File	No.	120005

Committee	ltem	No
Board Item	No	23

COMMITTEE/BOARD OF SUPERVISORS

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Completed by: Date	

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

BOARD of SUPERVISORS



City Hall
1, Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

January 10, 2012

Pastor Nikolay Gusenkov First Slavic Baptist Church of San Francisco 1300 Balboa Street San Francisco, CA 94118

File No. 120005, Planning Case No. 2011.0198C 601 - 14th Avenue Conditional Use Appeal

Dear Pastor Gusenkov:

This office is in receipt of your appeal filed on January 9, 2012, from the decision of the Planning Commission by its Motion No. 18503 dated December 8, 2011, approving a Conditional Use Authorization identified as Planning Case No. 2011.0198C, under Planning Code Sections 209.6(b) and 303 to remove existing omni antennas and install a wireless telecommunications facility consisting of up to four panel antennas concealed in one faux chimney located on the northern portion of the roof and related equipment in the basement of a three-story publicly-used structure (Bureau of Jewish Education) as part of AT&T's Wireless Telecommunications Network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District, on property located at:

601 - 14th Avenue, Assessor's Block No. 1630, Lot No. 001.

Pursuant to Ordinance No. 121-01, Supervisors Eric Mar, David Chiu, David Campos, John Avalos, and Scott Wiener subscribed to this conditional use appeal as an alternative to obtaining the signatures of 20% of the property owners within 300 feet of the subject property.

A hearing date has been scheduled for **Tuesday**, **February 7**, **2012**, **at 4:00 p.m.**, at the meeting of the Board of Supervisors to be held in City Hall, Legislative Chamber, Room 250, located at 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

601 - 14th Avenue Conditional Use Appeal January 10, 2012 Page 2

Please provide to the Clerk's Office by:

9 CARVIAS

8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing;

11 days prior to the hearing: names of interested parties to be notified of the hearing.

Provide 18 copies of the documentation for distribution, and, if possible, names of interested parties to be notified in label format.

If you have any questions, please feel free to contact Rick Caldeira at (415) 554-7711 or Joy Lamug at (415) 554-7712.

Sincerely,

Angela Calvillo Clerk of the Board

C:

Appellant Contact, Marina Nazarova, 902 Beach Park Boulevard, #140, Foster City, CA 94404 Property Owner, Jewish Educational Society of San Francisco, 601 - 14th Avenue, San Francisco, CA 94118, w/ copy of appeal

Project Sponsor, Amy Million, KDI, 855 Folsom Street, Suite 106, San Francisco, CA 94107, w/ copy of appeal

Scott Sanchez, Zoning Administrator, Planning Department, w/ copy of appeal AnMarie Rodgers, Planning Department, w/ copy of appeal Tina Tam, Planning Department, w/ copy of appeal Nannie Turrell, Planning Department, w/ copy of appeal Linda Avery, Planning Department, w/ copy of appeal Sara Vellve, Planning Department, w/ copy of appeal Cheryl Adams, Deputy City Attorney, w/ copy of appeal Kate Stacy, Deputy City Attorney, w/ copy of appeal Marlena Byrne, Deputy City Attorney, w/ copy of appeal

NOTICE TO BOARD OF SUPERVISORS OF APPEAL FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.
The property is located at 601 14th Avenue San Francisco, CA 94118
December 8, 2014 Date of City Planning Commission Action (Attach a Copy of Planning Commission's Decision) 01/06/9019
The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No
The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No
The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2011. 01.98 C
The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

The appeal is of the entire decision

b) Set forth the reasons in support of your appeal:

The project is not necessary, desirable and compatible with the neighborhood and community

Person to Whom Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Marina Nazarova

Nikolay Gusenkov

902, Beach Park Blud. #140 Foster City, 1300 Balbaa Str. San Francisco, CA
Address CA 94404 Address 94118

(650)867-0083 Telephone Number

(415) 640 - 6050 Telephone Number

Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 2011. U.S., a conditional use authorization regarding (address) 601 14th Avenue.

Sap Francisco, CA 94118 _____, District ___. The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

SIGNATURE

DATE

South Whener

1-5-12 1-3-12 1-3-12

(Attach copy of Planning Commission's Decision)



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Affordable Housing (Sec. 415)

☐ Jobs Housing Linkage Program (Sec. 413)

□ Downtown Park Fee (Sec. 412)

☐ First Source Hiring (Admin. Code)

☐ Child Care Requirement (Sec. 414)

☐ Other

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

Planning Commission Motion No. 18503

HEARING DATE: DECEMBER 8, 2011

(Continued from October 13, 2011 and November 3, 2011)

Date:

December 8, 2011

Case No.:

2011.0198C

Project Address:

601 – 14th Avenue

Current Zoning:

RM-1 (Mixed, Low Density)

40-X Height and Bulk District

Block/Lot: 1630/001

Project Sponsor:

Amy Million, KDI

855 Folsom Street, Suite 106

San Francisco, CA 94107

Staff Contact:

Sara Vellve - (415) 558 - 6263

sara.vellve@sfgov.org

Recommendation: Approval with Conditions

RECEIVED DEC 23 2011

CITY & COUNTY OF S.F. PLANNING DEPARTMENT RECEPTION DESK

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 209.6(b) AND 303 TO REMOVE EXISTING OMNI ANTENNAS AND INSTALL A WIRELESS TELECOMMUNICATIONS FACILITY CONSISTING OF UP TO FOUR (4) PANEL ANTENNAS CONCEALED IN ONE FAUX CHIMNEY LOCATED ON THE NORTHERN PORTION OF THE ROOF AND RELATED EQUIPMENT IN THE BASEMENT OF A THREE-STORY PUBLICLY-USED STRUCTURE (BUREAU OF JEWISH EDUCATION) AS PART OF AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK WITHIN THE RM-1 (MIXED, LOW DENSITY) ZONING DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 1, 2011, Amy Million, as representative of AT&T Wireless, (hereinafter "Project Sponsor"), made an application (hereinafter "application"), for Conditional Use Authorization on the property at 601 – 14th Avenue, Lot 001 in Assessor's Block 01630, (hereinafter "project site") to remove existing omni antennas and install a wireless telecommunications facility consisting of up to four (4) panel antennas concealed in one faux chimney located on the northern portion of the roof and related equipment in the basement of an existing three-story publicly-used structure (Bureau of Jewish Education) as part of AT&T's wireless telecommunications network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District.

Motion No18503 Hearing Date: December 8, 2011

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

On December 8, 2011, 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. 2011.0198C, 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.

Site Description and Present Use. The subject site is zoned RM-1 (Mixed, Low Density), which is characterized in the planning Code as containing an mixture of dwelling types and a significant number of apartment buildings that broaden the range of unit sizes and variety of structures, but with an overall low density and moderately scaled buildings with neighbored services and transit lines located within close proximity.

The approximately 20,000 square foot site is owned by the bureau of Jewish Education and consists of approximately three buildings at the southwest corner of the intersection of 14th Avenue and Balboa Street. The subject building where the proposed antennas would be located is three stories tall and located on the corner of 14th Avenue and Balboa Street. All other buildings on the site front either Balboa Street or 14th Avenue. The subject structure was constructed in approximately 1930. The Lisa Kampner Hebrew Academy occupies one building on the site. A pair of omnidirectional antennas are currently located on the northwest corner of the building at the corner of Balboa Street and 14th Avenue.

Surrounding Properties and Neighborhood. The site is bounded to the west, north and south by buildings generally containing one to two dwelling units. Park Presidio Boulevard bounds the east side of the site. Geary Boulevard is located two blocks north of the site and Golden Gate Park is located two blocks to the south.

2. **Project Description**. At the time of application on March 1, 2011, the proposal included up to six (6) new panel antennas located within three new faux chimneys (Sectors A, B and C) on the roof

of the building located at the corner of Balboa Street and 14th Avenue. As a result of design considerations and public opposition during the review process, the number of antennas was reduced to four (4) (Sectors A and C) within one faux chimney located on the northern portion of the roof of the building at the corner of Balboa Street and 14th Avenue. Mechanical equipment would be located in the building's basement. The existing omnidirectional antennas would be removed.

3. 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, 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, hospitals, health centers 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;
- 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, a submittal checklist and details about the facilities to be installed.

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 December 8, 2011, 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 Sections 206.9(b) and 303 to remove existing omni antennas and install a wireless

¹ PC Resolution 16539, passed March 13, 2003.

Motion No18503 Hearing Date: December 8, 2011

telecommunications facility consisting of four (4) panel antennas to be located within a faux chimney on the northern portion of the building at the corner of Balboa Street and 14th Avenue and locate the mechanical equipment in the building's basement per plans contained in Exhibit "B".

- 4. 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 1, as it is a preferred location for a publicly used structure (educational building).
- 5. Radio Waves Range. The Project Sponsor has stated that the proposed wireless network will transmit calls by radio waves operating in the 700 2200 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.
- 6. 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*.
- 7. 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 less than 1% of the FCC public exposure limit. There were no other observed similar antennas within 100 feet of this site. AT&T proposes to remove the existing omnidirectional antennas and locate up to four (4) panel antennas within a faux chimney located within the middle of the northern portion of the building's roof at approximately 44 feet above grade. Mechanical equipment would be located on the building's basement. The estimated ambient RF field from the proposed AT&T transmitters at ground level is calculated to be 0.027 mW/sq cm, which is 4.0% of the FCC public exposure limit. The three dimensional perimeter of RF levels equal to the public exposure limit extends 57 feet which includes areas of the roof top 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 20 feet of the front of the antennas while in operation.
- 8. **Maintenance Schedule**. The proposed facility would operate without on-site staff but with a maintenance crew visiting the property approximately once a month and on an as-needed basis to service and monitor the facility.
- 9. Community Outreach. Per the *Guidelines*, the project sponsor held a Community Outreach Meeting for the proposed project. The meeting began at 7:00 P.M. on Wednesday, April 20, 2011 at Argonne Park, located at 463 18th Avenue, San Francisco. Approximately five members of the public attended the meeting. The sponsor received two calls in support of the proposal from neighborhood residents who could not attend the meeting. Additional meetings, coordinated by

AT&T and the Bureau of Jewish Education, were held after the November 3, 2011 Planning Commission hearing to address the opposition's concerns.

- 10. Five-year plan: Per the *Guidelines*, the project sponsor submitted its latest five-year plan, as required, in October 2011.
- 11. Public Comment. Prior to the November 3, 2011 and December 8, 2011 hearings, the Départment received extensive public comment in opposition to the proposal from families and administration of the Lisa Kampner Hebrew Academy and neighborhood residents. A few letters in support of the proposal were submitted.
- 12. **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 Sections 209.6(b), a Conditional Use authorization is required for the installation of wireless transmission facilities in the NC-3 (Neighborhood Commercial, Moderate Scale) District.
- 13. 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.
 - 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 $601 - 14^{th}$ Avenue 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 of such size and nature to be compatible with the surrounding nature of the vicinity. The approval of this authorization has been found, first and foremost, 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 building and insure harmony with neighborhood character.

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

Motion No18503 Hearing Date: December 8, 2011

Coverage: San Francisco does have sufficient overall wireless coverage (note that this is separate from carrier service). It is necessary for San Francisco to have as much coverage as possible in terms of wireless facilities. Due to the topography and tall buildings in San Francisco, unique coverage issues arise because the hills and buildings break up coverage. Thus, telecommunication carriers often 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 distribution. It is necessary for San Francisco, as a leader in technology, to have adequate capacity.

The proposed project at 601 – 14th Avenue is necessary in order to achieve sufficient street, intransit and in-building mobile phone coverage and to provide service coverage during high demand periods. Recent drive tests in the subject area conducted by the AT&T Radio Frequency Engineering Team provide conclusive evidence that the subject property is the most viable location, based on factors including quality of coverage, population density, land use compatibility, zoning and aesthetics. The proposed coverage area will serve the vicinity generally bounded by Fulton and California Streets, and 18th and 9th Avenues as indicated in the coverage maps. This facility will fill coverage gaps in service in the Richmond District, 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.

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 has received information that the proposed wireless system must be operated so as not to interfere with radio or television reception in order to comply with the provisions of its license under the FCC.

The Planning 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 two to three times 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 erection 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;

The antennas would be located within a new faux chimney located in the center of the northern portion of the building roof. The faux chimney would be constructed of RF transparent material painted to match the building. Mechanical equipment would be located in the building's basement.

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.

The proposed project is consistent with the stated purpose of the RM-1 (Mixed, Low Density) District in that the intended use is located on an existing building at a height of approximately 44 feet from grade and designed to be consistent with the building's design and minimally visible.

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

2009 HOUSING ELEMENT

BALANCE HOUSING CONSTRUCTION AND COMMUNITY INFRASTRUCTURE

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

Motion No18503 Hearing Date: December 8, 2011

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 Wireless coverage 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 and related equipment by locating the antennas in a faux chimney located on the northern portion of the building located at the corner of 14th Avenue and Balboa Street. Mechanical equipment would be located in the building's basement.

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:

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.

Hearing Date: December 8, 2011

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 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.

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's mobile 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.

- 15. **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.

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 design will comply with the California Environmental Quality Act.

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

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

- 16. 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.
- 17. The Commission hereby finds that approval of the Determination of Compliance authorization would promote the health, safety and welfare of the City-

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 209.6(b) and 303 to install up to four (4) panel antennas to be located within one faux chimney on the northern portion of the building's roof with the related equipment in the basement of a three-story publicly used structure (educational institution) as part of a wireless transmission network operated by AT&T Wireless on a Location Preference One (Preferred Location — Publicly used structure) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, within the RM-1 (Mixed, Low-Density) District, and a 40-X Height and Bulk District, and subject to the conditions of approval attached hereto as Exhibit A.

CASE NO. 2011.0198C 601-14th Avenue

Motion No18503

Hearing Date: December 8, 2011

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. 18503. 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 December 8, 2011.

Linda Avery

Commission Secretary

AYES:

Commissioners: Antonini, Borden, Fong, Miguel, Moore Sugaya

NAYS:

None

ABSENT:

Commissioner: Olague

ADOPTED:

December 8, 2011

EXHIBIT A

AUTHORIZATION

This approval is for Conditional Use authorization under Planning Code Sections 209.6(b) and 303 to install a wireless telecommunications facility consisting of up to four (4) panel antennas to be located within a faux chimney location the northern portion of the roof with related equipment in the basement of a three-story building, a Location Preference 1 (Preferred Location – Publicly Used Structure) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as part of AT&T's wireless telecommunications network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-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 December 8, 2011 under Motion No. 18503.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18503 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.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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, <u>www.sf-planning.org</u>.

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, <u>www.sf-planning.org</u>

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, 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 415-558-6613, www.sf-planning.org.

- 4. Screening WTS. To the extent necessary for information about 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. Anteriras 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. Antennae 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 415-558-6613, <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, www.sf-planning.org
- 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, <u>www.sf-planning.org</u>
- 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

Motion No18503 Hearing Date: December 8, 2011

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, <u>www.sf-planning.org</u>.

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.
- c. 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.sf-planning.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:
 - a. 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.
 - 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 non holiday 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, www.sfdph.org.

- 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.

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 antennae 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, www.sf-planning.org
- 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

APPLICATION FOR

1, Applicant and Project Information

Board of Supervisors Appeal Fee Waiver

APPLICANT NAVE: Marina Nazarova / N	IKOLAY GUSENKOV
902 Beach Park Blid #140	(GO) 867-083
Foster City, CA 34404	EMAL:
Heigheorhood organization address:	Church of San Francisco HEEPHONE (455 640-6050
1300 Balboa Str. San Francisco, CA 94118	EMAL
PROJECT ADDRESS 601 14th Avenue San	Francisco, CA 94118
PLANNING CASE NO. 198 C BUILDING PERMIT APPLICATION N	ic.: Date of Decision of Any. $12/8/2011$
Required Criteria for Granting Waiver	
(All must be satisfied; please attach supporting materials)	
The appellant is a member of the stated neighborhood organization behalf of the organization. Authorization may take the form of officer of the organization.	tion and is authorized to file the appeal a letter signed by the President or other

- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittel of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

By:		Date:	
Submission Checklist:			
APPELLANT AUTHORIZ CURRENT ORGANIZATI MINIMUM ORGANIZATI PROJECT IMPACT ON C	ON REGISTRATION ON AGE		



SAN FRANCISCO PLANNING DEPARTMENT

FOR SIGNE IMPORMATION: Call or Vicit the Sall Francisco Planning Department

Central Reception 1650 Mission Street, Suite 400 San Francisco CA 94103-2479

TEL: 415.558.6378 FAX: 415.558.6409

WEB: http://www.sfplanning.org

Planning Information Center (PIC) 1660 Mission Street, First Floor Sen Francisco CA 94103-2479

TEL: 415.558.6377

Planting seel are available by priving and at the FIC counter. No appointment is independent.



January 9, 2012

Ms. Angela Calvillo Clerk of the Board of supervisors City and County of San Francisco 1 Dr. Carlton B. Goodlett Place San Francisco, CA

Re case No 2011.0198C

Appeal of Conditional Use for AT&T System at 601 14th Avenue, San Francisco

Dear Ms. Calvillo,

Marina Nazarova, secretary of First Slavic Baptist Church of San Francisco is authorized to file this appeal on behalf of the First Slavic Baptist Church of San Francisco.

Sincerely,

NIKOLAY GUSENKOV

Pastor

First Slavic Baptist Church of San Francisco

1300 Balboa St. San Francisco, CA 94118 Appeal of Conditional Use for AT&T Wireless System

Project Address: 601 14 Ave. Planning Case #: 2011.0198C

SUMMARY:

The First Slavic Baptist of Church of San Francisco is appealing the Planning Commission's approval of AT&T Mobility's application for Conditional Use Authorization to install a wireless communications facility consisting of up to four panel antennas at 601-14th Avenue.

According to Planning Code Section 303, "A Conditional Use is a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable for, and compatible with, the neighborhood and whether it may potentially have a negative impact on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan."

The Planning Commission approved AT&T's Conditional Use application on December 8, 2011. The appeal is based on the fact that AT&T has not demonstrated that the proposed installation is either necessary or desirable for or is the compatible with the community.

The subject site is zoned RM-1 (Mixed Low Density)

It is worth noting is that a structure exists to evaluate the siting of such antennae, which ranks various preference categories as 1 to 7. Residential neighborhoods are, for good reason, a Preference Category 7 location. However, AT&T has found a loophole in the system. It merely selects a "public" building, such as a Bureau of Jewish Education (BJE) in this instance, and claims a Preference Category 1, even though the surrounding buildings are 100% residential, and the equipment will be located less than 90 feet from residential properties on all sides. Under the WTS (Wireless Telecommunication Services) Facilities Guidelines, the project is a location Preference Number 1 as it is a preferred location for a publicly used structure (educational building). Furthermore, the Commission has misinterpreted the Siting Guidelines by inappropriately considering the proposed project to be situated on a "publicly used structure" preferred location site when, in point of fact, the project site is a private library that excludes the use by the general public. Indeed, the project site is located within a RM-1 (Mixed, Low Density) residential zoning district, which is specifically identified in the Siting Guidelines as a disfavored location site - a fact which the Commission doesn't even mention in their decision approving the proposed conditional use.

As is their wont, AT&T has consistently manipulated the ruse of locating their proposed wireless telecommunications facilities on a dubiously identified "publicly used structure" so as to cloak their project with "preferred location site" status in order to infiltrate residential neighborhoods that are otherwise specifically identified as disfavored location sites under the Siting Guidelines. The time has long since passed to put an end to this unsavory impropriety.

The Burden of Proof is on AT&T and it was not met.

For a Conditional Use Permit, it was AT&T's obligation to prove that the new facility is either necessary or desirable, and is not against the community interest. AT&T did none of these,

but the Planning Commission abandon their responsibility – merely indicating that they felt it was necessary to rely on AT&T's own self-serving statements to determine the necessity for the new tower.

Contrary to the maps submitted to the Planning Commission, which purported to show coverage gaps throughout the neighborhood at all times, AT&T's own marketing materials, posted on their web site, shows that this area has "excellent" service for both cellular voice and data. Additional, a neighborhood survey conducted by residents and showed that AT&T customers already have adequate service for both voice and data in the area virtually every location had 4 or 5 bars of service.

No independent verification

There is no way to independently test or verify AT&T's findings, because AT&T does not release the detailed metrics of its testing. One does not know what number of calls was dropped, at what point of the day, in what location. There is no opportunity to examine their engineers as to such data, and the Planning Commission has neither the staff nor the preference to challenge those conclusions.

The simple fact is that the burden is on AT&T to prove its case. The neighborhood has neither the resources nor the access to ascertain independently or prove the obverse – that is why it is AT&T's burden. Yet AT&T was permitted to evade that burden by not being required to adduce underlying information and methodologies that could be tested, simply because the Planning Commission did not feel that it was their duty to undertake such an evaluation

AT&T did not meet that burden and it would speak volumes on behalf of the residents of San Francisco for this Board to make it clear that they must do so before simply imposing their will on the neighborhoods of this City.

Not Compatible with Neighborhood

Further, in evaluating whether to grant the Conditional Use Permit, AT&T had the obligation of demonstrating that it was not contrary to the interests of the neighborhood. More than five hundred individuals residing or working of the proposed installation signed a petition asking for the permit to be denied.

For the reasons summarized above and the detail provided below, the First Slavic Baptist Church requests that the San Francisco Board of Supervisors find that AT&T Mobility has not met its burden of proof to demonstrate that the proposed WTS facility is necessary or desirable or compatible with the neighborhood and deny the Conditional Use application.

THE PROPOSED PROJECT IS NOT NECESSARY

AT&T has failed to meet the burden of proof that the proposed project is necessary. The proposal lacks any independent objective review of necessity, does not appear consistent with AT&T's own 5-year plan, and appears as just an opportunistic way for AT&T to proliferate its cell sites without regard for the neighborhood well being or the desires of its residents.

No independent verification: Service coverage gaps are determined by AT&T's in-house staff and reviewed by AT&T's paid consultants. AT&T sets its service standards. The Planning Department does not have resources to perform any in-depth review of the data presented and relies on AT&T's assessment which is accepted without independent, third party review. California communities such as Berkeley, Belmont, Corte Madera and others engage their own independent experts. San Francisco does not.

No mention of need or coverage gap in area in AT&T's five year plan of March, 2011. AT&T's five year plan updated in March, 2011 makes no mention of a need for additional coverage in the

area within 500' of 1300 Balboa. This omission points to the speculative nature of the conditional use request.

AT&T failed to prove their claimed "coverage gap" for the area.

AT&T's "coverage gap" claim lacks supporting raw data to permit independent verification of AT&T's claims and appears to be no more than a marketing claim aimed at the Planning Commission contradicting their marketing claims for same area aimed at their customers and prospects. By their own admission, AT&T seeks these antennas NOT to improve the cellular reception in the street but to improve it inside the houses nearby. The statement of Gordon Spencer, who is an AT&T engineer, reads: "Although there is reasonable outdoor signal strength in the area, coverage indoor is weak and the quality of service overall is unacceptable." This statement shows that AT&T is not concerned with enhancing the reception "for a person anywhere on the ground" but rather wants to improve the field penetration into the building in the immediate vicinity of the proposed installation. The statement by Gordon Spencer is meant to justify the need of or the additional antennas in this general area. But it also shows that the Church building is going to be the first building in the in the line of sight for the sector-A antenna beam.

No serious effort to identify alternatives. AT&T defined its service coverage gap to meet the availability of the proposed site. The extent of AT&T's efforts to identify alternative sites were limited to two with one being contacted via two voicemails and a letter and the other with a voicemail and one in-person visit. This was the extent of investigation of alternative sites per AT&T's statement. AT&T provided no meaningful data to demonstrate that the proposed location is preferable to alternatives, including upgrading one or all of their existing micro sites in the immediate area. Of equal importance, there is no indication that AT&T considered the alternative of reconfiguring or supplementing one or more of its existing sites, rather than impose a totally new site on the First Slavic Baptist Church neighborhood.

THE PROPOSED SITE IS NOT DESIRABLE

AT&T has failed to meet its burden of proof that the proposed antenna placement is desirable for the neighborhood. AT&T has exploited a loophole in the WTS guidelines inserted at the behest of the wireless industry lobby – a loophole that bypasses the WTS original intent to preventing placements of such commercial installations in the midst of purely residential areas. The proposed site raises questions of structural integrity and safety.

"The proposed project is located in the 14th Avenue neighborhood of San Francisco. The immediate area surrounding the project site is characterized by three to four story residential buildings that contain apartments or two to three flats."

Exploiting a Loophole: The San Francisco Planning Commission's August 15, 1996 Wireless Telecommunications Services (WTS) Guidelines contains a specific loophole added at the behest of the telecommunications industry that makes a mockery of the Guidelines' protection of residential areas, i.e., "7. Disfavored Sites: Buildings located in the following zoning districts are disfavored sites: RH-1, RH-1 (D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2. The Planning Commission will not approve applications for such sites... provided, however, that facilities placed on publicly-used structures, as defined in Paragraph 1 ... in these zoning districts shall not be disfavored sites and may be approved for a WTS installation by the Planning Commission." It strains credibility that the intent of this latter sentence was to permit such a single, stand-alone structure to be utilized to place such equipment within 15' of the bedrooms of neighborhood residents.

