



November 30, 2017

(Via Hand-Delivery)

Angela Calvillo, Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

**RE: Appeal of the CEQA Categorical Exemption Determination for
ExteNet Systems Inc.—T-Mobile Cell Sites for Personal Wireless Service
Facility Site Permit -Install Wireless Facility on Existing Metal Utility Poles
owned by Joint Pole Association (JPA);
Application No.: 16WR-0374; Case No. 2016-01592ENV
Closest Address--- 401 Main Street**

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Ms. Calvillo:

Introduction:

This office represents the Portside Homeowners Association (“Portside HOA”). The Portside HOA hereby appeals the Categorical Exemption granted (*en masse for 58 facilities*) for the installation of a wireless service facilities on an existing Joint Pole Association (JPA)-owned wooden pole in the public right-of-way directly adjacent to the Portside II building at 403 Main Street. (CEQA Categorical Exemption Determination Attached as Exhibit A) The Personal Wireless Service Facility (antenna) is proposed to be located on a pole just twelve (12) feet from the Portside building at 401 Main Street. The proposed location is one of the only poles in a large intersection located adjacent to the Portside building and multiple better, alternative locations are readily available across the Main Street or Harrison Street and next to commercial buildings.



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The proposed location appears to have been given very little thought or review and as set forth below, does not comply with the applicable codes and guidelines for the siting of such facilities.

Procedural Posture:

The Categorical Exemption was issued for this Personal Wireless Service Facility as part of a group approval on April 11, 2016. (Exhibit A). However, the approval for the permit itself came more than a year later and was properly challenged by the Portside HOA at a public hearing in front of a DPW Hearing Officer. The Notice of Tentative Approval of Application for a Personal Wireless Service Site Permit was posted by DPW on July 28, 2017 and protested by the Portside HOA on August 16, 2017. Following the public hearing before the DPW Hearing Officer on September 11, 2017, the Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit was issued on October 31, 2017. (Attached hereto as Exhibit B). This appeal of the Categorical Exemption is taken within 30 days of that approval action.

It should also be noted that on Monday November 20, 2017, ExteNet installed the wireless facility at this site, illegally and without proper permitting. The crew ignored the objections of the HOA members who ran out of the building to protest and try and stop the installation, informing the worker that the permit was suspended. ExteNet was later forced to remove the installation but only after a concerted effort by the concerned community members.

Legal Authorities and Facts in Support of the Appeal

1. The 401 Main Street Location is a Residential District and a Disfavored Site

The Dept. of Public Works and the Planning Department failed to make a correct determination that the proposed site for the wireless facility at 401 Main Street is a preferred site as specified in the Dept.'s siting criteria. The permit itself acknowledges, "*The proposed Personal Wireless Facility is in a Zoning Protected Location.*" The Permit for the site is attached as Exhibit C and confirms that the location should have been reviewed by Planning and DPW as a "protected location" under the Tier B criteria.

A. The Tier B Classification Was Incorrectly Applied to This Site; It is an RH Zoned Residential Mixed-Use District and "Protected Location" as Defined by the Code and Stated on the Permit and Therefore is Also a "Disfavored Site" Under the Dept.'s Guidelines

The mandatory referral from the Planning Dept. was incorrectly conducted and a wrong standard applied for the issuance of the Permit. The subject location and the Portside building is located in the *Rincon Hill Downtown Residential District* which was added to the Planning Code in 2005 (San Francisco Planning Code Section 608.13) and is zoned Residential Mixed Use. The site is also directly adjacent to Port of San Francisco property. The permit itself clearly states that it was issued as a Tier B wireless permit

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(Attached hereto as Exhibit C). Tier B permits are for “Zoning Protected Locations”. “Zoning Protected Locations” means a proposed location for a Personal Wireless Service Facility that is Planning Protected, Zoning Protected, or a Park Protected Location. As set forth in the Public Works Code, Article 25 states:

“Tier B Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is either within or Adjacent to a Planning Protected Location or Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Planning Protected Location or Zoning Protected Location

“Tier B Personal Wireless Service Facility” means a Personal Wireless Service Facility where the proposed location for the facility is in a Planning Protected Location or Zoning Protected Location

Zoning Protected Location means on a Utility, Transit, or Street Light Pole that is on a Public Right-of-Way that is within a Residential or Neighborhood Commercial zoning district under the Planning Code.

“Zoning Protected Location Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility Site Permit on a Public Right-of-Way that is within a Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Residential or Neighborhood Commercial zoning district.”

Because the site at 401 Main Street is proposed for a light pole in a public right of way in a residential district, (the Rincon Hill Downtown Residential District) it is in a “zoning protected location,” and therefore the Application should have been reviewed by Planning and DPW under the Tier B Permit criteria and the Planning Dept. Guidelines for siting such facilities.

The decorative street light poles in front of Portside along the block of Bryant Street in front of Portside comply with and were designed to meet Port of San Francisco standards and requirements. Under the SFPUC Master License, no antennas or radio transmitters are allowed on these decorative street light poles. It is clear that Portside and its surrounding area warrant designation as a “Zoning Protected Location,” as the block clearly meets the standards of the Port of San Francisco. Furthermore, the Rincon Hill Downtown Residential District neighborhood is a zoning protected location as stated by the Permit. The classification, review and referral by Planning and DPW did not take into account this “zoning protected location” and was improper. Consequently, locating the obtrusive proposed antenna and its two bulky radio units on a pole only a few feet away from the Portside Building at 403 Main Street would significantly detract from the defining characteristics of Portside, Bryant Street, Rincon Hill and the South Beach/Embarcadero neighborhood.

