

Planning Application #: 15-053

Date Received: 7/16/15
 Fee Paid: \$3,101.00
 Receipt #: 89666

814025 Albany (vzw) App ID 294732 ZAP

City of Albany

PLANNING APPLICATION FORM NON-RESIDENTIAL

Please complete the following application to initiate City review of your application. Please be aware that staff may have additional application requirements. For projects requiring Planning and Zoning Commission review, please schedule an appointment with Planning Division staff. The Community Development Department office is open to accept applications Monday, 8:30 AM to 7:00 PM, Tuesday through Thursday 8:30 AM to 5:00 PM, and Friday 8:30 AM to 12:30 PM (closed Noon – 1PM, Mon. – Thu.) at 1000 San Pablo Avenue, Albany, CA 94706 (510) 528-5760.

Fee Schedule (FY 2013-2014)

<input checked="" type="checkbox"/> Design Review*	\$2,072/ Admin. \$1,101
<input type="checkbox"/> Parking Exceptions/Reductions - see separate handout*	\$Actual Cost/Min \$2,072
<input type="checkbox"/> Conditional Use Permit (major)*	\$Actual Cost/Min \$2,072
<input type="checkbox"/> Conditional Use Permit (minor)*	\$1,101
<input type="checkbox"/> Sign Permit	\$1,479/\$461 Admin.
<input type="checkbox"/> Temporary/Seasonal Conditional Use Permit*	\$461
<input type="checkbox"/> Lot Line Adjustment*	\$Actual Cost/Min \$1,101
<input type="checkbox"/> Secondary Residential Unit*	\$1,101
<input type="checkbox"/> Parcel/Subdivision Map; Planned Unit Development; Condo Conversion*	\$3,357
<input type="checkbox"/> Variance*	\$2,072
<input checked="" type="checkbox"/> Other(s): <u>Deposit</u>	<u>\$2,005</u>

*When obtaining more than one planning approval, the full amount for the highest fee will apply and 1/2 fee will be charged for any other ones.

General Plan Update Fee \$45 included in the fees above. This fee only needs to be paid once for each separately submitted application.

****If applying for a Conditional Use Permit, please complete the Supplemental Questionnaire****

Job Site Address: <u>423 San Pablo Ave, Albany, CA 94706</u>		Zoning District: <u>SPC</u>
Property Owner(s) Name: <u>CLN Properties, LLC</u>	Phone: Fax: <u>NA</u>	Email: <u>NA</u>
Mailing Address: <u>6400 Moraga Ave, Suite 8</u>	City: <u>Oakland</u>	State/Zip: <u>CA/94611</u>
Applicant(s) Name (contact person): <u>Applicant is Verizon. Project contact is Judith Justice w/Crown Castle, agent</u>	Phone: <u>925-737-1246</u> Fax: <u>NA</u>	Email: <u>judith.justice@CrownCastle.com</u>
Mailing Address: <u>4301 Hacienda Dr, Suite 410</u>	City: <u>Pleasanton</u>	State/Zip: <u>CA/94598</u>

PROJECT DESCRIPTION (Please attach plans)

Verizon Proposes to: swap (4) panel antennas; remove (4) 7/8" coax cables, (1) RET cable, (3) TMAs; and install (4) RRUs, (2) diplexers, (2) surge suppression units, and (2) hybrid cables. No changes proposed to tower height or compound area.

TERMS AND CONDITIONS OF APPLICATION

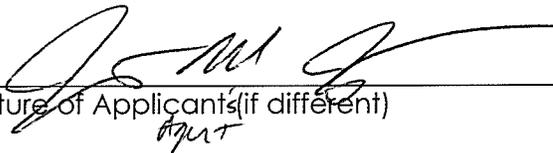
I, the undersigned owner (or authorized agent) of the property herein described, hereby make application for approval of the plans submitted and made part of this application in accordance with the provisions of the City's ordinances, and I hereby certify that the information given is true and correct to the best of my knowledge and belief.

