



10509 Vista Sorrento Pkwy Suite 206
San Diego, Ca 92121

August 8, 2014

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

RE: Site Address: NW corner of Calle Cristobal and Windy Ridge Way (the "Property")
Site Name: SD07290 Windy Ridge
Agreement: Lease Agreement, dated 11/1/2010 (the "Lease") between The City of San Diego ("City")
and T-Mobile West Corporation, ("Lessee").

Dear Ms. Charles,

As part of the continuous effort to keep its network up to date, T-Mobile would like to perform the following modifications (changes) as described in the attached approved and stamped plans, to the site referenced above:

Antennas: Replace existing 3 antennas with 3 new Air antennas.

Equipment: Replace existing equipment cabinet with new equipment cabinet. The new cabinet will be placed in the same footprint as the existing/

Pursuant to Section 9.4, Improvements and Alterations of the Lease Agreement, "Lessee shall not construct any improvements, structures, or installations on the Premises, or make any alterations to the Premises (with the exception of equipment replacements or repairs) without City's prior written approval." In order to comply with such requirement, T-Mobile would like to request City's consent and approval to complete the items described above.

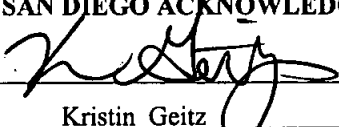
By signing this letter, City is providing its consent and approval to allow T-Mobile to perform the proposed modifications described herein. Upon signature, please return to my attention at:

Debra DePratti Gardner
DePratti Inc., Agent for T-Mobile
13948 Calle Bueno Ganar
Jamul, CA 91935

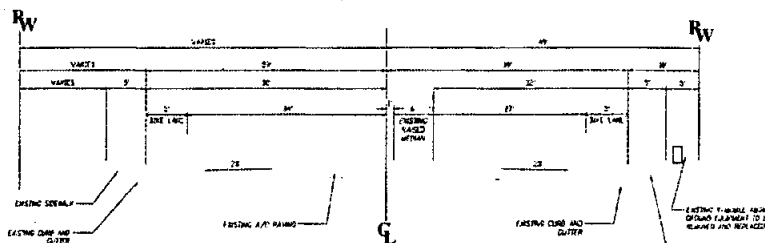
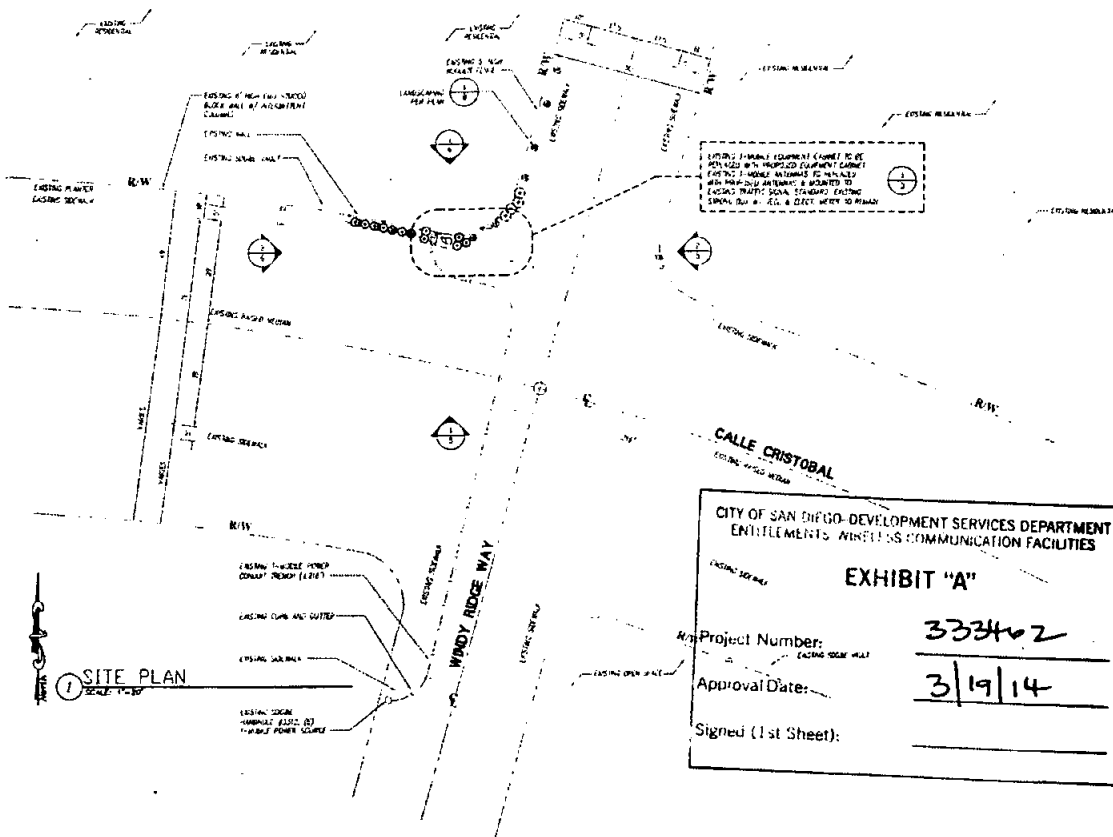
Sincerely,

