

RESOLUTION NUMBER R- **315426**

DATE OF FINAL PASSAGE **MAR 12 2024**

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO GRANTING CONDITIONAL USE PERMIT NO.  
3184904 AND SITE DEVELOPMENT PERMIT NO. 3235043  
FOR AMERICAN TOWER/AT&T TECOLOTE RELO  
PROJECT - PROJECT NO. 1071544.

WHEREAS, Sorrento Tower Housing Partners, L.P., Owner, and American Tower Corporation and AT&T Mobility, Permittees, filed an application with the City of San Diego for a Conditional Use Permit (CUP) and a Site Development Permit (SDP) for a Wireless Communication Facility (WCF) known as the American Tower/AT&T Tecolote Relo (Project) located at 2875 Cowley Way in the RM-3-7 Zone, and Clairemont Mesa Height Overlay Zone (CMHOZ) within the Clairemont Mesa Community Plan area and legally described as Lot 6 of Forest Park Plaza, in the City of San Diego, County of San Diego, State of California, according to map thereof No. 7522, filed in the Office of the County Recorder of San Diego County, January 5, 1973; and

WHEREAS, on November 30, 2023, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline section 15302 (Replacement or Reconstruction); and

WHEREAS, on November 2, 2023, the Planning Commission of the City of San Diego considered CUP No. 3184904 and SDP No. 3235043 pursuant to Resolution No. 5262-PC and voted to recommend approval of the Permit; and

WHEREAS, under 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 public hearing was required by implicating the due to process rights of individuals affected by the decision and where the Council was required by law evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, including information including information provided by affected third parties and verified by City staff, with the understanding that the information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to CUP No. 3184904 and SDP No. 3235043:

**A. CONDITIONAL USE PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)  
SECTION 126.0305**

**1. Findings for all Conditional Use Permits:**

**a. The proposed development will not adversely affect the applicable land use plan.** The project is a modification of an existing Wireless Communication Facility (WCF) on the roof of an existing apartment building, behind Fiber Glass Reinforced Panels (FRP). The modification consists of removing six (6) antennas and installing nine (9) antennas with upgrading of the equipment inside a mechanical room on the 14th floor.

American Tower and AT&T is requesting a new permit to continue the use of the existing site with a minor modification to remove and replace antennas without any changes to the exterior of the parapet.

The Clairemont Mesa Community Plan defers all WCFs to the WCF Guidelines, regulations and the General Plan. The City of San Diego General Plan requires all wireless facilities to minimize visual impacts under UD-A.15.a. It also includes the following provisions: 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; and C) Conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures.

The project is proposing minor modifications to an existing project that includes

removing six antennas and replacing it with nine antennas behind an existing parapet on the roof with minimal impact to the exterior of the parapet. The project design conceals existing structures by using screening techniques, such as FRP screens that are painted and textured to match exiting roof top screens to ensure an aesthetically pleasing set up. All antennas, equipment and cables will be concealed as required by the WCF Design Guidelines Section 2(a)(b)(c) Completely Concealed and Integrated Facilities (CCIFs).

Therefore, the proposed modification of the WCF is minor, will not adversely affect the applicable land use, and is compatible with the City of San Diego General Plan for WCFs.

**b. The proposed development will not be detrimental to the public health, safety, and welfare.** The project is a modification of an existing Wireless Communication Facility (WCF) on the roof of an existing apartment building, behind FRP. The modification consists of removing six (6) antennas and installing nine (9) antennas with upgrading of the equipment inside a mechanical room on the 14th floor.

American Tower and AT&T is requesting a new permit to continue the use of the existing site with a minor modification to remove and replace antennas without any changes to the exterior of the parapet.

The project was determined to be exempt from CEQA Guidelines section 15302 (Replacement or Reconstruction). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure continued public health, safety, and welfare. All proposed improvement 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 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. AT&T has submitted an RF Report, dated May 16, 2022, demonstrating compliance with the required FCC regulations and Environmental Regulations.

Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within matters of City’s jurisdiction.

