



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE: OCTOBER 8, 2015

Date: October 1, 2015
Case No.: 2015-002768DRP
Project Address: 1801 Fulton Street
Permit Application: 2015.02.25.9356
Current Zoning: NC-1 (Neighborhood Commercial, Cluster)
40-X Height and Bulk District
Block/Lot: 1187/001
Project Sponsor: Verizon Wireless, represented by
Baldwin Diep, Modus
149 Natoma Street, 3rd Floor
San Francisco, CA 94105
Staff Contact: Omar Masry – (415) 575-9116
Omar.Masry@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposed Project involves the development of a "Micro" Wireless Telecommunications Services ("WTS") facility for Verizon Wireless. The proposal would feature a single cylindrical antenna screened within a faux rooftop-mounted vent pipe located near the northeast corner of the roof, along with associated equipment¹ and cable trays connecting the rooftop-mounted antenna to ground level equipment near a stairwell. Micro Wireless Facilities are considered "accessory uses," per the Zoning Administrator.

The proposed vent pipe would measure approximately 18-inches in diameter, and would rise six (6) feet above the parapet, and be set back six (6) feet from the nearest building edges.

SITE DESCRIPTION AND PRESENT USE

The Project Site is located on Assessor's Block 1187, Lot 001, and is located at the southwest corner of Fulton Street and Masonic Avenue. The Project Site was developed in 1916, and features a 33'-6" foot tall three-story building, with two floors of residential dwellings above a ground floor area that includes a grocery store (d.b.a. Fulton Food Shop), dry cleaners, and a laundromat. The Project Site also features an attached single-story restaurant (d.b.a. Bistro Gambrinus) along the eastern edge of the property.

¹ Rooftop Equipment includes four radio relay units (RRUs), a Global Positioning System (GPS) antenna, and a cable tray. Ground-mounted equipment includes a "Charles" cabinet, which features computers to operate the facility and batteries used to power the facility in the event of a power outage. The Charles cabinet is approximately the same size as a dormitory refrigerator. RRUs are each equivalent in size to a medium suitcase. They are utilized to improve data speeds, and are typically placed near antennas.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project Site is situated along the edge of the Haight Ashbury neighborhood, and is near the Inner Richmond neighborhood, which begins to the north across Fulton Street, and the Western Addition neighborhood, to the northeast across Fulton Street and Masonic Avenue.

The Project Site is adjacent to three-story single-family dwellings to the south and west, four-story multi-family dwellings to the north across Fulton Street, a four-story mixed-use building with a ground floor supermarket to the northeast, and a two-story mixed-use building featuring a Starbucks coffee shop on the ground floor to the east across Masonic Avenue.

BUILDING PERMIT NOTIFICATION

In accordance with Planning Code Section 312(g), neighborhood notification is required for the construction of a new (micro) WTS facility as an accessory use in all neighborhood commercial districts.

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
312 Notice	30 days	August 9, 2015	September 9, 2015	October 8, 2015	30 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 28, 2015	September 28, 2015	10 days
Mailed Notice	10 days	September 28, 2015	September 28, 2015	10 days

PUBLIC COMMENT

As of September 31, 2015, the Planning Department received one call opposed to the Project based on similar concerns noted by the DR Requestor.

DR REQUESTOR

Henry Tang, 1831 Fulton Street.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached Discretionary Review Application, dated August 24, 2015

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached Response to Discretionary, dated September 8, 2015

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, Suite 400, San Francisco.

BACKGROUND ON "MICRO" / ACCESSORY USE WTS FACILITIES

Micro WTS Facilities differ from Macro WTS facilities in that they typically feature fewer and/or smaller antennas (e.g. a single panel antenna or multiple omni "whip" antennas), smaller overall equipment areas, a smaller overall coverage area (typically a quarter mile or less in an dense area), and lower radio-frequency emissions output (e.g. a maximum effective radiated power output of 2,450 watts for the proposed facility).

Macro WTS Facilities typically feature three (3) to sixteen (16) panel antennas, equipment areas which range in size from the equivalent of two office cubicles to areas the size of a shipping container, coverage areas of a quarter to half mile (dependent on a large number of factors), and an effective radiated power output ranging between 4,000 to 11,000 watts².

Macro WTS facilities within NC-1 Zoning Districts are classified as a "Public Use"³ (Planning Code Sections 710.83 and 790.80) and require a Conditional Use Authorization; whereas a Micro WTS Facility would not require a Conditional Use Authorization, subject to the project's conformity with an approved Letter of Determination indicating the proposed WTS facility can be classified as an Accessory Use.

Project Sponsors seeking a Conditional Use Authorizations to develop a Macro WTS Facility within any residential or neighborhood commercial zoning district are also required to:

- 1) Hold a separate community meeting (notifying property owners and tenants within 500 feet and applicable neighborhood groups); and
- 2) Provide third party review to demonstrate that the proposed facility is needed to meet a coverage and/or capacity gap.

These two requirements do not apply to Micro WTS facilities.

A Letter of Determination (LOD) was approved for this type of WTS facility by the Zoning Administrator on February 18, 2014. The LOD deemed this type of proposed WTS facility as an Accessory Use (or "Micro" WTS Facility), per Planning Code Section 204, subject to specific conditions.

² For example, an approved AT&T Mobility macro WTS facility on the rooftop of a residential building at 2001 Sacramento Street (Pacific Heights) featured a maximum effective radiated power output of 10,700 watts.

³ Planning Code section 703.2(b)(1) allows a "Public Use" to be conducted outside of an enclosed building. Antennas utilized as part of WTS facilities generally require outdoor installation in order to properly function (transmit and receive).

In addition, the LOD indicated the determination would apply Citywide but would only include Location Preference 1 through 6 sites, as outlined by the 1996 WTS Facility Siting Guidelines. The Project Site is zoned NC-1, and is therefore a Preference 6 (Limited Preference) location.

ALTERNATIVE SITES

The Project Site is surrounded by primarily residential and NC-1 zoning districts, with the exception of an NC-S zoned site across the intersection from the Project Site, at the northeast corner of Fulton Street and Masonic Avenue. This NC-S zoned site features a mixed-use building (with an anchor tenant of Lucky Supermarket at 1750 Fulton Street). The Lucky Supermarket Site would be considered a higher location preference (Location Preference 5) by the WTS Facility Siting Guidelines, whereas the adjacent residential zoning districts are considered disfavored locations (Location Preference 7), and are therefore not eligible for approval as an Accessory Use. The Project Sponsor indicated the property owners of the NC-S zoned site (Lucky Supermarket), or 1799 Fulton Street (Starbucks on ground floor), were not interested in hosting a WTS facility.

It also appears that other higher Location Preference sites within the neighborhood are not available. For example, while the nearby John Adams Campus of the City College of San Francisco is considered a Preference 1 location (Publicly-Used Structure); to date, City College has not indicated an interest in hosting WTS facilities. The Project Sponsor indicated the University of San Francisco campus was located outside the required coverage area.

While not subject to the Planning Code or WTS Facility Siting Guidelines, wireless carriers have also developed “Personal Wireless Services Facilities” (also known as Small Cells, Distributed Antenna Systems, or the acronym “DAS”) within the public right of way (e.g. streets and sidewalks), pursuant to Article 25 of the Public Works Code. These facilities typically involve the attachment of antennas and equipment enclosures (computers, electric meters, disconnect switches, and battery backup cabinets) to wooden light or utility poles.

These types of wood utility pole-mounted facilities are disfavored given their potential to detract from streetscapes, impair views from residential windows, and generate noise emissions, as well as the larger number of these facilities typically needed to provide the same coverage and capacity as a well-designed rooftop-mounted micro or macro WTS facility. Under State law, the City cannot impose a blanket prohibition on such (wood) pole-mounted facilities, but can regulate the design, location, and placement of those facilities. The proposed micro WTS facility is generally considered less intrusive than a (typically) comparatively larger number of wireless facilities mounted to wooden utility poles.⁴

DR REQUESTOR’S CONCERN – PREVIOUS T-MOBILE MICRO WTS FACILITY

The DR requestor referenced a 2007 agreement between the Board of Supervisors and T-Mobile, to withdraw a proposed T-Mobile Micro WTS facility at the Project Site.

⁴ Wooden utility poles are typically owned by utilities (not the City), such as Pacific Gas & Electric.

The withdrawal of one carrier's application or facility does not preclude the approval of any future application; whether by T-Mobile or another wireless carrier. This informal agreement does not change the fact that there are no exceptional or extraordinary circumstances existing at the site or created by the project that would warrant an otherwise Code-complying project from being disapproved. Micro WTS facilities have routinely been developed on similar buildings within similar neighborhood contexts.

The prior T-Mobile Micro WTS facility raised concerns from community members regarding its potential industrial nature. The proposed Verizon Wireless Micro WTS Facility would not significantly alter the overall mixed-use nature of the Subject building, displace ground-floor business, or introduce elements expected to have a detrimental effect on residents. For example, no generators are proposed. The primary equipment cabinet would be placed within a recessed stairwell area where noise from internal cooling fans is not expected to adversely affect residents. Furthermore, such facilities are required to comply with the City's noise ordinance.

The equipment cabinet would feature nickel-cadmium ("NiCad") batteries (with approximately seven gallons of electrolytes) to provide backup power in the event of a power outage. The placement of such cabinets, though typically with comparatively larger capacity battery (lead-acid or NiCad) systems (in the range of 40 to 100 gallons of electrolyte for a given Macro WTS facility) elsewhere in the City, is subject to review by the San Francisco Fire Department and Department of Building Inspection. Since 1996, when the City saw the first widespread deployment of WTS networks, there has not been a noted pattern of incidences with respect to safety aspects of batteries used for WTS facilities, including those mounted within residential and mixed-use buildings.

DR REQUESTOR'S CONCERN – NEIGHBORHOOD CHARACTER

The DR Requestor indicated a concern that the proposed facility would adversely alter the façade and character of the Subject building and the adjacent neighborhood, as well as adversely affect views.

With the exception of the single faux rooftop-mounted vent pipe, the remainder of the proposed facility would generally not be visible from adjacent public rights-of-way. The proposed vent pipe would be relatively modest in size with an 18-inch diameter, a maximum height of six (6) feet above the parapet, and a setback of six (6) feet from the nearest roof edge. The vent pipe would not impair the facade, nor would it significantly detract from views of the Subject building or adjacent dwellings. Private views are not protected.

Planning staff also requested that the wireless carrier ensure the conduit running down a rear wall, from the roof to the equipment area, be designed to mimic hot water pipes (instead of a more utilitarian wider cable tray) and avoid blocking light into any tenant windows.

The overall size, placement, and operation of the equipment are not expected to alter the overall neighborhood character or use of the Subject building. Similar facilities have been developed on a

significant number of buildings in the City⁵, including residential buildings in RM-3 and RC-4 zoning districts, as well as mixed-use buildings in neighborhood commercial districts; without adversely effecting existing on-site or off-site tenants. The proposed facility would remain subordinate to the primary residential and commercial uses on the site.

RADIO-FREQUENCY (RF) EMISSIONS

The Radio-Frequency (RF) emissions associated with this Project have been determined to comply with limits established by the Federal Communications Commission (FCC). Based on a report prepared by a licensed engineer (and reviewed by the Department of Public Health), the maximum RF exposure⁶ level at ground level would equal 5.2% of the public exposure limit set by the FCC. The maximum calculated level at any nearby building is 12% of the public exposure limit.

Under Section 704(B)(iv) of the 1996 Federal Telecommunications Act, local jurisdictions (such as the City and County of San Francisco) cannot deny wireless facilities based on health (or by extension, property value) concerns over Radio Frequency (RF) emissions, so long as such facilities comply with the FCC's regulations concerning such emissions.

As the antenna is directional in nature, the proposed facility is **not** expected to result in RF exposure levels, which would approach maximum public exposure levels set by the FCC, for either dwellings directly below the antenna, or tenants of adjacent buildings (including roof decks or balconies),

In the event that the proposed facility is approved and installed, the City requires that the wireless carrier arrange for RF emissions testing for interested persons, at no charge. In addition, reports of field-testing for micro and macro WTS facilities are submitted to the Department of Public Health whenever a new facility is installed, as well as every two years, and every time that changes (e.g. replacement antennas) are made to a facility that may affect power output from antennas.

The Department of Public Health has not seen a pattern of similar Micro WTS facilities, in San Francisco, exceeding radio-frequency exposure limits established by the FCC with respect to adjacent dwellings.

OTHER CONSIDERATIONS

- Health and safety aspects (e.g. engineering review for structural loads, and backup battery storage) of all wireless Projects are reviewed by the Department of Public Health, San Francisco Fire Department, and the Department of Building Inspection.

⁵ There are over 700 existing Micro or Macro WTS facilities in San Francisco (not including another 383 wireless facilities mounted to wooden utility poles). The overwhelming majority are rooftop-mounted facilities, on either residential, mixed-use, commercial, institutional (e.g. hospitals), and industrial buildings.

⁶ The RF report utilized a "worse-case" scenario in which the antennas are operating at maximum capacity. That scenario is utilized to determine compliance with both the FCC's occupational (e.g. for maintenance workers trained on RF exposure awareness) and (general) public exposure standards; and is also used as the basis to determine the distance the antenna (based on antenna orientation, frequency, and height) must be located with respect to any nearby publicly accessible areas (e.g. roof decks, balconies, and residential dwellings).

- An updated Five Year Plan with approximate longitudinal and latitudinal coordinates of proposed locations, including the Project Site, is on file with the Planning Department.
- All required public notifications were conducted in compliance with the Planning Code Section 312(g) and adopted WTS policies.
- The Project Site has been previously determined to not be a historic resource; however, the proposed design, with respect to the Subject building and views of adjacent buildings, was reviewed by a Preservation specialist and determined to be consistent with the US Secretary of the Interior's Standards for the Treatment of Historic Properties.
- The Project complies with the applicable requirements of the Planning Code.
- The Project is consistent with the Objectives and Policies of the General Plan.
- Based on propagation maps provided by Verizon Wireless, the Project would provide enhanced 700 – 2,100 Megahertz 4G/LTE (4th Generation, Long-Term-Evolution, voice and data) coverage in an area that currently experiences gaps in coverage and capacity.
- The primarily screened nature of the facility, along with the placement of equipment on the roof and near a ground level stairwell area, would ensure the proposed micro WTS facility does not have an adverse effect on the Subject building or surrounding residential properties.
- The Project does not contain or create any exceptional or extraordinary circumstances that should render an otherwise Code-complying project from being disapproved.

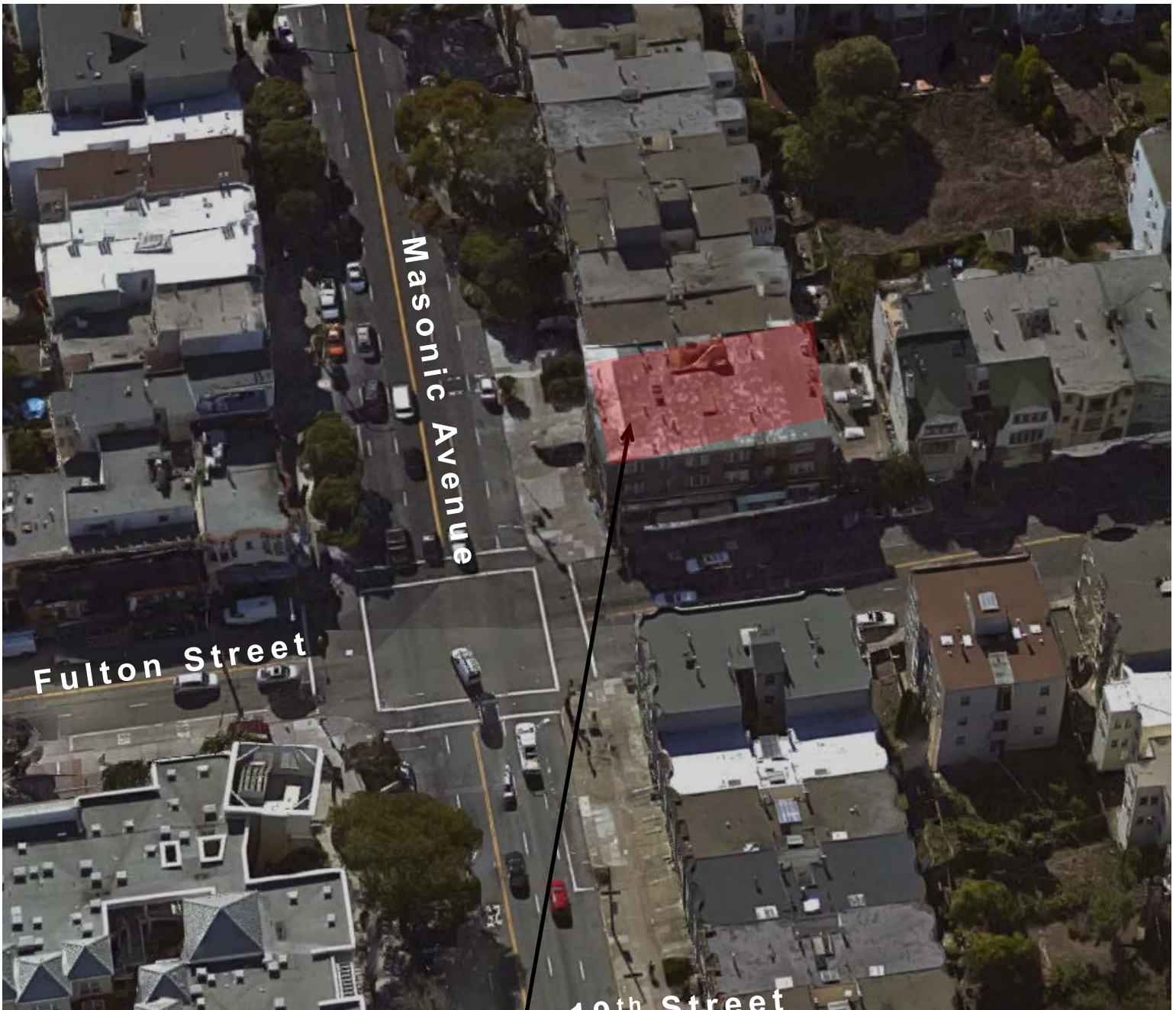
RECOMMENDATION:	Do not take DR and approve the Project as proposed
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Attachments:

Aerial Photographs
Zoning Map
Block Book Map
Sanborn Map
Section 312 Poster & Notice
DR Application
DR Brief
DR Poster & Notice
Equipment Cabinet Sample Photos
Project Sponsor's Submittal

- Response to DR Application
- Coverage Maps
- Alternative Site Analysis
- Photo Simulations
- Radio-Frequency (RF) Emissions Report
- Department of Public Health Review
- Reduced Plans

