

**CITY OF PALO ALTO**  
Office of the City Clerk  
**APPEAL FROM THE DECISION OF DIRECTOR OF PLANNING  
AND COMMUNITY ENVIRONMENT\***

For appeals of final decisions on Architectural Review Board and Home Improvement Exception applications (rendered after public hearing), this appeal form shall be completed and submitted by appellant within fourteen days from date of the Director's decision. Appeals of final decisions on Individual Review applications (rendered after public hearing) must be submitted within ten days of the Director's decision. Complete form, the current fee and a letter stating reasons for the appeal shall be submitted to front desk staff of the Planning Division, 5<sup>th</sup> floor, City Hall, 250 Hamilton Avenue, *except* for 980 Fridays when City Hall is closed, when these items shall be submitted to Planning staff at the Development Center, 265 Hamilton Avenue (glass storefront across from City Hall on the corner of Bryant and Hamilton).

\* Director of Planning includes his designees, which are Planning Managers or the Chief Planning Official

18-AP-5  
Appeal Application No. 17 PLN-00169 Receipt No. 2018099001-25-1  
Name of Appellant Jeanne Fleming Phone (650) 325-5151  
Address 2070 Webster Street Palo Alto 94301  
Street City ZIP

LOCATION OF PROPERTY SUBJECT TO APPEAL: Please see attachment for more information.  
Street Address CPAV Poles #3121, 2461, 3315, 2856, 2964, 3610, 3351, 2479, 3867, 1506 + 3288  
Name of Property Owner (if other than appellant) City of Palo Alto  
Property Owner's Address 250 Hamilton Avenue Palo Alto 94301  
Street City ZIP

The decision of the Director of Planning and Community Environment dated March 26, 2018  
whereby the application 17 PLN-00169 by Vinculums/Verizon  
(file number) (original project applicant)

was approved, is hereby appealed for the reasons stated in the attached letter (in duplicate)  
(approved/denied)

Date: April 9, 2018 Signature of Appellant Jeanne Fleming

**PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL (TO BE FILLED OUT BY STAFF):**

Date \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_

Remarks and/or Conditions:

**CITY COUNCIL DECISION (TO BE FILLED OUT BY STAFF):**

Date \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_

Remarks and/or Conditions:

**SUBMITTAL REQUIREMENTS SATISFIED:**

1. Letter stating reasons for appeal UGO
2. Fee (currently \$280.00) UGO

Received by: Kim Lunt (last page)  
Received by: Kim Lunt

APR 09 2018

18 APR -9 AM 10: 58  
CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**Attachment to Jeanne Fleming's 4/9/18 appeal of Application 17PLN-00169**

LOCATION OF PROPERTY SUBJECT TO APPEAL:

- Node #129: CPAU Pole #3121 (near 2490 Louis Road APN 127-30-062)
- Node #130: CPAU Pole #2461 (near 2802 Louis Road APN 127-28-046)
- Node #131: CPAU Pole #3315 (near 891 Elbridge Way APN 127-26-067)
- Node #133E: CPAU Pole #2856 (near 949 Loma Verde APN 127-23-009)
- Node #134: CPAU Pole #2964 (near 3409 Kenneth Drive APN 127-09-028)
- Node #135: CPAU Pole #3610 (near 795 Stone Lane APN 127-47-001)
- Node #137: CPAU Pole #3351 (near 3090 Ross Road APN 127-52-031)
- Node #138: CPAU Pole #2479 (near 836 Colorado Avenue APN 127-27-063)
- Node #143: CPAU Pole #3867 (near 419 El Verano Avenue APN 132-15-017)
- Node #144: CPAU Pole #1506 (near 201 Loma Verde Avenue APN 132-48-015)
- Node #145: CPAU Pole #3288 (near 737 Loma Verde Avenue APN 127-64-039)

April 9, 2018

Dear City Clerk Beth Minor:

On behalf of United Neighbors, I am appealing the Director of Planning's decision to approve the eleven cell towers known as Cluster 1 that Verizon is applying to install in Palo Alto, most of them in close proximity to residents' homes.

United Neighbors appreciates the work the City and, in particular, the Architectural Review Board, has done in reviewing Verizon's applications. We believe, however, that the Director has arrived at the wrong decision.

