

Location:	Utility pole in sidewalk at 740 5 th Avenue (corner of E 8 th St) (See map on reverse)
Assessor's Parcel Number:	Adjacent to: APN 018 -0310-003-09
Proposal:	To establish a new "small cell site" telecommunications facility, to enhance existing services, by attaching an antenna and equipment to a replaced wooden utility pole located in the public right-of-way (sidewalk); the antenna would be attached to the top at up to 53'-11" and equipment at 7'-4" to 15'-8".
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
Pole Owner:	Extenet, et al.
Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
General Plan:	Business Mix
Zoning:	CIX-2 Commercial-Industrial Mix 2 Industrial Zone
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic property
City Council District:	2
Date Filed:	June 8, 2017
Action to be Taken:	Approve with conditions
Finality of Decision:	<i>Appealable to City Council within 10 days</i>
For Further Information:	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or arose@oaklandnet.com

SUMMARY

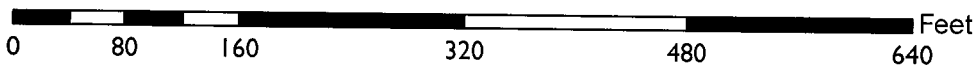
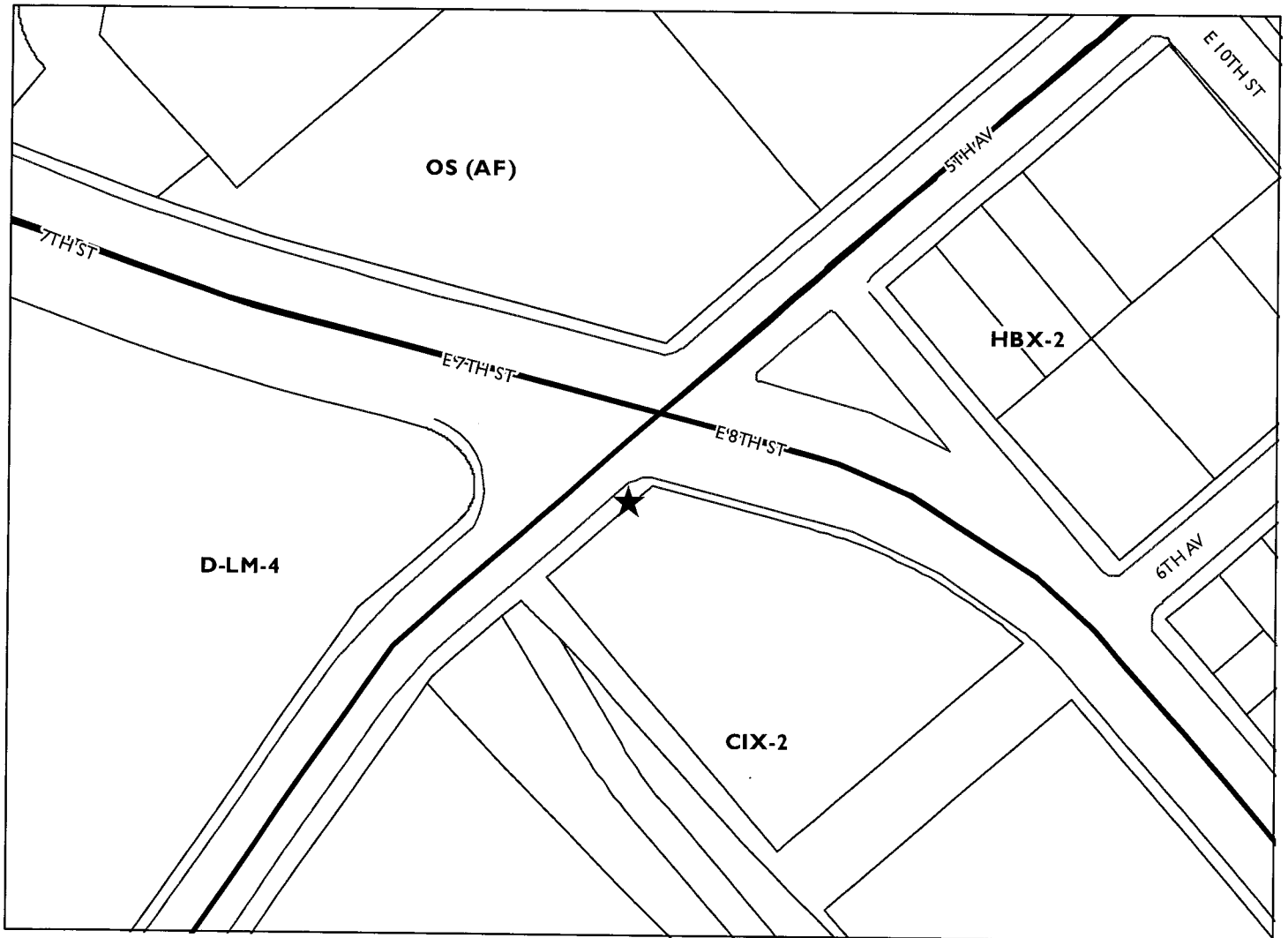
The applicant requests Planning Commission approval of a Regular Design Review with additional findings to establish a Macro Telecommunications Facility ("small cell site"). The purpose is to enhance existing wireless services. The project involves attaching an antenna and equipment up to 53'-11" on a replaced wooden utility pole located in the public right-of-way (unimproved street shoulder).

Staff recommends approval, subject to conditions, as described in this report.

BACKGROUND

For several years in the City of Oakland, telecommunications carriers have proposed facility installation within the public right-of-way, instead of private property. These facilities typically consist of antennas and associated equipment attached to utility poles or street light poles. Poles are often replaced with replicas for technical purposes. The main purpose is to enhance existing service, given increasing technological demands for bandwidth, through new technology and locational advantages. The City exercises zoning jurisdiction over such projects in response to a 2009 State Supreme Court case decision

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN17231

Applicant: Ana Gomez/Black & Veatch & Extenet (for: T-Mobile)

Address: Wooden utility pole adjacent to 740 5th Avenue

Zone: CIX-2

(Sprint v. Palos Verdes Estates). Pursuant to the Planning Code, utility or joint pole authority (JPA) sites are classified by staff as “Macro Facilities,” and street light pole sites (lamps, not traffic signals) as “Monopole Facilities.” For JPA poles, only Design Review approval may be required, as opposed to Design Review and a Conditional Use Permit, for example. For non-JPA pole sites, such as City light poles, projects also require review by the City’s Public Works Agency (PWA) and Real Estate Division, and involve other considerations such as impacts to historical poles. The PWA may also review projects involving street lights. In either case, the practice has been to refer all such projects to the Planning Commission for decision when located in or near a residential zone.

Several projects for new DAS (distributed antenna services) facilities have come before the Planning Commission for a decision and have been installed throughout the Oakland Hills. Some applications have been denied due to view obstructions or propinquity to residences. Improved practices for the processing of all types of sites incorporating Planning Commission direction have been developed as a result. Conditions of approval typically attach requirements such as painting and texturing of approved components to more closely match utility poles in appearance. Approvals do not apply to any replacement project should the poles be removed for any reason. As with sites located on private property, the Federal Government precludes cities from denying an application on the basis of emissions concerns if a satisfactory emissions report is submitted. More recent Federal changes have streamlined the process to service existing facilities.

Currently, telecommunications carriers are in the process of attempting to deploy “small cell sites.” These projects also involve attachment of antennas and equipment at public right-of-way facilities such as poles or lights for further enhancement of services. However, components are now somewhat smaller in size than in the past. Also, sites tend to be located in flatland neighborhoods and Downtown where view obstructions are less likely to be an issue. Good design and placement is given full consideration nonetheless, especially with the greater presence of historic structures in Downtown. Additionally, given the sheer multitude of applications, and, out of consideration for Federal requirements for permit processing timelines, staff may develop alternatives to traditional staffing and agendaing.

TELECOMMUNICATIONS 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. Specifically:

- 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 Federal Communication Commission (FCC) standards in this regard. (See 47 U.S.C. Section 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 (See 47 U.S.C.332(c)(7)(B)(ii) and 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, consult the following:

Competition & Infrastructure Policy Division (CIPD) of the Wireless Telecommunications Bureau, main division number: (202) 418-1310.

Main division website:

<https://www.fcc.gov/general/competition-infrastructure-policy-division-wireless-telecommunications-bureau>

Tower siting:

<https://www.fcc.gov/general/tower-and-antenna-siting>

SITE DESCRIPTION

The project site consists of a 44’-6” tall wooden utility pole located in the public right-of-way (sidewalk) at the intersection of a four-lane section of East 8th Street (south side). The pole hosts wires which run along the east side of 5th Avenue. The pole fronts a BART corporation yard with heavy vehicles, monopoles, and light poles behind a chain link fence. Diagonally across the intersection is the Laney College; to the west are the Peralta Community College District offices; to the north are residences and businesses; to the south is an elevated section of the 880 freeway. The corridors contain City street lights; utilities are undergrounded along East 8th Street.

PROJECT DESCRIPTION

To establish a new “small cell site” telecommunications facility, to enhance existing services, by attaching an antenna and equipment to a replaced wooden utility pole located in the public right-of-way (sidewalk); the antenna would be attached to the top of the new 47’-6” pole at up to 53’-11” and equipment at 7’-4” to 15’-8”.

GENERAL PLAN ANALYSIS

The site is located in a Business Mix area under the General Plan’s Land Use and Transportation Element (LUTE). The intent of the Business Mix area is: *“to create, preserve and enhance areas of the City that are appropriate for a wide variety of business and related commercial and industrial establishments”* Given customers’ increasing reliance upon cellular service for phone and internet, the proposal for a macro telecommunications facility that is not adjacent to a primary living space or historic structure conforms to this intent.

Staff therefore finds the proposal, as conditioned, to conform to the General Plan.

ZONING ANALYSIS

The site is located within the CIX-2 Commercial Industrial Mix - 2 Industrial Zone. The intent of the CIX-2 zone is: “to create, preserve, and enhance industrial areas that are appropriate for a wide variety of commercial and industrial establishments. Uses with greater off-site impacts may be permitted provided they meet specific performance standards and are buffered from residential areas.” Macro telecommunications facilities on JPA poles require a Regular Design Review with additional findings when located within 300-feet of HBX Housing and Business Mix Zones. New wireless telecommunications facilities may also be subject to a Site Alternatives Analysis, Site Design Alternatives Analysis, and a satisfactory radio-frequency (RF) emissions report. Staff analyzes the proposal in consideration of these requirements in the ‘Key Issues and Impacts’ section of this report. Given customers’ increasing reliance upon cellular service for phone and wi-fi, the proposal for a macro telecommunications facility that is not adjacent to a primary living space or historic structure conforms to this Intent.

Staff finds the proposal, as conditioned, to conform to the Planning Code.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15301 exempts projects involving ‘Existing Facilities;’ Section 15302 exempts projects involving ‘Replacement or Reconstruction;’ and, Section 15303 exempts projects involving ‘Construction of Small Structures.’ The proposal fits all of these descriptions. The project is also subject to Section 15183 for ‘Projects consistent with a community plan, general plan or zoning.’ The project is therefore exempt from further Environmental Review.

KEY ISSUES AND IMPACTS

The proposal to establish a macro telecommunications facility is subject to the following Planning Code development standards, which are followed by staff’s analysis in relation to this application:

17.128.070 Macro Telecommunications Facilities.

A. General Development Standards for Macro Telecommunications Facilities.

1. The Macro Facilities shall be located on existing buildings, poles or other existing support structures, or shall be post mounted.

The facility involves attachment to an existing utility pole hosting power lines.

2. The equipment shelter or cabinet must be concealed from public view or made compatible with the architecture of the surrounding structures or placed underground. The shelter or cabinet must be regularly maintained.