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B. As a Zoning Protected Location, The Site is a “Disfavored Site” Under the Dept.’s Siting Criteria and No Findings Were Made to Justify the Site

Since 1996 the Dept. has had in place specific criteria for Wireless Telecommunications Services (WTS) Facilities Siting Guidelines. Those Guidelines create a hierarchy of criteria for placement of such facilities and, not surprisingly, there is a preference for less populated areas first and a disfavored designation for residential areas for the placement of these facilities. This requirement is confirmed by the designation stated on the permit that this site is a residential “*zoning protected location*.” (Public Works Code definition set forth above)

The Planning Guidelines require specific findings must be made by the applicant prior to receiving approval for a site located in the disfavored or limited preference sites. Planning is not to approve applications for such sites unless the application provides the following findings:

- (a) shows what publicly-used building, co-location site or other Preferred Location Sites are located within the geographic service area
- (b) shows by clear and convincing evidence what good faith efforts and; measures to secure these Preferred Location Sites were taken;
- (c) explains why such efforts were unsuccessful; and
- (d) demonstrates that the location for the site is essential to meet demands in the geographic service area and the Applicant's citywide network.

As part of the effort to prepare this appeal the Portside HOA served a comprehensive Public Records request under the City’s Sunshine Ordinance on the Dept. of Public Works and Planning did not receive any documents or evidence that any of these requirements had been met or that the Applicant made any of these required findings in order to receive the approval in this zoning protected residential area.

The Categorical Exemption given this installation of the proposed Personal Wireless Facility failed to review the site as a “zoning protected location” and no consideration or review was conducted to ensure compatibility with the surroundings and the neighborhood criteria and character. This is endemic to issuing such approvals as a group and without individual consideration of specific sites. The permit must be returned to the Dept. for these mandatory findings.

C. Application Fails to Comply with Waterfront Design and Access Element.

The Waterfront Design and Access Element directs the location and types of public access and open spaces, public view corridors, and historic resources, and provides design criteria for San Francisco’s waterfront. Seawall Lot 329 is a triangular parcel of open space in front of Portside developed by the Port of San Francisco to serve as a

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visual forecourt to the waterfront from Bryant Street and function as an important waterfront view corridor. Locating the proposed antenna in such close proximity to Portside, Main Street, Harrison Street and Bryant Street's decorative street light poles, and Seawall 329 would significantly detract from the defining characteristics of the neighborhood.

D. The Proposed Antenna Detracts from an Architecturally Significant Building

The Portside condominium complex at 403 Main Street is located across the Embarcadero facing San Francisco Bay. Built in 1994, it was the one of the first and most distinctive residential buildings in the South Beach neighborhood. The award-winning building features a unique nautical appearance and signature Art Deco style, with rounded corners and polished railings reminiscent of a cruise ship, and porthole-type accent windows. This distinctive structure is by any measure an architecturally significant building. Locating the proposed antenna in close proximity to such an architecturally distinguished structure as Portside would significantly detract from the building as one of South Beach's most recognizable landmarks and one of the most defining characteristics of the neighborhood.

2. The Application Does Not Comply with any Other Requirement for Obtaining a Personal Wireless Service Facility Site Permit

Street Tree: Planning Dept. Conditions No. 1, requires the Applicant to install and maintain an appropriate street tree. Sec 1506 of Public Works Code, specifically requires the planting of street trees for all similar installations. However, despite navigating dozens if not hundreds of applications for equipment through the multi-year process of pre-planning, site selection, engineering reports, permit applications and installations for many many years, ExteNet (the company that handles the applications for T-Mobile and Verizon) has yet to apply for a single street tree permit for any of the numerous street trees that are required to accompany the hundreds of wireless equipment installations. Recently, the wireless companies declared they would seek to avoid any street tree placements as required by the Code. The placement of street trees for each Wireless facility approved was intended by the Board of Supervisor's as a way to reduce the environmental impact of the unsightly placement of these facilities. The Board must not allow the Wireless industry to flaunt the law and ignore the legislation intended to reduce the visual blight for these installations.

Photosimulation: The Public Works Code (Sec 1512(c)) requires that the notice of approval of a wireless facilities permit “[p]rovide a description and a photosimulation of the proposed Personal Wireless Service Facility”. The photosimulation provided in the notice by the Applicant however does not provide an accurate representation of the proposed PWSF. Instead the photosimulation is conveniently taken from a distance and an angle where only a portion of the total PWSF is visible in the photosimulation. In the photosimulation the antenna is clearly visible on in top of the utility pole in question. However, the two boxes which are proposed to be strapped to the outside of the pole are not visible because of the angel and distance.

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Failure to Identify Alternative Locations Away from Occupied Residential Units As the photo of eth intersection of Main and Harrison clearly shows, the antenna's location makes no sense when there are multiple, viable alternative locations nearby, farther away from residences. The Portside HOA identified locations and offered those locations at the DPW hearing but were ignored. The proposed antenna's location makes no sense when there are at least six viable alternative locations nearby, away from densely-populated residential dwellings, including the street light pole on the north side of Harrison Street between Main and Spear Streets and the two street light poles on the northeast corner of Main and Harrison Streets adjacent to the street light pole with the traffic light. The HOA tried to work with the Department of Public Works to identify an appropriate location for the proposed antenna away from high density residences, thereby posing the least potential health risk to humans but DPW refused to even consider viable alternatives. Despite these reasonable alternatives, Applicant refused to consider ANY viable alternative locations. CEQA requires that reasonable alternatives be identified.

Incorrect Project Description

The project description used by Planning to issue the Categorical Exemption is incorrect. The description states in part as follows: "Install wireless facilities on existing metal utility poles owned by the Joint Pole Association (JAP)..." In this instance the pole is not a metal utility pole but is a wooden pole and it has a PG&E tag on it. Again, the metal utility poles are a favored and preferred site for such facilities and the wooden poles are not preferred. There are TWO metal poles directly adjacent to the site! The Planning Dept. has issued different informational bulletins for wooden poles and metal poles and has designated the metal poles as preferred with the wooden poles the *least* preferable after sites on buildings and metal poles. A wooden pole directly next to an occupied residence is the least preferable site.

3. The Department of Public Health Incorrectly Determined that the Application Complies with the Public Health Compliance Standard

Under Public Works Code Sec 1502, the "Public Health Compliance Standard" means whether: (a) any potential human exposure to radio frequency emissions from a proposed Personal Wireless Service Facility described in an Application is within the FCC guidelines". The Department issued a determination regarding the human exposure to radio frequency emissions caused by the proposed Personal Wireless Service Facility, however, the documents submitted by the applicant show that the Department did not have sufficient information to find compliance with the Public Health Compliance Standard and refute the findings.

