



# SAN FRANCISCO PLANNING DEPARTMENT

## Letter of Determination

September 22, 2017

Laura Meiners  
SureSite Consulting Group for Sirius XM  
43251 Osgood Road  
Fremont, CA 94539

<b>Site Address:</b>	1101 Green Street and 400 Beale Street
<b>Assessor's Block/Lot:</b>	0125/026-089 and 3766/012-259
<b>Zoning District:</b>	RH-3/40-X and RH DTR/65-X
<b>Staff Contact:</b>	Stephanie Skangos - (415) 575-8731 or <a href="mailto:Stephanie.Skangos@sfgov.org">Stephanie.Skangos@sfgov.org</a>
<b>Record Number:</b>	2017-009245ZAD

Dear Ms. Meiners:

This letter is in response to your request for a Letter of Determination (LOD) as to whether two (2) new Sirius XM Wireless Telecommunication Services (WTS) Facilities proposed for 1101 Green Street and 400 Beale Street can be considered Micro WTS Facilities, pursuant to Planning Code Section 102.

The proposed facility at 1101 Green Street would consist of the following: (a) one panel antenna, measuring 39.5" tall by 6.5" wide by 8.0" deep; (b) one VSAT dish, measuring 70.9" in diameter; (c) one RX dish, measuring 26" in diameter; and (d) one equipment cabinet, measuring 80.26" tall by 34.6" wide by 31.5" deep. The proposed facility at 400 Beale Street would consist of the same equipment except that the proposed VSAT dish would be smaller at this location, measuring 39.4" in diameter instead of 70.9" in diameter.

On August 2, 2016, the Board of Supervisors adopted Ordinance No. 16-166 (Planning Code - Wireless Telecommunications Services Facilities) which, among other things, amended the Planning Code to add "Micro WTS Facilities" as a use category which is principally permitted in all zoning districts subject to specific limitations. Micro WTS Facilities are defined as follows:

*Wireless Telecommunications Services (WTS) Facility, Micro. The Zoning Administrator shall determine whether a proposed WTS Facility is a Micro WTS Facility. A Micro WTS Facility is generally characterized by*

- (a) limited spatial effects;*
- (b) a small number of antennas (typically up to two);*
- (c) an absence of substantial cumulative effects on neighborhood character or aesthetics, when considered in conjunction with other WTS Facilities at the same project site; and*
- (d) a location that is not "disfavored" as specified in the Guidelines.*

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Laura Meiners  
SureSite Consulting Group for Sirius XM  
43251 Osgood Road  
Fremont, CA 94539

September 22, 2017  
Letter of Determination  
Sirius XM

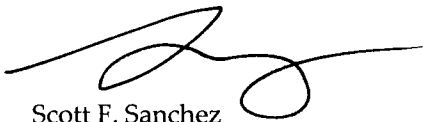
After reviewing previous determinations, relevant Planning Code provisions, existing guidelines and the information submitted with your letter, it is my determination that the proposed Sirius XM WTS facilities at 1101 Green Street and 400 Beale Street would not be consistent with the definition of Micro WTS Facilities based upon the following:

1. The size, number and function of the proposed equipment are similar to that of a Macro WTS Facility, when considered in conjunction with other WTS Facilities in similar adjacent areas.
  - a. The size of the proposed equipment, specifically the proposed dishes, is larger than the accessory dishes typically included as part of a WTS facility and will have more than a limited spatial effect on the project sites.
  - b. The proposed facility includes one (1) panel antenna; however, the panel antenna is not the only transmitting element of the proposed facility. The VSAT dish functions similar to an antenna and also transmits and receives; and, while, the proposed RX dish receives only, the potential overall impact of the equipment as a whole is more similar to that of a Macro WTS Facility.
2. Additionally, the project site at 1101 Green Street is located within an RH-3 Zoning District, which has been identified as a "Disfavored Site," per the WTS Facilities Siting Guidelines.

**Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.**

**APPEAL:** If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez  
Zoning Administrator

cc: Property Owners  
Russian Hill and SoMa Neighborhood Group Mailing Lists  
Stephanie Skangos, Planner