



CITY OF OAKLAND

BASIC APPLICATION FOR DEVELOPMENT REVIEW

250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031

Zoning Information: 510-238-3911

www.oaklandnet.com/planning

CERTAIN APPLICATIONS ARE ACCEPTED BY APPOINTMENT ONLY!

Please call (510) 238-3940 to schedule an appointment if your project involves any of the following:

- Conditional Use Permit
- Variance
- Regular Design Review
- Parcel Map Waiver
- Tentative Parcel/Tract Map
- New dwelling unit(s)
- 1,000 sq. ft. or more of new floor area/footprint
- Additions \geq 100% of existing floor area/footprint
- Creek Protection Permit (Category 3 or 4)

Applicants must cancel at least 24 hours in advance of appointment or pay a cancellation fee.

All other projects may be submitted to the zoning counter without an appointment.

Submit applications for Small Project Design Review to station #12 at the zoning counter by signing the sign-up sheet.

1. TYPE OF APPLICATION

(Check all that apply)

Development Permits

- ☒ Conditional Use Permit (CUP) (Major, Minor, Interim)
- ☐ Variance (Major or Minor)
- ☒ Regular Design Review (DR)
- ☐ Small Project Design Review (DS) (Type 1, 2, 3)
- ☐ Special Project Design Review (SP) (West Oakland)
- ☐ Design Review Exemption (DRX)
- ☒ Tree Preservation or Removal Permit (T)
- ☐ Determination (DET)
- ☐ Other: _____

Subdivision Applications

- ☐ Parcel Map Waiver (PMW) (Lot Line Adjustment/Merger)
- ☐ Tentative Parcel Map (TPM) (subdivision for 1-4 lots)
- ☐ Tentative Tract Map (TTM) (subdivision 5 or more lots)
- ☐ Planned Unit Development/Mini-Lot Development

Other Applications

- ☐ Request for Environmental Review
- ☐ General Plan Amendment
- ☐ Rezoning
- ☐ Creek Protection Permit (separate application required)

2. GENERAL INFORMATION

APPLICANT'S NAME/COMPANY: ExteNet Systems (California) LLC

PROPERTY ADDRESS: In PROW of Besito Ave and Drury Road (1138 Drury Road)

ASSESSOR'S PARCEL NUMBER(S): 048H761301101

EXISTING USE OF PROPERTY: Metal pole w/in right-of-way

DESCRIPTION OF PROPOSAL (including type of use, hours of operation, number of employees, etc., on additional sheets if needed.):

Installation of wireless facility in public right-of-way at existing pole location as depicted in the attached drawings.

TO BE COMPLETED BY STAFF

GENERAL PLAN LAND USE CLASS.: _____

ZONING: _____

SPECIFIC PLAN: ☐ Broadway Valdez District ☐ Central Estuary ☐ Coliseum Area ☐ Lake Merritt Station ☐ West Oakland

FEES¹:

APPLICATION FEE: \$ _____

POSTER DEPOSIT²: \$ _____

TREE PERMIT FEE: \$ _____

CREEK PERMIT FEE: \$ _____

TOTAL FEES DUE: \$ _____

EXPECTED PROCESSING TIME³:

¹Fees are subject to change without prior notice. The fees charged will be those that are in effect at the time of application submittal. All fees are due at submittal of application.

²For permit applications requiring public notice, a refundable security deposit is required for the on-site poster containing the public notice. Posters MUST be returned within 180 days and in good condition to claim a refund of the deposit.

³Expected processing time is only an estimate and is subject to change without notice due to staff workload, public hearing availability, and the completeness or complexity of the application.

3. PROPERTY OWNER AND APPLICANT INFORMATION

Original signatures or clear & legible copies are required.

Owner: City of Oakland**Owner Mailing Address:** 7101 Edgewater Drive**City/State:** Oakland, CA**Zip:** 94621**Phone No.:** _____ **Fax No.:** _____ **E-mail:** _____**To be completed only if Applicant is not the Property Owner:***I authorize the applicant indicated below to submit the application on my behalf.* _____*Signature of Property Owner***Applicant (Authorized Agent), if different from Owner:** Ana Gomez/ Black & Veatch**Applicant Mailing Address:** 2999 Oak Road #490**City/State:** Walnut Creek, CA**Zip:** 94597**Phone No.:** (913) 458-9148**Fax No.:** (925) 949-5902**E-mail:** GomezAbarcaA@bv.com

I understand that approval of this application does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other City regulations which are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property. I understand that the Applicant and/or Owner phone number listed above will be included on any public notice for the project.

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Planning Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature above.

I certify that statements made to me about the time it takes to review and process this application are general. I am aware that the City has attempted to request everything necessary for an accurate and complete review of my proposal; however, that after my application has been submitted and reviewed by City staff, it may be necessary for the City to request additional information and/or materials. I understand that any failure to submit the additional information and/or materials in a timely manner may render the application inactive and that periods of inactivity do not count towards statutory time limits applicable to the processing of this application.

I certify that all existing Protected Trees either on the site or within 10 feet of development activity are indicated on both the Site and Landscape Plan. I understand that if any Protected Trees are to be removed, or if Protected Trees exist within 10 feet of the proposed development activity (even if they are not being removed), I must apply for a Tree Preservation/Removal Permit (Section 6).

I certify that I have reviewed the Oakland Creek Protection Ordinance and understand that I may be subject to a Creek Protection permit pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance (Chapter 13.16 of the Oakland Municipal Code) and that I have completed the Creek Protection Ordinance section of this application (Section 7).

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

Ana Gomez/BV for ExtNet**Signature of Owner or Authorized Agent****Date**

4. SUPPLEMENTAL PROJECT & LOT INFORMATION

AREA CALCULATIONS	Existing	New	Total	% Change
Total Lot Area (in acres or square feet)	N/A	N/A	N/A	N/A
Total Building Footprint Area (square feet)	N/A	N/A	N/A	N/A
Total Floor Area ⁱ (square feet)	N/A	N/A	N/A	N/A
Building Height	25' - 0"	39' - 6"	n/a	n/a
Number of Dwelling Units	N/A	N/A	N/A	n/a
Number of Parking Spaces	N/A	N/A	N/A	n/a
Setback Slope ⁱⁱ (for hillside properties only)	N/A	N/A	n/a	n/a
Structure Slope ⁱⁱⁱ (for hillside properties only)	N/A	N/A	n/a	n/a

ⁱ **Total Floor Area** for all projects with one or two dwelling units on a lot means the total square footage of all levels of all buildings on the lot, measured horizontally from the outside surface of exterior walls and supporting columns, but excluding: (a) unenclosed living areas such as balconies, decks, and porches; (b) carports that are unenclosed on two or more sides; (c) 440 square feet within an attached or detached garage or carport that is enclosed on three sides or more; (d) non-habitable accessory structures of less than 120 square feet; (e) unfinished understories, attics and basements; and (f) finished basements if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point. For new floor area, only include new floor area located outside of the existing building envelope.

ⁱ **Total Floor Area** for all projects except those with one or two dwelling units on a lot means the total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings, or the center line of party walls separating such buildings, but excluding: (a) areas used for off-street parking spaces, loading berths, driveways, and maneuvering aisles; (b) areas which qualify as usable open space in Chapter 17.126; and (c) arcades, porticoes, and similar open areas which are located at or near street level of Nonresidential Facilities, are accessible to the general public, and are not designed or used as sales, display, storage, or production areas. For new floor area, only include new floor area located outside of the existing building envelope.

ⁱⁱ **Setback Slope:** Slope between edge of pavement and the front setback line, measured at the midpoint and perpendicular to the front property line.

ⁱⁱⁱ **Structure Slope:** Steepest slope across building footprint measured from one side of the building to another.

5. IMPERVIOUS SURFACE INFORMATION

See pages 10 and 12 for more information on impervious surface.

PROJECT CHARACTERISTICS: (check one)

- ☐ (1) The project will create or replace **10,000 square feet or more** of new or existing impervious surface area* (not including projects involving one single-family dwelling).
- ☐ (2) The project will create or replace **5,000 square feet or more but less than 10,000 square feet** of new or existing impervious surface area* AND involves the following:
- Auto servicing, auto repair, or gas station;
 - Restaurant (full service, limited service, or fast-food); or
 - Uncovered parking (stand-alone parking lot or parking serving an activity; including uncovered parking garages).
- If you checked (1) or (2) the project is considered a "Regulated Project" and must comply with NPDES C.3 stormwater requirements. You must submit a completed **Stormwater Supplemental Form** and a **Preliminary Post-Construction Stormwater Management Plan** with your application (see page 10).
- ☐ (3) The project will create or replace **2,500 square feet or more** of new or existing impervious surface (including projects involving one single-family dwelling), unless the project meets the definition of (1) or (2) above.
- If you checked (3) site design measures to retain stormwater on-site are required. Refer to the City's "Overview of Provision C.3" for more information.
- ☒ (4) None of the above.

* Impervious Surface = Any surface that cannot be effectively (easily) penetrated by water. Permeable paving (such as permeable concrete and interlocking pavers) underlain with permeable soil or permeable storage material, and green roofs with a minimum of three inches of planting media, are not considered impervious surfaces. Do not include existing impervious surface to be replaced as part of routine maintenance/repair activities when calculating the amount of new/replaced impervious surface.

6. TREE PRESERVATION ORDINANCE

See pages 9 and 12 for more information on protected trees and these regulations.

Pursuant to the Tree Preservation Ordinance (§12.36 O.M.C.) a Tree Preservation/Removal Permit is required for any proposed construction activity (including buildings, driveways, paths, decks, construction vehicle routes, sidewalk improvements, & perimeter grading) within 10 feet of a Protected Tree, even if such trees are not being removed or if they are located on a neighbor's property.

The following are Protected Trees:

- a. Any Coast Live Oak tree that is larger than 4 inches dbh*
- b. Any tree (except Eucalyptus) that is larger than 9 inches dbh* (Eucalyptus trees and up to 5 Monterey Pines per acre are not considered Protected Trees under this section. Monterey Pines must be inspected and verified by the Public Works Agency – Tree Division prior to their removal. Contact the Tree Division at (510) 615-5850 for more information or to schedule an inspection).
- c. Any tree of any size located in the public right-of-way (including street trees).

I ATTEST THAT: *(check one)*

- ☐ (1) There are no existing Protected Trees anywhere on the subject property or within 10 feet of the proposed construction activities** (including neighbor's properties or the adjacent public right-of-way).
- ☒ (2) There are Protected Trees on the subject property or within 10 feet of the proposed construction activities**, and their location is indicated on the site plan and landscape plan **and** *(check one)*;
- ☐ (a) No Protected Trees are to be removed and
No construction activity** will occur within 10 feet of any Protected Tree.
- ☒ (b) No Protected Trees are to be removed and
Construction activity** will occur within 10 feet of any Protected Tree.
- ☐ (c) Protected Trees will be removed.

If you checked (2b) or (2c), a Tree Preservation/Removal Permit is required. Please complete the section below.

DESCRIPTION OF TREES (Identification numbers and letters must be consistent with the Tree Survey, see submittal requirements in Section 8)

Trees proposed for removal			Trees <u>not</u> proposed for removal but located within 10 feet of Construction Activity**		
#	Species	dbh*	#	Species	dbh*
1			A		
2			B		
3			C		
4			D		
5			E		
6			F		
7			G		

Reason for removal/impacting of trees: _____

* dbh: "diameter at breast height" is determined by measuring the trunk at 4'-6" from the ground. Multi-trunked trees are measured by combining the diameters of all trunks at 4'-6" from the ground.

