



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: May 6, 2010 **REPORT NO. PC-10-037**

ATTENTION: **Planning Commission, Agenda of May 13, 2010**

SUBJECT: **CLEARWIRE – GRACE CHURCH - PROJECT NO. 196501
PROCESS 4**

**OWNER/
APPLICANT:** **Mira Mesa Grace Chapel/
Clearwire Technologies, Inc.**

SUMMARY

Issue(s): Should the Planning Commission approve a Wireless Communication Facility (WCF) at 9050 Mira Mesa Boulevard within the Mira Mesa Community Planning Area?

Staff Recommendation:

1. APPROVE Conditional Use Permit (CUP) No. 696245.
2. APPROVE Planned Development Permit (PDP) No. 742743.

Community Planning Group Recommendation: The Mira Mesa Community Planning Group recommended approval of this project by a vote of 8-1-2 at their March 15, 2010 meeting (Attachment 11).

Environmental Review: This project was determined to be exempt per the Categorical Exemption for Existing Facilities, Section 15301 in accordance with the State of California Environmental Quality Act (CEQA) Guidelines (Attachment 7). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 9, 2010 and the opportunity to appeal that determination ended on March 30, 2010.

Fiscal Impact Statement: No cost to the City. All costs are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: None.

BACKGROUND

This project is located at 9050 Mira Mesa Boulevard and is zoned AR-1-2 in the Mira Mesa Community Plan area. Surrounding uses include single unit residential to the north, a church to the west, commercial to the east and the U.S. Post Office to the south. (Attachments 1, 2, and 3)

Clearwire is proposing to add a new cupola to the church roof top, which would house six panel antennas and three microwave dishes. An equipment cabinet is proposed adjacent to the new cupola on a lower roof. It will be screened and appear as a continuation of the second story (Attachments 8 and 11).

WCF's proposed in agricultural zones are allowed with a Conditional Use Permit, Process 4 approval, unless it can be demonstrated that the antennas are more than 100 feet from the property line of residential, day care, elementary school or middle school uses. The antennas in this proposal are too close to call without a survey so a conservative approach was taken and the permit will remain as a Conditional Use Permit. Additionally, the height limit in the AR-1-2 zone is 30 feet. The cupola is proposed at 33 feet and a cross on top of that increases the height to 36 feet, 6 inches. This requires a Planned Development Permit, Process 4, which would allow deviations from the development requirements.

Project Description:

The project is proposed on an existing two-story church on Mira Mesa Boulevard. A cupola designed to architecturally integrate with the church will completely conceal Clearwire's nine antennas. The equipment cabinet will be located adjacent to the cupola on a lower roof. The screening will appear as a continuation of the second story. As a result of the facility being completely concealed, the permit will not contain a ten year expiration. The proposed project complies with LDC Section 141.0420, which requires a project to be designed to integrate with the structure on which it is proposed through the use of architecture. The increase in height is to allow a pitched tile roof similar to the existing tile mansard on the lower portion of the church and the relocation of the cross that is currently on the entry canopy. Actual building height will increase three feet, while the cross will add another 3 feet, 6 inches for an overall deviation of 6 feet, 6 inches. The photo simulation helps to demonstrate that the proposed cupola would be compatible with the building and neighborhood (Attachment 8).

The City's General Plan calls for WCF's to be respectful of the neighborhood context. The design of this facility compliments the church architecture and conceals the components completely. Based on the project's design, it is compatible with the City's General Plan. The Mira Mesa Community Plan does not discuss wireless communication facilities.

Conclusion:

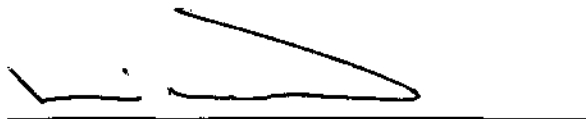
Staff has reviewed the proposed project and determined that it is consistent with the purpose and intent of the applicable development regulations of the Land Development Code, including the

Wireless Communication Facility regulations (LDC 141.0420). The required findings have been made, as described in Attachment 5 to support Staff's recommendation. As a result, Staff recommends the Planning Commission approve Conditional Use Permit No. 696245 and Planned Development Permit No. 742743.

ALTERNATIVES:

1. **Approve CUP No. 696245 and PDP No. 742743, with modifications.**
2. **Deny CUP No. 696245 and PDP No. 742743, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



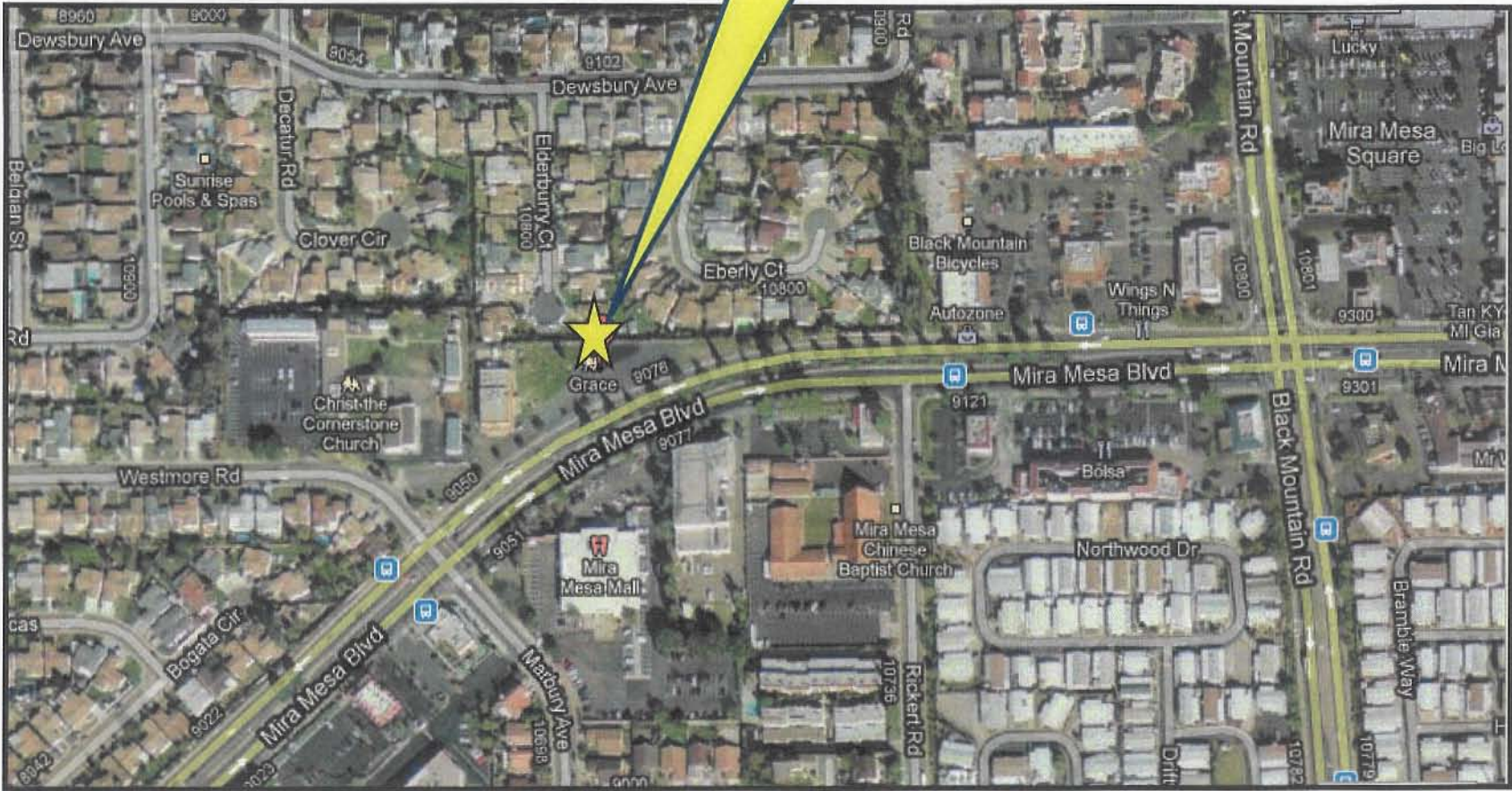
Karen Lynch-Ashcraft
Project Manager
Development Services Department

BROUGHTON/KLA

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. Photosimulations
9. Coverage Maps
10. Site Justification
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement
13. Project Chronology
14. Notice of Public Hearing
15. Verizon Executives
16. Grace Church Executives
17. Project Plans

