



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Large Project Authorization

HEARING DATE: NOVEMBER 12, 2015  
CONTINUED FROM: OCTOBER 15, 2015

*Date:* October 30, 2015  
*Case No.:* **2011.0671X**  
*Project Address:* **1395 22<sup>nd</sup> STREET & 790 Pennsylvania Avenue**  
*Zoning:* UMU (Urban Mixed-Use) Zoning District &  
PDR-1-G (Production, Distribution & Repair – General) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 4167/011 & 013  
*Project Sponsor:* Redmond Lyons, RMTEX22, LLC  
650 Texas Street  
San Francisco, CA 94107  
*Staff Contact:* Richard Sucre – (415) 575-9108  
[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)

*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposed project includes demolition of the temporary storage containers (measuring approximately 74,500 square feet) on the subject lots, and new construction of a three-story PDR (Production, Distribution & Repair) building with approximately 47,575 gross square feet along Pennsylvania Avenue and a four-to-eight-story, residential building with approximately 236,449 gross square feet and 250 dwelling units along 22<sup>nd</sup> Street. For the PDR building, the project includes 12 off-street parking spaces, one off-street freight loading space, 4 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces. For the residential building, the project includes 208 off-street parking spaces, 2 off-street freight loading spaces, 3 car-share parking spaces, 138 Class 2 bicycle parking spaces and 13 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 10 three-bedroom units, 90 two-bedroom units, 146 one-bedroom units, and 4 studio units. The proposed project includes a new public stairwalk and open space measuring 6,578 square feet along the north lot line, private open space for 158 dwelling units and common open space (approximately 16,500 square feet) via a shared terrace on the rooftop of the PDR building. The entrance to the below-grade off-street parking would be located along Pennsylvania Avenue in the PDR building, while the exit would be located along 22<sup>nd</sup> Street.

### SITE DESCRIPTION AND PRESENT USE

The proposed project is located on two irregularly shaped lots (with a collective lot area of 119,885± square feet) that are roughly bounded by Pennsylvania Avenue and 22<sup>nd</sup>, Missouri and Texas Streets. The project site currently bisects 22<sup>nd</sup> Street. A portion of 22<sup>nd</sup> Street is a paper street from the northwest edge

of the subject lot west to Missouri Street. The subject lots have 79-ft of frontage along 22<sup>nd</sup> Street at Missouri Street, 79-ft of frontage along 22<sup>nd</sup> Street at Texas Street, and 83-ft of frontage along Pennsylvania Avenue. The subject lot (Assessor's Block 4167 Lot 013) tapers in width from 234-ft along 22<sup>nd</sup> Street down to 187-ft at the southern end. From Texas Street to Missouri Street, the project site has a unique slope with a slight grade along the eastern edge of the site for the first 100-ft, and steep grade moving west towards Missouri Street. Currently, the subject lot contains temporary storage containers and does not possess any permanent built structures.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The project site is located in the UMU (Urban Mixed-Use) and PDR-1-G (Production, Distribution and Repair-General) Zoning Districts within a mixed-use neighborhood in the Showplace Square/Potrero Hill Area Plan. The project site is located on the border between the industrial areas to the south, the smaller-scale residential neighborhood to the north, and the I-280 freeway to the east. The immediate neighborhood includes a larger-scale, three-to-five-story residential complex at 22<sup>nd</sup> and Texas Street, and smaller-scale, two-to-three-story, industrial buildings along Pennsylvania Avenue. Further east along Texas Street and Pennsylvania Avenue are two-to-three-story, single-family and multi-family residences. Further north at 22<sup>nd</sup> and Missouri Street, the surrounding area is characterized by two-to-three-story residential properties and an entryway into Potrero Terrace, a public housing complex. Other zoning districts in the vicinity of the project site include: MUR (Mixed-Use Residential); RH-2 (Residential, House, Two-Family); P (Public); and RM-2 (Residential, Mixed, Moderate Density).

## **ENVIRONMENTAL REVIEW**

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on July 2, 2015, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 25, 2015	September 25, 2015	48 days
Posted Notice	20 days	September 25, 2015	September 25, 2015	48 days
Mailed Notice	20 days	September 25, 2015	September 25, 2015	48 days

The proposal requires a Section 312 Neighborhood notification, which was conducted in conjunction with the required hearing notification for the Large Project Authorization.

The project was originally scheduled for the public hearing on October 15, 2015. On October 15, 2015, the Commission chose to continue the project to the public hearing on November 12, 2015.

## **PUBLIC COMMENT**

As of October 30, 2015, the Department has public correspondence in support and opposition to the proposed project. Copies of this correspondence have been included within the Commissioner packets.

## **ISSUES AND OTHER CONSIDERATIONS**

- Uses: The Project proposes to construct 250 new dwelling units within the UMU Zoning District, and 47,575 gsf of new PDR space within the PDR-1-G Zoning District. The project includes construction of a new three-story PDR building with 47,575 gross square feet, which is consistent with the PDR-1-G Zoning District. The Project Sponsor has not determined the future use of the PDR building. However, the Project Sponsor has conducted outreach with SFMADE and their subsidiary PLACEMADE, and will continue to work with them.
- Large Project Authorization Modifications: As part of the Large Project Authorization (LPA), the Commission may grant modifications from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests modifications from 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); and 3) off-street parking (Planning Code Section 151.1). Department staff is generally in agreement with the proposed modifications for rear yard and dwelling unit exposure given the overall project and its outstanding and unique design. However, the Department does not support the modification for off-street parking given the design of the proposed off-street parking spaces and the City's transit first policies. The Department recommends limiting the off-street parking to the principally permitted amount of 188 off-street parking spaces.
- Height: Although the Project is located within a 40-X Height and Bulk District, the Project is permitted to construct a three-story PDR building (40-ft tall) and a four-to-eight-story residential building (ranging in height from 40-ft to 77-ft) due to the topography conditions of the lot and the lot size. The Project is located on a lot wider than 100-ft with frontage onto three streets, which are all located at different elevations. The grade of the subject lots slope up from Pennsylvania Avenue and 22<sup>nd</sup> Street at Texas Street, and the grade of the subject lot slopes down from 22<sup>nd</sup> Street at Missouri Street. In addition, since the project site has three street frontages and a lot width larger than 100-ft, the Planning Code allows the height to be calculated from each street frontage. Therefore, the Project is permitted to measure height from the existing grade of 22<sup>nd</sup> Street (closest to Missouri Street) as a down-sloping lot for 100-ft, and from the existing grade of 22<sup>nd</sup> Street (at Texas Street) as an upsloping lot, due to the unique topography of the subject lot. Overall, the Project meets the height requirements of the Planning Code.
- Inclusionary Affordable Housing: The Project Sponsor has elected the affordable housing fee, identified in Planning Code Section 415.5. Per Planning Code Section 419.3(b)(1), the amount of the fee shall be based upon the number of units equivalent to the applicable off-site percent of the number of units in the project, which is 23 percent of the total number of units. The Project includes 250 dwelling units (10 three-bedroom units, 90 two-bedroom units, 146 one-bedroom

units, and 6 studio units); therefore, the Project is required to pay the affordable housing fee for 65.2 units (2.3 three-bedroom units, 20.70 two-bedroom units, 33.58 one-bedroom units, and 1.38 studio units).

- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Eastern Neighborhoods Impact Fee (261,600 sq ft – Tier 1; New Residential)	423 (@ \$9.71)	\$2,540,136
Affordable Housing Fee (1.38) – Studios	415 (@ \$199,698)	\$275,583
Affordable Housing Fee (33.58) – 1 Bedroom Units	415 (@ \$270,441)	\$9,081,409
Affordable Housing Fee (20.70) – 2 Bedroom Units	415 (@ \$367,711)	\$7,611,618
Affordable Housing Fee (2.30) – 3 Bedroom Units	415 (@ \$419,621)	\$965,128
Transit Impact Development Fee (TIDF) (47,575 sq ft – Tier 1; New Residential)	411 (@ \$7.46)	\$354,910
	<b>TOTAL</b>	<b>\$20,828,784</b>

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329 to allow the new construction of a three-story PDR building with 47,575 gross square feet and a four-to-eight-story residential building with 250 dwelling units, and to allow modifications to the requirements for rear yard (Planning Code Section 134) and dwelling unit exposure (Planning Code Section 140).

## **BASIS FOR RECOMMENDATION**

The Department believes this project is approvable for the following reasons:

- The Project complies with the applicable requirements of the Planning Code.
- The Project is consistent with the objectives and policies of the General Plan.
- The Project is located in zoning districts where residential and PDR uses are principally permitted.



- The Project produces a new mixed-use development with new PDR space and significant site updates, including a publically-accessible walkway that would provide a new pedestrian connection between two portions of 22<sup>nd</sup> Street, as well as private and common open space.
- The Project is consistent with and respects the existing neighborhood character, and provides an appropriate massing and scale for a large block.
- The Project complies with the First Source Hiring Program.
- The Project adds 250 new dwelling units to the City's housing stock.
- The Project will fully utilize the Eastern Neighborhoods Area Plan controls, and will pay the appropriate development impact fees.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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**Attachments:**

Draft Motion-Large Project Authorization

Parcel Map

Sanborn Map

Zoning Map

Height Map

Aerial Photos

Site Photos

Major Projects within .25 Miles

Affordable Housing Affidavit

First Source Hiring Affidavit

Anti-Discriminatory Housing Affidavit

Public Correspondence

Community Plan Exemption

Architectural Drawings

Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project Sponsor Submittal  |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>   |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility   |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>  |
| <input checked="" type="checkbox"/> Height & Bulk Map           | <input checked="" type="checkbox"/> Check for legibility   |
| <input checked="" type="checkbox"/> Parcel Map                  | <input type="checkbox"/> Health Dept. Review of RF levels  |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input type="checkbox"/> RF Report   |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Community Meeting Notice  |
| <input checked="" type="checkbox"/> Context Photos              | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos                 |  |

Exhibits above marked with an "X" are included in this packet

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RS  
Planner's Initials

RS: G:\Documents\Large Project Authorization\2011.0671X 1395 22nd St-790 Pennsylvania Ave\ExecutiveSummary\_1395 22nd-790 Pennsylvania Ave.doc



# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code)                 |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413)  | <input type="checkbox"/> Child Care Requirement (Sec. 414)                            |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)             | <input checked="" type="checkbox"/> Other (TIDF, Sec. 411 & EN Impact Fees, Sec. 423) |

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## Planning Commission Draft Motion

HEARING DATE: NOVEMBER 12, 2015

*Date:* November 12, 2015  
*Case No.:* **2011.0671X**  
*Project Address:* **1395 22<sup>nd</sup> STREET & 790 PENNSYLVANIA AVENUE**  
*Zoning:* UMU (Urban Mixed-Use) Zoning District &  
PDR-1-G (Production, Distribution & Repair-General) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 4167/011 & 013  
*Project Sponsor:* Redmond Lyons, R Group  
650 Texas Street  
San Francisco, CA 94107  
*Staff Contact:* Richard Sucre – (415) 575-9108  
[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)

**ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134 AND 2) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, TO ALLOW CONSTRUCTION OF A NEW THREE-STORY PDR BUILDING (APPROXIMATELY 47,575 GSF) AND A NEW FOUR-TO-EIGHT-STORY RESIDENTIAL BUILDING (APPROXIMATELY 236,449 GSF) WITH 250 DWELLING UNITS (CONSISTING OF 6 STUDIOS, 146 1-BEDROOM UNITS, 90 2-BEDROOM UNITS, AND 10 3-BEDROOM UNITS), LOCATED AT 1395 22<sup>ND</sup> STREET AND 790 PENNSYLVANIA AVENUE, LOTS 011 & 013 IN ASSESSOR'S BLOCK 4167, WITHIN THE UMU (URBAN MIXED-USE) & PDR-1-G (PRODUCTION, DISTRIBUTION & REPAIR-GENERAL) ZONING DISTRICTS AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On January 13, 2014, Redmond Lyons of RMTX22, LLC (hereinafter "Project Sponsor") filed Application No. 2011.0671X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new three-story PDR building at 790 Pennsylvania Avenue (Block 4167 Lot 013) and a new four-to-eight-story residential building with 250 dwelling units at 1395 22<sup>nd</sup> Street (Block 41678 Lot 011) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On July 2, 2015, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable

to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On November 12, 2015, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2011.0671X.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2011.0671X, subject to the conditions contained in "EXHIBIT A" of this motion, 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 and Present Use.** The proposed project is located on two irregularly shaped lots (with a collective lot area of 119,885± square feet) that are roughly bounded by Pennsylvania Avenue and 22<sup>nd</sup>, Missouri and Texas Streets. The project site currently bisects 22<sup>nd</sup> Street. A portion of 22<sup>nd</sup> Street is a paper street from the northwest edge of the subject lot west to Missouri Street. The subject lots have 79-ft of frontage along 22<sup>nd</sup> Street at Missouri Street, 79-ft of frontage along 22<sup>nd</sup> Street at Texas Street, and 83-ft of frontage along Pennsylvania Avenue. The subject lot (Assessor's Block 4167 Lot 013) tapers in width from 234-ft along 22<sup>nd</sup> Street down to 187-ft at the southern end. From Texas Street to Missouri Street, the project site has a unique slope with a slight grade along the eastern edge of the site for the first 100-ft, and steep grade moving west towards Missouri Street. Currently, the subject lot contains temporary storage containers and does not possess any permanent built structures.
3. **Surrounding Properties and Neighborhood.** The project site is located in the UMU (Urban Mixed-Use) and PDR-1-G (Production, Distribution and Repair-General) Zoning Districts within a mixed-use neighborhood in the Showplace Square/Potrero Hill Area Plan. The project site is located on the border between the industrial areas to the south, the smaller-scale residential neighborhood to the north, and the I-280 freeway to the east. The immediate neighborhood includes a larger-scale, three-to-five-story residential complex at 22<sup>nd</sup> and Texas Street, and smaller-scale, two-to-three-story, industrial buildings along Pennsylvania Avenue. Further east along Texas Street and Pennsylvania Avenue are two-to-three-story, single-family and multi-family residences. Further north at 22<sup>nd</sup> and Missouri Street, the surrounding area is characterized by two-to-three-story residential properties and an entryway into Potrero Terrace, a public housing complex. Other zoning districts in the vicinity of the project site include: MUR

(Mixed-Use Residential); RH-2 (Residential, House, Two-Family); P (Public); and RM-2 (Residential, Mixed, Moderate Density).

4. **Project Description.** The proposed project includes demolition of the temporary storage containers (measuring approximately 74,500 square feet) on the subject lots, and new construction of a three-story PDR (Production, Distribution & Repair) building with approximately 47,575 gross square feet along Pennsylvania Avenue and a four-to-eight-story, residential building with approximately 236,449 gross square feet and 250 dwelling units along 22<sup>nd</sup> Street. For the PDR building, the project includes 12 off-street parking spaces, one off-street freight loading space, 4 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces. For the residential building, the project includes 208 off-street parking spaces, 2 off-street freight loading spaces, 3 car-share parking spaces, 138 Class 2 bicycle parking spaces and 13 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 10 three-bedroom units, 90 two-bedroom units, 146 one-bedroom units, and 4 studio units. The proposed project includes a new public stairwalk and open space measuring 6,578 square feet along the north lot line, private open space for 158 dwelling units and common open space (approximately 16,500 square feet) via a shared terrace on the rooftop of the PDR building. The entrance to the below-grade off-street parking would be located along Pennsylvania Avenue in the PDR building, while the exit would be located along 22<sup>nd</sup> Street.
5. **Public Comment.** As of October 30, 2015, the Department has public correspondence in support and opposition to the proposed project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Permitted Use in UMU Zoning District.** Planning Code Sections 843.45 states that residential use is principally permitted use within the UMU Zoning District.

*The Project would construct 250 new dwelling units within the UMU Zoning District; therefore, the Project complies with Planning Code Section 843.45.*
  - B. **Permitted Use in PDR-1-G Zoning District.** Planning Code Sections 210.3 states that PDR use is principally permitted use within the UMU Zoning District.

*The Project would construct new 47,575 gsf of new PDR use within the PDR-1-G Zoning District. The new PDR use would adhere to the uses permitted within Planning Code Section 210.3; therefore, the Project complies with Planning Code Sections 210.3.*
  - C. **Floor Area Ratio.** Planning Code Section 124 and 210.3 establishes a FAR (Floor Area Ratio) of 3:0 for properties within the PDR-1-G Zoning District and a 40-X Height and Bulk District.

*The subject lot (Assessor's Block 4167 Lot 011) is 18,950 sq ft, thus resulting in a maximum allowable floor area of 56,850 sq ft for non-residential uses. The proposed project would construct approximately 47,575 sq ft of PDR space, and would comply with Planning Code Section 124.*

- D. **Rear Yard.** Within the UMU Zoning District, Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level. Therefore, the Project would have to provide a rear yard, which measures approximately 29,971 sq ft.

*Currently, the Project does not provide a code-complying rear yard at the lowest level containing a dwelling unit. Rather, the Project incorporates a 15-ft setback along the west lot line, a 10-ft setback along the east lot line, and a side setback along the north lot line for the new publically-accessible stair and open space. The Project provides additional open space through a series of private balconies, terraces and a rooftop common open space on the PDR building. The Project provides a total of 37,467 sq ft of open space (includes compliant and non-complaint open space) through the publically-accessible sideyard stair walk, private useable open space, and rooftop third floor common open space. Therefore, the amount of open space, which would have been provided through the required rear yard, is thus exceeded. However, since the proposed setbacks do not meet the requirements of the Planning Code, the Project is seeking a modification of the rear yard requirement as part of the Large Project Authorization (See Below).*

*The Project occupies two irregular lots with frontage on 22<sup>nd</sup> Street (at Missouri and Texas Streets) and Pennsylvania Avenue). The subject block does not possess a pattern of mid-block open space, due to the mixed-character of the surrounding neighborhood. The proposed unit layout and courtyard configuration continues the courtyard design of the adjacent development across 22<sup>nd</sup> Street, thus maximizing access to light and air for all residential units.*

- E. **Useable Open Space.** Planning Code Section 135 requires a minimum of 80 sq ft of open space per dwelling unit, if not publically accessible, or 54 sq ft of open space per dwelling unit, if publically accessible. Private useable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq ft is located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq ft if located on open ground, a terrace or the surface of an inner or outer court. Common useable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum area of 300 sq ft. Further, inner courts may be credited as common useable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

*For the proposed 250 dwelling units, the Project is required to provide 6,480 sq ft of publically accessible open space for 120 dwelling units, and 10,400 sq ft of common open space for the remaining 130 dwelling units.*

*In total, the Project exceeds the requirements for open space by constructing a total of 23,078 sq ft of code-complying useable open space. The Project would construct a publically-accessible sideyard stair and open space measuring 6,578 square feet, and a rooftop third floor common open space measuring 16,500 square feet. In addition, the Project would construct private code-complying balconies for 24 dwelling units. Therefore, the project complies with Planning Code Section 135.*

- F. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires a streetscape plan in compliance with the Better Streets Plan for new construction on a lot that is greater than one-half acre in area..

*The Project includes the new construction of a three-story PDR building on Pennsylvania Avenue and four-to-eight residential building along 22<sup>nd</sup> Street on two lots with a collective area of 119,885 square feet.*

*In compliance with the Better Streets Plan, the Project minimizes the number of vehicular openings to two along Pennsylvania Avenue and one along 22<sup>nd</sup> Street. The Project includes several streetscape improvements, including new street trees, sidewalk improvements, site furnishings and construction of a publically-accessible stair and overlook, which will provide a pedestrian connection on 22<sup>nd</sup> Street between Missouri and Texas Streets. The stair includes an entry plaza at Texas Street, a winding staircase, planters, public art, lighting and an overlook at the top of the grade at Missouri Street. Therefore, the Project complies with Planning Code Section 138.1.*

- G. **Bird Safety.** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

*The subject lots are not located in close proximity to an Urban Bird Refuge. The Project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24-sq ft and larger in size; therefore, the Project complies with Planning Code Section 139.*

- H. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 ft in width, or an open area (inner court) must be no less than 25 ft in every horizontal dimension for the floor at which the dwelling unit is located.

*The Project organizes the dwelling units to have exposure either on the 15<sup>th</sup> setback along the west property line, the 25-ft wide courtyard at the second floor, or along the 10-ft setback along the east property line. The 25-ft wide courtyard qualifies as an outer court, since it is at least 25-ft wide and opens onto a side yard. Currently, 58 dwelling units (twenty on the first floor, nineteen on the sixth floor, and nineteen on the seventh floor) do not face onto an open area, which meets the dimensional requirements of the Planning Code. Therefore, the Project is seeking a modification of the dwelling unit exposure requirements for 58 dwelling units as part of the Large Project Authorization (See Below).*



- I. **Street Frontage in UMU Zoning District.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 14 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

*The Project meets the requirements of Planning Code Section 145.1. For the portion located within the UMU Zoning District, the Project has one, 14-ft wide, vehicular opening off of 22<sup>nd</sup> Street, which functions as the residential garage exit. All off-street parking is located below grade. The Project features active uses on the ground floor of 22<sup>nd</sup> Street (at Texas Street) with residential lobby that is less than 40-ft wide and an access stair to the 10-ft wide shared walkway along the east property line. Finally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements.*

- J. **Ground Floor Standards in Industrial Districts.** Planning Code Section 145.5 requires a minimum floor-to-floor height of 17-ft as measured from grade for all new construction in an Industrial District.

*Within the PDR-1-G Zoning District, the Project meets the requirements of Planning Code Section 145.5, since the Project incorporates a 18-ft floor-to-floor ground floor height for the PDR building.*

- K. **Off-Street Parking.** Within the UMU Zoning District, Planning Code Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit. However, per Planning Code Section 151.1, dwelling units in the UMU District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area, may provide off-street parking at a ratio of one car per dwelling unit, as subject to the criteria of 151.1(g). Within the PDR-1-G Zoning District, Planning Code Section 151.1 allows off-street parking for manufacturing and industrial uses at a ratio of one off-street parking space for each 1,500 square feet of occupied floor area.

For the 250 dwelling units located within the UMU Zoning District, the Project is allowed a maximum of 187 off-street parking spaces. Since the Project includes 80 dwelling units, which have at least 2 bedrooms and are at least 1,000 square feet, the Project may request authorization from the Planning Commission to permit a maximum of 208 off-street parking spaces for the Project.

For the 47,575 gsf of PDR use in the PDR-1-G Zoning District, the Project is allowed a maximum of 32 off-street parking spaces.

*Currently, the Project provides 208 off-street parking spaces within the UMU Zoning District and 12 off-street parking spaces within the PDR-1-G Zoning District. For the PDR building, the Project meets the requirements of Planning Code Section 151.1. For the residential building, the Project is seeking a modification of the off-street parking requirements for the dwelling units as part of the Large Project Authorization (See Below). The Department does not support a modification of the off-street parking requirements given the parking configuration and City's transit first policies.*

- L. **Off-Street Freight Loading.** Within the PDR-1-G Zoning District, Planning Code Section 152 requires one off-street freight loading space for manufacturing uses between 10,001 and 60,000 gsf.

Within the UMU Zoning District, Planning Code Section 152.1 requires two off-street freight loading space for apartment use between 200,001 and 500,000 gsf.

*The Project includes approximately 236,449 square feet of apartment use and 47,575 gsf of PDR use, thus at least three off-street freight loading spaces are required. The Project includes three off-street freight loading spaces within the PDR building, which also serves the residential building. Therefore, the Project complies with Planning Code Sections 152 and 152.1.*

- M. **Bicycle Parking.** For the residential use, Planning Code Section 155.2 requires at least 100 Class 1 bicycle parking spaces plus one Class 1 bicycle parking space for every four dwelling units and one Class 2 bicycle parking spaces for every 20 dwelling units. For the PDR use, Planning Code Section 155.2 requires one Class 1 bicycle parking space for every 12,000 square feet of occupied floor area and a minimum of 2 Class 2 bicycle parking space.

The Project is required to provide 138 Class 1 bicycle parking spaces and 13 Class 2 bicycle parking spaces for the 250 dwelling units, and 4 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces for the 47,575 gsf of PDR use.

*The Project will meet the requirements of Planning Code Section 155.2 by providing 138 Class 1 bicycle parking spaces and 13 Class 2 bicycle parking spaces for the 250 dwelling units, and 4 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces for the 47,575 gsf of PDR use.*

- N. **Car Share Requirements.** Planning Code Section 166 requires two car-share parking spaces, plus one for every 200 dwelling units over 200, for projects with 201 residential units or more.

The Project includes 250 dwelling units and is required to provide a minimum of two car-share parking spaces.

*The Project complies with Planning Code Section 166 by providing three car-share parking spaces.*

- O. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.

*The Project is providing off-street parking that is accessory to the dwelling units. These spaces will be unbundled and sold and/or leased separately from the dwelling units; therefore, the Project meets this requirement.*

- P. **Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms.

*For the 250 dwelling units, the Project is required to provide at least 100 two-bedroom units or 75 three-bedroom units. The Project provides 4 studios, 146 one-bedroom units, 90 two-bedroom units, and 10 three-bedroom units. Therefore, the Project meets the requirements for dwelling unit mix.*

- Q. **Height.** Planning Code Section 260 defines the method of measurement for calculating the height of a buildings or structures subject to Zoning Maps. Where the lot has frontage on two or more streets, the Project Sponsor may choose the street or streets from which the measurement of height is to be taken, within the scope of the rules stated above.

Where the lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street. This point shall be used for height measurement only for a lot depth not extending beyond a line 100 feet from and parallel to such street, or beyond a line equidistant between such street and the street on the opposite side of the block, whichever depth is greater. Measurement of height for any portion of the lot extending beyond such line shall be considered in relation to the opposite (lower) end of the lot, and that portion shall be considered an upward sloping lot in accordance with Subsection (C) below, whether or not the lot also has frontage on a lower street.

Where the lot slopes upward from a street at the centerline of the building or building step, such point shall be taken at curb level for purposes of measuring the height of the closest part of the building within 10 feet of the property line of such street; at every other cross-section of the building, at right angles to the centerline of the building or building step, such point shall be taken as the average of the ground elevations at either side of the building or building step at that cross-section. The ground elevations used shall be either existing elevations or the elevations resulting from new grading operations encompassing an entire block. Elevations beneath the building shall be taken by projecting a straight line between ground elevations at the exterior walls at either side of the entire building in the same plane.

*The Project is located in a 40-X Height and Bulk District. Since the project site has three street frontages and the subject lot is wider than 100-ft, the Planning Code permits a method of measurement from each street frontage. Therefore, the Project is permitted to measure height from the existing grade of 22<sup>nd</sup> Street (closest to Missouri Street) as a down-sloping lot for 100-ft, and from the existing grade of 22<sup>nd</sup> Street (at Texas Street) as an upsloping lot, due to the unique topography of the subject lot. The Project meets the height requirements of the Planning by constructing a three-story PDR building that is 40-ft tall along Pennsylvania Avenue, and a four-to-eight-story residential building along 22<sup>nd</sup> Street that ranges in height from 40-ft to 77-ft due to the steeply sloping topography of the lot.*

- R. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

*Based upon a detail shadow analysis, the Project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.*

- S. **Transit Impact Development Fee.** Planning Code Section 411 is applicable to any development project with more than 3,000 gross square feet of new PDR use.

*The Project includes approximately 47,575 gross square feet of new PDR use. These uses are subject to Transit Impact Development Fees, as outlined in Planning Code Section 411. These fees must be paid prior to the issuance of the building permit application.*

- T. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing for the purpose of increasing affordable housing citywide.

*The Project Sponsor has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program through payment of the Fee, in an amount to be established by the Mayor's Office of Housing and Community Development at a rate equivalent to an off-site requirement. The Project Sponsor has not selected an alternative to payment of the Fee. The Environmental Evaluation Application was submitted on March 1, 2013.*

- U. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the UMU Zoning District that results in the addition of new construction of residential space.

*The Project includes approximately 236,449 gross square feet of new residential use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.*

7. **Large Project Authorization in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. Overall building mass and scale.

*The Project's mass and scale are appropriate for an irregular oblong site on a hillside. The Project is divided into two distinct masses: an upper mass, which is punctuated by a strong vertical element (stair core) and a bow-tie roof, and a lower mass, which is more horizontal and accentuated by a dark frame and shifts in material palette. At 22<sup>nd</sup> Street, the Project provides an accent element with a angular, four-story mass that demarcates the entry and the new public stair. The massing scheme allows the Project to reduce its overall scale and also adhere to the unique topography of the site. The Project successfully blends with the hillside and provides variety in scale and form. Thus, the Project is appropriate for the surrounding neighborhood.*

- B. Architectural treatments, facade design and building materials:

*The Project's architectural treatments, façade design and building materials include fiber cement slat screens, standing seam metal siding, colored fiber cement panels, powder-coated steel railings, box rib metal siding, and anodized aluminum windows. The Project successfully uses the varied material palette to provide a unique expression to each "block" of buildings and to provide visual variety along the hillside. Along Pennsylvania Avenue, the Project expresses the industrial character of the new PDR building by incorporating industrial-sash windows and a simple concrete frame. At 22<sup>nd</sup> Street, the four-story angular mass features a glassy ground floor, which allows for an expansion of the adjacent public stair. This portion of the building features angled planes with metal ribs that provide a transition between the industrial and residential character of the surrounding neighborhood. Overall, the Project offers a high quality architectural treatment, which provides for unique and expressive architectural design that is compatible with the surrounding neighborhood.*

- C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access;

*Along the lower floor on 22<sup>nd</sup> Street, the Project provides for a gracious residential lobby, which complements the adjacent public stair and entry plaza. This lobby provides for activity along the street. On Pennsylvania Avenue, the Project provides an appropriate intervention for a PDR building with two vehicular openings and a glazed storefront.*

- D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site;

*The Project provides the required open space for the 250 dwelling units through private balconies, rooftop common open space, and the publically-accessible stair and open space along 22<sup>nd</sup> Street. This new stair assists in reconnecting two portions of 22<sup>nd</sup> Street between Missouri and Texas Street by introducing a new pedestrian element. In total, the Project provides 23,078 sq ft of code-complying open space, which far exceeds the required amount for the dwelling units.*

- E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

*The Project is not required to provide a mid-block alley. However, the Project does voluntarily incorporate a new publically-accessible stair and open space along the north lot line, which functions akin to a mid-block alley.*

- F. Streetscape and other public improvements, including tree planting, street furniture, and lighting.

*In compliance with the Better Streets Plan, the Project minimizes the number of vehicular openings to two along Pennsylvania Avenue and one along 22<sup>nd</sup> Street. The Project includes several streetscape improvements, including new street trees, sidewalk improvements, site furnishings and construction of a publically-accessible stair and overlook, which will provide a pedestrian connection on 22<sup>nd</sup> Street between Missouri and Texas Streets. The stair includes an entry plaza at Texas Street, a winding staircase, planters, public art, lighting and an overlook at the top of the grade at Missouri Street. The Department finds that these improvements would vastly improve the public realm in this neighborhood.*

- G. Circulation, including streets, alleys and mid-block pedestrian pathways;

*Since the subject lot has two primary street frontages, the Project provides ample circulation in and around the project site, including through the provided publically-accessible pedestrian stair. The primary focal point for the residents would occur on 22<sup>nd</sup> Street through the residential lobby, which is adjacent to the public stair. Automobile access is limited to the one entrance through the PDR building on Pennsylvania Avenue and one exit through the residential building on 22<sup>nd</sup> Street. Along Pennsylvania Avenue, the Project also incorporates a loading bay for the PDR use, which is appropriate given the surrounding context.*

H. Bulk limits;

*The Project is within an 'X' Bulk District, which does not restrict bulk.*

I. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan;

*The Project, on balance, meets the Objectives and Policies of the General Plan. See Below.*

8. **Large Project Authorization Exceptions.** Proposed Planning Code Section 329 allows exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts:

A. Exceeding the principally permitted accessory residential parking ratio described in Section [151.1](#) and pursuant to the criteria therein;

(1) In granting such Conditional Use or exception per 329 for parking in excess of that principally permitted in Table 151.1, the Planning Commission shall make the following affirmative findings according to the uses to which the proposed parking is accessory:

(A) Parking for All Uses.

(i) Vehicle movement on or around the project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district;

*The Project would not unduly impact pedestrian movement or transit in the neighborhood. Entrances to off-street parking are limited to one opening off of 22<sup>nd</sup> Street, and two openings along Pennsylvania Avenue (one for the garage entrance and the other for loading for the PDR use). The locations of the garage openings are sensitive to the movement of pedestrians, bikes and public transit. Currently, Muni does not operate a transit line along this portion of 22<sup>nd</sup> Street near the exit to the off-street parking. Along Pennsylvania Avenue, the 48 Muni Bus Line runs past the project site; however, the Project does not appear to impact this transit line.*

(ii) Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal;

*The Project is principally permitted 188 off-street parking spaces for the 250 dwelling units. Currently, the Project provides 208 below grade, off-street parking spaces. Although the accommodation of the additional 20 below grade parking does not degrade or impact the overall Project and its urban design quality, the Commission does not support parking in excess of the principally-permitted amount due to the design of the off-street parking spaces and the City's transit first policies. Although the Project maintains a strong ground floor level, and encourages and facilitates pedestrian circulation around the project site, the*

*Commission does not support the excess off-street parking beyond the principally permitted amount.*

(iii) All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code; and

*The Project does not include any above-grade parking.*

(iv) Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

*The proposed 208 off-street below-grade parking spaces do not impact any ground floor uses or any other planned streetscape improvements.*

(B) Parking for Residential Uses.

(i) For projects with 50 dwelling units or more, all residential accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for parking and maneuvering, and maximizes other uses.

*The Project does not feature mechanical stackers. All off-street parking is independently-accessible and is not space-efficient. Therefore, the Commission does not support off-street parking in excess of the principally-permitted amount.*

B. Exception for rear yards, pursuant to the requirements of Section 134(f);

(f) Modification of Requirements in the Eastern Neighborhoods Mixed Use Districts. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified or waived by the Planning Commission pursuant to Section 329. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified by the Zoning Administrator pursuant to the procedures set forth in Section 307(h) for other projects, provided that:

(1) A comparable, but not necessarily equal amount of square footage as would be created in a code conforming rear yard is provided elsewhere within the development;

*The Project provides for a comparable amount of open space, in lieu of the required rear yard. Overall, the project site is 119,885 sq ft in size, and would be required to provide a rear yard measuring 29,971 sq ft. The Project provides 37,467 sq ft of open space through private balconies, a rooftop common open space and a publically-accessible stair and open space, thus exceeding the amount of space, which would have been provided in a code-conforming rear yard.*



(2) The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties or adversely affect the interior block open space formed by the rear yards of adjacent properties; and

*The Project does not impede access to light and air for the adjacent residential property, since the publically-accessible stair roughly aligns to 22<sup>nd</sup> Street, thus providing for sufficient distance from the adjacent property. Further, the Project is organized in a courtyard configuration that complements the courtyard configuration of the adjacent residential properties. To the south, the neighborhood is primarily characterized by industrial properties, which do not have rear yard requirements. Currently, the surrounding block does not possess a pattern of mid-block open space.*

(3) The modification request is not combined with any other residential open space modification or exposure variance for the project, except exposure modifications in designated landmark buildings under Section 307(h)(1).

*The Project is not seeking a modification to the open space requirements; however, the Project is seeking a modification to the dwelling unit exposure requirements for 58 of the 250 dwelling units. However, the Commission finds that the dwelling unit exposure modification is warranted given the overall quality of the Project and the amount of open space/open areas. Overall, the majority of the Project meets the intent of exposure requirements defined in Planning Code Section 140.*

- C. Where not specified elsewhere in Planning Code Section 329(d), modification of other Code requirements which could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located;

*In addition to the modification of the requirements for rear yard, the Project is seeking modifications of the requirements for exposure (Planning Code Section 140).*

*Under Planning Code Section 140, all dwelling units must face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. The Project organizes the dwelling units to have exposure either on the 15<sup>th</sup> setback along the west property line, the 25-ft wide courtyard at the second floor, or along the 10-ft setback along the east property line. Currently, 58 dwelling units (twenty on the first floor, nineteen on the sixth floor, and nineteen on the seventh floor) do not face onto an open area, which meets the dimensional requirements of the Planning Code. These dwelling units still face onto an open area and are also afforded sufficient access to light and air. Given the overall design and composition of the Project, the Department is in support of this modification, due to the Project's high quality of design and amount of open space/open areas.*

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

## HOUSING

### Objectives and Policies

**OBJECTIVE 1**

**IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.**

**Policy 1.1**

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

*The Project is a higher density mixed-use development in an underutilized, transitioning industrial and residential area. The Project site is an ideal infill site that is largely vacant except for temporary container structures. The project site was rezoned to PDR-1-G and UMU as part of the Eastern Neighborhood's long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. To the south, the zoning is primarily PDR. The surrounding neighborhood features a wide variety of zoning, which is consistent with the Project's residential and industrial character. The Project will pay the Affordable Housing Fee, which will provide opportunities for affordable housing across the City.*

**OBJECTIVE 4**

**FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES**

**Policy 4.4**

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

*The Project meets the affordable housing requirements for the UMU Zoning District by paying the Affordable Housing Fee. The Project will provide 250 dwelling units into the City's housing stock.*

**OBJECTIVE 11**

**SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.**

**Policy 11.1**

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3**

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

**Policy 11.4**

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

**Policy 11.6**

Foster a sense of community through architectural design, using features that promote community interaction.

**Policy 11.8**

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

*The architecture of this Project responds to the site's location as a transition between industrial zones and the contemporary and traditional architecture of residential zones. The Project's facades provide a unique expression not commonly found within the surrounding area, while providing for a varied material palette, which successfully scales down the overall mass. The exterior is designed with modern materials including fiber cement slat screens, standing seam metal siding, colored fiber cement panels, powder-coated steel railings, box rib metal siding, and anodized aluminum windows.*

**RECREATION AND OPEN SPACE ELEMENT**

**Objectives and Policies**

**OBJECTIVE 4:**

**PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.**

**Policy 4.5:**

Require private usable outdoor open space in new residential development.

**Policy 4.6:**

Assure the provision of adequate public open space to serve new residential development.

*The Project will create private and common open space areas in a new mixed-use development through private balconies, a rooftop common open space and a publically-accessible stair that will reconnect two portions of 22<sup>nd</sup> Street. The project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.*

**TRANSPORTATION ELEMENT**

**Objectives and Policies**

**OBJECTIVE 24:**

**IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

**Policy 24.2:**

Maintain and expand the planting of street trees and the infrastructure to support them.

**Policy 24.3:**

Install pedestrian-serving street furniture where appropriate.

**Policy 24.4:**

Preserve pedestrian-oriented building frontages.

*The Project includes several streetscape improvements, including new street trees, sidewalk improvements, site furnishings and construction of a publically-accessible stair and overlook, which will provide a pedestrian connection on 22<sup>nd</sup> Street between Missouri and Texas Streets. The stair includes an entry plaza at Texas Street, a winding staircase, planters, public art, lighting and an overlook at the top of the grade at Missouri Street.*

**OBJECTIVE 28:**

**PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.**

**Policy 28.1:**

Provide secure bicycle parking in new governmental, commercial, and residential developments.

**Policy 28.3:**

Provide parking facilities which are safe, secure, and convenient.

*The Project includes 142 Class 1 bicycle parking spaces and 17 Class 2 bicycle parking spaces in secure, convenient locations.*

**OBJECTIVE 34:**

**RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.**

**Policy 34.1:**

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

**Policy 34.3:**

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

**Policy 34.5:**

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

*The Commission does not support off-street parking in excess of the principally-permitted amount. The Project requires a parking to dwelling unit ratio of .75 space per unit, which is permitted by Planning Code Section 151.1. The parking spaces are accessed by one ingress point on Pennsylvania Avenue and on egress point on 22<sup>nd</sup> Street. Parking is adequate for the project and will comply with maximums prescribed by the Planning Code.*

**URBAN DESIGN ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1:**

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

**Policy 1.7:**

Recognize the natural boundaries of districts, and promote connections between districts.

**OBJECTIVE 2:**

**CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.**

**Policy 2.6:**

Respect the character of older development nearby in the design of new buildings.

*The Project is located within the Potrero Hill neighborhood in an area that transitions from residential to industrial uses. As such, the Project provides expressive street façades, which respond to form, scale and material palette of the existing neighborhood, while also providing a new contemporary architectural vocabulary. The Project provides a unique intervention that successfully addresses the unique topography and scale of the area.*

**OBJECTIVE 4:**

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

**Policy 4.5:**

Design walkways and parking facilities to minimize danger to pedestrians.

**Policy 4.13:**

Improve pedestrian areas by providing human scale and interest.

*Although the project site has two primary street frontages, it only provides three vehicular access points for the entire project, thus limiting conflicts with pedestrians and bicyclists. The vehicular access points accommodate PDR use along Pennsylvania Avenue and the off-street parking for the residential building. Numerous street trees will be planted on each street. Ample frontages, common and private open spaces, and ground floor active uses directly accessing the street will be provided. Along the project site, the pedestrian experience will be greatly improved. Currently, the site is largely vacant except for temporary storage containers.*

## COMMERCE AND INDUSTRY ELEMENT

### 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 which has substantial undesirable consequences that cannot be mitigated.

#### Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

### OBJECTIVE 3:

**PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.**

#### Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*The Project will provide substantial net benefits to the City by providing new contemporary PDR space. This Project would accommodate new uses consistent with the PDR-1-G Zoning District, and will provide new opportunity for employment. The project site is located in the PDR-1-G Zoning Districts, and is located in an area that currently possesses industrial uses adjacent to residential uses. The Project is consistent with both zoning districts and will enhance the industrial capabilities of the site. The Project will provide new PDR space and will attract, retain and expand an existing PDR use, which will result in new opportunities for employment of unskilled or semi-skilled workers.*

## SHOWPLACE SQUARE/POTRERO AREA PLAN

### Objectives and Policies

#### Land Use

**OBJECTIVE 1.1**

**ENCOURAGE THE TRANSITION OF PORTIONS OF SHOWPLACE/POTRERO TO A MORE MIXED-USE AND NEIGHBORHOOD-SERVING CHARACTER, WHILE PROTECTING THE CORE OF DESIGN-RELATED PDR USES.**

**Policy 1.1.5**

While continuing to protect traditional PDR functions that need large, inexpensive spaces to operate, also recognize that the nature of PDR businesses is evolving gradually so that their production and distribution activities are becoming more integrated physically with their research, design and administrative functions.

