, 3, 20 and 21 in Block 15 of Kensington Park, in the City of San Diego, County of San Diego, State of California according to Map thereof No. 1245, filed in the Office of the County Recorder of San Diego County, April 8, 1910;

WHEREAS, on April 23, 2014, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1019706 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on March 5, 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 15301, Existing facilities, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated April 23, 2014.

FINDINGS:

Conditional Use Permit Approval – Section §126.0305

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

The Kensington Talmadge Community Plan does not address Wireless Communication Facilities (WCFs) as a specific land use. The City of San Diego's General Plan (UD-15) requires that the visual impact of WCF 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 project is existing and was previously approved in 2000 with a ten year limit. T-Mobile submitted a new application to continue operations at this location and will not be making any
modifications to the site. The antennas are concealed within decorative radio-frequency (RF) transparent boxes mounted to the church bell tower. The boxes are painted and textured to match the adjacent wall surfaces. Equipment associated with the antennas is located in the basement of a building on the church campus resulting in a completely concealed WCF project. The design of this WCF allows the provision of wireless service to the community in a way that is respectful of, and compatible with, the neighborhood context.

This project, as proposed, does not interfere with the church nor does it create any visual impacts for the neighborhood or surrounding community. Based on the design of this project as described above, the project will not adversely affect the Kensington Talmadge Community Plan or the City of San Diego General Plan.

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

The project consists of six (6) panel antennas concealed within RF transparent decorative boxes mounted to the church bell tower. Equipment associated with the antennas is located in the basement of a building located just to the east of the bell tower. No modifications are proposed as part of this project and as such, there are no deviations. The project is located at 4773 Marlborough Drive in the Kensington Talmadge community plan area. The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities). 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.

Additionally, the federal 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) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions]." A Radio Frequency Electromagnetic Fields Exposure Report, dated January 22, 2013 was submitted with the project and it concludes that the WCF complies with the FCC's RF Safety Guidelines. 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 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 allowable deviations pursuant to the Land Development Code; and

The WCF Regulations, Land Development Code Section 141.0420, require that WCFs utilize the smallest, least visually intrusive antennas, components, and other necessary equipment. The applicant is required to use all reasonable means to conceal or minimize the visual impact of the WCF through integration utilizing architecture, landscape, and siting. The antennas associated with this facility are designed to integrate with the church tower. The antennas are located in decorative RF transparent boxes that are mounted on the bell tower and painted and textured to match the adjacent building surfaces. Equipment associated with the antennas is located in the basement of church building to the east of the bell tower. No modifications are proposed with this application and there are no existing deviations. WCFs are permitted in residential zones on uses that are non-residential as a Process 3, Conditional Use Permit, Hearing Officer approval. Based on this project's design and the permits required, this project complies with the regulations of the Land Development Code.
4. The proposed use is appropriate at the proposed location.

WCF are permitted in residential zones, with a non-residential use, where the antennas are located less than 100' from the property line of a residential use, day care, elementary school, or middle school, with a Process 3 Conditional Use Permit. Council Policy 600-43 and the WCF regulations, LDC 141.0420, allow WCF in commercial and industrial zones with a lower process level than a residential zone with a residential use. Locating a WCF in a commercial or industrial zone is more preferable than locating a WCF in a residential zone with a residential use. In this case, the WCF is proposed in a residential zone, with a non-residential use. If the antenna was located more than 100' from the property line of a residential use or on a property that did not have a day care or elementary school on the premises, the WCF would be permitted with a Process 2 Neighborhood Use Permit. Since the antenna is located less than 100' from the property line of a residential use and there is a day care facility on site, a Process 3 Conditional Use Permit is required. The six antennas are concealed within decorative RF transparent boxes mounted to the church bell tower. They are painted and textured to match the adjacent building surfaces. The associated equipment is in the basement of a church building located to the east of the bell tower. The use is appropriate at this location based on the integrated design and existing building use.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1019706 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1019706, a copy of which is attached hereto and made a part hereof.