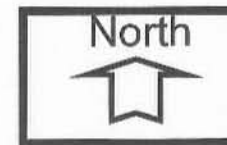
PROJECT SITE

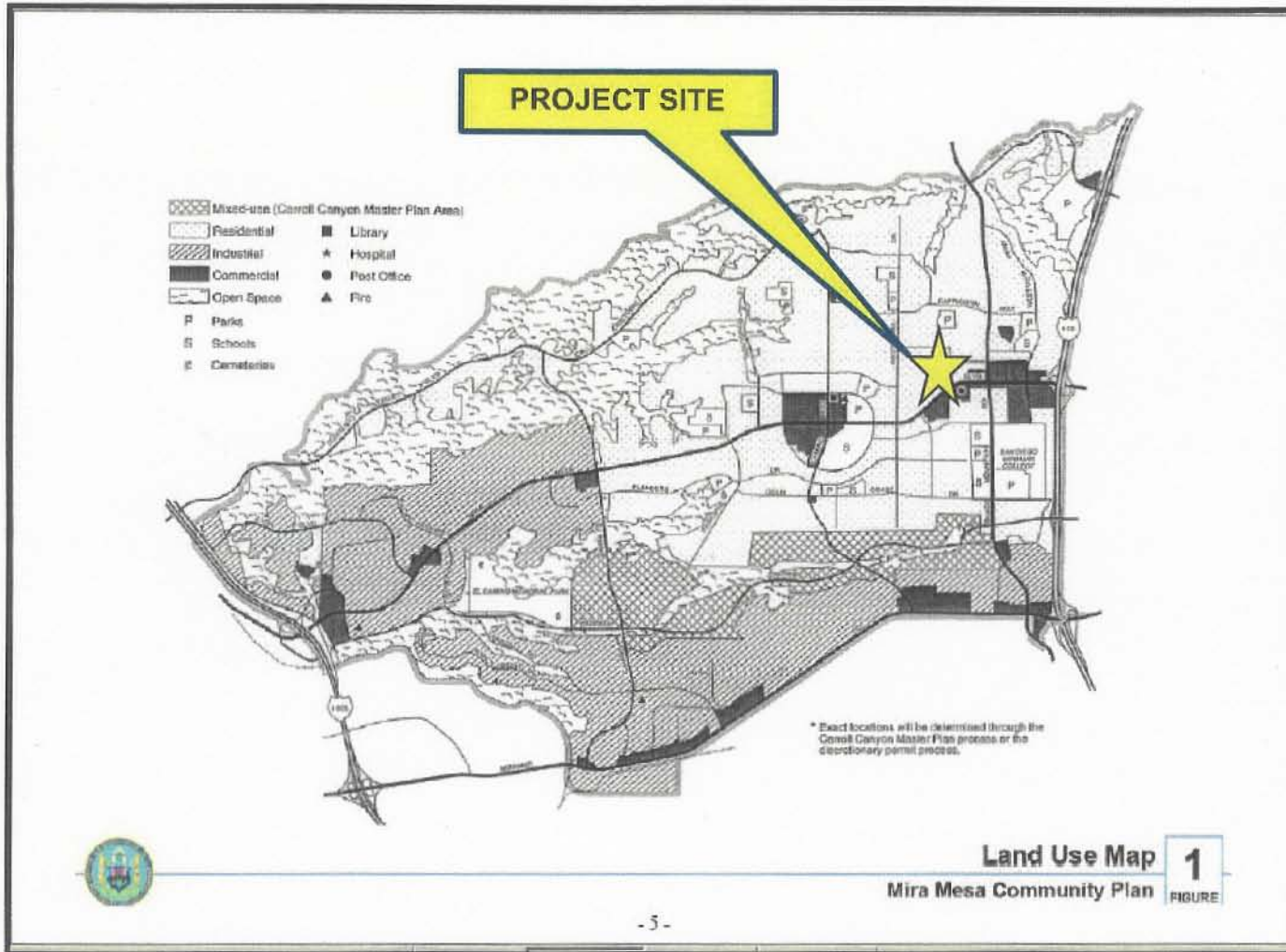


Aerial Photo

CLEARWIRE – GRACHE CHURCH PROJECT NUMBER 196501

9050 MIRA MESA BOULEVARD





MIRA MESA COMMUNITY PLAN MAP

CLEARWIRE- GRACE CHURCH- PROJECT NUMBER 196501

9050 MIRA MESA BOULEVARD





Project Location Map

CLEARWIRE- GRACE CHURCH- PROJECT NUMBER 196501

9050 MIRA MESA BOULEVARD



PROJECT DATA SHEET		
PROJECT NAME:	Clearwire – Grace Church	
PROJECT DESCRIPTION:	A wireless communication facility consisting of 6 panel antennas and 3 microwave dishes enclosed within a new cupola and a screened rooftop equipment cabinet.	
COMMUNITY PLAN AREA:	Mira Mesa	
DISCRETIONARY ACTIONS:	Conditional Use Permit; Planned Development Permit.	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	
<u>ZONING INFORMATION:</u>		
ZONE: AR-1-2		
HEIGHT LIMIT: 30-Foot maximum height limit.		
FRONT SETBACK: 25 feet.		
SIDE SETBACK: 20 feet.		
REAR SETBACK: 25 feet.		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential; RS-1-14.	Single-Unit Residential
SOUTH:	Commercial; AR-1-2.	U.S. Post Office
EAST:	Residential; RS-1-14.	Commercial
WEST:	Residential; AR-1-2.	Church
DEVIATIONS OR VARIANCES REQUESTED:	Deviation to allow a maximum height of 36 feet, 6 inches where 30 feet is allowed.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On March 15, 2010, the Mira Mesa Community Planning Group voted 8-1-2 to approve this project, with no conditions.	

**PLANNING COMMISSION
RESOLUTION NO.
CONDITIONAL USE PERMIT NO. 696245
PLANNED DEVELOPMENT PERMIT NO. 742743
CLEARWIRE – GRACE CHURCH
PROJECT NO. 196501**

WHEREAS, Mira Mesa Grace Chapel, Owner and Clearwire Technologies, Inc. Permittee, filed an application with the City of San Diego for a permit 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.'s 696245 and 742743), on portions of a 1.53 acre site;

WHEREAS, the project site is located at 9050 Mira Mesa Boulevard in the AR-1-2 zone of the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as That portion of the East Half of the Northwest Quarter of Section 31, Township 14 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California;

WHEREAS, on May 13, 2010, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 696245 and Planned Development permit No. 742743, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on March 9, 2010, 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; 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 Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated May 13, 2010.

FINDINGS:

Conditional Use Permit Approval – Section §126.0305

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

The Mira Mesa Community Plan does not address wireless communication facilities as a specific land use; however, Section A.15 of the Urban Design section of the City of San Diego's General Plan does address wireless facilities. The General Plan states that wireless facilities should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. Clearwire is proposing to add a cupola to the church roof top and completely conceal their antennas. The equipment cabinet will be on the lower roof top with screening that will appear

as an extension of the second story. The facility will be installed according to standards found both in the Communication Antenna regulations as well as the Wireless Communication Facility Guidelines; therefore, the Clearwire – Grace Church project will not adversely affect the Mira Mesa Community Plan or the General Plan.

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

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.” The proposed project would be consistent with the FCC’s regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit that requires Clearwire to submit a cumulative RF study to demonstrate compliance with the applicable FCC regulations prior to building permit issuance. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within matters of the City’s jurisdiction.

3. The proposed *development* will comply to the maximum extent feasible with the regulations of the Land Development Code; and

The height limit in the AR-1-2 zone is 30 feet. The highest point on the church now is 30 feet. The addition of a new cupola will bring the height up to 33 feet and the proposed cross on top of that will put the overall height at 36 feet, 6 inches. The cupola is proposed at the front of the building near the entryway and will serve as a focal point for the church. The pitched roof will be tiled similar to the tiled mansard that wraps around the perimeter of the first floor. The equipment is located on the lower roof and will be screened to look like an extension of the second floor. This portion of the project will not exceed the height limit. The project will comply with all other development regulations of the AR-1-2 zone.

4. The proposed use is appropriate at the proposed location.

City Council Policy 600-43 contains preference levels for WCF’s with the most preferable locations being non-residential sites and the least preferable being residential and park sites. This project is proposed on a church located on a main thoroughfare that will serve those passing through the area as well as the commercial and residential areas to the north and south. The project will be architecturally integrated with the church and none of the components will be visible from any viewpoint. Based on the concealment of the antennas and associated equipment and the carrier’s coverage and height requirements, this facility is appropriate at the proposed location.

Planned Development Permit - Section §126.0604

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

The Mira Mesa Community Plan does not address wireless communication facilities as a specific land use; however, Section A.15 of the Urban Design section of the City of San Diego's General Plan does address wireless facilities. The General Plan states that wireless facilities should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. Clearwire is proposing to add a cupola to the church roof top and completely conceal their antennas. The equipment cabinet will be on the lower roof top with screening that will appear as an extension of the second story. The facility will be installed according to standards found both in the Communication Antenna regulations as well as the Wireless Communication Facility Guidelines; therefore, the Clearwire – Grace Church project will not adversely affect the Mira Mesa Community Plan or the General Plan.

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

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.” The proposed project would be consistent with the FCC’s regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit that requires Clearwire to submit a cumulative RF study to demonstrate compliance with the applicable FCC regulations prior to building permit issuance. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within matters of the City’s jurisdiction.

3. The proposed development will comply with the regulations of the Land Development Code;

The height limit in the AR-1-2 zone is 30 feet. The highest point on the church now is 30 feet. The addition of a new cupola will bring the height up to 33 feet and the proposed cross on top of that will put the overall height at 36 feet, 6 inches. The cupola is proposed at the front of the building near the entryway and will serve as a focal point for the church. The pitched roof will be tiled similar to the tiled mansard that wraps around the perimeter of the first floor. The equipment is located on the lower roof and will be screened to look like an extension of the second floor. This portion of the project will not exceed the height limit. The project will comply with all other development regulations of the AR-1-2 zone.

4. The proposed development, when considered as a whole, will be beneficial to the community; and

Clearwire is a new broadband provider entering the San Diego market. This site is proposed to interface with other nearby sites where Clearwire is hoping to gain entitlements. They selected a non-residential site in a high traffic area of Mira Mesa. The project is architecturally integrated with the existing church and although the cupola and cross addition exceed the maximum 30 foot height limit by 3 feet and 3 feet, 6 inches respectively, the addition is scaled appropriately and lends balance to the overall design of the church. With

the installation of this facility, residents of this part of Mira Mesa will have access to another choice for internet and phone broadband service.

- 5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.**

The height limit in the AR-1-2 zone is 30 feet. The highest point on the existing church is 30 feet. Clearwire's antennas are actually proposed below 30 feet, however, in order to architecturally integrate the 144 square foot cupola with the church, a pitched roof was added, which increased the overall height of the structure to 33 feet. The existing cross on the canopy over the entrance is being relocated to the top of the new cupola, which will add another 3 feet, six inches to the church. Without the pitched roof, the cupola would be more like a roof top box and would end up detracting from the appearance rather than providing an enhanced focal point for the church. All components of the wireless facility will be completely concealed, therefore the proposed height deviation is appropriate for this project site.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 696245 and Planned Development Permit No. 742743 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No.'s 696245 and 742743 copies of which are attached hereto and made a part hereof.

Karen Lynch-Ashcraft
Development Project Manager
Development Services

Adopted on: May 13, 2010

Internal Order No. 24000346

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000346

CONDITIONAL USE PERMIT NO. 696245
PLANNED DEVELOPMENT PERMIT NO. 742743
CLEARWIRE – GRACE CHURCH
PROJECT NO. 196501
PLANNING COMMISSION

This Conditional Use Permit No. 696245 and Planned Development Permit No. 742743 is granted by the Planning Commission of the City of San Diego to Mira Mesa Chapel, Owner, and Clearwire Technologies, Inc., Permittee, pursuant to San Diego Municipal Code [SDMC] section 141.0420 and 1260.602(b)(1). The 1.53 acre site is located at 9050 Mira Mesa Boulevard in the AR-1-2 zone of the Mira Mesa Community Planning area. The project site is legally described as: That portion of the East Half of the Northwest Quarter of Section 31, Township 14 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to build a wireless communication facility as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 13, 2010, on file in the Development Services Department.

The project shall include:

- a. A new cupola addition with a pitched tile roof at a maximum height of 33 feet. Six panel antennas and three microwave dishes will be enclosed within the cupola. The existing cross on the entry canopy will be relocated on to the top of the cupola for an overall height of 36 feet, 6 inches;
- b. An equipment cabinet will be located on the first floor rooftop adjacent to the cupola and will be screened by a wall extension matching the second story wall in materials, paint and trim;

- c. 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.
2. 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.
3. 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.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. 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.).
7. 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.

8. 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.

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" condition(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.

ENGINEERING REQUIREMENTS:

11. 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.

12. 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.

13. 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.

14. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

PLANNING/DESIGN REQUIREMENTS:

15. 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.

16. 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.

17. 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.

18. All equipment, including transformers, emergency generators and air conditioners belonging to Clearwire 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.

19. All facilities and related equipment shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days.

20. Once this site is deemed complete from construction, Clearwire is required to send a letter (Subject: Planning Inspection Project Number 196501) to the City of San Diego, Development Services Department requesting for a planning inspection. The site is officially deemed complete once the City Manager signs the letter. The applicant shall be provided with a copy of the signed letter for record purposes.

21. Clearwire is responsible for notifying the city prior to the sale or takeover of this site to any other provider or if the site is no longer operational resulting in the removal and the restoration of this site to its original condition.

22. Per LDC Section §59.5.0404 Construction Noise (a), It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator.

23. 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.

INFORMATION ONLY:

- 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 Planning Commission of the City of San Diego on May 13, 2010 by Resolution No. XXXXX.

Permit Type/PTS Approval No.: CUP No. 6962454/PDP No. 742743
Date of Approval: May 13, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Karen Lynch-Ashcraft
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.**

Clearwire Technologies, Inc.
Permittee

By _____
NAME
TITLE

Mira Mesa Grace Chapel
Owner

By _____
NAME
TITLE

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

NOTICE OF EXEMPTION

ATTACHMENT 7

(Check one or both)

TO: X 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

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT No.: 196501 PROJECT TITLE: CLEARWIRE - GRACE CHURCH

PROJECT LOCATION-SPECIFIC: 9050 Mira Mesa Boulevard San Diego, CA 92126

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Conditional Use Permit and Planned Development Permit for a wireless communication facility consisting of six (6) panel antennas ; three (3) microwave dishes; one (1) equipment cabinet and two (2) GPS antennas. All of the equipment would be located on an existing church at 9050 Mira Mesa Boulevard in the AR-1-2 zone within the Mira Mesa Community Plan, Airport Influence Area, and FAA Part 77 overlay zones.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mike McNelly, Clearwire
4400 Carillon Point
Kirkland , WA 98033
619-454-1839

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL (SEC. 21080(b)(1); 15268);
() DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
() EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
(✓) CATEGORICAL EXEMPTION; 15301: EXISTING FACILITIES

REASONS WHY PROJECT IS EXEMPT: THE PROPOSED ACTIVITY IS EXEMPT FROM CEQA PURSUANT TO SECTION 15301 (EXISTING FACILITIES) OF THE STATE CEQA GUIDELINES. NONE OF THE EXCEPTIONS DESCRIBED IN CEQA GUIDELINES SECTION 15300.02 APPLY, AND THE PROJECT HAS NO POTENTIAL TO RESULT IN SIGNIFICANT EFFECTS ON THE ENVIRONMENT.