**OBJECTIVE 1.2**

**IN AREAS OF SHOWPLACE/POTRERO WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER**

**Policy 1.2.1**

Ensure that in-fill housing development is compatible with its surroundings.

**Policy 1.2.2**

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

**OBJECTIVE 1.7**

**RETAIN THE ROLE OF SHOWPLACE SQUARE AS AN IMPORTANT LOCATION FOR PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ACTIVITIES, FOCUSING IN PARTICULAR ON DESIGN RELATED ACTIVITIES**

**Policy 1.7.3**

Require development of flexible buildings with generous floor-to-ceiling heights, large floor plates, and other features that will allow the structure to support various businesses.

**Housing**

**OBJECTIVE 2.3**

**REQUIRE THAT A SIGNIFICANT NUMBER OF UNITS IN NEW DEVELOPMENTS HAVE TWO OR MORE BEDROOMS EXCEPT SENIOR HOUSING AND SRO DEVELOPMENTS UNLESS ALL BELOW MARKET RATE UNITS ARE TWO OR MORE BEDROOM UNITS**

**Policy 2.3.3**

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments.

**Policy 2.3.5**

Explore a range of revenue- generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

**Policy 2.3.6**

Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

**OBJECTIVE 2.4**

**LOWER THE COST OF THE PRODUCTION OF HOUSING**

**Policy 2.4.1**

Require developers to separate the cost of parking from the cost of housing in both for sale and rental developments.

**Policy 2.4.2**

Revise residential parking requirements so that structured or off-street parking is permitted up to specified maximum amounts in certain districts, but is not required.

**Built Form**

**OBJECTIVE 3.1**

**PROMOTE AN URBAN FORM THAT REFLECTS SHOWPLACE SQUARE AND POTRERO HILL'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER**

**Policy 3.1.1**

Adopt heights that are appropriate for Showplace Square's location in the city, the prevailing street width and block pattern, and the anticipated land uses, while respecting the residential character of Potrero Hill.

**Policy 3.1.2**

Development should respect the natural topography of Potrero Hill.

**Policy 3.1.6**

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

**OBJECTIVE 3.2**

**PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM**



**Policy 3.2.1**

Require high quality design of street-facing building exteriors.

**Policy 3.2.2**

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

**OBJECTIVE 5.2**

**ENSURE THAT NEW DEVELOPMENT INCLUDES HIGH QUALITY PRIVATE OPEN SPACE**

**Policy 5.2.4**

Encourage publicly accessible open space as part of new residential and commercial development.

*The Project is a mix of residential and PDR. The Project provides the mix of uses consistent with the PDR-1-G and UMU Zoning Districts and is encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk guidelines, and includes the appropriate dwelling unit mix, since approximately 40% or 100 units are two- or three-bedroom dwellings. The Project introduces a contemporary architectural vocabulary, which is sensitive to the prevailing scale and neighborhood fabric, as well as the unique topography. The Project provides for a high quality designed exterior, which features a variety of materials, colors and textures, including fiber cement slat screens, standing seam metal siding, colored fiber cement panels, powder-coated steel railings, box rib metal siding, and anodized aluminum windows. The Project also introduces a publically-accessible stair, which provides a pedestrian connection between two portions of 22<sup>nd</sup> Street, and provides off-street parking at the maximum principally permitted ratio. The Project will also pay the appropriate development impact fees, including the Transit Impact Development Fee and Eastern Neighborhoods Impact Fees.*

9. **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 site is largely vacant with no permanent structures. The project site does not contain any existing neighborhood-serving retail uses. The Project improves the urban form of the neighborhood by removing a largely vacant lot. The Project would add new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.*

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

*No housing exists on the project site. The project will provide up to 250 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project is expressive in design, and relates to the scale and form of the surrounding neighborhood by addressing successfully*

*addressing the unique topography and grade. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program by contributing to the fund for new affordable housing.*

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

*The project site is served by public transportation. The Project is located within walking distance to the 22<sup>nd</sup> Street Caltrain Station and is nearby the 48 Muni Bus Line. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking and sufficient bicycle parking for residents and their guests.*

- 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.

*The Project is consistent with the Showplace Square/Potrero Area Plan, which provides for a balance between industrial and residential development. The Project does not include commercial office development, and provides new opportunities for housing and PDR, which are top priorities for the City.*

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

*The project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*There are no landmarks or historic buildings on 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 affect the City's parks or open space or their access to sunlight and vistas. A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. In fact, the Project will provide additional public open space via the mid-block alley.*

9. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

*The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

10. 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.
11. The Commission hereby finds that approval of the Large Project 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 Large Project Authorization Application No. 2011.0671X** under Planning Code Section 329 to allow the new construction of a three-story PDR building with 45,575 gsf and a four-to-eight-story residential building with 250 dwelling units, and a modification to the requirements for: 1) rear yard (Planning Code Section 134) and 2) dwelling unit exposure (Planning Code Section 140), within the UMU (Urban Mixed-Use) and PDR-1-G Zoning Districts and a 40-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 22, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 12, 2015.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:     November 12, 2015

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a Large Project Authorization to allow for the new construction of a three-story PDR building and a four-to-eight-story residential building with 250 dwelling units, and a modification to the requirements for rear yard and dwelling unit exposure, located at 1395 22<sup>nd</sup> Street and 790 Pennsylvania Avenue, Lots 011 & 013 in Assessor's Block 4167, pursuant to Planning Code Section 329 within the PDR-1-G (Production, Distribution & Repair-General) and UMU (Urban Mixed-Use) Zoning Districts, and a 40-X Height and Bulk District; in general conformance with plans, dated September 23, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0671X and subject to conditions of approval reviewed and approved by the Commission on November 12, 2015 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on November 12, 2015 under Motion No. XXXXXX.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

### **SEVERABILITY**

The Project shall comply with all applicable City codes and requirements. 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 remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### **CHANGES AND MODIFICATIONS**

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new authorization.

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

**Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2011.0671E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## **DESIGN – COMPLIANCE AT PLAN STAGE**

**Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

**Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

**Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application for each building. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

**Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

**Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:



1. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
2. On-site, in a driveway, underground;
3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
4. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
7. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

## **PARKING AND TRAFFIC**

**Unbundled Parking.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 188 off-street parking spaces for the 250 dwelling units (or .75 off-street parking spaces for each dwelling unit) contained therein.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Car Share.** Pursuant to Planning Code Section 166, no fewer than two (2) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than **151** Class 1 bicycle parking spaces and **17** Class 2 bicycle parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## **PROVISIONS**

**First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*

**Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

**Transit Impact Development Fee.** Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## **MONITORING**

**Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Revocation Due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

**Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*

**Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*

**Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

*For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, [www.sfdph.org](http://www.sfdph.org).*

*For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, [www.sfdbi.org](http://www.sfdbi.org).*

*For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, [www.sf-police.org](http://www.sf-police.org)*

**Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison 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.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## INCLUSIONARY HOUSING

1. **Requirement.** Pursuant to Planning Code 415.5 and 419.3, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty-three percent (23%).

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

2. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and the terms of the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing and Community Development ("MOHCD") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development's websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOHCD prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Inclusionary Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- c. If project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

## EXHIBIT B

## EXHIBIT C

**MITIGATION MONITORING AND REPORTING PROGRAM**  
**1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue (Case No. 2011.0671E)**  
**(Also includes text for Improvement Measures)**

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<b>MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR</b>					
<b>NOISE</b>					
<p><b><u>Project Mitigation Measure 1 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR).</u></b></p> <p>Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;</li> <li>• Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>• Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>	Project sponsor and construction contractor(s).	Submit noise attenuation plan prior construction; implement it during construction period.	Prepare and implement construction-phase noise-attenuation plan.	Project sponsor to provide monthly noise reports during construction.	Considered complete upon final monthly report.
<p><b><u>Project Mitigation Measure 2 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR).</u></b></p> <p>To reduce potential conflicts between existing noise-generating uses and new sensitive</p>	Project sponsor; project contractor(s).	During environmental review process.	Design measure to be incorporated into project	Planning Department; Department of Building	Considered complete upon approval of



## MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<p>receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>			<p>design; prior to issuance of a building permit.</p>	<p>Inspection.</p>	<p>final construction drawing set.</p>
<p><b><u>Project Mitigation Measure 3 – Siting of Noise-Generating Uses (Mitigation Measure F-5 of the Eastern Neighborhoods PEIR).</u></b></p>	<p>Project sponsor; project contractor(s).</p>	<p>During environmental review process.</p>	<p>Design measure to be incorporated into project design; prior to issuance of a building permit.</p>	<p>Planning Department; Department of Building Inspection.</p>	<p>Considered complete upon approval of final construction drawing set.</p>
<p>To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909I, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.</p>					

## MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<p><b><u>Project Mitigation Measure 4 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR).</u></b></p> <p>To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.</p>	Project sponsor; project contractor(s).	During environmental review process.	Design measure to be incorporated into project design; prior to issuance of a building permit.	Planning Department; Department of Building Inspection.	Considered complete upon approval of final construction drawing set.

## AIR QUALITY

**Project Mitigation Measure 5 – Construction Emissions Minimization (Portion of Mitigation Measure G-1 of the Eastern Neighborhoods PEIR).**

The project sponsor or the project sponsor's Contractor shall comply with the following:

The project sponsor or the project sponsor's Contractor shall comply with the following

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as

Project sponsor; project contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor/ contractor(s) and the ERO.	Considered complete on submittal of certification statement.
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## MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<p>provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. <i>Waivers.</i></p> <p>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below. If seeking an exception to (A)(1), the project sponsor shall be required to demonstrate that resulting construction emissions would not exceed significance thresholds for construction.</p>					

## MONITORING AND REPORTING PROGRAM

### Adopted Mitigation Measures

Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
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Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 3	ARB Level 2 VDECS
2	Tier 3	ARB Level 1 VDECS
3	Tier 3	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

\*\* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

Project sponsor/ contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Prepare and submit a Plan.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.
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## MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
<p>2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p>					
<p>D. <i>Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	Project sponsor/contractor(s).	Quarterly.	Submit quarterly reports.	Project sponsor/contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
<p><b><u>Project Mitigation Measure 6 – Air Quality for Sensitive Land Uses (Mitigation Measure G-2 of the Eastern Neighborhoods PEIR).</u></b></p> <p>Prior to receipt of any building permit, the project sponsor shall submit an enhanced ventilation plan for the proposed building(s). The enhanced ventilation plan shall be prepared and signed by, or under the supervision of, a licensed mechanical engineer or other individual authorized by the California Business And Professions Code Sections 6700-6799. The enhanced ventilation plan shall show that the building ventilation system will be capable of achieving protection from particulate matter (PM2.5) equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration, as defined by American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) standard 52.2. The enhanced ventilation plan shall explain in detail how the project will meet the MERV-13 performance standard identified in this measure.</p> <p><i>Maintenance Plan.</i> Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.</p> <p><i>Disclosure to Buyers and Renters.</i> The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air</p>	Project sponsor/project engineer.	Prior to receipt of building permits.	Submit enhanced ventilation plan prior to receipt of building permit.	Project sponsor.	Ongoing maintenance of the enhanced ventilation system required.
	Project sponsor/leasing agent.	During unit buying/leasing	Disclose presence of	Project sponsor.	Ongoing during

## MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Mitigation Reporting Responsibility	Monitoring Schedule
pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.		process.	enhanced ventilation system to buyers and renters that building is located in.		occupancy of residential building.
<b><u>Project Mitigation Measure 7 – Siting of Uses that Emit DPM (Mitigation Measure G-3 of the Eastern Neighborhoods PEIR).</u></b> The following uses shall be precluded from the site: warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, based on the Air Resources Board (ARB) Air Quality and Land Use Handbook.	Project sponsor/leasing agent.	During leasing of the PDR building.	Preclude uses specified in the measure from building occupancy.	Project sponsor.	Ongoing during occupancy of PDR building.
<b><u>Project Mitigation Measure 8 – Siting of Uses that Emit Other TACs (Mitigation Measure G-4 of the Eastern Neighborhoods PEIR).</u></b> At the time that a proposed use for the production, distribution, and repair (PDR) portion of the proposed project is identified, this mitigation measure would apply if that use is expected to generate substantial amounts of toxic air contaminants (TACs) as part of its operations, or if any of the following uses are proposed: dry cleaners; drive-through restaurants; gas dispensing facilities; auto body shops; metal plating shops; photographic processing shops; textiles; apparel and furniture upholstery; leather and leather products; appliance repair shops; mechanical assembly cleaning; printing shops; hospitals and medical clinics; biotechnology research facilities; warehousing and distribution centers. Furthermore, this mitigation measure would apply only if the TACs related to the proposed use are not already regulated through the Bay Area Air Quality Management District (BAAQMD) permitting process.  If this mitigation measure is determined to be applicable based on the above conditions, the project sponsor shall: <ul style="list-style-type: none"> <li>• Prepare an analysis that includes a site survey to identify residential or other sensitive uses within 1,000 feet of the project site;</li> <li>• Prepare a Health Risk Assessment (HRA) that analyzes the potential impacts of the proposed use on the nearby sensitive receptors;</li> <li>• Incorporate any TAC reduction measures specified in the HRA into the proposed project and/or install Best Available Control Technology for any TAC-emitting equipment proposed as part of the future PDR use.</li> </ul>	Project sponsor.	When proposed use for the PDR building is identified.	Prepare analysis and HRA and incorporate any required TAC reduction measures.	Project sponsor.	Considered complete upon incorporation of TAC reduction measures, as needed.

## IMPROVEMENT MEASURES AGREED TO BY PROJECT SPONSOR

	Responsibility for Implementation	Implementation Schedule	Implementation Action	Implementation Reporting Responsibility	Monitoring Schedule
<b>TRANSPORTATION AND CIRCULATION</b>					
<b><u>Project Improvement Measure 1 – Implement Additional and Project - Specific Travel Demand Strategies to Reduce Vehicle Trips.</u></b>	Project sponsor, building management, Planning Department staff.	Prior to and during occupancy.	Implement TDM measures.	Project sponsor.	Ongoing during occupancy.
<p>The project sponsor or property owner, should implement a Transportation Demand Management (TDM) Program that seeks to annually reduce the number of single occupancy vehicle (SOV) trips to and from the project site because persons would be arriving/departing via alternative modes of transportation (e.g., walking, bicycling, transit, other). The project sponsor should make available biannually (every two years) monitoring reports, starting one year after 85 percent occupancy of the units for the new building (baseline year), for review by the Planning Department Environmental Review Officer (ERO). The biannual monitoring reports should include travel demand surveys (i.e., travel demand analysis information requested in the SF Guidelines<sup>1</sup>), including trip counts of persons arriving and leaving the building for no less than one full day of the reporting period and a survey to be distributed to residents and employees of the building. Each survey should be completed within ninety days following the end of the applicable two year period. Each survey should be prepared by a qualified transportation consultant and the surveying methodology should be approved by the Planning Department ERO. The project sponsor should consider the following TDM measures:</p> <ul style="list-style-type: none"> <li>• Provide TDM training to property managers/coordinators.</li> <li>• Provide ongoing local and regional transportation information (e.g., transit maps and schedules, maps of bicycle routes, internet links) for new and existing tenants, including providing a transportation insert for the move-in packet that would provide information on transit service (Muni and BART lines, schedules and fares), information on where transit passes could be purchased, and information on the 511 Regional Rideshare Program.</li> <li>• Provide information on transportation options, including updates and a “ride board” through which residents can offer/request rides, on the Homeowners Association website and/or lobby bulletin board.</li> <li>• Ensure that the points of access to bicycle parking through elevators on the ground floor and the garage ramp include signage indicating the location of these facilities and encourage PDR tenants to allow bicycles in the workplace.</li> </ul>					

<sup>1</sup> City and County of San Francisco, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002, Chapter 3, Section 3.

- Ensure that bicycle safety strategies are developed along the sides of the property, avoiding conflicts with private cars, transit vehicles and loading vehicles.

In addition, the project sponsor could consider the following TDM measures and any others that would reduce SOV trips to and from the project site:

- Provide and maintain a fleet of bicycles (and related amenities such as locks, baskets, lights, etc.) for use by the building tenants.
- Provide fewer vehicle parking spaces than permitted per the San Francisco Planning Code and manage vehicle parking pricing.
- Increase the number of on-site bicycle racks and car-share spaces, making them convenient and easy to use (e.g., signage).
- Coordinate with San Francisco Municipal Transportation Agency and/or Bay Area Bike Share to potentially provide bicycle racks and/or a bike share station on adjacent sidewalks.
- Include a Muni FastPass (loaded onto a Clipper card) and/or car-share membership subsidized as part of the monthly rent, or homeowner association fee.

#### **Project Improvement Measure 2 – Loading Monitoring and Queue Abatement.**

As a standard condition of approval, the project sponsor or property owner, should monitor and ensure recurring vehicle queues do not occur on Texas Street and Pennsylvania Avenue for the proposed off-street parking facility. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If recurring queuing occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as those listed in Improvement Measure 1, including additional bicycle parking, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

Owner/operator of off-street parking facility.	Upon operation of the off-street parking facility.	Ensure a vehicle queue does not block any portion of public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.	Owner/operator; Planning Department.	Ongoing during operation.
		Hire transportation consultant to evaluate conditions.		
		Employ abatement		



If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

methods.

**Project Improvement Measure 3 – Construction Management Plan.**

The project sponsor or property owner, should develop and implement a Construction Management Plan (CMP), addressing transportation-related circulation, access, staging, and hours for deliveries.

The CMP would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The CMP would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by the San Francisco Municipal Transportation Agency, the Department of Public Works, or other City departments and agencies, and the California Department of Transportation. The CMP should include, but not limited to, the following:

- Identify construction traffic management best practices in San Francisco, as well as others that, although not being implemented in the City, could provide valuable information for the project. Management practices include, but are not limited to the following:
  - Identifying ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands
  - Identifying best practices for accommodating pedestrians, such as temporary pedestrian way finding signage or temporary walkways.
  - Identifying best practices for accommodating bicyclists and bicycle facilities such as bicycle way finding signage or temporary detours.
  - Identifying ways to consolidate truck delivery trips, including a plan to consolidate deliveries from a centralized construction material and equipment storage facility.
  - Identify a route for construction-related trucks to utilize during construction.
  - Restricting deliveries and trucks trips to the project site during off-peak hours (generally 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M., but may

Project sponsor,  
contractor(s).

Prior to and  
during  
construction.

Implement  
Construction  
Management  
Plan.

Project sponsor.

Upon  
completion of  
project  
construction.

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include other times during Giants game days), where feasible.

- Require consultation with surrounding community, including business and property owners near the project site to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the project site.
- Develop a public information plan to provide adjacent residents and businesses with regularly-updated information regarding project construction activities, peak construction vehicle activities, (e.g., concrete pours), travel lane closures, and other lane closures.

# Parcel Map

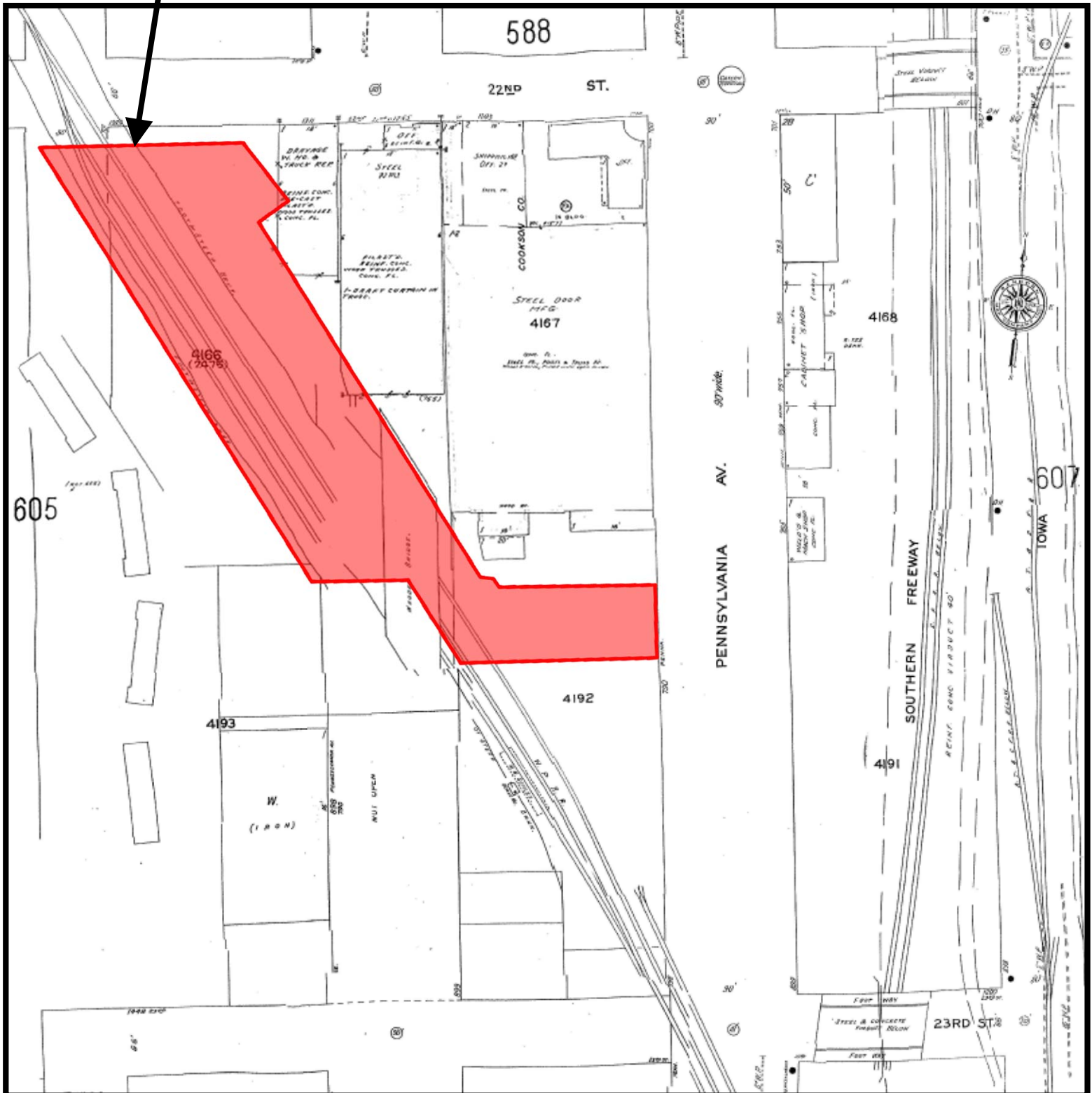
SUBJECT PROPERTY



Large Project Authorization  
Case Number 2011.0671X  
1395 22<sup>nd</sup> St & 790 Pennsylvania Ave

# Sanborn Map\*

SUBJECT PROPERTY

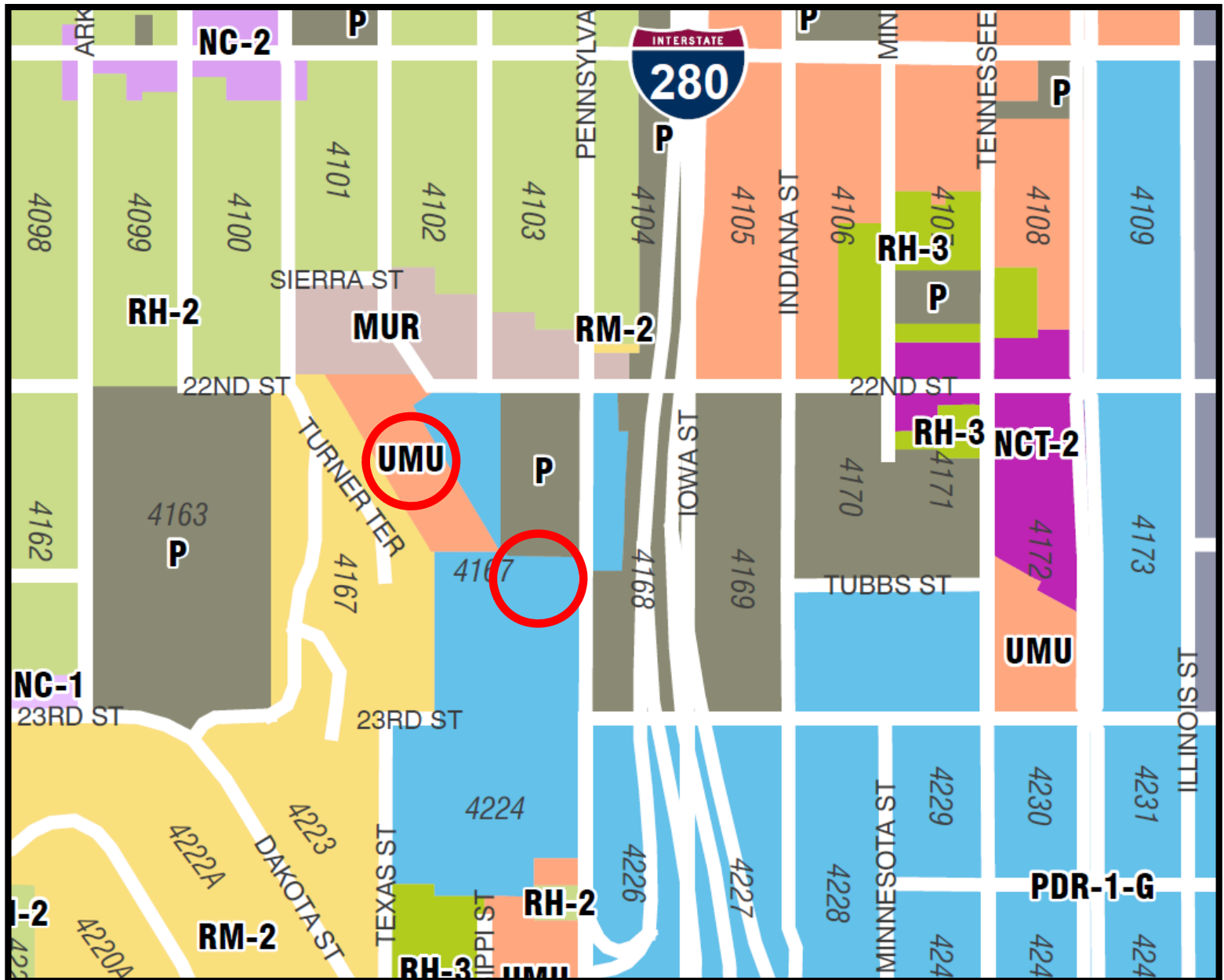


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



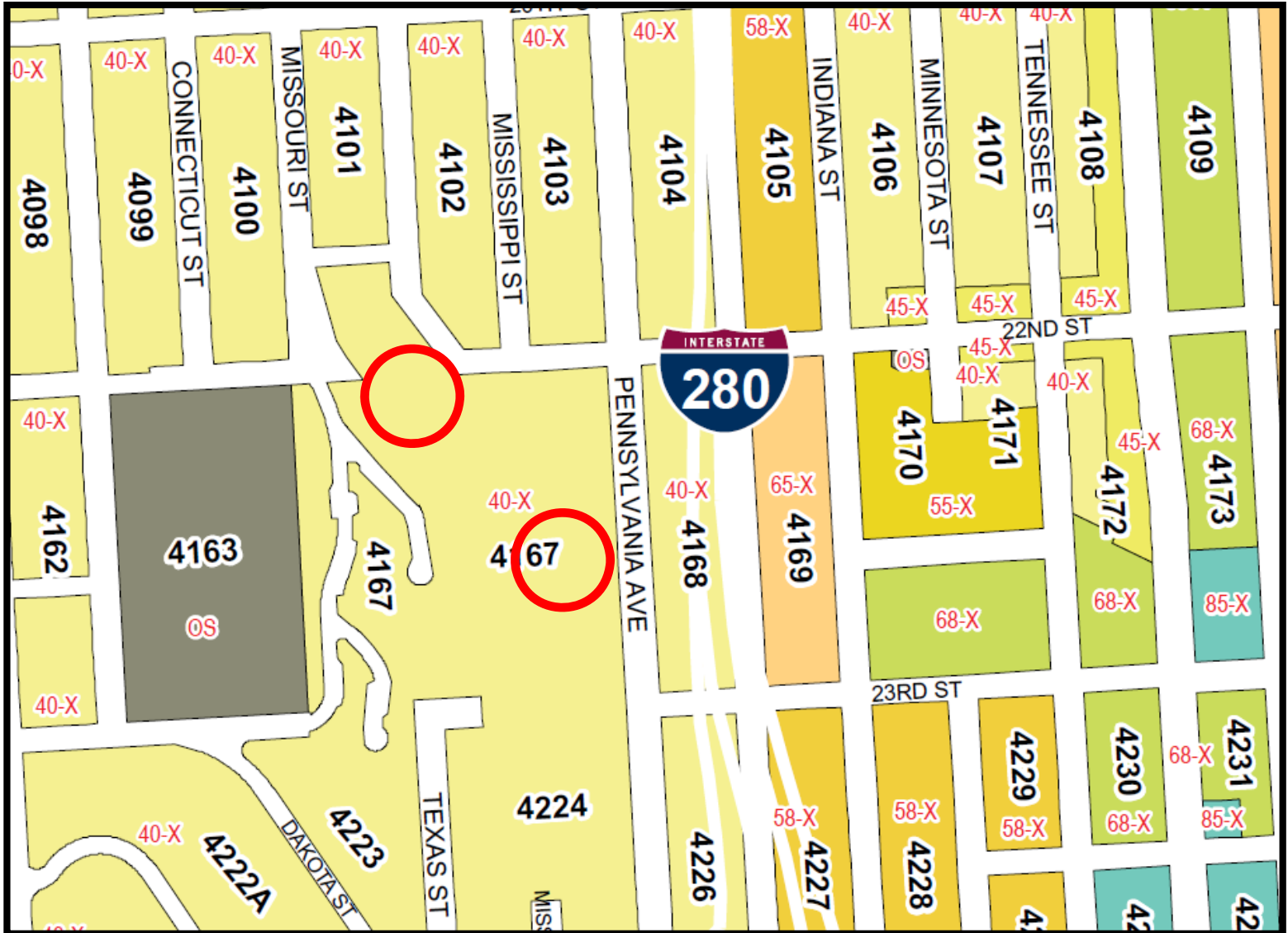
Large Project Authorization  
Case Number 2011.0671X  
1395 22nd St & 790 Pennsylvania Ave

# Zoning Map



Large Project Authorization  
 Case Number 2011.0671X  
 1395 22<sup>nd</sup> St & 790 Pennsylvania Ave

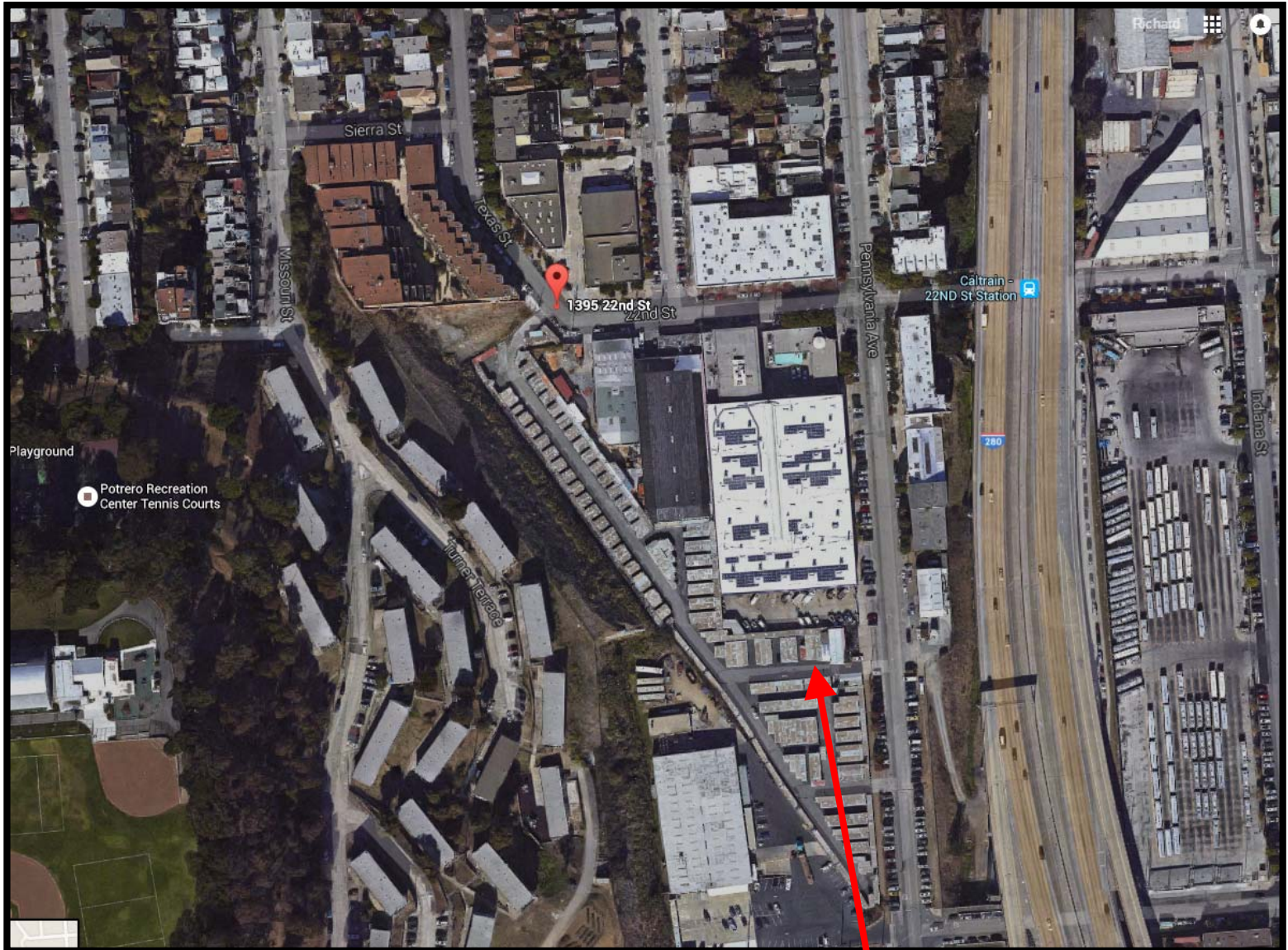
# Height & Bulk Map



Large Project Authorization  
Case Number 2011.0671X  
1395 22<sup>nd</sup> St & 790 Pennsylvania Ave



# Aerial Photo



PROJECT SITE



Large Project Authorization  
Case Number 2011.0671X  
1395 22<sup>nd</sup> St & 790 Pennsylvania Ave



# Site Photo



Project Site along 22<sup>nd</sup> Street at Texas Street



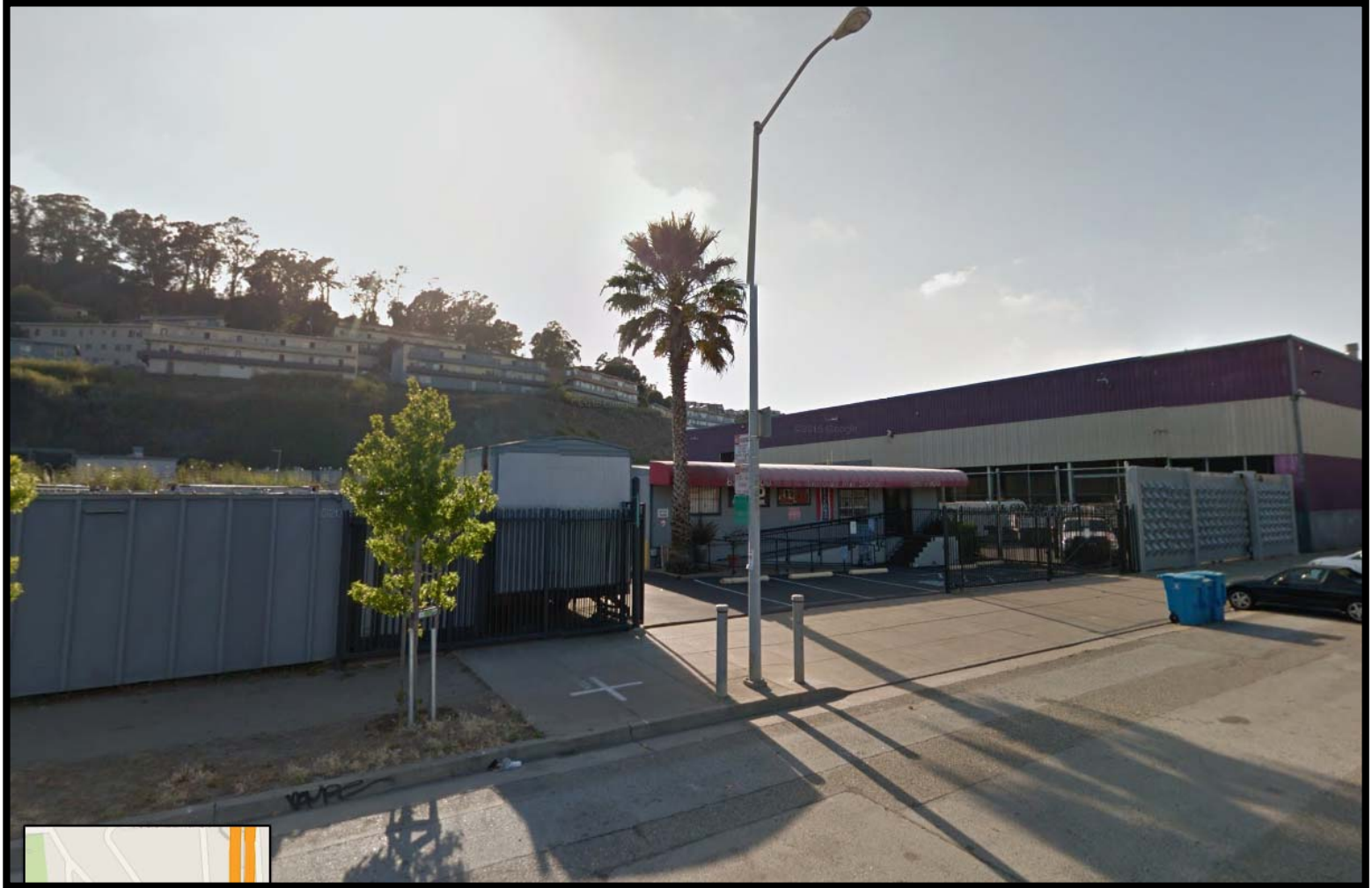
# Site Photo



Project Site along Texas Street at 22<sup>nd</sup> Street

Large Project Authorization  
**Case Number 2011.0671X**  
1395 22<sup>nd</sup> St & 790 Pennsylvania Ave

# Site Photo



Project Site along Pennsylvania Avenue



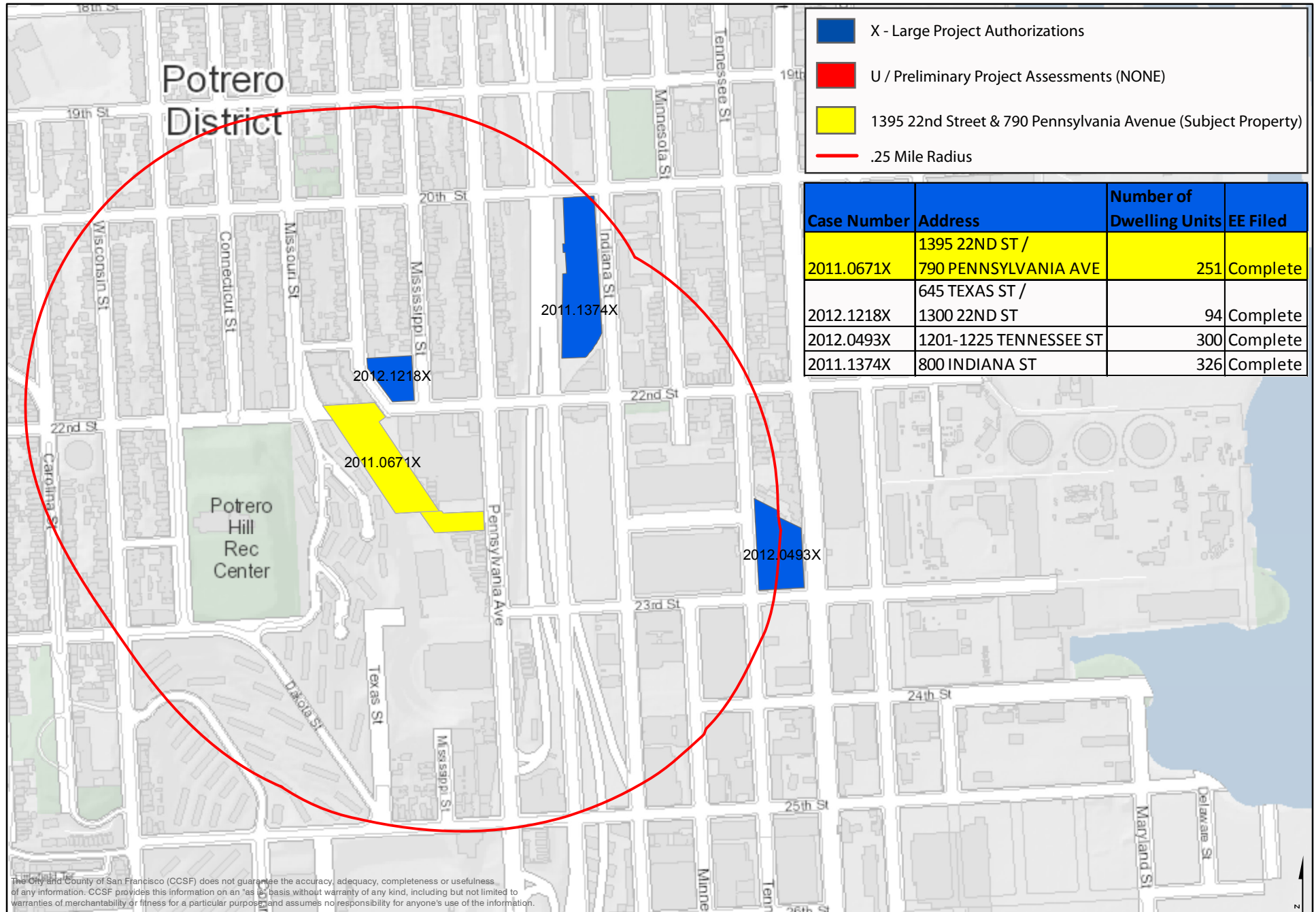
# Site Photo



Project Site along 22<sup>nd</sup> Street at Missouri Street

Large Project Authorization  
**Case Number 2011.0671X**  
1395 22<sup>nd</sup> St & 790 Pennsylvania Ave

# Major Projects Within .25 Mile Radius of 1395 22nd Street & 790 Pennsylvania Avenue



The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

0 250 500 1,000 Feet

# Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

July 23, 2015

Date

I, **Sherman C. Little**, do hereby declare as follows:

a. The subject property is located at (address and block/lot):

**1395 - 22nd Street**

Address

**4167/11**

Block / Lot

b. The proposed project at the above address is subject to the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq.

