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Executive Summary
Large Project Authorization
Hearing Date: April 25, 2019

Record No.:	**2015-015789ENX**
Project Address:	**828 BRANNAN STREET**
Zoning:	UMU (Urban Mixed Use) Zoning District 68-X Height and Bulk District
Block/Lot:	3780/004E
Project Sponsor:	Melinda Sarjapur, Reuben, Junius and Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104
Property Owner:	828 Brannan St LLC San Francisco, CA 94103
Staff Contact:	Kimberly Durandet – (415) 575-6816 kimberly.durandet@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The Project includes demolition of an existing 12,605 two-story, reinforced concrete industrial building and new construction of a seven-story over basement, 68-ft tall, mixed-use building (approximately 58,553 gross square feet) with 50 dwelling-units, approximately 2,104 square feet of retail use, 22 below-grade off-street parking spaces, 1 car-share parking space, 90 Class 1 and 6 Class 2 bicycle parking spaces. The Project includes a dwelling unit mix consisting of 25 two-bedroom units, 10 one-bedroom units, 5 loft units, and 10 studio units. The Project includes 7,961 square feet of common open space via ground floor courtyard, roof deck, and private open space via balconies.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Large Project Authorization, pursuant to Planning Code Section 329, to construct more than 25,000 gross square feet in an Eastern Neighborhoods Mixed Use District and must grant exceptions to the Planning Code requirements for: 1) rear yard (Section 134), and 2) dwelling unit exposure (Section 140).

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Department has received no public comment regarding this project.
- **Large Project Authorization & Exceptions.** As part of the Large Project Authorization (LPA), the Commission may grant exceptions from certain Planning Code requirements for projects that

exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests modifications from: 1) rear yard (Planning Code Section 134), and 2) dwelling unit exposure (Planning Code Section 140). Department staff is generally in agreement with the proposed modifications given the overall project, its unique lot configuration and outstanding design.

- **Inclusionary Affordable Housing.** The Project has elected the on-site affordable housing alternative, identified in Planning Code Section 415.6 and 419.3. The project site is located within the UMU Zoning District and is subject to the Tier B Affordable Housing Program Requirements, which requires 18% of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 50 units and the Project Sponsor will fulfill this requirement by providing the 9 affordable units on-site, which will be available for rent. As part of the project, the Project Sponsor has entered into a Costa-Hawkins Agreement with the City. A copy of this agreement will be provided at the Planning Commission Hearing.
- **Design Review Comments:** The Project Sponsor has worked with Department staff on the overall design of the Project, and the Project has changed in the following significant ways since the original submittal:
    - Reconfigure open space from two courtyards to one large rear yard at grade.
    - Improve Langton Street residential entries to have a recessed entry and patio area with brick screen.
    - Connect the top portion of the building by bringing the brick material down to connect with the ground.
    - The balconies were set in from the façade and the material was changed to increase the opacity.
    - The roof deck has been setback from the building edge 5 feet.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on March 25, 2019 the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Showplace Square/Potrero Hill Area Plan and the Objectives and Policies of the San Francisco General Plan. Overall, the building design and scale complement the neighborhood context and is consistent with the immediate context for height and density in the area. The Project is located in the area designated to encourage development of new

housing and provides 50% of the dwelling units with two bedrooms, this contributes to the City's stock of housing suitable for families. All street frontages have an active use and Langton Street will be improved with a new sidewalk. Although the Project results in a loss of PDR space, the Project does provide a substantial amount of new housing, including new on-site below-market rate units for rent.

ATTACHMENTS:

Draft Motion – Large Project Authorization
Exhibit A – Conditions of Approval
Exhibit B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F - Project Sponsor Brief
Exhibit G – Inclusionary Affordable Housing Affidavit
Exhibit H – Anti-Discriminatory Housing Affidavit
Exhibit I – First Source Hiring Affidavit

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Planning Commission Draft Motion

HEARING DATE: APRIL 25, 2019

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ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS FROM THE 1) REAR YARD REQUIREMENTS OF PLANNING CODE SECTION 134, 2) DWELLING UNIT EXPOSURE REQUIREMENTS OF PLANNING CODE 140, FOR A PROJECT THAT WOULD DEMOLISH THE EXISTING TWO-STORY INDUSTRIAL BUILDING AND CONSTRUCT A SEVEN-STORY, 68-FOOT TALL, 58,553 GROSS-SQUARE-FOOT (GSF) MIXED-USE BUILDING WITH 50 DWELLING UNITS WITH APPROXIMATELY 2,104 SQUARE FEET OF COMMERCIAL SPACE AND 22 BELOW GRADE OFF-STREET PARKING SPACES LOCATED AT 828 BRANNAN STREET, LOT 004E IN ASSESSOR'S BLOCK 3780, WITHIN THE UMU (URBAN MIXED-USE), ZONING DISTRICT AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On August 30, 2016, Melinda Sarjapur (hereinafter "Project Sponsor") filed Application No. 2015-015789ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to demolish the existing building and construct a seven-story, 68-foot tall, approximately 58,553 gross-square-foot (gsf) mixed-use building with 50 dwelling units with ground floor residential amenities and commercial space (hereinafter "Project") at 828 Brannan Block 3780 Lot 004E (hereinafter "Project Site").

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 March 25, 2019, 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 Record No. 2015-015789ENX is located at 1650 Mission Street, Suite 400, San Francisco, California.

On April 25, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2015-015789ENX.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization as requested in Application No. 2015-015789ENX, 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. **Project Description.** The Project includes demolition of an existing 12,605 two-story, reinforced concrete industrial building and new construction of a seven-story over basement, 68-ft tall, mixed-use building (approximately 58,553 gross square feet) with 50 dwelling-units, approximately 2,104 square feet of retail use, 22 below-grade off-street parking spaces, 1 car-share parking space, 90 Class 1 and 6 Class 2 bicycle parking spaces. The Project includes a dwelling unit mix consisting of 25 two-bedroom units, 10 one-bedroom units, 5 loft units, and 10 studio units. The Project includes 7,961 square feet of common open space via ground floor courtyard, roof deck, and private open space via balconies.

3. **Site Description and Present Use.** The Project is located on an approximately 13,006 square foot lot at the northwest corner of Langton and Brannan Streets with approximately 66-ft of frontage along Brannan Street and 145-ft of frontage along Langton Street. The Project Site contains an existing two-story, 12,605 square foot reinforced concrete industrial building that had most recently been used as a a glass company (d.b.a. Paige Glass) which has relocated to 75 Williams Avenue in the Bayview neighborhood. Currently, the existing building is vacant.

4. **Surrounding Properties and Neighborhood.** The Project Site is located within the UMU Zoning and 68-X Height and Bulk Districts in the South of Market neighborhood and Showplace Square/Potrero Hill Area Plan. The immediate neighborhood context is mixed in character with residential, industrial, public and retail uses. The neighborhood includes two- to four-story industrial, live/work, and retail development on the subject block. A six-story mixed use building with over 500 residential units is located across Brannan Street to the south. The closest Bay Area Rapid Transit District (BART) stop is at Civic Center, approximately 0.7 miles northwest of the project site. The project site is within a quarter mile of several local transit lines, including 8-

Bayshore, 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 8AXBayshore A Express, 8BX-Bayshore B Express and 83X-Mid-Market Express. Other Zoning and Height/Bulk Districts near the project site include: P (Public) 30-X, SALI (Service, Arts and Light Industrial) 40/55-X, RED-MX (Residential Enclave-Mixed) 45-X, WMUO (Western SOMA Mixed Use-Office) 85-X, and PDR-1-G (Production, Distribution, and Repair-General) 58-X.

5. **Public Outreach and Comments.** The Department has received no public comments in support or opposition to the project.

6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Permitted Uses in UMU Zoning Districts.** Planning Code Sections 843.20 and 843.45 states that residential and retail (≤25,000 sf) are principally permitted use within the UMU Zoning District.

   The Project would construct 50 dwelling units and 2,104 sf of new retail use within the UMU Zoning District; therefore, the Project complies with Planning Code Sections 843.20 and 843.45.

   B. **Rear Yard**. Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth.

   The Project site has 145 feet of lot depth which requires a 25% rear yard that is at least 36.25 feet. The project proposes a modified rear yard at grade and is seeking an exception as part of the Large Project Authorization per Sec. 134 and 329 (see below) in order to allow for the highest number of dwelling units provided maximizing site density.

   C. **Usable Open Space-Residential.** Planning Code Section 135 requires a minimum of 80 sf of open space per dwelling unit, if not publicly accessible, or 54 sf of open space per dwelling unit, if publicly accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sf if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sf if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum are of 300 sf.

   The Project is required to provide 4,000 sf of open space. The proposal provides 5 units with Code-complying balconies leaving a requirement of 3,600 sf. The modified rear yard at grade provides 2,687 sf, and the common open space on a roof deck 4,078 sf. In total, the Project exceeds the required amount for the dwelling units.

   D. **Usable Open Space-Non-Residential.** Planning Code Section 135.3 requires open space be provided for non-residential retail uses at a rate of 250 sf per sf of proposed floor area. Under

Planning Code Section 426, in the Eastern Neighborhoods Mixed Use Districts the usable open space requirement of Section 135.3 may be satisfied through payment of a fee of $113.99 (2019 Fee Schedule) for each square foot of usable open space not provided.

The Project proposes 2,104 sf of retail space. Therefore, the requirement is 8 sf of open space. The Project Sponsor has opted to meet the requirement through paying the in-lieu fee.

E. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires a streetscape plan in compliance with the Better Streets Plan for new construction on a lot that is greater than one-half acre in area or with more than 250 feet of street frontage.

The Project site is less than one-half acre and the street frontage is less than 250 feet; therefore, the Project is not subject to Section 138.1 to provide a streetscape plan. However, the Project will be providing improvements to the sidewalk on Langton Street and addition of street trees and bicycle parking.

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

The subject site is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project shall meet the requirements for any feature reltated hazards.

G. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 feet in width, or an open area (inner court) must be no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. When a dwelling unit faces an outer court whose width is less than 25 feet, the depth of the court shall be no greater than its width.

The Project organizes most dwelling units to have exposure facing either Brannan Street or Langton Street, which meet the Planning Code requirements. 12 dwelling units face an inner court that does not step back at the top four levels. The Department has determined that 8 units facing the inner court require an exception because they do not meet the dimensional requirements of Section 140. The Project is seeking an exception to the dwelling unit exposure requirement as part of the Large Project Authorization per Sec. 140 and 329 (see below) in order to allow for the highest number of dwelling units provided maximizing site density.

H. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and

loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The Project meets the requirements for providing active ground floor use at Brannan Street frontage through the provision of commercial space with a ground floor height of 17 feet. The frontage on Langton will function as the main residential entrance and provide ground floor residential entrances for three dwelling units. This will activate the small street and increase the sense of safety and livability of the area.

I. **Off-Street Parking**. Planning Section 151.1 of the Planning Code allows off-street parking at a rate of .75 per dwelling unit. Further, in the UMU District each dwelling unit with at least 2 bedrooms and at least 1,000 square feet of occupied floor area is permitted one auto parking space. Retail sales and services are permitted to provide 50% more than one auto parking space per 500 sf.

The Project is allowed up to 38 automobile parking spaces for the proposed 50 dwelling units while the 2,104 sf of retail use is allowed up to 6 parking space. The Project proposes 22 off-street below grade parking spaces which is below the principally permitted amount.

J. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit up to 100 and 1 per four dwelling units above 100. One Class 2 bicycle parking space is required for every 20 dwelling units. Additional bicycle parking requirements apply based on classification of non-residential use; at least two Class 2 spaces are required for retail uses.

The Project includes 50 dwelling units and 2,104 sf of commercial use. Therefore, the Project is required to provide 50 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces for residential use and 1 Class 1 and 2 Class 2 for the retail use. The Project will provide 90 Class 1 bicycle parking spaces and 6 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

K. **Off-Street Freighht Loading.** Planning Code Section 152.1 requires one off-street freight loading space for residential uses between 100,001 and 200,000 gsf within the Eastern Neighborhood Mixed Use Districts.

The project includes approximately 56,413 gsf of residential use in the UMU Zoning District; thus, the Project is not required to provide an off-street freight loading space. Therefore, the Project demonstrates compliance with Planning Code Section 152.1

L. **Car-Share.** Planning Code Section 166 requires one car-share parking space for projects constructing between 50 and 200 dwelling units.

Since the Project includes 50 dwelling units, it is required to provide one car-share parking space. The Project provides one car-share parking spaces at the basement level. Therefore, the Project complies with Planning Code Section 166.

M. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 7 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 required target of 14 points. As currently proposed, the Project will achieve its required 7 points through the following TDM measures:

- *Unbundled Parking*
- *Parking Supply*
- *Bicycle Parking (Option A)*
- *Car-share Parking (Option A)*
- *On-Site Affordable Housing*

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

For the 50 dwelling units, the Project is required to provide 20 units with at least two-bedrooms or 15 three-bedroom units. The Project provides 10 studio, 5 lofts, 10 one-bedroom, 25 two-bedroom and 0 three-bedroom units. Therefore, the Project meets the requirements for dwelling unit mix (40% 2 or more bedrooms).

O. **Narrow Streets.** Planning Code Section 261.1 outlines the height and massing reuqirements for projects that front onto a "narrow street", which is defined as a public right of way less than or equal to 40-feet in width. "Subject Frontage" for this purpose is defined as any building frontage that is more than 60 feet from an intersection with a street wider than 40 feet. For the subject frontage along a narrow street, a 10 foot setback is required above 50 feet.

The subject site is located on Brannan Street with additional frontage at the north property line along a private alley (Block 3780/Lots 84 & 85) that becomes Langton Street and is so labeled on maps. However, this parcel is a former Western Pacific Railroad spur track which was abandoned in 1926 with the area split equally between the adjacent parcels with reciprocal access easements recorded over each parcel

resulting in a private alley. On September 4, 2015, the Zoning Administrator issued a Letter of Determination. The Zoning Administrator determined that the setback requirements of Planning Code Section 261.1 which apply to Narrow Streets does not apply in this case as the private alley is not a public right of way or passage or alley created under the requirements of Section 270.2. Therefore, the Project is compliant with Section 261.1.

P. **Shadow.** Planning Code Section 295 requires review of projects including structures exceeding a height of 40-feet that cast new shadow cast by on property under the jurisdiction of the Recreation and Park Commission. The Planning Commission shall not make a determination regarding the potential adverse impact on Recreation and Park properties until the general manager of the Recreation and Park Department in consultation with the Recreation and Park Commission has had an opportunity to review and comment to the Planning Commission upon the proposed project.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed Project would not cast shadows on any parks or open space under the jurisdiction of the San Francisco Recreation and Parks Commission at any time during the year.

Q. **Places of Entertainment/Outreach.** Planning Code Section 314 requires that in addition to any other factors appropriate for consideration under the Planning Code, the Planning Department and Planning Commission shall consider the compatibility of uses when approving Residential Uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential project takes into account the needs and interests of both the Places of Entertainment and the future residents or guests of the new development. Such considerations may include, among others: (a) the proposed project's consistency with applicable design guidelines; (b) any proceedings held by the Entertainment Commission relating to the proposed project, including but not limited to any acoustical data provided to the Entertainment Commission, pursuant to Administrative Code Section 116.6; and (c) any comments and recommendations provided to the Planning Department by the Entertainment Commission regarding noise issues related to the project pursuant to Administrative Code Section 116.7.

The Project is located within a 300 foot radius of a Place of Entertainment (POE). In accordance with the Entertainment Commission's approved "Guidelines for Entertainment Commission Review of Residential Development Proposals Under Administrative Code Chapter 116," Entertainment Commission staff determined that a hearing on this project was not required under Section 116.7(b) of the Administrative Code because the available evidence indicates that noise from the POE is not likely to create a significant disturbance for residents of the project. The Commission has adopted a set of standard "Recommended Noise Attenuation Conditions for Chapter 116 Projects," attached hereto. Accordingly, the Commission recommends that the Planning Department and/or Department of Building Inspection impose these standard conditions on the development permit(s) for this project.

R. **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 more than twenty dwelling units; therefore, the TSF applies as outlined in Planning Code Section 411A. As the Environmental Application was filed after July 22, 2015 the non-residential and the residential portion shall pay TSF rates at 100%.

S. **Residential Child-Care Fee**. Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

The Project includes approximately 56,449 sf of new residential use. The Project is subject to fees as outlined in Planning Code Section 414A.

T. **Inclusionary Affordable Housing Program in Urban Mixed Use Zoning District**. Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on April 8, 2016; therefore, pursuant to Planning Code Section 419.3 in the UMU Zoning District the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 18% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project. The Project Sponsor submitted such Affidavit on December 10, 2018. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was

accepted on April 8, 2016; therefore, pursuant to Planning Code Section 419.3 in the UMU Zoning District the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 18% of the total proposed dwelling units as affordable, with a minimum of 10% of the units affordable to low-income households, 4% of the units affordable to moderate-income households, and the remaining 4% of the units affordable to middle-income households, as defined by the Planning Code and Procedures Manual. Nine units (2 studio, 3 one-bedroom, and 4 two-bedroom) of the total 50 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

U. **Eastern Neighborhood Infrastructure Impact Fees**. Planning Code Section 423 is applicable to any development project within the UMU (Urban Mixed-Use) Zoning District that results in the addition of a new residential unit and new construction of non-residential space.

The Project includes sf of new construction for 50 dwelling units and 2,104 sf of non-residential use. These uses are subject to Tier 1 (residential) and Tier 2 (non-residential) Eastern Neighborhood Infrastructure Impact Fees outlined in Planning Code Section 423.

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

A. **Overall building mass and scale.** *The Project is designed as a seven-story, 68-ft tall, mixed-use development, which incorporates residential entryways along Langton Street. This massing is appropriate given the larger neighborhood context, which includes two- to four-story industrial, live/work, and retail development on the subject block. A six-story mixed use building with over 500 residential units is located across Brannan Street to the south. The surrounding neighborhood is varied with many examples of smaller-scale residential properties along Langton Street and larger-scale industrial properties to the west along Brannan Street. Overall, the building design and scale complement the neighborhood context. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood.*

B. **Architectural treatments, facade design and building materials.** *The Project's architectural treatments, façade design and building materials include glazed brick and a brick screen, perforated metal balconies, aluminum storefront, and aluminum windows. The Project incorporates a simple, yet elegant, architectural language that is accentuated by contrasts in the exterior materials. Overall, the Project offers a high quality architectural treatment, which provides for unique and expressive architectural design that is consistent and compatible with the surrounding neighborhood.*

C. **The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access.** *The Project incorporates a courtyard, which assists in establlishing a pattern of mid-block open space on the subject block. Along the ground floor, the Project provides residential lobby and walk-up*

dwelling units with individual pedestrian access on Langton Street. The lobby and dwelling units will provide for activity on the street level. The Brannan Street façade is activated with a retail space. The Project minimizes the impact to pedestrian by providing two side-by side 8-ft wide garage elevator entrances on Langton Street. In addition, off-street parking is located below grade.

D. **The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site.** *The Project exceeds the open space requirement by providing a ground floor courtyard, a roof deck, and private balconies/terraces.*

E. **The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2.** *The Project is not required to provide a mid-block alley.*

F. **Streetscape and other public improvements, including tree planting, street furniture, and lighting.** *In compliance with Planning Code Section 138.1, the Project includes new streetscape elements, such as new concrete sidewalks, new street trees and bicycle parking. These improvements would vastly improve the public realm and surrounding streetscape.*

G. **Circulation, including streets, alleys and mid-block pedestrian pathways.** *The Project provides ample circulation in and around the project site through the sidewalk improvements. Automobile access is limited to the entry/exit on Langton Street. The Project incorporates an interior courtyard, which is accessible to residents.*

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

I. **Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan.** *The Project, on balance, meets the Objectives and Policies of the General Plan. See Below.*

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

A. **Rear Yard.** Exception for rear yards, pursuant to the requirements of Section 134(f).

Modification of Requirements in the Eastern Neighborhoods Mixed Use Districts. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified or waived by the Planning Commission pursuant to Planning Code Section 329, provided that:

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

The Project provides for a comparable amount of open space, in lieu of the required rear yard. The Project site is approximately 13,006 square feet which would require a rear yard area of 3,251.5 square feet. However, the site contains an area of approximately 21 feet that is an easement for Langton Street and is not buildable. The reduced lot area is 10,730, and would be required to provide a rear yard measuring 2,682.5 sq ft. In total, the Project provides approximately 2,700 sqare feet at the ground floor. Thus exceeding the amount of space, which would have been provided in a code-conforming rear yard for the effective developable area of the site.

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

The Project does not impede access to light and air for the adjacent properties. To the north, the Project abuts an industrial building. To the east the Project is adjacent to a retail building. The proposed location of the rear yard is the most suitable for creating pattern of mid-block open space for the subject block and future potential development in the area.

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

The Project is seeking an exception to dwelling unit exposure requirements, since the Project includes dwelling units. Given the overall quality of the Project and its design, the Commission supports the exception to the rear yard requirement, since the proposed units would not be afforded undue access to light and air. Overall, the Project meets the intent of exposure and open space requirements defined in Planning Code Sections 135 and 140; therefore, the modification of the rear yard is deemed acceptable.

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

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

Under Planning Code Section 140, all dwelling units must face onto a public street, public alley or an open area, which is at least 25-wide. The Project organizes the dwelling units to have exposure either on one of the public streets (Brannan Street or Langton Street) or the rear yard. Since the modified rear yard is not Code Complying as an inner court the building should be stepping back five feet from the fourth through seventh floors. Therefore, 8 of the dwelling units do not face an open area which meet the dimensional requirements of the Planning Code. These dwelling units still face onto an inner courtyard; therefore, these units are still afforded access to light and air. Given the overall design and composition of the Project, the Commission is in support of this exception, due to the Project's high quality of design and amount of open space.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1
Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4
Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5
Ensure that new permanently affordable housing is located in all of the City's neighbor-hoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2
Ensure implementation of accepted design standards in project approvals.

Policy 11.4:
Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.8
Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12:
BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2
Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

URBAN DESIGN ELEMENT

Objectives and Policies

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

Policy 1.3
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7
Recognize the natural boundaries of districts, and promote connections between districts.

SHOWPLACE SQUARE/POTERERO HILL AREA PLAN

LAND USE

Objectives and Policies

OBJECTIVE 1.1
ENCOURAGE THE TRANSITION OF PORTIONS OF SHOWPLACE/POTRERO TO A MORE MIXED USE AND NEIGHBORHOOD-SERVING CHARACTER, WHILE PROTECTING THE CORE OF DESIGN-RELATED PDR USES.

