

## THE CITY OF SAN DIEGO REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

January 19, 2012

REPORT NO. PC-12-008

ATTENTION:

Planning Commission, Agenda of January 26, 2012

SUBJECT:

AT&T - G Kelsch Trust - PROJECT NO. 232366. PROCESS 4.

OWNER/

OAKS NORTH COMMUNITY CENTER, INC./

APPLICANT:

AT&T MOBILITY AND CRICKET COMMUNICATIONS

### **SUMMARY**

<u>Issue(s)</u>: Should the Planning Commission approve a Wireless Communication Facility (WCF) at 12578 Oaks North Drive, within the Rancho Bernardo planning area?

<u>Staff Recommendation</u>: RESCIND Neighborhood Use Permit (NUP) Nos. 802403 and 361449 and APPROVE NUP No. 831806 and Planned Development Permit (PDP) No. 936067.

<u>Community Planning Group Recommendation</u>: The Rancho Bernardo Community Planning Board voted December 8, 2011 14-0 to recommend approval of this project.

Environmental Review: This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 8, 2011, and the opportunity to appeal that determination ended December 22, 2011.

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

<u>Code Enforcement Impact</u>: Not applicable.

Housing Impact Statement: Not applicable.

### **BACKGROUND**

This project is an application for a Neighborhood Use Permit (NUP) and Planned Development Permit (PDP) for a Wireless Communication Facility (WCF). The project is located at 12578 Oaks North Drive, in the RS-1-14 zone, within the Rancho Bernardo community planning area



(Attachments 1, 2, 3 and 4).

WCF's are permitted in residential zones with a non-residential use with the processing of a NUP, Process 2, when the antennas are more than 100 feet from the property line of a residential use, day care, elementary school, or middle school. The project also proposes to deviate from the zone's 35' height limit, which requires the processing of a PDP, Process 4.

### **DISCUSSION**

### **Project Description:**

This project proposes to remove existing, smaller AT&T antennas that are mounted to an existing recreation center building, along with the removal of a 35' high Cricket monopine. The existing monopine will be replaced with a 45' tall monopine, capable of supporting both larger AT&T antennas and the existing, relocated Cricket antennas. Equipment associated with the antennas is located adjacent to the recreation center building. The larger AT&T antennas and additional equipment cabinets will allow for greater coverage and capacity.

This NUP and PDP will rescind NUP Nos. 802403 and 361449, which allowed the existing AT&T and Cricket WCF's.

Mature pine trees and other landscape located between the recreation center and Oaks North Drive allow the monopine to blend in with the surroundings and neighborhood context (Attachment 8). The WCF Design Requirements (LDC Section 141.0420) permit faux landscape, such as the proposed monopine, when landscape of the same size and species is proposed or exists. This project also proposes to deviate from the RS-1-14 zone's 35' height limit by 10' for a total monopine height of 45'. This height deviation is appropriate in this situation because existing pine trees act to screen and integrate the monopine.

The design of this WCF is consistent with the WCF Regulations and the RS-1-14 zone, with the deviations permitted with the PDP.

### **Community Plan Analysis:**

The Rancho Bernardo Community Plan does not specifically address WCF's. However, the City's General Plan does address WCF's in UD-A.15 as follows:

Minimize the visual impact of wireless facilities.

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

In this case, the project complies with the requirements of the General Plan. The antennas are

proposed to be located on a monopine in a location with existing mature pine trees which will allow the WCF to blend in with the surroundings by utilizing a camouflage technique. Equipment associated with the antennas is located adjacent to the existing recreation center building and is screened from view from the public right-of-way by an elevation change and landscape material.

### **Conclusion:**

This project complies with the applicable regulations of the Land Development Code and the City's General Plan and draft findings (Attachment 5) have been made in the affirmative. Therefore, staff recommends approval of NUP No. 831806 and PDP No. 936067.

### ALTERNATIVES

- 1. Approve NUP No. 831806 and PDP No. 936067, with modifications.
- 2. Deny NUP No. 831806 and PDP No. 936067, if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Mike Westlake

Program Manager

Development Services Department

Alex Hempton, AICP

Associate Planner

**Development Services Department** 

### BROUGHTON/AFH

### Attachments:

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

## Project Site

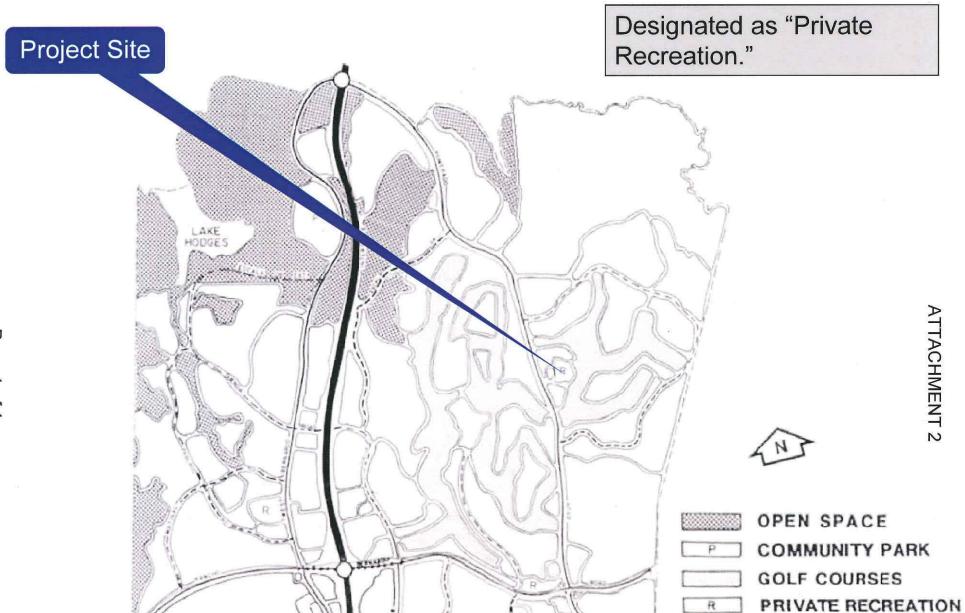




### **Aerial Photo**

AT&T G Kelsch Trust - Project Number 232366

12578 Oaks North Drive





## **Community Plan Land Use Designation**

AT&T G Kelsch Trust - Project Number 232366

12578 Oaks North Drive



### **Project Location Map**

AT&T G Kelsch Trust - Project Number 232366

12578 Oaks North Drive



PROJECT DATA SHEET			
PROJECT NAME:	AT&T – G Kelsch Trust		
PROJECT DESCRIPTION:	Wireless Communication Facility (WCF) consisting of the removal of an existing 35' high Cricket monopine, removal of AT&T antennas attached to an existing building, and the installation of a new 45' high monopine supporting both Cricket and AT&T antennas. Equipment is located adjacent to the existing building.		
COMMUNITY PLAN AREA:	Rancho Bernardo		
DISCRETIONARY ACTIONS:	Neighborhood Use Permit and Planned Development Permit (Process 4)		
COMMUNITY PLAN LAND USE DESIGNATION:	Private Recreation		

### **ZONING INFORMATION:**

**ZONE:** RS-1-14

HEIGHT LIMIT: 35'
FRONT SETBACK: 15'
SIDE SETBACK: 4'
STREETSIDE SETBACK: 10'

**REAR SETBACK: 10'** 

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	Multi-unit Residential, RM-1-1	Residential/Recreation	
SOUTH:	Multi-unit Residential, RM-1-3	Residential/Recreation	
EAST:	Single-unit Residential, RS-1-14	Recreation	
WEST:	Commercial, CN-1-2	Commercial	
DEVIATIONS OR VARIANCES REQUESTED:	This project requests a deviation of 10' to the RS-1-14 zone height limit of 35' for a monopine with a total height of 45'.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On December 8, 2011 the Rancho Bernardo Community Planning Board voted 14-0 to recommend approval of the project.		

# PLANNING COMMISSION RESOLUTION NO. PC-XXXX NEIGHBORHOOD USE PERMIT NO. 831806 PLANNED DEVELOPMENT PERMIT NO. 936067 AT&T – G KELSCH TRUST PROJECT NO. 232366

WHEREAS, OAKS NORTH COMMUNITY CENTER, INC., Owner, and AT&T MOBILITY and CRICKET COMMUNICATIONS, Permittees, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 831806 and 936067);

WHEREAS, the project site is located at 12578 Oaks North Drive in the RS-1-14 zone of the Rancho Bernardo community plan area;

WHEREAS, the project site is legally described as that portion of Lot 5 of Oaks North Unit No. 1 Map No. 7186, filed in the Office of the County Recorder of San Diego County in the State of California on January 25, 1972;

WHEREAS, on December 8, 2011, 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 Sections 15301 (Existing Facilities); 15302 (Replacement and Reconstruction); 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 January 26, 2012, the Planning Commission of the City of San Diego considered Neighborhood Use Permit No. 831806 and Planned Development Permit No. 936067 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 January 26, 2012:

### **FINDINGS**:

### Neighborhood Use Permit - Section 126.0205

### 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. In this case, antennas for both AT&T and Cricket will be located on a 45' tall monopine. AT&T currently operates antennas

mounted to the existing recreation center building. These antennas will be removed from the recreation center and the existing building will be restored to its original condition. Cricket currently operates antennas on a 35' tall monopine. The existing monopine will be removed and replaced with a 45' tall monopine, which will be able to accommodate both Cricket and larger AT&T antennas. Equipment associated with the antennas is located adjacent to the existing recreation center building and views from the public right-of-way are screened by both an elevation change and existing landscape material. Existing mature pine trees are located adjacent to the proposed monopine, allowing it to blend in with the surroundings and integrate appropriately with the neighborhood context. Based on the design of this project, the WCF will not adversely affect the applicable land use 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) 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 perform a cumulative model RF test and submit the finding in a report to the City of San Diego prior to the issuance of a building permit. (Note: This condition is in addition to LDC section 141.0420(b)(1)(A), which requires compliance with federal and state standards and regulations with regards to WCF's.) 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 with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code; and

The project complies with the intent of the applicable development regulations of the Land Development Code and the City of San Diego Wireless Communication Facility (WCF) Regulations (Land Development Code Section 141.0420). This section of the code requires that WCF's be minimally visible through a variety of design techniques. In this case, the antennas are mounted to a faux tree or monopine which is surrounded by existing mature pine trees, in compliance with the WCF Design Requirements. The associated equipment is located within an equipment enclosure adjacent to the existing recreation center building which is not visible from the public right-of-way. The project site contains a non-residential use in a residential zone which requires the processing of a Neighborhood Use Permit. The project deviates from the RS-1-14 zone's 35' height limit by 10' for a total monopine height of 45', which may be permitted with the processing of a Planned Development Permit (Process 4). Therefore, this project complies with the applicable regulations of the Land Development Code.

