



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

December 15, 2010

File Number: 2010-7752

Permit Type: Special Development Permit

Location: 700 All America Way (near S. Pastoria Ave.) (165-02-003)

Applicant/Owner: Clearwire / City of Sunnyvale

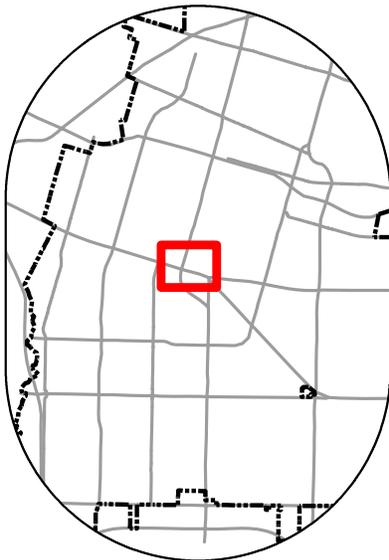
Staff Contact: Ryan Kuchenig, Associate Planner, (408) 730-7431

Project Description: Special Development Permit to allow the co-location of a fourth telecommunication facility (Clearwire) on an existing monopole including eight microwave dish antennas with associated ground equipment.

Reason for Permit: A Special Development Permit is required for the modification to an existing facility that would enable additional antennas.

Issues: Aesthetics

Recommendation: Approve with Conditions



500

Feet

PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Civic Center	Same
Zoning District:	PF-ECR	Same
Lot Size	130,311	Same
Monopole Height	159'	Same
Height of Proposed Antennas on Existing Monopole	2 at 145' and 2 at 149'	Same

Previous Planning Projects related to Subject Application: A total of three wireless facilities currently occupy the site (AT&T Mobility, Sprint and Nextel) as well as several “whip” antennas used for public safety communications by the City of Sunnyvale. The current monopole was constructed in 1997. Since that time AT&T has made modifications to some of the antennas.

Use Description & Site Layout: The proposed use is to allow eight new microwave dish antennas to an existing telecommunication facility. The facility is located at the City of Sunnyvale’s Department of Public Safety building. The proposed telecommunications antennas, operated by Clearwire, would be positioned at two sections of the 159’ foot monopole at 145’ and 149’ above the ground. Additional ground equipment that supports the antennas would be located within an existing shelter adjacent to the building south of the monopole.

The property has frontage along four streets (All America Way, W. Olive Avenue, S. Pastoria Avenue, and W. El Camino Real). The main access point to the property is along All America Way; however a secured gate is located along El Camino Real. The monopole and equipment shelter is located behind the building adjacent to the secured parking area. The shelter is largely screened from the street by a wooden property line fence and trees along the El Camino Real frontage.

Design: The proposed microwave dish antennas vary in size from 1’ to 2.5’ in diameter. The antennas are positioned on arms that project from the monopole approximately 3’ to 4’. Staff explored reducing this projection to improve aesthetics; however, the applicant notes that the separation is needed to provide adequate space between antennas and optimal functionality. As conditioned, the antennas are to be positioned as close as possible to the monopole and painted the same color as the monopole (C.O.A #9).

Public Contact: 24 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice.

Environmental Determination: A Categorical Exemption Class 1 (minor additions to existing facilities) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Special Development Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Land Use and Transportation Sub-Element

Policy N1.3: Promote an attractive and functional commercial environment.

Policy N1.5: Establish and monitor standards for community appearance and property maintenance.

Telecommunications Policy

Action Statement A.1.e: Support retention of local zoning authority for cellular towers, satellite dish antennas, and other telecommunications equipment, facilities and structures.

Goal B: Promote universal access to telecommunications services for all Sunnyvale citizens.

The Wireless Telecommunications Policy promotes retention of local zoning authority when reviewing telecommunications facilities. The zoning code requires that the location of telecommunication facilities be designed with sensitivity to the surrounding areas. The proposed facility is compliant with all wireless telecommunication development standards:

- *The project, in addition to existing facilities on-site, meets all FCC RF emissions standards.*
- *The facility will be painted to match the monopole.*
- *Associated equipment is screened and located within an existing shelter near the building.*

Staff was able to make the findings as the design meets the guidelines described above.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

Staff finds the proposed antennas will have limited aesthetic impact in comparison to the existing monopole and equipment that is already located on-site. Recommended Conditions of Approval ensure that adequate signage and current information is maintained.

ALTERNATIVES:

1. Approve the Special Development Permit with recommended Conditions in Attachment A.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment A.

Reviewed by:

Shaunn Mendrin

Senior Planner

Prepared By: Ryan Kuchenig, Associate Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Project Description from the Applicant
- D. Photosimulations

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
DECEMBER 15, 2010**

Planning Application **2010-7752, 700 All America Way**
Special Development Permit to allow the co-location of a fourth telecommunication facility (Clearwire) on an existing monopole including eight microwave dish antennas with associated ground equipment.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

THE FOLLOWING GENERAL CONDITIONS SHALL APPLY TO THE APPROVED PROJECT.
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1. CONFORMANCE WITH APPROVED PLANNING APPLICATION – All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, photosimulations, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

2. COMPLY WITH APPLICABLE REGULATIONS - The facility must comply with any and all applicable regulations and standards promulgated or

imposed by any state or federal agency, including but not limited to the Federal Communications Commission and Federal Aviation Agency.[SDR]
[PLANNING]

