

Planning Application #: 12-050

Date Received: 10/5/12
 Fee Paid: \$7,961.00
 Receipt #: 77256



City of Albany

PLANNING APPLICATION FORM

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

Fee Schedule (FY 2012-2013)

<input checked="" type="checkbox"/> Design Review*	\$1,974 / Admin. \$1,049
<input type="checkbox"/> Parking Exceptions/Reductions - see separate handout*	\$Actual Cost/Min \$1,944
<input checked="" type="checkbox"/> Conditional Use Permit (major)*	\$Actual Cost/Min \$1,974
<input type="checkbox"/> Conditional Use Permit (minor)*	\$1,049
<input type="checkbox"/> Sign Permit	\$1,409/\$439 Admin.
<input type="checkbox"/> Temporary/Seasonal Conditional Use Permit*	\$439
<input type="checkbox"/> Lot Line Adjustment*	\$Actual Cost/Min \$1,049
<input type="checkbox"/> Secondary Residential Unit*	\$1,049
<input type="checkbox"/> Parcel/Subdivision Map; Planned Unit Development; Condo Conversion*	\$3,199
<input type="checkbox"/> Variance*	\$3,199
<input checked="" type="checkbox"/> Other(s): <u>Consultant Review fee</u>	<u>\$5,000.00</u>

*When obtaining more than one planning approval, the full amount for the highest fee will apply and $\frac{1}{2}$ fee will be charged for any other ones. General Plan Update Fee \$45 included in the fees above. This fee only needs to be paid once for each separately submitted application.

Job Site Address: 1035 San Pablo Avenue		Zoning District: SPC
Property Owner(s) Name: Dallas Allen Jr. and Al Satake	Phone: Fax:	Email:
Mailing Address: 619 San Pablo Avenue	City: Albany	State/Zip: CA 94706
Applicant(s) Name (contact person): Valerie Tallerico, Trillium for AT&T	Phone: 714-414-5618 Fax: 925-397-3009	Email:vtallerico@trilliumcos.com
Mailing Address: 7901 Stoneridge Drive, Ste 503	City: Pleasanton	State/Zip: CA 94588

PROJECT DESCRIPTION (Please attach plans if required) Please refer to attached project description.

PROJECT ADDRESS: 1035 San Pablo Avenue, Albany

GENERAL INFORMATION (Please fill out this Chart or attach separate plans with information)

Item	Existing	Proposed
Lot Size? (Express in square feet)	17,204 sf	no change
Gross square footage of all building area (including detached & accessory buildings, garages, etc.)		no change
What is the Floor Area Ratio (FAR) (see handout on how to measure for residential projects)		no change
What is your lot coverage?		N/A
What is the amount of impervious surface on the lot?		N/A
What is the maximum height of the building? (see handout on how to measure for residential projects)	47'	47'4"
How many dwelling units are on your property?	N/A	N/A
How many off-street parking spaces do you have? (front yard parking is not counted unless previously approved by the City)	29	no change
What are the dimensions of parking spaces? (give interior dimensions of enclosed parking spaces)	_____ ft. X _____ ft.	_____ ft. X _____ ft.
What is the narrowest width of your driveway?		N/A
Minimum setbacks from structure to property line Front yard: Side yards: Rear Yard:		no change

TERMS AND CONDITIONS OF APPLICATION

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

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

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

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

Please see attached

 Signature of Property Owner Date

Valeri Talleis 10/11/12

 Signature of Applicant (if different) Date

CITY OF ALBANY

OCT 05 2012

COMMUNITY DEVELOPMENT
DEPARTMENT



New Cingular Wireless PCS, LLC

Letter of Authorization

I do hereby authorize AT&T and its authorized agent, Trillium Consulting, Inc. to secure any permits or entitlements with the relevant jurisdiction associated with the installation of a wireless communications facility on the property described below:

AT&T Project Name: CN4554

Address: 1035 San Pablo Ave, Albany, CA. 94706

APN: 065-2662-049-01

Owner/Owner's Representative: _____

AL Satake
Signature

Print Name & Title: _____

AL SATAKE

Date: _____

9/27/12

CITY OF ALBANY

OCT 05 2012

COMMUNITY DEVELOPMENT
DEPARTMENT



Wireless Telecommunication Facility

SITE:

**CN4554
Marin Avenue**

Address:

**1035 San Pablo Avenue
Albany, CA 94706**

REPRESENTATIVE:

Valerie Tallerico



***Trillium Telecom Services
7901 Stoneridge Drive, Suite 503
Pleasanton, CA 94588
Phone: 714-414-5618
vtallerico@trilliumcos.com***

