Oakland City Planning Commission STAFF REPORT

Case File Number: CMD11173 **December 14, 2011**

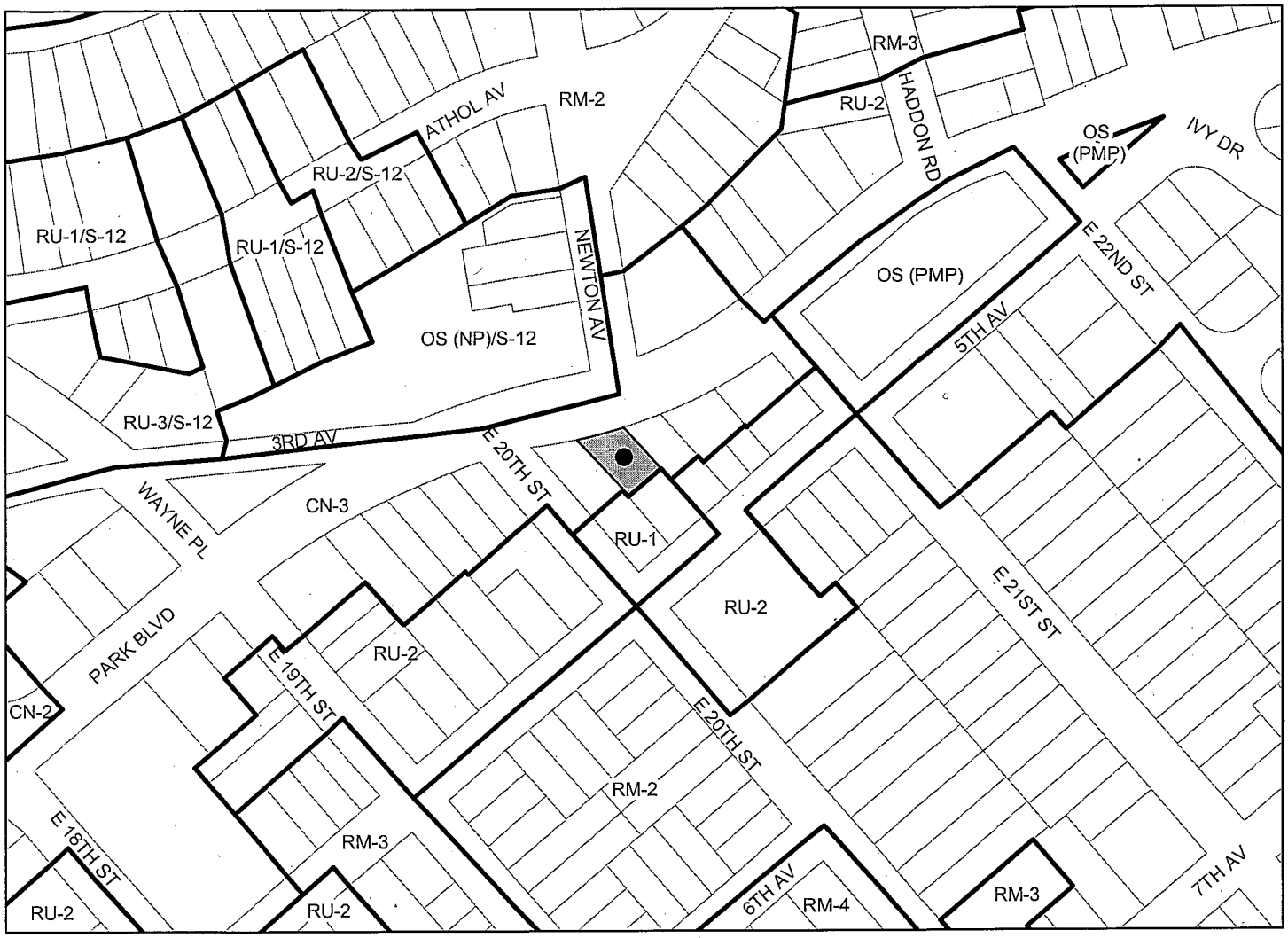
Location:	**2016 Park Boulevard (See map on reverse)**
Assessors Parcel Numbers:	**(021 -0278-009-00)**
Proposal:	Request for a Major Conditional Use Permit and Design Review for the modification to an existing unmanned telecommunications facility. Project will relocate two existing antennas, add two new antennas, 1 GPS antenna and 4 RRU's (total of 4 antennas on the site), located on the roof of the Kennedy building inside a new FRP screen.
Applicant:	Matthew Yergovich for AT&T
Contact Person/ Phone Number:	Matthew Yergovich (415) 596-3474
Owner:	Joanne Lampke
Case File Number:	CMD11173
Planning Permits Required:	Major Conditional Use Permit to expand a Mini wireless telecommunications facility located within 100-feet of a residential zone (OMC Sec. 17.50.105(A), 17.134.020(A)(3)(i)); Regular Design Review (non-residential) to expand a Mini facility also requiring a conditional use permit (OMC Sec. 17.50.040, 17.136.040(a)(2)); Additional findings for a Mini facility (OMC Sec. 17.128.060 (B), (C))
General Plan:	Neighborhood Center Commercial
Zoning:	CN-3 Neighborhood Center Commercial 3 Zone
Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines; new construction of small structures, 15301 existing facilities; 15183 Projects consistent with the General Plan or Zoning.
Historic Status:	Potential Designated Historic Property (PDHP); Survey rating: Dc3
Service Delivery District:	3
City Council District:	II
Date Filed:	9/01/11
Finality of Decision:	Appealable to City Council
For Further Information:	Contact case planner **Jose M. Herrera-Preza** at **(510) 238-3808** or jherrera@oaklandnet.com

SUMMARY

This project would provide for a modification to an existing Mini Telecommunications Facility. The proposal will relocate two existing panel antennas and two additional panel antennas located on the rooftop of the Kennedy commercial building. The proposed antennas will be placed within a new FRP screen enclosure intended to match the exterior of the building with associated equipment screened behind a rooftop parapet wall. The subject property is located along a commercial corridor that backs up to a residential zone where the predominant pattern of development is a mixture of detached single family homes and multi-family residential buildings.

A Major Conditional Use Permit and Design Review is required for modifications to a Mini Telecommunications Facilities located within 100 feet of a residential zone. As detailed below, the project meets all of the required findings for approval. Therefore, staff recommends approval of the project subject to the attached conditions of approval.

CITY OF OAKLAND PLANNING COMMISSION



Case File: CMD11-173
Applicant: Matthew Yergovich for AT&T
Address: 2016 Park Boulevard
Zone: CN-3

PROJECT DESCRIPTION

The applicant (AT&T) is proposing to relocate a total of two (2) panel antennas to make them conform to current telecommunication standards and add two (2) new panel antennas (4 total on the site) to be mounted within a new AT&T FRP screen enclosure on the rooftop of the Kennedy building intended to look like a rooftop projection similar to a penthouse or rooftop stair access. The proposed antennas would be mounted inside a new FRP screen enclosure which will conceal the antennas from public view (**See Attachment A**). The associated equipment would be located behind an existing parapet wall also screened from public view.

BACKGROUND

Limitations on Local Government Zoning Authority under the Telecommunications Act of 1996

Section 704 of the Telecommunications Act of 1996 (TCA) provides federal standards for the siting of "Personal Wireless Services Facilities." "Personal Wireless Services" include all commercial mobile services (including personal communications services (PCS), cellular radio mobile services, and paging); unlicensed wireless services; and common carrier wireless exchange access services. Under Section 704, local zoning authority over personal wireless services is preserved such that the FCC is prevented from preempting local land use decisions; however, local government zoning decisions are still restricted by several provisions of federal law.

Under Section 253 of the TCA, no state or local regulation or other legal requirement can prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

Further, Section 704 of the TCA imposes limitations on what local and state governments can do. Section 704 prohibits any state and local government action which unreasonably discriminates among personal wireless providers. Local governments must ensure that its wireless ordinance does not contain requirements in the form of regulatory terms or fees which may have the "effect" of prohibiting the placement, construction, or modification of personal wireless services.

Section 704 also preempts any local zoning regulation purporting to regulate the placement, construction and modification of personal wireless service facilities on the basis, either directly or indirectly, on the environmental effects of radio frequency emissions (RF) of such facilities, which otherwise comply with FCC standards in this regard. See, 47 U.S.C. 332(c)(7)(B)(iv) (1996). This means that local authorities may not regulate the siting or construction of personal wireless facilities based on RF standards that are more stringent than those promulgated by the FCC.

Section 704 mandates that local governments act upon personal wireless service facility siting applications to place, construct, or modify a facility within a reasonable time. 47 U.S.C.332(c)(7)(B)(ii). See FCC Shot Clock ruling setting forth "reasonable time" standards for applications deemed complete.

Section 704 also mandates that the FCC provide technical support to local governments in order to encourage them to make property, rights-of-way, and easements under their jurisdiction available for the placement of new spectrum-based telecommunications services. This proceeding is currently at the comment stage.

For more information on the FCC's jurisdiction in this area, contact Steve Markendorff, Chief of the Broadband Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0640 or e-mail "smarkend@fcc.gov".

PROPERTY DESCRIPTION

The property is a level lot fronting a commercial section of Park Boulevard between E. 20th Street and E 21st Street. The lot is an interior lot that measures 62-feet in width by 74-feet in depth and contains a two-story commercial office building with a flat roof (approx. 28-feet in height). The building contains two wireless telecommunications antennas approved in 2002. A five foot tall parapet wall extends above the roofline along the all the building's sides. All equipment cabinets and equipments are located toward the front of the building behind the perimeter parapet wall. Above an upslope situated to the south (rear) of the site is a residential neighborhood primarily consisting of single-family homes and multi family dwellings.

GENERAL PLAN ANALYSIS

The property is located in a Neighborhood Center Mixed Use area under the General Plan's Land Use & Transportation Element (LUTE). The intent of the area is: *"To identify, create, maintain and enhance mixed use neighborhood commercial centers. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and small scaled educational, cultural, or entertainment uses."* The proposal to expand a telecommunications facility would enhance an essential service in a commercial district adjacent a residential district, while ensuring it is reasonably concealed from both. The project therefore conforms to the area's intent and to the following Objective of the LUTE:

> CIVIC AND INSTITUTIONAL USES.
> Objective N2
> Encourage adequate civic, institutional, and educational facilities located within Oakland, appropriately designed and sited to serve the community.

Staff finds the proposal to be in conformance with the General Plan.

ZONING ANALYSIS

The project requires a Major Conditional Use Permit and a Regular Design Review (non-residential) each with additional telecommunications findings because it features the modifications of a wireless telecommunications facility located within 100-feet of a residential zone. The review ensures the expanded facility will not generate negative aesthetic impacts to the adjacent residential neighborhood in particular as well as to the commercial districts where the facility is located.

The property is located in the CN-3 Neighborhood Commercial 3 Zone. The intent of the CN-3 Zone is: *"The intent of the CN-3 zone is to accommodate a broad range of low impact, retail, and service uses in small commercial districts, often near lower density residential neighborhoods".*

The proposal meets the Telecommunications Regulations for Site Location and Design Preferences, for locating on a commercial building with an existing wireless telecommunications facility, and site alternatives and design analyses are therefore not required. The Planning Code requires a 1:1 height/setback for rooftop facilities. The applicant has redesigned the project to meet this requirement. The existing antennas were approved in 2002 when the screening and 1:1 requirement was not in effect. The set back should act to reduce the view of the antennas in the surrounding commercial district and the

new FRP screen enclosure will further conceal the antennas. The billboard to the rear will screen the antennas from view from the abutting residences located to the rear of the site.

