



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: November 10, 2010

TO: Members of the Planning Commission

FROM: Alex Hempton, AICP, Associate Planner, Development Services Department

SUBJECT: AT&T – Pacific Towers, Project No. 198377 – Revision to Permit

The Draft Permit (Attachment 8) for this project was revised from when the Report to Planning Commission was printed. Page 1 of the permit has been changed to read “12 (twelve)” panel antennas instead of “6 (six)” panel antennas.

This change is shown on the revised page 1, printed on the back of this memorandum.

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: 24000466

CONDITIONAL USE PERMIT NO. 788592
SITE DEVELOPMENT PERMIT NO. 788593
AT&T – PACIFIC TOWERS
PLANNING COMMISSION
PROJECT NUMBER 198377
DRAFT

This **CONDITIONAL USE PERMIT (CUP) NO. 788592** and **SITE DEVELOPMENT PERMIT (SDP) NO. 788593** are granted by the **Planning Commission** of the City of San Diego to the **PACIFIC TOWER COMMUNITY ASSOCIATION**, Owner, and **AT&T MOBILITY**, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504, 126.0305, and 141.0420. The site is located at 4944 Cass Street in the RM-1-1 and Cass Street Planned District zones of the Pacific Beach community planning area. The project site is legally described as being located in the City of San Diego, Lots 13 to 20, inclusive, in Block 76 of Pacific Beach, according to Map Thereof No. 932, filed in the Office of the County Recorder of San Diego County November 7, 1904.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to 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 November 18, 2010, on file in the Development Services Department.

The project shall include:

- a. Twelve (12) panel antennas mounted to an existing building. Equipment associated with the antennas will be located within the existing building as shown on Exhibit "A";
- b. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: November 10, 2010 **REPORT NO. PC-10-093**

ATTENTION: Planning Commission, Agenda of November 18, 2010

SUBJECT: AT&T – Pacific Towers – PROJECT NO. 198377
PROCESS 4.

**OWNER/
APPLICANT:** Pacific Tower Community Association/
AT&T Mobility

SUMMARY

Issue(s): Should the Planning Commission approve a Wireless Communication Facility at 4944 Cass Street within the Pacific Beach Community Planning Area?

Staff Recommendation: APPROVE Conditional Use Permit (CUP) No. 788592 and Site Development Permit (SDP) No. 788593.

Community Planning Group Recommendation: The Pacific Beach Planning Group voted 10-0-0 to recommend approval of this project at their July 29, 2010 meeting (Attachment 14).

Environmental Review: This project was found to be exempt per the Categorical Exemption for Existing Facilities, Section 15301 and New Construction or Conversion of Small Structures, Section 15303, in accordance with State of California Environmental Quality Act (CEQA) Guidelines.

Fiscal Impact Statement: AT&T Mobility is the financially responsible party for this project and is responsible for costs associated with processing this project.

Code Enforcement Impact: None.

Housing Impact Statement: Not applicable.

BACKGROUND

Wireless Communication Facilities (WCF's) are permitted throughout the City as a Separately



Regulated Use by the Wireless Communication Facility regulations, Land Development Code (LDC) section 141.0420. WCF's are permitted within Residential zones with a residential use with the processing of a Conditional Use Permit, Process 4.

To provide wireless communications coverage and capacity in this area (Attachment 6), AT&T Mobility is proposing to construct, operate, and maintain a WCF at 4944 Cass Street, a residential building (Attachments 1 and 3). The WCF would consist of six façade mounted antennas. "Skirts" will be provided on the outside of the antennas to make them appear as a more integral part of the building. Equipment associated with the antennas will be located within the existing building (Attachment 5).

Council Policy 600-43, "Communication Antennas," assigns preference levels to the locations of WCF's. This policy encourages these facilities be located away from residential uses. Typically, WCF's proposed in non-residential zones, such as commercial or industrial, are considered more preferable than those located in residential zones. To encourage carriers to locate in non-residential zones, projects proposed in those areas are permitted with a lower process level (such as a Limited Use or Neighborhood Use Permit). This facility is proposed in a location with a residential use in a Residential zone in order to meet AT&T's coverage objective.

A Site Development Permit (SDP) is also required for this facility as it is located partially within the Cass Street Planned District. Findings for this permit have been made in the affirmative (Attachment 9).

General Plan Analysis:

The City's General Plan requires that wireless facilities be minimally visible and be visually respectful and compatible with the community. The antennas associated with this facility are proposed to be mounted to the existing building with skirts, painted and textured to match the adjacent building surfaces. Views of cables will be minimized and routed within the building or in cable trays. Associated equipment will be concealed within the building. Based on the project's design, it is compatible with the City's General Plan. The Pacific Beach Community Plan does not discuss wireless communication facilities.

Conclusion:

Staff supports the design as proposed. The antennas are located on an existing building behind skirts painted to match the existing building surfaces. Equipment will be located within the existing building. This project complies with the City's Land Development Code, the Wireless Communication Facility regulations, and the applicable land use plans. Therefore, Staff recommends approval of this project.

ALTERNATIVES

- 1. Approve Conditional Use Permit (CUP) No. 788592 and Site Development Permit (SDP) No. 788593, with modifications.**
- 2. Deny Conditional Use Permit (CUP) No. 788592 and Site Development Permit (SDP) No. 788593, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Alex Hempton, AICP
Associate Planner
Development Services Department

KB/AFH

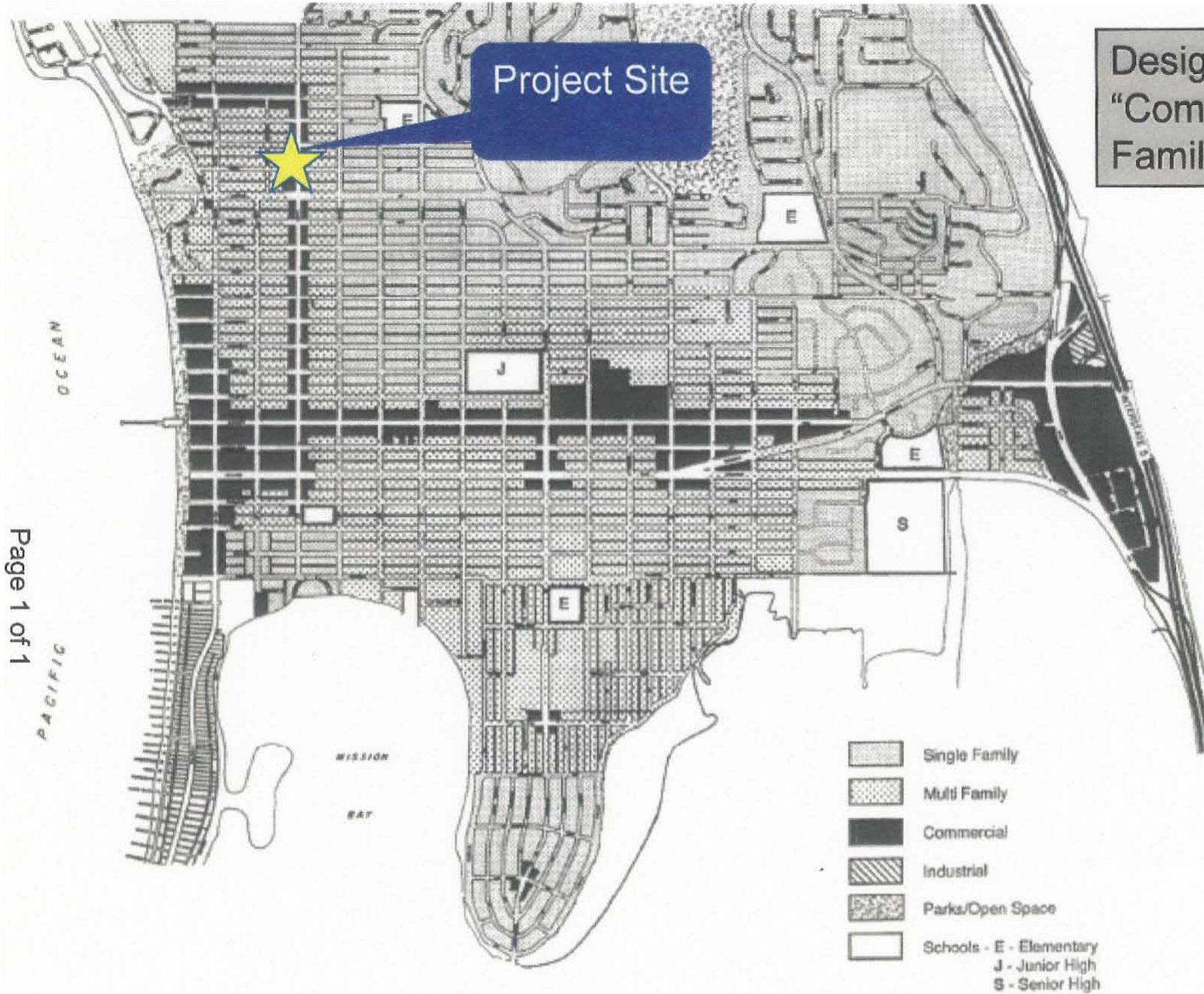
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Photo Simulations
6. Site Justification
7. Site Photos
8. Draft Permit with Conditions
9. Draft Resolution with Findings
10. Ownership Disclosure Statement
11. Project Chronology
12. Notice of Planning Commission Hearing
13. Plans
14. Community Planning Group Recommendation
15. Notice of CEQA Exemption