The determination of compliance with the Public Health Compliance Standard is based in part on the Radio Frequency Study performed on behalf of Applicant. However, a review of that radio frequency study reveals that it is a study for **fifty-eight** different proposed facilities in **fifty-eight** different locations. In fact, the study does not even distinguish between sites in which different equipment will be installed. Apparently, the public is just

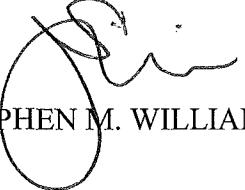
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to take the Applicant's word that all of these sites were analyzed, and included in this study, because there certainly is nothing in the study itself which demonstrates this conclusively. Further, the Applicant states that this equipment has not been used before in other locations.

Conclusion

The Department may not award this project with a categorical exemption based upon the DPW and Planning referral as a Tier B project and Zoning Protected Location without the specific findings provided for by the Dept. Guidelines. The specific language of the Code forbids issuing such a determination for this "protected location." In the rush to give ExteNet and T-Mobile whatever it wants in our neighborhoods, the Dept.'s have failed to correctly review this application. Appellants urge the Board to support the appeal and to require a full review of the site as a "protected location" and for potential health impacts which the project might have on future residents at the site or nearby developments.

VERY TRULY YOURS,



STEPHEN M. WILLIAMS



**SAN FRANCISCO
PLANNING DEPARTMENT**

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CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
ExteNet - T-Mobile Cell Sites		N/A	
Case No.	Permit No.	Plans Dated	
2016-01592ENV		Various Dates in 2015	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Install wireless facilities on existing metal utility poles owned by Joint Pole Association (JPA), SFMTA, and SFPUC in the public right-of-way in historic districts and in front of historic properties in the eastern part of San Francisco. The purpose of the project is to provide enhanced T-Mobile service. See attached project description appendix and list of facility locations.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an Environmental Evaluation Application is required.

<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input checked="" type="checkbox"/>	Class 3(d) Construction and location of limited numbers of new, small communications facilities

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an Environmental Evaluation Application is required.

<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Categ Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Categ Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Categ Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Categ Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Categ Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
<p>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</p> <p><input checked="" type="checkbox"/> Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</p>	
<p>Comments and Planner Signature (optional):</p> 	

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input checked="" type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (<i>specify or add comments</i>):

<input checked="" type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i>
<input type="checkbox"/>	10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C a. Per HRER dated: _____ (<i>attach HRER</i>) b. Other (<i>specify</i>): _____
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional): Work will be undertaken within the public right-of-way on existing poles and will not affect poles that are decorative or historic in nature. Equipment is designed to be slim in profile and to avoid large bundles of visible cabling, equipment decals, lighting, or mounting systems so that adjacent buildings are not materially or visually impaired. Work will not physically alter any historic features or materials that characterize known or potential historic resources where these installations occur.	
Preservation Planner Signature:	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (<i>check all that apply</i>): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.
Planner Name: Stephanie Skangos Signature: Project Approval Action: DPW Final Approvals	
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. ATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

ExteNet for T-Mobile (Application No. 2016-011592ENV)

Project Description – For MTA, PUC and PG&E steel poles, each facility comprises one approx. 2-foot tall, 7.9-inch-dia. antenna placed between 20 to 40 feet above grade, but generally around 30 feet above grade; one approx. 2-foot tall, 10" to 14" dia. shroud to conceal antenna and one approx. 1-foot tall skirt mounted just below antenna to conceal the antenna cabling and related equipment; and two mRRU equipment boxes (approx. 16.5" H x 10" W x 6"D each) mounted on the side of the pole, generally between the heights of 10' and 17' on the pole.

For JPA poles, one approx. 2-foot tall, 14.6-inch-dia. antenna with two hybrid couplers (approx. 3"H x 7"W x 1.5"D each) inside either an antenna skirt placed atop pole or within an approx. 38.5-inch-dia side support arm placed between 20 to 40 feet above grade; two mRRU equipment boxes (approx. 16.5"H x 10"W x 6"D each) mounted on the side of the pole, generally between the heights of 10'and 17' on the pole, and other small ancillary equipment mounted on the side of the pole.

See attached list of locations.

ExteNet for T-Mobile Locations
(Application No. 2016-011592ENV)

Node number	Pole Owner	Address
3a	MTA	1596 Howard St
4b	PUC	1526 Folsom
5a	PGE	1690 Folsom
10c	PUC	median strip on Guerrero btwn 24th and 25th Streets
16a	PUC	median strip on Guerrero btwn 27th and Duncan streets
17a	JPA	3612 26th St
18a	JPA	200 San Jose Ave (27th St frontage)
19a	PUC	Median strip on Cesar Chavez btwn Guerrero and Valencia
22a	PUC	1640 Valencia St
24a	MTA	819 South Van Ness
37a	JPA	3225 26th St
38a	JPA	3101 26th St
40a	PUC	median strip on Cesar Chavez btwn Treat Ave and Folsom St
42a	JPA	3437 19th Street
43a	JPA	3426 20th St
44a	JPA	3572 20th St
46a	PUC	106 Bartlett St (Valencia St frontage)
49b	PUC	2800 Mission St (IFO BART - 24th St Mission Plaza)
51a	PUC	median strip on Guerrero btwn 22nd & Alvarado Sts
55b	JPA	106 Bartlett St
66a	PUC	3110 23rd St
68a	JPA	2690 Harrison St
71a	PUC	3200 24th St
72a	JPA	3089 22nd St
73a	PUC	3100 24th St
74a	PUC	3000 24th St
79a	JPA	3500 23rd St
87a	PGE	670 Geary
97c	PUC	895 O'Farrell St (Polk St frontage)
98a	PUC	626 Polk St
107b	PUC	601 Eddy St
154a	JPA	436 Fell St
171B	MTA	8 Mission Street
172A	PGE	121 Steuart Street
174A	PUC	301 Main Street
176B	JPA	401 Main Street
180A	PUC	201 Harrison Street, fronting Beale Street.
182A	PGE	501 Beale Street
183A	PUC	Median strip on Bryant St. between Beale St. & Bayside Village
200A	PUC	Phelps Street & Newcomb Ave.
201A	MTA	1682 Newcomb Avenue
202A	PUC	1551 Newcomb Avenue
203A	PUC	1744 Oakdale Avenue
205B	PUC	1791 Palou Avenue
207a	MTA	1695 Palou Avenue
208A	PUC	1578 Palou Avenue
209A	PUC	1520 Oakdale Avenue
220B	PUC	201 Middle Point Road
222A	PUC	Ingalls St. & Hudson Ct.
223A	PUC	1195 Hudson Avenue (Beatrice Lane frontage)
224A	PUC	10 Rosie Lee Lane
225A	PUC	1395 Ingalls Street
226B	JPA	1013 Oakdale Avenue
301A	JPA	1765 Newhall Street
302A	JPA	1893 Newhall Street, fronting Topeka Ave.