### Planned Development Permit - Section 126.0604

### 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. In this case, antennas for both AT&T and Cricket will be located on a 45' tall monopine. AT&T currently operates antennas mounted to the existing recreation center building. These antennas will be removed from the recreation center and the existing building will be restored to its original condition. Cricket currently operates antennas on a 35' tall monopine. The existing monopine will be removed and replaced with a 45' tall monopine, which will be able to accommodate both Cricket and larger AT&T antennas. Equipment associated with the antennas is located adjacent to the existing recreation center building and views from the public right-of-way are screened by both an elevation change and existing landscape material. Existing mature pine trees are located adjacent to the proposed monopine, allowing it to blend in with the surroundings and integrate appropriately with the neighborhood context. Based on the design of this project, the WCF will not adversely affect the applicable land use 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) 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 perform a cumulative model RF test and submit the finding in a report to the City of San Diego prior to the issuance of a building permit. (Note: This condition is in addition to LDC section 141.0420(b)(1)(A), which requires compliance with federal and state standards and regulations with regards to WCF's.) 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 with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The project complies with the intent of the applicable development regulations of the Land Development Code and the City of San Diego Wireless Communication Facility (WCF) Regulations (Land Development Code Section 141.0420). This section of the code requires that WCF's be minimally visible through a variety of design techniques. In this case, the antennas are mounted to a faux tree or monopine which is surrounded by existing mature pine trees, in compliance with the WCF Design Requirements. The associated equipment is located within an equipment enclosure adjacent to the existing recreation center building which is not visible from the public right-of-way. The project site contains a non-residential use in a residential zone which requires the processing of a Neighborhood Use Permit. The project deviates from the RS-1-14 zone's 35' height limit by 10' for a total monopine height of 45', which may be permitted with the processing of a Planned Development Permit (Process 4). The height deviation is appropriate in this situation because there are existing mature pine trees of a similar height adjacent to the proposed 45' monopine and the

project will result in two carriers located on one monopine, as opposed to having two separate faux trees. This will result in a more desirable project than if the facility was limited to the zone height limit of 35'. Therefore, this project complies with the applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, NEIGHBORHOOD USE PERMIT NO. 831806 and PLANNED DEVELOPMENT PERMIT NO. 936067 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. 831806 and 936067, a copy of which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that, NUP Nos. 802403 and 361449 are hereby rescinded.

Alexander Hempton, AICP Associate Planner Development Services

Adopted on: January 26, 2012

Internal Order No. 24001548

### **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: 24001548

NEIGHBORHOOD USE PERMIT NO. 831806 PLANNED DEVELOPMENT PERMIT NO. 936067 RESCIND NEIGHBORHOOD USE PERMIT NO. 802403 (AT&T) RESCIND NEIGHBORHOOD USE PERMIT NO. 361449 (Cricket)

> AT&T – G KELSCH TRUST PROJECT NO. 232366 PLANNING COMMISSION

This NEIGHBORHOOD USE PERMIT (NUP) NO. 831806 and PLANNED DEVELOPMENT PERMIT (PDP) NO. 936067 are granted by the **Planning Commission** of the City of San Diego to OAKS NORTH COMMUNITY CENTER, INC., Owner, and AT&T MOBILITY and CRICKET COMMUNICATIONS, Permittees, pursuant to San Diego Municipal Code [SDMC] sections 126.0201, 126.0601, and 141.0420. The site is located at 12578 Oaks North Drive in the RS-1-14 zone of the Rancho Bernardo community plan area. The project site is legally described as that portion of Lot 5 of Oaks North Unit No. 1 Map No. 7186, filed in the Office of the County Recorder of San Diego County in the State of California on January 25, 1972.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 26, 2012, on file in the Development Services Department.

The project shall include:

- a. The removal of an existing 35' tall Cricket monopine and the installation of a new 45' tall monopine supporting three (3) Cricket 6' panel antennas and twelve (12) AT&T 6' antennas. The 45' tall monopine deviates from the RS-1-14 zone height limit of 35' by 10' which is allowed by the processing of this PDP;
- b. The removal of existing AT&T antennas, associated with NUP No. 802403, from the existing recreation center building, and the restoration (patching and painting) of the building to its original condition, prior to AT&T antenna installations;

- c. Equipment associated with the antennas are located within enclosures adjacent to the monopine and recreation center building, as shown on Exhibit "A";
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. 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. This permit must be utilized by February 9, 2015.
- 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 Neighborhood Use Permit [NUP] and Planned Development Permit [PDP] and corresponding use of this site shall expire on January 26, 2022. 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.
- 5. 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.
- 6. Under no circumstances, does approval of this permit authorize the Permittee to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit beyond the expiration date of this permit is prohibited.

- 7. 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.
- 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The 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.

### **ENGINEERING REQUIREMENTS:**

- 14. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 16. 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.
- 17. 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.
- 18. Prior to the issuance of any construction permit the Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

### LANDSCAPE REQUIREMENTS:

- 19. All existing landscape to remain shall be protected in place. All required landscape shall be maintained in a disease, weed and litter tree condition at all times.
- 20. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/ or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

### **PLANNING/DESIGN REQUIREMENTS:**

21. 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.

- 22. Prior to the issuance of a construction permit, the Permittee shall provide certification providing evidence that the cumulative field measurements of radio frequency power densities for all antennas installed on the premises comply with federal standards.
- 23. All equipment, including transformers, emergency generators and air conditioners 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.
- 24. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.
- 25. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.
- 26. This wireless communication facility shall be removed or replaced if it is determined that the facility or components of the facility are obsolete.
- 27. All proposed hand-holes shall be covered with bark material to match the monopine trunk to the satisfaction of the Development Services Department.
- 28. All coaxial conduits shall be routed up through the caisson and into the tree to the satisfaction of the Development Services Department. Cable "doghouses" are not permitted.
- 29. Branches shall extend a minimum of 24-inches beyond the proposed antennas to the satisfaction of the Development Services Department.
- 30. Starting branch height shall be no lower than 10 feet.
- 31. All exposed cables, brackets, RRU's and supports shall be painted to match the faux tree foliage and/or trunk to the satisfaction of the Development Services Department.
- 32. RF "socks" fully covering the front and back of the antennas (and any other components) shall be used.
- 33. The Permittee shall provide color samples of the monopine prior to Building Permit issuance. Development Services will approve the color sample prior to Building Permit issuance. The exact monopine color exhibit will be used during the FINAL INSPECTION. The color approved by Development Services must be identical to the as-built monopine, to the satisfaction of the Development Services Department.

### **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 January 26, 2012 by Resolution No. PC-XXXX.

Permit Type/PTS Approval No.:

NUP/831806

and PDP/936067

Date of Approval:

1/26/2012

### 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.

## OAKS NORTH COMMUNITY CENTER, INC.

Owner

Bv

NAME TITLE

### AT&T MOBILITY

Permittees

Bv

Elizabeth Ramirez Project Manager Network Services

### CRICKET COMMUNICATIONS

Permittees

By \_\_\_\_\_Amy Maggard-Jones

Project Manager Network Services

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



THE CITY OF SAN DIEGO

Date of Notice: December 8, 2011

## NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

### DEVELOPMENT SERVICES DEPARTMENT

Internal Order 24001548

PROJECT NAME/NUMBER: AT&T G Kelsch Trust/No. 232366

COMMUNITY PLAN AREA: Rancho Bernardo

**COUNCIL DISTRICT: 5** 

LOCATION: 12578 Oaks North Drive, San Diego, CA 92128

PROJECT DESCRIPTION: NEIGHBORHOOD USE PERMIT (NUP) and PLANNED DEVELOPMENT PERMIT (PDP) for modifications to an existing Wireless Communication Facility (WCF). The project would remove an existing Cricket monopine (containing three, 6-foot antennas) and six (6) AT&T facade mounted antennas, and install a new, 45-foot tall monopine supporting both the Cricket and AT&T antennas. The three (3) Cricket antennas will be relocated from the existing to proposed monopine, where the following AT&T equipment will also be installed: twelve (12) 6-foot antennas; twelve (12) RRUs; and two (2) surge suppressors. The project also includes the installation of four (4) equipment cabinets mounted on a new concrete pad; one (1) GPS antenna; and one (1) wooden fence around the equipment cabinets. The project site is located within the RS-1-14 zone within the Rancho Bernardo Community Plan area.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Planning Commission (Process 4)

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA State Guidelines, Sections 15301 (Existing Facilities); 15302 (Replacement and Reconstruction); and 15303 (New Construction).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Development Services Staff

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project has been determined to be exempt from CEQA pursuant to Sections 15301, 15302, and 15303. Section 15301 allows for the operation, repair, maintenance, permitting, leasing, licensing or minor alterations of existing public or private structures or facilities involving negligible or no expansion of use. Section 15302 allows for the replacement or reconstruction of existing facilities where the new facility will be located on the same site as that replaced and will have substantially the same purpose and capacity as that being replaced. Section 15303 allows for the construction and location of limited numbers of new, small facilities and the installation of small, new equipment and facilities including, but not limited to, accessory structures. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore these exemptions are applicable to the proposed project.

### ATTACHMENT 7

**DEVELOPMENT PROJECT MANAGER:** 

**MAILING ADDRESS:** 

Alex Hempton

1222 First Avenue, MS 501, San Diego, CA

92101-4153

PHONE NUMBER:

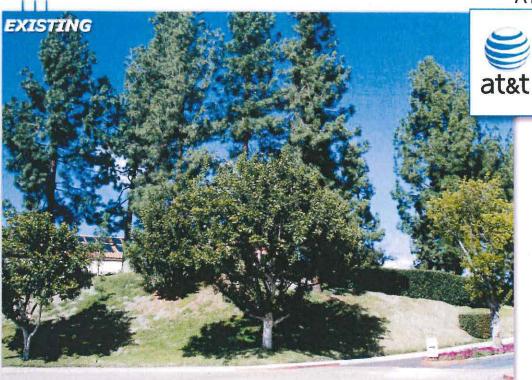
619-446-5349

On December 8, 2011 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

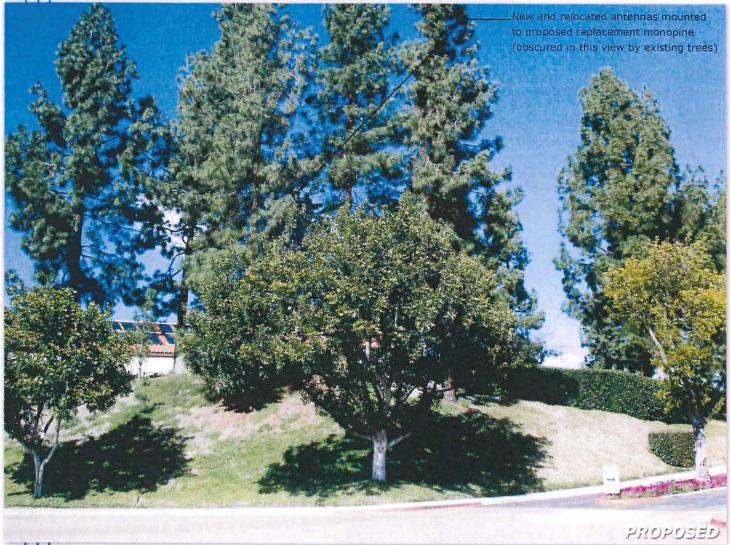
Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second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

