

# **REPORT TO THE HEARING OFFICER**

HEARING DATE:	May 28, 2014	REPORT NO. HO 14-030
ATTENTION:	Hearing Officer	
SUBJECT:	AT&T – Anchor Church PTS PROJECT NUMBER: 329937	
LOCATION:	1765 Pentecost Way	
APPLICANT:	AT&T Mobility (Permittee)/ Revival Pentecostal Tabernacle of San Diego (Owner)	

#### SUMMARY

<u>Issue:</u> Should the Hearing Officer approve a Neighborhood Development Permit (NDP) and Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF) in the Mid-City: Eastern Area community plan area?

Staff Recommendation: APPROVE NDP No. 1290237 and CUP No. 1290238.

<u>Community Planning Group Recommendation</u>: The Eastern Area Community Planning Committee voted 7-1-2 to recommend approval of this project at their February 11, 2014 meeting. (Attachment 8)

<u>Environmental Review</u>: This project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (New Construction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 28, 2014, and the opportunity to appeal that determination ended March 19, 2014. (Attachment 7)

#### **BACKGROUND & DISCUSSION**

This project proposes a Wireless Communication Facility (WCF), consisting of a proposed 40foot tall monoeucalyptus tree, capable of supporting 12 panel antennas, and an enclosure housing associated equipment. The project is located at 1765 Pentecost Way, in the RM-2-5 zone of the Mid-City: Eastern Area community plan area. (Attachments 1, 2, 3, and 4) WCF are permitted in residential zones with a non-residential use where the antennas are less than 100 feet from the property line of a residential use, day care, elementary school, or middle school with the processing of a Conditional Use Permit (CUP), Process 3. A Neighborhood Development Permit (NDP) is also required as the equipment enclosure exceeds 250 square feet.

This project consists of the installation of a 40-foot tall monoeucalyptus tree, supporting 12 panel antennas, with equipment and an emergency generator located in a 464 square foot building. WCFs for T-Mobile and Verizon are built, or approved to be built, respectively, adjacent to the AT&T WCF. Both T-Mobile and Verizon's WCFs consist of 40-foot tall monobroadleaf trees and equipment enclosures. The AT&T equipment enclosure is designed to be consistent with the T-Mobile and AT&T enclosures. A monoeucalyptus tree was selected, instead of a monobroadleaf, as existing and proposed live eucalyptus trees are present and the monoeucalyptus can more effectively screen and integrate the antennas, remote radio heads (RRHs), and surge suppresors , than a monobroadleaf.

The City's General Plan addresses Wireless Facilities in UD-A.15. The visual impact of WCF should be minimized by concealing WCFs in existing structures, or utilizing camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Equipment associated with the WCF should be located in underground vaults or unobtrusive structures. This project complies with the General Plan recommendations by locating the antennas on a faux tree – in this case a monoeucalyptus tree – designed to screen the antennas and other equipment. Existing and proposed eucalyptus trees will further aid in screening and integrating the monotree with the surrounding neighborhood. Equipment and an emergency generator will be located in a building, designed to match the design of other equipment buildings on the property. The design of the WCF is respectful of the neighborhood context and does not adversely affect the applicable land use plans.

Based on the proposed design, the project complies with the WCF Regulations (LDC §141.0420). The project has received support from the community planning group, and draft findings have been made in the affirmative to approve the NDP and CUP. Therefore, Staff recommends approval of NDP No. 1290237 and CUP No. 1290238.

#### ALTERNATIVES

- 1. Approve Neighborhood Development Permit No. 1290237 and Conditional Use Permit No. 1290238, with modifications.
- 2. Deny Neighborhood Development Permit No. 1290237 and Conditional Use Permit No. 1290238, 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,

Alex Hempton, AICP Development Project Manager

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 Right to Appeal Environmental Exemption
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement (ODS)
- 10. Photo Simulations
- 11. Photo Survey
- 12. Site Justification/Coverage Maps
- 13. Hearing Officer Hearing Public Notice
- 14. Project Plans





**Aerial Photo** AT&T – Anchor Church – Project Number 329937

1765 Pentecost Way





# **Community Plan Land Use Designation**

AT&T – Anchor Church – Project Number 329937

1765 Pentecost Way





# **PROJECT DATA SHEET**

PROJECT NAME:	AT&T - Anchor Church	
PROJECT DESCRIPTION:	Wireless Communication Facility (WCF) consisting of a 40-foot tall monoeucalyptus tree, supporting 12 panel antennas, along with equipment and an emergency generator located in an enclosure.	
COMMUNITY PLAN AREA:	Mid-City: Eastern Area	
DISCRETIONARY ACTIONS:	Neighborhood Development Permit (NDP) and Conditional Use Permit (CUP), Process 3	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	

## **ZONING INFORMATION:**

ZONE: RM-2-5 HEIGHT LIMIT: 40 feet FRONT SETBACK: 15/20 feet SIDE SETBACK: 5 feet STREETSIDE SETBACK: 10 feet REAR SETBACK: 15 feet

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	Industrial; IL-2-1	Mini Storage	
SOUTH:	Mid-City Communities Planned District; Multi- Unit Residential; MCCPD-MR-1500	Multi-Unit Residential	
EAST:	Industrial; IL-2-1	Multi-Unit Residential	
WEST:	Commercial and Mixed Use; CC-2-3	Commercial	
DEVIATIONS OR VARIANCES REQUESTED:	None.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Eastern Area Community Planning Committee voted 7- 1-2 to recommend approval of this project at their February 11, 2014 meeting		

#### HEARING OFFICER RESOLUTION NO. CM-XXXX NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1290237 CONDITIONAL USE PERMIT NO. 1290238 AT&T – ANCHOR CHURCH PROJECT NO. 329937

WHEREAS, REVIVAL PENTECOSTAL TABERNACLE OF SAN DIEGO CA, Owner, and AT&T MOBILITY, Permittee, filed an application with the City of San Diego for a permit to construct a Wireless Communication Facility consisting of a 40-foot tall monocucalyptus tree, supporting 12 panel antennas, and an equipment building containing an emergency generator and equipment associated with the antennas (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1290237 and 1290238);

WHEREAS, the project site is located at 1765 Pentecost Way in the RM-2-5 zone of the Mid-City Eastern Area community plan area. The project site is legally described as: all that certain real property situated in the County of San Diego, State of California, described as follows: Parcel A: Parcel 1, of Parcel Map No. 4120, in the City of San Diego, County of San Diego, State of California, recorded in the Office of the County Recorder of said county on September 30, 1975; and Parcel B: That portion of Lot 17 of the Rancho Mission of San Diego, in the City of San Diego, County of San Diego, State of California, according to partition map thereof no. 5416, filed in the Office of the County Recorder of San Diego County;

WHEREAS, on February 28, 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). of the State CEQA Guidelines 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 May 28, 2014, the Hearing Officer of the City of San Diego considered Neighborhood Development Permit No. 1290237 and Conditional Use Permit No. 1290238 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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 May 28, 2014.