Debra DePratti Gardner, *agent for T-Mobile*

CITY OF SAN DIEGO ACKNOWLEDGEMENT AND CONSENT

By: 
Name: Kristin Geitz
Title: Interim Director of Real Estates Assets Department
Date: 9/9/14

1. ALL PROJECTS PLANNED FOR DEVELOPMENT IMMEDIATELY TO THE WEST SIDE OF RUMBLE HILL RD. MUST BE USED TO REQUIRE AN OVERLAPMENT STORM WATER BEST MANAGEMENT PRACTICES
2. NO EXISTING PARKING SPACE WILL BE USED OR PLANNED BY THIS PROJECT
3. THERE IS A RETAINING WALL AT POINT OF RUMBLE HILL STREETS AND NO GRADING INTERFERENCE OR REDUCTION IS PROPOSED BY THIS PROJECT
4. EXISTING CROPPED WILL NOT BE REMOVED AND THE PROPOSED SIDE PARKING A 10 FEET WIDE OPEN CLEAR ZONE IS MAINTAINED AS IS
5. THE APPLICANT SHALL OBTAIN A ROADSIDE/STREET LIGHT-OUT-OF-PLACE AGREEMENT FROM THE CITY OF SAN DIEGO FOR THE PROPOSED LIGHTS IN THE BERRY RD AND GALT CIRCULAR PARKING AREA
6. SAN DIEGO HERMOSA COUNCIL SYSTEM HAS PUBLIC OPEN AND REPLACEMENT IS PUBLIC FACILITIES REQUIREMENT IN THE CHARTER BY DEVELOPMENT OF IMPROVED PUBLIC FACILITIES AND THE CITY OF SAN DIEGO HAS THE PROPERTY IN HERMOSA, HERMOSA IS THE CITY OF SAN DIEGO AND HERMOSA IS THE CITY OF SAN DIEGO



③ EXISTING CALLE CRISTOBAL. STAT. NO. 215+48.42

CITY OF SAN DIEGO-DEVELOPMENT SERVICES DEPARTMENT
ENTITLEMENTS, AIRTEL COMMUNICATION FACILITIES

EXHIBIT "A"

Project Number:

333462

Approval Date: _____

3|19|14

Signed (1st Sheet):

THESE PLANS ARE
NOT FOR
CONSTRUCTION



THE END OF THE WORLD

IMPROVEMENT PLANS FOR

T-MOBILE
CALLE CRISTOBAL & WINDY RIDGE WAY

CITY OF SAN DIEGO, CALIFORNIA
DEVELOPMENT SERVICES DEPARTMENT
SHEET 2 OF 8 SHEETS

PERSONNEL	BY	APPROVED	DATE
			1962

A				

AC-Sub 73				
EXTRACTOR				

ANALYST: _____ DATE CLAMPED: _____

SHEET 2 OF 8

Approved Date: 3/19/14

Signed (1st Sheet):



THESE PLANS ARE
NOT FOR
CONSTRUCTION



T-MOBILE
CALLE CRISTOBAL & WINDY RIDGE WAY
(Northwest Corner)

REFERENCES

CITY OF SAN DIEGO, CALIFORNIA
PLANNING SERVICES DEPARTMENT
SHEET 03 OF 0 SHEETS

12	42	207.23
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[illegible]

DATE	61	AMOUNT	PAID
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1	2	3	4
5	6	7	8
9	10	11	12
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93	94	95	96
97	98	99	100

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[illegible]

45-1000			
45-1000			

DATE 5/14/80 BY STAFF
 APPROVED DATE 5/14/80

1.50-1000

— 100 —

7040 - 6201
WATER TOWER NO. 1

279-129

1. Absent (00-000000)

SHEET 5 OF



EXHIBIT "A"

