4. METRO PCS @ SAN MARIN EXECUTIVE CENTER (DM)
10712U; USE PERMIT
125-361-03; 505 SAN MARIN DRIVE

Consider a Use Permit application to allow a tri-sector antenna to be mounted within an eight-foot tall cylindrical enclosure and installed to the upper roof of the northwestern office building located at 505 San Marin Drive.

#### **PRESENT**

No one was present for the hearing.

Zoning Administrator Lazure reported that no correspondence had been received in response to the application.

The staff report states a recommendation for approval subject to conditions.

The public hearing was opened. The public hearing was closed.

#### **ACTION**

Zoning Administrator Lazure rendered a decision of approval on November 29, 2007, in accordance with the findings and action as recommended in the staff report, subject to the following conditions:

#### **CONDITIONS OF APPROVAL**

- 1. The Use Permit shall be valid for one year from the date of approval. The Use Permit may be extended at the request of the applicant for additional one year increments at the discretion of the Community Development Director, in compliance with the procedures set forth in Section 19.38.180 of the Zoning Code. The applicant shall be responsible for the costs, on an hourly basis, for the City to process an extension.
- 2. No deviation from approved plans, including color changes or substitution of materials, shall be made without City approval. Any changes or additions to the approved project shall be submitted to the Community Development Department and shall be subject to review and approval prior to the implementation of any proposed modification.
- 3. All utilities connecting the approved facility visible from ground level shall be placed

NOVATO ZONING ADMINISTRATOR MINUTES EXCERPT

DATE: November 29, 2007

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underground or in cable trays.

- 4. No exterior lighting shall be allowed for any part of the proposed facility, except as may be deemed necessary for security and shall be subject to the review and approval of the Community Development Director.
- 5. With the exception of emergency repairs, routine testing and maintenance activities shall be allowed only during the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. Emergency energy generators shall be used in compliance with the City's noise standards, and shall be operated only during power interruptions, or for routine testing and maintenance.
- 6. The Radio Frequency Radiation (RFR) generated by the approved facility, in combination with other sources of RFR, shall not expose the general public to RFR levels that exceed the allowable standards as adopted by Federal Communications Commission (FCC) and the City. Should nationally accepted research result in the establishment of substantially revised standards for human exposure to RFR and such standards are adopted by the City or otherwise determined to be applicable to the City, the applicant shall demonstrate compliance with such standards by submitting a new RFR report to the Community Development Department within 30 days of the effective date of the adoption of the revised standards. A longer period for submitting the RFR report may be granted at the discretion of the Community Development Director. The RFR report shall determine compliance with the updated standards by calculating the RFR power level of the approved facility in combination with other similar sources of RFR.
- 7. Within 6 months of the initiation of the operation of the approved facility, the applicant shall submit a post-construction RFR report, including the data developed, verifying that the actual levels of RFR emitted by the approved facility, operating alone, and in combination with other approved facilities, are below the FCC, threshold standards. The applicant shall be responsible for the cost of the post-construction reports to be prepared by a qualified consultant selected by the City.
- 8. Prior to the issuance of a building permit, the proposal shall be subject to the review and approval of the City of Novato Public Works Department. Items that may need to be addressed, include, but are not limited to:
  - a. Maintenance agreements/facility maintenance requirements
  - b. Shared or common use agreements
  - c. Indemnification

NOVATO ZONING ADMINISTRATOR MINUTES EXCERPT

DATE: November 29, 2007

- 9. This Use Permit is subject to the revocation procedures contained in Section 19.42.050.G of the Novato Municipal Code in the event that any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the City.
- 10. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's Cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of related building permits, certificate of occupancy, recordation of final maps or other entitlements.

#### 11. Indemnity and Time Limitations:

- a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- c. In the event that a claim, action or proceeding described in Article (a) above, is brought, the City shall promptly notify the applicant of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding, the City shall retain the right to (I) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right

NOVATO ZONING ADMINISTRATOR MINUTES EXCERPT

DATE: November 29, 2007

not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that if said Counsel is the City Attorney, his fees and costs shall be paid by the applicant.

- d. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- e. Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
- f. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(l), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

NOVATO ZONING ADMINISTRATOR MINUTES EXCERPT

DATE: November 29, 2007

# **ZONING ADMINISTRATOR STAFF REPORT** (Use Permit)

**MEETING** 

DATE:

November 29, 2007

STAFF:

Daniel Toillion, Planner I

899-8981

SUBJECT:

WIRELESS COMMUNICATION FACILITY

10712U; USE PERMIT

APN 125-361-03; 505 SAN MARIN DR.



# NOVATO CALIFORNIA

Community Development Dept.
Planning Division
75 Rowland Way, #200
Novato, CA 94945
(415) 899-8989
FAX (415) 899-8217
www.ci.novato.ca.us

#### PROJECT DESCRIPTION

Consider a Use Permit to allow installation of a tri-sector monopole antenna within a new 8-foot tall cylindrical enclosure to be mounted on the upper roof of the northwestern office building at 505 San Marin Dr. The mounted height of the antenna would be 50.5 feet above grade and about 4 feet above the roof. Support equipment will be located in a storage room within the building.

#### NEED FOR ZONING ADMINISTRATOR ACTION

Novato Municipal Code Section 19.42.050 provides for the Zoning Administrator to hold public hearings on a Use Permit. Novato Municipal Code 19.38.030.A.3, states the Zoning Administrator has the authority to approve a co-located wireless facility that is not located within 200 feet of a scenic resource as designated by the General Plan.

#### **BACKGROUND**

Applicant:

Metro PCS Inc.

Property Owner:

Knud Hostrup

Property Size:

2.07 Acres

GP Designation:

**BPO** 

Existing Zone/Use:

BPO; Office Building

Adjacent Zone/Use:

North - OS; County Open Space

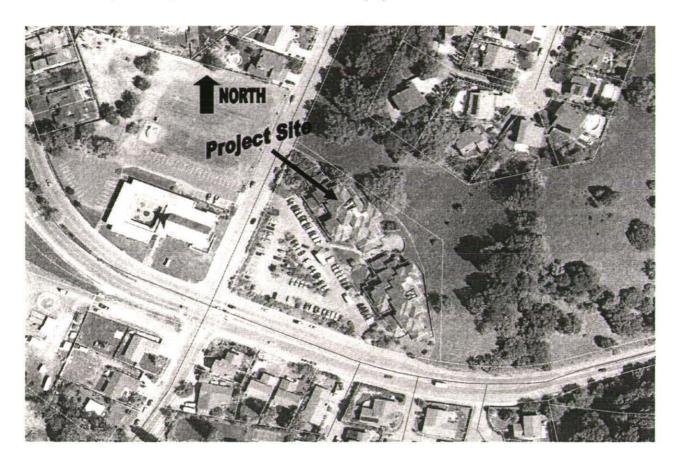
South – PD; Residential West – R1; Private School East – OS; County Open Space

#### **ENVIRONMENTAL ASSESSMENT**

The Environmental Coordinator has determined this project is exempt from the California

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Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section §15303 (New Construction) Class 3; installation of small, new equipment and facilities in small structures.



#### STAFF ANALYSIS

In order to grant a Use Permit, the following findings must be made consistent with Novato Municipal Code Section 19.42.050.E:

# Finding 1: The proposed use is consistent with the General Plan and any applicable specific plan.

<u>Discussion</u>: Chapter VI of the Novato General Plan (Economic Development & Fiscal Vitality) establishes the following Program for the implementation of wireless telecommunications.

EC Program 13.1: Work with telecommunications companies and the PUC to encourage state-of-the-art telecommunications capabilities, including fiber optic, satellite, wireless, cable lines and other new emerging technologies capable of transferring data digitally.

The applicant is a telecommunication company and proposes the installation of wireless technology,

which is consistent with and would implement the above Program.

<u>Discussion</u>: The Community Identity Chapter of the Novato General Plan establishes the following policy that is applicable to wireless facilities:

CI Policy 1: Compatibility of Development with Surroundings: Ensure that new development is sensitive to the surrounding architecture, topography, landscaping, and to the character, scale, and ambiance of the surrounding neighborhood. Recognize that neighborhoods include community facilities needed by Novato residents as well as homes, and integrate facilities into neighborhoods.

The proposed monopole antenna will be painted to match the office building and the support equipment will be located inside a lower level storage room out of sight.

Finding 2: The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Ordinance and any relevant Master Plan and/or Precise Development Plan.

<u>Discussion</u>: Section 19.38.030 of the Zoning Ordinance specifies that wireless communication facilities shall not be constructed, installed or maintained without first obtaining a Use Permit in compliance with Section 19.42.050 (Use Permits).

Zoning Ordinance 19.38.030.A.3: The Zoning Administrator shall have the authority to approve a co-located facility that is not within 200 feet of a scenic resource as designated by the General Plan.

The project site is located within a BPO Zoning District, and currently occupied by two adjacent office buildings. The southerly building currently supports a wireless antenna for Sprint PCS operating under a previously approved Use Permit (99-041). Pursuant to Zoning Ordinance Division 19.38 (Wireless Communication Facilities), the current proposal for the northerly building would establish the site as a co-location facility and is allowed with Use Permit approval.

Finding 3: The establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

Finding 4: The use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Finding 5: The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

<u>Discussion</u>: Zoning Ordinance Division 19.38 establishes development standards to help mitigate any undesirable health or visual effects caused by wireless telecommunications facilities, including

location compatibility and site design, roadway access, vegetation and lighting standards, co-location requirements, and levels of radio frequency radiation (RFR). These standards have been used by staff as a guide in preparing this analysis and in determining consistency with Use Permit findings 3-5. The project proposal is found by staff to comply with the established development standards and is consistent with findings 3-5 as follows:

Radio Frequency Radiation (RFR) City standards and criteria for wireless communication facilities specify that such facilities operating alone and in conjunction with other telecommunications facilities shall not produce RFR in excess of the standards for permissible human exposure to RFR as adopted by the Federal Communications Commission (FCC).

An RFR statement prepared by Hammet and Edison, the applicant's consulting engineers, has been included with the application materials. The document confirms that the maximum combined RFR level produced by the proposed monopole antenna and the existing monopole antenna is well below Federal Communication Commission (FCC) standards at 6.5% of the applicable public exposure limit of 3 kHz – 300 GHz.

Site Design & Location Compatibility City standards and criteria for wireless communication facilities specify that such facilities shall be sited, designed, and screened to blend with the surrounding natural or built environment in order to reduce visual impacts to the maximum extent feasible.

The proposed monopole antenna is appropriately located and designed to blend in with the upper roof of the office building, its color matches the building and roof. The monopole antenna will stand about 6.5 feet taller than the crest of the roof.

Co-location

City standards and criteria for wireless communication facilities specify that the design of co-location sites should promote shared use among different carriers. To the extent feasible, antenna support and equipment structures should be designed to consolidate future planned facilities to eliminate or minimize the visual clutter resulting from multiple telecommunications structures.

The facility would be located 200 ft. from an existing wireless antenna on the roof of the adjacent office building at 505 San Marin Dr.

Vegetation, Lighting, & Access City standards and criteria for wireless communication facilities specify that such facilities should be unlit, served by the minimum roads and parking areas, and shall require additional landscaping to provide visual screening of the proposed monopole antenna. Existing parking would not change.

The proposed facility will be unmanned and does not require or necessitate additional landscaping, lighting, roads, or parking areas to serve its operation. Service workers doing routine maintenance will access the equipment using the existing parking lot.

#### **RECOMMENDATION**

The proposed co-located monopole antenna complies with City standards and regulations, specified in Division 19.38 of the Novato Municipal Code, including: location compatibility and site design, co-location requirements, and levels of radio frequency radiation. Staff recommends approval based on the findings discussed in the staff analysis section of this staff report.

#### FINDINGS AND ACTION

- 1. In accordance with Section 19.42.050E and Division 19.38 of the Novato Municipal Code, and as stated in the above staff analysis section, the Zoning Administrator hereby makes the required Use Permit findings.
- 2. Approve the application subject to the conditions listed below.

#### CONDITIONS OF APPROVAL

- 1. The Use Permit shall be valid for one year from the date of approval. The Use Permit may be extended at the request of the applicant for additional one year increments at the discretion of the Community Development Director, in compliance with the procedures set forth in Section 19.38.180 of the Zoning Code. The applicant shall be responsible for the costs, on an hourly basis, for the City to process an extension.
- 2. No deviation from approved plans, including color changes or substitution of materials, shall be made without City approval. Any changes or additions to the approved project shall be submitted to the Community Development Department and shall be subject to review and approval prior to the implementation of any proposed modification.
- 3. All utilities connecting the approved facility visible from ground level shall be placed underground or in cable trays.
- 4. No exterior lighting shall be allowed for any part of the proposed facility, except as may be deemed necessary for security and shall be subject to the review and approval of the

Community Development Director.

- 5. With the exception of emergency repairs, routine testing and maintenance activities shall be allowed only during the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. Emergency energy generators shall be used in compliance with the City's noise standards, and shall be operated only during power interruptions, or for routine testing and maintenance.
- 6. The Radio Frequency Radiation (RFR) generated by the approved facility, in combination with other sources of RFR, shall not expose the general public to RFR levels that exceed the allowable standards as adopted by Federal Communications Commission (FCC) and the City. Should nationally accepted research result in the establishment of substantially revised standards for human exposure to RFR and such standards are adopted by the City or otherwise determined to be applicable to the City, the applicant shall demonstrate compliance with such standards by submitting a new RFR report to the Community Development Department within 30 days of the effective date of the adoption of the revised standards. A longer period for submitting the RFR report may be granted at the discretion of the Community Development Director. The RFR report shall determine compliance with the updated standards by calculating the RFR power level of the approved facility in combination with other similar sources of RFR.
- 7. Within 6 months of the initiation of the operation of the approved facility, the applicant shall submit a post-construction RFR report, including the data developed, verifying that the actual levels of RFR emitted by the approved facility, operating alone, and in combination with other approved facilities, are below the FCC, threshold standards. The applicant shall be responsible for the cost of the post-construction reports to be prepared by a qualified consultant selected by the City.
- 8. Prior to the issuance of a building permit, the proposal shall be subject to the review and approval of the City of Novato Public Works Department. Items that may need to be addressed, include, but are not limited to:
  - a. Maintenance agreements/facility maintenance requirements
  - b. Shared or common use agreements
  - c. Indemnification
- 9. This Use Permit is subject to the revocation procedures contained in Section 19.42.050.G of the Novato Municipal Code in the event that any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the City.
- 10. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's Cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of

related building permits, certificate of occupancy, recordation of final maps or other entitlements.

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- a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- In the event that a claim, action or proceeding described in Article (a) above, is c. brought, the City shall promptly notify the applicant of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that if said Counsel is the City Attorney, his fees and costs shall be paid by the applicant.
- d. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- e. Unless a shorter period applies, the time within which judicial review of this decision

must be sought is governed by California Code of Civil Procedure, Section 1094.6.

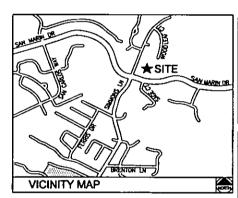
f. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(l), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

#### **FURTHER ACTION**

No further action on the Use Permit will be taken unless an appeal is filed in writing within ten calendar days along with the required filing fee.

# metro PCS

# SF18630A SAN MARIN EXECUTIVE CENTER **505 SAN MARIN DRIVE NAVATO, CA 94945 COUNTY OF MARIN**



DIRECTIONS FROM METRO PCS OFFICE AT 1080 MARINA VILLAGE PKWY, ALAMEDA, CA:

- . START AT 1080 MARINA VILLAGE PKY, ALAMEDA GOING TOWARD INDEPENDENCE DR - GO 0.3 MI 2. TURN RICHT ON MARINER SQUARE DR - GO 0.2 MI 2. TOPM MICH ON MARRIER SCICARE, OR - CO 0.2 MI 3. CONTINUE ON WEBSTER STICA-260 N) - CO 0.2 MI 4. CONTINUE TO FOLLOW CA-260 N - CO 0.7 MI 5. CONTINUE ON HARRISON ST - CO 0.1 MI 6. CONTINUE ON 7TH ST - CO 0.1 MI
- 7. BEAR RIGHT ON JACKSON ST GO < 0.1 MI B. TAKE RAMP ONTO I-880 N TOWARD SAN FRANCISCO
- (I-980 E)/WALNUT CREEK (CA-24) GO 0.5 MI 9. BEAR RIGHT ON I-980 E GO 1.5 MI 10. TAKE THE SAN FRANCISCO/HAYWARD EXIT ONTO 1-580 W TOWARD SAN FRANCISCO (PORTIONS TOLL) - GO 19.2 ME 11. EXIT ONTO US-101 N - GO 11.9 ME
- 12. TAKE THE ATHERTON AVE/SAN MARIN DR EXIT
- CCU 0.3 MI 13. TURN LEFT ON ATHERTON AVE. CO < 0.1 14. CONTINUE ON SAN MARIN DR. GO 1.1 MI 15. ARRIVE AT 505 SAN MARIN DR, NOVATO

**DRIVING DIRECTIONS** 

THE PROJECT INVOLVES THE INSTALLATION OF:

-TRI-SECTOR ANTENNA CYLINDER MOUNTED AT EXISTING
HVAC WELL AT EXISTING BUILDING ROOF. AVEL AL EARLING BULLING ROOF.

(1) RADO & (2) BATTERY CABINETS MOUNTED ON NEW CONCRETE SLAB ON GRADE,

-ANTENNA COAXIAL TRANSMISSION LINES FROM BTS TO ANTENNAS. POWER AND TELEPHONE SERVICE TO BE PROVIDED FROM EXISTING BUILDING SOURCES.

#### PROJECT DESCRIPTION

APPLICANT/LESSEE

METRO PCS INC. 1080 MARINA VILLAGE PARKWAY, 4TH FLOOR ALAMEDA, CA 94501 CONTACT: KERSTEN RUTHERFORD

(510) 747-4664

LEASING MANAGER RYAN CROWLEY (415) 341-5301

ZONING MANAGER NICOLE CROWLEY

CONSTRUCTION MANAGER

BOG MULLER METRO PCS INC. 1080 MARINA VILLAGE PARKWAY, 4TH FLOOR ALAMEDA, CA 94501 (415) 948-8884

PROPERTY INFORMATION

KNUD & ISABELLA HOSTRUP 101 LARKSPUR LANDING CIRCLE LARKSPUR, CA 94939

(415) 272-1269 AREA OF CONSTRUCTION: 150 ± SQ. FT. OCCUPANCY TYPE: CONSTRUCTION TYPE: TYPE V-N CURRENT ZONING: C-COMMERCIAL

38" 07" 19.97" N [NAD 83] LONG: APN. 125-361-03

AP-11:
HANDICAP
METRO PCS FACILITY IS UN-MANNED AND
REQUIREMENTS: NOT FOR HUMAN HABITATION. DISABLED
ACCESS NOT REQUIRED.

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING COORS AS ADOPTED BY THE LOCAL COVERNING AUTHORITIES. NOTHING IN THESE PLANS IS 18 BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING COORS.

. 2001 CALIFORNIA BUILDING CODE

. UNIFORM BUILDING CODE

BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)

UNIFORM MECHANICAL CODE

ANSI/FIA-222-F LIFE SAFETY CODE NFPA-101 UNIFORM PLUMBING CODE

NATIONAL ELECTRIC CODE CALIFORNIA ADMINISTRATIVE CODE

10. CTY/COUNTY ORDINANCES
11. 1999 NFPA 72,UFE SAFETY CODE
12. NFPA 13. SPRINKLER CODE
13. ITTLE 24, ENERGY CODE

#### CODE COMPLIANCE

**ARCHITECT** 

MICHAEL WILK ARCHITECTURE
833 MARKET STREET, SUITE 803
SAN FRANCISCO, CA 94103
CONTACT: JAMES VACCARO CONTACT NUMBER: (415) 350-6346 FAX NUMBER: (415) 904-8388

SURVEYOR

HAYES LAND SURVEYING 5041 DUNSTON COURT CONCORD, CA 94521 CONTACT: RICK HAYES CONTACT NUMBER: (925) 798-3591

PRO.	JEC:	TEA	м

T2 GENERAL NOTES 3 T3 ANTENNA SPECIFICATIONS/ ANTENNA CONFIGURATION CHART 3 C1 TOPOGRAPHIC SURVEY EXISTING CONDITIONS A1 OVERALL SITE PLAN 3 ٠, A2 ENLARGED PROJECT AREA PLAN ENLARGED PLAN AT EQUIPMENT, ENLARGED PLAN AT ANTENNA A4 FLEVATIONS CHEET INDEX

SHEET	INDEX
TITLE	SIGNATURE

SHEET DESCRIPTION T1 TITLE SHEET

DATE LEASING ZONING CONSTRUCTION LANDLORD RF ENGINEER SIGNATURE BLOCK

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED TO BE FULL—SIZE AT 24"X36". CONTRACTOR SHALL VERBY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICES TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

**GENERAL CONTRACTOR NOTES** 

Michael Wilk Architecture 833 Market Street, Suite 803 San Francisco, CA 94103

> tel: 415.839.9594 fax: 415.904.8388

**(**)  $\Box$ etro

SF18630A SAN MARIN EXECUTIVE CENTER 505 SAN MARIN DRIVE NOVATO, CA 94945

REV

3

SF188 30A MONT MIX CHECKED BY NO DATE ISSUE 1 08/15/07/90% ZONING 08/24/07/100% ZONING 10/18/07 100% ZONING REV SPEET TITLE

TITLE

SHEET

SUBMITTAL DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE ARCHITECT OR ENCINEER OF RECORD, WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH A NOTATION INDICATING THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE FOR THE PURPOSE OF CONSTRUCTION DRAWING, THE FOLLOWING DEFINITIONS SHALL APPLY:
 CONTRACTOR — GENERAL CONTRACTOR
 SUBCONTRACTOR — SUBCONTRACTOR
 OWNER — CARRIER
 OEM — ORGENAL EQUIPMENT MANUFACTURER THE CONTRACTOR SHALL CONTACT UTILITY LOCATING SERVICES PRIOR TO THE START OF Michael Wilk Architecture 833 Market Street, Suite 80 2. ALL CRISTING ACTIVE SEWER, WATER, GAS. ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE RECURED FOR THE PROPER SECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY CONTRACTOR, ESTREME CANTROL SHOULD BE San Francisco, CA 94103 DEFERRED AND SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL USED BY THE CONTRACTOR WHEN EXCAVATING OR DRILLING PIERS AROUND OR NEAR UTILITIES.

CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS WILL INCLIDE BUT NOT 2. PROOR TO THE SUBMISSION OF BIDS, THE BIDDING CONTRACTOR SHALL VISIT THE CELL SITE TO FAMILIARIZE WITH THE EXISTING CONDITIONS AND TO CONFIRM THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS. ANY DISORPPANCY FOUND SHALL BE tel: 415.839.9594 SOILS COMPLIANCE PRIOR TO FOUNDATION INSPECTION fax: 415,904,8388 BE LIMITED TO A) FALL PROTECTION B) CONFINED SPACE C) ELECTRICAL SAFETY D) TRENCHING & CONCRETE OVER 2500 PSI AT 28 DAYS CONCRETE PLACEMENT AT SLAB ON GRADE 3. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPUCABL CODES, REGULATIONS, AND ORDINANCES, CONTRACTOR SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPTLY WITH ALL LAYS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC 3. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS AND PROJECT SPECIFICATIONS. WRITTEN CERTIFICATION FOR PROPER PLACEMENT OF REINFORCEMENTS AT SLAB ON GRADE 4. IF NECESSARY, RUBBISH, STUMPS, DEBRIS, STICKS, STOKES AND OTHER REFUSE SHALL BE REMOVE FROM THE SITE AND DISPOSED OF LEGALLY. **(**1) FOUNDATION EXCAVATION AND FILL INCLUDING UTILITY TRENCHES CERTIFICATION OF BUILDING PAD, FOUNDATION AND FILL BY THE GEOTECHNICAL ENGINEER OF THE RECORD 5. ALL EXISTING INACTIVE SEWER, WATER, GAS, ÉLECTRIC AND OTHER UTILITIES, WHICH INTERFERE WIT THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAMPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE CODE AND VERIFICATIONS OF MILL REPORT DENTIFICATION OF STEEL AND AT JOB SITE TO THE APPROVAL OF CONTRACTOR, OWNER AND/OR LOCAL UTILITIES. 1 5. DRAWINGS PROMDED HERE ARE NOT TO BE SCALED AND ARE INTENDED TO SHOW OUTLINE ONLY ADHESIVE BOLTS IN CONCRETE OR MASONRY 6. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION 6. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTEMANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS. tro ANCHOR BOLTS INSTALLATION AND PLACEMENT IN CONCRETE 7. THE CONTRACTOR SHALL PROVIDE SITE SIGNAGE IN ACCORDANCE WITH THE TECHNICAL SPECIFICATIO ☐ HIGH STRENGTH BOLTING DEPARSION ANCHOR INSTALLATION 8. THE SITE SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE BTS EQUIPMENT AND TOWER AREAS. 7. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE. ☐ SPRAYED -ON- FIREPROOFING 9. NO FILL OR EMBANKWENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT. 8. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE CONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION FOR APPROVAL BY THE d STRUCTURAL MASONRY PRESTRESSED CONCRETE ARCHITECT/ENGINEER. 10. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION. ALL FIELD WELDING 9. CONTRACTOR SHALL DETERMINE ACTUAL ROUTING OF CONDUIT, POWER AND T1 CABLES, GROUNDING CABLES AS SHOWN ON THE POWER, GROUNDING AND TELCO PLAN DRAWING. CONTRACTOR SHALL UTRIZE EXISTING TRAYS AND/OR SHALL ADD NEW TRAYS AS NECESSARY. CONTRACTOR SHALL CONFIRM THE ACTUAL ROUTING WITH THE CONSTRUCTION MANAGER. ☐ REINFORCING PLACEMENT 11. THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE TOWER, EQUIPMENT OR DRINWAY, SHALL BE CRADED TO A UNIFORM SLOPE, AND STABILIZED TO PREVENT EROSION AS SPECIFIED IN THE PROLECT SPECIFICATIONS. DESIGNER SPECIFIED (SEE SHEET )\_\_\_) 10. THE CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AN 12. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL, BE IN CONFORMANCE WITH THE LOCAL GLIDELINES FOR EROSION AND SEDIMENT CONTROL. STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF OWNER. SPECIAL INSPECTION REQUIREMENTS CENTER N DRIVE 94945 11. CONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS COAXIAL CABLES AND OTHER ITEMS REMOVED FROM THE EXISTING FACILITY. ANTERWAS REMOVED SHALL BE RETURNED TO THE OWNER'S DESIGNATED LOCATION. SF18630A SAN MARIN (ECUTIVE CENT 605 SAN MARIN DRIN NOVATO, CA 94948 SITE WORK GENERAL NOTES 12. CONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION. 1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301, ACI 318, ACI 336, ASTM A184, ASTM A185 AND THE DESIGN AND CONSTRUCTION SPECIFICATION FOR CAST—IN-PLACE 13. ALL CONCRETE REPAIR WORK SHALL BE DONE IN ACCORDANCE WITH AMERICAN CONCRETE. SEE SHEET T-3 FOR ANTENNA 14, ANY NEW CONCRETE NEEDED FOR THE CONSTRUCTION SHALL HAVE 2500 PSI STRENGTH AT 28 DAYS. ALL CONCRETING WORK SHALL BE DONE IN ACCORDANCE WITH ACI 318 CODE REQUIREMENTS. **SPECIFICATIONS** 2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2500 PSI AT 28 DAYS, UNLESS NOTED OTHERWISE. 15. ALL STRUCTURAL STEEL WORK SHALL BE DONE IN ACCORDANCE WITH AISC SPECIFICATIONS. 3. REINFORCING STEEL SHALL CONFORM TO ASTM A 615, GRADE 60, DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A 185 WELDED STEEL WIRE FABRIC 505 EXE 16. CONTRACTOR SHALL VERRY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK, ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THE DRAWNIGS MUST BE VERRIED CONTRACTOR SHALL NOTIFY ARCHITECT OF ANY DISCREPANCES PRIOR TO ORDERING MATERIAL OR UNLESS NOTED OTHERWISE. SPLICES SHALL BE CLASS "B" AND ALL HOOKS SHALL BE STANDARD, 4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL . UNLESS SHOWN OTHERWISE ON DRAWINGS: 17. THE EXISTING CELL SITE IS IN FULL COMMERCIAL OPERATION. ANY CONSTRUCTION WORK BY CONTRACTOR SHALL NOT DISRUPT THE EXISTING NORMAL OPERATION. ANY WORK ON EXISTING EQUIPMENT MUST BE CORDINATED WITH CONTRACTOR. ALSO, WORK SHOULD BE SCHEDULED FOR APPROPRIATE MAINTENANCE WINDOW USUALLY IN LOW TRAFFIC PERIODS AFTER MIDNICH. ANTENNA CONFIGURATION CHART CONCRETE CAST AGAINST EARTH... CONCRETE EXPOSED TO EARTH OR WEATHER: 18. SINCE THE CELL SITE IS ACTIVE, ALL SAFETY PRECAUTIONS MUST BE TAKEN WHEN WORKING AROUND HIGH LEVELS OF ELECTROMAGNETIC RADIATION. EQUIPMENT SHOULD BE SHUTDOWN PRIOR TO PERFORMING MAY WORK THAT COULD EXPOSE THE WORKERDUDIDADOUGS TO DANGER. PERSONAL RE EXPOSURE MONITORS ARE ADMISED TO BE WORN TO ALERT OF ANY DANGEROUS EXPOSURE LEVELS. CONCRETE NOT EXPOSED TO EARTH OR WEATHER OR NOT CAST AGAINST THE GROUND: MANUFACTURER: MARATHON MODEL NO .: M12V105F TYPE: STATIONARY SEALED LEAD-ACID BATTERY 19. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR PER UNIT 2-A/10-BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE WORK AREA DURING CONSTRUCTION. 5. A CHAMFER 3/4 SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE, UNO, IN ACCORDANCE WITH ACI 301 SECTION 4.2.4. PROJECT NO. SF15630A 20, CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICES TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION. INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR, SHALL BE PER MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOLT, DOWEL OR ROD SHALL CONFORM TO WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOUT, DUMEL ON ROD SHALL CURTURE IN MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE ROMAINGS. NO REBAR SHALL BE CUT WITHOUT PRIOR ENGINEERING APPROVAL WHEN DRILLING HOLES IN CONCRETE. EXPANSION BOLTS SHALL BE PROVIDED BY HEITI INC. AND SHALL BE STAINESS STEEL HEITI KWIK BOLT III OR APPROVED EQUAL UNLESS CITHERMISE NOTED IN PLANS. CHECKED BY MACHAEL WILK BATTERY WEIGHT N/A N/A 35.8 79 10 N/A N/A 358 790 **GENERAL NOTES** 1 08/15/07 90% ZONING ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL COVERNING AUTHORITIES. NOTHING IN THESE PLAYS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 08/24/07/100% ZONING CONCRETE AND REINFORCING STEEL NOTES 3 10/18/07 100% ZONING REV -2001 BUILDING STANDARDS ADMINISTRATIVE CODE, PART 1, TITLE 24 C.C.R. 1. All steel work shall be painted in accordance with the project specifications and in accordance with astm as6 unless otherwise noted. -2001 CALIFORNIA BUILDING CODE(CBC), PART 2, TITLE 24, C.C.R (1997) UNIFORM BUILDING CODE VOLUMES 1-3 AND -2001 CALIFORNIA AMENDMENTS) **BATTERY CHART** 2. ALL WELDING SHALL BE PERFORMED USING E70XX ELECTRODES AND WELDING SHALL CONFORM TO AISC. WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 -2004 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R. (2005 NATIONAL ELECTRICAL CODE AND 2001 CALIFORNIA AMENDMENTS) IN THE AISC "MANUAL OF STEEL CONSTRUCTION". PAINTED SURFACES SHALL BE TOUCHED UP. SPOT ELEVATION GROUT OR PLASTER भाग राजभर -2001 CALFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24 C.C.R. (2000 UNIFORM MECHANICAL CODE AND 2001 CALIFORNIA AMENDMENTS) 3. BOLTED CONNECTIONS SHALL BE ASTAL A325 BEARING TYPE (3/4 $^{\circ}$ ) connections and shall have minimum of two bolts unless noted otherwise. CONCRETE REVISION EARTH **GENERAL** GRID REFERENCE -2001 CAUFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R. 4. NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING MAY USE 5/8" DIA. ASTM A 307 BOLTS 222222 PLYW000 (2003 UNIFORM PLUMBING CODE AND 2001 CALIFORNIA AMENDMENTS) UNLESS NOTED OTHERWISE. NOTES DETAIL REFERENCE GRAVEL 5. INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR, SHALL BE PER MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOLT, DOWEL OR ROD SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWNOS. NO REBAR SHALL BE CUT WITHOUT PROOR CONTRACTOR APPROVAL WHEN DRELING HOLES IN CONCRETE. -2001 CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R WOOD CONTINUOUS (2000 UNIFORM FIRE CODE AND 2001 CALIFORNIA AMENDMENTS) SHEET HUMBER **ELEVATION REFERENCE** WOOD BLOCKING -2001 CALFORNIA REFERENCED STANDARDS, PART 12, TITLE 24 C.C.R. SPECIAL INSPECTIONS, REDUIRED BY COVERNING CODES, SHALL BE PERFORMED IN ORDER TO STEEL - SECTION REFERENCE -TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHALL REGULATIONS MAINTAIN MANUFACTURER'S MAXIMUM ALLOWARIE LOADS. SYMBOLS STRUCTURAL STEEL NOTES APPLICABLE CODES

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65° Tri-sector Antenna

Statement for a factor in the Colombia Colombia

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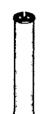
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65° Tri-sector Antenna







SF18630A SAN MARIN EXECUTIVE CENTER 505 SAN MARIN DRIVE NOVATO, CA 94945

Michael Wilk Architecture 833 Market Street, Suite 803 San Francisco, CA 94103 tel: 415.839.9594 fax: 415.904.8388

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ANTENNA SPECIFICATIONS

MAIN CABLE LENGTH MAIN CABLE LENGTH RET CABLE LENGTH TOP JUMPER LENGTH BOTTOM JUMPER LENGTH ANTEXULA # OF ANTENNA MAKE / MODEL RAD CABLE SUZE ANTEXIKA MAKE/MODEL CABLE EIZE CABLE # AND PORT # CHANGEAL FLECTRICAL AZDEJTN RET CABLE 6 AND PORT 6 COLOR CODE COMMENTS SECTOR MINISTRA CENTER TILT TILT 1.8.0. BY T.B.D. BY ±50 -0 A.G.L. σ 7/8\*≠ TX/RX 1/1 RX - 2/2 RED WHITE/ RED ±80° LUCENT 1/2" ±6\* ±6' GPS ±75' RX: PORT 7 ENGINEER ENGINEER KATHREIN SCALA -800-10270 T.B.D. BY T.B.D. BY ±50'-0" 120 BETA ±80° 7/8" ±6' ±6' TX/RX 1/3 RX - 2/4 BLUE WHITE/ BLUE AG.L ENGINEER ENGINEER T.B.D. BY ±50'-0' 240 CAMMA ±80° 7/8\* ±5' ±6' TX/RX 1/5 RX - 2/6 GREEN WHITE/ GREEN

ENGINEER ENGINEER

NOTE: THE INFORMATION PROVIDED ABOVE MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ORDERING ANY EQUIPMENT.

ANTENNA CONFIGURATION CHART

PROJECT NO. SF18630A

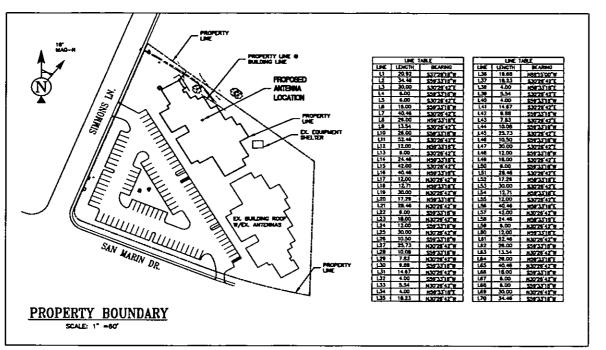
DRAWN BY CHECKED BY MICHAEL MILK

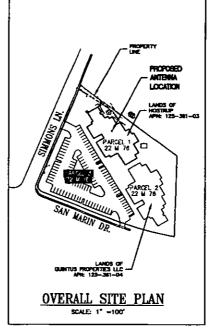
NO DATE ISSUE 1 | 08/15/07 | 90% ZOMING 2 | 08/24/07 | 100% ZOMING 3 | 10/18/07 | 100% ZOMING REV.

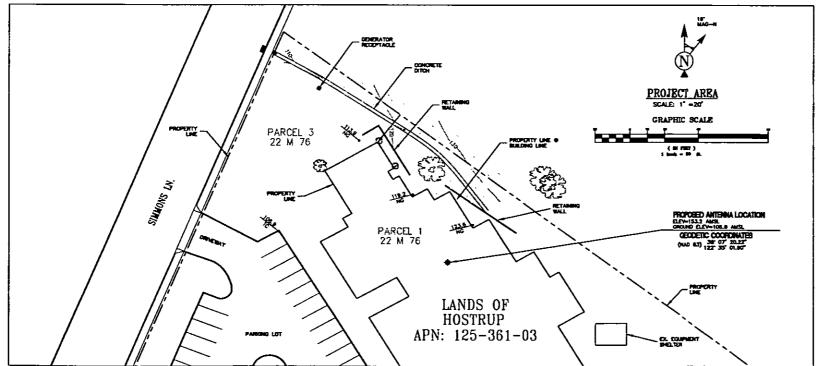
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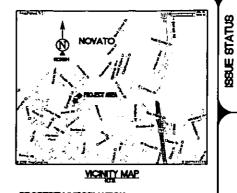
**ANTENNA SPECIFICATIONS** 

**r-3** 









#### PROPERTY INFORMATION IND A ISANDLA HOSTILP

101 LANCSPUR LANDRIG DRCLE LANCSPUR, CA 84839-1746 SAN MARIN DY, CONTOR

NOVATO, CA \$4845-1306 ASSESSOR'S PARCO, NUMBER: \_\_AFH: 125-361-03 DESTRIC GROUND ELEVATION: DEV-108.84"AN'S.

#### LESSOR'S LEGAL DESCRIPTION

LEGAL DESCRIPTION IS FOUND IN FIRST AMERICAN TITLE COMPANY FREZIMBLARY TITLE REPORT DROFF NAMEER 2108—2806388, GATED ALLY 12, 2007.

THE LAND REFERRED TO IN SAID REPORT IS SITUATED IN THE COUNTY OF MAINN, STATE OF CALIFORNIA.

#### LEASE AREA LEGAL DESCRIPTION

PROPOSED ANTENNAS TO BE MOUNTED TO THE ROOF OF, AND THE EQUIPMENT INSIDE OF, THE DISTING STRUCTURE, ALONG WITH ACCESS AND UTILITIES TO SERVE THE SITE AS CENERALLY SHOWN UPON THIS PLAN.

#### TITLE REPORT

PROVIDED BY FIRST AMERICAN COMPANY PRELAMINARY TITLE REPORT ORDER MUMBER 2108-2858388, DATED JALY 12, 2007.

#### BASIS OF BEARING

READINGS SHOWED HEREON ARE BASED UPON U.S. STATE PLANE.
RADIS COORDINATE SYSTEM STATE-PLANE COORDINATE ZONE 3,
DETERMINED BY ONE OSSERVATIONS.

#### BENCHMARK

ELEVATION ESTABLISHED FROM OPS DERVED ORTHOMETRIC HEIGHTS, APPLYING GEODD 90 SEPARADIONS, CONSTRAINING TO MCS CONTROL STATION "LUTZ" ELEVATION—400.0" (NAVORS)

#### SURVEY DATE 07/26/07

#### SURVEYOR'S NOTES

ACQUITE LISTLY TO THE ACQUITE REPORT AFFECTING THE SMEATH AREA SURFOLKEDING THE LEAST KAME SOCIAL PROPERTY AND AFFECTING THE SMEATH AREA SURFOLKEDING THE LEAST KAME SOCIAL PROPERTY SMEATH AND HOT PERFORMED AS SANGHOUT PARTIES ASSESSED. THE SOLUTION SHOWN HOSPEN IS PLOTTED FROM RECORD REPORTATION AND DOCUMENT OF THE PROPERTY.

SUBSIDIAR DESCRIPTION UNAWAYEE THAT ALL UTILITIES ARE SHOWN
IN THE LOCATIONS. IT IS THE RESPONSITY OF THE
CONTRACTOR AND DESCRIPTION OF CONTACT U.S.A. AND ANY
OTHER SHOULDS ACCIDIES TO LOCATE ALL UTILITIES PHORE TO
CONSTRUCTION, REDOWNL, RELOCATION AND/OR REPLACIMENT IS
THE RESPONSIBILITY OF THE CONTRACTOR.

#### LEGEND

POINT OF EXTREMENT VETTER ROLL CLARE AND SUTTER ROLL CLARE AND SUTTER ROLL CLARE AND SUTTER ROLL CLARE CLARE AND SUTTER ROLL CLARE C SOCIOLARE OR POSTICIO OF SCOOLIC COOR

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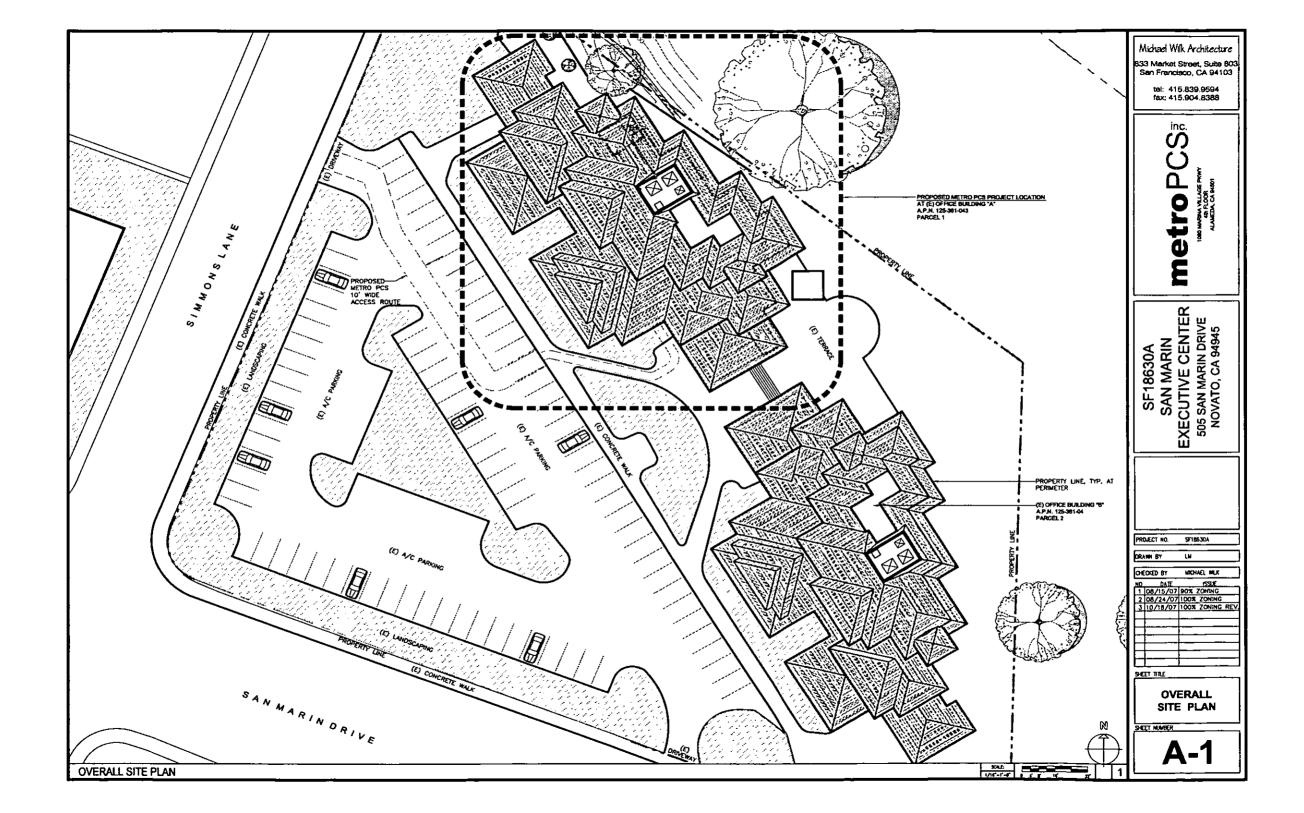
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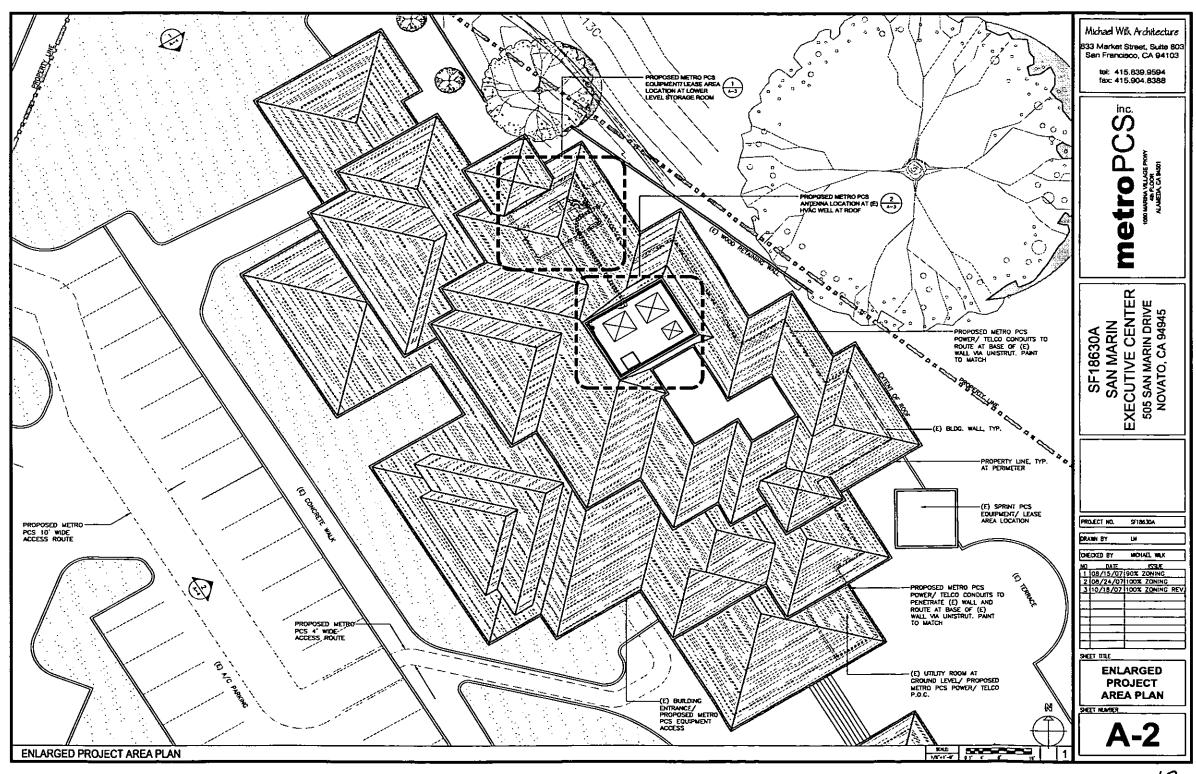
1080 MARINA VILLAGE PKW FOURTH FLOOR ALAMEDA, CA 94501 PHONE (510) 747—4600