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(e) of the State CEQA Guidelines exempts project involving additions to existing facilities or structures. The proposal to replace four (4) antennas on a rooftop and install one (1) new equipment cabinet in the basement parking garage at an existing wireless telecommunications facility meets this description: the project would constitute a minor addition, only. The project is therefore exempt from further environmental review.

KEY ISSUES AND IMPACTS

1. Conditional Use Permit

Section 17.16.070 of the City of Oakland Planning Code requires a conditional use permit to modify a Mini Telecommunication facility in the CN-3 and requires a major conditional use permit if located within 100 feet of a residential zone. The RM-1 Mixed Housing Type Residential Zone abuts the rear of the property. The required findings for a major conditional use permit are attached and included in staff's evaluation as part of this report.

2. Project Site

Section 17.128.110 of the City of Oakland Telecommunication Regulations requires that wireless facilities shall generally be located on designated properties or facilities in the following order of preference:

A. Co-located on an existing structure or facility with existing wireless antennas.
B. City owned properties or other public or quasi-public facilities.
C. Existing commercial or industrial structures in non-residential zones.
D. Existing commercial or industrial structures in residential zones.
E. Other non-residential uses in residential zones.
F. Residential uses in non-residential zones.
G. Residential uses in residential zones.

*Facilities locating on an A, B or C ranked preference do not require a site alternatives analysis.

Since the proposed project involves the co-location of new antennas on an existing structure with an existing wireless facility, the proposed development meets the (A) co-located on an existing structure or facility with existing wireless antennas, therefore a site alternatives analysis is not required.

3. Project Design

Section 17.128.120 of the City of Oakland Telecommunications Regulations indicates that new wireless facilities shall generally be designed in the following order of preference:

A. Building or structure mounted antennas completely concealed from view.

B. Building or structure mounted antennas set back from roof edge, not visible from public right-of way.
C. Building or structure mounted antennas below roof line (facade mount, pole mount) visible from public right-of-way, painted to match existing structure.
D. Building or structure mounted antennas above roof line visible from public right of-way.
E. Monopoles.
F. Towers.

* Facilities designed to meet an A or B ranked preference do not require site design alternatives analysis. Facilities designed to meet a C through F ranked preference, inclusive, must submit a site design alternatives analysis as part of the required application materials. A site design alternatives analysis shall, at a minimum, consist of:

The project meets design criteria (A) since the antennas will be mounted inside a new rooftop screen enclosure on the roof of the commercial building that will be textured and finished to match the building and minimizing their impacts from the public view. Furthermore, to mitigate visual impacts the antennas will be mounted at least 28' above the public right of way and setback at least 5' from any roof edge. The associated equipment will have no visual impact since the equipment will be located behind an existing perimeter parapet wall of the building thus concealing any visibility from the public right of way or immediate neighbors.

4. Project Radio Frequency Emissions Standards

Section 17.128.130 of the City of Oakland Telecommunication Regulations require that the applicant submit the following verifications including requests for modifications to existing facilities:

a. With the initial application, a RF emissions report, prepared by a licensed professional engineer or other expert, indicating that the proposed site will operate within the current acceptable thresholds as established by the Federal government or any such agency who may be subsequently authorized to establish such standards.
b. Prior to commencement of construction, a RF emissions report indicating the baseline RF emissions condition at the proposed site.
c. Prior to final building permit sign off, an RF emissions report indicating that the site is actually operating within the acceptable thresholds as established by the Federal government or any such agency who may be subsequently authorized to establish such standards.

A RF emissions report, prepared by Waterford Consultants (**Attachment B**) indicated that the proposed project meets the radio frequency (RF) emissions standards as required by the regulatory agency. The report states that the proposed project will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not cause a significant impact on the environment. Additionally, staff recommends that prior to the issuance of a final building permit, that the applicant submits certified RF emissions report stating that the facility is operating within acceptable thresholds established by the regulatory federal agency.

CONCLUSION

The proposed project meets all of the required findings for approval. Therefore, staff recommends approval of the project subject to the attached conditions.

RECOMMENDATIONS:

1. Affirm staff's environmental determination
2. Approve Conditional Use Permit and Design Review application CMD11-173 subject to the attached findings and conditions of approval.

Prepared by:

Jose M. Herrera-Preza
Planner I

Approved by:

Scott Miller
Zoning Manager

Approved for forwarding to the
City Planning Commission

Eric Angstadt
Deputy Director of Development

ATTACHMENTS:

A. Project Plans & Photo simulation
B. Waterford Consultants RF Emissions Report

FINDINGS FOR APPROVAL

This proposal meets all the required findings under Section 17.134.050, Conditional Use Permit Findings and Residential Design Review Criteria as set forth below and which are required to approve your application. Required findings are shown in bold type; reasons your proposal satisfies them are shown in normal type.

SECTION 17.134.050 – MINOR CONDITIONAL USE PERMIT FINDINGS:

A. That the location, size, design, and operating characteristics of the proposed development will be compatible with, and will not adversely affect, the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

The proposal is to modify an existing Mini wireless telecommunications facility consisting of relocating two existing non-conforming antennas and adding two new antennas located on the rooftop of Kennedy commercial building with associated equipment located behind the buildings perimeter parapet wall. The project will relocate two existing antennas two conform to the 1:1 setback ratio set back 5'-1" from the roofline. The facility is located within 100-feet of a residential zone and within a commercial zone. The purpose of the project is to enhance wireless telecommunications in the area. New antennas will be set back 1:1 from the roofline, concealed in a new FRP screen enclosure intended to appear like a penthouse, so antennas and equipment will not visible from the public right-of-way within the commercial district and will remain not visible from residences at upslope properties abutting the site to the rear due to an existing billboard. A five-foot wall on the roofline along the building will further conceal the new rooftop structures. The antennas and related equipment including attachment posts and coaxials (cables) will be painted to match the color of the building along the roofline.

B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.

The proposed modification to the unmanned telecommunications facility will result in no change in the exterior appearance of the building. The modification will maintain existing functional working and living environment by improving telecommunications in the area and would maintain the attractive nature of the commercial building therefore it would not affect the general quality and character of the neighborhood.

C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

The proposed development will enhance the successful operation of the surrounding area in its basic community function and will provide an essential service to the community or region. This will be achieved by improving the functional use of the site by providing a regional telecommunication facility for the community and will be available to police, fire, public safety organizations and the general public.

D. That the proposal conforms to all applicable design review criteria set forth in the DESIGN REVIEW PROCEDURE of Chapter 17.136 of the Oakland Planning Code.

The proposal conforms with all significant aspects of the design review criteria set forth in Chapter 17.136 of the Oakland Planning Code, as outlined below.

E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable plan or development control map which has been adopted by the City Council.

The proposal conforms in all significant aspects with the Oakland General Plan and with any other applicable plan or zoning maps adopted by the City of Oakland. The proposed modification to the mini-telecommunication facility in the Neighborhood Center Mixed Use General Plan designation will enhance and improve communication service for a mixture of civic, commercial and institutional uses in the area.

17.136.070A – DESIGN REVIEW CRITERIA :

A. The proposed design will create a building or set of buildings that are well related to the surrounding area in their scale, bulk, height, materials, and textures.

The proposal would modify an existing telecommunications facility through the relocation of (2) panel antennas, addition of two new antennas and create a new rooftop screen enclosure for the "Kennedy" commercial building. The replacement of the antennas on the existing building will not create an increase in height or size of the facilities. The FRP enclosure will match the existing building in their color and finish materials. The new antennas will be fully enclosed inside FRP friendly screen enclosure and maintains existing projection height above the roof lines. The project has been redesigned so that the new antennas meet the Planning Code's 1:1 height/setback requirement. The existing exterior finish materials will not change and the location and scale of the addition will be compatible to the existing facilities and therefore is consistent and well related to the surrounding area in scale, bulk, height, materials, and textures.

B. The proposed design will protect, preserve, or enhance desirable neighborhood characteristics.

The design will be appropriate and compatible with current zoning and general plan land use designations. The proposal protects and preserves the surrounding neighborhood context by co-locating additional wireless telecommunication antennas to an existing facility. The antennas will be fully enclosed inside a FRP antenna screen enclosure that is painted to match the building and be located 28' above the public right of way thus mitigating the impact on the public view and will not have any visual impact. The equipment will be located behind a 5' perimeter parapet wall of the building, thus will not affect adjoining neighborhood properties.

C. The proposed design will be sensitive to the topography and landscape.

The subject property is on a lot in which topography is not an issue of concern. The location and scale of the proposal will maintain existing landscaping.

D. If situated on a hill, the design and massing of the proposed building relates to the grade of the hill.

This criteria is not applicable to this proposal.

E. The proposed design conforms in all significant respects with the Oakland Comprehensive Plan and with any applicable district plan or development control map which has been adopted by the City Council.

The proposal conforms with the City of Oakland Comprehensive General Plan meeting specific General Plan policies and the Supplemental Report and Recommendations on Revisions to the Citywide Telecommunications Regulations. The proposal will conform to performance standards for noise set forth in Section 17.143.020 (j) and (k) for decibels levels in residential areas for both day and nighttime use. The Project conforms to all mini-facility definitions set forth in Section 17.128.050 and meets all design review criteria to minimize all impacts throughout the neighborhood

Design Review Criteria for Mini Facilities.
Chapter 17.136, the following specific additional criteria must be met when design review is required Before an application can be granted:

1. Antennas should be painted and/or textured to match the existing structure.
The proposed antennas will be located within a new rooftop screen enclosure which will be painted and textured to match the building.

2. Antennas mounted on architecturally significant structures or significant architectural details of the building should be covered by appropriate casings which are manufactured to match existing architectural features found on the building.
The antennas will be rooftop mounted and project 5' above the roofline inside new FRP penthouse screen enclosure.

3. Where feasible, antennas can be placed directly above, below or incorporated with vertical design elements of a building to help in camouflaging.
This finding is inapplicable; the project features installation of new rooftop antennas that will be set back from the roofline

4. Equipment cabinets shall be concealed from view or placed underground.
No additional equipment cabinets are part of the proposal.

5. 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.
Antennas will be located on a commercial rooftop not accessible to the public and equipment cabinets will be located in a basement parking garage.

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 unless an alternative placement would reduce visual impact; treat or screen the antennas to match existing air conditioning units, stairs, elevator towers, or other background; avoid placing roof mounted antennas in direct line with significant view corridors.

The proposed rooftop antennas will project 5' above the roof line and will be setback 5' from any rooftop building edge. The associated equipment will be located behind a 5' perimeter parapet wall.

Conditional Use Permit Criteria for Mini Facilities
Chapter 17.134, the following specific additional criteria must be met before a conditional use permit can be granted:

1. The project must meet the special design review criteria listed in subsection B of this section.
The project meets all required design review criteria.