Moreover, as the attached signatures of over 500 members of the surrounding community firmly establish, appellant has abundantly demonstrated that the proposed use is unquestionably **not desirable** for the local neighborhood and community. Rather than complying with section 303(b)(1), the Commission simply ignored the local community's overwhelming opposition to the proposed use and glibly regurgitated the civic mantra that the City is a leader of the technological economy and the importance and desirability of maintaining adequate telecommunications coverage in the City.

THE PROPOSED SITE IS NOT COMPATIBLE WITH THE NEIGHBORHOOD AND MAY, IN FACT, HAVE A NEGATIVE IMPACT ON THE NEIGHBORHOOD. AT&T has failed to meet its burden of proof to demonstrate that the proposed antenna placement in compatible with the (residential nature) of the neighborhood. In fact, there is overwhelming neighborhood opposition to this proposed commercial installation.

The proposed project is a commercial installation in an area that is 97% residential.

2) AT&T is exploiting an obvious loophole in the City's WTS Guidelines, which were originally intended to protect purely residential neighborhoods from commercial installations, however they are camouflaged.

The proposed installation is a commercial installation which raises safety concerns a) The Lead Acid Batteries used in AT&T's base stations have met requirements for exception as hazardous material classification. However, the internal material "...may be hazardous to your health" in case of extreme heat or fire. (North Star Battery Company Fact Sheet).

b) Monthly maintenance requirements stipulate that operators must remain 25 feet from direct contact with the base unit while residents are in even closer proximity. The Consulting Engineers' analysis does not address this issue.

c) The building of the Bureau of Jewish Education was built in 1920 and has not been retrofitted since. The Lead Acid Batteries are not under twenty-four hour surveillance, therefore in case of a fire the batteries are considered a dangerous fire hazard.

The signal power density exceeds FCC guidelines

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. The proposed project is in violation of the FCC regulations. The estimated ambient RF field from the proposed AT&T transmitters at the ground level is calculated to be 0.027 mW/sq cm, which is 4.0% of the FCC public exposure limit. The FCC set the limit to the power density that it deemed safe is about 1mW/cm^2. Based on this standard, patrons of the Academy testified at the previous meetings of the Planning Commission that 150 feet is the distance at which the main lobe of the antenna beam weakens to the level of 1mW/cm^2. Anyone placed closer in the main lobe of the antenna pattern is exposed to the levels exceeding those set by the FCC. The distance between the building of the Bureau of Jewish Education ("BJE") and the Church is about 100 feet. The H&E repeatedly talks about "the power density anywhere on the ground." We contend that the power level on the ground is irrelevant and immaterial to the case. It is the people on the second floor of the First Slavic Baptist Church inside the adjacent buildings that are going to be irradiated every day and NOT a passerby on the ground. The three dimension perimeter of RF levels equals to the public exposure limit extends 57 feet which includes areas of the roof top but does not reach any publicly accessible area.

Community opposition: 586 individuals residing or working of the proposed installation signed a petition strongly urging the Planning Commission to deny the Conditional Use Permit at $601 - 14^{th}$ Avenue (Exhibit B).

IN SUMMARY

The First Slavic Baptist Church requests that the Board of Supervisors:

Deny this AT&T proposal, because it is neither necessary nor desirable for and not compatible with the residential nature of the neighborhood, and because AT&T has failed to meet the burden of proof to convince otherwise.

Instruct AT&T to pursue a more suitable commercial location that would be compatible with such an installation or to upgrade or modify one of its existing or currently pending sites.

EXHIBITS

Exhibit A – Why the First Slavic Baptist Church is opposed to the proposed AT&T antenna installation.

Exhibit B – 586 signatures of opposing individuals

Exhibit C - 4 Photos of 1300 Balboa St.

Exhibit D - Letter from the Pacific Coast Slavic Baptist Association

Exhibit E - Letter from the California Southern Baptist Convention

Exhibit F - Letter from the Association of Slavic Immigrants, USA

Exhibit G - Letter from the pastor of the First Slavic Baptist Church

Exhibit H – CDs with Hebrew Academy students' testimonies on 11/03/11 Planning Commission Hearing.

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Exhitit A

EXHIBIT 1 PREPAIRED BY VADIM HEYFITCH

Why the First Slavic
Baptist Church of San
Francisco is Opposed to
the Proposed AT&T
Antenna Installation on the
Rooftop of the Bureau of
Jewish Education at 601
14th Ave?

Case No. - 2011.0198C

The second floor of the First Slavic Baptist Church of San Francisco would be exposed to antenna radiation that exceeds the limit set by the FCC (Federal Communication Commission.)

The calculation of the EMR power density Hammett and Edison (H&E) performed for AT&T is incorrect. The field measurements, which H&E alleged to have performed at the proposed site lack documentation. These factors are sufficient to reject AT&T Application for Conditional Use Permit.

Application Checklist for the Conditional Use Permit contains item G, the Emissions Report, also called Ambient Radio Frequency Report. This report was provided to AT&T by Hammett & Edison (H&E), a radio frequency engineering firm, which served as an independent expert for this case. By its nature, the Statement is an affidavit of safety; it is intended as a technical proof of the safety of the proposed antennas.

After the announcement by AT&T on December 8, 2011 of their decision to abandon the sector-B antenna pair, the San Francisco Planning Commission approved their Conditional Use Permit for the installation of the remaining two pairs of antennas, sectors A and C, - four antennas in total. Figure 1 shows that Sector-A antenna pair would be directed toward the Russian Baptist Church (RBC) across the Balboa street.

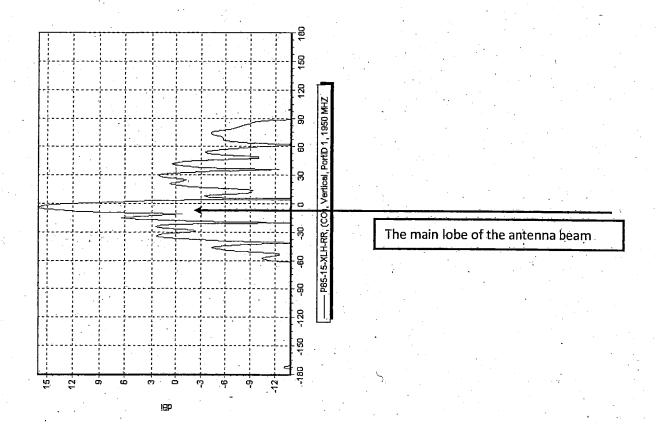
CONTRAIL SIF PLAN

Figure 1: The proposed ATT antenna directions.

The distance between the building of the Bureau of Jewish Education (BJE) and the RBC is about 100 feet; the distance to the back wall of the RBC is about 150 feet.

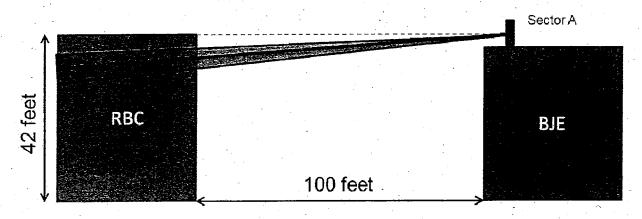
The FCC (Federal Communication Committee) set the limit to the power density that it deemed safe, which is about 1mW/cm^2. Based on this standard set by the Federal government set norm, the Lisa Kempner Hebrew Academy (LKHA) parents, which is to the south of the BJE, showed that 150 feet is the distance at which the main lobe of the antenna beam weakens to the level of 1mW/cm^2. Anyone placed closer in the main lobe of the antenna pattern is exposed to the levels exceeding those set by the FCC.

Figure 2: Vertical plane power density pattern for one of the two antennas. The main beam is narrowly focused like a knife blade.



The building of the RBC is 42 feet tall. The proposed antennas are to be placed also 42 feet above the grade. Since the sector-A antenna pair is to beam toward and almost perpendicularly to the RBC, is will penetrate the second floor of the Church, which hosts the parishioners including the Sunday school for children. Such penetration is further assured by the fact that AT&T will tilt the antennas downward by 4 degrees – as per their latest plan – or 6 degrees - as they we proposed originally in March of 2011. The tilt mechanism allows for as much as 13 degree tilt below horizon. AT&T can tilt the antennas downward remotely any time it wants, without requesting prior approval from anyone. Even if they fixate the antennas at the 4 degree tilt, over the 100 foot distance to the RBC building the main beam would decline about 7 feet to the level of 35 feet; it would thus penetrate right into the second floor of the RBC and would continue to decline additional 3.5 feet to exit the back wall at the 31.5 foot level (or 10.5 feet below the roof). Hence people in the rooms of the second floor would be in the direct path of the main antenna beam. If tilted 13 degrees downward, the main lobe of the beam will also penetrate the first floor rooms in the back of the building.

Figure 3: Sector-A antenna beam penetrates into the second floor of the Church. The beam power density decreases to the FCC set limit of 1mW/cm^2 exactly when it reaches the back wall. Hence everyone on the second floor is exposed to eccessive EM radiation.



These calculations, also detailed below, are in disagreement with those by H&E. However, they have been checked and verified by three engineers. The detailed

analysis was submitted to the Planning Commission by the LKHA on Nov. 30, prior to the Dec. 8 hearing, where the CUP application was approved.

The Planning Commission chose to ignore this disagreement and without any inquiry on this particular point chose to stick with the distance of 57 feet for the three-dimensional exclusion perimeter – the number proposed by H&E.

The planning Commission also chose to ignore the evidence clearly demonstrated by the LKHA parents that much of the H&E Statement was a just red herring.

1) The H&E Statement repeatedly talks about "the power density anywhere on the ground." We contend that the power level on the ground is irrelevant and immaterial to the case. It is the people on the second floor inside the adjacent buildings that are going to be irradiated every day - and NOT a passerby on the ground. By their own admission, AT&T seeks these antennas NOT to improve the cellular reception in the street but to improve it inside the houses nearby. The statement of Gordon Spencer, who is an AT&T engineer, reads: "Although there is reasonable outdoor signal strength in the area, coverage indoor is weak and the quality of service overall is unacceptable." This statement shows that AT&T is not concerned with enhancing the reception "for a person anywhere on the ground" but rather wants to improve the field penetration into the buildings in the immediate vicinity of the proposed installation. The statement by Gordon Spencer is meant to justify the need for the additional antennas in this general area. But it also shows that the Church building is going to be the first building in the line of sight for the sector-A antenna beam.

The panel antennas installed on the rooftop are to be 42 feet above the ground. H&E stated that on the ground the highest radiation level would be at the mere 4% of that established by FCC. Yet elsewhere is the same 3-page document they stated that the three-dimensional perimeter is 57 feet. A directional panel antenna has a much different EM field

distribution, as can be seen on 6, which shows the azimuthal view.

2 shows the vertical cross section of the field from the actually proposed antenna. The pattern implies that the field is shaped like a knife blade that will "cut" through the south wall of the top floor and into the top floor of the Church with its main lobe. H&E Statement stipulates that this "three-dimensional perimeter... does not reach any publicly accessible areas." This is not true. On the contrary, it does extend directly into the Church building.

- 2) The Statement mentions Mr. David Kelly, who was contracted by H&E and visited the site on February 9, 2011. His qualifications are not provided beyond the phrase "a qualified field technician." The Statement does not describe the equipment Mr. Kelly used¹, the date this equipment was last calibrated, the test procedure he performed, or whether Mr. Kelly had received any training for this particular equipment. In fact, the Statement lacks any details of the work Mr. Kelly presumably performed on that day. Hence any conclusions drawn from his measurements are dubious.
- 3) Checklist Item 1 describes Mr. Kelly performing measurements of the existing omnidirectional antennas on-site, at ground near the site of the existing omnidirectional antennas. Such measurements are meaningless. The dipole antenna positioned vertically does not at all radiate strictly downward, as can be seen on 4 and 5. A person standing farther away from such omnidirectional antenna is exposed to a much higher EM field radiation than the one standing directly below antenna. Why did Mr. Kelly take his measurements "at the ground near the site" and then happily informed us that the level was "less than 1%"? Why did H&E, who ordered and oversaw his work, did not pick up this error? After all, Mr. Bill Hammett signed the affidavit and thus is fully responsible for its contents. The entire discussion of the radiation levels from the current onmi antennas is irrelevant in light of AT&T statement that they plan to

¹ One example of such equipment would be Agilent FieldFox RF Analyzer N9912A 4GHz with the Agilent U2000 Series USB power sensor.

- remove those antennas anyway. This makes the H&E Statement appear as a red herring.
- 4) Hammett & Edison has submitted similar affidavits of safety for numerous installations of cellular antennas. In every such submission they provide similar calculations. After the antennas are installed and become fully operational, their radiation power density can be easily measured. Yet neither Hammett & Edison nor AT&T Mobility have provided any evidence that they have done such study and found their predictions were true and accurate. We submit that such study should be required and mandatory; it should be conducted by and independent engineering firm as a so-called blind study (that is without AT&T knowledge as to the location and the timing of the study). The SF Planning Commission has never requested such measurement after it approved CUP for antenna installations in the past. It never followed through with inspection as to whether installed antennas are in compliance with the FCC limits. It instead continues to rely on AT&T promise to police itself and to conduct the tests once every two years "as required by FCC." Delegating such monitoring to the perpetrator is nothing but a grotesque abrogation of responsibility by the Planning Commission to protest the safety of the citizens of San Francisco.
- 5) AT&T failed to submit technical documentation, such as a datasheet or a specification, for the planned Andrew/Powerwave antennas: P65-15-XLH-RR and 7780. The documentation AT&T provided for the base station RBS2206 is NOT a substitute for antenna technical documentation.

In summary, installation of the proposed antennas would be a violation of the FCC established standards of safety as well as the violation of the process established by the San Francisco Department of Public Health and the Planning Commission. Therefore, we respectfully request that the City of San Francisco rescinds the approval it gave to AT&T Mobility.

Table 1: Power budget for the proposed installation.

Wireless Service	Freq. Band [MHz]	Public Limit [W/cm ^{2]}	Proposed power [Watt]
		(FCC unlimited duration)	
AWS	2,100	1.00	1,780
PCS	1950	1.00	2,210
Cellular	870	0.5 8	1,710
70DMHz,	700	0.47	890

Figure 4: EM rafiation field around a vertical omni antenna.

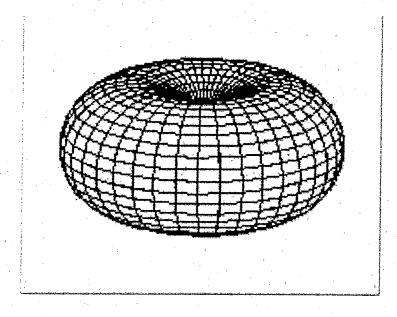


Figure 5: If you try to cover an area from a high point, you see a big hole below the antenna with no coverage.

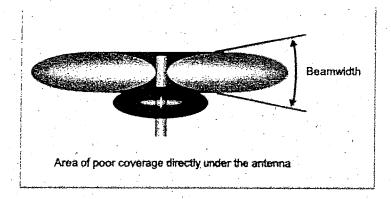
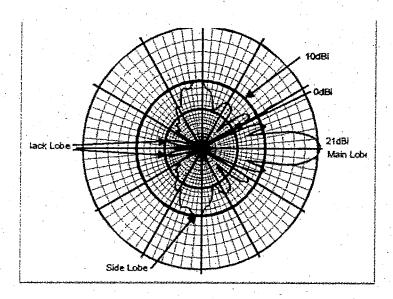


Figure 6: Typical Radiation Pattern of a Directional Antenna.



Appendix

- http://www.slideshare.net/nehakumar01/cell-phone-and-mobile-tower-radiation-hazards).
 Slide 29 quotes a recommendation for 300m distance from the cellular BTS towers to population.
- 2. Evidence of detrimental health effects from cellular antennae
 - a. http://gothamist.com/2008/03/10/cell_phone_rece.php
 - b. http://www.bioinitiative.org/freeaccess/report/index.htm (Sections 2, 3, 5-14.)
 - c. http://www.slideshare.net/nehakumar01/cell-phone-and-mobile-tower-radiation-hazards (Slides 11, 12, 29, 43)

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We the residents of the Richmond district would like to express our concern about the Jewish Bureau of Education's plan to install antennas on their roof at address 601 14th avenue (corner of 14th and Balboa) San Francisco, California. These antennae can cause serious health risks to us, the faculty, and neighbors in the area because of their radioactive components.

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	Irina Inker	I Delar	779 26th Ave.	(4/5) 307-395
	Emma Elimetakh Bonis Elimetakh	2. Elich	3030 Cabrillo St,	(415)831-424
	Irina Brodskiy	B. Elin	3030 Cobre 46 St	(418)215-2016
ĺ	11 2	Mileon 746	2345 Lawter St	415-516-6019
	Madimir Brodskiu		2345 LawtonSt	415-516-7054

City Planning Comm ion City Hall, Room 400 1 Dr. Carlton B. Goodlet Place San Francisco, CA

Print Name	Signature	Address	Phone No:	I =
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James Mary		4416 (aliforni SE 02 941	1957 415-225-90	62
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	IA MIKRAD		48 Rossi AVE.	(415/666-363)
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Alex	Inver	Alanen	779 26 Ave, F, 94/2	/
IRINA	Innen	I. Luken	7(1)	415-787-4517
Rita I	wen	R. Inker	359 20 Thre #205 SF, CA 94121	415-386-0457
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sique Lin	Charles "	SIL 14TH AVE.	415-396-4267	
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City Planning Conission
City Hall, Room 400
1 Dr. Carlton B. Goodlet Place
San Francisco, CA

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City Planning Comminum
City Hall, Room 400
1 Dr. Carlton B. Goodlet Place
San Francisco, CA

Print Name	Signature	Address	Phone No:	E-Mail
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	/ Frolova, Ekaterina
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/ Olifer, David/ / Paukova, Nina/ / Parunakyan , Margo / Nicolay Pokonny Galina Pokorna Olesye Pokoreg. / Pokorniy, Nikolay/ / Pokornaya, Galina/ /Pokornaya, Lesya/ Popora Dara Log/Popova, Inna/ Act / Prihodko, Maria/ / Prusakova, Nadezhda/ / Prusakov, Andeey / / Puz, Aleksandr/ / Puz, Irina/ /Razvodovskaya, Lidiya/ / Rakityanskaya, Lidiya/ / Sablina, Raisa/ / Savitskaya, Inna/ / Samiev, Oleg /

K. Lapina	/Lapina, Clara/
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	/ Monak, Elena/
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/ Gusenkov Timofey / / Gusenkova, Rimma/ / Gusenkov Konstantin / / Gusenkova , Carina / Gusenkov Maksim / hun turello / Gusenkov Mike / / Dader, Lyubov / / Derevnyuk, Vladimir/ / Dmitrienko , Liliya / / Dolganova, Antonina / / Dolganova, Natalya/ / Dolinskaya , Natalya / / Donskoy , David / / Emelyanoma, Irina / Skerman Leverno Michael Thurans Y Eremeev, Aleksandra / / Ehimova , Lyudmila / / Zhuravkov, Mike /

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David / Olifer, David / / Paukova, Nina/ / Parunakyan, Margo / Nicolay Pokonny Galina Pokorna Ocenye Pokoreg. / Pokorniy, Nikolay / / Pokornaya, Galina/ / Pokornaya, Lesya/ Popova INNA Hogy/Popova, Inna/

Hegy/Prihodko, Maria/ / Prusakova, Nadezhda / / Prusakov , Andeey / / Puz, Aleksandr/ / Puz , Irina / / Razvodovskaya, Lidiya/ / Rakityanskaya, Lidiya/

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	/ Monak, Elena/
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THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL.
ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON

<u>THURSDAY, OCTOBER 13, 2011,</u>

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

·CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT SLAMMING CODE SECTIONS 209 AND 303 TO ALLOW AT&T WIRELESS INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX FIRMEY ELEMENTS ON THE ROOF OF THE THREE-STORY STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL SQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

*FOR THE PROPERTY AT: 601 - 14th AVENUE, LOT 601 IN ASSESSOR'S *LOCK 1630. IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X *EIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER TUESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY FLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F. CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WHO ARE UNABLE TO ATTEM THE PUBLIC HEARING MAY SUBMIT WRITTEN COMMENTS TO SAPA VELLY AT PLANNING GERARIMENT, 1650 MISSION STRIKES, 4" FLOOR SAN FRANCISCO, CA 94107, COMMENTS RECEIVED BYT 9 30 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EXCUST TO THE ATTENTION OF THE PLANNING COMMISSION

COMMENTS WHICH CANNOT BE DELIVERED TO THE PLANKING DEPARTMENT BY \$15 AM ON THE DAY OF THE HEARING MAY BE TAKEN DIRECTLY TO THE HEARING AT CITY HALL INCOMESS ABOVE. COMMENTS RECEIVED AT 1650 MISSION STREET AFTER THE 9 36 AM. THE ALL HE WILL BE PLACED IN THE PROJECT FILE BUT PROBABLY CANNOT SE BROMENT TO THE ATTENTION OF THE PLANKING COMMISSION AT 195 PUBLIC MEARING.

Grob Buzeumanp Teleno Minosyants A Michespis MARYAM Clerkis Svetlana Vysotskova Horna Mark Veynberg Punbers Vladimir Freyman Freyman Matalya Mexinova Alkenio-NATALIE MARSELLY N. Marselly CUPJUHO CREEKS -YURIY BURLYGA Isincler Victor Shage lova lle Dora Shenderovich Roza Levitan leben Tupovskaya Mariya Mogemiano Peccep Dasax Data A. Test



BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-Case No. <u>2011.0198C</u>

"AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUAND TO PLANNING CODE SECTIONS ZID AND 303 TO ALLOW ATET WIRELESS TO INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX CHIMNEY ELEMENTS ON THE ROOF OF THE THREE STORY INSTITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN EPPROXIMATE HEIGHT OF \$4 FEEL ABOVE GRADE, MECHANTER EQUIPMENT WOULD BE LOCATED ON THE BUILDING'S PASSINED.

FOR THE PROPERTY AT: 601 - 14TH AVENUE, LOT 001 IN ASSESSIONS BLOCK 1636, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X HEIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 598-6422
MEJER TUESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTAL
CASE THE STAFF PLANNER AT 558-6263 OR WRITE TO THE DRIV
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CASE THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CASE NUMBER IN CORRESPONDERSE.

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TO THE PLANNING OF THE PLANNING OF THE PLANNING DEPARTMENT BY 9-39 A.M. DR. THE DAY OF THE PRANTING THE PEARING AT CITY HALL (ACCURED A SOCIE). CONNECTED RECEIVED AT 1929 HIGHER AFTER THE 2011 A.M. DEADLINE WILL BE PLACED IN THE PROJECT FILE, BUT PROBABLY CAPAIDED OF THE PUBLIC HEARING.

Take Cesephera Tomenes lepin Johnson Freyman Vlastimis Freyman Liya Molodetskaya Mc Over Ostanin altania Shuster Shuster Skrirtchak Klara Calemilon Yeler Libora Yelena Meler,



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CITY PLANNING COMMISSION WILL MEET IN CITY HAIL. ROOM 400, 1 DF CARLTON B. GOODLET PLACE ON

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

*CASE NO. 0011.01980

TAN APPLICATION FOR COMMONAL USB AUTHORIZATION PURSUANT PLANNING LUCY CONSIDERAND 303 TO ALLOW ATET WIFELESS WINEY ELEMENTS OF AN ROOF OF THE THREE STORY OF THE STORY OF THE STORY OF THE STORY OF THE SUIPMENT WOULD BE STATED ON THE BUILDING'S BASEMENT.

FOR THE PROPERTY AT: 501 - 14" AVENUE, LOT 001 IN AUSESSOR'S - OCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 50-X - CIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 552-4422 AFTER THE SDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE STAFF PLANNING COMMISSION. 1650 MISSION STREET, 4TH FLOOR S.F. CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS VIND ARE UNART S TO ATT 1. THE PUBLIC HEARING MAY BURBER WRITTEN COMMENTS TO EXEMPLE FOR AT PLANNING DEPARTMENT. THE SETTION STRIFES AT FLOOR, MAY PRANCISE OF MAIN COMMENTS RECEIVED BYT 9 30 ASS ON THE BOAY OF THE HEARING WELL BE MADE PART IN THE OPPICIAL RECORD AND WELL BE BROUGHT TO THE ATTENTION OF THE PLANNING COMMENSION

COMMENTS VARIOR CANNOT BE DELIVERED TO THE PLANESSED OF PARTMENT BY \$ 15 AM ON THE DAY OF THE PLANESS MAY BY TAKEN DIRECTLY TO THE HEARING AT CITY HALL (ACCRESS ABOVE) COMMENTS RECEIVED AT 1820 MISSION STREET AFTER THE 9 10 A M. OF AND IN, WILL BE PLACED IN THE PRODUCT IN I. HALL PRODUCT CANNOT BE SECURED TO THE ATTENTION OF THE PLANESS OF AT THE PUBLIC HEARING.

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THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

•CASE NO. <u>2011.0198C</u>

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT.

JO PLANNING CODE SECTIONS 209 AND 303 TO ALLOW ATAT WIRELESS

PINSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX.