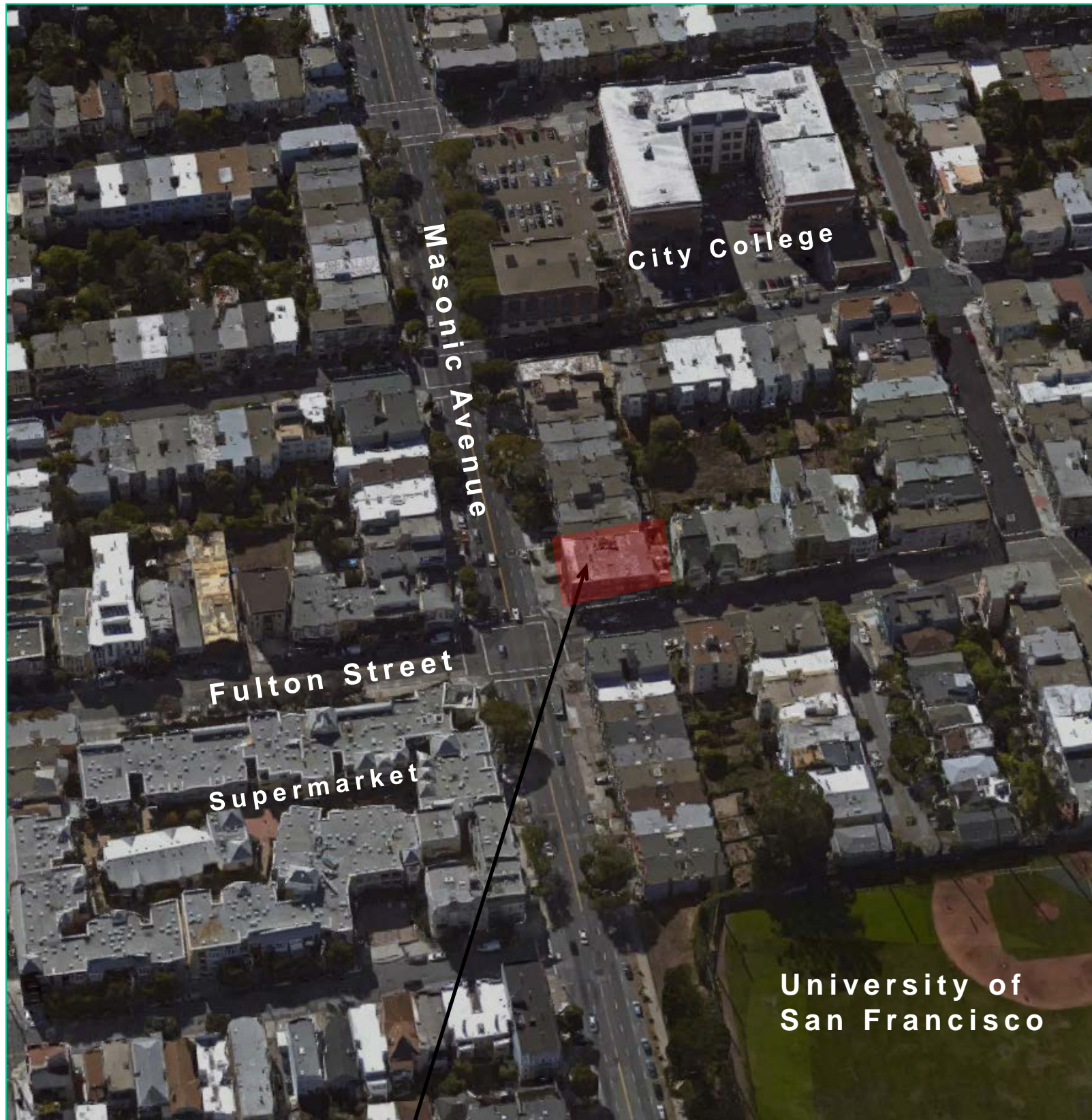
Aerial Photo



SUBJECT PROPERTY



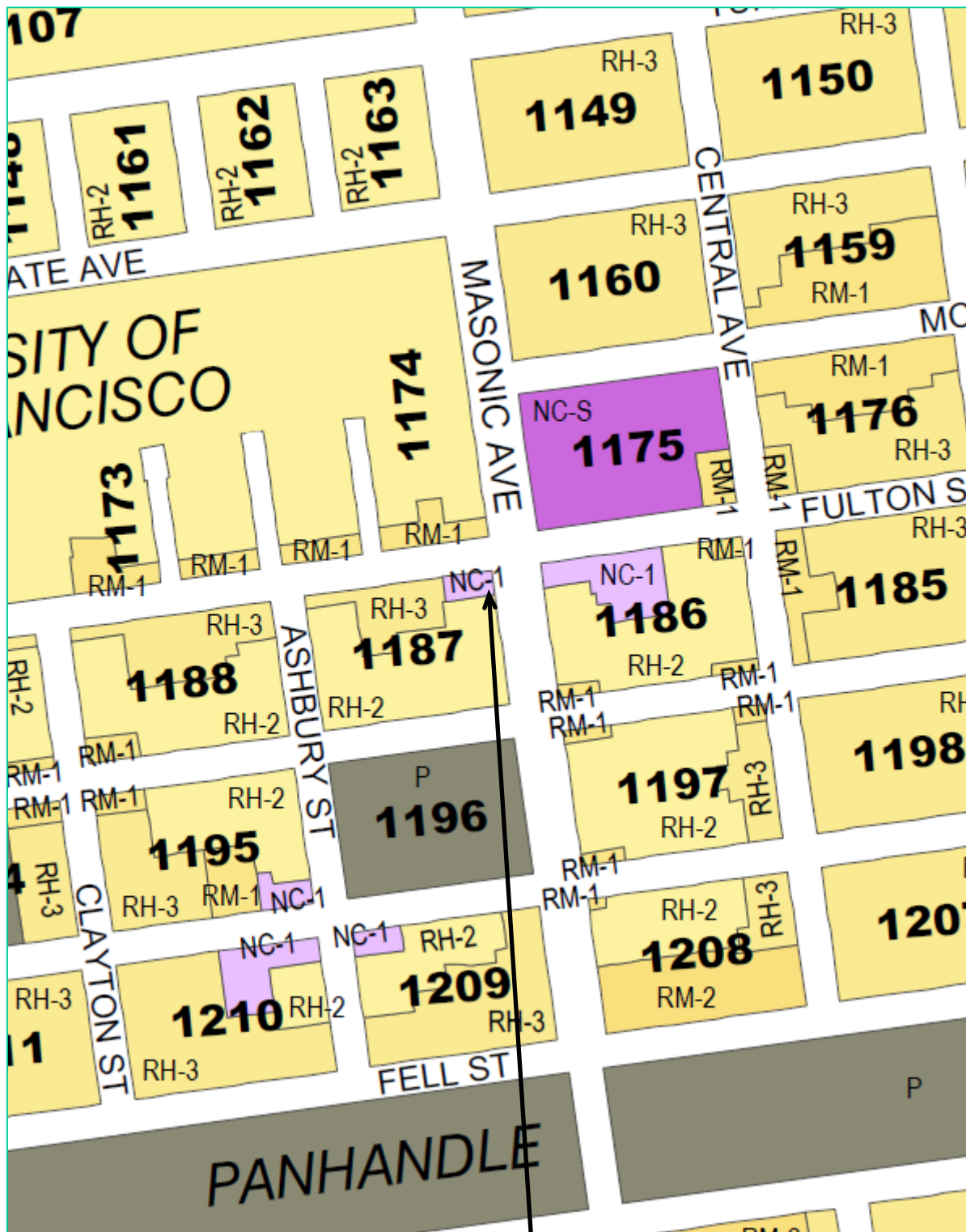
Aerial Photo (Zoomed Out)



SUBJECT PROPERTY



Zoning Map



SUBJECT PROPERTY



Case Number 2015-002768DRP
Verizon Wireless Micro WTS Facility
1801 Fulton Street

Parcel Map

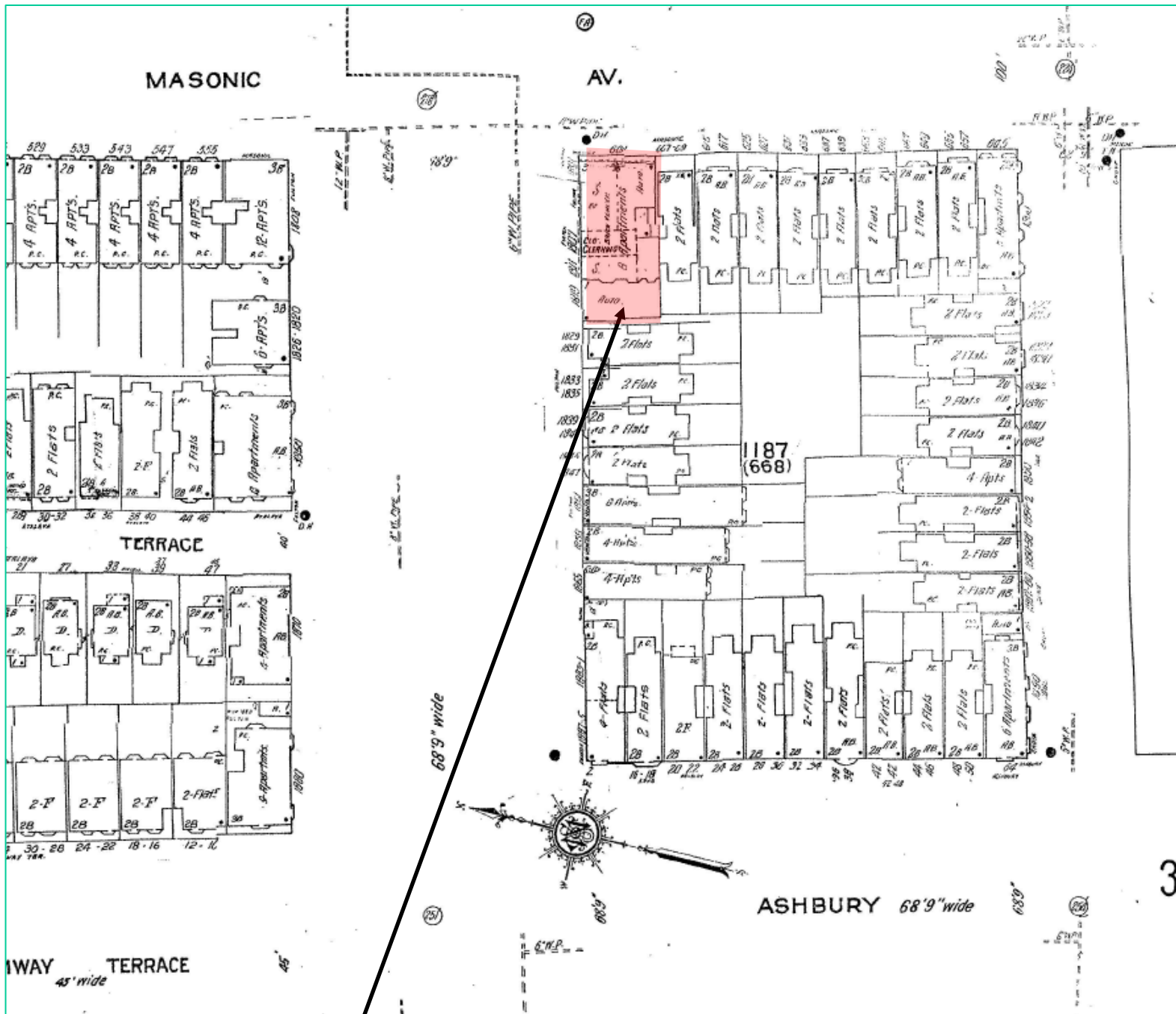


SUBJECT PROPERTY



Case Number 2015-002768DRP
Verizon Wireless Micro WTS Facility
1801 Fulton Street

Sanborn Map*



SUBJECT PROPERTY

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



Case Number 2015-002768DRP
Verizon Wireless Micro WTS Facility
1801 Fulton Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On **February 25, 2015**, the Applicant named below filed Building Permit Application No. **2015.02.25.9356** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	1801 Fulton Street	Applicant:	Baldwin Diep, Modus Inc., on behalf of Verizon Wireless
Cross Street(s):	Masonic Avenue	Address:	149 Natoma Street, 3rd Floor
Block/Lot No.:	1187/001	City, State:	San Francisco, CA 94105
Zoning District(s):	NC-1 (Neighborhood Commercial, Cluster)	Telephone:	(510) 637-8628

You are receiving this notice as a property owner or resident near the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input checked="" type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential & Retail (Ground Floor)	Residential, Retail, Micro Wireless Telecommunications Services Facility
Front Setback	No Change	No Change
Side Setbacks	No Change	No Change
Building Depth	No Change	No Change
Rear Yard	No Change	No Change
Building Height	33 feet	No Change
Number of Stories	3	No Change
Number of Dwelling Units	No Change	No Change
Number of Parking Spaces	No Change	No Change
PROJECT DESCRIPTION		
The proposal is develop a "Micro" Wireless Telecommunication Services (WTS) facility for Verizon Wireless. The proposal would involve two (2) antennas within a single 18-inch diameter faux rooftop-mounted vent pipe (six feet above parapet), along with associated equipment cabinets.		

For more information, please contact Planning Department staff:

Planner: Omar Masry
Telephone: (415) 575-9116
E-mail: Omar.Masry@sfgov.org

Notice Date:
Expiration Date:

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:

Henry Tang

DR APPLICANT'S ADDRESS:

1831 Fulton Street

ZIP CODE:

94117

TELEPHONE:

(415)441-6728

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:

Baldwin Diep, Modus Inc., on behalf of Verizon Wireless

ADDRESS:

149 Natoma St, 3rd floor

ZIP CODE:

94105

TELEPHONE:

(415) 637-8628

CONTACT FOR DR APPLICATION:

Same as Above ☒

ADDRESS:

ZIP CODE:

TELEPHONE:

()

E-MAIL ADDRESS:

2. Location and Classification

STREET ADDRESS OF PROJECT:

1801 Fulton St

ZIP CODE:

94117

CROSS STREETS:

Masonic Blvd

ASSESSORS BLOCK/LOT:

1187 /001

LOT DIMENSIONS:

LOT AREA (SQ FT):

ZONING DISTRICT:

NC-1

HEIGHT/BULK DISTRICT:

3. Project Description

Please check all that apply

Change of Use ☐Change of Hours ☐New Construction ☒Alterations ☒Demolition ☐Other ☐

Additions to Building:

Rear ☐Front ☐Height ☒Side Yard ☐

Mixed residential commercial

Present or Previous Use:

Proposed Use: Wireless telecommunications service facility

Building Permit Application No. 2015.02.25.9356

Date Filed: February 25, 2015

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

In 2007, Paul Albritton, who at the time represented T-Mobile and currently is outside counsel for Verizon, agreed to remove two micro cell towers that had been installed on behalf of T-Mobile after negotiations with the Board of Supervisors and concerned neighborhood citizens. It was the understanding among the parties that micro cell towers would no longer be permitted at that location.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.

The project violates the agreement reached between the Board of Supervisors, concerned citizens and attorney Paul Albritton on behalf of T-Mobile in 2007. The agreement was the removal of similar micro cell towers and the understanding that no such micro cell towers would be permitted on that site.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

The building has a unique style and maintains its character and that of the neighborhood throughout the years. The project would alter the facade and the character of the building and the neighborhood and adversely affect views.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

Verizon and the City Planning Department should honor the agreement reached in 2007 between the Board of Supervisors, Paul Albritton on behalf of T-Mobile, and concerned citizens and not seek to place micro cell towers at this location.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.


Signature:



Date:

Aug 24, '15

Print name, and indicate whether owner, or authorized agent:

 HENRY TANG

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

☐ Required Material.

☐ Optional Material.

☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: M. Corneille

Date: _____

Henry Tang
1831 Fulton Street
San Francisco, CA 94117

September 29, 2015

Rodney Fong, President
Cindy Wu, Vice President
Michael Antonini, Rich Hillis, Christine Johnson,
Kathrin Moore, Dennis Richards, Commissioners
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Verizon Microcell Facility Proposed for 1801-1813 Fulton Street
Case No. 2015-002768DRP (Building Permit No. 2015.0225.9356)
Hearing Date: October 8, 2015

Dear President Fong, Vice President Wu and Commissioners:

I have requested Discretionary Review of this matter because the exceptional and extraordinary circumstances discussed below warrant such review. Furthermore, I have asked Omar Masry, who as a relatively recent employee of the Planning Department was not aware of the history dating back to 2006 regarding microcell wireless facilities at the subject property at the time he approved the permit, to exercise his discretion and request that Verizon withdraw its application at this location in light of this history, but those efforts have proven unsuccessful. Therefore, I respectfully request your vote against this project for the reasons stated below.

I. APPROVAL OF THIS PROJECT VIOLATES AN AGREEMENT REACHED BY THE BOARD OF SUPERVISORS, OUTSIDE COUNSEL FOR VERIZON AND COMMUNITY RESIDENTS IN 2007 THAT MICROCELL WIRELESS FACILITIES NOT BE LOCATED AT THE SUBJECT PROPERTY

A. First Microcell Application at 1801 Fulton Street – 2006-2007 (T-Mobile)

In November 2006, pursuant to a May 15, 2006 Letter of Determination (“LOD”) from the Zoning Administrator, T-Mobile obtained a building permit to install a microcell wireless facility at 1801-1813 Fulton Street (“1801 Fulton St.”), a building that falls under the City’s WTS Facilities Siting Guidelines’ “Preference 6 – Limited Preference Sites” category, as an Accessory Use. Because no member of the public was ever notified about the LOD, and the Planning Department was not required to notify all nearby property owners and tenants of the permit application, the project only initially came to light because one nearby resident had a Block Book Notation request on file at the Planning Department. While this resident filed for and was denied Discretionary Review, it was not until the microcell facility was actually installed on the roof of the building that the vast majority of the tenants of the subject property and nearby residents became aware that a permit had been issued pursuant to an LOD. In

response to what appeared to be a *fait accompli*, residents filed with the Board of Appeals (1) an appeal of the permit; and (2) a Request for Jurisdiction regarding the LOD.

In early 2007, this case was but one of many examples across the City of microcell wireless facilities appearing on residential properties without public notification of the building permits that permitted their installation.¹ In response to the public outcry over this situation, the Board of Supervisors introduced an Urgency Ordinance that called for a city-wide moratorium on the installation of microcell wireless facilities and required the Planning Department to submit a written report describing measures taken to alleviate the conditions that led to its adoption.² The Board of Supervisors also separately introduced legislation that would codify what the City's 1996 WTS Facilities Siting Guidelines already required for all wireless facilities proposed for Residential and/or Neighborhood Commercial Districts – a Conditional Use Permit – but the Zoning Administrator had overruled that with regard to microcell facilities in Letters of Determination to the various wireless carriers.

Out of this situation arose a number of compromises reached on behalf of the Board of Supervisors, Planning Department, Planning Commission, wireless carriers, and members of the public: (1) the Board of Supervisors did not implement a moratorium on microcell installations; (2) the Board of Supervisors passed legislation requiring public notification of permits issued for microcell wireless facilities on residential and mixed-use buildings to be subject to Discretionary Review, rather than Conditional Use authorization for all microcell wireless facilities citywide; (3) T-Mobile, through their attorneys MacKenzie & Albritton, agreed to withdraw permits for and remove the already-installed microcell facility at 1801 Fulton St. and another already-installed microcell facility on another mixed-use building at 591-599 Guerrero Street in the Mission District; and (4) residents agreed to withdraw their pending Jurisdiction Request for the LOD that authorized the installation of microcell facilities at 1801 Fulton St. and 591 Guerrero St. (*See Exhibit A, Sept. 27, 2007 Letter from Paul Albritton to Board of Appeals.*)

Two points should be emphasized with respect to this negotiated agreement (hereafter “2007 agreement”). First, members of the public were overwhelmingly in favor of subjecting microcell facilities to the Conditional Use process as required by the City's WTS Facilities Siting Guidelines. Thus, the resulting legislation passed by the Board fell significantly short of residents' wishes in this regard. Second, the City Attorney had already provided the Board of Supervisors with an opinion that (a) the Board of Appeals had the authority to revoke the LOD at the pending Jurisdiction Request hearing; and (b) the Board of Appeals would therefore have the authority to revoke or modify pending permit applications and permits pending before the Board of Appeals that had been filed pursuant to the LOD. In other words, were the Board of Appeals

¹ In one notorious example, a resident was literally awakened in the middle of the night as a crane lifted a microcell wireless facility onto the roof of his apartment building to be installed within 15 feet of his bedroom window. For this resident and many others, the actual installation of the microcell facility was the only notice received from the City that a permit had been issued.