I understand that the requested approval is for my benefit (or that of my principal). Therefore, if the City grants the approval with or without conditions, and that action is challenged by a third party, I will be responsible for defending against this challenge. I therefore agree to accept this responsibility for defense at the request of the City and also agree to defend, indemnify and hold the City harmless from any costs, claims, penalties, fines, judgments, or liabilities arising from the approval, including without limitation, any award or attorney's fees that might result from the third party challenge.

For this purposes of this indemnity, the term "City" shall include the City of Albany, its officers, officials, employees, agents and representatives. For purposes of this indemnity, the term "challenge" means any legal or administrative action to dispute, contest, attack, set aside, limit, or modify the approval, project conditions, or any act upon which the approval is based, including any action alleging a failure to comply with the California Environmental Quality Act or other laws.

The signature of the property owner is required for all projects. By executing this form you are affirming that you are the property owner.

SEE Attached Letter of Authorization Dated 05/12/15
Signature of Property Owner Date


Signature of Applicant (if different) Date
07/16/15



City of Albany

JUL 16 2015

Community Development

City of Albany

CONDITIONAL USE PERMIT SUPPLEMENTAL QUESTIONNAIRE

The City of Albany Municipal Code contains findings for approval of Conditional Use Permits. Your answers to these questions allow staff to process your application. There may be additional questions based on your responses below. After your application is accepted for processing, staff and the Planning & Zoning Commission (if applicable) will likely make at least one field visit to the Site and neighborhood.

1. What is (was) the use in this building/tenant space prior to your proposal?
existing unmanned telecom facility
2. What use are you proposing? same
3. Proposed hours/days of operation? 24 hours per day / 7 days per wk
4. Maximum number of employees expected on site at any one time?
(include owners/partners) 4 or 5, during a site inspection or maintenance visit
5. For instructional uses/assemblies of people/classes, etc. what is the maximum number of participants expected on site at any one time?
N/A
6. For restaurants and cafes, will beer/wine/liquor be served? N/A
7. How large is the space your business will occupy? N/A
8. Do you have off-street parking? If so, how many spaces? N/A

Please contact the Community Development Department if you have any additional questions. We are open with the following hours:

Monday, 8:30 AM – 7:00 PM
 Tuesday – Thursday, 8:30 AM – 5:00 PM
 Friday, 8:30 AM – 12:30 PM
 Closed for lunch from 12 PM – 1 PM daily

Albany City Hall
 1000 San Pablo Avenue, Albany, CA 94706
 TEL: (510) 528-5760

City of Albany

JUL 16 2015

Community Development

Property Owner Letter of Authorization

CITY OF ALBANY, CA
Building Inspection Dept.
1000 SAN PABLO AVENUE
Albany, CA 94706-2295

Re: Zoning/Building Permit Authorization

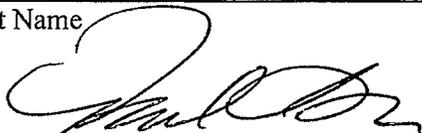
I hereby represent that I am the legal owner of the property referenced below, and I hereby give my authorization to VERIZON, and/or its Agents, to act as our Agent in the processing and obtaining approval for Building and/or Zoning permits through the CITY OF ALBANY, CA for the installation of their facility that would be located at the existing wireless communications site described as:

Site Name: ALBANY
Site Number: 814025
Site Address: 423 San Pablo Avenue
Albany, CA 94706
Legal Description: 067-2827-012

Property Owner:

PAUL LOW
Print Name

5/12/15
Date


Signature

Prop. Mgr.
Title

City of Albany
JUL 16 2015
Community Development



RF EMISSIONS COMPLIANCE REPORT

Crown Castle on behalf of Verizon Wireless Application # 294732

Site: B.U. 814025 - Albany
423 San Pablo Avenue
Albany, CA 94706
6/30/2015

Report Status:

Verizon Wireless Is Compliant



A large, handwritten signature in black ink, which appears to read "David Cotton, Jr.", is written over the right side of the seal.

