



**DATE ISSUED:** April 18, 2014

**REPORT NO. PC-14-039**

**ATTENTION:** Planning Commission, Agenda of May 22, 2014

**SUBJECT:** AT&T – ATRIA  
PROJECT NO. 2013-22 – PROCESS FOUR

**OWNER/  
APPLICANT:** ATRIA COMMUNITY ASSOCIATION CORPORATION/AT&T

**SUMMARY**

**Issue:** Should the Planning Commission approve a Wireless Communication Facility (WCF) at 101 Market Street in the Marina Neighborhood, within the Downtown Community Plan (“Downtown”) area?

**Staff Recommendation:**

1. **APPROVE** Conditional Use Permit (CUP) No. 2013-22.

**Community Planning Group Recommendation:** On April 23, 2014, the Downtown Community Planning Council (DCPC) voted unanimously (23-0) to support the staff recommendation.

**Other Recommendations:** None.

**Environmental Review:** This Project is covered under the Final Environmental Impact Report (FEIR) for the San Diego Downtown, Marina Planned District Ordinance (MPDO), and 10th Amendment to the Centre City Redevelopment Plan, certified by the City Council and the Former Redevelopment Agency (“Former Agency”) on March 14, 2006 (Resolution R-301265 and R-04001, respectively) and subsequent addenda to the FEIR, certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolutions R-04508 and R-04510), August 3, 2010 (Former Agency Resolution R-04544) and February 12, 2014 (City Council Resolution R-308724). The FEIR is a “Program EIR” prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The proposed WCF is within the scope of the development program described in the FEIR and therefore the environmental impacts were adequately addressed in the FEIR; therefore, no further environmental documentation is required under CEQA.

**Fiscal Impact Statement:** None.

**Code Enforcement Impact:** Not applicable.

**Housing Impact Statement:** Not applicable.

## **BACKGROUND**

A WCF consists of antennas and associated equipment used to provide wireless communications, such as telephone, paging, or wireless data transmission services. WCFs are reviewed by the local land use authority for conformance with development regulations that attempt to minimize the visual impacts of the facility. Radio Frequency (RF) emissions are regulated by the federal government pursuant to the 1996 Telecommunications Act, not by the local land use authority. However, the local land use authority requires carriers to submit a certified cumulative RF report demonstrating compliance with the Federal Communication Commissions' standards prior to the issuance of a building permit.

Applications for WCFs within the Downtown area are processed in accordance with the regulations established by the City of San Diego ("City") as set forth in Chapter 14 (Separately Regulated Uses) of the Land Development Code (LDC). Under the LDC, applications for WCFs on residential buildings within residential zones are required to obtain a CUP processed in accordance with Process 4 (Planning Commission approval).

## **DISCUSSION**

### **Project Description:**

Atria is located on a 59,311 square-foot site located at 101 Market Street, which is on the block bounded by Market Street and First, Island, and Second avenues. The site includes a four-story mixed-use project comprised of approximately 149 residential units with ground-floor commercial. Uses surrounding the site include the Ralph's Grocery Store to the north; the Horizons residential project to the west; a surface-parking lot to the south; and, the residential project, 235 On Market, to the east.

Atria is located within a residential mixed-use area in the Marina Planned District. The Marina Planned District accommodates primarily residential development with ground-floor commercial uses, subject to size and area limitations. The site allows for at least 80 percent of the gross floor area of a development to be residential use and up to 20 percent of the gross floor area to be nonresidential use. The aerial photo, land use map and photographic survey are included as Attachments 1, 2, and 3.

AT&T is currently proposing to install 12 panel antennas of six feet in length by two feet six inches in width; adding 48 remote radio units (RRUs); and, adding associated equipment. The

antennas and RRUs will be mounted behind a proposed rooftop enclosure extending 14 feet above the existing parapet and approximately 560 square feet in area. The equipment will be located within an existing fifth floor storage room of approximately 250 square feet. The plans and photograph simulations are included as Attachments 4 and 5.

**CUP:**

As previously noted, the proposed AT&T WCF requires approval of a CUP. As part of the CUP review, the WCF is reviewed according to the design regulations found in Section 141.0420 of the LDC in conjunction with the City's WCFs Guidelines. The design regulations and guidelines attempt to minimize the visual impacts of WCFs.

Staff reviewed the proposed WCF and considered design solutions to minimize visual impacts. The new antennas and RRUs are proposed to be concealed within a single rooftop enclosure that will extend beyond the existing parapet height. Although the proposed enclosure will extend beyond the existing parapet, the enclosure will not exceed the overall building height. All antennas and RRUs are proposed to be concealed within the single enclosure, which will minimize visual impacts. Also, the enclosure is proposed to be painted and textured to match the building façade for integration. In addition, the equipment will be completely concealed from view as it will be within an existing storage room inside the building. Staff has determined that the overall proposed improvements are consistent with WCF Guidelines and, therefore, is recommending approval of the CUP for the AT&T WCF. The draft CUP has been included as Attachment 6.

Staff has not received any public correspondence with regard to this permit application as of the date of this report.

**Findings** – Pursuant to Section 126.0305 of the San Diego Municipal Code, the following four findings must be made to approve a CUP:

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

Although the Downtown Community Plan does not specifically address WCFs, the City's General Plan does and it establishes that the visual impacts of these facilities be minimized; that the design be aesthetically pleasing; and, that mechanical equipment be concealed underground or be within an unobtrusive structure. AT&T will conceal the antennas with a proposed enclosure that is painted and textured to match the building. The RRUs will be mounted behind the proposed enclosure and the equipment is to remain concealed within the existing building. Therefore, the proposed WCF will not adversely affect the applicable land use plan.

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

The WCF will be required to comply with all applicable City, State, and Federal regulations including complying with the RF emissions per the 1996 Telecommunications Act. Federal regulations set out explicit standards to ensure the WCF is not detrimental to the public health, safety, and welfare. Therefore, prior to building permit issuance, the applicant will be required to provide an RF emissions report showing that the RF power densities of the facility are within the federal standards.

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

The AT&T WCF will comply to the maximum extent feasible with the regulations for the proposed modifications and additions with approval of a CUP. The AT&T WCF will be subject to conditions of approval that are consistent with current standards in the Marina Planned District Ordinance and LDC.

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

While the WCF Guidelines specify that residential land uses are one of the least preferred areas for siting WCFs, carriers such as AT&T are allowed to provide coverage for their customers, which necessitates placing these facilities in these locations. The site has been designed in a way that the facility will not disrupt the surrounding uses by screening the antennas and RRUs within a rooftop enclosure and installing the equipment within the existing building. Therefore, the proposed use is appropriate at the proposed location.

**Conclusion:**

This project complies with the applicable regulations of the LDC and the MPDO. Therefore, staff recommends approval of CUP No. 2013-22.



**ALTERNATIVES**


1. **Approve CUP No. 2013-22 with conditions.**
2. **Deny CUP No. 2013-22, 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,

Concurred by:



Lorena Cordova  
Assistant Planner

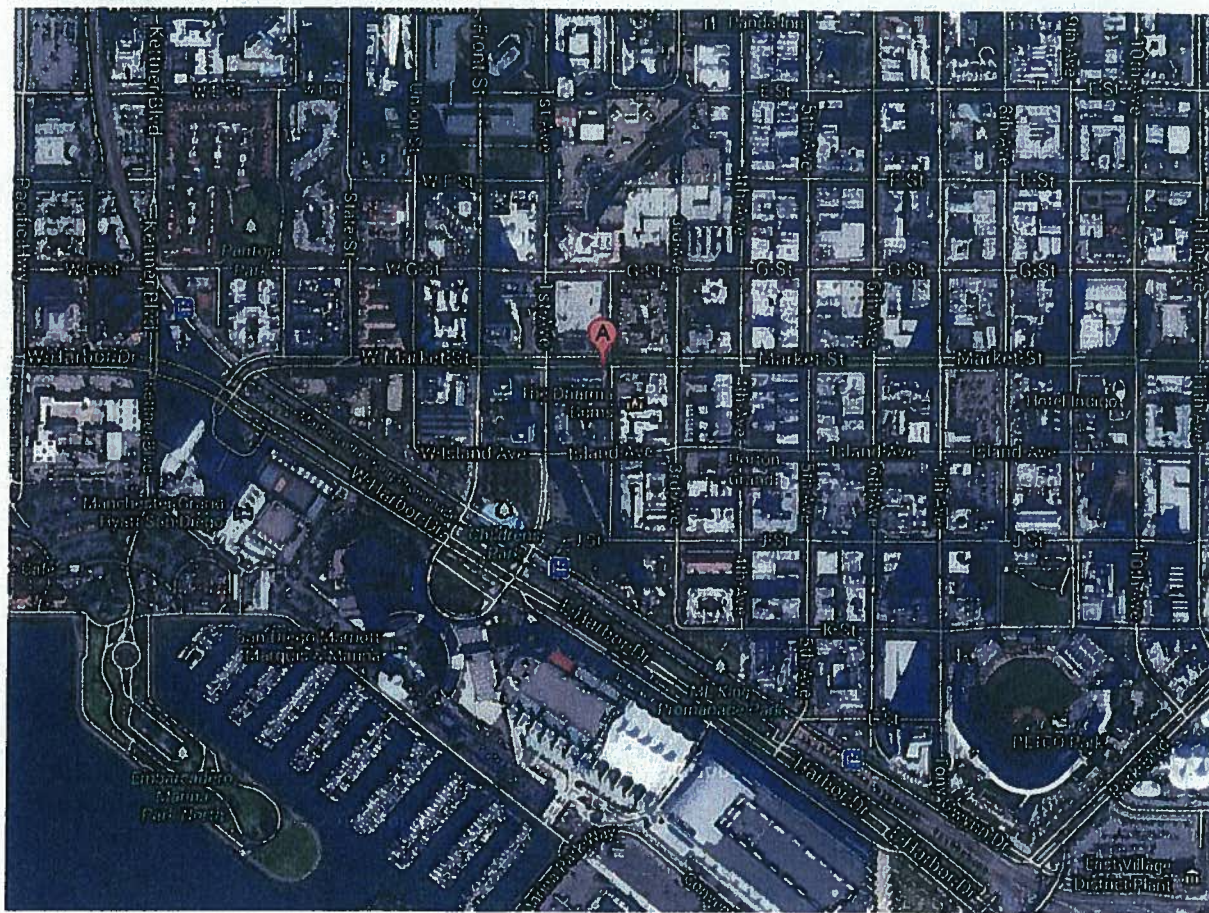


Andrew Phillips  
Interim President



Brad Richter  
Assistant Vice President, Planning

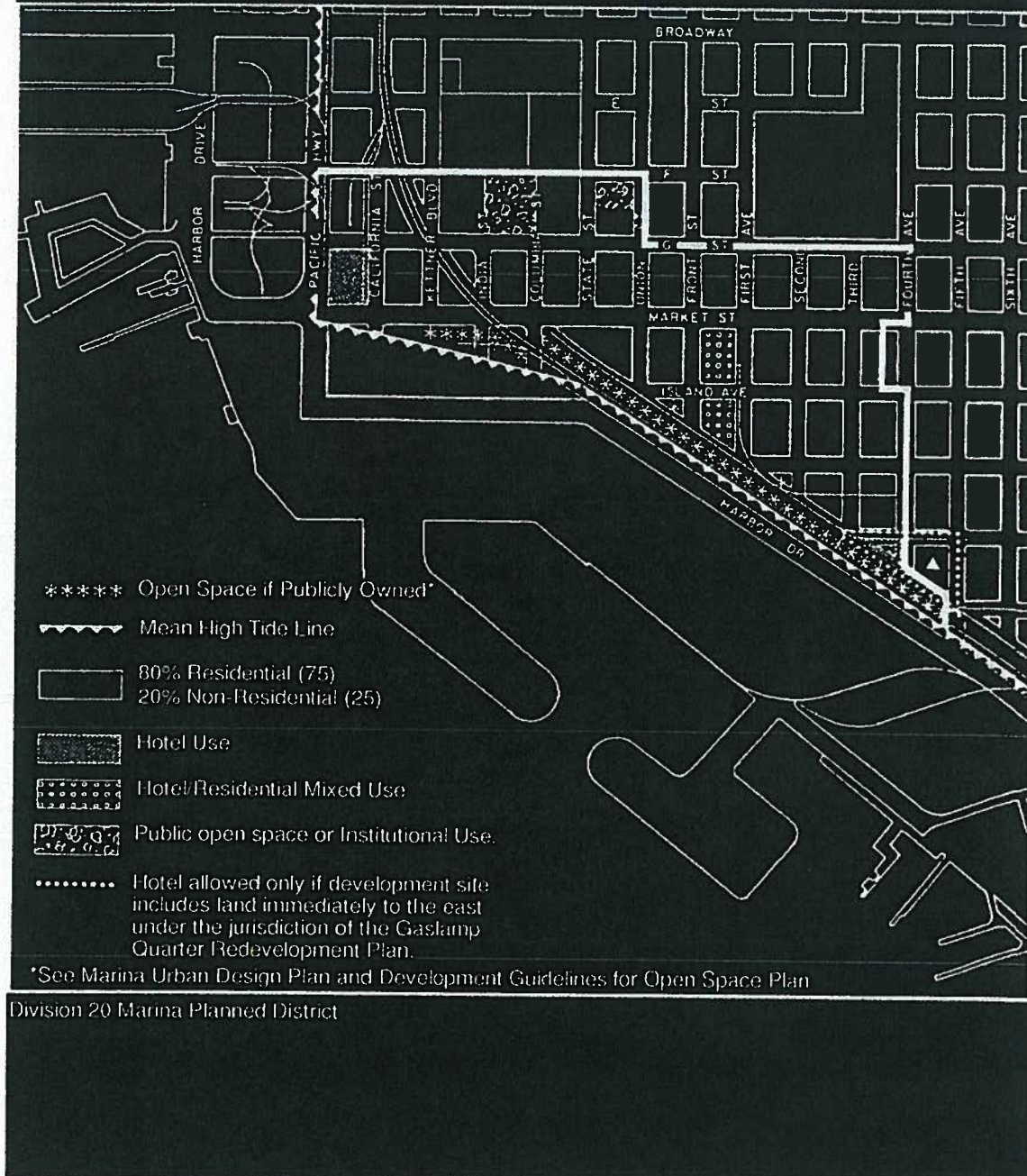
- Attachments:
- 1 – Aerial Photo
  - 2 – Land Use Map
  - 3 – Photographic Survey
  - 4 – Photo Simulations
  - 5 – Project Plans
  - 6 – Draft Permit with Conditions and Resolution with Findings
  - 7 – Ownership Disclosure Statement



## ATTACHMENT 1



Figure 1  
Land Use





## **PHOTO STUDY & KEY MAP**

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### **SD0256**

Ralph's Downtown  
101 Market Street  
San Diego, CA 92101

Prepared for:

**Centre City Development Corporation  
Planning Department**

225 Broadway Suite 1100  
San Diego, CA 92101

Prepared by:

**PlanCom, Inc.**

*Contractor Representatives for*

**AT&T Wireless**

302 State Place

Escondido, CA 92029

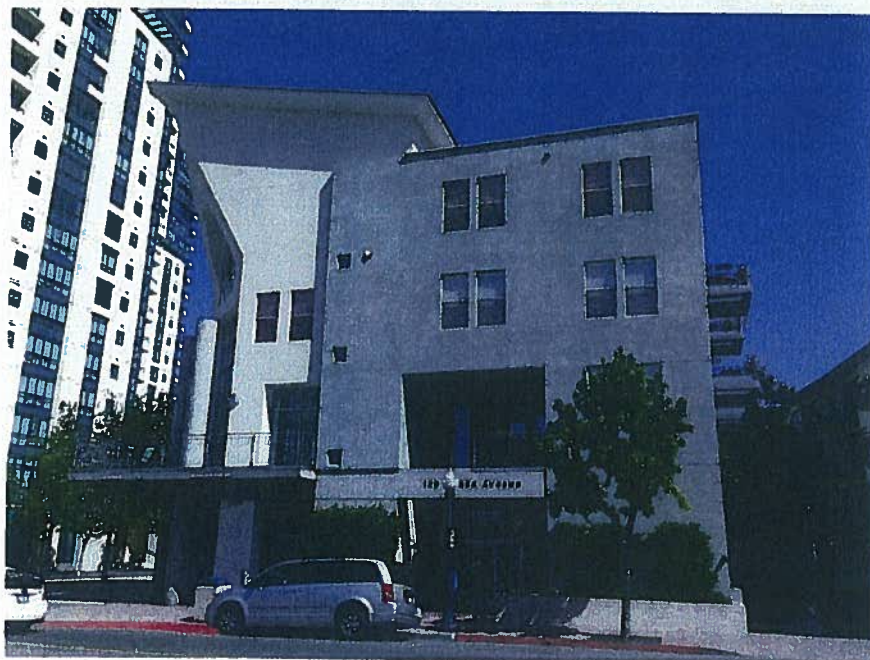
Contact: Shelly Kilbourn, Planning Consultant  
(619) 208-4685