Project Site



Aerial Photo
AT&T Pacific Towers – Project Number 198377
 4944 Cass Street

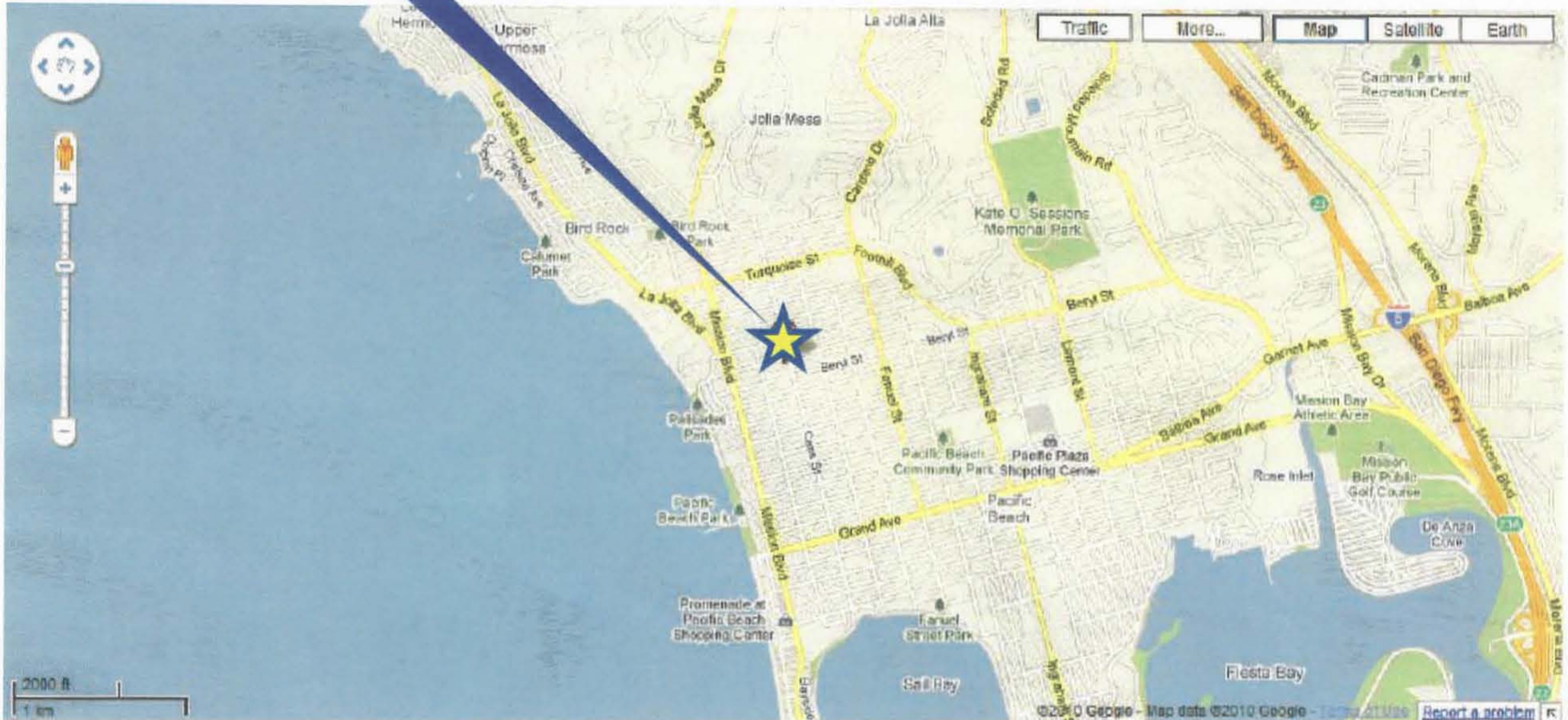


Community Plan Land Use Designation

AT&T Pacific Towers – Project Number 198377

4944 Cass Street

Project Site



Page 1 of 1

ATTACHMENT 3



Project Location Map

AT&T Pacific Towers – Project Number 198377

4944 Cass Street



PROJECT DATA SHEET		
PROJECT NAME:	AT&T – Pacific Towers	
PROJECT DESCRIPTION:	Wireless Communication Facility (WCF) consisting of six antennas mounted to the façade of an existing building with associated equipment located within the existing building.	
COMMUNITY PLAN AREA:	Pacific Beach	
DISCRETIONARY ACTIONS:	Conditional Use Permit and Site Development Permit, Process 4	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential	
<u>ZONING INFORMATION:</u> ZONE: RM-1-1 and CSPD-Cass Street HEIGHT LIMIT: 30' (Coastal) FRONT SETBACK: 15'/20' (RM-1-1) SIDE SETBACK: 5'/8' (RM-1-1) STREETSIDE SETBACK: 10' (RM-1-1) REAR SETBACK: 15' (RM-1-1)		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Cass Street Planned District, CSPD-Cass Street	Residential
SOUTH:	Multi-unit residential, RM-1-1	Residential
EAST:	Cass Street Planned District, CSPD-Cass Street	Residential
WEST:	Multi-unit residential, RM-1-1	Residential
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Pacific Beach Planning Group voted 10-0-0 to recommend approval of this project at their 7/29/2010 meeting.	

EXISTING



SD068
Pacific Towers
4944 Cass St.
San Diego, CA 92109

Proposed side and bottom skirts added to existing and proposed antennas



PROPOSED

Photosimulation of changes to existing telecommunications site

EXISTING



SD068
Pacific Towers
4944 Cass St.
San Diego, CA 92109

Proposed side and bottom skirts added to existing and proposed antennas



PROPOSED

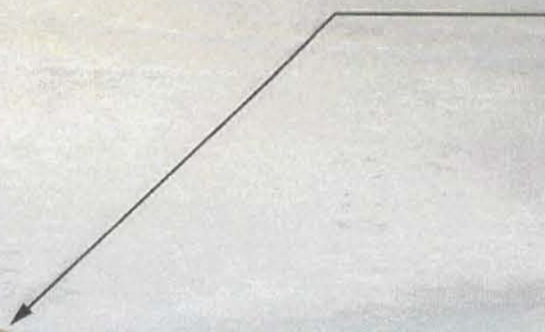
Photosimulation of changes to existing telecommunications site

EXISTING



SD068
Pacific Towers
4944 Cass St.
San Diego, CA 92109

Proposed side and bottom skirts added to existing and proposed antennas



Page 3 of 3



ATTACHMENT 5

PROPOSED

Photosimulation of changes to existing telecommunications site

SITE JUSTIFICATION

**Pacific Tower
4944 Cass Street**

PROJECT DESCRIPTION

The project is a proposal to locate a wireless communication facility at 4944 Cass Street on the Pacific Tower building. The project proposes to maintain six (6) façade mounted antennas and associated equipment located on the roof within the existing penthouse. The Pacific Tower building is located on the west side of Cass Street between Wilbur Street and Beryl in the Pacific Beach Community Plan area.

The property is zoned RM-1-1 and is developed with a multi-family building, and an existing T-Mobile facility. The property is surrounded by multi-family, single family and commercial development. The Pacific Tower building is the tallest building in the vicinity and exceeds the Proposition D height limitation.

SITE DESIGN

The antennas are façade mounted at the top of the building. Although the building exceeds the Proposition D height limitation, AT&T believes that locating the antennas lower on the building will create a loss to existing service. The equipment is located inside the existing rooftop penthouse and is not visible from the exterior of the building.

PREFERENCE 3 LOCATION:

The project site is located on Cass Street in a mixed single family, multi-family and commercial area. There are various types of buildings in the area, but the Pacific Tower building is the highest in the area and provides the best coverage to the surrounding area. In addition to providing the best coverage, it also would create a signal obstruction if a site were located in the immediate vicinity on another property. The size and height of the building would limit the coverage achieved from other surrounding commercial or residential properties. Therefore, no Preference 1 or 2 locations, within the search area can achieve the level of service that this site provides.

We believe that the existing design at the Pacific Tower building meets AT&T's needs while also meeting the City's requirements for wireless communications facilities.

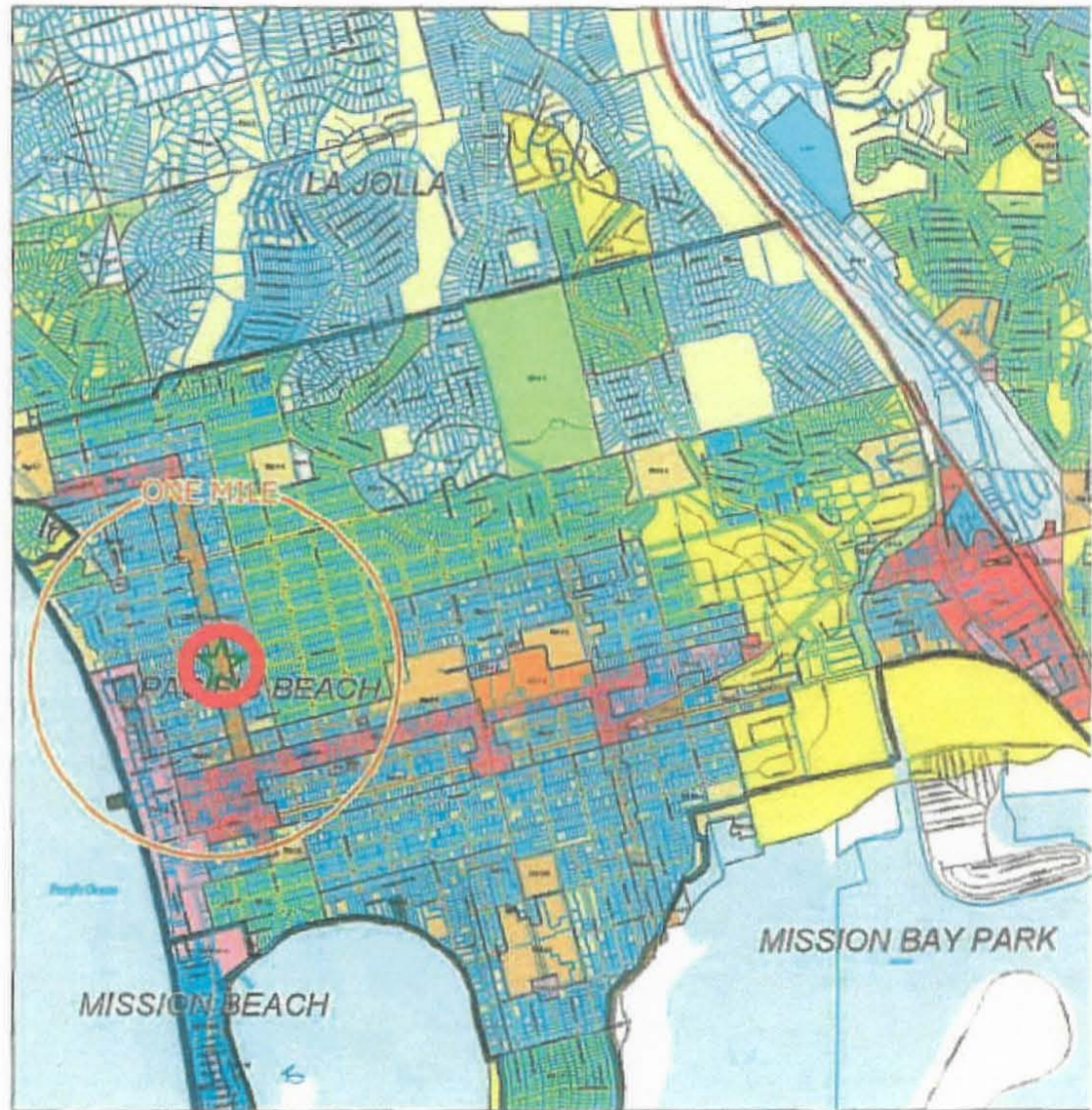
CO-LOCATION OF WIRELESS FACILITIES

T-Mobile antennas are currently located on the property.



