



January 29, 2016

Ms. Enza Charles
Real Estate Assets Department
The City of San Diego
1200 Third Avenue, Suite 1700
San Diego, California 92101

RE: Site Address: 2600 Pershing Drive, San Diego, CA 9210, (the "Property")
Site Name: SD0735 Balboa Park Golf Course
Agreement: Lease Agreement, dated May 14, 2015, (the "Lease") between The City of San Diego ("City") and New Cingular Wireless PCS, LLC, ("Lessee").

Dear Ms. Charles,

As part of the continuous effort to keep its network up to date, AT&T Mobility would like to perform the following modifications (changes) as described in the attached plans, to the site referenced above:

Antennas: No antenna work or changes. Remove three (3) existing RRUs (Remote Radio Units) and replace with three (3) new RRUs behind existing antennas.

Equipment: No changes to equipment

Pursuant to 10.2, Alterations to Communications Equipment of the Lease Agreement, "Lessee shall not make any alterations, additions or improvements, to Communications Equipment, except for routine maintenance that does not include swapping out or replacing any of the Communications Equipment, unless: (1) LESSEE obtains CITY'S prior written consent, which shall be granted in the CITY'S sole discretion; (2) the alterations, additions or improvements do not damage or in interfere with any adjacent improvements on the Site and/or Premises; and (3) the alterations, additions or improvements comply with the requirements set forth in Exhibits D and E. Nothing in this section shall be construed to eliminate LESSEE'S obligation to obtain development related permits and approvals for any alterations to the Communications Equipment that may be required by CITY'S Development Services Department or any other governmental agency including such permits or approvals that may be governed by Section 6409 of the Spectrum Act (47 U.S.C. section 1455) and the Federal Communications Commission Final Report and Order dated October 21, 2014 (FCC 14-153), Rules §§ 1.40001 *et seq.*

In order to comply with such requirement, AT&T Mobility would like to request City's consent and approval to complete the items described above.

By signing this letter, City is providing its consent and approval to allow AT&T Mobility to perform the proposed modifications described herein. Upon signature, please return to me via E-mail at goldmanj@bv.com.

Black & Veatch
10089 Willow Creek Rd., Suite 350
San Diego, CA 92131

Please call me at (619) 806-0858 should you have any questions or require further information. Thank you for your consideration.

Sincerely,

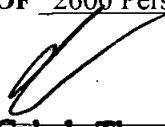
Jeff Goldman

Jeff Goldman, *agent for AT&T Mobility*

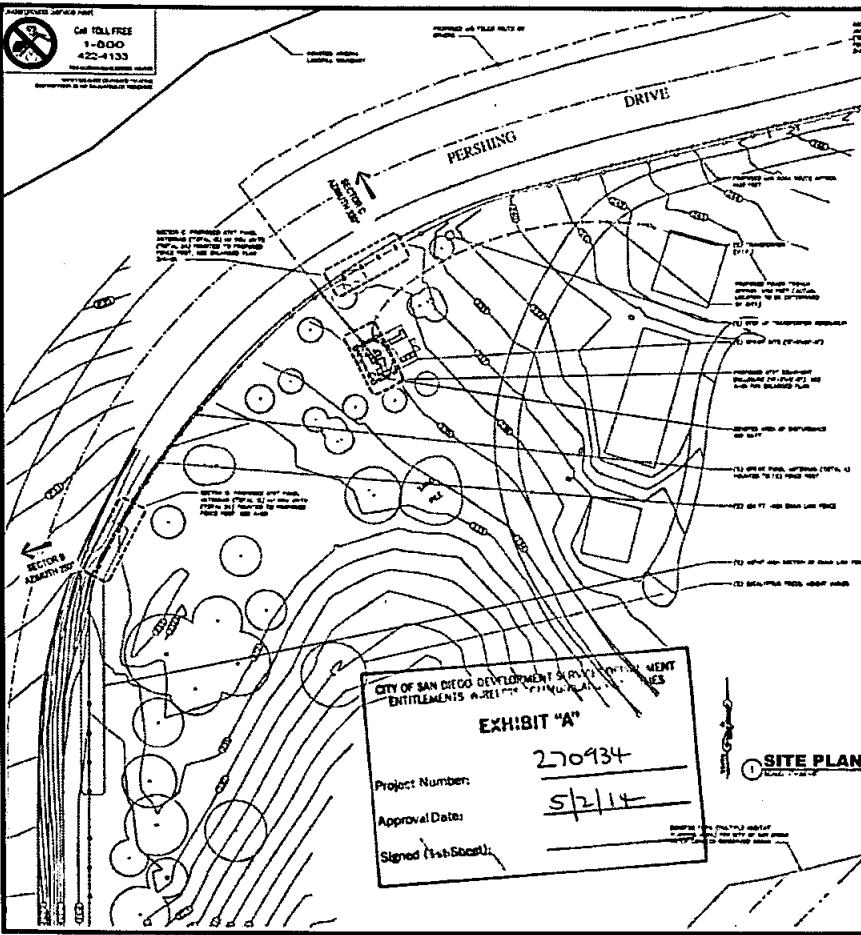
City Park & REC department has provided it's consent and approval to allow AT&T Mobility to perform the proposed modifications described herein.