** Construction Activity: Any proposed building, driveway, path, deck, construction vehicle route, sidewalk improvement, grading, or demolition.

7. CREEK PROTECTION ORDINANCE

See page 12 for more information on creeks and these regulations.

Pursuant to the Creek Protection, Storm Water Management and Discharge Control Ordinance (§13.16 O.M.C.) a Creek Protection Permit is required for any proposed construction activity occurring on a Creekside property. The extent to which your development will be regulated by the Creek Protection Ordinance depends upon the location and type of proposed work.

WHAT IS A CREEK?

"A Creek is a watercourse that is a naturally occurring swale or depression, or engineered channel that carries fresh or estuarine water either seasonally or year around."

A creek must include the following two components:

1. The channel is part of a contiguous waterway. It is hydrologically connected to a waterway above or below the site or is connected to lakes, the estuary, or Bay. Creek headwaters, found at the top of watersheds, are connected in the downhill direction. Additionally, creeks in Oakland are often connected through underground culverts. Only the open sections of creeks are subject to the permit, and
2. There is a creek bed, bank and topography such as a u-shape, v-shape channel, ditch or waterway (identified through field investigation, topographical maps, and aerial photos). To help with identification in the field a creek may also have the following features (the absence of these features does NOT mean there is no creek):
 - A riparian corridor, which is a line of denser vegetation flowing downhill. This is sometimes missing due to landscaping or vegetation removal practices, landslide or fire.
 - The channel has a bed with material that differs from the surrounding material (i.e. more rocky, or gravelly, little or no vegetation).
 - There are man-made structures common to waterways, - for example bank retaining walls, trash racks, culverts, inlets, rip rap, etc.

I ATTEST THAT: *(check one)*

- ☐ (1) **I do not know if there is a Creek on or near the proposed project site.** I have submitted a request for a Creek Determination by the City of Oakland (separate form and fee required).
- ☒ (2) **No Creek exists on or near the project site;** *(check one)*
- ☒ (a) Based on my review of the characteristics of the project site, as well as all relevant maps and plans, and the Creek Determination criteria provided in the "What is a Creek?" section above; or
- ☐ (b) Based on the attached report prepared by a relevant licensed professional.
- However, if the City determines that a Creek exists on or near the project site, a Creek Protection Permit is required.*
- ☐ (3) **A Creek DOES exist on or near the project site and;** *(check one)*
- ☐ (a) The proposed project only entails interior construction and/or alterations (including remodeling), and therefore requires a **Category 1 Creek Permit** (this is a no fee permit and only requires distribution of educational materials); or
- ☐ (b) The proposed project entails exterior work that does not include earthwork and is located more than 100 feet from the centerline of the Creek, and therefore requires a **Category 2 Creek Permit** (this permit requires a site plan and distribution of educational materials); or
- ☐ (c) The proposed project entails (a) exterior work that is located between 20 feet from the top of the Creek bank and 100 feet from the centerline of the Creek, and/or (b) exterior work that includes earthwork involving more than three (3) cubic yards of material located beyond 20 feet from the top of the Creek bank, and therefore requires a **Category 3 Creek Permit** (this permit requires a site plan and creek protection plan and may require environmental review); or
- ☐ (d) The project entails exterior work conducted from the centerline of the Creek to within 20 feet from the top of the Creek bank, and therefore requires a **Category 4 Creek Permit** (this permit requires a site plan and creek protection plan and may require environmental review and a hydrology report).

The Creek Permit requirements for your project are subject to verification by the City of Oakland and may differ from what you have indicated above. Additionally, you are responsible for contacting and obtaining all required permits from the relevant state and federal permitting agencies for Category 3 and Category 4 Creek Permits.

8. HAZARDOUS WASTE AND SUBSTANCES STATEMENT

STATE GOVERNMENT CODE SECTION 65962.5 (f):

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list.

Please refer to the following state maintained website <http://www.calepa.ca.gov/SiteCleanup/CorteseList/> or contact the CalEPA at (916) 323-2514 to determine if your project is on any list of properties containing hazardous waste, toxic substances or underground fuel tanks. **NOTE: YOU MUST REVIEW ALL LISTS**

- ☒ I have reviewed ALL the lists and my site does **not** appear on them (sign below). **City Verification Required**
- ☐ My site does appear on the list(s) (please complete the flowing statement and sign below).

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Name of applicant: _____

Address: _____

Phone number: _____

Address of site: _____

(street name and number if available, and ZIP Code)

Local agency (city/county): _____

Assessor's book, page, and parcel number: _____

Specify any list pursuant to Section 65962.5 of the Government Code: _____

Regulatory identification number: _____

Date of list: _____

Status of regulatory action: _____

Signature of Owner or Authorized Agent

Date

9. GREEN BUILDING ORDINANCE

Pursuant to the Ordinance 'Sustainable Green Building Requirements for Private Development,' (Chapter 18.02 of the Oakland Municipal Code), a Green Building Permit is required for any proposed construction activity within certain categories. The extent to which your development will be regulated by the Green Building Ordinance depends upon the location, type of proposed work, and size of proposed work.

A. PROPERTY ADDRESS: Besito Ave and Drury Road (1138 Drury Road), Oakland, CA 94705

B. PROJECT TYPE OF DEVELOPMENT (check one): ☐ New Construction ☐ New Construction-Mixed Use ☒ Addition
☐ Existing Building ☐ Tenant Improvement ☐ Remodel
☐ Historic ☐ Landscape Project

C. TOTAL NEW AND ALTERED FLOOR AREA (square feet): N/A

I, THE APPLICANT/OWNER, ATTEST THAT: (check one)

- ☒ (1) I have reviewed the Green Building Ordinance and the project **DOES NOT** fall within the list of applicable project types.
☐ (2) I have reviewed the Green Building Ordinance and the project **MUST** comply with the ordinance, AND I'm submitting the required additional green building materials (see page 10) with this application.
☐ (3) I have reviewed the Green Building Ordinance and the project must comply with the ordinance, AND I'm submitting the required additional green building materials (see page 10) with this application, but a GreenPoint Rater or LEED AP is not required as the project uses the Small Commercial Checklist or the Bay Friendly Basic Checklist.

D. NAME OF GREENPOINT RATER (REQUIRED FOR GREENPOINT RATED PROJECTS)*: _____

Name of leed accredited professional (ap)(required for LEED projects) * _____

MAILING ADDRESS: _____

PHONE: _____ **E-MAIL:** _____

RATING SYSTEM: _____ **# OF POINTS THE PROJECT IS ANTICIPATED TO RECEIVE:** _____

E. GREEN BUILDING FEATURES NOT SHOWN ON PLANS BUT PART OF CHECKLIST (include additional sheets if needed): _____

I, hereby certify under the penalty of perjury that I have reviewed the project and appropriate checklist and attest that to the best of my knowledge the proposed project would likely comply with the City of Oakland's Green Building Ordinance and attain green building certification. I, hereby further certify under the penalty of perjury, that I 1) have no vested financial interest in the project other than my green building services, 2) have reviewed the project and appropriate green building checklist, and 3) attest that to the best of my knowledge the proposed project would likely comply with City of Oakland's Green Building Ordinance and attain green building certification.

X

Signature of the GreenPoint Rater or LEED Accredited Professional

Date

This permit is issued pursuant to all provisions of City of Oakland Ordinance No. 13040 C.M.S., "Sustainable Green Building Requirements for Private Development." This permit is granted upon the express condition that the permittee shall be responsible for all claims and liabilities arising out of work performed under this permit or arising out of permittee's failure to perform the obligations with respect to this permit. The permittee shall, and by acceptance of this permit agrees to defend, indemnify, save and hold harmless the City, its officers and employees, from and against any and all suits, claims or actions brought by any reason for or on account of any bodily injuries, disease or illness or damage to persons and/or property sustained or arising in the construction of the work performed under this permit or in consequence of permittee's failure to perform the obligations with respect to this permit. Violations of the provisions of the Green Building Ordinance are subject to fines and penalties specified under Section 20-3.030 of the Ordinance.

TO BE COMPLETED BY CITY STAFF:

CASE NUMBER(S): _____ **CASE PLANNER'S NAME:** _____

Note to Case Planner: Please route a copy of this form to the green building coordinator in the Planning and Zoning Division.

10. SUBMITTAL REQUIREMENTS: WHAT TO SUBMIT

The following information and drawings must be included in the submittal package for your application. Planning staff reserves the right to require additional plans and information as needed for certain development proposals.

The following items are required for ALL applications unless otherwise noted.

Each and every item is required at the time of application submittal.

APPLICATIONS WITH MISSING ITEMS WILL NOT BE ACCEPTED.

All fees are due at the time of application submittal.

☒ (1) **Basic Application for Development Review**

This application form signed and completed (including impervious surface, protected tree, creek information, the Hazardous Waste and Substances Statement, and green building sections). Original signatures or clear & legible copies are required.

☒ (2) **Supplemental Forms and Findings**

Explanation describing how the proposal complies with City requirements (forms provided by staff).

☒ DRX, DS, DR, or SP supplemental findings.

☐ CUP and/or Variance supplemental findings.

☐ TPM/TTM supplemental findings.

☒ Other extra CUP or DR findings, such as alcohol, ground floor use, extra units, telecom (mini, micro, macro), etc.

☐ Specific Plans Design Guidelines Checklist (Broadway Valdez District, Central Estuary, Lake Merritt Station, or West Oakland).

☐ (3) **Assessor's Parcel Map**

Available at the City of Oakland Engineering Services or Zoning counters, the County Assessor's Office, 1221 Oak St. or the County Assessor's website at http://revfilesvr/countydisplay/county_home.asp

☒ (4) **Photographs**

• Photographs must be placed in a secure envelope or mounted on a board folded to a size no larger than 9" x 12".

☒ Color photographs showing the existing structure or lot as seen from across the street and from the front, side and rear property lines. Label each photograph with the view pictured (e.g., front, side, rear, across the street).

☒ Color photographs showing the 20 nearest neighbors from the street (5 nearest lots on either side, 10 nearest lots across the street). Label each photograph with the address pictured.

☒ (5) **Plans** (see supplemental requirements for all Tentative Parcel Map (TPM), Tentative Tract Map (TTM), Parcel Map Waiver (PMW) applications).

• **Two (2)** stapled and folded sets of full-sized plans and **Two (2)** additional sets of reduced plans (11" x 17") are required for all applications. A Color 11"x17" rendering **MUST** be submitted for Major Permits.

• Fold plans to 9" x 12" maximum size. Plans must be on sheets no greater than 24" x 36".

• Include north arrow, date prepared and scale.

• Acceptable drawing scales are: 1/4" = 1', 3/16" = 1', 1/8" = 1', and 1" = 10'. Other scales may be appropriate, but should be discussed with Planning staff before filing. Also, please limit the range of scales used, so Planning staff can more easily analyze your project in relation to adjacent properties.

• Include the name and phone number of person preparing the plan(s). As appropriate or required, include the stamp and "wet signature" of any licensed architect, landscape architect, surveyor and/or civil engineer preparing final plans.

• Show all encroachments over the public Right-of-Way.

☐ (a) **Survey** (required only for the following project types listed below)

• Must be no more than 3 years old from the time of submittal – date of survey must be included.

• Must be prepared by a California State licensed Land Surveyor or by a Civil Engineer with a license number below 33966 (licensed prior to January 1, 1982).

• Include the wet stamp and signature of the Land Surveyor or Civil Engineer who prepared the survey.

• Include the applicable surveyor's statement in accordance with the Professional Land Surveyors Act.

• In addition to paper copies, the survey must also be submitted on a CD.