AT&T Mobility



Introduction

AT&T Mobility is a registered public utility, licensed and regulated by the California Public Utilities Commission (CPUC) and the Federal Communications Commission (FCC). As a public utility, AT&T Mobility is mandated by the FCC to provide wireless communication services throughout California. AT&T is dedicated to providing customers with wireless technology designed to enrich their lives as the mobility is increasing. AT&T's vision is to simplify the wireless experience for its consumer and business customers by offering easy-to-understand, affordable rate plans and excellent customer service. AT&T is bringing next-generation wireless data products - from corporate e-mail to downloadable ringtones - to customers nationwide through its advanced networks. The network performance goals include providing the best quality, lowest level of blocking, easy access to the network and continuous drop-free connections.

The AT&T network is based on GSM Technology. GSM technology is a wireless communication standard that requires reusing specific frequencies across a defined frequency band. Due to the need for frequency reuse, GSM requires numerous sites to provide customers with suitable signal strength to deliver services. These sites are typically built on existing buildings, lattice towers and freestanding poles in order to provide a network of sites that provide seamless coverage over an area. Preference is given to co-locating with another carrier on an existing structure.

Efforts are currently underway in Albany to establish the required infrastructure. AT&T Mobility has retained the services of Trillium to facilitate the land use entitlement process. AT&T is currently seeking the review and approval of a Conditional Use Permit and Design Review to allow the construction, operation, and maintenance of an unmanned wireless telecommunications facility in the San Pablo Commercial District (SPC) zone located at 1035 San Pablo Avenue in Albany.

Background

AT&T Mobility Wireless serves millions of voice and data customers across the United States. Wireless communications will continue to change the future of telecommunications with easy-to-use, lightweight and highly mobile communications devices including: portable telephones, computers and Personal Digital Assistants (PDAs). Wireless communications will provide voice, e-mail and Internet access capabilities for customer's communications needs virtually anywhere and at any time.

The wireless network being developed by AT&T differs from typical cellular networks in that it uses state of the art digital technology instead of analog systems, which have been in use since the early 1980's. The benefits include call privacy and security, improved voice quality, and an expanded menu of affordable products and services for personal and professional communications needs.

The AT&T's network will enhance a locator device that will connect 911 calls to local police and fire departments. In the event of an emergency, specially equipped emergency



vehicles will be able to identify a customer's location once a call is received. AT&T's network infrastructure is designed to help meet public safety needs in the community. The number of 9-1-1 calls is constantly growing as more people use their cell phones to call for emergency help, for medical help and to fight crime. The statistic shows during the summer of 2006 across the United States, AT&T wireless network handles approximately 50,000 emergency 911 calls every day.

Like other carriers in the industry, AT&T is working diligently to respond to the customer demand for mobile services, by expanding services to its customers from where they have historically used mobile phones, while traveling in the vehicle at their offices to where they are demanding more and more service in the residential communities, in-building coverage in their homes.

AT&T Mobility is requesting the review and the approval of a permit to allow the construction, operation, and maintenance of an unmanned Wireless Telecommunications Facility (WTF). The project is proposed to enhance wireless telecommunications services in the immediate area and the surrounding community. AT&T will be the second wireless carrier on the property as Sprint has an existing installation on the property. Coverage areas must be improved and network capacity expanded to handle the growing number of calls and wireless data usage. AT&T Mobility must especially improve services where consumers are increasingly using their phones and data services.

The project consists of:

- Installation of nine (9) panel antennas (3 per sector, in 3 sectors), installation of twenty-one (21) Remote Radio Units; along with related cabling and fiber connections. The antennas will be concealed within two custom FRP screen enclosures on the roof. The enclosures will be painted and finished to match the existing building. The remote radio units will be behind the existing parapet and within the FRP enclosures and will not be visible.
- Installation of new equipment room within an existing suite within the building. Installation includes: a new wall to partition the equipment room four (4) equipment racks and a power plant with battery rack. All equipment will be located inside the existing building on the first floor.

Once constructed and operational, the communications facility will provide 24-hour service to customers seven (7) days a week. Apart from initial construction activity, an AT&T's technician on a periodic basis will service the facility. It is reasonable to expect that routine maintenance/inspection of the facility will occur once a month during normal working hours. Beyond this intermittent service, AT&T requires 24-hour access to the facility to ensure that technical support is immediately available if and when warranted.



Overview of Site Design/Location Criteria

The network of AT&T cell sites throughout the region is “location dependent,” meaning that there is a necessary and logical interrelationship between each proposed site. Eliminating or relocating a single cell site can lead to gaps in the system and prohibit AT&T from providing uninterrupted or reliable service to customers in a defined coverage area. Further, the elimination or relocation of a cell site will most often have a “domino” effect on other cell site locations and necessitate significant design changes or modifications to the network.