Recommended conditions of approval require painting and texturing the antenna matte silver and all components matte brown, per Planning Commission direction, to match the appearance of the wooden utility pole and power line posts.

3. Macro Facilities may exceed the height limitation specified for all zones but may not exceed fifteen (15) feet above the roof line or parapet. Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure.

This standard is inapplicable because the proposal does not involve attachment to a roofed structure. Nonetheless, the facility would not exceed the height of the host facility or maximum height permitted in the zoning district.

4. Ground post mounted Macro Facilities must not exceed seventeen (17) feet to the top of the antenna.

This standard is inapplicable because the proposal does not involve ground post mounting.

5. The applicant shall submit written documentation demonstrating that the emissions from the proposed project are within the limits set by the Federal Communications Commission.

This standard is met by the proposal; a satisfactory emissions report has been submitted and is attached to this report (Attachment F).

17.128.110 Site location preferences.

New wireless facilities shall generally be located on the following properties or facilities in 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 Nonresidential Zones (excluding all HBX Zones and the D-CE-3 and D-CE-4 Zones).**
- D. Existing commercial or industrial structures in Residential Zones, HBX Zones, or the DCE-3 or D-CE-4 Zones.**
- E. Other Nonresidential uses in Residential Zones, HBX Zones, or the D-CE-3 or D-CE-4 Zones.**
- F. Residential uses in Nonresidential Zones (excluding all HBX Zones and the D-CE-3 and D-CE-4 Zones).**
- G. Residential uses in Residential Zones, HBX Zones, or the D-CE-3 or D-CE-4 Zones.**

Facilities locating on an A, B or C ranked preference do not require a site alternatives analysis. Facilities proposing to locate on a D through G ranked preference, inclusive, must submit a site alternatives analysis as part of the required application materials. A site alternatives analysis shall, at a minimum, consist of: a. The identification of all A, B and C ranked preference sites within one thousand (1,000) feet of the proposed location. If more than three (3) sites in each preference order exist, the three such closest to the proposed location shall be required. b. Written evidence indicating why each such identified alternative cannot be used. Such evidence shall be in sufficient detail that independent verification, at the applicant's expense, could be obtained if required by the City of Oakland Zoning Manager. Evidence should indicate if the reason an alternative was rejected was technical (e.g. incorrect height, interference from existing RF sources, inability to cover required area) or for other concerns (e.g. refusal to lease, inability to provide utilities).

A site alternatives analysis is not required because the proposal conforms to 'B' as it would be located on a quasi-public facility (utility pole with power lines). Nonetheless, the applicant has submitted an analysis which is attached to this report (Attachment E).

17.128.120 Site design preferences.

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 a 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: a. Written evidence indicating why each such higher preference design alternative cannot be used. Such evidence shall be in sufficient detail that independent verification could be obtained if required by the City of Oakland Zoning Manager.

Evidence should indicate if the reason an alternative was rejected was technical (e.g. incorrect height, interference from existing RF sources, inability to cover required area) or for other concerns (e.g. inability to provide utilities, construction or structural impediments).

The proposal most closely conforms to 'C' (Building or structure mounted antennas below roof line (facade mount, pole mount) visible from public right-of-way, painted to match existing structure), and the applicant has submitted a satisfactory site design alternatives analysis (Attachment E).

17.128.130 Radio frequency emissions standards.

The applicant for all wireless facilities, including requests for modifications to existing facilities, shall submit the following verifications:

- 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 satisfactory report is attached to this report (Attachment F).

Analysis

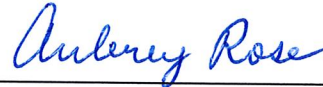
The proposed site design would not be situated on historic pole or structure, be directly adjacent to a primary living space such as a living room or bedroom window, or create a view obstruction. Staff requested for this roll-out in general that the applicant provide a "slimmer" design consisting of tucking the antenna in closer to the pole. The applicant responded that this was not feasible due to the technological requirements by the Public Utilities Commission. Staff, therefore, finds the proposal to provide an essential service with a least-intrusive possible design. The site is located at a large intersection and within an industrial zone which generally does not contain heightened review for telecommunications facilities, and is close to other poles and powerlines. Draft conditions of approval stipulate that the components be painted and textured to match the wooden utility pole in appearance for camouflaging.

In conclusion, staff recommends approval subject to recommended Conditions of Approval.

RECOMMENDATIONS:

1. Affirm staff's environmental determination.
2. Approve the Regular Design Review subject to the attached Findings and Conditions of Approval.

Prepared by:



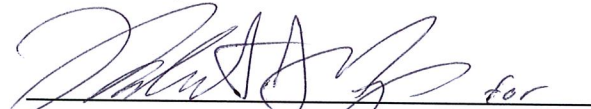
AUBREY ROSE, AICP
Planner III

Reviewed by:



SCOTT MILLER
Zoning Manager

Approved for forwarding to the
City Planning Commission:



DARIN RANELLETTI, Interim Director
Planning and Building Department

ATTACHMENTS:

- A. Findings
- B. Conditions of Approval
- C. Plans
- D. Applicant's Photo-Simulations
- E. Site Alternatives Analysis/Site Design Alternatives Analysis dated May 12, 2017
- F. RF Emissions Report by Hammett & Edison, Inc. dated May 24, 2017
- G. Applicant-proof of public notification posting

ATTACHMENT A: FINDINGS

This proposal meets the required findings under Regular Design Review Criteria for Nonresidential Facilities (OMC Sec. 17.136.050(B)) and Telecommunications Regulations/Design Review Criteria for Macro Telecommunications Facilities (OMC Sec. 17.128.070(B)), 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. 17.136.050(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 attachment of a small antenna and equipment to a non-historic utility pole, painted and texturized to match the pole and power line posts in appearance for camouflaging, will be the least intrusive design. The proposal would not create a view obstruction, be directly adjacent to a primary living space such as a living room or bedroom window, or be located on an historic structure. The proposal will enhance essential services in an urbanized neighborhood. The proposal will not be ground mounted.

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;

The attachment of a small antenna and equipment to a non-historic utility pole, painted and texturized to match the pole and power line posts in appearance for camouflaging, will be the least intrusive design. The proposal would not create a view obstruction, be directly adjacent to a primary living space such as a living room or bedroom window, or be located on an historic structure. The proposal will enhance essential services in an urbanized neighborhood. The proposal will not be ground mounted.

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 an Urban Residential area under the General Plan's Land Use and Transportation Element (LUTE). The intent of the Mixed Housing Type Residential area is: *"To create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services."* Given customers' increasing reliance upon cellular service for phone and internet, the proposal for a macro telecommunications facility that is not adjacent to a primary living space or historic structure conforms to this intent.

TELECOMMUNICATIONS REGULATIONS/DESIGN REVIEW CRITERIA FOR MACRO TELECOMMUNICATIONS 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 and texturized matte silver to match the power line posts in appearance for camouflaging, will be the least intrusive design, as required by conditions of approval.

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.

This finding is inapplicable because the antenna will not be mounted onto an architecturally significant structure but to a 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 on top of the utility pole in a vertical position.

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.

Conditions of approval require painting and texturing matte brown to match the pole in appearance for camouflaging.

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

Equipment will be attached to the utility pole with an unobtrusive design.

6. For antennas attached to the roof, maintain a 1:1 ratio (example: ten (10) feet high antenna requires ten (10) 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 because the antenna would be attached to a pole and not to 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.

The minimal clearance to the facility will be 7'-4".

Attachment B: Conditions of Approval

1. Approved Use

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated May 1, 2017 and submitted June 8, 2017**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

2. Effective Date, Expiration, Extensions and Extinguishment

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the Approval date, or from the date of the final decision in the event of an appeal, 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 Approval, 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 or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. Compliance with Other Requirements

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City’s Bureau of Building, Fire Marshal, and Public Works Department. 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 #4.

4. Minor and Major Changes

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

5. Compliance with Conditions of Approval

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the “project applicant” or “applicant”) shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant’s expense that the as-built project

conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.

- c. Violation of any term, Condition, or project description relating to the 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 Approval 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. 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 Approval or Conditions.

6. Signed Copy of the Approval/Conditions

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

7. Blight/Nuisances

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60 days of approval, unless an earlier date is specified elsewhere.

8. Indemnification

- d. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (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 this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- e. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

9. Severability

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if 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 Monitoring

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with the Bureau of Building, if directed by the Building Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

12. Public Improvements

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement (“p-job”) permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

13. Construction Days/Hours

Requirement: The project applicant shall comply with the following restrictions concerning construction days and hours:

- a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m.
- b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.
- c. No construction is allowed on Sunday or federal holidays.

Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.

Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents’/occupants’ preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of

the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.

When Required: During construction

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

PROJECT-SPECIFIC CONDITIONS

14. Emissions Report

Requirement: A RF emissions report shall be submitted to the Planning Bureau 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.

Requirement: Prior to a final inspection

When Required: Prior to final building permit inspection sign-off

Initial Approval: N/A

Monitoring/Inspection: N/A

15. Camouflage

Requirement: The antenna shall be painted, texturized, and maintained matte silver, and the equipment and any other accessory items including cables matte brown, to better camouflage the facility to the utility pole and attached power line posts.

When Required: Prior to a final inspection

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

16. Operational

Requirement: 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.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

17. Possible District Undergrounding PG&E Pole

Requirement: Should the PG &E utility pole be permanently removed for purposes of district undergrounding or otherwise, the telecommunications facility can only be re-established by applying for and receiving approval of a new application to the Oakland Planning Bureau as required by the regulations.

When Required: Ongoing

Initial Approval: N/A

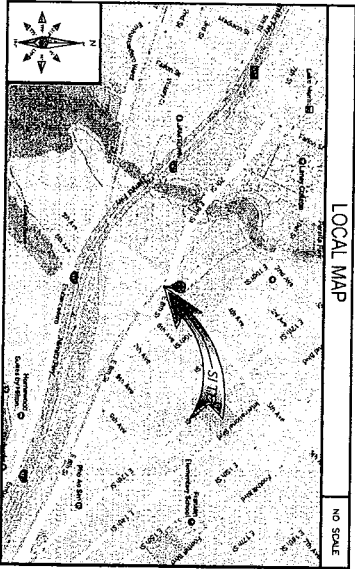
Monitoring/Inspection: N/A

NW-CA-DTOAKLAN 00058B

ADJACENT TO (IN PROW)
740 5TH AVENUE
OAKLAND, CA 94607

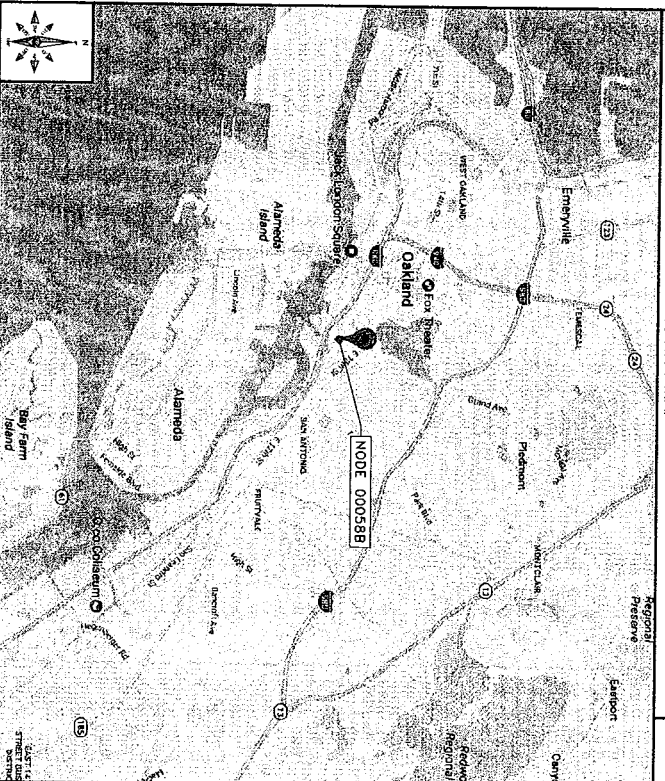
LOCAL MAP

NO SCALE



VICINITY MAP

NO SCALE



SHEET INDEX

SHEET NO.	TITLE
1-1	GENERAL NOTES AND LEGEND
0A-1	OVERALL SITE PLAN
C-1	UTILITY POLE ELEVATIONS
C-2	Riser DETAILS
C-3	EQUIPMENT DETAILS
C-4	EQUIPMENT DETAILS