For all new buildings (except small non-habitable buildings) and >100% footprint additions to existing buildings:

☐ Full boundary & topographic survey with field-verifiable monuments set or found by the surveyor.

☐ Location, dimensions, and dimensions to property lines of all existing buildings and similar structures.

For any building or addition within any required setback:

☐ Applicable line survey with field-verifiable monuments set or found by the surveyor.

☐ Location, dimensions, & dimensions to property line of existing buildings & similar structures adjacent to relevant property line.

For any building or addition located on a lot with a slope of 20% or more:

☐ Site topography for all areas of proposed work and for all existing driveways, buildings, and similar structures.

☐ Location and dimensions for all existing driveways, buildings, and similar structures.

☒ (5) **Plans (continued)**

☐ (b) **Site Plan**

- ☐ Location and dimensions of all property boundaries.
- ☐ Location and dimensions of all existing and proposed buildings, decks, stairs, and patios.
- ☐ Dimensions of all existing and proposed building setbacks from property lines.
- ☐ Location of building footprints and approximate height of buildings on adjacent lots.
- ☐ Location, dimensions, and paving materials of all adjacent sidewalks, curbs, curb-cuts (including curb-cuts on adjacent neighbor's lots), and streets.
- ☐ Location and dimension of all existing and proposed driveways, garages, carports, parking spaces, maneuvering aisles, wheel-stops, pavement striping/markings, and directional signage. Indicate existing and proposed paving materials.
- ☐ Location, height, and building materials of all existing and proposed fencing and walls.
- ☐ Location, height (including top and bottom elevation measurements), and building materials of all existing and proposed retaining walls.
- ☐ Location and size (dbh) of all existing trees and indication of any trees to be removed.
- ☐ Location of drainage ways, creeks, and wetlands (check with the Engineering Services Division for this information)
- ☐ Roof plan showing roof slope and direction, and location of mechanical equipment, ducts, and vents.
- ☐ For projects located on a lot with a slope of 20% or more: Show existing and proposed topographic contours overlaid with proposed roof plan and indicating roof ridge spot elevations.
- ☐ For multi-family residential projects: Show the location, dimension, slope, and site area of all existing and proposed Group Usable Open Space and Private Usable Open Space, including a summary table of site area.
- ☐ For projects in all residential, commercial, and industrial zones, including the CIX-1A Zone: Show any building to be demolished both historic and non-historic.

- ☐ (c) **Landscape Plan** (required for new buildings, new dwellings, and residential additions of more than 500 sq. ft.)
- ☐ Indicate any existing landscaping that is to be removed.
 - ☐ Indicate the size, species, location, and method of irrigation for all plantings.
 - ☐ Include all existing and proposed groundcovers, driveways, walkways, patios, and other surface treatments.

☐ (d) **Floor Plan**

- ☐ Include complete floor plan of all floors of entire building, including existing and proposed work.
- ☐ Label all rooms (e.g., bedroom, kitchen, bathroom), and include dimensions of room sizes.
- ☐ Show the location of all existing and proposed doors, windows, and walls.
- ☐ For non-residential projects: show all existing and proposed seating areas, mechanical/kitchen equipment, and/or other major functional components of the proposed project.

☒ (e) **Elevations** (required only for new construction, additions, or exterior alterations)

- ☐ Show all structure elevations (front, sides and rear) that will be affected by the proposed project.
- ☐ For additions/alterations: label existing and new construction, as well as items to be removed.
- ☐ Identify all existing and proposed exterior materials - including roofing, roof eaves, eave brackets, siding, doors, trim, sills, windows, fences, and railings. Show details of proposed new exterior elements.
- ☐ Show any exterior mechanical, duct work, and/or utility boxes.
- ☐ Include dimensions for building height and wall length.

☐ (f) **Cross Sections** (required only for buildings or additions located on a lot with a slope of 20% or more)

- ☐ Include all critical cross sections, including at least one passing through the tallest portion of the building.
- ☐ Include floor plate and roof plate elevation heights.
- ☐ Label the location of the cross-sections on the site plan.

☐ (g) **Tree Survey** (required only for projects which involve a Tree Preservation/Removal Permit [see page 4])

- **Three (3)** folded full-sized plans are required (in addition to the plans required under No. 5 above).
- Fold plans to 9" x 12" maximum size. Plans must be on sheets no greater than 24" x 36".
- Include north arrow, date prepared and scale (Tree Survey should be drawn to the same scale as the Site Plan).
- Include the name & phone number of person preparing the plan(s). As appropriate or required, include the stamp & "wet signature" of any licensed architect, landscape architect, surveyor and/or civil engineer preparing final plans.
- ☐ For new construction on an undeveloped lot: include the stamp and "wet signature" of the licensed architect, landscape architect and/or civil engineer preparing the survey.
- ☐ Indicate the size (dbh), species, and location of all protected trees within 30 feet of development activity on the subject lot, regardless of whether or not the protected trees are included on any tree preservation/removal permit application.
- ☐ Label all protected trees that are located within 10 feet of construction (including trees located on neighbor's properties or the adjacent public right-of-way) with the matching number or letter from the Tree Preservation/Removal Permit application (see section 6 of this application).

☐ (5) **Plans (continued)**

- ☐ (h) **Grading Plan** (required only if the project proposes any site grading)
 - ☐ Show proposed grading plan and/or map showing existing and proposed topographic contours (this may be combined with the Site Plan for small projects with only minor grading).
 - ☐ Include an erosion & sedimentation control plan.
 - ☐ Include a summary table of all proposed excavation, fill, and off-haul volumes.

The following are required only for non-residential, mixed-use, and/or multi-family residential projects.

- ☐ (i) **Sign Plan** (required only for non-residential and mixed-use projects)
 - ☐ Include fully dimensioned color elevations for all proposed signs.
 - ☐ Indicate proposed sign location(s) on site plan
 - ☐ Indicate proposed material(s) and method of lighting for all proposed signs.
- ☐ (j) **Lighting Plan** (required only for non-residential, multi-family residential, and mixed-use projects)
 - ☐ Show the type and location of all proposed exterior lighting fixtures (this may be combined with the Site Plan for small projects).
- ☐ (k) **Materials & Color Board** (required only for non-residential, multi-family residential, and mixed-use projects involving new construction or an addition/alteration that does not match existing materials and colors).
 - Limit board(s) to a maximum size of 9" x 12". Large projects (generally more than 25 dwelling units or 50,000 square feet of floor area) should also submit a large sized materials & color board (24" x 36") for use at public hearings.
 - ☐ Include samples of proposed exterior building materials and paint colors.
 - ☐ Include manufacturer's brochures as appropriate.
- ☐ (l) **Three-dimensional Exhibits** (required only for large projects with more than 25 dwelling units or 50,000 square feet of floor area).
 - ☐ Provide color perspective drawings showing the project from all major public vantage points, or provide a scale model of the proposed project.

- ☐ (6) **Preliminary Post-Construction Stormwater Management Plan*** (required only for "Regulated Projects" subject to NPDES C.3 stormwater requirements [see page 3])
 - ☐ Show location and size of new and replaced impervious surface.
 - ☐ Show directional surface flow of stormwater runoff.
 - ☐ Show location of proposed on-site storm drain lines.
 - ☐ Show preliminary type and location of proposed site design measures, source control measures, and stormwater treatment measures.
 - ☐ Show preliminary type and location of proposed hydromodification management measures (if applicable).

* Please refer to the Stormwater Supplemental Form for more information concerning NPDES C.3 requirements. The Stormwater Supplemental Form must also be submitted with the application.

- ☐ (7) **Preliminary Title Report or deed not more than 60 days old** (required for all Tentative Parcel Map (TPM), Tentative Tract Map (TTM), Parcel Map Waiver (PMW), Rezoning, and General Plan Amendment applications, and any application where the owner information does not match the current Alameda County Assessor's records)

- ☒ (8) **Fees** (all fees are due at the time of application submittal)
 - Additional fees may be required if the project changes or based on staff's environmental determination.

- ☒ (9) **Additional Telecom Information Required** (See full requirements in Chapter 17.128 in the Oakland Planning Code)
 - ☒ For the whole parcel, indicate the total number of existing and proposed antennas and equipment cabinets, their location, and the carriers they serve (please include all wireless carriers). Also indicate area, height, and width of all equipment cabinets and antennas (existing and proposed).
 - ☒ Additional Telecom CUP & DR findings for either: Mini, Micro, Macro, Monopole, or Tower (See definitions in 17.10.860).
 - ☒ Include Radio Frequency emissions report (RF), see Section 17.128.130 for requirements.
 - ☐ If a revision, please include previous approved case number if applicable and can be obtained.
 - ☐ If swapping out & replacing existing antennas, include existing & proposed heights of antennas (per Federal Section 6409).

If you have any questions regarding this application, you may visit the Zoning Counter or call the Zoning Information Line and speak to a planner.

Zoning Information Line:

(510) 238-3911

Monday-Friday: 9am-Noon & 2pm-4pm

Zoning Counter:250 Frank H. Ogawa Plaza, 2nd Floor

Oakland, CA 94612

Every day: 8am-4pm, except Wed. 9:30am-4:00pm

11. Recycling Space Allocation Ordinance

Applicant of development/land use permit is required to provide sufficient space for the storage and collection of recyclable materials to comply with Ordinance No. 11807 – Recycling Space Allocation Requirements. This space should be in addition to that provided for garbage service.

Affected projects:

1. New multifamily buildings in excess of five units
2. New commercial and industrial projects that require a building permit
3. New public facilities
4. Additions and alternations for a single or multiple permits that add 30% or more to the gross floor area

Requirements

For residential projects – two cubic feet of storage per unit, with a minimum requirement of not less than ten cubic feet. Additionally, the Oakland Municipal code Chapter 8.28 Section 8.28.140, requires the provision of 32 gallons or 4.3 cubic feet of storage per unit for garbage.

For affected commercial, industrial and public facility project, two cubic feet of storage and collection space per each one thousand square feet of the total gross building footage, with a minimum requirement not less than ten cubic feet. For these projects, the space for storage and collection of garbage varies based on the type and operation of the facility.

Submittal requirements

Site design must include space for storage of recycling containers, access for recycling trucks as well as for garbage service. Garbage and recycling enclosures must be adequate in capacity, number and distribution to serve the needs of the occupant and development project.

The dimensions of the enclosure shall accommodate the number and type of containers needed for recycling, organics and garbage.

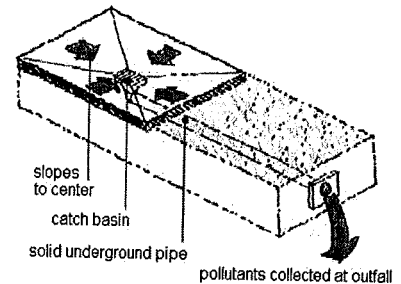
Space for storage of recyclables separated into the following categories will be required at a minimum:

- All paper and cardboard (mixed together)
- Plastic bottles, glass bottles and metal cans (mixed together)
- Organics/Plant materials



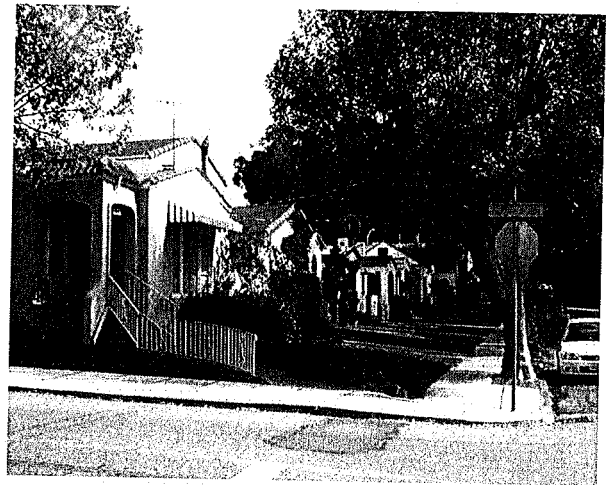
Impervious surface

Impervious surface is related to stormwater runoff and water quality. Impervious surfaces (e.g., pavement and buildings) prevent rainwater from directly infiltrating into the ground and don't allow groundwater aquifers to recharge. When impervious surfaces keep water from soaking into the ground there is less groundwater seepage to creeks and the creeks dry up faster. When it rains, pollutants that have settled on impervious surfaces are concentrated and washed into storm sewers, nearby streams, and the bay. Impervious surfaces result in higher and faster peak water flows when it rains, which in turn results in increased erosion, flooding, and property damage. Large paved areas can also be unattractive and reduce the amount of land available for trees and other landscaping.