PIMMEY ELEMENTS ON THE ROOF OF THE THREE-STORY.

USTITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE. MECHANICAL PURPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

*FOR THE PROPERTY AT: 601 - 14TH AVENUE, LOT 001 IN ASSESSOR'S SLOCK 1630. IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X SEIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-5422 AFTER TUESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WHO ARE UNABLE TO ATTEND THE PUBLIC MEARING MAY SUBMIT WRITTEN COMMENTS TO SAME MET ME AT PLANNING DEPARTMENT, 1689 MISS ON 1 TRUET 4" FLOOR, SAM FRANCISCO, CA 96187 COMMENTS RECEIVED BYT 9-10 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EROUGHT TO THE ATTENTION OF THE PLANNING COMMISSION

COMMENTS VARICH CANNOT BE DELIVERED TO THE PLANKING TO PARTMENT BY \$16.4 M ON THE DAY OF THE HEARING MAY BE TAKEN DIRECTLY TO THE HEARING AT CITY HELD ACCREES ABOVE. COMMENTS RECEIVED AT 1850 MISSION STREET AFTER THE 9-10 A.M. DE ADOME WILL BE PLACED IN THE PROJECT FOR FUNDE PROBABLY CANNOT BE BROUGHT TO THE ATTENTION OF THE PLANKING COMMISSION AT THE PUBLIC HEARING.

0199 Kagan - Nga Kagan Haialiya Macaricheva - Macount Raysel Pexer - Phah-Tsatsking Lyndmile - Voule Dimant Musqq_ Des Rubierus Pr - Rubierus 2000 - Dienis Alensenstsey Faina - Alen Conodensicyo Feely-Gerenbeupe Gers Carthur Nova Sakovich PanAR TITOVA The Tilor MIKOLA W Raisa Rogan Fund-Valeriya Byaking Rules Grigon Starinom Masts Pivnyk Gnygoniy Grigori Takhunts official Goldensteyn Gregor Solver 100plk (Stos) Raia Brazinskaya Brazin 190n-4'me mos



THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL.
ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON
<u>THURSDAY</u>, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

·CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT IN PLANNING CODE SECTIONS 208 AND 303 TO ALLOW ATAT WIRELESS INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX FINNEY ELEMENTS ON THE ROOF OF THE THREE-STORY STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL SUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

•FOR THE PROPERTY AT: 601 - 14TH AVENUE, LOT 001 IN ASSESSOR'S ELOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X -EIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE. CALL 558-6422 AFTER THESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WIRD ARE UNABLE TO ATTENT THE PUBLIC HEARDIG MON SUBMIT WRITTEN COMMUNITY TO SALO VICTOR AT PLANNERS DEPARTMENT, 1659 USES ON A REET AT PLOON, SAN FRANCISCO, CA 94103 COMMENTS RECEIVED BYT 9 36 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EROUGHT TO THE ATTENTION OF THE PLANNING CONVISSION

COMMENTS WHECH CANNOT BE BELIVERED TO THE PLANKING DEPARTMENT BY FIX A MI ON THE DAY OF THE MEARING MAY BE FAKEN DIRECTLY TO THE HEARING AT CITY HOLL INTERESS ABOVE: COMMENTS RECEIVED AT 1840 MISSION STREET AFTER THE 9 MIA 18 DEADLING WILL BE PLACED IN THE PROJECT FILE, BUILD PROBABLY CANNOT BE SECURITY TO THE ATTENTION OF THE PLANKING COMMISSION AT THE PUBLIC HEARING.

Rafuer J. Jonies Gershfeld M. ou Knorkovskill vakov de Godina Lople the Sorking Rose Brezman R. Brog Podina Vaysberg Voelgal Broyso Broggstan Bred Solia Rievets Sura Arredy Dubocarety AlexSANDR Vigonskiy Breef Vera Viconsnead Mily Barkling Riva (Pas) Lazarovskaya Rlevia Releva Kholodenco Anna Rondarendo Anna Aleksandre Kostrukous Ikler Raisa Simonen Ro Deld-Lyndmila Shelp Muzuro og færed Rosa egoldberg. Goldberg Rosa Molloton. Jefin Shoulman She Safija Shbulman W Thee - Tempresta Marie



THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

·CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT OF PLANNING CODE SECTIONS 209 AND 303 TO ALLOW ATET WIRELESS INSTALL UP TO S WIS PANEL ANTENNAS IN THREE SEPARATE FAUX FIRMNEY ELEMENTS ON THE ROOF OF THE THREE-STORY STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN PROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL SQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

FOR THE PROPERTY AT: 601 - 14th AVENUE, LOT 001 IN ASSESSOR'S FLOCK 1630. IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X FEIGHT BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-5422 AFTER THESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WHO ARE UNARTE TO ATTEND THE PUBLIC REARNO MAY SUBMIT WRITTEN COMMUNIS TO BAKE RELEVE AT: PLANNING DEPARTMENT, 1850 MISSION STREET 4" FLOOR SANTRANCISCO, DA 64101 COMMUNIS RECEIVED BYT 9-30 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EXPURIST TO THE ATTENTION OF THE PLANNING COMMISSION

COMMENTS WHICH CANNOT BE DELIVERED TO THE PLANNING OF PARTMENT BY SIZE A ME ON THE DAY OF THE HEARING MAY BE FAKEN DIRECTLY TO THE HEARING AT CITY MALL OF CORRESPONDING RECEIVED AT 1868 MISSION STREET AFTER THE 9 MEAR MEDICAL WILL BE PLACED IN THE PROJECT OF THAT PROBABLY CANNOT BE PROJECT TO THE ATTENTION OF THE PLANNING COMMISSION AT TWO PUBLIC HEARING

Lebeder Spri Manya Kikzhnek Baba Freylekhman briefle Boza denastyrskage illows Elizaveta Szeprype Mikhail Gites thing Thate Salkerskaya July Emma Abraneva Des Kreynya Altman Anna Shlyakhova Radema Klibanes R. Rlike Alensey Shlyakhov Trach Bella Trach Aleksards Penen & Penel Serebrerry Zalman Sepebreny falina Besprozvahnaya blegy LIND VAYSMAIN Dolongs Johns Mas Julnan Down Esfir Barman Fixe Shisman



THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011.

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-CASE NO. <u>2011.0198C</u>

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT IN PLANNING CODE SECTIONS 203 AND 303 TO ALLOW AT&T WIRELESS LINSTALL UF TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX CHIMNEY ELEMENTS ON THE ROOF OF THE THREE STORY STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL QUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

*FOR THE PROPERTY AT: 601 - 14** AVENUE, LOT 601 IN ABSESSOR'S ELOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X -EIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER THESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 556-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

FERSONS WATCH ARE UNABLE TO ATTEND THE PUBLIC MEARING MAY SUBMET WRITTEN COMMENTS TO SAME VET LIVE AT PLANNING DEPARTMENT 1650 MISSION STALE AT FLOOR SAME RANDISCO. CA 94 NOT COMMENTS RECEIVED BYT 9.10 AW ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EXCHANT TO THE ATTENTION OF THE PLANNING COMMISSION.

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THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT.

JUSTIANUM CODE SECTIONS 209 AND 303 TO ALLOW ATST WIRELESS

JINSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX
CHIMNEY ELEMENTS ON THE ROOF OF THE THREE-STORY
STITUTIONAL BUILDING IJEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL EQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

*FOR THE PROPERTY AT: 501 - 14** AVENUE, LOT 001 IN ASSESSOR'S SLOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X -EIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER TUESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WHO ARE UNABLE TO ATTEME THE PUBLIC REARING MAY SUBME WRITTEN COMMENTS TO SAFE VELL OF AT PLANNING DEPARTMENT 1550 MOSS ON FIRED, 4" FLOOR SAN FRANCISCO, CA 94101 COMMENTS RECEIVED BYT 9.30 AM ON THE DAY OF THE HEARING WELL BE MADE PART IN THE OFFICIAL RECORD AND IN LL BE EXCURSITED THE ATTENTION OF THE PLANNING COMMESSION

COMMENTS WHICH CANNOT BE DELIVERED TO THE PLANTING DEPARTMENT BY FIX A M ON THE DAY OF THE HEARING MAY BE TAKEN DIRECTLY TO THE HEARING AT CITY YOLL OF CHEES ABOVE COMMENTS RECEIVED AT 1650 MISSION STREET AFTER THE 9-10-A M CHARLISH WILL BE PLACED IN THE PROJECT OF F. BUT PROBABLY CANNOT BE SERVICHT TO THE ATTENTION OF THE PLANTING COMMISSION AT THE PUBLIC HEARING.

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TRANTE TRAN I'ML 415-867-7125.
KATUR II. KATYA HOPE KATYA HOPE Kutya Styr 510.725-0391. Gabara, Maria (415) 710-49-79 cell



THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT DELANNING CODE SECTIONS 209 AND 303 TO ALLOW ATET WIRELESS DINSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX FIRMEY ELEMENTS ON THE ROOF OF THE THREE STORY STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN PROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL QUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

FOR THE PROPERTY AT: 501 - 15TH AVENUE, LOT 601 IN AUSESSOR'S SLOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X -EIGHT BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER THESDAY, OCTOBER 15, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WIRD ARE UNABLE TO ATTENT THE PUBLIC PEARING MAY SUBMIT WRITTEN TO MAKE NIR TO \$460 EXTENT AT PLANNING DEPARTMENT 1650 ESS ON STREET 4" FLOOR MAN FRANCISCO, CA 64101 COMMLNIS RECEIVED BYT 9:30 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EXDICANT TO THE ATTENTION OF THE PLANNING COMMISSION

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THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL,
ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUADE TO PLANNING CODE SECTIONS 209 AND 303 TO ALLOW AT&T WIRELESS TO INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FARMER AND ANTENNAS IN THREE SEPARATE ANTENNAS IN TH

*FOR THE PROPERTY AT: 601 - 14™ AVENUE, LOT 001 IN ASSESSION BLOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A MEIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558 AND LER TUESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTAL THE STAFF, PLANNER AT 558-5263 OR WRITE TO THE STAFF, PLANNER AT 558-5263 OR WRITE TO THE STAFF, AND HORSON, 1650 MISSION STREET, AND FLOOR STAFF, AND FLOOR ST

POSSORS WHO ARE UNABLE TO ATTEMOTHE PUBLIC HEARING MAY SUBJECT WHITTEN COMMENTS TO THE ATTEMPT HER MESSON STREET, AT FLOOR, SAN FRANCICO, CA SHIDL COMMENTS RECOVED BY LOCAL RECORD AND WILL BE BROUGHT OF THE PERSON OF THE PERSO

CANNOT BE DELIVERED TO THE PLANNING DEPARTMENT BY B. IN AN ON THE EAY OF THE LEAY BE THICKED DIRECTLY TO THE HEARING AT CITY HILL (ADDRESS ABOVE). COMMENTS RECEIVED AT AN OFFICE AT A PROPERTY OF THE PLANNING COMMENTS IN THE PROJECT FILE BUT PROBABLY CANNESS AT THE PROJECT FILE BUT PROBABLY CANNESS AT THE PUBLIC HEARING.

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Alexandr Rheper 415-573-4576 All Yelena Tumasyan (415) 668-82.08 Just Hinda Langer (415) 269.1997

Shalom School 415 8 31.8399

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tower near children

Leyla Rosen 750-0187 Leyla Rosen

by , resday, October 11, 2011



NOTICE OF PUBLIC HEARING

THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY. OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

*CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT.

TO PLANNING CODE SECTIONS 209 AND 303 TO ALLOW AT&T WIRELESS

SINSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX

FIRMLY ELEMENTS ON THE ROOF OF THE THREE-STORY

ASTITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN ASPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL EQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

*FOR THE PROPERTY AT: 501 - 14TH AVENUE, LOT 001 IN ASSESSOR'S 5LOCK 1630. IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X -EIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-G422 AFTER TUESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F.. CA. 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

FERSORS WICE ARE UNABLE TO ATTEND THE PUBLIC HEARING MAY SUBMIT WRITTEN COMMENTS TO SAFA LIBERY AT PLANNING DEPARTMENT, 1852 MISSION STALES AT FLOOR SAN FRANCISCO, CA 54103 COMMENTS RECEIVED BYT 9.30 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EROUGHT TO THE ATTENTION OF THE PLANNING COMMISSION

COMMENTS WHICH CANNOT BE BELIVERED TO THE PLANNING BEVARTMENT BY SIX A M ON THE DAY OF THE HEARING MAY HE VAKEN DIRECTLY TO THE HEARING AT CITY HALL (A DRESS ABOVE) COMMENTS RECEIVED AT 1650 MISSION STREET AFTER THE 9 30 A M. OLARING WILL BE PLACED IN THE PROJECT FLIF BUT PROBABLY CANNOT BE BROADENT TO THE ATTENTION OF THE PLANNING COMMISSION AT THE PROJECT HEARING.

45-412-072) molie mattie Pi 415 420.5132 Saufer Sara Hecht 845-38-7731 Bowd Hech 4115 3868123 Bowd Hech Devora Hecht Bornch Hecht 415 474-1882 3 Jacel zinaida Gladshteyn Copully 415 929-9440 Gorodetskaya Mina Balasan Simon 415 613 8915 Olz-Bushvich 915 831-437 V. Maryils wy 415 441.59.40 Been BUREHRO 415 93123.69 Kelmil Kipus 6 Winy a 415 8650446 Star eleno travtsova 415 8641201 orts-DAGIX, Grovseing 415, 543, 76-56. Holy ula Veleno Kartsova



THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B, GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

·CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT.

PLANNING CODE SECTIONS 209 AND 303 TO ALLOW AT&T WIRELESS

INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX

IMMEY ELEMENTS ON THE ROOF OF THE THREE STORY

STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN PROXIMATE HEIGHT OF 44 FEET ABOVE GRADE. MECHANICAL SQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

-FOR THE PROPERTY AT: 601 - 14TH AVENUE, LOT 001 IN ASSESSOR'S FLOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X -EIGHT-BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER THESDAY, OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

PERSONS WAD ARE UNABLE TO ATTEND THE PUBLIC MEARING MAY SUBMO WRITTEN COMMENTS TO SEED SETTING AT PLANATUS DEPARTMENT. 1850 MASSION SINEET, 4" PLODE SAN FRANCISCO, CA 94197 COMMENTS RECEIVED BYT 9-16 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EXCUSIVE TO THE ATTENTION OF THE PLANNING COMMISSION

COMMENTS WHECH CANNOT BE BELIEVED TO THE PLANAING BEPARTMENT BY \$13 A M. ON THE DAY OF THE HEARING MAY BE TAKEN DIRECTLY TO THE HEARING AT CITY HALL BE CORRESS ABOVE. COMMENTS RECEIVED AT REM MISSION STREET AFTER THE 9 MEAN. BE ABOUT YOULL BE PLACED IN THE PROJECT OF THAT PROBABLY CANNOT BE SKOWNT TO THE ATTENTION OF THE FLAGUING COMMISSION AT THE PUBLIC HEARING.

Mendel Pil (415) 676 - 7029 marlet Arts (415) 205 - 4811 Off (415) 750-1701 Acidem Aliza Sinyak ALLA TSEYREF VEFIM UREFSKIX (415) 231-4884 Hers (417) 231-4641 YAN DUBINSKY David Tseypet (415) 706-1701 David Theyref 45-725-27-65 (ARLES POES 415 765 225 PM 415 765 225 PM 415 800 8465 PM Lorin Horosz HANS HE WE KUM Claris Sa Johnston 415 271-0512 Smala Seval Anderson 415 221 5938 Simon Harrington 415 412 4515 Remark Chain PI



THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011,

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209 AND 303 TO ALLOW ATAT WIRELESS INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX FIRMEY ELEMENTS ON THE ROOF OF THE THREE-STORY STITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE, MECHANICAL SQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

*FOR THE PROPERTY AT: 601 - 141" AVENUE, LOT 001 IN ASSESSOR'S PLOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X HEIGHT/BULK DISTRICT.

FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER TUESDAY OCTOBER 11, 2011. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT 558-6263 OR WRITE TO THE CITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F., CA 94103. PLEASE INCLUDE THE CASE NÚMBER IN CORRESPONDENCE.

FERSONS WIRD ARE UNABLE TO ATTEND THE PUBLIC REARING MAY SUBJECT WRITTEN COMMENTS TO SAMA WAY YE AT PLANNING DEPARTMENT, 1852 MISS ON STREET, 4" FLOOR SAM FRANCISCO, CA 9410, COMMENTS RECEIVED BYT 9.10 AM ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE EXOUGHT TO THE ATTENTION OF THE PLANNING COLSESSION.

COMMENTS VARION CANNOT SE DELIVERED TO THE PLANNING DEPARTMENT BY SEED MOON THE DAY OF THE HEARING MAY BE FAKEN DIRECTLY TO THE HEARING AS CITY NOLL PACTICES ABOVE COMMENTS RECEIVED AT 1850 MISSION STREET AFTER THE 9 MAIN DEPARTMENT WILL BE PLACED IN THE PROJECT FOR FIRST PROPARTY CANNOT EX BEGINNIT TO THE ATTENTION OF THE PLANNING COMMISSION AT 195 PUBLIC HEARING

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THE CITY PLANNING COMMISSION WILL MEET IN CITY HALL, ROOM 400, 1 Dr. CARLTON B. GOODLET PLACE ON THURSDAY, OCTOBER 13, 2011.

BEGINNING AT 12:00 P.M.* (NOON) TO CONSIDER:

-CASE NO. 2011.0198C

AN APPLICATION FOR CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209 AND 303 TO ALLOW AT&T WIRELESS O INSTALL UP TO 6 WTS PANEL ANTENNAS IN THREE SEPARATE FAUX CHIMNEY ELEMENTS ON THE ROOF OF THE THREE STORY LISTITUTIONAL BUILDING (JEWISH EDUCATIONAL SOCIETY) AT AN APPROXIMATE HEIGHT OF 44 FEET ABOVE GRADE MECHANICAL EQUIPMENT WOULD BE LOCATED ON THE BUILDING'S BASEMENT.

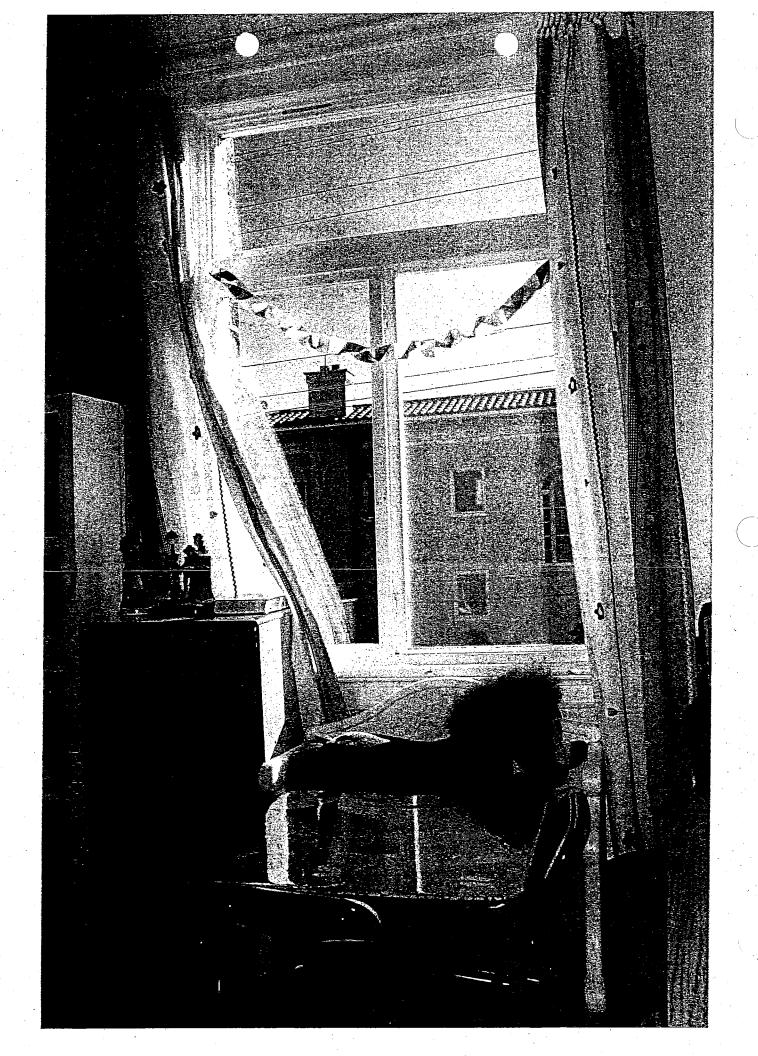
FOR THE PROPERTY AT: <u>601 - 14™ AVENUE, LOT 001 IN ASSESSOR'S</u> <u>ELOCK 1630, IN THE RM-1 (MIXED, LOW DENSITY)) DISTRICTS AND A 40-X</u> <u>HEIGHT/BULK DISTRICT.</u>

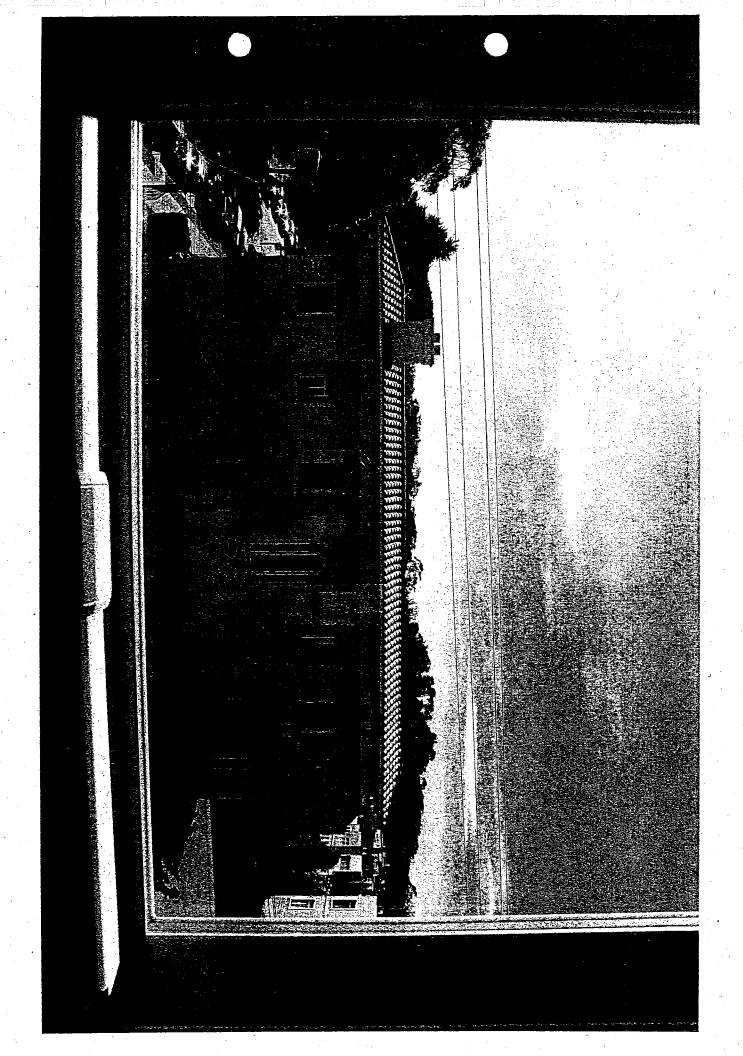
*FOR A MORE SPECIFIC HEARING TIME FOR THIS CASE, CALL 558-6422 AFTER <u>TUESDAY, OCTOBER 17, 2011</u>. FOR QUESTIONS OR COMMENTS CALL THE STAFF PLANNER AT <u>558-6263</u> OR WRITE TO THE GITY PLANNING COMMISSION, 1650 MISSION STREET, 4TH FLOOR S.F.J. CA 94103. PLEASE INCLUDE THE CASE NUMBER IN CORRESPONDENCE.