Please understand, we welcome the ramp up to 5G in Palo Alto. Telecom's next generation holds the promise of improving our lives in new and exciting ways. But it is our view that Palo Alto should be a leader in ensuring that the equipment required to support this service is thoughtfully integrated into residential neighborhoods. This means hiding it, not—as the Director's decision would allow—mounting cheap, oversized equipment next to people's homes—equipment that, in the words of ARB member Robert Gooyer, is "butt ugly."

Better alternatives exist, much better. Here is a link to a terrific short video (2.26 minutes) that shows how Swisscom, a Swiss telecom company, is fully undergrounding its equipment, including antennas, and doing it in a way that makes the equipment invisible to residents and passers-by: <https://www.ericsson.com/en/news/2016/3/swisscom-and-ericsson-plant-lte-small-cells-underground>. If you don't have time to view the video, attached are two stills from it (please see Exhibit A for photos of Swisscom's elegantly undergrounded equipment in Bern).

Surely Verizon, which dwarfs Swisscom in resources and revenue, is capable of overcoming the barriers to undergrounding it says exist and placing in vaults its equipment (except for the antenna) at the eleven sites in question.

For example, Verizon states that it cannot underground its equipment at six of the eleven sites because they are in a 100-year-storm flood zone, meaning there's a remote possibility its radios could get wet and need to be replaced. But if this very small chance of water damaging its radios is truly a problem for Verizon, it could use fully water-proof radios. Ericsson makes one (please see Exhibit B). Problem solved.

Again for example, Verizon states that vaulting could represent an impediment to pedestrians. But in reality, the telecom industry, like the public utility industry, knows exactly how to install flush-to-the-ground-with-no-protuberances vaulted equipment. In Exhibit C, you will see a photo of the top of a vault for electrical equipment, installed by Palo Alto Utilities, that is in the middle of a sidewalk in the 400 block of Cambridge

Avenue and that represents no impediment to pedestrians. In Exhibit D, you will find a photograph of a fully-undergrounded *telecom* installation in Rancho Palos Verdes, California. And in Exhibit E you will see plans Verizon itself submitted to the City of Montecito for a fully-undergrounded installation in that community.

Verizon has a laundry list of objections to undergrounding its cell tower equipment, all as unconvincing as the two considered above. As we all know, Palo Alto has undergrounded its utilities in much of the city and plans to place all the utilities underground in the future, including in the Cluster 1 neighborhoods. Indeed, the City has already installed fully-undergrounded electricity vaults in Cluster 1 neighborhoods. (Please see Exhibit F for two photographs of a City vault at 897 Marshall Drive, which is next door to 2490 Louis Road, a site where Verizon says vaulting is not feasible because it is in a 100-year-storm zone.) It makes no sense that the largest telecom company in the United States and second largest in the world is incapable of undergrounding equipment where Palo Alto can.

Truth be told, there is only one reason why Verizon wants to install its equipment on utility poles rather than to place it in underground vaults: Above ground installations are cheaper.

But Verizon's expenses are not Palo Alto's responsibility. The City's responsibility is to its residents. In this regard, the City's code requires everyone—telecom companies included—to abide by Palo Alto's aesthetics, noise and other ordinances. Plus, with Governor Brown's veto of SB649—a move supported by the City, which joined the League of California Cities in fighting SB649—state law continues to give Palo Alto the right to do so.

In short, we see no reason why the quality of life in our neighborhoods should be compromised to allow Verizon to save money. Verizon, AT&T and other players in the telecom industry have already filed applications to install new cell towers at over 150 locations in the heart of Palo Alto, and more applications are on the way. As it welcomes the ramp up to 5G in our city, Palo Alto—the epicenter of technological innovation in the 21st Century—should insist that this massive buildout be done right, and not on the cheap.

In conclusion: In appealing the Director's decision, we ask City Council to stipulate that approval is granted to Verizon to install cell towers only on the condition that it fully undergrounds all its equipment, save for the antennas.