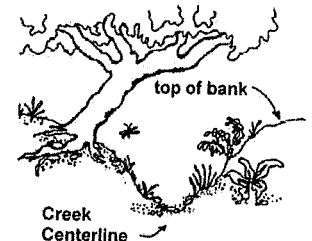
Trees

Among the features that contribute to the attractiveness and livability of the city are its trees. Trees contribute to the climate of the city by reducing heat buildup and providing shade, moisture, and wind control. Trees contribute to the protection of other natural resources by providing erosion control for the soil, oxygen for the air, replenishment of groundwater, and habitat for wildlife. Trees contribute to the economy of the city by sustaining property values and reducing the cost of drainage systems for surface water. Trees are landmarks of the city's history (the "oak" in Oakland), and are a critical element of nature in the midst of urban settlement. For all of these reasons it is important to protect and preserve trees by regulating their removal; to prevent unnecessary tree loss and minimize environmental damage from improper tree removal; and to encourage appropriate tree replacement plantings.



Creeks

Oakland's creeks are a valuable resource to the City of Oakland. They remove water pollutants and improve water quality, provide flood control and storm water drainage, are vital to wildlife habitat, and create neighborhood beauty and improved quality of life. Creeks encourage economic activity through recreation and increased property values and are some of the most beautiful areas of the City. They are a vital recreational and aesthetic resource to the urban environment. It is important to protect and preserve creeks by ensuring safe and responsible development.



CONDITIONAL USE PERMIT INFORMATION

What is a Conditional Use Permit?

The Zoning Ordinance describes two different types of uses in each zoning district: 1) permitted uses; and 2) conditional uses. Conditional uses are those which require special consideration from the City. The Conditional Use Permit (CUP) process provides the City with the flexibility to determine if a specific use at a certain location will be compatible with the neighborhood.

In reviewing a CUP, the Planning Department relies upon the specific findings of Section 17.134.050 of the Zoning Ordinance.

REQUIRED C.U.P. FINDINGS PURSUANT TO SECTION 17.134.050

Conditional Use Permits are granted only when all of the following findings can be made:

Compatible with the Neighborhood

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:

- 1) harmony in scale, bulk, coverage, and density; to harmful effect, if any, upon desirable neighborhood character;
- 2) the generation of traffic and the capacity of surrounding streets; and
- 3) any other relevant impact of the development.

An Asset for the Neighborhood

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.

Enhances the Area

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.

Meets Design Review Standards

That the proposal conforms to all applicable Regular Design Review criteria set forth in the design review procedure in Section 17.136.050.

Complies with the General Plan and other adopted City Plans

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.



CITY OF OAKLAND

CONDITIONAL USE PERMIT FINDINGS

The Zoning Ordinance describes two different types of uses in each zoning district: 1) permitted uses; and 2) conditional uses. Conditional uses are those which require special consideration from the City.

The Conditional Use Permit (CUP) process provides the City with the flexibility to determine if a specific use at a certain location will be compatible with the neighborhood. Conditional Use Permits can only be granted if all of the following general Use Permit findings from Section 17.134.050 can be made:

Please indicate the way in which the proposal meets the following required criteria. Attach additional sheets if necessary.

- A. 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:

ExteNet will use existing metal street light poles instead of placing new monopoles. The poles are located within the public right of way and all equipment will be pole mounted. The panel antenna will be flush mounted at 39'-6" and the radios closely mounted to the pole. The small cell network will provide coverage to the neighborhood and residents.

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

The proposed node will provide wireless telecommunications coverage to a growing area of the community while utilizing an existing metal street light pole and using smaller equipment to minimize the visual clutter.

- C. 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 small cell node is part of a proposed small cell network in Oakland. A small cell network consists of a series of radio access nodes connected to small telecommunications antennas to distribute wireless telecommunications signals. Although the signal propagated from a node antenna spans over a shorter range than a conventional tower system, the small cell network is an effective tool to close service coverage gaps and increase cell service capacity.

- D. The proposal conforms with all applicable Regular Design Review criteria set forth in Section 17.136.050 of the Oakland Planning Code:

The proposed equipment will be placed on existing metal street lights, with the panel antenna flush mounted to the pole, the radios placed against the poles, and the equipment will be painted to match the pole. The existing metal street lights are within the public right-of-way and there will be no ground mounted equipment.

- E. For proposals involving a One- or Two-Family Residential Facility: If the Conditional Use Permit concerns a regulation governing maximum height, minimum yards, or maximum lot coverage or building length along side lot lines, the proposal also conforms with at least one of the following criteria:

1. 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 conditional use permits that allow height increases, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height;

- OR -

2. At least sixty (60) percent of the lots in the immediate context are already developed and the proposal would not exceed the corresponding as-built condition on these lots, and, for conditional use permits that allow height increases, 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 conditional use permit.

- F. 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.



CITY OF OAKLAND

TELECOMMUNICATIONS FACILITIES - MONOPOLES

ADDITIONAL DESIGN REVIEW CRITERIA & CUP FINDINGS

Telecommunications Facilities include attachment of antennas to buildings and similar facilities, the construction of support structures, and the provision of equipment associated with transmitting and receiving of radio frequencies.

*Any Monopole Telecommunications Facility proposal requiring Regular Design Review may only be granted upon determination that the proposal conforms to the Regular Design Review criteria set forth in Section 17.136.050 and to the following **additional** design review criteria:*

*In addition, any conditional use permit required for a Monopole Telecommunications Facility may only be granted upon determination that the proposal conforms to the general use permit criteria set forth in Section 17.134.050 and to the following **additional** use permit criteria:*

Please indicate the way in which the proposal meets the following required criteria. Attach additional sheets if necessary.

Additional Design Review (DR) Criteria for Monopoles (Section 17.128.080B):

1. Collocation is to be encouraged when it will decrease visual impact and collocation is to be discouraged when it will increase negative visual impact:

ExteNet proposes to use an existing City of Oakland metal street light pole. The pole is available for future collocation.

2. Monopoles should not be sited to create visual clutter or negatively affect specific views:

ExteNet will use existing metal street light poles and instead of placing new poles. The panel antenna will be flush mounted at 39'-6" on the light pole. This will streamline the design and not create visual clutter on the existing pole.

3. Monopoles shall be screened from the public view wherever possible:

ExteNet will use existing metal street light poles and not place new poles. The panel antennas will be flush mounted at 39'-6". The additional pole mounted equipment will be placed closely mounted to the light pole so as to minimize the silhouette of the equipment.

4. 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:

There will be no cabinets placed on the ground. The equipment will be placed on the pole and painted to match the pole. 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 a year by a technician.

5. Site location and development shall preserve the preexisting character of the surrounding buildings and land uses and the zone district as much as possible. Wireless communication towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area:

The proposed installation is solely a pole-mounted design. Existing vegetation and topography will not be disturbed. The panel antenna will be flush mounted at 39'-6" of the metal light pole. The equipment will be painted to match the light pole.

6. 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 panel antennas will be flush mounted at 39'-6" of the light pole. The top of the panel antenna will be at about 39'-6". The bottom of the proposed radios will be at 12'-0".

Conditional Use Permit (CUP) Findings for Monopoles (Section 17.128.080C):

1. The project must meet the special design review criteria listed in subsection B of this section (17.128.080C):

The existing light poles are available for future collocation, if allowed by owner, City of Oakland. The proposed equipment will be mounted on the pole, not on the ground. The top of the panel antenna will be flush mounted at 39'-6".

-continued-

2. Monopoles should not be located any closer than one thousand five hundred (1,500) feet from existing monopoles unless technologically required or visually preferable:

This installation is part of a proposed small cell network within Oakland. This network consists of a series of radio access nodes connected to small telecommunications antennas to distribute wireless communications signals. The signal propagated from the node antenna spans a shorter range than a conventional tower system thus requiring the placement of several nodes within the desired coverage area.

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

The equipment will be placed on existing metal light poles without placement of new towers. The panel antennas will not be visible. The pole-mounted equipment will be placed closely on the pole and painted to match. The equipment will be minimal and not visually obtrusive.

4. **If a Major Conditional Use Permit is required**, the Planning Director or the Planning Commission may request independent expert review regarding site location, collocation and facility configuration. Any party may request that the Planning Commission consider making such request for independent expert review.
 - a. If there is any objection to the appointment of an independent expert engineer, the applicant must notify the Planning Director within ten days of the Commission request. The Commission will hear arguments regarding the need for the independent expert and the applicant's objection to having one appointed. The Commission will rule as to whether an independent expert should be appointed.
 - b. Should the Commission appoint an independent expert, the Commission will direct the Planning Director to pick an expert from a panel of licensed engineers, a list of which will be compiled, updated and maintained by the Planning Department.
 - c. No expert on the panel will be allowed to review any materials or investigate any application without first signing an agreement under penalty of perjury that the expert will keep confidential any and all information learned during the investigation of the application. No personnel currently employed by a telecommunication company are eligible for inclusion on the list.
 - d. An applicant may elect to keep confidential any proprietary information during the expert's investigation. However, if an applicant does so elect to keep confidential various items of proprietary information, that applicant may not introduce the confidential proprietary information for the first time before the Commission in support of the application.
 - e. The Commission shall require that the independent expert prepare the report in a timely fashion so that it will be available to the public prior to any public hearing on the application.
 - f. Should the Commission appoint an independent expert, the expert's fees will be paid by the applicant through the application fee, imposed by the city.



CITY OF OAKLAND

JUSTIFICATION FOR GRANTING NON-RESIDENTIAL DESIGN REVIEW

Design Review is intended to ensure high quality attractive designs that will compliment and benefit the surrounding neighborhood and city as a whole. Design Review is primarily focused on site planning and the exterior appearance of structures. This can include things such as architectural style; design quality; building materials; building mass and bulk; façade articulation; landscaping; preservation of sunlight, views, and privacy; screening of parking and loading areas; and other design related issues. Design Review approval can only be granted if all of the following findings can be made.

Please indicate the way in which the proposal meets the following required criteria. Attach additional sheets if necessary.

1. 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:

The proposed installations shall be pole-mounted, painted to match and the panel shall be placed at the top of the pole. There will be no ground-mounted equipment thus minimizing the visual impact of the facilities.

2. 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:

ExteNet proposes to use existing metal street lights within the public right-of-way. The 26.7" tall panel antenna will be located at the top of the pole, painted to match the metal street light.

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

The proposed installation will be placed on a metal street light pole without any ground mounted equipment which will reduce the impact. ExteNet will use existing street light poles without the need to place new monopoles.