Karen Lynch
Development Project Manager
Development Services

Adopted on: April 23, 2014

Job Order No. 24003091
This Conditional Use Permit, granted by the Hearing Officer of the City of San Diego to Kensington Community Church, Owner, and T-Mobile West Corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] section 141.0420. The 0.69-acre site is located at 4773 Marlborough Drive in the RS-1-7 zone of the Kensington Talmadge Community Plan area. The project site is legally described as: Lots 1, 2, 3, 20, and 21 in Block 15 of Kensington Park, in the City of San Diego, County of San Diego, State of California according to Map thereof No. 1245, filed in the Office of the County Recorder of San Diego County, April 8, 1910.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for a Wireless Communication Facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 23, 2014, on file in the Development Services Department.

The project shall include:

a. Six panel antennas concealed within the church bell tower;

b. An equipment room approximately 144-square feet in size located within the basement;

c. The bell tower is for the primary purpose of providing an architectural focal point and may have the secondary purpose of accommodating Permittee's Operations on the Premises.

d. 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 May 7, 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 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 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. 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.

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

PLANNING/DESIGN REQUIREMENTS:

11. 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.

12. 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.
13. 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.

14. 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.

15. No exposed cabling is allowed for this project.

16. Exposed mounting apparatus shall be removed and shall not remain on the tower façade absent antennas.

17. The approved antenna dimensions are 60.1" x 6.6" x 3.3" as illustrated on the Exhibit “A” dated April 23, 2014. Replacement of the antennas may occur in the future, subject to the Owner/Permittee notifying the Development Services Department prior to the replacement of the antennas and subject to the provision of providing an updated Radio Frequency (RF) report demonstrating compliance with the Federal Communication Commission’s regulations in accordance with SDMC Section 141.0420(b)(1)(A) to the satisfaction of the Development Services Department.

18. The WCF shall conform to Exhibit “A” (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.

19. 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.

20. The Permittee shall place appropriate signage on the WCF as required by CAL-Osha/FCC to the satisfaction of the Development Services Department.

21. Use of or replacement of any building façade or mechanical screen with FRP material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the original building. All FRP shall be painted and textured to match the original building.

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 for a Final Clearance. Please contact the Project Manager listed below at (619) 446-5351 to schedule an inspection of the completed WCF.

• 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-section 66020.

• This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on April 23, 2014 by Resolution No. _____________.
Permit Type/PTS Approval No.: CUP No. 1019706
Date of Approval: April 23, 2014

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Karen Lynch
Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 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.

Kensington Community Church
Owner

By
NAME: 
TITLE:

T-Mobile
Permittee

By
NAME: 
TITLE:

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
NOTICE OF EXEMPTION

TO: Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Project No.: 290646
Project Title: T-Mobile Kensington Church

Project Location-Specific: 4773 Marlborough Drive, San Diego, California 92116

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: CONDITIONAL USE PERMIT (CUP) for the renewal of an expired permit to allow the continued operation of an existing wireless communication facility (WCF) consisting of 6 panel antennas concealed within an existing building. The existing equipment room would remain in the basement.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Bernard Dunham (Agent)
7990 New Salem Street
San Diego, CA 92126
(619) 944-9564

Exempt Status:
( ) Ministerial (Sec. 21080(b)(1); 15268);
( ) Declared Emergency (Sec. 21080(b)(3); 15269(a));
( ) Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
(X) Categorical Exemption: CEQA Exemption 15301 (Existing Facilities)

Reasons why project is exempt: The proposed project is exempt from CEQA pursuant to Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private) involving negligible or no expansion of use beyond that existing at the time of the determination. The proposed project, a CUP for the renewal of an expired permit, is not an expansion of use. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

Lead Agency Contact Person: Rhonda Benally
Telephone: (619) 446-5468

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

__________________________
Signature/Title

__________________________
March 5, 2014
Date

Check One:
(X) Signed By Lead Agency
( ) Signed By Applicant

Date Received for Filing with County Clerk or OPR:

Revised 010410mjh
SD06144A – Photo Survey

1. View looking south @ North Elevation
2. View looking west @ East Elevation
SD06144A – Photo Survey

3. View looking north @ South Elevation
4. View looking east @ West Elevation
5. View looking North from Site 6. View looking East from Site
SD06144A - Photo Survey

7. View looking South from site
8. View looking West from Site
SD06144A – Photo Survey

Antennas stealthed on Church steeple
On Air neighbor sites coverage

Legend: Coverage Level
- In Building Commercial
- In Car
- Poor to No Signal
- In Building Residential
- Outdoor
- No Coverage

