



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Large Project Authorization & Shadow Findings

HEARING DATE: NOVEMBER 10, 2016

Date: October 31, 2016
Case No.: **2013.1773XK**
Project Address: **345 6th STREET**
Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Block/Lot: 3753/081
Project Sponsor: SST Investments, LLC
1256 Howard Street
San Francisco, CA 94103
Staff Contact: Daniel Sirois – (415) 575-8714
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project includes demolition of the existing single-story parking lot shelter/garage and new construction of a nine-story (85-feet tall) residential building (measuring approximately 53,943 gross square feet) with 102 single-room occupancy (SRO) dwelling units, approximately 1,727 square feet of ground floor commercial space, 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. The proposed project includes approximately 7,965 square feet of common open space via a second floor courtyard and a roof deck. The project does not possess any off-street vehicular parking.

SITE DESCRIPTION AND PRESENT USE

The project site is located at the northeast corner of 6th and Shipley Streets on a rectangular corner lot (with a lot area of 9,375 sq ft) with approximately 75-ft of frontage along 6th Street and 125-ft of frontage along Shipley Street. Currently, the subject property is occupied by a surface parking lot and a single-story parking lot shelter/garage with a small office.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the MUR Zoning District along a mixed-use corridor in the East SoMa Area Plan. The immediate neighborhood to the north is a single family dwelling, while to the east is a two-story warehouse proposed for demolition to be replaced by a new mixed use development project with 104 dwelling units (See Case No. 2011.0586X – 363 6th Street). On the opposite side of Shipley Street, the existing parking lot is slated for a mixed use development with 84 dwelling units (See Case No. 2013.0538ENX – 301 6th Street/999 Folsom Street). Several three-to-four-story live/work complexes are

located to the west across 6th Street. The project site is in proximity to Gene Friend Recreation Center and Victoria Manolo Davies Park, which are properties owned and managed by the San Francisco Recreation and Parks Commission. Other zoning districts in the vicinity of the project site include: MUG (Mixed Use-General), SALI (Service/Arts/Light Industrial), P (Public), and SoMa NCT (SoMa Neighborhood Commercial Transit).

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on October 26, 2016, 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	Oct 21, 2016	Oct 21, 2016	20 days
Posted Notice	20 days	Oct 21, 2016	Oct 21, 2016	20 days
Mailed Notice	20 days	Oct 21, 2016	Oct 21, 2016	20 days

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

PUBLIC COMMENT

As of October 28, 2016, the Department has not received any letters in support or opposition to the project.

ISSUES AND OTHER CONSIDERATIONS

- Large Project Authorization Exceptions: As part of the Large Project Authorization (LPA), the Commission may grant exceptions 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) permitted obstructions over the street (Planning Code Section 136) and; 3) dwelling unit exposure (Planning Code Section 140). Department staff is generally in agreement with the proposed modifications given the project's overall massing and design.

- Single-Room Occupancy (SRO) Dwelling Units: Per Planning Code Section 890.88, a SRO dwelling unit is defined as a unit consisting of no more than one occupied room with a maximum gross floor area of 350 square feet. The unit may have a bathroom in addition to the occupied room. As a Dwelling Unit, it would have a cooking facility and bathroom. An SRO building is one that contains only SRO units and accessory living space.
- Shadow: Per Planning Code Section 295, the Commission must grant authorization to new construction projects that will cast shade or shadow upon any property under the jurisdiction of the Recreation and Park Commission. On November 10, 2016, the Planning Commission and Recreation and Parks Commission will host a joint meeting to consider the shadow impacts upon Gene Friend Recreation Center. The Project will cast new shadow upon Gene Friend Recreation Center. Since Gene Friend Recreation Center possesses a shadow budget, the two Commissions must take joint action to increase the shadow budget of the center, and also adopt a motion that the additional shadow caused by the Project would not be adverse to the use of Gene Friend Recreation Center.
- Inclusionary Affordable Housing: The Project has elected the on-site rental affordable housing alternative, identified in Planning Code Section 415.6. The project site is located within the MUR Zoning District, which requires 13.5% of the total number of units to be designated as part of the inclusionary affordable housing program, since the project filed an Environmental Evaluation Application on March 18, 2014. The Project contains 102 dwelling units and the Project Sponsor will fulfill this requirement by providing the 14 affordable units on-site, which will be available for rent. As part of the project, the Project Sponsor has entered into a Costa-Hawkins Agreement with the City. A copy of this agreement will be provided at the Planning Commission Hearing.
- Entertainment Commission: In compliance with Ordinance No. 70-15, the Project Sponsor will review the Project at the Entertainment Commission on November 1, 2016. The Department shall provide an update of the Entertainment Commission's review at the public hearing on October November 10th, 2016.
- Development Impact Fees: The Project would be subject to the Eastern Neighborhood Impact Fees, the Transportation Sustainability Fees and the Residential Child Care Fee. 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 nine-story (85-ft tall) residential building with 102 single-room occupancy dwelling units and ground floor retail, and to allow exceptions to the Planning Code requirements for rear yard (Planning Code Section 134), permitted obstructions over the street (Planning Code Section 136), and dwelling unit exposure (Planning Code Section 140).

BASIS FOR RECOMMENDATION

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

- The Project is in general compliance 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 a zoning district where residential and ground floor commercial uses are principally permitted.
- The Project produces a new mixed-use development with ground floor retail and significant site updates, including street trees, landscaping, and common open space.
- The Project is consistent with and respects the existing neighborhood character, and provides an appropriate massing and scale for a corner parcel.
- The Project adds 102 new SRO 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.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Draft Motion-Large Project Authorization
Exhibit C: Mitigation Monitoring & Reporting Program
Draft Resolution-Raise Shadow Budget of Gene Friend Recreation Center
Draft Motion-Shadow Findings
Parcel Map
Shadow Analysis
Sanborn Map
Zoning Map
Height and Bulk Map
Aerial Photograph
Site Photos
Affidavit for Compliance with the Inclusionary Affordable Housing Program
Affidavit for First Source Hiring Program
Affidavit for Anti-Discriminatory Housing Policy
Costa Hawkins Agreement
Certificate of Determination: Exemption from Environmental Review
Community Plan Exemption Checklist
Project Sponsor Brief
Public Correspondence
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 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:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

DS
Planner's Initials



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 checked="" type="checkbox"/> Child Care Requirement (Sec. 414A) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN Impact Fees, Sec 423; TSF, Sec 411A) |

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Planning Commission Draft Motion

HEARING DATE: NOVEMBER 10, 2016

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Project Address: **345 6th STREET**
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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, 2) PERMITTED OBSTRUCTIONS OVER A STREET PURSUANT TO PLANNING CODE SECTION 136 AND, 3) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140 TO ALLOW CONSTRUCTION OF A NEW NINE-STORY, 85-FT TALL, BUILDING (APPROXIMATELY 53,943 GROSS SQUARE FEET (GSF)) WITH 102 SINGLE ROOM OCCUPANCY DWELLING UNITS AND APPROXIMATELY 1,727 GSF OF GROUND FLOOR COMMERCIAL SPACE, LOCATED AT 345 6TH STREET, LOT 81 IN ASSESSOR'S BLOCK 3726, WITHIN THE MUR (MIXED USE-RESIDENTIAL) ZONING DISTRICT, SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT, AND A 85-X HEIGHT AND BULK DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On May 1, 2014, SST Investments, LLC (hereinafter "Project Sponsor") filed Application No. 2013.1773ENX revised on October 4th, 2016 (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new nine-story mixed use building with 102 single room occupancy (SRO) dwelling units and 1,727 gsf of ground floor commercial space at 345 6th Street (Block 3753 Lot 081) 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 October 26, 2016 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 10, 2016, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2013.1773X.

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. 2013.1773X, 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 project site is located at the northeast corner of 6th and Shipley Streets on a rectangular corner lot (with a lot area of 9,375 sq ft) with approximately 75-ft of frontage along 6th Street and 125-ft of frontage along Shipley Street. Currently, the subject property is occupied by a surface parking lot and a single-story parking lot shelter/garage with a small office.
3. **Surrounding Properties and Neighborhood.** The project site is located in the MUR Zoning District along a mixed-use corridor in the East SoMa Area Plan. The immediate neighborhood to the north is a single family dwelling, while to the east is a two-story warehouse proposed for demolition to be replaced by a new mixed use development project with 104 dwelling units (See Case No. 2011.0586X – 363 6th Street). On the opposite side of Shipley Street, the existing parking lot is slated for a mixed use development with 84 dwelling units (See Case No. 2013.0538ENX – 301 6th Street/999 Folsom Street). Several three-to-four-story live/work complexes are located to the west across 6th Street. The project site is in proximity to Gene Friend Recreation Center and Victoria Manolo Davies Park, which are properties owned and managed by the San Francisco Recreation and Parks Commission. Other zoning districts in the vicinity of the project site include: MUG (Mixed Use-General), SALI (Service/Arts/Light Industrial), P (Public), and SoMa NCT (SoMa Neighborhood Commercial Transit).
4. **Project Description.** The proposed project includes demolition of the existing single-story parking lot shelter/garage and new construction of a nine-story (85-feet tall) residential building (measuring approximately 53,943 gross square feet) with 102 single-room occupancy (SRO) dwelling units, approximately 1,727 square feet of ground floor commercial space, 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. The proposed project includes approximately 6,581 square feet of common open space via a second floor courtyard and a roof deck. The project does not possess any off-street vehicular parking.

5. **Public Comment.** As of October 31, 2016, the Department received no correspondence in opposition to the project. The United Playaz, the West Bay Pilipino Center, the Veterans Equity Center and the Filipino-American Development Foundation expressed support for the 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 Uses in MUR Zoning Districts.** Planning Code Sections 841.20 and 841.45 states that residential and retail uses are principally permitted use within the MUR Zoning District.

The Project would construct new residential and retail uses within the MUR Zoning District; therefore, the Project complies with Planning Code Sections 841.20 and 841.45.

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 6.0 to 1 for properties within the MUR Zoning District and an 85-X Height and Bulk District.

The subject lot is 9,375 sq ft, thus resulting in a maximum allowable floor area of 56,250 sq ft for non-residential uses. The Project would construct a total of 1,721 gsf of non-residential space, and would comply with Planning Code Section 124.

- C. **Rear Yard.** 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 30-ft from the rear lot line (or approximately 2,343 sq ft).

The Project is seeking an exception to the rear yard requirement as part of the Large Project Authorization. The Project would provide a smaller than required yard (1,625 sq ft) at the second level and above. This open area aligns with the mid-block open space on the subject block, as well as the adjacent development project at 363 6th Street.

- D. **Useable Open Space.** Planning Code Section 135 requires a minimum of 26.4 sq ft (1/3 of 80 sq ft of open space per SRO dwelling units, if not publically accessible) per dwelling unit or a total of 2,693 square feet of open space for the 102 dwelling units.

The Project satisfies this requirement with a 1,500 sq ft roof deck at the second level (non-code complying) and a 3,700 sq ft roof deck on top of the building for a total of 5,200 sq ft. This exceeds the open space requirement for a project containing 102 SRO dwelling units. Additional private open space is provided at the ground floor units and on balconies at the 5th -7th floors.

- E. **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 lot is not located in close proximity to an Urban Bird Refuge. The proposed project meets the requirements of feature-related standards by not including any unbroken glazed segments 24-sq ft and larger in size; therefore, the Project complies with Planning Code Section 139.

- F. **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 area and horizontal dimensions. For SRO Buildings within an Eastern Neighborhoods Mixed Use District, Planning Code Section 140 only requires an increase of five feet in every horizontal dimension at each subsequent floor above the fifth floor.

The Project is seeking an exception to the dwelling unit exposure requirements for two dwelling units (one located on the sixth floor and one located on the seventh floor). These units face onto an inner court, which does not meet the dimensional requirements of the Planning Code.

- G. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires 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. The Project features active uses on the ground floor with a 1,727 sq ft commercial space on 6th Street, and five walk-up dwelling units along Shipley Street. The ground floor ceiling height for the commercial space, as well as the residential lobby, is 18.5 ft, which exceeds the requirements for ground floor ceiling height. Finally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements.

- H. **Off-Street Parking.** Off-Street vehicular parking is not required within the MUR Zoning District. Rather, per Planning Code Section 151.1, off-street parking is principally permitted within the MUR Zoning District at a ratio of one car for each four dwelling units.

Currently, the Project does not provide any off-street vehicular parking.

- I. **Bicycle Parking.** Per Planning Code Section 155.2, one Class 1 bicycle parking space for each dwelling unit, as well as one Class 1 space for every four dwelling units over 100, and one Class 2 bicycle parking space for each 20 dwelling units. For retail use below 7,500 sq ft, a minimum of two Class 2 bicycle parking spaces are required, as well as one Class 2 bicycle parking space for every 2,500 sq ft. of occupied floor area.

The Project includes 102 dwelling units and 1,727 square feet of retail use; therefore, the Project is required to provide 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. The Project will provide 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. Therefore, the proposed project complies with Planning Code Section 155.2.

- J. **Narrow Streets.** Planning Code Section 261.1 outlines height and massing requirements for projects that front onto a “narrow street,” which is defined as a public right of way less than or equal to 40-ft in width. Shipley Street is 35-ft wide, and is considered an “east-west

narrow street.” All subject frontages onto an east-west narrow street shall have upper stories set back at the property line such that they avoid penetration of a sun access plane defined by an angle of 45 degrees extending from the most directly opposite northerly property line. No part or feature of a building, including but not limited to any feature listed in Planning Code Section 260(b), may penetrate the required setback plane.

The Project features as stepped massing, which maintains the required sun access plane for a east-west narrow street, as required by Planning Code Section 261.1. Therefore, the proposed project complies with Planning Code 261.1.

- K. **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 would cast new shadow upon Gene Friend Recreation Center, which is a property under the jurisdiction of the Recreation and Parks Commission. Based upon the recommendation of the General Manager of the Recreation and Parks Department, in consultation with Recreation and Park Commission, the net new shadow would not be adverse to the use of Gene Friend Recreation Center. The Commission has adopted findings regarding an increase to the shadow budget of this recreation center and park, and the impact of the new shadow on Gene Friend Recreation Center, as documented in Motion Nos. XXXXX and XXXXX.

- L. **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, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on March 18, 2014; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the proposed dwelling units as affordable.

- M. *The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an ‘Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,’ to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an ‘Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,’ to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or*

submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and Community Development and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit September 9, 2016. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on March 18, 2014; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the total proposed dwelling units as affordable. Fourteen (14) of the total 102 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- N. Transportation Sustainability Fee.** Planning Code Section 411A is applicable to new development that results in more than twenty dwelling units.

The Project includes approximately 56,684 gsf of new residential use and 1,727 gsf of retail use. This square footage shall be subject to the Transportation Sustainability Fee, as outlined in Planning Code Section 411A. The Project shall receive a prior use credit for the 2,973 sq ft of existing non-residential space.

- O. Residential Child-Care Impact Fee.** Planning Code Section 414A is applicable to new development that results in at least one net new residential unit.

The Project includes approximately 56,684 gsf of new residential use associated with the new construction of 102 SRO dwelling units. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A.

- P. Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the MUO (Mixed Use Office) Zoning District that results in the addition of gross square feet of non-residential space.

The Project includes approximately 53,943 gross square feet of new development consisting of approximately 56,684 sq ft of new residential use and 1,727 sq ft of new retail 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.

1. **Large Project Authorization in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine design criteria that must be considered by the Planning Commission when considering LPAs. The Planning Commission finds that the project is compliant with these nine criteria as follows:

A. Overall building mass and scale.

The Project's mass and scale are appropriate for a large corner lot and the surrounding context, which includes contains three-to-four-story live/work complexes and residential buildings. As part of the Eastern Neighborhoods Area Plan, this portion of 6th Street was rezoned to increase the overall height and density. The Project complies with the East SoMa Area, which is part of the Eastern Neighborhoods Area Plan, by providing for a new nine-story (85-ft tall) SRO building and introducing new height along this portion of 6th Street. The Project addresses and defines the corner of 6th and Shipley Streets. Along Shipley Street, the Project meets the narrow streets requirements, and provides for a staggered setback, which reduces the scale along the alley. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood, which is transitioning to a higher density mixed-use area as envisioned by the East SoMa Area Plan.

B. Architectural treatments, facade design and building materials.

Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual architectural design 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.

Overall, the design of the lower floors enhances the pedestrian experience and will promote new street activity by providing new ground floor retail use and walk-up dwelling units. The Project's rear courtyard aligns with the established mid-block open space by providing sufficient relief to its immediate neighbors. Further, the proposed rear yard aligns with the design of recently approved projects on the adjacent site to the east at 363 6th Street.

- 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 exceeds the required open space for the 102 SRO dwelling units through common open space on the roof. In addition, the Project provides a courtyard on the second floor and private open space for certain dwelling units on the fourth, fifth and sixth floors.

- 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.

Planning Code Section 270.2 does not apply to the Project, since the project does not possess more than 200-ft of frontage along any single street.

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

The Project provides the required number of new street trees, as well as new sidewalks and bicycle racks. These improvements will enhance the public realm.

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

Since the subject lot has two street frontages, the Project provides ample circulation around the project site. The Project includes ground floor commercial on 6th street. The primary focal point for the residents would occur on Shipley Street through the residential lobby, which is adjacent to the commercial space. The Project does not propose any vehicular parking so no vehicle/pedestrian conflicts are anticipated at the Project site.

- 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.

On balance the Project meets the Objectives and Policies of the General Plan. See Below.

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

- A. Exception for rear yards, pursuant to the requirements of Section 134(f):

(1) 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.

(A) 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. The Project site is 9,375 gsf in size, and would be required to provide a rear yard measuring 2,344 sq ft. The Project provides 6,684 sq ft of private and common open space on a second-level courtyard, a roof deck and through private balconies. The Project's open space strategy exceeds the amount of area that would have been provided in a code-conforming rear yard.

(B) 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 is located on corner lot, and is designed in a manner, which appropriately terminates the established pattern of mid-block open space. This configuration maximizes light and air to the adjacent residential uses and the proposed development on the adjacent site at 363 6th Street.

(C) 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 an exception to the open space requirements; however, the Project is seeking an exception to the exposure requirements for two of the 102 SRO dwelling units. The majority of the Project meets the intent of exposure requirements defined in Planning Code Section 140, since all of the other dwelling units face onto a public right-of-way. Given the overall quality of the Project and its design, the Commission supports the exception to the rear yard requirement, since the proposed units would not be afforded undue access to light and air.

- B. 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 an exception to the requirements for permitted obstructions (Planning Code Section 136) and dwelling unit exposure (Planning Code Section 140).

Per Planning Code Section 136, only certain building features are permitted to project over streets or alleys. The Project proposes facades clad with architectural panels that project a maximum of one foot over 6th Street and Shipley Street. Given the overall design, the Planning Commission finds the encroachment to be minimal and that the architectural panels and frames add visual interest to the

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 area and horizontal dimensions. Currently, two SRO dwelling units (one on the sixth floor and one 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 that provides reasonable access to light and air. Given the overall design and composition of the Project, the Commission finds this exception is warranted, due to the Project's quality of design and comparable amounts of open space/open areas located in other locations on the proposed building.

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 an SRO development with a ground floor commercial space in a mixed-use area that features a mix of industrial, commercial and residential uses. The subject lot is an ideal infill site currently used as a parking facility. The project site was rezoned to MUR as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. The surrounding neighborhood features a wide variety of zoning, which is consistent with the desired mixed-use character. The Project includes 14 on-site affordable SRO dwelling units, which complies with the inclusionary affordable housing requirements.

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 design of this Project responds to the site's location within a mixed-use area with industrial, commercial and residential uses. The Project's facades provide a simple expression that relates to the surrounding neighborhood, while providing for a quality material palette and aesthetic, which is contemporary in character and relatively simple in design. The massing and scale are appropriate for a corner parcel on 6th Street and is in keeping with the development controls applicable to this site.

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 24.4:

Preserve pedestrian-oriented building frontages.

The Project will install new street trees along 6th and Shipley Streets, as permitted by the Department of Public Works (DPW). Street frontages are designed with active spaces oriented at the pedestrian level.

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 102 Class 1 bicycle parking spaces in a secure and convenient location, and 7 Class 2 bicycle parking spaces, which are publically-accessible.

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 Project does not propose any vehicular parking and thereby promotes the City's transit first policies and strategies that encourage the use of alternative modes of transportation.

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.

The Project is located within the East SoMa neighborhood. The surrounding area is mixed in character with industrial, commercial and residential uses. As such, the Project provides an appropriate ground floor, massing and scale, which responds to the form and scale of the existing neighborhood, while also providing a new contemporary architectural vocabulary and a better pedestrian experience as compared to the existing site.

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.

Currently, the site is used as a parking lot/garage. The Project provides ample frontages for commercial and residential use and an active ground floor that appropriately engages the street. The pedestrian experience will be greatly improved along the project site and will not be interrupted by vehicular traffic given that no vehicular parking is proposed.

EAST SOMA AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

Policy 1.1.8

Permit small and moderate retail establishments in mixed use areas of East SoMa, but permit larger retail only as part of a mixed-use development.

OBJECTIVE 1.2

MAXIMIZE HOUSING POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER

Policy 1.2.1

Encourage development of new housing throughout East SoMa.

Policy 1.2.2

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

Policy 1.2.3

For new construction, and as part of major expansion of existing buildings, encourage housing development over commercial.

Policy 1.2.4

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

Housing

OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES

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 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.

Built Form

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE EAST SOMA'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 SoMa's location in the city, the prevailing street and block pattern, and the anticipated land uses, while preserving the character of its neighborhood enclaves.

Policy 3.1.8

New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

Policy 3.1.11

Establish and require height limits along alleyways to create the intimate feeling of an urban room.

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 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.5

Building form should celebrate corner locations.

The Project provides a mix of uses encouraged by the Area Plan for this location and is within the prescribed height and bulk guidelines. The Project includes the appropriate massing setbacks along Shipley Street, which is identified as an east-west narrow street. The Project introduces a contemporary architectural vocabulary that is fitting for a corner building on 6th Street. The Project will also pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees, Transportation Sustainability Fee and the Residential Child-Care Fee.

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 current use is a parking lot/garage. The Project proposed a new ground floor retail space that can enhance opportunities for existing and future residents' employment and ownership in the businesses that will occupy the retail space.

- 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 102 SRO dwelling units, thus resulting in an increase in the neighborhood housing stock. The Project would blend in well with the mix of existing residential, industrial and commercial uses and therefore would strengthen 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 provide 14 on-site affordable SRO dwelling units for rent, thus increasing the City's stock of affordable housing units.

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

The project site is well-served by public transportation. The Project is located within walking distance to the Powell Street Muni and BART Station, and is within a .25 mile of several Muni bus stops, including the 8-City College, 12-Mission, 14X-Daly City and 12-Jackson & Van Ness. Future residents would be afforded close proximity to bus or rail transit.

- 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 does not display an industrial or service sector use for commercial office development. The Project is consistent with the East SoMa Area Plan, which encourages new residential development

with ground floor commercial uses. The Project would enhance opportunities for resident employment and ownership by providing new housing and retail spaces, which will increase the diversity of the City's housing supply and provide new potential neighborhood-serving uses.

- 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.

- G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the project site or within the immediate vicinity.

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

The Project will cast additional shadow on the nearby Gene Friend Recreation Center and will have an effect on a property managed and owned by the Recreation and Parks Commission. As noted in Planning Commission Motion No. XXXXX, the additional shadow cast by the Project would not compromise the usability of Gene Friend Recreation Center.

10. **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.

11. 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.
12. 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. 2013.1773X** under Planning Code Section 329 to allow the new construction of a nine-story (85-ft tall) residential building with 102 SRO dwelling units and approximately 1,727 square feet of ground floor commercial space, and exceptions to the requirements for: 1) rear yard (Planning Code Section 134); 2) permitted obstructions over the street (Planning Code Section 136) and; 3) dwelling unit exposure (Planning Code Section 140); within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and a 85-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 October 28, 2016, 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 10, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 10, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to construct a new nine-story mixed use building with 102 single room occupancy (SRO) dwelling units and 1,727 gsf of ground floor commercial space at 345 6th Street (Block 3753 Lot 081) within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and a 85-X Height and Bulk District, in general conformance with plans dated September 29 and stamped "EXHIBIT B" included in the docket for Case No. 2013.1773X and subject to conditions of approval reviewed and approved by the Commission on November 10, 2016 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 10, 2016 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

1. **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

2. **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

3. **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

4. **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

5. **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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2013.1773E) 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

7. **Additional Project Authorization.** Per Planning Code Section 295, the Project Sponsor must obtain an approval from the Planning Commission to adopt a finding that the net new shadow cast upon the nearby Gene Friend Recreation Center would not be adverse to the use of the park, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

8. **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

9. **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

10. **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

11. **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:

- a. 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;
- b. On-site, in a driveway, underground;
- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. 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;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. 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

12. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces. Currently, the Project provides 102 Class 1 bicycle parking spaces and 7 Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **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

14. **Managing Loading Activities.** The project sponsor shall coordinate with the SFMTA to minimize traffic congestion during residential move-in/move-out activities and freight loading activities associated with the retail space.

PROVISIONS

15. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
16. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
17. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
18. **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
19. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 the Project Sponsor shall contribute to the Eastern Neighborhoods Public Benefit Fund through payment of an Impact Fee.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

20. **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
21. **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

OPERATION

22. **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>

23. **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>

24. **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

25. **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

INCLUSIONARY HOUSING

Affordable Units The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

1. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 102 units; therefore, 14 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 14 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

2. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

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

3. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than XXXX percent (XX%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

4. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

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

5. **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 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD 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.

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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to low-income households, as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements 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.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior

to issuance of the first construction document or must revert payment of the Affordable Housing Fee.

- g. If the Project Sponsor 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 Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES				
Project Mitigation Measure 1: Procedures for Accidental Discovery of Archeological Resources (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2) This mitigation measure is required to avoid any potential adverse effect on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a) and (c). The project sponsor shall distribute the San Francisco Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); and to utilities firms involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The project sponsor shall provide the ERO with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firms) to the ERO confirming that all field personnel have received copies of the “ALERT” sheet. Should any indication of an archeological resource be	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to issuance of any permit for soils-disturbing activities and during construction activities.	Project sponsor/archeological consultant and ERO.	During soils-disturbing and construction activities.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the San Francisco Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include preservation in situ of the archeological resource, an archeological monitoring program, or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content,

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>format, and distribution from that presented above.</p> <p>Project Mitigation Measure 2: Construction Noise – Pile Driving (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-1)</p> <p>The project sponsor shall ensure that piles are pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall be required to use pile driving equipment with state-of-the-art noise-shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheet pile drivers rather than impact drivers shall be used wherever sheet piles are needed. The project sponsor shall require that contractors schedule pile driving activities for times of day that would minimize disturbance to neighbors.</p>	Project sponsor, contractor(s).	Submit monthly reports to the Planning Department during construction period.	Project sponsor, Planning Department.	During construction period.
<p>Project Mitigation Measure 3: Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2)</p> <p>The project sponsor shall 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>	Project sponsor, construction contractor(s).	<p>Submit noise attenuation plan to the Department of Building Inspection prior to start of demolition or construction activities.</p> <p>Submit monthly</p>	Project sponsor, Planning Department.	During demolition and construction period.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> 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. 		reports to the Planning Department during construction period.		
<p>Project Mitigation Measure 4: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</p> <p>The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities 	Project sponsor, contractor(s).	Submit certification statement prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s), and the ERO.	Considered complete upon submittal of certification statement.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 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.</p>				
<p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p>				
<p>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.</p>				
<p>4. The Contractor shall instruct construction workers and equipment operators on the</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 (ERO) or designee 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 on-site 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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Engine Emission Standard	Emissions Control
Tier 2	ARB Level 2 VDECS
Tier 2	ARB Level 1 VDECS
Tier 2	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

Project sponsor, contractor(s).

Prepare and submit a Plan prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.

Project sponsor, contractor(s), and the ERO.

Considered complete upon findings by the ERO that the Plan is complete.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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.</p> <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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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>				
<p>Project Mitigation Measure 5: Hazardous Building Materials (Implementing PEIR Mitigation Measure L-1)</p> <p>The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated</p>	Project sponsor/ contractor(s).	Submit quarterly reports.	Project sponsor, contractor(s), and the ERO.	Considered complete upon findings by the ERO that the Plan is being/has been implemented.
	Project sponsor, construction contractor(s).	Project sponsor shall submit a report to the Department of Public Health, with copies to the Planning Department and the Department of	Project sponsor, Department of Public Health, Department of Building Inspection, and Planning Department.	Prior to and during demolition or construction activities.

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
according to applicable federal, state, and local laws.		Building Inspection, at the end of the construction period.		



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 checked="" type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN Impact Fees) |

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Information:
415.558.6377

Planning Commission Resolution No. XXXX

HEARING DATE: NOVEMBER 10, 2016

Case No.: **2013.1773K**
Project Address: **345 6th STREET**
Project Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Project Block/Lot: 3753/081
Project Sponsor: SST Investments, LLC
1256 Howard Street
San Francisco, CA 94103
Park Property: Gene Friend Recreation Center
Park Block/Lots: 3731/010, 011, 012 and 111
Staff Contact: Daniel Sirois – (415) 575-8714; daniel.sirois@sfgov.org
(Planning Department)
Jordan Harrison – 415-575-5609; jordan.harrison@sfgov.org
(Recreation and Park Department)

JOINT RESOLUTION TO RAISE THE ABSOLUTE CUMULATIVE SHADOW LIMIT ON GENE FRIEND RECREATION CENTER IN ORDER TO ALLOW THE PROPOSED PROJECT FOR A NEW NINE-STORY, 85-FT TALL, BUILDING (APPROXIMATELY 53,943 GROSS SQUARE FEET (GSF)) WITH 102 SINGLE ROOM OCCUPANCY DWELLING UNITS AND APPROXIMATELY 1,727 GSF OF GROUND FLOOR COMMERCIAL SPACE AT 345 6TH STREET (ASSESSOR'S BLOCK 3753 LOT 081).

PREAMBLE

The people of the City and County of San Francisco, in June 1984, adopted an initiative ordinance, commonly known as Proposition K, codified as Section 295 of the Planning Code.

Section 295 requires that the Planning Commission disapprove any building permit application to construct a structure that will cast shadow on property under the jurisdiction of the Recreation and Park Department, unless it is determined that the shadow would not be significant or adverse. The Planning Commission and the Recreation and Park Commission must adopt criteria for the implementation of that ordinance.

Section 295 is implemented by analyzing park properties that could be shadowed by new construction, including the current patterns of use of such properties, how such properties might be used in the future, and assessing the amount of shadowing, its duration, times of day, and times of year of occurrence. The Commissions may also consider the overriding social or public benefits of a project casting shadow.

Pursuant to Planning Code Section 295, the Planning Commission and the Recreation and Park Commission, on February 7, 1989, adopted standards for allowing additional shadows on the greater downtown parks (Resolution No. 11595). The quantitative standard that was established for Gene Friend Recreation Center (or “Rec Center”) was zero percent or no net new shadow.

Gene Friend Recreation Center is a 1.02 acre park (44,618 square feet) located at 270 6th Street in the SoMa neighborhood. It is bounded by a two-story, 26-ft tall private property on the northwest, Harriet Street to the west, Folsom Street to the south, and 6th Street to the east. Gene Friend Recreation Center provides a mix of outdoor and indoor recreation space. It includes a sports court, playground and green field to the west along Harriet Street and a 24- to 34-foot-high structure (with a 16,835 square-foot footprint (the “Rec Center Building”) to the east along 6th Street. The Rec Center Building includes a full indoor gymnasium, activity room, weight room and auditorium and occupies approximately $\frac{3}{4}$ of the 6th Street frontage. A 9-foot-tall fence and guardrails encircles Gene Friend Recreation Center and is locked at night. Access to the park is provided via three gates: one at the corner of Folsom and 6th Streets, another on Harriet Street, and the third on 6th Street. Gene Friend Recreation Center is managed by the Recreation and Park Department (“RPD”). The park is open from 9:00am until 9:00pm from Tuesday to Friday. In addition, the Rec Center is open from 9:00am to 5:00pm on Saturdays. The facility is available for rentals on Sunday and Mondays and offers after school programming for children on Mondays from 3pm to 5pm.

Gene Friend Recreation Center is located within a mixed-use neighborhood in the South of Market (SoMa) neighborhood. The scale of development varies greatly in the vicinity of the project site. The immediate area is characterized by one-and-two-story commercial and industrial properties on the adjacent street corners at 6th and Folsom Streets, three-to-four-story live/work and residential buildings further west along Folsom Street, and two-story commercial buildings and an eight-story apartment complex farther north along 6th Street. Within a short distance of the Rec Center is Victoria Manalo Draves Park, which is a 2.52 acres accessible park, bounded by Columbia Square, Folsom Street, Sherman Street and Harrison Street.

On an annual basis, the Theoretically Available Annual Sunlight (“TAAS”) on Gene Friend Recreation Center (with no adjacent structures present) is approximately 166,041,425.20 square-foot-hours of sunlight. Existing structures, including the shadow from the Rec Center Building, currently shade Gene Friend Recreation Center 47.62312% of the year, with an existing shadow load of 79,074,104.19 square-foot-hours (“sfh”).

On March 12, 2014, SST Investments, LLC (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for a Shadow Impact Study and a Large Project Authorization on the property at 345 6th Street, located at the northeast corner 6th at Shipley Street; Lot 081 in Assessor’s Block 3753, (hereinafter “Subject Property”) to construct **a new nine-story, 85-ft tall, building (approximately 53,943 gross square feet (gsf)) with 102 single room occupancy dwelling units and approximately 1,727 gsf of ground floor commercial space** (hereinafter “the Project”). The Project

is located within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and an 85-X Height and Bulk District.

A technical memorandum, prepared by Adam Noble of CADP, finalized on October 17, 2016, analyzed the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2013.1773K).

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 October 26, 2016 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.

The Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing on November 10, 2016 to consider whether to raise the absolute cumulative shadow limit equal to 0.03969% of the TAAS for Gene Friend Recreation Center.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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

Therefore, the Commission hereby resolves:

FINDINGS

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
 - The new shadow would increase the shadow load on Gene Friend Recreation Center on passive recreational areas such as the Folsom entry pathways and grassy area south of the Rec Center Building.
 - When the renovations to the Gene Friend Recreation center are completed, the project shadow would be on the new recreation center building rooftop, the park entry areas, and the passive recreational area west of the new recreation center building.
 - New shadows would be cast in the morning hours before the Rec Center property is currently open. All project shadow would be gone from the property by 8:52am.
 - New shadows would be relatively small in area in comparison to the size of Gene Friend Recreation Center, and at its greatest extend never exceeds 13.5% of the park area.
 - When new shadows occur, they would be fleeting and of relatively short duration ranging from 4 minutes 48 seconds to 27 minutes 36 seconds, and an average duration of approximately 15 minutes on 153 days out of 365 days in the fall and winter.
 - The proposed project would result in a total shadow load of 65,909.41 sfh annually, or 0.3969% of the park's TAAS.
 - Although the additional shadow cast by the proposed project has a numerically significant effect, the magnitude of the additional shadow is well below one percent, and amounts to a

reasonable and extremely small loss of sunlight for a park in an area with planned increased building heights and residential density.

3. The Project at 345 6th Street provides substantial public benefits in the form of new housing, new streetscape amenities, development impact fees, and inclusionary affordable housing. The Project provides 102 SRO dwelling units to the City's housing stock, and would pay the appropriate impact fees for the new residential development. The Project includes 14 inclusionary affordable housing units for rent. Streetscape improvements would include new street trees, new sidewalks and new bicycle racks.
4. Planning Department staff recommend raising a cumulative shadow limit for the Park of 0.03969% of the TAAS, equal to approximately 65,909.41 annual square-foot-hours of net new shadow.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Planning Department and the Recreation and Park Department, the oral testimony presented to the Planning Commission and Recreation and Park Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby ADOPTS, under Shadow Analysis Application No. **2013.1773K**, the proposal to raise the cumulative shadow limit for Gene Friend Recreation Center by 0.03969%.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on November 10, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 10, 2016



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☒ Affordable Housing (Sec. 415)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Downtown Park Fee (Sec. 412)

☒ First Source Hiring (Admin. Code)

☒ Child Care Requirement (Sec. 414)

☒ Other (EN Impact Fees)

1650 Mission St.
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Planning
Information:
415.558.6377

Planning Commission Motion No. XXXX HEARING DATE: NOVEMBER 10, 2016

Case No.: 2013.1773K
Project Address: 345 6th STREET
Project Zoning: MUR (Mixed Use-Residential) Zoning District
SoMa Youth and Family Special Use District
85-X Height and Bulk District
Project Block/Lot: 3753/081
Project Sponsor: SST Investments, LLC
1256 Howard Street
San Francisco, CA 94103
Staff Contact: Daniel Sirois – (415) 575-8714
daniel.sirois@sfgov.org

Recommendation: **Approval with Conditions**

ADOPTING FINDINGS, WITH THE RECOMMENDATION FROM THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON GENE FRIEND RECREATION CENTER BY THE PROPOSED PROJECT FOR A NEW NINE-STORY, 85-FT TALL, BUILDING (APPROXIMATELY 53,943 GROSS SQUARE FEET (GSF)) WITH 102 SINGLE ROOM OCCUPANCY DWELLING UNITS AND APPROXIMATELY 1,727 GSF OF GROUND FLOOR COMMERCIAL SPACE AT 345 6TH STREET WOULD NOT BE ADVERSE TO THE USE OF GENE FRIEND RECREATION CENTER.

PREAMBLE

Under Planning Code Section ("Section") 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

On February 7, 1989, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595). The quantitative standard that was established for Gene Friend Recreation Center (or "Rec Center") was zero percent or no net new shadow.

Gene Friend Recreation Center is a 1.02 acre park (44,618 square feet) located at 270 6th Street in the SoMa neighborhood. It is bounded by a two-story, 26-ft tall private property on the northwest, Harriet Street to the west, Folsom Street to the south, and 6th Street to the east. Gene Friend Recreation Center provides a mix of outdoor and indoor recreation space. It includes a sports court, playground and green field to the west along Harriet Street and a 24- to 34-foot-high structure (with a 16,835 square-foot footprint (the "Rec Center Building") to the east along 6th Street. The Rec Center Building includes a full indoor gymnasium, activity room, weight room and auditorium and occupies approximately $\frac{3}{4}$ of the 6th Street frontage. A 9-foot-tall fence and guardrails encircles Gene Friend Recreation Center and is locked at night. Access to the park is provided via three gates: one at the corner of Folsom and 6th Streets, another on Harriet Street, and the third on 6th Street. Gene Friend Recreation Center is managed by the Recreation and Park Department ("RPD"). The park is open from 9:00am until 9:00pm from Tuesday to Friday. In addition, the Rec Center is open from 9:00am to 5:00pm on Saturdays, and is closed on Sunday and Mondays.

Gene Friend Recreation Center is located within a mixed-use neighborhood in the South of Market (SoMa) neighborhood. The scale of development varies greatly in the vicinity of the project site. The immediate area is characterized by one-and-two-story commercial and industrial properties on the adjacent street corners at 6th and Folsom Streets, three-to-four-story live/work and residential buildings further west along Folsom Street, and two-story commercial buildings and an eight-story apartment complex farther north along 6th Street. Within a short distance of the Rec Center is Victoria Manalo Draves Park, which is a 2.52 acres accessible park, bounded by Columbia Square, Folsom Street, Sherman Street and Harrison Street.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on Gene Friend Recreation Center (with no adjacent structures present) is approximately 166,041,425.20 square-foot-hours of sunlight. Existing structures, including the shadow from the Rec Center Building, currently shade Gene Friend Recreation Center 47.62312% of the year, with an existing shadow load of 79,074,104.19 square-foot-hours ("sfh").

On March 12, 2014, SST Investments, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Shadow Impact Study and a Large Project Authorization on the property at 345 6th Street, located at the northeast corner 6th at Shipley Street; Lot 081 in Assessor's Block 3753, (hereinafter "Subject Property") to construct a new nine-story, 85-ft tall, building (approximately 53,943 gross square feet (gsf)) with 102 single room occupancy dwelling units and approximately 1,727 gsf of ground floor commercial space (hereinafter "the Project"). The Project is located within the MUR (Mixed Use-Residential) Zoning District, SoMa Youth and Family Special Use District, and an 85-X Height and Bulk District.

A technical memorandum, prepared by Adam Noble of CADP, finalized on October 17, 2016, analyzed the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2013.1773K). In addition, this memorandum examined the cumulative shadow impact caused by the Project and the nearby project at 363 6th Street (Case No. 2011.0586K). The memorandum concluded that the Project would cast approximately 65,909.41 square-foot-hours of new shadow on Gene Friend Recreation Center, equal to approximately 0.03969 percent of the theoretically available annual sunlight ("TAAS") on Gene Friend Recreation Center.

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 October 26, 2016 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.

On November 10, 2016, the Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing and raised the absolute cumulative shadow limit equal to 0.03969% of the TAAS for Gene Friend Recreation Center as noted in Planning Commission Resolution No. XXXX.

On November 10, 2016, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Gene Friend Recreation Center will/will not be adverse to the use of Gene Friend Recreation Center.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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

FINDINGS

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
 - a. The proposed project would cast net new shadow within the allocated shadow budget for Gene Friend Recreation Center.
 - b. The proposed project would result in a total shadow load of 65,909.41 square foot hours equivalent to a shadow load of 0.03969 percent of the TAAS. The largest shadow would occur on March 8 and October 4 for approximately 27 minutes.
 - c. Although the additional shadow cast by the proposed project has a numerically significant effect, the magnitude of the additional shadow is well below one percent, and amounts to a reasonable and extremely small loss of sunlight for a park in an area slated for increased building heights and residential density.
 - d. The net new shadow cast upon Gene Friend Recreation Center from the Project occurs exclusively within the morning prior to the opening of the Rec Center. All net new shadow would be gone by 8:52 am.
 - e. The new net shadow is localized to the Folsom entry pathways and grassy area.
 - f. The net new shadow cast is relatively small in area in comparison to the size of Gene Friend Recreation Center and at its greatest extent never exceeds 13.5 percent of the area of Gene Friend Recreation Center. The average duration of the net new shadow is 15 minutes.
 - g. The Project would produce new public benefits, including, but not limited to, new housing, new on-site affordable housing units for rent, streetscape improvements and

payment of development impact fees.

