CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT

Agenda date. October 26, 2010
Prepared by JB

ITEM/ 6c

SUBJECT **Planning Application #09-031. Conditional Use Permit. Design Review.** The applicant requests City approval to allow the replacement of four existing wireless communication antennas with new antennas located on an existing 65-foot high monopole

SITE: **423 San Pablo**

APPLICANT/
OWNER: **Crown Castle for Verizon Wireless**

ZONING: **SPC (San Pablo Commercial)**
Residential Commercial Transition District Overlay

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission discuss the application and proposed approach, provide direction to staff and the applicant, and continue to the Commission meeting of November 9, 2010 for final action

BACKGROUND/PROJECT DESCRIPTION

The applicant requests City approval to allow the removal of the existing wireless communication antennas located on an existing 65-foot high monopole and replacement with new antennas The existing pole is located at the rear (east) side of the property Also currently installed on the monopole are antennas serving Metro PCS The monopole is an existing legal non-conforming facility pursuant to the Wireless Communication Facility provisions of the City's Planning and Zoning Code

The application was originally reviewed by the Commission on April 23, 2010 No action was taken at that time On November 24, 2010 the City's building inspector observed new antennas being installed without City approval, and issued a stop work order

ENVIRONMENTAL ANALYSIS

Staff has determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15301, "Existing Facilities" of the CEQA Guidelines, which exempts alterations to existing facilities.

DISCUSSION OF KEY ISSUES

Summary of Issues

1. *Legal Non-Conforming Status*

The existing monopole is 65-feet in height Under current codes, the maximum height of a monopole is 48 feet (ten feet greater than maximum building height allowed in the zoning district) Under the terms of the Wireless Communication section of the code, routine maintenance is permitted on existing, operational equipment and facilities (Section 20-20 100 I) However, new construction, other than routine maintenance on existing towers, antennas, buildings, or other facilities shall comply with the requirements of the Code In addition to the terms of the Wireless Communication section of the code, the Planning and Zoning Code also has a general Nonconforming Use section (Section 20-44), which allows maintenance of a non-conforming use, but "enlargement" of a non-residential use is not allowed

Although approved originally as a "minor utility," staff believes that review should be conducted in the context of current wireless regulations In particular, unlike the Golden Gate Fields application, this structure is entirely dedicated to wireless communications, and is clearly a legal non-conforming structure Among the objectives of the City's Planning and Zoning Code is not to extend the life of legal non-conforming structures Furthermore, this antenna is not consistent with the stated intent and purpose of the Planning and Zoning Code From staff's perspective, allowing an upgrade of the antenna would extend the life of a legal non-conforming situation At a minimum, such a decision should not be made by staff on a ministerial basis

2. *Co-Location*

The existing monopole is 65-feet in height features two sets of antennas The first set, located at 45 feet above grade, serves Metro PCS The second set, at 59 feet, serve the applicant The City's Code requires that new wireless communication facilities shall be co-located with existing facilities and with other planned new facilities whenever feasible and aesthetically desirable to minimize overall visual impact

3. *Design Review*

In a completely new facility, more subtle designs with screening or alternative approaches such as flush mounting on existing buildings would be preferred Given the size and location of the monopole, additional screening would not appreciably improve the appearance, and could be counter-productive by making the tower more visible Installations that attempt to mimic trees or other natural features are rarely effective aesthetically, particularly in urban settings such as the case with this application

4. *Monitoring Program*

The City's Wireless regulations call for establishment of a monitoring program for all wireless communications facilities This is a work initiative that staff has been aware of, but have not had

the opportunity to implement As a condition of approval, staff would recommend that Verizon make a commitment to cooperate in good faith to participate in the monitoring program

5. *Independent Review of Application*

The consultant firm *Kramer Firm Inc* , who specializes in telecommunications review for municipalities, conducted a third-party review of the application (see attachment ___) The analysis concludes with a recommendation that the City approve the application

Conclusion

As an alternative to denial of the application based on its legal non-conforming status, the Commission may wish to consider using its authority to enter into an agreement with owner/operator of a communication facility to establish a time limit on continued use of the monopole Such an agreement also would serve as notice that the City does not consider this location to be suitable for long-term use If the Commission wishes to approve the application, draft findings and conditions of approval are attached

Appeals

The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council if such appeal is filed within 14 days of the date of action Appeals may be filed in the Community Development Department by completing the required form and paying the required fee

Attachments:

1 Analysis of Zoning Requirements
2 Findings
3 Conditions
4 Application, Plans
5 Kramer Firm Inc report dated 2/8/2010

ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

20.12 Zoning Districts and Permitted Uses

General Plan	Commercial
Zoning	SPC (San Pablo Commercial)
	Residential-Commercial Transition Overlay

20.16 Land Use Classifications

Wireless Communication

Surrounding	North - Commercial	East - Residential
Property Use	South - Commercial	West - Commercial

20.20.080 Secondary Residential Units.
Not applicable

20.24.020 Table of Site Regulations by District.
Not applicable

20.24.030 Overlay District Regulations.
See Discussion

20.24.040 Hillside Residential Regulations.
Not applicable

20.24.050 Floor-Area-Ratio.
Not applicable

20.24.060 Setback Areas, Encroachments.
Not applicable

20.24.070 Setbacks with Daylight Planes.
Not applicable

20.24.080 Height Limits and Exceptions.
See Discussion of Key Issues

20.24.100 Distances between Structures.
Not applicable.

20.24.110 Fences, Landscaping, Screening.
Not applicable

20.24.130 Accessory Buildings.
Not applicable

20.28 Off-Street Parking Requirement.
Not applicable

20.40 Housing Provisions
Not applicable

20.44 Non-conforming Uses, Structures and Lot
Not applicable

20.48 Removal of Trees
Not applicable

20.52 Flood Damage Prevention Regulations
Not applicable

20.58 Art in Public Places Program
Project may be subject to Art in Public Places Program requirements Specific details will be required at time of application for a building permit

20.100 030 Use Permits.
Not applicable

20.100.040 Variances.
Not applicable

20.100.010 Common Permit Procedures.
Public notice of this application was provided on October 15, 2010 in the form of mailed notice to property owners and occupants within a 300-foot radius, and posted in three locations

20.100.050 Design Review.
See Discussion of Key Issues

ATTACHMENT 2 - FINDINGS

Findings for Design Review approval (Per section 20.100.050.E of the AMC)

Required Finding	Explanation
1 *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter*	The General Plan designates this area for commercial and commercially related development Additionally, the project meets City zoning standards for location, intensity and type of development The proposed replacement antennas are considered a maintenance activity, and thus do not need to comply with current standards for new wireless communication facilities .
2 *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation Additional purposes of design review include (but are not limited to) that retention and maintenance of existing buildings and landscape features are considered, and that site access and vehicular parking are sufficient "*	The proposal is a modification of an existing legal non-conforming use, and does not change the scale and harmony with existing development in the vicinity of the site The facility is also co-locating with existing telecommunication carriers and there are no additional screening or design features that can be feasibly added to the antenna to improve its appearance
3 *Approval of the project is in the interest of public health, safety and general welfare*	The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area A third party review has been conducted and a number of conditions of approval requiring signage about radio frequency levels, as well as relocation of the antennas if in future residential development in the controlled radio frequency level areas is constructed.
4 *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20 100 050 D*	The project is a modification to a legal non-conforming use, and would not change standards as stated, including access, architecture, natural features, coordination of design details, and privacy The proposed project will not affect the use, drastically affect the aesthetics, or at all the privacy at or around the site.

Findings for Conditional Use Permit Approval as required by Section 20.100.030.D:

Required Finding	Explanation
1 The size, location and intensity of the project are desirable and compatible with the neighborhood and community	The proposed wireless communication facility is co-located with existing facilities. It is located in one of three conditionally permitted zones and will provide additional wireless communication services to city residents and those travelling through the city
2 *The project will not be detrimental to the health, safety, convenience or general welfare of people residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following* a *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures* b *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading* c *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor* d *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs*	a The site is of sufficient size and shape to successfully install/construct the wireless facilities They will be located on the existing monopole and will not change the use or dramatically change the aesthetics of the site b The project will not have any increased traffic impacts beyond those typical during the initial installation period A technician will visit the site once every few weeks, and aside from the visits will be self-sufficient unless emergencies arise c The project will not develop new noxious noise, glare, dust or odor emissions beyond those associated with initial construction activities The project will remain a residential activity with all such characteristics Conditions of approval requiring signage and d The antennas and equipment shall be painted and finished to match the existing building
3 That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan	The proposed project is otherwise consistent with the City's General Plan zoning standards and requirements relating to wireless facilities The proposed replacement antennas are considered a maintenance activity, and thus do not need to comply with current standards for new wireless communication facilities

Findings for Approval as required by Section 20.20.100F.5:

Required Finding	*Explanation*
The establishment or expansion of the facility demonstrates a reasonable attempt to minimize stand-alone facilities, is designed to protect the visual quality of the City, and will not have an undue adverse impact on historic resources, scenic views, or other natural or man-made resources	The antennas and equipment will be painted to match the finish of the existing building The facility is also co-locating with existing telecommunication carriers thus will not change the use or drastically change the aesthetics of the nearby buildings
All applicable Development Standards in subsection 20 20 100 E above have been met, or Finding for an exception to the Development Standards Strict compliance would not provide for adequate radio-frequency signal reception and that no other alternative solutions which would meet the Development Standards are feasible	No exceptions required
The placement, construction, or modification of a wireless telecommunications facility in the proposed location is necessary for the provision of wireless communication services to Albany residents and businesses, or their owners, customers, guests, or invitees, or other persons traveling in or about the City	The City retained an independent third-party consultant specializing in telecommunications facilities The consultant concluded that the project site is best suited location within the area for AT&T coverage and that the applicant's justification for the site is sound
Finding for establishment of a satellite dish or parabolic antenna exceeding thirty-nine (39) inches in diameter A smaller or different antenna cannot feasibly accomplish the provider's technical objectives and that the facility will not be readily visible	Not applicable Project does not require a satellite dish
Findings for the establishment of a wireless communications facility that is not co-located with other existing or proposed facilities or a new freestanding pole or tower (at least one (1) finding required) a) Co-location is not feasible, b) Co-location would have more significant adverse effects on views or other environmental consideration, c) Co-location is not permitted by the property owner; d) Co-location would impair the	Not applicable Project is co-located with other facilities

Required Finding	*Explanation*
quality of service to the existing facility, e) Co-location would require existing facilities at the same location to go off-line for a significant period of time, or	

ATTACHMENT - 3

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL

GENERAL PROJECT CONDITIONS

Gen-1 **Project Approval** This Design Review and Conditional Use Permit approval is for Crown Castle, for Verizon Wireless, as substantially shown and described on the project plans, except as may be modified by conditions herein Plans include plans prepared by Crown Castle (project plans include site plan, elevations, RF report, details), all as presented to the Planning and Zoning Commission on October 26, 2010 For any condition herein that requires preparation of a Final Plan where the project developer has submitted a conceptual plan, the project developer shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City

GEN-2 **Project Approval Expiration** This Design Review and Conditional Use Permit approval will expire on November 9, 2011 (one year from the date on which this approval becomes effective), or at an alternate time specified as a condition of approval, unless a building permit has been issued and construction diligently pursued, a certificate of occupancy has been issued, the use is established, the use permit, variance or design review approval is renewed The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval

Project also is subject to "Duration, Revocation and Discontinuance" regulations contained in Planning and Zoning Code Section 20 20 100 I

> *An approved use permit for a wireless communication facility must be activated within one (1) year from the date of final approval If not activated within one (1) year from the date of final approval, the permit shall be deemed expired, as provided in subsection 20 100 010 K 1*
>
> *b Once activated, all permit approvals for wireless communication facilities shall be valid for an initial maximum period of up to ten (10) years, or as specified by the approving body*
>
> *c Permit approvals may be administratively extended without a public hearing for subsequent five (5)-year terms(s) by the Community Development Director upon verification of continued compliance with the findings and conditions of approval under which the application was originally approved, as well as any other provisions provided for in the Municipal Code,*

and Federal and State regulations which are in effect at the time of permit renewal

d In the event that the Community Development Director finds that the applicant has not maintained the facility in compliance with all applicable code requirements, conditions of approval and provisions of the maintenance agreement, the Director may initiate a revocation procedure as provided by subsection 20 100 010 M

e Costs associated with the process of verification of compliance and extension or revocation of approval shall be borne by the permit holder

2 Discontinuance of Use All equipment and improvements associated with a wireless communication facility shall be removed within thirty (30) days of the discontinuation of the use and the site shall be restored to its original, pre-construction condition, or as approved by the Community Development Director For facilities located on City property, this removal requirement shall be included within the terms of the lease For facilities located on private sites, the terms of private leases shall also require equipment removal as a provision of the lease Written verification of the removal of wireless communication facilities on private property shall be provided to the Community Development Director within thirty (30) days of the discontinuation of the use

a If the operator fails to remove the wireless communication facilities from the site, the property owner shall be responsible for removal, and may use any bond or other assurances provided by the operator pursuant to the requirements of this Chapter to do so If such facilities are not removed, the site shall be deemed to be a nuisance and the City may call the bond for removal or take such other action as it deems appropriate

b Failure to inform the Community Development Director of cessation of operations of any existing facility shall constitute a violation of the Zoning Ordinance and be grounds for

1) Prosecution,

2) Revocation or modification of the permit,

3) Calling of any bond or other assurance secured by the operator pursuant to the requirements of this Chapter, and/or

4) Removal of the facilities

Gen-3 **FEES.** The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees The project developer shall also reimburse the City for

direct costs of planning, building and engineering plan check and inspection, as mutually agreed between the City and developer

