Executive Summary Conditional Use Authorization

HEARING DATE: JUNE 21, 2012

Suite 400 San Francisco. CA 94103-2479

1650 Mission St.

Reception:

415.558.6378

Fax:

415.558.6409

Planning

Information: 415.558.6377

Date: June 13, 2012

2011.1182C Case No.:

Project Address: 1745 Market Street

Current Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit) District

85-X Height and Bulk District

Block/Lot: 3503/003

Project Sponsor: AT&T Mobility represented by,

> Eric Lentz, Permit Me, Inc. 430 Bush Street, 5th Floor San Francisco, CA 94108

Staff Contact: Michelle Stahlhut – (415) 575-9116

Michelle.Stahlhut@sfgov.org

Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The proposal is to install a macro wireless telecommunications service ("WTS") facility consisting of a maximum of nine panel antennas located on the face of the subject building along with equipment that would be located inside the building as part of AT&T Mobility's telecommunications network. The antennas are proposed on a Location Preference 5 Site (Preferred Location Site) according to the WTS Siting Guidelines. The proposed antennas would measure a maximum of 55" high by 12" wide by 6" thick. All nine antennas would be mounted directly to the facade of the subject building, six located behind radio frequency transparent screens integrated into the existing building architecture, with a maximum height of 55' above grade. Three antennas would be mounted on the façade facing Hwy 101 and painted to match with blinders installed along the side of the antennas to mask the mounting hardware and coaxial cables. The associated equipment cabinets would be located in the interior of the subject building.

SITE DESCRIPTION AND PRESENT USE

The building is located on the block bounded by Market Street, Valencia Street, McCoppin Street, and Highway 101, Assessor's Block 3503, lot 003. This site is within the NCT-3 Moderate Scale Neighborhood Commercial Transit Zoning District and an 85-x Height and Bulk District. The project site contains a 4story residential building with ground-floor commercial uses. There is also General Advertising sign located on the western façade of the building that was deemed a legal sign in 2010. The subject building is on a remnant lot with approximately 146 feet of frontage on Market Street, 146 feet on Valencia Street, 97 feet on McCoppin Street, and 87 feet facing Hwy 101.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the corner of Market and Valencia Street and is bordered by a bike path located between the project site and the touchdown of Hwy 101 in the Neighborhood Commercial Transit Zoning District. Nearby land uses along both sides of Market Street consist primarily of buildings with housing over neighborhood-serving commercial/retail uses. Nearby institutional uses include the LGBT Center to the west of Octavia, and First Baptist Church and International Christian School on the north side of Waller Street at Octavia. The Muni F line is the primary public transit line that services this site. The site is approximately 6 blocks east of the Castro NCD and is included in the Market-Octavia specific plan.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption. The categorical exemption and all pertinent documents may be found in the files of the Planning Department, as the custodian of records, at 1650 Mission Street, San Francisco.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 1, 2012	June 1, 2012	20 days
Posted Notice	20 days	June 1, 2012	June 1, 2012	20 days
Mailed Notice	20 days	June 1, 2012	June 1, 2012	20 days

PUBLIC COMMENT

The Department has received 1 public comment in opposition to the project due to health risks from wireless communication, and 1 public comment in support of the project citing cell phone service as critical for safety since the filing of the application.

ISSUES AND OTHER CONSIDERATIONS

- Health and safety aspects of all wireless projects are reviewed under the Department of Public Health and the Department of Building Inspections.
- An updated Five Year Plan with approximate longitudinal and latitudinal coordinates of proposed locations, including the subject site is on file with the Planning Department.
- All required public notifications were conducted in compliance with the City's code and policies.

REQUIRED COMMISSION ACTION

Pursuant to Section 731.83 of the Planning Code, Conditional Use authorization is required for a WTS facility in the NCT-3 District.

Executive Summary Hearing Date: June 21, 2012

BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project complies with the applicable requirements of the Planning Code.
- The project is consistent with the objectives and policies of the General Plan.
- The Project is consistent with the 1996 WTS Facilities Siting Guidelines, Planning Commission Resolution No. 14182 and Resolution 16539 supplementing the 1996 WTS Guidelines.
- The project site is considered a Location Preference 5, (Mixed Use Buildings in High Density Districts) according to the Wireless Telecommunications Services (WTS) Siting Guidelines.
- Health and safety aspects of all wireless projects are reviewed under the Department of Public Health and the Department of Building Inspections.
- Although the project site is considered a Location Preference 5, (Limited Preference Site) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, the subject site has been determined to be the most viable site to serve the geographic service area through an alternative site analysis.
- Based on propagation maps provided by AT&T Mobility, the project will provide coverage in an area that currently experiences several gaps in coverage.
- Based on analysis provided by AT&T Mobility, the project will provide additional capacity in an area that currently experiences insufficient service during periods of high data usage.
- The proposed antennas will be minimally visible when viewed from adjacent rights-of-way and points further away so as to avoid intrusion into public vistas, avoid disruption of the architectural integrity of building and insure harmony with neighborhood character.
- The proposed project has been reviewed by staff and found to be categorically exempt from further environmental review. The proposed changes to the subject building do not result in a significant impact on the resource. The proposed antenna project is categorically exempt from further environmental review pursuant to the Class 3 exemptions of California Environmental Quality Act.
- A Five Year Plan with approximate longitudinal and latitudinal coordinates of proposed locations, including the subject site, was submitted.
- All required public notifications were conducted in compliance with the City's code and policies.

RECOMMENDATION:		Approval with Conditions	
	Executive Summary		Project sponsor submittal
	Draft Motion		Drawings: Proposed Project
	Zoning District Map		Check for legibility
	Height & Bulk Map		Photo Simulations
	Parcel Map		Coverage Maps

Executive Summary CASE NO. 2011.1182C Hearing Date: June 21, 2012 1745 Market Street

	Sanborn Map	\boxtimes	RF Report
	Aerial Photo		DPH Approval
	Context Photos		Community Outreach Report
	Site Photos		Independent Evaluation
Exhibits above marked with an "X" are included in this packet Planner's Initials			



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only it applicable)				
☐ Affordable Housing (Sec. 415)	☐ First Source Hiring (Admin. Code)			
☐ Jobs Housing Linkage Program (Sec. 413)	☐ Child Care Requirement (Sec. 414)			
☐ Downtown Park Fee (Sec. 412)	☐ Other			

Planning Commission Motion No. XXXX

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Michelle.stahlhut@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTION 303(c) and 731.83 TO INSTALL A WIRELESS TELECOMMUNICATIONS SERVICE FACILITY CONSISTING OF UP TO NINE PANEL ANTENNAS LOCATED ON THE FACE OF AN EXISTING COMMERCIAL AND RESIDENTIAL BUILDING ALONG WITH EQUIPMENT LOCATED INSIDE THE BUILDING AS PART OF AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK WITHIN THE NCT-3 (MODERATE SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 20, 2011, AT&T Mobility (hereinafter "Project Sponsor"), made an application (hereinafter "application"), for Conditional Use Authorization on the property at 1745 Market Street, Lot 003 in Assessor's Block 3503, (hereinafter "project site") to install a wireless telecommunications service facility consisting of up to nine panel antennas located on the face of an existing commercial and residential building along with equipment located inside the building as part of AT&T's wireless telecommunications network within the NCT-3 (Moderate Scale Neighborhood Commercial Transit Zoning District and AN 85-X Height and Bulk District.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption (Section 15303 of the California Environmental Quality Act). The Commission has reviewed and concurs with said determination. The categorical exemption and all pertinent documents may be

Motion No. xxxx Hearing Date: June 21, 2012

found in the files of the Planning Department (hereinafter "Department"), as the custodian of records, at 1650 Mission Street, San Francisco.

On June 21, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on the application for a Conditional Use authorization.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the Applicant, Department Staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use in Application No. 2011.1182C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. Site Description and Present Use. The building is located on Assessor's Block 3503, Lot 003 bounded by Market Street, Valencia Street, McCoppin Street, and the touchdown of Highway 101. There is a bike path connection from McCoppin Street to Octavia Street located between the touchdown and the subject site. This site is within the NCT-3 Moderate Scale Neighborhood Commercial Transit Zoning District and an 85-X Height and Bulk District. The project site contains a four-story residential building with ground-floor commercial uses. There is also a General Advertising sign located on the western façade of the building that was deemed a legal sign in 2010. The subject building is on a remnant lot with approximately 146 feet of frontage on Market Street, 146 feet on Valencia Street, 97 feet on McCoppin Street, and 87 feet facing the Central Freeway (Hwy 101).
- 3. Surrounding Properties and Neighborhood. The project site is located at the corner of Market and Valencia Street and is bordered by a bike path located between the project site and the touchdown of Hwy 101 in the Neighborhood Commercial Transit Zoning District. Nearby land uses along both sides of Market Street consist primarily of buildings with housing over neighborhood-serving commercial/retail uses. Nearby institutional uses include the LGBT Center to the west of Octavia, and First Baptist Church and International Christian School on the north side of Waller Street at Octavia. The Muni F line is the primary public transit line that services this site. The site is approximately 6 blocks east of the Castro NCD and is included in the Market-Octavia specific plan.
- 4. **Project Description.** The proposal is to install a macro wireless telecommunications service ("WTS") facility consisting of a maximum of nine panel antennas located on the face of the

Motion No. xxxx Hearing Date: June 21, 2012

subject building along with equipment that would be located inside the building as part of AT&T Mobility's telecommunications network. The antennas are proposed on a Location Preference 5 Site (Preferred Location Site) according to the WTS Siting Guidelines. The proposed antennas would measure a maximum of 55" high by 12" wide by 6" thick. All nine antennas would be mounted directly to the facade of the subject building, six located behind radio frequency transparent screens designed to resemble the existing building, with a maximum height of 55' above grade. Three antennas would be mounted on the façade facing the Central Freeway and painted to match with blinders installed along the side of the antennas to mask the mounting hardware and coaxial cables. The associated equipment cabinets would be located in the interior of the subject building.

