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New Cingular Wireless PCS, LLC

CUP -22-0002; SEP-22-0020
Applicant's Presentation

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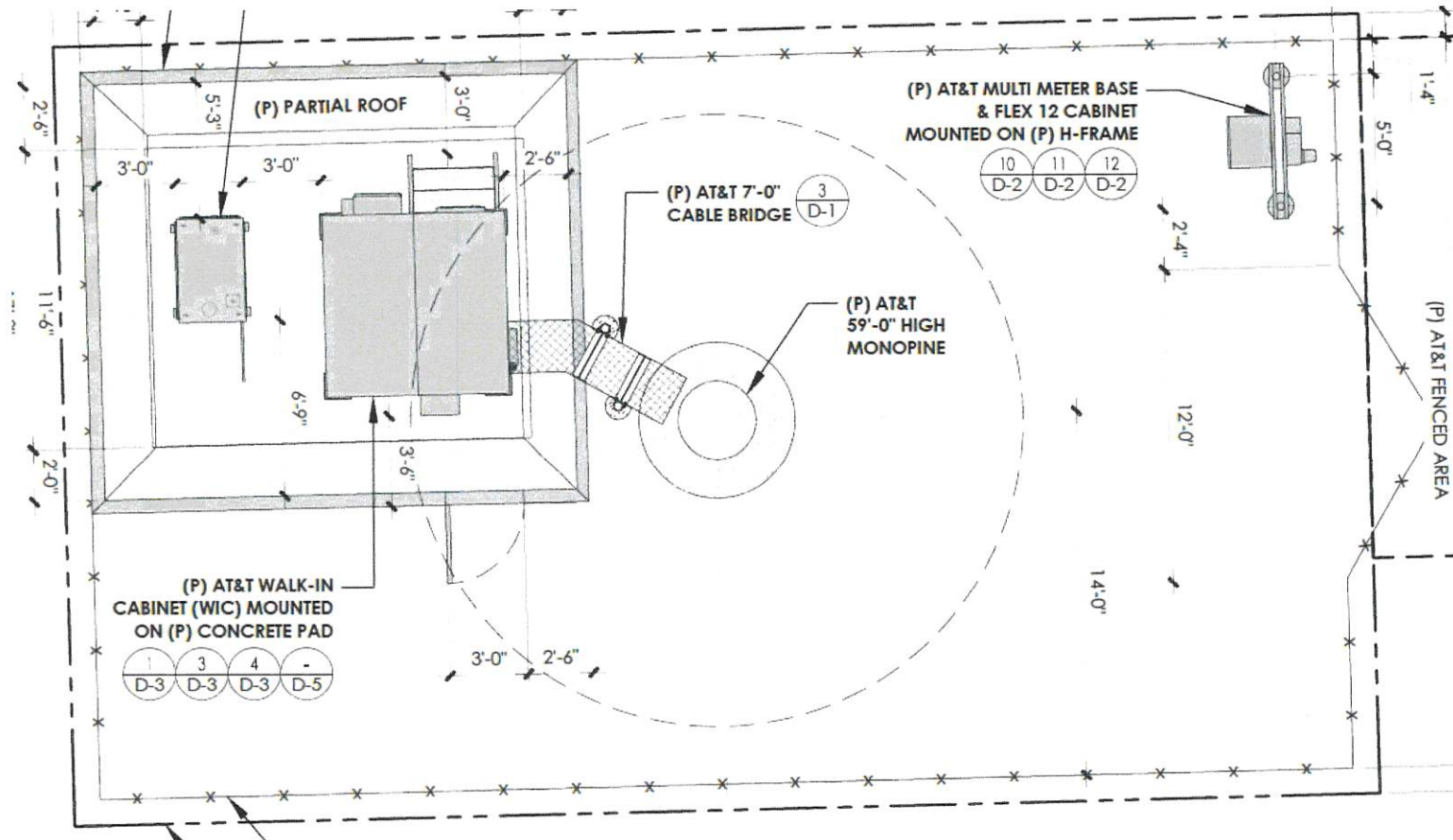
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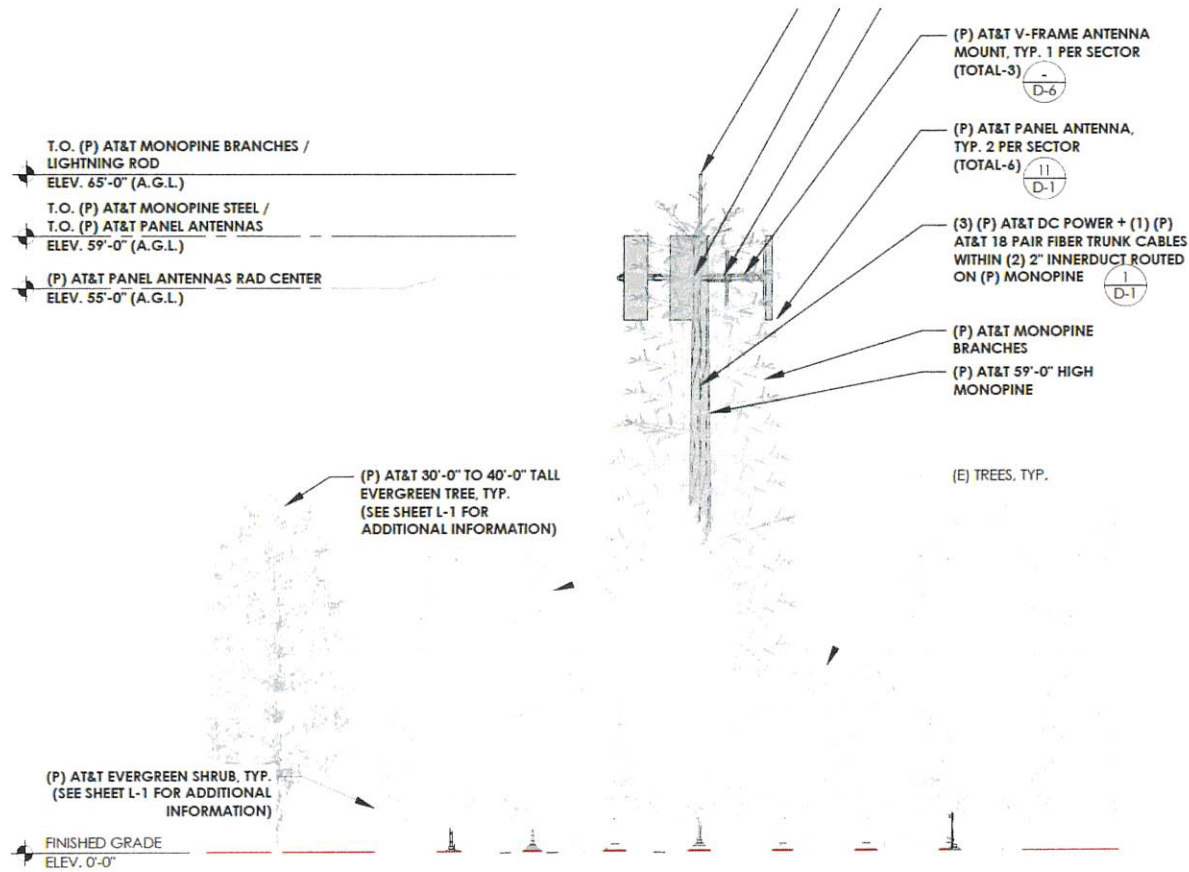
Project Overview – 928 Sturm Ave