David Charles Cotton, Jr.
Registered Professional Engineer (Electrical)
State of California, 18838
Date: 2015-June-30

Prepared By:

Sitesafe, Inc.

Engineering Statement in Re:
Electromagnetic Energy Analysis
Verizon Wireless
Albany, CA 94706

My signature on the cover of this document indicates:

That I am registered as a Professional Engineer in the jurisdiction indicated; and

That I have extensive professional experience in the wireless communications engineering industry; and

That I am an employee of Sitesafe, Inc. in Arlington, Virginia; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission ("the FCC" and "the FCC Rules") both in general and specifically as they apply to the FCC's Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields; and

That the technical information serving as the basis for this report was supplied by Verizon Wireless (See attached Site Summary and Carrier documents), and that Verizon Wireless's installations involve communications equipment, antennas and associated technical equipment at a location referred to as the "B.U. 814025 - Albany" ("the site"); and

That Verizon Wireless proposes to operate at the site with transmit antennas listed in the carrier summary and with a maximum effective radiated power as specified by Verizon Wireless and shown on the worksheet, and that worst-case 100% duty cycle have been assumed; and

That this analysis has been performed with the assumption that the ground immediately surrounding the tower is primarily flat or falling; and

That at this time, the FCC requires that certain licensees address specific levels of radio-frequency energy to which workers or members of the public might possibly be exposed (at §1.1307(b) of the FCC Rules); and

That such consideration of possible exposure of humans to radio-frequency radiation must utilize the standards set by the FCC, which is the Federal Agency having jurisdiction over communications facilities; and

That the FCC rules define two tiers of permissible exposure guidelines: 1) "uncontrolled environments," defined as situations in which persons may not be aware of (the "general public"), or may not be able to control their exposure to a transmission facility; and (2) "controlled environments," which defines situations in which persons are aware of their potential for exposure (industry personnel); and

That this statement specifically addresses the uncontrolled environment (which is more conservative than the controlled environment) and the limit set forth in the FCC rules for licensees of Verizon Wireless's operating frequency as shown on the attached antenna worksheet; and

That when applying the uncontrolled environment standards, the predicted Maximum Power Density at two meters above ground level from the proposed Verizon Wireless operation is no more than 4.268% of the maximum in any accessible area on the ground and

That it is understood per FCC Guidelines and OET65 Appendix A, that regardless of the existent radio-frequency environment, only those licenses whose contributions exceed five percent of the exposure limit pertinent to their operation(s) bear any responsibility for bringing any non-compliant area(s) into compliance; and

That when applying the uncontrolled environment standards, the cumulative predicted energy density from the proposed operation is no more than 5.604% of the maximum in any accessible area up to two meters above the ground per OET-65; and

That the calculations provided in this report are based on data provided by the client and antenna pattern data supplied by the antenna manufacturer, in accordance with FCC guidelines listed in OET-65. Horizontal and vertical antenna patterns are combined for modeling purposes to accurately reflect the energy two meters above ground level where on-axis energy refers to maximum energy two meters above the ground along the azimuth of the antenna and where area energy refers to the maximum energy anywhere two meters above the ground regardless of the antenna azimuth, accounting for cumulative energy from multiple antennas for the carrier and frequency range indicated; and

That the Occupational Safety and Health Administration has policies in place which address worker safety in and around communications sites, thus individual companies will be responsible for their employees' training regarding Radio Frequency Safety.

In summary, it is stated here that the proposed operation at the site would not result in exposure of the Public to excessive levels of radio-frequency energy as defined in the FCC Rules and Regulations, specifically 47 CFR 1.1307 and that Verizon Wireless's proposed operation is completely compliant.

Finally, it is stated that access to the tower should be restricted to communication industry professionals, and approved contractor personnel trained in radio-frequency safety; and that the instant analysis addresses exposure levels at two meters above ground level and does not address exposure levels on the tower, or in the immediate proximity of the antennas.