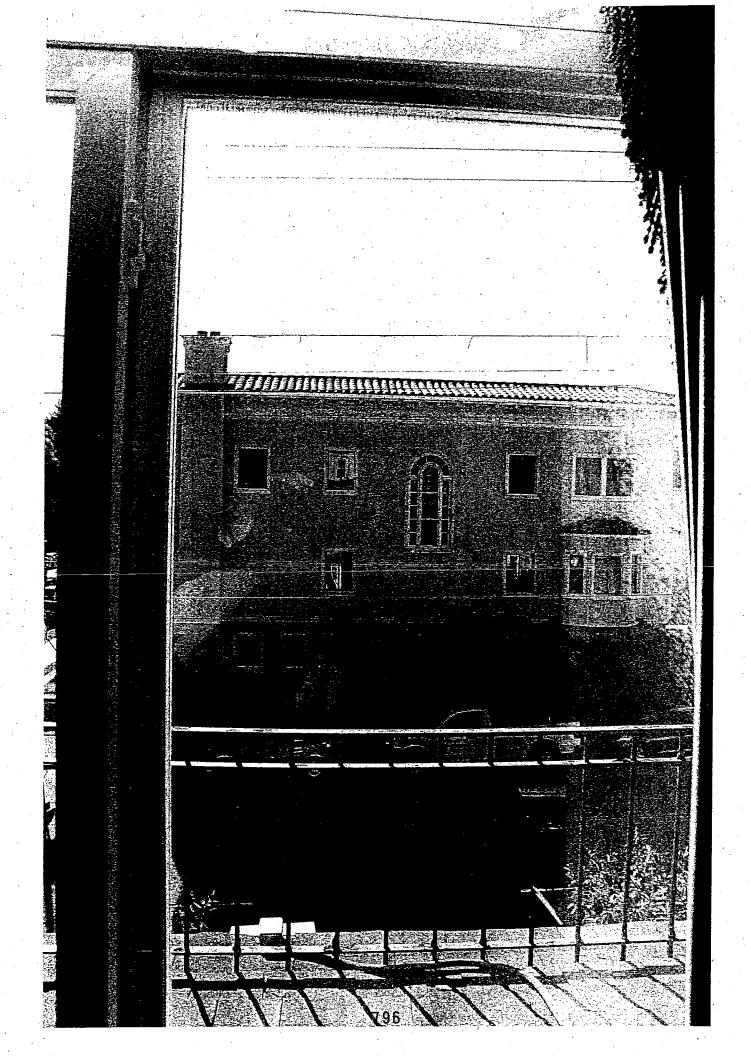
PERSONS WHO ARE UNABLE TO ATTEND THE PUBLIC HEARING MAY SUBMIT WRITTEN COMMENTS TO SELECTED US.

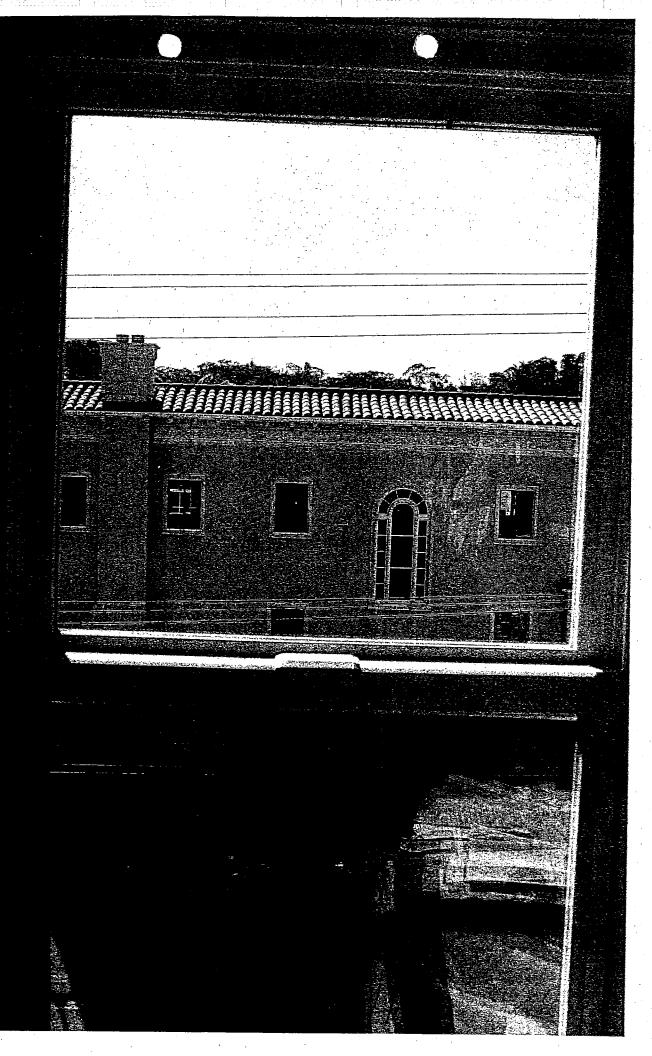
AT: PLANNING DEPARTMENT, 1659 (ASSEMBLE STREET, ATM FLOOR, SAN FRANCISCO, CA 84101, COMMENTS RECEIVED BY 5 50 ARE ON THE DAY OF THE HEARING WILL BE MADE PART OF THE OFFICIAL RECORD AND WILL BE BROKENT TO THE ATTENTION OF THE PLANNING COMMENSION.

COMMENTS WHESH CANNOT SE DELIVERED TO THE PLANKING DEPARTMENT BY 9 30 A.M. ON THE DAY OF THE MESSAGE MAY BE TAKEN DIRECTLY TO THE HEARING AT CITY HALL (ACCRESS ABOVE). COMMENTS RESERVED AT 1883 THE STREET AFTER THE 9 30 A.M. DEADLINE WILL BE PLACED IN THE PROJECT FL.E. BUT PRODABLY CANNOT BE ASSESSED TO THE ATTENDOR OF THE PLANKING COMMISSION AT THE PUBLIC MEARING.

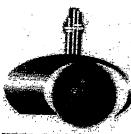












PACIFIC GOAST SLAVIC BAPTIST ASSOCIATION

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W. PULL ONG

Districts 1-11 City and County of San Francisco Board of Supervisors To

From: Pacific Coast Slavic Baptist Association

Opposition letter to the proposed AT&T Antenna Installation on 601 - 14th Avenue Re:

Dear District Board Supervisor

We, the Pacific Coast Slavic Baptist Association (PCSBA), join parishioners of the First Slavic Baptist Church of San Francisco (FSBCSF) located at 1300 Balbon Street in opposing the proposed A L&T Antenna Installation at 601 - 14th Ave. (B.JE. Antenna Case - 2011:8198C), for which the First Slavic Baptist Church of San Francisco submitted a detailed 1 -

The First Slavic Baptist Church of San Francisco has been at its present location since the 1950's and is a part of our 8000+ member Pacific Coast Slavic Beptist Association consisting of 33 member Churches. It is also a member of the 16 million members Southern Baptist Convention consisting of 44,000 member Churches as well as a member of the Southern California State Baptist Association.

The First Slavic Baptist Church of San Francisco located at 1300 Builton Street serves as a place where parishioners are able to come together to praise and worship God. The church holds worship services and various activities throughout the week at this location. The FSBCSF and PCSBA are not opposed to adequate telecommunications coverage and data capacity as set forth in Sec. 13 - page 5 of the Planning Commissions Motion No. 18505 or with its architectural design. Our opposition is in fact based on the fact that Section 704(B)(iv) of the 1996 Federal Telecommunications Act requires local paristictions to ensure that all local wireless facilities Radio Frequency emissions comply with the FCC's regulations concerning such

It is the contention of the engineering report submitted by the FSBCSP that the field measurements and calculations used by AT&T as submitted to them in a report by the radio frequency engineering from Hammest & Edison (enclosure) are flawed and maccurate and would because of the angle of till and distance from transmission tower beam Radio Frequencies in excess of the FCC limit of ImW/cm² directly through the main subclusty and Sunday School classrooms occupied by parishioners and children during Church Services and other activities. This exposure to the radiation emitted by the antenna will expose the church's paritheners to health risks which violate FCC standards of safety as well as the San Francisco Department of Public Health.

In conjunction with First Slavic Baptist Church of San Francisco, the Pacific Coast Slavic Baptist Association respectfullyrequests that the City of San Francisco resend its approval given to AT&T to install this anismin at 601 14th St.

Respectful

CC:

Pastor Nikolay Bugriyev PCSBA President (916) 204-2707 Cellular benick 7@vahoo.com

Districts I-11 City and County of San Francisco Board of Supervisors

639 Welland Way - W. Sacramento, CA 95605

Phone: (916) 452-2626 • Fax: (916) 375-2626

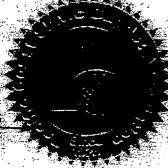


Exhibit E

January, 2012

San Francisco Board of Supervisors 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102

RE: First Slavic Baptist Church

Dear Supervisor,

My name is Judith Logan and I am an attorney for the California Southern Baptist Convention. I am writing to you on behalf of one of our cooperating churches, First Slavic Baptist Church of San Francisco. My understanding is that a dispute has arisen related to the placement of AT&T antennas near the property of the First Slavic Baptist Church. In addition, the Jewish Academy, directly across the street, has been successful in appealing to you to change the plan of these antennas and remove two (2) of the antennas directed towards the Jewish Academy. However four (4) of the antennas remain, two (2) of which directed towards the First Slavic Baptist Church.

The First Slavic Baptist Church strongly objects to the placement of AT&T antennas in such close proximity to them. If you move forward with this plan, it will essentially destroy this church, because the Russian people, who are members there, believe these antennas can cause great harm. Due to their prior experience, with the government in their country of origin, there is no amount of data that will change their mind, regarding the impact this will have.

If you move forward with approval of this plan, the Church will be forced to relocate, because their members will not attend under these conditions. Would you then be in a position to purchase the property, so that the Church could relocate?

I am certain that you will seriously consider the ramifications of your decision to this Church. I am certain you do not intend to show any favoritism to AT&T or the Bureau of Jewish Education, but instead want to make the best decision for all parties concerned.

Sincerely,

Judith P. Logan

Attorney

sg

cc: Nikolay Gusenkov

Gene Popu



ASSOCIATION OF SLAVIC

IMMIGRANTS, USA

State of California

Dear District Supervisor,

I am writing you on behalf of the First Slavic Baptist Church of San Francisco because we need your help. In early December of 2011 the San Francisco Planning Commission approved a Conditional Use Permit for the installation of two pairs of antennas by AT&T that would boost their cellular reception for users inside their homes surrounding the antennae sites.

Unfortunately, in their effort to improve service for their members, AT&T is subjecting the members of the First Slavic Baptist Church to alarming amounts of radio waves in direct violation of the FCC established standards of safety and the process established by the San Francisco Department of Public Health and the San Francisco Planning Commission.

AT&T, in an attempt to follow the process outlined by the Planning Commission, hired an outside firm to provide a report on the frequency levels experienced by buildings surrounding the new antennas. This report was provided to AT&T by Hammett & Edison (H&E), a radio frequency engineering firm, who tested radio frequency levels incorrectly and are missing substantial documentation to back up their calculations. This has resulted in a failure to accurately show that the levels being received by the First Slavic Baptist Church of San Francisco are, in fact, in excess of the levels permitted and stop the use of them by AT&T. The errors in H&E's calculations have been found by three separate third-party engineers, confirming that the radio levels are not within acceptable limits in direct contradiction to the report furnished by AT&T. Though the church has provided the above information and supporting evidence to the Planning Commission, their request for consideration continues to be ignored.

While sparing you the tedious details of frequency levels, distance and so on, the long short of it is that the new antenna will penetrate the second floor of the First Slavic Baptist Church which hosts not only the church's' parishioners, but the Sunday school for children as well.

The thought of members of our community, our children, and the frequent visitors that attend the First Slavic Baptist Church being exposed to potentially harmful amounts of radio waves is the reason that we continue to ask for the San Francisco Planning Commission to rescind their approval of the Conditional Use Permit for AT&T regarding these antennae. I have a hard time believing that the Commission is disinterested in helping its community protect our children and congregation, and I hope that this letter will gain support for our request.

Thank you in advance for your compassion and support. Should you have any questions or need additional information, please don't hesitate to contact me at the number below.

Sincerely, Valeriy Konopelkin ASIUS President vkonopelkin@slavicecc.org 714.924.8787 TO: San Francisco City District

Supervisors

FROM: Nikolay Gusenkov, Pastor -

First Slavic Baptist Church

of San Francisco 1300 Balboa Street

San Francisco, CA 94118

SUBJECT: FIRST SLAVIC BAPTIST

CHURCH STATEMENT OF OPPOSITION TO PROPOSED

AT&T ANTENNA

INSTALLATION ON THE ROOFTOP OF THE BUREAU OF THE STATE OF

OF JEWISH EDUCATION AS 601 14TH AVENUE, BJE

ANTENNA CASE

I. BACKGROUND

AT&T Wireless ("ATT") applied for a Conditional Use Permit Case No.2011.0198C ("ATT CUP"), where by it proposed to remove two existing antennas, install up to six (6) panel antennas as part of their wireless transmission network. The property is owned and operated by the Bureau of Jewish Education ("Bureau").

In its CUP application, ATT described the proposed building site as "bounded by buildings generally containing one to two dwelling units to the west, north and south." In fact, the site is bounded by the Lisa Kempner Hebrew Academy ("Academy") to the south and The First Slavic Baptist Church ("Church"), across Balboa Street, to the north. Families congregate and spend several days per week at the church.

The San Francisco Planning Commission approved the CUP for the installation of two pairs of antennas, sectors A and C, - four antennas in total. shows that the Sector-A antenna pair would be directed toward the Church.

The two largest demographic groups at the Church are elderly immigrants from the former Soviet Union and young children. Many of the elderly have compromised immunes

systems due to the nuclear fallout after the Chernobyl disaster and other unrelated ailments. The second floor of the Church contains an area for the parishioners, and a play room for children. Children spend a significant amount of time in the play room when their parents are at church, because the room is also used for Sunday school classes.

Members of the Church are very worried and upset about the prospect of sitting in a building, directly across the street from a high power antenna that is aimed right at them.

II. STATEMENT OF OPPOSITION

The second floor of the First Slavic Baptist Church of San Francisco would be exposed to antenna radiation that exceeds the limit set by the FCC (Federal Communication Commission). The calculation of the EMR power density ("Statement") Hammett and Edison ("H&E") performed for ATT is incorrect. The field measurements, which H&E alleged to have performed at the proposed site lack documentation. These factors are sufficient to reject ATT application for a CUP.

A. THE SIGNAL POWER DENSITY EXCEEDS FCC GUIDELINES

The FCC set limit to the power density that it deemed safe is about 1mW/cm^2. Based on this standard, patrons of the Academy testified at previous meetings of the Planning Commission that 150 feet is the distance at which the main lobe of the antenna beam weakens to the level of 1mW/cm^2. Anyone placed closer in the main lobe of the antenna pattern is exposed to the levels exceeding those set by the FCC. The distance between the building of the Bureau of Jewish Education ("BJE") and the Church is about 100 feet. By the same calculations presented by patrons of the Academy and previously accepted by the Planning Commission, the signal strength will exceed FCC norms by the time it reaches the Church. See Figure 1 (vertical plane

Comment [GF1]: See exhibit 1, prepared by Vadim Heyfitch.

power density pattern for one of the two antennas. The main beam is narrowly focused like a knife blade).

The Church is 42 feet tall. The proposed antennas are to be placed also 42 feet above the grade. Since the sector-A antenna pair is to beam toward and almost perpendicularly to the Church, it will penetrate the second floor of the Church, and will expose parishioners and children to long periods of high power signals. Such penetration is further assured by the fact that ATT will tilt the antennas downward by 4 degrees – as per their latest plan – or 6 degrees – as they we proposed originally in March of 2011. The tilt mechanism allows for as much as 13 degree tilt below horizon. ATT can tilt the antennas downward remotely any time, without requesting prior approval from anyone.

Even if ATT fixates the antennas at the 4 degree tilt, over the 100 foot distance to the Church building, the main beam would decline about 7 feet to the level of 35 feet; it would thus penetrate the second floor of the Church and would continue to decline additional 3.5 feet to exit the back wall at the 31.5 foot level (or 10.5 feet below the roof). People in the rooms of the second floor would be in the direct path of the main antenna beam. If the antenna is tilted 13 degrees downward, the main lobe of the beam will also penetrate the first floor rooms in the back of the building. See Figure 3.

These calculations have been checked and verified by three engineers. The detailed analysis was submitted to the Planning Commission by the Academy on Nov. 30, prior to the Dec. 8 hearing, where the CUP application was approved. The Planning Commission chose to ignore this disagreement and without any inquiry on this particular point chose to stick with the distance of 57 feet for the three-dimensional exclusion perimeter – the number proposed by H&E.

B. THE ANALYSIS OF H&E IS IMMATERIAL AND MISLEADING

The H&E Statement was largely discredited by the Academy at meetings with the Planning Commission in the following ways:

 ATT's Power Density Measurements Were Irrelevant, Because They Were Taken at the Ground Level.

The H&E Statement focused on the power density anywhere on the ground. We contend that the power level on the ground is irrelevant and immaterial to the case. It is the people on the second floor inside the adjacent buildings that are going to be irradiated every day — and NOT a passerby on the ground. By ATT's admission, the antennas are NOT intended to improve the cellular reception in the street but to improve it inside the houses nearby. The statement of Gordon Spencer, who is an ATT engineer, reads: "Although there is reasonable outdoor signal strength in the area, coverage indoor is weak and the quality of service overall is unacceptable." This Statement shows that ATT is not concerned with enhancing the reception "for a person anywhere on the ground" but rather wants to improve the field penetration into the buildings in the immediate vicinity of the proposed installation. The statement by Gordon Spencer is meant to justify the need for the additional antennas in this general area. But it also shows the Church building will be the primary target of the sector-A antenna beam.

2. H&E Failed To Account For The Electromagnetic Field Distribution Created By A Directional Panel Antenna.

H&E stated that on the ground, the highest radiation level would be at the mere 4% of that established by FCC. Yet elsewhere in the same 3-page document H&E stated that the three-dimensional perimeter is 57 feet. A directional panel antenna has a much different electromagnetic field distribution, as can be seen on Figure 7, which shows the azimuthal view. Figure 1 shows the vertical cross section of the field from the actually proposed antenna. The

Comment [GF2]: See exhibit 1, page 5.

Comment [GF3]: See exhibit 1, page 5.

Comment [GF4]: See exhibit 1, page 5.

Comment [GF5]: See exhibit 1, page 5

pattern implies that the field is shaped like a knife blade that will cut through the south wall of the top floor and into the top floor of the Church with its main lobe. H&E Statement stipulates that this "three-dimensional pertincter... does not reach any publicly accessible areas." This is not true. On the contrary, it does extend directly into the Church building.

Comment [GF6]: See exhibit 1, page 6.

3. H&E Failed To Prove That The Measurements Were Performed By A Qualified Professional And Under Proper Procedures.

The H&E Statement mentions Mr. David Kelly, who was contracted by H&E and visited the site on February 9, 2011. His qualifications are not provided beyond the phrase "a qualified field technician." The Statement does not describe the equipment Mr. Kelly used, the date this equipment was last calibrated, the test procedure he performed, or whether Mr. Kelly had received any training for this particular equipment. In fact, the Statement lacks any details of the work Mr. Kelly presumably performed on that day. Hence any conclusions drawn from his measurements are dubious.

Checklist Item 1 describes Mr. Kelly performing measurements of the existing omnidirectional antennas on-site, at ground near the site of the existing omnidirectional antennas. Such measurements are meaningless. The dipole antenna positioned vertically does not at all radiate strictly downward, as can be seen on Figure 5 and Figure 6. A person standing farther away from such omnidirectional antenna is exposed to a much higher EM field radiation than the one standing directly below antenna. Why did Mr. Kelly take his measurements at the ground near the site? Why did H&E not recognize this error? After all, Mr. Bill Hammett signed the affidavit and thus is fully responsible for its contents.

III. REQUEST FOR RELIEF

The Church asks that the City either revoke the CUP or place additional conditions on the CUP, whereby ATT either removes the Sector - A antenna pair or directs it away from the Church. If City does not take this action now, the rights of patrons of the Church will be prejudiced and may not be vindicated in the future.

The granting of a CUP requires that the Planning Commission determine that the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative impact on the surrounding neighborhood. "The decision to allow a conditional use permit is an issue of vital public interest. It affects the quality of life of everyone in the area of the proposed use." See Bird v. County of Contra Costa, 32 Cal. App. 4th 1464, 1470 (1995).

A CUP does not expire automatically even when a condition to the CUP provides for such expiration or the local code provides for an automatic expiration. *See Dev. Comm'n v. City of Ft. Bragg*, 204 Cal. App. 3d 1124, 1131-32 (1988) (the court held that a CUP cannot be revoked without notice and hearing despite an automatic expiration condition, and that such revocation must be reasonable.

Until a CUP is issued and relied upon, no right has vested. Therefore, the initial denial of an application for a CUP is subject to judicial review under the substantial evidence test. However, the grant of a CUP with subsequent reliance on the permit by the permit holder creates a fundamental vested property right that subjects a CUP revocation to judicial review under the independent judgment test (this is a higher burden of proof). See Malibu Mountains Recreation, Inc. v. County of Los Angeles, 67 Cal. App. 4th 359, 367 (1998). See also Bauer v. City of San Diego, 75 Cal App. 4th 1281, 1294 (1999) (once a right to a CUP vests, the permittee is entitled to all the protection of due process before the permit may be revoked).

It will be impossible to undo the harm of high power EM exposure to church goers after they have been exposed to the harmful EM waves, and it will be substantially more difficult to revoke ATT's CUP once ATT moves forward with the project. For this reason the Church asks that the City take this opportunity to either revoke the CUP or add conditions to the CUP which would address the concerns of the Church.

Ву

NIKOLAY GUSENKOV

Pastor

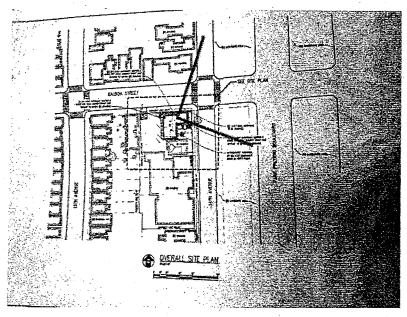


Figure 2: The proposed ATT antenna directions.

Figure 3: Vertical plane power density pattern for one of the two antennas. The main beam is narrowly focused like a knife blade.

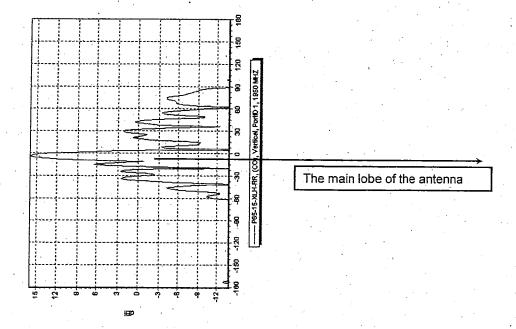


Figure 4: Sector-A antenna beam penetrates into the second floor of the Church. The beam power density decreases to the FCC set limit of 1mW/cm^2 exactly when it reaches the back wall. Hence everyone on the second floor is exposed to eccessive EM radiation.

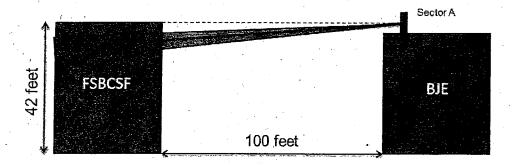


Table 1: Power budget for the proposed installation.

Wireless Service	Freq. Band [MHz]	Public Limit [W/cm ^{2]} (FCC unlimited duration)	Proposed power [Watt]	
AWS	94 - 2.100	1.00 - 3.1	1,780	
PCS	1950	1.00	2,210	
Cellular 🚽 🛫	870	058	1,710	
700MHz	700	0.47	890	

Figure 5: EM radiation field around a vertical omni antenna.

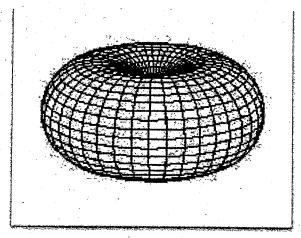
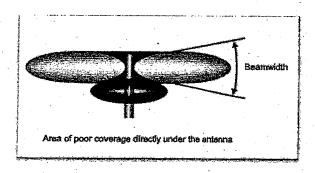


Figure 6: If you try to cover an area from a high point, you see a big hole below the antenna with no coverage.



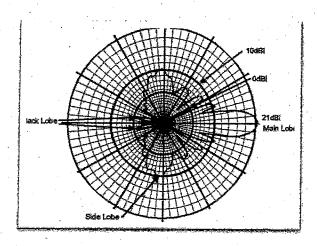


Figure 7: Typical Radiation Pattern of a Directional Antenna.