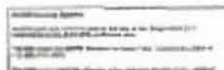
SD068
Pacific Towers
4944 Cass St.
San Diego, CA 92109

Official Zoning Map



Legend

- Search Ring
- Selected Site
- Existing sites within 1 mile radius:
No existing sites within one mile radius
- Alternative Sites:
No alternative sites



City of San Diego
Development Services Department



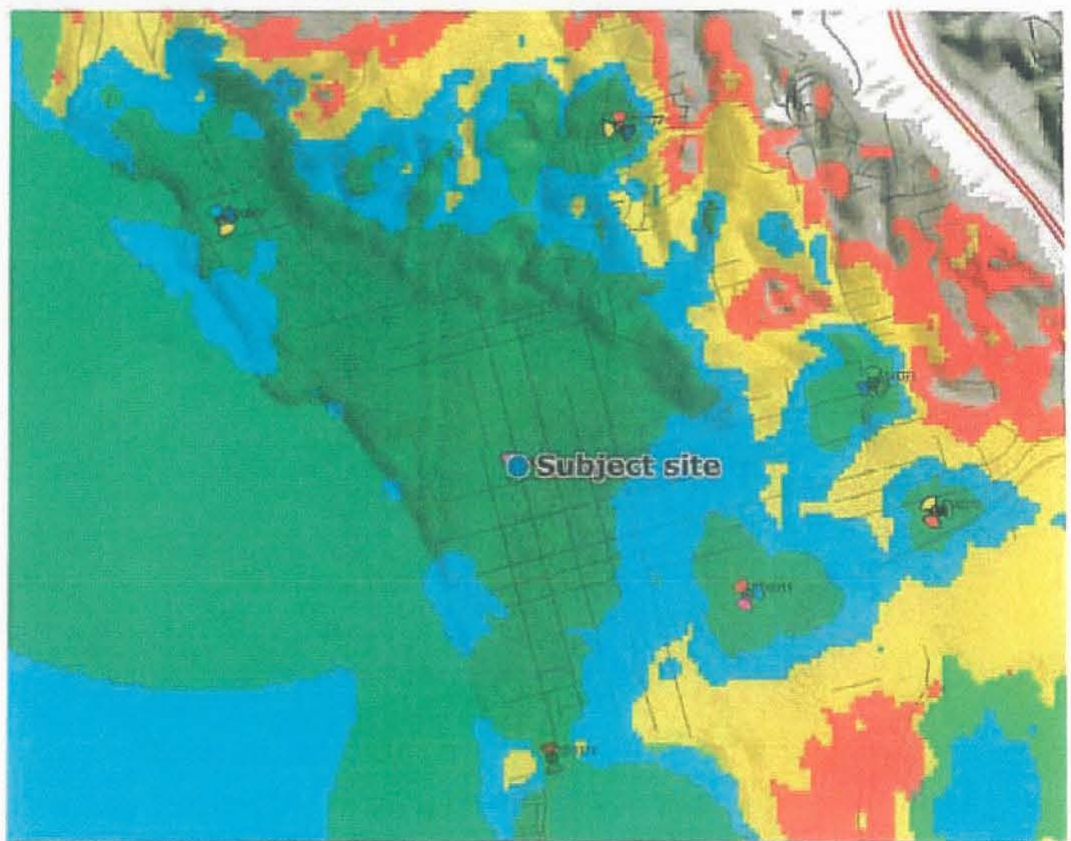
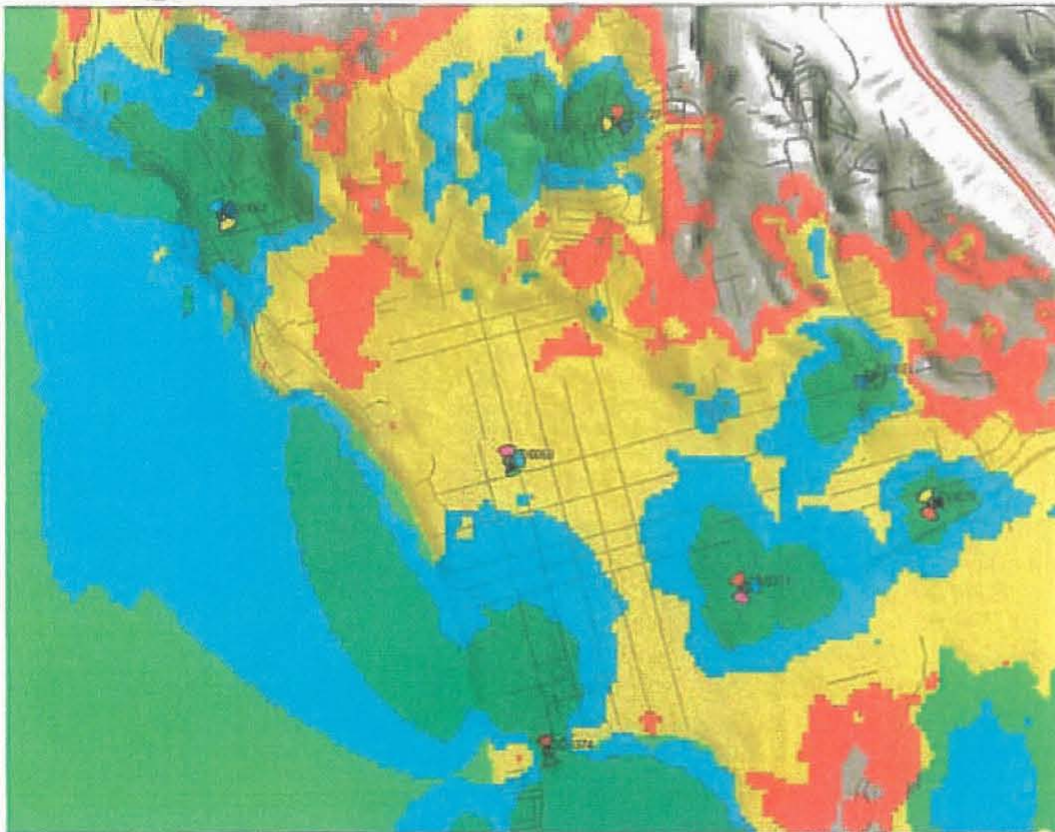
GRID TILE: 22

GRID SCALE: 800
DATE: 11/22/08



SD068
Pacific Towers
4944 Cass St.
San Diego, CA 92109

Coverage without site



Coverage with site



PHOTO STUDY & KEY MAP

PROPOSAL TO ESTABLISH AND OPERATE A
NEW DIGITAL PCS
COMMUNICATIONS FACILITY

SD068

Pacific Towers
4944 Cass Street
San Diego, CA 92109

Prepared for:

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

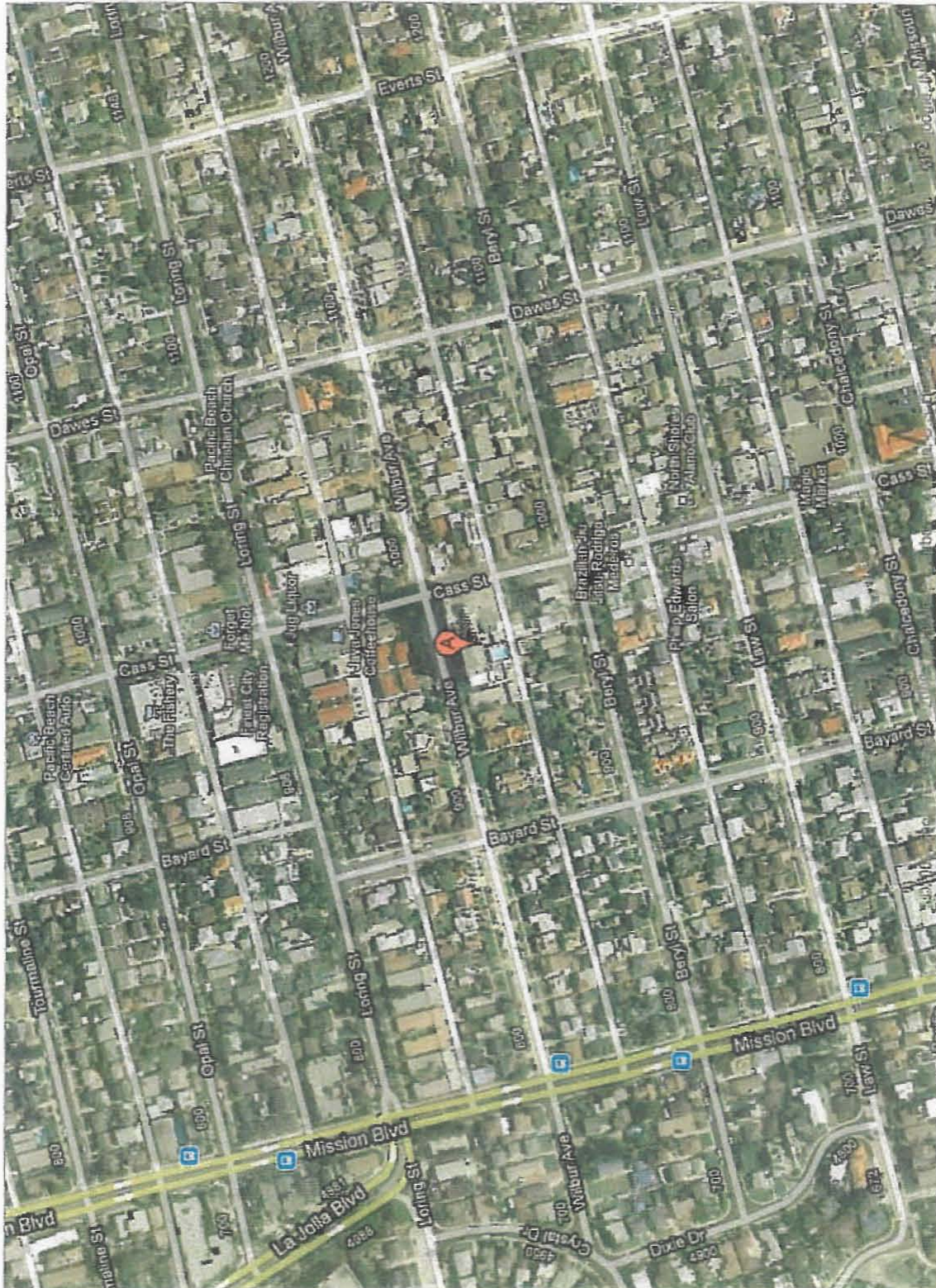
Prepared by:

PlanCom, Inc.
Contractor Representatives for
AT&T Wireless

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

November 5, 2009

Google maps Address





1. Looking North



2. Looking South



3. Looking West



4. Looking East



5. Looking at the North elevation of the building



6. Looking at the South elevation of the building



7. Looking at the East elevation of the building

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: 24000466

CONDITIONAL USE PERMIT NO. 788592
SITE DEVELOPMENT PERMIT NO. 788593
AT&T – PACIFIC TOWERS
PLANNING COMMISSION
PROJECT NUMBER 198377
DRAFT

This **CONDITIONAL USE PERMIT (CUP) NO. 788592** and **SITE DEVELOPMENT PERMIT (SDP) NO. 788593** are granted by the **Planning Commission** of the City of San Diego to the **PACIFIC TOWER COMMUNITY ASSOCIATION**, Owner, and **AT&T MOBILITY**, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504, 126.0305, and 141.0420. The site is located at 4944 Cass Street in the RM-1-1 and Cass Street Planned District zones of the Pacific Beach community planning area. The project site is legally described as being located in the City of San Diego, Lots 13 to 20, inclusive, in Block 76 of Pacific Beach, according to Map Thereof No. 932, filed in the Office of the County Recorder of San Diego County November 7, 1904.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to 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 November 18, 2010, on file in the Development Services Department.