**Verizon Wireless
B.U. 814025 - Albany
Site Summary**

Carrier	Area Maximum Percentage MPE
Metro PCS (T-Mobile)	1.336 %
Verizon Wireless	0.226 %
Verizon Wireless	0.28 %
Verizon Wireless	0.929 %
Verizon Wireless	2.834 %
Composite Site MPE:	5.604 %

**Metro PCS (T-Mobile)
B.U. 814025 - Albany
Carrier Summary**

Frequency: 1900 MHz
 Maximum Permissible Exposure (MPE): 1000 $\mu\text{W}/\text{cm}^2$
 Maximum power density at ground level: 13.35695 $\mu\text{W}/\text{cm}^2$
 Highest percentage of Maximum Permissible Exposure: 1.33569 %

Antenna Make	Model	Height (feet)	Orientation (degrees true)	ERP (Watts)	On Axis		Area	
					Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE
Powerwave	7182.14	46	338	1000	4.255906	0.425591	5.681227	0.568123
Powerwave	7182.14	46	78	1000	4.255906	0.425591	5.681227	0.568123
Powerwave	7182.14	46	78	1000	4.255906	0.425591	5.681227	0.568123
Powerwave	7182.14	46	163	1000	4.255907	0.425591	5.681226	0.568123
Powerwave	7182.14	46	163	1000	4.255907	0.425591	5.681226	0.568123
Powerwave	7182.14	46	338	1000	4.255906	0.425591	5.681227	0.568123

**Verizon Wireless
B.U. 814025 - Albany
Carrier Summary**

Frequency: 1985 MHz
 Maximum Permissible Exposure (MPE): 1000 $\mu\text{W}/\text{cm}^2$
 Maximum power density at ground level: 2.26199 $\mu\text{W}/\text{cm}^2$
 Highest percentage of Maximum Permissible Exposure: 0.2262 %

Antenna Make	Model	Height (feet)	Orientation (degrees true)	ERP (Watts)	On Axis		Area	
					Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE
Andrew	SBNHH-1D65B	59	130	367	2.056929	0.205693	2.18872	0.218872
Andrew	SBNHH-1D65B	59	30	367	2.056929	0.205693	2.18872	0.218872

**Verizon Wireless
B.U. 814025 - Albany
Carrier Summary**

Frequency: 880 MHz
 Maximum Permissible Exposure (MPE): 586.67 $\mu\text{W}/\text{cm}^2$
 Maximum power density at ground level: 1.63975 $\mu\text{W}/\text{cm}^2$
 Highest percentage of Maximum Permissible Exposure: 0.2795 %

Antenna Make	Model	Height (feet)	Orientation (degrees true)	ERP (Watts)	On Axis		Area	
					Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE
Andrew	SBNHH-1D65B	59	130	244	0.988123	0.16843	1.08046	0.184169
Andrew	SBNHH-1D65B	59	30	244	1.371286	0.233742	1.459147	0.248718

**Verizon Wireless
B.U. 814025 - Albany
Carrier Summary**

Frequency: 2140 MHz
 Maximum Permissible Exposure (MPE): 1000 $\mu\text{W}/\text{cm}^2$
 Maximum power density at ground level: 9.28525 $\mu\text{W}/\text{cm}^2$
 Highest percentage of Maximum Permissible Exposure: 0.92852 %

Antenna Make	Model	Height (feet)	Orientation (degrees true)	ERP (Watts)	On Axis		Area	
					Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE
Andrew	SBNHH-1D65B	59	130	2043	5.771842	0.577184	8.730314	0.873031
Andrew	SBNHH-1D65B	59	30	2043	5.771842	0.577184	8.730314	0.873031

**Verizon Wireless
B.U. 814025 - Albany
Carrier Summary**

Frequency: 751 MHz
 Maximum Permissible Exposure (MPE): 500.67 $\mu\text{W}/\text{cm}^2$
 Maximum power density at ground level: 14.19029 $\mu\text{W}/\text{cm}^2$
 Highest percentage of Maximum Permissible Exposure: 2.83428 %