CITY OF SAN DIEGO, ACKNOWLEDGEMENT AND CONSENT

FOR MODIFICATION OF 2600 Pershing Drive, San Diego, CA 9210, Site Name: SD0735 Balboa Park Golf Course
(Site Location)

By: 
Name: **Cybele Thompson**
Title: **Director, Real Estate Assets**
Date: 8/1/16

ADDITIONAL SERVICE PART
 Call TOLL FREE
 1-800
 422-4133



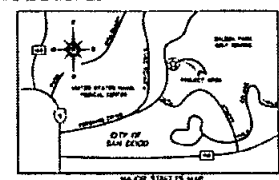
Final, original submitted

SECTION	DATE	REVISION	BY	DATE	REVISION	BY	DATE
SECTION 1	1/1/84	1	AT&T	1/1/84	1	AT&T	1/1/84
SECTION 2	1/1/84	1	AT&T	1/1/84	1	AT&T	1/1/84
SECTION 3	1/1/84	1	AT&T	1/1/84	1	AT&T	1/1/84
SECTION 4	1/1/84	1	AT&T	1/1/84	1	AT&T	1/1/84

1. THE CITY OF SAN DIEGO HAS REVIEWED THE PROJECT AND HAS DETERMINED THAT THE PROJECT IS IN ACCORDANCE WITH THE CITY OF SAN DIEGO ZONING ORDINANCES AND THE CITY OF SAN DIEGO DEVELOPMENT SERVICES ACT.
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CITY OF SAN DIEGO DEVELOPMENT SERVICES ACT
 ENTITLEMENTS ACT
EXHIBIT "A"
 Project Number: 270934
 Approval Date: 5/2/14
 Signed (Title/Name): _____

SITE PLAN



MAJOR STREET MAP
 OF SAN DIEGO
 The map shows the location of the project site within the City of San Diego, with labels for major roads and landmarks.

SITE PLAN AND NOTES

AT&T

RAJDA PARK GOLF COURSE

ARCHITECTURE Mitchell

A-100



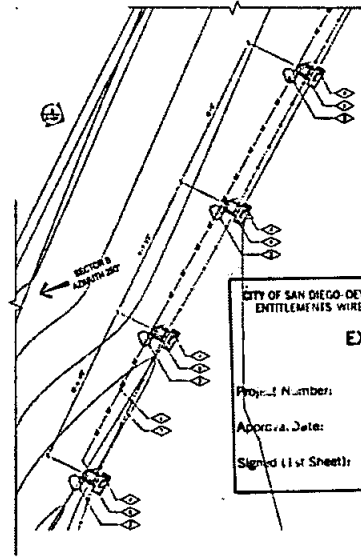
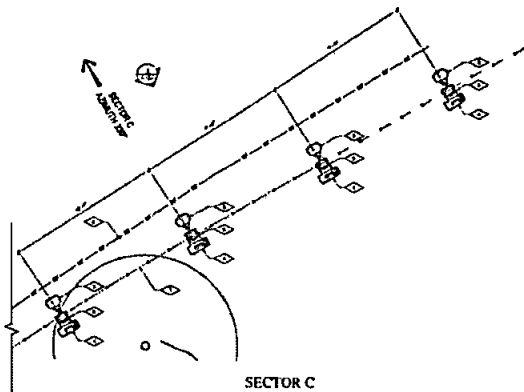
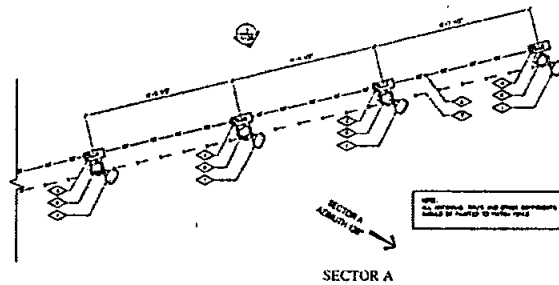
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EXHIBIT "A"