The project shall include:

- a. Six (6) panel antennas mounted to an existing building. Equipment associated with the antennas will be located within the existing building as shown on Exhibit "A";
- b. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect 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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. This Conditional Use Permit [CUP] and Site Development Permit [SDP] and corresponding use of this site shall **expire on November 18, 2020**. 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.
6. 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.
7. Under no circumstances, does approval of this permit authorize AT&T Mobility 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.
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 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.).

10. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

11. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made 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 have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that 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.

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

PLANNING/DESIGN REQUIREMENTS:

14. 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.

15. 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.

16. Once the Permittee deems the construction pursuant to this Permit complete, Owner/Permittee shall send a letter (Subject: Planning Inspection Project Number 198377) to the City of San Diego, Development Services Department requesting a planning inspection. The site is officially deemed complete once the City Manager signs the letter. The Permittee shall be provided with a copy of the signed letter for record purposes.

17. 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 upon receipt of written notice by the City to the Permittee.

18. The Owner/Permittee shall notify the City prior to 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.

19. 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."

20. No overhead cabling is allowed for this project.

21. Exposed mounting apparatus shall be removed and shall not remain on a façade absent antennas.

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

23. The final product shall conform to the stamped approved plans and approved photosimulations prior to final inspection approval.

24. Please note that an Administrative Planning Hold will be placed on the project prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans 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 facility. Please schedule this administrative inspection at least five working days ahead of the requested Final.

25. 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.

26. All equipment, including transformers, emergency generators and air conditioners belonging to AT&T Mobility 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.

27. 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

INFORMATION ONLY:

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 ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.

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

APPROVED by the Planning Commission of the City of San Diego on November 18, 2010 by Resolution No. XXXX-PC.

Permit Type/PTS Approval No.: CUP/788592
SDP/788593
Date of Approval: 11/18/2010

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Alexander Hempton, AICP
Associate Planner

**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.**

**PACIFIC TOWER COMMUNITY
ASSOCIATION**
Owner

By _____

AT&T MOBILITY
Permittee

By _____
Kevin McGee
Deployment Manager

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

PLANNING COMMISSION
RESOLUTION NO. XXXX-PC
SITE DEVELOPMENT PERMIT NO. 788593
CONDITIONAL USE PERMIT NO. 788592
AT&T – PACIFIC TOWERS
PROJECT NUMBER 198377
DRAFT

WHEREAS, the PACIFIC TOWER COMMUNITY ASSOCIATION, Owner, and AT&T MOBILITY, Permittee, filed an application with the City of San Diego for a permit to operate and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits “A” and corresponding conditions of approval for the associated Permit Nos. 788593 and 788592);

WHEREAS, the project site is located at 4944 Cass Street in the RM-1-1 and Cass Street Planned District zones of the Pacific Beach community planning area;

WHEREAS, the project site is legally described as being located in the City of San Diego, Lots 13 to 20, inclusive, in Block 76 of Pacific Beach, according to Map Thereof No. 932, filed in the Office of the County Recorder of San Diego County November 7, 1904;

WHEREAS, on October 11, 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 (Existing Facility) and 15303 (New Construction) 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 November 18, 2010, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 788592 and Site Development Permit No. 788593 pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated November 18, 2010.

FINDINGS:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

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

As this project is partially located within the Cass Street Planned District and a Conditional Use Permit is required as part of this project, a Cass Street Planned District Permit, in the form of a Site Development Permit is also required. The purpose of the Cass Street Commercial Planned District is “to retain the existing mix of residential and commercial uses on Cass Street, and to provide for establishments catering to the lodging, dining, shopping and service needs of the

adjacent single-family and multi-family residential neighborhoods with the inclusion of adequate parking facilities. This Planned District is intended to encourage a pedestrian-oriented scale and aesthetically pleasing environment that is compatible with the surrounding single-family and multi-family residential development.” The proposed WCF will not adversely affect the purpose and intent of the Cass Street Planned District.

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

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) emissions 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 that AT&T Mobility submit a 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 applicable regulations of the Land Development Code.

Land Development Code Section 141.0420, Wireless Communication Facilities, permits WCF’s on residentially zoned property that has a residential use on-site with the processing of a Conditional Use Permit, Process 4. In addition, the WCF Design Requirements, permit façade mounted antennas that are mounted no more than 18-inches from the building façade and which fit into the design and do not interrupt the architectural lines of the building. In this case, AT&T Mobility antennas are located on the façade of an existing building with equipment located within the building. The antennas are able to utilize an existing vertical element in the community to meet their coverage objectives in a manner that is respectful of the neighborhood context. Therefore, this project complies with the applicable regulations of the Land Development Code.

Conditional Use Permit - Section 126.0305

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

The City of San Diego’s General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. The antennas associated with this facility will be façade mounted to an existing building. Skirts will be applied to the outside of the antennas to make the antennas appear as a more integral part of the building. The antennas and skirts will be painted and textured to match the adjacent building surfaces. Equipment associated with the antennas will be located internally within the building. Therefore, based on the project characteristics at this location, this WCF 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 Telecommunication Act of 1996 preempts local governments from regulating the “placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” 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 to require that AT&T Mobility perform a model RF test and submit the finding in a report to the City of San Diego prior to the issuance of a building permit. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

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

Land Development Code Section 141.0420, Wireless Communication Facilities, permits WCF’s on residentially zoned property that has a residential use on-site with the processing of a Conditional Use Permit, Process 4. In addition, the WCF Design Requirements, permit façade mounted antennas that are mounted no more than 18-inches from the building façade and which fit into the design and do not interrupt the architectural lines of the building. In this case, AT&T Mobility antennas are located on the façade of an existing building with equipment located within the building. The antennas are able to utilize an existing vertical element in the community to meet their coverage objectives in a manner that is respectful of the neighborhood context. Therefore, this project complies with the applicable regulations of the Land Development Code.

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

Typically, the City of San Diego’s first preference is that WCF’s be located on property containing a non-residential use in a non-residential zone. In this case, the WCF is proposed on a property containing a residential use in a residential zone. While this is not the most preferred location for siting a WCF, AT&T Mobility is able to utilize an existing vertical element in the community to meet their coverage objectives in a way that is respectful of the neighborhood context. Based on the project’s design, this facility is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, CONDITIONAL USE PERMIT NO. 788592 and SITE DEVELOPMENT PERMIT NO. 788593 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 788592 and 788593, a copy of which is attached hereto and made a part hereof.

Alexander Hempton, AICP
Associate Planner
Development Services

Adopted on: November 18, 2010

Internal Order No. 24000466

41067



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

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other

Project Title: SD068 Pacific Tower Project No. For City Use Only: 198377
 Project Address: 4944 Cass Street

Ownership Disclosure Statement

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 this 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: _____

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services
 Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (5-05)

Project Title:	Project No. (For City Use Only)
Part 1 - Ownership Disclosure Statement	
Legal Status (please check):	
<input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability -or- <input type="checkbox"/> General) What State? _____ Corporate Identification No. _____ <input type="checkbox"/> Partnership	
<p>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 <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address:	Street Address: <u>4944 CASS ST</u>
City/State/Zip:	City/State/Zip: <u>SAN DIEGO, CA 92109</u>
Phone No: Fax No:	Phone No: <u>658-272-0860</u> Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print): <u>KENNETH A. STEIN</u>
Title (type or print):	Title (type or print): <u>PRESIDENT</u> <u>10/27/09</u>
Signature: Date:	Signature: <u><i>Kenneth A. Stein</i></u> Date: <u>10/27/09</u>
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature: Date:	Signature: Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature: Date:	Signature: Date:

SIGN HERE

AT&T Inc. Board of Directors

Randall L. Stephenson, 48 ⁽⁴⁾

Chairman of the Board,
Chief Executive Officer
and President
AT&T Inc.