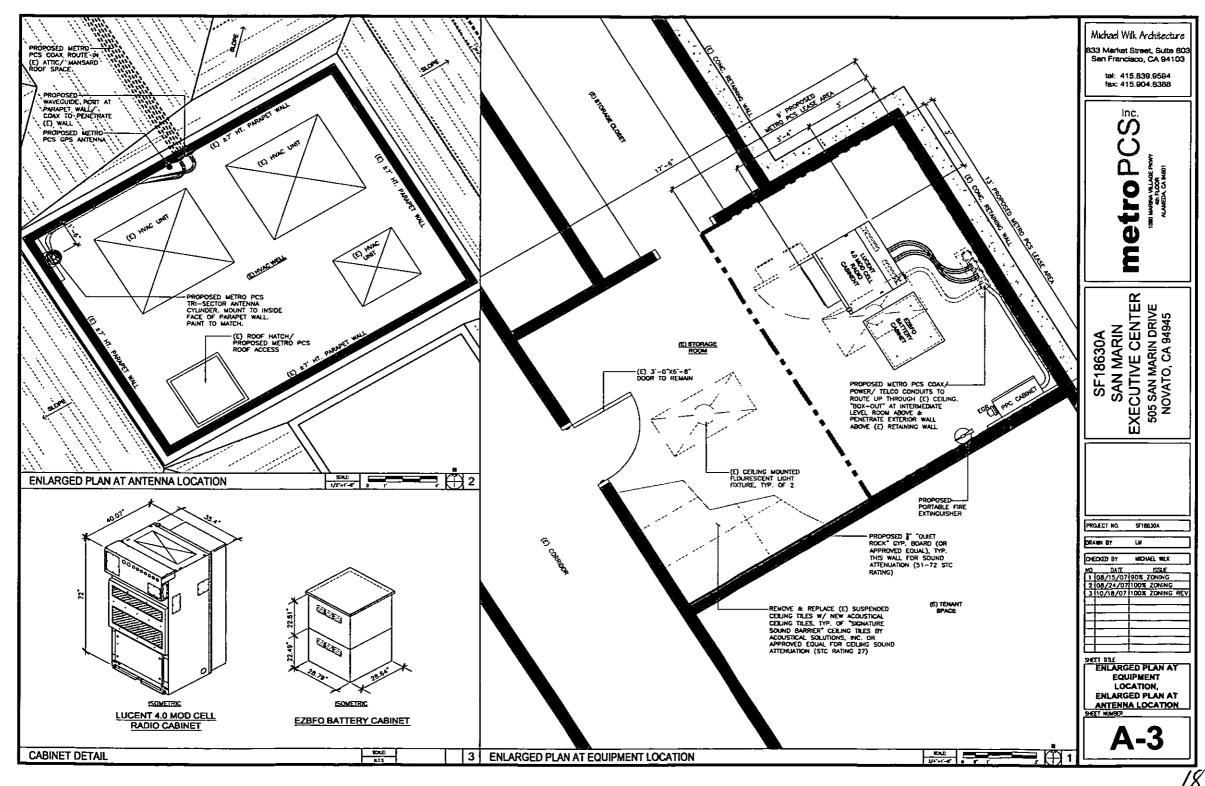
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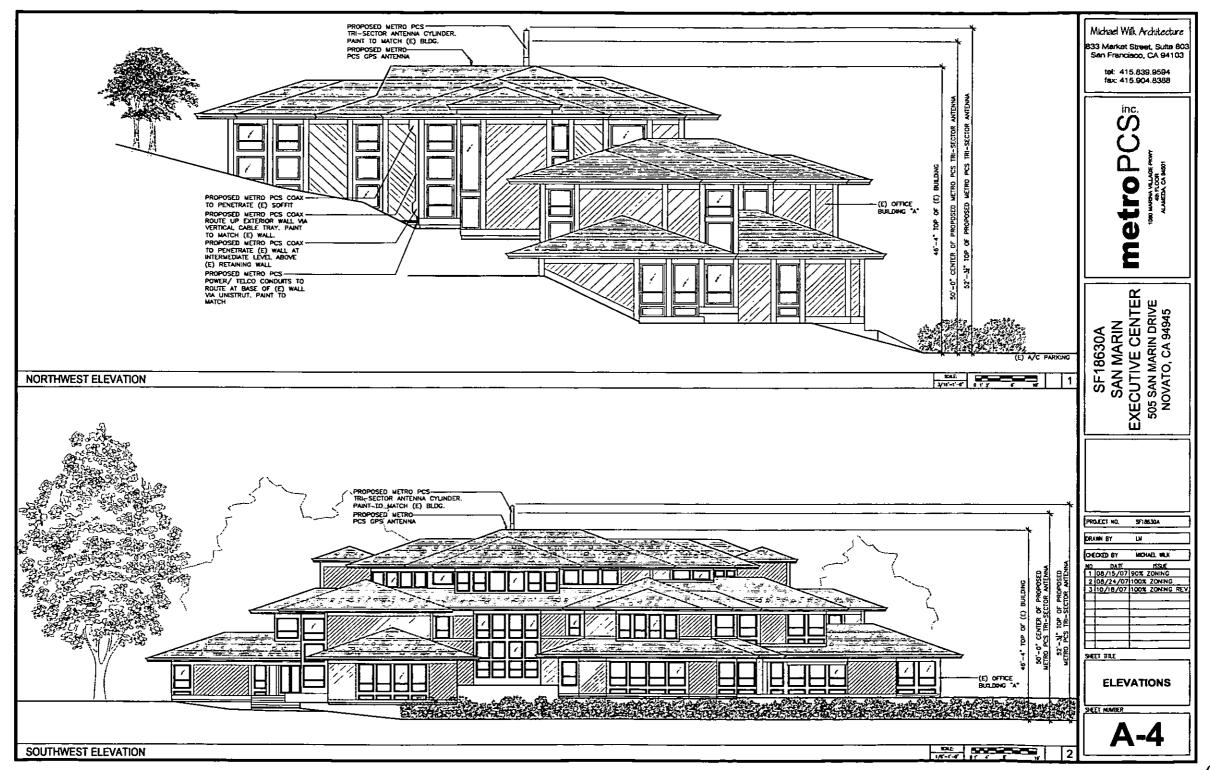
SURVEY

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**Project No.:**10712U

## PROOF of SERVICE BY MAIL

I am a citizen of the United States and a resident of the County of Marin. I am over the age of eighteen years and not a party to the within matter; my business address is City of Novato, City Hall, 75 Rowland Way, Suite 200, Novato, California. On November 15, 2007 I mailed the attached Notice to the owners of property as shown on the latest equalized Marin County Assessor's roll for each parcel number appearing on Exhibit "A" attached which list was compiled and prepared in accordance with the Zoning Ordinance requirements for such noticing.

I certify that the foregoing is true and correct.

Marjorie Thompson

# CITY OF NOVATO NOTICE OF PUBLIC HEARING USE PERMIT OFFICE BUILDING / METRO PCS 505 SAN MARIN DRIVE

Notice is hereby given that the Zoning Administrator will hold a public hearing on November 29, 2007, at 2:00 PM in the Community Development Department Conference Room, 75 Rowland Way, Novato, California, to consider a Use Permit to allow installation of a trisector PCS antenna within a new 8-foot tall cylindrical enclosure to be mounted on the upper roof of the northwestern office building at 505 San Marin Dr. The mounted height of the antenna would be 50.5 feet above grade and about 4 feet above the roof; APN 125-361-03.

The Environmental Coordinator has determined that this project is exempt from the California Environmental Quality Act, pursuant to Section §15303 (New Construction or Conversion of Small Structures).

Comments received on or before the hearing date will be considered by the Zoning Administrator.

The Zoning Administrator's action on this application may be appealed in writing within ten calendar days following the action, accompanied by the required filing fee.

If anyone wishes to challenge this project in court, they may be limited to raising only those issues they or anyone else raised at the public hearing described in this notice or in written correspondence delivered to the Community Development Department at, or prior to, the hearing date.

Information on the above proposal is available at the City of Novato Community Development Department, 75 Rowland Way, Novato, CA 94945. All inquiries should be directed to Daniel Toillion, Planner I, at (415) 899-8981, weekdays from 9 a.m. to 5 p.m. at the Community Development Department. It is recommended that an appointment be made with the staff member, prior to visiting the City offices. Please note that City offices are closed every other Friday, including November 16, 2007.

Community Development Director pn07140

CITY OF NOVATO
NOTICE OF PUBLIC HEARING
USE PERMIT
OFFICE BUILDING / METRO PCS
505 SAN MARIN DRIVE

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Community Development Director pn07140

File Reference: 10712U

File Reference: 10712U

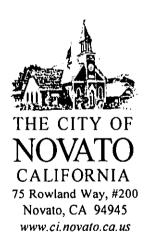
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4201

FIELD(505 San Marin Address)

This is an
OFFICIAL NOTICE
from the
CITY OF NOVATO
affecting your neighborhood.



4201

FIELD(505 San Marin Address)

This is an
OFFICIAL NOTICE
from the
CITY OF NOVATO
affecting your neighborhood.

# Application for Zoning/Planning/Subdivision Action



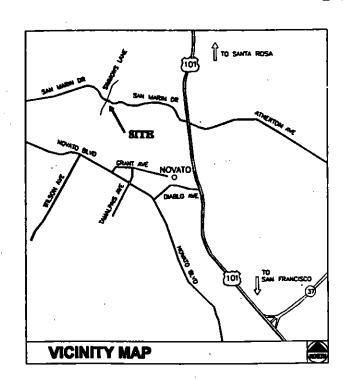
Type of Application - Please Check	m Cut division Tentative Man (5 or more late)	□ Variance
□ General Plan Amendment	☐ Subdivision Tentative Map (5 or more lots)☐ Land Division Tentative Map (4 or fewer lots)	☐ Accessory Dwelling Unit
☐ Prezoning	□ Lot Line Adjustment (no new lots)	☐ Sign Review
☐ Rezoning ☐ Master Plan	Design Review	☐ Certificate of Compliance
□ Precise Development Plan	Use Permit	□ Other
Applicant Required Information		
1. Assessor's Parcel No(s).: 125-36		ning: <u>C-Commercial</u>
2. Property Address: 505 San Man	· · · · · · · · · · · · · · · · · · ·	
3. Property Owner a) Name: Koud + 1		)461-1010 x30
b) Address: 101 Lark	spur Landing Cir, 1st Floor Larkspur	r, ca 94939
4. Applicant (If Different than Owner)	Alicale	
a) Name: MetroPCS	represented by Crowley Phone: (4)	15) 336 - 5134
b) Address: 3145 G	eary Blud # 509, Son Francisco	, CA 94118
5. Name of Project (If Applicable): Metro	PCS at San Marin Executive	Center
6. Property Size: 2.07 acres		
7. Type of Use Proposed (Office, Residential, Et	c.): Office w/ wireless takeum	facility
8. Square Footage of Each Use or Number of Ur		<u> </u>
9. Purpose of Application (Brief Statement of W	hat You Want to Accomplish):	
		<u> </u>
4 - 4	Attach Separate Sheets If Needed)	
10. Signature Herole Curvele	n An MetroPCS	
——————————————————————————————————————	cant signs, an authorization signed by the owner mus	st be attached.)
	ent of Full Cost Recovery Fees for Application Proc	
	ocess and the additional information required for a	
available at the Novato Department of Community	Development, 75 Rowland Way, #200, (415) 899-89	89, www.ci.novato.ca.us.
	Do Not Write Below This Line	
DEPAR	IMENTAL PROCESS INFORMATION	
1 -2 12 11		1901.00
Application No.: 10+12-U	Fee Deposit:	1, 101.00
Date Received: 9.11.07	By:	
Date Accepted:	By:	
Application Acted on By: ZA	Date: 11-29-07	
Action: APPROVED		
Conditions of Approval or Comments:		



Sprint PCS SM

# PARTRIDGE KNOLLS SF33XC626 505 SAN MARIN DRIVE NOVATO, CALIFORNIA 94945

UP 99-041 DR 99-095



### FROM THE SPRINT OFFICES IN PLEASANTON:

tanining a salah dalah d

TAKE HWY 580 WEST
PROCEED MORTH PAST 8AY 8RDGE MAZE ON HWY 80/380
TAKE HWY 580 WEST EXIT TO REMINION-SAN RAFAEL 8RDGE
TO HWY 101 NORTH TO LAST NOVATO EXIT (SAM BAREN DRIVE)
TAKE SAN MARIN DRIVE WEST FOR APPROX. 3/4 OF A MILE TO
BUILDING LOCATED AT INTERSECTION OF SAN MARIN DRIVE AND SAMONS LANE

**DRIVING DIRECTIONS** 

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTIDINAS AND ASSOCIATED EQUIPMENT CABINETS FOR SPRINT SPECTRUM'S PERSONAL COMMUNICATION SETWICES (PCS) WIRELESS TELECOMMUNICATIONS RETWORK A TOTAL OF 3 MITEDINAS AND SEVEN EDUIPMENT CABINETS ARE PROPOSED AT THIS SITE.

#### PROJECT DESCRIPTION

#### APPLICANT/LESSEE

SPRINT PCS
4835 CHARDT DRIVE, SUITE 100
PLEASANTON, CA 94368
ASPLEMENTATION DIGNEER: STEVE STUDIERT
HUME: (923) 468-7363

#### PROPERTY INFORMATION

LANDILORD: DOMALD O. COLLANS TRUST A
COMPANY: INSUE MOSTRUP
ADDRESS SA SKYNEL CA 94903
PHONE: (415) 492-1081

#### ME: (415) 692~2677

OCCUPANCY TYPE: TELECOMMUNICATIONS FACILITY

CONSTRUCTION TYPE: OFFICE BUILDS

CURRENT ZONING: A-P

ZONNG APPLICATION #:

PENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

#### PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED BY ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADDRESS BY THE LOCAL CONCENNING AUTHORIES. NOTHINGS BY THESE PLANS IS TO BE CONSTRUED TO PEDAIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

CAUSTINGIA ADMINISTRATIVE CODE 5. MISS/DA-222-F. UPE SAFETY

CALIFORNIA MANISTRATIVE CODE
(NCL TIDE 24 & 25)
UNIFORNI BULDING CODE
ADMONSTRATIONS (BOCA)
ADMONSTRATIONS (BOCA)
BULDING CODE
ADMONSTRATIONS (BOCA)
BULDING CODE

#### **CODE COMPLIANCE**

CITY, STAIE, ZIP		
CONTACT:	•	
PHONE:	:	

NAME TE THE TENT ADDRESS 3875 HOPFARD ROAD, SUITE 245 CITY, STATE 2P FLEXANTON, CA 94586 FRANK CARL, PHONE: (925) 730–1070 FAX: (925) 730–30

#### STRUCTURAL ENGINEER:

ADDRESS. CITY. STATE. ZIP CONTACT:, PHONE:

**SURVEYOR:** 

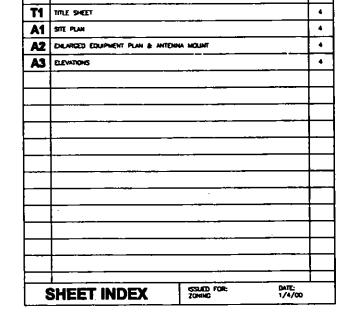
#### ELECTRICAL ENGINEER:

ADDRESS CITY, STATE, ZIP CONTACT: PHOME:

#### TOWER ENGINEER: N/A

ADDRESS CITY, STATE, ZIP CONTACT; PHONE: /

#### PROJECT TEAM



#### DO NOT SCALE DRAWINGS

SHEET DESCRIPTION

CONTRACTOR SHALL VERBY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB STEE AND SHALL INNEDVATELY NOTITY THE CIVIL DUCKEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

GENERAL CONTRACTOR NOTES



4683 CHABOT DRIVE, SUITE 100 PLEASANTON, CA 94588

#### PARTRIDGE KNOLLS SF33XC828

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

RENT ISSUE DATE:----

1/4/00

SSUED FOR:

ZONING

REV.:=DATE: DESCRIPTION:

4 1/4/00 REVISED ZONING RE
3 12/20/99 REVISED ZONING RE
2 12/09/99 REVISED ZONING RE

1 11/22/99 100% ZONING
0 10/18/99 90% ZONING

TETRA TECH

3875 Hopyard Rood, Suite 245 Pleasanton, CA 94588 (925) 730-1070, FAX (925) 730-3999

NHP/GTO RD PFC

LICENSURE: =

SHEET TITLE:



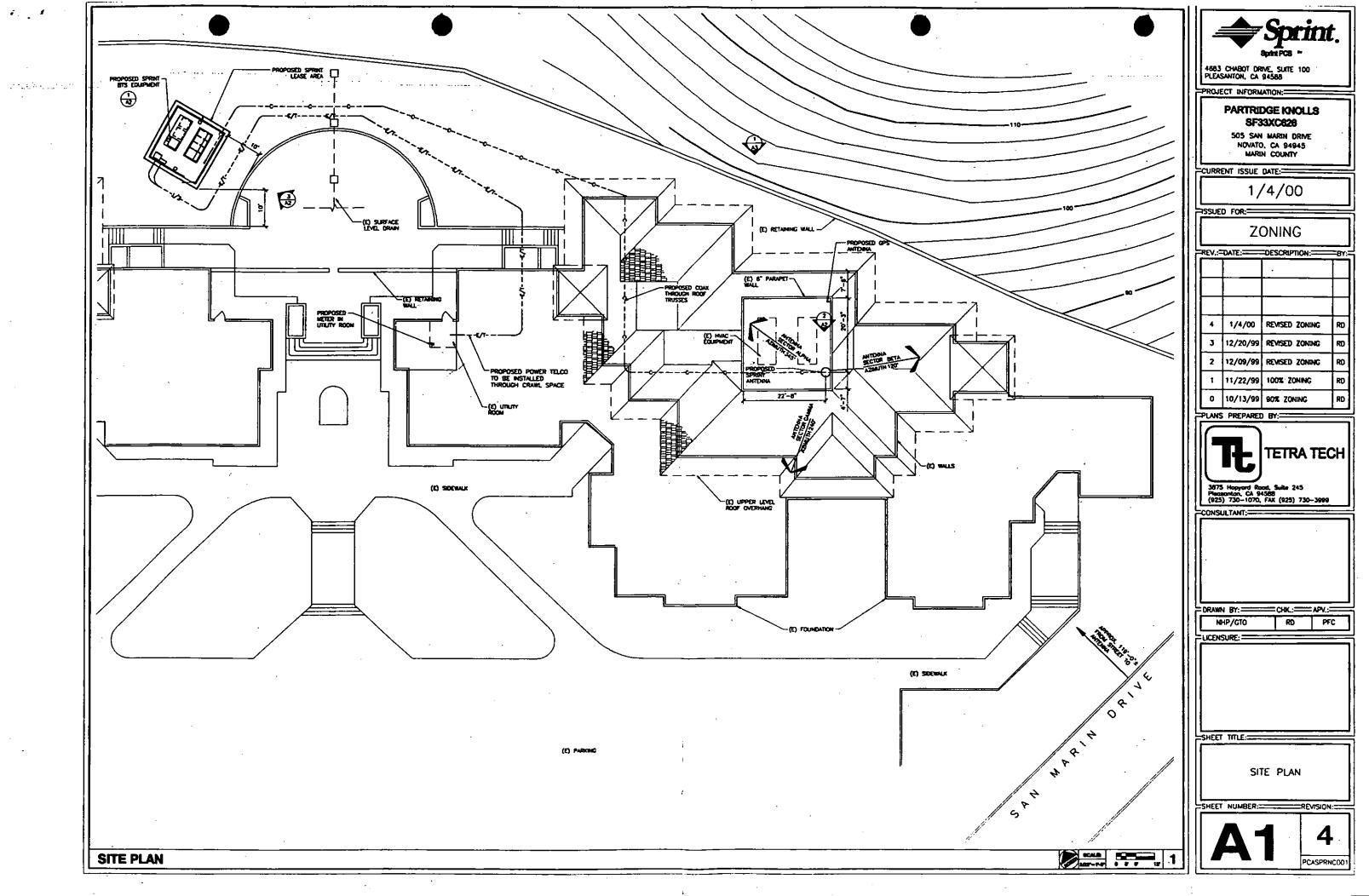
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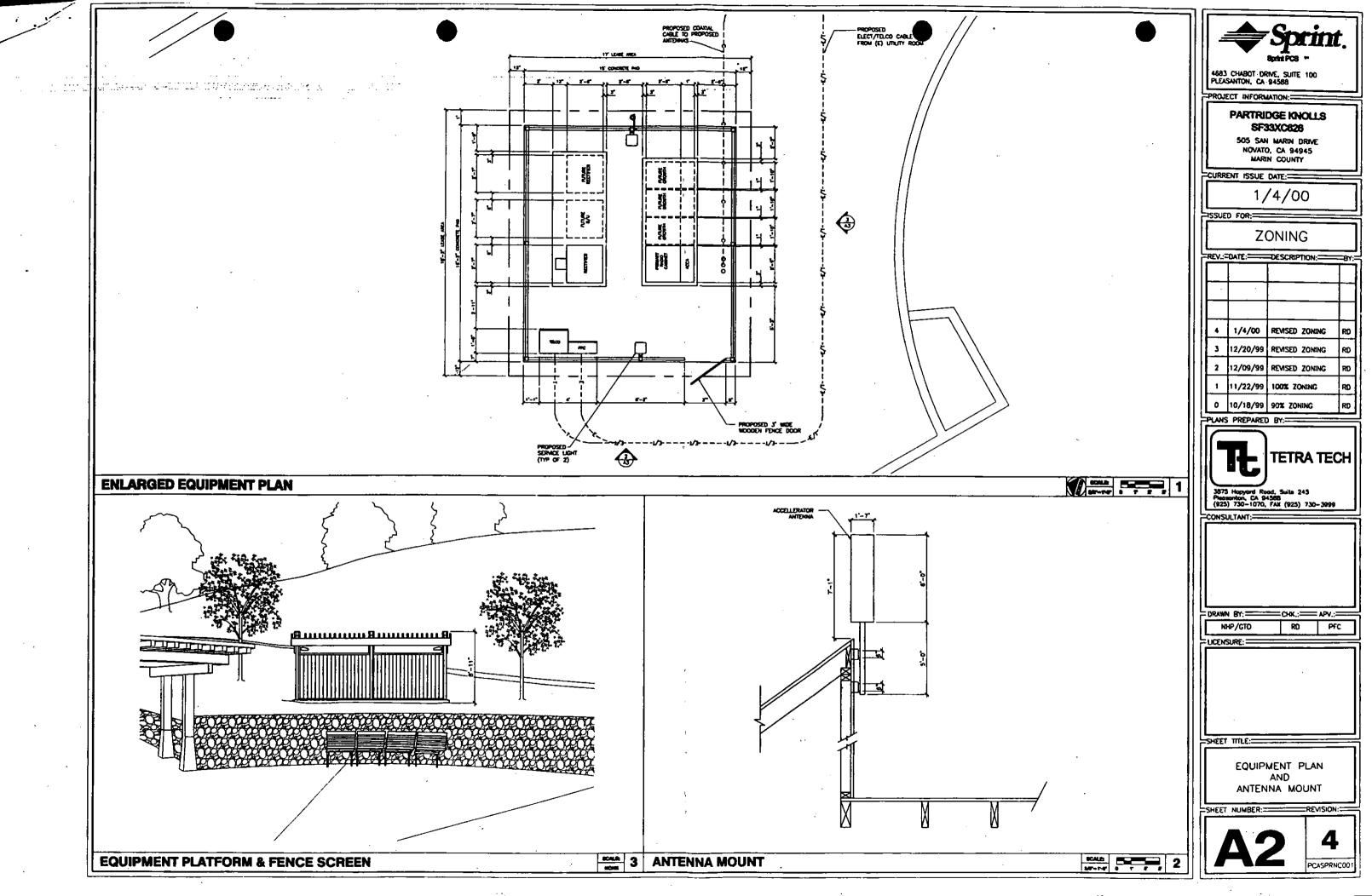
TITLE SHEET