GEN-4 **Appeals** The Albany Municipal Code provides that any action of the Planning staff may be appealed to the Planning and Zoning Commission, and any action of the Planning and Zoning Commission may be appealed to the City Council as per the procedures described in Section 20 100 080 The City Clerk will then schedule the matter for the next available City Council meeting

GEN-5 **Requirement for Building Permit** Approval granted by the Planning and Zoning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City

GEN-6 **Fire Department Approval** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD

GEN-7 **Engineering Approval** As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer

GEN-8 **Construction Hours** Construction activity shall be restricted to the hours of 8 00 a m to 6 00 p m Mondays through Saturdays, and 10 00 a m to 6 00 p m, Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity Failure to comply with construction hours may result in stop work orders or other administrative actions

GEN-9 **Modifications to Approved Plans** The project shall be constructed as approved Planning staff may approve minor modifications in the project design, but not the permitted land use (per MC 20 12) A change in an item requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning and Zoning Commission approval through the Design Review process

GEN-10 **Hold Harmless Agreement** Pursuant to Government Code Section 66474 9, the applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499 37 The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense

GEN-11 **Public Improvements Standards** Public improvements, as required by the City Engineer during building permit review, shall be designed and constructed in

accordance with the City's Standard Specifications and Standard Details, unless specifically waived in writing by the City Engineer

GEN-12 **Title 24 Standards**. All construction shall be designed and built in accordance with California Title 24 handicap accessibility standards Appropriate details and specifications shall be incorporated into the plans and submitted at time of building permit application

GEN-13 **Energy Conservation Standards** All buildings shall be designed in accordance with the State of California energy conservation standards for non-residential buildings The necessary plans and documentation shall be submitted at time of building permit application

ARCHITECTURE CONDITION

ARCH-1 **Material Samples** Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Community Development Department as part of building permit application

ARCH-2 **Final Architectural Drawings** The applicant shall submit final architectural elevations, details and revisions for the review and approval of the Community Development Department as part of building permit application

Project-Specific Conditions

SPECIAL-1 The applicant shall permanently place and at all times maintain in good condition radio frequency emission notice signs in English and Spanish that are compliant with ANSI C95 2 color, symbol, and content conventions

SPECIAL-2 Each sign shall at all times bear the name of the carrier, the site identification number, and a 24-7 local or toll-free telephone number to reach a live person at the carrier's Network Operations Center

Appeals The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council, if such appeal is filed within 14 days of the date of the action Appeals may be filed in the Community Development Department by completing the required form and paying the required fee The City Clerk will then schedule the matter for the next available City Council meeting

verizon wireless

ALBANY
CROWN CASTLE SITE#: 814025
VERIZON WIRELESS JOB#: 2008316200
VERIZON WIRELESS SITE#: 123577
423 SAN PABLO AVENUE
ALBANY, CA. 94706
COUNTY OF ALAMEDA

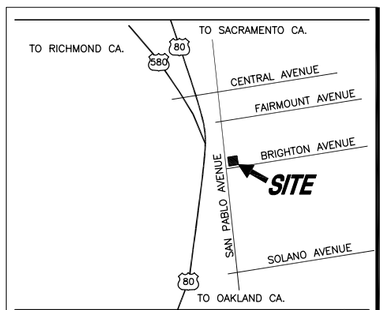
PROJECT DESCRIPTION

VERIZON WIRELESS PROPOSES TO:

REMOVE (4) EXISTING ANTENNAS, (2) PER SECTOR, FROM EXISTING HARDWARE ON EXISTING MONOPOLE

INSTALL (4) NEW ANTENNAS, (2) PER SECTOR, MOUNTED TO EXISTING HARDWARE ON EXISTING MONOPOLE

INSTALL (8) NEW COAXIAL CABLES, (4) PER SECTOR, FROM EXISTING EQUIPMENT TO NEW ANTENNAS



VICINITY MAP

DRIVING DIRECTIONS

FROM THE INTERSECTION OF I-80 AND I-580 AT THE BAY BRIDGE IN BERKELEY TAKE I-80 EAST. FOLLOW I-80 ABOUT 5 MILES AND TAKE THE CENTRAL AVE. EXIT. TURN RIGHT AND FOLLOW CENTRAL AVE. ABOUT 0.5 MILES. TURN RIGHT ON SAN PABLO AVE. AND FOLLOW FOR ABOUT 0.5 MILES. SITE IS ON LEFT. TURN LEFT ON BRIGHTON AVE. GO ONE BLOCK AND TURN LEFT ON KAINS AVE. THEN TURN LEFT INTO BANK PARKING LOT.

VERIZON SIGNATURE BLOCK

DISCIPLINE	SIGNATURE	DATE
SITE ACQUISITION		
CONSTRUCTION		
RADIO		
MICROWAVE		
TELCO		
EQUIPMENT		
PROJECT ADMINISTRATOR		
WO ADMINISTRATOR		

CROWN CASTLE

DISCIPLINE	SIGNATURE	DATE
SITE ACQUISITION		
PLANNER		
CONSTRUCTION		
PROJECT MANAGER		
UTILITY MANAGER		
LANDLORD		

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THE PLANS IS TO BE CONSIDERED TO BE PERMIT WORK NOT CONFORMING TO THESE CODES.

1. CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25) 2007
2. INTERNATIONAL BUILDING CODE 2006
3. INTERNATIONAL MECHANICAL CODE 2006
4. ANSI/EIA-222-G LIFE SAFETY CODE NFPA-101-1990
5. CALIFORNIA PLUMBING CODE 2007
6. NATIONAL ELECTRIC CODE 2005 CALIFORNIA ELECTRIC CODE 2007
7. LOCAL BUILDING CODE
8. CITY/COUNTY ORDINANCES

PROJECT SUMMARY

LESSEE

VERIZON WIRELESS
2785 MITCHELL DRIVE
WALNUT CREEK, CA 94598
CONTACT: WAYNE LOWELL
PHONE: 925.279.6333
FAX: 925.279.6365

PROPERTY INFORMATION

OWNER: CROWN CASTLE

ADDRESS: 5820 STONERIDGE MALL ROAD, SUITE 300
PLEASANTON, CA 94588

PROPERTY CONTACT: VICTORIA PETERS

PHONE: (925) 737-1005

AREA OF CONSTRUCTION: N/A

SHELTER OCCUPANCY TYPE: U

CURRENT ZONING:

CONSTRUCTION TYPE: N/A

A.P.N.: 67-2827-12

ACCESSBILITY REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

THE CENTER OF THE PROPOSED ANTENNAS AS SHOWN HEREON IS LOCATED AT THE FOLLOWING COORDINATES:

NAD 83
LATITUDE: N 37° 53' 49.73"
LONGITUDE: W 122° 18' 01.89"

PROJECT TEAM

ARCHITECT:

NAME: OMNI DESIGN GROUP, INC.
ADDRESS: 689 TANK FARM ROAD, SUITE 140
CITY, STATE, ZIP SAN LUIS OBISPO, CA 93401
PROJECT MANAGER: NICK BOCHE
ARCHITECT: TOM REAY, C-19442
PHONE: 805-544-9700
FAX: 805-544-4327

PROJECT MANAGER:

CONTACT: MARK GAGNE
PHONE: (925) 737-1245

CONSTRUCTION MANAGER:

CONTACT: TED CONGER
PHONE: (925) 980-0098

SHEET INDEX

SHEET	DESCRIPTION	REV.
T-1	TITLE SHEET	
A-1	OVERALL SITE PLAN	
A-2	SITE PLAN	
A-3	SITE, EQUIPMENT, AND ANTENNA PLANS	
A-4	ELEVATIONS	
A-5	ELEVATIONS	
A-6	ANTENNA SPECIFICATIONS	

JURISDICTION

JURISDICTION: CITY OF ALBANY
PHONE: (510) 747-6800

verizon
2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

ALBANY
CROWN CASTLE SITE# 814025
VERIZON WIRELESS JOB# 2008316200
VERIZON WIRELESS SITE# 123577
423 SAN PABLO AVENUE
ALBANY, CA 94706

CURRENT ISSUE DATE:

10/07/10

ISSUED FOR:

100% CONSTRUCTION

REV.:	DATE:	DESCRIPTION:	BY:

COORDINATING ARCHITECT:

Architecture
Civil Engineering
Surveying
Telecommunications
689 Tank Farm Road, Suite 140
San Luis Obispo, California 93401
Phone: (805) 544-9700
www.omnidesigngroup.com
email: omni@odgslo.com

SEAL:

CONSULTANT:

CROWN CASTLE

DRAWN BY:	CHK.:	APV.:
MPC	SM	TJR

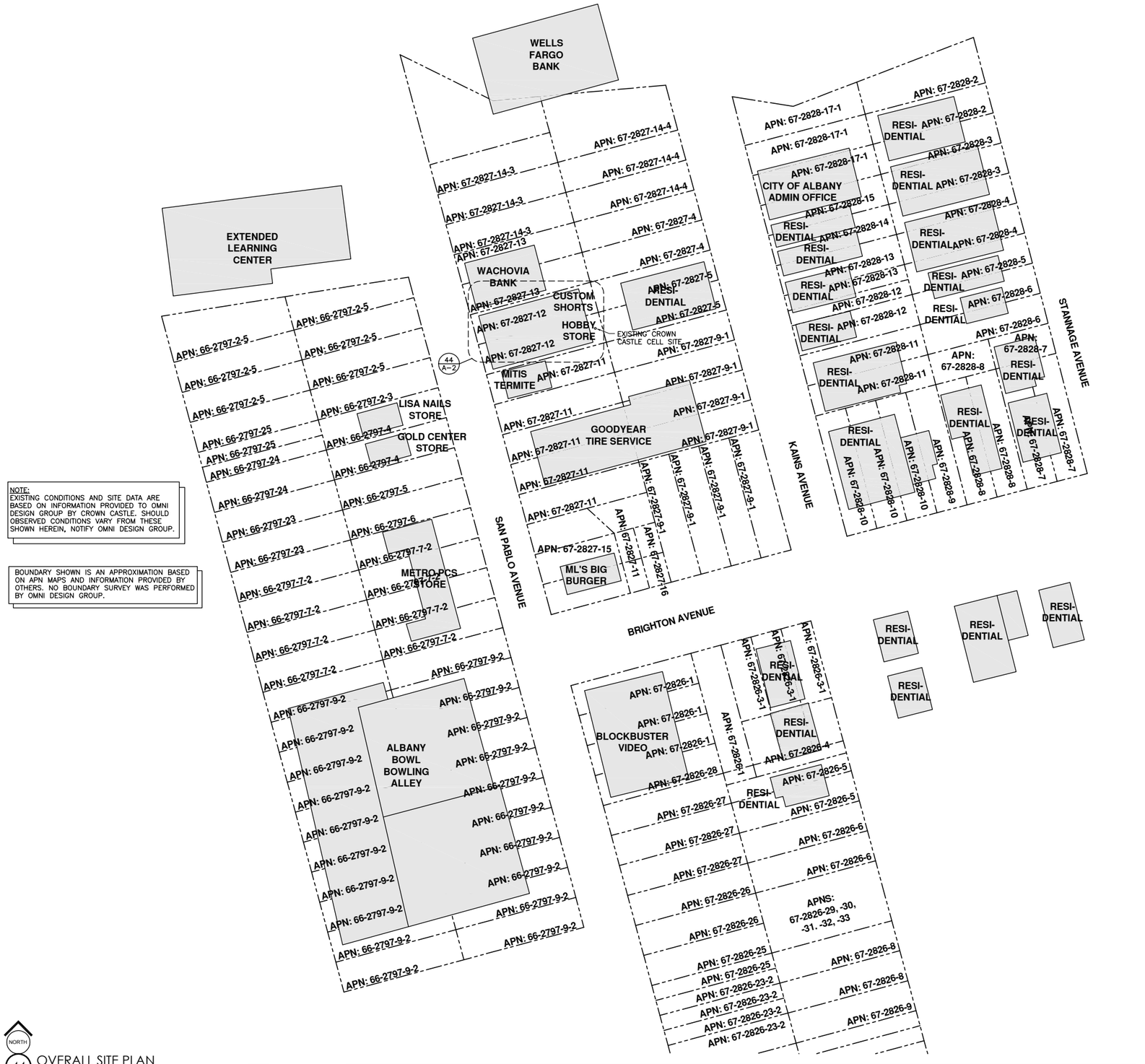
SHEET TITLE:

TITLE SHEET

SHEET NUMBER: T-1

REVISION:

640-125A



NOTE:
EXISTING CONDITIONS AND SITE DATA ARE BASED ON INFORMATION PROVIDED TO OMNI DESIGN GROUP BY CROWN CASTLE. SHOULD OBSERVED CONDITIONS VARY FROM THESE SHOWN HEREIN, NOTIFY OMNI DESIGN GROUP.

BOUNDARY SHOWN IS AN APPROXIMATION BASED ON APN MAPS AND INFORMATION PROVIDED BY OTHERS. NO BOUNDARY SURVEY WAS PERFORMED BY OMNI DESIGN GROUP.