Policy 1.1.2

In the northern part of Showplace Square (around 8th and Brannan, east of the freeway and along 16th and 17th Streets) revise land use controls to create new mixed use areas, allowing mixed-income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

OBJECTIVE 1.2
IN AREAS OF SHOWPLACE/POTERO WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1
Ensure that in-fill housing development is compatible with its surroundings.

Policy 1.2.2
In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

OBJECTIVE 1.6
IMPROVE INDOOR AIR QUALITY FOR SENSITIVE LAND USES IN SHOWPLACE SQUARE/POTRERO HILL.

Policy 1.6.1
Minimize exposure to air pllutants from existing traffic sources for new residential developments, schools, daycare and medical facilities.

HOUSING

OBJECTIVE 2.3
REQUIRE THAT A SIGNIFICANT NUMBER OF UNITS IN NEW DEVELOPMENT HAVE TWO OR MORE BEDROOMS EXCEPT SENIOR HOUSING AND SRO DEVELOPMENTS UNLESS ALL BELOW MARKET RATE UNITS ARE TWO OR MORE BEDROOM UNITS.

Policy 2.3.3
Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments.

BUILT FORM

OBJECTIVE 3.2
PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM.

Policy 3.2.3
Minimize the visual impact of parking.

Policy 3.2.4
Strengthen the relationship between a building and its fronting sidewalk.

Policy 3.2.6
Sidewalks abutting new developments should be constructed in accordance with locally appropriate guidelines based on established best practices in streetscape design.

The Project's mass and scale are appropriate for a corner lot and the surrounding context, which is characterized by two- to four-story industrial, live/work, and retail development on the subject block. A six-story mixed use building with over 500 residential units is located across Brannan Street to the south. The surrounding neighborhood is varied with many examples of smaller-scale residential properties along Langton Street and larger-scale industrial properties to the west along Brannan Street. Overall, the building design and scale complement the neighborhood context. The proposed in-fill project is consistent with the immediate context for height and density in the area. The Project is located in the area designated to encourage development of new housing. The Project provides 25 out of the 50 total dwelling units that have two bedrooms, this contributes to the City's stock of housing suitable for families. The project proposes to locate the parking below grade from Langton Street frontage. All street frontages have an active use that meet the guidelines for ground floor residential design. The currently undeveloped Langton Street will be improved and sidewalks will be added according to Planning Department guidelines for Better Streets. Thus, the Project is appropriate and consistent with the General Plan.

10. **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 will provide neighborhood-serving retail uses. The Project provides 50 new dwelling units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.

    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 possess any existing housing. The Project would provide 50 new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. The Project is a high quality design, and relates well to the scale and form of 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 site does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by providing 9 below-market rate dwelling units for rent. Therefore, the Project will increase the stock of affordable housing units in the City.

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

The Project Site is served by nearby public transportation options. The Bay Area Rapid Transit District (BART) stop at Civic Center, approximately 0.7 miles northwest of the project site. The project site is within a quarter mile of several local transit lines, including 8-Bayshore, 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 8AXBayshore A Express, 8BX-Bayshore B Express and 83X-Mid-Market Express. The Project also provides below grade off-street parking below the principally permitted amounts and sufficient bicycle parking for residents and their guests.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development. Although the Project would remove a PDR use, the Project does provide new housing, which is a top priority for the City.

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

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

G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

A preliminary shadow study found that The Project does not cast shadow on any Recreation and Parks property and additional study of the shadow impacts was not required per Planning Code Section 295.

11. **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 on November 19, 2018 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.

12. 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.

13. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2015-015789ENX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 8, 2019 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

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

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 25, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 25, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow the demolition of an existing 12,605 two-story, reinforced concrete industrial building and new construction of approximately 58,553 gsf, seven-story-over-basement, 68-ft tall, mixed-use building with 50 dwelling units, 2,104 square feet of ground floor commercial, and 22 off-street parking spaces located at 828 Brannan Street, on Assessor's Block 3780 Lot 004E, pursuant to Planning Code Sections 329 and 843, within the UMU Zoning District and a 68-X Height and Bulk District; in general conformance with plans, dated August 21, 2018, and stamped "EXHIBIT B" included in the docket for Record No. 2015-015789ENX and subject to conditions of approval reviewed and approved by the Commission on April 25, 2019 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 April 25, 2019 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, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2015-015789ENV) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

7. **Chapter 116 Residential Projects.** The Project Sponsor shall comply with the "Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects," which were recommended by the Entertainment Commission on August 25, 2015. These conditions state:

   A. **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.

   B. **Sound Study.** Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.

   C. Design Considerations.
      i. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
      ii. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE's operations and noise during all hours of the day and night.

   D. **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.

   E. **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

DESIGN – COMPLIANCE AT PLAN STAGE

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
   For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the 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, www.sf-planning.org

10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
    For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

11. **Transformer Vault Location.** 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 in consultation with Public Works shall require the following location(s) for transformer vault(s) for this project: On site below the sidewalk or street of Langton easement. This location has the following design considerations: The frontage on Brannan is less than 75 feet and can not accommodate a transformer vault in the street frontage. The Langton frontage is not a public right of way and can accommodate the transformer below grade. To place it in the ground floor would necessitate losing a residential unit. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.
    For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, http://sfdpw.org
    Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

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

12. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.
    For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

13. **Noise**, **Ambient**. Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.
    For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

PARKING AND TRAFFIC

14. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

    Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

    For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 415-558-6377, www.sf-planning.org.

15. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit.

Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Car Share.** Pursuant to Planning Code Section 166, no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

17. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 56 bicycle parking spaces (fifty Class 1 and three class 2 spaces for the residential portion of the Project and one Class 1 and two Class 2 spaces for the commercial portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than twenty-two (22) off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

19. **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

20. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

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

21. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.
For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

22. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

23. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

24. **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

25. **Eastern Neighborhoods Usable Open Space In Lieu Fee for EN Mixed Use Non-residential Projects.** The Project is subject to the Eastern Neighborhoods Usable Open Space In-Lieu Fee, as applicable, pursuant to Planning Code Section 426.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

26. **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

27. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

28. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

29. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

INCLUSIONARY AFFORDABLE HOUSING

30. **Eastern Neighborhoods Affordable Housing Requirements for UMU.** The Project is subject to the Eastern Neighborhoods Affordable Housing Requirements for UMU, as applicable, pursuant to Planning Code Section 419.3. The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

    A. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 18% of the proposed dwelling units as affordable to qualifying households. The Project contains 50 units; therefore, 9 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 9 affordable

units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

B. **Unit Mix.** The Project contains 10 studios, 15 one-bedroom, and 25 two-bedroom, and units; therefore, the required affordable unit mix is 2 studios, 3 one-bedroom, and 4 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

C. **Mixed Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 18% of the proposed dwelling units as affordable to qualifying households. At least 10% must be affordable to low-income households, at least 4% must be affordable to moderate income households, and at least 4% must be affordable to middle income households. Rental Units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 110% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units. For any affordable units with rental rates set at 110% of Area Median Income, the units shall have a minimum occupancy of two persons. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

D. **Minimum Unit Sizes.** The affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the affordable units shall not be less than the applicable percentage applied to the total residential floor area of the principal project, provided that a 10% variation in floor area is permitted.

E. **Conversion of Rental Units**: In the event one or more of the Rental Units are converted to Ownership units, the project sponsor shall either (A) reimburse the City the proportional amount of the inclusionary affordable housing fee, which would be equivalent to the then-current inclusionary affordable fee requirement for Owned Units, or (B) provide additional on-site or off-site affordable units equivalent to the difference between the on-site rate for

rental units approved at the time of entitlement and the then-current inclusionary requirements for Owned Units, The additional units shall be apportioned among the required number of units at various income levels in compliance with the requirements in effect at the time of conversion.

F. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation shall comply with the designation standards published by the Planning Department and updated periodically.

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

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

I. **Expiration of the Inclusionary Rate.** Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. XXXXX, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance.

J. **Reduction of On-Site Units after Project Approval.** Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.

K. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

   i. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection

("DBI"). The affordable unit(s) shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building; and (3) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing**.** Other specific standards for on-site units are outlined in the Procedures Manual.

ii. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, with a minimum of 10% of the units affordable to low-income households, 4% to moderate-income households, and the remaining 4% of the units affordable to middle-income households such as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

iii. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

iv. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.

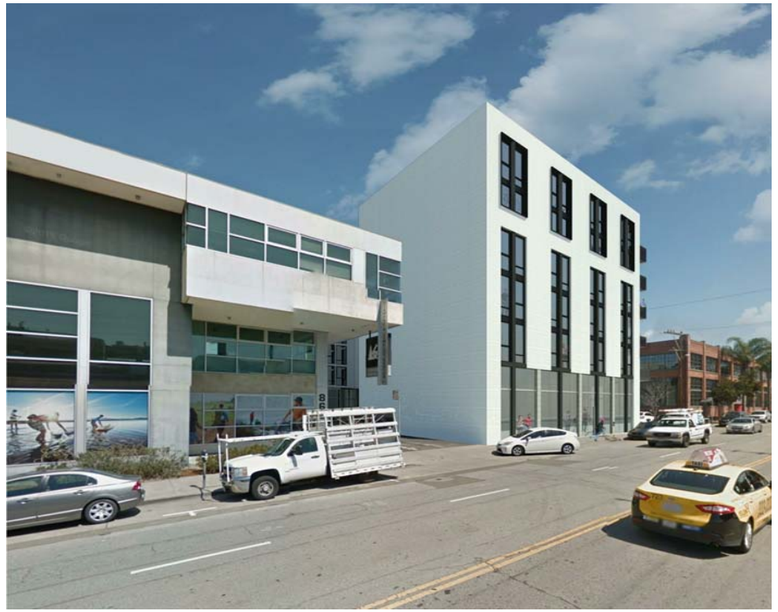
v. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

vi. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, Including penalties and interest, if applicable.

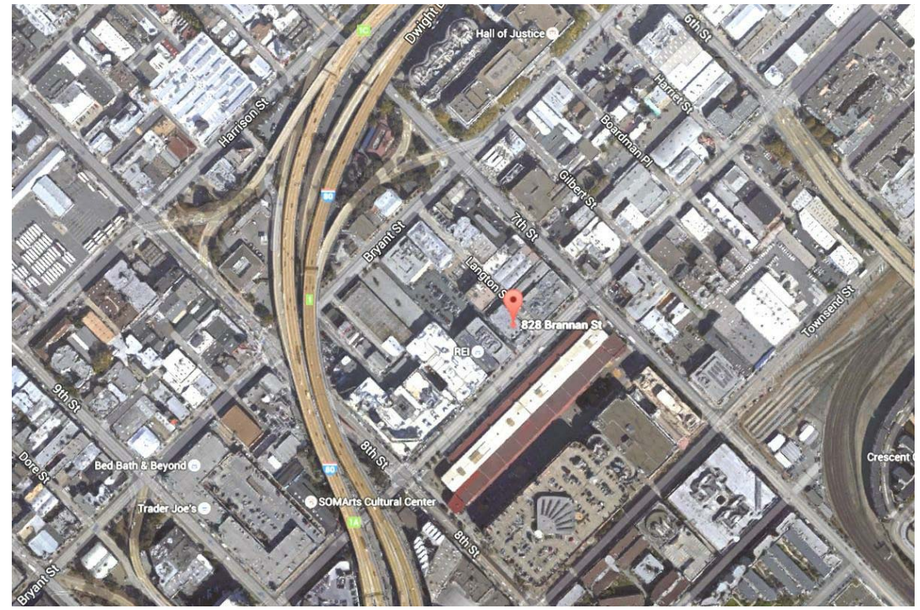
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

EXHIBIT B

828 BRANNAN



VICINITY MAP



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PROJECT STATISTICS

UNIT COUNT

UNIT TYPES PER LEVEL	STUDIO S-01	STUDIO S-02	STUDIO S-03	1-BEDROOM A-01	1-BEDROOM A-02	2-BEDROOM B-01	2-BEDROOM B-02	2-BEDROOM B-03	LOFT L-01	LOFT L-02	LOFT L-03	LOFT L-04	TOTAL
LEVEL: FLOOR 0 (BASEMENT)	-	-	-	-	-	-	-	-	-	-	-	-	0
LEVEL: FLOOR 1 (GROUND)	-	-	-	-	-	-	-	-	2	1	1	1	5
LEVEL: FLOOR 2	-	-	-	-	-	-	-	-	SEE FLOOR 1 (GROUND)				
LEVEL: FLOOR 3	2	-	-	1	1	2	2	1	-	-	-	-	9
LEVEL: FLOOR 4	2	-	-	1	1	2	2	1	-	-	-	-	9
LEVEL: FLOOR 5	2	-	-	1	1	2	2	1	-	-	-	-	9
LEVEL: FLOOR 6	2	-	-	1	1	2	2	1	-	-	-	-	9
LEVEL: FLOOR 7	2	-	-	1	1	2	2	1	-	-	-	-	9
TOTAL NO. OF UNITS	10	0	0	5	5	10	10	5	2	1	1	1	50
	10			10		25			5				
PERCENTAGE	20.0%			20.0%		50.0%			10.0%				
UNIT AREA (NSF)	370	438	420	623	655	756	747	894	561	556	629	575	
TOTAL AREA (NSF)	3,700			6,390		19,500			2,882				32,472
AVERAGE NSF PER UNIT TYPE	370			639		780			576				
OVERALL AVERAGE UNIT NSF	649												

GROSS SF BY FLOOR

	EXISTING	PROPOSED
FLOOR 0	2755	9992
FLOOR 1	10800	7359
FLOOR 2	3930	1677
FLOOR 3	-	7905
FLOOR 4	-	7905
FLOOR 5	-	7905
FLOOR 6	-	7905
FLOOR 7	-	7905
TOTAL AREA (GSF)	17485	58553

EXCAVATION

MAXIMUM DEPTH	12'-9"
TOTAL SOIL DISTURBANCE	3,444 yd³

NET AREA BY FUNCTION

FUNCTION PER LEVEL	LOBBY	RETAIL	FITNESS	BIKE STORAGE	UNIT STORAGE	PARKING	HOUSING	SERVICES	COURTYARD	CIRCULATION	TOTAL
LEVEL: FLOOR 0 (BASEMENT)	-	-	-	165	513	7,576	-	287	-	-	8,541
LEVEL: FLOOR 1 (GROUND)	603	2,104	408	258	-	-	2,090	94	2,687	500	8,744
LEVEL: FLOOR 2	242	-	-	-	-	-	790	-	-	483	1,515
LEVEL: FLOOR 3	-	-	-	-	-	-	6,041	28	-	1,239	7,308
LEVEL: FLOOR 4	-	-	-	-	-	-	6,041	28	-	1,239	7,308
LEVEL: FLOOR 5	-	-	-	-	-	-	6,041	28	-	1,239	7,308
LEVEL: FLOOR 6	-	-	-	-	-	-	6,041	28	-	1,239	7,308
LEVEL: FLOOR 7	-	-	-	-	-	-	6,041	28	-	1,239	7,308
TOTAL AREA (NSF)	845	2,104	408	763	172	7,576	33,085	521	2,687	7,178	55,340

USABLE OPEN SPACE

FLOOR 0	-
FLOOR 1	2687
FLOOR 2	-
FLOOR 3	91
FLOOR 4	91
FLOOR 5	91
FLOOR 6	91
FLOOR 7	91
ROOF	4078
TOTAL	7220

PARKING COUNT

TYPE	COUNT
STANDARD (8'0" x 18')	16
COMPACT (7'6" x 18')	4
ACCESSIBLE (9'0" x 18')	1
CAR SHARE (8'0" x 18')	1
TOTAL	22

PROJECT SUMMARY

Located at the southwest corner of Brannan Street and Langton Street, the site totals 12,989 square feet, partially obscured by a 40 foot wide easement along Langton. The proposal is to remove the existing two story structure, making way for a new 7 story building consisting of housing, ground floor retail, landscaped courtyards, and underground parking. In total, there are 50 units of housing, consisting of two-bedroom, one-bedroom, studio, and one-bedroom loft units, as well as an on-site fitness facility for residents. The subterranean parking garage contains 22 stalls, accessed by two car elevators on Langton.

4/8/2019 11:33:36 AM

COVER SHEET

04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A0.0

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107

KMA PROJECT NO. 1525

© BKF ENGINEERS

A.L.T.A. / A.C.S.M. LAND TITLE SURVEY

OF THE LANDS OF:

828 BRANNON LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

AS DESCRIBED IN THE COMMITMENT FOR TITLE INSURANCE PREPARED BY:

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NUMBER: NCS-723613-NJ
DATE: MARCH 20, 2015

VICINITY MAP
NOT TO SCALE

REFERENCED COMMITMENT FOR TITLE INSURANCE:

TITLE COMPANY:	First American Title Insurance Company 104 Carnegie Center, Suite 101 Princeton, NJ 08540
COMMITMENT NO:	NCS-723613-NJ
REPORT DATE:	March 20, 2015
NATURE OF TITLE:	Fee at to Parcel I and Easement as to Parcels II and III
TITLE VESTED IN:	828 Brannon, LLC, a California limited liability company
A.P.N.'S	Block 3780; Lot 004E
PROPERTY ADDRESS:	828 Brannon Street, San Francisco, CA
FLOOD ZONE:	Zone D (undetermined risk area), Community Panel #060298, Unmapped Area per Federal Emergency Management Agency.
ZONING:	Zone UMU (Urban Mixed Use District) Per City of San Francisco Zoning Map Sheet ZN08, 2014.

LEGAL DESCRIPTION:

The land referred to in this Commitment is situated in the City of San Francisco, County of San Francisco, State of California, and is described as follows:

PARCEL I:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF BRANNAN STREET, DISTANT THEREON 275 FEET SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF SEVENTH STREET; RUNNING THENCE NORTHWESTERLY AT A RIGHT ANGLE TO SAID NORTHWESTERLY LINE OF BRANNAN STREET 145 FEET; THENCE AT A RIGHT ANGLE NORTHEASTERLY 95 FEET TO THE SOUTHWESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM OVERLAND FREIGHT TRANSFER COMPANY, A CORPORATION, TO THE WESTERN PACIFIC RAILROAD COMPANY, A CORPORATION, DATED SEPTEMBER 30, 1926, RECORDED OCTOBER 1, 1926, IN BOOK 1355 OF OFFICIAL RECORDS, PAGE 121, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA; THENCE SOUTHEASTERLY ALONG LAST SAID SOUTHWESTERLY LINE OF THE PARCEL DESCRIBED IN SAID DEED, THE FOLLOWING COURSES AND DISTANCES: SOUTHEASTERLY AT A RIGHT ANGLE TO THE PRECEDING COURSE A DISTANCE OF 60.55 FEET TO A POINT PERPENDICULARLY DISTANT 84.45 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF BRANNAN STREET; SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 133.96 FEET, A DISTANCE OF 60.095 FEET TO A POINT DISTANT 193.254 FEET MEASURED AT RIGHT ANGLES SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF SEVENTH STREET AND DISTANT 26.351 FEET MEASURED AT RIGHT ANGLES NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF BRANNAN STREET; SOUTHERLY TANGENT TO LAST SAID CURVE 15.554 FEET TO A POINT 200 FEET MEASURED AT RIGHT ANGLES SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF SEVENTH STREET AND DISTANT 12.336 FEET MEASURED AT RIGHT ANGLES NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF BRANNAN STREET; AND SOUTHERLY 15.164 FEET TO A POINT ON THE NORTHWESTERLY LINE OF BRANNAN STREET, DISTANT THEREON 208.816 FEET SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF SEVENTH STREET; THENCE LEAVING THE SOUTHWESTERLY LINE OF THE PARCEL DESCRIBED IN AFORESAID DEED AND RUNNING SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF BRANNAN STREET 66.184 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF 100 VARA BLOCK NO. 411.

PARCEL II:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL, TO-WIT:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF BRANNAN STREET, DISTANT THEREON 160 FEET SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF SEVENTH STREET; AND RUNNING THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF BRANNAN STREET 40 FEET; THENCE AT A RIGHT ANGLE NORTHWESTERLY 285 FEET; THENCE AT A RIGHT ANGLE NORTHEASTERLY 40 FEET; THENCE AT A RIGHT ANGLE SOUTHEASTERLY 285 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF 100 VARA BLOCK NO. 411.

AS CREATED AND GRANTED IN THE DEED FROM OVERLAND FREIGHT TRANSFER COMPANY, A CORPORATION, TO JAMES H. HJUL AND EMMA G. HJUL, HIS WIFE, DATED SEPTEMBER 18, 1929, RECORDED SEPTEMBER 20, 1929, IN BOOK 1913 OF OFFICIAL RECORDS, PAGE 258, RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

PARCEL III:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL, TO-WIT:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF BRANNAN STREET, DISTANT THEREON 200 FEET SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF SEVENTH STREET; RUNNING THENCE NORTHWESTERLY AT A RIGHT ANGLE TO SAID LINE OF BRANNAN STREET 12.336 FEET; THENCE SOUTHERLY 15.164 FEET TO A POINT ON SAID LINE OF BRANNAN STREET, DISTANT THEREON 8.816 FEET SOUTHWESTERLY FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID LINE OF BRANNAN STREET 8.816 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF 100 VARA BLOCK NO. 411.

AS CREATED AND GRANTED IN THE DEED FROM WESTERN PACIFIC RAILROAD COMPANY, A CORPORATION, TO FRED M. KLEPPE, DATED APRIL 8, 1935, RECORDED APRIL 27, 1935, IN BOOK 2786, OF OFFICIAL RECORDS AT PAGE 96, IN THE RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

Assessor's Lot: 004E; Block: 3780
PLOTTED

EXCEPTIONS TO COVERAGE:

1. General and special taxes and assessments for the fiscal year 2015-2016, a lien not yet due or payable.
NOT PLOTTABLE

2. The lien of special tax assessed pursuant to Chapter 2.5 commencing with Section 53311 of the California Government Code for Community Facilities District No. 90-1, as disclosed by Notice of Special Tax Lien recorded July 05, 1990 as Instrument No. E573343, in Book/Reel F160, Page/Image 1044 of Official Records.

   Document(s) declaring modifications thereof recorded July 11, 1990 as Instrument No. 579471, in Book/Reel F165, Page/Image 1 of Official Records.
NOT PLOTTABLE

3. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
NOT PLOTTABLE

4. An easement for spur tracks, ingress and egress for private street and incidental purposes in the document recorded October 01, 1926 as Book 1355, Page 121, recorded September 20, 1929 as Book 1913, Page 258 and recorded February 10, 1944 as Book 4057, Page 239, all of Official Records.