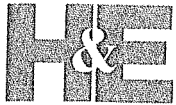
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Additional criteria for retaining walls:

4. That the retaining wall is consistent with the overall building and site design and respects the natural landscape and topography of the site and surrounding areas;

5. That the retaining wall is responsive to human scale, avoiding large, blank, uninterrupted or undesigned vertical surfaces;

6. That the retaining wall respects the natural topography, avoiding obvious scars on the land.



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
BROADCAST & WIRELESS

WILLIAM F. HAMMETT, P.E.
RAJAT MATHUR, P.E.
ROBERT P. SMITH, JR.
NEIL J. OLIV, P.E.
AMELIA NGAI
MANAS REDDY

ROBERT L. HAMMETT, P.E.
1920-2002
EDWARD EDISON, P.E.
1920-2009

DANE E. ERICKSEN, P.E.
ANDREA L. BRIGHT, P.E.
CONSULTANTS

BY E-MAIL CLINDSAY@EXTENETSYSTEMS.COM

November 17, 2017

Mr. Charles Lindsay
ExteNet Systems (California) LLC
2000 Crow Canyon Place
Suite 210
San Ramon, California 94583

Dear Charles:

As you requested, we have evaluated the noise emissions from the proposed AT&T Mobility node (Site No. OAKS-038C) proposed to be located on a light pole in the public right-of-way at the east corner of the intersection of Besito Avenue and Drury Road in Oakland. The noise source at the site is a cabinet on the pole housing a CommScope FlexWave Prism FP4-100000E2111RU transmitter (with Enhanced Fan Shroud). Also on the pole are a meter/safety switch and a meter socket, neither of which has cooling fans. The nearest property line is located to the east, about 14 feet from the pole; that parcel is zoned "Residential." The applicable noise limits for residential areas in the City of Oakland (Section 17.120.050 of its Municipal Code) are 60 dBA daytime and 45 dBA at night.

CommScope reports that the maximum noise level from its Prism cabinet is 48 dBA, measured at a reference distance of 5 feet and applying for ambient temperatures not exceeding 114°F.* Based on this information, the maximum calculated noise level at the nearest property line is 39.1 dBA, well below the City's noise limits.

Please let us know if any questions arise on this analysis.

Sincerely yours,

William F. Hammett, P.E.

jp

cc: Mr. Lawrence Beer - BY E-MAIL LBEER@EXTENETSYSTEMS.COM
Ms. Ana Gomez-Abarca - BY E-MAIL GOMEZABARCAA@BV.COM

* The maximum recorded temperature in Oakland is 109°F, according to Intellicast.com as of November 14, 2017.

AT&T Radio Frequency Statement

DAS Node Oaks-038C: Light Pole in Public Right-of-Way
1193 Drury Road, Oakland, CA, 94705

I am the radio frequency (RF) engineer assigned to the proposed wireless telecommunications facility ("Node Oaks-038C"), which is a DAS Node to be located on a metal light pole in the public right-of-way adjacent to 1193 Drury Road, Oakland, CA, 94705 (the "Property"). Based on my knowledge of the Property and with AT&T's wireless network, as well as my review of AT&T's records with respect to the Property and its wireless telecommunications facilities in the surrounding areas, I have concluded that the work associated with this permit request is needed to address wireless capacity needs in the area surrounding the Property.

AT&T's existing macro cell network facilities currently do not adequately serve its customers' capacity needs in this area. Existing macro cells are experiencing, or will be experiencing shortly, voice and data congestion. To stay ahead of the customer's needs for voice and data, AT&T needs to construct a new DAS wireless telecommunications facility. This facility will off-load voice and data traffic from adjacent macro cells. The additional capacity will result in better user access to the network, improved voice quality, higher data rates and lower latency when using data services. This DAS proposal is essential to resolving capacity challenges created by the rapidly growing consumer reliance on wireless devices. AT&T targets the design and placement of DAS networks to ensure customers receive reliable service quality.

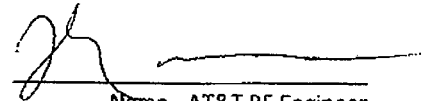
Engineers at AT&T use various data sources and tools to determine the need for DASs. These include statistical reports that show which sites are congested; call geo-data reports that show geographically where subscriber calls are concentrated; and population density maps that indicate where subscribers are likely to use their mobile devices. After the areas are identified that require traffic offloading, propagation modeling tools are used, along with actual field drive data, to place the DASs in the optimal locations to carry voice and data traffic. The propagation tools contain terrain and clutter databases that allow for the simulation of signal propagation.



Name - AT&T RF Engineer
October 2, 2017

AT&T Radio Frequency Statement
DAS Node Oaks-038C: Metal Light Pole in Public Right-of-Way
1193 Drury Road, Oakland, CA, 94705

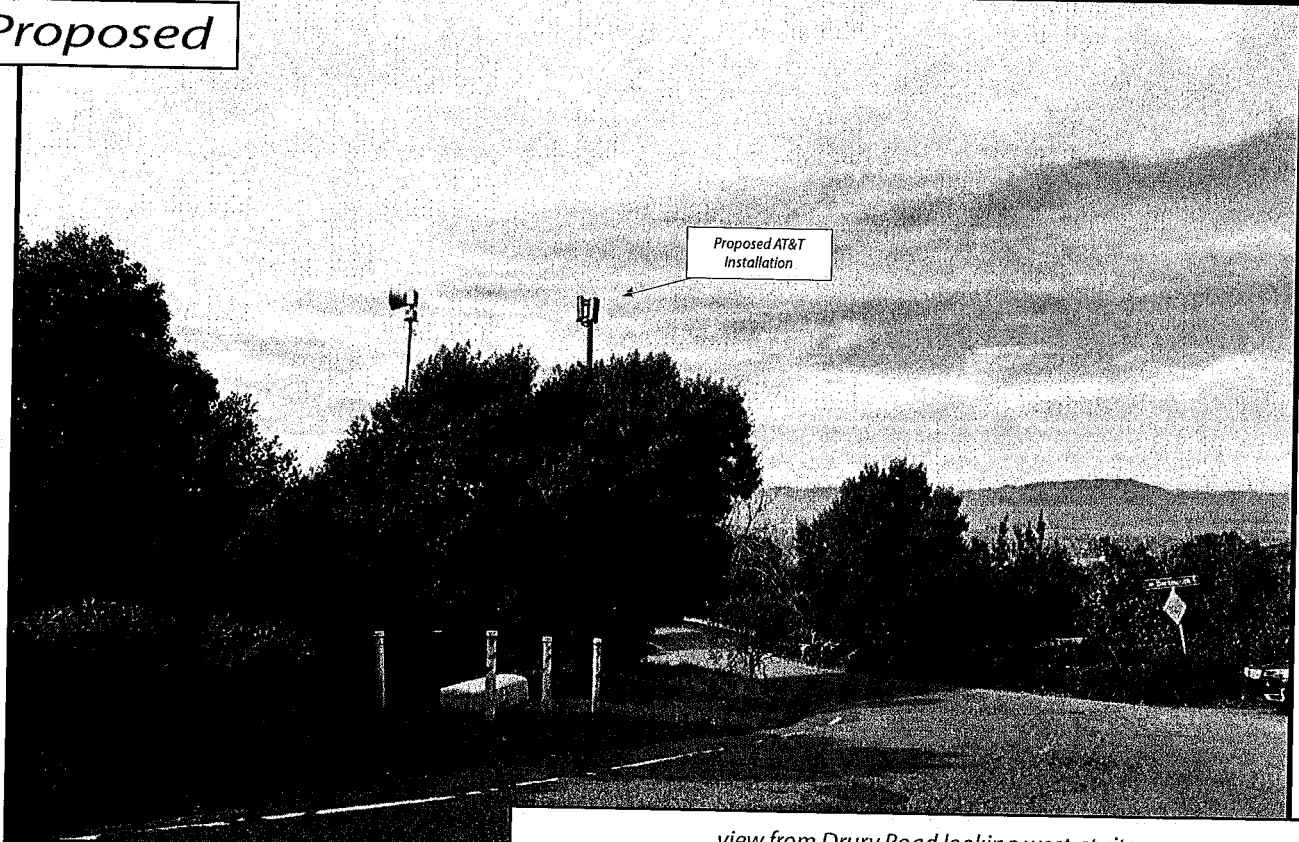
I am the radio frequency (RF) engineer assigned to the proposed wireless telecommunications facility ("Node Oaks-038C"), which is a DAS Node to be located on a metal light pole in the public right-of-way adjacent to 1193 Drury Road, Oakland, CA, 94705 (the "Property"). The current pole location is the best location to address the service coverage objectives. However, due to the surrounding clutter and topography, including adjacent tall trees, a taller and wider pole is needed in order to meet the coverage objective and construction requirements.


Name - AT&T RF Engineer
October 2, 2017

Existing



Proposed

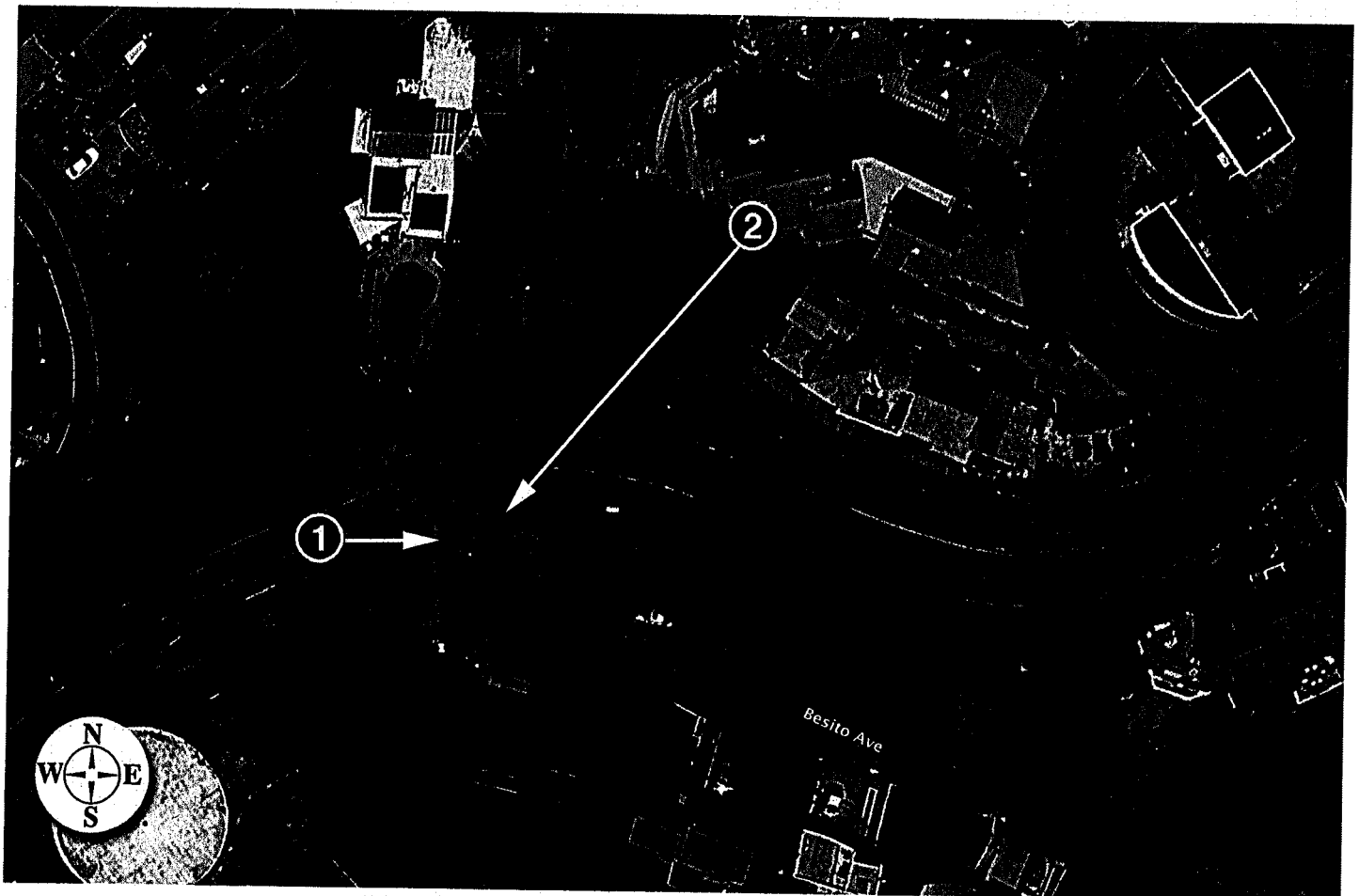
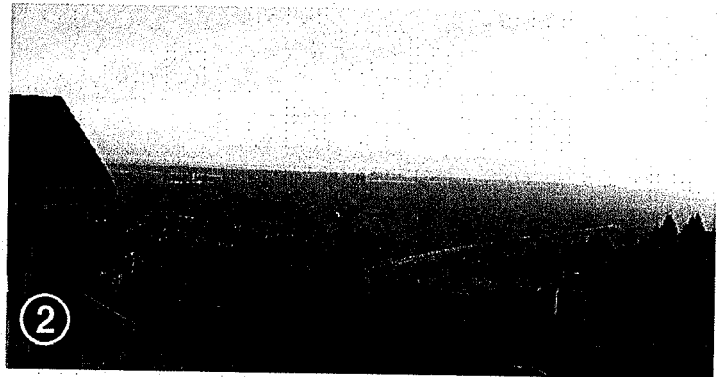
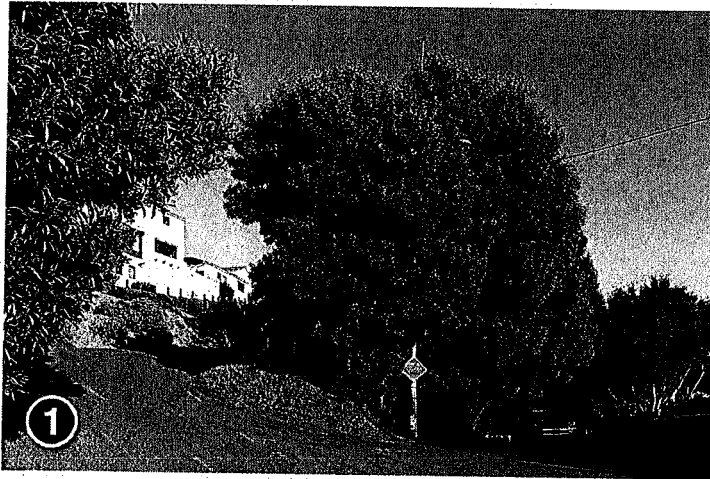