DECISION

That based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. **2013.1773K**, that the net new shadow cast by the Project on Gene Friend Recreation Center will not be adverse to the use of Gene Friend Recreation Center.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on November 10, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYES:

ABSENT:

ADOPTED: November 10, 2016



34 Corte Madera Avenue
Mill Valley, CA 94941

October 17, 2016

Erika Jackson
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

SUBJECT: 345 6th Street Shadow Analysis with Cumulative Analysis of 363 6th Street

OVERVIEW

The Planning Department prepared an initial shadow fan that indicated the proposed project at 345 6th Street may cast a shadow on Gene Friend Recreation Center and Victoria Manalo Draves Park (collectively the "Recreation Center and Park"), each a property under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department"). Under *Planning Code Section 295*, a shadow analysis is required to measure and quantify any potential shadow impact of the proposed project on the Recreation Center and Park since the proposed project is over 40 feet in height and the Recreation Center and Park are within the jurisdiction of the Recreation and Park Department.

The project is also located adjacent to 363 6th Street. 363 6th Street is proposing a project that is over 40 feet in height and also may cast a shadow on the Recreation Center and Park. An impact analysis of the potential cumulative shadow impact of both projects on the Recreation Center and Park has also been requested by the Planning Department and Recreation and Park Department.

CADP was retained to prepare a shadow analysis for the proposed project, and a cumulative shadow analysis of the proposed project and 363 6th Street. The following is a summary of CADP's findings.

BACKGROUND ON PLANNING CODE SECTION 295

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the shadow would not be significant. To implement *Planning Code Section 295* and Proposition K, the Planning Commission and Recreation and Park Commission in 1989 jointly adopted a memorandum establishing qualitative criteria for evaluating shadow impacts as well as Absolute Cumulative Limits ("ACLs") for certain parks. ACLs are "shadow" budgets that establish absolute cumulative limits for additional shadows expressed as a percentage of Theoretically Available Annual Sunlight ("TAAS") on a park with no adjacent structures present. To date, ACL standards have been established for fourteen (14) downtown parks. An ACL standard of zero percent (0%) has been adopted for Gene Friend Recreation Center¹. An ACL standard has not been adopted for Victoria Manalo Draves Park.

¹ At the time the ACL standard was imposed, the Gene Friend Recreation Center was known as the South of Market Park.



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The 1989 Memorandum sets forth qualitative criteria to determine when a shadow would be significant as well as information on how to quantitatively measure shadow impacts. Qualitatively, shadow impacts are evaluated based on (1) existing shadow profiles, (2) important times of day, (3) important seasons in the year, (4) location of the new shadow, (5) size and duration of new shadows, and (6) the public good served by buildings casting a new shadow. Quantitatively, new shadows are to be measured by the additional annual amount of shadow-square foot-hours as a percent of TAAS.

Where an ACL has not been adopted for a park, the Planning Commission's decision on whether a structure has a significant impact on property under the jurisdiction of the Recreation and Park Department is based on a review of qualitative and quantitative factors. Where an ACL has been adopted for a park, the Planning Commission must, upon recommendation of the General Manager of the Recreation and Park Department and in consultation with the Recreation and Park Commission, adopt a resolution raising the ACL for additional shadow on the park. A determination to raise an ACL for a park is also based on qualitative factors and whether the additional shadow cast would have an adverse impact on the park.

PROPOSED PROJECT

Site Description and Present Use

The Project site is located at 345 6th Street in San Francisco, California (Assessor's Block 3753, Lot 081), at the corner of 6th Street and Shipley Street. The Project site has 125 linear feet of frontage along Shipley Street and 75 linear feet of frontage along 6th Street. A one story 2,973 square foot building covers half of the lot with the remaining half used as a parking lot until 2012.

Surrounding Properties and Neighborhood

The Project site is located in the South of Market ("SOMA") neighborhood. It is adjacent to a single-story office building (363 6th Street) to the southeast. To the southwest, across 6th Street is a row of multi-story mixed-use structures with heights ranging from 13 to 52 feet. To the northwest, across Shipley Street, is a three-story mixed-use building and a parking lot containing a single-story car wash at the corner of Shipley Street and 6th Street. To the southwest, the rear property line abuts a row of two story residential buildings fronting on Shipley Street. An area map showing the project is included below as **Figure 1**.



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Figure 1. Area Map

Project Description

The Project proposes to demolish the existing building on site and construct an eight-story, 104 unit Single Room Occupancy (SRO) building with 1,707 square feet of ground floor retail uses, and 104 bicycle spaces. The building would extend along 6th Street and Shipley Street with a lower height along the Shipley Street frontage. Images of the proposed building are included in **Figures 2 and 3**.



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Figure 2. View from Shipley Street



Figure 3. View from 6th Street



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The proposed building would be approximately 85-feet tall with the top of the penthouse elevator enclosures in the middle of the structure approximately 16 feet higher. Because the structure is greater than 40 feet in height, a shadow analysis under Proposition K is required. The shadow analysis was modeled based on the building, parapet, and penthouse enclosure dimensions identified on the elevations and roof plan supplied by the client SIA Consulting Corporation. (See **Exhibit A**).

POTENTIALLY AFFECTED PROPERTIES

The proposed Project would potentially cast a shadow on two properties under the jurisdiction of the Recreation and Park Department. A discussion of each property is included below.

Victoria Manalo Draves Park

Victoria Manalo Draves Park is a 2.52 acre accessible park located three blocks from the proposed project site (Assessor's Block 3754, Lot 016). It covers an entire block and is bounded by Columbia Square to the northeast, Folsom Street to the northwest, Sherman Street to the southwest and Harrison Street on the southeast.

Victoria Manalo Draves Park contains landscaped areas, walkways and areas for active and passive uses, including a basketball court, community garden, two children's play areas, and picnic areas. A 5 to 10-foot-tall fence and guardrails encircle the park and is locked at night. Access to the park is through three points: one at the corner of Folsom Street and Columbia Square, another on Sherman Street, and the third one on Columbia Square. An Image of Victoria Manalo Draves Park is included in **Figure 4** below.



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Figure 4. Victoria Manalo Draves Park

Hours of operation for the park are from sunrise to midnight, every day of the year.²

Gene Friend Recreation Center

Gene Friend Recreation Center is a 1.02³ acre park (44,618 square feet) located at 270 6th Street (Assessor's Block 3731, Lots 010, 011, 012 and 111), two blocks from the proposed project site. It is bounded by a two-story, 26-foot-high private property on the northwest, Harriet Street on the west, Folsom Street on the south, and 6th Street on the east.

Gene Friend Recreation Center provides a mix of outdoor and indoor recreation space. It includes a basketball court and playground to the west along Harriet Street, a lawn area along Folsom, and a 24- to 34-foot-high structure (with a 16,835 square-foot footprint (the "Rec Center Building") to the east along 6th Street. The Rec Center Building includes a full indoor gymnasium, activity room, weight room and auditorium and occupies approximately $\frac{3}{4}$ of the 6th Street frontage.

² www.sfrecpark.org/destination/victoria-manalo-draves-park

³ www.sfrecpark.org/destination/gene-friend-rec-center-soma/



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A 9-foot-tall fence and guardrails encircles Gene Friend Recreation Center and is locked at night. Access to the park is provided via three gates: one at the corner of Folsom and 6th Streets, another on Harriett Street, and the third on 6th Street. An Image of Gene Friend Recreation Center is included in **Figure 5** below.

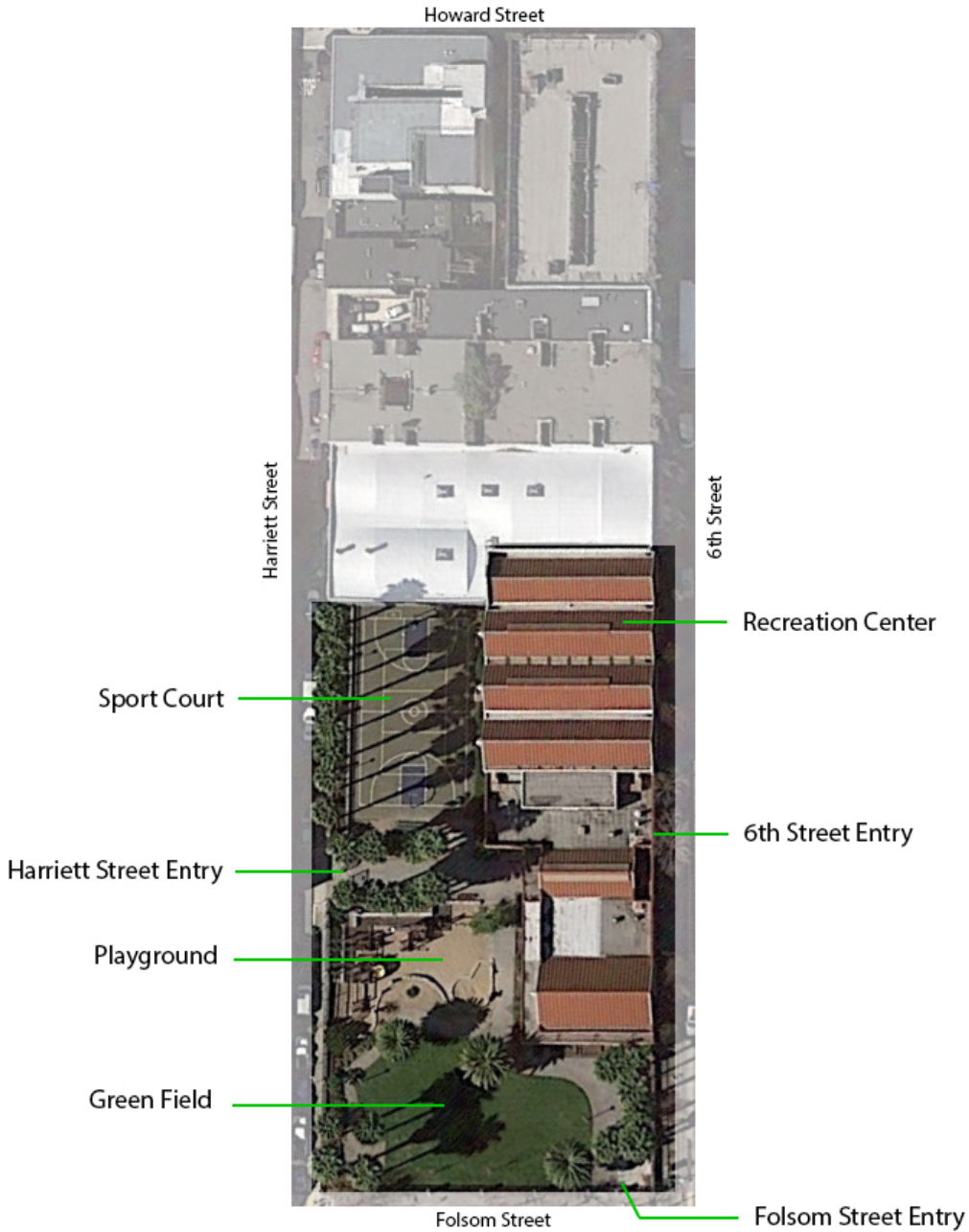


Figure 5. Gene Friend Recreation Center



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Gene Friend Recreation Center is open from 9 AM to 9 PM Tuesday through Friday.⁴ It is open from 9 AM to 5 PM on Saturdays and is closed on Sundays and Mondays. **When closed, the park gates are locked, and access is not allowed.**

SHADOW METHODOLOGY AND RESULTS

A shadow analysis was prepared to quantify the amount of new shadow that would be cast by the proposed Project on the Recreation Center and Park. The analysis was based on a “solar year” to provide a sample of representative sun angles throughout the entire calendar year. The solar year is from June 21st through December 20th. The sun angles from December 21st through June 20th mirror the solar year sun angles.⁵ **Since the angles are mirrored, an analysis of the remaining time period is not conducted and, instead, a multiplier is used to put the sample results into calendar year units. Using a multiplier does not change the percentages.**

Shadow impacts are calculated based on “square-foot hours” of shadow recorded. To ensure a complete and accurate description of the proposed projects’ potential shadow impacts, this analysis identifies the days when shadow cast by the proposed projects: (1) would be at its largest size by area (in square feet at a single point in time), and (2) would result in the overall greatest shadow impacts in terms of size and duration (i.e., the maximum net new shadow as measured in square-foot hours).

Victoria Manalo Draves Park

Victoria Manalo Draves Park has 409,342,835.8-square-foot hours (“sfh”) of TAAS, which is the amount of theoretically available sunlight on the park, annually, if there were no shadows from structures, trees, or other facilities. Shadows currently exist on Victoria Manalo Draves Park, predominately in the morning and evening hours. The existing shadow load for Victoria Manalo Draves Park is 22,167,617.2 sfh annually.⁶ This is approximately 5.42 percent of the total TAAS for Victoria Manalo Draves Park.

The proposed Project would not cast new shadow on Victoria Manalo Draves Park. The location of the proposed Project’s new shadow falls on areas of the park that are already shaded by the adjacent or nearby structures. As a result, the **proposed Project would add no new square foot hours of shadow on the park.** An excel spreadsheet summarizing the findings of the shadow analysis and a details showing the shadow of the proposed Project is attached to this report as **Exhibit B**. A complete copy of the findings is included under separate cover.⁷ A graphical depiction of the shadow that is cast and would be cast by the proposed Project on an hourly basis from sunrise +1 hour till sunset -1 for four days, the Summer Solstice (June 21st), the Winter Solstice (December 21st) and the Spring/Fall Equinox (March 21/September 21) is provided under separate cover due to its size.

⁴ <http://sfrecpark.org/destination/gene-friend-rec-center-soma/>

⁵ The “solar year” dates and the mirror dates are both provided. Mirror dates are shown in *italics*.

⁶ The existing shadow load for Victoria Manalo Draves Park has been calculated by CADP for purposes of this analysis only, and should not be considered a “baseline” of shadow on the park. The Planning Department is currently conducting baseline shadow analyses for all parks under the control of the Recreation and Park Department.

⁷ A copy of the data findings is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.[F]E.



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Because the proposed Project does not cast any shadow on Victoria Manalo Draves Park, no further discussion or analysis is required.

Gene Friend Recreation Center

Gene Friend Recreation Center has 166,041,425.20 sfh of TAAS. Shadows currently exist on Gene Friend Recreation Center in the morning and evening hours. The existing shadow load, not including the Rec Center Building, is 38,089,089.18 sfh annually. This is approximately 22.94 percent of the total TAAS for Gene Friend Recreation Center.⁸ The footprint of the Rec Center Building creates an additional existing shadow load of 62,649,769 sfh annually. This is approximately 37.73 percent of the total TAAS for Gene Friend Recreation Center. The total existing shadow load including the footprint of the Gene Friend Recreation Center is 79,074,104.19 sf annually. This is approximately 47.62 percent of the total TAAS for Gene Friend Recreation Center.

The proposed project would add **65,909.41 sfh** of shadow on Gene Friend Recreation Center. This is a **0.03969 percent increase** in shadow as a percentage of TAAS.

Small amounts of new shadow would be cast by the proposed project during the fall, winter and spring from Sunrise +1 hour (7:30 AM to 8:16 AM) **with all shadows gone no later than 8:45 AM**. The shadows occur from January 18th through April 5th, then again from September 6th to November 22nd for a total of approximately 168 days throughout the year. Shadows would occur from early September through late November and again in early April through Mid-January. No new shadow occur from mid-April through August or during the month of December.

The longest duration of new shadow would be approximately 27 minutes and the average shadow would be cast for just over 15 minutes. **All new shadow cast occurs before the park opens** and is mostly projected on walkways, a small portion of the green field adjacent to the corner of Folsom Street and Harriet Street. An excel spreadsheet summarizing the findings of the shadow analysis is included in **Exhibit C**. Shadow diagrams showing the location of the potential new shadow is included in **Exhibit D**.

The maximum net new shadow in terms of sfh would occur on October 11th / March 1st. On these days, the proposed project would cast new shadow on Gene Friend Recreation Center for approximately 22 minutes from Sunrise +1hr (8:16 AM) to approximately 8:38 AM. The new shadow load on those days would be approximately 1,172.43 sfh and would be localized to the southern quarter of the park, along walkways, a portion of the green field south of the Rec Center Building and the south eastern corner of the playground in the sand box area.

The largest single new shadow by area would occur on October 4th / March 8th at Sunrise +1hr (8:09 AM). At its maximum, the new shadow area would be 6,202 square feet. A figure showing the maximum net new shadow day and largest shadow by area day is included below in **Figure 6**.

⁸ The existing shadow load for Gene Friend Recreation Center has been calculated by CADP for purposes of this analysis only, and should not be considered a "baseline" of shadow on the park. The Planning Department is currently conducting baseline shadow analyses for all parks under the control of the Recreation and Park Department.



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Figure 6 Largest Single Shadow By Area: October 4th / March 8th 8:09am

* * * * *

Because the proposed project would cast new shadow on Gene Friend Recreation Center, under *Planning Code Section 295*, the Planning Commission can only approve the proposed project if it finds that its net new shadow is not significant and it raises the ACL limit on Gene Friend Recreation Center.

The 1989 Memorandum sets forth quantitative and qualitative criteria to assist the Planning Commission in reaching its determination as to whether the net new shadow is significant. The quantitative and qualitative criteria are described below.

* * * * *



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SHADOW EVALUATION

Gene Friend Recreation Center

Quantitative Criteria

Proposed Annual Available Sunlight

The existing shadow load for the Gene Friend Recreation Center, including the footprint of the Rec Center building, is approximately 47.62 percent of the total TAAS.⁹ The proposed project would increase the total percentage of TAAS by .03969% to 47.66 percent. **Table 1** is a summary of those findings. A complete copy of the findings is included under a separate cover.¹⁰

Table 1	
SUMMARY OF RESULTS (Gene Friend Recreation Center)	
Annualized net new shadow	65,909.41 sfh
Theoretical Annual Available Sunlight	166,041,425.20 sfh
TOTAL New Shadow as a Percentage of TAAS	0.03969%
Annualized Existing Shadows on Park	79,074,104.19
Percentage of Existing Shadow as a Percentage of TAAS	47.62312%
TOTAL New + Existing Shadow as a Percentage of TAAS	47.66281%

Recommended Permitted Additional Shadow

Under the 1989 Memorandum, new shadow is not recommended to be permitted on small parks (i.e., those less than two acres) if the park is already shadowed 20% of the time. The 1989 Memo also adopted an ACL limit of 0 percent for Gene Friend Recreation Center.

Gene Friend Recreation Center has an ACL standard of zero (0) percent. Additional shadow load is not recommended unless qualitative criteria can be met, and the ACL standard is increased by 0.03969 percent.

Qualitative Criteria

Time of Day (morning, mid-day, afternoon) – Important Times of Day

Gene Friend Recreation Center is an enclosed park that is locked when not in operation. Site visits were conducted to evaluate the use of the open areas of the park. In the morning, the number of individuals

⁹ This analysis includes a quantitative analysis of the open areas of Gene Friend Recreation Center and the Rec Center Building is located. If the area of the rec center building is excluded, the existing shadow is approximately 23% of TAAS.

¹⁰ A copy of the data findings is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1773K



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Mill Valley, CA 94941

using the open areas varied from 6 to 17 people with most visitors using the lawn area and surrounding benches to rest or sleep. As the day progresses, the playground and basketball court become more active with children and youth utilizing the open areas in the afternoon. The peak use of Gene Friend Recreation Center's open areas is in the afternoon.

The proposed project casts new shadow on Gene Friend Recreation Center in the morning before the park is open. All shadow would be gone by 9:00 AM when the park opens. The new shadow cast is not during an important time of day for the park and would not adversely affect the usage pattern of Gene Friend Recreation Center.

Time of Year (Spring, Summer, Fall, Winter) – Important Times of Year

Gene Friend Recreation Center is active throughout the year with a combination of outdoor and indoor recreational space. San Francisco has a temperate climate that allows outdoor recreational spaces to be used year round. Based on San Francisco's historic weather patterns, the important times of year for Gene Friend Recreation Center, when individuals are more likely to use the open areas, are spring and fall which historically have the most sunshine and lowest levels of rain and/or fog.

The proposed project would cast new shadow on Gene Friend Recreation Center for a few minutes, on 24 weeks in the fall and late winter. As a percentage, new shadow would be cast on approximately 46 percent of the year (i.e., 24 out of 52 weeks) and, assuming, only days when the park is open (Tuesday-Saturday), new shadow would only be cast on approximately 33 percent of the days of the year (i.e., 120 out of 365 days).¹¹

Size of Shadow

The proposed project would cast a 6,201.90 square-foot shadow at its largest. This shadow occurs at 8:09AM on October 4th / March 8th. At its largest the new shadow would be cast on approximately 14% of the total area of the Gene Friend Recreation Center.

Duration of Shadow

New shadow cast by the proposed project would have an average duration of approximately 15 minutes. At its shortest, new shadow would be cast for 4 minutes and 48 seconds, and at its longest, new shadow would be cast for 27 minutes and 36 seconds on October 4/ March 8.

Location of Shadow

The proposed project would cast a majority of new shadow passive recreational areas such as the walkways and a portion of the green field south of the Rec Center Building. New shadow cast on the green field is also in the corner, adjacent to existing trees and a 3-foot tall wall that encloses the park. Both the trees and 3-foot wall cast existing shadows on these portions of the park, although those shadows were

¹¹ This figure is high as new shadow would fall on days when the park is closed reducing the total percentage of days when new shadow occurs.



34 Corte Madera Avenue
Mill Valley, CA 94941

not considered in the shadow calculations as per Planning Department policy. Some shadow is also cast on the south eastern corner of the playground in the sand box area.

PROPOSED PROJECT-RELATED PUBLIC GOOD

To fully evaluate the potential impacts associated with the proposed project, decision makers must weigh the amount and duration of shadow cast by the proposed project against the public good or public benefits associated with the proposed project. Factors to consider are: (1) the public interest in terms of a needed use, (2) building design and urban form, (3) impact fees, and (4) other public benefits.

In terms of the public good, the proposed mixed-use multi-family housing development at 345 6th Street will add 103 new residential units to the city's housing stock and 1,700 sf of ground floor commercial space to the neighborhood. The project also includes 13 on-site below market rate (BMR) units for lower-income residents to live on-site within the community. In addition, project sponsors are in talks with various labor groups for the construction of the proposed project, and have already selected a company with Local 22 to do all the foundation and framing, which makes up a substantial portion of construction amounting to 65% of the total labor. Project sponsors will also be participating in the Local Hire program to give additional good paying jobs to local residents.

The proposed project will add up to 104 new residential dwelling units. By adding to the City's housing stock, the proposed project conforms to the Eastern Neighborhoods Plan and supports the City's planning goals for more residential development in the area and the City.

* * * * *

Please direct questions regarding this report directly to Adam Noble.

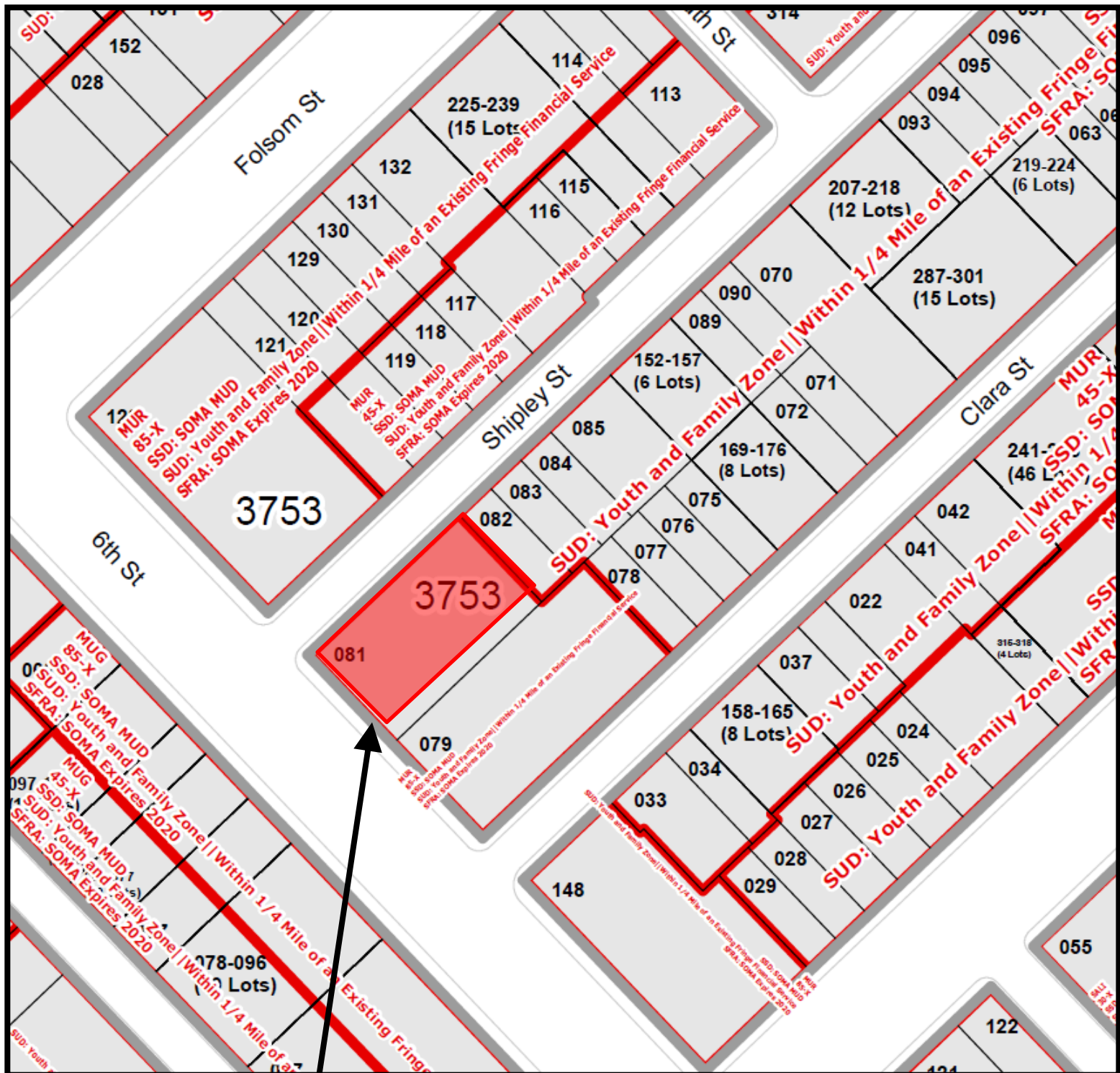
Regards,

Adam Noble
President

Exhibits

- A. Elevations and roof plan supplied by the client SIA Consulting Corporation
- B. VMD shadow tables
- C. Gene Friend shadow tables
- D. Shadow diagrams

Parcel Map

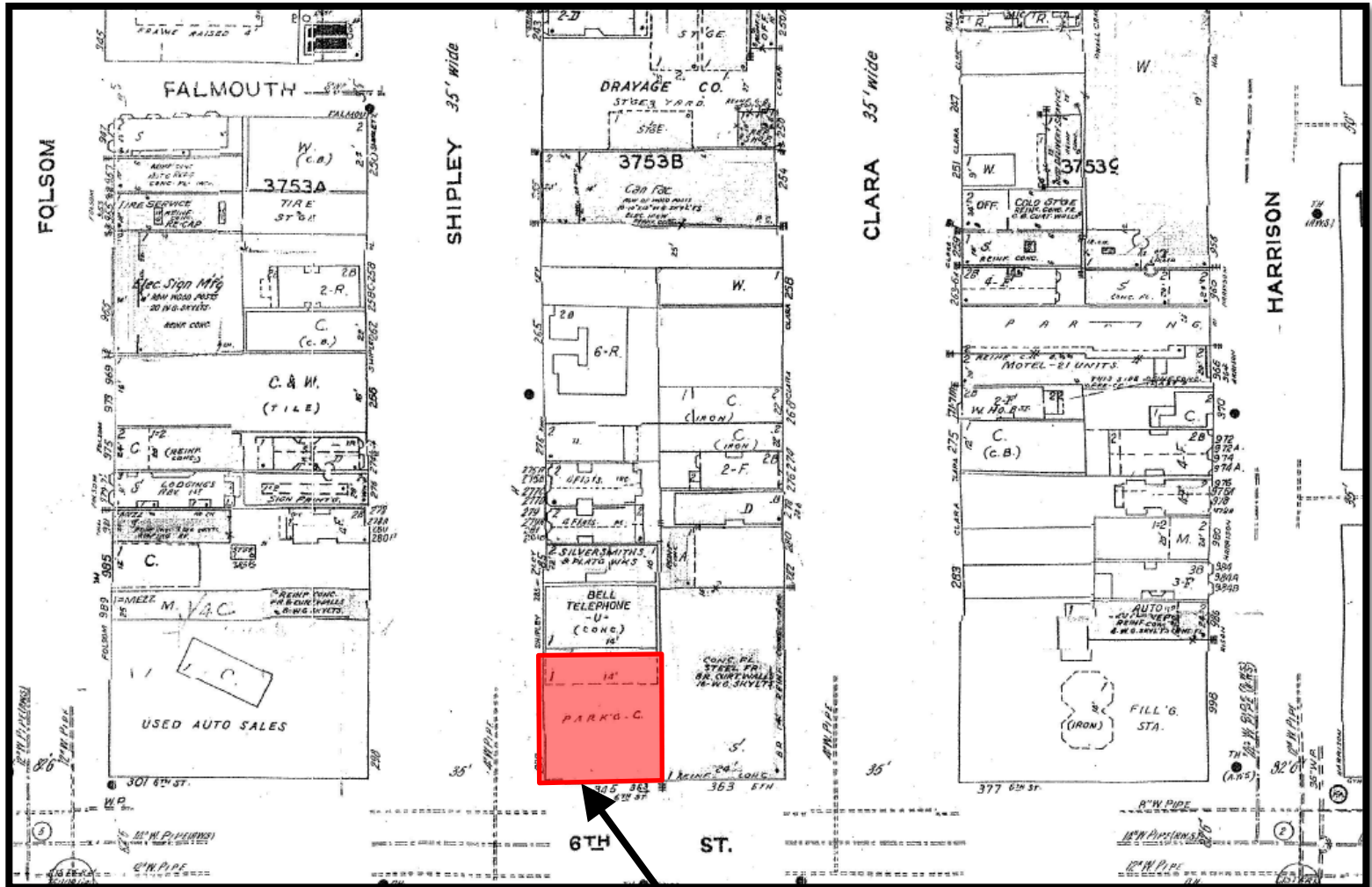


SUBJECT PROPERTY



Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
345 6th Street

Sanborn Map*



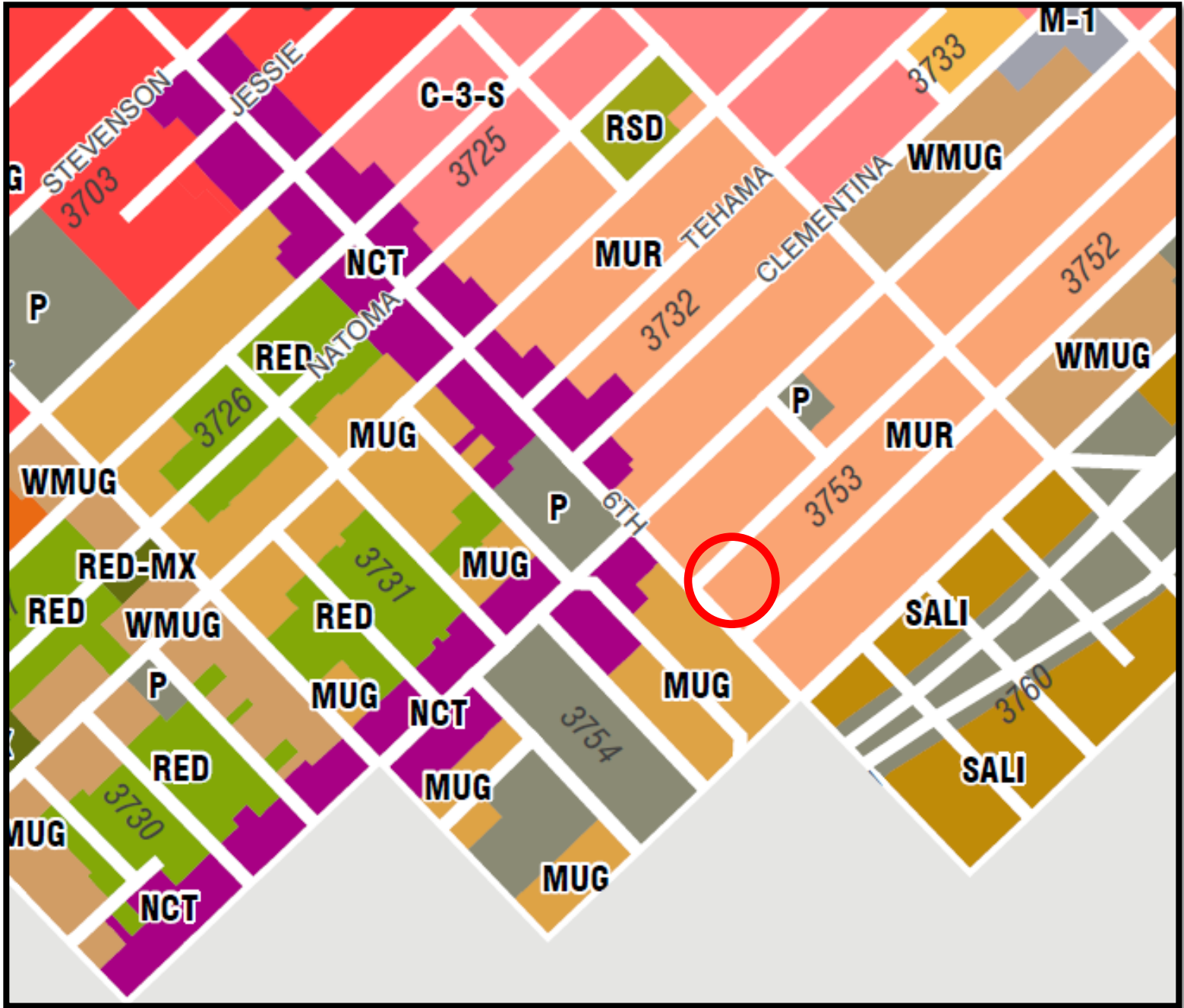
SUBJECT PROPERTY

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



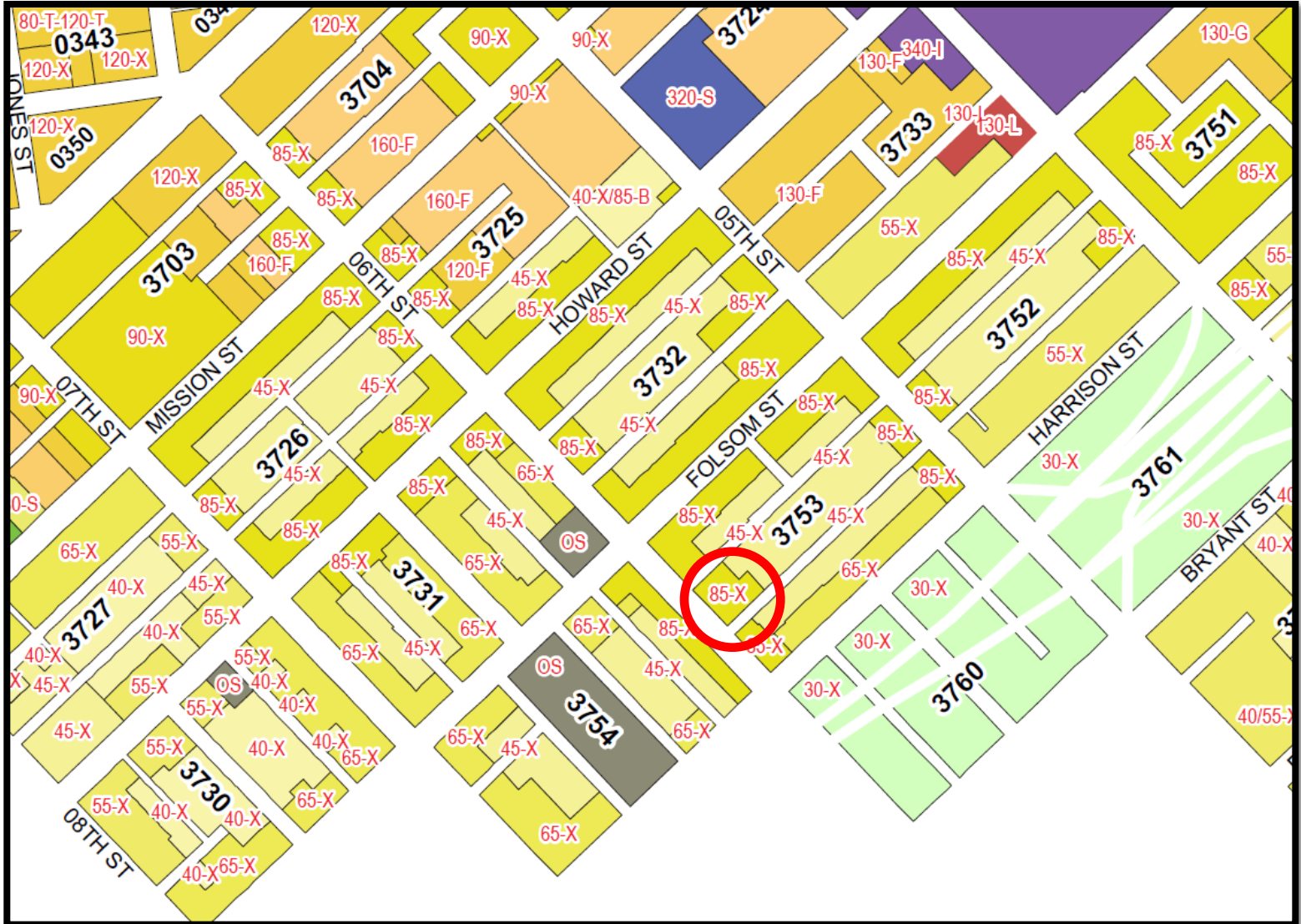
Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
345 6th Street