**ATTACHMENT 3**



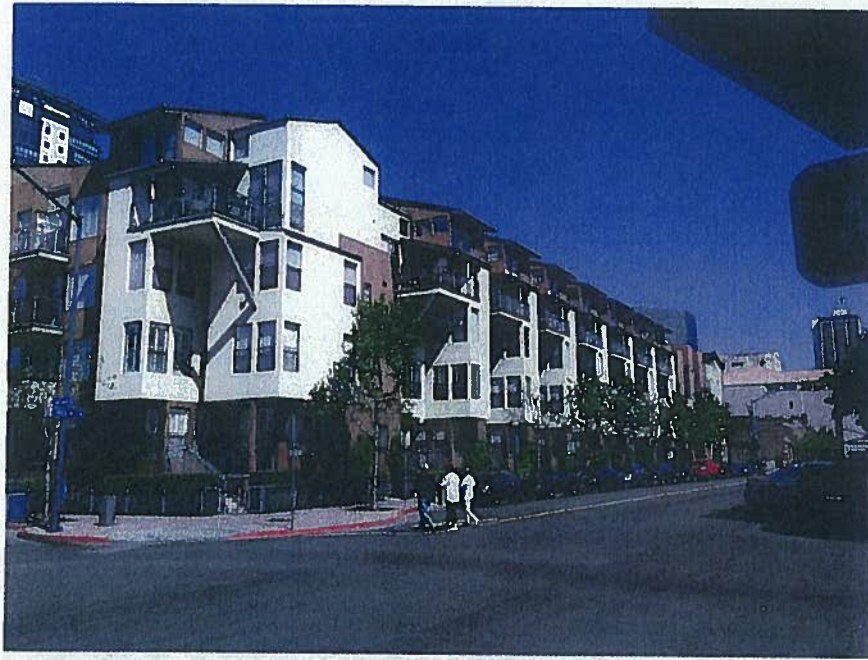


Looking at north elevation

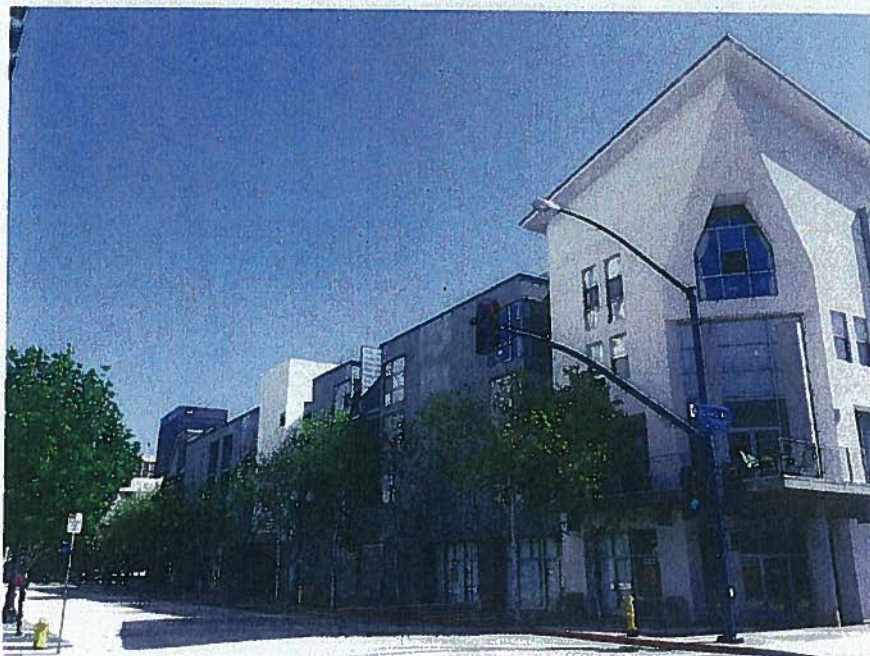


Looking at south elevation





Looking at east elevation



Looking at west elevation





Looking north from site



Looking south from site





Looking east from site



Looking west from site



**EXISTING**



**SD0256**  
**Ralphs Downtown**  
101 Market Street  
San Diego, CA 92101

Proposed antennas mounted  
behind proposed RF friendly  
screen textured and painted  
to match existing adjacent  
surface



**ATTACHMENT 4**

**PROPOSED**

These simulations are intended for graphical purposes only and not intended to be part of or to replace the information provided on the construction drawings

2/28/2014

**Photosimulation of proposed telecommunications site**



**EXISTING**



**SD0256**  
**Ralphs Downtown**  
101 Market Street  
San Diego, CA 92101

Proposed antennas mounted  
behind proposed RF friendly  
screen textured and painted  
to match existing adjacent  
surface

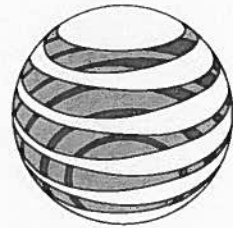


These simulations are intended for graphical purposes only and not intended to be part of or to replace the information provided on the construction drawings

2/28/2014

**Photosimulation of proposed telecommunications site**





at&t

# SD0256 RALPHS DOWNTOWN

101 MARKET STREET  
SAN DIEGO, CA 92101



DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS  
3839 FIRST AVENUE, SUITE 100 - SAN DIEGO, CA 92103  
619.298.4210 - 619.298.4250 FAX - DDMAIL@AOL.COM

PROJECT NAME



SD0256  
RALPHS DOWNTOWN  
101 MARKET STREET, SAN DIEGO, CA 92101

ISSUES REVISIONS

DATE	BY	ISSUE DESCRIPTION	201
05-17-13	RHA	SOX FOR REVIEW	
05-22-13	RHA	REV 0 - PER 5/17 DRW COMMENTS	
08-07-13	RHA	REV 1 - PER 5/17 DRW COMMENTS	
08-28-13	RHA	REV 2 - ANTENNA LAYOUT FOR 8-30-13 DRW	
10-28-13	RHA	REV 3 - ANTENNA LAYOUT FOR 10-25-13 DRW	
12-04-13	RHA	REV 4 - PER 10/25 DRW COMMENTS	
02-21-14	RHA	REV 5 - PER 10/25 DRW COMMENTS	
02-21-14	RHA	REV 6 - PER 10/25 DRW COMMENTS	
02-21-14	RHA	REV 7 - PER 10/25 DRW COMMENTS	
04-27-14	RHA	REV 8 - REVISED PER CIVIC SAN DIEGO	

SHEET INFORMATION

DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS

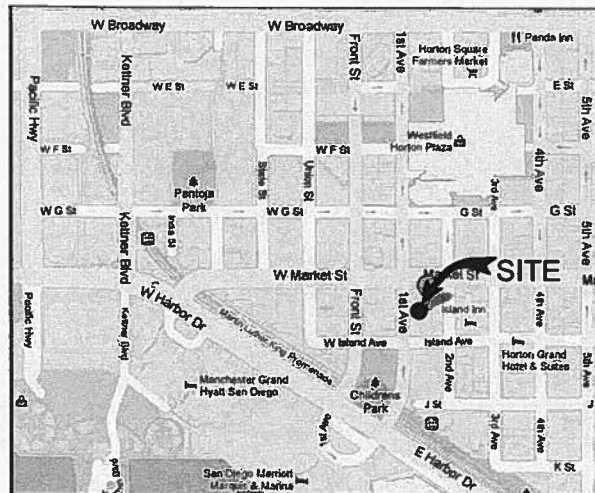
T01  
TITLE SHEET

SD0256

1302.04  
PLOT SCALE 1" = 1' (24x36" D SIZE)

## DRIVING DIRECTIONS FROM AT&T WIRELESS OFFICE:

- HEAD EAST ON PACIFIC CENTER BLVD. TOWARD PACIFIC HEIGHTS BLVD.
- TAKE 1ST RIGHT ONTO PACIFIC HEIGHTS BLVD.
- TURN RIGHT ONTO MIRA MESA BLVD.
- CONTINUE ONTO SORRENTO VALLEY ROAD
- TAKE RAMP ONTO I-805 SOUTH
- TAKE EXIT ONTO CA-163 SOUTH TOWARD DOWNTOWN
- CONTINUE ONTO 10TH AVE.
- TURN RIGHT ONTO BROADWAY
- TURN LEFT ONTO FRONT ST.
- TURN LEFT ONTO WEST MARKET ST.
- BUILDING WILL BE ON THE RIGHT



## VICINITY MAP

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PENDING SURVEY...

## LEGAL DESCRIPTION

PROJECT APPLICANT:  
AT&T WIRELESS  
5783 PACIFIC CENTER BLVD.  
SAN DIEGO, CA 92121

CONSTRUCTION MANAGER:  
ROBERT MEDINA  
302 STATE PLACE  
ESCONDIDO, CA 92029  
760.815.6669

PLANNING REPRESENTATIVE:  
DARRELL DAUGHERTY  
PLANCOM INC.  
302 STATE PLACE  
ESCONDIDO, CA 92029  
619.200.2200 PHONE

SITE ACQUISITION:  
JUDY BITTERLIN  
PLANCOM INC.  
302 STATE PLACE  
ESCONDIDO, CA 92029  
858.349.8055 PHONE

R.F. ENGINEERING REPRESENTATIVE:  
CRISTIAN SOTO  
5783 PACIFIC CENTER BLVD.  
SAN DIEGO, CA 92121  
619.699.9254

ARCHITECT:  
DI DONATO ASSOCIATES  
3939 FIRST AVE. SUITE 100  
SAN DIEGO, CA 92103  
619.298.4210 PHONE  
619.298.4250 FAX  
ddamail@aol.com

PROPERTY OWNER:  
ATRIA HOMEOWNER'S ASSOCIATION  
101 MARKET STREET  
SAN DIEGO, CA 92101  
SITE CONTACT: SAM WILLIAMS  
619.920.7174

## PROJECT DESCRIPTION:

THE PROJECT CONSISTS OF A PROPOSED AT&T TELECOMMUNICATIONS SITE CONSISTING OF THE FOLLOWING:

A TOTAL OF (12) ANTENNAS AND (48) RRUS ARE TO BE MOUNTED BEHIND PROPOSED CONCEALMENT SCREENS; PROPOSED EQUIPMENT INSTALLED INSIDE AN EXISTING 5TH FLOOR ROOM IN THE EXISTING BUILDING.

THE FACILITY WILL ENHANCE THE GENERAL HEALTH, SAFETY, AND WELFARE OF THE COUNTY AND SURROUNDING CITIES BY PROVIDING MORE RELIABLE CELLULAR COMMUNICATION AT THIS LOCATION.