5. **Past History and Actions.** The Planning Commission established guidelines for the installation of wireless telecommunications facilities in 1996 ("Guidelines"). These Guidelines set forth the land use policies and practices that guide the installation and approval of wireless facilities throughout San Francisco. A large portion of the Guidelines was dedicated to establishing location preferences for these installations. The Board of Supervisors, in Resolution No. 635-96, provided input as to where wireless facilities should be located within San Francisco. The Guidelines were updated by the Commission in 2003 and again in 2012, requiring community outreach, notification, and detailed information about the facilities to be installed.¹

Section 8.1 of the Guidelines outlines Location Preferences for wireless facilities. There are five primary areas were the installation of wireless facilities should be located:

- 1. Publicly-used Structures: such facilities as fire stations, utility structures, community facilities, and other public structures;
- 2. Co-Location Site: encourages installation of facilities on buildings that already have wireless installations;
- 3. Industrial or Commercial Structures: buildings such as warehouses, factories, garages, service stations;
- 4. Industrial or Commercial Structures: buildings such as supermarkets, retail stores, banks; and
- 5. Mixed Use Buildings in High Density Districts: buildings such as housing above commercial or other non-residential space.

Before the Planning Commission can review an application to install a wireless facility, the project sponsor must submit a five-year facilities plan, which must be updated biannually, an emissions report and approval by the Department of Public Health, Section 106 Declaration of Intent, an independent evaluation verifying coverage and capacity (for projects submitted prior to January 26, 2012, this is required as a condition of approval), a submittal checklist and details about the facilities to be installed.

¹ PC Resolution 16539, passed March 13, 2003.

Motion No. xxxx Hearing Date: June 21, 2012

> Under Section 704(B)(iv) of the 1996 Federal Telecommunications Act, local jurisdictions cannot deny wireless facilities based on Radio Frequency (RF) radiation emissions so long as such facilities comply with the FCC's regulations concerning such emissions.

> On June 21, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the application for a Conditional Use authorization pursuant to Planning Code Section 731.83 to install a wireless telecommunications facility consisting of up to nine panel antennas on the face of an existing commercial and residential building along with equipment located inside the building as part of AT&T's wireless telecommunications network.

- 6. Location Preference. The WTS Facilities Siting Guidelines identify different types of buildings for the siting of wireless telecommunications facilities. Under the Guidelines, the Project is a Location Preference Number 5, as the project site is a Mixed Use Building in a High Density District.
- 7. Alternative Site Analysis. Although the project site is considered a Location Preference 5, (Limited Preference Site) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, the subject site has been determined to be the most viable site to serve the geographic service area through an alternative site analysis.
- 8. Radio Waves Range. The Project Sponsor has stated that the proposed wireless network will transmit calls by radio waves operating in the 1710 - 2170 Megahertz (MHZ) bands, which is regulated by the Federal Communications Commission (FCC) and which must comply with the FCC-adopted health and safety standards for electromagnetic radiation and radio frequency radiation.
- 9. Radiofrequency (RF) Emissions: The project sponsor retained Hammett & Edison, Inc., a radio engineering consulting firm, to prepare a report describing the expected RF emissions from the proposed facility. Pursuant to the Guidelines, the Department of Public Health reviewed the report and determined that the proposed facility complies with the standards set forth in the Guidelines.
- 10. Department of Public Health Review and Approval. The proposed project was referred to the Department of Public Health (DPH) for emissions exposure analysis. Existing RF levels at ground level were around 1% of the FCC public exposure limit. There were no other antennas observed within 100 feet of this site. AT&T Mobility proposes to install nine new antennas. The antennas will be mounted at a height of approximately 52 feet above the ground. The estimated ambient RF field from the proposed AT&T Mobility transmitters at ground level is calculated to be 0.016 mW/sq. cm., which is 2.4% of the FCC public exposure limit. The three dimensional perimeter of RF levels equal to the public exposure limit extends 55 feet which includes the areas of the roof but does not reach any publicly accessible areas. Warning signs must be posted at the antennas and roof access points in English, Spanish, and Chinese. Workers should not have access to within 19 feet of the front of the antennas while in operation.

Motion No. xxxx Hearing Date: June 21, 2012

- 11. **Maintenance Schedule**. The proposed facility would operate without on-site staff but with a two-person maintenance crew visiting the property approximately once a month and on an asneeded basis to service and monitor the facility.
- 12. **Community Outreach.** Per the *Guidelines*, the project sponsor held a Community Outreach Meeting for the proposed project. The meeting was held at 7:00 p.m. on December 13, 2011 at LGBT Community Center located at 1800 Market Street.
- 13. **Five-year plan:** Per the *Guidelines*, the project sponsor submitted its latest five-year plan, as required, in April 2012.
- 14. **Public Comment.** As of June 13th, the Department has received 1 public comment in opposition to the project due to health risks from wireless communication, and 1 public comment in support of the project citing cell phone service as critical for safety since the filing of the application.
- 15. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Use.** Per Planning Code Section 731.83, a Conditional Use authorization is required for the installation of other public uses such as wireless transmission facilities.
- 16. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.
 - i. Desirable: San Francisco is a leader of the technological economy; it is important and desirable to the vitality of the City to have and maintain adequate telecommunications coverage and data capacity. This includes the installation and upgrading of systems to keep up with changing technology and increases in usage. It is desirable for the City to allow wireless facilities to be installed.

The proposed project at 1745 Market Street will be generally desirable and compatible with the surrounding neighborhood because the project will not conflict with the existing uses of the property and will be designed to be compatible with the surrounding nature of the vicinity. The approval of this authorization has been found, to insure public safety, and insure that the placement of antennas and related support and protection features are so located, designed, and treated architecturally to minimize their visibility from public places, to avoid intrusion into public vistas, avoid disruption of the architectural design integrity of buildings and insure harmony with neighborhood character. The project has been reviewed and determined to not cause the removal or alteration of any significant architectural features on the subject building.

Motion No. xxxx Hearing Date: June 21, 2012

ii. Necessary: In the case of wireless installations, there are two criteria that the Commission reviews: coverage and capacity.

Coverage: San Francisco does have sufficient overall wireless coverage (note that this is separate from carrier capacity). San Francisco's unique coverage issues are due to topography and building heights. The hills and buildings disrupt lines of site between WTS base stations. Thus, telecommunication carriers continue to install additional installations to make sure coverage is sufficient.

Capacity: While a carrier may have adequate coverage in a certain area, the capacity may not be sufficient. With the continuous innovations in wireless data technology and demand placed on existing infrastructure, individual telecommunications carriers must upgrade and in some instances expand their facilities network to be able to have proper data capacity. It is necessary for San Francisco, as a leader in technology, to have adequate capacity.

The proposed project at 1745 Market Street is necessary in order to achieve sufficient street and in-building mobile phone coverage and data capacity. Recent drive tests in the subject area conducted by the AT&T Mobility Radio Frequency Engineering Team provide conclusive evidence that the subject property is the most viable location, based on factors including quality of coverage and aesthetics.

Although the project site is considered a Preference 5 (Preferred Location Site) according to the WTS Siting Guidelines, the subject site has been determined to be the most viable site to serve the geographic service area through an alternative site analysis. The proposed coverage area will serve the vicinity bounded by McCoppin, Gough, Haight Streets and US 101, as indicated in the coverage maps. The alternative site analysis revealed that no publicly-used building or co-location site was available for the installation of the subject WTS facility. Additionally, the alternative site analysis examined thirteen sites in the service area that could potentially accommodate the WTS facility. The analysis revealed that the other proposed sites were not as desirable as the subject site for several reasons with the most common limiting factors being an obtrusive/incompatible site design and operability of the site. This facility will improve coverage and capacity in the project area, as well as to provide necessary facilities for emergency transmission and improved communication for the neighborhood, community and the region.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
 - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed project must comply with all applicable Federal and State regulations to safeguard the health, safety and to ensure that persons residing or working in the vicinity will not be affected, and prevent harm to other personal property.

Motion No. xxxx Hearing Date: June 21, 2012

The Department of Public Health conducted an evaluation of potential health effects from Radio Frequency radiation, and has concluded that the proposed wireless transmission facilities will have no adverse health effects if operated in compliance with the FCC-adopted health and safety standards.

The Department is developing a database of all such wireless communications facilities operating or proposed for operation in the City and County of San Francisco. All applicants are now required to submit information on the location and nature of all existing and approved wireless transmission facilities operated by the Project Sponsor. The goal of this effort is to foster public information as to the location of these facilities.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

No increase in traffic volume is anticipated with the facilities operating unmanned, with a single maintenance crew visiting the site once a month or on an as-needed basis.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

While some noise and dust may result from the installation of the antennas and transceiver equipment, noise or noxious emissions from continued use are not likely to be significantly greater than ambient conditions due to the operation of the wireless communication network.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

Six antennas are proposed to be façade mounted behind a radio frequency-transparent screen located on the Market and Valencia corner parapet of the subject building. The screen will shield the antennas from view from nearby public rights-of-way. Three antennas are proposed to be façade mounted on the west elevation of the subject building facing Hwy 101. The proposed antennas will be painted to match the existing wall and blinders installed to mask mounting hardware and associated cables.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

Motion No. xxxx Hearing Date: June 21, 2012

The proposed project is consistent with the stated purpose of the Moderate Scale Neighborhood Commercial Transit District in that the intended use is located on an existing building and antennas screened from the street frontage.

17. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan

HOUSING ELEMENT

BALANCE HOUSING CONSTRUCTION AND COMMUNITY INFRASTRUCTURE

OBJECTIVE 12 – BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

POLICY 12.2 – Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

POLICY 12.3 – Ensure new housing is sustainable supported by the City's public infrastructure systems.

The project will improve AT&T Mobility coverage and capacity in residential, commercial and recreational areas along primary transportation routes in San Francisco.

URBAN DESIGN

HUMAN NEEDS

OBJECTIVE 4 - IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.14 - Remove and obscure distracting and cluttering elements.

The Project adequately "stealths" the proposed antennas behind faux screening on the façade of the building, or with the use of blinders, with the related equipment located within the building. The antennas facing Market Street and Valencia Street would be hidden and not visible from public rights-of-way.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1:

Motion No. xxxx Hearing Date: June 21, 2012

Encourage development, which provides substantial net benefits and minimizes undesirable consequences. Discourage development, which has substantial undesirable consequences that cannot be mitigated.

Policy 2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

The project would enhance the total city living and working environment by providing communication services for residents and workers within the City. Additionally, the project would comply with Federal, State and Local performance standards.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The site is an integral part of a new wireless communications network that will enhance the City's diverse economic base.

OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 1:

Maintain and enhance a favorable business climate in the City.

Policy 2:

Promote and attract those economic activities with potential benefit to the City.

The project would benefit the City by enhancing the business climate through improved communication services for residents and workers.

VISITOR TRADE

OBJECTIVE 8 - ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

Motion No. xxxx CASE NO. 2011.1182C Hearing Date: June 21, 2012 1745 Market Street

POLICY 8.3 - Assure that areas of particular visitor attraction are provided with adequate public services for both residents and visitors.

The Project will ensure that residents and visitors have adequate public service in the form of AT&T Mobility telecommunications.

COMMUNITY SAFETY ELEMENT

Objectives and Policies

OBJECTIVE 3:

ENSURE THE PROTECTION OF LIFE AND PROPERTY FROM THE EFFECTS OF FIRE OR NATURAL DISASTER THROUGH ADEQUATE EMERGENCY OPERATIONS PREPARATION.

Policy 1:

Maintain a local agency for the provision of emergency services to meet the needs of San Francisco.

Policy 2:

Develop and maintain viable, up-to-date in-house emergency operations plans, with necessary equipment, for operational capability of all emergency service agencies and departments.

Policy 3:

Maintain and expand agreements for emergency assistance from other jurisdictions to ensure adequate aid in time of need.

Policy 4:

Establish and maintain an adequate Emergency Operations Center.

Policy 5:

Maintain and expand the city's fire prevention and fire-fighting capability.

Policy 6:

Establish a system of emergency access routes for both emergency operations and evacuation.

The project would enhance the ability of the City to protect both life and property from the effects of a fire or natural disaster by providing communication services.

- 18. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

No neighborhood-serving retail use would be displaced and the wireless communications network will enhance personal communication services.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

Motion No. xxxx CASE NO. 2011.1182C Hearing Date: June 21, 2012 1745 Market Street

No residential uses would be displaced or altered in any way by the granting of this authorization.

C. That the City's supply of affordable housing be preserved and enhanced.

The project would have no adverse impact on housing in the vicinity.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Due to the nature of the project and minimal maintenance or repair, municipal transit service would not be impeded and neighborhood parking would not be overburdened.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would cause no displacement of industrial and service sector activity.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Compliance with applicable structural safety and seismic safety requirements would be considered during the building permit application review process.

G. That landmarks and historic buildings be preserved.

The proposed parapet screening will be installed to conceal the proposed antennas on the parapet wall and will minimize the visibility of the antennas from nearby public rights-of-way. Additionally, mounting the antennas on the secondary façade facing Hwy 101 would not affect any character-defining features of the building. The faux screens have been designed so the antennas would not be visible from nearby public rights-of-way. When visible, the antennas would be painted to match the existing façade with mounting hardware and cables shielded with blinders from select vantage points as viewed from the public right-of-way. By minimizing the visibility of the proposed antennas, the project would not significantly alter the subject building.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will have no adverse impact on parks or open space, or their access to sunlight or vistas.

19. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

CASE NO. 2011.1182C Motion No. xxxx Hearing Date: June 21, 2012 1745 Market Street

20. The Commission hereby finds that approval of the Determination of Compliance authorization would promote the health, safety and welfare of the City.

12

Motion No. xxxx Hearing Date: June 21, 2012

DECISION

The Commission, after carefully balancing the competing public and private interests, and based upon the Recitals and Findings set forth above, in accordance with the standards specified in the Code, hereby approves the Conditional Use authorization under Planning Code Sections 731.83 and 303 to install up to nine panel antennas and associated equipment cabinets at the Project Site and as part of a wireless transmission network operated by AT&T Mobility on a Location Preference 5 (Preferred Location Site) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, within the NCT-3 Moderate Scale Neighborhood Commercial Transit Commercial District and a 85-X Height and Bulk District and subject to the conditions of approval attached hereto as **Exhibit A**.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this conditional use authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. xxxxx. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the foregoing Motion was adopted by the Planning Commission on June 21, 2012.

Linda Avery Commission Secretary

AYES NAYS:

ABSENT:

ADOPTED: June 21, 2012

Motion No. xxxx Hearing Date: June 21, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization under Planning Code Sections 731.83 and 303 to install a wireless telecommunications service facility consisting of up to nine panel antennas with related equipment, a Location Preference 5 (Preferred Location Site) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as part of AT&T's wireless telecommunications network within the NCT-3 Moderate Scale Neighborhood Commercial Transit District and a 85-X Height and Bulk District.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 21, 2012 under Motion No. xxxxx.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. xxxxx shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CASE NO. 2011.1182C Hearing Date: June 21, 2012 1745 Market Street

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Motion No. xxxx

1. Validity and Expiration. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sfplanning.org.

2. Extension. This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sfplanning.org.

3. Coverage and Capacity Verification. Use is authorized as long as an independent evaluator, selected by the Planning Department, determines that the information and conclusions submitted by the wireless service provider in support of its request for conditional use are accurate. The wireless service provider shall fully cooperate with the evaluator and shall provide any and all data requested by the evaluator to allow the evaluator to verify that the maps, data, and conclusions about service coverage and capacity submitted are accurate. The wireless service provider shall bear all costs of said evaluation. The independent evaluator, upon request by the wireless service provider shall keep the submitted data confidential and shall sign a confidentiality agreement acceptable to the wireless service provider. The independent evaluator shall be a professional engineer licensed by the State of California."

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sfplanning.org.

DESIGN - COMPLIANCE AT PLAN STAGE

- 3. Plan Drawings WTS. Prior to the issuance of any building or electrical permits for the installation of the facilities, the Project Sponsor shall submit final scaled drawings for review and approval by the Planning Department ("Plan Drawings"). The Plan Drawings shall describe:
 - a. Structure and Siting. Identify all facility related support and protection measures to be installed. This includes, but is not limited to, the location(s) and method(s) of placement, support,

Motion No. xxxx Hearing Date: June 21, 2012

- protection, screening, paint and/or other treatments of the antennas and other appurtenances to insure public safety, insure compatibility with urban design, architectural and historic preservation principles, and harmony with neighborhood character.
- b. For the Project Site, regardless of the ownership of the existing facilities. Identify the location of all existing antennas and facilities; and identify the location of all approved (but not installed) antennas and facilities.
- c. Emissions. Provide a report, subject to approval of the Zoning Administrator, that operation of the facilities in addition to ambient RF emission levels will not exceed adopted FCC standards with regard to human exposure in uncontrolled areas.
 - For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, <u>www.sf-planning.org</u>.
- 4. **Screening WTS.** To the extent necessary to ensure compliance with adopted FCC regulations regarding human exposure to RF emissions, and upon the recommendation of the Zoning Administrator, the Project Sponsor shall:
 - a. Modify the placement of the facilities;
 - b. Install fencing, barriers or other appropriate structures or devices to restrict access to the facilities;
 - c. Install multi-lingual signage, including the RF radiation hazard warning symbol identified in ANSI C95.2 1982, to notify persons that the facility could cause exposure to RF emissions;
 - d. Implement any other practice reasonably necessary to ensure that the facility is operated in compliance with adopted FCC RF emission standards.
 - e. To the extent necessary to minimize visual obtrusion and clutter, installations shall conform to the following standards:
 - f. Antennas and back up equipment shall be painted, fenced, landscaped or otherwise treated architecturally so as to minimize visual effects;
 - g. Rooftop installations shall be setback such that back up facilities are not viewed from the street;
 - h. Antennas attached to building facades shall be so placed, screened or otherwise treated to minimize any negative visual impact; and
 - i. Although co location of various companies' facilities may be desirable, a maximum number of antennas and back up facilities on the Project Site shall be established, on a case by case basis, such that "antennae farms" or similar visual intrusions for the site and area is not created.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, <u>www.sf-planning.org</u>.

MONITORING - AFTER ENTITLEMENT

5. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

Motion No. xxxx Hearing Date: June 21, 2012

6. Monitoring. The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sfplanning.org

7. Revocation due to Violation of Conditions. Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific Conditions of Approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sfplanning.org.