Zoning Map



Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
345 6th Street

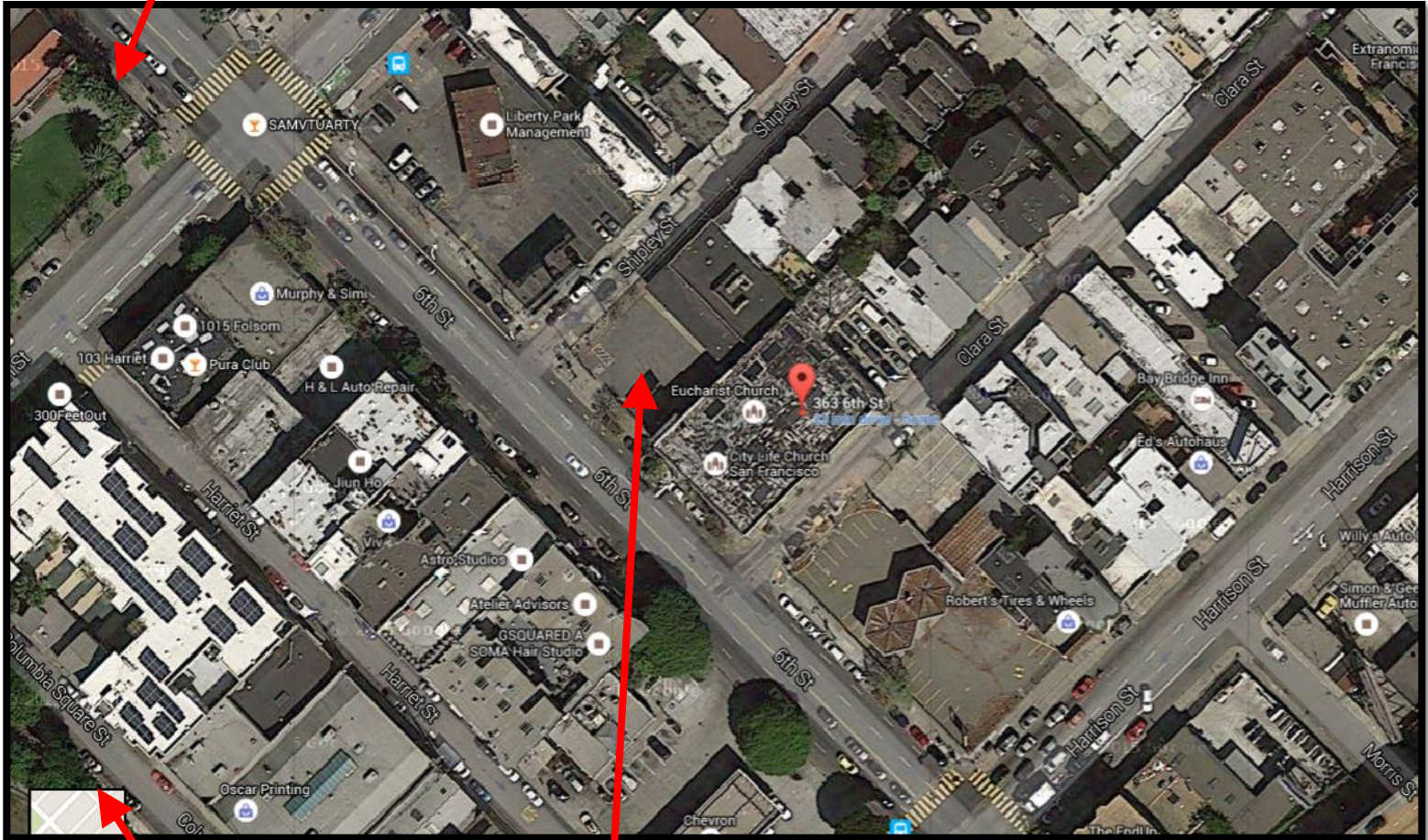
Height & Bulk Map



Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
345 6th Street

Aerial Photo

GENE FRIEND



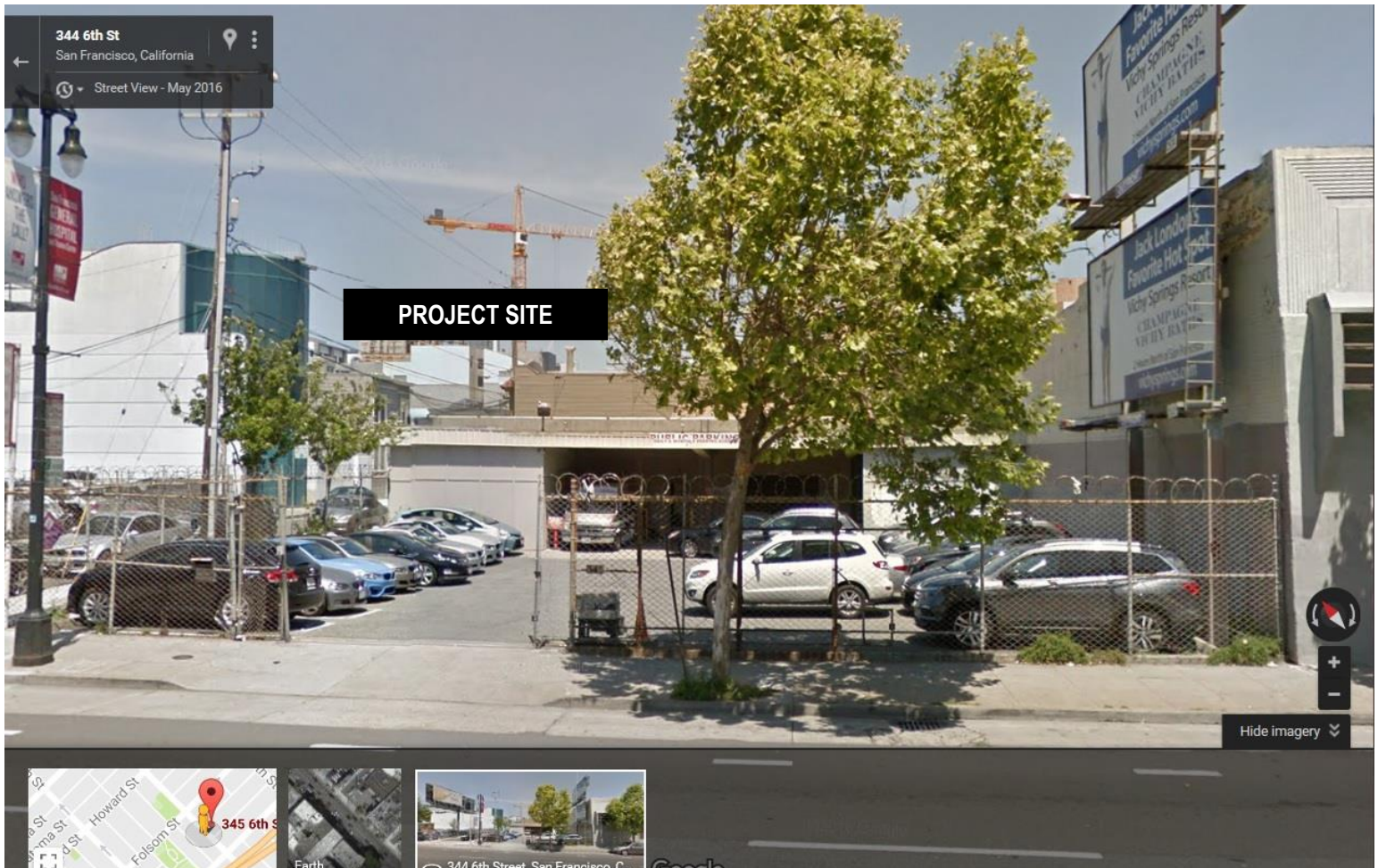
VICTORIA MANOLO

PROJECT SITE



Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
345 6th Street

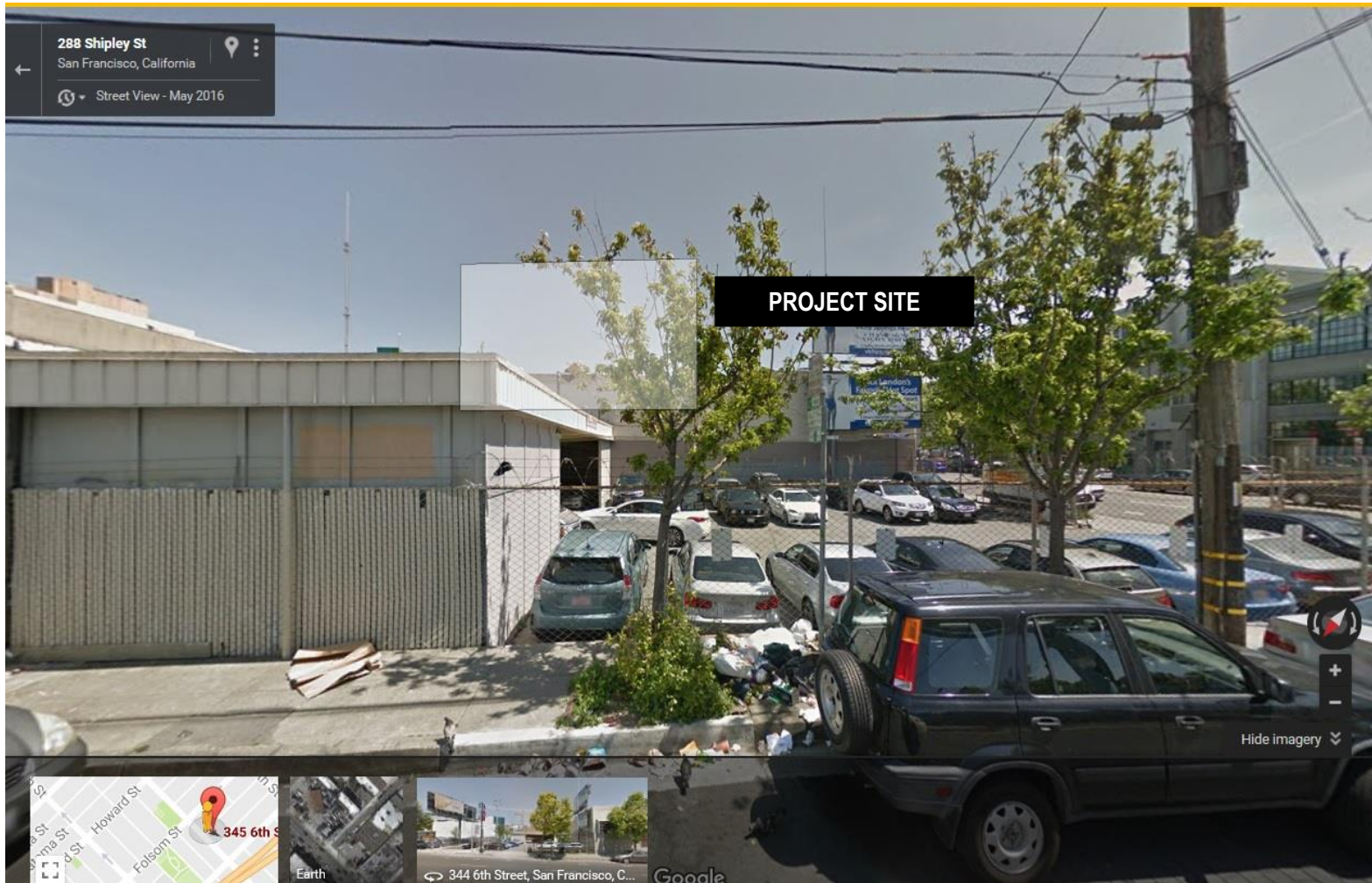
Site Photo



345 6th Street, View from 6th Street

Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
345 6th Street

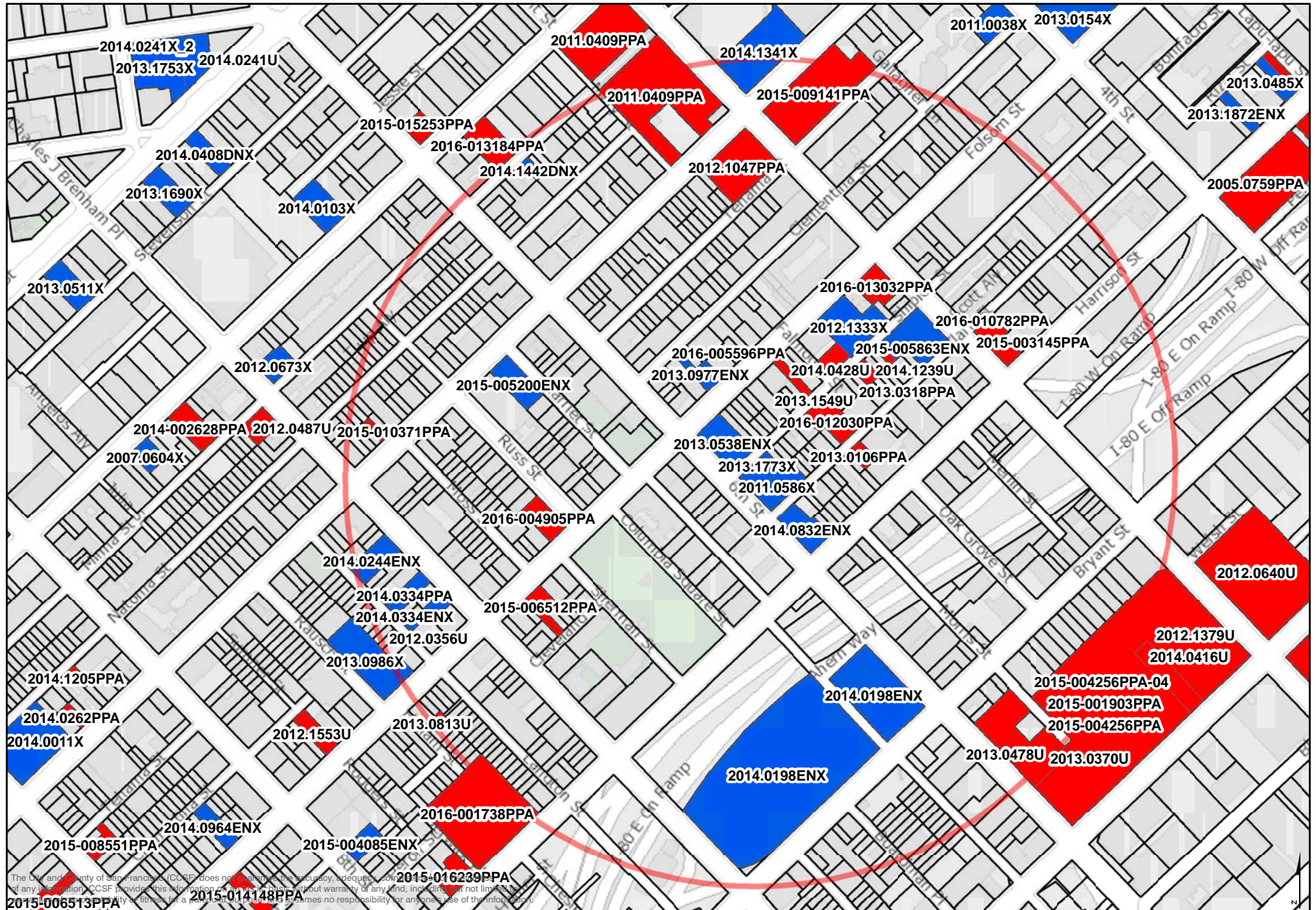
Site Photo



345 6th Street, View from Shipley Street

Large Project Authorization & Shadow
Case Number 2013.1773ENX/K
363 6th Street

Major Projects within .25 Mile Radius of 345 6th Street



The City and County of San Francisco (CCSF) does not warrant the accuracy, adequacy, or completeness of any information CCSF provides, this information is provided "as is" without warranty of any kind, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. CCSF becomes no responsible for anyone's use of the information.

Major Projects within .25 Miles of 345 6th Street

Case Number	Address	Number of Dwelling Units	EE Filed
2015-005863ENX	5th St / Clara St / Shipley St	128	Under Review
2014.0244ENX	230 07TH ST	44	Yes
2014.0198ENX	850 BRYANT ST	0	Yes
2013.1773X	345 6TH ST	102	Yes
2011.0586X	363 6TH ST	104	Complete
2014.1341X	888 HOWARD ST	0	Complete
2013.0538ENX	999 Folsom Street / 301 6TH ST	84	Yes
2014.0334ENX	262 - 7TH ST	87	Yes
2014.0832ENX	377 06TH ST aka 988 Harrison	116	Closed
2016-004946ENX	280 07TH ST	23	Yes
2013.0977ENX	980 FOLSOM ST	34	Yes
2013.0986X	1140 FOLSOM STREET	112	Closed
2012.1333X	923 - 931 FOLSOM STREET	114	Complete
2014.1442DNX	475 MINNA ST	15	Complete
Case Number	Address	Number of Dwelling Units	EE Filed
2016-010782PPA	399 5th Street	0	Yes
2016-013184PPA	973 MISSION ST	0	No
2014.0428U	5 SHIPLEY ST/ 935 FOLSOM	13	Complete
2013.0318PPA	233-237 SHIPLEY ST	21	Complete
2013.1549U	265 Shipley Street	9	yes
2016-005596PPA	953-955 FOLSOM ST	18	yes
2015-006512PPA	1075 & 1089 Folsom Street AND 40 Cleveland Street	48	Yes
2016-004905PPA	1052-1060 Folsom St and 190-194 Russ St	46	Yes
2013.0813U	5 HALLAM ST	6	Complete
2011.0409PPA	925 MISSION ST (5M)	720	Complete
2015-004256PPA-04	610-698 Brannan Street, 548 5th Street, 149 Morris Street	0	Yes
2014.1469PPA	280-282 7th Street	29	Yes
2015-003145PPA	399 5th Street (or 365-399 5th Street)	0	Yes
2012.0356U	280 07TH ST	2	Yes
2016-013032PPA	300 05TH ST	0	No
2016-001738PPA	1144-1150 Harrison Street	381	Yes
2014.1239U	225 SHIPLEY ST	9	Yes
2015-009141PPA	875 HOWARD ST	0	Complete
2015-001903PPA	630-698 Brannan Street - Flower Mart	0	No
2014.0334PPA	262 - 7TH ST	87	Yes
2013.0478U	559 06TH ST	125	No
2013.0370U	575 06TH ST	0	Yes
2016-012030PPA	255 SHIPLEY ST	24	Yes
2015-004256PPA	630-698 Brannan Street, 548 5th Street, 149 Morris Street	0	Yes
2015-010371PPA	1082 HOWARD ST	8	Complete
2016-009538PPA	300 05TH ST	9	No
2012.1047PPA	909-921 HOWARD STREET & 206 5TH STREET	172	Under Review



COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



**San Francisco
Planning**

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

Date: August 16, 2016
To: Applicants subject to Planning Code Section 415 and 419: *Inclusionary Affordable Housing Program*
From: San Francisco Planning Department
Re: **Compliance with the Inclusionary Affordable Housing Program**

All projects that include 10 or more dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Planning Code Sections 415 and 419. Every project subject to the requirements of Planning Code Section 415 or 419 is required to pay the Affordable Housing Fee. A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new residential units rather than offer them as rental units. Projects may be eligible to provide rental affordable units if it demonstrates the affordable units are not subject to the Costa Hawkins Rental Housing Act. All projects that can demonstrate that they are eligible for an Alternative to the Affordable Housing Fee must provide necessary documentation to the Planning Department and Mayor's Office of Housing.

Before the Planning Department and/or Planning Commission can act on the project, this Affidavit for Compliance with the Inclusionary Affordable Housing Program must be completed. Please note that this affidavit is required to be included in Planning Commission packets and therefore, must comply with packet submittal guidelines.

The Affidavit is divided into two sections. This first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

On June 7, 2016, Proposition C was passed by San Francisco voters to modify Affordable Housing Requirements and trailing legislation was passed by the Board of Supervisors (Ord No. 76-16 and File No. 160255) to implement the increased requirements. Please be aware that the inclusionary requirements may differ for projects depending on when a complete Environmental Evaluation Application (EEA) was submitted with the Department. Please also note that there are different requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached tables to determine the applicable requirement.

For new projects with complete EEA's accepted after January 12, 2016, the Inclusionary Affordable Housing Program includes provisions to allow for mixed income levels. Generally speaking, if the required number of units constructed on-site is 25%, a minimum of 15% of the units must be affordable to low-income households and 10% of the units affordable to low- or moderate/middle-income households. The Average Median Income (AMI) for low income is 55% for rental and 80% for ownership. The AMI for moderate/middle income units is 100% for rental and 120% for ownership.

Summary of requirements. Please determine what percentage is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) was submitted. Chart A applies throughout San Francisco whereas Chart B addresses UMU (Urban Mixed Use District) Zoning Districts.

The Project contains: 103 UNITS	The zoning of the property is: MVP	Complete EEA was submitted on: 3/18/2014
---	--	--

CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16	After 1/12/16
Fee or Off-site					
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects at or below 120'	20.0%	25.0%	27.5%	30.0%	33.0%
25+ unit projects over 120' in height *	20.0%	33.0%	33.0%	33.0%	33.0%
On-site					
10-24 unit projects	12.0%	12.0%	12.0%	12.0%	12.0%
25+ unit projects	12.0%	13.0%	13.5%	14.5%	25.0%

* except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet.

CHART B: Inclusionary Requirements for UMU Districts. Please note that the Middle Income Incentive Alternative regulated in Planning Code Section 419 was not changed by Code amendment (Ord. No. 76-16). Also, certain projects in the SOMA Youth and Family SUD rely upon UMU requirements as stipulated by the Planning Code.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16	After 1/12/16
On-site UMU					
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%
Tier A 25+ unit projects	14.4%	15.4%	15.9%	16.4%	25.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	16.0%	17.0%	17.5%	18.0%	25.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	17.6%	18.6%	19.1%	19.6%	25.0%
Fee or Off-site UMU					
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	23.0%	28.0%	30.5%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	25.0%	30.0%	32.5%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	27.0%	32.0%	33.0%	33.0%	33.0%
Land Dedication in UMU or Mission NCT					
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier A 25+ unit > 30K	30.0%	35.0%	37.5%	40.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	45.0%	47.5%	50.0%	40.0%
Tier B 25+ unit > 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	50.0%	52.5%	55.0%	45.0%
Tier C 25+ unit > 30K	40.0%	45.0%	47.5%	50.0%	40.0%

AFFIDAVIT**COMPLIANCE WITH THE
INCLUSIONARY AFFORDABLE
HOUSING PROGRAM****PLANNING CODE SECTION 415 & 419****San Francisco
Planning**SAN FRANCISCO PLANNING DEPARTMENT
1630 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORGDate 9/23/2016I, Siarast Tahbazf
do hereby declare as follows:

- A** The subject property is located at (address and block/lot):

345 6th Street
Address3753/081
Block / Lot

- B** The proposed project at the above address is subject to the *Inclusionary Affordable Housing Program*, Planning Code Section 415 and 419 et seq.

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

2013 1773
Planning Case Number2016 02179763
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:

Daniel Jirois
Planner Name

Is this project an UMU project within the Eastern Neighborhoods Plan Area?

- ☒ Yes Tier 3 ☒ No
(If yes, please indicate Affordable Housing Tier)

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

- ☐ This project is 100% affordable.
- ☐ This project is 100% student housing.

- C** This project will comply with the *Inclusionary Affordable Housing Program* by:

- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5).
- ☒ On-site Affordable Housing Alternative (Planning Code Sections 415.6).
- ☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7):
- ☐ Small Sites Affordable Housing Alternative
- ☐ Land Dedication

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.

☐ **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.¹ 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 through 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.

¹ California Civil Code Section 1954.50 and following.

F Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:
14	13.5%	55%

No. of Affordable Units:	% Affordable Units:	AMI Level:

G 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.

H I am a duly authorized agent 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
Location

9/20/16
Date

Sign Here

Signature

Peter Khoshnevisan
Name (Print), Title

415-922-0200 x 108
Contact Phone Number

cc: Mayor's Office of Housing and
Community Development
Planning Department Case Docket

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
103	103				

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below. If using more than one AMI to satisfy the requirement, please submit a separate sheet for each AMI level.

☒ On-site Affordable Housing Alternative (Planning Code Section 415.6): calculated at 13.5 % of the unit total.

Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
14	14				

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

Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) 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. for Off-Site Project (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 will 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 UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

3. Off-Site % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) 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. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

SST Investments, LLC
Company Name

Reza Khashnavian
Name (Print) of Contact Person

1256 Howard Street
Address

415.422-0200 x 108
Phone / Fax

MF CA 94103
City, State, Zip

reza@riaconsult.com
Email

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.

Sign Here

Signature:



Reza Khashnavian, Agent

Name (Print), Title:

Contact Information and Declaration of Sponsor of OFF-SITE PROJECT (If Different)

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

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.

Sign Here

Signature:

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 345 6 th street		BLOCK/LOT(S) 3753/081	
BUILDING PERMIT APPLICATION NO. 2016 02179763	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
PROJECT SPONSOR JIT Investments, LLC	MAIN CONTACT Sufi Hariri	PHONE 415-625-7132	
ADDRESS 1256 Howard Street			
CITY, STATE, ZIP SF CA 94103		EMAIL sufi@tahbari-law.com	
ESTIMATED RESIDENTIAL UNITS 103	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS 9' / 05'	ESTIMATED CONSTRUCTION COST 7 MM
ANTICIPATED START DATE Jan 2017			

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 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">If you checked C, 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.If you checked A or 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.For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.orgIf 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.	

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.

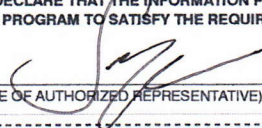
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

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				Laborer	50 ± 20	0	6
Boilermaker				Operating Engineer			
Bricklayer				Painter	50 ± 20	0	3
Carpenter	50 ± 20	2	8	Pile Driver			
Cement Mason				Plasterer			
Drywall/Latherer	50 ± 20	0	5	Plumber and Pipefitter	50 ± 20	1	5
Electrician	50 ± 20	0	4	Roofer/Water proofer			
Elevator Constructor				Sheet Metal Worker			
Floor Coverer				Sprinkler Fitter			
Glazier				Taper			
Heat & Frost Insulator				Tile Layer/Finisher			
Ironworker				Other:			
TOTAL:			17	TOTAL:			14

1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? ☒ YES ☐ NO
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? ☒ YES ☐ NO
3. Will hiring and retention goals for apprentices be established? ☒ YES ☐ NO
4. What is the estimated number of local residents to be hired? 160

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Sufi Hariri, Attorney	sufi@tahbazoff.com	415-625-7132
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)	
		
<p>FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG</p> <p>Cc: Office of Economic and Workforce Development, CityBuild Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org</p>		

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: SST Investments LLC	
PROPERTY OWNER'S ADDRESS: 1256 Howard Street San Francisco, CA 94103	TELEPHONE: (415) 922-0200 Ext 101 EMAIL:
APPLICANT'S NAME: <div>Same as Above <input checked="" type="checkbox"/></div>	
APPLICANT'S ADDRESS:	TELEPHONE: () EMAIL:
CONTACT FOR PROJECT INFORMATION: SIA Consulting Corp. Attn: Reza Khoshnevisan <div>Same as Above <input type="checkbox"/></div>	
ADDRESS: 1256 Howard Street San Francisco, CA 94103	TELEPHONE: (415) 922-0200 Ext 108 EMAIL: reza@siaconsult.com
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): <div>Same as Above <input checked="" type="checkbox"/></div>	
ADDRESS:	TELEPHONE: () EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT: 345 6th Street		ZIP CODE: 94107
CROSS STREETS: Shipley / Clara Street		
ASSESSORS BLOCK/LOT: 3753 / 081	ZONING DISTRICT: MUR	HEIGHT/BULK DISTRICT: 85-X
PROJECT TYPE: (Please check all that apply) <input checked="" type="checkbox"/> New Construction <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Alteration <input type="checkbox"/> Other: _____	EXISTING DWELLING UNITS: 0	PROPOSED DWELLING UNITS: 102
		NET INCREASE: 102

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? _____

- 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.

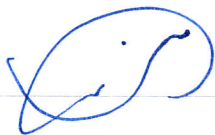
Human Rights Commission contact information
Mullane Ahern at (415)252-2514 or mullane.ahern@sfgov.org

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: _____



Date: 415-922-0200 Ext 108

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

Reza Khosnesiva, SIA Consulting Corp.

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: _____

Free Recording Requested Pursuant
to Government Code Section 27383

When recorded, mail to:
San Francisco Planning Department
1650 Mission Street, Room 400
San Francisco, California 94103
Attn: Director

Lot 081 in Assessor's Block 3753

**AGREEMENT TO PROVIDE ON-SITE AFFORDABLE HOUSING UNITS
BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND SST
INVESTMENTS, LLC, SB GLOBAL, LLC AND YOSEF TAHBAZOF RELATIVE
TO THE DEVELOPMENT KNOWN AS 345 6TH STREET**

THIS AGREEMENT TO PROVIDE ON-SITE AFFORDABLE HOUSING UNITS ("Agreement") dated for reference purposes only as of this ___ day of October 2016, is by and amongst the CITY AND COUNTY OF SAN FRANCISCO, a political subdivision of the State of California (the "City"), acting by and through its Planning Department, and SST INVESTMENTS, LLC, a Delaware limited liability company, SB GLOBAL, LLC, a Delaware limited liability company, and YOSEF TAHBAZOF, an individual man (collectively "Developer"), with respect to the project approved for 345 6th Street (the "Project"). City and Developer are also sometimes referred to individually as a "Party" and together as the "Parties."

RECITALS

This Agreement is made with reference to the following facts:

A. Code Authorization. Chapter 4.3 of the California Government Code directs public agencies to grant concessions and incentives to private developers for the production of housing for lower income households. The Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50 et seq., hereafter "Costa-Hawkins Act") imposes limitations on the establishment of the initial and all subsequent rental rates for a dwelling unit with a certificate of occupancy issued after February 1, 1995, with exceptions, including an exception for dwelling units constructed pursuant to a contract with a public entity in consideration for a direct financial contribution or any other form of assistance specified in Chapter 4.3 of the California Government Code (Section 1954.52(b)). Pursuant to Civil Code Section 1954.52(b), the City's Board of Supervisors has enacted as part of the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq, procedures and requirements for entering into an agreement with a private developer to memorialize the concessions and incentives granted to the developer and to provide an exception to the Costa-Hawkins Act for the inclusionary units included in the developer's project.

B. Property Subject to this Agreement. The property that is the subject of this Agreement consists of the real property in the City and County of San Francisco at Assessor's Block 3753, Lot 081, located on 6th Street between Harrison and Folsom Streets (hereinafter "Property"). The Property is more particularly described in Exhibit A attached hereto. The Property is owned in fee

by Developer.

C. Development Proposal; Intent of the Parties. The Developer proposes to demolish the existing commercial building and ~~construct~~ a nine-story building with 103 single room occupancy ("SRO") dwelling units, and approximately 58,608 gross square foot mixed-use building, , 3,090 gross square feet of ground floor retail, and 103 "Class 1" bicycle spaces (the "Project"). The dwelling units would be offered as rental units and the inclusionary affordable housing would be provided on-site. The Project would fulfill its inclusionary affordable housing requirement by providing 13.5% of the dwelling units, or 14 below-market rate (BMR) units, on-site, assuming that 103 residential units are constructed.

On October __, 2016, pursuant to Motion No.-----, the Planning Commission issued a Large Project Authorization for the Project under Section 329 (the "Large Project Authorization") to allow exceptions to certain Planning Code requirements including: rear yard (Planning Code Section 134) dwelling unit exposure (Planning Code Section 140) and permitted obstructions over streets (Planning Code Section 136). A Notice of Special Restrictions containing Conditions of Approval of the Large Project Authorization was recorded against the Property on October ----, 2016, Document Number -----.

The Large Project Authorization is referred to herein as the "Project Approval". The dwelling units that are the subject of this Agreement are the Project's on-site inclusionary units representing thirteen and a half percent (13.5%) of the Project's dwelling units, which assuming that 103 dwelling units are constructed, would total 14 inclusionary units (the "Inclusionary Units"). The dwelling units in the Project that are not Inclusionary Units, representing eighty-six and a half percent (86.5%) of the Project's dwelling units, which assuming that 103 units are constructed would total 89 units, are referred to herein as the "Market Rate Units."

This Agreement is not intended to impose restrictions on the Market Rate Units, any portions of the Project other than the Inclusionary Units, or any future development at the Property that is not a part of the Project. This Agreement relates solely to the Inclusionary Units and shall have no legal effect in the event that the Project is not constructed. The Parties acknowledge that this Agreement is entered into in consideration of the respective burdens and benefits of the Parties contained in this Agreement and in reliance on their agreements, representations and warranties.

D. Inclusionary Affordable Housing Program. The Inclusionary Affordable Housing Program, San Francisco Planning Code Section 415 et seq. (the "Affordable Housing Program") provides that developers of any housing project consisting of ten or more units must pay an Affordable Housing Fee, as defined therein. The Affordable Housing Program provides that developers may be eligible to meet the requirements of the program through the alternative means of entering into an agreement with the City and County of San Francisco pursuant to Chapter 4.3 of the California Government Code, for concessions and incentives, pursuant to which the developer covenants to provide affordable on-site units as an alternative to payment of the Affordable Housing Fee to satisfy the requirements of the Affordable Housing Program and in consideration of the City's concessions and incentives.

E. Developer's Election to Provide On-Site Units. Developer has elected to enter into this Agreement to provide the Inclusionary Units in lieu of payment of the Affordable Housing Fee in satisfaction of its obligation under the Affordable Housing Program and to

provide for an exception to the rent restrictions of the Costa-Hawkins Act for the Inclusionary Units only.

F. Compliance with All Legal Requirements. It is the intent of the Parties that all acts referred to in this Agreement shall be accomplished in such a way as to fully comply with the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA"), Chapter 4.3 of the California Government Code, the Costa-Hawkins Act, the San Francisco Planning Code, and all other applicable laws and regulations.

G. Project's Compliance with CEQA. Pursuant to section 15183 of the CEQA Guidelines, California Public Resources Section 21083.3, and Chapter 31 of the San Francisco Administrative Code, the Planning Department published a Certificate of Exemption ("CPE") from Environmental Review for the Project on October __, 2016. The Planning Commission subsequently reviewed and concurred with the information contained in the CPE at a noticed public hearing on October __, 2016. (Motion No. -----).

H. General Plan Findings. This Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable area or specific plan, and the Priority Policies enumerated in Planning Code Section 101.1, as set forth in Planning Commission Motion No. -----.

AGREEMENT

The Parties acknowledge the receipt and sufficiency of good and valuable consideration and agree as follows:

1. GENERAL PROVISIONS

1.1 Incorporation of Recitals and Exhibits. The preamble paragraph, Recitals, and Exhibits, and all defined terms contained therein, are hereby incorporated into this Agreement as if set forth in full.

2. CITY'S DENSITY BONUS AND CONCESSIONS AND INCENTIVES FOR THE INCLUSIONARY UNITS.

2.1 Exceptions, Concessions and Incentives. The Developer has received the following exceptions, concessions and incentives for the production of the Inclusionary Units on-site.

2.1.1 Project Approval and Density Bonus. The Project Approval included the Large Project Authorization allowing exceptions to certain Planning Code requirements including: rear yard (Planning Code Section 134) dwelling unit exposure (Planning Code Section 140) and permitted obstructions over streets (Planning Code Section 136). This Project Approval permitted development of the Project at a greater density than would otherwise have been permitted under the Planning Code.

2.1.2 Waiver of Affordable Housing Fee. City hereby determines that the Developer has satisfied the requirements of the Affordable Housing Program by covenanting to provide the Inclusionary Units on-site, as provided in Section 3.1, and accordingly hereby waives the obligation of the Developer to pay the Affordable Housing Fee. City would not be willing to enter into this Agreement and waive the Affordable Housing Fee without the understanding and agreement that Costa-Hawkins Act provisions set forth in California Civil Code section 1954.52(a) do not apply to the Inclusionary Units as a result of the exemption set forth in California Civil Code section 1954.52(b). Upon completion of the Project and identification of the Inclusionary Units, Developer agrees to record a notice of restriction against the Inclusionary Units in the form required by the Affordable Housing Program.

2.2 Costa-Hawkins Act Inapplicable to Inclusionary Units Only.

2.2.1 Inclusionary Units. The parties acknowledge that, under Section 1954.52(b) of the Costa-Hawkins Act, the Inclusionary Units are not subject to the Costa Hawkins Act. Through this Agreement, Developer hereby enters into an agreement with a public entity in consideration for forms of concessions and incentives specified in California Government Code Sections 65915 et seq. The concessions and incentives are comprised of, but not limited to, the concessions and incentives set forth in Section 2.1.

2.2.2 Market Rate Units. The Parties hereby agree and acknowledge that this Agreement does not alter in any manner the way that the Costa-Hawkins Act or any other law, including the City's Rent Stabilization and Arbitration Ordinance (Chapter 37 of the San Francisco Administrative Code) apply to the Market Rate Units.

3. COVENANTS OF DEVELOPER

3.1 On-Site Inclusionary Affordable Units. In consideration of the concessions and incentives set forth in Section 2.1 and in accordance with the terms and conditions set forth in the Affordable Housing Program and the Project Approval, upon Developer obtaining its first certificate of occupancy for the Project, Developer shall provide thirteen and a half percent (13.5%) of the dwelling units as on-site Inclusionary Units in lieu of payment of the Affordable Housing Fee. For example, based on the contemplated total of 103 units comprising the Project, a total of 14 Inclusionary Units would be required in the aggregate for the entire Project in lieu of payment of the Affordable Housing Fee.

3.2 Developer's Waiver of Rights Under the Costa-Hawkins Act Only as to the Inclusionary Units. The Parties acknowledge that under the Costa-Hawkins Act, the owner of newly constructed residential real property may establish the initial and all subsequent rental rates for dwelling units in the property without regard to the City's Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the San Francisco Administrative Code). The Parties also understand and agree that the Costa-Hawkins Act does not and in no way shall limit or otherwise affect the restriction of rental charges for the Inclusionary Units because this Agreement falls within an express exception to the Costa-Hawkins Act as a contract with a public entity in consideration for a direct financial contribution or other forms of assistance specified in Chapter 4.3 (commencing with section 65915) of Division 1 of Title 7 of the California Government Code including but not limited to the density bonus concessions and incentives specified in Section 2. Developer acknowledges that the density bonus and

concessions and incentives result in identifiable and actual cost reductions to the Project. Should the Inclusionary Units be deemed subject to the Costa-Hawkins Act, as a material part of the consideration for entering into this Agreement, Developer, on behalf of itself and all its successors and assigns to this Agreement, hereby expressly waives, now and forever, any and all rights it may have under the Costa-Hawkins Act with respect only to the Inclusionary Units (but only the Inclusionary Units and not as to the Market Rate Units) consistent with Section 3.1 of this Agreement. Without limiting the foregoing, Developer, on behalf of itself and all successors and assigns to this Agreement, agrees not to bring any legal or other action against City seeking application of the Costa-Hawkins Act to the Inclusionary Units for so long as the Inclusionary Units are subject to the restriction on rental rates pursuant to the Affordable Housing Program. The Parties understand and agree that the City would not be willing to enter into this Agreement without the waivers and agreements set forth in this Section 3.2.

3.3 Developer's Waiver of Right to Seek Waiver of Affordable Housing Program. Developer specifically agrees to be bound by all of the provisions of the Affordable Housing Program applicable to on-site inclusionary units with respect to the Inclusionary Units. Developer covenants and agrees that it will not seek a waiver of the provisions of the Affordable Housing Program applicable to the Inclusionary Units.

3.4 No Obligation to Construct. By entering into this Agreement, Developer is not assuming any obligation to construct the Project, and the covenants of Developer hereunder become operative only in the event Developer elects to proceed with construction of the Project.

4. MUTUAL OBLIGATIONS

4.1 Good Faith and Fair Dealing. The Parties shall cooperate with each other and act in good faith in complying with the provisions of this Agreement and implementing the Project Approval.

4.2 Other Necessary Acts. Each Party shall execute and deliver to the other all further instruments and documents as may be reasonably necessary to carry out this Agreement, the Project Approval, the Affordable Housing Program (as applied to the Inclusionary Units) and applicable law in order to provide and secure to each Party the full and complete enjoyment of its rights and privileges hereunder.

4.3 Effect of Future Changes to Affordable Housing Program. The City hereby acknowledges and agrees that, in the event that the City adopts changes to the Affordable Housing Program after the date this Agreement is executed by both Parties, nothing in this Agreement shall be construed to limit or prohibit any rights Developer may have to modify Project requirements with respect to the Inclusionary Units to the extent permitted by such changes to the Affordable Housing Program.

5. DEVELOPER REPRESENTATIONS, WARRANTIES AND COVENANTS.

5.1 Interest of Developer. Developer represents that it is the legal and equitable fee owner of the Property, that it has the power and authority to bind all other persons with legal or equitable interest in the Property to the terms of this Agreement and that all other persons holding legal or equitable interest in the Inclusionary Units are to be bound by this Agreement. Developer is a limited liability company, duly organized and validly existing and in good

standing under the laws of the State of California. Developer has all requisite power and authority to own property and conduct business as presently conducted. Developer has made all filings and is in good standing in the State of California.

5.2 No Conflict With Other Agreements; No Further Approvals; No Suits. Developer warrants and represents to the best of its knowledge that it is not a party to any other agreement that would conflict with the Developer's obligations under this Agreement. Neither Developer's articles of organization, bylaws, or operating agreement, as applicable, nor any other agreement which Developer is a party to in any way prohibits, limits or otherwise affects the right or power of Developer to enter into and perform all of the terms and covenants of this Agreement. To the best of Developer's knowledge, no consent, authorization or approval of, or other action by, and no notice to or filing with, any governmental authority, regulatory body or any other person is required for the due execution, delivery and performance by Developer of this Agreement or any of the terms and covenants contained in this Agreement. To Developer's knowledge, there are no pending or threatened suits or proceedings or undischarged judgments affecting Developer or any of its members before any court, governmental agency, or arbitrator which might materially adversely affect Developer's business, operations, or assets or Developer's ability to perform under this Agreement.

5.3 No Inability to Perform; Valid Execution. Developer warrants and represents that it has no knowledge of any inability to perform its obligations under this Agreement. The execution and delivery of this Agreement and the agreements contemplated hereby by Developer have been duly and validly authorized by all necessary action. This Agreement will be a legal, valid and binding obligation of Developer, enforceable against Developer in accordance with its terms.

5.4 Conflict of Interest. Through its execution of this Agreement, the Developer acknowledges that it is familiar with the provisions of Section 15.103 of the City's Charter, Article III, Chapter 2 of the City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the California Government Code, and certifies that it does not know of any facts which constitute a violation of said provisions and agrees that it will immediately notify the City if it becomes aware of any such fact during the term of this Agreement.

5.5 Notification of Limitations on Contributions. Through execution of this Agreement, the Developer acknowledges that it is familiar with Section 1.126 of City's Campaign and Governmental Conduct Code, which prohibits any person who contracts with the City, whenever such transaction would require approval by a City elective officer or the board on which that City elective officer serves, from making any campaign contribution to the officer at any time from the commencement of negotiations for the contract until three (3) months after the date the contract is approved by the City elective officer or the board on which that City elective officer serves. San Francisco Ethics Commission Regulation 1.126-1 provides that negotiations are commenced when a prospective contractor first communicates with a City officer or employee about the possibility of obtaining a specific contract. This communication may occur in person, by telephone or in writing and may be initiated by the prospective contractor or a City officer or employee. Negotiations are completed when a contract is finalized and signed by the City and the contractor. Negotiations are terminated when the City and/or the prospective contractor end the negotiation process before a final decision is made to award the contract.

5.6 Nondiscrimination. In the performance of this Agreement, Developer agrees not to discriminate on the basis of the fact or perception of a person's, race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes, against any City employee, employee of or applicant for employment with the Developer, or against any bidder or contractor for public works or improvements, or for a franchise, concession or lease of property, or for goods or services or supplies to be purchased by the Developer. A similar provision shall be included in all subordinate agreements let, awarded, negotiated or entered into by the Developer for the purpose of implementing this Agreement.

6. AMENDMENT; TERMINATION

6.1 Amendment or Termination. Except as provided in Sections 6.2 (Automatic Termination) and 8.3 (Remedies for Default), this Agreement may only be amended or terminated with the mutual written consent of the Parties.

6.1.1 Amendment Exemptions. No amendment of a Project Approval shall require an amendment to this Agreement. Upon approval, any such matter shall be deemed to be incorporated automatically into the Project and this Agreement (subject to any conditions set forth in the amendment). Notwithstanding the foregoing, in the event of any direct conflict between the terms of this Agreement and any amendment to a Project Approval, then the terms of this Agreement shall prevail and any amendment to this Agreement shall be accomplished as set forth in Section 6.1 above.

6.2 Automatic Termination. This Agreement shall automatically terminate in the event that the Inclusionary Units are no longer subject to regulation as to the rental rates of the Inclusionary Units and/or the income level of households eligible to rent the Inclusionary Units under the Affordable Housing Program, or successor program.

7. TRANSFER OR ASSIGNMENT; RELEASE; RIGHTS OF MORTGAGEES; CONSTRUCTIVE NOTICE

7.1 Agreement Runs With The Land. City acknowledges that Developer may assign or transfer its rights, duties and obligations under the Project Approval and this Agreement and/or convey any interest it owns in the Property to another person or entity without City consent. Any assignee or successor to Developer's rights to the Project Approval and/or Property shall be referred to herein as a "Transferee". Any Transferee may also subsequently assign or transfer its rights, duties and obligations under this Agreement and/or convey any interest it owns in the Property to another person or entity. As provided in Section 9.2 this

Agreement runs with the land and any Transferee will be bound by all of the terms and conditions of this Agreement.

7.2 Rights of Developer. The provisions in this Section 7 shall not be deemed to prohibit or otherwise restrict Developer from (i) granting easements or licenses or similar agreements to facilitate development of the Property, (ii) encumbering the Property or any portion of the improvements thereon by any mortgage, deed of trust, or other device securing financing with respect to the Property or Project, (iii) granting one or more leasehold interests in all or any portion of the Property, or (iv) transferring all or a portion of the Property pursuant to a sale, transfer pursuant to foreclosure, conveyance in lieu of foreclosure, or other remedial action in connection with a mortgage. None of the terms, covenants, conditions, or restrictions of this Agreement or the Project Approval shall be deemed waived by City by reason of the rights given to the Developer pursuant to this Section 7.2. Furthermore, although the Developer initially intends to operate the Project on a rental basis, nothing in this Agreement shall prevent Developer from later selling all or part of the Project on a condominium basis, provided that such sale is permitted by, and complies with, all applicable City and State laws including, but not limited to that, with respect to any inclusionary units, those shall only be sold pursuant to the City Procedures for sale of inclusionary units under the Affordable Housing Program.