3. PERMIT EXPIRATION (Ordinance 2895-09): The Special Development Permit shall be valid for three (3) years from the date of approval by the final review authority (as adopted by City Council on April 21, 2009, RTC 09-094). Extensions of time may be considered, for a maximum of two one year extensions, if applied for and approved prior to the expiration of the permit approval. If the approval is not exercised within this time frame, the permit is null and void. [SDR] (PLANNING)
4. TESTING WITHIN 15 DAYS - The applicant shall test any wireless telecommunications site installed in the City of Sunnyvale within 15 days of operating the facility. The test shall confirm that any Emergency 911 wireless call made through the wireless telecommunications site shall provide Enhanced 911 capability (including phase 2 information when available from the caller's device) and direct the call to the City of Sunnyvale Department of Public Safety dispatcher, ensuring phase 2 information is transferred. If the call is to be directed elsewhere pursuant to State and Federal law the applicant shall ensure that the Enhanced 911 information transfers to that dispatch center. This capability shall be routinely tested to ensure compliance as long as the approved wireless telecommunications site is in service. [SDR]
[PLANNING]
5. HOLD HARMLESS - The wireless telecommunication facility provider shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commission, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project when such claim or action is brought within the time period provided for in applicable state and/or local statutes. The city shall promptly notify the provider(s) of any such claim, action or proceeding. The city shall have the option of coordinating in the defense. Nothing contained in this stipulation shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith. [SDR] [PLANNING]
6. LIABILITY - Facility lessors shall be strictly liable for any and all sudden and accidental pollution and gradual pollution resulting from their use within the city. This liability shall include cleanup, intentional injury or

damage to persons or property. Additionally, lessors shall be responsible for any sanctions, fines, or other monetary costs imposed as a result of the release of pollutants from their operations. Pollutants include any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, and waste. Waste includes materials to be recycled, reconditioned or reclaimed. [SDR] [PLANNING]

7. NO THREAT TO PUBLIC HEALTH - The facility shall not be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, the subject facility and the combination of on-site facilities shall not produce at any time power densities in any inhabited area that exceed the FCC's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard subsequently adopted or promulgated by the federal government. [SDR] [PLANNING]
8. CONFORMANCE WITH PREVIOUS PLANNING PERMITS - The subject site shall comply with all conditions of approval and requirements of planning applications 1997-0616, 2000-0280, 2000-0471, 2002-0593, and 2007-0401. [PLANNING] [COA]

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

9. PROJECT DESIGN - The project plans shall demonstrate compliance with the following design elements:
 - a. The microwave dishes shall be painted to match the existing monopole and antennas;
 - b. Antennas and microwave dishes shall be located as close to the monopole as possible as shown in the approved plans and photosimulations;
 - c. All cables and wires shall be located fully within the interior of the monopole;
 - d. All associated ground equipment shall be located within the existing equipment shelter adjacent to the building. [COA] [PLANNING]

10. CONDITIONS OF APPROVAL – Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]
11. RESPONSE TO CONDITIONS OF APPROVAL – A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]
12. NOTICE OF PROJECT RESTRICTIONS – A Notice of Project Restrictions shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Project Restrictions shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record. For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Project Restrictions. [COA] [PLANNING]
13. BLUEPRINT FOR A CLEAN BAY – The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

14. LANDSCAPING AND IRRIGATION – All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
15. RF EMISSIONS STUDIES - The applicant shall submit to the Director of Community Development at least two reports of field measurements for Radio Frequency Emissions showing: 1.) The ambient level of RF emissions before construction of the facility and 2.) The actual level of emissions after the facility is in place and operating at or near full capacity. [COA] [PLANNING]

16. NOISE STUDIES - The applicant shall submit to the Director of Community Development at least two Noise Analysis reports of field measurements showing: 1.) The noise measurement before construction of the facility and 2.) The actual noise measurement after the facility is in place and operating at or near full capacity. [COA] [PLANNING]

THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

17. BLUEPRINT FOR A CLEAN BAY – The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

18. CERTIFICATION - Before January 31 of each even numbered year following the issuance of any authorizing establishment of a wireless telecommunication facility, an authorized representative for each wireless carrier providing service in the City of Sunnyvale shall provide written certification to the City executed under penalty of perjury that (i) each facility is being operated in accordance with the approved local and federal permits and includes test results that confirm the facility meets city noise requirements and federal RF emissions standards; (ii) each facility complies with the then-current general and design standards and is in compliance with the approved plans; (iii) whether the facility is currently being used by the owner or operator; and (iv) the basic contact and site information supplied by the owner or operator is current.. [SDR] [PLANNING]

19. 10 YEAR RENEWAL - Every owner or operator of a wireless telecommunication facility shall renew the facility permit at least every ten (10) years from the date of initial approval. If a permit or other entitlement for use is not renewed, it shall automatically become null and void without notice or hearing ten (10) years after it is issued, or upon cessation of use for more than a year and a day, whichever comes first. Unless a new use permit or entitlement of use is issued, within one