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.** The project is a modification of an existing WCF on the roof of an existing building, behind Fiber Glass Reinforced Panels (FRP). The modification consists of removing six (6) antennas and installing nine (9) antennas with upgrading of the equipment inside a mechanical room on the 14th floor.

Pursuant to San Diego Municipal Code (SDMC) section 141.0420(e)(1)(2), WCFs should

utilize the smallest, least visually intrusive antennas, components, and other necessary equipment. In addition, the applicant shall use all reasonable means to conceal or minimize the visual impacts of the WCFs through integration and installation on existing structures. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape, and sitting solutions.

The project requires a height limit deviation. The existing building is previously conforming and was constructed prior to the adoption of the CMHLOZ. The height limit in the RM-3-7 Zone is 30-feet. The overall height of the building is 140-feet, 9-inches that includes the 11-feet and 9-inches FRP parapet. The existing WCF permit has expired, and the project is considered a new project to be reviewed under the current Wireless Communication Facility regulations (SDMC section 141.0420). The modification of the antennas behind the FRP will not impact or increase the height of the parapet screen and there is no visual impact to the surrounding areas.

The original permit was approved by the City Council on May 28, 1996. The CUP included a 10-year expiration date to allow for any upgrade and change in technology. The subsequent CUP, approved on March 13, 2012, was a major improvement over what was approved originally because it removed all exposed antennas from the surface of the building and concealed them behind an FRP screen, that was painted to match and architecturally integrate with the building.

American Tower and AT&T is requesting a new permit to continue the use of the existing site with a minor modification to remove and replace antennas without any changes to the exterior of the parapet. The project design conceals existing structures by using screening techniques, such as FRP screens that are painted and textured to match exiting roof top screens to ensure an aesthetically pleasing set up. All antennas, equipment and cables will be concealed as required by the WCF Design Guidelines Section 2(a)(b)(c) Completely Concealed and Integrated Facilities (CCIFs). Therefore the modification is not creating any visual impact and the antennas are screened behind FRP screens as required by our WCF Design Guidelines.

Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code can be supported due to the design, coverage, and integration.

**d. The proposed use is appropriate at the proposed location.** The project is a modification of an existing WCF on the roof of an existing building, behind FRP. The modification consists of removing six (6) antennas and installing nine (9) antennas with upgrading of the equipment inside a mechanical room on the 14th floor.

The original CUP was approved by the City Council in May of 1996. The latest CUP was approved by the City Council in March of 2012 which was a major improvement to the visual appearance of the façade, it pulled together several communication carriers that were scattered on the surface of the building, behind the FRP screens inside a mechanical screen on the roof.

This site is a multi-carrier WCF on the roof of a 14-story apartment complex (a previously conforming structure) located on a Preference 4 location per Council Policy 600-43.

The justification for this location is predominately due to the ideal height and surrounding uses. The 14-story tall apartment complex provides an extended coverage footprint as highlighted in the coverage map and presents a design that is fully integrated and concealed resulting in a Complete Concealment Facility (CCF) designation. The project design conceals existing structures by using screening techniques, such as FRP screens that are painted and textured to match exiting roof top screens to ensure an aesthetically pleasing set up. All antennas, equipment and cables will be concealed as required by the WCF Design Guidelines Section 2(a)(b)(c) Completely Concealed and Integrated Facilities (CCIFs). Therefore, the proposed use with minor modification is appropriate at this location.

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

**1. Findings for all Site Development Permits:**

**a. The proposed development will not adversely affect the applicable land use plan.** See Finding 1. (a)

**b. The proposed development will not be detrimental to the public health, safety, and welfare.** See Finding 1. (b)

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.** The project is a modification of an existing Wireless Communication Facility (WCF) on the roof of an existing building, behind Fiber Glass Reinforced Panels (FRP). The modification consists of removing six (6) antennas and installing nine (9) antennas and upgrading of the equipment inside a mechanical room on the 14-floor.