Drawings – Fenced Equipment Area



Drawings – Looking North from Property Line



SOUTH ELEVATION (FROM PROPERTY LINE)

-LE



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Project Overview – Looking west

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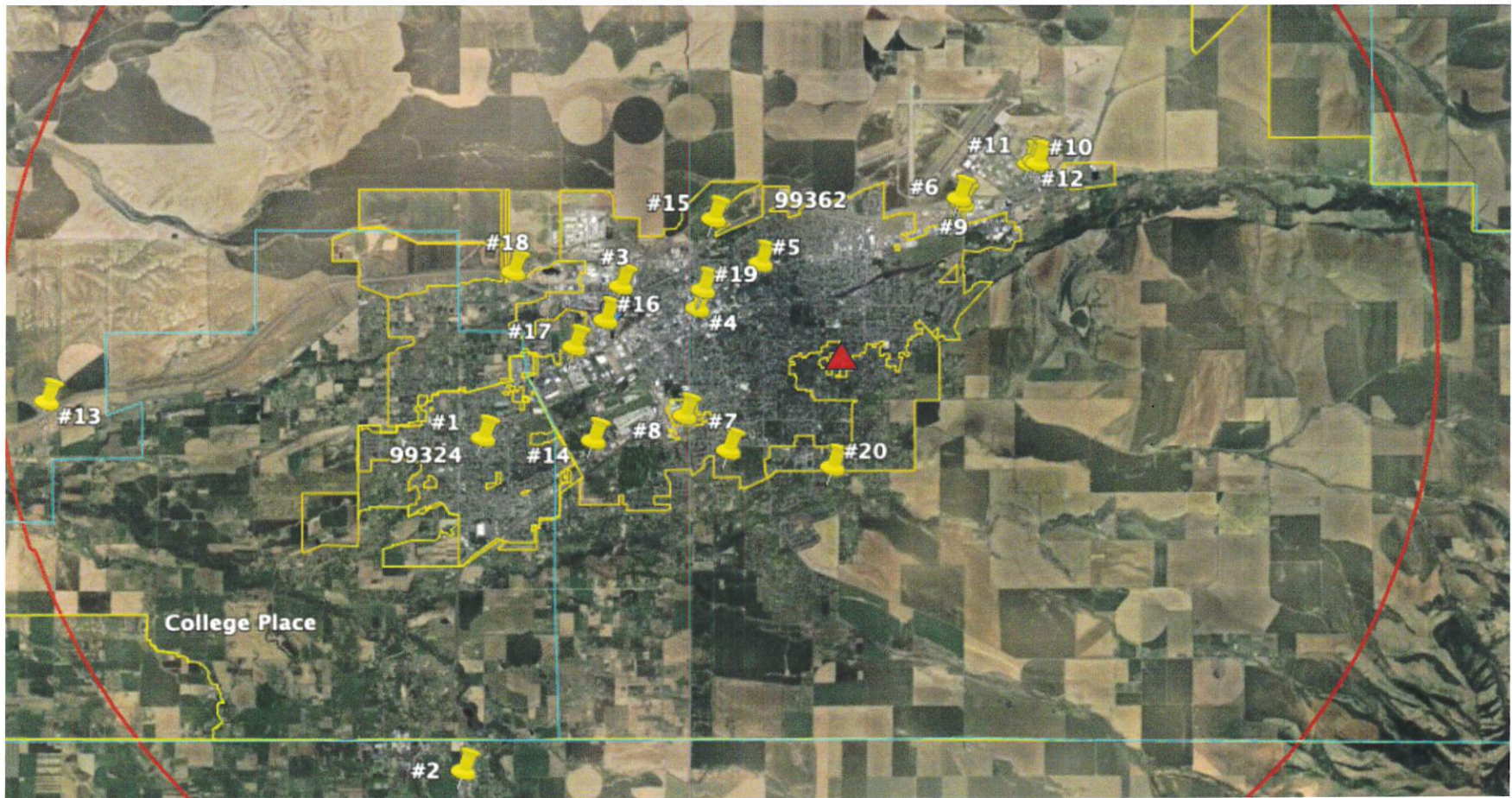
Project Overview – Site, without photo sim