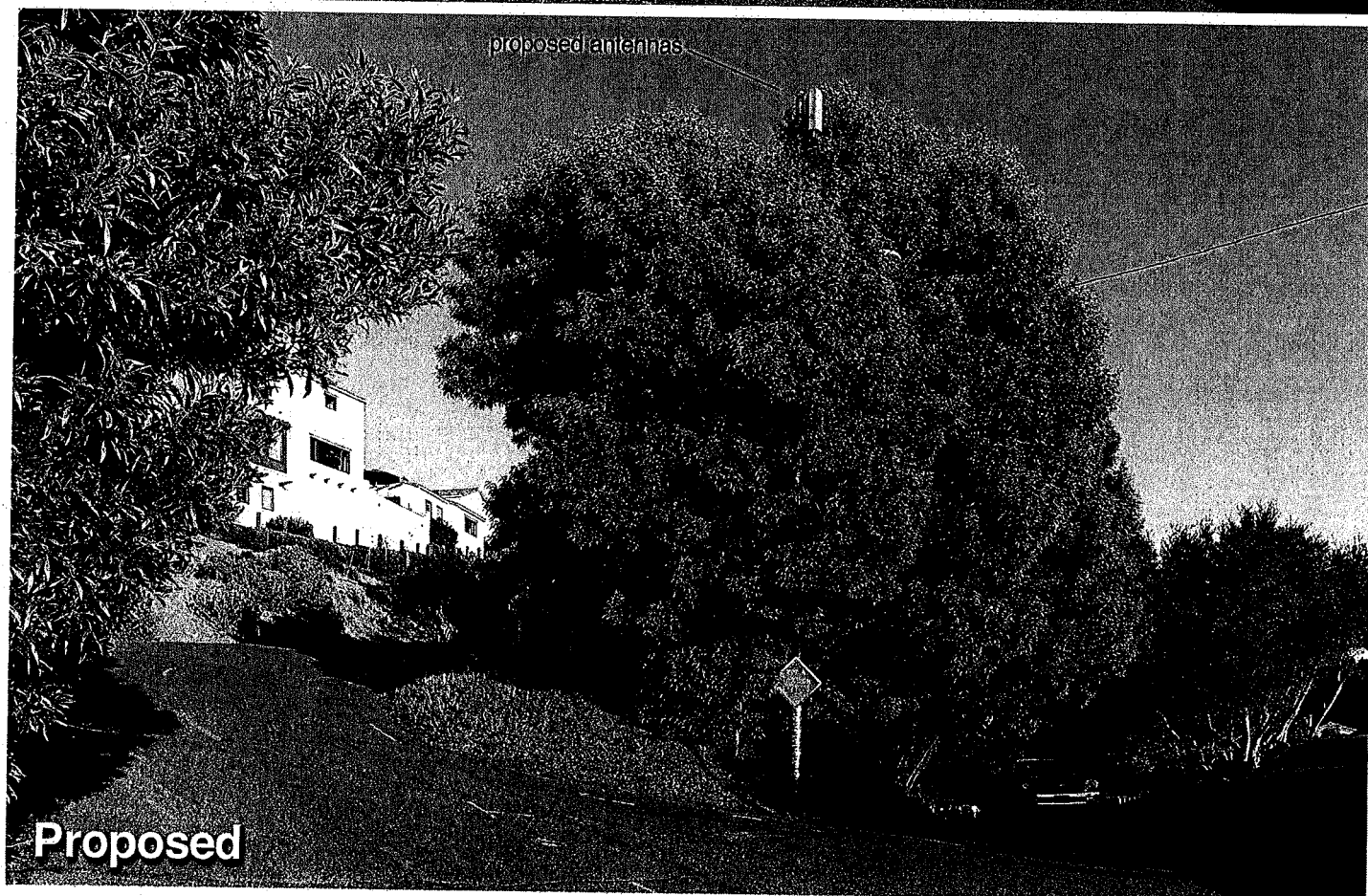
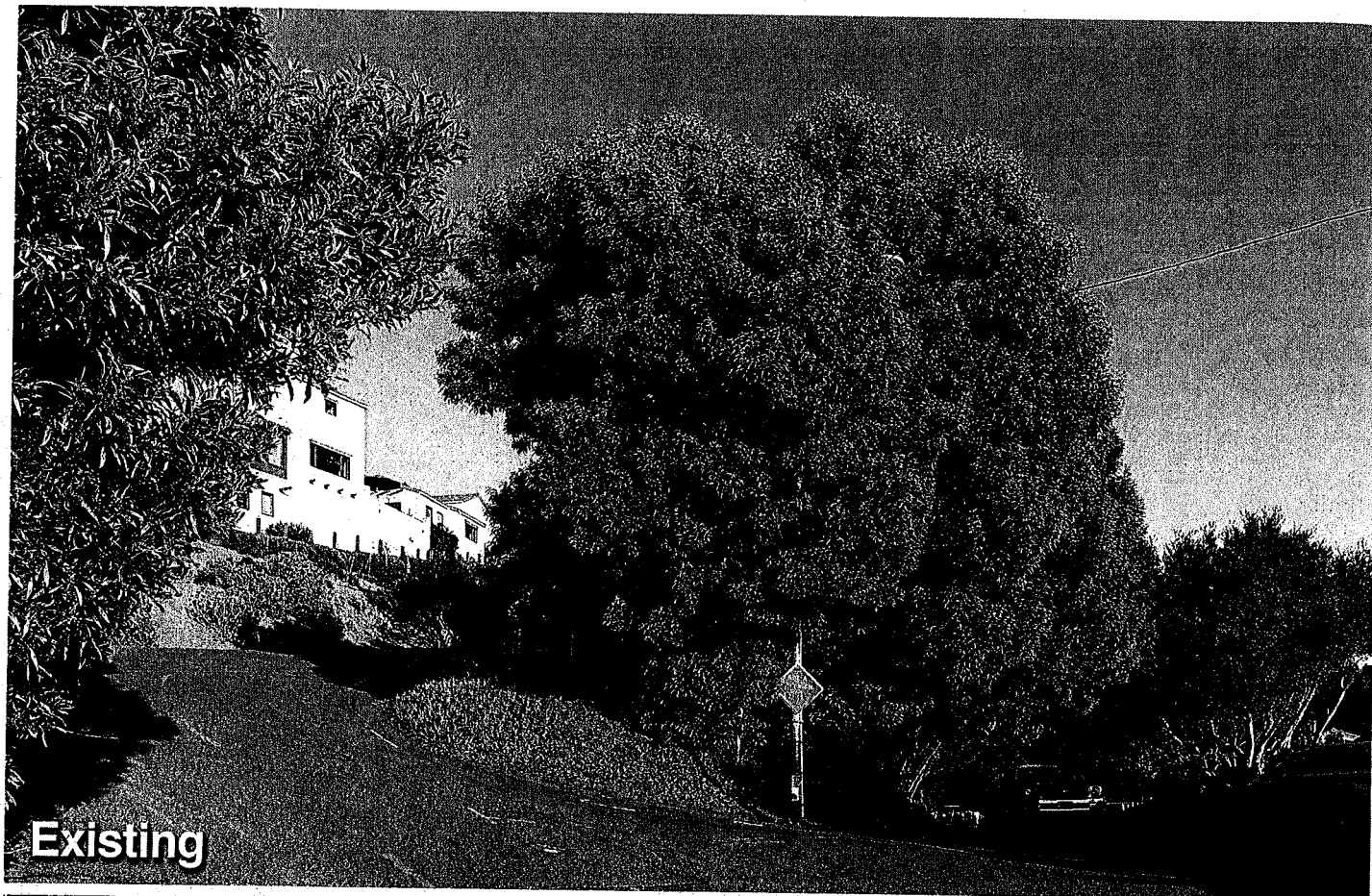
AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

 **AT&T Wireless**

view from Drury Road looking west at site

OAKHILLS AT&T South Network Oaks-038C
Besito and Drury Road, Oakland, CA
Photosims Produced On 7-7-2017