NORTH

44 OVERALL SITE PLAN
SCALE: 1"= 40'-0"

0 20' 40' 80'

verizon
2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

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COORDINATING ARCHITECT:

Architecture
Civil Engineering
Surveying
Telecommunications
689 Tank Farm Road, Suite 140
San Luis Obispo, California 93401
Phone: (805) 544-9700
www.omnidesigngroup.com
email: omni@odgslo.com

SEAL:

CONSULTANT:
CROWN CASTLE

DRAWN BY:	CHK.:	APV.:
JM	NB	TR

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER: A-1
REVISION: 640-125A

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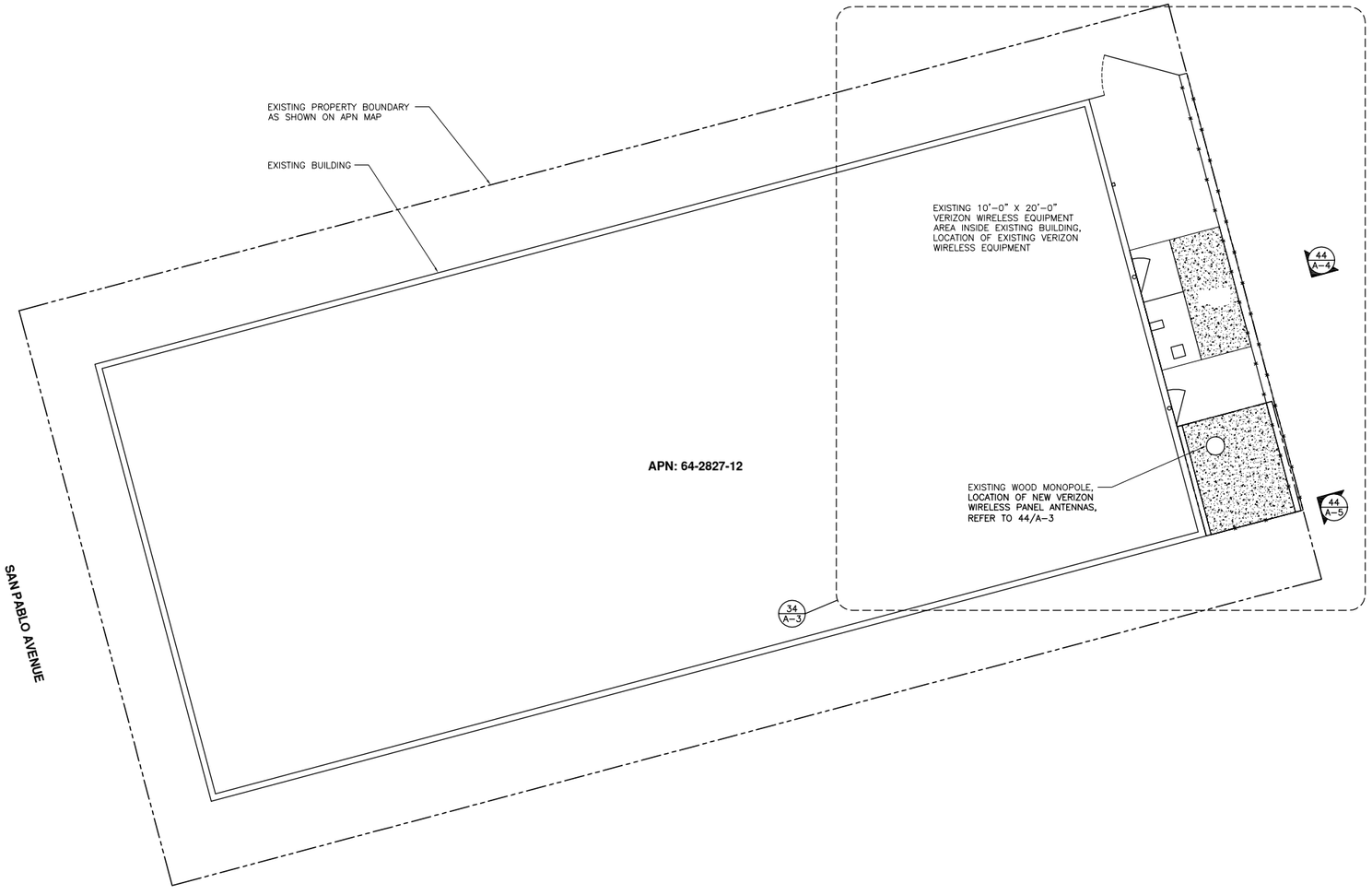

NORTH

44 SITE PLAN
SCALE: 3/16"=1'-0"

0 4' 8' 16'

verizon
2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

ALBANY
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CURRENT ISSUE DATE:

10/07/10

ISSUED FOR:

100% CONSTRUCTION

REV.:	DATE:	DESCRIPTION:	BY:

COORDINATING ARCHITECT:

Architecture
Civil Engineering
Surveying
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689 Tank Farm Road, Suite 140
San Luis Obispo, California 93401
Phone: (805) 544-9700
www.omnidesigngroup.com
email: omni@lodgslo.com

SEAL:

CONSULTANT:

CROWN CASTLE

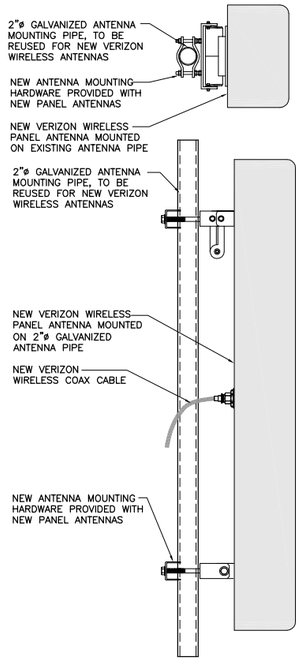
DRAWN BY:	CHK.:	APV.:
JM	NB	TR

SHEET TITLE:

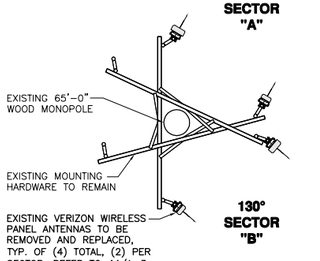
SITE PLAN

SHEET NUMBER: A-2

REVISION: 640-125A

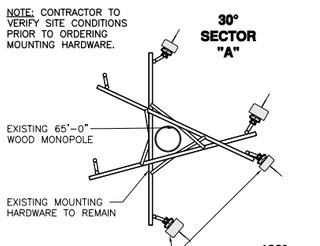


42 ANTENNA MOUNTING DETAIL
SCALE: 1 1/2"=1'-0"



43 EXISTING ANTENNA PLAN @ 59' AGL
SCALE: 1/4"=1'-0"

NOTE:
ALL MOUNTS AND ANTENNAS ARE TO MATCH EXISTING CONFIGURATION. THIS IS A LIKE FOR LIKE SWAP.



44 NEW ANTENNA PLAN @ 59' AGL
SCALE: 1/4"=1'-0"

NOTE:
CONTRACTOR TO MAKE USE OF EXISTING COAX AND ANTENNA MOUNTING HARDWARE IF POSSIBLE

BOUNDARY SHOWN IS AN APPROXIMATION BASED ON APN MAPS AND INFORMATION PROVIDED BY OTHERS. NO BOUNDARY SURVEY WAS PERFORMED BY OMNI DESIGN GROUP.

NOTE:
CONTRACTOR TO PAINT ALL NEW HARDWARE, ANTENNAS, COAX AND EQUIPMENT TO MATCH EXISTING.

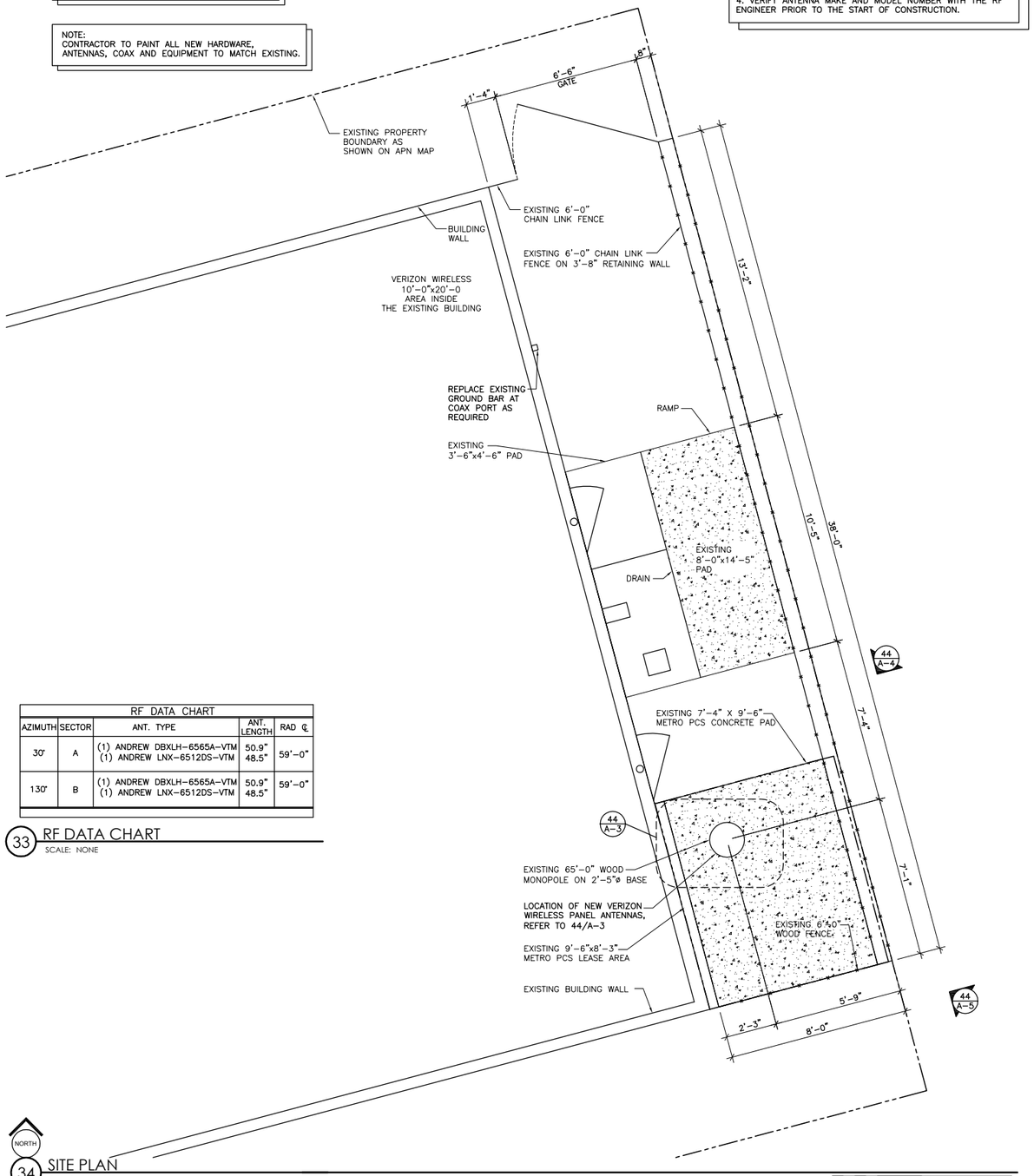
NOTE:
EXISTING CONDITIONS AND SITE DATA ARE BASED ON INFORMATION PROVIDED TO OMNI DESIGN GROUP BY CROWN CASTLE. SHOULD OBSERVED CONDITIONS VARY FROM THESE SHOWN HEREIN, NOTIFY OMNI DESIGN GROUP.

NOTE:
1. ALL AZIMUTHS REFERENCE TRUE NORTH. ALL ELEVATIONS REFERENCE ADJACENT GRADE.
2. AZIMUTH SHOWN IS PRELIMINARY. CONTRACTOR SHALL INSTALL ANTENNAS TO CONFORM TO THE SITE BUILD FORM PROVIDED BY VERIZON WIRELESS.
3. CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER SHOULD ANY VARIATION IN AZIMUTH, BETWEEN THAT INDICATED HEREIN AND THAT SPECIFIED ON THE SITE BUILD FORM, CREATE POSSIBLE IMPACT OR DEGRADATION OF SITE PERFORMANCE.
4. VERIFY ANTENNA MAKE AND MODEL NUMBER WITH THE RF ENGINEER PRIOR TO THE START OF CONSTRUCTION.