270934

5/2/14

EQUIPMENT LAYOUT PLAN



- GENERAL NOTES:**
- 1. ALL ANTENNAS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SAN DIEGO WIRELESS COMMUNICATIONS FACILITIES ORDINANCE, CHAPTER 17.01, AND THE CITY OF SAN DIEGO WIRELESS COMMUNICATIONS FACILITIES ORDINANCE, CHAPTER 17.02.
 - 2. ALL ANTENNAS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SAN DIEGO WIRELESS COMMUNICATIONS FACILITIES ORDINANCE, CHAPTER 17.01, AND THE CITY OF SAN DIEGO WIRELESS COMMUNICATIONS FACILITIES ORDINANCE, CHAPTER 17.02.
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CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT
ENTITLEMENTS WIRELESS COMMUNICATION FACILITIES

EXHIBIT "A"

Project Number: 270934

Approval Date: 5/2/14

Signed (1st Sheet):

ENLARGED ANTENNA LAYOUT PLAN

BALBOA PARK GOLF COURSE

AT&T

architecture Mitchell S

A-102

EXISTING FENCE POST

SECTOR A

SECTOR C

SECTOR B

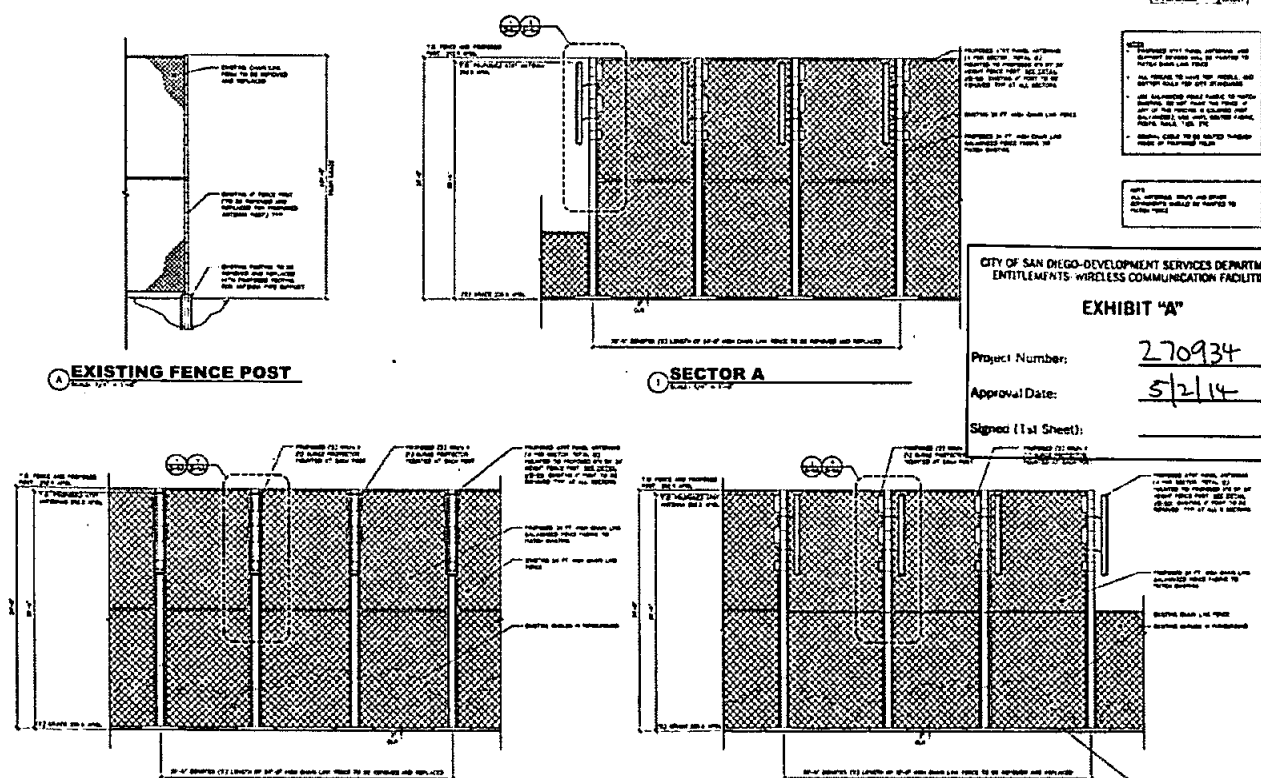
EXHIBIT "A"

