



# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

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|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315)         | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139)            | <input type="checkbox"/> Other                             |

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## Planning Commission Motion No. 17571

**HEARING DATE: MARCH 20, 2008**

**(CONTINUED FROM MARCH 13, 2008)**

*Date:* March 13, 2008  
*Case No.:* **2007.0789 C**  
*Project Address:* **4002 IRVING STREET**  
*Zoning:* NC-1 (Neighborhood Commercial, Cluster) District  
40-X Height and Bulk District  
*Block/Lot:* 1709/015  
*Project Sponsor:* KDI Land Use Planning on behalf of Sprint-Nextel  
855 Folsom Street, Suite 106  
San Francisco, CA 94107  
*Staff Contact:* Adrian C. Putra – (415) 575-9079  
adrian.putra@sfgov.org

**ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZING UNDER PLANNING CODE SECTION 710.83 TO INSTALL A WIRELESS TELECOMMUNICATIONS FACILITY FOR SPRINT-NEXTEL ON THE PROPERTY AT 4002 IRVING STREET ON ASSESSOR'S BLOCK 1709, LOT 015, LOCATED WITHIN THE NC-1 (NEIGHBORHOOD COMMERCIAL, CLUSTER) DISTRICT AND AN 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

1. On July 26, 2007, Mr. Corey Alvin (Project Sponsor), representing KDI Land Use Planning on behalf of Sprint-Nextel, applied for a Conditional Use, Application No. 2007.0789C on the property at 4002 Irving Street, Lot 015 in Assessor's Block 1709 (Project Site), to installation of a wireless telecommunications facility (Project), in general conformity with plans reviewed by the Planning Commission on March 13, 2008 and labeled Exhibit B, within the NC-1 (Neighborhood Commercial, Cluster) District and a 40-X Height and Bulk District.
2. The Project was determined by the Planning Department (Department) to be categorically exempt from the environmental review process pursuant to Title 14 of the California Administrative Code. The Planning Commission (Commission) has reviewed and concurs with said determination.

3. On March 20, 2008, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the application for a conditional use.
4. **MOVED**, that the Commission hereby authorizes the Conditional Use Authorization requested in Application No. 2007.0789C, subject to conditions contained in Exhibit A attached hereto and incorporated by reference, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description.** The subject lot is 5,750 square feet and is located on the northwest corner of Irving Street and 41<sup>st</sup> Avenue. It is located within an NC-1 District, and a 40-X Height and Bulk District. The Project Site contains an approximately 30 feet high, 3-story mixed-use structure with two commercial offices, a drycleaners, and a locksmith shop on the ground floor, and 13 residential units above. NC-1 Districts allow the installation of wireless telecommunications facilities as a Public Use, which requires conditional use approval pursuant to Section 710.83 of the Planning Code when such facility is found to be in conformity with the provisions of the General Plan and provided that operating requirements necessitate placement at this location.
3. **Surrounding Neighborhood.** The NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. These NC-1 Districts are characterized by their location in residential neighborhoods, often in outlying areas of the City. The commercial intensity of these districts varies. Many of these districts have the lowest intensity of commercial development in the City, generally consisting of small clusters with three or more commercial establishments, commonly grouped around a corner; and in some cases short linear commercial strips with low-scale, interspersed mix-use (residential-commercial) development. The lot west of the project site is a vacant lot also owned by the owner of the project site. The second lot to the west of the project site contains a single family dwelling, while the lot adjacent and north contains a three-story, three unit residential building. The surrounding area predominately consists of multi-unit residential buildings. Across the project site on the corner of 41<sup>st</sup> Avenue and Irving Street is a retail grocery store (dba Charlie's Market), and on the opposite side of Irving Street from the project site, at the corner of Irving Street and 42<sup>nd</sup> Avenue is a liquor store (dba Sun Valley Dairy). Aside from a few commercial establishments located along Irving Street between 40<sup>th</sup> and 42<sup>nd</sup> Avenues, the surrounding area predominately consists of multi-unit residential buildings.
4. **Project Description.** Sprint-Nextel currently is proposing to install a wireless telecommunications facility, which consists of mounting three antennas to a penthouse structure to be hidden in a faux vent pipe that will reach a maximum height of 38 feet above grade. In

addition, the associated radio equipment would be placed on the roof near the penthouse structure of the subject building, and will not be visible beyond the roofline.