RF DATA CHART

AZIMUTH	SECTOR	ANT. TYPE	ANT. LENGTH	RAD ℄
30°	A	(1) ANDREW DBXLH-6565A-VTM (1) ANDREW LNX-6512DS-VTM	50.9" 48.5"	59'-0"
130°	B	(1) ANDREW DBXLH-6565A-VTM (1) ANDREW LNX-6512DS-VTM	50.9" 48.5"	59'-0"

33 RF DATA CHART
SCALE: NONE



34 SITE PLAN
SCALE: 3/8"=1'-0"

verizon
2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

ALBANY
CROWN CASTLE SITE# 814025
VERIZON WIRELESS JOB# 20083162OO
VERIZON WIRELESS SITE# 123577
423 SAN PABLO AVENUE
ALBANY, CA 94706

CURRENT ISSUE DATE:
10/07/10

ISSUED FOR:
100% CONSTRUCTION

REV.:	DATE:	DESCRIPTION:	BY:

COORDINATING ARCHITECT:

Architecture
Civil Engineering
Surveying
Telecommunications
689 Tank Farm Road, Suite 140
San Luis Obispo, California 93401
Phone: (805) 544-9700
www.omnidesigngroup.com
email: omni@odgslo.com

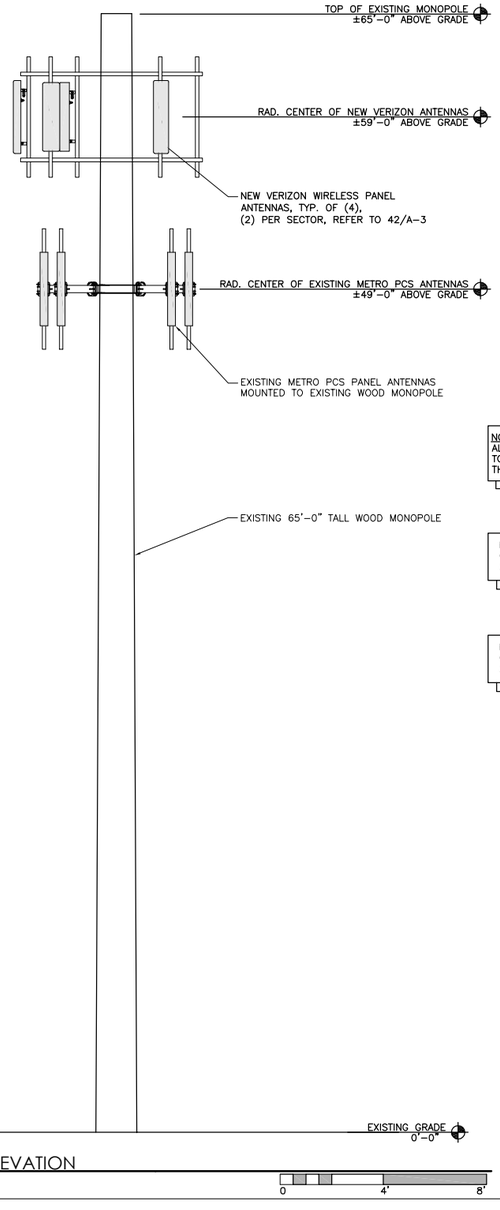
SEAL:

CONSULTANT:
CROWN CASTLE

DRAWN BY:	CHK.:	APV.:
JM	NB	TR

SHEET TITLE:
SITE AND ANTENNA LAYOUT PLAN

SHEET NUMBER: A-3
REVISION: 640-125A



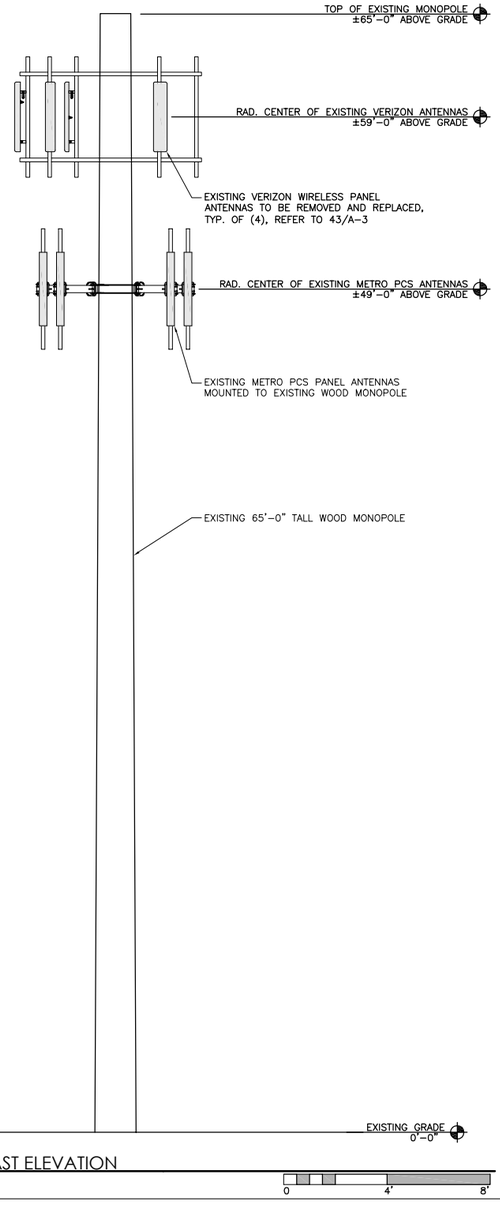
NOTE:
ALL MOUNTS AND ANTENNAS ARE TO MATCH EXISTING CONFIGURATION. THIS IS A LIKE FOR LIKE SWAP.

NOTE:
CONTRACTOR TO PAINT ALL NEW HARDWARE, ANTENNAS, COAX AND EQUIPMENT TO MATCH EXISTING.

NOTE:
CONTRACTOR TO MAKE USE OF EXISTING COAX AND ANTENNA MOUNTING HARDWARE IF POSSIBLE.

44 NEW NORTHEAST ELEVATION
SCALE: 1/4"=1'-0"

0 4' 8'



24 EXISTING NORTHEAST ELEVATION
SCALE: 1/4"=1'-0"

0 4' 8'

verizon
2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

ALBANY
CROWN CASTLE SITE# 814025
VERIZON WIRELESS JOB# 2008316200
VERIZON WIRELESS SITE# 123577
423 SAN PABLO AVENUE
ALBANY, CA 94706

CURRENT ISSUE DATE:

10/07/10

ISSUED FOR:

100% CONSTRUCTION

REV.:	DATE:	DESCRIPTION:	BY:

COORDINATING ARCHITECT:

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689 Tank Farm Road, Suite 140
San Luis Obispo, California 93401
Phone: (805) 544-9700
www.omnidesigngroup.com
email: omni@odgslo.com

SEAL:

CONSULTANT:

CROWN CASTLE

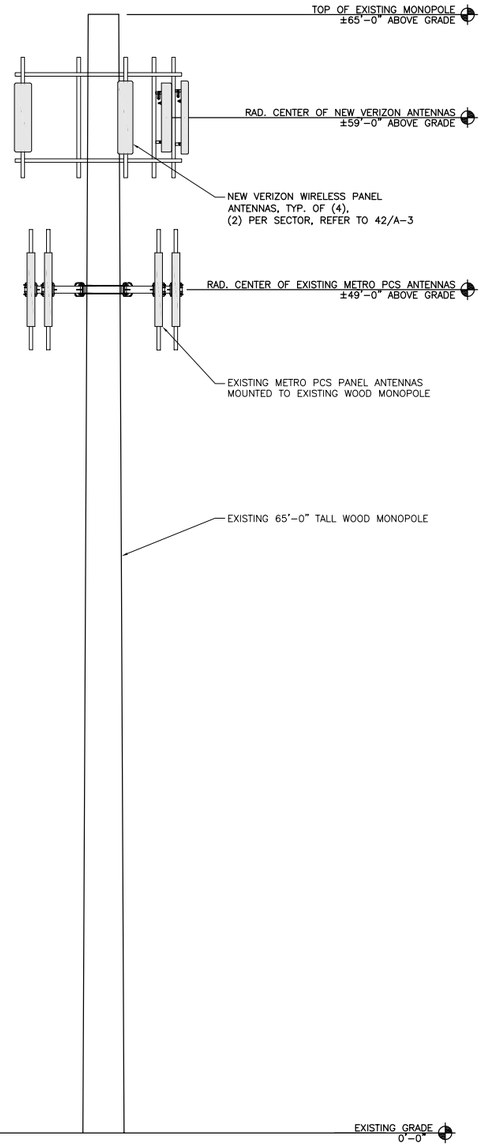
DRAWN BY:	CHK.:	APV.:
JM	NB	TR

SHEET TITLE:

ELEVATIONS

SHEET NUMBER: A-4

REVISION: 640-125A



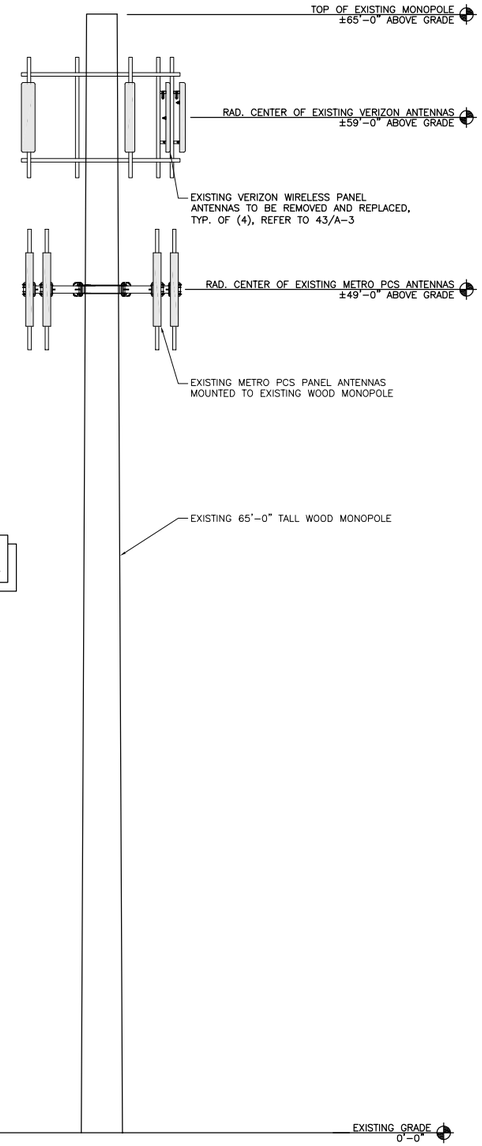
44 NEW SOUTHEAST ELEVATION
SCALE: 1/4"=1'-0"

0 4' 8'

NOTE:
ALL MOUNTS AND ANTENNAS ARE TO MATCH EXISTING CONFIGURATION. THIS IS A LIKE FOR LIKE SWAP.

NOTE:
CONTRACTOR TO PAINT ALL NEW HARDWARE, ANTENNAS, COAX AND EQUIPMENT TO MATCH EXISTING.

NOTE:
CONTRACTOR TO MAKE USE OF EXISTING COAX AND ANTENNA MOUNTING HARDWARE IF POSSIBLE.



24 EXISTING SOUTHEAST ELEVATION
SCALE: 1/4"=1'-0"

0 4' 8'

verizon
2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

ALBANY
CROWN CASTLE SITE# 814025
VERIZON WIRELESS JOB# 2008316200
VERIZON WIRELESS SITE# 123577
423 SAN PABLO AVENUE
ALBANY, CA 94706

CURRENT ISSUE DATE:

10/07/10

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SEAL:

CONSULTANT:

CROWN CASTLE

DRAWN BY:	CHK.:	APV.:
JM	NB	TR

SHEET TITLE:

ELEVATIONS

SHEET NUMBER: A-5

REVISION: 640-125A

Product Specifications

ANDREW. A CommScope Company

LNX-6512DS-VTM

DualPol® Antenna, 698–896 MHz, 65° horizontal beamwidth, RET compatible variable electrical tilt

- Excellent choice to maximize both coverage and capacity in suburban and rural applications
- Ideal choice for site collocations and tough zoning restrictions
- Extended elevation tilt for maximum flexibility in urban core areas
- Remote beam tilt management is an optional feature using Andrew's Teletilt® system

CHARACTERISTICS

General Specifications

Antenna Type	DualPol®
Brand	DualPol® | Teletilt®
Operating Frequency Band	698 – 896 MHz

Electrical Specifications

Frequency Band, MHz	698–806	806–896
Beamwidth, Horizontal, degrees	65	65
Gain, dBd	12.0	12.3
Gain, dBi	14.1	14.4
Beamwidth, Vertical, degrees	19.0	17.0
Beam Tilt, degrees	0–15	0–15
Upper Sidelobe Suppression (USLS), typical, dB	17	18
Front-to-Back Ratio at 180°, dB	28	28
Isolation, dB	30	30
VSWR | Return Loss, db	1.4:1 | 15.6	1.4:1 | 15.6
Intermodulation Products, 3rd Order, 2 x 20 W, dBc	-150	-150
Input Power, maximum, watts	400	400
Polarization	±45°	±45°
Impedance, ohms	50	50
Lightning Protection	dc Ground	dc Ground

www.commscope.com/andrew

Product Specifications

ANDREW. A CommScope Company

LNX-6512DS-VTM

Mechanical Specifications

Color	Light gray
Connector Interface	7-16 DIN Female
Connector Location	Bottom
Connector Quantity	2
Wind Loading, maximum	375.9 N @ 100 mph 84.5 lbf @ 100 mph
Wind Speed, maximum	241.4 km/h | 150.0 mph

Dimensions

Depth	181.0 mm | 7.1 in
Length	1232.0 mm | 48.5 in
Width	301.0 mm | 11.9 in
Net Weight	12.6 kg | 27.8 lb

Remote Electrical Tilt (RET) Information

Model with Factory Installed AISG 1.1 Actuator	LNX-6512DS-R2M
Model with Factory Installed AISG 2.0 Actuator	LNX-6512DS-A1M
RET System	Teletilt®

Included Products

MTG-L-STD
Downtilt Mounting Kit for panel Antennas

www.commscope.com/andrew

Product Specifications

ANDREW. A CommScope Company

DBXLH-6565A-VTM

DualPol® Dual Band Antenna, 824–960 MHz and 1710–2180 MHz, 65° horizontal beamwidth, RET compatible variable electrical tilt

- Two DualPol® antennas under one radome
- Interleaved dipole technology providing for attractive, low wind load mechanical package
- Each antenna is independently capable of field adjustable electrical tilt
- Fully compatible with Andrew Teletilt® remote control system

CHARACTERISTICS

General Specifications

Antenna Type	DualPol® dual band
Brand	DualPol® | Teletilt®
Operating Frequency Band	1710 – 2180 MHz | 824 – 960 MHz

