Case File Number: CMD10-280 **February 16, 2011**

Location:	**400 Perkins Street (See map on reverse)**
Assessors Parcel Numbers:	**(010-0777-015-01)**
Proposal:	To install two (2) telecommunication antennas within faux smoke stacks, and six (6) equipment cabinets inside the electric room of the building.
Applicant:	T-Mobile, Dayna Aguirre
Contact Person/ Phone Number:	Dayna Aguirre (925)784-7888
Owner:	400 Mayfair, LLC
Case File Number:	CMDV10-280
Planning Permits Required:	Regular Design Review to install two (2) telecommunication antennas within faux smoke stacks, and six (6) equipment cabinets inside the electric room of the building Major Conditional Use Permit for the installation of a Mini telecommunication facility within 100 feet of a residential zone. Minor Variance to mount the antennas approximately 17'-6" above the roof where a maximum of 15'-0" above the roof is permitted.
General Plan:	Urban Residential
Zoning:	R-60 Medium-High Density Residential Zone S-12 Residential Parking Combining Zone
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to an existing facility. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general Plan or zoning.
Historic Status:	Designated Historic Property; Survey rating: B+3
Service Delivery District:	3
City Council District:	3
Date Filed:	11/3/10
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner **Michael Bradley** at **(510) 238-6935** or mbradley@oaklandnet.com

SUMMARY

The following staff report addresses the proposal for a new unmanned wireless telecommunication facility located on the roof of an existing apartment building inside two faux smoke stacks with associated equipment cabinets located in the electrical room of the building. Given the number of antennas and height above the roofline, this would be considered a "Mini" Telecommunications Facility. The site is located within the R-60 Medium-High Density Residential Zone and the S-12 Residential Parking Combining Zone at the corner of Perkins Street and Van Buren Avenue. The General Plan designation for the site is Urban Residential. The scope of work entails the installation of two (2) concealed antennas inside faux smoke stacks on the roof of the building and the installation of six (6) equipment cabinets.

#3

CITY OF OAKLAND PLANNING COMMISSION

0 135 270 540 810 1,080 Feet

Case File: CMDV10-280
Applicant: T-Mobile, Dayna Aguirre
Address: 400 Perkins Street
Zone: R-60/S-12

PROJECT DESCRIPTION

The applicant (T-Mobile) is proposing to install two (2) wireless telecommunication antennas mounted inside two faux smoke stacks on the roof of an existing apartment building. Through conditions of approval the antennas shall be enclosed and painted and textured to match the existing rooftop and building features. The proposal for the equipment cabinets is to locate the cabinets in the electrical room of the building. All proposed antennas and associated equipment through conditions of approval will not be accessible to the public. (**See Attachment A**).

PROPERTY DESCRIPTION

The subject property is a large 60 unit apartment building, with frontage on Perkins Street and Van Buren Avenue. The subject property has a fully functioning apartment building on the site. The property was developed in 1929 (based on Alameda County Assessors Data). Currently there are no other telecommunication facilities at the site.

GENERAL PLAN ANALYSIS

The subject property is located within the Urban Residential General Plan designation. The Urban Residential land use classification is intended 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. The proposed unmanned wireless telecommunication facility will not adversely affect and detract from the commercial or residential characteristics of the neighborhood. The antennas will be mounted inside faux smoke stacks on the roof of the building and will have mitigated visual impacts. General Plan Policy N9.9 states that the City encourages rehabilitation efforts which respect the architectural integrity of a building's original style. The proposed project will have very minimal effect on the existing building.

ZONING ANALYSIS

The subject property is located within the R-60 Medium-High Density Residential Zone and the S-12 Residential Parking Combining Zone. The R-60 zone is intended to create, preserve, and enhance areas for apartment living at relatively high densities in desirable settings, and is typically appropriate to areas having good accessibility to transportation routes and shopping and community centers. The S-12 zone is intended to create, preserve, and enhance areas with high concentrations of Residential Facilities, to ensure that adequate off-street parking is provided for those facilities, and to maximize the general availability of on-street parking, and is typically appropriate in high density residential neighborhoods, adjacent commercial areas, and other neighborhoods where high concentrations of Residential Facilities may contribute to on-street parking congestion. The proposal is for a new rooftop unmanned wireless telecommunication facility inside two faux smoke stacks requires a Major Conditional Use Permit since the project is within one hundred feet of the boundary of a residential zone. Staff finds that the proposed application meets applicable R-60 zoning and City of Oakland Telecommunication regulations.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines lists the projects that qualify as categorical exemptions from environmental review. The proposed project is categorically

exempt from the environmental review requirements pursuant to Section 15301, additions and alterations to existing facilities, and 15183, projects consistent with a community plan, general plan or zoning.

KEY ISSUES AND IMPACTS

1. Conditional Use Permit

Section 17.26.060 of the City of Oakland Planning Code requires a conditional use permit to install a Mini Telecommunication facility in the R-60 zone. Furthermore, Section 17.134.020 defines major and minor conditional use permits. Subsections (A)(3)(i) lists a major conditional use permit: "Any telecommunication facility in or within one hundred (100) feet of the boundary of any residential zone. The required findings for a major conditional use permit are listed 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 indicate that new 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. A site design alternatives analysis shall, at a minimum, consist of:

a. Written evidence indicating why each higher preference design alternative can not 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 proposed project meets (G) residential uses in residential zones. The applicant supplied a site alternatives analysis and coverage maps (**See Attachment C**). The site alternatives analysis provides written evidence indicating why each higher preference design alternative can not be used. The evidence indicates the reason an alternative was rejected due to technical reasons including incorrect height, and inability to cover the required area. The other sites considered were: 255 MacArthur Boulevard (apartment building); and 281 MacArthur Boulevard (apartment building). Both sites did not meet the required coverage, stealth, and structurally was not acceptable by T-Mobile standards. This site appears to be the most suitable to provide the appropriate amount of telecommunication coverage in the area.

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 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 higher preference design alternative can not 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).

City of Oakland Planning staff have reviewed and determined that the site selected is conforming to all other telecommunication regulation requirements. The project has met design criteria (A) since the antennas shall be mounted completely concealed inside a faux smoke stack enclosure. Furthermore, to mitigate visual impacts the antennas will be mounted approximately 90 feet above the public right of way and will be setback from the edge of the building. The associated equipment shelters will have no visual impact since the equipment will be placed inside the electrical room of the existing building.

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.

The applicant states that the proposed project meets the radio frequency (RF) emissions standards as required by the regulatory agency. Submitted with the initial application was a RF emissions report, prepared by Waterford Consultants, LLC (**attachment B**). 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 final building permit sign-off, the applicant submits certified RF emissions report stating that the facility is operating within acceptable thresholds established by the regulatory federal agency.

CONCLUSION

City of Oakland planning staff believes that the proposed project and subject property can be developed to meet the established zoning and telecommunication regulations that were created and adopted to set certain criteria minimums and maximums for similar types of developments. Staff believes that the findings for approval can be made to support the Conditional Use Permit, Minor Variance and Design Review.

RECOMMENDATIONS:

1. Affirm staff's environmental determination
2. Approve Conditional Use Permit, Minor Variance and Design Review application CMDV10-280 subject to the attached findings and conditions of approval

Prepared by:

Michael Bradley

Michael Bradley
Planner I

Approved by:

Scott Miller

Scott Miller
Zoning Manager

Approved for forwarding to the
City Planning Commission

Eric Angstadt, Deputy Director
Community & Economic Development Agency

ATTACHMENTS:

A. Project Plans & Photo simulations
B. Waterford Consultants, LLC RF Emissions Report
C. Site Alternative Analysis and Coverage Maps

FINDINGS FOR APPROVAL

FINDINGS FOR APPROVAL:
This proposal meets all the required findings under Section 17.134.050, of the General Use Permit criteria; all the required findings under Section 17.136.050.(A), of the Residential Design Review criteria; all the required findings under Section 17.128.060(B), of the telecommunication facilities (Mini) Design Review criteria; all the required findings under Section 17.128.060.(C), of the telecommunication facilities (Mini) Conditional Use Permit criteria; all of the required findings under Section 17.148.050(A); and 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 – GENERAL 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 location, size, design and operational characteristics of the proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood. Consideration was given to the harmony in scale, bulk, and coverage; 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 proposed telecommunications antennas will be located inside faux smoke stacks on the roof of the existing building and will not adversely affect the operating characteristic or livability of the existing area. The facility will be unmanned and will not create additional vehicular traffic in the area.

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 location, design and site planning of the proposed development will provide a convenient and functional working and shopping environment, and will attempt to preserve the attractive nature of the use and its location and setting warrant. The proposal will preserve a convenient and functional working and living environment; 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 mini-telecommunication facility in the Urban Residential General Plan designation will enhance and improve communication service for a mixture of civic, commercial and institutional uses in the area.

17.136.050(A) –RESIDENTIAL DESIGN REVIEW CRITERIA:

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

The proposal is the installation of a mini telecommunications facility which includes two screened antennas mounted to the roof of the existing building and one equipment cabinet, located in the electrical room of the building. The two proposed antennas will be placed within screening faux smokestack enclosures and therefore is consistent and well related to the surrounding area in scale, bulk, height, materials, and textures. The antennas will also be located 90 feet above the public right of way.

2. That 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 adding wireless telecommunication antennas to a residential area. The antennas will be concealed from public view and will not have any visual impact on the neighborhood.

3. That the proposed design will be sensitive to the topography and landscape;

The proposal does not disturb any of the existing landscaping and no new landscaping is proposed.

4. That, if situated on a hill, the design and massing of the proposed building relates to the grade of the hill;

The site is a relatively flat lot.

5. 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 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 17.120.050 for decibels levels in residential areas for both day and nighttime use. The Project conforms to all mini-facility definitions set forth in Section 17.128.060 and meets all design review criteria to minimize all impacts throughout the neighborhood

17.128.060(B) DESIGN REVIEW CRITERIA FOR MINI FACILITIES

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

The proposed antennas will be mounted inside faux smoke stacks located approximately 90 feet above the ground on the roof of and existing apartment 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 proposed antennas will be mounted inside faux smoke stacks located approximately 90 feet above the ground on the roof of and existing apartment building with the size, placement, configuration, materials, texture, and color to be submitted to the Planning and Zoning division for review and approval prior to the issuance of a building permit.

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

The proposed antennas will be mounted inside faux smoke stacks located approximately 90 feet above the ground on the roof of and existing apartment building and will be setback from the edge of the building. The cable trays shall be painted to match the color of the building.

4. Equipment shelters or cabinets shall be screened from the public view by using landscaping, or materials and colors consistent with surrounding backdrop:

The associated equipment will be located inside the electrical room of the existing building.

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.

The antennas will be mounted to the roof and will not be accessible to the public due to its location. The equipment cabinets will be located inside the electrical room of the existing building.

6. For antennas attached to the roof, maintain a 1:1 ratio 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.

The proposed antennas will be mounted inside faux smoke stacks located approximately 90 feet above the ground on the roof of and existing apartment building and will be setback from the edge of the building.

Section 17.128.060(C) CONDITIONAL USE PERMIT (CUP) FINDINGS FOR MINI FACILITIES

1. The project must meet the special design review criteria listed in subsection B of this section (17.128.060B):

The proposed project meets the special design review criteria listed above in section 17.128.060B.

2. The proposed project must not disrupt the overall community character:

Due to the proposed project locating on the rooftop of an existing building within faux smoke stacks, it will not disrupt the overall community character of the site.

3. In zones R-1 through R-60, inclusive, the project must not have any visual impact:

The project site is located in the R-60 zone and will not have any visual impacts.

17.148.050(A) – MINOR VARIANCE FINDINGS:

1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the Zoning Regulations, due to unique physical or topographical circumstances or conditions of design; or, as an alternative in the case of a Minor Variance, that such strict compliance would preclude an effective design solution improving the livability, operational efficiency, or appearance.

The subject property consists of a 60 unit multi-story apartment building. The proposed project entails the installation of two telecommunication antennas to the roof of an existing building. The minor variance is to mount the antennas 17'-6" above the roof where a maximum of 15'-0" above the roof is permitted.

Justification for this minor variance is based on the proposed project meeting the Design Review and Conditional Use Permit criteria and because strict compliance with the height requirement would decrease the operational efficiency and preclude an effective design solution. In order to set the antennas back from the edge of the building thus to protect the historical character of the building the proposed location is the most appropriate on top of a roof top penthouse structure. Also, to further mitigate any visual impact by the proposed antennas they will be concealed inside faux smoke stacks to match existing roof top features and structures.

2. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a Minor Variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.

The strict compliance of the zoning regulations would preclude an effective design solution for the proposed unmanned telecommunications facility. In order to set the antennas back from the edge of the building thus to protect the historical character of the building the proposed location is the most appropriate on top of a roof top penthouse structure. Based on the current pattern of development and the scope of the proposal the project will be compatible in size and scale and will fulfill the basic intent of the zoning and general plan regulations.

3. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.

The proposed development will not affect the character or livability of the area since very minimal change is proposed to the existing apartment building and all related equipment will be located inside an electrical room, and the roof the building is a secure area that is not accessible to the public. Based on the minimal visual changes to the building and the location of the equipment, the proposal will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area.

4. That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the Zoning Regulations.

The Variance will not negatively impact the character of the neighborhood nor affect the appropriate development of abutting properties. The subject property is a large multi-story apartment building with the proposal for the antennas to be mounted approximately 90 feet above the ground and will little to no impact on the much lower surrounding buildings.

5. That the proposal; conforms to all applicable design review criteria set forth in the Design Review Procedures at section 17.20.070.

The proposal conforms to all applicable design review criteria. Please see findings above.

6. For proposals involving one or two residential dwelling units on a lot:

That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or building length along side lot lines, the proposal also conforms with <u>at least one</u> of the following criteria:

a. **The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height:**

-OR-

b. **Over 60 percent of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five closest lots on each side of the project site, plus the ten closest lots on the opposite side of the street (see Illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance**

The proposal does not involve one or two residential units, therefore this finding does not apply.

CONDITIONS OF APPROVAL
CMDV10-280

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, **CMD10-280**, and the plans dated **October 25, 2010** and submitted on **November 3, 2010** 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 installation of a mini telecommunications facility located on the roof of an existing building at 400 Perkins Street (APN: 010-0777-015-01), under Oakland Municipal Code 17.128, 17.136, 17.134, and 17.148.**

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 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 of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter of Agreement does not relieve the applicant of any of the obligations

contained in this condition or other requirements or Conditions of Approval that may be imposed by the City.

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

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. Days/Hours of Construction Operation
Ongoing throughout demolition, grading, and/or construction
The project applicant shall require construction contractors to limit standard construction activities as follows:

a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving 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. Monday through Friday.

b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division.

c) Construction activity shall not occur on Saturdays, with the following possible exceptions:

i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division.

ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed.

d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.

e) No construction activity shall take place on Sundays or Federal holidays.

f) 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.

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

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

PROJECT SPECIFIC CONDTIONS:

14. Radio Frequency Emissions
Prior to the 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.

15. 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 determined by the office of Budget and Finance and shall be adequate to defray expenses associated with the removal of the telecommunication facility.

ATTACHMENT A

T-MOBILE WEST CORPORATION

T-Mobile®

400 PERKINS ROOFTOP

BA52262A

400 PERKINS ST,
OAKLAND CA 94670

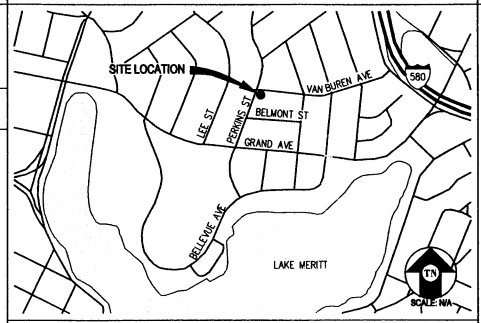
PROJECT DESCRIPTION

A (P) UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF A (P) LEASE AREA W/ (4) (P) BTS CABINETS, (P) STEPDOWN TRANSFORMER, (P) HVAC UNIT, & (P) T-MOBILE ANTENNAS INSIDE (2) (P) #24" FAUX VENTS.

PROJECT INFORMATION

SITE NAME:	400 PERKINS ROOFTOP	SITE #:	BA52262A
COUNTY:	ALAMEDA	JURISDICTION:	CITY OF OAKLAND
APN:	010-0777-015-01	POWER:	PG&E
SITE ADDRESS:	400 PERKINS STREET OAKLAND, CA 94670	TELEPHONE:	AT&T
CURRENT ZONING:	R-60/S-12		
CONSTRUCTION TYPE:	IV		
OCCUPANCY TYPE:	U		
PROPERTY OWNER:	CROWN FORTUNE PROPERTIES 468 GREEN STREET SAN FRANCISCO, CA 94133		
APPLICANT:	T-MOBILE WEST CORPORATION 1755 CREEKSIDE OAKS DR, SUITE 190 SACRAMENTO, CA 95833		
LEASING CONTACT:	ATTN: BLAINE SWAFFORD (831) 295-0868		
ZONING CONTACT:	ATTN: (---)		
CONSTRUCTION CONTACT:	ATTN: JORDAN ABAD (206) 351-4009		
LATITUDE: LONGITUDE:	N 37° 48' 37.30" NAD 83 W 122° 15' 18.62" NAD 83		
AMSL:	±35'		

VICINITY MAP



DRIVING DIRECTIONS

FROM: 1855 GATEWAY BLVD, CONCORD, CA 94520-3200
TO: 400 PERKINS STREET, OAKLAND, CA 94670

1. START OUT GOING SOUTHEAST ON GATEWAY BLVD.	0.0 MI
2. TURN SLIGHT RIGHT ONTO CLAYTON RD.	0.3 MI
3. MERGE ONTO CA-242 S TOWARD OAKLAND.	1.0 MI
4. MERGE ONTO I-680 S VIA THE EXIT ON THE LEFT TOWARD OAKLAND/SAN JOSE.	3.5 MI
5. MERGE ONTO CA-24 W TOWARD OAKLAND/LAFAYETTE.	13.6 MI
6. MERGE ONTO I-580 E TOWARD HAYWARD.	1.9 MI
7. TAKE THE EXIT TOWARD GRAND AVE/LAKESHORE AVE.	0.1 MI
8. STAY STRAIGHT TO GO ONTO MACARTHUR BLVD.	0.1 MI
9. TURN RIGHT ONTO GRAND AVE.	0.4 MI
10. TURN RIGHT ONTO PERKINS ST.	0.1 MI

END AT: 400 PERKINS STREET, OAKLAND, CA 94670

ESTIMATED TIME: 25 MINUTES ESTIMATED DISTANCE: 21.13 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 ADMINISTRATIVE CODE, TITLE 24 PART 2, SECTION 11058.3.4.2, EXCEPTION 1

SHEET INDEX

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	-
C-1	SURVEY	-
A-1	SITE PLAN	-
A-2	EQUIPMENT PLAN, ELECTRIC ROOM PLAN, & DETAILS	-
A-3	ANTENNA PLAN & DETAIL	-
A-4	ELEVATION	-
A-5	ELEVATION	-

APPROVAL

RF

LEASING

ZONING

CONSTRUCTION

T-MOBILE

400 PERKINS ROOFTOP
BA52262A
400 PERKINS STREET
OAKLAND, CA 94670

ISSUE STATUS

△	DATE	DESCRIPTION	
	09/23/10	ZD 90%	C.C.
	10/25/10	ZD 100%	R.N.
	01/21/11	CLIENT REV	R.A.
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: C. CODY
CHECKED BY: C. MATHISEN
APPROVED BY: -
DATE: 01/21/11

Streamline Engineering and Design LLC
3268 Penryn Rd, Suite 200 Loomis, CA 95650
Contact: Larry Houghtby, Phone: 916-275-4180
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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T-MOBILE WEST CORPORATION
T-Mobile
1755 CREEKSIDE OAKS DR, SUITE 190
SACRAMENTO, CA 95833

SHEET TITLE:
TITLE

SHEET NUMBER:
T-1

ATTACHMENT A

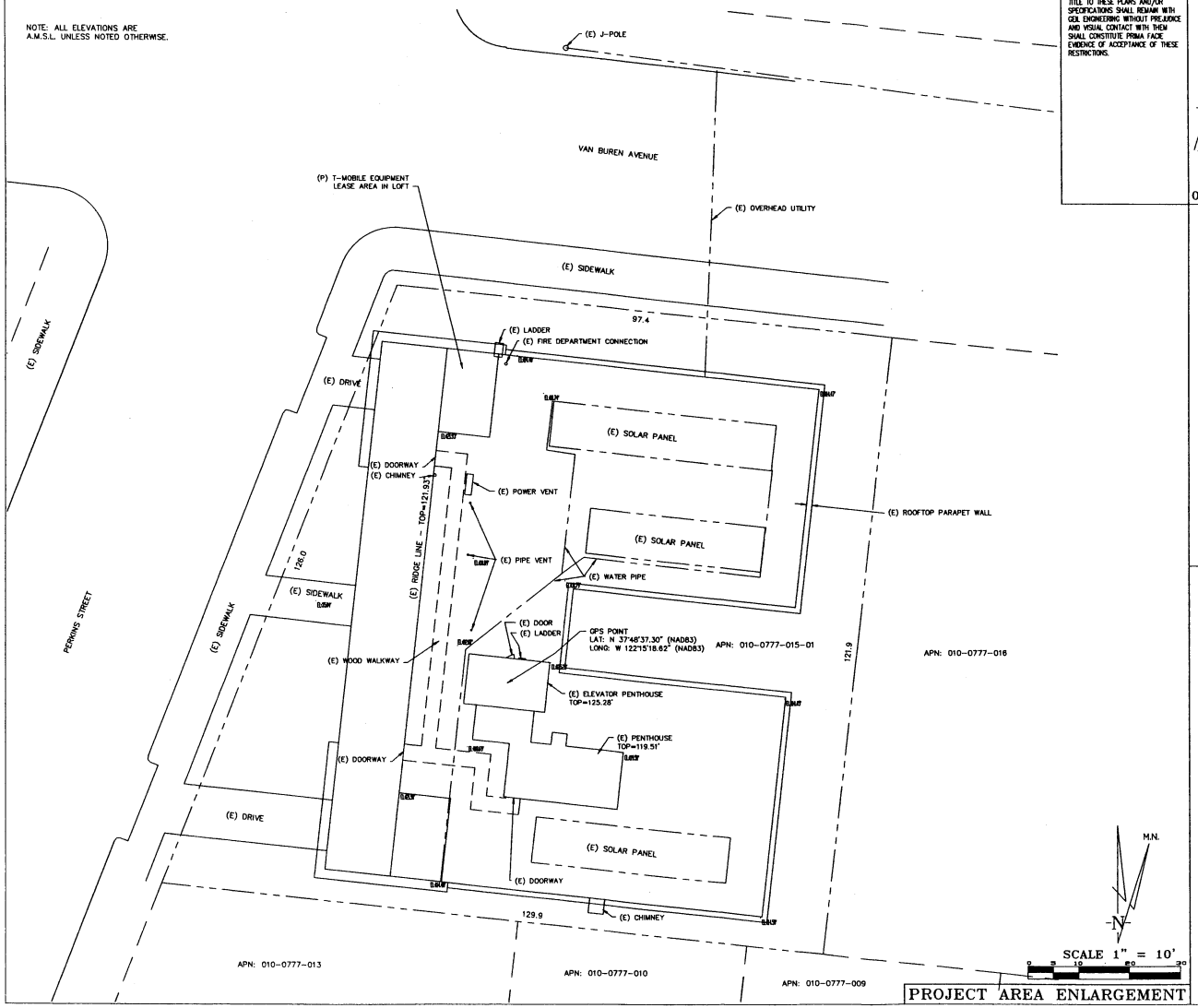
BA52262A / 400 PERKINS ROOFTOP / Lease Area Description

All that certain lease area being a portion of that certain Lot 1 of the Lakeside Subdivision of Adams Point Property, recorded at Book 21 of Tracts at Page 65, Alameda County Records, being located in the City of Oakland, County of Alameda, State of California, being more particularly described as follows:

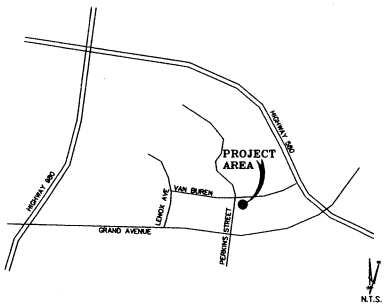
Commencing at

NOTE: ALL ELEVATIONS ARE A.M.S.L. UNLESS NOTED OTHERWISE.

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GEIL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEIL ENGINEERING TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEIL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.



PROJECT AREA ENLARGEMENT



OAKLAND, CA

VICINITY MAP

Geil Engineering
Engineering * Surveying * Planning
1226 High Street
Auburn, California 95603-5015
Phone: (530) 885-0426 * Fax: (530) 823-1309

T-MOBILE
PCS Equipment A.S.A.C. Survey Form

Project No./Name: BA52262A / 400 Perkins Rooftop

Project Site Location: 400 Perkins Street
Oakland, CA 94670
Alameda County

Date of Observation: 09-11-10

Equipment/Procedure Used to Obtain Coordinates: Trimble Geo-XT post processed with Pathfinder Office software.

