



CITY OF NOVATO
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July 22, 2022

Motive Infrastructure Solutions
Attn: Taylor Bond
17260 Newhope Street
Fountain Valley, CA 92708

Delivered via email: tbond@motiveis.com

RE: 199 SAN MARIN DRIVE; ELIGIBLE FACILITIES REQUEST
FILE P2022-028; APN 124-202-28

Dear Ms. Bond:

This letter is regarding the eligible facilities request (“EFR”) application submitted by Motive Infrastructure Solutions on behalf of T-Mobile to modify an existing wireless facility at San Marin Plaza, 199 San Marin Drive, Novato. As you’re aware the proposal includes:

- Removing one (1) existing 12-inch diameter concealment shroud
- Removing two (2) existing antenna mounts
- Installing one (1) new 60-inch concealment shroud
- Installing two (2) new antennas
- Installing two (2) new radio units
- Installing associated equipment/cables within an existing equipment cabinet

The proposal has been reviewed pursuant to the requirements of Section 6409 of the Middle-Class Tax Relief and Job Creation Act of 2012 and City of Novato Ordinance No. 1654, adopted by the City Council on October 8, 2019.

The existing wireless facility proposed to be modified by T-Mobile was approved via a use permit granted in 2007 (File No. 10711U). The approved facility consists of a monopole antenna concealed within a 12-inch diameter pole and concealment shroud located in the parking lot at San Marin Plaza. The facility’s design was intended and accepted to conceal the then proposed wireless antennas and associated cables by mimicking the appearance of the light poles in the shopping center so as to not appear as a wireless facility when viewed by the public. These concealment features enable the wireless facility to appear to be solely a light pole. Accordingly, the existing 12-inch diameter pole and shroud assembly are concealment elements of an eligible support structure.

The proposed EFR would modify the wireless facility by removing the existing 12-diameter concealment shroud and replacing it with a 60-inch diameter cylindrical shroud of 10’-11” in length. The new shroud is five (5) times the diameter of and approximately 2-feet longer in length than the existing concealment shroud.

Based on these modifications, the wireless facility would no longer appear to be a light pole, thus defeating the concealment features of the facility. As a result, a reasonable person would conclude the wireless facility's stealth design is no longer effective after modification because the much larger shroud would make it appear to be a wireless facility rather than a mere light pole.

Based on the facts above, the proposed modifications represent a substantial change to the existing wireless facility pursuant to the criteria of 47 C.F.R. §1.6100(b)(7)(v). Therefore, the EFR to modify the wireless facility is hereby denied.

Planning Division staff is available to discuss other permitting and wireless facility options T-Mobile might consider at San Marin Plaza.

If you have any questions regarding this matter, please contact Senior Planner Vivek Damodaran at (415) 899-8939 or by email at vdamodaran@novato.org.

Sincerely,

A handwritten signature in black ink that reads "Steve Marshall". The signature is written in a cursive, flowing style.

Steve Marshall, Planning Manager,
for the Community & Economic Development Director

cc: Vicki Parker, Community & Economic Development Director
John Abaci, Esq., Colantuono, Highsmith, & Whatley
Jeffrey Walter, Esq., Colantuono, Highsmith, & Whatley