8. Implementation Costs - WTS.

- a. The Project Sponsor, on an equitable basis with other WTS providers, shall pay the cost of preparing and adopting appropriate General Plan policies related to the placement of WTS facilities. Should future legislation be enacted to provide for cost recovery for planning, the Project Sponsor shall be bound by such legislation.
- b. The Project Sponsor or its successors shall be responsible for the payment of all reasonable costs associated with implementation of the conditions of approval contained in this authorization, including costs incurred by this Department, the Department of Public Health, the Department of Technology, Office of the City Attorney, or any other appropriate City Department or agency. The Planning Department shall collect such costs on behalf of the City.
- The Project Sponsor shall be responsible for the payment of all fees associated with the installation of the subject facility, which are assessed by the City pursuant to all applicable law. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 9. Implementation and Monitoring WTS. In the event that the Project implementation report includes a finding that RF emissions for the site exceed FCC Standards in any uncontrolled location, the Zoning Administrator may require the Applicant to immediately cease and desist operation of the facility until such time that the violation is corrected to the satisfaction of the Zoning Administrator. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sfplanning.org
- 10. **Project Implementation Report WTS**. The Project Sponsor shall prepare and submit to the Zoning Administrator a Project Implementation Report. The Project Implementation Report shall:
 - Identify the three dimensional perimeter closest to the facility at which adopted FCC standards for human exposure to RF emissions in uncontrolled areas are satisfied;
 - b. Document testing that demonstrates that the facility will not cause any potential exposure to RF emissions that exceed adopted FCC emission standards for human exposure in uncontrolled areas.

Motion No. xxxx Hearing Date: June 21, 2012

- c. The Project Implementation Report shall compare test results for each test point with applicable FCC standards. Testing shall be conducted in compliance with FCC regulations governing the measurement of RF emissions and shall be conducted during normal business hours on a nonholiday weekday with the subject equipment measured while operating at maximum power.
- d. Testing, Monitoring, and Preparation. The Project Implementation Report shall be prepared by a certified professional engineer or other technical expert approved by the Department. At the sole option of the Department, the Department (or its agents) may monitor the performance of testing required for preparation of the Project Implementation Report. The cost of such monitoring shall be borne by the Project Sponsor pursuant to the condition related to the payment of the City's reasonable costs.
 - i. Notification and Testing. The Project Implementation Report shall set forth the testing and measurements undertaken pursuant to Conditions 2 and 4.
 - ii. Approval. The Zoning Administrator shall request that the Certification of Final Completion for operation of the facility not be issued by the Department of Building Inspection until such time that the Project Implementation Report is approved by the Department for compliance with these conditions.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, <u>www.sfdph.org</u>.

- 11. **Notification prior to Project Implementation Report WTS.** The Project Sponsor shall undertake to inform and perform appropriate tests for residents of any dwelling units located within 25 feet of the transmitting antenna at the time of testing for the Project Implementation Report.
 - a. At least twenty calendar days prior to conducting the testing required for preparation of the Project Implementation Report, the Project Sponsor shall mail notice to the Department, as well as to the resident of any legal dwelling unit within 25 feet of a transmitting antenna of the date on which testing will be conducted. The Applicant will submit a written affidavit attesting to this mail notice along with the mailing list.
 - b. When requested in advance by a resident notified of testing pursuant to subsection (a), the Project Sponsor shall conduct testing of total power density of RF emissions within the residence of that resident on the date on which the testing is conducted for the Project Implementation Report.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

- 12. **Installation WTS.** Within 10 days of the installation and operation of the facilities, the Project Sponsor shall confirm in writing to the Zoning Administrator that the facilities are being maintained and operated in compliance with applicable Building, Electrical and other Code requirements, as well as applicable FCC emissions standards.
 - For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>
- 13. **Periodic Safety Monitoring WTS.** The Project Sponsor shall submit to the Zoning Administrator 10 days after installation of the facilities, and every two years thereafter, a certification attested to by a licensed engineer expert in the field of EMR/RF emissions, that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions.

Motion No. xxxx Hearing Date: June 21, 2012

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, <u>www.sfdph.org</u>.

OPERATION

14. **Community Liaison.** Prior to issuance of a building permit application to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

15. **Out of Service – WTS**. The Project Sponsor or Property Owner shall remove antennas and equipment that has been out of service or otherwise abandoned for a continuous period of six months.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

16. **Emissions Conditions – WTS**. It is a continuing condition of this authorization that the facilities be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of then current FCC adopted RF/EMF emission standards; violation of this condition shall be grounds for revocation.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, <u>www.sfdph.org</u>.

17. **Noise and Heat – WTS**. The WTS facility, including power source and cooling facility, shall be operated at all times within the limits of the San Francisco Noise Control Ordinance. The WTS facility, including power source and any heating/cooling facility, shall not be operated so as to cause the generation of heat that adversely affects a building occupant.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, <u>www.sfdph.org</u>.

18. **Transfer of Operation – WTS**. Any carrier/provider authorized by the Zoning Administrator or by the Planning Commission to operate a specific WTS installation may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency provided that such transfer is made known to the Zoning Administrator in advance of such operation, and all conditions of approval for the subject installation are carried out by the new carrier/provider.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

Motion No. xxxx CASE NO. 2011.1182C Hearing Date: June 21, 2012 1745 Market Street

19. **Compatibility with City Emergency Services – WTS**. The facility shall not be operated or caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference, unless prior approval for such has been granted in writing by the City.

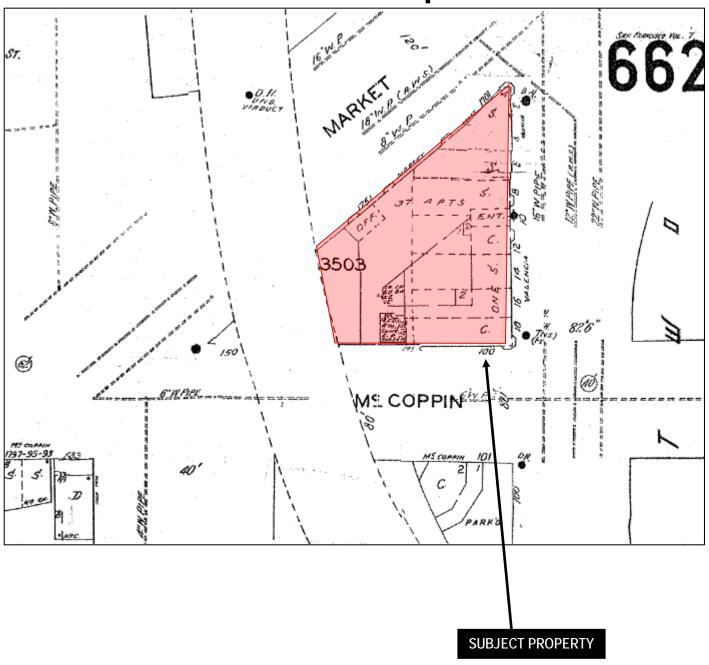
For information about compliance, contact the Department of Technology, 415-581-4000, http://sfgov3.org/index.aspx?page=1421

Parcel Map



Case Number 2011.1182CC AT&T Mobility WTS Facility 1745 Market St

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Case Number 2011.1182C AT&T Mobility WTS Facility 1745 Market St

Aerial Photo

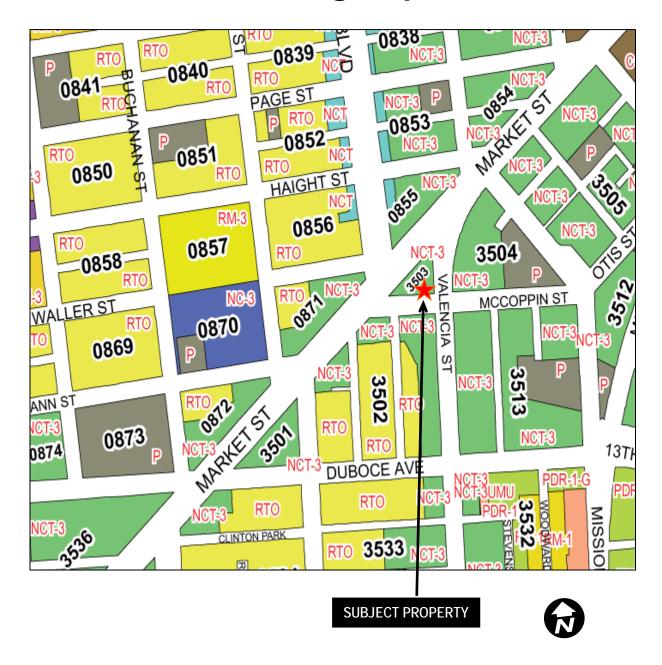


SUBJECT PROPERTY



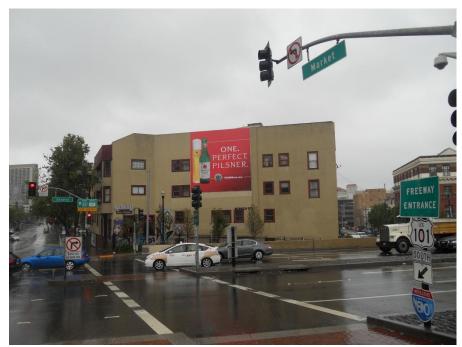
Case Number 2011.1182C AT&T Mobility WTS Facility 1745 Market St

Zoning Map



Site Photos

The following are photographs of the subject building at 1745 Market Street.