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

### **ATTACHMENT 8**



NS0631 G Kelsch Trust LTE Overlay 12578 Oaks North Dr. San Diego, CA 92128



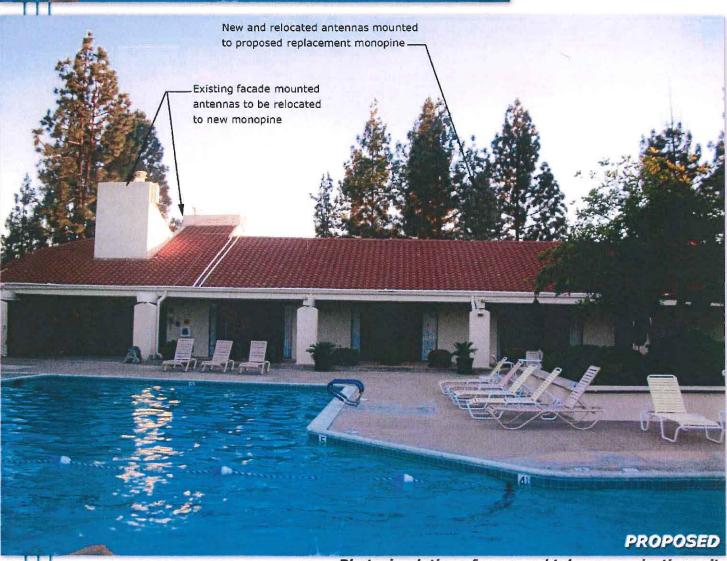
10/19/2011

**Photosimulation of proposed telecommunications site** Page 1 of 2

**ATTACHMENT 8** 



NS0631 G Kelsch Trust LTE Overlay 12578 Oaks North Dr. San Diego, CA 92128



Photosimulation of proposed telecommunications site Page 2 of 2

## SITE JUSTIFICATION for AT&T Oaks North Commercial Center 12578 Oaks North Drive

### PROJECT DESCRIPTION

The project proposes to replace an existing wireless communication facility located at 12578 Oaks North Drive in the Rancho Bernardo Community Plan area. A Neighborhood Use Permit was recently approved to allow AT&T to maintain an existing wireless facility with six (6) antennas on the building parapet. However, the needs of the LTE project cannot be accommodated on the existing building. Therefore, as part of AT&T's LTE upgrade, we are proposing to relocate the six (6) antennas from the parapet to a 45 foot monopine tree and add six (6) additional LTE antennas for a total of twelve (12) antennas. The proposed monopine will replace the existing 38 foot monopine that currently houses Cricket Wireless' antennas. The Cricket antennas will be relocated at their current height on the new monopine and AT&T's antennas will be located above. Five (5) new equipment cabinets will be located on the ground adjacent to the existing building and AT&T equipment.

The property is zoned RS-1-14 and is developed with a community center that serves the Oaks North residential community. The existing and proposed wireless facility is located more than 100 feet from a residential or sensitive use.

### PREFERENCE 2 LOCATION:

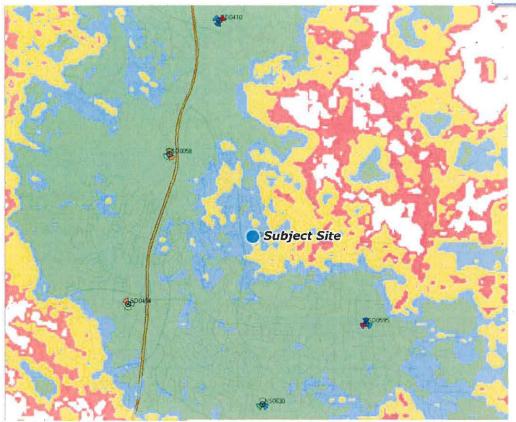
The project site is a Preference 2 location because it has a residential underlying zone. However, the property does not contain any residential uses. There are no Preference 1 properties in the service area.

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

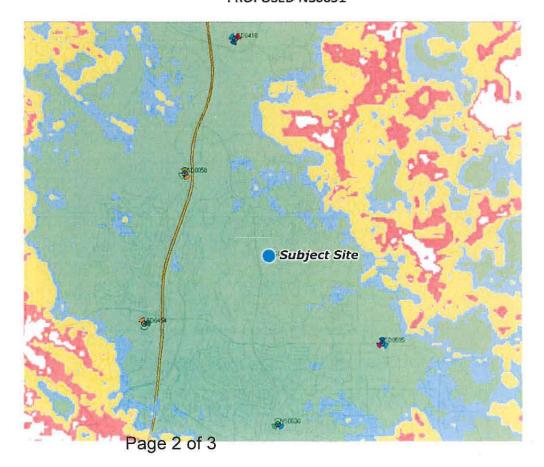
There are existing Sprint and Cricket facilities at this location.



### WITHOUT NS0631



PROPOSED NS0631







### Legend

Search Ring



Selected Site

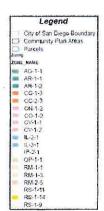


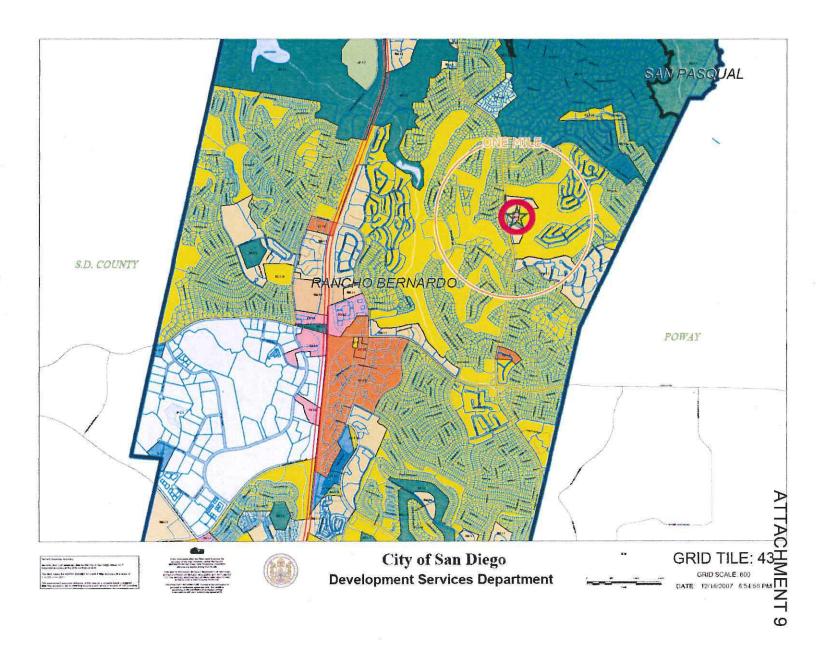
Existing sites within 1 mile radius:

None

**Alternative Sites:** 

None







### **PHOTO STUDY & KEY MAP**

### NS0631

Oaks North 12578 Oaks North Drive San Diego, CA 92128

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

February 11, 2011





Looking at north elevation





Looking at south elevation





Looking at east elevation



Looking at west elevation





Looking south from site

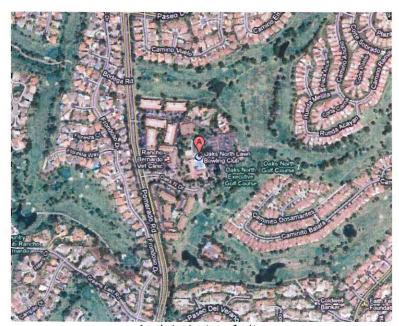


Looking east from site





Looking west from site



Aerial photo of site

#### **ENGINEERING**

2009 INTERNATIONAL BUILDING CODE 2008 NATIONAL ELECTRIC CODE TIA/EIA-222-F OR LATEST EDITION

CALIFORNIA BUILDING CODE, TITLE 24, 2010 EDITION CALIFORNIA ELECTRICAL CODE, 2010 EDITION BASED ON 2008 N.E.C. CALIFORNIA PLUMBING CODE, 2010 EDITION BASED ON 2009 U.P.C. CALIFORNIA MECHANICAL CODE, 2010 EDITION BASED ON 2009 U.P.C. CALIFORNIA FIRE CODE, 2010 EDITION BASED ON 2009 I.F.C. CALIFORNIA ENERGY CODE, 2010 EDITION

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL

### GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MANITENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

### PROJECT DESCRIPTION

AT&T WIRELESS PROPOSES TO MODIFY AN EXISTING WIRELESS INSTALLATION, THE SCOPE WILL CONSIST OF THE FOLLOWING:

- REMOVE (1) (E) CRICKET MONOPINE RELOCATE (3) (E) CRICKET 6' ANTENNAS

- RELOCATE (3) (E) CRICKET 6' ANTENNAS

  INSTALL (1) (N) MONOPINE

  REMOVE (6) (E) ATÆT 4' ANTENNAS

  INSTALL (12) (N) 6" ANTENNAS

  INSTALL (2) (N) ATÆT 3C OUTDOOR CABRIETS

  INSTALL (2) (N) LTE ECUIPMENT CABINETS

  INSTALL (12) (N) ROU

  INSTALL (12) (N) COS SURGE SUPPRESSORS

  INSTALL (1) (N) CONCRETE PAD

  INSTALL (1) (N) CONCRETE PAD

  INSTALL (1) (N) WOODEN FENCE

  THE PROPOSED MONOPINE WILL DEVIATE FROM THE RS—1—14

  HEIGHT LIMIT OF 35 FEET BY 10 FEET FOR A TOTAL OF 45 FEET.

  A PLANNED DEVELOPMENT PERMIT WILL BE PROCESSED TO ADDRESS

  THE PROPOSED HEIGHT DEVIATION.