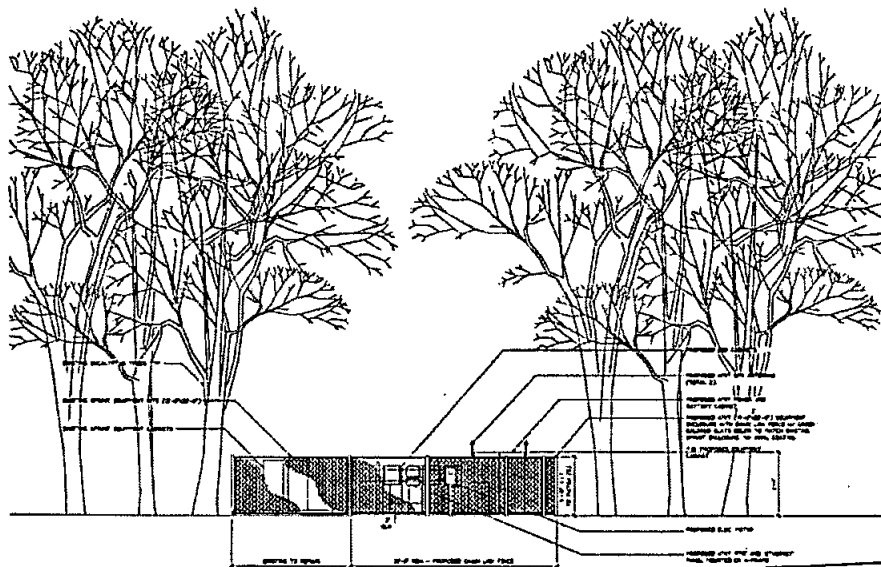
Project Number: 270934
 Approval Date: 5/2/14
 Signed (1st Sheet):

CITY OF SAN DIEGO-DEVELOPMENT SERVICES DEPARTMENT
 ENTITLEMENTS- WIRELESS COMMUNICATION FACILITIES

EXTERIOR ELEVATIONS-ANTENNAS
 RAJORA PARK GOLF COURSE
 AT&T
 architecture Mitchell architecture
 A-201

- NOTES:**
- 1. EXISTING FENCE POSTS, ANTENNAS, AND SIGNAGE SHALL BE MAINTAINED AND REPLACED AS NECESSARY.
 - 2. ALL MATERIALS TO BE USED SHALL BE APPROVED BY THE CITY OF SAN DIEGO.
 - 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN DIEGO'S STANDARDS AND SPECIFICATIONS.
 - 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN DIEGO'S STANDARDS AND SPECIFICATIONS.
 - 5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN DIEGO'S STANDARDS AND SPECIFICATIONS.





NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	10/26/13
2	REVISED FOR PERMITTING	11/15/13
3	REVISED FOR PERMITTING	11/15/13
4	REVISED FOR PERMITTING	11/15/13
5	REVISED FOR PERMITTING	11/15/13
6	REVISED FOR PERMITTING	11/15/13
7	REVISED FOR PERMITTING	11/15/13
8	REVISED FOR PERMITTING	11/15/13
9	REVISED FOR PERMITTING	11/15/13
10	REVISED FOR PERMITTING	11/15/13

1 EXTERIOR ELEVATIONS - EQUIPMENT ENCLOSURE

CITY OF SAN DIEGO-DEVELOPMENT SERVICES DEPARTMENT
ENTITLEMENTS-WIRELESS COMMUNICATION FACILITIES

EXHIBIT "A"

Project Number: 270934

Approval Date: 5/2/14

Signed (1st Sheet): _____

EXTERIOR ELEVATION-EQUIPMENT ENCLOSURE

AT&T

BALENA PARK COURSE

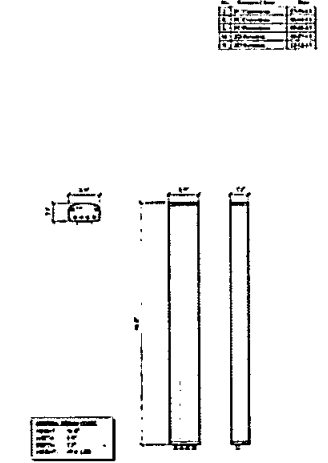
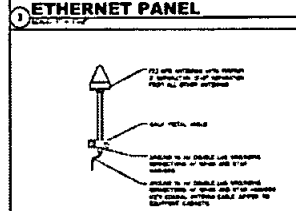
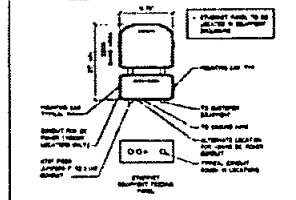
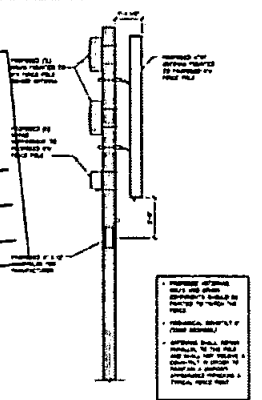
architecture Mitchell J

A-202

CITY OF SAN DIEGO-DEVELOPMENT SERVICES DEPARTMENT
ENTITLEMENTS-WIRELESS COMMUNICATION FACILITIES

EXHIBIT "A"

Project Number: 270934
Approval Date: 5/2/14
Signed (1st Sheet):