Scale: 1:20,479
Legend: Coverage Level
- Green: In Building Commercial
- Yellow: In Building Residential
- Gray: In Car
- Red: Outdoor
- Black: Poor to No Signal
- White: No Coverage

SD06144 with On Air neighbor sites coverage
July 10, 2013

Ms Karen Lynch-Ashcraft
Telecom Section, Entitlements
Development Services
1010 Second Avenue
San Diego, CA 92101

RE: Kensington Community Church WCF (T-Mobile)

Dear Ms Lynch-Ashcraft:

At the July 10th, 2013 meeting of the Kensington-Talmadge Planning Group, the planning group, by a vote of 11-1, approved the following recommendation:

"Recommend approval of a permit for an existing Wireless Communications Facility at the Kensington Community Church, 4773 Marlborough Drive with the plans dated June 26th, 2013, or with smaller dimensions."

The phrasing "with smaller dimensions" is to allow for any changes to the project in that direction which the applicant stated you have currently requested.

Sincerely,

[Signature]

David K. Moty
Chair, Kensington-Talmadge Planning Group
kentalpc@yahoo.com
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 □ Planned Development Permit □ Conditional Use Permit □.variance □ Tentative Map □ Vesting Tentative Map □ Map Waiver □ Land Use Plan Amendment □ Other

Project Title
CJrO06144 T-Mobile Kensington Church

Project Address:
4773 Marlborough Dr, San Diego, CA 92116

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledges that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenant who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all property parcels for which a Disposition and Development Agreement (DDA) has been approved if executed by the City Council. Notice: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failing to provide notice and current relationship information could result in a delay in the hearing process.

Additional pages attached □ Yes □ No

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<th>Name of Individual (type or print):</th>
<th>Name of Individual (type or print):</th>
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<tr>
<td>Tenant/Lease</td>
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<tr>
<td>Redevelopment Agency</td>
<td>Redevelopment Agency</td>
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</table>

Street Address:
City/State/Zip:
Phone No: Fax No: Signature : Date:

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<tr>
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</table>

Street Address:
City/State/Zip:
Phone No: Fax No: Signature : Date:

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.

DS-318 (5-96)
### Part II - To be completed when property is held by a corporation or partnership

**Legal status (please check):**

- [ ] Corporation
- [ ] Limited Liability
- [ ] General

**What State?**

[501]

[501]

[501]

[501]

**Corporate Identification No.**

COD # D142559

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By signing the Ownership Disclosure Statement, the owner(s) acknowledge(s) that an application for a permit, map or other matter as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [ ] Yes [ ] No

<table>
<thead>
<tr>
<th>Corporate/Partnership Name (type or print):</th>
<th>Owner</th>
<th>Tenant/Lessee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name: T Mobile Kensington Church</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street Address: 4773 Marlborough Dr.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City/State/Zip: San Diego, CA 92116</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone No: (619) 284-1129</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of Corporate Officer/Partner (type or print): KATHERINE STEPHENSON</td>
<td>Owner</td>
<td>Tenant/Lessee</td>
</tr>
<tr>
<td>Title (type or print): President Member</td>
<td>Owner</td>
<td>Tenant/Lessee</td>
</tr>
<tr>
<td>Signature: [Signature: Catherine Stephenson 1/15/2014]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date: 1/15/2014</td>
<td></td>
<td></td>
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**Additional Pages Attached**

[ ] Yes [ ] No

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<td>Signature:</td>
<td></td>
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<tr>
<td>Date:</td>
<td></td>
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<tr>
<td>Date</td>
<td>Action</td>
</tr>
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<td>------------</td>
<td>---------------------------------------------</td>
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<tr>
<td>8/2/12</td>
<td>Submittal for Completeness Check</td>
</tr>
<tr>
<td>8/28/12</td>
<td>Completeness Review Assessment</td>
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<tr>
<td>1/14/13</td>
<td>Second Submittal for Completeness Review</td>
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<tr>
<td>4/4/13</td>
<td>Deemed Complete/First Assessment</td>
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<tr>
<td>5/3/13</td>
<td>First Full Submittal</td>
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<tr>
<td>6/14/13</td>
<td>First Assessment</td>
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<tr>
<td>8/22/13</td>
<td>Second Submittal</td>
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<td>9/27/13</td>
<td>Second Assessment</td>
</tr>
<tr>
<td>10/29/13</td>
<td>Third Submittal</td>
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<td>12/17/13</td>
<td>Third Review</td>
</tr>
<tr>
<td>1/22/14</td>
<td>Fourth Submittal</td>
</tr>
<tr>
<td>2/25/14</td>
<td>Issues Resolved</td>
</tr>
<tr>
<td>3/5/14</td>
<td>CEQA Determination</td>
</tr>
<tr>
<td>4/23/14</td>
<td>Planning Commission Hearing</td>
</tr>
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<td><strong>TOTAL STAFF TIME</strong></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL APPLICANT TIME</strong></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL PROJECT RUNNING TIME</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Based on 30 days equals to one month.
DATE OF NOTICE: April 9, 2014

