Oakland City Planning Commission

Case File Number DR10320

June 15, 2011

Location: Ettrick Street (located in the Public Right-of-Way adjacent to

11300 Ettrick Street); APN: 048-6266-008-00

Opposite: 048-6262-010-00 (11241 Ettrick) and 048-6265-002-

Assessor's Parcel Numbers: 01 (11303 Ettrick)

Proposal: To attach a concealed antenna on an extension (12-ft. 1-in.

total) to the top of a 38 ft. 5 in. tall wooden utility JPA pole and related equipment in a singular sheathing at 7-ft. to approx. 9

1/2 ft.

Applicant / Dana Aquirre & Maria Miller (for: T-Mobile)

Phone Number: (925) 784-7888 & (415) 986-2850

Owners: City of Oakland (public right-of-way); PG&E (utility guy pole)

Planning Permits Required: Regular Design Review to attach a wireless telecommunications

facilities to a JPA pole located in a residential zone

General Plan: Hillside Residential

Zoning: RH-2 Hillside Residential Zone-2 (R-10 Estates Residential Zone

Regulations at time application submitted and deemed complete)

Environmental Exempt, Section 15301 of the State CEQA Guidelines:

Determination: Existing Facilities;

Section 15183 of the State CEQA Guidelines:

Project consistent with a Community Plan, General Plan or Zoning

Historic Status: None

Service Delivery District: VI

City Council District: 7

Date Filed: December 9, 2010

Staff Recommendation: Decision based on staff report

Finality of Decision: Appealable to City Council within 10 days

For Further Information: Contact case planner Moe Hackett, Planner II at (510) 238-3973

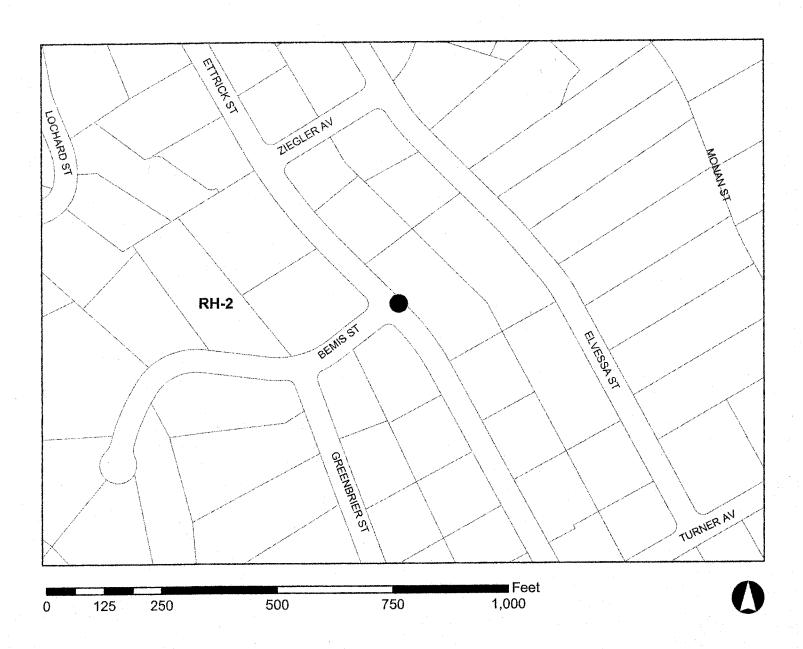
or mhackett@oaklandnet.com

SUMMARY

The applicant Ms. Maria Miller (for T-Mobile) requests Planning Commission approval to attach one antenna and various related equipment to an existing wooden utility pole for wireless telecommunications purposes. The project is subject to Regular Design Review as an attachment to a utility pole located in a residential zone. As is the practice with all telecommunications installations located within 100-feet of residential zoning, this application is forwarded to the Planning Commission for review.

Staff recommends approval of the requested permit, as conditioned, subject to the attached Findings and Conditions of Approval.

CITY OF OAKLAND PLANNING COMMISSION



Case File: DR10-320

Applicant: Dana Aquirre/T-Mobile

Address: Ettrick Street (in Public Right-of-Way

adjacent to 11300 Ettrick St)

Zone: RH-2

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BACKGROUND

Recent State case law (Sprint v. Palos Verdes Estates) has enabled the City to require Design Review for telecommunications facilities attached to existing utility poles located within the right-of-way. The Planning & Zoning Department has determined that such Design Reviews be decided at the equivalent level as telecommunications projects located on private property located in the same zone.

Under the Telecommunications Act of 1996, the Federal Communications Commission (FCC) preempted cities' zoning jurisdiction over wireless telecommunications facilities, limiting their authority to aesthetic review and confirmation of satisfactory radio frequency (RF) emissions reports. For further information the FCC can be contacted at 1-888-225-5322 or www.fcc.gov

SITE DESCRIPTION

The site is a section of public right-of-way at the intersection of Bemis Street and Ettrick Street. This section of road contains no sidewalk. There are homes along both sides of the street although some are concealed by deep landscaping. Opposite the site are single-family homes on flat lots. The site contains a utility pole which hosts supportive cables and overhead lines. The area consists of a low density neighborhood of single-family homes on very large heavily landscaped lots.

PROJECT DESCRIPTION

The proposal is to attach one (1) two and a half-foot tall telecommunications antenna (Radome) and a six-foot 4-inch tall extension on top of a thirty-eight foot tall wooden utility pole and equipment at seven feet to approximately thirteen feet in height for wireless telecommunications purposes. The antenna would be nearly cylindrical in shape, slightly flared out towards the bottom. The pole mounted equipment cabinets would be contained in a singular shroud painted matte (non-reflective) brown to match the color and finish of the wooden pole. The extension on top of the pole is required for sufficient height to propagate signals and obtain effective coverage.

GENERAL PLAN ANALYSIS

The site is located in a Hillside Residential area under the General Plan. The intent of the Hillside Residential area is: "to create, maintain, and enhance residential areas characterized by detached, single unit structures." The General Plan is silent on telecommunications activities (which are now classified as Essential Service Civic Activity under the Planning Code). The proposal would enhance service to residents from a highly effective location with a relatively unobtrusive design. Staff finds the proposal to be in conformance with the General Plan.