The Planning Case Number and/or Building Permit Number is:

**2011.0671**

Planning Case Number

Building Permit Number

This project requires the following approval:

☒ Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)

☐ This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:

**Richard Sucre**

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

☒ Yes (if yes, please indicate Tier) **1**

☐ No

This project is exempt from the Inclusionary Affordable Housing Program because:

☐ This project uses California Debt Limit Allocation Committee (CDLAC) funding.

☐ This project is 100% affordable.

c. This project will comply with the Inclusionary Affordable Housing Program by:

☒ Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5 and 419.5)

☐ On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

d. If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative and the accompanying unit mix tables on page 4.

- ☐ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ☐ **Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>2</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 though one of the following:
- ☐ Direct financial contribution from a public entity.
- ☐ Development or density bonus or other public form of assistance.
- ☐ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

e. The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Executed on this day in:

San Francisco, CA

Location

Signature

Signature

07/23/15

Date

Signature

Sherman C. Little

Name (Print), Title

(415) 826-7900

(415) 722-9670 Mobile

Contact Phone Number

cc: Mayor's Office of Housing  
Planning Department Case Docket  
Historic File, if applicable  
Assessor's Office, if applicable



## Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
251			151	90	10

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

- ☐ On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

- ☐ Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

- ☐ Combination of payment of a fee, on-site affordable units, or off-site affordable units with the following distribution:

Indicate what percent of each option would be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. Fee \_\_\_\_\_ % of affordable housing requirement.

2. On-Site \_\_\_\_\_ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

3. Off-Site \_\_\_\_\_ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name	Company Name
California Mini Storage	RMTEX22,LLC
Print Name of Contact Person	Print Name of Contact Person
Sherman C. Little	Redmond Lyons
Address	Address
790 Pennsylvania Avenue	650 Texas Street
City, State, Zip	City, State, Zip
San Francisco, CA 94107	San Francisco, CA 94107
Phone, Fax	Phone, Fax
(415) 826-7900 / (415) 920-0394 -Fax	(415) 550-9551 / (415) 550-9552 Fax
Email	Email
shermlittle@gmail.com	redmond@rgroupdev.com
I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.	I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.
	
Signature	Signature
Sherman C. Little	Redmond Lyons
Name (Print), Title	Name (Print), Title





SAN FRANCISCO  
PLANNING  
DEPARTMENT

# AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

## Administrative Code

### Chapter 83

1650 Mission Street, Suite 400 • San Francisco CA 94103-2479 • 415.558.6378 • <http://www.sfplanning.org>

#### Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
1395 - 22nd Street/ 790 Pennsylvania Ave., S.F., CA 94107		Block 4167 / Lots 13 & 11	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
n/a	2011.0671E	n/a	
PROJECT SPONSOR	MAIN CONTACT	PHONE	
RMTEX22, LLC	Redmond Lyons	(415) 550-9551 or (415) 810-3791	
ADDRESS			
650 Texas Street			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94107		redmond@rgroupdev.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
251 Res. Units	172,965 sq. ft.	70' / 8 Floors	\$90,000,000
ANTICIPATED START DATE			
March 2016			

#### Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input checked="" type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none"><li>If you checked <b>C</b>, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.</li><li>If you checked <b>A</b> or <b>B</b>, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.</li><li>For questions, please contact OEWD's CityBuild program at <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a> or (415) 701-4848. For more information about the First Source Hiring Program visit <a href="http://www.workforcedevelopmentsf.org">www.workforcedevelopmentsf.org</a></li><li>If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.</li></ul>	

Continued...

### Section 3: First Source Hiring Program – Workforce Projection

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

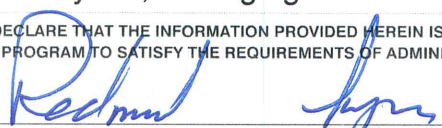
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	tba	0	0	Laborer	60.69	1	5
Boilermaker	128.87	0-1	2	Operating Engineer	81.94	0	3
Bricklayer	80.03	0-1	0-5	Painter	68.32	1	10
Carpenter	75.83	1	8	Pile Driver	tba	0	0
Cement Mason	67.64	2	15	Plasterer	75.83	0-1	6
Drywall/Latherer	75.83	2	15	Plumber and Pipefitter	128.87	1-2	8
Electrician	99.94	2	8	Roofer/Water proofer	72.48	0-1	8
Elevator Constructor	tba	0-1	6	Sheet Metal Worker	107.83	0-1	8
Floor Coverer	tba	0-1	4	Sprinkler Fitter	96.65	0-1	6
Glazier	97.88	0-1	5	Taper	72.95	1	8
Heat & Frost Insulator	tba	0	4	Tile Layer/Finisher	tba	1	10
Ironworker	92.23	0-1	8	Other:		1-2	20
		<b>TOTAL:</b>	80			<b>TOTAL:</b>	92

- |  |                                     |                          |
|--|-------------------------------------|--------------------------|
|  | YES                                 | NO                       |
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established?   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired?  | <u>tbc</u>                          |                          |

### Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Redmond Lyons, Managing Member	redmond@rgroupdev.com	(415) 550-9551 (415) 810-37912 (m)
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		(DATE)
<b>FOR PLANNING DEPARTMENT STAFF ONLY:</b> PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT <a href="mailto:CITYBUILD@SFGOV.ORG">CITYBUILD@SFGOV.ORG</a>		
Cc: Office of Economic and Workforce Development, CityBuild Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848 Website: <a href="http://www.workforcedevelopmentsf.org">www.workforcedevelopmentsf.org</a> Email: <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a>		

# SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

Sherman C. Little & Delanie K. Little and Linda K. Erkelens & Ronald W. Dion

PROPERTY OWNER'S ADDRESS:

790 Pennsylvania Avenue  
San Francisco, CA 94107

TELEPHONE:

( 415 ) 722-9670

EMAIL:

shermlittle@gmail.com

APPLICANT'S NAME:

RMTEX22, LLC

Same as Above ☐

APPLICANT'S ADDRESS:

650 Texas Street  
San Francisco, CA 94107

TELEPHONE:

( 415 ) 550-9551; (415) 810-3791

EMAIL:

redmond@rgroupdev.com

CONTACT FOR PROJECT INFORMATION:

RMTEX22, LLC.: Redmond Lyons

Same as Above ☒

ADDRESS:

650 Texas Street  
San Francisco, CA 94107

TELEPHONE:

( 415 ) 550-9551; (415) 810-3791

EMAIL:

redmond@rgroupdev.com

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):

Same as Above ☒

ADDRESS:

TELEPHONE:

( )

EMAIL:

## 2. Location and Project Description

STREET ADDRESS OF PROJECT:

1395 - 22nd Street/ 790 Pennsylvania Ave., San Francisco, CA

ZIP CODE:

94107

CROSS STREETS:

Texas Street

ASSESSORS BLOCK/LOT:

Block 4167 / Lots 13 & 11

ZONING DISTRICT:

UMU @ Lot 13 / 1-PDR-G / 2 Lot 11

HEIGHT/BULK DISTRICT:

40-X

PROJECT TYPE: (Please check all that apply)

☒ New Construction

☐ Demolition

☐ Alteration

☐ Other: \_\_\_\_\_

EXISTING DWELLING UNITS:

n/a/

PROPOSED DWELLING UNITS:

251 Residential  
dwelling units  
above parking  
garage w/ adjacent  
PDR building

NET INCREASE:



# Compliance with the Anti-Discriminatory Housing Policy

1. Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California?

☒ YES ☐ NO

1a. If yes, in which States? California

- 1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest?

☐ YES ☒ NO

- 1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property?

☐ YES ☒ NO

*If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.*

## 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: Other information or applications may be required.

Signature: \_\_\_\_\_

Redmond Lyons

Date: \_\_\_\_\_

4/7/15

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

Redmond Lyons

Owner / Authorized Agent (circle one)

## PLANNING DEPARTMENT USE ONLY

### PLANNING DEPARTMENT VERIFICATION:

- ☐ Anti-Discriminatory Housing Policy Form is **Complete**  
☐ Anti-Discriminatory Housing Policy Form is **Incomplete**

Notification of Incomplete Information made:

To: \_\_\_\_\_ Date: \_\_\_\_\_

BUILDING PERMIT NUMBER(S): \_\_\_\_\_

DATE FILED: \_\_\_\_\_

RECORD NUMBER: \_\_\_\_\_

DATE FILED: \_\_\_\_\_

VERIFIED BY PLANNER: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Phone: \_\_\_\_\_

ROUTED TO HRC: \_\_\_\_\_

DATE: \_\_\_\_\_

☐ Emailed to: \_\_\_\_\_

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# HPI

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HAWAII PACIFIC INTERNATIONAL, INC.  
*"Worldwide Exporters of Construction Material"*

Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in support of 1395 22<sup>nd</sup> Street project. The development will provide much needed housing for the City. The developers have worked with the neighbors and have revised their plans and even added a large public walkway.

I encourage you to approve this well thought-out project.

Very truly yours,

*Janet John Nicolai*  
9.22.15

# JUNG SALES, INC.

600 18th Street  
San Francisco, CA 94107  
Phone: 415 640 3628

Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in support of 1395 22<sup>nd</sup> Street project. The development will provide much needed housing for the City. The developers have worked with the neighbors and have revised their plans and even added a large public walkway.

I encourage you to approve this well thought-out project.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jung", written in a cursive style.

Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in support of 1395 22<sup>nd</sup> Street project. The development will provide much needed housing for the City. The developers have worked with the neighbors and have revised their plans and even added a large public walkway.

I encourage you to approve this well thought-out project.

Very truly yours,



Marvin Enrique Moreira

761 Missouri St, SF, CA 94107



Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in full support of 1395 22<sup>nd</sup> Street project. The development as proposed will be a great new asset of the area. The developers listened to the concerns and suggestions of the neighbors and incorporated many changes into their revised plans.

I encourage you to approve this well thought-out project.

Very truly yours,

*Dan Redmond*  
*760 De Haro St.*

*Dan Redmond*

Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

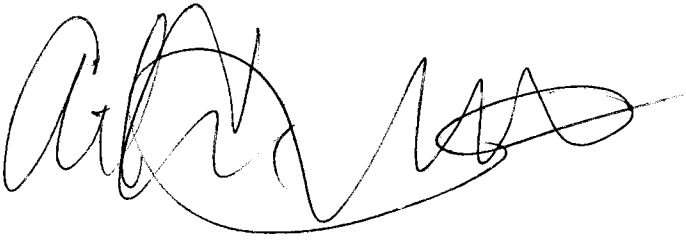
RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in full support of 1395 22<sup>nd</sup> Street project. The development as proposed will be a great new asset of the area. The developers listened to the concerns and suggestions of the neighbors and incorporated many changes into their revised plans.

I encourage you to approve this well thought-out project.

Very truly yours,

701 Pennsylvania Ave. #108  
  
Armada Protective Services

Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

The above referenced development will be a great asset to the area. I have followed the initial plan and the revisions and believe the current design is a well thought out project. I encourage the Planning Department to approve this much needed housing project.

Very truly yours,

*Monica Gillham*  
MONICA GILLHAM  
760 DE HARO ST  
SF 94107

September 25, 2015

Rich Sucre  
City of San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

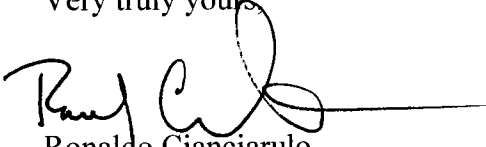
RE: 1395 22<sup>nd</sup> Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in full support of the design for the residential development located at 1395 22<sup>nd</sup> Street. I am a resident of Potrero Hill and appreciate quality development. The proposed new building will be a great use of this vacant lot. The developers worked closely with their neighbors and incorporated many changes into their revised plans.

I encourage you to approve this well thought-out project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ronaldo', followed by a long horizontal line.

Ronaldo Cianciarulo  
827 DeHaro Street  
San Francisco, Ca 94107

Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22nd Street- Case#2011.0671X

Dear Mr. Sucre:

The above referenced development will be a great asset to the area. I have followed the initial plan and the revisions and believe the current design is a well thought out project. I encourage the Planning Department to approve this much needed housing project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mikhail Butenko', with a stylized, sweeping flourish at the end.

Mikhail Butenko  
701 Pennsylvania ave #204  
San Francisco, CA 94107

September 25, 2015

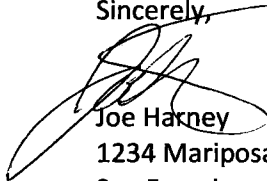
Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
RE: 1395 22<sup>nd</sup> Street, Case #2011.0671X

Dear Mr. Sucre,

I am writing in full support in full support of 1395 22<sup>nd</sup> Street project. The development as proposed will be a great new asset of the area. The developers listened to the concerns and suggestions of the neighbors and incorporated many changes into their revised plans.

I encourage you to approve this well thought-out project.

Sincerely,



Joe Harney  
1234 Mariposa Street  
San Francisco, CA 94107



**GEORGE SLACK CABINETMAKERS**  
757 PENNSYLVANIA AVENUE  
SAN FRANCISCO, CA 94107  
TEL & FAX 415.285.0772  
gs851@earthlink.net  
State License No. 551978

**September 28, 2015**

**Rich Sucre  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103**

**RE: 1395 22<sup>nd</sup> Street- Case #2001.0671X**

**Dear Mr. Sucre**

**As owner of a property and business closely situated to this project, I have been greatly interested in the development proposal for this challenging site. For the last 25 years, having seen first hand the improvements in housing and preservation of light industrial base made by these developers, I'm confident this project will follow the same course and add value to the neighborhood.**

**I am writing in full support of 1395 22<sup>nd</sup> St. project.**

**Thank you,**

**George Slack**

MOSHI MOSHI  
2295 Third Street  
SAN FRANCISCO, CA 94107

September 24, 2015

Rich Sucre  
City of San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1395 22<sup>nd</sup> Street- Case#2011.0671X

Dear Mr. Sucre:

I am writing in full support of the quality design of the residential development located at 1395 22<sup>nd</sup> Street. The development as proposed will be a great new asset of the area. The developers listened to the concerns and suggestions of the neighbors and incorporated many changes into their revised plans.

I encourage you to approve this well thought-out project.

Very truly yours,



Mits Akashi  
Moshi Moshi



POTRERO BOOSTERS  
NEIGHBORHOOD ASSOCIATION  
SERVING THE HILL SINCE 1926

July 9, 2015

Sherman Little  
790 Pennsylvania Avenue  
San Francisco, CA 94107

Re: Potrero Boosters Comments

*Via Email*

Dear Sherman:

Thank you for presenting your project at the Boosters general membership meeting last week. From comments at the meeting and from our Development Committee, it is clear that the proposed design requires revision before it will earn the support of the full Boosters membership prior to a hearing at the Planning Commission.

As you know, the Boosters Development Committee (the "Committee") reviewed the project in April. Many of the concerns regarding height and massing that were expressed in the 2011 Preliminary Project Assessment echoed those of the Committee. In that document, Planning wrote that, "A major redesign of the project is necessary to produce a project that is compatible with context and topography of the site, the neighborhood, and the general City pattern." The design you presented in April included a slight reduction in height, but did not match the intent of the 40X zoning, and did not break the building into a "series of discrete 4-5 story buildings" that step up the hill.

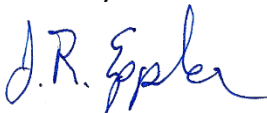
While some further revisions appear to have been made after our April meeting, it appears they are limited to finishes and a redesign of a small portion of the front section of the building at 22nd Street and Texas. The design of that particular section was well received by the Boosters general membership this week, but most commenters considered the rest to be institutional, bulky and massive in scale, with one person comparing the southern facade to the jail at 850 Bryant. Another felt that claiming compatibility to the Sierra Heights project was a source of concern as that development is only 4-5 stories and 1/4 the size in terms of unit count. Additional concerns were expressed about the need to reconsider the design of the top penthouse level and about the use of brown paint to camouflage the building's mass rather than actual breaking the mass.

The need for raising affordable housing to a suggested 30-33%, with some of the units designated for "workforce" housing, requires more discussion. Current BMR requirements do not include a mandate for middle income housing (affordable to those making 80-120% of San Francisco median income) and have resulted in a large deficit for this demographic. A commitment to exceeding the requirements could certainly influence our decision to support the project.

Your proposal to build a new landscaped public stairwalk connecting Potrero Hill and Dogpatch via the upper and lower portions of 22nd street was generally well received with some mentioning the need adequate lighting. At the Committee meeting in April, you had insisted that City impact fees should be used to build the stairwalk, but that you would not guarantee that it would be built without that City contribution. That was very problematic to the Committee knowing that such City contributions are far from guaranteed. Following the Committee meeting, you wrote that you *“agreed the walkway would be built whatever happened to any request for in-kind monies, which I believe we should only ask for on the construction of the walkway on City property.”* We recognize that this connection from Dogpatch to Potrero Hill is very important to the Boosters membership but any agreements, including participation by Bridge Housing, need to be binding for us to consider them in our overall evaluation of the project’s merits.

Thank you again for your participation in this process. We all hope for a successful project.

Sincerely,

A handwritten signature in blue ink that reads "J.R. Eppler". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

J.R. Eppler  
President

## Sucre, Richard (CPC)

---

**From:** Alison Heath <alisonheath@sbcglobal.net>  
**Sent:** Wednesday, October 28, 2015 5:39 PM  
**To:** Sucre, Richard (CPC)  
**Cc:** J.R. Eppler; Tony Kelly  
**Subject:** Re: 790 Pennsylvania / 1395 22nd Street

Where specifically would I find information about the validity of measuring from a paper street? Is there a reason that the PPA is no longer relevant?

Alison Heath

<http://www.alisonheath.com>

[alisonheath@sbcglobal.net](mailto:alisonheath@sbcglobal.net)

On Oct 28, 2015, at 5:24 PM, Sucre, Richard (CPC) wrote:

Hi Alison,

The project height has been revised since the time of the PPA. I've attached the map from the Assessor's Office, which shows that Lot 13 on Assessor's Block 4167 has frontage onto both portions of 22<sup>nd</sup> Street (at Texas Street and at Missouri Street). A portion of 22<sup>nd</sup> Street (at Missouri Street) is a paper street, but still qualifies as a street for the purpose of measuring height.

As I mentioned, Planning Code Section 260 (formerly Planning Code Section 102.12(d)) governs the measurement of height. The current project height is code-complying. Planning Code Section 260 states:

(a) Method of Measurement. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:

(1) The point above which such measurements shall be taken shall be as specified as follows.

(A) In the case of either (B) or (C) below, such point shall be taken at the centerline of the building or, where the building steps laterally in relation to a street that is the basis for height measurement, separate points shall be taken at the centerline of each building step.

**(B) Where the lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street. This point shall be used for height measurement only for a lot depth not extending beyond a line 100 feet from and parallel to such street, or beyond a line equidistant between such street and the street on the opposite side of the block, whichever depth is greater.** Measurement of height for any portion of the lot extending beyond such line shall be considered in relation to the opposite (lower) end of the lot, and that portion shall be considered an upward sloping lot in accordance with Subsection (C) below, whether or not the lot also has frontage on a lower street.

(C) **Where the lot slopes upward from a street at the centerline of the building or building step, such point shall be taken at curb level for purposes of measuring the height of the closest part of the building within 10 feet of the property line of such street; at every other cross-section of the building, at right angles to the centerline of the building or building step, such point shall be taken as the average of the ground elevations at either side of the building or building step at that cross-section.** The ground elevations used shall be either existing elevations or the elevations resulting from new grading operations encompassing an entire block. Elevations beneath the building shall be taken by projecting a straight line between ground elevations at the exterior walls at either side of the entire building in the same plane.

(D) **Where the lot has frontage on two or more streets, the owner may choose the street or streets from which the measurement of height is to be taken, within the scope of the rules stated above.**

Where the height limits for buildings and structures are established by this Code, the upper points to be taken for measurement of height shall be as prescribed in the provisions relating to such height limits.

I've bolded the relevant portions of the Planning Code, which state how height may be measured. As I stated, the lot width is more than 100-ft tall, so the owner is permitted by code to take a new point of measurement for height when they have frontage along two streets. As I mentioned, since the lot is steeply sloped, the upper portion of the lot is treated as an upsloping lot with frontage onto 22<sup>nd</sup> Street (at Missouri Street), while the lower portion of the lot is treated as a downsloping lot with frontage onto 22<sup>nd</sup> Street (at Texas Street).

I hope this helps in clarifying the height.

Please note that I am out of the office from Monday, 11/2 to Friday 11/6.

Thank You,

Rich

**Richard Sucre**  
**Preservation Technical Specialist/Planner, Southeast Quadrant, Current Planning**

Planning Department | City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
Direct: 415-575-9108 | Fax: 415-558-6409  
Email: [richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)  
Web: [www.sfplanning.org](http://www.sfplanning.org)

<image001.png> <image002.png> <image003.png> <image004.png>

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**From:** Alison Heath [mailto:[alisonheath@sbcglobal.net](mailto:alisonheath@sbcglobal.net)]  
**Sent:** Wednesday, October 28, 2015 3:56 PM  
**To:** Sucre, Richard (CPC)  
**Cc:** J.R. Eppler; Tony Kelly  
**Subject:** Fwd: 790 Pennsylvania / 1395 22nd Street

Rich, drawing AO.23 misrepresents the actual site conditions, showing that Missouri's "width varies" and that 22nd street joins the property to the west. This is not the case as you can see from the satellite photo. There are not two street frontages. The only frontage is to the east. There is no curb on Missouri or on 22nd street that adjoins the property, and thus no "curb midpoint".

Please take a close look at the satellite photo. Feel free to call me. 415-412-2723.

**Alison Heath**  
<http://www.alisonheath.com>

[alisonheath@sbcglobal.net](mailto:alisonheath@sbcglobal.net)

Begin forwarded message:

**From:** "Sucre, Richard (CPC)" <[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)>  
**Date:** October 23, 2015 1:43:53 PM PDT  
**To:** Alison Heath <[alisonheath@sbcglobal.net](mailto:alisonheath@sbcglobal.net)>  
**Subject:** RE: 790 Pennsylvania / 1395 22nd Street

Hi Alison,

My apologies for not responding sooner.

The height is calculated per Planning Code Section 260. For large lots, which have dual street frontage, the project is permitted to measure height in two different ways. Since the lots is steeply sloped, the upper portion of the lot is treated as an upsloping lot, while the lower portion of the lot is treated as a downsloping lot. I've attached the height analysis plan, as well as the section, which assist in illustrating this concept.

These two measurements are accurate and meet Planning Code Section 260.

Rich

**Richard Sucre**  
**Preservation Technical Specialist/Planner, Southeast Quadrant, Current Planning**

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1650 Mission Street, Suite 400, San Francisco, CA 94103  
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Web: [www.sfplanning.org](http://www.sfplanning.org)

<image001.png>

<image002.png>

<image003.png>

<image004.png>

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**From:** Alison Heath [<mailto:alisonheath@sbcglobal.net>]  
**Sent:** Sunday, October 18, 2015 1:58 PM

**To:** Sucre, Richard (CPC)  
**Subject:** 790 Pennsylvania / 1395 22nd Street

Hi Rich,

Can you please explain how the height is being calculated? I took a look at the site and also checked the parcel map and I just can't figure it out. The proposed development doesn't adjoin Missouri or Turner Terrace. It's essentially landlocked to the west, with Potrero Terrace buildings between it and the street. The property juts out at 22nd, currently a paper street in that spot, but the property doesn't adjoin with Missouri anywhere. However the project description has the project height as 33' above the Missouri curb. Drawings from the LPA show no streets to the west of the project so I've attached a copy of the parcel map and a google satellite view.

Thanks for your help,  
Alison 415-412-2723

1395 11ND STREET/790 PENNSYLVANIA AVENUE - located on the north side of 22<sup>nd</sup> Street at Texas Street and on the west side of Pennsylvania Avenue between 22<sup>nd</sup> and 25<sup>th</sup> Streets, LotS 011 & 013 in Assessor's Block 4167 – Request for a **Large Project Authorization (LPA)**, pursuant to Planning Code Section 329, for the new construction of a three-story industrial building (measuring approximately 47,575 gross square feet) on Pennsylvania Avenue, and a four-to-eight-story (respectively measuring 40-ft from existing grade on Pennsylvania Avenue, and 33-ft above curb height along Missouri Street) residential building (approximately 297,159 gross square feet) on 22nd Street with 250 dwelling units, 213 off-street parking spaces, four car-share parking spaces, 138 Class 1 bicycle parking spaces, and 15 Class 2 bicycle parking spaces. The project includes private and common open space, as well as a publically-accessible open space via a new stairway and landscaping along 22nd Street between Missouri and Texas Streets. Under the Large Project Authorization, the project is seeking exceptions to the requirements for: rear yard (Planning Code Section 134), dwelling unit exposure (Planning Code Section 140), and off-street parking (Planning Code Section 151.1). The subject property is located within the UMU (Urban Mixed-Use) Zoning District, PDR-1-G (Production, Distribution and Repair-General) Zoning Districts, and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

<image005.png>

Alison Heath  
<http://www.alisonheath.com>  
[alisonheath@sbcglobal.net](mailto:alisonheath@sbcglobal.net)

<AssessorBlock4167.pdf>



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0671E  
Project Address: 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue  
Zoning: Lot 11: Production, Distribution and Repair-1-General (PDR-1-G) Use District;  
40-X Height and Bulk District  
Lot 13: Urban Mixed Use (UMU) Use District;  
40-X Height and Bulk District  
Block/Lot: 4167/11 and 13  
Lot Size: 119,885 square feet  
Plan Area: Showplace Square/Potrero Subarea of Eastern Neighborhoods Area Plan  
Project Sponsor: Redmond Lyons, RMTX22, LLC, (415) 550-9551  
Staff Contact: Tania Sheyner, (415) 575-9127, Tania.Sheyner@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The project site consists of two irregularly shaped parcels in the City's Potrero Hill neighborhood, and has frontages along both Pennsylvania Avenue and 22<sup>nd</sup> Street. The eastern portion of the site is currently occupied by approximately 74,500 square feet of temporary storage containers and a mobile office structure, while the western portion of the site is an undeveloped uphill slope. No permanent buildings exist on the project site.

The project sponsor proposes to remove all temporary structures on the site and construct a mixed-use residential project that would include 251 dwelling units, approximately 47,800 square feet of production, distribution, and repair (PDR) space, 225 parking spaces, and approximately 32,200 square feet of common open space in two buildings – one residential and one PDR.

(Continued on next page.)

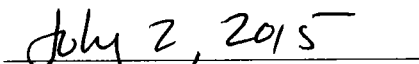
### EXEMPT STATUS

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### DETERMINATION

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
SARAH B. JONES  
Environmental Review Officer

  
Date

cc: Redmond Lyons, Project Sponsor; Supervisor Malia Cohen, District 10; Rich Sucre, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The new residential building would front 22<sup>nd</sup> Street and would consist of two building volumes built over a shared podium, one four stories tall (consisting of approximately 58,620 gross square feet of space) and one eight stories tall (consisting of approximately 187,684 gross square feet of space). The four-story volume would be 40 feet tall and would be developed on the flat portion of the project site. The eight-story volume would also be 40 feet tall, but would step up along the sloped portion of the site and, therefore, would extend above the four-story building (its height would be consistent with the height district as measured in accordance with the building height methodology contained in Section 102.12 of the *Planning Code*). The PDR building would front Pennsylvania Avenue and would be three stories in height.

The project would provide a basement and ground-floor garage that would span both lots. Ingress and egress to the combined parking garage would be provided via an entrance from Texas Street and an entrance and exit driveway to Pennsylvania Avenue. Proposed open space would be provided within an interior courtyard, a rooftop terrace and private balconies and decks. The project sponsor would also set aside an additional approximately 6,300 square feet of outdoor space along the north side of the property to be developed into a new public stairway that would connect 22<sup>nd</sup> Street below to Missouri Street above.

## PROJECT APPROVAL

The project would require a Large Project Authorization per Planning Code Section 329 (Planning Commission). As part of the Large Project Authorization, the project sponsor would seek a modification to the requirements for rear yard (Planning Code Section 134), dwelling unit exposure (Planning Code Section 140) and off-street parking (Planning Code Section 151.1). The project would also require approval of a site permit, demolition permit and building permit (Department of Building Inspection); approval of a stormwater control plan (San Francisco Public Utilities Commission); approval of project compliance with the Stormwater Control Guidelines (Department of Public Works); and approval of a two-lot merger (Department of Public Works). Approval of the Planning Code Section 329 application by the Planning Commission would constitute the Approval Action date. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.



This determination evaluates the potential project-specific environmental effects of the 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future PDR employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2,3</sup>

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that the Preferred Project would result in approximately 9,785 dwelling units built in the Plan Area throughout the lifetime of the Plan (year 2025). However, the Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of up to an additional 9,858 units in the Plan Area.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City’s ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City’s General Plan.

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1 Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048.

2 San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

3 San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

As a result of the Eastern Neighborhoods rezoning process, Lot 11 of the project site has been rezoned to PDR-1-G (Production, Distribution and Repair-1-General) Use District while Lot 13 of the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The PDR-1-G District is intended to retain and encourage existing production, distribution, and repair activities and promote new business formation. Thus, this district prohibits residential and office uses and limits retail and institutional uses. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue site, which is located in the Potrero Hill area of the Eastern Neighborhoods, was designated as a site with buildings up to 40 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue project, and identified the mitigation measures applicable to the 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4,5</sup> Therefore, no further CEQA evaluation for the 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site comprises a portion of an irregularly shaped block that lies between Sierra and 22nd Streets to the north, Pennsylvania Avenue to the east, 25th Street to the south, and Turner Terrace and Missouri Street to the west, in San Francisco's Potrero Hill neighborhood. To the north, the project site is bordered by a six-level mixed-use building (residential with ground-floor commercial uses) along Texas Street, and to the south, it is bordered by the same storage uses that exist on the site. To the west, the project site is bordered by the Potrero Terrace and Potrero Annex housing developments, which total 606 existing housing units.<sup>6</sup> A proposed 94-unit residential project at 645 Texas Street across 22nd Street to the north from the project site was recently approved and is expected to be operational by the time the

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4 Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue, September 3, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

5 Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 790 Pennsylvania Avenue (1395 22<sup>nd</sup> Street), February 23, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

6 These housing developments are subjects of the Potrero HOPE SF Master Plan, which proposes to replace every housing unit, provide homes for current residents, and add new housing at different income levels, for a total of 1,400-1,700 units of mixed-income, mixed-tenure housing, as well as neighborhood serving retail, community facilities, parks and open space, and a new street network. The Potrero HOPE SF Master Plan is currently undergoing environmental review (Planning Department Case No. 2010.0515E).

proposed project is constructed (the site currently contains industrial, institutional and office uses). Other uses in the project vicinity (within an approximately one block radius) are generally residential uses to the north and west, and light industrial/PDR uses to the south and east.

Parcels north of the project site are zoned Mixed Use-Residential (MUR) and Residential House, Two Family (RH-2) and provide a number of single-family homes, two-unit residential structures, and multi-family developments. Parcels to the east of the project site are zoned PDR-1-G and Public (P) and consist of commercial, live/work, and mixed use buildings. Parcels west of the project site are zoned Residential-Mixed, Moderate Density (RM-2) and consist of the Potrero Terrace and Potrero Annex housing developments described above. Parcels to the south of the project site are zoned PDR and include a variety of industrial uses, including a dog grooming facility and wood flooring warehouse.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 1395 22nd Street/790 Pennsylvania Avenue project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 1395 22nd Street/790 Pennsylvania Avenue project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to the significant and unavoidable land use impacts from the loss of PDR uses because the project would be developed on lot containing storage containers, which is not a PDR use. Moreover, it would add approximately 47,800 sf of PDR uses to the site. In regards to significant and unavoidable transportation impacts related to traffic and transit, project-generated vehicle and transit trips would not contribute considerably to significant and unavoidable cumulative traffic and transit impacts identified in the EN EIR and would not result in a substantial portion of the overall additional traffic and transit volume anticipated to be generated by Plan Area projects. The proposed project would not contribute to significant and unavoidable historic architectural resources impacts since the proposed project would not involve the demolition of a historic resource and would not cause a significant adverse impact upon any nearby historic resources. The proposed project would not contribute to significant and unavoidable shadow impacts since the proposed project would not result in new shadow on any nearby parks.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Eastern Neighborhoods PEIR Mitigation Measures**

<b>Mitigation Measure</b>	<b>Applicability</b>	<b>Compliance</b>
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed.	N/A
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: mitigation measure applies to single-family housing projects, whereas the proposed project is a multi-family project.	N/A
F-4: Siting of Noise-Sensitive Uses	Applicable: project includes noise-sensitive uses.	The project sponsor has conducted and submitted a detailed analysis of noise reduction requirements.
F-5: Siting of Noise-Generating Uses	Applicable: project includes noise-generating uses.	The project sponsor has conducted and submitted a detailed analysis demonstrating that PDR-related noise impacts would be less than significant.
F-6: Open Space in Noisy Environments	Applicable: project includes open space in a noisy environment and proposes noise-sensitive uses.	The project sponsor has conducted and submitted a detailed analysis of proposed measures to reduce noise on the proposed roof terrace.
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable: project located in identified Air Pollutant Exposure Zone.	The project sponsor has agreed to implement a Construction Emissions Minimization Plan.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: project would add new sensitive receptors near sources of TACs; however, regulations and procedures set	N/A

Mitigation Measure	Applicability	Compliance
	forth by Health Code, Article 38 supersede provisions of this mitigation measure.	
G-3: Siting of Uses that Emit DPM	Applicable: project would include PDR uses that could potentially emit DPM.	The project sponsor would be precluded from siting certain DPM-emitting uses on the project site.
G-4: Siting of Uses that Emit other TACs	Applicable: project would include PDR uses that could potentially emit substantial amounts of TACs.	Project sponsor has agreed to conduct further analysis (in the form of an HRA) once a PDR use is identified for the site.
<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Not Applicable: project site is not located within this mitigation zone.	N/A
J-2: Properties with no Previous Studies	Applicable: the project site is a property with no previous archeological study.	The project underwent a preliminary archeology review and the Planning Department's archeologist determined that the proposed project would have no effect on the archeological resources.
J-3: Mission Dolores Archeological District	Not Applicable: project site not located within this mitigation zone.	N/A
<b>K. Historical Resources</b>		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A

Mitigation Measure	Applicability	Compliance
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Not Applicable: project site does not contain permanent buildings that could contain hazardous building materials.	N/A
<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: plan-level mitigation by San Francisco Municipal Transportation Agency (SFMTA)	N/A
E-2: Intelligent Traffic Management	Not Applicable: plan-level mitigation by SFMTA	N/A
E-3: Enhanced Funding	Not Applicable: plan-level mitigation by SFMTA & San Francisco County Transportation Authority (SFTA)	N/A
E-4: Intelligent Traffic Management	Not Applicable: plan-level mitigation by SFMTA & Planning Department	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan-level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan-level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: plan-level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan-level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: plan-level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan-level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan-level mitigation by SFMTA	N/A

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

## PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on March 19, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Environmental concerns regarding the proposed project that were expressed in public comments include: the potential for vehicular hazards and congestion posed by the proposed ingress at 22nd/Texas Streets and potential for vehicle/pedestrian conflicts at that intersection; additional vehicular traffic and parking demand associated with the proposed uses; air pollution from asbestos in the soil; noise from construction activities; and pressure on recreational facilities in the project vicinity. In addition, one individual expressed concerns regarding the height, bulk, and density of the proposed project and several individuals requested to either view the plans or to receive the completed CPE. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist:<sup>7</sup>

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>7</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2011.0671E.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Community Plan Exemption Checklist

*Case No.:* **2011.0671E**  
*Project Address:* **1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue**  
*Zoning:* Lot 11: Production, Distribution and Repair-1-General (PDR-1-G) Use District;  
40-X Height and Bulk District  
Lot 13: Urban Mixed Use (UMU) Use District;  
40-X Height and Bulk District  
*Block/Lot:* 4167/11 and 13  
*Lot Size:* 119,885 square feet  
*Plan Area:* Showplace Square/Potrero Subarea of Eastern Neighborhoods Area Plan  
*Project Sponsor:* Redmond Lyons, RMTX22, LLC, (415) 550-9551  
*Staff Contact:* Tania Sheyner, (415) 575-9127, Tania.Sheyner@sfgov.org

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### PROJECT DESCRIPTION

#### Project Location

The project site comprises a portion of an irregularly shaped block that lies between Sierra and 22<sup>nd</sup> Streets to the north, Pennsylvania Avenue to the east, 25<sup>th</sup> Street to the south, and Turner Terrace and Missouri Street to the west, in San Francisco's Potrero Hill neighborhood. The project site (Assessor's Block 4167, Lots 11 and 13), which is also irregular in shape, encompasses two contiguous parcels and has frontages along Pennsylvania Avenue, at the intersection of Turner Terrace and Missouri Street, and at the intersection of Texas and 22<sup>nd</sup> Streets. The site spans 119,885 square feet (2.75 acres) of total land area and currently contains approximately 165 temporary containers and a modular office structure that are being used for commercial storage purposes. No permanent structures exist on the project site. Approximately half of the site is level (and contains the aforementioned storage containers and a mobile office structure), while approximately half of it, the southwestern portion, slopes steeply upward toward the southwest. The sloped portion of the project site is unused and contains vegetation.

The project site has three access points – Lot 11 has an approximately 83-foot-long frontage along Pennsylvania Avenue, while Lot 13 has an approximately 80-foot-long frontage along Texas Street and 22<sup>nd</sup> Street and 66 feet along Turner Terrace and Missouri Street. The Texas Street/22<sup>nd</sup> Street frontage is bordered by a chain-link fence and appears to be heavily restricted to the public, while the Pennsylvania Street frontage serves as the main access point associated with the existing storage business (California Mini Storage) on the property. The Pennsylvania Avenue and the Texas and 22<sup>nd</sup> Street access points to the site contain curb cuts. The project parcel was historically used for a railroad line which led to a tunnel north of the site. The railroad was abandoned sometime in the 1980s and since then, the site has been used as a storage business. The project site is within two use districts: Lot 11 is within the Production, Distribution and Repair-1-General (PDR-1-G) Use District while Lot 13 is within the Urban Mixed Use (UMU) Use District. Both lots are within the 40-X Height and Bulk District.



**Project Characteristics**

The proposed project would remove all temporary storage containers and the modular office structure and construct a mixed-use project, which would occupy the entire project site (with the exception of the stairway area, as described below). In total, the proposed project would encompass approximately 371,300 gross square feet of space. The portion of the project contained within the area of Lot 13 would consist of two residential building volumes above a common podium, and would contain 251 dwelling units. The proposed residential unit mix would be 151 one-bedroom units (ranging from 540 to 670 square feet), 90 two-bedroom units (ranging from 1,000 to 1,340 square feet), and 10 three-bedroom units (of approximately 1,500 square feet).

The residential structure would span most of the length of Lot 13, roughly 550 feet. The building would consist of two volumes – a four-story component would extend along the eastern portion of the site (roughly parallel to Texas Street) and an eight-story component would terrace up the hillside and be separated from the four-story portion by a 25-foot wide courtyard. The eight-story portion would remain below the 40-foot height limit at all points (its height would be consistent with the height district as measured in accordance with the building height methodology contained in Section 102.12 of the Planning Code). The two volumes would be connected by a two-story podium, which would contain the proposed garage on the subterranean lower level and a combination of garage and residential uses on the above-grade (ground) level. The gap between the two volumes would be located atop the podium and would contain a shared mid-block interior courtyard for use by the proposed building's residents.

Pedestrian access into the proposed building would be via the main entry lobby located at the northernmost portion of the lot on Texas Street. The entry lobby would contain stairs and an elevator leading to both the four-story and the eight-story building volumes. Residents would enter via the main lobby and then proceed either through the mid-block courtyard to units on the second floor or to stairways and seven elevators which would provide access to all floors.

The portion of the project contained within Lot 11 would contain an approximately 47,800-square-foot, three-story production, distribution, and repair (PDR) facility that could be used by a single user or multiple users, parking and loading spaces and an approximately 9,600-square-foot roof deck for use by the Lot 13 residents. PDR uses would take up a portion of the ground floor and second level and would take up the entirety of the third level. Employee access into the building would be provided via an entrance along Pennsylvania Avenue. No tenant has been identified to occupy the proposed PDR building.

A basement and ground-floor garage spanning both lots would contain a total of 225 parking spaces (213 residential spaces, including 8 handicap-accessible spaces, 12 spaces dedicated to PDR uses, and 3 car-share spaces), as well as 142 Class 1 bicycle spaces plus utilities, mechanical rooms, and trash enclosures. Vehicular entrance into the parking garage would be provided via Texas Street and a second entrance and exit would be provided via a driveway to Pennsylvania Avenue that would extend from the garage along the northernmost portion of Lot 11. Lot 11 would also include three off-street loading spaces, two for the residential uses and one for the PDR uses. The existing 20-foot-wide curb cut on Texas Street and 65-foot-wide curb cut on Pennsylvania Avenue would both be removed. The new curb cuts would include an inbound-only new 10-foot-wide curb cut on Texas Street and two new curb cuts, each 20 feet wide and approximately 43 feet apart, on Pennsylvania Avenue.