   Said easements are also disclosed by the Deed to Clinton E. Kafka and Earl R. Rouda, Co-Partners, a Co-Partnership, comprised of Clinton E. Kafka and Earl R. Rouda, partners

   Recorded: June 8, 1956, in Book 6858 of Official Records Page 449.
PLOTTED

5. This item has been intentionally deleted.
NOT PLOTTABLE.

6. Covenants, conditions, restrictions and easements in the document recorded October 01, 1926 as Book/Reel 1335, Page/Image 121 of Official Records , but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, sexual orientation, marital status, ancestry, disability, handicap, familial status, national origin or source of income (as defined in California Government Code §12955(p)), to the extent such covenants, conditions or restrictions violate 42 U.S.C. §3604(c) or California Government Code §12955. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

   And in the Deed to Clinton E. Kafka and Earl R. Rouda, Co-Partners, a Co-partnership, comprised of Clinton E. Kafka and Earl R. Rouda, partners Recorded: June 08, 1956, in Book 6858 of Official Records, Page 449
PLOTTED

7. A deed of trust to secure an original indebtedness of $425,000.00 recorded March 02, 1981 as Instrument No. D62068 of Book/Reel D157, Page/Image 823 of Official Records.

   Dated: February 18, 1981
   Trustor: Jack M. Wu and Beatrice M. Wu, husband and wife
   Trustee: Western Title Insurance Company, a corporation
   Beneficiary: Enid C. Barnes, an undivided 2/3 interest and Mary M. O'Connor, an undivided 1/3 interest
NOT PLOTTABLE

8. A deed of trust to secure an original indebtedness of $1,450,000.00 recorded December 22, 2010 as Instrument No. 2010-J105982-00 of Official Records.

   Dated: December 20, 2010
   Trustor: 828 Brannon LLC, a California Limited Liability Company
   Trustee: Fidelity National Title Insurance Company, a California Corporation
   Beneficiary: First Republic Bank

   A document entitled "Assignment of Leases and Rents" recorded December 22, 2010 as Instrument No. 2010-J105983-00 of Official Records, as additional security for the payment of the indebtedness secured by the deed of trust.
NOT PLOTTABLE

9. A deed of trust to secure an original indebtedness of $1,160,000.00 recorded May 14, 2013 as Instrument No. 2013-J657809-00 of Official Records.

   Dated: April 30, 2013
   Trustor: 828 Brannon, LLC, a California limited liability company
   Trustee: Fidelity National Title Insurance Company, a California corporation
   Beneficiary: First Republic Bank

   The above deed of trust states that it is a construction deed of trust.

   A document entitled "Assignment of Leases" recorded May 14, 2013 as Instrument No. 2013-J657810-00 , as additional security for the payment of the indebtedness secured by the deed of trust.
NOT PLOTTABLE

10. Any statutory lien for labor or materials arising by reason of a work of improvement, as disclosed by a document recorded May 14, 2013 as Instrument No. 2013-J657809-00 of Official Records.
NOT PLOTTABLE

BASIS OF BEARINGS:

Found marks shown City and County of San Francisco Monument Map No. 286 and used those marks to establish monument lines and boundary lines shown.

UTILITY NOTE:

The utility lines shown on this plan are derived from surface observations and are approximate only. No warranty is implied as to the actual location, size or presence of any lines shown hereon or any additional utility lines not shown on this plan.

ALTA SURVEY NOTES:

1. The **BOLD TYPE** comments are added by the professional land surveyor.
2. All distances and dimensions are in feet, and decimals thereof.
3. Dimensional ties to improvements are 90° or radially to the property lines unless noted.
4. Regarding Table "A" item 17, no proposed changes in street right-of-way lines were discovered. Checked City of San Francisco Public Works Website.
5. The field survey was completed on April 20, 2015.
6. The referenced legal description does not contain course bearings for the described property lines (standard for City of San Francisco).
7. The total area of lands shown by the distinctive property line = 12,989 square feet±.

SURVEYOR'S STATEMENT:

To: The S. Hekemian Group and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA and NSPS in 2011, and include optional items 2-4, 6(a), 7(a), 7(c) 8, 9, 11(a), 13, 14, 16-18, 20(a) and 21 of Table A thereof.

Alex M. Calder, P.L.S. #8863

LICENSED LAND SURVEYOR
ALEX M. CALDER
LLS 8863
STATE OF CALIFORNIA

04/24/15
Date

255 SHORELINE DR
SUITE 200
REDWOOD CITY, CA 94065
650-482-6300
650-482-6399 (FAX)

BKF
ENGINEERS / SURVEYORS / PLANNERS

A.L.T.A. / A.C.S.M. LAND TITLE SURVEY
OF THE LANDS OF
828 BRANNON LLC

CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

No.	Revisions
1	REVISED LEGAL DESCRIPTION AND EXCEPTIONS 4 AND 5

Date: 04/24/2015
Scale: 1/16" = 1'-0"
Design:
Drawn: RAB
Approved: AMC
Job No: 20150072-50

Drawing Number:
C1.0

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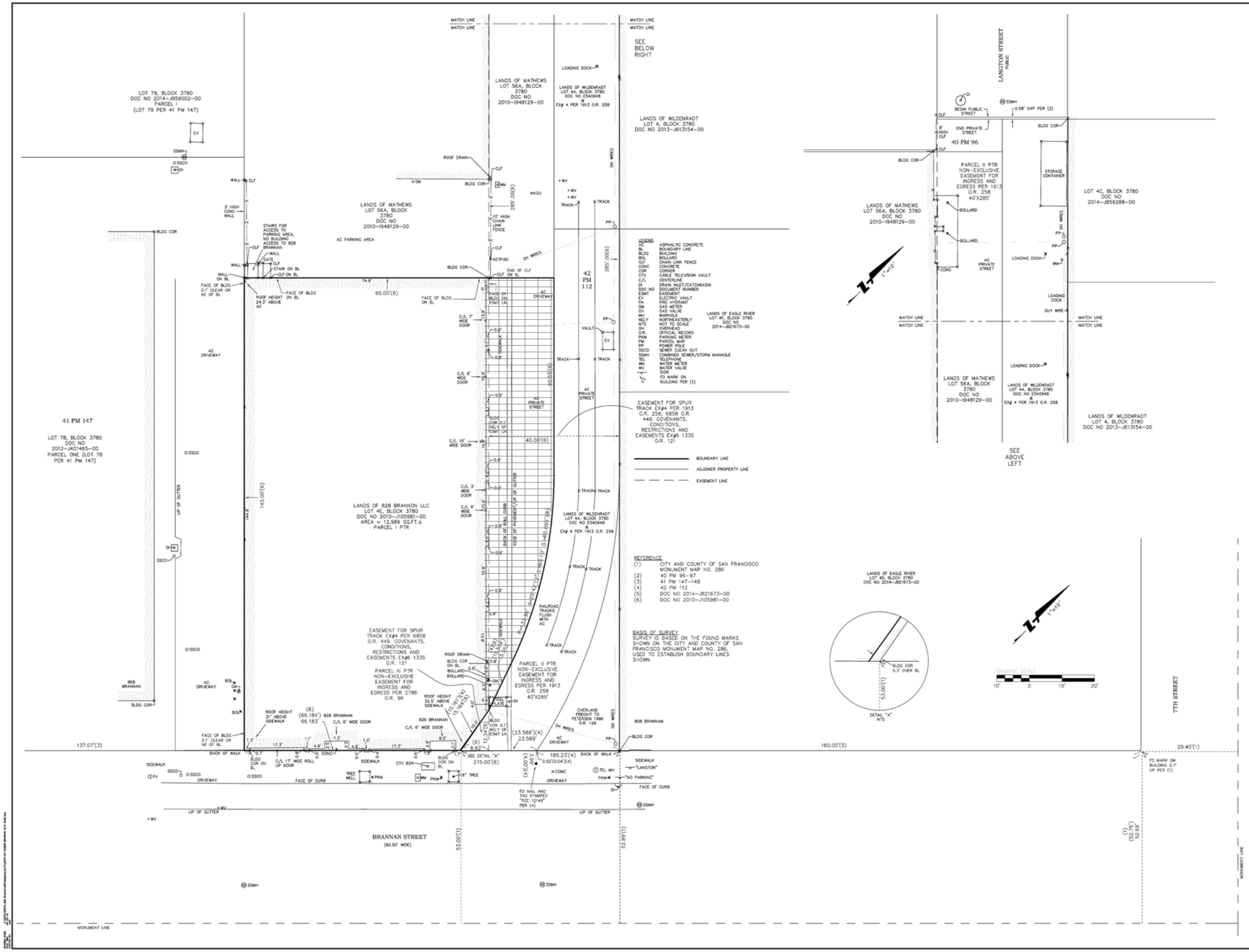


255 SHORELINE DR
SUITE 200
REDWOOD CITY, CA 94065
650-482-6300
650-482-6399 (FAX)
BKF
Engineers | Surveyors | Planners

STATE OF CALIFORNIA

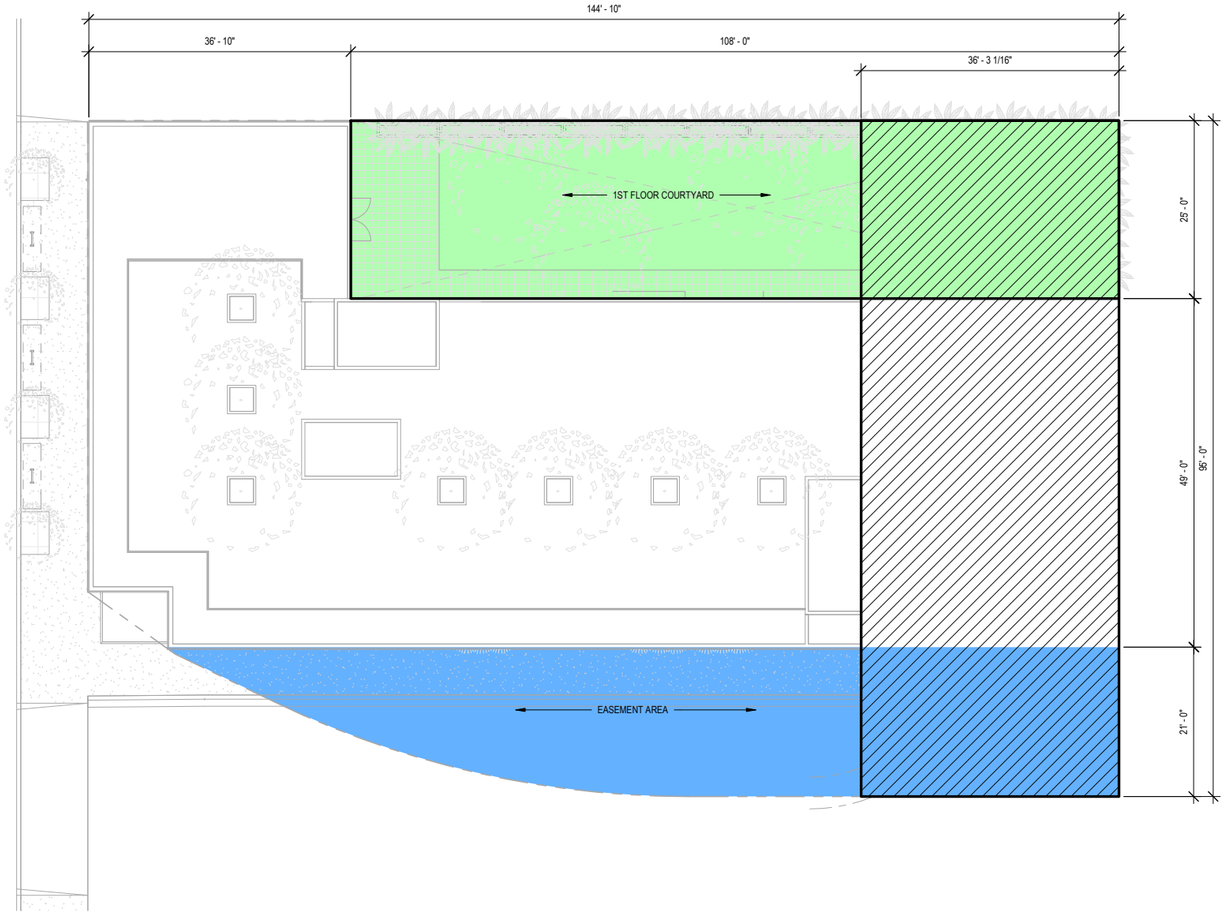
A.L.T.A. / A.C.S.M. LAND TITLE SURVEY OF THE LANDS OF 828 BRANNON LLC

CITY AND COUNTY OF SAN FRANCISCO

No.	Revisions

Date: 04/23/2015
Scale: 1"=20' x 1"=10'
Design:
Drawn: BCS
Approved: AC
Job No: 20150023.04

Drawing Number:
C1.1



REQUIRED REAR SETBACK PER SECTION 134:
25% OF LOT = 3444 SF

PROPOSED COURTYARDS:
AGGREGATE 2293 SF

PROPOSED ALTERNATE SETBACK:
AGGREGATE 2302 SF

PLANNING SUMMARY

SECTION		REFERENCE	REMARKS	REQUIREMENTS	PROVIDED
	ADDRESS		828 Brannan Street, San Francisco, CA		
	ASSESSORS BLOCK & LOT	survey	Block 3780; Lot 004E		
	SITE AREA	survey	12,989 square feet (from land title survey)		
201	USE DISTRICT CLASS	802.4	Eastern Neighborhoods Mixed Use District		
235	SPECIAL USE DISTRICTS	Map SU08	None applicable		
843	ZONING DISTRICT	Map ZN08	UMU - Urban Mixed Use		
843.01	HEIGHT & BULK	Map HT08	68-X	Maximum 68' Height	68'
843.03	NON-RESIDENTIAL DENSITY LIMIT	124	None; governed by height/bulk		
843.04	SETBACKS				
	REAR YARDS	134	25 % of lot depth required, modification permissible per 134.f		SEE DIAGRAM BELOW
	ADDITIONAL HEIGHT LIMITS FOR NARROW STREET	261.1	Interpreted as not applicable due to classification of subject condition as a private street (otherwise subject to 45 degree sun access setback plan requirement per 261.1.d.2)		
843.06	PARKING & LOADING ACCESS - PROHIBITION	155	None		
843.08	OFF-STREET PARKING, RESIDENTIAL	151.1	None required; P .75/unit; 2br/1,000 sf+ - P 1/unit	None	21 spaces + 1 car share
843.10	OFF-STREET PARKING, NON-RESIDENTIAL	151.1	None required; P 1/500-20,000 sf	None	21 spaces + 1 car share
166	CAR SHARING	Table 166	Residential: 50-200 units: 1 space required	1 space	1 car share (see above)
		Table 166	Non-residential: 0-24 spaces: none required	None	None
152.1	REQUIRED OFF- STREET FREIGHT LOADING AND SERVICE VEHICLE SPACES	Table 152.1	Retail: 0-10,000 sf: none required	None	None
			Residential: 0-100,000 sf: (0) required	None	None
843.11	USABLE OPEN SPACE FOR DWELLING UNITS	135	80 sf/unit; 54 sf/unit if publicly accessible, 50%may be off-site	50 Units = 4000 sf	7220 sf, total
843.12	USABLE OPEN SPACE FOR NON-RESIDENTIAL	135.3	Required; amount varies based on use; in-lieu fee option; 50%may be off site; retail: 1 sf/250 sf	2104 sf of retail = 8 sf	0 sf; provide in-lieu of fee
843.24	DWELLING UNIT DENSITY LIMIT	124	No limit; governed by height/bulk		
843.25	DWELLING UNIT MIX	207.6	40% 2br or 30% 3+br required	50 x 0.4 = 20 2br units	25 2br units (50%)
843.26	AFFORDABILITY REQUIREMENTS	415	Tier B; EEA filed before 1/12/16: 18% affordable required		
145.1	STREET FRONTAGE REQUIREMENTS				
	ABOVE-GRADE PARKING SETBACK	145.1.c.1	Min 25' on ground floor, min 15' on floors above		No above grade parking
	PARKING AND LOADING ENTRANCES	145.1.c.2	No more than 1/3 or 20' whichever is less of given street frontage		16', 11% of frontage
	ACTIVE USES REQUIRED	145.1.c.3	Active uses required		
	GROUND FLOOR CEILING HEIGHT	145.1.c.4.A	Min 17' ground floor non-residential floor-to-floor		18'
	STREET TREES	138.1.C.1	Required, minimum of one tree for each 20 feet of frontage	74' of frontage = 4 trees	4 trees
155.2	BICYCLE PARKING	155.2.11	Residential, Class 1: ≤100 DU: 1 space/unit +1 space for every 4 over 100	50 units = 50 spaces	52 class 1 spaces, total
		155.2.11	Residential, Class 2: 1 per 20 dwelling units	50 units = 3 spaces	6 class 2 spaces, total
		155.2.15	Retail Sales, Class 1: 1 per 7,500 sf	2104 sf = 1 space	52 class 1 spaces, total
		155.2.15	Retail Sales, Class 2: 1 per 2,500 sf	2104 sf = 1 spaces	6 class 2 spaces, total

N

PLANNING INFORMATION

As indicated (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A0.0A

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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EXITING

EXIT WIDTH PER CBC 1005.3.1 & 1005.3.2

FLOOR	TOTAL OCCUPANT LOAD	STAIR WIDTH REQUIRED	STAIR WIDTH PROVIDED	DOOR/CORRIDOR WIDTH REQUIRED	DOOR/CORRIDOR WIDTH PROVIDED
B	43	43 x 0.3" = 13"	100"	43 x 0.2" = 9"	72" / N/A
1	308	N/A	N/A	308 x 0.2" = 62"	324" / 72"
2	21	21 x 0.3" = 7"	100"	21 x 0.2" = 5"	180" / N/A
3	25	25 x 0.3" = 8"	100"	25 x 0.2" = 15"	72" / 60"
4	24	24 x 0.3" = 8"	100"	24 x 0.2" = 5"	72" / 60"
5	24	24 x 0.3" = 8"	100"	24 x 0.2" = 5"	72" / 60"
6	24	24 x 0.3" = 8"	100"	24 x 0.2" = 5"	72" / 60"
7	24	24 x 0.3" = 8"	100"	24 x 0.2" = 5"	72" / 60"
ROOF	321	321 x 0.3" = 96"	100"	321 x 0.2" = 65"	72" / N/A

MINIMUM STAIR WIDTH REQUIRED = 44" & 36" (OCCUPANT LOAD < 50), PER CBC 1011.2

MINIMUM DOOR WIDTH REQUIRED = 36"

MINIMUM CORRIDOR WIDTH REQUIRED = 44" & 36" (OCCUPANT LOAD < 50), PER CBC TABLE 1020.2

COMMON PATH OF EGRESS TRAVEL (CPET) PER CBC 1006.2.1

75'-0"	A, M	SPRINKLERED PER 903.3.1.1
100'-0"	S	SPRINKLERED PER 903.3.1.1
125'-0"	R-2	SPRINKLERED PER 903.3.1.1

EXIT ACCESS PER CBC 1016

EXIT ACCESS TRAVEL DISTANCE (EATD) PER CBC TABLE 1017.2

250'-0"	A, M, R-2	SPRINKLERED PER 903.3.1.1
400'-0"	S-2	SPRINKLERED PER 903.3.1.1

CORRIDORS

CORRIDORS SHALL BE RATED PER CBC 708 FIRE PARTITIONS

20' MAXIMUM DEAD-END CORRIDORS AT A OCCUPANCIES - PER CBC 1020.4

50' MAXIMUM DEAD-END CORRIDORS AT M, R-2 & S OCCUPANCIES - PER CBC 1020.4, EXCEPTION 2 - SPRINKLERED PER 903.3.1.1

1-HOUR CORRIDOR AT R-2 OCCUPANCIES PER CBC TABLE 1020.1 - BUILDING SPRINKLERED PER 903.3.1.1

0-HOUR CORRIDOR AT A, M & S OCCUPANCIES PER CBC TABLE 1020.1 - BUILDING SPRINKLERED PER 903.3.1.1

OCCUPANCY SEPARATIONS PER CBC TABLE 508.4

RATING (HOURS)	1ST OCCUPANCY	2ND OCCUPANCY	1ST OCCUPANCY	2ND OCCUPANCY
1 HOUR	R-2	M, S-2	A	M, R-2
2 HOUR	N/A	N/A	N/A	N/A

ALARM REQUIREMENTS - RESIDENTIAL UNITS

CARBON MONOXIDE DETECTORS & SMOKE DETECTORS SHALL BE INSTALLED IN ACCORDANCE WITH CBC 420.6 AND 907.2.9 RESPECTIVELY. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED IN DWELLING UNITS OUTSIDE SLEEPING AREAS & BEDROOMS. SMOKE DETECTORS SHALL BE INSTALLED IN BEDROOMS, OUTSIDE BEDROOMS & ON EACH FLOOR IN MULTI-STORY DWELLING UNITS.