NOTICE TO BOARD OF SUPERVISORS OF APPEAL FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.
The property is located at 601 14th Avenue San Francisco, CA 94118
co co
2012 X
December 8, 2011 Date of City Planning Commission Action
Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)
12: SCOO
OJ/06/2019 Appeal Filing Date
rupoa i milg pale
The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No
The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No
V The Planning Commission annual to the
The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2011.0198
The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No

V:\Clerk's Office\Appeals Information\Condition Use Appeal Process5 August 2011

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

The appeal is of the entire decision

b) Set forth the reasons in support of your appeal:

The project is not necessary, desirable and compatible with the neighborhood and community

Person to Whom Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Marina Nazarova

Nikolay Gusenkov

902, Beach Park Blud #140 Foster City, 1300 Balboa Str. San Francisco, CA
Address CA 94404 Address 94118

(650)867-0083 Telephone Number

(415) 640 - 6050 Telephone Number

Signature of Appellant or Authorized Agent

Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 2011. 0198 _____ a conditional use authorization regarding (address) 601 19 House _____ The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

SIGNATURE

DATE

South Wiener

1-2-12 1-3-12 1-3-12

(Attach copy of Planning Commission's Decision)



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

1650 Mission St. Suite 400

San Francisco, CA 94103-2479

415.558.6409

415.558.6377

Reception: 415.558.6378

Planning Information:

Conditional Use Authorization Appeal

601 – 14th Avenue (Jewish Bureau of Education)

DATE:

January 30, 2012

TO:

Angela Calvillo, Clerk of the Board of Supervisors

FROM:

John Rahaim, Planning Director - Planning Department (415) 558-6411

Sara Vellve, Case Planner – Planning Department (415) 558-6263

RE:

File No. 120005 Planning Case No. 2011.0198C

Appeal of approval of Conditional Use authorization for 601-14th Avenue

HEARING DATE:

February 7, 2012

ATTACHMENTS:

A. Commission Packet (including project approval PC Motion No. 18503)

B. Appeal Letter (January 9, 2012)

C. Board of Supervisors Resolution No. 635-96

D. Planning Commission Resolution Number 18523 (amending WTS Guidelines

in response to recent Board of Supervisors actions)

PROJECT SPONSOR: Amy Million, Tedi Vriheas, 525 Market Street, 19th Floor, SF, CA 94105

APPELLANT: Nilolay Gusenkov, First Slavic Baptist Church of San Francisco, 1300 Balboa

Street, San Francisco, CA 94118

BOARD OF SUPERVISOR

INTRODUCTION:

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Commission's ("Commission") December 8, 2011 approval of the application for Conditional Use Authorization under Planning Code Sections 303 (Conditional Use Authorization) and 209.6(b) (Public Facilities and Utilities) to locate up to four wireless telecommunication panel antennas in one faux chimney on the roof of a building operated by the Jewish Bureau of Education. The subject building is located at the southwest corner of 14th Avenue and Balboa Street within the RM-1 (Mixed, Low Density) district, and a 40-X Height and Bulk District.

This response addresses the appeal ("Appeal Letter") to the Board filed on January 9, 2012 by Nilolay Gusenkov, 1300 Balboa Street, San Francisco, CA 94118. The Appeal Letter referenced the proposed project in Case No. 2011.0198C.

The decision before the Board is whether to uphold or overturn the Planning Commission's approval of Conditional Use Authorization to allow AT&T Wireless to establish a wireless telecommunications facility at the site by locating up to four WTS panel antennas in one faux chimney reaching a height of approximately 46 feet above grade.

Memo

File No. 120005
Planning Case No. 2011.0198C
601 – 14th Avenue

SITE DESCRIPTION & PRESENT USE:

The subject site is zoned RM-1 (Mixed, Low Density). This district is characterized in the Planning Code as containing a mixture of dwelling types and a significant number of apartment buildings with a broad range of unit sizes and variety in types of structures, but with an overall low density and moderately scaled buildings with neighborhood services and transit lines located nearby.

The approximately 20,000 square foot site is developed as the Bureau of Jewish Education and consists of approximately three buildings at the southwest corner of the intersection of 14th Avenue and Balboa Street. The proposed antennas would be placed on a three story building on the corner of 14th Avenue and Balboa Street. Other buildings on the site front either Balboa Street or 14th Avenue. The subject structure was constructed in approximately 1920. Buildings on the site are owned and operated by the Jewish Bureau of Education (JBE), a non-profit educational organization. The Lisa Kampner Hebrew Academy leases space on the site from the JBE for its programming.

SURROUNDING PROPERTIES AND NEIGHBORHOOD:

Buildings generally containing one to two dwelling units are to the west, north and south. To the east, mixed density developments are found on Park Presidio Boulevard, located east across 14th Avenue and on Geary Boulevard, located two blocks north of the site. Golden Gate Park is two blocks to the south.

PROJECT DESCRIPTION:

AT&T wireless proposes to remove two existing omnidirectional antennas and install up to four (4) panel antennas and associated equipment cabinets as part of their wireless transmission network. According to the Wireless Telecommunications Services (WTS) Siting Guidelines, the property is a Location Preference 1 (Publicly-used structure) as the site is developed with an institution owned and operated by the Jewish Bureau of Education, with portions of the site leased to the Lisa Kampner Hebrew Academy. The four panel antennas would be located in one faux chimney located in the middle of the roof of the corner building. The overall height of antennas and chimney would be approximately 46 feet from grade. The faux chimney would be constructed of synthetic material that is RF (Radio Frequency) transparent, which allows transmission to occur even though the antennas are obscured. The maximum dimension for the proposed antennas would be approximately 4 feet tall, 1 foot wide and 7 inches deep. The proposed WTS site also includes the installation of associated mechanical equipment in the building's basement.

The application originally proposed up to six (6) panel antennas; however, due to public concern over the proposal, AT&T eliminated two antennas prior to the December 8, 2011 Planning Commission hearing.

File No. 120005 Planning Case No. 2011.0198C 601 – 14th Avenue

BACKGROUND:

2011- Conditional Use Authorization Application filed

On March 1, 2011, Amy Million filed a Conditional Use application to install up to six (6) panel antennas and related equipment with the Planning Department on behalf of AT&T Wireless.

2011 - Conditional Use Authorization hearings

On November 3, 2011, the Commission heard extensive public comment in opposition to the project and continued the case to December 8, 2011 in order for the opposition, AT&T and Jewish Bureau of Education to discuss the proposal and attempt to reach an agreement. During this time AT&T eliminated two antennas from the proposal.

On December 8, 2011, the Commission adopted Motion No. 18503, approving Conditional Use Authorization allowing AT&T Wireless to locate up to four panel antennas in one faux chimney located in the middle of the roof of the building located at the corner of Balboa Street and 14th Avenue per Planning Code Sections 303 and 209.6(b) at a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0198C.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS:

The Planning Commission established guidelines for the installation of wireless telecommunications facilities in 1996 ("Wireless 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, requiring community outreach, notification, and detailed information about the facilities to be installed.

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, places of worship, institutional structures and other public structures;
- 2. Co-Location Site: encourages new facilities on buildings that already have these installations;
- 3. Industrial or Commercial Structures: warehouses, factories, garages, service stations;
- 4. Industrial or Commercial Structures: supermarkets, retail stores, banks; and
- 5. **Mixed Use Buildings in High Density Districts:** housing above commercial or other non-residential space.

SAN FRANCISCO PLANNING DEPARTMENT 3

¹ Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, August 15, 1996.

² BOS File No. 189-92-2, Resolution 635-96, dated July 12, 1996.

File No. 120005 Planning Case No. 2011.0198C 601 – 14th Avenue

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, and details about the facilities to be installed.

In addition to the criteria outlined for the installation of a wireless facility, the Commission must also refer to the criteria outlined in Section 303 (Conditional Uses) of the Planning Code. Section 303 states that the following must be met in order for the Commission to grant approval of an application:

- 1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
- 2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. 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 and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
 - e. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

If a proposed wireless telecommunications facility meets the criteria outlined in the Guidelines and Section 303 of the Code, then the Commission may approve Conditional Use Authorization.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:

The concerns raised in the Appeal Letter are cited in a summary below and are followed by the Department's response:

ISSUE No.1 - The Appellant questions the project's necessity, desirability and/or compatibility.

RESPONSE No.1a: No reasons for denial of the project are given in the appellant's submittal. The Appellant's Statement of Appeal is one sentence long and does not provide information about their objection to the project. Should the Appellant provide additional information, the Planning Department will respond as appropriate. The attached Motion 18503 includes the Planning Commission's Findings pursuant to Planning Code Section 303 and the General Plan. This

File No. 120005 Planning Case No. 2011.0198C 601 – 14th Avenue

Commission motion describes in detail why the Commission found the project to be necessary, desirable and compatible with neighborhood.

RESPONSE No.1b: The Department has asked the project sponsor to respond to recent Board actions on similar Wireless Telecommunication Service Authorizations. In December 2011, the Board of Supervisors (hereinafter "Board) considered two Conditional Use appeals (December 6th and December 13th) of wireless telecommunications services (hereinafter "WTS") and discussed the necessity and desirability of proposed sites. At the December 6th Board hearing concerning a WTS project at 2041 Larkin Street, the Board added a new condition to the authorization that would require independent verification of the information and conclusions provided by the project sponsor to ensure that the "maps, data, and conclusions about service coverage submitted by [the project sponsor] are accurate". This was the first time this condition had been applied to a WTS facility installation by the City of San Francisco.

On the same week that the Board first applied this new condition, the Commission approved the project that is the subject of this appeal at 601 14th Avenue³. The following week, on December 13th, the Board applied a similar condition to a CU appeal for a WTS project at 3091 Mission Street. At the December 13th hearing, the Board clarified its expectations for future WTS authorizations and requested that the Commission consider the Board's recent actions requiring independent verification of maps and data submitted by WTS applicants.

On January 26, 2012, the Planning Commission approved an amendment to the Wireless Guidelines that requires the project sponsor to provide an independent evaluation of project sponsor data and analysis⁴: Because of this, the Planning Department has advised AT&T that it may wish to retain an independent verification of the maps and data provided in their application prior to the Board hearing on February 7, 2012.

RESPONSE No.1c: This project has been located in a "Preference One" or most desirable location, according to the City's own adopted policies.

The Wireless Guidelines not only allow for the placement of WTS facilities on certain properties in residential districts, they specifically identify "public structures" such as this site as the City's most preferred location. Prior to the adoption of the Wireless Guidelines by the Planning Commission, the Board of Supervisors provided input as to where wireless facilities should be located within San Francisco in Resolution No. 635-96. While the Board requested other changes to the Wireless Guidelines, the Board did not request changes to the designation of public structures as the most preferred location. Sites such as schools and this academy are the single highest preference location for WTS as identified in the Wireless Guidelines, regardless of zoning

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³ The Commission approved the Conditional Use authorization for 601- 14th Avenue on December 8, 2011, two days after the Board first developed and applied a condition requiring independent verification of maps and data, but prior to the Board's request to apply this condition to future projects.

⁴ See Attachment D Commission Resolution Number 18523.

File No. 120005 Planning Case No. 2011.0198C 601 – 14th Avenue

district and the project sponsor has accordingly applied to locate the WTS facility where City policy recommends such facilities be placed⁵.

The Wireless Guidelines establish sites such as utility structures, community facilities, places of worship, institutional structures and other public structures as the most preferential locations for WTS facilities largely based on the these structures' abilities to discretely hide WTS facilities from public view independent of zoning and predominant land uses in the area. These structures tend to be larger-than-typical buildings found in neighborhood commercial, mixed-use, and residential areas of the City. Often, these contain architectural features such as large penthouses, steeples, and large roof areas that offer more opportunities to strategically place WTS facilities on a building in a matter that would not be visually intrusive. Typically, neighborhood commercial, mixed-use and residential areas of the City tend to contain small-scale buildings that may not offer such opportunities to install a WTS facility and thus Publically zoned sites or publically owned facilities in the public right-of-way, often provide the only opportunity to serve residential areas with wireless cell service.

RESPONSE No.1d: In addition to being located on a "Preference One" site, this project complies with other City requirements.

The proposed project was reviewed pursuant to the Planning Code, CEQA and the policy document that governs the location of wireless antenna facilities discussed above and commonly known as the "Wireless Guidelines". The Wireless Guideless is the citywide policy document for WTS facilities. In addition to identifying the preferred locations, this document sites relevant policies from the General Plan and indentifies quality of life issues specific to wireless antennae facilities.

The Wireless Guidelines were updated by the Commission in 2003, requiring community outreach, notification, and detailed information about the facilities to be installed. Before the Department or Commission can approve an application to install a wireless facility, the project sponsor must submit a five-year facilities plan, which must be updated biannually; submit an emissions report; receive approval by the Department of Public Health; comply with Section 106 (of the National Historic Preservation Act of 1966) reporting,; and provide details about the facilities to be installed. Staff found that the proposed project complied with these regulations. All of these prerequisites have met for this application.

The Wireless Guidelines mandate that carriers must demonstrate a need for coverage and capacity upgrades in a defined service area to prevent redundant and unnecessary installations by wireless carriers. Recent Board actions have clarified the City's expectations for determining the validity of coverage and capacity claims by wireless carriers. The Department expects that the project sponsor will provide independent verification of their maps and data in time for this public hearing as described above under heading "Response No.1b".

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⁵ The Wireless Guidelines state that Preference One Locations include, "Public facilities such as police or fire stations, libraries, community centers, utility structures, water towers, elevated roadways, bridges, flag poles, smokestacks, telephone switching facilities, or other public structures. Where the installation complies with all FCC regulations and standards, schools, hospitals, health centers, places of worship, or other institutional structures should also be considered".

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City review policy and practice ensures that a proposed site will be compatible with surrounding land uses by mandating compliance of the site with the Federal Communications Commission's guidelines for radio frequency exposure. A site is not allowed to proceed for approval until the Department of Public Health has verified that the site's radio frequency emissions have been found to be in compliance with FCC standards. In sum, the City's review practice provides that a proposed WTS site will not result in any potential health, safety, urban design or neighborhood character issues regardless of a site's location. The Commission's action on this authorization allows for a WTS facility that complies with existing City laws and policies.

CONCLUSION:

In the Commission's authorization of the Conditional Use, the project was found to be visually compatible with the neighborhood as the antennas are screened from view and at a height of approximately 46 feet above grade. The Commission further found the project, at its reduced size of four panel antennas, was necessary and desirable to augment existing cellular services in this area.

For the reasons stated above, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use authorization for $601 - 14^{th}$ Avenue and deny the Appellant's request for appeal.



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: NOVEMBER 3, 2011 (CONTINUED FROM OCTOBER 13, 2011)

Date:

October 27, 2011

Case No.:

2011.0198C

Project Address:

601 - 14th Avenue

Current Zoning:

RM-1 (Mixed, Low Density)

40-X Height and Bulk District

Block/Lot:

1630/001

Project Sponsor:

AT&T Wireless represented by,

Amy Million, KDI

855 Folsom Street, #106

San Francisco, CA 94107

Staff Contact:

Sara Vellve - (415) 558 - 6263

sara.vellve@sfgov.org

Recommendation:

Approval with Conditions

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax:

415,558,6409

Planning Information: 415.558.6377

PROJECT DESCRIPTION

AT&T Wireless proposes to remove two existing omni antennas, install up to six (6) panel antennas and associated equipment cabinets as part of their wireless transmission network. According to the Wireless Telecommunications Services (WTS) Siting Guidelines, the property is a Location Preference 1 (Publicly-used structure) as the site is developed with an institution owned and operated by the Bureau of Jewish Education. The six panel antennas would be enclosed in two faux chimneys. One faux chimney containing up to four antennas would be located in the east-central portion of the roof and the second faux chimney containing up to two antennas would be located in the area of the south building wall. The overall height of all antennas would be approximately 44 feet from grade. The faux chimneys will be constructed of synthetic material that is RF (Radio Frequency) Transparent, which allows transmission to occur even though the antennas are obscured. The maximum dimension for the proposed antennas would be approximately 4 feet tall, 1 foot wide and 7 inches deep. The proposed WTS site also includes the installation of associated mechanical equipment in the building's basement.

SITE DESCRIPTION AND PRESENT USE

The subject site is zoned RM-1 (Mixed, Low Density) and is characterized in the Planning Code as containing a mixture of dwelling types and a significant number of apartment buildings that broaden the range of unit sizes and variety of structures, but with an overall low density and moderately scaled buildings with neighborhood services and transit lines located within close proximity.

The approximately 20,000 square foot site is developed as the Bureau of Jewish Education and consists of approximately three buildings at the southwest corner of the intersection of 14th Avenue and Balboa Street. The subject building where the proposed antennas would be located is three stories tall and

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Executive Summary

Hearing Date: November 3, 2011 (Continued from October 13, 2011) CASE NO. 2011.0198C 601-14th Avenue

located on the corner of 14th Avenue and Balboa Street. All other buildings on the site front either Balboa Street or 14th Avenue. The subject structure was constructed in approximately 1920. Buildings on the site are owned and operated by a non-profit educational organization.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The site is bounded by buildings generally containing one to two dwelling units to the west, north and south. Park Presidio Boulevard bounds the east side of the site. Geary Boulevard is located two blocks north of the site and Golden Gate Park is located two blocks to the south.

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	September 23, 2011	September 21, 2011	22 days
Posted Notice	20 days	September 23, 2011	September 23, 2011	20 days
Mailed Notice	20 days	September 23, 2011	September 23, 2011	20 days

PUBLIC COMMENT

As of October 5, 2011, the Department has not received public comment on the proposal.

ISSUES AND OTHER CONSIDERATIONS

- The project will conceal the antennas within two faux chimneys constructed of radio frequency transparent material.
- The project is a Location Preference 1, preferred location. Educational institutions are considered a public facility per the WTS Facilities Siting Guidelines and are categorized as a preferred WTS siting location.
- Health and safety aspects of all wireless projects are reviewed under the Department of Public Health and the Department of Building Inspection.
- 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.

Executive Summary
Hearing Date: November 3, 2011
(Continued from October 13, 2011)

CASE NO. 2011.0198C 601-14th Avenue

The project will improve in-transit and outdoor coverage to an area that currently receives marginal coverage.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant the Conditional Use authorization pursuant to Planning Code Sections 209.6(b) and 303 to allow the installation of wireless facilities.

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.
- The project site is a Location Preference 1, a preferred location, according to the Wireless Telecommunications Services (WTS) Siting Guidelines.
- The project will improve coverage for an area where there is currently marginal cell phone coverage.

RECOMMENDATION:

Approval with Conditions

Executive Summary Hearing Date: November 3, 2011 (Continued from October 13, 2011) CASE NO. 2011.0198C 601-14th Avenue

\boxtimes	Executive Summary		\bowtie	Project sponsor submittal
\boxtimes	Draft Motion			Drawings: Proposed Project
\boxtimes	Zoning District Map		•	Check for legibility
\boxtimes	Height & Bulk Map		\boxtimes	Photo Simulations
\boxtimes	Parcel Map		\boxtimes	Coverage Maps
\boxtimes	Sanborn Map		\boxtimes	RF Report
\boxtimes	Aerial Photo		\boxtimes	DPH Approval
\boxtimes	Context Photos	٠.	\boxtimes	Community Outreach Report
X	Site Photos		\boxtimes	SHPO Review

Exhibits above marked with an "X" are included in this packet Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- □ Jobs Housing Linkage Program (Sec. 413)
- □ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)

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Planning Information: 415.558.6377

Planning Commission Motion No. 18503

HEARING DATE: DECEMBER 8, 2011

(Continued from October 13, 2011 and November 3, 2011)

Date:

December 8, 2011

Case No.:

Block/Lot:

2011.0198C

Project Address:

601 - 14th Avenue

Current Zoning:

RM-1 (Mixed, Low Density)

40-X Height and Bulk District

1630/001

Project Sponsor:

Amy Million, KDI

855 Folsom Street, Suite 106

San Francisco, CA 94107

Staff Contact:

Sara Vellve - (415) 558 - 6263

sara.vellve@sfgov.org

Recommendation: Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 209.6(b) AND 303 TO REMOVE EXISTING OMNI ANTENNAS AND INSTALL A WIRELESS TELECOMMUNICATIONS FACILITY CONSISTING OF UP TO FOUR (4) PANEL ANTENNAS CONCEALED IN ONE FAUX CHIMNEY LOCATED ON THE NORTHERN PORTION OF THE ROOF AND RELATED EQUIPMENT IN THE BASEMENT OF A THREE-STORY PUBLICLY-USED STRUCTURE (BUREAU OF JEWISH EDUCATION) AS PART OF AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK WITHIN THE RM-1 (MIXED, LOW DENSITY) ZONING DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 1, 2011, Amy Million, as representative of AT&T Wireless, (hereinafter "Project Sponsor"), made an application (hereinafter "application"), for Conditional Use Authorization on the property at 601 - 14th Avenue, Lot 001 in Assessor's Block 01630, (hereinafter "project site") to remove existing omni antennas and install a wireless telecommunications facility consisting of up to four (4) panel antennas concealed in one faux chimney located on the northern portion of the roof and related equipment in the basement of an existing three-story publicly-used structure (Bureau of Jewish Education) as part of AT&T's wireless telecommunications network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District.

Hearing Date: December 8, 2011

CASE NO. 2011.0198C 601-14th Avenue

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

On December 8, 2011, 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. 2011.0198C, 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.

Site Description and Present Use. The subject site is zoned RM-1 (Mixed, Low Density), which is characterized in the planning Code as containing an mixture of dwelling types and a significant number of apartment buildings that broaden the range of unit sizes and variety of structures, but with an overall low density and moderately scaled buildings with neighbored services and transit lines located within close proximity.

The approximately 20,000 square foot site is owned by the bureau of Jewish Education and consists of approximately three buildings at the southwest corner of the intersection of 14th Avenue and Balboa Street. The subject building where the proposed antennas would be located is three stories tall and located on the corner of 14th Avenue and Balboa Street. All other buildings on the site front either Balboa Street or 14th Avenue. The subject structure was constructed in approximately 1930. The Lisa Kampner Hebrew Academy occupies one building on the site. A pair of omnidirectional antennas are currently located on the northwest corner of the building at the corner of Balboa Street and 14th Avenue.

Surrounding Properties and Neighborhood. The site is bounded to the west, north and south by buildings generally containing one to two dwelling units. Park Presidio Boulevard bounds the east side of the site. Geary Boulevard is located two blocks north of the site and Golden Gate Park is located two blocks to the south.

2. **Project Description.** At the time of application on March 1, 2011, the proposal included up to six (6) new panel antennas located within three new faux chimneys (Sectors A, B and C) on the roof

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CASE NO. 2011.0198C 601-14th Avenue

of the building located at the corner of Balboa Street and 14th Avenue. As a result of design considerations and public opposition during the review process, the number of antennas was reduced to four (4) (Sectors A and C) within one faux chimney located on the northern portion of the roof of the building at the corner of Balboa Street and 14th Avenue. Mechanical equipment would be located in the building's basement. The existing omnidirectional antennas would be removed.

3. 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, 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, hospitals, health centers 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;
- 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, a submittal checklist and details about the facilities to be installed.

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 December 8, 2011, 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 Sections 206.9(b) and 303 to remove existing omni antennas and install a wireless

¹ PC Resolution 16539, passed March 13, 2003.

Motion No18503 Hearing Date: December 8, 2011 CASE NO. 2011.0198C 601-14th Avenue

telecommunications facility consisting of four (4) panel antennas to be located within a faux chimney on the northern portion of the building at the corner of Balboa Street and 14th Avenue and locate the mechanical equipment in the building's basement per plans contained in Exhibit "B".

- 4. 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 1, as it is a preferred location for a publicly used structure (educational building).
- 5. Radio Waves Range. The Project Sponsor has stated that the proposed wireless network will transmit calls by radio waves operating in the 700 2200 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.
- 6. 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*.
- 7. 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 less than 1% of the FCC public exposure limit. There were no other observed similar antennas within 100 feet of this site. AT&T proposes to remove the existing omnidirectional antennas and locate up to four (4) panel antennas within a faux chimney located within the middle of the northern portion of the building's roof at approximately 44 feet above grade. Mechanical equipment would be located on the building's basement. The estimated ambient RF field from the proposed AT&T transmitters at ground level is calculated to be 0.027 mW/sq cm, which is 4.0% of the FCC public exposure limit. The three dimensional perimeter of RF levels equal to the public exposure limit extends 57 feet which includes areas of the roof top 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 20 feet of the front of the antennas while in operation.
- 8. Maintenance Schedule. The proposed facility would operate without on-site staff but with a maintenance crew visiting the property approximately once a month and on an as-needed basis to service and monitor the facility.
- 9. Community Outreach. Per the Guidelines, the project sponsor held a Community Outreach Meeting for the proposed project. The meeting began at 7:00 P.M. on Wednesday, April 20, 2011 at Argonne Park, located at 463 18th Avenue, San Francisco. Approximately five members of the public attended the meeting. The sponsor received two calls in support of the proposal from neighborhood residents who could not attend the meeting. Additional meetings, coordinated by

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CASE NO. 2011.0198C 601-14th Avenue

AT&T and the Bureau of Jewish Education, were held after the November 3, 2011 Planning Commission hearing to address the opposition's concerns.

- 10. Five-year plan: Per the *Guidelines*, the project sponsor submitted its latest five-year plan, as required, in October 2011.
- 11. Public Comment. Prior to the November 3, 2011 and December 8, 2011 hearings, the Department received extensive public comment in opposition to the proposal from families and administration of the Lisa Kampner Hebrew Academy and neighborhood residents. A few letters in support of the proposal were submitted.
- 12. **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 Sections 209.6(b), a Conditional Use authorization is required for the installation of wireless transmission facilities in the NC-3 (Neighborhood Commercial, Moderate Scale) District.
- 13. 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.
 - 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 601 - 14th Avenue 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 of such size and nature to be compatible with the surrounding nature of the vicinity. The approval of this authorization has been found, first and foremost, 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 building and insure harmony with neighborhood character.

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

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Coverage: San Francisco does have sufficient overall wireless coverage (note that this is separate from carrier service). It is necessary for San Francisco to have as much coverage as possible in terms of wireless facilities. Due to the topography and tall buildings in San Francisco, unique coverage issues arise because the hills and buildings break up coverage. Thus, telecommunication carriers often 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 distribution. It is necessary for San Francisco, as a leader in technology, to have adequate capacity.