Pursuant to SDMC section 126.0502 (e)(3) and SDMC section 132.1306, a Site Development Permit (SDP) approval a Process Five City Council approval is required for development in the Clairemont Mesa Height Limit Overlay Zone (CMHLOZ), for which an exception to the height limit is requested. Processing of this SDP meets the requirement.

The original Conditional Use Permit (CUP) was approved by the City Council on May 28, 1996. The CUP had a 10-year expiration date, to allow for upgrades and changes to the technology and regulations. The latest CUP was approved by the City Council, on March 13, 2012, which was a major improvement to the visual appearance of the façade. It combined multiple communication carriers -that were scattered on the roof and façade of the building- behind the FRP designed mechanical screen on the roof.

The overall height of the building is 140-feet, 9-inches. The building is previously conforming and was constructed prior to the adoption of the (CMHLOZ). This site is a multi-carrier WCF on the roof of a 14-story apartment complex, a previously conforming structure that hides the antennas behind the existing FRP. The height limit in the RM-3-7 zone is 30-feet. The existing building height is ideal for a WCF to provide service to the surrounding areas, compared to the other adjacent properties that do not have the desired elevation.

The modification of the antennas does not impact the height of the existing building including the mechanical screen, therefore the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

**2. Supplemental Findings--Clairemont Mesa Height Limit:**

a. **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 14-story apartment building is located at the top of a ridge that is more than a mile from Mission Bay. The property drops down to a canyon to the east, so there is no impact to the view in the west. The building was constructed in 1989 prior to the adoption of the CMHLOZ. The modification of the antennas are inside the mechanical screen on the roof, and it will not have any impact to the existing structure. Therefore, due to the height and location of the building, 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.

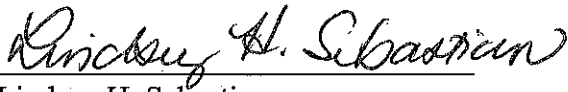
b. **The granting of an exception is appropriate because there are existing structures over 30 feet in height and the proposed development will be compatible with surrounding one, two, or three-story structures; or the granting of an exception is appropriate because there are topographic constraints 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 existing residential building is previously conforming and exceeds the CMHLOZ of 30 feet. This building was permitted and constructed in 1989 before the adoption of the CMHLOZ. In 1996, AT&T Mobility received a permit to install their WCF. The WCF space is uninhabitable and unmanned with the associated WCF antenna inside the mechanical screen on the roof. Visually, the antennas are fully screened from the view behind the FRP screens painted to match the building. The surrounding structures are much lower in height, ranging from one to two stories, allowing this site to provide a more extensive coverage footprint. Since 1996, this building has provided extended AT&T network coverage due primarily to its height. Granting this exception is appropriate since the existing residential structure is previously conforming, and the WCF is located on the roof designed to replicate mechanical screens standard for these complex types. Furthermore, multiple sites may be required to provide a similar coverage footprint due to existing topographic constraints, and they may not have the same level of design concealment compared to this structure. Therefore, granting this exception is appropriate due to concealment design availability and to the topographic constraints peculiar to the land that limit AT&T Mobility from providing extensive coverage to the surrounding area.

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, based on the findings hereinbefore adopted by the City Council, CUP No. 3184904 and SDP No. 3235043 is hereby granted to Sorrento Tower

Housing Partners LP, Owner, and American Tower Corporation and AT&T, Permittees, 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   
Lindsey H. Sebastian  
Deputy City Attorney

LHS:nja  
01/29/2024  
03/18/2024 Cor. Copy  
Or. Dept: DSD  
Doc. No. 3561481\_2

Attachment: Conditional Use Permit No. 3184904 and Site Development Permit No. 3235043

**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: 11004545

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**CONDITIONAL USE PERMIT NO. 3184904  
SITE DEVELOPMENT PERMIT NO. 3235043  
AMERICAN TOWER AT&T TECOLOTE RELO PROJECT NO. 1071544  
CITY COUNCIL**

This Conditional Use Permit No. 3184904 and Site Development Permit No. 3235043 is granted by the City Council of the City of San Diego to Sorrento Tower Housing Partner, L.P., Owner, and American Tower Corporation/AT&T, Permittees, pursuant to San Diego Municipal Code [SDMC] Sections 141.0420, 126.0302, 132.0102, 131.0406 and 126.0501. The 1.4-acre site is located at 2875 Cowley Way in the RM-3-7 Zone, and Clairemont Mesa Height Overlay Zone (CMHOZ) within the Clairemont Mesa Community Plan.