5. **Public Comment.** To date Department has not received any correspondence from the public regarding the project. The Project Sponsor held a community outreach meeting on January 20, 2008 at the Bill's Doggie Bath-O-Mat & Grooming at 3928 Irving Street. Notices announcing the meeting were sent to all property owners and tenants within 500 feet of the Project Site, and 10-15 people attended the meeting. According to the Project Sponsor discussion at this meeting was primarily focused on the physical design of the facility, and some questions were brought up regarding the health safety of the antennas.
6. **5-year plan:** Sprint-Nextel submitted its latest 5-year plan, as required, in October 2007.

**Coverage Objective:** The Project Sponsor has stated that the purpose of the proposed facility is to improve the Sprint-Nextel network's signal strength coverage in the lower Irving Street area. According to the Project Sponsor there is currently a coverage "hole" located in the approximately area of the project site, as shown by submitted existing and proposed signal strength coverage maps. This coverage "hole" affects approximately 18-square blocks within an area roughly bounded by 39<sup>th</sup> Avenue on the east, 46<sup>th</sup> Avenue on the west, Lincoln Way on the north, and Lawton Street on the south.

7. **Location Preference:** The Commission held a duly advertised public hearing on August 15, 1996 to consider adoption of guidelines for the siting of wireless telecommunications facilities in the City. The Commission, by Resolution No. 14182, adopted the proposed Wireless Telecommunications Services Facilities Siting Guidelines (Guidelines) on August 15, 1996. The Guidelines identify different types of buildings for the siting of wireless telecommunications facilities, with Location Preference 1 being the most desirable location and Location Preference 7 being the least desirable location. Under the Guidelines, the Project is a Preferred Location Site (Location Preference 5), as it is a mixed-use building within an NC-1 District.
8. **Radiofrequency (RF) Emissions:** The project sponsor retained Hammett & Edison, Inc., a radio engineering consulting firm, to prepare a report describing the expected RF emissions from the proposed facility. The Department of Public Health reviewed the report and determined that the proposed facility complies with the standards set forth in the Guidelines. Once the installation is constructed and operational, a second report documenting the actual RF emissions will be prepared and evaluated for compliance.
9. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Public facilities and Utilities.** Section 710.83 requires Conditional Use Authorization for a utility installation in an NC-1 District, provided that the operating requirements necessitate placement at this location.

*The Project Sponsor has demonstrated that the existing Sprint-Nextel mobile phone network, without a facility at the project location, will not be able to improve upon their network's average signal strength coverage to a roughly 18 square-block area within an area bounded by 39<sup>th</sup> Avenue on the east, 46<sup>th</sup> Avenue on the west, Lincoln Way on the north, and Lawton Street on the south. The proposed facility will improve service for Sprint-Nextel customers in this approximate area.*

- B. **Height Exemptions.** Section 260(b)(2)(I) exempts towers and antennas for the transmission of radio, television, or other electronic signals from the height limits established by the Planning Code, subject to the limitations set forth in Sections 227(h) and 227(i). Under Section 227(h), a commercial wireless transmission facility is principally permitted up to a height not exceeding 25 feet above the roof of the subject building or 25 feet above the height limit of the subject property, whichever is less. Under Section 227(i), a commercial wireless transmission facility requires conditional use authorization if any portion of the facility exceeds a height of 25 feet above the roof of the subject building or 25 feet above the height limit of the subject property, whichever is less.

*The height limit for the Project Site is 40 feet, while the top of the subject building is approximately 30 feet above grade. The proposed rooftop mounted antennas would have a maximum height of 38 feet above grade flush mounted to the existing mechanical penthouse upon the roof and would not rise above the roof of that structure. Thus, the installation of the antennas would be within the height limit of the project site.*

10. **Conditional Use Findings:** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or community.

*The Project is necessary for and compatible with the neighborhood. It is increasingly common for residents and businesses to rely on mobile telephones as their sole form of telephone service, making adequate coverage necessary. The proposed facility will also enhance the ability to communicate in the event of an earthquake or other natural disaster when traditional landline telephones may be rendered inoperable. The Project has been designed to be visually camouflaged and compatible with existing development in the neighborhood.*

- B. Such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including, but not limited to the following:
- i. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing building will remain the same. The project has been designed so as not to alter the appearance or character of the subject building.*

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

*The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The facility would operate as an unoccupied passive site with scheduled maintenance visits by technicians occurring on a monthly basis, and in cases when a service-affecting situation occurs, such as if the wireless facility experiences a loss of power for more than four hours. Off-street parking and loading are not required.*

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

*While some noise and dust may result from the construction phase of the project; once the facility is built, impacts with regards to the above will be insignificant.*