The proposed project at 601 – 14th Avenue is necessary in order to achieve sufficient street, intransit and in-building mobile phone coverage and to provide service coverage during high demand periods. Recent drive tests in the subject area conducted by the AT&T Radio Frequency Engineering Team provide conclusive evidence that the subject property is the most viable location, based on factors including quality of coverage, population density, land use compatibility, zoning and aesthetics. The proposed coverage area will serve the vicinity generally bounded by Fulton and California Streets, and 18th and 9th Avenues as indicated in the coverage maps. This facility will fill coverage gaps in service in the Richmond District, 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:
 - 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.

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 has received information that the proposed wireless system must be operated so as not to interfere with radio or television reception in order to comply with the provisions of its license under the FCC.

The Planning 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

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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 two to three times 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 erection 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;

The antennas would be located within a new faux chimney located in the center of the northern portion of the building roof. The faux chimney would be constructed of RF transparent material painted to match the building. Mechanical equipment would be located in the building's basement.

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.

The proposed project is consistent with the stated purpose of the RM-1 (Mixed, Low Density) District in that the intended use is located on an existing building at a height of approximately 44 feet from grade and designed to be consistent with the building's design and minimally visible.

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

2009 HOUSING ELEMENT.

BALANCE HOUSING CONSTRUCTION AND COMMUNITY INFRASTRUCTURE

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

11.0198C authorization for 601-14th Avenue

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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 Wireless coverage 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 and related equipment by locating the antennas in a faux chimney located on the northern portion of the building located at the corner of 14th Avenue and Balboa Street. Mechanical equipment would be located in the building's basement.

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:

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.

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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 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.

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's mobile 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:

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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.

- 15. 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.

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.

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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 design will comply with the California Environmental Quality Act.

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

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

- 16. 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.
- 17. The Commission hereby finds that approval of the Determination of Compliance authorization would promote the health, safety and welfare of the City.

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 209.6(b) and 303 to install up to four (4) panel antennas to be located within one faux chimney on the northern portion of the building's roof with the related equipment in the basement of a three-story publicly used structure (educational institution) as part of a wireless transmission network operated by AT&T Wireless on a Location Preference One (Preferred Location – Publicly used structure) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, within the RM-1 (Mixed, Low-Density) District, and a 40-X Height and Bulk District, and subject to the conditions of approval attached hereto as Exhibit A.

File No. 120005 Planning Case No Appeal of approval of Conditional L '1.0198C authorization for 601-14th Avenue

Motion No18503

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CASE NO. 2011.0198C 601-14th Avenue

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. 18503. 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 December 8,

Linda Avery
Commission Secretary

AYES:

Commissioners: Antonini, Borden, Fong, Miguel, Moore Sugaya

NAYS:

None

ABSENT:

Commissioner: Olague

ADOPTED:

December 8, 2012

Motion No18503

Hearing Date: December 8, 2011

CASE NO. 2011.0198C 601-14th Avenue

EXHIBIT A

AUTHORIZATION

This approval is for Conditional Use authorization under Planning Code Sections 209.6(b) and 303 to install a wireless telecommunications facility consisting of up to four (4) panel antennas to be located within a faux chimney location the northern portion of the roof with related equipment in the basement of a three-story building, a Location Preference 1 (Preferred Location – Publicly Used Structure) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as part of AT&T's wireless telecommunications network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-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 December 8, 2011 under Motion No. 18503.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18503 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.

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CASE NO. 2011.0198C 601-14th Avenue

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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, <u>www.sf-planning.org</u>.

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, <u>www.sf-planning.org</u>.

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, 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 415-558-6613, www.sf-planning.org

File No. 120005 Planning Case No
Appeal of approval of Conditional L

1.0198C
authorization for 601-14th Avenue

Motion No18503 Hearing Date: December 8, 2011 CASE NO. 2011.0198C 601-14th Avenue

- 4. Screening WTS. To the extent necessary for information about 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. Antennae 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 415-558-6613, www.sf-planning.org.

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, www.sf-planning.org
- 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, <u>www.sf-planning.org</u>
- 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

11.0198C authorization for 601-14th Avenue

Motion No18503

Hearing Date: December 8, 2011

CASE NO. 2011.0198C 601-14th Avenue

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, <u>www.sf-planning.org</u>.

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.
- c. 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.sf-planning.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.
 - 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 non holiday 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.

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- 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, www.sfdph.org.

- 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.

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

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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 antennae 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, www.sf-planning.org

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, www.sfdph.org.

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.

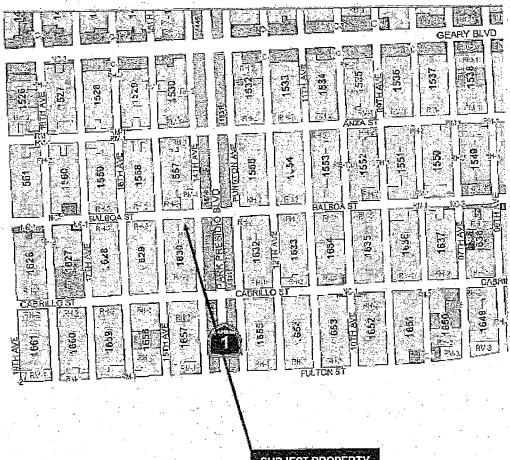
For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

- 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>
- 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

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Zoning District Map



ZONING USE DISTRICTS

RESIDENT	AL, HOUSE DISTRICTS	Annual Control of the
	RH-1 RH-1(S) RH	
RESIDENT	AL, MIXED (APARTMENTS &	HOUSES) DISTRICTS
RM-1	RM-2 RMS RM	
NEIGHBOI	RHOOD COMMERCIAL DIST	
NC-1	NC-2 NC-3 NC	THE REAL PROPERTY AND ADDRESS OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN
SQUTH OF	MARKET MIXED USE DIST	
SPD	RED RSD S	R SLI SSO
COMMERC	IAL DISTRICTS	
C-2	E SE ESE ES	R CAO COST
INDUSTRI	AL DISTRICTS	
C-M	EM4 N.2	

SUBJECT PROPERTY

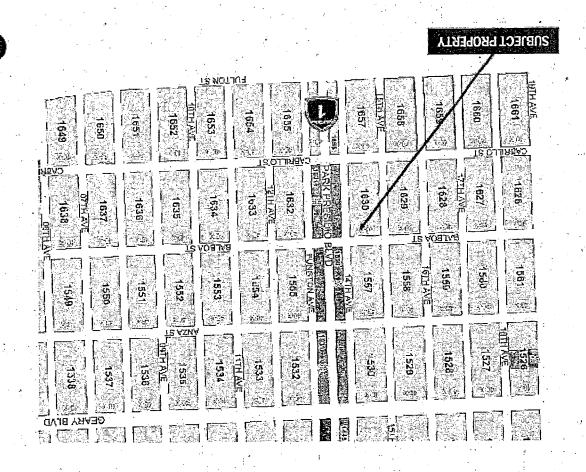
CHINATOWN MIXED USE DISTRICTS
GERNE GVR CCB
RESIDENTIAL-COMMERCIAL DISTRICTS
RC-3
REDEVELOPMENT AGENCY DISTRICTS
MB-RA
DOWNTOWN RESIDENTIAL DISTRICTS
EGIVE MICOUR
MISSION BAY DISTRICTS
MB-OS MI-EO
PUBLIC DISTRICT
P W
Fig. 2. Stand limit



Conditional Use Hearing Case Number 2011.0198C AT&T Wireless 601 – 14th Avenue

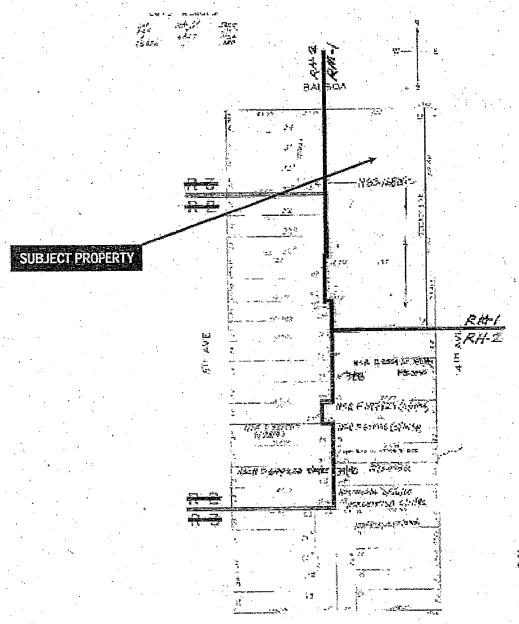
SAN FRANCISCO PLANNING DEPARTMENT

Height and Bulk Map



Conditional Use Hearing Case Number 2011.0198C AT&T Wireless 601 – 14th Avenue SEN FRANCISCO PEPARTMENT

Parcel Map



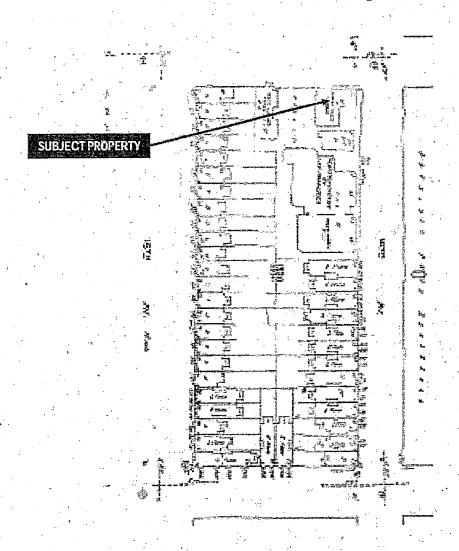
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CABRILLO

Conditional Use Hearing
Case Number 2011.0198C
AT&T Wireless
601 – 14th Avenue

SAN FRANCISCO PLANNING DEPARTMENT

Sanborn Map*



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



SAN FRANCISCO PLANNING DEPARTMENT Conditional Use Hearing Case Number 2011.0198C AT&T Wireless 601 – 14th Avenue

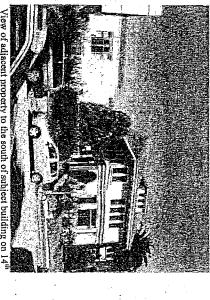
Aerial Photo



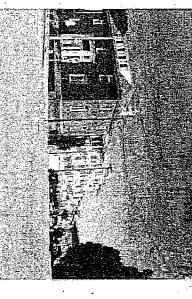


Conditional Use Hearing Case Number 2011.0198C AT&T Wireless 601 – 14th Avenue.

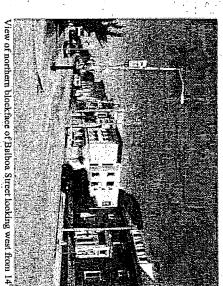
Contextual Photos – 601 14th Avenue 2011,198C AT&T Mobility



w of adjacent property to the south of subject building on 14th
Avenue



View of western blockface of 14th Avenue looking north from Balboa Street

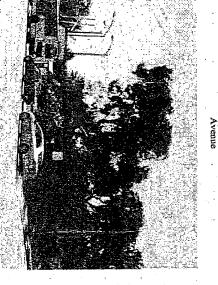


View of southern blockface of Balboa Street looking west from 14th.

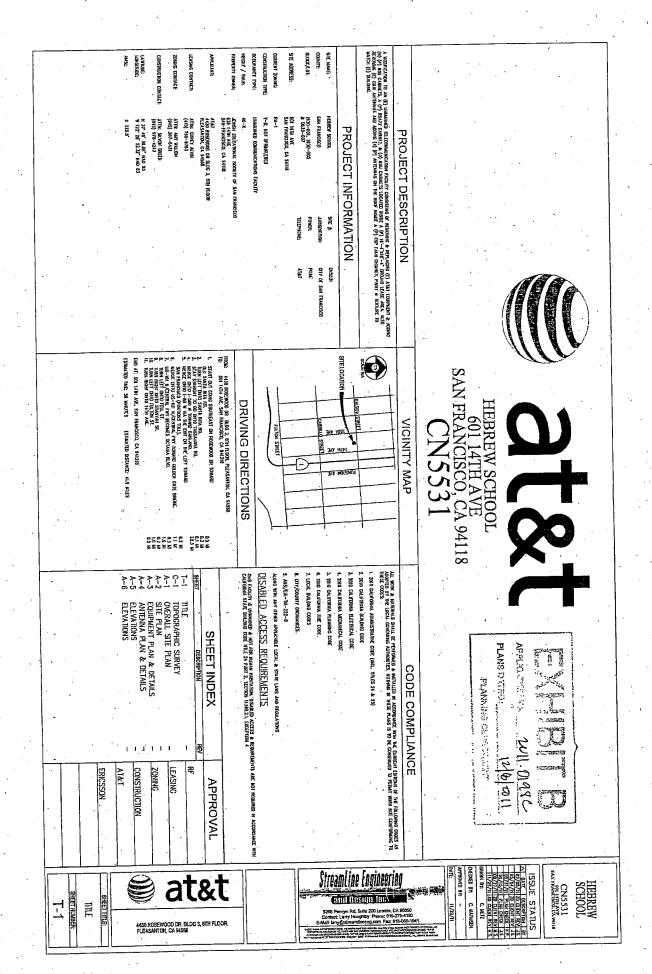
Avenue

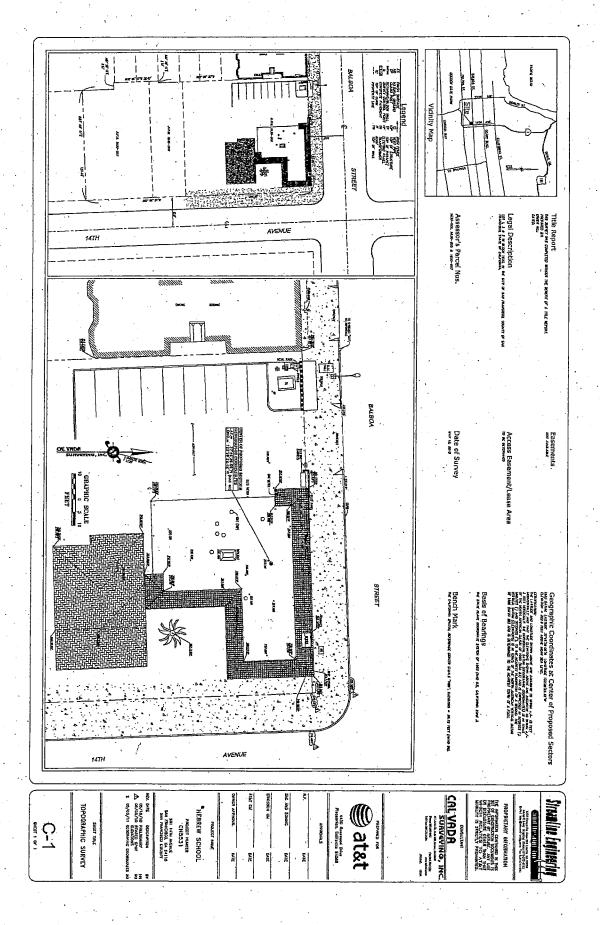
View of western blockface of 14th Avenue looking south from Balboa

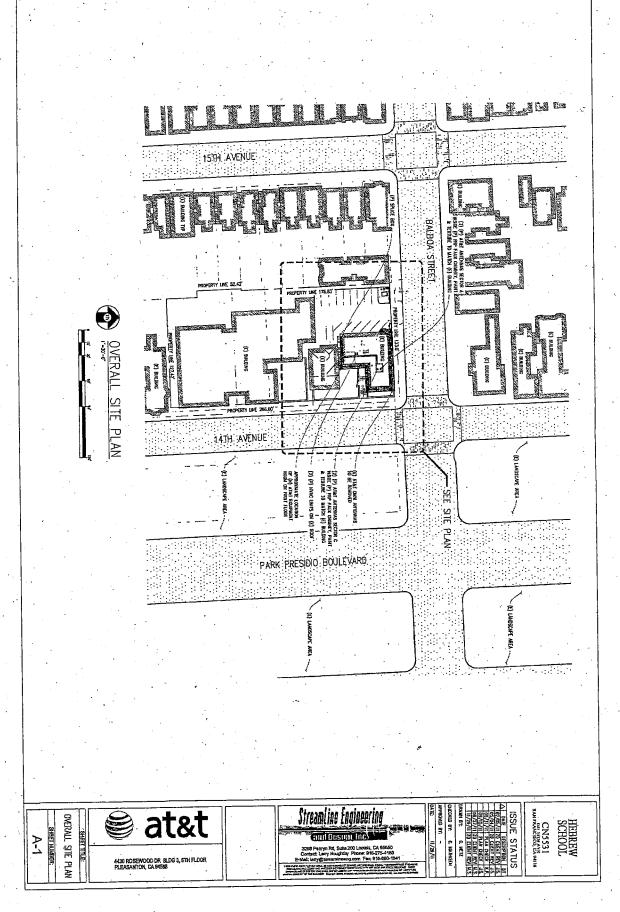
Street

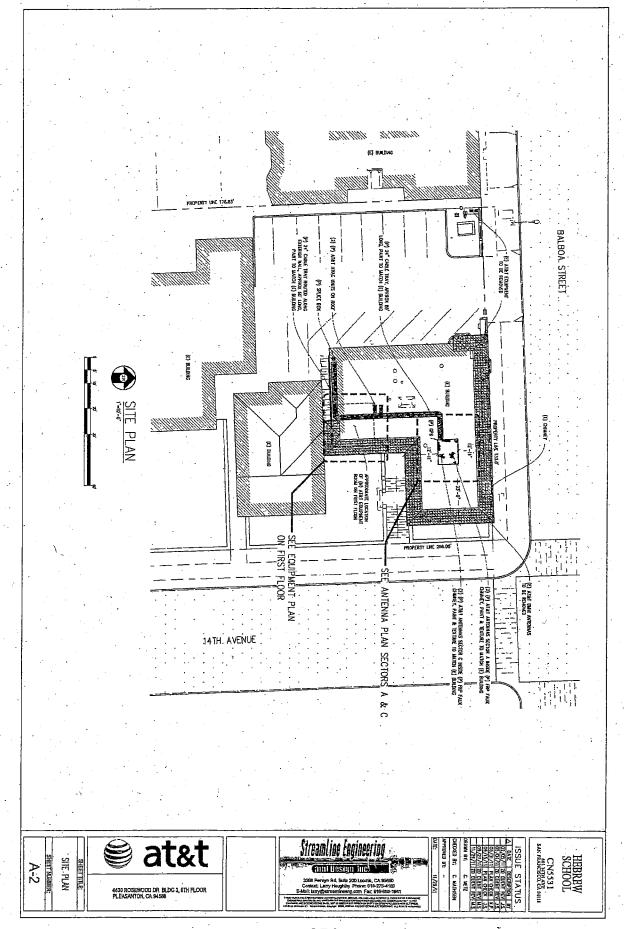


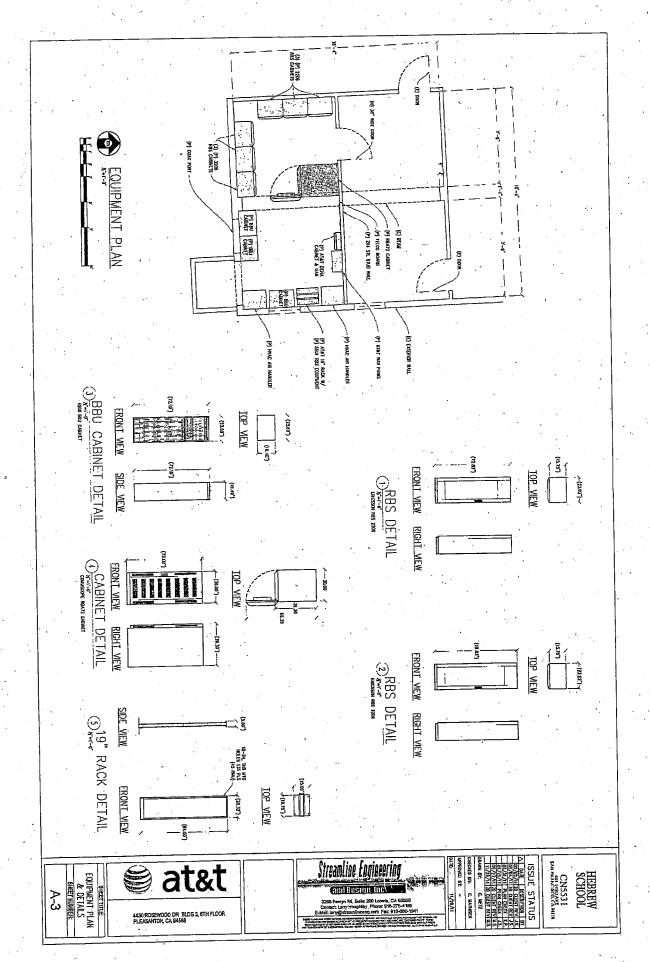
Looking northeast across Balboa from subject building