Antenna Make	Model	Height (feet)	Orientation (degrees true)	ERP (Watts)	On Axis		Area	
					Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE	Max Power Density ($\mu\text{W}/\text{cm}^2$)	Percent of MPE
Andrew	SBNHH-1D65B	59	130	2043	4.88472	0.975643	7.942036	1.586292
Andrew	SBNHH-1D65B	59	30	2043	4.884721	0.975643	7.942036	1.586292



CROWN CASTLE
4301 Hacienda Drive, Ste. 410
Pleasanton, CA 94588

JUDITH M JUSTICE, MRED
Real Estate Specialist
Tel (925) 737-1246

July 16, 2015

Via: In Person

City of Albany Community Development
Attn: Planning Division
1000 San Pablo Avenue
Albany, CA 94706

City of Albany

JUL 16 2015

Community Development

RE: Modification to Existing Wireless Tower
Project APN: 067-2827-012
Project Address: 423 San Pablo Ave, Albany, CA 94706
Crown Castle Site Name & BUN: Albany 814025
Crown Castle App # and Carrier: 294732 Verizon

Dear City of Albany Planning:

Please find the enclosed Planning Application materials:

- (1) Planning Application Form (Non-Residential)
- (1) Conditional Use Permit Supplemental Questionnaire
- (1) Property Owner Letter of Authorization dated 05/12/15
- (1) Check #9318 for Review Fees Due
- (1) RF Report dated 06/30/15
- (1) Set of photo sims dated 06/02/15
- (1) 24" x36" plan set, stamped and dated 07/10/15

If you have any questions during your review, please call me at 925-737-1246 or e-mail me at Judith.Justice@crowncastle.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Judith M Justice', written over a white background.

Judith M Justice
Real Estate Specialist



CROWN CASTLE
4301 Hacienda Drive, Ste. 410
Pleasanton, CA 94588

JUDITH M JUSTICE, MRED
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Dear City of Albany Planning:

As you may be aware, on February 22, 2012, Congress enacted "collocation-by-right" legislation preempting delays in the process of zoning the collocation of transmission equipment on existing wireless communications facilities ("Section 6409(a)").¹ Section 6409(a) mandates that local governments must approve any eligible facilities request for the modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. More recently, the Federal Communications Commission (the "FCC") adopted rules to implement and enforce the provisions of Section 6409(a).² Under the FCC's rules, if a local government fails to issue a decision within 60 days on an application submitted pursuant to Section 6409(a), the application is deemed granted.³

Enclosed herein please find the application materials required for zoning approval of the modification to the wireless facility located at 423 San Pablo Ave, Albany, CA 94706. Please note that: (i) the modification involves the replacement of transmission equipment; and (ii) such modification will not substantially change the physical dimensions of such tower. As such, it is an "eligible facilities request" as defined in the FCC's rules, and the City of Albany must therefore approve this request within 60 days.

FCC Infrastructure Order 47 CFR Parts 1 and 17 dated January 8, 2015, page 20, section 107, defines what State and local governments may require at time of submittal:

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6409 (2012)

² Acceleration of Broadband Deployment by Improving Wireless Facility Siting Policies, 80 Fed. Reg. 1238-01 (Jan. 8, 2015)(to be codified at 47 C.F.R. 1 and 17) (the "FCC Infrastructure Order")

³ See FCC Infrastructure Order at para. 115.

107. First, the Commission provides that in connection with requests asserted to be covered by section 6409(a), State and local governments may only require applicants to provide documentation that is reasonably related to determining whether the request (eligible facility request) meets the requirements of the provision.