LEAD AGENCY CONTACT PERSON: Martha Blake TELEPHONE: (619) 446-5375

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

Handwritten signature over a line
SIGNATURE/TITLE

4/16/10
DATE

CHECK ONE:
(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

1 of 2



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



CA-SDG5953

GRACE CHURCH

9050 MIRA MESA BOULEVARD SAN DIEGO CA 92126

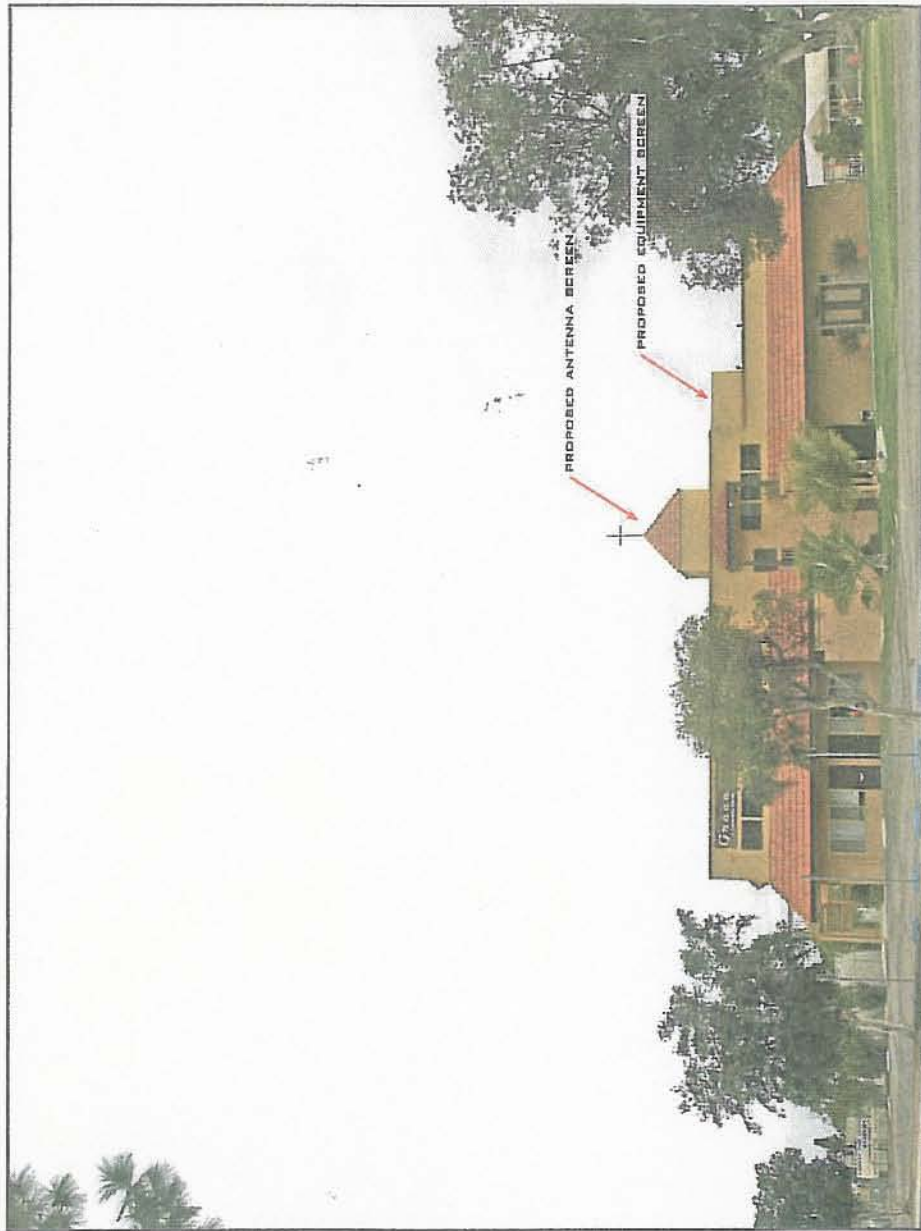
clearw're

VIEW 2



©2009 Google Maps

LOCATION



PROPOSED

LOOKING NORTHWEST FROM MIRA MESA BOULEVARD

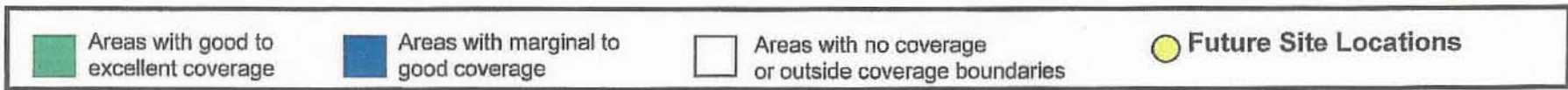
ABSTRACT OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



EXISTING

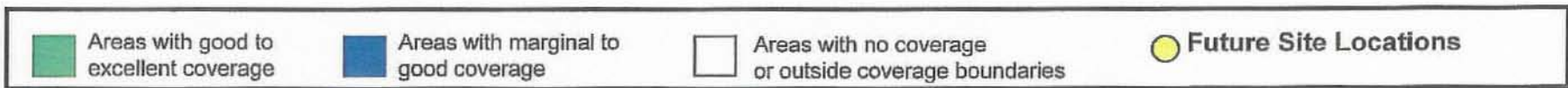


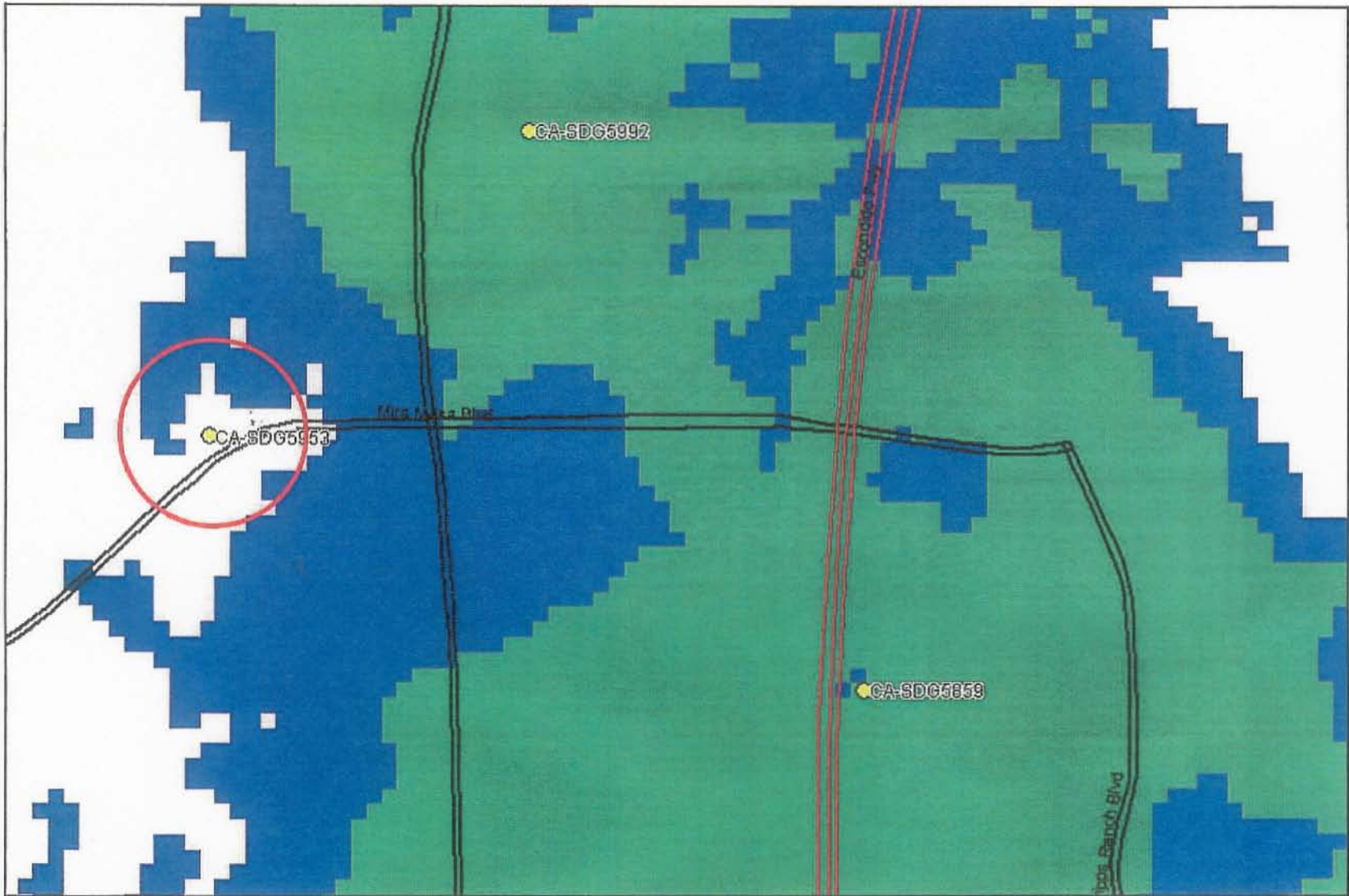
Coverage of planned sites including SDG5953



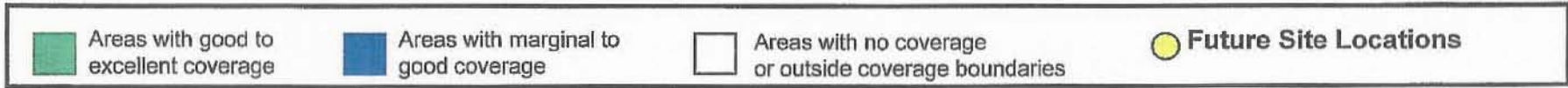


Individual coverage provided by SDG5953





Coverage of planned sites around SDG5953 excluding SDG5953



**CA-SDG5953 -- Grace Church
9050 Mira Mesa Blvd.
TELECOM SITE JUSTIFICATION REPORT**

1. **Description of the location, type, capacity, field strength or power density, and calculated geographic service area of the proposed antenna or antenna array.**

LOCATION AND TYPE

Clearwire proposes to install a communications facility on an existing building on a church in the 9000 block of Mira Mesa Boulevard, which is west of I-15 and east of Camino Ruiz. The project consists of 6 panel antennas and 3 directional antennas. All antennas would be mounted inside an existing cupola on the building roof top. There is 1 BTS cabinet that will be installed on the northeast side of the roof which will be screened and textured to match the existing building. This proposed facility is unmanned, operating 24 hours a day. The only visits to the site will consist of any emergency calls as well as regular maintenance visits once every four to six weeks.

FREQUENCY AND POWER SPECIFICATIONS

The transmitting frequency for the Clearwire system is 2500-2682 Megahertz. The receiving frequency is 2500-2686 Megahertz and 5, 11, 18, 23 and 24 GHz.

COVERAGE AND CAPACITY

The objective of this proposed site is to provide Clearwire coverage within the residential area to the north, west, south and east, to the commercial area to the southwest, and to connect to surrounding sites. Please refer to the existing coverage map that illustrates the existing coverage gap. The site will provide coverage in a current gap and will be connecting to surrounding sites.

2. **Location of all existing, proposed and anticipated wireless communications facilities in the Applicant/Permittee's network located within a 1 mile radius from proposed site.**

Please see refer to justification map and to coverage maps.

3. **A description of how the proposed facility fits into, and is a necessary part of, the Applicant/Permittee's network.**

The objective of this proposed site is to provide Clearwire coverage within the residential area to the north, west, south and east, to the commercial area to the southwest, and to connect to surrounding sites. Please refer to the existing coverage map that illustrates the existing coverage gap. The site will provide coverage in a current gap and will be connecting to surrounding sites.

4. **If the proposal does not include co-location, written documentation of all efforts made to co-locate at another site, and a justification for the decision not to co-locate.**

There were no other existing telecommunication facilities in the area for co-location opportunities.