NOTE: EXISTING CARRIERS: NONE

SITE ADDRESS:  
101 MARKET STREET  
SAN DIEGO, CA 92101

ASSESSOR'S PARCEL NUMBER:  
535-072-06-01 THRU 04

LATITUDE:  
32° 42' 39.26" N

LONGITUDE:  
117° 09' 48.98" W

TOTAL SITE AREA:  
59,311 SF (1.36 AC)

EXISTING FLOOR AREA:  
N/A

NEW PROJECT AREA:  
APPROX. 690 SF

EXISTING TYPE OF CONSTRUCTION:  
TYPE V-A, SPRINKLERED

NEW TYPE OF CONSTRUCTION:  
UNCHANGED

EXISTING ZONING:  
MARINA PLANNED DISTRICT ORDINANCE

OVERLAYS:  
N/A

ALL WORK SHALL COMPLY WITH THE FOLLOW APPLICABLE CODES:

CALIFORNIA BUILDING CODE, 2013 EDITION

CALIFORNIA PLUMBING CODE, 2013 EDITION

CALIFORNIA MECHANICAL CODE, 2013 EDITION

CALIFORNIA ELECTRICAL CODE, 2013 EDITION

CALIFORNIA FIRE CODE, 2013 EDITION

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

## PROJECT INFORMATION

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. WIRELESS TELECOMMUNICATIONS MECHANICAL EQUIPMENT ROOMS ARE EXEMPT FROM REQUIREMENTS TO PROVIDE BUILDING UPGRADES FOR DISABLED ACCESS PER THE FOLLOWING:

CBC SECTION 11058.3.4 - BUILDING ACCESSIBILITY  
CAL ACS ACCESSIBILITY STANDARDS INTERPRETIVE MANUAL

## ADA COMPLIANCE

ATTACHMENT 5

## T01 TITLE SHEET

- Z01 SITE PLAN
- Z02 AREA PLAN
- Z03 ELEVATIONS
- Z04 ELEVATIONS
- Z05 EQUIPMENT ROOM PLAN/ANTENNA PLAN
- Z06 ANTENNA DETAILS

## SHEET INDEX

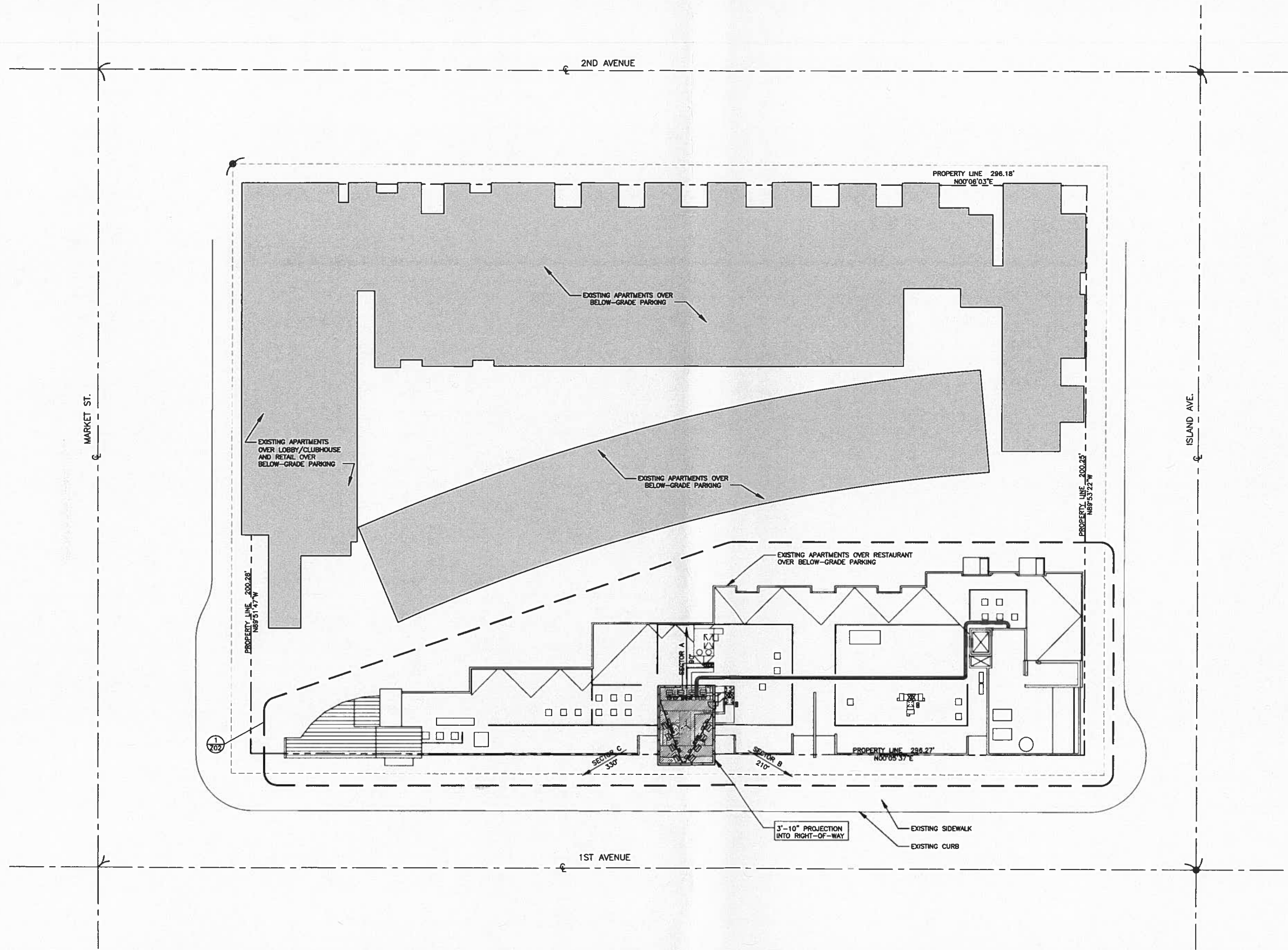
CONSTRUCTION REPRESENTATIVE	
SITE ACQUISITION	
R.F. ENGINEERING REPRESENTATIVE	
PLANNING REPRESENTATIVE	
AT&T REPRESENTATIVE	
LANDLORD	
DM-E911	

## APPROVALS

## CONTACTS

#	TYPE OF INSPECTION	DESIGN STRENGTH

## SPECIAL INSPECTIONS



1302.04  
PLOT SCALE 1 : 1 (24x36" SIZE)

DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS  
**Z01**  
SITE PLAN

**SHEET INFORMATION**

DATE	BY	ISSUE DESCRIPTION	2D
05-17-13	RVA	BOX FOR REVIEW	
05-22-13	RVA	REV 0 - PER 5/17 DRW COMMENTS	
08-07-13	RVA	REV 1 - PER SK PLANNING COMMENTS	
08-28-13	KDB	REV 2 - ANTENNA LAYOUT FOR 8-30-13 DRW	
11-01-13	KDB	REV 3 - PER PLANNING COMMENTS	
11-01-13	KDB	REV 4 - PER PLANNING COMMENTS	
12-02-13	KDB	REV 5 - PER PLANNING COMMENTS	
02-21-14	KDB	REV 6 - ORIGINAL CIRCULAR PER RVA	
02-28-14	KDB	REV 7 - FOR TR REVIEW	
04-27-14	KDB	REV 8 - REVISED PER CIVIC SAN DIEGO	