RESTROOMS REQUIRED

SEE PLUMBING DRAWINGS

FIRE RESISTANCE FIRE RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS PER CBC TABLE 601 AND 602

ELEMENT	CONSTRUCTION TYPE IA	CONSTRUCTION TYPE IIIA	
STRUCTURAL FRAME	3	1	
EXTERIOR BEARING WALLS	3	2	
INTERIOR BEARING WALLS	3	1	
EXT. NON-BEARING WALLS	1	1	FIRE SEPARATION DISTANCE <30
EXT. NON-BEARING WALLS	0	0	FIRE SEPARATION DISTANCE >30
INT. NON-BEARING WALLS	0	0	
FLOOR ASSEMBLIES	2	1	
ROOF ASSEMBLIES	N/A	1	

*FLOOR ASSEMBLY BETWEEN 2ND & 3RD FLOORS TO BE 3-HR RATED PER CBC 510.2

OPENING PROTECTION MAX. AREA OF EXTERIOR WALL OPENINGS PER CBC TABLE 705.8

SEE ELEVATIONS FOR PERCENTAGE COMPLIANCE NOTES AND CODE COMPLIANCE SHEETS FOR FIRE SEPARATION DISTANCE

FIRE SEPARATION DISTANCE	OPENING PROTECTION	ALLOWABLE AREA
0 TO LESS THAN 3 FEET	UNPROTECTED/SPRINKLERED	NOT PERMITTED
3 TO LESS THAN 5 FEET	UNPROTECTED/SPRINKLERED	15%
5 TO LESS THAN 10 FEET	UNPROTECTED/SPRINKLERED	25%
10 TO LESS THAN 15 FEET	UNPROTECTED/SPRINKLERED	45%
15 TO LESS THAN 20 FEET	UNPROTECTED/SPRINKLERED	75%
20 FEET OR GREATER	UNPROTECTED/SPRINKLERED	NO LIMIT

BUILDING CODE SUMMARY

APPLICABLE CODES

2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA RESIDENTIAL CODE
2016 CALIFORNIA GREEN BUILDING STANDARDS
2016 CALIFORNIA FIRE CODE
2016 CALIFORNIA ENERGY CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
CITY OF SAN FRANCISCO AMENDMENTS TO THE ABOVE CODES

BUILDING SUMMARY - SEE ANALYSIS BELOW FOR DETAILS

CONSTRUCTION TYPE	OCCUPANCIES	HEIGHT	AREA	SPRINKLERED
IIIA OVER IA	A, M, R-2, S	7 STORIES / 68'	61923*	YES

BUILDING OCCUPANCIES

A-3: COURTYARDS	M: RETAIL	S-2: PARKING GARAGE
A-3: FITNESS ROOM	R-2: RESIDENTIAL	S-2: STORAGE & SERVICE

BUILDING CONSTRUCTION TYPE

IA NON-COMBUSTIBLE
IIIA COMBUSTIBLE, EXTERIOR WALLS NON-COMBUSTIBLE OR FIRE TREATED WOOD

FIRE SPRINKLERS

NFPA 13, PER CBC 903.3.1.1

BUILDING HEIGHT

	ALLOWABLE HEIGHT PER CBC TABLE 504.3, SPRINKLERED W/O AREA INCREASE	PROPOSED
TYPE IIIA	85'	68'

	PERMITTED STORIES PER CBC TABLE 504.3, SPRINKLERED W/O AREA INCREASE	PROPOSED
TYPE IIIA	5	2 + 5

1ST FLOOR, 2ND FLOOR, & BASEMENT SHALL BE CONSIDERED AS A SEPARATE BUILDING, FOR AREA & NUMBER OF STORIES, PER CBC 510.2. 1ST FLOOR, 2ND FLOOR, & BASEMENT ARE TYPE IA WITH A MIN. 3-HR. HORIZONTAL SEPARATION BETWEEN 2ND & 3RD FLOOR

BUILDING AREA SUMMARY

CALCULATIONS BELOW FOR IIIA BUILDING, SPRINKLERED W/ HEIGHT INCREASE — IA BUILDING - UNLIMITED AREA

$I_f = (F/P - 0.25)W/30$ PER CBC 506.3.3 — F=FRONTAGE, P=PERIMETER, W=OPEN AREA WIDTH

I_f= 0.125 — F= 218, P= 435, W= 15

A_t= 24,000 PER CBC TABLE 506.2

NS= 24,000 PER CBC TABLE 506.2

ALLOWABLE AREA PER STORY PER CBC 506.2.4

$A_a = [A_t + (NS \times I_f)]$

A_a= 27,000

	TYPE IA BUILDING AREA			TYPE IIIA BUILDING AREA				
FLOOR	B	1	2	3	4	5	6	7
ACTUAL AREA	8,541	8,744	1,515	7,308	7,308	7,308	7,308	7,308
PERMITTED AREA	UL	UL	UL	27,000	27,000	27,000	27,000	27,000
RATIO	-	-	-	0.271	0.271	0.271	0.271	0.271

SUM OF RATIOS = **1.353** <2 PER CBC 506.5.2

OCC.	FLOOR CONSTR.	B	1	2	3	4	5	6	7	ROOF	TOTAL
A-3	IA	N/A	3,698	242	N/A	N/A	N/A	N/A	N/A	N/A	3,940
M	IA	N/A	2,104	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2,104
R-2	IA	N/A	2,090	790	N/A	N/A	N/A	N/A	N/A	N/A	2,880
S-2	IA	8,541	352	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8,893
										IA BUILDING TOTAL	17,817 **
A-3	IIIA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4,819	4,819
R-2	IIIA	N/A	N/A	N/A	7,308	7,308	7,308	7,308	7,308	N/A	36,540
										IIIA BUILDING TOTAL	41,359 **

59,176**

* "BUILDING AREA" AS DEFINED PER CBC 202

** "GROSS FLOOR AREA" & "NET FLOOR AREA" AS DEFINED PER CBC 202

AREAS ARE FOR BUILDING CODE PURPOSES ONLY. SEE SHEET 0A0.XX FOR BUILDING AREAS FOR PLANNING COMPLIANCE

OCCUPANT LOAD FACTOR PER CBC TABLE 1004.1.2

OCCUPANCY TYPE		LOAD FACTOR	
A-3	COURTYARD, LOBBY, & ROOF DECK	15/SF	NET
A-3	FITNESS ROOM	50/SF	GROSS
M	RETAIL	30/SF	GROSS
R-2	RESIDENTIAL	200/SF	GROSS
S-2	PARKING GARAGE	200/SF	GROSS
S-2	STORAGE & SERVICE	300/SF	GROSS

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CODE COMPLIANCE

04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A0.0B

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107

KMA PROJECT NO. 1525

PERMEABILITY CALCULATIONS	
COURTYARD #1	860 SF
PLANTERS @ COURTYARD #1	224 SF
PLANTERS @ ROOF DECK	112 SF
TOTAL SITE PERMEABLE AREA	1,196 SF

ARCHITECTURAL SITE PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A1.1

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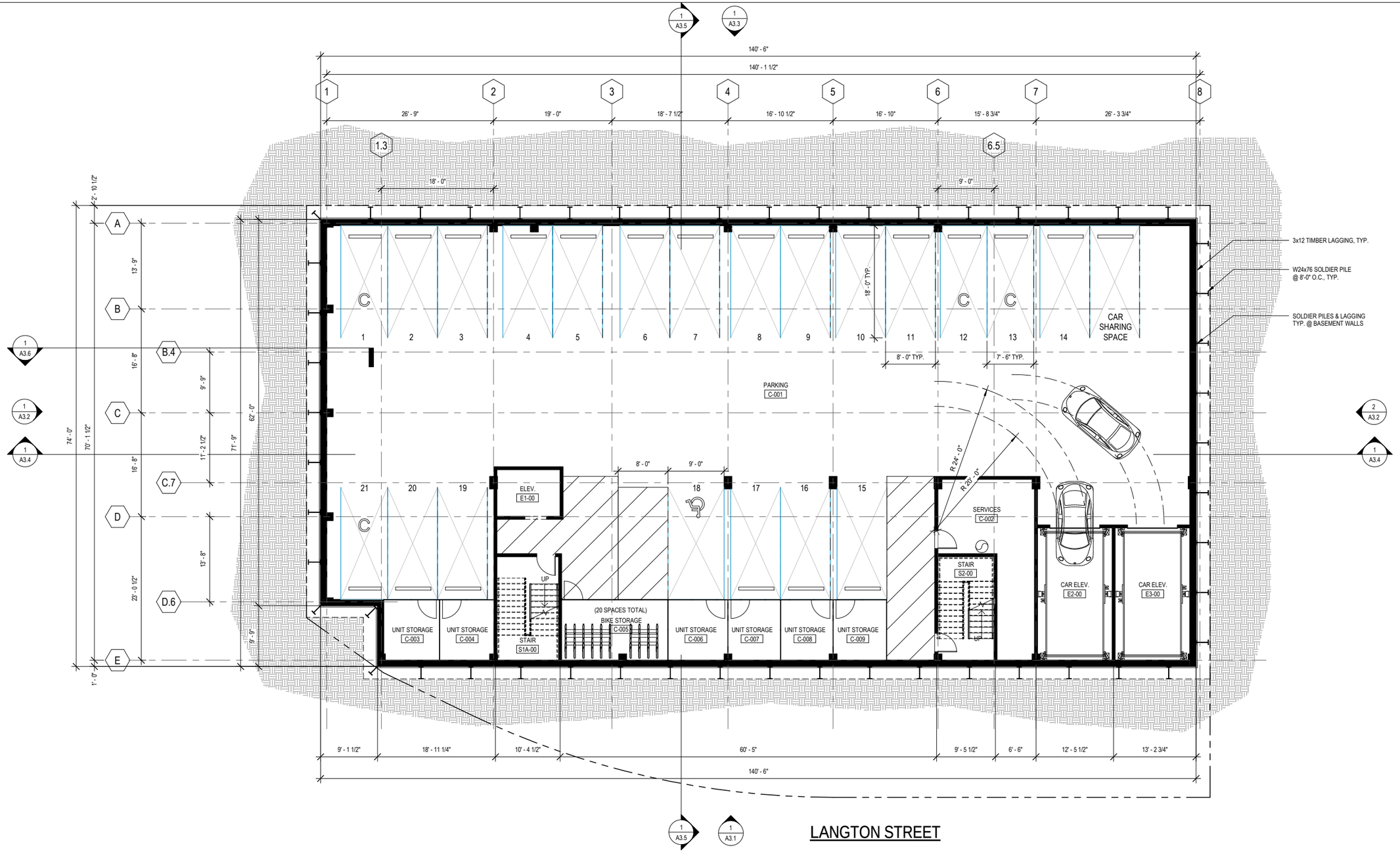

PROPOSED BASEMENT PARKING PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A2.0

KAVA MASSIH ARCHITECTS
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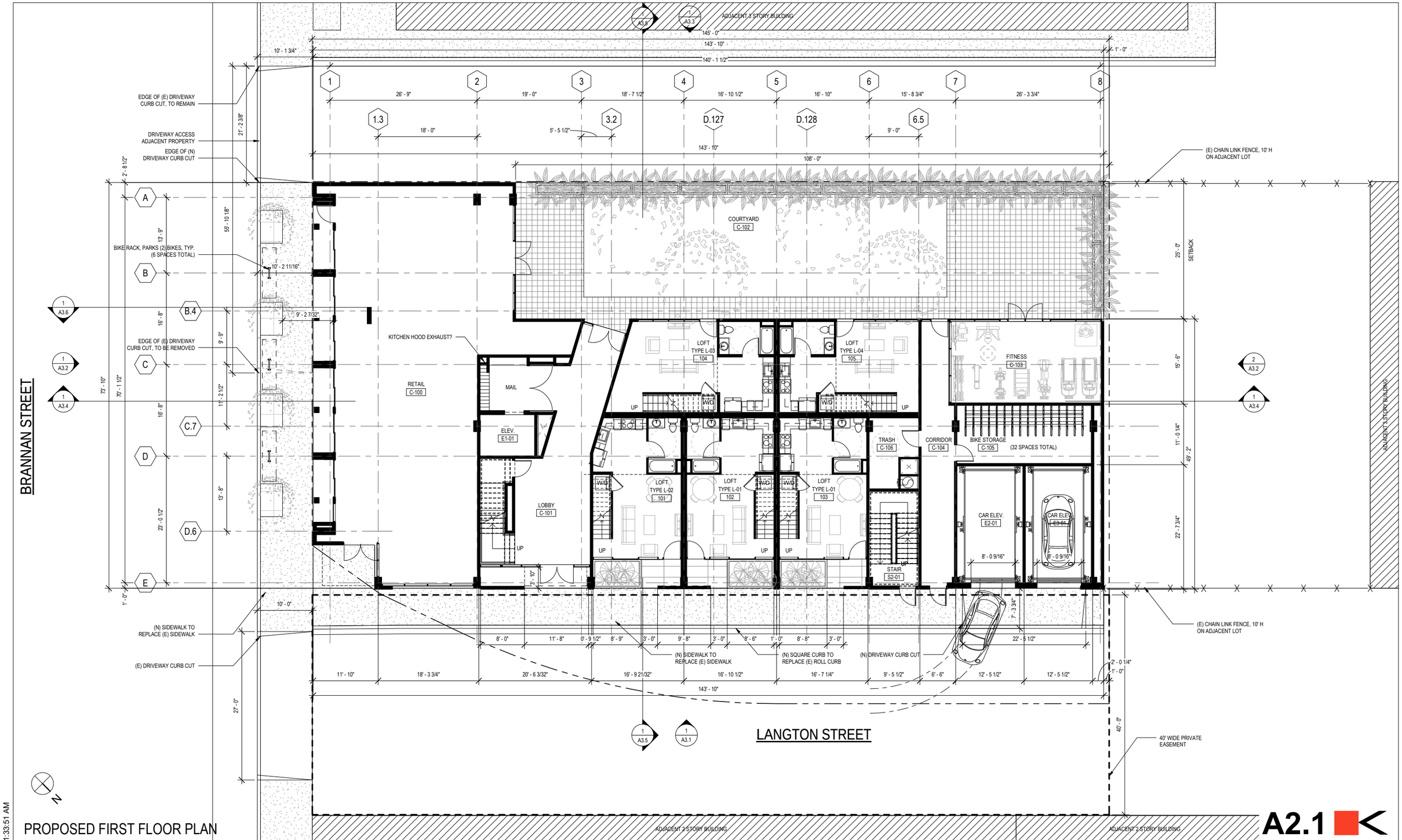

PROPOSED FIRST FLOOR PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

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S. HEKEMIAN GROUP | 828 BRANNAN ST.

A2.1

KAVA MASSIH ARCHITECTS
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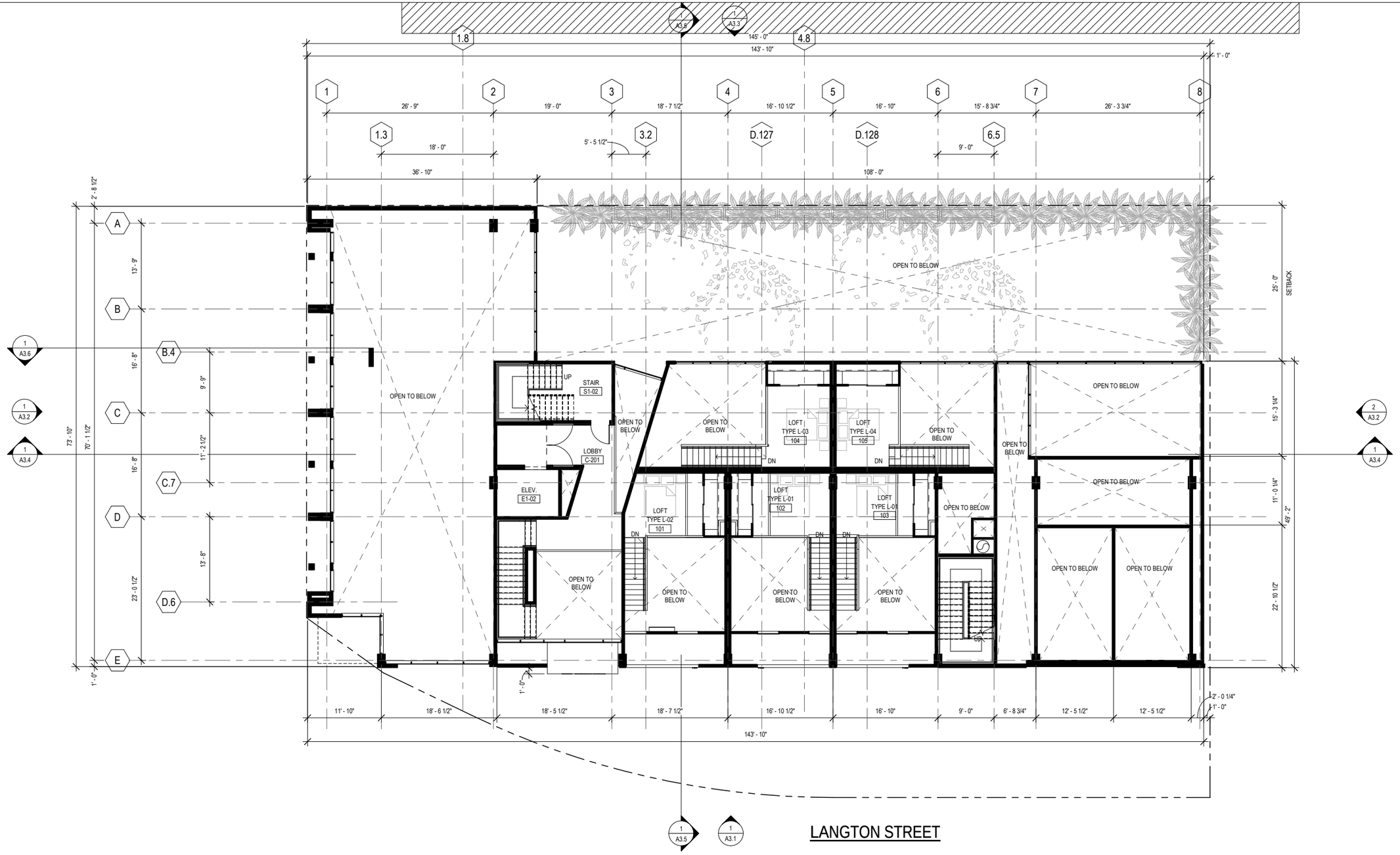

N

PROPOSED SECOND FLOOR PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A2.2

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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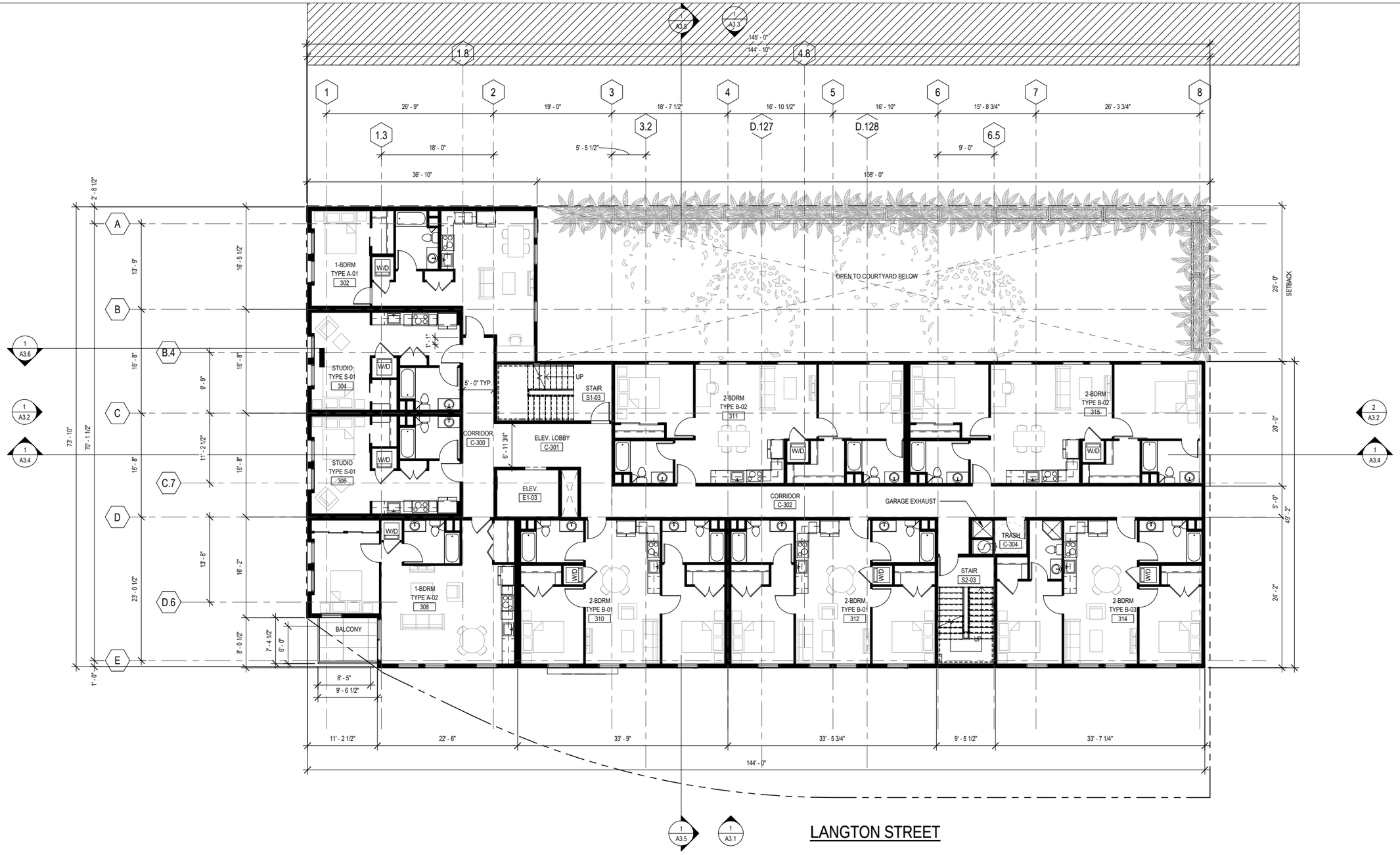

PROPOSED THIRD FLOOR PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A2.3

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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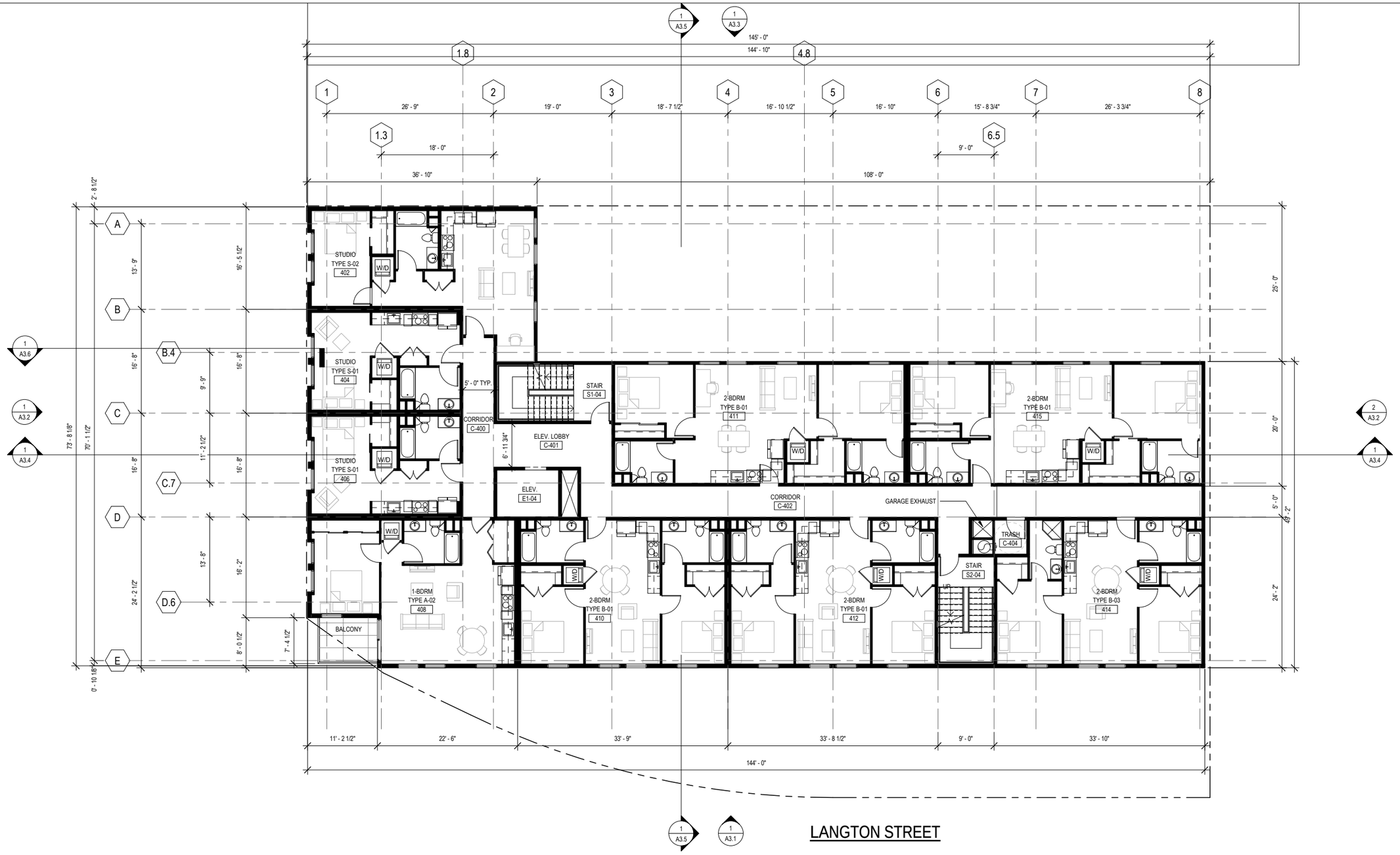

PROPOSED TYPICAL UPPER FLOOR PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A2.4

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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PROPOSED BUILDING ELEVATION - NORTHEAST (LANGTON ST.)

