

# SAN FRANCISCO PLANNING DEPARTMENT

# **Executive Summary** Conditional Use & Variance

HEARING DATE: JUNE 1, 2017

Date:	May 26, 2017
Case No.:	2015-011211CUA/VAR/SHD
Project Address:	1850 Bryant Street
Zoning:	PDR-1-G (Production, Distribution & Repair -1-General) District
	68-X Height and Bulk District
Planning Areas:	Mission
Block/Lot:	3970/006
Project Sponsor:	Thor Koslofsky, 1850 Bryant Land, LLC - (415) 528-7119
	1161 Mission Street, San Francisco, CA 94103
	thor@commongrounddev.com
Property Owner:	Abbett Electrical Corp (415) 864-7500
	1850 Bryant Street, San Francisco, CA 94110
	abbettelectrical@att.net
Staff Contact:	Linda Ajello Hoagland - (415) 575-6823
	<u>linda.ajellohoagland@sfgov.org</u>
Recommendation:	Approval with Conditions

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Planning Information: **415.558.6377** 

# PROJECT DESCRIPTION

The project proposes to demolish an existing two-story building and construct new five-story, 68-foottall, 187,416 gross square feet (gsf) building to be used as a PDR (Production, Distribution and Repair), social service/community facility and ground-floor retail, and 89 off-street parking spaces, two car-share spaces, four service vehicle parking spaces and one truck loading space. A garage entry would be provided on Florida Street. The three existing curb cuts would be removed and two new curb cuts would be installed on Florida Street. The Project would provide a total of 30 Class 1 bike spaces within the garage and 15 Class 2 bike spaces (7 on the Florida Street sidewalk and 8 on the Bryant Street sidewalk). Usable open space for the tenants would be provided in the form of a first floor courtyard and a roof deck.

# SITE DESCRIPTION AND PRESENT USE

The site ("Project Site"), Lot 006 in the Assessor's Block 3970, is a through lot located on the west side of Bryant Street and east side of Florida Street between 17<sup>th</sup> and Mariposa Streets in the PDR–1-G Zoning District. The subject property is 36,500 square feet and developed with a two-story building containing 9,200 square feet of warehouse on the ground floor and 4,600 square feet of office on the second floor. The Project Site has 182-feet, 7-inches of frontage along Bryant Street and 182-feet, 7-inches of frontage along Florida Street. The remainder of the site is used as an outdoor storage yard. The subject property slopes down from Bryant Street to Florida Street.

# SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is adjacent to a 48 unit live-work building to the north and a commercial office/art studio building to the south. To the west, across Florida Street is an art gallery/performing arts building, and to the west, across Bryant Street is a muni bus storage yards. Other existing development in the area consists primarily of light industrial and commercial uses, with some residential uses existing a block away on Bryant Street between 16<sup>th</sup> and 17<sup>th</sup> Street. Franklin Square is immediately to the east of these residential uses, approximately a half-block from the project site. No other open space, community gardens or other types of outdoor community-serving facilities are located in the immediate project vicinity. Zoning Districts surrounding the Project Site are UMU (Urban Mixed-Use) to the north and west, PDR-1-G to the south and P (Public) to the east.

### ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on May 10, 2017, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusion set forth in the Final EIR.

#### **HEARING NOTIFICATION**

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	May 12, 2017	May 10, 2017	22 days
Posted Notice	20 days	May 12, 2017	May 11, 2017	21 days
Mailed Notice	20 days	May 12, 2017	May 12, 2017	20 days

The required Section 312 neighborhood notification process was conducted as part of this Project's Conditional Use notice.

# PUBLIC COMMENT/COMMUNITY OUTREACH

• To date, the Department has received three letters from residents and property owners at 1800 and 1880 Bryant Street, expressing concerns about loss of light and property line windows. One letter of support and 25 signatures in support have been received and an additional 230 signatures in support have been collected via an <u>on-line petition</u>.

The Project Sponsor has conducted public outreach that included the following meetings:

Date	Group/Organization	Location	Attendees	Target Group
8/9/16	Mission Neighborhood Center, Goodwill, Horizons Unlimited, Hamilton Family	165 Capp St.	8	Local CBO
10/6/16	Guss Market	2111 Harrison St.	4	Local Businesses
10/6/16	In Symmetry Wellness Spa	650 Florida St.	3	Local Businesses
10/6/16	Mission Cliffs	2295 Harrison St.	10	Local Businesses
10/13/16	Public/Community Mtg- General Pre- Application Mtg	450 Florida St.	40	General Public
10/15/16	Friends of Franklin Park Clean Up	Franklin Sq. Park	30	Park Users
11/10/16	Project Artaud	499 Alabama St.	5	Neighbors
11/15/16	United to Save the Mission	2958 24th St.	20	Local CBO
11/17/16	Supervisor Malia Cohen	City Hall	2	Public Official
11/28/16	Planning Department - Brown Bag	1650 Mission St.	15	Public Official
12/1/16	Mission Neighborhood Center, Goodwill, Horizons Unlimited, NCCLF, Muttville, Galleria De La Raza	2857 24th St.	15	Local CBO
12/6/16	Supervisor Hillary Ronen Meeting	City Hall	5	Public Official
1/30/17	1800 Bryant Live Work Loft HOA Mtg	1590 Bryant St.	30	Neighbors
1/30/17	1890 Bryant Artists Building Mtg	1890 Bryant St.	40	Neighbors
2/3/17	United to Save the Mission	2830 20 <sup>th</sup> St.	10	Local CBO
3/21/17	Public/Community Mtg - Streetscape Mtg	450 Florida St.	25	General Public
4/14/17	Mission Housing Development Corp.	1451 Haight St.	3	Local CBO
4/25/17	Friends of Franklin Sq. Park Open House	Franklin Sq. Park	25	Park Users
5/2/17	United to Save the Mission	2301 Mission St.	5	Local CBO
5/2/17	Friends of Franklin Sq. Park Open House	Franklin Sq. Park	5	Park Users
5/9/17	Burning Man	660 Alabama St.	24	Local Business

5/15/17	Mission Housing Development Corp.	474 Valencia St.	4	Local CBO
5/17/17	Eastern Neighborhoods CAC	1650 Mission St.	20	Neighborhood Groups

# ISSUES AND OTHER CONSIDERATIONS

- <u>Conditional Use Authorization</u>: The Planning Commission must grant Conditional Use Authorization pursuant to Planning Code Section <u>210.3</u> to allow a Social Service or Philanthropic Facility greater than 5,000 square feet.
- <u>Variances</u>: The Project is requesting variances from the Zoning Administrator to address the Planning Code requirements for off-street loading (Planning Code Section 152), and street frontage (Planning Code Section 145.5). The Project would provide only one off-street loading space instead of the two required, and would provide a ground floor ceiling heights of 14 feet instead of the required 17 feet.
- <u>Proposition X (Planning Code Section 202.8)</u>: Planning Code Section <u>202.8</u> requires that projects resulting in the loss of PDR, Institutional Community, or Arts Activities uses in certain Eastern Neighborhoods provide replacement space for said use. The Project is located in the PDR-1-G Zoning District, which is not subject to Proposition X. However, although the Project is not subject to Proposition X, it includes 18,652 square feet of PDR replacement space.
- <u>Shadow/Recreation and Park Recommendation</u>: Per Planning Code Section 295, the Commission must grant authorization to new construction projects that will cast shade or shadow upon any property under the jurisdiction of the Recreation and Park Commission. The project was reviewed by the Recreation and Park Commission on May 18, 2017. The Project will cast new shadow upon the nearby Franklin Square Park; however, the Commission adopted a motion finding that the additional shadow cast by the Project on Franklin Square Park would not be adverse to its use.

# MISSION INTERIM CONTROLS

For "Large Projects," Planning Commission Resolution No. 19865 requires Conditional Use Authorization from the Planning Commission for any residential or mixed-use project that includes new construction of more than 75,000 gross square feet or 75 dwelling units. The Project Sponsor provided a summary of additional findings for the Mission Interim Zoning Controls (see attached). Staff has reviewed the Sponsor's submittal and confirmed the selected citations originate from an independent qualified professional.

As required by the Mission Interim Zoning Controls, the most relevant topics for the Commission's consideration as it relates to this project are the potential demographic changes. The Project Sponsor evaluates how the Project would affect existing and future residents and businesses of the area in their submission.

The Project is not displacing current residential uses or tenants. Since it is a new social service/philanthropic facility, PDR and retail project, the Project Sponsor did include a discussion of various studies cited in the Mission Interim Zoning Controls.

These studies discuss the need to alleviate the shortage of housing and the role of market-rate housing in affecting price and displacement. Based on these reports, the Project Sponsor's analysis concludes that the Project, which is located in the PDR-1-G Zoning District and does not allow residential uses, will not directly displace any residential housing, nor will it propose any new residential housing units. Thus, the project will not and cannot have an impact on the stock of market-rate or affordable housing units in the Mission District, or the demographic changes occurring in the Mission.

The Project includes 2,281 square feet of new Retail space, 18,652 gsf of PDR space and 166,483 gsf of social service/philanthropic uses. It is located on the former site of a commercial use, which as discussed in the finding below, is closing voluntarily. The social-service uses would meet the needs of the non-profit community as well as low-income and other residents served by the social-service agencies that occupy the project. The PDR space provided in the Project double the existing PDR space on the site.

The Project will cater to the needs of the Mission District community and helps fulfill several of the objectives of the Mission Area Plan ("MAP") 2020, as discussed in the MAP 2020 Phase 1 Status Report, which was endorsed by the Planning Commission on March 2, 2017. Specifically, the MAP 2020 Phase 1 report included the following objective:

• Stem the loss of and promote community businesses, cultural resources, and social services serving low to moderate income households.

Staff's analysis of the Project Sponsor's submittal against adopted City policies that are relevant to the Mission Interim Zoning Controls (including supporting housing production while retaining neighborhood character, and reducing displacement) is described in the section titled "General Plan Compliance" of the attached Draft Conditional Use Authorization Motion, and is summarized below.

The Department found that this Project, on balance, complied with the following Objectives and Policies of the General Plan relating to the Mission Interim Zoning Controls:

General Plan, Commerce and Industry: Objective 1, Policy 1.1. Urban Design: Objective 1, Policy 1.3 and 1.7; Objective 3, Policies 3.1, 3.5 and 3.6; Objective 4, Policies 4.12, 4.4 and 4.13.

Mission Area Plan:

Objective 1.1; Policy 1.1.8; Objective 1.7, Policy 1.7.3; Objective 3.1, Policies 3.1.1, 3.1.2 and 3.1.3; Objective 3.2, Policies 3.2.1, 3.2.3, 3.2.4 and 3.2.6; Objective 5.2, Policy 5.2.3; Objective 7.2, Policies 7.2.1, 7.2.2 and 7.2.3.

The Project maximizes the allowable building height and provides double the amount in replacement PDR space (18,652 square feet) and would provide a substantial amount of social service non-profit space which is an objective for the City and County of San Francisco. On balance, the Project is consistent with the Mission Interim Controls for Large Projects, as evidenced through the Project's compliance with the Mission Area Plan Objectives.

# **MISSION ACTION PLAN 2020**

The subject property falls within the area of the ongoing <u>Mission Action Plan 2020</u> (MAP2020) process and of the Mission Interim Controls 2016. MAP 2020 is a collaboration, initiated by the community, between community organizations and the City of San Francisco, to create and preserve affordable housing and bring economic stability to the Mission. The goal is to retain and attract low to moderate income residents and community-serving businesses, artists, and nonprofits in order to strengthen and preserve the socioeconomic and cultural diversity of the Mission neighborhood.

Community organizations initiated the plan given the loss and displacement trends of low to moderate income residents, community-serving businesses, artists, and nonprofits affecting the neighborhood due to the affordability crisis. Some of the concerns community representatives involved in MAP2020 and other community organizing efforts, such as the proposed moratoriums earlier this year, have articulated relate to the role market-rate projects could play in exacerbating the direct or indirect displacement and gentrification of this historically working-class neighborhood. Community advocates would like more scrutiny and examination of what these potential effects are, and for market-rate projects to contribute to the solutions, to neighborhood stabilization, and to minimize any potential displacement.

These community concerns gave rise, in part, to the Mission Interim Controls, while permanent solutions and controls are drafted. Interim controls are intended to provide the Commission with additional information to consider in its deliberation related to a project's contribution to the goals of neighborhood stabilization and whether they are addressing any potential negative effects such as direct displacement of residents or businesses.

The Mission Action Plan 2020 was endorsed by the Planning Commission on March 2, 2017. In addition to the endorsement, the Commission approved a nine month extension of the Mission 2016 Interim Controls to allow staff more time to continue developing legislation to implement MAP2020.

# **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant Conditional Use Authorization, pursuant to Planning Code Section 210.3 and 303 and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19865), to allow the construction of a new five-story, 68-foot-tall building (measuring 187,416 gsf) to be used as a PDR, social service/community facility and ground-floor retail within the PDR-1-G Zoning District.

### **BASIS FOR RECOMMENDATION**

- The Project is consistent with and respects the varied neighborhood character, and provides an appropriate massing and scale for the adjacent contexts.
- The Project would not displace any existing tenant.
- The Project would construct a new social service facility and PDR use within a PDR Zoning District.
- The Project would not be adverse to the use and enjoyment of Franklin Square, which is a public park under the jurisdiction of the San Francisco Recreation and Parks Commission.
- The Project meets all applicable requirements of the Planning Code and the General Plan.

#### **RECOMMENDATION: Approval with Conditions**

#### **Attachments:**

Draft Motion Draft Shadow Motion Block Book Map Sanborn Map Zoning Map Height and Bulk Map Aerial Photograph **Context Photographs Environmental Determination** Project Sponsor Submittal, including: •

- First Source Hiring Affidavit
- Mission Interim Control Findings •
- **Project Plans** •

Public Correspondence

Letters in Support •

Attachment Checklist

Executive Summary	Project Sponsor Submittal
Draft Motion	Drawings: Existing Conditions
Environmental Determination	Check for legibility
Zoning District Map	Drawings: Proposed Project
Height & Bulk Map	Check for legibility
Parcel Map	3-D Renderings (new construction or significant addition)
Sanborn Map	Check for legibility
Aerial Photo	Wireless Telecommunications Materials
Context Photos	Health Dept. review of RF levels
Site Photos	RF Report
	Community Meeting Notice
	Housing Documents
	Inclusionary Affordable Housing Program: Affidavit for Compliance

Exhibits above marked with an "X" are included in this packet <u>LAH</u>

Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- $\hfill\square$  Affordable Housing (Sec. 415)
- ☑ Transportation Sustainability Fee (Sec. 411A)
- Eastern Neighborhoods Impact Fee (Sec. 423)
- E First Source Hiring (Admin. Code)
- □ Residential Child Care Fee (Sec. 414A)
- Other

# **Planning Commission Draft Motion**

HEARING DATE: JUNE 1, 2017

Case No.: Project Address:	2015-011211CUA 1850 Bryant Street
Zoning:	PDR-1-G (Production, Distribution & Repair -1-General) District
	68-X Height and Bulk District
Block/Lot:	3970/006
Project Sponsor:	Thor Kaslofsky, 1850 Bryant Land, LLC
	1161 Mission Street
	San Francisco, CA 94103
Staff Contact:	Linda Ajello Hoagland – (415) 575-6823
	linda.ajellohaoagland@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTION 329 AND PLANNING COMMISSION RESOLUTION NO. 19865-MISSION 2016 INTERIM ZONING CONTROLS, TO DEMOLISH AN APPROXIMATELY 13,800 SQUARE FOOT, TWO-STORY INDUSTRIAL BUILDING, AND TO CONSTRUCT A FIVE-STORY, 68-FOOT-TALL, 187,416 GROSS SQUARE FOOT BUILDING WITH APPROXIMATELY 2,281 SQUARE FEET OF GROUND FLOOR RETAIL, 18,652 SQUARE FEET OF PDR (PRODUCTION, DISTRIBUTION AND REPAIR), 166,483 SQUARE FEET OF SOCIAL SERVICE/PHILANTRHOPIC USE, 89 OFF-STREET PARKING SPACES, 2 CAR SHARE SPACES, 4 SERVICE VEHICLE PARKING SPACES AND 1 OFF-STREET TRUCK LOADING SPACE FOR THE PROJECT AT 1850 BRYANT STREET WITHIN THE PDR-1-G (PRODUCTION, DISTRIBUTION AND REPAIR – 1 GENERAL) ZONING DISTRICT AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

# PREAMBLE

On January 19, 2016, Thor Kaslofsky (hereinafter "Project Sponsor"), on behalf of Abbett Electrical Corp. (Property Owner), filed an application with the Planning Department (hereinafter "Department") for a Conditional Use Authorization for the proposed project at 1850 Bryant, Lot 006, Block 3970 (hereinafter "subject property"), pursuant to Planning Code Section 329 and the Mission 2016 Interim Zoning Controls, to demolish an approximately 13,800 square-foot (sq. ft.), two-story, industrial building and to construct a five-story, 68-foot-tall 187,416 gross sq. ft. building with 2,281 sq. ft. of ground floor retail, 18,652 sq. ft. of PDR (Production Distribution and Repair), 166,483 sq. ft. of Social Service/Philanthropic

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

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Planning Information: 415.558.6377 Use, 89 below off-street parking spaces, 2 car share spaces 4 service vehicle parking spaces and 1 off-street truck loading space within the PDR–1-G (Production, Distribution and Repair - 1, General) Zoning District, and 68-X Height and Bulk District.

On June 1, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2015-011211CUA.

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

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

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

On May 10, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2015-011211CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization requested in Application No. 2015-011211CUA, 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 site ("Project Site"), Lot 006 in the Assessor's Block 3970, is a through lot located on the west side of Bryant Street and east side of Florida Street between 17<sup>th</sup> and Mariposa Streets in the PDR–1-G Zoning District. The subject property is 36,500 square feet and developed with a two-story building containing 9,200 square feet of warehouse on the ground floor and 4,600 square feet of office on the second floor. The Project Site has 182-feet, 7-inches of frontage along Bryant Street and 182-feet, 7-inches of frontage along Florida Street. The remainder of the site is used as an outdoor storage yard. The subject property slopes down from Bryant Street to Florida Street.
- **3. Surrounding Properties and Neighborhood.** The project site is adjacent to a 48 unit live-work building to the north and a commercial office/art studio building to the south. To the west, across Florida Street is an art gallery/performing arts building, and to the west, across Bryant Street is a muni bus storage yards. Other existing development in the area consists primarily of light industrial and commercial uses, with some residential uses existing a block away on Bryant Street between 16<sup>th</sup> and 17<sup>th</sup> Street. Franklin Square is immediately to the east of these residential uses, approximately a half-block from the project site. No other open space, community gardens or other types of outdoor community-serving facilities are located in the immediate project vicinity.

Zoning Districts surrounding the Project Site are UMU (Urban Mixed-Use) to the north and west, PDR-1-G to the south and P (Public) to the east.

- 4. **Project Description.** The project proposes to demolish an existing two-story building and construct new five-story, 68-foot-tall, 187,416 gross square feet (gsf) building to be used as a PDR (Production, Distribution and Repair), social service/community facility and ground-floor retail, and 89 off-street parking spaces, two car-share spaces, four service vehicle parking spaces and one truck loading space. A garage entry would be provided on Florida Street. The three existing curb cuts would be removed and two new curb cuts would be installed on Florida Street. The Project would provide a total of 30 Class 1 bike spaces within the garage and 15 Class 2 bike spaces (7 on the Florida Street sidewalk and 8 on the Bryant Street sidewalk). Usable open space for the tenants would be provided in the form of a first floor courtyard and a roof deck.
- 5. **Public Comment**. The Department has received three letters from residents and property owners at 1800 and 1880 Bryant Street, expressing concerns about loss of light and property line windows. One letter of support and 25 signatures in support have been received and an additional 227 signatures in support have been collected via an <u>on-line petition</u>.
- 6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Permitted Uses in PDR-1-G Zoning Districts.** Planning Code Section 210.3 states that Social Service and Philanthropic Facilities greater than 5,000 square feet required Conditional Use Authorization. PDR and retail uses are principally, conditionally or not permitted .

The Project would construct new Retail and Social Service and Philanthropic space and retain PDR uses within the PDR-1-G Zoning District; therefore, the Project complies with Planning Code Sections 210.3. Depending on the specific PDR and Retail tenants, they will be required to comply with the principally-permitted PDR uses or seek a Conditional Use, as required by the Planning Code 210.3.

B. **Floor Area Ratio.** Planning Code Section 210.3 establishes a FAR (Floor Area Ratio) of 5:1 for properties within the PDR-1-G Zoning District and a 68-X Height and Bulk District.

