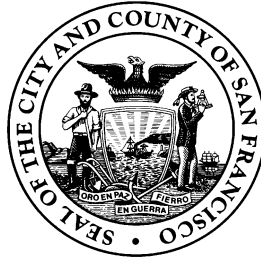


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

May 17, 2021

Mr. Joaquín Torres
Assessor-Recorder, City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 190
San Francisco, CA 94102

Re: Board of Supervisors Motion No. M21-075

Dear Assessor-Recorder Torres:

On March 23, 2021, the Board of Supervisors held a public hearing of persons interested in or objecting to the certification of a Conditional Use Authorization for a proposed project located at 590 Second Avenue, issued by the Planning Department by its Motion No. 20849, dated January 28, 2021. On March 23, 2021, the Board of Supervisors adopted Motion No. M21-052 (Conditionally Disapproving Conditional Use Authorization - 590 Second Avenue) and Motion No. M21-053 (Preparation of Findings Related to Conditional Use Authorization - 590 Second Avenue).


On May 4, 2021, the Board of Supervisors adopted Motion No. M21-075 (Adoption of Findings Related to Conditional Use Authorization - 590 Second Avenue).

Pursuant to Administrative Code, Section 34.3, the Clerk of the Board is forwarding the following documents to your attention:

- One copy of Motion No. M21-052 (File No. 210242)
- One copy of Motion No. M21-075 (File No. 210471)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

jw:ll:ams

- c. Douglas Legg, Office of the Assessor-Recorder
Holly Lung, Office of the Assessor-Recorder

1 [Conditionally Disapproving Conditional Use Authorization - 590 Second Avenue]

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3 **Motion conditionally disapproving the decision of the Planning Commission by its**
4 **Motion No. 20849, approving a Conditional Use Authorization, identified as Planning**
5 **Case No. 2019-015984CUA, for a proposed project at 590 Second Avenue, subject to**
6 **the adoption of written findings by the Board in support of this determination.**

7

8 MOVED, That the Planning Commission’s approval on January 28, 2021, of a
9 Conditional Use Authorization identified as Planning Case No. 2019-015984CUA, by its
10 Motion No. 20849, to install a new rooftop AT&T mobility macro wireless telecommunications
11 facility consisting of installation of 10 panel antennas, and ancillary equipment as part of the
12 AT&T mobility telecommunications network; antenna and ancillary will be screened within two
13 FRP enclosures, located within the RM-2 (Residential Mixed, Moderate Density) Zoning
14 District and 40-X Height and Bulk District, for a proposed project located at:

15 590 Second Avenue, Assessor’s Parcel Block No. 1544, Lot No. 026,
16 is hereby disapproved, subject to the adoption of written findings by the Board in support of
17 this determination.

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City and County of San Francisco

Tails

Motion: M21-052

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 210242

Date Passed: March 23, 2021

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20849, approving a Conditional Use Authorization, identified as Planning Case No. 2019-015984CUA, for a proposed project at 590 Second Avenue, subject to the adoption of written findings by the Board in support of this determination.

March 23, 2021 Board of Supervisors - APPROVED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210242

I hereby certify that the foregoing Motion was APPROVED on 3/23/2021 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in blue ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board

1 [Adoption of Findings Related to Conditional Use Authorization - 590 Second Avenue]

2
3 **Motion adopting findings in support of the Board of Supervisors’ disapproval of the**
4 **decision of the Planning Commission by its Motion No. 20849, regarding the**
5 **Conditional Use Authorization identified as Planning Case No. 2019-015984CUA, which**
6 **approved the installation of a wireless telecommunications facility consisting of ten**
7 **panel antennae, for a proposed project at 590 Second Avenue.**