7.3 Developer's Responsibility for Performance. If Developer transfers or assigns all or any portion of the Property or any interest therein to any other person or entity, Developer shall continue to be responsible for performing the obligations under this Agreement as to the transferred property interest until such time as there is delivered to the City a legally binding agreement pursuant to which the Transferee assumes and agrees to perform Developer's obligations under this Agreement from and after the date of transfer of the Property (or an interest therein) to the Transferee (an "Assignment and Assumption Agreement"), but not thereafter. The City is entitled to enforce each and every such obligation assumed by the Transferee directly against the Transferee as if the Transferee were an original signatory to this Agreement with respect to such obligation. Accordingly, in any action by the City against a Transferee to enforce an obligation assumed by the Transferee, the Transferee shall not assert any defense against the City's enforcement of performance of such obligation that is attributable to Developer's breach of any duty or obligation to the Transferee arising out of the transfer or assignment, the Assignment and Assumption Agreement, the purchase and sale agreement, or any other agreement or transaction between the Developer and the Transferee. The transferor Developer shall remain responsible for the performance of all of its obligations under the Agreement prior to the date of transfer, and shall remain liable to the City for any failure to perform such obligations prior to the date of the transfer.

7.4 Release Upon Transfer or Assignment. Upon the Developer's transfer or assignment of all or a portion of the Property or any interest therein, including the Developer's rights and interests under this Agreement, the Developer shall be released from any obligations required to be performed from and after the date of transfer under this Agreement with respect to the portion of the Property so transferred; provided, however, that (i) the Developer is not then in default under this Agreement and (ii) the Transferee executes and delivers to the City the legally binding Assignment and Assumption Agreement. Following any transfer, in accordance with the terms of this Section 7, a default under this Agreement by the Transferee shall not constitute a default by the Developer under this Agreement and shall have no effect upon the Developer's

rights under this Agreement as to the remaining portions of the Property owned by the Developer. Further, a default under this Agreement by the Developer as to any portion of the Property not transferred or a default under this Agreement by the Developer prior to the date of transfer shall not constitute a default by the Transferee and shall not affect any of Transferee's rights under this Agreement.

7.5 Rights of Mortgagees; Not Obligated to Construct; Right to Cure Default.

7.5.1 Notwithstanding anything to the contrary contained in this Agreement (including without limitation those provisions that are or are intended to be covenants running with the land), a mortgagee or beneficiary under a deed of trust, including any mortgagee or beneficiary who obtains title to the Property or any portion thereof as a result of foreclosure proceedings or conveyance or other action in lieu thereof, or other remedial action, ("Mortgagee") shall not be obligated under this Agreement to construct or complete the Inclusionary Units required by this Agreement or to guarantee their construction or completion solely because the Mortgagee holds a mortgage or other interest in the Property or this Agreement. A breach of any obligation secured by any mortgage or other lien against the mortgaged interest or a foreclosure under any mortgage or other lien shall not by itself defeat, diminish, render invalid or unenforceable, or otherwise impair the obligations or rights of the Developer under this Agreement.

7.5.2 Subject to the provisions of Section 7.5.1, any person, including a Mortgagee, who acquires title to all or any portion of the mortgaged property by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise shall succeed to all of the rights and obligations of the Developer under this Agreement and shall take title subject to all of the terms and conditions of this Agreement. Nothing in this Agreement shall be deemed or construed to permit or authorize any such holder to devote any portion of the Property to any uses, or to construct any improvements, other than the uses and improvements provided for or authorized by the Project Approval and this Agreement.

7.5.3 If City receives a written notice from a Mortgagee or from Developer requesting a copy of any Notice of Default delivered to Developer and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to Developer, any Notice of Default delivered to Developer under this Agreement. In accordance with Section 2924 of the California Civil Code, City hereby requests that a copy of any notice of default and a copy of any notice of sale under any mortgage or deed of trust be mailed to City at the address shown on the first page of this Agreement for recording, provided that no Mortgagee or trustee under a deed of trust shall incur any liability to the City for any failure to give any such notice of default or notice of sale except to the extent the City records a request for notice of default and notice of sale in compliance with Section 2924b of the California Civil Code (a "Request for Special Notice") with respect to a specific mortgage or deed of trust and the Mortgagee or trustee fails to give any notice required under Section 2924b of the California Civil Code as a result of the recordation of a Request for Special Notice.

7.5.4 A Mortgagee shall have the right, at its option, but no obligation, to cure any default or breach by the Developer under this Agreement within the same time period as Developer has to remedy or cause to be remedied any default or breach, plus an additional period of (i) thirty (30) calendar days to cure a default or breach by the Developer to pay any sum of money

required to be paid hereunder and (ii) ninety (90) days to cure or commence to cure a non-monetary default or breach and thereafter to pursue such cure diligently to completion; provided that if the Mortgagee cannot cure a non-monetary default or breach without acquiring title to the Property, then so long as Mortgagee is diligently pursuing foreclosure of its mortgage or deed of trust, Mortgagee shall have until ninety (90) days after completion of such foreclosure to cure such non-monetary default or breach. Mortgagee may add the cost of such cure to the indebtedness or other obligation evidenced by its mortgage, provided that if the breach or default is with respect to the construction of the improvements on the Property, nothing contained in this Section or elsewhere in this Agreement shall be deemed to permit or authorize such Mortgagee, either before or after foreclosure or action in lieu thereof or other remedial measure, to undertake or continue the construction or completion of the improvements (beyond the extent necessary to conserve or protect improvements or construction already made) without first having expressly assumed the obligation to the City, by written agreement reasonably satisfactory to the City, to complete in the manner provided in this Agreement the improvements on the Property or the part thereof to which the lien or title of such Mortgagee relates. Notwithstanding a Mortgagee's agreement to assume the obligation to complete in the manner provided in this Agreement the improvements on the Property or the part thereof acquired by such Mortgagee, the Mortgagee shall have the right to abandon completion of the improvement at any time thereafter.

7.5.5 If at any time there is more than one mortgage constituting a lien on any portion of the Property, the lien of the Mortgagee prior in lien to all others on that portion of the mortgaged property shall be vested with the rights under this Section 7.5 to the exclusion of the holder of any junior mortgage; provided that if the holder of the senior mortgage notifies the City that it elects not to exercise the rights sets forth in this Section 7.5, then each holder of a mortgage junior in lien in the order of priority of their respective liens shall have the right to exercise those rights to the exclusion of junior lien holders. Neither any failure by the senior Mortgagee to exercise its rights under this Agreement nor any delay in the response of a Mortgagee to any notice by the City shall extend Developer's or any Mortgagee's rights under this Section 7.5. For purposes of this Section 7.5, in the absence of an order of a court of competent jurisdiction that is served on the City, a then current title report of a title company licensed to do business in the State of California and having an office in the City setting forth the order of priority of lien of the mortgages shall be reasonably relied upon by the City as evidence of priority. Nothing in this Agreement shall impair the foreclosure rights of any mortgagee.

7.6 Constructive Notice. Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Project or the Property is and shall be constructively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Project or the Property.

8. ENFORCEMENT OF AGREEMENT; REMEDIES FOR DEFAULT; DISPUTE RESOLUTION

8.1 Enforcement. The only parties to this Agreement are the City and the Developer. This Agreement is not intended, and shall not be construed, to benefit or be enforceable by any other person or entity whatsoever.

8.2 Default. For purposes of this Agreement, the following shall constitute a default under this Agreement: the failure to perform or fulfill any material term, provision, obligation, or covenant hereunder and the continuation of such failure for a period of thirty (30) calendar days following a written notice of default and demand for compliance; provided, however, if a cure cannot reasonably be completed within thirty (30) days, then it shall not be considered a default if a cure is commenced within said 30-day period and diligently prosecuted to completion thereafter, but in no event later than one hundred twenty (120) days.

8.3 Remedies for Default. In the event of an uncured default under this Agreement, the remedies available to a Party shall include specific performance of the Agreement in addition to any other remedy available at law or in equity. In addition, the non-defaulting Party may terminate this Agreement subject to the provisions of this Section 8 by sending a Notice of Intent to Terminate to the other Party setting forth the basis for the termination. The Agreement will be considered terminated effective upon receipt of a Notice of Termination. The Party receiving the Notice of Termination may take legal action available at law or in equity if it believes the other Party's decision to terminate was not legally supportable.

8.4 No Waiver. Failure or delay in giving notice of default shall not constitute a waiver of default, nor shall it change the time of default. Except as otherwise expressly provided in this Agreement, any failure or delay by a Party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any such rights or remedies; nor shall it deprive any such Party of its right to institute and maintain any actions or proceedings that it may deem necessary to protect, assert, or enforce any such rights or remedies.

9. MISCELLANEOUS PROVISIONS

9.1 Entire Agreement. This Agreement, including the preamble paragraph, Recitals and Exhibits, constitute the entire understanding and agreement between the Parties with respect to the subject matter contained herein .

9.2 Binding Covenants; Run With the Land. From and after recordation of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding upon the Parties, and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, and all persons or entities acquiring the Property, any lot, parcel or any portion thereof, or any interest therein, whether by sale, operation of law, or in any manner whatsoever, and shall inure to the benefit of the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. Regardless of whether the procedures in Section 7 are followed, following recordation of this Agreement all of its provisions shall be enforceable during the term hereof as equitable servitudes and constitute covenants and benefits running with the land pursuant to applicable law, including but not limited to California Civil Code Section 1468.

9.3 Applicable Law and Venue. This Agreement has been executed and delivered in and shall be interpreted, construed, and enforced in accordance with the laws of the State of California. All rights and obligations of the Parties under this Agreement are to be performed in the City and County of San Francisco, and such City and County shall be the venue for any legal action or proceeding that may be brought, or arise out of, in connection with or by reason of this Agreement.

9.4 Construction of Agreement. The Parties have mutually negotiated the terms and conditions of this Agreement and its terms and provisions have been reviewed and revised by legal counsel for both City and Developer. Accordingly, no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Language in this Agreement shall be construed as a whole and in accordance with its true meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. Each reference in this Agreement to this Agreement or any of the Project Approval shall be deemed to refer to the Agreement or the Project Approval as it may be amended from time to time pursuant to the provisions of the Agreement, whether or not the particular reference refers to such possible amendment.

9.5 Project Is a Private Undertaking: No Joint Venture or Partnership.

9.5.1 The development proposed to be undertaken by Developer on the Property is a private development. The City has no interest in, responsibility for, or duty to third persons concerning any of said improvements. The Developer shall exercise full dominion and control over the Property, subject only to the limitations and obligations of the Developer contained in this Agreement or in the Project Approval.

9.5.2 Nothing contained in this Agreement, or in any document executed in connection with this Agreement, shall be construed as creating a joint venture or partnership between the City and the Developer. Neither Party is acting as the agent of the other Party in any respect hereunder. The Developer is not a state or governmental actor with respect to any activity conducted by the Developer hereunder.

9.6 Signature in Counterparts. This Agreement may be executed in duplicate counterpart originals, each of which is deemed to be an original, and all of which when taken together shall constitute one and the same instrument.

9.7 Time of the Essence. Time is of the essence in the performance of each and every covenant and obligation to be performed by the Parties under this Agreement.

9.8 Notices. Any notice or communication required or authorized by this Agreement shall be in writing and may be delivered personally or by registered mail, return receipt requested. Notice, whether given by personal delivery or registered mail, shall be deemed to have been given and received upon the actual receipt by any of the addressees designated below as the person to whom notices are to be sent. Either Party to this Agreement may at any time, upon written notice to the other Party, designate any other person or address in substitution of the person and address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

To City:

John Rahaim
Director of Planning
San Francisco Planning Department
1650 Mission Street
San Francisco, California 94102

with a copy to:

Dennis J. Herrera, Esq.
City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Attn: Evan A. Gross, Dep. City Attorney

To Developer:

SST Investments, LLC
c/o Tahbazof Law Firm
1256 Howard Street
San Francisco, CA
94103
Attn: Sufi Hariri

9.9 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect unless enforcement of the remaining portions of the Agreement would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement.

9.10 MacBride Principles. The City urges companies doing business in Northern Ireland to move toward resolving employment inequities and encourages them to abide by the MacBride Principles as expressed in San Francisco Administrative Code Section 12F.1 et seq. The City also urges San Francisco companies to do business with corporations that abide by the MacBride Principles. Developer acknowledges that it has read and understands the above statement of the City concerning doing business in Northern Ireland.

9.11 Tropical Hardwood and Virgin Redwood. The City urges companies not to import, purchase, obtain or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood, or virgin redwood wood product.

9.12 Sunshine. The Developer understands and agrees that under the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the State Public Records Law (Gov't Code Section 6250 et seq.), this Agreement and any and all records, information, and materials submitted to the City hereunder are public records subject to public disclosure.

9.13 Effective Date. This Agreement will become effective on the date that the last

Party duly executes and delivers this Agreement.

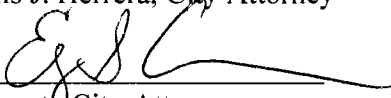
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY:

CITY AND COUNTY OF SAN FRANCISCO
A municipal corporation

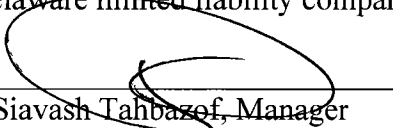
By: _____
John Rahaim

Approved as to form:
Dennis J. Herrera, City Attorney

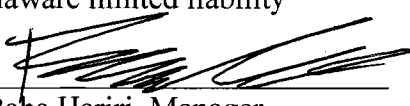
By: _____
Deputy City Attorney

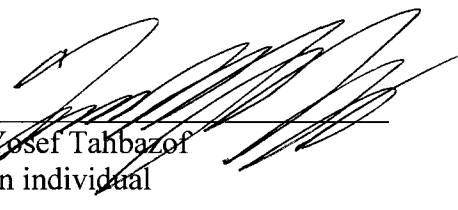
DEVELOPER:

SST Investments, LLC,
a Delaware limited liability company

By: _____
Siavash Tahbazof, Manager

SB Global, LLC,
a Delaware limited liability

By: _____
Baha Hariri, Manager

By: _____
Yusef Tahbazof
an individual

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____ (insert name and title of the officer)

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco)

On October 19, 2016 before me, Laurel Shane, Notary Public (insert name and title of the officer)

personally appeared Siavash tahbazaf, Baha Heniri, and Yosef tahbazaf, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



EXHIBIT A
Legal Description of Property

Real property in the City of San Francisco, County of San Francisco, State of California,
described as follows:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF 6TH STREET
WITH THE SOUTHEASTERLY LINE OF SHIPLEY STREET; RUNNING THENCE
SOUTHEASTERLY ALONG SAID LINE OF 6TH STREET 75 FEET; THENCE AT A RIGHT ANGLE
NORTHEASTERLY 125 FEET; THENCE AT A RIGHT ANGLE NORTHWESTERLY 75 FEET TO THE
SOUTHEASTERLY LINE OF SHIPLEY STREET; THENCE AT A RIGHT ANGLE SOUTHWESTERLY ALONG
SAID LINE OF SHIPLEY STREET 125 FEET TO THE POINT OF BEGINNING.
BEING A PART OF 100 VARA BLOCK NO. 383

APN: LOT 081, BLOCK 3753



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.1773E
Project Address: 345 6th Street
Zoning: MUR (Mixed Use-Residential) District
85-X Height and Bulk District
Block/Lot: 3753/081
Lot Size: 9,375 square feet
Plan Area: Eastern Neighborhoods (East SoMa)
Central SoMa
Project Sponsor: SST Investments, LLC
c/o Reza Khoshnevisan – SIA Consulting Corporation
(415) 922-0200, reza@siaconsult.com
Staff Contact: Michael Li
(415) 575-9107, michael.j.li@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

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.


LISA M. GIBSON

Acting Environmental Review Officer


Date

cc: SST Investments, LLC, Project Sponsor
Dan Sirois, Current Planning Division
Supervisor Jane Kim, District 6

Distribution List
Virna Byrd, M.D.F.
Exclusion/Exemption Dist. List

PROJECT DESCRIPTION

The project site, which is in San Francisco's South of Market neighborhood, is on the southeast corner of 6th and Shipley streets; it has 75 feet of frontage on 6th Street and 125 feet of frontage on Shipley Street. The project site is occupied by a paved area and two one-story buildings. The entire property is used for public parking.

The proposed project consists of demolishing the existing buildings and surface parking lot and constructing a new nine-story, 85-foot-tall mixed-use building containing 102 single-room occupancy units and approximately 1,730 square feet of commercial space. No automobile parking would be provided, and the existing driveway and curb cut on 6th Street would be removed. Bicycle parking would be provided in a storage room on the ground floor of the proposed building and on the sidewalks adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of private balconies and decks on the fourth through seventh floors and common decks on the eighth floor and the roof.

Construction of the proposed project is expected to last 16 months. The proposed building would be supported by deep piers with a mat slab. Construction of the proposed project would require excavation to a depth of two feet below ground surface and the removal of about 520 cubic yards of soil from the project site.

PROJECT APPROVAL

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*)
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

Large Project Authorization by the Planning Commission constitutes the Approval Action for the proposed project. 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 345 6th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR).¹ 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 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 No. 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2, 3}

In December 2008, after further public hearings, the Board of Supervisors adopted and the Mayor signed the Planning Code amendments related to the Eastern Neighborhoods Rezoning and Area Plans. 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 that 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 projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁴

¹ San Francisco 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*, Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://sf-planning.org/area-plan-eirs>, accessed August 31, 2016.

³ San Francisco Planning Commission Motion No. 17659, August 7, 2008. Available online at: http://sf-planning.org/sites/default/files/FileCenter/Documents/1268-EN_BOS_Vol4_CEQA_Part7_Web.pdf, accessed August 31, 2016.

⁴ Table 2: Forecast Growth by Rezoning Option, in Chapter IV of the Eastern Neighborhoods Draft EIR, shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

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*.

As a result of the Eastern Neighborhoods rezoning process, the project site's zoning has been reclassified from RSD (Residential Service District) to MUR (Mixed Use-Residential). The MUR District serves as a buffer between the higher-density, predominantly commercial area of Yerba Buena Center to the east and the lower-density, mixed-use service/industrial and housing area west of Sixth Street. The MUR District is a major housing opportunity area within the eastern portion of the South of Market neighborhood. Zoning controls are intended to facilitate the development of high-density, mid-rise housing and to encourage the expansion of retail, business service, and cultural arts uses. Office uses are permitted but limited, and hotel, nighttime entertainment, adult entertainment, and heavy industrial uses are not permitted. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the CPE Checklist under Topic 1, Land Use and Land Use Planning. The 345 6th Street site, which is located in the East SoMa Plan Area of the Eastern Neighborhoods program, was designated as a 85-X Height and Bulk District. This designation allows a building up to 85 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 345 6th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 345 6th Street project and identifies the mitigation measures applicable to the 345 6th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{5,6} Therefore, no further CEQA evaluation for the 345 6th Street 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 vicinity is characterized by a mix of residential, retail, open space, and production/distribution/repair (PDR) uses. The scale of development in the project vicinity varies in height from 15 to 90 feet. There is a one-story church (363 6th Street) adjacent to and south of the project site, and there is a two-story residential building (285 Shipley Street) adjacent to and east of the project site. The remainder of the project block is occupied by multi-story residential buildings, PDR buildings, and an auto repair garage. There is a surface parking lot on the north side of Shipley Street across from

⁵ Joshua Switzky, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2013.1773E, 345 6th Street*, October 26, 2016.

⁶ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2013.1773E, 345 6th Street*, October 18, 2016.

the project site, and there are four- and five-story residential buildings on the west side of 6th Street across from the project site. Other land uses in the area include Interstate 80 (0.1 mile southeast of the project site), Bessie Carmichael Elementary School (0.15 mile southwest), Victoria Manalo Draves Park (0.1 mile southwest), and the South of Market Recreation Center (0.05 mile west).

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: the 8 Bayshore, 8AX Bayshore A Express, 8BX Bayshore B Express, 12 Folsom/Pacific, 19 Polk, 27 Bryant, 30 Stockton, 45 Union/Stockton, and the 47 Van Ness.

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 345 6th Street 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 345 6th Street 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 land use impact, because it would not remove any existing PDR uses, and it would not make a considerable contribution to the loss of PDR development opportunities. The proposed project would not contribute to the impact on historic architectural resources, because it would not result in the demolition or alteration of any such resources. The volume of traffic and transit ridership generated by the proposed project would not contribute considerably to the traffic and transit impacts identified in the Eastern Neighborhoods PEIR. The proposed project would contribute to the shadow impact, because it would cast shadow on the Gene Friend Recreation Center, but implementation of 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.

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** 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

Mitigation Measure	Applicability	Compliance
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-2: Intelligent Traffic Management	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-3: Enhanced Funding	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-4: Intelligent Traffic Management	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-5: Enhanced Transit Funding	Not Applicable: Plan level mitigation by the San Francisco Municipal Transportation Agency (SFMTA)	Not Applicable
E-6: Transit Corridor Improvements	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-7: Transit Accessibility	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-8: Muni Storage and Maintenance	Not Applicable: Plan level mitigation by the SFMTA and the San Francisco County Transportation Authority	Not Applicable
E-9: Rider Improvements	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-10: Transit Enhancement	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-11: Transportation Demand Management	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise – Pile Driving	Applicable: Pile driving could be required	The project sponsor has agreed to pre-drill piles wherever feasible, to use sonic or vibratory sheet pile drivers instead of impact drivers wherever sheet piles are needed, and to schedule pile driving activities during times of day that would minimize disturbance to neighbors (see Project Mitigation Measure 2).
F-2: Construction Noise	Applicable: Temporary construction noise from use of heavy equipment	The project sponsor has agreed to develop and implement noise attenuation measures during construction (see Project Mitigation Measure 3).
F-3: Interior Noise Levels	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
F-4: Siting of Noise-Sensitive Uses	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
F-5: Siting of Noise-Generating Uses	Not Applicable: The proposed project does not include noise-generating uses	Not Applicable
F-6: Open Space in Noisy Environments	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
G. Air Quality		
G-1: Construction Air Quality	Applicable: The project site is in an Air Pollutant Exposure Zone	The project sponsor has agreed to implement a mitigation measure related to minimizing exhaust emissions from construction equipment and vehicles (see Project Mitigation Measure 4).

Mitigation Measure	Applicability	Compliance
G-2: Air Quality for Sensitive Land Uses	Not Applicable: Superseded by Health Code Article 38.	Not Applicable
G-3: Siting of Uses that Emit DPM	Not Applicable: The project does not include uses that emit DPM	Not Applicable
G-4: Siting of Uses that Emit Other TACs	Not Applicable: The project does not include uses that emit TACs	Not Applicable
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: The project site is not in an area for which a previous archeological study has been conducted	Not Applicable
J-2: Properties with no Previous Studies	Applicable: The project site is in an area for which no previous archeological study has been conducted	The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to implement a mitigation measure related to the accidental discovery of archeological resources (see Project Mitigation Measure 1).
J-3: Mission Dolores Archeological District	Not Applicable: The project site is not in the Mission Dolores Archeological District	Not Applicable
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: Plan-level mitigation completed by Planning Department	Not Applicable
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	Not Applicable
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	Not Applicable

Mitigation Measure	Applicability	Compliance
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: The project includes demolition of an existing building	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws prior to demolishing the existing building (see Project Mitigation Measure 5).

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 August 10, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. After the proposed project’s unit count was increased from 88 to 102, a “Notification of REVISED PROJECT Receiving Environmental Review” was mailed to the same parties identified above on September 26, 2016. 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.

In response to the August 2015 notice, the Planning Department received comments from four members of the public. The comments expressed opposition to the project as well as concerns over increased shadow and the potential influx of vagrants into the neighborhood due to the types of dwelling units being proposed. The owner of The EndUp, a nightclub one-half block south of the project site, expressed concerns over how noise from the nightclub would affect the future residents of the proposed project.

In response to the September 2016 notice, the Planning Department received comments from three members of the public. The comments expressed concerns over increased shadow on adjacent residential properties and the Gene Friend Recreation Center. One comment stated that the analysis of the proposed project’s shadow impacts should be based on the future/proposed configuration and operating hours of the Gene Friend Recreation Center that are being considered by the Recreation and Park Department instead of the current configuration and operating hours. One comment included a list of suggestions regarding how the project could be operated in a manner that would minimize nuisances such as noise, loitering, and the accumulation of garbage.

As discussed under Topic 5, Noise, in the attached CPE Checklist (pp. 30-33), CEQA does not require lead agencies to analyze how existing environmental conditions would affect a proposed project. Since the proposed project is within 300 feet of a place of entertainment, the proposed project is subject to a City ordinance that addresses the compatibility of new residential development with existing noise-generating uses. As discussed under Topic 8, Wind and Shadow, in the attached CPE Checklist (pp. 38-41), the

Planning Department evaluated the shadow impacts of the proposed project. The analysis is based on the current configuration and operating hours of the Gene Friend Recreation Center, not any future/proposed configuration and operating hours that may be under consideration by the Recreation and Park Department.

The comments expressing opposition to the proposed project or the types of dwelling units being proposed do not address the physical environmental impacts of the proposed project. Suggestions regarding how the project could be operated in a manner that would minimize nuisances could be incorporated as conditions of approval during the entitlement process if City decision-makers choose to do so. These comments are acknowledged and may be considered by City decision-makers during their review of the proposed project.

CONCLUSION

As summarized above and further discussed in the attached CPE Checklist:

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.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES				
Project Mitigation Measure 1: Procedures for Accidental Discovery of Archeological Resources (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2) This mitigation measure is required to avoid any potential adverse effect on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a) and (c). The project sponsor shall distribute the San Francisco Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); and to utilities firms involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The project sponsor shall provide the ERO with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firms) to the ERO confirming that all field personnel have received copies of the “ALERT” sheet. Should any indication of an archeological resource be	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to issuance of any permit for soils-disturbing activities and during construction activities.	Project sponsor/archeological consultant and ERO.	During soils-disturbing and construction activities.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the San Francisco Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include preservation in situ of the archeological resource, an archeological monitoring program, or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content,

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>format, and distribution from that presented above.</p> <p>Project Mitigation Measure 2: Construction Noise – Pile Driving (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-1)</p> <p>The project sponsor shall ensure that piles are pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall be required to use pile driving equipment with state-of-the-art noise-shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheet pile drivers rather than impact drivers shall be used wherever sheet piles are needed. The project sponsor shall require that contractors schedule pile driving activities for times of day that would minimize disturbance to neighbors.</p>	Project sponsor, contractor(s).	Submit monthly reports to the Planning Department during construction period.	Project sponsor, Planning Department.	During construction period.
<p>Project Mitigation Measure 3: Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2)</p> <p>The project sponsor shall 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>	Project sponsor, construction contractor(s).	<p>Submit noise attenuation plan to the Department of Building Inspection prior to start of demolition or construction activities.</p> <p>Submit monthly</p>	Project sponsor, Planning Department.	During demolition and construction period.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> 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. 		reports to the Planning Department during construction period.		
<p>Project Mitigation Measure 4: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</p> <p>The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities 	Project sponsor, contractor(s).	Submit certification statement prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s), and the ERO.	Considered complete upon submittal of certification statement.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 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.</p>				
<p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p>				
<p>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.</p>				
<p>4. The Contractor shall instruct construction workers and equipment operators on the</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 (ERO) or designee 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 on-site 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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Engine Emission Standard	Emissions Control
Tier 2	ARB Level 2 VDECS
Tier 2	ARB Level 1 VDECS
Tier 2	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

Project sponsor, contractor(s).

Prepare and submit a Plan prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.

Project sponsor, contractor(s), and the ERO.

Considered complete upon findings by the ERO that the Plan is complete.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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.</p> <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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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>				
<p>Project Mitigation Measure 5: Hazardous Building Materials (Implementing PEIR Mitigation Measure L-1)</p> <p>The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated</p>	Project sponsor/ contractor(s).	Submit quarterly reports.	Project sponsor, contractor(s), and the ERO.	Considered complete upon findings by the ERO that the Plan is being/has been implemented.
	Project sponsor, construction contractor(s).	Project sponsor shall submit a report to the Department of Public Health, with copies to the Planning Department and the Department of	Project sponsor, Department of Public Health, Department of Building Inspection, and Planning Department.	Prior to and during demolition or construction activities.

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
according to applicable federal, state, and local laws.		Building Inspection, at the end of the construction period.		



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: 2013.1773E
Project Address: 345 6th Street
Zoning: MUR (Mixed Use-Residential) District
85-X Height and Bulk District
Block/Lot: 3753/081
Lot Size: 9,375 square feet
Plan Area: Eastern Neighborhoods (East SoMa)
Central SoMa
Project Sponsor: SST Investments, LLC
c/o Reza Khoshnevisan – SIA Consulting Corporation
(415) 922-0200, reza@siaconsult.com
Staff Contact: Michael Li
(415) 575-9107, michael.j.li@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, which is in San Francisco's South of Market neighborhood, is on the southeast corner of 6th and Shipley streets; it has 75 feet of frontage on 6th Street and 125 feet of frontage on Shipley Street. The project site is occupied by a paved area and two one-story buildings. The entire property is used for public parking.

The proposed project consists of demolishing the existing buildings and surface parking lot and constructing a new nine-story, 85-foot-tall mixed-use building containing 102 single-room occupancy (SRO) units and approximately 1,730 square feet of retail space. No automobile parking would be provided, and the existing driveway and curb cut on 6th Street would be removed. Bicycle parking would be provided in a storage room on the ground floor of the proposed building and on the sidewalks adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of private balconies and decks on the fourth through seventh floors and common decks on the eighth floor and the roof.

Construction of the proposed project is expected to last 16 months. The proposed building would be supported by deep piers with a mat slab. Construction of the proposed project would require excavation to a depth of two feet below ground surface and the removal of about 520 cubic yards of soil from the project site.



SOURCE: San Francisco Planning Department

FIGURE 1: PROJECT LOCATION

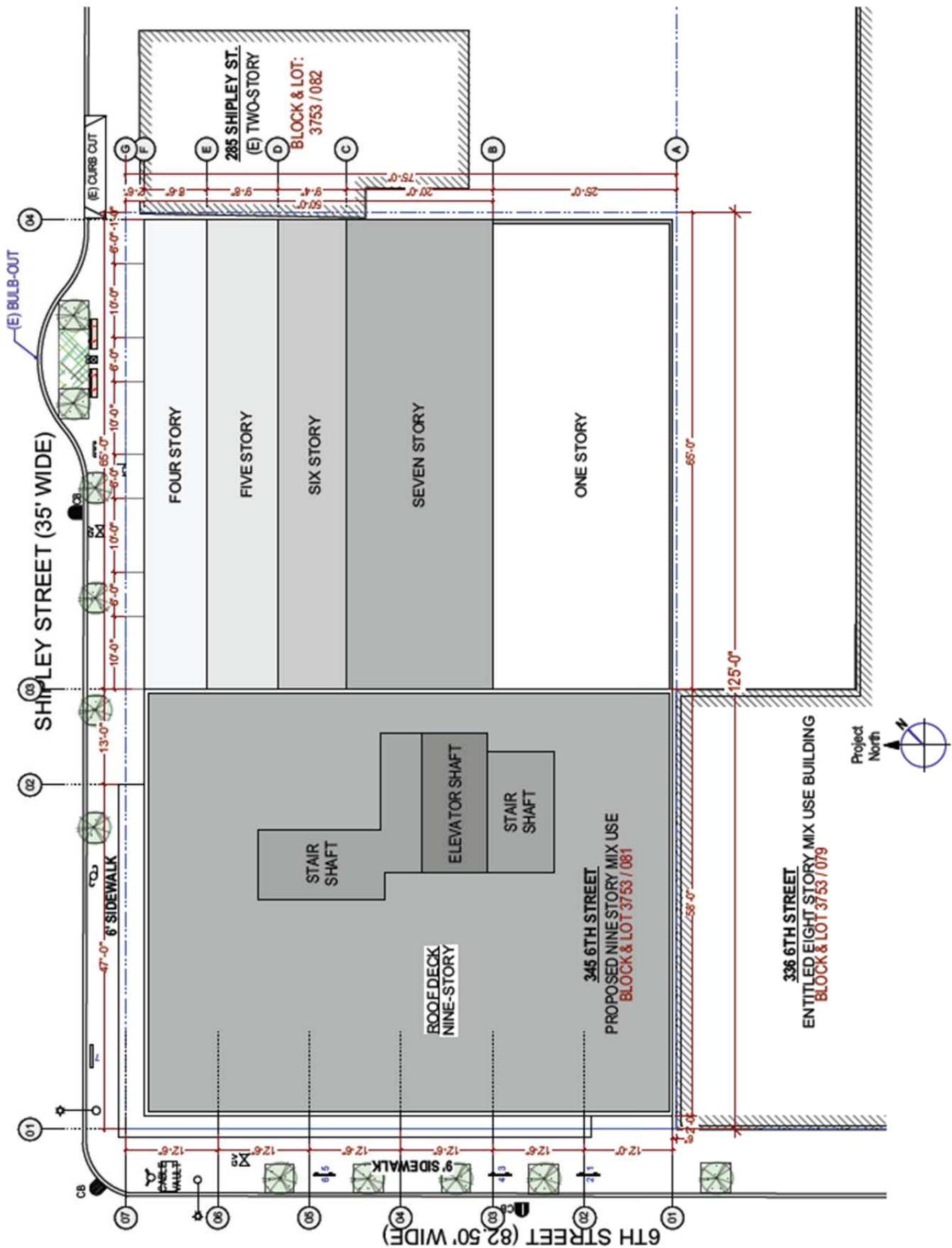


FIGURE 2: PROPOSED SITE PLAN

SOURCE: SIA Consulting Corporation

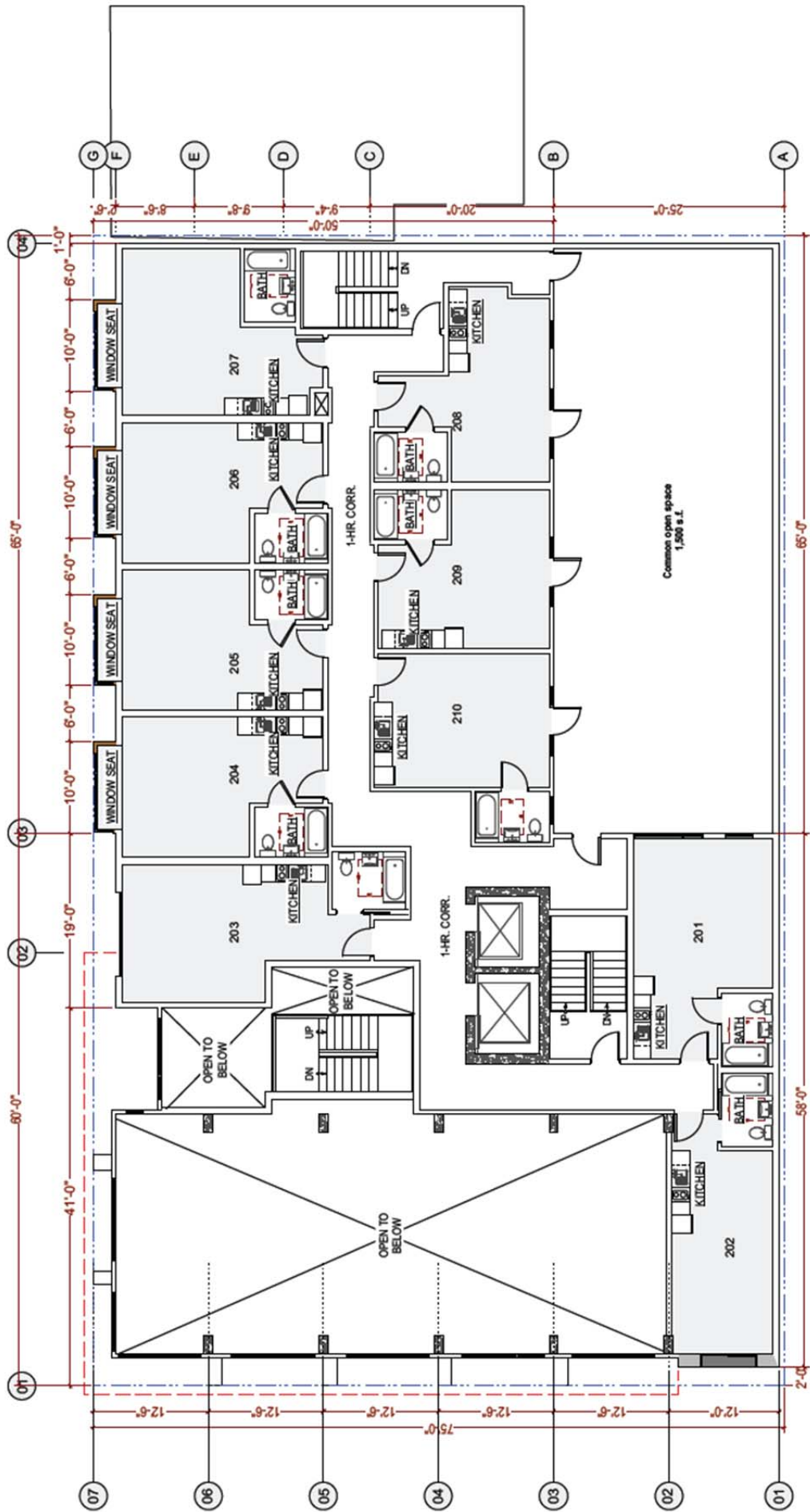
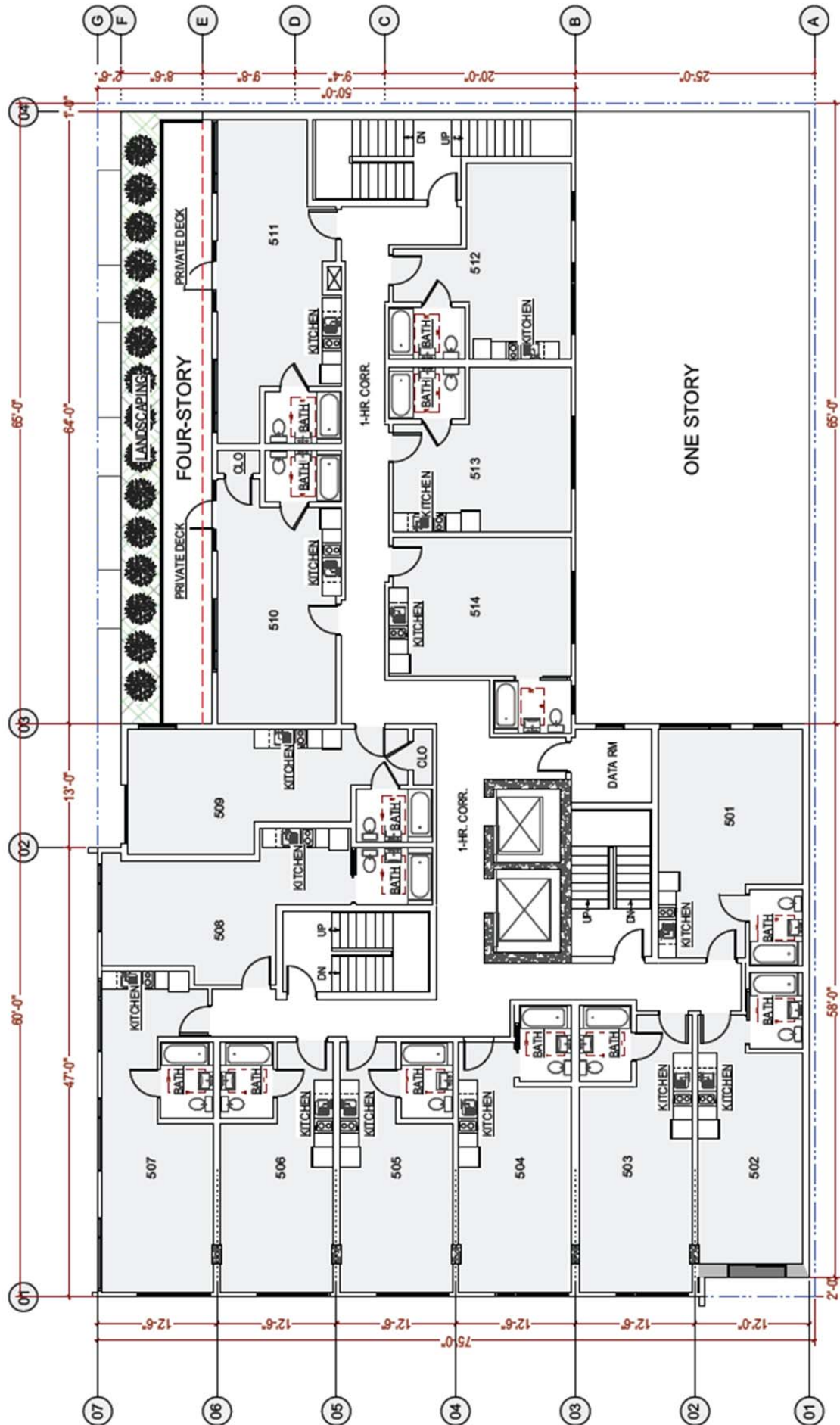


FIGURE 4: PROPOSED SECOND FLOOR PLAN

SOURCE: SIA Consulting Corporation



SOURCE: SIA Consulting Corporation

FIGURE 5: PROPOSED FIFTH FLOOR PLAN
(THIRD AND FOURTH FLOORS SIMILAR)