The project sponsor proposes to provide approximately 9,600 square feet of common open space on the roof of the PDR building on Lot 11, plus approximately 22,600-square feet of outdoor space at the ground

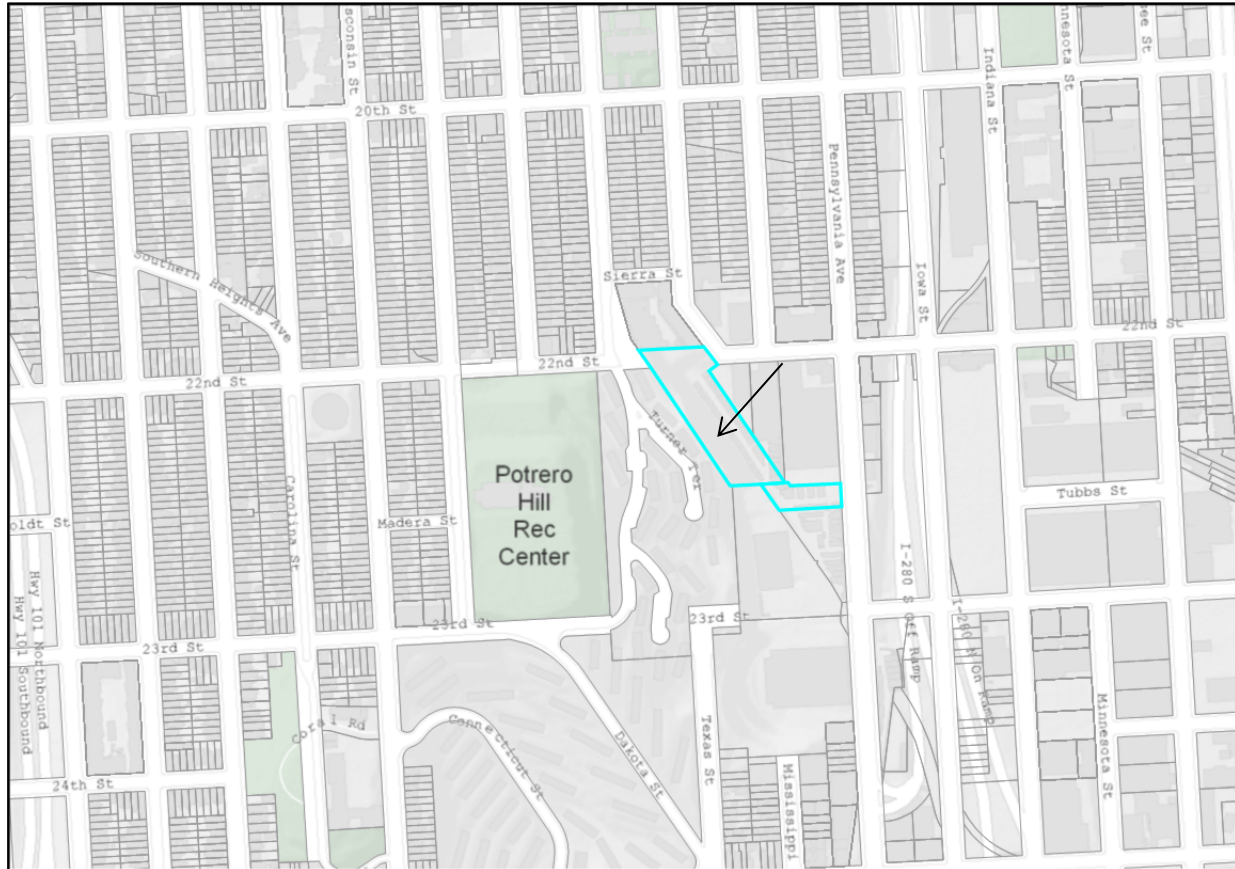


FIGURE 1. PROJECT LOCATION MAP

Figure not to scale

Source: San Francisco Planning Department

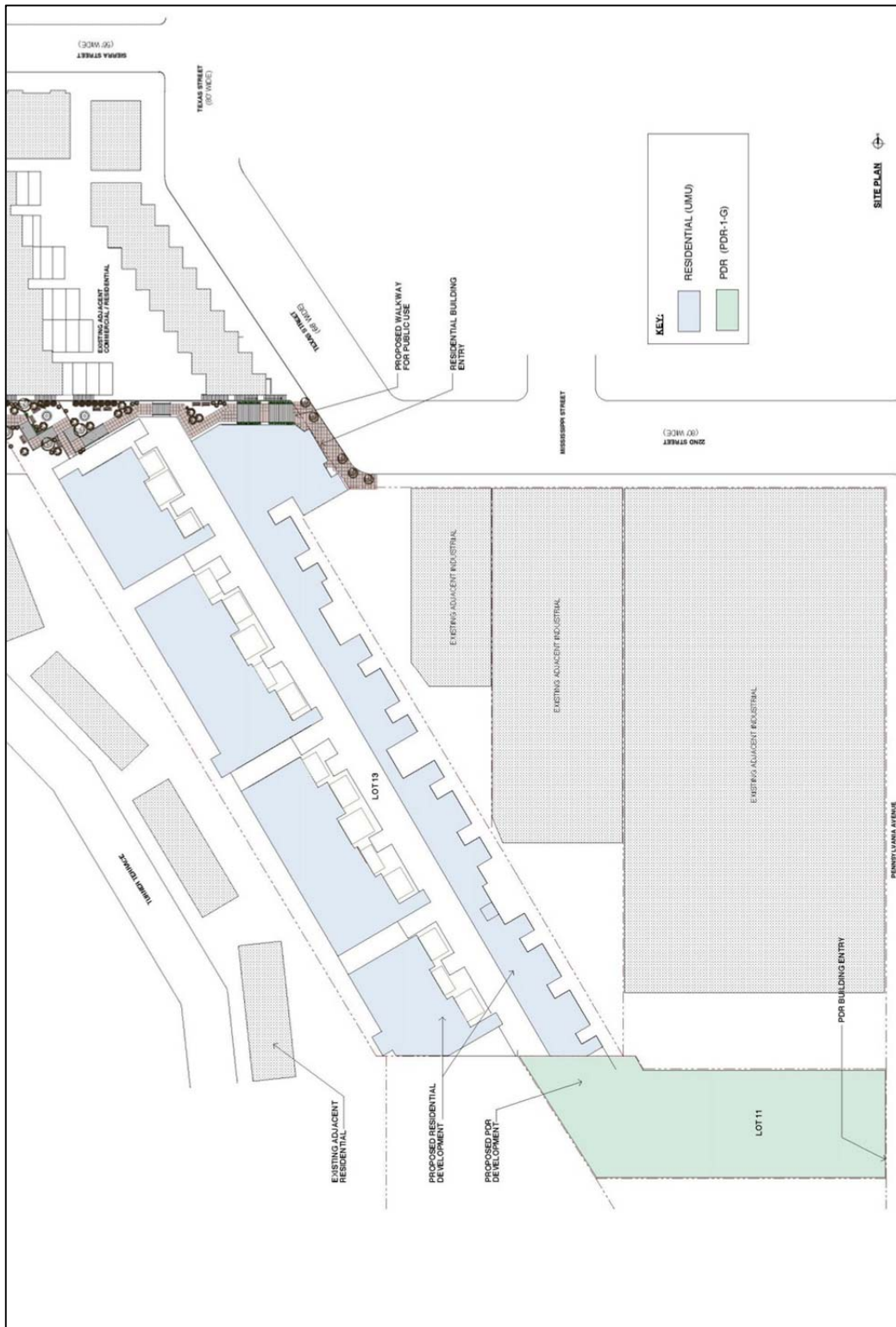


FIGURE 2 PROPOSED SITE PLAN

Figure not to scale

Source: Leavitt Architecture

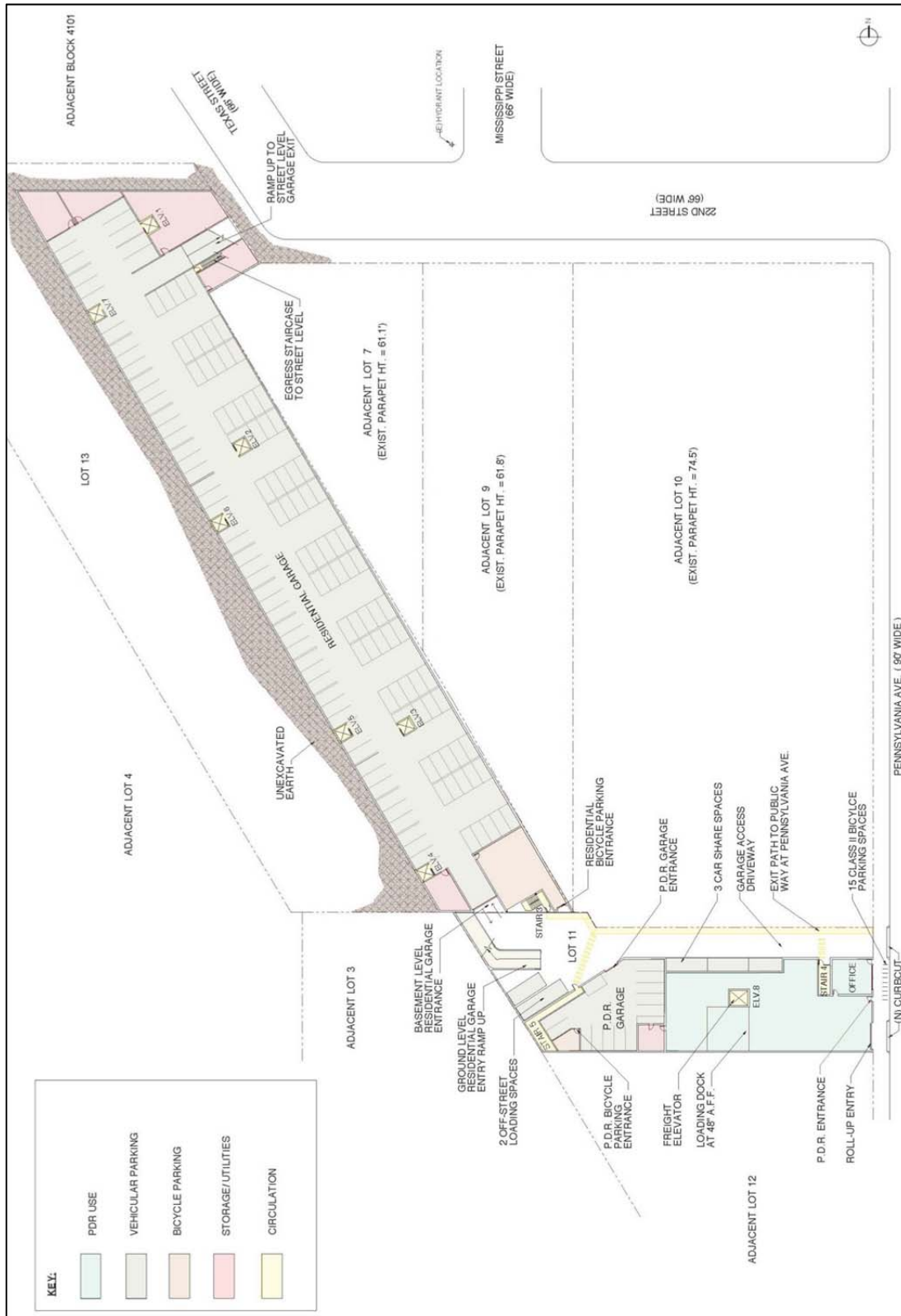


FIGURE 3 PROPOSED BASEMENT PLAN

Figure not to scale

Source: Leavitt Architecture

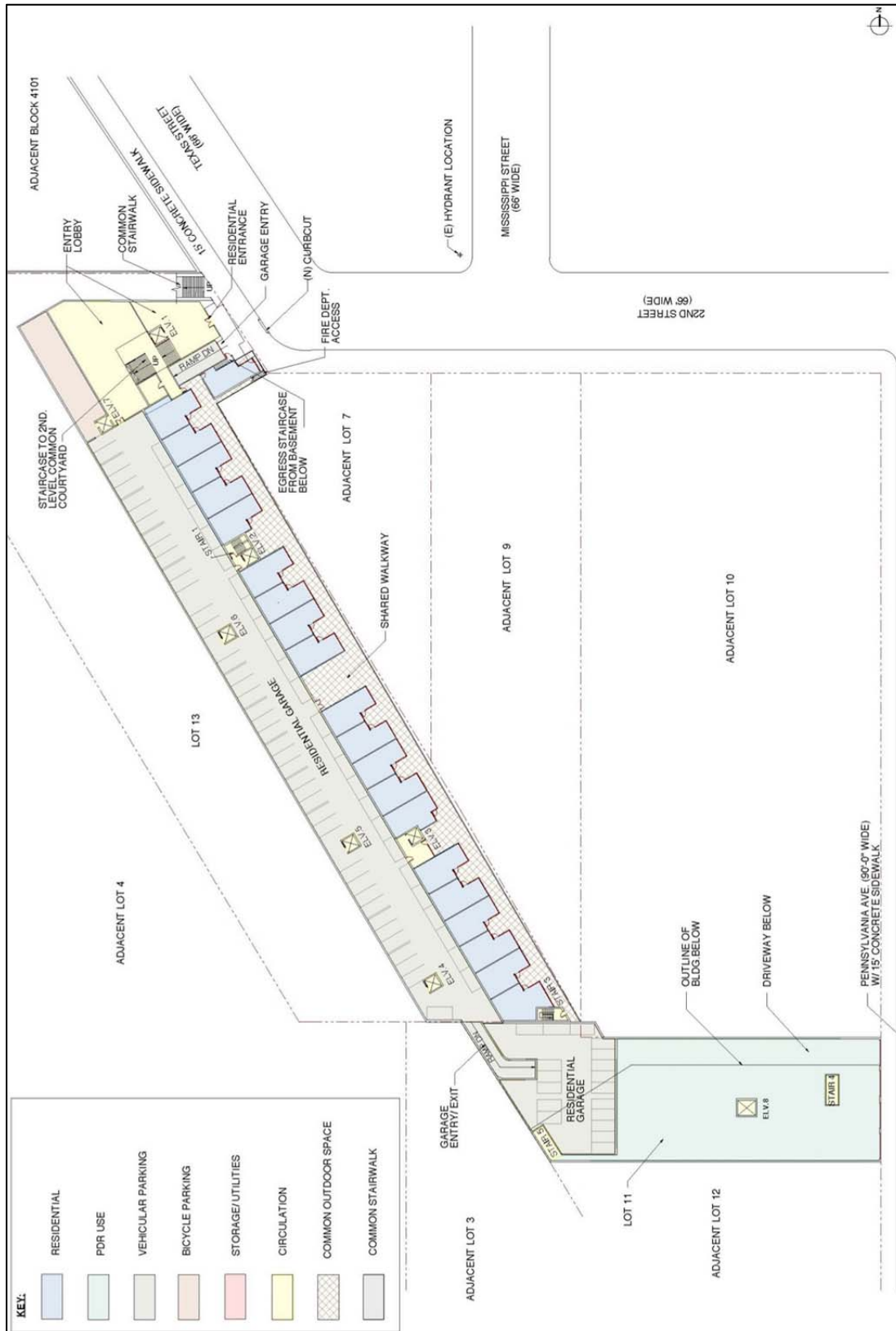
**FIGURE 4 PROPOSED GROUND FLOOR PLAN**

Figure not to scale

Source: Leavitt Architecture



**FIGURE 5 PROPOSED SECOND FLOOR PLAN**

Figure not to scale

Source: Leavitt Architecture

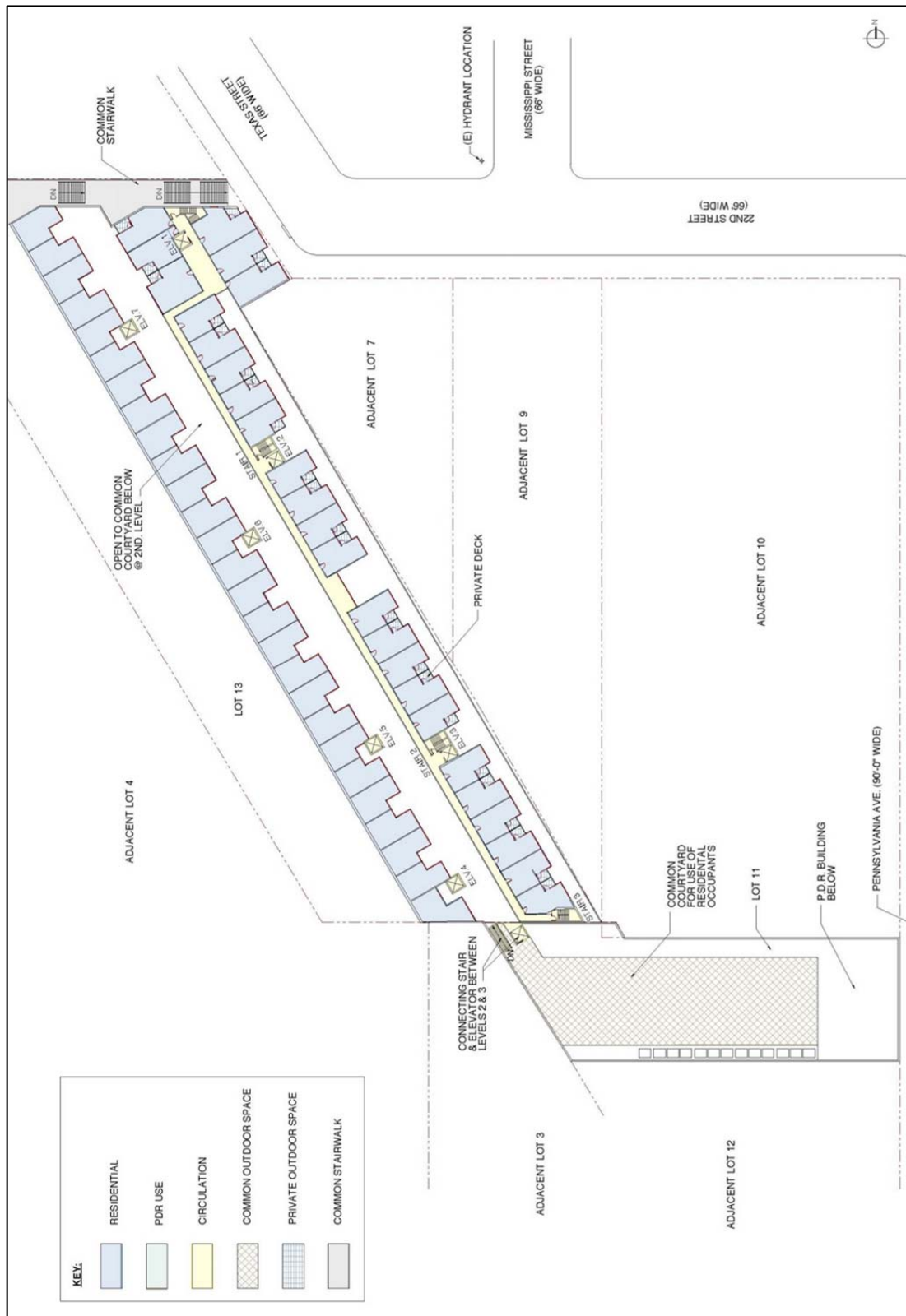


FIGURE 6 PROPOSED THIRD FLOOR PLAN

Figure not to scale

Source: Leavitt Architecture



FIGURE 7 PROPOSED FOURTH FLOOR PLAN

Figure not to scale

Source: Leavitt Architecture



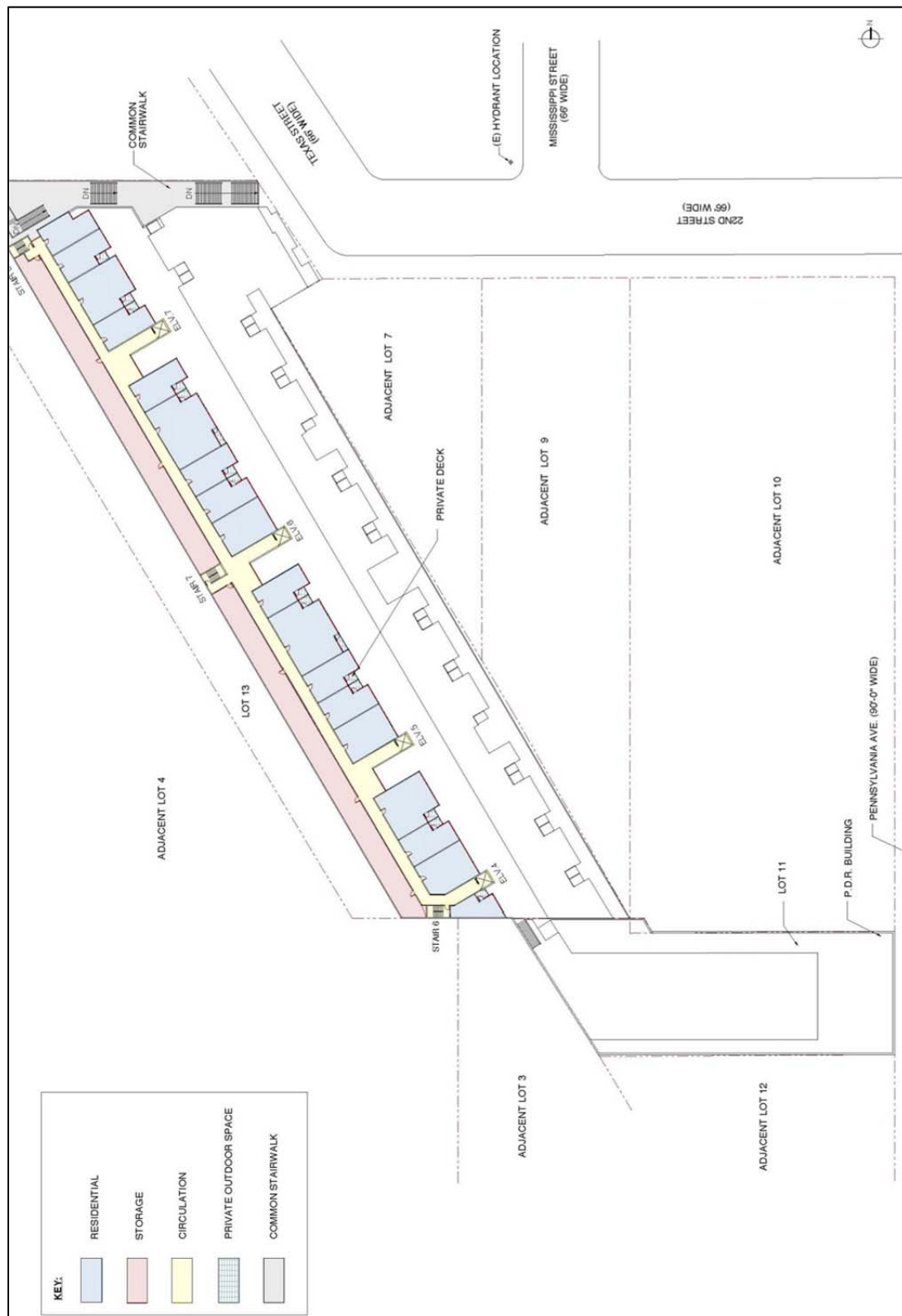


Figure not to scale  
Source: Leavitt Architecture

**FIGURE 9 PROPOSED SIXTH FLOOR PLAN**

Figure not to scale

Source: Leavitt Architecture



FIGURE 10 PROPOSED SEVENTH FLOOR PLAN

Figure not to scale

Source: Leavitt Architecture



FIGURE 11 PROPOSED EIGHTH FLOOR PLAN

Figure not to scale

Source: Leavitt Architecture



Source: Leavitt Architecture



FIGURE 13 PROPOSED PUBLIC ACCESS  
STAIRWALK AND CROSS-SECTION

Figure not to scale

and second levels of the residential building that would be accessible to building's residents but would not in all cases meet the dimensional requirements to be considered common open space under the Planning Code. Additional open space would be provided in the form of private balconies and roof decks.

The project sponsor would also set aside an additional approximately 5,900 square feet of useable open space along the north side of the property to be developed into a new public stairway that would connect 22<sup>nd</sup> Street below to Missouri Street above and would apply for an in-kind agreement to devote all or a portion of the project's Eastern Neighborhood Infrastructure Impact fees to fund the stairway improvements.

No street trees currently exist along the portions of Pennsylvania, 22<sup>nd</sup> Street or Texas Street sidewalks that abut the two frontages of the project site. Eight street trees in total would be planted by the project sponsor: four along the 22<sup>nd</sup> Street and Texas Street frontage and four along the Pennsylvania Avenue frontage.

### **Project Construction**

Construction phases would consist of removal of existing mobile structures, site excavation, foundations, superstructure construction, exterior wall construction and glazing, and building interior and finishes. Project construction is anticipated to begin in 2015 and last approximately 24 months.

Clearing of the site would be completed in approximately two months. Approximately 8,000 cubic yards of soil is slated for excavation. Excavation work is estimated to last three months.

Due to the presence of two to four feet of fill material over serpentine bedrock on the site, a combination of two feet of mat foundation with drilled piers on the sloping hillside is proposed (contingent on the final geotechnical report). Drilled (not driven) piles would also be installed as required by the buildings' seismic resisting systems. The remainder of the foundation would be shallow grade beams. Foundation work is estimated to last six months.

The building superstructure would be constructed over a nine-month period and would consist of conventional concrete columns, retaining walls, shear walls and post-tensioned slabs. Construction equipment to be used during this phase would include a tower crane, concrete pump trucks, and concrete/rebar/framing delivery trucks. Installation of the building exterior skin will start towards the sixth month of superstructure and be completed in about three months. The anticipated date of occupancy is mid-2017.

### **Project Approvals**

The proposed 1395 22nd Street/790 Pennsylvania Avenue project would require the following approvals:

#### **Actions by the Planning Commission**

- Approval of a Large Project Authorization per Planning Code Section 329. As part of the Large Project Authorization, the project sponsor would seek a modification to the requirements for rear yard (Planning Code Section 134), dwelling unit exposure (Planning Code Section 140) and off-street parking (Planning Code Section 151.1). Approval of the Section 329 application by the Planning Commission would constitute the Approval Action date. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.



**Actions by City Departments**

- Approval of grading, and site permits (*Planning Department, Department of Building Inspection*)
- Approval of a stormwater control plan (*San Francisco Public Utilities Commission*)
- Approval of project compliance with the Stormwater Control Guidelines (*Department of Public Works*)
- Approval of a two-lot merger and condominium map (*Department of Public Works*)

**SETTING**

As noted above, the project site comprises a portion of an irregularly shaped block that lies between Sierra and 22nd Streets to the north, Pennsylvania Avenue to the east, 25th Street to the south, and Turner Terrace and Missouri Street to the west, in San Francisco's Potrero Hill neighborhood. The streets that border the project site are two-lane streets, with one travel lane in each direction and parking lanes on each side. Turner Terrace is discontinuous, and terminates just west of the project site, within the Potrero Annex housing development. In terms of topography, areas to the west and north of the project site slope steeply up toward the northwest, while the areas to the east and south are generally flat.

To the north, the project site is bordered by a six-level mixed-use building (residential with ground-floor commercial uses) along Texas Street, and to the south, it is bordered by the same storage uses that exist on the site. To the west, the project site is bordered by the Potrero Terrace and Potrero Annex housing developments, which total 606 existing housing units. These housing developments are the subject of the Potrero HOPE SF Master Plan, which proposes to replace every housing unit, provide homes for current residents, and add new housing at different income levels, for a total of 1,400-1,700 units of mixed-income, mixed-tenure housing, as well as neighborhood-serving retail, community facilities, parks and open space, and a new street network. The Potrero HOPE SF Master Plan is currently undergoing environmental review.<sup>1</sup> A proposed 94-unit residential project at 645 Texas Street across 22<sup>nd</sup> Street to the north from the project site obtained a Large Project Authorization from the Planning Commission on August 14, 2014 and is expected to be operational by the time the proposed project is completed. Other uses in the project vicinity (within an approximately one block radius) are generally residential uses to the north and west, and light industrial/PDR uses to the south and east. Buildings in the project vicinity generally range from one to six stories height and contain a combination of early Twentieth Century and more contemporary architectural styles. Most structures are built to the property line. The elevated I-280 freeway runs in a north-south direction approximately 500 feet to the east of the project site.

Parcels north of the project site are zoned Mixed Use-Residential (MUR) and Residential House, Two Family (RH-2) and provide a number of single-family homes, two-unit residential structures and multi-family developments. Parcels to the east of the project site are zoned PDR-1-G and Public (P) and consist of commercial, live/work, and mixed use buildings. Parcels west of the project site are zoned Residential-Mixed, Moderate Density (RM-2) and consist of the Potrero Terrace and Potrero Annex housing developments described above. Parcels to the south of the project site are zoned PDR and include a variety of industrial uses, including a dog grooming facility and wood flooring warehouse.

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<sup>1</sup> Planning Department Case No. 2010.0515E. The Draft EIR for the project was published on November 5, 2014.



## EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).<sup>2</sup> The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such impacts are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures section at the end of this checklist.

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on PDR use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include the removal of all existing temporary structures on the project site and the construction of a mixed-use project containing 251 dwelling units and approximately 47,800 sf of PDR uses. A basement and ground-floor garage spanning both lots would contain a total of 224 parking spaces. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

## AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

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<sup>2</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR)*, Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed March 2, 2015.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>3</sup> Project elevations are included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

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3 San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 1395 22nd Street/790 Pennsylvania Avenue, November 10, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2011.0671E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>1. LAND USE AND LAND USE PLANNING— Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would not remove any existing PDR uses and would establish approximately 47,800 sf of PDR uses on the project site (on Lot 11); however, it would preclude a large portion of the project site (Lot 13, which is proposed for residential development) from accommodating PDR uses in the future. For this reason, the project would contribute to the impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR (the existing storage uses on the project site are classified under Section 890.54 of the Planning Code, "Light Manufacturing, Wholesale Sales, Storage," with various types of storage either principally or conditionally permitted within some PDR and industrial zoning districts).<sup>4</sup> However, the removal of a portion of the project site from future PDR potential is not substantial in light of existing PDR supply and would not contribute considerably to this impact. Therefore, the proposed project would not result in a cumulatively considerable contribution to the significant and unavoidable cumulative land use impact related to the loss of PDR use identified in the Eastern Neighborhoods PEIR. Mitigation Measure A-1 applied to the Planning Commission and Board of Supervisors' actions and does not apply to individual development projects.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the Urban Mixed Use (UMU) and Production, Distribution and Repair-1-General (PDR-1-G) Use Districts in which the project site is located. The project would be consistent with bulk, density, and land uses as envisioned in the Showplace Square/Potrero Area Plan. The plan calls for increased housing (especially affordable family housing), particularly along transit corridors and near community amenities. The plan also calls for improved connections to transit, as well as the preservation and creation of PDR uses, recognizing the important role they play in the local economy. As a mixed-use project with residential uses, new PDR space, and improved pedestrian infrastructure on 22<sup>nd</sup> Street (which would create a direct link between the HOPE SF site and the 22nd Street Caltrain Station), the proposed project is consistent with this designation.<sup>5,6</sup>

<sup>4</sup> Planning Code Section 225.

<sup>5</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 790 Pennsylvania Avenue (1395 22nd Street), September 3, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 790 Pennsylvania Avenue (1395 22nd Street), February 23, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

For the above reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>2. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR concluded that an increase in population in the Plan Areas is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project would replace temporary storage and modular office structures with 251 dwelling units and approximately 47,800 square feet of PDR uses. This has the potential to introduce a residential population of approximately 575 people and a daytime population of 84 employees to the project site. The PDR component of the proposed project is not anticipated to create a substantial demand for increased housing as these uses would not be sufficient in size and scale to generate such demand. Moreover, the proposed project would not displace any housing, as none currently exists on the project site. Any increase in population facilitated by the project would be within the scope of the Eastern Neighborhoods PEIR analysis and would not be considered substantial. Moreover, since no housing exists on the project site, no housing or people would be displaced by the project. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods PEIR related to population and housing.

These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans and evaluated in the Eastern Neighborhoods PEIR.

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The eastern portion of the project site contains temporary storage containers and a mobile office structure, none of which are permanent structures. The western portion is deeply sloped and undeveloped. Therefore, the project site does not contain any historical structures, sites, or architectural features. Moreover, the project site is not located in the vicinity of any historic districts. For the reasons stated above, Planning Department Preservation staff has determined that the proposed project would have no impact on historic architectural resources.<sup>7</sup> Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

<sup>7</sup> Personal communication, email between Tania Sheyner and Tina Tam, February 3, 2014. This email is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

For the reasons discussed above, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

### Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The Planning Department's archeologist has determined that the proposed project would have no effect on the archeological resources.<sup>8</sup> Based on this, the project would not result in a significant effect with regard to archeological resources, either individually or cumulatively, and the project is not subject to the archeological mitigation measures in the Eastern Neighborhoods PEIR. For the above reasons, the proposed project would not result in peculiar significant impacts that were not identified in the Eastern Neighborhoods PEIR related to archeological resources, either individually or cumulatively.

For these reasons, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION— Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>8</sup> Randall Dean, San Francisco Planning Department. Archeological Review Log. Email from Randall Dean to Tania Sheyner, January 6, 2015.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods PEIR.

However, the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 4c is not applicable.

### Trip Generation

The proposed project would involve removal of all existing temporary structures on the project site and the construction of a new four-story-over-basement residential building on the northern parcel (Lot 13, 1395 22<sup>nd</sup> Street) and a new three-story PDR building on the southern parcel (Lot 11, 790 Pennsylvania Avenue). The residential building would contain 251 dwelling units, while the PDR building would contain approximately 47,800 sf of PDR uses. A basement and ground-floor garage spanning both lots would contain a total of 225 parking space (213 residential spaces and 12 PDR spaces). Three off-street loading spaces as well as 142 Class 1 and 15 Class 2 bicycle parking spaces would also be provided. An entrance into the parking garage would be provided off of Texas Street and a second entrance and exit would be provided via a corridor to Pennsylvania Avenue that would extend along the northernmost portion of Lot 11.

Using the guidance in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department, a project-specific transportation study for the 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue was prepared, and is summarized here.<sup>9</sup> The proposed project would generate an estimated 2,987 person trips (inbound and outbound) on a weekday daily

<sup>9</sup> Stantec Consulting Services, *Final Transportation Study Case, 1395 22nd Street/790 Pennsylvania Avenue, 2011.0671E*, August 27, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

basis, consisting of 1,661 person trips by auto, 621 transit trips, 201 walk trips and 504 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 222 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

### Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site (within approximately 800 feet) include Texas Street/20th Street, Pennsylvania Avenue/20th Street, Pennsylvania Avenue/22nd Street, Indiana Street/22nd Street, Pennsylvania Avenue/23rd Street, Pennsylvania Avenue/25th Street, Indiana Street/23rd Street, Indiana Street/25th Street, and I-280 SB Off-Ramp/Pennsylvania Avenue. Table 1 provides existing and cumulative LOS data gathered for these intersections, per the transportation study.<sup>10</sup>

**Table 1: Existing and Cumulative Intersection Level of Service (PM Peak Hour)**

<u>Intersection</u>	<u>Existing LOS (2008)</u>	<u>Cumulative LOS (2025)</u>
Texas Street/20 <sup>th</sup> Street	B	C
Pennsylvania Avenue/20 <sup>th</sup> Street	A	B
Pennsylvania Avenue/22 <sup>th</sup> Street	B	C
Indiana Street/22 <sup>nd</sup> Street	A	B
Pennsylvania Avenue/23 <sup>th</sup> Street	B	D
Pennsylvania Avenue/25 <sup>th</sup> Street	D	F
Indiana Street/23 <sup>rd</sup> Street	A	B
Indiana Street/25 <sup>nd</sup> Street	B	F
I-280 SB Off-Ramp/Pennsylvania Avenue	C	F

Sources: Stantec Consulting Services, 2014.

The proposed project would generate an estimated 222 new p.m. peak hour vehicle trips that could travel through the surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, and would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

As shown in Table 1, above, area-wide cumulative traffic increases would result in deterioration of the three intersections – at Pennsylvania Avenue/25th Street, Indiana Street/25nd Street and I-280 SB Off-Ramp/Pennsylvania Avenue – to LOS F. However, the proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 222 new p.m. peak-hour vehicle trips would not constitute a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods Plan's projects. The proposed project also would not contribute

10 Stantec Consulting Services, *Transportation Study Case, 1395 22nd Street/790 Pennsylvania Avenue, 2011.0671!*, August 27, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671!.



considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant impacts on traffic that were not identified in the Eastern Neighborhoods PEIR.

Although the proposed project would have less-than-significant traffic impacts, the transportation study identified three improvement measures that could be implemented to lessen the effects of project-related vehicular traffic in the project vicinity. The recommended improvement measures are described below in the Improvement Measures section, on page 54 of this checklist.

### **Transit**

The project site is located within a quarter mile (or an approximately 10-minute walk) of several local transit lines including Muni lines 10 Townsend, 19 Polk, 22 Fillmore, and 48 Quintara-24th Street) and one light rail line, KT Ingleside-Third Street (line T). The proposed project would be expected to generate 621 daily transit trips, including 93 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 93 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 22-Fillmore and 48-Quintara. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding, conducting transit corridor and service improvements, and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in the Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the PEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its contribution of 93 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods PEIR.

### **Parking**

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;

- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.<sup>11</sup> The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, the following parking demand analysis from the TIS is provided for informational purposes only.

The parking demand for the new residential and PDR uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the proposed project would generate a parking demand of 453 vehicles, including 438 vehicles for long-term demand and 15 spaces for short-term demand. The proposed project would provide 225 off-street parking spaces, including 213 residential parking spaces and 12 PDR parking spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 229 spaces.

As discussed in the Transportation Impact Study, on-street parking within the study area is approximately 77 percent occupied, with approximately 535 on-street parking spaces available during the weekday midday peak period, based on the occupancy surveys. The occupancy surveys found that during the evening peak period only 62 percent of the on-street parking spaces are occupied. Thus, at this location, the unmet parking demand could be accommodated within existing on-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Further, the residential portion of the project site is located in an Urban Mixed Use (UMU) Use District zoning district, where under Section 151.1 of the Planning Code, the proposed project would not be required to provide any off-street parking spaces (the maximum number of allowable parking per Section 151.1 of the Planning Code is 213 spaces, which is what is proposed by the project). It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit-rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 453 vehicles, including 438 vehicles for long-term demand and 15 spaces for short-term demand. As mentioned above, the unmet parking demand could be accommodated within existing on-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking

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11 San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 1395 22nd Street/790 Pennsylvania Avenue, November 10, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>5. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods PEIR noted that implementation of the Eastern Neighborhoods Area Plans and Rezoning would incrementally increase traffic-generated noise on some streets in the Eastern Neighborhoods plan areas and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The project construction would last approximately 24 months and would involve drilling of piers and piles. However, no pile driving would be expected; therefore, Mitigation Measures F-1 would not be applicable to the proposed project. With respect to elevated construction noise, the noisiest anticipated activities would be demolition and ground clearing, when heavy machinery would be in use. To reduce potential effects from construction noise on existing noise-sensitive receptors, site-specific noise attenuation measures would be implemented. These measures are listed in the Mitigation Measures section, on page 49 of this checklist, and would implement Mitigation Measure F-2 from the Eastern Neighborhoods PEIR as Project Mitigation Measure 1.

In addition, all construction activities for the proposed project (approximately 24 months duration) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance), which regulates construction noise. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work

must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 24 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance.

Eastern Neighborhoods PEIR Mitigation Measures F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). Mitigation Measure F-3 applies to single-family housing projects and would, therefore, not apply to the proposed project, which is multi-family. The proposed project would develop residential uses in an area where noise measurements routinely exceed 65 dB; thus, Mitigation Measure F-4 would apply to the proposed project. This measure is listed in the Mitigation Measures section, on page 50 of this checklist, and would implement Mitigation Measure F-4 from the Eastern Neighborhoods PEIR as Project Mitigation Measure 2.

Consistent with Mitigation Measure F-4, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels.<sup>12</sup> According to the noise study, major noise sources in the project site vicinity include local traffic along Texas Street, 22<sup>nd</sup> Street and Interstate 280, and commercial activities from the neighboring wood floor construction company. To quantify the existing noise environment in the vicinity, three long-term and two short-term noise measurements were taken. Long-term noise measurements ranged from 62 and 66 dB, while the short-term noise measurements were 65 dB at 25 feet above grade and 66 dB at 40 feet above grade (at the same location). Based on the noise study, existing potential noise-generating sources within a 900-foot line-of-sight radius of the project site include a wood floor construction company, a dog training and boarding school, the Potrero Hill Recreation Center, the 22<sup>nd</sup> Street Caltrain Station, and others businesses and facilities.