IF USING 11"X17" PLOT, DRAWINGS WILL BE HALF SCALE

STATIONING FOR SMALL VERTICAL CURVES AND GRADING DIMENSIONS & CONDITIONS ON THESE PLANS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB SITE BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

PROJECT INFORMATION

AGENT	ENGINEER	POLE OWNER	APPLICANT
<p>COMPANY: BLACK & VEATCH</p> <p>CONTACT: ANA GOMEZ</p> <p>ADDRESS: 2999 OAK ROAD, SUITE 400, OAKLAND, CA 94612</p> <p>PHONE: (913) 458-9148</p> <p>E-MAIL: GOMEZANAC@BLACKV.COM</p>	<p>COMPANY: BLACK & VEATCH</p> <p>ENGINEER: AARON EWMS</p> <p>PHONE: (823) 886-0751</p> <p>E-MAIL: EWMS@BLACKV.COM</p>	<p>OWNER: EXTENEI SYSTEMS CALIFORNIA, LLC</p> <p>ADDRESS: 2000 CROW CANYON PLACE, SAN RAMON, CA 94583</p> <p>PHONE: -</p>	<p>COMPANY: EXTENEI SYSTEMS CALIFORNIA, LLC</p> <p>CONTACT: CHARLES UNSAY</p> <p>ADDRESS: 2000 CROW CANYON PLACE, SAN RAMON, CA 94583</p> <p>PHONE: (510) 910-7187</p> <p>E-MAIL: CUNDEW@EXTENEISYSTEMS.COM</p>

AGENT

ENGINEER

POLE OWNER

APPLICANT

PROJECT DATA

LATITUDE:	37.729296
LONGITUDE:	-122.268134
POLE #:	11014854
ELEVATION:	NA
ZONING JURISDICTION:	CITY OF OAKLAND
NEAREST A.P.M.:	019-00030703
OCCUPANCY:	UNIMPAVED
CONSTRUCTION TYPE:	ATTACHMENTS TO A WOOD UTILITY FACILITY
TITLE 24 REQUIREMENTS:	IS UNIMPAVED AND NOT FOR EXISTENT

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL JURISDICTION. THE CONTRACTOR SHALL VERIFY THAT THESE PLANS IS TO BE CONSTRUCTED TO PERFORM WORK NON-CONFORMING TO THESE CODES.

1. IBC - 2012
2. CALIFORNIA GENERAL BUILDING STANDARDS CODE - 2013
3. CALIFORNIA GENERAL ORDER 95
4. CALIFORNIA ELECTRICAL CODE 2013
5. CALIFORNIA PLUMBING CODE 2013
6. CALIFORNIA ELECTRICAL CODE 2013
7. 2017 NATIONAL ELECTRICAL CODE
8. 2017 NATIONAL PLUMBING CODE
9. BUILDING ORDINANCES AND CODE ADMINISTRATORS (BOCA) *EFFECTIVE UNTIL JANUARY 1ST, 2017

PROJECT DESCRIPTION

THESE DRAWINGS DEPICT THE INSTALLATION OF A WIRELESS TELECOMMUNICATIONS NODE IN THE PUBLIC RIGHT OF WAY, MAINTENANCE AND INFLUARY EQUIPMENT TO BE INSTALLED AS DESCRIBED HEREIN.

GENERAL PROJECT NOTES

1. PRIOR TO SUBMITTING A BID, THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AFFECTING THE NEW PROJECT.
2. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND DIMENSIONS OF THE JOB SITE AND CONDITIONS THAT WORK AS ACCOMPANIED AS SHOWN PRIOR TO COMMENCEMENT OF ANY WORK.
3. ALL FIELD ADJUSTMENTS BEFORE, DURING OR AFTER COMMENCEMENT SHALL BE APPROVED BY WRITING BY AN EXTENEI SYSTEMS REPRESENTATIVE.
4. INSTALL ALL RISEWAYS AND UTILITY POLES PER THE MANUFACTURER'S RECOMMENDATIONS. CHECKS INDICATE.
5. NOTIFY EXTENEI SYSTEMS, IN WRITING, OF ANY MAJOR DISCREPANCIES REGARDING THE CONTRACT DOCUMENTS, EXISTING CONDITIONS, OR FIELD CONDITIONS. EXTENEI SYSTEMS SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND ADJUSTING THE BID.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, SEQUENCING AND PROCEDURES OF THE WORK UNDER THE CONTRACT.
7. CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS AND UTILITIES THAT ARE TO REMAIN. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITIES OR EQUIPMENT OF THE EXTENEI SYSTEMS REPRESENTATIVE.
8. CONTRACTOR SHALL PROVIDE THE FINAL INSPECTION BY THE CITY OF OAKLAND. THE FINAL INSPECTION BY THE CITY OF OAKLAND SHALL BE PROVIDED BY THE CONTRACTOR.
9. VERIFY ALL FINAL EQUIPMENT WITH AN EXTENEI SYSTEMS REPRESENTATIVE. ALL EQUIPMENT LAYOUT, ACCESS, SETBACKS, INSTALLATION AND THEIR FINAL LOCATION ARE TO BE APPROVED FOR CONFORMANCE WITH/PER WORK WITH THE WORK AND CLEARANCES REQUIRED BY OTHERS RELATED TO SAID INSTALLATIONS.



UNDERGROUND UTILITIES PROTECTION CENTER, INC.
811
48 HOURS BEFORE THE JOB



INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	DATE
PER SIGNATURE	DATE
TOTAL SIGNATURE	DATE



BLACK & VEATCH CORPORATION
WALWORTH OFFICE, CA 94587

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PROJECT NO.	DESIGNED BY	CHECKED BY
192417.9551	WHN	CB

PRELIMINARY

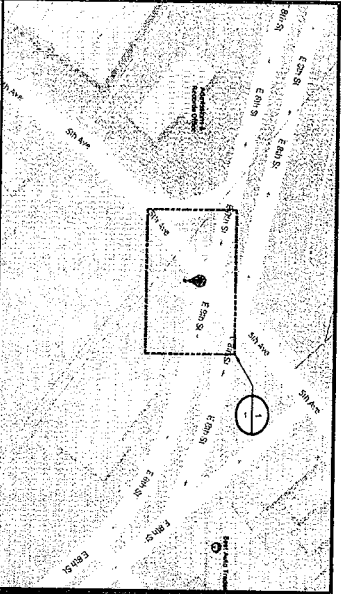
IF A VIOLATION OF LAW FOR ANY REASON OCCURS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND ADJUSTING THE BID.

EXTENEI SYSTEMS (CA) LLC
2000 CROW CANYON PLACE
SUITE 210
SAN RAMON, CA 94583

SITE ADDRESS
00058B
ADJACENT TO (IN PROW)
740 5TH AVENUE
OAKLAND, CA 94607

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1



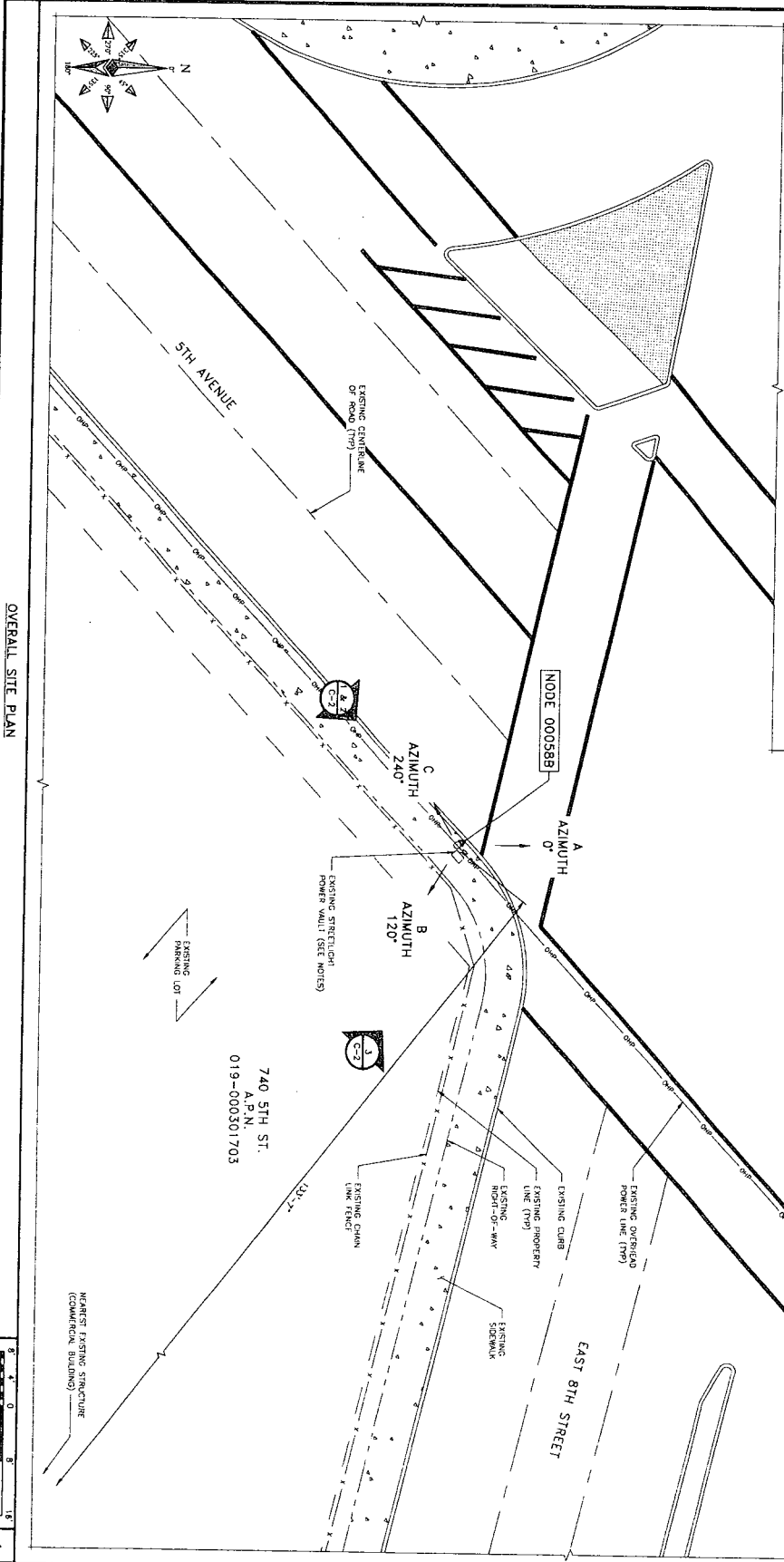
SITE PLAN MAP

NO SCALE

A

SITE PHOTO

B



OVERALL SITE PLAN



THIS DRAWING IS NOT A SITE SURVEY. THE PURPOSE OF THIS DRAWING IS TO ILLUSTRATE THE PROPOSED PROJECT AND TO RELATE TO THE PARENT PANEL AND ADJACENT PROPERTIES. IT IS NOT A SUBSTITUTE FOR A PROFESSIONAL SURVEY.

extenet
PROFESSIONAL ENGINEERING SYSTEMS

INTERNAL REVIEW
CONSTRUCTION SIGNATURE _____ DATE _____
RF SIGNATURE _____ DATE _____
REAL ESTATE SIGNATURE _____ DATE _____



BLACK & VEATCH
BLACK & VEATCH CORPORATION
2550 RIVER STREET, SUITE 400
WALNUT CREEK, CA 94597

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PROJECT NO. DRAWN BY CHECKED BY
192417.5851 WJN CB

REV.	DATE	DESCRIPTION
B	04/01/17	ISSUE FOR REVIEW
A	04/11/17	ISSUE FOR REVIEW

PRELIMINARY

IT IS A CONDITION OF THE CONTRACT AND THESE DRAWINGS ARE VOID WITHOUT THE SIGNATURE OF A PROFESSIONAL ENGINEER.

