

RESOLUTION NUMBER R- 311697

DATE OF FINAL PASSAGE APR 17 2018

ITEM # 332

4/17/18

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING THE PLANNED DEVELOPMENT PERMIT NO. 2091137, SITE DEVELOPMENT PERMIT NO. 2091138 AND NEIGHBORHOOD USE PERMIT NO. 2091139 FOR AT&T MESA COLLEGE – PROJECT NO. 566494.

WHEREAS, San Diego Community College District, Owner, and AT&T Mobility, Permittee, filed an application with the City of San Diego for a Planned Development Permit No. 2091137, Site Development Permit No. 2091138, and Neighborhood Use Permit No. 2091139 to install a Wireless Communication Facility (WCF), on portions of a 105-acre site located at 7250 Mesa College Drive in the RS-1-1 and RS-1-7 zones of the Clairemont Mesa Community Plan area; and

WHEREAS, the project site is legally described as those portions of Pueblo Lot 1203, 1204, 1213, and 1214 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of San Diego County, November 14, 1921 and is known as Miscellaneous Map No. 36, more particularly described in Exhibit “A” consisting of three pages attached hereto and made a part thereof; and

WHEREAS, on October 18, 2017, 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 Guidelines Section 15303 (New Construction or Conversions of Small Structures) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and

WHEREAS, on February 22, 2018, the Planning Commission of the City of San Diego considered Planned Development Permit (PDP) No. 2091137, Site Development Permit (SDP) No. 2091138, and Neighborhood Use Permit (NUP) No. 2091139, and pursuant to Resolution No. PC-4924 voted to recommend approval; and

WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

WHEREAS, the matter was set for public hearing on April 17, 2018, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and fully advised concerning the same; NOW, THEREFORE

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to PDP No. 2091137, SDP No. 2091138, and NUP No. 2091139:

A. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0605

(1) The proposed development will not adversely affect the applicable land use plan. The Clairemont Mesa Community Plan does not address Wireless Communication Facilities (WCF); however, the City of San Diego's General Plan Urban Design Element (Policy UD-A.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 requires 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.

This project is proposing a rooftop solution to conceal a WCF supporting 16 antennas, 64 Remote Radio Units (RRUs), 8 WCS Filters, and 12 Surge Suppressors behind four new rooftop Fiberglass Reinforced Panel (FRP) screen walls, painted and textured to replicate the rooftop mechanical screen walls. This project is located on the rooftop of the Mathematics and Natural Science Building located near the center of Mesa College campus. The AT&T WCF proposes 16 antennas, 64 RRUs, 8 WCS Filters, and 12 Surge Suppressors in 4 different sectors on the roof

top behind FRP screen walls integrated to complement the design of the building. The associated equipment will also be located on the roof top on a steel platform and concealed behind the 'sector D' FRP screen wall. The building is 79 feet, 6 inches tall so the equipment, proposed behind the FRP screen wall on the west side of the building, will not be visible from ground level.

The proposed WCF complies with the City's Land Development Code (LDC), Section 141.0420, Wireless Communication Facilities, as well as the requirements of the City's General Plan. The proposed WCF will not adversely affect the Clairemont Mesa Community Plan or the City's General Plan.

(2) The proposed development will not be detrimental to the public health, safety, and welfare. This project is located on the rooftop of the Mathematics and Natural Science Building located near the center of Mesa College campus. The AT&T WCF proposes 16 antennas, 64 RRUs, 8 WCS Filters, and 12 Surge Suppressors in 4 different sectors on the roof top behind FRP screen walls integrated to complement the design of the building. The associated equipment will also be located on the roof top on a steel platform and concealed behind the 'sector D' FRP screen wall. The building is 79 feet, 6 inches tall so the equipment, proposed behind the FRP screen wall on the west side of the building, will not be visible from ground level.

The project was determined to be exempt from CEQA pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety, and welfare. All proposed improvements plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes.