Type of Antenna Mount: (P) Rooftop

Latitude: N 37° 48' 37.30" (NAD83) Latitude: N 37° 48' 37.56" (NAD27)
Longitude: W 122° 15' 18.62" (NAD83) Longitude: W 122° 15' 14.73" (NAD27)

ELEVATION of Ground at Base of Structure (NAVD88): 35.0' AMSL
STRUCTURE HEIGHT: (Top Parapet Wall) 79.4' AGL
OVERALL HEIGHT: (Top Elevator Penthouse) 90.2' AGL

CERTIFICATION: I, the undersigned, do hereby certify elevation listed above is based on a field survey done under my supervision and that the accuracy of those elevations meet or exceed 1-A Standards as defined in the FAA ASAC Information Sheet 91:003, and they are true and accurate to the best of my knowledge and belief.

Kenneth D. Geil California R.C.E. 14803 Date

DATE OF SURVEY: 09-11-10

SURVEYED BY OR UNDER DIRECTION OF: KENNETH D. GEIL, R.C.E. 14803

LOCATED IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

CONTRACTOR IS RESPONSIBLE TO VERIFY LICENSE AREA PRIOR TO CONSTRUCTIONS.

BEARINGS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.G.S. N.A.V.D. 88 DATUM. ABOVE MEAN SEA LEVEL UNLESS OTHERWISE NOTED.

N.G.V.D. 1929 CORRECTION: SUBTRACT 2.72' FROM ELEVATIONS SHOWN.

CONTOUR INTERVAL: N/A

THE LATITUDE AND LONGITUDE WERE DETERMINED USING TRIMBLE PATHFINDER PRO XL G.P.S AND UTILIZING PFINDER OFFICE DIFFERENTIAL CORRECTION SOFTWARE AT THE LOCATION INDICATED HEREON.

LAT. N 37°48'37.30" NAD 83 LAT. N 37°48'37.56" NAD 27
LONG. W 122°15'18.62" NAD 83 LONG. W 122°15'14.73" NAD 27

THIS SURVEY MEETS OR EXCEEDS FAA 1A ACCURACY TOLERANCES.

SITE NAME & NUMBER: 400 PERKINS ROOFTOP / BA52262A

SITE ADDRESS: 400 PERKINS STREET
OAKLAND, CA 94670

ASSESSOR'S PARCEL NUMBER: 010-0777-015-01

CURRENT ZONING: R-60/S-12

OWNER(S): CROWN FORTUNE PROPERTIES
468 GREEN STREET
SAN FRANCISCO, CA 94133

SITE CONTACT: JORDAN ABAD 206-351-4009

Geil Engineering
and Surveying
1226 High Street
Auburn, California 95603-5015
phone: 530-885-0426
fax: 530-885-5611

DATE: 09-11-10

SURVEYOR: N. ROHDE

DRAWN BY: N. ROHDE

REVISIONS:

DATE	DESCRIPTION	INITIAL
09-13-10	PRELIMINARY DRAWING	NR

T-Mobile

RF ENGINEERING
T-Mobile
1755 Creekside Oaks #190
Sacramento, CA 95833
Phone: (530) 863-7342

INDEPENDENT CONTRACTOR
T-Mobile
1755 Creekside Oaks #190
Sacramento, CA 95833
Phone: (530) 863-7342
Budd Wuelfing

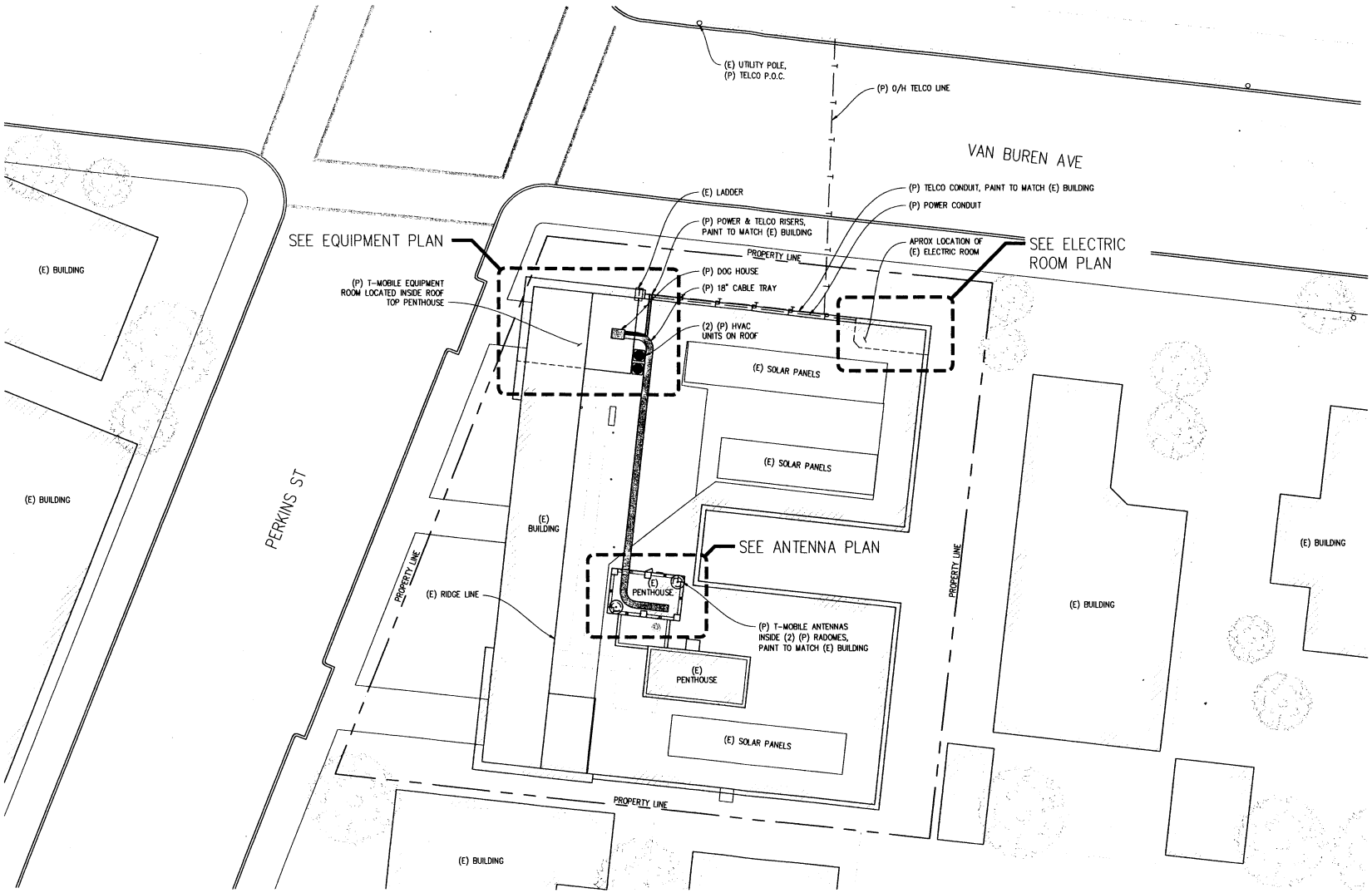
BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED EXCEPT AS SHOWN ON THIS PLAN. NO PROPERTY MONUMENTS WERE SET.

BA52262A

400 PERKINS ROOFTOP

SURVEY

C-1



400 PERKINS ROOFTOP

BA52262A
400 PERKINS STREET
OAKLAND, CA 94670

ISSUE STATUS

△	DATE	DESCRIPTION	
	09/23/10	ZD 90%	C.C.
	10/25/10	ZD 100%	R.N.
	01/21/11	CLIENT REV	R.A.
	–	–	–
	–	–	–
	–	–	–

DRAWN BY: C. CODY
CHECKED BY: C. MATHISEN
APPROVED BY: –
DATE: 01/21/11

Streamline Engineering and Design inc.
3268 Penryn Rd, Suite 200 Loomis, CA 95650
Contact: Larry Houghtby, Phone: 916-276-4190
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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T-Mobile

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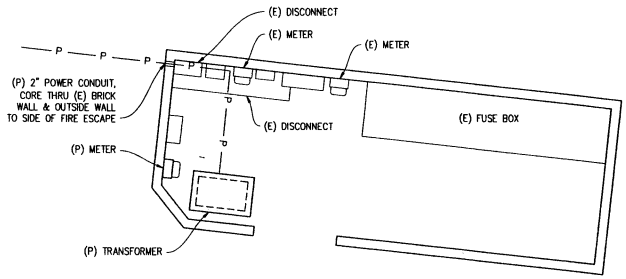
SACRAMENTO, CA 95833

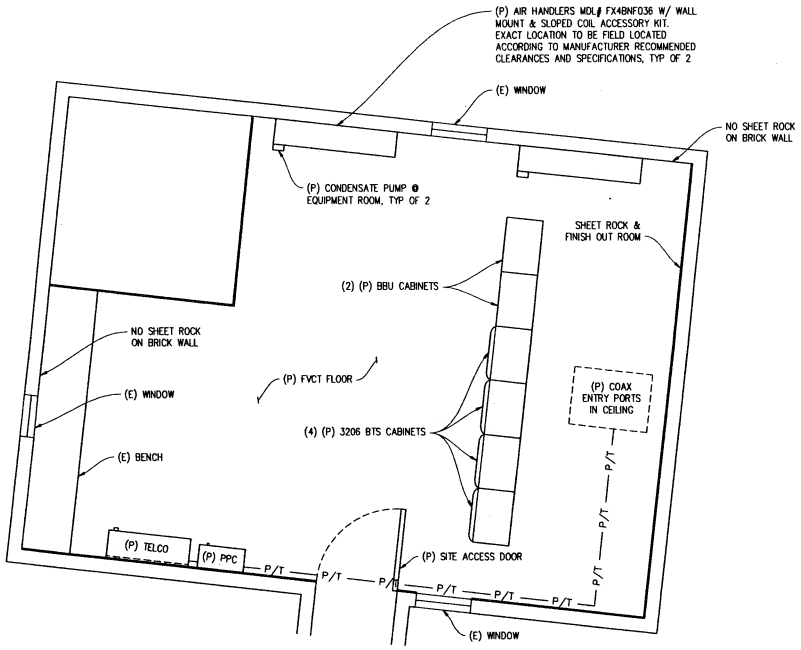
SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A-1



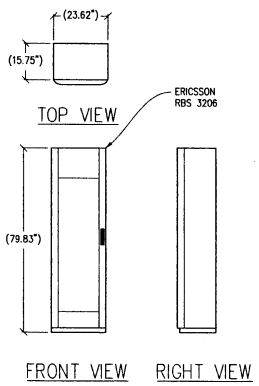
ELECTRIC ROOM PLAN

½"=1'-0"



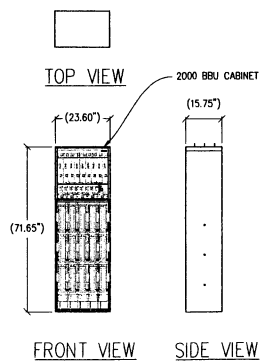
EQUIPMENT PLAN

½"=1'-0"



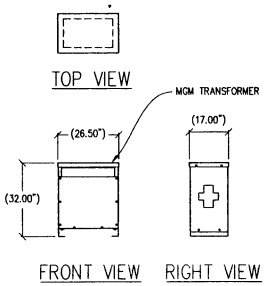
1 RBS DETAIL

½"=1'-0"



2 BBU CABINET DETAIL

½"=1'-0"



3 TRANSFORMER DETAIL

½"=1'-0"

400 PERKINS ROOFTOP

BA52262A

400 PERKINS STREET
OAKLAND, CA 94670

ISSUE STATUS

Δ	DATE	DESCRIPTION	
	09/23/10	ZD 90%	C.C.
	10/25/10	ZD 100%	R.N.
	01/21/11	CLIENT REV	R.A.
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: C. CODY
CHECKED BY: C. MATHISEN
APPROVED BY: -
DATE: 01/21/11

Streamline Engineering
CUP DESIGN GROUP
3268 Penryn Rd. Suite 200 Loomis, CA 95650
Contact: Larry Houghby Phone: 916-275-4180
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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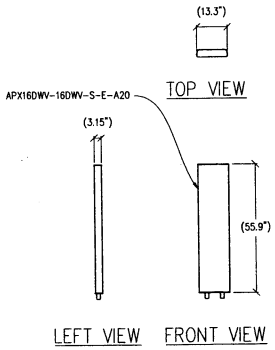
T-MOBILE WEST CORPORATION
T-Mobile