The subject lot is 36,500 sq. ft. in total, thus resulting in a maximum allowable floor area of 182,500 sq. ft. for non-residential uses. However, the project is eligible for an FAR premium pursuant to Planning Code Section <u>125(b)</u>, which provides that certain zoning districts (including PDR District), an interior lot which abuts along its rear lot line upon a street or alley may add an FAR premium by increasing the lot depth "for the purposes of floor area ratio computation, by one-half the width of such street or alley or 10 feet, whichever is the lesser." Thus, for purposes of FAR calculation, the project site's lot depth would be 210 feet (rather than 200 feet), bringing the lot total to 38,325 square feet, thus allowing a maximum FAR of 191,625 gross square feet. The Project would construct approximately 187,416 sq. ft. of PDR, Retail and Social Services and Philanthropic facility space, and would comply with Planning Code Sections 125(b) and 210.3.

C. Rear Yard. Pursuant to Planning Code Section 210.3, no rear yard setback is required.

The Project site is a through lot with frontage on Bryant and Florida Streets. The Project will have zero setbacks on both frontages as allowed per Planning Code Section 210.3.

D. Usable Open Space. Pursuant to Planning Code Sections 135 and 210.3, there is no open space requirement in the PRR-1-G Zoning District.

Although open space is not required in the PDR-1-G Zoning District, the Project provides a 2,281 square foot courtyard on the first floor and a 216,934 square foot roof deck to be used as common open space for the tenants of the building.

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

The subject lot is located in close proximity to an Franklin Square Park, which is an Urban Bird Refuge as defined in Section 139. The Project meets the requirements of feature-related standards by not including any unbroken glazed segments 24 sq. ft. and larger in size. Therefore, the Project complies with Planning Code Section 139

F. **Ground Floor Standards in Industrial Districts.** Planning Code Section 145.5 requires that all new buildings constructed in Industrial Districts have a minimum floor-to-floor height of 17 feet on the ground floor.

The Project proposes a ground floor ceiling height of site of 14 feet, and does not comply with Planning Code Section 145.5. The Project is seeking a variance from the Zoning Administrator to address Planning Code Section 145.5, and the requirements for ground floor ceiling height in PDR Districts (See Case No. 2015-011211VAR)

- G. **Off-Street Parking**. Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of:
  - one space for every 500 gsf up to 20,000 gsf for retail;
  - one space for each 1,500 square feet of occupied floor area for the PDR; and
  - One space for each 1,500 square fet of occupied floor area for the Social Service and Philanthropic Uses.

The Project is allowed to have a maximum of 4 off-street parking spaces for the Retail Use and a maximum of 103 off-street parking spaces, two car share spaces and four service vehicle parking spaces for the PDR and Social Service and Philanthropic Uses. The Project includes 89 off-street parking spaces, two car-share spaces and four service vehicle parking. Therefore the Project complies with Planning Code Section 151.1.

H. **Off- Street Loading Spaces**. Planning Code Section 152 of the Planning Code requires two (2) off-street loading spaces for uses between 200,001 – 500,000 square feet.

The Project is proposing one off-street loading space and does not comply with Planning Code Section 152. The Project is seeking a variance from the Zoning Administrator to address Planning Code Section 152, and the requirements for off-street loading in PDR Districts (See Case No. 2015-011211VAR).

I. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space for every 12,000 square feet of occupied floor area for PDR uses and a minimum of two Class 2 spaces for any use greater than 5,000 square feet, plus one additional space for each additional 50,000 square feet. ; one Class 1 space for every 7,500 square feet of occupied floor area for retail uses and one Class 2 space for every 750 square feet of occupied floor area; one Class 1 space for every 5,000 square feet of Social Service or Philanthropic Facilities and a minimum of two Class 2 spaces for any use greater than 5,000 square feet, plus one additional space for each additional 50,000 square feet.

The Project includes 2,281 sq. ft. of ground floor retail, 18,407 sq. ft. of PDR (Production Distribution and Repair), 166,728 sq. ft. of Social Service/Philanthropic Use; therefore, the Project is required to provide a total of twenty-nine Class 1 bicycle parking spaces and fifteen Class 2 bicycle parking spaces. The Project will provide thirty Class 1 bicycle parking spaces and fifteen Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

J. **Transportation Demand Management (TDM) Plan**. Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points.

The Project submitted a completed Environmental evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a target of 11 points. As currently proposed, the Project will achieve its required 11 points through the following TDM measures:

- *Improve Walking Conditions (Option A)*
- Bicycle Parking (Option A)
- Showers and Lockers
- Car-share Parking and Membership (Option A)
- Delivery Support Amenities
- K. **Shadow.** Planning Code Sections 147 and 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

Based upon a detail shadow analysis, the Project would cast new shadow upon Franklin Square Park, which is a property under the jurisdiction of the Recreation and Parks Commission. Based upon the recommendation of the General Manager of the Recreation and Parks Department, in consultation with Recreation and Park Commission, the net new shadow would not be adverse to the use of Espirit Park. The Commission has adopted findings regarding the impact of shadow on Franklin Square Park, as documented in Motion No. XXXXX.

L. **Demolition of Industrial Buildings in PDR Districts/Replacement Requirements.** Planning Code Section 202.7 states that any industrial building that is not unsound and is proposed for demolition must provide replacement industrial space at a ratio of 2:1 for projects that represent a FAR of 0.4 or less.

The Project results in the loss of 9,200 square feet of industrial space and, as Section 202.7, is required to provide 18,400 sq. ft. (2:1 ratio) of replacement industrial space based. The Project includes18,652 sq. ft. or industrial space, and therefore complies with Planning Code Section 202.7.

M. Transportation Sustainability Fee. Planning Code Section 411A establishes the Transportation Sustainability Fee (TSF) and is applicable to project that are the following: (1) More than twenty new dwelling units; (2) New group housing facilities, or additions of 800 gross square feet or more to an existing group housing facility; (3) New construction of a Non-Residential use in excess of 800 gross square feet, or additions of 800 gross square feet or more to an existing Non-Residential use; or (4) New construction of a PDR use in excess of 1,500 gross square feet, or additions of 1,500 gross square feet or more to an existing PDR use; or (5) Change or Replacement of Use, such that the rate charged for the new use is higher than the rate charged for the existing use, regardless of whether the existing use previously paid the TSF or TIDF; (6) Change or Replacement of Use from a Hospital or a Health Service to any other use.

The Project includes the new construction of 800 or more gross square feet and new construction of PDR space in excess of 1,500 gross square feet; therefore, the TSF, as outlined in Planning Code Section 411A, applies.

N. **Eastern Neighborhood Infrastructure Impact Fee**. Planning Code Section 423 is applicable to any development project within the PDR-1-G(Production, Distribution and Repair – 1 General) Zoning District that results in the new construction of a non-residential use.

The Project includes approximately 187,416 gross square feet of new development consisting of approximately 2,281 sq. ft. of retail use, 18,652 sq. ft. of PDR use and 166,483 sq. ft. of Social Service and Philanthropic use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees Tier 2 for non-residential, as outlined in Planning Code Section 423.

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

a. The proposed 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 Project site is located on Bryant Street between 17<sup>th</sup> Street and Mariposa Street, a few blocks from Potrero Avenue, a major arterial roadways, and also close to 16<sup>th</sup> Street, a secondary arterial roadway. The size and scale of the Project is appropriate given its proximity to these roadways, and the surrounding industrial buildings. The surrounding neighborhood consists primarily of commercial buildings with a mix of commercial, PDR, arts, and other uses. To the direct south is a commercial office/art studio building; to the direct north is a 48 unit live-work residential building; to the west, across Florida Street is an art gallery/performing arts building, and to the east, across Bryant Street is a Muni bus storage yard. There are also limited residential uses one block north of the site.

The primarily social service/philanthropic use of the Project is consistent with the goals and objectives of the Mission Area Plan of the Eastern Neighborhoods Planning Area and is compatible with the surrounding nature of the neighborhood and community. In addition, the proposed commercial ground floor retail would activate the street level and serve the neighborhood. All frontages will include improved pedestrian amenities such as landscaping and sidewalk improvements to create a pedestrian scale that is compatible with the surrounding neighborhood. Overall, the Project is necessary and desireable, and compatible with the surrounding 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 the area, in that:
  - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project site is a rectangular, 36,500 square foot lot with frontages along Bryant and Florida Streets. A two-story 13,800 foot structure and associated storage yard currently exists on the Project site and would be demolished as part of the Project. The Project proposes a single structure that creates a street wall along all frontages, matching the height and general development intensity of the two adjacent structures on the block. The Project would include a first floor courtyard, providing light and air to the live-work building to the north. Therefore, the design, size and shape of the proposed building 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.

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

The Project site is located within the vicinity of a major arterial roadway (Potrero Avenue) and a minor arterial roadway (16<sup>th</sup> Street), providing vehicular and transit access throughout the City. The Project proposes 89 off-street parking spaces plus 2 car share spaces in a two-level,

underground garage, accessed via a drive aisle off Florida Street. The Project includes one offstreet loading space, and also includes 30 Class 1 bicycle parking spaces and 15 Class 2 bicycle parking spaces. Pedestrian access to the Project will be via the main lobby along Bryant Street. Therefore, the Project will not impact the accessibility or traffic patterns in the surrounding roadways nor will the Project 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.

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

The Project would not create any noxious or offensive emissions such as noise, glare, dust and odor during construction or operation. All construction will comply with the San Francisco Building Code requirements for construction, which includes compliance with air quality control measures for dust and odor. The design of the façade will include non-reflective materials and will not result in or create glare. Operation of the Project site as a primarily social service facility will not generate noxious or offensive emissions such as noise or odor.

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

The Project will comply with all applicable requirements of the City's Better Streets and Neighborhood Requirements. The Project will include active ground floor uses and all required landscaping and streetscape improvements. Furthermore, the Project includes a 2,281 square foot ground floor landscaped courtyard adjacent to the neighboring building to the north, as well as a 16,934 square foot landscaped roof deck.

All parking facilities are located off-street and screened, as applicable, with adjacent landscaping enhancements. Additional lighting is also provided adjacent to these areas for pedestrian safety and to indicate the location of vehicular ingress and egress. New signage will require a permit and must comply with Article 6 of the Planning Code.

c. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

d. That the use as proposed would provide development that is in conformity with the stated purpose of the District.

The Project is consistent with the stated purposed of the PDR-1-G Zoning District in that it will provide space for social service and philanthropic uses while providing a greater amount of replacement PDR space from what currently exists on-site. Additionally, the Project will provide

ground floor retail to activate the Bryant Street frontage. As noted in Planning Code Section 210.3, PDR-1-G is described as:

The intention of this District is to retain and encourage existing production, distribution, and repair activities and promote new business formation. Thus, this District prohibits Residential and Office uses, and limits Retail and Institutional uses. Additionally, this District allows for more intensive production, distribution, and repair activities than PDR-1-B and PDR-1-D but less intensive than PDR-2. Generally, all other uses are permitted. In considering any new land use not contemplated in this District, the Zoning Administrator shall take into account the intent of this District as expressed in this Section and in the General Plan.

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

# 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 minimized undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The Project meets the planning objectives and poses no significant adverse environmental effects and will result in positive fiscal and employment benefits for residents by providing space for social service and philanthropic facilities.

#### **RECREATION AND OPEN SPACE ELEMENT**

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM

#### Policy 1.9:

Preserve sunlight in public open spaces.

A detailed shadow analysis was prepared for the Project as it relates to the potential shadow impact on Franklin Square Park. This analysis concluded that the increase in shadow to the park was negligible, and

would not be adverse to the use and enjoyment of the public park. On May 19, 2017, the Recreation and Parks Commission reviewed the Project, and found that it would not be adverse to the use and enjoyment of Franklin Square Park.

# **OBJECTIVE 3: IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE**

**Policy 3.6:** Maintain, restore, expand and fund the urban forest.

The Project will add to the urban forest with the addition of street trees on Bryant and Florida Streets.

#### TRANSPORTATION ELEMENT

#### **Objectives and Policies**

# OBJECTIVE 24: IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

#### Policy 24.4:

Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Bryant and Florida Streets. Frontages are designed with transparent glass and intended for active spaces oriented at the pedestrian level.

# **OBJECTIVE 28: PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.**

**Policy 28.3:** Provide parking facilities which are safe, secure, and convenient.

The Project includes 30 Class 1 bicycle parking spaces in secure and convenient location.

#### **URBAN DESIGN ELEMENT**

#### **Objectives and Policies**

OBJECTIVE 1: EMPHASIS OF THE CHARACTERISTIC PATTERN, WHICH GIVES THE CITY AND NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

#### Policy 1.3:

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

#### Policy 1.7:

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

# OBJECTIVE 3: MODERATION OF MAJOR NEW DEVELOPMENT TO CMPLEMENT 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 3.5:

Relate the height of buildings to important attributes of the City pattern and to the heights and character of existing development.

#### **OBJECTIVE 4:**

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

#### Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

#### Policy 4.12:

Install, promote and maintain landscaping in public and private areas.

#### Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

The Project has been designed in an archectural style reminiscent of a historic brick industrial building and provides a richness of character, texture and human scale. The design a includes brick veneer exterior finish, aluminum sash divided-light windows, stone window sills, a wooden storefront system and a steel and glass canopy, all of which are consistent with historic brick industrial buildings Additionally, the traditional design is consistent with the charater of the existing buildings that characterize the neighborhood.

#### MISSION AREA PLAN

#### **Objectives and Policies**

#### Land Use

#### **OBJECTIVE 7.2**

# ENSURE CONTINUED SUPPORT FOR HIMAN SERVICE PROVIDERS THROUGHOUT THE NEIGHBORHOODS.

#### Policy 7.2.1

Promote the continued operation of existing human and health services that serve low-income and immigrant communities in the Eastern Neighborhoods.

#### Policy 7.2.2

Encourage new facilities and spaces for providers of services such as English as a Second Language, employment training services, art education and youth programming.

#### Policy 7.2.3

Explore a range of revenue-generating tools to support the ongoing operations and maintenance of public health and community facilities, including public funds and grants, as well as private funding sources.

The Project will provide 166,728 square feet of new social service and philanthropic facility space for nonprofit organizations. The space will consist of commercial condominiums which will provide the opportunity for social-service non-profits to purchase their space to avoid rising rental rates and/or displacement.

- 8. **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.

The project site is currently occupied by a two-story, approximately 13,800 square foot, industrial building. Although the Project would remove this use, the Project will provide for new PDR space of 18,652 square feet. Additionally, the Project will include 2,281 square feet of ground floor retail and 166,483 square feet of social service and philanthropic facility space. The Project improves the urban form of the neighborhood by adding new employees and visitors to the neighborhood, which would assist in strengthening nearby retail uses.

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

The project site does not possess any residential use. The Project site is located within a primarily industrial and commercial area with limited residential uses in the vicinity and thus, would not impact existing housing. The Project offers an architectural style that is contextual and reminiscent of historic brick industrial building that is consistent and compatible with the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site.

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

The Project Site is served by Muni transit lines along Bryant Street, 16<sup>th</sup> Street and Potrero Avenue, and is within 0.5 miles to the 16<sup>th</sup> Street Bart Station. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking (92 off-street parking spaces), and sufficient bicycle parking for employees and visitors.

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 will demolish an existing industrial building, but shall replace it with PDR space of greater square footage. The Project does not involve the creation of commercial office development. Although similar in character to some types of office development, the Project will only cater to non-profit and/or social service uses. The Project would enhance opportunities for resident employment and ownership opportunities for non-profit organizations by providing for-sale social service and philanthropic facilities space, retail and PDR space, which will provide new potential neighborhood and community-serving uses and employment opportunities.

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

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

G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the Project Site.

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

The Project will will cast additional shadow on the nearby Franklin Square Park and will have an effect on a property managed and owned by the Recreation and Parks Commission. As noted in Planning Commission Motion No. XXXXX, the additional shadow cast by the Project would not be adverse to the usability of Franklin Square Park.

9. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all

construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

- 10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11. The Commission hereby finds that approval of the 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. 2015-011211CUA**subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 25, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17820. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 1, 2017.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

SAN FRANCISCO PLANNING DEPARTMENT Draft Motion June 1, 2017

ABSENT:

ADOPTED: June 1, 2017

# **EXHIBIT A**

# **AUTHORIZATION**

This authorization is for a Conditional Use Authorization to allow the demolition of an existing two-story industrial building and new construction of a five-story, 68-foot-tall 187,416 gross sq. ft. building with 2,281 sq. ft. of ground floor retail, 18,652 sq. ft. of PDR (Production Distribution and Repair), 166,483 sq. ft. of Social Service/Philanthropic Use located at 1850 Bryant Street, Lot 006, Block 3970, pursuant to Planning Code Sections 210.3 and 303 and Planning Commission Resolution No. 19865 (Mission 2016 Interim Zoning Controls), within the PDR-1-G Zoning District and a 68-X Height and Bulk District; in general conformance with plans, dated April 25, 2017, and stamped "EXHIBIT B" included in the docket for Record No. 2015-011211CUA and subject to conditions of approval reviewed and approved by the Commission on June 1, 2017 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

# **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 1, 2017 under Motion No. XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use 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 Conditional Use 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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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

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

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, <u>www.sf-planning.org</u>

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014-002026ENV) attached as Exhibit C are necessary to

avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor.

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

7. Additional Project Authorization. The Project Sponsor must obtain a project authorization under Planning Code Section 329 for a Large Project Authorization with modifications to the requirements for rear yard, open space, permitted obstructions over the street, ground floor ceiling height, off-street loading and accessory use provisions for dwelling units, and satisfy all the conditions thereof. Variances from the Zoning Administrator are needed to address the Planning Code requirements for off-street loading (Planning Code Section 152), and street frontage (Planning Code Section 145.5). Lastly, per Planning Code Section 295, authorization is required to allow the project to cast shade or shadow upon Franklin Square Park, which is under the jurisdiction of the Recreation and Park Commission. 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, <u>www.sf-planning.org</u>

# DESIGN

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

8. **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 building 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, <u>www.sf-planning.org</u>

9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. 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, <u>www.sf-planning.org</u>

- 10. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application. *For information about compliance, contact the Case Planner, Planning Department at* 415-558-6378, <u>www.sf-planning.org</u>
- 11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
  - a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
  - b. On-site, in a driveway, underground;
  - c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
  - d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
  - e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
  - f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
  - g. On-site, in a ground floor façade (the least desirable location).

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

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

# PARKING AND TRAFFIC

12. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 103 off-street parking spaces for the proposed 2,281sq. ft of retail use, 18,652 sq. ft of PDR use, and 166,483 sq. ft of social service/philanthropic use. Per the Project Description, the Project Sponsor has specified that they will provide no more than 89 off-street parking spaces, 2 car share spaces and 4 service vehicle loading spaces.

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

13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 45 bicycle parking spaces (30 Class 1 spaces and 15 Class 2 spaces).

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

14. **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* 

# PROVISIONS

15. **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, <u>www.onestopSF.org</u>

- 16. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378,* <u>www.sf-planning.org</u>
- 17. Eastern Neighborhoods Infrastructure Impact Fee. The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

# MONITORING

18. 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* 

# OPERATION

19. Use/Future Tenants. All tenants within the areas defined for PDR or Social Service/Philanthropic use must demonstrate compliance with the respective use definitions for PDR (Production, Distribution and Repair) or Social Service/Philanthropic uses. If necessary, as required by

Department staff, proposed tenants must submit a "Letter of Determination" to the Zoning Administrator to determine the appropriate use category for a subject business.

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

- 20. Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at* 415-554-.5810, <u>http://sfdpw.org</u>
- 21. 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,.<u>http://sfdpw.org/</u>
- 22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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

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



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☑ Affordable Housing (Sec. 415)
- □ Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- ☑ First Source Hiring (Admin. Code)
- □ Child Care Requirement (Sec. 414)
- ☑ Other

# Planning Commission Motion No. XXXXX

HEARING DATE: JUNE 1, 2017

Case No.:	2015-011211SHD
Project Address:	1850 BRYANT STREET
Zoning:	PDR-1-G (Production, Distribution & Repair – 1 – General) District
	68-X Height and Bulk District
Block/Lot:	3970/006
Project Sponsor:	Thor Kaslofsky, 1850 Bryant Land, LLC.
	1161 Mission Street
	San Francisco, CA 94103
Staff Contact:	Linda Ajello Hoagland – (415) 575-6823
	linda.ajellohaoagland@sfgov.org

Recommendation: Approval with Conditions

ADOPTING FINDINGS, WITH THE RECOMMENDATION OF THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON FRANKLIN SQUARE PARK BY THE PROPOSED PROJECT AT 1850 BRYANT STREET WOULD NOT BE ADVERSE TO THE USE OF FRANKLIN SQUARE PARK.