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A3.1

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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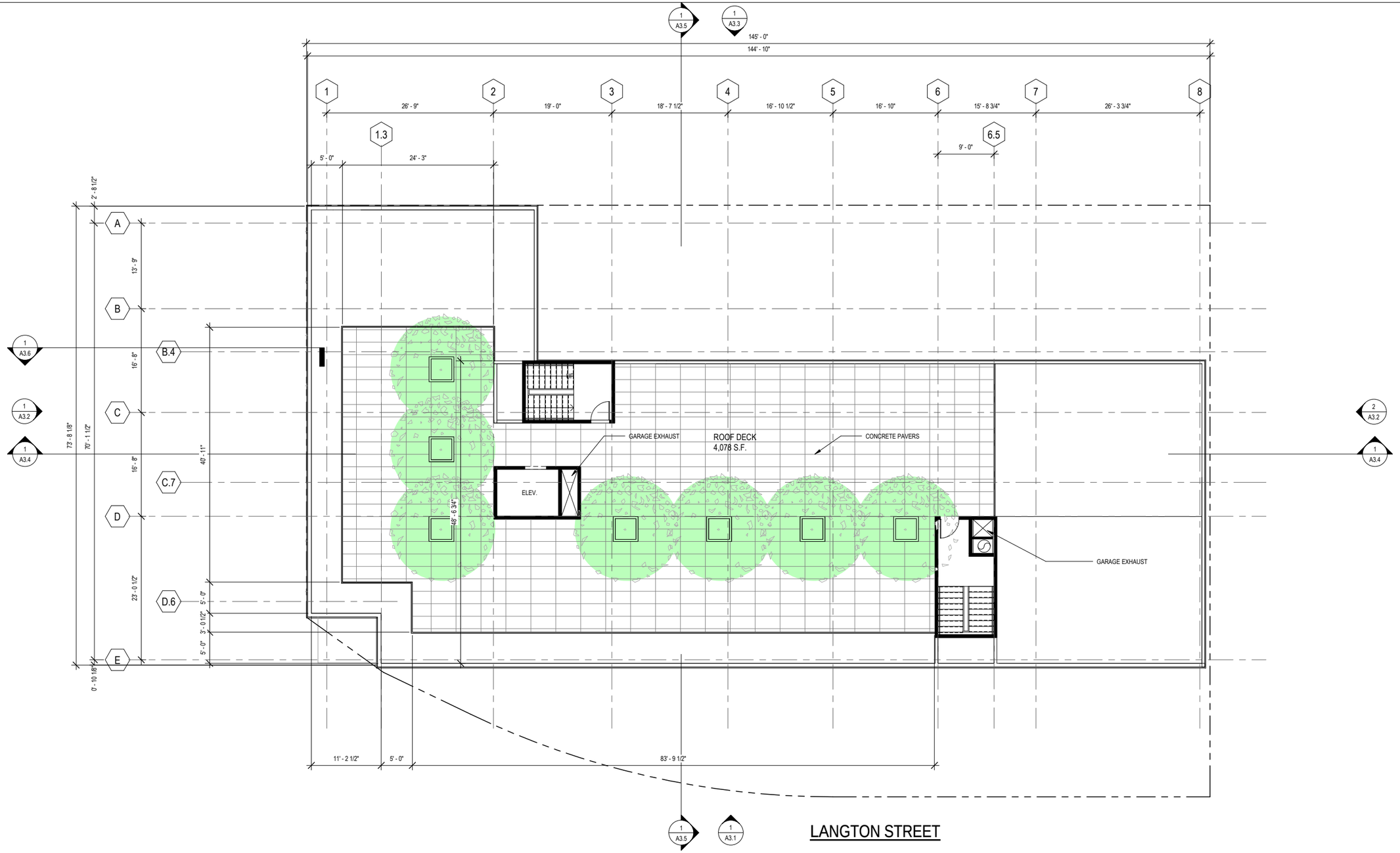

PROPOSED ROOF PLAN

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A2.5

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
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KMA PROJECT NO. 1525

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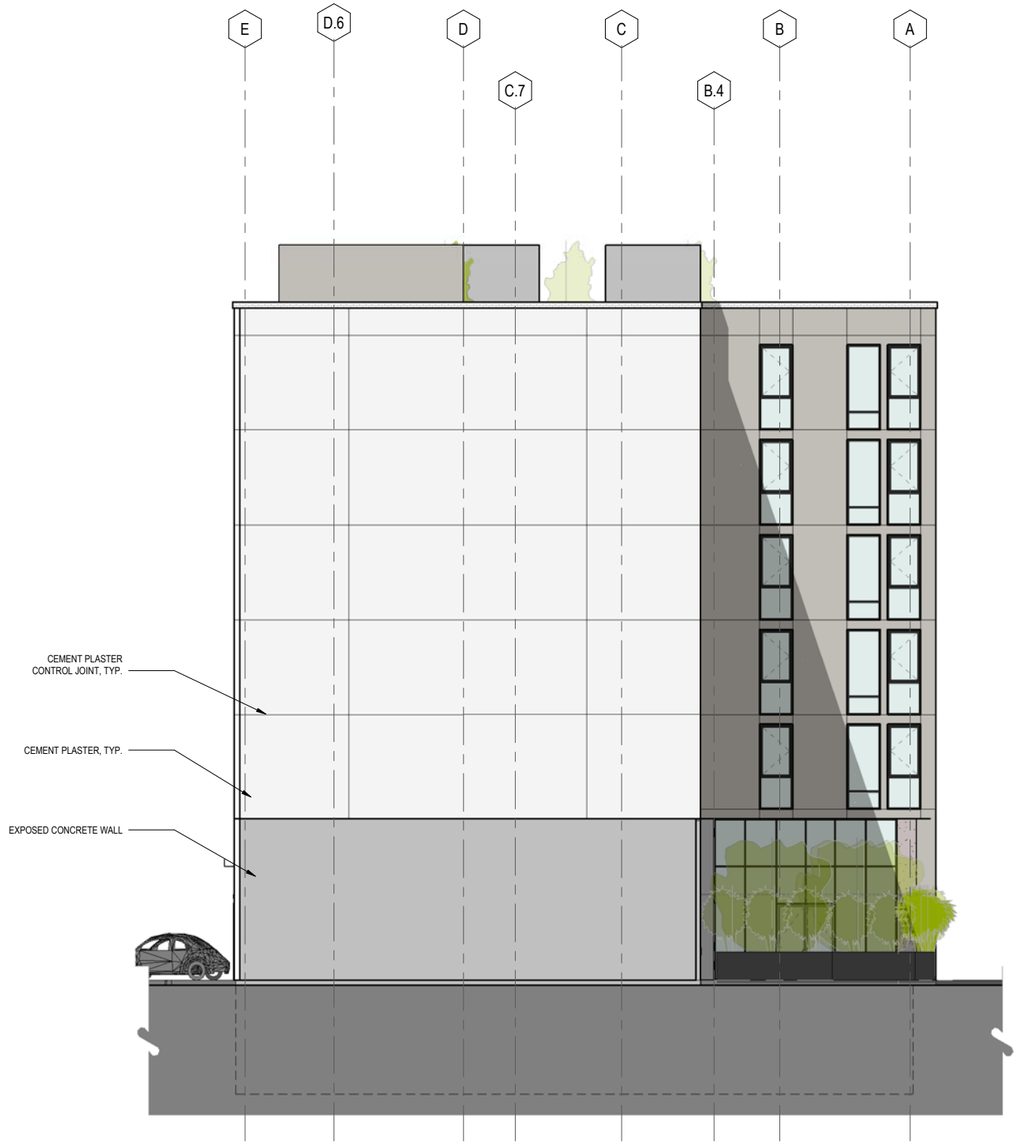

NORTHWEST ELEVATION 2
1/8" = 1'-0"

SOUTHEAST ELEVATION (BRANNAN ST.) 1
1/8" = 1'-0"

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PROPOSED BUILDING ELEVATIONS - SOUTHEAST (BRANNAN ST.) & NORTHWEST

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A3.2

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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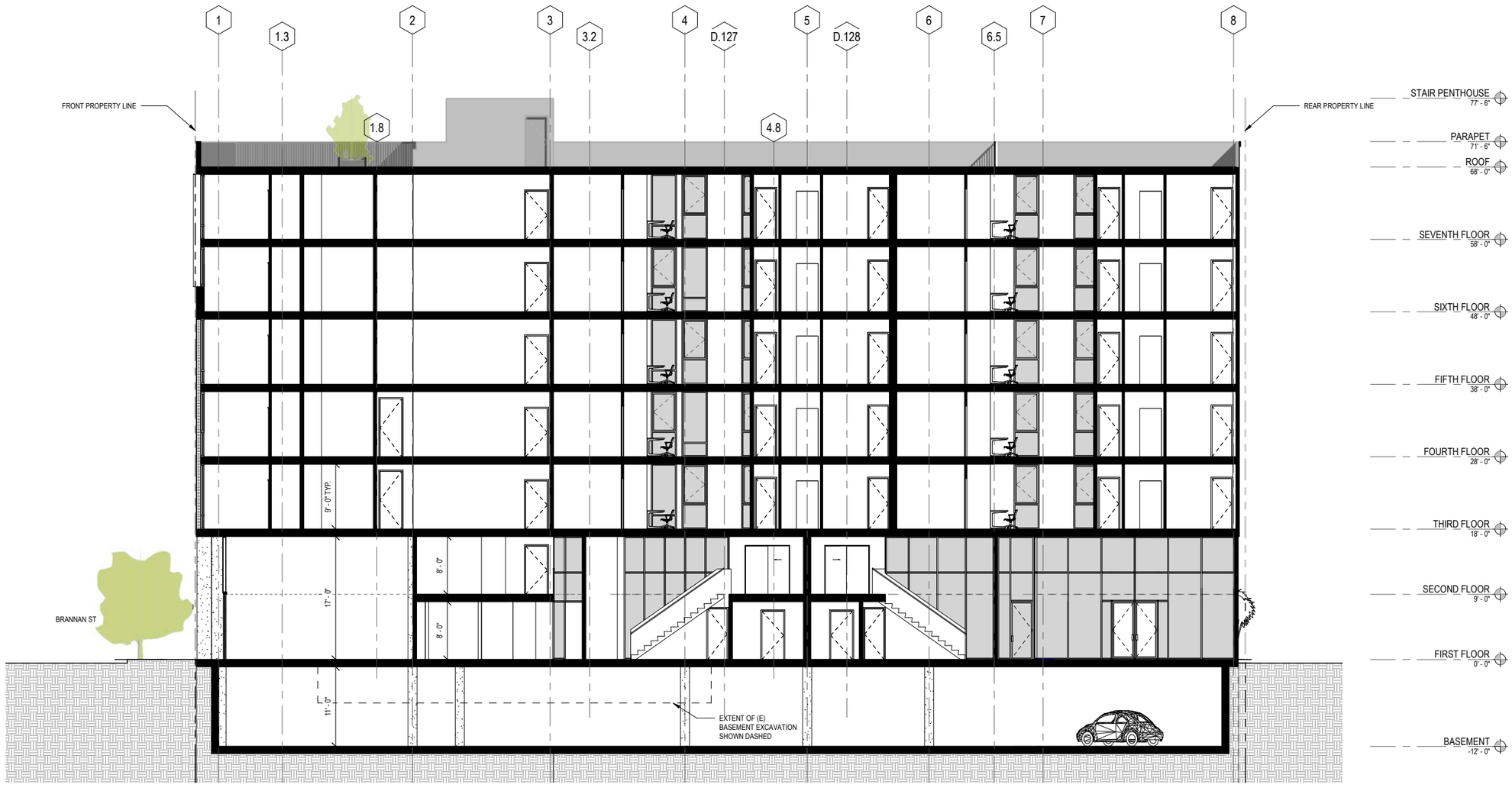
PROPOSED BUILDING ELEVATION - SOUTHWEST

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A3.3

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525



PROPOSED BUILDING SECTION A

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A3.4

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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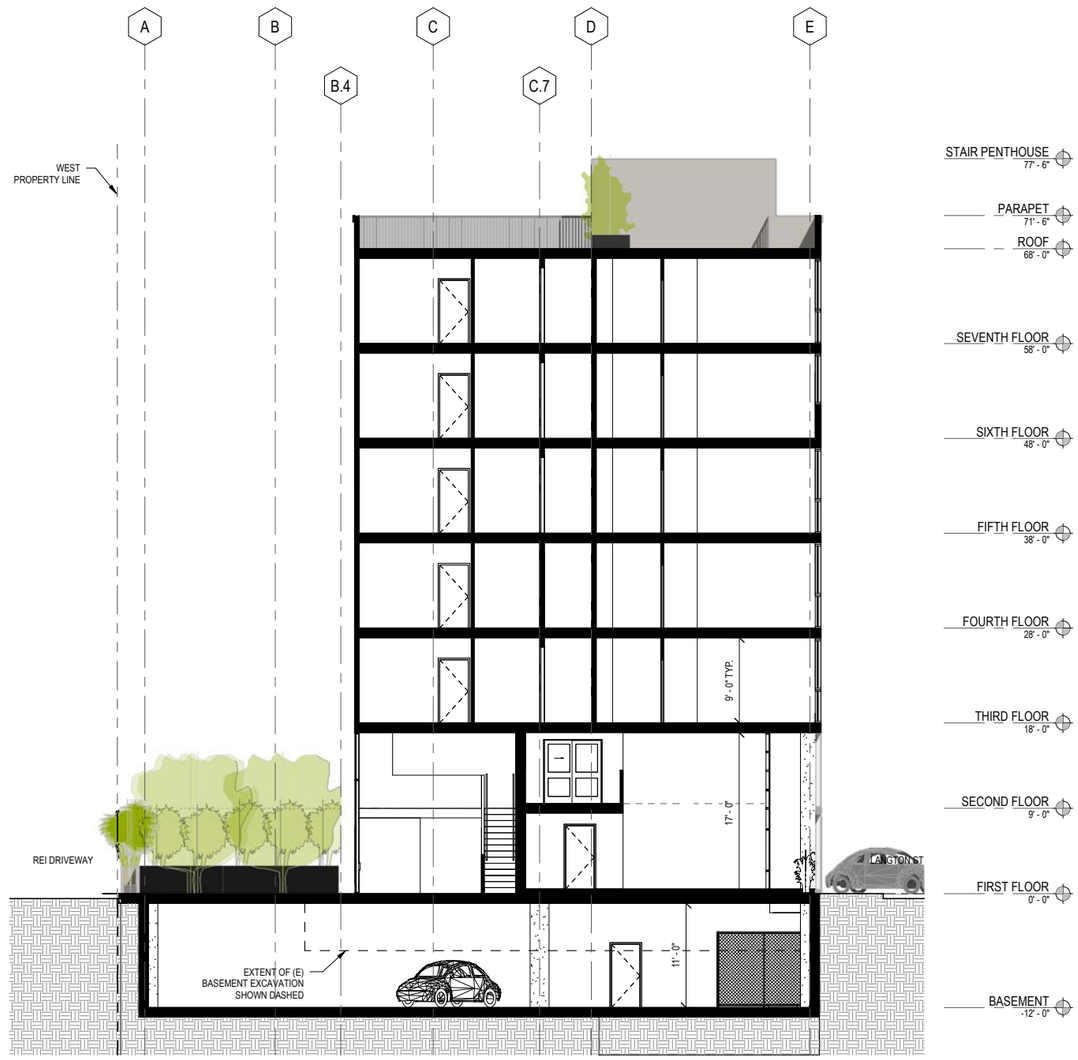

PROPOSED BUILDING SECTION B

1/8" = 1'-0" (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A3.5

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

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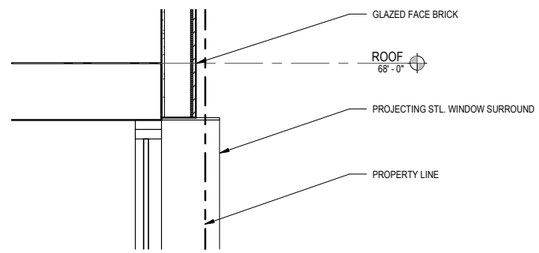
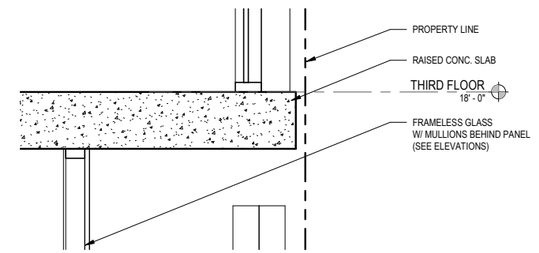
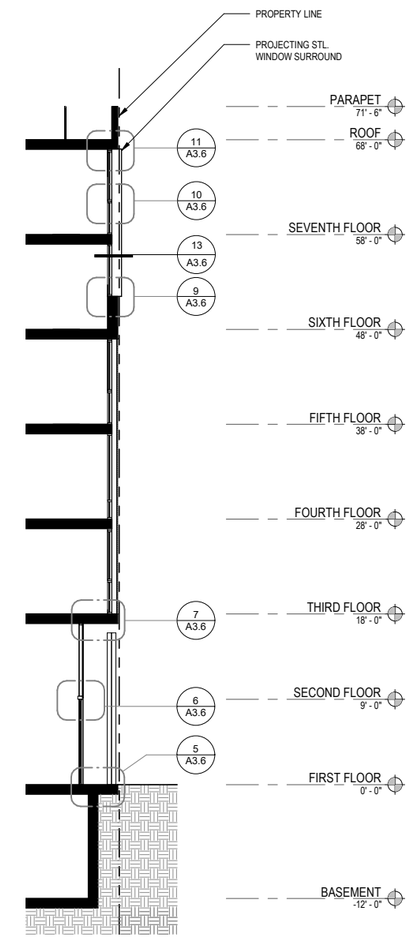


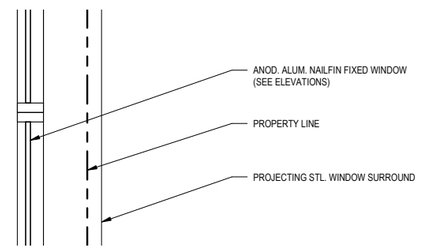
TYPICAL CASEMENT WINDOW AT HEAD 11
3/4" = 1'-0"



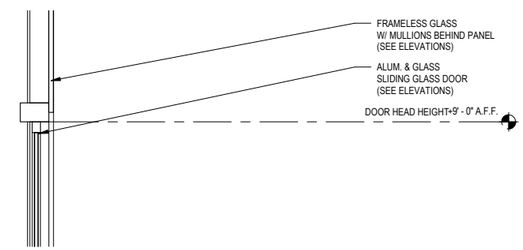
TYPICAL CURTAIN WALL AT HEAD 7
3/4" = 1'-0"



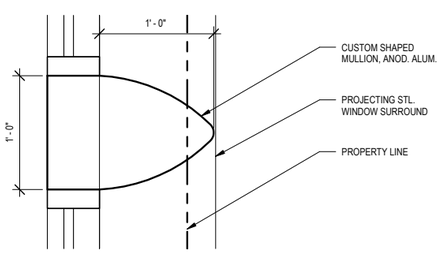
TYPICAL WALL SECTION 1
1/8" = 1'-0"



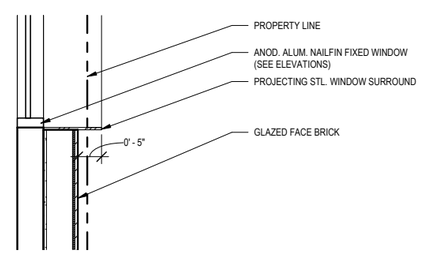
TYPICAL CASEMENT WINDOW SILL ABOVE FIXED PANE 10
3/4" = 1'-0"



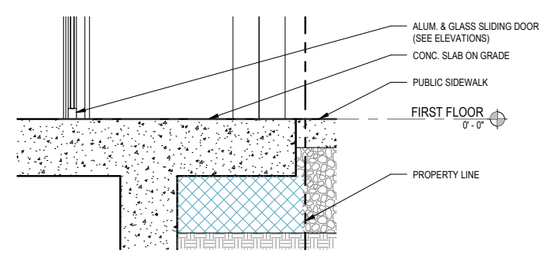
TYPICAL CURTAIN WALL AT HORIZONTAL MULLION 6
3/4" = 1'-0"



TYPICAL CUSTOM MULLION 13
1 1/2" = 1'-0"