ExteNet for T-Mobile Locations
(Application No. 2016-011592ENV)

Node number	Pole Owner	Address
303A	JPA	56 Bay View Street
304A	JPA	300 Thorton Avenue, fronting Flora Street.
305A	JPA	48 Lucy Street

NOTICE OF FINAL DETERMINATION TO APPROVE A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT



Date: 10/24/2017

Application No.: **16WR-0374**

Applicant Name: **ExteNet Systems, Inc.**

Location: **401 Main Street**

Edwin M. Lee
Mayor

Mohammed Nuru
Director

Jerry Sanguinetti
Manager

Street Use and Mapping
1155 Market St., 3rd floor
San Francisco, CA 94103
tel 415-554-5810

sfpowerworks.org
facebook.com/sfpowerworks
twitter.com/sfpowerworks

San Francisco Public Works has finally approved the above-referenced Application submitted by ExteNet Systems, Inc. for a Personal Wireless Service Facility Site Permit in the vicinity of 401 Main Street.

The Applicant does not know at this time whether it will file an Application for a permit to modify the proposed Personal Wireless Service Facility at any time during the term of the Personal Wireless Service Facility Site Permit.

The equipments to be installed at this location include: One (1) antenna and equipment enclosures (radios, meter, and disconnect switch). A photo-simulation of the approved Personal Wireless Service Facility is attached hereto.

Each of the following City departments made a determination that the Application satisfied the applicable requirements of the Public Works Code:

1. San Francisco Public Works/ Bureau of Street Use and Mapping has approved the following permit with conditions.
2. San Francisco Department of Public Health has approved the following permit with conditions.
3. San Francisco Planning Department has approved the following permit with conditions.

The final approval includes the following condition(s):

Public Works Conditions:

1. This recommendation is based on no variation from the depicted drawings and/or photo simulation; if a variation is different a re-submittal is required. Should the installation vary from said conditions, it should be resubmitted to Department(s) for further review and comment
2. New Poles: no new poles shall be erected or placed in underground districts.
3. Down Guys: Follow all excavation codes to obtain the necessary permits for placement of down guys. Down guy shall avoid crossing conflicting areas but not limited to driveways, curb ramps.
4. Comply with ADA code requirements for Federal, State, local laws. Make sure path of minimum required clear width for accessible path of travel is four feet.
5. At the conclusion of the work, provide a set of as built photos of the installation to the Bureau Street Use & Mapping Permit Office.
6. Maintain a valid certification of insurance annually and forward a copy to the Bureau Street Use & Mapping Permit Office.

Department of Public Health Conditions:

1. Ensure that any equipment associated with the pole installation of this antenna does not produce a noise in excess of 45 dBA as measured at three (3) feet from the nearest residential building façade.
2. Ensure that there are no publicly occupied areas within seven (7) feet from the face of the antenna.
3. This approval is for the antenna directions listed in the report. If an additional direction is activated a new RF report will be required.
4. Once the antenna is installed, Extenet must take RF power density measurements with the antenna operating at full power to verify the level reported in the Hammett and Edison report and to ensure that

the FCC public exposure level is not exceeded in any publicly accessible area. This measurement must be taken again at the time of the permit renewal.

5. Extenet should be aware that the general public may have concerns about the antenna and potential RF source near their dwellings. Extenet should have in place a procedure for taking RF power density levels in nearby dwellings when requested by the members of the general public.
6. In accordance with the San Francisco Public Works Code, Art. 25, Sec. 1527 (a)(2)(C) Extenet is responsible for paying a fee of \$210.00 to the San Francisco Department of Public Health for this review.

Please note that this approval and any conditions apply only to the equipment and installation as described. If any changes in the equipment or any increase in the effective radiated power described above are made, a new review by the Department of Public Health must be conducted.

Planning Department Conditions:

1. Plant and maintain an appropriate street tree.
2. No exposed meter, meter pan or meter pedestal may be used.
3. Antenna, and all equipment (external conduit, radio relay units, blinders used to shroud bracket bolts [if needed], and mounting mechanisms); except signage, if used for screening, shall all be painted to match the pole and repainted as needed.
4. Cabling below radio relay units shall enter the pole with no more than a five-inch gap between bottom of each radio relay unit and the bottom of the corresponding entry hole on the pole. Conduit connection at pole entry points shall utilize the smallest fitting sizes available. Sealing compounds, if utilized, shall be tidy without excess bubbling and painted to match pole.
5. Remove raised equipment signage (including filling in manufacturer logo indentations on radio relay units/cabinets) and equipment decals that may be visible from sidewalk and dwellings, unless required by government regulation.
6. Utilize smallest RF warning signage allowed (4 x 6 inches); and place the warning sticker facing out toward street, at a location as close to antenna as is feasible. Sticker shall face away from street, when not facing a nearby window within 15 feet. Background color of sticker shall match the pole-mounting surface; and logo and text shall be white.
7. Stack equipment enclosures (not including antenna) as close as allowed by applicable regulation and manufacturer equipment standards.
8. Seams and bolts/screws at antenna and shroud assembly area shall be fabricated and installed in a manner so as to reduce their visibility (e.g. flush mounting screws) from sidewalk level.
9. Not utilize any visible flashing indicator lights or similar.
10. Not obstruct the view from, or the light into any adjacent residential window.
11. New below ground enclosure excavations (vault), if utilized, shall not damage or remove granite curbs. No significant gaps shall be created between vault enclosure lid and primary sidewalk material due to installation. Any other existing historic architectural elements within the public right-of-way shall be retained and protected during installation. No carrier logo or carrier name may be placed on the vault lid.
12. Non-essential radio relay unit elements (handle and legs) shall be removed.
13. The installer shall arrange to have Planning Department staff review the initial installation, in order to ensure compliance with the aforementioned conditions (notwithstanding inspections by pole owner and Department of Public Works).
14. Ensure Wi-Fi Access Points and associated wiring, utilized by the City's Department of Technology, are not damaged during installation (if present).
15. Should the installation vary from said conditions, the application shall be resubmitted to the Planning Department for further review and comment.