### SITE INFORMATION

OAKS NORTH COMMUNITY CENTER, INC. PROPERTY OWNER: 12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 ADDRESS: OAKS NORTH COMMERCIAL CENTER 12578 OAKS NORTH DRIVE SITE NAME: SITE ADDRESS: SAN DIFGO, CA 92128 SITE CONTACT: KRYSTAL PATTERSON (760) 715-8703 COUNTY: SAN DIEGO LATITUDE (NAD 83): 33" 01" 59,015" N 33,03306 LONGITUDE (NAD B3): 117 03' 28.007' N -117.05778 551'-0" AMSE GROUND ELEVATION: AT&T ANTENNA TIP HEIGHT: 23'-0" AGL

CITY OF SAN DIEGO

ZONING JURISDICTION: RS-1-14

NEIGHBORHOOD USE PERMIT & PLANNED DEVELOPMENT PERMIT, PROCESS 4 273-670-08 REQUIRED PERMITS:

PARCEL #: OCCUPANCY GROUP

CONSTRUCTION TYPE: OTHER WIRELESS CARRIERS ONSITE: V--E SPRINT & CRICKET

POWER COMPANY: SDG&E AT&T

RF ENGINEER: (925) 922-4394

SITE ACQUISITION & (714) 350-9413

### LEGAL DESCRIPTION

LOT 5 OF MAP #7189 "OAKS NORTH UNIT #1". IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### CONTACT INFORMATION

CONSTRUCTION MANAGER:

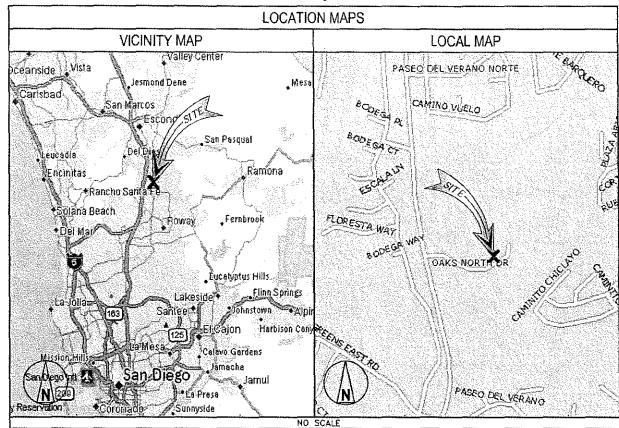
BLACK & VEATCH CORPORATION SAN DIEGO, CA 92131

CRAIG McNULTY (619) 200-9864

CONTACT: PHONE: (913) 458-8438



## **NS0631 G KELSCH TRUST** LTE OPTIMAL 12578 OAKS NORTH DRIVE **SAN DIEGO, CA 92128**



### DRIVING DIRECTIONS

HEAD SOUTHWEST ON PACIFIC CENTER BLVD TOWARD MCKELLAR CT; GO 404 FT. MAKE U-TURN AT MCKELLAR CT; GO 0.3 MI. TAKE THE 2ND RIGHT ONTO PACIFIC HEIGHT BLVD; GO 0.5 MI. TURN LEFT AT MIRA MESA BLVD; GO 4.6 MI. TAKE RAMP ONTO 1-15 N; GO 7.8 MI. TAKE EXIT 24 FOR RANCHO BERNARDO RD; GO 0.2 MI. TURN RIGHT AT RANCHO BERNARDO RD; 1.0 MI. TURN LEFT AT POMERADO RD: GO 1.0 MI. TURN RIGHT AT OAKS N DR: GO 0.1 MI. SITE IS ON THE RIGHT

### **APPROVALS**

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR MODIFICATIONS.

ſ			RF	INFO	RMATION			
r		LTE			GSM		UMTS	
	Tx	704.0 - 716.0	MHz	869 890 1950 1970	- 874.6 - 891.4 - 1952.8 - 1980	MHz MHz MHz MHz	874.6 879.6 1945 1950	MHz MHz
	Rx	734.0 - 746.0	MHz	824 845 1870 1890	- 829.4 - 846.4 - 1872.8 - 1900	MHz MHz MHz MHz	829.6 ~ 834.4 1865 — 1869.8	MH2 MH2
ſ	MAX	EIRP: 500.0 WAT	TS		MAX ERP:		O MHz: 54 WATTS	

DRAWING INDEX		
SHEET NO:	SHEET TITLE	
T-1	TITLE SHEET .	
Z-1	SITE PLAN	
7-2	ENLARGED SITE PLAN	
2-3	EQUIPMENT LAYOUT	
Z4	ANTENNA LAYOUT	
7-5	SITE ELEVATIONS	
Z-6	SITE DETAILS	
Z-7	SITE DETAILS	
Z-8	SITE DETAILS	
LS-1	TOPOGRAPHIC SURVEY	
L-1	PLANTING DETAILS	
<b></b>		
<b></b>		
h	<u> </u>	

### DO NOT SCALE DRAWINGS

SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME

11"X17" PLOT WILL BE HALF SCALE



UNDERGROUND UTILITIES PROTECTION CENTER, INC.

48 HOURS BEFORE YOU DI



5738 PACIFIC CENTER BLVD SAN DIEGO, CA 92121



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

PROJECT NO-158151 DRAWN BY: CHECKED BY: YLH

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		· · · · · · · · · · · · · · · · · · ·
£	05/28/11	ISSUED FOR REVIEW (ZONING)
D	04/28/11	ISSUED FOR REVIEW (ZONING)
Ċ	04/21/11	ISSUED FOR REVIEW (ZONING)
â	11/11/10	HARKET COMMENTS
A	09/24/10	ISSUED FOR REVIEW
REV	DATE	DESCRIPTION

### ENGINEER OF RECORD

PATRICK DOYLE 10950 GRANDVIEW DR. OVERLAND PARK, KS 66210 (913) 458-2000

### NOT TO BE USED FOR CONSTRUCTION

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

NS0631 G KELSCH TRUST 12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 ZONING

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1

### THE PROJECT PROPOSES TO EXPORT NO MATERIAL FROM THE PROJECT SITE, ANY EXCAVATED MATERIAL THAT IS EXPORTED, SHALL BE EXPORTED TO A LEGAL DISPOSAL SITE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (THE "GREEN BOOK"), 2003 EDITION AND REGIONAL SUPPLEMENT AMENDMENTS ADOPTED BY REGIONAL STANDARDS COMMITTEE. 2. THE DRAINAGE SYSTEM PROPOSED FOR THIS DEVELOPMENT, AS SHOWN ON THE SITE PLAN, IS PRIVATE AND SUBJECT TO APPROVAL BY THE CITY ENGINEER. 3. THIS PROJECT PROPOSES NO WORK WITHIN THE PUBLIC RIGHT-OF-WAY. PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE PERMITTEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER. PRIOR TO 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. 6. 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. 7. 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 COVERNMENT CODE 66020. GRADING DATA TABLE MINIMUM A.P.N. 273-670-06 LOT 2 DESCRIPTION COMPACTION (%) EXCAVATION $\pm 105$ N/A 95% (E) PROPERTY LINE ---LESSEE'S CERTIFICATE STANDARD WIRELESS FACULTY PROJECT FOR POST CONSTRUCTION BMP'S I/WE THE UNDERSIGNED, AS A LESSEE OF A PORTION OF THE PROPERTY DESCRIBED AS (E) POOL 12578 OAKS NORTH DRIVE, SAN DIEGO, CA 92128 (ADDRESS OR LEGAL DESCRIPTION) (E) AT&T ANTENNAS TO BE REMOVED UNDERSTAND THAT, IN ACCORDANCE WITH THE SAN DIEGO MUNICIPAL CODE, LAND DEVELOPMENT MANUAL — STORM WATER STANDARDS, THIS PROJECT IS REQUIRED TO "DENTIFY POLILUTANTS FROM THE PROJECT AREA" AND INCORPORATE "SITE DESIGN" AND "SOURCE CONTROL" EMP"S. I CERTIFY TO THE BEST OF MY KNOWLEDGE, THAT THE POLLUTANTS ANTICIPATED BY THE PROPOSED LAND USE ARE AS FOLLOWS: N 84'53'41" W SEDMENTS NUTRIENTS TRASH AND DEBRIS OXYGEN DEMANDING SUBSTANCE CIL AND GREASE BACTERIA AND VIRUSES (E) AT&T EQUIPMENT AREA I/WE WILL INCORPORATE THE FOLLOWING INTO THE SITE DESIGN: MAINTAIN PRE-DEVELOPMENT RUNOFF CHARACTERISTICS: MINIMIZE IMPREVIOUS FOOT PRINT BY CONSTRUCTING WALKWAYS, PATKOS AND DRAWWAYS WITH PERMEABLE SURFACES; CONSERVE NATURAL AREAS; USE NATURAL DRAWAGE SYSTEMS AS OPPOSED TO LINED SWALES OR UNDERGROUND DRAWAGE SYSTEMS. (E) CONCRETE WALK DRAINAGE SYSTEMS AS OPPOSED TO LINED SWALES OR UNDERGROUND DRAINAGE SYSTEMS: \* DRAIN ROOF TOPS, WALKWAYS, PATIOS AND DRIVEWAYS INTO ADJACENT LANDSCAPING TO DISCHARGHED TO THE PUBLIC DRAFRAGE SYSTEM: \* PRESERVE EXISTING NATIVE TREES AND SHRUBS; \* PROTECT ALL SLOPES FROM EROSION, ADDITIONALLY, 1/WE WILL: MINIMIZE THE USE OF PESTICIDES; USE EFFICIENT IRRIGATION SYSTEMS AND LANDSCAPING DESIGN, INCORPORATING RAIN SHUTOFF DEVICES AND FLOW REDUCERS AS NEEDED. /WE WILL MAINTAIN THE ABOVE STANDARD PERMANENT BMP'S FOR THE DURATION OF THE LEASE. KEUN C BECKER (PRINT NAME) 16 BC LESSEE A.P.N. 273-670-05 LOT 1 (2-5)



5738 PACIFIC CENTER BLVD SAN DIEGO, CA 92121



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

PROJECT NO:	168151	
DRAWN BY:	AW	
CHECKED BY:	VLH	
CHECKED BY:	VI	

_	ar (20 (21	ISSUED FOR REVIEW (ZONANG)
£	06/28/11	ISSUED FOR REVIEW (ZONING)
Ç.	04/21/11	ISSUED FOR REVIEW (ZONING)
E	11/11/10	HARKET COMMENTS
	09/24/10	ISSUED FOR REVIEW
REY	DATE	DESCRIPTION

### ENGINEER OF RECORD

PATRICK DOYLE
CA NO. 74199
BLACK & VEATCH
10950 GRANDVIEW DR.
OVERLAND PARK, KS 6621
(913) 458-2000

NOT TO BE USED FOR CONSTRUCTION

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

NSO631 G KELSCH TRUST 12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 ZONING

> SHEET TITLE SITE PLAN

SHEET NUMBER

SCALE: 1"=40"

(B) (Z-5)

(E) ASPHALT PARKING

SETBACKS

15'

10'