Dallas, Texas

Director since June 2005

Background: Telecommunications

Gilbert F. Amello, Ph.D., 66 ^(4,6,7)

Lead Director
Senior Partner
Sienna Ventures
Director since February 2001

Advisory Director 1997–2001

Pacific Telesis Director 1995–1997

Background: Technology, electronics engineering

William F. Aldinger III, 61 ^(4,8)

Retired Chairman and
Chief Executive Officer
Capmark Financial Group Inc.
Director since November 2005

AT&T Corp. Director 2003–2005

Background: Financial services

Reuben V. Anderson, 66 ^(4,5,7)

Senior Partner
Phelps Dunbar, LLP
Director since December 2006
BellSouth Corporation

Director 1994–2006

Background: Law

James H. Blanchard, 67 ^(2,4,6)

Retired Chairman of the Board
and Chief Executive Officer
Synovus Financial Corp.
Director since December 2006

BellSouth Corporation Director 1994–2006

BellSouth Telecommunications Director 1988–1994

Background: Financial services

August A. Busch III, 71 ^(2,3,4)

Retired Chairman of the Board
Anheuser-Busch Companies, Inc.
Director since October 1983
Southwestern Bell Telephone

Director 1980–1983

Background: Brewing, family entertainment,
manufacturer of aluminum beverage containers

Jaime Chico Pardo, 59 ⁽¹⁾

Chairman of the Board
Teléfonos de México, S.A.B. de C.V.
Director since September 2008
Background: Telecommunications

James P. Kelly, 65 ^(1,3)

Retired Chairman of the Board and
Chief Executive Officer
United Parcel Service, Inc.
Director since December 2006

BellSouth Corporation Director 2000–2006

Background: Air delivery and freight services

Jon C. Madonna, 65 ^(1,2,4)

Retired Chairman and
Chief Executive Officer
KPMG

Director since November 2005

AT&T Corp. Director 2002–2005

Background: Public accounting

Lynn M. Martin, 69 ^(1,5)

President
The Martin Hall Group, LLC
Director since October 1999
Ameritech Director 1993–1999

Background: Consulting, former

Congresswoman and Secretary of Labor

John B. McCoy, 65 ^(2,4,5)

Retired Chairman and
Chief Executive Officer
Bank One Corporation
Director since October 1999

Ameritech Director 1991–1999

Background: Banking

Mary S. Metz, Ph.D., 71 ^(3,7)

Chair Emerita of the Board of Trustees
American Conservatory Theater
Director since April 1997
Pacific Telesis Director 1986–1997

Background: Education, administration

Joyce M. Roché, 61 ^(3,7)

President and
Chief Executive Officer
Girls Incorporated
Director since October 1998

Southern New England Telecommunications

Director 1997–1998

Background: Marketing

Dr. Laura D'Andrea Tyson, 61 ^(2,5)

S. K. and Angela Chan Professor
of Global Management
Walter A. Haas School of Business
University of California at Berkeley

Director since October 1999

Ameritech Director 1997–1999

Background: Economics, education

Patricia P. Upton, 70 ^(6,7)

President and
Chief Executive Officer
Aromaticque, Inc.
Director since June 1993

Background: Manufacturing and

marketing of decorative fragrances

Committees of the Board:

- (1) Audit
- (2) Corporate Development
- (3) Corporate Governance and Nominating
- (4) Executive
- (5) Finance/Pension
- (6) Human Resources
- (7) Public Policy

Senior Officers of AT&T Inc. and its Affiliates

Randall Stephenson, 48
Chairman of the Board,
Chief Executive Officer and President

Bill Blase Jr., 53
Senior Executive Vice President-
Human Resources

Jim Callaway, 62
Senior Executive Vice President-
Executive Operations

Jim Cicconi, 56
Senior Executive Vice President-External
and Legislative Affairs, AT&T Services, Inc.

Cathy Coughlin, 51
Senior Executive Vice President
and Global Marketing Officer

Ralph de la Vega, 57
President and Chief Executive Officer,
AT&T Mobility and Consumer Markets

Rick Lindner, 54
Senior Executive Vice President
and Chief Financial Officer

Forrest Miller, 56
Group President-Corporate Strategy
and Development

Ron Spears, 60
President and Chief Executive Officer,
AT&T Business Solutions

John Stankey, 46
President and Chief Executive Officer,
AT&T Operations, Inc.

Wayne Watts, 55
Senior Executive Vice President
and General Counsel

Ray Wilkins Jr., 57
Chief Executive Officer-AT&T Diversified
Businesses

DEVELOPMENT SERVICES
Project Chronology
 AT&T – Pacific Towers – Project No. 198377

Date	Action	Description	City Review Time	Applicant Response
12/16/2009	First Submittal	Project Deemed Complete		
1/26/2010	First Assessment Letter		41	
2/24/2010	Second Submittal			29
4/8/2010	Second Assessment Letter		43	
5/17/2010	Third Submittal			39
7/1/2010	Third Assessment Letter		45	
8/11/2010	Fourth Submittal			41
9/28/2010	All Issues Resolved		48	
11/18/2010	Public Hearing – Planning Commission		51	
TOTAL STAFF TIME			228	
TOTAL APPLICANT TIME				109
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission Hearing	337 (in calendar days) (11.2 months)	



THE CITY OF SAN DIEGO

DATE OF NOTICE: November 2, 2010

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING: November 18, 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 AND SITE
DEVELOPMENT PERMIT, PROCESS 4
PROJECT NUMBER: 198377
PROJECT NAME: AT&T – PACIFIC TOWERS
APPLICANT: KRYSTAL PATTERSON, PLANCOM, INC., AGENTS
REPRESENTING AT&T MOBILITY

COMMUNITY PLAN AREA: Pacific Beach
COUNCIL DISTRICT: District 2

CITY PROJECT MANAGER: Alex Hempton, Associate Planner
PHONE NUMBER/E-MAIL: (619) 446-5349 / ahempton@sandiego.gov

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for a Conditional Use Permit (CUP) and Site Development Permit (SDP) for a Wireless Communication Facility (WCF) consisting of antennas mounted on the façade of an existing building located at 4944 Cass Street.

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 October 11, 2010 and the opportunity to appeal that determination ended November 1, 2010.

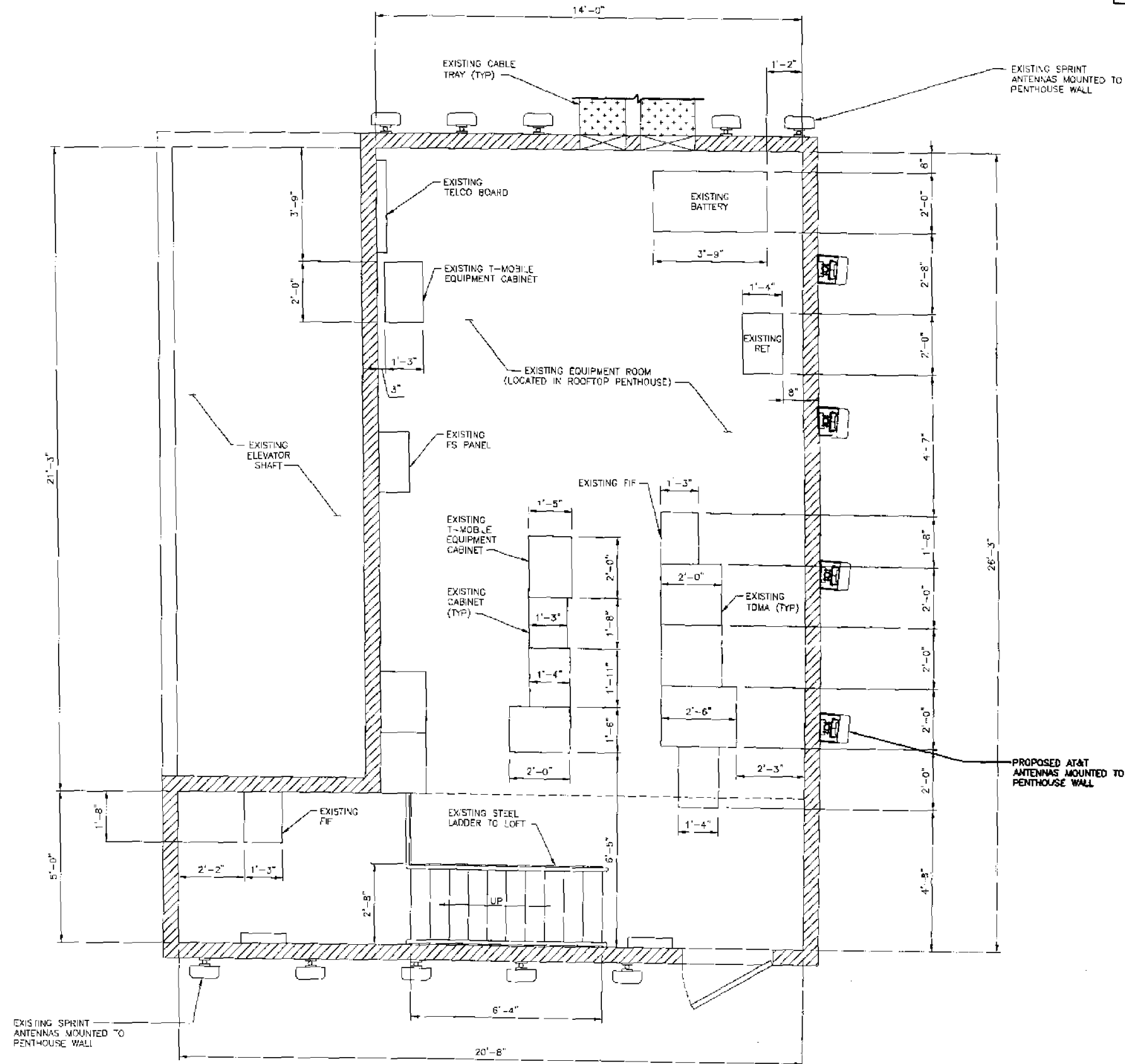
If you have any questions after reviewing this information, you can contact the City Project Manager listed above.