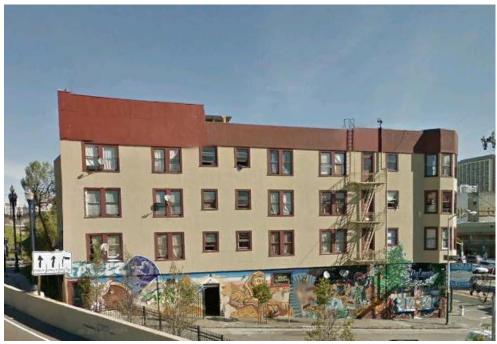


1745 Market from Octavia Street



1745 Market Street from Valencia and McCoppin Streets

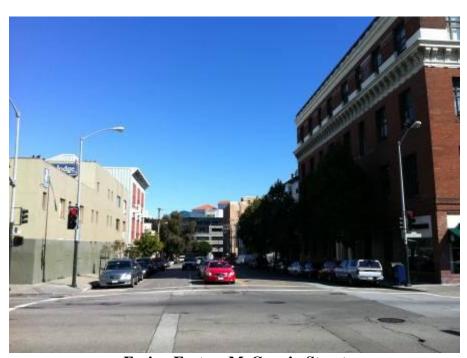




1745 Market from US 101



Facing West on McCoppin Street



Facing East on McCoppin Street



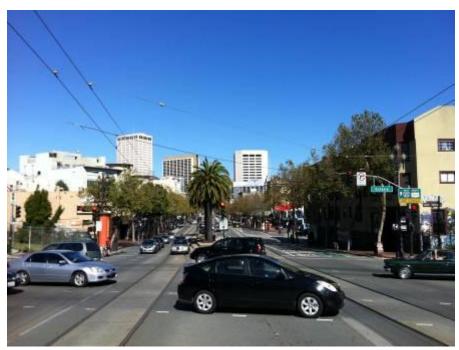
Facing North on Octavia Boulevard



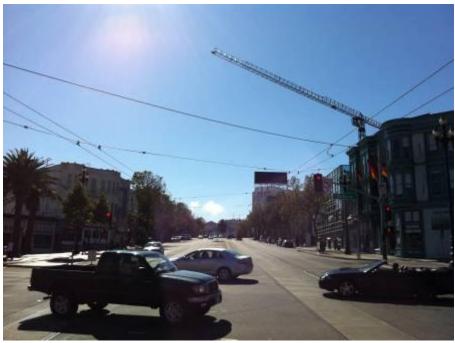
Facing South on Octavia Boulevard

Contextual Photographs

The following are photographs of the surrounding buildings within 100-feet of the subject property showing the facades and heights of nearby buildings:



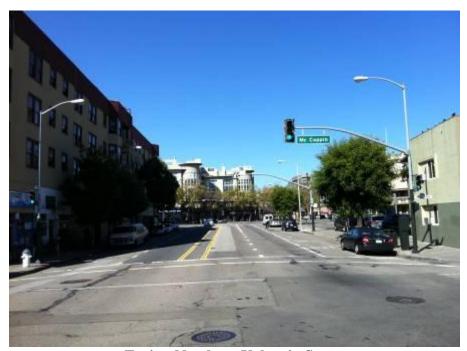
Facing Northeast on Market Street



Facing Southwest on Market Street



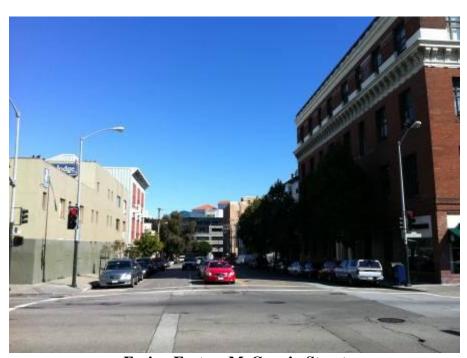
Facing South on Valencia Street



Facing North on Valencia Street



Facing West on McCoppin Street



Facing East on McCoppin Street



Facing North on Octavia Boulevard



Facing South on Octavia Boulevard





at&t

Prepared by:

WW Design & Consulting, Inc.
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CC1231 Valmar

1745 Market Street, San Francisco, CA 94103





at&t

CC1231 Valmar

1745 Market Street, San Francisco, CA 94103

10.12.2011

WW Design & Consulting, Inc. 1654 Candelero Court

Walnut Creek, CA 94598 info@photosims.com

Prepared by:

AT&T Mobility Conditional Use Permit Application 1160 Battery Street

STATEMENT OF GORDON SPENCER

I am the AT&T radio frequency engineer assigned to the proposed wireless communications facility at 1160 Battery Street (the "Property"). Based on my personal knowledge of the Property and with AT&T's wireless network, as well as my review of AT&T's records with respect to the Property and its wireless telecommunications facilities in the surrounding area, I have concluded that the work associated with this permit request is needed to close a significant service coverage gap in the area roughly bordered by Battery and Green Streets, The Embarcadero.

The service coverage gap is caused by obsolete or inadequate (or, in the case of 4G LTE, non-existent) infrastructure along with increased use of wireless broadband services in the area. As explained further in Exhibit 1, AT&T's existing facilities cannot adequately serve its customers in the desired area of coverage, let alone address rapidly increasing data usage. Although there is reasonable 3G outdoor signal strength in the area, 3G coverage indoors may be weak and the quality of 3G service overall is unacceptable, particularly during high usage periods of the day. Moreover, 4G LTE service coverage has not yet been deployed in this area

AT&T uses Signal-to-Noise information to identify the areas in its network where capacity restraints limit service. This information is developed from many sources including terrain and clutter databases, which simulate the environment, and propagation models that simulate signal propagation in the presence of terrain and clutter variation. Signal-to-Noise information measures the difference between the signal strength and the noise floor within a radio frequency channel, which, in turn, provides a measurement of service quality in an area. Although the signal level may be adequate by itself, the noise level fluctuates with usage due to the nature of the 3G technology and at certain levels of usage the noise level rises to a point where the signal-to-noise ratio is not adequate to maintain a satisfactory level of service. In other words, while the signal itself fluctuates as a function of distance of the user from the base station, the noise level fluctuates with the level of usage on the network on all mobiles and base stations in the vicinity. Signal-to-Noise information identifies where the radio frequency channel is usable; as noise increases during high usage periods, the range of the radio frequency channel declines causing the service coverage area for the cell to contract.

Exhibit 2 to this Statement is a map of existing service coverage (without the proposed installation at the Property) in the area at issue. It includes service coverage provided by existing AT&T sites. The green shaded areas depict areas within a Signal-to-Noise range that provide acceptable service coverage even during high demand periods. Thus, based upon current usage, customers are able to initiate and complete voice or data calls either outdoors or most indoor areas at any time of the day, independent of the number of users on the network. The yellow shaded cross-hatched areas depict areas within a Signal-to-Noise range that results in a service coverage gap during high demand periods. In this area, severe service interruptions occur during periods of high usage, but reliable and uninterrupted service may be available during low demand periods. The pink shading depicts areas within a Signal-to-Noise range in which a customer might have difficulty receiving a consistently acceptable level of service at any time, day or night, not just during high demand periods. The quality of service experienced by any individual customer can differ greatly depending on whether that customer is indoors, outdoors, stationary, or in transit. Under AT&T's wireless customer service standards, any area in the pink or yellow cross-hatched category is considered inadequate service coverage and constitutes a service coverage gap.

Exhibit 3 to this Statement depicts the current actual voice and data traffic in the immediate area. As you can see from the exhibit, the traffic fluctuates at different times of the day. In actuality, the service coverage footprint is constantly changing; wireless engineers call it "cell breathing" and during high usage periods, as depicted in the chart, the service coverage gap increases substantially. The time periods in which the existing surrounding cell sites experience highest usage conditions (as depicted in the yellow shaded cross-hatched area in Exhibit 2) is significant. Based upon my review of the maps, the Signal-to-Noise information, and the actual voice and data traffic in this area, it is my opinion that the service coverage gap shown in Exhibit 2 is significant.

Exhibit 4 to this Statement is a map that predicts service coverage based on Signal-to-Noise information in the vicinity of the Property if antennas are placed as proposed in the application. As shown by this map, placement of the equipment at the Property closes the significant 3G service coverage gap.

In addition to these 3G wireless service gap issues, AT&T is in the process of deploying its 4G LTE service in San Francisco with the goal of providing the most advanced personal wireless experience available to residents of the City. AT&T holds a license with the FCC and has a responsibility to utilize this spectrum to provide personal wireless services in the City. 4G LTE is capable of delivering speeds

up to 10 times faster than industry-average 3G speeds. LTE technology also offers lower latency, or the processing time it takes to move data through a network, such as how long it takes to start downloading a webpage or file once you've sent the request. Lower latency helps to improve the quality of personal wireless services. What's more, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience. This is particularly important in San Francisco because of the likely high penetration of the new 4G LTE iPad and other LTE devices.

Exhibit 5 is a map that depicts 4G LTE service in the area surrounding the Property, and it shows a significant 4G LTE service gap in the area. After the upgrades, Exhibit 6 shows that 4G LTE service is available both indoors and outdoors in the targeted service area. This is important in part because as existing customers migrate to 4G LTE, the LTE technology will provide the added benefit of reducing 3G data traffic, which currently contributes to the significant service coverage gap on the UMTS (3G) network during peak usage periods as shown in Exhibit 2.

In order to close the 4G LTE service coverage gap shown in Exhibit 5 and provide the benefits associated with 4G LTE personal wireless service, it is necessary to include 4G LTE-specific antennas to the proposed site. Exhibit 6 shows that the work subject to this application closes the gap.

I have a Masters Degree in Electrical Engineering from the University of California (UCLA) and have worked as an engineering expert in the Wireless Communications Industry for over 25 years.