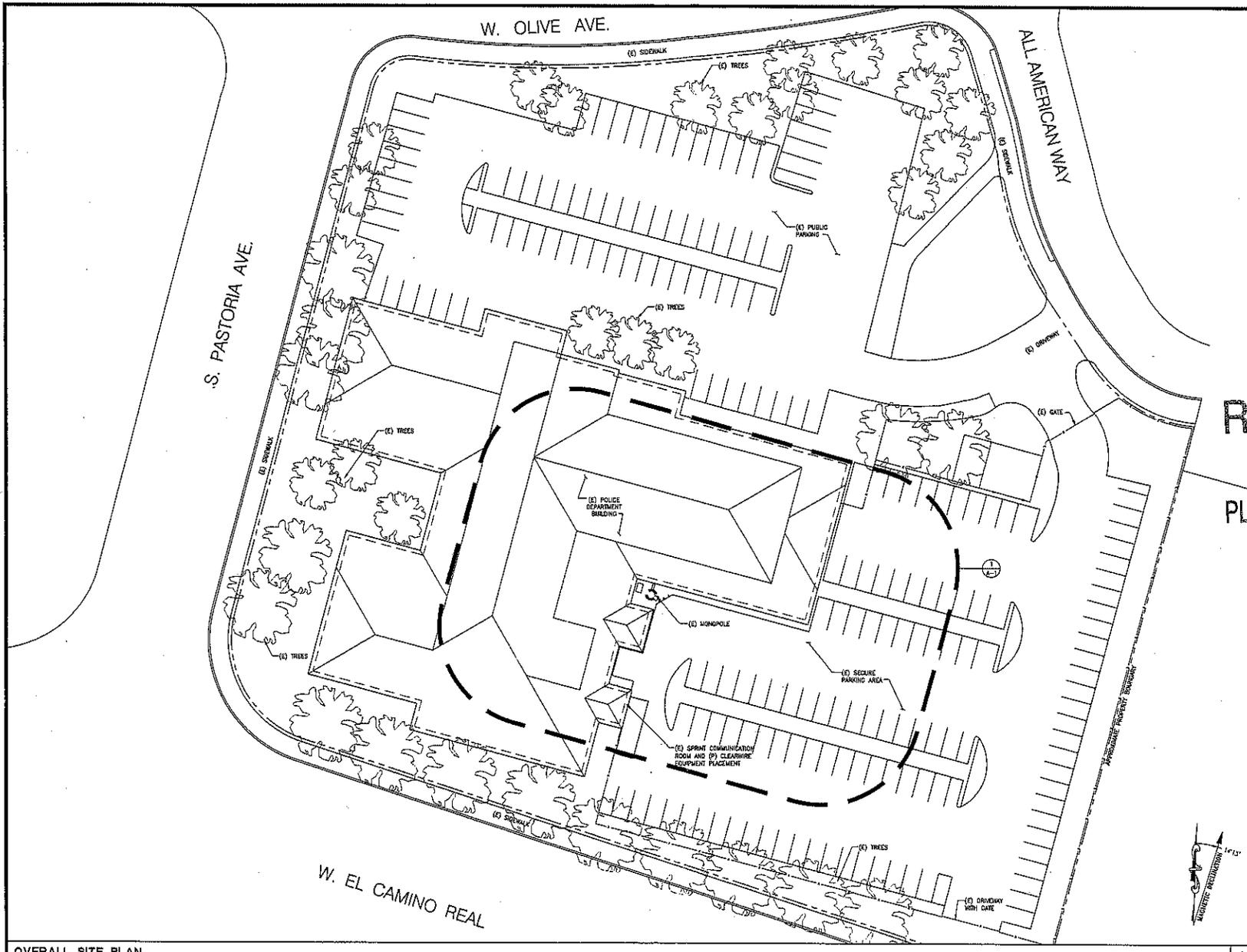
hundred twenty (120) days after a permit becomes null and void all improvements, including foundations and appurtenant ground wires, shall be removed from the property and the site restored to its original pre-installation condition within one hundred eighty (180) days of nonrenewal or abandonment. [SDR] [PLANNING]

20. MINIMIZE NOISE - The facility shall be operated in such a manner so as to minimize any possible disruption caused by noise. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 10:00 p.m. and 7:00 a.m. on weekday nights. At no time shall equipment noise from any source exceed an exterior noise level of 60 dB at the property line. [SDR] [PLANNING]
21. RF EMISSIONS - Certification must be provided that the proposed facility will at all times comply with all applicable health requirements and standards pertaining to RF emissions. [SDR] [PLANNING]
22. MAINTAIN CURRENT INFORMATION - The owner or operator shall maintain, at all times, a sign mounted on the outside fence showing the operator name, site number and emergency contact telephone number. The owner or operator of the facility shall also submit and maintain current at all times basic contact and site information on a form to be supplied by the city. The applicant shall notify city of any changes to the information submitted within thirty (30) days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to the following:
 - a. Identity, including name, address and telephone number, and legal status of the owner of the facility including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility.
 - b. Name, address and telephone number of a local contact person for emergencies.
 - c. Type of service provided. [SDR] [PLANNING]
23. GOOD REPAIR - All facilities and related equipment, including lighting, fences and fence slats, shields, cabinets, and poles, shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible so as to minimize occurrences of dangerous conditions or visual blight. Graffiti shall be removed from any facility or

equipment as soon as practicable, and in no instance more than forty-eight (48) hours from the time of notification by the city. [SDR] [PLANNING]

24. RESPONSIBILITY TO MAINTAIN - The owner or operator of the facility shall routinely and regularly inspect each site to ensure compliance with the standards set forth in the Telecommunications Ordinance. [SDR] [PLANNING]

 25. NO INTERFERENCE WITH CITY COMMUNICATION SYSTEMS - The facility operator shall be strictly liable for interference caused by the facility with city communication systems. The operator shall be responsible for all labor and equipment costs for determining the source of the interference, all costs associated with eliminating the interference, (including but not limited to filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the city attributable to the interference. [SDR] [PLANNING]
-