Electrical Specifications

Frequency Band, MHz	824–896	870–960	1710–1880	1850–1990	1920–2180
Beamwidth, Horizontal, degrees	68	65	65	63	61
Gain, dBd	11.9	12.2	14.4	14.7	14.9
Gain, dBi	14.0	14.3	16.5	16.8	17.0
Beamwidth, Vertical, degrees	16.0	15.0	7.2	6.8	6.5
Beam Tilt, degrees	0–15	0–15	0–8	0–8	0–8
Upper Sidelobe Suppression (USLS), typical, dB	16	18	15	15	15
Front-to-Back Ratio at 180°, dB	25	25	28	28	27
Isolation, dB	25	30	30	30	30
VSWR | Return Loss, db	1.4:1 | 15.6	1.5:1 | 14.0	1.5:1 | 14.0	1.4:1 | 15.6	1.5:1 | 14.0
Intermodulation Products, 3rd Order, 2 x 20 W, dBc	-150	-150	-150	-150	-150
Input Power, maximum, watts	300	300	250	250	250
Polarization	±45°	±45°	±45°	±45°	±45°
Impedance, ohms	50	50	50	50	50
Lightning Protection	dc Ground	dc Ground	dc Ground	dc Ground	dc Ground

www.commscope.com/andrew

Join the Evolution

Product Specifications

ANDREW. A CommScope Company

DBXLH-6565A-VTM

Mechanical Specifications

Color	Light gray
Connector Interface	7-16 DIN Female
Connector Location	Bottom
Connector Quantity	4
Wind Loading, maximum	402.2 N @ 150 km/h 90.4 lbf @ 150 km/h
Wind Speed, maximum	201.0 km/h | 124.9 mph

Dimensions

Depth	132.0 mm | 5.2 in
Length	1294.0 mm | 50.9 in
Width	269.0 mm | 10.6 in
Net Weight	14.2 kg | 31.3 lb

Remote Electrical Tilt (RET) Information

Model with Factory Installed AISG 1.1 Actuator	DBXLH-6565A-R2M
Model with Factory Installed AISG 2.0 Actuator	DBXLH-6565A-A2M
RET System	Teletilt®

Regulatory Compliance/Certifications

Agency	Classification
RoHS 2002/95/EC	Compliant by Exemption
China RoHS SJ/T 11364-2006	Above Maximum Concentration Value (MCV)

INCLUDED PRODUCTS

- **600899A-2**
  Downtilt Mounting Kit for 2.4 - 4.5 in (60 - 115 mm) OD round members

www.commscope.com/andrew

Join the Evolution

verizon

2785 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

ALBANY
CROWN CASTLE SITE# 814025
VERIZON WIRELESS JOB# 2008316200
VERIZON WIRELESS SITE# 123577
423 SAN PABLO AVENUE
ALBANY, CA 94706

CURRENT ISSUE DATE:

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100% CONSTRUCTION

REV.:	DATE:	DESCRIPTION:	BY:

COORDINATING ARCHITECT:

Architecture
Civil Engineering
Surveying
Telecommunications

689 Tank Farm Road, Suite 140
San Luis Obispo, California 93401
Phone: (805) 544-9700
www.omnidesigngroup.com
email: omni@odgslo.com

SEAL:

CONSULTANT:

CROWN CASTLE

DRAWN BY:	CHK.:	APV.:
JM	NB	TR

SHEET TITLE:

ANTENNA SPECIFICATIONS

SHEET NUMBER:	REVISION:
A-6	640-125A

City of Albany
405 Kains Avenue
Albany, **CA** 94706
• (510) 528-5710

RE Project 814025 Albany

Dear City of Albany,

My name is Jason Osborne and I represent Crown Castle on the attached project located at 423 San Pablo Ave Albany Ca 94706

Enclosed you will find the following documents

- *Exhibit A – Project Description*
- *Exhibit B – Application with LOA*
- *Exhibit C– Supplemental Application Information*
- *Exhibit D - Photosimulations of proposed project*
- *Exhibit E – Propagation Maps*
- *Drawings* Attached

Thank you,

Jason Osborne
Project Manager
Crown Castle
701 5th Street
Petaluma, Ca 94952

All applications for approval of wireless communication facilities shall include, at a minimum, the items listed below

1) Identification of the proposed operator of the facility, if a different entity from the applicant, and the identification of and contact information for the person to whom communications from the City should be delivered {Verizon Wireless}

2) Site plan for the location of the facility, drawn to scale, showing all existing and proposed features, in compliance with the checklist submittal requirements as established by the Community Development Director {Drawings Provided}

3) Plans and elevations, drawn to scale, for façade- or roof-mounted antennas, including plans and elevations of the existing building {Drawings Provided}

4) Floor Plans, elevations and cross sections of any proposed communications equipment shelter or other appurtenant structure at a scale of no smaller than 1/4" = 1' (1 48) with representation of all exterior materials {Drawings Provided}

5) Description of proposed approach for screening all facilities from public view including plans for installation and maintenance of landscaping, sample exterior materials and colors Where applicable, a plan showing existing surrounding landscaping, proposed landscaping, a landscape protection plan for construction, and a maintenance plan including an irrigation plan {Screening not proposed, collocating on an existing monopole}

6) Description of the number, manufacturer, model number and type, catalog number, power output, frequency range, and dimensions of antennas, equipment cabinets, and related wireless communication facilities proposed to be installed {Drawings Provided}

7) A narrative description and map showing the coverage area of the provider's existing facilities and the proposed coverage area of the specific site that is the subject of the application {Description attached}

8) Technical information explaining the reasons why a permit is being sought (for example, whether a new antenna is necessary to accommodate increased demand or to fill a "dead zone" in the provider's coverage area), why the subject site is considered necessary to accomplish the provider's coverage objectives, and why the proposed site is the most appropriate location under existing circumstances {This a request to upgrade the existing facility, installation of "LTE" (long term evolution) which will support the data services on your Verizon Wireless phone} The explanation shall address the following as appropriate to the proposed location·

a) An applicant seeking to locate a wireless communication facility on a public facilities site must explain why that location within the Public Facilities (PF) district is for the provision of wireless service that cannot be achieved by locating a facility in the Commercial Mixed Use (CMX) district {N/A}

b) An applicant seeking to locate a wireless communication facility in the San Pablo Commercial (SPC) district or the Solano Commercial (SC) district must explain why that location within the SPC zone or the SC zone is necessary for the provision of wireless service that cannot be achieved by locating a facility in the CMX or PF zones {N/A}

9) A visual analysis to assess the effects on views from public areas and from private residences, and address cumulative impacts of the proposed facility and other existing and foreseeable wireless communications facilities As required by the Community Development Director, the analysis may utilize a photomontage, field mock-up or other techniques. The analysis shall include feasible mitigations for any effects identified {See attached photosimulations}

10) If co-location is not proposed and sites available for co-location exist, the applicant shall provide information pertaining to the feasibility of joint-use antennas facilities, and discuss the reasons why such joint use is not a viable option or alternative to a new facility site. Such information shall include.

a) Whether it is feasible to locate proposed sites where facilities currently exist, {Site is a COLO}

b) Information on the existing structure that is closest to the site of the applicant's proposed facility relative to the existing structure's structural capacity, radio frequency interface, or incompatibility of different technologies, which would include mechanical or electrical incompatibilities, and

c) Written notification of refusal of the existing structure owner to lease space on the structure {N/A}

b Additional Submittal Requirements The Community Development Director shall have the authority to require additional information, including but not limited to the following

1) A report by an approved radio frequency engineer or licensed electrical engineer specializing in radio frequency radiation (RFR) studies (hereinafter, "an approved engineer"), retained by the City, verifying that the site is necessary for the purpose stated in the provider's explanation of reasons for seeking the permit If deemed necessary by the engineer, such information shall include documentation of any facility sites, in Albany and abutting jurisdictions, in which the provider has a legal or equitable interest, whether by ownership, leasehold or otherwise For each such facility site identified by the engineer, at the request of the engineer, the provider shall demonstrate that these sites are not already providing wireless coverage in the city of Albany {RF Study enclosed in packet}

2) An Alternatives Analysis, either submitted by the applicant and subject to independent engineering review by the City, or obtained by the City from its retained engineer, which shall at a minimum {We did not seek alternatives, as we are upgrading our existing network at this location, the purpose is to upgrade the facility with LTE, which is a direction all our facilities are moving towards}

a) Identify and indicate on a map, at a minimum, two (2) viable technically feasible, and potentially environmentally equivalent or superior alternative locations outside the prohibited and restricted areas which could

eliminate or substantially reduce the need to locate in a restricted area If there are fewer than two (2) such alternative locations, the applicant must provide evidence establishing that fact The map shall also identify all locations where an unimpaired signal can be received to eliminate or substantially reduce the need for such a location Where appropriate the applicant shall be required to evaluate the potential use of one (1) or more microcell sites (i e , smaller facilities often mounted upon existing or replacement utility poles), and the use of repeaters in lieu of the proposed facility Radial plots of all repeaters or other alternative facilities considered for use in conjunction with these facility sites shall be provided as part of the alternatives analysis For each alternative location so identified, the applicant shall describe the type of facility and design measures that could be used at that location so as to minimize negative impacts (e g , the use of stealth camouflaging techniques) {Alternative locations are not feasible, as we are "upgrading" this existing facilities, not expanding or increasing the number of cell sites, merely enhancing our network}

b) Evaluate the potential for co-location with existing wireless communication facilities as an alternative to the proposed facility {Site is a COLO, future tenants are not prohibited from adding to the tower}

c) Evaluate the potential for use of inter-carrier roaming agreements as an alternative. {No issue, agreements however are subject to the terms of parties involved, roaming agreements are not prohibited at this location}

d) Compare, across the same set of evaluation criteria and to similar levels of description and detail, the relative merits of the proposed site with those of each of the identified technically feasible alternative locations and facility designs, and all technically feasible inter-carrier roaming agreements Such comparison analysis shall rank each of the alternatives (i e , the proposed location/facility and each of the technically feasible location/design alternatives) in terms of impacts (i e , from least to most environmentally damaging), and shall support such ranking with clear analysis and evidence {This is technological

advancement with each individual facility, this is not a "new build" site, we are enhancing the "data" capability services for this location }

e) Include photo-simulations of each of the alternatives (i e., the proposed location/facility and each of the technically feasible location/design alternatives) {Attached photosimulations}

f) Document good faith and diligent attempts to rent, lease, purchase or otherwise obtain the use of at least two (2) of the viable, technically feasible alternative sites which may be environmentally equivalent or superior to the proposed project site The decision-making body may determine that an alternative site is not viable if good faith attempts to rent, lease, purchase or otherwise obtain the site have been unsuccessful {N/A}

c Specific Submittal Requirements for Towers All applications for new tower construction, or major modification of an existing tower shall include

1) A written, irrevocable commitment by the proposed operator, valid for the duration of the existence of the tower, to rent or lease available space for co-location on the tower at fair-market prices and terms to other personal wireless service providers without discrimination. {Not a major revision, and Crown Castle owns the tower, and we welcome additional carriers }

2) A professional structural engineer's written description of the proposed tower structure and its capacity to support additional antennas or other communications facilities at different heights and the ability of the tower to be shortened if future communications facilities no longer require the original height {This can be provided, however normally this is at the building permit stage?}

3) A description of available space on the tower, providing illustrations and examples of the type and number of wireless communication facilities that could be mounted on the structure {Crown Castle welcomes additional carriers to be "collocated" on

the tower, however that interest level would be predicated on the decision of an additional carrier} {Agreed}

d Technical Review The Community Development Director may employ, on behalf of the City, at the expense of the applicant, an independent technical expert to review the application submittal and provide determinations and recommendations on such issues as compliance with radio frequency emissions standards, the identification of alternative solutions or locations, and the justifications for installation of monopoles or for any requested exceptions to City standards The costs of said review and any administrative costs shall be paid by the applicant {Agreed}

CROWN CASTLE INTERNATIONAL

Project Description

Nature of Request

Crown Castle of behalf of Verizon Wireless seeks approval of a Conditional Use Permit, and maintain our facility by removing and replacing (4) panel antennas and adding (2) additional panel antennas for a total of (6) new antennas Verizon Wireless also proposes to add (8) new coax lines to be housed within the existing monopole

Property Description

The subject property is located at 423 San Pablo Ave Albany Ca 94706 The property is located within the jurisdiction of the City of Albany

Project Description

The (e) facility is a (65') sixty five foot monopole wherein Verizon Wireless currently has (4) panel antennas installed on the monopole which is operated by Crown Castle We are proposing to remove (4) panel antennas and replace with (4) panel antennas as well as add an additional (2) panel antennas at (59') fifty-nine feet (See page A-2) on the existing monopole The proposed installation will not increase the overall height or diameter The coaxial cable will be housed within the existing monopole frame to mitigate any potential visual impact The purpose of these "antennas" will be to enhance the overall Verizon network

Statement of Operations

The existing Crown Castle communication facility only requires electrical services and telephone services which are readily available to the building/site No nuisances will be generated by the proposed facility modifications, nor will the facility injure the public health, safety, morals or general welfare of the community Verizon technology does not interfere with any other forms of communication devices whether public or private The additions/maintenance of this facility will actually enhance wireless communications for residents or motorists traveling by providing seamless service to numerous customers

As mentioned before, upon completion of construction, fine-tuning of the Crown Castle facility may be necessary meaning the site will be adjusted once or twice a month by a service technician for routine maintenance No additional parking spaces are needed at the project site for maintenance activities The site is entirely self-monitored and connects directly to a central office where sophisticated computers alert personnel to any equipment malfunction or breach of security

Because Crown Castle facility will be un-staffed, there will be no regular hours of operation and no impact to existing traffic patterns An existing dirt road will provide ingress and egress allowing access to the technician who arrives infrequently to service the site No on-site water or sanitation services will be required as a part of this proposal

Zoning Analysis

The proposed equipment modification will be located on an (e) Cellular facility Therefore the "usage" is allowed as we are merely "upgrading" the facility to eliminate the need for an additional cell site in the area