TYPICAL FIXED PANE AT SILL 9
3/4" = 1'-0"



TYPICAL CURTAIN WALL AT SILL 5
3/4" = 1'-0"

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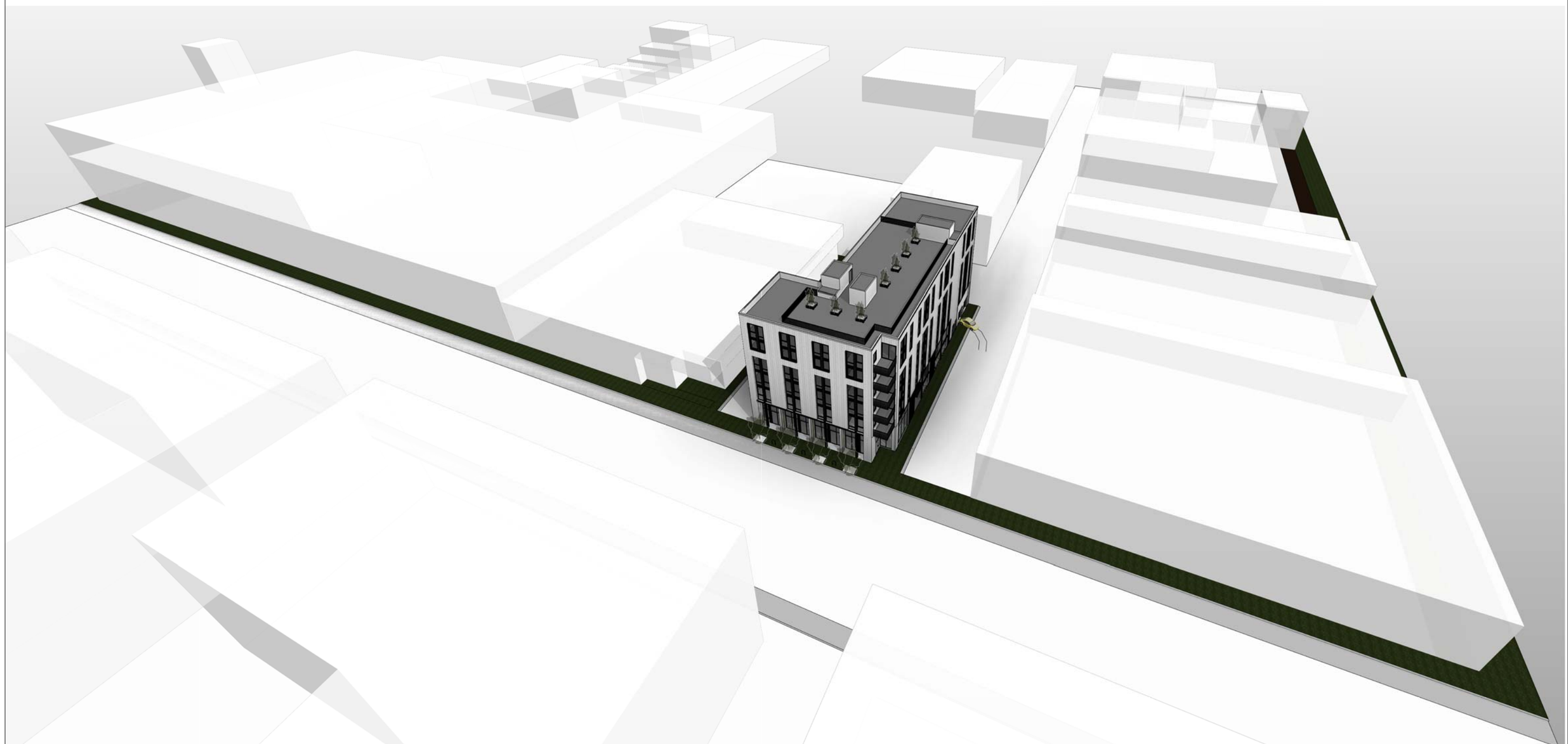
PROPOSED TYPICAL WALL SECTION & WINDOW DETAILS

As indicated (@ 22" x 34")
04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A3.6

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525



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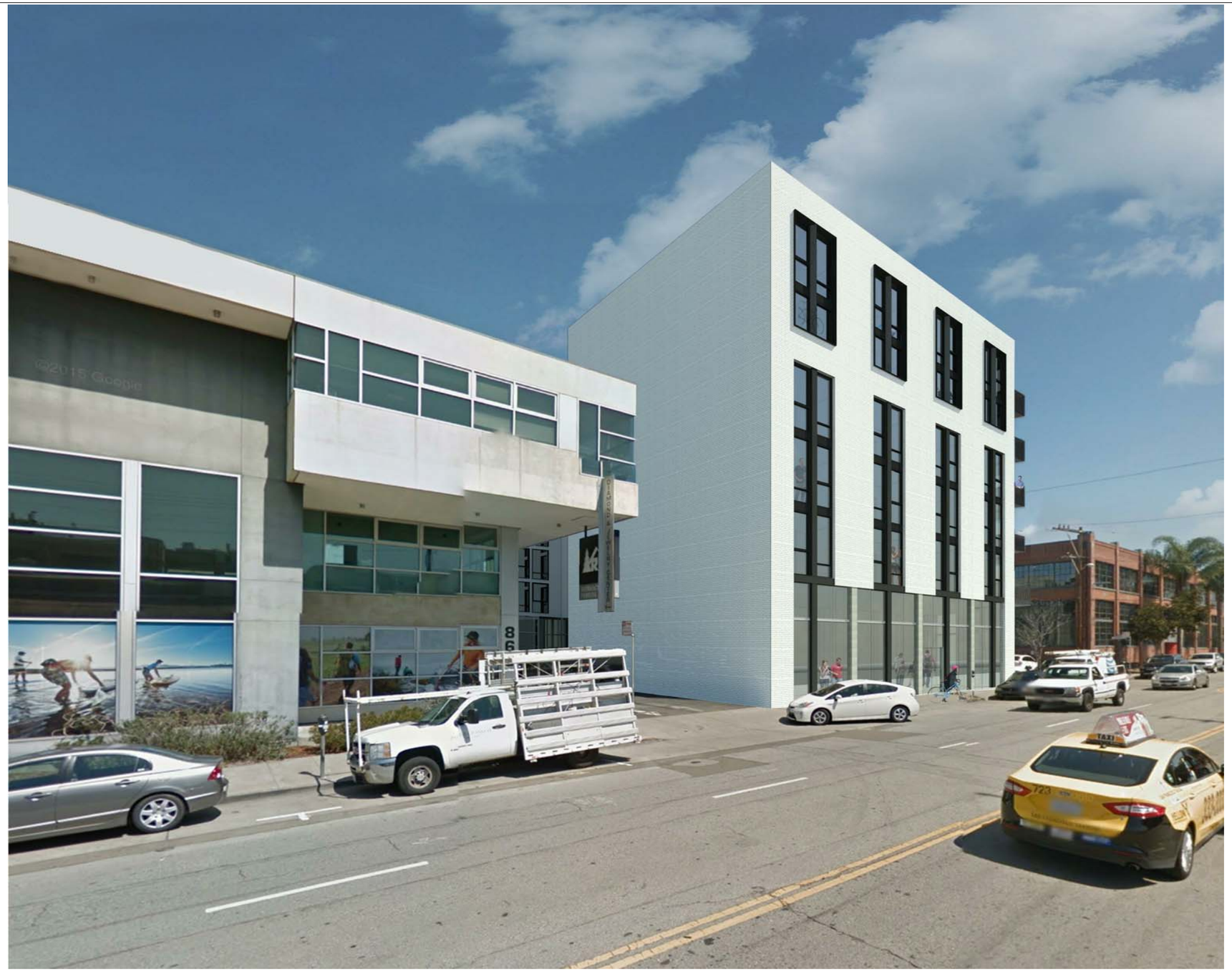
PERSPECTIVE - AERIAL

04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A4.0

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525



PERSPECTIVE - SOUTH CORNER

04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A4.1

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107
KMA PROJECT NO. 1525

4/8/2019 11:34:45 AM

PERSPECTIVE - EAST CORNER

04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A4.2

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107

KMA PROJECT NO. 1525

4/8/2019 11:34:46 AM

GLAZED THIN BRICK VENEER

GLAZED THIN BRICK VENEER - CORNER ELEMENTS

4/8/2019 11:34:46 AM

CLOSE UP - EAST CORNER BALCONY

04/08/2019

S. HEKEMIAN GROUP | 828 BRANNAN ST.

A4.2A

KAVA MASSIH ARCHITECTS
920 Grayson Street | Berkeley, CA 94710
95 Federal Street | San Francisco, CA 94107

KMA PROJECT NO. 1525

EXHIBIT C

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Community Plan Evaluation

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2015-015789ENV**
Project Address:	**828 Brannan Street**
Zoning:	UMU (Urban Mixed Use) District 68-X Height and Bulk District
Block/Lot:	3780/004E
Lot Size:	13,006 square feet
Plan Area:	Eastern Neighborhoods Area Plan, Showplace Square/Potrero Hill Subarea
Project Sponsor:	Melinda Sarjapur, Reuben, Junius and Rose LLP 415-567-9000
Staff Contact:	Justin Horner 415-575-9023 Justin.horner@sfgov.org

PROJECT DESCRIPTION

The site is located on an approximately 13,006 square foot lot at the northwest corner of Langton and Brannan Streets in the South of Market neighborhood. The project site is occupied by a 2-story, 32.5-foot-tall, approximately 14,730-sf wholesale building, with a 2,755-sf basement, constructed in 1936.

The proposed project involves the demolition of the existing structure and the construction of a 7-story, 68-foot-tall, 58,553 gross square foot building consisting of housing, ground floor retail, and underground parking. The proposed project would include 50 dwelling units and 2,104 gross square feet of ground floor retail, fronting on Brannan Street.

(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.

Lisa Gibson
Environmental Review Officer

March 25, 2019
Date

cc: Melinda Sarjapur, Project Sponsor; Supervisor Haney, District 6; Kimberly Durandet, Current Planning Division; Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued)

The Project would also include a below-grade parking garage containing 22 parking stalls, including one car share space, and 36 class I bicycle spaces. An additional 18 class I bicycle spaces shall be provided on the first floor. Six class II bicycle spaces would be located on Brannan Street.[1] The below grade parking would be accessed via two adjacent car elevators at the north end of the building along Langton Street. The proposed project would remove an existing approximately 57 foot-wide curb cut on Brannan Street.

The proposed project would involve excavation of up to approximately 15 feet below ground surface and approximately 4,758 cubic yards of soil is proposed to be removed. The project site is located within the Showplace Square/Potrero Hill area of the Eastern Neighborhoods Plan Area.

PROJECT APPROVAL

Pursuant to Planning Code Section 329, the proposed project requires a Large Project Authorization (LPA) from the City Planning Commission. The granting of the LPA shall constitute 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 828 Brannan Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)[2]. 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.

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[1] Class one bicycle spaces are spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and employees. Class two bicycle spaces are "bicycle racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use. Planning Code section 155.1 (a).

[2] Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 828 Brannan Street.

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.[3,4]

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.[5]

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 UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while

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

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

[5] 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.

maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The 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 828 Brannan Street site, which is located in the Showplace Square/Potrero Hill Sub Area of the Eastern Neighborhoods, was designated as a site with building up to 68 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 828 Brannan 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 828 Brannan Street project, and identified the mitigation measures applicable to the 828 Brannan Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.[6,7] Therefore, no further CEQA evaluation for the 828 Brannan 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 on the southwestern corner of the intersection of Brannan and Langton streets in San Francisco's South of Market neighborhood. The project area along the north side of Brannan Street is characterized primarily by commercial uses in one- to three-story buildings ranging from 20-feet to 30-feet tall. Across Brannan Street from the project site is a block-long residential development that is six stories tall and approximately 70 feet in height. The building immediately adjacent to the project site to the west is a 20-foot-tall, two-story commercial building; the building immediately adjacent to the project site to the east is an approximately 30-foot-tall, three-story commercial building; and the building immediately adjacent to the project site to the north is an approximately 30-foot tall three-story commercial building. Parcels surrounding the project site are within the UMU (Urban Mixed Use) Zoning District, and are within 48-X and 68-X Height and Bulk districts.

The closest Bay Area Rapid Transit District (BART) stop is at Civic Center, approximately 0.7 miles northwest of the project site. The project site is within a quarter mile of several local transit lines, including 8-Bayshore, 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 8AX-Bayshore A Express, 8BX-Bayshore B Express and 83X-Mid-Market Express.

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

[6] Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 828 Brannan Street, May 17, 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. 2015-015789ENV.

[7] Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 828 Brannan Street, October 18, 2016.

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 828 Brannan 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 828 Brannan Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

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

Table 1: Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed	N/A
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to implement **Project Mitigation Measure 2: Construction Noise.**
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 no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project	N/A

Mitigation Measure	Applicability	Compliance
	would not exacerbate existing noise levels	
F-5: Siting of Noise-Generating Uses	Not Applicable. The proposed project does not include any new noise-generating uses.	N/A
F-6: Open Space in Noisy Environments	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
G. Air Quality		
G-1: Construction Air Quality	Applicable. The proposed project includes construction in the Air Pollution Exposure Zone.	**Project Mitigation Measure 3: Construction Air Quality** agreed to by the project sponsor.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by applicable Article 39 requirements.	Project sponsor has submitted Article 39 Compliance Application to Department of Public Health.
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: the proposed uses are not expected to emit substantial levels of TACs.	N/A
J. Archeological Resources		
J-1: Properties with Previous Studies	Applicable. The project site has a final archeological research design and treatment plan on file.	**Project Mitigation Measure 1: Archeological Testing** agreed to by project sponsor.
J-2: Properties with no Previous Studies	No Applicable. Project site has a final archeological research design and treatment plan on file.	N/A

Mitigation Measure	Applicability	Compliance
J-3: Mission Dolores Archeological District	Not Applicable: Project site is not located in Mission Dolores Archeological District	N/A
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 building.	**Project Mitigation Measure 4: 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 January 5, 2017 to adjacent occupants and owners of properties within 300 feet of the project site. No comments were received. 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[8]:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;

3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;

4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and

5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

[8] The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-015789ENV.

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.

EXHIBIT 1
MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 828 Brannan Street
File No.: 2015-015789ENV

Motion No.:

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
Project MITIGATION MEASURE 1 **Archeological Resources (Archeological Testing)**				
Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Prior to issuance of site permits	Project sponsor to retain a qualified archeological consultant who shall report to the ERO. Qualified archeological consultant will scope archeological testing program with ERO.	Archeological consultant shall be retained prior to issuing of site permit. Archeological consultant has approved scope by the ERO for the archeological testing program Date Archeological consultant retained: _____ Date Archeological consultant received approval for archeological testing program scope: _____

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
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)(c).				
Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to any soil-disturbing activities on the project site.	Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils disturbing activities on the project site.	Date ATP submitted to the ERO:_____ Date ATP approved by the ERO:_____ Date of initial soil disturbing activities:_____
At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the	Project sponsor/ archeological consultant at the	After completion of the Archeological	Archeological consultant shall submit report of the findings	Date archeological findings report submitted to the ERO:_____

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: a. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or b. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.	direction of the ERO.	Testing Program.	of the ATP to the ERO.	ERO determination of significant archeological resource present? Y N Would resource be adversely affected? Y N Additional mitigation to be undertaken by project sponsor? Y N
Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program (AMP) shall be implemented the	Project sponsor/ archeological consultant/ archeological	ERO & archeological consultant shall meet prior to	Project sponsor/ archeological consultant/ archeological monitor/	AMP required? Y N Date:_____

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
archeological monitoring program shall minimally include the following provisions: • The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; • The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule	monitor/ contractor(s), at the direction of the ERO.	commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.	contractor(s) shall implement the AMP, if required by the ERO.	Date AMP submitted to the ERO:_____ Date AMP approved by the ERO:_____ Date AMP implementation complete:_____ Date written report regarding findings of the AMP received:_____

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; • If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/ excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological				

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				
Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could	Archeological consultant at the direction of the ERO	If there is a determination that an ADRP program is required	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall prepare an ADRP if required by the ERO.	ADRP required? Y N Date:_____ Date of scoping meeting for ARDP:_____ Date Draft ARDP submitted to the ERO:_____ Date ARDP approved by the ERO:_____ Date ARDP implementation complete:_____

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
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				

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
report format and distribution of results. • *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.				
Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the 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	Project sponsor / archeological consultant in consultation with the San Francisco Coroner, NAHC, and MDL.	In the event human remains and/or funerary objects are found.	Project sponsor/ archeological consultant to monitor (throughout all soil disturbing activities) for human remains and associated or unassociated funerary objects and, if found, contact the San Francisco Coroner/ NAHC/ MDL	Human remains and associated or unassociated funerary objects found? Y N Date:_____ Persons contacted: Date:_____ Persons contacted: Date:_____ Persons contacted: Date:_____ Persons contacted:

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
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.				Date:_____
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the archeological data recovery, inventorying, analysis and interpretation.	Project sponsor/ archeological consultant	Following completion of soil disturbing activities. Considered complete upon distribution of final FARR. Date Draft FARR submitted to ERO:_____ Date FARR approved by ERO:_____

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.				Date of distribution of Final FARR:_____ Date of submittal of Final FARR to information center:_____
Project MITIGATION MEASURE 2 **Construction Noise**				
The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall	Project sponsor	Prior to commencing construction.	Noise mitigation plan to be submitted to Department of Building Inspection.	Considered complete upon implementation of approved noise mitigation plan.

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
include as many of the following control strategies as feasible: • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complain procedures and who to notify in the event of a problem, with telephone numbers listed.				

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
Project MITIGATION MEASURE 3 **Construction Air Quality**				
The project sponsor or the project sponsor's Contractor shall comply with the following: A. Engine Requirements 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement. 2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited. 3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit. 4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.				
B. Waivers. 1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1). 2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or				

<table>
<tr><th>Mitigation Measures Agreed to by Project Sponsor</th><th>Responsibility for Implementation</th><th>Mitigation Schedule</th><th>Monitoring and Reporting Actions and Responsibility</th><th>Status / Date Completed</th></tr>
<tr><td>impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

Table – Off-Road Equipment Compliance Step-down Schedule
<table>
<tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr>
<tr><td>1</td><td>Tier 2</td><td>ARB Level 2 VDECS</td></tr>
<tr><td>2</td><td>Tier 2</td><td>ARB Level 1 VDECS</td></tr>
<tr><td>3</td><td>Tier 2</td><td>Alternative Fuel*</td></tr>
</table>
How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.
** Alternative fuels are not a VDECS.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>C. Construction Emissions Minimization Plan. Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
The Plan shall include estimates of the</td><td>Project sponsor/ contractor(s).</td><td>Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.</td><td>Project sponsor/ contractor(s) and the ERO.</td><td>Considered complete on findings by ERO that Plan is complete.</td></tr>
</table>

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. The sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and				

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.				
D. Monitoring. After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.	Project sponsor/ contractor(s).	Quarterly	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
PROJECT MITIGATION MEASURE 4 **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	Project Sponsor	Prior to the start of construction activities	Planning Department, in consultation with DPH.	Planning Department, in consultation with DPH.

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
to applicable federal, state, and local laws.				

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Initial Study – Community Plan Evaluation

Case No.:	**2015-015789ENV**
Project Address:	**828 Brannan Street**
Zoning:	UMU (Urban Mixed Use) District 68-X Height and Bulk District
Block/Lot:	3780/004E
Lot Size:	13,006 square feet
Plan Area:	Eastern Neighborhoods Area Plan, Showplace Square/Potrero Hill Subarea
Project Sponsor:	Melinda Sarjapur, Reuben, Junius and Rose LLP 415-567-9000
Staff Contact:	Justin Horner 415-575-9023 justin.horner@sfgov.org

PROJECT DESCRIPTION

The site is located on an approximately 13,006 square foot lot at the northwest corner of Langton and Brannan streets in the South of Market neighborhood (see Figure 1). The project site is occupied by a 2-story, 32.5-foot-tall, approximately 14,730-sf wholesale building, with a 2,755-sf basement, constructed in 1936.

The proposed project involves the demolition of the existing structure and the construction of a 7-story, 68-foot-tall (78 feet tall with stair penthouse), 58,553 gross square foot building consisting of housing, ground floor retail, and underground parking (see Figures 1-10 at end of document). The proposed project would include 50 dwelling units and 2,104 gross square feet of ground floor retail, fronting on Brannan Street. The proposed project would include a below-grade parking garage containing 22 parking stalls, including one car share space, and 36 class I bicycle spaces. An additional 18 class I bicycle spaces shall be provided on the first floor. Six class II bicycle spaces would be located on Brannan Street.[1] The below grade parking would be accessed via two adjacent car elevators at the north end of the building along Langton Street. The proposed project would remove an existing approximately 57 foot-wide curb cut on Brannan Street.

The proposed project would involve excavation of up to approximately 15 feet below ground surface and approximately 4,758 cubic yards of soil is proposed to be removed. The project site is located within the Showplace Square/Potrero Hill area of the Eastern Neighborhoods Plan Area.

The proposed 828 Brannan Street project would require the following approvals:

Actions by the Planning Commission

- Large Project Authorization, per Planning Code Section 329.

[1] Class one bicycle spaces are spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and employees. Class two bicycle spaces are "bicycle racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use. Planning Code section 155.1 (a).

Actions by other City Departments

- Building Permit from the Department of Building Inspection

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).[2] 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 transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include the demolition of the existing structure and the construction of a 7-story, 68-foot-tall, 58,553 gross square foot building consisting of housing, ground floor retail, and underground parking. 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.

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:

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

- 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).
- 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.[3] Project elevations are included in the project description.

In addition, approvals for a Large Project Authorization in the Showplace Square, Potrero Hill, or Central Waterfront Area Plans must conform to the provisions of Planning Code section 329 and must also demonstrate the following:

[3] San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 828 Brannan Street, February 16, 2018. 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. 2015-015789ENV.

(1) An awareness of urban patterns that harmonizes visual and physical relationships between existing buildings, streets, open space, natural features, and view corridors;

(2) An awareness of neighborhood scale and materials, and renders building facades with texture, detail, and depth; and

(3) A modulation of buildings vertically and horizontally, with rooftops and facades designed to be seen from multiple vantage points.

The case report for the proposed project would demonstrate compliance with the above design requirements, as applicable.

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 *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*[4] 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.