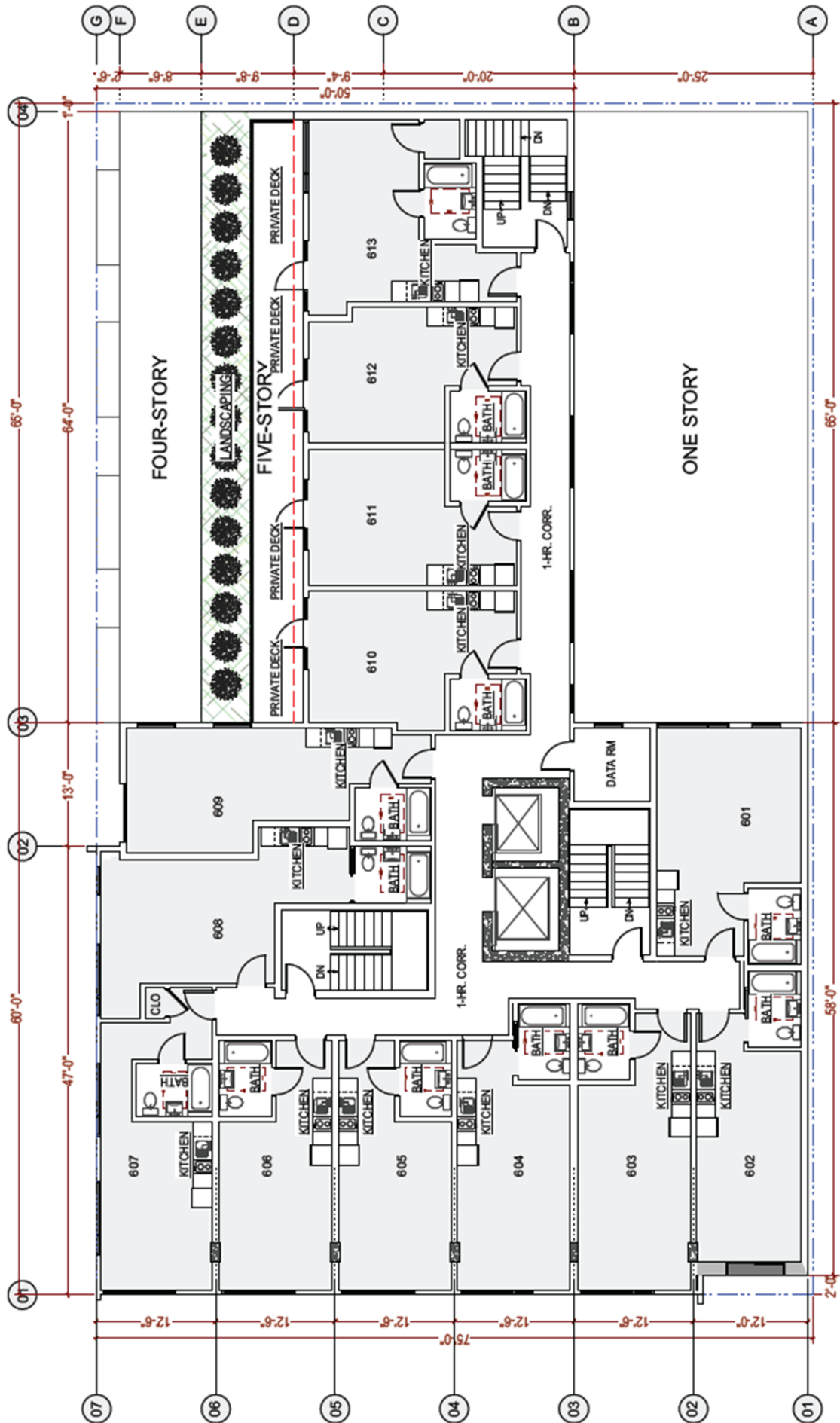


FIGURE 6: PROPOSED SIXTH FLOOR PLAN

SOURCE: SIA Consulting Corporation

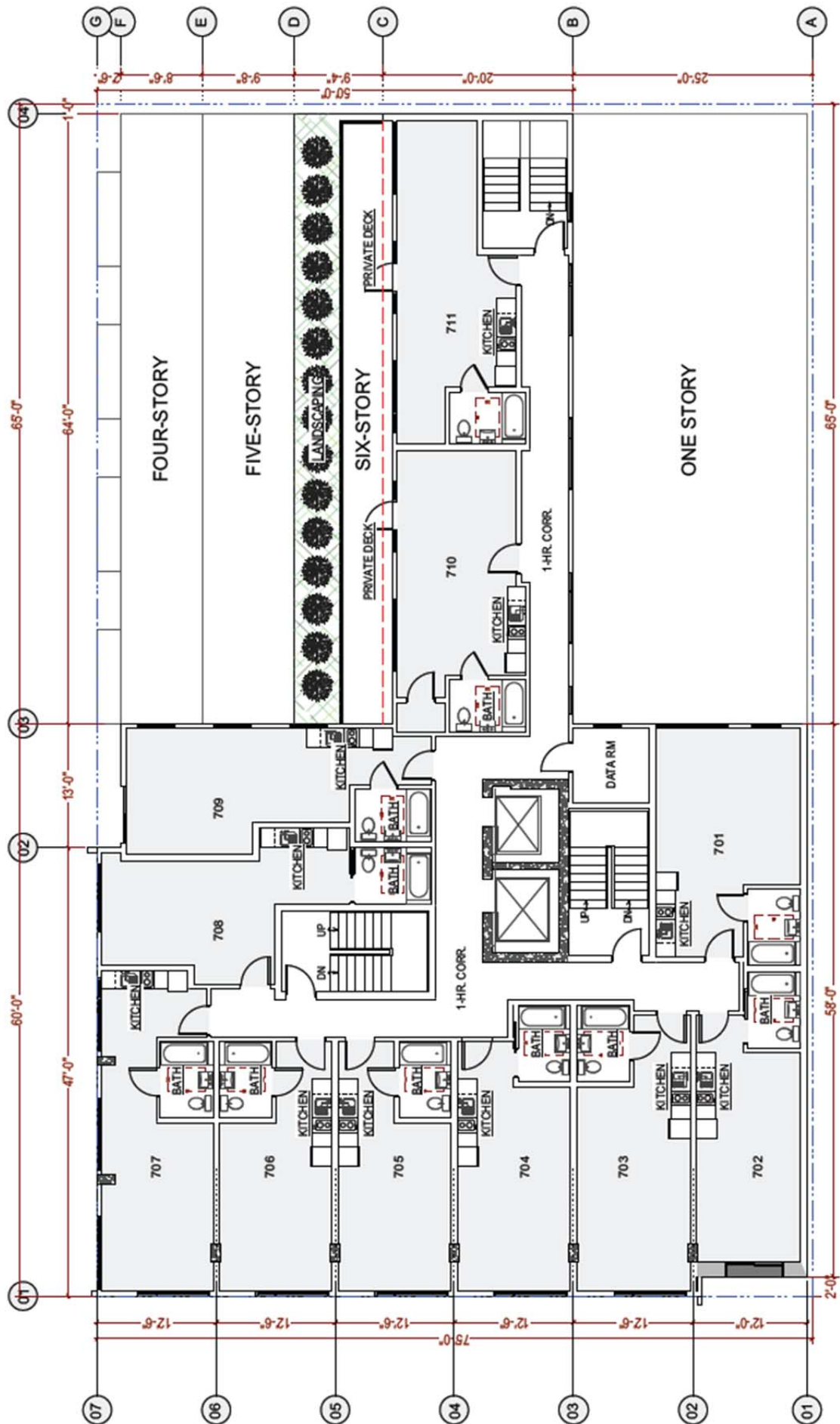


FIGURE 7: PROPOSED SEVENTH FLOOR PLAN

SOURCE: SIA Consulting Corporation

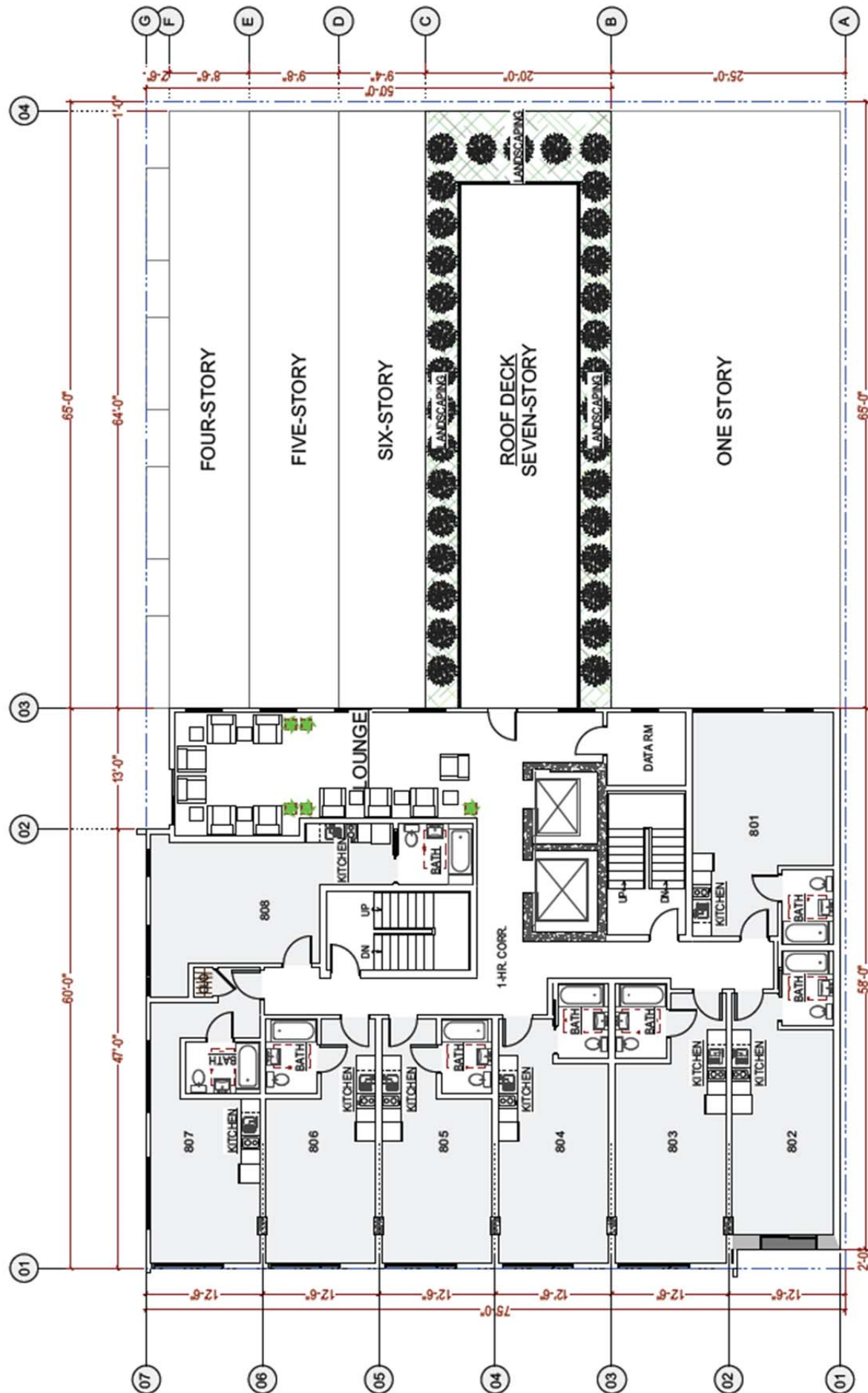


FIGURE 8: PROPOSED EIGHTH FLOOR PLAN

SOURCE: SIA Consulting Corporation

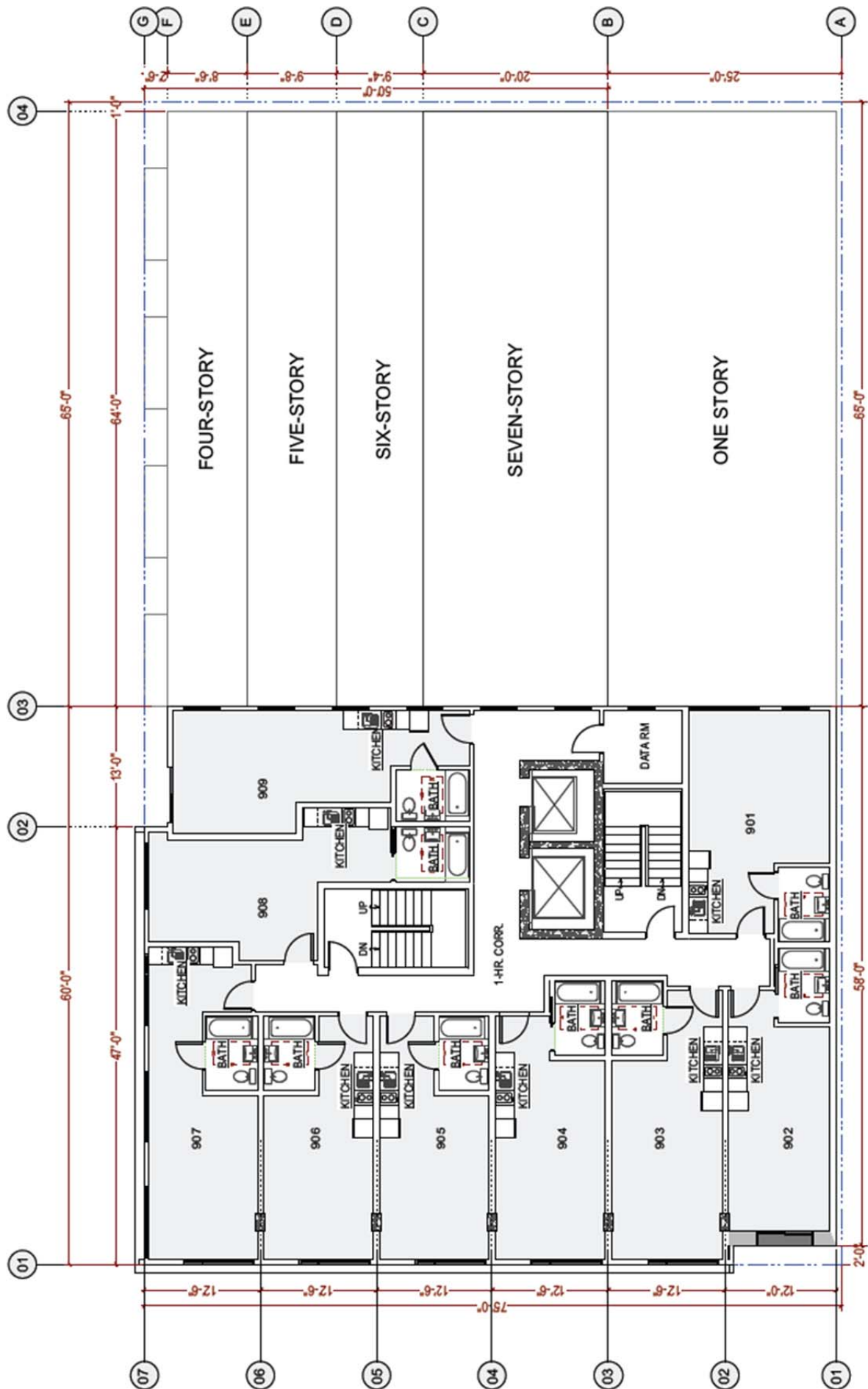


FIGURE 9: PROPOSED NINTH FLOOR PLAN

SOURCE: SIA Consulting Corporation

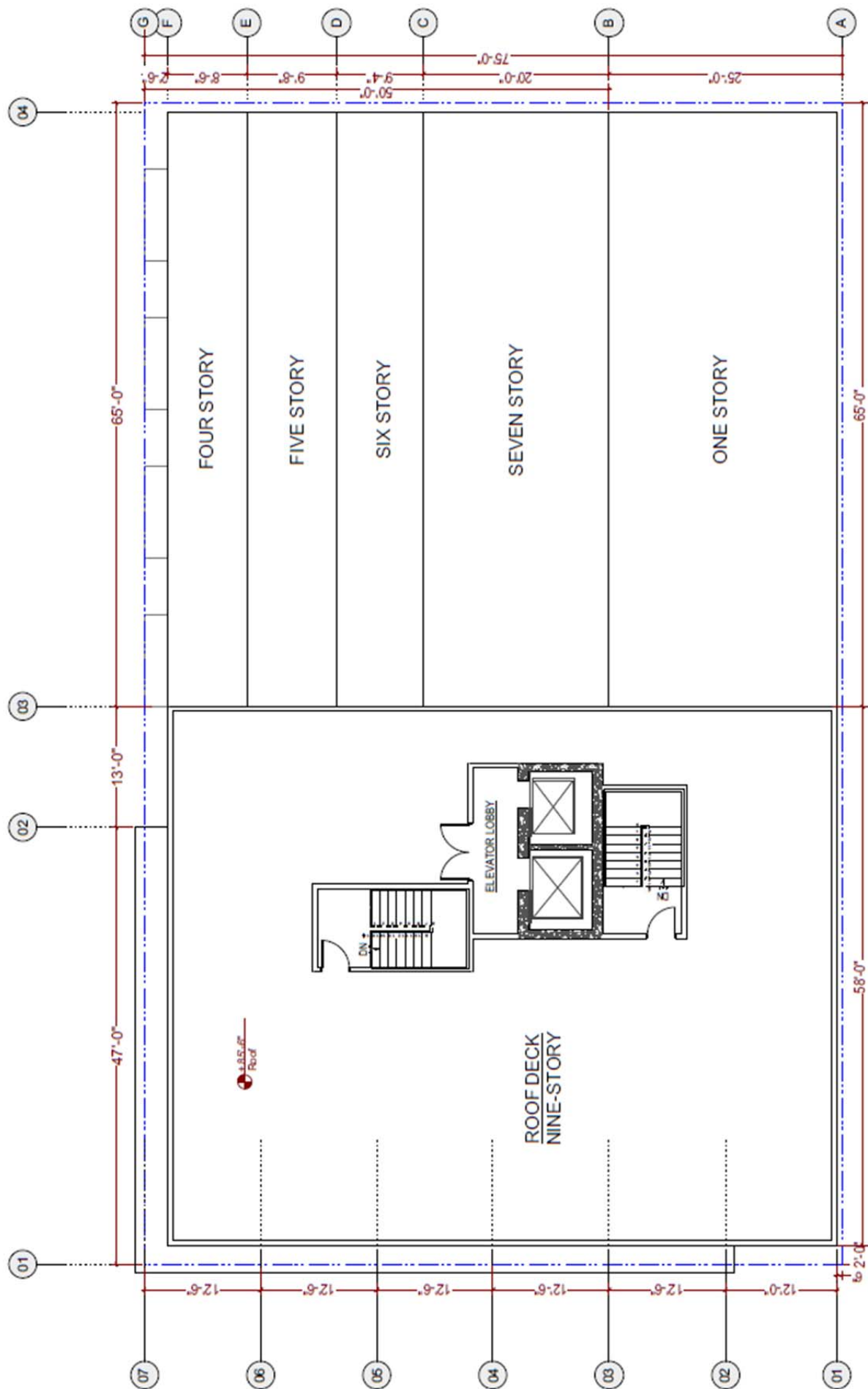


FIGURE 10: PROPOSED ROOF PLAN

SOURCE: SIA Consulting Corporation



FIGURE 11: PROPOSED WEST ELEVATION (6TH STREET)

SOURCE: SIA Consulting Corporation



FIGURE 12: PROPOSED NORTH ELEVATION (SHIPLEY STREET)

SOURCE: SIA Consulting Corporation



FIGURE 13: PROPOSED EAST ELEVATION

SOURCE: SIA Consulting Corporation

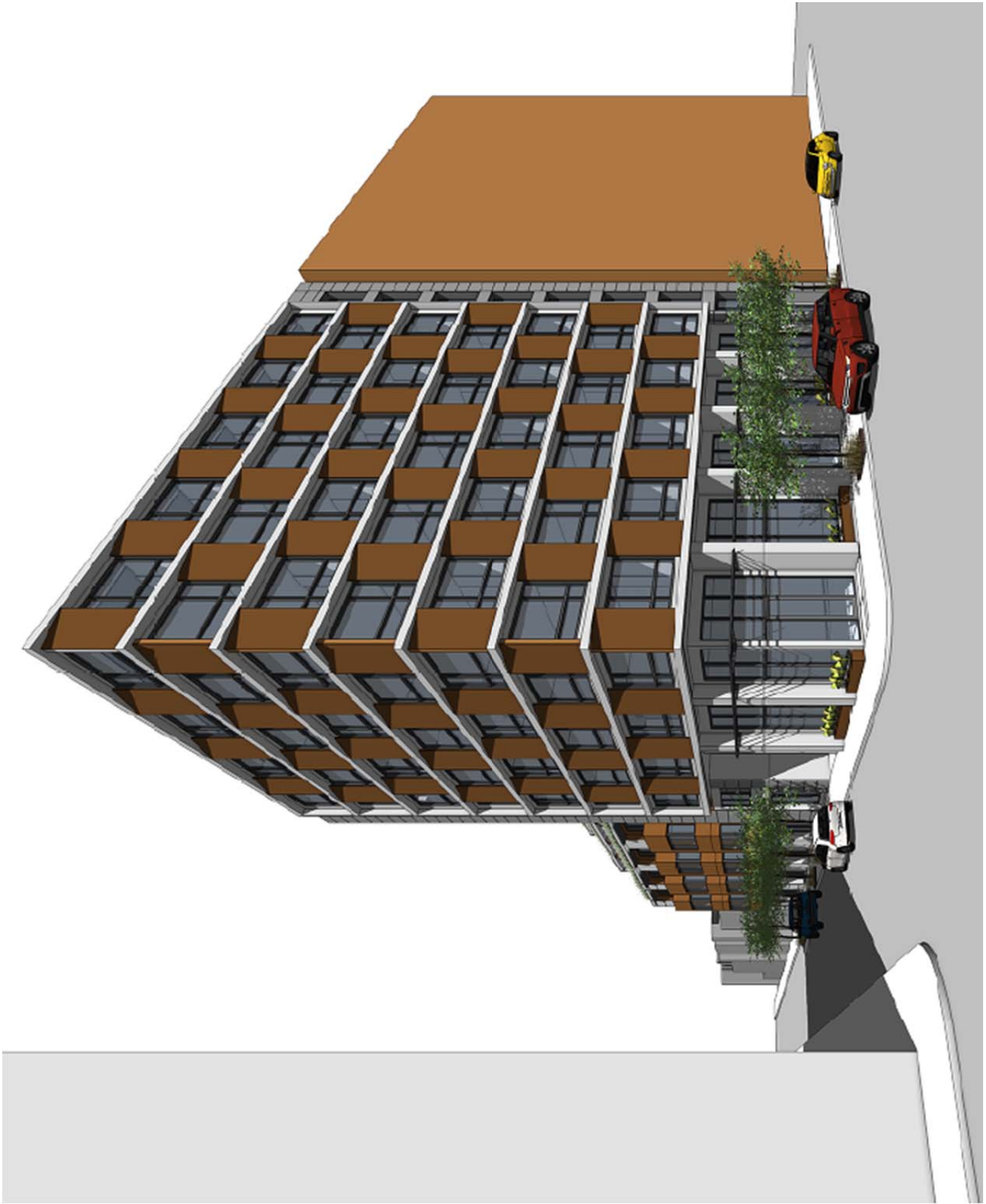


FIGURE 14: VIEW ALONG 6TH AND SHIPLEY STREETS

SOURCE: SIA Consulting Corporation

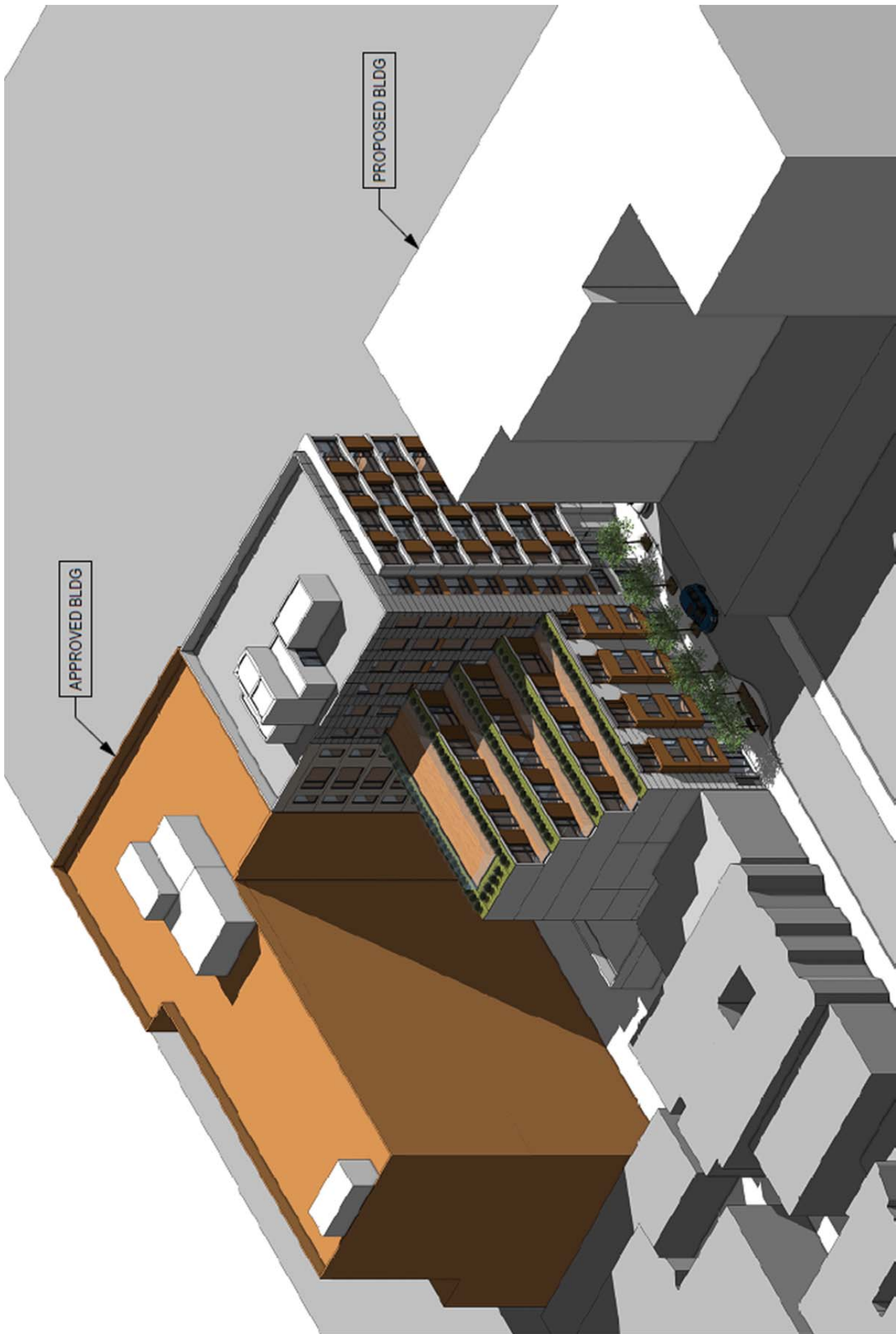


FIGURE 15: OVERHEAD VIEW

SOURCE: SIA Consulting Corporation

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*)
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

Large Project Authorization by the Planning Commission constitutes the Approval Action for the proposed project. 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.

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).¹ 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 topics 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 and Improvement 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 levels 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 consists of demolishing the existing buildings and surface parking lot and constructing a nine-story building containing 102 SRO units and approximately 1,730 gsf of retail space. 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.

¹ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://sf-planning.org/area-plan-eirs>, accessed August 31, 2016.

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regarding Aesthetics, Parking Impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled (VMT), effective March 2016 (see “CEQA Section 21099” heading below);
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 2016;
- *San Francisco Bicycle Plan* update adoption in June 2009, *Better Streets Plan* adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, the Transportation Sustainability Program process, and state statute and Planning Commission resolution regarding automobile delay, and VMT, effective March 2016 (see Checklist section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment, effective June 2015 (see Checklist section “Noise”);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see Checklist section “Air Quality”);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the *General Plan* adoption in April 2014 (see Checklist section “Recreation”);
- *Urban Water Management Plan* adoption in 2011 and Sewer System Improvement Program process (see Checklist section “Utilities and Service Systems”); and
- Article 22A of the Health Code amendments effective August 2013 (see Checklist section “Hazardous Materials”).

CHANGES IN THE PHYSICAL ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, as evidenced by the volume of development applications submitted to the Planning Department since 2012, the pace of development activity has increased in the Eastern Neighborhoods plan areas. The Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in a substantial amount of growth within the Eastern Neighborhoods plan areas, resulting in an increase of approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 sf of net nonresidential space (excluding PDR loss)

throughout the lifetime of the plan (year 2025).² The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.³ Growth projected in the Eastern Neighborhoods PEIR was based on a soft site analysis (i.e., assumptions regarding the potential for a site to be developed through the year 2025) and not based upon the created capacity of the rezoning options (i.e., the total potential for development that would be created indefinitely).⁴

As of September 2016, projects containing 8,527 dwelling units and 2,205,720 square feet (sf) of nonresidential space (excluding PDR loss) have completed or are proposed to complete environmental review within the Eastern Neighborhoods plan areas.^{5, 6} This level of development corresponds to an overall population increase of approximately 22,099 to 25,183 persons. Of the 8,527 dwelling units that are under review or have completed environmental review, building permits have been issued⁷ for 2,957 dwelling units, or approximately 35 percent of those units (information is not available regarding building permit nonresidential square footage).

Within the East SoMa subarea, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 2,294 to 3,083 net dwelling units and 63,122 to 90,589 sf of nonresidential space (excluding PDR loss) through the year 2025. This level of development corresponds to an overall population increase of approximately 5,818 to 8,985 persons. As of September 2016, projects containing 1,779 dwelling units and 1,031,563 sf of nonresidential space (excluding PDR loss) have completed or are proposed to complete environmental review within the East SoMa subarea. This level of development corresponds to an overall population increase of 5,636 to 6,988 persons. Of the 1,779 dwelling units that are under review or have completed environmental

² Tables 12 through 16 of the Eastern Neighborhoods Draft EIR and Table C&R-2 in the Comments and Responses show projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning, not projected growth totals from a baseline of the year 2000. Estimates of projected growth were based on parcels that were to be rezoned and did not include parcels that were recently developed (i.e., parcels with projects completed between 2000 and March 2006) or have proposed projects in the pipeline (i.e., projects under construction, projects approved or entitled by the Planning Department, or projects under review by the Planning Department or the Department of Building Inspection). Development pipeline figures for each Plan Area were presented separately in Tables 5, 7, 9, and 11 in the Draft EIR. Environmental impact assessments for these pipeline projects were considered separately from the Eastern Neighborhoods rezoning effort.

³ Table 2: Forecast Growth by Rezoning Option, Chapter IV of the Eastern Neighborhoods Draft EIR, shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

⁴ San Francisco Planning Department, Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, Draft, February 2003. This document is available at: <http://www.sf-planning.org/index.aspx?page=1678#background>.

⁵ For this and the Land Use and Land Use Planning section, environmental review is defined as projects that have or are relying on the growth projections and analysis in the Eastern Neighborhoods PEIR for environmental review (i.e., Community Plan Exemptions or Focused Mitigated Negative Declarations and Focused Environmental Impact Reports with an attached Community Plan Exemption Checklist).

⁶ These estimates include projects that have completed environmental review and foreseeable projects (including the proposed project). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the Planning Department.

⁷ An issued building permit refers to buildings currently under construction or open for occupancy. This number includes all units approved under CEQA (including CPEs, Categorical Exemptions and other types of CEQA documents).

review, building permits have been issued for 705 dwelling units, or approximately 40 percent of those units. Therefore, anticipated growth from the Eastern Neighborhoods Rezoning and Area Plans is within the Eastern Neighborhoods PEIR growth projections.

Growth that has occurred within the plan areas since adoption of the Eastern Neighborhoods PEIR has been planned for, and the effects of that growth were anticipated and considered in the Eastern Neighborhoods PEIR. Although the number of housing units under review is approaching or exceeds the residential unit projections for the Mission and Showplace Square/Potrero Hill Area Plans of the Eastern Neighborhoods PEIR, the nonresidential reasonably foreseeable growth is well below what was anticipated. Therefore, population growth associated with approved and reasonably foreseeable development is within the population that was projected for 2025. Furthermore, the number of constructed projects within the Eastern Neighborhoods is well below what has been approved for all plan areas.

The Eastern Neighborhoods PEIR utilized the growth projections to analyze the physical environmental impacts associated with that growth for the following environmental impact topics: Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. The analysis took into account the overall growth in the Eastern Neighborhoods and did not necessarily analyze in isolation the impacts of growth in one land use category, although each land use category may have differing severities of effects. The analysis of environmental topics covered in this checklist takes into account the differing severities of effects of the residential and employee population.

In summary, projects proposed within the Eastern Neighborhoods plan areas have not exceeded the overall population growth that was projected in the Eastern Neighborhoods PEIR; therefore, foreseeable growth within the plan areas do not present substantial new information that was not known at the time of the PEIR and would not result in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

SENATE BILL 743

Aesthetics and Parking

In accordance with CEQA Section 21099: Modernization of Transportation Analysis for Transit-Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets 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 criteria; therefore, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁸ Project elevations and an architectural rendering are included in the project description.

⁸ San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis for 345 6th Street*, September 26, 2016.

Automobile Delay and Vehicle Miles Traveled

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment under CEQA.

In January 2016, the OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#)⁹ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted the OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution No. 19579). The VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

<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>
1. LAND USE AND LAND USE PLANNING—Would the project:				
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 therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would not create any new physical barriers in the Eastern Neighborhoods, because the rezoning and Area Plans do not

⁹ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

provide for any new major roadways, such as freeways that would disrupt or divide the plan area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in the MUR District and is consistent with the height, density, and land uses specified in the *East SoMa Area Plan*.^{10, 11} Implementation of the proposed project would result in residential and commercial uses that would be consistent with and maintain the mixed-use character of the project vicinity.

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans, implementation of the proposed project would not result in significant impacts related to land use and land use planning that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

Topics:	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
2. POPULATION AND HOUSING—				
Would the project:				
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 Rezoning and 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 and of 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.

¹⁰ Joshua Switzky, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2013.1773E, 345 6th Street, October 26, 2016.*

¹¹ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2013.1773E, 345 6th Street, October 18, 2016.*

The proposed project consists of demolishing the existing buildings and surface parking lot and constructing a nine-story building containing 102 SRO units and approximately 1,730 gsf of retail space, which would result in a total of about 105 residents and five employees on the project site.¹² 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 these reasons, the proposed project would not result in significant impacts on population and housing beyond those 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>
3. CULTURAL RESOURCES—Would the project:				
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) 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 (CRHR) 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 approval of the Eastern Neighborhoods Rezoning and Area Plans on January 19, 2009.

The subject property was evaluated as part of the South of Market Area Historic Resource Survey, which was adopted by the Historic Preservation Commission in July 2010. Based on this survey, the subject

¹² San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002, Appendix C, Table C-1. An employment factor of 350 gsf per employee applies to general retail uses. Based on 1,730 gsf of retail use, there would be five employees.

property was assigned a California Historic Resource Status Code of 6Z, which defines the property as “ineligible for [National Register], [California Register], or local designation through survey evaluation.” Therefore, the subject property is not considered to be a historic resource for the purposes of CEQA, and implementation of the proposed project would not result in the demolition of a historic resource. In addition, the project site is not within an existing historic district.

For these reasons, the proposed project would not contribute to the significant and unavoidable impacts on historical resources that were identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to less-than-significant levels. PEIR Mitigation Measure J-1: Properties with Previous Studies, applies to properties for which a final archeological research design and treatment plan (ARDTP) is on file at the Northwest Information Center and the Planning Department. PEIR Mitigation Measure J-2: Properties with No Previous Studies, 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. PEIR Mitigation Measure J-3: Mission Dolores Archeological District, 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 project site is not in an area for which a previous archeological study has been conducted and an ARDTP is on file, so PEIR Mitigation Measure J-1 is not applicable to the proposed project. No previous archeological studies have been conducted for the project site, so PEIR Mitigation Measure J-2 is applicable to the proposed project. PEIR Mitigation Measure J-2 requires the preparation of a Preliminary Archeological Sensitivity Study to determine the potential for archeological resources to be present at the project site. The Planning Department conducted a Preliminary Archeological Review (PAR) and determined that the proposed project would have no impact on archeological resources. As part of the PAR, the Planning Department determined that a mitigation measure related to the accidental discovery of archeological resources is applicable to the proposed project.¹³ This mitigation measure, identified as Project Mitigation Measure 1, is discussed on pp. 53-54. The project site is not in the Mission Dolores Archeological District, so PEIR Mitigation Measure J-3 is not applicable to the proposed project.

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

¹³ Randall Dean, San Francisco Planning Department, email to Michael Li, San Francisco Planning Department, July 16, 2015.

<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>
4. TRANSPORTATION AND CIRCULATION—Would the project:				
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"/>
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 scope of 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 transit ridership and identified seven transportation mitigation measures, which are discussed below in the "Transit" subsection. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable. As discussed above under "SB 743," in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted Resolution No. 19579 replacing automobile delay with a vehicle miles traveled (VMT) metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

The Eastern Neighborhoods PEIR did not evaluate VMT or the potential for induced automobile travel. The VMT analysis presented below evaluates the project's transportation effects using the VMT metric.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, CPE Checklist Topic 4c is not applicable to the proposed project.

Vehicle Miles Traveled (VMT) Analysis

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones (TAZs). TAZs are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to the entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would overestimate VMT.^{14, 15}

For residential development, the existing regional average daily VMT per capita is 17.2.¹⁶ For retail development, the regional average daily VMT per retail employee is 14.9.¹⁷ Average daily VMT for these land uses is projected to decrease in future 2040 cumulative conditions. Please see Table 1: Daily Vehicle Miles Traveled, which includes the TAZ, 631, in which the project site is located.

¹⁴ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹⁵ San Francisco Planning Department, *Executive Summary: Resolution Modifying Transportation Impact Analysis*, Appendix F, Attachment A, March 3, 2016.

¹⁶ Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

¹⁷ For VMT analysis, PDR uses are treated as office uses.

Table 1: Daily Vehicle Miles Traveled

<u>Land Use</u>	<u>Existing</u>			<u>Cumulative 2040</u>		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 631</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 631</u>
Households (Residential)	17.2	14.6	2.2	16.1	13.7	1.8
Employment (Retail)	14.9	12.6	9.1	14.6	12.4	8.7

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a TAZ that exhibits low levels of VMT. Small Projects are projects that would generate fewer than 100 vehicle trips per day. The Proximity to Transit Stations criterion includes projects that are within a half-mile of an existing major transit stop, have a floor area ratio that is equal to or greater than 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

In TAZ 631, the existing average daily household VMT per capita is 2.2, and the existing average daily VMT per retail employee is 9.1.^{18, 19} In TAZ 631, the future 2040 average daily household VMT per capita would be 1.8, and the future 2040 average daily VMT per retail employee would be 8.7.²⁰ Given that the project site is located in an area in which the existing and future 2040 residential and retail employee VMT would be more than 15 percent below the existing and future 2040 regional averages, the proposed project's residential and retail uses would not result in substantial additional VMT, and impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.²¹

Induced Automobile Travel Analysis

A proposed project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. The OPR's proposed transportation

¹⁸ For VMT screening and analysis, PDR uses are treated like office uses.

¹⁹ San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 345 6th Street, September 26, 2016.

²⁰ *Ibid.*

²¹ *Ibid.*

impact guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant, and a detailed VMT analysis is not required.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The existing driveway and curb cut on 6th Street would be removed. The proposed project would also include the installation of Class 2 bicycle parking facilities on the 6th Street and Shipley Street sidewalks adjacent to the project site. These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.²²

Trip Generation

The proposed project consists of demolishing the existing buildings and surface parking lot and constructing a nine-story building containing 102 SRO units and approximately 1,730 gsf of retail space, and 108 bicycle parking spaces.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.²³ The proposed project would generate an estimated 1,021 person trips (inbound and outbound) on a weekday daily basis, consisting of 327 person trips by auto, 217 transit trips, 343 walk trips and 134 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 155 person trips, consisting of 49 person trips by auto (39 vehicle trips accounting for vehicle occupancy data for this census tract), 34 transit trips, 52 walk trips and 20 trips by other modes.

Transit

Eastern Neighborhoods PEIR Mitigation Measures E-5: Enhanced Transit Funding, through E-11: Transportation Demand Management, were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigation measures to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, the San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (TSF), which is codified as Planning Code Section 411A (Ordinance No. 200-154, effective December 25, 2015).²⁴ The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5. The City is also currently conducting outreach regarding Mitigation Measure E-5 and Mitigation Measure E-11. Both the TSF and the transportation demand management efforts are part of the Transportation Sustainability Program.²⁵ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements,

²² *Ibid.*

²³ San Francisco Planning Department, *Transportation Calculations for 345 6th Street*, September 9, 2016.

²⁴ Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board File Nos. 151121 and 151257.

²⁵ <http://tsp.sfplanning.org>

Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the (San Francisco Municipal Transportation Agency (SFMTA) is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on 9 San Bruno bus route (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods plan area (e.g., the implemented new 55 16th Street bus route).

Mitigation Measure E-7 also identifies implementing recommendations of the *Bicycle Plan* and the *Better Streets Plan*. As part of the *Bicycle Plan*, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Street. The *Better Streets Plan*, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The *Better Streets Plan* requirements were codified in Planning Code Section 138.1, and new projects constructed in the Eastern Neighborhoods plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: the 8 Bayshore, 8AX Bayshore A Express, 8BX Bayshore B Express, 12 Folsom/Pacific, 19 Polk, 27 Bryant, 30 Stockton, 45 Union/Stockton, and the 47 Van Ness.

The proposed project would be expected to generate 217 daily transit trips, including 34 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 34 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 related to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. The project site is within one-quarter mile of one of these seven affected lines (the 27 Bryant). The proposed project would not contribute considerably to these conditions as its minor contribution of 34 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.

Conclusion

For these reasons, the proposed project would not result in significant impacts related to transportation and circulation that were not identified in the Eastern Neighborhoods PEIR and would not contribute considerably to cumulative transportation and circulation impacts that were 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>
5. NOISE—Would the project:				
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 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"/>
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 determined that implementation of the Eastern Neighborhoods Rezoning and Area Plans would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Rezoning and Area Plans would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.²⁶ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

²⁶ Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed

Construction Noise

The Eastern Neighborhoods PEIR includes two mitigation measures that address impacts from construction noise. PEIR Mitigation Measure F-1: Construction Noise (Pile Driving), addresses noise impacts related to pile driving. The proposed building would be supported by deep piers with a mat slab. In the event that piles are used, PEIR Mitigation Measure F-1, which is identified as Project Mitigation Measure 2 and is discussed on p. 54, would be applicable to the proposed project. PEIR Mitigation Measure F-2: Construction Noise, requires the development of a noise attenuation plan and the implementation of noise attenuation measures to minimize noise impacts from construction activities. PEIR Mitigation Measure F-2, which is applicable to the proposed project, is identified as Project Mitigation Measure 3 and discussed on p. 54.