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: 24000466

Revised 12/5/08 RH

NOT TO BE USED FOR CONSTRUCTION



5738 PACIFIC CENTER BLVD
SAN DIEGO, CA 92121



10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

PROJECT NO: 163316
DRAWN BY: BHU
CHECKED BY: CWW

REV	DATE	DESCRIPTION
2	04/12/10	PER CITY COMMENTS
1	02/18/10	PLANNING COMMENTS
0	12/10/08	ISSUED FOR ZONING

ENGINEER OF RECORD

PATRICK H. DOYLE
CA NO. 74199
BLACK & VEATCH
10950 GRANDVIEW DR.
OVERLAND PARK, KS 66210
(913) 458-2000

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SD0068
PACIFIC TOWERS
4944 CASS STREET
SAN DIEGO, CA 92109
ZONING

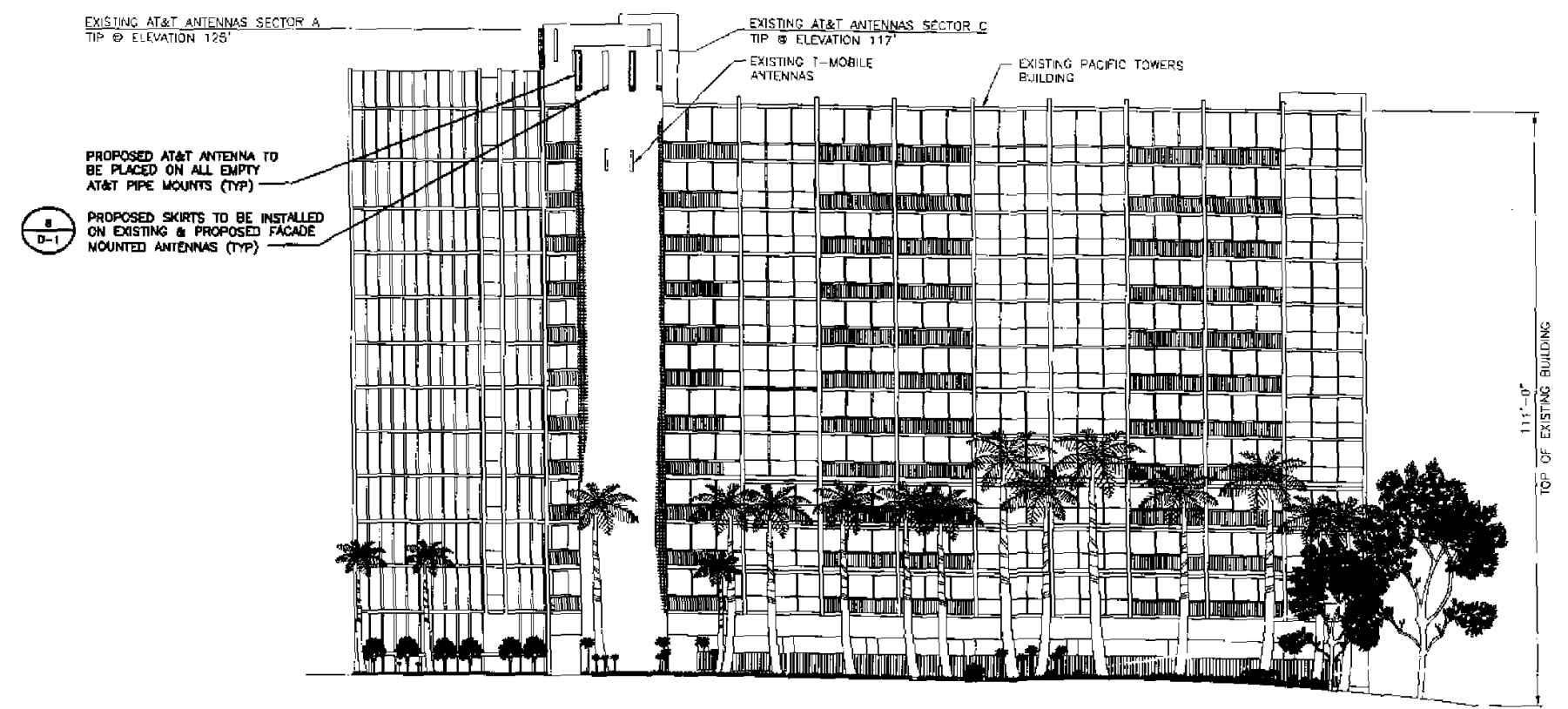
SHEET TITLE
EQUIPMENT LAYOUT

SHEET NUMBER
Z-2

EQUIPMENT LAYOUT

SCALE: 1/2"=1'-0"

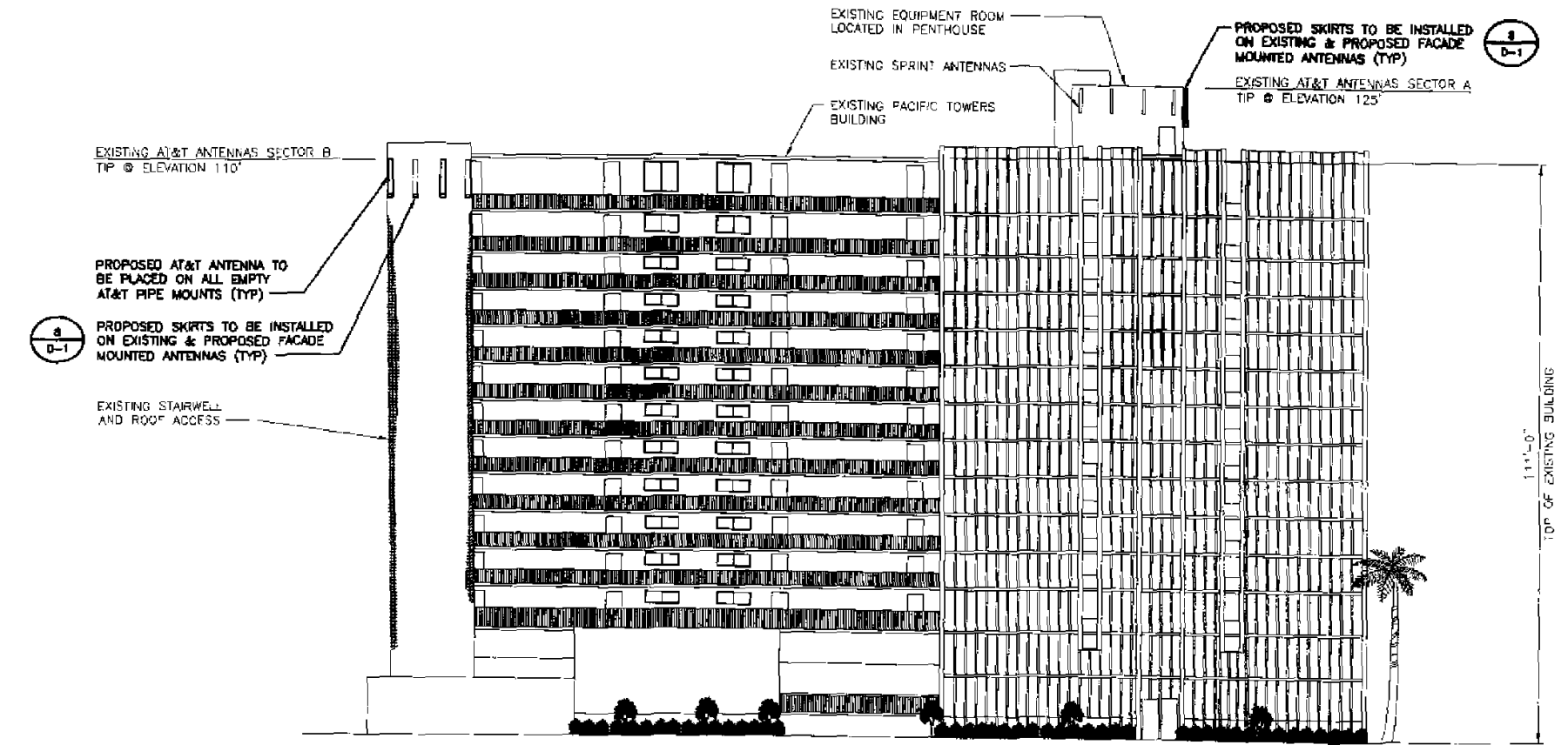
NOT TO BE USED FOR CONSTRUCTION



NORTH ELEVATION

NO SCALE

A



SOUTH ELEVATION

NO SCALE

B



5738 PACIFIC CENTER BLVD
SAN DIEGO, CA 92121



10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

PROJECT NO:	163316
DRAWN BY:	BHU
CHECKED BY:	CWW

REV	DATE	DESCRIPTION
2	04/12/10	PER CITY COMMENTS
1	02/18/10	PLANNING COMMENTS
0	12/10/08	ISSUED FOR ZONING

ENGINEER OF RECORD

PATRICK H. DOYLE
CA NO. 74198
BLACK & VEATCH
10950 GRANDVIEW DR.
OVERLAND PARK, KS 66210
(913) 458-2000

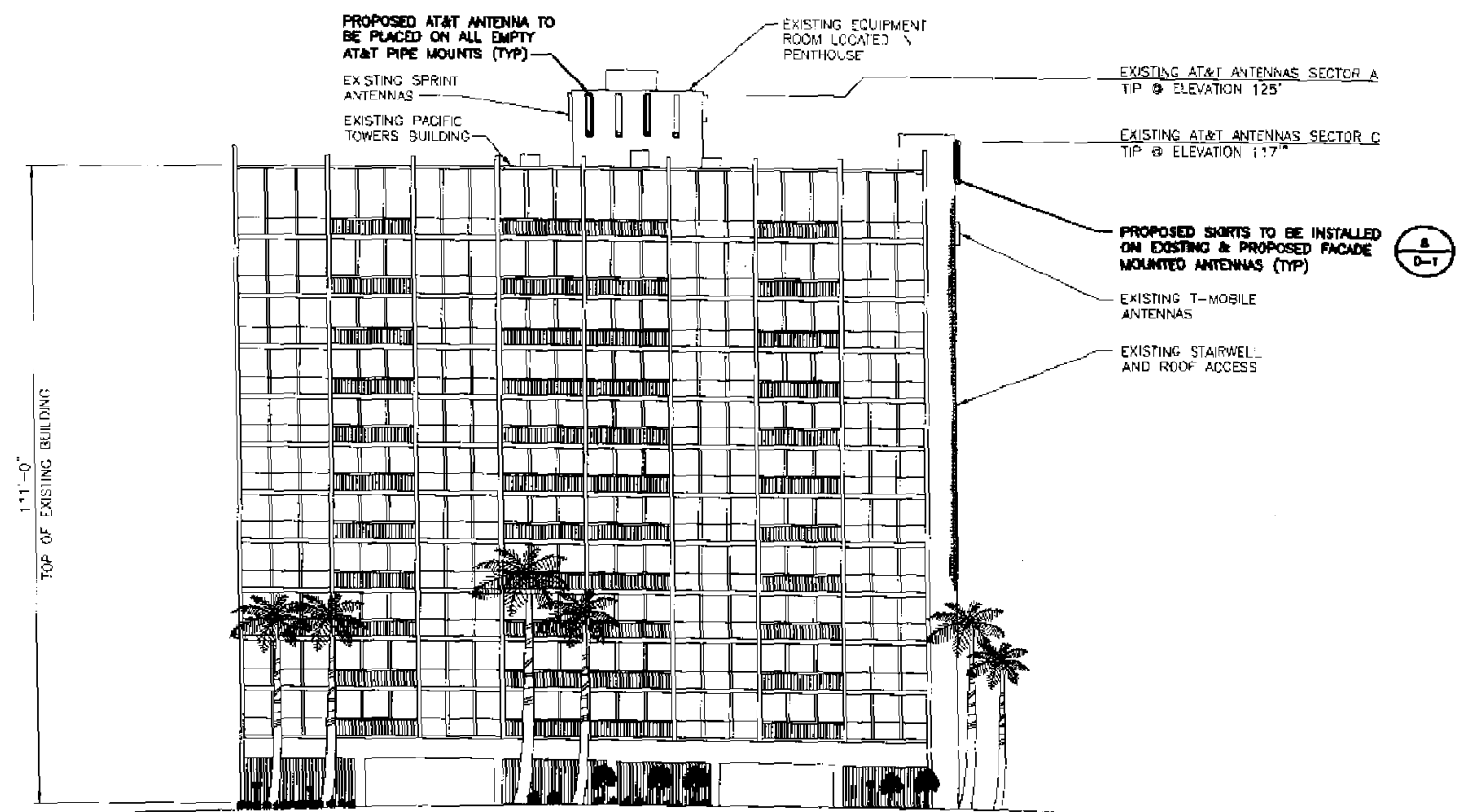
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SD0068
PACIFIC TOWERS
4944 CASS STREET
SAN DIEGO, CA 92109
ZONING