2. The proposed project must not disrupt the overall community character.
The proposal will replace existing antennas on the roof top of an existing building and will have no affect on the overall community character of Park Boulevard.

3. In the residential RH, RD, RM, RU-1, or RU-2 zones, and in HBX zones, the project must not have any visual impact.
The project is located within CN-3 zone and will not have any visual impacts since the antennas will be screened and setback from the building edge.

CONDITIONS OF APPROVAL
CMD11-173

STANDARD CONDITIONS:

1. **Approved Use**
   Ongoing
   a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, **CMD11-137**, and the plans dated **October 14th, 2011** and submitted on **August 29th, 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 required prior written approval from the Director of City Planning or designee.

   b) This action by the City Planning Commission ("this Approval") includes the approvals set forth below. This Approval includes: **The modification of an existing unmanned mini telecommunications facility located along the rooftop of an existing commercial building, under Oakland Planning Code 17.128**

2. **Effective Date, Expiration, Extensions and Extinguishment**
   Ongoing
   Unless a different termination date is prescribed, this Approval shall expire **two calendar 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 **Oakland Planning Code Telecommunications Regulations** 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 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.
   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, and vegetation management for preventing fires and soil erosion.

5. **Conformance to Approved Plans; Modification of Conditions or Revocation**
   Ongoing
   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) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.

   c) Violation of any term, conditions or project description relating to the Approvals 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 if it is found that there is violation of any of the conditions 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.

6. **Signed Copy of the Conditions**
   With submittal of a demolition, grading, and building permit
   A copy of the approval letter and conditions 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 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 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.

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, and if any one or more of such conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid conditions consistent with achieving the same purpose and intent of such Approval.

10. **Job Site Plans**
    Ongoing throughout demolition, grading, and/or construction
    At least one (1) copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval, shall be available for review at the job site at all times.

11. **Special Inspector/Inspections, Independent Technical Review, Project Coordination and Management**
    Prior to issuance of a demolition, grading, and/or construction permit
    The project applicant may be required to pay for on-call special inspector(s)/inspections as needed during the times of extensive or specialized plancheck review, or construction. The project applicant may also be required to cover the full costs of independent technical and other types of peer review, monitoring and inspection, including without limitation, third party plan check fees, including inspections of violations of Conditions of Approval. The project applicant shall establish a deposit with the Building Services Division, as directed by the Building Official, Director of City Planning or designee.

PROJECT SPECIFIC CONDTIONS:

12. **Radio Frequency Emissions**
    Prior to issuance of building permit
    The applicant shall submit a certified RF emissions report to the City of Oakland stating that the proposed facility will operate within the established RF standards set by the Federal Communications Commission.
    Prior to the issuance of a final building permit sign off.
    The applicant shall submit a certified RF emissions report stating the facility is operating within the acceptable standards established by the regulatory Federal Communications Commission.

13. **Sinking Fund for Facility Removal or Abandonment.**
    Prior to issuance of a 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 adequate to

EXHIBIT A

at&t

LTE# CCL03953
UMTS#: CNU3953_CNU4646
GSM#: SFG053
FA LOCATION#: 10087901
USID#: 12952

21ST & PARK
CNU3953 / CCL03953

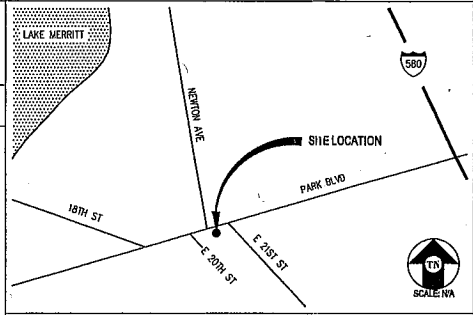
PROJECT DESCRIPTION

A MODIFICATION TO AN (E) UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF ADDING (2) (N) LTE ANTENNAS, (1) (N) GPS ANTENNA, (1) (N) PBC-02 CABINETS, (4) (N) RRU'S, (1) (N) SURGE SUPPRESSORS & (2) (N) 2½" INNERDUCTS. ALSO RELOCATING (8) (E) RRU'S, (2) (E) PBC-02'S & (2) (E) GSM ANTENNAS & INSTALLING A (N) FRP ANTENNA ENCLOSURE & A (N) 12" CABLE TRAY.

PROJECT INFORMATION

SITE NAME:	21ST & PARK	SITE #:	CNU3953 / CCL03953
COUNTY:	ALAMEDA	JURISDICTION:	CITY OF OAKLAND
APN:	021-0278-009	POWER:	PG&E
SITE ADDRESS:	2016 PARK BLVD OAKLAND, CA 94606	TELEPHONE:	AT&T
CURRENT ZONING:	C-20		
CONSTRUCTION TYPE:	V-B		
OCCUPANCY TYPE:	U		
PROPERTY OWNER:	JOANNE LAMPKE 3989 PASEO GRANDE MORAGA, CA 94556		
APPLICANT:	AT&T 4430 ROSEWOOD DR BLDG 3, 6TH FLOOR PLEASANTON, CA 94588		
LEASING CONTACT:	ATTN: MATT YERGOVICH (415) 596-3474		
ZONING CONTACT:	ATTN: MATT YERGOVICH (415) 596-3474		
CONSTRUCTION CONTACT:	ATTN: MATHEW ARNOLD (925) 737-5800		
LATITUDE:	N 37° 48' 00.96" NAD 83 N 37.8 NAD 83		
LONGITUDE:	W 122° 14' 54.58" NAD 83 W -122.248 NAD 83		
AMSL:	±20'		

VICINITY MAP



DRIVING DIRECTIONS

FROM: 4430 ROSEWOOD DR BLDG 3, 6TH FLOOR, PLEASANTON, CA 94588
TO: 2016 PARK BLVD, OAKLAND, CA 94606

1. START OUT GOING SOUTHEAST ON ROSEWOOD DR TOWARD OLD SANTA RITA RD.	0.5 MI
2. TURN LEFT ONTO SANTA RITA RD.	0.3 MI
3. STAY STRAIGHT TO GO ONTO TASSAJARA RD.	0.1 MI
4. MERGE ONTO I-580 W TOWARD OAKLAND.	24.2 MI
5. TAKE THE EXIT TOWARD 14TH AVENUE/PARK BLVD.	0.3 MI
6. TURN SLIGHT LEFT ONTO CHATHAM RD.	0.3 MI
7. TURN LEFT ONTO PARK BLVD.	0.9 MI

END AT: 2016 PARK BLVD, OAKLAND, CA 94606

ESTIMATED TIME: 31 MINUTES ESTIMATED DISTANCE: 26.60 MILES

CODE COMPLIANCE

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

1. 2010 CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25)
2. 2010 CALIFORNIA BUILDING CODE
3. 2010 CALIFORNIA ELECTRICAL CODE
4. 2010 CALIFORNIA MECHANICAL CODE
5. 2010 CALIFORNIA PLUMBING CODE
6. 2010 CALIFORNIA FIRE CODE
7. LOCAL BUILDING CODES
8. CITY/COUNTY ORDINANCES
9. ANSI/EIA-TIA-222-G

ALONG WITH ANY OTHER APPLICABLE LOCAL & STATE LAWS AND REGULATIONS

HANDICAP REQUIREMENTS

THIS FACILITY IS UNMANNED & NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS & REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH CALIFORNIA STATE BUILDING CODE TITLE 24 PART 2, SECTION 1134B.2.1, EXCEPTION 4

SHEET INDEX

APPROVAL

RF

LEASING

ZONING

CONSTRUCTION

AT&T

ERICSSON

21ST & PARK
CNU3953 / CCL03953
2016 PARK BLVD
OAKLAND, CA 94606

ISSUE STATUS

△	DATE	DESCRIPTION	BY
-	06/10/11	CD 90%	A.M.
-	07/01/11	CD 100%	A.M.
-	10/21/11	CLIENT REV	A.M.
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

DRAWN BY:	A. MORNEAU
CHECKED BY:	M. FLEMING
APPROVED BY:	M. FLEMING
DATE:	10/21/11

Streamline Engineering and Design, Inc.
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Contact: Kevin Sorensen Phone: 916-660-1930
E-Mail: kevin@streamlineeng.com Fax: 916-652-3941

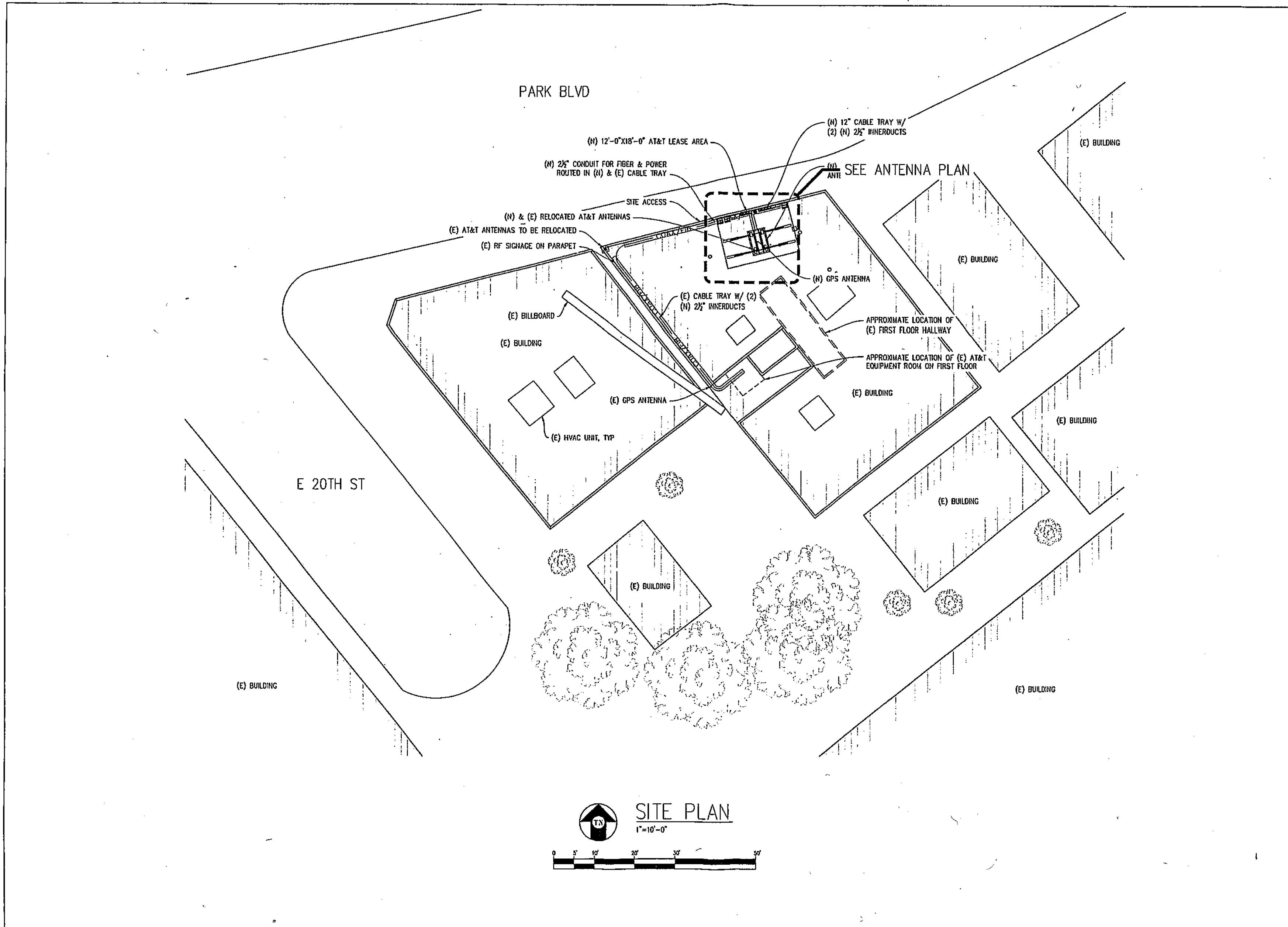
REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. FLEMING
No. 36436
Exp. 6/30/12
CIVIL
STATE OF CALIFORNIA