In addition, all construction activities for the proposed project (approximately 16 months) would be subject to and required to comply with the San Francisco Noise Ordinance (Noise Ordinance), which is codified as Article 29 of the San Francisco Police Code. The Noise Ordinance regulates construction noise and requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA²⁷ 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 San Francisco Public Works (SFPW) 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 SFPW authorizes a special permit for conducting the work during that period.

The 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.), and the Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the approximately 16-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise. There may be times when construction noise could interfere with indoor activities in residences and businesses near the project site. The increase in project-related construction noise in the project vicinity would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately 16 months), intermittent, and restricted in occurrence and level. In addition, the construction contractor would be required to comply with the Noise Ordinance and PEIR Mitigation Measure F-2, which would reduce construction noise impacts to less-than-significant levels.

project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (California Building Industry Association v. Bay Area Air Quality Management District, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the Eastern Neighborhoods PEIR determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Rezoning and Area Plans would be less than significant and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

²⁷ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

Operational Noise

PEIR Mitigation Measure F-5: Siting of Noise-Generating Uses, addresses impacts related to individual development projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise levels in the respective project vicinities. The proposed project would result in the development of residential uses and approximately 1,730 gsf of retail space on the project site, but these uses are not expected to generate noise levels in excess of existing ambient noise levels in the project vicinity. The proposed project would include the installation of mechanical equipment, such as heating and ventilation systems, that could produce operational noise, but this equipment would be required to comply with the standards set forth in the Noise Ordinance. The proposed project does not include the installation of a backup diesel generator. Therefore, PEIR Mitigation Measure F-5 is not applicable to the proposed project.

The proposed project would be subject to the California Building Standards Code (Title 24 of the California Code of Regulations), which establishes uniform noise insulation standards. The Title 24 acoustical standards for residential structures are incorporated into Section 1207 of the San Francisco Building Code and require that these structures be designed to prevent the intrusion of exterior noise so that the noise level attributable to exterior sources, with the windows closed, shall not exceed 45 dBA in any habitable room. The Title 24 acoustical standards for nonresidential structures are incorporated into the San Francisco Green Building Code. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical standard for nonresidential structures. Pursuant to the Title 24 acoustical standards, all building wall, floor/ceiling, and window assemblies are required to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise levels are achieved. In compliance with Title 24, the DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by the DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance No. 70-15, effective June 19, 2015). The intent of these regulations is to address the compatibility of new residential development with existing noise-generating uses. Any residential development proposed in proximity to highways, country roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues, or industrial areas, shall be designed to prevent the intrusion of noise levels beyond those prescribed in the noise regulations. Any residential development proposed in an area in which the L_{dn}^{28} or the community noise equivalent level exceeds 60 dB shall require an acoustical analysis with the building permit application showing that the proposed design will limit exterior noise to 45 dB in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval processes to ensure that the design of new residential development projects accounts for the needs and interests of both the places of entertainment and the future residents of the new development.

²⁸ The L_{dn} is the L_{eq} , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period, obtained after the addition of 10 dB to sound levels during nighttime hours (10:00 p.m. to 7:00 a.m.). The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

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, CPE Checklist Topics 5e and 5f are not applicable.

For these reasons, the proposed project would not result in significant noise impacts beyond those identified in the Eastern Neighborhoods PEIR.

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>
6. AIR QUALITY—Would the project:				
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 on sensitive land uses²⁹ 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 and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the *Bay Area 2005 Ozone Strategy*, which was the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Construction Dust Control

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 approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008). The intent of this 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

²⁹ The Bay Area Air Quality Management District 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, p. 12.

and of on-site workers, to minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (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, sweeping streets and sidewalks, and other measures.

The regulations and procedures set forth in the Construction 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 that addresses dust control is no longer applicable to the proposed project.

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.”³⁰ The BAAQMD’s *CEQA Air Quality Guidelines (Air Quality Guidelines)* provide screening criteria³¹ 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. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The proposed project, with 102 SRO units, is below both the construction screening criterion and the operational screening criterion for the “apartment, mid-rise” land use type. Therefore, the proposed project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The Air Pollutant Exposure Zone (APEZ), as defined in Article 38, consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} (fine particulate matter) concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the APEZ, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The DBI will not issue a building permit without written notification from the Director of the

³⁰ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Case No. 2004.0160E, certified August 7, 2008, p. 346. Available online at: http://sf-planning.org/sites/default/files/FileCenter/Documents/4003-EN_Final-EIR_Part-7_Trans-Noise-AQ.pdf, accessed October 13, 2016.

³¹ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, updated May 2011, pp. 3-2 to 3-3.

DPH that the applicant has an approved Enhanced Ventilation Proposal. In compliance with Article 38, the project sponsor submitted an initial application to DPH.³²

Construction

The project site is located within an identified APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the first four to six months of the anticipated 16-month construction period. Thus, Project Mitigation Measure 4: Construction Air Quality, has been identified to implement the portions of PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 4 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.³³ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 4, which is discussed on pp. 54-56.

Siting New Sources

The proposed project would not be expected to generate 100 truck trips per day or 40 refrigerated truck trips per day, so PEIR Mitigation Measure G-3: Siting of Uses that Emit DPM, is not applicable. The proposed project would not include a backup diesel generator, so PEIR Mitigation Measure G-4: Siting of Uses that Emit Other TACs, is not applicable.

Conclusion

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

³² *Application for Article 38 Compliance Assessment, 345 6th Street*, submitted June 30, 2015.

³³ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
7. GREENHOUSE GAS EMISSIONS— Would the project:				
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"/>

Eastern Neighborhoods PEIR

The Eastern Neighborhoods PEIR assessed the greenhouse gas (GHG) emissions that could result from rezoning of the Mission 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 carbon dioxide equivalent (CO₂E) per service population, respectively.³⁴ The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three rezoning options would be less than significant. No mitigation measures were identified in the PEIR.

Proposed Project

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHG emissions. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact would be less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*³⁵ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,³⁶ exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,³⁷ Executive Order S-3-05,³⁸ and Assembly

³⁴ San Francisco Planning Department, *Greenhouse Gas Analysis 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 estimates GHG emissions using a service population (equivalent of total number of residents and employees) metric.

³⁵ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

³⁶ ICF International, *Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco*, January 21, 2015. Available at http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfcommunityinventory_2015-01-21.pdf, accessed March 16, 2015.

³⁷ Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

³⁸ Office of the Governor, Executive Order S-3-05, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

Bill 32 (also known as the Global Warming Solutions Act).^{39, 40} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05⁴¹ and B-30-15.^{42, 43} Therefore, projects that are consistent with San Francisco's GHG reduction strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the project site by introducing 102 SRO units and approximately 1,730 gsf of retail space with no parking spaces to replace a surface parking lot for about 35 vehicles. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of residential and retail operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions. The existing surface parking lot on the project site generates daily and p.m. peak-hour vehicle trips. It is possible that the proposed project, with fewer parking spaces, would generate fewer daily and p.m. peak-hour vehicle trips than the existing surface parking lot, resulting in a decrease in GHG emissions associated with vehicle trips (mobile sources).

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, and bicycle parking requirements, would reduce the proposed project's transportation-related GHG emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, the Stormwater Management Ordinance, and the Residential Water Conservation Ordinance, all of which would promote energy and water efficiency, thereby reducing the proposed

³⁹ California Legislative Information, Assembly Bill 32, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_0001-0050_ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

⁴⁰ Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

⁴¹ Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalent (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050, reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalent," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

⁴² Office of the Governor, Executive Order B-30-15, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

⁴³ San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

project's energy-related GHG emissions.⁴⁴ Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁴⁵ and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁴⁶ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁴⁷

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For these reasons, the proposed project would not result in significant GHG emissions 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>
8. WIND AND SHADOW—Would the project:				
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"/>

⁴⁴ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴⁵ Embodied energy is the total energy required for the extraction, processing, manufacture, and delivery of building materials to the building site.

⁴⁶ While not a GHG, VOCs are precursor pollutants that form ground-level ozone. Increased ground-level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁴⁷ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 345 6th Street*, October 12, 2016.

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects less than 80 feet in height would not have the potential to result in significant wind impacts. The new height limits proposed under the Eastern Neighborhoods Rezoning and Area Plans would generally not exceed 80 feet. A few locations throughout the Plan Area already have existing height limits of 130 feet, but no new locations with height limits of 130 feet were proposed. For these reasons, the Eastern Neighborhoods PEIR determined that, at a programmatic level, the Eastern Neighborhoods Rezoning and Area Plans would not result in significant wind impacts. No mitigation measures were identified in the PEIR. Individual development projects proposed under the Eastern Neighborhoods Rezoning and Area Plans must still be assessed to ensure that they would not result in significant project-level wind impacts.

At a height of 85 feet (101 feet at the building's tallest point), the proposed project would be about 35 feet taller than the three existing 50-foot-tall buildings on the west side of 6th Street across from the project site. These existing buildings would largely shelter the proposed project from southwesterly and westerly winds. Any winds that reach the proposed project's 6th Street façade would be reduced in speed due to the sheltering effect. For this reason, winds that are intercepted by the proposed project's 6th Street façade and redirected downward to the sidewalk along 6th Street would not be strong or turbulent.⁴⁸ The property on the north side of Shipley Street across from the project site is a surface parking lot that would not shelter the proposed project from westerly and northwesterly winds. However, the proposed project's Shipley Street façade includes setbacks at the upper floors. Any overhead winds that are intercepted by the proposed project's Shipley Street façade would be dispersed in different directions at these higher elevations instead of being redirected downward to the sidewalk along Shipley Street.⁴⁹

For these reasons, the proposed project would not result in any significant wind impacts beyond those 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, some sites surrounding parks could be redeveloped with taller buildings, because some parks are not subject to the provisions of Section 295 (i.e., some parks are under the jurisdiction of agencies other than the Recreation and Park Commission or are privately owned). The Eastern Neighborhoods PEIR could not conclude if the Eastern Neighborhoods Rezoning and Area Plans would result in less-than-significant shadow impacts, because the feasibility of complete mitigation for the potential new shadow impacts of unknown development proposals could not be determined at that time. Therefore, the PEIR determined that the shadow impacts would be significant and unavoidable. No mitigation measures were identified in the PEIR.

⁴⁸ Don Ballanti, *Wind Comfort Study for the 345 6th Street Project, San Francisco* (hereinafter "Wind Comfort Study"), December 23, 2013, p. 3.

⁴⁹ *Wind Comfort Study*, p. 3.

Implementation of the proposed project would result in the construction of a nine-story, 85-foot-tall building (101 feet at the building's tallest point). The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project has the potential to cast shadow on Victoria Manalo Draves Park in the morning during the summer and on the Gene Friend Recreation Center (formerly known as South of Market Park) in the morning during the autumn, winter, and spring.^{50, 51} Both parks are under the jurisdiction of the Recreation and Park Commission and are subject to Planning Code Section 295.

As part of the implementation of Planning Code Section 295, on February 7, 1989, the Planning Commission and the Recreation and Park Commission adopted a joint resolution establishing criteria for determining the significance of shadow cast by future development projects on 14 downtown parks.⁵² These criteria established an absolute cumulative limit (ACL) for net new shadow that could be cast on each of these parks as well as qualitative criteria for allocating the additional net new shadow to individual development projects. The ACL for a particular park is expressed as a percentage of the theoretical annual available sunlight (TAAS) on that park. No ACL was established for Victoria Manalo Draves Park, which did not exist in 1989. The ACL for the Gene Friend Recreation Center was set at zero percent, meaning that no net new shadow could be cast on the park by future development projects.

A more detailed shadow analysis⁵³ confirmed that the proposed project would not cast net new shadow on Victoria Manalo Draves Park at any time during the year. The proposed project's shadow would be blocked by existing buildings located between the project site and the park or would be masked by existing shadows cast by existing buildings.

The Gene Friend Recreation Center is an approximately one-acre park on the northwest corner of 6th and Folsom streets. There is a 24- to 34-foot-tall recreation center building along the park's 6th Street frontage; the recreation center building contains a gymnasium, weight room, activity room, and auditorium. The southern third of the park is occupied by a lawn with paved walkways, and there is a children's playground and an outdoor basketball court along the park's Harriet Street frontage. The park is enclosed by a nine-foot-tall wrought iron fence, and there are three gates: one on 6th Street, one at the corner of 6th and Folsom streets, and one on Harriet Street. The park is open Tuesday through Friday from 9:00 a.m. until 9:00 p.m., Saturday from 9:00 a.m. until 9:00 p.m., and closed on Sunday and Monday. When the park is closed, the gates are locked, and the park is not accessible to the public.

The shadow analysis⁵⁴ indicated that the Gene Friend Recreation Center receives about 166,041,425 square-foot-hours (sfh) of TAAS. Of this total, existing shadows account for about 79,074,104 sfh or 47.62 percent of the TAAS. On an annual basis, the proposed project would cast about 65,909 sfh of net new shadow on the park, which is the equivalent of 0.04 percent of the TAAS. The net

⁵⁰ A shadow fan is a diagram that shows the maximum potential reach of project shadow, without accounting for intervening buildings that could block the shadow, over the course of an entire year (from one hour after sunrise until one hour before sunset on each day of the year) in relation to the locations of nearby open spaces, recreation facilities, and parks.

⁵¹ San Francisco Planning Department, *345 6th Street Shadow Fan*, September 27, 2016.

⁵² San Francisco Planning Commission Resolution No. 11595, February 7, 1989.

⁵³ CADP, *345 6th Street Shadow Analysis* (hereinafter "*Shadow Analysis*"), October 17, 2016.

⁵⁴ *Ibid.*

new project shadow would increase the shadow load on the park from 47.62 percent of the TAAS to 47.66 percent of the TAAS.

The proposed project would cast net new shadow on the Gene Friend Recreation Center in the morning from early September through mid-November and from mid-January through early April.⁵⁵ No net new project shadow would reach the park from mid-November through mid-January or from early April through early September. Depending on the time of year, the net new project shadow on the park would begin as early as 7:30 a.m. or as late as 8:16 a.m.⁵⁶ The net new project shadow would last no longer than 27 minutes on any day and would move off the park by 8:45 a.m., about 15 minutes before the park opens at 9:00 a.m.⁵⁷ The proposed project would not cast net new shadow on the park after 8:45 a.m. on any day of the year.

The maximum shadow in terms of area would occur on October 4 and March 8, when the net new project shadow would cover about 6,202 sf.⁵⁸ The maximum shadow in terms of duration would also occur on October 4 and March 8, when the net new project shadow would last about 27 minutes.⁵⁹ The net new project shadow would fall on the lawn and paved walkways at the southern end of the park during a time of day when the park is not open to the public, so the net new project shadow would not adversely affect the public's ability to use the park. For these reasons, the proposed project would not create new shadow in a manner that substantially affects an outdoor recreation facility.

Since the Gene Friend Recreation Center has an ACL of zero percent net new shadow, implementation of the proposed project would require the Planning Commission and the Recreation and Park Commission to increase the ACL for the park.

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

For these reasons, the proposed project would not result in significant shadow impacts beyond those identified in the Eastern Neighborhoods PEIR.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

<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>
9. RECREATION—Would the project:				
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. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

As part of the adoption of the Eastern Neighborhoods Rezoning and Area Plans, the City adopted impact fees for development in Eastern Neighborhoods that goes toward funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond, providing the Recreation and Park Department an additional \$195 million to continue capital projects for the renovation and repair of park, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, the Potrero Hill Recreation Center, Warm Water Cove Park, and the Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the *General Plan* was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and locations where new open spaces and open space connections should be constructed, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom streets, are both set to open in 2016. In addition, the amended ROSE identifies the role of both the *Better Streets Plan* and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually

designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population in the Eastern Neighborhoods Plan area.

The proposed project would provide usable open space in the form of private balconies and decks on the fourth through seventh floors and common decks on the eighth floor and the roof. This usable open space would help alleviate the demand for recreational facilities.

As the proposed project does not degrade recreational facilities and is within the scope of 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>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
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"/>
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.

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the *2010 Urban Water Management Plan* (UWMP) in June 2011. The UWMP update includes citywide demand projections to the year 2035, compares available water supplies to meet demand, and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7, passed in November 2009, mandating a statewide 20 percent reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area, including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is within the scope of 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>
11. PUBLIC SERVICES—Would the project:				
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 scope of 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>
12. BIOLOGICAL RESOURCES—Would the project:				
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 Eastern Neighborhoods Rezoning and Area Plans. In addition, development envisioned under the Eastern Neighborhoods Rezoning and Area Plans would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is located within the East SoMa Plan Area of the Eastern Neighborhoods Area Plan and does not support habitat for any candidate, sensitive or special status species. Implementation of the proposed project would not result in significant impacts on biological resources beyond those 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>
13. GEOLOGY AND SOILS—Would the project:				
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"/>
g) 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"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would indirectly increase the population that would be subject to geologic hazards, including earthquakes, 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 risk,

but would reduce them to an acceptable level given the seismically active characteristics of the San Francisco Bay Area. Therefore, the PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in significant impacts related to geologic hazards. No mitigation measures were identified in the PEIR.

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations, presented in a geotechnical report, are summarized below.⁶⁰

The geotechnical investigation did not include the drilling of test borings on the project site; it relied on a cone penetrometer test (CPT) conducted on the adjacent lot at 363 6th Street. The CPT probe was advanced into the soil to the point of refusal at a depth of about 126 feet below ground surface (bgs). Based on information provided by the CPT, the project site is underlain by about 24 feet of fill that consists of loose to medium-dense sand. This layer of fill is underlain by approximately 80 feet of soft Bay Mud, four feet of silt, and 16 feet of very dense sand. Groundwater is estimated to be about five feet bgs. There are no known active earthquake faults that run underneath the project site or in the project vicinity; the closest active fault to the project site is the San Andreas Fault, which is about eight miles to the southwest. The project site is in a liquefaction zone, but it is not in a landslide zone.⁶¹

For the building foundation, the geotechnical report recommends the use of a deep foundation system (piles) or an alternative foundation system determined to be appropriate by a geotechnical consultant. The project sponsor has indicated that the proposed building would be supported by deep piers with a mat slab. Construction of the proposed project would require excavation to a depth of two feet bgs and the removal of about 520 cubic yards of soil from the project site.

The CPT did not reach a sufficient depth to determine if the underlying soil will provide enough support for the recommended deep foundation system. The geotechnical report states that deep rotary wash borings will be the most appropriate method for obtaining the geotechnical information needed to perform a geotechnical engineering analysis for the proposed project. The geotechnical report recommends that four rotary wash borings be drilled to bedrock and that three CPTs be conducted to assist in interpolating the soil conditions in between the borings.⁶² The project sponsor has agreed to implement the recommendations in the geotechnical report.

The proposed project is required to comply with the San Francisco Building Code (Building Code), which ensures the safety of all new construction in San Francisco. The Department of Building Inspection (DBI) will review the project-specific geotechnical report during its review of the building permit application for the proposed project. In addition, the DBI may require additional site-specific soils report(s) as needed. Implementation of the recommendations in the geotechnical report, in combination with the requirement for a geotechnical report and the review of the building permit application pursuant to the DBI's implementation of the Building Code would minimize the risk of loss, injury, or death due to seismic or other geologic hazards.

⁶⁰ Alan Kropp & Associates, Inc., *Due Diligence Geotechnical Study, Nine-Story Mixed-Use Buildings, 345 and 363 6th Street, San Francisco, California* (hereinafter "*Geotechnical Study*"), December 4, 2013.

⁶¹ San Francisco Planning Department, GIS database geology layer, accessed September 1, 2016.

⁶² *Geotechnical Study*, p. 13.

For these reasons, the proposed project would not result in significant impacts related to geology and soils beyond those 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>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
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"/>
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 is completely paved, so implementation of the proposed project would not increase the area of impervious surfaces. As a result, the proposed project would not increase stormwater runoff.

For these reasons, the proposed project would not result in any significant impacts related to hydrology and water quality beyond those 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>
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
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 Eastern Neighborhoods rezoning options would encourage construction of new development within the Plan Area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the Plan 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 closure, and investigation and cleanup of soil and groundwater would ensure that workers and the community would be protected from exposure to hazardous materials during construction. In

addition, businesses that use or generate hazardous substances (cleaners, solvents, etc.), would be subject to existing regulations that would protect workers and the community from exposure to hazardous materials during operations. Furthermore, compliance with existing building and fire codes would reduce impacts related to potential fire hazards, emergency response, and evacuation hazards to less-than-significant levels.

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 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 PEIR Mitigation Measure L-1: Hazardous Building Materials, would reduce this impact to a less-than-significant level. PEIR Mitigation Measure L-1 requires any equipment containing PCBs or DEHP to be removed and properly disposed of in accordance with applicable federal, state, and local regulations prior to the start of renovation. In addition, mercury or other hazardous materials that are identified before or during construction shall be removed and/or abated in accordance with applicable federal, state, and local regulations. Because the proposed project includes the demolition of an existing building, PEIR Mitigation Measure L-1 is applicable to the proposed project. PEIR Mitigation Measure L-1 is identified as Project Mitigation Measure 5 and discussed on p. 57.

Soil and Groundwater Contamination

The project site is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater.⁶³ In addition, the proposed project would require excavation to a depth of two feet below ground surface and the disturbance of more than 50 cubic yards of soil. For these reasons, the proposed project is subject to Health Code Article 22A (also known as the Maher Ordinance), which is administered and overseen by the Department of Public Health (DPH). The project sponsor is required 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 proposed 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 agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

⁶³ San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf, accessed September 1, 2016.

Accordingly, a Phase I ESA has been prepared to assess the potential for site contamination.⁶⁴ The project site is not included on any list compiled pursuant to California Government Code Section 65962.5.⁶⁵ There was no evidence of any inappropriate use, storage, or disposal of hazardous materials, no evidence of spills, leaks, or accumulation of liquids on the project site, and no evidence of any underground storage tanks or other storage containers.⁶⁶ The Phase I ESA did not identify any Recognized Environmental Conditions on the project site and concluded that no further investigation is required.⁶⁷

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Ordinance Application to the DPH.⁶⁸ Pursuant to compliance with the Maher Ordinance, the proposed project would not result in significant impacts related to contaminated soil and/or groundwater beyond those identified in the Eastern Neighborhoods PEIR.

As discussed above, implementation of Project Mitigation Measure 5 and compliance with all applicable federal, state, and local regulations would ensure that the proposed project would not result in significant impacts related to hazards or hazardous materials beyond those 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>
16. MINERAL AND ENERGY RESOURCES—Would the project:				
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"/>

The Eastern Neighborhoods PEIR determined that the Eastern Neighborhoods Rezoning and Area Plans 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 the Department of Building Inspection. 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 Eastern Neighborhoods Rezoning

⁶⁴ AEI Consultants, *Phase I Environmental Site Assessment, 345 6th Street, San Francisco, California, 94103* (hereinafter "Phase I ESA"), January 28, 2014.

⁶⁵ *Phase I ESA*, pp. 11-17.

⁶⁶ *Phase I ESA*, p. 20.

⁶⁷ *Phase I ESA*, pp. iii-v.

⁶⁸ *Maher Ordinance Application, 345 6th Street*, submitted February 24, 2014.

and Area Plans 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 scope of 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>
17. AGRICULTURE AND FOREST RESOURCES:—Would the project:				
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"/>
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 Plan Area; 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 scope of 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

Project Mitigation Measure 1: Accidental Discovery (Implementing PEIR Mitigation Measure J-2)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource retains sufficient integrity and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning Division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall

receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Project Mitigation Measure 2: Construction Noise – Pile Driving (Implementing PEIR Mitigation Measure F-1)

The project sponsor shall ensure that piles are pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall be required to use pile driving equipment with state-of-the-art noise-shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheet pile drivers rather than impact drivers shall be used wherever sheet piles are needed. The project sponsor shall require that contractors schedule pile driving activities for times of day that would minimize disturbance to neighbors.

Project Mitigation Measure 3: Construction Noise (Implementing PEIR Mitigation Measure F-2)

The project sponsor shall 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 (DBI) 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 4 – Construction Air Quality (Implementing PEIR Mitigation Measure G-1)

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 2 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 (ERO) or designee 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 on-site 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 the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	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 5: Hazardous Building Materials (Implementing PEIR Mitigation Measure L-1)

The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.



ATTENTION:

SAN FRANCISCO PLANNING COMMISSION

CONSULTANT'S SUBMITTAL:

FOR THE REQUEST TO APPROVE
THE PROPOSED MIXED-USE BUILDING

LOCATED AT

345 6th Street

Block / Lot: 3753/081

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EXHIBIT A : INTRODUCTION



EXHIBIT A: INTRODUCTION

SST Investments, LLC (hereinafter "SST") is a family owned and operated business with over 30 years of experience in real estate development. Siavash Tahbazof, the owner of SST, began his business with a small construction company when he first moved to San Francisco in 1982. Many years later, and with a stronger foundation in construction, Siavash and his wife, Sami, founded SST in 2005, with their kids joining the family operations in 2010. Although SST has expanded its business focus from single-family residences to larger multi-unit buildings, it has never neglected its origins. SST, and its related entities, devote many of its properties for Section 8 and Low-Income Housing and designate many of its new construction units as Below Market Rate rentals. Along the same line, Sami is a passionate local advocate for homeless youth, served on the board of A Home Away from Homelessness and is now serving on the board of John Burton Foundation for Children without Homes.

SST recognizes and values the importance of the local community's input in the development process here in San Francisco and as such has maintained close communication with the community and elected representatives throughout the process with their proposed development. SST has illustrated its attention to neighborhood interests by inviting residents and neighborhood stakeholders to at least eleven (11) meetings. (SEE EXHIBIT I). These meetings were arranged in order to provide transparency and to exchange ideas and interests with individuals and groups invested in the future of the neighborhood. As a result of this extensive community outreach, **the most well respected community groups in this neighborhood have all pledged their full support for the project, including United Playaz (UP), West Bay Pilipino Center, Veterans Equity Center (VEC), and Filipino-American Development Foundation (FADF).**

Project sponsors have also been in contact with District 6 Supervisor Jane Kim's office to keep her informed of developments in the entitlement process and to field input on the proposed project and its impacts on the surrounding community. In addition to arranging meetings, SIA Consulting Corporation and SST have had numerous correspondences, diligently answering any and all questions and concerns via telephone and written exchanges.

The proposed project would also augment the socio-economic diversity of the neighborhood's residents by including 13.5% BMR (below market rate) rentals, totaling fourteen (14) units to meet the needs of middle-income residents. SST has committed to providing these BMR units with the City Attorney's Office. Furthermore, the proposed project will provide significant neighborhood revitalization. The project will include a professional sidewalk landscape design integrated with the architecture of the well-designed building. The current parking lot that is located on the property will be replaced with a vibrant commercial unit. This will activate the sidewalk experience for the neighborhood. Also, the project will provide no parking, in consistency with the City's Transit First Policy.

It should also be noted that project sponsor's own offices are located in the same SOMA neighborhood as the proposed project and they have supported their local community throughout the years with sponsorships of community events such as SOMA Movie Night in the Park with Friends of VMD Park and Gene Friend Recreation Center and other support directly to local groups, including United Playaz, who project sponsor has worked closely with in the local community for many years.

In summary, 345 6th Street will be a productive addition to the community and will provide significant community benefits and public good in its construction and well beyond in its operation. It will remain a family owned building by project sponsor, a local SOMA company, who has been and will continue to be an active contributor to the vitality of the local community.

EXHIBIT B : PROJECT DATA

PLANNING DATA

ADDRESS:	345 6TH STREET
LOT AREA:	9,375 ± S.F.
BLOCK / LOT:	3753 / 081
BUILDING HEIGHT:	85'
ZONING:	MUR

REAR YARD OPEN SPACE

REQUIRED:	2,344 S.F. (25% OF LOT AREA: 9,375 S.F. x 0.25)
PROVIDED:	1,625 S.F. (17.3% OF LOT AREA)

GROSS FLOOR AREA - PLANNING CODE

1ST FLOOR:	6,063 ± S.F. (TOTAL)
	1,727 ± S.F. (COMMERCIAL)
	4,336 ± S.F. (RESIDENTIAL)
2ND FLOOR RESIDENTIAL:	5,374 ± S.F.
3RD FLOOR RESIDENTIAL:	7,554 ± S.F.
4TH FLOOR RESIDENTIAL:	7,414 ± S.F.
5TH FLOOR RESIDENTIAL:	6,848 ± S.F.
6TH FLOOR RESIDENTIAL:	6,229 ± S.F.
7TH FLOOR RESIDENTIAL:	5,631 ± S.F.
8TH FLOOR RESIDENTIAL:	4,415 ± S.F.
9TH FLOOR RESIDENTIAL:	4,415 ± S.F.
<hr/>	
RESIDENTIAL AREA SUBTOTAL:	52,516 ± S.F.
COMMERCIAL AREA SUBTOTAL:	1,727 ± S.F.
GROSS BUILDING AREA:	53,943 ± S.F.

DWELLING UNIT USABLE OPEN SPACE

REQUIRED:	2,720 S.F. (80 S.F./3 PER SRO, TOTAL 102 UNITS)
PROVIDED:	7,965 S.F. TOTAL (SEE RESIDENTIAL UNIT MATRIX)

PARKING SUMMARY

CLASS I BICYCLE PARKING / UNIT:	102 BICYCLE PARKING (ONE PER DWELLING)
CLASS II BICYCLE PARKING / 20 UNITS:	7 @ SIDE WALK

BMR UNITS

13.5% BMR UNITS ON-SITE (102 x 0.135)	14 UNITS
---------------------------------------	----------

BUILDING CODE SUMMARY

# OF STORIES	9 STORIES
CONSTRUCTION TYPE	TYPE "I-A"
OCCUPANCY GROUP	M, R-2, S-2

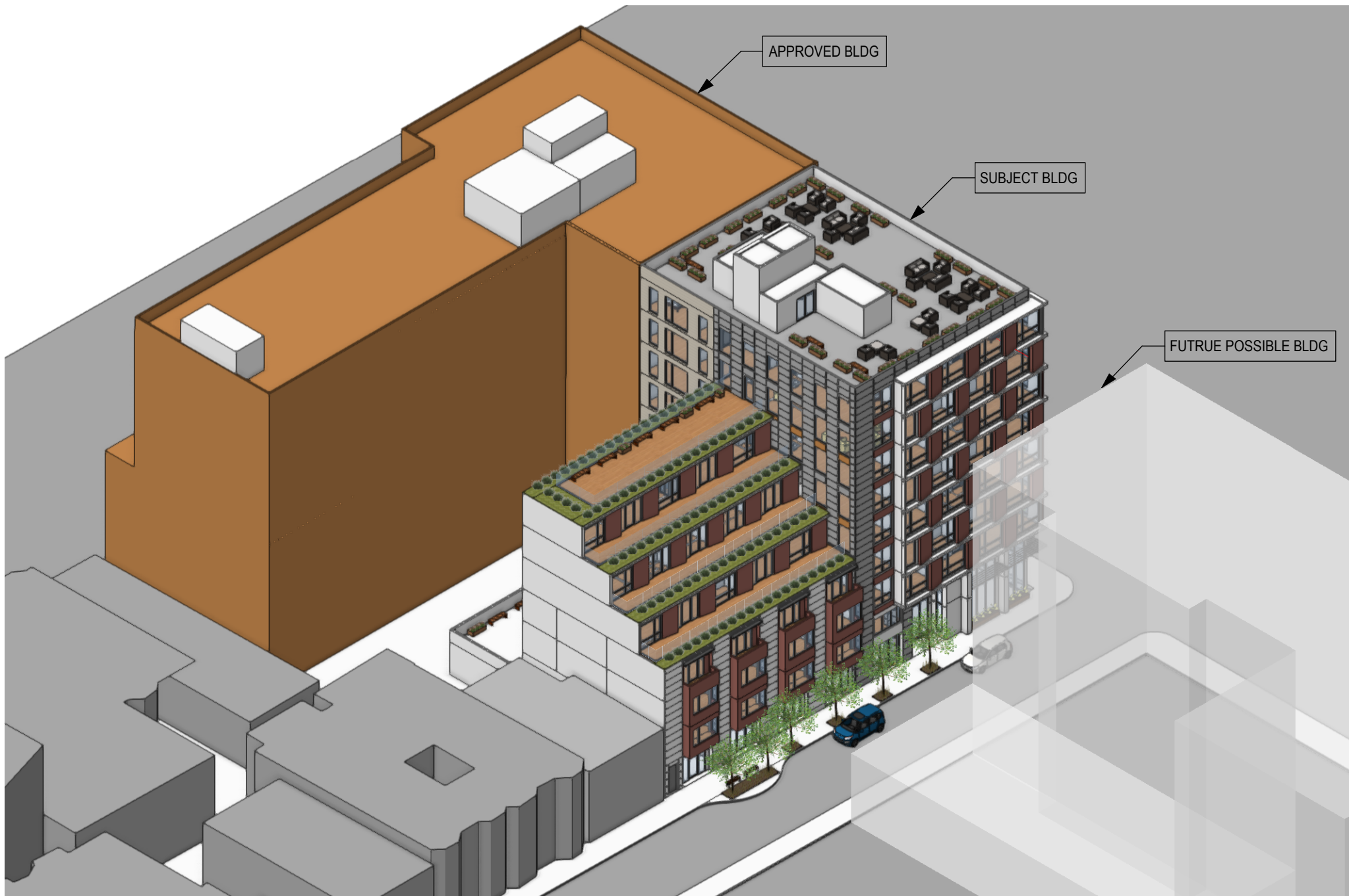
APPLICABLE CODES

2013 CALIFORNIA CODES EDITIONS W/ SAN FRANCISCO AMENDMENTS

RESIDENTIAL UNIT MATRIX

FLOOR LEVEL	UNIT TYPE	# OF EACH TYPE	OPEN SPACE	
			PRIVATE	COMMON
1ST FLOOR	SRO	5	0 S.F.	0 S.F.
2ND FLOOR	SRO	10	0 S.F.	1,600 S.F.
3RD FLOOR	SRO	16	0 S.F.	0 S.F.
4TH FLOOR	SRO	16	380 S.F.	0 S.F.
5TH FLOOR	SRO	14	380 S.F.	0 S.F.
6TH FLOOR	SRO	13	380 S.F.	0 S.F.
7TH FLOOR	SRO	11	0 S.F.	0 S.F.
8TH FLOOR	SRO	8	0 S.F.	1,280 S.F.
9TH FLOOR	SRO	9	0 S.F.	0 S.F.
ROOF	COMMON ROOF DECK	0	0 S.F.	3,700 S.F.
TOTAL NUMBER OF UNITS		102 UNITS	1,140 S.F.	6,580 S.F.
TOTAL OPEN SPACE	2,720 S.F. REQUIRED (80 S.F./3 * 102 UNITS) 7,720 S.F. PROVIDED			

EXHIBIT C : RENDERINGS





SIA CONSULTING CORPORATION
 1256 HOWARD STREET
 SAN FRANCISCO CA 94103
 TEL: (415) 922.0200 / FAX: (415) 922.0203

SHIPLEY STREET VIEW

PROJECT NAME:
**345 SIXTH STREET
 SAN FRANCISCO, CA**

REND



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

**STREET VIEW
CORNER OF SHIPLEY & 6TH STREET**

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

REND





SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

ISOMETRIC VIEW OF TYPICAL UNIT

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

REND



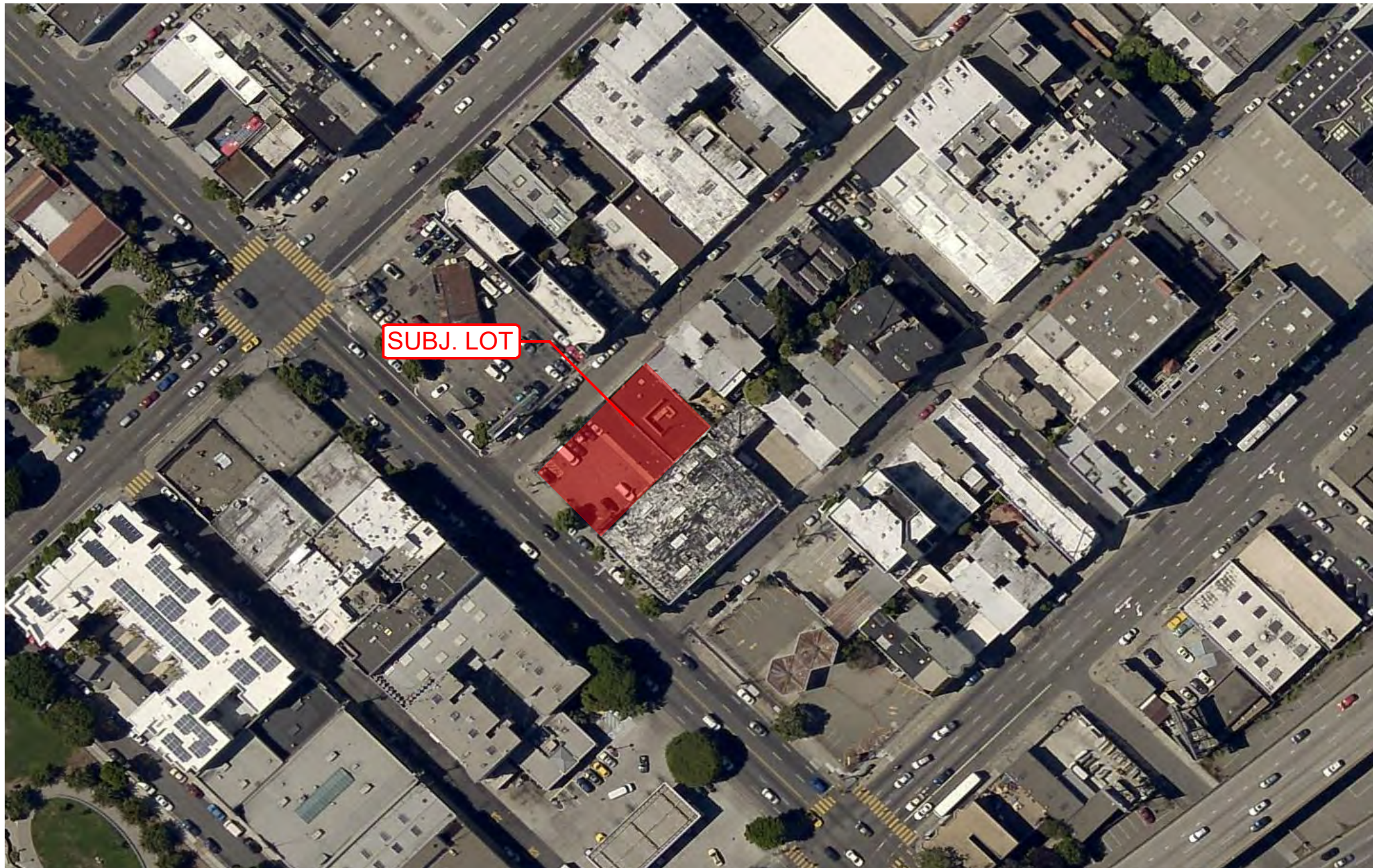
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

BIRDS-EYE VIEW

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**



EXHIBIT D : AERIAL PHOTO



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

AERIAL PHOTO

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

EXHIBIT E : PHOTOS OF CURRENT SITE



SIXTH STREET: PROPERTIES ON THE SAME BLOCK AS SUBJECT LOT



SIXTH STREET: PROPERTIES OPPOSITE OF SUBJECT LOT



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

SITE PICTURES

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

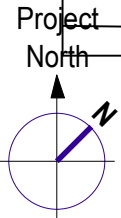


SIA CONSULTING CORPORATION
1256 HOWARD STREET
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SITE PICTURES

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

EXHIBIT F: VICINITY MAP



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

VICINITY MAP

PROJECT NAME:
345 SIXTH STREET
SAN FRANCISCO, CA

EXHIBIT G: SURVEY

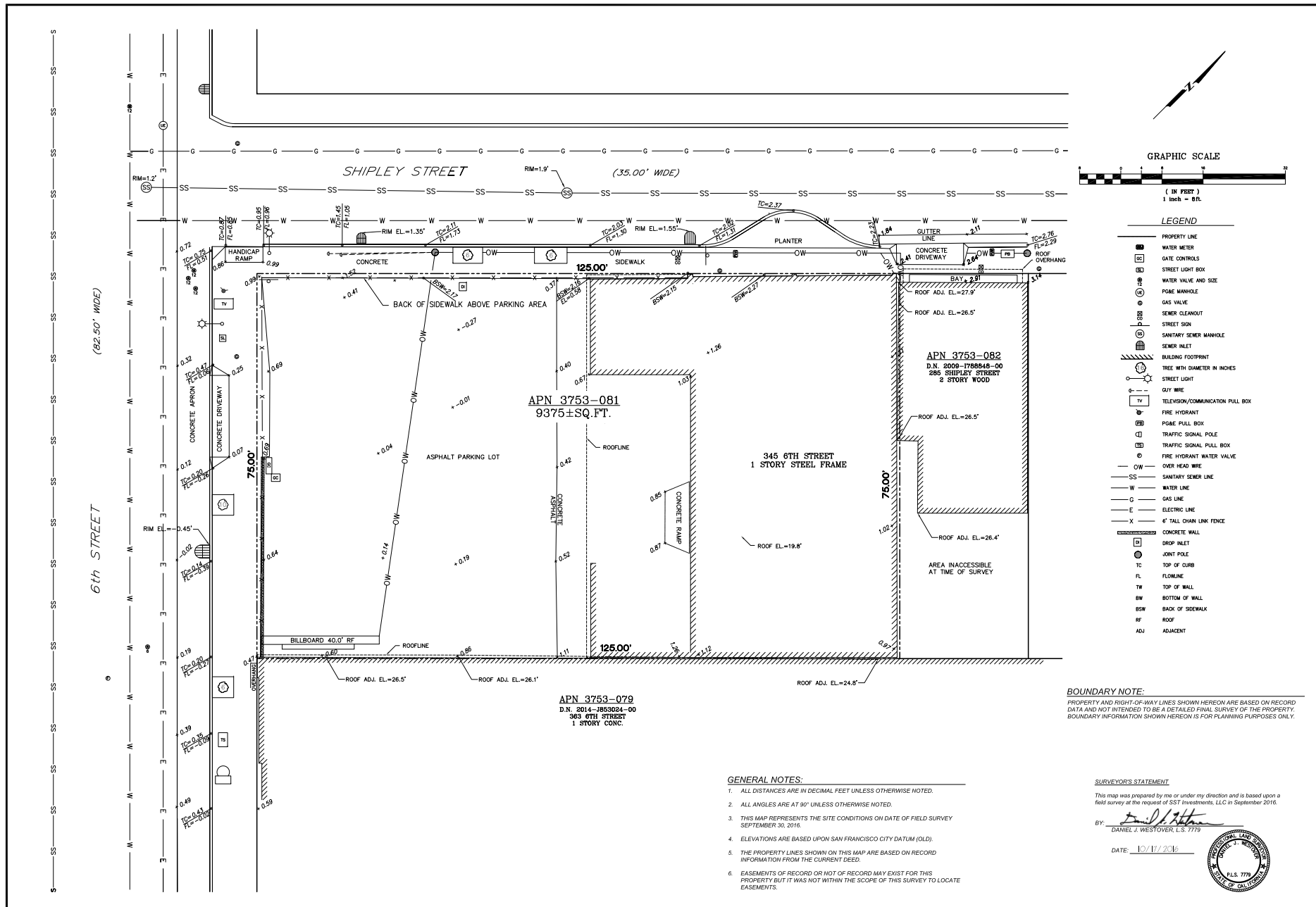


EXHIBIT H: APPLICATIONS FILING TIMELINE

EXHIBIT H : APPLICATIONS FILING TIMELINE

1. APPLICATION / FILING CASE # Filing Date: 10/31/2013 Status: Closed - 11/12/2013	Project Review Meeting (PRV) – 11506PRV
2. APPLICATION / FILING CASE # Filing Date: 12/3/2013 Status: Closed - 2/19/2014	Preliminary Project Assessment (PPA) – 2013.1773U
3. APPLICATION / FILING CASE # Filing Date: 3/12/2014 Status: Active	Shadow Study (SHD) – 2013.1773K
4. APPLICATION / FILING CASE # Filing Date: 3/18/2014 Status: Closed – 10/26/2016	Environmental Evaluation Application (EEA) - 2013.1773E
5. APPLICATION / FILING CASE # Filing Date: 7/3/2014 Status: Closed – 7/22/2014	Interdepartmental Project Review Meeting (PRV) - 12020PRV
6. APPLICATION / FILING CASE # Filing Date: 9/23/2016 Status: Active	Eastern Neighborhoods Exception 329 (ENX) - 2013.1773X
7. APPLICATION / FILING CASE # Filing Date: 2/17/2016 Status: Active	Site Permit Submittal BPA#: 2016.0217.9763
8. APPLICATION / FILING CASE # Filing Date: 10/5/2016 Status: Active	Demolition Permit Submittal BPA#: 2016.1005-9625

EXHIBIT I : NEIGHBORHOOD MEETINGS TIMELINE

EXHIBIT I: NEIGHBORHOOD MEETINGS TIMELINE

1. May 20, 2014	Pre-Application Meeting - Onsite
2. September 15, 2014	Neighborhood Meeting
3. September 19, 2014	United Playaz
4. October 23, 2014	United Playaz, South of Market Community Action Network, West Bay Pilipino Multi-Service Center & City Crossroads
5. December 3, 2014	Neighborhood Meeting
6. December 5, 2014	Neighborhood Meeting
7. November 17, 2015	United Playaz
8. July 27, 2016	United Playaz
9. September 22, 2016	South of Market Community Action Network
10. October 12, 2016	United Playaz, South of Market Community Action Network, West Bay Pilipino Multi-Service Center & City Crossroads
11. October 17, 2016	Pre-Application Meeting - Onsite

EXHIBIT J : REQUEST FOR EXCEPTIONS



EXHIBIT J: REQUEST FOR EXCEPTIONS

SEC 134 (f) - Rear Yard Requirement

Section 134 requires a 25% rear yard at the second story and at each succeeding story of the building and at the first story if it contains a dwelling unit. If a 25% rear yard cannot be provided for the project, rear yard requirements may be modified or waived by the Zoning Administrator in specific situations as described in 134(e) as indicated below:

- 1. Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development.*

The project as proposed provides usable open spaces at multiple levels which makes it extremely accessible and convenient for the future tenants.