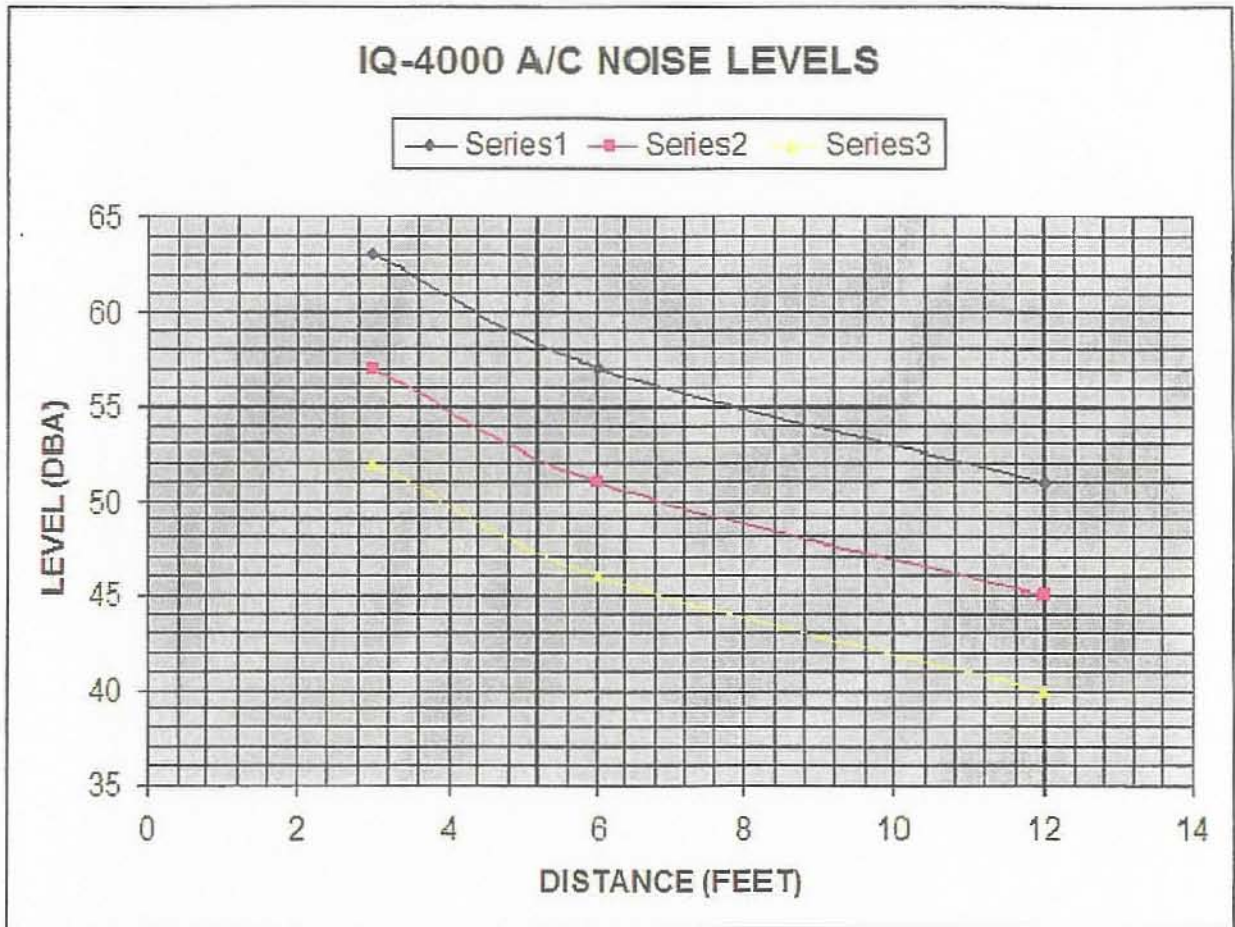
5. **Discuss Alternative Sites and why they were not selected.**

This site is located in the 9000 block of Mira Mesa Boulevard surrounded by single family residential to the north, south and east and west. The proposed site was selected because of its height above the coverage area and ability to fill the coverage gap and connect to surrounding sites.

There is an existing Sprint site at 9050 Mira Mesa Boulevard. When doing the recon for selecting a candidate, it was determined that there are too many trees surrounding this building and that the coverage objective would not be met. Alternative sites might also impede more so into the residential zones.

6. **Noise Information for sites located near residential**

Please see the attached noise graph for the AC unit located within the Clearwire cabinet. The noise falls to below residential noise standards within 35 feet.



Series 1 = A/C without shroud
 Series 2 = A/C with shroud
 Series 3 = A/C without compressor running

Measurements made with Extech Sound Level Meter model 407730. Measurements were made in the A level weighted mode which is compatible with human hearing. This device is accurate to plus or minus 2 dB over the range of 40 to 130 dB.

8

7

6

5

4

3

2

1

D

C

B

A

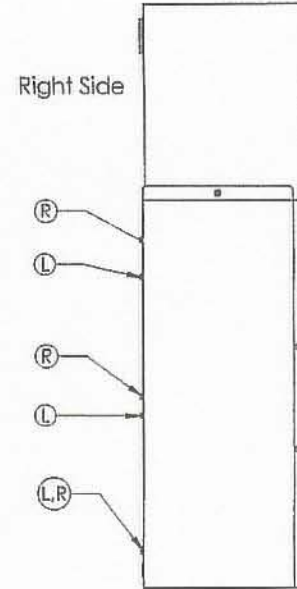
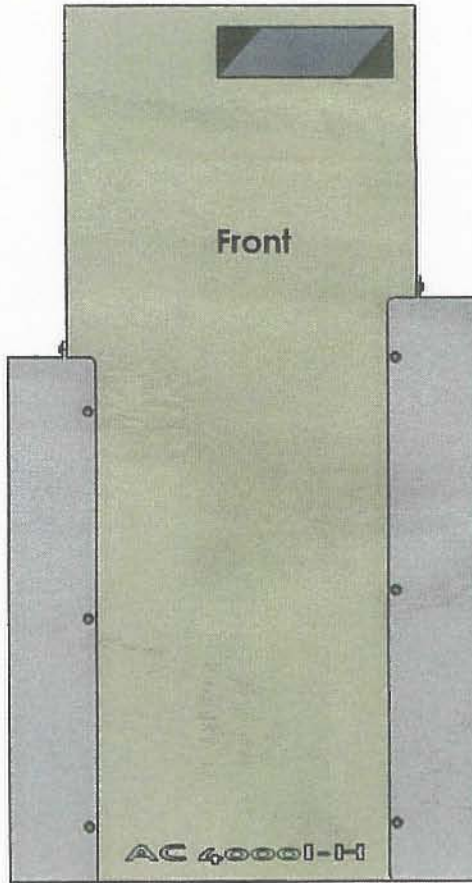
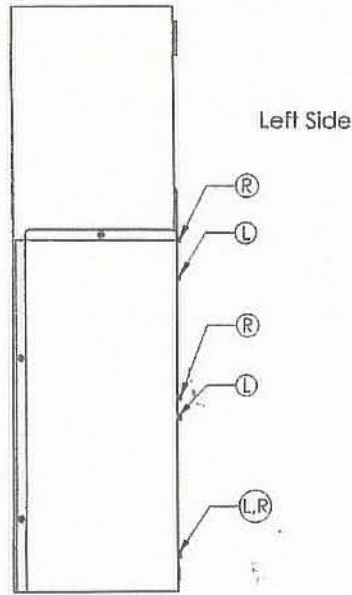
D

C

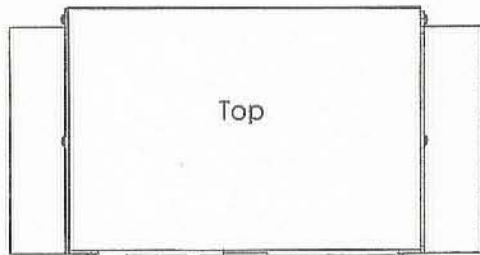
B

A

4 of 4



R: represents the right shroud bolts.
L: represents the left shroud bolts



PROPRIETARY AND CONFIDENTIAL
THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF DDB Unlimited, INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF DDB Unlimited, INC IS PROHIBITED.

Dimension: Dimensional:
Height:
Width:
Depth:
Color:

UNLESS OTHERWISE SPECIFIED, DIMENSIONS ARE IN INCHES

NAME DATE
R. Lawson 7/24/2007
DRAWN
CHECKED
ENG APPR.
MFG APPR.
Q&A:

MAJOR MATERIAL:
Aluminum

DO NOT SCALE DRAWING

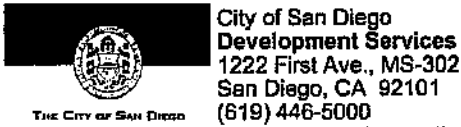
DDB Unlimited Inc
TITLE:
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SIZE DWG. NO.
A Default

SCALE: 1:8 WEIGHT:

SHEET 1 OF 1

ATTACHMENT 10



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: Clearwire - Grace Church CA-SDG5289
 Project No. For City Use Only: 196501

Project Address:
 9050 Mira Mesa Boulevard, San Diego, CA 92126

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge 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., tenants 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 project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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

Name of individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature : Date:

Name of individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature : Date:

Name of individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature : Date:

Name of individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
 Street Address:
 City/State/Zip:
 Phone No: Fax No:
 Signature : Date:

Project Title: CLEANWIRE - GRACE CHURCH	Project No. (For City Use Only)
---	---------------------------------

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? _____ Corporate Identification No. **23-7441962**
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge 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 will 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

Corporate/Partnership Name (type or print):
Mira Mesa Grace Chapel

Owner Tenant/Lessee

Street Address:
9050 Mira Mesa Blvd

City/State/Zip:
San Diego CA 92126

Phone No: **858-271-7130** Fax No:

Name of Corporate Officer/Partner (type or print):
Rev. William J. Lopez

Title (type or print):
Senior pastor - Chairman of the Board

Signature : **[Signature]** Date: **10-07-09**

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

DEVELOPMENT SERVICES
Project Chronology
CLEARWIRE – GRACE CHURCH
CONDITIONAL USE/PLANNED DEVELOPMENT PERMIT- PROJECT NO. 196501

Date	Action	Description	City Review Time	Applicant Response Time
10/30/09	First Submittal	Project Deemed Complete		
12/11/09	First Submittal Assessment Letter	Initial Review completed	1 month, 11 days	
2/3/10	Second Submittal			1 month, 23 days
3/9/10	CEQA Exemption		1 month, 6 days	
3/23/10	All Issues Resolved			14 days
5/13/10	Planning Commission Hearing		1 month, 20 days	
TOTAL STAFF TIME**			4 months, 7 days	
TOTAL APPLICANT TIME**				2 months, 7 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to Planning Commission Hearing	6 months, 13 days	

**Based on 30 days equals to one month.



THE CITY OF SAN DIEGO

DATE OF NOTICE: April 29, 2010

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING: May 13, 2010
TIME OF HEARING: 9:00 A.M.
LOCATION OF HEARING: Council Chambers, 12th Floor, City Administration Building,
202 C Street, San Diego, California 92101

PROJECT TYPE: Conditional Use Permit/Planned Development Permit, CEQA
Exempt, Process 4
PROJECT NUMBER: 196501
PROJECT NAME: CLEARWIRE – GRACE CHURCH
APPLICANT: Anne Wulftange, DePratti, Inc.

COMMUNITY PLAN AREA: Mira Mesa
COUNCIL DISTRICT: District 5

CITY PROJECT MANAGER: Karen Lynch-Ashcraft, Development Project Manager
PHONE NUMBER/E-MAIL: (619) 446-5351 klynchash@sandiego.gov

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for a wireless communication facility consisting of a new cupola enclosing six panel antennas, three microwave dishes and an equipment cabinet located at 9050 Mira Mesa Boulevard between Marbury Avenue and Rickert Road.

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

limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing.

This project was determined to be categorically exempt from the California Environmental Quality Act on March 9, 2010 and the opportunity to appeal that determination ended March 30, 2010.