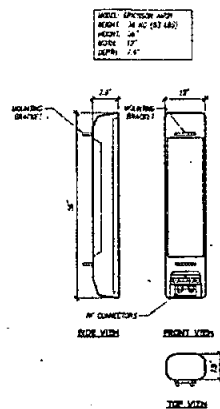
Signed (1st Sheet): _____

THESE PLANS ARE
NOT FOR
CONSTRUCTION

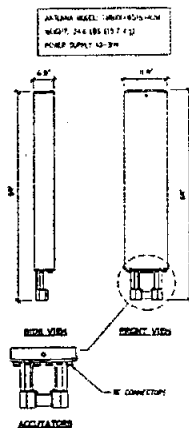


DATE STARTED _____
DATE COMPLETED _____

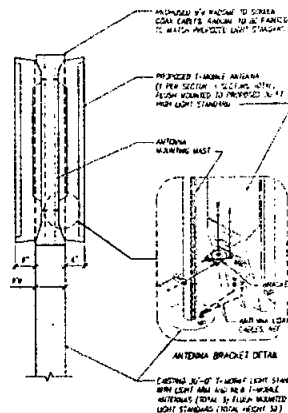
SHEET 6 OF 11



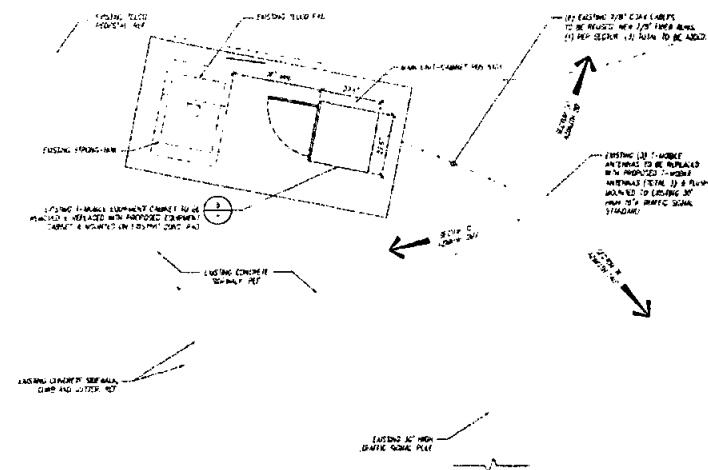
NEW ANTENNAS



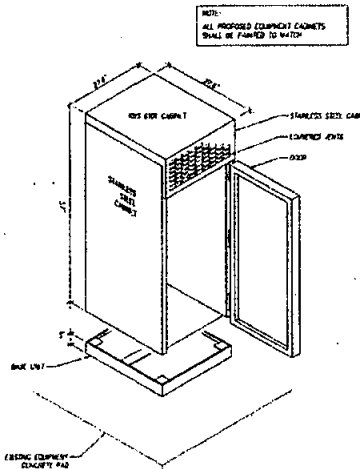
10 EXISTING ANTENNA
SCALE: 3/4" = 1'-0"



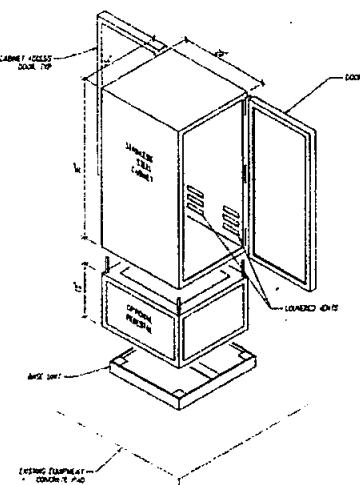
11 ANTENNA SECTOR DETAILS
SCALE: 3/4" = 1'-0"



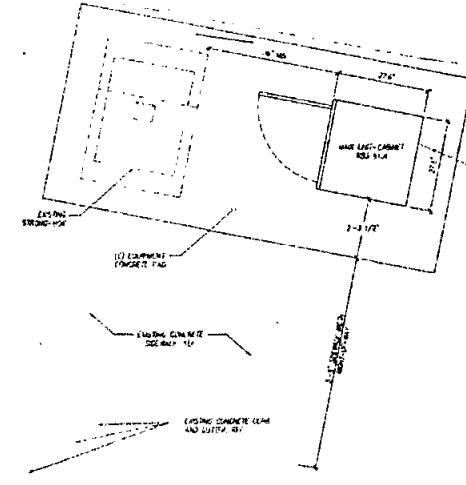
2 EQUIPMENT AND ANTENNA LAYOUT
SCALE: 1/2" = 1'-0"



3 NEW CABINET RBS 6101
SCALE: 1" = 1'-0"



3a EXISTING CABINET
SCALE: 1" = 1'-0"



4 FULL SWING CABINET DOOR DETAIL
SCALE: 3/4" = 1'-0"

ANTENNA AND CABLE SCHEDULE						
AREA	ANTENNA	ANTENNA	# OF ANTENNAS	CABLE	TYPE	CABLE LENGTH
A	2.5'	2.5'	2	(1) EXISTING 2.5'	(1) NEW 2.5'	5'
B	2.5'	2.5'	2	(1) EXISTING 2.5'	(1) NEW 2.5'	5'
C	2.5'	2.5'	2	(1) EXISTING 2.5'	(1) NEW 2.5'	5'