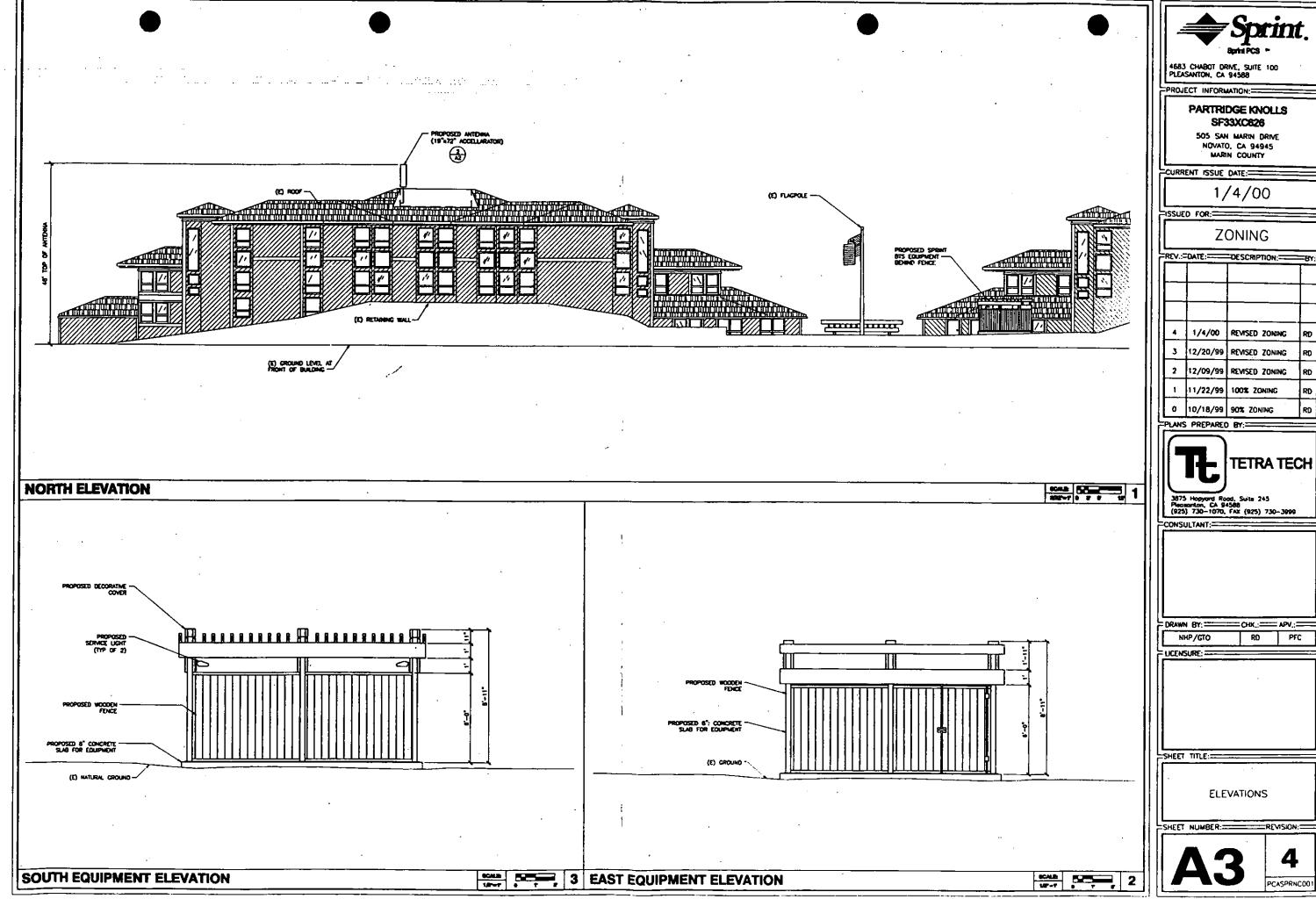
SHEET NUMBER: REVISION:

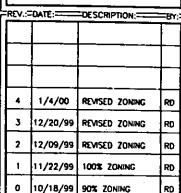
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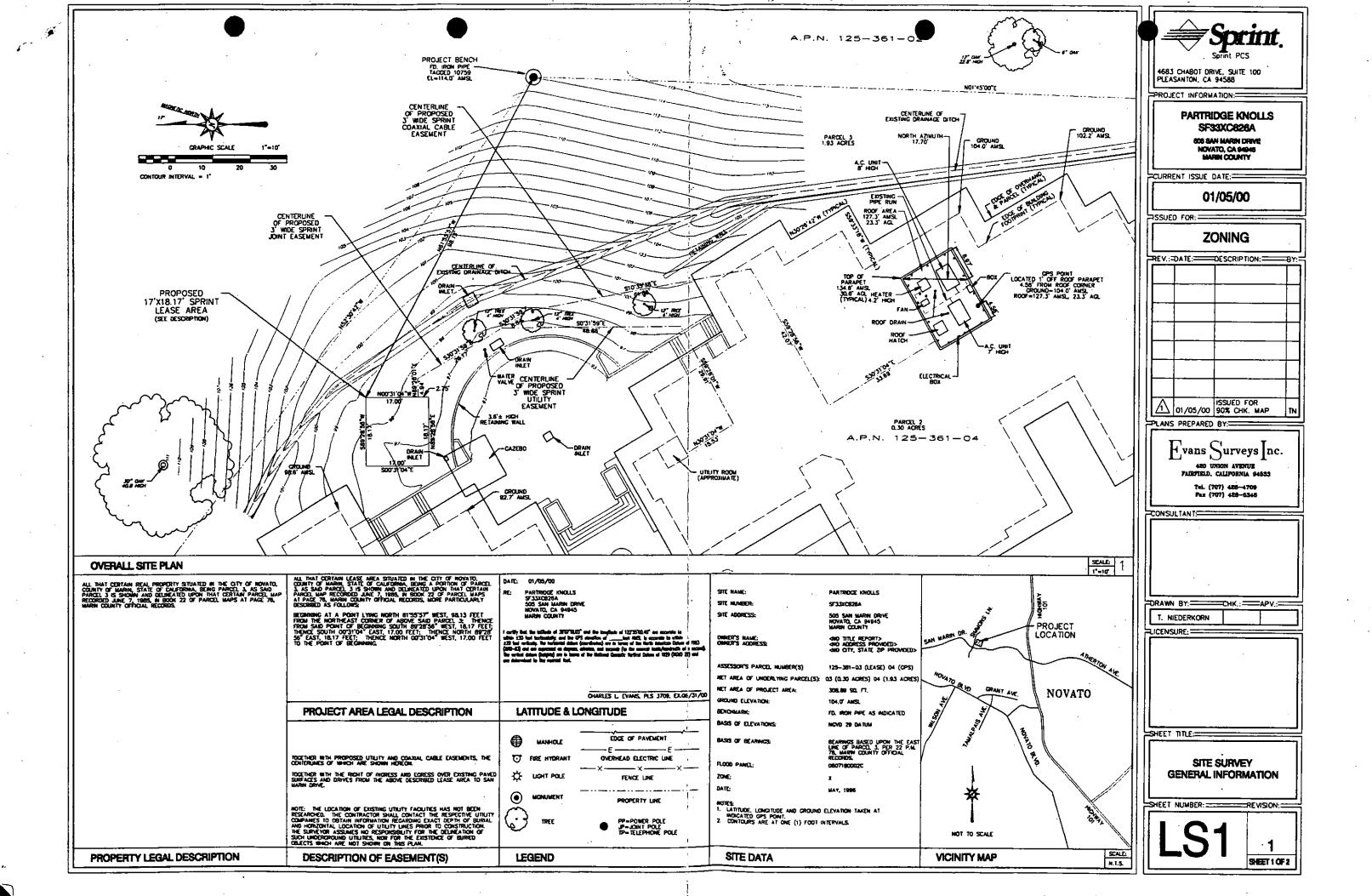
PCASPRNC001

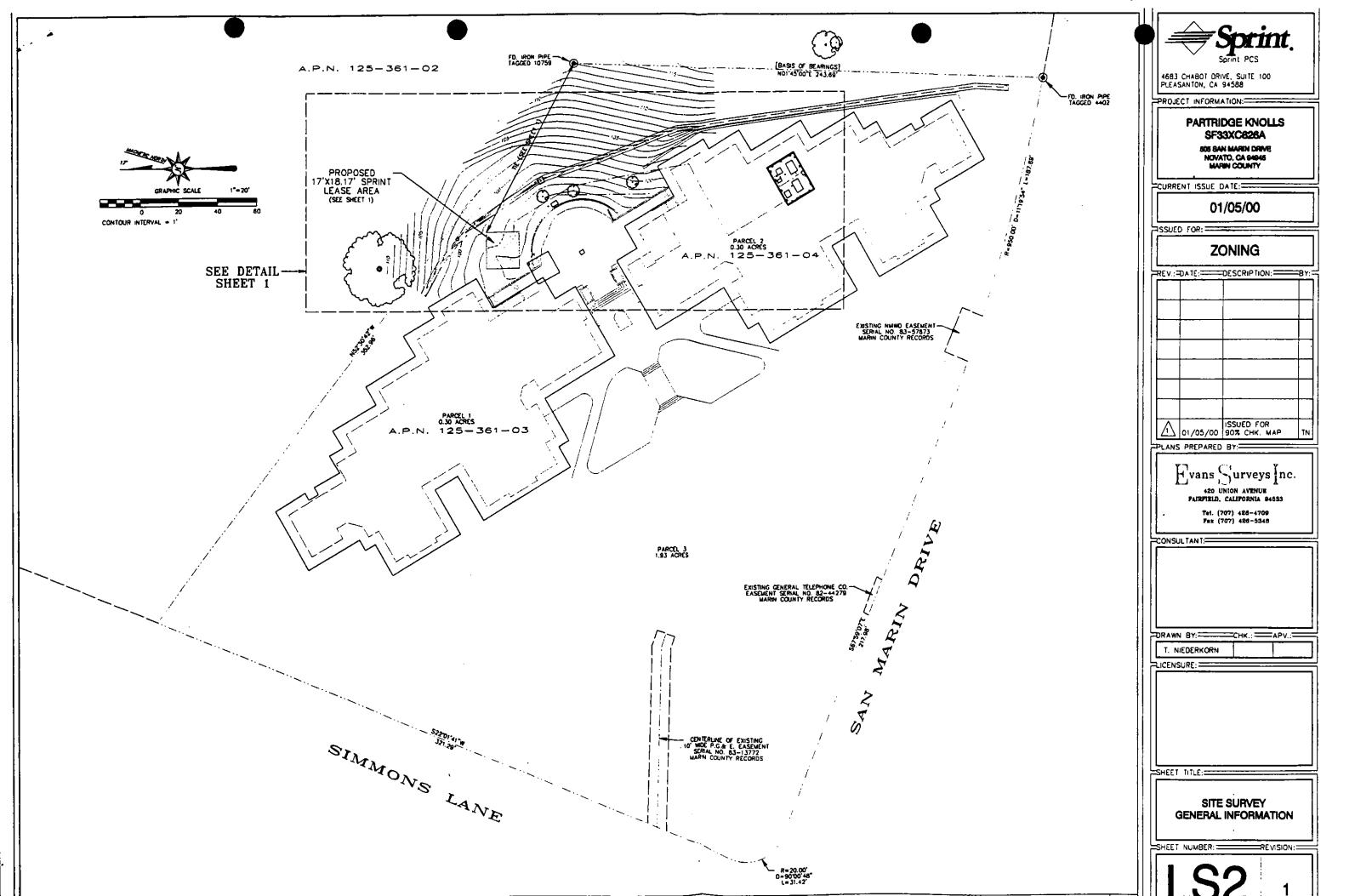














# THE CITY OF NOVATO

75 Rowland Way, #200 Novato, CA 94945-3232 415/899-8900 FAX 415/899-8213 www.novato.org

Mayor
Denise Athas
Mayor Pro Tem
Pat Eklund
Councilmembers
Madeline Kellner
Eric Lucan
Jeanne MacLeamy

City Manager Michael S. Frank Ms. Heidi J. Thorne Sprint Spectrum L.P. 6391 Sprint Parkway Mailstop: KSOPHT0101-Z2650 Overland Park, KS, 66251-2650

RE: Use Permit Renewal, File No. UP 99-041, 505 San Marin Drive, APN 125-361-03 & 04

Dear Ms. Thorne:

The Novato Planning Division has reviewed Sprint Spectrum's request to extend the duration of Use Permit No. UP 99-041, which approved a Sprint wireless facility at 505 San Marin Drive, APN 125-361-03 & 04.

After reviewing the most recent radio frequency report for this facility, the Community Development Director has decided to grant a one year extension of Use Permit No. UP 99-041.

If you have any questions regarding this matter, please feel free to contact me at (415) 493-4711.

Sincerely,

Elizabeth Dunn, AICP Planning Manager

Cc: F

File UP 99-041

Elizaberth Dura

## Application for Zoning/Planning/Subdivision Action



Type of Application - Please Check	☐ Subdivision Tentative Map (5 or more lots)	NOVAT	
☐ General Plan Amendment ☐ Prezoning	☐ Land Division Tentative Map (4 or fewer lots)		
□ Rezoning	□ Lot Line Adjustment (no new lots)	□ Sign Review	
□ Master Plan	□ Design Review	☐ Certificate of Compliance ☐ Other	
□ Precise Development Plan	OX Use Permit		
Applicant Required Information			
1. Assessor's Parcel No(s).: 125-361-03 &	04 Existing 2	Zoning:	
2. Property Address: 505 San Marin Driv	/e		
3. Property Owner a) Name: 505 San M	arin Drive LLC Phone:	415-959-6144	
b) Address: P.O. Box	633, Ross CA 94957		
4. Applicant (If Different than Owner)			
a) Name: <u>Sprint Spe</u>	ctrum L.P. Phone:		
b) Address: <u>6391 Spr</u>	rint Parkway, Mailstop: KSOPHT0101-Z2650, Overlan	d Park, KS 66251-2650	
5. Name of Project (If Applicable): Partile	dge Knolls (SF33XC626)		
6. Property Size:			
	l, Etc.): Wireless telcommunications antenna facili	ty	
	f Units if Residential:		
,	_		
Renewal of UP 99-041 & DR 99-095			
10. Signature Hilli Khoyae	(Attach Separate Sheets If Needed)		
Owner Mapplicant (Note: If a	applicant signs, an authorization signed by the owner r	nust be attached.)	
Important: Please complete Agreement for Pa	nyment of Full Cost Recovery Fees for Application P	rocessing.	
	w process and the additional information required for		
available at the Novato Department of Commun	nity Development, 75 Rowland Way, #200, (415) 899-	8989, www.ci.novato.ca.us.	
	Do Not Write Below This Line		
DEP	ARTMENTAL PROCESS INFORMATION		
Application Number(s): P2012 - D16			
Received by: & Marshall	Date: 130 12 Planning @ Fee Deposit: \$ 35	54.—	
Deemed Complete by:	Date: Plan Storage \$		
Application Acted On By: < 00	Date: 2-2-2-PW/Engineering Fee DNo DYes	: <b>S</b>	
	(Attach PW/Engineering and Plan	ning Worksheets)	
	·	ate MV	
A CC	C.R.# Ir	nitials MV	
Action: Aftored			
Conditions of Approval or Comments:			



March 2, 2011

75 Rowland Way #200 Novato, CA 94945-3232 415/899-8900 FAX 415/899-8213 www.cityofnovato.org Ms. Heidi J. Thorne Sprint Spectrum L.P. 6391 Sprint Parkway Mailstop: KSOPHT0101-Z2650 Overland Park, KS 66251

Mayor
Madeline Kellner
Mayor Pro Tem
Denise Athas
Councilmembers
Carole Dillon-Knutson
Pat Eklund
Jeanne MacLeamy

City Manager Michael S. Frank RE: Use Permit Renewal, File No. UP 99-041, 505 San Marin Drive

Dear Ms. Thorne:

The Novato Planning Division has reviewed Sprint Spectrum's request to extend the duration of Use Permit No. 99-041, which approved a Sprint wireless facility at 505 San Marin Drive, APNs 125-361-03 & -04. After reviewing the most recent radio frequency report for this facility the Community Development Director has decided to grant a one year extension of Use Permit No. 99-041.

If you have any questions regarding this matter, please feel free to contact me at (415) 899-8942.

Sincerely,

Steve Marshall Senior Planner

cc: File UP 99-041

Steve Sanhall

## Application for Zoning/Planning/Subdivision Action



Type of Application – Please Check		NOVAT
□ General Plan Amendment	☐ Subdivision Tentative Map (5 or more leads to Land Division Tentative Map (4 or fewer)	= -
☐ Prezoning ☐ Rezoning	☐ Lot Line Adjustment (no new lots)	□ Sign Review
□ Master Plan	□ Design Review	□ Certificate of Compliance
□ Precise Development Plan	<b>X</b> Use Permit	□ Other
Applicant Required Information		
I. Assessor's Parcel No(s).: 125-361-03	<b>&amp; 04</b> Ex	sting Zoning:
2. Property Address:505 San Marin D	rive	
3. Property Owner a) Name: 505 San	Marin Drive LLC Pho	one: 415-959-6144
b) Address: P.O. B	ox 633, Ross CA 94957	
4. Applicant (If Different than Owner)		•
a) Name: <u>Sprint S</u>	pectrum L.P. Pho	one:
b) Address: 63915	print Parkway, Mallstop: KSOPHT0101-Z2650, O	verland Park, KS 66251-2650
5. Name of Project (If Applicable): Part	tridge Knolls (SF33XC626)	
6. Property Size:		
• • •	tial, Etc.): Wireless telcommunications antenn	a facility
	of Units if Residential:	
9. Purpose of Application (Brief Statemen Renewal of UP 99-041 & DR 99-095	t of What You Want to Accomplish):	
	(Attach Separate Sheets If Needed)  as Withough Ugfu	
<b>y</b> ·	If applicant signs, an authorization signed by the o	·
	Payment of Full Cost Recovery Fees for Applica	_
	iew process and the additional information requir nunity Development, 75 Rowland Way, #200, (415	
	Do Not Write Below This Line	
· DI	EPARTMENTAL PROCESS INFORMATION	
Application Number(s): P2011-0	14	<del></del>
Received by: 3CM	Date: 216   Planning 19Fee D Deposit:	s 354.—
Deemed Complete by:	Date: Plan Storage \$	
Application Acted On By:	Date: 2/25 (IN PW/Engineering Fee □ No	□ Yes: \$
	(Attach PW/Engineering an	
	Receipt # PROBS	
	C.R.#	
8L . L	^	- Andrew Control of the Control of t
Action: Extension Grante	<u>w.                                    </u>	
Conditions of Approval or Comments:		

July 12, 2000

TO:

City Council

City Manager

Community Development Director

FROM:

Alan Lazure, Zoning Administrator

SUBJECT:

Zoning Administrator's Hearing of June 1, 2000

Zoning Administrator Alan Lazure commenced the hearing at 2:00 p.m. and explained the purpose of the hearing and the procedures to be followed for each item. He also outlined the appeals process and advised that appeals must be filed in writing by 5 p.m. June 12, 2000.

#### **NEW ITEM:**

2. SPRINT PERSONAL COMMUNICATIONS SERVICES (PCS) WIRELESS TELECOMMUNICATION FACILITY (KR)

UP 99-041; USE PERMIT DR 99-095; DESIGN REVIEW

APN 125-361-03 AND 04; 505 SAN MARIN DRIVE

To consider applications for a Use Permit and Design Review to allow a roof-mounted wireless telecommunication facility, consisting of an antenna 19 inches in diameter and 72 inches in height, to be installed on the roof of an existing office building and to allow a radio equipment cabinet to be installed behind the existing building located at 505 San Marin Drive.

**Applicant Representatives Present:** 

Bill Walton

Robert Anderson

Jim Ross Amy Stanton

Zoning Administrator Lazure reported that he had not received any written or telephone comments on the application.

The public hearing was opened. The Zoning Administrator went over the recommended Conditions of Approval.

Zoning Administrator Lazure made the following findings:

#### **FINDINGS:**

The establishment, maintenance or conducting of the use for which a use permit is sought will not under the circumstances of the particular use, be detrimental to the health safety morals comfort convenience or welfare or persons residing or working in the neighborhood of such use

and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

#### **ACTION TAKEN:**

The Zoning Administrator granted the Sprint Personal Communications Services (PCS) Wireless Telecommunication Facility (505 San Marin Drive) Use Permit and Design Review, subject to the following Conditions of Approval.

#### **CONDITIONS OF APPROVAL:**

- 2. No deviation from approved plans, including color changes or substitution of materials, shall be made without City approval. Any changes or additions to the approved project shall be submitted to the Community Development Department and shall be subject to review and approval prior to the implementation of any proposed modification.
- 2. Design Review approval shall expire two years from the date of approval unless a building permit has been issued and remains valid.
- 3. Any above-grade utility facilities, not located on the building, including splice boxes and transformers shall be painted a standard brown/gray. A color chip of the approved color may be obtained from the City Engineer.
- 4. All utilities connecting the approved facility visible from ground level shall be placed underground or in cable trays.
- 5. In accordance with Section 19-14 of the Novato Municipal Code, a sign permit is required prior to installation of any external advertising or signage.
- 6. The applicant shall cooperate with City standards and criteria to promote co-location or shared-location of similar facilities in the future.
- 7. The antenna and equipment cabinet will be painted a non-reflective color to blend in with the existing building.
- 8. The height, a combination of the building and the antenna, shall not exceed 48 feet.
- 9. Prior to the issuance of a building permit, the applicant shall enter into a standard performance agreement with the city and post a bond, or other suitable security, in order to guarantee the removal of any abandoned facility. The approved facility shall be dismantled and removed, and the site be returned to as near to its original condition as possible, should it become inoperative or abandoned for a period of one (1) year.
- 10. The approved Use Permit will remain in effect for one year term and will expire on June

3ZA2300

- 1, 2001, unless the applicant submits, in writing, a request for an extension of the permit, and such a request is approved by the Community Development Director. The Community Development Director shall determine whether or not: (1) the project complies with Standards and Criteria for Wireless Telecommunications Antenna Facilities; and (2) new or modified conditions of approval are not required. The approved Use Permit may be extended for up to nine additional years provided the facilities are found to be in complete compliance with the Novato Municipal Code in effect at the time of renewal. If the Community Development Director determines that the request for an extension does not qualify for an administrative extension, a new Use Permit application may be made.
- 11. All areas within 16 feet of the roof-mounted antennas shall be marked to prevent exposures in excess of the RFR occupational limit. In addition, the level area of the roof to the north and west of the antennas shall be marked by striping or other appropriate means and warning signs shall be posted at the perimeter of this "exclusion area" visible to persons who need to work on the roof near the antennas. The warning signs shall comply with ANSI C95.2 color, symbol, and content conventions. In addition, contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas.
- 12. Access to the radio equipment cabinet shall only be by authorized work crews and warning signs to that effect shall be placed at the base of the antenna support structure, that are visible from any approach angle in compliance with FCC-adopted guidelines.
- 13. No exterior lighting shall be allowed for any part of the proposed facility, except as may be deemed necessary for security and safety, and shall be subject to the review and approval of the Community Development Director. Proposed lighting shall be manually operated, low wattage, hooded and directed downward and shall be kept off except when maintenance or safety personnel are present at night.
- 14. The approved facility shall comply with the noise standards set forth in Chapter V of the Novato General Plan. With the exception of emergency repairs, routine testing and maintenance activities shall be allowed only during the hours between 7:00 a.m. and 5:00 p.m., Monday through Saturday. Routine testing and maintenance activities that do not generate noise that is perceptible by nearby sensitive receptors may occur at any time. Emergency energy generators shall be used in compliance with the City's noise standards, and shall be operated only during power interruptions, or for routine testing and maintenance.
- 15. The Radio Frequency Radiation (RFR) generated by the approved facility, in combination with other sources of RFR, shall not expose the general public to RFR levels that exceed the allowable standards as adopted by Federal Communications Commission (FCC) and the City. Should nationally accepted research result in the establishment of substantially revised standards for human exposure to RFR and such standards are adopted by the City

or otherwise determined to be applicable to the City, the applicant shall demonstrate compliance with such standards by submitting a new RFR report to the Community Development Department within 30 days of the effective date of the adoption of the revised standards. A longer period for submitting the RFR report may be granted at the discretion of the Community Development Director. The RFR report shall determine compliance with the updated standards by calculating the RFR power level of the approved facility in combination with other similar sources of RFR.

- 16. This Use Permit may be revoked by the City should the approved facility, in combination with other similar facilities, exceed the updated RFR standards unless the location, design, and/or operation of the approved facility is modified to meet the new standards. Modifications of the approved facility shall be submitted to the Community Development Department to determine if amendments to the approved permit are necessary. This condition shall not apply if the City is preempted by Federal and/or State law, rules or regulations from applying updated RFR standards after the approved facility has been constructed.
- 17. This Use Permit is subject to the revocation procedures contained in Sections 19-20.012a and 19-20.012b of the Novato Municipal Code in the event that any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the City.
- 18. Within 30 days, 6 months, and 1 year of the initiation of the operation of the approved facility, the applicant shall submit up to three post-construction RFR reports, including the data developed, verifying that the actual levels of RFR emitted by the approved facility, operating alone, and in combination with other approved facilities, are below the FCC, threshold standards. The applicant shall be responsible for the cost of the post-construction reports to be prepared by a qualified consultant selected by the City.
- 19. The following requirements shall be met to the satisfaction of the Novato Crime Division:
  - a. If an alarm unit is installed, it shall be capable of identifying the type of alarm (burglary, fire, panic) and the zone of activation. The monitoring company shall also have the names of responsible parties to be contacted so the property owners are not contacted when problems arise.
  - b. A plaque or other device listing Sprint PC Wireless and emergency contact numbers shall be visible on the equipment storage area. These plaques shall be visible to responding emergency personnel who are standing near the equipment.
- 20. The following requirements shall be met to the satisfaction of the City of Novato Engineering Division:
  - a. Sprint PCS Wireless shall maintain common facilities, including antennae,

equipment area, and appurtenances. A proposal for maintenance of common facilities shall be submitted by the applicant and shall be subject to the review and approval of the City Attorney and City Engineer prior to issuing the building permit.