² The Urgency Ordinance was co-sponsored by all 11 Supervisors.

to grant the Jurisdiction Request and revoke the LOD, T-Mobile's then-current plans to blanket the City with 115 microcell installations would have been effectively brought to a halt.

Among the various microcell installations across the City in 2006-2007 in controversy, the cases involving microcell facilities at 1801 Fulton St. and 591 Guerrero St. were particularly contentious. Therefore, when residents voluntarily agreed to withdraw their Jurisdiction Request with regard to the LOD that governed both of these projects as part of the Board of Supervisors' negotiated agreement among the various parties, this was a significant concession on residents' part and was made with the understanding that no wireless carrier – be it T-Mobile or any of the other carriers in San Francisco, including Verizon – would seek to locate wireless facilities at these locations in the future. Had residents known in 2007 that, 8 years later, MacKenzie & Albritton would be back representing yet another wireless carrier in its efforts to place a microcell facility on the same building, they would not have consented to the 2007 agreement and proceeded to a Jurisdiction Request hearing before the Board of Appeals.³

B. Second Microcell Application at 1801 Fulton Street – 2009 (T-Mobile)

On December 31, 2007, the property owner of 1801 Fulton St. filed a Complaint for Damages for Breach of Contract with T-Mobile in San Francisco Superior Court in *Mufarreh, et al. v. Omnipoint Communications Inc. dba T-Mobile Corp., et al.*, San Francisco Superior Court Case No. CGC-07-470551, regarding T-Mobile's alleged violation of its lease agreement with the owner to allow T-Mobile's microcell facility at this location. (See Exhibit B, cover page of Plaintiff's Complaint and excerpts of attached lease agreement.) Because T-Mobile had not obtained final permit approval for the project and had agreed, as part of the 2007 agreement, to remove the facility from the building, T-Mobile had terminated its contract pursuant to Section 8(b) of the Lease.⁴ The property owner was presumably unhappy that he would no longer be receiving payment up to the lease's expiration date of November 5, 2011, and was effectively seeking compensation from T-Mobile for a wireless facility that no longer existed at his building.

³ The T-Mobile microcell facilities at 1801 Fulton St. and 591 Guerrero St. remain the first – and to date, the only – instances in San Francisco where already-installed wireless facilities were voluntarily removed by a wireless carrier in response to residents' objections to those facilities.

⁴ See T-Mobile's Answer to Complaint for Damages for Breach of Contract, filed on February 6, 2008, excerpts of which are attached hereto as Exhibit C. T-Mobile and Mufarreh's "Rooftop Lease with Option" is attached as an exhibit to Mufarreh's Complaint and states in part: "8. Termination. Except as otherwise provided herein, this Lease may be terminated, without any penalty or further liability as follows: . . . (b) immediately if Tenant [*i.e.*, T-Mobile] notifies Landlord of unacceptable results of any title report, environmental or soil tests prior to Tenant's installation of the Antenna Facilities on the Premises, or if Tenant is unable in good faith to obtain, maintain, or otherwise forfeits or cancels due to no fault of Tenant any license (including without limitation an FCC license), permit or any Governmental Approval necessary to the installation and/or operation of the Antenna Facilities or Tenant's business[.]" (See Exhibit B.)

While residents were not privy to the exact nature of the settlement of the litigation entered into between the property owner and T-Mobile, the settlement apparently included an agreement by T-Mobile to re-submit an application to the City for a permit for a microcell facility at 1801 Fulton St. Pursuant to the new 2007 legislation regarding microcell installations, tenants and nearby residents were duly notified of this application in 2009 and, to put it mildly, surprised that T-Mobile was seeking to install the same microcell facility that had been voluntarily removed pursuant to the 2007 agreement. Residents then timely filed for Discretionary Review and it was assigned Case No. 2009.06.01.9418.

A Discretionary Review hearing of the matter never took place, a permit was never approved, and T-Mobile's microcell facility was never installed. Why? Because T-Mobile, after applying for the permit, elected not to further engage in the process to obtain it. (*See* Exhibit D, Dept. of Building Inspection Permit Details Report, noting "de facto abandonment of project"). The only logical inference that may be drawn from this behavior by one not privy to T-Mobile's behind-the-scenes deliberations is that while T-Mobile settled its dispute with the property owner by agreeing to re-apply for a permit (which it did), it simultaneously chose to honor the 2007 agreement with the Board of Supervisors and neighborhood residents by not pursuing the permit after an application had been submitted.

By this (non)action by T-Mobile, residents were thus satisfied and confirmed in their belief that, pursuant to the 2007 agreement, a microcell wireless facility would not be installed at 1801 Fulton St., either in 2009 or in the near or distant future.

C. Third Microcell Application at 1801 Fulton Street – 2015 (Verizon)

Another wireless carrier, Verizon – albeit one represented by the same attorneys, MacKenzie & Albritton, who represented T-Mobile in 2007 in the negotiations related to the moratorium and microcell legislation that culminated in the 2007 agreement, and who routinely appear on behalf of a number of the wireless carriers that do business in San Francisco – has now applied for a microcell facility at the same location, as an Accessory rather than a Conditional Use, almost 8 years after the previous microcell was voluntarily removed by the 2007 agreement negotiated by its attorneys on behalf of another carrier.

In light of the permitting history at the subject property discussed *supra*, it is apparent that this case has proceeded as far as a Discretionary Review hearing for two primary reasons: (1) Mr. Masry, who currently oversees wireless applications at the Planning Department, was not at the San Francisco Planning Department in 2007, had no knowledge of the history of contested microcell facilities at 1801 Fulton St. when Verizon applied for the permit and, now that he is aware of this history, has refused to exercise his discretion by informing Verizon of that history and requesting that Verizon honor the letter and spirit of the 2007 agreement by withdrawing its application; and (2) in the almost 8 years since the removal of the T-Mobile facility, residents have not forgotten about the agreement reached in 2007.

These exceptional and extraordinary circumstances not only speak to the appropriateness of Discretionary Review in the present case. They also provide ample grounds for the Planning Commission to take Discretionary Review and deny Verizon a permit for this location.

II. APPROVAL OF VERIZON'S MICROCELL FACILITY AT THIS LOCATION IS PRECLUDED BY THE "UNREASONABLE DISCRIMINATION" CLAUSE OF THE TELECOMMUNICATIONS ACT OF 1996

Mr. Masry and Verizon's counsel will no doubt argue that the 2007 agreement reached with the Board of Supervisors and residents only applies to T-Mobile. Since the negotiations in 2007 were spearheaded by the Board of Supervisors, and the agreement that emerged resulted from the usual informal, behind-the-scenes give-and-take that typify such proceedings, members of the public only have the letter from MacKenzie & Albritton to the Board of Appeals agreeing to withdraw the permits for 1801 Fulton St. and 591 Guerrero St. as evidence of this broader agreement. Nevertheless, as noted *supra*, T-Mobile has honored and continues to honor the 2007 agreement, most notably by refusing to pursue the 2009 permit application filed in conjunction with its lease dispute with the building's owner.

However, if Mr. Masry and Verizon maintain that only T-Mobile is precluded from installing a microcell facility at 1801 Fulton St., it does not logically follow that the other wireless carriers in San Francisco therefore have *carte blanche* to install their own facilities at this location. The history outlined above clearly indicates that San Francisco residents did not want T-Mobile's microcell wireless facility to be located at 1801 Fulton St. The City concurred. Wireless facilities like Verizon's proposed microcell for 1801 Fulton St. are subject to the Federal Telecommunications Act of 1996 ("TCA"). The TCA states in part:

(A) General Authority – Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) Limitations –

(i) regulation of the placement, construction, and modification of personal wireless service facilities by a State or local government or instrumentality thereof –

(I) shall not unreasonably discriminate among providers of functionally equivalent services,

74 USC §332(c)(7). By approving Verizon's application for this location, the City would be unreasonably discriminating among wireless carriers by treating Verizon more favorably than it has treated T-Mobile *with a virtually identical microcell wireless facility at the same location*.

Such unreasonable discrimination is unlawful pursuant to the TCA and for that reason, the application should be denied.

III. VERIZON'S PROPOSED MICROCELL WIRELESS FACILITY DOES NOT MEET THE STANDARDS OF PLANNING CODE SECTION 204 FOR ACCESSORY USE

Even leaving aside the history of the subject property and federal law's unreasonable discrimination preemption, Verizon's project in and of itself fails to meet Planning Code Section 204 on "Accessory Uses." Section 204 defines "Accessory Use" in pertinent part as "... a related minor use that is either (a) necessary to the operation or enjoyment of a lawful principal use or conditional use; or (b) appropriate, incidental, and subordinate to any such use;" Verizon's proposed microcell wireless facility meets neither of these criteria.

First, a microcell facility is not "necessary to the operation or enjoyment" of the mixed-use residential building at 1801 Fulton St. The building does not require the presence of a wireless facility in order to operate as a dwelling for its tenants or a site for street-level businesses. Nor is a microcell facility necessary for tenants and/or business owner(s) to enjoy their use of the property. Even if some – or even all – of the residents of 1801 Fulton St. were Verizon customers, Verizon has provided no evidence that a microcell facility is necessary at this particular location to provide service to its customers, nor that it has explored other, less intrusive alternatives to provide such service if in fact such a need exists.⁵ Since any wireless phone, with or without a service contract, is required by federal law to connect to any available wireless base station, regardless of carrier, if 911 is dialed, any argument that the installation of a microcell facility at this location is necessary for public safety is spurious.⁶

Second, Verizon's microcell facility is not "appropriate, incidental, and subordinate" to the building's principle use. The subject property is a mixed-use building that is primarily residential in nature. The microcell facility will adversely affect the aesthetics of the building and neighborhood and impede views, which make it inappropriate for this location. Moreover, Verizon is proposing an industrial/commercial wireless facility that is inappropriate for a building where people live and reside. To give but one example, such a wireless facility typically involves the installation of lead-acid batteries as emergency backup that present a number of toxic chemical and explosive hazards through their necessary release of hydrogen gas.

⁵ The City's WTS Facilities Siting Guidelines state with regard to "Preference 6 – Limited Preference Sites": "The Planning Commission will not approve applications for such sites unless the application describes: (a) what publicly-used building, co-location site or other Preferred Location Sites are located within the geographic service area; (b) what good faith efforts and measures were taken to secure these more preferred location (*i.e.* Paragraphs 1 through 5 above); (c) why such efforts were unsuccessful; and (d) how and why the proposed site is essential to meet service demands for the geographic service area and the Applicant's citywide network.

⁶ My wife and I live in a building immediately adjoining 1801 Fulton St. and until recently were Verizon wireless customers. Our voice and data reception inside our home were flawless.

The safety of the residents in the building should not be put at risk by such an industrial/commercial use at this location and for that reason, Verizon's permit should be denied.

IV. VERIZON'S PROPOSED MICROCELL WIRELESS FACILITY DOES NOT MEET THE STANDARDS OF ARTICLE 7 OF THE PLANNING CODE

The subject property is located in an NC-1 Neighborhood Commercial Cluster District and is therefore subject to Article 7 of the San Francisco Planning Code, "Neighborhood Commercial Districts." Section 790.80 explicitly defines wireless transmission facilities, such as Verizon's proposed microcell facility, as a "Public Use":

A publicly or privately owned use which provides public services to the community, whether **CONDUCTED WITHIN A BUILDING** or **ON AN OPEN LOT**, and which has operating requirements which necessitate location within the district, including civic structures (such as museums, post offices, administrative offices of government agencies), public libraries, police stations, transportation facilities, utility installations, including Internet Services Exchange, and **WIRELESS TRANSMISSION FACILITIES**. Such use shall not include service yards, machine shops, garages, incinerators and publicly operated parking in a garage or lot. . . .

(Emphasis added.) As such, the Planning Code is clear that Verizon's microcell facility may only be located *within* a building, not *outside* on the roof as Verizon proposes.

This is further elaborated in Section 703.2(b)(1) of Article 7, "Uses Permitted in Neighborhood Commercial Districts," which states:

(1) Permitted Uses. **ALL PERMITTED USES SHALL BE CONDUCTED WITHIN AN ENCLOSED BUILDING IN NEIGHBORHOOD COMMERCIAL DISTRICTS**, unless otherwise specifically allowed in this Code. **EXCEPTIONS FROM THIS REQUIREMENT ARE:** uses which, when located outside of a building, qualify as an outdoor activity area, as defined in Section 790.70 of this Code; accessory off-street parking and loading and **OTHER USES LISTED BELOW** which function primarily as open-air uses, or **WHICH MAY BE APPROPRIATE IF LOCATED** on an open lot, **OUTSIDE A BUILDING**, or within a partially enclosed building, **SUBJECT TO OTHER LIMITATIONS OF THIS ARTICLE 7 AND OTHER SECTIONS OF THIS CODE**.

(Emphasis added.) Nowhere in the Planning Code are wireless transmission facilities identified as a Public Use that falls within the exceptions to 703.2(b)(1) and are therefore permissible to be located outside a building. For that reason, Verizon's application should be denied.

V. CONCLUSION

This case should never have come before the Planning Commission for Discretionary Review. Rather, once Mr. Masry was informed of the history discussed above, he should have

Rodney Fung, President, et al.

Case No. 2015-002768DRP (Building Permit No. 2015.0225.9356)

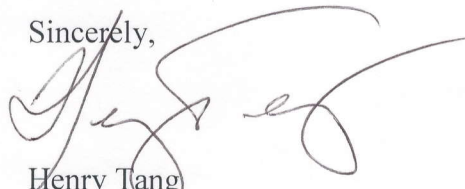
September 29, 2015

Page 8

exercised his discretion and requested Verizon to withdraw its permit application. Mr. Masry has testified at hearings before the Board of Appeals related to Verizon's current rollout of 400 proposed light & utility pole-mounted wireless facilities across the City that in certain cases he exercises his discretion and rejects Verizon's applications. For any and all of the reasons discussed above, there is no reason why he could not and should not have done so in this case.

I therefore respectfully request that you agree to take Discretionary Review and deny Verizon a permit for this location.

Sincerely,

A handwritten signature in black ink, appearing to be 'Henry Tang', written in a cursive style.

Henry Tang

EXHIBIT A

MACKENZIE & ALBRITTON LLP

ONE POST STREET, SUITE 500
SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE 415 / 288-4000

FACSIMILE 415 / 288-4010

SENDER'S EMAIL: PALBRITTON@MALLP.COM

September 27, 2007

VIA FACSIMILE

415.575.6885

Hon. Randall Knox, President, Michael Garcia,
Vice President, and Commissioners Katherine
Albright, Frank Fung and Robert Haaland
Board of Appeals
City and County of San Francisco
1660 Mission Street, Room 3036
San Francisco, California 94103

Re: Appeal No. 06-202; T-Mobile Alterations Building Permit
2006/05/19/2075; Project Address: 591-599 Guerrero Street;

Appeal No. 06-189, T-Mobile Alterations Building Permit
2006/03/21/7213; Project Address 1801-1813 Fulton Street; and

Request for Jurisdiction regarding Zoning
Administrator Letter of Determination dated May 15, 2006

Dear President Knox, Vice President Garcia, Commissioners Albright, Fung and
Haaland:

We write to you on behalf of Omnipoint Communications, Inc., doing
business as T-Mobile ("T-Mobile") regarding the above captioned appeals that are
scheduled to be heard before you on October 3, 2007. By this letter we agree, on
behalf of T-Mobile, that these items may be heard on November 14, 2007.

As a result of recent legislation, T-Mobile has agreed to withdraw the
building permit applications referenced above. We believe that that process will
be complete prior to your meeting on November 14, and that the appeals may be
withdrawn by appellants at that time.

Members of the Board of Appeals
City and County of San Francisco
September 27, 2007

Page 2 of 2

Thank you for your continued attention to these important items before
your Board.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul Albritton", with a stylized, flowing script.

Paul B. Albritton

cc: Hon. Aaron Peskin
Marian Vetro, Esq.
Robert Feldman
Jeffrey Kramer
Vladimir Gammer
Douglas Loranger

EXHIBIT B

1 A. NICK SHAMIYEH, ESQUIRE - STATE BAR NO. 047136
2 LAW OFFICES OF A. NICK SHAMIYEH
3 2221 Olympic Boulevard, Suite 100
4 Walnut Creek, California 94595
5 Telephone: (925) 935-9401
6 Facsimile: (925) 935-9407

7 ATTORNEY FOR PLAINTIFF
8 SALEM MUFARREH

MAY 30 2008 - 9:00AM

DEPARTMENT 212

SUMMONS ISSUED
FILED
SUPERIOR COURT
COUNTY OF SAN FRANCISCO

2007 DEC 31 AM 8:54

GORDON PARK - LI. CLERK

BY:

DEPUTY CLERK

D. STEPPE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO - UNLIMITED JURISDICTION

CGC-07-470551

SALEM F. MUFARREH and ANTOINETTE) Case No.:

MUFARREH, TRUSTEES, UNDER)

DECLARATION OF TRUST, dated March 7)

1991)

Plaintiff,

vs.

OMNIPOINT COMMUNICATIONS, INC.)

dba T-MOBILE CORPORATION and DOES)

1-10 inclusive,)

Defendants.)

COMPLAINT FOR DAMAGES FOR
BREACH OF CONTRACT

(Amount demanded exceeds \$10,000)

Plaintiff Salem Mufarreh and Antoinette Mufarreh, Trustees, Under Declaration of Trust,
dated March 7, 1991 alleges as follows:

GENERAL ALLEGATIONS

1. Plaintiff Salem Mufarreh and Antoinette Mufarreh, Trustees, Under Declaration
of Trust, dated March 7, 1991 (hereinafter "Plaintiff"), is at all times herein mentioned the owner
of the property at 1801 Fulton Street, San Francisco, California (hereinafter called the
"PREMISES.")

2. Plaintiff is informed and believes that Defendant, OMNIPOINT
COMMUNICATIONS, INC. dba T-MOBILE CORPORATION, (hereinafter called "T-Mobile")

ROOFTOP LEASE WITH OPTION

THIS ROOFTOP LEASE WITH OPTION (this "Lease") is by and between Salem F. Mufarreh and Antionette Mufarreh, Trustees, U.D.T. (Under Declaration of Trust), dated March 7, 1991 ("Landlord") and Omnipoint Communications, Inc. d/b/a T-Mobile, a Delaware Corporation ("Tenant").

1. Option to Lease

(a) In consideration of the payment of two thousand five hundred and no/100 dollars (\$2,500.00) (the "Option Fee") by Tenant to Landlord, Landlord hereby grants to Tenant an option to lease the use of a portion of the real property described in the attached Exhibit A (the "Property"), on the terms and conditions set forth herein (the "Option"). The Option shall be for an initial term of twelve (12) months, commencing on the Effective Date (as defined below) (the "Option Period").