**ISSUES REVISIONS**

**PROJECT NAME**

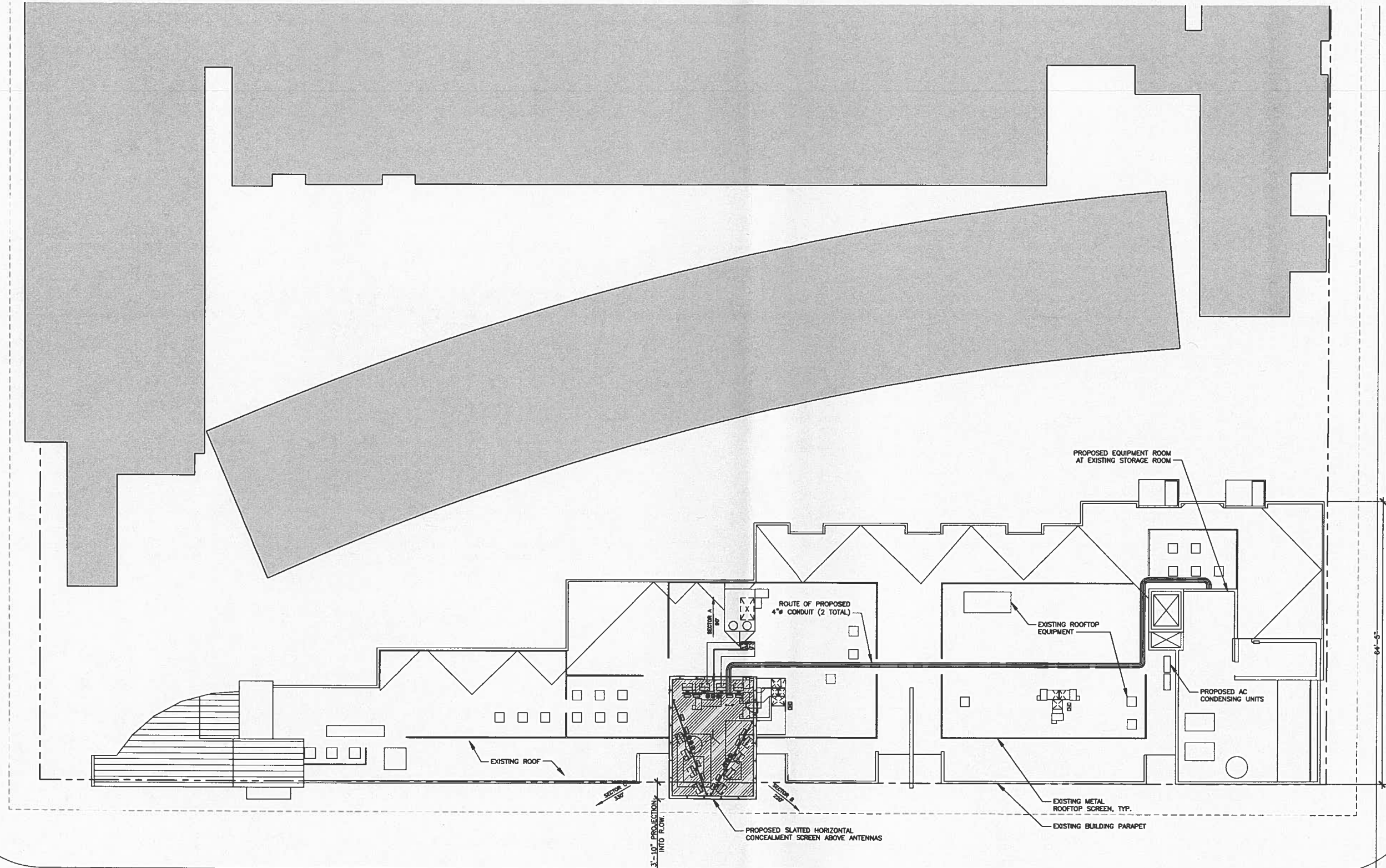
**at&t**

**SD0256**  
**RALPHS DOWNTOWN**  
101 MARKET STREET, SAN DIEGO, CA 92101

**ARCHITECT**

**DI DONATO ASSOCIATES**  
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PROJECT NAME

**SD0256**  
**RALPHS DOWNTOWN**  
101 MARKET STREET, SAN DIEGO, CA 92101

ISSUES REVISIONS

DATE	BY	ISSUE DESCRIPTION	Z02
05-17-13	RHA	BOX FOR REVIEW	
05-22-13	RHA	REV 0 - PER 5/17 DRW COMMENTS	
08-07-13	RHA	REV 1 - PER SK PLANNING COMMENTS	
08-28-13	RH	REV 2 - ANTENNA LAYOUT FOR 8-30-13 DRW	
10-01-13	KOB	REV 3 - ANTENNA LOCATION FOR 10-29-13 DRW	
10-01-13	KOB	REV 4 - PER PLANNING COMMENTS	
12-09-13	KOB	REV 5 - PER PLANNING COMMENTS	
02-21-14	KOB	REV 6 - ORIGINAL CURB CUT PER RHA	
02-21-14	KOB	REV 7 - FOR THE REVIEW	
04-27-14	KOB	REV 8 - REVISED PER CMHC SAN DIEGO	

SHEET INFORMATION

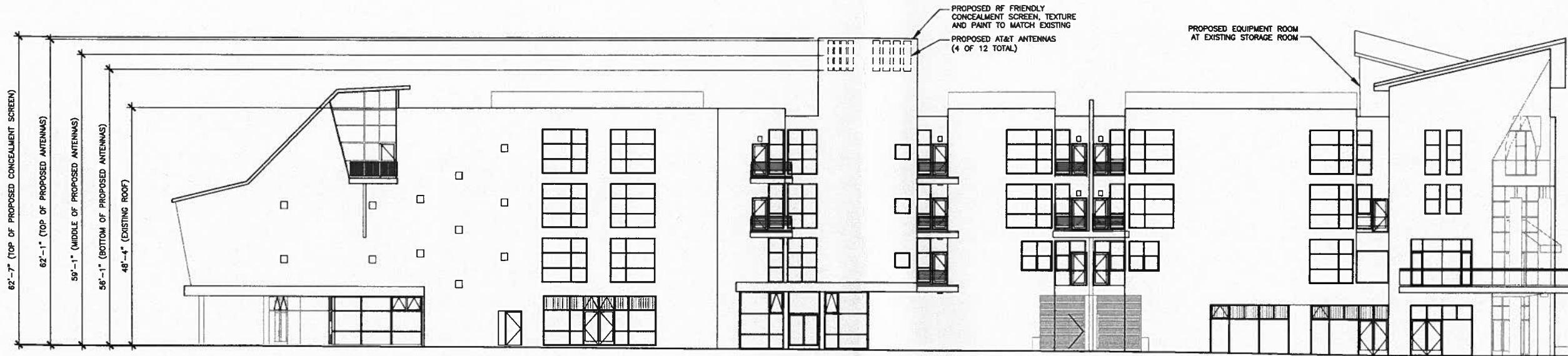
**DI DONATO ASSOCIATES**  
ARCHITECTURE + GRAPHICS

**Z02**  
AREA PLAN

1302.04  
PLOT SCALE 1:1 (24x36" D SIZE)

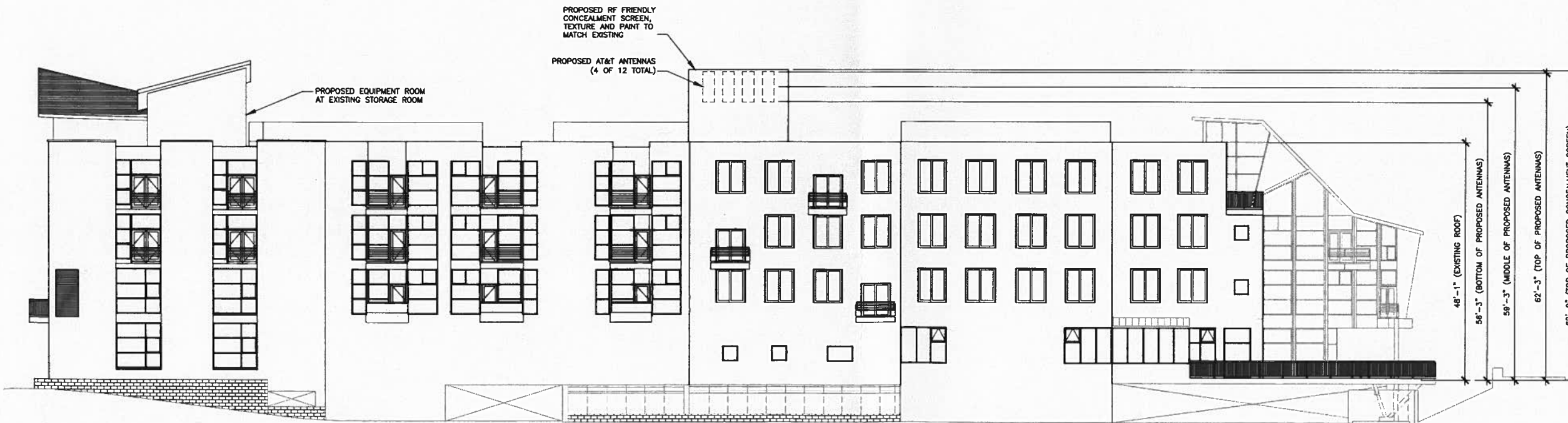
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WEST ELEVATION  
3/32"=1'-0"

1



EAST ELEVATION  
3/32"=1'-0"

2

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SD0256  
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ARCHITECT

PROJECT NAME

ISSUE REVISIONS

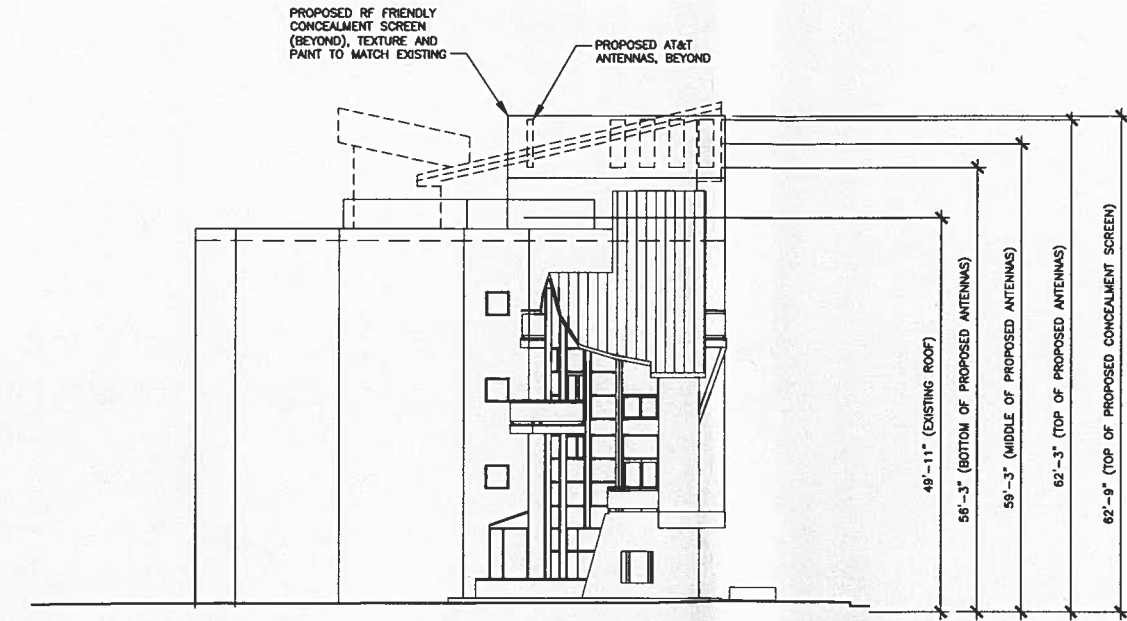
DATE	BY	ISSUE DESCRIPTION
08-17-13	RHA	FOR REVIEW
08-22-13	RHA	REV 0 - PER 8/17 DRW COMMENTS
08-27-13	RHA	REV 1 - PER SX PLANNING COMMENTS
08-28-13	KOB	REV 2 - ANTENNA LAYOUT FOR 8-30-13 DRW
10-28-13	KOB	REV 3 - ANTENNA LOCATION FOR 10-28-13 DRW
11-01-13	KOB	REV 4 - PER 10/28 DRW COMMENTS
12-02-13	KOB	REV 5 - PER PLANNING COMMENTS
02-21-14	KOB	REV 6 - ORIGINAL CURBOLA PER HOA
02-26-14	KOB	REV 7 - FOR RF REVIEW
04-27-14	KOB	REV 8 - REVISED PER CMC SAN DIEGO