ZONING ANALYSIS

The site is located within the RH-2 Hillside Residential Zone – 4 and S-10 Scenic Route Combining Zone Regulations. The intent of the RH-2 zone is: "to create, maintain, and enhance areas for single-family dwellings on lots of 25,000 square feet and is typically appropriate in portions of the Oakland Hills." At the time the project was submitted and deemed complete, the property was located within the R-10 Estates Residential Zone. The change in Zoning does not affect the project

As described in the Background section of this report, telecommunications facilities located on JPA poles are now subject to Design Review. Additional findings for Macro facilities apply to all JPA cases. Findings required to approve the project ensure the location and design are inconspicuous and concealed to the extent practicable. Authority for review and approval is to be equivalent to Zoning for private property. Therefore, the subject proposal for a site located in a residential zone is referred to the Planning Commission. The Planning Commission has approved a JPA case that was located in front of taller trees. Given advancing technologies, enhanced service at this location would assist users in the residential zone and area parks. The antenna would generally maintain the shape of the pole and pole mounted equipment cabinets would be contained in a singular sheath painted matte brown to match the color and finish of the wooden pole. The proposal meets the Telecommunications Regulations for Site Location Preferences for locating on City property on a quasi-public facility and a site alternatives analysis is not required. A site design preference analysis has been submitted. A satisfactory emissions (RF) report has also been submitted. Staff finds the proposal to be consistent with the Planning Code.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15301 of the State CEQA Guidelines exempts projects involving "...the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use..." The proposal to attach wireless telecommunications antennas and related equipment to an existing wooden utility pole meets this description. The project is therefore exempt from further Environmental Review.

KEY ISSUES AND IMPACTS

In consideration of the proposal, site surroundings, and discussions regarding recent cases under this relatively new type of review, staff recommends Planning Commission approval of this application for the following reasons:

The site does not front:

a scenic vista

The proposal features:

- an existing structure (JPA pole) in an area lacking other non-residential structures
- a facility not appreciably taller than adjacent structures (that is, trees)
- no ground mounted equipment cabinets
- pole mounted equipment cabinets to be encased in a single, continuous shroud painted matte brown to match the color and finish of the wooden utility pole

Correspondence has been received by the City regarding the application.

- **RECOMMENDATIONS:** 1. Affirm staff's environmental determination.
 - 2. Approve the Regular Design Review subject to the attached Findings, Additional Findings, and Conditions.

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Prepared by:

MOE HACKETT

Planner II

Approved by:

SCOTT MILLER Zoning Manager

Community and Economic Development Agency

Approved for forwarding to the City Planning Commission:

ERIC ANGSTADT
Deputy Director

Community and Economic Development Agency

ATTACHMENTS:

- A. Findings for Approval
- B. Conditions of Approval
- C. Plans
- D. Applicant's Photo-Simulations
- E. Site Design Preference Analysis

Attachment A: Findings for Approval

This proposal meets the required findings under Regular Design Review Criteria (OMC Sec. 17.136.040(B)), Design Review Criteria for Macro Facilities (OMC Sec. 17.128.070(B)), and S-10 Scenic Route Combining Zone/Design Review Criteria (OMC Sec. 17.90.050) as set forth below. Required findings are shown in bold type; explanations as to why these findings can be made are in normal type.

REGULAR DESIGN REVIEW CRITERIA FOR NONRESIDENTIAL FACILITIES (OMC SEC. 17.136.040(B))

1. That the proposal will help achieve or maintain a group of facilities which are well related to one another and which, when taken together, will result in a well-composed design, with consideration given to site, landscape, bulk, height, arrangement, texture, materials, colors, and appurtenances; the relation of these factors to other facilities in the vicinity; and the relation of the proposal to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered, except as otherwise provided in Section 17.136.060;

The proposal is to attach one (1) one-foot 4-inch tall telecommunications antenna ("radome") and a six-foot 4-inch tall extension on top of a thirty-eight-foot 5-inch tall wooden utility pole and equipment at eight and a half feet to approximately eighteen feet in height for wireless telecommunications purposes. The antenna would be nearly cylindrical in shape. The pole mounted equipment cabinets would be contained in a singular shroud painted matte brown to match the color of the wooden pole. The extension on top of the pole is required for sufficient height to propagate signals and obtain effective coverage.

The site is a section of public right-of-way along the north east side of Ettrick Street. This section of road contains no sidewalk. There are homes along all streets adjacent to the site. The site contains a utility pole which hosts utility lines overhead. The area consists of a low density neighborhood of single-family homes on very large deep landscaped lots with numerous trees. The site is located within the RH-2 Hillside Residential Zone – 2. The intent of the RH-2 zone is: "to create, maintain, and enhance areas for single-family dwellings on lots of 25,000 and is typically appropriate in portions of the Oakland Hills." At the time the project was submitted and deemed complete, the property was located within the R-10 Estates Residential Zone. The change in Zoning does not affect the project.

Given advancing technologies, enhanced service at this location would assist users in the residential and open space zones. The antenna would generally maintain the shape of the JPA pole and pole mounted equipment cabinets would be contained in a singular sheath painted matte brown to match the color and finish of the wooden pole. Staff finds the proposal to be consistent with the Planning Code.

2. That the proposed design will be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area;

This finding is met for the following reasons:

The site does not front:

An existing scenic vista

The proposal features:

- an existing structure (JPA pole) in an area lacking other non-residential structures
- a facility not appreciably taller than adjacent structures (that is, trees)

Findings for Approval

Case File Number DR10320

- no ground mounted equipment cabinets
- pole mounted equipment cabinets to be encased in a single, continuous shroud painted matte brown to match the color and finish of the wooden utility pole
- 3. That the proposed design conforms in all significant respects with the Oakland General Plan and with any applicable design review guidelines or criteria, district plan, or development control map which have been adopted by the Planning Commission or City Council.

The site is located in a Hillside Residential area under the General Plan. The intent of the Hillside Residential area is: "to create, maintain, and enhance residential areas characterized by detached, single unit structures." The General Plan is silent on telecommunications activities (which are now classified as Essential Service Civic Activity under the Planning Code). The proposal would enhance service to residents and park users from a highly effective location with a relatively unobtrusive design. Staff finds the proposal to be in conformance with the General Plan.

DESIGN REVIEW CRITERIA FOR MACRO FACILITIES (OMC SEC. 17.128.070(B)):

1. Antennas should be painted and/or textured to match the existing structure.

The antenna will be painted matte brown to match the color and finish of the wooden utility pole.

2. Antennas mounted on architecturally significant structures or significant architectural detail of the building should be covered by appropriate casings which are manufactured to match existing architectural features found on the building.

The antenna will be attached to an existing wooden utility pole.

3. Where feasible, antennas can be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.

The antenna will be mounted directly on top of the existing wooden utility pole.