As mentioned above, the proposal includes the placement of electronic equipment which Crown Castle / Verizon has designed in the "least visual obtrusive manner"

Compliance with Federal Regulations

Crown Castle will comply with all FCC rules governing construction requirements, technical standards, interference protection power and height limitations and radio frequency standards In addition, the company will comply with all FAA rules on site location and operation

Jason Osborne

To: Anand Sundarm@VerizonWireless com
Subject: RE 815025 Albany / "existing" Verizon sites

Below are the addresses to sites within a 4miles radius of the Albany site

Site Name	Address	City	State	Zip
HWY 80/MCBRYDE	2000 VALE RD	SAN PABLO	CA	94806
RICHMOND CIVIC CENTER	403 CIVIC CENTER PLAZA	RICHMOND	CA	94804
RICHMOND	SOUTH 27TH STREET/PEARSON AVE	RICHMOND	CA	94804
EL CERRITO	1503 S 56TH STREET	EL CERRITO	CA	94530
BRICKYARD COVE	351 BRICKYARD COVE	RICHMOND	CA	94807
GOLDEN GATE FIELDS	WEST END OF BUCHANAN STREET	ALBANY	CA	94706
ALBANY	423 SAN PABLO AVENUE	ALBANY	CA	94706
KENSINGTON CIRCLE	1760 SOLANO AVE	BERKELEY	CA	94707
HWY 80/UNIVERSITY	611 HEARST AVE	BERKELEY	CA	94510
BERKELEY B2B	1000 HEINZ STREET	BERKELEY	CA	94710
OAKLAND WEST (BERKELEY)	1000 HEINZ STREET	BERKELEY	CA	94710
DOWNTOWN BERKELEY	2199 ADDISON ST	BERKELEY	CA	94704
UC BERKELEY	59TH & TELEGRAPH AVENUE	OAKLAND	CA	94609
BERKELEY/CLAREMONT	2928 DOMINGO AVE	BERKELEY	CA	94705
UC BERKELEY EAST	BARROWS HALL UC BERKELEY	BERKELEY	CA	94720
SHATTUCK SOUTH	2855 TELEGRAPH AVE	BERKELEY	CA	94705
ADELINE MLK	3332 ADELINE STREET	BERKELEY	CA	94703
HWY 13/24	850 LANDVALE ROAD	OAKLAND	CA	94618
EMERYVILLE	5901 CHRISTIE AVE	EMERYVILLE	CA	94608

Verizon Wireless Base Station Site No. 116603 "Albany"
Crown Castle Site No. 814025 • 423 San Pablo Avenue • Albany, California

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc , Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate proposed modifications to its existing base station (Site No 116603 "Albany," Crown Castle No 814025) located at 423 San Pablo Avenue in Albany, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields

Prevailing Exposure Standards

The U S Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP") Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95 1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar exposure limits A summary of the FCC's exposure limits is shown in Figure 1 These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health

The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows

Personal Wireless Service	Approx Frequency	Occupational Limit	Public Limit
Broadband Radio ("BRS")	2,600 MHz	5.00 mW/cm^2	1 00 mW/cm^2
Advanced Wireless ("AWS")	2,100	5 00	1 00
Personal Communication ("PCS")	1,950	5 00	1 00
Cellular Telephone	870	2 90	0 58
Specialized Mobile Radio ("SMR")	855	2 85	0 57
Long Term Evolution ("LTE")	700	2 33	0 47
[most restrictive frequency range]	30–300	1 00	0 20

General Facility Requirements

Base stations typically consist of two distinct parts the electronic transceivers (also called "radios" or "channels") that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units The

transceivers are often located at ground level and are connected to the antennas by coaxial cables about 1 inch thick Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997 Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the "inverse square law") The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests

Site and Facility Description

Based upon information provided by Verizon, including drawings by Omni Design Group, dated April 8, 2009, that carrier presently has installed four directional panel antennas – two Andrew Model 931LG65VTE-B antennas for PCS and two Andrew Model LBX-6513DS-VTM antennas for cellular service – on a 65-foot pole located at 423 San Pablo Avenue in Albany It is proposed to install two Andrew Model LNX-6512DS-VTM antennas for LTE service next to the existing antennas, mounted at an effective height of about 59 feet above ground and oriented in groups of three (one of each model) toward 30°T and 130°T The maximum effective radiated power in any direction would be 2,080 watts, representing the simultaneous operation of two PCS channels at 240 watts each, six cellular channels at 200 watts each and one LTE channel at 400 watts

Presently installed at an effective height of about 49 feet above ground on the same pole are similar antennas for use by MetroPCS, another wireless telecommunications carrier For the purposes of this study, it is assumed that MetroPCS has installed Kathrein Model 742-213 directional panel antennas and operates with a maximum effective radiated power of 1,890 watts

Study Results

For a person anywhere at ground, the maximum ambient RF exposure level due to the proposed Verizon operation by itself is calculated to be 0 0073 mW/cm^2, which is 1 3% of the applicable public limit The maximum calculated cumulative level of RF exposure, for the simultaneous operation of both carriers, is 1 4% of the applicable public limit The maximum calculated cumulative level at the third-floor elevation of any nearby building would be 3 6% of the public exposure limit It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels

No Recommended Mitigation Measures

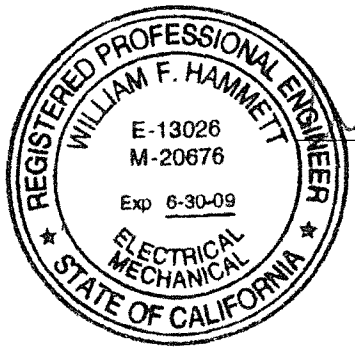
Due to their mounting location, the Verizon antennas are not accessible to the general public and so no mitigation measures are necessary to comply with the FCC public exposure guidelines It is presumed that Verizon and MetroPCS will, as FCC licensees, take adequate steps to ensure that their employees or contractors comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the base station proposed by Verizon Wireless at 423 San Pablo Avenue in Albany, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration This finding is consistent with measurements of actual exposure conditions taken at other operating base stations

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2009 This work has been carried out by him or under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct



William F Hammett, P E

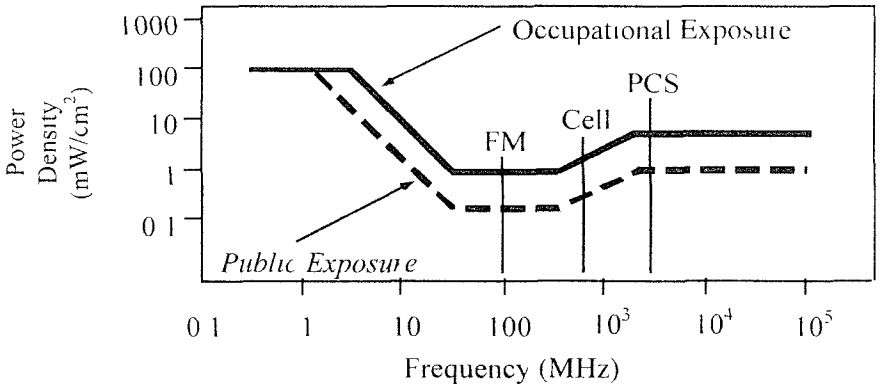
June 5, 2009

FCC Radio Frequency Protection Guide

The U S Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment The FCC adopted the limits from Report No 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP") Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95 1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar limits These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive

Frequency	Electromagnetic Fields (f is frequency of emission in MHz)					
Applicable Range (MHz)	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm^2)	
0 3 – 1 34	614	*614*	1 63	*1 63*	100	*100*
1 34 – 3 0	614	*823 8/f*	1 63	*2 19/f*	100	*180/f^2*
3 0 – 30	1842/f	*823 8/f*	4 89/f	*2 19/f*	900/f^2	*180/f^2*
30 – 300	61 4	*27 5*	0 163	*0 0729*	1 0	*0 2*
300 – 1,500	3 54√f	*1 59√f*	√f/106	*√f/238*	f/300	*f/1500*
1 500 – 100 000	137	*61 4*	0 364	*0 163*	5 0	*1 0*



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No 65 (August 1997) for projecting field levels Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections

RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U S Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits

Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No 65 (August 1997) gives suitable formulas for calculating power density within such zones

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm^2,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm^2,

where θ_{BW} = half-power beamwidth of the antenna, in degrees, and
P_{net} = net power input to the antenna, in watts,
D = distance from antenna, in meters,
h = aperture height of the antenna, in meters, and
η = aperture efficiency (unitless, typically 0 5-0 8)

The factor of 0 1 in the numerators converts to the desired units of power density

Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm^2,

where ERP = total ERP (all polarizations), in kilowatts,
RFF = relative field factor at the direction to the actual point of calculation, and
D = distance from the center of radiation to the point of calculation, in meters

The factor of 2 56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1 6 (1 6 x 1 6 = 2 56) The factor of 1 64 is the gain of a half-wave dipole relative to an isotropic radiator The factor of 100 in the numerator converts to the desired units of power density This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections

City of Albany

405 KAINS AVENUE • ALBANY, CALIFORNIA 94706

July 21, 2009

CITY ADMINISTRATOR

CITY ATTORNEY

CITY CLERK

CITY COUNCIL

COMMUNITY DEVELOPMENT & ENVIRONMENTAL RESOURCES

FINANCE & ADMINISTRATIVE SERVICES
CITY TREASURER

FIRE & EMERGENCY MEDICAL SERVICES

PERSONNEL

POLICE

RECREATION & COMMUNITY SERVICES

Re Application #09-031 Request for a Conditional Use Permit and Design Review approval to allow removal of four existing antennas and construction of 6 new antennas on an existing monopole located at 423 San Pablo Avenue

Dear Mr Osbourne

The Community Development Department has completed its review of your application that was submitted on June 22, 2009 The application has been deemed incomplete with the following items needed to complete the application

- Staff is aware that the original/existing antennas were approved under the former Planning and Zoning Code, however, a "Wireless Facilities" ordinance (MC 20 20 100) was adopted in 2005 and will be applied to the application

- Please provide a signed letter from the property owner allowing Verizon Wireless, or their designated party, to submit an application for development on the property

- Please provide a site plan with all adjacent properties, structures and their uses included All of the surrounding properties are in the San Pablo Commercial (SPC) zoning district, however, any nearby residential uses need to be considered in the project's design

- Please provide a west elevation, similar to the side elevation found on page A-3, of both the existing and proposed pole and antennas

- With the upgrade of facilities this seems an opportune time to consider screening or aesthetic treatment to the pole and antennas Please see MC 20 20 100 E 2 e for screening options of wireless facilities

- Please provide information, including size, location and radio frequency analysis of the Metro PCS antenna located below the proposed antennas

- An alternative analysis conducted by an independent party will be required, as permitted in MC 20 20 100E 2 f Please contact me to discuss the review, contract, details, etc

Please feel free to contact me at acurl@albanyca.org or (510)528-5765 for any questions or comments. Thank you.

Sincerely,

Amber Curl, Associate Planner

CROWN INTERNATIONAL

Attn Amber Curl
Community Development Dept
City of Albany
405 Kains Ave
Albany Ca. 94706

Re Application # 09-031
Verizon Wireless Modification Project
814025 Albany 423 San Pablo Ave Albany Ca. 94706

In response to your incomplete letter

- Staff is aware that the original/ existing atennas were approved under the former Planning and Zoning Code, however, a "Wireless Facilities" ordinance (MC 20 20 100) was adopted in 2005 and will be applied to the application

- Understood, but given the minimal nature of our proposal, I would request staff consider reviewing the application based on the current scope and not force us to remove and replace an entire monopole for the addition of (3) antennas I understand the city is concerned with overall aesthetics, however surely there is a precendent set by other carriers who have completed simple modifications to their facilities Please understand these modifications are to enhance the overall network and provide a public benefit to the residents and visitors to the the City of Albany

- Please provide a signed letter from the property owner allowing Verizon Wireless, or their designated party, to submit an application for development on the property

  Please see attached LOA from the property owner "Calvin Lin"

- Please provide a site plan with all adjacent properties, structures and their uses included All of the surrounding properties are in the San Pablo Commercial (SPC) zoning district, however, any nearby residential uses need to be considered in the project's design

- Please see page A-1 of the revised drawings wherein we have provided an updated site plan Given the minimal nature of our proposal, we do not feel our modification increases the visual blight significantly The existing and proposed facility provides a public service to the community, requesting a new designed pole would put an undue financial hardship on our client

- Please provide a west elevation, similar to the side elevation found on page A-3, of both existing and proposed pole antennas
- Please see page A-3 of the revised drawings

- With the upgrade of facilities this seems an opportune time to consider screening or aesthetic treatment to the pole and antennas Please see MC 20 20 100 E 2 e for screening options of wireless facilities