SHEET INFORMATION

DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS

**Z03**  
ELEVATIONS

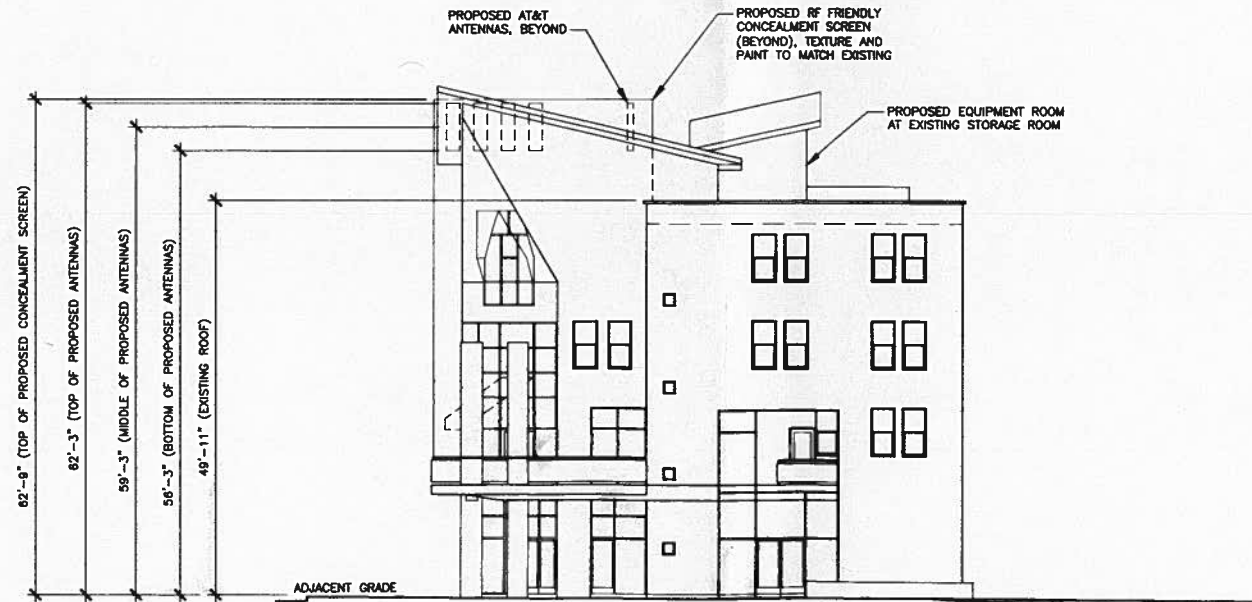
1302.04  
PLOT SCALE 1:1 (24x36" D SIZE)



**NORTH ELEVATION**

3/32"=1'-0"

1



**SOUTH ELEVATION**

3/32"=1'-0"

2

**at&t**

**SD0256**

**RALPHS DOWNTOWN**

101 MARKET STREET, SAN DIEGO, CA 92101

**ARCHITECT**

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ARCHITECTURE + GRAPHICS

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**ISSUES REVISIONS**

DATE	BY	ISSUE DESCRIPTION	Z04
03-27-13	RA	FOR REVIEW	
03-27-13	RA	REV 0 - PER 5/17 DRW COMMENTS	
03-27-13	RA	REV 1 - PER SR PLANNING COMMENTS	
03-28-13	KB	REV 2 - ANTENNA LAYOUT FOR 8-30-13 DRW	
10-28-13	KOB	REV 3 - PER 10/28 DRW COMMENTS	
11-01-13	KOB	REV 4 - PER 10/28 DRW COMMENTS	
12-02-13	KOB	REV 5 - PER 12/02 DRW COMMENTS	
02-21-14	KOB	REV 6 - ORIGINAL CURBOLA PER HOA	
02-28-14	KOB	REV 7 - FOR RF REVIEW	
04-27-14	KOB	REV 8 - REVISED PER CIVIC SAN DIEGO	