Gordon Spencer

John Soma

May 22, 2011

Service Improvement Objective (CC1231)

1745 Market St

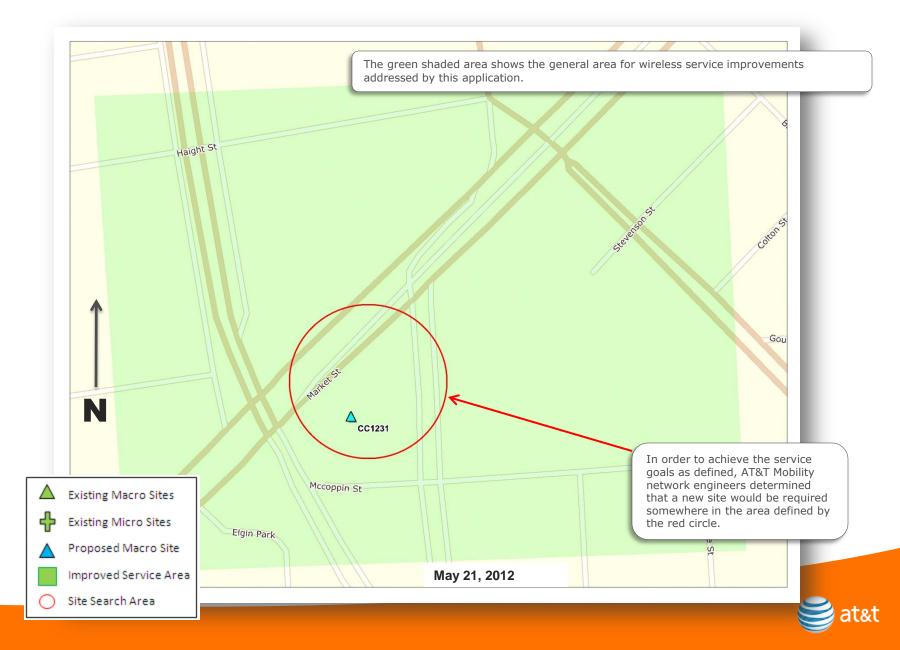


Exhibit 2 - Proposed Site at 1745 Market St (CC1231)

Service Area BEFORE site is constructed

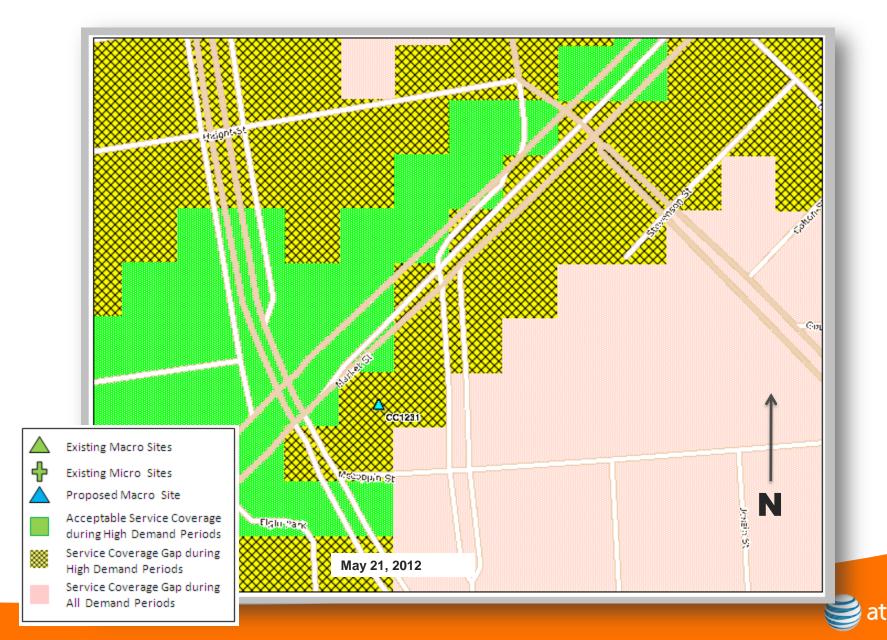
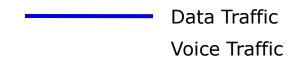


Exhibit 3 - Current 7-Day Traffic Profile for the Location of CC1231



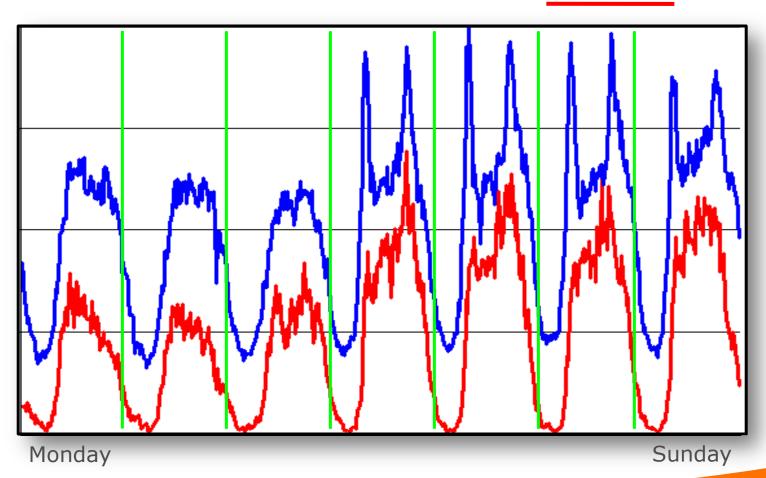
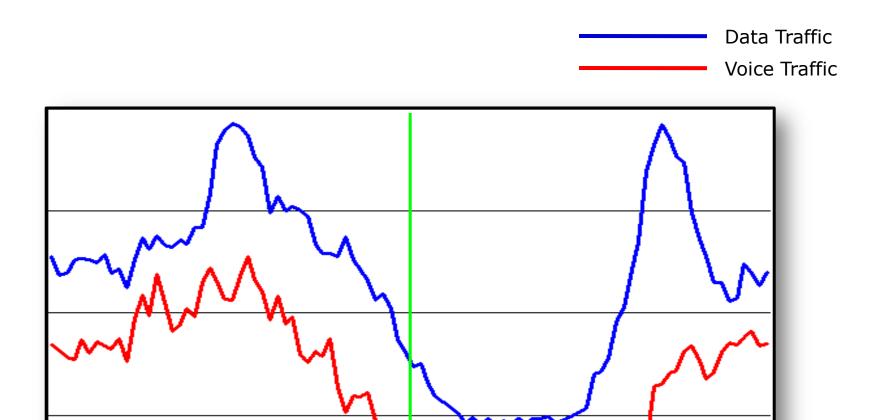




Exhibit 3 - Current 24-Hour Traffic Profile for the Location of CC1231



Midnight

Noon



Noon

Exhibit 4 - Proposed Site at 1745 Market St (CC1231)

Service Area AFTER site is constructed

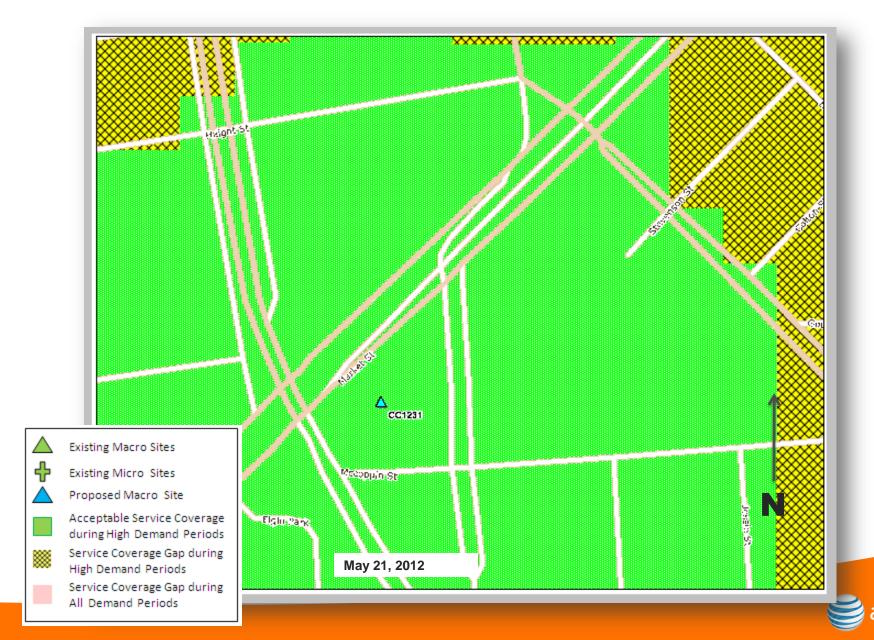


Exhibit 5 - Proposed Site at 1745 Market St (CC1231) 4G LTE Service Area BEFORE site is constructed