The Telecommunications Act of 1996 preempts local governments from regulating the "placement, construction and modification of WCFs on the basis of environmental effects of Radio Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A RF exposure Pre-installation FCC Compliance Assessment was prepared for AT&T. It concluded that the project will be in compliance with the FCC Standards for RF emissions under the following conditions: (1) A total of 2 notices and 2 signs posted for the Alpha Sector; (2) A total of 2 notices and 2 signs posted for the Beta Sector; (3) A total of 2 notices and 2 signs posted for the Gamma Sector; and (4) A total of 2 notices and 2 signs posted for the Delta Sector. The project will not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

(3) The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 125.0602(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 otherwise authorized pursuant to the Land Development Code. Mesa College is located within the RS-1-1 and the RS-1-7 zones as well as the Clairemont Mesa Height Limitation Overlay Zone (CMHLOZ). The Mathematics and Natural Science building is located in the RS-1-7 zone. The building stands currently at 79 feet, 6 inches and was processed through the California Divisions of the State Architect (DSA), which has design, regulatory and construction oversight for public schools, including community colleges. WCFs are permitted on non-residential buildings located in a residential zone with a Neighborhood Use Permit (NUP), however, the height limit in the RS-1-7 zone and the CMHLOZ is 30 feet, which requires a PDP and an SDP respectively.

AT&T's proposed WCF will support 16 antennas, 64 Remote Radio Units (RRUs), 8 WCS Filters, and 12 Surge Suppressors conceal behind 4 new Fiberglass Reinforced Panel (FRP) screen walls, integrated to complement the existing building architecture. The screens will not result in any additional overall height increase to the existing building but will be above the 30 foot height limit. LDC Sections 141.0420(g)(1) and (g)(2) require WCF to utilize the smallest, least visually intrusive antennas and associated components in addition to requiring all WCFs to be conceal or minimize visual impact through integration. The proposed project, as compared to the existing building represents a minimal increase in bulk in order to accommodate the WCF.

The purpose of a PDP is to "encourage imaginative and innovative planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations." A height deviation to allow rooftop screens on an existing building achieves this purpose by allowing the project to avoid placement of facade-mounted antennas or separate, stand-alone structures on the property. Although such installations would not comply with the height limit of the zone, they represent a greater visual impact than the requested deviation. Therefore, the requested deviation allows the project to integrate with the building and reduces visual impacts to adjacent properties. With the exception of the height deviation, the project will comply with the applicable regulations of the LDC.

B. SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0505

(1) The proposed development will not adversely affect the applicable land use plan. The Clairemont Mesa Community Plan does not address WCF; however, the City of San Diego's General Plan Urban Design Element (Policy UD-A.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 requires 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 1972, the City Council adopted a 30 foot height limit over western Clairemont and in 1989 expanded this height limit to the entire community. The Community Plan emphasizes the low-scale nature of the community and the desire to maintain an established maximum height limit. Mesa College is located in the southeastern portion of the community, immediately

adjacent to the community of Linda Vista. The main entrance to campus is from Chasewood Way off Marlesta Drive where single unit residential units are approximately 20 feet lower than the parking area at the base of the campus. The WCF is proposed on top of the Mathematics and Natural Science building, standing at 79 feet, 6 inches tall. The Mathematics and Natural Science building is surrounded by other similar size buildings and is prominent on the campus and can be seen from nearby residential areas to the north and west.

The proposed AT&T WCF will support 16 antennas, 64 Remote Radio Units (RRUs) 8 WCS Filters, and 12 Surge Suppressors, completed concealed and integrated behind 4 new Fiberglass Reinforced Panel (FRP) screen walls. This project is located on the rooftop of the Mathematics and Natural Science Building located near the center of Mesa College campus. The AT&T WCF proposes 16 antennas, 64 RRUs, 8 WCS Filters, and 12 Surge Suppressors in 4 different sectors on the roof top behind FRP screen walls integrated to complement the design of the building. The associated equipment will also be located on the roof top on a steel platform and concealed behind the 'sector D' FRP screen wall. The building is 79 feet, 6 inches tall so the equipment, proposed behind the FRP screen wall on the west side of the building, will not be visible from ground level.

The proposed WCF complies with LDC Section 141.0420, Wireless Communication Facilities, as well as the requirements of the City's General Plan. The proposed WCF does not adversely affect the Clairemont Mesa Community Plan or the City's General Plan.

(2) The proposed development will not be detrimental to the public health, safety, and welfare. Please see PDP Finding No. 2 above for facts supporting this Finding. For the reasons described in that Finding, which are hereby incorporated into this Finding by reference, the proposed development will not be detrimental to the public health, safety, and welfare.

(3) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. Please see PDP Finding No. 3 above for facts supporting this Finding. For the reasons described in that Finding, which are hereby incorporated into this Finding by reference, the proposed development will comply with the LDC including any allowable deviations pursuant to the LDC.