**SHEET INFORMATION**

DI DONATO ASSOCIATES

ARCHITECTURE + GRAPHICS

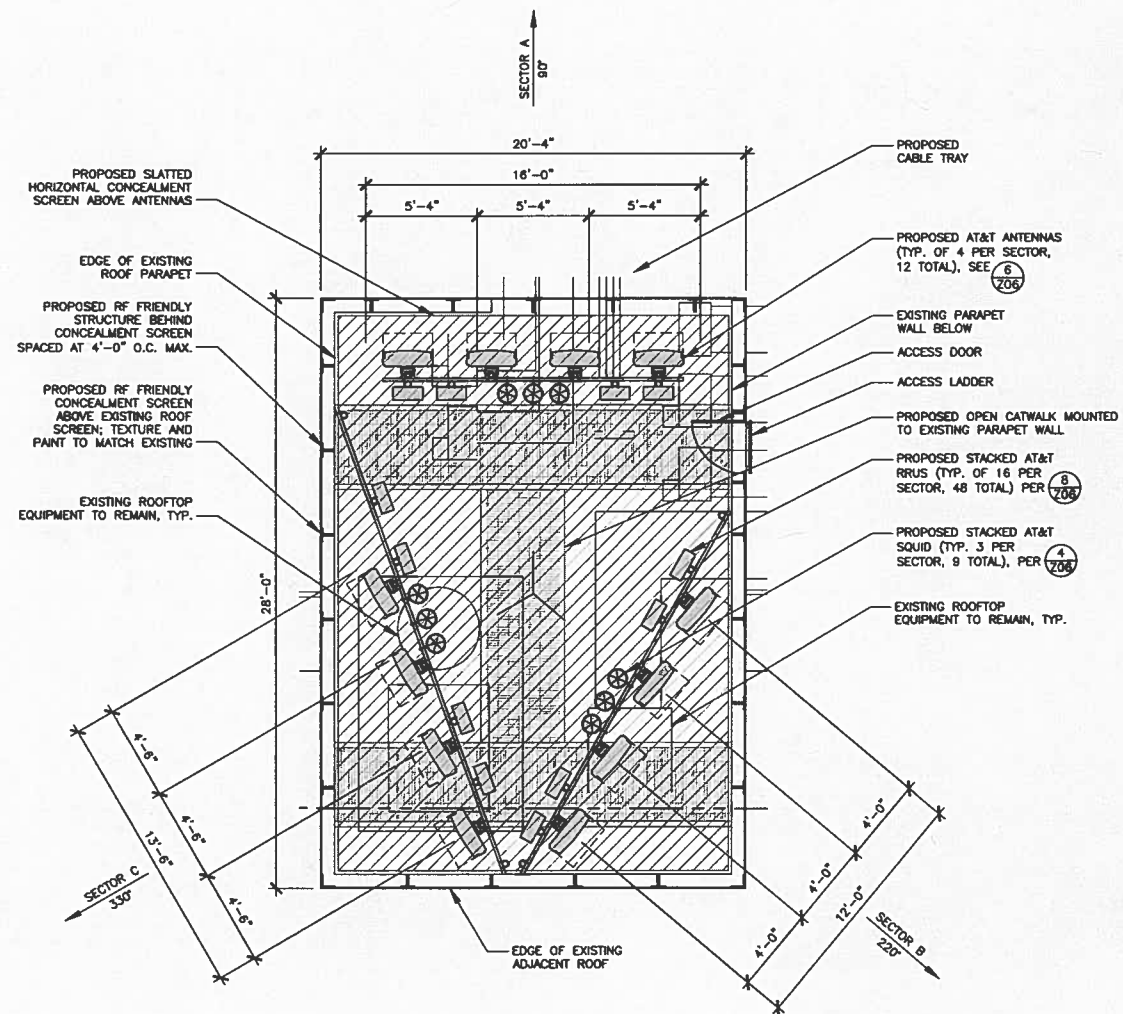
**Z04**

ELEVATIONS

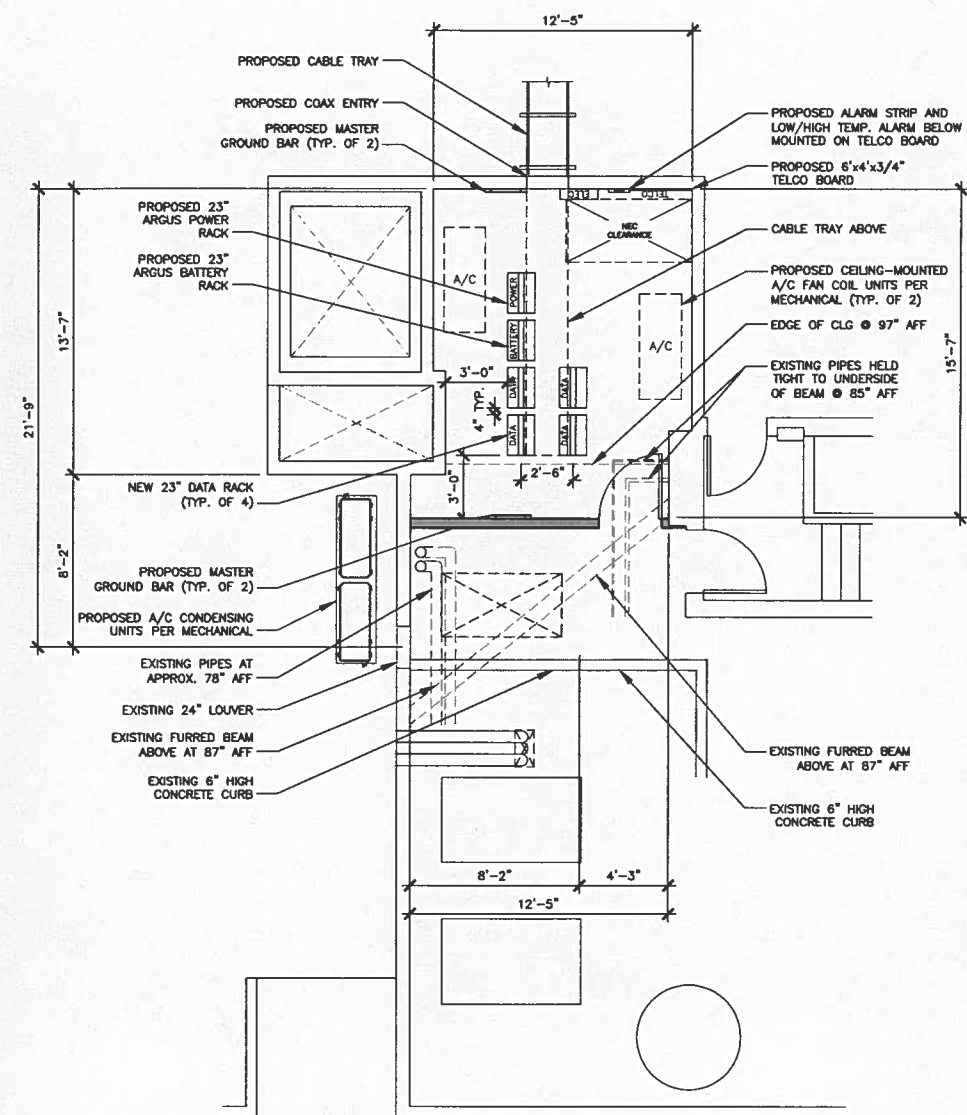
1302.04

PLOT SCALE 1:1 (24x36" D SIZE)

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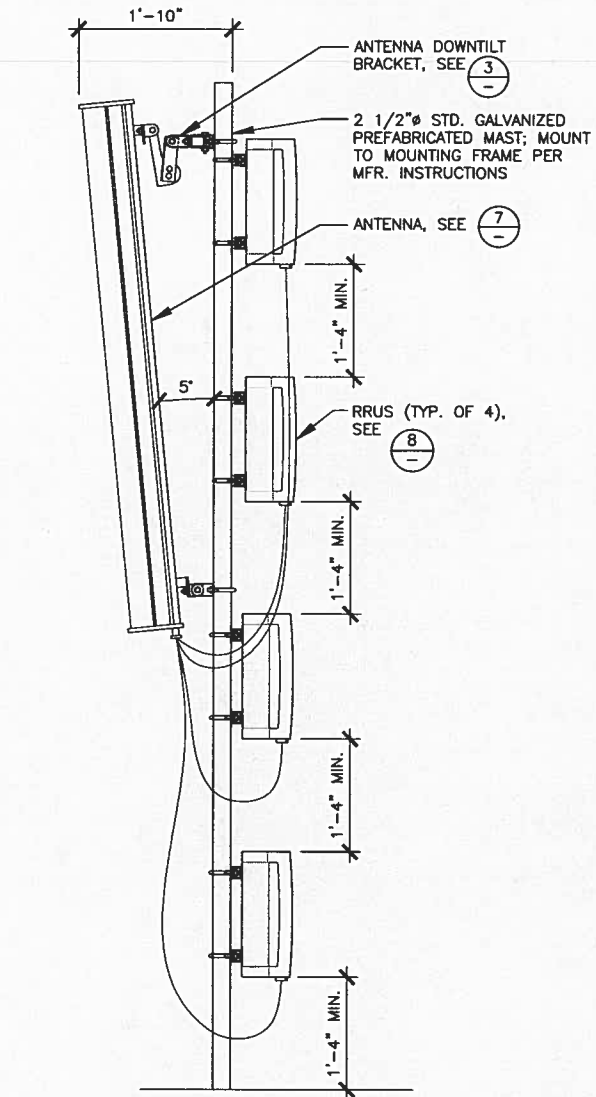
ENLARGED PLAN AT PROPOSED ANTENNAS

$$1/4'' = 1' - 0''$$


EQUIPMENT ROOM PLAN

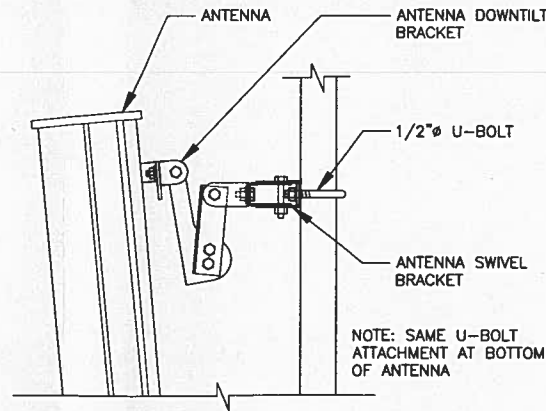
$$1/4" = 1' - 0"$$





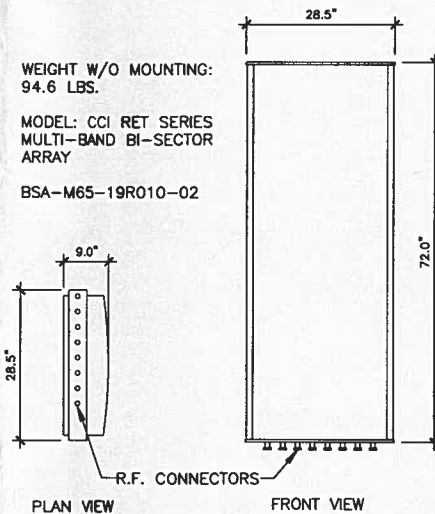
ANTENNA/RRUS MOUNT (SIDE VIEW)  
1"=1'-0"

6



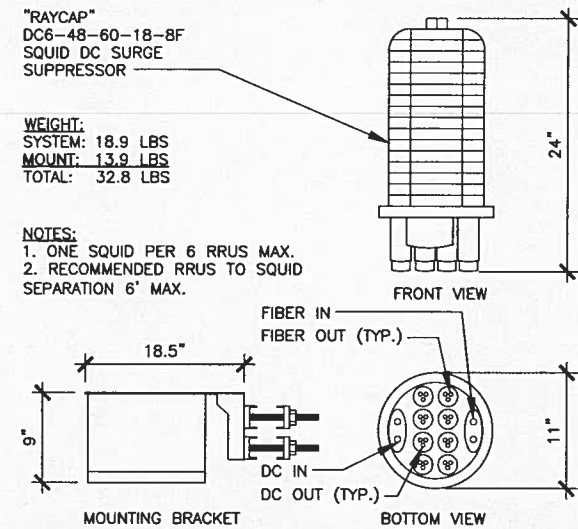
ANTENNA DOWNTILT BRACKET  
1-1/2"=1'-0"

3



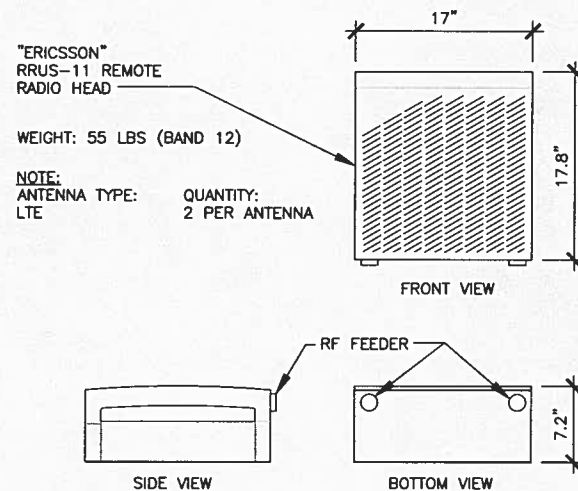
PROPOSED ANTENNA  
3/4"=1'-0"

7



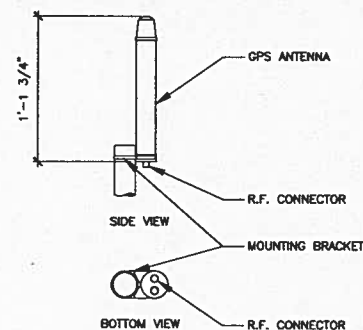
SQUID SURGE SUPPRESSOR  
1-1/2"=1'-0"

4



RRUS UNIT  
1-1/2"=1'-0"

8



GPS ANTENNA  
1-1/2"=1'-0"

12

ARCHITECT



DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS  
3939 FIRST AVENUE, SUITE 100, SAN DIEGO, CA 92103  
619.295.4210 • 619.295.4250 FAX • DDAA1@AOL.COM

PROJECT NAME



SD0256  
RALPHS DOWNTOWN  
101 MARKET STREET, SAN DIEGO, CA 92101

ISSUES REVISIONS

DATE	BY	ISSUE	DESCRIPTION	ZDs
05-17-13	RVA	REV 0	BOX FOR REVIEW	
05-22-13	RVA	REV 1	PER 5/17 DRW COMMENTS	
08-07-13	RVA	REV 2	PER SK PLANNING COMMENTS	
08-28-13	KOB	REV 3	ANTENNA LAYOUT FOR 8-30-13 DRW	
11-01-13	KOB	REV 4	ANTENNA LAYOUT FOR 10-23-13 DRW	
11-01-13	KOB	REV 5	PER PLANNING COMMENTS	
12-02-13	KOB	REV 6	PER PLANNING COMMENTS	
02-21-14	KOB	REV 7	ORIGINAL CUPOLA PER HGA	
02-28-14	KOB	REV 8	FOR RF REVIEW	
04-27-14	KOB	REV 9	REVISED PER CIVIC SAN DIEGO	

SHEET INFORMATION

DI DONATO ASSOCIATES  
ARCHITECTURE + GRAPHICS

Z06  
ANTENNA  
DETAILS

1302204  
PLOT SCALE 1/1 (24x36 D' SIZE)

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF DDA AND SHALL NOT BE USED IN CONNECTION WITH ANY OTHER WORK EXCEPT BY AGREEMENT WITH DDA. THERE SHALL BE NO CHANGES OR DEVIATIONS WITHOUT THE CONSENT OF DDA. WRITTEN DIMENSIONS SHALL BE BROUGHT TO THE NOTICE OF THE DDA PRIOR TO THE COMMENCEMENT OF ANY WORK.