If you have any questions after reviewing this information, you can contact the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call 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: 24000346

Revised 12/5/08 RH

**Verizon Wireless
Executive
Leadership**



Lowell McAdam
President and CEO



Martha Delehanty
Vice President - Human
Resources



Margaret Feldman
Vice President - Business
Development



Jim Gerace
Vice President - Corporate
Communications



John Stratton
Executive Vice President
& CMO



Anthony A. Lewis
Vice President - Open
Development



Anthony Melone
Senior Vice President &
CTO



Dan Mead
Chief Operating Officer



John Townsend
Vice President & CFO



Ajay Waghray
Chief Information Officer



Steve Zipperstein
Vice President - Legal &
External Affairs



Roger Gurnani
Senior Vice President of
Product Development



Tami Erwin
President - West Area



Jim McGean
President - South Area



David Small
President - Northeast Area



Marni Walden
President - Midwest Area



Mike Lanman
President – Enterprise and
Government Markets



Anthony Bowman
Vice President - West Area
Customer Service



Illinois/Wisconsin
T.J. Fox



Charlie Falco
Vice President - Customer
Service Operations



Eileen M. Creeden
Vice President - Northeast
Area
Customer Service



Kansas/Missouri
Brendan Fallis



Mark Harris
Vice President of National
Government Sales and
Operations



Brian Stacy
Vice President - South
Area
Customer Service



**Michigan/Indiana/Kentu
cky**
Greg Haller



Rose M. Kirk
Vice President - National
Enterprise Sales &
Distribution

Region Leadership



Ohio/Pennsylvania
Roger Tang

Midwest Area



Christine Berberich
Vice President - Midwest
Area Customer Service



Great Plains
Nancy B. Clark

Northeast Area



New England
Kenneth Dixon



New York Metro
Patrick Devlin



Central Texas
Frank Antonacci



**Northern
California/Nevada**
Kevin Zavaglia



**Philadelphia Tri-State
Region**
Mario Turco



Florida
Pamela Tope



Pacific Northwest
Kelley Kurtzman



Upstate New York
Marquett Smith



Georgia/Alabama
Jeff Mango



Southern California
Luis Cruz



**Washington-Baltimore-
Virginia**
Mike Maiorana



Houston/Gulf Coast
Kay Henze



Southwest
Tony Heyman

South Area



Carolinas/Tennessee
Jerald M. Fountain



South Central
Steve Smith

West Area



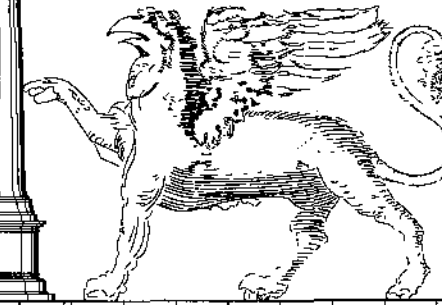
Mountain
Melanie Braidich

MIRA MESA GRACE CHAPEL
OFFICERS

President – Rev. William E. Impey

Secretary – Stacey Ross

Treasurer – Teresa Echegaray



clear

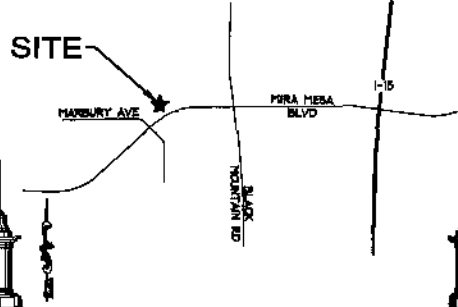
CA-SDG5953 GRACE CHURCH

9050 MIRA MESA BLVD., SAN DIEGO, CA 92126

Revising / Issue	Date
50% ZD Issue	09-11-09
100% ZD Issue	10-05-09
100% ZD Rev	10-14-09
100% ZD Rev	10-27-09
Client Comments	01-19-10
100% ZD Rev	03-16-10
100% ZD Rev	04-13-10

DIRECTIONS TO SITE

FROM SAN DIEGO OFFICE:
 1. TAKE I-15 NORTH
 2. TAKE MIRA MESA BLVD. EXIT
 3. CONTINUE ON MIRA MESA BLVD WEST
 ARRIVE AT 9050 MIRA MESA BLVD., SAN DIEGO, CA 92126



RF INITIALS: _____ DATE _____

ZONING/PLANNING INITIALS: _____ DATE _____

ARCHITECT INITIALS: _____ DATE _____

CONSTRUCTION INITIALS: _____ DATE _____

SITE ACQUISITION INITIALS: _____ DATE _____

LANDLORD INITIALS: _____ DATE _____

ACCESSIBILITY DISCLAIMER
 THIS PROJECT IS AN UNOCCUPIED WIRELESS TELECOMMUNICATIONS FACILITY AND, ACCORDING TO WRITTEN INTERPRETATION FROM THE CALIFORNIA DEPARTMENT OF THE STATE ARCHITECT, IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

PROJECT STATEMENT
 I HEREBY CERTIFY THAT THIS PROJECT COMPLES TITLE 24, PART 6 OF THE CALIFORNIA STATE CODE.

SIGNED: _____

DIRECTIONS TO SITE

VICINITY MAP

CLIENT APPROVALS

TITLE 24 COMPLIANCE

LEGAL DESCRIPTION
 THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF MIRA MESA HISSON CHAPEL HALL, ACCORDING TO MAP THEREOF NO. 7497 FILED IN THE COUNTY OF THE OFFICE RECORDER OF SAN DIEGO COUNTY AUGUST 6, 1974; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 1, SOUTH 84°32'00" WEST, 204.06 FEET TO AN ANGLE POINT IN THE BOUNDARY OF MIRA MESA VERDE ACCORDING TO MAP NO. 6872 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 25, 1974; THENCE ALONG THE BOUNDARY OF SAID MAP NO. 6872 AS FOLLOWS: SOUTH 29°26'00" WEST, 30.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT 500.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL LINE OF SAID CURVE BEARS NORTH 29°26'00" EAST TO SAID POINT; SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 240°00' A DISTANCE OF 84.24 FEET; AND TANGENT TO SAID CURVE SOUTH 42°41' EAST 44.82 FEET; THENCE LEAVING SAID BOUNDARY 42°41' EAST, 20.00 FEET TO THE NORTHWESTERLY BOUNDARY OF MIRA MESA BOULEVARD AS SHOWN ON MIRA MESA EAST MAP NO. 1 ACCORDING TO MAP NO. 7950 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 4, 1974; THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID MIRA MESA BOULEVARD AS FOLLOWS: NORTH 47°49'00" EAST, 207.12 FEET TO THE BEGINNING OF A TANGENT 182.50 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°45' A DISTANCE OF 783.24 FEET TO THE SOUTHERLY LINE SOUTH 84°32'00" WEST, 604.88 FEET TO THE EASTERLY LINE OF SAID MAP NO. 7497; THENCE ALONG EASTERLY LINE SOUTH 07°05'41" EAST, 28.57 FEET TO POINT OF BEGINNING.

- ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO:
- CALIFORNIA BUILDING CODE - 2007 (PART 2 OF TITLE 24)
 - CALIFORNIA MECHANICAL CODE - 2007 (PART 4 OF TITLE 24)
 - CALIFORNIA PLUMBING CODE - 2007 (PART 3 OF TITLE 24)
 - CALIFORNIA ELECTRICAL CODE - 2007 (PART 3 OF TITLE 24)
 - CALIFORNIA FIRE CODE - 2007 (PART 4 OF TITLE 24)
 - LIFE SAFETY CODE - N.F.P.A. 101 - 1998 (1995)
 - NATIONAL COUNCIL ON RADIATION PROTECTION AND MEASUREMENTS 684 RULES AND REGULATIONS OF PRIVATE AND PUBLIC UTILITIES AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)
 - AMERICAN SOCIETY OF TESTING MATERIALS (ASTM)
 - FEDERAL SPECIFICATIONS (FED. SPEC.)
 - UNDERWRITERS LABORATORIES
 - NATIONAL FIREPROTECTION ASSOCIATION (NFPA) (AS ADOPTED BY THE STATE AGENCIES)

SITE NAME
 GRACE CHURCH
SITE NUMBER
 CA-SDG5953
SITE ADDRESS
 9050 MIRA MESA BLVD.,
 SAN DIEGO, CA 92126
OWNER
 MIRA MESA GRACE CHURCH
 9050 MIRA MESA BLVD.,
 SAN DIEGO, CA 92126
APPLICANT
 CLEARWIRE TECHNOLOGIES, INC.
 1805 LAKE WASHINGTON BLVD., NE
 STE. 300
 KIRKLAND, WA 98083

TELECOMMUNICATION CARRIERS
 T-MOBILE IS CURRENTLY LOCATED ON SUBJECT PROPERTY.
OWNER CONTACT
 BILL WREY
 (858) 555-3444
CURRENT ZONING:
 AR-1-2
 CONDITIONAL USE PERMIT AIRPORT INFLUENCE AREA AND FAA PART 77
(E) OCCUPANCY:

ASSESSOR'S PARCEL NUMBER:
 318-091-06
(E) TYPE OF CONSTRUCTION:
 V-N
PROJECT DESCRIPTION: CONDITIONAL USE PERMIT
 CLEARWIRE PROPOSES TO CONSTRUCT, OPERATE AND MAINTAIN AN UNOCCUPIED, DIGITAL MOBILE RADIO COMMUNICATIONS FACILITY AT THIS SITE.

- (1) PROPOSED ANTENNA ARRANGEMENTS
- (1) PROPOSED EQUIPMENT CABINET
- (2) GPS ANTENNAS

• LOCATED ON ROOF OF EXISTING 2-STORY BUILDING

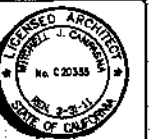
OPERATING FREQUENCIES:
 TRANSMIT: 2500-2604 MHz, 5, 11, 16, 20, 24 GHz
 RECEIVE: 2500-2604 MHz, 5, 11, 16, 20, 24 GHz
 ERP = 100 WATTS MAX., 450 WATTS EIRP
 LATITUDE: N 32°58'00.94"
 LONGITUDE: W 117°07'46.04"

ARCHITECTS
 MITCHELL J. ARCHITECTURE
 4880 REXBORN COURT, SUITE X
 SAN DIEGO, CA 92111
 TEL: (858) 450-8180
 FAX: (858) 690-3440
 CONTACT : ART BROWN (PROJECT MANAGER)
APPLICANT CONTACT
 ANNA HULTFANSE
 (858) 402-6022
SURVEYOR
 RBF CONSULTING
 1755 CLAYBROOK TERRACE BLVD
 SAN DIEGO, CA 92124-3224
 TEL: (858) 614-9000
 FAX: (858) 614-5001
 CONTACT : DEBRA MAROLINI

Sheet Number	Sheet Title
E-001	TITLE SHEET - PROJECT INFORMATION & VICINITY MAP
A-10	BASE PLAN & NOTES
A-201	EXTERIOR ELEVATIONS
A-202	EXTERIOR ELEVATIONS
A-401	ENLARGED ROOF PLAN
D-501	EQUIPMENT CABINET, ANTENNA LAYOUT & ATTACHMENT DETAIL
C-1	SITE SURVEY