OVERALL SITE PLAN

clearw're
wireless broadband

4100 CARLSON POINT
SUNNYVALE, CA 95033
Ph: (415) 218-7600
Fax: (415) 218-7600

MT²
TELECOM, LP

3710 GARDNER DR
WEST SACRAMENTO, CA 95691
Ph: (916) 378-2255
Fax: (916) 378-8558

SUNNYVALE CENTER
CA-SJC0283A

700 ALL AMERICA WAY
SUNNYVALE, CA 94086

CURRENT ISSUE DATE:
9.25.10
ISSUED FOR:
100% CONSTRUCTION

RECEIVED
OCT 20 2010
PLANNING DIVISION

PROJECT NO: CA-SJC0283A

DRAWN BY: JLEFORD

CHECKED BY: SAL MARTINEZ

NO.	DATE	ISSUE
1	4/14/10	90% CD
2	10/28/10	100% CD

SHEET TITLE

OVERALL SITE PLAN

SHEET NUMBER

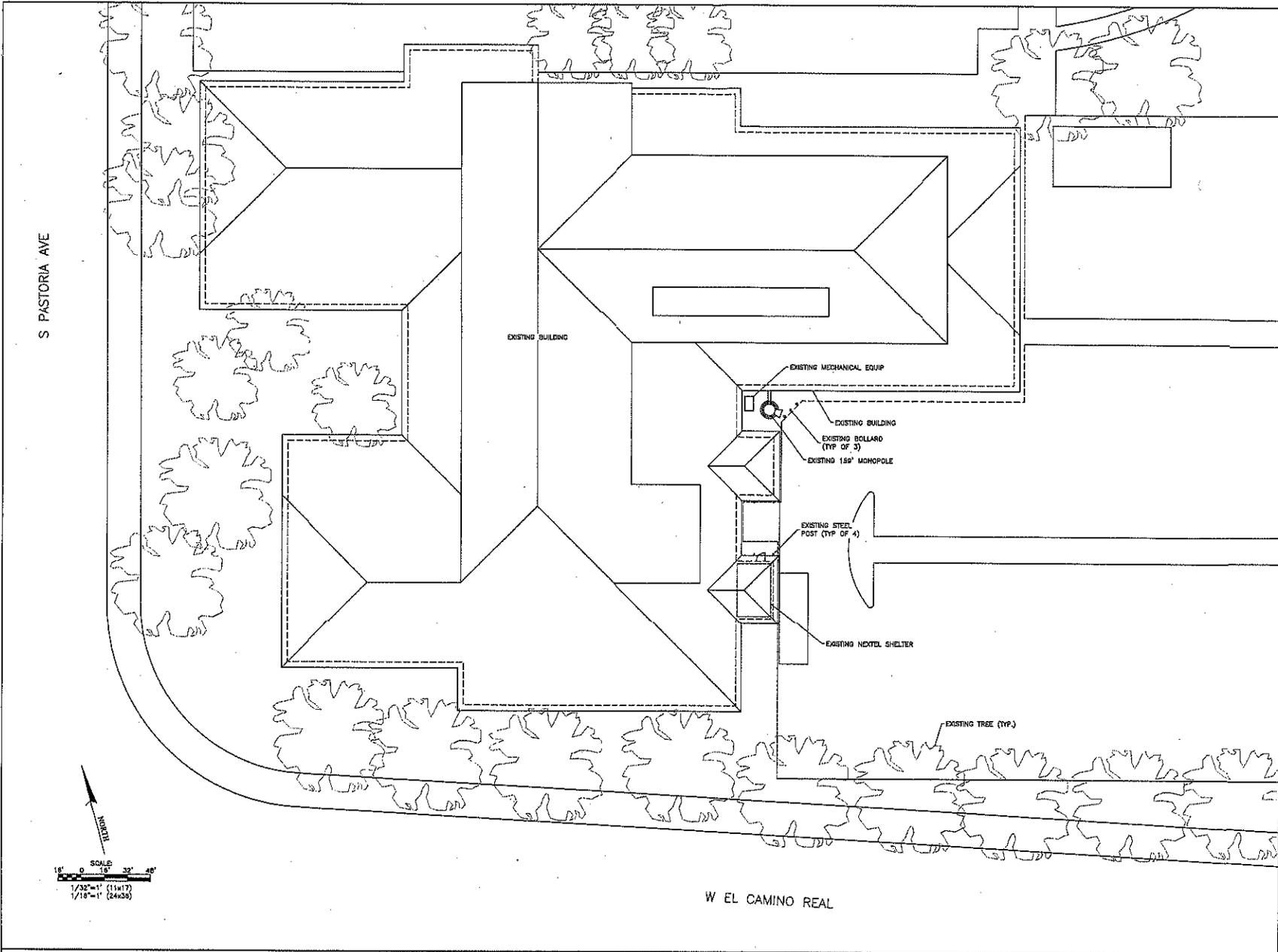
Z-1

1st SUBMITTAL:

2nd SUBMITTAL:

FILE NAME: WDO-188

ATTACHMENT B



clearw're
wireless broadband

4400 CARILLON POINT
KIRKLAND, WA 98033
TEL: (425) 218-7900
FAX: (425) 218-7900

Dyna Limited
TELECOMMUNICATIONS SERVICES

7134 Brookwood Drive
Brookfield, OH 44403
Phone: 800-838-3224
Fax: 330-448-4337
www.dynalid.com

DYNATEK 7506
PROJ. NO.:

DRAWN BY: E.G.V.

CHECKED BY: ZM

SUBMITTALS

1	12/7/09	ZD 100%
0	11/1/09	ZD 90%

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Page 2 of 5

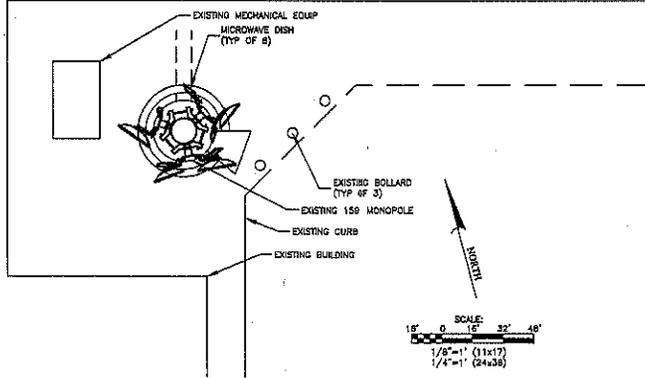
SUNNYVALE CENTER
(CA-SJC0283A)
700 ALL AMERICA WAY
SUNNYVALE, CA