- 1,600 square feet (65' +/- X 25') at second floor.
- 380 square feet of private open space at fifth floor.
- 380 square feet of private open space at sixth floor.
- 380 square feet of private open space at seventh floor.
- 1,280 square feet terrace at eighth floor.
- 3,700 square feet at roof top deck.

Required rear yard area as stipulated on sec. 134 requires 2,344 square feet of open space (25%). Total useable open space at multiple levels is 7,720 square feet, which is over 3 times the required open space. In addition, we have other private open spaces which are not reflected here due to the fact that they do not meet the minimum required dimensions.

- 2. The proposed new or structure will not significantly impede the access of light and air to and views from adjacent properties.*

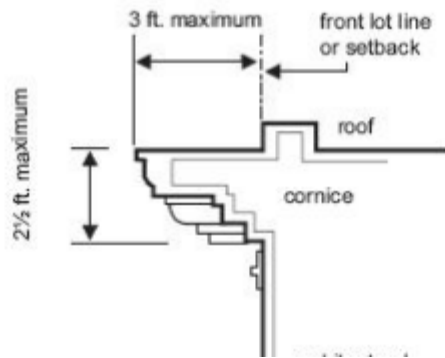
The proposed rear yard is in alignment with rear yard of the building on the east side and also the yard of the newly approved 363 6th Street on the south side. Therefore, it will not significantly impede the access of light and air and the view of adjacent properties.

- 3. The proposed new structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.*

The proposed building provides a 65' wide by 25' deep rear yard which matches the neighboring 25' yards thus creating a currently nonexistent pattern of midblock open space. This midblock open space will benefit the adjacent properties and the remainder of the block as it will provide light and air throughout the midblock. In addition, the current design provides a continuous street wall along Shipley with active use at the ground floor, which would not have been possible if we were to provide the rear yard behind the 25% rear yard line.

SEC 136 – Obstructions over streets and alleys.

The concrete architectural element wrapping the corner of the building projects 12" over the city right of way not only horizontally at every level but also on the two sides it creates a vertical band in order to provide continuity to this design feature. Planning Code allows a maximum of 2 ½" of vertical projection over the city right way. See figure (a) below.



Planning code Section 136- figure (a)

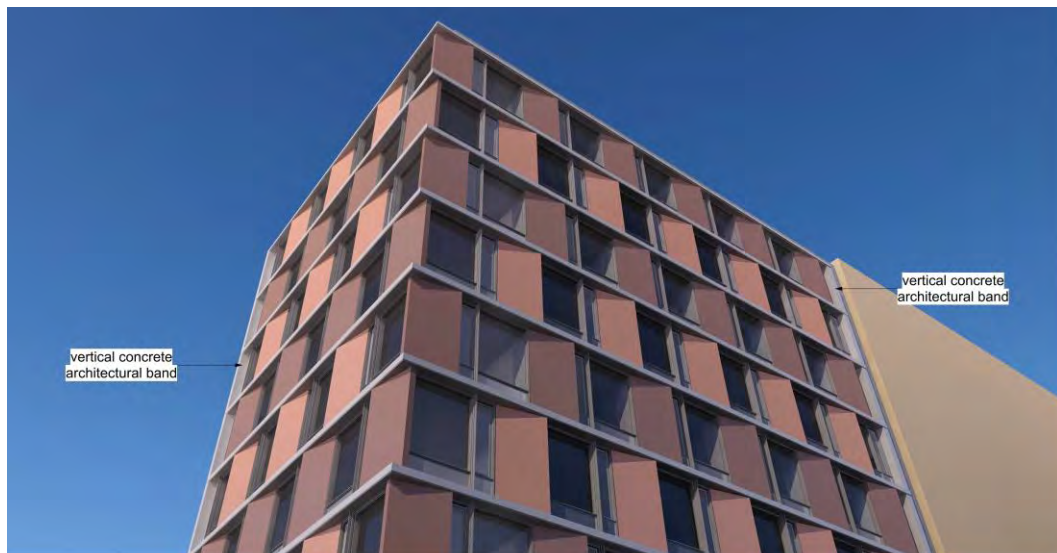


Figure (b)

It is necessary for the vertical band to be included in order to strengthen and to reinforce the presence of the project, particularly at the corner of the building and the intersection of the street. It is important to note that this design feature will not impede light and ventilation on neighboring properties.

SEC 140 – Exposure Exception

San Francisco Planning Code Section 140 (a) excludes the requirement of dwelling unit exposure for SRO units. However Section 140 (a) (2) states:

“An open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than four feet six inches, chimneys, and those obstructions permitted in Sections [136\(c\)\(14\)](#), (15), (16), (19), (20) and (29) of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the Dwelling Unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor, except for SRO buildings in the Eastern Neighborhoods Mixed Use Districts, which are not required to increase five feet in every horizontal dimension until the fifth floor of the building.”

Due to Section 140(a)(2), two out of 102 units (unit 601 & unit 701) do not meet this exposure requirement. These two units open up to 50’ of midblock open space as a result of the approved rear yard of 363 6th Street. Thus, we feel that granting this exposure exception will not undermine the quality of living for these tenants.

EXHIBIT K : ALTERNATE COMMUNITY ROOM LOCATION



EXHIBIT K: ALTERNATE COMMUNITY ROOM LOCATION

The floor plan on the next sheet displays an alternate location for the tenant's community room. The room can have a variety of uses such as exercise room, gathering room, entertainment room. We feel that this is a better location than the one shown on the 8th floor due to the following;

- The alternate option is 635 square feet with a square dimension of 25'x 25', 8th floor option is 350 square feet.
- The alternate option has a better noise isolation from the residential units due to the fact that there are no units below, unit 106's living area is separated from this room by a bathroom and a closet and all ground floor unit entrances are from Shipley.
- There will be one less very viable and desirable unit in this building if we provide the community room on the 8th floor.

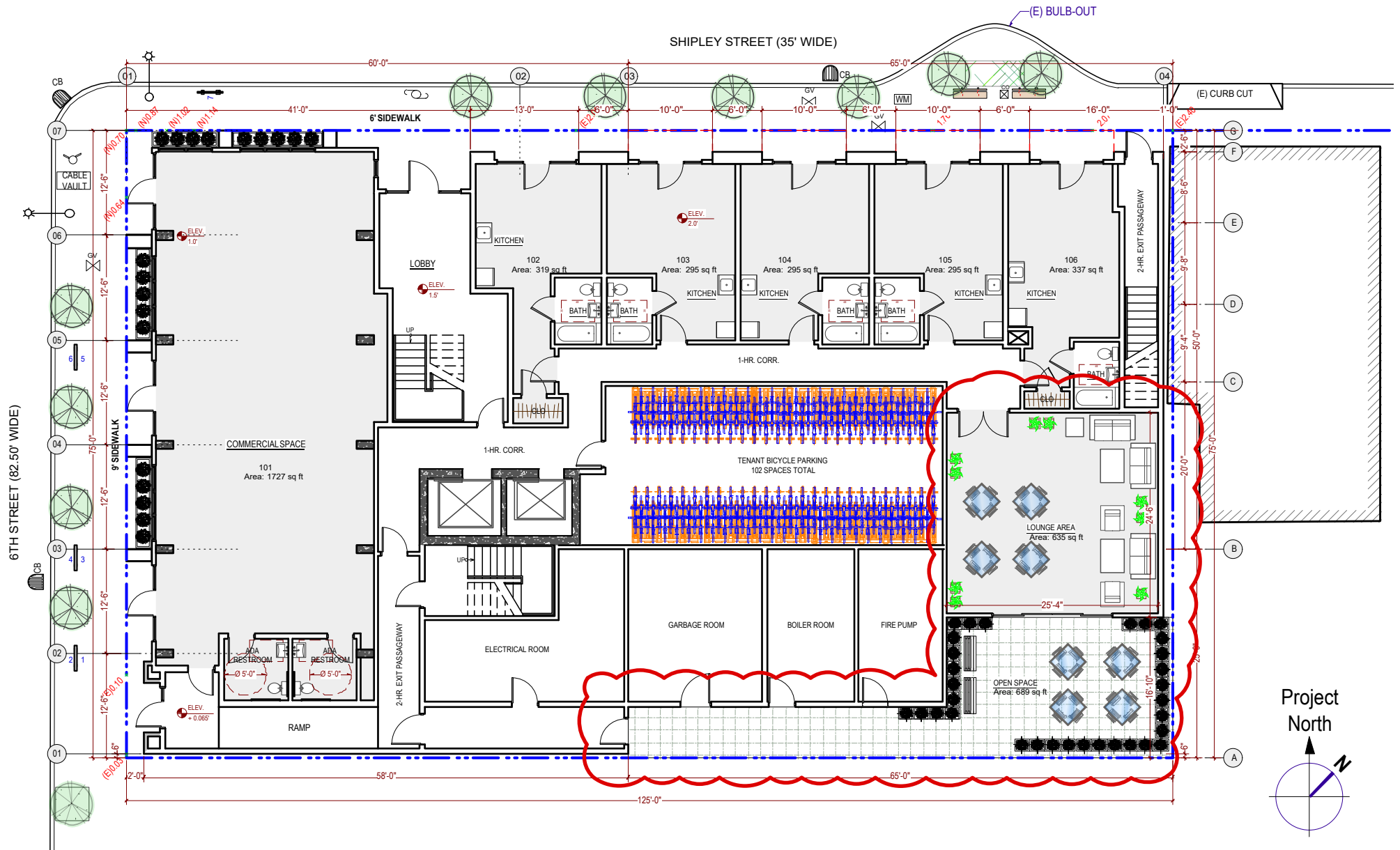


EXHIBIT L : NEIGHBORHOOD SUPPORT LETTER

OCTOBER 27, 2016

To: San Francisco Planning Commission, Recreation & Park Commission and Board of Supervisors

From: United Playaz, West Bay Pilipino Center, Filipino-American Development Foundation (FADF) and Veterans Equity Center

COMMUNITY SUPPORT FOR 345 6TH STREET, SAN FRANCISCO

We, the undersigned San Francisco local neighborhood groups, pledge our full support for the proposed project at 345 6th Street in San Francisco, CA. We have met with the developer, SST Investments, to discuss their plans and we feel that the project and the company's commitment to our local community will be assets in our neighborhood.

WE URGE YOU TO APPROVED THE PROPOSED PROJECT AT 345 6TH STREET.

Respectfully,


United Playaz


West Bay Pilipino Center


Veterans Equity Center


Filipino-American Development Foundation



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

PERSPECTIVE
345 SIXTH STREET, SAN FRANCISCO, CA

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
345 SIXTH STREET
SAN FRANCISCO, CA

REND



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

PERSPECTIVE
345 SIXTH STREET, SAN FRANCISCO, CA

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:	345 SIXTH STREET SAN FRANCISCO, CA	REND

PLANNING DATA

ADDRESS: 345 6TH STREET
LOT AREA: 9,375 ± S.F.
BLOCK / LOT: 3753 / 081
BUILDING HEIGHT: 85'
ZONING: MUR

REAR YARD OPEN SPACE

REQUIRED: 2,344 S.F. (25% OF LOT AREA: 9,375 S.F. x 0.25)
PROVIDED: 1,625 S.F. (17.3% OF LOT AREA)

GROSS FLOOR AREA - PLANNING CODE

1ST FLOOR: 6,063 ± S.F. (TOTAL)
1,727 ± S.F. (COMMERCIAL)
4,336 ± S.F. (RESIDENTIAL)

2ND FLOOR RESIDENTIAL: 5,374 ± S.F.
3RD FLOOR RESIDENTIAL: 7,554 ± S.F.
4TH FLOOR RESIDENTIAL: 7,414 ± S.F.
5TH FLOOR RESIDENTIAL: 6,848 ± S.F.
6TH FLOOR RESIDENTIAL: 6,229 ± S.F.
7TH FLOOR RESIDENTIAL: 5,631 ± S.F.
8TH FLOOR RESIDENTIAL: 4,415 ± S.F.
9TH FLOOR RESIDENTIAL: 4,415 ± S.F.

RESIDENTIAL AREA SUBTOTAL: 52,516 ± S.F.
COMMERCIAL AREA SUBTOTAL: 1,727 ± S.F.
GROSS BUILDING AREA: 53,943 ± S.F.

DWELLING UNIT USABLE OPEN SPACE

REQUIRED: 2,720 S.F. (80 S.F./3 PER SRO, TOTAL 102 UNITS)
PROVIDED: 7,965 S.F. TOTAL (SEE RESIDENTIAL UNIT MATRIX)

PARKING SUMMARY

CLASS I BICYCLE PARKING / UNIT: 102 BICYCLE PARKING (ONE PER DWELLING)
CLASS II BICYCLE PARKING / 20 UNITS: 7 @ SIDE WALK

BMR UNITS

13.5% BMR UNITS ON-SITE (102 x 0.135) 14 UNITS

BUILDING CODE SUMMARY

OF STORIES 9 STORIES
CONSTRUCTION TYPE TYPE "I-A"
OCCUPANCY GROUP M, R-2, S-2

APPLICABLE CODES

2013 CALIFORNIA CODES EDITIONS W/ SAN FRANCISCO AMENDMENTS

DRAWING INDEX:

- A-0.1 PROJECT DATA
- A-0.2 UNIT AREA CALCULATION
- A-0.3 VICINITY MAP
- A-0.4 AERIAL PHOTO
- A-0.5 SITE PICTURES
- A-0.6 SITE PICTURES
- C-1.0 SURVEY / EXISTING SITE PLAN
- A-1.1 PROPOSED SITE PLAN
- A-2.1 FLOOR PLAN 1
- A-2.2 FLOOR PLAN 2
- A-2.3 FLOOR PLAN 3
- A-2.4 FLOOR PLAN 4
- A-2.5 FLOOR PLAN 5
- A-2.6 FLOOR PLAN 6
- A-2.7 FLOOR PLAN 7
- A-2.8 FLOOR PLAN 8
- A-2.9 FLOOR PLAN 9
- A-2.10 ROOF PLAN
- A-3.1 FRONT ELEVATION (SIXTH STREET)
- A-3.2 LEFT ELEVATION (SHIPLEY STREET)
- A-3.3 REAR ELEVATION (EAST)
- A-3.4 RIGHT ELEVATION (SOUTH)
- A-4.1 SECTION A-A
- A-4.2 SECTION B-B

RESIDENTIAL UNIT MATRIX				
FLOOR LEVEL	UNIT TYPE	# OF EACH TYPE	OPEN SPACE	
			PRIVATE	COMMON
1ST FLOOR	SRO	5	0 S.F.	0 S.F.
2ND FLOOR	SRO	10	0 S.F.	1,600 S.F.
3RD FLOOR	SRO	16	0 S.F.	0 S.F.
4TH FLOOR	SRO	16	380 S.F.	0 S.F.
5TH FLOOR	SRO	14	380 S.F.	0 S.F.
6TH FLOOR	SRO	13	380 S.F.	0 S.F.
7TH FLOOR	SRO	11	0 S.F.	0 S.F.
8TH FLOOR	SRO	8	0 S.F.	1,280 S.F.
9TH FLOOR	SRO	9	0 S.F.	0 S.F.
ROOF	COMMON ROOF DECK	0	0 S.F.	3,700 S.F.
TOTAL NUMBER OF UNITS		102 UNITS	1,140 S.F.	6,580 S.F.
TOTAL OPEN SPACE		2,720 S.F. REQUIRED (80 S.F./3 * 102 UNITS) 7,720 S.F. PROVIDED		



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

PROJECT DATA

DATE: 10/28/2016
REVISED DATE:
DRAWN: R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A0.1

FIRST FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
101	Commercial		1727 sq ft		
102	SRO		314 sq ft	44 sq ft	363 sq ft
103	SRO		295 sq ft	44 sq ft	343 sq ft
104	SRO		295 sq ft	44 sq ft	339 sq ft
105	SRO		295 sq ft	44 sq ft	339 sq ft
106	SRO		337 sq ft	44 sq ft	381 sq ft
SECOND FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
201	SRO		335 sq ft	44 sq ft	379 sq ft
202	SRO		277 sq ft	44 sq ft	328 sq ft
203	SRO		349 sq ft	44 sq ft	393 sq ft
204	SRO		327 sq ft	44 sq ft	371 sq ft
205	SRO		332 sq ft	44 sq ft	376 sq ft
206	SRO		332 sq ft	44 sq ft	376 sq ft
207	SRO		350 sq ft	44 sq ft	394 sq ft
208	SRO		291 sq ft	44 sq ft	335 sq ft
209	SRO		297 sq ft	44 sq ft	341 sq ft
210	SRO		290 sq ft	44 sq ft	334 sq ft
THIRD FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
301	SRO		335 sq ft	44 sq ft	389 sq ft
302	SRO		277 sq ft	44 sq ft	321 sq ft
303	SRO		323 sq ft	44 sq ft	367 sq ft
304	SRO		305 sq ft	44 sq ft	349 sq ft
305	SRO		282 sq ft	44 sq ft	326 sq ft
306	SRO		282 sq ft	44 sq ft	326 sq ft
307	SRO		350 sq ft	44 sq ft	394 sq ft
308	SRO		312 sq ft	44 sq ft	356 sq ft
309	SRO		323 sq ft	44 sq ft	367 sq ft
310	SRO		294 sq ft	44 sq ft	338 sq ft
311	SRO		333 sq ft	44 sq ft	377 sq ft
312	SRO		332 sq ft	44 sq ft	376 sq ft
313	SRO		350 sq ft	44 sq ft	394 sq ft
314	SRO		335 sq ft	44 sq ft	379 sq ft
315	SRO		292 sq ft	44 sq ft	336 sq ft
316	SRO		286 sq ft	44 sq ft	330 sq ft

FOURTH FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
401	SRO		335 sq ft	44 sq ft	389 sq ft
402	SRO		277 sq ft	44 sq ft	321 sq ft
403	SRO		323 sq ft	44 sq ft	367 sq ft
404	SRO		305 sq ft	44 sq ft	349 sq ft
405	SRO		282 sq ft	44 sq ft	326 sq ft
406	SRO		282 sq ft	44 sq ft	326 sq ft
407	SRO		321 sq ft	44 sq ft	365 sq ft
408	SRO		345 sq ft	44 sq ft	389 sq ft
409	SRO		310 sq ft	44 sq ft	354 sq ft
410	SRO		275 sq ft	44 sq ft	319 sq ft
411	SRO		292 sq ft	44 sq ft	336 sq ft
412	SRO		296 sq ft	44 sq ft	340 sq ft
413	SRO		325 sq ft	44 sq ft	362 sq ft
414	SRO		327 sq ft	44 sq ft	371 sq ft
415	SRO		292 sq ft	44 sq ft	336 sq ft
416	SRO		286 sq ft	44 sq ft	330 sq ft

FIFTH FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
501	SRO		334 sq ft	44 sq ft	378 sq ft
502	SRO		277 sq ft	44 sq ft	321 sq ft
503	SRO		323 sq ft	44 sq ft	367 sq ft
504	SRO		304 sq ft	44 sq ft	348 sq ft
505	SRO		280 sq ft	44 sq ft	324 sq ft
506	SRO		284 sq ft	44 sq ft	328 sq ft
507	SRO		350 sq ft	44 sq ft	394 sq ft
508	SRO		311 sq ft	44 sq ft	355 sq ft
509	SRO		348 sq ft	44 sq ft	392 sq ft
510	SRO		333 sq ft	44 sq ft	377 sq ft
511	SRO		350 sq ft	44 sq ft	394 sq ft
512	SRO		287 sq ft	44 sq ft	331 sq ft
513	SRO		295 sq ft	44 sq ft	339 sq ft
514	SRO		286 sq ft	44 sq ft	330 sq ft

SIXTH FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
601	SRO		332 sq ft	44 sq ft	376 sq ft
602	SRO		277 sq ft	44 sq ft	321 sq ft
603	SRO		323 sq ft	44 sq ft	367 sq ft
604	SRO		305 sq ft	44 sq ft	349 sq ft
605	SRO		282 sq ft	44 sq ft	326 sq ft
606	SRO		282 sq ft	44 sq ft	326 sq ft
607	SRO		321 sq ft	44 sq ft	365 sq ft
608	SRO		345 sq ft	44 sq ft	388 sq ft
609	SRO		339 sq ft	44 sq ft	383 sq ft
610	SRO		286 sq ft	44 sq ft	330 sq ft
611	SRO		288 sq ft	44 sq ft	332 sq ft
612	SRO		280 sq ft	44 sq ft	324 sq ft
613	SRO		322 sq ft	44 sq ft	366 sq ft

SEVENTH FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
701	SRO		332 sq ft	44 sq ft	376 sq ft
702	SRO		277 sq ft	44 sq ft	321 sq ft
703	SRO		324 sq ft	44 sq ft	368 sq ft
704	SRO		304 sq ft	44 sq ft	348 sq ft
705	SRO		282 sq ft	44 sq ft	326 sq ft
706	SRO		282 sq ft	44 sq ft	326 sq ft
707	SRO		350 sq ft	44 sq ft	394 sq ft
708	SRO		311 sq ft	44 sq ft	355 sq ft
709	SRO		337 sq ft	44 sq ft	381 sq ft
710	SRO		342 sq ft	44 sq ft	386 sq ft
711	SRO		343 sq ft	44 sq ft	387 sq ft

EIGHTH FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
801	SRO		334 sq ft	44 sq ft	378 sq ft
802	SRO		277 sq ft	44 sq ft	321 sq ft
803	SRO		323 sq ft	44 sq ft	367 sq ft
804	SRO		305 sq ft	44 sq ft	349 sq ft
805	SRO		282 sq ft	44 sq ft	326 sq ft
806	SRO		282 sq ft	44 sq ft	326 sq ft
807	SRO		321 sq ft	44 sq ft	365 sq ft
808	SRO		332 sq ft	44 sq ft	376 sq ft

NINTH FLOOR					
Unit Number	Unit Type	BMR	Net Area	Bathroom	Gross Area
901	SRO		332 sq ft	44 sq ft	376 sq ft
902	SRO		277 sq ft	44 sq ft	321 sq ft
903	SRO		323 sq ft	44 sq ft	367 sq ft
904	SRO		305 sq ft	44 sq ft	349 sq ft
905	SRO		282 sq ft	44 sq ft	326 sq ft
906	SRO		282 sq ft	44 sq ft	326 sq ft
907	SRO		350 sq ft	44 sq ft	394 sq ft
908	SRO		311 sq ft	44 sq ft	355 sq ft
909	SRO		340 sq ft	44 sq ft	384 sq ft

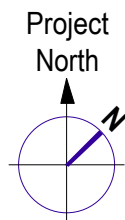


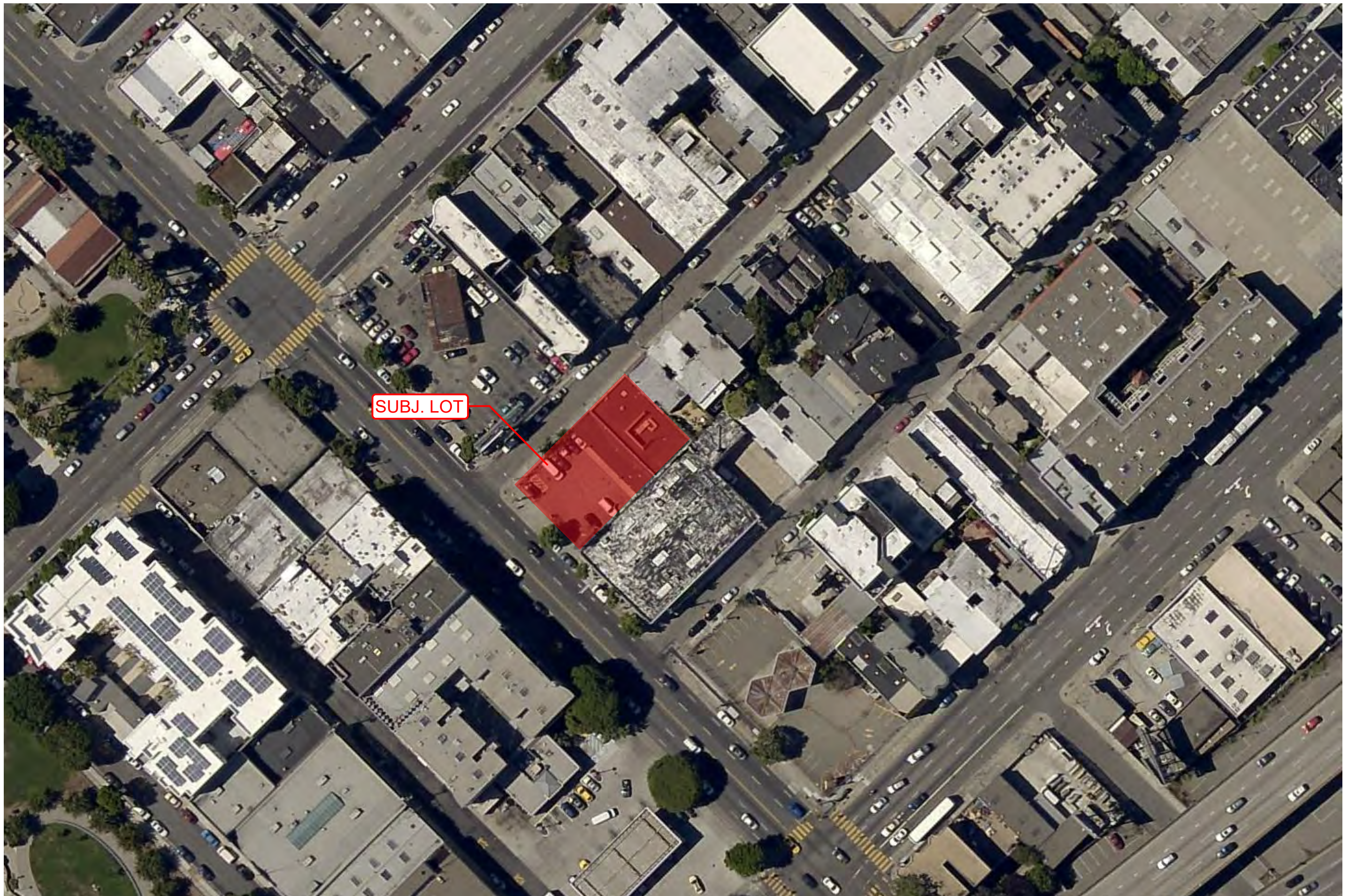
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

UNIT AREA CALCULATION

DATE: 10/28/2016
REVISED DATE:
DRAWN: R.L.

PROJECT NAME:
345 SIXTH STREET
SAN FRANCISCO, CA





SUBJ. LOT



SIXTH STREET: PROPERTIES ON THE SAME BLOCK AS SUBJECT LOT



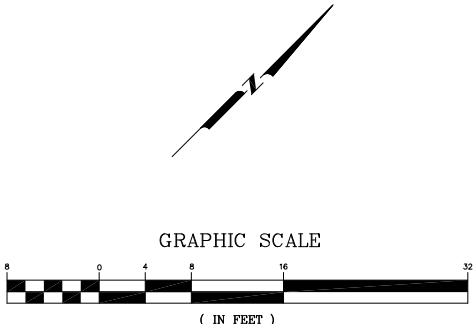
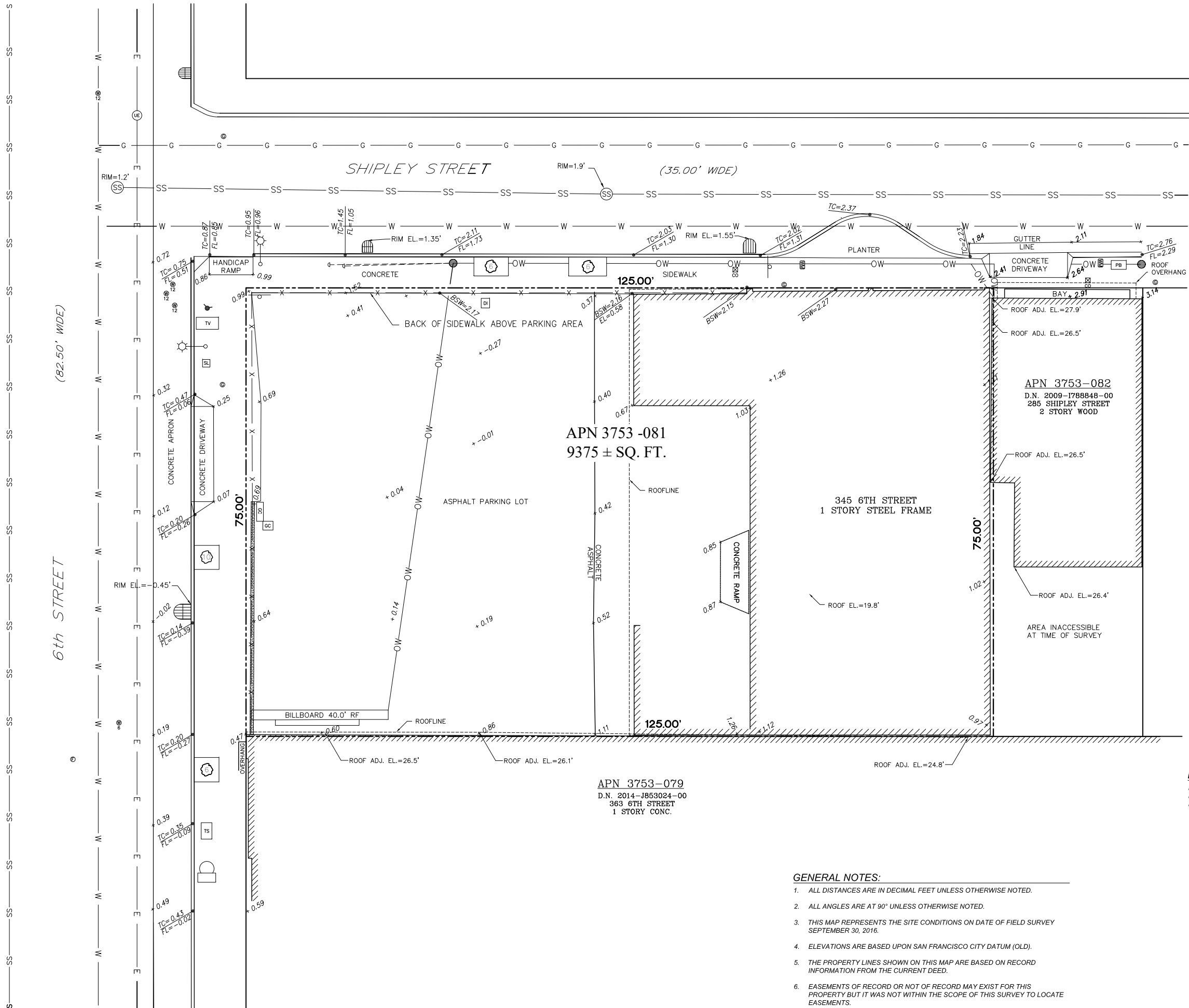
SIXTH STREET: PROPERTIES OPPOSITE OF SUBJECT LOT



SHIPLEY STREET: PROPERTIES ON THE SAME BLOCK AS SUBJECT LOT



SHIPLEY STREET: PROPERTIES OPPOSITE OF SUBJECT LOT



LEGEND	
	PROPERTY LINE
	WATER METER
	GATE CONTROLS
	STREET LIGHT BOX
	WATER VALVE AND SIZE
	PG&E MANHOLE
	GAS VALVE
	SEWER CLEANOUT
	STREET SIGN
	SANITARY SEWER MANHOLE
	SEWER INLET
	BUILDING FOOTPRINT
	TREE WITH DIAMETER IN INCHES
	STREET LIGHT
	GUY WIRE
	TELEVISION/COMMUNICATION PULL BOX
	FIRE HYDRANT
	PG&E PULL BOX
	TRAFFIC SIGNAL POLE
	TRAFFIC SIGNAL PULL BOX
	FIRE HYDRANT WATER VALVE
	OVER HEAD WIRE
	SANITARY SEWER LINE
	WATER LINE
	GAS LINE
	ELECTRIC LINE
	6' TALL CHAIN LINK FENCE
	CONCRETE WALL
	DROP INLET
	JOINT POLE
	TC
	FL
	TW
	BW
	BSW
	RF
	ADJ

BOUNDARY NOTE:
PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE BASED ON RECORD DATA AND NOT INTENDED TO BE A DETAILED FINAL SURVEY OF THE PROPERTY. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

- GENERAL NOTES:**
- ALL DISTANCES ARE IN DECIMAL FEET UNLESS OTHERWISE NOTED.
 - ALL ANGLES ARE AT 90° UNLESS OTHERWISE NOTED.
 - THIS MAP REPRESENTS THE SITE CONDITIONS ON DATE OF FIELD SURVEY SEPTEMBER 30, 2016.
 - ELEVATIONS ARE BASED UPON SAN FRANCISCO CITY DATUM (OLD).
 - THE PROPERTY LINES SHOWN ON THIS MAP ARE BASED ON RECORD INFORMATION FROM THE CURRENT DEED.
 - EASEMENTS OF RECORD OR NOT OF RECORD MAY EXIST FOR THIS PROPERTY BUT IT WAS NOT WITHIN THE SCOPE OF THIS SURVEY TO LOCATE EASEMENTS.

SURVEYOR'S STATEMENT
This map was prepared by me or under my direction and is based upon a field survey at the request of SST Investments, LLC in September 2016.
BY:
DANIEL J. WESTOVER, L.S. 7779
DATE: 10/17/2016



336 CLAREMONT BLVD. STE 2
SAN FRANCISCO, CA 94127
(415) 242-5400
www.westoversurveying.com



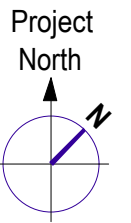
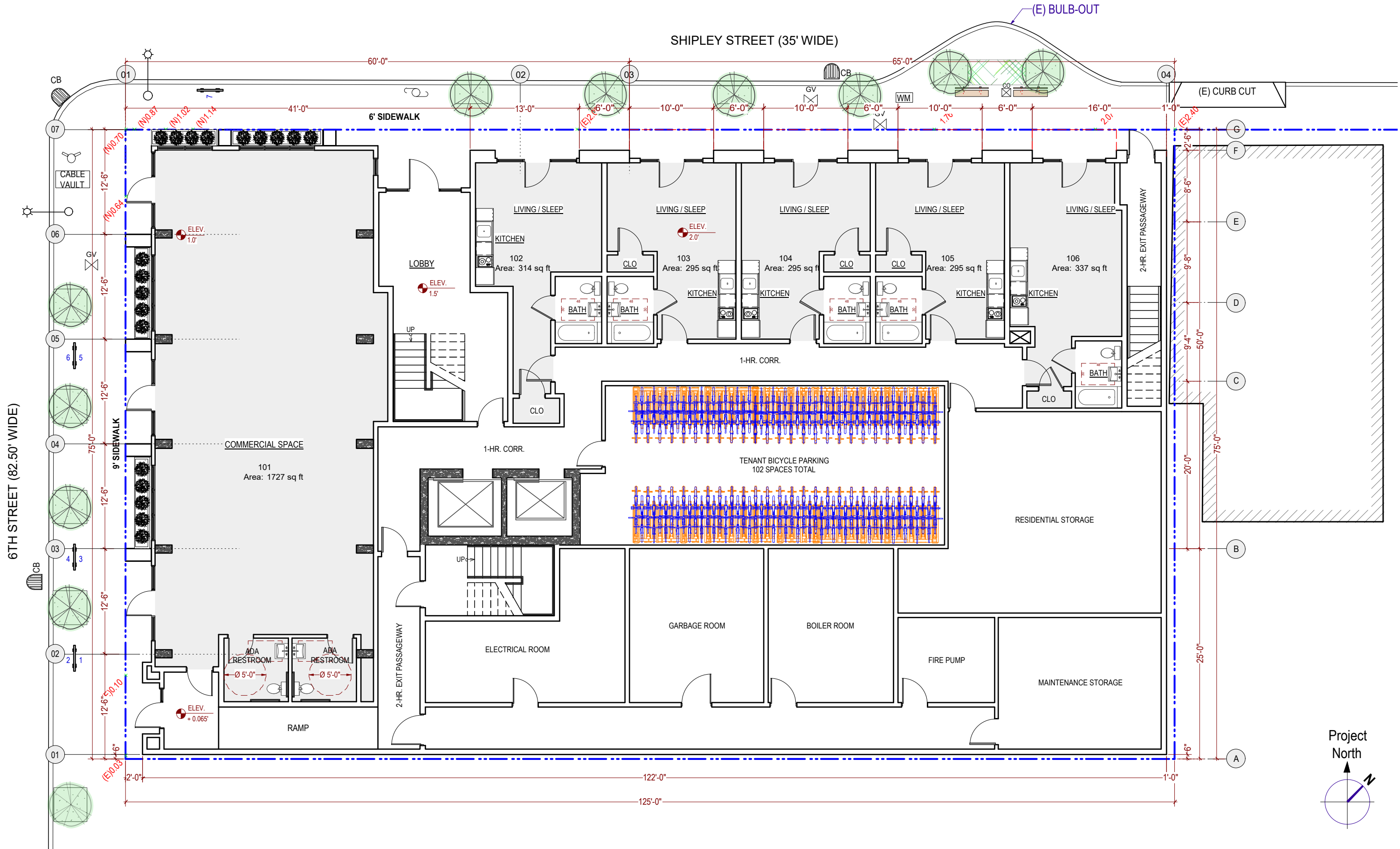
JOB NO.	
16068	
COMMENTS	
DATE	
NO.	