4. Equipment shelters or cabinets shall be screened from the public view by using landscaping, or materials and colors consistent with surrounding backdrop or placed underground or inside existing facilities or behind screening fences.

Equipment cabinets will be mounted to the pole in a singular shroud that is significantly smaller than typical ground mounted cabinets and shelters and the exterior will be painted matte brown to match the color and finish of the wooden pole.

5. Equipment shelters or cabinets shall be consistent with the general character of the area.

Equipment cabinets will be housed in a singular shroud attached to an existing structure (wooden utility pole) and painted matte brown to match its color and finish.

6. For antennas attached to the roof, maintain a 1:1 ratio (example: ten feet high antenna requires ten feet setback from facade) for equipment setback; screen the antennas to match existing air conditioning units, stairs, or elevator towers; avoid placing roof mounted antennas in direct line with significant view corridors.

This finding is inapplicable; the proposal does not involve a roofed structure.

7. That all reasonable means of reducing public access to the antennas and equipment has been made, including, but not limited to, placement in or on buildings or structures, fencing, anti climbing measures and anti-tampering devices.

Equipment will be pole mounted a minimum of seven feet above grade and will be encased in a shroud; the antenna will be located at forty-seven feet above grade.

S-10 SCENIC ROUTE COMBINING ZONE REGULATIONS/DESIGN REVIEW CRITERIA (OMC SEC. 17.90.050)

A. That the siting, grading, and design will, to the maximum extent feasible, preserve existing live trees and other desirable natural features;

The proposal does not include tree removal or grading.

B. That the proposed development will, as far as practicable, maintain existing vistas or panoramas which can be seen from the abutting public road and maintain the visual value of the total setting or character of the surrounding area.

The site is located on a flat portion of the Oakland hills in a heavily landscaped area and does not front a vista.

Attachment B: Conditions of Approval

1. Approved Use

Ongoing

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials and the submitted on December 9, 2010 and resubmitted with revisions to the City on May 27, 2011, and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall require prior written approval from the Director of City Planning or designee.
- b) This action by the Planning Commission ("this Approval") includes the approvals set forth below. This Approval includes establishment of a wireless telecommunications facility on a utility pole including one antenna attached to the top of the pole and a singular shroud containing pole mounted equipment, all painted brown

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing

Unless a different termination date is prescribed, this Approval shall expire **two (2) years** from the approval date, unless within such period all necessary permits for construction or alteration have been issued, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this permit, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit for this project may invalidate this Approval if the said extension period has also expired.

3. Scope of This Approval; Major and Minor Changes

Ongoing

The project is approved pursuant to the **Planning Code** only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

4. Conformance with other Requirements

Prior to issuance of a demolition, grading, P-job, or other construction related permit

- a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval #3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, elevated walking pathways, safety railings, emergency access and lighting.

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5. Conformance to Approved Plans; Modification of Conditions or Revocation

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b) Violation of any term, Conditions of Approval or project description relating to the Conditions of Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these Conditions of Approval if it is found that there is violation of any of the Conditions of Approval or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Conditions of Approval.

6. Signed Copy of the Conditions of Approval

A copy of the approval letter and Conditions of Approval shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

7. Indemnification

Ongoing

- a. To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and its respective agents, officers, and employees (hereafter collectively called City) from any liability, damages, claim, judgment, loss (direct or indirect)action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b. Within ten (10) calendar days of the filing of any Action as specified in subsection A above, the applicant shall execute a Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter of Agreement does not relieve the applicant of any of the obligations contained in this condition or other requirements or Conditions of Approval that may be imposed by the City.

8. Compliance with Conditions of Approval

Ongoing

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

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9. Severability

Ongoing

Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified **Conditions of Approval**, and if one or more of such **Conditions of Approval** is found to be invalid by a court of competent jurisdiction, this Approval would not have been granted without requiring other valid **Conditions of Approval** consistent with achieving the same purpose and intent of such Approval.

10. Landscape Maintenance.

Ongoing

All new landscaping shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements.

11. Operational Noise-General

Ongoing.

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services (see also condition #30).

SPECIFIC CONDITIONS FOR TELECOMMUNICATIONS FACILITIES

12. Sinking Fund For Facility Removal Or Abandonment

Prior to the issuance of building permit

The applicant shall provide proof of the establishment of a sinking fund to cover the cost of removing the facility if it is abandoned within a prescribed period. The word "abandoned" shall mean a facility that has not been operational for a six (6) month period, except where non-operation is the result of maintenance of renovation activity pursuant to valid City permits. The sinking fund shall be established to cover a two-year period, at a financial institution approved by the City's Office of Budget and Finance. The sinking fund payment shall be determined by the Office of Budget and Finance and shall be adequate to defray expenses associated with the removal of the telecommunication facility.

13. Emissions Report

Prior to a final inspection

The applicant shall provide an RF emissions report to the City of Oakland Zoning Division indicating that the site is actually operating within the acceptable thresholds as established by the Federal government or any such agency that may be subsequently authorized to establish such standards.

14. Camouflaging

Prior to a final inspection

All apparatus (including but not limited to antenna and equipment) shall be painted brown (matte or non-reflective) to match the color and finish of the existing wooden utility guy pole.

15. Servicing

Ongoing

All servicing of equipment performed by T-Mobile will be performed by bucket truck and not pole climbing in an effort to protect adjacent trees, as voluntarily agreed upon by T-Mobile.

Conditions of Approval

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10	6.	Equipment Screening Shroud

Prior to submitting for a building permit

Plans shall be revised to show all pole mounted equipment cabinets contained in a singular shroud painted matte brown to match the color of the wooden pole.

APPROVED BY:		
City Planning Commission:	(date)	(vote)

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CONSTRUCTION CONTACT

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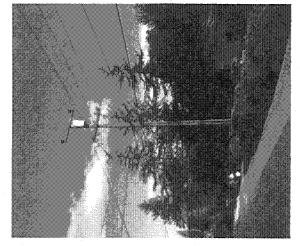
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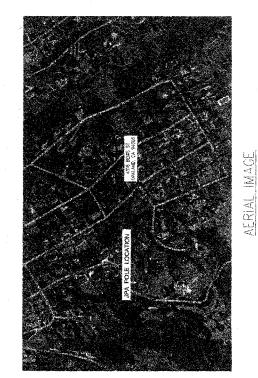
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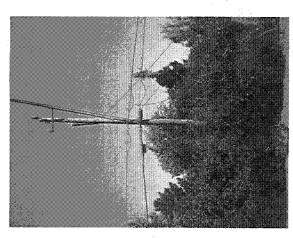
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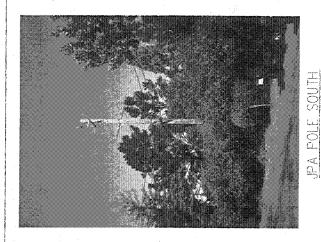