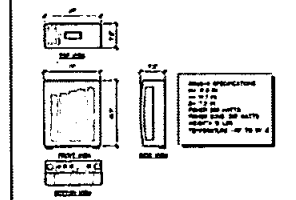
NOT USED

PROPOSED POLE ELEVATION

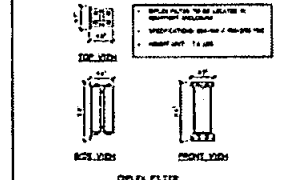
GPS ANTENNA

NOT USED

NOT USED

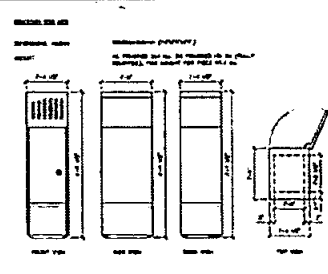


REMOTE RADIO UNIT



DIPLEX FILTER

ANTENNA DETAIL



RADIO CABINET

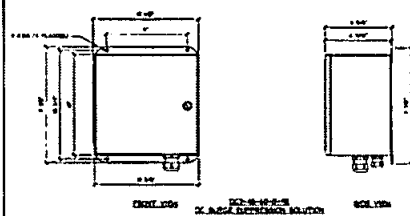
EQUIPMENT DETAILS

AT&T

ARCHITECTURE

D-501

CITY OF SAN DIEGO-DEVELOPMENT SERVICES DEPARTMENT
 EXHIBIT "A"
 Project Number: 2709134
 Approval Date: 5/2/14
 Signed (and Sealed): _____



1 PROPOSED SURGE SUPPRESSOR
 SCALE: 1/8" = 1'-0"



PLAN VIEW

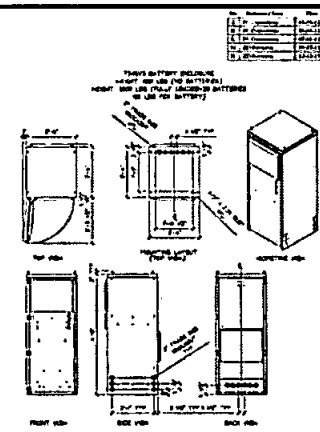
FRONT VIEW

FRONT VIEW

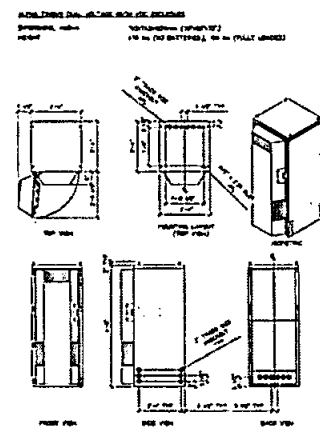
SIDE VIEW

AIR POLE MOUNTING CLAMPS

2 POLE MOUNT
 SCALE: 1/8" = 1'-0"



1 BATTERY CABINET
 SCALE: 1/8" = 1'-0"



2 POWER CABINET
 SCALE: 1/8" = 1'-0"

EQUIPMENT DETAILS

RALPH PARK CONCRETE
 3100 LA JOLLA VILLAGE DRIVE
 SAN DIEGO, CA 92108
 (619) 594-1100
 www.ralphparkconcrete.com

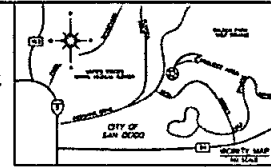
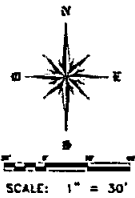
AT&T

Architecture Mitchell S

D-502

AT&T SITE SD0735

2000 GOLF COURSE DRIVE
SAN DIEGO, CA 92101



DATE: 5/2/14
PROJECT: 270934
APPROVAL: 5/2/14
SIGNED: (1st Sheet)

CITY OF SAN DIEGO-DEVELOPMENT SERVICES DEPARTMENT
 ENTITLEMENTS-WIRELESS COMMUNICATION FACILITIES

EXHIBIT "A"

BOUNDARY NOTE:
 ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR THE CENTER OF THE PROPERTY LINE.
GENERAL NOTE:
 ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR THE CENTER OF THE PROPERTY LINE.
GENERAL POSITION:
 ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR THE CENTER OF THE PROPERTY LINE.