In identifying the proposed location, AT&T network deployment personnel have selected a site that not only meets the technical objectives of RF engineering, but concurrently provides the best site option with regard to other key criteria that include, but are not limited to: accessibility, utility connections, zoning compatibility, liability and risk assessment, site acquisition, maintenance and construction costs. Further discussion of the site selection process is detailed in the Alternatives Analysis provided with this submittal.

Site Conformance with City of Albany Codes

The proposed site was selected because its location best serves the AT&T coverage objectives and meets the requirements set forth in the City’s Municipal Code. The property is zoned SPC – San Pablo Commercial District, which is a permitted district for wireless facilities. The facility will be located on an existing structure in compliance with Section 20.20.100.E.3.a of the Wireless Code. The building currently hosts an existing wireless facility operated by Sprint; the proposed installation will be a collocation under Section 20.20.100.E.2.a. The antennas and radio equipment for the facility will be camouflaged and screened from view to be compliant with Section 20.20.100.E.1.j. The antennas have been located to meet the 50’ residential setback requirement specified in Section 20.20.100.D.4. The facility is also designed to meet the daylight plane requirements set forth in Section 20.24.070.A.1. The equipment is set more than 37 feet back from the daylight plane and the elevation drawings show the 45° view angle.

The City has indentified that the building has an existing non-conformity in regards to roof coverage. The proposal by AT&T will remedy this existing non-conformity by removing 350 square feet of the existing mechanical penthouse. This will reduce the roof coverage percentage to 9.95% bringing the building into conformance with Section 20.24.080.B.

Site Development Standards and General Plan

The location, size, design, and operating characteristics of the proposed facility will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with the surrounding land uses. The proposed use is consistent with this finding in that:



1. The proposed equipment associated with the telecommunication structure operates quietly or virtually noise free.
2. The equipment does not emit fumes, smoke, or odors that could be considered objectionable.
3. The telecommunications facility is unmanned and only requires periodic maintenance, which equates to approximately one trip per month. The proposed communication facility will not result in conditions or circumstances contrary to the public health, safety and the general welfare. The proposed use is consistent with this finding in that:

Unlike other land uses, which can be spatially determined through the General Plan or other land use plans, the location of wireless telecommunications facilities are based on technical requirements which include service area, geographical elevations, alignment with neighboring sites and customer demand components. Placement within the urban geography is dependent on these requirements. Accordingly, wireless telecommunication facilities have been located adjacent to and within all major land use categories including residential, commercial, industrial, open space, etc. proving to be compatible in all locations.

The proposed facility at the subject location will be unmanned, have no impact on circulation systems, and generate no noise, odor, smoke, or any other adverse impacts to adjacent land uses. The proposed facility will allow commuters and residents within the coverage area wireless access to the rapidly expanding communications infrastructure by providing voice and data transmission services not currently available. The installation of antenna sectors and transmission equipment will not result in any material changes to the character of the local community. This proposed wireless telecommunications facility will operate in full compliance with all state and federal regulations including the Telecommunications Act of 1996.

Regulating Agencies

AT&T Mobility is regulated by the Federal Communications Commission (FCC) and is authorized to operate in the frequencies established for PCS operators. AT&T Mobility's wireless telecommunication facilities operate at the lowest possible power levels and are well below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proved safe by the American National standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

1. The proposed communications facility will operate in full compliance with the U.S. standards for radiofrequency emissions as published by the American National Standards Institute (ANSI). The ANSI was developed by the committee composed of 125 scientists from universities, non-profit laboratories and Federal Health Laboratories (FDA, NIOSH, EPA): 13: are from the industry and consultants to the industry: and 15% are from the military and other federal agencies. In 1992, the ANSI



established, as a public safety standard, a maximum exposure level to radiofrequency emissions of 1000 microwatts per centimeter squared (**1,000 uW/cm²**).

2. The radiofrequency emissions emitted by the proposed AT&T Mobility facility will fall within the portion of the electromagnetic spectrum which transmits non-ionizing electromagnetic emissions, at the low levels associated with this type of wireless technology, are not harmful to living cells. Among the items which result in non-ionizing electromagnetic emissions are radios, television broadcasts, CB radios, microwave ovens, and a variety of common security systems. Conversely, items which transmit ionizing electromagnetic emissions include ultraviolet light, medical x-rays and gamma rays.
3. Data currently available on the effects of electromagnetic transmission on public health indicate that there is no likelihood of negative impacts to public health and safety.