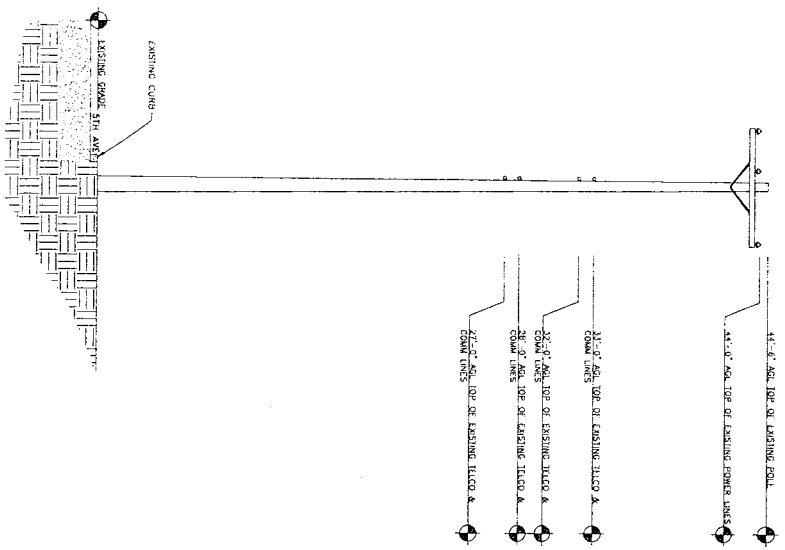
EXTENET SYSTEMS (CA) LLC
2000 CROW CANYON PLACE
SUITE 210
SAN RAMON, CA 94583

SITE ADDRESS
000588
ADJACENT TO (IN PROW)
740 5TH AVENUE
OAKLAND, CA 94607

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C-1

NOTE:
 THESE DRAWINGS HAVE BEEN PREPARED BASED ON THE ASSUMPTION THAT THE PROPOSED EQUIPMENT TO BE PAINTED MESA BROWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER COORDINATION OF THE PROPOSED EQUIPMENT WITH THE ORIGINAL DESIGN OF THE STRUCTURE.



EXISTING SOUTHWEST ELEVATION



PROPOSED SOUTHWEST ELEVATION



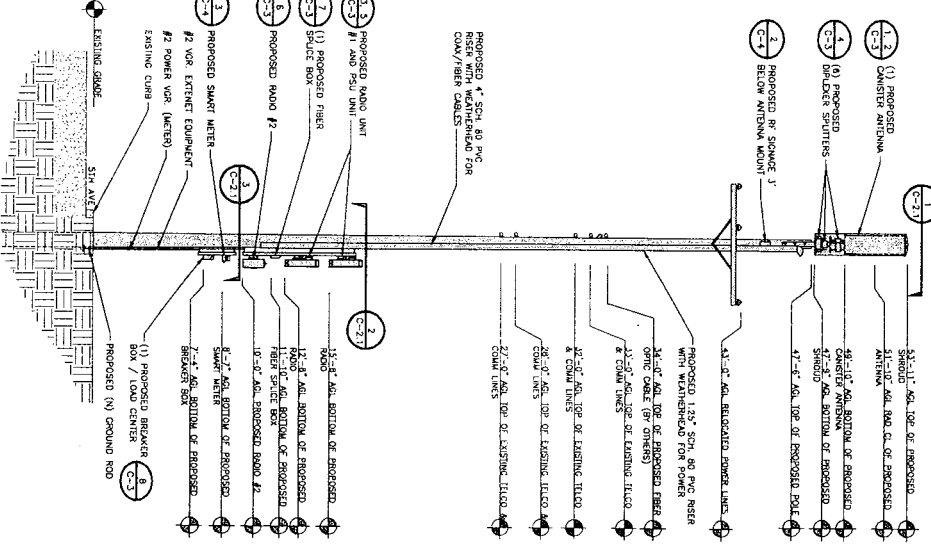
PROPOSED SOUTHWEST ELEVATION



PROPOSED SOUTHWEST ELEVATION



NOTES:
 1. ALL PROPOSED EQUIPMENT TO BE PAINTED MESA BROWN.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER COORDINATION OF THE PROPOSED EQUIPMENT WITH THE ORIGINAL DESIGN OF THE STRUCTURE.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER COORDINATION OF THE PROPOSED EQUIPMENT WITH THE ORIGINAL DESIGN OF THE STRUCTURE.



PROPOSED SOUTHWEST ELEVATION



PROPOSED SOUTHWEST ELEVATION



INTERNAL REVIEW
 CONSTRUCTION SIGNATURE _____ DATE _____
 RF SIGNATURE _____ DATE _____
 REAL ESTATE SIGNATURE _____ DATE _____

Black & Veatch
 BLACK & VEATCH CORPORATION
 3999 OWEN ROAD
 WALKER STEE, 490
 WALKER STEE, CA 94597

PRODUCT NO	192417.9951	WHN	CB
DATE	06/07/17	DATE	06/07/17
NO	1	NO	1
DESCRIPTION	EXISTING TELECOM & COAX LINES	DESCRIPTION	EXISTING TELECOM & COAX LINES

PRELIMINARY

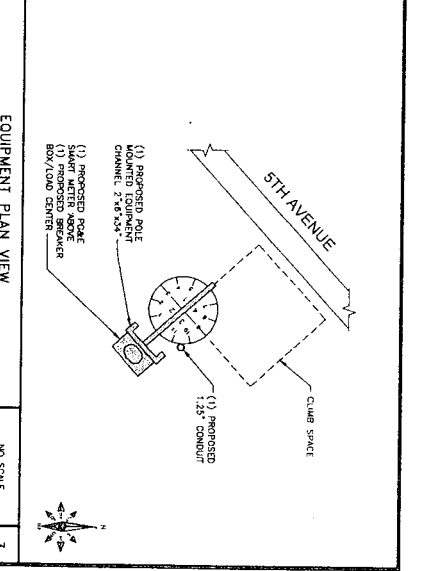
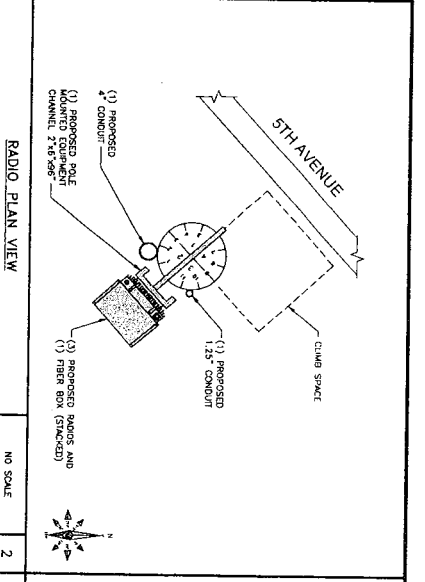
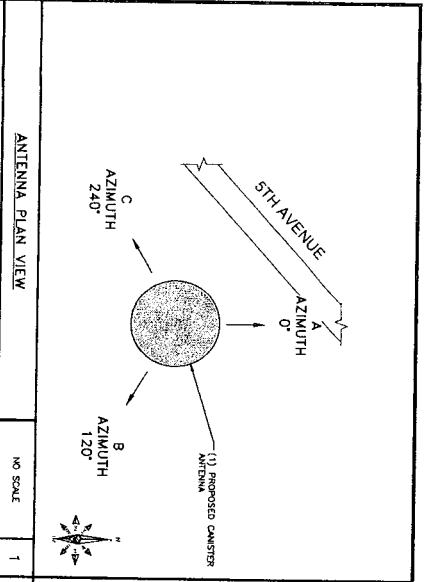
IT IS A WARNING OF LAW FOR THE PERSON WHOSE NAME IS PRINTED ON THESE DRAWINGS TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER COORDINATION OF THE PROPOSED EQUIPMENT WITH THE ORIGINAL DESIGN OF THE STRUCTURE.

EXTENET SYSTEMS (CA) LLC
 2000 CROW CANYON PLACE
 SUITE 210
 SAN RAMON, CA 94583

SITE ADDRESS
 000558B
 ADJACENT TO (IN PROW)
 740 5TH AVENUE
 OAKLAND, CA 94607

UTILITY POLE ELEVATIONS

SHEET TITLE
C-2



extenet interconnectivity systems

INTERNAL REVIEW

CONSTRUCTION SIGNATURE _____ DATE _____

RF SIGNATURE _____ DATE _____

SCALE SIGNATURE _____ DATE _____

BLACK & VEATCH

BLACK & VEATCH CORPORATION
2899 OAK ROAD
WALNUT CREEK, CA 94597

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PROJECT NO. DRAWN BY CHECKED BY
192417.5951 WJN CB

NO.	DATE	DESCRIPTION
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2	06/21/17	ISSUE FOR REVIEW
3	06/21/17	ISSUE FOR REVIEW