(b) During the Option Period and any extension thereof, and during the term of this Lease, Landlord agrees to cooperate with Tenant in obtaining, at Tenant's expense, all licenses and permits or authorizations required for Tenant's use of the Premises (as defined below) from all applicable government and/or regulatory entities (including, without limitation, zoning and land use authorities, and the Federal Communication Commission ("FCC") ("Governmental Approvals"), including all land use and zoning permit applications, and Landlord agrees to cooperate with and to allow Tenant, at no cost to Landlord, to obtain a title report, zoning approvals and variances, land-use permits, and Landlord expressly grants to Tenant a right of access to the Property to perform surveys, soils tests, and other engineering procedures or environmental investigations on the Property necessary to determine that Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system design, operations and Governmental Approvals. Notwithstanding the foregoing, Tenant may not change the zoning classification of the Property without first obtaining Landlord's written consent, which consent may be withheld in Landlord's sole discretion. During the Option Period and any extension thereof, Tenant may exercise the Option by so notifying Landlord in writing, at Landlord's address in accordance with Section 12 hereof.

(c) If Tenant exercises the Option, then, subject to the following terms and conditions, Landlord hereby leases to Tenant certain space on the roof of, and within the building (the "Building") located on the Property sufficient for placement of the Antenna Facilities (as defined below) together with a license for access and utilities. The location and orientation of Tenant's space on the roof and within the building, together with all necessary space and licenses for access and utilities, is generally described and depicted in the attached Exhibit B (collectively referred to hereinafter as the "Premises"). The Premises, located at 1801 Fulton Street, San Francisco, CA, 94117, comprises approximately 36 square feet. Notwithstanding anything contained herein to the contrary, the Premises, as defined, shall include, but not be limited to, the following: cable runs and associated cable trays from the base transceiver station(s) (also referred to as the BTS) and the installation of power, telephone and other utility service cables.

2. Term. The initial term of the Lease shall be five (5) years commencing on the date of the exercise of the Option (the "Commencement Date"), and terminating at midnight on the last day of the month of the initial term (the "Initial Term").

3. Permitted Use. The Premises may be used by Tenant for the transmission and reception of radio communication signals and for the construction, installation, operation, maintenance, repair, removal or replacement of related facilities, tower and base, antennas, microwave dishes, equipment shelters and/or cabinets and related activities.

4. Rent. Tenant shall pay Landlord, as rent, one thousand five hundred and no/100 dollars (\$1,500.00) per month ("Rent"). Rent shall be payable within twenty (20) days following the Commencement Date, prorated for the remainder of the month in which the Commencement Date falls, and thereafter, Rent will be payable monthly, in advance, by the fifth day of each month to Salem F. Mufarreh, at Landlord's address specified in Section 12 below. If this Lease is terminated at a time other than on the last day of a month, Rent shall be prorated as of the date of termination for any reason (other than a default by Tenant) and all prepaid Rent shall be immediately refunded to Tenant.

5. Renewal. Tenant shall have the right to extend this Lease for four (4) additional, five-year terms (each a "Renewal Term"). The Initial Term and each Renewal Term shall be on the same terms and conditions as set forth herein, except that Rent shall be increased by four (4%) percent annually over the Rent paid over the preceding year for the first ten (10) years of this Lease; after the end of the first ten (10) years of this Lease, Rent shall be increased by five percent (5%) annually over the Rent paid over the preceding year. Provided there is no uncured default by Tenant at the end of any applicable Initial Term or Renewal Term, Tenant shall have the right to renew this Lease upon (30) days prior written notice of Tenant's intent to renew this Lease. If Tenant shall remain in possession of the Premises at the expiration of this Lease or any Renewal Term without a written agreement, such tenancy shall be deemed a month-to-month tenancy under the same terms and conditions of this Lease, and Landlord may terminate such month-to-month tenancy upon thirty (30) days prior written notice.

6. Interference. Tenant shall not use the Premises in any way which interferes with the use of the Property by Landlord, or lessees or licensees of Landlord with equipment installed prior in time to Tenant's installation. Similarly,

Landlord shall not use, nor shall Landlord permit its lessees, licensees, employees, invitees or agents to use, any portion of the Property in any way which interferes with the operations of Tenant. Such interference shall be deemed a material breach by the interfering party, who shall, upon written notice from the other, be responsible for terminating said interference. In the event any such interference does not cease promptly, the parties acknowledge that continuing interference may cause irreparable injury and, therefore, the injured party shall have the right, in addition to any other rights that it may have at law or in equity, to bring a court action to enjoin such interference or to terminate this Lease immediately upon written notice.

7. Improvements; Utilities; Access.

(a) Tenant shall have the right, at its expense, to erect and maintain on the Premises improvements, personal property and facilities necessary to operate its communications system, including, without limitation, radio transmitting and receiving antennas, microwave dishes, tower and base, equipment shelters and/or cabinets and related cables and utility lines and a location based system, including, without limitation, antenna(s), coaxial cable, base units, location based systems, and other associated equipment (collectively, the "Antenna Facilities"). Tenant shall have the right to alter, replace, expand, enhance or upgrade the Antenna Facilities at any time during the term of this Lease; provided Tenant shall not change the intended use of the Premises and further provided Landlord shall have the reasonable right to approve any material changes to the Antenna Facilities. Tenant shall cause all construction to occur lien-free and in compliance with all applicable laws and ordinances, and shall discharge or bond any mechanic's lien filed or recorded. Landlord acknowledges that it shall not interfere with any aspects of construction, including, without limitation, attempting to direct construction personnel as to the location of or method of installation of the Antenna Facilities and the License (as defined below) ("Construction Interference"). Landlord further acknowledges that it will be responsible for any costs and damages (including, fines and penalties) that are directly attributable to Landlord's Construction Interference. The Antenna Facilities shall remain the exclusive property of Tenant and shall not be considered fixtures. Tenant shall have the right to remove the Antenna Facilities at any time during and upon the expiration or termination of this Lease; in such event, Tenant shall restore the Property to its original condition, normal wear and tear and casualty excepted.

(b) Tenant, at its expense, may use any and all appropriate means of restricting access to the Antenna Facilities, including, without limitation, the construction of a fence.

(c) Tenant shall, at Tenant's expense, keep and maintain the Antenna Facilities now or hereafter located on the Property in commercially reasonable condition and repair during the term of this Lease, normal wear and tear and casualty excepted. Upon termination or expiration of this Lease, the Premises shall be returned to Landlord in good, usable condition, normal wear and tear and casualty excepted.

(d) Tenant shall have the right to install utilities, at Tenant's expense, and to improve the present utilities on the Property (including, but not limited to, the installation of emergency power generators). Landlord agrees to use reasonable efforts in assisting Tenant to acquire necessary utility service. Tenant shall, wherever practicable, install separate meters for utilities used on the Property by Tenant. In the event separate meters are not installed, Tenant shall pay the periodic charges for all utilities attributable to Tenant's use. Tenant shall have the right to install necessary conduit and sleeving from the roof to the point of connection within the Building. Landlord shall diligently correct any variation, interruption or failure of utility service. Any necessary cables, conduits and/or sleeving running up the exterior wall of the building for utilities shall be placed inside the building or along the north or east side the building (so as not to face Masonic Street or Fulton Street), unless otherwise approved by the Landlord.

(e) As partial consideration for Rent paid under this Lease, Landlord hereby grants Tenant a license in, under and across the Property for ingress, egress, utilities and access (including access for the purposes described in Section 1) to the Premises adequate to install and maintain utilities, which include, but are not limited to, the installation of power and telephone service cable, and to service the Premises and the Antenna Facilities at all times during the Initial Term of this Lease and any Renewal Term (collectively, the "License"). The License provided hereunder shall have the same term as this Lease.

(f) Tenant shall have 24-hours-a-day, 7-days-a-week access to the Premises ("Access") at all times during the Initial Term of this Lease and any Renewal Term at no additional charge to the Tenant.

8. Termination. Except as otherwise provided herein, this Lease may be terminated, without any penalty or further liability as follows:

(a) upon twenty-one (21) days' written notice by Landlord if Tenant fails to cure a default for payment of amounts due under this Lease within that twenty-one (21) day period;

(b) immediately if Tenant notifies Landlord of unacceptable results of any title report, environmental or soil tests prior to Tenant's installation of the Antenna Facilities on the Premises, or if Tenant is unable in good faith to obtain, maintain, or otherwise forfeits or cancels due to no fault of Tenant any license (including without limitation an FCC license), permit or any Governmental Approval necessary to the installation and/or operation of the Antenna Facilities or Tenant's business;

EXHIBIT C

1 LEDOUX ESQUIRE INC.
2 STEPHEN LEDOUX, SBC No. 133932
3 ESTHER O. YIP, SBC No. 188388
4 Presidio of San Francisco
5 38 Keyes Avenue, Suite 119
6 P.O. Box 29426
7 San Francisco, CA 94129
8 Phone: (415) 561-2584
9 Fax: (415) 561-2587

10 Attorneys for Defendants
11 OMNIPOINT COMMUNICATIONS, INC. dba
12 T-MOBILE

FILED
San Francisco County Superior Court

FEB 06 2003

GORDON PARK-LI, Clerk

BY: [Signature] Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SAN FRANCISCO
11 UNLIMITED CIVIL CASE

12 SALEM F. MUFARREH and ANTOINETTE,
13 MUFARREH, TRUSTEES, UNDER
14 DECLARATION OF TRUST, dated March 7,
15 1991,

Plaintiff,

vs.

16 OMNIPOINT COMMUNICATIONS, INC.,
17 dba T-MOBILE CORPORATION and DOES 1-
18 10 inclusive,

Defendants.

Case No. CGC-07-470551

ANSWER TO COMPLAINT FOR
DAMAGES FOR BREACH OF
CONTRACT

(Amount demanded exceeds \$10,000)

BY FAX

19 Defendant OMNIPOINT COMMUNICATIONS, INC., dba T-MOBILE, a Delaware
20 corporation ("Defendant"), hereby answers the unverified Complaint for Damages for Breach of
21 Contract ("Complaint") filed by Plaintiff SALEM F. MUFARREH and ANTOINETTE
22 MUFARREH, TRUSTEES, UNDER DECLARATION OF TRUST, dated March 7, 1991
23 ("Plaintiff"), as follows:

24 1. Defendant denies each and every allegation of Plaintiff's Complaint.

25 SEPARATE AND AFFIRMATIVE DEFENSES

26 Defendant alleges the following separate and affirmative defenses to the Complaint and
27 each and every cause of action allegedly set forth therein:
28

1 FIRST AFFIRMATIVE DEFENSE

2 Neither the Complaint nor any cause of action therein states facts sufficient to state a
3 cause of action against Defendants or support the relief or damages claimed.

4 SECOND AFFIRMATIVE DEFENSE

5 The Complaint is barred because Defendant properly and legally terminated the Lease in
6 accordance with its terms.

7 THIRD AFFIRMATIVE DEFENSE

8 The Complaint is barred because Plaintiff has unclean hands.

9 FOURTH AFFIRMATIVE DEFENSE

10 Plaintiff breached the covenant of quiet enjoyment in violation of section 13 of the Lease
11 by, *inter alia*, allowing its lessees, licensees, employees, invitees or agents to oppose
12 Defendant's permit application.

13 FIFTH AFFIRMATIVE DEFENSE

14 The Complaint is barred because Defendant did not receive final governmental approval
15 of its permit to construct and operate its wireless telecommunications facility and consequently
16 was entitled to terminate the Lease pursuant to section 8(b) of the Lease.

17 SIXTH AFFIRMATIVE DEFENSE

18 Plaintiff has waived his right to and is estopped from proceeding in this action by his own
19 acts, conduct, and omissions or those of his agents or representatives.

20 SEVENTH AFFIRMATIVE DEFENSE

21 The Complaint is barred because Plaintiff failed to bring suit pursuant to California Civil
22 Code § 1951.2.

23 EIGHTH AFFIRMATIVE DEFENSE

24 Damages claimed by Plaintiff are barred by California Civil Code § 1951.2.

25 NINTH AFFIRMATIVE DEFENSE

26 Plaintiff's damages, if any, were not proximately caused by or the result of any acts or
27 omissions of Defendant but were the result of the acts or omissions of other persons or entities,
28 including Plaintiff.

EXHIBIT D

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 9/14/2015 3:03:19 PM

Application Number: 200906019418

Form Number: 3

Address(es): 1187 / 001 / 3 1801 FULTON ST
1187 / 001 / 0 1813 FULTON ST

Description: INSTALL T-MOBILE MICROCELL FACILITY ON ROOF OF EXISTING THREE STORY BUILDING PER ZA DETERMINATION LETTER FOR ACCESSORY USE DETERMINATION FOR MICROCELL FACILITIES DATED MAY 15, 2006.

Cost: \$50,000.00

Occupancy Code: R-2

Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
6/1/2009	TRIAGE	
6/1/2009	FILING	
6/1/2009	FILED	
5/21/2012	CANCELLED	Cancelled per section 106A.3.8.

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	INTAKE	6/1/09	6/1/09			6/1/09	ALARCON SONIA	415-999-9999	
2	SFFD	6/1/09	6/1/09			6/1/09	WEISS-ISHAI SAGIV	415-558-6177	
3	BID-INSP	6/1/09	6/1/09			6/1/09	VENIZELOS THOMAS	415-558-6096	
4	HIS	6/9/09	6/9/09			6/9/09	YIP JANET	415-558-6220	
5	CPB	6/9/09	6/9/09			6/9/09	YAN BRENDA	415-558-6070	
7	CP-DR	11/7/09	11/7/09			4/10/12	YOUNG SHARON	415-558-6377	DR CASE CANCELLED SINCE BPA CANCELLED.
8	CP-DR	11/10/09	11/10/09			4/10/12	YOUNG SHARON	415-558-6377	DR filed 11/12/09. DR CASE CANCELLED SINCE BPA CANCELLED.
9	CP-NP	10/13/09	10/13/09			4/10/12	YOUNG SHARON	415-558-6377	Section 312 mailed 10/13/09, expiration date 11/12/09. (Gladys)
9	CP-ZOC	6/9/09	6/24/09			4/10/12	YOUNG SHARON	415-558-6377	FOR CANCELLATION. No response from applicant, de facto abandonment of project.
10	PPC	6/9/09	6/9/09			6/8/12	SAMARASINGHE GILES	415-558-6133	6/8/12: Plans, application and cancellation letter with USPS receipts to ADMIN.grs 4/26/12: Cancellation letter sent due to: No response from applicant; De facto abandonment of project. Cancel Date 5/21/12.grs 6-9-09: Route to CP-Zoc. sjf
11	ADMIN	6/8/12	6/11/12			6/11/12	YU ANNE	415-558-6139	06/11/12: Disapproved by DCP 4/10/12. Notice of disapproval issued 4/30/12. No appeal made to Board of Permit Appeals. Application and plans cancelled



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, October 8, 2015**
Time: **Not before 12:00 PM (noon)**
Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**
Case Type: **Discretionary Review**
Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 1801 Fulton Street Cross Street(s): Masonic Avenue Block /Lot No.: 1187/001 Zoning District(s): NC-1 Area Plan: N/A	Case No.: 2015-002768DRP Building Permit: 2015.02.25.9356 Applicant: Baldwin Diep, Modus for Verizon Wireless Telephone: (510) 637-8628 E-Mail: bdiep@modus-corp.com

PROJECT DESCRIPTION

The request is for Discretionary Review of a Micro Wireless Telecommunications Services (WTS) facility, per Planning Code Section 204.

The proposed Micro WTS facility would feature a single screened antenna within a faux rooftop-mounted (18-inch diameter) vent pipe, along with associated electronic equipment on the roof and near a ground floor stairwell.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

ADDITIONAL INFORMATION

RF EMISSIONS REPORT, PHOTO SIMULATIONS AND ARCHITECTURAL PLANS: If you are interested in viewing the radio-frequency (RF) emissions safety report, photo simulations, and plans for the proposed project please contact the planner listed below. The report for the proposed project will also be available one week prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org>

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Omar Masry** Telephone: **(415) 575-9116** E-Mail: omar.masry@sfgov.org

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010

Example Ground-Mounted Cabinet Photos



Case Number 2015-002768DRP
Verizon Wireless Micro WTS Facility
1801 Fulton Street

Example Ground-Mounted Cabinet Photos (interior)



Computer racks and electronic components inside cabinet

Batteries inside cabinet used to provide backup power to operate WTS facility, in case of power outage



Case Number 2015-002768DRP
Verizon Wireless Micro WTS Facility
1801 Fulton Street



SAN FRANCISCO PLANNING DEPARTMENT

RESPONSE TO DISCRETIONARY REVIEW

Case No.: _____

Building Permit No.: 2015.0225.9356

Address: 1801 Fulton St.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Sponsor's Name: Baldwin Diep

Telephone No.: 510-637-8628 (for Planning Department to contact)

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.

The project is in compliance with the City's General Plan and Planning Code and seeks to improve coverage in the area. Given the zoning district (NCD), the proposed design successfully blends in with the surrounding area; there are several vent pipes visible on nearby buildings. The project has also been limited to the scope that was agreed upon by the City's Zoning Administrator and Verizon in order to be an "Accessory Use Site". Moreover the DR applicant references an agreement that applies only to T-Mobile and not Verizon Wireless. And since no such agreement was presented to the project applicant at the time of review, it is assumed that the project is not in violation.

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

The applicant has made significant design alterations in order to limit the visibility of the microcell and its ancillary equipment. This includes: setting back the antenna further from the roof edge, changing the appearance and path of the conduit along the exterior wall, and altering the appearance/height of RF barriers (originally 42" high) that are required by law by the FCC. The applicant has also unsuccessfully pursued alternative candidates in the area such as the Starbucks and Market Center located across the street from the project.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

The project seeks to improve the daily life of pedestrians and residences in the area. After consulting with the project planner extensively on the design and appearance of the project, we are confident that the project blends in with the surrounding environment and has no adverse effect on the character of the building or neighborhood because of its concealment. Additional coverage is needed in the area as seen in the coverage maps supplied with the application. Furthermore, the effectiveness of the microcell is depending on the line of sight the antenna receives. Therefore, relocating the antenna further back from the roof edge is not technologically feasible.

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit –additional kitchens count as additional units)	_____	_____
Occupied stories (all levels with habitable rooms) ...	<u>3</u>	<u>3</u>
Basement levels (may include garage or windowless storage rooms)	_____	_____
Parking spaces (Off-Street)	_____	_____
Bedrooms	_____	_____
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	_____	_____
Height	_____	_____
Building Depth	_____	_____
Most recent rent received (if any)	_____	_____
Projected rents after completion of project	_____	_____
Current value of property	_____	_____
Projected value (sale price) after completion of project (if known)	_____	_____

I attest that the above information is true to the best of my knowledge.

Baldwin Diep

Signature

9/8/15

Date

Baldwin Diep

Name (please print)



SF Fulton & Masonic SC1– Existing LTE Coverage





SF Fulton & Masonic SC1– Propose LTE Coverage



Alternative Site Analysis

Verizon Wireless considered and reviewed other preferred locations within the search area. Because this is an NC-I district only, publicly used buildings would provide a higher preference site. All other sites are either Limited Preference 6 or Disfavored Preference 7 sites. Verizon did review other Preference 1 sites and the other commercial Preference 6 sites in the search area. Verizon determined that all of the alternative sites are either not technologically feasible or lack a willing landlord to lease space. Verizon therefore focused its efforts on locating the proposed site at the most technologically feasible and least visually obtrusive location.

2130 Fulton St – University of San Francisco

The University was considered as a candidate for the Microcell site. However, it was determined not to be within the search area determined by Verizon Wireless radio frequency engineers. Due to this project's scope of work – "microcell" – the coverage area and power of the antenna is much lower than a traditional "Macro" site. Therefore the coverage area does not meet Verizon's target objective and is not technologically feasible.