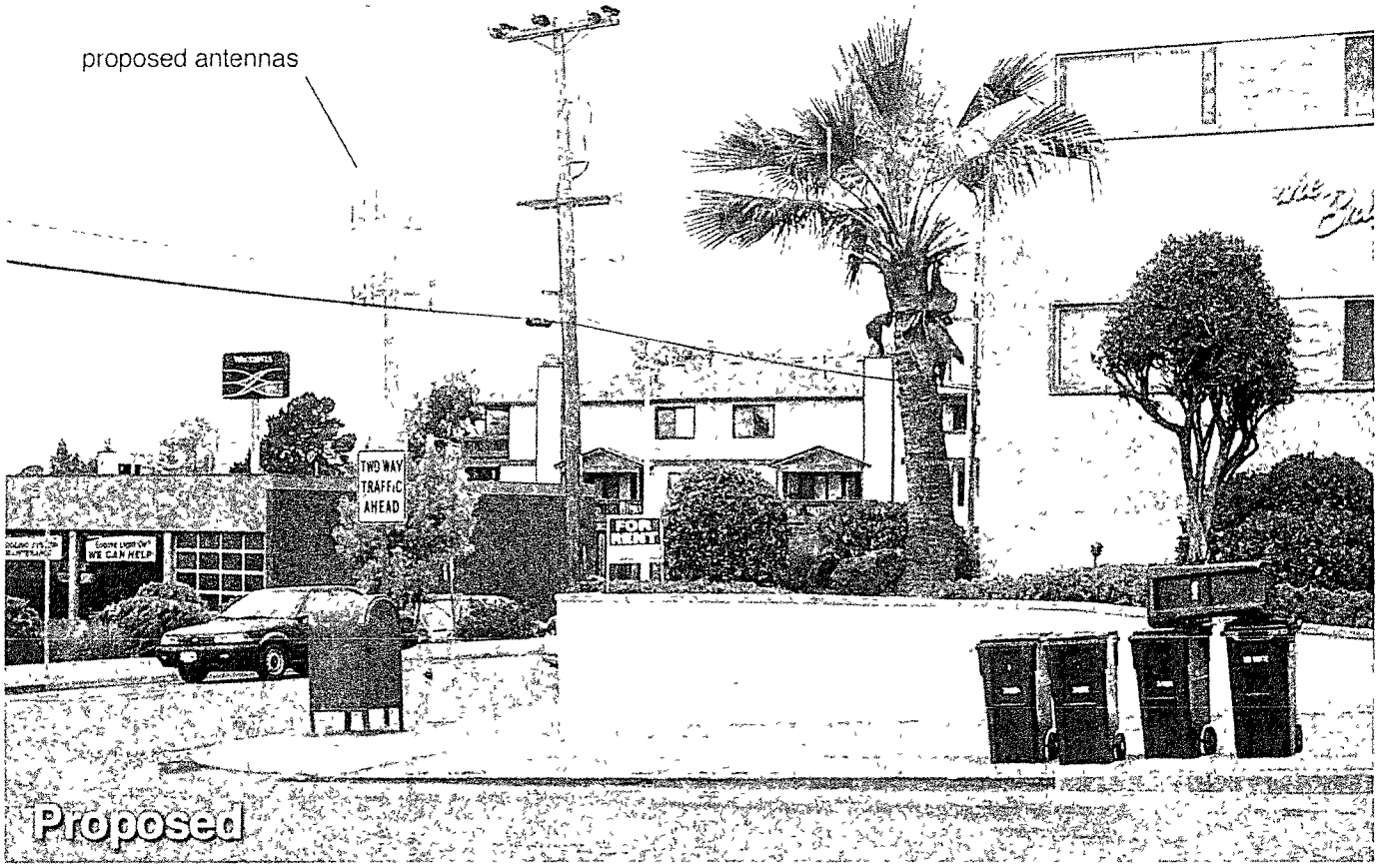
Please understand we are sensitive to the viewshed of the City of Albany's, however based on the fact this is a commercial district and the excessive cost attributed to changing a pole out, perhaps we can come up with a low cost alternative such as painting the pole? Please understand, in review of MC 20 20 100, our hope is the City understands this request for an upgrade does not "significantly" increase the visual impact In addition, as I referenced above, we are not in a financial position to spend over $10,000.00 on a pole replacement, coupled with the fact we would need to obtain new lease space because we can not simply "remove and replace" a cellular facility, due to the fact this facility is used by thousands of residents and visitors who conduct business in the City of Albany

- Please provide information, including size, location and radio frequency analysis of the Metro PCS antennas located below the proposed antennas

Please reference the previously supplied EMF study with the submittal package, 2nd page, bottom of sheet, identifies MetroPCS antennas at 49', Model #742-213 Also referenced on the Photosims, and referenced on page A-2 of the supplied drawings

- An alternative analysis conducted by an independent party will be required, as permitted in MC 20 20 100E 2 f

- Can we discuss the validity of adherence to this requirement as we are merely upgrading "technology" at the existing facility, much like we are implementing on all existing Verizon facilities in the Bay Area