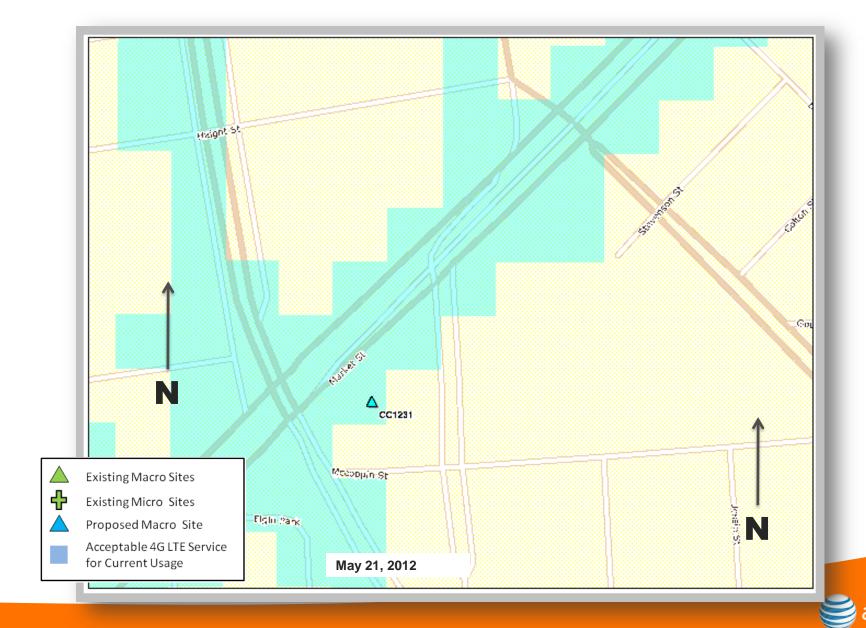
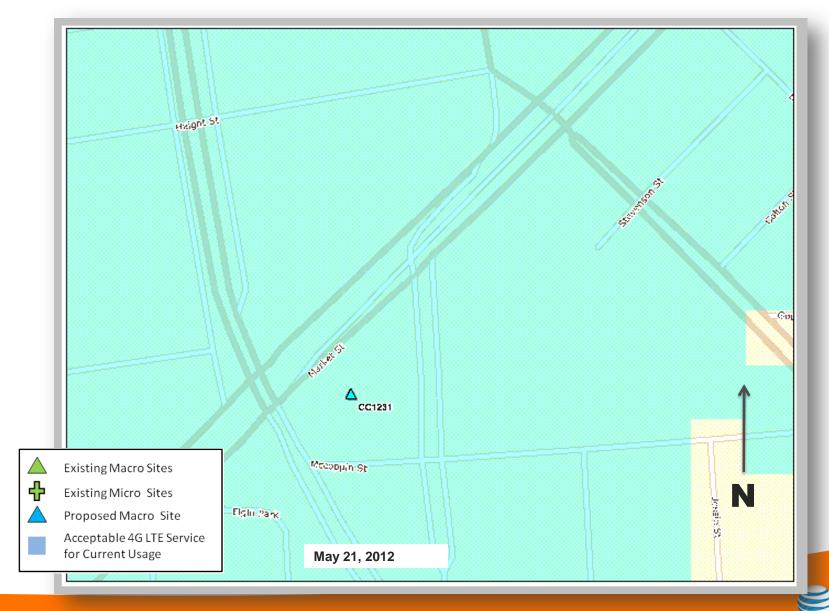


Exhibit 6 - Proposed Site at 1745 Market St (CC1231)

4G LTE Service Area AFTER site is constructed



Existing Surrounding Sites at 1745 Market St CC1231





AT&T Mobility • Proposed Base Station (Site No. CC1231) 1745 Market Street • San Francisco, California

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of AT&T Mobility, a personal wireless telecommunications carrier, to evaluate the base station (Site No. CC1231) proposed to be located at 1745 Market Street in San Francisco, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Background

The San Francisco Department of Public Health has adopted a 10-point checklist for determining compliance of proposed WTS facilities or proposed modifications to such facilities with prevailing safety standards. The acceptable limits set by the FCC for exposures of unlimited duration are:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5,000-80,000 MHz	5.00 mW/cm^2	1.00 mW/cm^2
BRS (Broadband Radio)	2,600	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio	o) 855	2.85	0.57
700 MHz	700	2.35	0.47
[most restrictive frequency rang	[e] 30–300	1.00	0.20

The site was visited by the undersigned engineer during normal business hours on October 6, 2011, a non-holiday weekday, and reference has been made to information provided by AT&T, including zoning drawings by Michael Wilk Architecture, dated September 23, 2011.

Checklist

1. The location of all existing antennas and facilities at site. Existing RF levels.

There were observed no wireless base stations installed at the site. Existing RF levels for a person at ground near the site were less than 1% of the most restrictive public exposure limit.

2. <u>The location of all approved (but not installed) antennas and facilities. Expected RF levels from approved antennas.</u>

No other WTS facilities are reported to be approved for this site but not installed.

3. The number and types of WTS within 100 feet of proposed site and estimates of additive EMR emissions at proposed site.

There were no other WTS facilities observed within 100 feet of the site.



AT&T Mobility • Proposed Base Station (Site No. CC1231) 1745 Market Street • San Francisco, California

4. <u>Location (and number) of Applicant's antennas and back-up facilities per building and location</u> (and number) of other WTS at site.

AT&T proposes to install nine Powerwave directional panel antennas – six Model P65-15-XLH-RR and three Model 7780.00 – high on the sides of the four-story mixed-use building located at 1745 Market Street. The antennas would be mounted with up to 6° downtilt at an effective height of about 51½ feet above ground and would be oriented in identical groups of three toward 20°T, 100°T, and 240°T.

5. <u>Power rating (maximum and expected operating power) for all existing and proposed backup equipment subject to application.</u>

The expected operating power of the AT&T transmitters is reflected in the resulting effective radiated power given in Item 6 below; the transmitters may operate at a power below their maximum rating.

6. <u>Total number of watts per installation and total number of watts for all installations at site.</u>

The maximum effective radiated power proposed by AT&T in any direction is 6,120 watts, representing simultaneous operation at 1,780 watts for AWS, 1,980 watts for PCS, 1,470 watts for cellular, and 890 watts for 700 MHz service.

7. Plot or roof plan showing method of attachment of antennas, directionality of antennas, and height above roof level. Discuss nearby inhabited buildings.

The drawings show the proposed antennas to be installed as described in Item 4 above. There were noted buildings of similar height located at least 150 feet from the proposed antennas.

8. <u>Estimated ambient RF levels for proposed site and identify three-dimensional perimeter where exposure standards are exceeded.</u>

For a person anywhere at ground, the maximum RF exposure level due to the proposed AT&T operation is calculated to be 0.016 mW/cm², which is 2.4% of the applicable public exposure limit. Ambient RF levels at the site are therefore estimated to be below 3% of the limit. The maximum calculated level at any nearby building is 7.5% of the public exposure limit. The three-dimensional perimeter of RF levels equal to the public exposure limit is calculated to extend up to 55 feet out from the antenna faces and to much lesser distances above, below, and to the sides; this does not reach any publicly accessible areas.

9. Describe proposed signage at site.

Due to their mounting locations, the AT&T antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, no access within 19 feet directly in front of the antennas themselves, such as might occur during maintenance work on the face of the



AT&T Mobility • Proposed Base Station (Site No. CC1231) 1745 Market Street • San Francisco, California

building, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs* at the antennas, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

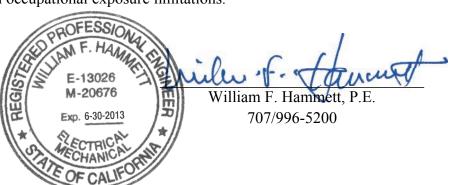
10. Statement of authorship.

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2013. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the base station proposed by AT&T Mobility at 1745 Market Street in San Francisco, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Posting explanatory signs is recommended to establish compliance with occupational exposure limitations.

October 11, 2011



^{*} Warning signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (*e.g.*, a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter; the San Francisco Department of Public Health recommends that all signs be written in English, Spanish, and Chinese.





Edwin M. Lee, Mayor Barbara A. Garcia, MPA, Director of Health Rajiv Bhatia, MD, MPH, Director of EH

Review of Cellular Antenna Site Proposals

Project Sponsor: $AT&T \ V$		⁷ ireless	Planner:	Michelle Stahlhut			
RF Engineer	Consultant:	Hammett and Edis	on	Phone Number:	(707) 996-5200		
Project Addre	ess/Location:	1745 Market St					
Site ID: <u>145</u>	58	SiteNo.:	CC1231		_		
information rec Telecommunic In order to faci	quirements are es ations Services F litate quicker app	quired to be provided tablished in the San F acility Siting Guideli roval of this project, the proposal to ensu	Francisco Planning D nes dated August 199 it is recommended th	epartment Wireless 96. aat the project spons			
X 1. The loc	ation of all existi	ng antennas and facil	ities. Existing RF lev	els. (WTS-FSG, Se	ection 11, 2b)		
	Existing	g Antennas No Exis	ting Antennas: 0				
X approved		ved (but not installed FSG Section 11, 2b)) antennas and facili	ties. Expected RF le	evels from the		
X EMR emi		WTS within 100 fee osed site. (WTS-FSC		e and provide estima	ates of cumulative		
		of the Applicant's ant unication facilities or					
X equipmen		and expected operation (WTS-FSG		sting and proposed	backup		
Y 6. The total	al number of wat	s per installation and S-FSG, Section 10.5		watts for all installa	tions on the		
Maxir	num Effective Radia	nt: 6120 watts.					
X plan. Sho	w directionality of	chment of proposed a of antennas. Indicate a rection of antennas)	height above roof lev	el. Discuss nearby			
meter and power	where the FCC s r density exposur	nt radio frequency fie tandards are exceeded e level (i.e. 1986 NC)	d.) (WTS-FSG, Secti RP, 200 μw/cm²)	on 10.5) State FCC			
Maxir	num RF Exposure:	0.016 mW/cr	m. ² Maximum RF Expo	osure Percent: 2.4	<u>. </u>		
equipmen Discuss si	t as may be requi gnage for those v	entifying all WTS eq red by any applicable who speak languages	FCC-adopted standa				
	Public_Exclusion_A Occupational_Exclu		Public Exclusion In Fe Occupational Exclusion				

- **X** 10. Statement on who produced this report and qualifications.
- Approved. Based on the information provided the following staff believes that the project proposal will comply with the current Federal Communication Commission safety standards for radiofrequency radiation exposure. FCC standard 1986-NCRP Approval of the subsequent Project Implementation Report is based on project sponsor completing recommendations by project consultant and DPH.