at&t

4430 ROSEWOOD DR BLDG 3, 6TH FLOOR
PLEASANTON, CA 94588

SHEET TITLE:
TITLE

SHEET NUMBER:
T-1



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DRAWN BY: A. MORNEAU
CHECKED BY: M. FLEMING
APPROVED BY: M. FLEMING
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4430 ROSEWOOD DR BLDG 3, 6TH FLOOR
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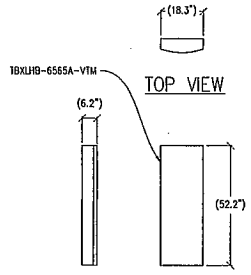
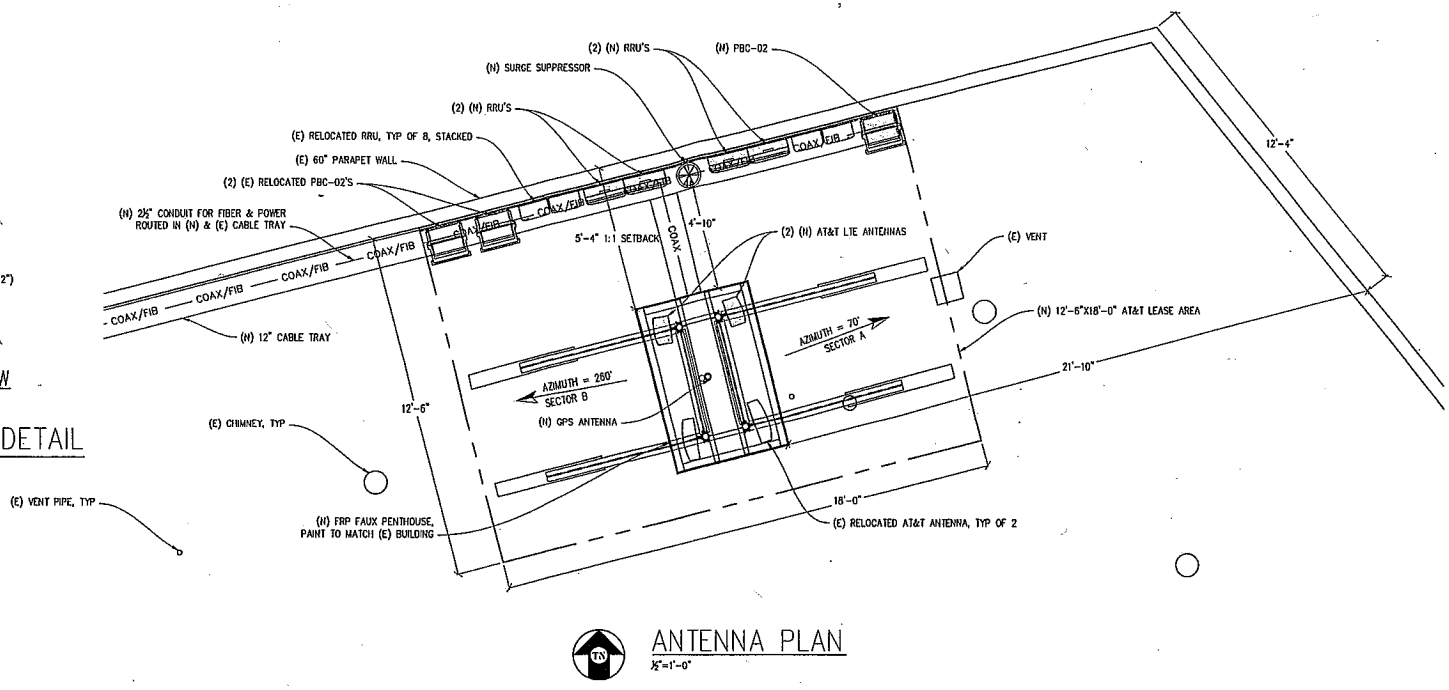
SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A-1



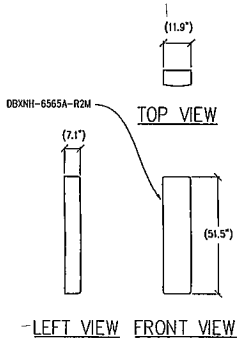
(E) ANTENNA DETAIL

1 ½"=1'-0"



ANTENNA PLAN

½"=1'-0"



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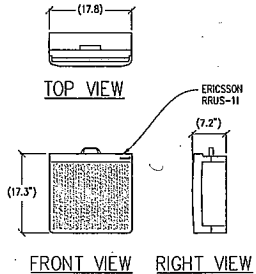
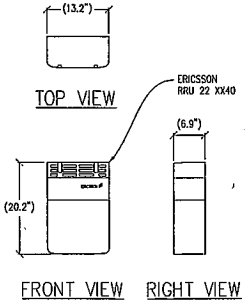


(N) RRUS-11 DETAIL

3 1"=1'-0"



(E) RRU DETAIL

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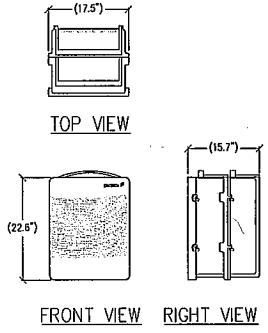

(N) & (E) PBC-02 & BATTERY UNIT DETAIL

5 1"=1'-0"

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APPROVED BY:	M. FLEMING
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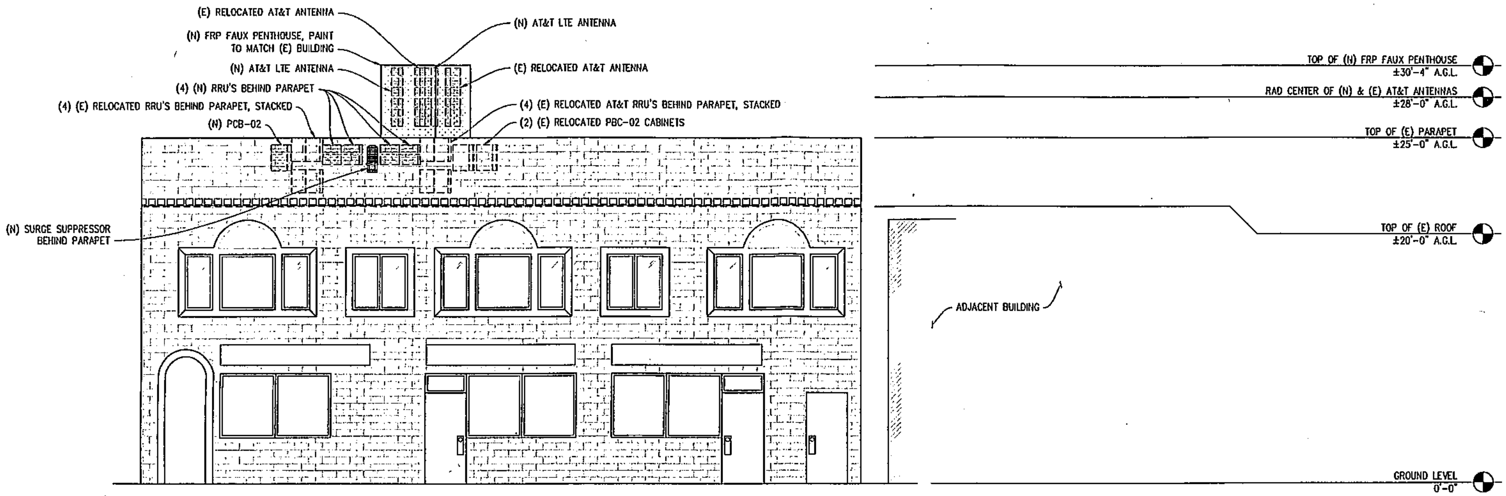
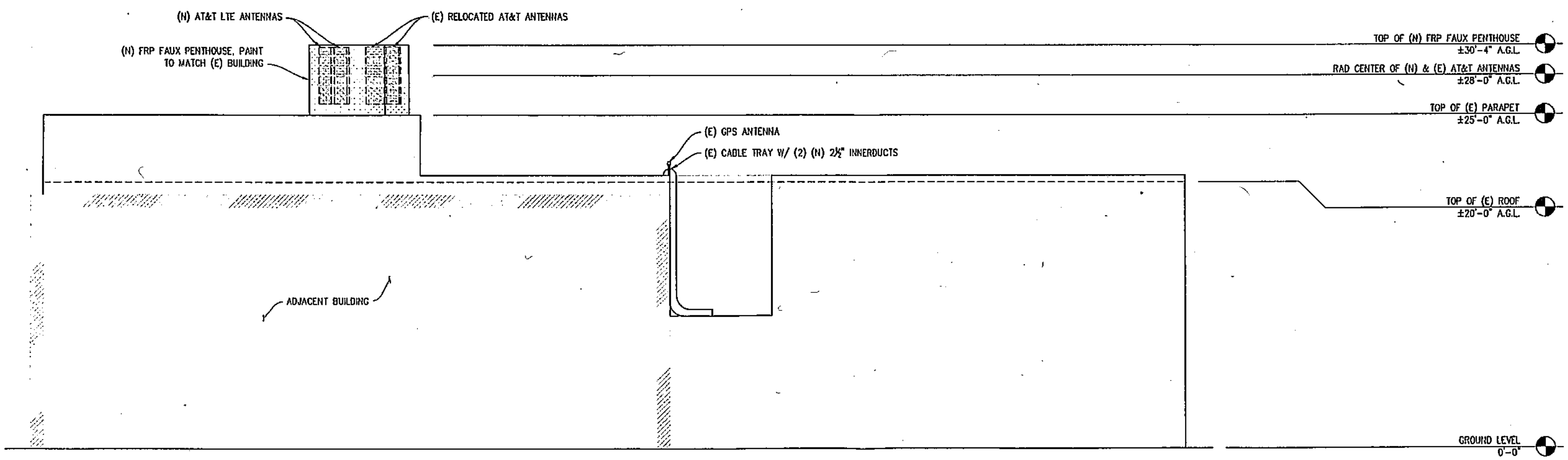
PLEASANTON, CA 94588