Supplemental Site Development Permit Findings LDC Section 126.0604(j)

(1) The granting of an exception will not significantly interfere with public views from western Clairemont Mesa to Mission Bay and the Pacific Ocean within the surrounding area. The AT&T WCF is proposed on the rooftop of the Mathematics and Natural Science building on the campus of Mesa College. The tallest point on this building is 79 feet, 6 inches and AT&T proposing to add four FRP screen walls, integrated and designed to replicate the mechanical screen wall on four sides of the building. The screen walls will conceal up to 16 antennas, 64 Remote Radio Units, 8 WCS Filters, 12 Surge Suppressors, and associated roof top equipment cabinets.

In 1972, the West Clairemont Height Limit, which limited height to 30 feet in Western Clairemont, was adopted to protect and preserve views toward Mission Bay and the Pacific Ocean. In 1989, the City Council extended the 30-foot height limit for the majority of the Clairemont Mesa community and renamed it the CMHLOZ. It was intended to maintain the low-scale character of development in the community and to continue preservation of views toward Mission Bay and the Pacific Ocean. Mesa College is under the jurisdiction of the San Diego Community College District, which is exempt from the City's zoning regulations. This has resulted in the existing buildings on campus exceeding the 30-foot height limit. The College is located at the far southeastern portion of the Clairemont Mesa community and it is approximately 2.35 miles to Mission Bay and approximately 5.1 miles to the Pacific Ocean. Residential properties are located to the east of the campus, but are approximately the same topographical elevation as the campus, therefore, this in addition to the distance from the coast, will not result in interference with public views toward Mission Bay and the Pacific Ocean.

(2) The granting of an exception is appropriate because there are existing structures over 30 feet in height and the proposed development will be compatible with surrounding one, two, or three-story structures; or the granting of an exception is appropriate because there are topographic constraints peculiar to the land; or the granting of the exception is needed to permit roofline and facade variations, accents, tower elements, and other similar elements and the elements will not increase the floor area of the structure. The Mesa College campus is approximately 105 acres in size and is located in the southeastern portion of the Clairemont Mesa Community. The WCF is located on the roof top of the existing Mathematics and Natural Science building, which is located near the center of Mesa College campus. The campus is higher in elevation than adjacent development and is surrounded by mature trees. The Mathematic and Natural Science building stands at 79 feet, 6 inches tall and is surrounded by other similar size buildings. Mesa College is under the jurisdiction of the San Diego Community College District, which is exempt from the City's zoning regulations. This has resulted in the existing buildings on campus exceeding the 30-foot height limit. The granting of the exception to the height limit is needed to permit roofline variations created by the new FRPs that will be installed on the rooftop to completely conceal the entire WCF from view. There will be no increase in floor area. Views of the Mathematics and Natural Science building are intermittent from the surrounding areas and the addition of the FRP mechanical screens complementing the building architecture does not impact views of the building. The project, as compared to the existing building, will not result in any additional height increase in order to accommodate the WCF.

C. NEIGHBORHOOD USE PERMIT- SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0205

(1) The proposed development will not adversely affect the applicable land use plan. Please see PDP Finding No. 1 above for facts supporting this Finding. For the reasons described in that Finding, which are hereby incorporated into this Finding by reference, the proposed development will not adversely affect the applicable land use plan.

(2) The proposed development will not be detrimental to the public health, safety, and welfare. Please see PDP Finding No. 2 above for facts supporting this Finding. For

the reasons described in that Finding, which are hereby incorporated into this Finding by reference, the proposed development will not be detrimental to the public health, safety, and welfare.

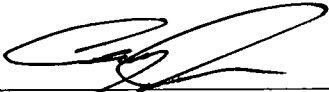
(3) The proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. Please see PDP Finding No. 3 above for facts supporting this Finding. For the reasons described in that Finding, which are hereby incorporated into this Finding by reference, the proposed development will comply with the regulations of the LDC including any allowable deviations pursuant to the LDC.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Planned Development Permit No. 2091137, Site Development Permit No. 2091138, and Neighborhood Use Permit No. 2091139 are granted to San Diego Community College District, Owner, and AT&T Mobility, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Casey C. Shaw
Deputy City Attorney

CCS:als
03/28/2018
Or.Dept:DSD
Doc. No.: 1712848

Attachment: Planned Development Permit/Site Development Permit/Neighborhood Use Permit

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

**WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A**

INTERNAL ORDER NUMBER: 12002110

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**PLANNED DEVELOPMENT PERMIT NO. 2091137
SITE DEVELOPMENT PERMIT NO. 2091138
NEIGHBORHOOD USE PERMIT NO. 2091139
AT&T MESA COLLEGE PROJECT NO. 566494
CITY COUNCIL**