DATE: 10/17/2016
DRAWN BY: SDA
CHECKED BY: DJW
SCALE: 1" = 8'

EXISTING CONDITIONS (SITE SURVEY)
TENTATIVE FINAL MAP
345 6TH STREET

~SHEET~

C-1.0



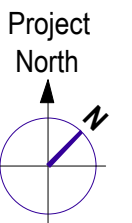
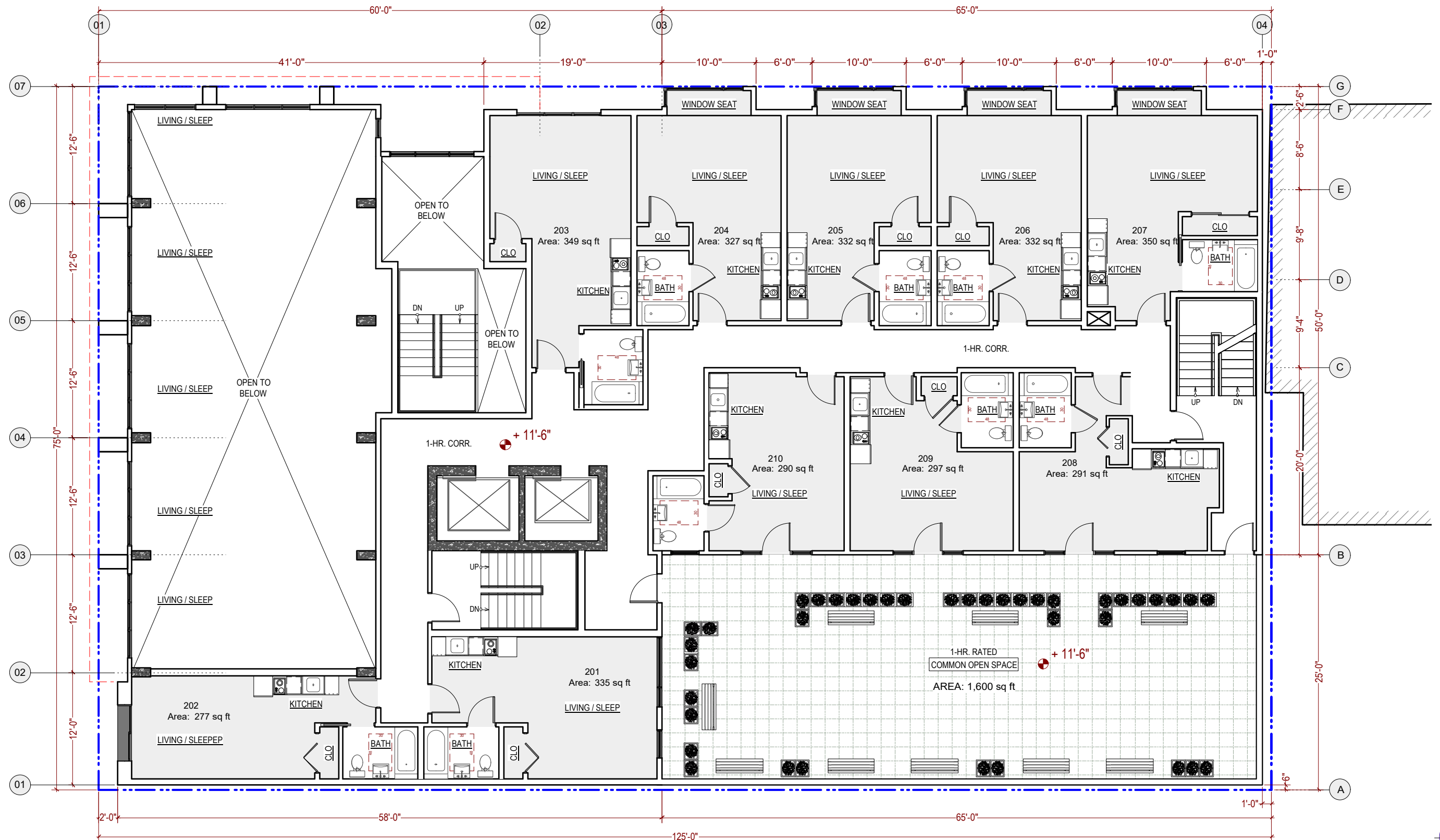
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

FLOOR PLAN 1
3/32" = 1'-0"

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A2.1



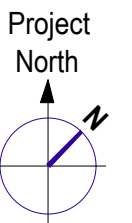
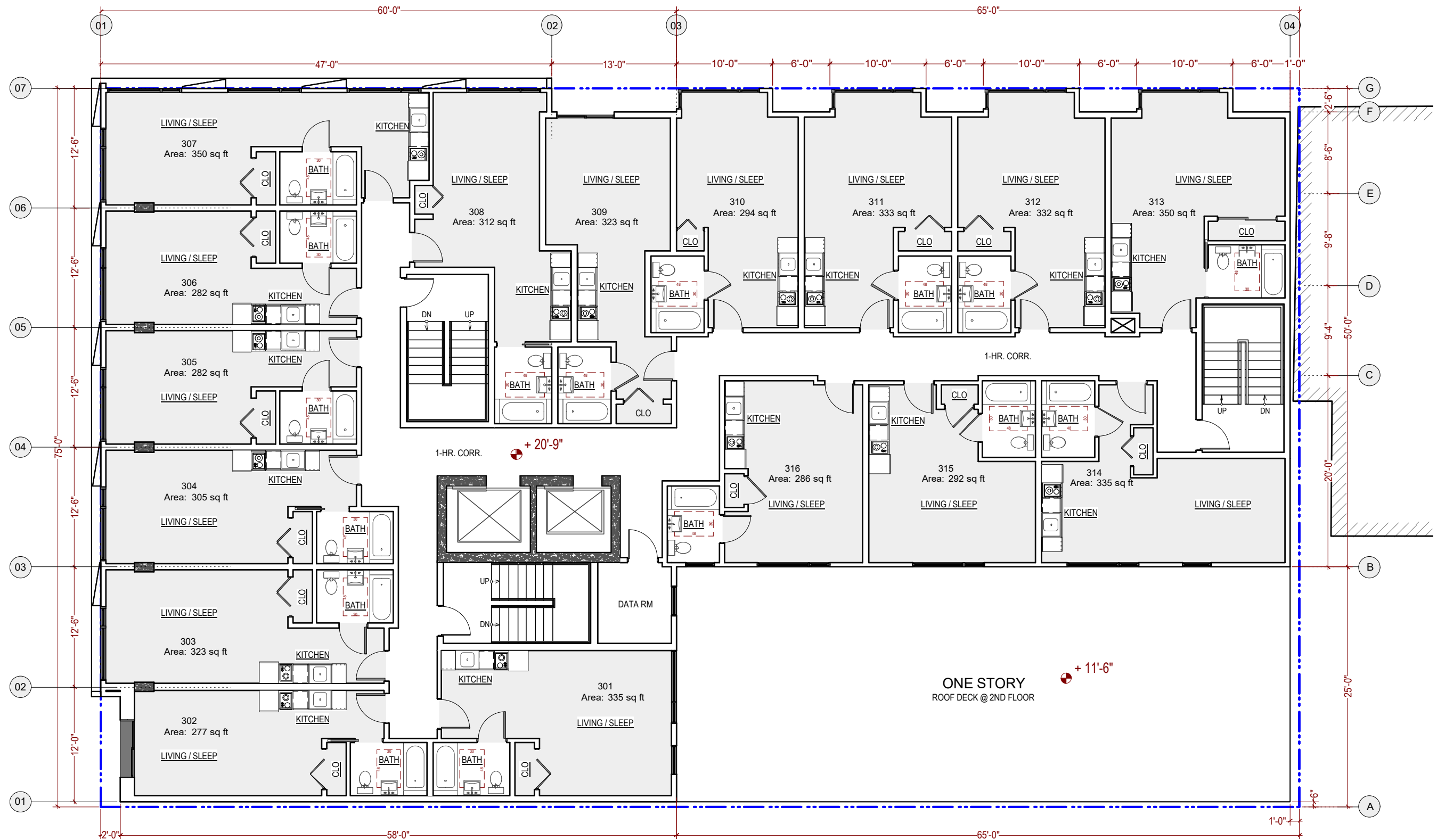
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

FLOOR PLAN 2
3/32" = 1'-0"

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A2.2



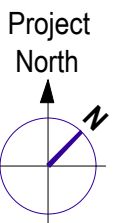
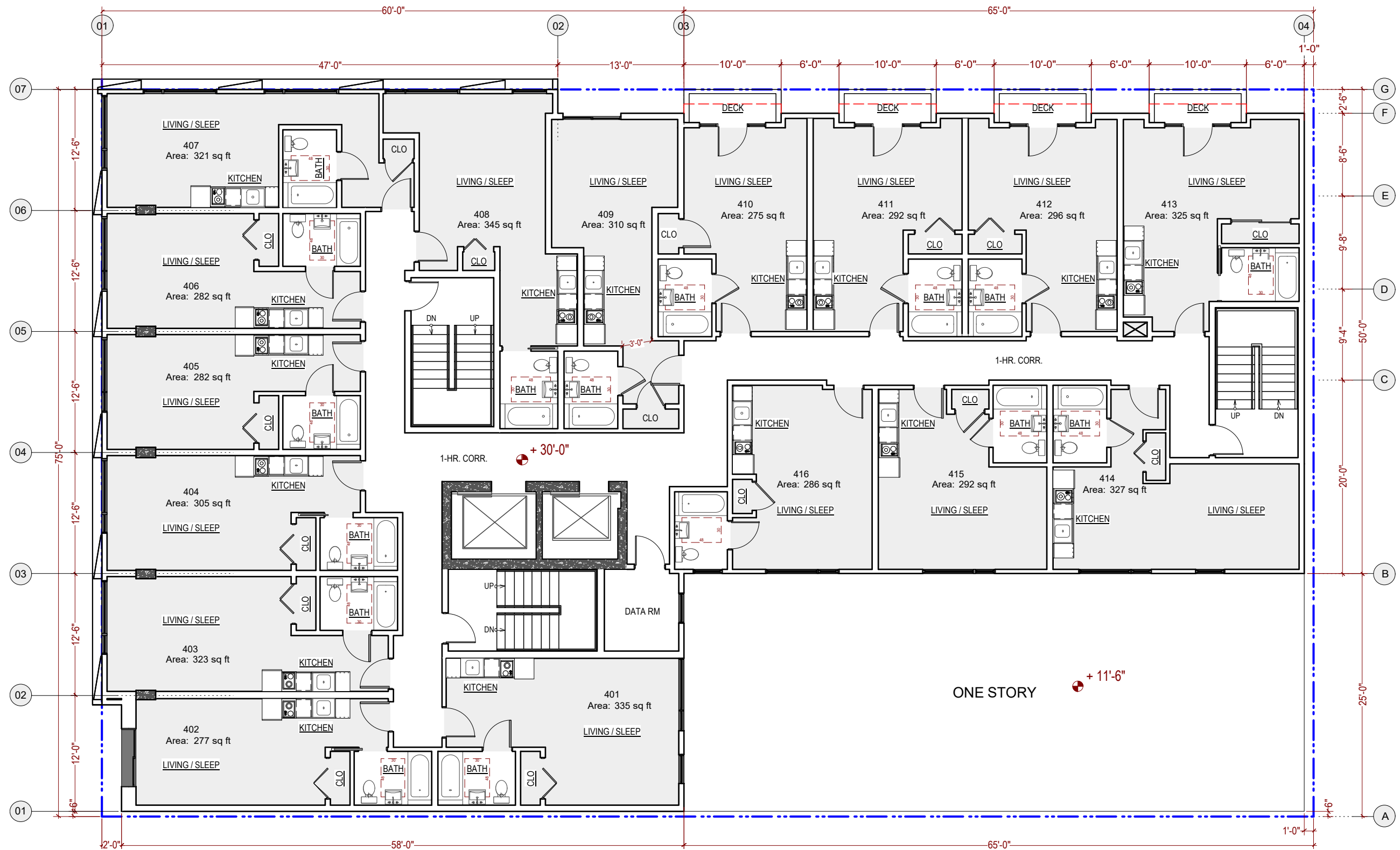
SIA CONSULTING CORPORATION
 1256 HOWARD STREET
 SAN FRANCISCO CA 94103
 TEL: (415) 922.0200 / FAX: (415) 922.0203

FLOOR PLAN 3
 3/32" = 1'-0"

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
**345 SIXTH STREET
 SAN FRANCISCO, CA**

A2.3



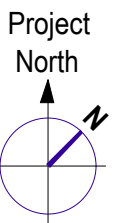
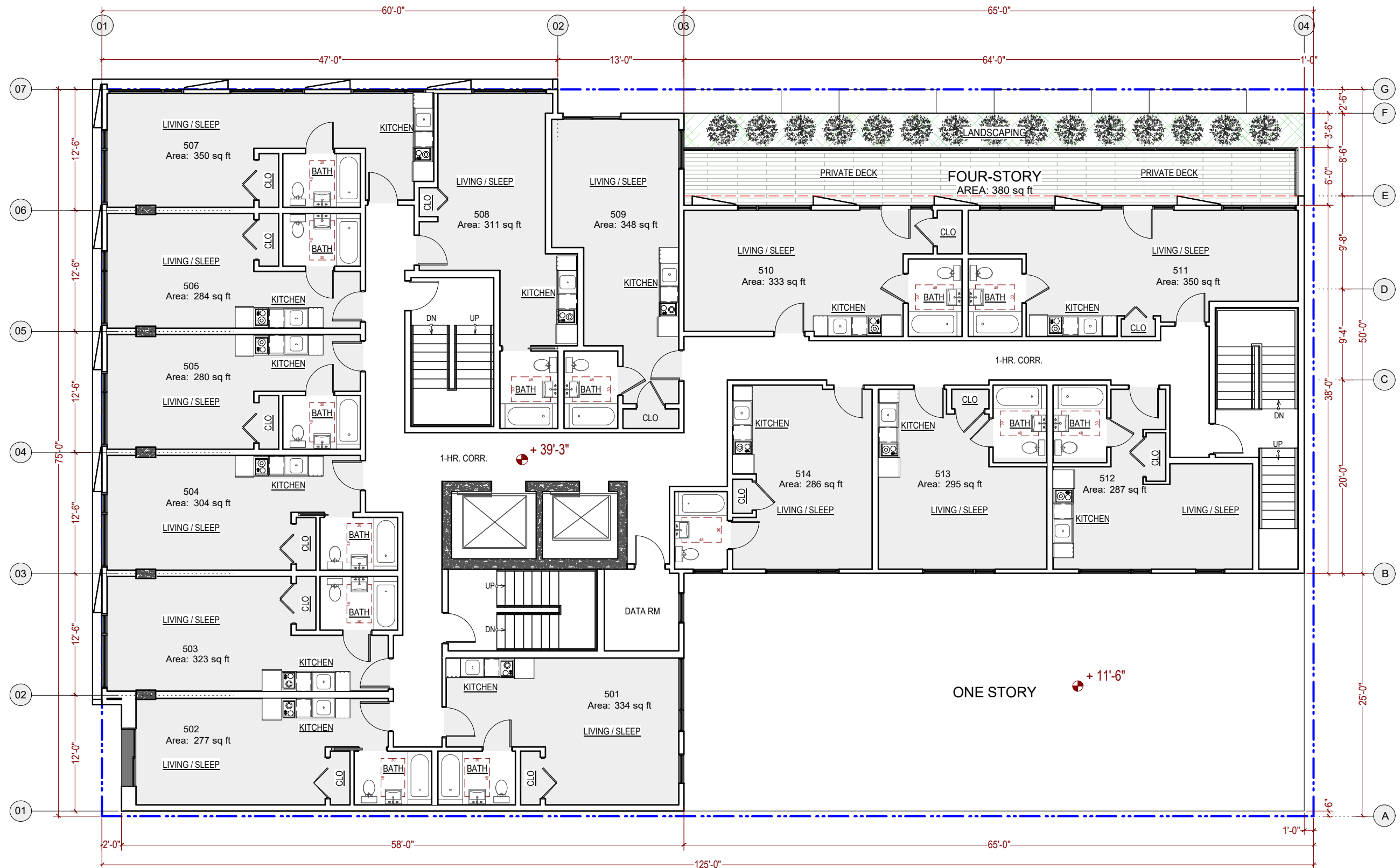
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

FLOOR PLAN 4
3/32" = 1'-0"

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A2.4



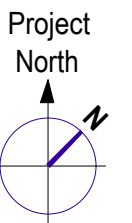
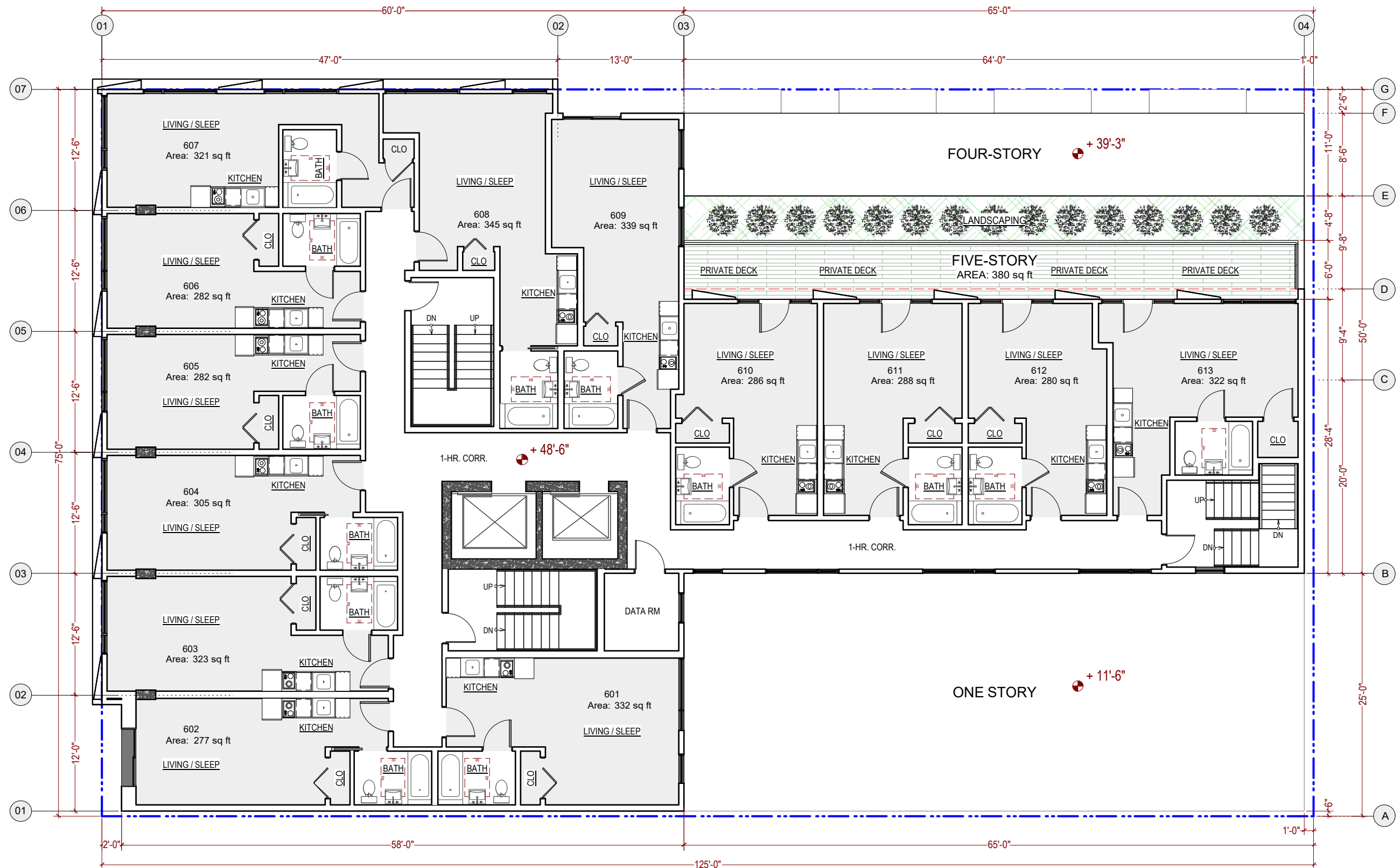
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

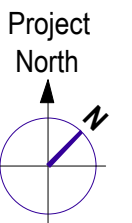
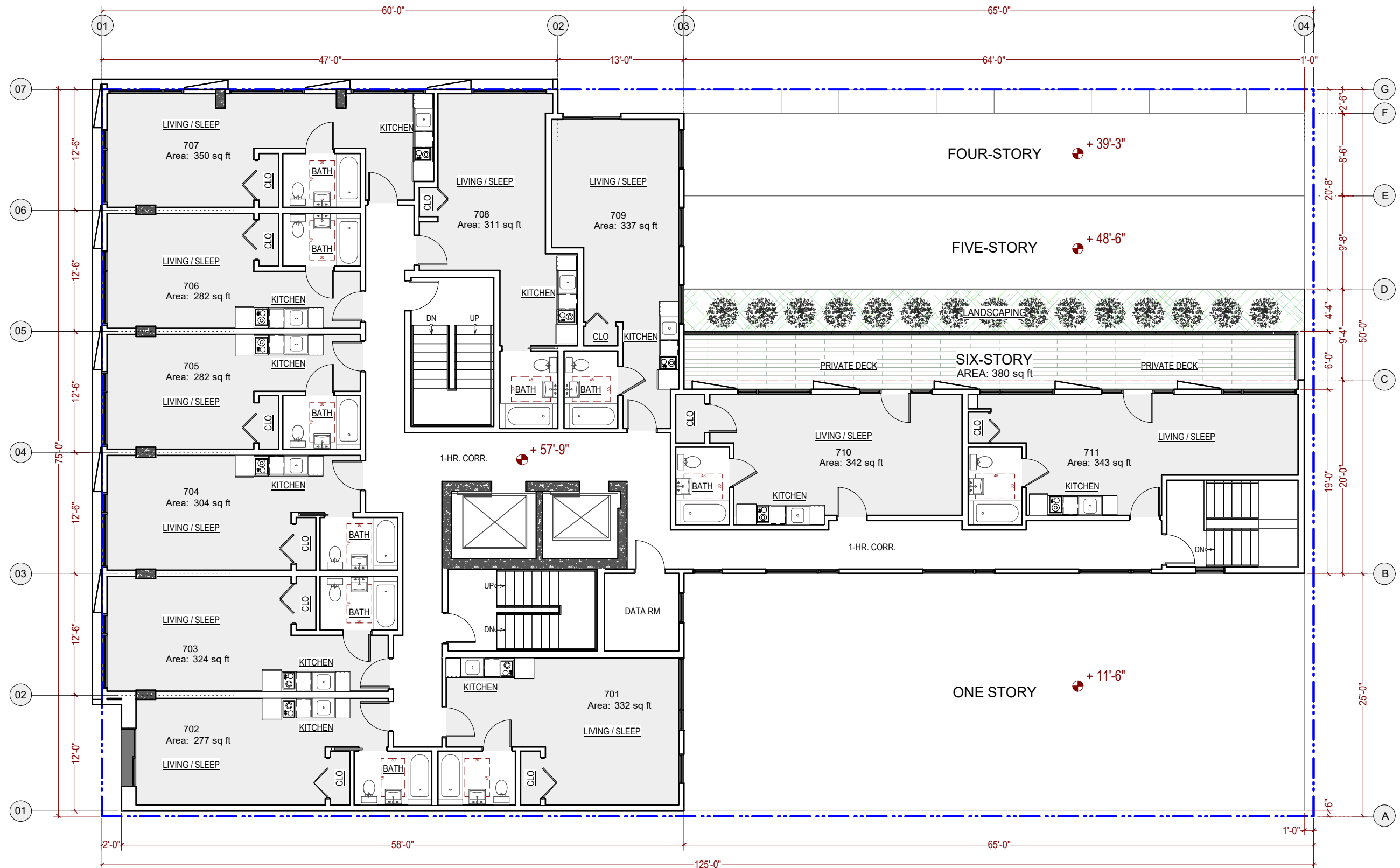
FLOOR PLAN 5
3/32" = 1'-0"

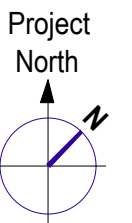
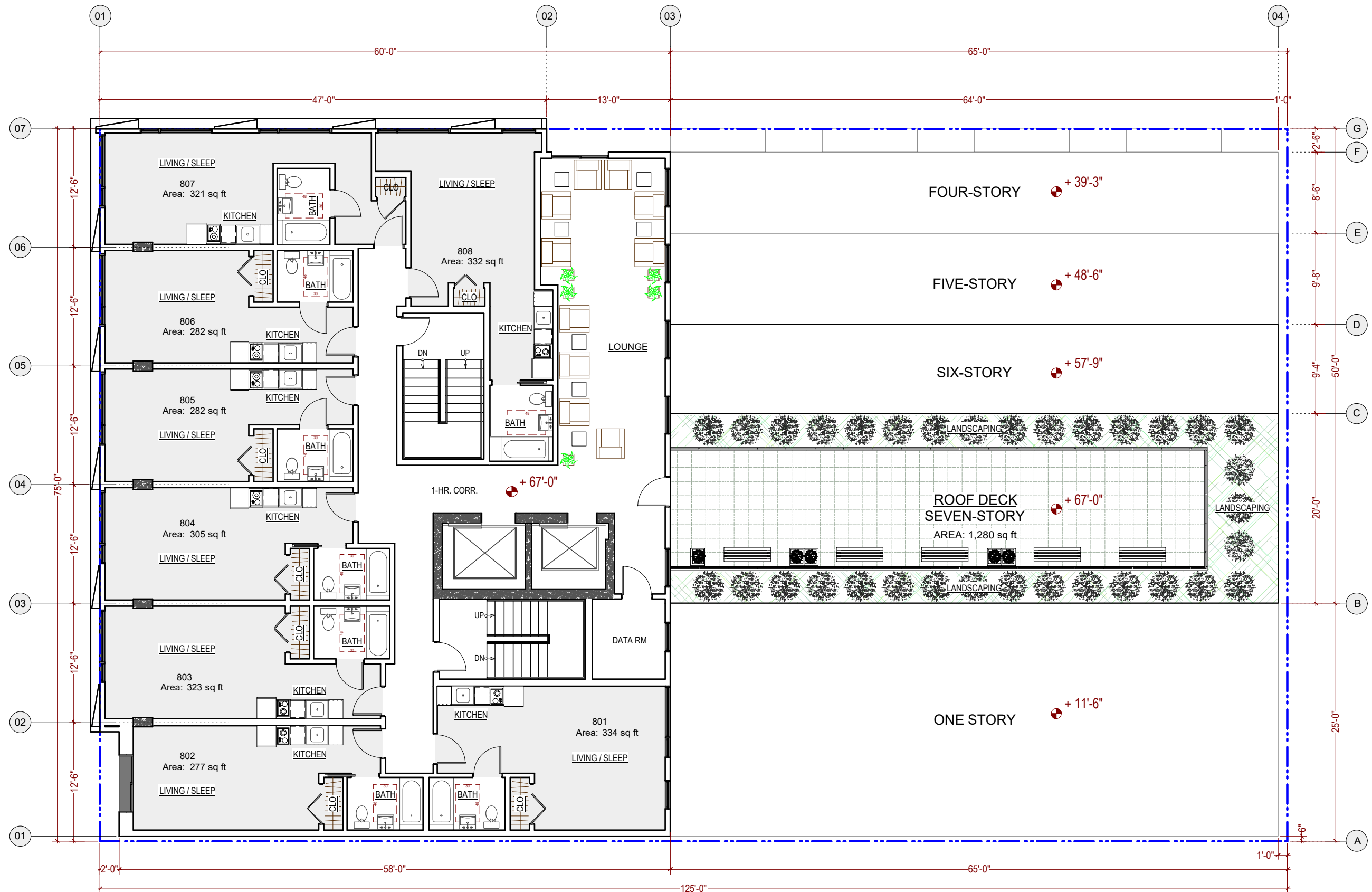
DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

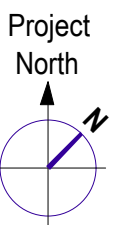
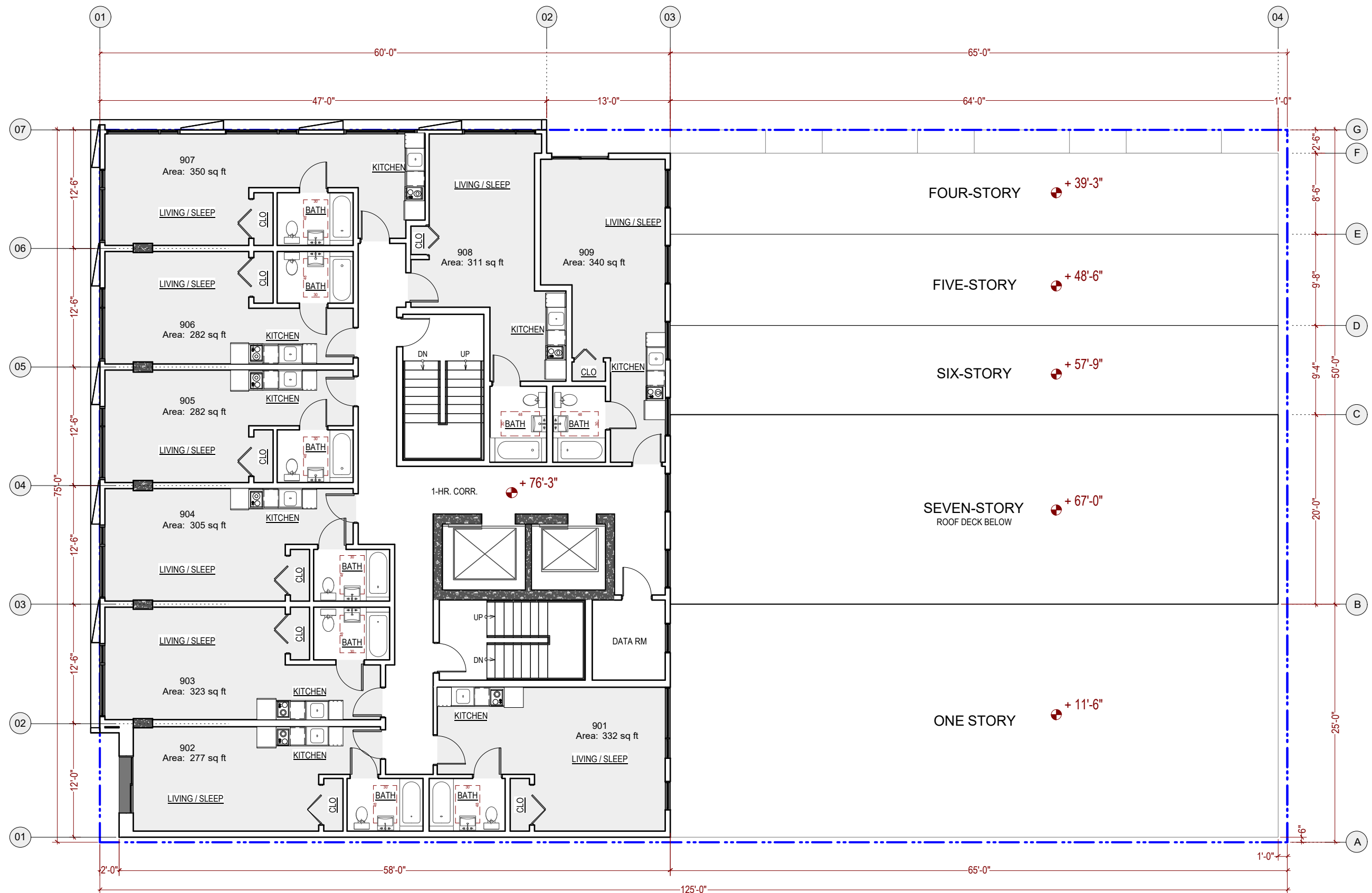
PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A2.5









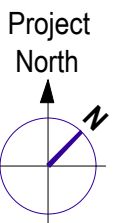
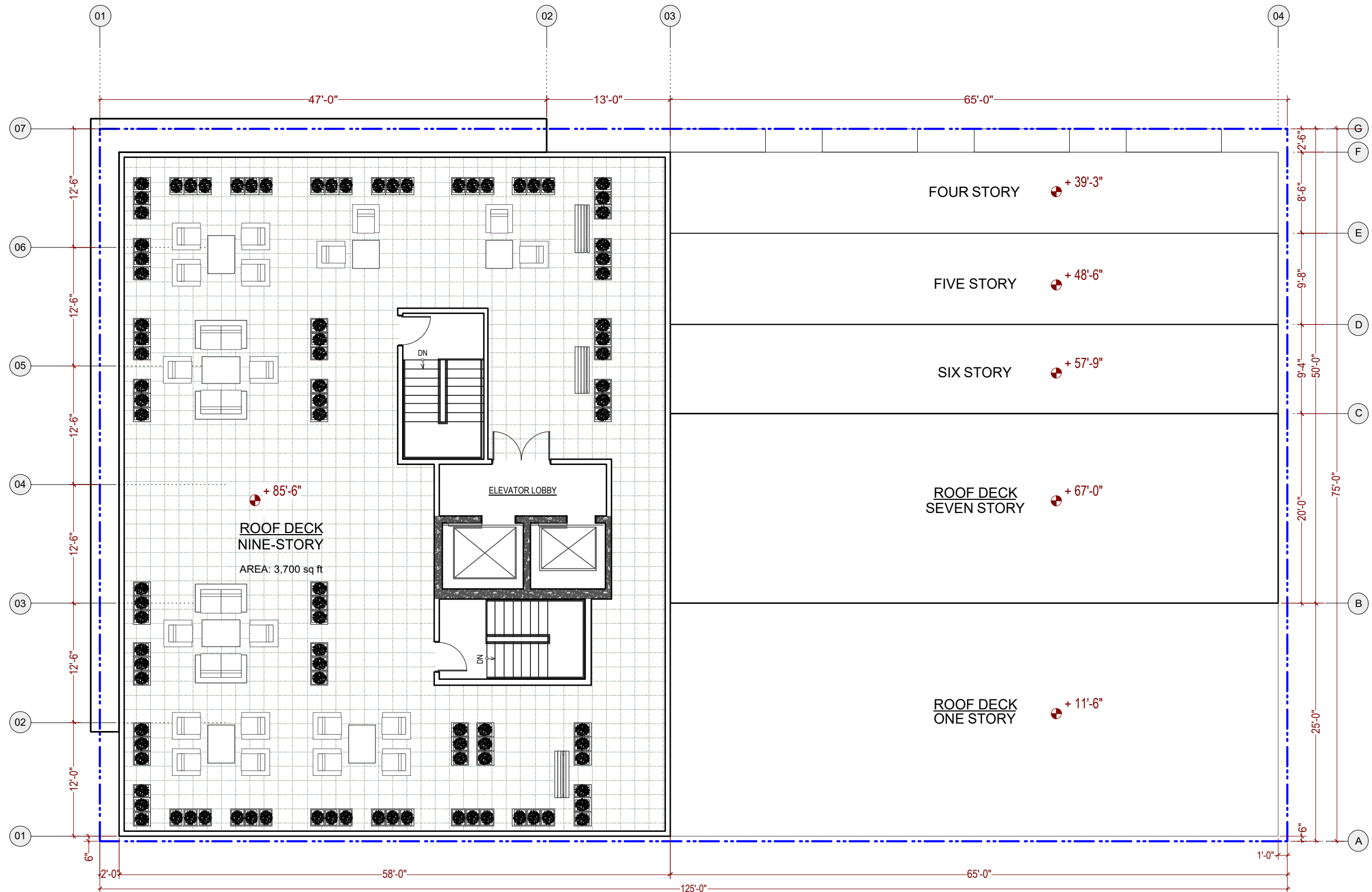
SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

FLOOR PLAN 9
3/32" = 1'-0"

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A2.9



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SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

ROOF PLAN 3/32" = 1'-0"

DATE:	10/28/2016
REVISED DATE:	
DRAWN:	R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**

A2.10





Top of elevator penthouse
101'-6"

Top of stair penthouse
94'-6"

Roof
85'-6"

9th floor f.f.
76'-3"

8th floor f.f.
67'-0"

7th floor f.f.
57'-9"

6th floor f.f.
48'-6"

5th floor f.f.
39'-3"

4th floor f.f.
30'-0"

3rd floor f.f.
20'-9"

2nd floor f.f.
11'-6"

first floor f.f.
1'-0"

Centre of side walk @ 6th street 6"

- 01 NORDIC FACADE PANEL, NATURAL BRICK RED, TYP.
- 02 FIBER CEMENT PANEL, DARKER COLOR
- 03 FIBER CEMENT PANEL, LIGHTER COLOR
- 04 HIGH QUALITY SMOOTH STUCCO, TYP
- 05 ARCHITECTURAL CONCRETE ,TYP.
- 06 HORIZONTAL SIDING, TYP.
- 07 CONCRETE BLINDWALL, TYP.
- 08 42" HIGH GUARDRAIL W/ SAFETY GLASS, TYP.
- 09 BLACK ANODIZED ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
- 10 BLACK ANODIZED ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
- 11 ALUM. STORE FRONT , TYP.
- 12 ALUM. ENTRY DOOR
- 13 METAL PLANTER, TYP.

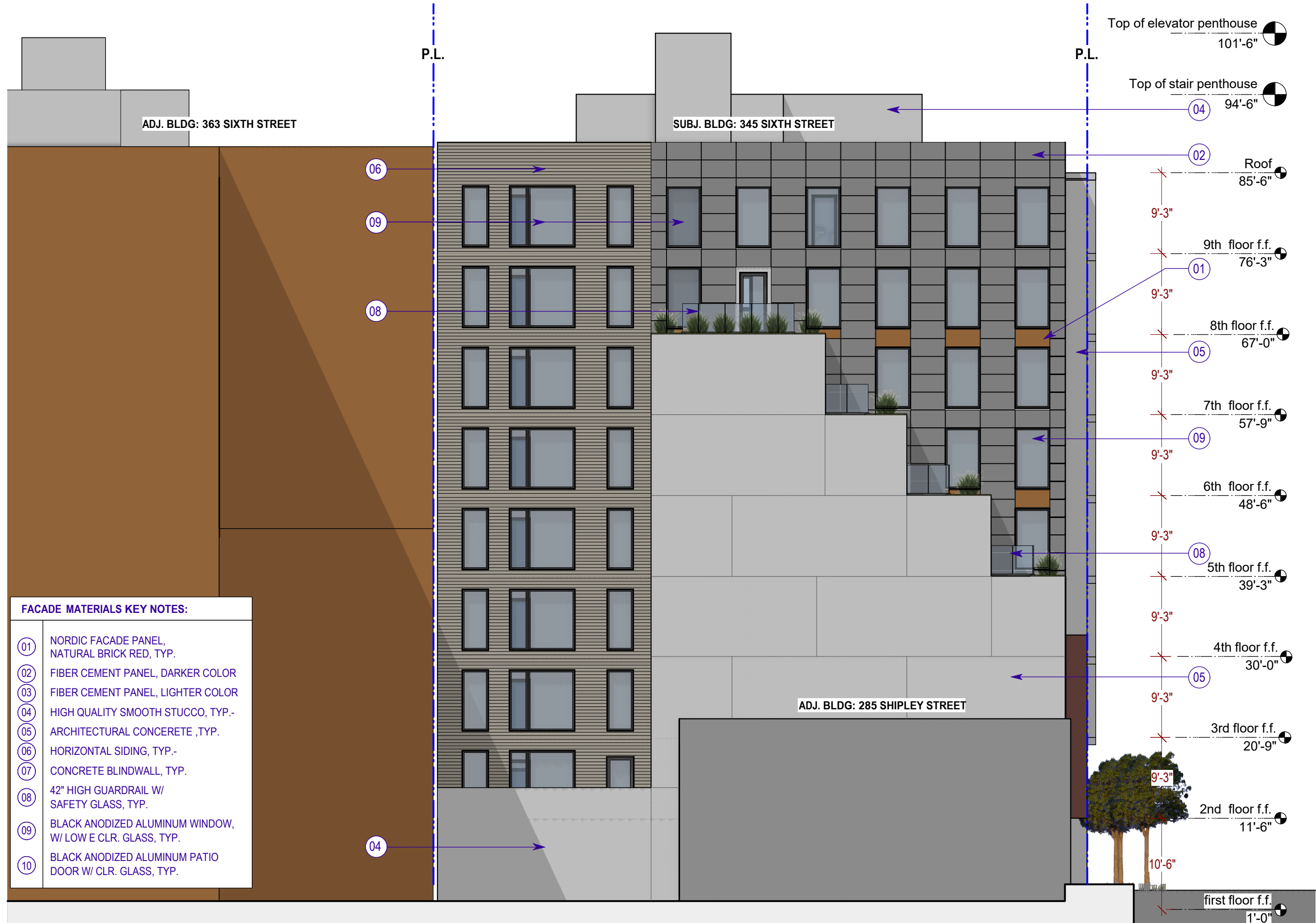
NORTH ELEVATION (SHIPLEY STREET)
3/32" = 1'-0"



SIA CONSULTING CORPORATION
1256 HOWARD STREET
SAN FRANCISCO CA 94103
TEL: (415) 922.0200 / FAX: (415) 922.0203

DATE: 10/28/2016
REVISED DATE:
DRAWN: R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**



P.L.

P.L.

Top of elevator penthouse
101'-8"

Top of stair penthouse
94'-8"



Roof
85'-8"

9th floor f.f.
76'-5"

8th floor f.f.
67'-2"

7th floor f.f.
57'-11"

6th floor f.f.
48'-8"

5th floor f.f.
39'-5"

4th floor f.f.
30'-2"

3rd floor f.f.
20'-11"

2nd floor f.f.
11'-8"

6th Street
first floor f.f.
1'-2"
Centre of side walk @ 6th street 8"



SIA CONSULTING CORPORATION
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BUILDING SECTION B-B
3/32" = 1'-0"

DATE: 10/28/2016
REVISED DATE:
DRAWN: R.L.

PROJECT NAME:
**345 SIXTH STREET
SAN FRANCISCO, CA**
A4.2

Sucre, Richard (CPC)

From: Greg Hamel <greghamelsf@yahoo.com>
Sent: Tuesday, August 18, 2015 9:37 PM
To: Sucre, Richard (CPC)
Subject: 345 6th Street -- Case no: 2013.1773E

Dear Ms. Hue and Mr. Sucre,

I am a long time resident of Sixth Street -- at 360 Sixth Street -- and strongly oppose the construction of this business. I have two children -- and only recently has the neighborhood started to improve sufficiently to support families in the area. On weekends, it's still very difficult. The Bessie Carmichael park is already overrun with vagrant adults -- and left dirty. Same with the park next to the recreation center. Please do not build this building with 88 SROs at 345 6th Street.

Sincerely,

Greg Hamel
360 Sixth Street
Resident since 2002