SHEET TITLE:
PARTIAL SITE PLAN

SHEET NUMBER:
Z-1

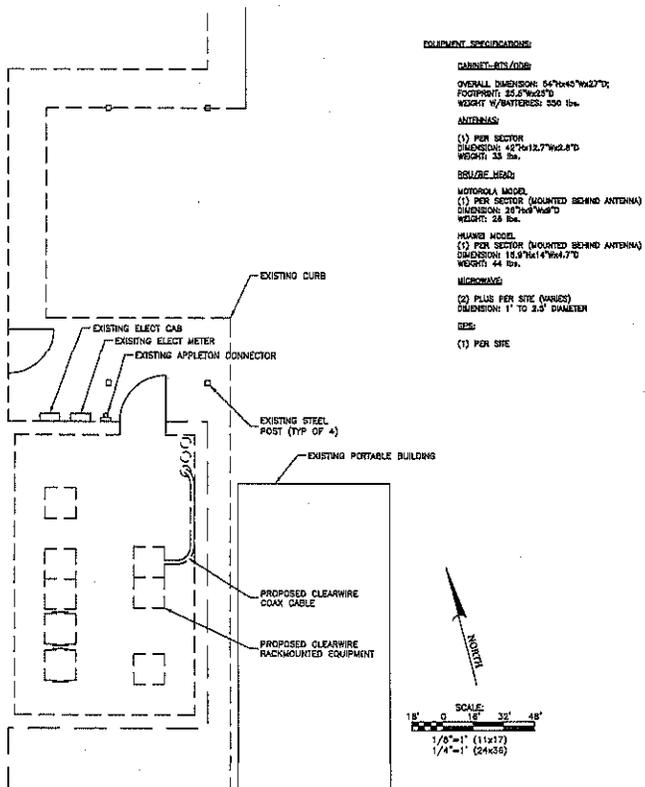
PLOT PLAN

ATTACHMENT



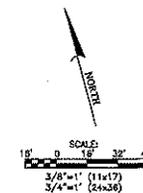
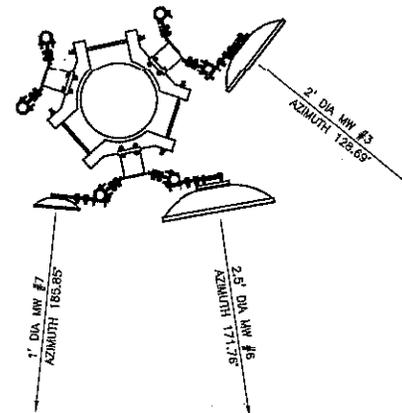
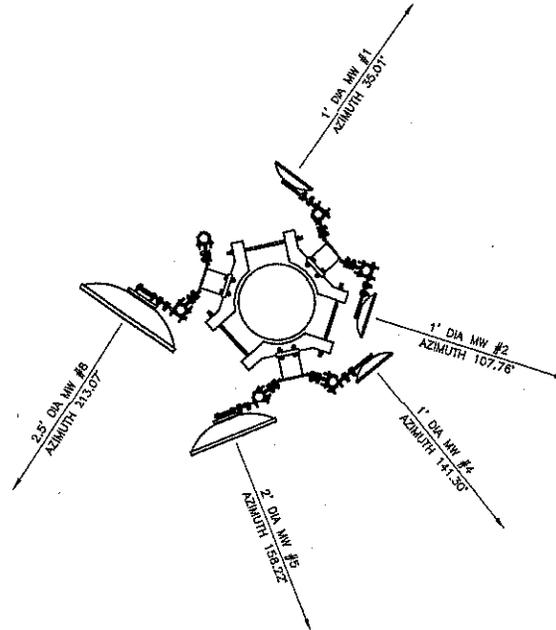
ENLARGED MONOPOLE PLAN

3



ENLARGED EQUIPMENT ENCLOSURE PLAN

2



ANTENNA LAYOUT

clearwire
wireless broadband

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TELECOMMUNICATIONS SERVICES

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Brookfield, OH 44403
Phone: 800-838-3224
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www.dynaltd.com

DYNATEK
PROJ. NO.: 7506

DRAWN BY: E.G.V.

CHECKED BY: ZM

SUBMITTALS

1	12/7/09	ZD 100%
0	11/1/09	ZD 90%

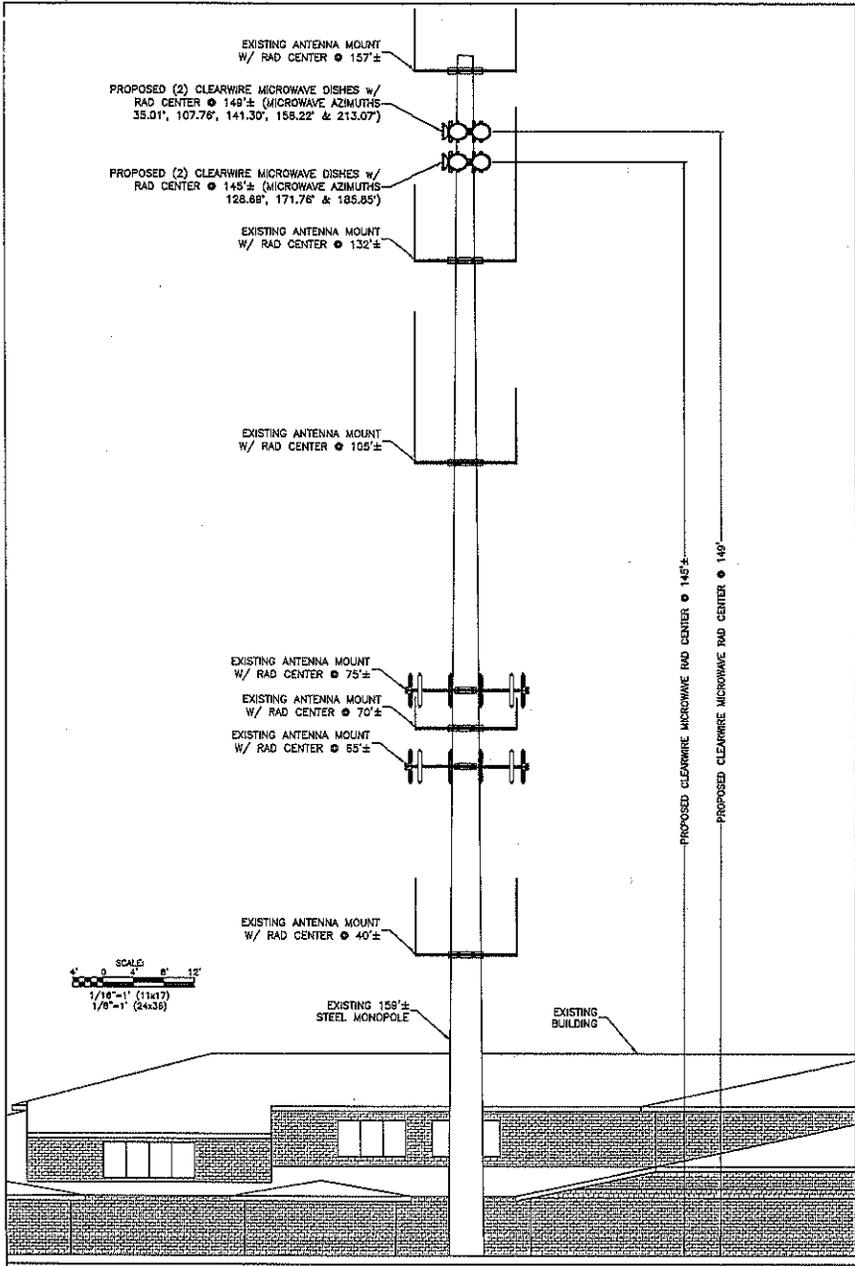
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SUNNYVALE CENTER (CA-SJC0283A)
700 ALL AMERICA WAY
SUNNYVALE, CA