Title Sheet, Project Information & Vicinity Map

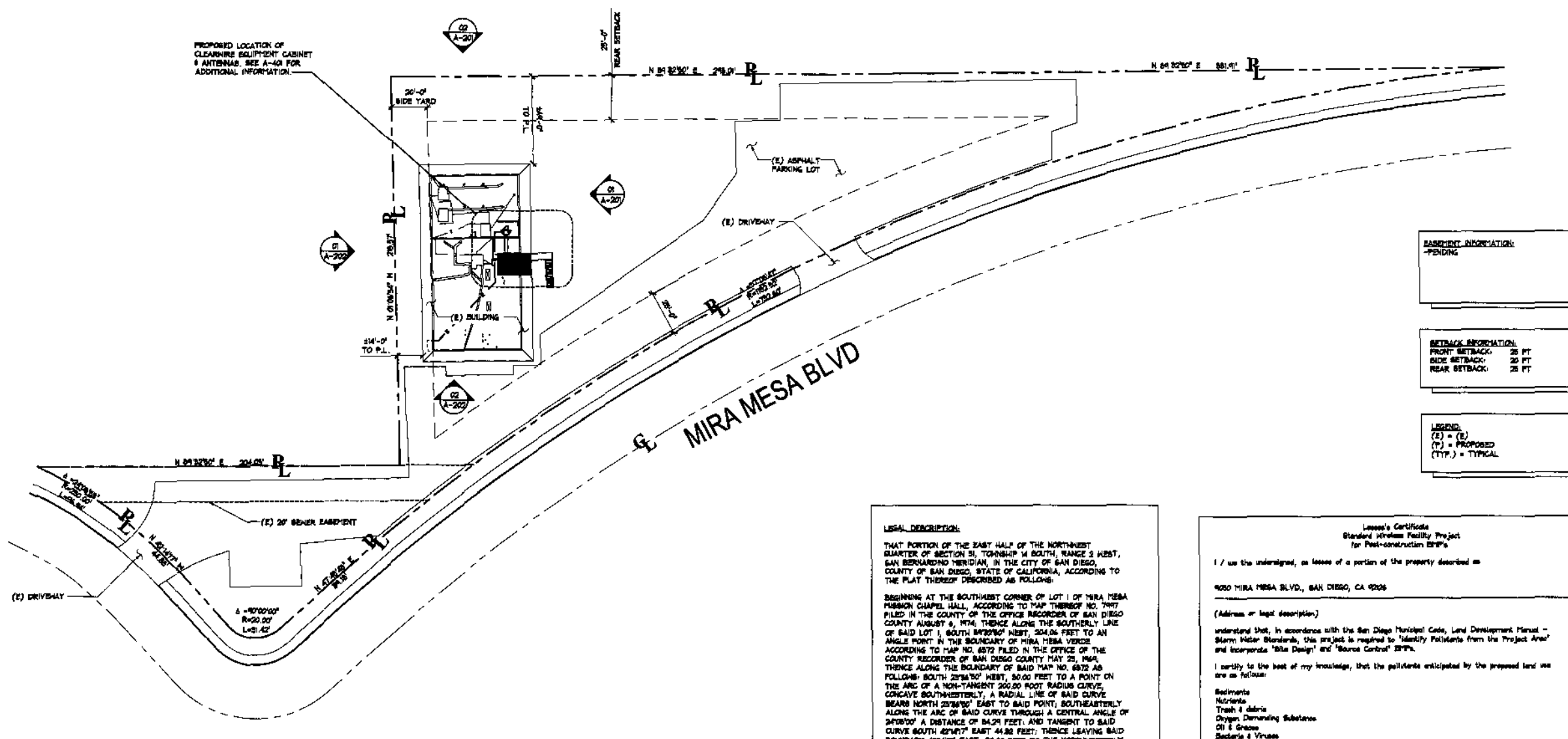
GRACE CHURCH
 CA-SDG5953
 9050 MIRA MESA BLVD.
 SAN DIEGO, CA 92126



Project	35749-74
Date	09-11-09
Drawn by	edl
Checked by	inj
Scale	NO SCALE

G-001

Revision / Issue	Date
80% ZD Initial	09-11-09
100% ZD Issue	10-05-09
100% ZD Rev	10-14-09
100% ZD Rev	10-27-09
Client Comments	01-19-10
100% ZD Rev	03-16-10
100% ZD Rev	04-13-10



BASEMENT INFORMATION:
-PENDING

SETBACK INFORMATION:
FRONT SETBACK: 20 FT
SIDE SETBACK: 20 FT
REAR SETBACK: 20 FT

LEGEND:
(E) = (E)
(P) = PROPOSED
(TYP.) = TYPICAL

- NOTE:**
1. THIS PROJECT PROPOSES NO DEVELOPMENT IMPROVEMENTS OUTSIDE THE EXISTING BUILDING FOOTPRINT FOR THIS DISCRETIONARY REVIEW AND THEREFORE DOES NOT REQUIRE ANY PERMANENT STORM WATER BEST MANAGEMENT PRACTICES.
 2. NO EXISTING PARKING SPACE WILL BE USED OR REMOVED BY THIS PROJECT.
 3. THIS IS A ROOF TOP INSTALLATION ON AN EXISTING FACILITY AND NO GROUND DISTURBANCE OR TRENCHING IS PROPOSED BY THIS PROJECT.
 4. 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.
 5. 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 CONSTRUCTION PLANS OR SPECIFICATIONS.
 6. PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT THE PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP).
 7. THE MAXIMUM HEIGHT IN THE AR-1-2 ZONE IS 80'. IT MAY BE EXCEEDED IF THE FRONT AND REAR SETBACKS ARE INCREASED BY 10' FOR EACH PORTION OF THE STRUCTURE OVER 10'.

LEGAL DESCRIPTION:

THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF MIRA MESA FISHBORN CHURCH HALL, ACCORDING TO MAP THEREOF NO. 7997 FILED IN THE COUNTY OF THE COUNTY RECORDER OF SAN DIEGO COUNTY AUGUST 4, 1974; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 1, SOUTH 89°29'00" WEST, 304.06 FEET TO AN ANGLE POINT IN THE BOUNDARY OF MIRA MESA VERGE ACCORDING TO MAP NO. 6872 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 28, 1964; THENCE ALONG THE BOUNDARY OF SAID MAP NO. 6872 AS FOLLOWS: SOUTH 23°34'00" WEST, 50.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT 200.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; A RADIAL LINE OF SAID CURVE BEARS NORTH 23°34'00" EAST TO SAID POINT; SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°00'00" A DISTANCE OF 84.29 FEET; AND TANGENT TO SAID CURVE SOUTH 42°41'17" EAST 44.88 FEET; THENCE LEAVING SAID BOUNDARY 42°41'17" EAST, 20.00 FEET TO THE NORTHWESTERLY BOUNDARY OF MIRA MESA BOULEVARD AS SHOWN ON MIRA MESA EAST UNIT NO. 1 ACCORDING TO MAP NO. 7892 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 4, 1974; THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID MIRA MESA BOULEVARD AS FOLLOWS: NORTH 47°49'02" EAST, 207.12 FEET TO THE BEGINNING OF A TANGENT 182.50 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°04'00" A DISTANCE OF 782.84 FEET TO THE SOUTHERLY LINE SOUTH 89°29'00" WEST, 424.88 FEET TO THE EASTERLY LINE OF SAID MAP NO. 7997; THENCE ALONG EASTERLY LINE SOUTH 01°04'34" EAST, 38.57 FEET TO POINT OF BEGINNING.

Lessee's Certificate
Standard Wetland Facility Project
for Post-construction BMP's

I / we the undersigned, as lessee of a portion of the property described as:

9050 MIRA MESA BLVD., SAN DIEGO, CA 92126

(Address or legal description)

understand that, in accordance with the San Diego Municipal Code, Land Development Manual - Storm Water Standards, this project is required to identify pollutants from the Project Area and incorporate "Bios Design" and "Source Control" BMP's.

I certify to the best of my knowledge, that the pollutants anticipated by the proposed land use are as follows:

Sediments
Nutrients
Trash & debris
Oxygen Demanding Substances
Oil & Grease
Bacteria & Viruses
Pesticides

I/we will incorporate the following into the site design:

Maintain pre-development runoff characteristics
Minimize impervious foot print by constructing walkways, patios and driveways with permeable surfaces.
Conserve natural areas
Use natural drainage systems as opposed to lined ditches or underground drainage systems
Drain roof tops, walkways, patios and driveways into adjacent landscaping prior to discharging to the public drainage system.
Preserve existing native trees and shrubs
Protect all slopes from erosion

Additionally, I/we will:

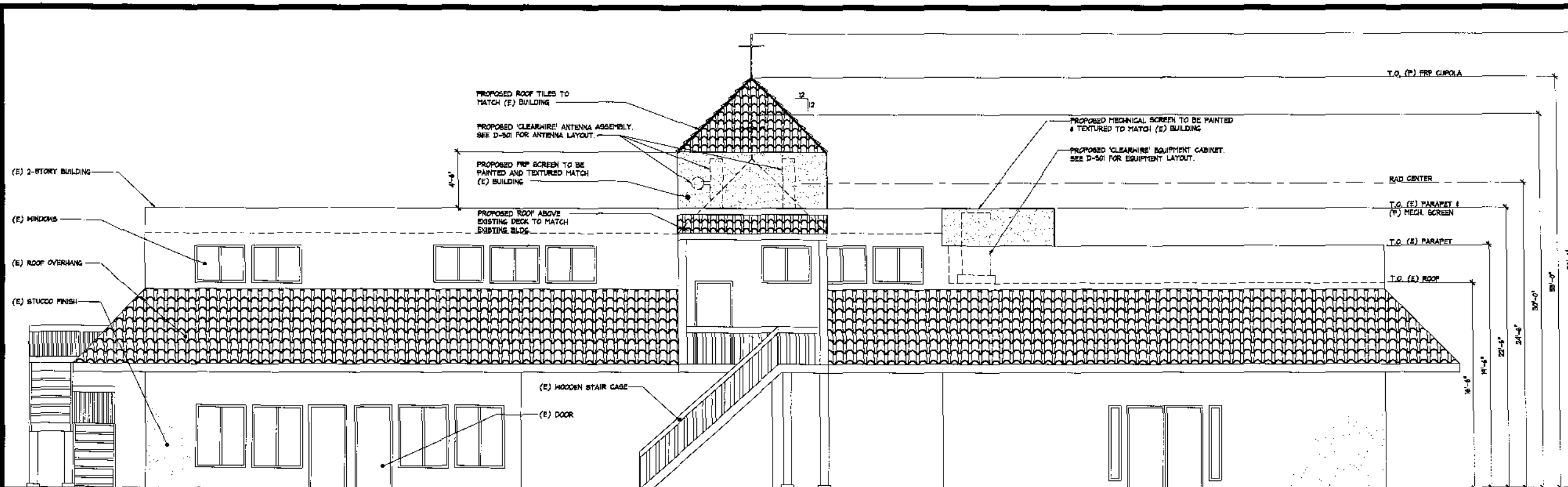
Minimize the use of pesticides
Use efficient irrigation systems and landscape design, incorporating rain shut-off devices and flow reducers as needed.
I/we will maintain the above Standard Permanent BMP's for the duration of the lease.

Lessee: Arva Ford Company Name: CLEARWIRE
(print name)

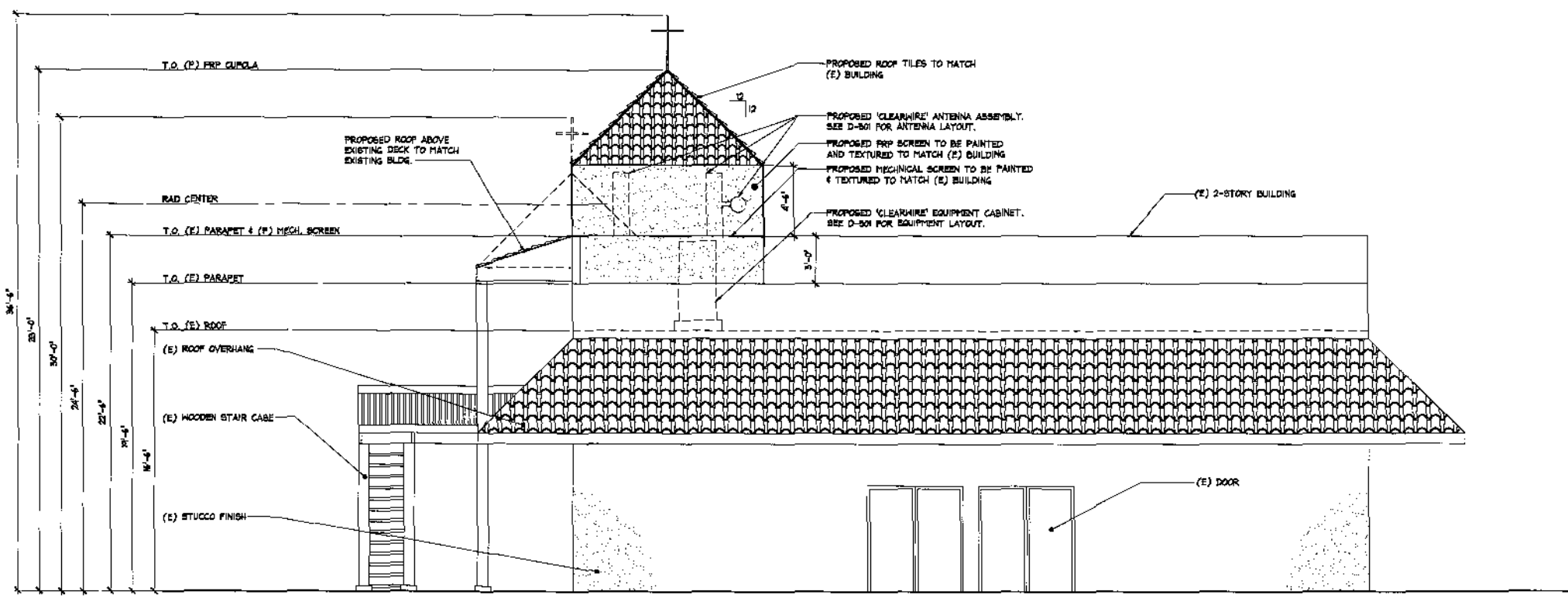
Lessee: [Signature] Date: JANUARY 29, 2010
(Signature)