PRELIMINARY

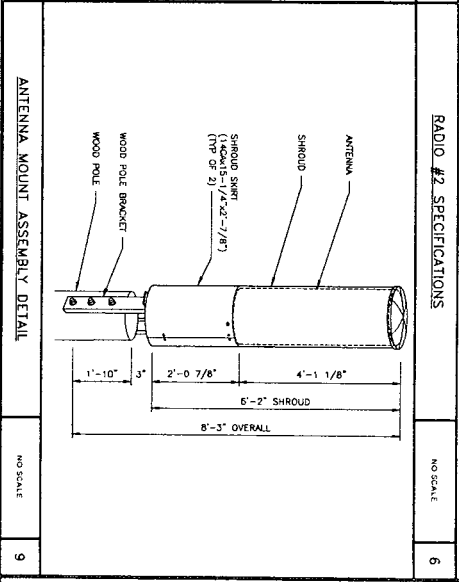
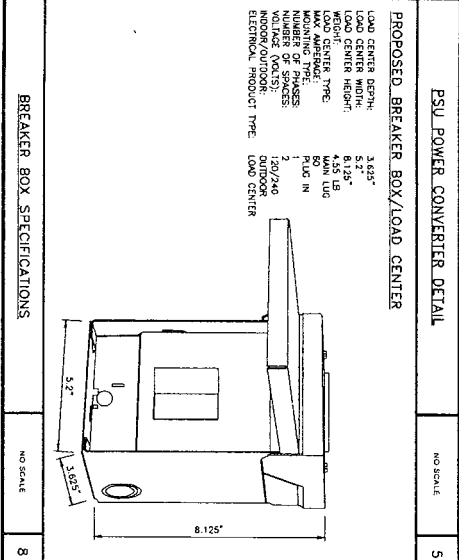
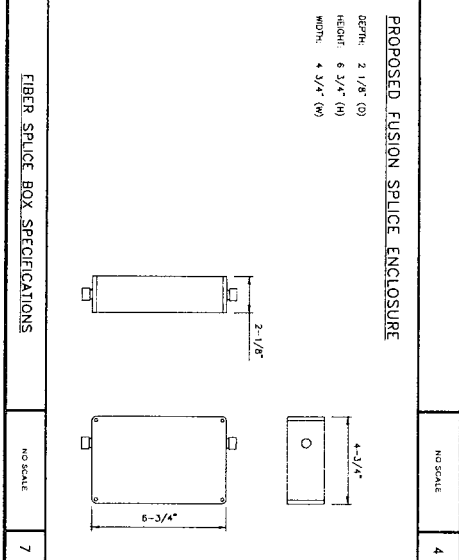
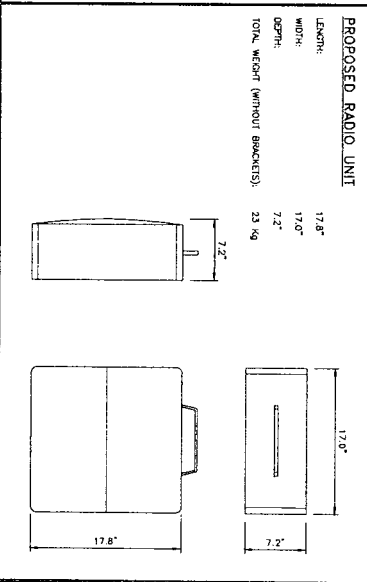
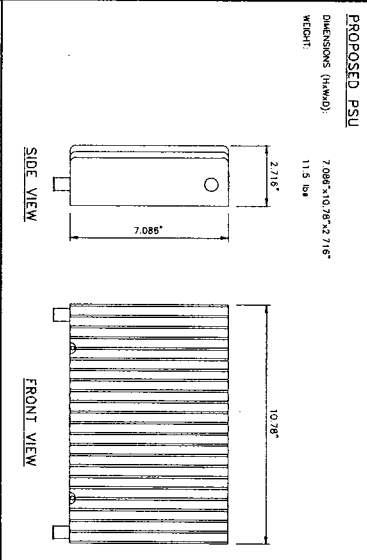
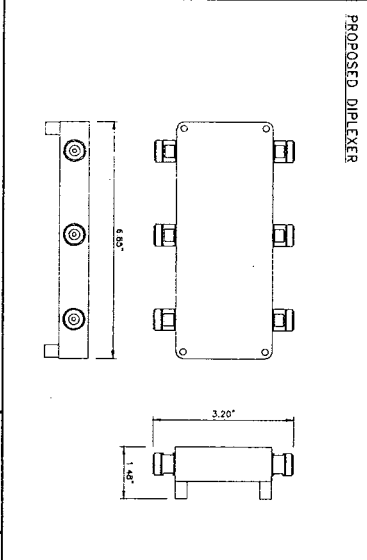
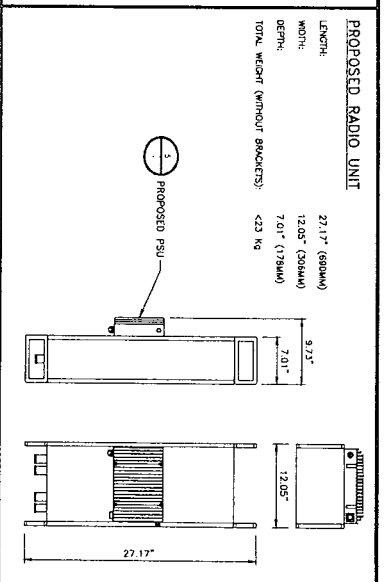
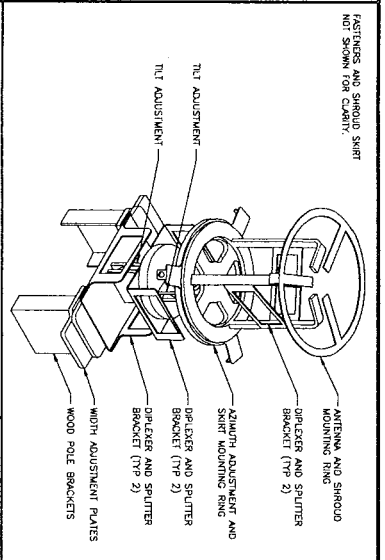
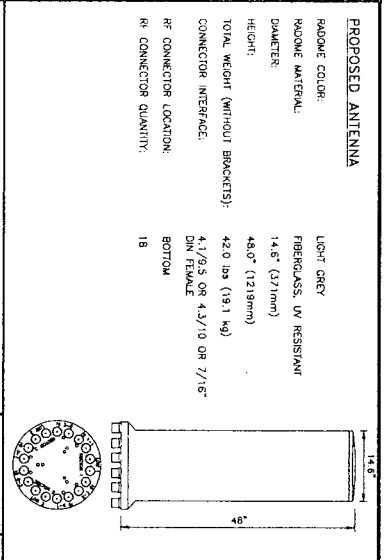
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EXTENET SYSTEMS (CA) LLC
2000 CROW CANYON PLACE
SUITE 210
SAN RAMON, CA 94583

SITE ADDRESS
000588
ADJACENT TO (IN PROW)
740 5TH AVENUE
OAKLAND, CA 94607

SHEET TITLE
RISER DETAILS

SHEET NUMBER
C-2.1



extenei
 Connectingly
 SYSTEMS
 ENTERPRISE

INTERNAL REVIEW
 CONSTRUCTION SIGNATURE DATE
 RF SIGNATURE DATE
 FIELD SIGNATURE DATE

BLACK & VEATCH
 BLACK & VEATCH CORPORATION
 2999 OAK ROAD
 WALNUT CREEK, CA 94597

PROJECT NO: DRAWN BY: CHECKED BY:
 1924175851 WVN CB

NO.	DATE	DESCRIPTION
1	02/01/17	ISSUED FOR REVIEW
2	02/27/17	ISSUED FOR REVIEW

PRELIMINARY

IT IS THE POLICY OF BLACK & VEATCH CORPORATION TO PROTECT THE CONFIDENTIALITY OF ALL INFORMATION CONTAINED HEREIN AND TO REPRODUCE OR USE OF THE INFORMATION CONTAINED HEREIN AND ANY REPRODUCTION OR USE OF THE INFORMATION CONTAINED HEREIN WITHOUT THE WRITTEN CONSENT BY BLACK & VEATCH.

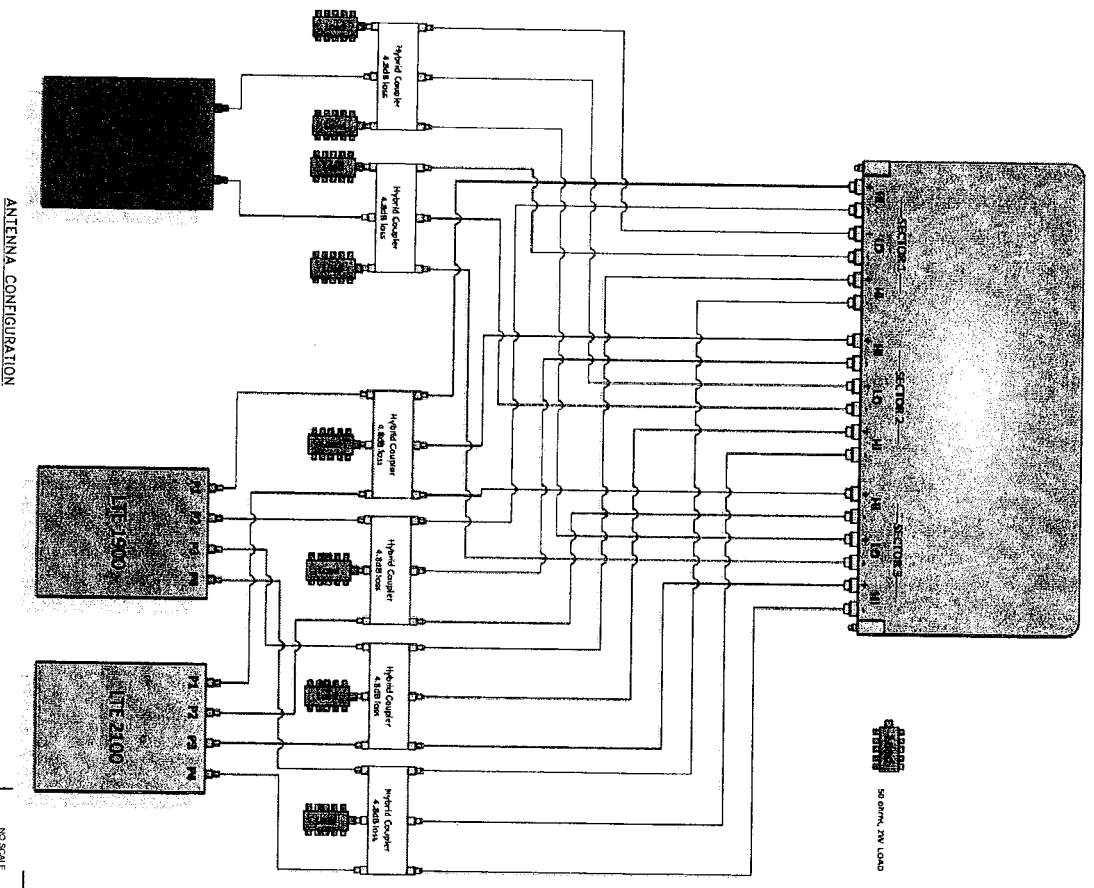
EXTENET SYSTEMS (CA) LLC
 2000 CROW CANYON PLACE
 SUITE 210
 SAN RAMON, CA 94583

SITE ADDRESS
 00058B
 ADJACENT TO (IN ROW)
 740 5TH AVENUE
 OAKLAND, CA 94607

EQUIPMENT DETAILS

SHEET NUMBER
C-3

NW-CA-DT-OAKLAN-VZTW
(Option 12)



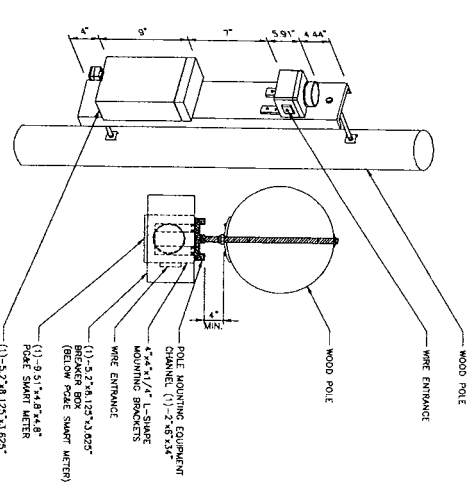
NO SCALE

1

SMART METER/BREAKER BOX DETAIL

NO SCALE

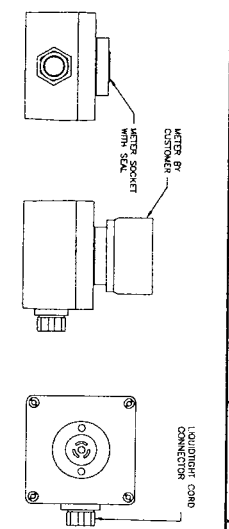
4



PROPOSED METER ADAPTER

NO SCALE

3



RF SIGNAGE DETAIL

NO SCALE

2

NOTICE

Beyond This Point you are entering a controlled area where RF emissions may exceed the FCC General Population Exposure Limits. Follow all posted signs and site guidelines for working in a RF environment.

NOTE: SPECIFIC DUE PLACARD WILL BE PLACED AFTER DUE REPORT.

DATE: 08/13/15

CAUTION

Beyond This Point you are entering a controlled area where RF emissions may exceed the FCC Occupational Exposure Limits. Follow all posted signs and site guidelines for working in a RF environment.

DATE: 08/13/15

PRELIMINARY

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS AUTHORIZED, TO REPRODUCE, COPIY, OR ALTER THIS DOCUMENT.