- b. Concrete, both existing and proposed, shall be protected from damage due to tree roots. A root barrier shall be installed around the concrete pad per City standards. A detail shall be submitted with the building permit application. Planning details shall be subject to the review and approval of the City Engineer prior to and as a condition of the building permit.
- c. Existing trees and landscaping within 20 feet of any work shall be protected. An arborist's report shall be submitted. The arborist's report shall address all trees proposed for removal and all trees whose roots may encroach into the areas of trenching and soil disturbance. The report shall be subject to the review and approval of the City Engineer prior to issuance of a building permit.
- d. Trenches cut through existing pavement shall be fully repaired to City Standard Drawing No. 991 of the Uniform Standards of the County of Marin.
- e. An encroachment permit shall be obtained for any work within the city right-of-way. Applicant shall submit a site plan showing the limits and description of all work within the city right-of-way.
- f. A tree removal permit shall be obtained for any trees proposed to be removed. Said permit shall be obtained prior to any tree removal.

## 21. Indemnity and Time Limitations:

- a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after

initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.

- In the event that a claim, action or proceeding described in Article (a) above, is c. brought, the City shall promptly notify the applicant of the existence of the claim. action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that if said Counsel is the City Attorney, his fees and costs shall be paid by the applicant.
- d. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- e. Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
- f. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(l), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.



# Application for Zoning/Planning/Subdivision Action



	Type of Application – Please Check D General Plan Amendment	□ Subdivision	Textative Map (5 or more k	we)	THE CITY OF NO VATO
(	2 Prezoning	C Land Divini	n Tentative Map (4 or fewe	r lots)	O Variance CALIFORNIA O Accessory Dwelling Unit
	J Rezoning	O Lot Line Ad	ustinent (no new lots)	,	O Sign Review
	Mester Pien	Design Revis	ew .		O Certificate of Compliance
	Precise Development Plan	🗆 Use Permit			□ Other
A	pplicant Required Information	71 l An i	_11		,
1		61-034	O4 Exi	ning Zoni	bg:
2	. Property Address: 505 SAN MA	TRIN DR		_	
3			ILC 253 CA 9495	** <u>41</u>	5-459-6149
4.	Applicant (If Different than Owner)				
	a) Name: SPRIALT	SECTRU	MLP WAR	<b>80</b> 0	257-7141
	b) Address: [039] 6			Va	(do 25)
5.	Name of Project (If Applicable): PALTE			Val	24
6.	Property Size:	ave th	NH-3 (3L35	'ACLO	<u> </u>
7.		· Man Dellar and	66 TE-10-11	N Alimor	414 50011 1
	Type of Use Proposed (Office, Residential, Br	e): MIKETE	DO LEGENDA	TATE	WAS THULTY
8.	Square Footage of Each Use or Number of Un	its if Residential:			
9.	Purpose of Application (Brief Statement of WI	hat You Went to	Accomplish): <b>BENE</b> A	) (IP-	99-041 d
10.	Signature Jerhand	cach Separate Si	ects if Needed)		
	Applicant (Note: If applie	कार डांकु०९, का कर्स	orization eigned by the ow	ner must l	oe stiached.)
[mj	portant: Please complete Agreement for Paymes				
Not	a: Information sheets describing the review pro- liable at the Novato Department of Community D	oess and the addi	tional information required	for a spe	cific type of application are
		Do Not Write Bel	ow This Line		
	DEPARTI	MENTAL PROC	ESS INFORMATION		
Арр	lication Number(s): P2010 - 020				
	nived by: <u>Meue</u> <u>Marshall</u> Date			322	
			in Storage \$A_		
App	lication Acted On By: Dat	-, , <del>v</del>	/Engineering Fee pario 🗆		
			tach PW/Engineering and l		Worksheets)
	-	Re	ceipt # <u>PRATIS 233</u>	Date	2/22/10
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Cond	itiom of Approval or Comments:				
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# ZONING ADMINISTRATOR PUBLIC HEARING COMMUNITY DEVELOPMENT DIRECTOR ACTION STAFF REPORT

THE CITY OF NOVATO CALIFORNIA

Community Development Dept.
Planning Division
901 Sherman Avenue
Novato, CA 94945
(415) 897-4341

FAX (415) 893-7905 www.ci.novato.ca.us

**MEETING** 

DATE:

June 1, 2000

STAFF:

Laura Lafler, Contract Planner

(510) 236-6810

SUBJECT:

SPRINT PERSONAL COMMUNICATIONS SERVICES (PCS)

WIRELESS TELECOMMUNICATION FACILITY

DR 99-095, DESIGN REVIEW; UP 99-041, USE PERMIT

APN 125-361-03 AND 04; 505 SAN MARIN DRIVE

To consider applications for Use Permit and Design Review to allow a roof-mounted wireless telecommunication facility, consisting of an antenna 19 inches in diameter and 72 inches in height, to be installed on the roof of an existing office building and to allow a radio equipment cabinet to be installed behind the existing building located at 505 San Marin Drive (APN 125-361-03 and 04).

#### **ENVIRONMENTAL ASSESSMENT**

The proposed personal communications services (PCS) wireless telecommunication facility is Categorically Exempt (does not have a significant effect on the environment) from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, "Class 1 consists of the...minor alteration of existing public or private structures, facilities, [etc.]" of CEQA and the City of Novato Environmental Review Guidelines. The associated radio equipment cabinet would be installed within a proposed enclosure behind the office building. The radio equipment cabinet and enclosure would be Categorically Exempt from the provisions of CEQA pursuant to Section 15303, "Class 3 consists of...installation of small new equipment and facilities in small structures...of CEQA and the City of Novato Environmental Review Guidelines.

#### STAFF ANALYSIS

On January 14, 1997, the Novato City Council adopted Resolution No. 5-97 addressing wireless telecommunication facilities siting. The Resolution endorsed minimal submittal requirement criteria, including location and screening techniques to guide applicants, Planning staff and the Planning Commission and Design Review Committee to mitigate any undesirable locational or visual effects caused by wireless telecommunications facilities. That document, the Standards and Criteria for Wireless Communication Facilities, is included as an attachment to this staff report.

Planning staff has reviewed the application submittal materials and found them to be in compliance with the Standards and Criteria for Wireless Communication Facilities. Notices were mailed to all neighboring property owners within 600 feet of the proposed project site property boundary. As of the date of this staff report there have been no letters or telephone calls.

The proposed facility is designed to minimize potential visual impacts by location (utilizes minimally visible antennas mounted on the building) and construction of the electronic cabinet behind the building. The location and existing building setting will minimize visual intrusion to the surrounding neighborhood and minimize disruption of the architectural design and features of the building and still allow the applicant to achieve technical goals. The existing visual character of the office oriented uses in the area is consistent with the proposed facility. Existing parking and landscaping would not be impacted.

The proposed project would install an unmanned wireless telecommunication facility by installing an "AcCellerator" antenna mounted on the roof of the building. The antenna is proposed at the minimum height necessary to attain the coverage objectives of the site. The antenna would be 72 inches high and 19 inches in diameter. The antenna would be painted to match the building. The attached photosimulations provide further visual detail.

The associated radio equipment cabinet would be placed on the ground toward the rear of the property, behind the existing office building. The equipment cabinet would be screened from view within a proposed wood fence, that would match the exterior finish of the existing buildings. A proposed trellis would be built on top of the proposed wood fence to maintain the architectural style of the surrounding development.

The facility would be unmanned and would not create additional traffic. Monthly visits to the site may be necessary by Sprint radio technicians for routine maintenance of the facility.

#### CRITERIA AND STANDARDS FOR WIRELESS TELECOMMUNICATION FACILITIES

#### LIGHTING

The Standards and Criteria specify that wireless communication facilities should be unlit, with a few exceptions. The proposed project includes service lighting. The conditions of approval of this application specify that no exterior lighting would be allowed for this facility other than that required for servicing. Staff finds that the proposed facility would conform to the Standards and Criteria.

#### ROADS AND ACCESS WAYS

The Standards and Criteria specify that wireless communication facilities shall be served by the minimum roads and parking areas necessary. The access to the proposed facility would be by way of San Marin Drive and Simmons Lane and the driveway and parking area adjacent to the existing office building. No additional roads or parking areas would be required to serve the proposed

project. The applicant is not proposing to remove any parking spaces on the subject property. Staff finds that the proposed facility would conform to the Standards and Criteria.

#### **VEGETATION**

The Standards and Criteria specify that wireless communication facilities shall be installed in such a manner that existing vegetation will be maintained and enhanced and, where appropriate, additional landscaping shall be required to provide visual screening of the proposed facility. The proposed project antenna would be located on the roof of an existing building and the radio equipment cabinet would be sited behind the building, and would not require the removal of any existing vegetation. For these reasons, staff finds that the proposed project is in conformance with the Standards and Criteria.

#### VISUAL COMPATIBILITY AND FACILITY SITE DESIGN

The Standards and Criteria specify that wireless communications facilities shall be sited, designed, and screened to blend with the surrounding natural or built environment in order to reduce visual impacts to the maximum extent feasible. The proposed project would locate the antenna on the roof of an existing building and the radio equipment cabinet would be located behind the building. The application materials for this proposed facility include visual simulations that show the appearance of the building with the antenna.

The roof-mounted structure would be painted to blend with the surrounding environment.

The proposed facility would be sited to avoid adverse visual impacts from the surrounding office and residential uses. No signs or other logos are proposed for this facility.

The application includes an analysis, by the applicant, that the antenna height is sufficient to meet the operation goals from a technological standpoint. The conditions of approval for this application include a requirement that the antennae be painted a nonreflective color to blend in with the building and background environment. Staff has reviewed the existing site conditions and finds that the proposed facility would not be visually prominent when viewed from publicly accessible areas, including office and residential areas surrounding the proposed facility.

### RADIO FREQUENCY RADIATION (RFR

The application includes an evaluation specific to the proposed PCS base station facilities at 505 San Marin Drive, prepared by Hammett & Edison, Inc., Consulting Engineers, for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields dated November 5, 1999. The following summary highlights features of this technical report.

Federal Communications Commission (FCC) adopted human exposure limits for field strength and power density. Separate limits apply for occupational and public exposure conditions, with public

exposure limits generally five times more restrictive. Personal wireless services are assigned short wavelength frequencies and thus the antennas require line-of-sight paths for the signals to propagate. Antennas for base station use are designed to concentrate energy toward the horizon, with little energy going toward the sky or the ground. "Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the limits without begin physically very near the antennas." (November 5, 1999)

For this specific facility, the proposed project would mount three panel antennas on the existing building to provide service in three compass directions, called sectors. The maximum ambient RF levels anywhere at ground level due to the proposed operation are calculated to be 0.55% of the applicable public exposure limit. On the roof of the building, the maximum ambient RF levels are expected to exceed the occupational limit within 16 feet of the Sprint antennas. Access to the roof is not available to the general public. The report recommends that no access within 16 feet directly in front of the Sprint antennas should be allowed while the antennas are in operation, to prevent exposures in excess of the occupational limit. The report includes a recommendation that has been included in the conditions of approval to mark aby striping or other appropriate means along with warning signs posted at the perimeter to indicate an "exclusion area." In addition, warning signs should be posted to be visible during approaches from the sloped side of the roof, warning individuals needing to work on the roof to keep back 16 feet from the antennas. The report concludes that the proposed base station facility would comply with the prevailing standards for limiting human exposure to radio frequency energy.

Staff finds that the proposed project complies with the visual compatibility and facility design guidelines included in the Standards and Criteria.

#### **RECOMMENDATION**

Use Permit findings per Section 19-20 the proposed establishment, maintenance or conducting of the use for which a Use Permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood. Planning staff recommends that the findings for Design Review approval under Section 19-17 of the Novato Municipal Code (NMC) can be made. In accordance with Section 19-17 of the NMC, the location, size, architectural features, and general appearance of the proposed work will not impair the orderly and harmonious development of the area, the present or future investment therein or the occupancy thereof.

### **ZONING ADMINISTRATOR USE PERMIT FINDINGS AND ACTION**

1. In accordance with Section 19-20 of the Novato Municipal Code (NMC), the Zoning Administrator finds that the proposed establishment, maintenance or conducting of the use for which a Use Permit is sought will not, under the circumstances of the particular case, be

detrimental to the health, safety, morals, comfort, convenience or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

2. Approve the 505 San Marin Drive, Sprint Personal Communications Services (PCS) Wireless Telecommunication Facility described in this staff report, as described in the attached letter dated December 28, 1999, and application materials prepared by Tetra Tech revised January 4, 2000, subject to the conditions listed below.

# <u>COMMUNITY DEVELOPMENT DIRECTOR DESIGN REVIEW FINDINGS AND ACTION</u>

- 1. In accordance with Section 19-17 of the Novato Municipal Code (NMC), the Community Development Director finds that the location, size, architectural features, and general appearance of the proposed work will not impair the orderly and harmonious development of the area, the present or future investment therein or the occupancy thereof. The proposed use would require minimal changes to existing structures and would not require any color or material changes to the main building.
- 2. Approve the 505 San Marin Drive, Sprint Personal Communications Services (PCS) Wireless Telecommunication Facility Design Review, as shown on the plans titled Sprint PCS Partridge Knolls, revised January 4, 2000, prepared by Tetra Tech subject to the conditions listed below.

#### **CONDITIONS OF APPROVAL**

- 1. No deviation from approved plans, including color changes or substitution of materials, shall be made without City approval. Any changes or additions to the approved project shall be submitted to the Community Development Department and shall be subject to review and approval prior to the implementation of any proposed modification.
- 2. Design Review approval shall expire two years from the date of approval unless a building permit has been issued and remains valid.
- 3. Any above-grade utility facilities, not located on the building, including splice boxes and transformers shall be painted a standard brown/gray. A color chip of the approved color may be obtained from the City Engineer.
- 4. All utilities connecting the approved facility visible from ground level shall be placed underground or in cable trays.

- 5. In accordance with Section 19-14 of the Novato Municipal Code, a sign permit is required prior to installation of any external advertising or signage.
- 6. The applicant shall cooperate with City standards and criteria to promote co-location or shared-location of similar facilities in the future.
- 7. The antenna and equipment cabinet will be painted a non-reflective color to blend in with the existing building.
- 8. The height, a combination of the building and the antenna, shall not exceed 48 feet.
- 9. Prior to the issuance of a building permit, the applicant shall enter into a standard performance agreement with the city and post a bond, or other suitable security, in order to guarantee the removal of any abandoned facility. The approved facility shall be dismantled and removed, and the site be returned to as near to its original condition as possible, should it become inoperative or abandoned for a period of one (1) year.
- 10. The approved Use Permit will remain in effect for one year term and will expire on June 1, 2001, unless the applicant submits, in writing, a request for an extension of the permit, and such a request is approved by the Community Development Director. The Community Development Director shall determine whether or not: (1) the project complies with Standards and Criteria for Wireless Telecommunications Antenna Facilities; and (2) new or modified conditions of approval are not required. The approved Use Permit may be extended for up to nine additional years provided the facilities are found to be in complete compliance with the Novato Municipal Code in effect at the time of renewal. If the Community Development Director determines that the request for an extension does not qualify for an administrative extension, a new Use Permit application may be made.
- 11. All areas within 16 feet of the roof-mounted antennas shall be marked to prevent exposures in excess of the RFR occupational limit. In addition, the level area of the roof to the north and west of the antennas shall be marked by striping or other appropriate means and warning signs shall be posted at the perimeter of this "exclusion area" visible to persons who need to work on the roof near the antennas. The warning signs shall comply with ANSI C95.2 color, symbol, and content conventions. In addition, contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas.
- 12. Access to the radio equipment cabinet shall only be by authorized work crews and warning signs to that effect shall be placed at the base of the antenna support structure, that are visible from any approach angle in compliance with FCC-adopted guidelines.
- 13. No exterior lighting shall be allowed for any part of the proposed facility, except as may be deemed necessary for security and safety, and shall be subject to the review and approval of the Community Development Director. Proposed lighting shall be manually operated, low

wattage, hooded and directed downward and shall be kept off except when maintenance or safety personnel are present at night.

- 14. The approved facility shall comply with the noise standards set forth in Chapter V of the Novato General Plan. With the exception of emergency repairs, routine testing and maintenance activities shall be allowed only during the hours between 7:00 a.m. and 5:00 p.m., Monday through Saturday. Routine testing and maintenance activities that do not generate noise that is perceptible by nearby sensitive receptors may occur at any time. Emergency energy generators shall be used in compliance with the City's noise standards, and shall be operated only during power interruptions, or for routine testing and maintenance.
- 15. The Radio Frequency Radiation (RFR) generated by the approved facility, in combination with other sources of RFR, shall not expose the general public to RFR levels that exceed the allowable standards as adopted by Federal Communications Commission (FCC) and the City. Should nationally accepted research result in the establishment of substantially revised standards for human exposure to RFR and such standards are adopted by the City or otherwise determined to be applicable to the City, the applicant shall demonstrate compliance with such standards by submitting a new RFR report to the Community Development Department within 30 days of the effective date of the adoption of the revised standards. A longer period for submitting the RFR report may be granted at the discretion of the Community Development Director. The RFR report shall determine compliance with the updated standards by calculating the RFR power level of the approved facility in combination with other similar sources of RFR.
- 16. This Use Permit may be revoked by the City should the approved facility, in combination with other similar facilities, exceed the updated RFR standards unless the location, design, and/or operation of the approved facility is modified to meet the new standards. Modifications of the approved facility shall be submitted to the Community Development Department to determine if amendments to the approved permit are necessary. This condition shall not apply if the City is preempted by Federal and/or State law, rules or regulations from applying updated RFR standards after the approved facility has been constructed.
- 17. This Use Permit is subject to the revocation procedures contained in Sections 19-20.012a and 19-20.012b of the Novato Municipal Code in the event that any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the City.
- 18. Within 30 days, 6 months, and 1 year of the initiation of the operation of the approved facility, the applicant shall submit up to three post-construction RFR reports, including the data developed, verifying that the actual levels of RFR emitted by the approved facility, operating alone, and in combination with other approved facilities, are below the FCC, threshold standards. The applicant shall be responsible for the cost of the post-construction reports to be prepared by a qualified consultant selected by the City.

- 19. The following requirements shall be met to the satisfaction of the Novato Crime Division:
  - a. If an alarm unit is installed, it shall be capable of identifying the type of alarm (burglary, fire, panic) and the zone of activation. The monitoring company shall also have the names of responsible parties to be contacted so the property owners are not contacted when problems arise.
  - b. A plaque or other device listing Sprint PC Wireless and emergency contact numbers shall be visible on the equipment storage area. These plaques shall be visible to responding emergency personnel who are standing near the equipment.
- 20. The following requirements shall be met to the satisfaction of the City of Novato Engineering Division:
  - a. Sprint PCS Wireless shall maintain common facilities, including antennae, equipment area, and appurtenances. A proposal for maintenance of common facilities shall be submitted by the applicant and shall be subject to the review and approval of the City Attorney and City Engineer prior to issuing the building permit.
  - b. Concrete, both existing and proposed, shall be protected from damage due to tree roots. A root barrier shall be installed around the concrete pad per City standards. A detail shall be submitted with the building permit application. Planning details shall be subject to the review and approval of the City Engineer prior to and as a condition of the building permit.
  - c. Existing trees and landscaping within 20 feet of any work shall be protected. An arborist's report shall be submitted. The arborist's report shall address all trees proposed for removal and all trees whose roots may encroach into the areas of trenching and soil disturbance. The report shall be subject to the review and approval of the City Engineer prior to issuance of a building permit.
  - d. Trenches cut through existing pavement shall be fully repaired to City Standard Drawing No. 991 of the Uniform Standards of the County of Marin.
  - e. An encroachment permit shall be obtained for any work within the city right-of-way. Applicant shall submit a site plan showing the limits and description of all work within the city right-of-way.
  - f. A tree removal permit shall be obtained for any trees proposed to be removed. Said permit shall be obtained prior to any tree removal.

#### 21. Indemnity and Time Limitations:

- a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- In the event that a claim, action or proceeding described in Article (a) above, is C. brought, the City shall promptly notify the applicant of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that if said Counsel is the City Attorney, his fees and costs shall be paid by the applicant.
- d. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- e Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.

f. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(l), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

#### FURTHER ACTION

No further action on the Design Review or Use Permit applications will be taken unless an appeal to the Planning Commission is filed in writing within ten calendar days along with the required filing fee.

Design and construction of this project shall be in accordance with all City ordinances, including the Development Standards Chapter of the Municipal Code. Unless exceptions have been granted heretofore in writing, then none will be allowed by reason of Design Review approval.

Alan Lazure, Zoning Administrator and as designee for the Community Development Director.

Date

		CHOOK	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
C)x	Use Permit	O Master Plan	O Subdivision Tentative Map (5 or more lots) *					
0	Variance	O Precise Development Plan						
0	Rezoning	O Sign Review	O Lot Line Adjustment (no new lots)					
X	Design Review	O Tree Removal	O Certificate of Compliance					
0	General Plan Amendment	O Prezoning						
	APP	LICANT REQUIR	ED INFORMATION					
1.			Existing Zoning A-P					
2.	Property's Address	505 San Marin Drive						
3. Property Owner a) Name Donald O. Collins Trust & Knud Phone 415.492.108								
	b) Ad	dress 56 Skyview Terr.	, San Rafael, CA 94903					
4.			of Phone 925.980.8940					
	b) Address 3	875 Hopyard Rd., Suit	e 245, Pleasanton, CA 94588					
5.	Name of Project (if app	licable) <u>N/A</u>						
6.	Property size: N/A							
7.	Type of use proposed (	office, residential, etc.) unma	nned wireless telecommunications facility					
8.			lential: N/A					
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9.	to install an un	manned wireless telec	[]					
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10.	SignatureOwner	<u>x</u>	Applicant (Note: If applicant signs, an authorization signed by the owner must be attached.)					
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Action		Date						
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1	•							

PLANNING DIVISION

TYPE OF APPLICATION

# NETWORK VISION MMBTS LAUNCH

# PAR TRIDGE K

SF33XC626-A

# ROOFTOP W/STEALTHING

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

LATITUDE: 38° 7' 18.321" N (38.121675) LONGITUDE: 122° 35' 0.438" W (-122.583444)

# SF BAY MARKET

#### CALIFORNIA STATE CODE COMPLIANCE;

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS 10 BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

Sprint

- CALIFORNIA ADMINISTRATIVE CODE (INCL TITLE 24 & 25) 2010 CALIFORNIA BUILDING CODE
- CHY/COUNITY ONDINANCES
  BUILDING OFFICIALS & CODE ADMINISTRATORS (BOCA)
  2010 MECHANICAL CALIFORNIA CODE
  ANSI/EIA-222-F LIFE SAFETY CODE NFPA-101
  2010 CALIFORNIA PLUMBING CODE
  2010 CALIFORNIA ELECTRICAL, CODE
  2010 LOCAL BUILDING CODE

#### ACCESSIBILITY REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH THE 2010 CALIFORNIA BUILDING CODE.

#### CODE BLOCK

SIGNATURE BLOCK

APPROVAL	SIGNATURE	DATE
PROJECT MANAGER		
CONSTRUCTION MANAGER		
RF ENGINEER		
SITE ACQUISITION		
PLANNING CONSULTANT		
PROPERTY OWNER		
SPRINT REPRESENTATIVE		

DEPART FROM SAN FRANCISCO INTERNATIONAL AIRPORT

START DUT COING EAST ON T-1 TURNAROUND
GO STRAIGHT YOWARD DOMESTIC HOURLY PARKING.
MERGE ONTO US-101 N TOWARD SAN FRANCISCO.
MERGE ONTO I-380 W TOWARD I-280/SAN BRUNO.
MERGE ONTO I-280 N TOWARD SAN FRANCISCO.
KEEP LEFT TO TAKE CA-1 N VIA EXIT 498 TOWARD 19TH AVENUE/GOLDEN GATE

VICINITY MAP

- BRIDGE.
  TURN SLIGHT LEFT ONTO 19TH AVE/CA-1 N. CONTINUE TO FOLLOW CA-1 N.
  MERGE ONTO US-101 N TOWARD GOLDEN GATE BR.
  TAKE THE ATHERTON AVE EXIT TOWARD SAN MARIN DR.
  TURN LEFT ONTO ATHERTON AVE.
  ATHERTON AVE BECOMES SAN MARIN DR.