SHEET TITLE:
ANTENNA PLANS & DETAILS

SHEET NUMBER:
A-2



NORTHWEST ELEVATION
¼"=1'-0"
NOTE: ADJACENT BILLBOARD REMOVED FOR CLARITY



SOUTHWEST ELEVATION
¼"=1'-0"
NOTE: ADJACENT BILLBOARD REMOVED FOR CLARITY

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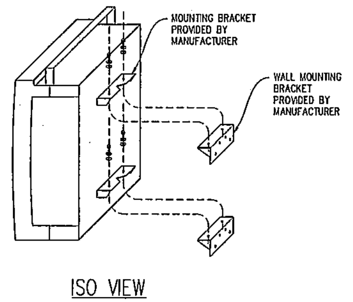
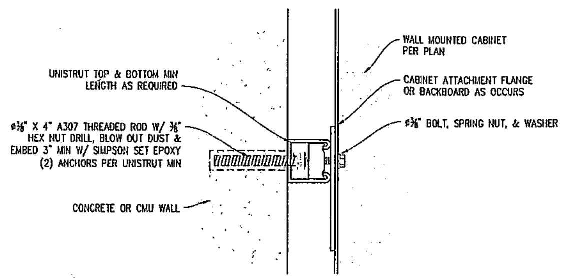
PLEASANTON, CA 94588

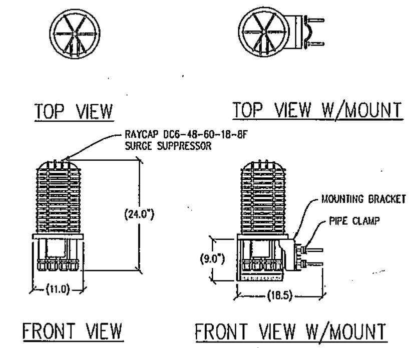
SHEET TITLE:
ELEVATIONS
SHEET NUMBER:
A-3



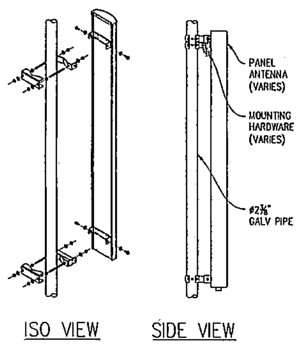
① RRU MOUNTING DETAIL
NOT TO SCALE



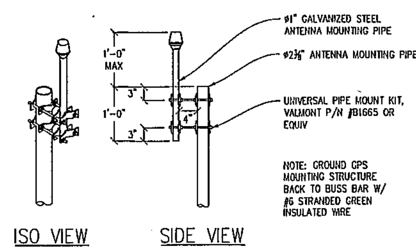
② CABINET MOUNTING DETAIL
1"=3"



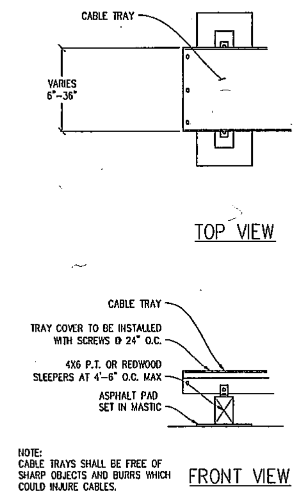
③ SURGE SUPPRESSOR DETAIL
1"=1'-0"



④ ANTENNA MOUNT DETAIL
1"=1'-0"



⑤ GPS RECEIVER DETAIL
1"=1'-0"



⑥ CABLE TRAY DETAIL
1"=1'-0"

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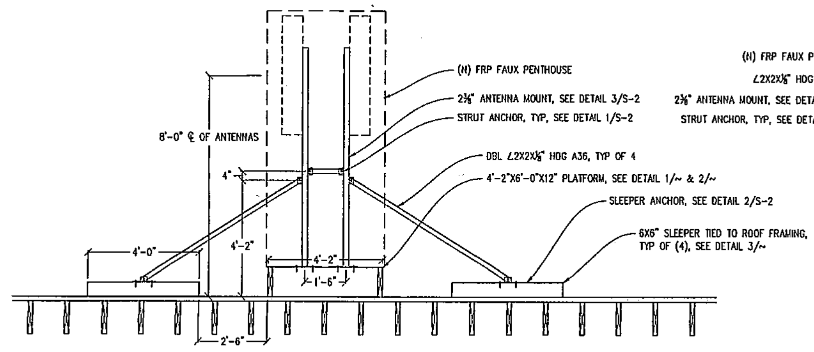
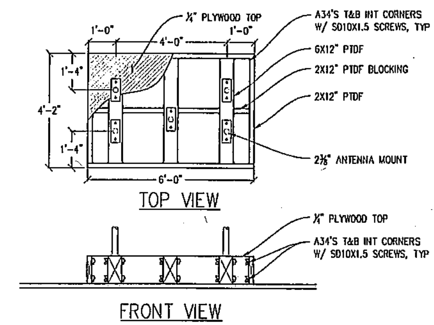
PLEASANTON, CA 94588

SHEET TITLE:
DETAILS

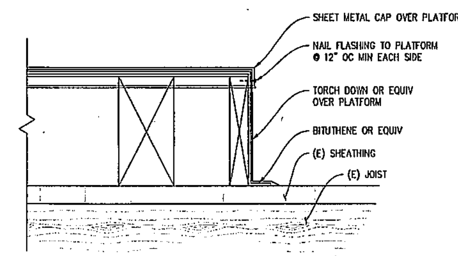
SHEET NUMBER:
A-4



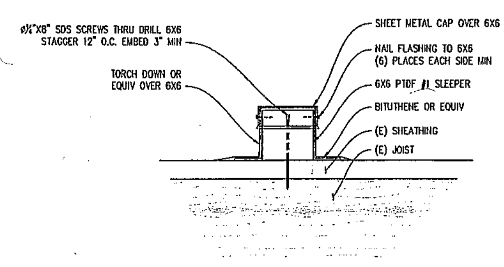
PLATFORM ELEVATIONS



① PLATFORM BASE DETAIL
½"=1'-0"



② PLATFORM FLASHING DETAIL
1"=6"



③ SLEEPER FLASHING DETAIL
1"=6"

STRUCTURAL STEEL NOTES

1. ALL STEEL CONSTRUCTION INCLUDING FABRICATION, ERECTION AND MATERIALS SHALL COMPLY WITH ALL REQUIREMENTS OF THE AISC SPECIFICATION FOR THE DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS AND THE 2010 CBC.
2. ALL STRUCTURAL STEEL SHALL BE ASTM A36 UNLESS OTHERWISE NOTED. ALL WF (WIDE FLANGE) & WT (TEE) SHAPES TO BE ASTM A992 (F_Y=50,000 PSI) UNLESS NOTED OTHERWISE. ALL STRUCTURAL TUBING (TS OR HSS) SHALL BE ASTM A500 GRADE B (F_Y=46,000 PSI). ALL STEEL PIPE SHALL BE ASTM A53 (TYPE E OR S, GRADE B (F_Y=35,000 PSI)) SCHEDULE 40 WITH OUTSIDE DIAMETERS GIVEN UNLESS OTHERWISE NOTED.
3. ALL WELDING SHALL BE PERFORMED USING E70XX ELECTRODES AND SHALL CONFORM TO AISC & AWS D1.1. WHERE FILLET WELD SIZES ARE NOT SHOWN PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC SPECIFICATION. PAINTED SURFACES SHALL BE TOUCHED UP.
4. ALL WELDING SHALL BE PERFORMED BY QUALIFIED, CERTIFIED WELDERS.
5. BOLTS SHALL BE GALVANIZED ASTM A325 MINIMUM. BOLTED CONNECTIONS SHALL BE BEARING TYPE. SEE PLANS FOR LOCATION, NUMBER, & SIZE OF BOLTS. SPECIAL INSPECTION NOT REQUIRED U.O.N.
6. THREADED RODS SHALL BE ASTM F593 CW 304/316 STAINLESS STEEL. BOLTED CONNECTIONS SHALL BE BEARING TYPE. SEE PLANS FOR LOCATION, NUMBER, & SIZE OF BOLTS.
7. ALL HOLES FOR BOLTED CONNECTIONS SHALL BE 1/16" LARGER THAN THE NOMINAL BOLT DIAMETER. USE STANDARD AISC GAGE AND PITCH FOR BOLTS EXCEPT AS NOTED OTHERWISE. HOLES FOR ANCHOR BOLTS IN BASE PLATES MAY BE AISC "OVERSIZE" HOLES WHERE ACCOMPANIED BY OVERSIZED HARDENED HDG WASHERS.
8. ALL SHOP FABRICATED STEEL STRUCTURAL MEMBERS FOR EXTERIOR USE SHALL BE HOT DIP GALVANIZED PER ASTM A123 AFTER FABRICATION & PAINTED PER CUSTOMER SPECIFICATIONS AS REQUIRED. STEEL FOR INTERIOR USE SHALL BE SHOP COAT OR GALVANIZED & PAINTED PER PLAN.
9. ALL FIELD FABRICATED GALVANIZED STEEL THAT IS CUT, GROUND, DRILLED, WELDED OR DAMAGED SHALL BE TREATED WITH "ZINC RICH" COLD GALVANIZING SPRAY OR COATING. NO RAW STEEL SHALL BE EXPOSED.

FRAMING NOTES

1. ALL JOINTS AND PENETRATIONS SHALL BE CAULKED AND SEALED.
2. ALL 2X OR 4X FRAMING LUMBER SHALL BE DOUGLAS FIR #2 OR BTR, 6X DOUGLAS FIR # 1 OR BTR UNLESS OTHERWISE NOTED.
3. ALL EXTERIOR USE LUMBER SHALL BE PRESSURE TREATED W/ FASTENERS HDG & METAL CONNECTORS G135 OR BETTER AS REQUIRED FOR CORROSION RESISTANCE TO THE PRESERVATIVE TYPE USED.
4. ALL STRUCTURAL CONNECTORS SHALL BE AS SPECIFIED OR AN EQUIVALENT.
5. NAILING SHALL CONFORM WITH THE REQUIREMENTS OF THE 2010 CBC UNLESS OTHERWISE NOTED. DRAWING SPECIFIC CALLOUTS SUPERCEDE CODE NAILING REQUIREMENTS
6. HOLES FOR BOLTS IN WOOD SHALL BE BORED WITH A BIT OF THE SAME NOMINAL DIAMETER AS THE BOLT PLUS 1/16".
7. HOLES FOR LAG SCREWS ø⅜" OR GREATER SHALL BE BORED AS FOLLOWS:
   a. THE CLEARANCE HOLE FOR THE SHANK SHALL HAVE THE SAME DIAMETER AS THE SHANK, AND THE SAME DEPTH OF PENETRATION AS THE LENGTH OF UNTHREADED SHANK.
   b. THE LEAD HOLE FOR THE THREADED PORTION SHALL HAVE A DIAMETER EQUAL TO 75% OF THE SHANK DIAMETER AND A LENGTH EQUAL TO AT LEAST THE LENGTH OF THE THREADED PORTION.
   c. LAG SCREWS AND WOOD SCREWS SHALL BE SCREWED AND NOT DRIVEN INTO PLACE. PROVIDE LIQUID SOAP AS REQUIRED TO LUBRICATE LAG SCREWS DURING INSTALLATION.
8. LAG SCREWS SHALL BE GALVANIZED ASTM A307 MINIMUM. BOLTED CONNECTIONS SHALL BE BEARING TYPE. SEE PLANS FOR LOCATION, NUMBER, & SIZE OF BOLTS.