Project Overview – Looking north



Site Selection Process – Existing Sites



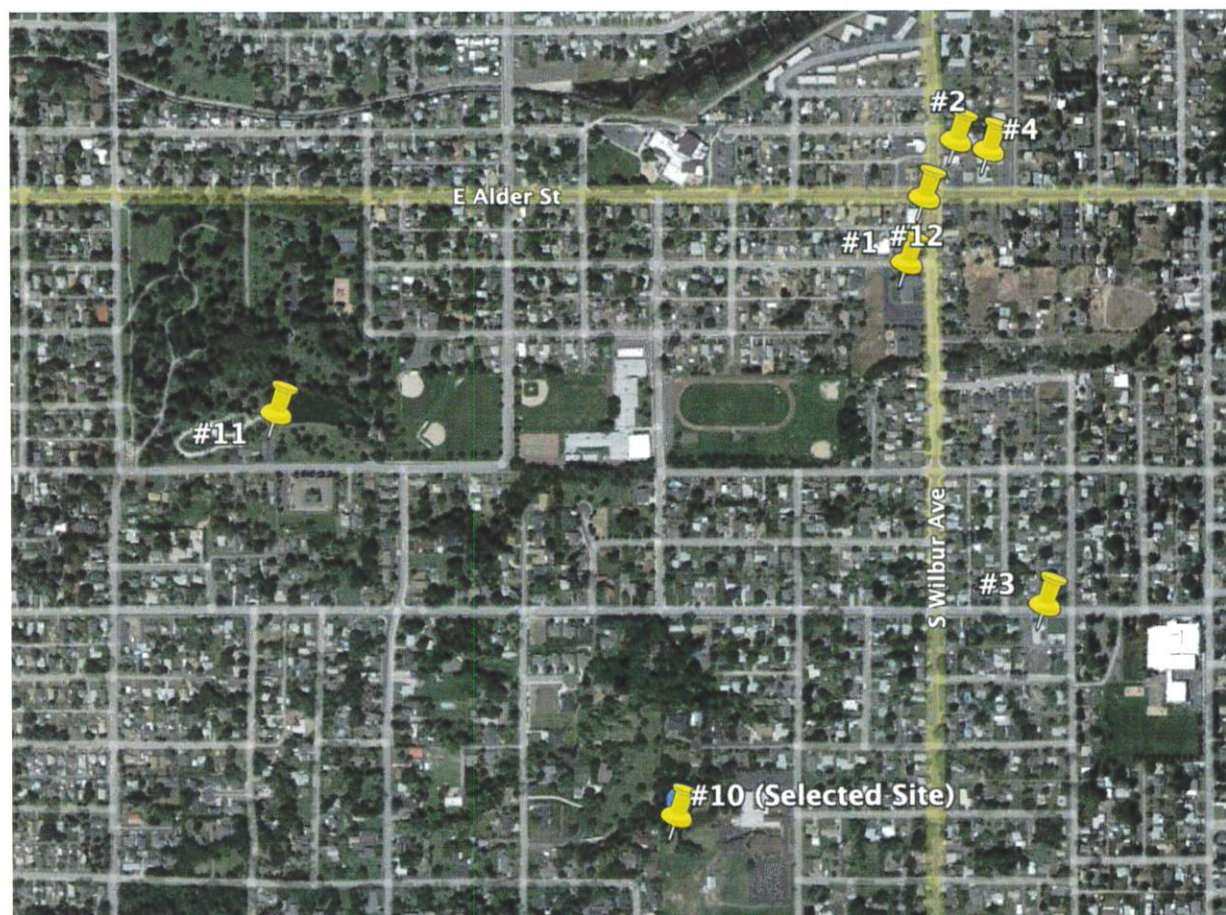
Site Selection Process – Nearest Alternates

11 Letters

3 Responses

- Proposed Site

- #3 & #4: Smaller lot and less screening



Walla Walla Code Criteria

Stealth

Site in residential zone on parcel with pre-existing non-residential use must use stealth design and technology

Setbacks

Site meets setback requirements, at 65' from property lines (after interior boundary line adjustment)

Fencing

Security fence will have landscaping buffer

Co-location

Site is designed to accommodate co-location by others

Antennas

Antennas will not dominate the appearance of the structure, will be screened by proposed monopine and painted

No Alternatives

There are no alternative towers where AT&T's antennas may be installed and provide coverage in the significant gap

Applicable Law

RF Environmental & Health Effects

Local government may not consider environmental effects of RF emissions (including health effects) because the site will operate in compliance with the FCC's RF emissions regulations.

47 U.S.C. Section 332(c)(7)(B)(iv)

Property Values

Property values are not a code criteria.

If the City adopted approval criteria, must be fact-based and not generalized statements.

If individual opinion of property value is affected by concerns of RF emissions, Hearing Examiner may not consider property value arguments.

Seattle SMSA Ltd. P'ship v. San Juan Cty., 88 F.Supp. 2d 1128, 1131 (W.D. Wash. 1997)

Effective Prohibition

Applicant has demonstrated a significant gap in service and has proposed the least intrusive means to provide service in the coverage area.

MetroPCS, Inc. v City & County of San Francisco, 400 F.3d 715 (9th Cir. 2005)



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End of presentation