Within fifteen (15) calendar days of the issuance of this notice, any person may appeal the issuance of this permit to the Board of Appeals. Appeals must be filed in person by either the appellant or the appellant's agent.

Generally, the Board of Appeals requires that an appointment be made to file an appeal. For further information regarding the appeal process, or to schedule an appointment, please contact the Board of Appeals in person at 1650 Mission Street, Suite 304 or call 415-575-6880.

An appeal must be based on one or more of the following grounds:

1. The Department of Public Health incorrectly determined that the Application complies with the Public Health Compliance Standard (Public Works Code § 1507(b)).
2. The Planning Department incorrectly determined that the Application meets the applicable Tier

Compatibility Standard (Public Works Code § (1509(b)).

3. The Application does not comply with any other requirement for obtaining a Personal Wireless Service Facility Site Permit.
4. The Applicant intends to modify the Personal Wireless Service Facility after the permit is issued in a manner that would not comply with the applicable Compatibility Standard.

To obtain additional information concerning the Application and final approval you may contact Joseph Camicia of ExteNet Systems, Inc. at (415) 722-1183 or jcamicia@extenetsystems.com. You may also contact San Francisco Public Works at (415) 554- 5343.

Public Works Wireless Program

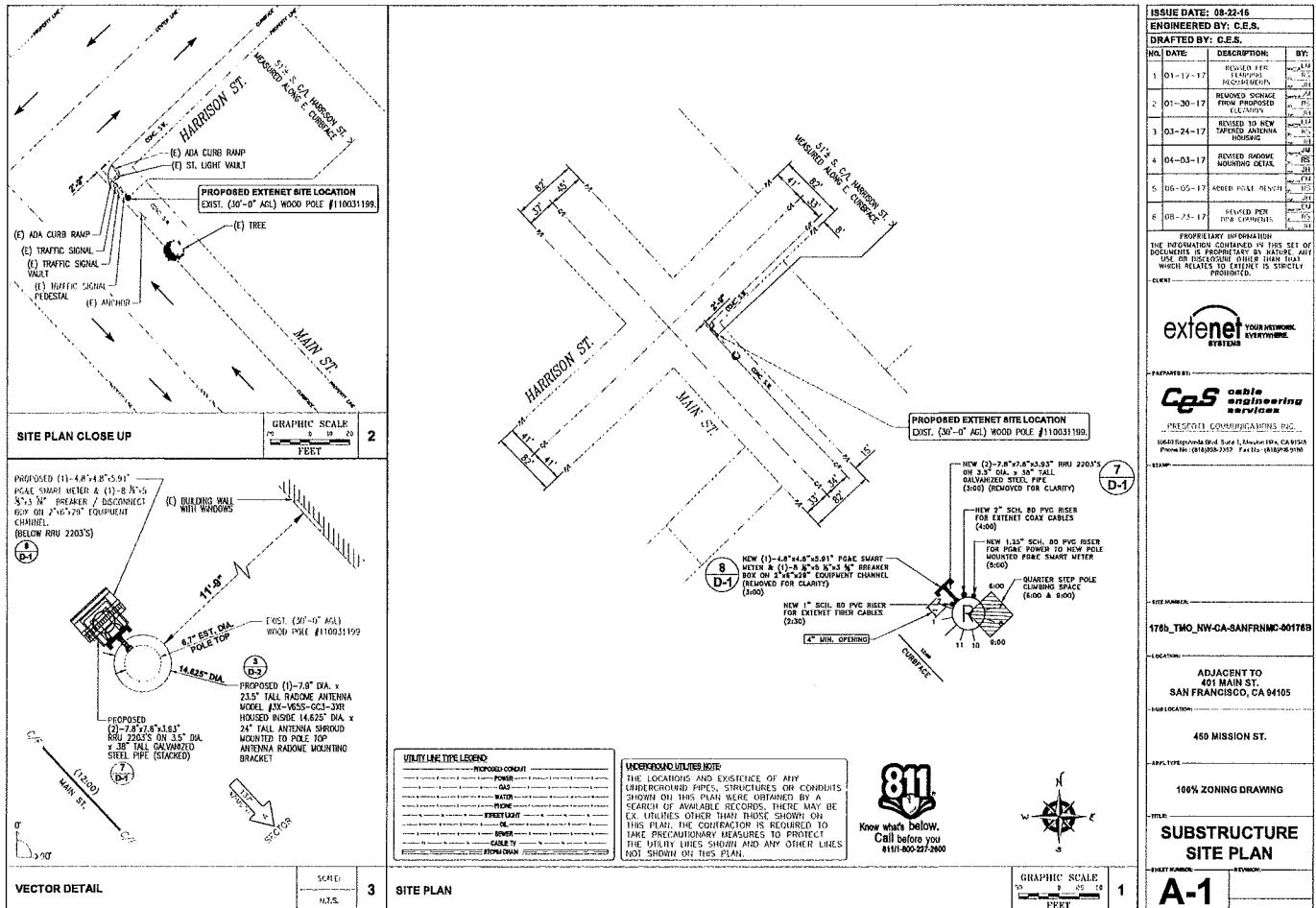
PROJECT DESCRIPTION

THESE DRAWINGS DEPICT A PORTION OF A DISTRIBUTED ANTENNA SYSTEM(DAS) TELECOMMUNICATIONS NETWORK, TO BE CONSTRUCTED, OWNED AND OPERATED BY EXTENET SYSTEMS CA, LLC, IN THE PUBLIC RIGHT OF WAY PURSUANT TO AUTHORITY GRANTED BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC).