ROOFING & WATERPROOFING NOTES:

1. CONTRACTOR SHALL JOINTLY GUARANTEE THE FINISHED INSTALLATION AS WEATHER TIGHT AND FREE DRAINING ON COMPLETION DIRECTLY TO THE BUILDING OWNER & TO THE WIRELESS CARRIER FOR ALL WORK SHOWN HEREIN.
2. ALL WORK SHALL BE PERFORMED IN SUB-UNITS SUCH THAT CUT OPEN WEATHERPROOFING SYSTEMS ARE REPAIRED PERMANENTLY OR TEMORARILY IN DEFENSE OF ANY INCLEMENT WEATHER AS MAY OCCUR DURING CONSTRUCTION.
3. WHEREVER PENETRATION PROPRIETARY WEATHERPROOFING SYSTEMS, THE CONTRACTOR SHALL EMPLOY SUBCONTRACTORS APPROVED FOR APPLICATION OF SAID SYSTEM AND WITH MINIMUM OF 3 YEARS EXPERIENCE WITH THE APPLICABLE PRODUCT(S) AND ITS(THEIR) APPLICATION (e.g. DRY-VIT, GAKO-FLEX DECKING &/OR ROOFING, SINGLE-PLY ROOFING SYSTEMS (VARIOUS), ECT.).
4. WHERE APPLICABLE THE CONTRACTOR SHALL EMPLOY THE BUILDING OWNER'S ROOFING CONTRACTOR FOR ALL PATCHWORK.
5. CONTRACTOR IS RESPONSIBLE TO INVESTIGATE ALL WEATHERPROOFING REQUIREMENTS FOR THE WORK SHOWN HEREIN PRIOR TO SUBMITTING A BID, AND SHALL NOTIFY THE PROJECT ENGINEER OF ANY DISCREPANCIES IN DETAILS SHOWN THAT MAY RESULT IN SUBSTANDARD WEATHERPROOFING IN THE FINISHED ASSEMBLY.

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CHECKED BY: M. FLEMING
APPROVED BY: M. FLEMING
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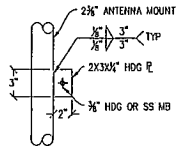
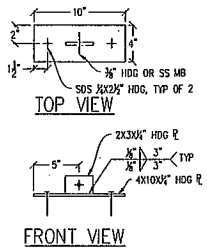
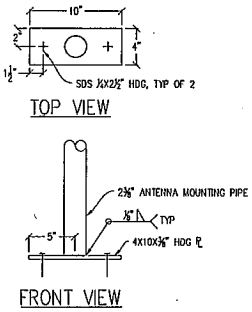
SHEET TITLE:
PLATFORM ELEV & DETAILS
SHEET NUMBER:
S-1



1 STRUT ANCHOR DETAIL
1"=6"



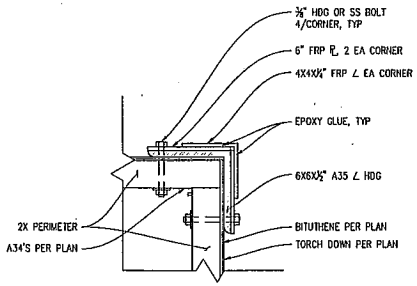
2 SLEEPER ANCHOR DETAIL
1"=6"



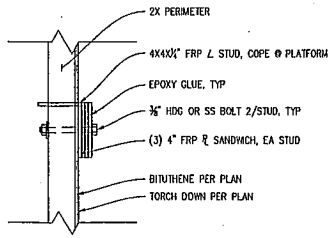
3 ANTENNA MOUNT DETAIL
1"=6"

FRP NOTES

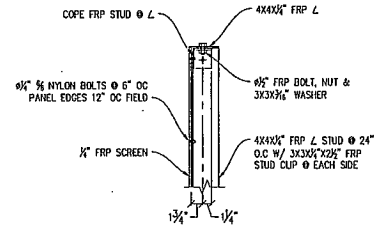
1. FRAMING MEMBERS IN FRONT OF ANTENNA HORIZONTAL BEAM WIDTH SHALL BE ASSEMBLED W/ FRP STRUCTURAL MEMBERS & FASTENERS ONLY.
2. FRP STRUCTURAL FRAMING MEMBERS ARE TO HAVE THE FOLLOWING MINIMUM DESIGN SPECIFICATIONS:
   F_b LONGWISE FLEXURAL STRESS W/ F.S.=3.0 — 10 KSI
   E MODULUS OF ELASTICITY — 2600 KSI
3. FRP PANELS ARE TO HAVE THE FOLLOWING MINIMUM SPECIFICATIONS:
   F_b CROSSWISE FLEXURAL STRESS W/ F.S.=3.0 — 5 KSI
   CROSSWISE FLEXURAL MODULUS — 1100 KSI
4. FRP BOLTING MINIMUM SINGLE SHEAR ALLOWABLE VALUES:
   ø½" ⅝ NYLON BOLT; V=67# FS=3.0
   ø½" FRP THREADED ROD & NUT; V=650# FS=4.0
   ø⅝ FRP THREADED ROD & NUT; V=950# FS=4.0
5. PRIME & PAINT ALL FRP SURFACES W/ RF APPROVED PAINT SUITABLE FOR APPLICATION TO FRP



4 FRP CORNER @ PLATFORM
3"=1'-0"



5 FRP STUD @ PLATFORM DETAIL
3"=1'-0"



6 SCREEN CONNECTION @ TOP ∠
1½"=1'-0"

21ST & PARK
CNU3953 / CCL03953
2016 PARK BLVD
OAKLAND, CA 94606

ISSUE STATUS

△	DATE	DESCRIPTION	BY
	06/10/11	CD 90%	A.M.
	07/01/11	CD 100%	A.M.
	10/21/11	CLIENT REV	A.M.
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: A. MORNEAU
CHECKED BY: M. FLEMING
APPROVED BY: M. FLEMING
DATE: 10/21/11

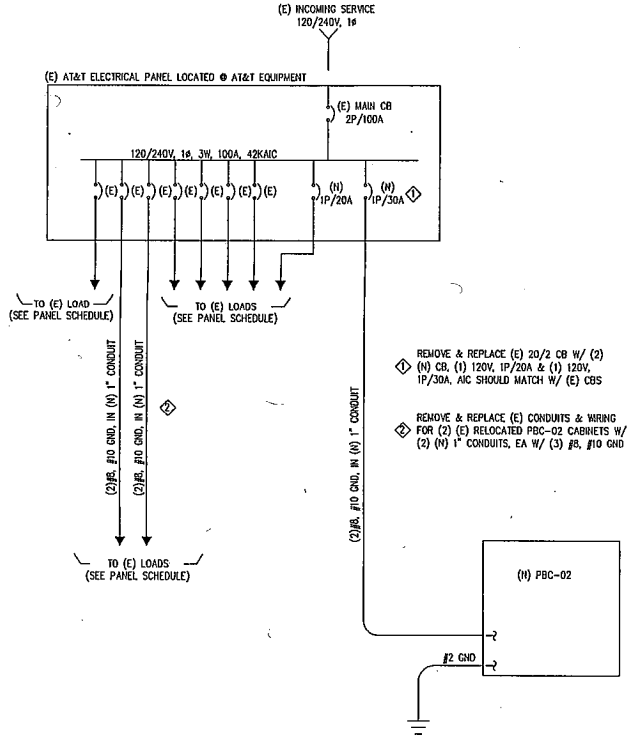
Streamline Engineering and Design Inc.
3268 Penryn Rd, Suite 200 Loomis, CA 95650
Contact: Kevin Sorensen Phone: 916-660-1500
E-Mail: kevin@streamlineeng.com Fax: 916-660-1541

REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. FLEMING
No.36436
Exp.6/30/12
CIVIL
STATE OF CALIFORNIA

at&t
4430 ROSEWOOD DR. BLDG 3, 6TH FLOOR
PLEASANTON, CA 94588

SHEET TITLE:
DETAILS

SHEET NUMBER:
S-2



SINGLE LINE DIAGRAM

ELECTRICAL NOTES

1. ALL ELECTRICAL WORK SHALL CONFORM TO THE CEC AS WELL AS ALL APPLICABLE STATE AND LOCAL CODES.
2. CONTRACTOR SHALL FURNISH AND INSTALL ALL CONDUIT, CONDUCTORS, PULL BOXES, TRANSFORMER PADS, POLE RISERS, AND PERFORM ALL TRENCHING AND BACKFILLING REQUIRED IN THE PLANS.
3. ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER PLAN SPECIFICATIONS.
4. ALL CIRCUIT BREAKERS, FUSES, AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTION RATING NOT LESS THAN THE MAXIMUM SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED WITH A MINIMUM OF 10,000 A.I.C. OR AS REQUIRED.
5. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY ALL APPLICABLE CODES.
6. ELECTRICAL WIRING SHALL BE COPPER #12 MIN WITH TYPE XHHW, THWN, OR THHN INSULATION.
7. ALL OUTDOOR EQUIPMENT SHALL HAVE NEMA 3R ENCLOSURE.
8. ALL BURIED WIRE SHALL RUN THROUGH SCHEDULE 40 PVC CONDUIT UNLESS OTHERWISE NOTED.
9. A GROUND WIRE IS TO BE PULLED IN ALL CONDUITS.
10. WHERE ELECTRICAL WIRING OCCURS OUTSIDE A STRUCTURE AND HAS THE POTENTIAL FOR EXPOSURE TO WEATHER, WIRING SHALL BE IN WATERTIGHT GALVANIZED RIGID STEEL OR FLEXIBLE CONDUIT.