POWER POLE (PHOTO)

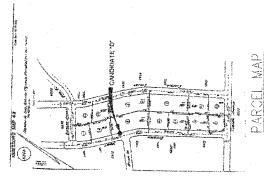


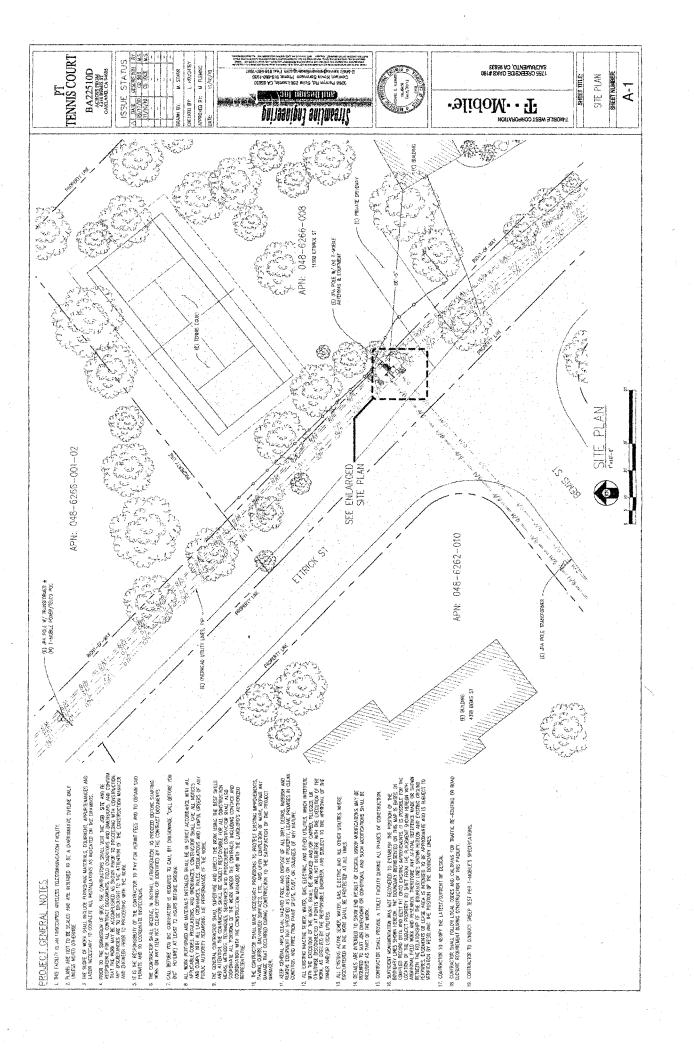


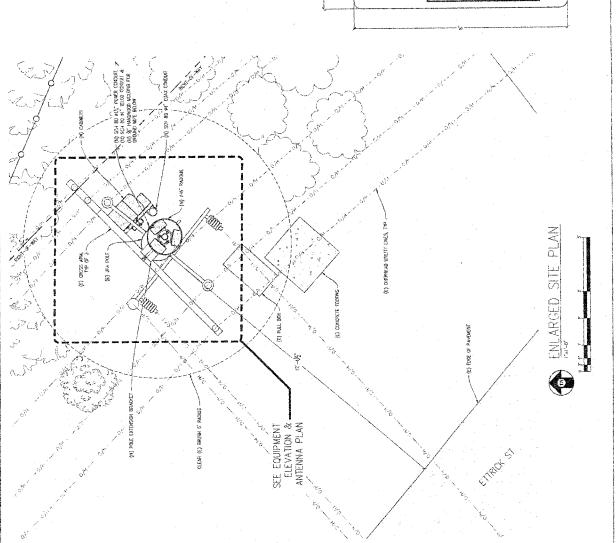
JPA POLE SOUTHWEST ELEVATION (PHOTO)











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> MAINTAIN MINIMUM 3 FEET CLEARANCE FROM ALL ANTENNAS. DO NOT STOP IN FRONT OF ANTENNAS. • ASSUME ALL ANTENNAS ARE ACTIVE. BEFORE WORKING ON ANTENNAS, NOTIFY OWNERS AND DISABLE APPROPRIATE TRANSMITTERS.

I USE PERSONAL RF MONITORS WHILE WORKING NEAR ANTENNAS.

PT TENNIS COURT

GUIDELINES FOR WORKING IN RADIOFREGUENCY ENVIRONMENTS

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* ALL PRESONNEL SHERBY (EMB) AWARENESS
TRAINMENT

ALL PERSONNEL ENTERING THIS SITE MUST BE AUTHORIZED, OBEY ALL POSTED SIGNS.

NOT CE

ORF SIGNAGE (YELLOW)

DO NOT OPERATE BASE STATION ANTENNAS IN EQUIPMENT ROOMS.

NEVER OPERATE TRANSMITTERS WITHOUT SHIELDS DURING NORMAL OPERATION.