# PREAMBLE

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

On February 7, 1989, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Franklin Square Park is located on Lot 001 in Assessor's Block 3963, is bounded by 16th Street to the north, 17th Street to the south, Bryant Street to the west, and Hampshire Street to the east. Franklin Square Park measures approximately 191,664 square feet and includes a regulation size soccer field with synthetic turf and a playground at the southwest corner, a pedestrian pathway that circles the soccer field and provides access to the playground and open spaces, and mature trees that vary in height from approximately 10 to 30 feet tall along the perimeter of the park. The neighborhood immediately

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

Reception: 415.558.6378

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Planning Information: **415.558.6377**  surrounding Franklin Square Park consists primarily of light industrial and commercial uses, with some residential uses.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on Franklin Square Park (with no adjacent structures present) is approximately 719,447,098 square-foot-hours of sunlight. Existing structures in the area cast shadows on Franklin Square Park that total approximately 9,624,699 square-foot hours, or approximately 1.34 percent of the TAAS.

On January 23, 2017, Thor Kaslofsky (hereinafter "Project Sponsor"), on behalf of Abbett Electrical Corp. (Property Owner), filed an application for a Shadow Impact Study and a Conditional Use Authorization on the property at 1850 Bryant Street, Lot 006, Block 3970 (hereinafter "subject property"), pursuant to Planning Code Section 329 and the Mission 2016 Interim Zoning Controls, to demolish an approximately 13,800 square-foot (sq. ft.), two-story, industrial building and to construct a five-story, 68-foot-tall 187,416 gross sq. ft. building with 2,281 sq. ft. of ground floor retail, 18,652 sq. ft. of PDR (Production Distribution and Repair), 166,483 sq. ft. of Social Service/Philanthropic Use, 89 below off-street parking spaces, 2 car share spaces 4 service vehicle parking spaces and 1 off-street truck loading space within the PDR–1-G (Production, Distribution and Repair - 1, General) Zoning District, and 68-X Height and Bulk District.

A technical memorandum, prepared by CADP, was submitted on April 17, 2017, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2015-011211SHD). In addition, this memorandum examined the cumulative shadow impact caused by the Project and the nearby project at 2435-2445 16<sup>th</sup> Street (Case No. 2014.1201SHD). The memorandum concluded that the Project would cast approximately 72,719 square-foot-hours of new shadow on Franklin Square Park, equal to approximately 0.010 percent of the theoretically available annual sunlight ("TAAS") on Franklin Square Park.

On May 18, 2017, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Franklin Square Park will not be adverse to the use of Franklin Square Park.

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

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

# **FINDINGS**

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.

- 2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
  - a. The proposed project would reduce the annual available insolation by about 0.010 percent (a reduction of 72,719 square foot hours of sunlight). This results in a total shadow load of 9,697,418 square foot hours equivalent to a shadow load of 1.34 percent of the TAAS. Additional shadow would occur from October 18 to February 22 in the late afternoon.
  - b. Although the additional shadow cast by the proposed project has a numerically significant effect, the magnitude of the additional shadow is well below one percent, and amounts to a reasonable and extremely small loss of sunlight for a park in an area of slated for increased building heights and residential density.
  - c. The net new shadow cast upon Franklin Square Park from the Project occurs in the afternoon on the southwest edge of Franklin Square Park, impacting a trail and a portion of the playground affecting the playground no more than 15 minutes at the end of the day.
  - d. The net new shadow cast is relatively small in area in comparison to the size of Franklin Square Park and at its greatest extent never exceeds 2.15 percent of the area of Franklin Square Park. The average duration of the net new shadow is 26 minutes and never exceeds 1 hour 17 minutes.
  - e. The Project would produce new public benefits, including, but not limited to, 157,000 square feet of commercial space for social services and PDR businesses, Eastern Neighborhoods Impact Fees, the Transit Sustainability Fee, and the San Francisco Unified School District Fees.
- 3. A determination by the Planning Commission and the Recreation and Park Commission to allocate net new shadow to the Project does not constitute an approval of the Project.

#### DECISION

That based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. **2015-011211SHD**, that the net new shadow cast by the Project on Franklin Square Park will not be adverse to the use of Franklin Square Park.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on June 1, 2017.

Jonas P. Ionin Commission Secretary

AYES:

NAYES:

ABSENT:

ADOPTED: June 1, 2017

# **Block Book Map**





Case Number 2015-011211CUAVAR

1850 Bryant Street


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



# **Zoning Map**



# **Height and Bulk Map**





# **Aerial Photo**





# **Aerial Photo**





# **Context Photos** SUBJECT PROPERTY ON BRYANT STREET



SUBJECT PROPERTY

# **Site Photo**

### PORTION OF SUBJECT BLOCK ON BRYANT STREET



# **Site Photo**

### PORTION OF OPPOSITE BLOCK ON BRYANT STREET



# **Context Photos** SUBJECT PROPERTY FLORIDASTREET



SUBJECT PROPERTY

# **Site Photo**

### PORTION OF SUBJECT BLOCK ON FLORIDASTREET



# **Site Photo**

### PORTION OF OPPOSITE BLOCK ON FLORIDA STREET





### SAN FRANCISCO PLANNING DEPARTMENT

### Certificate of Determination Community Plan Evaluation

Case No.: Project Address:	2015-011211ENV <b>1850 Bryant Street</b>	Re <b>41</b>
,	5	
Zoning:	PDR-1-G (Production Distribution and Repair-1-General) Use District	Fax
	68-X Height and Bulk District	41
Block/Lot:	3971/006	Pla
Lot Size:	36,500 square feet	Inf
Plan Area:	Eastern Neighborhoods Area Plan, Mission Sub Area	41
Project Sponsor:	Douglas Ross, Ross Construction 415-850-2515	
Staff Contact:	Justin Horner, Justin.horner@sfgov.org, 415-575-9023	

**PROJECT DESCRIPTION** 

The 36,500-square-foot (sf) project site is located in the middle of the block bordered by Bryant Street to the east, 17<sup>th</sup> Street to the north, Florida Street to the west and Mariposa Street to the south in the Mission neighborhood. The project site is currently occupied by a two-story, approximately 26 foot -tall, 13,800-sf commercial building built in 1974, and a 27,300-sf surface parking lot and storage area. The project site is located in the PDR-1-G (Production, Distribution and Repair-1-General) Zoning District and the 68-X Height and Bulk District.

(project description continued on next page)

#### **CEQA DETERMINATION**

The project is eligible for streamlined environmental review 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.

hor nsa

Lisa M. Gibson Environmental Review Officer

<u>5/10/17</u> Date

cc: Douglas Ross, Project Sponsor; Supervisor Ronen, District 9; Linda Ajello Hoagland, Current Planning Division; Virna Byrd, M.D.F.

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

Reception: 415.558.6378

ax: 115.558.6409

Planning Information: **415.558.6377** 

### **PROJECT DESCRIPTION (CONTINUED)**

The proposed project would demolish the existing building and the surface parking and storage lot, and construct a five-story-plus-basement, 68-foot-tall mixed use building with approximately 166,728 gross square feet of social service uses, 2,285 gross square feet of retail, approximately 18,407 gross square feet of production, distribution and repair (PDR) uses and a 17,000 square foot roof deck. The lobby entrance would be located on Bryant Street. The proposed project would provide 91 vehicle parking spaces on the second below-grade basement level, and also include 30 Class 1 bicycle parking spaces, and 15 Class 2 bicycle parking spaces. The proposed project would remove a curb cut on Bryant Street and relocate a curb cut on Florida Street to the center of the Florida Street frontage. Construction of the project would require approximately 40,000 cubic yards of excavation to a depth of approximately 30 feet along Bryant Street and 15 feet along Florida Street. Construction would last approximately 18 months.

#### **PROJECT APPROVAL**

The proposed project requires a Large Project Authorization (pursuant to Mission Interim Controls) from the Planning Commission, which will be the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

#### COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that 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, shall not be subject to additional environmental review 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 1850 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an

<sup>&</sup>lt;sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses.

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

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,0000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.<sup>4</sup>

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to PDR-1-G (Production Distribution and Repair-1-General) District. The PDR-1-G District is intended to retain and encourage existing PDR activities and promote new business formation. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 1850 Bryant Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with building up to 68 feet in height.

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

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

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

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1850 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 1850 Bryant Street project, and identified the mitigation measures applicable to the 1850 Bryant Street project. The proposed project site.<sup>5,6</sup> Therefore, no further CEQA evaluation for the 1850 Bryant Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

#### PROJECT SETTING

The project site is located in the middle of the block bordered by Bryant Street to the east, 17<sup>th</sup> Street to the north, Florida Street to the west and Mariposa Street to the south in the Mission neighborhood. Like all parcels on the block, the project site is a through lot between Bryant Street and Florida Street. The project area along Bryant Street is characterized primarily by residential uses in one- to three-story buildings ranging from 40-feet to 48-feet tall on the west side of Bryant Street, with the San Francisco Municipal Transportation Agency Potrero Division corporation yard on the east side. The project area along Florida Street is characterized by the two neighboring residential buildings along the east side, and a 40-foot, four-story theater and performing arts space with residential units on the west side. Buildings immediately adjacent to the project site include a 40-foot-tall, four-story residential live-work building to the south, and a 48-foot-tall, four-story residential building to the north. Parcels surrounding the project site are within the UMU (Urban Mixed Use), PDR-1-G (Production Distribution and Repair-1-General) and P (Public) Zoning Districts, and are within 68-X and 65-X Height and Bulk districts.

The closest Bay Area Rapid Transit District (BART) stop is at 16th and Mission Streets, approximately 0.4 miles northwest of the project site. The project site is within a quarter mile of several local transit lines, including Muni lines 9-San Bruno, 9R-San Bruno Rapid, 12-Folsom/Pacific, 22-Filmore, 27-Bryant, 33-Ashbury/18th Street, and 55-16<sup>th</sup> Street.

#### POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed

<sup>&</sup>lt;sup>5</sup> Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 1850 Bryant Street, April 6, 2017. 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. 2015-01121ENV.

<sup>&</sup>lt;sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1850 Bryant Street, April 3, 2017.

1850 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 1850 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute considerably to any of these impacts.

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

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed	N/A
F-2: Construction Noise	Not Applicable: no particularly noisy construction methods would be anticipated during the project's construction phase.	N/A
F-3: Interior Noise Levels	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: CEQA generally no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels	N/A
F-5: Siting of Noise-Generating Uses	Applicable. Project includes PDR uses.	Project sponsor has completed acoustic study and the

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

Mitigation Measure	Applicability	Compliance
		proposed project would include STC 28 windows at the PDR spaces to ensure noise levels in compliance with the Noise Ordinance.
F-6: Open Space in Noisy Environments	Not Applicable: CEQA generally no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A
G. Air Quality		
G-1: Construction Air Quality	Not Applicable: these requirements have been superseded by the San Francisco Dust Control Ordinance.	Compliance with the San Francisco Dust Control Ordinance.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by applicable Article 38 requirements.	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: the proposed uses are not expected to emit substantial levels of DPMs.	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed project would not include a backup diesel generator or other use that emits TACs.	N/A
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: no archeological research design and treatment plan on file for this site.	N/A
J-2: Properties with no Previous Studies	Applicable. Proposed project requires Preliminary Archeological Review (PAR).	Project Mitigation Measure 1 (Accidental Discovery) has been agreed to by the project sponsor.
J-3: Mission Dolores Archeological	Not Applicable: project does not include any excavation and	N/A

Mitigation Measure	Applicability	Compliance
District	is not located in Mission Dolores Archeological District.	
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable. Proposed project includes demolition of existing structures.	Project Mitigation Measure 2 (Hazardous Building Materials) has been agreed to by the project sponsor.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	N/A

Mitigation Measure	Applicability	Compliance
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	N/A

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

#### PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on March 29, 2017 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. These include public comments regarding shadow impacts, traffic and parking, operational and construction-related noise, hazardous materials and geological concerns, as well as views, construction-related impacts (noise, vibration and air quality) and the presence of serpentine rock. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

#### CONCLUSION

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

- 1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
- 2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
- 3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;

<sup>&</sup>lt;sup>7</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-011211ENV.

- 4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
- 5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
J. Archeological Resources				
<i>Mitigation Measure 1 Archeological Monitoring</i> Based on the reasonable potential 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 a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. 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 <i>construction</i> 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)(c).	Project sponsor.	Prior to issuance of site permits.	Project sponsor shall retain archeological consultant to undertake archaeological monitoring program in consultation with ERO.	Complete when Project sponsor retains qualified archaeological consultant.
<ul> <li>Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:</li> <li>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 project archeologist 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 potential risk these activities pose to archaeological resources and to their depositional context;</li> <li>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 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 the archeological</li> </ul>	Project Sponsor	Prior to the start of renovation/const ruction activities.	Planning Department, in consultation with DPH.	Considered complete upon submittal to Planning confirming compliance with this measure.

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<ul> <li>consultant, determined that project construction activities could have no effects on significant archeological deposits;</li> <li>The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis</li> </ul>				
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 crews and heavy 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, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.	The archaeological consultant, Project Sponsor and project contractor.	Monitoring of soils disturbing activities.	Archaeological consultant to monitor soils disturbing activities specified in AMP and immediately notify the ERO of any encountered archaeological resource.	Considered complete upon completion of AMP.
If the ERO in consultation with the archeological consultant 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) An archeological 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.	ERO, archaeological consultant, and Project Sponsor.	Following discovery of significant archaeological resource that could be adversely affected by project.	Redesign of project to avoid adverse effect or undertaking of archaeological data recovery program.	Considered complete upon avoidance of adverse effect
If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. 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	Archaeological consultant in consultation with ERO	After determination by ERO that an archaeological data recovery program is required	Archaeological consultant to prepare an ADRP in consultation with ERO	Considered complete upon approval of ADRP by ERO.

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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.				
<ul> <li>The scope of the ADRP shall include the following elements</li> <li>Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations.</li> <li>Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures.</li> <li>Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies.</li> <li>Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>Final Report. Description of proposed report format and distribution of results.</li> <li>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.</li> </ul>				
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 after the	Archaeological consultant or medical examiner	Discovery of human remains	Notification of County/City Coroner and, as warranted, notification of NAHC.	Considered complete on finding by ERO that all State laws regarding human remains/burial objects have been adhered to, consultation with MLD is completed as warranted, and that sufficient opportunity has

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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 as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.				been provided to the archaeological consultant for scientific/historical analysis of remains/funerary objects.
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical 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 draft final report.	Archaeological consultant	Following completion of cataloguing, analysis, and interpretation of recovered archaeological data.	Preparation of FARR	FARR is complete on review and approval of ERO
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.	Archaeological consultant	Following completion and approval of FARR by ERO	Distribution of FARR after consultation with ERO	Complete on certification to ERO that copies of FARR have been distributed

1. MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
F. Noise				
Mitigation Measure 2: Siting of Noise-Generating Uses To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909I, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.	Project Sponsor along with Project Contractor.	Design measures to be incorporated into project design and evaluated in environmental/ building permit review, prior to issuance of a final building permit and certificate of occupancy.	San Francisco Planning Department and the Department of Building Inspection.	Considered complete upon approval of final construction drawing set.
L. Hazardous Materials Mitigation Measure 3: Hazardous Building Materials The project sponsor shall ensure that any equipment containing polychlorinated biphenyl (PCBs) or Di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.	Project Sponsor	Prior to the start of renovation/const ruction activities.	Planning Department, in consultation with DPH.	Considered complete upon submittal to Planning confirming compliance with this measure.



## SAN FRANCISCO PLANNING DEPARTMENT

### Initial Study – Community Plan Evaluation

Case No.: Project Address:	2015-011211ENV <b>1850 Bryant Street</b>	Reception: <b>415.558.6</b>
Zoning:	PDR-1-G (Production Distribution and Repair-1-General) Use District	Fax:
	68-X Height and Bulk District	415.558.6
Block/Lot:	3971/006	Planning
Lot Size:	36,500 square feet	Information
Plan Area:	Eastern Neighborhoods Area Plan, Mission Sub Area	415.558.6
Project Sponsor:	Douglas Ross, Ross Construction 415-850-2515	
Staff Contact:	Justin Horner, <u>Justin.horner@sfgov.org</u> , 415-575-9023	

PROJECT DESCRIPTION

The 36,500-square-foot (sf) project site is located in the middle of the block bordered by Bryant Street to the east, 17th Street to the north, Florida Street to the west and Mariposa Street to the south in the Mission neighborhood (see Figures 1 and 2). The project site is currently occupied by a two-story, approximately 26-foot-tall, 13,800-sf commercial building built in 1974, and a 27,300-sf surface parking lot and storage area. The project site is located in the PDR-1-G (Production, Distribution and Repair-1-General) Zoning District and the 68-X Height and Bulk District.

The proposed project would demolish the existing building and the surface parking and storage lot, and construct a five-story-plus-basement, 68-foot-tall mixed use building with approximately 166,728 gross square feet of social service uses, approximately 2,285 gross square feet of retail and approximately 18,400 gross square feet of production, distribution and repair (PDR) uses, and a 17,000 square foot roof deck (see Figures 3-9). The lobby entrance would be located on Bryant Street. The proposed project would provide 91 vehicle parking spaces on the B2 below-grade basement level, and also include 30 Class 1 bicycle parking spaces, 15 Class 2 bicycle parking spaces. The proposed project would remove a curb cut on Bryant Street and move a curb cut on Florida Street to the center of the lot. Construction of the project would require approximately 40,000 cubic yards of excavation to a depth of approximately 30 feet along Bryant Street and 15 feet along Florida Street. Construction would last approximately 18 months.

The proposed 1850 Bryant Street project would require the following approvals:

#### Actions by the Planning Commission

- Large Project Authorization, for a "Medium Project," per the Mission 2016 Interim Zoning • Controls;
- Joint determination with the Recreation and Park Commission that the project would have no adverse shadow impact on Franklin Square or other parks subject to Section 295 of the Planning Code.

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

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#### **EVALUATION OF ENVIRONMENTAL EFFECTS**

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).<sup>1</sup> The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study 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 section at the end of this checklist.

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

The proposed project would include construction of a five-story, 68-foot-tall building with PDR uses and social service uses. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

<sup>&</sup>lt;sup>1</sup> San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <u>http://www.sf-planning.org/index.aspx?page=1893</u>, accessed August 17, 2012.

Figure 1. Project Vicinity



Figure 2. Project Site: 1850 Bryant Street





#### Figure 3: Proposed Basement Levels Plans

#### Figure 4. Proposed First Floor Plan



#### Figure 5 Proposed Second Floor Plan



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#### Figure 6. Proposed Third Floor Plan



#### Figure 7. Proposed Fourth Floor Plan



#### Figure 8. Proposed Fifth Floor Plan



1850 Bryant Street 2015-011211ENV

### Figure 7. Proposed Roof Plan





### Figure 8. Proposed Bryant Street (East) Elevation


Figure 9. Proposed Florida Street (West) Elevation

# CHANGES IN THE REGULATORY ENVIRONMENT

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

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see "CEQA Section 21099" heading below).
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 14, 2016 through April 14, 2017.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation section).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).
- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

## **Aesthetics and Parking**

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and

c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>2</sup> Project elevations are included in the project description.

## Automobile Delay and Vehicle Miles Traveled

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

In January 2016, OPR published for public review and comment a <u>Revised Proposal on Updates to the CEQA</u> <u>Guidelines on Evaluating Transportation Impacts in CEQA</u><sup>3</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 transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

<sup>&</sup>lt;sup>2</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1850 Bryant Street, April 3, 2017. 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. 2015-011211ENV.

<sup>&</sup>lt;sup>3</sup> This document is available online at: <u>https://www.opr.ca.gov/s\_sb743.php</u>.

Тор	oics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
1.	LAND USE AND LAND USE PLANNING—Would the project:				
a)	Physically divide an established community?				$\boxtimes$
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?				
c)	Have a substantial impact upon the existing character of the vicinity?				$\boxtimes$

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would include the demolition of an existing 13,800-sf PDR use and the construction of 18,400-sf of new PDR space. This would result in a net increase of approximately 4,400-sf of PDR space and would not therefore contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. In addition, the project site was zoned Manufacturing (M-1) prior to the rezoning of Eastern Neighborhoods, which permitted PDR uses and the rezoning of the project site did not contribute to the significant impact.

The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and area plans do not provide for any new major roadways, such as freeways that would disrupt or divide the plan area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the PDR-1-G District and is consistent with the height, density and land use envisioned in the Mission Area Plan of the Eastern Neighborhoods Plan. The proposed project is consistent with Mission Area Plan Objective 1.1 (strengthening the Mission's existing mixed use character) by providing new PDR uses, as well as Mission Area Plan Objective 1.7 (retaining the Mission's role as an important location for PDR activities). The proposed project also meets Objective 4.7 by providing bicycle parking spaces.<sup>4,5</sup>

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

<sup>&</sup>lt;sup>4</sup> Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 1850 Bryant Street, April 6, 2017.

<sup>&</sup>lt;sup>5</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1850 Bryant Street, April 3, 2017.