101

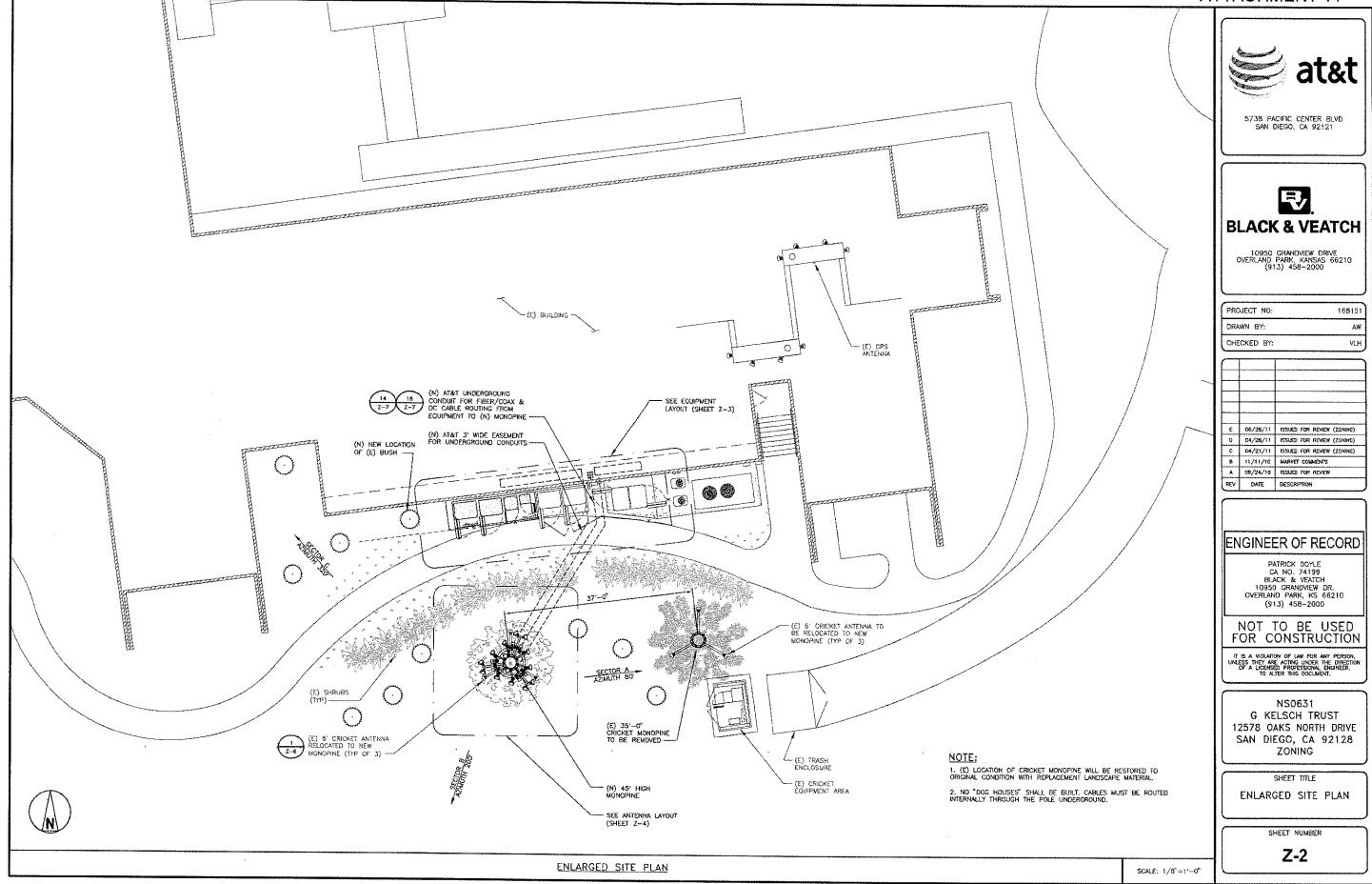
FRONT

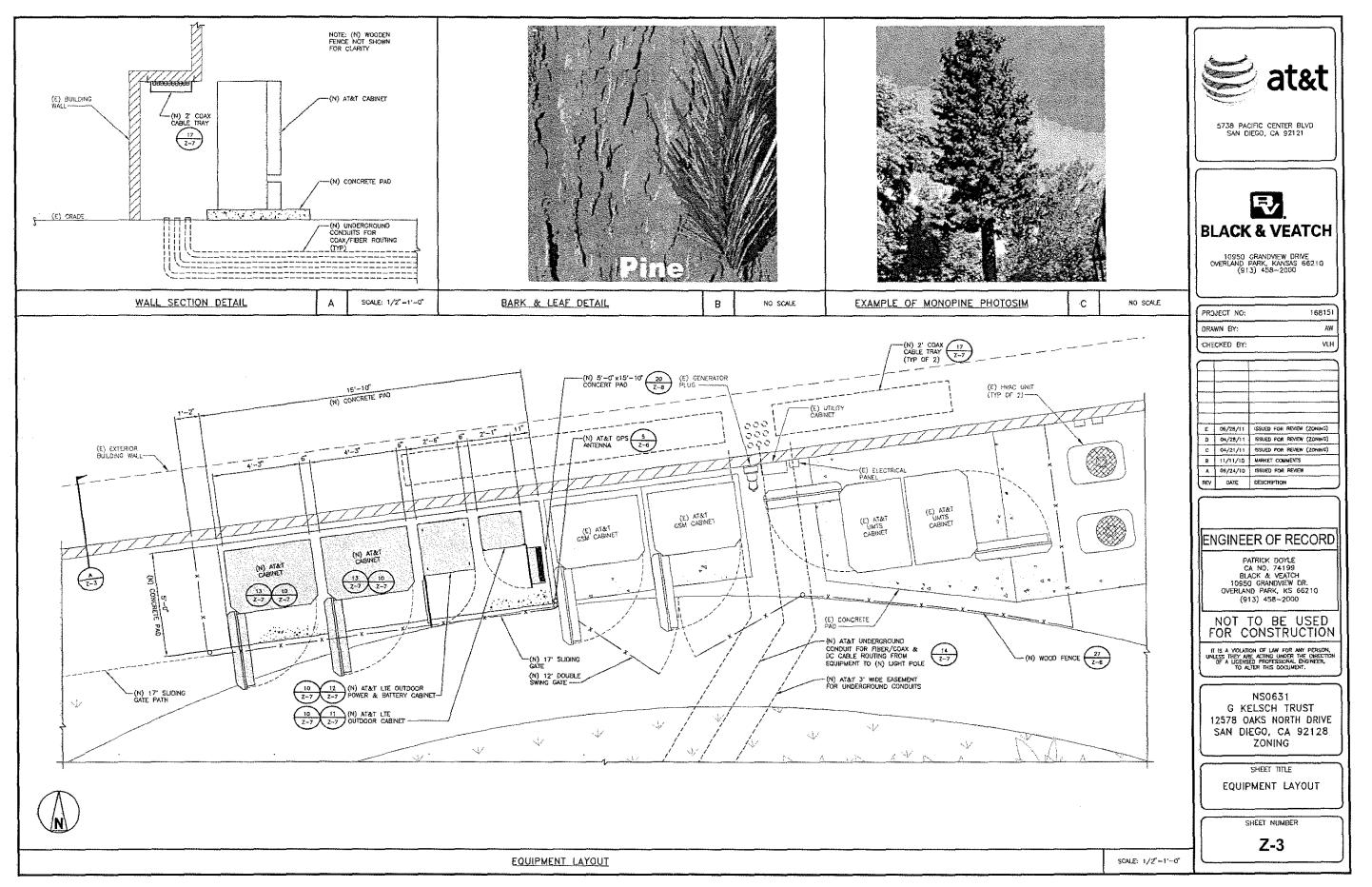
SIDE

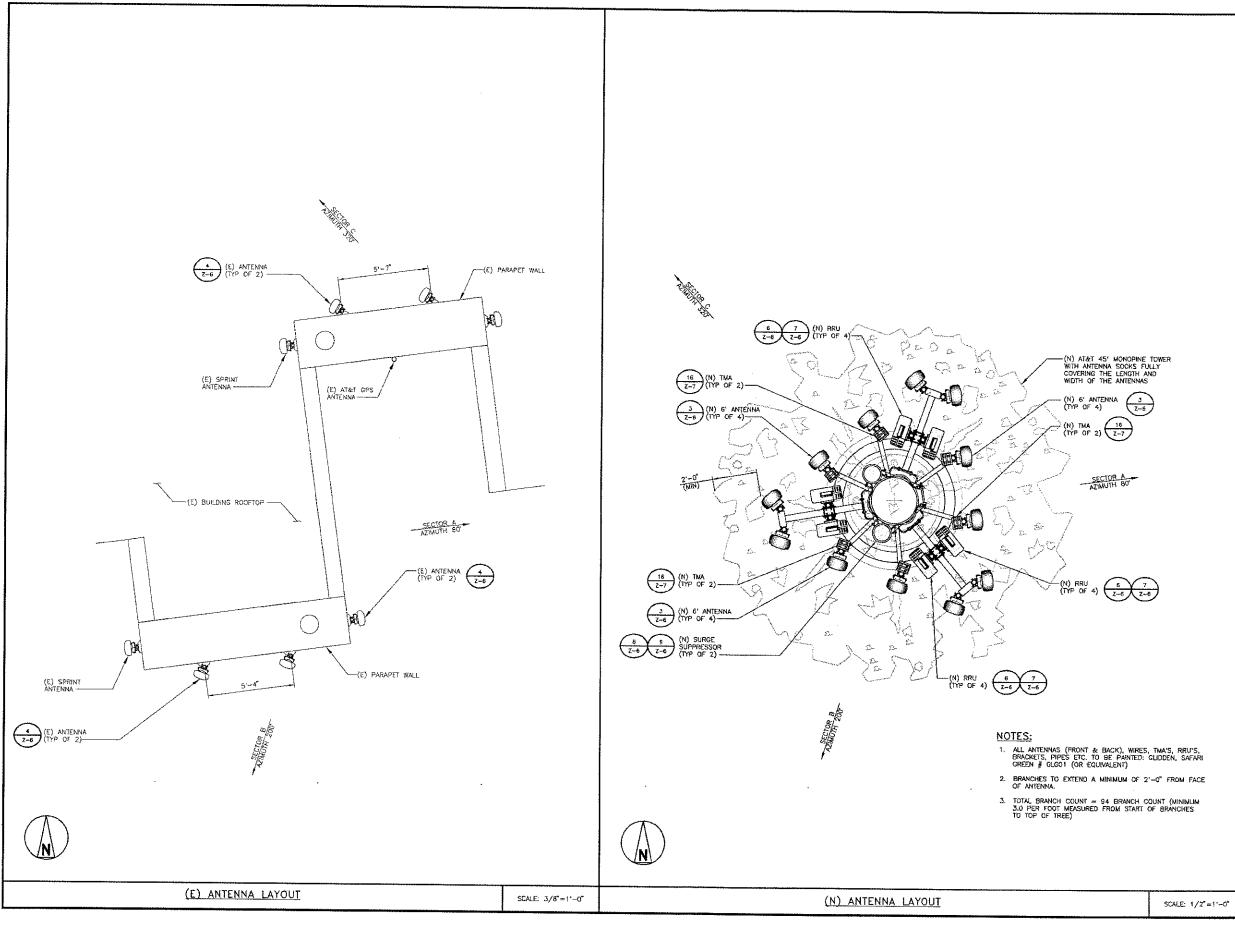
STREET SIDE

REAR

SITE PLAN









BLACK & VEATCH

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

PROJECT NO:	168151
DRAWN BY:	WA
CHECKED BY:	VUH
1	
1	

### ENGINEER OF RECORD

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

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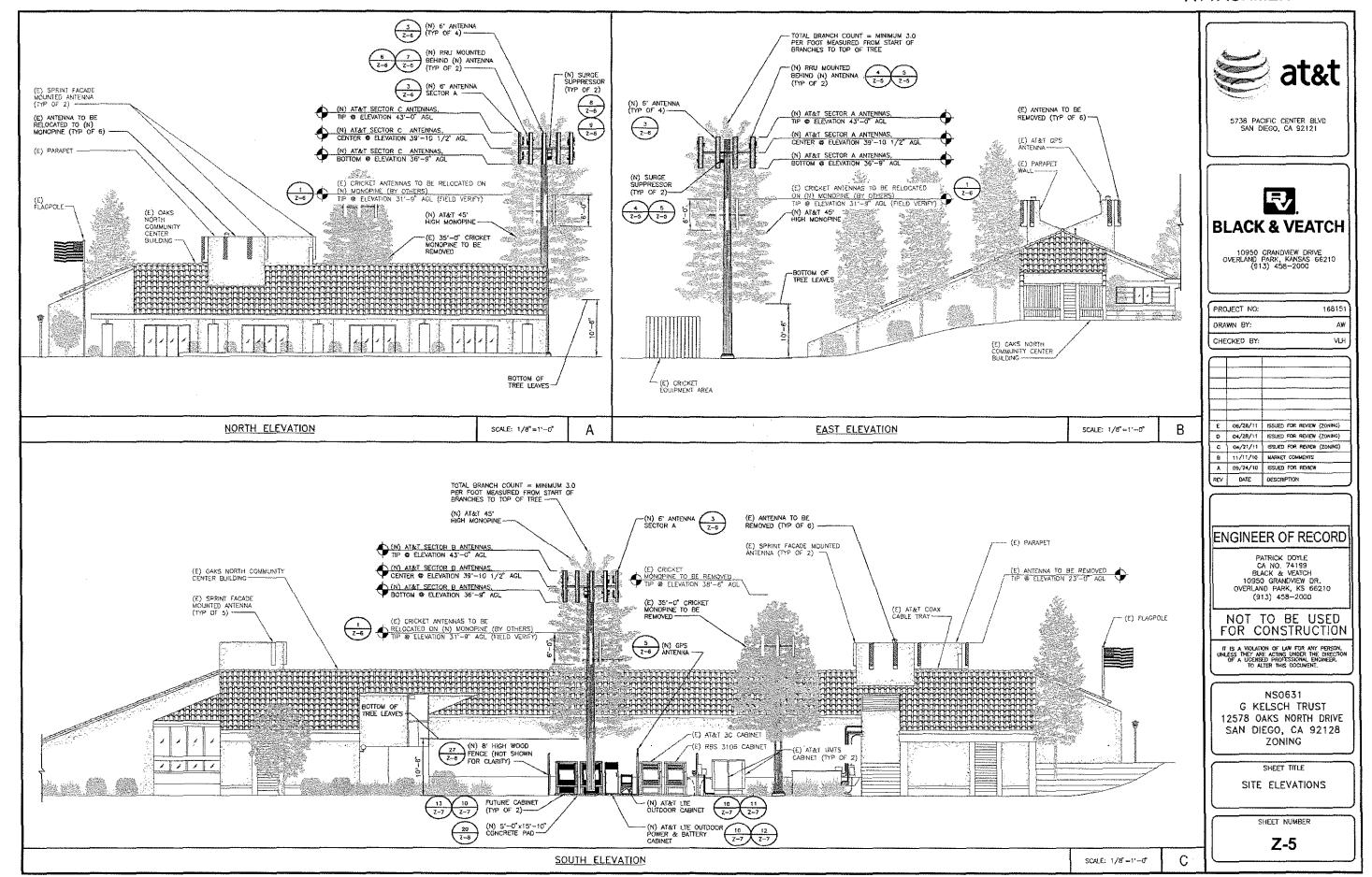
NS0631 G KELSCH TRUST 12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 ZONING