The noise study indicated that the proposed project would be able to achieve the State's interior noise standard of DNL 45 dB by using exterior windows with Sound Transmission Class (STC) ratings as high as 40. Specifically, east-facing windows along the project's eastern façade would require STC ratings ranging from 28 to 40, depending on the floors and the proposed use (higher floors would generally require a higher STC rating and living rooms would generally require a higher STC rating as compared to bedrooms). East-facing windows facing the proposed mid-block courtyard would require STC rating ranging between 28 and 31, also depending on the floor, with higher floors requiring a higher STC rating. The noise study noted that windows can be operable, but would need to be in the closed position to meet the indoor noise standard. Thus, these rooms would require ventilation or air-conditioning systems that do not compromise the sound attenuation of the exterior façade. The noise study noted that the windows

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12 Charles M. Salter Associates, Inc., *Eastern Neighborhoods Plan Environmental Noise Assessment*, 1395 22nd Street Apartments, August 26, 2014. (CSA Project No. 13-0407). This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

facing the rear of the building are exposed to noise levels no greater than DNL 60 dB and therefore, would not need to be sound rated.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. The project proposes 47,800 square feet of PDR uses, which would have the potential to adversely affect noise-sensitive uses in the vicinity. Therefore, PEIR Mitigation Measure F-5 is applicable to the proposed project. This measure is listed in the Mitigation Measures section, on page 50 of this checklist, and would implement Mitigation Measure F-5 from the Eastern Neighborhoods PEIR as Project Mitigation Measure 3. In compliance with this mitigation measure, the noise study identified existing noise-sensitive uses within 900 feet of the project site; they include residences west and north of the project site. As discussed in the noise study, the PDR uses would be contained entirely within the enclosed building and, thus, are not expected to contribute significantly to background noise in the project area. The shell of the building would provide noise attenuation of approximately 30 dB. Therefore, assuming a PDR-related interior noise level of 80 dB, the outside noise level would be reduced to 50 dB, which is less than the ambient noise level of 62 dB measured at the nearest residence along Turner Terrace. Hence, the noise study concluded that the noise generated by PDR uses would be less than significant.<sup>13</sup>

Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise sensitive uses (i.e., residences, etc.). The proposed project would have a roof terrace located on the roof of the PDR building and thus, Mitigation Measure F-6 would apply to the project and was addressed in the noise study.<sup>14</sup> This mitigation measure is listed in the Mitigation Measures section, on page 50 of this checklist, and would implement Mitigation Measure F-6 from the Eastern Neighborhoods PEIR as Project Mitigation Measure 4. As stated therein, the noise level on the edge of the roof deck nearest the freeway is calculated to be DNL 78 dB (including 1 dB for future traffic noise increases). To comply with Mitigation Measure F-6, a 6-foot high solid barrier (likely glass) shall be constructed around the north, east, and south sides of the roof terrace, which would result in a 6 dB reduction in the noise level. The construction of this barrier shall be undertaken consistent with other principles of urban design. The implementation of this mitigation measure would mitigate the freeway noise reaching the roof deck.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topics 12e and f from the CPE Checklist area not applicable.

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13 While the Noise Study does not specify the types of PDR businesses that are assumed for purposes of estimating interior noise level, the study also notes that, per Section 2909.b.1 of the San Francisco Police Code (Commercial Property Noise Limits), “no person shall produce or allow to be produced by any machine or device, music or entertainment or any combination of same, on commercial or industrial property over which the person has ownership or control, a noise level more than eight dBA above the local ambient at any point outside of the property plane.” Given that existing ambient noise levels near the project site were measured between 62 and 66 dB (and include various PDR uses), it can be assumed that future ambient noise levels would be no greater than approximately eight dBA above this range, or approximately 75 dB. Furthermore, given the 30 dB noise attenuation attributable to the shell of the proposed PDR building, interior noise levels can be as high as 100 dB to meet the exterior noise requirements.

14 As discussed in the Project Description, the proposed project would provide approximately 22,600 square feet of outdoor space at the ground and second levels of the residential building that would be accessible to building’s residents. However, this open space would not in all cases meet the dimensional requirements to be considered common open space under the Planning Code. Therefore, it is excluded from requirements under Mitigation Measure F-6.

For the above reasons, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods PEIR.

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<b>6. AIR QUALITY—Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>15</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels. All other air quality impacts were found to be less than significant.

### Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

15 The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is not applicable to the proposed project.

### **Health Risk**

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, Mitigation Measure G-2 addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.

Eastern Neighborhoods PEIR Mitigation Measure G-2 requires sponsors of projects that would add new sensitive receptors near sources of TACs, including DPM, to conduct an analysis of air pollutant concentrations (PM<sub>2.5</sub>) to determine whether those concentrations would result in a substantial health risk to new sensitive receptors. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014). The purpose of Health Code, Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone.

For sensitive use projects within the Air Pollutant Exposure Zone as defined by Health Code, Article 38, such as the proposed project, the Ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the San Francisco Department of Public Health that achieves the protection from PM<sub>2.5</sub> (which is used as a proxy for DPM) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with the Health Code, Article 38, the project sponsor has submitted an initial application to the San Francisco Department of Public Health (DPH) identifying that the project sponsor will comply with the Ordinance requirements.<sup>16</sup> The regulations and procedures set forth by the Health Code, Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of PEIR Mitigation Measure G-2. Therefore, PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project.

Lastly, while it is unlikely that the proposed project would emit substantial levels of DPM or other TACs, because no tenant has been identified to occupy the proposed PDR building, future uses of that portion of the project are currently unknown. While the project sponsor has indicated that it is highly unlikely that

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<sup>16</sup> Application for Article 38 Compliance Assessment, January 5, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.



this space would be occupied by a business that would generate a substantial level of TACs, Mitigation Measures G-3 and G-4 would nevertheless apply to the proposed project, as discussed below.

Mitigation Measure G-3 Siting of Uses that Emit DPM requires uses generating substantial DPM emissions (including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day) to be located no less than 1,000 feet from residential units and other sensitive receptors. Implementation of this mitigation measure would, in effect, preclude the types of uses listed in this measure to be sited within the proposed PDR building. This would ensure that impacts related to siting of uses that emit substantial amounts of DPM in proximity to sensitive uses would be less than significant. Mitigation Measure M-3 has been identified as Project Mitigation Measure 7 and is detailed on page 53.

Mitigation Measure G-4 Siting of Uses that Emit Other TACs requires, for projects that have the potential to emit other types of TACs (including dry cleaners; drive-through restaurants; gas dispensing facilities; auto body shops; metal plating shops; photographic processing shops; textiles; apparel and furniture upholstery; leather and leather products; appliance repair shops; mechanical assembly cleaning; printing shops; hospitals and medical clinics; biotechnology research facilities; warehousing and distribution centers; and any use served by at least 100 trucks per day), the preparation of an analysis that includes, at a minimum, a site survey to identify residential or other sensitive uses within 1,000 feet of the project site, prior to the first project approval action. As discussed above, the proposed uses in the PDR building are unknown at this time. It is possible that a BAAQMD permit would be required for a proposed future use, which would ensure that TACs associated with that use are not substantial. However, should a use be proposed for the site that is not already regulated through the BAAQMD permitting process and that has the potential to emit a substantial amount of TACs, Mitigation Measure M-4 (which has been identified as Project Mitigation Measure 8 and is detailed on page 53) would reduce impacts of potential TAC-generating uses to a less-than-significant level.

### Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”<sup>17</sup> The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>18</sup> for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed BAAQMD significance thresholds.

At 251 proposed dwelling units, the project meets the Air Quality Guidelines screening criteria for operations (494 dwelling units, under the category of “Apartment, mid-rise”) but exceeds the screening criteria for construction (240 dwelling units, under the category of Apartment, mid-rise”). At approximately 47,800 sf of PDR uses, the project also meets the Air Quality Guidelines screening criteria

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17 San Francisco Planning Department, *Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report*. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

18 Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, updated May 2011. See pp. 3-2 to 3-3.

for both construction and operations (541,000 sf for operational and 259,000 sf for construction, under the category of “General light industrial”). Given the project’s exceedance of the screening criteria for construction of residential uses, its construction-related emissions were calculated using the California Emission Estimator Model (CalEEMOD).<sup>19</sup>

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 2-year period; however, some construction phases are expected to overlap. Therefore the model assumed 435 working days of construction. Construction-related criteria air pollutants generated by the proposed project were quantified using CalEEMod and provided within an Air Quality Impact Analysis memo.<sup>20</sup> The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts’ staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 435 working days. As shown in **Table 2**, unmitigated project construction emissions would be above the threshold of significance for NOx.

**Table 2: Daily Project Construction Emissions**

	<b>Pollutant Emissions (Average Pounds per Day)</b>			
	<b>ROG</b>	<b>NOx</b>	<b>Exhaust PM<sub>10</sub></b>	<b>Exhaust PM<sub>2.5</sub></b>
Unmitigated Project Emissions	18.4	<b>58.4</b>	9.9	6.6
Mitigated Project Emissions <sup>a</sup>	13.7	27.43	8.1	4.9
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in **bold**.

- a. Assumes all off-road tractors, loaders, and backhoes greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards.

Source: Planning Department, Air Quality Analysis 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue, June 29, 2015.

Therefore, Project Mitigation Measure 5 has been identified to implement the portions of *Eastern Neighborhoods PEIR* Mitigation Measure G-1 related to emissions exhaust by requiring engines to meet higher emission standards on certain types of construction equipment. As shown in Table 2, implementation of Project Mitigation Measure 5 would reduce NOx emissions below the thresholds of significance and thus, impacts related to construction-phase emissions would be less than significant. Consequently, construction- and operations-related emissions of criteria air pollutants associated with the proposed project would be less than significant. Therefore, the proposed project would not result in significant air quality impacts that were not identified in the PEIR.

<sup>19</sup> CalEEMod model run conducted by the San Francisco Planning Department, Environmental Planning Division, March 2, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

<sup>20</sup> Planning Department, Air Quality Analysis 1395 22<sup>nd</sup> Street/790 Pennsylvania Avenue, July 29, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>7. GREENHOUSE GAS EMISSIONS—Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Potrero Hill Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E<sup>21</sup> per service population,<sup>22</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

Regulations outlined in San Francisco's Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.<sup>23</sup> Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on greenhouse gas emissions beyond those analyzed in the Eastern Neighborhoods PEIR.

21 CO<sub>2</sub>E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

22 Memorandum from Jessica Range to Environmental Planning staff, *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

23 *Greenhouse Gas Analysis Compliance Checklist*, 139522nd Street/790 Pennsylvania Avenue, January 5, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>8. WIND AND SHADOW—Would the project:</b>				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The two volumes of the residential building would measure approximately 40 feet in height, based on the Planning Department's height definition, which takes into account the sloping of the site, and the PDR building would measure approximately 35 feet in height.<sup>24</sup> Although the proposed structures would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

## Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would construct three building volumes - two volumes of the residential building would measure approximately 40 feet in height, based on the Planning Department's height definition, which takes into account the sloping of the site, and the PDR building would measure approximately 35 feet in height. Therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks.<sup>25</sup> The shadow fan extrapolated the entire project site to the height of 52 feet to account for any rooftop features that may be constructed that are allowed under the Planning Code. Based on the shadow fan, the project

<sup>24</sup> The western volume of the residential building would rise up to 77 feet from the project's podium level, which would effectively function as the ground level for purposes of assessing wind impacts. This would nevertheless be under 80 feet, which is the building height above which additional analysis of wind impacts is required.

<sup>25</sup> Planning Department, *Shadow Fan*, 790 Pennsylvania Avenue/1395 22nd Street. November 5, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

would come close to shading the northeastern corner of the Potrero Hill Recreation Center in the morning at certain times of the year, but would not result in any new shadow on this or any other public park or open space.

The proposed project would also shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For the above reasons, the proposed project would not result in significant impacts related to shadow that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>9. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR.

As the proposed project would not degrade recreational facilities and is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>11. PUBLIC SERVICES—Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>12. BIOLOGICAL RESOURCES—Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan Area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on biological resources beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS—Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.



A geotechnical investigation was prepared for the proposed project.<sup>26</sup> According to the geotechnical investigation, the site lies within the USGS San Francisco North Quadrangle, which is underlain by serpentine bedrock of the Franciscan Group, consisting of soft sheared rock containing hard knobs of unsheared serpentine, rodingite, and rocks of the Franciscan Formation.

A number of exploratory borings were drilled to examine the geological conditions beneath the site. The four borings that were drilled along the old railroad right-of-way encountered approximately 2 inches of asphalt pavement and about 2 to 4 inches of sandy gravel base that was followed by roughly 0.5 to 1.5 feet of fill. The fill, which generally consisted of loose silty sand with rock fragments, was underlain by weathered and fractured Serpentine bedrock materials. The two borings that were drilled near the northern end of the site encountered pavement over approximately 4.5 feet of fill. The fill consisted of a minor layer (2 inches) of soft gravelly silty clay and medium dense silty gravelly sand, and was underlain by bedrock. The two borings were drilled on the hillside in the northern end of the site encountered roughly 4 to 4.5 feet of fill. In both borings, the fill, which consisted of medium dense silty gravelly sand with minor debris, was directly underlain by bedrock materials. Groundwater was encountered in one of the eight borings at a depth of about 3 feet below ground surface (bgs), although the report notes that groundwater likely exists throughout the site at deeper depths than explored.

The geotechnical report notes that primary geological considerations for the proposed building are the greatly differing topography of the site, with each site segment requiring unique foundation systems. The report recommends that the proposed basement level be supported by either a tied together grid of spread footings or a mat foundation that bear on the bedrock that underlie the site. The report further recommend that the western sloping portion of the building be supported on drilled friction piers that are extended through any fill, weak surface materials and any overburden soils into the underlying bedrock. The piers should be tied together with grade beams. The geotechnical report notes that appropriate temporary slopes may be used during the construction operations to support the face of required excavations and strongly recommends that the excavation operations and retaining wall construction be performed during the dry months of the year to avoid potential problems that can occur during the wet season, particularly after periods of prolonged rainfall. As described in the project description, due to the presence of fill material over serpentine bedrock on the site, a combination of two feet of mat foundation with drilled piers on the sloping hillside is proposed (contingent on the final geotechnical report). Drilled (not driven) piles would also be installed as required by the buildings' seismic resisting systems. The remainder of the foundation would be shallow grade beams.

The report notes that geologic hazards that are not expected to pose a problem for the proposed project include: liquefaction and surface subsidence, expansive and shirking soils, inundation due to reservoir failure, submersion from tsunami wave, volcanic eruption and flooding. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault located about 7 miles to the southwest. The site is not located within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco; hence the site has low potential for liquefaction and consequently, a low potential for seismically induced lateral spreading. According to the San Francisco Seismic Safety Investigation Report, the site, as well as other buildings in the area, lies in a zone of potential landslide hazard. Although, over the years, the U.S.G.S. has mapped several small to medium size landslides within the neighborhood, none have occurred on or near the site. During construction, any

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<sup>26</sup> Harold Lewis & Associates Geotechnical Consultants, Foundation Investigation, *Proposed Mixed-Use Development, 1395 22nd Street and 790 Pennsylvania Avenue, San Francisco, California*, July 1, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

hazard resulting from slope instability would be avoided by close adherence to geotechnical report's recommendations on earthwork operations and the use of temporary slopes.

The geotechnical report concludes that the site is suitable to support the proposed project, provided that recommendations presented therein are incorporated into the design and construction of the project, and recommends that a design-level geotechnical investigation report be prepared prior to construction. The findings of such report would be used to confirm the preliminary recommendations and develop detailed recommendations for design and construction.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>14. HYDROLOGY AND WATER QUALITY—Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the PEIR.

The project site contains large swaths of pervious surfaces, with about half of the site currently vacant (due to steep slopes) and the remainder of it covered with temporary storage containers. Although the site is not developed, it is likely that the sloped portion experiences substantial stormwater runoff due to the grade. The proposed project would cover the entire project site and would result in a net increase in impervious surfaces. The project would also provide open space throughout the project site, in the form of approximately 9,600 square feet of common open space on the roof of the PDR building, approximately 22,600-square feet of outdoor space at the ground and second levels of the residential building, and approximately 5,900 square feet of outdoor space along the north side of the property that would be developed into a new public stairway that would connect 22<sup>nd</sup> Street below to Missouri Street above (it is noted that some of the proposed open space, such as stairways, would not be covered with vegetation but with impervious surfaces).

Although the project may result in a net increase in impervious surfaces compared to the existing conditions, the amount of additional stormwater runoff would not be considered significant, given that a large portion of the project site already experiences runoff due to its sloped topography. Moreover, the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans. The EN PEIR found that the rezoning and community plans could slightly decrease the volume of stormwater runoff discharged to the combined sewer system since, on the whole, the plans would result in a net increase in pervious surfaces through the addition of open space in individual projects. While the proposed project could result in an increase in impervious areas and could also result in an increase in stormwater runoff, the anticipated amount of runoff would not rise beyond the level of significance that was already assumed and analyzed in the PEIR. As a result, the proposed project would result in a less than significant impact related to any increases in stormwater runoff.

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, Underground Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

### Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light

ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level. However, Mitigation Measure L-1 would not apply to the proposed project because it would not involve renovation or demolition of an existing building (as the site only contains storage containers and a mobile office structure, all of which would be moved off-site intact).

### **Soil and Groundwater Contamination**

The proposed project would require excavation of up to eight feet to accommodate the mat slab foundation and was also previously zoned for industrial uses (the site was historically used as a railroad right of way and later as a storage yard for a wrecking company). Therefore, the proposed project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.<sup>27,28</sup>

Based on the Phase I ESA, the site was undeveloped until the eastern portion became a railroad line leading to downtown San Francisco. The site did not contain any railroad maintenance facilities, switching yards or terminals associated with railroad operations. After the railroad discontinued operations on the line, the roadbed was removed. For a brief period, the site may have been used as a storage yard for a wrecking company. In the 1990s, the level portion of the project site was paved and is currently used as storage units. The slope on the west part of the site has never been developed or used. Furthermore, there is no history of any storage, generation or disposal of hazardous materials, chemicals, or regulated substances on the project site. Moreover, there was no indication found during the preparation of the Phase I ESA that the site ever contained underground storage tanks, ponds, sumps, lagoons, pits, or wells.

Based on the Phase I ESA, the project site does not appear on any regulatory databases. However, two nearby sites – at 1311 22<sup>nd</sup> Street (adjacent to the project site on the east) and 699 Mississippi Street – could be of concern due to presence of former or existing leaking underground storage tanks at those locations. However, there is no indication that either of these sites have affected the project site and no indication

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27 John Carver Consulting, *Phase I Environmental Site Assessment Review, 1395 22nd Street, Lot 013 of Block 4167, San Francisco, California*, February 25, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

28 *Maher Ordinance Application, 1395 22nd Street/790 Pennsylvania Street*, December 16, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

that other nearby sites would have an impact on the project site. Based on the Phase I ESA, there are no significant environmental concerns associated with the property.

Although this report states that the project site is not within the Maher Zone (and does not contain any known subsurface contamination), the area subject to the Maher Ordinance was expanded in 2013 to incorporate all areas formerly zoned as industrial areas. Therefore, the project site is subject to the Maher Ordinance, as described above, and is undergoing coordination with DPH to ensure that requirements of the Maher Ordinance (i.e., remediation, further studies, etc.) are being met. If DPH determines that, based on the findings of the Phase I ESA and any other additional reports that the project site does not contain any subsurface contamination, the project sponsor may be able to receive a waiver from any additional requirements. However, the project sponsor would be required to first apply into the Maher program in order for a waiver to be issued.

Although it is unlikely that the project site contains any subsurface contamination, the project sponsor would be required to coordinate with DPH to remediate any contamination that may be present.

### **Naturally Occurring Asbestos**

Based upon mapping conducted by the U.S. Geological Survey (USGS) the project site may be underlain by serpentine rock.<sup>29</sup> The proposed project would involve construction throughout the project site, potentially releasing serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.<sup>30</sup> To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,<sup>31</sup> and are enforced by the Bay Area Air Quality Management District (BAAQMD).

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a hazard to the public or environment from exposure to NOA.

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29 Harold Lewis & Associates Geotechnical Consultants, Foundation Investigation, *Proposed Mixed-Use Development, 1395 22nd Street and 790 Pennsylvania Avenue, San Francisco, California*, July 1, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.0671E.

30 California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed April 15, 2013.

31 California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

Based on the above, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>16. MINERAL AND ENERGY RESOURCES— Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

## MITIGATION MEASURES

The project sponsor has agreed to implement the following mitigation measures, which would reduce the significant impacts of the project to a less-than-significant level.

## NOISE

### *Project Mitigation Measure 1 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR)*

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;



- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

***Project Mitigation Measure 2 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR)***

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

***Project Mitigation Measure 3 – Siting of Noise-Generating Uses (Mitigation Measure F-5 of the Eastern Neighborhoods PEIR)***

To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909I, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.

***Project Mitigation Measure 4 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR)***

To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this

measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

## AIR QUALITY

### *Project Mitigation Measure 5 – Construction Emissions Minimization (Portion of Mitigation Measure G-1 of the Eastern Neighborhoods PEIR)*

The project sponsor or the project sponsor's Contractor shall comply with the following:

The project sponsor or the project sponsor's Contractor shall comply with the following

#### A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

#### B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions

reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below. If seeking an exception to (A)(1), the project sponsor shall be required to demonstrate that resulting construction emissions would not exceed significance thresholds for construction.

**Table – Off-Road Equipment Compliance Step-down Schedule**

<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>
1	Tier 3	ARB Level 2 VDECS
2	Tier 3	ARB Level 1 VDECS
3	Tier 3	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

\*\* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
  2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
  3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that

the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

***Project Mitigation Measure 6 – Air Quality for Sensitive Land Uses (Mitigation Measure G-2 of the Eastern Neighborhoods PEIR)***

Prior to receipt of any building permit, the project sponsor shall submit an enhanced ventilation plan for the proposed building(s). The enhanced ventilation plan shall be prepared and signed by, or under the supervision of, a licensed mechanical engineer or other individual authorized by the California Business And Professions Code Sections 6700-6799. The enhanced ventilation plan shall show that the building ventilation system will be capable of achieving protection from particulate matter (PM<sub>2.5</sub>) equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration, as defined by American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) standard 52.2. The enhanced ventilation plan shall explain in detail how the project will meet the MERV-13 performance standard identified in this measure.

*Maintenance Plan.* Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.

*Disclosure to Buyers and Renters.* The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

***Project Mitigation Measure 7 – Siting of Uses that Emit DPM (Mitigation Measure G-3 of the Eastern Neighborhoods PEIR)***

The following uses shall be precluded from the site: warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, based on the Air Resources Board (ARB) Air Quality and Land Use Handbook.

***Project Mitigation Measure 8 – Siting of Uses that Emit Other TACs (Mitigation Measure G-4 of the Eastern Neighborhoods PEIR)***

At the time that a proposed use for the production, distribution, and repair (PDR) portion of the proposed project is identified, this mitigation measure would apply if that use is expected to generate substantial amounts of toxic air contaminants (TACs) as part of its operations, or if any of the following uses are proposed: dry cleaners; drive-through restaurants; gas dispensing facilities; auto body shops;

metal plating shops; photographic processing shops; textiles; apparel and furniture upholstery; leather and leather products; appliance repair shops; mechanical assembly cleaning; printing shops; hospitals and medical clinics; biotechnology research facilities; warehousing and distribution centers. Furthermore, this mitigation measure would apply only if the TACs related to the proposed use are not already regulated through the Bay Area Air Quality Management District (BAAQMD) permitting process.

If this mitigation measure is determined to be applicable based on the above conditions, the project sponsor shall:

- Prepare an analysis that includes a site survey to identify residential or other sensitive uses within 1,000 feet of the project site;
- Prepare a Health Risk Assessment (HRA) that analyzes the potential impacts of the proposed use on the nearby sensitive receptors;
- Incorporate any TAC reduction measures specified in the HRA into the proposed project and/or install Best Available Control Technology for any TAC-emitting equipment proposed as part of the future PDR use.

## IMPROVEMENT MEASURES

The following improvement measures would reduce impacts of the proposed project that have been found to be less than significant.

### TRANSPORTATION

#### *Project Improvement Measure 1 – Implement Additional and Project -Specific Travel Demand Strategies to Reduce Vehicle Trips*

The project sponsor or property owner, should implement a Transportation Demand Management (TDM) Program that seeks to annually reduce the number of single occupancy vehicle (SOV) trips to and from the project site because persons would be arriving/departing via alternative modes of transportation (e.g., walking, bicycling, transit, other). The project sponsor should make available biannually (every two years) monitoring reports, starting one year after 85 percent occupancy of the units for the new building (baseline year), for review by the Planning Department Environmental Review Officer (ERO). The biannual monitoring reports should include travel demand surveys (i.e., travel demand analysis information requested in the SF Guidelines<sup>32</sup>), including trip counts of persons arriving and leaving the building for no less than one full day of the reporting period and a survey to be distributed to residents and employees of the building. Each survey should be completed within ninety days following the end of the applicable two year period. Each survey should be prepared by a qualified transportation consultant and the surveying methodology should be approved by the Planning Department ERO. The project sponsor should consider the following TDM measures:

- Provide TDM training to property managers/coordinators.
- Provide ongoing local and regional transportation information (e.g., transit maps and schedules, maps of bicycle routes, internet links) for new and existing tenants, including providing a transportation insert for the move-in packet that would provide information on transit service (Muni and BART lines, schedules and fares), information on where transit passes could be purchased, and information on the 511 Regional Rideshare Program.

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<sup>32</sup> City and County of San Francisco, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002, Chapter 3, Section 3.

- Provide information on transportation options, including updates and a “ride board” through which residents can offer/request rides, on the Homeowners Association website and/or lobby bulletin board.
- Ensure that the points of access to bicycle parking through elevators on the ground floor and the garage ramp include signage indicating the location of these facilities and encourage PDR tenants to allow bicycles in the workplace.
- Ensure that bicycle safety strategies are developed along the sides of the property, avoiding conflicts with private cars, transit vehicles and loading vehicles.

In addition, the project sponsor could consider the following TDM measures and any others that would reduce SOV trips to and from the project site:

- Provide and maintain a fleet of bicycles (and related amenities such as locks, baskets, lights, etc.) for use by the building tenants.
- Provide fewer vehicle parking spaces than permitted per the San Francisco Planning Code and manage vehicle parking pricing.
- Increase the number of on-site bicycle racks and car-share spaces, making them convenient and easy to use (e.g., signage).
- Coordinate with San Francisco Municipal Transportation Agency and/or Bay Area Bike Share to potentially provide bicycle racks and/or a bike share station on adjacent sidewalks.
- Include a Muni FastPass (loaded onto a Clipper card) and/or car-share membership subsidized as part of the monthly rent, or homeowner association fee.

### ***Project Improvement Measure 2 – Loading Monitoring and Queue Abatement***

As a standard condition of approval, the project sponsor or property owner, should monitor and ensure recurring vehicle queues do not occur on Texas Street and Pennsylvania Avenue for the proposed off-street parking facility. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If recurring queuing occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as those listed in Improvement Measure 1, including additional bicycle parking, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

*Project Improvement Measure 3 – Construction Management Plan*

The project sponsor or property owner, should develop and implement a Construction Management Plan (CMP), addressing transportation-related circulation, access, staging, and hours for deliveries.

The CMP would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The CMP would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by the San Francisco Municipal Transportation Agency, the Department of Public Works, or other City departments and agencies, and the California Department of Transportation. The CMP should include, but not limited to, the following:

- Identify construction traffic management best practices in San Francisco, as well as others that, although not being implemented in the City, could provide valuable information for the project. Management practices include, but are not limited to the following:
  - Identifying ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands
  - Identifying best practices for accommodating pedestrians, such as temporary pedestrian way finding signage or temporary walkways.
  - Identifying best practices for accommodating bicyclists and bicycle facilities such as bicycle way finding signage or temporary detours.
  - Identifying ways to consolidate truck delivery trips, including a plan to consolidate deliveries from a centralized construction material and equipment storage facility.
  - Identify a route for construction-related trucks to utilize during construction.
  - Restricting deliveries and trucks trips to the project site during off-peak hours (generally 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M., but may include other times during Giants game days), where feasible.
  - Require consultation with surrounding community, including business and property owners near the project site to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the project site.
  - Develop a public information plan to provide adjacent residents and businesses with regularly-updated information regarding project construction activities, peak construction vehicle activities, (e.g., concrete pours), travel lane closures, and other lane closures.

PLANNING DEPARTMENT NOTES

USABLE OPEN SPACE:

UMU DISTRICT (LOT 13 AREA) - PLANNING CODE SECTION 843  
PDR-1-G DISTRICT (LOT 11 AREA) - PLANNING CODE SECTION 210.10

BUILDING HEIGHT LIMIT:

40-X

COMBINED LOT AREAS:

21,460 S.F. (LOT 11) + 98,425 S.F. (LOT 13) = 119,885 S.F.

GENERAL PROVISIONS:

BASED ON OVERALL NEW SQUARE FOOTAGE, PROJECT SHALL BE REVIEWED PER PLANNING CODE SECTION 329, "LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS MIXED USE DISTRICTS".

DENSITY:

NO RESIDENTIAL DENSITY LIMIT PER SECTION 843. 250 UNITS PROPOSED. TWO AND THREE BEDROOM UNITS (CUMULATIVELY) ARE PROVIDED AT 40 PERCENT OF TOTAL UNIT COUNT.

PROPOSED BUILDING USE:

THE PROPOSED BUILDING WILL CONTAIN 250 RESIDENTIAL DWELLING UNITS: 4 STUDIOS, 146 ONE BEDROOM, 90 TWO BEDROOM, 10 THREE BEDROOM UNITS ON EIGHT LEVELS WITH A 213 SPACE RESIDENTIAL PARKING GARAGE ON THE GROUND AND BASEMENT LEVELS. THERE WILL ALSO BE A THREE LEVEL PDR SPACE WITH SEPARATE 12 SPACE PARKING GARAGE AT THE BASEMENT LEVEL.

THE PORTION OF THE PROJECT CONTAINED WITHIN THE AREA OF LOT 13 (UMU DISTRICT), SHALL CONTAIN RESIDENTIAL AND PARKING AREAS ONLY. THE PORTION OF THE PROJECT CONTAINED WITHIN THE AREA OF LOT 11 (PDR-1-G), SHALL CONTAIN PDR AND PARKING AREAS ONLY.

AN OUTDOOR DECK AREA AT THE ROOF LEVEL OF THE PDR SPACE SHALL BE ACCESSED BY THE RESIDENTIAL PORTION OF THE BUILDING AND UTILIZED AS COMMON USABLE OUTDOOR SPACE.

SETBACKS:

25% REAR YARD REQUIRED FOR RESIDENTIAL PORTION OF PROJECT IN UMU ZONE (LOT 13), THEREFORE, 98,425 S.F. X .25 = 24,606 S.F. REQUIRED. PROJECT PROPOSES REAR YARD EQUIVALENT AREAS AT THE FIRST, SECOND, AND SIXTH LEVELS OF RESIDENTIAL OCCUPANCY PER S.F. PLANNING CODE SECTION 329, (REAR YARD MODIFICATION), AND SECTON 134 (f), (GENERALLY COMPARABLE AREA WITHIN THE DEVELOPMENT), AS WELL AS PROVIDING EQUIVALENT PUBLICLY ACCESSIBLE USABLE OPEN SPACE PER SECTION 135(h) AT SIDE YARD STAIR WALK SETBACK.

LEVEL 1: NON-REQUIRED SETBACK OFF THE EASTERN PROPERTY LINE THAT VARIES BETWEEN 10'-0" AND 38'-0", TOTALING 7,970 S.F. (8.1% OF LOT AREA).  
LEVEL 2: COURTYARD AREA TOTALING 14,690 S.F. (14.9% OF LOT AREA).  
LEVEL 6: REAR SET BACK OFF WESTERN PROPERTY LINE THAT VARIES BETWEEN 8'-0" AND 18'-0", TOTALING 8,905 S.F. (9.0% OF LOT AREA).

SIDE YARD: SETBACK AREA FOR A PUBLICLY ACCESSIBLE STAIRWALK CONNECTING THE UPPER AND LOWER PORTIONS OF 22ND STREET, TOTALING 6,578 S.F. (6.7% OF LOT AREA).

TOTAL REAR YARD EQUIVALENT AREAS: 38,143 S.F. (38.8% OF LOT AREA), EXCEEDS THE REQUIRED 25% AREA

PUBLIC SPACE:

6,578 S.F. AREA RESERVED FOR NEW PUBLIC STAIRWALK ALONG THE NORTH SIDE OF THE PROPERTY CONNECTING 22ND STREET BELOW TO MISSOURI STREET ABOVE.

PER TABLE 135B: 80 S.F. PRIVATE OR SHARED USABLE OPEN SPACE REQUIRED PER DWELLING UNIT OR 54 S.F. PER DWELLING UNIT IF SPACE IS PUBLICLY ACCESSBILE. PER SECTION 135 (f)(1), 24 UNITS HAVE COMPLYING PRIVATE USABLE OPEN SPACE. ADDITIONALLY,158 UNITS PROVIDE FOR PARTIAL PRIVATE USABLE OPEN SPACE OF 48 SQ. FT. PER UNIT, WHILE 70 UNITS HAVE NO COMPLYING PRIVATE USABLE OPEN SPACE.

THE PROPOSED SIDE YARD STAIRWALK INCLUDES 6,578 SQ. FT. OF PUBLICLY ACCESSIBLE USABLE OPEN SPACE PER SECTION 135(h). THIS AREA SATISFIES THE REQUIREMENTS OF 121 OF THE UNITS (6,578 S.F. / 54 S.F. = 121.7).

THE PROPOSED SHARED TERRACE AREA ABOVE THE PDR BUILDING ON LOT 11 WILL SATISFY THE USABLE OPEN SPACE REQUIREMENTS FOR THE REMAINDER OF THE 250 UNITS. THIS RESULTS IN AN ADDITIONAL 105 UNITS (250 - (24+121) = 105) REQUIRING OPEN SPACE.

AS NOTED ABOVE, 158 UNITS PROVIDE FOR 48 SQ. FT. EACH OF USABLE OPEN SPACE. TAKING THE 48 SQ. FT. FOR JUST THE 106 UNITS REQUIRING OPEN SPACE RESULTS IN A CONTRIBUTION OF 5,088 SQ. FT. (106 X 48 S.F. = 5,088 S.F.) TOWARD THE REQUIRED AMOUNT OF 8,480 SQ. FT. (106 X 80 S.F. = 8,480 S.F.). THEREFORE, THE REQUIRED AREA OF THE SHARED TERRACE IS 3,392 SQ. FT. THE PROPOSED TERRACE OF 16,500 SQ. FT. EXCEEDS THIS REQUIREMENT.

BICYCLE PARKING:

138 CLASS I AND 13 CLASS II BICYCLE PARKING SPACES REQUIRED PER SECTION 155 FOR THE RESIDENTIAL PORTION OF THE BUILDING. 4 CLASS I AND 2 CLASS II SPACES REQUIRED FOR THE PDR PORTION OF THE BUILDING. ALL SPACES ARE PROVIDED AS REQUIRED.

PARKING PERMITTED:

PER TABLE 151.1, ONE SPACE PER 2 OR 3 BEDROOM DWELLING UNIT 1,000 S.F. OR GREATER, AND 0.75 SPACES PER ALL OTHER UNITS ALLOWED. ALL RESIDENTIAL PARKING IN EXCESS OF 0.5 SPACES PER UNIT MUST BE PROVIDED BY CAR LIFTS, VALET, ETC. PER SECTION 1 151.1(g), OR PER MODIFIED PROVISIONS WITH COMMISSION APPROVAL PER PLANNING CODE SECTION 329. PROJECT SHALL REQUEST EXEMPTION FROM SECTION 151.1(g), UNDER SECTION 329 BASED ON AVAILABILITY OF BASEMENT LEVEL SPACE NOT WELL SUITED FOR OTHER USES THAN PARKING. PDR USE ALLOWS 1 SPACE PER 2,000 S.F. OF AREA.

RESIDENTIAL PARKING ALLOWABLE:  
10 (3 BED UNITS OF 1,000+ S.F.) X 1.00 = 10 SPACES  
74 (2 BED UNITS OF 1,000+ S.F.) X 1.00 = 74 SPACES  
16 (2 BED UNITS UNDER 1,000 S.F.) X 0.75 = 12 SPACES  
146 (1 BED UNITS) X 0.75 = 109 SPACES  
4 (STUDIO UNITS) X 0.75 = 3 SPACES  
TOTAL ALLOWABLE RESIDENTIAL PARKING = 208 SPACES.  
208 SPACES PROVIDED AT UPPER AND LOWER GARAGE LEVELS.

PDR PARKING ALLOWABLE:  
53,535 S.F. / 1 SPACE PER 2,000 S.F. = 26 SPACES  
ALLOWABLE,12 SPACES PROVIDED WITHIN PDR BUILDING.

CAR SHARE SPACES REQUIRED:

PER PLANNING CODE SECTION 166, 1 CAR SHARE SPACE REQUIRED FOR EVERY 50-200 DWELLING UNIT AND PLUS 1 FOR EVERY 200 DWELLING UNIT OVER. THEREFORE 2 SPACES REQUIRED 3 CAR SHARE SPCAES PROVIDED.

LOADING REQUIRED:

PER TABLE 152.1, TWO OFF-STREET LOADING SPACES ARE REQUIRED FOR THE RESIDENTIAL COMPONENT OF THE BUILDING. TWO OFF-STREET LOADING SPACES SHALL BE PROVIDED AT THE BASEMENT LEVEL, ENTERING FROM PENNSYLVANIA AVE.PER TABLE 152.1, ONE OFF-STREET LOADING SPACE IS REQUIRED FOR THE PDR COMPONENT OF THE BUILDING. ONE OFF-STREET SPACE IS PROVIDED WITHIN THE PDR BUILDING.

BUILDING AREA CALCULATIONS:

PDR SPACE	47,575 G.S.F.
PARKING GARAGE AND RAMP	72,856 G.S.F.
250 DWELLING UNITS	211,059 G.S.F.
LOBBY/STAIRS/CORRIDORS	39,290 G.S.F.
UTILITIES/STORAGE	13,244 G.S.F.
BUILDING TOTAL	384,024 G.S.F.