THIS PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF WIRELESS ANTENNAS AND ASSOCIATED EQUIPMENT FOR EXTENETS TELECOMMUNICATIONS NETWORK ON EXISTING JPA (30'-0" AGL) WOOD POLE #110031199.

EQUIPMENT CONSISTS OF:

- (1)-7.9" DIA. x 23.5" TALL RADOME ANTENNA (MODEL #3X-V655-GC3-3XR) HOUSED INSIDE 14.625" x 24" TALL ANTENNA SHROUD MOUNTED ON POLE TOP ANTENNA RADOME MOUNTING BRACKET.
- (1)-8 1/8"x5 1/5"x3 5/8" 60 AMP BREAKER / DISCONNECT BOX (MODEL #LW002GRU).
- (1)-PC&E SMART METER WITH 5.91"x4.8"x4.8" RECEPTACLE BOX.
- (1)-2"x6"x29" EQUIPMENT CHANNEL FOR METER AND BREAKER BOX.
- (2)-7.8"x7.8"x3.93" RRU 2203'S MOUNTED TO 3.5" DIA. x 38" TALL GALVANIZED STEEL PIPE.
- (2)-DIPLEXERS (MODEL #CBC1923-4310).
- (1)-6 3/4"x4 3/4"x2 1/8" FIBER SPLICING BOX.
- PROPOSED FACILITY WILL NOT EMIT ANY SOUND.



Existing



view from Main Street looking east at site

extenet
Photo Simulation Solutions

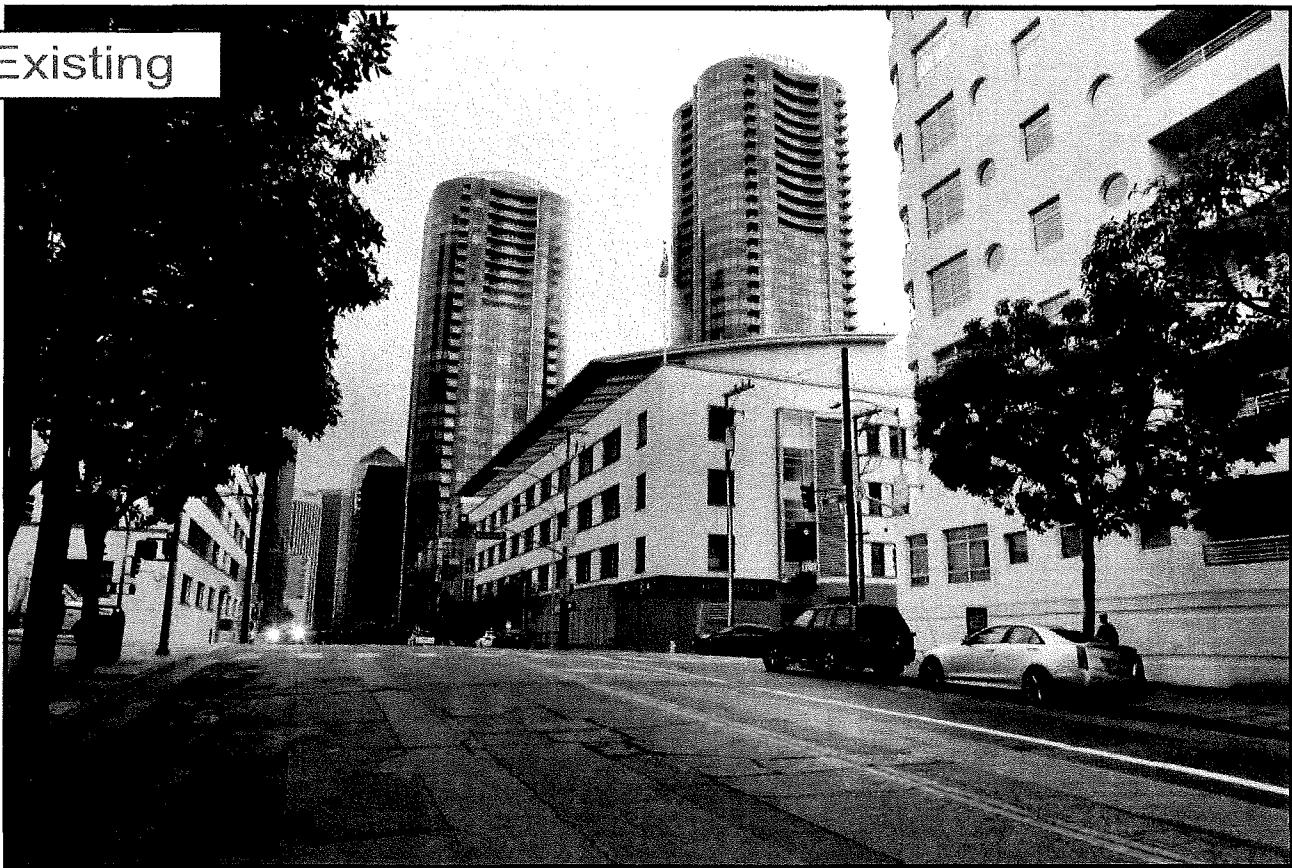
SANFRNMC-TMO 00176B
401 Main Street, San Francisco, CA
Photosims Produced On 4-5-2017