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

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
1. LAND USE AND LAND USE PLANNING—Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Development of the proposed project would result in the net loss of approximately 14,730 square feet of PDR building space and would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The project site is located in the UMU (Urban Mixed Use) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project is consistent with the development density established for the site under the Eastern Neighborhoods Rezoning and Area Plans. As stated above, the PEIR acknowledges that the loss of PDR space resulting from development under the adopted rezoning and area plans would have a significant and unavoidable cumulative impact on land use. The proposed loss of 14,730 square feet of existing PDR uses represents a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR, but would not result in new or more severe impacts than were disclosed in the PEIR. As such, the project's contribution to this cumulative impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

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 UMU (Urban Mixed Use) District and is consistent with the bulk, density and land uses envisioned in the Showplace Square/Potrero Hill Area Plan. The Area Plan calls for maximizing development potential in keeping with neighborhood character, and the proposed project would be consistent with this objective by providing 50 dwelling units, 50% of which are two bedroom units. In the UMU District, at least 40% of all dwelling units must contain two or more bedrooms.[5][6]

[5] Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 828 Brannan Street, March 23, 2017.

[6] Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 828 Brannan Street, September 23, 2016.

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.

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*
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?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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 consider 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 50 dwelling units and 2,104 square feet of ground floor retail. 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.

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*
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 *Planning Code*?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

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
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

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.

An Historic Resource Evaluation (HRE) was completed for the proposed project.[7] Based on the HRE, Planning staff determined that the existing building is not an historical resource.[8] While the existing building is associated with two historic patterns detailed in the Showplace Square Context Statement (development of the New Wholesale District and the history of labor), 828 Brannan is one of many existing buildings associated with both of these patterns. The Showplace Square Context Statement does not call it out as a significant representation of either trend, and did not find it to be a contributor to either of the two potential historic districts proposed as a result of the survey. 828 Brannan Street was not found to be meaningfully associated with any events that have contributed to broad patterns or history or heritage, was not found to be associated with the life of any historically-important person, was not found to embody any distinctive characteristics of an architectural style, to be the work of a master, or to possess high artistic values, nor was it found likely to have the potential to yield information important to history or prehistory. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological

[7] Tim Kelley Consulting, *Historical Resource Evaluation 828 Brannan Street San Francisco*, California, June, 2016.
[8] SF Planning, *Preservation Team Review Form 828 Brannan Street*, October 14, 2016.

resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The project site already has a final archeological research design and treatment plan on file, so Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to the proposed project. A Preliminary Archeological Review was prepared for the proposed project.[9] The project site is located in the South of Market neighborhood, which is characterized by a number of prehistoric sites located to the northeast of the project site, some of which were probably interconnected. These sites are frequently notable for their good state of preservation buried beneath later sand dune deposits. The project site was historically located along the broad estuary of Mission Creek and the large tidal marsh that extended from the shores of Mission Bay. Therefore, there is potential for prehistoric resources within the project site. The potential of the proposed project to adversely affect archeological resources may be avoided by implementation of **Project Mitigation Measure 1: Archeological Testing**. The full text of **Project Mitigation Measure 1: Archeological Testing**, can be reviewed in the Mitigation Measures section, below.

With the implementation of **Project Mitigation Measure 1: Archeological Testing**, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

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*
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?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒

[9] SF Planning, *Environmental Planning Preliminary Archeological Review for 828 Brannan Street*, February 21, 2018.

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
e) Result in inadequate emergency access?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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.[10] 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. As discussed above under "Automobile Delay and Vehicle Miles Traveled", 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,

[10] SF Planning, *Transportation Study Determination Request for 828 Brannan Street*, February 16, 2018.

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. [11,12]

For residential development, the existing regional average daily VMT per capita is 17.2.[13] For retail development, regional average daily retail VMT per employee is 14.9.[14] 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, 604.

[11] 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.

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

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

[14] 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.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 604	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 604
Households (Residential)	17.2	14.6	2.6	16.1	13.7	2
Employment (Retail)	14.9	12.6	10.7	14.6	12.4	9.4

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 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 50 dwelling units and ground-floor retail space. Existing average daily VMT per capita is 2.6 for the transportation analysis zone the project site is located in, 604. This is 85 percent below the existing regional average daily VMT per capita of 17.2. Future 2040 average daily VMT per capita is 2.0 for the transportation analysis zone 604. This is 87 percent below the future 2040 regional average daily VMT per capita of 16.1. Existing average daily VMT per retail employee is 10.7 for the transportation analysis zone 604. This is 28 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per retail employee is 9.4 for the transportation analysis zone 604. This is 35 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.[15] Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant impact.

Trip Generation

The proposed project includes the construction of a mixed-use residential building consisting of 50 dwelling units, approximately 2,104 sf of retail and 22 off-street 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)

[15] San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 828 Brannan Street, February 16, 2018.

developed by the San Francisco Planning Department.[16] The proposed project would generate an estimated 791 person trips (inbound and outbound) on a weekday daily basis, consisting of 268 person trips by auto, 193 transit trips, 257 walk trips and 72 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 111 person trips, consisting of 37 person trips by auto (28 vehicle trips accounting for vehicle occupancy data for this Census Tract), 29 transit trips, 35 walk trips and 9 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).[17] 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 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.[18] 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 system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on 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 16th 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

[16] San Francisco Planning Department, Transportation Calculations for 828 Brannan Street, September 26, 2018.

[17] 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.

[18] http://tsp.sfplanning.org

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 8-Bayshore, 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 8AX-Bayshore A Express, 8BX-Bayshore B Express and 83X-Mid-Market Express. The proposed project would be expected to generate 193 daily transit trips, including 29 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 29 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 line 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 29 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

Conclusion

For 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.

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*
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?	☐	☐	☐	☒
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒

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
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
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?	☐	☐	☐	☒
g) Be substantially affected by existing noise levels?	☐	☐	☐	☒

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.[19] 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 pile driving, but would include noisy construction methods, such as the demolition of the existing building, across Brannan Street from sensitive receptors (residential units). Therefore, **Project Mitigation Measure 2: Construction Noise** would apply to the proposed project. The full text of **Project Mitigation Measure 2: Construction Noise** can be found in the Mitigation Measures section, below.

[19] 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: http://www.courts.ca.gov/opinions/documents/S213478.PDF). As noted above, the *Eastern Neighborhoods PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods 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 standards required under the California Building Standards Code (California Code of Regulations Title 24).

In addition, all construction activities for the proposed project (approximately 24 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. 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 24 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. 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 and Eastern Neighborhoods PEIR Mitigation Measures F-2, 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 vicinity. As the proposed project would include residential uses and a small retail use on the ground floor, the proposed project would not be expected to generate noise levels in excess of ambient noise levels. Therefore, Eastern Neighborhoods PEIR Mitigation Measure F-5 would not apply to the proposed project.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into Section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. 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.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where

the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval processes to ensure that the design of new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

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.

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*
6. AIR QUALITY—Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses[20] 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

[20] 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.

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.[21]

Construction Dust Control

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

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_2), sulfur dioxide (SO_2), 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 or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{10}, 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

[21] 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.

would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."[22] The Bay Area Air Quality Management District (BAAQMD) prepared updated *2011 BAAQMD CEQA Air Quality Guidelines* (Air Quality Guidelines),[23] 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 420 day period. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Memorandum.[24] 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 420 working days. As shown in Table 2, unmitigated project construction emissions would not exceed any of the thresholds of significance for criteria pollutants and construction-related air quality impacts would be less than significant.

Table 2: Daily Project Construction Emissions

	Pollutant Emissions (Average Pounds per Day)			
	ROG	**NOx**	**Exhaust PM_{10}**	**Exhaust $PM_{2.5}$**
Unmitigated Project Emissions	2.46	6.85	0.37	0.37
Significance Threshold	54.0	54.0	82.0	54.0

Source: BAAQMD, 2017; SF Planning

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 Memo. 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.

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

[23] Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3..

[24] SF Planning, *Air Quality Memorandum—Project File 2015-015789ENV—828 Brannan Street*, October 25, 2017.

Table 3: Summary of Operational Criteria Air Pollutant Emissions

	ROG	NOx	PM_{10}	$PM_{2.5}$
Project Average Daily Emissions (lbs/day)	2.46	3.17	2.28	0.10
Significance Threshold (lbs/day)	54	54	82	54
Project Maximum Annual Emissions (tpy)	0.45	0.58	0.42	0.02
Significance Threshold (tpy)	10.0	10.0	10.0	10.0

lbs/day = pounds per day

tpy = tons per year

Source: BAAQMD, 2017; SF Planning

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 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 $PM_{2.5}$ concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the Air Pollutant Exposure Zone, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from $PM_{2.5}$ (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal. In compliance Article 38, the project sponsor has submitted an initial application to DPH.[25]

Construction

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during 24 months of the anticipated 24-month construction period. Thus, **Project Mitigation Measure 3: Construction Air Quality** has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. **Project Mitigation Measure 3: Construction Air Quality** would reduce DPM exhaust from construction

[25] SF Department of Public Health, *Application for Article 38 Compliance Assessment*, October 11, 2016.

equipment by 89 to 94 percent compared to uncontrolled construction equipment.[26] Therefore, impacts related to construction health risks would be less than significant through implementation of **Project Mitigation Measure 3: Construction Air Quality**. The full text of **Project Mitigation Measure 3: Construction Air Quality** is provided in the Mitigation Measures Section below.

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. The proposed project would not include a backup diesel generator, which would emit DPM, a TAC. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 related to siting of uses that emit TACs would not apply to the proposed project.

Conclusion

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.

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

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Showplace Square/Potrero Hill Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5

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

metric tons of CO_2E[27] per service population,[28] 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*[29] 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,[30] exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan,*[31] Executive Order S-3-05[32], and Assembly Bill 32 (also known as the Global Warming Solutions Act).[33,34] In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05[35] and B-30-15.[36,37] 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 adding 50 dwelling units and approximately 2,100 sf of ground floor retail. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and

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[27] CO_2E, 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.

[28] 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.

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

[30] ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco,* January 21, 2015.

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

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

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

[34] 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.

[35] 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 $MTCO_2E$); by 2020, reduce emissions to 1990 levels (approximately 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$).

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

[37] 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.

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 car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, and Irrigation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.[38] 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[39] and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. 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).[40] Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.[41]

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.

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

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

[40] 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.

[41] San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 828 Brannan Street*, December 16, 2016.

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
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒

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 (78-foot-tall with stair penthouse) 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 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 (78 foot tall with stair penthouse) 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.[42] The preliminary shadow fan indicated that the proposed project would not cast new shadow on nearby parks or public open spaces.

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

[42] SF Planning, *Shadow Fan for 828 Brannan Street*, December 21, 2015.

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.

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
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?	☐	☐	☐	☒

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. As of 2017, two of these open spaces, Daggett Park and In Chan Kaajal

Park (formerly 17th and Folsom Park) have opened and are available for public use. 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).

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

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.

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*
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

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.

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*
11. PUBLIC SERVICES—Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	☐	☐	☐	☒

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.

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
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

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 Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods Area Plan and, therefore, does not support habitat for any candidate, sensitive or special status species. As

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

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
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☒

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.[43] According to the investigation, the project site is underlain by yellow brown to brown sandy soil in the upper 3' to 9', with dense Dune sand present at about 14 feet below sidewalk grade. The Dune sand extends to a depth of about 37 feet and is underlain by marine clay, which itself extends to a depth of 115 feet. Published geologic bedrock maps indicate bedrock at a depth of approximately 120 to 140 feet. The primary geological issues at this site include the presence of fill that was previously pressure grouted by the prior owner, ground displacements that may occur during a major earthquake, the possible rebound of the underlying soil during the anticipated removal of 14 to 15 feet of soil to construct the subsurface garage, and soil corrosivity. The investigation recommended that the new structure be supported on auger cast-in-place piles that transfer building load at least 15 feet into the dense sand layer found at about 115 feet below grade, and that the project utilize a slab-on-grade foundation. As groundwater was found at a depth of 12 to 13 feet during subsurface exploration, and excavation up to 15 feet below grade is anticipated for the subsurface garage, a dewatering system must be utilized during construction. If these, and the other recommendations included in the geotechnical investigation, are included in project design, the proposed structure can be built as proposed.

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.

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*
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
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)?	☐	☐	☐	☒

[43] Purcell, Rhoades and Associates, *Preliminary Geotechnical Study Proposed 7-Story Structure Planned Housing, Retail, Parking and Courtyards 828 Brannan Street San Francisco, California*, April 28, 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) 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

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

The project site is currently entirely covered by the existing building. The proposed project would also cover the entirety of the project site. As a result, the proposed project would result in no net increase in stormwater runoff.

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

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
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	☐	☐	☐	☒

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, Under 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 Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, **Project Mitigation Measure 4: Hazardous Building Materials** (implementing Eastern Neighborhoods PEIR Mitigation Measure L-1) would apply to the proposed project. See full text of **Project Mitigation Measure 4: Hazardous Building Materials** 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 construct a mixed-use residential building on a site that could contain hazardous materials (fill). 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.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH.[44]

The proposed project would be required to remediate any potential soil or groundwater contamination 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.

[44] SF Department of Public Health, *Email to Sponsor Confirming Receipt of Maher Application*, January 4, 2017.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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*
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☐	☒

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.

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*
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?	☐	☐	☐	☒

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
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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 Testing

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

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/ excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the 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.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The 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 in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

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

The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;

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

Project Mitigation Measure 3: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)

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

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).

2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions

reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

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

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

2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.

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

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

Project Mitigation Measure 4 – Hazardous Building Materials (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1)