SHEET INDEX

A0.0	PROJECT INFORMATION	A0.16	OPEN SPACE PLAN - SIXTH LEVEL	A1.4	RESIDENTIAL BUILDING - FOURTH LEVEL	AP-5	RENDERING - PUBLIC STAIR AT SERPENTINE OUTCROP
A0.1	SITE PLAN	A0.17	OPEN SPACE PLAN - SEVENTH LEVEL	A1.5	RESIDENTIAL BUILDING - FIFTH LEVEL	AP-6	RENDERING - VIEW FROM STAIRS TO OVERLOOK
A0.2	GROSS AREA PLAN - BASEMENT LEVEL	A0.18	OPEN SPACE PLAN - EIGHTH LEVEL	A1.6	RESIDENTIAL BUILDING - SIXTH LEVEL	AP-7	RENDERING - MISSOURI STREET OVERLOOK
A0.3	GROSS AREA PLAN - GROUND LEVEL	A0.19	REAR YARD DIAGRAM - GROUND LEVEL	A1.7	RESIDENTIAL BUILDING - SEVENTH LEVEL	AP-8	RENDERING - PENNSYLVANIA PDR BUILDING FRONTAGE
A0.4	GROSS AREA PLAN - SECOND LEVEL	A0.20	REAR YARD DIAGRAM - SECOND LEVEL	A1.8	RESIDENTIAL BUILDING - EIGHTH LEVEL	AP-9	RENDERING - PDR BUILDING ROOF GARDEN
A0.5	GROSS AREA PLAN - THIRD LEVEL	A0.21	REAR YARD DIAGRAM - SIXTH LEVEL	A1.9	PDR BUILDING - PLANS ALL LEVELS	AP-10	RENDERING - MEWS COMMONS
A0.6	GROSS AREA PLAN - FOURTH LEVEL	A0.22	REAR YARD DIAGRAM - SEVENTH LEVEL	A1.10	PDR BUILDING - SECTION	AP-11	RENDERING - VIEW FROM TEXAS STREET
A0.7	GROSS AREA PLAN - FIFTH LEVEL	A0.23	HEIGHT DETERMINATION ANALYSIS PLAN	A2.0	RESIDENTIAL BUILDING - ELEVATIONS	AP-12	RENDERING - VIEW FROM POTRERO HILL AT TEXAS STREET
A0.8	GROSS AREA PLAN - SIXTH LEVEL	A0.24	HEIGHT ANALYSIS SECTION A-A	A2.1	PDR BUILDING - ELEVATIONS	AP-13	RENDERING - VIEW FROM 1-280
A0.9	GROSS AREA PLAN - SEVENTH LEVEL	A0.25	HEIGHT ANALYSIS SECTION B-B	A2.2	ELEVATIONS - MATERIAL INDICATIONS	AP-14	ELEVATION DETAIL
A0.10	GROSS AREA PLAN - EIGHTH LEVEL	A0.26	HEIGHT ANALYSIS SECTION C-C	L1.0	LANDSCAPE PLAN - PUBLIC STAIRWAY	AP-13	RENDERING - VIEW FROM 1-280
A0.11	OPEN SPACE PLAN - GROUND LEVEL	A0.27	DWELLING UNIT TABLE	L1.1	LANDSCAPE PLAN - MEWS AND ROOFDECK	AP-14	ELEVATION DETAIL
A0.12	OPEN SPACE PLAN - SECOND LEVEL	A1.0	RESIDENTIAL BUILDING - BASEMENT LEVEL	AP-1	RENDERING - 22ND ST LOOKING WEST		
A0.13	OPEN SPACE PLAN - THIRD LEVEL	A1.1	RESIDENTIAL BUILDING - GROUND LEVEL	AP-2	RENDERING - 22ND ST ENTRY PLAZA		
A0.14	OPEN SPACE PLAN - FOURTH LEVEL	A1.2	RESIDENTIAL BUILDING - SECOND LEVEL	AP-3	RENDERING - PUBLIC STAIRS AT 22ND AND TEXAS		
A0.15	OPEN SPACE PLAN - FIFTH LEVEL	A1.3	RESIDENTIAL BUILDING - THIRD LEVEL	AP-4	RENDERING - PLAZA AT MEWS ENTRY		

REAR YARD EQUIVALENCY CALCULATIONS: (PLAN LAYOUT SHEETS A0.19 - A0.22)

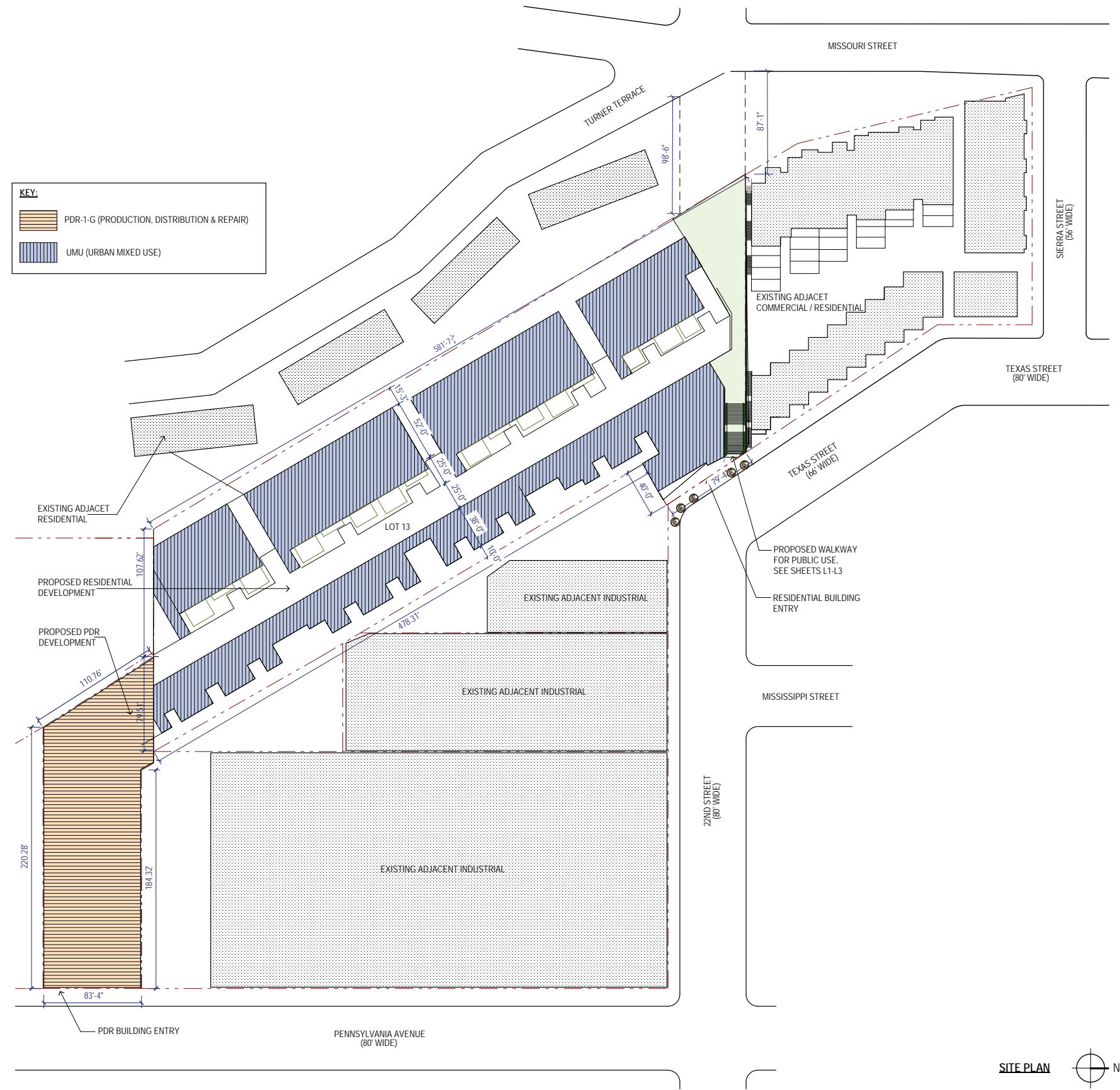
LOCATION	AREA (SQ.FT.)	% OF LOT 13 AREA*
GROUND FLOOR SHARED WALKWAY	7,970 S.F	8.1%
SECOND FLOOR COMMON COURTYARD	14,690 S.F	14.9%
SIXTH FLOOR REAR YARD	8,905 S.F	9.0%
SIDE YARD PUBLIC STAIRWALK	6,578 S.F	6.7%
TOTAL	38,143 S.F	38.8%

\*TOTAL LOT 13 AREA = 98,425 S.F

SUMMARY OF GROSS SQUARE FOOTAGE AREA BY USE: (PLAN LAYOUT SHEETS A0.1 - A0.18)

FLOOR LEVEL	RESIDENTIAL	P.D.R.	VEHICULAR PARKING	BICYCLE PARKING	UTILITY/ STORAGE	CIRCULATION (LOBBY,STAIRS CORRIDOR)	PRIVATE USEABLE OPEN SPACE	COMMON USEABLE OPEN SPACE	BEDROOM COUNT			
									0	1	2	3
BASEMENT		12,940 G.S.F.	44,728 G.S.F.	1,978 G.S.F.	3,025 G.S.F.	632 G.S.F.	—	—	—	—	—	—
GROUND	12,460 G.S.F.	14,760 G.S.F.	28,128 G.S.F.	1,931 G.S.F.		6,312 G.S.F.	1,280 G.S.F.		—	18	2	—
SECOND	33,107 G.S.F.	19,875 G.S.F.				2,130 G.S.F.	2,384 G.S.F.		—	23	29	—
THIRD	33,910 G.S.F.					4,537 G.S.F.	1,260 G.S.F.	16,500 G.S.F.	—	23	3	—
FOURTH	31,605 G.S.F.				2,614 G.S.F.	9,875 G.S.F.	1,980 G.S.F.			32	8	3
FIFTH	15,965 G.S.F.				7,605 G.S.F.	5,733 G.S.F.	720 G.S.F.			13	3	3
SIXTH	31,187 G.S.F.					7,718 G.S.F.	1,105 G.S.F.			18	15	2
SEVENTH	30,935 G.S.F.					7,718 G.S.F.	1,056 G.S.F.			19	14	2
EIGHTH	21,890 G.S.F.					5,886 G.S.F.	4,604 G.S.F.			0	16	0
PUBLICLY ACCESSIBLE STAIRWALK - SIDE YARD								6,578 G.S.F.				
TOTAL	211,059 G.S.F.	47,575 G.S.F.	72,856 G.S.F.	3,909 G.S.F.	13,244 G.S.F.	50,541 G.S.F.		23,078 G.S.F.	4	146	90	10



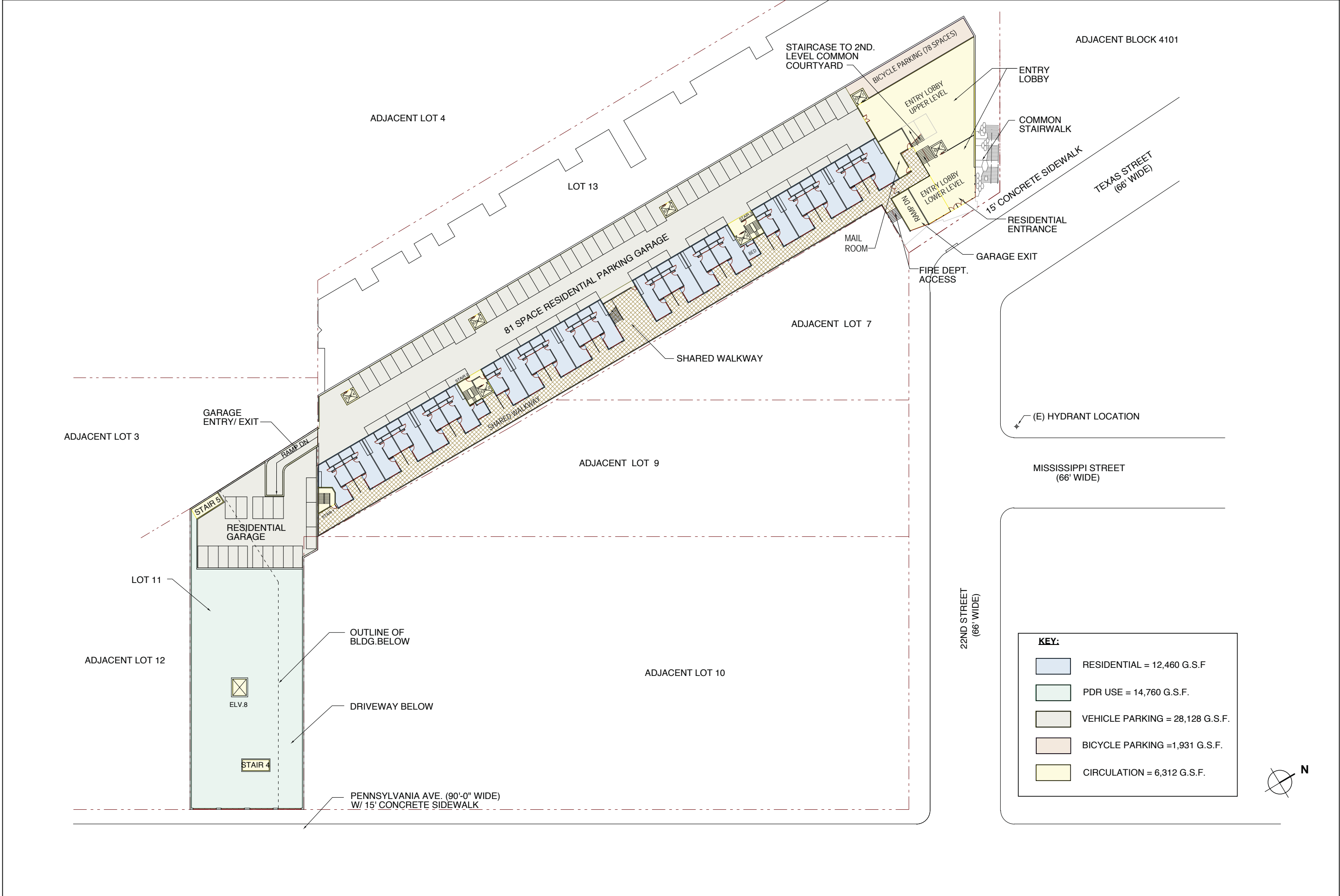


**KEY:**

- PDR-1-G (PRODUCTION, DISTRIBUTION & REPAIR)
- UMU (URBAN MIXED USE)

**SITE PLAN**

















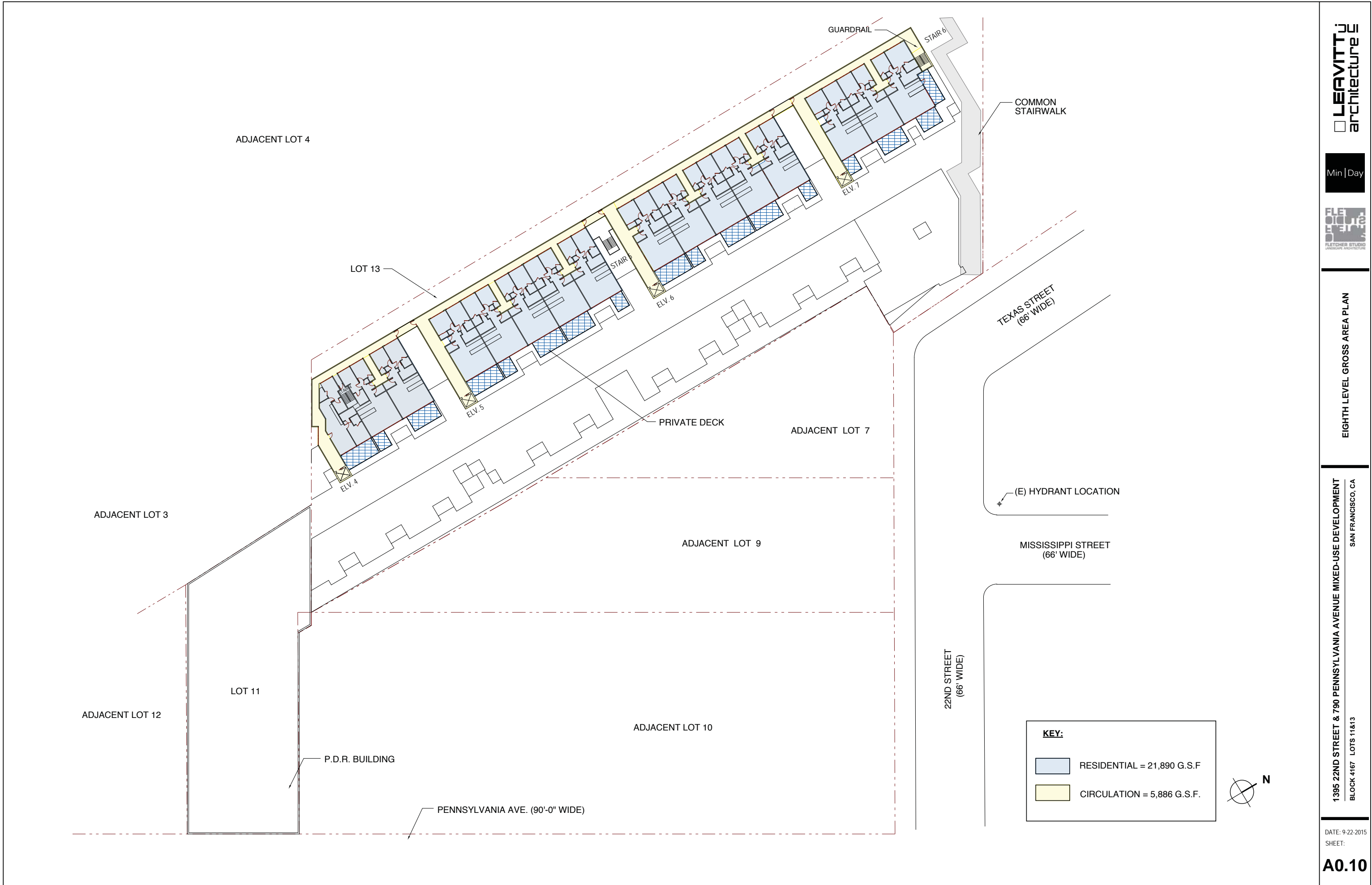


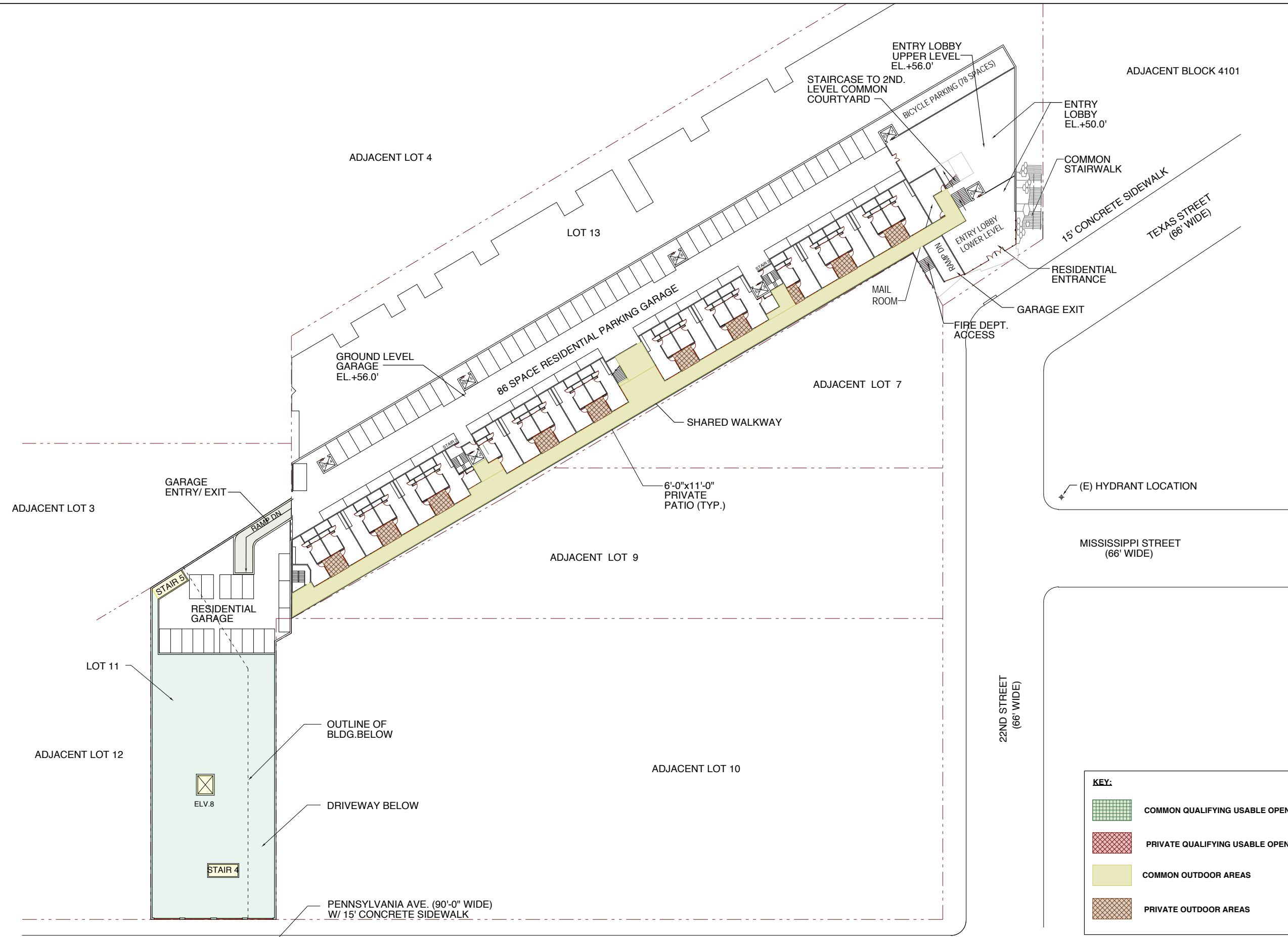


**KEY:**

	RESIDENTIAL = 30,935 G.S.F
	CIRCULATION = 7,718 G.S.F.



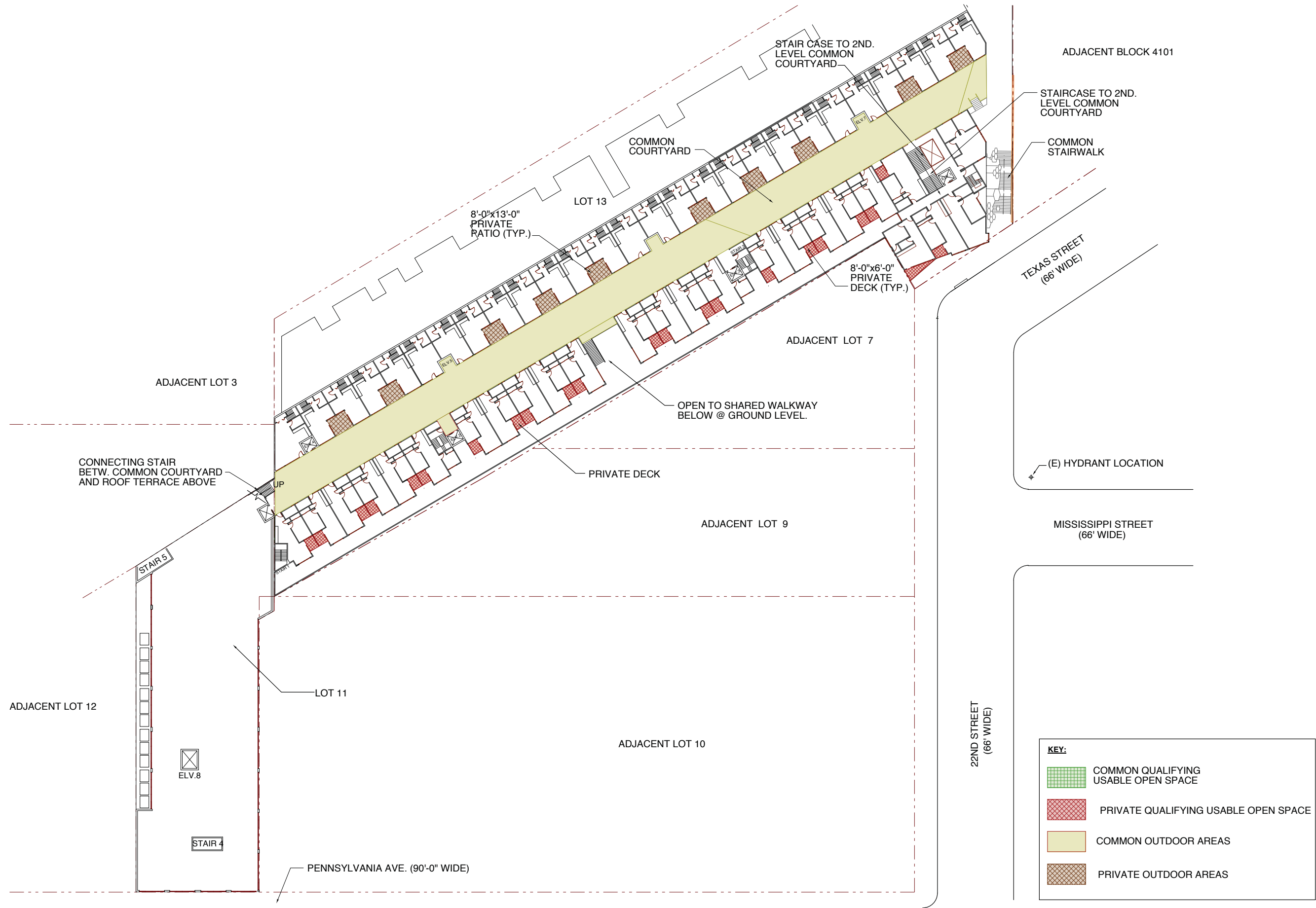


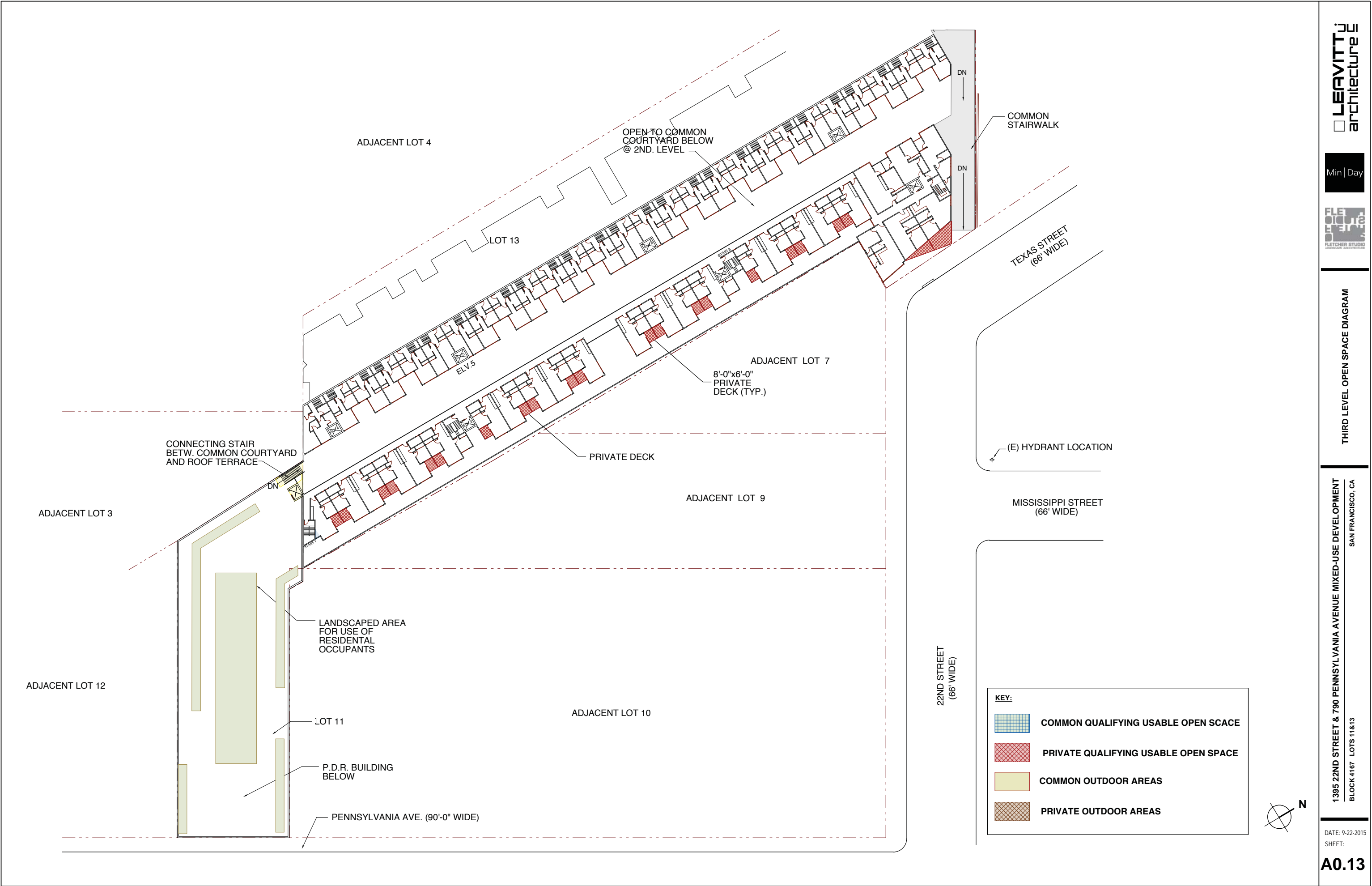


**KEY:**

	COMMON QUALIFYING USABLE OPEN SPACE
	PRIVATE QUALIFYING USABLE OPEN SPACE
	COMMON OUTDOOR AREAS
	PRIVATE OUTDOOR AREAS











**KEY:**

	COMMON QUALIFYING USABLE OPEN SPACE
	PRIVATE QUALIFYING USABLE OPEN SPACE
	COMMON OUTDOOR AREAS
	PRIVATE OUTDOOR AREAS

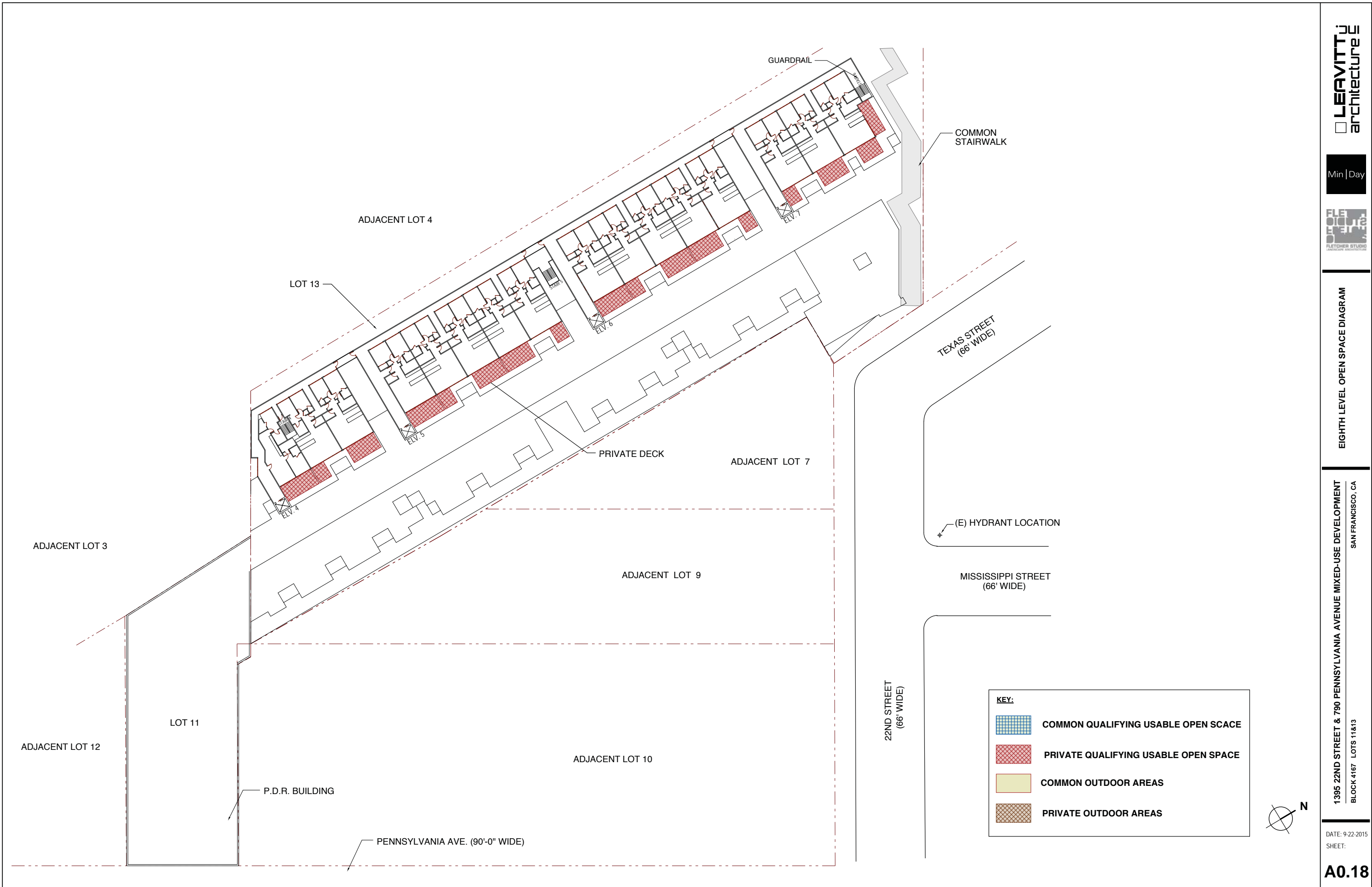


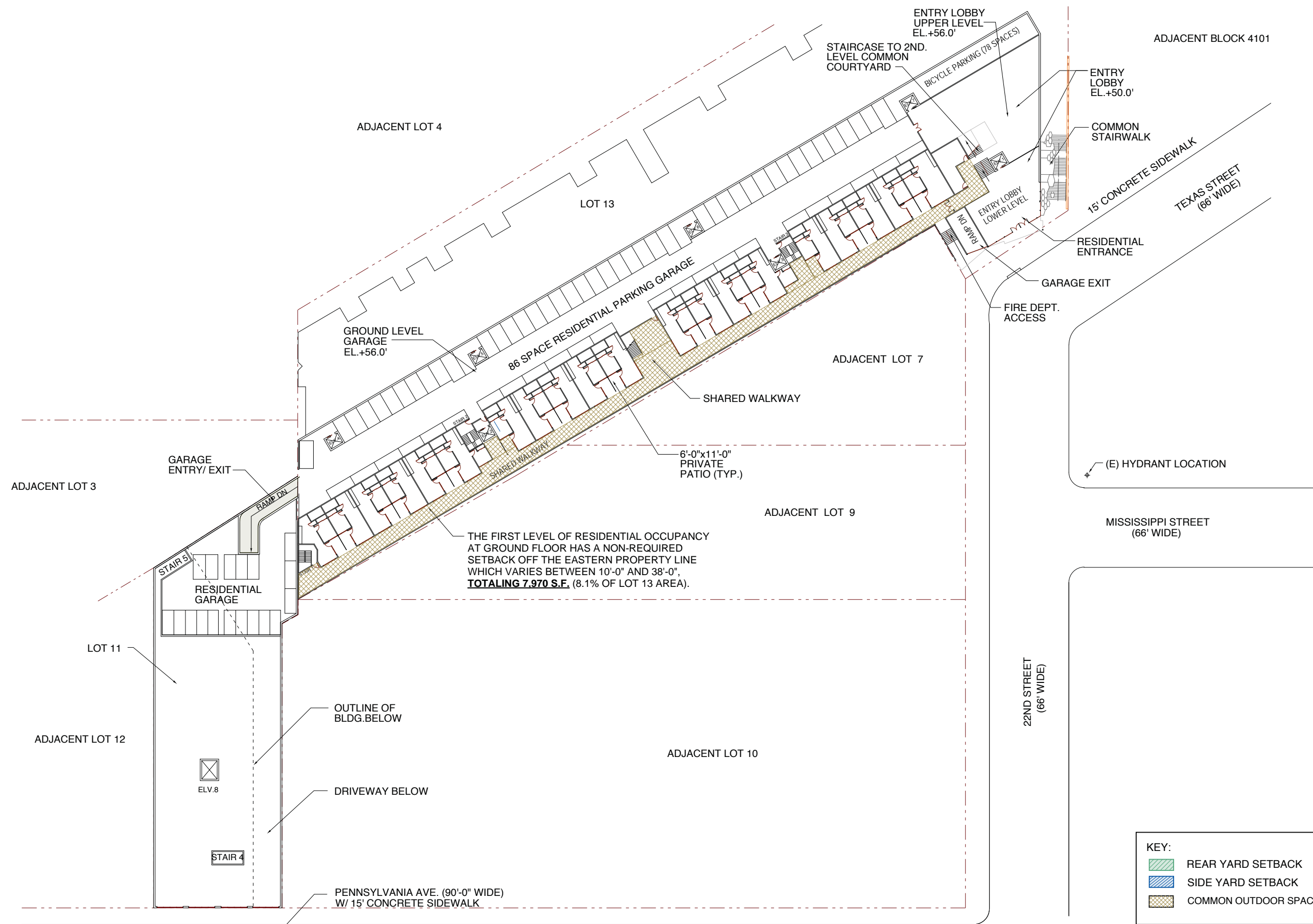
















THE SIXTH LEVEL OF RESIDENTIAL OCCUPANCY  
HAS A REAR SET BACK OFF WESTERN PROPERTY  
LINE THAT VARIES BETWEEN 13'-0" AND 17'-0",  
**TOTALING 8,905 S.F.** (9.0% OF LOT 13 AREA).

ADJACENT LOT 4

RETAINING WALL

PRIVATE PATIO

UNEXCAVATED EARTH

LOT 13

ELV.7

PRIVATE DECK

ELV.6

LOT 13

ADJACENT LOT 7

ELV.5

PRIVATE DECK

ELV.4

STAIR 6

ADJACENT LOT 3

ADJACENT LOT 9

TEXAS STREET  
(66' WIDE)

(E) HYDRANT LOCATION

MISSISSIPPI STREET  
(66' WIDE)

22ND STREET  
(66' WIDE)

ADJACENT LOT 12

LOT 11

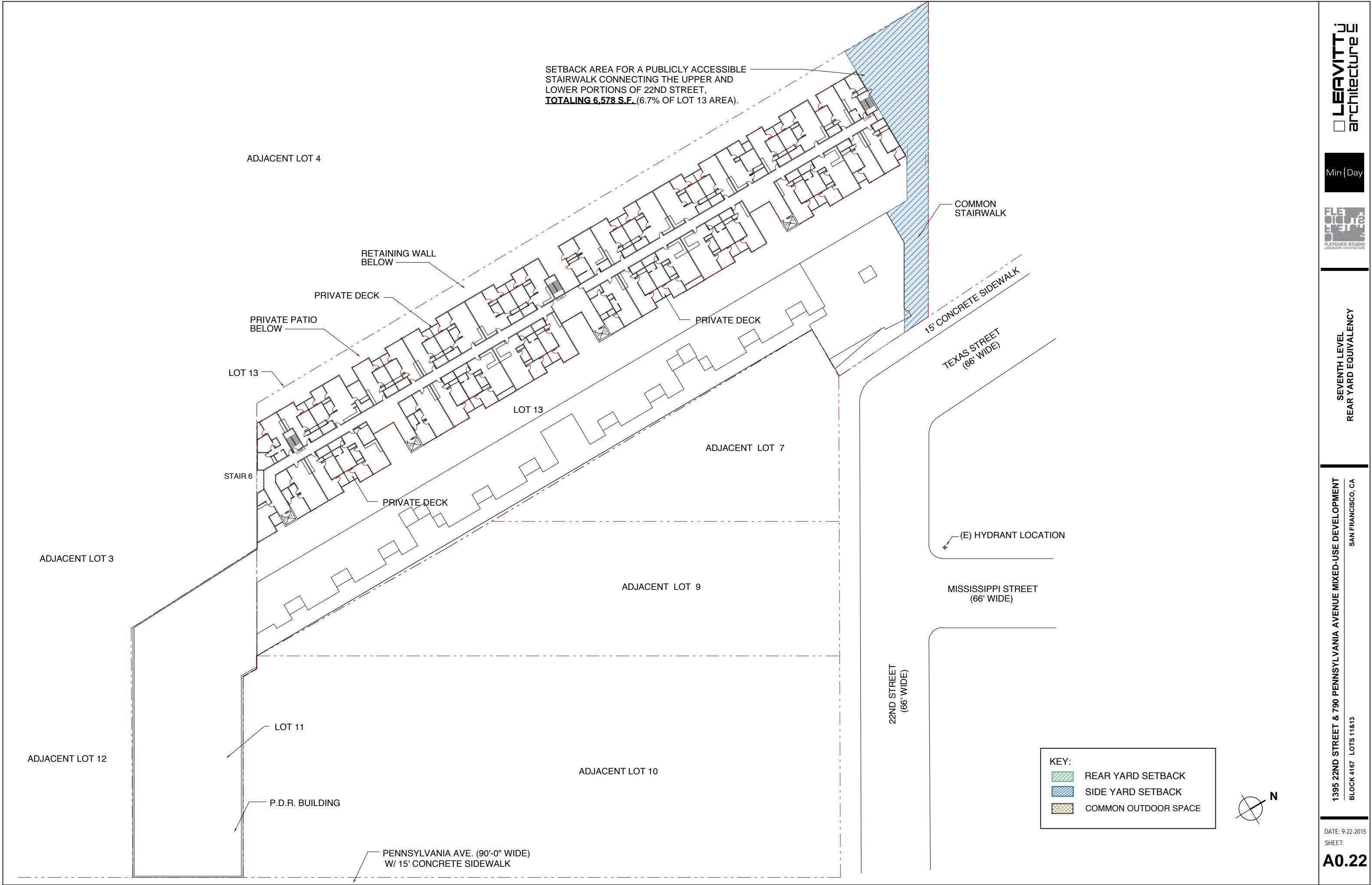
ADJACENT LOT 10

P.D.R. BUILDING

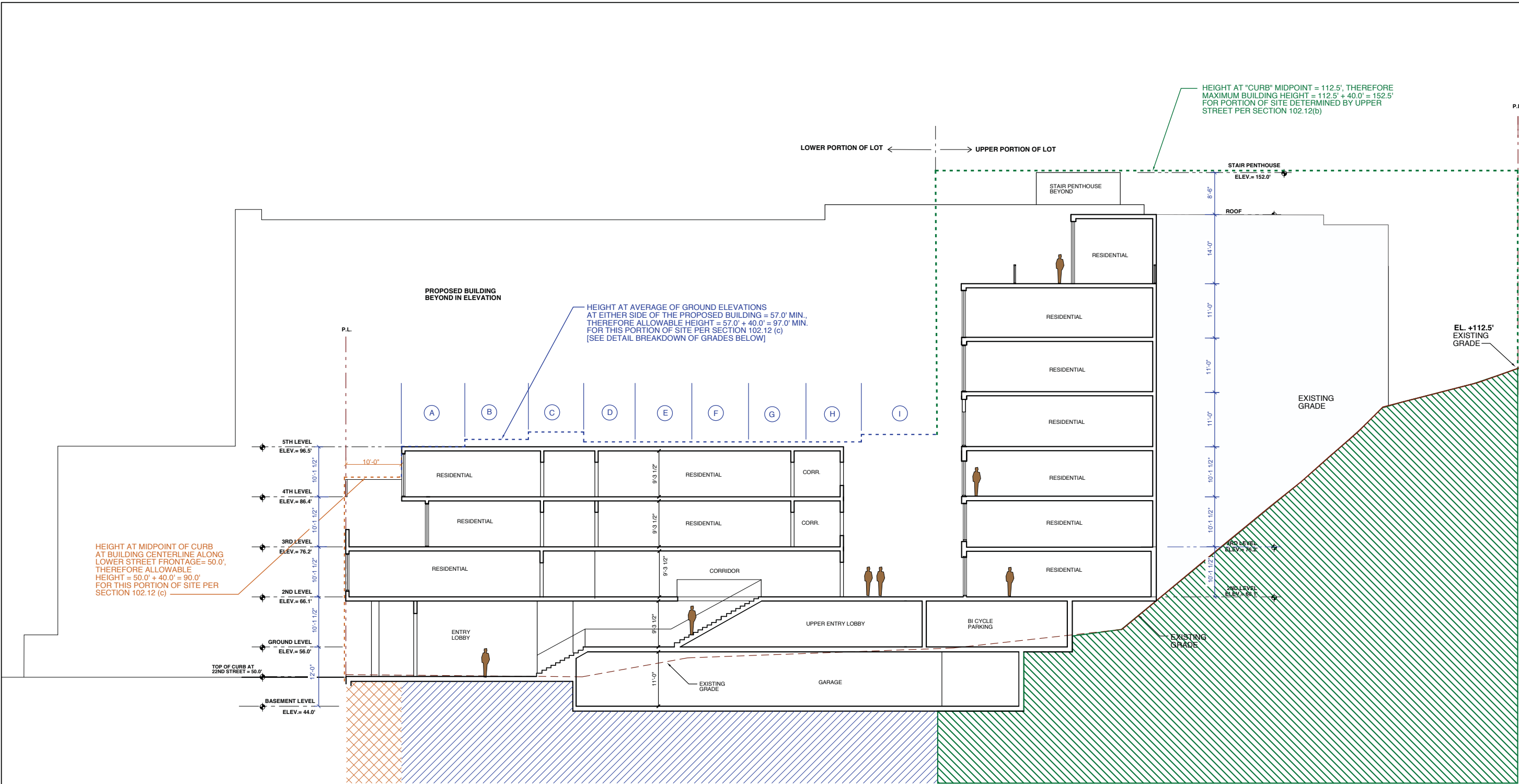
PENNSYLVANIA AVE. (90'-0" WIDE)