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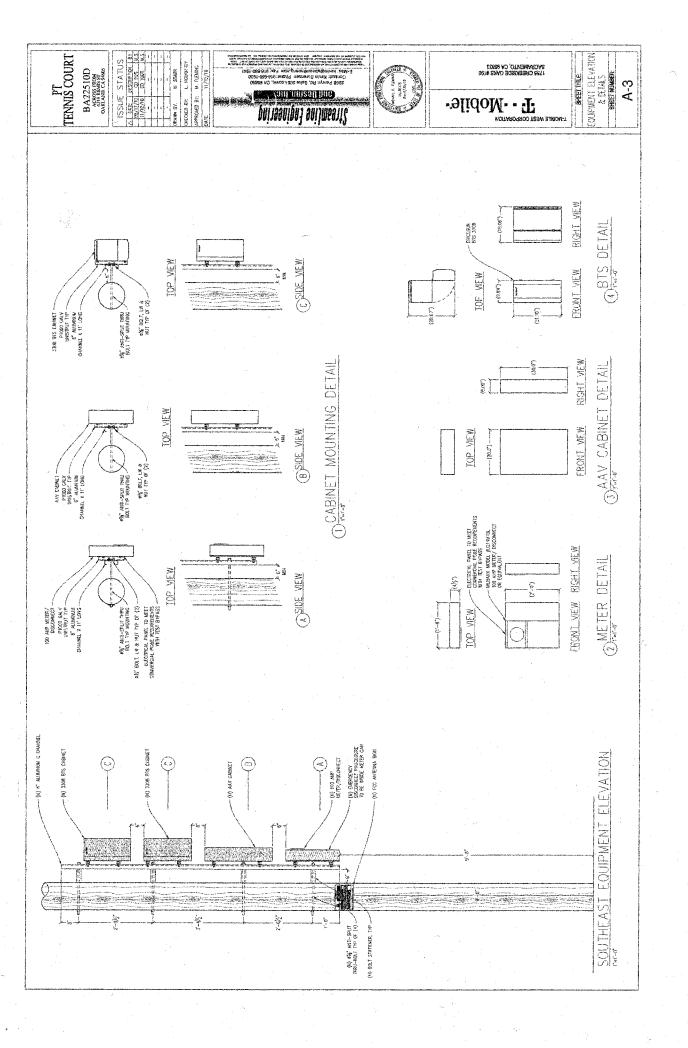
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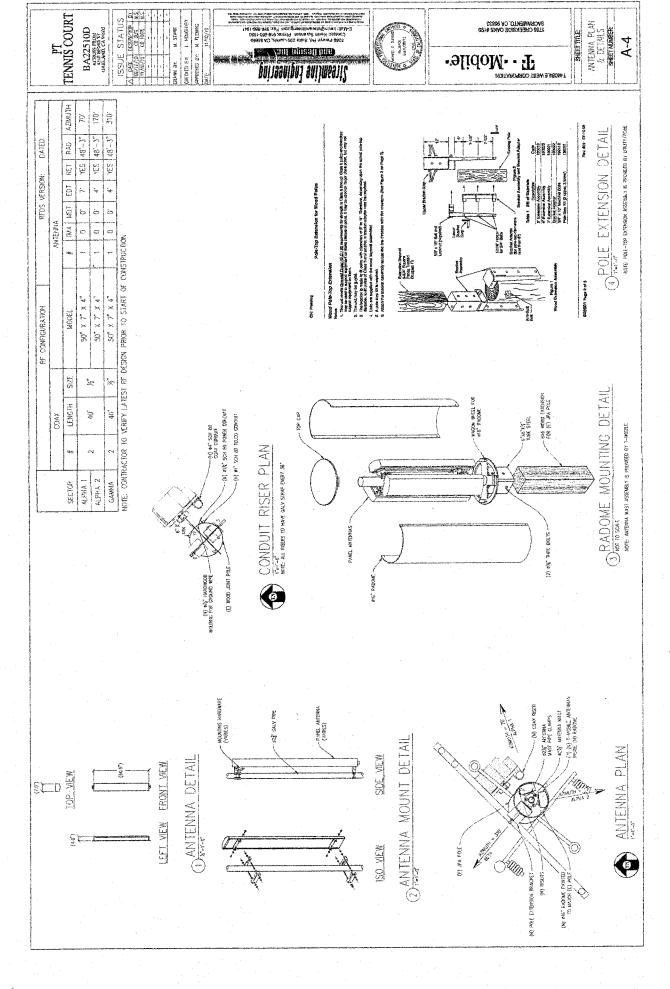
The Radio frequency (RE) emissions at this site have been evaluated for potential RF exposure to personnel who may need to work near these antennae.

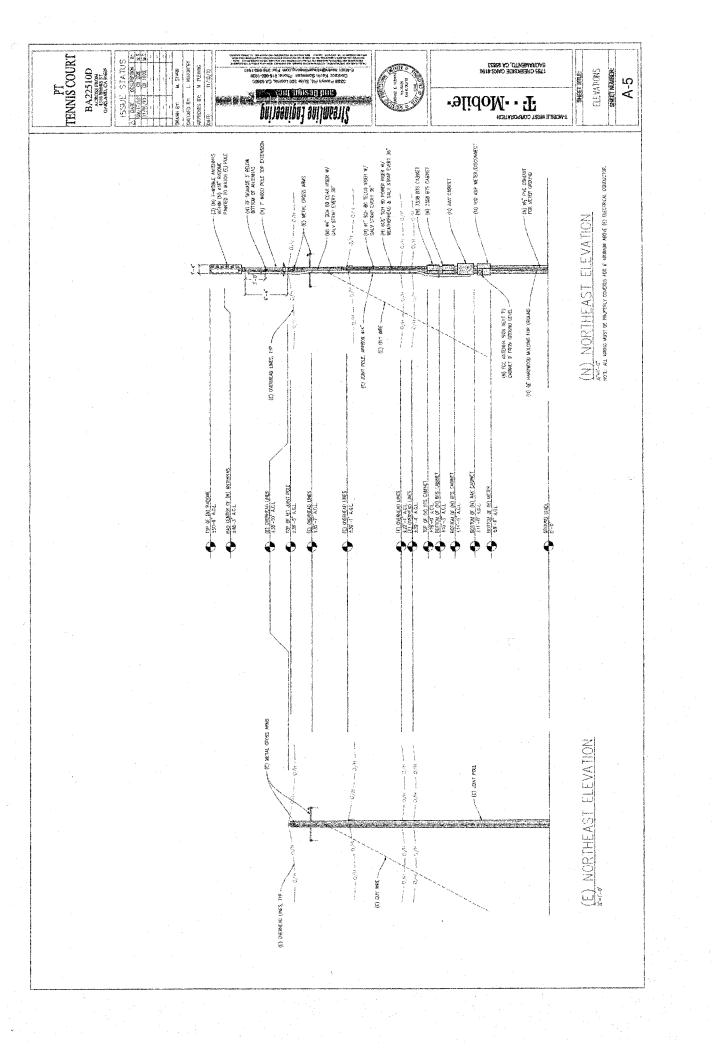
AND THUS ONLY QUALIFIED RF WORKERS MAY WORK IN THIS 3 FOOT EXCLUSION ZONE. OTHERS WHO NEED TO WORK IN THE RF EXPOSURE AT 3 FEET OR CLOSER TO THE FACE OF THE ANTENNA MAY EXCEED THE FCC PUBLIC EXPOSURE STANDARD EXCLUSION ZONE SHOULD CALL 1-888-662-4662 POR INSTRUCTIONS, REFER TO SITE# BA22510D