DRIVING DIRECTIONS

# SPRINT PROPOSES TO MODIFY AN EXISTING UNMANNED TELECOMMUNICATIONS FACILITY (3) EXISTING PANEL ANTENNAS TO BE HOT-SWAPPED FOR (3) NEW PANEL ANTENNAS TO BE MOUNTED AT NEW RADOME (1 ANTENNA PER SECTOR). (2) RRU'S PER SECTOR MOUNTED ON SLEEPERS ON EXISTING ROOF DECK (8 RRU'S

- (3) PANEL ANTENNAS TO BE HOT-SWAPPED AND (3) EXISTING PANEL ANTENNAS TO BE REMOVED
- (3) EXISTING EQUIPMENT CABINETS TO BE REMOVED & (2) NEW EQUIPMENT CABINETS TO BE INSTALLED AT EXISTING COMPOUND
- ANTENNA TRANSMISSION LINES FROM EQUIPMENT CABINETS TO ANTENNAS PAINTED TO MATCH AS APPLICABLE PER PLANS.
- EXISTING 200AMP POWER SERVICE TO REMAIN

### PROJECT DESCRIPTION

#### APPLICANT:

SPRINT 6580 SPRINT PARKWAY OVERLAND PARK, KANSAS 66251

#### PROPERTY INFORMATION:

PROPERTY OWNER: DONALD O. COLLINS TRUST & KNUD HOSTRUP

CONTACT: TBD

ZONING CLASSIFICATION: 8PO (BUSINESS OFFICE PROFESSIONAL) BUILDING CODE: 2010 CBC

CONSTRUCTION TYPE: V-B

OCCUPANCY: B

JURISDICTION: NOVATO

CURRENT USE: COMMERCIAL OFFICE

PROPOSED LISE: COMMERCIAL OFFICE

HEIGHT: 35'-0"

PARCEL NUMBER(S):

PROIECT SUMMARY

#### SHEET DESCRIPTION

TITLE SHEET

A-2 EXISTING EQUIPMENT/LEASE AREA PLAN & ANTENNA PLAN

PROPOSED EQUIPMENT/LEASE AREA PLAN & ANTENNA PLAN

EXISTING & PROPOSED NORTHEAST ELEVATION

# SHEET INDEX

#### ARCHITECT:

THOMAS HOLLAND
PACIFIC TELECOM SERVICES, LLC
115 SANSOME STREET, SUITE 1400B
SAN FRANCISCO, CA 94104

#### ZONING MANAGER:

MODUS, INC. 115 SANSOME STREET, SUITE 1400B SAN FRANCISCO, CA 94104 CONTACT: MARIA MILLER PH: (415) 450-5533

#### LEASING MANAGER

MODUS, INC. 115 SANSOME STREET, SUITE 1400B SAN FRANCISCO, CA 94104 CONTACT: SHIVAN PATEL PH: (510) 304~1026

#### CONSTRUCTION MANAGER

OVERLAND CONTRACTING 2999 DAK ROAD, SUITE 490 WALNUT CREEK, CA 94597 CONTACT: ART CUNNINCHAM PH: (925) 852-8896

#### POWER COMPANY:

PACIFIC GAS AND ELECTRIC PH: (800) 743-5000

#### TELCO COMPANY:

PH: T.B.O.

#### EQUIPMENT PROVIDER:

SAMSUNG TELECOMMUNICATIONS AMERICA (STA) 1301 EAST LOOKOUT DRIVE RICHARDSON, TX 75082 PH: (972) 761-7000

# PROJECT TEAM

At all new services & grounding trenches. provive "WARNING" tape at 12" below grade.



DIG ALERT "CALL BEFORE YOU DIG"

1-800-227-2600

UTILITY NOTIFICATION CENTER OF NORTHERN CALIFORNIA









#### PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

# IPARTRIDGE KNOLLS SF33XC626-A

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

	REVISIONS	
DATE	OESCRIPTION	INTIALS
12/30/11	ISSUED FOR 90% ZONING	СМ
02/16/12	ISSUED FOR 100% ZONING	JA
03/12/12	ISSUED FOR REVISED 100% ZONING	WJA
	12/30/11 02/16/12 03/12/12	DATE 0ESCRIPTION  12/30/11 ISSUED FOR 90% ZONING

LICENSURE:

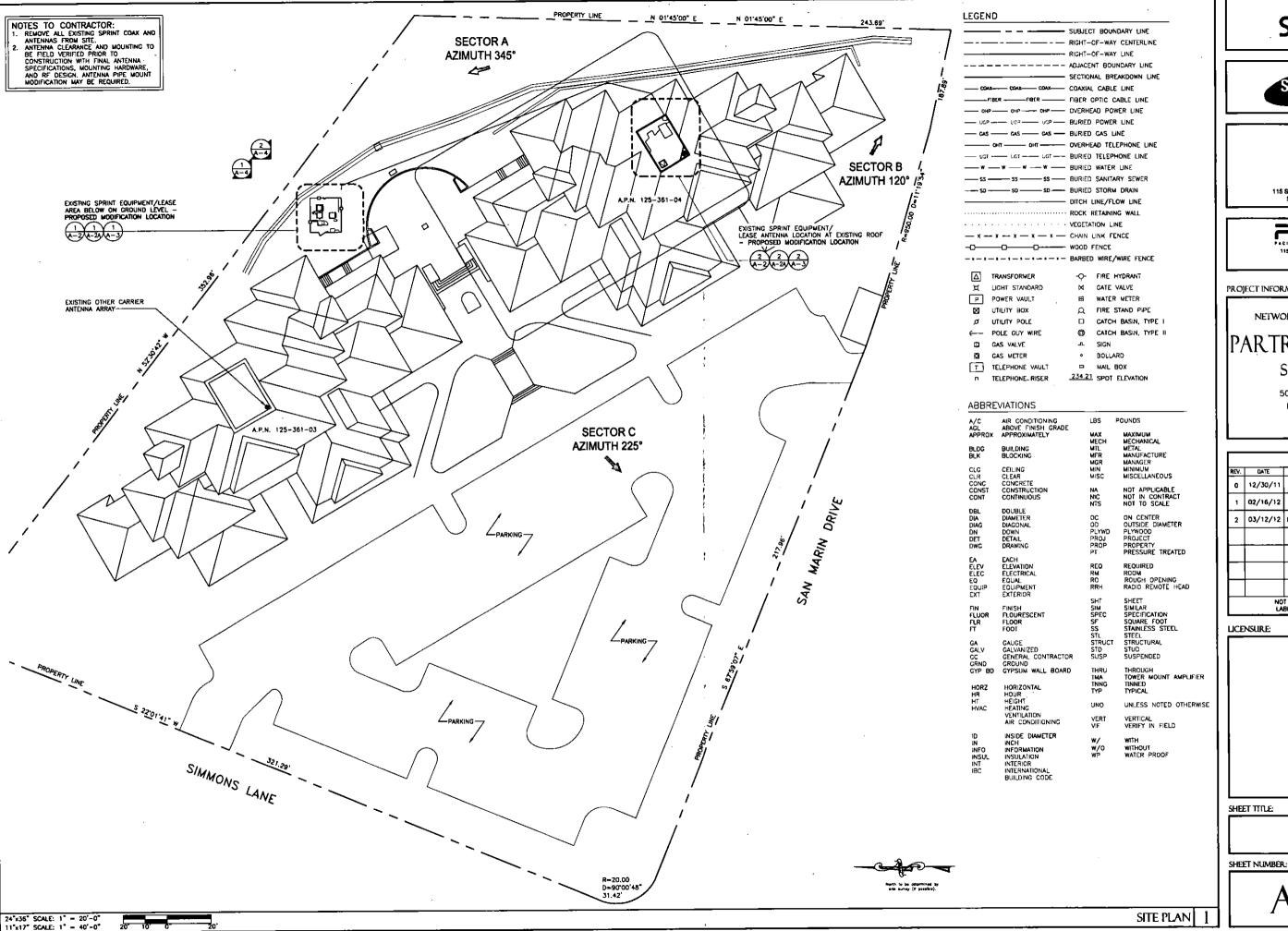
SHEET TITLE:

TITLE SHEET

SHEET NUMBER:

REVISION:

2









115 SANSOME STREET, SUITE 1400B SAN FRANCISCO, CA 84104



PROJECT INFORMATION:

# NETWORK VISION MMBTS LAUNCH PARTRIDGE KNOLLS SF33XC626-A

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

		REVISIONS	
REV.	DATE	DÉSCRIPTION	INITIALS
٥	12/30/11	ISSUED FOR 90% ZONING	CM
1	02/16/12	ISSUED FOR 100% ZONING	JA.
2	03/12/12	ISSUED FOR REVISED 100% ZONING	WJR
		T FOR CONSTRUCTION UNLESS BELED AS CONSTRUCTION SET	

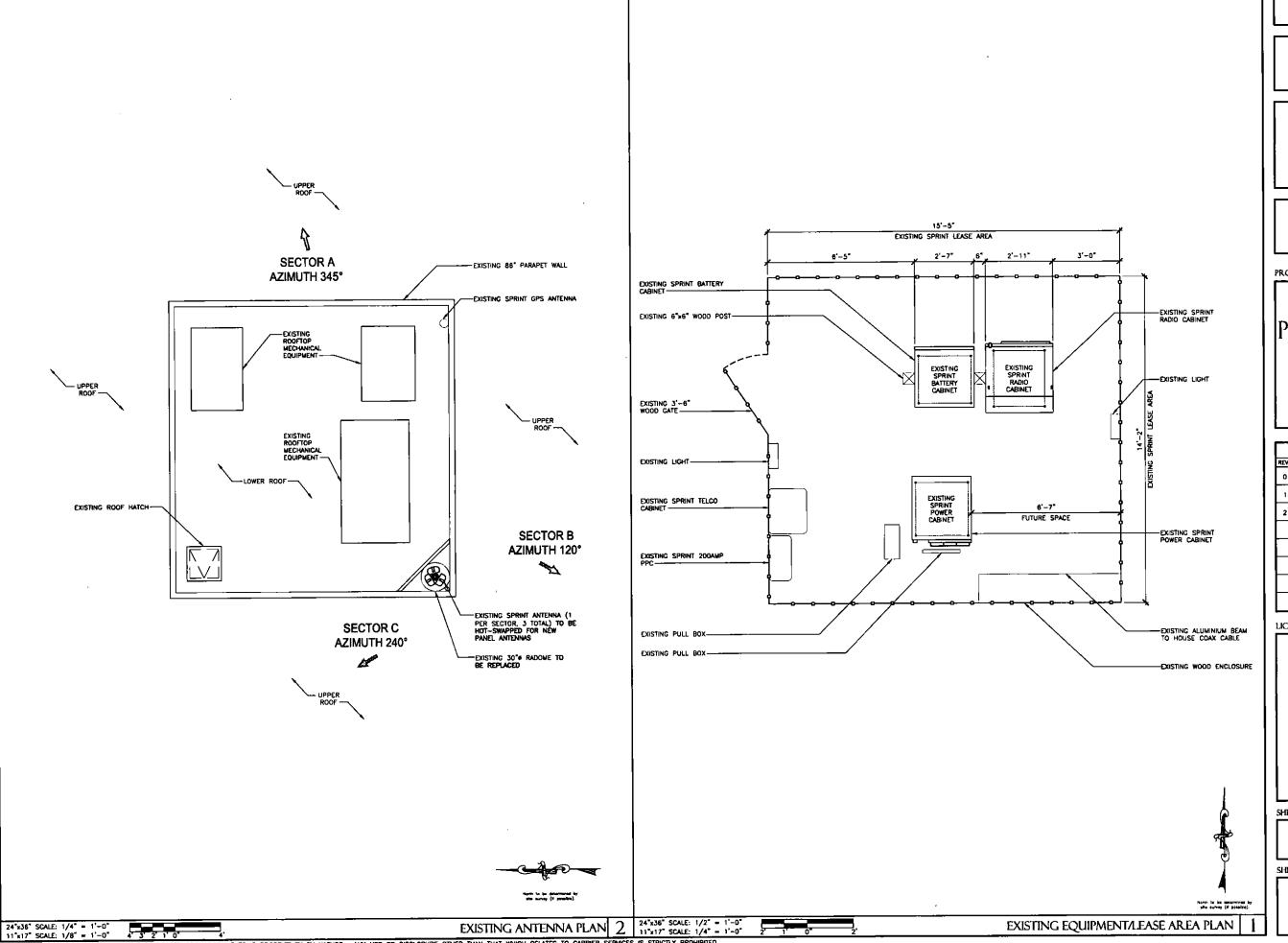
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SHEET TTILE:

SITE PLAN

**REVISION** 

2









115 SANSOME STREET, SUITE 1400B SAN FRANCISCO, CA 94104



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

# PARTRIDGE KNOLLS SF33XC626-A

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

		REVISIONS	
REV.	DATE	DESCRIPTION	INITIALS
٥	12/30/11	ISSUED FOR 90% ZONING	CM
1	02/16/12	ISSUED FOR 100% ZONING	JA
2	03/12/12	ISSUED FOR REVISED 100% ZONING	WJR
		T FOR CONSTRUCTION UNLESS BELED AS CONSTRUCTION SET	

ICENSURE:		
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SHEET TITLE:

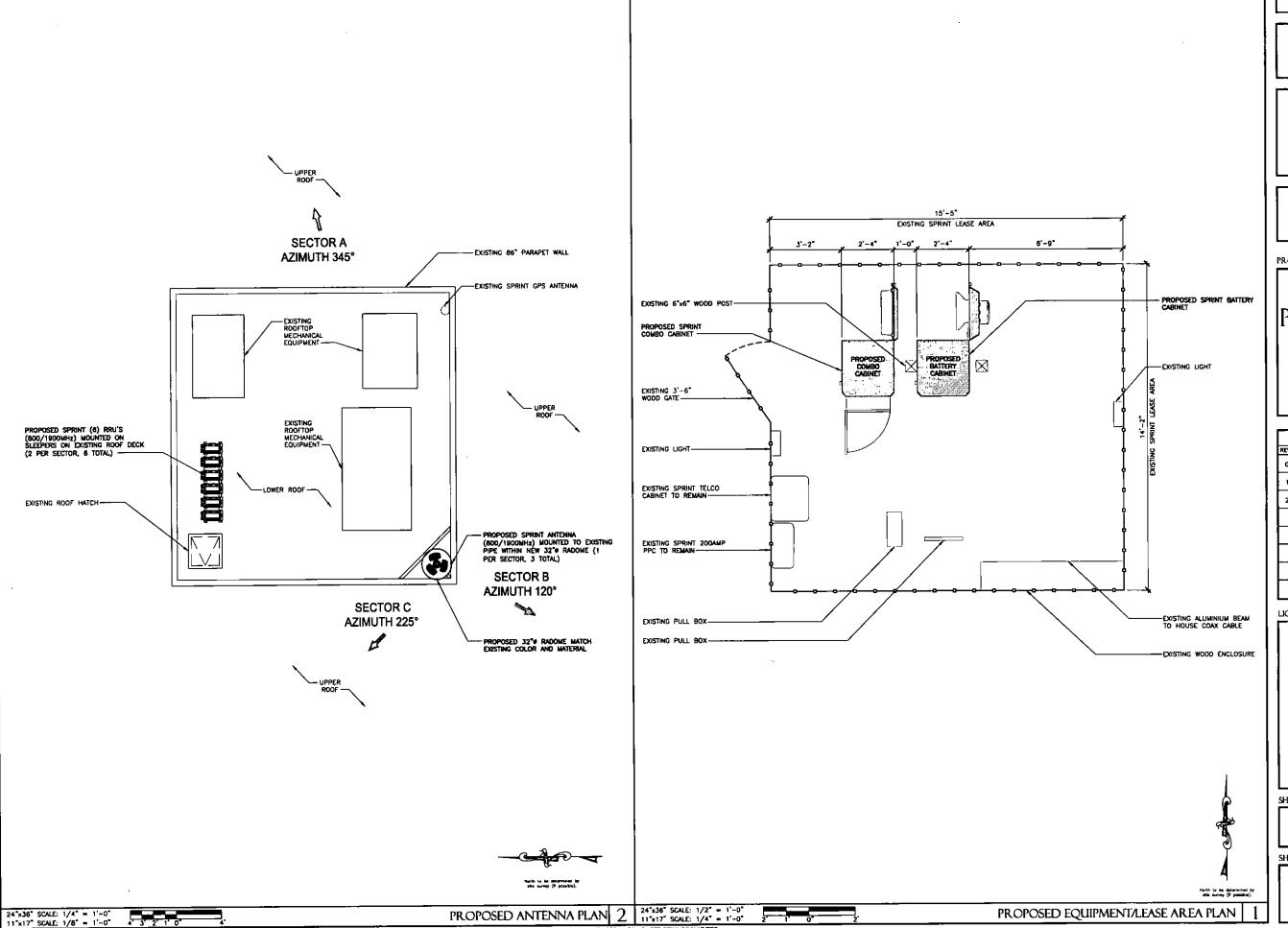
EXISTING EQUIPMENT/LEASE AREA PLAN & ANTENNA PLAN

SHEET NUMBER:

REVISION

A-2

2









115 SANSOME STREET, SUITE 14008 SAN FRANCISCO, CA 84104



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH
PARTRIDGE KNOLLS
SF33XC626-A

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

	REVISIONS						
	REV.	OATÉ	DESCRIPTION	INITIALS			
	o	12/30/11	ISSUED FOR 90% ZONING	CM			
	-	02/18/12	ISSUED FOR 100% ZONING	JA			
	2	03/12/12	ISSUED FOR REVISED 100% ZONING	WJR			
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	NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET						

ICENSURE:		
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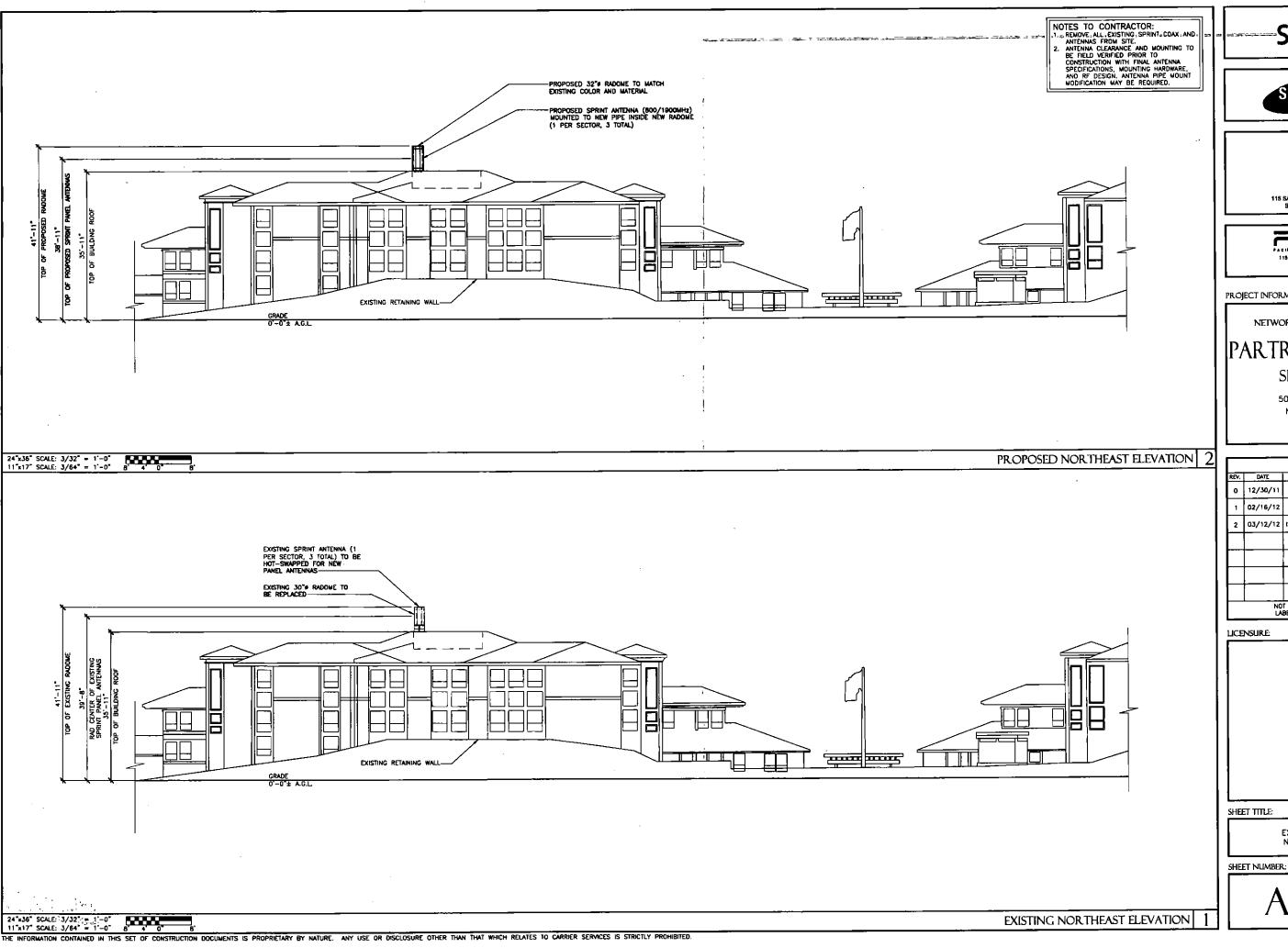
PROPOSED EQUIPMENT/LEASE AREA PLAN & ANTENNA PLAN

SHEET NUMBER:

REVISION

A-3

2









115 SANSOME STREET, SUITE 1400B SAN FRANCISCO, CA 84104



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

# PARTRIDGE KNOLLS

SF33XC626-A

505 SAN MARIN DRIVE NOVATO, CA 94945 MARIN COUNTY

		REVISIONS				
REV.	DATE	DESCRIPTION	INITIALS			
0	12/30/11	ISSUED FOR 90% ZONING	СМ			
1	02/16/12	ISSUED FOR 100% ZONING	JA			
2	03/12/12	ISSUED FOR REVISED 100% ZONING	WJR			
	1					
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET						

EXISTING & PROPOSED NORTHEAST ELEVATION

REVISION:

2

3. MODIFICATION OF AN EXISTING TELECOMMUNICATION FACILITY (ED) P2012-023; USE PERMIT APN 125-361-03 AND 04; 505 SAN MARIN DRIVE

Consider the modification of an existing telecommunication facility consisting of removing three (3) antennas and installing three (3) new panel antennas, as well as new brackets and boosters for this equipment. Three (3) existing equipment cabinets are to be removed and replaced with two (2) new cabinets for the new antennas will be installed at APN 125-361-03/04.

#### **PRESENT:**

Maria Miller, Representative of Modus for Sprint

Zoning Administrator Lazure reported that he had received no written correspondence in response to the application.

The public hearing was opened.

The Zoning Administrator went over the recommended Conditions of Approval.

The public hearing was closed.

#### **ACTION:**

Zoning Administrator Lazure rendered a decision of approval on April 12, 2012, in accordance with the findings and action as recommended in the staff report, subject to the following conditions:

#### **CONDITIONS OF APPROVAL:**

- 1. The Use Permit approval shall be valid for one (1) year from the date of approval. The Use Permit may be extended at the request of the applicant for additional one year increments at the discretion of the Community Development Director, in compliance with the procedures set forth in Section 19.38.180 of the Novato Municipal Code. The applicant shall be responsible for the costs, on an hourly basis, for the city to process an extension.
- 2. No deviation from approved plans, including color changes or substitution of materials, shall be made without Community Development Director Approval. Any changes or additions to the approved project shall be submitted to the Community Development Director and shall be subject to review and approval prior to implementation of any proposed modification.
- 3. No exterior lighting shall be allowed for any part of the proposed facility, except as may be deemed necessary for security and shall be subject to the review and approval of the Community Development Director.

DATE: April 12, 2012 CITY OF NOVATO ZONING ADMINISTRATOR MEETING MINUTES EXCERPT

- 4. With the exception of emergency repairs, routine testing and maintenance activities shall be allowed only during the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. Emergency energy generators shall be used in compliance with the City's noise standards, and shall be operated only during power interruptions, or for routine testing and maintenance.
- 5. The Radio Frequency Radiation (RFR) generated by the approved facility, in combination with other sources of RFR, shall not expose the general public to RFR levels that exceed the allowable standards as adopted by Federal Communications Commission (FCC) and the City. Should nationally accepted research result in the establishment of substantially revised standards for human exposure to RFR and such standards are adopted by the City or otherwise determined to be applicable to the City, the applicant shall demonstrate compliance with such standards by submitting a new RFR report to the Community Development Department within 30 days of the effective date of the adoption of the revised standards. A longer period for submitting the RFR report may be granted at the discretion of the Community Development Director. The RFR report shall determine compliance with the updated standards by calculating the RFR power level of the approved facility in combination with other similar sources of RFR.
- 6. Within 90-days of the initiation of the operation of the approved facility, the applicant shall submit a post construction RFR report, including the data developed, verifying that the actual levels of RFR emitted by the approved facility, operating alone, and in combination with other approved facilities are below FCC thresholds for human exposure. The applicant shall be responsible for the cost of the post construction reports to be prepared by a qualified consultant selected by the City.
- 7. This Use Permit is subject to the revocation procedures contained in Section 19.42.050.G of the Novato Municipal Code in the event that any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the City.
- 8. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's Cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of related building permits, certificate of occupancy, and recordation of final maps or other entitlements.