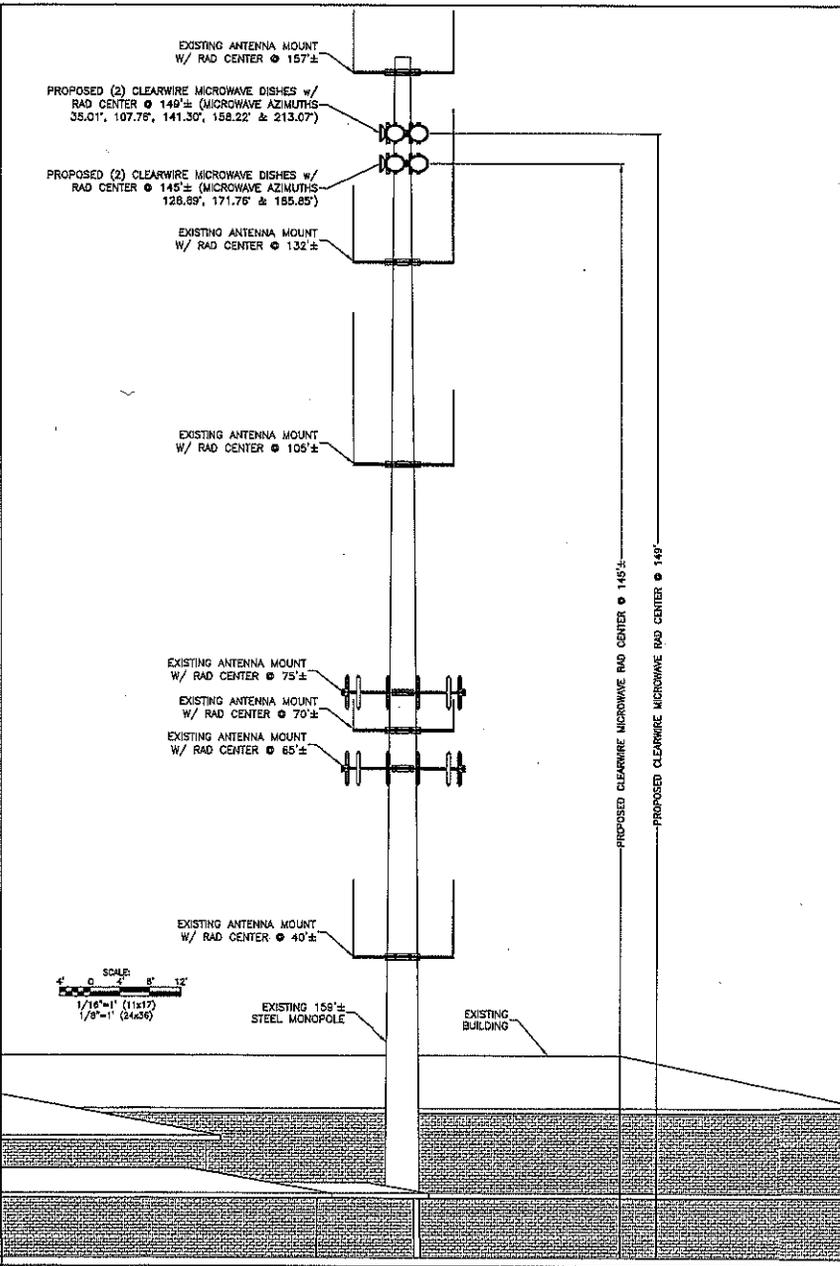
SHEET TITLE:
ENLARGED SITE PLAN

SHEET NUMBER:
Z-2

1



EAST ELEVATION



SOUTH ELEVATION

clearwire
wireless broadband

4400 CARILLON POINT
KIRGLAND, WA 98033
TEL: (425) 216-7600
FAX: (425) 216-7900

Dyna Limited

TELECOMMUNICATIONS SERVICES

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www.dynaltd.com

DYNATEK
PROJ. NO.: 7596

DRAWN BY: E.G.V.

CHECKED BY: ZM

SUBMITTALS

1	12/7/09	ZD 100%
0	11/4/09	ZD 90%

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SUNNYVALE CENTER
(CA-SJC0283A)
700 ALL AMERICA WAY
SUNNYVALE, CA

SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
Z-3

ATTACHMENT B

**PROJECT DESCRIPTION**

Applicant:
ClearWire LLC
4400 Carillon Point
Kirkland, WA 98033
Contact: James Elgee
(206) 327-2023

Proposed Broadband Wireless Facility
700 All America Way, Sunnyvale California
APN:165-02-003
Owner: City of Sunnyvale

Location and Proposed Use

Clearwire is currently deploying the infrastructure for its Internet Broadband 4G Network in California. Clearwire proposes to mount 8 Internet Service Exchange Points (Microwave Dishes) to the existing 159' tall monopole located at 700 All America Way. One Ground Equipment Cabinet will accompany the antennas on grade inside the existing Nextel Shelter. Clearwire's facility is an unmanned facility, which will operate 24 hours per day, 7 days per week. The facility will require access by company representatives less than twice a month.

Clearwire will utilize existing roads and parking to access all sites. After the initial construction, no noise, odors, dust, glare, or additional traffic will be generated by this project. Clearwire does not plan any future use for this site other than the use being proposed by this application.