NOTES: (1) EXISTING CABLE MUST BE RE-USED
NEW 2.5' CABLE MUST BE RE-USED
NEW 2.5' CABLE MUST BE RE-USED

CITY OF SAN DIEGO ENVIRONMENTAL SERVICES DEPARTMENT
ENVIRONMENTAL SERVICES DEPARTMENT ACTIVITIES

EXHIBIT "A"

Project Number: 333422

App. Date: 3/19/14

Signed (1st Sheet):

THESE PLANS ARE NOT FOR CONSTRUCTION



IMPROVEMENT PLANS FOR

T-ROUBLE

CALLE CRISTOBAL & WINDY RIDGE WAY

DETAILS

CITY OF SAN DIEGO CALIFORNIA
DEPARTMENT OF ENVIRONMENTAL SERVICES
SHEET 7 OF 8 SHEETS

DATE PREPARED: 3/19/14
DATE CHECKED: 3/19/14
DATE COMPLETED: 3/19/14

SHEET 7 OF 8



SD07290

WINDY RIDGE

7594 CALLE CRISTOBAL SAN DIEGO CA 92126



AEsims.com
877.9AE.sims

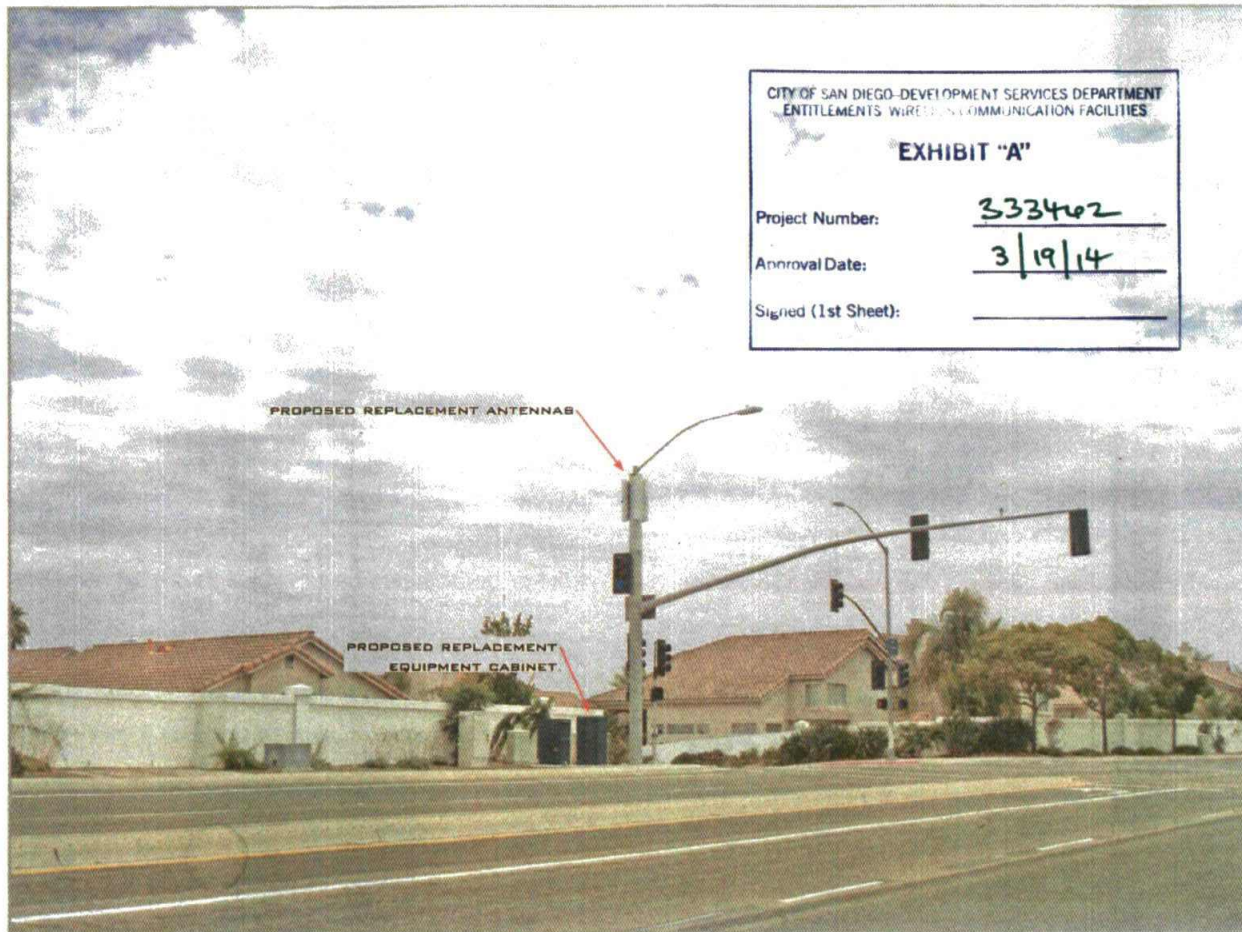


LOCATION

©2013 Google Maps



EXISTING



PROPOSED

LOOKING NORTHEAST FROM CALLE CRISTOBAL

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

EXHIBIT "A"