### 9. Indemnity and Time Limitations

a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include

DATE: April 12, 2012 CITY OF NOVATO ZONING ADMINISTRATOR MEETING MINUTES EXCERPT damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.

- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- c. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- d. Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
- e. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

### ZONING ADMINISTRATOR STAFF REPORT -(Use Permit)-----

THE CITY OF

Community Development Dept. 75 Rowland Way, #200 Novato, CA 94945-5054 (415) 899-8989

FAX (415) 899-8216 www.ci.novato.ca.us

DATE:

April 12, 2012

STAFF:

Elizabeth Dunn, AICP Planning Manager

SUBJECT:

SPRINT WIRELESS: UPGRADE TO

MOUNTED WIRELESS TELECOMMUNICATION FACILITY

P 2012-023; USE PERMIT

APN 125-361-03/04; 505 SAN MARIN DRIVE

#### **PROJECT DESCRIPTION**

Sprint Wireless has submitted an application for a use permit to upgrade an existing unmanned wireless telecommunications facility located at 505 San Marin Drive

The proposed modifications would involve:

- 1.) Removal of three (3) existing panel antennas, and three (3) new replacement antennas
- 2.) Removal of three (3) equipment cabinets, with the installation of two (2) new equipment cabinets, all at existing location

## **NEED FOR ZONING ADMINISTRATOR ACTION**

Novato Municipal Code Section 19.38.030A.2 grants the Zoning Administrator authority to hold a public hearing on a Use Permit application for a wireless telecommunications facility upgrade and or modification.

### **BACKGROUND**

Applicant:

Sprint Wireless

**Property Owner:** 

Donald O. Collins Trust

Property Size:

13,536 Sq Ft per

General Plan Designation:

Business, Planned Development

Zoning:

Business Professional Offices (BPO)

Existing Use:

Office Space

Adjacent Zoning and Uses:

North -

Residential Units (R1)

South -

Residential Units (R1)

East -

Open Space

West -

Church/Residences (R1.75)

### ENVIRONMENTAL ASSESSMENT

The proposed wireless telecommunication facility is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City of Novato Environmental Review Guidelines pursuant to CEQA Guidelines Sections 15301 and 15303, which exempt minor alterations to existing facilities and the installation of small scale equipment and facilities.

### STAFF ANALYSIS/ FINDINGS

Sprint's current use permit request involves replacing three (3) existing panel antennas at 505 San Marin Drive with new antennas. Also proposed was the request to add two (2) new equipment cabinets, and the removal of three (3) existing equipment cabinets.

The proposed upgrades to the existing Sprint telecommunications facilities at 505 San Marin are subject to meeting the standards of Novato's wireless telecommunications ordinance codified as Novato Municipal Code Division 19.38. Key standards for building mounted wireless antennas are those addressing antenna location, height, visibility, and level of radio frequency radiation (RFR). The proposed modifications to the existing Sprint telecommunication facility comply with applicable standards of the Municipal Division 19.38, based on the following observations:

• Location: Municipal Code Division 19.38 states the preferred location for wireless communications facilities are publicly used structures, co-location and shared-location sites (e.g., occupied by other wireless carriers), and industrial and commercial sites. Wireless telecommunications facilities should avoid residential, agricultural, and open space areas. Further, Municipal Code Division 19.38 requires wireless antenna towers to maintain a minimum setback of 200-feet from single- or multi-family residential units.

Sprint's existing telecommunication facility is located on the rooftop of an office building located at 505 San Marin Drive. The area is zoned as Business Professional Offices (BPO). Single family residential units are located to the North, South and West of 505

San Marin Drive. None of the nearby residential units are located within 200-feet of Sprint's existing antenna tower.

• <u>Height:</u> According to Municipal Code Division 19.38 cellular antennas must comply with the height limitations of the zoning district in which they are located.

Sprint's new antennas would replace three (3) existing panel antennas. This would not alter the height of the existing facility.

• <u>Visibility:</u> Division 19.38 stipulates that wireless communications facilities shall be sited, designed, and screened to blend with natural surroundings or the built environment to reduce visual impacts.

The existing wireless facilities are located on the rooftop at 505 San Marin Drive. The proposed upgrades do not involve modifying the height of the existing wireless facility. The proposed upgrades will be painted to minimize the appearance of the antennas, and so not to disturb the character of the building.

• <u>Radio Frequency Radiation (RFR):</u> Division 19.38 stipulates that wireless communications facilities operating alone and in conjunction with other telecommunications facilities shall not produce RFR in excess of the standards for permissible human exposure to RFR as adopted by the Federal Communications Commission (FCC).

An RFR report was submitted with the use permit application to upgrade the Sprint wireless facility at 505 San Marin Drive. This report details the cumulative RFR level anticipated to exist with operation of Sprint's existing and upgraded antennas at 505 San Marin Drive. According to the RFR report, the wireless telecommunication facility on the rooftop of 505 San Marin Drive meets both the requirements of the FCC for Occupational and General Public exposure limits.

In order to grant a use permit, the following findings must be made pursuant to Novato Municipal Code Section 19.42.050.E:

1. The proposed use is consistent with the General Plan and any applicable specific plan; The Economic Development and Fiscal Vitality Chapter ("ED") of the 1996 Novato General Plan addresses telecommunications facilities. Specifically, ED Program 13.1 states, "Work with telecommunications companies and the PUC to encourage state-of-the-art telecommunications capabilities, including fiber optic, satellite, wireless, cable lines and other new emerging technologies capable of transferring data digitally."

Discussion: Allowing an upgrade of the existing Sprint wireless telecommunications facility at 505 San Marin Drive would be consistent with ED Program 13.1 since the proposed wireless antennas are intended to improve the wireless telecommunications network coverage in Novato. Expanded wireless network coverage in Novato would

benefit local businesses and residents by providing improved cellular phone service and the ability to access greater amounts of digital data.

2. The proposed use is allowed with a Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Ordinance and any relevant Master Plan and/or Precise Development Plan;

Discussion: Section 19.38.030 of the Novato Municipal Code states that wireless communications facilities shall not be constructed, installed, or maintained without first obtaining a use permit in compliance with Novato Municipal Code Section 19.42.050, *Use Permits*. 505 San Marin Drive is zoned Business Offices (BPO). Business Professional Offices Zoning District permits telecommunications facilities subject to securing a use permit and demonstrating compliance with the standards of Municipal Code Division 19.38. As discussed above, the proposed Sprint telecommunication facility upgrade at 505 San Marin Drive complies with all applicable standards of Municipal Code Division 19.38, including those addressing location, height, visibility, and radio frequency radiation (RFR).

3. The establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood of the proposed use;

Discussion: As noted above, Sprint supplied the Planning Division with a radio frequency radiation (RFR) report, which provides the calculated cumulative level of RFR that could be expected at 505 San Marin Drive. According to this report, Sprint's upgraded and existing antennas would not expose persons working at or visiting 505 San Marin Drive or in the surrounding area to RFR levels exceeding the human exposure thresholds established by the Federal Communications Commission (FCC).

4. The use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Discussion: The new Sprint antennas are proposed in a developed, Business offices zoned area, not located near a Public Park, playground, airport, or scenic resource. The surrounding neighborhoods to the North, West and South would not be affected by the proposed upgrades. The upgraded wireless antennas and support equipment would not be detrimental to the commercial properties and improvements in the immediate area since they will be located at roof level of an existing office building, where currently antennas and equipment are located.

5. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

Discussion: The building at 505 San Marin Drive is bordered by residential and open space uses. The upgraded Sprint wireless antennas would be located at roof level of the

building at 505 San Marin Drive to minimize views from off-site public locations. Additionally, the proposed upgrades to the antennas would be painted to minimize its appearance on the building. Sprint's existing wireless facility is unmanned and requires periodic visits for routine maintenance and repairs. The proposed upgrades would not change the periodic maintenance and repairs needed to the facility. Therefore, the proposed antenna upgrades are judged to be compatible with existing and future land uses in the vicinity of 505 San Marin Drive.

#### RECOMMENDATION

The request to install a total of three (3) new panel antennas, removal of three (3) existing panel antennas, and the installation of two (2) new equipment cabinets, with the removal of three (3) existing equipment panels all at the roof level complies with City standards and regulations, specified in Division 19.38 of the Novato Municipal Code, including: location compatibility and site design, co-location requirements, and levels of radio frequency radiation. Staff recommends approval based on the findings discussed in the staff analysis section of this staff report, for the upgrades to the Telecommunication Facilities at 505 San Marin Drive.

#### **FINDINGS AND ACTION**

- 1. In accordance with Division 19.38 and Section 19.42.050E of the Novato Municipal Code, and as discussed in the staff analysis section above, the Zoning Administrator hereby makes the findings required to approve a use permit.
- 2. Approve the Sprint Wireless Upgrade Use Permit at 505 San Marin Drive subject to the conditions listed below.

#### CONDITIONS OF APPROVAL

- 1. The Use Permit approval shall be valid for one (1) year from the date of approval. The Use Permit may be extended at the request of the applicant for additional one year increments at the discretion of the Community Development Director, in compliance with the procedures set forth in Section 19.38.180 of the Novato Municipal Code. The applicant shall be responsible for the costs, on an hourly basis, for the city to process an extension.
- 2. No deviation from approved plans, including color changes or substitution of materials, shall be made without Community Development Director Approval. Any changes or additions to the approved project shall be submitted to the Community Development Director and shall be subject to review and approval prior to implementation of any proposed modification.
- 3. No exterior lighting shall be allowed for any part of the proposed facility, except as may be deemed necessary for security and shall be subject to the review and approval of the Community Development Director.

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- 4. With the exception of emergency repairs, routine testing and maintenance activities shall be allowed only during the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. Emergency energy generators shall be used in compliance with the City's noise standards, and shall be operated only during power interruptions, or for routine testing and maintenance.
- 5. The Radio Frequency Radiation (RFR) generated by the approved facility, in combination with other sources of RFR, shall not expose the general public to RFR levels that exceed the allowable standards as adopted by Federal Communications Commission (FCC) and the City. Should nationally accepted research result in the establishment of substantially revised standards for human exposure to RFR and such standards are adopted by the City or otherwise determined to be applicable to the City, the applicant shall demonstrate compliance with such standards by submitting a new RFR report to the Community Development Department within 30 days of the effective date of the adoption of the revised standards. A longer period for submitting the RFR report may be granted at the discretion of the Community Development Director. The RFR report shall determine compliance with the updated standards by calculating the RFR power level of the approved facility in combination with other similar sources of RFR.
- 6. Within 90-days of the initiation of the operation of the approved facility, the applicant shall submit a post construction RFR report, including the data developed, verifying that the actual levels of RFR emitted by the approved facility, operating alone, and in combination with other approved facilities are below FCC thresholds for human exposure. The applicant shall be responsible for the cost of the post construction reports to be prepared by a qualified consultant selected by the City.
- 7. This Use Permit is subject to the revocation procedures contained in Section 19.42.050.G of the Novato Municipal Code in the event that any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare, or safety of persons residing or working in the City.
- 8. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's Cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of related building permits, certificate of occupancy, and recordation of final maps or other entitlements.

# 9. Indemnity and Time Limitations

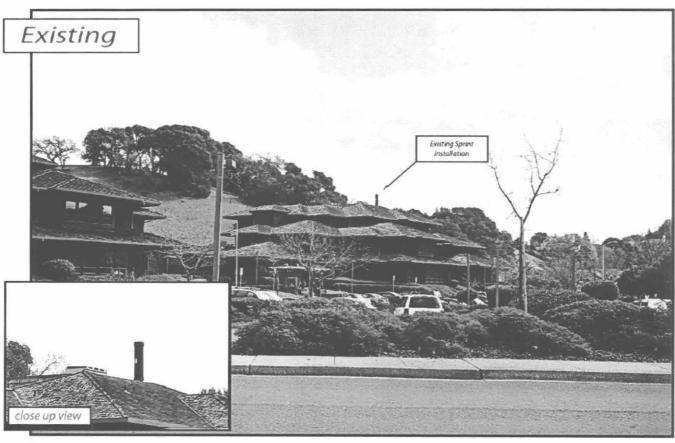
a. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack set aside, void or annul the City's decision to approve the application and associated environmental determination at issue herein. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorney's fees, and other costs and

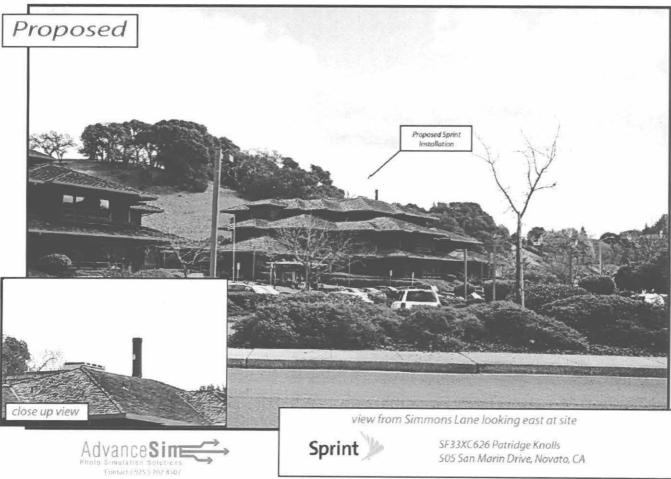
expenses incurred in connection with such action whether incurred by the applicant, the City; and/or parties initiating or bringing such action.

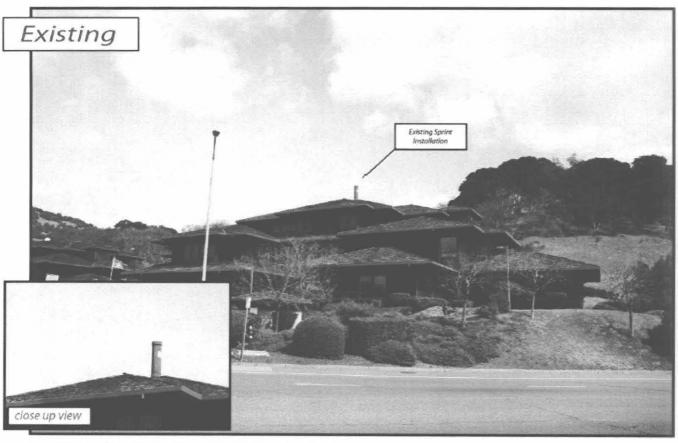
- b. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, employees, and attorneys for all costs incurred in additional investigation (such as the environmental determination at issue herein or any subsequently required Environmental Document), if made necessary by said legal action and if the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- c. The applicant indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- d. Unless a shorter period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
- e. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If the applicant fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

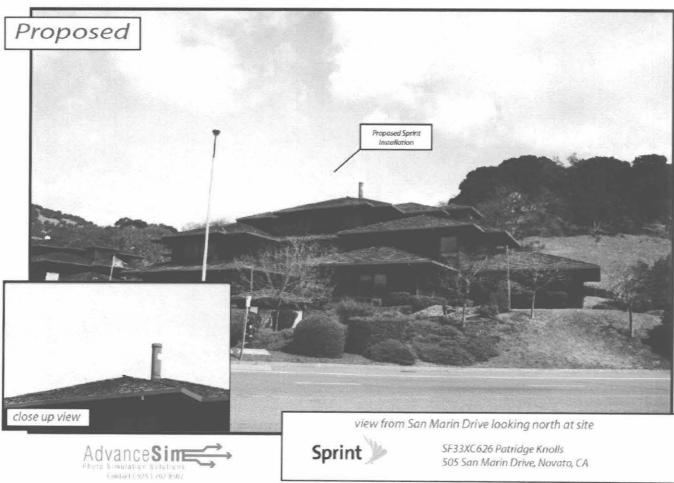
#### **FURTHER ACTION**

No further action on the application will be taken unless an appeal is filed in writing within ten calendar days along with the required filing fee.











March 29, 2012

Alan Lazure Principal Planner/Zoning Administrator City of Novato, 75 Rowland Way #110 Novato, CA 94945

Subject:

APN 125-361-03, 505 San Marin Dr.

P2012-023, Use Permit

Correction to the project photo sims submitted on March 15, 2012

Dear Mr. Lazure,

Enclosed are revised photo sims that match the zoning drawings that were submitted for this project on March 15, 2012.

Please contact me at (415) 450-5533 or mmiller@modus-corp.com if you have any questions.

Sincerely,

Maria Miller, Land User Manager

Modus Inc. on behalf of Sprint

(415) 450-5533

mmiller@modus-corp.com

iller

# Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report



Prepared for: Sprint Nextel 6391 Sprint Parkway Mailstop: KSOPHT0101-Z2650 Overland Park,Ks 66251-2650

Site No. SF33XC626A
Partridge Knolls
505 San Marin Drive
Novato, California 94945
Marin County
38.121675; -122.583444 NAD83
SiteType: rooftop

EBI Project No. 62160465 March 13, 2012



RF-EME Compliance Report EBI Project No. 62160465 Site No. SF33XC626A 505 San Marin Drive, Novato, California

#### **EXECUTIVE SUMMARY**

#### **Purpose of Report**

EnviroBusiness Inc. (dba EBI Consulting) has been contracted by Sprint Nextel to conduct radio frequency electromagnetic (RF-EME) monitoring and modeling for Sprint Site SF33XC626A located at 505 San Marin Drive in Novato, California to determine RF-EME exposure levels from existing and proposed Sprint wireless communications equipment at this site. As described in greater detail in Section 11.0 of this report, the Federal Communications Commission (FCC) has developed Maximum Permissible Exposure (MPE) Limits for general public exposures and occupational exposures. This report summarizes the results of RF-EME monitoring and modeling in relation to relevant FCC RF-EME compliance standards for limiting human exposure to RF-EME fields.

EBI field personnel visited this site on March 1, 2012 This report contains a detailed summary of the RF EME analysis for the site.

This document addresses the compliance of Sprint's proposed transmitting facilities.

#### 1.0 LOCATION OF ALL EXISTING ANTENNAS AND FACILITIES AND EXISTING RF LEVELS

This project involves the removal of three (3) existing antennas to be replaced with three (3) proposed Sprint wireless telecommunication antennas on a rooftop located at 505 San Marin Drive in Novato, California. There are three Sectors (A, B, and C) proposed to be replaced at the site, with one (I) antenna that may be re-installed per sector.

EBI conducted a site visit on March 1, 2012 at the time of the site visit no other carriers were collocated with the Sprint antennas on the three story rooftop located at 505 San Marin Drive in Novato, California. Measurements were taken at the rooftop and ground to record existing RF-EME levels resulting from these antennas in addition to the existing Sprint antennas prior to the installation of Sprint's proposed equipment.

During the survey, no spatially averaged power density readings above 0.0282% of the FCC's occupational MPE (0.1410% of the general public MPE) were encountered on any rooftop surface. In addition, no spatially averaged power density readings greater than 0.1660% of the FCC's uncontrolled or general public MPE were encountered at ground level.

## 2.0 LOCATION OR ALL APPROVED (BUT NOT INSTALLED) ANTENNAS AND FACILITIES AND EXPECTED RF LEVELS FROM THE APPROVED FACILITIES

There are no antennas or facilities that are approved and not installed based on information provided to EBI and Sprint at the time of this report.

### 3.0 NUMBER AND TYPES OF WTS WITHIN 100 FEET OF THE PROPOSED SITE AND ESTIMATES OF CUMULATIVE EMR EMISSIONS AT THE PROPOSED SITE

With the exception of the antennas mentioned in Section 1.0, there are no other Wireless Telecommunication Service (WTS) sites observed within 100 feet of the proposed site.

## 4.0 LOCATION AND NUMBER OF THE SPRINT ANTENNAS AND BACK-UP FACILITIES PER BUILDING AND NUMBER AND LOCATION OF OTHER TELECOMMUNICATION FACILITIES ON THE PROPERTY

Sprint proposes the removal of three (3) existing antennas to be replaced with three (3) proposed Sprint wireless telecommunication antennas on a rooftop located at 505 San Marin Drive in Novato, California. There are three Sectors (A, B, and C) proposed to be replaced at the site, with one (I) antenna that may be re-installed per sector. In each sector, there is proposed to be one antenna transmitting in the 800 MHz and the 1900 MHz frequency ranges. The Sector A antennas will be oriented 345° from true north. The Sector B antennas will be oriented 120° from true north. The Sector C antennas will be oriented 225° from true north. The bottoms of the Sector A and C antennas will be 6 feet above a lower rooftop.

At the time of the site visit no other carriers were collocated with the Sprint antennas on the three story rooftop located at 505 San Marin Drive in Novato, California.

### 5.0 POWER RATING FOR ALL EXISTING AND PROPOSED BACKUP EQUIPMENT SUBJECT TO THE APPLICATION

The operating power for modeling purposes was assumed to be 20 Watts per transmitter for the 800 MHz antenna and there will be one (I) transmitter operating at this frequency. Additionally, for modeling purposes it was assumed to be 20 Watts per transmitter and six (6) transmitters operating at the 1900 MHz.

### 6.0 TOTAL NUMBER OF WATTS PER INSTALLATION AND THE TOTAL NUMBER OF WATTS FOR ALL INSTALLATIONS ON THE BUILDING

The effective radiated power (ERP) for the 800 MHz transmitter combined on site is 474 Watts. The ERP for the 1900 MHz transmitters combined on site is 5.688 Watts.

# 7.0 PREFERRED METHOD OF ATTACHMENT OF PROPOSED ANTENNA WITH PLOT OR ROOF PLAN INCLUDING: DIRECTIONALITY OF ANTENNAS, HEIGHT OF ANTENNAS ABOVE NEAREST WALKING SURFACE, DISCUSS NEARBY INHABITED BUILDINGS

Based on the information provided to EBI, the information indicates that the proposed antennas are to be pipe mounted inside a stealth radome, operating in the directions, frequencies, and heights mentioned in section 4.0 above. The building is a commercial office building in an area zoned as business office professional. A residential development is located approximately 100 feet north of the building, and another is across San Marin Drive.

#### 8.0 ESTIMATED AMBIENT RADIO FREQUENCY FIELDS FOR THE PROPOSED SITE

Based on worst-case predictive modeling, there are predicted areas on an accessible rooftop-level walking/working surface related to the proposed Sprint antennas that exceed the FCC's occupational or general public exposure limits at this site. At the nearest walking/working surfaces to the proposed Sprint antennas, the maximum power density is 438.60 percent of the FCC's general public limit (87.72 percent of the FCC's occupational limit). The composite exposure level from all antennas is 438.60 percent of the FCC's general public limit (87.72 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna. Based on worst-case predictive modeling, there are no areas at ground level related to the proposed Sprint antennas that exceed the FCC's occupational or general public exposure limits at this site. At ground level, the maximum power density generated by the Sprint antennas is 4.30 percent of the FCC's general public limit (0.86 percent of the FCC's occupational limit). On the sloped roof (inaccessible) adjacent to the antennas, the maximum power density is 1064.6 percent of the FCC's general public limit (212.9 percent of the FCC's occupational limit). The inputs used in the modeling are summarized in the RoofView® export file presented in Appendix B.

# 9.0 SIGNAGE AT THE FACILITY IDENTIFYING ALL WTS EQUIPMENT AND SAFETY PRECAUTIONS FOR PEOPLE NEARING THE EQUIPMENT AS MAY BE REQUIRED BY THE APPLICABLE FCC ADOPTED STANDARDS (DISCUSS SIGNAGE FOR THOSE WHO SPEAK LANGUAGES OTHER THAN ENGLISH)

Signs are the primary means for control of access to areas where RF exposure levels may potentially exceed the MPE. Signage is already installed for the existing antennas on the flat roof; however, it is recommended that additional signage be installed at the access to the sloped roof. Additionally, there are areas where workers elevated above the rooftop may be exposed to power densities greater than the general population and occupational limits. Workers and the general public should be informed about the presence and locations of antennas and their associated fields.

At the time of the site survey, it was noted that there was a blue "Notice" sign located on the antenna mount and a blue "Notice to Workers" sign posted on the roof access hatch.