- KEY:
- REAR YARD SETBACK
  - SIDE YARD SETBACK
  - COMMON OUTDOOR SPACE







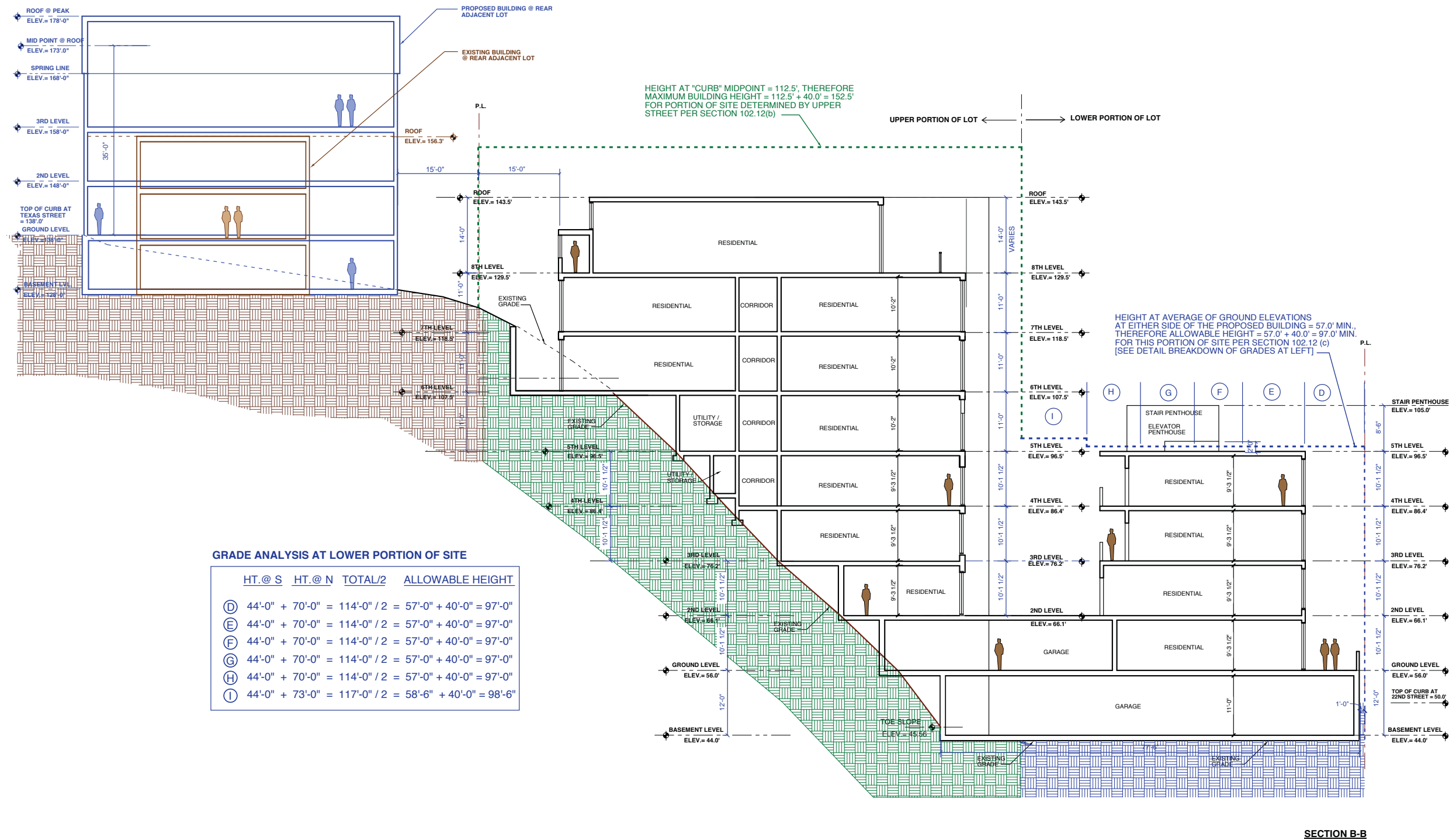


GRADE ANALYSIS AT LOWER PORTION OF SITE

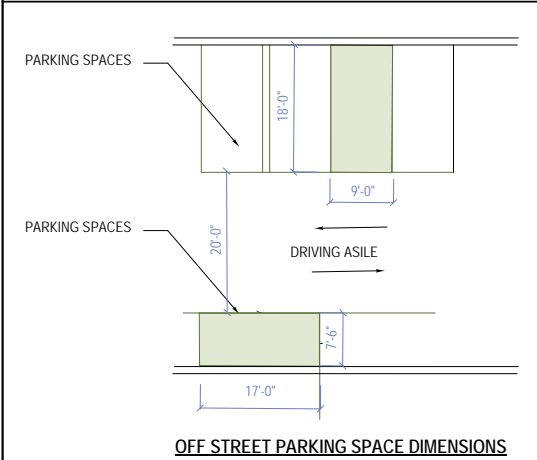
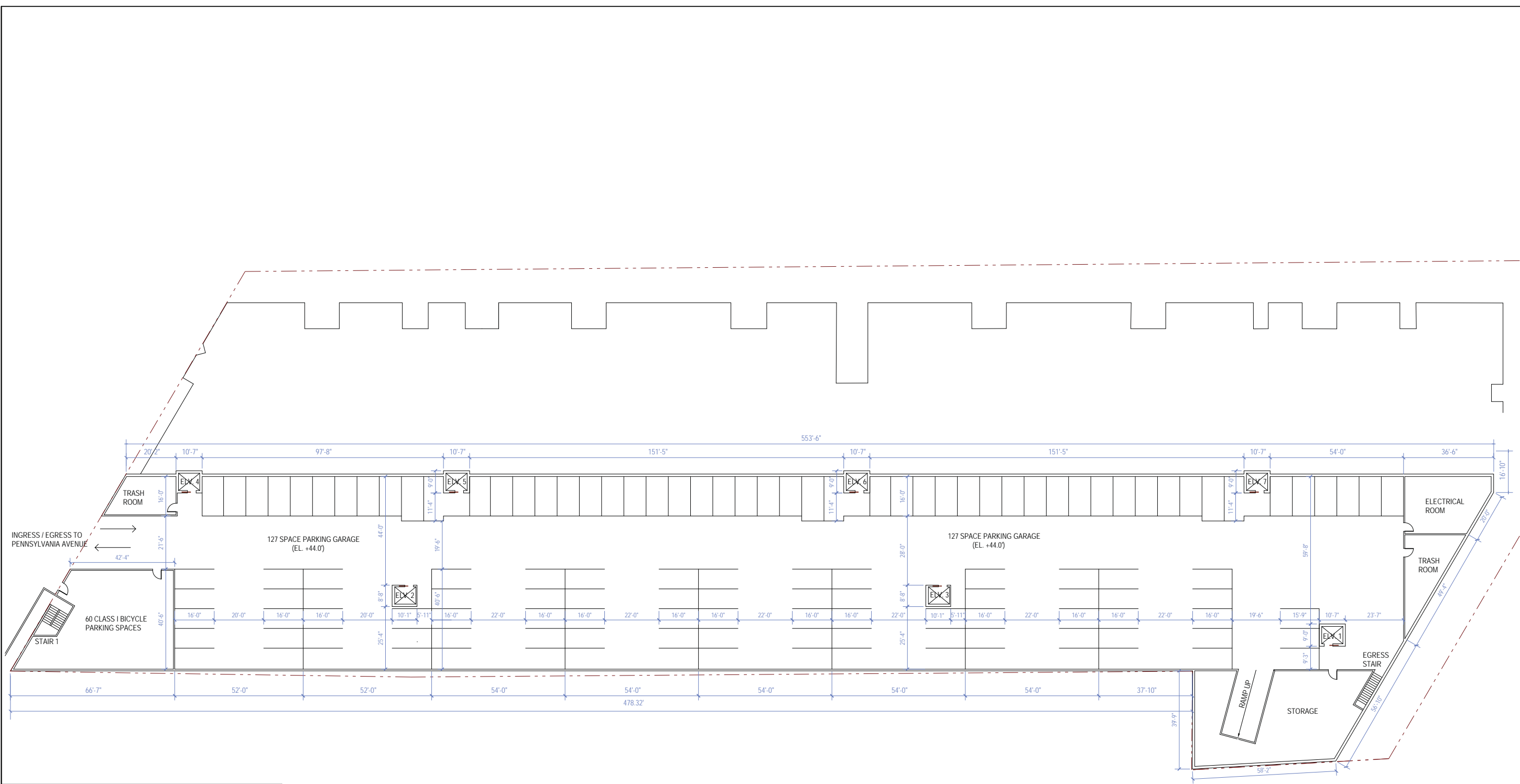
	HT.@ S	HT.@ N	TOTAL/2	ALLOWABLE HEIGHT
(A)	56'-0"	57'-0"	$113'-0" / 2 = 56'-6"$	$56'-6" + 40'-0" = 96'-6"$
(B)	56'-0"	60'-0"	$116'-0" / 2 = 58'-0"$	$58'-0" + 40'-0" = 98'-0"$
(C)	56'-0"	63'-0"	$119'-0" / 2 = 59'-6"$	$59'-6" + 40'-0" = 99'-6"$
(D)	44'-0"	70'-0"	$114'-0" / 2 = 57'-0"$	$57'-0" + 40'-0" = 97'-0"$
(E)	44'-0"	70'-0"	$114'-0" / 2 = 57'-0"$	$57'-0" + 40'-0" = 97'-0"$
(F)	44'-0"	70'-0"	$114'-0" / 2 = 57'-0"$	$57'-0" + 40'-0" = 97'-0"$
(G)	44'-0"	70'-0"	$114'-0" / 2 = 57'-0"$	$57'-0" + 40'-0" = 97'-0"$
(H)	44'-0"	70'-0"	$114'-0" / 2 = 57'-0"$	$57'-0" + 40'-0" = 97'-0"$
(I)	44'-0"	73'-0"	$117'-0" / 2 = 58'-6"$	$58'-6" + 40'-0" = 98'-6"$

SECTION A-A









LOT 13 (UMU) - BASEMENT LEVEL PLAN

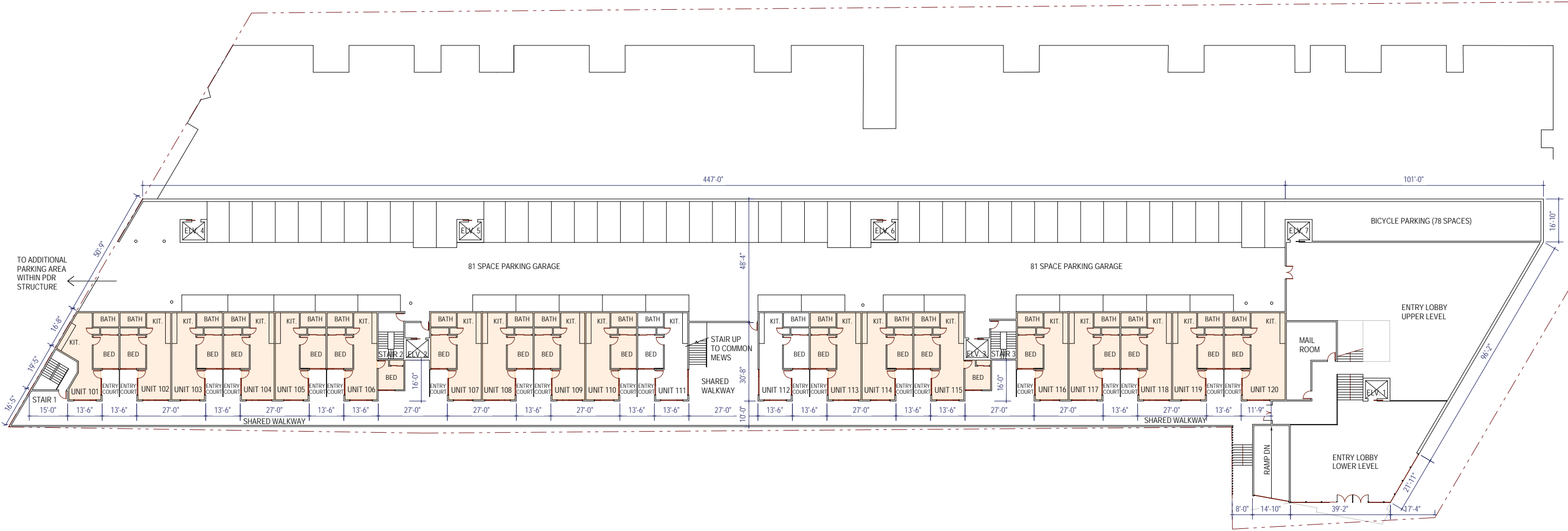
UNIT NUMBER	LOCATION (FLOOR)	UNIT SIZE (NET S.F.)	BEDROOM COUNT	PRIVATE OPEN SPACE (NET S.F.)	PRIVATE USABLE OPEN SPACE (NET S.F.)
UNIT 101	GROUND	585	1-BED	75	—
UNIT 102	GROUND	585	1-BED	75	—
UNIT 103	GROUND	585	1-BED	75	—
UNIT 104	GROUND	585	1-BED	75	—
UNIT 105	GROUND	585	1-BED	75	—
UNIT 106	GROUND	700	2-BED	75	—
UNIT 107	GROUND	585	1-BED	285	285
UNIT 108	GROUND	585	1-BED	75	—
UNIT 109	GROUND	585	1-BED	75	—
UNIT 110	GROUND	585	1-BED	75	—
UNIT 111	GROUND	585	1-BED	75	—
UNIT 112	GROUND	585	1-BED	75	—
UNIT 113	GROUND	585	1-BED	545	545
UNIT 114	GROUND	585	1-BED	75	—
UNIT 115	GROUND	700	2-BED	75	—
UNIT 116	GROUND	585	1-BED	225	225
UNIT 117	GROUND	585	1-BED	225	225
UNIT 118	GROUND	585	1-BED	75	—
UNIT 119	GROUND	585	1-BED	75	—
UNIT 120	GROUND	585	1-BED	75	—
UNIT 201	SECOND	676	1-BED	48	48
UNIT 202	SECOND	640	1-BED	48	48
UNIT 203	SECOND	640	1-BED	48	48
UNIT 204	SECOND	640	1-BED	48	48
UNIT 205	SECOND	640	1-BED	48	48
UNIT 206	SECOND	755	2-BED	48	48
UNIT 207	SECOND	640	1-BED	48	48
UNIT 208	SECOND	640	1-BED	48	48
UNIT 209	SECOND	640	1-BED	48	48
UNIT 210	SECOND	640	1-BED	48	48
UNIT 211	SECOND	640	1-BED	48	48
UNIT 212	SECOND	640	1-BED	48	48
UNIT 213	SECOND	640	1-BED	48	48
UNIT 214	SECOND	640	1-BED	48	48
UNIT 215	SECOND	755	2-BED	48	48
UNIT 216	SECOND	640	1-BED	48	48
UNIT 217	SECOND	640	1-BED	48	48
UNIT 218	SECOND	640	1-BED	48	48
UNIT 219	SECOND	640	1-BED	48	48
UNIT 220	SECOND	640	1-BED	48	48
UNIT 221	SECOND	640	1-BED	—	—
UNIT 222	SECOND	780	2-BED	—	—
UNIT 223	SECOND	773	1-BED	48	48
UNIT 224	SECOND	647	1-BED	48	48
UNIT 225	SECOND	628	1-BED	48	48
UNIT 226	SECOND	1071	2-BED	104	—
UNIT 227	SECOND	1000	2-BED	104	—
UNIT 228	SECOND	1000	2-BED	—	—
UNIT 229	SECOND	1000	2-BED	—	—
UNIT 230	SECOND	1000	2-BED	104	—
UNIT 231	SECOND	1000	2-BED	104	—
UNIT 232	SECOND	1000	2-BED	104	—
UNIT 233	SECOND	1000	2-BED	104	—
UNIT 234	SECOND	1000	2-BED	—	—
UNIT 235	SECOND	1000	2-BED	—	—

UNIT NUMBER	LOCATION (FLOOR)	UNIT SIZE (NET S.F.)	BEDROOM COUNT	PRIVATE OPEN SPACE (NET S.F.)	PRIVATE USABLE OPEN SPACE (NET S.F.)
UNIT 236	SECOND	1000	2-BED	—	—
UNIT 237	SECOND	1000	2-BED	—	—
UNIT 238	SECOND	1000	2-BED	104	—
UNIT 239	SECOND	1000	2-BED	104	—
UNIT 240	SECOND	1000	2-BED	104	—
UNIT 241	SECOND	1000	2-BED	104	—
UNIT 242	SECOND	1000	2-BED	—	—
UNIT 243	SECOND	1000	2-BED	—	—
UNIT 244	SECOND	1000	2-BED	—	—
UNIT 245	SECOND	1000	2-BED	—	—
UNIT 246	SECOND	1000	2-BED	104	—
UNIT 247	SECOND	1000	2-BED	104	—
UNIT 248	SECOND	1000	2-BED	104	—
UNIT 249	SECOND	1000	2-BED	104	—
UNIT 250	SECOND	1000	2-BED	—	—
UNIT 251	SECOND	1000	2-BED	—	—
UNIT 252	SECOND	1000	2-BED		
UNIT 301	THIRD	556	1-BED	48	48
UNIT 302	THIRD	540	1-BED	48	48
UNIT 303	THIRD	540	1-BED	48	48
UNIT 304	THIRD	540	1-BED	48	48
UNIT 305	THIRD	540	1-BED	48	48
UNIT 306	THIRD	755	2-BED	48	48
UNIT 307	THIRD	540	1-BED	48	48
UNIT 308	THIRD	540	1-BED	48	48
UNIT 309	THIRD	540	1-BED	48	48
UNIT 310	THIRD	540	1-BED	48	48
UNIT 311	THIRD	540	1-BED	48	48
UNIT 312	THIRD	540	1-BED	48	48
UNIT 313	THIRD	540	1-BED	48	48
UNIT 314	THIRD	540	1-BED	48	48
UNIT 315	THIRD	755	2-BED	48	48
UNIT 316	THIRD	540	1-BED	48	48
UNIT 317	THIRD	540	1-BED	48	48
UNIT 318	THIRD	540	1-BED	48	48
UNIT 319	THIRD	540	1-BED	48	48
UNIT 320	THIRD	540	1-BED	48	48
UNIT 321	THIRD	801	1-BED	48	48
UNIT 322	THIRD	594	1-BED	48	48
UNIT 323	THIRD	656	1-BED	60	60
UNIT 324	THIRD	773	1-BED	48	48
UNIT 325	THIRD	647	1-BED	48	48
UNIT 326	THIRD	628	1-BED	48	48
UNIT 401	FOURTH	556	1-BED	48	48
UNIT 402	FOURTH	540	1-BED	48	48
UNIT 403	FOURTH	540	1-BED	48	48
UNIT 404	FOURTH	540	1-BED	48	48
UNIT 405	FOURTH	540	1-BED	48	48
UNIT 406	FOURTH	755	2-BED	48	48
UNIT 407	FOURTH	540	1-BED	48	48
UNIT 408	FOURTH	540	1-BED	48	48
UNIT 409	FOURTH	540	1-BED	48	48
UNIT 410	FOURTH	540	1-BED	48	48
UNIT 411	FOURTH	540	1-BED	48	48
UNIT 412	FOURTH	540	1-BED	48	48
UNIT 413	FOURTH	540	1-BED	48	48

UNIT NUMBER	LOCATION (FLOOR)	UNIT SIZE (NET S.F.)	BEDROOM COUNT	PRIVATE OPEN SPACE (NET S.F.)	PRIVATE USABLE OPEN SPACE (NET S.F.)
UNIT 414	FOURTH	540	1-BED	48	48
UNIT 415	FOURTH	755	2-BED	48	48
UNIT 416	FOURTH	540	1-BED	48	48
UNIT 417	FOURTH	540	1-BED	48	48
UNIT 418	FOURTH	540	1-BED	48	48
UNIT 419	FOURTH	540	1-BED	48	48
UNIT 420	FOURTH	540	1-BED	48	48
UNIT 421	FOURTH	801	1-BED	48	48
UNIT 422	FOURTH	594	1-BED	48	48
UNIT 423	FOURTH	656	1-BED	60	60
UNIT 424	FOURTH	596	1-BED	137	137
UNIT 425	FOURTH	784	1-BED	152	152
UNIT 426	FOURTH	656	1-BED	152	152
UNIT 427	FOURTH	468	0 BED	48	48
UNIT 428	FOURTH	1002	1-BED	—	—
UNIT 429	FOURTH	670	1-BED	48	48
UNIT 430	FOURTH	1110	3-BED	48	48
UNIT 431	FOURTH	1002	1-BED	—	—
UNIT 432	FOURTH	670	1-BED	48	48
UNIT 433	FOURTH	1040	2-BED	48	48
UNIT 434	FOURTH	1105	2-BED	93	48
UNIT 435	FOURTH	670	1-BED	48	48
UNIT 436	FOURTH	1002	3-BED	—	—
UNIT 437	FOURTH	670	1-BED	48	48
UNIT 438	FOURTH	1056	2-BED	48	48
UNIT 439	FOURTH	1105	2-BED	93	48
UNIT 440	FOURTH	670	1-BED	48	48
UNIT 441	FOURTH	670	1-BED	48	48
UNIT 442	FOURTH	1098	2-BED	48	48
UNIT 443	FOURTH	670	1-BED	48	48
UNIT 444	FOURTH	670	1-BED	48	48
UNIT 501	FIFTH	468	0-BED	48	48
UNIT 502	FIFTH	1002	1-BED	—	—
UNIT 503	FIFTH	670	1-BED	48	48
UNIT 504	FIFTH	1110	3-BED	48	48
UNIT 505	FIFTH	1002	1-BED	—	—
UNIT 506	FIFTH	670	1-BED	48	48
UNIT 507	FIFTH	1056	2-BED	48	48
UNIT 508	FIFTH	1105	2-BED	93	48
UNIT 509	FIFTH	670	1-BED	48	48
UNIT 510	FIFTH	1002	3-BED	—	—
UNIT 511	FIFTH	670	1-BED	48	48
UNIT 512	FIFTH	1056	2-BED	48	48
UNIT 513	FIFTH	1105	2-BED	93	48
UNIT 514	FIFTH	670	1-BED	48	48
UNIT 515	FIFTH	670	1-BED	48	48
UNIT 516	FIFTH	1098	2-BED	48	48
UNIT 517	FIFTH	670	1-BED	48	48
UNIT 518	FIFTH	670	1-BED	48	48
UNIT 601	SIXTH	468	0-BED	48	48
UNIT 602	SIXTH	1002	1-BED	—	—
UNIT 603	SIXTH	670	1-BED	48	48
UNIT 604	SIXTH	1110	3-BED	48	48
UNIT 605	SIXTH	1002	1-BED	—	—
UNIT 606	SIXTH	670	1-BED	48	48
UNIT 607	SIXTH	1098	2-BED	48	48

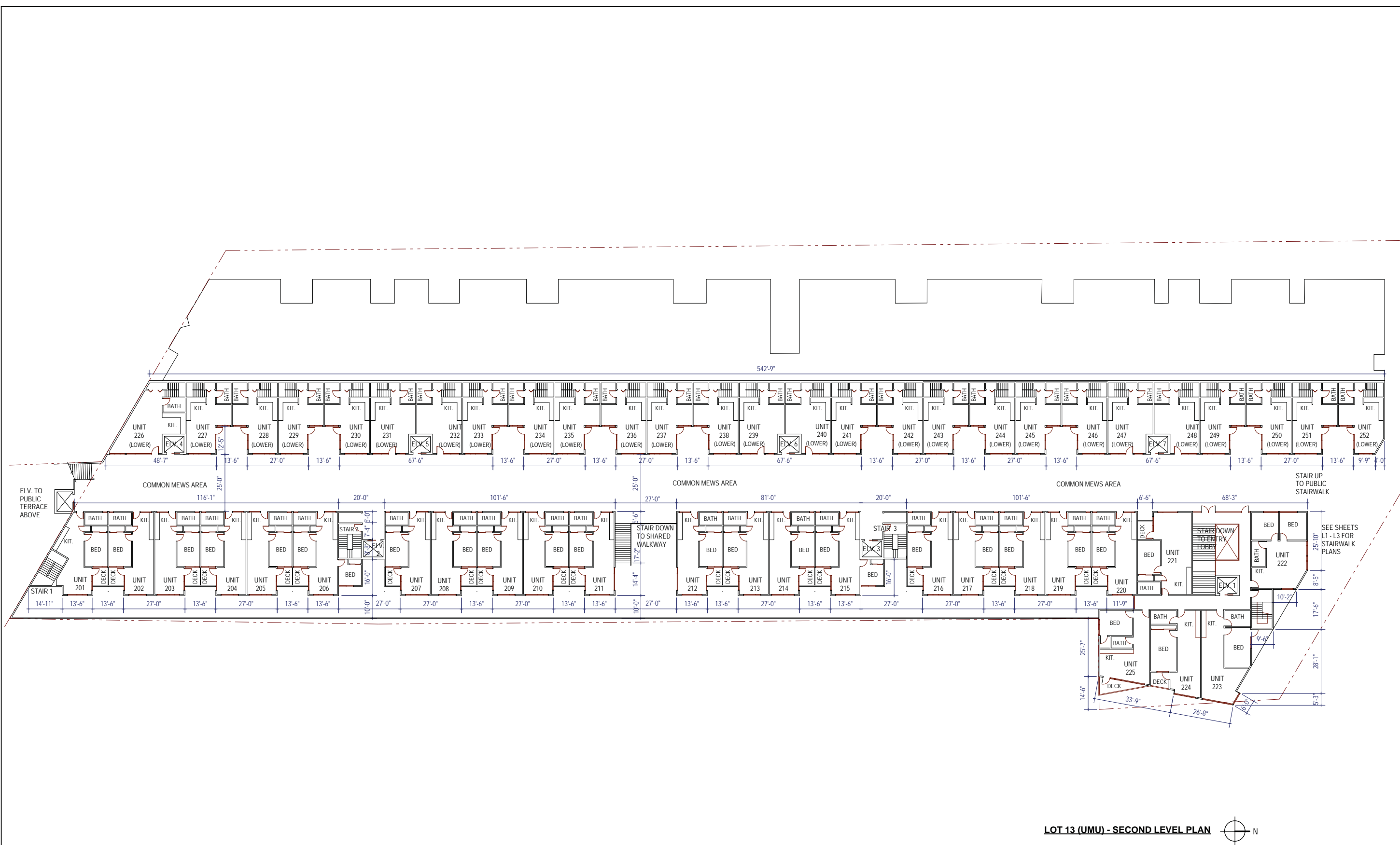
UNIT NUMBER	LOCATION (FLOOR)	UNIT SIZE (NET S.F.)	BEDROOM COUNT	PRIVATE OPEN SPACE (NET S.F.)	PRIVATE USABLE OPEN SPACE (NET S.F.)
UNIT 608	SIXTH	1098	2-BED	48	48
UNIT 609	SIXTH	670	1-BED	48	48
UNIT 610	SIXTH	1002	3-BED	—	—
UNIT 611	SIXTH	670	1-BED	48	48
UNIT 612	SIXTH	1098	2-BED	48	48
UNIT 613	SIXTH	1098	2-BED	48	48
UNIT 614	SIXTH	670	1-BED	48	48
UNIT 615	SIXTH	670	1-BED	48	48
UNIT 616	SIXTH	1098	2-BED	48	48
UNIT 617	SIXTH	670	1-BED	48	48
UNIT 618	SIXTH	670	1-BED	48	48
UNIT 619	SIXTH	577	2-BED	161	—
UNIT 620	SIXTH	572	1-BED	228	—
UNIT 621	SIXTH	1185	3-BED	498	170
UNIT 622	SIXTH	572	1-BED	228	—
UNIT 623	SIXTH	572	1-BED	228	—
UNIT 624	SIXTH	572	1-BED	228	—
UNIT 625	SIXTH	1000	2-BED	325	—
UNIT 626	SIXTH	1000	2-BED	325	—
UNIT 627	SIXTH	850	2-BED	300	—
UNIT 628	SIXTH	850	2-BED	220	—
UNIT 629	SIXTH	572	1-BED	245	—
UNIT 630	SIXTH	1000	2-BED	358	—
UNIT 631	SIXTH	1000	2-BED	358	—
UNIT 632	SIXTH	572	1-BED	245	—
UNIT 633	SIXTH	1000	2-BED	295	—
UNIT 634	SIXTH	572	1-BED	265	—
UNIT 635	SIXTH	1000	2-BED	385	—
UNIT 636	SIXTH	572	1-BED	265	—
UNIT 637	SIXTH	507	1-BED	215	215
UNIT 701	SEVENTH	468	0-BED	48	48
UNIT 702	SEVENTH	1002	1-BED	—	—
UNIT 703	SEVENTH	670	1-BED	48	48
UNIT 704	SEVENTH	1100	3-BED	48	48
UNIT 705	SEVENTH	1002	1-BED	—	—
UNIT 706	SEVENTH	670	1-BED	48	48
UNIT 707	SEVENTH	1098	2-BED	48	48
UNIT 708	SEVENTH	1098	2-BED	48	48
UNIT 709	SEVENTH	670	1-BED	48	48
UNIT 710	SEVENTH	1002	3-BED	—	—
UNIT 711	SEVENTH	670	1-BED	48	48
UNIT 712	SEVENTH	1098	2-BED	48	48
UNIT 713	SEVENTH	1098	2-BED	48	48
UNIT 714	SEVENTH	670	1-BED	48	48
UNIT 715	SEVENTH	670	1-BED	48	48
UNIT 716	SEVENTH	1098	2-BED	48	48
UNIT 717	SEVENTH	670	1-BED	48	48
UNIT 718	SEVENTH	670	1-BED	48	48
UNIT 719	SEVENTH	691	2-BED	38	—
UNIT 720	SEVENTH	572	1-BED	48	48
UNIT 721	SEVENTH	1185	3-BED	114	48
UNIT 722	SEVENTH	572	1-BED	48	48
UNIT 723	SEVENTH	572	1-BED	48	48
UNIT 724	SEVENTH	572	1-BED	48	48
UNIT 725	SEVENTH	1000	2-BED	48	48
UNIT 726	SEVENTH	1000	2-BED	48	48

UNIT NUMBER	LOCATION (FLOOR)	UNIT SIZE (NET S.F.)	BEDROOM COUNT	PRIVATE OPEN SPACE (NET S.F.)	PRIVATE USABLE OPEN SPACE (NET S.F.)
UNIT 727	SEVENTH	850	2-BED	48	48
UNIT 728	SEVENTH	850	2-BED	—	—
UNIT 729	SEVENTH	572	1-BED	48	48
UNIT 730	SEVENTH	1000	2-BED	48	48
UNIT 731	SEVENTH	1000	2-BED	48	48
UNIT 732	SEVENTH	572	1-BED	48	48
UNIT 733	SEVENTH	801	2-BED	32	—
UNIT 734	SEVENTH	572	1-BED	48	4

