

## ATTACHMENT 12

### Meeting Minutes Excerpt PA 08-038 1035 San Pablo Ave. AT&T Wireless

#### Planning & Zoning Commission Meeting 10/26/10

a. **1035 San Pablo. Planning Application #08-038. Conditional Use Permit. Design Review.** Request for approval of a conditional use permit and design review to allow installation of a nine new antennas and five equipment boxes to the roof top of an existing commercial building. *Recommendation: approval.*

Planning Manager Bond delivered the staff report. Vice Chair Moss opened the public hearing and invited the applicant to make a presentation.

**Shannon McDougall, representing AT&T,** spoke in favor of the application.

**Francis Chapman** wanted the city to prepare a long-term vision and make sure the non-conforming equipment would be brought into conformance. He stated the applicant should have used 940 San Pablo Avenue, because it was further from residential uses. He stated this needed an independent review.

**Maureen Crowley, Albany resident,** read from the zoning ordinance (and handed in a copy) about the height exception for rooftop equipment proviso re: aggregate percentage of square footage. There was already much more than ten percent coverage on that roof.

**Ed Fields, Albany resident,** stated this needed independent expertise and independent monitoring.

**Julie Beck, Albany resident,** wanted these uses moved away from residential uses, recommending the CMX zone, the fire station, or Town Centre.

**Michael Barnes, Albany resident,** tested field strengths in Albany and found them to be low for urban areas and within allowable limits. He reported it was difficult and expensive to get good coverage in Albany.

**Dmitri Belser, Executive Director of the Center for Accessible Technology,** reported coverage was essential for the disabled.

**Heike Abeck, Albany resident,** opposed the use in a residential neighborhood.

**Clay Larson,** reported on the height of 1035 San Pablo Avenue having been in question over the years. He requested confirmation of actual heights and an explanation why these were not located at the center of the roof rather than at the edge.

**Margie Keel El Cerrito resident,** had health concerns and was upset the commission had no right to address this. She was concerned property values would drop.

**Jan Hitchcock, Albany resident**, had health concerns, and noted other carriers had coverage in Albany (she handed in coverage map printouts).

**Eric Bergman, Albany resident**, opposed the use in a residential area, aesthetically and health-wise.

**Resident at 1201 Dartmouth**, stated the alternative sites should be addressed first.

**Ms. McDougall** spoke in favor of the application.

**Bill Hammett, engineer**, was available to answer questions.

No one else wished to speak.

Vice Chair Moss closed the public hearing. He asked staff whether Town Centre was feasible.

Planning Manager Bond indicated it might be possible with an architectural tower.

Commissioner Panian asked whether the Commission could legally approve an increase of a non-conforming use.

Planning Manager Bond reported Commissioner Gardner would have liked the alternate sites more thoroughly explored. If approved, she hoped for regular monitoring and clear safety signs.

Commissioner Panian wanted heights, setbacks, and square footages pinned down, and the appropriate approval requested (CUP, variance, etc.). Additional study of alternatives would be helpful. If/when approved, independent review and monitoring beginning within six weeks of installation.

Commissioner Maass agreed.

Vice Chair Moss asked whether the Albany Theater would have been more ideal.

Ms. McDougall noted it would likely be considered an historic site and not allowed. It would also not be a co-location. An AT&T representative, asked for alternate sites to be narrowed down.

Commissioner Panian also wanted site maps of alternates with land use explanations of obstacles.

***Vote to continue item 6a:***

Motion: Panian

Seconded: Maass

Ayes: Maass, Moss, Panian

Nays: None

Motion passed, 3-0.