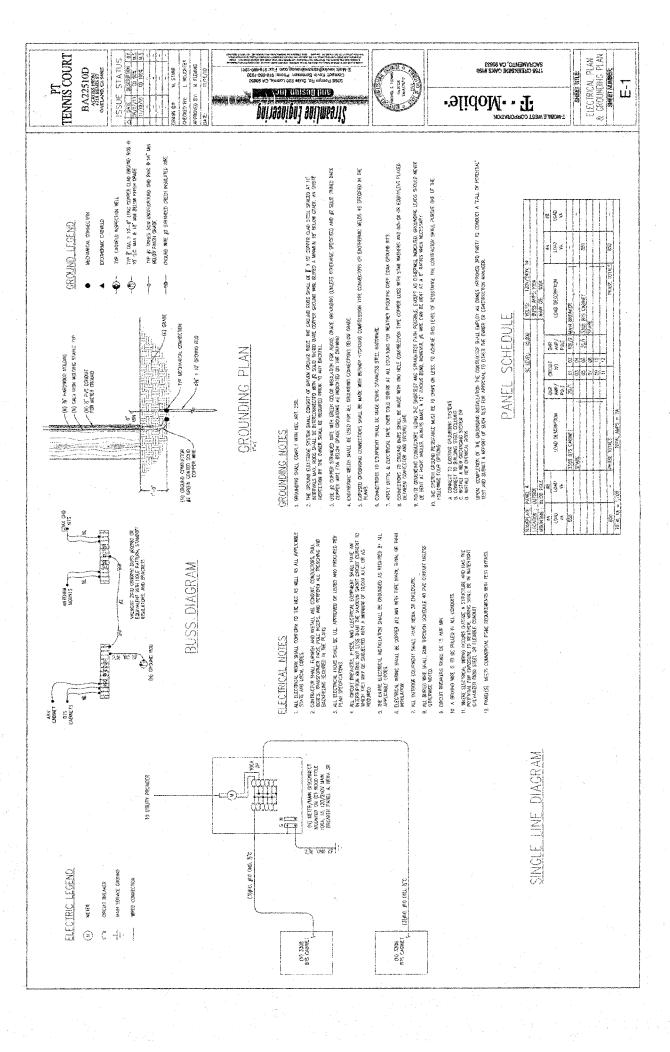
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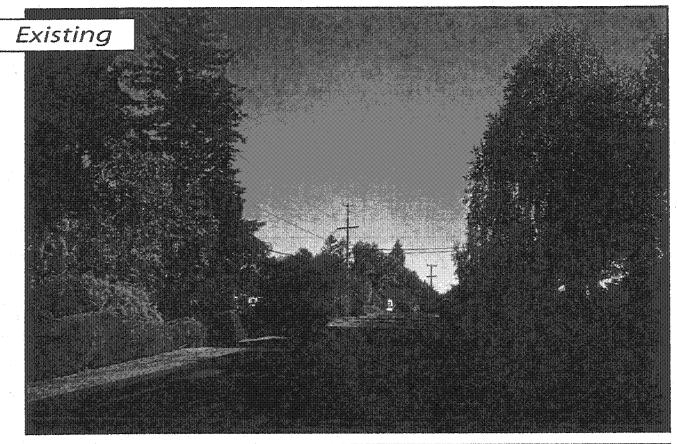
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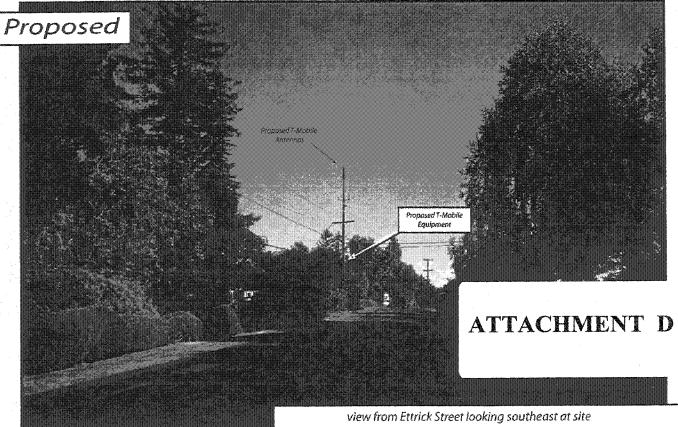