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: "would induce substantial growth and concentration of population in San Francisco." The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the No-Project scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects on neighborhood character through gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income

households, and states moreover that lower-income residents of the Eastern Neighborhoods, who also disproportionally live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

Pursuant to CEQA Guidelines 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as "blight" or "urban decay" have courts upheld environmental analysis that considers such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts "shall not be considered a significant effect" per CEQA Guidelines 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods Rezoning and Area Plans could contribute to gentrification and displacement, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

The proposed project includes approximately 18,400 square feet of PDR space, 2,285 square feet of retail, and approximately 166,728 square feet of social service space. The proposed project would include employees, customers and those in need of social services. These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project's contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

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

#### **Historic Architectural Resources**

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or

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

The project site is currently occupied by a two-story, approximately 26-foot-tall, 13,800-sf commercial building built in 1974, and a 27,300-sf surface parking lot and storage area. The existing building was previously evaluated in the Showplace Square/Northeast Mission Historic Resource Survey and was found to be ineligible for national, state, or local listing.<sup>6</sup> The existing building is therefore not an historic resource under CEQA. Moreover, the project site is not located within a designated or eligible historic district. Therefore, demolition of this building would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

## Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-2 applies to properties, such as the site of the proposed project, for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA.

A Preliminary Archeological Review was performed for the proposed project and determined that there was a reasonable potential that archeological resources may be present within the project site. Therefore, **Project Mitigation Measure 1: Archeological Monitoring** would apply to the proposed project. See full text of Project Mitigation Measure 1: Archeological Monitoring in the Mitigation Measures Section below.

<sup>&</sup>lt;sup>6</sup> SF Planning Department, Showplace Square/Northeast Mission Historic Resource Survey, June, 2011. <u>http://sf-planning.org/showplace-squarenortheast-mission-historic-resource-survey</u>. Accessed: May 5, 2017.

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
4.	TRANSPORTATION AND CIRCULATION—Would the project:				
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
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?				
c)	Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?				$\boxtimes$
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?				$\boxtimes$
e)	Result in inadequate emergency access?				$\boxtimes$
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				$\boxtimes$

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects, and that project-specific analyses would need to be conducted for future development projects under the Eastern Neighborhoods Rezoning and Area Plans.

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.<sup>7</sup> Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less than significant level. Thus, these impacts were found to be significant and unavoidable. The project-

<sup>&</sup>lt;sup>7</sup> CHS Consulting Group, *Transportation Impact Study for 1850 Bryant Street*, April 2017.

specific Transportation Impact Study determined that the proposed project would not substantially affect the capacity utilization of local and regional transit lines and would not affect the operations of the adjacent and nearby bus transit routes; therefore, transit impacts of the proposed project would be Less Than Significant.

As discussed above under "SB 743", in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

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

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

# Vehicle Miles Traveled (VMT) Analysis

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

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. 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, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to 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>8,9</sup>

For office development, regional average daily work-related VMT per employee is 19.1.<sup>10</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>11</sup> Average daily VMT for both land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 538.

	Existing			Cumulative 2040		
		<u>Bay Area</u>			<u>Bay Area</u>	
Land Use	<u>Bay Area</u>	<u>Regional</u>		<u>Bay Area</u>	<u>Regional</u>	
<u>Land Osc</u>	<u>Regional</u>	<u>Average</u>	<u>TAZ 538</u>	<u>Regional</u>	<u>Average</u>	<u>TAZ 538</u>
	<u>Average</u>	<u>minus</u>		<u>Average</u>	<u>minus</u>	
		<u>15%</u>			<u>15%</u>	
Employment (Office)	19.1	16.2	9.6	17.0	14.5	8.5
Employment (Retail)	14.9	12.6	9.8	14.6	12.4	10.0

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a transportation analysis zone that exhibits low levels of VMT; Small Projects are projects that would generate fewer than 100 vehicle trips per day; and the Proximity to Transit Stations criterion includes projects that are within a half mile of an existing major transit stop, have a floor area ratio of greater than or equal to 0.75, vehicle parking that is

<sup>&</sup>lt;sup>8</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>&</sup>lt;sup>9</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>&</sup>lt;sup>10</sup> For purposes of VMT analysis, both the social service provision use and PDR use are treated as office.

<sup>&</sup>lt;sup>11</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

The proposed project would include approximately 166,728 square feet of social services space, approximately 18,400 square feet of PDR space, and approximately 2,285 square feet of retail space. Existing average daily VMT per capita for employment uses within the project site's TAZ, 538, is 9.6 miles. This is approximately 50 percent below the existing regional average daily VMT per capita of 19.1. Existing average daily VMT per employee for retail uses in TAZ 538 is 9.8 miles. This is approximately 34 percent below the existing regional average daily VMT per capita of 14.9. For future 2040 conditions, projected average daily VMT per capita for employment uses in TAZ 538 is 8.5 miles. This is 50 percent below the projected 2040 regional average daily VMT per capita of 17.1. Projected 2040 average daily VMT per employee for retail uses in TAZ 538 is 32 percent below the projected 2040 regional average of 14.6.<sup>12</sup> Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant impact.

## **Trip Generation**

The proposed project would include 166,728 square feet of social services space, 18,400 square feet of PDR space, and 2,285 square feet of retail space. The proposed project would also include 91 vehicle parking spaces in two below-grade basement levels, and also include 30 Class 1 bicycle parking spaces, 15 Class 2 bicycle parking spaces.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department.<sup>13</sup> The proposed project would generate an estimated 3,619 person trips (inbound and outbound) on a weekday daily basis, consisting of 2,226 person trips by auto, 676 transit trips, 506 walk trips and 211 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 336 person trips, consisting of 226 person trips by auto (124 vehicle trips accounting for vehicle occupancy data for this Census Tract), 63 transit trips, 35 walk trips and 12 trips by other modes.

## Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>14</sup> The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The

<sup>&</sup>lt;sup>12</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1820 Bryant Street, December 12, 2016.

<sup>&</sup>lt;sup>13</sup> CHS Consulting Group, Transportation Impact Study for 1850 Bryant Street, April 2017.

<sup>&</sup>lt;sup>14</sup> Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.<sup>15</sup> In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes systemwide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16<sup>th</sup> Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16<sup>th</sup> Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 9-San Bruno, 9R-San Bruno Rapid, 12-Folsom-Pacific, 22-Fillmore, 27-Bryant, 33-Ashbury/18<sup>th</sup> St, and 55-Rutland. The proposed project would be expected to generate 676 daily transit trips, including 63 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 63 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 9-San Bruno, 22-Fillmore and 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 63 p.m. peak hour transit trips would not be

<sup>&</sup>lt;sup>15</sup> <u>http://tsp.sfplanning.org</u>

a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

#### Conclusion

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

Тор	vics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
5.	NOISE—Would the project:				
a)	Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				$\boxtimes$
b)	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				$\boxtimes$
c)	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				$\boxtimes$
d)	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				$\boxtimes$
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?				
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?				$\boxtimes$
g)	Be substantially affected by existing noise levels?				$\boxtimes$

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.<sup>16</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

#### **Construction Noise**

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would not include any particularly noisy construction procedures, nor would the project include pile driving. Therefore, Mitigation Measures F-1 and F-2 do not apply to the proposed project.

In addition, all construction activities for the proposed project (approximately 18 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance), which regulates construction noise. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of PW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 18 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance, which would reduce construction noise impacts to a less-than-significant level.

#### **Operational Noise**

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project

standards required under the California Building Standards Code (California Code of Regulations Title 24).

<sup>&</sup>lt;sup>16</sup> Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District,* December 17, 2015, Case No. S213478. Available at: <a href="http://www.courts.ca.gov/opinions/documents/S213478.PDF">http://www.courts.ca.gov/opinions/documents/S213478.PDF</a>). As noted above, the *Eastern Neighborhoods PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical section.

vicinity. As the proposed project includes new PDR uses, Mitigation Measure F-5 applies to the proposed project. An acoustical study was performed for the proposed project to analyze the potential noise impacts of proposed PDR uses on nearby sensitive receptors.<sup>17</sup> In accordance with Mitigation Measure F-5, the noise analysis reviewed noise-sensitive uses (primarily residential uses) within 900 feet of the proposed project and included recommendations to reduce operational noise impacts to nearby residential uses to the levels required by the Noise Ordinance (Section 2909 of the San Francisco Police Code). According to the acoustical study, if the proposed project includes STC 28 rated windows at the PDR spaces (along Florida and Bryant Street facades), noise levels perceived by nearby sensitive receptors would comply with the Noise Ordinance. The project sponsor has agreed to accept the recommendations of the acoustical study into project design. Implementation of Eastern Neighborhoods PEIR Mitigation Measure F-5 would ensure the proposed project would not substantially increase the ambient noise environment and noise impacts resulting from the proposed project would be less than significant. See the full text of Mitigation Measure F-5 (**Project Mitigation Measure 2**) in Mitigation Measures Section below.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The acoustical requirements of Title 24 are incorporated into the San Francisco Green Building Code. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical requirement for non-residential uses. Both compliance methods require wall, floor/ceiling, and window assemblies to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise standards are achieved. In compliance with Title 24, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

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

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

Тор	vics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
6.	AIR QUALITY—Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?				$\boxtimes$
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				$\boxtimes$

<sup>&</sup>lt;sup>17</sup> Charles Salter Associates, 1850 Bryant Street San Francisco California Noise Mitigation Measure F-5 Analysis, April 24, 2017.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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)?				
<ul> <li>d) Expose sensitive receptors to substantial pollutant concentrations?</li> </ul>				$\boxtimes$
<ul> <li>e) Create objectionable odors affecting a substantial number of people?</li> </ul>				$\boxtimes$

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>18</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.<sup>19</sup>

#### **Construction Dust Control**

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

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public

<sup>&</sup>lt;sup>18</sup> The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

<sup>&</sup>lt;sup>19</sup> The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is 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 (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), 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. In general, the San Francisco Bay Area Air Basin (SFBAAB) experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment<sup>20</sup> or unclassified for most criteria pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."<sup>21</sup> The Bay Area Air Quality Management District (BAAQMD) prepared updated 2011 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines),<sup>22</sup> which provided new methodologies for analyzing air quality impacts. The Air Quality Guidelines also provide thresholds of significance for those criteria air pollutants that the SFBAAB is in non-attainment. These thresholds of significance are used by the City.

## Construction

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 437 working days. Construction-related criteria air pollutants generated by the proposed project were quantified using the

<sup>&</sup>lt;sup>21</sup> San Francisco Planning Department, Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <u>http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003</u>. Accessed June 4, 2014.

<sup>&</sup>lt;sup>22</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3..

California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Technical Memorandum.<sup>23</sup> The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 437 working days.

	Pollutant Emissions (Average Pounds per Day)					
	ROG	NOx	Exhaust PM10	Exhaust PM <sub>2.5</sub>		
Unmitigated Project Emissions	13.35	14	0.67	0.62		
Significance Threshold	54.0	54.0	82.0	54.0		

#### **Table 2: Daily Project Construction Emissions**

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

Source: BAAQMD, 2011; San Francisco Planning Department

As shown in Table 2, above, unmitigated project construction emissions would be below the threshold of significance for ROG, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. Therefore, air quality impacts would be less than significant.

## Operation

The proposed project would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating, and combustion of other fuels by building and grounds maintenance equipment), and energy usage. Operational-related criteria air pollutants generated by the proposed project were also quantified using CalEEMod and provided within an Air Quality Technical Memorandum. Default assumptions were used where project-specific information was unknown.

The daily and annual emissions associated with operation of the proposed project are shown in Table 3. Table 3 also includes the thresholds of significance the City utilizes.

	ROG	NOx	<b>PM</b> 10	<b>PM</b> <sub>2.5</sub>
Project Average Daily Emissions (lbs/day)	23.32	36.5	0.65	0.6
Significance Threshold (lbs/day)	54	54	82	54
Project Maximum Annual Emissions (tpy)	4.26	6.66	0.0	0.0
Significance Threshold (tpy)	10.0	10.0	10.0	10.0

Table 3: Summary of Operational Criteria Air Pollutant Emissions

lbs/day = pounds per day

tpy = tons per year

Source: BAAQMD, 2011; San Francisco Planning Department

<sup>23</sup> San Francisco Planning Department, Air Quality Memorandum, Project File 2015.011211ENV 1850 Bryant Street, April 20, 2017.

As shown in Table 3, the proposed project would not exceed the threshold of significance for operational criteria air pollutant emissions. For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the Eastern Neighborhoods PEIR related to contribution to violations of air quality standards or substantial increases in non-attainment criteria air pollutants.

## Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM<sub>2.5</sub> concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone 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.

#### Construction

The project site is not located within an identified Air Pollutant Exposure Zone. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and the remainder of Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is not applicable to the proposed project.

## Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. In addition, the proposed project would not include any sources that would emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less than significant.

For the above reasons, none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
7.	GREENHOUSE GAS EMISSIONS— Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				$\boxtimes$
b)	Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				$\boxtimes$

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E<sup>24</sup> per service population,<sup>25</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*<sup>26</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>27</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,<sup>28</sup> Executive Order S-3-05<sup>29</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>30,31</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals

<sup>&</sup>lt;sup>24</sup> CO<sub>2</sub>E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

<sup>&</sup>lt;sup>25</sup> Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

<sup>&</sup>lt;sup>26</sup> San Francisco Planning Department, Strategies to Address Greenhouse Gas Emissions in San Francisco, November 2010. Available at <u>http://sfmea.sfplanning.org/GHG\_Reduction\_Strategy.pdf</u>, accessed March 3, 2016.

<sup>&</sup>lt;sup>27</sup> ICF International, Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco, January 21, 2015.

<sup>&</sup>lt;sup>28</sup> Bay Area Air Quality Management District, Clean Air Plan, September 2010. Available at <u>http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans</u>, accessed March 3, 2016.

<sup>&</sup>lt;sup>29</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <u>https://www.gov.ca.gov/news.php?id=1861</u>, accessed March 3, 2016.

<sup>&</sup>lt;sup>30</sup> California Legislative Information, Assembly Bill 32, September 27, 2006. Available at <u>http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab 0001-0050/ab 32 bill 20060927 chaptered.pdf</u>, accessed March 3, 2016.

<sup>&</sup>lt;sup>31</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.

established under Executive Orders S-3-05<sup>32</sup> and B-30-15.<sup>33,34</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 increasing the number of users and visitors to the site. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) 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 reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, Transportation Sustainability Fee, bicycle parking requirements, and low-emission car parking 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 Efficient Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>35</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>36</sup> and reducing the energy required to produce new materials.

<sup>&</sup>lt;sup>32</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>&</sup>lt;sup>33</sup> Office of the Governor, *Executive Order B-30-15, April 29, 2015.* Available at <u>https://www.gov.ca.gov/news.php?id=18938</u>, 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>&</sup>lt;sup>34</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.

<sup>&</sup>lt;sup>35</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>&</sup>lt;sup>36</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. This regulation would require the project to plant 18 trees, or pay an in-lieu fee or provide in-lieu landscaping. The project proposes to plant 13 trees. Existing infrastructure and utilities would prevent the project from being able to plant the full number of trees required under this ordinance. Therefore, the project sponsor will either pay an in-lieu fee or comply with the in-lieu landscaping option, as required by PW during the permit review process. Therefore, the project would comply with this regulation. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>37</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>38</sup>

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
8.	WIND AND SHADOW—Would the project:				
a)	Alter wind in a manner that substantially affects public areas?				$\boxtimes$
b)	Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?				$\boxtimes$

## Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 68-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

## Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park

<sup>&</sup>lt;sup>37</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>&</sup>lt;sup>38</sup> San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 1850 Bryant Street, April 11, 2017.

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

The proposed project would construct a 68-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would have the potential to cast new shadow on nearby parks. The shadow fan study determined that the proposed project has the potential to cast shadow on Franklin Square Park, a Recreation and Parks property covered under Section 295 of the Planning Code. Therefore, a more detailed shadow analysis was prepared for the proposed project.<sup>39</sup> According to the shadow analysis, new shadow cast by the proposed project would fall on Franklin Square Park from approximately November 1<sup>st</sup> to February 8<sup>th</sup>, in the afternoon hours only and generally only in the southwest portion of the park. New shadows would occur no earlier than 2:45pm and would, in all instances, be gone by 4:15pm. The longest period of new shadow would by 1 hour and 17 minutes. The new shadow cast by the proposed project would increase the annual square foot hours of shadow on the park by 0.00896%.<sup>40</sup>

The largest new shadow cast would be approximately 3,550 square feet in size and would occur at around 4:00pm on December 21st. This new shadow would cover approximately 1.85% of the total square footage of the park. The shortest period of new shadow would be 12 minutes (occurring on November 1<sup>st</sup> and February 8<sup>th</sup>) and the longest period of new shadow would be 1 hour and 17 minutes (occurring on December 20<sup>th</sup>). The proposed project would not create new shadow on the soccer field, but would shade the southern pathway near the play area and portions of the southernmost softscape play area (see Figure 10). New shadow would not reach most of the main play areas, the slides, the sandbox, swings or climbing animals.

<sup>&</sup>lt;sup>39</sup> CADP. 1850 Bryant Shadow Analysis, April 17, 2017.

<sup>&</sup>lt;sup>40</sup> Franklin Square Park has 719,447,098 square feet hours of Theoretically Available Annual Sunlight (TAAS), which is an estimated amount of sunlight that could fall on the park each year if there were no trees, buildings or other obstructions casting shadows. The proposed project would add 64,485 square feet hours of shadow per year, resulting in a 0.00896% decrease in the TAAS.



# Figure 10: Worst Shadow Day: December 21st

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

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

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information

and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17<sup>th</sup> and Folsom, are both set to open in 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

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

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
10.	UTILITIES AND SERVICE SYSTEMS—Would the project:				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				$\boxtimes$
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?				
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?				$\boxtimes$
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?				$\boxtimes$
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?				
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				$\boxtimes$
g)	Comply with federal, state, and local statutes and regulations related to solid waste?				$\boxtimes$

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

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

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

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

	oics: . PUBLIC SERVICES—Would the project:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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?				

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, the project would not result in new or substantially more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Eastern Neighborhoods PEIR.

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
12.	BIOLOGICAL RESOURCES—Would the project:				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special- status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
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?				
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?				
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?				$\boxtimes$
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				$\boxtimes$
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local,				$\boxtimes$

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

The project site is located within Mission Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such,

regional, or state habitat conservation plan?

implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

<u>тор</u> 13.	GEOLOGY AND SOILS—Would the	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
	project:				
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				$\boxtimes$
	<ul> <li>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.)</li> </ul>				
	ii) Strong seismic ground shaking?				$\boxtimes$
	iii) Seismic-related ground failure, including liquefaction?				
	iv) Landslides?				$\boxtimes$
b)	Result in substantial soil erosion or the loss of topsoil?				$\boxtimes$
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?				$\boxtimes$
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?				$\boxtimes$
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?				$\boxtimes$
f)	Change substantially the topography or any unique geologic or physical features of the site?				$\boxtimes$

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR. A geotechnical investigation was prepared for the proposed project.<sup>41</sup> The report concluded that the proposed project could be developed as planned, provided the recommendations presented in the report are incorporated into the project plans and specifications and properly implemented during construction. The project site is not in a liquefaction zone and is underlain by generally non-expansive, dense sandy materials. Based on communication with the project sponsor, the most likely foundation type for the proposed project would be a mat slab, which is consistent with recommendations put forward in the geotechnical report.<sup>42</sup>

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

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

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
14.	HYDROLOGY AND WATER QUALITY—Would the project:				
a)	Violate any water quality standards or waste discharge requirements?				$\boxtimes$
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)?				
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?				$\boxtimes$
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?				

<sup>&</sup>lt;sup>41</sup> GeoForensics, Inc. Geotechnical Investigation for Proposed New Commercial Building at the Bryant Street Property, August, 2015.

<sup>&</sup>lt;sup>42</sup> Email from Suzanne Brown, Equity Community Builders, to Justin Horner, Planning Department, January 6, 2016.

Тор	pics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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?				$\boxtimes$
f)	Otherwise substantially degrade water quality?				$\boxtimes$
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?				$\boxtimes$
h)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				$\boxtimes$
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?				$\boxtimes$
j)	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?				$\boxtimes$

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

The proposed project would construct a 68-foot commercial building on a site currently occupied entirely by structures and a surface parking and storage lot. The proposed project would therefore not increase impervious surfaces on the project site. As a result, the proposed project would not increase stormwater runoff.

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

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
15	. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				$\boxtimes$
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?				

Тор	ics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				$\boxtimes$
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?				$\boxtimes$
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?				
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?				$\boxtimes$
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				$\boxtimes$
h)	Expose people or structures to a significant risk of loss, injury, or death involving fires?				$\boxtimes$

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

## Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes

demolition of an existing building that may contain hazardous materials, Mitigation Measure L-1 would apply to the proposed project. See full text of Mitigation Measure L-1 (Project Mitigation Measure 3) in the Mitigation Measures Section below.

#### Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, remediation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project would include 40,000 cubic yards of excavation to a depth of approximately 30 feet along Bryant Street and 15 feet along Florida Street. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH<sup>43</sup> and a Phase I Environmental Site Assessment (ESA) has been prepared to assess the potential for site contamination and the level of exposure risk associated with the project.<sup>44</sup> The Phase I did not reveal evidence of recognized environmental conditions in connection with the property, although it did note, at the time the report was prepared, that there was a lack of adequate secondary containment for several substances in use on the property, including diesel fuel, motor oil, hydraulic oil, paint and propane. While the Phase I is ten years old, its conclusions regarding subsurface conditions remain valid as no excavation, soil disturbance or any change in subsurface conditions has been noted in the past ten years. As part of compliance with the Maher Ordinance, DPH will review the Phase I and will require additional observations and analysis if conditions or new information warrant. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis.

The proposed project would be required to remediate potential soil and/or groundwater contamination revealed subsequent to the submission of the Maher Application, as described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

<sup>&</sup>lt;sup>43</sup> Maher Ordinance Application, dated March 29, 2017.

<sup>&</sup>lt;sup>44</sup> AEI Consultants, Phase I Environmental Site Assessment 1850 Bryant Street San Francisco, CA 94110, November 30, 2007.

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

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

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

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

Topics:		Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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)?				
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				$\boxtimes$
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?				$\boxtimes$

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

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

## **MITIGATION MEASURES**

Project Mitigation Measure 1: Archeological Monitoring Program (Eastern Neighborhoods Plan Mitigation Measure J-2): Based on the reasonable potential 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 archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological monitoring program. 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 site45 associated with descendant Native Americans or the Overseas Chinese an appropriate representative46 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 consult with 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 monitoring program* (AMP). 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 project archeologist 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 potential risk these activities pose to 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 archaeological 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 the 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 crews and heavy 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, after making a

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

<sup>&</sup>lt;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.
reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant 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) An archeological 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.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. 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, 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, including 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, curation, possession, 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 as 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 draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, 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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Project Mitigation Measure 2: Siting of Noise-Generating Uses (Eastern Neighborhoods Plan Mitigation Measure F-5): To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909l, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.

**Project Mitigation Measure 3: Hazardous Building Materials (Eastern Neighborhoods Plan EIR Mitigation Measure L-1):** The project sponsor shall ensure that any equipment containing polychlorinated biphenyl (PCBs) or Di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.



SAN FRANCISCO

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)	
1850 Bryant Street, San Francisco CA 94110				3970 / 00	06
BUILDING PERMIT APPLICATION NO.		CASE NO. (IF APPLIC	ABLE)	MOTION NO. (IF	F APPLICABLE)
201702018433		2015-011211	CUA		
PROJECT SPONSOR		MAIN CONTACT		PHONE	
Chris Foley		Thor Kaslofsky		917.528.7119	
ADDRESS					
1161 Mission Street, #52	29				
CITY, STATE, ZIP			EMAIL		
San Francisco, CA, 94103		thor.kaslofsky@	စ္တcommon	grounddev.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT (	COMMERCIAL SPACE	ESTIMATED HEIGHT/FL	OORS	ESTIMATED CONSTRUCTION COST
0 187,416		68", 5 Floors		\$37,450,000	
ANTICIPATED START DATE		1			
August 2017					

### Section 2: First Source Hiring Program Verification

CHECK	ALL BOXES APPLICABLE TO THIS PROJECT
	Project is wholly Residential
	Project is wholly Commercial
	Project is Mixed Use
	A: The project consists of ten (10) or more residential units;
	B: The project consists of 25,000 square feet or more gross commercial floor area.
	C: Neither 1A nor 1B apply.
Depa If you Depa to Ad For q visit v If the	a checked <b>C</b> , this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning interment. In checked <b>A or B</b> , your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning interment prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject ministrative Code Chapter 83. uestions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program <i>www.workforcedevelopmentsf.org</i> 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 zeiving construction permits from Department of Building Inspection.

#### 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.

		TOTAL:	88			TOTAL:	107
Ironworker	\$59/hr	1	19	Other:	\$41/hr	0	16
Heat & Frost Insulator	\$68/hr	0	5	Tile Layer/ Finisher	\$40/hr	0	4
Glazier	\$43/hr	0	5	Taper	N/A	0	0
Floor Coverer	N/A	0	0	Sprinkler Fitter	\$58/hr	0	5
Elevator Constructor	\$58/hr	0	6	Sheet Metal Worker	\$57/hr	0	7
Electrician	\$69/hr	1	15	Roofer/Water proofer	\$57/hr	0	13
Drywaller/ Latherer	\$43/hr	1	10	Plumber and Pipefitter	\$63/hr	0	10
Cement Mason	\$33/hr	0	10	Plasterer	N/A	0	0
Carpenter	\$48/hr	2	18	Pile Driver	N/A	0	0
Bricklayer	N/A	0	0	Painter	\$32/hr	0	5
Boilermaker	N/A	0	0	Operating Engineer	\$41/hr	0	5
Abatement Laborer	N/A	0	0	Laborer	\$30/hr	1	42
TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITION

YES

 $\square$ 

146

NO

 $\square$ 

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

1.	Will the anticipate	d emplo	vee com	pensation b	v trade be	consistent wi	ith area	Prevailing	Wage?

- 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations?
- 3. Will hiring and retention goals for apprentices be established?
- 4. What is the estimated number of local residents to be hired?

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

PRINT NAMI	E AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Chris Foley, Manager		cfoley@polarispacific.com	415.361.4800
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.			
(SIGNATURE OF AUTHORIZED REPRESENTATIVE)			(DATE)
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.workforcedevelopmentsf.org Email: CityBuild@sfgov.org			

#### 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.

1	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	E # TOTAL POSITION
Abatement Laborer	N/A	0	0	Laborer	\$30/hr	1	42
Boilermaker	N/A	0	0	Operating Engineer	\$41/hr	0	5
Bricklayer	N/A	0	0	Painter	\$32/hr	0	5
Carpenter	\$48/hr	2	18	Pile Driver	N/A	0	0
Cement Mason	\$33/hr	0	10	Plasterer	N/A	0	0
Drywaller/ Latherer	\$43/hr	1	10	Plumber and Pipefitter	\$63/hr	0	10
Electrician	\$69/hr	1	15	Roofer/Water proofer	\$57/hr	0	13
Elevator Constructor	\$58/hr	0	6	Sheet Metal Worker	\$57/hr	0	7
Floor Coverer	N/A	0	0	Sprinkler Fitter	\$58/hr	0	5
Glazier	\$43/hr	0	5	Taper	N/A	0	0
Heat & Frost Insulator	\$68/hr	0	5	Tile Layer/ Finisher	\$40/hr	0	4
•	\$59/hr	. 1	19	Other:	\$41/hr	0	16
Ironworker	<i>400/11</i>	Ŧ			÷ ·=/ ····		20
Ironworker		TOTAL:	88		- · · ·	TOTAL:	107
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Check the anticipated trade(s) and provide accompanying information (Select all that apply):

•		
	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.workforcedevelopmentsf.org Email: CityBuild@sfgov.org	

#### Mission Interim Control Findings

**Large Projects**: Any project that includes more than 75,000 gross square feet of non-residential uses or includes more than 75 dwelling units shall require Conditional Use authorization under Planning Code Section 303(c). An application for conditional use shall include the following information:

# 1. <u>Demographic Changes</u>: Provide information about the socio-economic characteristics of the neighborhood and evaluate the types of residents and businesses the project will cater to (demographics and general price points of the businesses and housing).

<u>Demographics</u>: Information regarding demographics of the Mission neighborhood was obtained from the October 27, 2015 City and County of San Francisco, Board of Supervisor's Budget and Legislative Analyst's Office Policy Analysis Report, "<u>Displacement in the Mission District"</u> ("Mission District Displacement Report").

Table 1 Demographics of Mission Neighborhood 2009-2013				
Total Population	38,287			
Hispanic/Latino	18,372			
Hispanic/Latino % Total	48%			
# Households	14,454			
Average Household Size	2.6			
Households w/ Children	3,041			
% Total	21%			
<ul> <li># Households: Related Individuals</li> <li>% Total</li> <li># Households: Unrelated Individuals</li> <li>% Total</li> </ul>	6,263 43% 8,191 57%			
Owner-occupied Units	3,655			
% Total	25%			
Renter-occupied Units	10,789			
% Total	75%			

Table 1 is a summary of the Mission neighborhood demographics.<sup>1</sup>

<u>Demographic Trends</u>: The <u>Mission District Displacement Report</u> included a discussion of the demographic and socio-economic and income changes that occurred in the Mission neighborhood from 2000 to 2009-2013. **Table 2<sup>2</sup>** below is a summary of demographic trends and **Table 3<sup>3</sup>** is a summary of income changes during this same period.

<sup>&</sup>lt;sup>1</sup> Information in Table 1 comes from the Mission District Displacement Report Exhibit 2 and Exhibit 9.

<sup>&</sup>lt;sup>2</sup> Information in Table 2 comes from Exhibit 2 and Exhibit 9 of the Mission District Displacement Report.

<sup>&</sup>lt;sup>3</sup> Information in Table 3 comes from Exhibit 12 of the Mission District Displacement Report.

Table 2 Demographic Trends in Mission Neighborhood				
	2000	2009-2013	% Change	
Total Population	42,266	38,281	-9%	
Hispanic/Latino	25,180	18,372	-27%	
Hispanic/Latino % Total	60%	48%	-12%	
# Households	13,071	14,454	+11%	
Average Household Size	3.2	2.6	-19%	
Households w/ Children	4,088	3,041	-26%	
% Total	31%	21%	-10%	
<ul> <li># Households: Related Individuals</li> <li>% Total</li> <li># Households: Unrelated Individuals</li> </ul>	6,655	6,263	-6%	
	51%	43%	-8%	
	6,416	8,191	+28%	
% Total	49%	57%	+8%	
Owner-occupied Units % Total Ponter occupied Units	2,482 19%	3,655 25% 10,789	+48% +6%	
Renter-occupied Units	10,589	10,789	+2%	
% Total	81%	75%	-6%	

The Mission Displacement Report also indicates that if current trends continue, the Mission District's Hispanic/Latino population will decline from 48 percent of the total population to 31 percent by 2025.

Table 3 Income Trends in Mission Neighborhood				
Annual Household Income	2000	2009-2013	% Change	
Less than \$35,000	3,682	4,592	+25%	
\$35,000 – 99,999	5,798	5,060	-13%	
\$100,000 - 149,999	1,972	2,100	+6%	
More than \$150,000	1,633	2,702	+65%	

The University of California Berkeley's Center for Community Innovation's July 2015 "case studies on Gentrification and Displacement in the San Francisco Bay Area" ("<u>Berkeley Mission District</u> <u>Case Study</u>") also included information regarding demographic changes and income trends in the Mission neighborhood. **Table 4**<sup>4</sup> below is a summary of the <u>Berkeley Mission District Case Study</u> demographic information.

<sup>&</sup>lt;sup>4</sup> Information in Table 4 comes from the <u>Berkeley Mission District Case Study</u> Table 4.1, Figure 4.2, Figure 4.3

Table 4 <u>Berkeley Mission District Case Study</u> Demographic Information				
	2000	2013	% Change	
Total Population Hispanic/Latino	54,428 50%	51,578 38%	-5% -12%	
Family Households	41%	38%	-3%	
Median Income	\$70,199	\$76,762	+8%	

<u>Project Information</u>: The Project is approximately 226,042 gross square feet (gsf), consisting of approximately 166,483 gsf of social service/philanthropic/community facility uses, approximately 18,652 gsf of PDR uses and approximately 2,281 gsf of ground floor retail space. The Project will include 89 parking spaces, including two (2) car share spaces as well as 45 bicycle parking spaces.

The proposed social service/philanthropic/community facility space in the Project will provide space for non-profits from the Mission District and the entire City that have been displaced. In providing this space, the Project provides an opportunity for social service non-profits to avoid rising rental rates for real estate by purchasing commercial condominiums within the building for prices approximately 40% below market rate. In addition, the project double the amount of existing square feet of PDR space.

#### Discussion of Demographic Changes

Reviewing the demographic information provided and available and depending on the source, the overall population in the Mission has decreased by 5-9% from 2000 to 2013. The Hispanic/Latino population has decreased by 12-27%, the number of families has decreased 3-10%, the overall number of owner-occupied units has increased 6% and the number of renter-occupied units has decreased by 6% during this same time period.

Socio-economically, the <u>Mission District Displacement Report</u> indicates that from 2000 to 2009-2013, the number of households in the Mission neighborhood making less than \$35,000 increased by 25% and the number of households making more than \$100,000 increased by 71% and the number of households making \$35,000-\$99,999 decreased by 13 percent.

From 2010 to 2014, according to the May 29, 2015 City and County of San Francisco, Board of Supervisor's Budget and Legislative Analyst's Office Policy Analysis Report, "Housing Development in the Mission District" ("Housing Development in the Mission Report"), the Mission District gained approximately 627 housing units. Only 498 of those housing units resulted from new construction and the remaining 145 units resulted from alterations of existing units. Approximately 16 housing units were also demolished during this timeframe. Of the 627 new units, 60 units (or 10%) were affordable residential units (40 units for low income and 20 for moderate income). This is consistent with the findings of the <u>Berkeley Mission District Case Study</u> which found that "the

Mission District has failed to see significant increases in its housing stock," identifying only 96 new housing units being built since 2010.<sup>5</sup>

In September 2016, John Rahaim, the Director of Planning, prepared a summary to the Board of Supervisors of the Housing Balance Report ("<u>Housing Balance Report Summary</u>"). According to that summary, from July 1, 2006 through June 30, 2016, only 1,587 net new housing units were built in the Mission neighborhood with 481 of the units built considered affordable housing units.<sup>6</sup> As a result, 30.3% of the total new housing built in the Mission over the past 10 years has been affordable housing.<sup>7</sup>

According to the September 10, 2015, Office of the Controller – Office of Economic Analysis report entitled "Potential Effects of Limiting Market-Rate Housing in the Mission" ("<u>Controller's Report</u>"), the amount of housing built or in the pipeline in the Mission under the Eastern Neighborhoods Plan is "only a small fraction of the development capacity [envisioned]."<sup>8</sup> According to the report, the "Eastern Neighborhoods planning process provided for 15,005 new housing units in the Mission, of which approximately 500 are either under construction or have been built since 2008, when the plan was passed."<sup>9</sup> This means there are another 14,500 remaining units under the plan to be built in the Mission.

The Project site is located within the PDR-1-G zoning district, which does not permit residential uses and the Project will not directly displace any residential housing units nor does the Project propose any new residential housing units. Thus, the project will not and cannot have an impact on the stock of market-rate or affordable housing units in the Mission District, or the demographic changes occurring in the Mission.

As noted above, the Project includes 2,281 square feet of new Retail space, 18,652 gsf of PDR space and 166,483 gsf of social service/philanthropic uses. It is located on the former site of a commercial use, which as discussed in the finding below, is closing voluntarily. The social-service uses would meet the needs of the non-profit community as well as low-income and other residents served by the social-service agencies that occupy the project. The PDR space provided in the Project doublea the existing PDR space on the site.

The Project will cater to the needs of the Mission District community and helps fulfill several of the objectives of the Mission Area Plan ("MAP") 2020, as discussed in the MAP 2020 Phase 1 Status Report, which was endorsed by the Planning Commission on March 2, 2017. Specifically, the MAP 2020 Phase 1 report included the following objectives<sup>10</sup>:

• Stem the loss of and promote community businesses, cultural resources, and social services serving low to moderate income households.

<sup>&</sup>lt;sup>5</sup> <u>Berkeley Mission District Case Study</u> p. 29, Table 4.2.

<sup>&</sup>lt;sup>6</sup> <u>Housing Balance Report Summary</u>, Table 1A

<sup>&</sup>lt;sup>7</sup> Housing Balance Report Summary, Table 1A

<sup>&</sup>lt;sup>8</sup> <u>Controller's Report</u>, p. 10.

<sup>&</sup>lt;sup>9</sup> <u>Controller's Report</u>, p. 10.

<sup>&</sup>lt;sup>10</sup> <u>Mission Area Plan 2020, Phase 1 Report</u>, Executive Summary, p. iv.

• Retain and promote Production, Distribution and Repair (PDR) and other high-paying jobs for entry level and limited skilled workers.

The Project directly meets both objectives through providing community and social service space and doubling the amount of the existing PDR space.

# 2. <u>Economic Pressure</u>: Provide information about the additional housing supply provided by the project and evaluate how that may affect the rate of evictions (direct displacement) within the neighborhood.

The Project does not include any residential uses, as residential uses are not permitted by the PDR-1-g zoning and the Project site does not currently contain residential uses.

# 3. <u>Total Housing Production</u>: Provide information about i) the maximum allowable dwelling unit density the site could accommodate and ii) the density of the proposed project, then iii) evaluate how effectively the proposed project would house future residents - add or change the net supply of housing for all income levels and types of tenure.

The Project does not include any residential uses, as residential uses are not permitted by the PDR-1-g zoning and the Project site does not currently contain residential uses.

4. <u>Affordable Housing Production</u>: Provide information about whether additional affordable housing could be provided on the site, through the availability of public financing or financial incentives, or through use of the State Density Bonus Law, Government Code Section 65915 or other applicable affordable housing incentive program to provide an economic incentive or financial support for additional affordable units on the site.

No housing, including affordable housing, can be provided on the site as residential uses are not permitted by the PDR-1-G zoning.

# 5. <u>Housing Preservation</u>: Provide information about existing housing on the project site in terms of occupancy types, relative affordability, adaptability rent-control and other tenant-features.

As noted above, the Project site does contain any existing housing.

# 6. <u>Tenant Displacement</u>: Provide information about whether the Rent Board has recorded a history of evictions or buyouts on the property and information on Ellis Act and Owner Move-In (OMI) evictions.

The Project site has been in commercial use since the current structure was constructed in 1975.

7. <u>Additional Information for Displacement, Demolition or Conversion of Certain</u> <u>Uses</u>: If the project would displace, demolish or convert Assembly, Recreation, Arts & Entertainments, Light Manufacturing, Auto Repair, Trade Shops or Institutional uses in any zoning district in making its Conditional Use Authorization Application the application shall include the following analysis:

The Project site is currently occupied by Abbett Electric, a local electrical contractor, and includes an existing, approximately 13,800 square foot building that was constructed in 1975. The existing building includes approximately 4600 sf of office uses for the business on the second floor and approximately 9200 sf of ground floor interior "warehouse" type uses related to the electrical contracting business. These uses have not changed since construction of the building.

(a) <u>Relocation assistance in non-PDR zoning districts</u>: In zoning districts other than PDR districts, provide information about the existing or last known Assembly, Recreation, Entertainment, PDR or Institutional tenants, for the last-known tenant the information required would be limited to uses that have been operating within three years prior to the entitlement date of the project, and disclose whether the tenant has relocated or relocation benefits have been or will be provided.

The Project site is located in a PDR zoning district.

(b) <u>Businesses and Community Building Uses</u>: If the existing Assembly, Recreation, Entertainment, PDR or Institutional tenants have not been relocated or offered relocation benefits then the applicant shall provide information regarding potential impacts to the community and benefits of the project as described below:

The owner of Abbett Electric (and the existing site) is retiring, and as a result is closing the business and selling the property to facilitate development of the Project.

The closure of the business will not have a negative impact on the community as the Project will replace the amount of existing PDR space at a ratio of 2:1. Moreover, the Project will provide a significant benefit to the community through the development of much needed space for social service non-profit and PDR uses that will allow space for organizations that have been displaced or are under threat of displacement.

(c) Jobs & Economic Profile: An analysis of the economic and fiscal impact of the proposed project. Towards this end, the application shall include an analysis of the loss of the existing use compared to the benefit of the proposed use, including an estimate, if known, of permanent job creation and/or job retention in the community of the proposed use compared to the existing use and associated wages and benefits for both;

As noted above, the previous use and employer is closing its business. This closure would result in the loss of approximately 15 jobs.

The Project development will employ 42 full-time equivalent construction workers over the 22month construction period. Once completed, the Project will create approximately three (3) fulltime employees of the Condominium Owners Association. In addition, it is expected that the project will create approximately 34 new jobs and retain approximately 66 employees that will be working at the PDR, Social Service and retail spaces at the site.

Thus, the Project will result in a net increase in jobs and a positive economic and fiscal impact in the neighborhood but will create short-term construction jobs and long-term employment opportunities.

## (d) <u>Available Space in the Mission</u>. Discuss whether sufficient vacant space for the use type being demolished or removed exists in the neighborhood; and

The Project will demolish an existing approximately 13,800 square foot commercial building that includes approximately 4600 sf of office uses and 9200 sf of PDR uses. The Project will be providing approximately 18,652 gsf of PDR space, this replacing the existing PDR space on the site at a ratio of more than 2:1.

Office uses are not permitted in the PDR 1-G district. However, the Project will be providing more than 166,000 gsf of space for social service/non-profit uses, which may include accessory office uses for the social service agencies. Thus, the project will not include a removal of the existing use types, but will provide a net gain in available space within the neighborhood for PDR uses and spaces for community-serving social service agencies and other non-profits.