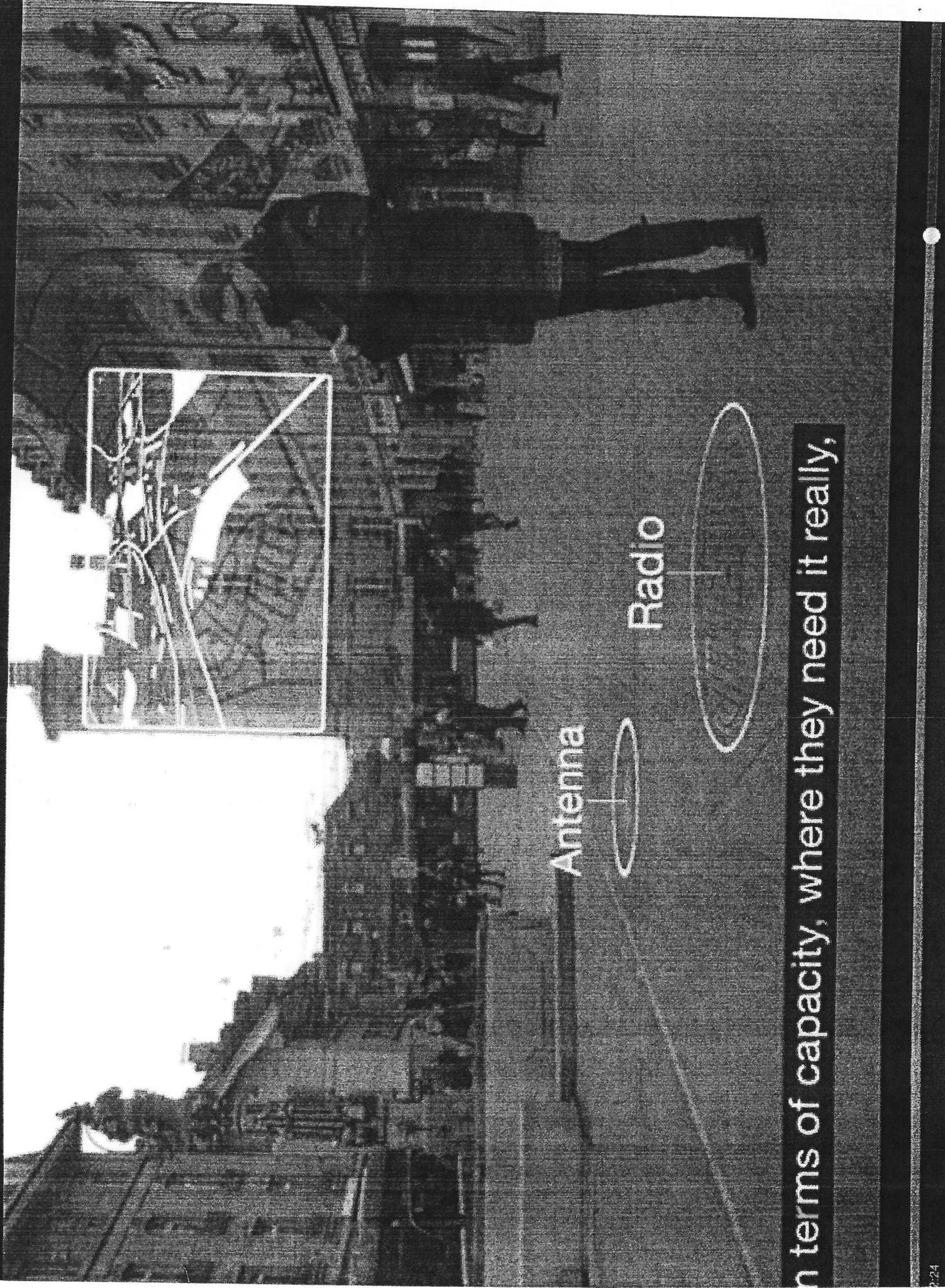
Sincerely,

  
Jeanne Fleming

## Exhibit A

Two photographs of fully-undergrounded  
cell tower equipment in Bern,  
Switzerland