Project Number:

333462

Approval Date:

3/19/14

Signed (1st Sheet):

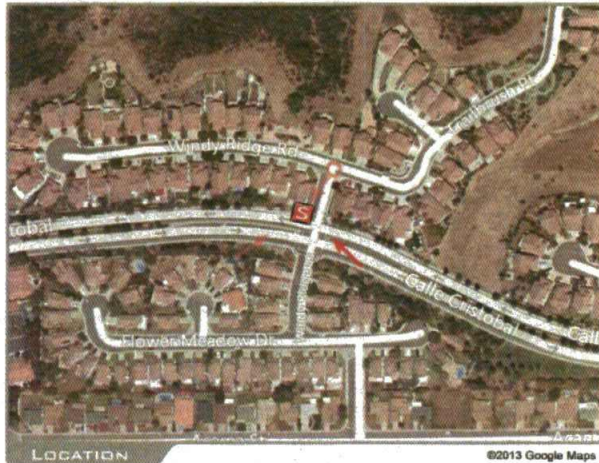
ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



SD07290

WINDY RIDGE

7594 CALLE CRISTOBAL SAN DIEGO CA 92126



LOCATION

©2013 Google Maps



EXISTING



PROPOSED

LOOKING NORTHWEST FROM CALLE CRISTOBAL

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

EXHIBIT "A"

Project Number: 33342

Approval Date: 3/19/14

Signed (1st Sheet): _____

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

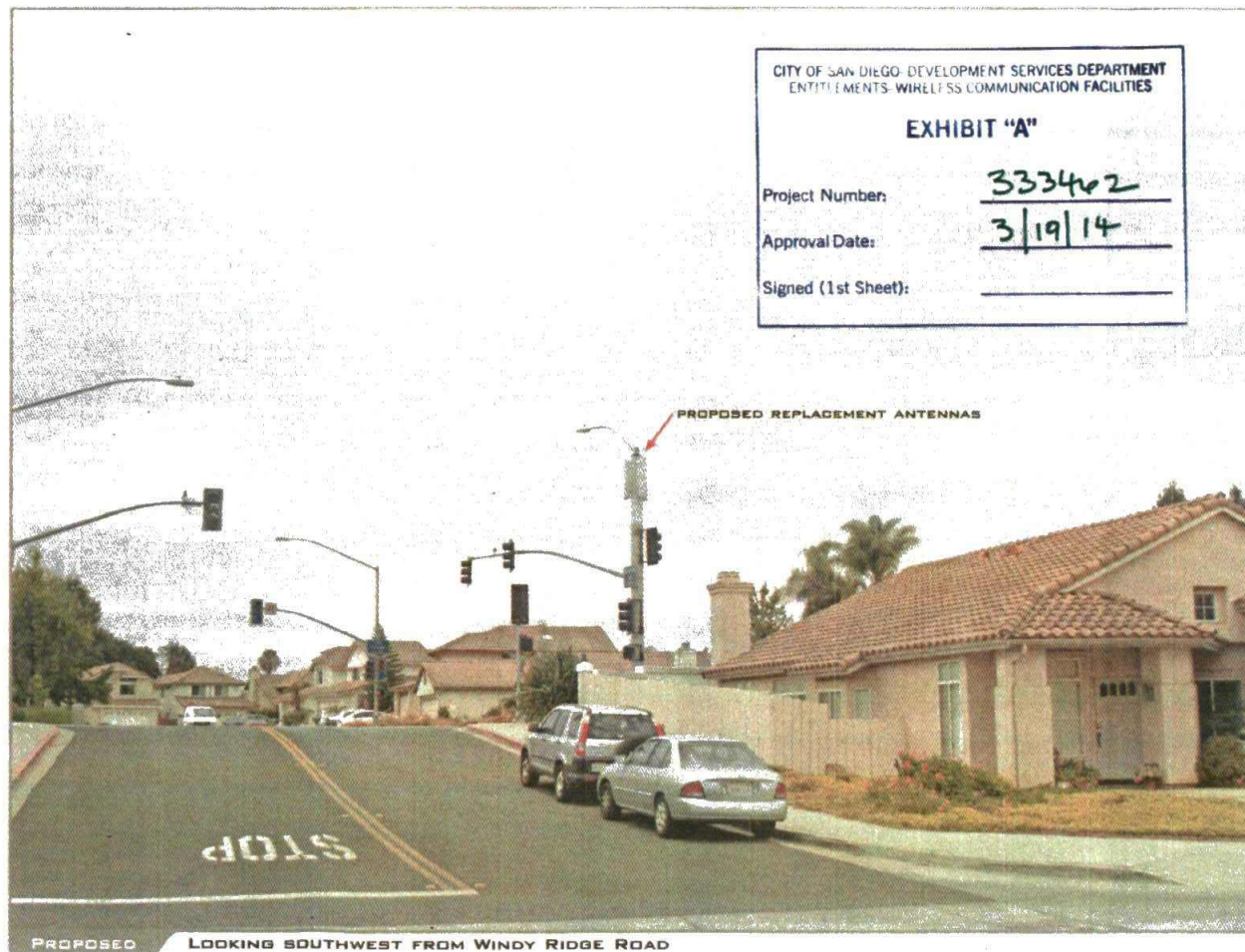
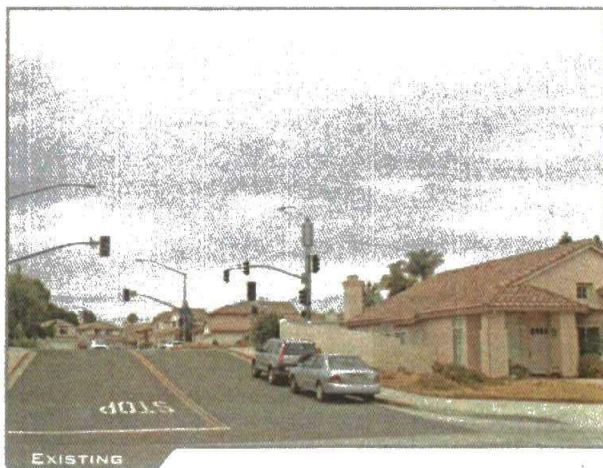
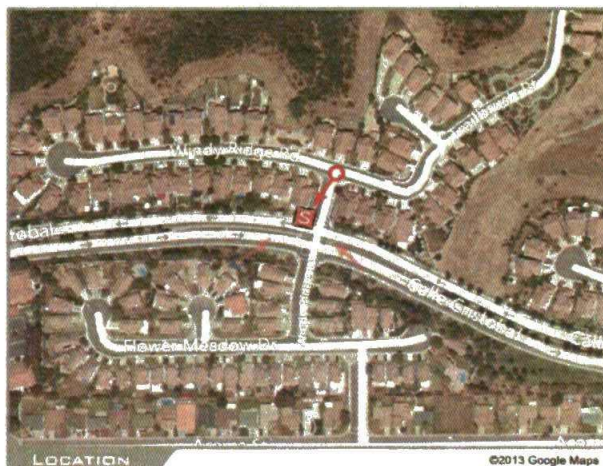
T-Mobile