PANEL SCHEDULE

NAMEPLATE: SUB PANEL		SC LEVEL: 10,000	VOLTS: 120V/240V, 1ø		
LOCATION : INSIDE			BUSS AMPS: 100A		
MOUNTING : (E) WALL			MAIN CB: 100A		
øA LOAD VA	øB LOAD VA	LOAD DESCRIPTION	BKR AMP/ POLE	CIRCUIT NO	
		SPARE (NOT TO BE USED)		01	
	1,920	(E) E 911 UPS	20/1	02	
	1,080	(E) UMTS PBC02	30/1		
1,080		(E) TDMA PBC02	30/1	03	
	300	(E) LIGHTS	20/1	04	
	800	(E) AIR	20/1		
300		(E) 3G FAN	20/1	05	
1,920		(E) RBS 2803	20/1		
	1,920	SPARE	20/1	06	
1,080		(N) PBC-02	30/1	07	
		SPARE (NOT TO BE USED)		08	
TOTAL VA = 10,400		TOTAL AMPS = 44A			

NOTE: EXISTING LOADS HAVE NOT BEEN FIELD VERIFIED. THEY ARE APPROXIMATE BASED ON EXISTING CB SIZES. CONTACT THE ENGINEER IF THE LOADS DIFFER FROM THAT WHICH IS SHOWN ON THE PLANS

21ST & PARK

CNU3953 / CCL03953

2016 PARK BLVD
OAKLAND, CA 94606

ISSUE STATUS

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DRAWN BY: A. MORNEAU
CHECKED BY: M. FLEMING
APPROVED BY: M. FLEMING
DATE: 10/21/11

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3288 Penryn Rd, Suite 200 Loomis, CA 95650
Contact Kevin Sorensen Phone: 916-660-1940 Fax: 916-660-1941
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REGISTERED PROFESSIONAL ENGINEER
MICHAEL E. FLEMING
No. 36436
Exp. 8/30/12
CIVIL
STATE OF CALIFORNIA

at&t

4430 ROSEWOOD DR BLDG 3, 6TH FLOOR
PLEASANTON, CA 94588

SHEET TITLE:
ELECTRICAL PLAN

SHEET NUMBER:
E-1

EXHIBIT A

at&t

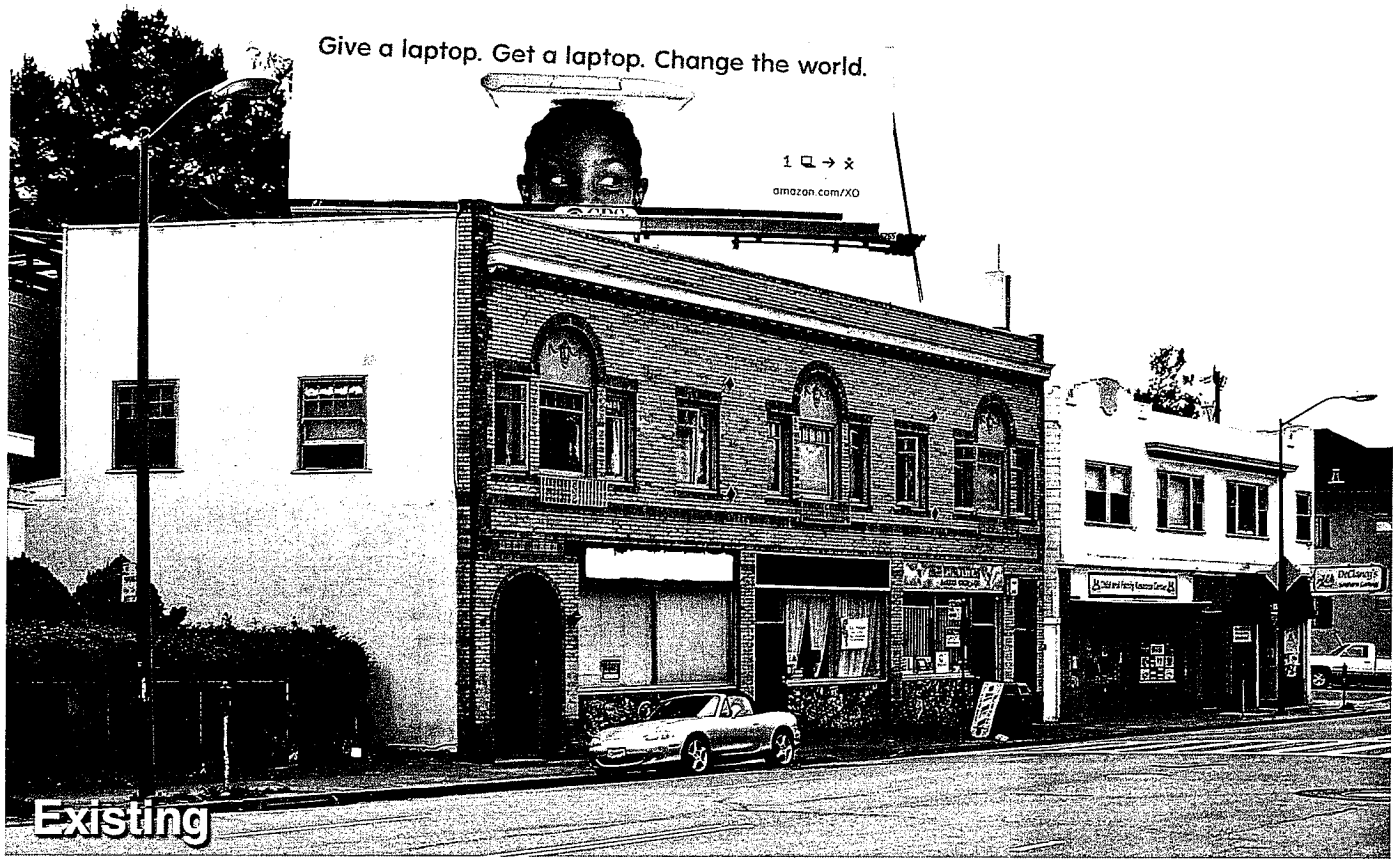
21st & Park **Site # CNU3953 / CCL03953** **Looking East from Park Blvd.**

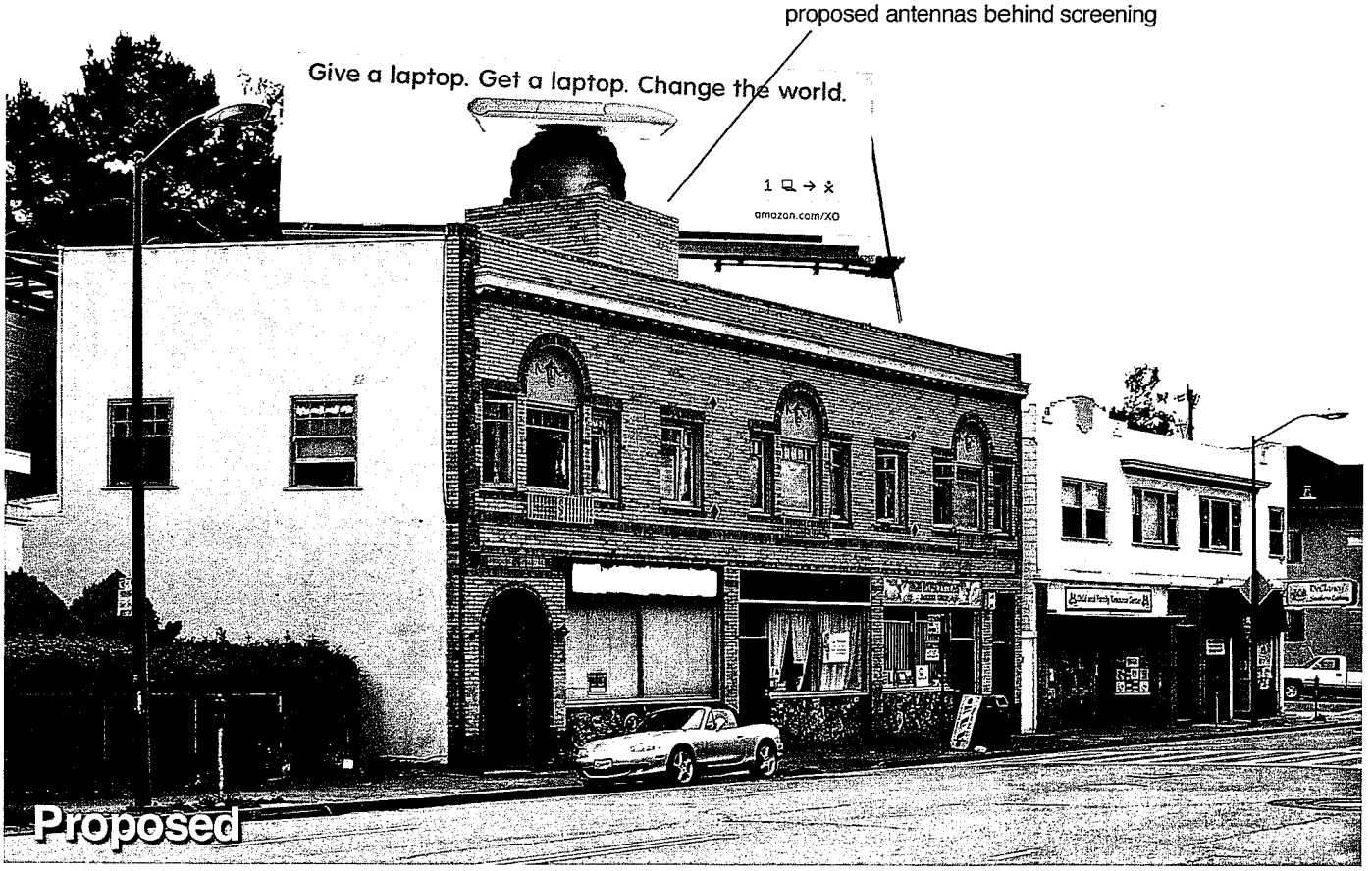
2016 Park Blvd.
Oakland, CA 94606

10/25/11

View #2

Applied Imagination 510 914-0500





at&t

21st & Park **Site # CNU3953 / CCL03953** **Looking South from Park Blvd.**

2016 Park Blvd.
Oakland, CA 94606

10/25/11

View #1

Applied Imagination 510 914-0500

ATTACHMENT B

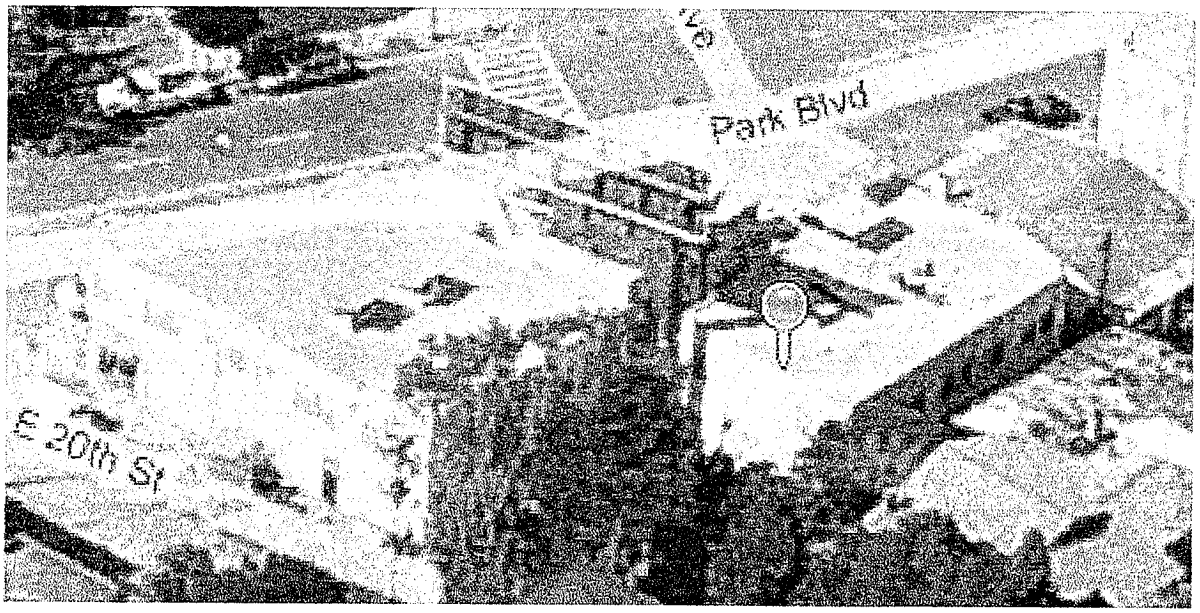
Theoretical RF Emissions Compliance Report

Prepared for:
AT&T
on behalf of :
Geist Engineering

Site: CNU3953-21st & Park
Site ID: CNU3953

2016 Park Blvd.
Oakland, CA 94606

October 18, 2010



WATERFORD CONSULTANTS

Prepared By:
Waterford Consultants, LLC

18331 Turnberry Drive
Round Hill, VA 20141
(703) 596-1022
www.waterfordconsultants.com

Theoretical RF Emissions Compliance Report

Site: CNU3953-21st & Park
Site ID: CNU3953

2016 Park Blvd.
Oakland, CA 94606

A:I certify that this report was prepared by me or under my direct supervision, and that I am a duly licensed Professional Engineer in the jurisdiction of the facility and in the jurisdiction shown with my signature.