EXTENT SYSTEMS (CA) LLC
2000 CROW CANYON PLACE
SAN RAMON, CA 94583

SITE ADDRESS:
000881
ADJACENT TO (IN PROX)
740 5TH AVENUE
OAKLAND, CA 94607

EQUIPMENT DETAILS

SHEET TITLE

SHEET NUMBER

C-4

PROJECT NO: 1924175811
DRAWN BY: WHH
CHECKED BY: CB

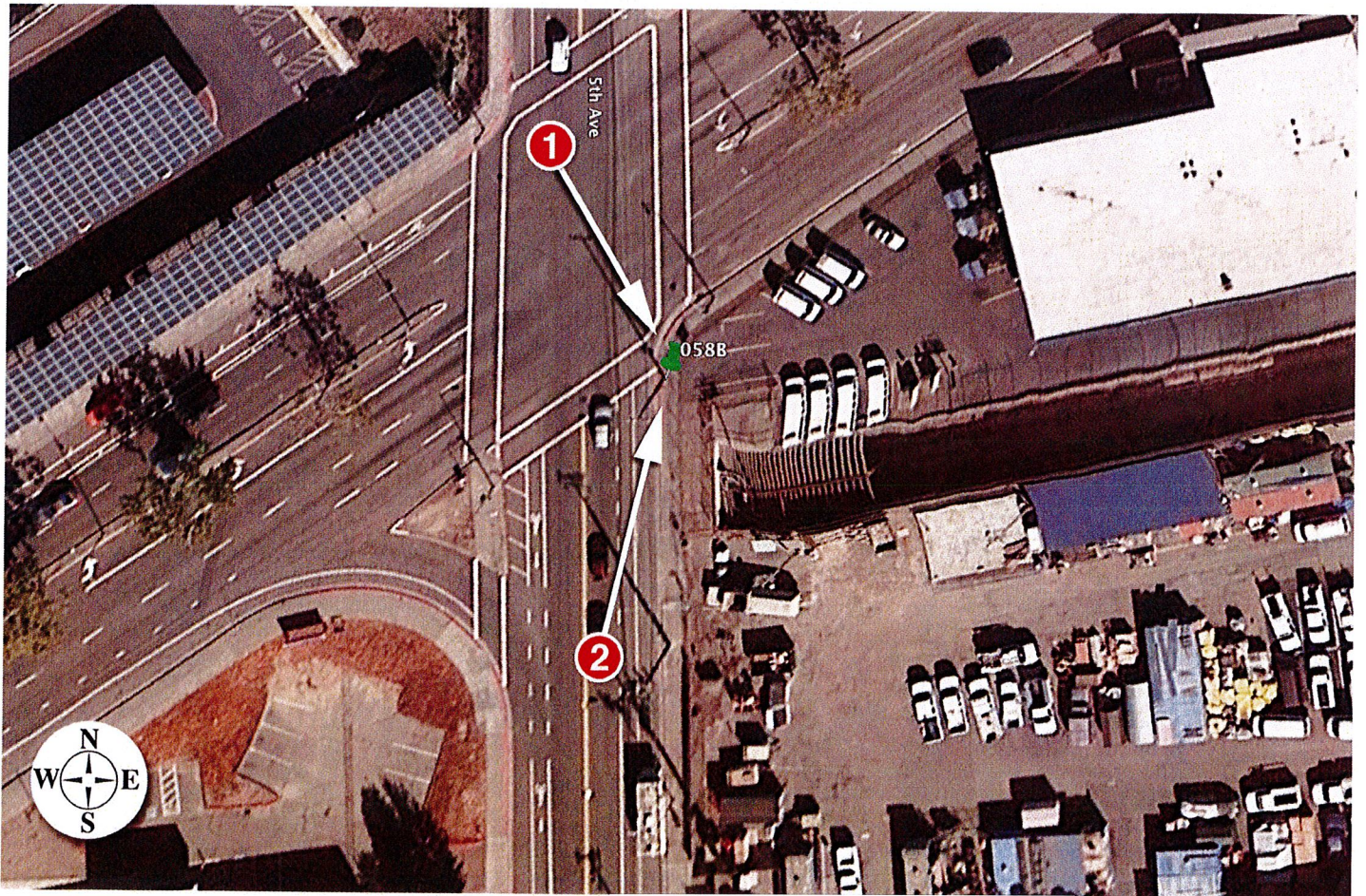
DATE: 08/07/17
DESCRIPTION: RADIO FOR RENEW

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BLACK & VEATCH
BLACK & VEATCH CORPORATION
2015 SLOAN AVENUE
SUITE 400
WALNUT CREEK, CA 94597

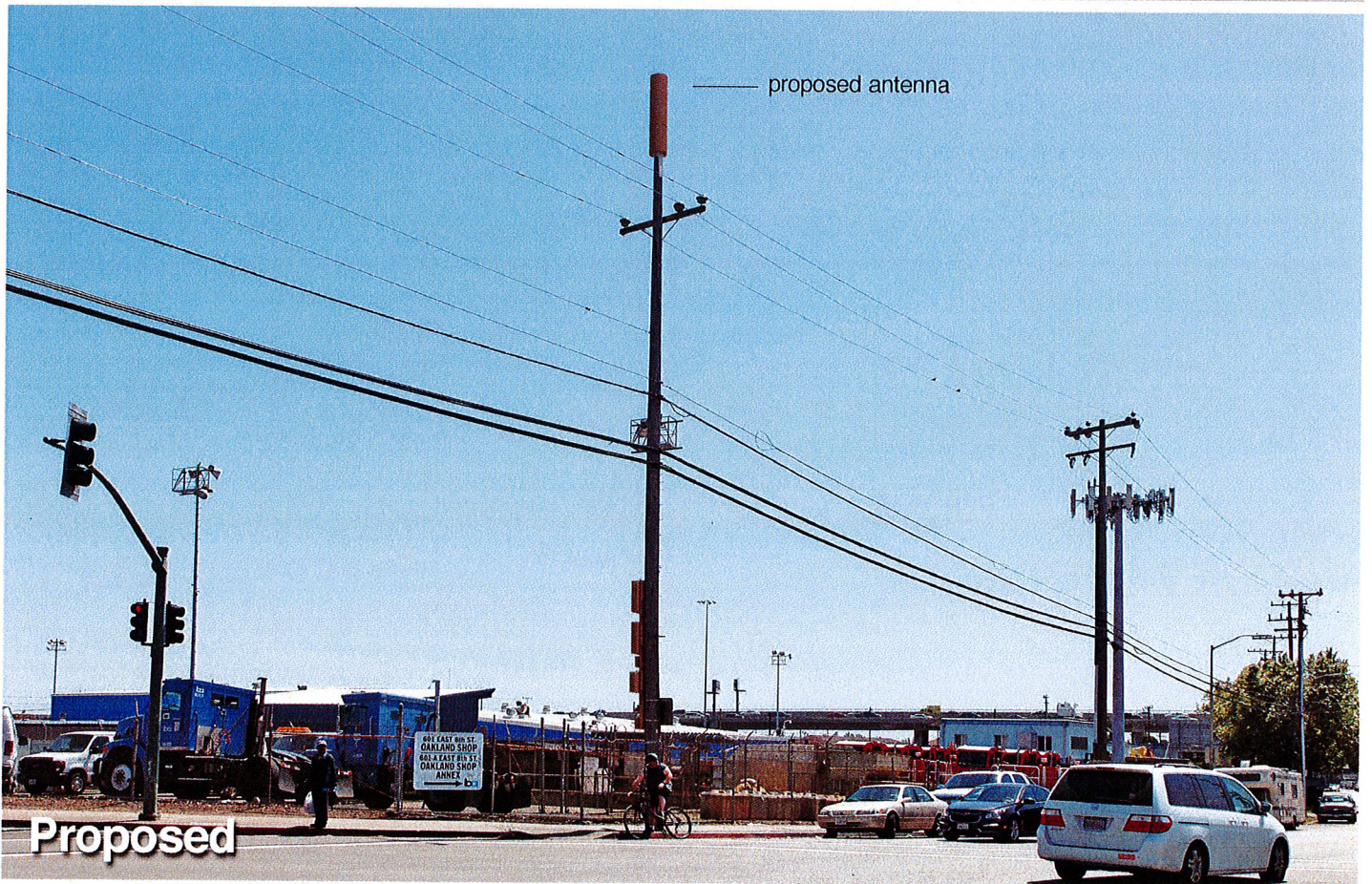
extensiv
INTEGRATING ENVIRONMENTAL SYSTEMS

ANTENNA REVIEW: _____ DATE: _____
CONSTRUCTION SIGNATURE: _____ DATE: _____
RF SIGNATURE: _____ DATE: _____
RF STATE SIGNATURE: _____ DATE: _____



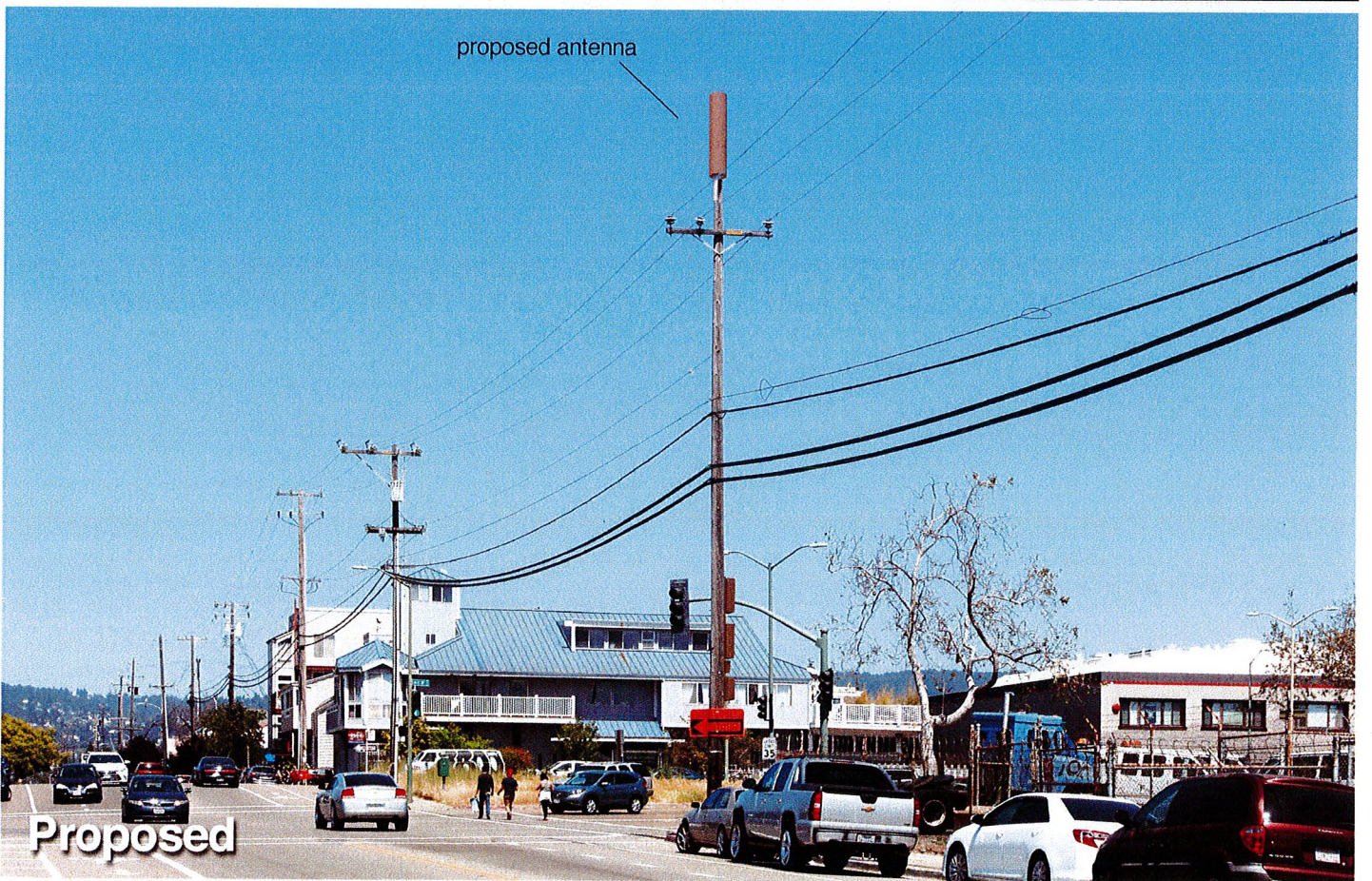


Existing



proposed antenna

Proposed





May 12, 2017

City Planner
Planning Department
City of Oakland
250 Frank Ogawa Plaza, 2nd Floor
Oakland, CA 94612

Re: Proposed ExteNet Small Cell Node Installation
Applicant: ExteNet Systems (California) LLC
Nearest Site Address: Public Right of Way near 740 5th Avenue
Site ID: NW-CA-DTOAKLAN Node 00058B
Latitude/Longitude: 37.792596, -122.258154

Dear City Planner,

On behalf of ExteNet Systems (California) LLC, this letter and attached materials are to apply for a design review permit to install a small cell node in the public right-of-way near 740 5th Avenue (“Node 00058B”).¹ The following is an explanation of the existing site, a project description of the designed facility, the project purpose and justifications in support of this proposal.