LEGEND:
 1. 1" = 30'
 2. 1" = 30'
 3. 1" = 30'
 4. 1" = 30'
 5. 1" = 30'

[Signature]
 5/2/14



REVISIONS	
1	JRN CIVIL ENGINEERS
2	AT&T SITE SD0735
3	2000 GOLF COURSE DRIVE
4	SAN DIEGO, CA 92101
5	CLIENT: MICHAEL J. ARCHITECTURE

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

WHEN RECORDED MAIL TO
CITY CLERK

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON JUL 23, 2014
DOCUMENT NUMBER 2014-0311127
Ernest J. Dronenburg, Jr., COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 2:32 PM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24002471

NEIGHBORHOOD USE PERMIT NO. 1275618
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1275619
AT&T – BALBOA PARK GOLF COURSE
PROJECT NO. 270934
DEVELOPMENT SERVICES DEPARTMENT

This NEIGHBORHOOD USE PERMIT (NUP) NO. 1275618 and NEIGHBORHOOD DEVELOPMENT PERMIT (NDP) NO. 1275619 are granted by the Development Services Department of the City of San Diego to the CITY OF SAN DIEGO, Owner, and AT&T MOBILITY, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420, 126.0201, and 126.0401. The site is located at 2101 Pershing Drive in an unzoned portion of Balboa Park. The project site is legally described as: all of Pueblo Lot No. 1137 of the Pueblo Lands, in the City of San Diego, County of San Diego, State of California, according to Map Recorder of San Diego County on November 14, 1921, as Miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 2, 2014, on file in the Development Services Department.

The project shall include:

- a. Twelve (12) 8-foot antennas, twenty-four (24) remote radio units (RRUs), and twelve (12) surge suppressors, mounted on replacement fence posts, adjacent to Pershing Drive and a 250 square foot above-ground equipment enclosure. Antennas shall have the following dimensions: 96.0" by 11.9" by 7.1". RRUs have the following dimensions: 19.7" by 17" by 7.2".
- b. Landscaping (planting, irrigation and landscape related improvements);

- c. This structure is for the primary purpose of delineating the golf course and stopping errant golf balls, but may have the secondary purpose of accommodating Permittee's Operations on the Premises.
- d. 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 May 20, 2017.

2. This NUP and NDP and corresponding use of this site shall **expire on May 20, 2024**. 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.

3. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.

4. Under no circumstances, does approval of this permit authorize the Permittee to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit beyond the expiration date of this permit is prohibited.

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

AIRPORT REQUIREMENTS:

14. Prior to issuance of building permits, the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

ENGINEERING REQUIREMENTS:

15. The project proposes to export 150 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

16. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

17. Prior to the issuance of any construction permit, the Permittee shall obtain a Nonexclusive Right-of-Way Use Agreement from the City of San Diego for the proposed work in the Pershing Drive Right-of-Way.

18. Prior to the issuance of any construction permit, the Permittee shall obtain a Public Right-of-Way permit for the proposed work in the Pershing Right-of-Way.

19. Prior to the issuance of any construction permit, the Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

20. Prior to the issuance of any construction permit, the Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

21. Prior to the issuance of any construction permit the Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

22. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete landscape and irrigation construction documents, consistent with the *Land Development Manual: Landscape Standards*, and the *Consultant's Guide to Park Design and Development*, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Work shall be satisfactory to the Golf Operations Division of the Park & Recreation Department.

23. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. Trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

LOCAL ENFORCEMENT AGENCY REQUIREMENTS:

24. Prior to issuance of any construction permit, the Permittee shall submit a Community Health and Safety Plan (CHSP) to the Development Services Department - Local Enforcement Agency for review and approval. This is required because the project is within 1,000 feet of the Arizona Street Landfill and is about 200 feet away from the Southern-most area of the landfill on the opposite side of Pershing Drive, and the project proposes trenching and digging.

PLANNING/DESIGN REQUIREMENTS:

25. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

26. Project adherence to the Migratory Bird Treaty Act (MBTA) is required. To avoid any direct and indirect impacts to any migratory birds or raptors, construction activities should occur outside of the avian nesting season of February 1st to September 15th. If the removal of habitat and/or construction activities adjacent to nesting habitat must occur during the breeding season, the project will be required to adhere to the MBTA and California Fish & Game (CFG) Code, and must conduct a pre-construction clearance survey. The Owner/Permittee shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds on and within a 500-foot buffer around the project site. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, a biological monitor should be present on-site during construction to minimize construction impacts and ensure that no nest is removed or disturbed until all young have fledged.

27. All antennas, RRUs, surge suppressors, and cables mounted on the fence posts shall be painted grey to match the fence.

28. All coaxial conduits shall be routed up through the caisson and into the fence posts to the satisfaction of the Development Services Department. Cable enclosures (referred to as "doghouses") are not permitted.

29. All facilities and related equipment shall be: maintained in good working order; 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.

30. The Owner/Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational requiring the removal and the restoration of this site to its original condition.

31. The photosimulation(s) for the proposed project shall be printed (not stapled) on the building plans. This is to ensure the construction team building the project is in compliance with approved the Exhibit "A."

32. No overhead cabling is allowed for this project.

33. Exposed mounting apparatus shall be removed and shall not remain on the fence absent antennas.

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

35. The WCF shall conform to Exhibit "A" (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.

36. Prior to the issuance of a construction permit, the telecommunication provider shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission's Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.

37. 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.

38. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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.