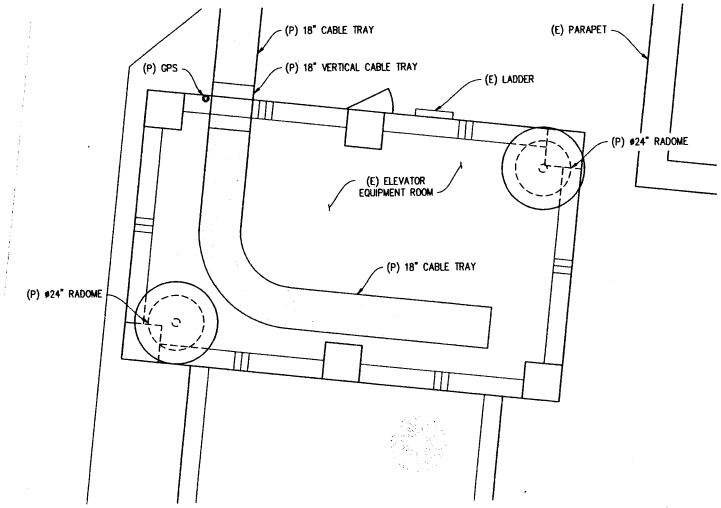
1755 CREEKSIDE OAKS DR, SUITE 190
SACRAMENTO, CA 95833

SHEET TITLE:
EQUIPMENT PLAN, ELECTRIC ROOM PLAN, & DETAILS

SHEET NUMBER:
A-2



1 ANTENNA DETAIL
½"=1'-0"



ANTENNA PLAN
½"=1'-0"

400 PERKINS ROOFTOP

BA52262A
400 PERKINS STREET
OAKLAND, CA 94670

ISSUE STATUS

△	DATE	DESCRIPTION	
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	10/25/10	ZD 100%	R.N.
	01/21/11	CLIENT REV	R.A.
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: C. CODY
CHECKED BY: C. MATHISEN
APPROVED BY: -
DATE: 01/21/11

Streamline Engineering and Design, Inc.
3268 Penryn Rd, Suite 200 Loomis, CA 95650
Contact: Larry Houghtby Phone: 916-275-4190
E-Mail: larry@streamlineeng.com Fax: 916-652-1941

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T-MOBILE WEST CORPORATION
T-Mobile

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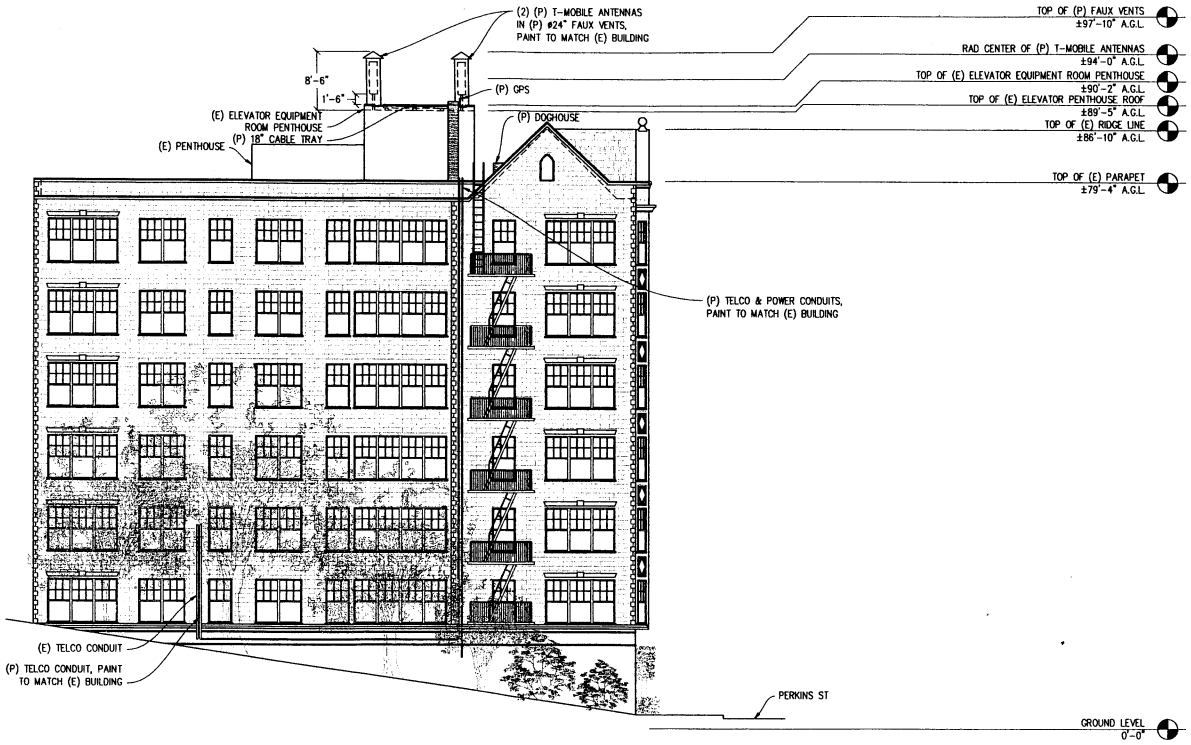
SACRAMENTO, CA 95833

SHEET TITLE:
ANTENNA PLAN & DETAIL

SHEET NUMBER:
A-3



NORTH ELEVATION

1/8"=1'-0"

400 PERKINS ROOFTOP

BA52262A

400 PERKINS STREET
OAKLAND, CA 94610

ISSUE STATUS

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	09/23/10	ZD 90%	C.C.
	10/25/10	ZD 100%	R.N.
	01/21/11	CLIENT REV	R.A.
	-	-	-
	-	-	-
	-	-	-

DRAWN BY: C. CODY

CHECKED BY: C. MATHISEN

APPROVED BY: -

DATE: 01/21/11

Streamline Engineering and Design, LLC
3268 Penryn Rd. Suite 200 Loomis, CA 95650
Contact: Larry Houghtby Phone: 916-275-4190
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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T-MOBILE WEST CORPORATION

T-Mobile

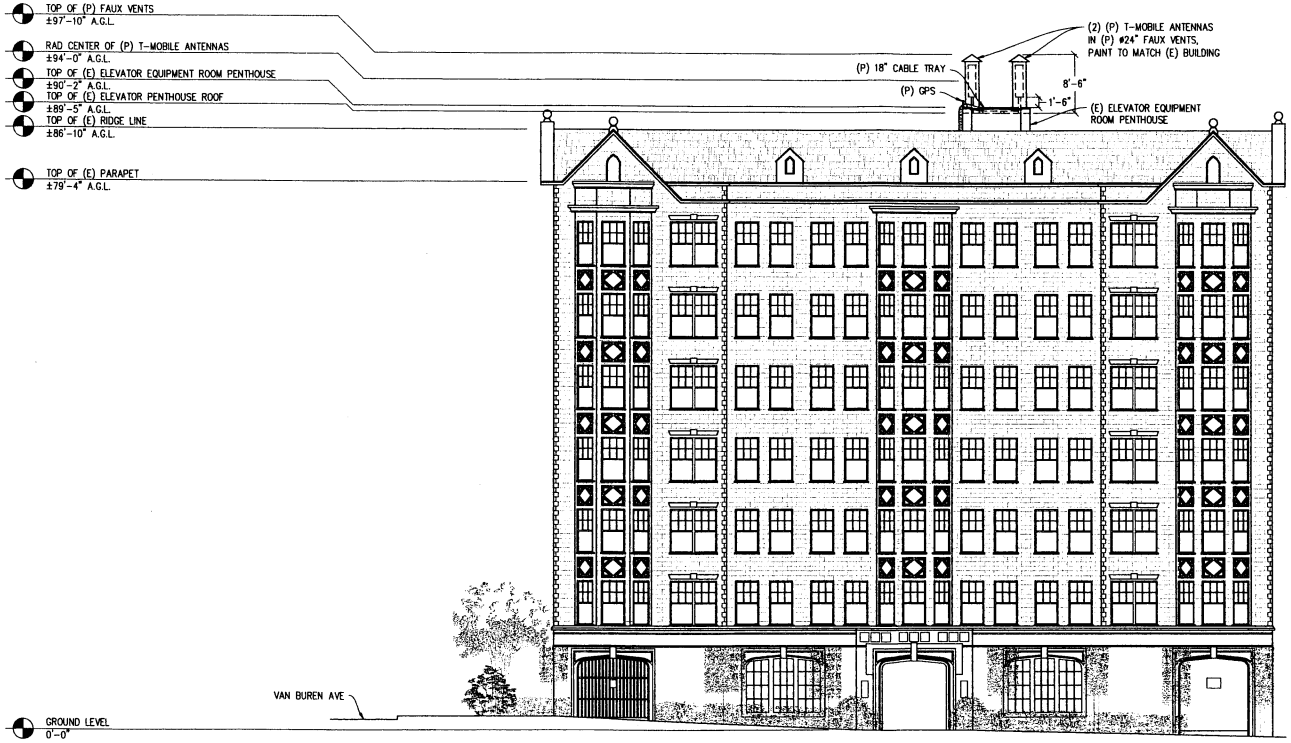
1755 CREEKSIDE OAKS DR. SUITE 190
SACRAMENTO, CA 95833

SHEET TITLE:

ELEVATION

SHEET NUMBER:

A-4



WEST ELEVATION

1/8"=1'-0"

400 PERKINS ROOFTOP

BA52262A

400 PERKINS STREET
OAKLAND, CA 94670

ISSUE STATUS

△	DATE	DESCRIPTION	
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	10/25/10	ZD 100%	R.N.
	01/21/11	CLIENT REV	R.A.
	–	–	–
	–	–	–
	–	–	–

DRAWN BY: C. CODY

CHECKED BY: C. MATHISEN

APPROVED BY: –

DATE: 01/21/11

Streamline Engineering and Design Inc.
3268 Penryn Rd. Suite 200 Loomis, CA 95650
Contact: Larry Houghby, Phone: 916-275-4180
E-Mail: larry@streamlineeng.com, Fax: 916-660-1941

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T-MOBILE WEST CORPORATION

T-Mobile

1755 CREEKSIDE OAKS DR. SUITE 190
SACRAMENTO, CA 95833

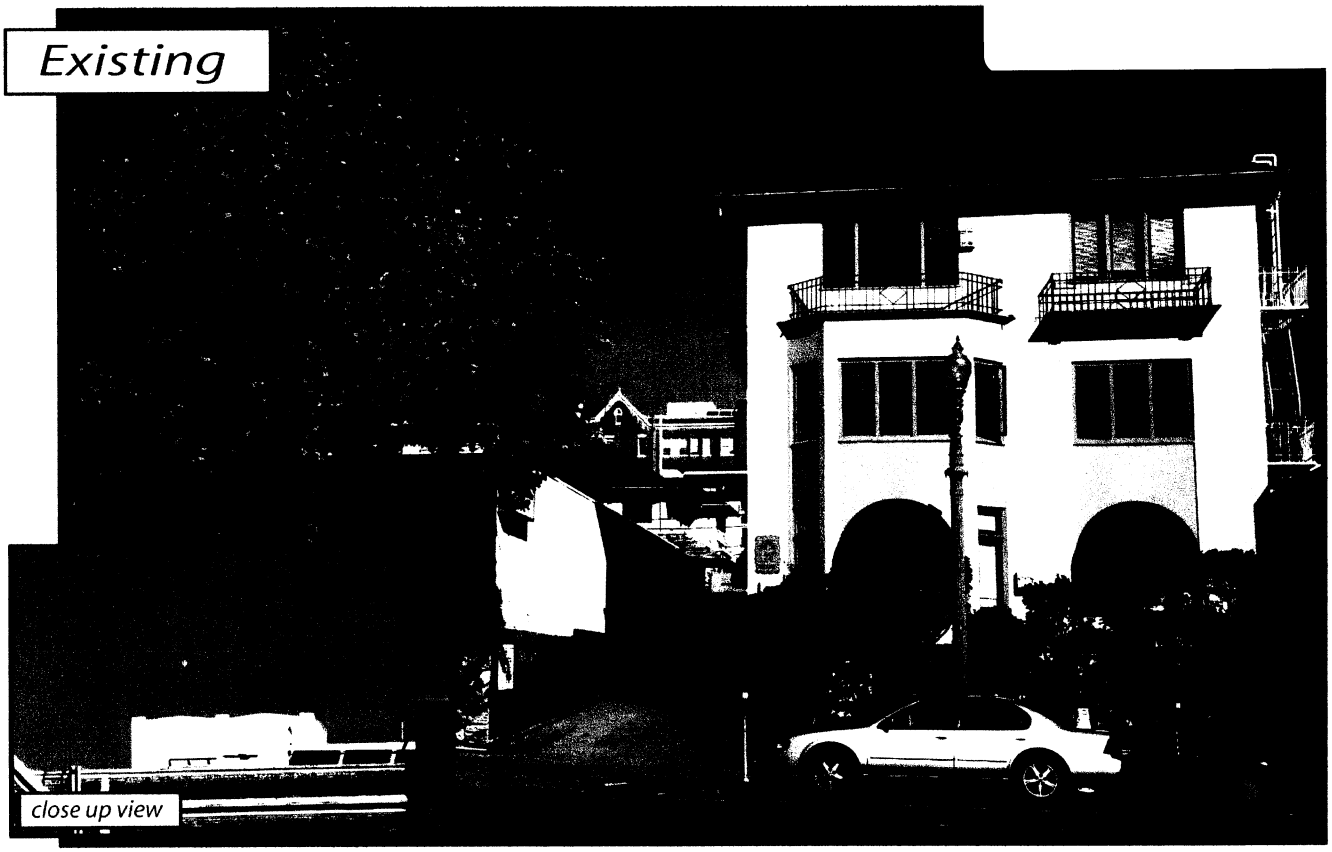
SHEET TITLE:

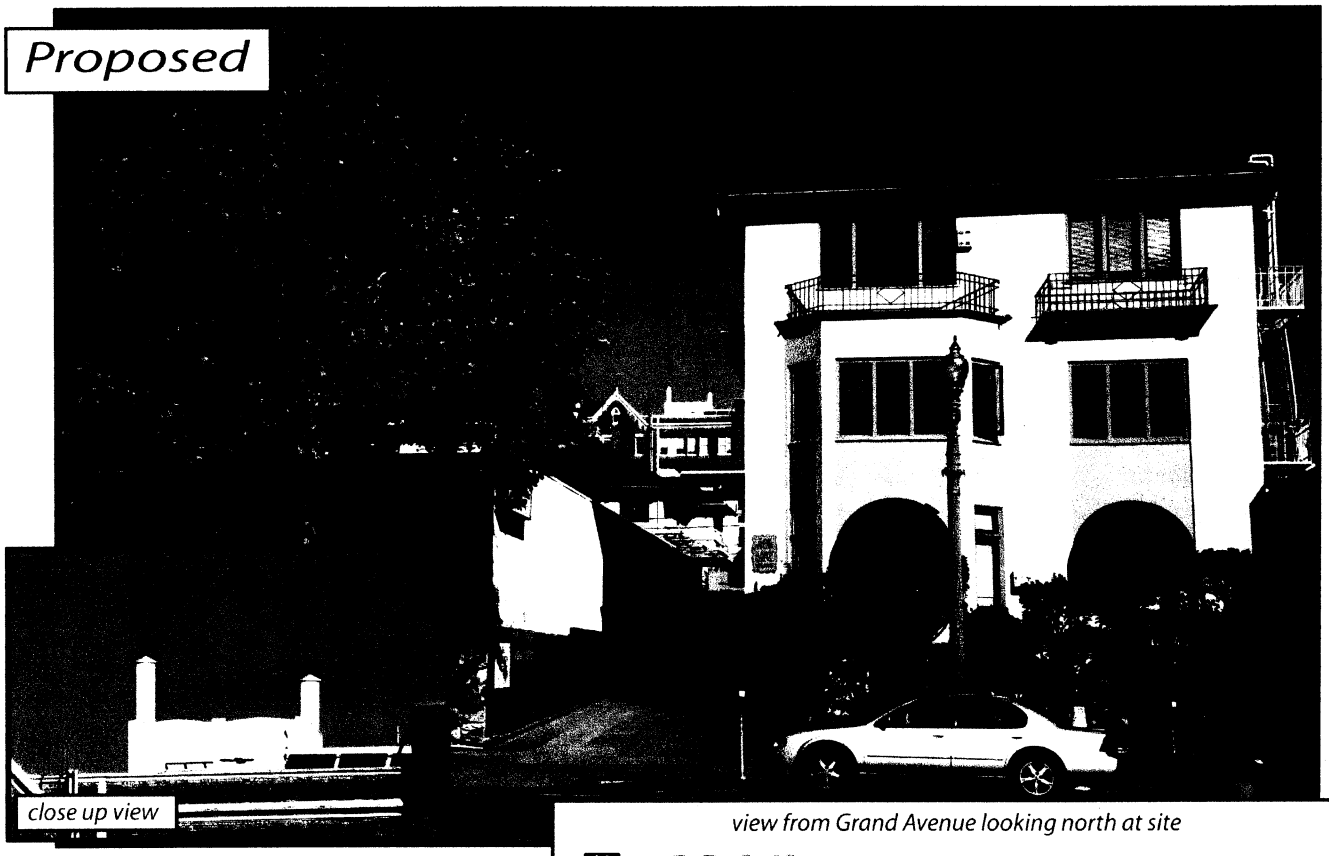
ELEVATION

SHEET NUMBER:

A-5

ATTACHMENT A



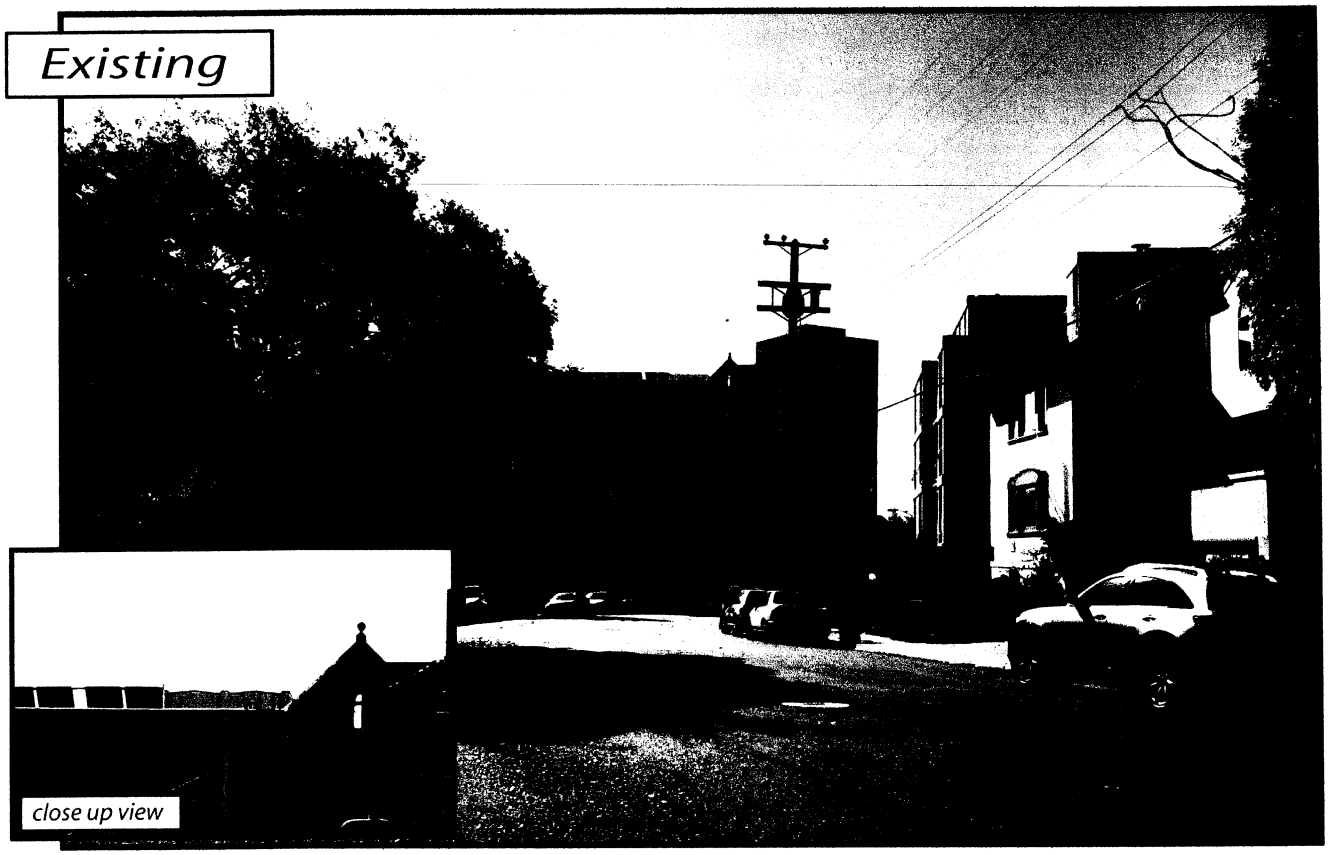


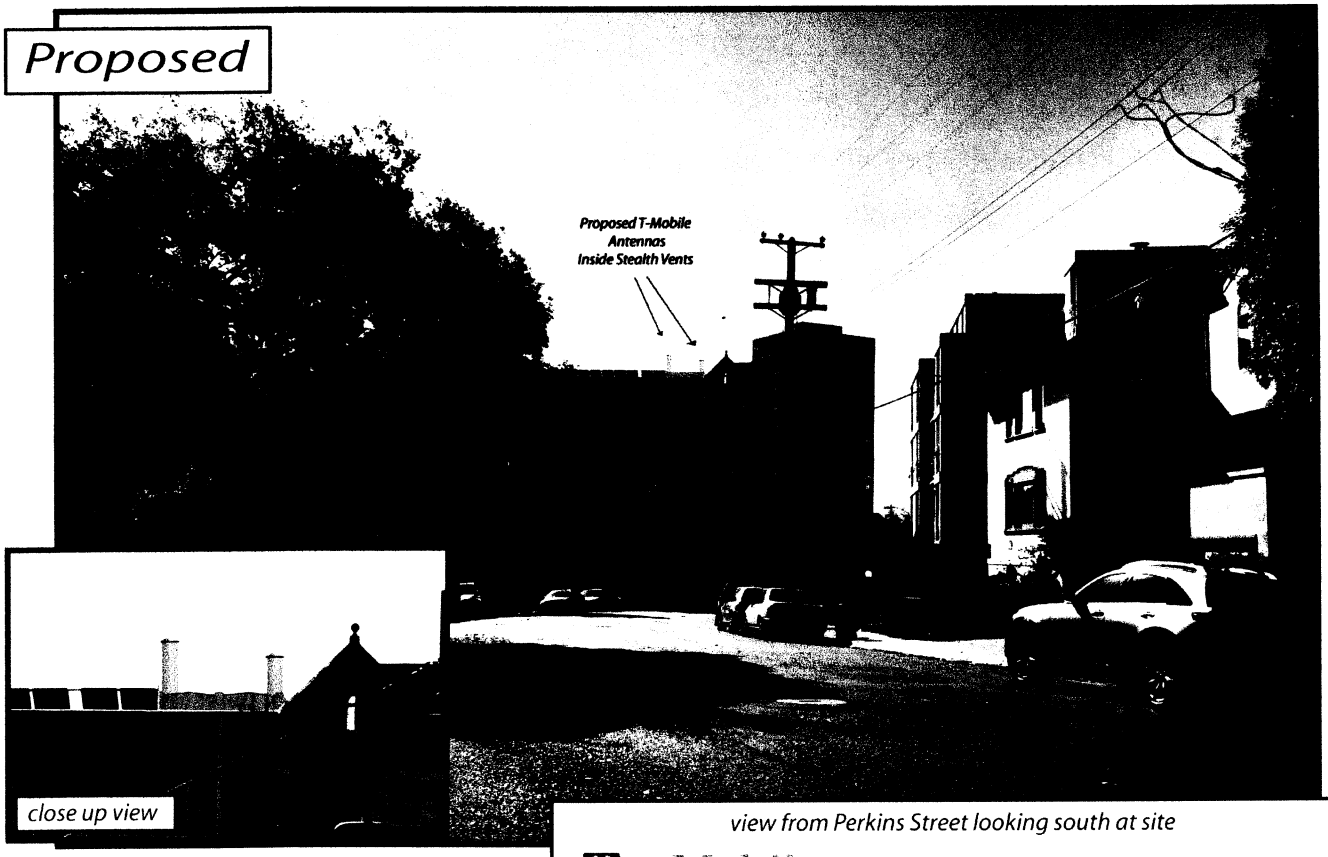
view from Grand Avenue looking north at site