Additionally, access to this site is accomplished via a roof access hatch located on the flat lower roof. A ladder is required to enter through a ceiling panel, and as such, the general public is not able to access the rooftop.

#### 10.0 STATEMENT ON WHO PRODUCED THIS REPORT AND QUALIFICATIONS

Please see the certifications attached in Appendix A below.

#### 11.0 FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS

The FCC has established Maximum Permissible Exposure (MPE) limits for human exposure to Radiofrequency Electromagnetic (RF-EME) energy fields, based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits developed by the Institute of Electrical and Electronics Engineers, Inc. (IEEE) and adopted by the American National Standards Institute (ANSI) to replace the 1982 ANSI guidelines. Limits for localized absorption are based on recommendations of both ANSI/IEEE and NCRP.

The FCC guidelines incorporate two separate tiers of exposure limits that are based upon occupational/controlled exposure limits (for workers) and general public/uncontrolled exposure limits for members of the general public.

Occupational/controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general public/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

General public/uncontrolled exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment-related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area.

Table I and Figure I (below), which are included within the FCC's OET Bulletin 65, summarize the MPE limits for RF emissions. These limits are designed to provide a substantial margin of safety. They vary by frequency to take into account the different types of equipment that may be in operation at a particular facility and are "time-averaged" limits to reflect different durations resulting from controlled and uncontrolled exposures.

The FCC's MPEs are measured in terms of power (mW) over a unit surface area (cm²). Known as the power density, the FCC has established an occupational MPE of 5 milliwatts per square centimeter (mW/cm²) and an uncontrolled MPE of 1 mW/cm² for equipment operating in the 1900 MHz frequency range. For the Sprint equipment operating at 800 MHz, the FCC's occupational MPE is 2.66 mW/cm² and an uncontrolled MPE of 0.53 mW/cm². These limits are considered protective of these populations.

Та	ble I: Limits for I	Maximum Permiss	sible Exposure (MPI	E)
(A) Limits for Occu	pational/Controlled	1 Exposure		
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (\$) (mW/cm²)	Averaging Time [E] <sup>2</sup> , [H] <sup>2</sup> , or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f <sup>2</sup> )*	6
30-300	61.4	0.163	1.0	6
300-1,500	**		f/300	6
1,500-100,000			5	6
(B) Limits for Gene Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm²)	Averaging Time [E]², [H]², or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f²)*	30
30-300	27.5	0.073	0.2	30
300-1,500			f/1,500	30
1,500-100,000			1,0	30

f = Frequency in (MHz)

<sup>\*</sup> Plane-wave equivalent power density

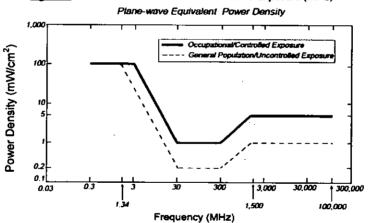


Figure 1. FCC Limits for Maximum Permissible Exposure (MPE)

Based on the above, the most restrictive thresholds for exposures of unlimited duration to RF energy for several personal wireless services are summarized below:

Personal Wireless Service	Approximate Frequency	Occupational MPE	Public MPE
Personal Communication (PCS)	( I,950 MHz://	5.00 mW/cm <sup>2</sup>	1.00 mW/cm <sup>2</sup>
Cellular Telephone	870 MHz	2.90 mW/cm <sup>2</sup>	0.58 mW/cm <sup>2</sup>
Specialized Mobile Radio	855 MHz	2.85 mW/cm <sup>2</sup>	0.57 mW/cm <sup>2</sup>
Most Restrictive Freq. Range	30-300 MHz	I.00 mW/cm <sup>2</sup>	0.20 mW/cm <sup>2</sup>

RF-EME Compliance Report EBI Project No. 62160465

Site No. SF33XC626A 505 San Marin Drive, Novato, California

MPE limits are designed to provide a substantial margin of safety. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

Personal Communication (PCS) facilities used by Sprint in this area operate within a frequency range of 800-1900 MHz. Facilities typically consist of: 1) electronic transceivers (the radios or cabinets) connected to wired telephone lines; and 2) antennas that send the wireless signals created by the transceivers to be received by individual subscriber units (PCS telephones). Transceivers are typically connected to antennas by coaxial cables.

Because of the short wavelength of PCS services, the antennas require line-of-site paths for good propagation, and are typically installed above ground level. Antennas are constructed to concentrate energy towards the horizon, with as little energy as possible scattered towards the ground or the sky. This design, combined with the low power of PCS facilities, generally results in no possibility for exposure to approach Maximum Permissible Exposure (MPE) levels, with the exception of areas directly in front of the antennas.

#### **Statement of Compliance**

A site is considered out of compliance with FCC regulations if there are areas that exceed the FCC exposure limits <u>and</u> there are no RF hazard mitigation measures in place. Any carrier which has an installation that contributes more than 5% of the applicable MPE must participate in mitigating these RF hazards.

#### 12.0 LIMITATIONS

This report was prepared for the use of Sprint Nextel. It was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same locale under like circumstances. The conclusions provided by EBI are based solely on the information collected during the site survey and provided by the client. The observations in this report are valid on the date of the investigation. Any additional information that becomes available concerning the site should be provided to EBI so that our conclusions may be revised and modified, if necessary. This report has been prepared in accordance with Standard Conditions for Engagement and authorized proposal, both of which are integral parts of this report. No other warranty, expressed or implied, is made

#### 13.0 SUMMARY AND CONCLUSIONS

EBI has prepared this Radiofrequency Emissions Compliance Report for the proposed Sprint telecommunications equipment at the site located at 505 San Marin Drive in Novato, California.

EBI has conducted theoretical modeling combined with on site monitoring to estimate the worst-case power density from Sprint antennas to document potential MPE levels at this location and ensure that site control measures are adequate to meet FCC and OSHA requirements. As presented in the preceding sections, based on worst-case predictive modeling, the worst-case emitted power density may exceed the FCC's general public limit within approximately 6 feet of Sprint proposed antennas at the lower roof level. Modeling also indicates that the worst-case emitted power density will not exceed the FCC's occupational limit in front of Sprint proposed antennas at the lower roof level. In addition, the worst-case emitted power density may exceed the FCC's general public limit within approximately 13 feet of Sprint proposed antennas on the sloped roof. Modeling also indicates that the worst-case emitted power density may exceed the FCC's occupational limit within approximately 4 feet in front of

RF-EME Compliance Report EBI Project No. 62160465 Site No. SF33XC626A 505 San Marin Drive, Novato, California

Spring proposed antennas on the sloped roof. This sloped roof area appears to be too dangerous to walk upon; therefore, barriers are not recommended on these areas. However, it is recommended that signage be put in place near where access to the sloped rooftop would be and it is recommended that all workers accessing this sloped rootop be made aware of the potential fields associated with the proposed antennas.

Additionally, based on the FCC criteria, there are no measured areas on any accessible rooftop and ground-level walking/working surface related to the existing site conditions that exceed the FCC's occupational and general public exposure limits at this site.

Signage has been installed at the site as presented in Section 9.0. Posting of the signage and installation of the recommended barriers brings the site into compliance with FCC rules and regulations.

# Appendix A Certifications

RF-EME Compliance Report EBI Project No. 62120465

Site No. SF33XC626A 505 San Marin Drive, Novato, California

Reviewed and Approved by:

PROFESSIONAL STOCKING EXP. 12/31/13

EXP. 12/31/13

Herbert J. Stockinger, PE
Senior Engineer

Note that EBI's scope of work is limited to an evaluation of the Radio Frequency – Electromagnetic Energy (RF-EME) field generated by the antennas and broadcast equipment noted in this report. The engineering and design of the building and related structures, as well as the impact of the antennas and broadcast equipment on the structural integrity of the building, are specifically excluded from EBI's scope of work.

#### Field Personnel Certification

David Oliver

#### I, David Oliver, state that:

- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" under the FCC regulations.
- I am familiar with the FCC rules and regulations as well as OSHA regulations both in general and as they apply to RF-EME exposure.
- I have been trained in the proper use of the RF-EME measurement equipment, and have successfully completed EBI training in the policies and procedures for site survey protocols.
- All information collected during the site survey and contained in this report is true and accurate
  to the best of my knowledge and based on the data gathered.

.

#### Preparer Certification

#### I, Mary Small, state that:

- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" under the FCC regulations.
- I am familiar with the FCC rules and regulations as well as OSHA regulations both in general and as they apply to RF-EME exposure.
- I have reviewed the data collected during the site survey and provided by the client and incorporated it into this Site Compliance Report such that the information contained in this report is true and accurate to the best of my knowledge.

Mary V. Small

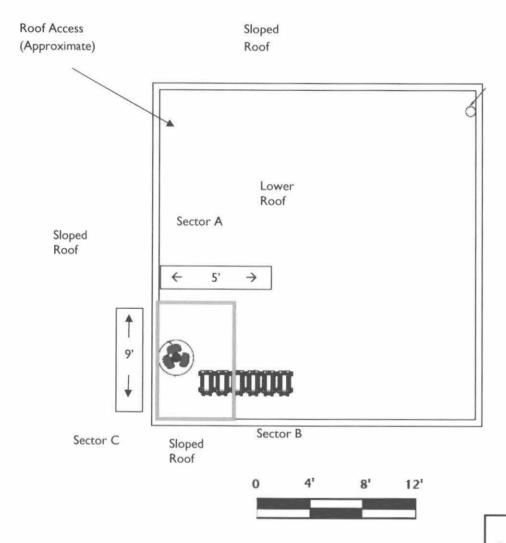
# Appendix B Roofview® Export File

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SPR A1	Sprint	800	20	1	11	1/2 LDF	0.5		16.77374	KMW	ET-X-TS-90-14-90-17-IR-SP	17	36	4.3	.,,,,,,	6	11.9	90:345		ON
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SPR A1	Sprint	1900	20	4	11	1/2 LDF	0.5		67.09497	KMW	ET-X-TS-90-14-90-17-IR-SP	17	36	4.3		Š	14.9	90;345		ON
SPR B1	Sprint	800	20	1	11	1/2 LDF	0.5		16.77374	KMW	ET-X-TS-90-14-90-17-iR-SP	18	36	4.3		6	11.9	90;120		ON
SPR B1	Sprint	1900	20	2	11	1/2 LDF	0.5		33.54749	KMW	ET-X-TS-90-14-90-17-iR-SP	18	36	4.3			14.9	90:120		ON
SPR B1	Sprint	1900	20	4	11	1/2 LDF	0.5		67.09497	KMW	ET-X-TS-90-14-90-17-iR-SP	18	36	4.3		6	14.9	90;120		ON
SPR C1	Sprint	800	20	1	11	1/2 LDF	0.5		16.77374	KMW	ET-X-TS-90-14-90-17-IR-SP	17	35	4.3		· ·	11.9	90;120		ON
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Roof Access AC Unit Ladder

# Appendix C Site Plan and Barrier Recommendations

### Sprint Antennas



Sloped Roof



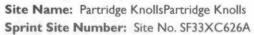
Recommended Soft Barrier



Recommended Hard Barrier

#### **Compliance Plan**

Facility Operator: Sprint



Report Date: March 13, 2012



## Request for Mailing Labels

From:	`		Date Submitte	ed:	
Elizabeth Dunn			3-27-20		
Assessor's Parcel N	No. 125-36	1-03/04	Applicat	ion No. P2012-023	3
Property Address:	505 Sar	n Marin Drive	Novato CA, 9494	15	
Applicant:	94104			1400, San Francis	
Owner:				er., San Rafael C	No. of
		ssor's Parc	el Nos.		Labels
· · · · · · · · · · · · · · · · · · ·			Total N	lumber of Labels	103
		. <b>X</b>	600' Radius	Adjacen	ıt.
Homeowners As:	sociations	, Public Age	encies, and Othe	rs:	
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		7	OTAL REIMBUR	SABLE COST:	
Meeting Date: April 12, 2012			Notice Mail April 1, 201		
Publish Legal Ad:	X Yes	No	Publish No Than:	Later	
<b>Cost Recovery</b>					
C:\DOCUMENTS FILES\CONTENT.OU' 3-27.DOCX;3/27/12	AND S TLOOK40BO	ETTINGS\MRUI	FO\LOCAL SETT GLABELS REQUEST	ings\temporary 505 San Marin Dri	INTERNE VE UPDATE

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# CITY OF NOVATO NOTICE OF USE PERMIT FOR MODIFICATION OF AN EXISTING TELECOMMUNICATION FACILITY 505 San Marin Drive, APN 125-361-03/04

Notice is hereby given that the Zoning Administrator will hold a public hearing on April 12, 2012 at 2:00pm in the Novato Community Development Department, 75 Rowland Way, #110, Novato, California to consider the modification of an existing telecommunication facility consisting of removing three (3) antennas and installing three (3) new panel antennas, as well as new brackets and boosters for this equipment. Three (3) existing equipment cabinets are to be removed and replaced with two (2) new cabinets for the new antennas will be installed at APN 125-361-03/04.

The Environmental Coordinator has determined that this project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section §15303 (New Construction) Class 3; installation of small, new equipment and facilities in small structures.

Comments received on or before the hearing date will be considered by the Zoning Administrator.

To appeal a final action on an application, a letter outlining the basis of the appeal shall be submitted within ten calendar days following the action, accompanied by the required filing fee.

If anyone wishes to challenge this project in court, they may be limited to raising only those issues they or anyone else raised, described in this notice or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

For information regarding the above noted application, please contact Elizabeth Dunn, AICP, Planning Manager, at (415) 493-4711, fax (415)899-8217or edunn@novato.org. It is recommended that an appointment be made with the project staff member prior to visiting the City offices. The City of Novato Community Development Department is located at 75 Rowland Way, #110, Novato, CA 94945. The Department is open Monday through Thursday 9:00 a.m. to 1:00 p.m. and 2:00 p.m. to 5:00 p.m. (closed every Friday).

Community Development Director pn12026

File Reference: P2011-082

Project No. P2011-082

#### **PROOF OF SERVICE BY MAIL**

I am a citizen of the United States and a resident of the County of Marin. I am over the age of eighteen years and not a party to the within matter; my business address is: City of Novato, 75 Rowland Way, Novato, California. On Aniel Marin County Assessor's roll for each parcel number appearing on Exhibit "A" attached which list was compiled and prepared in accordance with the Zoning Ordinance requirements for such noticing.

T	certify	that	the	fore	oning	ic	trae	and	correct	
ı	CCIUIY	uiai	шс	1010	Konik	12	шис	шu	COLLECT	

Maggie Rufo

Date



July 11, 2011

Quintus Properties, LLC (Landlord) William E. Wecker 505 San Marin Drive, Building B Novato, CA 94945

RE: PCS Site Agreement between Donald O. Collins, Trustee of the Donald O. Collins Revocable Trust Dated December 15, 1994 and Sprint Spectrum L.P., a Delaware limited partnership (Tenant or SSLP) dated December 29, 1999 (Site Agreement), with respect to the real property located at 505 San Marin Drive, CA (Site), Cascade No. SF33XC626.

#### Dear Landlord:

This letter is to advise you that it will be necessary within the near future for Sprint Nextel to make certain physical modifications to equipment within Tenant's premises at the Site. These improvements are being undertaken in order to ensure the continued technical and economic feasibility of Tenant's facility, and are needed for Tenant to make optimal use of the Site for the purposes intended by the Site Agreement, As described below, these modifications should have no significant impact on Landlord's property or operations. However, in accordance with the Site Agreement, Tenant requests that Landlord acknowledge notice of, and consent to, the following modifications:

Swap out of obsolete electronics cabinets, antennas and other equipment at the site. This may include replacement of cabling and mounting apparatus and the temporary redundancy of equipment within the leased area necessary for testing of the new equipment for up to 12 months.

Landlord's acknowledgement of notice and consent will not increase the size or amount of space being used by Tenant under the Site Agreement unless specifically stated above.

Please indicate your acknowledgement and consent by signing below and returning one copy of this letter to Pls Send drawings of work intended for the Roof aren WEW me at the address set forth above.

Thank you in advance for your prompt attention to this matter.

Regards,

Modus, an authorized representative of Sprint Nextel

Duintus Properties, LLC

#### LETTER OF AUTHORIZATION

TO: THE CITY OF NOVATO

RE: APPLICATION FOR ZONING/USE/BUILDING PERMIT AND APPROVALS

Quintus Properties, LLC, as owner(s) of the below described property, does/do hereby appoint Sprint-Nextel as agent for the purpose of consummating any application necessary to ensure their ability to use and/or construct improvements to the property leased or to be leased, or licensed or to be licensed to them for the purpose of constructing a communications site. I understand that the application may be denied, modified or approved with conditions and that such conditions or modifications must be complied with prior to issuance of building permits.

I/We hereby authorize the employees of the City of Novato to enter upon the subject property during normal business hours as necessary to inspect the property for the purpose of processing such application.

Address: 505 San Marin Drive, Novato, CA

Assessor's Parcel Number/Property Description:

123 -301 -03/04

Signature of Property Owner:

Name:

Date:

### Application for Zoning/Planning/Subdivision Action



	ion – Please Check			TAVOP
□ General Plan A	Amendment	□ Subdivision Tentative Map (5 or more lot		CALIFORN
☐ Prezoning ☐ Rezoning		☐ Land Division Tentative Map (4 or fewer☐ Lot Line Adjustment (no new lots)	lots) □ Accessory Dw □ Sign Review	rening Unit
□ Master Plan		□ Design Review	□ Certificate of	Compliance
□ Precise Develo	pment Plan	10 Use Permit	Other	
Applicant Requi	red Information			
1. Assessor's	Parcel No(s).: 125-361-03/04	Exis	ing Zoning: BPO	
2. Property A	ddress: 505 San Marin Dr.			
3. Property O	wner a) Name: Donald O. Co	ollins Trust & Knud Hostrup Phor	e:	
	b) Address: 56 Skyview	Ter., San Rafael, CA 94903		
4. Applicant (	If Different than Owner)			
	a) Name: Sprint	Phor	e: 415-450-5533	
		Miller, c/o Modus, 115 Sansome St # 140	0, San Francisco, CA 9	<u></u> 94104
5. Name of Pi	oject (If Applicable): SF33XC		<del></del>	
6. Property Si	- · · · · · · · · · · · · · · · · · · ·			
		etc.): Office (no change), upgrade of an e	kisting wireless facility	•
	tage of Each Use or Number of U			
o. Square roo	age of Each Ose of Ivalider of C	This is residential.		
	inside existing lease space.	3) new panel antennas inside a radome. R	eplace radio and powe	r equipment
10. Signature	Maria C	(Anach Segarate Sheets If Needed)		
□ Owner	Applicant (Note: If app	licant signs, an authorization signed by the ow	ner must be attached.)	
Important: Plea	se complete Agreement for Paym	ent of Full Cost Recovery Fees for Application	n Processing.	
		rocess and the additional information required Development, 75 Rowland Way, #200, (415)		
	•	Do Not Write Below This Line	,	
	DEPAR	TMENTAL PROCESS INFORMATION		
Application Num	20.00 627	^		
Received by:		Date: 3/15/12 Planning - Fee Deposit: S	2615.—	
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Application Acte		Date 4-12-12 PW/Engineering Fee KNo	Vec. S	
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Action:	YOVED			
Conditions of Ap	proval or Comments:			<del></del>

# CITY OF NOVATO DEPARTMENT OF COMMUNITY DEVELOPMENT COST BASED FEE SYSTEM



Agreement for Payment of Full Cost Recovery Fees for Application Processing and Inspection Services

(Not required for flat fee applications; contact Community

Development Department if you have any questions.)

Sprint (Applicant), Modus Inc. (Agent)	("Applicant")	agree(s)	to
[Print names of Property Owner (or Authorized Agent) and Applicant (if different fro	om Owner)]		

pay to the City of Novato all reimbursable costs, both direct and indirect, including State-mandated costs, associated with review and processing of the accompanying application for land use and/or encroachment or grading permit for land use approval(s) and inspection(s) with respect to the subject property or project located at

#### 505 San Marin Dr, Novato / APN 125-361-03/04

[Location, Address or Assessor's Parcel Number(s)]

even if the application is withdrawn or not approved. Reimbursable costs include but are not limited to all items within the scope of the City's adopted Cost Recovery Program, as well as the cost of retaining professional and technical consultant services and any services necessary to perform functions related to review and processing of the applications and inspection of the work. Owner and Applicant understand that one or more deposits will be required to be paid by Owner and/or Applicant to cover the costs noted above at such time(s) and of such amounts as requested by the Community Development Director or designee. City agrees to review and process the application in accordance with this Agreement and all applicable laws, regulations, ordinances, standards and policies. This agreement applies to all subsequent applications related to the project.

Owner and Applicant understand and agree that nonpayment of processing and inspection fees pursuant to the City's Cost Recovery Program may, at the sole and exclusive discretion of the Community Development Director, result in temporary or permanent cessation of processing of the application or inspection of the work and, after notice, may result in the denial of the application and/or order to cease work. Prior to completion of processing of any phase of the project, any and all outstanding amounts due pursuant to this agreement shall be paid. The Community Development Department will withhold issuance of further plan checks, entitlements, permits, certificates of occupancy, etc. until all required processing and inspection fees have been paid in full.

The applicant agrees to adhere to the following guidelines with respect to the billing of processing and inspection fees:

- 1. Non-receipt of invoices must be brought to our attention within 30 days of the date they are routinely received by your office.
- 2. Invoices presented without sufficient "backup" documentation shall be brought to our attention within 30 days of the receipt of invoice from the City.
- 3. Questions regarding specific charges that you believe may be questionable and/or incorrect must be brought to our attention no later than 30 days following receipt of your invoice and corresponding documentation.

Failure to comply with the aforementioned procedures within the specific times may, if research of billing information is requested, result in additional charges for clerical time spent and will be billed at our cost recovery rate. Please note that with the exception of documented disputed amounts, finance charges will be assessed at the rate of 12% per annum or 1% per month on all past due amounts.

In any legal action arising out of this Agreement, the prevailing party shall be entitled to recover its reasonable litigation expenses, including costs and attorneys' fees.

As part of this application, the Applicant agrees to defend, indemnify, release and hold harmless the City, its agents, offices, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities ("indemnitees"), the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the Applicant, third parties and/or the indemnitees, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the indemnitees.

Nothing in this agreement shall prohibit the City from participating in the defense of any claim, action or proceeding. In the event that the Applicant is required to defend the indemnitees in connection with any said claim, action or proceeding, the City shall retain the right to (i) approve the counsel to so defend the indemnitees, (ii) approve all significant decisions concerning the matter in which the defense is conducted, and (iii) approve any and all settlements, which approvals shall not be unreasonably withheld by the City.

The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the Applicant in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own defend any claim, action or proceeding where the Applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City.

The Applicant also agrees to so indemnify the indemnitees for all costs incurred in additional investigation or study, or for supplementing, redrafting, revising or amending any document (e.g., the EIR, Specific Plan Amendment, Specific Plan, General Plan Amendment, Rezone, etc.) if such is made necessary by the claim, action or proceeding and if the Applicant desires approvals from the City which are conditioned on the approval of said documents.

The undersigned Owner/Authorized Agent hereby represents that he/she either personally owns the subject property or is an entity authorized to install and maintain facilities for provision of utility, telecommunications, video, voice or data transmission service in the public street right of way or is a duly authorized agent of the Owner with full authority to execute this Agreement on behalf of Owner. Applicant agrees to be jointly and severally liable with Owner for payment of all fees referenced above. Applicant agrees to notify City in writing prior to any change in ownership and to submit a written assumption of the obligations under this Agreement signed by the new owner or his/her authorized agent.

Project	Descri	ption:
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Remove (3) existing Sprint panel antennas and install (3) new antennas, replace, equipment	
cabinets.	

Invoices are due and payable within ten (10) days. A penalty will be charged on delinquent accounts at the rate of 1% per month or 12% per annum. Owner agrees that delinquent amounts shall constitute a lien on the subject property and expressly consents to recordation of a notice of lien and/or copy of this Agreement against the subject property with respect to any amounts which are delinquent.

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Telephone:
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Date:
Inc. Date: 03/15/12
Date:
Date:

FOR CITY USE ONLY:
Name of Applicant: Sprint- Maria Miller
Name of Property Owner: Donald O. Collins Trust + Knud Hostrup
Address of Project: 505 San Marin Dr. File No. P2012-023 1/2023
Type of Application: Use Plenit
Fee Deposit: \$ 26/5,00 Receipt # and Date: PROTR 5/0 3-15/2
Plan Storage Fee: \$ 46.00
Staff Member Receiving: Steve Marshall ( Knulei)
Date Received: 3-15-12