Source: Swisscom video



Antenna

Radio

in terms of capacity, where they need it really,



Underground vault

have tons of cable ducts and manholes,

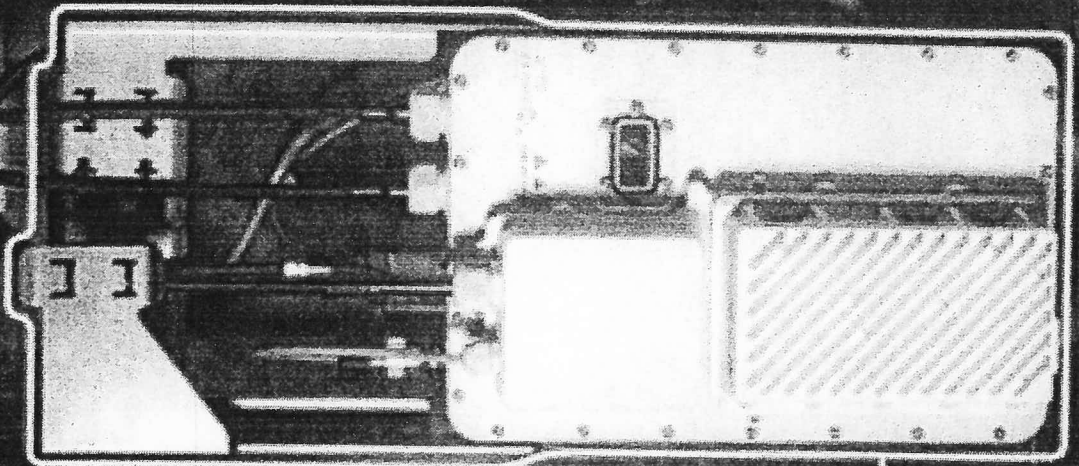
Exhibit B

Promotional photograph of Ericsson's  
waterproof radio

Source: Swisscom video



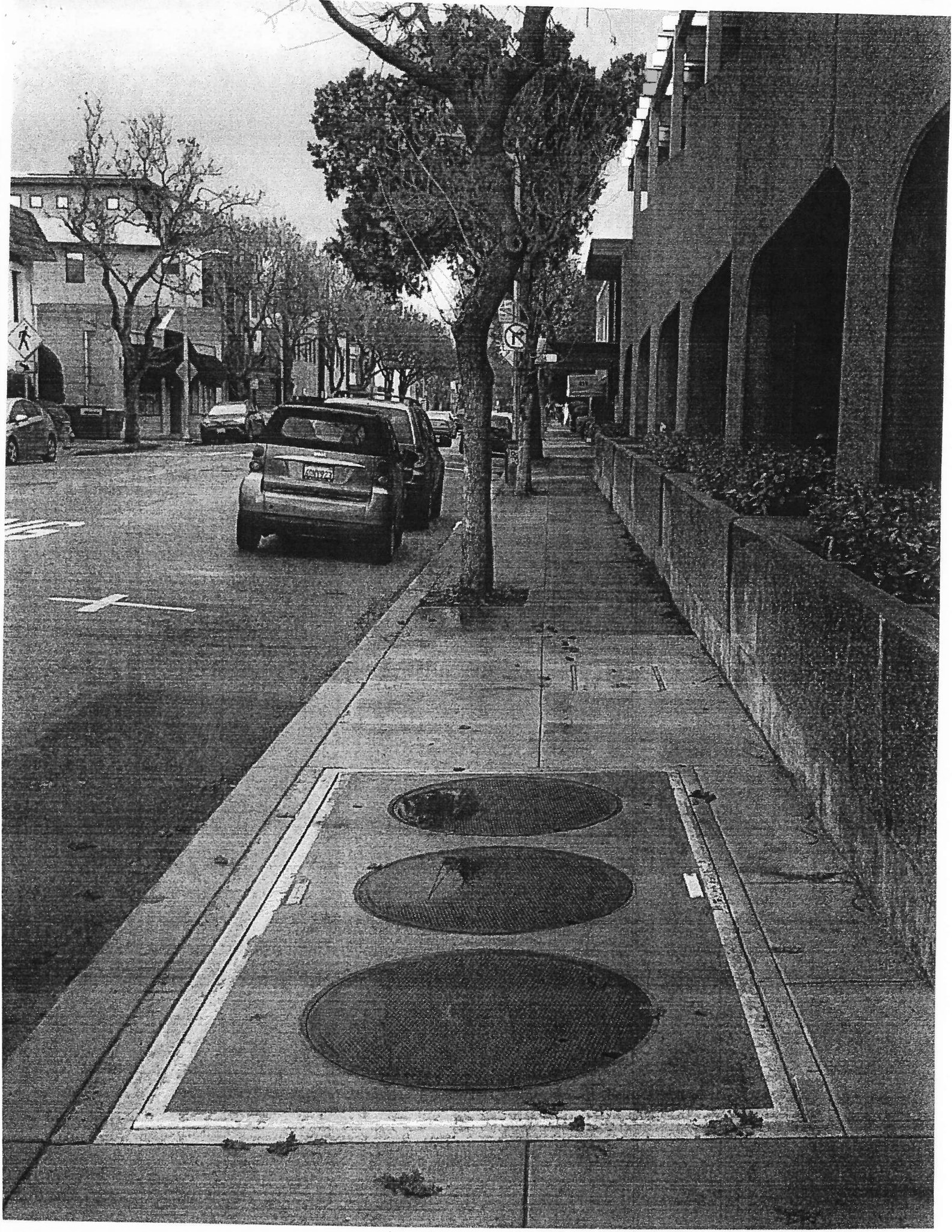
# IP68 DEEP WATERPROOF GASPROOF



which is waterproof, airproof,

Exhibit C

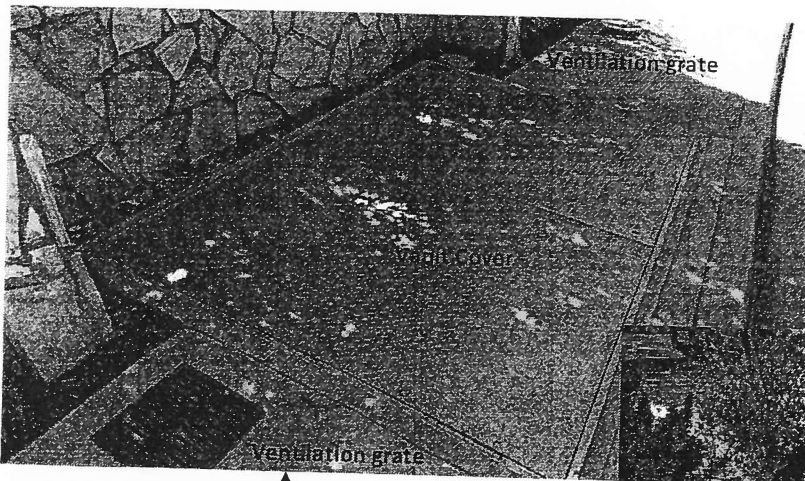