Proposed

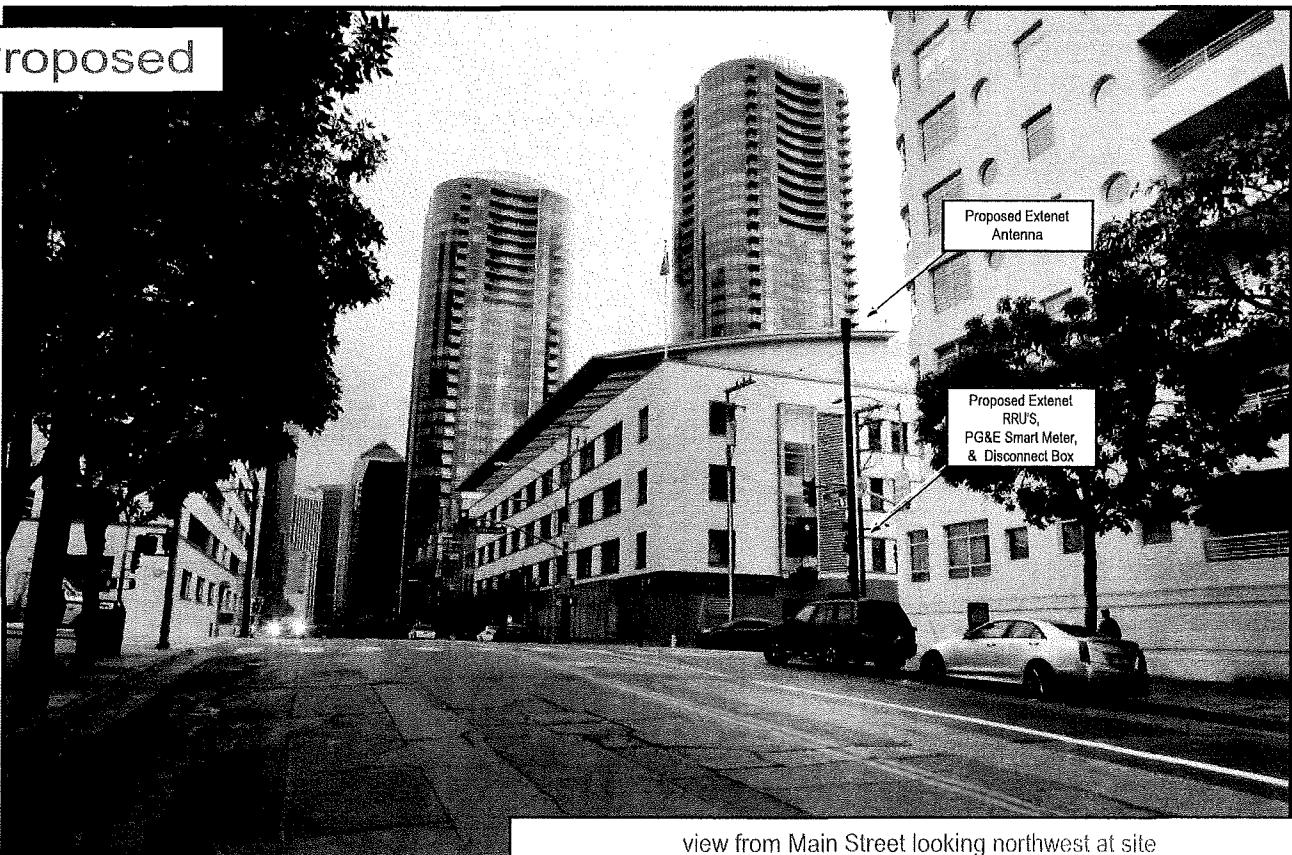


AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8502

Existing



Proposed



view from Main Street looking northwest at site



City and County of San Francisco
San Francisco Public Works - Bureau of Street Use and Mapping
1155 Market Street, 3rd Floor • San Francisco, CA 94103
sfpublicworks.org • tel 415-554-5810 • fax 415-554-6161



16WR-0374 (Original: 16wr-0374)

Renewed

Wireless Box Permit

Address : 401 MAIN ST

Cost: \$1,432.50

Block:3768 Lot: 137 Zip: 94105

ExteNet Systems, Inc.

Name: ExteNet Systems, Inc.

MANDATORY COORDINATION WITH CONFLICTING PERMITS IS REQUIRED. PERMIT HOLDER SHALL NOT COMMENCE WORK WITHOUT FIRST PROPERLY COORDINATING WITH EXISTING PERMIT HOLDERS AS NOTED ON THE EXCEPTION PAGE(S) OF THIS PERMIT. IF THIS PERMIT CONFLICTS WITH A CITY PROJECT OR OTHER APPROVED PERMIT, THE PERMIT HOLDER OF THIS PERMIT SHALL BE RESPONSIBLE FOR THE PROPER COORDINATION AND EVALUATION OF THE SITE PRIOR TO COMMENCING WORK.

Conditions	
Contact247	415-722-1183
Permit Comments	Joe Camicia
Service Address	
Wireless Machine Type	
Wireless Tier	TierB
Permit Pole Location	Main St between Bryant St & Harrison St (node 176b)
Permit Wireless Antenna	One
Permit Wireless AntMakeModel	Commscope 3X-V65S-GC3-3XR
Permit Planning Location	
Permit Tier Comments	
Permit Wireless DPH	Applicant is using equipment for the first time. Attached is an original verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the proposed Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the proposed Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade.
Permit Planning Approval	The proposed Personal Wireless Service Facility is in Zoning Protected Location.
Permit Utility Conditions	Applicant has a valid Utility Conditions Permit
Permit Tier3 Std	
Permit Tier3 Std1	
Permit Tier3 Std2	
Permit Wireless Documents	
Permit_Auto_StartDate_Ind	Y

The undersigned Permittee hereby agrees to comply with all requirements and conditions noted on this permit

Approved Date : 10/31/2017

Applicant/Permittee

Date

Printed : 10/31/2017 3:45:39 PM Plan Checker

Leoncio Palacios

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Customer Service

Teamwork

Continuous Improvement

Special Conditions

16WR-0374

Conditions

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Permit Addresses

16wr-0374

*RW = RockWheel, SMC = Surface Mounted Cabinets, S/W = Sidewalk Work, DB = Directional Boring,
BP= Reinforced Concrete Bus Pad, UB = Reinforced Concrete for Utility Pull Boxes and Curb Ramps