Comments:

There are currently no antennas operated by AT&T Wireless installed on the roof top of the building at 1745 Market Street. Existing RF levels at ground level were around 1% of the FCC public exposure limit. There were observed no other antennas within 100 feet of this site. AT&T Wireless proposes to install 9 new antennas. The antennas will be mounted at a height of 52 feet above the ground. The estimated ambient RF field from the proposed AT&T Wireless transmitters at ground level is calculated to be 0.016 mW/sq cm., which is 2.4 % of the FCC public exposure limit. The three dimensional perimeter of RF levels equal to the public exposure limit extends 55 feet and does not reach any publicly accessible areas. Warning signs must be posted at the antennas and roof access points in English, Spanish and Chinese. Workers should not have access to within 19 feet of the front of the antennas while they are in operation.

Not Approved, additional information required.

Not Approved, does not comply with Federal Communication Commission safety standards for – radiofrequency radiation exposure. FCC Standard

1 Hours spent reviewing

Charges to Project Sponsor (in addition to previous charges, to be received at time of receipt by S₁

Dated: 10/13/2011

Signed:

Patrick Fosdahl

Environmental Health Management Section San Francisco Dept. of Public Health 1390 Market St., Suite 210, San Francisco, CA. 94102 (415) 252-3904

Fosdel





December 14, 2011

Michelle Stahlhut, Planner San Francisco Department of Planning 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: Community Meeting for proposed AT&T Mobility facility at 1745 Market Street

Dear Michelle,

On December 13, 2011, AT&T Mobility conducted a community meeting regarding the proposed wireless facility at 1745 Market Street. The attached notification announced the community meeting was to be held at the LGBT Community Center, 1800 Market Street at 7pm. Notice of the community meeting was mailed to 943 building owners and occupants 500 feet of the proposed installation and 105 neighborhood groups.

I conducted the meeting along with Boe Hayward with AT&T External Affairs, Luis Cuadra with Berg Davis, and Bill Hammett with Hammett and Edison. Seven community members attended the meeting, including the owner of 1745 Market Street, a tenant of 1745 Market Street, the pastor and church secretary of a nearby church, two supporters and one neighbor. The pastor and church secretary for First Baptist Church (22 Waller Street) initially thought the proposed site was for the LGBT Center, which their church is located directly behind. Their concerns were alleviated a bit once they understood that the meeting was being held at the LGBT Center and that the proposed site was two blocks from their church. They own two additional buildings next to their church and one of those buildings is rented to a day care facility. There concerns were all EMF related. The two supporters that attended the meeting were not only supportive of better wireless service, but were also interested in leasing the building they own for a wireless mobility facility.

All questions were answered satisfactorily and there were no action items resulting from this meeting.

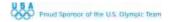
A copy of the notice of the community meeting, a signed affidavit, and sign-in sheet is attached. Please contact me at the number below if you have any questions of concerns.

Sincerely,

Eric Lentz, Land Use Consultant

Permit Me, Inc. For AT&T Mobility Cell: 805-895-4394

Email: ericlentz@permitme.net





Affidavit of Conducting a Community Outreach Meeting, Sign-in Sheet and Issues/Responses submittal

I, <u>Eric Lentz</u> , do hereby declare as follows:
1. I have conducted a Community Outreach Meeting for the proposed new construction of alteration prior to submitting a building permit in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted atLGBT Community Center, 1800 Market Street
on <u>December 13, 2011</u> from <u>7:00pm – 7:45pm</u> .
3. I have included the mailing list, meeting initiation, sign-in sheet, issue/response summary, and reduced plans with the Conditional Use Application. I understand that am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
EXECUTED ON THIS DAY, <u>December 14, 2011</u> IN SAN FRANCISCO
Et A
Signature
Eric Lentz Name (type or print)
Agent for AT&T Mobility Relationship to Project, e.g. Owner, Agent (if Agent, give business name and profession)
1745 Market Street Project Address



NOTICE OF COMMUNITY OUTREACH MEETING ON A WIRELESS COMMUNICATION FACILITY PROPOSED IN YOUR NEIGHBORHOOD

To: Neighborhood Groups and Neighbors & Owners within 500' radius of 1745 Market Street

Meeting Information

Date: Tuesday, December 13, 2011

Time: 7:00 p.m.

Where: LGBT Community Center

1800 Market Street San Francisco, CA 94102

Site Information

Address: 1745 Market Street

Block/Lot: 3503/003 Zoning: NCT-3

Applicant

AT&T Mobility

Contact Information

AT&T Mobility Hotline (415) 646-0972

AT&T Mobility is proposing a wireless communication facility at 1745 Market Street needed by AT&T Mobility as part of its San Francisco wireless network. The proposed AT&T Mobility site is an unmanned facility consisting of the installation of nine (9) panel antennas. The antennas will be located on the building façade and screened from view behind material textured and painted to match the building. The associated equipment would be located outside the building and screened behind a fence and not visible from the public streets. Plans and photo simulations will be available for your review at the meeting. You are invited to attend an informational community meeting located at LGBT Community Center on Tuesday December 13, 2011, at 7:00 p.m. to learn more about the project.

If you have any questions regarding the proposal and are unable to attend the meeting, please contact the AT&T Mobility Hotline at (415) 646-0972 and an AT&T Mobility specialist will return your call. Please contact Michelle Stahlhut, staff planner with the San Francisco Planning Department at (415) 575-9116 if you have any questions regarding the planning process.

NOTE: If you require an interpreter to be present at the meeting, please contact our office at (415) 646-0972 no later than 5:00pm on Friday, December 9, 2011 and we will make every effort to provide you with an interpreter.

NOTIFICACIÓN DE REUNIÓN DE ALCANCE COMUNITARIO SOBRE UNA INSTALACIÓN DE COMUNICACIONES INALÁMBRICAS PROPUESTA PARA SU VECINDARIO

Para: Grupos del vecindario, vecinos y propietarios dentro de un radio de 500' de 1745 Market Street

Información de la reunión

Fecha: Martes, 13 de diciembre de 2011

Hora: 7:00 p.m.

Dónde: LGBT Community Center

1800 Market Street San Francisco, CA 94102

Información del lugar

Dirección: 1745 Market Street

Cuadra/Lote 3503/003 Zonificación: NCT-3

Solicitante

AT&T Mobility

Información de contacto

Línea directa de AT&T Mobility (415) 646-0972

AT&T Mobility propone instalar una instalación de comunicaciones inalámbricas en 1745 Market Street necesaria para AT&T Mobility como parte de su red inalámbrica en San Francisco. La ubicación propuesta de AT&T Mobility es una instalación sin personal que consiste en la instalación de nueve (9) antenas panel. Las antenas serán ubicadas en la fachada del edificio y ocultas de la vista detrás de material texturado y pintado que coincida con el edificio. El equipo asociado sería ubicado fuera del edificio y oculto detrás de una cerca y no visible desde la vía pública. Habrá planos y fotos disponibles para que usted los revise en la reunión. Se lo invita a asistir a una reunión informativa de la comunidad que se realizará en LGBT Community Centeron, el martes 13 de diciembre de 2011 a las 7:00 p.m. para tener más información sobre el proyecto.

Si tiene preguntas relacionadas con la propuesta y no puede asistir a la reunión, por favor, llame a la Línea Directa de AT&T Mobility, (415) 646-0972, y un especialista de AT&T Mobility le devolverá el llamado. Por favor, contacte a Michelle Stahlhut, planificadora de personal, en el Departamento de Planificación de la Ciudad de San Francisco al (415) 575-9116 si tiene alguna pregunta relacionada con el proceso de planificación.

NOTA: Si necesita que un intérprete esté presente en la reunión, por favor, contacte a nuestra oficina al (415) 646-0972 antes del viernes 9 de diciembre de 2011 a las 5:00 p.m., y haremos todos lo posible para proporcionarle un intérprete.

關於計畫在您所在街區安裝一座無線通信設施的社區資訊通報會通知

致: Market 街 1745 號周圍五百英尺內的居民組織、居民和業主

會議資訊

日期: 2011年12月13日(星期二)

時間: 下午 7:00

地點: 加利福尼亞州三藩市Market街 1800號LGBT Community Center (郵遞區號 94102)

設施地點資訊

地址: Market 街 1745 號

街區/地段:3503/003

分區:NCT-3

申請公司

AT&T Mobility

聯繫資訊

AT&T Mobility公司熱線電話

(415) 646-0972

AT&T Mobility 公司計畫在 Market 街 1745 號安裝一座無線通訊設施,作為 AT&T Mobility 公司在三藩市無線網路的一部分。計畫中的 AT&T Mobility 站 為無人操作設施,需要安裝九(9) 根平板天線。這些天線將被放置在建築正面,並用構造和粉刷與建築相符的材料遮罩起來,使公眾從外面看不到這些天線。相關設備將被放置在建築外,並用一道圍牆遮罩起來,從街上看不到這些設備。我們在會上將提供計畫書和類比圖片供您參考。我們誠邀您參加定於 2011 年 12 月 13 日(星期二)下午 7:00 在 LGBT Community Center 召開的社區資訊通報會,以便您瞭解有關本專案的更多資訊。

如果您對該計畫有任何疑問,但是無法出席這次會議,請撥打AT&T Mobility 公司熱線電話(415) 646-0972,AT&T Mobility公司的一位專業人員將會回復您的電話。如果您對本規劃程式有任何疑問,請致電 (415) 575-9116與三藩市城市規劃局的規劃員Michelle Stahlhut聯繫。

注意: 如果您需要一名翻譯陪同您出席會議,請在不晚於 2011 年 12 月 9 日 (星期五)下午 5 點前致電 (415) 646-0972 與本辦公室聯繫,我們將盡力為您配備一名翻譯。



1745 Market Street Community Meeting December 13, 2011

					Vienne	Ray Moresi	Jean Chang	All Keni	Name
				١	2811 - 20th Street 94110 11 824 6149	2751 15 Th Ave, 5 K. (415) 242-5900	First Buptist Church, 22 Wallerst 415-863-3382	6 VA:	Address Phone/Fmoil