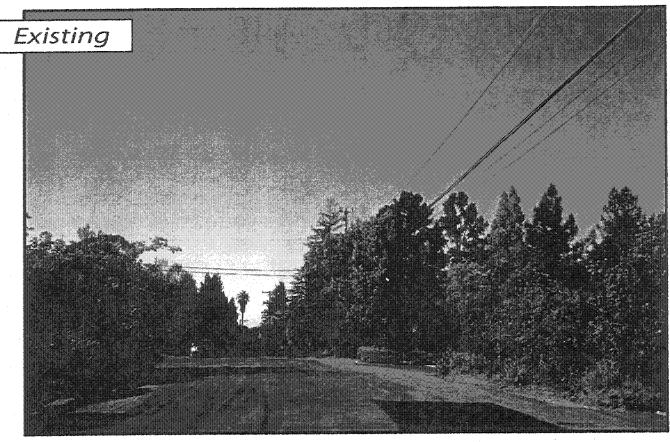


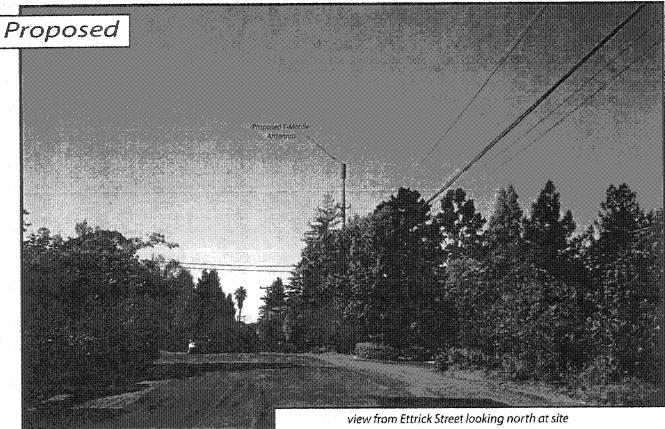




AdvanceSime Photo Simulation Solutions Contact (925) 202-8507

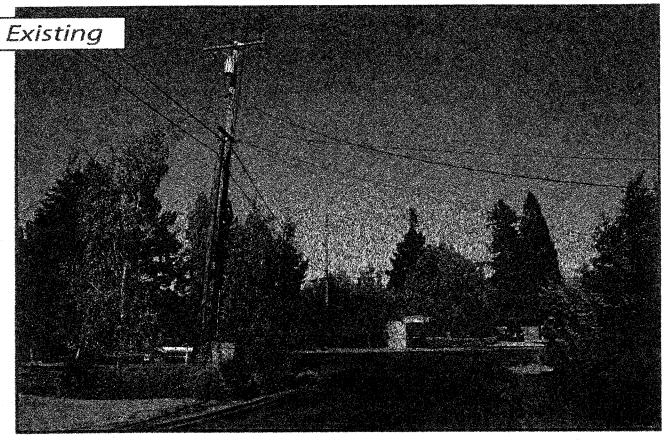
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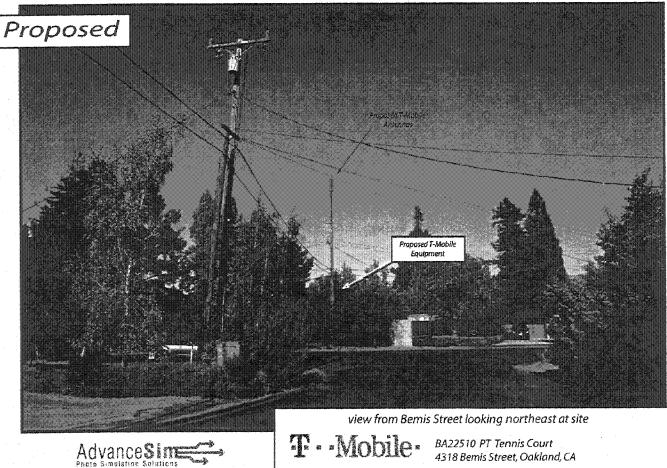




AdvanceSine Phote Simulation Solutions Contact (925) 202-8507

BA22510 PT Tennis Court
4318 Bemis Street, Oakland, CA



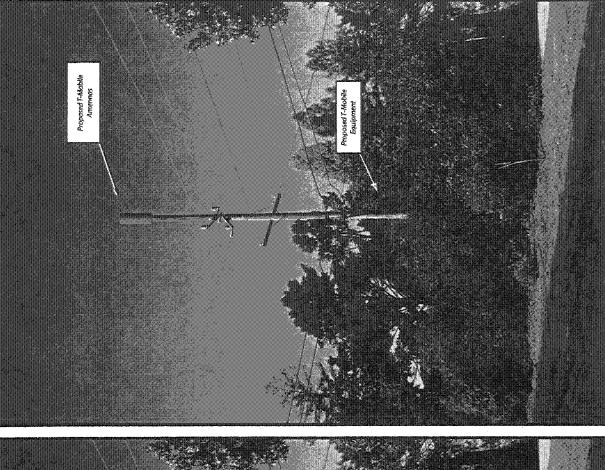


Advances implement Solutions Contact (923) 202-8507

view from Ettrick Street looking northeast at site

BA22510 PT Tennis Court 4318 Bemis Street, Oakland, CA

Existing





Advances Interest Photo Sinutation Solutions contact (925) 202-8507

SUTRO CONSULTING, LLC 115 SANSOME STREET, 14TH FLOOR ◆ SAN FRANCISCO, CA 91904

June 7, 2011

Moe Hackett City of Oakland Planning Department 250 Frank H. Ogawa Plaza Oakland, CA 94612

RE:

Analysis of Alternative Sites Considered for Wireless Antenna for T-

Mobile Search Ring ID BA22510

Case File Number: DR10-320

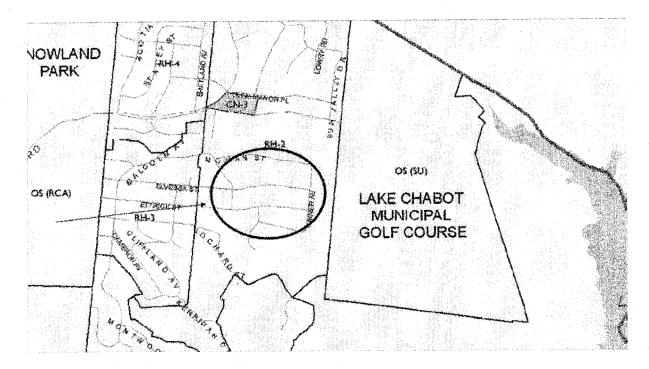
Address:

Public R-O-W in front of 11300 Ettrick Street

Dear Mr. Hackett:

Site Objective

The objective of the posed site is to provide coverage in areas near Oakland Zoo, residential areas on the hill surrounding the intersection of Ettrick St. and Bemis St., and Lake Chabot recreational parks. As shown on the zoning map below, the surrounding areas where the gap in coverage has been identified are predominantly residentially zoned, with the exception of a small pocket of CN-3 zoned property that could not be used for locating the site (see detail below).



Wireless Site Technology

Our customers have told us that they expect solid coverage where they use their phone, including residential areas. Due to the technical and geographical constraints of wireless technology require, these <u>sites must be located within close proximity to their coverage area</u> and within close proximity to other antenna sites. This cohesion of cell sites within the overall network serves to increase signal strength (to improve indoor coverage), improve quality of service (eliminate "dead spots" and dropped calls), and bring new, innovative broadband services to more customers.

T-Mobile RF engineers conducted a test drive to verify the need for a facility at the proposed location by measuring signal strength and power in the coverage area. Radio frequency studies indicate that T-Mobile coverage is lacking in the Oakland Zoo area, the hill-top residential area surrounding the intersection of Ettrick St. and Bemis St., and Lake Chabot Municipal Golf Course. Therefore, an additional wireless telecommunications facility is necessary in order to provide seamless coverage to its users residing, working, or travelling through the said area.

Site Selection Process

When analyzing network needs, T-Mobile engineers do not assign a specific site location for a cell site, but rather assign a small geographic area in which a site must be located to meet coverage objectives. Within that area, a suitable location must be found that meets a set of requirements for an antenna site.

Unlike other land uses, which can be spatially determined through the land use ordinances, the location of wireless telecommunication facilities is based on technical requirements which include service area, geographical elevations, sufficient height of the structure providing a clear line of signal, alignment with surrounding sites and customer demand components. Placement within the urban geography is dependent on these requirements. Consequently, wireless telecommunication facilities have to be located adjacent to and within all major land use categories including residential, commercial, industrial, open space, etc. proving to be compatible in all locations.

Along with the above mentioned technical requirements, a potential site has to satisfy a number of other criteria such as property owner's interest in leasing the space, availability of a reliable power grid system and telephone utilities, structural integrity of the building able to support the equipment, and conformance to jurisdiction's applicable codes.