#### FINDINGS:

#### Neighborhood Development Permit - Section 126.0405

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

While the Mid-City: Eastern Area Community Plan does not specifically address WCFs, the City of San Diego General Plan states that the visual impact of wireless facilities should be minimized. Wireless facilities should be concealed in existing structures when possible, or utilize camouflage

and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Mechanical and other equipment and devices should be concealed in underground vaults or other unobtrusive structures. This project proposes to locate 12 panel antennas on a new 40-foot tall monoeucalyptus tree, with a 464 square-foot equipment enclosure (including an emergency generator), located adjacent to the monoeucalyptus. AT&T's equipment enclosure will be designed to match the recently constructed T-Mobile WCF and Verizon's recently approved WCF. Existing eucalyptus trees and proposed eucalyptus trees will be provided to screen and integrate the monoecualyptus tree with the surroundings. Based on the design of this WCF, the development will not adversely affect the applicable land use plans.

# 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 a new 40-foot tall monocucalyptus tree, and a 464 square-foot equipment enclosure, which includes an emergency generator. The project is located at 1765 Pentecost Way, and is located in the Mid-City: Eastern Area community plan area.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). 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.

WCF are permitted in residential zones with a non-residential use where the antennas are less than 100 feet from the property line of a residential use, day care, elementary school, or middle school with the processing of a Conditional Use Permit (CUP), Process 3. A Neighborhood Development Permit (NDP) is also required as the equipment enclosure exceeds 250 square feet. The project requests no deviations to the LDC. In order to integrate with the surrounding neighborhood, AT&T is proposing to construct a 40-foot tall monoeucalyptus, capable of

supporting 12 panel antennas. With the existing live cucalyptus and the proposed live eucalyptus trees, the WCF will effectively blend in with the surroundings. The equipment associated with the WCF, including an emergency generator, will be concealed within an equipment building, designed to integrate with the other adjacent WCFs. WCFs, designed as faux landscape, are permitted when there are existing or proposed live trees, of a similar size and species present or proposed. Based on the design of this project, the development will comply with the applicable regulations of the LDC.

#### Conditional Use Permit - Section 126.0305

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

While the Mid-City: Eastern Area Community Plan does not specifically address WCFs, the City of San Diego General Plan states that the visual impact of wireless facilities should be minimized. Wireless facilities should be concealed in existing structures when possible, or utilize camouflage and screecing techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Mechanical and other equipment and devices should be concealed in underground vaults or other unobtrusive structures. This project proposes to locate 12 panel antennas on a new 40-foot tall monoeucalyptus tree, with a 464 square-foot equipment enclosure (including an emergency generator), located adjacent to the monoeucalyptus. AT&T's equipment enclosure will be designed to match the recently constructed T-Mobile WCF and Verizon's recently approved WCF. Existing eucalyptus trees and proposed eucalyptus trees will be provided to screen and integrate the monoeucalyptus tree with the surroundings. Based on the design of this WCF, the development will not adversely affect the applicable land use plans.

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

The project consists of 12 panel antennas, mounted on a new 40-foot tall monocucalyptus tree, and a 464 square-foot equipment enclosure, which includes an emergency generator. The project is located at 1765 Pentecost Way, and is located in the Mid-City: Eastern Area community plan area.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). 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 allowable deviations pursuant to the Land Development Code; and

WCF are permitted in residential zoncs with a non-residential use where the antennas are less than 100 feet from the property line of a residential use, day care, elementary school, or middle school with the processing of a Conditional Use Permit (CUP), Process 3. A Neighborhood Development Permit (NDP) is also required as the equipment enclosure exceeds 250 square feet. The project requests no deviations to the LDC. In order to integrate with the surrounding neighborhood, AT&T is proposing to construct a 40-foot tall monoeucalyptus, capable of supporting 12 panel antennas. With the existing live eucalyptus and the proposed live eucalyptus trees, the WCF will effectively blend in with the surroundings. The equipment associated with the WCF, including an emergency generator, will be concealed within an equipment building, designed to integrate with the other adjacent WCFs. WCFs, designed as faux landscape, are permitted when there are existing or proposed live trees, of a similar size and species present or proposed. Based on the design of this project, the development will comply with the applicable regulations of the LDC.

#### 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 less than 100 feet from the property line of a residential use, day care, elementary school, or middle school with the processing of a Conditional Use Permit (CUP), Process 3. A Neighborhood Development Permit (NDP) is also required as the equipment enclosure exceeds 250 square feet. Council Policy 600-43 identifies preference levels for locating WCFs in the City. In turn, the WCF Regulations (SDMC section 141.0420) implements the Council Policy by providing lower permit process levels for WCFs located in commercial or industrially zoned properties and higher permit process levels for WCFs proposed in residential zones. Although there is an incentive for carriers to locate in a zone with a lower permit process level, wireless carriers are required to provide coverage throughout their license area. Therefore, at times a WCF is required to be located in a less preferable location. This WCF is proposed in a residential zone with a nonresidential use. This is less preferable than locating in a commercial or industrial zone, but is more preferable than locating in a residential zone with a residential use. In order to integrate with the surrounding neighborhood, AT&T is proposing to construct a monocucalyptus. With the existing live eucalyptus and the proposed live eucalyptus trees, the WCF will effectively blend in with the surroundings. The equipment associated with the WCF, including an emergency generator, will be concealed within an equipment building, designed to integrate with the other adjacent WCFs. Based on this analysis, the WCF is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer Neighborhood Development Permit No. 1290237 and Conditional Use Permit No. 1290238 are hereby

GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1290237 and 1290238, a copy of which is attached hereto and made a part hereof.