Oakhills AT&T South Network Site # OAKS-038C

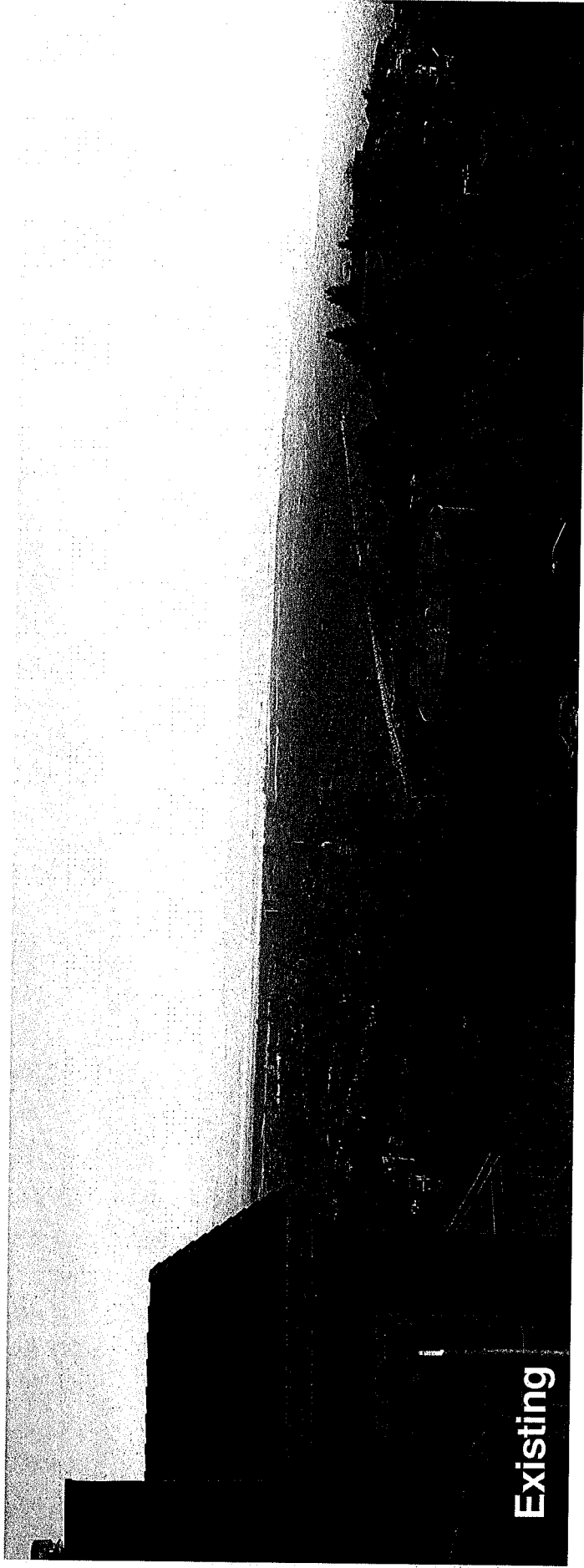
Looking East from Amito Avenue

1/18/18

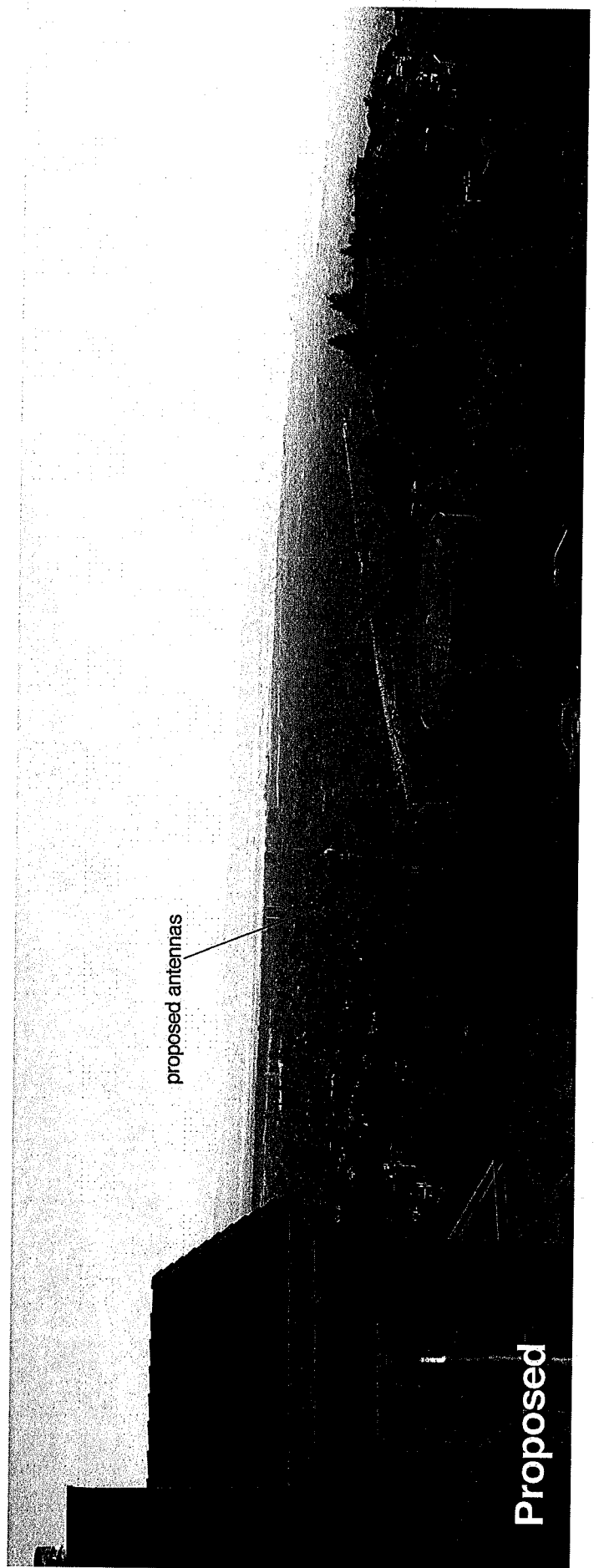
(PROW) Besito and Drury Road
Oakland, CA

View #1

Applied Imagination 510 914-0500



Existing



proposed antennas

Proposed



Oakhills AT&T South Network Site # OAKS-038C

(PROW) Besito and Drury Road
Oakland, CA

1/18/18

Looking Southwest from Residence on Drury Lane

View #2

Applied Imagination 510 914-0500

Decision 06-04-063 April 27, 2006

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ClearLinx Network Corporation
(U-6959-C) for a Modification to its Certificate of
Public Convenience and Necessity in Order to
Provide Competitive Local Exchange, Access and
Non-Dominant Interexchange Services.

Application 05-07-025
(Filed July 27, 2005)

**OPINION GRANTING MODIFICATION
OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

I. Summary

ClearLinx Network Corporation (U-6959-C) (Applicant) seeks a modification of its existing certificate of public convenience and necessity (CPCN) under Pub. Util. Code § 1001 to obtain authority to provide full facilities-based local exchange and interexchange telecommunications services.¹ We grant the application, subject to the requirements and conditions stated below.

We also specify a procedure to be followed if Applicant wishes to pursue full facilities-based construction activities that involve potential exemptions from environmental review under the California Environmental Quality Act (CEQA).

II. Background

Applicant, a Delaware corporation, seeks authority to provide full facilities-based local exchange and interexchange services. Applicant's principal

¹ In Decision (D.) 05-07-004, the Commission previously granted Applicant a CPCN (U-6959-C) authorizing the provision of limited facilities-based interexchange services in California.

The requirements for the expanded CPCN authority requested by Applicant here are the same as those previously met by Applicant for its existing CPCN (U-6959-C), except for the requirements of the CEQA as applied to any proposed full facilities-based construction by Applicant. Therefore, the only issue before us in this application is whether Applicant's proposed construction and process for requesting determinations of exemption from CEQA by Commission staff meets the requirements of CEQA and should be approved. Applicant remains subject to the requirements of D.05-07-004, which granted Applicant authority to provide limited facilities-based interexchange services.

III. Environmental (CEQA) Review

The CEQA (Public Resources Code Sections 21000 et seq.) applies to discretionary projects to be carried out or approved by public agencies. A basic purpose of CEQA is to "inform governmental decision-makers and the public about the potential significant environmental effects of the proposed activities." (Title 14 of the California Code of Regulations, hereafter CEQA Guidelines, Section 15002.)

Since the Commission must issue a discretionary decision (i.e., grant Section 1001 certificate authority) without which the proposed activity will not proceed, the Commission must act as either a Lead or Responsible Agency under CEQA. The Lead Agency is the public agency with the greatest responsibility for supervising or approving the project as a whole (CEQA Guidelines, Section 15051(b)). The Commission is the Lead Agency for this project under

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- Its projects are driven by customer needs, so that ClearLinux does not know very far in advance where its next project will be located.
 - Applicant has also filed financial documentation, information regarding required deposits, and biographical information regarding the experience of its management, which demonstrates that Applicant otherwise meets the requirements for a full facilities-based CPCN.

- Applicant will provide the Commission Energy Division with:
 - A detailed description of the proposed project, including:
 - Customer(s) to be served;
 - The precise location of the proposed construction project; and
 - Regional and local site maps.
 - A description of the environmental setting, to include at a minimum:
 - Cultural, historical, and paleontologic resources;
 - Biological resources; and
 - Current land use and zoning.
 - A construction workplan, to include:
 - Commission Preconstruction Survey Checklist—Archaeological Resources;
 - Commission Preconstruction Survey Checklist—Biological Resources;
 - A detailed schedule of construction activities, including site restoration activities;
 - A description of construction/installation techniques;
 - A list of other agencies contacted with respect to siting, land use planning, and environmental resource issues, including contact information; and
 - A list of permits required for the proposed project.
 - A statement of the CEQA exemption(s) applicable to the proposed project; and
 - Documentation and factual evidence sufficient to support a finding that the claimed exemption(s) is (are) applicable.
- The Commission Energy Division will review the Applicant's submission for the proposed project to confirm that the claimed exemption(s) from CEQA are applicable.

of this case with the following modifications related to the Commission Energy Division's review and approval or disapproval of the proposed exemptions.

- If the Commission Energy Division disapproves Applicant's claimed CEQA exemption(s), and issues a letter of denial to Applicant, Applicant shall either re-design the specific project and facilities and then reapply for a finding of exemption from CEQA, or file a formal application with the Commission seeking the requisite approval and full CEQA review, before commencing any construction activities.

Applicant shall not perform any full facilities-based construction activities without first obtaining an NTP from the Commission Energy Division or authorization by the Commission after the requisite environmental review.

However, the Commission is reviewing CEQA issues affecting telecommunications providers on a broader, policy level in Rulemaking (R.) 00-02-003. Applicant may utilize the above process for obtaining Commission review, and approval or disapproval of, proposed CEQA exemptions unless or until the Commission adopts different requirements applicable to Applicant in R.00-02-003 or a subsequent proceeding.

IV. Conclusion

We conclude that the application conforms to our rules for authority to provide full facilities-based local exchange and interexchange telecommunications services. Accordingly, we shall approve the application subject to the terms and conditions set forth herein.

V. Request to File Under Seal

Applicant requests that the financial information filed as Exhibits 2, 3, and 4 to this application be filed under seal. The financial information consists of Applicant's financial statements and financial documentation. We have granted similar requests in the past, and we grant Applicant's request here.

potentially qualify for a number of categorical exemptions available under CEQA.

8. Applicant has proposed a procedure, in which Applicant would notify Commission Energy Division staff of the claimed CEQA exemptions and Commission Energy Division staff would review and act upon Applicant's claimed CEQA exemptions.

9. Applicant has provided a detailed list of existing CEQA categorical exemptions that would potentially apply to the installation of DAS facilities.

10. Applicant's proposed facilities-based project activities are of a limited nature and would in almost all circumstances be highly likely to qualify for an exemption from CEQA.

11. Applicant's proposed process for reviewing the applicability of the CEQA exemptions for DAS facilities-based projects, as modified in this decision, is adequate for the Commission's purposes as the CEQA Lead Agency and is in the public interest.

12. The Commission is reviewing CEQA issues related to telecommunications providers on a broader, policy basis in R.00-02-003.

13. As part of its second supplement to the application, Applicant submitted a draft of its initial tariffs that contained the deficiencies identified in Attachment A to this decision. Except for these deficiencies, Applicant's draft tariffs complied with the Commission's requirements.