01 **SITE PLANS**
SCALE: 1" = 30'-0"

SITE PLAN & NOTES
 GRACE CHURCH
 clearwire
 9055 MIRA MESA BLVD
 SAN DIEGO, CA 92126
 architecture **MITCHELL J.** architecture
 LICENSED ARCHITECT
 MICHAEL J. GRAYSON
 No. C 20338
 State of California
 35749-74
 09-11-09
 edl
 mjc
 1" = 40'-0"
 Mitchell J. Architecture
 A-101



01 EAST ELEVATION
SCALE: 1/4" = 1'-0"



02 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

EXTERIOR ELEVATIONS

clearw're

architecture

architect

GRACE CHURCH

CLAYTON BLVD
9093 CLAYTON BLVD
SAN DIEGO, CA 92126

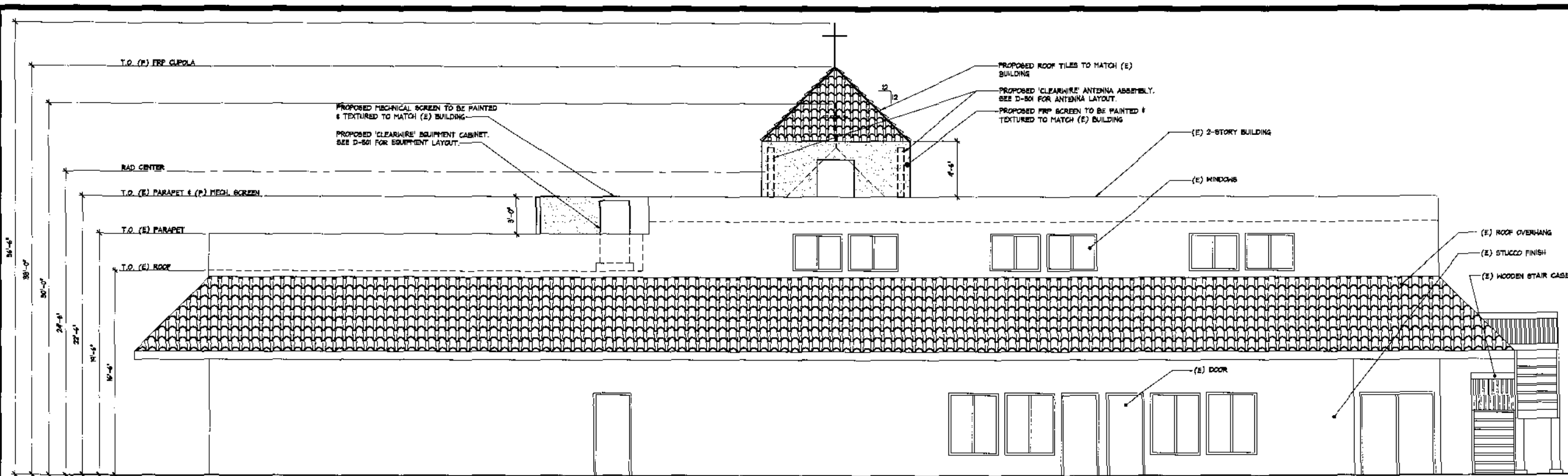
Revision / Issue	Date
100% ZD Issue	09-11-09
100% ZD Issue	10-05-09
100% ZD Rev	10-14-09
100% ZD Rev	10-27-09
100% ZD Rev	01-15-10
100% ZD Rev	03-16-10
100% ZD Rev	04-13-10

REGISTERED ARCHITECT
MICHAEL J. GUNNING
No. C 20385
STATE OF CALIFORNIA

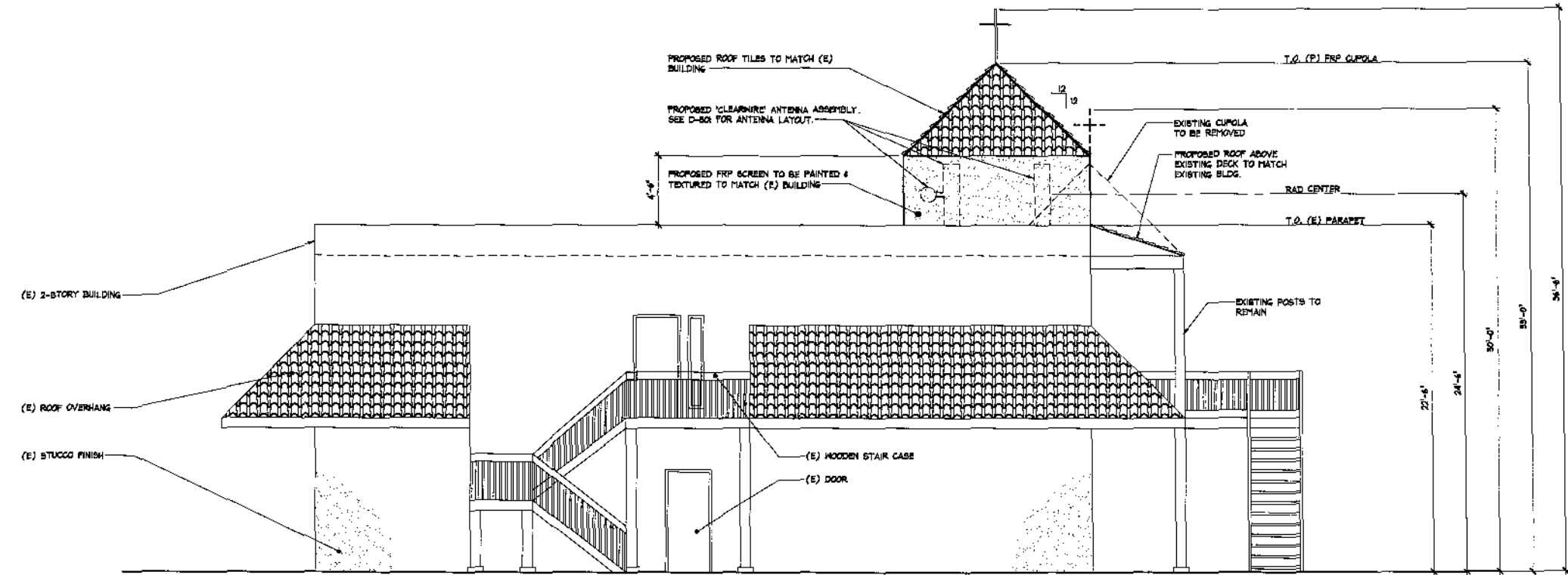
35749-74
09-11-09
edl
mjc
1/4" = 1'-0"

Michael J. Architecture

A-201



01 WEST ELEVATION
SCALE: 1/4" = 1'-0"



02 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

EXTERIOR ELEVATIONS

clearw're architecture

GRACE CHURCH
9095 MISSION BLVD
SAN DIEGO, CA 92126

ARCHITECT

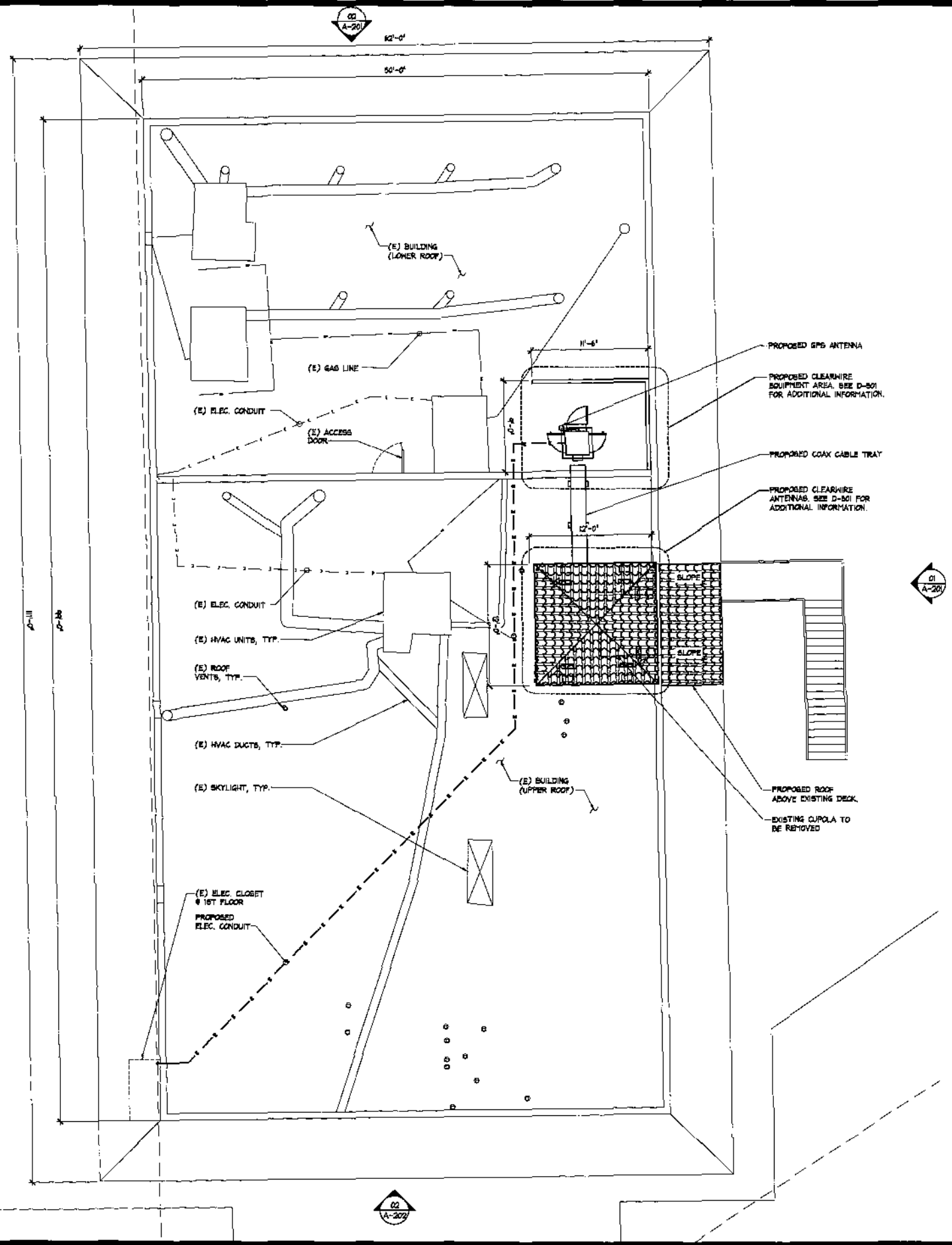
Revision / Issue	Date
100% ZD Issue	09-11-09
90% ZD Issue	10-05-09
80% ZD Rev	10-14-09
70% ZD Rev	10-21-09
60% ZD Rev	01-15-10
50% ZD Rev	03-16-10
40% ZD Rev	04-15-10