1784 Fulton St – Fulton Market

The Market was also a potential candidate that was approached to install the cell site. However after continuous attempts, they were not interested in leasing space to Verizon Wireless for a wireless telecommunications facility.

1799 Fulton St – Starbucks

The two-story Starbucks property owner was also approached as an alternative candidate. However they were also not interested in leasing space for a cell site on their building.

Utility Poles in Public Right of Way

Verizon Wireless considered installing antennas on wood utility poles in the public right of way in the area. However this is not a preferable option and disfavored according to City Planning given the residential context of the area.

Existing



Proposed



view from Fulton Street looking southwest at site



291701 SF Fulton & Masonic
1801 Fulton Street, San Francisco, CA
Photosims Produced On 5-18-2015

Existing



Proposed



view from Fulton Street looking south at site



291701 SF Fulton & Masonic
1801 Fulton Street, San Francisco, CA
Photosims Produced On 5-18-2015

**Verizon Wireless • Proposed Base Station (Site No. 291701 “Fulton & Masonic SC1”)
1801 Fulton Street • San Francisco, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 291701 “Fulton & Masonic SC1”) proposed to be located at 1801 Fulton Street in San Francisco, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

Background

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

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.40	0.48
[most restrictive frequency range]	30–300	1.00	0.20

The site was visited by Mr. David DeSmet, a qualified engineer employed by Hammett & Edison, Inc., on October 2, 2014, a non-holiday weekday, and reference has been made to information provided by Verizon, including zoning drawings by V-One Design Group, Inc., dated December 5, 2014.

Checklist

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

There were observed no wireless base stations installed at the site. Existing RF levels for a person at ground near the site were less than 1% of the most restrictive public exposure limit. The measurement equipment used was a Wandel & Goltermann Type EMR-300 Radiation Meter with Type 8 Isotropic Electric Field Probe (Serial No. P-0036). The meter and probe were under current calibration by the manufacturer.

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

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



**Verizon Wireless • Proposed Base Station (Site No. 291701 “Fulton & Masonic SC1”)
1801 Fulton Street • 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.

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

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

Verizon proposes to install one Amphenol Model CWB070X06F bi-sector cylindrical antenna within a new enclosure, configured to resemble a vent pipe, above the northeast end of the roof of the three-story mixed-use building located at 1801 Fulton Street. The antenna would be mounted with up to 4° downtilt at an effective height of about 39 feet above ground, 5½ feet above the roof, and would have its sectors oriented toward 85°T and 265°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 Verizon 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 Verizon in any direction is 2,450 watts, representing simultaneous operation at 1,860 watts for AWS and 590 watts for 700 MHz service; no operation is proposed in the PCS and cellular bands.

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 antenna to be installed as described in Item 4 above. There were noted buildings of similar height on all sides of the subject building.

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 RF exposure level due to the proposed Verizon operation is calculated to be 0.022 mW/cm², which is 4.2% of the applicable public exposure limit. Ambient RF levels at ground level near the site are therefore estimated to be below 5.2% of the limit. The maximum calculated level at any nearby building is 12% of the public exposure limit. The three-dimensional perimeter of RF levels equal to the public exposure limit is calculated to extend up to 34 feet out from the antenna and to much lesser distances above and below; this includes areas on the roof of the building but does not reach any other publicly accessible areas.



**Verizon Wireless • Proposed Base Station (Site No. 291701 “Fulton & Masonic SC1”)
1801 Fulton Street • San Francisco, California**

9. Describe proposed signage at site.

It is recommended that barricades be erected, as shown in Figure 1, to preclude public access within certain areas in front of the antenna. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training be provided to all authorized personnel who have access to the areas within the barricades, including employees and contractors of Verizon as well as roofers, HVAC workers, and building maintenance staff. No access within 15 feet directly in front of the antenna itself 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 paint stripes and “Worker Notification Areas” with yellow paint stripes on the roof of the building in front of the antenna, as shown in Figure 1, and posting explanatory signs* at the roof access door, on the barricades, and on the enclosure in front of the antenna, 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 No. E-20309, which expires on March 31, 2015. This work has been carried out under her direction, and all statements are true and correct of her own knowledge except, where noted, when data has been supplied by others, which data she believes to be correct.

* 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.

**Verizon Wireless • Proposed Base Station (Site No. 291701 “Fulton & Masonic SC1”)
1801 Fulton Street • San Francisco, California**

Conclusion

Based on the information and analysis above, it is the undersigned’s professional opinion that operation of the base station proposed by Verizon Wireless at 1801 Fulton Street in San Francisco, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need 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. Erecting barricades is recommended to establish compliance with public exposure limits; training authorized personnel, marking roof areas, and posting explanatory signs is recommended to establish compliance with occupational exposure limits.



Andrea L. Bright

Andrea L. Bright, P.E.
707/996-5200

December 30, 2014

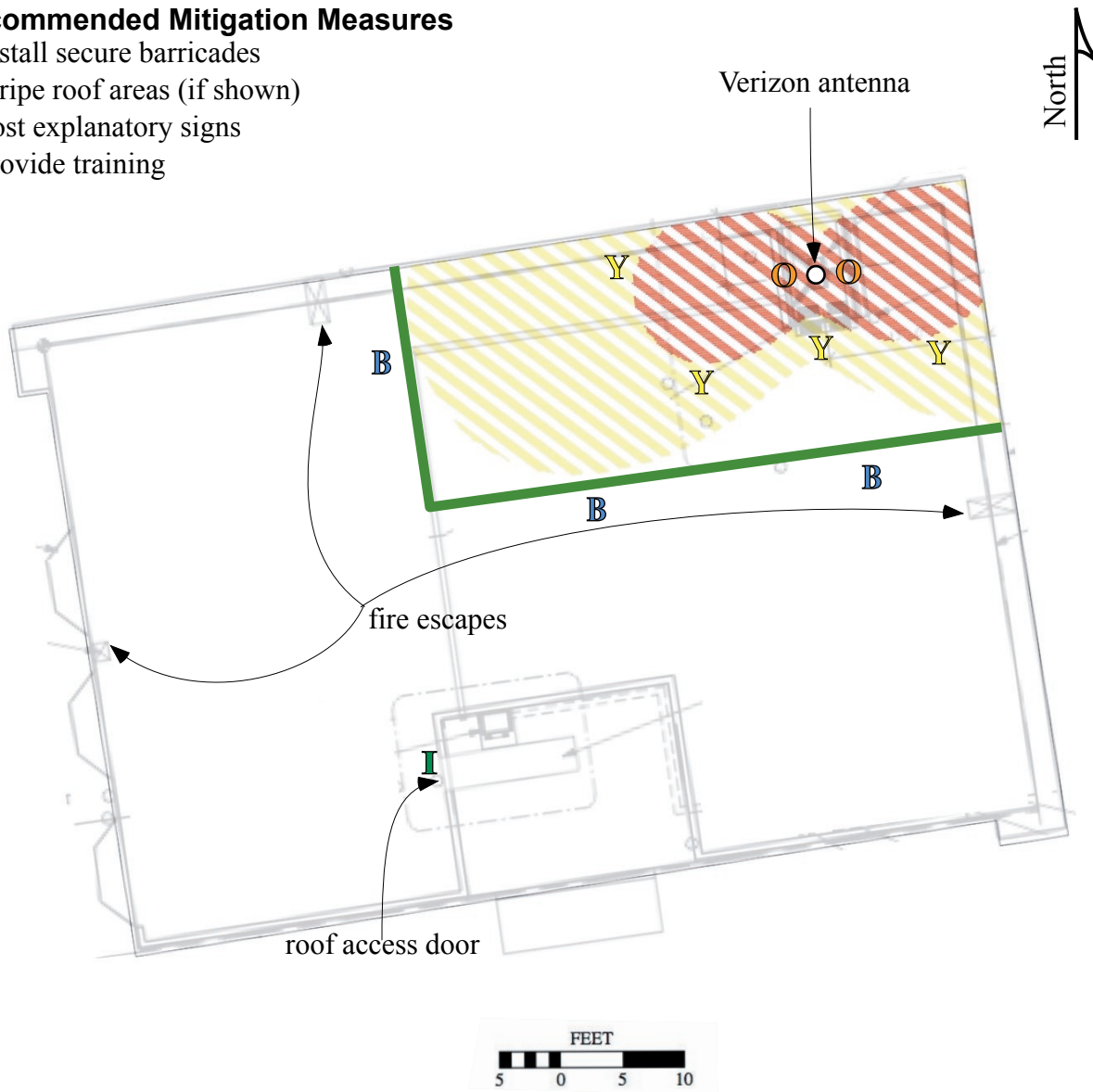


**Verizon Wireless • Proposed Base Station (Site No. 291701 “Fulton & Masonic SC1”)
1801 Fulton Street • San Francisco, California**

Calculated RF Exposure Levels on Roof

Recommended Mitigation Measures

- Install secure barricades
- Stripe roof areas (if shown)
- Post explanatory signs
- Provide training



Notes:

Base drawing from V-One Design Group, Inc., dated December 5, 2014.

Calculations performed according to OET Bulletin 65, August 1997.

Training should be provided to all persons requiring access within barricades.

Legend:	Less Than Public	Exceeds Public	Exceeds Occupational	Exceeds 10x Occupational
Striping color	N/A	yellow	red	red
Sign type	I - Green INFORMATION	B - Blue NOTICE	Y - Yellow CAUTION	O - Orange WARNING
Barricades shown as green lines	■			



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

Q0TM.1
Figure 1



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SECTION

Edwin M. Lee, *Mayor*
Barbara Garcia, *Director of Health*
Richard J. Lee, MPH, CIH, REHS
Director of Environmental Health (Acting)

Review of Cellular Antenna Site Proposals

Project Sponsor : Verizon **Planner:** Omar Masry
RF Engineer Consultant: Hammett and Edison **Phone Number:** (707) 996-5200
Project Address/Location: 1801 Fulton St
Site ID: 2084 **SiteNo.:** 291701

The following information is required to be provided before approval of this project can be made. These information requirements are established in the San Francisco Planning Department Wireless Telecommunications Services Facility Sitting Guidelines dated August 1996.

In order to facilitate quicker approval of this project, it is recommended that the project sponsor review this document before submitting the proposal to ensure that all requirements are included.

- ☒ 1. The location, identity and total number of all operational radiating antennas installed at this site was provided. (WTS-FSG, Section 10.4.1, Section 11, 2b)
Number of Existing Antennas: 0
- ☒ 2. A list of all radiating antennas located within 100 feet of the site which could contribute to the cumulative radio frequency energy at this location was provided. (WTS-FSG, Section 10.5.2)
☒ Yes ☐ No
- ☒ 3. A narrative description of the proposed work for this project was provided. The description should be consistent with scope of work for the final installation drawings. (WTS-FSG, Section 10)
☒ Yes ☐ No
- ☒ 4. An inventory of the make and model of antennas or transmitting equipment being installed or removed was provided. The antenna inventory included the proposed installation height above the nearest walking/working surface, the height above ground level and the orientations of the antennas. (WTS-FSG, Section 10.5.2)
☒ Yes ☐ No
- ☒ 5. A description of the existing radio frequency energy environment at the nearest walking/working surface to the antennas and at ground level was provided. A description of any assumptions made when doing the calculations was also provided. (WTS-FSG, Section 10.4.1a, Section 10.4.1c, Section 10.5)
☒ Yes ☐ No
- ☒ 6. The maximum effective radiated power per sector for the proposed installation was provided along with the frequency bands used by the antennas. (WTS-FSG, Section 10.1.2, Section 10.5.1)
Maximum Effective Radiated Power: 2450 Watts
- ☒ 7. Based on the antenna orientation, the maximum cumulative predicted radio frequency energy level for any nearby publicly accessible building or area was provided. (WTS-FSG, Section 10.4, Section 10.5.1)
Maximum percent of applicable FCC public standard at the nearest building or structure: 12 %
Distance to this nearby building or structure: 85 feet
- ☒ 8. The estimated maximum cumulative radio frequency fields for the proposed site at ground level. (WTS-FSG, Section 10.5)
Maximum RF Exposure: 0.022 mW/cm² Maximum RF Exposure Percent: 4.2 %

- X 9. The maximum distance (in feet) the three dimensional perimeter of the radio frequency energy level equal to the public and occupational exposure limit is calculated to extend from the face of the antennas was provided. Any potential walking/working surfaces exceeding regulatory standards were identified. (WTS-FSG, Section 10.9.2)

☒ Public Exclusion Area

Public Exclusion In Feet: 34

☒ Occupational Exclusion Area

Occupational Exclusion In Feet: 15

- X 10. A description of whether or not the public has access to the antennas was provided. A description was also provided of any existing or proposed warning signs, barricades, barriers, rooftop stripping or other safety precautions for people nearing the equipment as may be required by any applicable FCC-adopted standards. All signs will be provided in English, Spanish and Chinese. (WTS-FSG, Section 9.5, Section 10.9.2)

☒ Yes

☐ No

- X 11. Statement regarding the engineer who produced the report and their qualifications was provided. The engineer is licensed in the State of California. (WTS-FSG, Section 11,8)

☒ Yes

☐ No

- X **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 CFR47 1.1310 **Approval of the subsequent Project Implementation Report is based on project sponsor completing recommendations by project consultant and DPH.**

Comments:

There are currently no antennas operated by Verizon installed on the roof top of the building at 1801 Fulton Street. Existing RF levels at ground level were around 1% of the FCC public exposure limit. There were observed no other antennas within 100 feet of this site. Verizon proposes to install 1 new antenna. The antenna will be mounted at a height of about 39 feet above the ground. The antennas will be oriented in the 85 degree and 265 degree directions pointed east and west on Fulton Street. The estimated ambient RF field from the proposed Verizon transmitters at ground level is calculated to be 0.022 mW/sq cm., which is 4.2% of the FCC public exposure limit. The maximum calculated level of RF energy for any nearby building is 12% of the FCC public standard. The three dimensional perimeter of RF levels equal to the public exposure limit extends 34 feet and includes portions of the rooftop areas. Barricades should be installed to prevent access to these areas. Warning signs must be posted at the antennas, barricades and roof access points in English, Spanish and Chinese. Workers should not have access to within 15 feet of the front of the antennas while they are in operation. Worker prohibited access areas should be marked with red striping on the rooftop and areas exceeding the FCC public standard should be marked with yellow striping on the rooftop.

Not Approved, additional information required.

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

1 Hours spent reviewing

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

Signed: _____



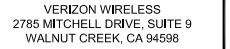
Dated: 7/22/2015

Patrick Fosdahl

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

REFERENCE: 2013 SFBC, 2013 SFFC, 2013 SFMC and FCC OET Bulletin 65 (97-01)

**EMERGENCY
SHUT DOWN**



149 NATOMA STREET, 3RD FLOOR
SAN FRANCISCO, CA 94105

4780 CHABOT DRIVE, SUITE 104
PLEASANTON, CA 94588
Phone: (925) 398-6000

CHECKED BY: NHP

CONSTRUCTION

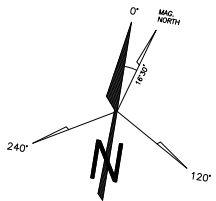
1	07/09/15	100% CONST. DRAWINGS	JA
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1801 FULTON ST.
SAN FRANCISCO, CA
94117

RE DEPARTMENT CHECKLIST

T-2



VERIZON WIRELESS
2785 MITCHELL DRIVE, SUITE 9
WALNUT CREEK, CA 94598

Vendor:



149 NATOMA STREET, 3RD FLOOR
SAN FRANCISCO, CA 94105

Architect:



4780 CHABOT DRIVE, SUITE 104
PLEASANTON, CA 94588
Phone: (925) 398-6000

VERIZON SITE NO: 291701

PROJECT NO:

DRAWN BY: SG

CHECKED BY: NHP

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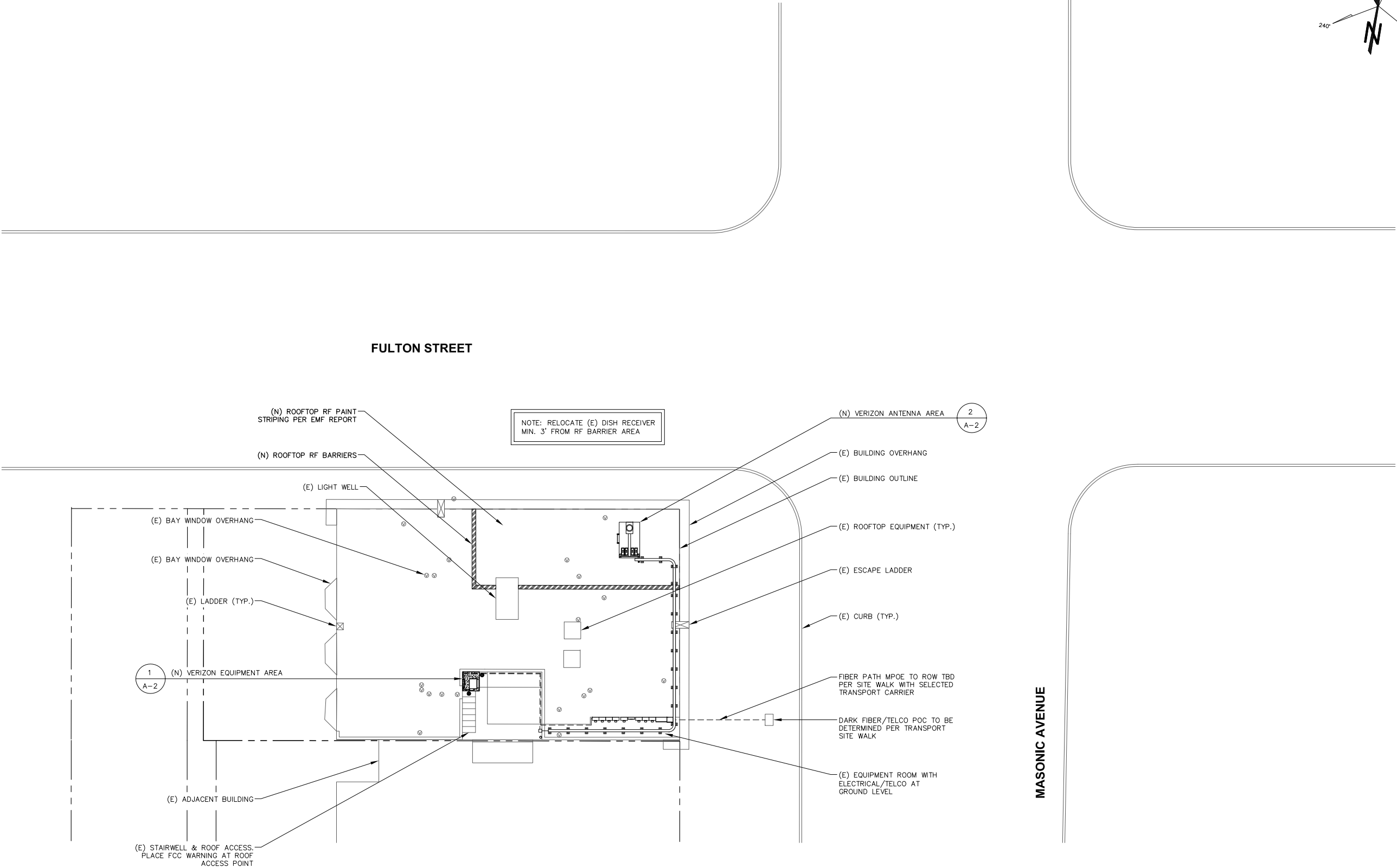
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SAN FRANCISCO, CA
94117

SHEET TITLE:

OVERALL SITE PLAN

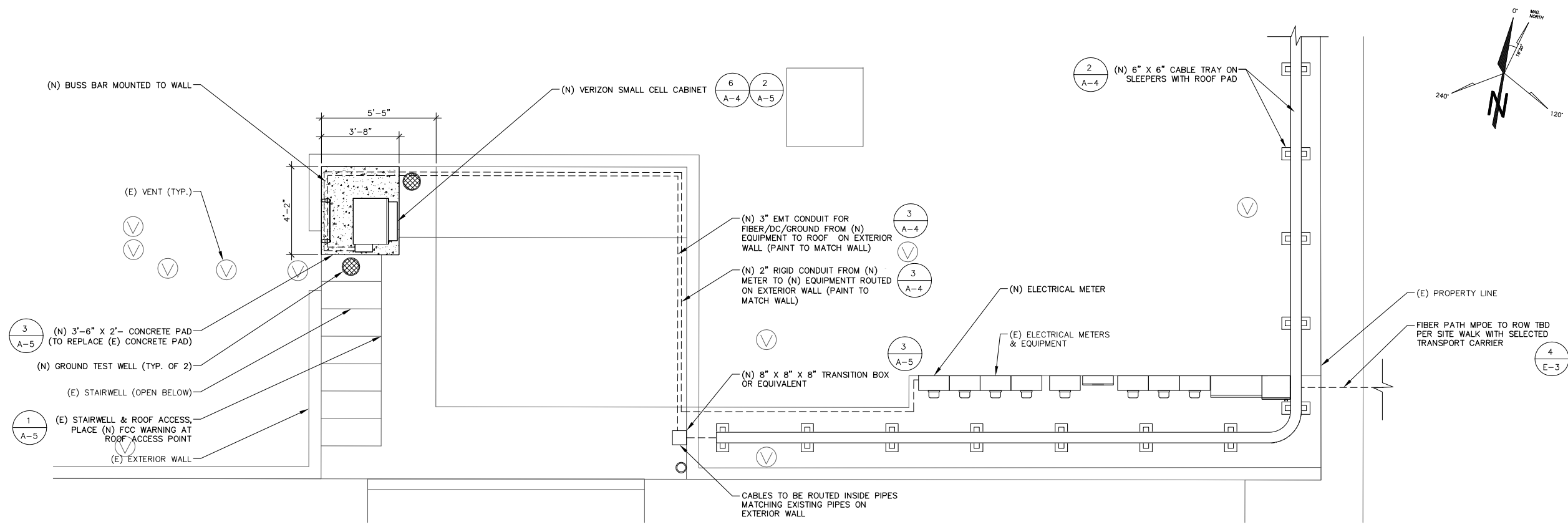
SHEET NUMBER:

A-1



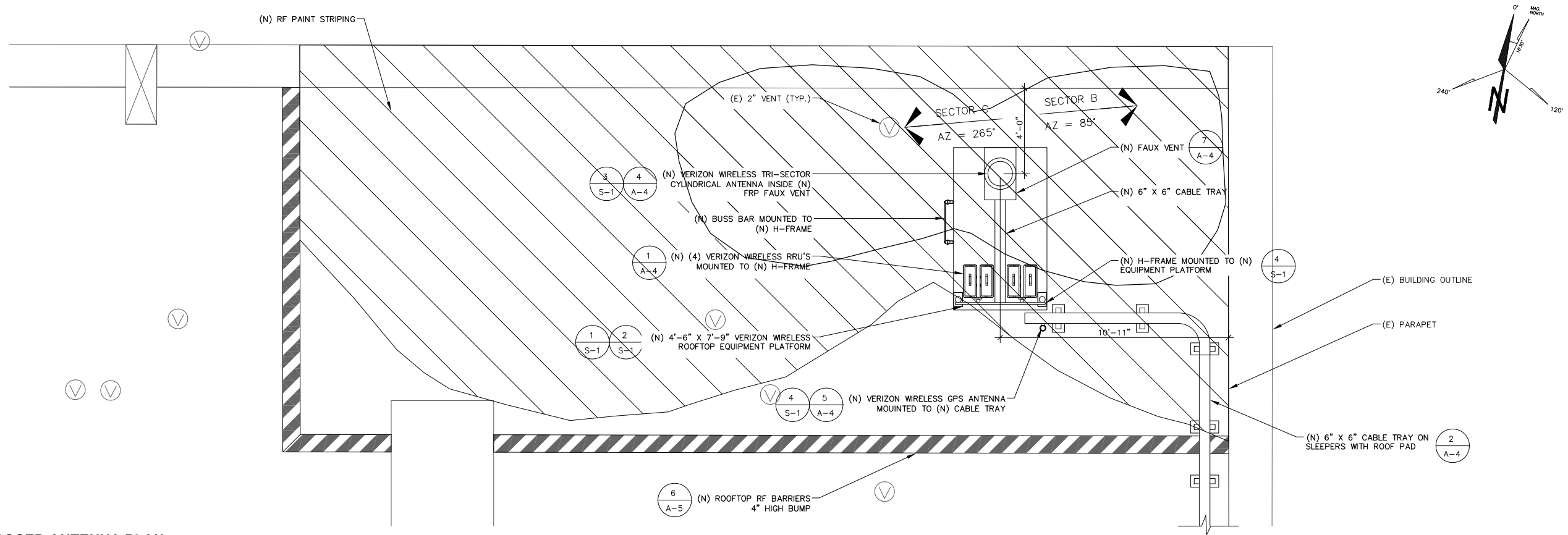
1 OVERALL SITE PLAN

SCALE: 1/128" = 1'-0"
0' 16' 32' 48' 96' 128'



1 PROPOSED EQUIPMENT PLAN

SCALE: 1/32" = 1'-0"



2 PROPOSED ANTENNA PLAN

SCALE: 1/32" = 1'-0"

verizonwireless

VERIZON WIRELESS
2785 MITCHELL DRIVE, SUITE 9
WALNUT CREEK, CA 94598

Vendor:

modus

149 NATOMA STREET, 3RD FLOOR
SAN FRANCISCO, CA 94105

Architect:

BYERS
ENGINEERING
COMPANY

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SHEET TITLE:
EQUIPMENT PLAN & ANTENNA PLAN

SHEET NUMBER:
A-2



1 EXISTING EAST ELEVATION



2 PROPOSED EAST ELEVATION



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Vendor:



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SHEET TITLE:

EAST ELEVATIONS

SHEET NUMBER:

A-3

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TOP OF (E) PARAPET
±34'-6" A.G.L.

TOP OF (E) ROOF
±33'-6" A.G.L.

TOP OF (E) PARAPET
±34'-6" A.G.L.

(E) BUILDING

(E) ADJACENT BUILDING OUTLINE

1 EXISTING NORTH ELEVATION

SCALE: 3/16" = 1'-0"
0' 2' 4' 8' 12' 24'

TOP OF (N) FRP SCREEN
±40'-6" A.G.L.

TOP OF (N) VERIZON ANTENNAS
±40'-0" A.G.L.

RAD CENTER OF (N) VERIZON ANTENNAS
±39'-0" A.G.L.

TOP OF (E) ROOF
±33'-6" A.G.L.

(N) FAUX VENT
7
A-4

(N) VERIZON WIRELESS TRI-SECTOR
CYLINDRICAL ANTENNA INSIDE (N)
FRP FAUX VENT
4
A-4

(N) (4) VERIZON WIRELESS RRU'S
MOUNTED TO (N) H-FRAME
1
A-4

TOP OF (E) PARAPET
±34'-6" A.G.L.

(E) BUILDING

(E) ADJACENT BUILDING OUTLINE

2 PROPOSED NORTH ELEVATION

SCALE: 3/16" = 1'-0"
0' 2' 4' 8' 12' 24'



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SHEET TITLE:

NORTH ELEVATIONS

SHEET NUMBER:

A-3.1

Charles Universal Broadband Enclosures (CUBE)
RL21221 Remote Radio Head / Power Support Cabinet

The CUBE RL21221 cabinet provides environmental protection for a wide variety of telecom applications, including wireless, fiber transport for cell site backhaul, and other remote outdoor applications where 20 or 40 VDC is required. The most common application for this cabinet is to house power and battery backup for remote radio heads. Commercial AC power is converted to 24 or 40 VDC using a third-party rectifier (supports most major manufacturers). The separate battery chamber is designed for up to 100Ah Ni-Cd or VRLA batteries.



Overall Dimensions	20" H x 20" W x 20" D
Equipment Chamber	24" H x 20" W x 20" D
Rack Space / U-MTS	12RU / 18" EIA Standard
Door Lock	2-Point Latching, Padlockable Door
AC Equipment	8 Position Load Center (see chart on reverse side for details)
Battery Chamber	15" H x 20" W x 20" D
Capacity	Supports 1 String 48V (per two 24V) 100Ah Ni-Cd or 100Ah VRLA
Door Lock	Padlockable 216 Tool Entry
Bonding & Grounding	8 Prebored 2-Hole Ground Bar
Cable Entrance	(3) 1.7512 5/8 Knockouts on East Side, (2) 1.3175" and (1) 1.7512 5/8 Knockouts on Bottom
Thermal Management	24VDC or 40VDC 560 Watt Heat Exchanger (see chart below)
Construction	100% Welded Aluminum, CR-White Finish
Weight (Empty)	160 lbs.
Mounting	Wall or H-Frame, Pole Mount Kit optional (S7-CABPM/TXIT)

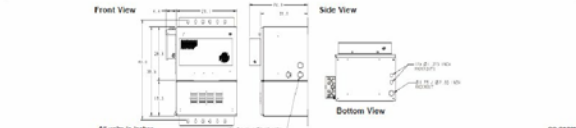
FRUIT NUMBER	STANDARD MOUNTING	OVERALL DIM. (HxWxD)	DC INPUT	BATTERY CHAMBER DIM. (HxWxD)	LOAD CENTER	THERMAL SPEC.	INTEGRATED POWER	WEIGHT (EMPTY) (lbs.)	WEIGHT (W/ GABBY)
CUBE RL21221A01	Wall/H-Frame	36x26x20	12	24x20x20	15x20x20	8 Position	500W 40VDC 100A	150	270
CUBE RL21221A01	Wall/H-Frame	36x26x20	12	24x26x20	15x26x20	8 Position	500W 40VDC 100A	155	287
CUBE RL21221A02	Wall/H-Frame	36x26x20	12	24x26x20	15x26x20	8 Position	500W 40VDC 100A	155	287
CUBE RL21221A03	Wall/H-Frame	36x26x20	12	24x26x20	15x26x20	8 Position	500W 40VDC 100A	155	287
CUBE RL21221A04	Wall/H-Frame	36x26x20	12	24x26x20	15x26x20	8 Position	500W 40VDC 100A	155	287
CUBE RL21221A05	Wall/H-Frame	36x26x20	12	24x26x20	15x26x20	8 Position	500W 40VDC 100A	155	287
CUBE RL21221A07	Wall/H-Frame	36x26x20	12	24x26x20	15x26x20	8 Position	500W 40VDC 100A	155	287

S7-00207-0 216 Tool (116" Nut) Assembly for Existing Cabinets
S7-CABPM/TXIT Pole Mount Kit for 15 Series Cabinets
S7-00210-0 10" Pole for RL212 Series Cabinets, 10" Pole for RL212

INNOVATIVE ENCLOSED SOLUTIONS™ Charles Industries, Ltd. Phone: (800) 596-4242
Relling Meadows N, 00000 Fax: (800) 596-4242
www.charlesindustries.com

Charles Universal Broadband Enclosures (CUBE)
RL21221 Remote Radio Head / Power Support Cabinet

CUBE Small Size Support Integrated Power Configuration Detail									
Charles Model (CUBE)	Integrated Power System	Rectifier Size	Rectifier Pos in Config	DC Distribution		DC Breakers in Config	GFI Protection	AC Input Voltage	AC Load Breaker
				AC Input	AC Load				
RL21221A01	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P
RL21221A01	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P
RL21221A02	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P
RL21221A03	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P
RL21221A04	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P
RL21221A05	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P
RL21221A07	DC 48V 40A 80A	3	(3) 20A	None	(1) 10A for 100A	None	None	220	50A 1P



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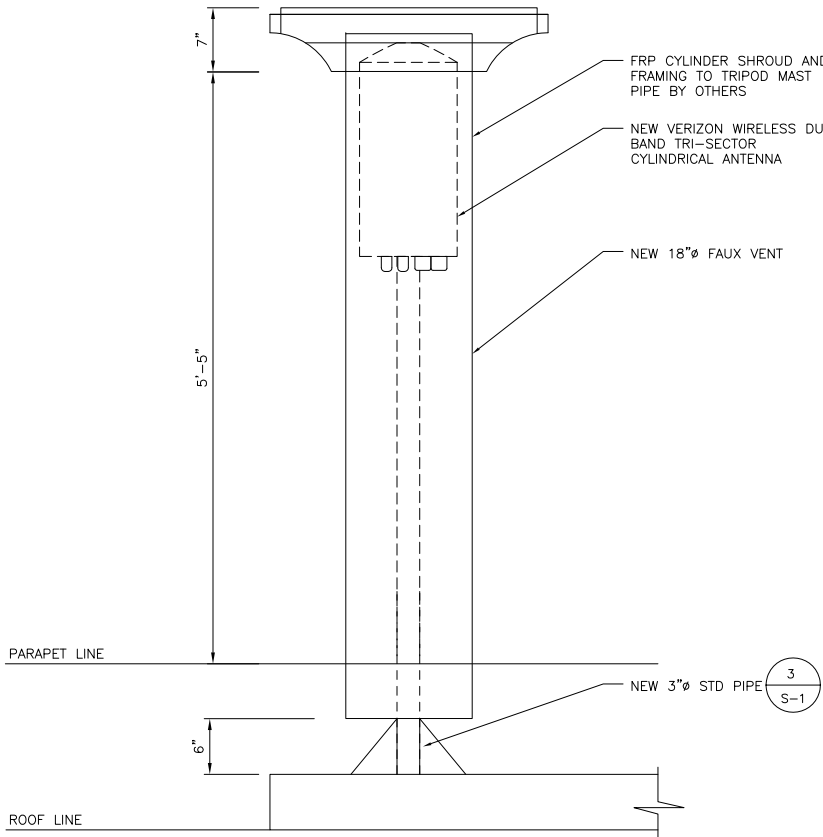
Cylindrical, Sector Panel & Omni Antennas

Cylindrical Antennas

Image	Part Number	Sector Type	Antenna Type	Frequency	Pol.	HBW / VBW	Length x Diameter	Gain	Tilt (°)	Availability
	CWS070X06Fxy-0	Single Sector	Non-Diplexed	696-960 1710-2170		70° / 35° 70° / 17°	24.0 x 14.6 in	10.0 dBi 14.0 dBi		Orderable
	CWS070X06Fxy-1	Single Sector	Diplexed	696-960 1710-2170		70° / 35° 70° / 17°	24.0 x 14.6 in	8.5 dBi 13.5 dBi		Orderable
	CWD070X06Fxy-0	Dual Sector 120° Spacing	Non-Diplexed	696-960 1710-2170		70° / 35° 70° / 17°	24.0 x 14.6 in	10.0 dBi 14.0 dBi		Orderable
	CWD070X06Fxy-1	Dual Sector 120° Spacing	Diplexed	696-960 1710-2170		70° / 35° 70° / 17°	24.0 x 14.6 in	8.5 dBi 13.5 dBi		Orderable
	CWB070X06Fxy-0	Dual Sector 180° Spacing	Non-Diplexed	696-960 1710-2170	XX-Pol	70° / 35° 70° / 17°	24.0 x 14.6 in	10.0 dBi 14.0 dBi	x = 0.5 y = 0.2 z = 0.5	Orderable
	CWB070X06Fxy-1	Dual Sector 180° Spacing	Diplexed	696-960 1710-2170		70° / 35° 70° / 17°	24.0 x 14.6 in	8.5 dBi 13.5 dBi		Orderable
	CWT070X06Fxy-0	Tri Sector 120° Spacing	Non-Diplexed	696-960 1710-2170		70° / 35° 70° / 17°	24.0 x 14.6 in	10.0 dBi 14.0 dBi		Orderable

SMALL CELL CABINET DETAIL

SCALE: 6
N.T.S.

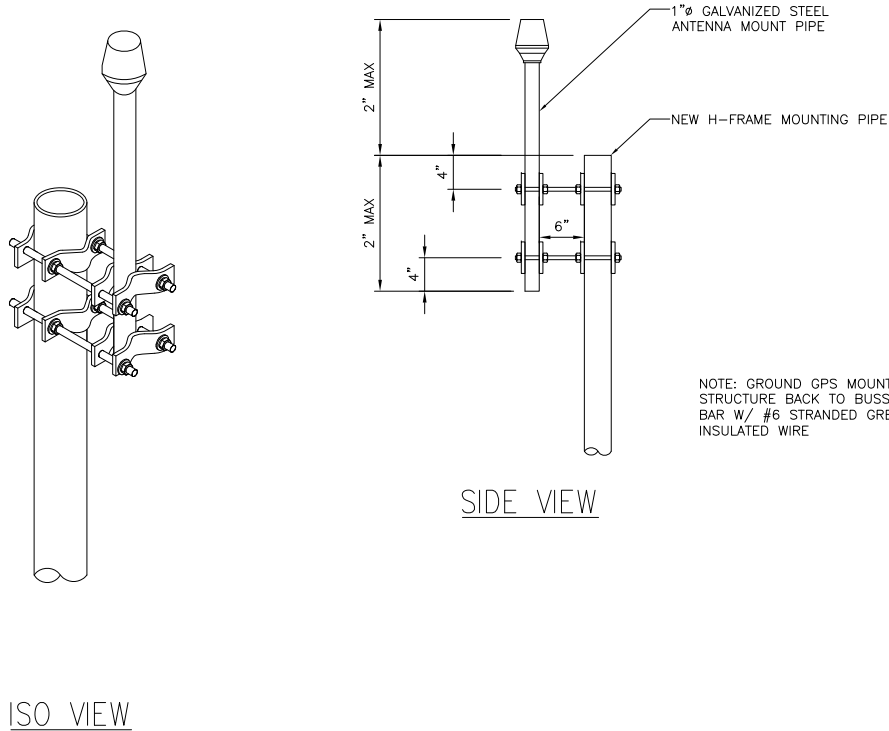


FAUX VENT DETAIL

SCALE: 7
N.T.S.

CWB070X06Fxy-0 CYLINDRICAL ANTENNA DETAIL

SCALE: 4
N.T.S.



GPS ANTENNA DETAIL

SCALE: 5
N.T.S.