Fully-undergrounded City of Palo Alto  
utility vaults in the  
400 block of Cambridge Avenue



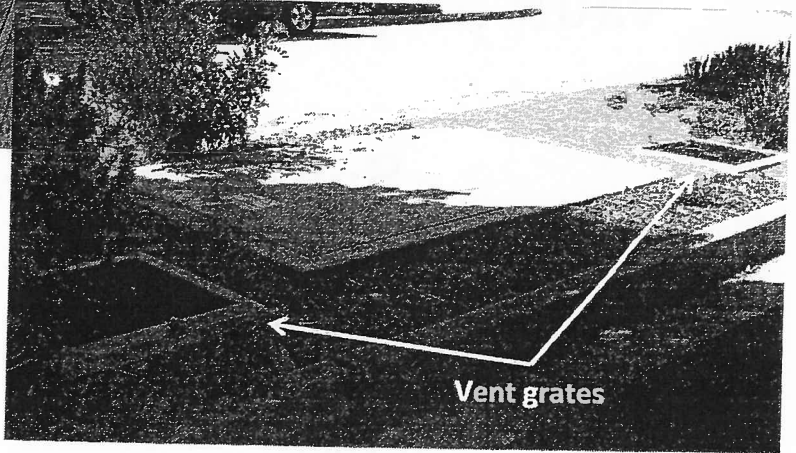
## Exhibit D

Fully-undergrounded cell tower vaults in  
Rancho Palos Verdes, California

Underground vaults routinely use ventilation grates flush with the surface. There is no need for the highly intrusive vent stacks



Existing cell tower underground vault at the corner of PV Drive East and Calle Aveventura in RPV. No vent stacks