REGISTERED ARCHITECT
STATE OF CALIFORNIA
No. C 20356

35749-74
09-11-09
edl
mjc
1/4" = 1'-0"

Arch S. Architects

A-202



01 ROOF PLAN
3/16" = 1'-0"

ENLARGED ROOF PLAN

Revision / Issue	Date
10% ZD Issue	09-11-09
20% ZD Issue	10-05-09
30% ZD Rev	10-14-09
40% ZD Rev	10-27-09
Final Comments	01-12-10
50% ZD Rev	03-15-10
60% ZD Rev	04-13-10

clearw're
 4000 Miramonte Blvd., Suite 200
 San Diego, CA 92126
 (619) 581-3139 (fax) / (619) 581-3139 (cell)
 www.clearwire.com

architecture
 1000 La Jolla Village Drive, Suite 100
 San Diego, CA 92161
 (619) 444-1111
 www.clearwire.com

LICENSED ARCHITECT
 J. CAMERON
 No. C20356
 STATE OF CALIFORNIA

Project No.	35749-74
Date	09-11-09
Drawn by	edl
Checked by	mjc
Scale	3/16" = 1'-0"

J. Cameron Architecture
A-401

CENTER OF PROPOSED ANTENNAS
AT CENTER OF PROPOSED CUPOLA

LATITUDE: NORTH 32°55'00.94"
LONGITUDE: WEST 117°07'46.04"
NAD 83 N 1914539.51 E 6291777.39
GROUND ELEVATION: 473 (NAVD 88)
UPPER ROOF EL: 494
TOP UPPER PARAPET WALL EL: 497 (24' AGL)
PEAK OF EXISTING CUPOLA EL: 500 (27' AGL)

THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE AT THE CENTER OF TOWER LOCATION FALLS WITHIN FIFTEEN (15) FEET. THE VERTICAL ACCURACY AT THE BASE OF THE TOWER FALLS WITHIN THREE (3) FEET.

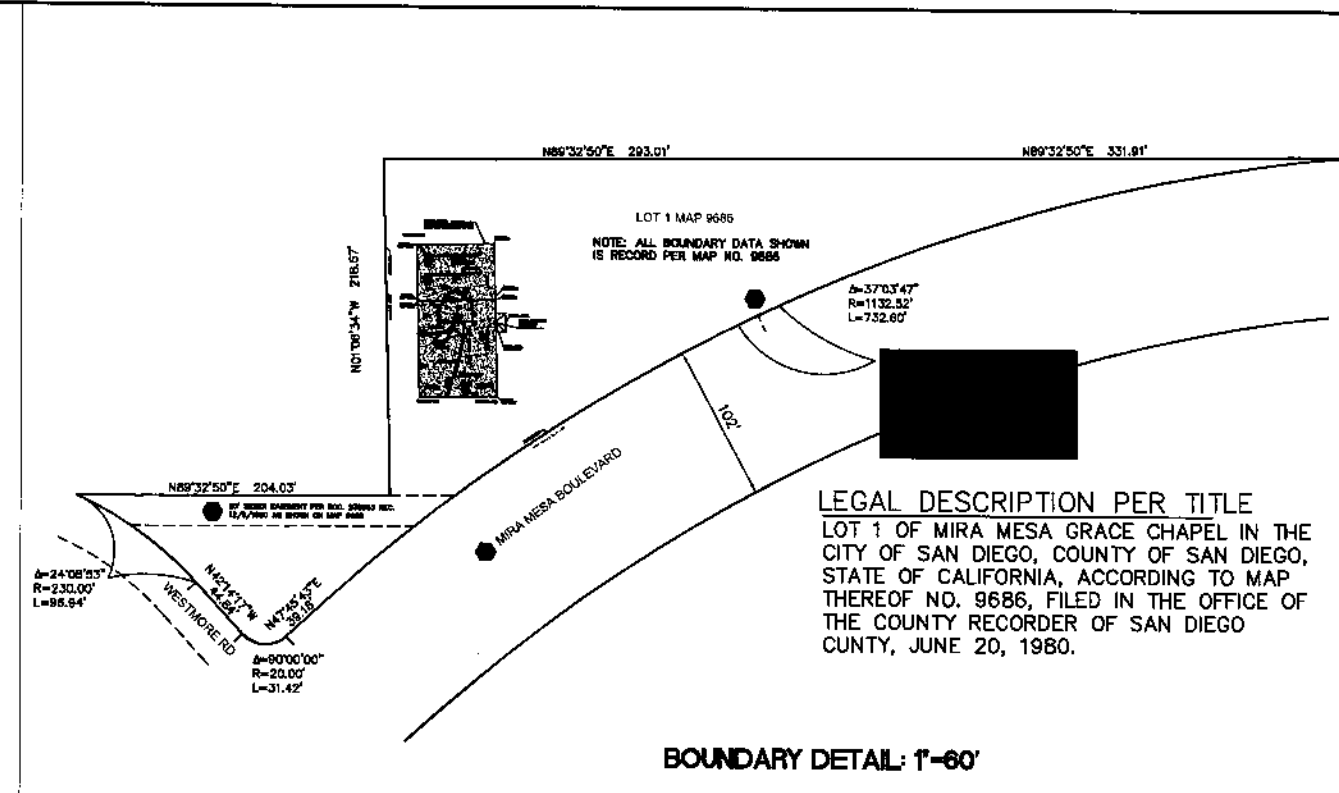
DATE OF SURVEY: 8/12/09

BASIS OF BEARINGS

THE BASIS OF HORIZONTAL CONTROL FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983. PLANE COORDINATES SHOWN HEREON ARE IN TERMS OF THE CALIFORNIA STATE PLANE COORDINATE SYSTEM OF 1983, ZONE 8.

TITLE REPORT IDENTIFICATION:
LAWYERS TITLE INSURANCE COMPANY ORDER NO. 11726720-10 DATED 8/27/2009

ASSESSORS IDENTIFICATION:
APN: 318-091-06
OWNER:
MIRA MESA GRACE CHAPEL



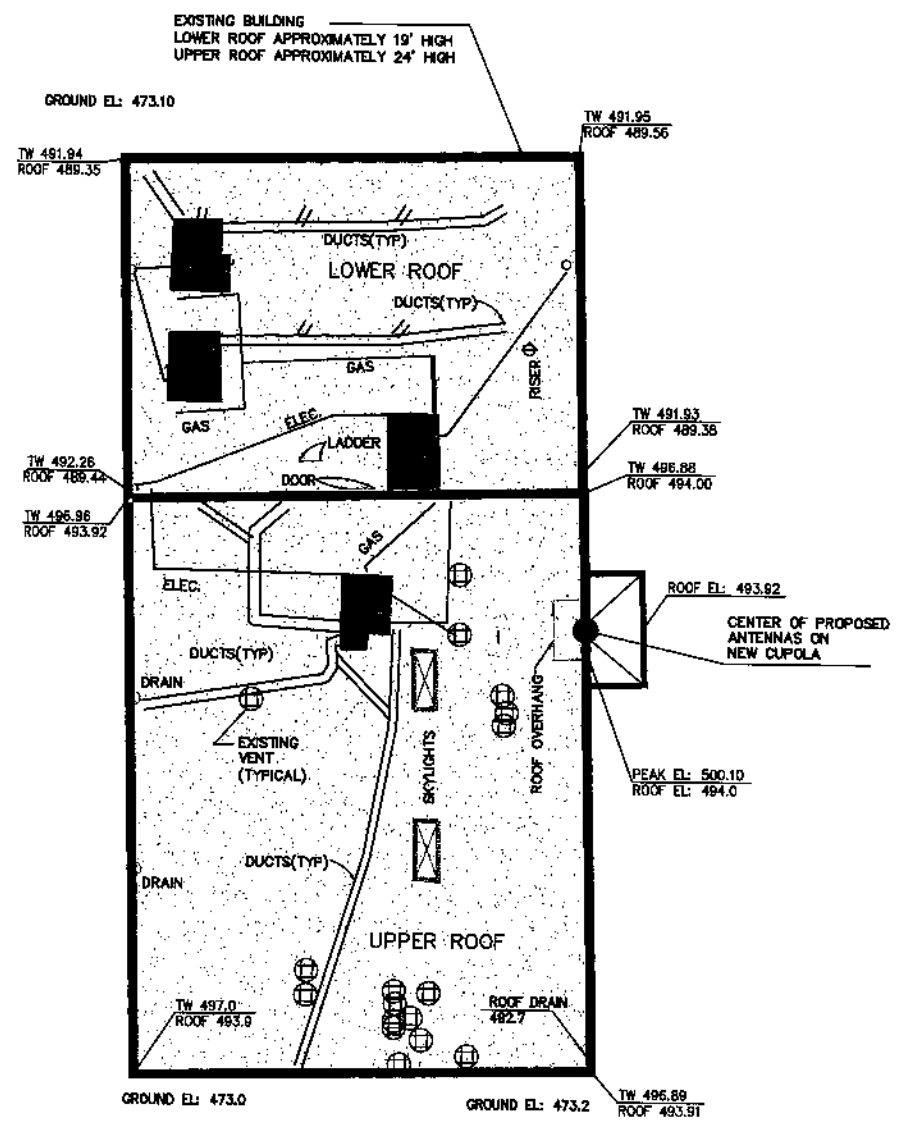
LEGAL DESCRIPTION PER TITLE
LOT 1 OF MIRA MESA GRACE CHAPEL IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 9686, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 20, 1980.

4400 CARLTON POINT
KIRKLAND, WA 98033



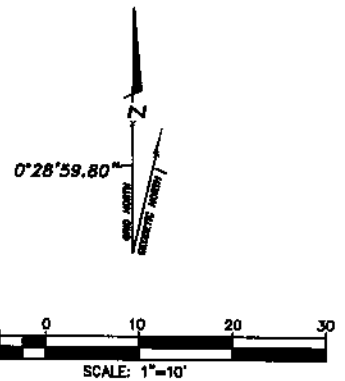
PACIFIC TELECOM SERVICES, LLC
508 First Avenue S., Suite 800
Seattle, Wa., 98104
Phone: (206) 342-8006 Fax: (206) 903-8512

GRACE_CHURCH
SDG_5953
9050_MIRA_MESA_BLDV
SAN_DIEGO, CA_92126



EXCEPTION ITEMS PER TITLE REPORT

(NO)	EXEMPTION DESCR.	REC. DATE	REC. INFORMATION	LOCATION
A-C	TAXES	-	-	NOT PLOTTABLE (NP)
1	WATER RIGHTS	-	-	NP
2	SEWER EASEMENT	12/8/1960	INSTR. 238883	SHOWN
3	ACCESS RELINQUISHED	1/3/1961	INSTR. 281	MIRA MESA BLVD
4	SDGE EASEMENT	10/7/1980	INSTR. 80-330520	BLANKET, NP
5	CERT OF CORRECTION	7/17/1981	INSTR. 81-225818	MONUM. ON MAP 9686
6	SDGE EASEMENT	12/31/1987	INSTR. 87-718204	BLANKET, NP
7	SDGE EASEMENT	8/1/2003	INSTR. 2003-0828644	TRANSFORMER SE OF BUILDING, NP
8	NO DEEDS OF TRUST	-	-	NP
9	MATTERS DISCLOSED BY INSPECTION	-	-	NP
10	RIGHTS OF PARTIES IN POSSESSION	-	-	NP
11	EASEMENTS NOT OF RECORD	-	-	NP
12	DISCREPANCIES, ETC	-	-	NONE LISTED



SURVEY PREPARED FOR:
MITCHELL J ARCHITECTURE, INC.
4885 Ransom Court, Suite N
San Diego, CA 92111
858.650.3150 (ph) / 858.650.3140 (fax)

SURVEY PERFORMED BY:



FOR CLARIFICATION: 4885 RANSOM COURT, SUITE N
SAN DIEGO, CALIFORNIA 92111
858.650.3150 FAX 858.650.3140



REVISIONS			
NO.	DATE	DESCRIPTION	INITIAL
1	8/12/09	PRELIMINARY SURVEY	DM
2	11/3/09	FINAL SURVEY	DM

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
SITE SURVEY

SHEET NUMBER
C-1