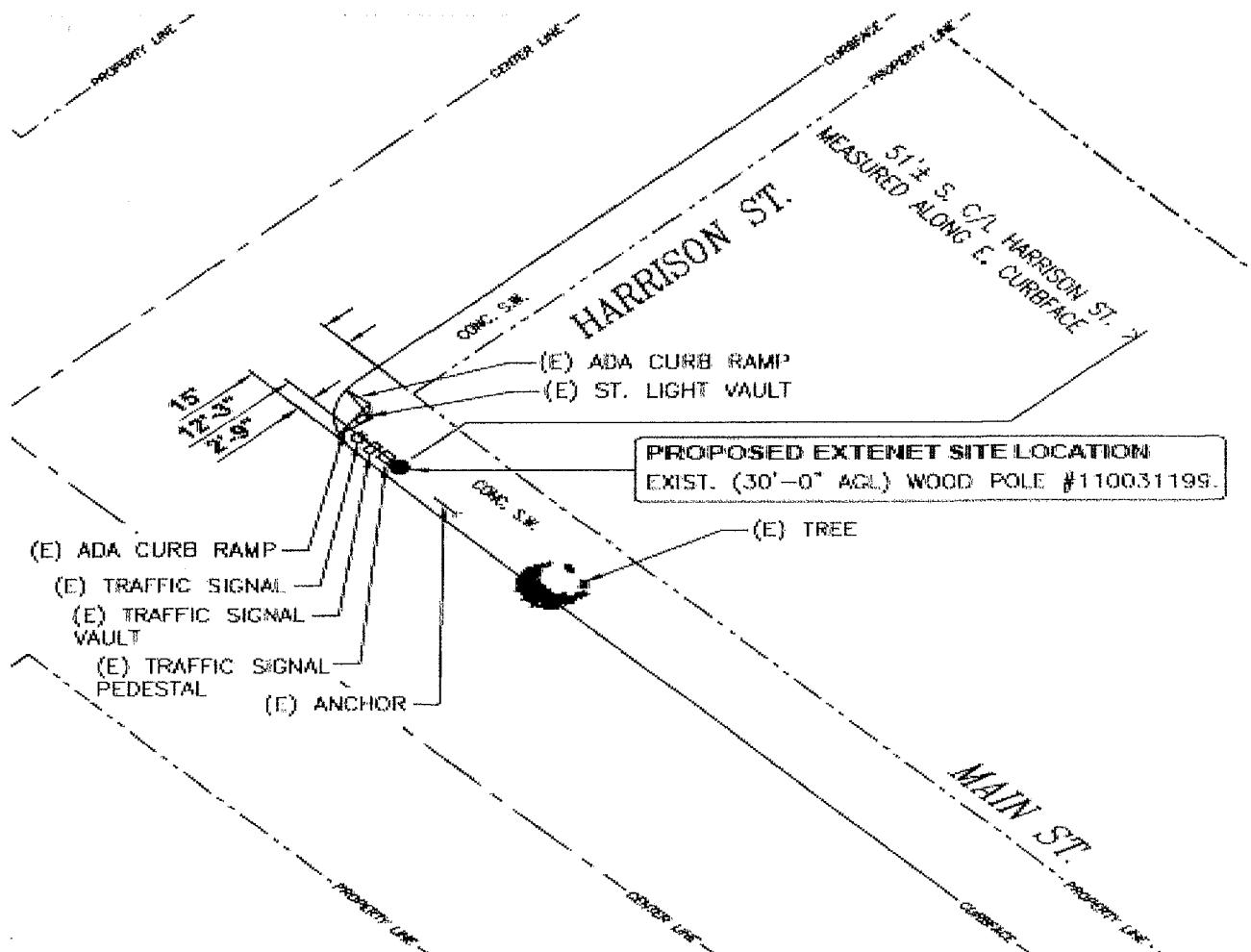
Number of blocks: 1 Total repair size:0 sqft Total Streetspace:0 Total Sidewalk: sqft

ID	Street Name	From St	To St	Sides	*Other	Asphalt	Concrete	Street Space Feet	Sidewalk Feet
1	MAIN ST	HARRISON ST	BRYANT ST	North	RW : False SMC : False S/W Only : False DB: False BP: False UB: False	0	0	0	0
	Total					0	0	0	0

Exceptions

16WR-0374

Street Name	From St	To St	Message	Job	Contact	Dates
MATIN ST	HARRISON ST	BRYANT ST -	DPT Blue Book Traffic Restriction. Time of day during which lanes must be kept clear: EAST 7AM - 9AM 3PM - 7PM MONDAY THROUGH FRIDAY // WEST 7AM - 9AM 3PM - 7PM MONDAY THROUGH FRIDAY			
	HARRISON ST	BRYANT ST -	Conflict with existing Street Use 16ECN-0934 Permit.		650-670-6021 - 650-670-6021	Nov 14 2016-
	HARRISON ST	BRYANT ST -	Conflict with existing Street Use ; 17wr-0022 Permit.		Refer to Agent (925) 549-9671 - 925-549-9671	



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Customer Service

Teamwork

Continuous Improvement

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BOARD OF SUPERVISORS
SAN FRANCISCO

2017 NOV 30 AM 11:23

BY



THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Portside Homeowners Association
353 Main Street
Redwood City, CA 94063

Union Bank
Los Angeles, CA

11-49/1210

013570

Date	Check	Pay This Amount
11/08/2017	013570	\$*****597.00

Five Hundred Ninety-Seven and no/100 DOLLARS*****

Pay to the order of

Planning Department
City & County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103



RUB RED IMAGE
FADES WITH HEAT

Authorized Signature - Not Valid after 120 Days

THE BACK OF THIS DOCUMENT CONTAINS CHECK SECURITY WATERMARK AND COIN REACTIVE INK

Security Features Included  Details on back.