T · · Mobile ·

BA52262 400 Perkins Roof Top
400 Perkins Street, Oakland, CA

AdvanceSite



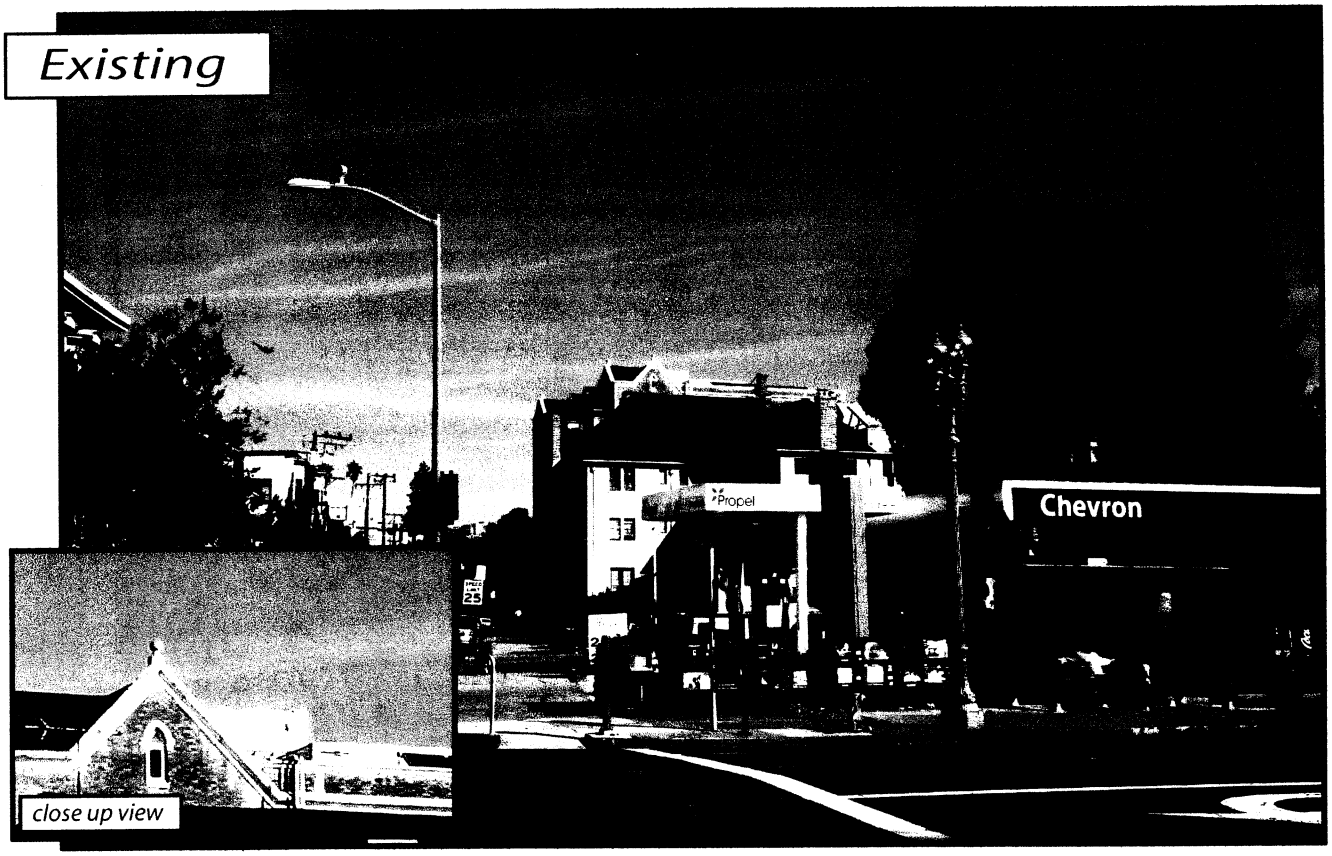


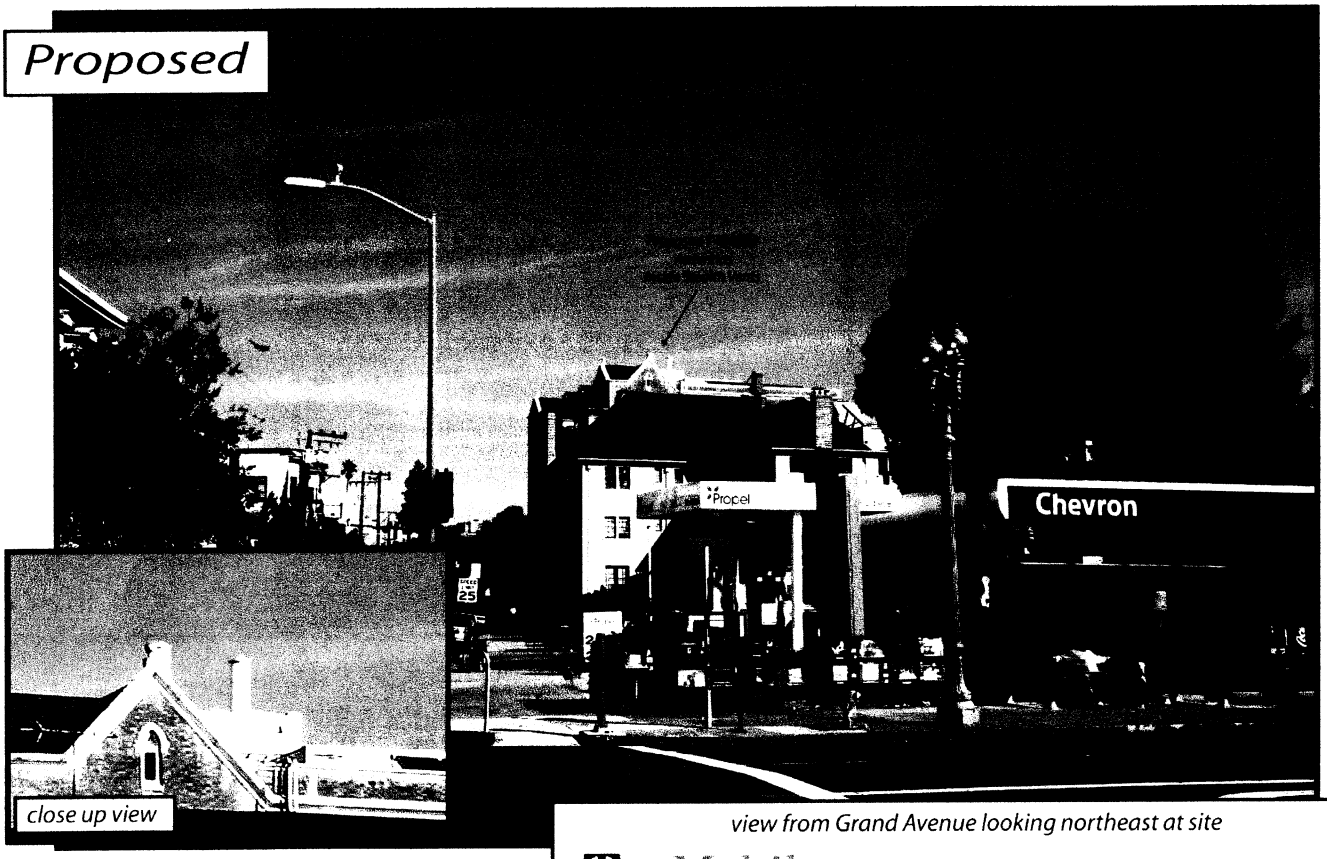
view from Perkins Street looking south at site

T··Mobile·

BA52262 400 Perkins Roof Top
400 Perkins Street, Oakland, CA

AdvanceSim





view from Grand Avenue looking northeast at site

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400 Perkins Street, Oakland, CA

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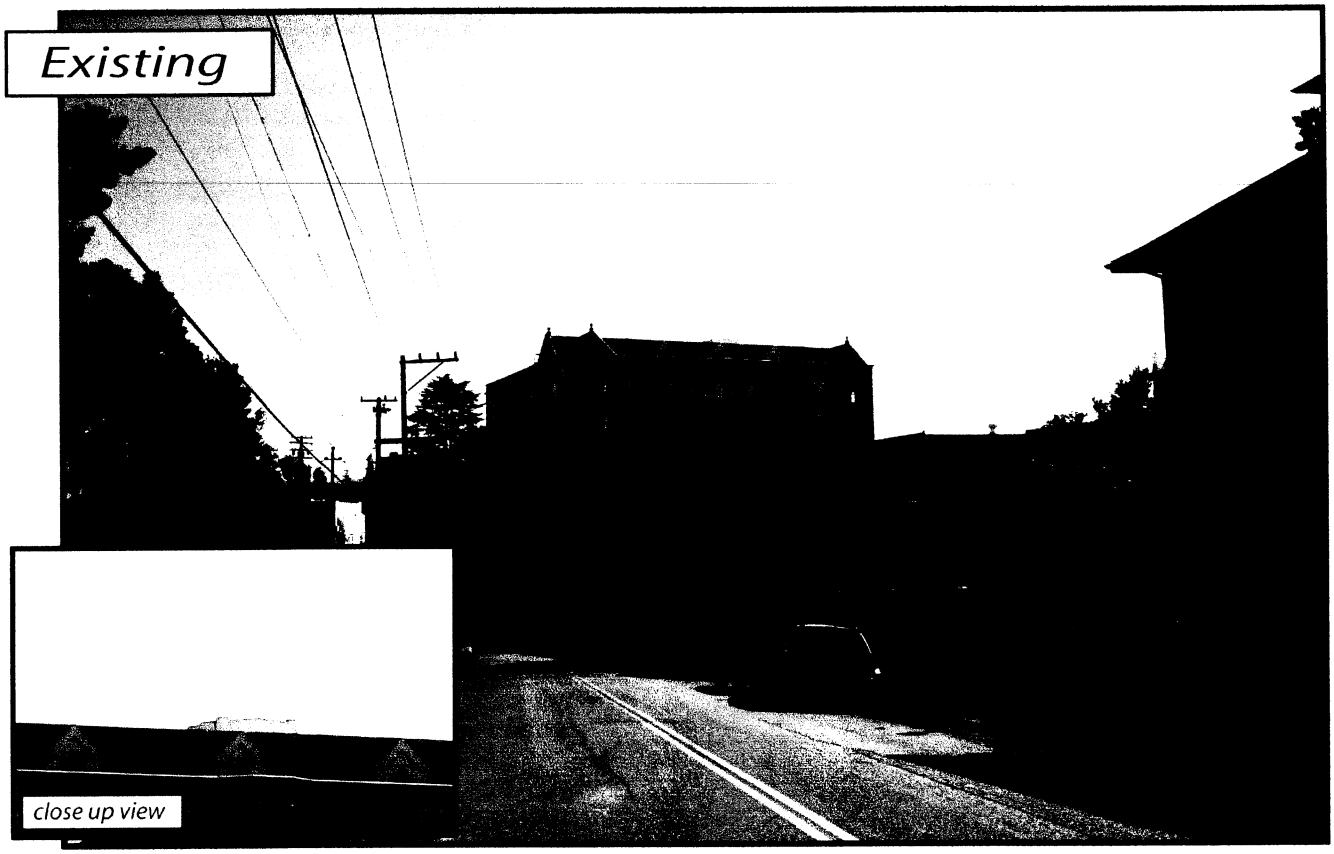

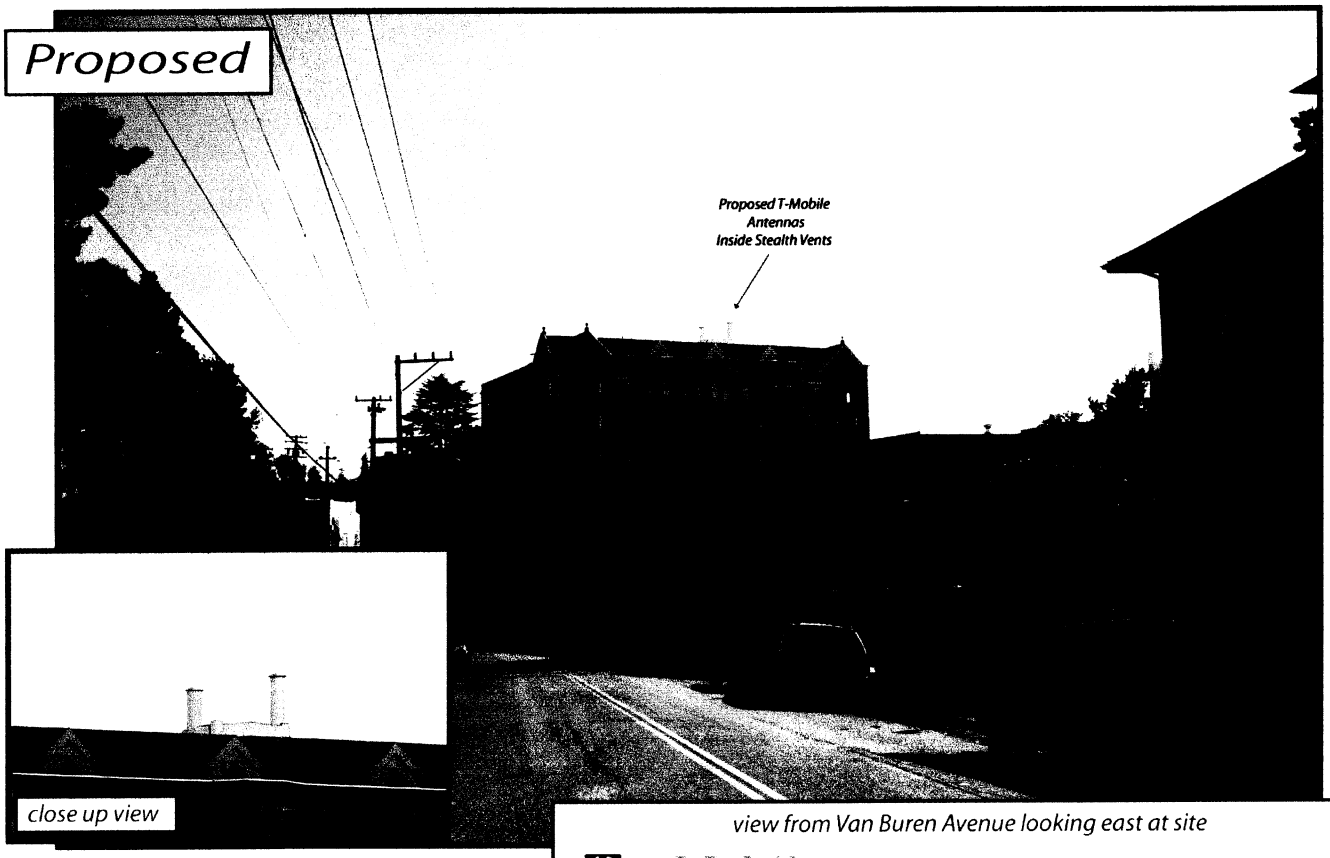

view from Van Buren Avenue looking east at site

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BA52262 400 Perkins Roof Top
400 Perkins Street, Oakland, CA

AdvanceSite

ATTACHMENT B

Theoretical RF Emissions Compliance Report

Prepared for:

Sutro Consulting
on behalf of T-Mobile

Site: MacArthur
Site ID: BA52262A
400 Perkins Street
Oakland, CA 94670

October 27, 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

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 20 years.