SD07290

WINDY RIDGE

7594 CALLE CRISTOBAL SAN DIEGO CA 92126

ARTISTIC
engineering
AEsims.com
877.9AE.sims



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

EXHIBIT "A"

Project Number: 333402
Approval Date: 3/19/14
Signed (1st Sheet): _____

ACCURACY OF PHOTO SIMULATION: BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON APR 18, 2014
DOCUMENT NUMBER 2014-0154962
Ernest J. Dranenburg, Jr., COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 10:39 AM

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003982

CONDITIONAL USE PERMIT (CUP) NO. 1261279
RESCIND CUP NO. 490972
T-MOBILE WINDY RIDGE R.O.W.
PROJECT NO. 333462
HEARING OFFICER

This CONDITIONAL USE PERMIT NO. 1261279 is granted by the HEARING OFFICER of the City of San Diego to THE CITY OF SAN DIEGO, Owner, and T-MOBILE, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420 and 126.0305. The site is located at 7598 1/3 Calle Cristobal within the public right-of-way near the north-west corner of Windy Ridge Way and Calle Cristobal in the RS-1-14 zone of the Mira Mesa Community Plan.

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 March 19, 2014, on file in the Development Services Department.

The project shall include:

- a. Three (3) panel antennas, with the following dimensions: 56.0" by 12.0" by 7.9", mounted to an existing traffic light standard, with two above-ground equipment cabinets located adjacent to the traffic light standard;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. This traffic light standard is for the primary purpose of traffic control and street illumination, 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 April 3, 2017.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on April 3, 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 Owner/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/right-of-way 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.

ENGINEERING REQUIREMENTS:

14. 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 Windy Ridge Way and Calle Cristobal Right-of-Way.

15. Prior to the issuance of any construction permit, the Permittee shall obtain a Public Right-of-Way permit for the proposed work in the Windy Ridge Way and Calle Cristobal Right-of-Way.

16. This BMP is for the proposed replacemt of shrubs shown on improvement plan sheet 8. 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.

17. 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.

18. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

TRANSPORTATION REQUIREMENTS:

19. The applicant shall obtain an "Encroachment Maintenance and Removal Agreement," satisfactory to the City Engineer.

20. The applicant shall obtain a "Public Right-of-Way Permit for Traffic Control" permit prior to any work within the public right-of-way, satisfactory to the City Engineer.

21. The applicant shall protect any City property removed as part of the project and return said property, satisfactory to the City Engineer.

22. The applicant shall provide a Public Improvement Plan including a Traffic Signal Plan and a Traffic Control Plan, satisfactory to the City Engineer.

23. The applicant shall provide and maintain a telephone contact number available 24 hours/7 days a week clearly posted on the system to allow City staff to immediately contact the system provider, satisfactory to the City Engineer.

24. The applicant shall provide a switch to allow City staff to immediately turn off the system, satisfactory to the City Engineer.
25. City staff should contact the applicant as soon as possible with notification of the emergency shut-off of the system, satisfactory to the City Engineer.
26. The applicant shall install and maintain a separate power meter for the project, satisfactory to the City Engineer.
27. The applicant shall hold the City of San Diego harmless for interrupted signal transmission due to a signal pole knock over in the event of an accident, due to an electrical power failure, an emergency shut-off or as a result of any maintenance activity, satisfactory to the City Engineer.
28. Upon written request by the City of San Diego, the applicant shall remove or relocate the system, or any part of the system, within 45 days at the applicant's cost, satisfactory to the City Engineer.
29. The applicant shall inform the City and the City agrees to inform the applicant in the event of a knock over, satisfactory to the City Engineer.
30. The applicant shall shut down the system upon request of the City, and the City will notify the applicant in advance whenever possible of such request, satisfactory to the City Engineer.
31. Prior to any routine maintenance activity, the applicant shall notify the City a minimum of one work day in advance, satisfactory to the City Engineer.
32. A foundation analysis shall be required during the Public Improvement Plan Process, satisfactory to the City Engineer.
33. If the luminaire mounting height or length of mast arm of the new traffic signal standard does not match the appropriate State of California Department of Transportation Standard Plans drawing number ES-7C through ES-7H, a lighting study and a Deviation From Standards Form shall be provided during the Public Improvement Plan Process. If a lighting study is not required, the lamp type and wattage shall comply with The City of San Diego Street Design Manual, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

34. Prior to issuance of construction permits for work in the public right-of-way, the Owner/Permittee shall submit complete landscape construction documents to the Development Services Department for approval. Plans shall be in substantial conformance to the approved Exhibit "A."

35. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

36. The Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

PLANNING/DESIGN REQUIREMENTS:

37. 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.

38. 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.

39. 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.

40. 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."

41. No overhead cabling is allowed for this project.

42. Exposed mounting apparatus shall be removed and shall not remain on the traffic light standard absent antennas.

43. The Owner/Permittee shall not cause or allow the antennas located on the traffic light standard to be different sizes (length, width, or height) than as shown on the stamped approved plans and identified in this permit.

44. 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.

45. 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.

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

47. All cables shall be routed internally within proposed light standard.

48. The antennas shall be painted and textured to match the traffic light standard to the satisfaction of the Development Services Department.

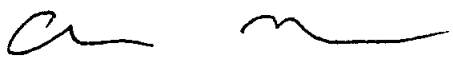
INFORMATION ONLY:

- 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 Hearing Officer of the City of San Diego on March 19, 2014 and HO-6703.

Permit Type/PTS Approval No.: CUP No. 1261279
Date of Approval: 3/19/2014

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.**

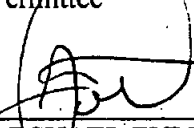
The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

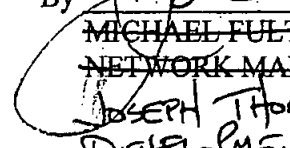
THE CITY OF SAN DIEGO
Owner

By 

~~SCOTT CHADWICK~~
~~CHIEF OPERATING OFFICER~~

T-MOBILE
Permittee

By 

MICHAEL FULTON
NETWORK MANAGER

JOSEPH THOMPSON
DEVELOPMENT MANAGER

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

Permit Type/PTS Approval No.: CUP No. 1261279
Date of Approval: 3/19/2014

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.**

**THE CITY OF SAN DIEGO
REAL ESTATE ASSETS DEPT.**

Owner

By 

KRISTIN GEITZ
INTERIM DIRECTOR

T-MOBILE

Permittee

By _____
MICHAEL FULTON
NETWORK MANAGER

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

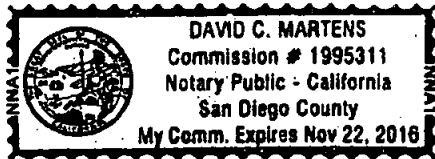
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN DIEGO