8
9 WHEREAS, On January 28, 2021, the Planning Commission adopted Motion No.
10 20849 approving a Conditional Use Authorization, identified as Planning Case No. 2019-
11 015984CUA, to install a new rooftop AT&T mobility macro wireless telecommunications facility
12 consisting of installation of 10 panel antennae and ancillary equipment as part of the AT&T
13 mobility telecommunications network for a proposed project located at 590 Second Avenue,
14 Assessor’s Parcel Block No. 1544, Lot No. 026; and

15 WHEREAS, On March 1, 2021, Ann Green, on behalf of property owners affected by
16 the Conditional Use Authorization or located within 300 feet of the subject property, filed a
17 timely appeal protesting the approval by the Planning Commission; and

18 WHEREAS, On March 23, 2021, the Board of Supervisors (“Board”) held a duly noticed
19 public hearing on the appeal of the approval of the Conditional Use Authorization; and

20 WHEREAS, Following the conclusion of the public hearing, the Board voted by a vote
21 of 11-0 to conditionally disapprove the decision of the Planning Commission and deny the
22 issuance of the requested Conditional Use Authorization; and

23 WHEREAS, In deciding the appeal, the Board reviewed and considered the entire
24 written record before the Board, which is on file with the Clerk of the Board of Supervisors in
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1 File No. 210240, and all the public comments made in support of and in opposition to the
2 appeal; now, therefore, be it

3 MOVED, That the Board finds that:

4 (1) The written and oral information submitted by the project sponsor was not
5 persuasive or objectively verified, and the project sponsor was unable to demonstrate credibly
6 that the proposed wireless facility is necessary or desirable for, and compatible with, the
7 neighborhood or the community.

8 (2) Notwithstanding representations made by the project sponsor that the project is
9 necessary to support first responder efforts, the project sponsor failed to verify these
10 representations.

11 (3) Written and oral information submitted into the record establish that less
12 intrusive alternate locations for the wireless antennae exist, which locations would still enable
13 the applicant to meet its service needs.

14 (4) The public testimony at the hearing and the documentation submitted in support
15 of the appeal showed that the project will not be desirable for or compatible with the
16 neighborhood in light of the size and unsightliness of the structures that will be built to obscure
17 the wireless antennae, and the shadows those structures will cast on neighboring residential
18 properties.

19 (5) There is nothing in the record to suggest that the Board's decision to disapprove
20 the decision of the Planning Commission in this case would unreasonably discriminate against
21 the applicant in favor of providers of functionally equivalent terms.

22 (6) There is nothing in the record to suggest that the Board's decision to disapprove
23 the decision of the Planning commission in this case will limit or prohibit access to the
24 applicant's wireless telecommunications services in the geographic area of the propose site.
25

1 (7) There is nothing in the record to suggest that the Board's decision to disapprove
2 the decision of the Planning Commission in this case will prevent the applicant from filling a
3 significant gap in the wireless telecommunications services it is providing to remote users of
4 those services in the geographic area of the proposed site; and, be it

5 FURTHER MOVED, That the Board finds that based on the forgoing findings and the
6 entire record in Board File No. 210240, the proposed project will not be necessary or
7 desirable for, and compatible with, the neighborhood or the community; and, be it

8 FURTHER MOVED, That based on the foregoing findings and the entire record in
9 Board File No. 210240, the Board of Supervisors disapproved the decision of the Planning
10 Commission by its Motion No. 20849, and denied the Conditional Use Authorization.

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City and County of San Francisco

Tails

Motion: M21-075

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 210471

Date Passed: May 04, 2021

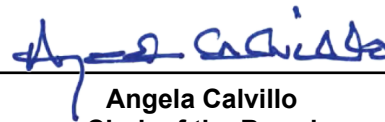
Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20849, regarding the Conditional Use Authorization identified as Planning Case No. 2019-015984CUA, which approved the installation of a wireless telecommunications facility consisting of ten panel antennae, for a proposed project at 590 Second Avenue.

May 04, 2021 Board of Supervisors - APPROVED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210471

I hereby certify that the foregoing Motion was APPROVED on 5/4/2021 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board