Project Specifics

Clearwire proposes to install the following equipment on and under the existing monopole located at 700 All America Way:

- Eight microwave dishes ranging in size from 15.3" to 26.1" to be mounted in groups of four at a rad center of 149' and 145'
- Rack mounted ground equipment to be installed within the existing Nextel shelter. The lease area is approximately 2' x 2'.
- One GPS antenna to be mounted on the existing equipment shelter.
- The Coax/Fiber cables will be run from the ground equipment cabinet to the microwaves from up inside the monopole. Power will be pulled from the existing electrical service for the Nextel shelter.
- No generator is needed at this site.



Technology

Clearwire uses WiMAX Technology, which is a telecommunication technology that provides wireless transmission of data using a variety of transmission modes, from point-to-multipoint links to portable and fully mobile internet access.

Clearwire's microwave-based system can do for internet access what cellular has done for phone access, essentially replacing hard-wired connections with mobile internet. The company envisions a network of over 1,200 facilities across the Bay Area distributed based upon the availability of sites with the requisite proximity, height, size, and line-of-sight. The technology provides up to 3 Mbit/ broadband speed without the need for cables. It has been described as "a standards-based technology enabling the delivery of last-mile wireless broadband access as an alternative to cable and DSL".

Because these sites are linked by the microwave connections, it's imperative that the microwave dishes obtain maximum height over the surrounding clutter and topography to ensure a point to point connection with other sites in the system.

Public Services

Public services such as fire and law enforcement are not required given that the facilities are designed to be vandalism resistant (located on a monopole and in a locked equipment shelter within a fenced, high security facility) and are uninhabitable. The project does not require school or transit facilities, as it is an unmanned wireless communication facility.

Location Standards/Alternative Site Analysis

The proposed facility in the City of Sunnyvale has been chosen with great care to minimize visual impact. This Monopole is owned and operated by the City of Sunnyvale for the purpose of Co-location. This tower offers the exact height and location Clearwire requires to complete their 4G network within the Sunnyvale area.

Land Use

Zoning

This parcel is zoned PF/BCR Public Facility, El Camino Real corridor. The project site is bounded on the North and East by municipal uses, on the West and South by commercial uses.

Environmental Setting

The project is located on a level, developed municipal parcel that is occupied by City buildings, parking lot, existing monopole and related communication facilities. There are no sensitive resources onsite given the developed nature of the parcel. Some ornamental landscaping exists along the property's boundaries. No vegetation will be disturbed as a result of this project. There are no scenic vistas in close proximity to the project site.

Radio Frequency Report

This project complies with the Federal Communication Commission (FCC) standards. FCC guidelines are based on standards and recommendations developed by expert committees of physicians, scientists and engineers, most of whom are researchers from leading universities and government research laboratories.



These guidelines were extensively reviewed and endorsed by the major government agencies responsible for public health and the environment – the U.S. Food and Drug Administration, the Environmental Protection Agency, the Occupational Safety and Health Administration, and the National Institute for Occupational Safety and Health. The standards and guidelines, which are based on careful scientific review and interpretation, prescribe specific exposure levels that are extremely protective.

The radio frequency emissions transmit non-ionizing radio waves. Non-ionizing electromagnetic emissions, at the low levels associated with this type of wireless technology **have not been** proven to be harmful to the public. Police/Fire/EMS radios, television broadcasts, CB radios, microwave ovens, and a variety of common household electronics including garage door openers and baby monitors all produce non-ionizing electromagnetic emissions.

Please refer to the attached "Radio Frequency Report Analysis" prepared by Clearwire for additional information. This report is based on predicted RF levels. Predicted levels are determined by the theoretical maximum field.

Road and Access Standards

Clearwire will utilize existing roads and parking to access the site. No new access roads or parking spaces are required for these facilities.

Noise and Traffic Standards

Clearwire equipment operates quietly or virtually noise free. After construction, Clearwire maintenance personnel will access the site less than twice a month.

Visual Compatibility and Facility Design Standards

The proposed facility was designed to integrate into the existing structure and resemble the existing facilities. Please refer to the attached photo simulations for further detail.

The proposed facilities do not interfere with residential views, vistas or public view corridors. The proposed facilities do not display any advertising signage or identifying logos.

Approval Request

Clearwire respectfully requests the City of Sunnyvale to approve a Major Use Permit to install and operate a wireless communications facility located within this application. The establishment and operation of this wireless communications facility as proposed will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity. This determination is supported by the following:

1. The proposed facilities are consistent with the General Plan, the Zoning Ordinance, and all other applicable specific plans.
2. The proposed facility is consistent with the general scale of structures and buildings in their surrounding neighborhood.