I have examined the technical information supplied by T-Mobile's representative 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

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 excess of 100% of the General Public MPE limit 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 controls, 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 that 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 T-Mobile, 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 27, 2010
Richard P. Biby
Registered Professional Engineer
Commonwealth of Virginia Reg. No. 026132

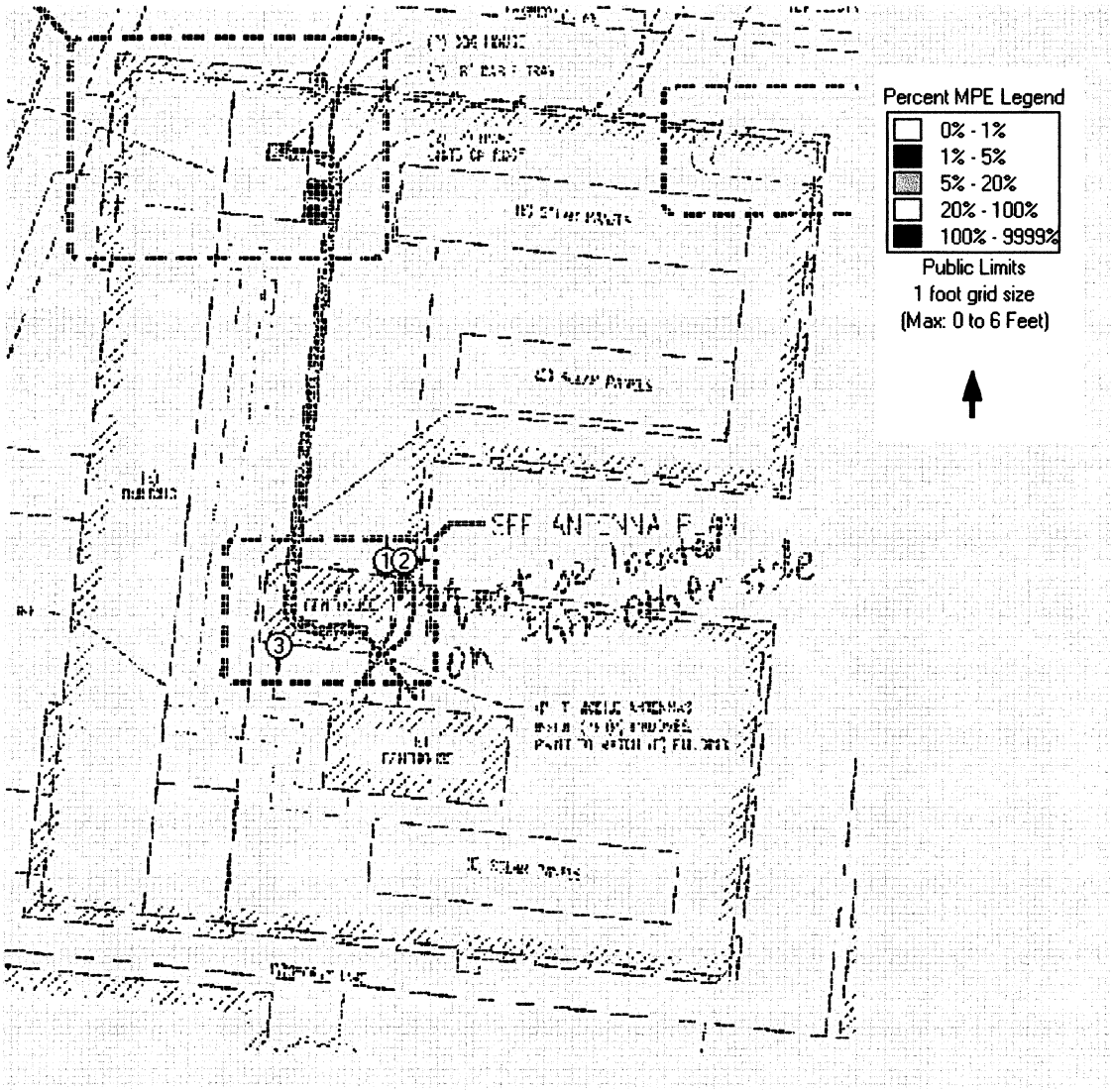
Richard P. Biby Digitally signed by Richard P. Biby
DN: cn=Richard P. Biby, o=Waterford Consultants, LLC, ou, email=rich@waterfordconsultants.com, c=US
Date: 2010.10.27 19:12:08 -04'00'

Attachment A
Theoretical RF Power Density Plots

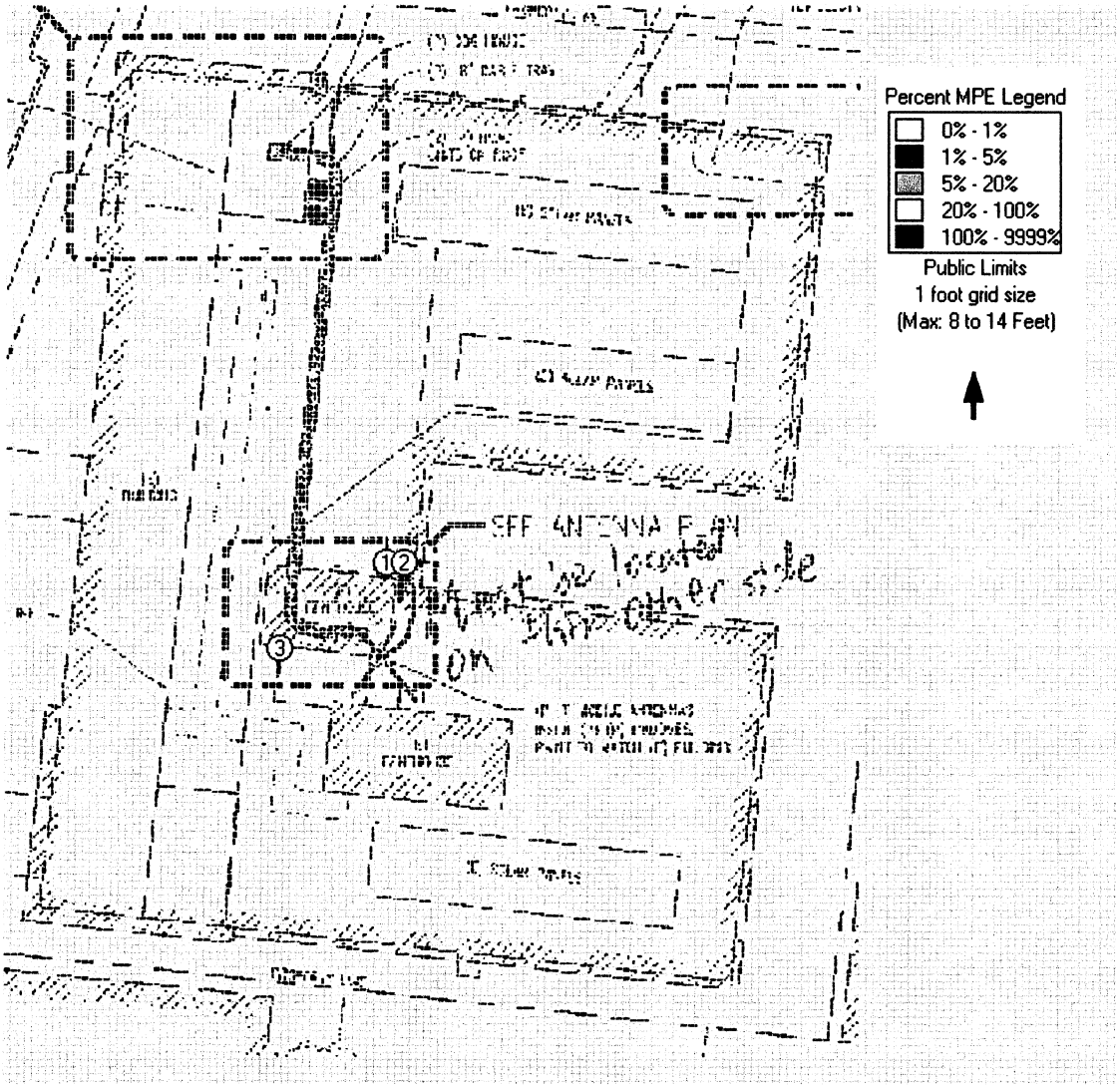
The theoretical MPE plots below correspond to MPE levels in accessible areas of the site. Percentages are that of the General Public MPE.

The antennas are mounted on top of the equipment penthouse at the center of the roof. No part of the roof level or the penthouse exceed 100% of the General Public MPE. 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.



Plot #1: Roof level between 0 feet and 6 feet. The plot shows that the percentage of the General Public MPE in this area is less than 1% of the limit.



Plot #2: Roof level between 8 feet and 14 feet, the level of the penthouse. The plot shows that the percentage of the General Public MPE in this area is less than 1% of the limit.

Attachment B
Antenna Inventory

Number	Name	Make	Model	Power (Watts)	Azimuth Degrees	Mechanical Downtilt (Degrees)	Frequency (MHz)	Center Height (Feet) Above the Roof Line
1	Antenna1	RFS	APX16DWV	20	0	0	1900	15.5
2	Antenna2	RFS	APX16DWV	20	90	0	1900	15.5
3	Antenna3	RFS	APX16DWV	20	180	0	1900	15.5

ATTACHMENT C

BA52262 : Perkins Apartment Building
Address: 400 Perkins Street, Oakland, CA 94670
Zone: R-60/S-12
APN: 010-0777-015-01

Project Description

T-mobile is proposing to construct, operate and maintain a new wireless telecommunications facility on top of an existing apartment building, located at 400 Perkins Street. The proposed wireless facility will consist of two (2) antennas housed within faux vents, as seen on similar type buildings in the area. The faux vents will extend seven feet, eight inches (7'-8") above the existing penthouse/elevator equipment room. The Base Transceiver Station (BTS) equipment cabinets will be placed within the existing building.

The location and configuration of the proposed antennas have been selected to achieve the functional requirements for T-mobile Radio Frequency Engineers. As referenced in the RF Coverage Maps, T-Mobile subscribers experience minimal or loss of coverage in the vicinity of Perkins Street and Van Buren Avenue. The development of this portion of the network will allow its customers seamless access to a nationwide network of services, whether driving or living in this particular area. Much like the other carriers and as a mandate by the FCC, T-mobile seeks to provide an additional communication infrastructure to the wireless community. This location was also selected because of its position relative to existing sites, providing favorable site geometry for federally mandated E911 location accuracy requirements. Since over 40 percent of 911 calls are from mobile phones, effective site geometry within the overall network is needed to achieve accurate location information of mobile users, through triangulation with active wireless facilities.

Alternative Site Analysis

Several apartment buildings were visually surveyed for feasibility on multiple trips. The two addresses below appeared to have adequate height from street level but had many constraints once the team began further research and conducted site visits on the roof.

- *Apartment building at 255 MacArthur Boulevard & 281 MacArthur Boulevard*

Due to the long length of these buildings and the height limit for this particular zone, T-Mobile RF engineers could not adequately place antennas on the roof and propagate beyond the roof while complying with the City of Oakland Zoning Ordinance (additional 12' to 40' height limit while maintaining 1' setback for every 1' of height). T-Mobile tried to propose the antennas on existing vertical elements on the roof but found that they also have to comply with the 1:1 setback. Unfortunately, the penthouse-type structures were both located near the edge of the buildings. Also, the S-12 parking designation prevented T–Mobile from placing the equipment within the parking garage and due to the age of these buildings, T-Mobile construction and one

of the property owners did not feel comfortable with installing equipment on the roof of the building.

- *Pole top installation on existing PG&E utility poles along Perkins Street*

T-Mobile looks at PG&E pole top installations as a last option when others are not viable from a zoning, leasing, radio frequency and/or construction standpoint. A couple of utility poles were explored prior to landlord interest at 400 Perkins Street. The utility poles were still pending feasibility approval from PG&E.