On 4-14-14 before me, DAVID C. MARTENS, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared KRISTIN GEITZ
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 David C. Martens
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: CONDITIONAL USE PERMIT

Document Date: 3-19-14 Number of Pages: 8

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ 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: _____

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

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of San Diego

On April 14, 2014 before me, Stacie L. Maxwell, Notary Public

personally appeared Alex Hempton



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]

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: EMobile Windy Ridge Row #333462

Document Date: _____ Number of Pages: _____

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

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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

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of San Diego

On March 26, 2014 before me, Anne Regan, Notary Public,
Date Here, Insert Name and Title of the Officer

personally appeared Joseph Thompson
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: Anne Regan
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: Conditional Use Permit No. 1261279

Document Date: March 19, 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
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**HEARING OFFICER
RESOLUTION NO. HO-6703
CONDITIONAL USE PERMIT NO. 1261279
T-MOBILE – WINDY RIDGE R.O.W.
PROJECT NO. 333462**

WHEREAS, THE CITY OF SAN DIEGO, Owner, and T-MOBILE, Permittee, filed an application with the City of San Diego for a permit to construct a Wireless Communication Facility consisting of three panel antennas attached to a traffic light standard and associated above-ground equipment located adjacent to the pole (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1261279);

WHEREAS, the project site is located in the public right-of-way near the north-west corner of Windy Ridge Way and Calle Cristobal in the RS-1-14 zone of the Mira Mesa Community Plan;

WHEREAS, on February 6, 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 Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction) and 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on March 19, 2014, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1261279 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated March 19, 2014.

FINDINGS:

Conditional Use Permit - Section 126.0305

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

The City of San Diego General Plan states that the visual impact of wireless facilities should be minimized. Wireless facilities should be concealed in existing structures when possible, or utilize camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Mechanical and other equipment and devices should be concealed in underground vaults or other unobtrusive structures.

The City encourages carriers to locate their equipment underground by allowing such a facility adjacent to a residential use with the processing of a Neighborhood Use Permit, Process 2. In this

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case, the equipment is proposed above-ground, and a Conditional Use Permit, Process 3, is required.

Three (3) T-Mobile panel antennas are proposed to be mounted on a traffic signal light standard. The antennas will be painted and textured to match the traffic signal standard. By utilizing an existing vertical element, the antennas are able to be blended and integrated with the surrounding neighborhood. The ground-mounted equipment cabinet will be painted green and screened by existing and proposed landscape material.

Based on the design of the WCF, it will not adversely affect the applicable land use plan.

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

The project consists of three panel antennas mounted on an existing traffic light standard, along with above-ground equipment cabinets, located adjacent to the light standard. The project is located at 7598 1/3 Calle Cristobal, in the public right-of-way, on the north-west corner of Windy Ridge Way and Calle Cristobal, and is located in the Mira Mesa community plan area.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to 15301 (Existing Facilities), 15302 (Replacement or Reconstruction) and 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 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 federal 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 regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and

WCF are permitted in the public right-of-way with the processing of a Conditional Use Permit, Process 3, when above-ground equipment is proposed. No deviations are proposed as part of this

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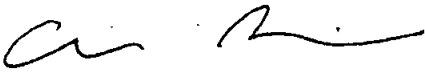
project. Three (3) T-Mobile panel antennas are proposed to be mounted to an existing traffic signal standard. The antennas will be painted and textured to match the traffic signal standard and wiring associated with the antennas will be internally routed through the pole. Equipment associated with the antennas will be mounted in an equipment cabinet, with an additional utility connection box, painted green. Landscape material, both existing and proposed, will help to screen the above-ground equipment. Based on the design of the project, this project complies with the applicable regulations of the Land Development Code (LDC), specifically the Wireless Communication Facility regulations, LDC section 141.0420.

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

WCF are permitted in the public right-of-way with a Conditional Use Permit, Process 3, when above-ground equipment is proposed. In this case, T-Mobile is proposing to mount three (3) panel antennas on an existing traffic signal standard. In general, traffic signal standards have a larger diameter than a typical light standard (without traffic signals) and will be able to less noticeably accommodate the addition of three panel antennas. The traffic signal is located on Calle Cristobal, which is classified as a four-lane major road, and the rear property lines of adjacent residential uses face this road. Since wireless coverage needs to be provided to this residential area, locating the WCF on a major road, effectively behind the residential uses, is more preferable than locating the antennas on a local residential street in front of a residential use. Therefore, based on locating the antennas on an existing large diameter traffic light standard on a four-lane major road, the proposed WCF is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer Conditional Use Permit No. 1261279 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1261279, a copy of which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that, CUP No. 490972 is hereby rescinded.



Alex Hempton, AICP
Development Project Manager
Development Services

Adopted on: March 19, 2014

Internal Order No. 24003982

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