(e) <u>Affordability of Community-Building Uses</u>. Provide an assessment of the affordability of community-building uses. Community-building uses shall include but not be limited to arts, nonprofit services and childcare uses. This assessment should discuss the nature of the community-building uses, the affordability of the uses and the amount of space provided for such uses on the existing site compared to similar uses associated with the proposed project, if any.

The existing building on the Project site is a commercial building. It does not include any space for community-building uses. The Project will provide approximately 166,483 gsf for social service and other non-profit and philanthropic uses, which will be sold as commercial condominium uses at approximately 40% below standard commercial rates. In sum, the Project will increase the amount of affordable community space by 100%.

(f) <u>Non-Residential Displacement</u>. Discuss existing businesses or non-profit organizations that will not be retained in the proposed project, or offered an opportunity to lease space in the proposed project, in terms of length of lease, number of employees, whether the use is minority owned and a non-restaurant or bar use, and if a business is retail whether that business is formula retail. Discuss whether a commercial tenant has been displaced through rent increases or lack of lease renewal in the last 12 months.

As noted above, the existing business on the Project site, Abbett Electric will be voluntarily closing to facilitate development of the project. The Project will replace the Abbett Electric space with new PDR space at a ratio of 2:1 and will provide 166,483 gsf of social service space. No direct involuntary displacement will occur through the development of the Project and there will be an increase in both the amount of PDR related employment on site as well as social service, philanthropic and community benefit related employment.







## CONTENTS

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The Guzzardo Partnership Ir

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AILS SSING YANT STREET ORIDA STREET JILDING MATERIALS **BRYANT STREET** ENTRY AT BRYANT STREET **FLORIDA STREET** 

PE PLAN PE ENLARGEMENT PLANS & SECTIONS REET CONDITIONS STREET DESIGN ELEMENTS ROOF GARDEN PLAN N PLANTING



FROM FLORIDA ST, LOOKING NORTHEAST



# ARCHITECTURE



P R O J E C T T E A M :



1875 S. BASCOM AVE. SUITE 2400 CAMPBELL, CA 95008 P. 408.429.7700

LANGAN ENGINEERING & ENVIRONMENTAL SERVICES

555 MONTGOMERY ST. SUITE 1300 SAN FRANCISCO, CA 94111-2517 P. 415.955.5200





181 GREENWICH STREET SAN FRANCISCO, CA 94111 P. 415.433.4672







## SITE CONTEXT

1850 BRYANT ST

 $0\;4\,.\,2\,5\,.\,2\,0\,1\;7$ 







#### SITE SUMMARY

#### ZONING SOUTH EAST PLANNING TEAM ZONING DISTRICT 3970/006 ADDRESS 1850 BRYANT STREET NEIGHBORHOOD MISSION LOT AREA 36,500 SQFT **HEIGHT & BULK DISTRICT** 68-X **OCCUPANCY** CLASSIFICATION В SOCIAL SERVICES В В PDR PDR PARKING GARAGE S-2 CONSTRUCTION TYPE TYPE I-A PARKING GARAGE/PDR (B1,B2) TYPE II-APDR/SOCIAL SERVICES (F1-F5) **REAR YARD REQUIREMENT**

Net/Occupiable Social Service / Philanthropic / Community Facilty by floor (Measured paint to paint, excl. shafts and decks)

(Measured paint to paint, excl, shafts and decks) Net/Occupiable Open Deck Area Net/Occupiable Ground Floor Retail

Gross Social Service / Philanthropic / Community Facility (Inc. shafts) Gross Garage/Accessory Off-Street Parking (Incl. storage, utilities,

Total Gross sqft (as defined SFPC Section 102) F.A.R. (FLOOR AREA RATIO) MAX ALLOWED:

PARKING ALLOWED

OCCUPIED FLOOR AREA OCCUPIED FLOOR AREA

TOTAL ALLOWED:

PARKING PROVIDED

BASEMENT 2 BASEMENT 1 TOTAL

TRUCK LOADING ZONE (12X35) SERVICE VEHICLE (8X20) CAR-SHARE

BIKE PARKING REQUIRED CLASS I SPACES

CLASS II SPACES

BIKE PARKING PROVIDED CLASS I SPACES CLASS II SPACES

64

16

0

32



#### PDR-1-G - PRODUCTION, DISTRIBUTION & REPAIR - 1 - GENERAL

## ACCESSORY USE (SOCIAL SERVICES) GROUND FLOOR RETAIL

#### 2,281 APPROXIMATE MATCH OF NEIGHBORING YARD

	Floor Levels									
	B2	B1	1ST	2ND	3RD	4TH	5TH			
		10,996	25,821	30,332	30,332	30,332	13,869	141,682		
		13,161	0	0	0	0	0	13,161		
		0	2,281	0	0	0	9,538	11,819		
		0	1,876	0	0	0	0	1,876		
	0	15,583	31,764	34,055	34,055	34,055	16,971	166,483		
	0	18,652	0	0	0	0	0	18,652		
	0	0	2,281	0	0	0	0	2,281		
	36,517	2,109	0	0	0	0	0	38,626		
	36,517	36,344	34,045	34,055	34,055	34,055	16,971	226,042		
	ross sqft - Garage sqft) 226,042sqft - 38,626sqft =									
	5.0	38,325SQFT (PROJECT SITE*, 210'-0"X182'-6") X 5 = 191,625SQFT (GROSS allowed PDR + Social Services + Retail)								
		* Project site area calculation includes additional 10'-0" premium per SFPC Section 125 (b)								
	4.9	187,416SQFT < 191,625SQFT (PASS)								

Gross Area is measured from Exterior Finish and includes shafts (stairs, elevators, ventilation, etc.) Net Area is measured paint to paint and includes interior partitions. Net Area excludes shafts and decks.

Gross area of each use includes % of shared space per floor equal to % of total net area per floor.

PDR/Social Services

154,843 SF / 1,500 SF = 103 Stalls Retail

1,876 SF / 500 SF = 3 Stalls

106

SINGLE TA	NDEM	ADA	TOTAL		
85	0	4	89		
0	-	0	0		
85	0	4	89		
1 4					
2					
PDR	1/1	2,000 SI	- occupied fl	13,161 SF / 12,000 = 1	
Social Services	ocial Services 1/5,000 SF occupied floor area (net)				141,682 SF / 5,000 SF = 28
Retail	1/7,500 SF occupied floor area (net)			1,876 SF / 7,500 = 0.25 = 0	
TOTAL:					29
PDR	2 s	paces (n	ninimum)		13,161 SF < 50,000 SF = 2
Social Services	cial Services 2 + (1 for every 50,000SF above 5,000SF)				141,682 SF = 2+6 = 8
Retail			very 750 SF	1,876 SF = 2+3 = 5	
TOTAL:				,	15

30 15

## SITE PLAN & PROJECT INFORMATION

1850 BRYANT ST













ARCHITECTURE **FROSS LANGAN** *Engineering & environmental services* 

2 **BUILDING SECTION A** 



16 32 0



#### **B2 - PARKING GARAGE PLAN** 1

## FLOOR B2 (LOWER BASEMENT)

1850 BRYANT ST

 $0\;4\,.\,2\,5\,.\,2\,0\,1\;7$ 



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2 **BUILDING SECTION A** 

ENGINEERING & ENVIRONMENTAL SERVICES

BOE **FROSS** LANGAN





#### 1 **B1 - PDR/PARKING GARAGE PLAN**

### FLOOR B1 (BASEMENT)

1850 BRYANT ST







## FLOOR 1









## F2 - SOCIAL SERV PLAN

## FLOOR 2

1850 BRYANT ST









## FLOOR 3



0 16 32 64 1850 1



## FLOOR 4



**BUILDING SECTION A** 





## FLOOR 5







The Guzzardo Partnership In







1

## **BUILDING SECTION**

1850 BRYANT ST

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The Guzzardo Partnership In





1

### **BUILDING SECTION**

1850 BRYANT ST

 $0\;4\;.\;0\;6\;.\;2\;0\;1\;7$ 



SAN FRANCISCO PLANNING CODE SEC. 136.1(a) ALL PORTIONS OF ANY PERMITTED AWNING SHALL BE NOT LESS THAN EIGHT FEET ABOVE THE FINISHED GRADE, EXCLUDING ANY VALANCE THAT SHALL NOT BE LESS THAN SEVEN FEET ABOVE THE FINISHED GRADE. NO PORTION OF ANY AWNING SHALL BE HIGHER THAN THE WINDOWSILL LEVEL OF THE LOWEST STORY (IF ANY) EXCLUSIVE OF THE GROUND STORY AND MEZZANINE, OR EXTEND ABOVE THE BOTTOM OF A PROJECTING UPPER-STORY WINDOW BAY, OR COVER ANY BELT CORNICE OR HORIZONTAL MOLDING, PROVIDED THAT NÓ SUCH AWNING SHALL IN ANY CASE EXCEED A HEIGHT OF 16 FEET OR THE ROOFLINE OF THE BUILDING TO WHICH IT IS ATTACHED, WHICHEVER IS LOWER.

**136.1(a)(2)** WHEN THE WIDTH OF ALL AWNINGS IS TEN FEET OR LESS ALONG THE DIRECTION OF THE STREET, THE HORIZONTAL PROJECTION OF SUCH AWNINGS SHALL NOT EXCEED SIX FEET FROM THE FACE OF ANY SUPPORTING BUILDING AND THE VERTICAL DISTANCE FROM THE TOP TO THE BOTTOM OF SUCH AWNINGS SHALL NOT EXCEED SIX FEET, INCLUDING ANY VALANCE. WHEN THE WIDTH OF ALL AWNINGS EXCEEDS TEN FEET MEASURED ALONG THE DIRECTION OF THE STREET, THE HORIZONITAL PROJECTION OF SUCH AWNINGS SHALL NOT EXCEED FOUR FEET THE HORIZONTAL PROJECTION OF SUCH AWNINGS SHALL NOT EXCEED FOUR FEET FROM THE FACE OF THE SUPPORTING BUILDING AND THE VERTICAL DISTANCE FROM THE TOP TO THE BOTTOM OF SUCH AWNINGS SHALL NOT EXCEED FOUR FEET, INCLUDING ANY VALANCE.











#### 2 LOOKING SOUTH EAST



#### LOOKING NORTH WEST 1

## **3D CONCEPTUAL MASSING**

1850 BRYANT ST







Guzzardo TGP Partnership Ir

## MASSING STUDY - FLORIDA STREET







WOOD STOREFRONT SYSTEM



ALUMINUM SASH WINDOWS





STONE WINDOW SILL (SELECT LOCATIONS)



GOOSE NECK WALL SCONCE













## EXTERIOR BUILDING MATERIALS

1850 BRYANT ST







## BRYANT STREET ENTRY

1850 BRYANT ST


CIVIL







C1.02



SITE PLAN SCALE 1" = 10'

	950 Howaro Brazer San Francisco DA 94103 P. (415) 677-0966								
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1850 BRYANT STREET	1850 BRYANT STREET	SAN FRANCISCO, CA 94110							
Issue 25% DD SFPUC P-SC		DAYE 16.2016 14.2017							
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BHEF TITLE BOALE 1 PERSONN NO. 15	10 DRAWN	0 FEET							

LANDSCAPE













- CITY STANDARD SIDEWALK -NATURAL GRAY WITH **BROOM FINISH** 



ENTRY PAVING -COLORED, TEXTURED & SCORED CONCRETE



PARK STRIP PAVING -TEXTURED & SCORED SILICA CARBIDE CONCRETE

### STREETSCAPE PLAN

1850 BRYANT ST



### STREETSCAPE ENLARGEMENT PLANS AND SECTIONS





# **FLORIDA STREET**







### **EXISTING CONDITIONS**

1850 BRYANT ST









### **PROPOSED STREET DESIGN ELEMENTS**



1850 BRYANT ST



PEDESTAL PAVERS



COUNTERTOP WITH SINK



STEEL PLANTER WALL





LOUNGE FURNITURE



PREFABRICATED PLANTER POTS WITH ACCENT PLANTING



METAL AND WOOD TRELLIS

### ROOF GARDEN PLAN

 $0\;4\,.\,2\,5\,.\,2\,0\,1\;7$ 



Olea europaea 'Manzanillo' Olive Tree

Evergreen Water Needs: Low Exposure: Full sun Height: 15' Width: 15'



Elijah Blue Fescue Evergreen Water Needs: Low

Exposure: Full Sun

Height: <1' Width: 1-2'

Festuca glauca 'Elijah Blue'





Melaleuca quinquenervia Punk Tree

Evergreen Water Needs: Low Exposure: Full Sun Height: 25' Width: 15'



Phormium 'Alison Blackman' New Zealand Flax

Evergreen Water Needs: Medium Exposure: Sun or Shade Height: 4-5' Width: 4-5'





Phoenix roebelenii Pygmy Date Palm

Evergreen Water Needs: Medium Exposure: Cool Sun/Light Shade Height: 6-10' Width: 3-4'



Pennisetum alopecuroides PennStripe PennStripe Fountain Grass

Evergreen Water Needs: Low Exposure: Sun or Shade Height: 2-3' Width: 2-3'









#### Pennisetum alopecuroides 'Hameln' Dwarf Fountain Grass

Evergreen Water Needs: Exposure: Height: 2' Width: 1.5-2'



#### Distictis buccinatoria Red Trumpet Vine

Evergreen Water Needs: Medium Exposure: Sun or Shade Height: Climbing (Vine) Width: Spreading



Lavandula stoechas French Lavender

Evergreen Water Needs: Low Exposure: Full Sun Height: 2-3' Width: 2-3'

### PLANTING IMAGES

1850 BRYANT ST

 $0\;4\,.\,2\,5\,.\,2\,0\,1\;7$ 



May 23 2017

Rich Hillis, President, and Commissioners San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

#### Re: <u>1850 Bryant Street (Case No. 2015-011211CUA/VAR) – June 1, 2017,</u> <u>Hearing on Conditional Use Authorization and Variances</u>

Dear President Hillis and Commissioners:

On June 1, 2017, the Planning Commission will consider a Conditional Use authorization for the development of a five-story, 226,042 gross square foot building that will include approximately 166,483 square feet of social service/philanthropic facility uses, 18,652 square feet of production, distribution and report use, and 2,281 square feet of ground floor retail uses at 1850 Bryant Street (Project).<sup>1</sup> We represent the Project sponsor, 1850 Bryant Land, LLC, which in proposing the Project is attempting to create a new model to help social service and other nonprofit agencies stay in San Francisco. The Project includes commercial condominiums, financed through tax credits and other mechanisms that are targeted to social service and other non-profits, which allow for a reduced purchase price and increased opportunities for users to own instead of rent their space. This eliminates the volatility of the commercial real estate rental market and significantly increases the likelihood that non-profit agencies will stay in San Francisco.

In addition to creating a new model for keeping social services and non-profits in San Francisco, 1850 Bryant Street includes an exceptional design that incorporates materials that will fit into the existing neighborhood fabric, creating a uniform street face and integrating streetscape elements that continues and supports the high quality industrial arts vernacular and the look and feel of the Eastern Neighborhoods. Over the past eighteen months, the Project Sponsor has worked closely with the Planning Department, the neighborhood and surrounding community, to create a design and Project that is of the highest quality. We want to thank Planning Department staff for their hard work on this Project, which we believe will be a neighborhood and community asset.

For all these reasons and as discussed in more detail below, <u>we respectfully request that</u> <u>the Planning Commission grant the approvals requested.</u>

### A. Property Background

1850 Bryant Street is a 36,500 square foot through lot with frontages on Bryant Street and Florida Street. It is located in the Mission Area of the Eastern Neighborhoods Plan Area, near the boundaries of the South of Market Area (SoMa) and the Potrero Hill neighborhoods. The Project

<sup>&</sup>lt;sup>1</sup> The Project sponsor is also requesting variances from the Planning Code's off-street loading and ground floor ceiling height requirements from the Zoning Administrator.



site is within the Production, Distribution and Repair: General (PDR-1-G) zoning district and the 68-X height and bulk district.

The Project Site is adjacent to a 48-unit a commercial live-work building to the north and a commercial office/art studio building to the south. To the west, across Florida Street is an art gallery/performing arts building, and to the east, across Bryant Street is a Muni bus storage yard. Other development in the area consists primarily of light industrial and commercial uses, with some residential uses located a block away on Bryant Street between 16th and 17th Street.

The Project Site is approximately a half-block to the southeast from Franklin Square, a large (i.e., four plus (4+)) acre park under the jurisdiction of the Recreation and Park Department. Franklin Square Park includes a regulation soccer field with synthetic turf, a recently renovated playground, a pedestrian pathway circling the park, and various landscaped and open areas.

The 1850 Bryant Street site is currently developed with a 2-story, 13,900 square foot building that is used as office and storage for an electrical contractor. The remainder of the lot is used for parking and outdoor storage.

#### **B.** Project Description

The Project proposes to demolish the existing building on the site and construct a fivestory, 68-foot-high, approximately 226,042 gross square foot mixed-use development. The Project would include approximately 166,728 square feet of social service uses, 18,407 square feet of PDR use, 2,281 square feet of ground floor retail uses, 89 accessory off-street vehicle parking spaces (plus two car-share spaces), one (1) off-street freight loading space and four (4) service vehicle spaces, and 30 Class 1 bicycle parking spaces. It includes a 2,280 square foot interior courtyard adjacent to the live-work building to the north, and a 16,934 square foot roof deck.

The Project has been designed with high quality finish materials that reference the historic brick warehouses throughout the Mission area. The façade is grounded with a solid base and fine grain street level details to enhance the pedestrian experience. Brick details give the building a classic sense of hierarchy and order. Large windows cover both facades providing large and light filled interior spaces.

The Project would remove the existing curb cut along Bryant Street, and relocate the existing curb cut on Florida Street. The new curb cut along Florida Street would be approximately two (2) feet smaller and moved to the middle of the lot. The curb cut will provide access to both the off-street parking garage and the at-grade freight loading space.

#### C. Project Approvals

The Project is requesting a Conditional Use authorization (CU authorization) pursuant to Planning Code Section 210.3 for Social Service/Philanthropic Facility uses greater than 5,000 gross square feet. A CU authorization is also required pursuant to the Mission District Interim Controls. The Project is also seeking variances from the Planning Code requirements for (1) off-street loading and (2) 17-foot ground floor ceiling heights. It would also cast new <u>.01%</u> new shadow on Franklin Square Park and is requesting under Planning Code section 295 that the Planning Commission



make findings, following a recommendation by the Recreation and Park Commission, that the Project's shadows will not have an adverse impact on the use of Franklin Square Park.

1. Conditional Use Authorization

Social Service/Philanthropic Facility uses greater than 5,000 gross square feet require a CU authorization in the PDR-1-G zoning district and would be a necessary and desirable use for the neighborhood and community. Providing space for social services and other non-profit, and community serving facilities is consistent with, and implements the goals and objectives of the Mission Area Plan of the Eastern Neighborhoods Planning Area. Specifically, it is consistent with Mission Area Plan Policy 7.2.2 which seeks to "[e]ncourage new facilities and spaces for providers of services such as English as a Second Language, employment training services, art, education and youth programming."

It also desirable because it will activate the Bryant Street frontage with 2,281 square feet of new ground floor retail space and will provide 18,652 square feet of PDR space, replacing the existing PDR space on the site at a ratio of 2:1. Providing this PDR space complies with Mission Area Plan 2020 (MAP 2020), which has a stated objective of "[r]etain[ing] and promot[ing] Production, Distribution and Repair (PDR) and other high-paying jobs for entry level and limited skilled workers."

Finally, the design of the Project is of a size and scale that is compatible with the surrounding pattern of development. This part of the Mission Area Plan is a mix of commercial, PDR, arts, and other uses and the Project design fits nicely into the existing urban fabric, maintaining the existing street wall along both Bryant Street and Florida Street. It incorporates materials that will be harmonious with the existing neighborhood fabric, creating a cohesive street face that supports the high quality industrial arts vernacular in keeping with the look and feel of the Eastern Neighborhoods.

# For all these reasons, we believe the Planning Commission should grant the CU authorization requested for the Project.

#### 2. Mission Interim Controls

The Project is located within the Mission Interim Control area, and is a "Large Project" as defined by the Planning Commission Resolution adopting the interim controls ("Interim Controls")<sup>2</sup>. Large Projects require CU authorization and the submittal of additional information as set forth in the Interim Controls, and the Project sponsor has prepared and submitted the required information. This information and findings were prepared based on a review of data contained in published reports identified in the Interim Controls ("Published Reports").

The Published Reports analyzed different time periods and data points, but collectively agreed that (1) the demographics in the Mission have changed over the past 10-15 years and (2) an insufficient amount of new housing has been built in the Mission to accommodate the growing

<sup>&</sup>lt;sup>2</sup> The Mission Interim Controls were initially adopted by the Planning Commission on January 14, 2016, and were set to expire on April 14, 2017. On March 2, 2017, the Planning Commission extended (and slightly modified) the Interim Controls until January 14, 2018.



housing demand. According to the Published Reports, over the past two decades, the amount of new housing built in the City and the Mission has fallen woefully short of demand. Some estimates are that over the past ten (10) years, only 17% of the total amount of housing needed was built in the City. In the Mission, that figure is even lower with some estimates that less than five (5) percent of the total number of housing units planned for the Mission area under the Eastern Neighborhoods planning process have been built. Approximately 37.3% of the units that have been built, however, are affordable housing units. The Published Reports indicate there is a strong need for new housing of all kinds and found no link between the construction of market-rate housing and increased displacement.

The Project site is located within the PDR-1-G zoning district, which does not permit residential uses and the Project will not displace any residential housing units nor does the Project propose any new residential housing units. Thus, the project will not and cannot have an impact on the stock of market-rate or affordable housing units in the Mission District, or the demographic changes occurring in the Mission.

The Project site is currently occupied by Abbett Electric, a local electrical contractor, and includes an existing, approximately 13,800 square foot building that was constructed in 1975. The existing building includes approximately 4600 sf of office uses for the business on the second floor and approximately 9200 sf of ground floor interior "warehouse" type uses related to the electrical contracting business. These uses have not changed since construction of the building. The owner of Abbett Electric (and the existing site) is retiring and will close the business and sell the property. Approximately 15 jobs will be lost as a result of the owner of Abbett Electric retiring. The Project development will employ 42 full-time equivalent construction workers over the 22-month construction period. Once completed, the Project will create approximately three (3) full-time employees of the Condominium Owners Association. In addition, it is expected that the project will create approximately 34 new jobs and retain approximately 66 employees that will be working at the PDR, Social Service and retail spaces at the site. Thus, the Project will result in 79 full-time equivalent construction and permanent jobs which is a significant increase in jobs and a positive economic and fiscal impact for the neighborhood

We believe that the information provided meets the standards and requirements set forth in the Interim Controls. In sum, based on the findings prepared, the Project, will not result in any direct or indirect displacement of Mission residents. The closure of the business will not have a negative impact on the community as the Project will replace the amount of existing PDR space at a ratio of 2:1, and a net increase in jobs. Moreover, the Project will provide a significant benefit to the community through the development of much needed space for social service non-profit and PDR uses that will allow space for organizations that have been displaced or are under threat of displacement.

For all these reasons, we respectfully request that the Planning Commission find that the Project has met the intent of the Mission Interim Controls and grant the approvals requested.

#### 3. Shadow Analysis

Under Planning Code section 295, projects greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department are required to prepare



a shadow analysis to measure and quantify any potential shadow impact. The Project is 68 feet in height and located to the southwest of Franklin Square Park, a large 4+ acre park in the Mission District of San Francisco under the jurisdiction of the Recreation and Park Department. Because the Project would cast a shadow on Franklin Square Park, a shadow analysis was prepared by CADP.

On May 18, 2017, the Recreation and Park Commission reviewed CADP's analysis and made a recommendation to the Planning Commission that the net increase in shadow load from the proposed Project would not have a significant impact on Franklin Square Park. A copy of CADP's analysis will be included as an attachment to the staff report.

The shadow analysis prepared found that the net increase in shadow load from the proposed Project on Franklin Square Park is **0.01011 percent**. This is significantly less than the one percent (1%) increase recommended under the 1989 Memorandum implementing Proposition K for large parks with a shadow load of less than 20 percent. Franklin Square Park has an existing shadow load of 1.338 percent. The addition of the proposed Project would result in an annual shadow load of 1.348 percent, which would be well below 20 percent. Any new shadow cast by the proposed Project would only occur in the late afternoon and only in the fall and winter months, from October 18th until February 22nd. Any new shadow cast would only fall on the southwest edge of the park and would not shade any part of the soccer field. On December 21st (the worst shadow day for the proposed project), the new shadow would shade the southern pathway near the play area, at the end of the day, casting a new shadow a small portion of the play area or, more specifically, on the small merry-go-round.

For all these reasons, and as set forth in the analysis conducted by CADP, we support the Recreation and Park Commission's recommendation and respectfully request that the Planning Commission find the shadow from the Project on Franklin Square Park would not be significant.

#### 3. Variances.

The Project is seeking two variances from the Planning Code for (1) off-street loading (Planning Code Section 152) and (2) ground floor ceiling heights (Planning Code Section 145.5). As discussed in more detail below, these variances are warranted given the significant impact the literal enforcement of the code would have on the Project, and the minimal adverse effect on the neighborhood.

#### a. Off-Street Loading Variance

Pursuant to Planning Code Section 152, one (1) off-street loading space is required for the 18,407 gross square feet of PDR uses and one (1) off-street loading space is required for the 166,728 square feet of social service uses, for a total of two (2) required off-street loading spaces. The Project is proposing one (1) code-compliant off-street loading space.

The Project cannot provide two code-compliant off-street loading spaces because of the significant slope from Bryant Street to Florida Street. Because of the slope, the Project includes two basement levels (B1 and B2). Along Bryant Street, both basement levels are below grade, but along Florida Street, because of the grade, only B2 is below grade and B1 is at grade. The Project



includes an at grade loading space on Level B1 along Florida Street. A second, loading space cannot be provided along Florida Street, at B1 because it cannot meet the code requirements for height. Under Planning Code section 154(b), loading spaces must have a vertical clearance of at least 14 feet, except that the first off-street loading space may have a vertical clearance of 12 feet. The off-street loading space that is provided along Florida Street meets that 12-foot requirement, but a second, code-compliant off-street loading space cannot be provided because the ceiling height along Florida Street is only 13-feet. A taller floor height is not feasible because the floor above the proposed freight loading area must meet grade at Bryant Street to maintain entries from both streets and a 14-foot high off-street loading space would not allow the building to meet at grade along Bryant Street. For this reason, a second, code-compliant off-street freight loading space cannot be accommodated at grade in the Project.

A second, code-compliant freight loading space also cannot be accommodated below grade at the B2 level. At the B2 level, the ceiling height in only 11 feet and the turning radius required for a truck of any size could not be achieved without significant revisions to the parking and the structural design of the building. Thus, providing a second, code-compliant loading space would be an unnecessary hardship that would impact the financial feasibility of the Project.

While the Project cannot provide two (2) code-compliant off-street loading spaces, it is providing four (4) off-street service vehicle/van spaces on the B2 level. In other Zoning Districts, the Planning Code allows two (2) service vehicle spaces to substitute for one standard loading space. Service vehicle/van replacement, however, is not permitted in PDR districts and therefore do not count towards meeting the loading requirements of Section 152. These spaces will address loading demand, as noted in the Transportation Impact Study. To address loading concerns, the Project Sponsor has also agreed to develop and implement a loading plan for the building and a qualified loading consultant will be retained to develop a delivery and pick-up program that maximizes the use of the off-street loading and service loading spaces. The granting of the variance will not have a detrimental impact on loading in the surrounding neighborhood.

## For all these reasons, granting a variance from the off-street loading requirements of the Planning Code is warranted.

#### b. Ceiling Height Variance.

Pursuant to Planning Code Section 145.5, new buildings Industrial districts shall provide ground floor spaces with a minimum floor-to-floor height of 17 feet, as measured from grade.<sup>3</sup> The Project is proposing ceiling heights of 14 feet on the Bryant Street frontage and a little more than 13 feet on the Florida Street frontage.

As noted above, the Project site slopes from Bryant Street to Florida Street. The Project has been designed to allow a continuous floorplate spanning from the Bryant Street façade to Florida Street façade. Because of the slope from Bryant Street to Florida Street, literal enforcement of Section 145.5's 17-foot ceiling height requirement would create a practical difficulty because the entrance floor along Bryant Street would need to be between 3.36 feet and 6.82 feet above grade

<sup>&</sup>lt;sup>3</sup> The language of Section 145.5 states that this requirement only applies to "Industrial" districts, and the Project site is not zoned "Industrial" but PDR. However, we understand from Planning Department staff that this requirement is intended to also apply to PDR districts and for that reason the Project is seeking the variance.



and require ramps and setbacks to enter the building to maintain a consistent height. In addition, the higher ceilings required at the ground floor along Bryant Street would force the elimination of the current 4th floor, due to the zoning height limitations. This would ultimately eliminate up to approximately 34,000 square feet of space that would be intended for social service and philanthropic facility use, which would be an unnecessary hardship that could make the project financially infeasible.

Although the variance would preclude some potential PDR users that require 17-foot ceiling heights, the Projects is proposing only 18,407 square feet of PDR space. The definition of PDR uses, however, is sufficiently broad to allow many potential PDR users that do not require the ceiling height and yet could benefit from the additional space being created by the Project. Thus, the granting of the variance will not be detrimental to the public welfare or materially impact the property or improvements in the vicinity, and will, in fact, benefit the public welfare by allowing the project to provide additional, much-needed space dedicated to social service/non-profit uses.

# For all these reasons, granting a variance from the Planning Code requirements for ceiling height is warranted.

#### D. Community Outreach

The Project sponsor has been actively engaging with neighbors and community groups over the past year and has presented at or hosted at more than 20 large, small, and one-on-one meetings. On October 13th, 2016, the Project Sponsor hosted a pre-application/community meeting and on March 21, 2017, the Project Sponsor hosted a neighborhood meeting to solicit input from neighbors on the streetscape design. These meetings were held at Z-Space, across the street from the Project site at 450 Florida St, and were attended by 20-30 individuals or group representatives. The Project Sponsor has also reached out and presented to the associations of the two adjacent properties located at 1800 and 1890 Bryant Street and had coffee or sat down with any individual interested in learning more about the Project.

Most recently, on April 29th and May 2nd of 2017, the Project Sponsor hosted an open house for the Friends of Franklin Square Park. After learning more about the proposed Project, many of the park users/attendees (approximately 25) signed the petition in support of the Project that is attached as <u>Exhibit A</u>. The Project Sponsor has also started an on-line petition to gather support for the Project. To date 230 supporters have signed this petition.<sup>4</sup>

#### E. Project Benefits.

The Project proposes exceptional design that responds to the neighborhood and surrounding structures. All public areas of the Project, have been conceived with a pedestrian viewpoint in mind. The proposed façade clearly designates entry points to the building and provides high quality elements such as expansive glazing and awnings to create visual interest for pedestrians as well as new streetscape adding street trees and plantings where little exist currently.

<sup>&</sup>lt;sup>4</sup> A copy of the on-line petition and a list of supports is attached as <u>Exhibit B</u>, and can also be seen here: <u>https://www.change.org/p/city-of-san-francisco-support-for-a-nonprofit-social-innovation-center?recruiter=716080442&utm\_source=share\_petition&utm\_medium=copylink</u>.



In addition to the exceptional design, the Project meets a very real need for the City and the Mission District, by developing a building for social service agencies and other non-profits, helping in obtaining the necessary tax credits and utilizing other financial tools and grants to allow these users to purchase commercial condominiums on site at rates that are approximately 25%-40% below market. The Project also includes PDR space, replacing the existing PDR on site at a 2:1 ratio, and ensuring PDR uses remain in the neighborhood and in the Mission District.

Other significant neighborhood and citywide benefits include:

- <u>Reduction in Blight</u>: The Project will replace an under-utilized site that consists primarily of a surface parking and storage yard with a new, high quality development, as well as improvements to visual nature of the street frontages on both Bryant Street and Florida Street.<sup>5</sup>
- Job Creation: The Project development will employ 42 full-time equivalent construction workers over the 22-month construction period. Once completed, the Project will create approximately three (3) full-time employees of the Condominium Owners Association. In addition, it is expected that the project will create approximately 34 new jobs and retain approximately 66 employees that will be working at the PDR, Social Service and retail spaces at the site, for a total of 79 full-time equivalent construction and permanent jobs.
- <u>Impact Fees</u>: The Project will generate up to \$4,000,000 in impact fees (between the Eastern Neighborhoods Impact Fees, the Transit Sustainability Fee, and the San Francisco Unified School District Fees) to help fund improvements to schools, libraries, transit, parks, and Mission District childcare services/facilities.
- <u>Commitment to Franklin Square Park</u>: The Project sponsor has voluntarily agreed to contribute \$50,000 to Friend of Franklin Square Park to help fund maintenance and improvements at Franklin Square Park and to help organize volunteers to provide over 400 hours of community service and \$1,000 annually toward the clean-up and maintenance of Franklin Square Park. This commitment is reflected in a signed Memorandum of Understanding (MOU), which is provided as an exhibit to the Shadow Study prepared for the proposed Project.

\* \* \* \* \* \*

In sum, the Project before you is an excellent example of the redevelopment of an underutilized site in a PDR zoning district. The Project improves the existing area, while remaining consistent with the scale and development pattern of the neighborhood. In addition, it provides much-needed opportunities for non-profits to own and control their real estate needs.

<sup>&</sup>lt;sup>5</sup> Attached as Exhibit C is an overhead image of the existing condition of the site.



This is an exceptional, well thought-out Project that meets the intent of the Planning Code and one that we respectfully request you support and approve.

Very truly yours,

Uh Si

William M. Fleishhacker

cc: Scott Sanchez, Zoning Administrator

# EXHIBIT A

The existing site (1850 Bryant Street) will be enhanced into a 170,000+/- SF commercial condo building for neighborhood serving nonprofits. The brick build building and landscaped streetscape will help to activate the site and continue providing services to the neighborhood. 1850 Bryant Land LLC greatly appreciates your support of the development of 1850 Bryant Street Nonprofit Hub.

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Contact Number							121	υ	
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Name/Company	Ma Abrus	Co all	(Jandia Vasquez	Aan Lux	Hannah Louis 259	Chencia Lin	95	Adam Pollack	

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# EXHIBIT B



City of San Francisco

### Support for a nonprofit social innovation center

#### thor kaslofsky United States



thor kaslofsky United States 230 Supporters

We at Common Ground Urban Development (<u>https://www.commongroundurbandevelopment.com/</u> are working on the 1850 Bryant Street project (1850 Bryant). It is a 172,000 sf ft. new construction commercial condominium (condo) building in San Francisco being specially constructed with a turnkey development approach to house nonprofit programs. 1850 Bryant is intended to expand the real estate ecosystem needed for nonprofit social service stabilization. 1850 Bryant has incorporated the best practices in nonprofit facility development; i.e. early site control, equitable financing structure, social impact capital, and shared management; to help protect nonprofits from San Francisco's volatile commercial real estate rental market.

The San Francisco commercial real estate market is at an all-time high, as of July 2016 annual prices for leasing in San Francisco have hit \$50-60/SF for office space. The 1850 Bryant project is utilizing New Market Tax Credits to reduce the purchase price. This financing tool provides the much needed equity for nonprofit ownership. 1850 Bryant has a pioneering financing structure envisioned by the developers of 1850 Bryant that will allow a cohesive group of nonprofits to participate in the equity and ultimately secure long-term ownership for program delivery.

As San Francisco repopulates, we have an opportunity to build space for organizations normally left out of real estate development projects. As a wealthy City, we can create a socially equitable platform for partnerships to provide a fully functioning facility that is enjoyed by the users, while allowing people to receive social services with the dignity they deserve.

#### This petition will be delivered to:

City of San Francisco

#### Read the letter

Letter to City of San Francisco

Support for a nonprofit social innovation center

OK

thor kaslofsky started this petition with a single signature, and now has 230 supporters. Start a petition today to change something you care about.

Start a petition

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Name City	State Postal		/ Signed	On		
thor kaslofsky		United	States	4/20/20	017	
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Mindy Bacharach	San Francisco	California	94110	United	States	4/21/2017
Daniel Howell	San Francisco	California	94118	United	States	4/22/2017
Devin Singer	San Francisco	California	94103	United	States	4/22/2017
Eric Dunn	San Francisco	California	94133	United	States	4/22/2017
Saul Ettlin	Oakland Califor	nia 94609	United	States	4/22/20	917
Jason Roth	Alameda Califor	nia 94501	United	States	4/22/20	917
Debra Walker	San Francisco	California	94110	United	States	4/22/2017
Krissy Keefer	SF Califor	rnia 94110	United	States	4/22/20	917
nayeli maxson	san francisco	California	94122	United	States	4/22/2017
Leanne Gluck	San Francisco	California	94127	United	States	4/22/2017
Sean Healey	San Francisco	California	94121	United	States	4/22/2017
Angela Beckham	Stockton	California	95215	United	States	4/22/2017
Shelley Trott	Oakland Califor	nia 94602	United	States	4/22/20	917
thor kaslofsky	San Francisco	California	94118	United	States	
Bobbi Dunphy	Mill Valley	California	94941	United	States	4/22/2017
Ani Rivera	San Francisco	California	94110	United	States	4/22/2017
Richard Nelson	Oakland Califor	nia 94618	United	States	4/22/20	017
Justin Ryan	San Francisco	California	94103	United	States	4/22/2017
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Brian Martin	San Fra				94112	United		4/23/2017
Shaina Li	San Fra		Califor		94110	United		4/24/2017
Erika Barraza	San Fra		Califor		94112		States	4/24/2017
Lindsy Sanders			Califor		94107		States	4/24/2017
Owen Serra	San Fra		Califor		94102		States	4/24/2017
Kate Patterson	San Fra		Califor		94122		States	4/24/2017
Kevin Bacharach			Califor		94597		States	4/24/2017
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Craig Bacharach	Alamo	Califor	nia	94507	United	States	4/24/20	)17
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Celina Lucero	San Fra	ncisco	Califor	nia	94110	United	States	4/24/2017
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Lauren White	San Fra	ncisco	Califor	nia	94110	United	States	4/24/2017
Monica Adibe	Washing	ton	Distric	t of Col	umbia	20036	United	States
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Cecilia Tavera	Miami	Florida	33133	United	States	4/24/20	917	
Jack Tse	San Fra	ncisco	Califor	nia	94103	United	States	4/24/2017
Hector Ramos	Millbra	e	Califor	nia	94030	United	States	4/24/2017
Adam Broidy	San Fra	ncisco	Califor	nia	94102	United	States	4/24/2017
Deborah Ramirez			Califor	nia	94044	United	States	4/24/2017
bonnie feinberg			Califor		94110	United		4/24/2017
Christian Cuadr		San Fra		Califor	nia	94110	United	
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Alec White	San Fra	ncisco	Califor	nia	94115	United	States	4/24/2017
Gema Cantu	San Fra		Califor		94103		States	4/24/2017
Andreas Freund			Califor		94109		States	4/24/2017
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Gabriela Espino			ncisco			94110	United	
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Iris Lee	San Fra	ncisco	Califor	nia	94133	United	States	4/25/2017
Antoinette Mobl	ey	San Fra	ncisco	Califor	nia	94124	United	States
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Joseph Moreno	San Fra	ncisco	Califor	nia	94111	United	States	4/25/2017
Jordan McCarthy				Califor	nia	94109	United	States
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Khan Wong	San Fra	ncisco	Califor	nia	94117	United	States	4/25/2017
Matthew Ticknor	San Fra	ncisco	Califor	nia	94109	United	States	4/25/2017
Michelle Harris	on	New Yor	k	New Yor	k	10012	United	States
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Darija A.Walker	San Fra	ncisco	Califor	nia	94105	United	States	4/25/2017
Tillie Ross		ncisco			94127	United	States	4/25/2017
Ryan Moore	San Fra	ncisco	Califor		94105		States	4/25/2017
Nikia Durgin				94601			4/25/20	
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Jared Baribeau	San Francisco	California	94111	United	States	5/15/2017
Julie Phelps	San Francisco	California	94102	United	States	5/16/2017
Katie Fahey	Oakland Califor	nia 94612	United	States	5/16/20	917
Tyler Macmillan	San Francisco	California	94102	United	States	5/16/2017
Terri Winston	San Francisco	California	94103	United	States	5/16/2017
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Rachel Dwan	San Francisco	California	94117	United	States	5/16/2017
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	San Francisco		94103		States	
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Sarah Jo Szambe	lan Emeryvi	lle Califor	rnia	94608	United	States
5/18/2017						
Susannah Parson	s San Fra	ancisco Califor	rnia	94105	United	States
5/18/2017						
Lawrence Li	San Francisco		94109		States	
Kim Sarnecki	San Francisco		94129		States	
•	rmes San Fra	ancisco Califor	rnia	94132	United	States
5/19/2017						
caroline kaps	El Cerrito		94530		States	5/19/2017
Laura Smith	San Francisco	California	94121		States	5/19/2017
Colleen Hooks	San Francisco	California	94109		States	5/19/2017
Jenifer Ju	San Francisco	California	94118	United	States	5/23/2017

# EXHIBIT C

# 1850 BRYANT—EXISTING CONDITION





295 Bay Street San Francisco California 94133

Phone (415) 575-2100 Fax (415) 792-6392 TTY 711

May 1, 2017

City of San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

RE: 1850 Bryant Street Case # 2015.011211CUA

Dear Planning Commissioners,

I am writing to support 1850 Bryant Land LLC at 1850 Bryant Street. 1850 Bryant Land LLC proposed project provides a permanent facility for neighborhood serving nonprofits while also improving the site and walkability of the neighborhood.

The new development will help create a sense of vibrancy and identity to the area while providing important services to the neighborhood. The brick design will pay tribute to the industrial history and complement the neighborhood buildings. The project will have landscaped streetscape to activate the block and create an environment that people want to visit.

I commend 1850 Bryant Land LLC for their engagement and commitment to the community. Future nonprofit tenants at 1850 Bryant Street will provide more eyes on the street and generally enliven the neighborhood. I support 1850 Bryant Land LLC efforts to redevelop the property and provide permanent real estate solutions to nonprofits that provide critical services to the city and region. This is an important project and I encourage you to support this exciting new development as proposed.

Sincerely,

William Rogers President and CEO The existing site (1850 Bryant Street) will be enhanced into a 170,000+/- SF commercial condo building for neighborhood serving nonprofits. The brick build building and landscaped streetscape will help to activate the site and continue providing services to the neighborhood. 1850 Bryant Land LLC greatly appreciates your support of the development of 1850 Bryant Street Nonprofit Hub.

#	Name/Company	Address	Contact Number	Email	Signature
1	Goodwill Industries of San Francisco, San Mateo and Marin Counties	295 Bay Street San Francisco, CA 94133	415-575-2168	wrogers@sfgoodwill.org	muit
2					
3					
4				ž	
5					
6					
7					
498 Waller St Apt 9 San Francisco CA 94117 lawrence@bureausf.com

May 16, 2017

City of San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

RE: 1850 Bryant Street Case # 2015.011211CUA

Dear Planning Commissioners,

As a nonprofit administrator of 26 years, I am writing to support 1850 Bryant Land LLC at 1850 Bryant Street. As the Administrative Director at SPUR, with our three Bay Area offices, and as board member for the San Francisco Bicycle Coalition and Yerba Buena Community Benefit District, I firmly believe 1850 Bryant Land LLC proposed project provides necessary permanent facilities for neighborhood serving nonprofits while also improving the site and walkability of the neighborhood.

The health of existing San Francisco charitable organizations in our communities face increased rents which threaten to destabilize charitable work and cause displacement. Rents also prevent new organizations from maturing.

In my financial oversight roles, I have seen office and program space rents more than double, forcing downsizing space, moving locations and reduced program budgets. This is harmful to our communities in San Francisco.

There are solutions to nonprofit and artist displacement. Over 20 years ago, SPUR's board had the foresight to purchase land and to build its own facility. I have dreamed of partnerships that could offer similar stability to other organizations. This project achieves that.

I commend 1850 Bryant Land LLC for their engagement and commitment to the community. Future nonprofit tenants at 1850 Bryant Street will provide more eyes on the street and generally enliven the neighborhood. In general, nonprofit tenants have more awareness of their community.

I strongly commend and support 1850 Bryant Land LLC efforts to redevelop the property and provide permanent real estate solutions to nonprofits that provide critical services to the city and region. This is a necessary project, and I encourage you to support this exciting new development as proposed.

Sincerely,

In Mh-

Lawrence Li

The existing site (1850 Bryant Street) will be enhanced into a 170,000+/- SF commercial condo building for neighborhood serving nonprofits. The brick build building and landscaped streetscape will help to activate the site and continue providing services to the neighborhood. 1850 Bryant Land LLC greatly appreciates your support of the development of 1850 Bryant Street Nonprofit Hub.

Signature		- All	CAPA	De NIO	Dar	and a	dey	Z	
Email		V							
Contact Number							121	υ	
Address	3/7 Juniper Stra	ze c by St	(AS Showon Park	M 1551 M	2595 Washurgton	29 Kowsch St. 94103 SF	524 PEMASylvaria	155 Cardensi bu Dr. #34 SF, CA 24131	
Name/Company	Ma Abrus	Co all	(Jandia Vasquez	Aan Lux	Hannah Louis 259	Chencia Lin	95	Adam Pollack	

By Signing below, I hereby support the proposed project at 1850 Bryant Street.

The existing site (1850 Bryant Street) will be enhanced into a 170,000+/- SF commercial condo building for neighborhood serving nonprofits. The brick build building and landscaped streetscape will help to activate the site and continue providing services to the neighborhood. 1850 Bryant Land LLC greatly appreciates your support of the development of 1850 Bryant Street Nonprofit Hub.

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Address	TENGING TENGING	GON Frencisco	224 AINON PEWAN	RLLAN KERNER \$25 ALAMANA \$ 915867555		2120 Bryant 34. S.F. CA 94110	10	1,890 Bryantst SF CA 74110	KF CA 94110	
Name/Company		JULIA UCSF	SAT	PLLANKBUER	Jenna	Brick Conway 2120 Bryant 31. S.F. CA 94110	Mee Convery	LEECL JOHNSON	() illion Bunder	
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By Signing below, I hereby support the proposed project at 1850 Bryant Street.

The existing site (1850 Bryant Street) will be enhanced into a 170,000+/- SF commercial condo building for neighborhood serving nonprofits. The brick build building and landscaped streetscape will help to activate the site and continue providing services to the neighborhood. 1850 Bryant Land LLC greatly appreciates your support of the development of 1850 Bryant Street Nonprofit Hub. Signature Email Contact Number 380 Alabama ST. 61 Guess Auc Sussex A Jould miles you 376 240 SI 150 Russ Surve St. 15th Sheet t Address avrie Wanzer ON Lay RIMMAN And Powerla Rendy Wourse Keena Badyal Sesper R.b Horri) Name/Company Juneo cs/steel NIC ∞ ~ 6 # Ь 9 ŝ 4 1 2

By Signing below, I hereby support the proposed project at 1850 Bryant Street.

From: Ajello Hoagland, Linda (CPC) To: Andrew Grutza Cc: Horner, Justin (CPC) RE: 2015-011211E at 1850 Bryant St. Subject: Date: Wednesday, April 12, 2017 8:59:00 AM Attachments: image001.png image015.png image016.png image017.png image018.png image019.png image020.png image021.png

## Mr. Grutza,

Thank you for taking the time to share your comments and concerns. I want to assure you that your concerns are not falling on deaf ears and that they will be shared with the Planning Commission. However, the zoning district in which you live (including 1850 Bryant) is Production, Distribution and Repair, specifically PDR-1-G (definitions below). The proposed project at 1850 Bryant Street includes uses that are permitted in this zoning district (PDR and Institutional uses). The proposed building height is also within the height limits permitted by the zoning district, which is 68 feet. The building in which you reside is a Live/Work project (definition below). Live/Work developments are considered non-residential units because they are not technically "dwelling units" (definition below).

In regards to windows, in San Francisco, property line windows are not protected by the building code or planning code. However, the proposal at 1850 Bryant has been designed to include a courtyard adjacent to the property line with your building in an effort to be a good neighbor (see below). The zoning regulations in PDR-1-G do not require any setback in this location and they could technically build to the property line. Please see the bulletin from DBI at <a href="http://www.sfdbi.org/ftp/uploadedfiles/dbi/downloads/AB-009.pdf">http://www.sfdbi.org/ftp/uploadedfiles/dbi/downloads/AB-009.pdf</a> and feel free to contact DBI with any questions. In regards to views, private views are not protected in San Francisco. In regards to shadows, only properties that are owned by the Parks and Recreation Commission are protected. In the case of 1850 Bryant, a shadow analysis is currently being conducted for potential shadows cast on Franklin Square Park and will go before the Parks and Recreation Commission for review. This will occur prior to the Planning Commission Meeting.

In regards to site construction, the hours of construction are regulated by DBI. Please see the Frequently Asked Questions at <u>http://sfdbi.org/frequently-asked-questions</u> for permitted hours, days of week, etc. DBI is also where you would file any complaints during construction.

**PDR-1-G District: General.** The intention of this District is to retain and encourage existing production, distribution, and repair activities and promote new business formation. Thus, this District prohibits Residential and Office uses, and limits Retail and Institutional uses. Additionally, this District allows for more intensive production, distribution, and repair activities than PDR-1-B and PDR-1-D but less intensive than PDR-2. Generally, all other uses are permitted. In considering any new land use not contemplated in this District, the Zoning Administrator shall take into account the intent of this District as expressed in this Section and in the General Plan.

Production, Distribution, and Repair (PDR) Use. A grouping of uses that includes, but is not

From:	Ajello Hoagland, Linda (CPC)				
То:	joseph.fireman@gmail.com				
Cc:	Horner, Justin (CPC)				
Subject:	RE: Concerns about 1850 Bryant Project - from neighbor				
Date:	Tuesday, April 11, 2017 11:08:00 AM				
Attachments:	image002.png				
	image004.png				
	image005.png				
	image006.png				
	image007.png				
	image008.png				
	image009.png				
	image010.png				
	image011.png				

Good Morning Joe,

Thank you for sharing your concerns. Unfortunately, in San Francisco, property line windows are not protected by the building code or planning code. However, the proposal at 1850 Bryant has been designed to include a courtyard adjacent to the property line with your building in an effort to be a good neighbor (see below). I do not know if your unit is one that would be adjacent to the courtyard, but , maybe you can tell by looking at the site plan below . Please see the bulletin from DBI at <a href="http://www.sfdbi.org/ftp/uploadedfiles/dbi/downloads/AB-009.pdf">http://www.sfdbi.org/ftp/uploadedfiles/dbi/downloads/AB-009.pdf</a>. Feel free to contact DBI with any questions and please let me know if there is anything else I can assist you with.

Regards,

Linda

## Linda Ajello Hoagland, AICP

Planner, Southeast Quadrant, Current Planning Direct: 415-575-6823 | Fax: 415-558-6409

1650 Mission Street, Suite 400SF PlanningSan Francisco, CA 94103DepartmentProperty Information Map





From: Horner, Justin (CPC) Sent: Tuesday, April 11, 2017 8:49 AM To: joseph.fireman@gmail.com Cc: Ajello Hoagland, Linda (CPC) Subject: Re: Concerns about 1850 Bryant Project - from neighbor

Thank you, Joe, for the email.

The notice you received was regarding the environmental review of the proposed project. If you have concerns, or pertinent information, regarding the physical environmental effects of the project, please convey them to me at your soonest opportunity.

Your email to me is not the only opportunity for public review. This is only the CEQA portion; the project approvals will need to go to the Planning Commission, so there is opportunity there to discuss other aspects of the project not related to physical environmental effects. Here in San Francisco, each project gets an environmental planner to handle the CEQA (that's me) and a current planner to check compliance with the San Francisco Planning Code (Linda, who is cc:'d). If you want to learn more about the entitlements process beyond CEQA, she's the best

person to talk to.

Sincerely Justin

From: joseph.fireman@gmail.com <joseph.fireman@gmail.com> Sent: Monday, April 10, 2017 7:07:23 PM To: Horner, Justin (CPC) Subject: Re: Concerns about 1850 Bryant Project - from neighbor

Dear Justin,

My email was to express that I do have concerns. I did not describe them.

Is this juncture, via email, my only opportunity to do so?

I believe the environmental effects of the construction could significantly diminish the value of my apartment especially over the next 18 months and permanently if the newly constructed building is close to 1800 Bryant in which case I would have no privacy in my living room unless I completely cover up a floor to ceiling window (and sacrifice half the light and design of apartment). I am sure other neighbors will have similar issues. I think a phone call is the best way to elaborate but please let me know.

I am an attorney and once served as a commissioner on the Berkeley Planning Commission -- which is to say, I would be happy to work with the city if there is a possibility of addressing these concerns, both mine and other neighbors'. I also understand that city planning authorities work hard to accommodate competing concerns from different parties and really appreciate your attention to this request.

Best,

Joe

Sent from my iPhone

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> On Apr 10, 2017, at 11:33 AM, Horner, Justin (CPC) <<u>justin.horner@sfgov.org</u>> wrote:
>
> Thank you for your comment on the proposed project at 1850 Bryant and for sharing your concerns about noise, dust and views.
>
> Justin Horner, MCP
> Environmental Planner
> Planning Department, City and County of San Francisco
> 1650 Mission Street, Suite 400, San Francisco, CA 94103
> Direct: 415-575-9023
> Email: justin.horner@sfgov.org
> Web: www.sfplanning.org
>
>
> ----- Original Message-----
> From: joseph.fireman@gmail.com [mailto:joseph.fireman@gmail.com]
> Sent: Sunday, April 09, 2017 5:19 PM
> To: Horner, Justin (CPC)
> Subject: Concerns about 1850 Bryant Project - from neighbor
>
> Dear Justin,
>
> I am a resident of 1800 Bryant. I live on the corner of 1800 Bryant, next to 1850 where the proposed construction would occur for a year
and a half. I have a terrace and fear it could become much less usable or unusable if there are significant environmental effects such as noise
and dust, not to mention obstruction of view.
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>

> I would like to register my concerns and work with the city planning department.

>

> Thanks,

>

> Joe

> (925) 528-9596

>

> Sent from my iPhone

>

From:	Bill Dry
To:	<u>Ajello Hoagland, Linda (CPC)</u>
Subject:	Re: Proposed project 1850 Bryant Street
Date:	Tuesday, April 11, 2017 11:29:53 AM
Attachments:	image001.png

## THE PROJECT COURTYARD IS FACING OUR COURTYARD.

On Tue, Apr 11, 2017 at 8:27 AM, Ajello Hoagland, Linda (CPC) <<u>linda.ajellohoagland@sfgov.org</u>> wrote:

Good Morning Mr. Drypolcher,

Thank you for sharing your concerns. Unfortunately, in San Francisco, property line windows are not protected by the building code or planning code. However, the proposal at 1850 Bryant has been designed to include a courtyard adjacent to the property line with your building in an effort to be a good neighbor (see below). I do not know if your unit is one that would be adjacent to the courtyard, but, maybe you can tell by looking at the site plan below. Please see the bulletin from DBI at <a href="http://www.sfdbi.org/ftp/uploadedfiles/dbi/downloads/AB-009.pdf">http://www.sfdbi.org/ftp/uploadedfiles/dbi/downloads/AB-009.pdf</a> and feel free to contact DBI with any questions. Also, please let me know if there is anything else I can assist you with.

Regards,

Linda



From: Horner, Justin (CPC) Sent: Monday, April 10, 2017 10:35 AM To: Bill Dry Cc: Ajello Hoagland, Linda (CPC) Subject: RE: Proposed project-- 1850 Bryant Street

Thank you for sharing your comment on the proposed project at 1850 Bryant Street and your concern about shadow impacts. I have also shared your concern with the Current Planner for the project, cc:'d here.

Justin Horner, MCP

**Environmental Planner** 

Planning Department, City and County of San Francisco 1650 Mission Street, Suite 400, San Francisco, CA 94103 Direct: <u>415-575-9023</u> Email: justin.horner@sfgov.org Web: www.sfplanning.org

From: Bill Dry [mailto:bill.dry@zephyrsf.com] Sent: Sunday, April 09, 2017 2:18 PM To: Horner, Justin (CPC) Subject: Fwd: Proposed project-- 1850 Bryant Street

My mistake we are #316 at 1800 Bryant Street.

------ Forwarded message ------From: **Bill Dry** <<u>bill.dry@zephyrsf.com</u>> Date: Sun, Apr 9, 2017 at 11:01 AM Subject: Proposed project-- 1850 Bryant Street To: justin.horner@sfgov.org

Sir: My wife and I are administrators of the estate of Steven Drypolcher, the owner of unit #316 at 1880 Bryant Street next door to the proposed project. We have not been in town and therefore are putting our objections in writing to you. We expect to be back in San Francisco on the 15th of April.

Our concern is the many lot line windows on the 1880 building that have not been addressed. There are at least eight windows on our building side facing the project which will be closed off if the project is built to current plans. This will block our light and air. We feel that this is a environmental concern that has not been shared by the sponsors with the HOA of 1880 Bryant and its owners.

Once we return I will be in contact with you to object to the proposed plans as presented.

If there is anything else I need to do at this time, please reply to this email.

?

Bill Drypolcher

Founding Broker, CalBRE# 00707370

t: (415) 515-1770 e: bill.dry@zephyrsf.com | w: www.zephyrsf.com

 Zephyr HQ 850 7th Street, SF CA 94107

Bill Drypolcher

Founding Broker, CalBRE# 00707370

t: (415) 515-1770 e: bill.dry@zephyrsf.com | w: www.zephyrsf.com

Zephyr HO 850 7th Street, SF CA 94107

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limited, to all Industrial and Agricultural Uses, Ambulance Services, Animal Hospital, Automotive Service Station, Automotive Repair, Automotive Wash, Arts Activities, Business Services, Cat Boarding, Catering Service, Commercial Storage, Kennel, Motor Vehicle Tow Service, Livery Stable, Parcel Delivery Service, Public Utilities Yard, Storage Yard, Trade Office, Trade Shop, Wholesale Sales, and Wholesale Storage.

*Live/Work Unit.* A hybrid Residential and PDR Use that is defined as a structure or portion of a structure combining a residential living space for a group of persons including not more than four adults in the same unit with an integrated work space principally used by one or more of the residents of that unit; provided, however, that no otherwise qualifying portion of a structure that contains a Group A occupancy under the Building Code shall be considered a Live/Work Unit. No City official, department, board, or commission shall issue or approve a building permit or other land use entitlement authorizing a new live/work unit as defined here, except as authorized as an accessory use under Section 204.4. Lawfully approved live/work units are subject to the provisions of Sections 181 and 317 of this Code.

*Dwelling Unit.* A Residential Use defined as a room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen. A housekeeping room as defined in the Housing Code shall be a Dwelling Unit for purposes of this Code. For the purposes of this Code, a Live/Work Unit, as defined in this Section, shall not be considered a Dwelling Unit.

As an adjacent neighbor of the project, you will receive a notice of public hearing for the project. It is currently scheduled to go to the Planning Commission on June 1, 2017. Notices are mailed out 20 days prior to the hearing. I hope you will find this information in useful as it relates to your comments.

Please let me know if you have any additional questions.

Regards, Linda

Linda Ajello Hoagland, AICP Planner, Southeast Quadrant, Current Planning Direct: 415-575-6823 | Fax: 415-558-6409

1650 Mission Street, Suite 400SF PlanningSan Francisco, CA 94103DepartmentProperty Information Map



From: PIC, PLN (CPC) Sent: Tuesday, April 11, 2017 6:32 PM To: Andrew Grutza **Cc:** Ajello Hoagland, Linda (CPC); Horner, Justin (CPC) **Subject:** Re: 2015-011211E at 1850 Bryant St.

We apologize for any inconvenience you may have experienced.

The project is currently under review. Questions and concerns may be directed to the following staff planners regarding the project, rather than the general information phone line or email. The planners have been copied on this response.

For entitlement (zoning approval) questions, the planner is Linda Ajello Hoagland Tel: 415-575-6823.

For environmental review questions, the planner is Justin Horner Tel: 415-575-9023.

Property Information Map (PIM): <u>http://propertymap.sfplanning.org</u>

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The information provided in this correspondence is based on a preliminary review of information provided by the requestor. It does not constitute a comprehensive review of the project or request. For a more extensive review it is strongly recommended to schedule a project review meeting. The information provided in this email does not constitute a Zoning Administrator letter of determination. To receive a letter of determination you must submit a formal request directly to the Zoning Administrator. For complaints, please contact the Code Enforcement Division.

From: Andrew Grutza <<u>andrzej66@me.com</u>> Sent: Tuesday, April 11, 2017 3:58:42 PM To: PIC, PLN (CPC) Subject: 2015-011211E at 1850 Bryant St.

Greetings,

I just called your 558-6377 line, waited for 15 minutes, then was cut off. Terrible service.

My name is Andrew and I own a second floor, south-facing unit at <u>1800 Bryant</u> <u>Street</u> (Franklin Square Lofts). I'm writing to express my concerns about the planned development at <u>1850 Bryant Street</u>.

First, I echo the points already made by others in my building regarding environmental and quality of life issues. Though living next to a light industrial yard has had its challenges, it's a walk in the park when compared to 1 1/2-2 years of construction. I would hope that the developers would take the necessary security precautions in order to ensure that our building remains safe from construction site intruders. The more important concern I have, however, is the design and privacy elements of the potential construction. As the owner of a south-facing unit, I have 16' windows that let in a lot of light, and provide a vista of Potrero

Hill, San Bruno Mountain and Twin Peaks. If the design of the new building abuts too closely to the edge of our southern property line, all of that disappears and there is a large chance that the unit will be in long shadows most of the time, thus, giving the place a tomb-like effect. Our shared patio and my private patio will be virtually unusable in that case. The potential construction is also - I believe - taller than our building. This obviously affects the unit value, I believe, by restricting not only view but natural light.

The other main concern, obviously, is privacy. If the units are at eye-level to our units, the large windows we have will need to be curtained, thus adding to the sealed-off effect.

I hope that these comments are received in good faith, and that they can be addressed if and when the planned construction commences.

Thank you Andrew Grutza Owner, Suite 211 1800 Bryant Street