Existing cell tower underground vault at the corner of Highridge Road and Ridgegate Road in RPV. No vent stacks

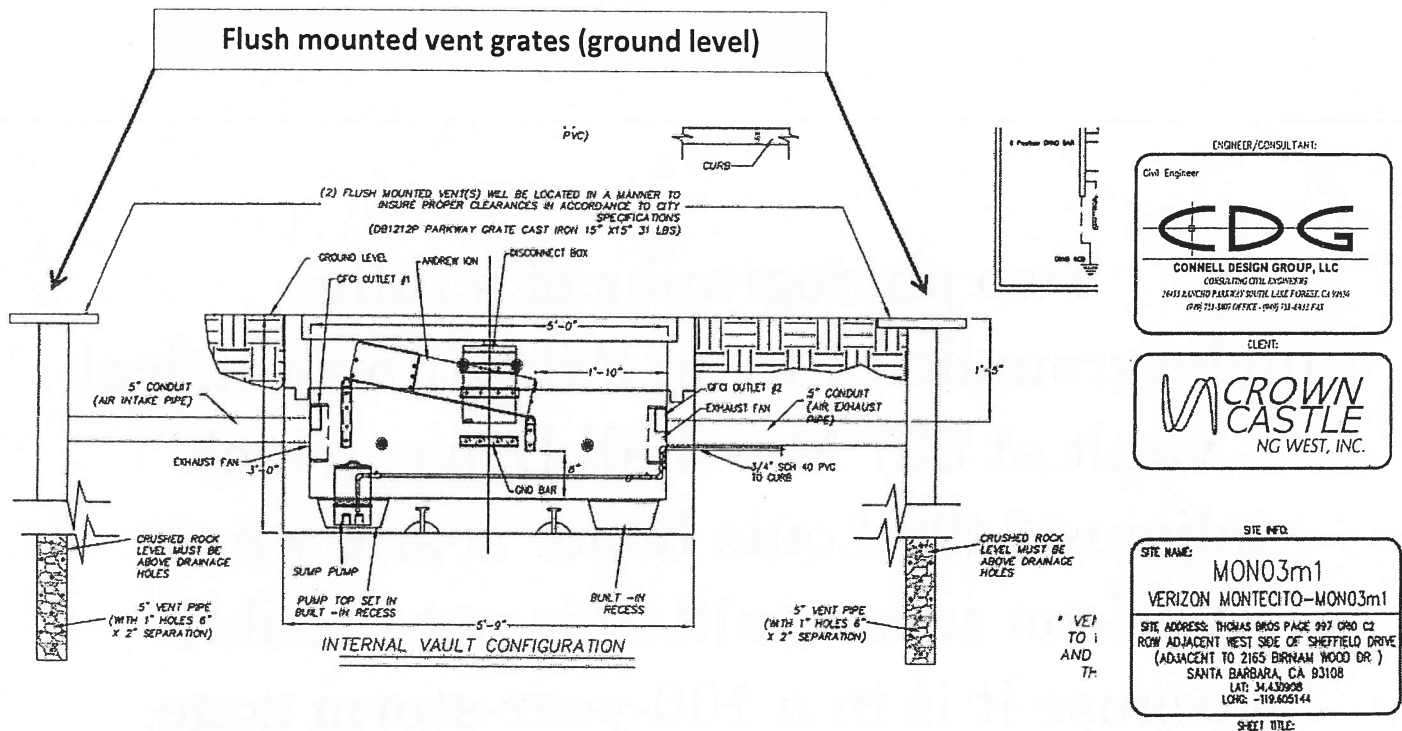


## Exhibit E

# Plan for a fully-undergrounded cell tower vault proposed by Verizon/Crown Castle in Santa Barbara County

Note: You will find Verizon's name in the box in the bottom right of the image.