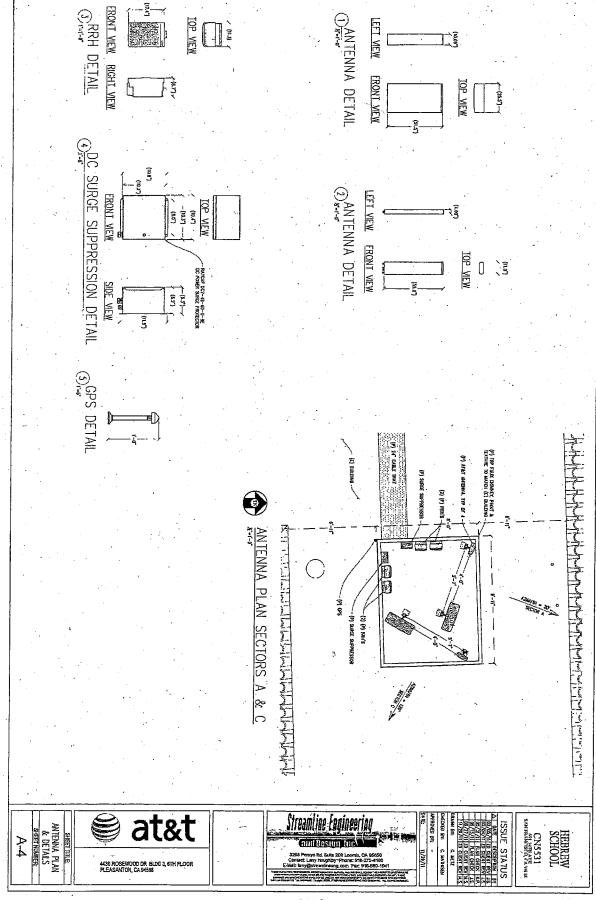


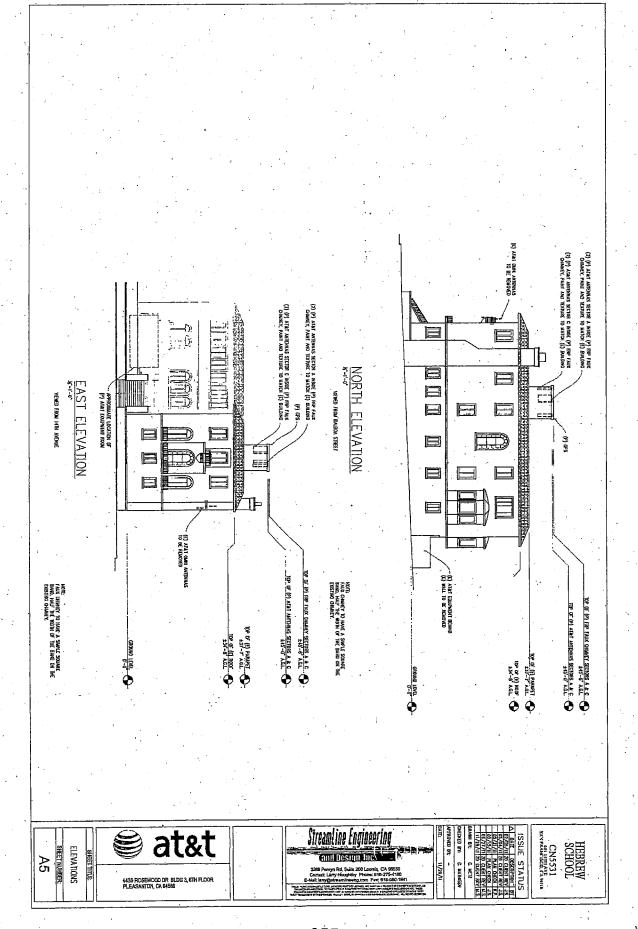


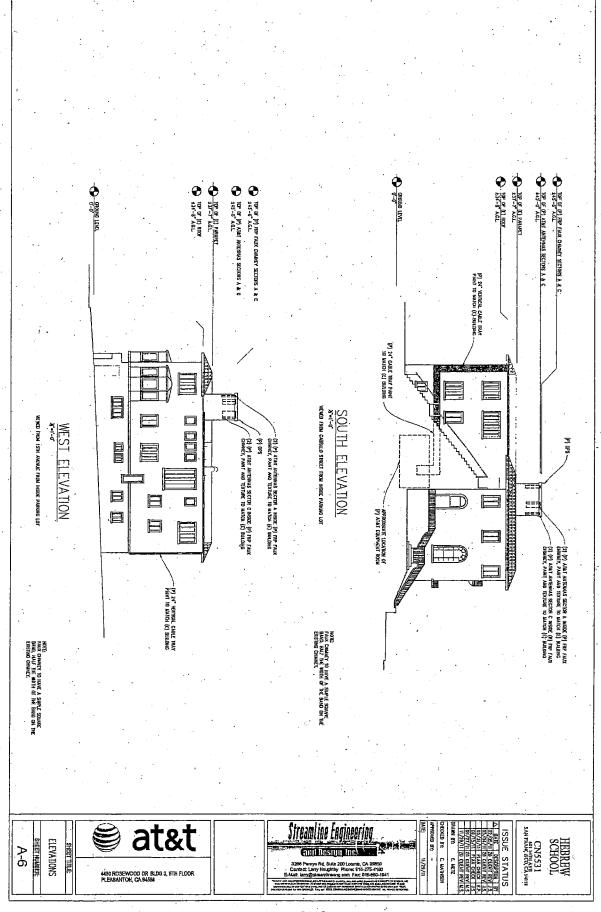


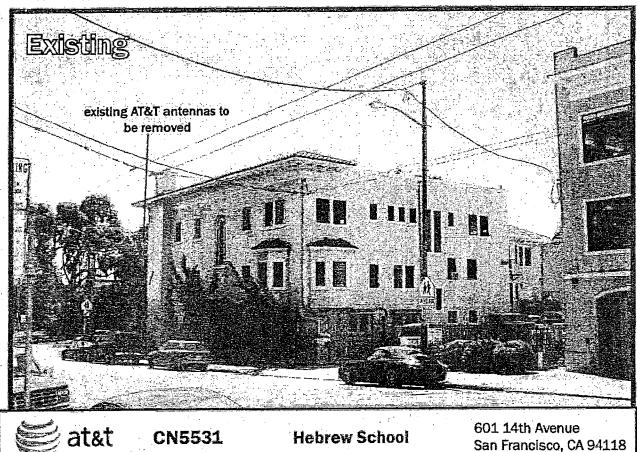


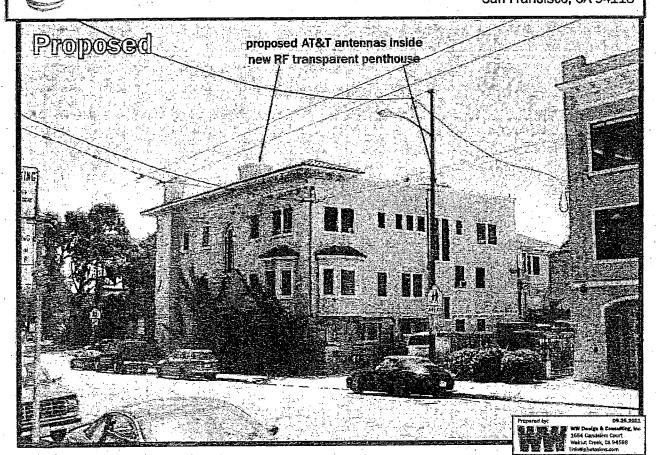




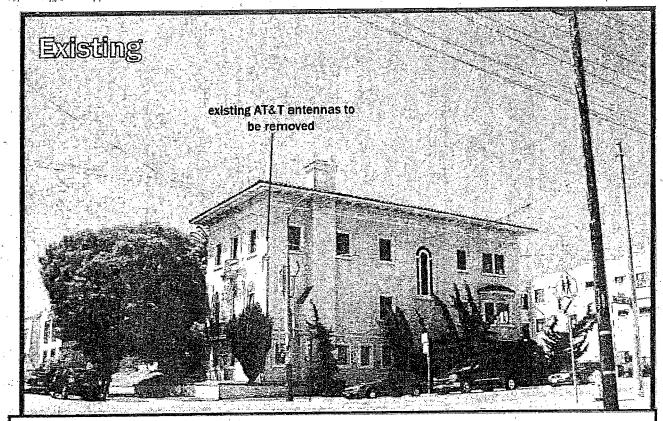


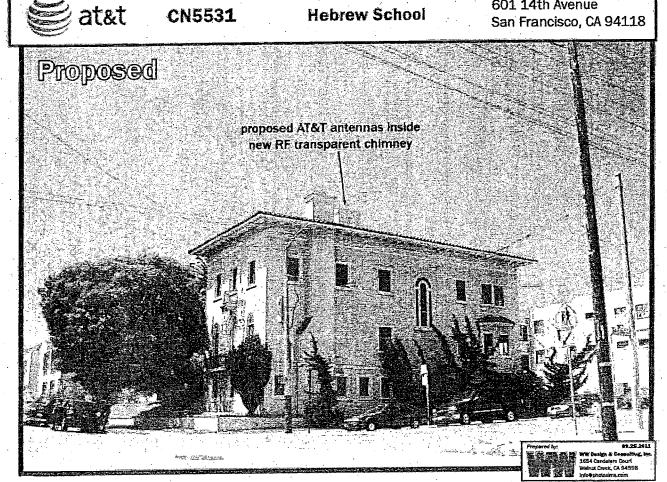






601 14th Avenue





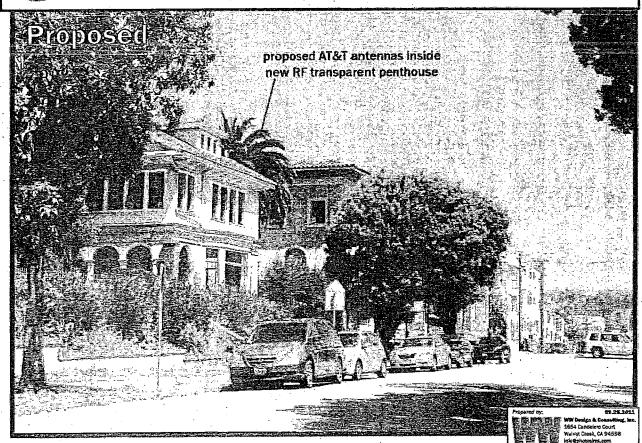




CN5531

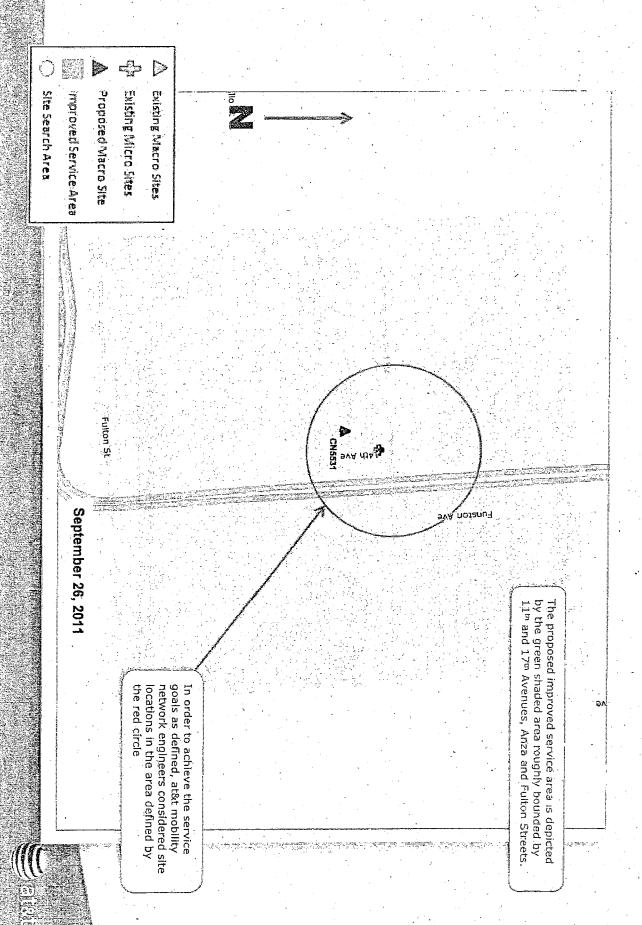
Hebrew School

601 14th Avenue San Francisco, CA 94118

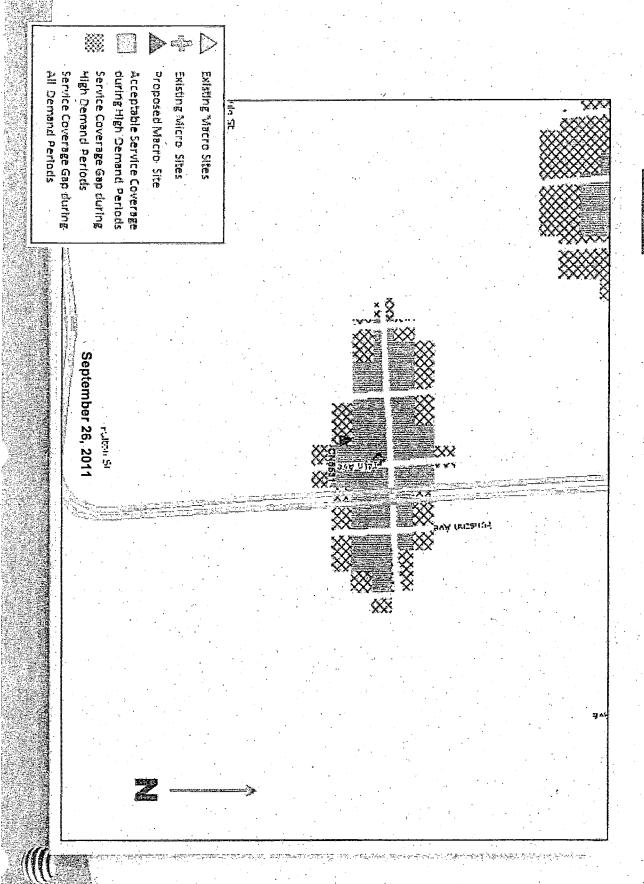


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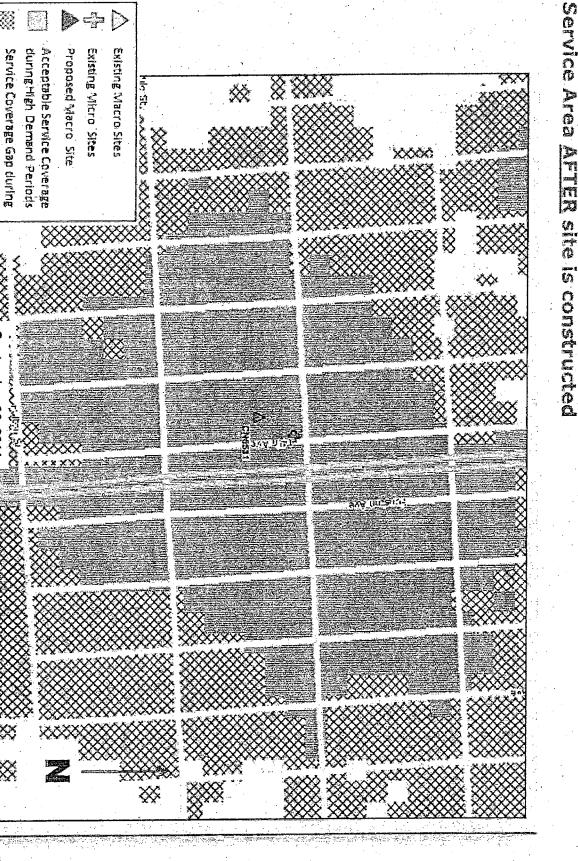
OUT 14TH AVE



Proposed Site at 601 14th Ave (CNSUV) VOTVICO ATOM DISTORM WITE IN CONSTRUCTOR



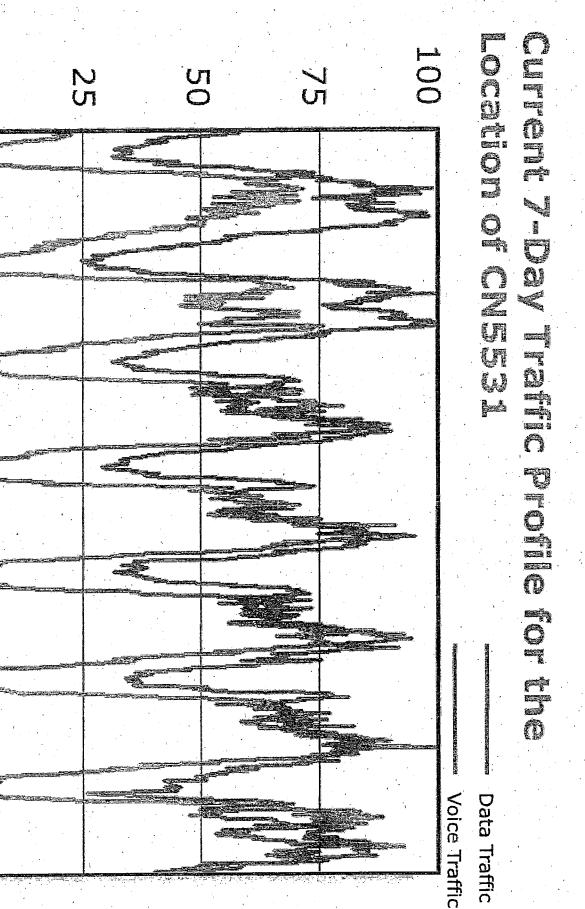
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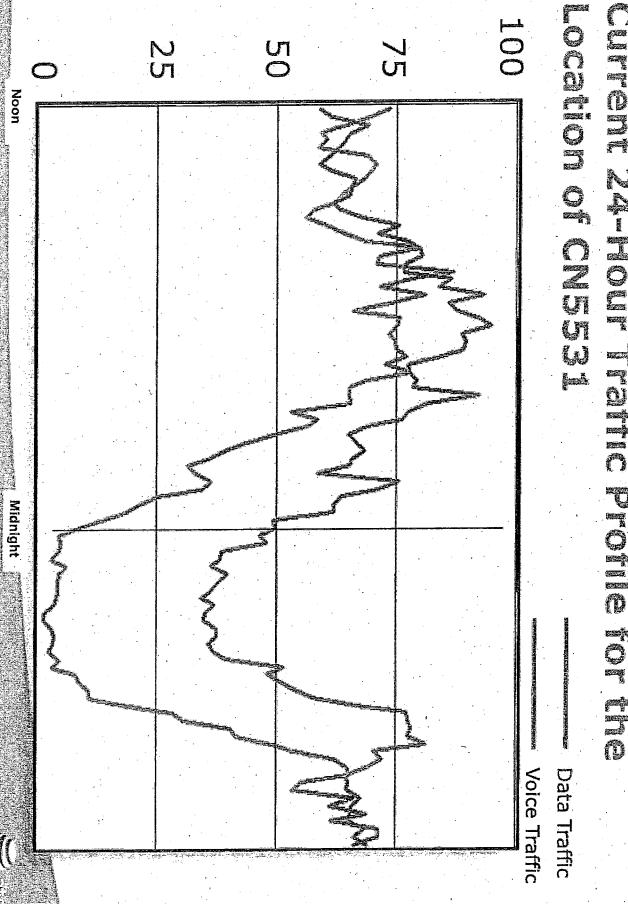
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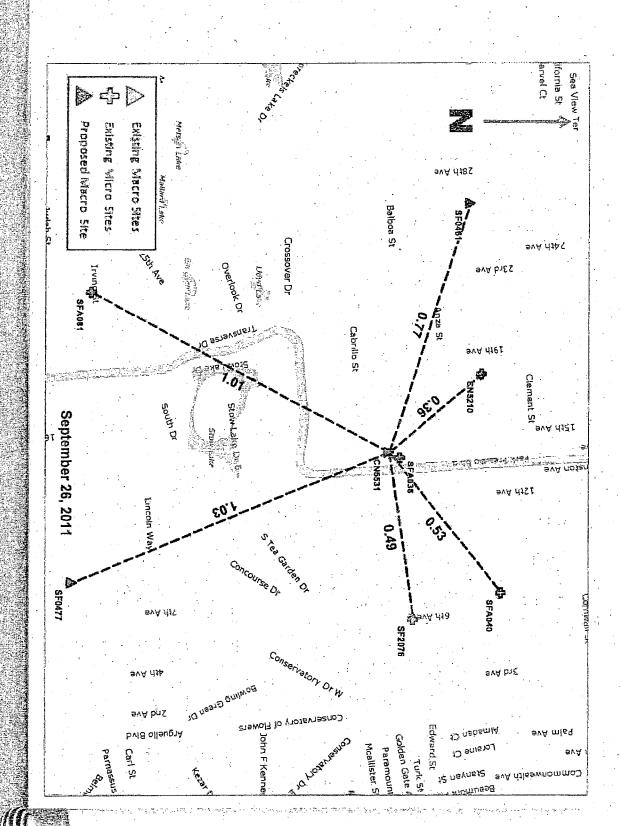
Service Coverage Gap during



September 26, 2011

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AT&T Mobility • Base Station No. CN5531 601 14th Avenue • 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 proposed modifications to its existing base station (Site No. CN5531) located at 601 14th Avenue 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 Radi	o) 855	2.85	0.57
700 MHz	700	2.35	0.47
[most restrictive frequency rang	ge] 30–300	1.00	0.20

The site was visited by Mr. David Kelly, a qualified field technician contracted by Hammett & Edison, Inc., during normal business hours on February 9, 2011, a non-holiday weekday, and reference has been made to information provided by AT&T, including zoning drawings by Streamline Engineering and Design, Inc., dated November 29, 2011.

Checklist

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

AT&T had installed a pair of omnidirectional antennas on the northwest corner of the three-story building located at 601 14th Avenue. 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.



AT&T Mobility • Base Station No. CN5531 601 14th Avenue • San Francisco, California

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

Similar antennas for use by T-Mobile have been proposed to be on the building to the west of the site, located about 60 feet away.

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

AT&T proposes to remove its existing antennas and to install four Powerwave directional panel antennas - two Model P65-15-XLH-RR and two Model 7780 - within an enclosure configured to resemble a chimney, to be set back about 13 feet from the north edge of the roof. The antennas would be mounted with up to 4° downtilt at an effective height of about 42 feet above ground, 7½ feet above the roof, and would be oriented in pairs (one of each) toward 20°T and 120°T.

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

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. Total number of watts per installation and total number of watts for all installations at site.

The maximum effective radiated power proposed by AT&T in any direction is 6,590 watts, representing simultaneous operation at 1,780 watts for AWS, 2,210 watts for PCS, 1,710 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 observed buildings of similar height across and along Balboa Street, located at least 75 feet away.

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

For a person anywhere at ground, the maximum ambient RF exposure level due to the proposed AT&T operation by itself is calculated to be 0.027 mW/cm², which is 4.0% of the applicable public exposure limit. Ambient RF levels at the site are therefore estimated to be below 5% of the limit. The three-dimensional perimeter of RF levels equal to the public exposure limit is calculated to extend up to 57 feet out from the antenna faces and to much lesser distances above, below, and to the sides; this includes areas of the roof of the building but does not reach any publicly accessible areas.

AT&T Mobility • Base Station No. CN5531 601 14th Avenue • San Francisco, California

9. <u>Describe proposed signage at site.</u>

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 20 feet directly in front of the antennas themselves, such as might occur during maintenance work on the roof, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Marking "Prohibited Access Areas" with red striping on the roof in front of the antennas, and "Worker Notification Areas" with yellow striping, as shown in Figure 1 attached, and posting explanatory warning signs on the enclosure in front of 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 the proposed operation of the AT&T Mobility base station located at 601 14th Avenue 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. Marking roof areas and posting explanatory signs is recommended to establish compliance with occupational exposure limitations.

William F. Hammett, P.E.

707/996-5200

December 7, 2011

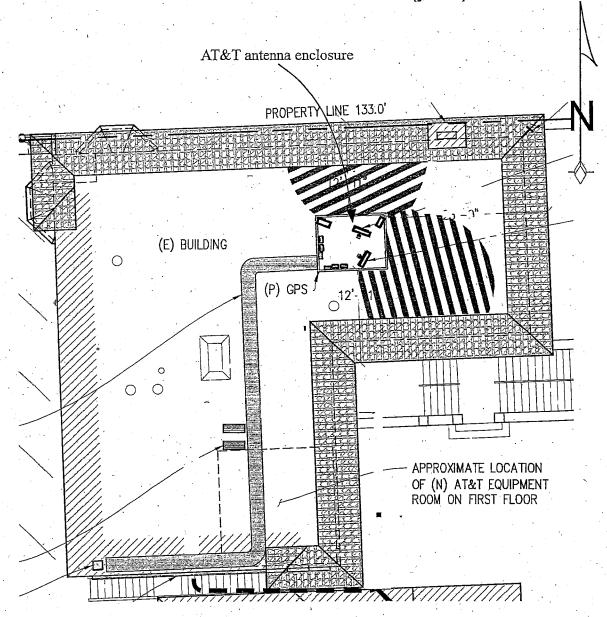
^{*} Warning signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter; the San Francisco Department of Public Health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



K-}2078 M-20673 _{Eng. B}ag-art

AT&T Mobility • Base Station (Site No. CN5531) 601 14th Avenue • San Francisco, California

Suggested Locations for Striping to Identify "Prohibited Access Areas" (red) and "Worker Notification Areas" (yellow)

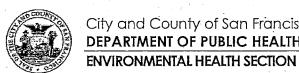


Notes:

Base drawing from Streamline Engineering and Design, Inc., dated November 29, 2011.

"Prohibited Access Areas" should be marked with red paint stripes, "Worker Notification Areas" should be marked with yellow paint stripes, and explanatory warning signs should be posted outside the areas, readily visible to authorized workers needing access. See text.





City and County of San Francisco DEPARTMENT OF PUBLIC HEALTH

Edwin M. Lee, Mayor

Barbara A. Garcia, MPA, Director of Health

Rajiv Bhatia, MD, MPH, Director of EH

Review of Cellular Antenna Site Proposals

Proj	ect Sponsor: AT&T }	Vireless		Pl	lanner:	Michelle	Stahlhı	ıt
RF Engineer Consultant:		Hammett d	Hammett and Edison			Phone Nu	mber:	(707) 996-5200
Proj	ect Address/Location:	601 14th A	lve			·	· · ·	
Site	ID: 87	Sit	eNo.:	CN5531		· · · · · · · · · · · · · · · · · · ·		_
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	✓ Existin	g Antennas	No Exist	ting Antennas:	2			
<u>X</u>	2. The location of all approapproved antennas. (WTS-			l) antennas a	nd facili	ties. Expecte	d RF le	vels from the
٠	⊙ _{Yes} ○ _{No}							
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<u>X</u> _	4. Location (and number) of location of other telecomm							
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	8. Report estimated ambier perimeter where the FCC s	tandards are	exceeded	L) (WTS-FS	G, Secti			
	and power density exposur	,						
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<u>X</u>	 Signage at the facility id equipment as may be requi Discuss signage for those v 	red by any ar	plicable	FCC-adopte	d stand			
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- 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 2 antennas operated by AT&T Wireless installed on the roof top of the building at 601 14th Avenue. 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 but T-Mobile is proposing to install similar antennas about 60 feet away from this location. AT&T Wireless proposes to remove its 2 existing antennas and to install 4 new antennas. The antennas will be mounted at a height of 42 feet above the ground. The estimated ambient RF field from the proposed AT&T Wireless transmitters at ground level is calculated to be 0.027 mW/sq cm., which is about 4% of the FCC public exposure limit. The three dimensional perimeter of RF levels equal to the public exposure limit extends 57 feet which includes areas of the rooftop 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 20 feet of the front of the antennas while they are in operation and prohibited access areas should be marked with red striping and worker notification areas with yellow striping on the rooftop.

Not Approved, additional information required.

Not Approved, does not comply with Federal Communication Commission safety standards for - radio frequency 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: 1/4/2012

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

V Fosdell



April 21, 2011

Sara Vellve, Planner
San Francisco Department of Planning
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Re: Case No. 2011.0988C Community Meeting for proposed AT&T Mobility facility at 601 14th Avenue

Dear Ms. Vellve,

On April 20, 2011, AT&T mobility held a community meeting regarding the proposed wireless facility at 601 14th Avenue. The attached notification announced the community presentation was to be held at the Argonne Park at 463 18th Avenue, San Francisco, CA 94121 at 7:00 p.m. Notice of the meeting was mailed out on April 6, 2011 to 424 owners and tenants within 500 feet of the proposed installation and 7 neighborhood organizations.

I conducted the meeting on behalf of Ericsson and AT&T along with Tedi Vriheas representing AT&T External Affairs who was there to answer general AT&T network questions and Bill Hammett, a radio-frequency engineer with Hammett and Edison who was there to answer any questions regarding the EMF emissions from the proposed wireless facility. As part of the presentation, we discussed the existing design of the facility and also detailed an alternative design AT&T is evaluating which includes consolidating antenna Sectors A and C into one (1) chimney; resulting in a total of two (2) chimneys on the roof: four (4) antennas in one (1) chimney and two (2) antennas in the second.

Five (5) members of the community attended. Various questions were asked regarding the facility including locations of other AT&T facilities in the area, use compatibility, materials used for the construction of the facility and clarification on the FCC standards for radio frequency emission among others.

Prior to the meeting AT&T received two (2) calls from neighborhood residents who were not able to attend the meeting and wanted to express their support for the proposed installation. Both residents live near the proposed location in the neighborhood and experience limited coverage.