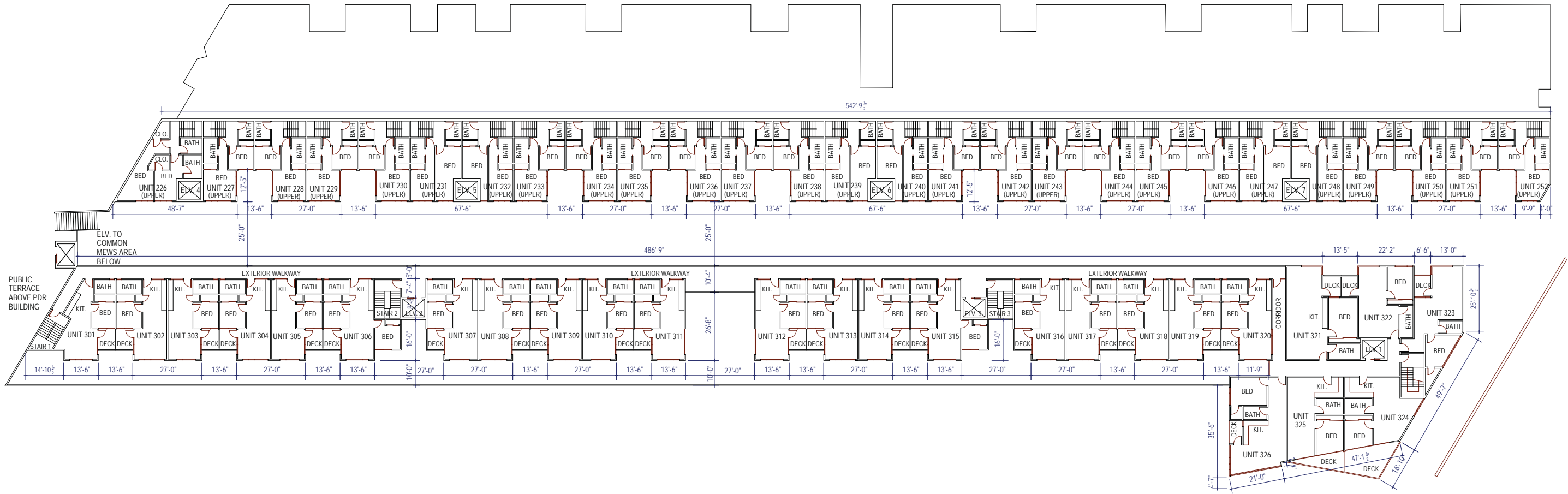


LOT 13 (UMU) - GROUND LEVEL PLAN

UNIT NOT IN COMPLIANCE WITH  
SEC. 140 EXPOSURE REQUIREMENTS

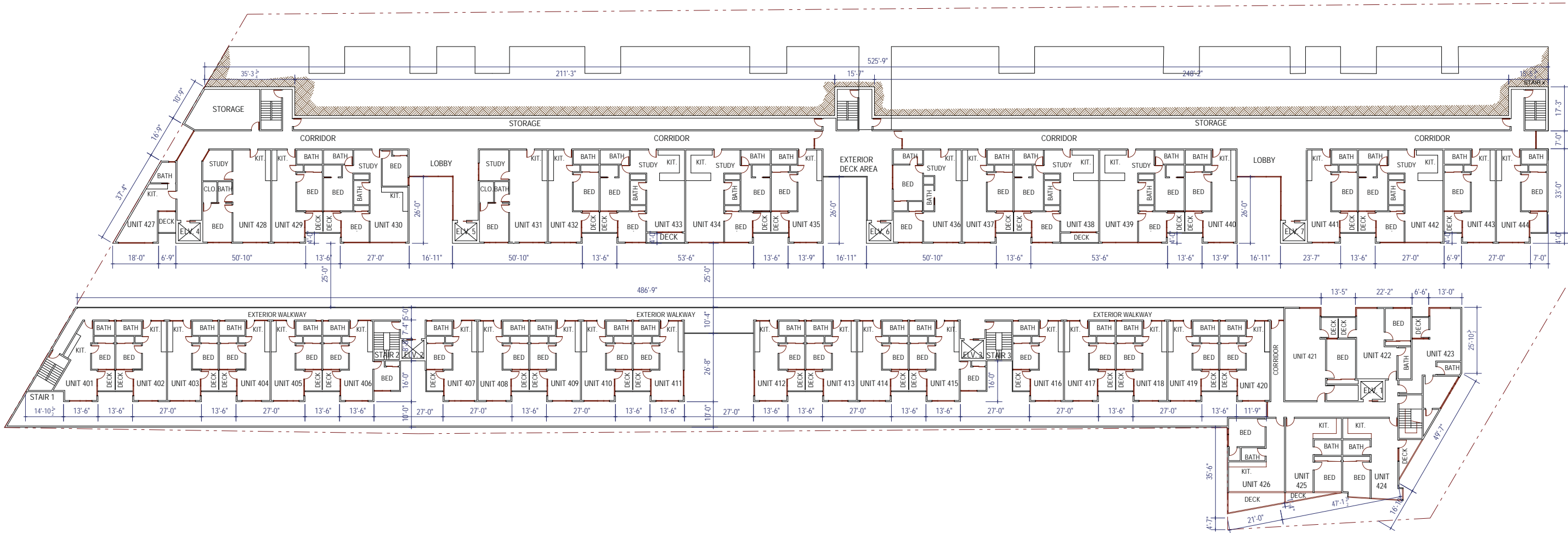


LOT 13 (UMU) - SECOND LEVEL PLAN



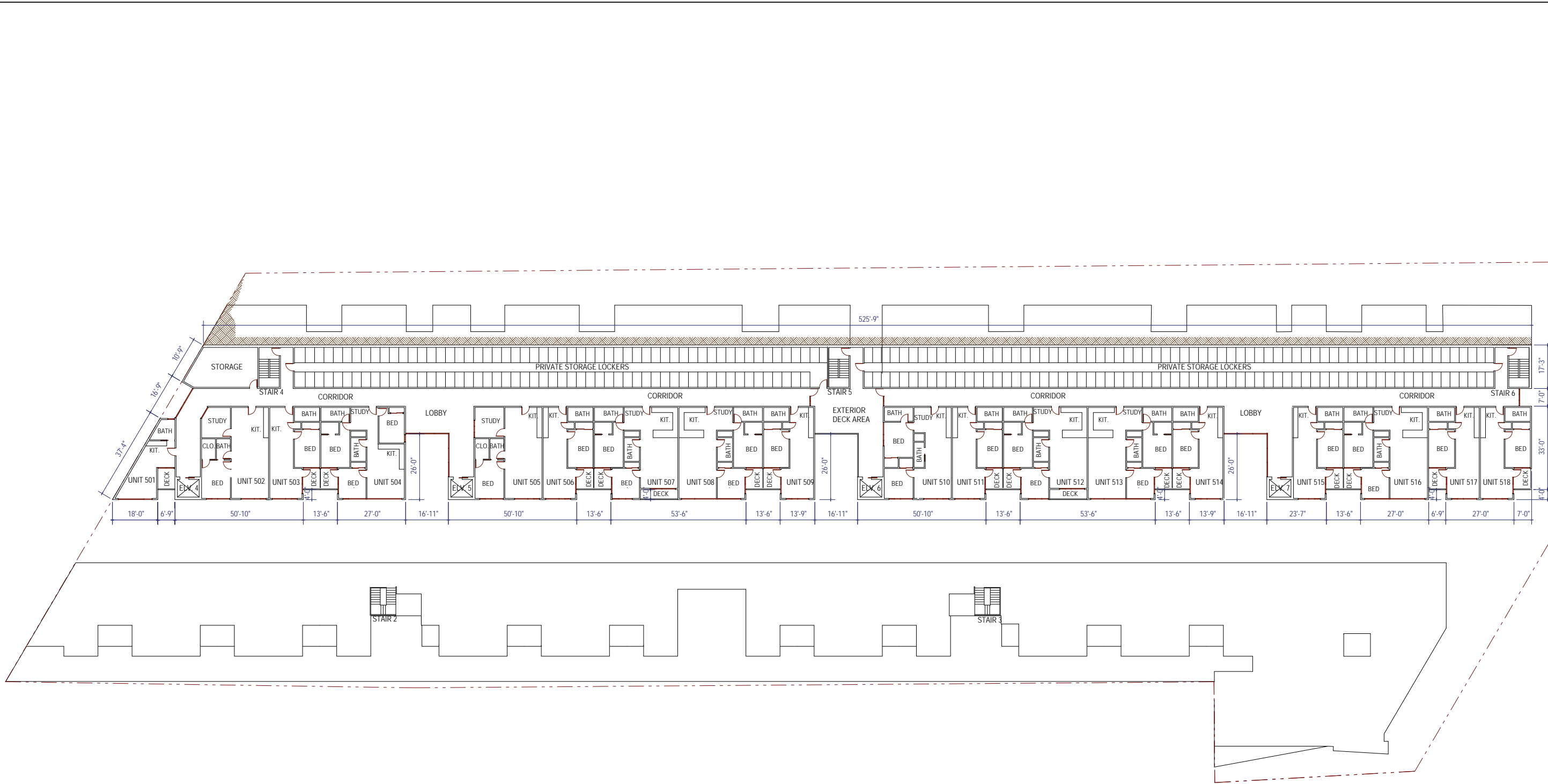
LOT 13 (UMU) - THIRD LEVEL PLAN



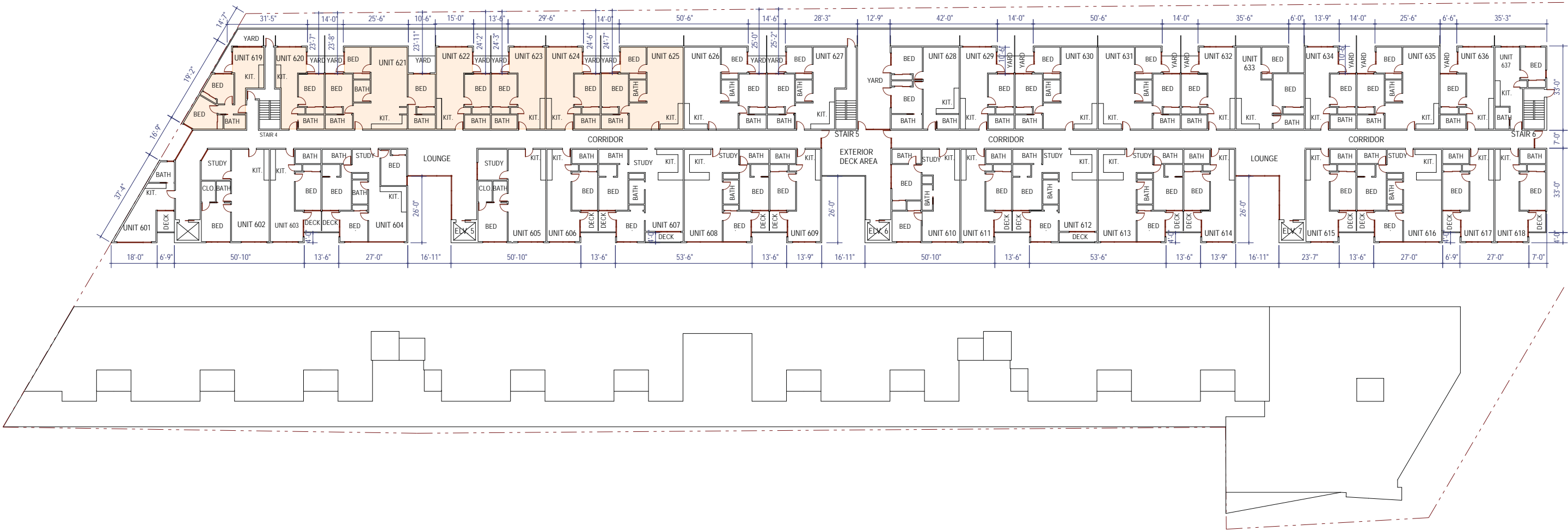


LOT 13 (UMU) - FOURTH LEVEL PLAN



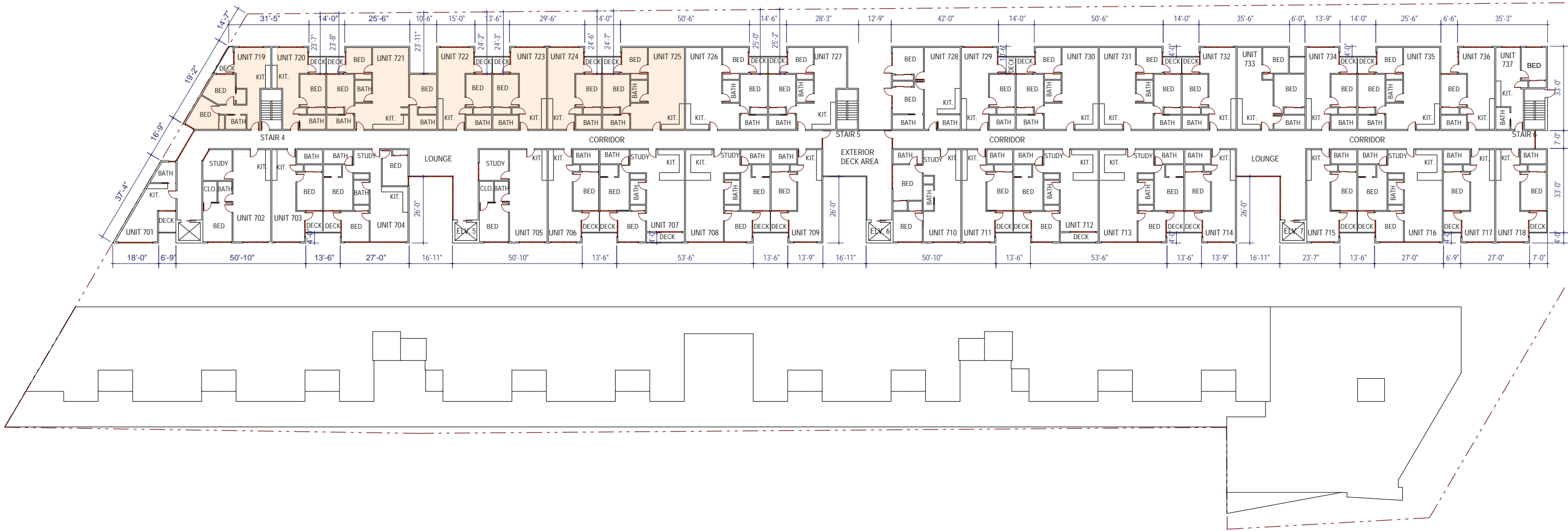


LOT 13 (UMU) - FIFTH LEVEL PLAN



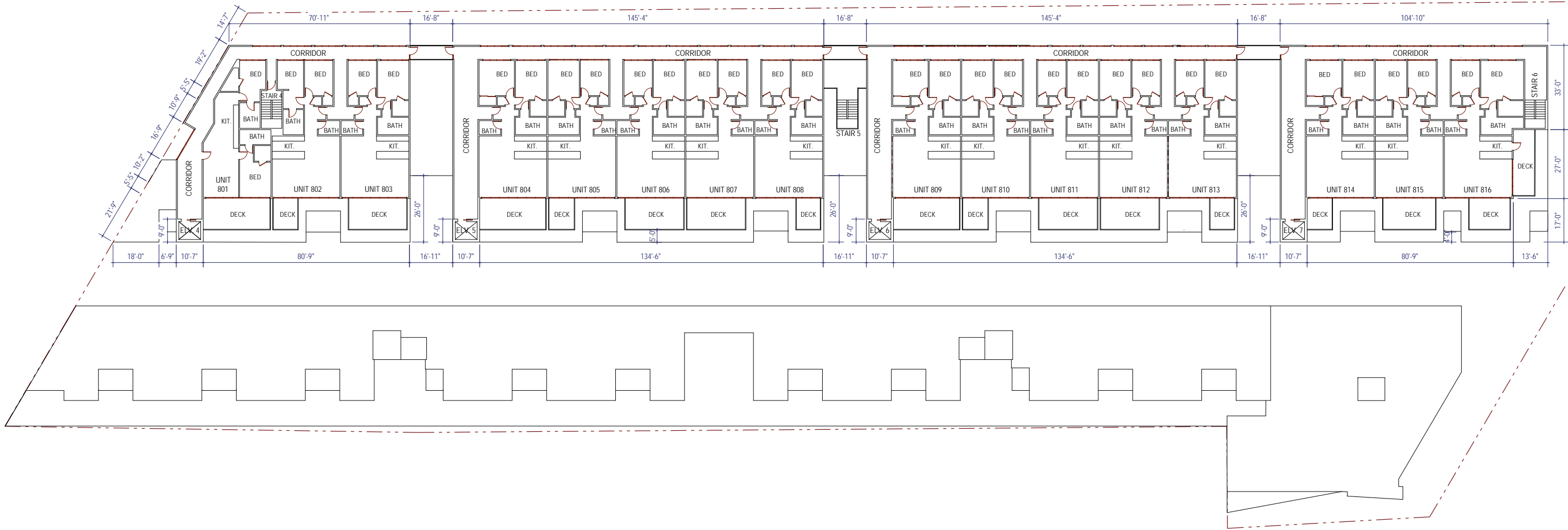
**LOT 13 (UMU) - SIXTH LEVEL PLAN**

UNIT NOT IN COMPLIANCE WITH  
SEC. 140 EXPOSURE REQUIREMENTS

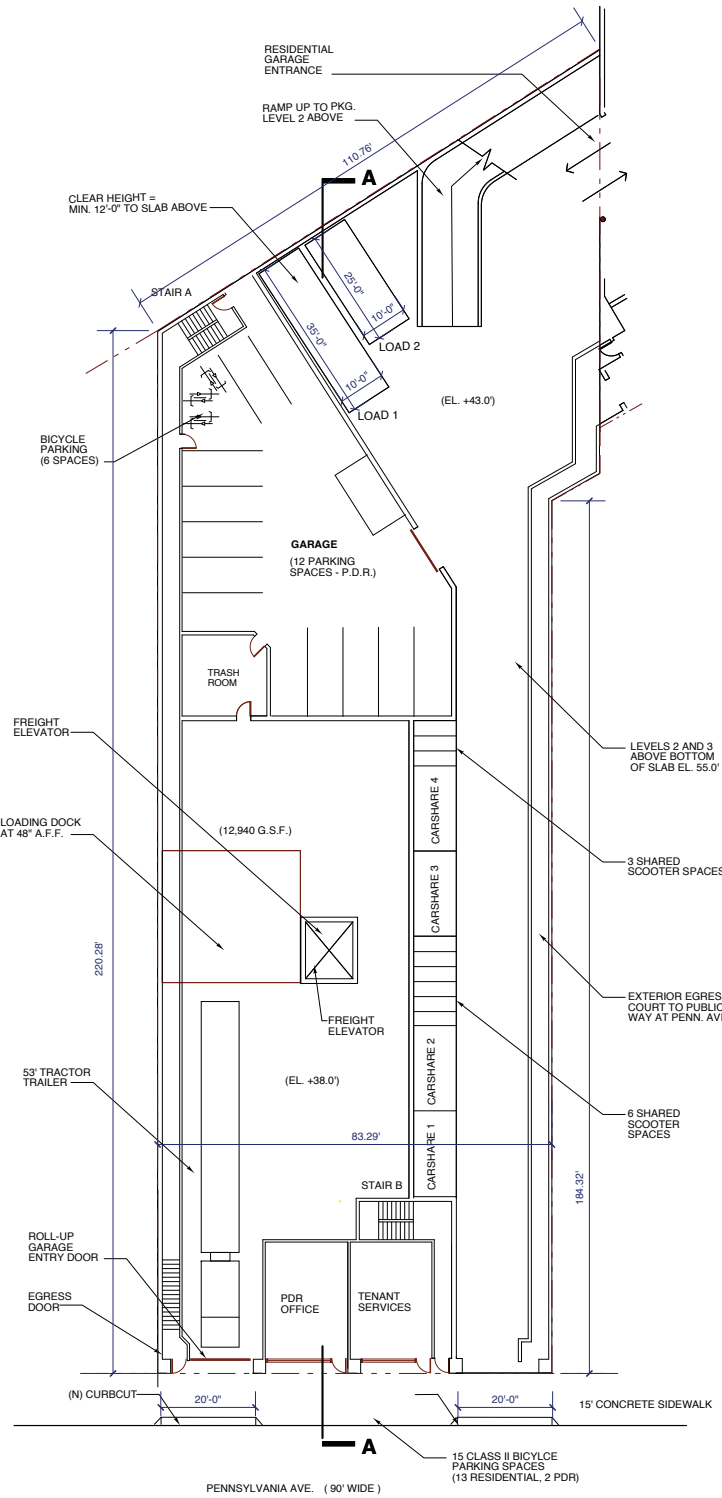


LOT 13 (UMU) - SEVENTH LEVEL PLAN

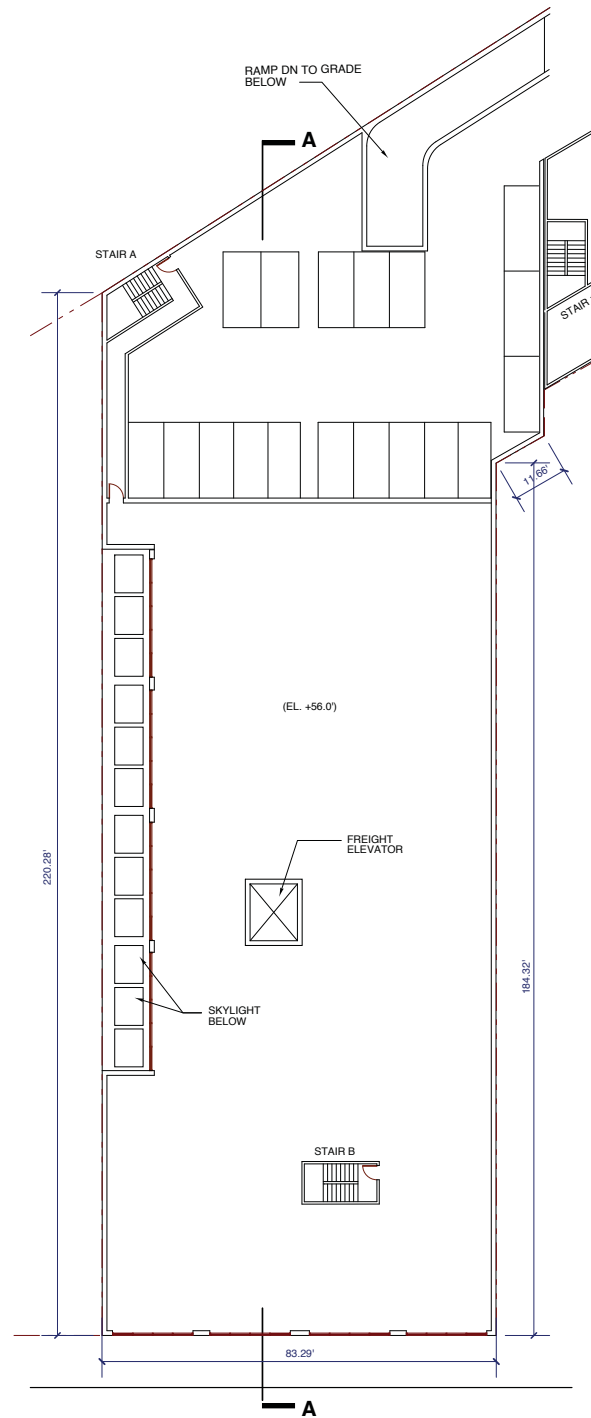
UNIT NOT IN COMPLIANCE WITH  
SEC. 140 EXPOSURE REQUIREMENTS



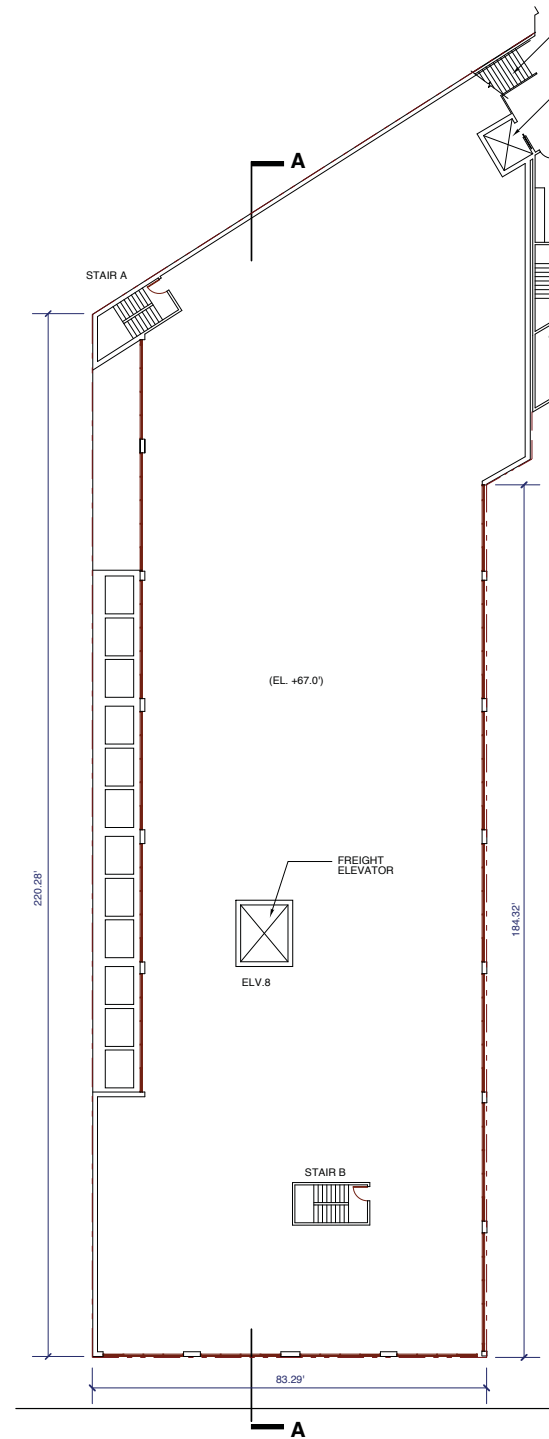
LOT 13 (UMU) - EIGHTH LEVEL PLAN



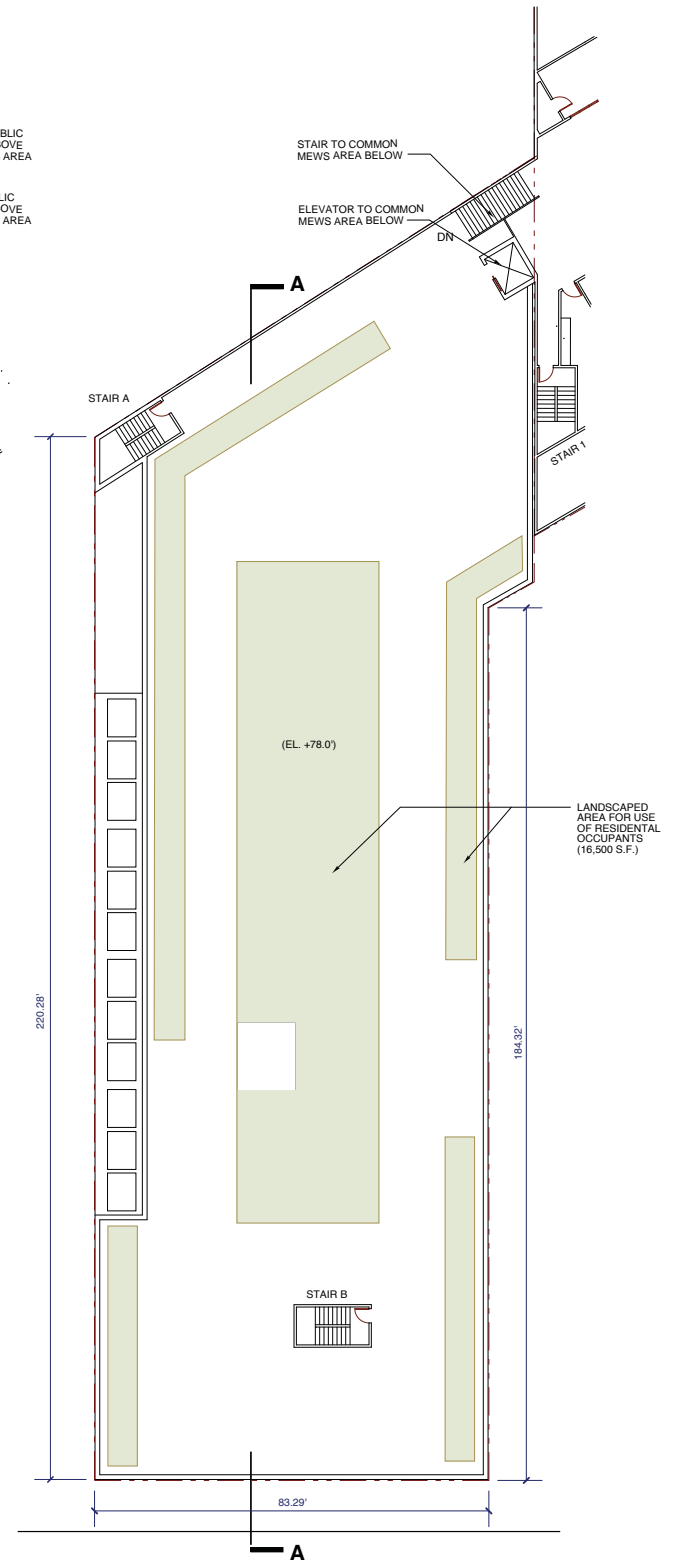
**LOT 11 (PDR-1-G) - BASEMENT PLAN**



**LOT 11 (PDR-1-G) - = GROUND FLOOR PLAN**

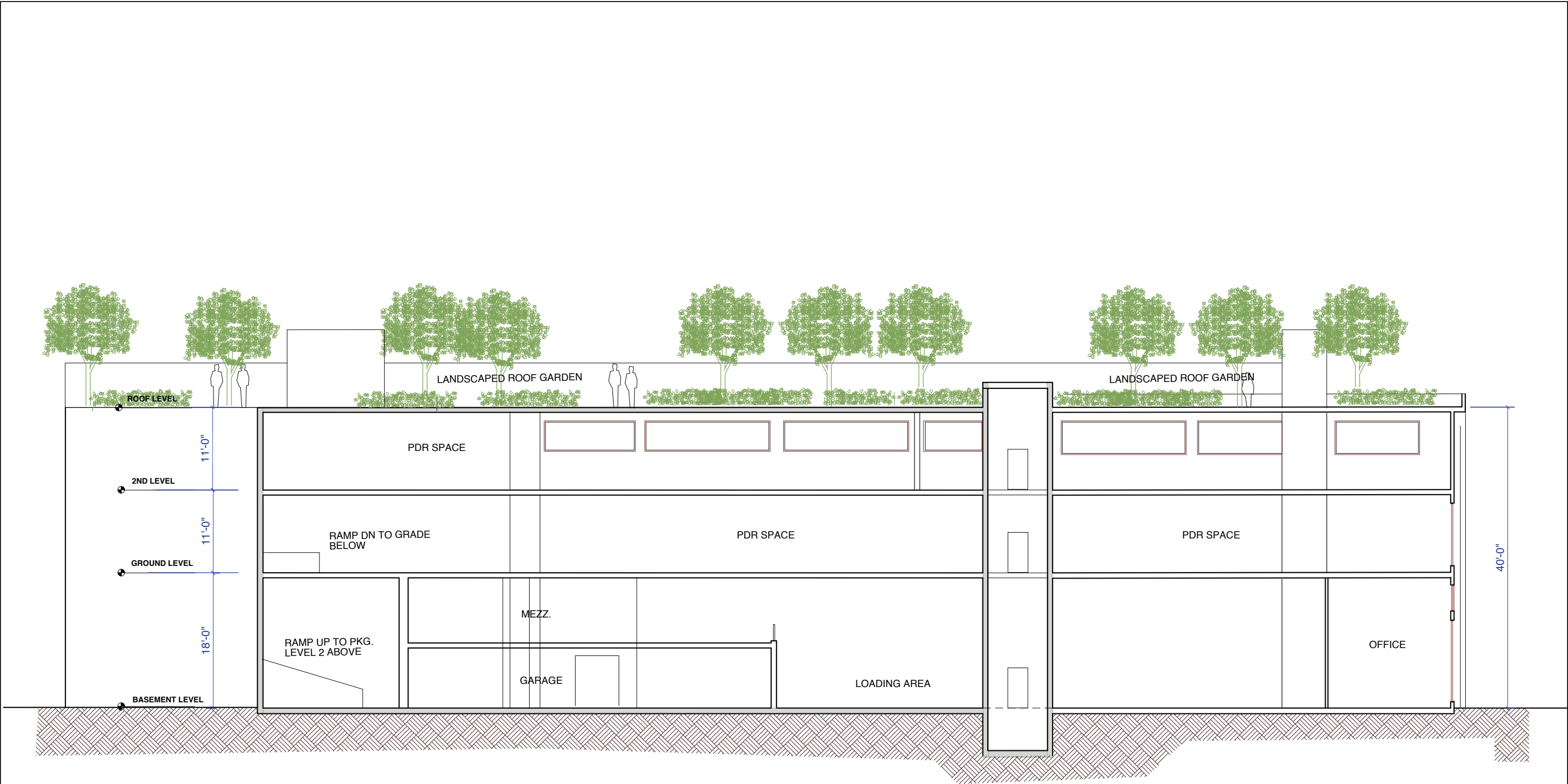


**LOT 11 (PDR-1-G) - =SECOND FLOOR PLAN**



**LOT 11 (PDR-1-G) - = ROOF PLAN**



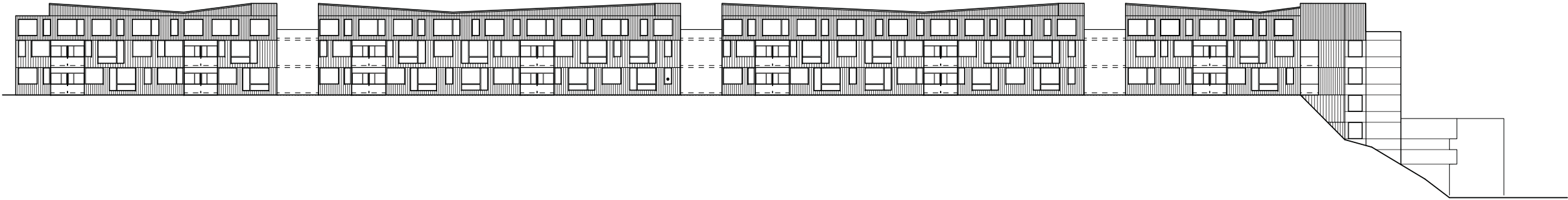


PDR BUILDING SECTION AA

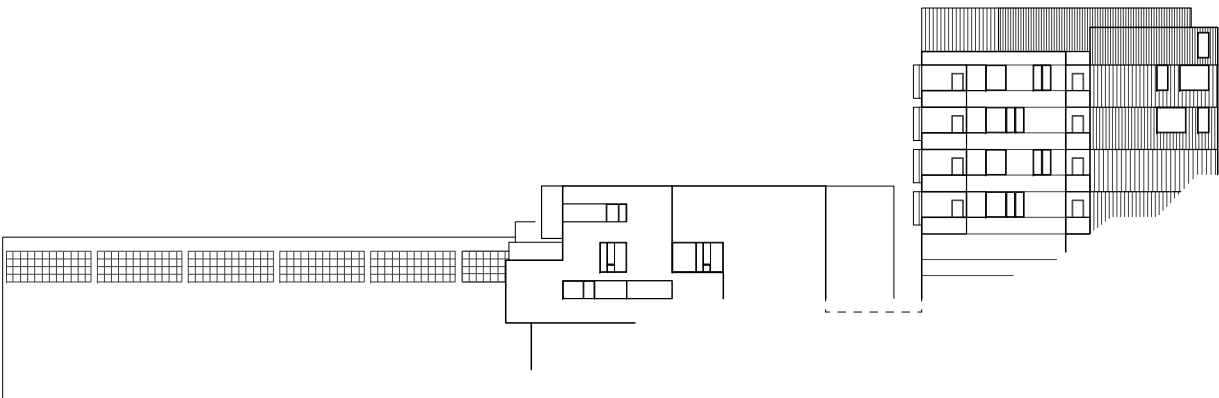


SEE A.XX

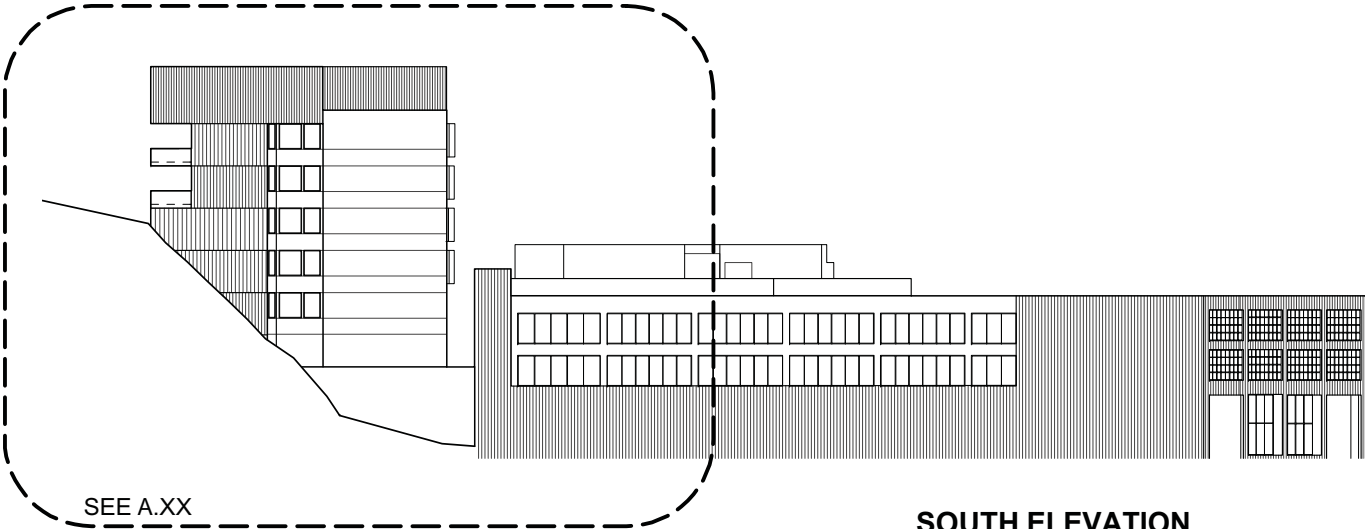
**EAST ELEVATION**  
1" = 50'-0"



**WEST ELEVATION**  
1" = 50'-0"



**NORTH ELEVATION**  
1" = 50'-0"



SEE A.XX

**SOUTH ELEVATION**  
1" = 50'-0"  
10.26.15 REV 1

FIBER CEMENT SLAT SCREEN OVER  
OPEN DECK OR WINDOWS, TYP.

STANDING SEAM MTL. SIDING W/  
VARIED COLOR TONES, TYP.  
COLORED FIBER CEMENT  
PANEL AT BALCONY, TYP.

POWDERCOATED STEEL  
RAILING, TYP.

STANDING SEAM METAL SIDING,  
WITH VARIED COLOR TONES,  
TYP.

BOX RIB METAL SIDING

ANODIZED ALUMINUM WINDOW,  
TYP.

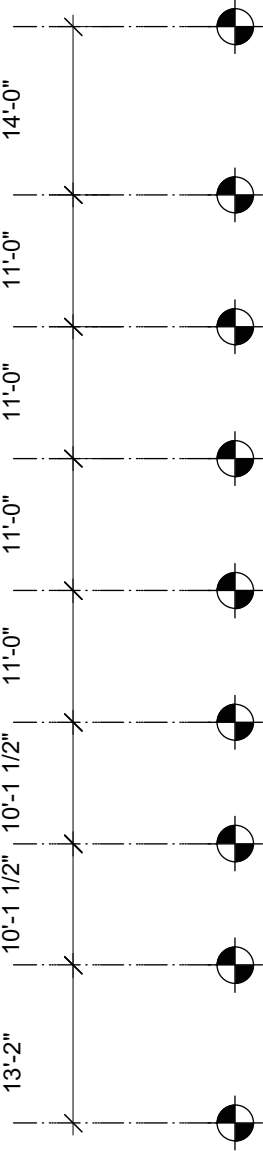
WOOD  
SIDING AT  
BALCONY  
INSET

STANDING SEAM METAL SIDING  
CLEAR FINISH WOOD SIDING AT  
BALCONY INSETS

RIBBED FIBER CEMENT PANEL  
OR STANDING SEAM METAL AT  
ENTRY PORTION OF BUILDING

"STOREFRONT" GLASS AT  
ENTRY LOBBY

PERFORATED METAL GARAGE  
DOOR



**ENLARGED EAST ELEVATION**  
1/16" = 1'-0"  
10.26.15 REV 1









22ND STREET ENTRY PLAZA





PUBLIC STAIRS AT 22ND AND TEXAS





PLAZA AT MEWS ENTRY





PUBLIC STAIR AT SERPENTINE OUTCROP





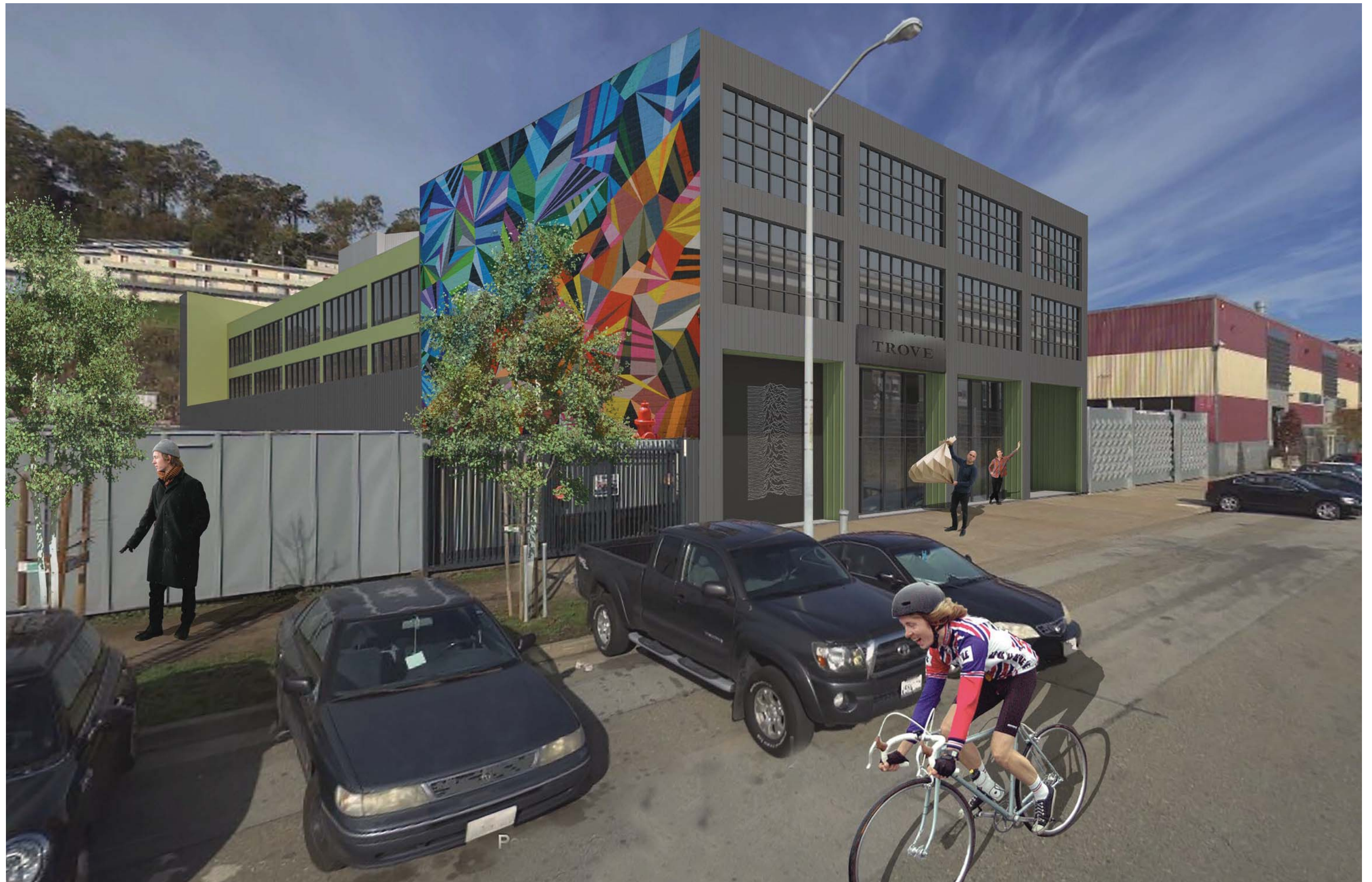
VIEW FROM STAIRS TO OVERLOOK





MISSOURI STREET OVERLOOK





PENNSYLVANIA PDR BUILDING FRONTAGE





PDR BUILDING ROOF GARDEN





MEWS COMMONS





VIEW FROM TEXAS STREET





NO PARKING  
8 A.M. TO 10 A.M.  
MONDAY  
STREET CLEANING

2 HOUR PARKING  
8 A.M. TO 6 P.M.  
MON THRU FRI  
EXCEPT VEHICLES WITH  
AN "X" PERMIT

PARK AT  
90 DEGREES



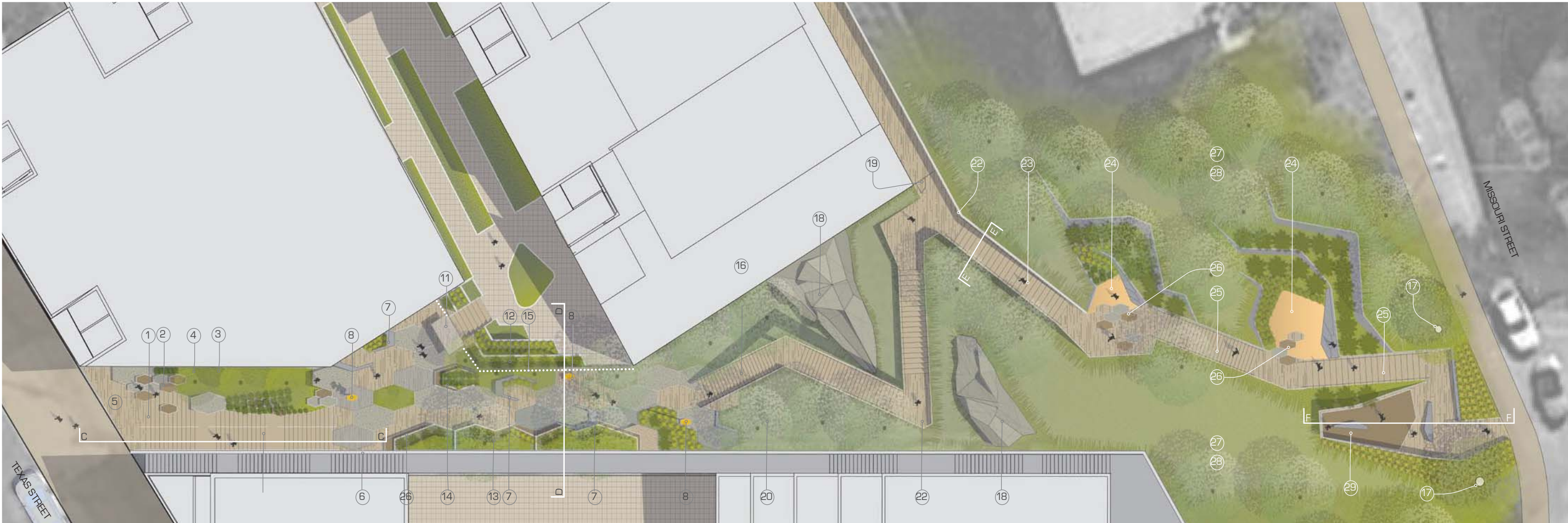






ELEVATION DETAIL





AERIAL PERSPECTIVE @ STAIRWAY

KEY LEGEND

- |   |   |
|---|---|
| 1 ENTRY PLAZA - INTEGRAL COLOR CONCRETE PAVING  | 18 EXISTING SERPENTINE ROCK OUTCROPPING   |
| 2 ENTRY PLAZA OUTCROPS - INTEGRAL CONCRETE, NATURAL CUT STONE & WOOD SEATING PLATFORMS  | 19 EGRESS ACCESS CONNECTION AT PROPOSED DEVELOPMENT   |
| 3 VINES AT CLIMBING APPARATUS AT BUILDING WALL  | 20 LOW WATER USE LOW MAINTENANCE PLANTING   |
| 4 COLOR GRAPHIC AT BUILDING WALL  | 21 CAST-IN-PLACE CONCRETE RETAINING WALL  |
| 5 ENTRY PLAZA STAIRS - TILE GRAPHIC PATTERN AT CONCRETE RISERS, BRUSHED STAINLESS STEEL HANDRAILS                                   | 22 LOW LEVEL LED LIGHTING AT STAIRS   |
| 6 EXISTING WALL AT NEIGHBORING PROPERTY   | 23 CANTILEVER STAIRS - PRECAST CONCRETE TREADS, LANDINGS, BRUSHED STAINLESS STEEL HANDRAILS, PERFORATED METAL GUARDRAILS ANCHORED AT RETAINING WALL |
| 7 SEATWALL - INTEGRAL COLOR CAST IN PLACE CONCRETE  | 24 COURTYARD - DECOMPOSED GRANITE, CONCRETE SEATING ELEMENTS, CONCRETE & METAL RETAINING WALLS.   |
| 8 PUBLIC ART - SCULPTURE W/ UP LIGHTING   | 25 ON-GRADE CONCRETE STAIRS - CONCRETE TREADS, LANDINGS, BRUSHED STAINLESS STEEL HANDRAILS, CONCRETE CHEEK WALLS                                    |
| 9 LOW LEVEL LED LIGHTING AT PLAZA   | 26 WOOD TOP SEATING ELEMENTS  |
| 10 WOOD DECK - ON-GRADE WOOD DECKING FLUSH WITH ADJACENT CONCRETE PAVING  | 27 NATIVE HILLSIDE PLANTING - GROUND COVERS, SHRUBS, & TREES  |
| 11 ENTRY GATEWAY FEATURE AT PROPOSED DEVELOPMENT - SECURE ACCESS GATE WITH INTERCOM, METAL & GLASS STRUCTURE                        | 28 EROSION CONTROL AT HILLSIDE  |
| 12 TERRACED PLANTING  | 29 SAN FRANCISCO BAY OVERLOOK - CAST-IN-PLACE CONCRETE STRUCTURE, WOOD DECKING, PERFORATED METAL GUARDRAILS & PRECAST SEATING ELEMENTS              |
| 13 RAISED CONCRETE PLANTER  |   |
| 14 RAISED CONCRETE PLANTER & SEATING ELEMENTS   |   |
| 15 5'-0" MESH FENCE - BLACK FENCE IN PLANTING WITH VINES  |   |
| ELEVATED STAIRS - PRECAST CONCRETE TREADS, LANDINGS, BRUSHED STAINLESS STEEL HANDRAILS, PERFORATED METAL GUARDRAILS & SUPPORT PIERS |   |
| 16  |   |
| 17 EXISTING TREES TO REMAIN   |   |



CORDYLINE AUSTRALIS



BULBINE FRUTESCENS 'ORANGE'



LOMANDRA BREEZE



FREMONTODENDRON CALIFORNICUM



LAVATERA MARITIMA



DENDROMECON HARFORDII



AGAVE VICTORIAE-REGINAE



MUHLENBERGIA RIGENS



AGAVE AMERICANA



ECHIUM PININANA



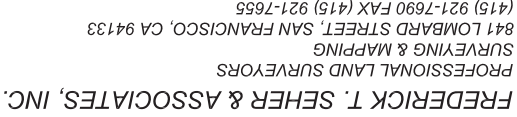
AGAVE STRIATA



FORSYTHIA 'CORTASOL'

SCALE: 1"=10'-0"



[illegible]

1  
SHEET

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OF 1 SHEETS

JOB NO. : 1691-13

3. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENTS (PREPARED BY FREDERICK I. SENEK & ASSOCIATES, INC. IN RELATION HEREOF SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN BUILDING PERMIT, FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES BEYOND THE ESTABLISHED PURPOSES OF DESIGN OR CONSTRUCTION OF THE PROJECTS SHOWN ON THIS MAPS, INCLUDING INTENT & CONTRACT LIABILITY SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK I. SENEK & ASSOCIATES, INC. DISCLAIMS ANY AND ALL RESPONSIBILITY. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE RELATIONS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MAPS) AND THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAP (WHICHEVER COMES FIRST) SHALL VOID ALL INFORMATION HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.

8. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE ANY PROFESSIONAL WORK PRODUCT, AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE OR FOR ANY LOSS OF DATA DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

IT IS THE RESPONSIBILITY OF THE USER OF THIS MAP TO HAVE THE SURVEYOR VERIFY ANY ELEVATIONS PRIOR TO THE DESIGN OR CONSTRUCTION OF ANY HEIGHT CRITICAL STRUCTURE.

Frederick A. Nelson

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZE, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

① LOTS 011 & 013:  
RECORDED ON JUNE 9, 1988, BOOK 37 OF PARCEL MAPS,  
AT PAGES 61 AND 62

SURVEY REFERENCE:

ASSESSOR'S  
BLOCK 4167

GENERAL NOTE:  
THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRILLPLINES THEREOF.

DATE OF FIELD SURVEY:

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PRECEDICED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSASSORS' PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE L.A.M. BOUNDARY INFORMATION SHOWN HEREON IS, FOR PLANNING PURPOSES ONLY.