A. Project Description.

The proposed location for our facility currently consists of an approximate 44 feet tall wood utility pole in the public right-of-way on the east of 5th Avenue just south with 7th Street/E 8th Street, at about 740 5th Avenue. Power line is on the pole at about 43 feet above ground.

ExteNet proposes to swap the pole for a new pole measuring 47 feet above ground and to affix one canister antenna within an antenna shroud on top of the pole. The antenna, measuring 48 inches long and 14.6 inches in diameter, will be placed on top of the pole at 49 feet 10 inches. The top of the antenna shroud will be at 53 feet 11 inches. Six proposed diplexers measuring 6.85 inches wide, 3.20 inches long and 1.48 inches deep will be placed within the antenna shroud. One MRRU measuring 17.0 inches wide, 17.8 inches tall and 7.2 inches deep will be placed on the pole at 10 feet. Two MRRUs measuring 12.05 inches wide, 27.17 inches tall and 7.01 inches deep will be placed on the pole at 12 feet 8 inches and 15 feet 8 inches. A miniature emergency shut-off safety switch and electricity meter will be placed on the pole at about eight feet above ground. All equipment will be painted brown to match the utility pole. Our proposal is depicted in the attached design drawings and photographic simulations.

This is an unmanned facility that will operate at all times (24 hours per day, seven days per week) and will be serviced about once per year. Our proposal will greatly benefit the area by improving wireless telecommunications service as detailed below.

¹ ExteNet expressly reserves all rights concerning the city’s jurisdiction to assert zoning regulation over the placement of wireless facilities in the public rights-of-way.

B. Project Purpose.

The purpose of this project is to provide Verizon wireless voice and data coverage to the surrounding area where there is currently a significant gap in service coverage. These wireless services include mobile telephone, wireless broadband, emergency 911, data transfers, electronic mail, Internet, web browsing, wireless applications, wireless mapping and video streaming. The proposed node is part of a larger small cell providing coverage to areas of Oakland that are otherwise very difficult or impossible to cover using traditional macro wireless telecommunications facilities due to the local topography and mature vegetation. The attached radio frequency propagation maps depict Verizon's larger small cell project. Further radio frequency details are set forth in the attached Radio Frequency Statement, including propagation maps depicting existing and proposed coverage in the vicinity of Node 00058B.

A small cell network consists of a series of radio access nodes connected to small telecommunications antennas, typically mounted on existing wooden utility poles within the public rights-of-way, to distribute wireless telecommunications signals. Small cell networks provide telecommunications transmission infrastructure for use by wireless services providers. These facilities allow service providers such as Verizon to establish or expand their network coverage and capacity. The nodes are linked by fiber optic cables that carry the signal stemming from a central equipment hub to a node antenna. Although the signal propagated from a node antenna spans over a shorter range than a conventional tower system, small cell can be an effective tool to close service coverage gaps.

C. Project Justification, Alternative Site and Design Analysis.

Node 00058B is an integral part of the overall small cell project, and it is located in a difficult coverage area near 7th Street. The coverage area consists of a primarily commercial-industrial neighborhood off of 5th Avenue, E 8th Street, 7th Street, and surrounding areas. Node 00058B will cover transient traffic along the roadways and provide in-building service to the surrounding residences as depicted in the propagation maps, which are exhibits to the attached Radio Frequency Statement.

Based on ExteNet's analysis of alternative sites the currently proposed Node 00058B is the least intrusive means to close Verizon's significant service coverage gap in the area. Node 00058B best uses existing utility infrastructure, adding small equipment without disturbing the character of the neighborhoods served. Deploying a small cell node at an existing pole location minimizes any visual impact by utilizing an inconspicuous spot. By installing antennas and equipment at this existing pole location, Verizon does not need to propose any new infrastructure in this coverage area.

The small cell node RF emissions are also much lower than the typical macro site, they are appropriate for the area, and they are fully compliant with the FCC's requirements for limiting human exposure to radio frequency energy. The attached radio frequency engineering analysis provided by Hammett & Edison, Inc., Consulting Engineers, confirms that the proposed equipment will operate well within (and actually far below) all applicable FCC public exposure limits. The facility will also comply with California Public Utility Commission (CPUC) General Orders 95 (concerning overhead line design, construction and maintenance) and 170 (CEQA review) that govern utility use in the public right-of-way.

This proposed redesign is a viable design developed according to our discussions with the Planning Department. As discussed with City Planning, Node 00058B is the least intrusive option. Also the proposed location is a good coverage option because it sits at a spot from which point Verizon can adequately propagate its wireless signal.

ExteNet considered alternative sites on other utility poles in this area but none of these sites is as desirable from construction, coverage or aesthetics perspectives. The proposed location is approximately equidistant from other small cell nodes that ExteNet plans to place in surrounding hard-to-reach areas, so that service coverage can be evenly distributed. The proposed facility is not in the path of any protected view sheds. The other utility poles in the area are more conspicuous than the proposed pole. In addition to the utility pole proposed to host Node 00058B, ExteNet considered alternative sites set forth in the attached Alternative Site Analysis.

ExteNet Systems

2000 Crow Canyon Place, Suite 210 • San Ramon, CA 94583

Alternative designs were considered including placing equipment inside of a ground-mounted cabinet. However, the pole-mounted equipment would better suit the area because it would blend in with the pole. We also evaluated whether equipment could be undergrounded but unfortunately this is not possible because there is insufficient right-of-way space for the necessary equipment access and the equipment would be compromised from saturation by rainwater. The antennas cannot be undergrounded because they rely on a line-of-site in order to properly transmit a signal.

Drawings, propagation maps, photographic simulations, and a radio-frequency engineering analysis are included with this packet.

As this application seeks authority to install a wireless telecommunication facility, the FCC's Shot Clock Order² requires the city to issue its final decision on ExteNet's application within 150 days. We respectfully request expedited review and approval of this application. Feel free to contact me if you have any questions. Thank you.

Thank you.

Best Regards,

Ana Gomez, BV for ExteNet

Ana Gomez

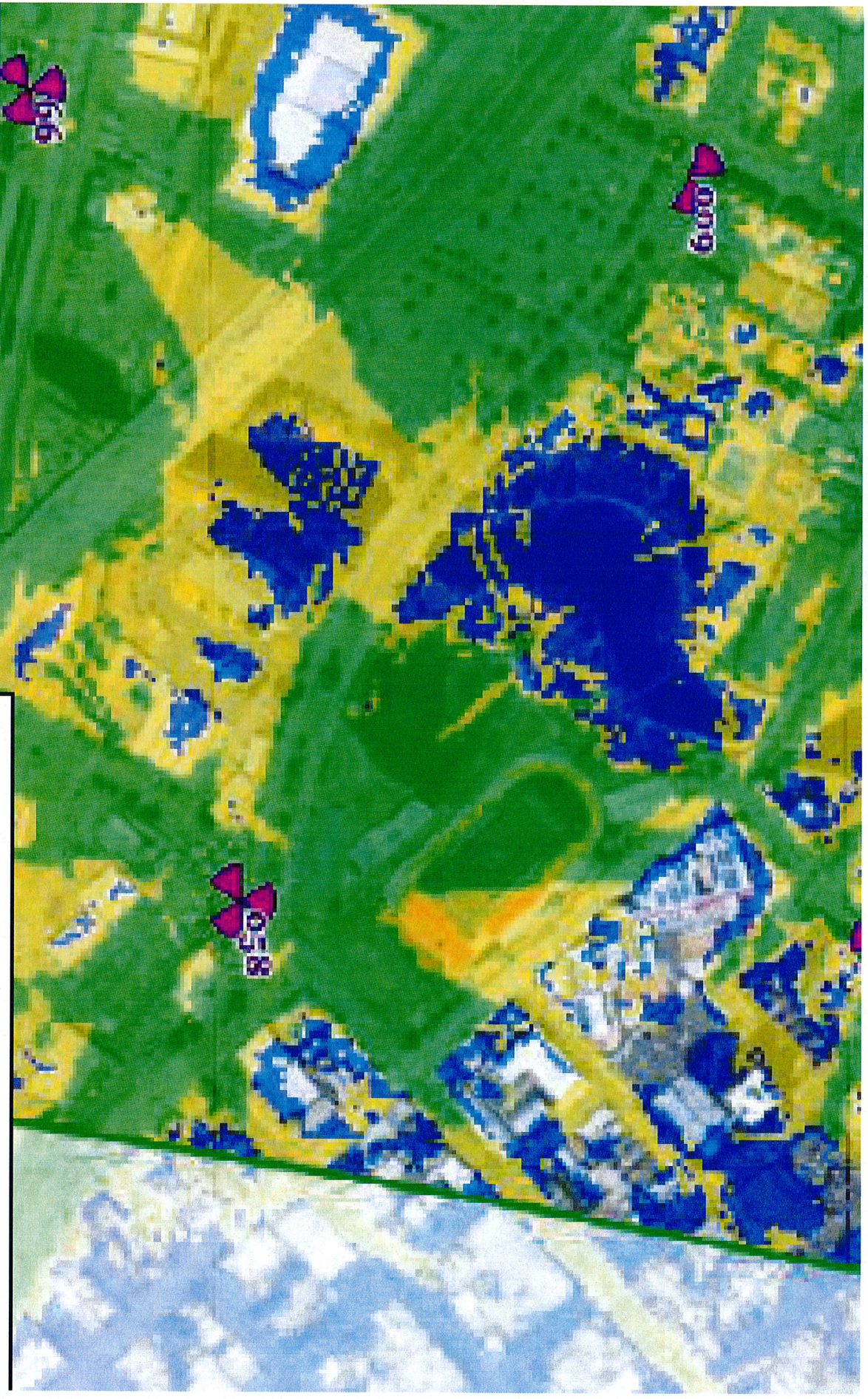
Permitting Agent for ExteNet Systems

² See Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B), WT Docket No. 08-165, Declaratory Ruling, 24 F.C.C.R. 13994 (2009).



**EXTENET OAKLAND
NODE 00058B
740 5TH AVENUE
ALTERNATIVE SITE ANALYSIS**

PROPAGATION MAP OF NODES 00058B



This propagation map depicts the ExtenNet proposed Node 00058B in relation to surrounding proposed ExtenNet small cell nodes.

ALTERNATIVE NODE 00058A

- Node 00058A is a wood utility pole next to 740 5th Avenue (37.792296, - 122.258864).
- This pole is not a viable alternative candidate because the existing pole does not have power nor telco in order to facilitate our proposed wireless installation.



ALTERNATIVE NODE 00058D



- Node 00058D is a wood utility pole near 715 5th Street (37.800503, -122.281288).
- This pole is not a viable alternative candidate because the existing riser on the pole occupies the available quadrant space.
- This pole is not a viable alternative because it is in front of windows in a residential building.
- This pole is not a viable alternative because there are fuses on top of the pole which PG&E prevents us from building our proposed project.