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

*The proposed facility has been designed to minimize its visual impacts, by camouflaging the antennas by placing it inside of a faux chimney structure located on the roof of the subject building. The tops of the antennas will not rise higher than the roof of the existing rooftop mechanical penthouse. The antennas would be flush mounted to the penthouse and screened. Thus, the project would have no significant visual impact from the surrounding public right of ways.*

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

*The Project will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.*

- 11. **General Plan Compliance.** The Project is consistent with the Objectives and Policies of the General Plan in that:

## COMMERCE AND INDUSTRY ELEMENT

### Objectives and Policies

#### OBJECTIVE 1:

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

**Policy 1.1:**

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

*The Project will improve mobile phone service for Sprint-Nextel customers who live or work in the area.*

**COMMUNITY SAFETY ELEMENT**

**Objectives and Policies**

**OBJECTIVE 3:**

ENSURE THE PROTECTION OF LIFE AND PROPERTY FROM DISASTERS THROUGH EFFECTIVE EMERGENCY RESPONSE. PROVIDE PUBLIC EDUCATION ABOUT EARTHQUAKES AND OTHER NATURAL DISASTERS AND HOW INDIVIDUALS, BUSINESSES AND COMMUNITIES CAN REDUCE THE IMPACTS OF DISASTERS.

**Policy 3.1:**

Promote greater public awareness of disaster risks, personal and business risk reduction, and personal and neighborhood emergency response.

*In the event that traditional land line telephones are rendered inoperable during a natural disaster the project would enhance the ability of the City to protect both life and property from the effects of a fire or natural disaster by improving wireless communication services.*

**RESIDENCE ELEMENT**

**Objectives and Policies**

**OBJECTIVE 12:**

PROVIDE A QUALITY LIVING ENVIRONMENT.

**Policy 1:**

Assure housing is provided with adequate public improvements, services and amenities.

*With recent advances in technology, many residents are now using wireless telecommunications options on a regular basis. The Project will improve service for those residents who frequently and regularly communicate with mobile phones, and overall would improve public services through increased capabilities to the City's communication infrastructure.*

**URBAN DESIGN ELEMENT**

**Objectives and Policies**

**OBJECTIVE 4:**

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

**Policy 14:**

Remove and obscure distracting and cluttering elements.

*The proposed facility has been designed to minimize its visual impact. The facility's three antennas would be mounted to the existing rooftop penthouse structure and hidden in a faux chimney pipe. The radio equipment for the facility will be located near the rooftop penthouse structure and will not be visible beyond the roofline of the subject building.*

12. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project will not displace any neighborhood-serving retail uses. It will strengthen the overall business environment of the neighborhood by improving service for businesses and consumers who use the Sprint-Nextel mobile phone network.*

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

*The Project will not affect existing housing or neighborhood character. As designed, the visual impact of the proposed facility will be minimal.*

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

*The Project will not have any impacts on the City's supply of affordable housing.*

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

*The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. Scheduled maintenance visits by technicians will occur only once a month.*

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

*There is no commercial office development associated with the Project. No industrial or service sector uses will be displaced.*

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

*The Project will contribute to the City's preparedness against injury and loss of life in the event of an earthquake or other natural disaster by enhancing communications options.*

- G. That landmarks and historic buildings be preserved.

*No landmark or historic building occupies the Project site*

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

*The Project will not impact any parks or open spaces or their access to sunlight, since it does not increase the height or bulk of the existing building.*

13. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
14. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.



**DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2007.0789C** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17571. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 20, 2008.

Linda Avery  
Commission Secretary

AYES: Commissioners Michael J. Antonini, Kathrin Moore, Christina Olague, Bill Sugaya, Sue Lee