The following sites were identified as potential candidates within the search ring during the selection process:

Alternative 1: PG&E pole in front of 4265 Bemis Street

This utility pole is located directly in front of a home. In addition, there is a very large twostory home right across from the proposed site, which would likely be met with complaints from the homeowners. This site is located toward the end of Bemis St. which ends in a culde-sac. All of the homes on this end have a view overlooking the entire city. The proposed site would block the view of the large home across the street.

Alternative 2: PG&E pole in front of 11241 Ettrick Street

This pole is directly in front of a home. It is an exposed pole which is located on a private property – a large corner lot. T-Mobile makes every effort to locate sites away from vista points, view corridors, homes, open spaces, etc.

Alternative 3: Commercial Building at 11200 Golf Links Rd.

Coverage already exists at this commercially zoned area, as shown on the enclosed coverage maps. Moreover, this one-storey building does not provide sufficient height for wireless telecommunications equipment to send and receive wireless signal. It would not be feasible to incorporate additional height (approx. 20 feet) into the existing building in a way that will result in a well-composed design. Roof-top antennas on tall tripods or poles at this site would be highly visible from many points in the surrounding area. No interest from landlord to lease ground space for constructing a monopole.

Alternative 4: PG&E pole 1401 Solano Ave - Selected Site

This PG&E pole is located in an area that is screened with existing brush vegetation. The pole is facing a high fence rather than windows of a home, thus having a minimal visual impact on the neighborhood. This pole was approved by PG&E as being able to support the equipment and having the necessary power and telephone connections. After careful consideration of the potential sites within the search ring, the PG&E pole at 11300 Ettrick

St. was chosen as the most suitable candidate based on land use compatibility, zoning, aesthetics and approval of this pole by PG&E.

In conclusion, it is notable that in today's evolving communications landscape, the U.S. wireless industry services more than 250 million wireless consumers and the national economy. Micro cell sites co-located on existing utility poles are an alternative solution for providers to accommodate the ever increasing communications traffic.

Traditional Macro cell sites on lattice towers, monopoles, rooftops, buildings, etc., comprise large sized antennas up to fifteen feet in height and heavy-duty outdoor equipment cabinets typically six feet high by five feet wide by four feet deep.

Micro antennas used on the utility poles, on the other hand, are considerably smaller in size, and compact ancillary equipment has lower power rating. Micro sites incorporate stealth element in their design and reduce the need to construct new towers, thus minimizing the impact on the environment.

Should you have any questions, please contact Maria Miller, on behalf of T-Mobile, at (415) 450-5533 or mmiller@sutroconsulting.com.

Sincerely,

Maria Miller

Land Use Manager Sutro Consulting, LLC

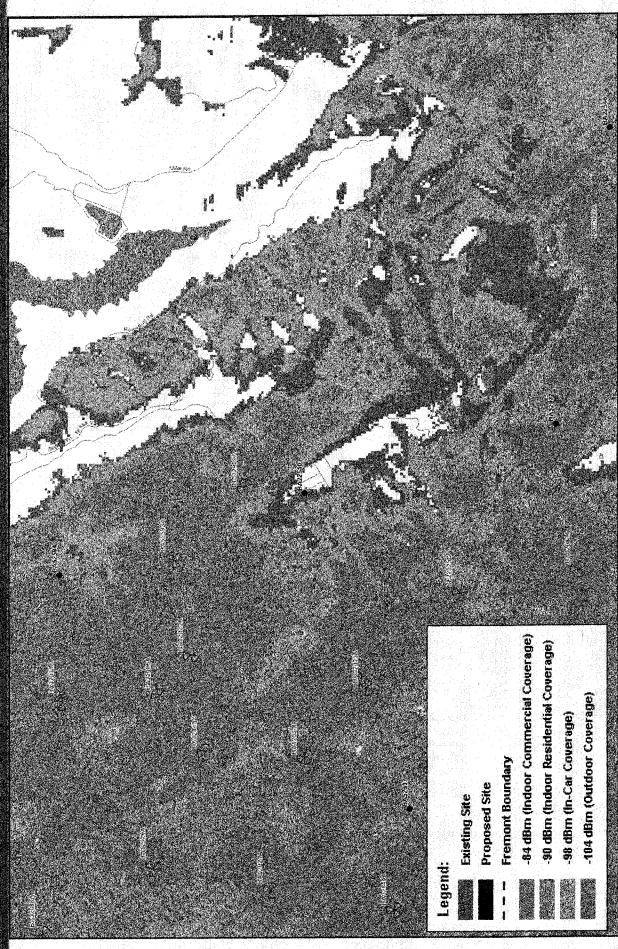
115 Sansome St # 1400B

San Francisco, CA 91904 mmiller@sutroconsulting.com

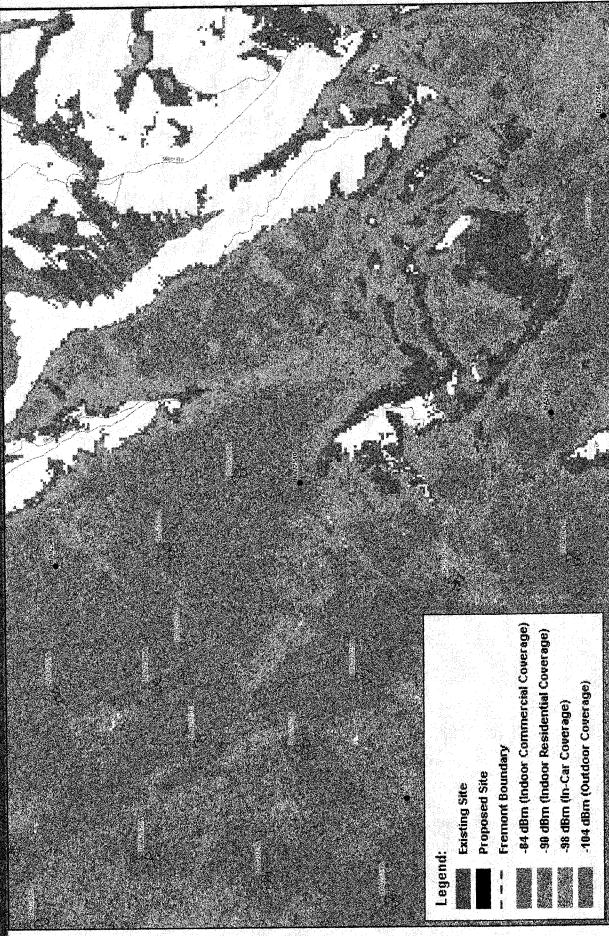
Maria Mills

415.450.5533

Enclosed: RF Coverage Maps



ROCKSOLID COVERAGE



ROCKSOLID COVERAGE

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