- A "Telecom Planning Inspection" will be required prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans, exhibits, and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at 619-446-5349 to schedule an inspection of the completed WCF. Please request the telecom inspection at least five working days ahead of the requested 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 Development Services Department of the City of San Diego on May 2, 2014 and CM-6411.

Permit Type/PTS Approval No.: NUP No. 1275618 and NDP No. 1275619
Date of Approval: 5/2/2014

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT



Alex Hempton, AICP
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.**

**CITY OF SAN DIEGO – REAL ESTATE
ASSETS DEPARTMENT**

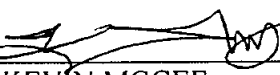
Owner

By 

KRISTIN GEITZ
INTERIM DIRECTOR

AT&T MOBILITY

Permittee

By 

KEVIN MCGEE
NETWORK MANAGER

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of San Diego

On JUL 15, 2014 before me, Stacie L. Maxwell, Notary Public

Date Here Insert Name and Title of the Officer

personally appeared ----- ALEX HEMPTON -----

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature]

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AT& T Balboa Park Golf Course -- PTS 270934

Document Date: May 2, 2014 Number of Pages: #8

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

ORIGINAL

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Diego

On

7/10/14

Date

before me,

Krystal D. Cavataio-McHugh, Notary Public

Here, Insert Name and Title of the Officer

personally appeared

Kevin McGee

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Krystal D. Cavataio-McHugh

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Attorney in Fact

☐ Trustee

☐ Trustee

☐ Guardian or Conservator

☐ Guardian or Conservator

☐ Other: _____

☐ Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

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OF SIGNER

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ORIGINAL

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

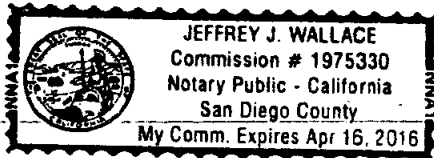
County of San DiegoOn 7/17/2014 before me, Jeffrey J. Wallace, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Kristin Geitz, Interim Director

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Jeffrey J. Wallace

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached DocumentTitle or Type of Document: Neighborhood Use Permit No. 1275018

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

☐ Corporate Officer — Title(s): _____ ☐ Corporate Officer — Title(s): _____☐ Individual ☐ Individual☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact ☐ Attorney in Fact☐ Trustee ☐ Trustee☐ Guardian or Conservator ☐ Guardian or Conservator☐ Other: _____ ☐ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

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OF SIGNER
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OF SIGNER
Top of thumb here**ORIGINAL**

**DEVELOPMENT SERVICES RESOLUTION NO. CM-6411
NEIGHBORHOOD USE PERMIT NO. 1275618
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1275619
AT&T – BALBOA PARK GOLF COURSE
PROJECT NO. 270934**

WHEREAS, THE CITY OF SAN DIEGO, Owner, and AT&T MOBILITY, 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 for the associated Permit Nos. 1275618 and 1275619);

WHEREAS, the project site is located at 2101 Pershing Drive in an unzoned portion of Balboa Park;

WHEREAS, the project site is legally described as all of Pueblo Lot No. 1137 of the Pueblo Lands, in the City of San Diego, County of San Diego, State of California, according to Map Recorder of San Diego County on November 14, 1921, as Miscellaneous Map No. 36;

WHEREAS, on May 2, 2014, the Development Services Department of the City of San Diego considered Neighborhood Use Permit No. 1275618 and Neighborhood Development Permit No. 1275619 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on February 18, 2014, 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 15303 (New Construction) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the DEVELOPMENT SERVICES DEPARTMENT of the City of San Diego as follows:

That the DEVELOPMENT SERVICES DEPARTMENT adopts the following written Findings, dated May 2, 2014.

FINDINGS:

Neighborhood Use Permit - Section 126.0205

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

The City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. This project proposes to locate panel antennas on replacement poles which are part of an existing fence surrounding Balboa Park Golf Course, adjacent to Pershing Drive. The antennas will be painted to match the fence. Equipment associated with the facility is located in an above-ground enclosure concealed by an existing grove of trees. This design allows the WCF to utilize an

existing vertical structure to mount the antennas and conceals the equipment within a grove of existing trees. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

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

The project consists of panel antennas, remote radio units (RRUs), and surge suppressors, mounted to replacement fence posts which are part of an existing golf course fence. Equipment associated with the antennas is proposed to be located in an above-ground equipment enclosure within an existing grove of trees on the golf course. The project is located at 2101 Pershing Drive in an unzoned portion of Balboa Park.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). 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 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.

Additionally, 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) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction. In conclusion, the proposed project 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.