SHEET TITLE
SITE ELEVATION

SHEET NUMBER
Z-3

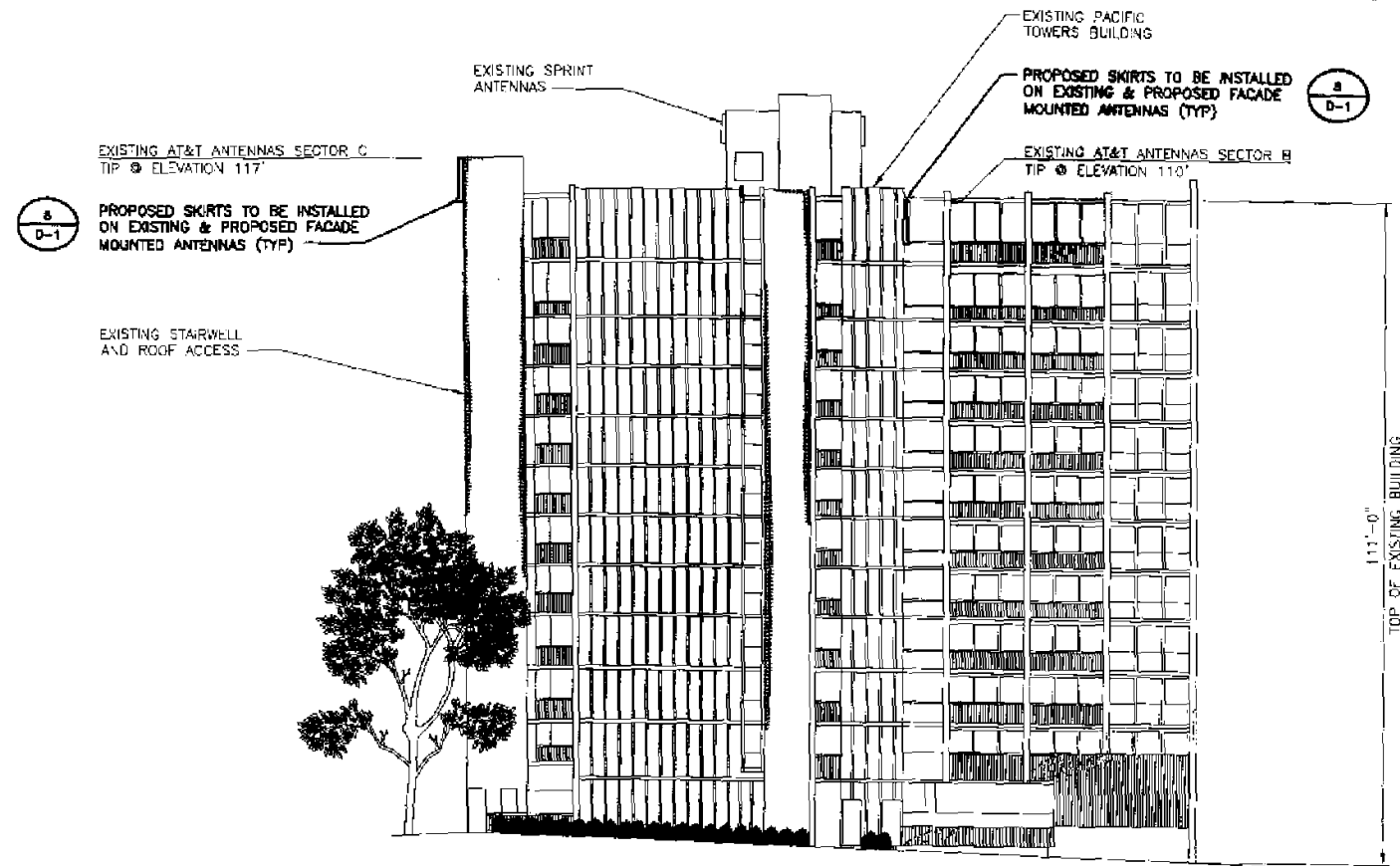
NOT TO BE USED FOR CONSTRUCTION



EAST ELEVATION

NO SCALE

C



WEST ELEVATION

NO SCALE

D

5738 PACIFIC CENTER BLVD
SAN DIEGO, CA 92121

10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

PROJECT NO:	163316
DRAWN BY:	BHU
CHECKED BY:	CWW

REV	DATE	DESCRIPTION
2	04/12/10	PER CITY COMMENTS
1	02/18/10	PLANNING COMMENTS
0	12/10/09	ISSUED FOR ZONING

ENGINEER OF RECORD

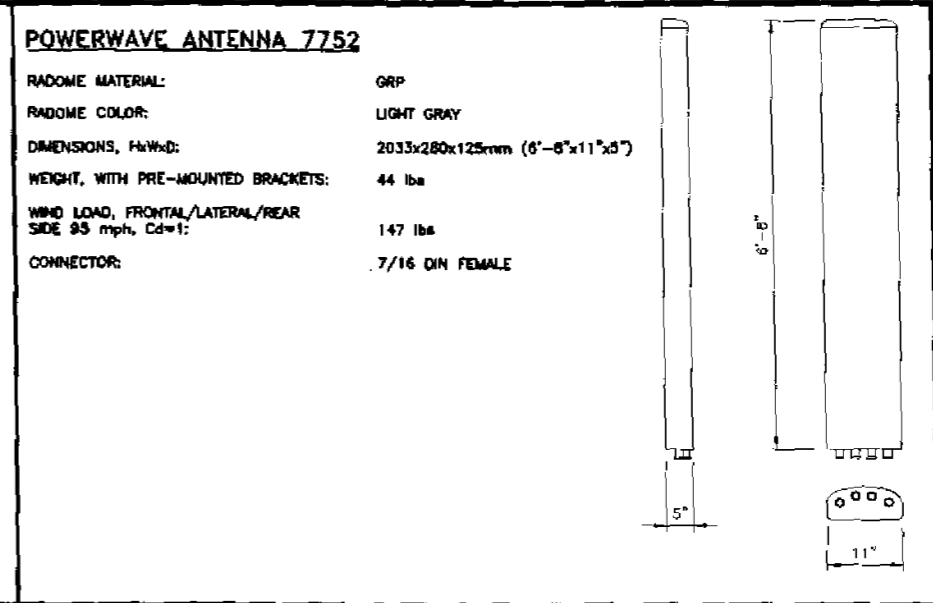
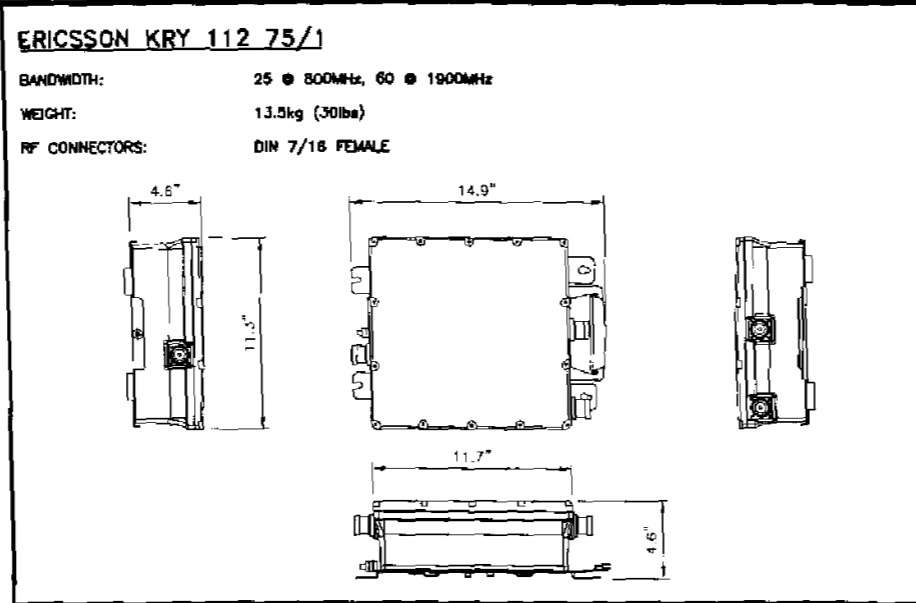
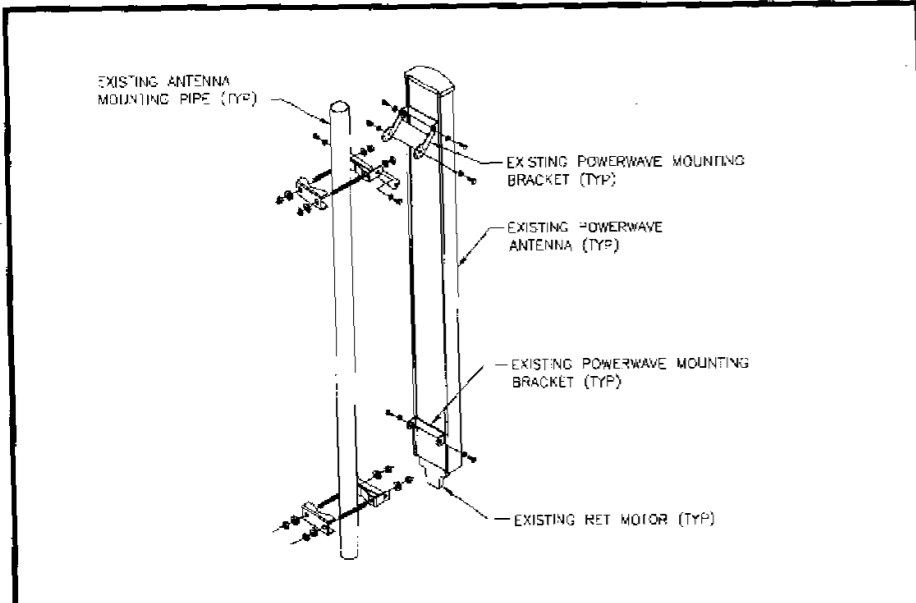
PATRICK H. DOYLE
CA NO. 74199
BLACK & VEATCH
10950 GRANDVIEW DR.
OVERLAND PARK, KS 66210
(913) 458-2000