NOTICE OF PUBLIC HEARING

HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING: April 23, 2014
TIME OF HEARING: 8:30 A.M.
LOCATION OF HEARING: Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE: CONDITIONAL USE PERMIT, PROCESS 3 EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
PROJECT NO: 290646
PROJECT NAME: T-MOBILE – KENSINGTON CHURCH
APPLICANT: ANNE REGAN, DEPRATTI, INC.
COMMUNITY PLAN AREA: Kensington Talmadge
COUNCIL DISTRICT: 9
CITY PROJECT MANAGER: Karen Lynch, Development Project Manager
PHONE NUMBER/E-MAIL: (619) 446-5351 / kllynchash@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for an existing wireless communication facility consisting of 6 panel antennas concealed within the church tower and an associated equipment room. The existing permit is expired and T-Mobile is requesting a new permit to continue operations at this location. The project is located at the Kensington Community Church at 4773 Marlborough Drive in the RS-1-7 zone.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. 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 Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101.
The decision made by the Planning Commission is the final decision by the City.

This project was determined to be categorically exempt from the California Environmental Quality Act on March 5, 2014 and the opportunity to appeal that determination ended March 21, 2014.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the 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 Support Services at (619) 321-3208 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: 24003091

Revised 04/08/10 HRD
# T-Mobile

## Kensington Church

**SD0644**

4773 Marlborough Dr, Suite A
San Diego, CA 92116

### Project Information

**Project Description:**

T-Mobile's wireless telecommunication facility consists of 35 existing antennas (26) plus 9 new antennas. The antennas are to be located on the roof of the existing building. The project is expected to be completed in spring 2019.

**Applicant:**

T-Mobile USA, Inc.

**Property Owner:**

Kensington Church

4773 Marlborough Dr
San Diego, CA 92116

**Code Information:**

Permit Application: 19-01-0050 0-0-0

**Construction Type:**

G3

**Building Code:**

2016 IBC

**Existing Building:**

Yes

**Proposed Use:**

Existing antennae and equipment room plus 9 new antennas

**Parcel Number:**

342-36-16

**Date of Construction of the Existing Building:**

1997

### Project Team

**Project Architect:**

T-Mobile

**Project Consultant:**

Kensington Church

### Vicinity Map

![Vicinity Map](image1)

### Drawing Index

**Sheet Description:**

- **Sheet 1:**
  - Title: General Notes
  - Page: 1-1
  - Details:
    - Site Plan
    - Existing Antenna & Equipment Room Plan
    - Existing North & East Elevation

### Legal Description

**Legal Description:**

Lot 12,3,20 and 21 in Block 13 of Kensington West, City of San Diego, Section 1, R17-1, T34S, R11E, M.62.000 & 0.560 acres thereof. The said lot and the boundary line thereon, are hereinafter described in the Office of the County Recorder of San Diego County, April 25, 1930.

### Driving Directions

![Driving Directions](image2)

### RF Information

**Existing TF & COA Chart:**

<table>
<thead>
<tr>
<th>Sector</th>
<th>Frequency</th>
<th># of Antennas</th>
<th>Antenna Model</th>
<th>Type</th>
<th>Coa Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>1,377 Mhz</td>
<td>3</td>
<td>F1A</td>
<td>Satellite</td>
<td>100-120</td>
</tr>
<tr>
<td>South</td>
<td>1,377 Mhz</td>
<td>3</td>
<td>F1A</td>
<td>Satellite</td>
<td>100-120</td>
</tr>
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**Note:**

These figures are based on the final RF design.