CROWN CASTLE INTERNATIONAL

Albany **Site # 814025** **Looking Northwest from Kains Avenue**

423 San Pablo Avenue
Albany, CA 94706

5/19/09

Applied Imagination 510 914-0500

proposed antennas

CROWN CASTLE INTERNATIONAL

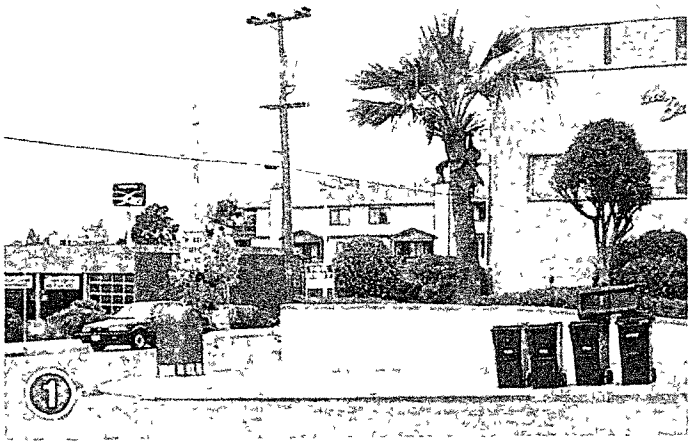
Albany **Site # 814025**

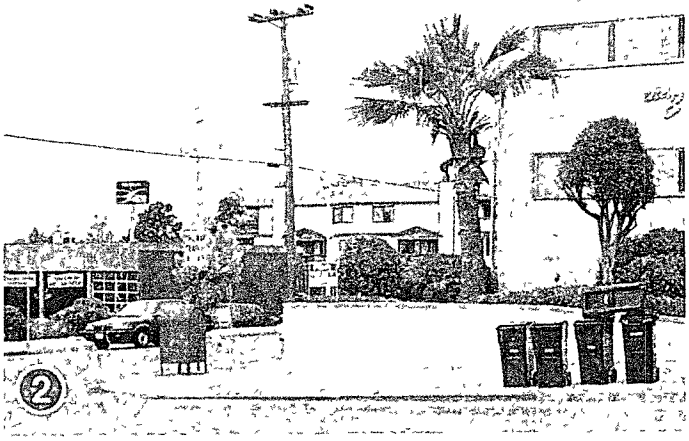
423 San Pablo Avenue
Albany, CA 94706

Looking East from San Pablo Avenue

5/19/09

Applied Imagination 510 914 0500





CROWN CASTLE

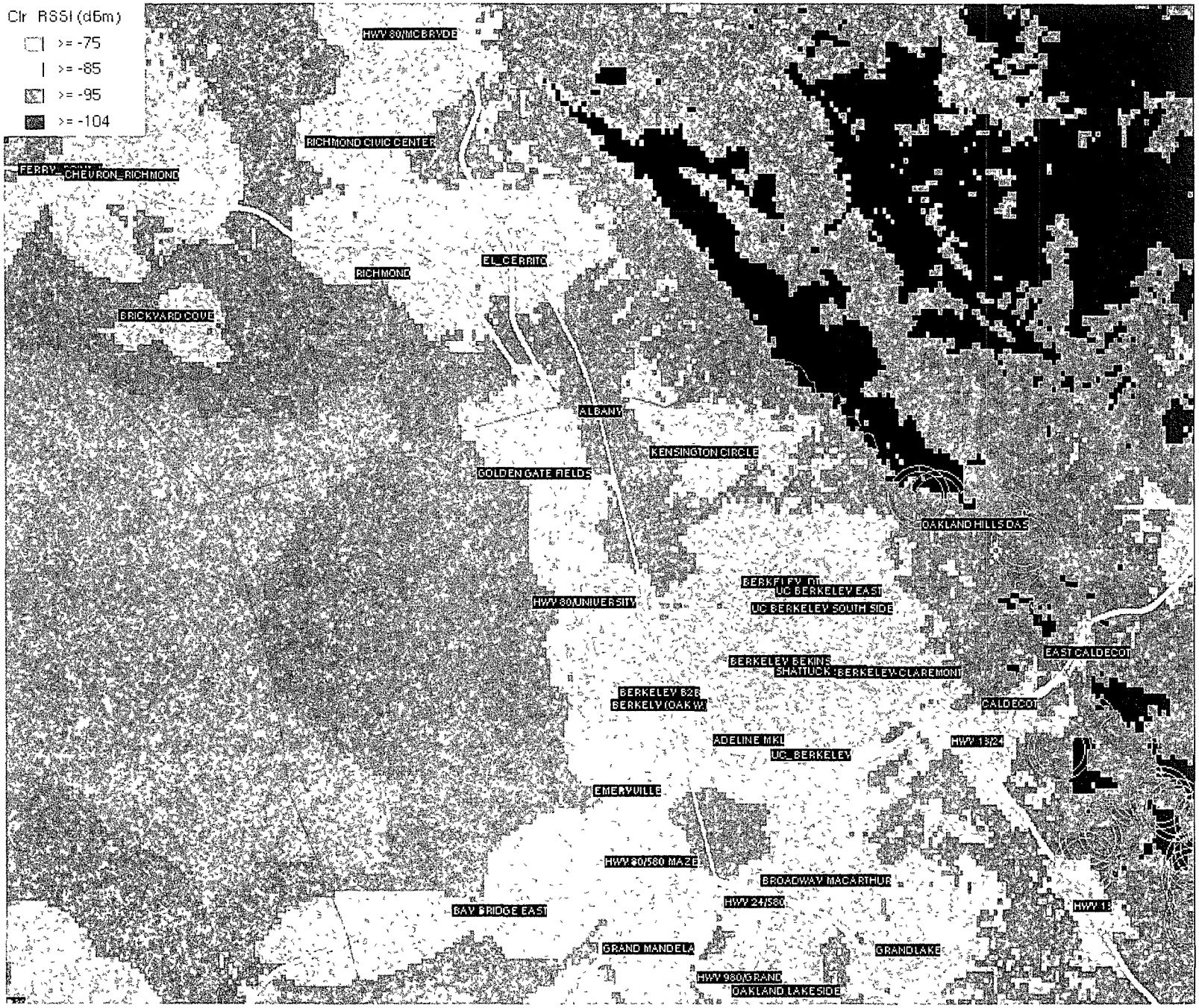
Albany **Site # 814025** **Aerial Map**

423 San Pablo Avenue
Albany, CA 94706

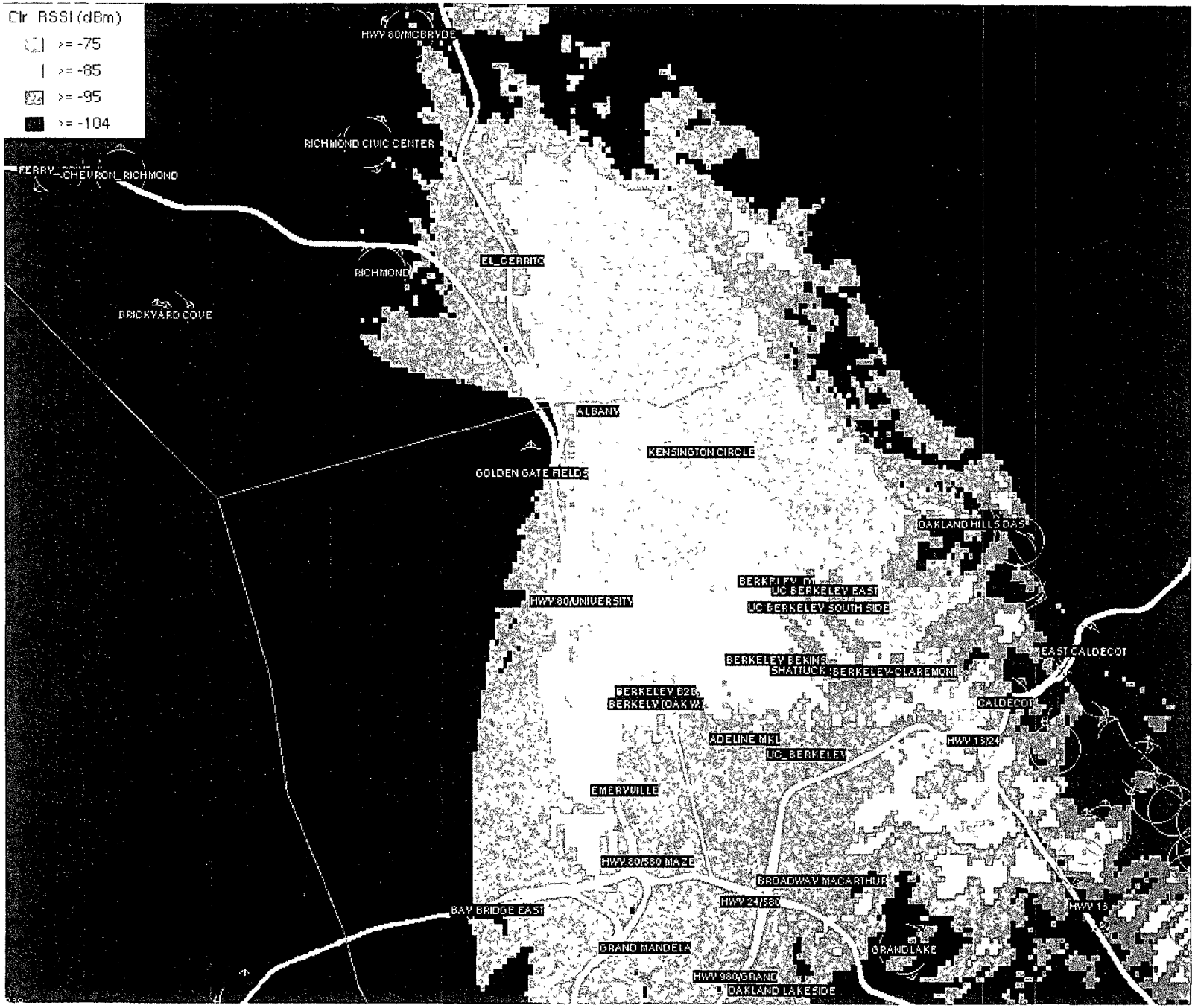
5/19/09

Applied Imagination 510 914 0500

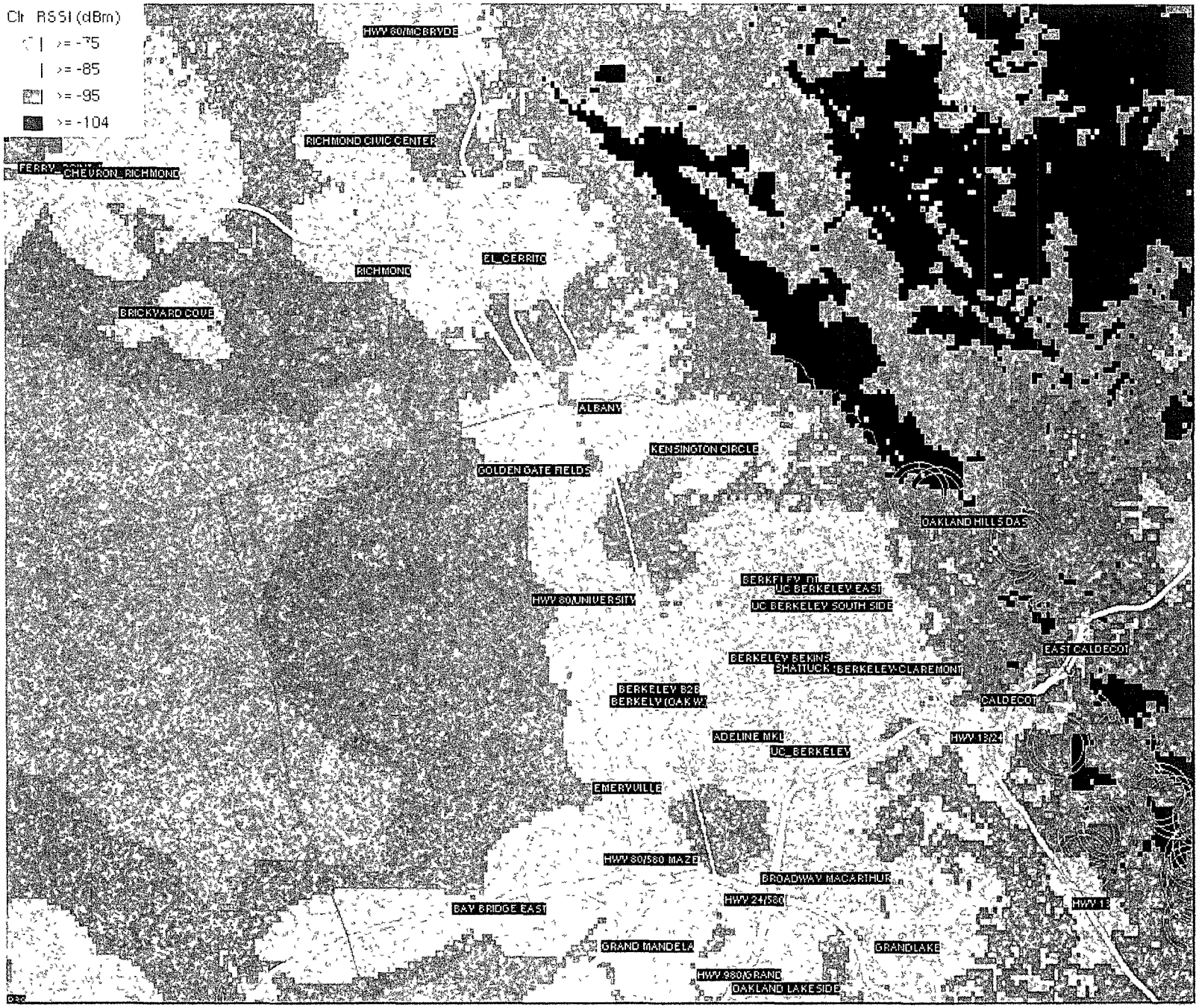
Cellular coverage - Before



LTE coverage



Cellular coverage - After



Planning Memorandum

To Jeff Bond, Planning Manager, City of Albany
From Jonathan L Kramer
Date February 8, 2010
RE CUP No 09-031 – 423 San Pablo Avenue (Verizon Wireless)

At the direction of the City of Albany (the "City"), I have reviewed and technology and design details for the referenced project

Project Description

Verizon Wireless ("Verizon") currently has four antennas affixed to the Crown Castle wood monopole at this project site MetroPCS has an array of antennas below Verizon's existing antennas

Two of Verizon's antennas serve to the northeast of the site, while the other two serve to the southeast of the site These four antenna provide mobile telephone service and slower-speed data offerings

Verizon proposes to replace all four of the existing antennas and to add two antennas (for a total of six antennas) installed to continue to serve to the northeast and the southeast of the site

The replaced and new antennas are to be mounted on modern single-level off-set arms replacing the dual arms presently used to support the existing four panel antennas

Verizon will add eight new coaxial cable runs within the wood monopole to connect to the replaced and new antennas

Project Purpose

The new antennas and associated ground mounted equipment are proposed to allow Verizon to offer its new "Long Term Evolution" ("LTE") data communications services to its customers using this site

Kramer Firm Inc

RF Safety Compliance

Congress has delegated to the FCC the authority to set the national radio frequency (RF) emissions safety standards in the U S The FCC "completely occupies the field" of standards setting in this subject area As such, the City is <u>not</u> permitted to independently set its own local standards for radio frequency emissions higher, the same, or lower than the FCC national limits Congress and the FCC authorize local governments to evaluate planned and actual compliance with the federal emissions limits as described in FCC OET Bulletin 65 in connection with wireless applications and projects

Under the FCC rules, some antennas projects are 'categorically excluded' from the need for detailed RF review based on the height of the lowest portion of the antenna For example, categorical exclusion can be achieved when the lowest portion of an antenna is at least 10 meters (32 8 feet) above ground level, and the antenna is *not* mounted on a building

In the case of the present project, the antennas are to be mounted on a stand-alone antenna support and the antennas are to be mounted above 10 meters above ground, thus the project can be deemed 'categorically excluded' under the FCC rules A more detailed analysis of the proposed emissions is not necessary

Although not necessary, Verizon has provided the City with a detailed RF safety analysis produced by its consulting engineer, Hammett & Edison (H&E) The H&E report is dated June 5, 2009, and is signed by the firm's head engineer, William F Hammett, P E

The H&E report considers the planned emissions from this project as well as MetroPCS's emissions The RF emissions data contained in the H&E is sufficient for me to independently determine compliance with the FCC emission rules at OET Bulletin 65

H&E's assessment and my own both reach the same conclusion If this project is permitted by the City, it will fully comply with the FCC's most stringent general population limit rules for unlimited 24x7 human exposure to radio frequency emissions from this site Accordingly, the City has no basis to deny this project based solely on RF safety considerations or concerns

Conclusions and Recommendation

From an RF safety standpoint, the project complies with the FCC standards for general population exposure without time limits or distance limits It is my professional opinion that the project as proposed by Verizon will have no safety impact on the community

I believe that the replacement of the four existing antennas, and the addition of two more on the same plane as the replaced antennas will not materially or substantially alter the existing aesthetics of this site

I recommend that this project proceed forward through the planning process

/jlk

From: Nan Wishner <nan@undoingyoga.com>
Date: April 23, 2010 8:28:18 PM PDT
To: Nan Wishner - Undoing Yoga <nan@undoingyoga.com>
Subject. TUESDAY 4/27 MEETING re: adding antennas to Cell Tower on San Pablo Ave.

Dear Cell Tower Free Albany,

On Tuesday, April 27, the Albany Planning Commission will consider a Verizon application for additional wireless antennas and other modifications to the free-standing cell tower (monopole) behind Wachovia Bank on San Pablo Ave. The meeting begins at 7:30 PM. This is the second discussion item on the agenda. Agenda is on line at: http //www.albanyca.org/index.aspx?recordid=2608&page=311

This freestanding antenna tower (monopole), which is extremely close to an apartment building (the antennas themselves are very close to living units in that building), was built before our wireless ordinance was passed and would almost certainly never be allowed to be built now.

The ordinance specifies that pre-existing antenna towers like this one can only continue to operate as they were at the time the ordinance was passed (subject to the company providing monitoring information within six months of the ordinance's passage - I don't know whether this site provided that info as required).

But pre-existing towers cannot be modified or improved in any way without becoming subject to the ordinance As I explain in the notes below, because this tower could probably not ever be approved under our ordinance, no modifications to it should be allowed, and the city should take this opportunity to force the company to cease operating the tower and relocate the antennas to a site that is more appropriate under our ordinance.

Although I have not yet received a copy of the planning staff's report on this application, the agenda indicates that the staff is recommending approval.

I strongly encourage you to write a letter and/or attend the meeting and let the commission know that they should enforce our wireless ordinance and not allow this tower to be upgraded. I have pasted below the arguments I made to the planning staff over the past year about this application, which you are welcome to draw from.

I have attached:
- the application for the site
- the engineer's report
- the city's wireless ordinance (which is section 20.20.090 of the city's planning and zoning code, available on line)

You may also be interested to know that there is a movement across the country to repeal the portions of federal law that prohibit cities from considering health concerns when making decisions about cell tower placement. You can find out more at the website for Citizens for Local Oversight of Utility Technologies: http://www.cloutnow.org/

Thanks for your support on this important issue affecting our health and safety. Don't hesitate to contact me if you have questions.

Nan

The Wachovia Bank cell tower site was built before our ordinance and would absolutely not be allowed to be erected now for a bunch of reasons, including that it is a tower and particularly given how close it is to the adjoining residential apartment building. The ordinance says that existing uses can continue but any modification or new construction other than routine maintenance falls under the terms of the ordinance (see excerpt below, Sec. I, #3).. Based on that alone, I think if Verizon wants to increase the # of antennas, that constitutes more than routine maintenance -- it would mean a corresponding increase in effective power and emissions and possibly new channels. Thus, we could require Verizon to relocate the antennas and take down the tower; and, under the terms of the ordinance, they would have to relocate according to the priority of zones -- the industrial zone by the freeway being first choice, city buildings being second choice, and the San Pablo corridor where they are now being last choice. So they would have to prove that they could not provide service with these 6 new antennas from a site in the zone adjacent to 80/580 or a city building before they would be allowed to ask for a site in the area where they are now. And they would have a very hard time justifying erecting a new monopole anywhere. Really the only way they can continue operating the Wachovia tower site is to leave it as it is

I am also pretty confident they never provided the information required of owners of existing sites that was to have been submitted within 6 months of the wireless ordinance's passage, see Section H #2 excerpt from the ordinance below. We also may have failed to notify them that they needed to do so, but even so if they have not supplied the required information, they are would not be considered a "lawful nonconforming use" and on this basis we could also tell them the tower has to cease operations and the antennas have to be relocated.

Also new monitoring is required any time antennas are modified/changed (see Section G excerpt below). However, according to my reading of the ordinance, this site is not even eligible to modify or change antennas.

from Albany's Wireless Ordinance:

Section I. #3 Existing Uses. All equipment and improvements associated with a wireless communications facility permitted as of the date of passage of this Chapter shall be allowed to continue as they presently exist, but will be considered legal nonconforming uses insofar as they do not comply with standards stated in this Subsection. Routine maintenance shall be permitted on existing, operational equipment and facilities. However, new construction, other than

routine maintenance on existing towers, antennas, buildings, or other facilities shall comply with the requirements of this Chapter. In the event of the abandonment of the use of any equipment or facility for a continuous period of one hundred eighty (180) days, the provisions of Subsection 20.44.040, Abandonment of Nonconforming Use, shall apply, the associated permits and approvals shall expire, and the site shall thereafter be maintained in conformity with the regulations for the district in which the site is located. The Community Development Director may require removal of such disused equipment or facilities, as provided in Subsection 20.20.090.G 2 above.

Section H., #2

The owner or operator of any wireless communication facility that was approved by the City before the effective date of this chapter, shall submit within six (6) months from the date of notification, to the Community Development Director, written certification by an approved engineer that the facilitys radio-frequency emissions are in compliance with the approved application and any required conditions. The engineer shall measure the radio-frequency radiation of the approved facility and determine if it meets the FCC requirements. If the report shows that the facility does not comply with applicable FCC requirements, the owner or operator shall cease operation of the facility until the facility is brought into compliance. In order to assure the objectivity of the analysis, the City may require, at the applicant's expense, independent verification of the results of the analysis.

3. Any facility that was approved by the City prior to the effective date of this chapter and which does not comply with this chapter on the date of its adoption shall be considered a lawful non-conforming use provided that the owner or operator submits the information required in subsection 2 of this section. A lawful non-conforming wireless communication service facility shall be subject to the requirements of Section 20.44 except to the extent that they are modified herein.

Failure to submit the information required in this section will be considered a violation of the Zoning Ordinance. Any facility found in violation may be ordered to terminate operations by the Planning Commission following a duly noticed public hearing.

Section G. #2

Any major modification of the existing facility, or the activation of any additional permitted channels, shall require new monitoring.