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SD0068
PACIFIC TOWERS
4944 CASS STREET
SAN DIEGO, CA 92109
ZONING

SHEET TITLE
SITE ELEVATION

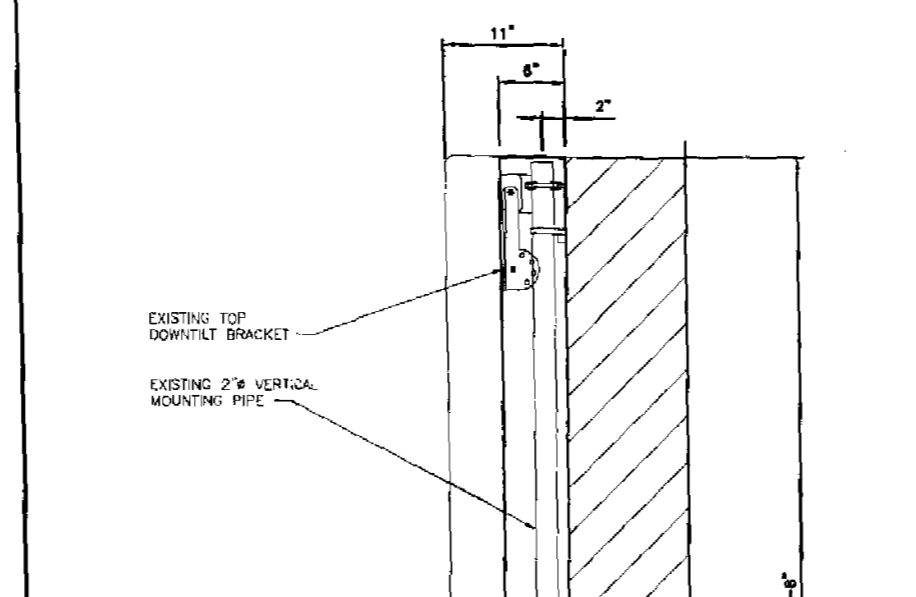
SHEET NUMBER
Z-4



ANTENNA MOUNTING NO SCALE 1

TMA NO SCALE 2

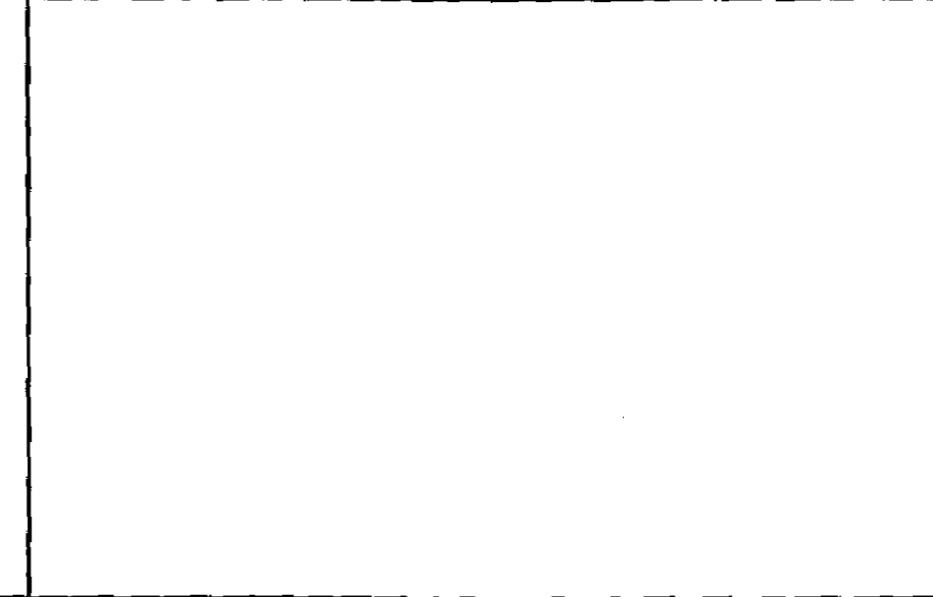
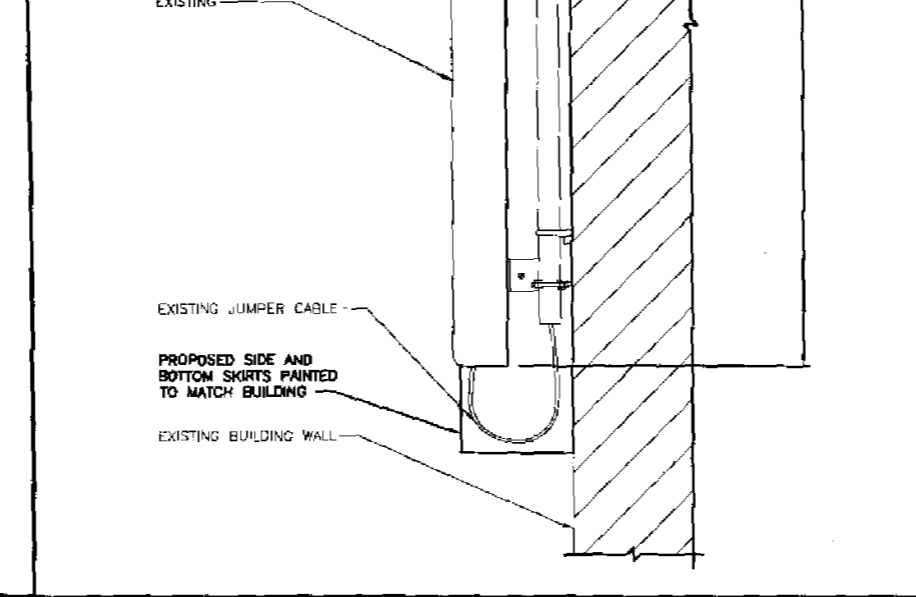
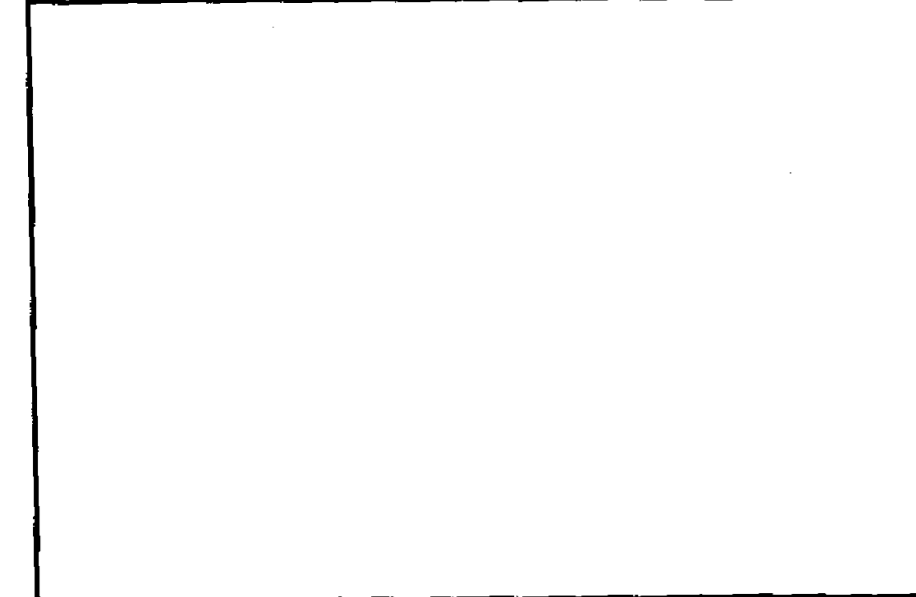
ANTENNA SPECIFICATIONS NO SCALE 3



NOT USED NO SCALE 4

ANTENNA MOUNTING ELEVATION NO SCALE 8

NOT USED NO SCALE 6



NOT USED NO SCALE 7

ANTENNA MOUNTING ELEVATION NO SCALE 8

NOT USED NO SCALE 9

PROJECT NO:	163316
DRAWN BY:	BHU
CHECKED BY:	CWW

REV	DATE	DESCRIPTION
2	04/12/10	PER CITY COUNCIL
1	02/18/10	PLANNING COMMENTS
0	12/10/09	ISSUED FOR ZONING

ENGINEER OF RECORD

PATRICK H. DOYLE
 CA NO. 74199
 BLACK & VEATCH
 10950 GRANDVIEW DR.
 OVERLAND PARK, KS 66210
 (913) 458-2000

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SD0068
 PACIFIC TOWERS
 4944 CASS STREET
 SAN DIEGO, CA 92109
 ZONING

SHEET TITLE
 SITE DETAILS

SHEET NUMBER
D-1

Hempton, Alexander

From: Chris Olson [surferoly7@att.net]
Sent: Friday, July 30, 2010 9:46 AM
To: Shelly Kilbourn; Hempton, Alexander
Subject: Re: AT&T Wireless Pacific Towers - 4944 Cass Street PTS 198377

Alex

On 7/29/2010 the PB Planning Group voted unanimously to approve the proposed project for wireless at Pacific Towers. The vote was 10-0-0. The official approved minutes will be available at the end of September. I am sending you this e-mail to facilitate the process.

Thank You
Chris Olson
Chairperson, Commercial / Residential Subcommittee, PBPG

NOTICE OF EXEMPTION

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

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

PROJECT No.: 198377

PROJECT TITLE: AT&T Pacific Towers

PROJECT LOCATION-SPECIFIC: The property is located at 4944 Cass Street San Diego CA 92109, within the Pacific Beach Community Plan.

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

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: The project consists of the renewal of an existing telecom facility and the addition of six new antennas. The new antennas would be located within an existing equipment enclosure on top of an office building. The roof mounted equipment is located inside an existing penthouse and would not be visible from the exterior of the building.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Kevin Becker
AT&T Mobility
5738 Pacific Center Boulevard
San Diego CA, 92121
(858) 824-9853

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))
(X) CATEGORICAL EXEMPTION: 15301 Existing Facilities and 15303 New Construction
() STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an Initial Study which determined that the project meets the criteria set forth in CEQA Sections 15301 and 15303 which allows for the permitting of existing facilities of both investor and publicly owned utilities and for the construction of a limited amount of small new structures and where the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: JEFF SZYMANSKI

TELEPHONE: (619) 446-5324

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
() YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

Handwritten signature of Jeff Szymanski

SIGNATURE/TITLE

October 11, 2010

DATE

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

() SIGNED BY APPLICANT