2011.0198C Page 2

Please contact me if you have any questions regarding this letter or the submitted materials.

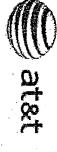
Sincerely,

Amy Million KDI Planning

Representing AT&T Mobility

Attachments:

Community Meeting Notice Affidavit Neighborhood Groups List Sign-Up Sheet



2011.0198C

601 14th Avenue Community Meeting April 20, 2011

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NOTICE OF NEIGHBORHOOD MEETING

To: Neighborhood Groups, Neighbors & Owners within 500' radius of 601 14th Avenue

Meeting Information

Date:

April 20, 2011

Time:

7:00 p.m.

Where:

Argonne Playground 463 18th Avenue

San Francisco, CA 94121

Site Information

Address:

601 14th Avenue

Block/Lot 1630 / 001

Zoning: RM-1

Applicant
AT&T Mobility

Contact Information AT&T Mobility Hotline (415) 646-0972 AT&T Mobility is proposing to upgrade an existing wireless communication facility at 601 14th Avenue, needed by AT&T Mobility as part of its San Francisco wireless network. The proposed project is an upgrade to an existing unmanned AT&T Mobility wireless telecommunication facility consisting of removing the existing AT&T Mobility facility and installing six (6) panel antennas placed on the roof within three (3) faux chimneys painted to match the building. The associated equipment cabinets will be located in the basement of the subject building. Plans and photo simulations will be available for your review at the meeting. You are invited to attend an informational community meeting located at the Argonne Playground, 463 18th Avenue on April 20, 2011 at 7:00p.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 Sara Vellve, project planner with the San Francisco Department of City Planning at (415) 558-6263 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 Monday, April 18, 2011 and we will make every effort to provide you with an interpreter.

NOTIFICACIÓN DE REUNIÓN DE VECINDARIO

Para: Grupos del vecindario, vecinos y propietarios dentro de un radio de 500° de 601 14th Avenue

Información de la reunión

Fecha:

. 20 de abril de 2011

Hora: Dónde: 7:00 p.m. Argonne Playground

463 18th Avenue San Francisco, CA 94121

Información del lugar

Dirección:

601 14th Avenue Cuadra/Lote 1630/001

Zonificación: RM-1

Solicitante AT&T Mobility

Información de contacto Linea directa de AT&T Mobility

(415) 646-0972

AT&T Mobility propone una actualización de la instalación de comunicaciones inalámbricas actual en 601 14th Avenue necesaria para AT&T Mobility como parte de su red inalámbrica en San Francisco. La ubicación propuesta de AT&T Mobility es una mejora a una instalación sin personal que consta de la remoción de una instalación actual de AT&T Mobility y de la instalación de seis (6) antenas panel ubicadas en el techo detrás de tres (3) chimeneas falsas pintadas para hacer juego con el edificio. Los gabinetes de equipamiento asociado se encontrarán ubicados en el sótano del edificio. 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 Argone Playground, 463 18th Avenue el 20 de abril 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 Linka Directa de AT&T Mobility, (415) 646-0972, y un especialista de AT&T Mobility le devolverá el llamado. Por favor, contacte a Sara Vellve, planificadora de proyecto, en el Departamento de Planificación de la Ciudad de San Francisco al (415) 558-6263 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 el lunes 18 de abril de 2011 antes de las 5:00 p.m., y haremos todos lo posible para proporcionarle un intérprete.

社區會議通知

致:14號街 601號周鷹五百英尺內的社區組織、居民和業主

用資證實

日期:

2011年4月20日

時間:

下午 7:00

44.82

加利福尼亞州三藩市 18號

街 463 號 Argonne Playground (郵編 94121)

設施地點資訊

地址:

14號街 601號

街區/地段:1630/001

分區:RM-l

申請公司

AT&T Mobility

阿貴里羅

AT&T Mobility公司蒸線電話

(415) 646-0972

AT&T Mobility 公司計畫升級位於 14 號街 601 號的一座現有的無線通訊設施,作為 AT&T Mobility 公司在三灣市無線網路的一部分。計畫的專案為升級現有的 AT&T Mobility 無人操作無線通訊設施,包括拆除現有的 AT&T Mobility 設施,另外在雙頂上的三(3)個仿煙內內放置六(6)根平板天線。這些仿煙囪的粉刷將與建築保持一致。相關的設備框將被放置在該建築的地下室。我們在會上將提供計畫會和類比圖片供您參考。我們該意邀請您參加定於 2011 年 4 月 20 日下午 7:00 在 18 號街 463 號 Argonne Playground 召開的社區通氣會,以便您瞭解有關本專案的更多資訊。

如果您對該計劃有任何疑問,但是無法出席這次會議,隨發打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) 558-6263與三濱市城 市規證署的項目計畫員Sara Vellive聯繫。

注意如果您需要一名粗解陪同您出席會議。居在不晚於 2011 年 4 月 18 日 (星期一) 下午 5 點前致電 (415) 646-0972 與本辦公室聯繫,我們將臺力為您配備一名智議。



DECLARATION OF INTENT FOR Wireless Telecommunications Facility Section 106 Review

Planning Department 1650 Mission Street Suite 400 San Francisco, CA 94103-1425

1: 415,555,6376 F: 415.556.6409

A Section 106 evaluation is required for all new WTS facilities proposed on any structure 45 years of age and older, within 250 feet of an eligible historic district, or a significant alteration to an existing site. Complying with Section 106 of the National Historic Preservation Act (NHPA) is a statutory obligation that is separate and distinct from complying with the National Environmental Policy Act (NEPA). For more information, please visit the California Office of Historic Preservation web site, http://ehp.parks.ca.gov/?page_id=22327.

You must submit this affidavit along with the Wireless Telecommunications Facility checklist to the Planning Department.

I, Jennife	r Estes		*	, do he	reby declar	e as fol	lows:
a. The subject !	Wireless Teles	communica	tions Facility i	located a	t (address):		
[0]	14m,	Avenve	WIDOWY				auranna, Amarica
b. I am aware to new WTS factoring of an eligible comply with	ilities propos historic dist	sed on any : rict, or a sig	structure 45 ye nificant alterat	ars of age	and older, v	vithin 2	50 feet
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Attachment A

AT&T MOBILITY CONDITIONAL USE PERMIT APPLICATION 601 14TH AVENUE

STATEMENT OF GORDON SPENCER

I served as AT&T's radio frequency engineer with respect to the proposed wireless communications facility at 601 14th Avenue (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 17th Avenue, Anza and Fulton Streets, and 11th Avenue. As explained below, the service coverage gap is caused by obsolete and inadequate infrastructure along with increased use of wireless broadband services (3G Smartphone) in the area.

AT&T installed the existing wireless equipment years ago as an accessory use to the Property. This site was never designed to provide service coverage for the surrounding area, and the coverage provided beyond the Property is not sufficient. AT&T seeks to replace the existing infrastructure because the following limitations cause quality of service issues, which are exacerbated with increased usage. First, the existing antennas cannot be down-tilted and, as a result, tend to over propagate along intersecting streets. This causes downlink interference to mobile devices that are connected to other sites. The new antennas may be down-tilted and remedy this problem.

Second, the existing equipment does not have uplink diversity, which causes mobile devices connected to this site to transmit at a higher level. The higher level transmission causes increased noise that saturates the uplink for both this site and on surrounding sites. This, in turn, leads to mobile devices connected to other sites increasing their power to overcome the high uplink noise level, which cause the same noise issues described below as sites that experience service coverage gaps during high demand periods. The new equipment addresses this problem because it has uplink diversity.

Third, the existing antennas are too low to the ground and, as a result, do not provide acceptable in-building coverage beyond the buildings they are near and do not provide acceptable coverage on adjacent streets. The new antennas are higher and, combined with the ability to be down-tilted, will provide broader service coverage, especially in-building coverage. 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 outdoor signal strength in the area, coverage indoors is weak and the quality of service overall is unacceptable.

AT&T uses Signal-to-Noise information to indentify the areas in its network where capacity restraints limit service quality. 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 good 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 such that the service coverage area for the cell restricts.

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 shaded areas depict areas within a Signal-to-Noise range where there is a service coverage gap at all times, especially indoors. The availability of reliable and uninterrupted voice and data service in all three of these areas can depend greatly upon whether a particular user 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 usage in the immediate area. 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 for which service is not available under highest usage conditions (as depicted in the yellow shaded cross-hatched area in Exhibit 2) is significant. Based upon my review of the maps and the usage data, it is my opinion that the service coverage gap 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 service coverage 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

September 28, 2011

NOTICE TO BOARD OF SUPERVISORS OF APPEAL FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.
The property is located at 601 14th Avenue San Francisco, CA 94
December 8, 2011
December 8, 2011
Date of City Planning Commission Action
Date of City Planning Commission Action (Attach a Copy of Planning Commission's Decision)
1, 5
01/06/2012 Appeal Filing Date
Appeal Filing Date
The Planning Commission disapproved in whole or in part an application for reclassification of
property, Case No
property; outs to.
The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No.
application of modification of a set-back time, base no.
The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 111.01.18.
The Planning Commission disapproved in whole or in part an application for conditional use
authorization, Case No.

V:\Clerk's Office\Appeals Information\Condition Use Appeal Process5 August 2011

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

The appeal is of the entire decision

b) Set forth the reasons in support of your appeal:

The project is not necessary, desirable and compatible with the neighborhood and community

Person to Whom Notices Shall Be Mailed

Name and Address of Person Filing Appeal;

Marina Nazarova

Nikolay Gusenkov

902, Beach Pork Blid #140 Foster City, 1300 Balboa Str. San Francisco, CA
Address CA 94404

Address 94118

(650)867-0983 Telephone Number

(415) 640 - 6050 Telephone Number

Signature of Appellant or Authorized Agent

•	Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors	
1	believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 11.0118 (a conditional use authorization regarding (address) 601 14 4 4 Avenue.	No.
9	9 11 11 1998 (, a conditional use authorization regarding (address) 604 49 th Hyenue	
90 60	of the Board to calendar this item at the soonest possible date.	lerk
۶,	of the Board to calendar this item at the soonest possible date.	

SIGNATURE DATE

1-7-12

1-2-12

1-3-12

1-3-12

1-6/12

(Attach copy of Planning Commission's Decision)

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[Revision of Telecommunications Guidelines]
URGING THE PLANNING COMMISSION TO REVISE THE WIRELESS
TELECOMMUNICATION FACILITIES GUIDELINES IT ADOPTED MAY 23, 1996 BY
CHANGING THE LOCATION PREFERENCES THEREIN TO LIMIT THE OPPORTUNITY
FOR PLACEMENT OF SUCH FACILITIES IN CERTAIN R-DISTRICTS UNTIL A
TELECOMMUNICATIONS FACILITIES AMENDMENT HAS BEEN ADOPTED AS PART OF
THE MASTER PLAN AND TO RECOMMEND TO THE BOARD OF SUPERVISORS
ADOPTION OF A MORATORIUM ON PLACEMENT OF SUCH FACILITIES, SUBJECT TO
CERTAIN CONDITIONS, FOR SIX MONTHS OR UPON THE ADOPTION OF THE MASTER
PLAN AMENDMENT, WHICHEVER OCCURS LATER.

WHEREAS, The Planning Commission considered the Wireless Telecommunications
Facilities Siting Guidelines (Guidelines) at two public hearings in April and May, 1996, and;

WHEREAS, Members of the public, the telecommunications industry and interested City departments commented on all draft versions of these guidelines, and;

WHEREAS, Subsequent to the adoption of the Guidelines, the Planning Commission directed staff to estimate the time and funds needed to conduct planning studies and environmental review of a Telecommunications Facilities amendment to the Community Facilities Element of the San Francisco Master Plan, and;

WHEREAS, The completion of the planning and environmental review for such an amendment is estimated to be early 1997, and;

WHEREAS, The Guidelines set forth the land use policies and practices that will guide the Planning Commission in its review and approval of Conditional Use applications for the placement of wireless telecommunications facilities throughout San Francisco until a Master Plan amendment and implementing zoning are adopted by this Board of Supervisors, and;

Page 1 of 5

7/1/96

WHEREAS, An integral component of the Guidelines is the description and ranking of location preferences for the placement of such facilities, and;

WHEREAS, This Board of Supervisors' has reviewed these Guidelines and finds that the policies that address location preferences should be revised to limit the placement of wireless telecommunications facilities in RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 zoning districts because the neighborhood character of these districts could be detrimentally affected by the placement of wireless telecommunications facilities. Specifically, the Board of Supervisors finds that placement of such facilities in these zoning districts could negatively impact neighborhood character and aesthetic qualities, could cause visual clutter and could be incompatible with the prevailing land uses, and;

WHEREAS, Because of these potential detrimental effects, the Board of Supervisors finds that zoning districts RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 should be excluded from consideration for sites for wireless telecommunications facilities until the Master Plan amendment has been adopted by this Board of Supervisors, and;

WHEREAS, In order to effectively implement the exclusion on the placement of wireless telecommunications facilities in RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 zoning districts, the Board of Supervisors further finds that the Planning Commission should formulate a moratorium for the period necessary for completion of the Master Plan Amendment and related environmental review of a duration of six months or upon adoption of the Master Plan Amendment, whichever is longer, and;

WHEREAS, The Board of Supervisors further finds that wireless telecommunications facilities may be installed in RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 zoning districts for the duration of this moratorium only if the applicant has demonstrated that good faith efforts were undertaken to secure alternative preferred sites and the excluded site is essential to meet area service demands, or if the facility will be placed on a publicly used structure, and;

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WHEREAS, The Board of Supervisors further finds that co-location of facilities should be encouraged in the Guidelines as a means of eliminating the detrimental effects of the placement of such facilities throughout San Francisco, now, therefore, be it;

RESOLVED, That the Board of Supervisors urges the Planning Commission to revise the Location Preferences section at page 27 of the Guidelines to read as follows:

"The location for siting of WTS/PCS facilities are ranked in order of preference in paragraphs 1 through 5 below. Locations found in paragraphs 1 through 3 are preferred because public, institutional, industrial or commercial structures are more compatible with the wireless telecommunications facilities and could appear less noticeable. Locations in paragraph 4 and 5 are limited preference sites except if the location is on a publicly used structure as defined in Paragraph 1. Regardless of the underlying zoning of a proposed location, the Planning Commission shall give great weight to placement of facilities on publicly used structures as defined in Paragraph 1.

PREFERRED LOCATIONS WITHIN A PARTICULAR SERVICE AREA

- Unchanged 1.
- Unchanged 2.
- Industrial or commercial structures. Industrial or commercial structures such as retail stores, supermarkets, banks and garages. Mixed use buildings are also preferred as long as they are located in RC-3 and RC-4 districts or NC districts, or other districts, not otherwise noted below. No removal of existing visual obstructions will be required for location on these structures.
- Limited Preference Sites: Buildings located in the following zoning districts are limited preference sites: Neighborhood Commercial Districts (NCD), NC-1, and RM-4. The Planning Commission will not approve applications for such sites unless the application describes: (a) what good faith efforts and measures to secure a site in a more preferred location (i.e., paragraphs 1 through 3) were taken; and, (b) why such efforts were unsuccessful; provided, however, that facilities placed on publicly used structures, as defined in paragraph 1 herein, in these zoning

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BOARD OF SUPERVISORS

Supervisor Yaki

RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2. The Planning Commission will not approve applications for such sites unless the application shows by clear and convincing evidence what good faith efforts and measures to secure a site in a more preferred location (i.e., paragraphs 1 through 3) were taken, explains why such efforts were unsuccessful and demonstrates that the location for the site is essential to meet demands in the service area; provided, however, that

facilities placed on publicly used structures, as defined in paragraph 1 herein, in these zoning districts shall not be disfavored sites. An applicant for such structures need not satisfy the

districts shall not be limited preference sites. An applicant for such structures need not satisfy the

placement of these facilities on limited preference sites located immediately adjacent to RH-1, RH-

1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 zoning districts, the Planning Commission

Disfavored Sites: Buildings located in the following zoning districts are disfavored sites:

conditions herein for use of limited preference sites. When determining the propriety of the

shall make findings about the effect the facilities will have on any adjacent residential areas,

including but not limited to the land use, aesthetic and visual impacts.

conditions herein for use of disfavored sites.

Co-location Preference: Any existing site on which a wireless telecommunication facility is currently located shall be a preferred location notwithstanding the limitations of paragraphs 4 and 5. However, locations which meet this criteria may be subject to the design and siting components of these Guidelines or any other such policies which are or may be adopted by the Department of City Planning, including, but not limited to, policies which prevent location of so many facilities on a structure such that the roof resembles an "antennae farm".", and;

BE IT FURTHER RESOLVED, That the Board of Supervisors urges the Planning Commission to recommend adoption of a moratorium pursuant to Planning Code § 306.7, which will limit the placement of wireless telecommunications facilities in RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 zoning districts, for six months or until the adoption of an

amendment to the Community Facilities Element of the Master Plan by this Board of Supervisors, whichever is longer, provided however that the moratorium shall not apply to facilities placed on publicly used structures, and;

BE IT FURTHER RESOLVED, That the Board of Supervisors urges the Planning Commission to recommend adoption of a moratorium for buildings located in the RH-1, RH-1(D), RH-2, RH-3, RM-1, RM-2, RM-3, RC-1 and RC-2 zoning districts unless the applicant demonstrates by clear and convincing evidence that good faith efforts were undertaken to secure more preferred locations and that the requested location is essential to meet service area demands; provided however that the moratorium shall not apply to facilities placed on publicly used structures.

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BOARD OF SUPERVISORS

Supervisor Yaki

Adopted - Board of Supervisors, San Francisco July 8, 1996

Ayes: Supervisors Alioto Ammiano Bierman Brown Katz Kaufman Shelley Teng Yaki

Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

File No. 189-96-2

JUL 1 2 1996

Date Approved

Mayor

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SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18523

HEARING DATE JANUARY 26, 2012

Date:

January 26, 2012-

Project:

Wireless Telecommunication Siting Facilities Guidelines

Staff Contact:

Jonas P. Ionin – (415) 558-6309

jonas.ionin@sfgov.org

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax

415,558,6409

Planning Information: 415.558.6377

ADOPTING RESOLUTION AMENDING THE 1996 WTS GUIDELINES AND SUPPLEMENTAL POLICY BY ADDING A NEW CONDITIONAL USE APPLICATION SUBMITTAL REQUIREMENT, AS RECOMMENDED BY THE BOARD OF SUPERVISORS.

WHEREAS, The San Francisco Planning Department's 1996 Wireless Telecommunications Services (hereinafter "WTS") Facilities Siting Guidelines (hereinafter "Guidelines"), endorsed by Planning Commission (hereinafter "Commission") Resolution No. 14182 and Supplemental Policy by Resolution No. 16539, has provided guidance to Department Staff (hereinafter "Staff") where administrative review is warranted; to the Commission in consideration of conditional use applications; and to the public/industry for siting preferences and submittal requirements.

On December 6, 2011 the Board of Supervisors heard the appeal of the decision of the Planning Commission, by its Motion No. 18448, relating to the approval, subject to certain conditions, of a Conditional Use authorization to install a wireless telecommunications facility at 2041 Larkin Street.

On December 15, 2011 the Board of Supervisors heard the appeal of the decision of the Planning Commission, by its Motion No. 18442, relating to the approval, subject to certain conditions, of a Conditional Use authorization to install a wireless telecommunications facility at 3901 Mission Street.

The Board of Supervisors moved to add the following condition to said approvals and strongly recommended the Planning Commission adopt the condition as a standard procedure for all WTS applications subject to conditional authorization:

Use is authorized as long as an independent evaluator, selected by the Planning Department with input from the parties, determines that the information and conclusions submitted by AT&T in support of its request for conditional use are accurate. AT&T 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 submitted by AT&T are accurate. AT&T shall bear all costs of said evaluation. The independent evaluator, upon request by AT&T, shall keep the submitted data confidential and shall sign a confidentiality agreement acceptable to AT&T. The independent evaluator shall be a professional engineer licensed by the State of California.

Resolution No. 18523 January 26, 2012

WTS Guidelines & Supplemental Policy Amendment

The Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed policy amendment and adopted the resolution on January 26, 2012, creating a new submittal requirement for WTS conditional use applications.

The proposal amends the WTS Guidelines and Supplemental Policy to require the following:

___ Coverage & Capacity Data Evaluation;

An independent evaluation of maps, data, and conclusions about service coverage and capacity submitted by the wireless service provider to a professional engineer, licensed by the State of California and selected from a list provided by the Planning Department; wet stamped and signed.

The Department has received several correspondences in support of the proposed Resolution recommending clarity and/or modifications.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS the proposed amendment to the WTS Guidelines and Supplemental Policy, a new WTS conditional use application submittal requirement causing service providers to seek verification through independent evaluation of their coverage and capacity conclusions, as recommended by the Board of Supervisors

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on January 26, 2012.

Linda D. Avery

Commission Secretary

AYES: Commissioner(s) Antonini, Borden, Fong, Miguel, Moore

NOES: Commissioner(s) Sugaya

ABSENT: None

ADOPTED: January 26, 2012



AT&T -CUP Appeal - 601 14th Avenue - (File No. 120005)

Hannah Borris

to:

Joy.Lamug@sfgov.org 01/31/2012 10:20 AM Show Details

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show Images

2 Attachments



Hello Ms. Lamug,

Thank you for your response. Please note that Amy Million of KDI Land Use Planning is no longer working on the project. Please forward any future correspondence regarding 601 14th Avenue, Case No. 120005, Planning Case No. 2011.0198C to me at hannah.borris@ericsson.com. Thank you for your assistance concerning this matter.

Kind regards, Hannah Borris

HANNAH BORRIS Site Development Manager Land Use & Entitlements

Ericsson, Inc.
AT&T - SF Crown Jewel
430 Bush Street, 5th floor
San Francisco, CA 94108
Desk 415-774-1195
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This Communication is Confidential. We only send and receive email on the basis of the terms set out at www.ericsson.com/email disclaimer

From: Hannah Borris

Sent: Monday, January 30, 2012 12:33 PM

To: 'Joy.Lamug@sfgov.org'

Subject: 601 14th Avenue - (File No. 120005)

Hello Ms. Lamug,

On behalf of AT&T, I wanted to check in to see if the appellant, the First Slavic Baptist Church of San Francisco, has filed any new information in support of their appeal (601 14th Avenue, Case No. 120005, Planning Case No. 2011.0198C), scheduled to be heard at the Board on February 7th? I appreciate your assistance concerning this matter.

Kind regards, Hannah Borris

HANNAH BORRIS
Site Development Manager
Land Use & Entitlements

Ericsson, Inc.
AT&T - SF Crown Jewel
430 Bush Street, 5th floor
San Francisco, CA 94108
Desk 415-774-1195
Mobile 925-364-0910
hannah.borris@ericsson.com



January 3, 2012

San Francisco Board of Supervisors 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102

File # 120005

RE:

First Slavic Baptist Church Case # 2011-0198C

Dear Supervisors,

My name is Judith Logan and I am an attorney for the California Southern Baptist Convention. I am writing to you on behalf of one of our cooperating churches, First Slavic Baptist Church of San Francisco. My understanding is that a dispute has arisen related to the placement of an AT&T tower near or on the property of the First Slavic Baptist Church. In addition, the Jewish academy, directly across the street, has been successful in appealing to you to change the placement of this tower so that it now is either closer in proximity to or directed towards the First Slavic Baptist Church.

The First Slavic Baptist Church strongly objects to the placement of the AT&T tower in such close proximity to them. If you move forward with this plan, it will essentially destroy this church, because the Russian people, who are members there, believe this tower can cause great harm. Due to their prior experience, with the government in their country of origin, there is no amount of data that will change their mind, regarding the impact this will have.

If you move forward with approval of this plan, the church will be forced to relocate, because their members will not attend under these conditions. Would you then be in a position to purchase the property, so that the church could relocate?

I am certain that you will seriously consider the ramifications of your decision to this church. I am certain you do not intend to show any favoritism to AT&T or the Jewish church, but instead want to make the best decision for all parties concerned.

Sincerely,

Judith P. Logan

Attorney

cc: Nikolay Gusenkov

Reaching the World in Calif

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date:

Tuesday, February 7, 2012

Time:

4:00 p.m.

Location:

Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

Subject:

File No. 120005. Hearing of persons interested in or objecting to the decision of the Planning Commission's December 8, 2011. Conditional Use Authorization identified as Planning Case No. 2011.0198C, by its Motion No. 18503, under Planning Code Sections 209.6(b) and 303 to remove existing omni antennas and install a wireless telecommunications facility consisting of up to four panel antennas concealed in one faux chimney located on the northern portion of the roof and related equipment in the basement of a three-story publiclyused structure (Bureau of Jewish Education) as part of AT&T's Wireless Telecommunications Network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District, on property located at 601 - 14th Avenue, Assessor's Block No. 1630, Lot No. 001. (District 1) (Appellant: Pastor Nikolay Gusenkov on behalf of the First Slavic Baptist Church of San Francisco and subscribed by Supervisors Mar, Chiu, Campos, Avalos, and Wiener) (Filed January 9, 2012).

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, February 2, 2012.

Angela Calvillo Clerk of the Board

MAILED/POSTED: January 27, 2012