**RECORDING REQUESTED BY:**

Civic San Diego  
401 B Street, Suite 400  
San Diego, CA 92101

**AND WHEN RECORDED MAIL TO:**

Civic San Diego  
401 B Street, Suite 400  
San Diego, CA 92101

*THIS SPACE FOR RECORDER'S USE ONLY*

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*NOTE: COUNTY RECORDER, PLEASE RECORD AS  
RESTRICTION ON USE OR DEVELOPMENT  
OF REAL PROPERTY AFFECTING THE TITLE  
TO OR POSSESSION THEREOF*

**DECISION OF THE CITY OF SAN DIEGO  
PLANNING COMMISSION**

**MARINA PLANNED DISTRICT  
CONDITIONAL USE PERMIT NO. 2013-22  
101 MARKET STREET  
[APN#535-072-06-01 THROUGH -04]**



**DECISION OF THE CITY OF SAN DIEGO  
PLANNING COMMISSION**

**MARINA PLANNED DISTRICT  
CONDITIONAL USE PERMIT NO. 2013-22  
101 MARKET STREET  
[APN#535-072-06-01 THROUGH -04]**

This Conditional Use Permit No.2013-22 is granted by the Planning Commission of the City of San Diego to Kevin Becker on behalf of AT&T, Permittee, and Sam Williams on behalf of Atria Community Association Corporation, Owner, pursuant to San Diego Municipal Code (SDMC) Sections 126.0304, 126.0305, 141.0420 and 156.0308. The property is legally described in Exhibit A, in the City of San Diego, County of San Diego, State of California, on file in the Office of the County Clerk of San Diego County in the Marina District of the Downtown Community Plan Area.

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 described and identified by size, dimension, quantity, type and location as follows and on the approved exhibits on file in the Civic San Diego ("CivicSD") Planning Department.

The project shall include:

- a. Twelve (12) panel antennas mounted within a proposed rooftop enclosure;
- b. Forty-eight (48) remote radio units mounted within the proposed rooftop enclosure; and,
- c. Equipment area of 250 square feet completely concealed within an existing storage room on the fifth floor of the existing building.

**PLANNING/DESIGN REQUIREMENTS:**

1. The panel antennas shall be concealed within radio frequency enclosure that shall not exceed an area of 560 square feet and a not extend beyond 14 feet above the existing parapet. The enclosure shall be painted and textured to match the existing parapet.
2. The remote radio units shall be mounted behind the same proposed radio frequency enclosure that will contain the panel antennas.
3. The equipment area shall not exceed 250 square feet and be located entirely within the existing fifth floor storage room.
4. 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.

5. Associated lighting for the communications equipment (not for the Atria Building) shall be minimized and directed to shine on the equipment building only. Motion detectors should be implemented when practical.
6. Prior to the issuance of a Building Permit, the Permittee 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.

**STANDARD REQUIREMENTS:**

7. The Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, modifications to the building and/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law may be required.
8. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized, this permit shall be void unless an Extension of Time has been granted.
9. All work authorized by this permit shall be in conformance with the description of work contained herein and as indicated on the plans submitted to the Building Safety Division and stamped with the CivicSD "APPROVED" stamp. All modifications to this structure or site not directly approved by this permit shall require further review by CivicSD.
10. No change, modifications, or alterations to the approved plans shall be made without a determination of substantial conformance by CivicSD or amendment of this Permit has been granted. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone which are in effect on the date of the submittal of the requested amendment.
11. At any time in which the facilities are no longer utilized as approved, 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.
12. This Permit may be revoked by CivicSD if there is a material breach or default in any of the conditions of this permit. If the business creates a nuisance to the surrounding neighborhood, based on a determination of the President of CivicSD, this permit may be revoked after the holding of a public hearing.
13. This Permit shall not become effective until:
  - a) The Permittee and Owner signs and returns the Permit to CivicSD; and



- b) The Permit is recorded in the Office of the County Recorder.
  - c) This Permit must be used within 36 months after the date of approval or the Permit shall be void.
14. After establishment of the business, the Property shall not be used for other uses unless:
- a) Authorized by CivicSD; and,
  - b) The uses are consistent with all zoning and development regulations of the Marina Planned District Ordinance; or
  - c) This permit has been revoked by CivicSD.
15. This Permit is a Covenant running with the lands and shall be binding upon the 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.
16. The owner and permittee shall adhere to all Federal, State and local laws, ordinances and regulations at all times.
17. The owner and permittee shall maintain the CUP and other business licenses in the establishment and shall make these documents available to anyone lawfully engaged in the inspections of the premises.
18. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
19. If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.
20. The Owner/Permittee shall defend, indemnify, and hold harmless CivicSD, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the CivicSD 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. CivicSD will promptly notify Owner/Permittee of any claim, action, or

proceeding and, if the CivicSD should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the CivicSD or its agents, officers, and employees. CivicSD may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the CivicSD and Owner/Permittee regarding litigation issues, CivicSD shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

Approved by the Planning Commission of the City of San Diego on May 22, 2014 by Resolution No. PC-14-039.

AUTHENTICATED BY THE CIVIC SAN DIEGO

\_\_\_\_\_  
Lorena Cordova  
Assistant Planner  
Civic San Diego

**Note: Notary Acknowledgement  
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.**

Atria Community Association Corporation  
Owner:

By: \_\_\_\_\_  
Sam Williams

**Note: Notary Acknowledgement  
must be attached per Civil Code  
Section 1189 et seq.**

AT&T  
Permittee:  
By: \_\_\_\_\_  
Kevin Becker



PLANNING COMMISSION RESOLUTION NO. PC-14-039  
CONDITIONAL USE PERMIT NO.2013-22  
**AT&T - ATRIA**

WHEREAS, Kevin Becker on behalf of AT&T, Permittee, 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 associated permit no. 2013-22;

WHEREAS, the project site is located at 101 Market Street in the Marina Planned District of the Downtown Community Plan Area;

WHEREAS, the project site is legally described as **Exhibit B**, in the City of San Diego, County of San Diego, State of California, on file in the Office of the County Clerk of San Diego County;

WHEREAS, on May 22, 2014, the Planning Commission of the City of San Diego considered Conditional Use Permit (CUP) No. 2013-22 pursuant to the Marina Planned District Ordinance (MPDO) and the Land Development Code (LDC) 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 May 22, 2014.

**FINDINGS:**

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

Although the Downtown Community Plan does not specifically address WCFs, the City's General Plan does and it establishes that the visual impacts of these facilities be minimized; that the design be aesthetically pleasing; and that mechanical equipment be concealed underground or be within an unobtrusive structure. AT&T will conceal the antennas with a proposed enclosure that is painted and textured to match the building. The remote radio units (RRUs) will be mounted behind the proposed enclosure and the equipment is to remain concealed within the existing building. Therefore, the proposed WCF will not adversely affect the applicable land use plan.

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

The WCF will be required to comply with all applicable City, State and Federal regulations including complying with the radio frequency (RF) emissions per the 1996 Telecommunications Act. Federal regulations set out explicit standards to ensure the WCF is not detrimental to the public health, safety and welfare. Therefore, prior to building permit issuance, the applicant will be required to provide an RF emissions report showing that the RF power densities of the facility are within the federal standards.

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

The AT&T WCF will comply to the maximum extent feasible with the regulations for the proposed modifications and additions with approval of a CUP. The AT&T WCF will be subject to conditions of approval that are consistent with current standards in the MPDO and LDC.

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

While the WCF Guidelines specify that residential land uses are one of the least preferred areas for siting WCFs, carriers such as AT&T are allowed to provide coverage for their customers which necessitates placing these facilities in these locations. The site has been designed in a way that the facility will not disrupt the surrounding uses by screening the antennas and RRUs within a rooftop enclosure and installing the equipment within the existing building. Therefore, the proposed use 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. 2013-22 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2013-22, a copy of which is attached hereto and made a part hereof.

---

Lorena Cordova  
Assistant Planner  
Civic San Diego

Adopted on: May 22, 2014





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**

SD0256 Ralphs Downtown

Project No. For City Use Only

**Project Address:**

101 Market Street, San Diego, CA 92101

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

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

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title:

Project No. (For City Use Only)

**Part II - To be completed when property is held by a corporation or partnership****Legal Status (please check):**

☒ Corporation ☐ Limited Liability -or- ☐ General) What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
☐ Partnership

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

Corporate/Partnership Name (type or print):

Atria Community Association

☒ Owner ☐ Tenant/Lessee

Street Address:

101 Market Street

City/State/Zip:

San Diego, CA 92101

Phone No:

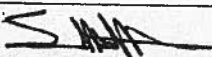
(619) 920-7174

Fax No:

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

Title (type or print):

Signature:



Date:

6.3.13

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature:

Date: