



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary

### Section 309 Review and Request for Exceptions Conditional Use Authorization / Variances

HEARING DATE: APRIL 7, 2016

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

*Date:* March 21, 2016  
*Case No.:* **2014.1121DNXCUAVAR**  
*Project Address:* **1601 Mission Street**  
*Zoning:* C-3-G (Downtown General)  
120-R-2 Height and Bulk District  
*Block/Lot:* 3514/043  
*Project Sponsor:* Jessie Stuart – (415) 370.1761  
Trumark Urban  
90 New Montgomery Street, Suite 750  
San Francisco, CA 94104  
jstuart@trumarkco.com  
*Staff Contact:* Tina Chang – (415) 575-9197  
[Tina.Chang@sfgov.org](mailto:Tina.Chang@sfgov.org)

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposed Project would demolish the existing structures and facilities and construct a 273,418 gross square foot, 120-foot tall, 12-story mixed-use building containing 220 dwelling units; 7,336 square-feet of ground floor retail spread across three to five spaces; 97 below-grade vehicle parking spaces that would be accessed from South Van Ness Avenue; 144 bicycle parking spaces (131 Class 1 and 14 Class 2); and approximately 10,600 square feet of usable open space.

The proposed dwelling unit mix for the 220 residences consists of 44 studios (20%), 121 one-bedroom (55%) and 55 two-bedroom units (25%). Open space would be provided as private balconies for 31 units; common open space for those without private open space would be located on a roof deck providing 7,149 square feet of open space and publically accessible mid-block alley containing 1,900 square feet of open space.

The Project Sponsor anticipates a 24-month construction period to begin in the fall of 2016. Construction would involve excavation of the entire lot to a depth of 25 feet, resulting in approximately 21,000 cubic yards of material requiring off-site disposal.

## **SITE DESCRIPTION AND PRESENT USE**

The Project Site is a trapezoidal-shaped parcel at the intersection of Mission Street and South Van Ness Avenue in the South of Market neighborhood and the Market Octavia Plan Area. The site is currently occupied by Tower Car Wash and Chevron Gas Station.

Originally constructed in 1932 with extensive alterations made in 1995-96, the property consists of two two-story buildings totaling 4,429 square-feet (sf), a corner tower structure connected by a canopy, and a separate fuel pump canopy. The smaller building contains an auto detailing stop with an office above, while the larger building contains a covered car wash, an office, convenience store, and restrooms.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The project vicinity is characterized by a mix of office, residential, and light industrial uses. On the subject block where the Project Site is located, bounded by Mission Street, South Van Ness Avenue, and Plum Street, existing development includes an 11-story building containing 230 dwelling unit over ground-floor commercial uses (which is immediately adjacent to the Project Site), a seven-story commercial building, and several one- and two-story commercial buildings. Across Mission Street from the Project Site are a single-story car rental facility and parking lot and several five- and six-story buildings. On the block across Van Ness Avenue from the Project Site is a two-story building used as a public storage facility, a four-story building undergoing renovation for use by a social service agency and several one- and two-story commercial buildings. The area surrounding the Project Site is in a state of transition. Within two blocks to the north of the subject property are seven projects under review with the Planning Department that range from nine stories to 40 stories.

The Project Site is located within the C-3-G Zoning District, the Van Ness market Downtown Residential Special Use District, and within the Market and Octavia Area Plans. The C-3-G Zoning District covers the western portions of downtown and is composed of a variety of uses, including retail, office, hotel, entertainment institutional, and high-density residential. Many of these uses have a Citywide or regional function. The intensity of development in the area is lower than the downtown core, however, a number of intense mixed-use development projects are anticipated for the immediate area, including 1540 Market Street, 0 South Van Ness Avenue, and 1500 Mission Street.

The Van Ness and Market Downtown Residential Special Use District is comprised of the parcels zoned C-3-G in the Market Octavia Area Plan. This district is generally comprised of parcels focused at the intersections of Van Ness Avenue at Market Street and South Van Ness Avenue at Mission Street, along with parcels on both sides of Market and Mission Streets between 10th and 12th Streets. This district is intended to be a transit-oriented, high-density, mixed-use neighborhood with a significant residential presence where a transition from largely back-office and warehouse support functions to a more cohesive downtown residential district is encouraged. The neighborhood is also envisioned to serve as a transition zone to the lower scale residential and neighborhood commercial areas to the west. A notable amount of large citywide commercial and office activity will remain in the area, including government offices supporting City Hall and the Civic Center. The Downtown Plan identified the Van Ness and Market Special Use District boundary as an area to encourage housing adjacent to downtown; the concept was fully articulated in the Market and Octavia Area Plan as part of the City's Better Neighborhoods Program.

The Project Site is well served by public transportation. The San Francisco Municipal Railway (MUNI) operates numerous bus lines within one-quarter mile of the subject property, including the 14 and 14R along Mission Street and the 47 and 49 along Van Ness Avenue. The Van Ness Muni metro stop is one block from 1601 Mission at Van Ness Avenue and Market Street where passengers can access subsurface light rail line. Additionally, at least 15 surface buses and historic street car lines operate along Market Street. The Civic Center BART (Bay Area Regional Transit) Station is located at the intersection of Eighth and Market Streets, about a half mile walk away from the Project Site.

## **ENVIRONMENTAL REVIEW**

On March 16, 2016, the Planning Department of the City and County of San Francisco 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 Market and Octavia Area Plan and was encompassed within the analysis contained in the Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market and Octavia 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 Market and Octavia Area 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 Market and Octavia Area 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.

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 18, 2016	March 16, 2016	22 days
Posted Notice	20 days	March 18, 2016	March 16, 2016	22 days
Mailed Notice	10 days	March 28, 2016	March 28, 2016	10 days

## **COMMUNITY OUTREACH AND PUBLIC COMMENT**

As summarized in the enclosed letter from the Project Sponsor, community outreach has included meetings with the Project's neighbors, local businesses, community groups, and other interested parties about the Project. The Project Sponsor has worked in closest collaboration with the adjacent building's Home Owners Association located at 140 S. Van Ness. Elements of the building's design have changed as a result of meeting with the community and local stakeholders, including the selection of a public art theme; street landscaping and character, including the character of the mid-block passage; building setbacks, particularly the building's setback along the Mission Street adjacent to building at 140 S. Van Ness; design and window location along the wall facing 140 S. Van Ness; parking ratio; and design of the

roof. The project has met with the following stakeholders, in certain instances multiple times, since the Project's inception at 2014: the 140 S. Van Ness Homeowners Association, United Playaz, City Crossroads Ministries, Mo' MAGIC, San Francisco Unified School District's Virtual Book Drive, HealthRIGHT 360, and individual neighborhood merchants.

To date, the Department has not received any correspondence expressing opposition to or support of the Project.

## **ISSUES AND OTHER CONSIDERATIONS**

- **Parking.** The Project will include 97 off-street, below-grade parking spaces, which proposes 19% more parking than the principally permitted amount of accessory parking (1 space per four units) allowed under the Planning Code. The Project also includes 131 Class 1 and 14 Class 2 bicycle parking spaces, meeting Planning Code Requirements.
- **Planning Code Exceptions.** The Project does not strictly conform to several aspects of the Planning Code. As part of the Downtown Project Authorization process, the Commission may grant exceptions from certain requirements of the Planning Code for projects that meet specified criteria. The Project requests exceptions regarding "Reduction of Ground-Level Wind Currents in C-3 Districts." Compliance with the specific criteria the requested exception is summarized below, and is described in the attached draft Section 309 motion.
  - **Ground Level Wind Currents.** The Code requires that new buildings in C-3 Districts must be designed so as not to cause ground-level wind currents that exceed specified comfort levels. When preexisting ambient wind speeds exceed the comfort levels, new buildings must be designed to reduce those ambient wind speeds to meet the specified comfort level.

The wind tunnel analysis performed for the Project demonstrated that wind conditions were generally high, with wind speeds average 13 miles per hour (mph) for all 35 measurement locations, or test points. The highest wind speeds occurred at on location along Mission Street north of the Project Site, along South Van Ness Avenue, and along Otis Street west of South Van Ness Avenue where average wind speeds reached 15 to 17 mph. Wind speeds at 21 of 35 of the existing test locations exceed the Planning Code's 11pmh comfort criterion about 17 percent of the time.

With the Project, the wind tunnel test added two additional measurement locations, which were covered under the existing conditions scenario. With the Project, an additional five (5) locations, or 26 of the 37 test points exceed the 11mph comfort criterion 18 percent of the time. Two of the addition five comfort exceedances occur at the two additional test locations added. Wind speeds with anticipated future developments, or the cumulative scenario, was also analyzed. The study concluded that average wind speeds increased by approximately 2 mph at all 37 test points, with the highest wind speeds of 18 -23 mph along the intersection of South Van Ness and Otis Street and along South Van Ness, south of Mission Street. The comfort criterion was found to be exceeded 26 percent of the time; though these exceedances are the result of future building massing in the area and not the Project itself.

The wind analysis concluded that wind speeds on the existing Project Site are generally high and remain similar with the addition of the proposed Project. A Section 309 exception is being sought because the Project would not eliminate the existing locations meeting or exceeding the Planning Code's comfort criterion. Exceptions from the comfort criterion may be granted through the 309 process, but no exception may be granted where a project would cause wind speeds at the site to reach or exceed the hazard level of 26 mph for a single hour of the year. There are no hazardous wind speeds caused by the Project.

- **Conditional Use Authorization.** The Project requests Conditional Use Authorization for providing parking above principally permitted amounts.
  - Section 151.1. Planning Section 151.1 principally permits up to one car for each four dwelling units, and up to one car for each two dwelling units as a conditional use. The Project contains 220 dwelling units. Per Planning Section 151.1, 55 parking spaces are principally permitted ( $220/4 = 55$ ) for residential uses, and up to 110 parking spaces are conditionally permitted ( $220/2 = 110$ ) for residential uses. The Project proposes 97 parking spaces, which is greater than what is principally permitted. Therefore Conditional Use Authorization for the additional 42 parking spaces is being sought as part of the Project. The Project does not propose any parking for the retail uses.
- **Variances.** The Project requests a Variance from the Active Frontage and Exposure requirements of the Planning Code.
  - Section 145. Section 145 requires active uses within the first 25 feet of building depth on all street frontages.

The Project requires a variance from this Code Section since the Project proposes a bicycle lounge for storing bicycles, which is not considered an active use, within the first 25 feet of building depth along the South Van Ness frontage. However, the Project meets transparency requirements per Section 145.4, which require that non-residential portions of the ground-floor façade must be at least 60 percent transparent. The Project provides over 80% transparency on both the South Van Ness Avenue and Mission Street frontages.

- Section 140. Planning Code Section 140 requires at least one room within every dwelling unit to face directly on an open area that is either (1) a public street or alley that is at least 25 feet in width, or a side yard or rear yard that meets the requirements of the Planning Code, or (2) an open area that is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and at the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

Approximately 40 dwelling units (most of which face south) would not comply with this requirement. These units would face a terrace measuring approximately 32 feet by 52 feet, exceeding minimum year yard requirements. However, since the terrace is not a

code compliant rear yard, it must meet dimensional requirements that increase by 5 feet in every horizontal direction at each subsequent floor above the third floor, or in this case be at least 70 feet in every horizontal direction. Since the terrace does not meet these dimensional requirements, a variance from Section 140 is being sought as part of this Project for a total of 40 units that do not comply with the exposure requirements of the Code.

- **Affordable Housing.** The Project is complying with Section 415 through payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.

## **REQUIRED COMMISSION ACTION**

In order for the Project to proceed, the Commission must Determine that the Project complies with Planning Code Section 309, granting requests for exceptions and grant Conditional Use Authorization for providing parking above principally permitted amounts as discussed under “Issues and Other Considerations” above. In addition, the Zoning Administrator would need to grant a Variance from two sections of the Planning Code, as discussed under “Issues and Other Considerations” above.

## **BASIS FOR RECOMMENDATION**

- The Project would add 220 dwelling units to the City’s housing stock.
- The Project would replace an existing auto-oriented gas station and car wash with housing and retail, thereby improving the street walls on South Van Ness Avenue and Mission Street.
- The Project is compatible with the surrounding neighborhood character, in terms of height, scale, and massing.
- The Project would present a more active and pedestrian-oriented streetscape compared with the existing carwash and gas station with ground floor retail uses on both South Van Ness Avenue, Mission Streets and along the proposed mid-block alley.

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

Draft Section 309 Motion Exhibit C – Mitigation Monitoring, and Reporting Program

Draft Conditional Use Authorization Motion

CPE

Block Book Map

Sanborn Map

Zoning Map

Aerial Photograph

Site Photographs

Affidavit of Compliance – Inclusionary Housing

First Source Hiring Affidavit

Letter from Project Sponsor

Exhibit B – Section 309 Plans

Attachment Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project sponsor submittal   |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>  |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>   |
| <input checked="" type="checkbox"/> Height & Bulk Map           | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Block Book Map              | 3-D Renderings (new construction or significant addition)   |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Aerial Photo                | <input checked="" type="checkbox"/> Housing Documents   |
| <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

\_\_\_\_\_ **TC** \_\_\_\_\_  
Planner's Initials

*EW: G:\Documents\309\1601 Mission\CaseReport\Executive Summary.doc*

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# 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 checked="" type="checkbox"/> Transit Impact Dev't Fee (Sec. 411) | <input checked="" type="checkbox"/> Street Tree (Sec. 138.1)          |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)                   | <input checked="" type="checkbox"/> Public Art (Sec. 429)             |

1650 Mission St.  
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## Planning Commission Draft Motion

HEARING DATE: APRIL 7, 2016

*Date:* March 21, 2016  
*Case No.:* **2014.1121DNXCUAVAR**  
*Project Address:* **1601 Mission Street**  
*Zoning:* C-3-G (Downtown General)  
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[Tina.Chang@sfgov.org](mailto:Tina.Chang@sfgov.org)

**ADOPTING FINDINGS RELATED TO THE APPROVAL OF A SECTION 309 DETERMINATION OF COMPLIANCE AND REQUEST FOR EXCEPTIONS REDUCTION OF GROUND-LEVEL WIND CURRENTS PER PLANNING CODE SECTION 148 TO CONSTRUCT A 12-STORY-OVER-BASEMENT, APPROXIMATELY 120-FOOT TALL BUILDING WITH UP TO 220 DWELLING UNITS; THREE – FIVE GROUND FLOOR RETAIL SPACES TOTALING 7,336 SQUARE FEET, 97 OFF-STREET PARKING SPACES; AND 145 BICYCLE PARKING SPACES (131 CLASS 1 AND 14 CLASS 2) AT 1601 MISSION STREET WITHIN THE C-3-G (DOWNTOWN GENERAL) ZONING DISTRICT AND 120-R-2 HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On July 17, 2014, Jessie Stuart of Trumark Urban, on behalf of S & P Investments, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Preliminary Project Assessment, to allow the demolition of an existing 4,429 sf gross square foot (gsf) car wash and gas station and the new construction of 12-story mixed-use building containing approximately 200 dwelling units, with 10,400 square-feet of ground floor retail, and one level of subterranean parking with 95 vehicular parking spaces (hereinafter "the Project") at 1601 Market Street (hereinafter "Project Site").

On December 8, 2014, the Project Sponsor filed an Environmental Evaluation Application with the Department revising the Project to include the demolition of the existing 4,429 square-foot car wash and the new construction of a 12-story mixed-use building containing 200 dwelling units, 6,756 square-feet of retail space, 102 below-grade parking spaces.

On February 11, 2015, the Project Sponsor filed an application with the Department for Compliance with Planning Code Section 309 with exceptions to Ground Level Wind Currents (Section 148) for the Project including the new construction of a 120 foot tall mixed-use building consisting of 12-stories, 9,900 square feet of ground floor retail, 106 off-street parking spaces and 144 bicycle parking spaces.

On November 25, 2015, the Project Sponsor amended the Section 309 Application to propose a Project including the new construction of a 12-story, mixed-use development containing 220 dwelling units, 97 off-street parking spaces, including two accessible and two car shares spaces, 7,336 square feet of ground floor retail.

On February 22, 2016 the Project Sponsor filed a Conditional Use Authorization Application with the Department pursuant to Planning Code Section 151.1(f) to permit up to two off-street vehicular off-street spaces per dwelling unit and a Variance Application for exposure, pursuant to Section 140, for approximately 40 units that do not face a public street or a code complying rear yard, and Active street frontages pursuant to Section 145, for the Project including the new construction of a 12-story, mixed-use development containing 220 dwelling units, 97 off-street parking spaces, including two accessible and two car shares spaces, 7,336 square feet of ground floor retail.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Market and Octavia Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on April 5, 2007, by Motion No. 17406, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The certification of the EIR was upheld on appeal to the Board of Supervisors at a public hearing on June 19, 2007. The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The 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, 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 Market and Octavia Area Plan, the Commission adopted CEQA Findings in its Motion No. 17406 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 March 16, 2016, the Planning Department of the City and County of San Francisco 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 Market and Octavia Area Plan and was encompassed within the analysis contained in the Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market and Octavia 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 Market and Octavia Area 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 Market and Octavia Area 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 April 7, 2016, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization Application No. 2014.1121DNXCUAVAR.

The Planning Department, Jonas P. Ionin, is the custodian of records; all pertinent documents are located in the File for Case No. 2014.1121DNXCUAVAR, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), contained in "EXHIBIT C" which material was made available to the public and this Commission for this Commission's review, consideration and action.

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 approves the Downtown Project Authorization requested in Application No. 2014.1121DNXCUAVAR, 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 a trapezoidal-shaped parcel at the intersection of Mission Street and South Van Ness Avenue in the South of Market neighborhood and the Market Octavia Plan Area. The site is currently occupied by Tower Car Wash and Chevron Gas Station.

Originally constructed in 1932 with extensive alterations made in 1995-96, the property consists of two two-story buildings totaling 4,429 square-feet (sf), a corner tower structure connected by a canopy, and a separate fuel pump canopy. The smaller building contains an auto detailing stop with an office above, while the larger building contains a covered car wash, an office, convenience store, and restrooms.

3. **Surrounding Properties and Neighborhood.** The project vicinity is characterized by a mix of office, residential, and light industrial uses. On the subject block where the Project Site is located, bounded by Mission Street, South Van Ness Avenue, and Plum Street, existing development includes an 11-story building containing 230 dwelling unit over ground-floor commercial uses (which is immediately adjacent to the Project Site), a seven-story commercial building, and several one- and two-story commercial buildings. Across Mission Street from the Project Site is a single-story car rental facility and parking lot and several five- and six- story buildings. On the block across Van Ness Avenue from the Project Site is a two-story building used as a public storage facility, a four-story building undergoing renovation for use by a social service agency and several one- and two- story commercial buildings. The area surrounding the Project Site is in a state of transition. Within two blocks to the north of the subject property are seven projects under review with the Planning Department that range from nine stories to 40 stories.

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neighborhood with a significant residential presence where a transition from largely back-office and warehouse support functions to a more cohesive downtown residential district is encouraged. The neighborhood is also envisioned to serve as a transition zone to the lower scale residential and neighborhood commercial areas to the west. A notable amount of large citywide commercial and office activity will remain in the area, including government offices supporting City Hall and the Civic Center. The Downtown Plan identified the Van Ness and Market Special Use District boundary as an area to encourage housing adjacent to downtown; the concept was fully articulated in the Market and Octavia Area Plan as part of the City's Better Neighborhoods Program.

The Project Site is well served by public transportation. The San Francisco Municipal Railway (MUNI) operates numerous bus lines within one-quarter mile of the subject property, including the 14 and 14R along Mission Street and the 47 and 49 along Van Ness Avenue. The Van Ness Muni metro stop is one block from 1601 Mission at Van Ness Avenue and Market Street where passengers can access subsurface light rail line. Additionally, at least 15 surface buses and historic street car lines operate along Market Street. The Civic Center BART (Bay Area Regional Transit) Station is located at the intersection of Eighth and Market Streets, about a half mile walk away from the Project Site.

4. **Project Description.** The proposed Project would demolish the existing structures and facilities and construct a 273,418 gross square foot, 120-foot tall, 12-story mixed-use building containing 220 dwelling units; 7,336 square-feet of ground floor retail spread across three to five spaces; 97 below-grade vehicle parking spaces that would be accessed from South Van Ness Avenue; 144 bicycle parking spaces (131 Class 1 and 14 Class 2); and approximately 10,600 square feet of usable open space.

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The Project Sponsor anticipates a 24-month construction period to begin in the fall of 2016. Construction would involve excavation of the entire lot to a depth of 25 feet, resulting in approximately 21,000 cubic yards of material requiring off-site disposal.

5. **Community Outreach and Public Comment.** As summarized in the enclosed letter from the Project Sponsor, community outreach has included meetings with the Project's neighbors, local businesses, community groups, and other interested parties about the Project. The Project Sponsor has worked in closest collaboration with the adjacent building's Home Owners Association located at 140 S. Van Ness. Elements of the building's design have changed as a result of meeting with the community and local stakeholders, including the selection of a public art theme; street landscaping and character, including the character of the mid-block passage; building setbacks, particularly the building's setback along the Mission Street adjacent to building at 140 S. Van Ness; design and window location along the wall facing 140 S. Van Ness; parking ratio; and design of the roof. The project has met with the following stakeholders, in certain instances multiple times, since the Project's inception at 2014: the 140 S. Van Ness

Homeowners Association, United Playaz, City Crossroads Ministries, Mo' MAGIC, San Francisco Unified School District's Virtual Book Drive, HealthRIGHT 360, and individual neighborhood merchants.

To date, the Department has not received any correspondence expressing opposition to or support of 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. **Floor Area Ratio (Section 124 and 249.33).** The floor area ratio (FAR) limit as defined by Planning Code Section 124 for the Downtown General District is 6.0 to 1.0. Per Section 249.33 projects in the Van Ness and Market Downtown Residential Special Use District with any increment of FAR above the base FAR and up to the maximum FAR requires payment into the Citywide Affordable Housing Fund for each additional gross square foot above the increment of FAR above the base FAR up to the maximum FAR of 9.0, per Section 123(c).

*The Project Site has a lot area of approximately 25,760 square feet. Therefore, up to 154,560 square feet is permitted under the base FAR. As shown in the conceptual plans for the Project, the building would include 273,418 square feet of floor area, of which 225,549 square feet would count towards FAR, amounting to an FAR of 8.86.*

*To satisfy requirements pursuant to Planning Code Sections 249.33(b)(6) and 424, the Project will be required to pay \$38.23 per additional gross square foot above the base FAR, or approximately 70,989 square feet into the Citywide Affordable Housing Fund. Should the Project change, resulting in FAR above 9.0 to 1, participation in the Van Ness and Market Affordable Housing and Neighborhood Infrastructure Program would be required pursuant to Planning Code Section 249.33(b)(6)(B).*

- B. **Rear Yard Requirement / Lot Coverage (Section 134 and 249.33).** Planning Code Section 134 requires that any building containing a dwelling unit in a Downtown Commercial District must provide a rear yard equal to 25 percent of the total lot depth at all residential levels. However, Section 134 does not apply in the Van Ness & Market Residential Special Use District (SUD). Instead, parcels located in the SUD are limited to lot coverage amounting to no greater than 80 percent at all residential levels. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards per Section 136(c).

*The Project complies with Section 249.33, as lot coverage does not exceed 80 percent of lot area at all residential levels. Unbuilt portions of the lot are open to sky and do not contain any obstructions.*

- C. **Residential Open Space (Section 135).** Planning Code Section 135 requires that private usable open space be provided at a ratio of 36 square feet per dwelling unit or common open space at a ratio of 1.33.

*The Project provides 220 units. The Project would provide private open space for 31 of the dwelling units through private balconies or terraces. These open spaces would meet the minimum dimensional requirements of having a minimum horizontal dimension of at least 6 feet and 36 square feet if located on a deck, porch, or balcony and at least 10 feet horizontal dimension and minimum area of 100 feet if located on open ground, a terrace or the surface of an inner or outer court.*

*The remaining 189 units require a total of 9,049 square feet of common open space which would be provided in the form of a 7,149 square-foot roof terrace and 1,900 square foot midblock passage at grade. Therefore, the Project meets open space requirements per Section 135.*

- D. **Public Open Space (Section 138).** New buildings in the C-3 (SD) Zoning District must provide public open space at a ratio of one square feet per 50 gross square feet of all uses, except residential uses, institutional uses, and uses in a predominantly retail/personal services building. This public open space must be located on the same site as the building or within 900 feet of it within a C-3 district.

*Ground floor retail space in the C-3 Districts that is less than 5,000 square feet and less than 75 percent of the ground floor area is excluded from gross floor area and is therefore not required to provide the associated publically accessible open space. The Project includes approximately 7,336 in three to five difference spaces, all of which are less than 5,000 square feet and less than 75 percent of the ground floor area. Therefore, the project is exempt from the requirement to provide public open space. However, the Project provides 1,900 square feet of publically accessible open space with the at-grade mid-block passage.*

- E. **Street Trees (Sections 138.1).** Section 138.1 states that Project Sponsors shall plant and maintain street trees as set forth in Article 16, Sections 805 and 806 of the Public Works Code.

*Article 16, Section 806 requires one street tree for each 20 feet of street frontage of the property containing the development project. The Project includes a total of approximately 478 feet of street frontage along Mission Street (approximately 222 feet), 12<sup>th</sup> Street (approximately 50 feet) and South Van Ness Avenue (206 feet), resulting in a requirement of 23 street trees. Twenty (20) new street trees are proposed and three (3) exist, resulting in a total of 23 trees. An in-lieu fee for any trees below 23 total shall be paid pursuant to Section 802 or a waiver attained per Section 806 of the Public Works Code.*

*Additionally, per Public Works Code, Article 16, Section 806, all street trees would be planted within the public right-of-way adjacent to the subject property, be of a species suitable for the site conditions; be a minimum of 24-inch box size; have a minimum 1 ¼ inch caliper, measured 6-inches above ground; be planted no higher than the adjacent sidewalk and provide a below-grade environment with nutrient-rich soils, free from overly-compacted soils and generally conducive to tree root development and be watered, maintained and replaced if necessary by the property owner in accordance with Article 16 of the Public Works Code and be in compliance with applicable water use requirements of Administrative Code Chapter 63.*

- F. **Streetscape Improvements (Section 138.1).** Planning Code Section 138.1 requires that when a new building is constructed in the C-3 District, street trees and sidewalk paving must be provided. Under Section 138.1(c), the Commission may also require the Project Sponsor to install additional sidewalk improvements such as lighting, special paving, seating and landscaping in accordance with the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan.

*Since the existing sidewalk widths already meet those recommended by the Better Streets Plan, sidewalk widening was not required as part of the Project. However, to improve pedestrian safety crossing South Van Ness Avenue, the Project will include special paving in the crosswalk between the*

*Project Site and the “pork chop” or landing space between the vehicular slip lane for those making a right turn from Mission Street onto South Van Ness Avenue.*

- G. **Exposure (Section 140).** Planning Code Section 140 requires all dwelling units in all use districts to face onto a public street at least 20 feet in width, side yard at least 25 feet in width or open area which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

*The Project requests a variance from Section 140 for 40 of the 220 proposed units. The subject 40 units expose onto a courtyard measuring 31'-3" by 52'-5", exceeding minimum rear yard requirements. However, to meet dimensional requirements per Section 140, the open area onto which the subject units face would need to be at least 70 feet in every horizontal dimension. Since these requirements are not met, a variance from Section 140 is required.*

- H. **Street Frontage in Commercial Districts: Active Uses (145).** Planning Code Section 145 requires that within Downtown Commercial Districts, space for “active uses” shall be provided within the first 25 feet of building depth on the ground floor; similarly Section 145.4 requires “active commercial uses” along all of South Van Ness Avenue for the entirety of the Van Ness and Market Downtown Residential Special Use District.

*The Project requires a variance from this Code Section since the Project proposes a bicycle lounge storing bicycles, which is not considered an active use, within the first 25 feet of building depth along the South Van Ness frontage.*

- I. **Street Frontage in Commercial Districts: Ground Floor Transparency (Section 145.1(c)(6)).** Planning Code Section 145.1(c)(6) requires that within Downtown Commercial Districts, frontages with active uses that are not residential or PDR must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building.

*The Project complies with the Ground Floor Transparency requirements of the Planning Code. Approximately 86 percent of the Project’s South Van Ness Avenue’s non-residential façade is fenestrated with transparent windows and doorways and approximately 83 percent of the Mission Street non-residential façade contains transparent windows and doorways.*

- J. **Shadows on Public Sidewalks (Section 146).** Planning Code Section 146(a) establishes design requirements for buildings on certain streets in order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods. Section 146(c) requires that other buildings, not located on the specific streets identified in Section 146(a), shall be shaped to reduce substantial shadow impacts on public sidewalks, if it can be done without unduly creating an unattractive design and without unduly restricting development potential.

*Section 146(a) does not apply to the Project. With respect to Section 146(c), the Project would replace a car wash and gas station with a 12-story residential over ground-floor retail structure. Although the Project would create new shadows on sidewalks and pedestrian areas adjacent to the site, the Project’s shadows would not increase the total amount of shading above levels that are commonly accepted in urban areas. The Project is proposed at a height that is consistent with the zoned height for the*

*property and could not be further shaped to reduce substantial shadow effects on public sidewalks without creating an unattractive design and without unduly restricting development potential. Therefore, the Project complies with Section 146.*

- K. **Shadows on Public Open Spaces (Section 147).** Planning Code Section 147 seeks to reduce substantial shadow impacts on public plazas and other publicly accessible open spaces other than those protected under Section 295. Consistent with the dictates of good design and without unduly restricting development potential, buildings taller than 50 feet should be shaped to reduce substantial shadow impacts on open spaces subject to Section 147. In determining whether a shadow is substantial, the following factors shall be taken into account: the area shaded, the shadow's duration, and the importance of sunlight to the area in question.

*A shadow analysis determined that the Project would not cast shadow on any parks or open spaces; therefore, the Project complies with Section 147.*

- L. **Ground Level Wind (Section 148).** Planning Code Section 148 requires that new construction in Downtown Commercial Districts will not cause ground-level wind currents to exceed pedestrian comfort levels. This standard requires that wind speeds not exceed 11 miles per hour in areas of substantial pedestrian use for more than 10 percent of the time year round, between 7:00 AM and 6:00 PM. The requirements of this Section apply either when preexisting ambient wind speeds at a site exceed the comfort level and are not being eliminated as a result of the project, or when the project may result in wind conditions exceeding the comfort criterion.

*The wind tunnel analysis performed for the Project demonstrated that wind conditions were generally high, with wind speeds average 13 miles per hour (mph) for all 35 measurement locations, or test points. The highest wind speeds occurred at on location along Mission Street north of the Project Site, along South Van Ness Avenue, and along Otis Street west of South Van Ness Avenue where average wind speeds reached 15 to 17 mph. Wind speeds at 21 of 35 of the existing test locations exceed the Planning Code's 11pmh comfort criterion about 17 percent of the time.*

*With the Project, the wind tunnel test added two additional measurement locations, which were covered under the existing conditions scenario. With the Project, an additional five (5) locations, or 26 of the 37 test points exceed the 11mph comfort criterion 18 percent of the time. Two of the addition five comfort exceedances occur at the two additional test locations added.*

*Wind speeds with anticipated future developments, or the cumulative scenario, was also analyzed. The study concluded that average wind speeds increased by approximately 2 mph at all 37 test points, with the highest wind speeds of 18 -23 mph along the intersection of South Van Ness and Otis Street and along South Van Ness, south of Mission Street. The comfort criterion was found to be exceeded 26 percent of the time; though these exceedances are the result of future building massing in the area and not the Project itself.*

*The wind analysis concluded that wind speeds on the existing Project Site are generally high and remain similar with the addition of the proposed Project. A Section 309 exception is being sought because the Project would not eliminate the existing locations meeting or exceeding the Planning Code's comfort criterion. Exceptions from the comfort criterion may be granted through the 309 process, but no exception may be granted where a project would cause wind speeds at the site to reach*

*or exceed the hazard level of 26 mph for a single hour of the year. There are no hazardous wind speeds caused by the Project.*

- M. **Parking (Sec. 151.1).** Planning Section 151.1 allows up to one car for each four dwelling units as-of-right, and up to two cars for each four dwelling units as a conditional use.

*The Project contains 220 dwelling units. Per Planning Section 151.1, 55 parking spaces are principally permitted ( $220/4 = 55$ ) for residential uses. The Project proposes a total of 97 off-street parking spaces, including 3 spaces designed and designated for persons with disabilities and 2 car share spaces. Since this exceeds the principally permitted amount of one car for every four dwelling units, conditional use authorization is required.*

- N. **Off-Street Freight Loading (Sec. 152.1).** Planning Code Section 152.1 requires that projects in the C-3 District that include the addition of 200,001-500,000 sq. ft. of residential space must provide two off-street freight loading spaces within the project.

*The Project includes 273,418 gross square feet of development (225,549 square feet that counts towards Floor Area Ratio), requiring two off-street loading spaces. One off street freight loading space measuring at least 35 feet in length, 12 feet in width and vertical clearance of 14 feet will be provide; the second off-street loading space will be substituted by two service vehicles measuring at least eight feet wide, 20 feet long and with a vertical clearance of 7 feet per Section 154, therefore the Project complies with Section 152.1.*

- O. **Bicycle Parking (Section 155.2).** For buildings with more than 100 dwelling units, Planning Code Section 155.2 requires 100 Class 1 spaces plus one Class 1 space for every four dwelling units over 100, and one Class 2 space per 20 units. For the retail space, Section 155.2 requires a minimum of two spaces.

*The Project complies with Section 155.2 because it provides 131 Class 1 parking spaces, meeting the Planning Code requirement of providing 100 Class 1 spaces plus one Class 1 space for every four dwelling units over 100, and one Class 1 space for every 7,500 square feet of occupied floor area ( $100 + 120/4 = 30$ (for residential uses) + 1 (for commercial use) = 131 spaces required). The Project provides 14 Class 2 spaces ( $220 \text{ units}/20 = 11$  (for residential uses) +  $7,336\text{sf}/2,500\text{sf} = 3$  (for commercial uses) = 14 spaces required). Eighty four Class 1 spaces are located in the bike lounge at the ground level, through the mid-block passage, and 60 spaces below grade accessible by elevator from the lobby, which is also accessible through the mid-block passage. The Class 2 spaces are located in front of retail spaces on the Mission Street and South Van Ness Avenue street frontages.*

- P. **Car Share (Section 166).** Planning Code Section 166 requires two car share parking spaces for residential projects with between 201 or more dwelling units plus an additional parking space for every 200 dwelling units over 200.

*The Project complies with Section 166 because it provides two off-street car share parking space within the below-grade garage.*

- Q. **Density (Section 210.2).** Planning Code Sections 210.2 establishes no density limit in the C-3 Districts. Density is regulated by the permitted height and bulk, and required setbacks, exposure, and open space of each development lot.

*The Project contains 220 dwelling units, which is allowed in the C-3-G District. The elimination of density controls in the C-3 Districts was recently approved through Ordinance No. 22-15 (Board File No. 141253); previously, density was principally permitted at a ratio of 1 unit per 125 sf of lot area and conditionally permitted above that amount.*

- R. **Height (Section 260).** The property is located in a 120-R-2 Height and Bulk District, thus permitting structures up to a height of 120 feet.

*The Project would reach a height of approximately 120 feet to the roof of the building, with various features such as elevator/stair penthouses, mechanical structures, an enclosed recreation space, and parapets extending above the 120-foot height limit in accordance with the height exemptions allowed through Planning Code Section 260(b).*

- S. **Bulk (Section 270).** The property is located in a 120-R-2 Height and Bulk District.

*Bulk limitations do not exist below 120 feet in height for structures in R-2 Bulk Districts, therefore, the Project complies with Section 270.*

- T. **Mid-Block Alleys (Section 270.2).** Mid-block alleys are required in C-3 districts that are located south of Market Street, and on lots with frontage greater than 200 linear feet for the entire depth of the property where there is an opportunity to establish a through-block connection between two existing alleys or streets.

*The Project provides a midblock passage through the center of the building, providing a connection between Mission Street and South Van Ness Avenue. The mid-block passage is publically accessible, and is where the residential lobby, bike lounge along and two retail spaces would be accessed.*

- U. **Shadows on Parks (Section 295).** Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project would result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

*A shadow analysis was conducted and determined that the Project would not shade any properties under the jurisdiction of, or designated for acquisition by, the Recreation and Park Department.*

- V. **Inclusionary Affordable Housing Program (Section 415).** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing and Community Development for the purpose of increasing affordable housing citywide.

*The Project Sponsor has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program through payment of the Fee, in an amount to be established by the Mayor's Office of Housing and Community Development at a rate equivalent to an off-site requirement of 20 percent. The project sponsor has not selected an alternative to payment of the Fee. The EE application was submitted on December 8, 2014.*

W. **Public Art (Section 429).** In the case of construction of a new building or addition of floor area in excess of 25,000 sf to an existing building in a C-3 District, Section 429 requires a project to include works of art costing an amount equal to one percent of the construction cost of the building.

*The Project would comply with this Section by dedicating one percent of the Project's construction cost to works of art. The public art concept and location will be subsequently presented to the Planning Commission at an informational presentation.*

X. **Signage (Section 607).** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department pursuant to the provisions of Article 6 of the Planning Code.

7. **Exceptions Request Pursuant to Planning Code Section 309.** The Planning Commission has considered the following exceptions to the Planning Code, makes the following findings and grants each exception to the entire Project (including that portion located within the Rincon Point South Beach Redevelopment Plan Area) as further described below:

a. **Section 148: Ground-Level Wind Currents.** In C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour equivalent wind speed in areas of substantial pedestrian use and seven miles per hour equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

Section 309(a)(2) permits exceptions from the Section 148 ground-level wind current requirements. No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour (mph) for a single hour of the year.

*Independent consultants analyzed ground-level wind currents in the vicinity of the Project Site. A wind tunnel analysis, the results of which are included in a technical memorandum prepared by RWDI Consulting Engineers & Scientists, was conducted using a scale model of the Project Site and its immediate vicinity.*

**Comfort Criterion**

The existing conditions at the Project Site indicate that 21 of the 35 test points exceed the Planning Code's comfort criterion at grade level 17 percent of the time. Under the existing conditions, wind conditions are generally high with wind speeds averaging 13 miles per hour for all 35 measurement locations. The highest wind speeds occurred at one location along Mission Street north of the Project Site, along South Van Ness Avenue and along Otis Street west of South Van Ness Avenue averaging 15 to 17 mph.

With the Project an additional 2 test points were added for a total of 37 test points, and the average wind speed for all 37 test locations remain at 13 mph. The high wind speeds along South Van Ness Avenue and at the intersection of South Van Ness Avenue and Otis Street remained similar to the existing condition. The 11 mph criterion was exceeded 18 percent of the time, a very minor 1 percent increase when compared to existing conditions. Wind speeds at 26 out of 37 test locations did not meet the Planning Code's comfort criterion, and increase of 5 additional locations compared to existing conditions – two of which are the two new test locations added to the wind tunnel test.

The wind analysis concluded that wind speeds on the existing Project Site are generally high and remain similar with the addition of the proposed Project. A Section 309 exception is being sought because the Project would not eliminate the existing locations meeting or exceeding the Planning Code's comfort criterion. Because the number of exceedances increases with the Project at grade, an exception is required under Planning Code Section 309.

Exceptions from the comfort criterion may be granted through the 309 process, but no exception may be granted where a project would cause wind speeds at the site to reach or exceed the hazard level of 26 mph for a single hour of the year. There are no hazardous wind speeds caused by the Project.

**Hazard Criterion**

The Wind Study indicated that all test points currently meet the wind hazard criterion, and that the Project would not cause wind speeds to reach or exceed the hazard level. Therefore, the Project would comply with the hazard criterion of Section 148.

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

## HOUSING ELEMENT

### 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 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.

*The Project supports this Policy. The proposed Project would construct a significant amount of new housing units within an existing urban environment that is in need of more access to housing. The Project*

*proposes to demolish car wash and gas station and construct a mixed-use residential building above ground floor retail that contains 220 market rate units and approximately 7,336 square feet of retail use. The Project will also contribute to the City's Inclusionary Housing Program by payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units. The Property is an ideal site for new housing due to its central, downtown location, and proximity to public transportation. By developing and maintaining space dedicated to retail use within the building, the Project will continue activating Mission Street and South Van Ness Avenue.*

**Policy 1.10**

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The Project supports this Policy. It is anticipated that because of the central downtown location of the Project, most residents would either walk, bike, or use public transportation for daily travel. The Project is one block from Market Street, with convenient access from the Property to the Van Ness MUNI metro station and about 15 MUNI lines, allowing connections to neighborhoods throughout the City, the East Bay, and the Peninsula. The Project Site is about half a mile from the Civic Center BART and MUNI stations. The Project provides 131 Class 1 bicycle parking spaces with a convenient and safe storage at grade and in the basement level, encouraging bicycles as a mode of transportation.*

**OBJECTIVE 5:**

**ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.**

**Policy 5.4**

Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

*The Project supports this Policy. The Project would create 220 dwelling units, of which 44 (20%) are studios, 121 (55%) are one-bedroom units and 55 (25%) are two-bedroom units. The Project will also contribute to the City's Inclusionary Housing Program by payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.*

**OBJECTIVE 7:**

**SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING, INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON TRADITIONAL MECHANISMS OR CAPITAL.**

*In compliance with this policy, the Project would contribute to the City's Inclusionary Housing Program by payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.*

**OBJECTIVE 11:**

**SUPPORT AND RESPECT THE DIVERSE AND DISTINT 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.

*The Project supports these Policies. The Project would create 220 dwelling units in the immediate vicinity of existing residential and office buildings, and complies with the existing zoning in terms of land use, height, and density. The Project's design upholds the Planning Department's storefront transparency guidelines by ensuring that over 80 percent of the non-residential frontages are transparent (exceeding Planning Code requirements), better activating Mission Street and South Van Ness Avenue. Additionally, the Project provides publically accessible open space in the form of a mid-block alley, which will be activated with the residential building's lobby entrance, bike lounge, and a retail space. The building's architectural design promotes community interaction by inviting members of the public to interact with the core of the project, literally walking through the center of the building.*

## **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 1.3**

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

#### **OBJECTIVE 3:**

**MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.**

**Policy 3.1**

Promote harmony in the visual relationships and transitions between new and older buildings.

**Policy 3.6**

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

*The Project meets the aforementioned objectives and policies by employing design that both relates to existing development in the neighborhood while also emphasizing a pattern that gives its neighborhoods an image and means of orientation. The Project Site is located in a neighborhood of mid- to high-rise, mixed-use buildings both residential and commercial in nature. A cohesive design or pattern does not exist; however, the Project is located at the heart of the Market Street Hub, which harkens back to a well-known and district neighborhood near the intersections of Market Street with Valencia, Haight and Gough Streets. The Hub neighborhood is receiving concentrated attention from the development community and is also in the midst of major infrastructure improvements. As such Hub Project seeks to capitalize on current opportunities and analyze the potential for zoning and policy refinements that will better ensure the area's growth supports the City's goals for housing, transportation, the public realm and the arts.*

*Although the Project precedes the completion of the Hub, it announces an entrance to the neighborhood. It is the first project to come before the Commission in the Hub project area, as defined today, and is one block south of the heart of the neighborhood. The building's design, with greater transparency at the gøre, where South Van Ness and Mission Street meet, is intended to symbolize a beacon, inviting visitors and residents alike into the neighborhood. Similarly, the mid-block alley that traverses the Project Site encourages members of the community to experience the building and its future retail amenities.*

## **COMMERCE AND INDUSTRY ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

##### **Policy 1.1**

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

##### **Policy 1.2**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

##### **Policy 1.3**

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

*The Project would add approximately 7,336 square feet of new commercial space – divided between three to five tenant spaces – that is intended to serve residents in the building and surrounding neighborhood. Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown –General District, and is thus consistent with activities in the commercial land use plan.*

## TRANSPORTATION ELEMENT

### Objectives and Policies

#### OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT, AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

#### Policy 1.2:

Ensure the safety and comfort of pedestrians throughout the city.

*A primary objective of the proposed Project is to create a pedestrian-oriented environment at the Project Site that encourages walking as a principal means of transportation. Proposed improvements to the crosswalk north of the Project Site as one crosses Van Ness would improve pedestrian safety. The mid-block alley featuring a bike-lounge and storage encourages bicycling as a means of transportation. The Project would also plant a consistent row of street trees along South Van Ness Avenue and Mission Street, along with bicycle racks to enhance the pedestrian experience and provide convenience to bicyclists.*

#### Policy 1.3:

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs particularly those of commuters.

#### Policy 1.6:

Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

*The Project would promote Objective 1 and its associated policies by providing for an amount of parking which is sufficient to meet the needs of the future residents so as to not overburden the surrounding neighborhood parking. However, the parking that is being provided is not expected to generate substantial traffic that would adversely impact pedestrian, transit, or bicycle movement. Given the proximity of the Project site to the employment opportunities and retail services of the Downtown Core, it is expected that residents will opt to prioritize walking, bicycle travel, or transit use over private automobile travel. In addition, the placement of parking in stacker configurations will discourage frequent use of vehicles for shorter trips and increase the use of public transit. Thus, the Project would provide a merely sufficient rather than excessive amount of parking in order to accommodate the parking needs of the future residents of the Project and the neighborhood, while still supporting and encouraging walking, bicycle travel and public transit use.*

#### OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

**Policy 2.1:**

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

*The Project would promote Objective 2 and its associated policies by constructing a residential building with ground floor retail in the Downtown Core, which is the most transit rich area of the City. The Project would provide only 0.44 parking spaces per dwelling and will not provide any parking for the proposed retail uses. All of these parking spaces would be located underground, and thus be less intrusive from an urban design standpoint.*

**OBJECTIVE 11:**

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

**Policy 11.3:**

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

*The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. The project includes bicycle parking for 145 bicycles (131 Class 1, 14 Class 2). Within a few blocks of the Project Site, there is an abundance of local and regional transit lines, including MUNI bus lines, MUNI Metro rail lines and BART. Additionally such transit lines also provide access to AC Transit (Transbay Terminal) and CalTrain.*

**DOWNTOWN AREA PLAN**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.1**

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

*The Project would bring additional housing into a neighborhood that is well served by public transit on the edge of Downtown. The Project would not displace any housing because the existing structure at 1601 Mission Street houses a car wash and gas station. The Project would improve the existing character of the neighborhood by removing the surface parking lot and vacant structure. The proposed retail space, which includes ground floor retail space on all street frontages, as well as along the mid-block alley, is consistent and compatible with the existing retail uses in the neighborhood, while creating a more pedestrian-friendly*

*environment in the immediate neighborhood. The Project therefore creates substantial net benefits for the City with minimal undesirable consequences.*

**OBJECTIVE 7:**

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

**Policy 7.1.1**

Promote the inclusion of housing in downtown commercial developments.

**Policy 7.2**

Facilitate conversion of underused industrial and commercial areas to residential use.

*The Project would demolish a car wash and gas station, constructing a 120-foot tall, 12-story-over-basement, 220-unit residential building over ground floor retail, within easy commuting distance of downtown jobs.*

*The Project includes approximately 7,336 square feet of ground floor commercial space, with tenant spaces on Mission Street, South Van Ness Avenue, and along the mid-block alley; these spaces would provide services to the immediate neighborhood, and create pedestrian-oriented, active uses on each of the frontages.*

**OBJECTIVE 16:**

CREATE AND MAINTAIN ATTRACTIVE, INTERESTING URBAN STREETSCAPES.

**Policy 16.4**

Use designs and materials and include amenities at the ground floor to create pedestrian interest.

*The Project would promote Objective 16 by including a ground floor retail use and mid-block alley which would promote pedestrian traffic in the vicinity. The Project would provide floor-to-ceiling, transparent windows in retail spaces, inviting pedestrians, and landscape the sidewalk area surrounding the Project Site with street trees and bike racks. This space would increase the usefulness of the vicinity surrounding the Project Site to pedestrians and serve to calm the speed of traffic on the street.*

## **MARKET AND OCTAVIA PLAN**

### **Objectives and Policies**

**Policy 1.1.2:**

Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot.

**Policy 1.2.2:**

Maximize housing opportunities and encourage high-quality commercial spaces on the ground floor.

*The Project is located within an existing high-density urban context and would convert a car wash and gas station into high-density housing in an area that has a multitude of transportation options. The project includes a mix of studio, one and two bedroom units, and approximately 7,336 square feet of ground floor retail.*

## **OBJECTIVE 2.2**

### **ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.**

#### **Policy 2.2.2:**

Ensure a mix of unit sizes is built in new development and is maintained in existing housing stock.

#### **Policy 2.2.4:**

Encourage new housing above ground-floor commercial uses in new development and in expansion of existing commercial buildings.

*The proposed project includes 220 dwelling units and approximately 7,336 square feet of ground floor retail on the first floor along Mission Street, Van Ness Avenue and the proposed mid-block alley. The project includes a mix of studio, one and two bedroom units, which helps maintain the diversity of the housing stock in the city.*

## **OBJECTIVE 5.1:**

### **IMPROVE PUBLIC TRANSIT TO MAKE IT MORE RELIABLE, ATTRACTIVE, CONVENIENT, AND RESPONSIVE TO INCREASING DEMAND.**

#### **Policy 5.1.2:**

Restrict curb cuts on transit-prefeferential streets.

## **OBJECTIVE 5.2:**

### **DEVELOP AND IMPLEMENT PARKING POLICIES FOR AREAS WELL SERVED BY PUBLIC TRANSIT THAT ENCOURAGE TRAVEL BY PUBLIC TRANSIT AND ALTERNATIVE TRANSPORTATION MODES AND REDUCE TRAFFIC CONGESTION.**

#### **Policy 5.2.3:**

Minimize the negative impacts of parking on neighborhood quality.

## **OBJECTIVE 5.3:**

### **ELIMINATE OR REDUCE THE NEGATIVE IMPACT OF PARKING ON THE PHYSICAL CHARACTER AND QUALITY OF THE NEIGHBORHOOD.**

#### **Policy 5.3.1:**

Encourage the fronts of buildings to be lined with active uses and, where parking is provided, require that it be setback and screened from the street.

*South Van Ness Avenue and Mission Street are considered transit-preferential streets. Off-street parking access is provided on South Van Ness Avenue as far south on the Project Site as possible to minimize impacts to pedestrians, transit service, bicycle movement and overall traffic movement on Market Street. All parking will be located below grade, thus improving the overall urban design of the Project. The street-level design of the Project provides mostly active uses including 7,336 square feet of retail along Mission Street and South Van Ness Avenue. A single curb cut is proposed along South Van Ness Avenue.*

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 complies 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.

*In addition to 220 new residential units, the Project would include approximately 7,336 square feet of retail space in three – five separate commercial spaces, thereby preserving retail uses in the neighborhood. Currently, the site operates as a car wash and gas station. Though future retail uses would likely differ, the Project will provide approximately 7,336 square feet of retail uses, continuing to provide employment and retail opportunities to residents of the City and region. The Project would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, increasing the customer base of existing neighborhood-serving retail. The proposed space would also complement the pedestrian-friendly Downtown core and develop a pattern of active ground floor retail along the Mission Street and South Van Ness Avenue frontages.*

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

*The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing because the existing structure at 1601 Mission Street is a car wash and gas station. The Project would improve the existing character of the neighborhood by providing more pedestrian-friendly, less auto-oriented uses. The proposed retail spaces vary in size and present opportunities to small business owners, helping to preserve the cultural and economic diversity of our neighborhoods.*

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

*There is currently no housing on the site; therefore, no affordable housing will be lost as part of this Project. However, the Project will also contribute to the City's Inclusionary Housing Program through payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.*

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

*The Project would not impede MUNI transit service or overburden local streets or parking. The Project is at a location well-served by transit as it is located in a major transit corridor and would promote rather than impede the use of MUNI transit service. Future residents and employees of the Project could access both the existing MUNI rail and bus services and the BART system. The Project also provides a sufficient amount of off-street parking for future residents so that neighborhood parking will not be overburdened by the addition of new residents.*

- 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 would not negatively affect the industrial and service sectors because it is largely residential in nature and would not displace any existing industrial uses. The Project would also be consistent with the character of existing development in the neighborhood, characterized by a mix of commercial and residential high-rise buildings.*

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

*The Project will be consistent with the City's goal to achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake. The building will be constructed in compliance with all current building codes to ensure a high level of seismic safety.*

- G. That landmarks and historic buildings be preserved.

*The Planning Department has determined that the car wash and gas station at 1601 Mission Street is not individually eligible for listing on the California Register, nor is the building located in a historic district.*

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

*The Project would not cast any new shadows on parks under the jurisdiction of the San Francisco Parks and Recreation Department.*

- 10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

- 11. The Commission hereby finds that approval of the Downtown Project Authorization and Request for Exceptions 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 Downtown Project Authorization Application No. 2014.1121DNXCUAVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 7, 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 Market and Octavia Area 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 309 Determination of Compliance and Request for Exceptions 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 this Motion if not appealed 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 in person at 1650 Mission Street, Room 304, San Francisco, CA 94103, or call (415) 575-6880.

**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 constitutes 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 April 7, 2016.

Jonas P. Ionin

Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 7, 2016

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a **Downtown Project Authorization and Request for Exceptions** relating to a Project that would demolish an existing car wash and gas station, 12-story-over-basement, 273,418 gross square foot building (of which 225,549 square feet count towards Floor Area Ratio (FAR)) containing approximately 7,336 gross square feet of ground floor commercial space, and 220 dwelling-units located at 1601 Mission Street, Assessor's Block 3514, Lot 043, pursuant to **Planning Code Sections 309 and 148** within the C-3-G Zoning District and a 120-X Height and Bulk District; in general conformance with plans, dated April 7, 2016, and stamped "EXHIBIT B" included in the docket for Case No. **2014.1121DNXCUAVAR** and subject to conditions of approval reviewed and approved by the Commission on **April 7, 2016** under Motion No. [\_\_\_\_]. 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 **April 7, 2016** under Motion No. [\_\_\_\_].

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

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. [\_\_\_\_] 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 Downtown Project 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 Downtown Project 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](http://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](http://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](http://www.sf-planning.org)*

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

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

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](http://www.sf-planning.org)*

6. **Additional Project Authorization.** The Project Sponsor must obtain a Variance from Section 140 since approximately 40 units do not meet exposure requirements and Section 145 for not meeting active commercial use requirements of the Planning Code. The Project Sponsor must also obtain

a Conditional Use Authorization, pursuant to Planning Code Sections 151.1 and 303, to provide greater than principally permitted parking amounts in the Van Ness and Market Residential Special Use District. 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](http://www.sf-planning.org).*

7. **Improvement and Mitigation Measures.** Improvement and Mitigation measures described in the MMRP attached as **Exhibit C** to the CEQA Findings Motion associated with the Subject Project are necessary to avoid potential significant impacts of the Project and have been agreed to by the Project Sponsor. Their implementation is a condition of Project approval.

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

## DESIGN – COMPLIANCE AT PLAN STAGE

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

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

9. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the Site Permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of Section 806 of the Public Works Code may be waived by the Public Works Department. The Project currently shows the installation of 20 of the 23 required street trees, with the retention of three existing trees. The Project shall install the twenty (20) street trees as set forth in Condition Number 21 below, unless the installation of the 20 trees proves infeasible, in which case the Project shall pay an in-lieu fee for any of the trees not so installed. All street trees must meet the standards per Article 16 of the Public Works Code, Section 806.

*For information about compliance, contact the Department of Urban Forestry at 415-554-6700, [www.sf-planning.org](http://www.sf-planning.org).*

10. **Streetscape Elements.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the required streetscape features so that it generally meets the standards of the Better Streets and Downtown Plans, as well as all applicable City standards. This includes, but is not limited to the crosswalk improvements at the South Van Ness and Mission Street intersections. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of the architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

11. **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 Site Permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

12. **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 architectural addendum to the Site Permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

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

13. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the architectural addendum to the site permit application.

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

14. **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).
- h. 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>.*

15. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

*For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, [www.sfmta.org](http://www.sfmta.org).*

## PARKING AND TRAFFIC

16. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide parking at a ratio not higher than 0.44 spaces to dwelling units as permitted by Conditional Use Authorization. With 220 dwelling units proposed, there is a maximum of 97 off-street parking spaces allowed by Conditional Use Authorization, of which 55 are principally permitted and 2 spaces are designed and designated for persons with disabilities and two are car-share spaces.

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

17. **Off-street Loading.** Pursuant to Planning Code Section 152.1, the Project shall provide one off-street loading space and two spaces devoted to service vehicles to substitute the second off-street loading space required as part of the Project.

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

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

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

19. **Bicycle Parking (Mixed-Use: New Commercial/Major Renovation and Residential).** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 145 Class 1 bicycle parking spaces (130 for the residential portion of the Project and 1 for the retail portion) and 14 Class 2 spaces - 11 for residential and 3 for commercial).  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*
20. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## PROVISIONS

21. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.  
*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*
22. **Street Tree In-Lieu Fee.** Pursuant to Planning Code Section 806 of the Public Works Code, the Project Sponsor shall install 20 trees. An in-lieu fee must be paid for any of the 23 required street trees that cannot be planted according to the Department of Public Works.  
*For information about compliance, contact the Department of Urban Forestry, Department of Public Works at 415-554-6700, [www.sf-planning.org](http://www.sf-planning.org)*
23. **Transit Sustainability Fee.** Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Sustainability Fee (TSF) for the new residential and retail space based on drawings submitted with the Building Permit Application. The fee shall be paid prior to the issuance of the first construction document.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
24. **Child Care Requirements.** Pursuant to Section 414, the Project will be required to pay the Child Care Impact Fee for the new residential and retail space based on drawings submitted with the Building Permit Application or provide on-site family daycare meeting the standards set forth in Section 414 of the Planning Code. The fee shall be paid prior to the issuance of the first construction document.

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

- 25. Inclusionary Housing Program - In-lieu Fee.** Pursuant to Planning Code Section 415.5, the Project is required to pay an in-lieu fee at the issuance of the first construction document at a rate equivalent to the provision of 20 percent off-site units. The fee per dwelling unit is dependent on the dwelling unit type, and is published on a schedule updated annually, established by the Mayor's Office of Housing.

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

- 26. Market Octavia Affordable Housing Fee.** Pursuant to Planning Code Section 416, the Project Sponsor shall comply with the Market Octavia Affordable Housing requirements through payment of the Market Octavia Affordable Housing Fee in full to the Treasurer, prior to the issuance by Department of Building Inspection of the first certificate of occupancy for the development project.

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

- 27. Market Octavia Community Improvements Fund.** Pursuant to Planning Code Section 421, the Project Sponsor shall comply with the Market Octavia Community Improvements Fund provisions through payment of an Impact Fee in full to the Treasurer, or the execution of a Waiver Agreement, or an In-Kind agreement approved as described per Planning Code Section 421 (formerly 326) prior to the issuance by Department of Building Inspection of the construction document for the development project.

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

- 28. Market and Octavia – Van Ness & Market Street Affordable Housing Fee.** Pursuant to Planning Code 424.3, the Project Sponsor shall pay the Van Ness Market Street Affordable Housing Fee or execute an In-Kind Agreement with the Planning Department prior to issuance of the first construction document.

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

- 29. Art - Residential Projects.** Pursuant to Planning Code Section 429, the Project Sponsor must provide on-site artwork, pay into the Public Artworks Fund, or fulfill the requirement with any combination of on-site artwork or fee payment as long as it equals one percent of the hard construction costs for the Project as determined by the Director of the Department of Building Inspection. The Project Sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder. Payment into the Public Artworks Fund is due prior to issuance of the first construction document. If the Project Sponsor elects to provide the artwork on-site, the Conditions set forth in Conditions Numbers 28-30 below shall govern.

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

30. **Art Plaques.** Pursuant to Planning Code Section 429(b), the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.

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

31. **Art – Concept Development.** Pursuant to Planning Code Section 429, the Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the approval of the first building or site permit application.

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

32. **Art - Installation.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING

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

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

34. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code

Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

## OPERATION

35. **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 to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

36. **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>*

**Exhibit C:**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures)**

<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<b>MITIGATION MEASURES FROM THE MARKET AND OCTVIA AREA PLAN EIR</b>				
<p><b>Project Mitigation Measure 1 - Archaeological Testing (Mitigation Measure 5.6.A2 [C2] of the Market and Octavia PEIR)</b></p> <p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).</p>				

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<p><u>Consultation with Descendant Communities.</u> On discovery of an archaeological site<sup>1</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>2</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archaeological field investigations of the site, and to consult with ERO regarding appropriate archaeological treatment of the site; of recovered data from the site; and if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p>	<p>Project sponsor, archaeological consultant in consultation with any individual listed in the current Native American Contact List and Chinese Historical Society of America</p>	<p>In the event of a discovery of an archaeological site associated with the descendant</p>	<p>Archaeological consultant and ERO</p>	<p>Considered complete upon notification of appropriate organization and implementation of any further mitigation as advised</p>
<p><u>Archaeological Testing Program.</u> The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project; the testing method to be used; and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes an historical resource under CEQA.</p>	<p>Project sponsor, archaeological consultant at the direction of ERO</p>	<p>If ERO determination a significant archaeological resource is present and could be adversely affected by the proposed project</p>	<p>Project sponsor, archaeological consultant and ERO</p>	<p>Considered complete on findings by ERO</p>
<p>At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If, based on the archaeological testing program, the</p>				

<sup>1</sup> The term “archaeological site” is intended to minimally include any archaeological deposit, feature, burial, or evidence of burial.

<sup>2</sup> An “appropriate representative” of the descendant group is defined, in the case of Native Americans, as any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission; and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archaeologist.

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<p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or</p> <p>B) A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance, and that interpretive use of the resource is feasible.</p>				<p>archaeological consultant finds that significant archaeological resources may be present, the ERO, in consultation with the archaeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. No archaeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archaeologist. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:</p>
<ul style="list-style-type: none"> <li>• The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils-disturbing activities. The ERO, in consultation with the archaeological consultant, shall determine which project activities shall be archaeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities</li> </ul>	<p>Project sponsor, archaeological consultant, archaeological monitor,</p> <p>The ERO</p>	<p>ERO and archaeological consultant meet prior to commencement of soil-disturbing activity. Monitor throughout all soil-disturbing activities</p>	<p>Archaeological consultant and ERO</p>	<p>Considered complete on findings by ERO that AMP implemented</p>

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<ul style="list-style-type: none"> <li>The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource.</li> <li>The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.</li> <li>The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.</li> <li>If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile-driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile-driving activity may affect an archaeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made, in consultation with the ERO. The archaeological consultant</li> </ul>	Archaeological consultant	Archaeological consultant and ERO	Archaeological consultant and ERO	

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shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.				
Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				

Archaeological Data Recovery Program. The archaeological data recovery program shall be conducted in accordance with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. The ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected

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<p>cataloguing system and artifact analysis procedures.</p> <ul style="list-style-type: none"> <li>• <i>Discard and De-accession Policy.</i> Description of and rationale for field and post-field discard and de-accession policies.</li> <li>• <i>Interpretive Program.</i> Consideration of an onsite/offsite public interpretive program during the course of the archaeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>• <i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li>• <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</li> </ul>				
<p><b>Human Remains and Associated or Unassociated Funerary Objects.</b> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco; and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines,</p>	<p>Project sponsor, archaeological consultant in consultation with the San Francisco Coroner, NAHC, and MLD</p>	<p>In the event human remains and/or funerary objects are encountered</p>	<p>Archaeological consultant and ERO</p>	

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Section 15064.5(d)]. The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.				
Final Archaeological Resources Report. The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/ data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert in the final report.	Project sponsor, archaeological consultant at the direction of the ERO	After completion of archaeological data recovery, inventorying, analysis and interpretation	Submit a draft FARR	Considered complete on submittal of FARR

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 Planning Department shall receive one bound, one unbound, 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/CRHR. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

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<b>Project Mitigation Measure 2 – Construction Air Quality (Mitigation Measure 5.8.B [E2] of the Market and Octavia PEIR)</b>				
<p>A. Engine Requirements</p> <ol style="list-style-type: none"> <li>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.</li> <li>Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</li> <li>Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>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.</li> <li>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.</li> </ol>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement. / contractor(s) and the ERO.	Project sponsor / contractor(s) and the ERO.

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<p>B. Waivers.</p> <ol style="list-style-type: none"> <li>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</li> <li>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.</li> </ol>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor / contractor(s) and the ERO.

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

<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>
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

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<p>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.</p> <p>** Alternative fuels are not a VDECS.</p>				
<p>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.</p> <ol style="list-style-type: none"> <li>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.</li> <li>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</li> </ol>	Project sponsor/ contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Prepare and submit a Plan. Project sponsor/ contractor(s) and the ERO.	

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<p>Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>D. 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.</p>	Project sponsor/ contractor(s).	Quarterly.	Submit quarterly reports.	Project sponsor/ contractor(s) and the ERO.
<b>Project Mitigation Measure 3 – Construction Related Soils (Mitigation Measure 5.11.A [G1] of the Market and Octavia PEIR).</b>	Project sponsor	During construction	Project sponsor/Department of Building Inspection	On-site monitoring by project sponsor and Department of Building Inspection

- Program- or project-level temporary construction-related impacts would be mitigated through the implementation of the following measures:
  - BMPs erosion control features shall be developed with the following objectives and basic strategy:
    - Protect disturbed areas through minimization and duration of exposure.
    - Control surface runoff and maintain low runoff velocities. Trap sediment on site.
    - Minimize length and steepness of slopes.

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<b>IMPROVEMENT MEASURES</b>				
<b>Transportation Improvement Measures from the 1601 Mission Street Community Plan Exemption Checklist</b>				
<p><b>Project Improvement Measure 1: Monitoring and Abatement of Queues.</b> To reduce the potential for queuing of vehicles accessing the project site, the project sponsor/property owner should ensure that recurring vehicle queues do not occur in the public right-of-way adjacent to the project site (i.e., along South Van Ness Avenue). A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.</p> <p>If a recurring queue occurs, the owner/operator of the parking facility should employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).</p> <p>Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.</p>	Project sponsor/property owner	Upon operation of the off-street parking facility	Project sponsor/property owner and the Planning Department	Ongoing during operation

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If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department will notify the property owner in writing. Upon request, the owner/operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant should prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator will have 90 days from the date of the written determination to abate the queue.				
Project Improvement Measure 2: <b>Active Garage Parking Driveway Controls.</b> To reduce the potential for queuing of vehicles accessing the project site via South Van Ness Avenue and to reduce and/or eliminate any potential conflicts between vehicles entering and exiting the project driveway and conflicts between moving vehicles and other users of the roadway (e.g., cyclists, pedestrians in sidewalk areas), the project sponsor/property owner should install active parking management controls at the off-street parking garage driveway and within the off-street garage area.	Project sponsor/property owner	Upon operation of the off-street parking facility	Project sponsor/property owner and the Planning Department	Ongoing during operation

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<p>then drive down the ramp before then the exiting vehicle can proceed along the driveway lane and then onto South Van Ness Avenue.</p> <p>The project sponsor/property owner should install additional traffic calming and safety treatments within the parking driveway area.</p> <p>Specific signage should be installed to notify drivers exiting the parking driveway to slow, stop, and yield to any pedestrians walking along the sidewalk on South Van Ness Avenue (e.g., “Caution: Pedestrian Crossings”, “Watch for Pedestrians”, “Exit Slowly”, “STOP”). Diagonal mirrors should also be installed so that motorists exiting the parking garage and pedestrians on the sidewalk can see each other. The project sponsor/property owner should also install rumble strips or similar devices to maintain slow speeds for vehicles exiting the parking garage.</p>				
<p><b>Project Improvement Measure 3: Transportation Demand Management.</b> The project sponsor/property owner should implement the following measures to minimize the number of single occupancy vehicle (SOV) trips generated by the proposed project for the lifetime of the project.</p> <p><b>Identify TDM Coordinator</b></p> <p>The project sponsor should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMASF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building</p>	Project sponsor	Ongoing during operation	Annually reduce the number of SOV trips to and from the project site	Annually

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<p>occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.</p> <p><b>Transportation and Trip Planning Information</b></p> <ul style="list-style-type: none"> <li>○ <i>Move-in packet:</i> Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</li> <li>○ <i>New-hire packet:</i> Provide a transportation insert in the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new-hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.</li> </ul> <p><b>Data Collection</b></p> <ul style="list-style-type: none"> <li>○ <i>City Access:</i> As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site</li> </ul>				

**Exhibit C:**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures)**

<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p><b>Bicycle Measures</b></p> <ul style="list-style-type: none"> <li>○ <i>Parking:</i> Increase the number of on-site secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).</li> <li>○ <i>Bay Area Bike Share:</i> The project sponsor should cooperate with the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage.</li> </ul>				
<p><b>Car-Share Measures</b></p> <ul style="list-style-type: none"> <li>○ <i>Parking:</i> Provide optional car-share spaces as described in Planning Code Section 166(g).</li> <li>○ <i>Membership:</i> Offer one annual car share membership for each new resident (one per household) or employee. Recipient would be responsible for the remainder of the costs associated with the membership.</li> </ul>				
<p><b>Project Improvement Measure 4 – Coordination of Move-in/Move-out Operations, Large Deliveries, and Garbage Pick-Up Operations.</b>          To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on South Van Ness Avenue or</p>	Project sponsor/property owner	Ongoing during operation	Project sponsor/property owner and the Planning Department	Ongoing during project operation

**Exhibit C:**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures)**

<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Mission Street (in the event that the on- and off-street loading spaces are occupied, or the truck size exceeds 35 feet in length), residential move-in and move-out activities and larger deliveries should be scheduled and coordinated through building management. For retail uses, appropriate delivery times should be scheduled and should be restricted to occur before 7:00 a.m., between the hours of 10:00 a.m. and 4:00 p.m., and after 8:00 p.m. No deliveries should occur between 4:00 p.m. and 8:00 p.m. to avoid any conflicts with peak commute period traffic as well as pedestrians and bicyclists on adjacent streets and sidewalk areas.</p> <p>The project sponsor should enforce strict truck size regulations for use of the off-street loading spaces in the proposed freight loading area. Truck lengths exceeding 35 feet should be prohibited from entering the parking garage and should use existing on-street loading spaces along Mission Street, adjacent to the project site. Appropriate signage should be located at the parking garage entrance to notify drivers of truck size regulations and notify drivers of the on-street loading spaces on Mission Street. The project sponsor should notify building management and related staff, and retail tenants of imposed truck size limits in the proposed freight loading area.</p> <p>Building management staff should notify drivers of large trucks of proper loading procedures upon entering the off-street parking garage. Because trucks would be required to come to a complete stop on South Van Ness Avenue and then reverse into the parking garage to access the 35-foot-long off-street loading space, building management should require a person to safely guide the truck driver and assist in maneuvering the truck within the public right-of-way and into the parking garage (i.e., spotter). The truck driver and spotter would be responsible for placing traffic safety cones or related devices along the right-most traffic lane on South Van Ness Avenue to provide an</p>				

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<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>adequate buffer or spacing between the truck and moving vehicles on the street to give other drivers proper notice of truck while it maneuvers into the parking garage. Additionally, building staff would be responsible for assuring that no other vehicles enter or exit the parking garage while trucks are reversing into the off-street loading space, and no other vehicles block the driveway lane or restrict access to the loading space.</p> <p>Appropriate move-in/move-out and loading procedures should be enforced to avoid blocking any streets adjacent to the project site over an extended period of time and reduce potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Mission Street or South Van Ness Avenue. Curb parking for movers on Mission Street or South Van Ness Avenue should be reserved through SFMTA or by directly contacting the local 311 service. It is recommended that residential move-in/move-out activities be scheduled during weekday mid-day hours between 10:00 a.m. and 4:00 p.m. and/or on weekends to avoid any potential conflicts with peak commute period traffic and all users of adjacent roadways.</p> <p>The project sponsor should coordinate with Recology and enforce strict garbage pick-up periods. Such pick-up times should be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 2:00 p.m., and no garbage pick-up activities should occur after 3:00 p.m. to avoid any conflicts with vehicle traffic and pedestrians on South Van Ness Avenue. Specific loading procedures (as described above) should also be enforced for Recology vehicles during garbage pick-up periods.</p> <p><b>Project Improvement Measure 5 – Construction Truck Deliveries During Off-Peak Periods:</b> The project sponsor and construction contractor(s) should meet with the Sustainable Streets Division of the SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including</p>	Project sponsor/property owner	Ongoing during operation	Project sponsor/property owner and the Planning Department	At the completion of construction

**Exhibit C:**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures)**

<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p>potential transit disruption, and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the project sponsor should coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known.</p> <p><b>Project Improvement Measure 6 – Construction Management Plan:</b> In addition to items required in the construction management plan, the project sponsor should include the following:</p> <ul style="list-style-type: none"> <li>• <b>Carpool and Transit Access for Construction Workers.</b> The construction contractor should include methods to encourage carpooling and transit use to the project site by construction workers in the construction management plan contracts.</li> <li>• <b>Project Construction Updates.</b> The project sponsor should provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns.</li> </ul>				
	Project sponsor	Ongoing during construction	Project sponsor/property owner and the Planning Department	At the completion of construction

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# 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"/> Transit Impact Dev't Fee (Sec. 411)      | <input checked="" type="checkbox"/> Street Tree (Sec. 138.1)          |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)             | <input checked="" type="checkbox"/> Public Art (Sec. 429)             |

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## Planning Commission Draft Motion

HEARING DATE: APRIL 7, 2016

*Date:* March 21, 2016  
*Case No.:* **2014.1121DNXCUAVAR**  
*Project Address:* **1601 Mission Street**  
*Zoning:* C-3-G (Downtown General)  
120-R-2 Height and Bulk District  
*Block/Lot:* 3514/043  
*Project Sponsor:* Jessie Stuart – (415) 370.1761  
Trumark Urban  
90 New Montgomery Street, Suite 750  
San Francisco, CA 94104  
jstuart@trumarkco.com  
*Staff Contact:* Tina Chang – (415) 575-9197  
[Tina.Chang@sfgov.org](mailto:Tina.Chang@sfgov.org)

**ADOPTING FINDINGS AUTHORIZING A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 151.1 TO ALLOW ACCESSORY OFF-STREET PARKING EXCEEDING PRINCIPALLY PERMITTED AMOUNTS, IN CONNECTION WITH A PROPOSAL TO CONSTRUCT A 12-STORY-OVER-BASEMENT, APPROXIMATELY 120-FOOT TALL BUILDING WITH UP TO 220 DWELLING UNITS, APPROXIMATELY 7,336 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE AT 1601 MISSION STREET WITHIN THE C-3-G (DOWNTOWN GENERAL) DISTRICT AND THE 120-R-2 HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On July 17, 2014, Jessie Stuart of Trumark Urban, on behalf of S & P Investments, LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Preliminary Project Assessment, to allow the demolition of an existing 4,429 sf gross square foot (gsf) car wash and gas station and the new construction of 12-story mixed-use building containing approximately 200 dwelling units, with 10,400 square-feet of ground floor retail, and one level of subterranean parking with 95 vehicular parking spaces (hereinafter "the Project") at 1601 Market Street (hereinafter "Project Site").

On December 8, 2014, the Project Sponsor filed an Environmental Evaluation Application with the Department revising the Project to include the demolition of the existing 4,429 square-foot car wash and the new construction of a 12-story mixed-use building containing 200 dwelling units, 6,756 square-feet of retail space, 102 below-grade parking spaces.

On February 11, 2015, the Project Sponsor filed an application with the Department for Compliance with Planning Code Section 309 with exceptions to Ground Level Wind Currents (Section 148) for the Project including the new construction of a 120 foot tall mixed-use building consisting of 12-stories, 9,900 square feet of ground floor retail, 106 off-street parking spaces and 144 bicycle parking spaces.

On November 25, 2015, the Project Sponsor amended the Section 309 Application to propose a Project including the new construction of a 12-story, mixed-use development containing 220 dwelling units, 97 off-street parking spaces, including two accessible and two car shares spaces, 7,336 square feet of ground floor retail.

On February 22, 2016 the Project Sponsor filed a Conditional Use Authorization Application with the Department pursuant to Planning Code Section 151.1(f) to permit up to two off-street vehicular off-street spaces per dwelling unit and a Variance Application for exposure, pursuant to Section 140, for approximately 40 units that do not face a public street or a code complying rear yard, and Active street frontages pursuant to Section 145, for the Project including the new construction of a 12-story, mixed-use development containing 220 dwelling units, 97 off-street parking spaces, including two accessible and two car shares spaces, 7,336 square feet of ground floor retail.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Market and Octavia Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on April 5, 2007, by Motion No. 17406, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The certification of the EIR was upheld on appeal to the Board of Supervisors at a public hearing on June 19, 2007. The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The 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, 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 Market and Octavia Area Plan, the Commission adopted CEQA Findings in its Motion No. 17406 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 March 16, 2016, the Planning Department of the City and County of San Francisco 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 Market and Octavia Area Plan and was encompassed within the analysis contained in the Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market and Octavia 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 Market and Octavia Area 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 Market and Octavia Area 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 April 7, 2016, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization Application No. 2014.1121DNXCUAVAR.

The Planning Department, Jonas P. Ionin, is the custodian of records; all pertinent documents are located in the File for Case No. 2014.1121DNXCUAVAR, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), contained in "EXHIBIT C" which material was made available to the public and this Commission for this Commission's review, consideration and action.

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 approves the Conditional Use Authorization requested in Application No. 2014.1121DNXCUAVAR, 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 a trapezoidal-shaped parcel at the intersection of Mission Street and South Van Ness Avenue in the South of Market neighborhood and the Market Octavia Plan Area. The site is currently occupied by Tower Car Wash and Chevron Gas Station.

Originally constructed in 1932 with extensive alterations made in 1995-96, the property consists of two two-story buildings totaling 4,429 square-feet (sf), a corner tower structure connected by a canopy, and a separate fuel pump canopy. The smaller building contains an auto detailing stop with an office above, while the larger building contains a covered car wash, an office, convenience store, and restrooms.

3. **Surrounding Properties and Neighborhood.** The project vicinity is characterized by a mix of office, residential, and light industrial uses. On the subject block where the Project Site is located, bounded by Mission Street, South Van Ness Avenue, and Plum Street, existing development includes an 11-story building containing 230 dwelling unit over ground-floor commercial uses (which is immediately adjacent to the Project Site), a seven-story commercial building, and several one- and two-story commercial buildings. Across Mission Street from the Project Site is a single-story car rental facility and parking lot and several five- and six- story buildings. On the block across Van Ness Avenue from the Project Site is a two-story building used as a public storage facility, a four-story building undergoing renovation for use by a social service agency and several one- and two- story commercial buildings. The area surrounding the Project Site is in a state of transition. Within two blocks to the north of the subject property are seven projects under review with the Planning Department that range from nine stories to 40 stories.

The Project Site is located within the C-3-G Zoning District, the Van Ness market Downtown Residential Special Use District, and within the Market and Octavia Area Plans. The C-3-G Zoning District covers the western portions of downtown and is composed of a variety of uses, including retail, office, hotel, entertainment institutional, and high-density residential. Many of these uses have a Citywide or regional function. The intensity of development in the area is lower than the downtown core, however, a number of intense mixed-use development projects are anticipated for the immediate area, including 1540 Market Street, 10 South Van Ness Avenue, and 1500 Mission Street.

The Van Ness and Market Downtown Residential Special Use District is comprised of the parcels zoned C-3-G in the Market Octavia Area Plan. This district is generally comprised of parcels focused at the intersections of Van Ness Avenue at Market Street and South Van Ness Avenue at Mission Street, along with parcels on both sides of Market and Mission Streets between 10th and 12th Streets. This district is intended to be a transit-oriented, high-density, mixed-use

neighborhood with a significant residential presence where a transition from largely back-office and warehouse support functions to a more cohesive downtown residential district is encouraged. The neighborhood is also envisioned to serve as a transition zone to the lower scale residential and neighborhood commercial areas to the west. A notable amount of large citywide commercial and office activity will remain in the area, including government offices supporting City Hall and the Civic Center. The Downtown Plan identified the Van Ness and Market Special Use District boundary as an area to encourage housing adjacent to downtown; the concept was fully articulated in the Market and Octavia Area Plan as part of the City's Better Neighborhoods Program.

The Project Site is well served by public transportation. The San Francisco Municipal Railway (MUNI) operates numerous bus lines within one-quarter mile of the subject property, including the 14 and 14R along Mission Street and the 47 and 49 along Van Ness Avenue. The Van Ness Muni metro stop is one block from 1601 Mission at Van Ness Avenue and Market Street where passengers can access subsurface light rail line. Additionally, at least 15 surface buses and historic street car lines operate along Market Street. The Civic Center BART (Bay Area Regional Transit) Station is located at the intersection of Eighth and Market Streets, about a half mile walk away from the Project Site.

4. **Project Description.** The proposed Project would demolish the existing structures and facilities and construct a 273,418 gross square foot, 120-foot tall, 12-story mixed-use building containing 220 dwelling units; 7,336 square-feet of ground floor retail spread across three to five spaces; 97 below-grade vehicle parking spaces that would be accessed from South Van Ness Avenue; 144 bicycle parking spaces (131 Class 1 and 14 Class 2); and approximately 10,600 square feet of usable open space.

The proposed dwelling unit mix for the 220 residences consists of 44 studios (20%), 121 one-bedroom (55%) and 55 two-bedroom units (25%). Open space would be provided as private balconies for 31 units; common open space for those without private open space would be located on a roof deck providing 7,149 square feet of open space and publically accessible mid-block alley containing 1,900 square feet of open space.

The Project Sponsor anticipates a 24-month construction period to begin in the fall of 2016. Construction would involve excavation of the entire lot to a depth of 25 feet, resulting in approximately 21,000 cubic yards of material requiring off-site disposal.

5. **Community Outreach and Public Comment.** As summarized in the enclosed letter from the Project Sponsor, community outreach has included meetings with the Project's neighbors, local businesses, community groups, and other interested parties about the Project. The Project Sponsor has worked in closest collaboration with the adjacent building's Home Owners Association located at 140 S. Van Ness. Elements of the building's design have changed as a result of meeting with the community and local stakeholders, including the selection of a public art theme; street landscaping and character, including the character of the mid-block passage; building setbacks, particularly the building's setback along the Mission Street adjacent to building at 140 S. Van Ness; design and window location along the wall facing 140 S. Van Ness; parking ratio; and design of the roof. The project has met with the following stakeholders, in certain instances multiple times, since the Project's inception at 2014: the 140 S. Van Ness

Homeowners Association, United Playaz, City Crossroads Ministries, Mo' MAGIC, San Francisco Unified School District's Virtual Book Drive, HealthRIGHT 360, and individual neighborhood merchants.

To date, the Department has not received any correspondence expressing opposition to or support of 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. **Parking (Sec. 151.1).** Planning Section 151.1 allows up to one car for each four dwelling units as-of-right, and up to two cars for each four dwelling units as a conditional use.

*The Project contains 220 dwelling units. Per Planning Section 151.1, 55 parking spaces are principally permitted ( $220/4 = 55$ ) for residential uses. The Project proposes a total of 97 off-street parking spaces, including 3 spaces designed and designated for persons with disabilities and 2 car share spaces. Since this exceeds the principally permitted amount of one car for every four dwelling units, conditional use authorization is required.*

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

- A. The Proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The proposed Project will revitalize an auto-oriented car wash and gas station with a pedestrian-friendly 12-story mixed use development located on a trapezoidal shaped parcel that fronts both Mission Street and South Van Ness Avenue. The Project's proposed contribution of 220 dwelling units to the City's housing stock and addition of small scale retail spaces is necessary and desirable for helping to alleviate the City's housing shortage and activating street frontages. The Project is also consistent with General Plan policies encouraging the provision of new housing in an established residential and mixed-use neighborhood.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working in the area in that:

- a. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The Project site is an irregularly shaped lot located on the northern portions of an irregularly shaped block, with frontages on both Mission Street and South Van Ness Avenue. The lot is trapezoidal shaped, and tapers as it moves north towards Market Street. A gas station and car wash currently exist on the site, which would be demolished as part of the Project. Given the irregular lot shape, the Project proposes a single structure that maintains the street wall along all*

*frontages, and includes a publically accessible mid-block alley connecting Mission Street and South Van Ness Avenue.*

*The structure conforms to the Planning Code requirements for height and bulk and is consistent with the general height of bulk of the adjacent development to the south.*

*The Project would not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or be injurious to property, improvements or potential development in the vicinity.*

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

*The Project includes 220 dwelling units on a site fronting both Mission Street and South Van Ness Avenue, a major arterial roadway providing vehicular and transit access throughout the City. The Project proposes 97 off-street parking spaces including two (2) car share spaces, and three (3) off-street loading spaces in a 22,747 square-foot underground garage accessed by a single 14-foot curb cut along South Van Ness Avenue. One conventional 12' x 35' x 14' loading space is located on the ground floor and two smaller loading spaces are proposed below-grade. The proposed parking ratio is 0.44 spaces per dwelling unit.*

*The Project also includes 131 Class 1 bicycle parking spaces, most of which are located on the ground floor and accessed from the mid-block alley, close to the residential entry lobby, also located off of the mid-block alley.*

*The Project is surrounded by two major roadways that facilitate traffic movement north to south (Van Ness Avenue) and east to west (Mission Street). It is located immediately adjacent to Highway 101 and provides direct access to the freeway on-ramp and exit. The Project will not impact the accessibility or traffic patterns in the surrounding roadways. For all these reasons, the Project will not result in parking or traffic that would be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity.*

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

*The Project proposes residential units with ground-floor retail and commercial uses. The uses proposed will not produce any noxious or offensive emissions such as noise, glare, dust or odors. Window glazing will comply with the Planning Code and relevant design guidelines to reduce or eliminate glare. Trash, recycling and composting receptacles will be located within the interior of the building, to contain any related odor. Parking will occur within the building envelope and below grade, containing any potential offensive noise from vehicles. During construction, appropriate measures will be taken to minimize dust and noise as much as possible.*

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

*The proposed Project takes is designed to be aesthetically pleasing and provide safe, comfortable public and private open spaces for residents and the surrounding community to use and enjoy.*

*The Project proposes a single 14 foot curb cut along South Van Ness Avenue at the southern property line. This curb cut replaces three existing, large curb cuts along South Van Ness and one existing curb cut along Mission Street. The single curb cut will be used to access all parking and loading areas, thereby reducing potential conflicts between pedestrian movements, transit and vehicular traffic.*

*Lighting along the building's façade and at street level along both frontages will be consistent with the neighborhood character. The proposed active ground floor retail spaces on the Mission Street and South Van Ness frontages, the resident lounge along Mission Street, and the bicycle parking lounge along South Van Ness Avenue will increase safety and security for residents and the neighborhood by increasing circulation, throughout the Project site. Lighting will be provided in these areas for safety of residents and the neighborhood.*

*Approximately 1,900 square feet of publicly accessible open space is offered at the ground level in the form of a mid-block alley. Open space is provided to residents of the Project through a landscaped roof terrace that is approximately 9,049 square feet and offers expansive views down Mission Street and down Van Ness Avenue to City Hall and the Civic Center Area. In addition, Thirty-one (31) of the residential units will include private usable open space in private balconies and terraces.*

*The proposed open space, both private and common, satisfies the open space requirements of the Project.*

*All parking for the proposed Project will occur within the building envelope and will be accessed by a mechanical door that will be consistent with the overall architecture and design of the building.*

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

*The Project complies with the various provisions of the San Francisco Planning Code and is consistent with, and will not adversely affect the General Plan. The Project conforms to multiple goals and policies of the General Plan, as described in further detail in Item #8.*

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

## **HOUSING ELEMENT**

### **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 1.8**

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.

*The Project supports this Policy. The proposed Project would construct a significant amount of new housing units within an existing urban environment that is in need of more access to housing. The Project proposes to demolish car wash and gas station and construct a mixed-use residential building above ground floor retail that contains 220 market rate units and approximately 7,336 square feet of retail use. The Project will also contribute to the City's Inclusionary Housing Program by payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units. The Property is an ideal site for new housing due to its central, downtown location, and proximity to public transportation. By developing and maintaining space dedicated to retail use within the building, the Project will continue activating Mission Street and South Van Ness Avenue.*

**Policy 1.10**

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The Project supports this Policy. It is anticipated that because of the central downtown location of the Project, most residents would either walk, bike, or use public transportation for daily travel. The Project is one block from Market Street, with convenient access from the Property to the Van Ness MUNI metro station and about 15 MUNI lines, allowing connections to neighborhoods throughout the City, the East Bay, and the Peninsula. The Project Site is about half a mile from the Civic Center BART and MUNI stations. The Project provides 131 Class 1 bicycle parking spaces with a convenient and safe storage at grade and in the basement level, encouraging bicycles as a mode of transportation.*

**OBJECTIVE 5:**

**ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.**

**Policy 5.4**

Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

*The Project supports this Policy. The Project would create 220 dwelling units, of which 44 (20%) are studios, 121 (55%) are one-bedroom units and 55 (25%) are two-bedroom units. The Project will also contribute to the City's Inclusionary Housing Program by payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.*

**OBJECTIVE 7:**

**SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING, INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON TRADITIONAL MECHANISMS OR CAPITAL.**

*In compliance with this policy, the Project would contribute to the City's Inclusionary Housing Program by payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.*

**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.

*The Project supports these Policies. The Project would create 220 dwelling units in the immediate vicinity of existing residential and office buildings, and complies with the existing zoning in terms of land use, height, and density. The Project's design upholds the Planning Department's storefront transparency guidelines by ensuring that over 80 percent of the non-residential frontages are transparent (exceeding Planning Code requirements), better activating Mission Street and South Van Ness Avenue. Additionally, the Project provides publically accessible open space in the form of a mid-block alley, which will be activated with the residential building's lobby entrance, bike lounge, and a retail space. The building's architectural design promotes community interaction by inviting members of the public to interact with the core of the project, literally walking through the center of the building.*

## **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 1.3**

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

**OBJECTIVE 3:**

**MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.**

**Policy 3.1**

Promote harmony in the visual relationships and transitions between new and older buildings.

**Policy 3.6**

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

*The Project meets the aforementioned objectives and policies by employing design that both relates to existing development in the neighborhood while also emphasizing a pattern that gives its neighborhoods an image and means of orientation. The Project Site is located in a neighborhood of mid- to high-rise, mixed-use buildings both residential and commercial in nature. A cohesive design or pattern does not exist; however, the Project is located at the heart of the Market Street Hub, which harkens back to a well-known and district neighborhood near the intersections of Market Street with Valencia, Haight and Gough Streets. The Hub neighborhood is receiving concentrated attention from the development community and is also in the midst of major infrastructure improvements. As such Hub Project seeks to capitalize on current opportunities and analyze the potential for zoning and policy refinements that will better ensure the area's growth supports the City's goals for housing, transportation, the public realm and the arts.*

*Although the Project precedes the completion of the Hub, it announces an entrance to the neighborhood. It is the first project to come before the Commission in the Hub project area, as defined today, and is one block south of the heart of the neighborhood. The building's design, with greater transparency at the gable, where South Van Ness and Mission Street meet, is intended to symbolize a beacon, inviting visitors and residents alike into the neighborhood. Similarly, the mid-block alley that traverses the Project Site encourages members of the community to experience the building and its future retail amenities.*

## COMMERCE AND INDUSTRY ELEMENT

### Objectives and Policies

**OBJECTIVE 1:**

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

**Policy 1.1**

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

**Policy 1.2**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

**Policy 1.3**

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

*The Project would add approximately 7,336 square feet of new commercial space – divided between three to five tenant spaces – that is intended to serve residents in the building and surrounding neighborhood.*

*Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown –General District, and is thus consistent with activities in the commercial land use plan.*

## **TRANSPORTATION ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT, AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

#### **Policy 1.2:**

Ensure the safety and comfort of pedestrians throughout the city.

*A primary objective of the proposed Project is to create a pedestrian-oriented environment at the Project Site that encourages walking as a principal means of transportation. Proposed improvements to the crosswalk north of the Project Site as one crosses Van Ness would improve pedestrian safety. The mid-block alley featuring a bike-lounge and storage encourages bicycling as a means of transportation. The Project would also plant a consistent row of street trees along South Van Ness Avenue and Mission Street, along with bicycle racks to enhance the pedestrian experience and provide convenience to bicyclists.*

#### **Policy 1.3:**

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs particularly those of commuters.

#### **Policy 1.6:**

Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

*The Project would promote Objective 1 and its associated policies by providing for an amount of parking which is sufficient to meet the needs of the future residents so as to not overburden the surrounding neighborhood parking. However, the parking that is being provided is not expected to generate substantial traffic that would adversely impact pedestrian, transit, or bicycle movement. Given the proximity of the Project site to the employment opportunities and retail services of the Downtown Core, it is expected that residents will opt to prioritize walking, bicycle travel, or transit use over private automobile travel. In addition, the placement of parking in stacker configurations will discourage frequent use of vehicles for shorter trips and increase the use of public transit. Thus, the Project would provide a merely sufficient rather than excessive amount of parking in order to accommodate the parking needs of the future residents of the Project and the neighborhood, while still supporting and encouraging walking, bicycle travel and public transit use.*

#### **OBJECTIVE 2:**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

**Policy 2.1:**

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

*The Project would promote Objective 2 and its associated policies by constructing a residential building with ground floor retail in the Downtown Core, which is the most transit rich area of the City. The Project would provide only 0.44 parking spaces per dwelling and will not provide any parking for the proposed retail uses. All of these parking spaces would be located underground, and thus be less intrusive from an urban design standpoint.*

**OBJECTIVE 11:**

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

**Policy 11.3:**

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

*The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. The project includes bicycle parking for 145 bicycles (131 Class 1, 14 Class 2). Within a few blocks of the Project Site, there is an abundance of local and regional transit lines, including MUNI bus lines, MUNI Metro rail lines and BART. Additionally such transit lines also provide access to AC Transit (Transbay Terminal) and CalTrain.*

## DOWNTOWN AREA PLAN

### Objectives and Policies

**OBJECTIVE 1:**

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

**Policy 1.1**

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

*The Project would bring additional housing into a neighborhood that is well served by public transit on the edge of Downtown. The Project would not displace any housing because the existing structure at 1601 Mission Street houses a car wash and gas station. The Project would improve the existing character of the neighborhood by removing the surface parking lot and vacant structure. The proposed retail space, which includes ground floor retail space on all street frontages, as well as along the mid-block alley, is consistent and compatible with the existing retail uses in the neighborhood, while creating a more pedestrian-friendly*

*environment in the immediate neighborhood. The Project therefore creates substantial net benefits for the City with minimal undesirable consequences.*

**OBJECTIVE 7:**

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

**Policy 7.1.1**

Promote the inclusion of housing in downtown commercial developments.

**Policy 7.2**

Facilitate conversion of underused industrial and commercial areas to residential use.

*The Project would demolish a car wash and gas station, constructing a 120-foot tall, 12-story-over-basement, 220-unit residential building over ground floor retail, within easy commuting distance of downtown jobs.*

*The Project includes approximately 7,336 square feet of ground floor commercial space, with tenant spaces on Mission Street, South Van Ness Avenue, and along the mid-block alley; these spaces would provide services to the immediate neighborhood, and create pedestrian-oriented, active uses on each of the frontages.*

**OBJECTIVE 16:**

CREATE AND MAINTAIN ATTRACTIVE, INTERESTING URBAN STREETSCAPES.

**Policy 16.4**

Use designs and materials and include amenities at the ground floor to create pedestrian interest.

*The Project would promote Objective 16 by including a ground floor retail use and mid-block alley which would promote pedestrian traffic in the vicinity. The Project would provide floor-to-ceiling, transparent windows in retail spaces, inviting pedestrians, and landscape the sidewalk area surrounding the Project Site with street trees and bike racks. This space would increase the usefulness of the vicinity surrounding the Project Site to pedestrians and serve to calm the speed of traffic on the street.*

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 complies 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.

*In addition to 220 new residential units, the Project would include approximately 7,336 square feet of retail space in three – five separate commercial spaces, thereby preserving retail uses in the neighborhood. Currently, the site operates as a car wash and gas station. Though future retail uses would likely differ, the Project will provide approximately 7,336 square feet of retail uses, continuing to provide employment and retail opportunities to residents of the City and region. The Project would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, increasing the customer base of existing neighborhood-serving retail. The proposed space would also complement the pedestrian-friendly Downtown core and develop a pattern of active ground floor retail along the Mission Street and South Van Ness Avenue frontages.*

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

*The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing because the existing structure at 1601 Mission Street is a car wash and gas station. The Project would improve the existing character of the neighborhood by providing more pedestrian-friendly, less auto-oriented uses. The proposed retail spaces vary in size and present opportunities to small business owners, helping to preserve the cultural and economic diversity of our neighborhoods.*

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

*There is currently no housing on the site; therefore, no affordable housing will be lost as part of this Project. However, the Project will also contribute to the City's Inclusionary Housing Program through payment of an in-lieu fee at a rate equivalent to the provision of 20 percent off-site units.*

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

*The Project would not impede MUNI transit service or overburden local streets or parking. The Project is at a location well-served by transit as it is located in a major transit corridor and would promote rather than impede the use of MUNI transit service. Future residents and employees of the Project could access both the existing MUNI rail and bus services and the BART system. The Project also provides a sufficient amount of off-street parking for future residents so that neighborhood parking will not be overburdened by the addition of new residents.*

- 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 would not negatively affect the industrial and service sectors because it is largely residential in nature and would not displace any existing industrial uses. The Project would also be consistent with the character of existing development in the neighborhood, characterized by a mix of commercial and residential high-rise buildings.*

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

*The Project will be consistent with the City's goal to achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake. The building will be constructed in compliance with all current building codes to ensure a high level of seismic safety.*

- G. That landmarks and historic buildings be preserved.

*The Planning Department has determined that the car wash and gas station at 1601 Mission Street is not individually eligible for listing on the California Register, nor is the building located in a historic district.*

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

*The Project would not cast any new shadows on parks under the jurisdiction of the San Francisco Parks and Recreation Department.*

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

## **DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2014.1121DNXCUAVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 7, 2016 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion if not appealed (After the 30- day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554- 5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**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 constitutes 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 April 7, 2016.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 7, 2016

# **EXHIBIT A**

## **AUTHORIZATION**

This authorization is for a **Conditional Use Authorization** relating to a Project that would demolish car wash and gas station construct a new, 12-story-over-basement, 120-foot tall, 273,418 gross square foot building (of which 225,549 square feet count towards Floor Area Ratio (FAR) containing approximately 7,336 gross square feet of ground floor commercial space, and 220 dwelling-units located at 1601 Mission Street, Assessor's Block 3514, Lot 043 pursuant to **Planning Code Sections 303 and 151.1** within the C-3-G Zoning District and a 120-R-2 Height and Bulk District; in general conformance with plans, dated April 7, 2016, and stamped "EXHIBIT B" included in the docket for Case No. **2014.1121DNXCUAVAR** and subject to conditions of approval reviewed and approved by the Commission on **April 7, 2016** under Motion No. [ ]. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## **COMPLIANCE WITH OTHER REQUIREMENTS**

The Conditions of Approval set forth in Exhibit A of Motion No. [ ], Case No. **2014.1121DNXCUAVAR** (Downtown Project Authorization under Planning Code Section 309) apply to this approval, and are incorporated herein as though fully set forth, except as modified herein. Further the Project requires variances that require approval from the Zoning Administrator from Sections 140, for units that do not meet exposure requirements and Section 145, for not providing uses along street frontages that are not considered ground floor commercial uses.

## **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 April 7, 2016 under Motion No. [ ].

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

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. [ ] 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 Downtown Project 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 Downtown Project Authorization.

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# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination

### EXEMPTION FROM ENVIRONMENTAL REVIEW

**Case No.:** 2014.1121ENV  
**Project Address:** 1601 Mission Street  
**Zoning:** C-3-G (Downtown – General Commercial) Use District  
Van Ness and Market Downtown Residential Special Use District  
120-R-2 Height and Bulk District  
**Block/Lot:** 3514/043  
**Lot Size:** 27,760 square feet  
**Plan Area:** Market and Octavia Area Plan  
**Project Sponsor:** Jessie Stuart, Trumark Urban  
(415) 370-1767  
**Staff Contact:** Jeanie Poling (415) 575-9072; [jeanie.poling@sfgov.org](mailto:jeanie.poling@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

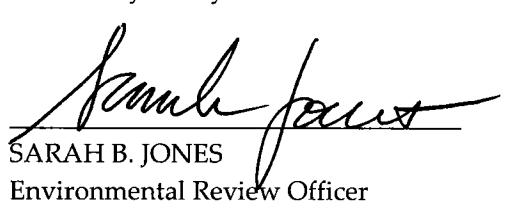
The project site is a trapezoidal-shaped parcel at the intersection of Mission Street and South Van Ness Avenue in the South of Market neighborhood and the Market Octavia Plan Area. With frontages on both Mission Street and South Van Ness Avenue, the project site is currently occupied by Tower Car Wash and Chevron Gas Station. The proposed project would demolish the existing structures and facilities and construct a 120-foot-tall, 12-story mixed-use building containing 220 dwelling units; 7,336 square feet of retail space; 97 below-grade vehicle parking spaces that would be accessed from South Van Ness Avenue; and 145 bicycle parking spaces. The project would include an additional 20 feet in height for a mechanical penthouse and solarium. The project would create a publicly accessible mid-block alley and include public realm improvements such as sidewalk furnishings, pedestrian-oriented street lighting, bike racks, and landscaping. (Continued on the next page.)

#### EXEMPT STATUS

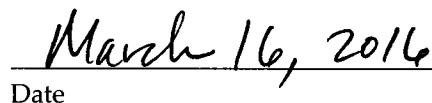
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

#### DETERMINATION

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

  
SARAH B. JONES

Environmental Review Officer

  
Date

cc: Jessie Stuart, Project Sponsor  
Supervisor Jane Kim, District 6  
Tina Chang, Current Planner  
Pilar LaValley, Preservation Planner

Historic Preservation Distribution List  
Citywide Distribution List  
Virna Byrd, M.D.F.  
Exemption/Exclusion File

## PROJECT DESCRIPTION (CONTINUED)

Originally constructed in 1932 with extensive alterations made in 1995-96, the property consists of two two-story buildings totaling 4,429 square-feet (sf), a corner tower structure connected by a canopy, and a separate fuel pump canopy. The smaller building contains an auto detailing stop with an office above, while the larger building contains a covered car wash, an office, convenience store, and restrooms.

The proposed 273,418 sf building would contain 220 residences (234,257 sf). Open space would be provided as private balconies in some units, common open space on the roof, and a publically accessible mid-block alley bisecting the lot and connecting Mission Street to South Van Ness Avenue. The ground floor would include three to five retail spaces totaling 7,336 sf, a residential lobby, a bike lounge, 71 Class 1 bicycle parking spaces, and 14 Class 2 bicycle parking spaces. The basement level would include parking for 97 vehicles (including two disabled access and 2 carshare spaces) via stackers and 60 Class 1 bicycle parking spaces.

The project sponsor anticipates a 24-month construction period. Construction would involve excavation of the entire lot to a depth of 25 feet, resulting in approximately 21,000 cubic yards of material requiring offsite disposal. The project would involve conventional construction equipment and would not involve pile driving. The geotechnical report prepared for the proposed project presents several recommendations for foundations,<sup>1</sup> and the project sponsor anticipates that the project will involve the recommended mat foundation with over-excavation, in which the soil between the bottom of the foundation and the bearing layer would be removed and replaced with either lean concrete or structural engineered fill (compacted soil).

## PROJECT APPROVALS

The project would require the following actions by the Planning Commission:

- **Downtown Project Authorization** pursuant to Planning Code Section 309 with exceptions to the requirements for ground level wind currents (Section 148).
- **Conditional Use Authorization** pursuant to Section 303 for 97 parking spaces, which exceed the principally permitted amount of one parking space for every four dwelling units (Section 151.1).

The project would require the following actions by City Departments:

- **San Francisco Planning Department.** Variance from Section 140 of the Planning Code, for exposure of the bottom eight floors of residences onto the courtyard on the southwestern portion of the property, and from Section 145.1, which requires that active uses be located in the first 25 feet of building depth on the ground floor.
- **Department of Building Inspection (DBI).** Demolition, grading, and building permits for the demolition of the existing building and construction of the new building.
- **Department of Public Health (DPH).** Approval of a site mitigation plan prior to the commencement of any excavation work.

<sup>1</sup> Rollo & Ridley, *Geotechnical Investigation, 1601 Mission Street, San Francisco, California*, November 5, 2015. This document (and all other documents cited in this certificate unless otherwise noted) is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.1121ENV.

- **San Francisco Public Works (SFPW).** Street and sidewalk permits for any modifications to public streets and sidewalks.
- **San Francisco Public Utilities Commission (SFPUC).** Approval of a stormwater control plan and any changes to sewer laterals.

The Downtown Project Authorization pursuant to Planning Code Section 309 is 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 1601 Mission Street project described above, and incorporates by reference information contained in the Programmatic EIR for the *Market and Octavia Area Plan* (Market and Octavia PEIR).<sup>2</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Market and Octavia PEIR.

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR by Motion No. 17406.<sup>3,4</sup> The PEIR analyzed amendments to the San Francisco General Plan to create the *Market and Octavia Area Plan* and amendments to the Planning Code and Zoning Maps, including the creation of the Hayes-Gough Neighborhood Commercial Transit (NCT) District. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the *Market and Octavia Area Plan*. The 1601 Mission Street project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the Market and Octavia plan area. Thus, the plan analyzed in the Market and Octavia PEIR considered the

<sup>2</sup> San Francisco Planning Department Case No. 2003.0347E, State Clearinghouse No. 2004012118.

<sup>3</sup> San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, certified April 5, 2007. This document, and other cited Market and Octavia Area Plan documents, are available online at [www.sfplanning.org/index.aspx?page=1714](http://www.sfplanning.org/index.aspx?page=1714).

<sup>4</sup> San Francisco Planning Commission Motion No. 17406, April 5, 2007. Available at <http://www.sfplanning.org/Modules>ShowDocument.aspx?documentid=568>.

incremental impacts of the 1601 Mission Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

In May 2008, subsequent to the certification of the PEIR, the Board of Supervisors approved and the Mayor signed into law revisions to the Planning Code, Zoning Maps, and General Plan that constituted the “project” analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls, which allow for flexible types of new housing to meet a broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable whole neighborhoods meeting everyday needs. The *Market and Octavia Area Plan*, as evaluated in the PEIR and as approved by the Board of Supervisors, accommodates the proposed use, design, and density of the 1601 Mission Street project.

Individual projects that occur under the *Market and Octavia Area Plan* 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 is required. This determination concludes that the proposed project at 1601 Mission Street is consistent with and was encompassed within the analysis in the Market and Octavia PEIR. This determination also finds that the Market and Octavia PEIR adequately anticipated and described the impacts of the proposed 1601 Mission Street project, and identified the mitigation measures applicable to the 1601 Mission Street project. The proposed project is consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>5</sup> Furthermore, the project takes into consideration many of the principles outlined in the plan, including the active ground floor use, unit size mix, and transit-oriented design, and it is consistent with the requirement of residential with a mix of unit sizes. The retail space complies with the use size limits and would encourage neighborhood-serving uses at the pedestrian level. The mid-block alley would contribute to the quality of streets as public space, consistent with objectives of the plan.<sup>6</sup> Therefore, no further CEQA evaluation for the 1601 Mission Street project is required. Overall, the Market and Octavia 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 trapezoidal shaped project site is level and contains two two-story buildings and canopies. The project vicinity is characterized by a mix of office, residential, and light industrial uses. Existing development on the triangular-shaped project block (bounded by Mission Street, South Van Ness Avenue, and Plum Street) consists an 11-story building containing 230 residences over ground-floor commercial uses, a seven-story commercial building, and several one- and two-story commercial buildings. Across Mission Street from the project site is a single-story car rental facility and parking lot and several five- and six-story office buildings. On the block across Van Ness Avenue from the project site is a two-story building currently used as a public storage facility, a four-story building undergoing renovation for use by a social service agency, and several one-and two-story commercial buildings.

The project site is in an area of transition. Directly north of the project site, across Mission Street and on the east side of South Van Ness Avenue, is the proposed site of the 39-story 1500 Mission Street mixed-

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2014.1121ENV, 1601 Mission Street*, February 18, 2016.

<sup>6</sup> Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.1121ENV, 1601 Mission Street*, January 22, 2016.

use building, currently under evaluation. Also across Mission Street from the project site and on the west side of South Van Ness Avenue is 30 Otis Street, a 27-story mixed use development currently under evaluation. Five other eight- to 40-story buildings are proposed within two blocks to the north of the project site.

The project site is well served by public transportation. The San Francisco Municipal Railway (Muni) operates numerous transit lines within one-quarter mile of the project site, including the 14 and 14R along Mission Street and the 47 and 49 along Van Ness Avenue. The Van Ness Muni Metro stop is one block from the project site at Van Ness Avenue and Market Street, and at least 15 surface buses and the F Line historic streetcar operate along Market Street. The nearest BART regional transit station is Civic Center, at the intersection of Eighth and Market Streets, is about a half mile walk from the project site.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Market and Octavia PEIR analyzed environmental issues including: plans and policies; land use and zoning; population, housing, and employment; urban design and visual quality; shadow and wind; cultural (historic and archeological) resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; biology; and growth inducement. The 1601 Mission Street project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the area covered by the *Market and Octavia Area Plan*. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the 1601 Mission Street project. As a result, the project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeological resources, transportation, air quality, hazardous materials, and geology, soils, and seismicity. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations Plaza) and transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21 Hayes Muni line). The 1601 Mission Street project is not near and would not shadow the War Memorial Open Space or United Nations Plaza. Traffic and transit ridership generated by the 1601 Mission Street project would not make a considerable contribution to the significant cumulative traffic and transit impacts identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified feasible mitigation measures to address significant impacts related to shadow, wind, archeological resources, transportation air quality, hazardous materials, and geology, soils and seismicity. The existing building on the project site, constructed in 1932, was determined not to be a historic resource. **Table 1** lists the mitigation measures identified in the Market and Octavia PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Market and Octavia PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>A. Shadow</b>		
A1. Parks and Open Space Not Subject to Section 295	<b>Applicable:</b> The project exceeds a height of 50 feet.	<b>Completed:</b> The Planning Department generated a shadow fan and determined that the proposed project would not shadow any parks or open spaces.
<b>B. Wind</b>		
B1: Buildings in Excess of 85 Feet in Height	<b>Applicable:</b> The project involves new construction of a 120-foot-tall building. The requirements of this mitigation measure have been complied with as part of this environmental review process. No further mitigation is required.	<b>Completed:</b> The project sponsor has designed the project to minimize its effects on ground-level wind conditions.
B2: All New Construction	<b>Applicable:</b> The project involves new construction of a 120-foot-tall building. The requirements of this mitigation measure have been complied with as part of this environmental review process. No further mitigation is required.	<b>Completed:</b> The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions.
<b>C. Archeological Resources</b>		
C1: Soil-Disturbing Activities in Archeologically Documented Properties	Not applicable: The project site not in an archeologically documented property.	N/A
C2: General Soil-Disturbing Activities	<b>Applicable:</b> The project would include soil-disturbing activities.	<b>Completed:</b> The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to implement a mitigation measure-related archeological testing (see Project Mitigation Measure 1).

Mitigation Measure	Applicability	Compliance
C3: Soil-Disturbing Activities in Public Street and Open Space Improvements	Not applicable: The project would not include soil-disturbing activities associated with public street or open space improvements.	N/A
C4: Soil-Disturbing Activities in the Mission Dolores Archeological District	Not applicable: The project site is not in the Mission Dolores Archeological District.	N/A
<b>D. Transportation</b>		
D3: Traffic Mitigation Measure for Laguna/Market/ Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour)	Not applicable: automobile delay removed from CEQA analysis.	N/A
D4: Traffic Mitigation Measure for Market/Sanchez/ Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour)	Not applicable: automobile delay removed from CEQA analysis.	N/A
D5: Traffic Mitigation Measure for Market/Church/ Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)	Not applicable: automobile delay removed from CEQA analysis.	N/A
D6: Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)	Not applicable: automobile delay removed from CEQA analysis.	N/A
<b>E. Air Quality</b>		
E1: Construction Mitigation Measure for Particulate Emissions	Not applicable: Superseded by the Construction Dust Control Ordinance.	N/A
E2: Construction Mitigation Measure for Short-Term Exhaust Emissions	<b>Applicable:</b> The project site is in an Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan for Health Risks and Hazards (see Project Mitigation Measure 2).

<b>F. Hazardous Materials</b>		
F1: Program- or Project-Level Mitigation Measures	Not applicable: Superseded by the Construction Dust Control Ordinance and federal, state, and local regulations related to abatement and handling of hazardous materials.	N/A
<b>G. Geology, Soils, and Seismicity</b>		
G1: Construction-Related Soils Mitigation Measure	<b>Applicable:</b> The project would include soil disturbance during construction.	The project sponsor has agreed to implement best management practices and other measures related to soil erosion (see Project Mitigation Measure 3).

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 Market and Octavia PEIR.

#### PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on January 4, 2016, to community organizations, tenants of the affected property and properties adjacent to the project site, and those persons who own property within 300 feet of the project site. One respondent expressed concerns about the loss of sunlight and views from the adjacent residential building (the 11-story 1655 Mission Street), and another respondent expressed concerns about exposure of contaminated soil and dust during demolition and construction, and that the project could prevent light and air from reaching the adjacent building (1655 Mission Street), requiring the use of more artificial lighting and heating. These concerns and issues were taking into consideration and incorporated in the environmental review as appropriate for CEQA analysis and are addressed as follows.

As discussed in the air quality section of the CPE Checklist, the project would comply with the Construction Dust Control Ordinance, which was enacted in 2008 to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work. The project sponsor and the 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. These measures would ensure that construction dust impacts would not be significant.

Regarding light, air circulation, and loss of sunlight on the adjacent building, the project's effects would not be above levels that are common and generally accepted in urban areas. The proposed project's use of energy (lighting and heating) would be normal to urban development. The change in views would not exceed that commonly expected in an urban setting and would not be considered an environmental impact of the proposed project. Furthermore, pursuant to CEQA Section 21099(d) visual effects, analyzed under the topic of Aesthetics in CEQA, are not to be considered significant impacts on the environment

for mixed-use residential development projects on in-fill sites in a transit priority area. The proposed project meets these criteria, as discussed in the CPE Checklist.

As discussed in the hazardous materials section of the attached CPE Checklist, the project sponsor has enrolled in the Department of Public Health's Maher program and would comply with Article 22A of the Health Code. The project sponsor would be required to submit a site mitigation plan to the DPH and remediate any site contamination in accordance with the approved site mitigation plan prior to the issuance of any building permit. Compliance with Article 22A would ensure that hazardous materials impacts are less than significant.

## CONCLUSION

As summarized above and further discussed in the attached Community Plan Exemption (CPE) Checklist:

1. The proposed project is consistent with the development density established for the project site in the *Market and Octavia Area Plan*;
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 Market and Octavia PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Market and Octavia 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 Market and Octavia 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 Market and Octavia 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.



# SAN FRANCISCO PLANNING DEPARTMENT

## Community Plan Exemption Checklist

Case No.:	2014.1121ENV	1650 Mission St. Suite 400 San Francisco, CA 94103-2479
Project Address:	1601 Mission Street	Reception: <b>415.558.6378</b>
Zoning:	C-3-G (Downtown – General Commercial) Use District 120-R-2 Height and Bulk District Van Ness and Market Downtown Residential Special Use District	Fax: <b>415.558.6409</b>
Block/Lot:	3514/043	Planning Information: <b>415.558.6377</b>
Lot Size:	27,270 square feet total	
Plan Area:	Market and Octavia Area Plan	
Project Sponsor:	Jessie Stuart, Trumark Urban (415) 370-1767	
Staff Contact:	Jeanie Poling (415) 575-9072; <a href="mailto:jeanie.poling@sfgov.org">jeanie.poling@sfgov.org</a>	

### PROJECT DESCRIPTION

The project site is a trapezoidal-shaped parcel at the intersection of Mission Street and South Van Ness Avenue in the South of Market neighborhood and the Market and Octavia Plan Area. With frontages on both Mission Street and South Van Ness Avenue, the project site is currently occupied by Tower Car Wash and Chevron Gas Station. The proposed project would demolish the existing structures and facilities and construct a 120-foot-tall, 12-story mixed-use building containing 220 dwelling units; 7,336 square feet of retail space; 97 below-grade vehicle parking spaces that would be accessed from South Van Ness Avenue; and 145 bicycle parking spaces. The project would include an additional 20 feet in height for a mechanical penthouse and solarium. The project would create a publicly accessible mid-block alley and include public realm improvements such as sidewalk furnishings, pedestrian-oriented street lighting, bike racks, and landscaping.

Originally constructed in 1932 with extensive alterations made in 1995-96, the property consists of two buildings (one one-story and one two-story) totaling 4,429 square-feet (sf), a corner tower structure connected by a canopy, and a separate fuel pump canopy. The smaller building contains an auto detailing stop with an office above, while the larger building contains a covered car wash, an office, convenience store, and restrooms.

The proposed 273,418 sf building would contain 220 residences (234,257 sf). Open space would be provided as private balconies in some units, common open space on the roof, and a publicly accessible mid-block alley bisecting the lot and connecting Mission Street to South Van Ness Avenue. The ground floor would include three to five retail spaces totaling 7,336 sf, a residential lobby, a bike lounge, 71 Class 1 bicycle parking spaces, and 14 Class 2 bicycle parking spaces. The basement level would include parking for 97 vehicles (including two disabled access and 2 carshare spaces) via stackers and 60 Class 1 bicycle parking spaces.

The project sponsor anticipates a 24-month construction period. Construction would involve excavation of the entire lot to a depth of 25 feet, resulting in approximately 21,000 cubic yards of material requiring offsite disposal. The project would involve conventional construction equipment and would not involve pile driving. The geotechnical report prepared for the proposed project presents several

recommendations for foundations,<sup>1</sup> and the project sponsor anticipates that the project would be constructed with the recommended mat foundation with over-excavation, in which the soil between the bottom of the foundation and the bearing layer would be removed and replaced with either lean concrete or structural engineered fill (compacted soil).

## PROJECT APPROVALS

The project would require the following actions by the Planning Commission:

- **Downtown Project Authorization** pursuant to Planning Code Section 309 with exceptions to the requirements for ground level wind currents (Section 148).
- **Conditional Use Authorization** pursuant to Section 303 for 97 parking spaces, which exceed the principally permitted amount of one parking space for every four dwelling units (Section 151.1).

The project would require the following actions by City Departments:

- **San Francisco Planning Department.** Variance from Section 140 of the Planning Code, for exposure of the bottom eight floors of residences onto the courtyard on the southwestern portion of the property, and from Section 145.1, which requires that active uses be located in the first 25 feet of building depth on the ground floor.
- **Department of Building Inspection (DBI).** Demolition, grading, and building permits for the demolition of the existing building and construction of the new building.
- **Department of Public Health (DPH).** Approval of a site mitigation plan prior to the commencement of any excavation work.
- **San Francisco Public Works (SFPW).** Street and sidewalk permits for any modifications to public streets and sidewalks.
- **San Francisco Public Utilities Commission (SFPUC).** Approval of a stormwater control plan and any changes to sewer laterals.

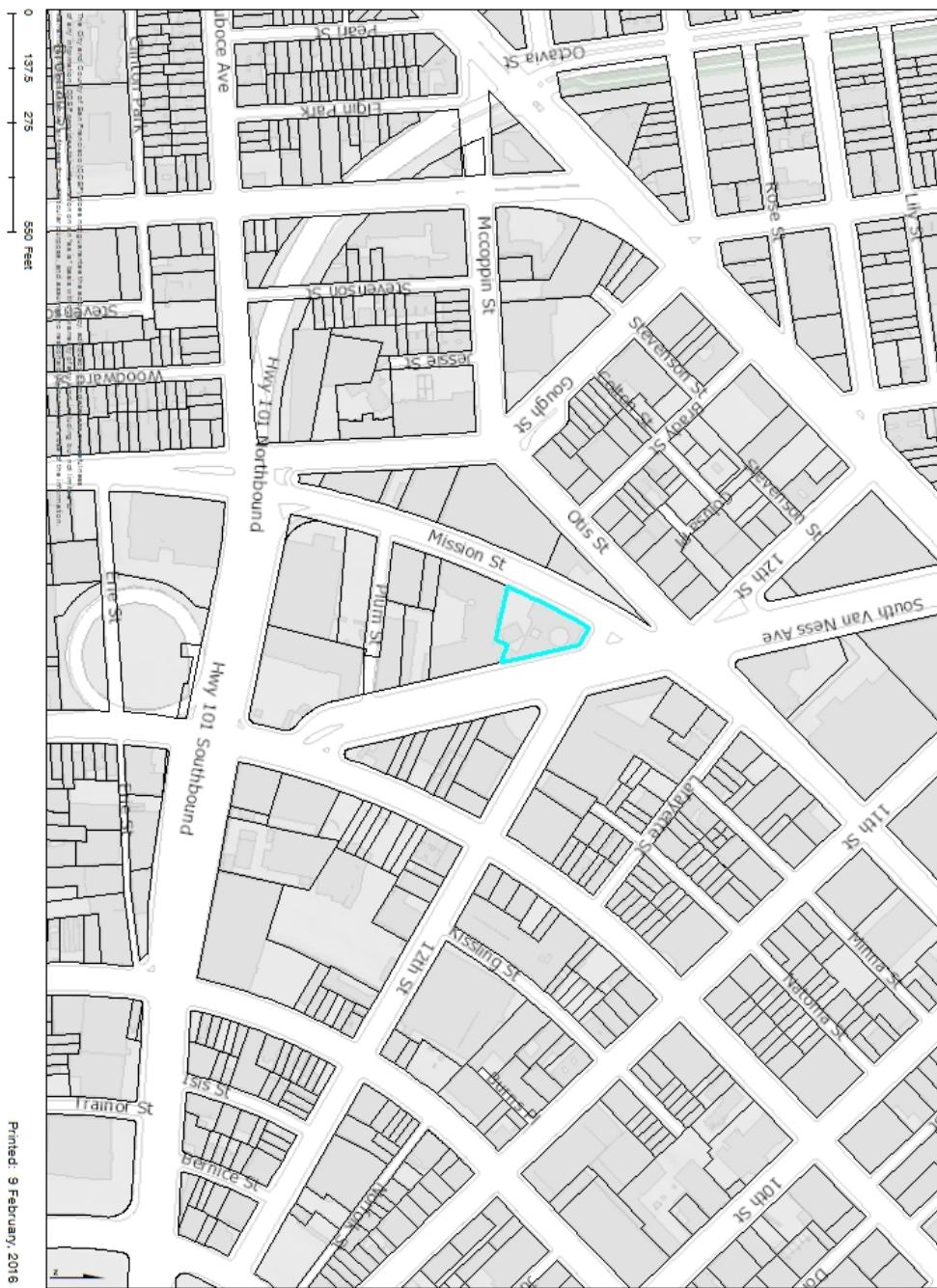
The Downtown Project Authorization pursuant to Planning Code Section 309 is the Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

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<sup>1</sup> Rollo & Ridley, *Geotechnical Investigation, 1601 Mission Street, San Francisco, California*, November 5, 2015. This document (and all other documents cited in this certificate unless otherwise noted) are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.1121ENV.

Figure 1: Project Site Location

1601 Mission Street



**Figure 2: Proposed Site Plan**

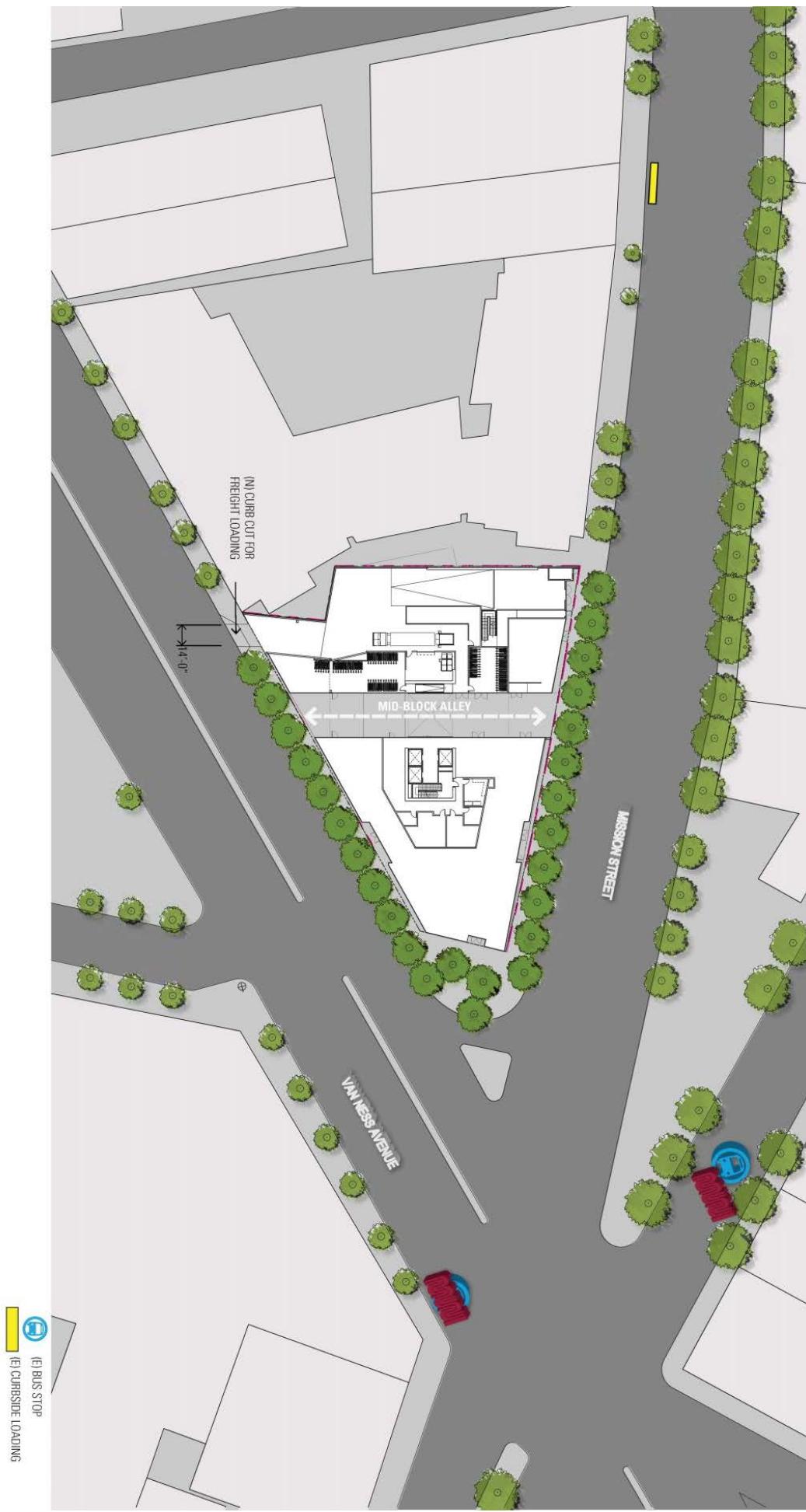
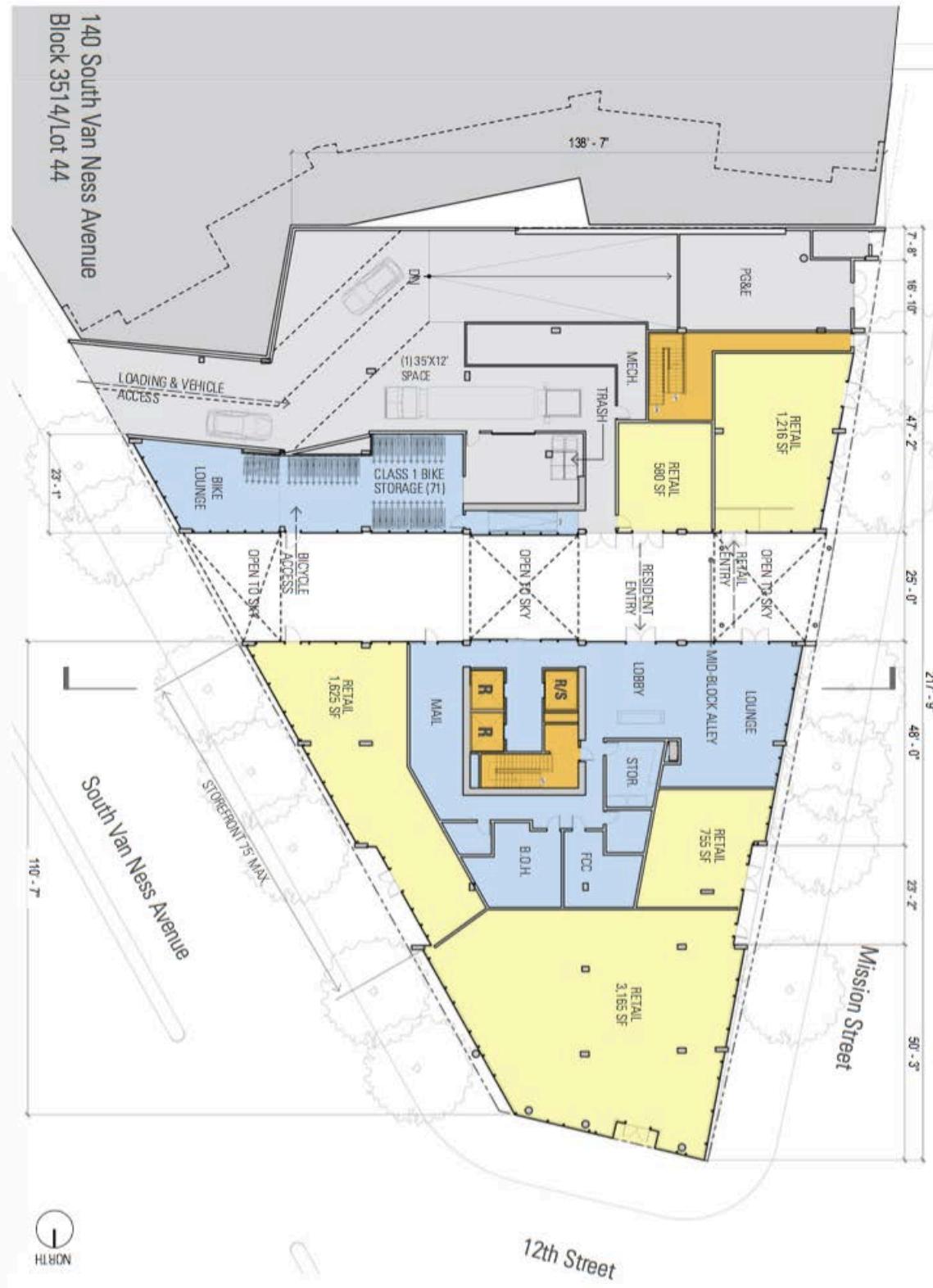
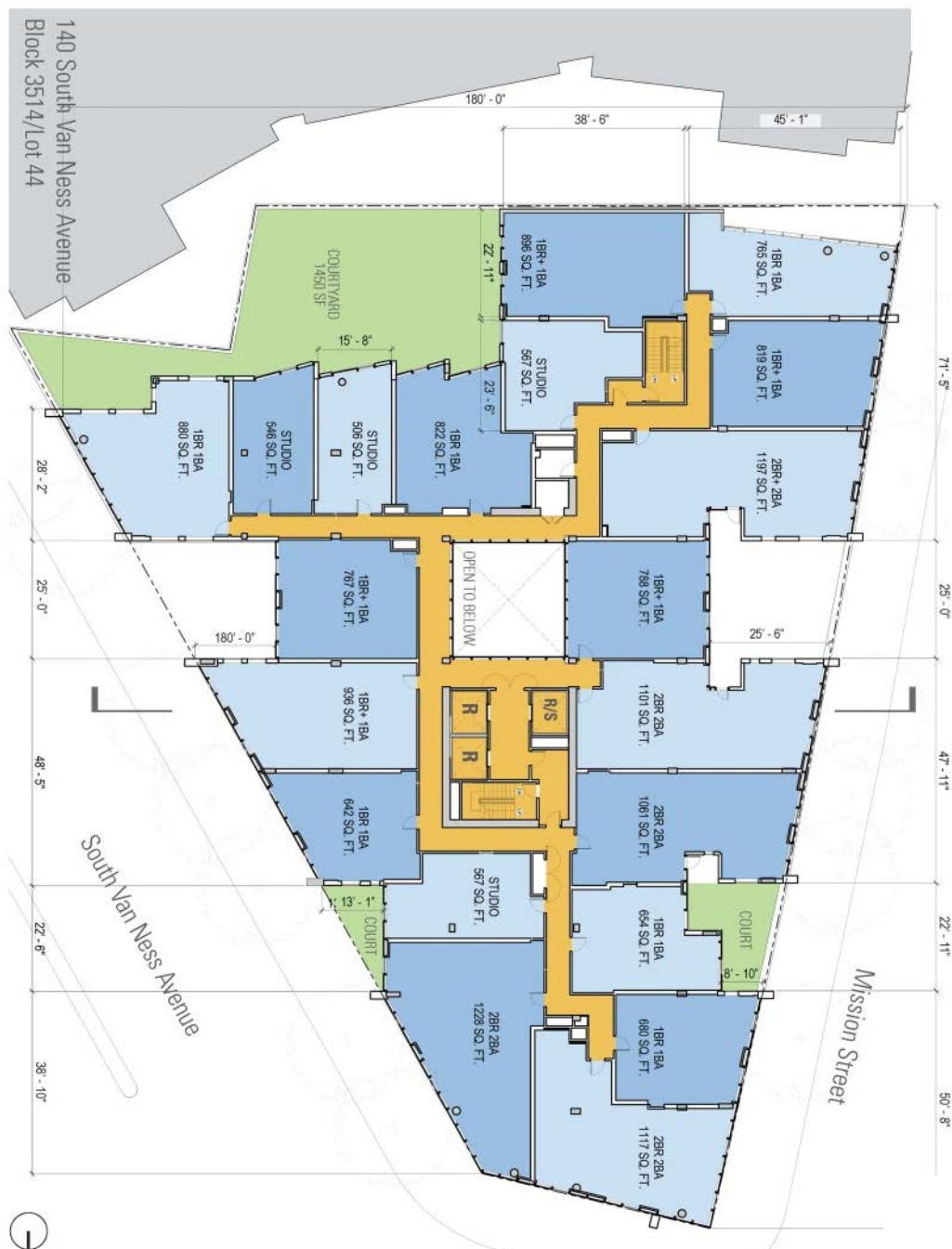


Figure 3: Ground Floor Plan



**Figure 4: Typical Floor Plan**



**Figure 5: Basement Plan**



**Figure 6: Roof Plan**

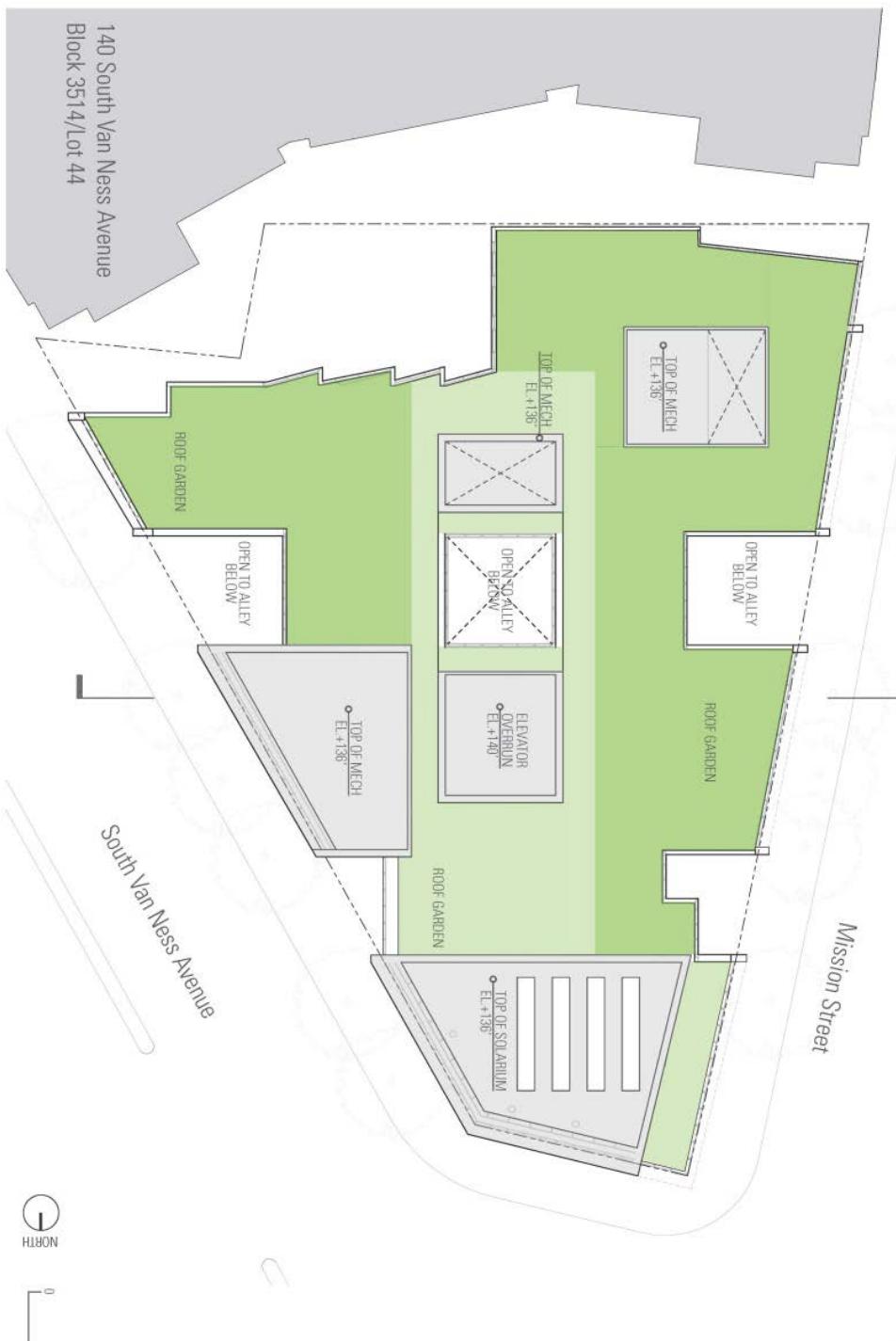
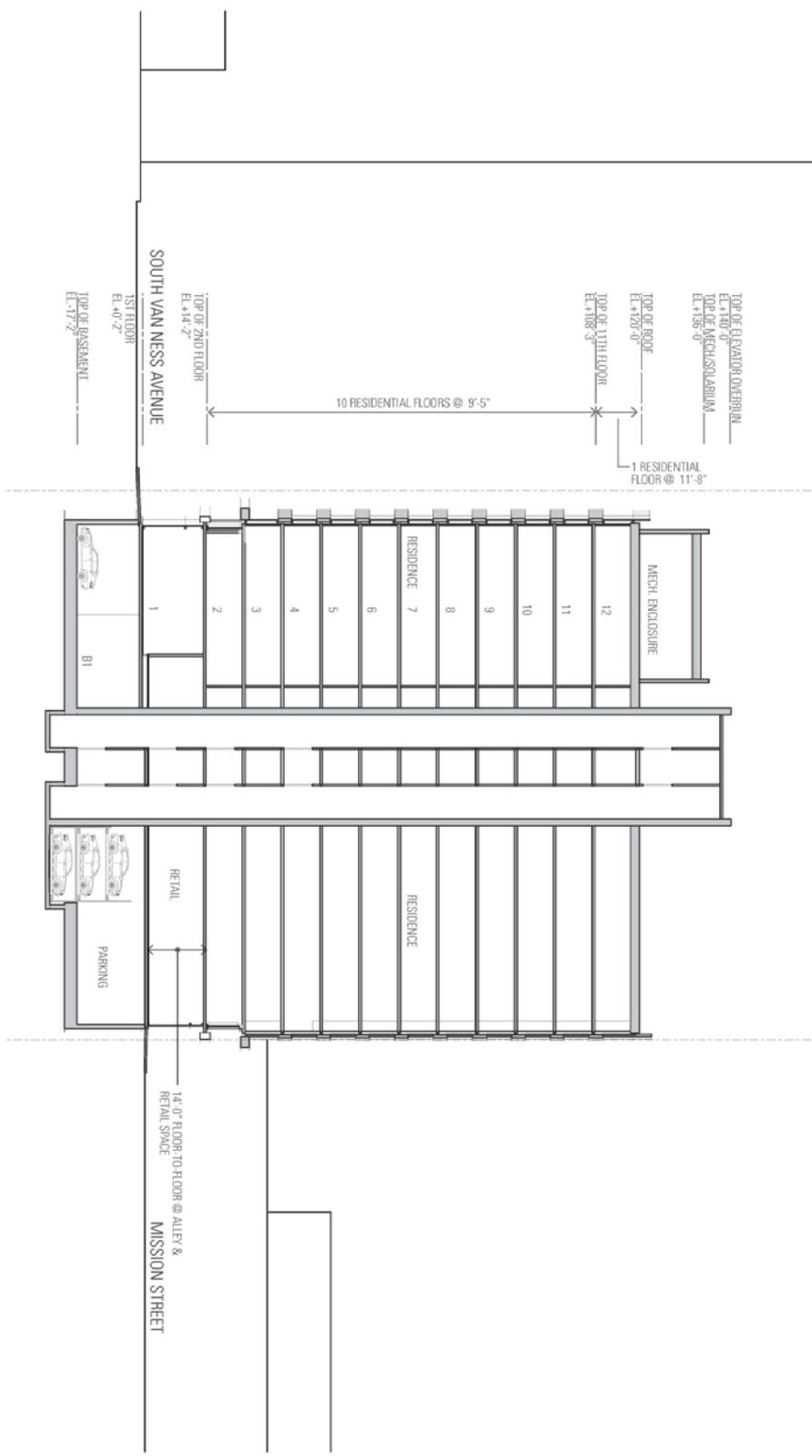


Figure 7: East and West Elevations



**Figure 8: Building Section**



## EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the Final Programmatic Environmental Impact Report for the *Market and Octavia Area Plan* (Market and Octavia PEIR).<sup>2</sup> The CPE Checklist indicates whether the proposed project would result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the Market and Octavia 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 Market and Octavia 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 CEQA Section 21083.3 and CEQA Guidelines Section 15183.

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

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeological resources, transportation, air quality, hazardous materials, and geology, soils and seismicity. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations Plaza) and transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21 Hayes Muni line).

Implementation of the proposed project would result in the construction of a new building that would be 12 stories and 120 feet tall. The building would contain 220 dwelling units and 7,336 sf of retail space and 97 below-grade vehicle parking spaces. As discussed below in this CPE 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 Market and Octavia PEIR.

## CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Market and Octavia PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted or passed or are underway that affect the physical environment and/or environmental review methodology for projects in the Market and Octavia Plan Area. As discussed further in each topic area as referenced, the following policies, regulations, statutes, and funding measures supersede mitigation measures or further reduce less-than-significant impacts identified in the PEIR:

- State CEQA statute regarding aesthetics and parking, effective January 2014 (see Aesthetics and Parking, below).

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<sup>2</sup> San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, State Clearinghouse No. 2004012118, certified April 5, 2007. Available at [www.sf-planning.org/index.aspx?page=1714](http://www.sf-planning.org/index.aspx?page=1714) or at the Planning Department, 1650 Mission Street, Suite 400.

- State CEQA statute, effective January 2014 and revised January 2016, and Planning Commission resolution, effective March 2016, regarding automobile delay and vehicle miles traveled (see Automobile Delay and Vehicle Miles Traveled, below);
- San Francisco ordinances establishing construction dust control measures, effective July 2008, and enhanced ventilation requirements for urban infill sensitive use developments, amended December 2014 (see Air Quality, below);
- San Francisco Health Code Article 22A amendments (“Maher Ordinance”), effective August 2013 (see Hazardous Materials, below).

### Aesthetics and Parking

In accordance with CEQA Section 21099(d)(1), aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. The proposed project meets these criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>3</sup> Project elevations are included in the project description.

### Automobile Delay and Vehicle Miles Traveled

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, OPR published for public review and comment *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*,<sup>4</sup> 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 OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: 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.) Thus, a VMT analysis instead of an automobile delay analysis is provided in the Transportation and Circulation section below.

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<sup>3</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis*, 1601 Mission Street, March 15, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No.2014.1121ENV.

<sup>4</sup> This document is available at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>1. LAND USE AND LAND USE PLANNING—</b> 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 Market and Octavia PEIR determined that implementation of the *Market and Octavia Area Plan* would not result in a significant adverse impact related to land use and land use planning, and no mitigation measures were identified. The proposed project consists of the construction of a new building that would be 12 stories and 120 feet tall. The building would contain 220 dwelling units and 7,336 sf of retail space. The proposed project is within the scope of development projected under the *Market and Octavia Area Plan*. Furthermore, the Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is consistent with the zoning controls and the provisions of the Planning Code applicable to the project site and is consistent with the bulk, density, and land uses as envisioned in the *Market and Octavia Area Plan*.<sup>5, 6</sup>

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to land use and land use planning beyond those identified in the Market and Octavia PEIR.

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<sup>5</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, *Citywide Planning and Policy Analysis, Case No. 2014.1121ENV, 1601 Mission Street*, January 22, 2016.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2014.1121ENV, 1601 Mission Street*, February 18, 2016.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>2. POPULATION AND HOUSING—</b> 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 goal of the *Market and Octavia Area Plan* is to implement citywide policies to increase the supply of high-density housing in neighborhoods having sufficient transit facilities, neighborhood-oriented uses, and infill development sites. The Market and Octavia PEIR analyzed a projected increase of 7,620 residents in the plan area by the year 2025 and determined that this anticipated growth would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project consists of the construction of a new building that would be 12 stories and 120 feet tall. The building would contain 220 dwelling units and 7,336 sf of retail space. Implementation of the proposed project would result in a net increase of about 411 residents and nine new employees on the project site.<sup>7</sup> The population growth associated with the proposed project is within the scope of the population growth that was anticipated under the *Market and Octavia Area Plan* and analyzed in the Market and Octavia PEIR.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to population and housing beyond those identified in the Market and Octavia PEIR.

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Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>3. CULTURAL RESOURCES—</b> 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"/>

<sup>7</sup> The Market and Octavia PEIR assumed that the plan area would have an average household size of 1.87 residents per dwelling unit in the year 2025. Existing and proposed retail employment was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review*.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
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

The Market and Octavia PEIR noted that although more development would be allowed in the plan area, the implementation of urban design guidelines and other rules being practiced, the overall impact of general development in the plan area on historical resources would be less than significant. No mitigation measures were identified.

Under CEQA, evaluation of the potential for proposed projects to impact historical resources is a two-step process. The first step is to determine whether the property is a historical resource as defined in CEQA Guidelines Section 15064.5(a)(3). If it is determined to be a historical resource, the second step is to evaluate whether the action or project proposed would cause a substantial adverse change.

The project site is currently occupied by the Tower Car Wash and Chevron Gas Station, consisting of two buildings (one one-story and one two-story) and a corner tower structure connected by a canopy as well as a separate canopy over the gas pump island.

A historic resource evaluation (HRE) was prepared for the project site.<sup>8</sup> Planning Department preservation staff reviewed the HRE and concurred with the findings and analysis regarding historical significance.<sup>9</sup> The HRE and the findings of preservation staff are summarized as follows.

Prior to the extension of Van Ness Avenue from Market Street to Howard Street in 1931–1933, the project site comprised a series of rectangular lots. The extension required the demolition of some of the earlier buildings on the project site and created a new trapezoidal-shaped lot with street frontage along Mission Street and the newly created South Van Ness Avenue. The Firestone Tire and Rubber Company built a showroom and service station on the project site in 1932. The structure was significantly modified in 1995–96 for the current car wash/gas station use. Remnants of the original building, including a portion of the elevation along South Van Ness Avenue, the upper portion of the corner tower, and the overall canopy, were retained.

Although the property has a long association with automobile services, the property was not a significant Firestone facility, nor was it part of the early and significant development of the Van Ness "Auto Row" corridor. None of the current businesses, or the development of these businesses, appear to be historically significant. Furthermore, the property is not associated with individuals who may have been considered historically important, and this particular Firestone Tire and Service Station /Tower Car Wash was not identified as a property best representing the productive lives of any such significant people. While the original design may have been architecturally significant, the substantial alterations that occurred in 1995–96 compromised that design to such an extent that evaluation of the original design is not possible.

<sup>8</sup> Page & Turnbull, Inc., *1601 Mission Street Historic Resource Evaluation, Part 1*, November 30, 2015.

<sup>9</sup> San Francisco Planning Department, *Historic Resource Evaluation Response, 1601 Mission Street*, January 26, 2016.

In the Market & Octavia Area Plan Historic Resource Survey, the preservation consultants identified a California Register-eligible historic district – the South Van Ness Deco-Moderne Historic District, containing 45 parcels and 35 contributing resources, significant under Criterion 1 (events) and Criterion 3 (Design/Construction) with a period of significance of 1920-1940 – but this district was not adopted by the Landmarks Preservation Board or the Planning Commission. The subject property was identified as a contributing resource to this historic district. Based on information in Planning Department files and provided by the project sponsor, staff finds that 1601 Mission Street does not appear eligible for inclusion in the California Register of Historical Resources individually or as part of a historic district.

For these reasons, the proposed project would not contribute to the significant project-specific or cumulative historic resource impacts identified in the Market and Octavia PEIR, and no historic resource mitigation measures are applicable to the proposed project.

### **Archeological Resources**

The Market and Octavia PEIR determined that implementation of the area plan could result in significant impacts on archeological resources and identified four mitigation measures that would reduce these potential impacts to less-than-significant levels (Mitigation Measures C1 through C4). Mitigation Measure C1: Soil-Disturbing Activities in Archeologically Documented Properties, applies to properties that have a final Archeological Resource Design/Treatment Plan (ARDTP) on file; it requires that an addendum to the ARDTP be completed. Mitigation Measure C2: General Soil-Disturbing Activities, was determined to be applicable to any project involving any soil-disturbing activities below a depth of 4 feet below ground surface (bgs) and located in areas for which no archeological assessment report has been prepared. Mitigation Measure C2 requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by a qualified consultant or that a Preliminary Archeological Review (PAR) be conducted by Planning Department staff. Mitigation Measure C3: Soil-Disturbing Activities in Public Street and Open Space Improvements, applies to improvements to public streets and open spaces if those improvements disturb soils below a depth of four feet bgs; it requires an Archeological Monitoring Program. Mitigation Measure C4: Soil-Disturbing Activities in the Mission Dolores Archeological District, applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archeological Testing Program as well as an Archeological Monitoring Program and an Archeological Data Recovery Program, if appropriate.

Based on a review of Planning Department records, no previous archaeological investigations have occurred in the project site. Pursuant to Market and Octavia PEIR Mitigation Measure C2, a PAR was conducted by Planning Department staff for the proposed project.<sup>10</sup> Despite the fact that the project site has previously been disturbed from the installation of the underground storage tanks, there is a reasonable probability that there is a significant archeological record intact within the site, especially related to prehistoric deposits that may be affected by the excavation, deep foundation, and possible soils improvement required by the project. Therefore, Project Mitigation Measure 1 – Archaeological Testing, is required to reduce potential significant impacts of the proposed project to archaeological resources to a less-than-significant level. With implementation of this mitigation measure, the proposed project would not result in significant project-specific or cumulative impacts on archaeological resources that were not identified in the Market and Octavia PEIR.

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<sup>10</sup> Randall Dean, San Francisco Planning Department, 1601 Mission Street (2014.1121ENV) – Preliminary Archeological Review, February 25, 2016.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION—</b> 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) 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"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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 Market and Octavia PEIR identified significant traffic impacts at seven intersections. As discussed above under Changes in the Regulatory Environment, in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are not discussed in this checklist.

The Market and Octavia PEIR identified one significant and unavoidable cumulative transit impact on the 21 Hayes Muni route.

The Market and Octavia PEIR anticipated that growth resulting from the zoning changes under the *Market and Octavia Area Plan* would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction.

### Trip Generation

Trip generation for the proposed project was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* developed by the Planning Department. The proposed residential and retail uses would generate an estimated 3,301 person trips (inbound and outbound) on a weekday daily basis, consisting of 937 person trips by auto, 949 transit trips, 912 walk trips, and 503 trips by other modes. During the p.m. peak hour, the proposed project would generate an

estimated 127 person trips by auto. Accounting for vehicle occupancy data for the project site's census tract, the proposed project would generate 725 daily vehicle trips, 106 of which would occur during the p.m. peak hour.<sup>11</sup>

### 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 vehicle miles traveled (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. Transportation analysis zones 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 to multiple blocks in outer neighborhoods, and 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 residential and retail 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 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 over-estimate VMT.<sup>12,13</sup>

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 screening criteria, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required.

<sup>11</sup> CHS Consulting Group, *1601 Mission Street Mixed-Use Residential Project Transportation Impact Study – Final Report*, March 2016.

<sup>12</sup> 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.

<sup>13</sup> San Francisco Planning Department, *Executive Summary: Resolution Modifying Transportation Impact Analysis*, Appendix F, Attachment A, March 3, 2016.

For residential development, the regional average daily VMT per capita is 17.2,<sup>14</sup> and the future 2040 regional average household VMT is 16.1. For retail development, the existing regional average daily employee VMT per capita is 14.9, and the future 2040 regional average daily retail employee VMT per capita is 14.6.

Table 1 identifies the regional VMT, 15 percent below the regional average VMT, and the VMT in the transportation analysis zone (TAZ) in which the project site is located (579). In TAZ 579, the existing average daily household VMT per capita is 3.9 and the existing average daily retail employee VMT per capita is 9.2. The TAZ 579 VMT averages are more than 15 percent below the existing regional VMT averages of 17.2 and 14.9, respectively, and the proposed project would not result in substantial additional VMT.<sup>15</sup>

**Table 1 Daily Vehicle Miles Traveled**

Land Use	Bay Area		TAZ 579
	Regional Average	15 % below the Regional Average	
Households (Residential)	17.2	14.6	3.9
Employment (Retail)	14.9	12.6	9.2

Table 2 identifies the future 2040 regional average VMT, 15 percent below the regional average VMT, and the VMT in the TAZ in which the project is located. In TAZ 579, the future 2040 average daily household VMT per capita is 3.2 and the future 2040 average daily retail employee VMT per capita is 9.2. These averages are more than 15 percent below the future 2040 regional VMT averages of 16.1 and 14.6, respectively, and the proposed project would not result in substantial additional VMT.<sup>16</sup>

**Table 2 Daily Vehicle Miles Traveled – Future 2040**

Land Use	Bay Area		TAZ 579
	Regional Average	15 % below the Regional Average	
Households (Residential)	16.1	14.6	3.2
Employment (Retail)	14.6	12.6	9.2

Therefore, the proposed project would not cause substantial additional VMT and impacts would be less than significant.

<sup>14</sup> Includes the VMT generated by the households in the development.

<sup>15</sup> San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 1601 Mission Street, March 14, 2016.

<sup>16</sup> *Ibid.*

## Transit

The project site is well served by public transportation. Within one-half mile of the project site are approximately 20 Muni lines that operate at a frequency of at least every 15 minutes during the a.m. and p.m. peak periods. The Civic Center BART station is about a half mile walk from the project site.

The project would be expected to generate 949 daily transit trips, including 143 transit trips during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 143 p.m. peak-hour transit trips would be accommodated by existing capacity. Therefore, the proposed project would not result in unacceptable levels of transit service or cause an increase in transit delays or operating costs such that significant adverse impacts to transit service would result.

As discussed above, the Market and Octavia PEIR identified significant and unavoidable cumulative transit delay impacts to the 21 Hayes Muni route. The project's 143 p.m. peak-hour transit trips would be distributed among several nearby transit lines and would not be a substantial proportion of the overall additional transit volume generated by projects developed under the *Market and Octavia Area Plan*. The proposed project would also not contribute considerably to 2025 significant cumulative transit impacts.

The transportation analysis considered implementation of the Van Ness Avenue Corridor Bus Rapid Transit (BRT) project, which would create center-running transit-only lanes and signal prioritization for buses along Van Ness Avenue from Lombard Street to Mission Street. The project would also include a number of street improvements along the proposed route. The BRT line would not run past the project site but would end just north of the site, on the north side of Mission Street on South Van Ness Avenue. As presented in the Van Ness Avenue BRT Project Final Environmental Impact Statement/ Environmental Impact Report, approximately 24 to 32 percent of the Van Ness Avenue traffic would change travel patterns, including driving on parallel streets , shifting the vehicle trip to other times of day, or shifting to other modes, such as transit, walking, and bicycling.

The 1601 Mission Street transportation analysis also considered changes to the South Van Ness/Mission Street/Otis Street/12th Street intersection, as developed as part of the Van Ness Avenue BRT and other transportation projects. The westbound lane configurations along Mission Street would be modified from an exclusive right-turn lane, two through lanes, and one exclusive left-turn lane, to one exclusive right-turn lane, one through lane, one shared through/left-turn lane, and one exclusive left-turn lane. The northbound lane configurations along South Van Ness Avenue would also be modified from two through lanes and one shared through/right-turn lane to two through lanes and one exclusive right-turn lane. The proposed 1601 Mission Street project would not conflict with the Van Ness BRT or other transportation projects.

## Pedestrians, Bicycles, Loading, Emergency Access, and Construction

Because the proposed project is within the scope of development projected under the *Market and Octavia Area Plan*, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the PEIR.

The proposed project would include a driveway access point along the west side of South Van Ness Avenue to access the underground parking garage and ground-floor loading space. The project would not substantially interfere with bicycle or pedestrian access and would not create hazardous conditions. Nonetheless, to further minimize the less-than-significant impacts related to pedestrians, bicyclists,

loading, and emergency access, the project sponsor has agreed to implement the following improvement measures: Improvement Measures 1 (Monitoring and Abatement of Queues), 2 (Active Garage Parking Driveway Controls), 3 (Transportation Demand Management), and 4 (Coordination of Move-in/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations).

Construction-related transportation impacts would be less than significant. Nonetheless, the project sponsor has agreed to implement Improvement Measures 5 (Construction Truck Deliveries During Off-Peak Periods) and 6 (Construction Management Plan) to further minimize construction impacts on nearby businesses, and minimize traffic and parking demand associated with construction workers.

For these reasons, the proposed project would not result in significant project-specific impacts related to transportation beyond those identified in the Market and Octavia PEIR and would not contribute considerably to cumulative transportation impacts that were identified in the Market and Octavia PEIR.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>5. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input 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"/>

### Construction Impacts

The Market and Octavia PEIR noted that the background noise levels in San Francisco are elevated primarily due to traffic noise and that some streets, such as Market Street, have higher background noise levels. The PEIR identified an increase in the ambient noise levels during construction, dependent on the types of construction activities and construction schedules, and noise from increased traffic associated with construction truck trips along access routes to development sites. The PEIR determined that

compliance with the San Francisco Noise Ordinance (Noise Ordinance), codified as Article 29 of the San Francisco Police Code, would reduce construction impacts to less-than-significant levels. No mitigation measures related to construction noise were identified in the Market and Octavia PEIR.

All construction activities for the project during the 24-month construction period would be subject to and would comply with the Noise Ordinance, which requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA<sup>17</sup> at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the 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 exceeds 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.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Although pile driving is not required or proposed, occupants of nearby properties could be disturbed by construction noise during the 24-month construction period. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise levels in the project vicinity during construction of the proposed project would not be considered a significant impact because the construction noise would be temporary, intermittent, and restricted in occurrence and level due to required compliance with the Noise Ordinance.

For these reasons, the proposed project would not result in significant project-specific or cumulative construction-related noise and vibration impacts beyond those identified in the PEIR, and no noise mitigation measures are necessary.

### Operational Impacts

The Market and Octavia PEIR noted that area plan-related land use changes would have the potential to create secondary noise impacts associated with projects' fixed-location heating, ventilating, or air-conditioning equipment and other localized noise-generating activities. The PEIR determined that existing ambient noise levels in the plan area would generally mask noise from new on-site equipment. Therefore, the increase in noise levels from operation of equipment would be less than significant. The PEIR also determined that all new development in the plan area would be required to comply with Title 24 of the California Code of Regulations and with the Land Use Compatibility Guidelines for Community Noise in the Environmental Protection Element of the General Plan,<sup>18</sup> which would prevent significant operational impacts on sensitive receptors.

Ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible

<sup>17</sup> 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).

<sup>18</sup> San Francisco General Plan, Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise, last amended December 2, 2004. Available at: [www.sf-planning.org/ftp/general\\_plan/I6\\_Environmental\\_Protection.htm](http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm).

to most people (a 3 decibel increase). As discussed under CPE Checklist Topic 4, Transportation and Circulation, the project would generate 106 vehicle trips during the p.m. peak hour. Given the existing traffic volumes in the project vicinity, the project-related increase in vehicle trips during the p.m. peak hour would not double the traffic volumes on any given street in the project vicinity. Therefore, the proposed project would not result in a perceptible increase in noise levels from project-related traffic and would not contribute to a considerable increment or to any cumulative noise impacts related to traffic.

An environmental noise study was completed for the proposed project to assess existing noise conditions and to make recommendations for building materials specifications to meet Title 24 requirements.<sup>19</sup> The noise study found that ambient noise levels at the boundaries of the project site range from 76 to 78 DNL<sup>20</sup>. Part 1 of the Supplement to the California Building Code, effective July 1, 2015, requires that the indoor noise level in residential units of multi-family dwellings not exceed DNL 45 decibels. To meet the indoor criterion of 45 decibels, the noise study recommends window and exterior door STC ratings ranging from 39 to 45.<sup>21</sup>

During the review of the building permit application, the DBI would check project plans for compliance with applicable noise standards. Compliance with applicable noise standards would ensure that project-related impacts from exposure of building residents to ambient noise and project-related operational noise would result in less-than-significant impacts.

The project includes the installation of mechanical equipment, such as heating and ventilation systems, that could produce operational noise. The operation of this equipment would be required to comply with the standards set forth in Section 2909 of the Noise Ordinance, which would minimize noise from building operations. Therefore, noise impacts related to the project's operation would be less than significant. The proposed building also would not contribute to a considerable increment or to any cumulative noise impacts related to noise from mechanical equipment.

The project site is not in 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 above are not applicable.

For these reasons, the project would not result in significant project-specific or cumulative noise and vibration impacts beyond those identified in the PEIR, and no noise mitigation measures are necessary.

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<sup>19</sup> Charles M. Salter Associates Inc., 1601 Mission Residences PPA Environmental Noise Study, September 25, 2015.

<sup>20</sup> DNL = Day-Night Average Sound Level. Part 1 of the Supplement to the California Building Code, effective July 1, 2015, requires that the indoor noise level in residential units of multi-family dwellings not exceed DNL 45 decibels.

<sup>21</sup> Sound Transmission Class (STC) is a single-number rating that quantifies the airborne sound-insulating performance. Increasing STC ratings correspond to improved airborne sound insulation.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>6. AIR QUALITY</b> —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 Market and Octavia PEIR identified potentially significant air quality impacts resulting from temporary exposure to elevated levels of fugitive dust and diesel particulate matter during construction of development projects under the area plan. The PEIR identified two mitigation measures that would reduce these air quality impacts to less-than-significant levels. Market and Octavia PEIR Mitigation Measures E1 and E2 address air quality impacts during construction. All other air quality impacts were found to be less than significant.

### Construction Dust Control

Market and Octavia PEIR Mitigation Measure E1: Construction Mitigation Measure for Particulate Emissions, requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment to minimize exhaust emissions of particulates and other pollutants. Subsequent to the certification of the Market and Octavia PEIR, 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 the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the 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 E1. Therefore, the portion of PEIR Mitigation Measure E1 that addresses dust control is no longer applicable to the proposed project.

### Criteria Air Pollutants

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide, particulate matter, nitrogen dioxide, sulfur dioxide, and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District's *CEQA Air Quality Guidelines (Air Quality Guidelines)* provide screening criteria<sup>22</sup> for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. The proposed project, with a total of 220 dwelling units, is below both the construction screening criterion ("apartment, high-rise, 249 dwelling units" land use type) and the operational screening criterion ("apartment, high-rise, 510 dwelling units" land use type). The 7,336 sf of ground-floor retail is well below the "strip mall" screening criteria for construction (277,000 sf) and operation (99,000 sf), and combined with the residential use would not exceed criteria air pollutant screening levels. Therefore, the proposed project would not result in any significant project-specific or cumulative impacts related to criteria air pollutants beyond those identified in the Market and Octavia PEIR. A detailed air quality assessment is not required, and no mitigation measures are necessary.

### Health Risk

Subsequent to certification of the Market and Octavia 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), codified as Health Code Article 38, Enhanced Ventilation Required for Urban Infill Sensitive Use Developments. The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. The 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<sub>2.5</sub> concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. The project site is within the APEZ.

### *Construction*

The project site is within an identified APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. Market and Octavia PEIR Mitigation Measure E2: Construction Mitigation Measure for Short-Term Exhaust Emissions, requires construction equipment to be maintained and operated so as to minimize exhaust emissions of particulates and other pollutants. Project construction would require the use of diesel construction equipment. Thus, in accordance with the Market and Octavia PEIR requirements, the project sponsor has agreed to implement PEIR Mitigation Measure E2 (Project Mitigation Measure 2), which would reduce exhaust emissions from construction equipment. Therefore, impacts related to construction health risks would be less than significant through

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<sup>22</sup> Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2011, pp. 3-2 to 3-3.

implementation of Project Mitigation Measure 2, Construction Air Quality. The full text of the mitigation measure is provided in the Mitigation Measures section below.

### *Siting Sensitive Land Uses*

For sensitive-use projects within the APEZ, such as the proposed project, Article 38 requires that the project sponsor submit an enhanced ventilation proposal for approval by the Department of Public Health (DPH) that achieves protection from PM<sub>2.5</sub> (fine particulate matter) 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 DPH that the applicant has an approved enhanced ventilation proposal.

In compliance with Article 38, the project sponsor has submitted an initial application for an enhanced ventilation proposal to the DPH.<sup>23</sup> The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore, impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

### *Siting New Sources*

The proposed project would not generate more than 10,000 vehicle trips per day, more than 100 truck trips per day, or more than 40 refrigerated truck trips per day. The proposed project would include a backup diesel generator that would meet Tier 2 emission standards and be equipped with a California Air Resources Board (ARB) Level 3 verified diesel emissions control strategy equipment.<sup>24</sup> Therefore, the proposed project would have no impacts related to introducing new sources of air pollutants.

### **Conclusion**

For these reasons, the proposed project would not result in significant air quality impacts beyond those identified in the PEIR.

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

The State CEQA Guidelines were amended in 2010 to require an analysis of a project's greenhouse gas (GHG) emissions on the environment. The Market and Octavia PEIR was certified in 2007 and therefore did not analyze the effects of GHG emissions. In addition, the BAAQMD has prepared guidelines that

<sup>23</sup> Jonathan Piakis, Department of Public Health, email confirming receipt of Article 38 application for 1601 Mission Street, December 10, 2015.

<sup>24</sup> Jessie Stuart, Trumark Urban, email to Jeanie Poling re 1601 Mission construction and generator information, February 8, 2016.

provide methodologies for analyzing air quality impacts under CEQA, including the impact of 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 a GHG reduction strategy to conclude that the project's GHG emissions are less than significant. The following analysis is based on BAAQMD and CEQA guidelines for analyzing GHG emissions. As discussed below, the proposed project would not result in any new significant impacts related to GHG emissions.

San Francisco's *Strategies to Address Greenhouse Gas Emissions*<sup>25</sup> 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,<sup>26</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2010 Clean Air Plan*,<sup>27</sup> Executive Order S-3-05,<sup>28</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>29,30</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>31</sup> and B-30-15.<sup>32,33</sup> 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 site by constructing a 120-foot-tall, 12-story mixed-use building containing 220 dwelling units, 7,336 square feet of retail space, and 97 vehicle parking spaces. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial 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 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

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<sup>25</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sffplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sffplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

<sup>26</sup> ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

<sup>27</sup> 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.

<sup>28</sup> 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.

<sup>29</sup> 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_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>30</sup> 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.

<sup>31</sup> 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 MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>32</sup> 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.

<sup>33</sup> 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.

reduce the project's GHG emissions related to transportation, energy use, waste reduction, and energy conservation.

Compliance with the City's Commuter Benefits Ordinance, Emergency Ride Home Program, transportation management programs, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project's transportation-related 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, Stormwater Management Ordinance, Water Conservation Ordinance, and Water Efficient Irrigation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>34</sup>

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 related to construction and demolition debris recycling. 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 energy<sup>35</sup> and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements for new construction would serve to increase carbon sequestration. Compliance with the Wood Burning Fireplace Ordinance would reduce emissions of black carbon. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>36</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>37</sup>

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations; and the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. For the above reasons, the proposed project would not result in significant impacts that were not identified in the Market and Octavia PEIR and no mitigation measures are necessary.

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<sup>34</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>35</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>36</sup> 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.

<sup>37</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1601 Mission Street*, February 9, 2016.

<b>Topics:</b>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>8. WIND AND SHADOW</b> —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"/>

## Wind

The Market and Octavia PEIR determined that new construction developed under the area plan, including new buildings and additions to existing buildings, could result in significant impacts related to ground-level winds. PEIR Mitigation Measure B1: Buildings in Excess of 85 Feet in Height, and PEIR Mitigation Measure B2: All New Construction, require individual project sponsors to minimize the wind effects of new buildings developed under the area plan through site and building design measures. The Market and Octavia PEIR concluded that implementation of PEIR Mitigation Measures B1 and B2, in combination with existing Planning Code requirements, would reduce both project-level and cumulative wind impacts to less-than-significant levels.

The 1601 Mission Street building would be 120 feet in height; thus, PEIR Mitigation Measure B1 applies to the project. PEIR Mitigation Measure B2, which applies to all new construction, also applies to the project. To determine project compliance with these mitigation measures, a pedestrian wind assessment was prepared.<sup>38</sup> The objective of the wind assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development and to assess pedestrian comfort and hazard levels as specified in San Francisco Planning Code Section 148.

San Francisco Planning Code Section 148 states that in C-3 Districts, buildings and additions must be shaped, or other wind-baffling measures shall be adopted, so that the project will not cause ground-level wind currents to exceed, more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas. When wind speeds exceed the comfort level, the project must be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, allowing the building or addition to add to the amount of time that the comfort level is exceeded. No exception can be granted to projects that cause equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

The wind tunnel model included the project site and all relevant surrounding buildings and topography within a 1,500-foot radius of the project site. The mean speed profile and turbulence of the natural wind approaching the modelled area were simulated in a model that was instrumented with 37 wind speed sensors to measure mean and gust wind speeds at a full-scale height of approximately 5 feet. Of the 37 locations, two locations on the site were covered by the existing building in the existing configuration. These locations, along the proposed mid-block open space, would be accessible to pedestrians and were modeled for the existing plus project and project plus cumulative configurations. Buildings within the

<sup>38</sup> RWDI, Inc., *Pedestrian Wind Conditions Consultation Wind Tunnel Tests, 1650 Mission Street, San Francisco*, February 29, 2016.

study radius that are currently under construction were included in all test configurations, and anticipated future buildings were included in the project plus cumulative configuration.

### ***Wind Comfort Levels***

For the existing configuration, wind conditions in the vicinity of the project site were generally high with wind speeds averaging 13 mph for all 35 measurement locations. The highest wind speeds occurred at one location along Mission Street north of the project site, along South Van Ness Avenue, and along Otis Street west of South Van Ness Avenue (15–17 mph at eight locations). Wind speeds at 21 of the 35 test locations exceed the Planning Code's 11 mph pedestrian comfort criterion. Winds currently exceed the 11 mph criterion less than 17 percent of the time.

For the existing plus project configuration, wind speeds generally remained similar, with the average wind speed for all 37 test locations remaining at 13 mph. The high wind speeds along South Van Ness Avenue and at the intersection of South Van Ness Avenue and Otis Street remained similar to the existing configuration. The 11 mph criterion was exceeded 18 percent of the time, a 1 percent increase compared to existing conditions. Wind speeds at 26 of the 37 test locations exceed the Planning Code's 11 mph pedestrian comfort criterion. This is five more locations compared to the existing configuration, two of which are the two new locations added in the existing plus project configuration.

For the project plus cumulative configuration, the average wind speed increased by 2 percent compared to the existing and existing plus project configurations (15 mph for all 37 measurement locations). The highest wind speeds (18–23 mph) were noted along South Van Ness Avenue south of Mission Street and at the intersection of South Van Ness Avenue and Otis Street. The 11 mph criterion was exceeded 26 percent of the time, while wind speeds at 32 out of 37 test locations exceed the Planning Code's 11 mph pedestrian comfort criterion. These increases are a direct result of future building massing in the area and not the 1601 Mission Street project itself.

### ***Wind Hazard Levels***

Of the 35 locations tested for the existing configuration, none currently exceed the hazard criterion. Also no locations exceed the hazard criterion in the existing plus project configuration. Three locations exceed the hazard criterion in the project plus cumulative configuration along South Van Ness Avenue and at the intersection of South Van Ness Avenue and Otis Street. These exceedences are a direct result of future building massing in the area and not the project itself.

For these reasons, the proposed project would not result in any significant project-specific or contribute to cumulative wind impacts beyond those identified in the Market and Octavia 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. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code Section 295.

The Market and Octavia PEIR analyzed shadow impacts on nearby existing and proposed open spaces under the jurisdiction of the San Francisco Recreation and Park Commission as well as those that are not (the War Memorial Open Space and United Nations Plaza). The Market and Octavia PEIR determined that implementation of the Area Plan would not result in a significant shadow impact on Section 295 open spaces at the program or project level but identified potentially significant shadow impacts on non-Section 295 open spaces. Mitigation Measure A1: Parks and Open Space Not Subject to Section 295, would reduce but may not eliminate significant shadow impacts on the War Memorial Open Space and United Nations Plaza. The PEIR determined that shadow impacts on non-Section 295 open spaces could be significant and unavoidable.

Implementation of the project would result in the construction of a 120-foot-tall building. The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Planning Department determined that the project would not cast shadow on any nearby parks or open spaces.<sup>39</sup> Therefore, Market and Octavia PEIR Mitigation Measure A1 would not be applicable to the proposed project.

The proposed project would shade portions of streets, sidewalks, and private properties in the project vicinity at various times of the day throughout the year. Shadows on streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby 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 not be considered a significant impact under CEQA.

For these reasons, the proposed project would not result in significant project-specific or cumulative shadow impacts beyond those identified in the Market and Octavia PEIR.

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

The Market and Octavia PEIR concluded that implementation of the area plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or

<sup>39</sup> San Francisco Planning Department, *Preliminary Project Assessment Shadow Fan Analysis*, 1601 Mission Street, October 3, 2014.

expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Market and Octavia PEIR.

The proposed project would include usable open space in the form of private and common roof decks and a publicly accessible mid-block open space. This usable open space would help alleviate the demand for recreational facilities.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any significant project-specific or cumulative impacts related to recreation beyond those identified in the Market and Octavia PEIR.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>10. UTILITIES AND SERVICE SYSTEMS</b> —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 Market and Octavia PEIR determined that the anticipated increase in population under the area plan 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.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any significant project-specific or cumulative impacts on utilities and service systems beyond those identified in the Market and Octavia PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>11. PUBLIC SERVICES</b> —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 Market and Octavia PEIR determined that the anticipated increase in population under the area plan 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.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any project-specific or cumulative impacts on public services beyond those identified in the Market and Octavia PEIR.

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<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>12. BIOLOGICAL RESOURCES</b> —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"/>

<b>Topics:</b>	<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>
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 described in the Market and Octavia PEIR, the plan area is a developed urban environment completely covered by structures, impervious surfaces, and introduced landscaping. No known, threatened, or endangered animal or plant species are known to exist in the project vicinity that could be affected by the development anticipated under the area plan. In addition, development envisioned under the area plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the area plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The proposed project is within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any project-specific or cumulative impacts on biological resources that were not identified in the Market and Octavia PEIR.

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<b>Topics:</b>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS</b> —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"/>

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR did not identify any significant operational impacts related to geology, soils, and seismicity. Although the PEIR concluded that implementation of the area plan would indirectly increase the population that would be exposed to geologic hazards such as earthquakes, seismic ground shaking, liquefaction, and landslides, the PEIR noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to acceptable levels given the seismically active characteristics of the Bay Area.

The Market and Octavia PEIR identified a potential significant impact related to soil erosion during construction. The PEIR found that implementation of Mitigation Measure G1: Construction-Related Soils Mitigation Measure, which consists of construction best management practices to prevent erosion and discharge of soil sediments into the storm drain system, would reduce any potential impacts to less-than-significant levels.

Market and Octavia PEIR Mitigation Measure G1 (Project Mitigation Measure 3), would apply to the project and would address potential impacts related to soil erosion during project construction and would reduce any potential impacts to less-than-significant levels.

A preliminary geotechnical investigation was conducted for the proposed project.<sup>40</sup> The investigation included reviewing previously performed geotechnical investigations at the site, drilling four borings at the site, and performing engineering analyses to develop conclusions and recommendations regarding seismic hazards, appropriate foundation types, site preparation, and compliance with California Building Code seismic criteria.

The relatively level project site is underlain by approximately 9 to 12.5 feet of fill, consisting of very loose to medium dense sand and silty sand with rubble fragments. The fill is underlain by loose to dense sand (dune sand) to depths of approximately 20-21 feet. The dune sand is underlain by a layer of medium dense clayey sand and medium stiff to sand clay and clay with sand, locally known as marsh deposit, to depths of approximately 22-23 feet below ground surface. The marsh deposit is underlain by dense to very dense sand, clayey sand to a depth of at least 81 feet.

The project site is not within a seismic hazard zone (liquefaction or landslide zone), and the risk for lateral spreading or fault rupture at the site is low.

<sup>40</sup> Rollo & Ridley Geotechnical Engineers and Scientists, *Geotechnical Investigation, 1601 Mission Street, Street, San Francisco, California*, November 5, 2015.

The geotechnical report presents several recommendations for foundations. The project sponsor anticipates that the project will follow the report's recommendations for a mat foundation with over-excavation.<sup>41</sup> For this foundation type, the soil between the bottom of the foundation and the bearing layer is removed and replaced with either lean concrete or structural engineered fill (compacted soil). The geotechnical report also includes recommendations related to basement walls, basement slab/waterproofing/dewatering, shoring, underpinning, site preparation and grading, drainage and infiltration, seismic design, and construction monitoring.

The proposed project is required to comply with the San Francisco Building Code (Building Code), which includes seismic safety standards for all new construction in San Francisco. The 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.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to geology and soils beyond those identified in the Market and Octavia PEIR.

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<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>14. HYDROLOGY AND WATER QUALITY</b> —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"/>

<sup>41</sup> Jessie Stuart, Trumark Urban, *email to Jeanie Poling regarding construction information*, February 22, 2016.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
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 Market and Octavia PEIR determined that the anticipated increase in population as a result of implementation of the area plan would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. Groundwater encountered during construction would be required to be discharged in compliance with the City's Industrial Waste Ordinance (Ordinance No. 199-77) and would meet specified water quality standards. No mitigation measures were identified in the PEIR.

The project site is completely covered by impervious surfaces. Implementation of the proposed project would not substantially change existing surface runoff and drainage patterns or substantially increase the rate or amount of surface runoff in a manner that would result in flooding or substantial erosion or siltation. The rate or amount of surface runoff would not increase to the point that it would exceed the capacity of existing or planned stormwater drainage systems. Furthermore, the proposed project would be constructed in compliance with all applicable federal, state, and local regulations governing water quality and discharges into surface and underground bodies of water.

Runoff from the project site would drain into the City's combined stormwater/sewer system, ensuring that such runoff is properly treated at the Southeast Water Pollution Control Plant before being discharged into the San Francisco Bay. As a result, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.

Development in the City and County of San Francisco must account for flooding potential. Areas located on fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. The project site is not within an area in the City prone to flooding during storms.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on hydrology and water quality beyond those identified in the Market and Octavia PEIR.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>15. HAZARDS AND HAZARDOUS MATERIALS—</b> 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 Market and Octavia PEIR found that impacts related to hazards and hazardous materials would primarily occur from construction-related activities. Demolition or renovation of existing buildings could result in exposure to hazardous building materials such as asbestos, lead, mercury or polychlorinated biphenyls (PCBs). In addition, the discovery of contaminated soils and groundwater at a construction site could result in exposure to hazardous materials during construction. The PEIR identified a significant impact associated with soil disturbance during construction for sites in areas of naturally occurring asbestos (NOA). The PEIR found that compliance with existing regulations and implementation of Mitigation Measure F1: Hazardous Materials – Construction Activities, which would require implementation of construction best management practices to reduce dust emissions and tracking of contaminated soils beyond the site boundaries by way of construction vehicles' tires, would reduce impacts associated with construction-related hazardous materials to less-than-significant levels.

As discussed under Topic 6, Air Quality, subsequent to the certification of the Market and Octavia PEIR, the San Francisco Board of Supervisors adopted the Construction Dust Control Ordinance. The regulations and procedures set forth by the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of Market and Octavia PEIR Mitigation Measure F1. In addition, construction activities in areas containing NOA are subject to regulation under the State Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations, which is implemented in San Francisco by BAAQMD. The proposed project site is not in an area identified as having NOA and therefore would not create a significant hazard to the public or the environment from the release of NOA. For these reasons, PEIR Mitigation Measure F1 is not applicable to the proposed project.

### **Hazardous Building Materials**

Because portions of the building on the project site were constructed in 1932, it is possible that hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos, and lead-based paint are still present on the project site. Prior to demolition on the project site, such materials must be abated in accordance with applicable federal, state, and local regulations. Compliance with such regulations would ensure that the proposed project would not result in significant project-specific or cumulative impacts related to hazardous building materials beyond those identified in the Market and Octavia PEIR.

### **Soil and Groundwater Contamination**

The project would demolish an existing gas station and car wash facility and construct a 12-story residential building with ground-floor retail and below-grade parking. A Phase I Environmental Site Assessment (ESA) prepared for the project site in 2011 concluded that the active underground fuel storage tanks (USTs) installed in 1996 were in compliance with all federal and state UST regulations as of July 1, 2011.<sup>42</sup> A preliminary subsurface environmental investigation performed in anticipation of the development of the site included soil borings and soil vapor probes at and near the project site.<sup>43</sup> The investigation concluded that earth materials beneath the project site to approximately 20 feet below the ground surface are not impacted with either organic or inorganic contaminants at concentrations of environmental concern; that groundwater underlying the property does not appear to be impacted with petroleum hydrocarbons or volatile organic compounds (VOCs); and that the detected contaminants in soil gas do not suggest a vapor intrusion or explosion hazard exists beneath the site. The investigation noted that before any new development takes place, the above-ground and below-ground service station facilities would have to be removed and some remedial action might be necessary.

Site mitigation (the cleanup or management of chemical contaminants in soil, soil vapor, and groundwater) is regulated under several programs within the San Francisco Department of Public Health Site Assessment and Mitigation Program (DPH SAM). The project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the DPH. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I ESA. 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 DPH or other

<sup>42</sup> EDI Consultants, Phase I Environmental Site Assessment, Chevron/Tower Car Wash & Café, 1601 Mission Street, San Francisco, California, September 8, 2011.

<sup>43</sup> Essel Environmental Engineering & Consulting, Preliminary Report, Subsurface Environmental Investigation, Chevron Gasoline Station/Tower Car Wash, 1601 Mission Street, San Francisco, California, December 2, 2015.

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. The SMP must be approved by DPH before the start of any site earth work.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher application to DPH.<sup>44</sup> The proposed project would be required to remediate any potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to contaminated soil or groundwater beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

### **Fire Hazards and Emergency Response**

In San Francisco, fire safety is ensured through the provisions of the San Francisco Building and Fire Codes. During the review of the building permit application, the DBI and the San Francisco Fire Department would review the project plans for compliance with all regulations related to fire safety. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires.

For these reasons, the project would not result in significant project-specific or cumulative impacts related to hazards and hazardous materials beyond those identified in the Market and Octavia PEIR.

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

The Market and Octavia PEIR did not analyze the area plan's effects on mineral and energy resources, and no mitigation measures were identified. The project site is not a designated mineral resource recovery site, and implementation of the proposed project would not result in the loss of availability of any mineral resources.

<sup>44</sup> Russell Yim, San Francisco Department of Public Health, email to Jeanie Poling re 1601 Mission Street Maher application, January 13, 2016.

The PEIR determined that the *Market and Octavia Area Plan* would facilitate the new construction of both residential and commercial uses. Development of these uses would not result in the use of large amounts of water, gas, and electricity in a wasteful manner, or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet or exceed current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI.

For these reasons, the project would not result in any significant project-specific or cumulative impacts related to mineral and energy resources beyond those identified in the Market and Octavia PEIR.

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<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>17. AGRICULTURE AND FOREST RESOURCES: —Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural uses, 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 fore 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 environmental 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 Market and Octavia PEIR did not analyze the area plan's effects on agriculture and forest resources, and no mitigation measures were identified. The project site is not zoned for or occupied by agricultural uses, forest land, or timberland, and implementation of the proposed project would not convert agricultural uses, forest land, or timberland to non-agricultural or non-forest uses.

For these reasons, the proposed project would have no project-specific or cumulative impacts related to agriculture and forest resources.

## MITIGATION MEASURES

### Project Mitigation Measure 1: Archeological Testing (Implementing PEIR Mitigation Measure C2)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the QACL. The archaeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>45</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>46</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

*Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

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<sup>45</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>46</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archaeologist.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

*Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities\_and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

*Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects

until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft 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 testing/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.

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, one unbound 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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

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#### **Project Mitigation Measure 2: Construction Air Quality (Implementing PEIR Mitigation Measure E2)**

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 horsepower (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.

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

<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>
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 3: Construction-Related Soils (Implementing PEIR Mitigation Measure G1)**

Program- or project-level temporary construction-related impacts would be mitigated through the implementation of the following measures:

BMPs erosion control features shall be developed with the following objectives and basic strategy:

- Protect disturbed areas through minimization and duration of exposure.
  - Control surface runoff and maintain low runoff velocities. Trap sediment on site.
  - Minimize length and steepness of slopes.
- 

#### **IMPROVEMENT MEASURES**

**Project Improvement Measure 1: Monitoring and Abatement of Queues.** To reduce the potential for queuing of vehicles accessing the project site, the project sponsor/property owner should ensure that recurring vehicle queues do not occur in the public right-of-way adjacent to the project site (i.e., along South Van Ness Avenue). A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

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

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

demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

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

**Project Improvement Measure 2: Active Garage Parking Driveway Controls.** To reduce the potential for queuing of vehicles accessing the project site via South Van Ness Avenue and to reduce and/or eliminate any potential conflicts between vehicles entering and exiting the project driveway and conflicts between moving vehicles and other users of the roadway (e.g., cyclists, pedestrians in sidewalk areas), the project sponsor/property owner should install active parking management controls at the off-street parking garage driveway and within the off-street garage area.

Sensors should be installed at the gated parking garage ramp and at the driveway entrance/exit lane (at the intersection of South Van Ness Avenue) to notify of any inbound or outbound vehicles within the driveway and ramp area. Upon exiting the parking garage, vehicles traveling along the garage ramp and approaching the gate would then trigger a sensor that would activate an electronic sign or signal at the driveway entrance to notify any vehicles, pedestrians, or bicyclists of the exiting vehicle. Additionally, another sensor should be installed at the parking garage driveway entrance that would trigger an electronic sign or signal to notify any outbound vehicle at the parking garage ramp of the inbound vehicle and would be required to wait on the ramp at the gate and let the inbound vehicle enter the driveway and then drive down the ramp before then the exiting vehicle can proceed along the driveway lane and then onto South Van Ness Avenue.

The project sponsor/property owner should install additional traffic calming and safety treatments within the parking driveway area. Specific signage should be installed to notify drivers exiting the parking driveway to slow, stop, and yield to any pedestrians walking along the sidewalk on South Van Ness Avenue (e.g., "Caution: Pedestrian Crossings", "Watch for Pedestrians", "Exit Slowly", "STOP"). Diagonal mirrors should also be installed so that motorists exiting the parking garage and pedestrians on the sidewalk can see each other. The project sponsor/property owner should also install rumble strips or similar devices to maintain slow speeds for vehicles exiting the parking garage.

**Project Improvement Measure 3: Transportation Demand Management.** The project sponsor/property owner should implement the following measures to minimize the number of single occupancy vehicle (SOV) trips generated by the proposed project for the lifetime of the project.

#### **Identify TDM Coordinator**

The project sponsor should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMASF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM

Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.

### Transportation and Trip Planning Information

- *Move-in packet:* Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.
- *New-hire packet:* Provide a transportation insert in the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new-hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

### Data Collection

- *City Access.* As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-site activities should be coordinated through the TDM Coordinator. The project sponsor should assure future access to the site by City staff. Providing access to existing developments for data collection purposes is also encouraged.

### Bicycle Measures

- *Parking:* Increase the number of on-site secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).
- *Bay Area Bike Share:* The project sponsor should cooperate with the San Francisco Municipal Transportation Agency, San Francisco Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage.

### Car-Share Measures

- *Parking:* Provide optional car-share spaces as described in Planning Code Section 166(g).
- *Membership:* Offer one annual car share membership for each new resident (one per household) or employee. Recipient would be responsible for the remainder of the costs associated with the membership.

**Project Improvement Measure 4 – Coordination of Move-in/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations.** To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on South Van Ness Avenue or Mission Street (in the event that the on- and off-street loading spaces are occupied, or the truck size exceeds 35 feet in length), residential move-in and move-out activities and larger deliveries should be scheduled and coordinated through building management. For retail uses, appropriate delivery times should be scheduled and should be restricted to occur before 7:00 a.m., between the hours of 10:00 a.m. and 4:00 p.m., and after 8:00 p.m. No

deliveries should occur between 4:00 p.m. and 8:00 p.m. to avoid any conflicts with peak commute period traffic as well as pedestrians and bicyclists on adjacent streets and sidewalk areas.

The project sponsor should enforce strict truck size regulations for use of the off-street loading spaces in the proposed freight loading area. Truck lengths exceeding 35 feet should be prohibited from entering the parking garage and should use existing on-street loading spaces along Mission Street, adjacent to the project site. Appropriate signage should be located at the parking garage entrance to notify drivers of truck size regulations and notify drivers of the on-street loading spaces on Mission Street. The project sponsor should notify building management and related staff, and retail tenants of imposed truck size limits in the proposed freight loading area.

Building management staff should notify drivers of large trucks of proper loading procedures upon entering the off-street parking garage. Because trucks would be required to come to a complete stop on South Van Ness Avenue and then reverse into the parking garage to access the 35-foot-long off-street loading space, building management should require a person to safely guide the truck driver and assist in maneuvering the truck within the public right-of-way and into the parking garage (i.e., spotter). The truck driver and spotter would be responsible for placing traffic safety cones or related devices along the right-most traffic lane on South Van Ness Avenue to provide an adequate buffer or spacing between the truck and moving vehicles on the street to give other drivers proper notice of truck while it maneuvers into the parking garage. Additionally, building staff would be responsible for assuring that no other vehicles enter or exit the parking garage while trucks are reversing into the off-street loading space, and no other vehicles block the driveway lane or restrict access to the loading space.

Appropriate move-in/move-out and loading procedures should be enforced to avoid blocking any streets adjacent to the project site over an extended period of time and reduce potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Mission Street or South Van Ness Avenue. Curb parking for movers on Mission Street or South Van Ness Avenue should be reserved through SFMTA or by directly contacting the local 311 service. It is recommended that residential move-in/move-out activities be scheduled during weekday mid-day hours between 10:00 a.m. and 4:00 p.m. and/or on weekends to avoid any potential conflicts with peak commute period traffic and all users of adjacent roadways.

The project sponsor should coordinate with Recology and enforce strict garbage pick-up periods. Such pick-up times should be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 2:00 p.m., and no garbage pick-up activities should occur after 3:00 p.m. to avoid any conflicts with vehicle traffic and pedestrians on South Van Ness Avenue. Specific loading procedures (as described above) should also be enforced for Recology vehicles during garbage pick-up periods.

**Project Improvement Measure 5 – Construction Truck Deliveries During Off-Peak Periods.** The project sponsor and construction contractor(s) should meet with the Sustainable Streets Division of the SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruption, and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the project sponsor should coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known.

**Project Improvement Measure 6 – Construction Management Plan.** In addition to items required in the construction management plan, the project sponsor should include the following:

- ***Carpool and Transit Access for Construction Workers.*** The construction contractor should include methods to encourage carpooling and transit use to the project site by construction workers in the construction management plan contracts.
  - ***Project Construction Updates.*** The project sponsor should provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns.
-



SAN FRANCISCO  
PLANNING  
DEPARTMENT

# AFFIDAVIT FOR Compliance with the Inclusionary Affordable Housing Program

Date: **January 11, 2013**

**Planning Department**  
1650 Mission Street  
Suite 400  
San Francisco, CA  
94103-9425

T: 415.558.6378  
F: 415.558.6409

To: **Applicants subject to Planning Code Section 415: Inclusionary Affordable Housing Program**

From: **San Francisco Planning Department**

Re: **Compliance with the Inclusionary Affordable Housing Program**

All projects that involve ten or more new dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Section 415 of the Planning Code. Every project subject to Section 415 must pay an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% of the total number of units proposed (or the applicable percentage if subject to different area plan controls or requirements).

A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new on- or off-residential units rather than offer them as rental units. Second, the project may be eligible for an Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that 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 the necessary documentation to the Planning Department and the Mayor's Office of Housing. Additional material may be required to determine if a project is eligible to fulfill the Program's requirements through an alternative.

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.

1 California Civil Code Section 1954.50 et.al.

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

March 10, 2016

Date

I, Jessie Stuart, do hereby declare as follows:

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

1601 Mission Street

Address

3514/043

Block / Lot

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

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

2014.1121

Planning Case Number

Building Permit Number

This project requires the following approval:

- Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)
- This project is principally permitted.

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

Tina Chang

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) \_\_\_\_\_
- No

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

- This project is 100% affordable.

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

- Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).
- On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

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

- Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>2</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 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.

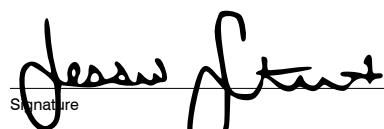
f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion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

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

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

1601 Mission Street

Location

  
Signature

Jessie Stuart, Development Director  
Name (Print), Title

415-370-1767

Contact Phone Number

March 10, 2016

Date

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

## Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
220	0	44	121	55	0

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

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

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

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

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

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

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

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

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

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

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

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

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

Area of Dwellings in Principal Project (in sq. feet) Off-Site Project Address

Area of Dwellings in Off-Site Project (in sq. feet)

Off-Site Block/Lot(s)	Motion No. (if applicable)	Number of Market-Rate Units in the Off-site Project

Affidavit for **Compliance with the Inclusionary Affordable Housing Program**

<b>CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT</b>	<b>CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)</b>
Company Name <b>Trumark Urban</b>	Company Name
Print Name of Contact Person <b>Jessie Stuart</b>	Print Name of Contact Person
Address <b>90 New Montgomery, Suite 750</b>	Address
City, State, Zip <b>San Francisco, CA 94150</b>	City, State, Zip
Phone, Fax <b>415-370-1767</b>	Phone, Fax
Email <b>jstuart@trumarkco.com</b>	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.	
 Signature	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.
Jessie Stuart, Development Director	
Name (Print), Title	



SAN FRANCISCO  
PLANNING  
DEPARTMENT

# AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

## Administrative Code

## Chapter 83

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

### Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
1601 Mission Street	San Francisco, CA 94103	3514 / 043	
BUILDING PERMIT APPLICATION NO.		CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)
		2014.1121	
PROJECT SPONSOR		MAIN CONTACT	PHONE
Trumark Urban		Jessie Stuart	415-370-1767
ADDRESS			
90 New Montgomery Suite 750			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94105		jstuart@trumarkco.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
220	6,756	120' / 12 floors	\$75,200,000
ANTICIPATED START DATE			
Fall 2016			

### Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none"><li>If you checked 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.</li><li>If you checked A or B, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.</li><li>For questions, please contact OEWD's CityBuild program at <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a> or (415) 701-4848. For more information about the First Source Hiring Program visit <a href="http://www.workforcedevelopmentsf.org">www.workforcedevelopmentsf.org</a></li><li>If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.</li></ul>	

*Continued...*

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

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

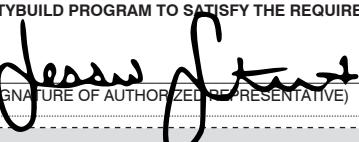
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	Union Wage	1	4	Laborer	Union Wage	4	12
Boilermaker		N/A		Operating Engineer		0	1
Bricklayer		N/A		Painter		3	8
Carpenter		4	14	Pile Driver		N/A	
Cement Mason		1	3	Plasterer		N/A	
Drywaller/ Latherer		4	12	Plumber and Pipefitter		4	10
Electrician		4	12	Roofer/Water proofer		3	8
Elevator Constructor		1	4	Sheet Metal Worker		3	8
Floor Coverer		3	8	Sprinkler Fitter		3	10
Glazier		3	8	Taper		3	8
Heat & Frost Insulator		1	4	Tile Layer/ Finisher		3	10
Ironworker		6	14	Other:			
		<b>TOTAL:</b>	<b>83</b>			<b>TOTAL:</b>	<b>75</b>

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>3. Will hiring and retention goals for apprentices be established? <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>4. What is the estimated number of local residents to be hired? <span style="float: right;">TBD working with contractor to determine</span></li> </ol> | <span style="font-size: small;">YES</span> <span style="font-size: small;">NO</span> |
|---|--|

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

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Jessie Stuart, Development Director	jstuart@trumarkco.com	415-370-1767
<b>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.</b>		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		<b>January 5, 2016</b> (DATE)

**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**

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.workforcedevelopments.org](http://www.workforcedevelopments.org) Email: [CityBuild@sfgov.org](mailto:CityBuild@sfgov.org)

March 9, 2016

Tina Chang  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE: 1601 Mission Street  
Trumark Urban's Community Outreach Summary

Dear Tina,

This letter provides a summary of Trumark Urban's community outreach efforts related to the proposed project at 1601 Mission Street in San Francisco ("Project"). Trumark Urban believes in learning from the communities where it seeks to locate its projects, and as a result, we have been on a 'listening tour', hearing from neighbors, neighborhood groups and other stakeholders about the concerns and needs of the neighborhood. The information we have gained from our listening tour has informed and shaped the project that is before you today.

Since we first began to work on the Project in 2014, we have met with and spoken to numerous neighbors, local businesses, community groups and interested parties about the Project. A summary of our outreach to date is provided below, and we continue to collect signatures and letters of support, which we will provide in a support package prior to the Planning Commission hearing.

We have worked in the closest collaboration with the adjacent building's Home Owners Association (HOA) located at 140 S. Van Ness. We listened closely to their comments and have made numerous changes to the project's design based on their insight. The final project that is before the Planning Commission reflects the neighborhood's vision and comments and we are thankful for their input. We believe the process has made for a better project with a superior design that fits the neighborhood and intent of the Market & Octavia Area Plan.

Elements of the building design and specific changes to the Project were a direct result of meeting with the community and local stakeholders that include:

- (1) Selection of a public art theme, courtyard character & activities, street landscaping and character, as well as the mid-block passage character, and street activation
- (2) Setting back the building from the property line and the wall along Mission Street adjacent to 140 S. Van Ness and slanting of the windows to allow more space between buildings and to provide additional light and air to all interior facing units
- (3) Reducing the number of windows and their location along the rear property line to increase privacy for all interior facing units
- (4) Designing the wall facing 140 S. Van Ness with the HOA to ensure a timeless look and feel

- (5) Including dog friendly landscaping in the streetscape
- (6) Maintaining a parking ratio requested by the neighborhood
- (7) Orientating active uses on the roof deck and courtyard away from the adjacent building and providing passive green uses to buffer activity and sound

As noted above, Trumark Urban has spent the past two years working with the community on this Project. Our outreach efforts have created unique lasting partnerships that help to further build upon Trumark Urban's mission to take great places and make them even better.

#### **1601 Mission Community Outreach Summary:**

##### 140 S. Van Ness Homeowners Association

- The Project team has presented to the 140 S. Van Ness HOA on several occasions. In addition, we have also met with residents individually to review the proposed project and listen to their specific comments and questions.
- **April 2, 2015** – The Project team presented a background and history on Trumark Urban, reviewed the estimated project timeline, and the project details. The initial project concepts were well received by the HOA. Our team took copious notes on the comments and questions and explained to the group that we were on the beginning of our 'listening tour'. We ensured residents that our team would be back for other meetings and available to meet with each of them at their request.
- **November 5, 2015** – Based on the comments in the April meeting we worked closely with our project Architect, Landscape Architect, and Public Art consultant to create an interactive meeting for the HOA. The neighbors were presented a series of concept and inspirational images for the public art theme, courtyard character & activities, street landscaping and character, mid-block passage character, and street activation during an interactive community HOA meeting. Each neighbor was provided post-it notes and red and green dots to vote and leave comments to show which images they preferred and those they did not. The neighbors provided valuable feedback on the design that helped the entire design team progress the project to include concepts the neighbors voted on.
- **February 18, 2016** – The Project team presented to HOA residents the updated design, landscaping, mid-block passage, and public art theme based on their votes during the November meeting. In addition, we reviewed the revised building set back, wall design, and project timeline. The residents responded favorably to the changes and we agreed to keep them up to date on the construction timeline as the project progressed.

- **Ongoing 2015 – 2016** – Trumark Urban has hosted numerous small group meetings with neighbors regarding the Project. Over the course of our formal large group HOA meetings, we have made ourselves available for these smaller group discussions. Over several breakout meetings with neighbors who had some of the most-clear opinions on building design, we were able to listen and adjust the building based on their feedback.
- The specific project changes summarized on page one are as a result of the HOA meetings and community feedback.

#### United Playaz

- United Playaz (UP) is a SOMA based violence prevention and youth leadership organization that works with San Francisco's hardest to reach youth through street outreach, case management, in-school services, recreational activities, and support to incarcerated youth. For the past 15 years, United Playaz has worked to improve the lives of young people who are surviving in vulnerable environments, having trouble in school, and some of whom have found themselves caught in the juvenile justice system.
- Trumark Urban has established a lasting partnership with United Playaz ever since we first began working with the neighborhood in 2012. Our partnership with United Playaz began at our May community meeting for 923 Folsom. At that meeting, Rudy Corpuz, the Executive Director of UP, asked what our contribution would be to the community - not just by building as a developer, but how we could help make a long term difference with the people who actually live in the neighborhood. Through many conversations with Rudy and his staff, we partnered with UP, and together created a new program called SOMA Pathways. This dynamic program aimed to educate and connect youth to potential local employment opportunities within real estate, development, and construction. (Please see attached the SOMA Pathways Executive Summary and SOMA Pathways 2016 Schedule)
- SOMA Pathways is a program that Trumark Urban takes great pride in. Our goal is to help inspire youth of potential career paths as well as help facilitate job placements within the industry. Trumark Urban has involved Mo' MAGIC into the 2015 & 2016 SOMA Pathways programs to include more of San Francisco's youth.
- Trumark kicked off the SOMA Pathways sessions in 2013 with a fundraiser to benefit United Playaz. The event raised \$20,000+ towards UP's youth summer programs. Trumark Urban also held a fundraiser in 2014 as part of our SOMA Pathways program. In 2015, Trumark Urban along with other valued partners helped us raise money to buy UP's building at 1038 Howard. In the face of escalating rents and increasing costs of living, United Playaz can now continue its mission to serve imperiled youth across San Francisco. This purchase was vital to United Playaz and their ability to stay in SOMA and continue the work in building pathways of success for our youth.

## City Crossroads Ministries

- City Crossroads works directly with residents in SOMA, where the City Crossroads center is located. They provide a range of after-school activities g, enrichment services, and a safe haven for multi-ethnic, low-income families. City Crossroads is a pillar in the community and for 30 years the organization has helped children and teens reach their full potential. City Crossroads and United Playaz work closely together to serve SOMA youth.
- Trumark Urban met with Heather Phillips, the Executive Director of City Crossroads, on multiple occasions to learn about the value they provide to the community. During one of our meetings at City Crossroads Heather mentioned they were in the process of planning a 'Rebuilding Together San Francisco' day. Rebuilding Together SF mobilizes teams of volunteers to revitalize neighborhoods by repairing homes and renovating nonprofit facilities and schools. By using and re-using available resources in our communities, repairs are provided free of charge to homeowners and communities. Trumark Urban was interested in becoming involved and we were delighted to step in and sponsor the day when a previous sponsor fell through. The City Crossroads Rebuilding Together SF day was held in April 2014. The day was an amazing tie to our SOMA Pathways program, where 6 of the participants from the program volunteered alongside Trumark Urban staff, IBEW Local 6 Electricians, Polaris Pacific staff, United Playaz staff, and various other volunteers associated with City Crossroads. The participants from SOMA Pathways were paired up with trades they were interested in pursuing for the day, which gave them hands on experience while giving back to the community.
- Our staff annually volunteers at the City Crossroad events supporting the neighborhood kids. We look forward to their annual Halloween, Thanksgiving, and Christmas gatherings as well as other events throughout the year.

## Mo' MAGIC

- Mo' MAGIC is a collaborative San Francisco neighborhood-based nonprofit organization whose mission is to transform the community and youth through the MAGIC of collaboration. Trumark Urban has worked closely with Mo' MAGIC since early 2013. Trumark Urban has proudly supported Mo' MAGIC's efforts to build transformative quality programs, develop informative and interactive community-centered events to demonstrate the magic of sharing resources, purpose and hope.
- Trumark Urban has attended and sponsored Mo MAGIC's annual summer learning kick-off event since 2013 to support local youth. Mo' MAGIC was able to secure Congressman John Lewis to speak to the local youth of San Francisco in March of 2015 about his involvement in the Civil Rights movement. Trumark Urban proudly sponsored the event by providing 300 graphic novels to local youth, which document the U.S. Civil Rights Movement, told through the perspective of a civil rights leader and U.S. Congressman

John Lewis. Mo' Magic has secured the Congressman to return in 2016 and Trumark Urban has committed to support the efforts

- Trumark Urban has included youth involved with Mo' MAGIC into our 2015 & 2016 SOMA Pathways program. Trumark Urban, in partnership with United Playaz, launched SOMA Pathways, a program aimed to educate and connect youth to potential local employment and education opportunities, within real estate, development and construction. Trumark Urban takes great pride in strengthening the SOMA Pathways program and is committed to bring the community closer together and help provide opportunities to local youth.
- Additionally, Trumark Urban is assisting as a program host and helping with curriculum development for our 2016 summer Community Safety Initiative program focusing on development and affordability in the City. The summer program is aimed to create a safe place for underserved youth to learn, live and dream.

#### San Francisco Unified School District's (SFUSD) Virtual Book Drive

- Bessie Carmichael is 1601 Mission Street's neighborhood elementary school, serving a diverse group of students from kindergarten to 5th grade. The San Francisco Unified School District (SFUSD) held a virtual book drive to provide books for students that give them access to literacy-rich environments and experiences needed to reach third-grade reading proficiency and meet the demands of SFUSD's Graduate Profile.
- Trumark Urban proudly donated \$1,000 to provide a classroom at Bessie Carmichael with 300 new books as part of the virtual book drive.

#### HealthRIGHT 360

- HealthRIGHT 360 is a family of integrated health programs that provides compassionate care and treatment to over 27,000 individuals a year through more than 55 distinct and culturally competent programs in 11 California counties. HealthRIGHT 360 is constructing a 'new Home for Health' located near 1601 Mission. Collaborating with HealthRIGHT 360, we have identified members of their programs to participate in our Summer 2016 SOMA Pathways sessions, which will be focused on work ready programs.

#### Individual Neighborhood Merchants

- Over the past few years, Trumark Urban has been regularly updating local merchants in the area about our proposed Project. We are in the process of obtaining letters of support from them to be provided as part of the overall project packet.

### Bicycle Workshop & Parking Consultant

- Because of the project's location near Market Street and adjacent to significant public transit, Trumark Urban has focused on designing a bicycle workshop, lounge and parking area that will maximize bike ownership and usage. We have collaborated with a bicycle workshop and parking consultant to review the proposed bicycle lobby layout and design to ensure we are following best practices to provide a bike friendly development that encourages increased bike ridership.

### Letters & Signatures Support Package

- We are in the process of collecting signatures and letters of support from our neighbors and local residents. A comprehensive support package will be provided prior to Planning Commission.

As the Project moves toward the April 7, 2015 Planning Commission Hearing, Trumark Urban will continue our community outreach efforts. We are currently in the process of scheduling meetings with other local community members as well as continuing to update existing stakeholders regarding the status of the Project. If you have any questions about the information provided or need any additional information regarding the benefits of the Project, please let us know.

Sincerely,



Jessie Stuart  
Development Director  
Trumark Urban  
[jstuart@trumarkco.com](mailto:jstuart@trumarkco.com)  
(415) 370-1767



March 18, 2016

Mr. Rodney Fong, President  
San Francisco Planning Commission  
1650 Mission Street, STE 400  
San Francisco, CA 94103

Re: 1601 Mission Street (Case No. 2014.1121) – April 7, 2016, Hearing on Downtown Project Authorization, Conditional Use Authorization and Variance

Dear President Fong and Commissioners,

I am writing on behalf of my client, Trumark Urban, the project sponsor for 1601 Mission Street (Case No. 2014.1121). On April 7, 2016, the Planning Commission will consider approving a Downtown Project Authorization and a Conditional Use Authorization<sup>1</sup> for the development of a 12-story, 273,418 gross square foot residential mixed use development at the corner of Mission Street and South Van Ness (“Project”).

The Project is consistent with the density and intensity allowed under the Planning Code and General Plan and implements the vision of the Market and Octavia Plan. Trumark Urban has been diligently working with Planning Department staff, neighbors, and community groups on the Project since 2014. They listened closely to the input and comments received, and based on that feedback made changes that they believe have resulted in a better Project. Some of those changes include expanding the mid-block alley, increasing the active ground floor uses, setting back the building from the adjacent residential use, incorporating art into the design, balancing parking and transit priorities and eliminating curb cuts to minimize conflicts between off-street parking/loading and the surrounding busy roadways and transit priority streets. **The result of these and other changes have resulted in a Project of exceptional design that complements the neighborhood and establishes a great benchmark for future development in the area.**

For all these reasons and as discussed in more detail below, **Trumark Urban respectfully requests that the Planning Commission grant the approvals requested.**

#### A. Property Background

1601 Mission Street is a 25,760 square foot triangular shaped lot at the intersection of Mission Street, South Van Ness Avenue and 12th Street (Assessor’s Block 3514, Lot 043). It includes over 440 feet of linear frontage and covers more than 1/3 of the block.

The Project site is located just south of Market Street and in the immediate vicinity of several significant large-scale developments (i.e., One Oak, 30 Van Ness, 10 South Van Ness, 1500 Mission, etc.). It is next to 140 South Van Ness, an 11-story mixed-use residential development and across

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<sup>1</sup>The Project is seeking a Conditional Use Authorization for parking above that permitted as right under the Planning Code (Planning Code section 151.1(f)). Variances from the Zoning Administrator are also requested.

Mission Street from the City Planning and Building Department offices. A self-storage and medical building is located across South Van Ness. The Project site is currently occupied by a car wash and gas station.

The Project site is located in the C-3-G (Downtown General) zoning, 120-R-2 Height and Bulk district, the Van Ness & Market Downtown Residential Special Use District (SUD) and the Market and Octavia Plan area.

## B. Project Description

The Project will include 220 dwelling units comprised of fifty-five (55) 2-2+bedroom/2 bath units, one hundred and twenty-one (121) 1-1+ bedroom/1 bath units and forty-four (44) studios. The Project includes ninety-seven (97) parking spaces, including two (2) car share spaces in a single below grade basement level accessed via a 20-foot drive aisle along South Van Ness Avenue. One hundred and thirty-one (131) Class 1 bicycle parking spaces are also provided in a ground floor bike lounge (84 spaces) and a basement bike parking area (60 spaces) located across from the elevators.

Because of the importance of South Van Ness Avenue and Mission Street as arterial roadways and transit priority streets, accommodating loading for the Project on-site was critical. Three (3) off-street loading spaces are proposed, including one (1) at the ground floor within the building envelope for larger trucks and two (2) in the basement for smaller trucks and vans.

At the ground floor, the Project includes 7,336 square feet of retail uses. The retail uses are broken up into five (5) spaces ranging in size from 580 square feet to 3,165 square feet. These retail spaces front along Mission Street, South Van Ness Avenue, 12<sup>th</sup> Street and the proposed mid-block alley. Each retail space is designed to provide ample street frontage and include a ceiling height of over 14 feet.

Access to the residential units are provided via a 508 square foot residential lobby accessed off the 25-foot wide mid-block passage that connects South Van Ness Avenue and Mission Street. A 889 square foot resident lounge and a 1,470 square foot bicycle lounge is also provided at the ground floor for residents.

The Project includes 15,853 square feet of private and common open space. This includes 6,804 square feet of private open space for 31 dwelling units in terraces or balconies and a 7,149 square foot roof top terrace, garden and fitness solarium. The remaining 1,900 square feet of open space is provided in a public mid-block alley at the ground floor.

Given the size of the block and the significant linear frontage of the project, **a 25-foot wide mid-block alley is proposed. The mid-block alley is greater than the 20-feet required by code to maximize the utility of the space and provide additional setbacks for future tables, chairs and street furniture.** The mid-block alley is part of the significant pedestrian improvements planned by the Project, which includes twenty-four (24) street trees, fourteen (14) Class 2 bike parking spaces, street furniture, special paving and the creation of a pedestrian “plaza” or outdoor area north of the Project site at the intersection of Mission Street, South Van Ness Avenue and 12<sup>th</sup> Street. Public art will also be incorporated into the Project.

Finally, the design of the Project is exceptional, creating a unique building shape and mass. Building on the Project site is challenging given its significant linear frontage, its shape and because from a design perspective, as one of the first new developments in the area, it needs to not only integrate with the existing neighborhood, but provide a signature design that will complement the future towers to be built around it. For your reference, an image showing the Project in context with proposed new developments in the area is attached.

The building design includes a series of push and pulls to break up the façade vertically while a series of horizontal bands and differing color pallets are incorporated to create visual interest across both planes. The building massing was designed around a concept of creating outer courts to allow most units to front directly on the street, which creates a different pattern of development than typically seen on large block lots (i.e., interior courtyards). Given the prominence of the corner, the front of the structure is glazed with bands of signature metal cladding and operable windows to ensure the structure reads as a residential use while also incorporating a strong element to “hold” the corner. Because of the proximity to the adjacent residential use, the entire structure is set back at the rear and angled to provide privacy and maximize light and air to the rear facing units and the existing units at 140 South Van Ness Avenue. The design of the building is well thought out and seeks to relate not only to the existing context but the future development that will be occurring under the Market and Octavia Plan area.

### C. Project Approvals

The Project is requesting a Downtown Project Authorization under Planning Code section 309, and, as part of that authorization, one (1) exception is being requested. A Conditional Use authorization under Planning Code section 151.1(f) is also being requested to exceed the principally permitted parking. Finally, the Project is seeking two (2) variances from the Planning Code requirements for the Exposure (section 140) and Active Commercial Use (section 145.4).

As discussed in more detail below, **the exceptions and variances requested are minor and warranted given the site conditions and exceptional design proposed.**

#### 1. Downtown Project Authorization

The Project is a 12-story, 273,418 gross square foot mixed-use residential development in the C-3 District. It is consistent with the size and intensity of development allowed under the Planning Code, and anticipated under the Market and Octavia Plan. The Project is seeking one (1) exception to ground level wind currents as part of its Downtown Project Authorization. The requested exception is minor, appropriate given the Project, and warranted.

##### a. *Ground Level Wind Currents*

In the C-3 District, buildings and additions must incorporate wind baffling measures, or be shaped to minimize potential wind impacts. Buildings or additions that create a wind hazard (i.e., wind speeds reaching or exceeding 26 miles per hour for a single hour of the year) are not permitted. Buildings or additions that create or contribute to wind comfort exceedances (i.e., wind speed reaching 11 miles per hour more than 10 percent of the time from 7:00 AM to 6:00 PM) either must incorporate measures to reduce wind speeds or seek an exception pursuant to Planning Code section 309.

In March 2016, a technical wind study was prepared by RWDI to evaluate the Project's impact on existing and future wind conditions.<sup>2</sup> Thirty-seven (37) test point locations were evaluated.<sup>3</sup> The analysis concluded the Project would not create or contribute to any hazardous wind conditions.<sup>4</sup> The Project would, however, contribute to existing wind comfort exceedances and create new wind comfort exceedances. As a result, an exception from Planning Code section 148 is required.

Currently, under existing conditions, wind comfort conditions are exceeded at 21 of the 35 test locations. The average speed for all measurement locations is 13 miles per hour and the wind speed range is two (2) to 35 miles per hour. Existing wind speeds exceed the 11 miles per hour wind comfort criteria seventeen percent (17%) of the time on average. Under the existing plus project conditions, wind comfort conditions are exceeded at 26 of the 37 test locations. The average speed for all measurement locations is 13 miles per hour, which is a zero percent (0%) or no increase over existing conditions. Wind speeds in the existing plus project conditions range from one (1) to 46 miles per hour. Existing plus project wind speeds would exceed the wind comfort criteria of 11 miles per hour one percent (1%) more of the time on average, or eighteen percent (18%) of the time on average.

While the Project increases the wind comfort exceedances, the wind speed increases are marginal. There is a no (i.e., 0%) increase over existing conditions for wind speed, and only a 1% increase in time over existing conditions.

The Project has been designed to minimize wind impact. It incorporates setbacks along all facades to capture and reduce wind speeds. Canopies have been added at the ground floor near the mid-block alley to minimize wind and create a vibrant new public outdoor space. **Further revisions or reconfigurations would not substantially impact wind conditions to eliminate all existing comfort exceedances, or prevent additional wind exceedances, without unduly restricting the site's development potential.**

For these reasons, **an exception from the comfort criterion is appropriate.**

## 2. Conditional Use Authorization

Under Planning Code section 155.1 the Project is permitted one (1) parking space per four (4) dwelling units (0.25 spaces per unit). Parking up to one (1) parking space per two (2) dwelling units (0.5 spaces per unit) is permitted with a Conditional Use authorization under Planning Code section

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<sup>2</sup> The technical wind study prepared by RWDI analyzed the potential cumulative wind impact of the Project and thirteen (13) additional development proposals, which had known and identified project designs at the time the wind analysis was prepared. Those developments include 30 Otis, 1500 Mission Street, 10 South Van Ness Avenue, 150 Market Street, 30 Van Ness Avenue, 1546-64 Market Street, 22 Franklin Street, 1699 Market Street, 1700 Market Street, 1740 Market Street, Market and Octavia, 1 Franklin Street and 1600 Market Street. Additional development is currently being proposed in the surrounding area and the Project's contribution to the cumulative wind conditions will be evaluated as part of those development proposals.

<sup>3</sup> In the existing setting only thirty-five (35) test point locations were studied. The Project includes a mid-block alley and two (2) additional test point locations were added to the analysis to test the wind conditions in the mid-block alley.

<sup>4</sup> In the cumulative setting, two (2) wind hazard conditions were identified along South Van Ness Avenue and one (1) at the intersection of Otis Street, 12<sup>th</sup> Street and South Van Ness Avenue. According to the technical expert, RWDI, the Project does not influence this condition due its location and distance from the Project site.

155.1(f). The Project is proposing 97 parking spaces, including two (2) car share spaces or a parking ratio of 0.43 spaces per unit. As a result, a Conditional Use authorization is required.

The amount of accessory parking proposed has been reduced by five percent (5%) from the original Project plans. Any further reduction is not warranted because of the neighborhood concerns regarding adequate parking and the need to accommodate all potential parking demand on-site given the surrounding major arterial roadways.

All off-street parking is contained below grade in mechanical stackers.<sup>5</sup> It is shielded from view and accessed via a single curb cut along South Van Ness Avenue at the southern property line.

The vehicular access to the Project site will be significantly improved over existing conditions. Currently, there are four (4) large curb cuts on the Project site including one along Mission Street a transit priority corridor. Eliminating three (3) of the curb cuts considerably reduces the potential conflict between pedestrian, bicycle, transit and traffic movement. It also ensures that any accessory parking entering and exiting the Project site will not impact pedestrian spaces or movement, transit service, bicycle movement, or overall traffic movement.

For all these reasons, **a Conditional Use authorization for 97 parking spaces is warranted.**

### 3. Variances

The Project requests two (2) variances from the strict quantitative standards of the Planning Code. The variances requested are minor and appropriate, and are in harmony with the general purpose and intent of the Planning Code. Granting the variances requested allows construction of two hundred and twenty (220) much needed dwelling units on an underutilized in-fill property near regional transit creating “smart-growth” in an area designated by the City for additional residential development.

#### a. *Exposure*

Planning Code section 140 requires that each unit have one room that faces either a public street measuring at least 25 feet in width, a code complying rear yard, or an interior court that measures 25 feet in every horizontal dimension increasing by five feet at each successive level above the second floor. The Project is requesting a variance from this requirement for the rear facing units that look onto a courtyard that does not meet the strict dimensional requirements of the Planning Code regarding an interior courtyard.

**Over 82% of the units in the Project overlook Mission Street, South Van Ness Avenue or 12<sup>th</sup> Street.** There are only five (5) units per floor that overlook the interior courtyard and only 40 of those dwelling units do not meet the exposure requirements of the Planning Code. To ensure those units are provided adequate light and air, the courtyard was designed to include a direct connection with South Van Ness Avenue and the entire building in this location is set back from the property line and the adjacent building. The distance between the building and 140 South Van Ness is 30 to 58 feet. Units fronting onto this area overlook not only the 1,450 square foot interior courtyard,

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<sup>5</sup> The three (3) accessible parking spaces are not located in mechanical stackers.

but also the adjacent rear yard. The units are also angled to capture and maximize the light as well as provide additional privacy to all units.

Because of the irregular triangular nature of the lot, it is not feasible to create an interior courtyard with the required stepping and also maximize the number of dwelling units to accommodate the density and intensity of development anticipated under the Market and Octavia Area Plan and the Van Ness and Market Downtown Residential Special Use District. Requiring stepping would cause a significant loss of units and a change to the overall design. As currently proposed, the design maximizes light and air to these rear facing units and provides an ample setback from the adjacent building to maximize privacy.

For all these reasons, **a Variance to the exposure requirements is warranted.**

*b. Active Commercial Uses*

Planning Code section 145.4 requires active commercial uses along all of South Van Ness Avenue for the entirety of the Van Ness and Market Downtown Residential Special Use District. The Project includes 23 feet of linear frontage along South Van Ness Avenue that is dedicated to a bike lounge, repair and storage area for residents. As this type of use does not meet the definition of active commercial use, a variance from this requirement is requested.

The Project site includes over 440 linear feet of frontage with over 340 of it dedicated to active uses. In fact, **over 85% of the total Project frontages is active with only 15% dedicated to off-street parking and loading access, egress and electrical transformers and a bike lounge, repair and storage space.**

The Project includes over 7,336 square feet of active commercial use. This is a significant increase in commercial use for the neighborhood and community. While the bike lounge is not an active *commercial* use, it will be actively used by building residents to repair and store bicycles. As a “bike lounge” it includes not only bike storage but tools, stands and equipment to repair, improve and showcase tenant’s bicycles creating visual interest along the street. In locating the bike lounge at grade, in an area visible to the street and accessed via the mid-block alley, it encourages residents to use and maintain their bicycles by providing a visual reminder of the amenity being provided. The “bike lounge” will also provide a few seating areas for residents to gather or use their laptops and activate throughout the day.

Requiring active commercial use along South Van Ness Avenue in this location would create a practical difficulty for the Project. It would require a redesign of the ground floor and reduction in the overall development potential. It also is not needed as the Project already includes significant retail and active commercial uses along the ground floor.

For all these reasons, **a variance from the active commercial uses requirement for frontage along South Van Ness is warranted.**

## D. Project Benefits<sup>6</sup>

The Project includes significant neighborhood and citywide benefits as well as providing exceptional design. Glenn Rescalvo of Handel Architects designed the Project, creating a building that fits contextually within the existing and future development patterns in this burgeoning area of the City. The design is distinctive and will transform the underutilized infill site into a contemporary, sophisticated residential building. In addition to the exceptional design, the Project Benefits include:

- **Reduction in Blight:** The Project will replace a car wash and service station along a transit priority corridor, near regional transit centers with 220 high quality residential dwelling units.
- **Street Activation:** The Project will add 7,336 square feet of new retail space along Mission Street, South Van Ness Avenue and 12<sup>th</sup> Street. The size of these spaces range from 580 square feet to over 3,100 square feet, accommodating a range of potential retail tenants.
- **Mid-Block Alley:** The Project includes a 25-foot wide mid-block alley connecting Mission Street to South Van Ness Avenue. The mid-block alley is five (5) feet wider than required by code to allow room for pedestrian activation and ensure a vibrant new walkable alley in this changing neighborhood.
- **Green Development:** The Project will be a “green” development committed to reducing energy and water demand associated with new construction. The building will be GreenPoint Rated.
- **Infill Residential Development:** In developing the Project Site with residential uses, the Project provides much needed residential units in an ideal location for infill development.
- **Job Creation:** The Project **will create over 300 union construction jobs over a 24 month period** as well as aim to provide an apprentice, from the SoMa Pathways Program,<sup>7</sup> an opportunity to work on the construction site.
- **Inclusionary Housing Commitment:** The Project will pay over \$12.2 million in estimated inclusionary housing impact fees.
- **Public Art:** The Project will work with Gallery Wendi Norris to commission a signature piece of art for the Project.
- **Impact Fees:** The Project is estimated to pay over \$7.4 million in impact fees including over \$2.8 million in Market & Octavia Community Infrastructure Impact Fee and over \$2 million in the Market & Octavia Inclusionary Affordable Housing Fee.

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<sup>6</sup> A separate letter from Trumark Urban has been submitted outlining their community outreach efforts to date.

<sup>7</sup>SoMa Pathways is a partnership between Trumark Urban and United Playaz that aims to educate and connect youth to potential local employment and education opportunities within real estate, development and construction.



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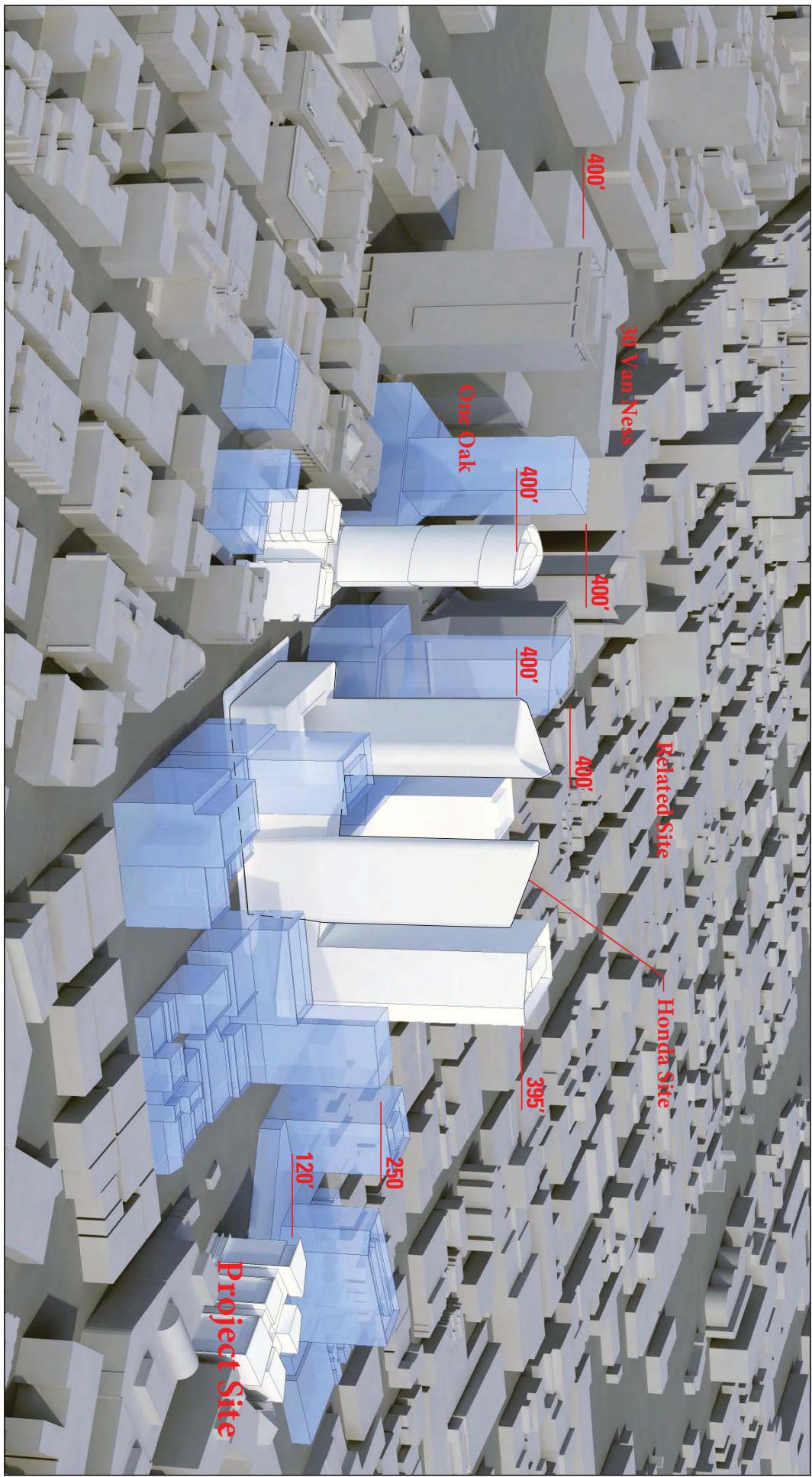
In sum, the Project before you is an excellent example of green, infill development, adding two hundred and twenty (220) new dwelling units to the City's housing stock in an area with significant transit and identified for major growth in the near future. The Project creates a residential use that is compatible with the surrounding neighborhood and proposes a design that integrates with the neighborhood and community.

This is an exceptional Project, in an exceptional location, and one that we respectfully request you support and approve.

Very truly yours,

A handwritten signature in blue ink that reads "A.M. Pelosi".

Alexis M. Pelosi



**1601**  
**Mission Street**  
San Francisco, California





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## Neighborhood History and Character

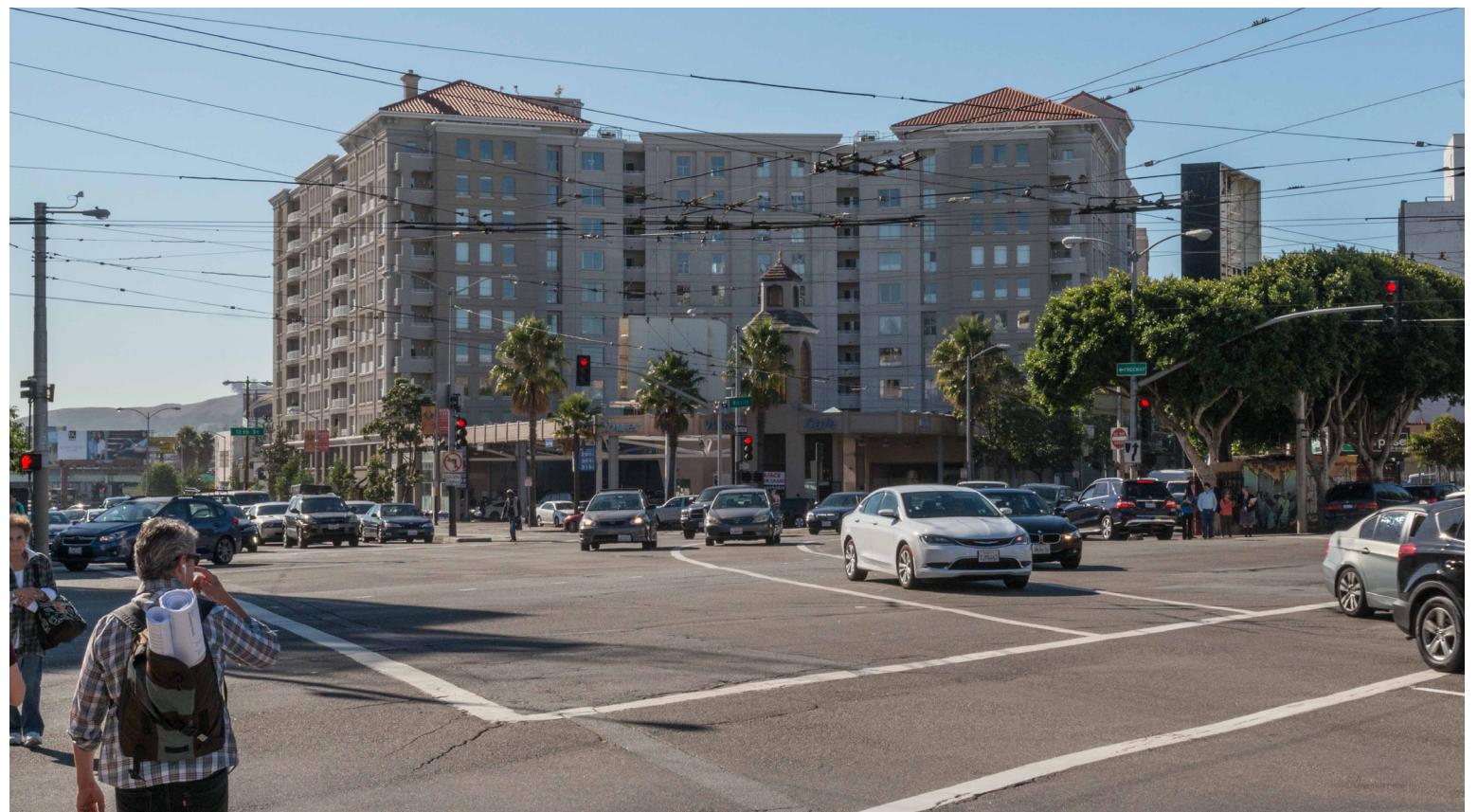
1601 Mission Street stands at the intersection of many of the City's most diverse neighborhoods – Hayes Valley, Civic Center, The Mission, and SOMA. It occupies the corner of South Van Ness Avenue and Mission Street, forming the center of an evolving neighborhood. With this location, the project is highly connected to the City's major thoroughfares and transit lines.

In the early 20th Century, Van Ness Avenue was extended south of Market Street and allowed for the creation of the project's unique triangular shaped site. With its proximity to major cultural institutions like the War Memorial & Performing Arts Center, SF Jazz, and the San Francisco Ballet, the project's transit oriented nature will enhance and support the neighborhood.

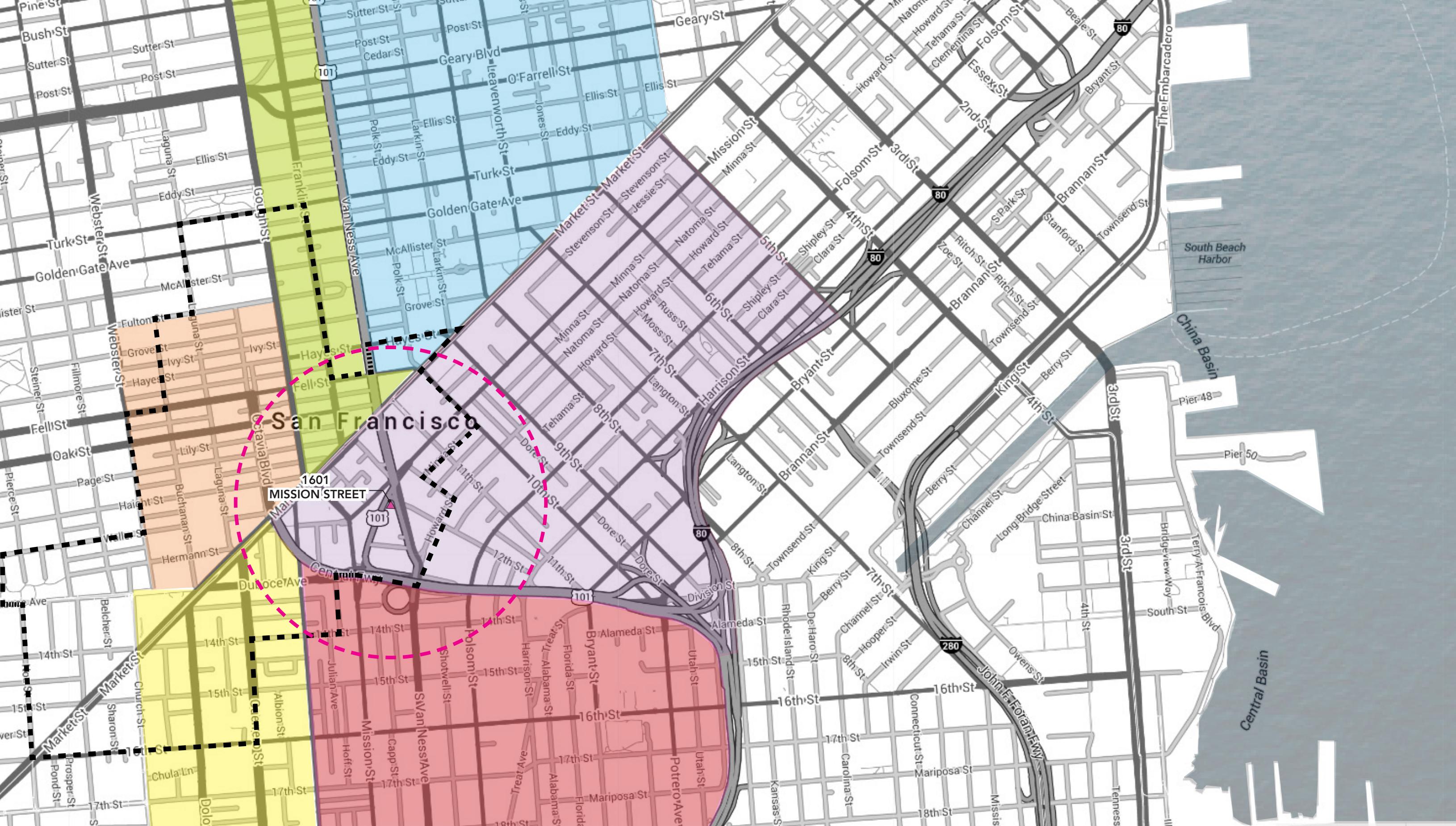
1601 Mission Street is a dynamic residential development that replaces a former car wash and gas station with activated urban living spaces. Taking advantage of its prominent corner location, the project takes on a traditional "flat iron" shape but offers spatial relief and massing moves that breakdown the scale more appropriate to a residential neighborhood. The distinctive undulations of the façade are articulated with aluminum panels and full height glass that allow access to light and air at each residence. Various ground floor retail spaces offer a sense of vibrancy and identity to the neighborhood. The project's mid-block passage offers a truly unique urban experience. The passage is activated by retail, decorative lighting, water features, and mirrored ceiling conditions that create a photographable and distinct feature for the project. The rooftop has a common planted terrace, water features, outdoor movie walls, and community gardens that help create a sense of place for the residents.

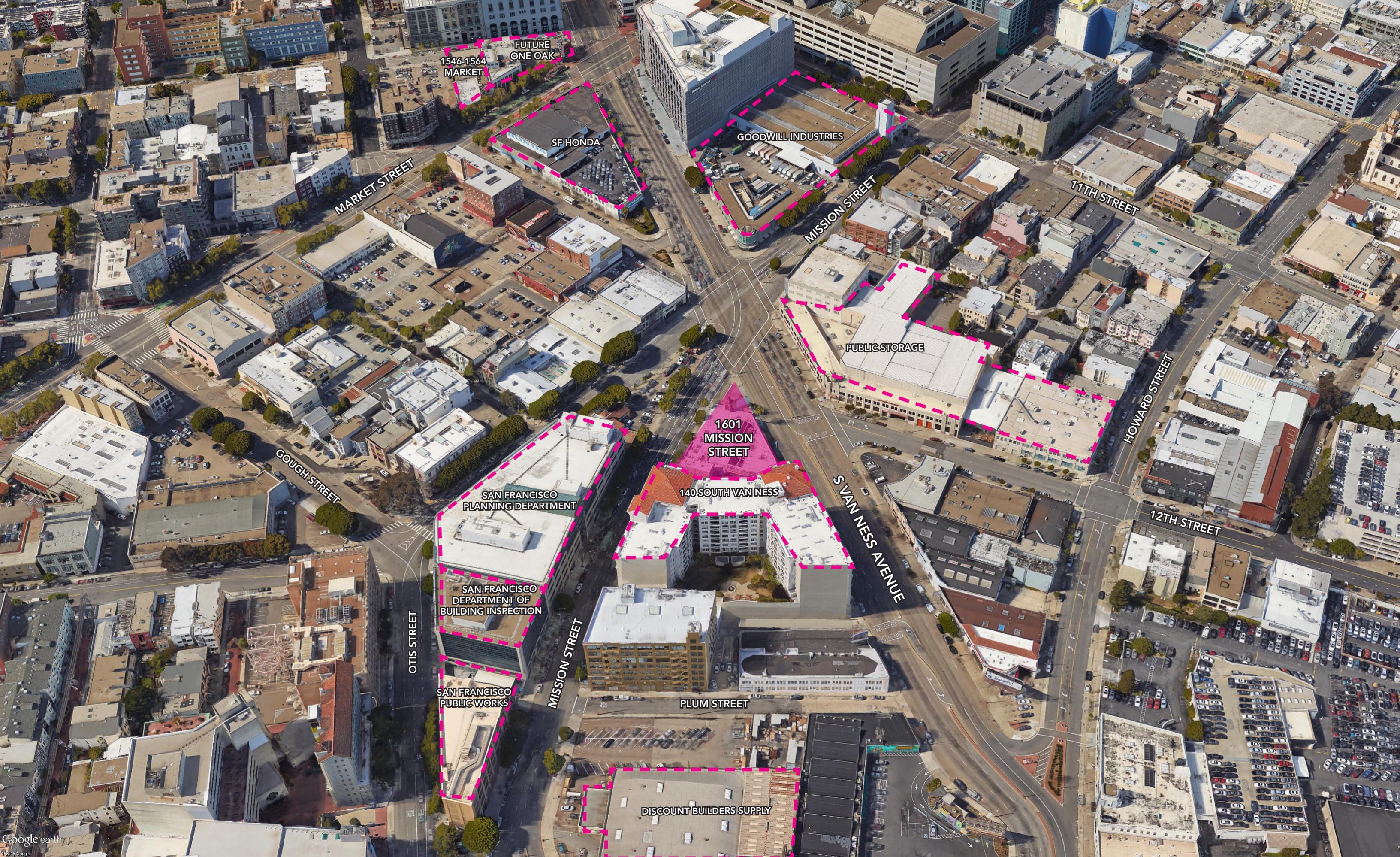


Aerial View from Mission Street, Present Day



Corner of Mission Street and South Van Ness Avenue, Present Day



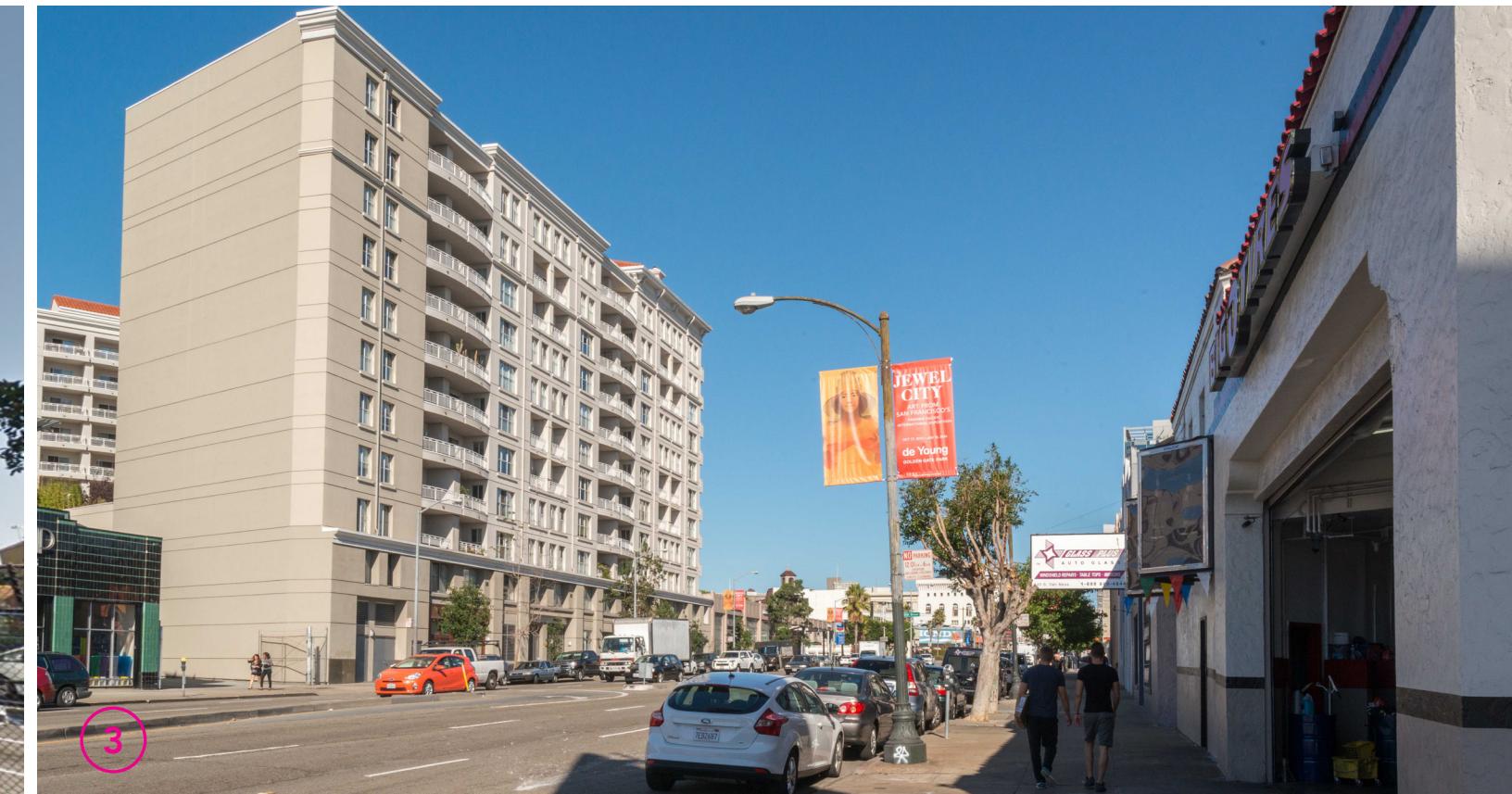




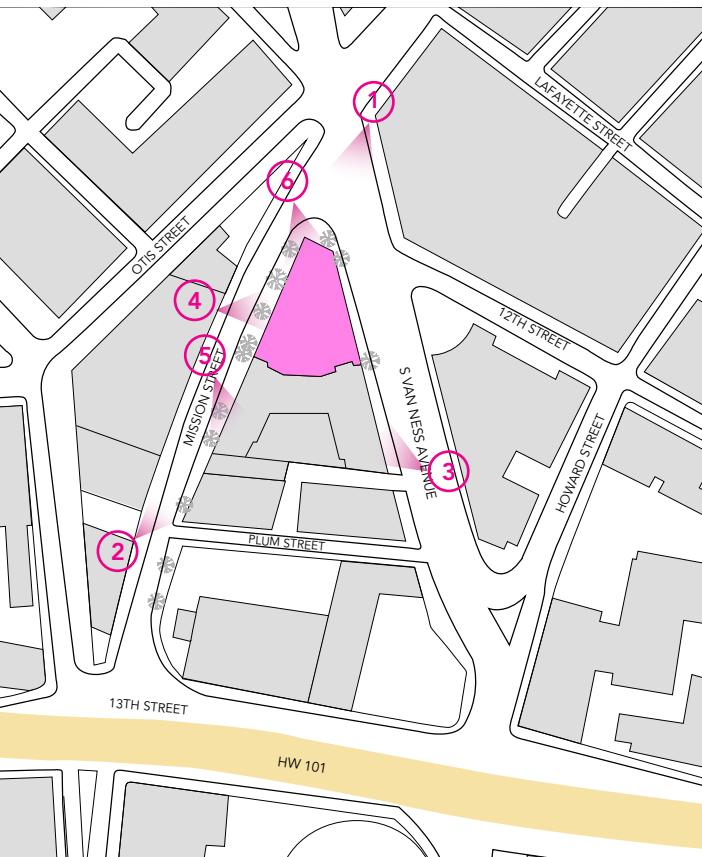
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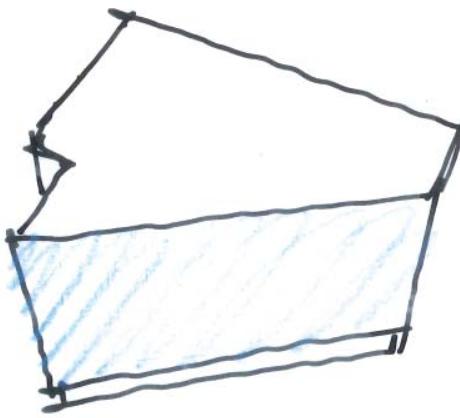


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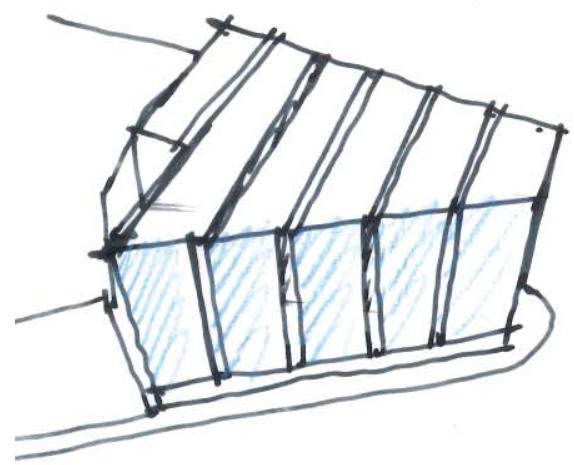


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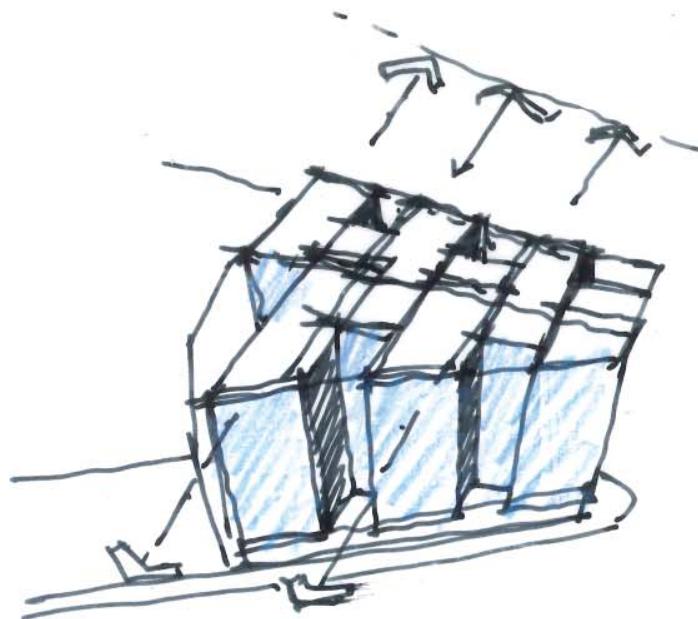




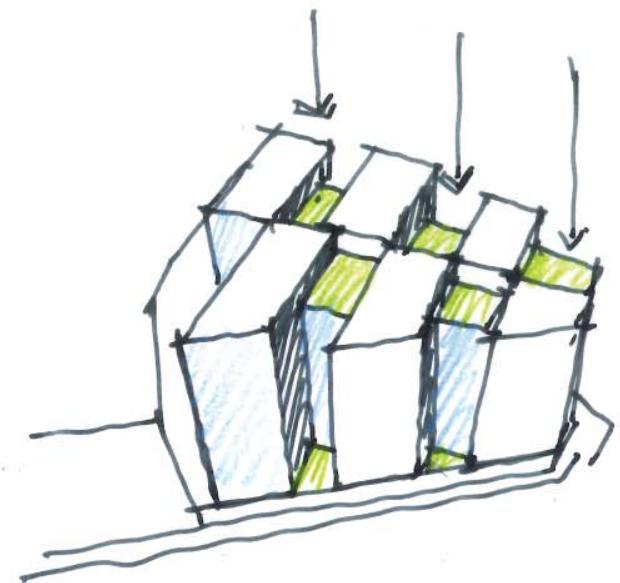
**Perimeter Block**



**Urban Grain**



**Horizon Shift - Outer Court**



**Vertical Shift - Undulation Roof**





HIGH ROOF  
 136' - 0"  
 ROOF DECK  
 120' - 0"  
 LEVEL 12 TOS  
 108' - 4"  
 LEVEL 11 TOS  
 98' - 11"  
 LEVEL 10 TOS  
 89' - 6"  
 LEVEL 9 TOS  
 80' - 1"  
 LEVEL 8 TOS  
 70' - 8"  
 LEVEL 7 TOS  
 61' - 3"  
 LEVEL 6 TOS  
 51' - 10"  
 LEVEL 5 TOS  
 42' - 5"  
 LEVEL 4 TOS  
 33' - 0"  
 LEVEL 3 TOS  
 23' - 7"  
 LEVEL 2 TOS  
 14' - 2"  
 LEVEL 1 FF  
 0' - 2"  
 PROJECT DATUM  
 0' - 0"  
 (EL: +36.42')



Street Frontage - Approximately 83% Glazed









16 View Through Mid Block Passage







## COMMON AND PRIVATE OPEN SPACE TABULATIONS

### COMMON OPEN SPACE REQUIRED

TOTAL RES. UNITS IN PROJECT	UNITS WITH PRIVATE USABLE OPEN SPACE	UNITS W/O PRIVATE USABLE OPEN SPACE	SF OF PRIVATE OPEN SPACE REQD. PER UNIT	SF OF PRIVATE OPEN SPACE REQUIRED	RATIO OF COMMON USABLE OPEN SPACE THAT MAY BE SUB. FOR PRIVATE	REQD. SF OF COMMON USABLE OPEN SPACE
220	31	189	36 SF	6804 SF	1.33	9,049 SF

### COMMON USEABLE OPEN SPACE PROVIDED

ROOF 13	7,149 SF MIN
LEVEL 2	0
LEVEL 1	1,900 SF

**9,049 SF MIN**

## UNIT MATRIX

	STUDIO	1BR 1BA	1BR+ 1BA	2BR 2BA	2BR+ 2BA	TOTAL
LEVEL 12	4	6	5	4	1	20
LEVEL 11	4	6	5	4	1	20
LEVEL 10	4	6	5	4	1	20
LEVEL 9	4	6	5	4	1	20
LEVEL 8	4	6	5	4	1	20
LEVEL 7	4	6	5	4	1	20
LEVEL 6	4	6	5	4	1	20
LEVEL 5	4	6	5	4	1	20
LEVEL 4	4	6	5	4	1	20
LEVEL 3	4	6	5	4	1	20
LEVEL 2	4	6	5	4	1	20
						0

44 UNITS  
20%  
66 UNITS  
30%  
55 UNITS  
25%  
44 UNITS  
20%  
11 UNITS  
5%  
**220 UNITS**

## PARKING

	STACKER	HC	HC VAN
LEVEL B1	95	1	1
TOTAL SPACES 97			

## BIKE PARKING

	REQUIRED	PROVIDED
CLASS 1	131	144
CLASS 2	14	14

## GSF (PER SEC 102.9)

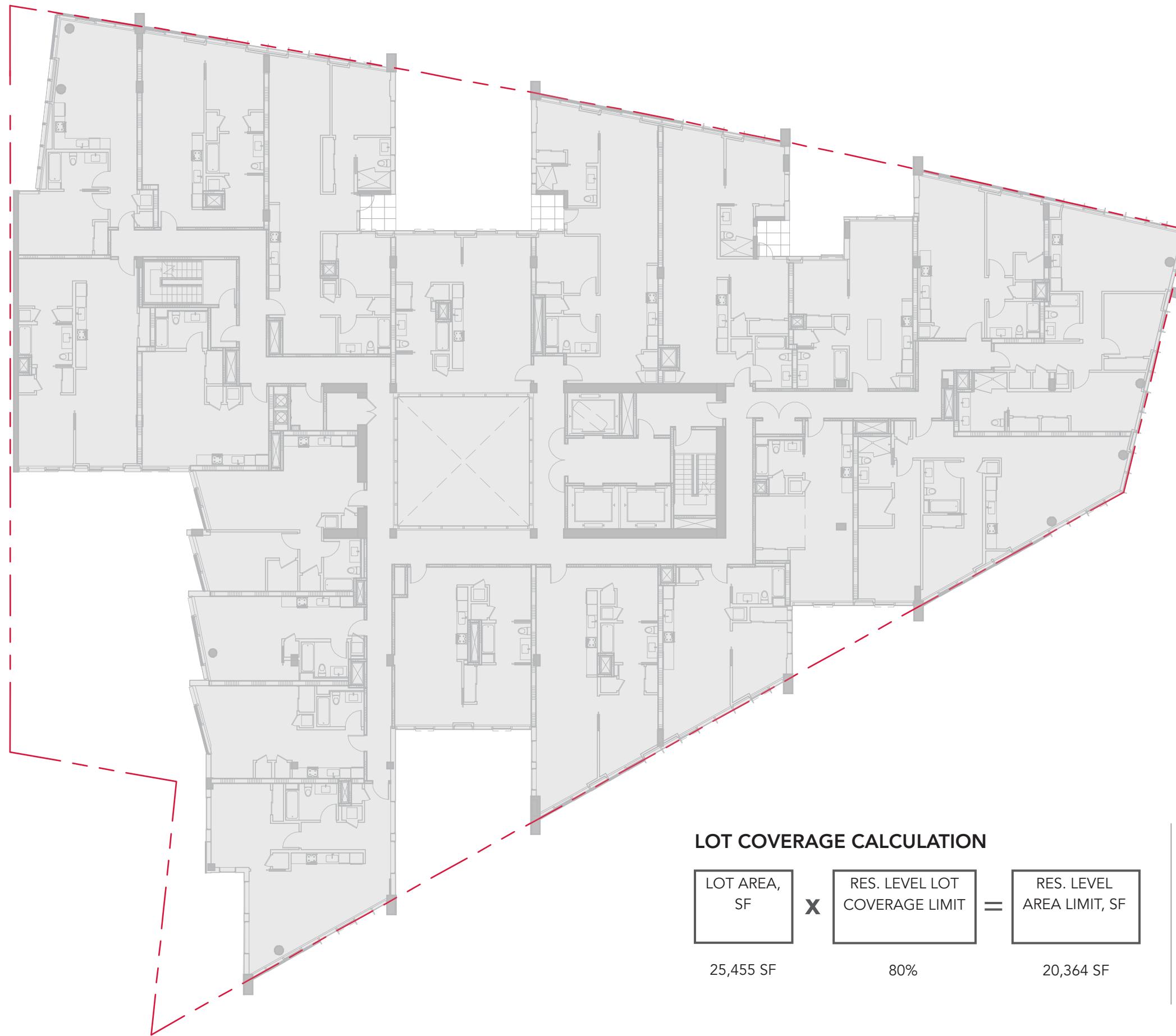
	RESIDENTIAL		RES. SUBTOTAL	RETAIL	TOTAL GROSS BUILDABLE AREA
	UNITS, NET	COMMON (elev lobby, corridor, stairs)			
MECH 14	0	0	0	0	100
ROOF 13	0	3,383	3,383	0	4,204
LEVEL 12	16,653	3,695	20,348	0	20,348
LEVEL 11	16,653	3,695	20,348	0	20,348
LEVEL 10	16,653	3,695	20,348	0	20,348
LEVEL 9	16,653	3,695	20,348	0	20,348
LEVEL 8	16,653	3,695	20,348	0	20,348
LEVEL 7	16,653	3,695	20,348	0	20,348
LEVEL 6	16,653	3,695	20,348	0	20,348
LEVEL 5	16,653	3,695	20,348	0	20,348
LEVEL 4	16,653	3,695	20,348	0	20,348
LEVEL 3	16,653	3,695	20,348	0	20,348
LEVEL 2	16,182	3,535	19,717	0	19,717
LEVEL 1	0	7,076	7,076	7,336	20,803
LEVEL B1	0	0	0	0	25,114
	182,712 SF	50,944 SF	233,656 SF	7,336 SF	<b>273,418 SF</b>

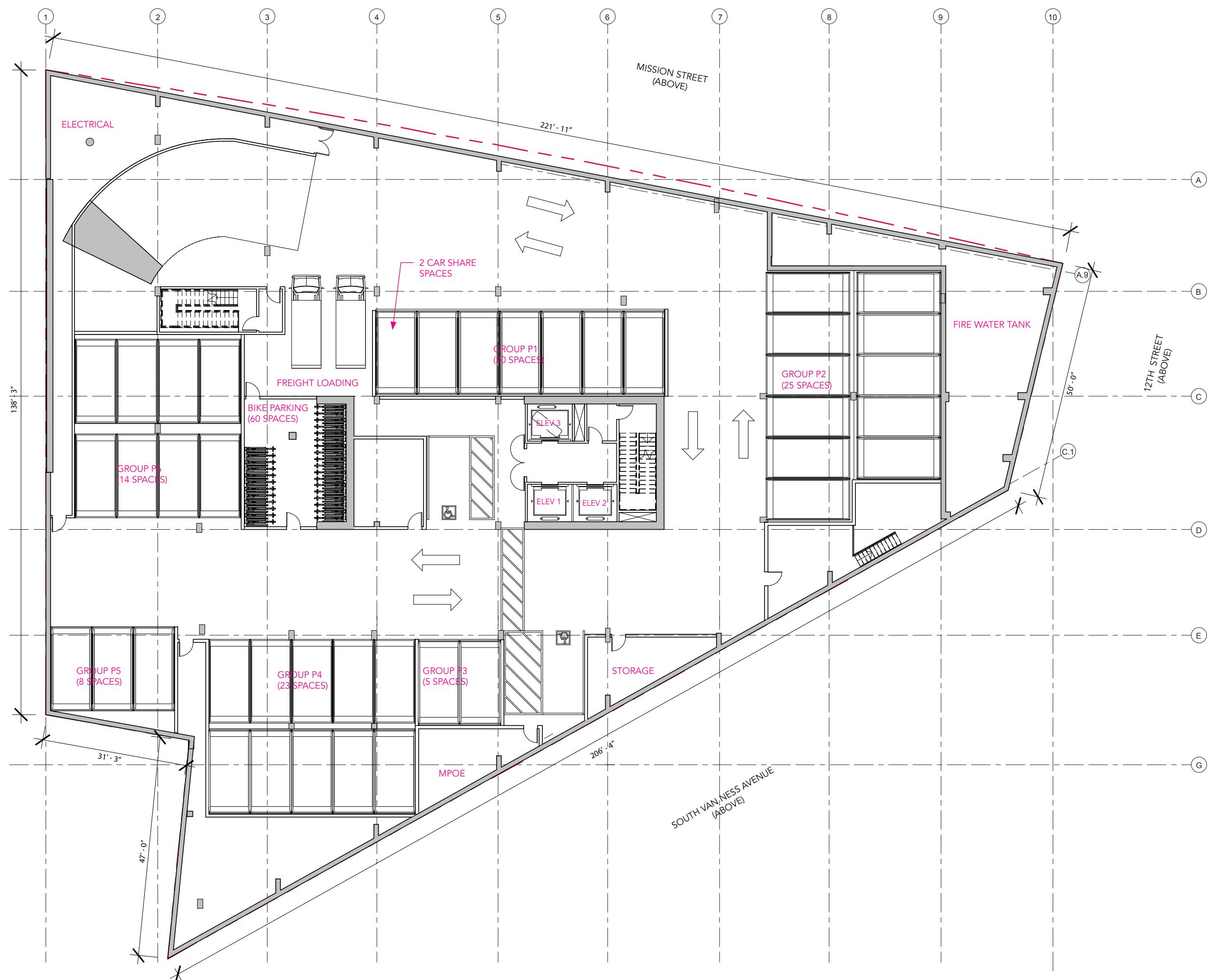
	EXEMPTED GSF			
	PARKING	RETAIL	MECH & UTILITY	EXEMPTED SUBTOTAL
	0	0	100	100
	0	0	821	821
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	0	0	531	531
	4,807	7,336	6,460	18,603
	17,940	0	4,564	22,504
	22,747 SF	7,336 SF	17,786 SF	47,869 SF

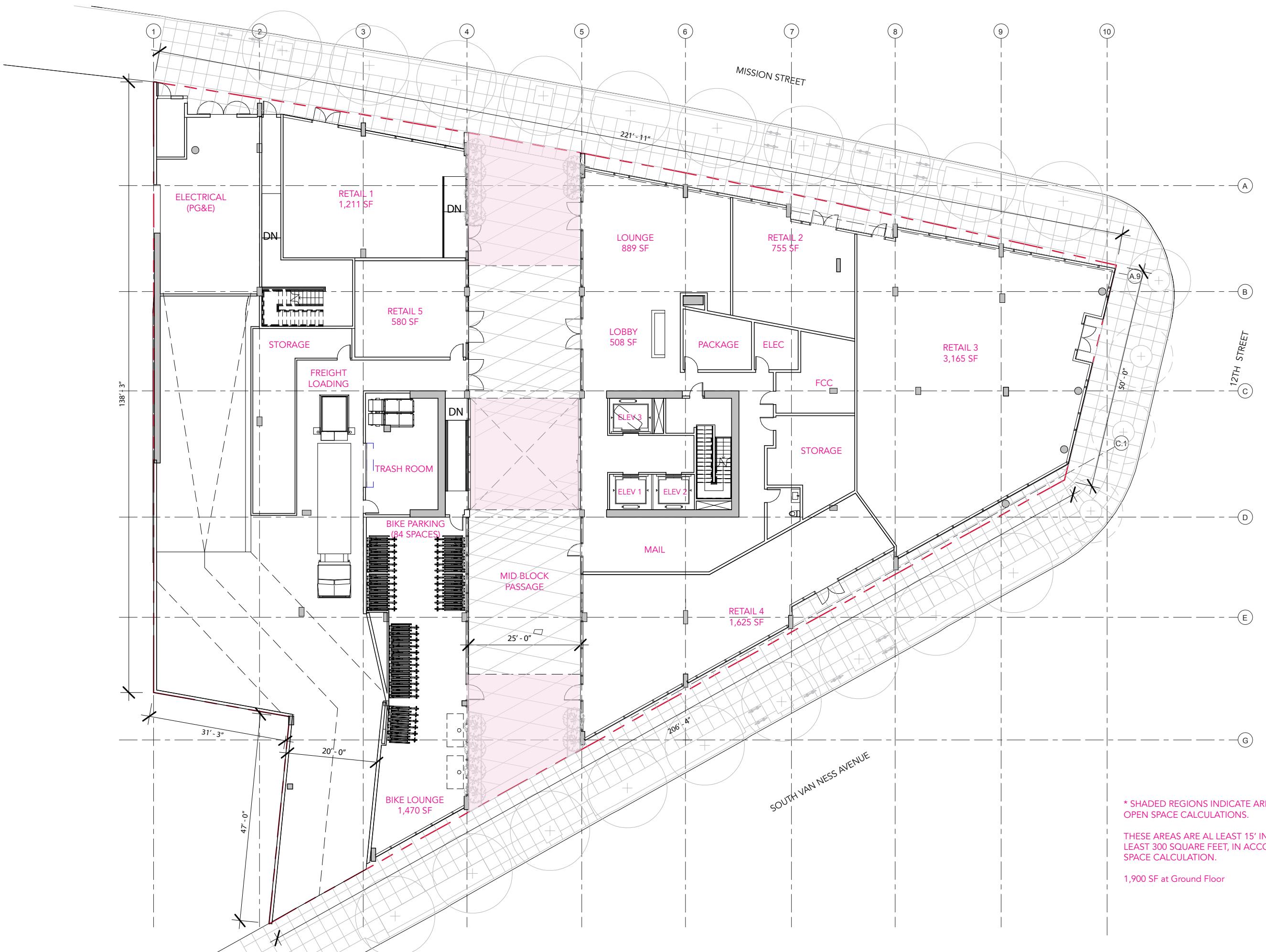
	FLOOR AREA, GROSS
	0
	3,383
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,817
	19,186
	2,200
	2,610

**225,549 SF**

225,549 GROSS FLOOR AREA / 25,455 SITE AREA = **8.86 FLOOR AREA RATIO**



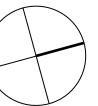




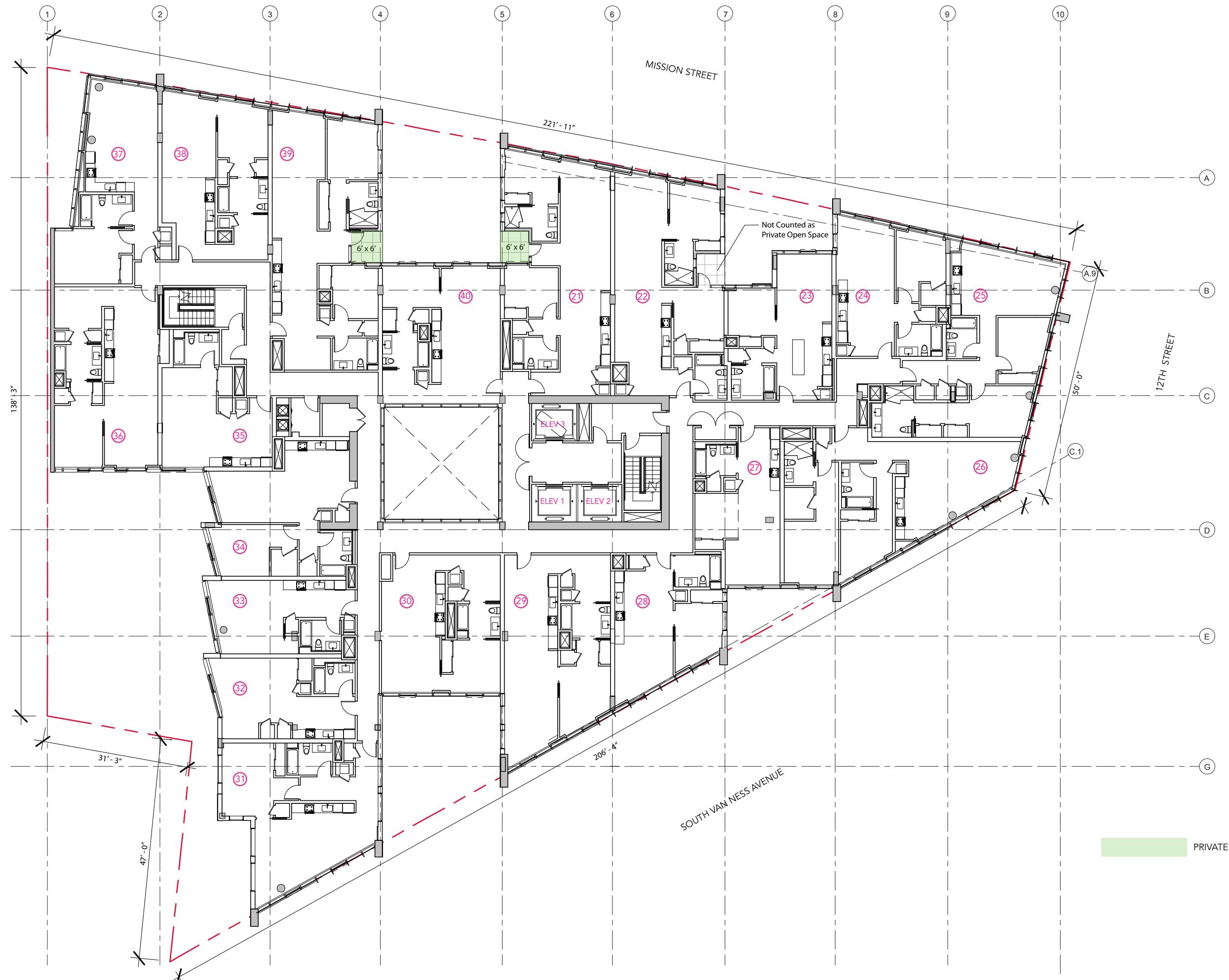
\* SHADED REGIONS INDICATE AREAS THAT ARE COUNTED IN COMMON OPEN SPACE CALCULATIONS.

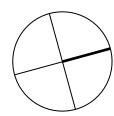
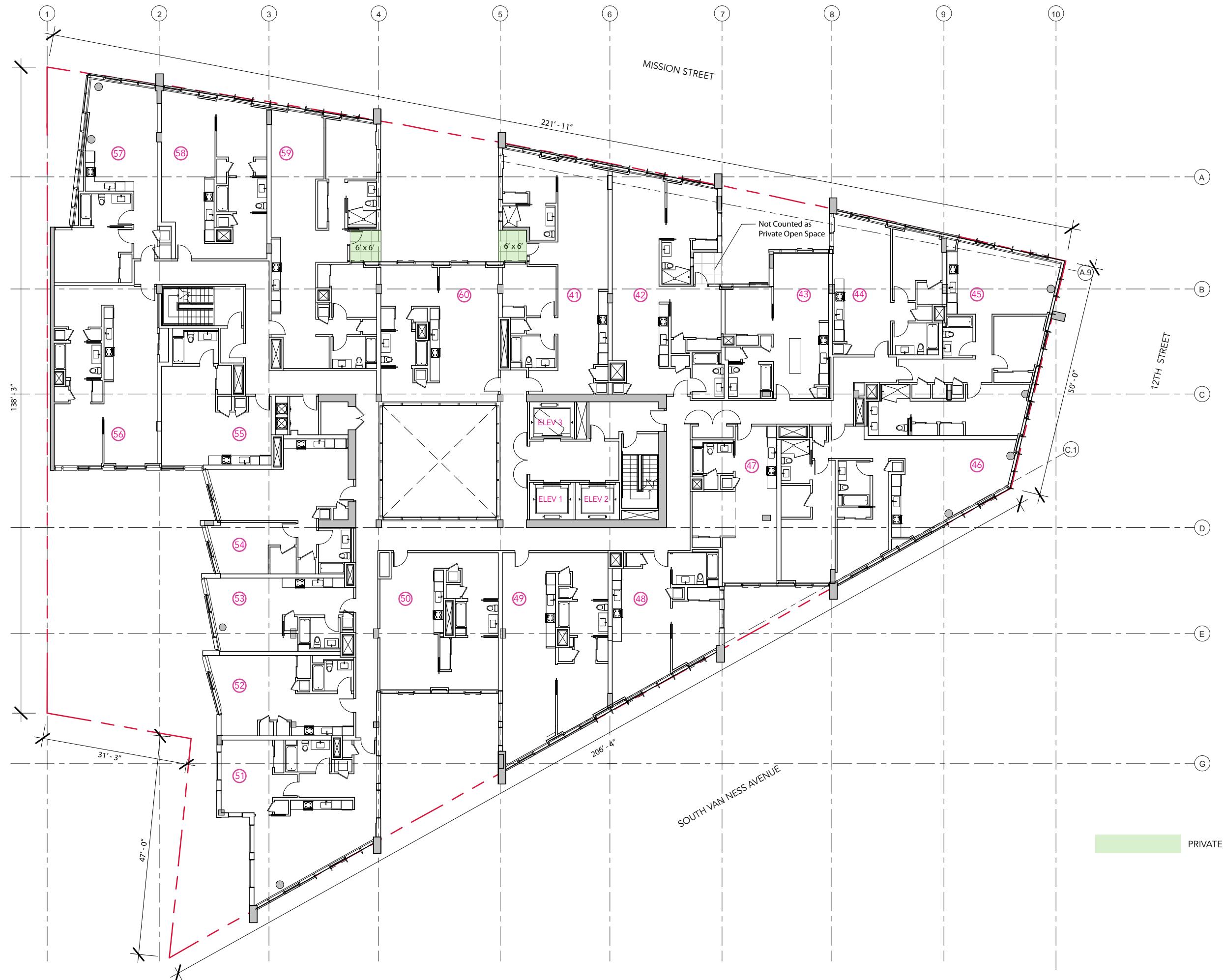
THESE AREAS ARE AT LEAST 15' IN EACH DIRECTION AND MEASURE AT LEAST 300 SQUARE FEET, IN ACCORDANCE WITH SECTION 135 OPEN SPACE CALCULATION.

1,900 SF at Ground Floor

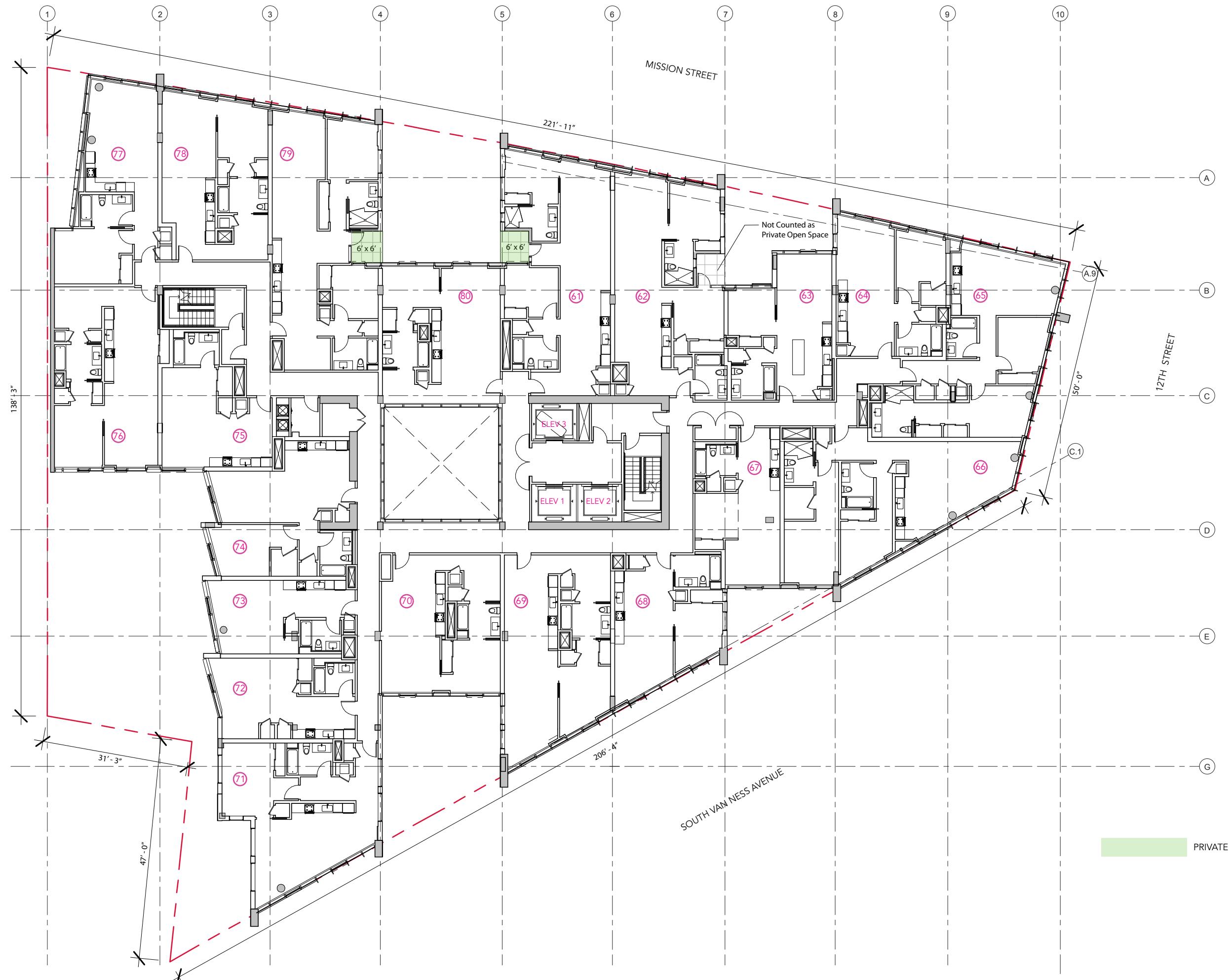


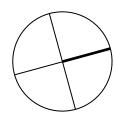
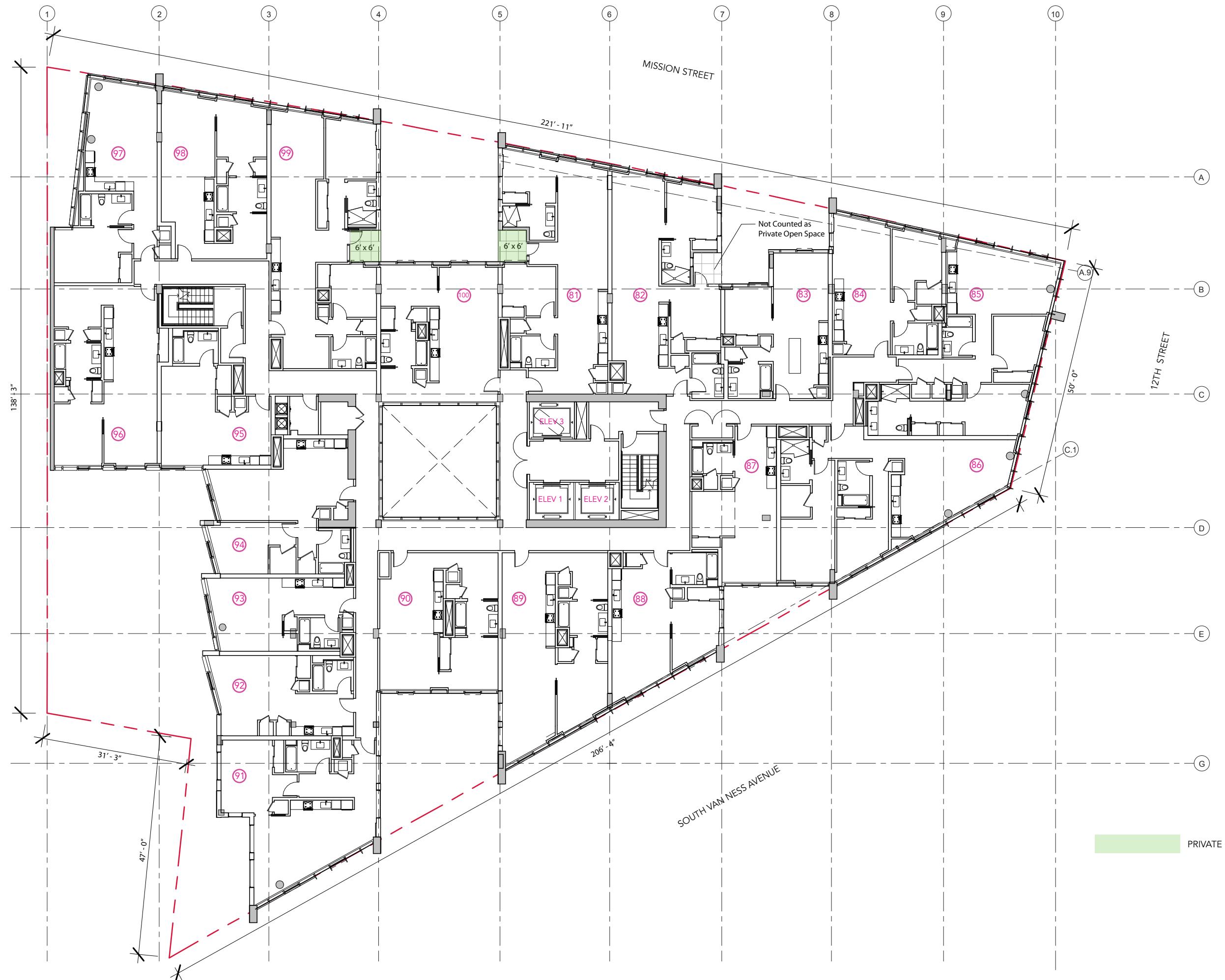




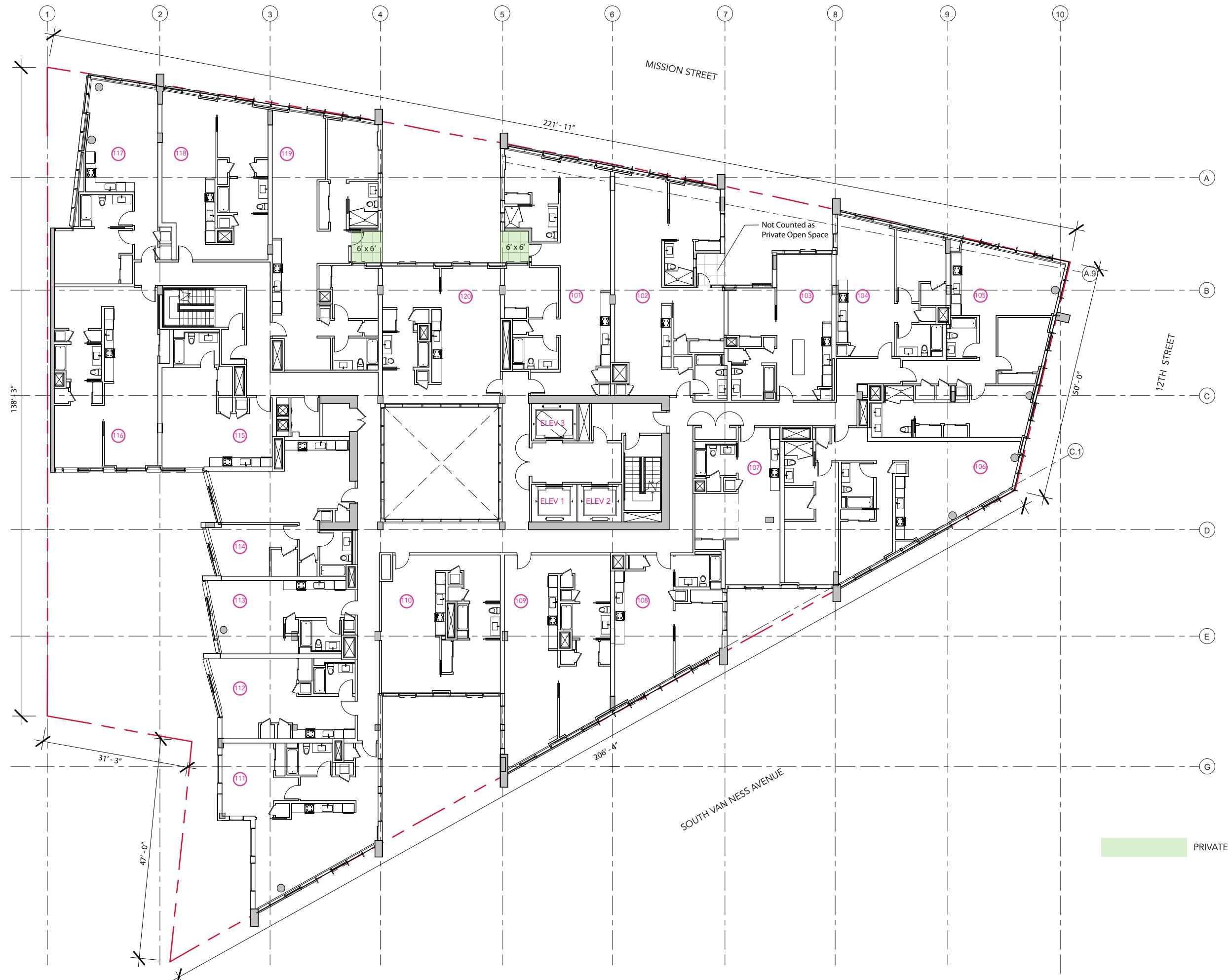


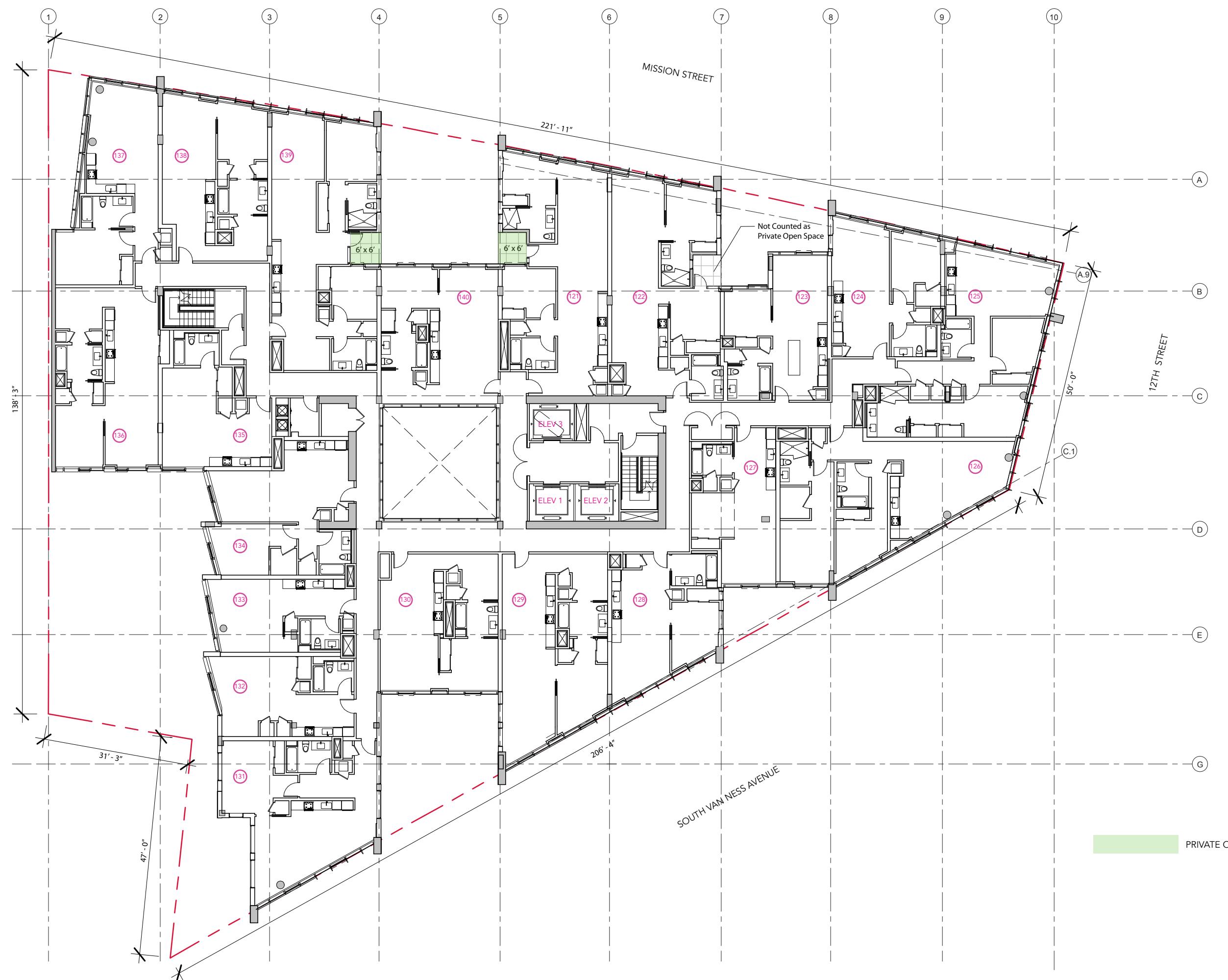
PRIVATE OPEN SPACE

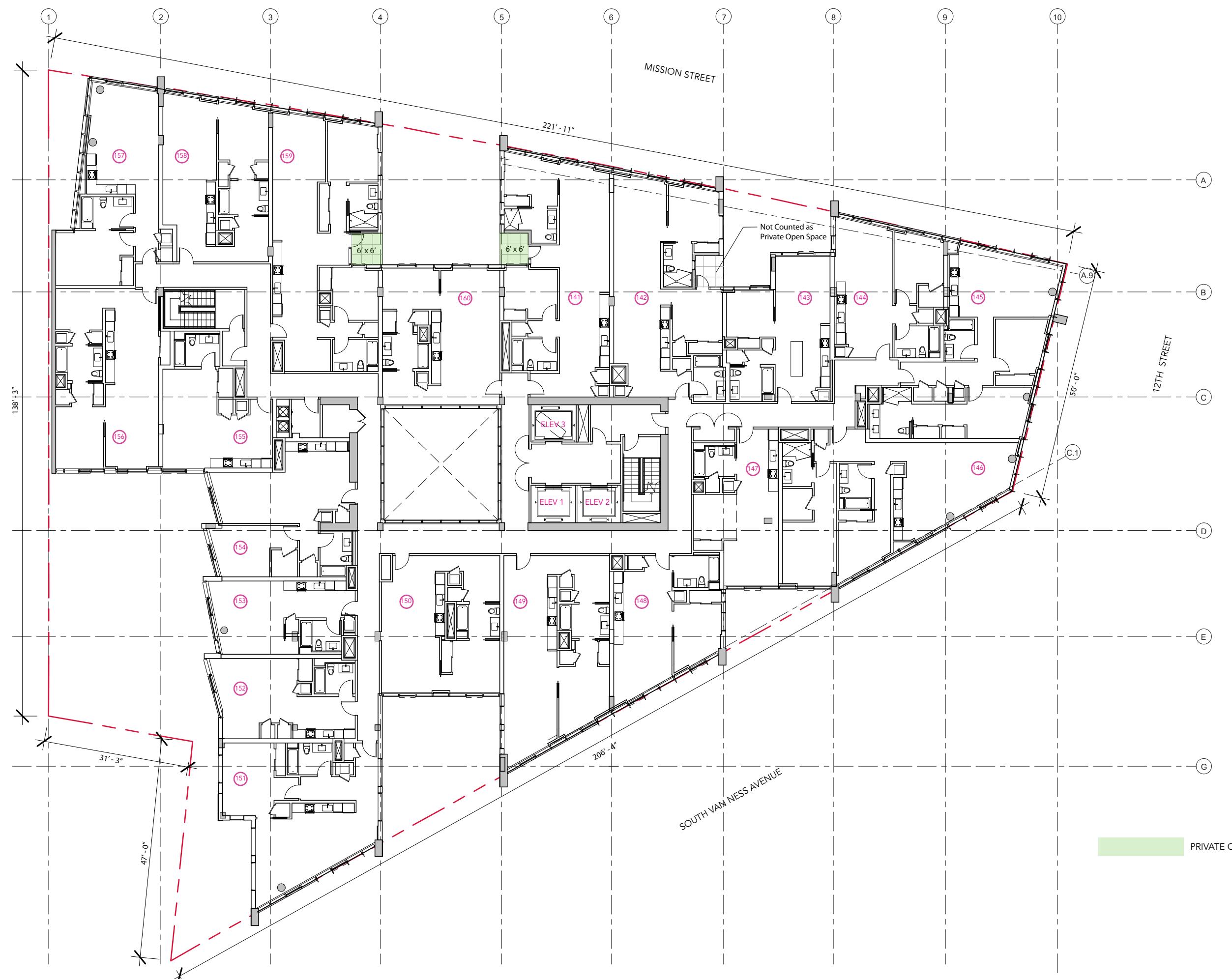


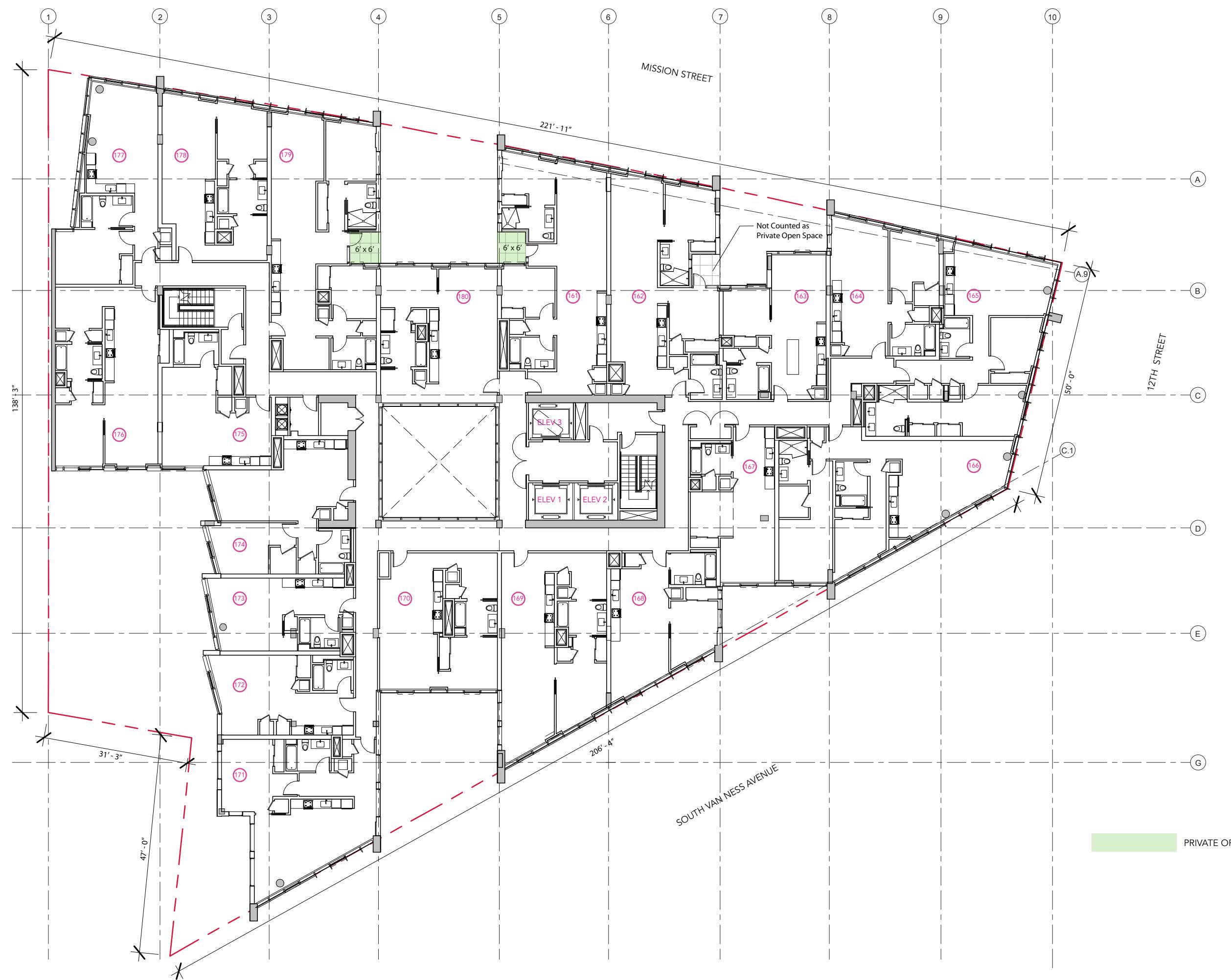


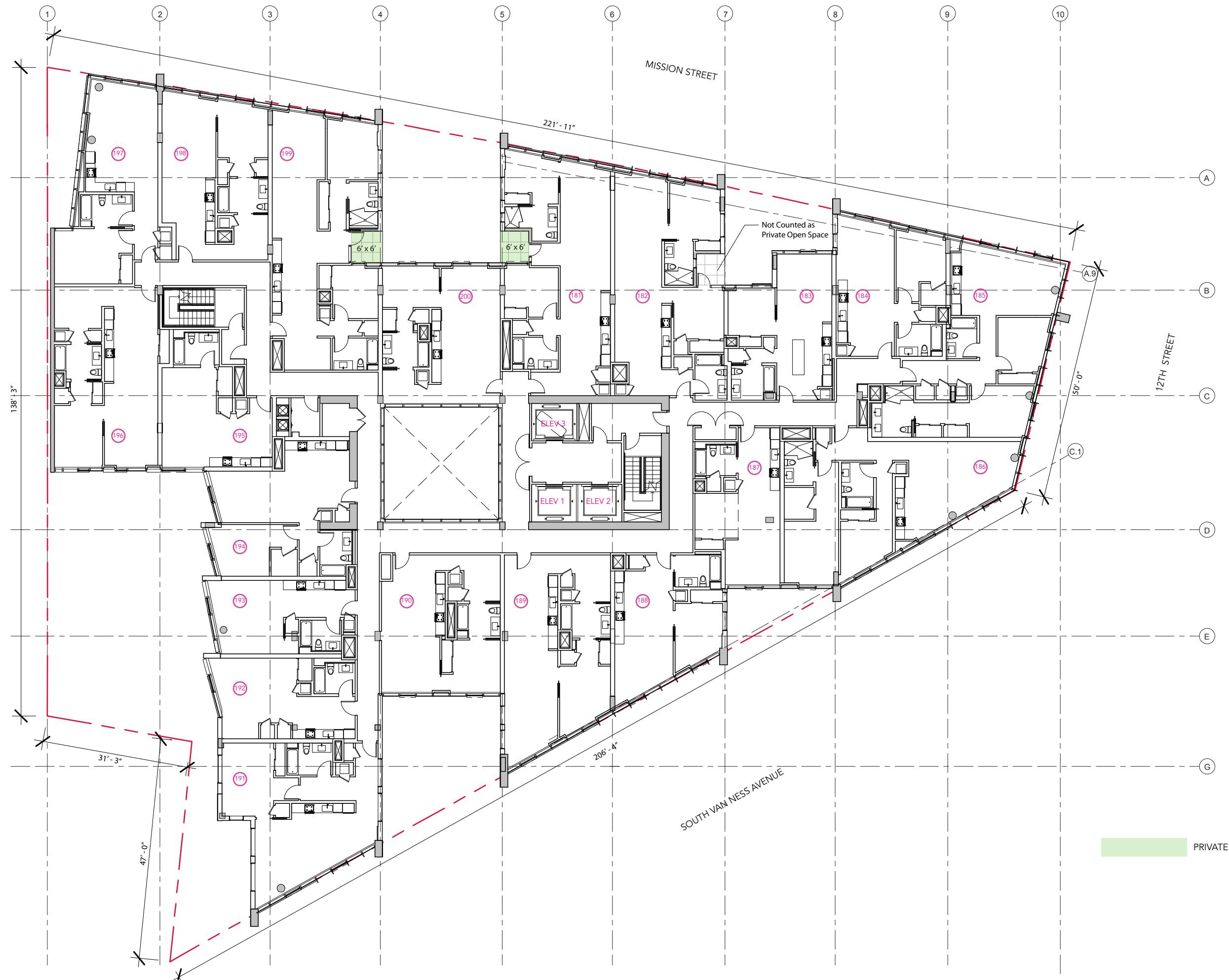
PRIVATE OPEN SPACE

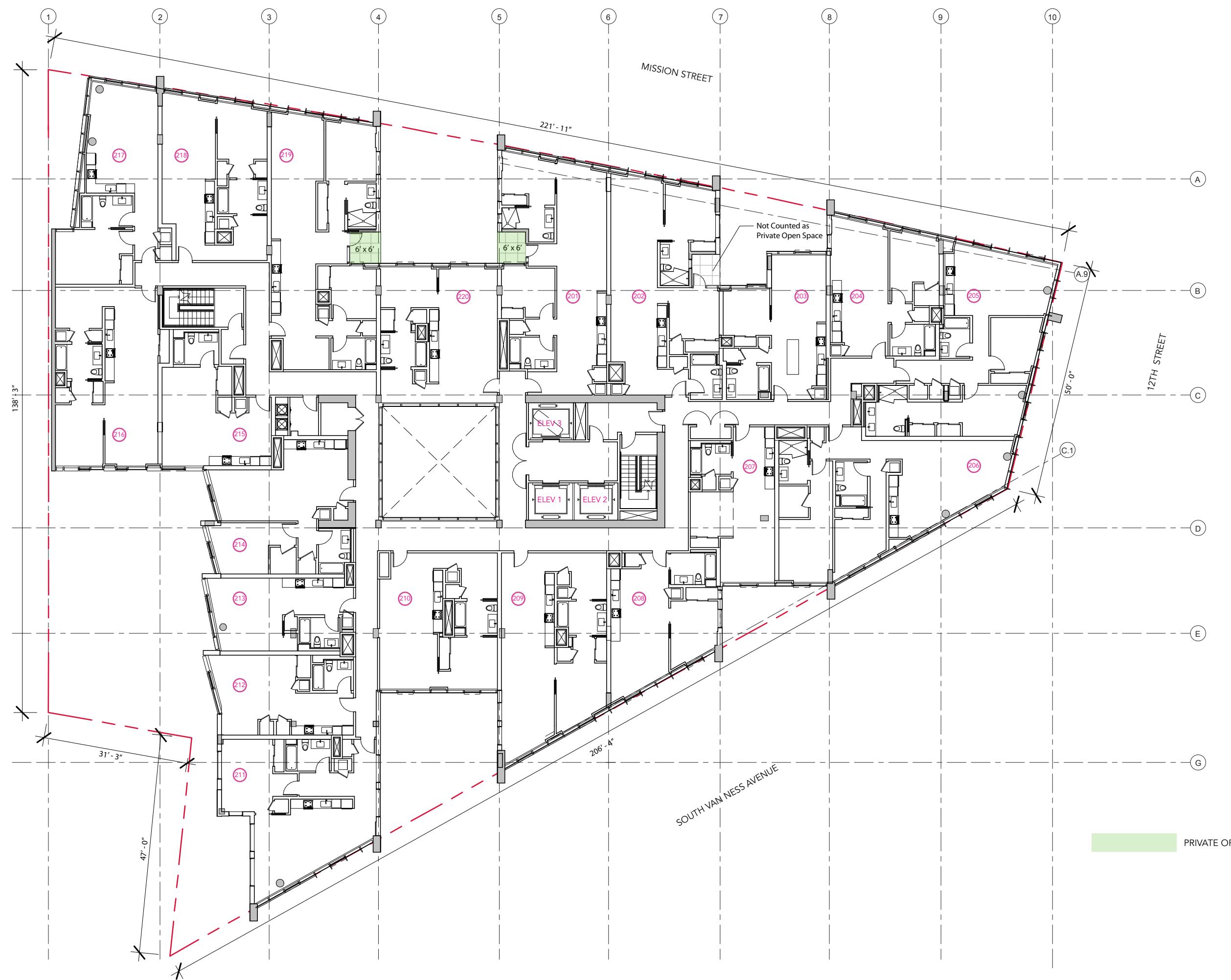


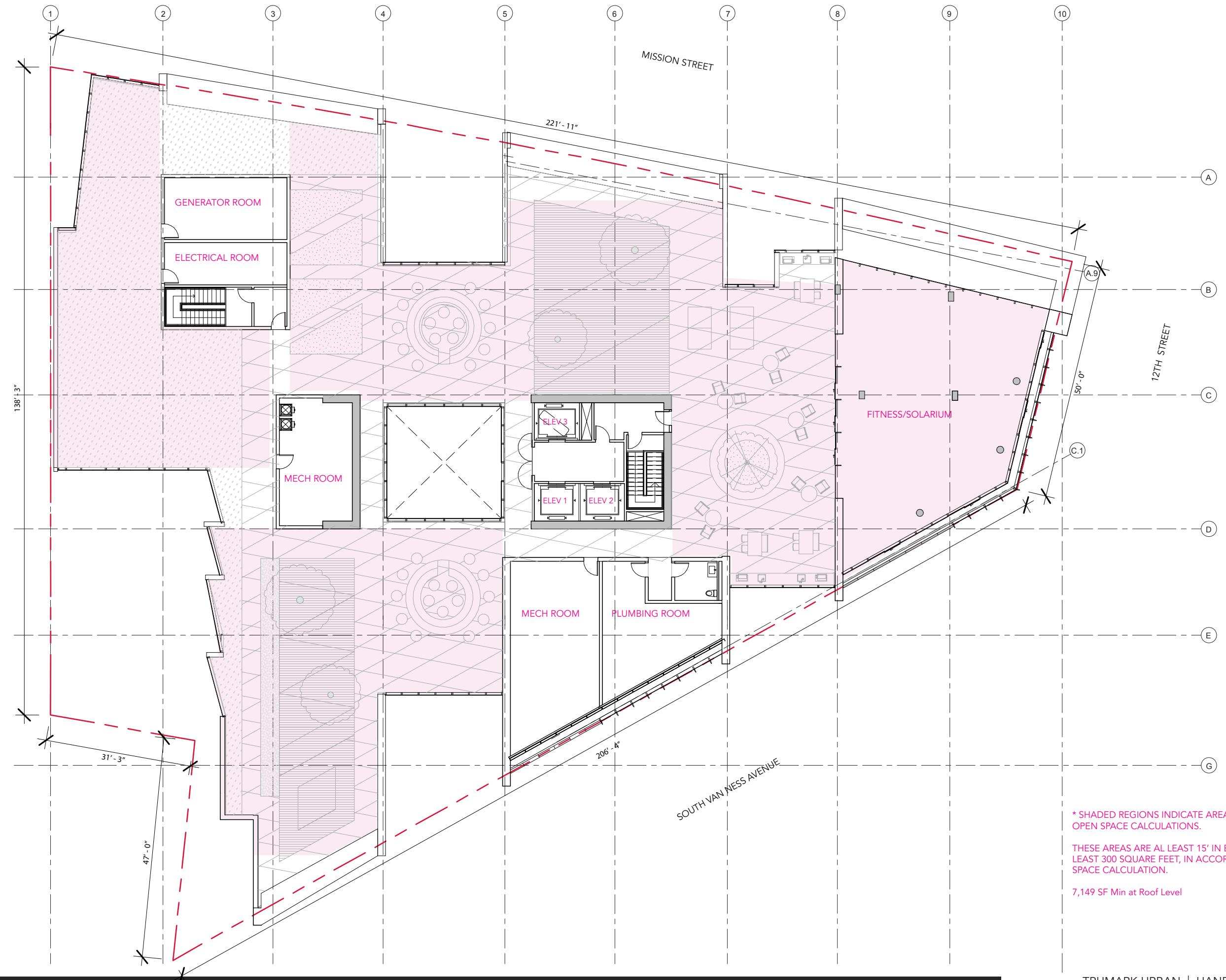












\* SHADED REGIONS INDICATE AREAS THAT ARE COUNTED IN COMMON OPEN SPACE CALCULATIONS.

THESE AREAS ARE AT LEAST 15' IN EACH DIRECTION AND MEASURE AT LEAST 300 SQUARE FEET, IN ACCORDANCE WITH SECTION 135 OPEN SPACE CALCULATION.

7,149 SF Min at Roof Level





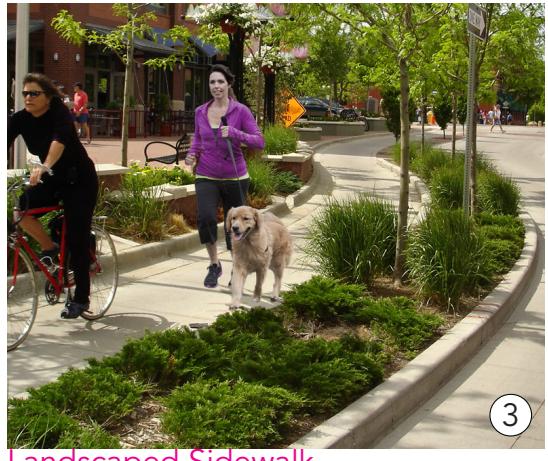




Water Wall



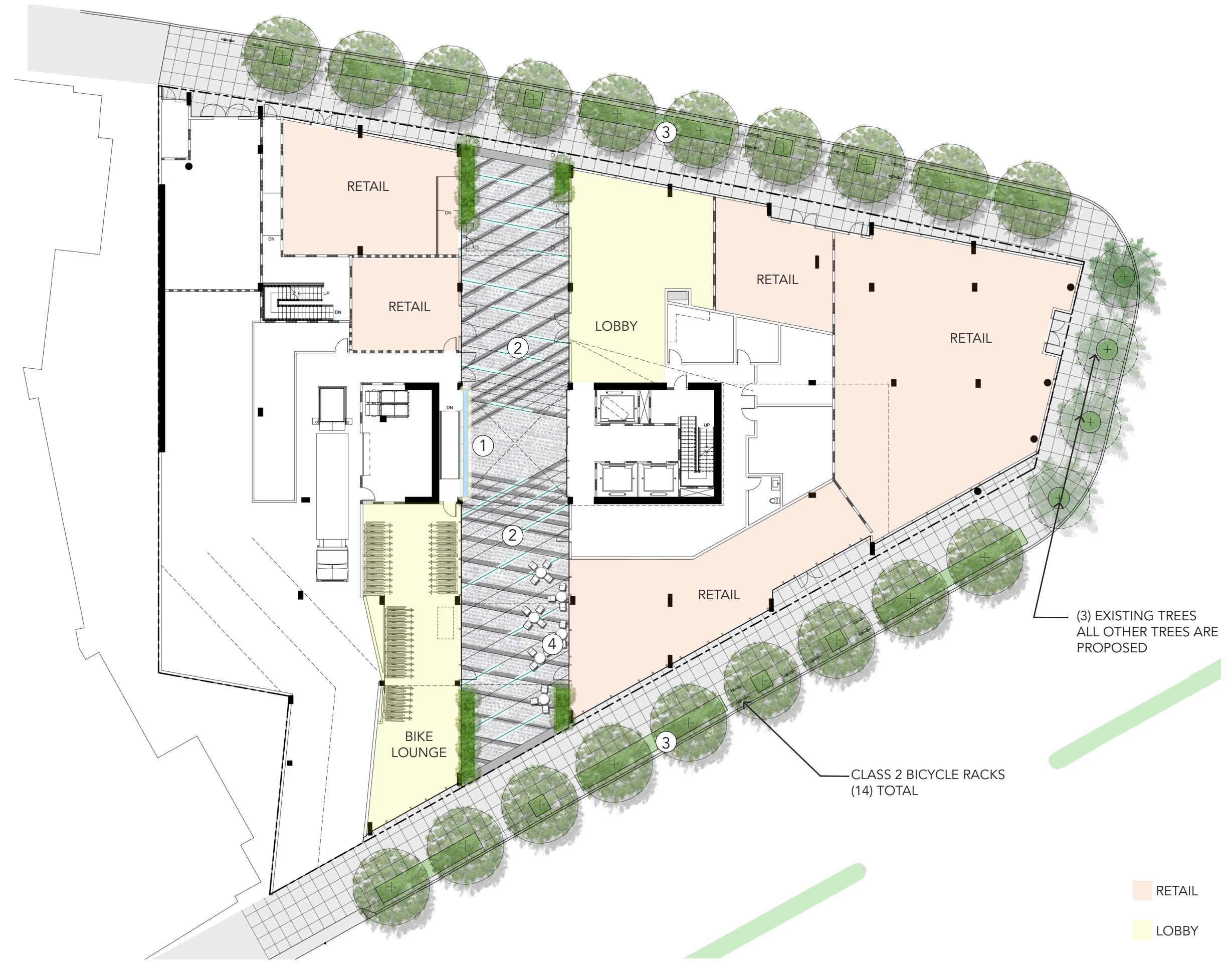
Paving Lights

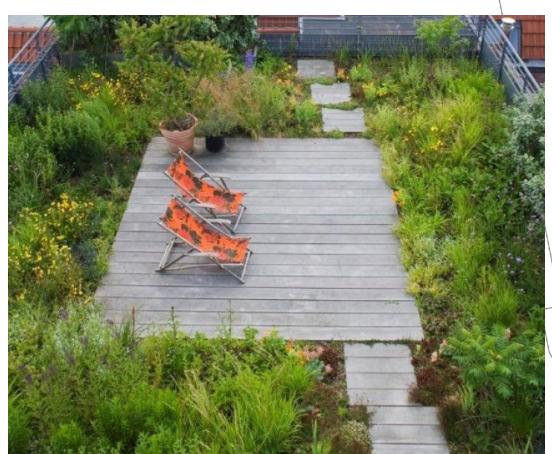


Landscaped Sidewalk



Cafe Seating







Outdoor Movie Wall



Fire Pit



Roof Garden



Community Garden





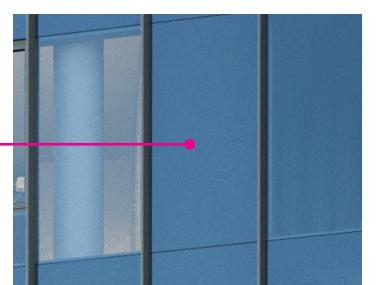
METAL PANEL CLADDING WITH COPPER FINISH



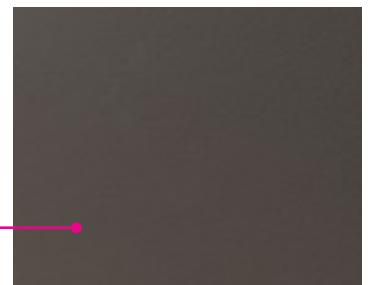
DECORATIVE ALUMINUM FINS



GLASS CURTAIN WALL



GLASS SHADOW BOX

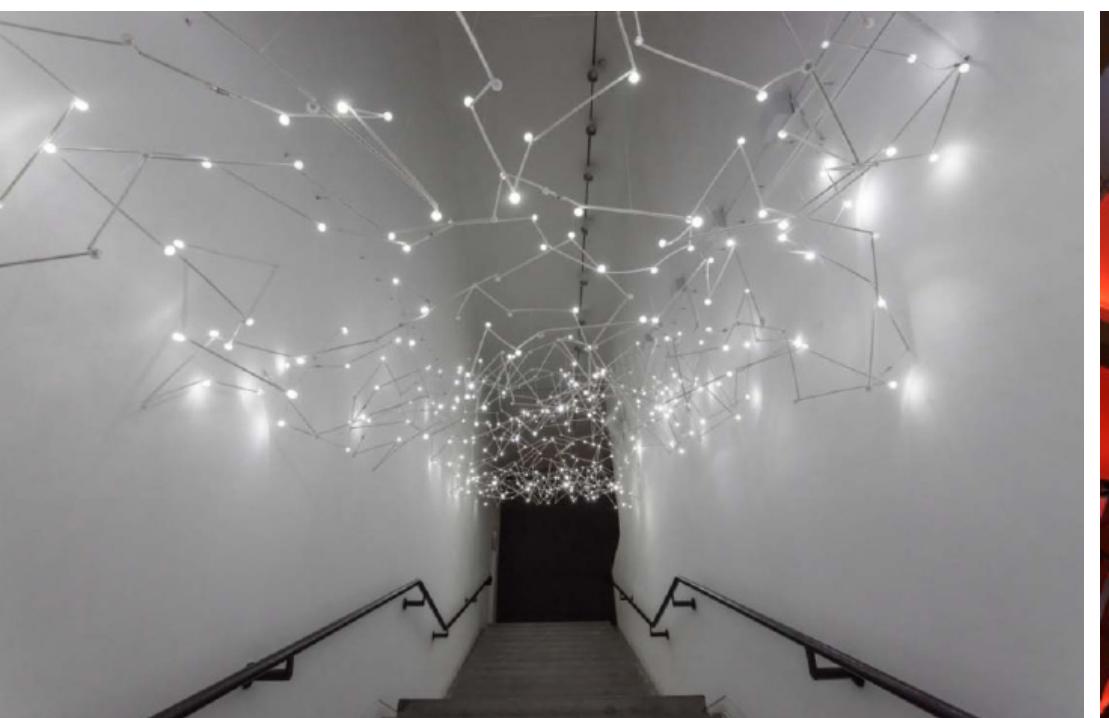


METAL PANEL COLUMN COVER CHARCOAL GRAY

## PUBLIC ART | CURATORIAL SCOPE

CREATE AN INDELIBLE IMMERSIVE ENVIRONMENT, CONTRIBUTING A SENSE OF SOPHISTICATION, INTELLIGENCE AND WONDERMENT TO THE NEIGHBORHOOD.

BUILD GREATER CONNECTIVITY AMONG DISPARATE COMMUNITIES AND BUILT OR NATURAL ENVIRONMENTS.



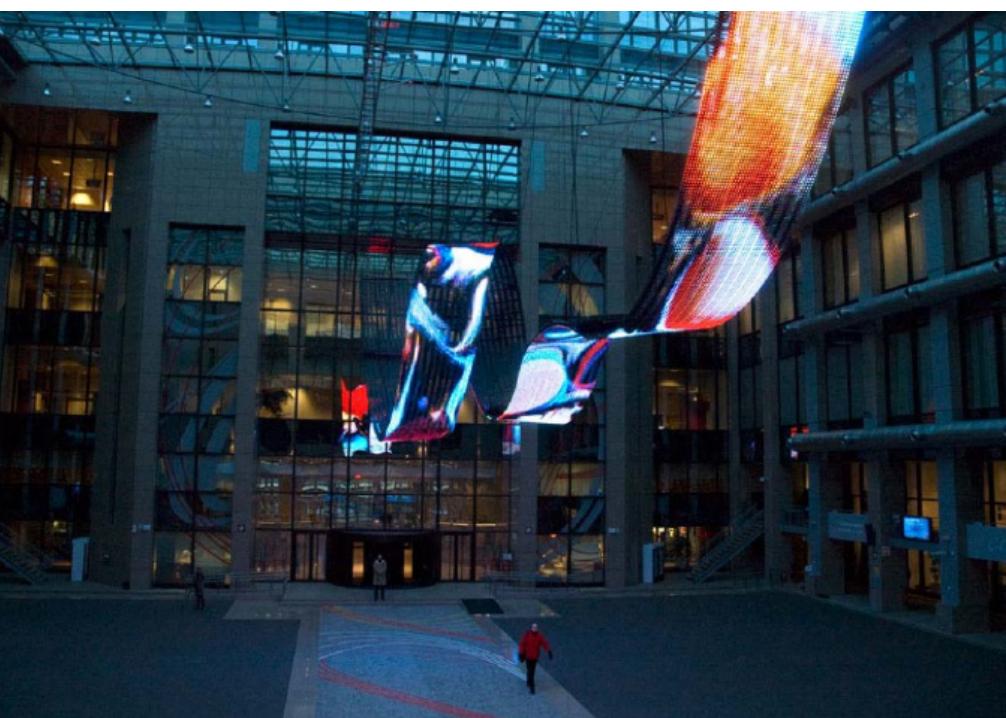
MAGDALENA FERNANDEZ  
b. 1974, Caracas, Venezuela  
Lives and works in Caracas  
Installation view: Museum of Contemporary Art,  
Los Angeles.



DANIEL CANOGAR  
b. 1964, Madrid  
Lives and works in Madrid  
Installation view: Quantum of the Seas, a Royal Caribbean cruise ship.



SPENCER FINCH  
b. 1962, New Haven, Connecticut  
Lives and works in New York



DANIEL CANOGAR  
b. 1964, Madrid  
Lives and works in Madrid  
Installation view: The European Union Council, Brussels.

Trumark Urban is working with Gallery Wendi Norris to commission a site-specific artwork that will be integrated in the building's architecture. The artwork may incorporate the use of light, space and/or technological and material innovation to create an indelible experience for the community that can be shared for generations.

SANAZ MAZINANI  
b. 1978, Tehran  
Lives and works in San Francisco  
Installation view: Asian Art Museum, San Francisco



MAGDALENA FERNANDEZ  
b. 1974, Caracas, Venezuela  
Lives and works in Caracas  
Installation view: Fundacion Mercegaglia, Milan Triennial.



MAGDALENA FERNANDEZ  
b. 1974, Caracas, Venezuela  
Lives and works in Caracas  
Installation View: Periferico Caracas / Arte Contemporaneo, Caracas.



INIGO MANGLANO OVALLE  
b. 1961, Madrid  
Lives and works in Chicago  
Installation view: The Art Institute of Chicago.



44 Existing South Van Ness Avenue View





Proposed Ground Floor View



46 Existing Ground Floor View



Proposed Ground Floor View







1601

# Mission Street

San Francisco, California

Thank You