# Crown Castle proposed underground vaults without vent stacks in a large Santa Barbara County deployment using comparable equipment

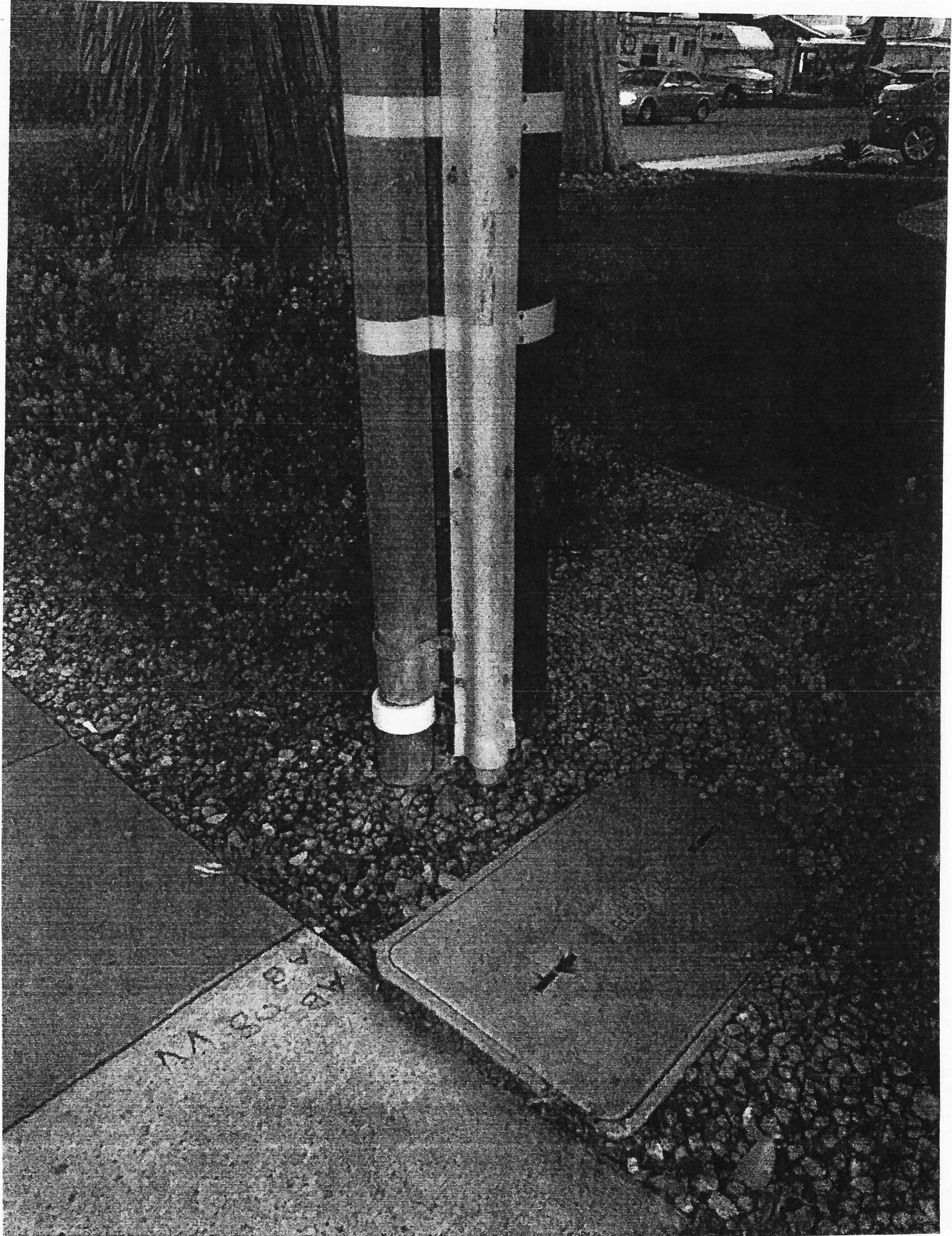


Source: Santa Barbara County Planning (see page 25)  
<http://sbcountyplanning.org/PDF/boards/MPC/07-24-2014/13CUP-00000-00009/Plans.pdf>

## Exhibit F

Two photographs of a fully-undergrounded City of Palo Alto electrical vault at 837 Marshall Drive, which adjoins 2490 Louis Road: a site where Verizon says vaulting is not feasible because it is in a 100-year-storm zone.