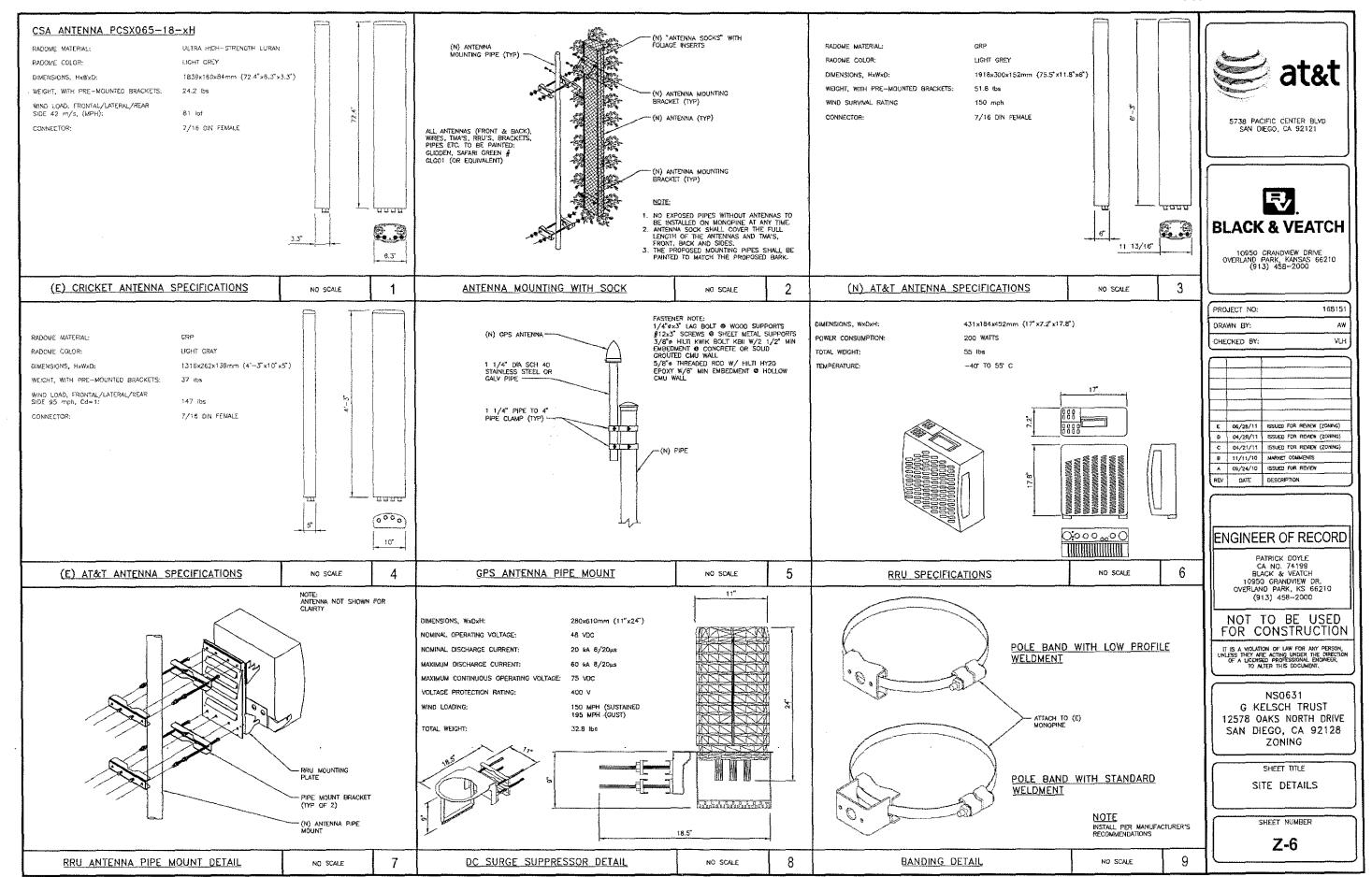
SHEET TITLE

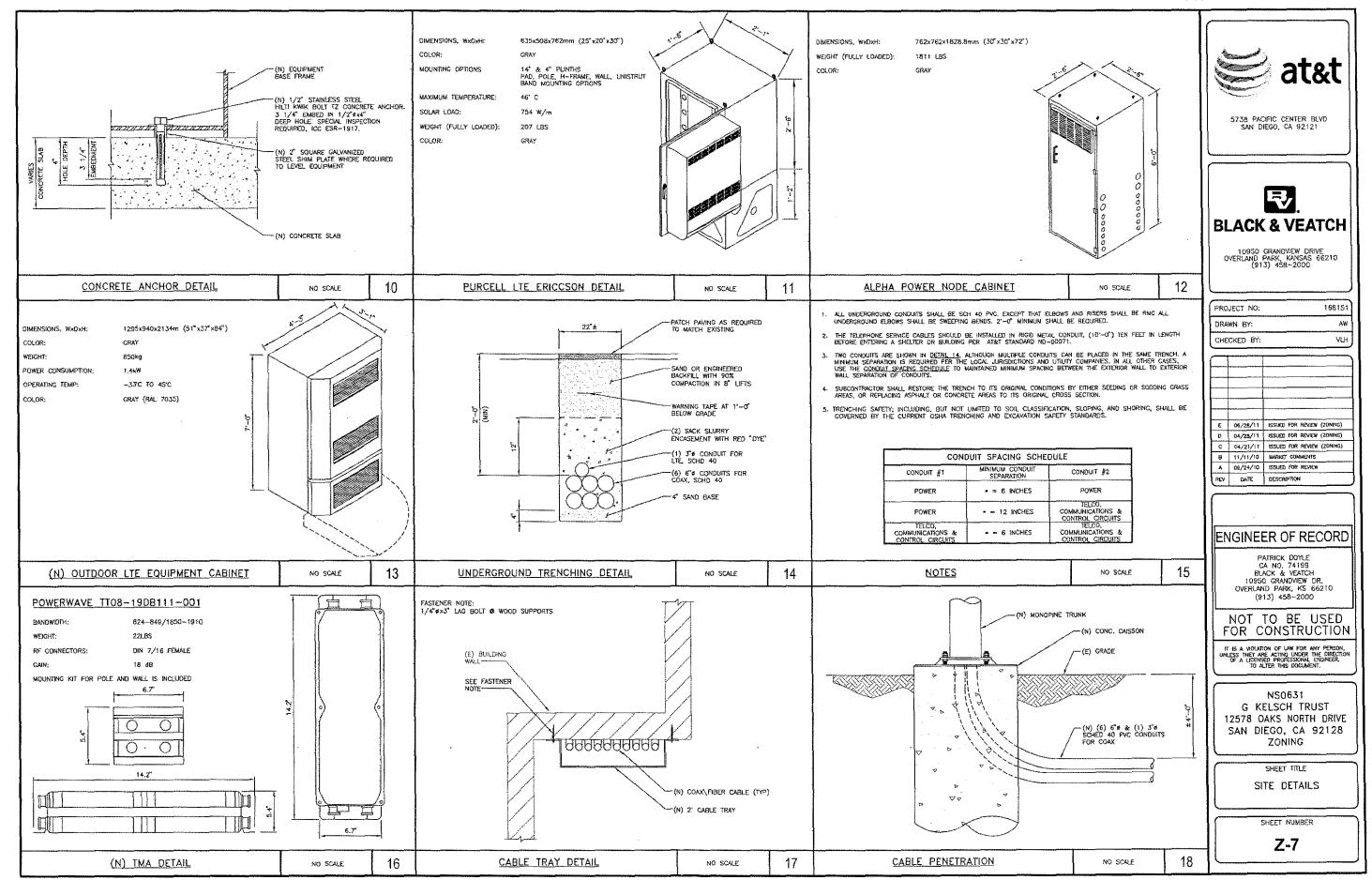
ANTENNA LAYOUT

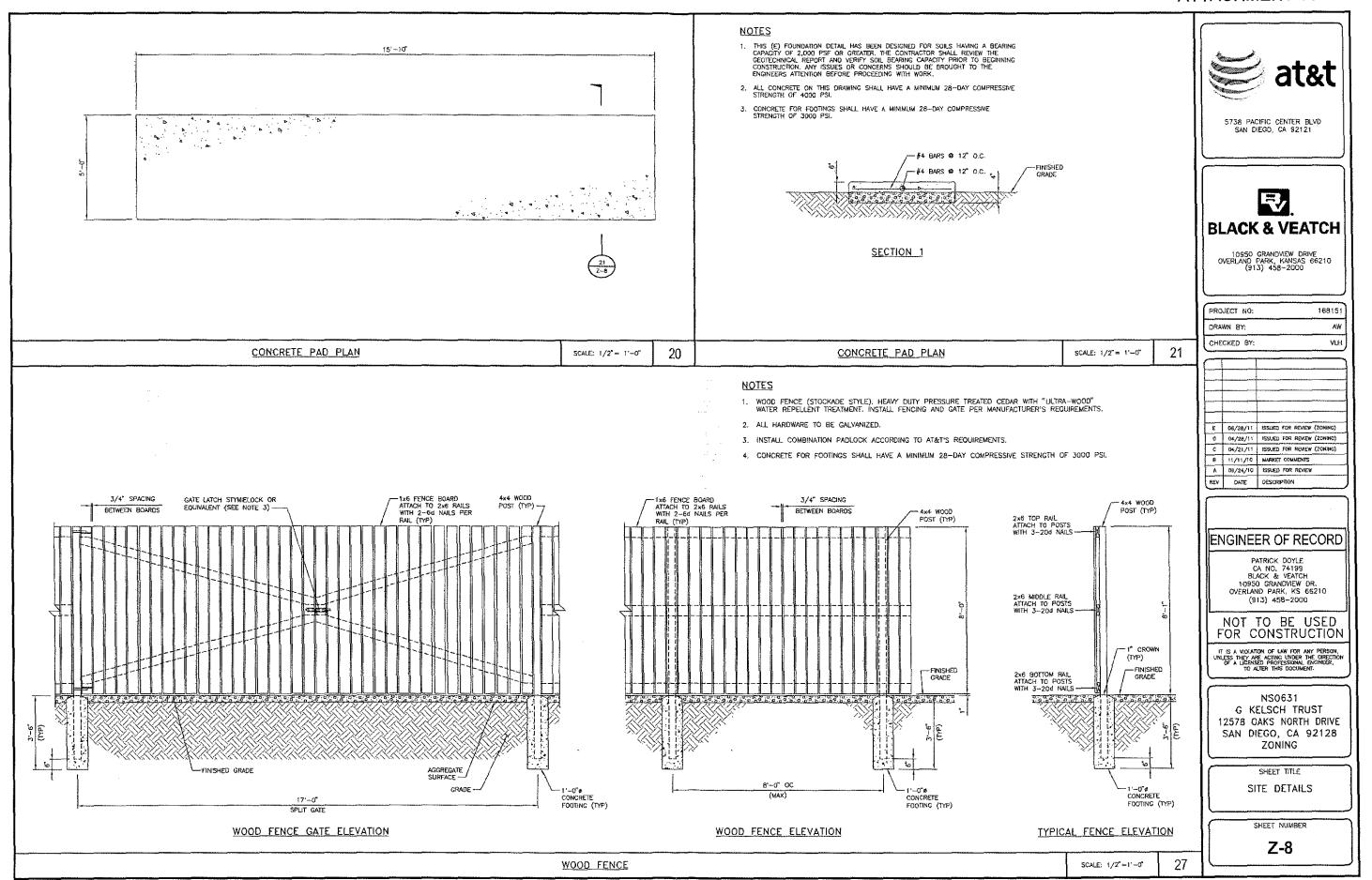
SHEET NUMBER

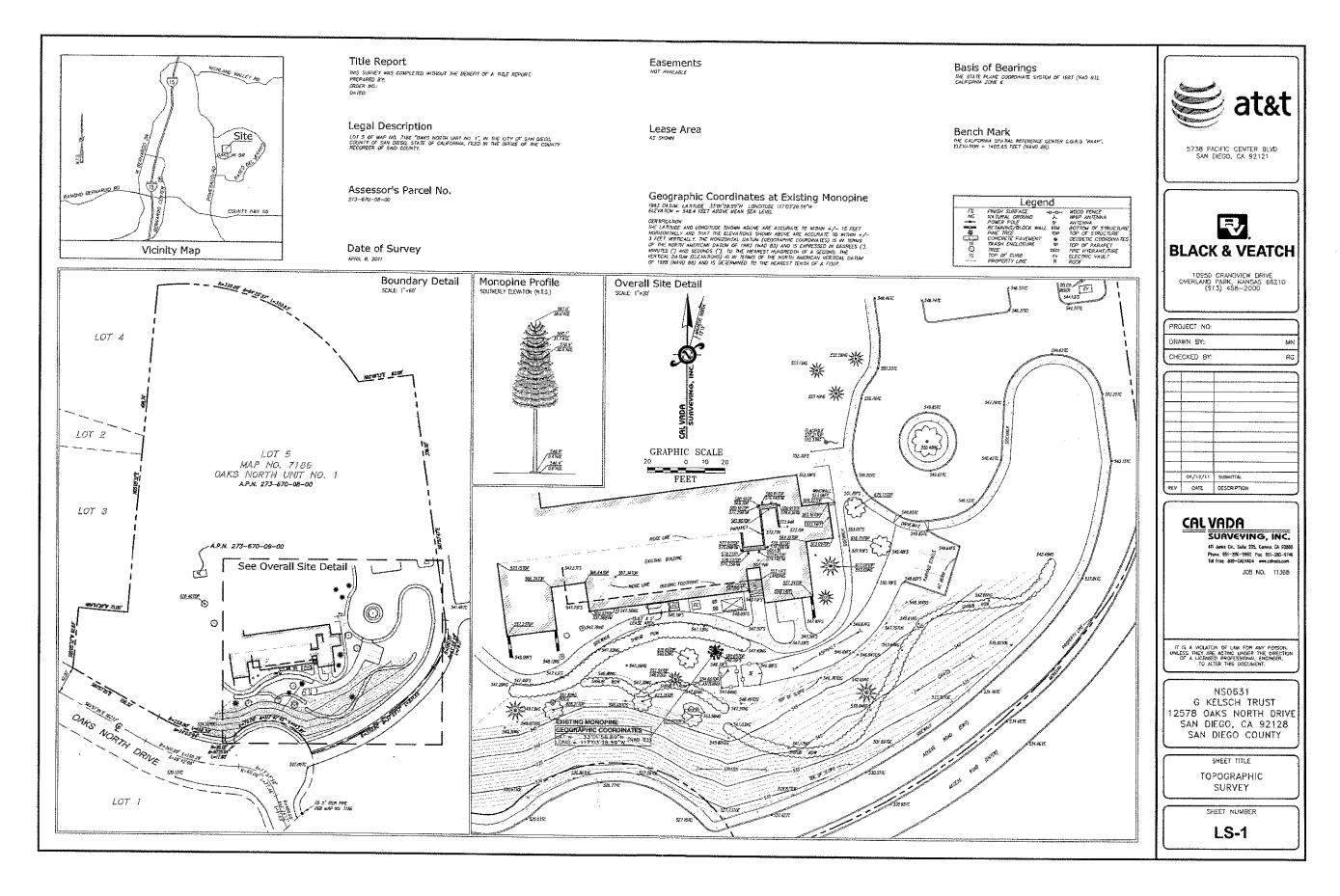
Z-4

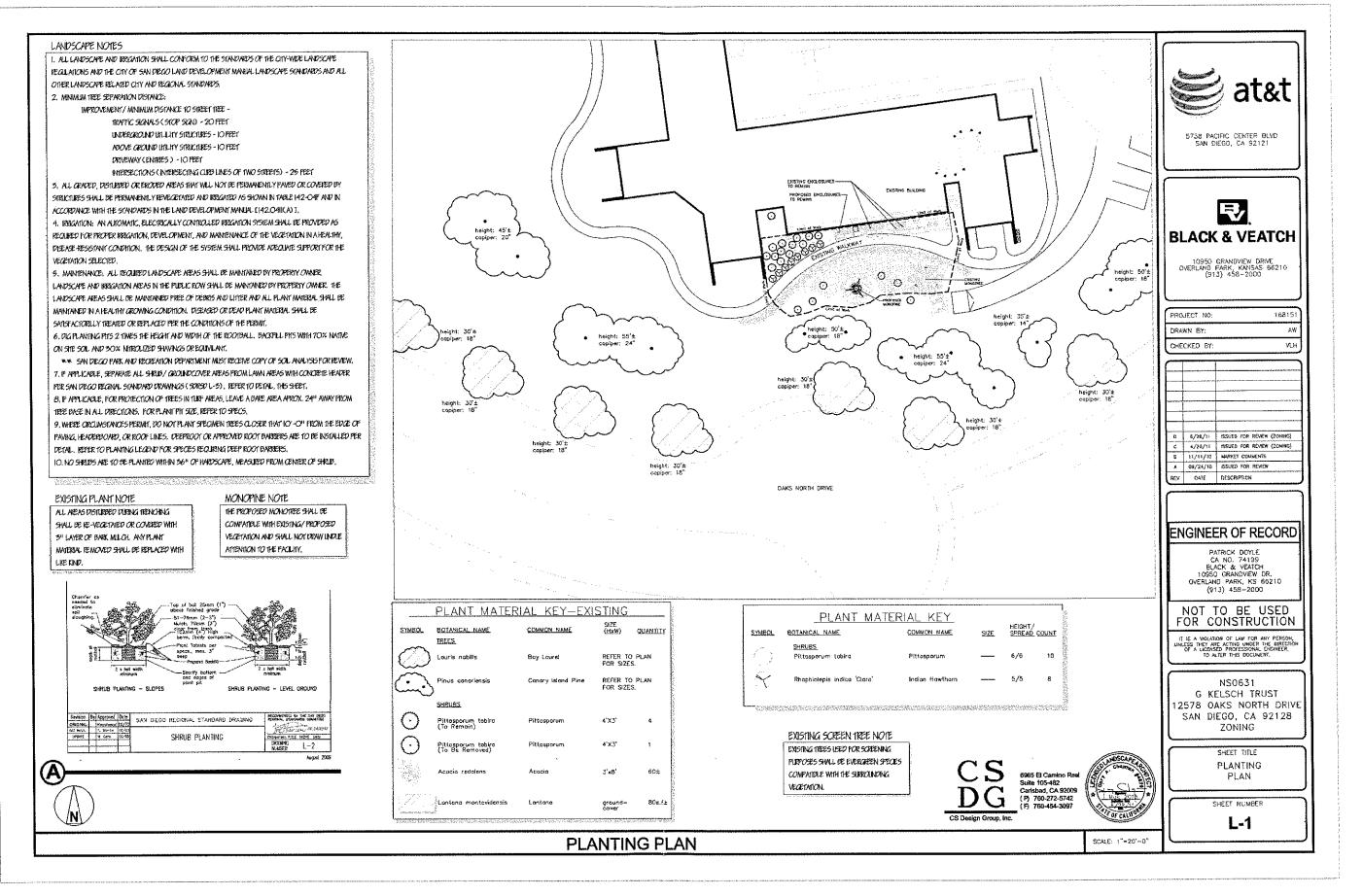












#### Hempton, Alexander

From:

Krystal Patterson [krystal.patterson@plancominc.com]

Sent:

Monday, December 12, 2011 11:55 AM

To:

Hempton, Alexander

Cc:

Shelly Kilbourn

Subject:

RE: AT&T G Kelsch / Oaks North

Unanimous. 14 members present.