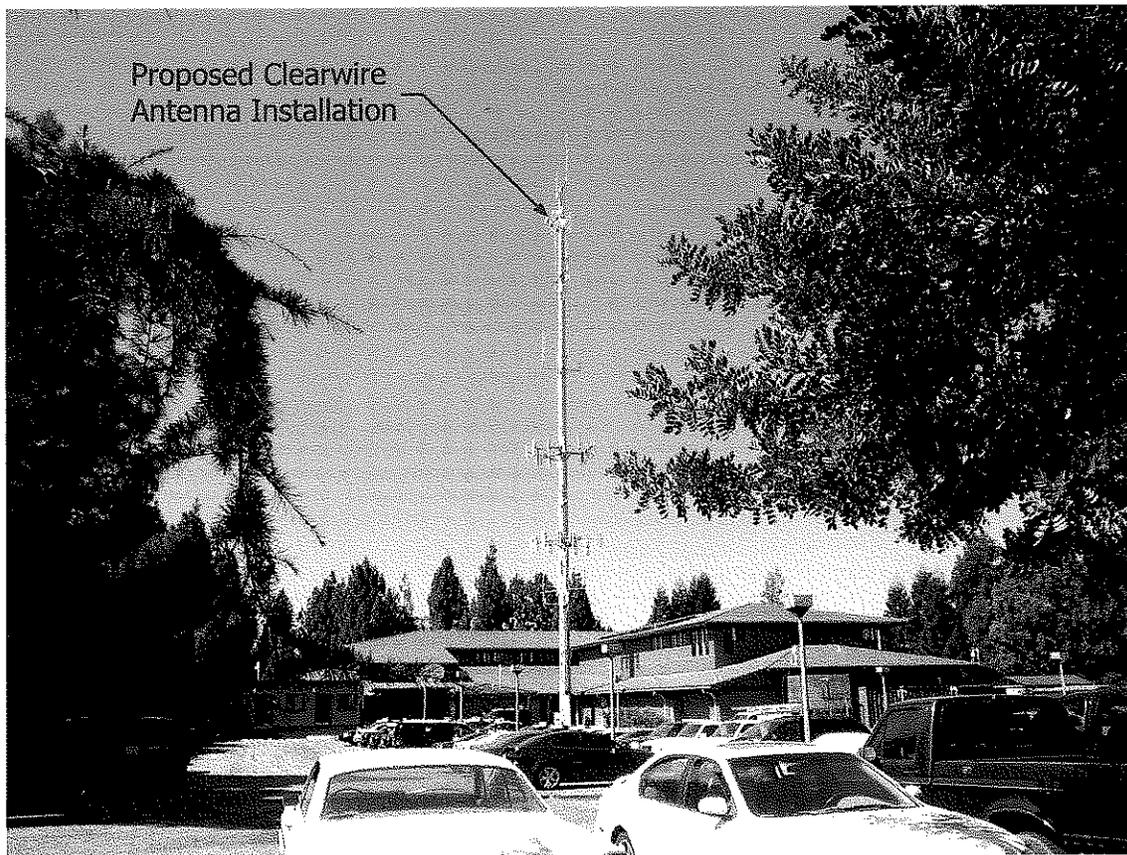


3. The proposed facilities have been located and designed to minimize obstruction of public views and primary views from property. All associated ground equipment will be screened from view and will not be visually obtrusive.
4. All proposed mechanical equipment is appropriately designed and located to minimize visual, noise, and air quality impacts to adjacent properties and the general public. The facilities operate virtually noise free. No additional parking, utilities, or services are required at the proposed site as a result of this proposal.
5. The proposed design preserves protected trees and significant natural features on the site and minimizes site degradation from construction activities and other potential impacts.
6. The proposed use, together with any applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City of Sunnyvale. Please see attached electromagnetic analysis by Clearwire.
7. The proposed facilities will not materially adversely affect adjacently located properties or their permitted uses. The proposed facilities are a modern day utility and will contribute to the provision of an enhanced wireless communication technology for the general public and emergency service use.

Existing



Proposed



East Elevation

CA-SJC0283A
Sunnyvale Center



Existing



Proposed



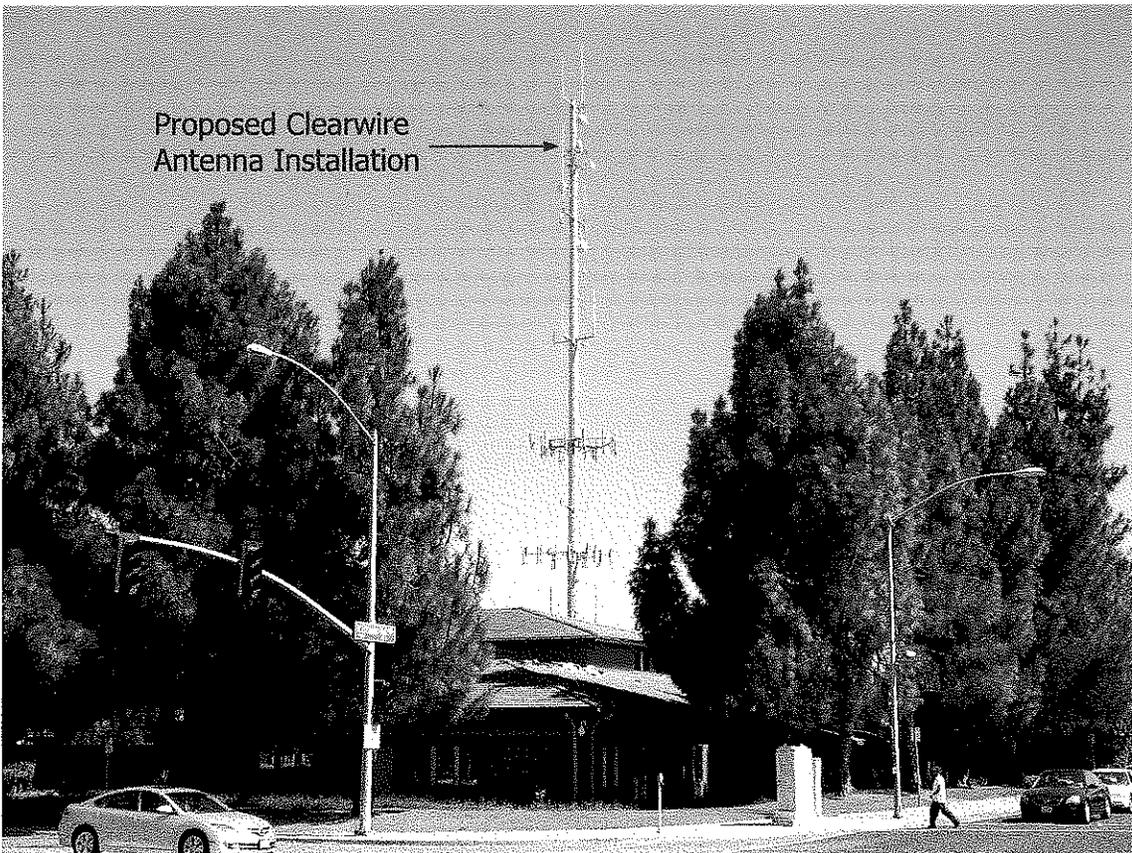
Northwest Elevation

CA-SJC0283A
Sunnyvale Center





Proposed



Southwest Elevation

CA-SJC0283A
Sunnyvale Center



Clearwire Co-Location

700 All-America Way Sunnyvale, CA

APN: 165-02-003