ALTERNATIVE NODE 00058F



- Node 00058F is a wood utility pole near 732 5th Avenue (37.792419, -122.258401).
- This pole is not a viable alternative because there are fuses on top of the pole which PG&E prevents us from building our proposed project.
- This pole is not a viable alternative candidate because the existing riser on the pole occupies the available quadrant space.



extenet
SM
SYSTEMS

Thank You!



July 19, 2017

City Planner
Planning Department
City of Oakland
250 Frank H. Ogawa Plaza, 2nd Floor
Oakland, CA 94612

Re: Public Outreach Summary

Applicant: ExteNet Systems (California) LLC
Nearest Site Address: Public Right of Way near 740 5th Avenue
Site ID: NW-CA-DTOAKLAN-VzW Node 00058B
Latitude/Longitude: 37.792596, -122.258154
Planning Application: PLN17231

Dear City Planner,

This week we notified the following groups by sending them the attached project flier:

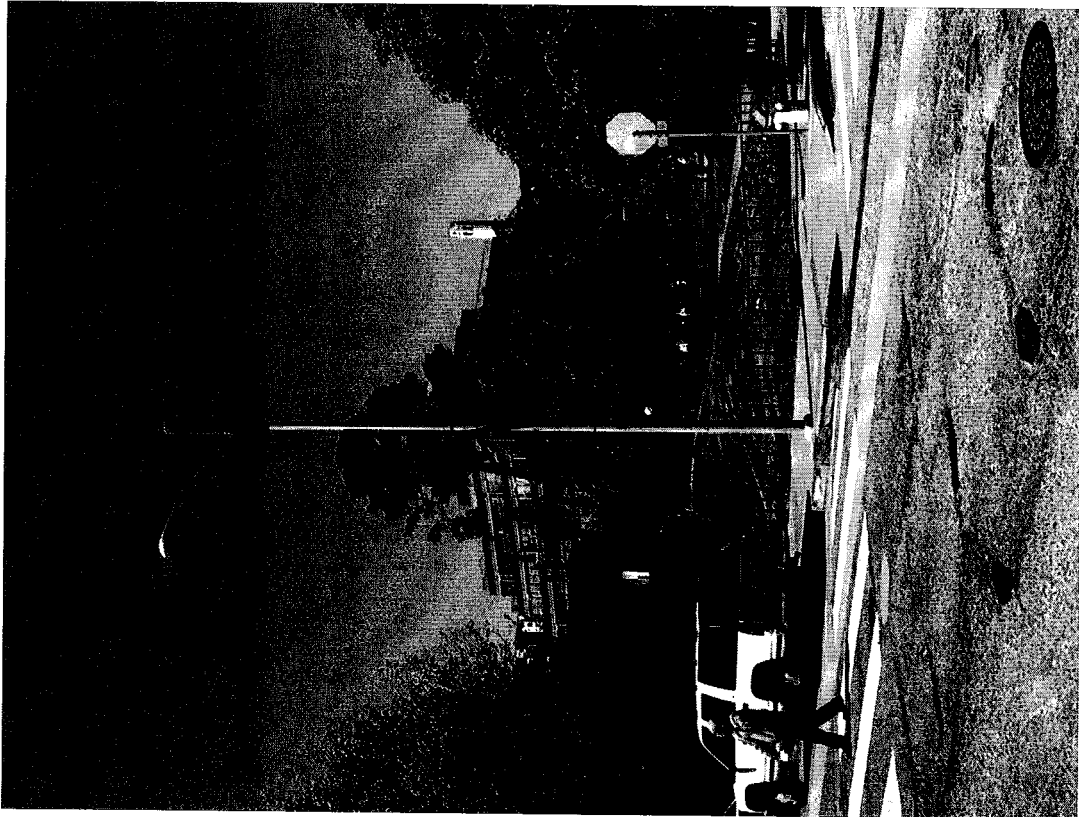
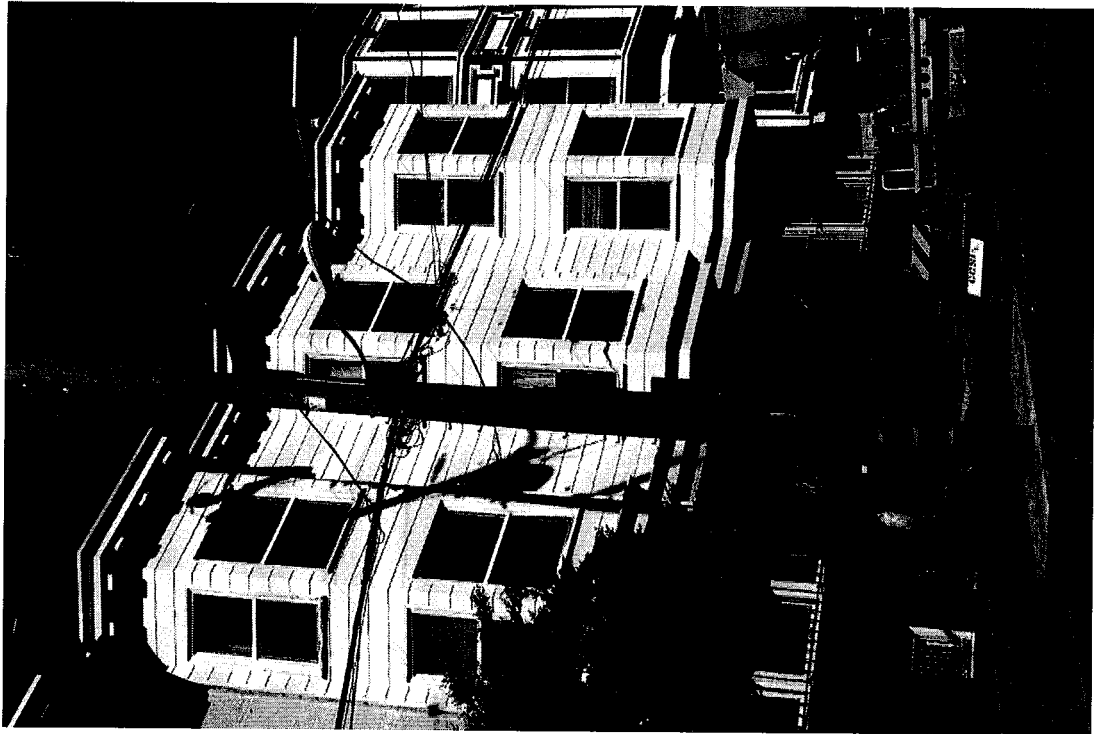
- Oakcenter Neighborhood Association

Feel free to contact me if you have any questions. Thank you.

Best Regards,

Ana Gomez/BV for ExteNet

Ana Gomez
ExteNet Permitting Contractor



**ExteNet Systems CA, LLC • Proposed Small Cell (Node No. 00058B)
740 Fifth Avenue • Oakland, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of ExteNet Systems CA, LLC, a wireless telecommunications facilities provider, to evaluate the addition of Node No. 00058B to be added to the ExteNet small cell network in Oakland, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

Executive Summary

ExteNet proposes to install a cylindrical antenna on top of a replacement utility pole to be sited in the public right-of-way at 740 Fifth Avenue in Oakland. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.35	0.47
[most restrictive frequency range]	30–300	1.00	0.20

Power line frequencies (60 Hz) are well below the applicable range of these standards, and there is considered to be no compounding effect from simultaneous exposure to power line and radio frequency fields.

General Facility Requirements

Wireless nodes typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to a central “hub” (which in turn are connected to the traditional wired telephone lines), and the passive antenna(s) that send the wireless signals created by the radios out to be received by individual subscriber units. The radios are often located on the same pole as the

**ExteNet Systems CA, LLC • Proposed Small Cell (Node No. 00058B)
740 Fifth Avenue • Oakland, California**

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

Computer Modeling Method

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

Site and Facility Description

Based upon information provided by ExteNet, including drawings by Black & Veatch Corporation, dated May 1, 2017, it is proposed to install one Amphenol Model CUUT070X12F00 4-foot tall, tri-directional cylindrical antenna, with three directions activated, on top of a new 47½-foot utility pole to replace the existing 44½-foot utility pole sited in the public right-of-way at 740 Fifth Avenue in Oakland. The antenna would employ no downtilt, would be mounted at an effective height of about 52 feet above ground, and its principal directions would be oriented toward 0°T, 120°T, and 240°T, to provide service in all directions. Verizon proposes to operate from this facility with a maximum effective radiated power in any direction of 2,590 watts, representing simultaneous operation at 1,250 watts for AWS, 1,130 watts for PCS, and 210 watts for 700 MHz service. There are reported no other wireless telecommunications base stations at this site or nearby.

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation is calculated to be 0.0023 mW/cm², which is 0.28% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building is 0.29% of the public exposure limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

**ExteNet Systems CA, LLC • Proposed Small Cell (Node No. 00058B)
740 Fifth Avenue • Oakland, California**

Recommended Mitigation Measures

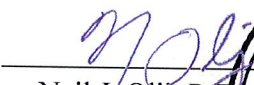
Due to its mounting location and height, the ExteNet antenna would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training be provided to all authorized personnel who have access to the antenna, including employees and contractors of the utility companies. No access within 9 feet directly in front of the antenna itself, such as might occur during certain maintenance activities, should be allowed while the node is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory signs* on the pole at or below the antenna, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the node proposed by ExteNet Systems CA, LLC, at 740 Fifth Avenue in Oakland, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Training personnel and posting signs is recommended to establish compliance with occupational exposure limitations.

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration No. E-21306, which expires on September 30, 2017. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.


Neil J. Olij, P.E.
707/996-5200



May 24, 2017

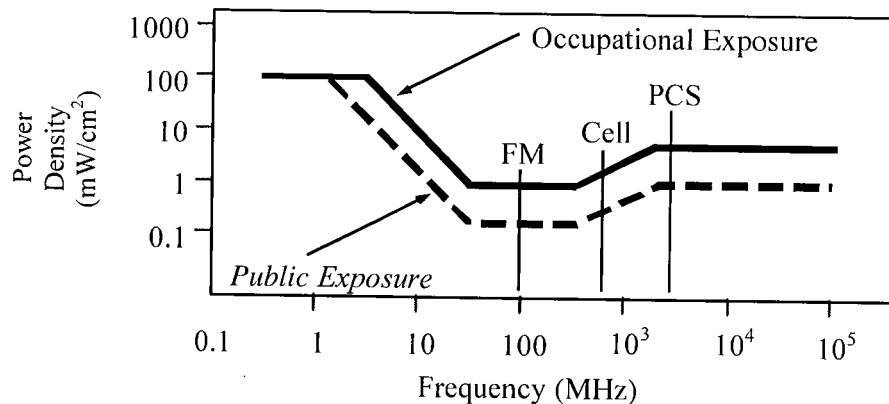
* Signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required. Signage may also need to comply with the requirements of California Public Utilities Commission General Order No. 95.

FCC Radio Frequency Protection Guide

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

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

Frequency Applicable Range (MHz)	Electromagnetic Fields (<i>f</i> is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0 – 30	1842/ <i>f</i>	<i>823.8/f</i>	4.89/ <i>f</i>	<i>2.19/f</i>	900/ <i>f²</i>	<i>180/f²</i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√ <i>f</i>	<i>1.59√f</i>	√ <i>f</i> /106	<i>√f/238</i>	<i>f</i> /300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



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

RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

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

Near Field.

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

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

where θ_{BW} = half-power beamwidth of the antenna, in degrees, and

P_{net} = net power input to the antenna, in watts,

D = distance from antenna, in meters,

h = aperture height of the antenna, in meters, and

η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.

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

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

where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 ($1.6 \times 1.6 = 2.56$). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.