Thanks,

### Krystal Patterson

# PLAN COME

Telecommunications Project Management

302 State Place Escondido, CA 92029 (760) 715-8703 (760) 735-4913 fax

From: Hempton, Alexander [mailto:AHempton@sandiego.gov]

**Sent:** Monday, December 12, 2011 11:26 AM

To: 'Krystal Patterson'

Subject: RE: AT&T G Kelsch / Oaks North

Do you have the vote info by any chance?

From: Krystal Patterson [mailto:krystal.patterson@plancominc.com]

**Sent:** Monday, December 12, 2011 11:23 AM **To:** Hempton, Alexander; 'Shelly Kilbourn' **Subject:** RE: AT&T G Kelsch / Oaks North

Yes it was approved.

Thanks,

### Krystal Patterson

# PLAN COME

Telecommunications Project Management

302 State Place Escondido, CA 92029 (760) 715-8703 (760) 735-4913 fax

From: Hempton, Alexander [mailto:AHempton@sandiego.gov]

**Sent:** Monday, December 12, 2011 11:19 AM **To:** 'Shelly Kilbourn'; 'Krystal Patterson'

### **ATTACHMENT 12**

Subject: AT&T G Kelsch / Oaks North

Importance: High

Was this approved last week at Rancho Bernardo?

Alex Hempton, AICP Associate Planner, Telecom Entitlements Development Services, City of San Diego 1222 First Avenue, MS 501 San Diego, CA 92101 (619) 446-5349 www.sandiego.gov

Wireless Communication Facilities: <a href="http://www.sandiego.gov/development-services/industry/telecom.shtml">http://www.sandiego.gov/development-services/industry/telecom.shtml</a>



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

### Ownership Disclosure Statement

	NAME				
Approval Type: Check appropriate box for type of approval (s) requeste					
Neighborhood Development Permit Site Development Permit Variance Tentative Map Vesting Tentative Map Map Wal	Planned Development Permit IConditional Use Permit ver Land Use Plan Amendment • Other				
Project Title	Project No. For City Use Only				
Oaks North Commercial Center - NS0631					
Project Address:					
12578 Oaks North Drive, San Diego, CA 92128-1699					
Part I - To be completed when property is held by Individual(s					
By signing the Ownership Disclosure Statement, the owner(s) acknowledge above, will be filed with the City of San Diego on the subtect property, we below the owner(s) and tenant(s) (if applicable) of the above referenced who have an interest in the property, recorded or otherwise, and state the individuals who own the property). A signature is required of at least one from the Assistant Executive Director of the San Diego Redevelopment A Development Agreement (DDA) has been approved t executed by the C Manager of any changes in ownership during the time the application is be the Project Manager at least thirty days prior to any public hearing on t information could result in a delay in the hearing process.	with the intent to record an encumbrance against the property. Please list property. The list must include the names and addresses of all persons type of property interest (e.g., tenants who will benefit from the permit, all a of the property owners. Attach additional pages if needed. A signature gency shall be required for all project parcels for which a Disposition and city Council. Note: The applicant is responsible for notifying the Project pering processed or considered. Changes in ownership are to be given to				
Additional pages attached Yes No					
Name of Individual (type or print):	Name of Individual (type or print):				
OAKS North Community Confer, Inc. W. Owner Tenantilessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency				
Street Address:	300				
Stiest Muutaas.	Street Address:				
City/State/Zlp:	City/State/Zip:				
Phone No: Fax No:	Phone No: Fax No:				
Signature : Date;	Signature : Date;				
Name of Individual (type or print):	Name of Individual (type or print):				
Owner Tenant/Lessee Redevelopment Ageпcy	Owner Tenant/Lessee Redevelopment Agency				
Street Address:	Street Address:				
City/State/Zip:	City/State/Ztp:				
Phone No: Fax No:	Phone No: Fax No:				
Signature : Date:	Signature ; Date:				
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
	at www.sandiego.gov/devetopment-services afternative formats for persons with disabilities.				
after the description of the state of the st	THE PERSON AND PROPERTY AND PRO				

DS-318 (5-05)

Project Title:	Project No. (For City Use Only)			
Part II - To be completed when property is held by a corporation	on or partnership			
Legal Status (please check):				
Corporation Limited Liability -or- General) What State	? Corporate Identification No. <u>D-064759</u> Z_			
By signing the Ownership Disclosure Statement, the owner(s) acknowledge as identified above, will be fited with the City of San Diego on the state property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants who in a partnership who own the property). A signature is required of property. Attach additional pages if needed. Note: The applicant is ownership during the time the application is being processed or containing the time the application is being processed or the subjection of the subjection	ubject property with the intent to record an encumbrance against all persons who have an interest in the property, recorded or of will benefit from the permit, all corporate officers, and all partners at least one of the corporate officers or partners who own the responsible for notifying the Project Manager of any changes in insidered. Changes in ownership are to be given to the Project ect property. Failure to provide accurate and current ownership ional pages attached Yes No			
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):			
Oaks North Community Comer Inc	Owner Tenant/Lessee			
Street Address:	Street Address:			
12578 OAKS North Dr.	City/State/Zlp:			
Phone No: Eax No:	Phone No: Fax No:			
858-487-0120 858-487-5328 Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):			
Title (type or pring): -	Title (type or print):			
Mesident				
Signature : Date: //5/10	Signature : Date:			
Corporate/Partnership Name (type or print):	p Name (type or print): Corporate/Partnership Name (type or print):			
Owner Tenant/Lessee	Owner 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):			
part Comments and the second s				
Owner Tenant/Lessee Street Address:	Owner Tenant/Lessee			
	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:			

#### 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. Amelio, 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 (1,6)



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 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 (3,4,5)



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 Aromatique, 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

#### 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

#### ATTACHMENT 13

#### Search

- Contact
- MYCRICKET.COM



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(photo, left to right) Ray Roman, Bob Young, Bill Ingram, Rob Irving, Len Stephens, Doug Hutcheson, Walter Berger who we are: our business: leadership

# **Experience + Passion + Strategy = Industry Leadership**

At Leap, we believe in success that comes from hard work, integrity, fair business practices and great ideas. Our employees, officers and directors work together to maintain high standards of conduct and effective corporate governance.

We are led by an experienced team that has made its mark in the wireless industry through a time-tested ability to deliver the right products in the right place at the right time. Our Board of Directors leverage strategic focus, operational and financial expertise and agility, to capture opportunities and create long-term value for stockholders.

#### S. Douglas Hutcheson

President and Chief Executive Officer

#### Walter Z. Berger

Executive Vice President and Chief Financial Officer

#### Raymond J. Roman

Executive Vice President and Chief Operating Officer

#### Robert A. Young

Executive Vice President, Field Operations

David B. Davis

#### Robert J. Irving, Jr.

Senior Vice President and General Counsel

#### Annette M. Jacobs

Senior Vice President and Area President, West Area

#### Aaron P. Maddox

Senior Vice President, Finance - Operations

#### Jeffery E. Nachbor

Senior Vice President, Financial Operations and Chief Accounting Officer

- <u>business</u> model
- leadership
- values
- history

#### RELATED LINKS

- Stock Information
- Press Releases
- Working at Leap

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#### **ATTACHMENT 13**

Senior Vice President and Area President, South Area

Glen W. Flowers

Senior Vice President and Area President, East Area

Erik D. Gerson

Senior Vice President, Customer Experience

Colin E. Holland

Senior Vice President, Engineering and Technical Operations

William D. Ingram

Senior Vice President, Strategy

Board of Directors

Dr. Mark H. Rachesky, M.D. Chairman of the Board

John D. Harkey, Jr.

Director

S. Douglas Hutcheson

President and

Chief Executive Officer

Ronald J. Kramer

Director

Robert V. LaPenta

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Director

Thomas J. Stack

Senior Vice President, Supply Chain Management

Leonard C. Stephens

Senior Vice President, Human Resources

Matthew Stoiber

Senior Vice President,

Devices

Jeffrey H. Toig

Senior Vice President,

Muve Music

R. Tyler Wallis

Senior Vice President, Product and Marketing

Mark A. Leavitt

Director

Richard R. Roscitt

Director

Robert E. Switz

Director

Michael B. Targoff

Director

Who We Are Our Busines:

Business MLeadership

- Values

- History

SHARE







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# **Project Chronology**

### AT&T – G Kelsch Trust–Project No. 232366

Date	Action	Description	City Review Time	Applicant Response Time
5/11/2011	First Submittal	Project Deemed Complete		
6/10/2011	First Assessment Letter		30	
7/14/2011	Second Submittal			34
8/11/2011	Second Assessment Letter		28	
10/27/2011	Third Submittal			77
11/18/2011	Third Assessment Letter		22	
12/12/2011	All issues resolved, Community Planning Group recommendation received			24
1/26/2012	Public Hearing – Planning Commission		45	
TOTAL STAFF	TIME		125	
TOTAL APPLIC	CANT TIME			135
TOTAL PROJE	CT RUNNING TIME	From Deemed Complete to Planning Commission Hearing	260 (in calendar days)	



#### THE CITY OF SAN DIEGO

DATE OF NOTICE: January 11, 2012

# NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING:

January 26, 2012

TIME OF HEARING:

9:00 A.M.

**LOCATION OF HEARING:** 

Council Chambers, 12th Floor, City Administration Building,

202 C Street, San Diego, California 92101

PROJECT TYPE:

NEIGHBORHOOD USE PERMIT and PLANNED

**DEVELOPMENT PERMIT, PROCESS 4** 

PROJECT NUMBER:

232366

PROJECT NAME:

AT&T - G KELSCH TRUST

APPLICANT:

SHELLY KILBOURN, PLANCOM, INC.,

AGENTS REPRESENTING AT&T MOBILITY

**COMMUNITY PLAN AREA:** 

Rancho Bernardo

**COUNCIL DISTRICT:** 

5

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 Neighborhood Use Permit (NUP) and Planned Development Permit (PDP) for a Wireless Communication Facility (WCF). The project proposes to remove an existing 35' tall Cricket monopine (faux tree) and replace it with a 45' high monopine, capable of supporting both Cricket and AT&T antennas. Existing AT&T antennas located on an existing clubhouse building will be removed and larger antennas will be mounted to the new monopine. Equipment associated with the antennas is located in a fenced enclosure next to the clubhouse building. An NUP is required because the WCF is proposed in a residential zone with a non-residential use. The PDP is required because the proposed monopine, at 45' tall, exceeds the zone's 35' height limit by 10'. The project is located within the RS-1-14 zone at 12578 Oaks North Drive.

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 <a href="https://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> 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 12/8/11 and the opportunity to appeal that determination ended 12/22/11.

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

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call <u>Support Services at (619) 321-3208</u> at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24001548

Revised 7-27-11 HMD