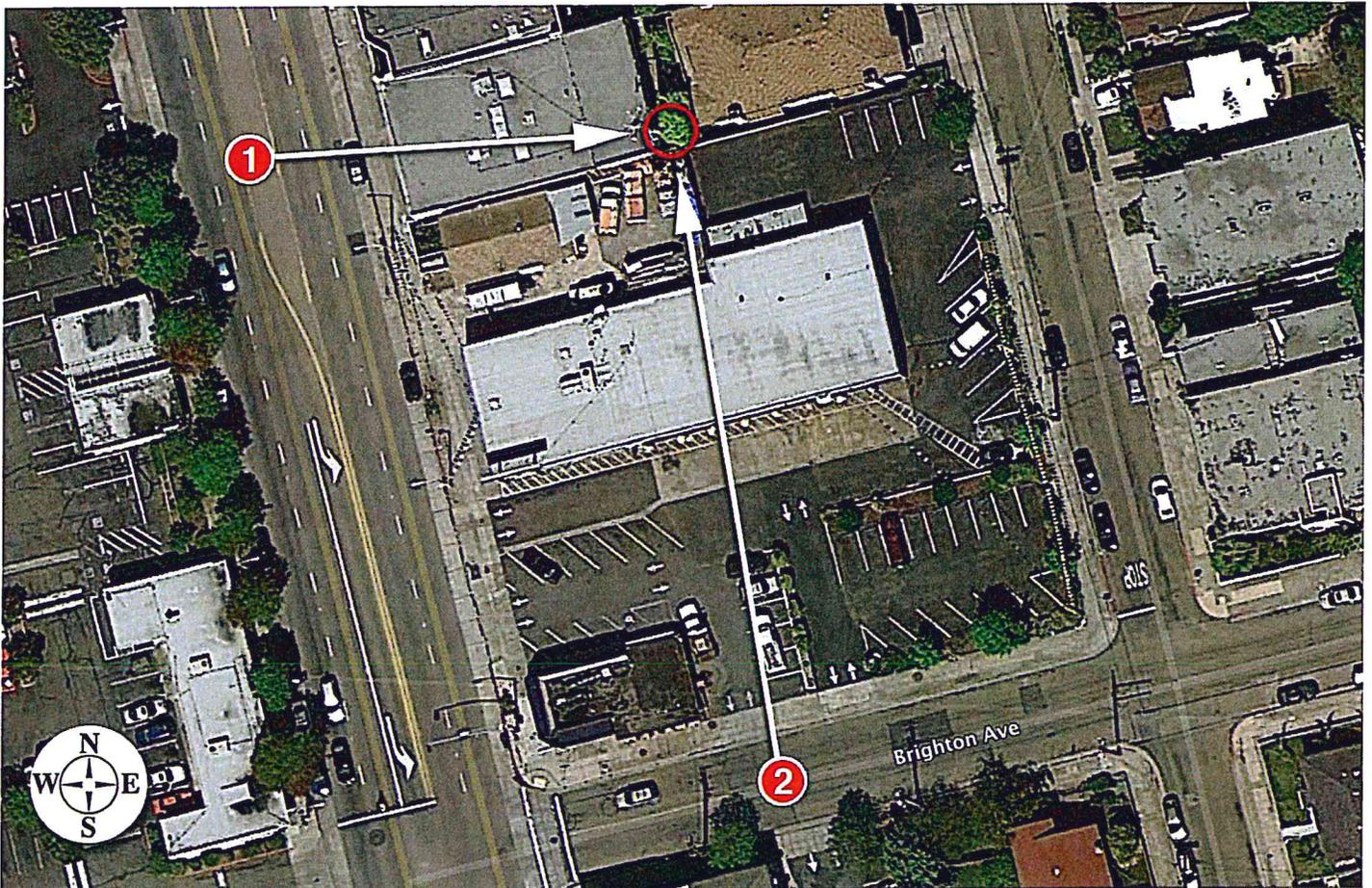
The Commission agrees with PCIA that States and localities may not require documentation proving the need for the proposed modification or presenting the business case for it.

The proposed modification complies with all federal, state, and local zoning and permitting requirements. It is our expectation that this application will be processed without any undue delay and in a manner consistent with the newly enacted federal legislation. Thank you in advance for your anticipated cooperation.

Best regards,

A handwritten signature in black ink, appearing to read 'J.M.J.', with a long, sweeping horizontal line extending to the right.

Judith M Justice
Real Estate Specialist





Existing



Proposed