OPPA  
ELECTRIC



## NOTICE OF DIRECTOR'S DECISIONS APPROVING 11 WIRELESS COMMUNICATION FACILITY PERMITS

NOTICE IS HEREBY GIVEN: The Director of Planning and Community Environment (PCE) approved 11 'Tier 3' Wireless Communication Facility (WCF) Permit applications (file 17PLN-00169) following Architectural Review Board (ARB) approval recommended March 15, 2018. The PCE Director decision letter (viewable at this website: <https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=3999&TargetID=319>) approved these small cell equipment 'nodes' submitted by Vinculums/Verizon on 11 utility poles in public right-of-way within the Mid-Town, Palo Verde, St. Claire Gardens, and South of Mid-Town neighborhoods, as follows: Node #129: CPAU Pole# 3121 (near 2490 Louis Road APN 127-30-062); Node #130: CPAU Pole #2461 (near 2802 Louis Road APN 127-28-046); Node #131: CPAU Pole #3315 (near 891 Elbridge Way APN 127-26-067); Node #133E: CPAU Pole #2856 (near 949 Loma Verde APN 127-23-009); Node #134: CPAU Pole #2964 (near 3409 Kenneth Drive APN 127-09-028); Node #135: CPAU Pole #3610 (near 795 Stone Ln APN 127-47-001); Node #137: CPAU Pole #3351 (near 3090 Ross Rd APN 127-52-031); Node #138: CPAU Pole #2479 (near 836 Colorado Av APN 127-27-063); Node #143: CPAU Pole #3867 (near 419 El Verano Av APN 132-15-017); Node #144: CPAU Pole #1506 (near 201 Loma Verde Av APN 132-48-015) and Node #145: CPAU Pole #3288 (near 737 Loma Verde Av APN 127-64-039). Each WCF is Categorically Exempt under California Environmental Quality Act Class 3, Guidelines Section 15303.

You are receiving this notice because you own property or reside within 600 feet of one or more of the 11 small cell nodes on the above list. The PCE Director's decisions become final and effective after fourteen (14) calendar days from March 26, 2018, unless timely written appeal(s) are filed. For more information contact the Project Planner Rebecca Atkinson at [Rebecca.Atkinson@CityofPaloAlto.org](mailto:Rebecca.Atkinson@CityofPaloAlto.org).

AMERICANS WITH DISABILITY ACT (ADA) Persons with disabilities who require auxiliary aids or services in using City facilities, services or programs or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact (650) 329-2550 (Voice) or (650) 328-1199 (TDD) 72 hours in advance.

# City of Palo Alto Revenue Collections

Received From: Jeanne Fleming

Date: 4/9/18

In Payment Of: Appeal

By: \_\_\_\_\_

**ITEM**

( ) Certified Mail Fee .....	40050009	18990	.....	\$	_____
( ) False Alarm Late Fee .....	70020002	13110	.....	\$	_____
( ) Miscellaneous Revenue .....	10200000	18990	.....	\$	_____
( ) Transient Occupancy Tax .....	10200000	11850	.....	\$	_____
( ) Sales Tax .....	10200000	60050	.....	\$	_____
( ) Utility User Tax .....	10300000	11870	.....	\$	_____
( ) ZoneMapSales .....	60020201	17030	.....	\$	_____
( ) Univ Ave Parking .....	23600000	14510	.....	\$	_____
( ) Calif Ave Parking .....	23700000	14520	.....	\$	_____
( ) Lot S Parking .....	23600000	14500	.....	\$	_____
( ) Other .....	<u>60020201</u>	<u>13394</u>	.....	\$	<u>2574</u>
			<b>Total</b> .....	\$	_____

Copies to: \_\_\_\_\_

22-37 REV 10/03

Cash ( ) Check ( )

City of Palo Alto  
City of Palo Alto  
Revenue Collection

Reference Number: 2018099001-25  
Date/Time: 04/09/2018 10:48:50 AM

Miscellaneous  
2018099001-25-1  
Reference: Jeanne Fleming appeal  
Allocation 29 @ \$280.00  
GL #: 60020402..13290...

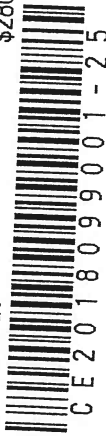
Total: \$280.00

1 ITEM TOTAL: \$280.00

TOTAL: \$280.00

Check \$280.00  
Check Nbr: 0797

Total Received: \$280.00



Customer Copy