The project site is legally described as: Lot 6 of Forest Park Plaza, in the City of San Diego, County of San Diego, State of California, according to map thereof No. 7522, filed in the Office of the County Recorder of San Diego County, January 5, 1973.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/ Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 12, 2024, on file in the Development Services Department.

The project shall include:

- a. Modification of an existing Wireless Communication Facility (WCF), on the roof an existing building behind Fiber Glass Reinforced Panels (FRP); the project consists of removing six (6) antennas and installing nine (9) antenna and upgrading of equipment inside a mechanical room on the 14<sup>th</sup> floor.
- b. Deviating from the Clairemont Mesa Height limit Overlay Zone of 30-feet. Modification to an existing facility at an existing height of 141-feet; and
- 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 March 12, 2027.
2. The above utilization date notwithstanding, the granting of this discretionary permit does not entitle the continued operation of the existing, expired facility. Within 60 days of permit approval, applications must be made for all required construction permits. Within 90 days of application, all required construction permits must be issued. Within 90 days of permit issuance, final inspection must be obtained.
3. The project complies with the Wireless Communication Facility Guidelines as a Complete Concealment Facility and as a result, the permit does not contain an expiration date. The Owner/Permittees shall maintain the appearance of the approved facility to the condition set forth in this permit unless the WCF that is the subject of this Permit is removed and restored to its original condition.
4. 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.
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:
  - The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - 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 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 the Owner/Permittee.

#### **ENGINEERING REQUIREMENTS:**

14. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

#### **WCF-TELECOM REQUIREMENTS:**

15. 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 modification to this permit must not defeat concealment.

16. The WCF shall conform to the approved construction plans.

17. Photo simulations shall be printed in color on the construction plans.

18. The City may require the Owner/Permittee to provide a topographical survey conforming to the provisions of the SDMC may be required if the City determines 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.

19. 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.

20. The accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation. If requested by the City, Owner/Permittee shall provide an updated RF Compliance Report to address any issues associated with the emitting components of the WCF.

21. All equipment, including transformers, emergency generators and air conditioners belonging to the Owner/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.

22. All facilities and related equipment shall be maintained in good working order. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.

23. FRP should be textured and painted to match adjacent building faces at all times. Paint and texture should match completely and FRP should include finishing features such as reveals, windows, tapers, cornices, tiling, roofing materials, and/or trim.

24. There should be no noticeable transitions between FRP and adjacent surfaces at any time, be they paint, texture, or seam.

25. 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.

26. The Owner/Permittee shall notify the City within thirty (30) calendar days of the sale or transfer of this site to any other provider or if the site is no longer operational, in which case, the removal and the restoration of this site to its original condition is required.

#### 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 Development Services Department Wireless Communication Facilities staff listed on City webpage, <https://www.sandiego.gov/development-services/codes-regulations/wireless-communication-facilities>, to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five working days ahead of the requested Final Inspection date.
- The issuance of this development 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 MAR 12 2024, by San Diego Resolution R- 315426.

Conditional Use Permit No. 3184904  
Site Development Permit No. 3235043  
Date of Approval: **MAR 12 2024**

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

\_\_\_\_\_  
Nilia Safi  
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.**

**Sorrento Tower Housing Partners L.P.**  
Owner

By \_\_\_\_\_  
NAME  
TITLE

**AT&T Permittee**

By \_\_\_\_\_  
NAME  
TITLE

**AMERICAN TOWER CORPORATION**  
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 MAR 12 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 12 2024.

(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 315426