NAYS: None

ABSENT: Commissioner William L. Lee

ADOPTED: November 20, 2008

## Exhibit A

# Conditions of Approval

1. This authorization is granted to construct a wireless telecommunications facility as part of the mobile phone network operated by Sprint-Nextel on the property at 4002 Irving Street, Lot 015 in Assessor's Block 1709, in general conformity with the plans identified as EXHIBIT B, and reviewed by the Commission on March 20, 2008.
2. The authorization granted herein shall be valid for a period of three years (36) months from the date of the adoption of Motion No 17571 and shall become null and void after that time if the building, health, and other required permits have not been obtained.
3. Plan Drawings. Prior to the issuance of any building or electrical permits for the installation of the facilities, the Project Sponsor shall submit final scaled drawings for review and approval by the Department (Plan Drawings). The Plan Drawings shall describe:
  - a. Structure and Siting. Identify all facility related support and protection measures to be installed. This includes, but is not limited to, the location(s) and method(s) of placement, support, protection, screening, paint and/or other treatments of the antennas and other appurtenances to insure public safety, insure compatibility with urban design, architectural and historic preservation principles, and harmony with neighborhood character.
  - b. For the Project Site, regardless of the ownership of the existing facilities. Identify the location of all existing antennas and facilities; and identify the location of all approved (but not installed) antennas and facilities.
  - c. Emissions. Provide a report, subject to approval of the Zoning Administrator, that operation of the facilities in addition to ambient RF emission levels will not exceed adopted FCC standards with regard to human exposure in uncontrolled areas.
4. Project Implementation Report. The Project Sponsor shall prepare and submit to the Zoning Administrator a Project Implementation Report. The Project Implementation Report shall:
  - a. Identify the three-dimensional perimeter closest to the facility at which adopted FCC standards for human exposure to RF emissions in uncontrolled areas are satisfied;

- b. Document testing that demonstrates that the facility will not cause any potential exposure to RF emissions that exceed adopted FCC emission standards for human exposure in uncontrolled areas.
  - c. The Project Implementation Report shall compare test results for each test point with applicable FCC standards. Testing shall be conducted in compliance with FCC regulations governing the measurement of RF emissions and shall be conducted during normal business hours on a non-holiday weekday with the subject equipment measured while operating at maximum power.
  - d. Testing, Monitoring, and Preparation. The Project Implementation Report shall be prepared by a certified professional engineer or other technical expert approved by the Department. At the sole option of the Department, the Department (or its agents) may monitor the performance of testing required for preparation of the Project Implementation Report. The cost of such monitoring shall be borne by the Project Sponsor pursuant to the condition related to the payment of the City's reasonable costs.
  - e. Notification and Testing. The Project Implementation Report shall set forth the testing and measurements undertaken pursuant to Conditions 3 and 10.
  - f. Approval. The Zoning Administrator shall request that the Certification of Final Completion for operation of the facility not be issued by the Department of Building Inspection until such time that the Project Implementation Report is approved by the Department for compliance with these conditions.
5. Notification prior to Project Implementation Report. The Project Sponsor shall undertake to inform and perform appropriate tests for residents of any dwelling units located within 25 feet of the transmitting antennae at the time of testing for the Project Implementation Report.
- a. At least twenty calendar days prior to conducting the testing required for preparation of the Project Implementation Report, the Project Sponsor shall mail notice to the Department, as well as to the resident of any legal dwelling unit within 25 feet of a transmitting antenna, of the date on which testing will be conducted. The Project Sponsor will submit a written affidavit attesting to this mail notice along with the mailing list.
  - b. When requested in advance by a resident notified of testing pursuant to subsection (a), the Project Sponsor shall conduct testing of total power density of RF emissions within the residence of that resident on the date on which the testing is conducted for the Project Implementation Report.

6. Community Liaison. Within 10 days of the effective date of this authorization, the Project Sponsor shall appoint a community liaison officer to resolve issues of concern to neighbors and residents relating to the construction and operation of the facilities. Upon appointment, the Project Sponsor shall report in writing the name, address and telephone number of this officer to the Zoning Administrator. The Community Liaison Officer shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
7. Installation. Within 10 days of the installation and operation of the facilities, the Project Sponsor shall confirm in writing to the Zoning Administrator that the facilities are being maintained and operated in compliance with applicable Building, Electrical and other Code requirements, as well as applicable FCC emissions standards.
8. Screening.
  - a. To the extent necessary to ensure compliance with adopted FCC regulations regarding human exposure to RF emissions, and upon the recommendation of the Zoning Administrator, the Project Sponsor shall:
    - (1) Modify the placement of the facilities;
    - (2) Install fencing, barriers or other appropriate structures or devices to restrict access to the facilities;
    - (3) Install multi-lingual signage (which includes at least English, Chinese, and Spanish), including the RF radiation hazard warning symbol identified in ANSI C95.2-1982, to notify persons that the facility could cause exposure to RF emissions; or
    - (4) Implement any other practice reasonably necessary to ensure that the facility is operated in compliance with adopted FCC RF emission standards.
  - b. To the extent necessary to minimize visual obtrusion and clutter, installations shall conform to the following standards:
    - (1) Antennas and backup equipment shall be painted, fenced, landscaped or otherwise treated architecturally so as to minimize visual impacts;
    - (2) Rooftop installations shall be setback such that backup facilities are not viewed from the street;