B: I certify that this report was prepared by me or under my direct supervision, and that I am a duly licensed Professional Engineer in the jurisdiction shown with my signature.

I am retained by Waterford Consultants, LLC which provides engineering services to clients in the Radio Communications and antenna siting industry, and that I am familiar with the Rules and Regulations and the policies of the Federal Communications Commission ("FCC") both in general and specifically as they apply to the treatment of the FCC's Rules for Radiofrequency Radiation Exposure and that I have been engaged in the analysis of Radiofrequency Radiation Exposure for more than 10 years.

I have examined the technical information supplied Steve Geist regarding to the subject site. This report specifically addresses Non-Ionizing Radiation to humans, and is intended to be used to demonstrate compliance.

The subject site will include cellular like network infrastructure, which may operate a number of frequency bands, and with antennas and power levels indicated in the attachments.

That consideration of possible exposure of humans to radiofrequency radiation must utilize the rules and computational standards set by the FCC, the Federal Agency having jurisdiction over communications facilities. The FCC has published analytical techniques and guidelines: *Office of Engineering and Technology, Bulletin 65* ("OET65"), a copy of which is freely available to the public at www.fcc.gov/oet/rfsafety, and that the analytical techniques used to produce this report follow OET65 guidelines.

The FCC rules define two tiers of permissible exposure: 1) "general population / uncontrolled environments," applies to those situations in which persons may not be aware of the presence of electromagnetic energy (the "General Population") and (2) "controlled environments", those situations in which persons are aware of their potential for exposure ("Occupational Personnel"), and have received appropriate safety training. Maximum Permissible Exposure ("MPE") is defined in OET 65 as being 100% of the applicable exposure limit.

The FCC requires licensees to assure that persons are not exposed to RF power densities in excess of their applicable MPE limits. These rules apply to both Occupational Personnel and General Population persons.

At the subject site, 100% of the more restrictive General Population MPE equates to 20% of the less restrictive Occupation or Controlled environment MPE, and anyone may be granted safe access to those areas meeting the General Population MPE limits. For persons who have been properly trained and meet the definition of being Occupation Personnel, access to areas shown as 20% to 100% of the Occupational Personnel MPE limit of the controlled environment may be granted. Administrative controls should be put in place for any area in excess of 100% Occupational Personnel MPE, and access may be granted only to persons properly trained and equipped with proper Personal Protective Equipment (PPE), such as a RF Personal Monitor. Administrative controls include necessary procedures, such as preventing access to an area by physically locking doors or other access mechanisms, requiring a check out procedure for personal protective equipment, access card access, log-in, presentation of appropriate RF awareness training certifications, etc.

Power density decreases significantly over a short distance from any antenna. Specifically with respect to directional antennas, the design, oriented in azimuth and elevation as documented, reasonably precludes potential for exposure with calculated significance at any location other than directly in front of the antenna.

The site management company should put in place engineering and/or administrative controls to limit access to locations so that routine occupancy by the General Population is eliminated or substantially reduced and permitting access into those locations only by Occupational Personnel authorized to be there, such as communications industry professionals, and approved contractors and vendors of the site management company.

Administrative controls incorporated into any agreement with the building owner and/or appropriate management company will assure, in the infrequent instances of maintenance access to subject areas in front of the antenna elements, which only authorized Occupational Personnel following safe work practices will be employed.

If a facility maintenance procedure requires more than incidental or temporary access to areas in excess of the General Population limit, administrative controls will include the requirement that the carrier shall be notified of the procedure with reasonable time to reach a decision, informed by any engineering assessments required by AT&T, regarding their choice about de-energizing their equipment during the facility maintenance procedure.

As this report has been provided in the absence of a site visit, specific recommendation(s) as to the placement of any signage is infeasible. However, signage should be placed in stages, reflecting the theoretical power density levels in each area as presented in the attached plot(s). Levels are broken into three tiers; those at or below the MPE for General

Population persons (associated with a blue colored "Notice" sign), areas greater than the General Population limits, but below the 100% occupation exposure limits (associated with the yellow "Caution" sign) and areas in excess of the 100% Occupation Personnel MPE exposure limits (associated with the Orange "Warning" sign).

That at this time, no other action by the carrier is necessary at the site to demonstrate compliance.

In summary, I certify that the technical analysis techniques prescribed by the FCC Rules and Regulations, specifically 47 CFR 1.1307 and Office of Engineering and Technology's Bulletin 65 have been adhered to, and that the information and presentation of herein to be accurate.

October 19, 2010
Ted Alan Abrams
Registered Professional Engineer

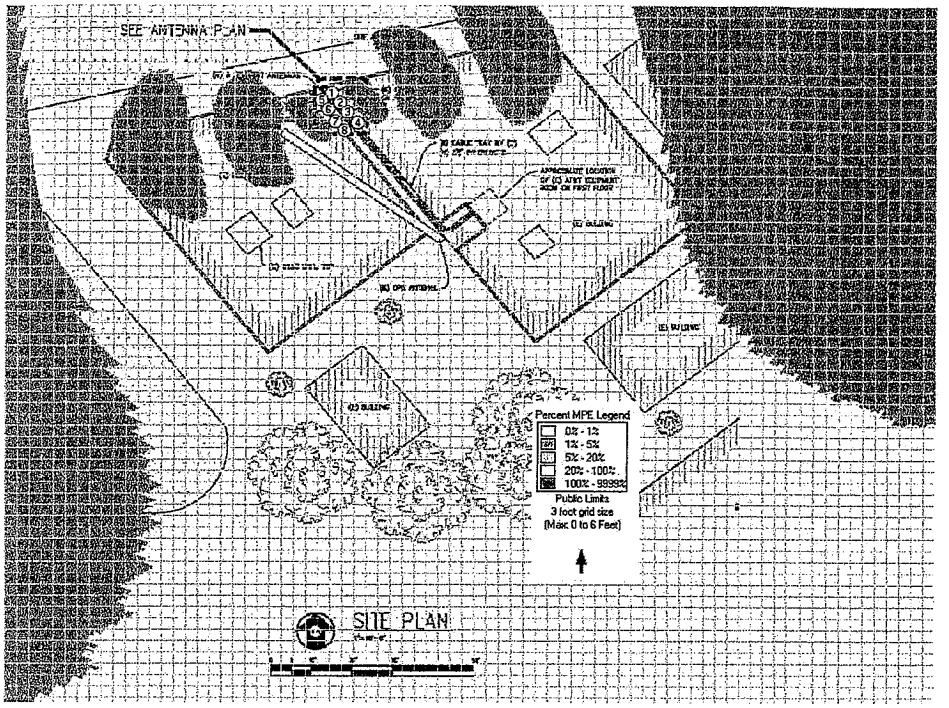
Attachment A
Theoretical RF Power Density Plots

The theoretical MPE plots below correspond to MPE levels relative to the main roof level elevation. For example, a reference of +20 feet could correspond to the roof of an elevator shaft. Percentages are that of the Occupation MPE. Thus, anything less than 20% MPE Occupation is less than 100% MPE of the General Population limit.

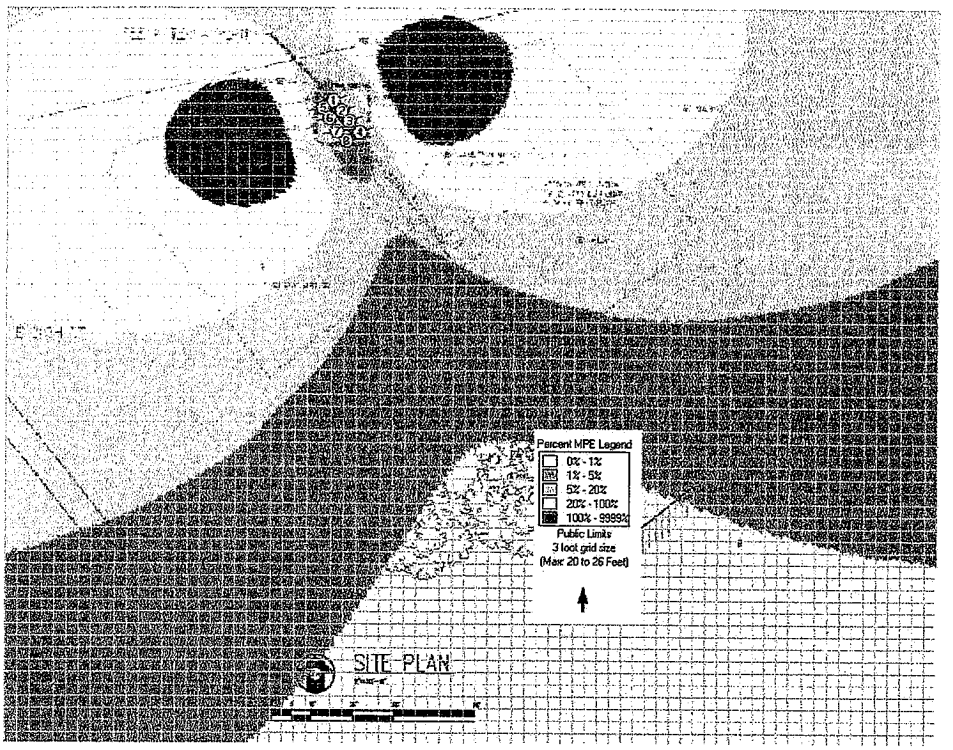
Plots are presented at reference planes routinely accessible. Not all elevations will be shown. Areas above 100% MPE in inaccessible area (such as in free space) are compliant and do not require mitigation.

Additional plots may be shown at ground level, in addition to roof reference plots. Carefully examine the legend and plot captions for reference plane information.

Attachment A
Theoretical RF Power Density Plots



Plot 1: Cumulative RF contribution from AT&T on ground level (0 AGL, spatially averaged over 6 ft)



Plot 2: Cumulative RF contribution from AT&T on main rooftop (20 AGL, spatially averaged over 6 ft)

Attachment B
Antenna Inventory

Number	Name	Model	Power (Watts)	Azimuth	Frequency (MHz)	Center Height
1	AT&T	Andrew ATM 200	1000	70	700	28ft
2	AT&T	Decibel TB 6565	1000	70	1950	28ft
3	AT&T	Decibel TB 6565	1000	70	850	28ft
4	AT&T	Andrew DB 6565	1000	70	850	28ft
5	AT&T	Andrew ATM 200	1000	260	700	28ft
6	AT&T	Decibel TB 6565	1000	260	1950	28ft
7	AT&T	Decibel TB 6565	1000	260	850	28ft
8	AT&T	Andrew DB 6565	1000	260	850	28ft