The project complies with the applicable development regulations of the Land Development Code (LDC) and the City of San Diego Wireless Communication Facility (WCF) Regulations (LDC Section 141.0420). WCFs are permitted in dedicated parkland with a Neighborhood Use Permit (NUP), Process 2, when the antennas are located more than 100 ft. from the property line of a day care, elementary school, middle school, or residential use. In addition, WCFs proposing above-ground equipment in a park are permitted with a Neighborhood Development Permit (NDP), Process 2, when the placement of the equipment would not violate City Charter Section 55. This WCF is located in Balboa Park and the antennas are located more than 100 feet from the property line of a day care, elementary school, middle school, or residential use. In addition, the equipment enclosure is located above-ground. City Charter Section 55 identifies that land dedicated for park and recreation uses only be utilized for such uses. The City has interpreted this to mean that WCFs are permitted in parks when they do not preclude park and recreation uses from occurring. The placement of the WCF's equipment and antennas does not preclude park and recreation

activities and uses from occurring and therefore does not violate Charter Section 55. As identified, this project is permitted with the processing of a Process 2 NDP and NUP.

The WCF Design Requirements, LDC Section 141.0420(g) identifies that the applicant shall use all reasonable means to minimize the visibility of WCFs by utilizing architecture, landscape, and siting techniques. In this case, the equipment is located in an existing grove of trees, largely concealing it from view. The antennas associated with the WCF are located on replacement poles that are part of an existing fence delineating the Balboa Park Golf Course. The antennas will be mounted to the poles, thus appearing to be part of an existing vertical element. The design of the WCF will allow it to blend in with the park surroundings, providing coverage to park users in a way that is visually compatible and respectful of the neighborhood context.

Based on the design of this project and the required permit, this project complies with the applicable regulations of the LDC.

Neighborhood Development Permit - Section 126.0404

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

The City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. This project proposes to locate panel antennas on replacement poles which are part of an existing fence surrounding Balboa Park Golf Course, adjacent to Pershing Drive. The antennas will be painted to match the fence. Equipment associated with the facility is located in an above-ground enclosure concealed by an existing grove of trees. This design allows the WCF to utilize an existing vertical structure to mount the antennas and conceals the equipment within a grove of existing trees. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

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

The project consists of panel antennas, remote radio units (RRUs), and surge suppressors, mounted to replacement fence posts which are part of an existing golf course fence. Equipment associated with the antennas is proposed to be located in an above-ground equipment enclosure within an existing grove of trees on the golf course. The project is located at 2101 Pershing Drive in an unzoned portion of Balboa Park.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). 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 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.

Additionally, 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) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction. In conclusion, the proposed project 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.

The project complies with the applicable development regulations of the Land Development Code (LDC) and the City of San Diego Wireless Communication Facility (WCF) Regulations (LDC Section 141.0420). WCFs are permitted in dedicated parkland with a Neighborhood Use Permit (NUP), Process 2, when the antennas are located more than 100 ft. from the property line of a day care, elementary school, middle school, or residential use. In addition, WCFs proposing above-ground equipment in a park are permitted with a Neighborhood Development Permit (NDP), Process 2, when the placement of the equipment would not violate City Charter Section 55. This WCF is located in Balboa Park and the antennas are located more than 100 feet from the property line of a day care, elementary school, middle school, or residential use. In addition, the equipment enclosure is located above-ground. City Charter Section 55 identifies that land dedicated for park and recreation uses only be utilized for such uses. The City has interpreted this to mean that WCFs are permitted in parks when they do not preclude park and recreation uses from occurring. The placement of the WCF's equipment and antennas does not preclude park and recreation activities and uses from occurring and therefore does not violate Charter Section 55. As identified, this project is permitted with the processing of a Process 2 NDP and NUP.

The WCF Design Requirements, LDC Section 141.0420(g) identifies that the applicant shall use all reasonable means to minimize the visibility of WCFs by utilizing architecture, landscape, and siting techniques. In this case, the equipment is located in an existing grove of trees, largely concealing it from view. The antennas associated with the WCF are located on replacement poles that are part of an existing fence delineating the Balboa Park Golf Course. The antennas will be mounted to the poles, thus appearing to be part of an existing vertical element. The design of the WCF will allow it to blend in with the park surroundings, providing coverage to park users in a way that is visually compatible and respectful of the neighborhood context.

Based on the design of this project and the required permit, this project complies with the applicable regulations of the LDC.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the DEVELOPMENT SERVICES DEPARTMENT, NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1275619 and NEIGHBORHOOD USE PERMIT NO. 1275618 are hereby GRANTED by the DEVELOPMENT SERVICES DEPARTMENT to the referenced Owner/Permittee, in the form, exhibits,

terms and conditions as set forth in Permit Nos. 1275618 and 1275619, a copy of which is attached hereto and made a part hereof.



Alex Hempton, AICP
Development Project Manager
Development Services

Adopted on: May 2, 2014

Internal Order No. 24002471