- (3) Antennas attached to building facades shall be so placed, screened or otherwise treated to minimize any negative visual impact; and
  - (4) Although co-location of various companies' facilities may be desirable, a maximum number of antennas and backup facilities on the Project Site shall be established, on a case-by-case basis, such that "antenna farms" or similar visual intrusions for the site and area are not created.
9. Removal upon abandonment. The Project Sponsor or property owner shall remove any antennas or equipment that has been out of service for a continuous period of six months or otherwise abandoned.
10. Periodic Safety Monitoring. The Project Sponsor shall submit to the Zoning Administrator 10 days after installation of the facilities, and every two years thereafter, a certification attested to by a licensed engineer expert in the field of RF/ EMF emissions, that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions.
11. Emissions Conditions. It is a continuing condition of this authorization that the facilities be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of then current FCC adopted RF/EMF emission standards; violation of this condition shall be grounds for revocation.
12. Noise and Heat. The wireless telecommunications facility, including power source and cooling facility, shall be operated at all times within the limits of the San Francisco Noise Ordinance. The wireless telecommunications facility, including power source and any heating/cooling facility, shall not be operated so as to cause the generation of heat that adversely affects any building occupants.
13. Implementation and Monitoring Costs.
  - a. The Project Sponsor, on an equitable basis with other wireless telecommunications providers, shall pay the cost of preparing and adopting appropriate General Plan policies related to the placement of wireless telecommunications facilities. Should future legislation be enacted to provide for cost recovery for planning, the Project Sponsor shall be bound by such legislation.
  - b. Project Sponsor or its successors shall be responsible for the payment of all reasonable costs associated with the monitoring of the conditions of approval contained in this authorization, including costs incurred by this Department, the Department of Public Health, the Department of Electricity and Telecommunications, Office of the City Attorney, or any other appropriate City Department or agency pursuant to Planning Code Section 351(f)(2). The Planning Department shall collect such costs on behalf of the City.

- c. The Project Sponsor shall be responsible for the payment of all fees associated with the installation of the subject facility which are assessed by the City pursuant to all applicable law.

14. All Conditions Basis for Revocation. The Project Sponsor or its successors shall comply fully with all conditions specified in this authorization. Failure to comply with any condition shall constitute grounds for revocation under the provisions of Planning Code sections 174, 176 and 803(d). The Zoning Administrator shall schedule a public hearing before the Planning Commission to receive testimony and other evidence to demonstrate a finding of a violation of a condition of the authorization of the use of the facility and, finding that violation, the Commission shall revoke the Conditional Use authorization. Such revocation by the Planning Commission is appealable to the Board of Supervisors.

In the event that the Project Implementation Report includes a finding that RF emissions for the site exceed FCC Standards in any uncontrolled location, the Zoning Administrator may require the Project Sponsor to immediately cease and desist operation of the facility until such time that the violation is corrected to the satisfaction of the Zoning Administrator.

15. Complaints and Proceedings. Should any party complain to the Project Sponsor about the installation or operation of the facilities, which complaints are not resolved by the Project Sponsor, the Project Sponsor (or its appointed agent) shall advise the Zoning Administrator of the complaint and the failure to satisfactorily resolve such complaint. If the Zoning Administrator thereafter finds a violation of any provision of the City Planning Code and/or any condition of approval herein, the Zoning Administrator shall attempt to resolve such violation on an expedited basis with the Project Sponsor. If such efforts fail, the Zoning Administrator shall refer such complaints to the Commission for consideration at the next regularly scheduled public meeting.
16. Severability. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the Commission that these conditions of approval would have been adopted had such invalid sentence, clause, or section or part thereof not been included herein.
17. Transfer of Operation. Any carrier/provider authorized by the Zoning Administrator or by the Planning Commission to operate a specific wireless telecommunications installation may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency provided that such transfer is made known to the Zoning Administrator in advance of such operation, and all conditions of approval for the subject installation are carried out by the new carrier/provider.
18. Compatibility with City Emergency Services. The facility shall not be operated, nor caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference, unless prior approval for such has been granted in writing by the City.

19. Maintenance Vehicles. The property owner shall make available any parking required for maintenance vehicles servicing the cellular facility approved herein. Vehicles required on site for the service or maintenance of the facility shall not be parked in a way so as to block ingress/egress for any nearby property, or in any handicapped or otherwise prohibited space.
  
20. Notice of Recordation. The Project Sponsor shall assure the execution and recordation of the specified conditions as a Notice of Special Restrictions at the City and County of San Francisco's Office of the Recorder.

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