Justification

Since their introduction, wireless telecommunication facilities have proven to be an invaluable communications tool in the event of emergencies (traffic accidents, fires, etc.) and natural disasters (earthquakes, floods, etc.) where normal land line communications are often disrupted during and after an event has occurred. They have also proven to be invaluable in business communications and everyday personal use. In this sense, wireless telecommunication networks are desirable in the interest of public convenience, health, safety and welfare, and thus are proper in relation to the development community.

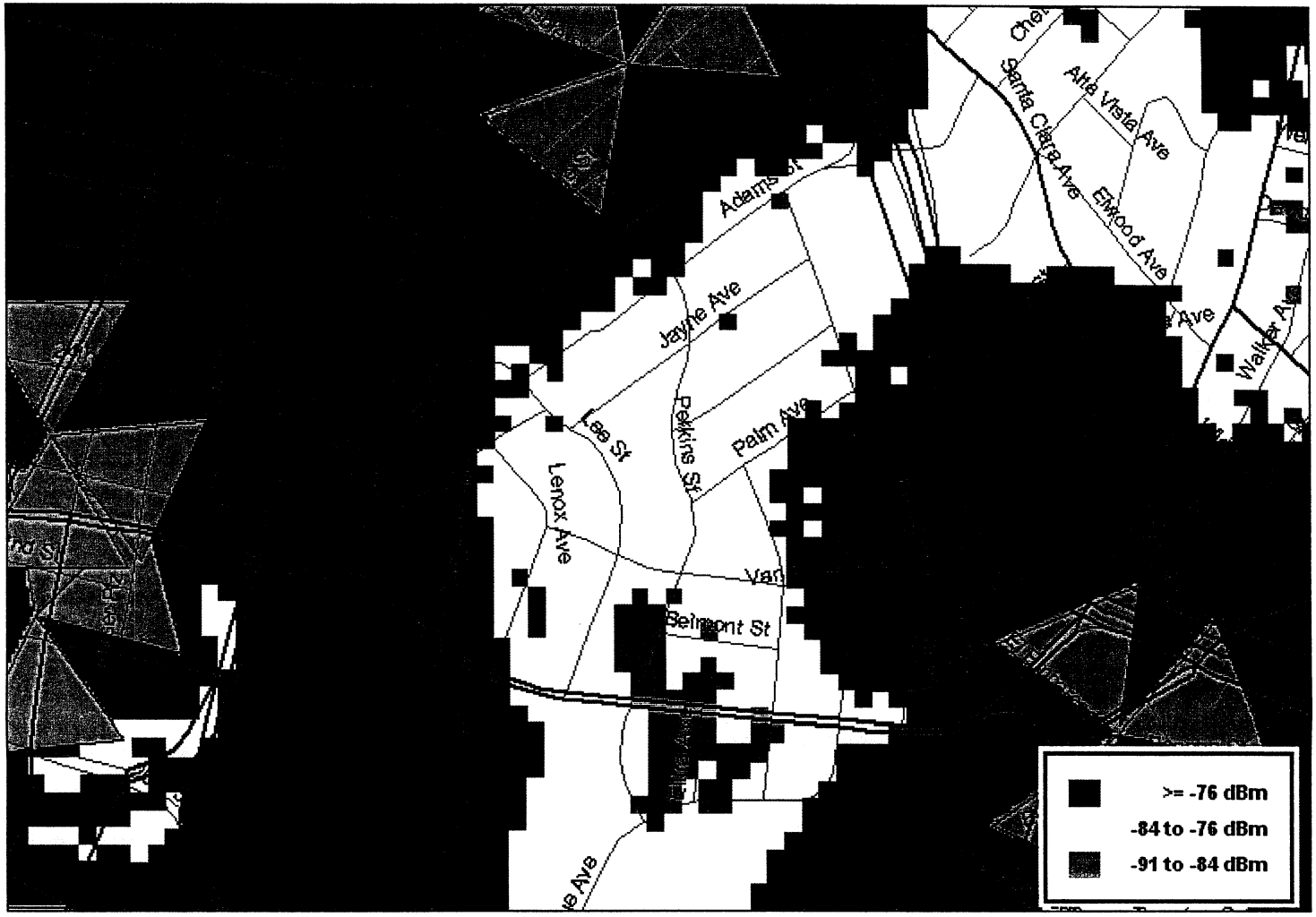
Unlike other land uses, which can be spatially determined through the General Plan, the location of wireless telecommunication facilities is based on technical requirements which include: service area, geographical elevations, alignment with surrounding sites and customer demand components. Placement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

Safety and Compliance

The proposed facility will not be detrimental to the character of development, as it will be un-staffed, having no impact on circulation systems. After construction of the facility, the site will be serviced once a month, during a routine scheduled maintenance window by a service technician. Furthermore, it will generate no noise, odor, smoke or any other adverse impacts to adjacent land uses. T-Mobile technology does not interfere with any other forms of private or public communications systems. In addition, the proposed wireless telecommunications facility will operate in full compliance with all local, state and federal regulations including the FCC, CPUC and the Telecommunications Act of 1996.

ROCKSOLID COVERAGE

Prediction of Surrounding Sites



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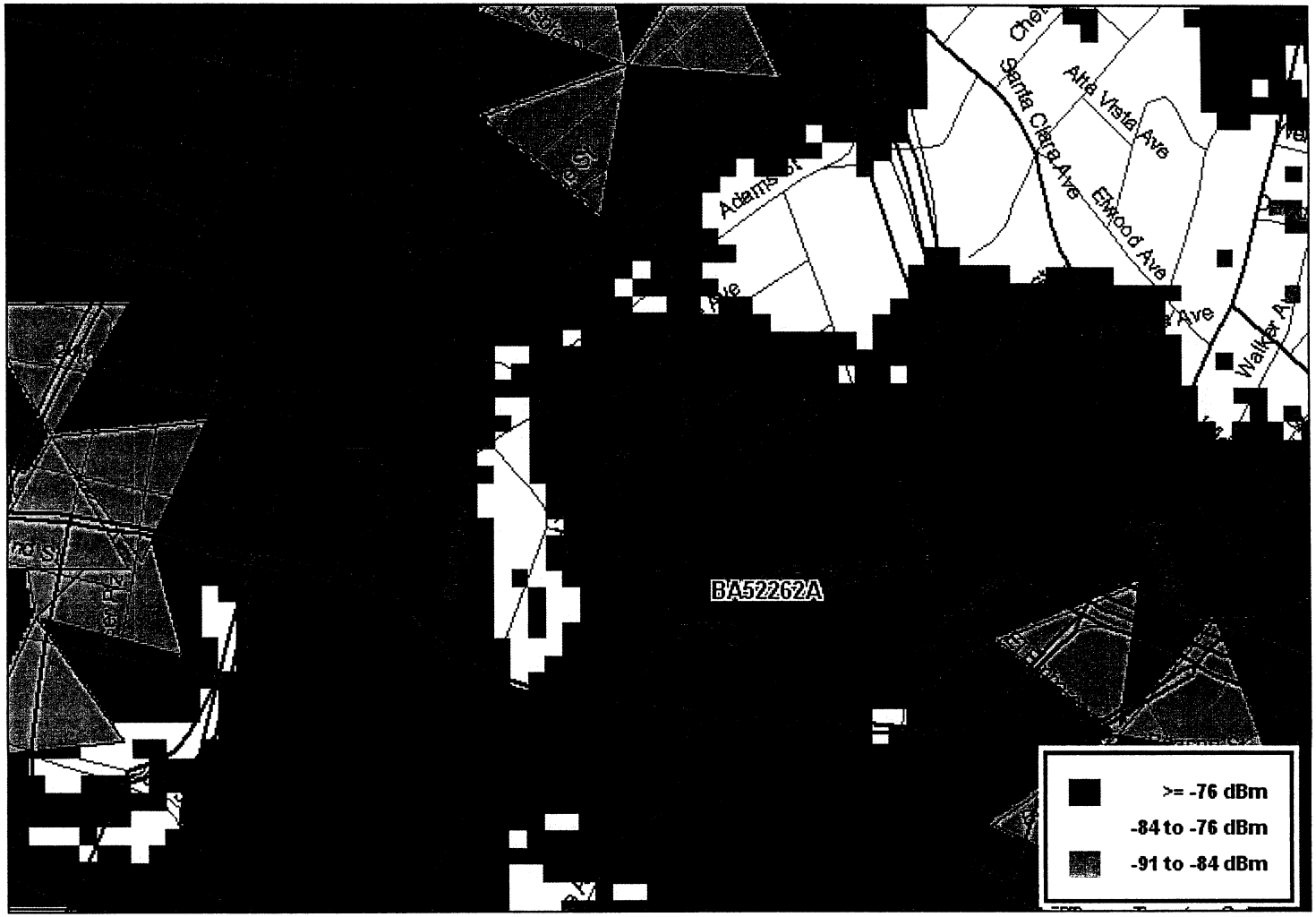
ROCKSOLID COVERAGE

Prediction of BA52262A Together With Surrounding Sites



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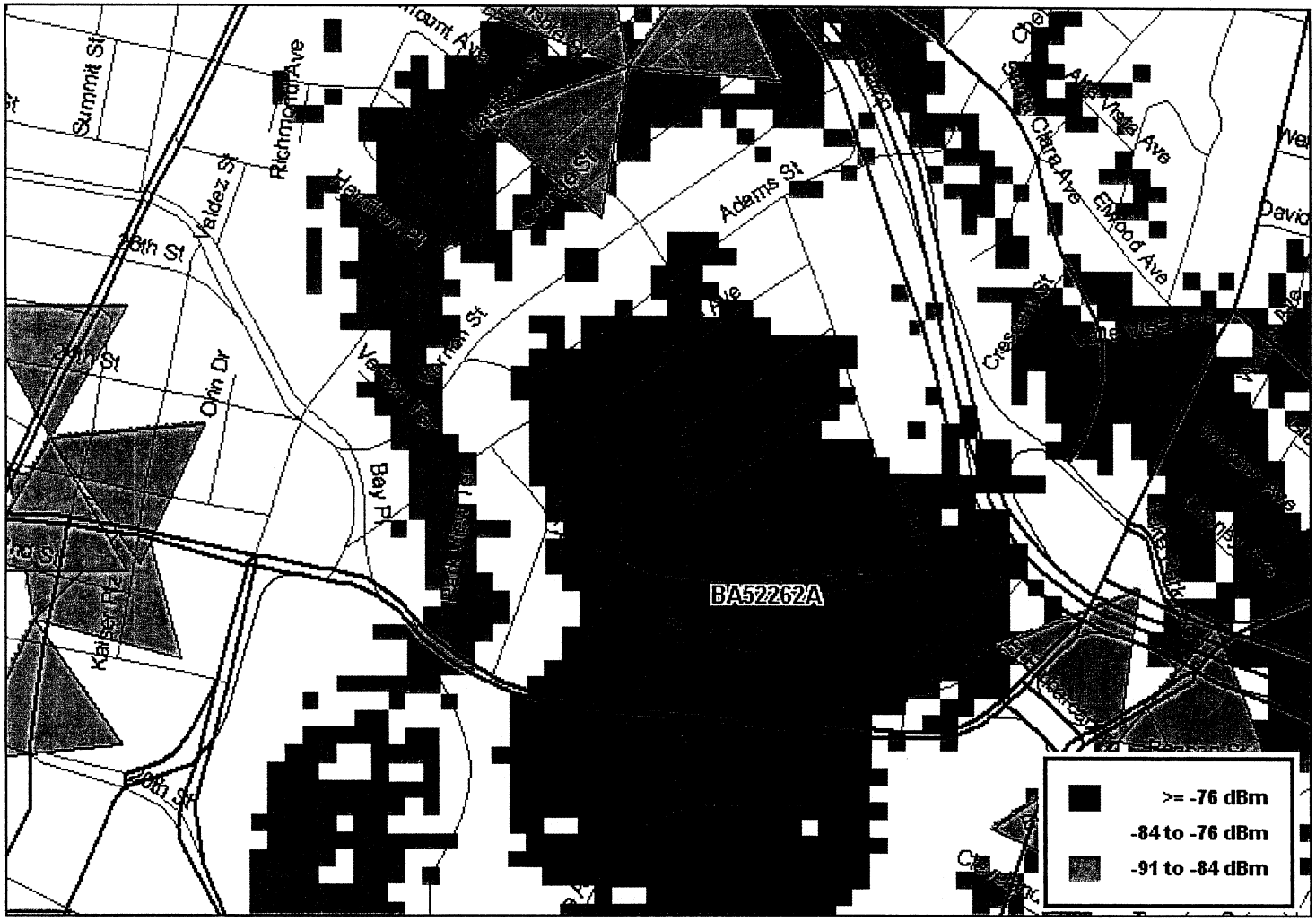
ROCKSOLID COVERAGE

Prediction of BA52262A



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