14. Applicant has met the requirements for issuance of a CPCN authorizing the provision of full facilities-based local exchange and interexchange services.

Conclusions of Law

1. Except for the requirement for additional environmental (CEQA) review, the requirements for a full facilities-based CPCN are generally the same as for a limited facilities-based CPCN.

2. Applicant's description of its future construction projects and proposed process for Commission review of claimed CEQA exemptions for these projects,

2. Applicant is authorized to construct the facilities addressed in this decision only upon receiving prior Commission approval.

3. The staff of the Commission Energy Division is authorized to review, process, and act upon Applicant's requests for a determination that its full facilities-based construction activities are exempt from the requirements of the California Environmental Quality Act (CEQA).

4. If Applicant wishes to engage in full facilities-based construction activities and believes that these activities are exempt from CEQA, Applicant shall first apply to the Commission Energy Division staff for a determination of exemption from CEQA using the following procedure:

- Applicant will provide the Commission Energy Division with:
 - A detailed description of the proposed project, including:
 - Customer(s) to be served;
 - The precise location of the proposed construction project; and
 - Regional and local site maps.
 - A description of the environmental setting, including at a minimum:
 - Cultural, historical, and paleontologic resources;
 - Biological resources; and
 - Current land use and zoning.
 - A construction workplan, including:
 - Commission Preconstruction Survey Checklist—Archaeological Resources;
 - Commission Preconstruction Survey Checklist—Biological Resources;
 - A detailed schedule of construction activities, including site restoration activities;
 - A description of construction/installation techniques;

7. Applicant remains subject to the requirements of Decision 05-07-004, which granted Applicant a CPCN authorizing the provision of interexchange services.

8. Applicant is authorized to file tariff schedules for the provision of competitive local exchange services. Applicant may not offer competitive local exchange services until tariffs are on file. Applicant's initial filing shall be made in accordance with General Order (GO) 96-A, excluding Sections IV, V, and VI, and shall correct the deficiency noted in Attachment A. The tariffs shall be effective not less than one day after approval by the Commission's Telecommunications Division. Applicant shall comply with its tariffs.

9. The certificate granted and the authority to render service under the rates, charges, and rules authorized herein will expire if not exercised within 12 months after the effective date of this order.

10. The corporate identification number assigned to Applicant, U-6959-C, shall be included in the caption of all original filings with this Commission, and in the titles of other pleadings filed in existing cases.

11. Applicant shall comply with all applicable rules adopted in the Local Exchange Competition proceeding (Rulemaking 95-04-043/ Investigation 95-04-044), as well as all other applicable Commission rules, decisions, GOs, and statutes that pertain to California public utilities, subject to the exemptions granted in this decision.

12. Applicant shall comply with the requirements applicable to competitive local exchange carriers included in Attachments B, C, and D to this decision.

13. Applicant's financial statements and information filed as Exhibits 2, 3, and 4 to the application shall be filed under seal and shall remain under seal for a period of two years after the date of this order. During this two-year period, the information filed as Exhibits 2, 3, and 4 to the application shall remain under seal and shall not be viewed by any person other than the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), the Assistant Chief ALJ, or the Chief ALJ, except as agreed to in writing by Applicant or as ordered by a court of competent jurisdiction. If Applicant believes that it is necessary for this

ATTACHMENT A

List of deficiencies filed by ClearLinx Network Corporation in A.05-07-025 and to be corrected in its Tariff Compliance filing:

1. Sheet 6: Include the actual service area map in the tariff.
2. Sheet 26: Include the following in the CLC tariff: "Pursuant to Resolution T-16901, all telecommunications carriers are required to apply CPUC mandated Public Program surcharge rates (excluding (a) Universal Lifeline Telephone Service (ULTS) billings; (b) charges to other certificated carriers for services that are to be resold; (c) coin sent paid telephone calls (coin in box) and debit card calls; (d) customer-specific contracts effective before 9/15/94; (e) usage charges for coin-operated pay telephones; (f) directory advertising; and (g) one-way radio paging) and the CPUC Reimbursement Fee rate (excluding (a) directory advertising and sales; (b) terminal equipment sales; (c) inter-utility sales) to intrastate services. For a list of the Public Program surcharges and Reimbursement Fee, and the amounts, please refer to the Pacific Bell (d.b.a. SBC California) tariffs."

(END OF ATTACHMENT A)

- e. The current 2.00% surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the California High Cost Fund-B (D.96-10-066, p. 191, App. B, Rule 6.F.; Resolution T-16964, dated December 1, 2005, effective January 1, 2006); and
- f. The current 0.13% surcharge applicable to all intrastate services except for those excluded by D.94-09-065, as modified by D.95-02-050, to fund the California Teleconnect Fund (D.96-10--066, p. 88, App. B, Rule 8.G; Resolution T-16888, dated December 1, 2005, effective January 1, 2006).

Note: These fees change periodically. In compliance with Resolution T-16901, December 2, 2004, Applicant should check the joint tariff for surcharges and fees filed by Pacific Bell (dba SBC California) and apply the current surcharge and fee amounts in that joint tariff on end-user bills until further revised.

3. Applicant is a competitive local exchange carrier (CLC). The effectiveness of its future tariffs is subject to the schedules set forth in Appendix C, Section 4.E of D.95-12-056:

"E. CLCs shall be subject to the following tariff and contract filing, revision and service pricing standards:

- "(1) Uniform rate reductions for existing tariff services shall become effective on five (5) working days' notice to the Commission. Customer notification is not required for rate decreases.
- "(2) Uniform major rate increases for existing tariff services shall become effective on thirty (30) days' notice to the Commission, and shall require bill inserts, or a message on the bill itself, or first class mail notice to customers at least 30 days in advance of the pending rate increase.
- "(3) Uniform minor rate increases, as defined in D.90-11-029, shall become effective on not less than five (5) working days' notice to the Commission. Customer notification is not required for such minor rate increases.

five days after service begins, and again within five days after intraLATA service begins.¹

9. Applicant shall keep its books and records in accordance with the Generally Accepted Accounting Principles.

10. In the event Applicant's books and records are required for inspection by the Commission or its staff, it shall either produce such records at the Commission's offices or reimburse the Commission for the reasonable costs incurred in having Commission staff travel to its office.

11. Applicant shall file an annual report with the Director of the Telecommunications Division, in compliance with GO 104-A, on a calendar-year basis with the information contained in Attachment C to this decision.

12. Applicant shall file an affiliate transaction report with the Director of the Telecommunications Division, in compliance with D.93-02-019, on a calendar-year basis using the form contained in Attachment D.

13. Applicant shall ensure that its employees comply with the provisions of Pub. Util. Code § 2889.5 regarding solicitation of customers.

14. Within 60 days of the effective date of this order, Applicant shall comply with Pub. Util. Code § 708, Employee Identification Cards, and notify the Director of the Telecommunications Division in writing of its compliance.

15. If Applicant is 90 days or more late in filing an annual report, or in remitting the surcharges and fee listed in 2 above, the Telecommunications Division shall prepare for Commission consideration a resolution that revokes Applicant's CPCN unless it has received written permission from the Telecommunications Division to file or remit late.

¹ California is divided into ten Local Access and Transport Areas (LATAs), each containing numerous local telephone exchanges. InterLATA describes services, revenues and functions relating to telecommunications originating within one LATA and terminating in another LATA. IntraLATA describes services, revenues and functions relating to telecommunications originating within a single LATA.

ATTACHMENT C
ANNUAL REPORT

An original and a machine readable, copy using Microsoft Word or compatible format shall be filed with the California Public Utilities Commission, 505 Van Ness Avenue, Room 3107, San Francisco, CA 94102-3298, no later than March 31st of the year following the calendar year for which the annual report is submitted.

Failure to file this information on time may result in a penalty as provided for in Sections 2107 and 2108 of the Public Utilities Code.

Required information:

1. Exact legal name and U # of the reporting utility.
2. Address.
3. Name, title, address, and telephone number of the person to be contacted concerning the reported information.
4. Name and title of the officer having custody of the general books of account and the address of the office where such books are kept.
5. Type of organization (e.g., corporation, partnership, sole proprietorship, etc.).
If incorporated, specify:
 - a. Date of filing articles of incorporation with the Secretary of State.
 - b. State in which incorporated.
6. Number and date of the Commission decision granting the Certificate of Public Convenience and Necessity.
7. Date operations were begun.
8. Description of other business activities in which the utility is engaged.
9. List of all affiliated companies and their relationship to the utility. State if affiliate is a:
 - a. Regulated public utility.
 - b. Publicly held corporation.
10. Balance sheet as of December 31st of the year for which information is submitted.
11. Income statement for California operations for the calendar year for which information is submitted.

For answers to any questions concerning this report, call (415) 703-2883.

(END OF ATTACHMENT C)

(CCP 2015.5) that the annual report is complete and accurate with no material omissions.

5. Any required material that a utility is unable to provide must be reasonably described and the reasons the data cannot be obtained, as well as the efforts expended to obtain the information, must be set forth in the utility's annual Affiliate Transaction Report and verified in accordance with Sections I-F of Decision 93-02-019.

6. Utilities that do not have affiliated entities must file, in lieu of the annual transaction report, an annual statement to the commission stating that the utility had no affiliated entities during the report period. This statement must be signed by a corporate officer of the utility, stating under penalty of perjury under the laws of the State of California (CCP 2015.5) that the annual report is complete and accurate with no material omissions.

(END OF ATTACHMENT D)



July 06, 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 1138 Drury Road**
Site ID: **OAKHILLS AT&T SOUTH NETWORK Node Oaks-038C**
Latitude/Longitude: **37.861250, -122.232028**

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 1138 Drury Road ("Node Oaks-038C").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 25 foot tall metal pole in the public right-of-way on the south of Drury Road just east of the intersection with Besito Avenue, at about 1138 Drury Road.

ExteNet proposes to swap the existing metal street light pole for a new pole measuring 39 feet above ground and to affix two panel antennae on top of the pole. The antenna, measuring 26.7 inches high, 10.8 inches wide and 6.2 inches deep, will be placed on top of the pole at approximately 38 feet. The top of the antenna will be at 39 feet 6 inches. One equipment shroud measuring 8 feet long, 2 feet wide and 2 feet deep will be placed on the pole at 12 feet. A proposed safety switch box measuring 9 5/8 inches tall, 7 1/4 inches wide and 2 7/8 inches deep will be placed on the pole next to a meter socket measuring 2 feet tall, 12 inches wide and 4 7/8 inches deep at approximately 8 feet. All equipment will be painted to match the 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 Carrier 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 Carrier'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 Oaks-038C.

A small cell network consists of a series of radio access nodes connected to small telecommunications antennas, typically mounted on existing 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 Carrier 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 Oaks-038C is an integral part of the overall small cell project, and it is located in a difficult coverage area near Amato Drive. The coverage area consists of a primarily residential neighborhood off of Drury Road, Besito Avenue, Darthmouth Drive, Amato Drive, and surrounding areas. Node Oaks-038C 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 Oaks-038C is the least intrusive means to close Carrier's significant service coverage gap in the area. Node Oaks-038C 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, Carrier 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 Order 170 (CEQA review) that governs 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 Oaks-038C is the least intrusive option. Also the proposed location is a good coverage option because it sits at a spot from which point Carrier can adequately propagate its wireless signal.

ExteNet considered alternative sites on other 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 poles in the area are more conspicuous than the proposed pole. In addition to the pole proposed to host Node Oaks-038C, ExteNet considered alternative sites set forth in the attached Alternative Site Analysis.

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-sight 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 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).