RRUS 12

- 2x60 Watts
- GSM, WCDMA & LTE
- Frequencies:
 - Band 2 (PCS, KRC 161 299/2)
 - Band 4 (AWS, KRC 161 349/2)
 - Band 5 (850MHz, KRC 161 321/2)
- IBW: 40 MHz (B2, B4), 25 MHz (B5)
- Up to 4 carriers WCDMA or LTE
- 2.5 Gbps CPRI
- 6 external alarms
- DC supply (AC as an option)
- Dimensions (HxWxD): 20.4"x18.5"x7.5" (including sun shield and handle)
- Weight: 50 lbs, excluding mounting hardware
 - 58 lbs in Extranet description, applicable to heaviest (non-AT&T) frequency model

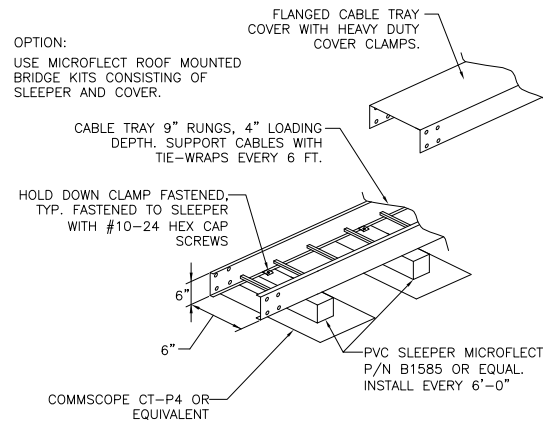


RRUS-12 DETAIL

SCALE: 1
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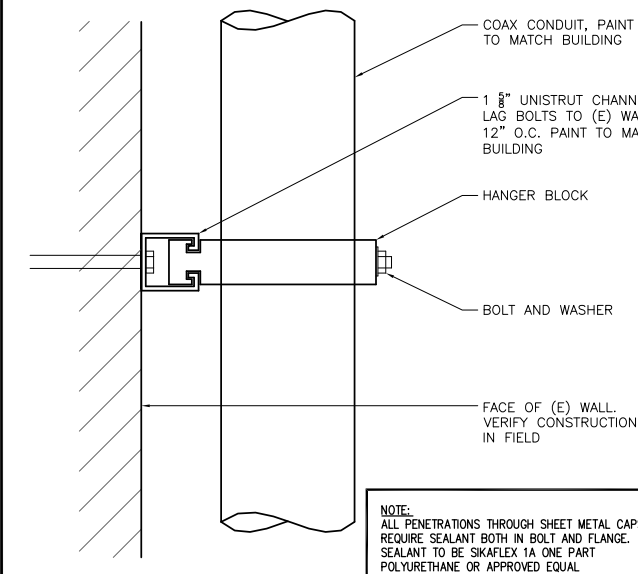
NOTE:

WHEN CABLE TRAY COVERS ARE SPECIFIED, THEY SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS INSTALLATION PROCEDURES AND INSTRUCTIONS FOR 'HIGH WIND CONDITIONS'. THIS INCLUDES CONNECTOR TYPE AND SPACINGS.



6" X 6" CABLETRAY MOUNTED ON SLEEPERS

SCALE: 2
N.T.S.



CONDUIT VERTICAL WALL DETAIL

SCALE: 3
N.T.S.



VERIZON WIRELESS
2785 MITCHELL DRIVE, SUITE 9
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Vendor:



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Architect:



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PLEASANTON, CA 94588
Phone: (925) 398-6000

VERIZON SITE NO: 291701

PROJECT NO:

DRAWN BY: SG

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EQUIPMENT DETAILS

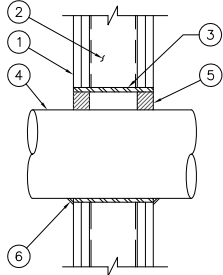
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UL/cUL SYSTEM NO. W-L-1164
METAL PIPE THROUGH A SLEEVE IN 1-HR. OR 2-HR. GYPSUM WALL ASSEMBLY
F-RATING = 1-HR. OR 2-HR.
T-RATING = 0-HR.

1. GYPSUM WALL ASSEMBLY (UL/ULC CLASSIFIED U300 OR U400 SERIES) (1-HR. OR 2-HR. FIRE RATING) (2-HR. SHOWN).
2. (NOT SHOWN). WOOD STUDS TO CONSISTS OF NOMINAL 2"x4" LUMBER. STEEL STUDS TO BE MINIMUM 2-1/2" WIDE.
3. MAXIMUM 32" DIAMETER STEEL PIPE SLEEVE (SCHEDULE 40 OR HEAVIER).
4. PENETRATING ITEM TO BE ONE OF THE FOLLOWING:
A. MAXIMUM 30" DIAMETER STEEL PIPE (SCHEDULE 10 OR HEAVIER)
B. MAXIMUM 30" DIAMETER CAST IRON PIPE
C. MAXIMUM 6" NOMINAL DIAMETER COPPER PIPE
D. MAXIMUM 6" NOMINAL DIAMETER STEEL CONDUIT
E. MAXIMUM 4" NOMINAL DIAMETER EMT.
5. HILTI FS-ONE INTUMESCENT FIRESTOP SEALANT:
A. MINIMUM 5/8" DEPTH, FOR A 1-HR. FIRE-RATING
B. MINIMUM 1-1/4" DEPTH, FOR 2-HR. FIRE-RATING
MINIMUM 1/2" BEAD HILTI FS-ONE INTUMESCENT FIRESTOP SEALANT (UL 1479) AT POINT OF CONTACT.



- NOTES:
- A. MAXIMUM DIAMETER OF OPENING = 32" FOR STEEL STUD WALLS.
 - B. MAXIMUM DIAMETER OF OPENING = 14-1/2" FOR WOOD STUD WALLS.
 - C. ANNULAR SPACE = MINIMUM 0", MAXIMUM 1-7/8".

PIPE PENETRATION AT WOOD WALL DETAIL

SCALE:
N.T.S.

7

WATER PROOFING DETAIL

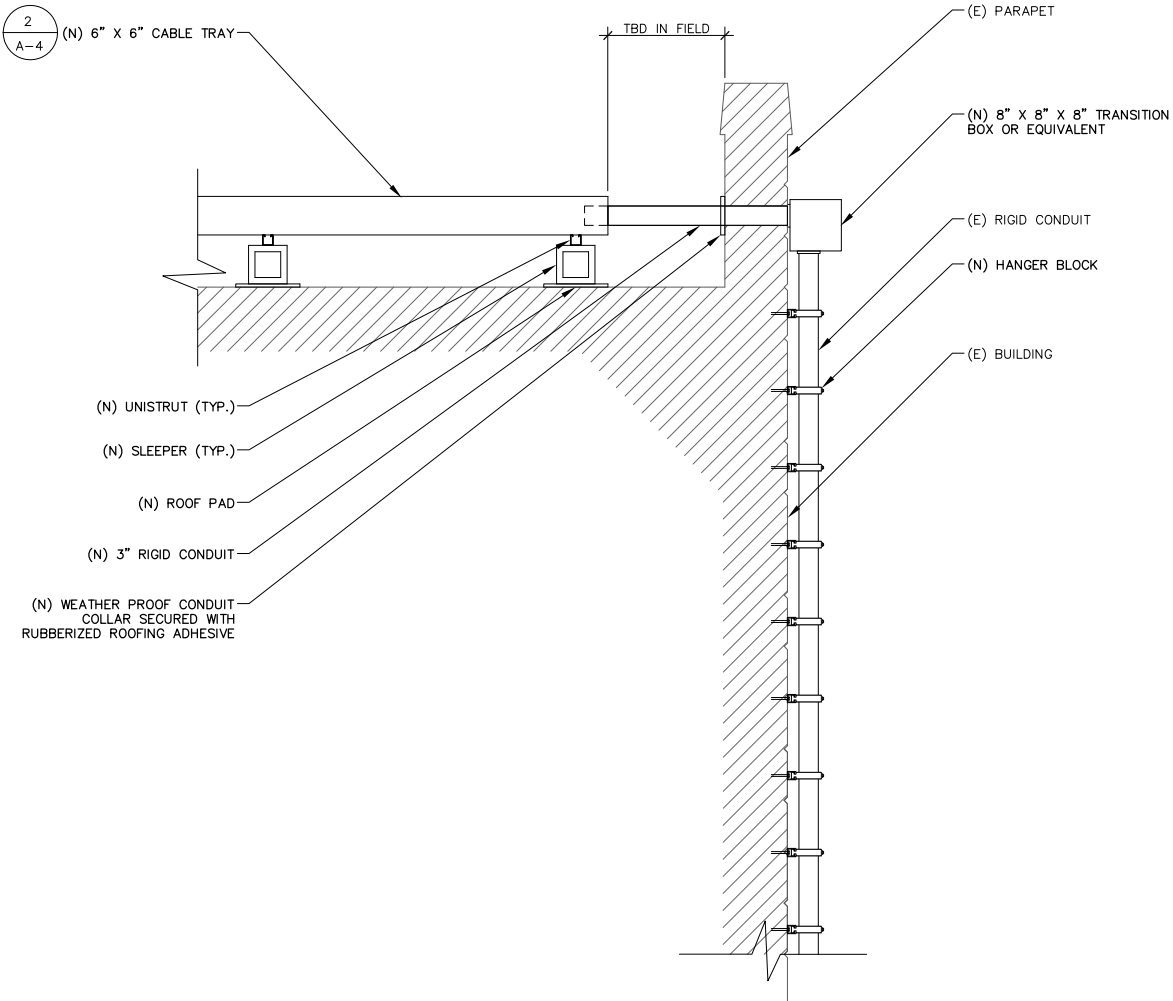
SCALE:
N.T.S.

4

FCC SIGN

SCALE:
N.T.S.

1



PIPE PENETRATION AT PARAPET DETAIL

SCALE:
N.T.S.

8

SBR6 SPEED BUMP DETAIL

SCALE:
N.T.S.

6

EQUIPMENT CONCRETE PAD DETAIL

SCALE:
N.T.S.

3

Technical information for RRU support kit				
Ordering p/n:	Function description:			
SAK 107 28.90/1	Single RRU support kit for installation of one RRU with possibility to attach PU1 or A2 units or 1-2 T800A units. (RRU not included)			
SAK 107 28.90/2	Expansion kit for installation of two RRU units with possibility to attach PU1 or A2 units. (RRU not included)			
Clamp mounting range:				
	Radius	Square profile	90° Angle	60° Angle
	Ø	□	✓	✓
Minimum (mm)	Ø11.5	31.5 x 31	31.5 x 31	40 mm opening
Maximum with 150mm bolts (mm)	Ø80	45 x 45	90 x 90	80 mm opening
Maximum with 200mm bolts (mm)	Ø120	50 x 50	90 x 90	100 mm opening
Mechanical data:				
Clamp profiles	Aluminium, Natural anodized 20mm			
Support arms	Aluminium, Natural anodized 20mm			
Fasteners	Acid proof stainless steel			
Performance:				
Installation type	Max Net Wind Area* at wind speed 180 Km/h (100 mph) 0.6 m²			
Support kit installed on two levels on tubes				
*Net Wind Area is the projected area multiplied with a safety factor 1.2 (Round surface: 0.6 x 1.2 for surface 0.6m²)				
Package dimensions:				
	Length	Width	Height	Weight
SAK 107 28.90/1	530 mm	95 mm	80 mm	1 kg
SAK 107 28.90/2	370 mm	80 mm	80 mm	2 kg



RRUS-12 BACK TO BACK DETAIL

SCALE:
N.T.S.

5

CABINET ANCHORAGE DETAIL

SCALE:
N.T.S.

2



- SPECIFICATIONS:
- HEIGHT: 6" LONG x 12" WIDE x 2 1/4" TALL
 - MEETS STANDARDS: ITE/FHWA
 - WEIGHT: 60LBS
 - REFLECTIVE YELLOW "CATS-EYE" STRIPES ARE HIGHLY VISIBLE AT NIGHT
 - INCLUDES MOUNTING HARDWARE

PIPE PENETRATION AT PARAPET DETAIL

SCALE:
N.T.S.

8

SBR6 SPEED BUMP DETAIL

SCALE:
N.T.S.

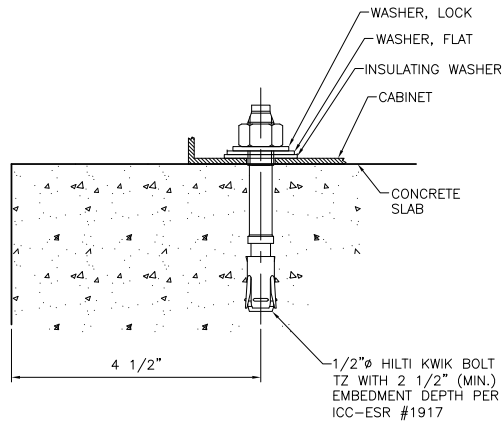
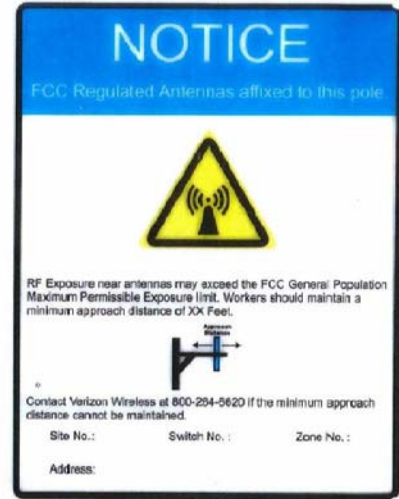
6

EQUIPMENT CONCRETE PAD DETAIL

SCALE:
N.T.S.

3

NOTE:
NEW VINYL SIGN TO BE PROVIDED BY VERIZON WIRELESS AND BE PLACED ON THE POLE 12 ABOVE GROUND LEVEL. COLOR TO BE DETERMINED PRIOR TO INSTALL.



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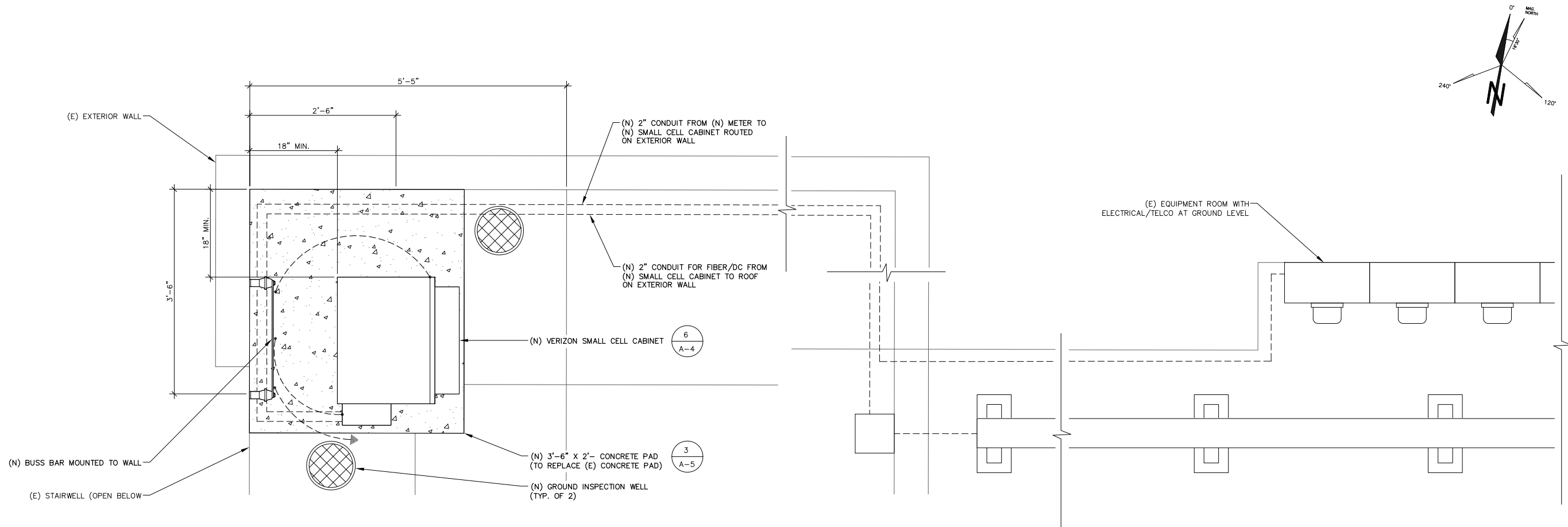
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EQUIPMENT DETAILS

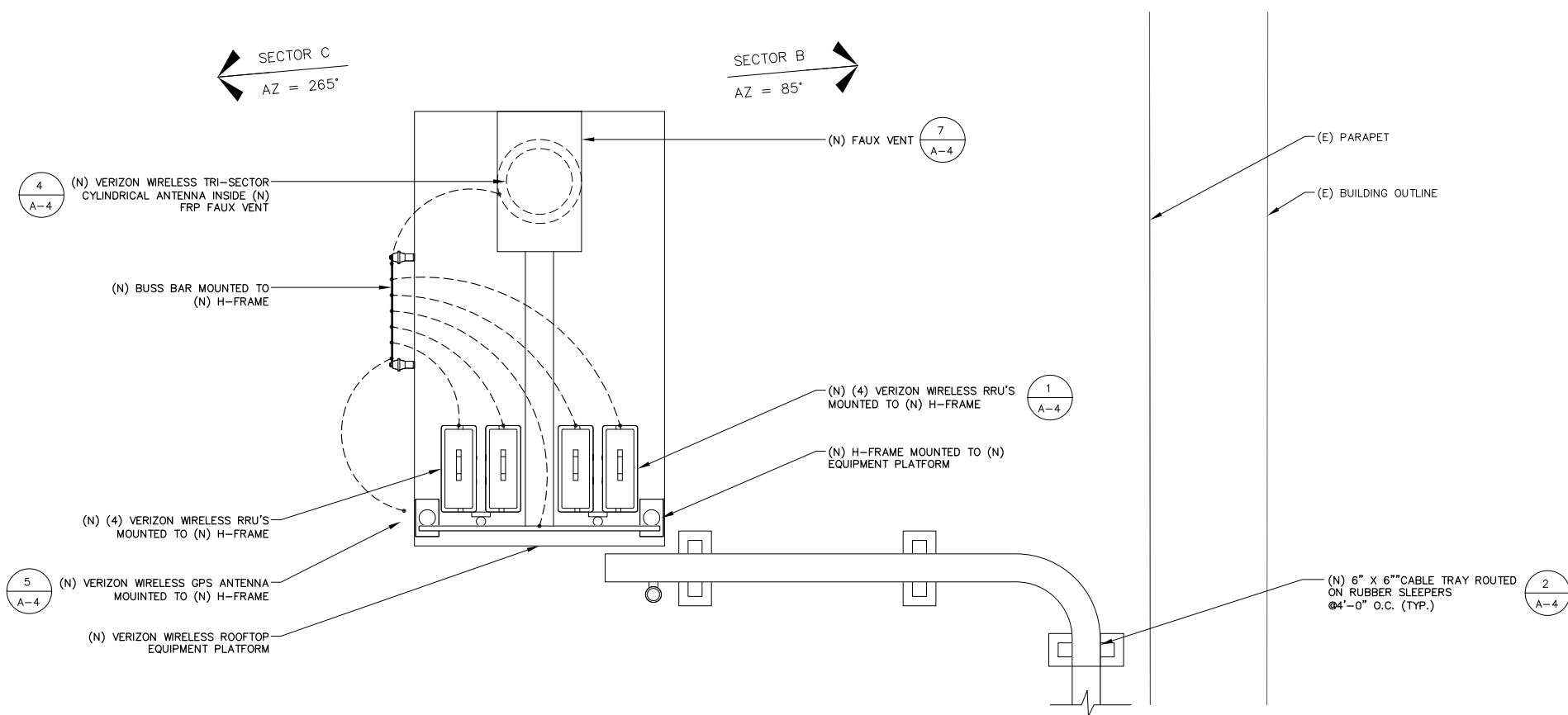
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1 GROUNDING EQUIPMENT PLAN



2 GROUNDING ANTENNA PLAN

verizonwireless

VERIZON WIRELESS
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CONSTRUCTION

REV	DATE	DESCRIPTION	BY
1	07/09/15	100% CONST. DRAWINGS	JA
0	06/13/15	95% CONST. DRAWINGS	SG

Licensor:

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Project Info:

SF FULTON & MASONIC SC1

1801 FULTON ST.
SAN FRANCISCO, CA 94117

SHEET TITLE:

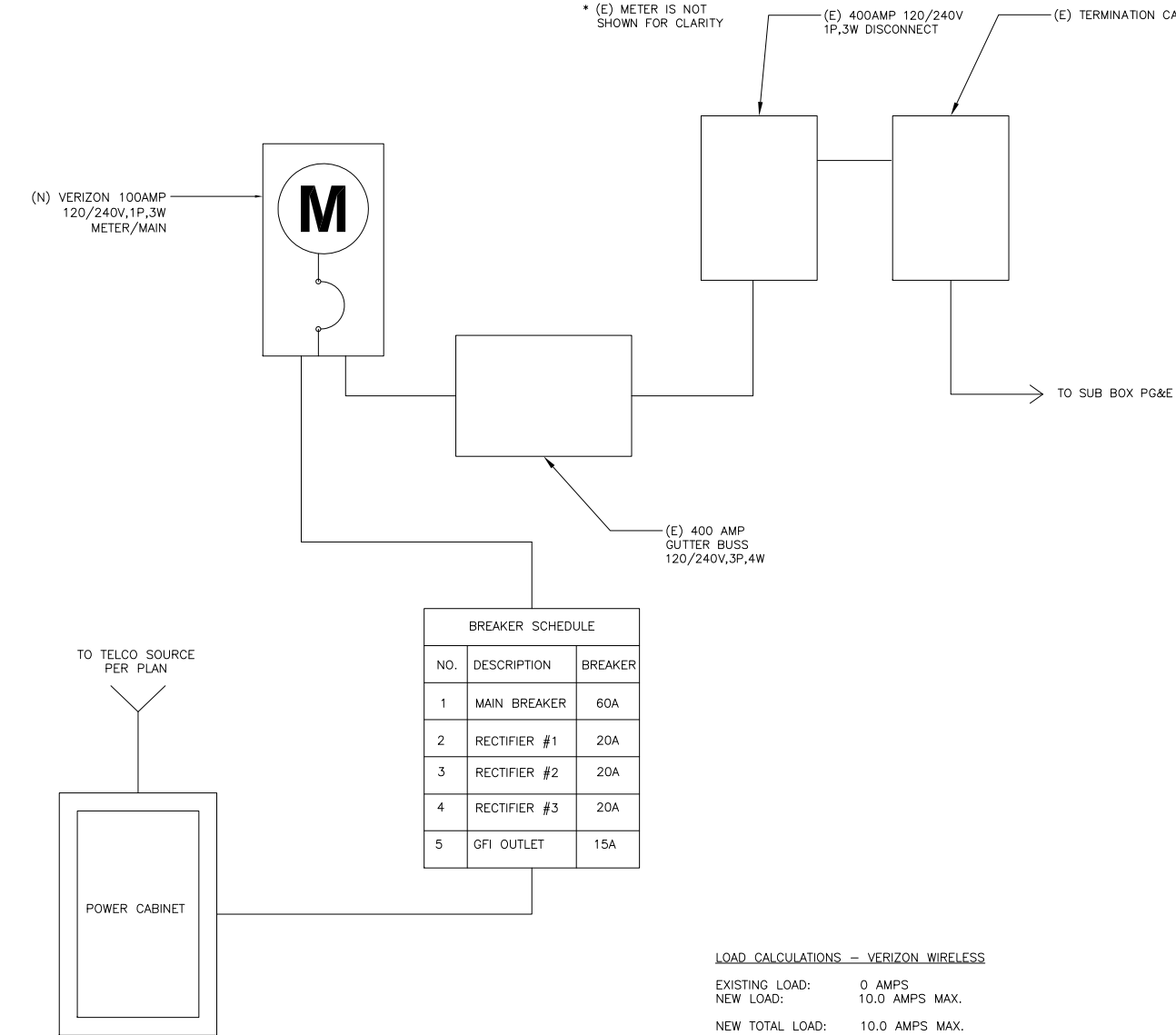
ELECTRICAL GROUND PLANS

SHEET NUMBER:

E-2

POWER AND TELCO CONNECTIONS:

1. POWER AND TELCO POINT OF CONNECTION AND ROUTE ARE PRELIMINARY AND SUBJECT TO CHANGE TO CONFIRMATION BY THE UTILITY COMPANIES RESPECTIVELY.
2. CONTRACT SHALL COORDINATE WITH UTILITY COMPANY FOR FINAL AND EXACT WORK/MATERIALS REQUIREMENTS AND CONSTRUCT TO UTILITY ENGINEERING PLAN AND SPECIFICATIONS ONLY WHERE APPLICABLE PRE PROJECT SCOPE OF WORK.
3. CONTRACT SHALL FURNISH AND INSTALL CONDUIT, PULL WIRES, CABLE PULL BOXES, CONCRETE ENCASEMENT OF CONDUIT, TRANSFORMER PAD, BARRIERS, RISER TRENCHING, BACK FILL AND UTILITY FEES, AND INCLUDE REQUIREMENTS IN THE SCOPE.
4. CONTRACTOR SHALL LABEL ALL MAIN DISCONNECT SWITCHES AS REQUIRED BY CODE.



LOAD CALCULATIONS — VERIZON WIRELESS

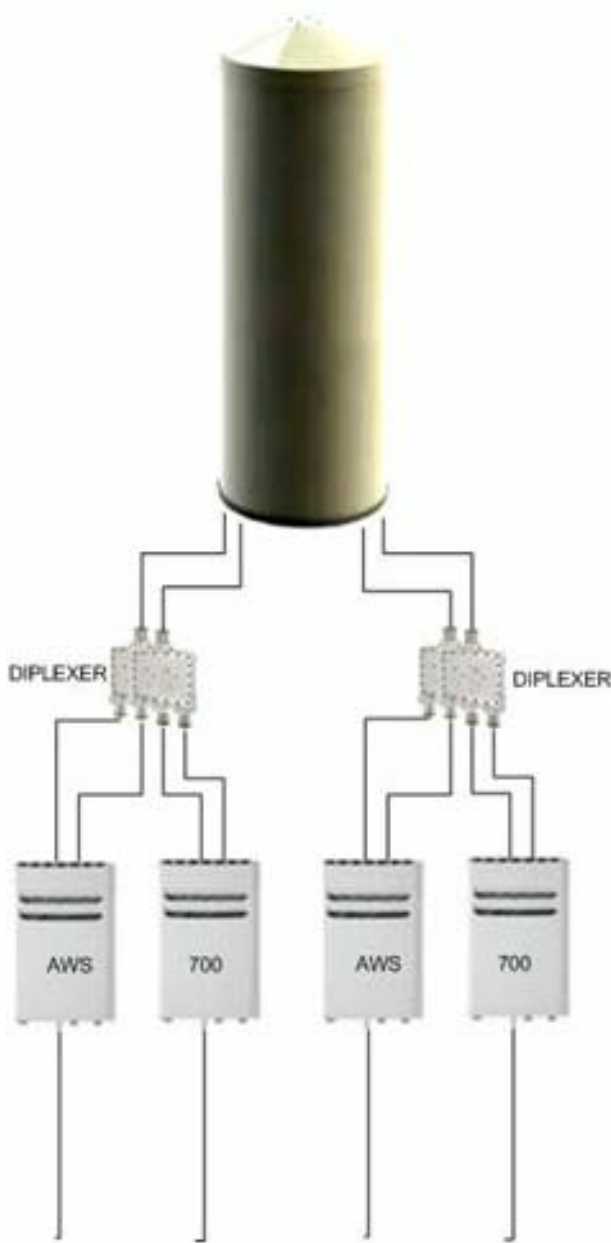
EXISTING LOAD: 0 AMPS
NEW LOAD: 10.0 AMPS MAX.
NEW TOTAL LOAD: 10.0 AMPS MAX.

POWER AND TELCO DESIGN IS BASED ON INITIAL SITE VISIT.

CONTRACTOR SHALL OBTAIN CURRENT UTILITY COORDINATOR PLANS PRIOR TO START OF CONSTRUCTION.

AVAILABLE FAULT CURRENT PER UTILITY.

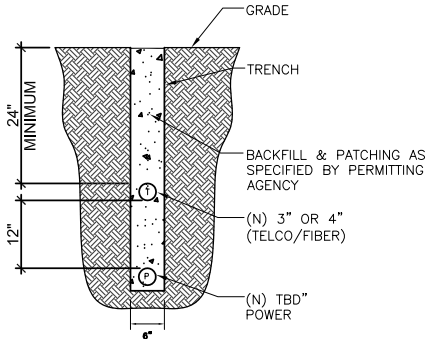
NOTE: CONTRACTOR TO CHECK WITH UTILITY TO ENSURE ELECTRICAL METER IS BRACED FOR ACTUAL FAULT CURRENT.



PLUMBING DIAGRAM

SCALE:
N.T.S.

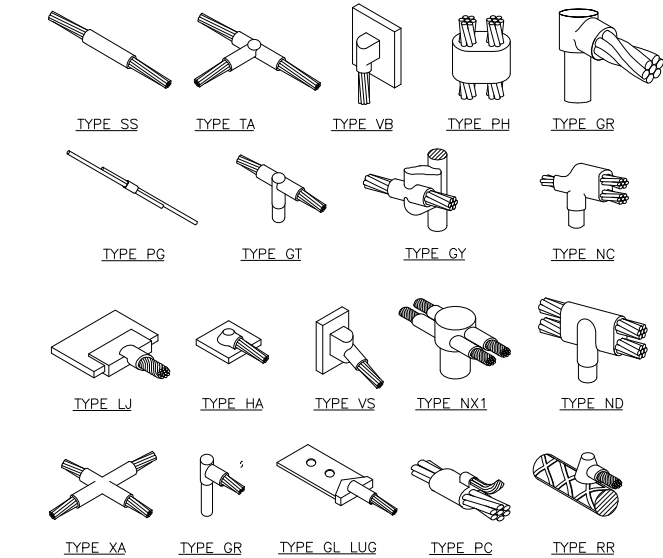
4



JOINT TRENCH DETAIL

SCALE:
N.T.S.

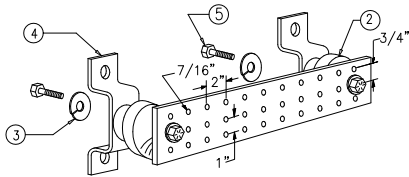
5



EXOTHERMIC WELD CONNECTION

SCALE:
N.T.S.

1



NOTES:

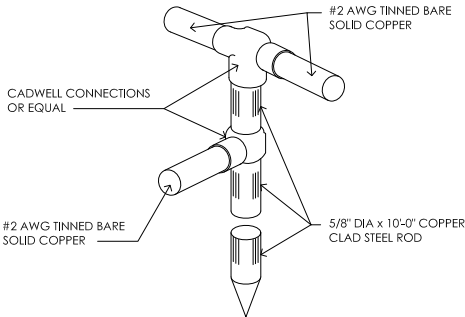
1. COPPER GROUND BAR, "X 1/4"X 20", NEWTON INSTRUMENT CO. CAT. NO. B-6142 OR EQUAL. HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION. (ACTUAL GROUND BAR SIZE WILL VARY BASED ON NUMBER OF GROUND CONNECTIONS)
2. INSULATORS, NEWTON INSTRUMENT CAT. NO. 3061-4 OR EQUAL
3. 5/8" LOCKWASHER, NEWTON INSTRUMENT CO. CAT. NO. 3015-8 OR EQUAL
4. WALL MOUNTING BRACKET, NEWTON INSTRUMENT CO. CAT NO. A-6056 OR EQUAL
5. 5/8-11 X 1" HHCS BOLTS, NEWTON INSTRUMENT CO. CAT NO. 3012-1 OR EQUAL
6. INSULATORS SHALL BE ELIMINATED WHEN BONDING DIRECTLY TO TOWER/MONOPOLE STRUCTURE. CONNECTION TO TOWER/MONOPOLE STRUCTURE SHALL BE PER MANUFACTURERS RECOMMENDATIONS.

NOTE: ALL HARDWARE SHALL BE STAINLESS STEEL

BUSS BAR

SCALE:
N.T.S.

2



GROUNDING ROD DETAIL

SCALE:
N.T.S.

3

SINGLE LINE DIAGRAM

SCALE:
N.T.S.

6



VERIZON WIRELESS
2785 MITCHELL DRIVE, SUITE 9
WALNUT CREEK, CA 94598

Vendor:



149 NATOMA STREET, 3RD FLOOR
SAN FRANCISCO, CA 94105

Architect:



4780 CHABOT DRIVE, SUITE 104
PLEASANTON, CA 94588
Phone: (925) 398-6000

VERIZON SITE NO: 291701

PROJECT NO:

DRAWN BY: SG

CHECKED BY: NHP

Issued For:

CONSTRUCTION

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Project Info:

SF FULTON &
MASONIC SC1

1801 FULTON ST.
SAN FRANCISCO, CA
94117

SHEET TITLE:
PANEL SCHEDULE,
SINGLE LINE DIAGRAM,
PLUMBING DIAGRAM
& ELECTRICAL DETAILS

SHEET NUMBER:

E-3

T:\VERIZON WIRELESS\291701 SF Fulton & Masonic\07 CAD Files\291701 EME-1.dwg, EME-1, 7/9/2015 1:04:54 PM, jalcantara

Verizon Wireless • Proposed Base Station (Site No. 291701 "Fulton & Masonic SC1")
1801 Fulton Street • San Francisco, California

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 291701 "Fulton & Masonic SC1") proposed to be located at 1801 Fulton Street in San Francisco, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Background

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

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	815	2.85	0.57
700 MHz	700	2.40	0.48
[most restrictive frequency range]	30–300	1.00	0.20

The site was visited by Mr. David DeSmet, a qualified engineer employed by Hammett & Edison, Inc., on October 2, 2014, a non-holiday weekday, and reference has been made to information provided by Verizon, including zoning drawings by V-One Design Group, Inc., dated December 5, 2014.

Checklist

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

There were observed no wireless base stations installed at the site. Existing RF levels for a person at ground near the site were less than 1% of the most restrictive public exposure limit. The measurement equipment used was a Wandel & Goltermann Type EMR-300 Radiation Meter with Type 8 Isotropic Electric Field Probe (Serial No. P-0036). The meter and probe were under current calibration by the manufacturer.

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

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



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

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Page 1 of 4

Verizon Wireless • Proposed Base Station (Site No. 291701 "Fulton & Masonic SC1")
1801 Fulton Street • San Francisco, California

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the base station proposed by Verizon Wireless at 1801 Fulton Street in San Francisco, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need 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. Erecting barricades is recommended to establish compliance with public exposure limits; training authorized personnel, marking roof areas, and posting explanatory signs is recommended to establish compliance with occupational exposure limits.



Andrea L. Bright, P.E.
707/996-5200

December 30, 2014



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

Q0TM.1
Page 4 of 4

Verizon Wireless • Proposed Base Station (Site No. 291701 "Fulton & Masonic SC1")
1801 Fulton Street • 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.

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

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

Verizon proposes to install one Amphenol Model CWB070X06F bi-sector cylindrical antenna within a new enclosure, configured to resemble a vent pipe, above the northeast end of the roof of the three-story mixed-use building located at 1801 Fulton Street. The antenna would be mounted with up to 4° downtilt at an effective height of about 39 feet above ground, 5½ feet above the roof, and would have its sectors oriented toward 85°T and 265°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 Verizon 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 Verizon in any direction is 2,450 watts, representing simultaneous operation at 1,860 watts for AWS and 590 watts for 700 MHz service; no operation is proposed in the PCS and cellular bands.

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 antenna to be installed as described in Item 4 above. There were noted buildings of similar height on all sides of the subject building.

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 RF exposure level due to the proposed Verizon operation is calculated to be 0.022 mW/cm², which is 4.2% of the applicable public exposure limit. Ambient RF levels at ground level near the site are therefore estimated to be below 5.2% of the limit. The maximum calculated level at any nearby building is 12% of the public exposure limit. The three-dimensional perimeter of RF levels equal to the public exposure limit is calculated to extend up to 34 feet out from the antenna and to much lesser distances above and below; this includes areas on the roof of the building but does not reach any other publicly accessible areas.



HAMMETT & EDISON, INC.
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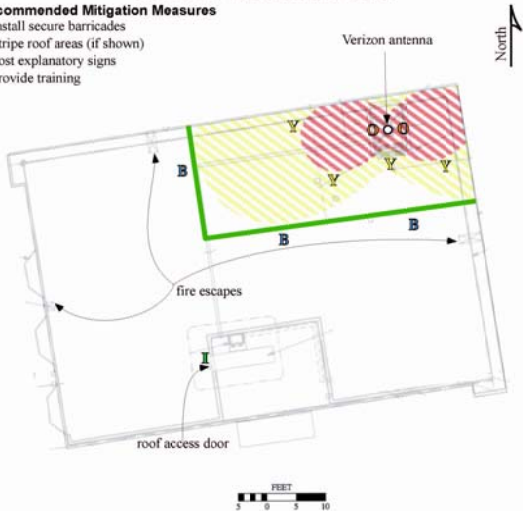
Q0TM.1
Page 2 of 4

Verizon Wireless • Proposed Base Station (Site No. 291701 "Fulton & Masonic SC1")
1801 Fulton Street • San Francisco, California

Calculated RF Exposure Levels on Roof

Recommended Mitigation Measures

- Install secure barricades
- Stripe roof areas (if shown)
- Post explanatory signs
- Provide training



Notes:
Base drawing from V-One Design Group, Inc., dated December 5, 2014.
Calculations performed according to OET Bulletin 65, August 1997.
Training should be provided to all persons requiring access within barricades.

Legend:	Less Than Public	Exceeds Public	Exceeds Occupational	Exceeds 10x Occupational
Striping color	N/A	yellow	red	red
Sign type	I - Green INFORMATION	B - Blue NOTICE	Y - Yellow CAUTION	O - Orange WARNING
Barricades shown as green lines				



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

Q0TM.1
Figure 1

Verizon Wireless • Proposed Base Station (Site No. 291701 "Fulton & Masonic SC1")
1801 Fulton Street • San Francisco, California

9. Describe proposed signage at site.

It is recommended that barricades be erected, as shown in Figure 1, to preclude public access within certain areas in front of the antenna. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training be provided to all authorized personnel who have access to the areas within the barricades, including employees and contractors of Verizon as well as roofers, HVAC workers, and building maintenance staff. No access within 15 feet directly in front of the antenna itself 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 paint stripes and "Worker Notification Areas" with yellow paint stripes on the roof of the building in front of the antenna, as shown in Figure 1, and posting explanatory signs* at the roof access door, on the barricades, and on the enclosure in front of the antenna, 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 No. E-20309, which expires on March 31, 2015. This work has been carried out under her direction, and all statements are true and correct of her own knowledge except, where noted, when data has been supplied by others, which data she believes to be correct.

* 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.



HAMMETT & EDISON, INC.
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Page 3 of 4



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SF FULTON & MASONIC SC1

1801 FULTON ST.
SAN FRANCISCO, CA
94117

SHEET TITLE:

EMF COMPLIANCE & SITE SIGNAGE

SHEET NUMBER:

EME-1



AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

view from Fulton Street looking southwest at site
 291701 SF Fulton & Masonic
1801 Fulton Street, San Francisco, CA
Photosims Produced On 5-18-2015




AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

view from Fulton Street looking south at site
 291701 SF Fulton & Masonic
1801 Fulton Street, San Francisco, CA
Photosims Produced On 5-18-2015


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SHEET TITLE:
PHOTOSIMS

SHEET NUMBER:
PS-1