This Planned Development Permit (PDP) No. 2091137, Site Development Permit (SDP) No. 2091138, and Neighborhood Use Permit (NUP) No. 2091139 (collectively, "Permit") is granted by the City Council of the City of San Diego to San Diego Community College District, Owner, and AT&T Mobility, Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0203, 126.0502, 126.0602, and 141.0420. The 105-acre site is located at 7250 Mesa College Drive in the RS-1-1 and RS-1-7 zones of the Clairemont Mesa Community Planning area. The project site is legally described those portions of Pueblo Lot 1203, 1204, 1213, and 1214 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of San Diego County, November 14, 1921 and is known as Miscellaneous Map No. 36, more particularly described in Exhibit "A" consisting of three pages attached hereto and made a part thereof;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 17, 2018, on file in the Development Services Department.

The project shall include:

- a. A Wireless Communication Facility (WCF) supporting 16 antennas, 64 Remote Radio Units, 8 WCS Filters, 12 Surge Suppressors, and associated equipment on the roof top of the Mathematics and Natural Science building on the Mesa College campus. Approved AT&T antenna measurements are 72" by 28.5" by 9.7".
- b. The maximum height in the RS-1-7 zone and in the Clairemont Mesa Height Limit Overlay Zone is 30 feet. The Mathematics and Natural Science building is 79 feet, 6 inches at its tallest point and AT&T is proposing to add Fiberglass Reinforced Panel

screens that will not increase the overall height of the building but will be above 30 feet (Top of proposed FRP screens will be 74 feet). All antennas and equipment will be completely concealed.

- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this Permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This Permit must be utilized by **April 17, 2021**.
2. This Permit and corresponding use of this site shall expire on **April 17, 2028**. 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 unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
3. No later than ninety (90) days prior to the expiration of this approval, the Owner/Permittee may submit a new application to the Development Services Department for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.
4. Under no circumstances, does approval of this Permit authorize the Owner/Permittee to utilize this site for WCF purposes beyond the Permit expiration date. Use of this Permit approval beyond the expiration date of this Permit is prohibited.
5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.

6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

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

9. Issuance of this Permit by the City of San 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 building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

11. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

12. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City

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

PLANNING/DESIGN REQUIREMENTS:

14. Every aspect of this project is considered an element of concealment including but not limited to the dimensions, bulk and scale, color, materials and texture. Any future modifications to this permit must not defeat concealment.

15. Consistent with the Radio Frequency Report dated July 31, 2017 by Waterford, the following notices shall be installed and inspected during Final Telecom Inspection:

- a. (1) A total of 2 notices and 2 signs posted for the Alpha Sector; (2) A total of 2 notices and 2 signs posted for the Beta Sector; (3) A total of 2 notices and 2 signs posted for the Gamma Sector; (4) A total of 2 notices and 2 signs posted for the Delta Sector.

16. The WCF shall conform to the approved exhibits at all times.

17. The Owner/Permittee shall print photo simulations (in color) on the construction documents.

18. For Sectors A, B, C, and D, the returns on the Fiberglass Reinforced Panel (FRP) screen walls shall be 8 feet in length to effectively obscure the antennas and all associated equipment components.

19. Antennas and associated components, such as, but not limited to, Remote Radio Units (RRUs), surge suppressors, etc., shall not exceed the height of any existing or proposed screen walls.

20. Use of or replacement of any building façade or mechanical screen with RF-transparent material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the original building. All RF-transparent material shall be painted and textured to match the original building and adjacent building surfaces.

21. The accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation.

22. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
23. All facilities and related equipment shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.
24. Pursuant to SDMC Section 141.0420(b)(4), the Owner/Permittee shall, at its sole cost or expense, remove this WCF if it is no longer operational and the building shall be restored back to original condition prior to the installation of the WCF.
25. The Owner/Permittee shall install and maintain appropriate warning signage on the WCF as required by State and Federal regulations. The Owner/Permittee shall be responsible for complying with all State and Federal regulations.
26. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Please note that a Telecom Planning Inspection Issue will be placed on the project prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at (619) 687-5984 to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five business days ahead of the requested Final Inspection date.
- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on APR 17 2018, by
 Resolution No. R -311697

Planned Development Permit (PDP) No. 2091137
Site Development Permit (SDP) No. 2091138
Neighborhood Use Permit (NUP) No. 2091139
Date of Approval: APR 17 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Simon Tse
Development Project Manager

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

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

San Diego Community College District
Owner

By _____
NAME
TITLE

AT&T Mobility
Permittee

By _____
NAME
TITLE

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

Passed by the Council of The City of San Diego on APR 17 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 17 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-

311697