Alex Hempton, AICP Development Project Manager Development Services

Adopted on: May 28, 2014

Internal Order No. 24003918

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO CITY CLERK

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24003918

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1290237 CONDITIONAL USE PERMIT NO. 1290238 AT&T – ANCHOR CHURCH PROJECT NO. 329937 HEARING OFFICER

This NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) No. 1290237 and CONDITIONAL USE PERMIT (CUP) No. 1290238 is granted by the HEARING OFFICER of the City of San Diego to REVIVAL PENTECOSTAL TABERNACLE OF SAN DIEGO CA, Owner, and AT&T MOBILITY, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420, 126.0305, and 126.0405. The site is located at 1765 Pentecost Way in the RM-2-5 zone of the Mid-City: Eastern Area community plan area. The project site is legally described as: all that certain real property situated in the County of San Diego, State of California, described as follows: Parcel A: Parcel 1, of Parcel Map No. 4120, in the City of San Diego, County of San Diego, State of California, recorded in the Office of the County Recorder of said county on September 30, 1975; and Parcel B: That partition of Lot 17 of the Rancho Mission of San Diego, in the City of San Diego, County of San Diego, State of California, according to partition map thereof no. 5416, filed in the Office of the County Recorder of San Diego County.

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 May 28, 2014, on file in the Development Services Department.

The project shall include:

a. A 40-foot tall monoeucalyptus tree, supporting 12 panel antennas, and a 464 square foot equipment enclosure containing an emergency generator and equipment associated with the antennas. The antenna dimensions are: 78.0" by 14.8" by 8.6".

- b. The equipment enclosure exceeds 250 square feet and is permitted with this NDP;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this sitc 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 June 11, 2014.

2. This NDP and CUP and corresponding use of this site shall expire on June 11, 2024. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

3. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.

4. Under no circumstances, docs approval of this permit authorize the Owner/Permittee to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit beyond the expiration date of this permit is prohibited.

5. 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.

6. 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.

7. 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.

8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

9. Issuance of this Permit by the City of San Dicgo 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 scq.).

10. 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.

11. 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.

12. All of the conditions contained in this Permit have been considered and were determinednecessary 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.

13. 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.

#### **ENGINEERING REQUIREMENTS:**

14. The project proposes to export 40.00 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

15. 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.

16. 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.

17. 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.

### LANDSCAPE REQUIREMENTS:

18. Landscape construction documents shall be submitted to Development Services for review and approval. Construction documents shall be in substantial conformance to the approved Exhibit "A".

19. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved Exhibit "A" 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 or Certificate of Occupancy or a Final Landscape Inspection or prior to WCF activation.

20. Any required planting that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan. Development Services may authorize adjustment of the size and quantity of replacement material where material replacement would occur in inaccessible areas.

21. Prior to activation of WCF, it shall be the responsibility of the Owner/Permittee to ensure that all trees shown on Exhibit "A" and approved construction documents are installed and growing in a healthy condition.

#### PLANNING/DESIGN REQUIREMENTS:

22. 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.

23. Prior to building permit issuance, the Owner/Permitce shall incorporate the requirements for noise permit conditions on the appropriate construction documents as described in the "Noise Impact Analysis" by Helix Environmental Planning, Inc., December 19, 2013.

24. Prior to building permit issuance, City Staff shall verify the following sound attenuation measures have been incorporated into the design of the proposed development to reduce noise levels to below 45 dB CNEL:

- A. Intake and exhaust air venting shall be the Vibro-Acoustics ALV-MV-24 acoustic louver or equivalent that meets or exceed the transmission loss rating as identified within the noise impact analysis (Helix Environmental Planning, December 19, 2013).
- B. Intake: The air inlet and outlet shall have at least two 90-degree bends with at least 3fect of duct between the bends.

C. The bends and air duct shall be lined with 2-inch thick noise absorbing duct lining internals.

D All duct work will be 18-gauge or thicker metal and wrapped with an exterior loaded vinyl acoustic duct lagging.

E. Engine exhaust silencer shall be the GTE Exhaust, 201-7100 Extreme Applications Grade silencer or equivalent to or exceeding the noise control capabilities as identified with the noise impact analysis (Helix Environmental Planning, December 19, 2013).

25. Prior to Final Inspection signoff, the Owner/Permitee shall submit one copy of the final Acoustical Analysis with construction documents to the Building Inspector.

26. Prior to Final Inspection signoff, the building inspector shall verify the sound attenuation has been constructed/implemented in accordance with the approved construction documents and that acoustical levels have been achieved per the approved technical report.

27. All proposed hand-holes shall be covered with bark material to match the monoeucalyptus tree trunk to the satisfaction of the Development Services Department.

28. All coaxial conduits shall be routed up through the caisson and into the tree to the satisfaction of the Development Services Department. Cable enclosures (referred to as "doghouses") are not permitted.

29. Branches shall extend a minimum of 24-inches beyond the face of the proposed antennas to the satisfaction of the Development Services Department.

30. Starting branch height shall be no higher than 12'6", as illustrated on the stamped, approved Exhibit "A."

31. All exposed surge suppressors, remote radio units (RRUs), cables, brackets and supports shall be painted to match the faux tree foliage to the satisfaction of the Development Services Department.

32. Radio-frequency transparent "socks" fully covering the front and back of the antennas shall be installed.

33. The applicant is required to provide color samples of the faux tree prior to Building Permit issuance. This is to ensure that the proposed faux tree integrates with the surrounding landscape. Staff will pre-approve the color sample prior to Building Permit issuance. The exact faux tree color exhibit will be used during the FINAL INSPECTION. The color approved by Planning Staff must be identical to the as-built faux tree.

34. 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.

35. 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.

36. 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.

37. 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."

38. No overhead cabling is allowed for this project.

39. Exposed mounting apparatus shall be removed and shall not remain on the monoeucalyptus absent antennas.

40. The Owner/Permittee shall not cause or allow the antennas located on the monoeucalyptus to be different sizes (length, width, or height) than as shown on the stamped approved plans.

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

42. 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.

43. 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.

44. 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-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 May 28, 2014 and [Approved Resolution Number].

Permit Type/PTS Approval No.: NDP No. 1290237 and CUP No. 1290238 Date of Approval: 5/28/2014

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Alex Hempton, AICP 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 hercunder.

#### REVIVAL PENTECOSTAL TABERNACLE OF SAN DIEGO CA Owner

Вy

PASTOR JAMES LARSON

AT&T MOBILITY Permittee

By

KEVIN BECKER SR. REAL ESTATE & CONSTRUCTION MANAGER

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



THE CITY OF SAN DIEGO

# **Date of Notice:** March 5, 2014 **NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION**

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24003918

PROJECT NAME/NUMBER: AT&T Anchor Church / 329937

COMMUNITY PLAN AREA: Mid-City: Eastern Area

COUNCIL DISTRICT: 4

LOCATION:

1765 Pentecost Way, San Diego, California 92105

#### **PROJECT DESCRIPTION:** NEIGHBORHOOD DEVELOPMENT PERMIT and

CONDITIONAL USE PERMT to construct, operate and maintain a wireless communication facility that includes the following; installation of twelve mobility antennas, twenty-four remote radio units, and surge protection equipment mounted on a new 40-foot-high monoeucalyptus; an emergency generator and fuel tank installed within a new 216-square-foot concrete block generator enclosure; and two Global Positioning System antennas and equipment racks installed within a new 248-square-foot concrete block equipment building. The project would also include the installation of a new electrical meter, telecommunication and fiber optic cable within new trenches, landscaping, and irrigation. The project site is located at 1765 Pentecost Way in the RM-2-5 zone with a Commercial land use designation within the Mid-City: Eastern Area Community Plan. (LEGAL DESCRIPTION: Parcel A: Parcel 1 of Parcel Map No. 4120; Parcel B: That portion of Lot 17 of the Rancho Mission of San Diego Partition Map No. 5416).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Sections 15303 (New Construction).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

#### STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The

City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15303 which allows for installation of small new equipment and facilities not exceeding 2,500 square feet. Furthermore,

the exceptions listed in 15300.2.

#### DEVELOPMENT PROJECT MANAGER: MAILING ADDRESS: PHONE NUMBER;

Alexander Hempton 1222 First Avenue, MS501, San Diego, CA 92101 619.446.5349

On February 28, 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 (March 19, 2014). 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.

### EASTERN AREA COMMUNITY PLANNING COMMITTEE

Holy Spirit Catholic Church, Parish Hall – 2725 55th Street, San Diego, CA 92105

February 11, 2014 Meeting Minutes - DRAFT

Chair Laura Riebau noting a quorum called the meeting call to order at 7:00 pm. Board members in attendance were Denise Armijo, Carl Davis, Andy Huelskamp, Jonathan Cutler, Linda Godoy, Daniele Laman and herself. Earl Lemar joined at 7:14; Mario Ingrasi arrived at 7:17; Bruce Williams joined at 7:19 and Jolaine Harris joined and left at 7:56.

**COMMUNICATION FROM THE PUBLIC**: Daniele announced that a getting a second park Ranger at @ Chollas Lake seems likely. Daniele also reviewed her notes on the second workshop from the hike around Chollas Creek.

Carl announce the Lincoln High School Parent and Community walkthrough scheduled for Thursday, MAR 6, 2014 from 8-11:30 AM.

Denise annonced that good self-defenses are available at Kwai Sun Studios in La Mesa. She also reminded everyone to get a flu shot since the Flu is very serious this year and that a personal friend of hers recently died from what is believed to be a result of a strain of H1N1.

Motion to adopt the agenda by Daniele, Seconded by Andy seconds Vote: 8 for 0 against and Chair abstains.

COUNCIL AND REPRESENTATIVE REPORTS: No Council Representatives from Districts 4 and 9 – Election night.

ANCHOR CHURCH - 1765 PENTECOST WAY PROPOSED AT&T WIRELESS COMMUNICATION FACILITY PROJECT – Presentation by Shelley Kilbourn for AT&T – at same location as equipment for other communication companies.

AT&T proposing to install a 40-ft mono eucalyptus tree cell tower on Church property in Bayview Heights near at 1765 Pentecost Way San Diego, CA 92105

City has requested several revisions to plan and AT&T has complied. To date no objections from the community. Primary feedback has come from EACPC meeting.

Additional tower requires additional equipment on the ground, so new rendition of additional building and screening with cumulative towers, equipment buildings and trees was presented for Board review.

Daniele requested clarification on the removal of trees and replacement of like trees as proposed on the plan and if Shelly knew what the money was being spent on.

Shelly: The proposed plan does require removal of two trees and will result in the re-planting of four and did not know what the money would be spent on..

Denise: Are the impact studies being conducted cumulative meaning will they encompass of the impact including the addition of the Verizon site in addition to the existing T-Mobile and proposed AT&T sight?

Shelly: All required impact review is being done. The proposed project is scheduled for a ten year contract.

Laura: Is there room at this site for other mobile equipment carriers to also build on this sight?

Shelly: Yes – other carriers might be Sprint, or Cricket and the sight can sustain addition of future carries adding structures to the location. The sight can also accommodate for co-location on existing towers.

Andy made a motion to approve the project as presented; Mario seconded.

The Vote was 7 For /1 Against (Daniele) / 2 Abstained Chair and Earl.

**STATUS UPDATE ON CHOLLAS TRIANGLE COMMUNITY PLAN AMENDMENT** Presented by Michael Prinz. The proposed Community Plan Update encompasses the re-designation of the area currently in use as Chollas parkway to a roughly 5acre park. Also includes a re-designation of the area adjacent to the east side of 54<sup>th</sup> and south side of University from a mixed-use designation to a Neighborhood Village designation.

The Environmental Review Scoping meeting held by Anna MacPhearson on January 26<sup>th</sup> covered a variety of questions including:

- maximum allowable structure height,
- noise impact,
- traffic impact,
- pedestrian and bicycle access and usage.

Land use designation would allow for no more than 29 units per acre meaning the total area designated as Neighborhood Village could average at a maximum for the total plot 29 units per acre for the entire 35+ acre lot, though the individual acre may have a higher density. The proposed land use designation is a result of long-range planning and there is no current development planned. A market economist has reviewed the project and current surrounding business. The proposal would place a cap on development of the neighborhood village designated area only allowing for future development that would be close in comparison to the existing square footage of the Northgate and Kmart locations currently using this space. There is current discussion within City staff over vacating Chollas Parkway prior to development allowing for pedestrian and bike traffic to use this area however this idea is being reviewed due maintenance concerns. The difference between Commercial/Mixed use and Neighborhood Village land designations are essentially Commercial/Mixed allows for Commercial only or commercial and residential while Neighborhood Village allows for Commercial only,

residential only, or commercial and residential but does also provide guidelines for developments limiting development of certain structure for example drive-through restaurants within residential housing. Impact fees will be collected on development within the site in accordance with the city financing plan which is currently under revision.

Board comments/question: Dwelling units per acre is not a clear definition of the amount of people that will be occupying the location being reviewed for density, as evidenced at 63ed & El Cajon, so we would like to start being able to measure density as bedrooms per acre.

Michael - Development review projects currently do include review of bedrooms per unit.

Question off this topic, but relevant for next agenda item - How are Hookah lounges and Vapor lounges categorized as far as acceptable uses? Currently communities are being impacted by these facilities not falling under the criteria for a typical licensed facility such as a bar or club.

Michael - Not certain, Code needs to be reviewed.

Jolaine: Arrived and had to take an absence from the meeting due to personal health concerns.

#### LIQUOR LICENSE FOR ZODIAK HOOKA LOUNGE-6455 EL CAJON BLVD.

Currently the lounges are allowed to operate on a commercial use permit and are staying open until 4:00 AM+. Suggest requesting a conditional use/ special use permit may allow oversight by the planning committee. The proposal suggest is to write a letter to council members office requesting review of permit process for lounges to include: smoking, vapor, tea, marijuana. Mario motions, Daniele seconds 9/0/1 Chair abstains.

Earl announced that the owner of Rainbow Market whom EACPC approved an upgrade for his liquor license, recently sold this location and took the approved license to El Cajon.

Laura: CPC has had several requests to return liquor license review to community planning committees. Planning Commission to have a review soon. Board could include request this in the letter to councilmembers with review of smoking lounge permit process.

Review of proposed changes to 600-24.

Items of concern by Board Members after brief review:

Indemnification: Concern over what would be justification for losing indemnification and what is the actual punishment for loss of indemnification.

Board reminded to please review the proposed changes and br ready for review at next month's meeting.

Earl: Requested update on Letter to Caltrans regarding HOV lanes. And review of recipients – Caltrans, Sandag, City Council, State representatives.

Minutes: With corrections to spellings, Daniele moved to approve, seconded by Andy; Vote 9/0/1 Chair Abstains.

Discussion on March Election - Lee Rittiner has been absent due to fathers passing and is very busy adjusting to impact on partnership loss so may be unable to continue serving on the EACPC. Chair will email seats up for election in March for notification and review; Also EACPC to send letter to Lee with condolences.

SUB-COMMITTEE REPORTS: Sub-committees:

Daniele: Opening Day Chollas Little League Saturday March 8, 2014.

Parks report: All is well, Chollas has had interim supervisors as regular supervisor is on maternity leave. There is possibility of second ranger assigned.

Denise: Bike Paths-Next meeting Feb 19, 2014 Franklin Elementary school 5:30-8 pm more info can be found at Keepsandiegomoving.com/Northpark

Laura: Schools-Department of Toxic Substance Control has released a community survey for Noah Webster Elementary School. DTSC will soon present a new proposed cleanup plan. SDUSD has conducted prior environmental review, but no remediation for continual erosion of cap, which angered and corned the community. We will see if we can get a report on the new study/plan.

Mario: Transportation-Review of 94 still under review. Possible survey to commuters of using an interchange at 47<sup>th</sup> street and would this be an acceptable means of transit, also options for 94 may exist using alternate routes. Mario may suggest use of Market Street as a primary bus thoroughfare. Options need to be explored allowing people within our districts improved travel North to South, as well as East and West.

Laura: CPC-Draft Climate Action Plan was presented. The plan discusses use of sustainable, materials, renewables, and improvements to transportation and a variety of ways to minimize impacts to the climate that the city is proposing to pursue for future development.

Bill Fulton, appointed by Mayor Filner to head Economic Development and Neighborhood Planning department. His staff reviewed a recent economic report released shows San Diego at 25% high 28% mid and 47% low wage jobs, which varies significantly from the National Averages with almost a complete flip between the mid and low paying jobs percentages. Report showed Low wage is less than \$37,000 dollars a year; Medium wage is \$24 dollars an hour; High paying jobs are over \$30 per hour. CPC has suggested incentivizing development of zone areas to

4

encourage businesses locations in many communities so they benefit with lower rents that offers better paying jobs. Our area could benefit from providing the graduates of our local colleges with incentives to start their business/career here. EACPC members are encouraged to make suggestions to councilmembers.

Funding for Chollas Lake comfort station/ multi-purpose building seems like it will be achieved. We are lucky to have Tracy Reed's efforts despite initial deletion from funded listing. Diane Jacobs is now the County supervisor for the Lake area and it may be worthwhile to contact her on this issue. Other newer items appear to have been dropped from the listing.

Meeting Adjourned at 9:15 pm.

#### Page 5 of 5

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Project Title:	Projecí No. (For City Use Only)			
Partills To be completed when property to held by a corporation or partnership Legal Status (please check):				
⊠Corporation ☐Limited Liability -or- ☐ General) What State? Corporate identification No				
By signing the Ownership Disclosure Statement, the owner(s) ack as identified above, will be filed with the City of San Diego on the s the property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants win in a partnership who own the property). <u>A signature is required of</u> <u>property</u> . Attach additional pages if needed. Note: The applicant is ownership during the time the application is being processed or co Manager at least thirty days prior to any public hearing on the subj information could result in a delay in the hearing process. Addit	subject property with the Intent to record an encumbrance against all persons who have an interest in the property, recorded or o will benefit from the permit, all corporate officers, and all partners f at least one of the corporate officers or partners who own the s responsible for notifying the Project Manager of any changes in ensidered. Changes in ownership are to be given to the Project ject property. Failure to provide accurate and current ownership			
Corporate/Partnership Name (type or print): Revival Pentecostal Tabernacle of San Diego, a corporation	Corporate/Partnership Name (type or print):			
Owner Tenant/Lessee	C Owner Tenani/Lessee			
Street Address: 1765 Pentcoost Way	Street Address:			
City/State/Zip: San Diego, CA 92105 Phone No: Fax No:	City/State/Zip:			
(619) 264-0529	Phone No; Fax No;			
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):			
Title (We or print): Poly Agart	Title (type or print):			
Signatures of Aunton Date: 4/117/2012	Signature : Date:			
Corpdrate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):			
Owner Tenant/Lessee	Owner Tenant/Lossec			
Street Address:	Street Address;			
City/State/Zlp;	City/State/Zip:			
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Title (type or print):	Title (type or printi):			
Signature : Date:	Signature : Date:			

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## **AT&T** Executives

Randall L. Stephenson 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. Coughtin Senior Executive Vice President and Global Marketing Officer



Raigh de la Vega President and Chief Executive Officer - AT&T Mobility



John Domovan 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. Slankey 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



12/2/2013



## PHOTO STUDY & KEY MAP

#### SD0276

Hwy 94 & Euclid 1765 Pentecost Way San Diego, CA 92105

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

June 12, 2013





View North



View West





View South



View East





## West Elevation



### South Elevation (T-Mobile)





Verizon Tree/Equipment Area





Aerial View of Subject Site
#### SITE JUSTIFICATION AT&T: Anchor Church 1765 Pentecost Way

#### PROJECT DESCRIPTION

The project proposes to locate a wireless communication facility at 1765 Pentecost Way on the Anchor Church property in the Eastern Area. The project will consist of twelve (12) antennas mounted on a 40 foot monobroadleaf tree. The associated equipment will be located inside an enclosure at the base of the monobroadleaf tree. The equipment enclosure, which includes an emergency generator, is approximately 445 square feet and will require a deviation from the WCF regulations to exceed the 250 square foot restriction for equipment. The antennas and equipment are designed to match the existing and approved T-Mobile and Verizon Wireless monobroadleaf trees and equipment enclosures.

The property is zoned RM-2-5 and developed with a church and private school. The property is surrounded by residential development to the east, canyons with residential development beyond to the north and south and commercial development to the west.

#### SITE DESIGN

The antennas will be located on a 40 foot monobroadleaf tree, consistent with the existing T-Mobile installation and approved Verizon Wireless facility. The antennas will be mounted concealed within the tree branches and painted green. The associated equipment will be located in an enclosure with an emergency generator and designed to mimic the existing T-Mobile and approved Verizon Wireless equipment designs.

#### PREFERENCE 3 LOCATION

The proposed facility is located on a church property. As such the project is considered a preference 3 location and requires a Conditional Use Permit (Process 3). The size of the equipment enclosure and generator enclosure exceed 250 square feet, therefore the project also requires a Neighborhood Development Permit. We believe that the facility as designed is consistent with all relevant regulations and will be minimally visible from vantage points or surrounding properties.

#### **CO-LOCATION OF FACILITIES**

T-Mobile currently exists on this property and Verizon Wireless has been approved to install a wireless communication facility on the property.







SD0276 Highway 94 Euclid 1765 Pentecost Way San Diego, CA 92105



Coverage without site





Coverage with site



THE CITY OF SAN DIEGO

DATE OF NOTICE: May 13, 2014

# NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	May 28, 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:	NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) AND
	CONDITIONAL USE PERMIT (CUP), PROCESS 3
PROJECT NO:	329937
PROJECT NAME:	AT&T - ANCHOR CHURCH
APPLICANT:	SHELLY KILBOURN, PLANCOM, INC., AGENTS
	REPRESENTING AT&T MOBILITY
COMMUNITY PLAN AREA:	MID-CITY: EASTERN AREA
COUNCIL DISTRICT:	District 4
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, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Wireless Communication Facility (WCF) consisting of a 40-foot tall monoeucalyptus (faux eucalyptus) tree, supporting 12 panel antennas and 24 remote radio units (RRUs). Equipment associated with the antennas and an emergency generator will be located in a 464 square-foot enclosure. The project is located at 1765 Pentecost Way.

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 <u>do not</u> e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at <u>www.sandiego.gov/development-services</u> 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 February 28, 2014 and the opportunity to appeal that determination ended March 19, 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 <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: 24003918

Revised 04/08/10 HRD



HIGHWAY 94 EUCLID 1765 PENTECOST WAY SAN DIEGO, CA 92105 SD0276



845.2 - 846.4 MHz 624.2 - 829.4 MHz 845.2 - 846.4 MHz 629.6 - 834.8 MHz 1870.0 - 1872.4 MHz 1885.0 - 1869.8 MHz 1890.2 - 1899.5 MHz

700 MHz: 500 WATTS 830 MHz: 54 WATTS 1900 MHz: 54.8 WATTS

Rx 734.0 - 746.0 MHz

MAX EIRP:

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ESCARD, DO, CA 92029 (858) 348-8055 PLANNING: PLANCOM, 1300 KERRIGAN DIEHL 302 STATE PLACE RESCONDED, TA 92029 (TAU) 587-3003 SURVEYOR: JIN -CIVIL ENGINEERS 232 AVENIDA MAININGANTE, SUTTE 107 SAN OLEMENTE CA 92072 (449) 240-6855
LEGAL DESCRIPTION
ALL THAT CERTAIN NEAL PROPERTY STRATED IN THE COUNTY OF SAN DIEGO, STATE OF CALFORNIA, JESCHIBSD AS FOLLOWSI PARCEL A: PARCEL 1 OF PARCEL MAP HO, 4120, IN THE CITY OF SAN DIRRÓQ, COUNTY OF SAN DIEGO, STATE OF CALFORNIA, REDORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON SEPTEMBER 30, 1575
PARCEL B: THAT PORTION OF LOT 17 OF THE RANCHO MISSION OF SAN DEGO. IN THE CITY DE SAN DEGO. COUNTY OF SAN JISGO. STATE OF CALIFORMA, ACCORONN TO PARTITION MAP THEREOF NO. 5418, FLED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEDO COUNTY. FOR ADDITIONAL LEGAL DESCRIPTION INFORMATION SEE SHEET C~1
SCALE
THE DRAWING SOALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE OR AWARGS ARE FRINTED IN A 24" X 35" FORWAT: IT HIS DRAWINGS SET IS NOT 10 24" X 35", THIS SET IS NOT TO SCALE, ALL DRAWINGS ARE SCHEVATIC, DO NOT SCALE DRAWINGS TO ADETEXINE 20 VERITY ANY ONENSIONSE DRAWINGS OF ANY'S SIZE SHALL NEVER SE SCALED FOR ANYTHING OTHER THAN GRIVERAL REFERENCE.

CONSULTANT TEAM

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APPLICANT: AT&T MOBILITY NSD	PROGRAM - SAN DIEGO	1	ĭ−1	ជាវារដ ន
7337 TRADE STREET San Diego, ca 921:	, 3 EAST, ROOM 3624		A0	SFE PL
(854) 453~3388	21-1402		A-1	ENLARG
SITE CONTACT: JODY	T BITTERLIN	1 1	A-2	EOUIPH
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NOTE: THERE IS ONE EXISTING TELECOMMUNICATIONS FACILITIES ON THIS SITE (T-MGBILE) & ONE FUTURE SITE (VERIZON WIRELESS)

PROJECT SUMMARY

# Page 1 of 12

#### SHEET SCHEDULE SHEET & PROJECT DATA

- PLAN
- ARGED SITE PLAN
- PRIEMY FLOOR PLAN
- 7 &. TRELLIS PLANS RIOR ELEVATIONS
- INNA PLAN & OUTAILS
- D-EUCALYPTUS ELEVATION
- SCARE DEVELOPMENT PLAN HING LEGEND
  - GRAPHIC SURVEY
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#### PLANTING NOTES

- DÉTERMINE 71: LOCATION OF ALL UNDERGROUND UTILITIÉS FRIGR TO THE INITIATION OF ANY WORK ALL WORK BEAML BE PERSONNED IN AN ANALYER WHICH WALL ANOID POSSIDUE, SAMAGE TO UTILITIES, FAND EXCANNE AS INFORMED.
- TREES STALL BY LOCATE'S A MINIMUM OF FIVE FROM ANY GRAINAGE FLOW LINE, SEWER LINE, WATER LINE, GAS LINE, OR ELECTRICAL CONDUCT.
- 3. ROOT BAVRIERS SHALL BE INSTALLED ACLACENT TO ALL PAYING SURFACES, WHERE A PAYING SURFACE IS LODALED WITHIN 5" OF A TELES TRIMM. TOOT BARRIERS SHALL EXTEND FOUR FEET IN EACH DIRECTICN, FROM THE CENTER LINE OF THE TRUNK, FOR A TOTAL DISTANCE OF & FEET. INSTALLING ROOT BARRIERS AROUND THE NOOT BALL IS CHACCEPTARE.
- 4. TREES WILL BE LOCATED A MINIMUM DISTANCE OF 3 FEET FROM ANY PAMING SURFACE, CURB, WALL, OR CONCRETE MOW STRIP.
- S. ACL PLANTING AREAS, SHALL REGEVE A 3" WER OF MULCH.
  - PLANTING INSTALLATION CRITERIA: ALL PROPOSED TREES SHALL BE SELF-SUPPORCING, WOODY PLANTS WITH AT LEAST ONE WELL DL'INED TRANK AND FAILL MORIAELLY ATTAIN A INFLURE HEISTIT AND SPREAD OF AT LEAST 15 FEET.
  - PLANTING WANTENARCE GRITERIA: AUL LAVOBORT INSTRULATION SHALL OF MAINTAINED IN ACCORDANCE WITH THE GITY OF SAN DIEGO LARCEARES STANDARDS.
  - 8. MINAUM TREE SEPARATION DISTANCE IMPROVEMENT/MAINING DISTANCE 10 STREET TREE: TRAFRIC SIGNALS (SIGP SIGN) 20 FRET ANGWE GROUND WILLITY STRUCTURES 10 FEE UNDERAGUNDU UTLITY UNES 5 FEET DRIVEWAY (ENTRES) 10 FEET INTERSECTIONS (INTERSECTING GURB LIKES GRITWO STREETS) 39 FEET
  - 9. IRRIGATION: AN IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, NEVELOPHICAY AND MANTENNICS OF THE VESTION, THE OCCUR OF THE SYSTEM SAMM, PROVIDE ADECURE SUPPORT YOR THE VICEITION SECOND
  - TO, DWNAR IS RESPONSIBLE FOR THE LONG TERM MAINTENANCE OF THE PROJECT AREA.
  - 11. MAINTENANCE: ALL REQUIRED LANUSCAPE AREAS SHALL BE MAINTAN-ED BY THE OWNER. THE JANDSCAPE AREAS SHALL SE MAINTAINED IN A FORT OF DEBUIS AND ALL PLANT MATERIAL SIAL, BE MANIATED IN A HEALTHY ORDMAN, CONDITION, DISEASED OR DEAD PLANT MAILURAL SHALL DE SAFISFACTORY INFATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
  - 12. IF ANY REQUIRED LANDSCAFE (INCLUDING NEW DR EXISTING PLANTINGS, HANDSCAFE, LANDSCAFE FEWURES, ETC.) INCLATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMADED OF REMOVED DURING PEMOLITION OR CONSTRUCTION, IT SHALL BE REFARED AND/OR REPLACED IN KIND AND SOUTALENT SIZE PER THE APPROVED DCCUMENTS TO THE XXXIFFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITH N 30 DAYS OF DAMADE OR A FINAL LANDSCAFF, INSPECTION.
  - 13. P TREES WITH A TRUMK WIDTH OF 4 INCHES OR WORE (INCASURED BY CALIPER, 4 FEET ADOVE GRADE) ARE REMOVED OR SIGNERGATELY TRUMMED FOR THE INSTALLATION OR OPERATION OF THE WIRELESS COMMUNICATION FACULTY, THEN REPLACEMENT TREES OF SIMILAR SIZE SHALL BE FRANCE TO THE SATISFACTION OF THE CITY MAMAGE.

#### WATER CONSERVATION NOTES

- ALL LANDSGAPE AND IRRIGATION DESIGN, INSTALLATION AND MAINTENANCE, SHALL CONFORM TO GITY OF SAN DIEGO LANDSGAP, RECULATIONS AND STANDARDS AND ALL STHE APPLICABLE REGISIAN, STANDARDS FOR LANDSGAPE INSTALLATION AND MAINTENANCE.
- 2. FLAMT WATERIAL SELECTED FOR THIS PROJECT WILL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OF IN SMILLAR CLIMATE AND SOLL CONDITIONS. LANDSCAPE FINISH GRADING OBJECTIVES WILL INCLUDE POSITIVE SURFACE DRAINAGE OF FLANTED AREAS "MIROCOHOUT THE PROJECT AREA.
- 4. ALL PERMANDINTLY LANDACAPED AREAS WILL BE SPRYED BY PERMANENT, AUTOMATIC, UNDERSPOUND, IRRIBATION SYSTEMS USING VIW PRECIPITATION FIXED AND POP UP SPRYE HEADS
- S. AL. SCLEWINL BE FERTILIZED, AMERICED, AND TILLED TO CONFORM TO RECOMPENDATIONS WAVE BY A SCIL ITETING LANORATORY AND/OR INNOSCAPE ARCHITECT IN DRDER TO PROMOTE HEALTYY AND VIGOROUS PLANT GROWTH
- 5. ALL PLANTING AREAS WILL BE MAINTAINED BY & WEED AND DEBRIS FREE COMDITION
- 7. ALL CM-SITE IRRIGATION IMPROVENENTS SHALL BE PART OF THE EXISTING POTABLE WATER DISTRIBUTION SYSTEM FOR THE EXISTING SITE
- 8. SPRINKLER EAGS SHALL BY ADJUSTED FOR CPTIHLIN PERFORMANCE. THIS SHALL INCLUDE THIROTTLING THE FLOW CONTROL AT EXCH VALVE TO COTAN THE OPENALM OPENATING PRESSURE FOR EACH STREAM, CONDITIONS THAT CALLE OVER-SPRINT, FORDING, OR RUN-027 SHALL BE SILMINATED, ADJUST SYSTEM TO AVOID THESE CONDITIONS
- 9. JEST REIGATION MANAGEMENT PRACTICES SAALL BE USED TO ELIGINATE OR CONTROL TO THE BEST SATENT POSSIBLE POMPING, RUN-OFF, OVER-SERAY AND MISTARE
- IRRIGATION HZADS SHALL BE LOCATED OR ACJUSTED TO MINIMIZE DR ELIMINATE OVER-SPRAMMO ON SIDEWALKS, STREETS AND NON-DESIGNATED USE AREAS
- 11. NEW IRRIGATION SYSTEM TO BE CONNECTED TO THE CLOSEST EXISTING IRRIGATION VALVE BOX
- 12. AUFOMATIC IRRIGATION SYSTEM SHALL HAVE & RAIN SENSOR

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SYMBOL	BOTANICAL NAME	COMMON. NAME	PLANT/NG SIZE	QUANTITY	
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Тз	RUGALYPTUS MICROTHECA	BLUE COOLIDATI	EXIST VIC		
	EUCALYPTIAS POLYANTHENOS	SEVER DOLLAR EUCALYPYUS	EXISTING	-	
<b>1</b> <sup>4</sup>	FUGALYPTUS POLYAYTHEMOS	SILVER OCH AR EUGALYPTUS	REMCVE	2	
	EUČALYFTUS POLYANTHEMOS	SILVER DOLLAR FLICALYFTUS	24" BCX	4	
	WASHINGTONIA ROEUSTA	MEXIGAN FAN PALM	EX.STING	_	
×	ARECASTRUM ROMANZOFFIANUM	QUEEN PAUM	EXISTING	-	
51	Rhus 'Ntegrifolia	LENÓNADE BERRY	EXIŞTINO	-	
	RHUS INTEGRIFØLIÅ	1 EMONADE BERRY	15 GAĽ.	15	
(S2)		PURPLE HOPSEED BUSH	EXIST, NG	_	
55	ARUNOO DOSAX	GIANT XEED	EXISTING	-	
MI	HOJS POMIA	CR.75PING FIG	EXISTING	-	
	PICUS PUMILA.	OR <u>ec</u> PING FIG	5 -3AL.	25	

PLANTING LEGEND

NOTE: PATCH & REPAR GROUND COVER WHERE DAMARED BY TRENCHING AND INSTALLATION OF LANDSCAPE SHRUBS

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DATUM STATEMENT: GITY OF SAN DEGG BENCHMARK ID: 13412 LOCATION AT INTERSECTION OF PRATECOST WAY AND FEDERAL HOULEVARD. ULCV: 218,108 NAVD88

BASIS OF BEARINGS: SASIS OF DEARINGS: THE BASIS OF EXAMINES FOR THIS SUBJECT IS THE CAUPOINAL COORDINATE SYSTEM OF 1943 ZONE, EFOCH 1993,54 ACLUSTED ORIG BEARING DE VIEEN FIRST OFFICE STATION 31771 AND 11901 PER CTY OF SAN DIEGO RECORD OF SURVEY 14492.

BOUNDARY NOTE: THE GOUNDARY SHOWN HEREON IS JAND ON RECORD INFORMATION AS COLLIGIN FROM THE ASSESSING PARCEL VAL, I IS NOT THE RECULT OF A COMPLETE ROUMARY SUPPORE ON THE RECONTO FOR INFORMATIONAL PUPPORE ON THE



ASSESSOR'S PARCEL NUMBER

DA<u>TE\_OF\_S</u>UR<u>VEY:</u> 04/45/2013



CITY OF SAN DIEGO THIS ALTAXAOSM LAND TITLE SUIMVEY IS FOR TITLE INSURANCE, PUBLIORES ONLY, NOT TO DE USED FOR CONSTITUCTION, DECISION OR DYNAMERINA FOR FUTURE SEVELDARTRIT OF THE BULKEON FORMETRY, THIS ATAVASISM KAND TITLE BURYEV IS ALSO NOT TO DI FURCE FOR ASSESSING FOOPERTY VALUE-INITIANS AND CONDITIONS OF VIN UNIL ENGINEERS COMPRANT WITT OLIENT/GENROWLECCOMENTER/FIRE/REGISTATIONS ESO TON). THE WEATSTAL SHOWN HEREON WERD BACKDON OBSERVED EVIDENCE ONLY THE SURVEY WOULD NOT SHOW LITELINES COVERID BY SARA NUCKS ON RECENTLY PAYED ASH 14: LICOND 1518. LEO<u>END:</u>  $\begin{array}{c} FOEND: \\ AG = ARCIOR CUY \\ BA -HOILVO GE ANTENNA \\ BK = BOGH \\ C_{--} GEVERE LINE \\ CBF - CATCH EASN \\ C_{--} GEVERE LINE \\ CBF - CATCH EASN \\ C_{--} GEVERE LINE \\ CBF - CATCH EASN \\ C_{--} CEVERE LINE \\ CBF - CATCH EASN \\ C_{--} CEVERE LINE \\ CBF - CATCH EASN \\ C_{--} CATCH CATCH \\ C_{--} CATCH$ 

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