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

Figure 1. Project Area Map

Figure 2. Proposed Site Plan

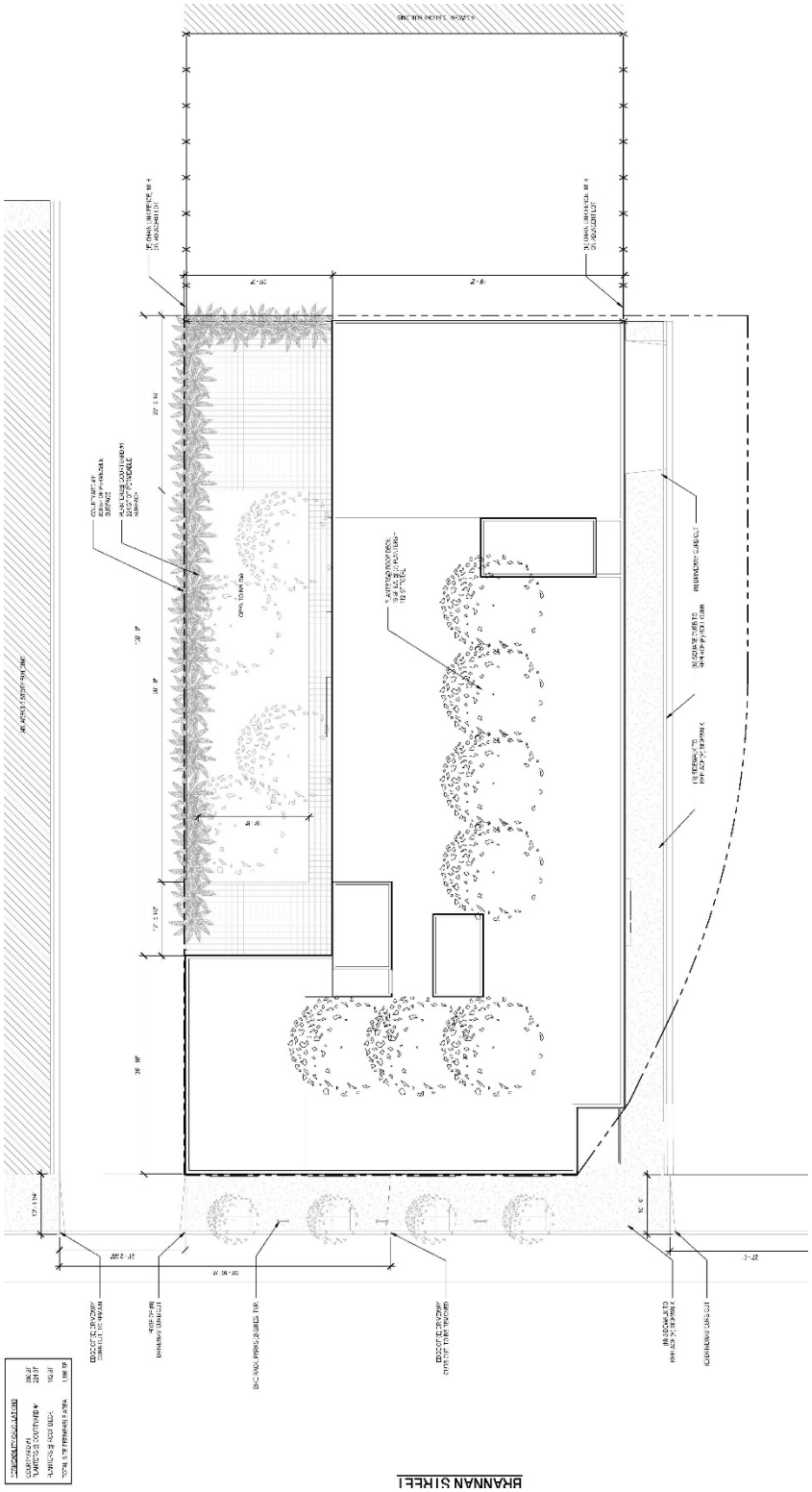


Figure 3. Proposed Basement

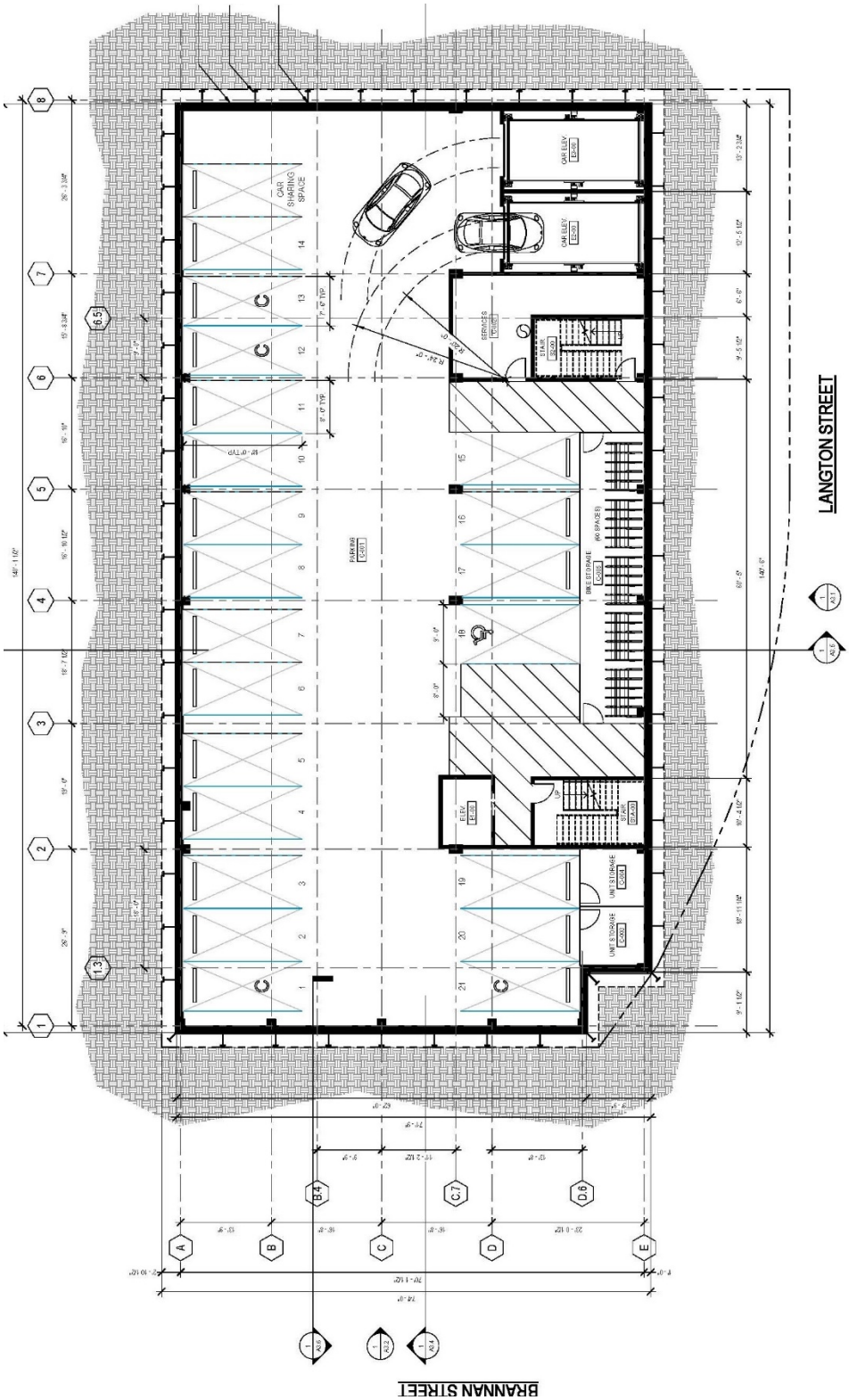


Figure 4. Proposed First Floor

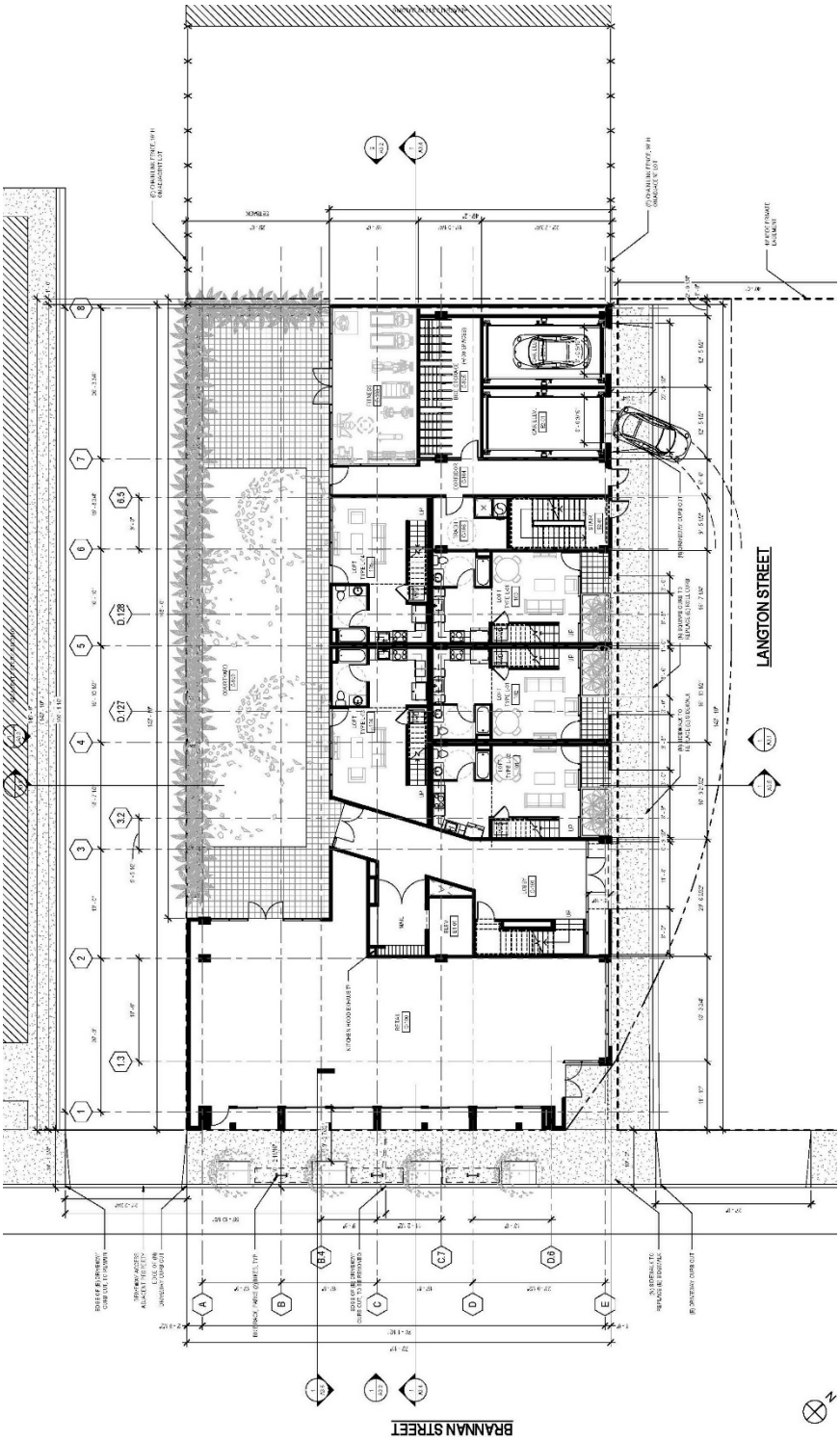


Figure 5. Proposed Second Floor

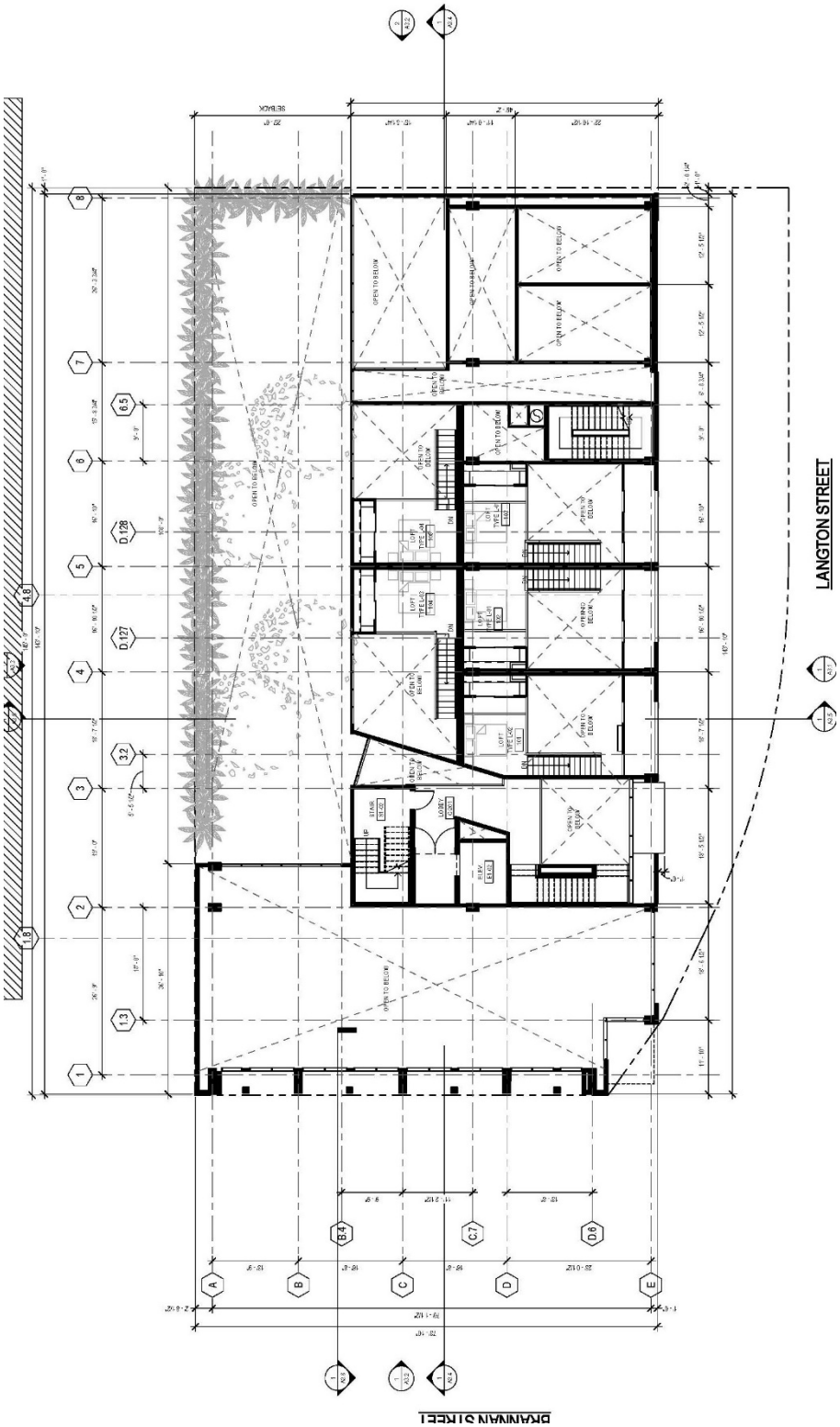


Figure 6. Proposed Third Floor

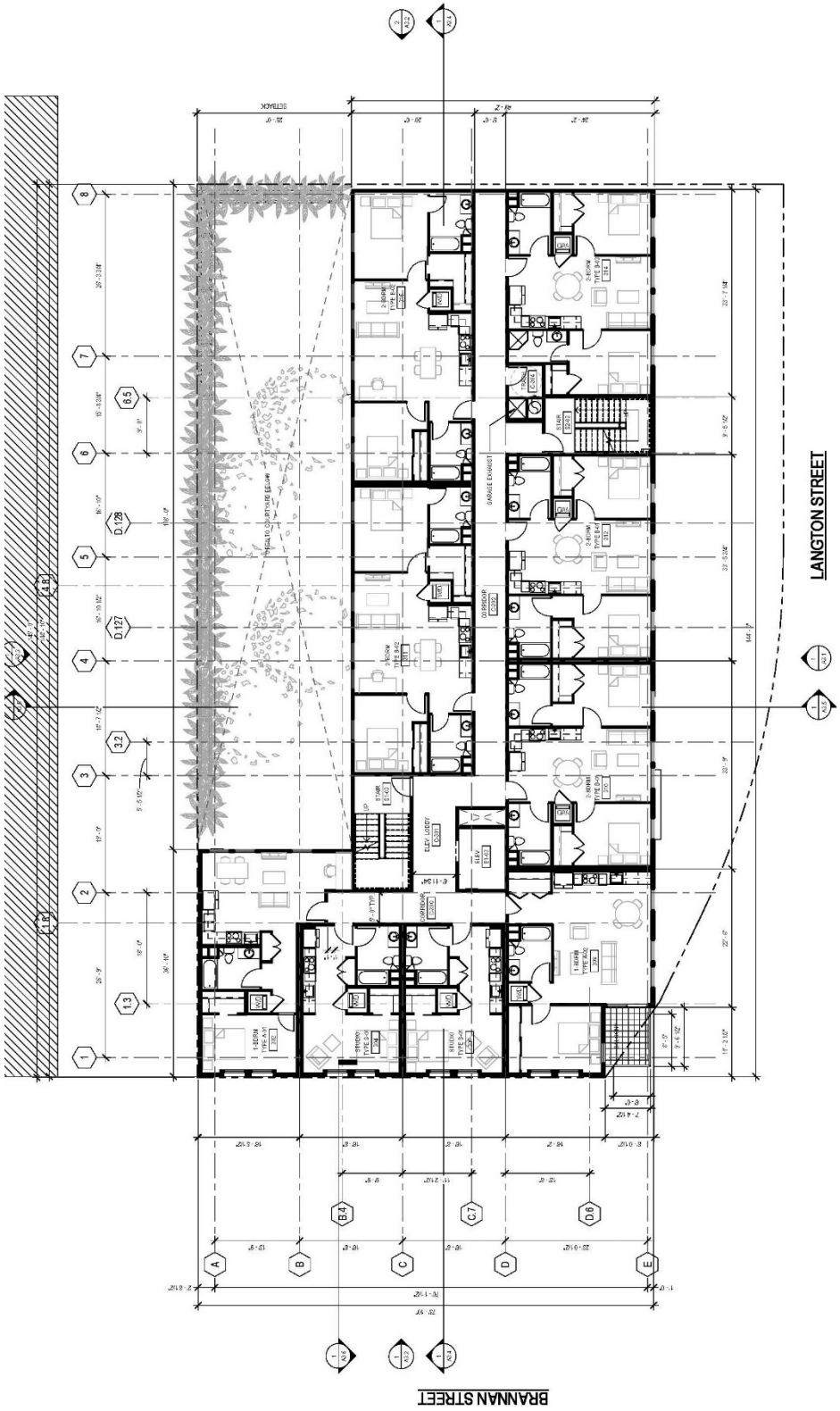


Figure 7. Proposed Typical Upper Floors

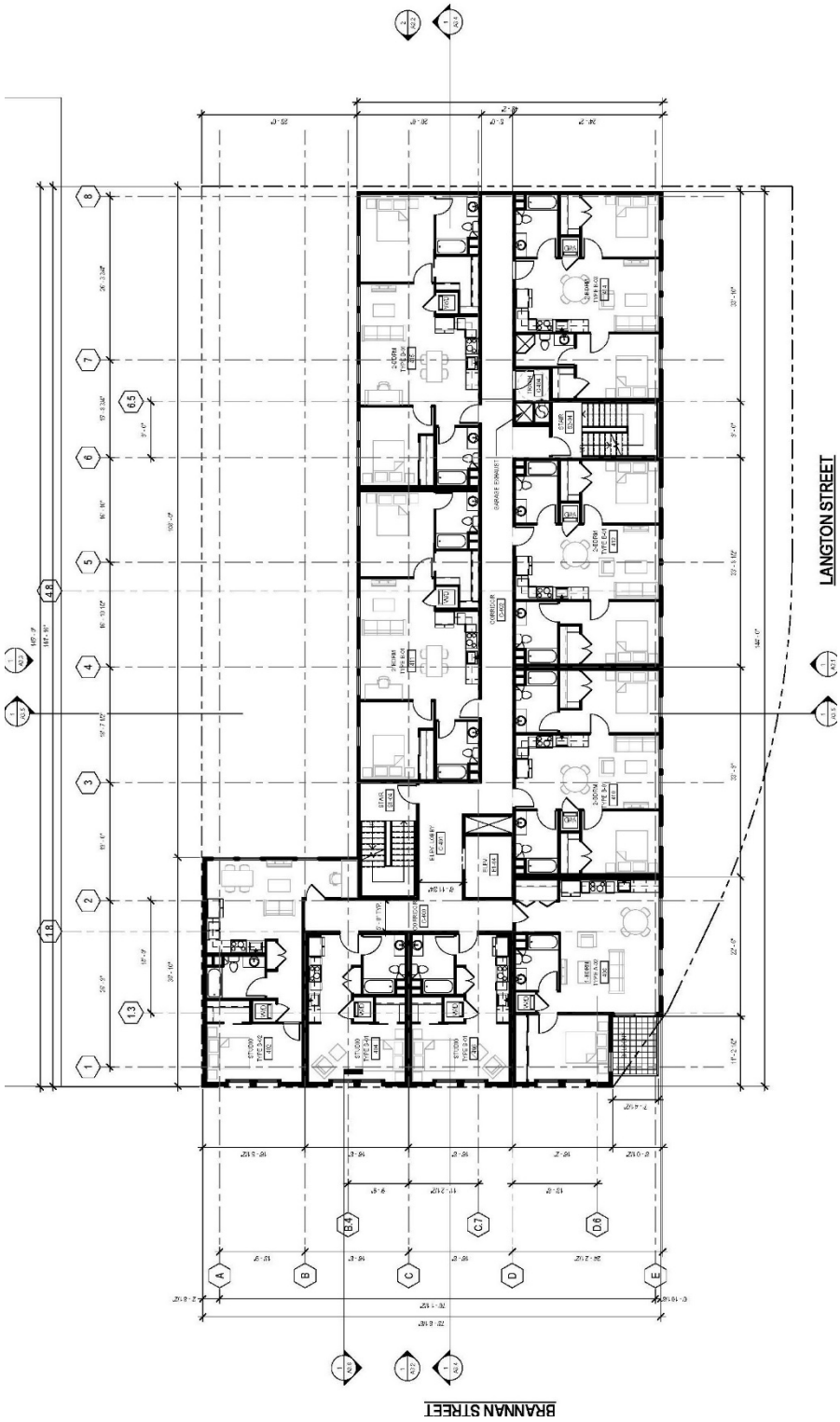


Figure 8. Proposed Roof Plan

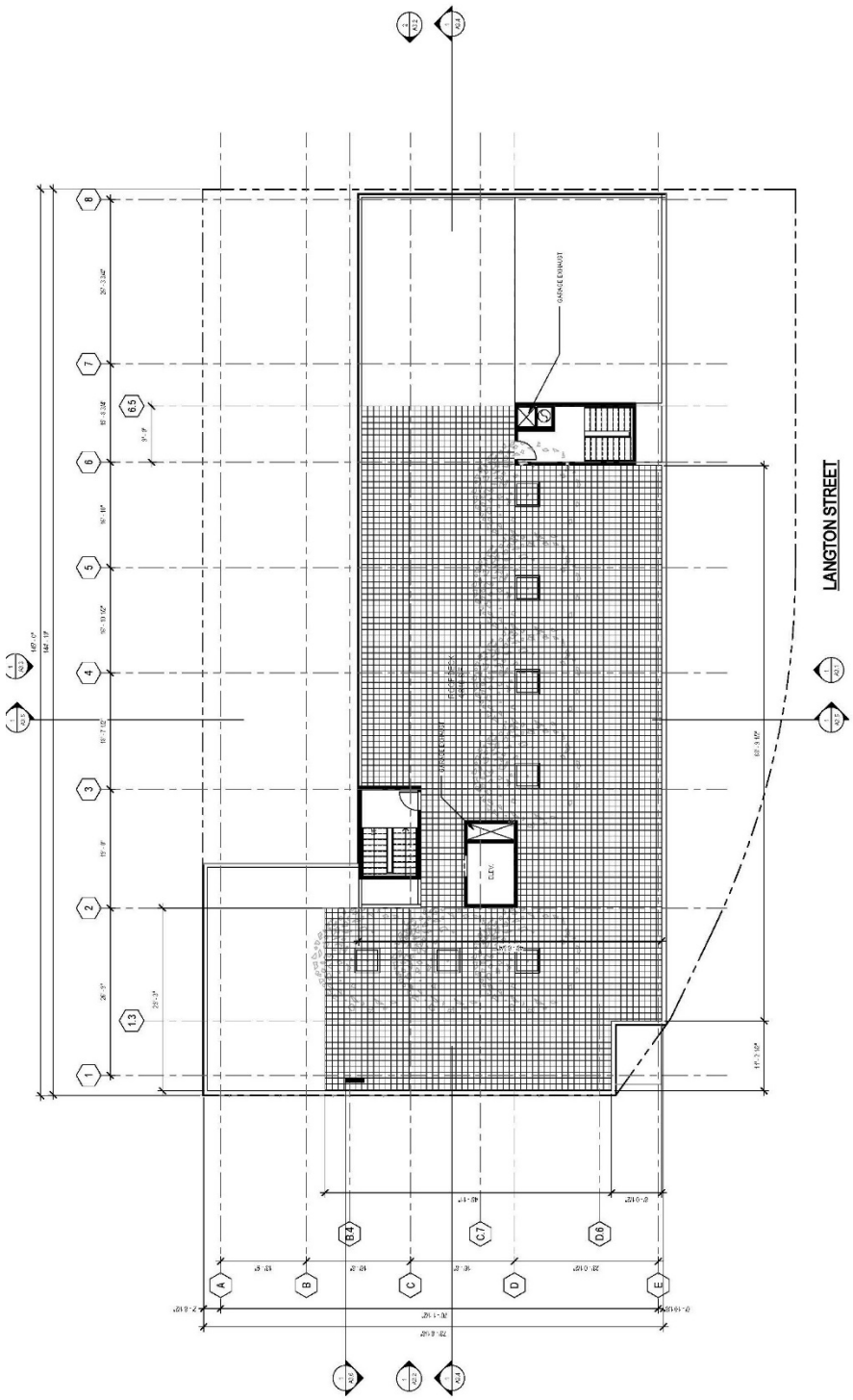


Figure 9. Proposed Southeast (Brannan Street) and Northwest Elevations

Figure 10. Proposed Eastern (Langton Street) Elevations

EXHIBIT D

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Land Use Information

PROJECT ADDRESS: 828 BRANNAN ST
RECORD NO.: 2015-015789PRJ

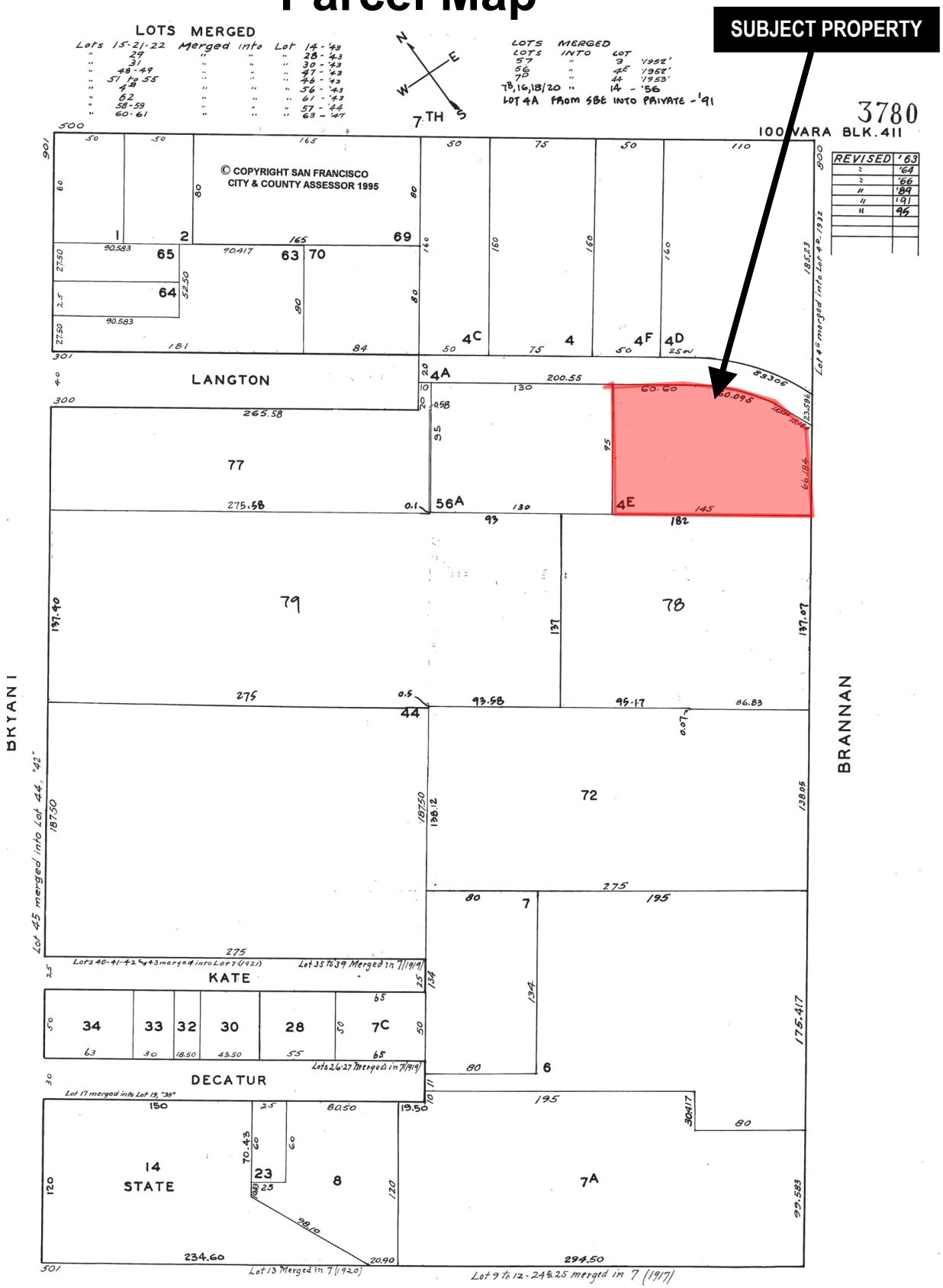
	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	7,651	7,651
Residential GSF	0	47,826	47,826
Retail/Commercial GSF	0	2,104	2,104
Office GSF			
Industrial/PDR GSF *Production, Distribution, & Repair*	12,605	0	-12,605
Medical GSF			
Visitor GSF			
CIE GSF			
Usable Open Space			
Public Open Space			
Other ( )			
TOTAL GSF			
	EXISTING	NET NEW	**TOTALS**
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable		9	9
Dwelling Units - Market Rate	0	41	41
Dwelling Units - Total	0	50	50
Hotel Rooms			
Number of Buildings	1	1	0
Number of Stories	2	7	5
Parking Spaces	0	22	22
Loading Spaces	1	0	-1
Bicycle Spaces	0	90	90
Car Share Spaces	0	1	1
Other ( )			

EXHIBIT X

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	<$ccsf existing studio$>	<$ccsf prop studio$>	<$ccsf net studio$>
One Bedroom Units	<$ccsf existing onebed$>	<$ccsf prop onebed$>	<$ccsf net onebed$>
Two Bedroom Units	<$ccsf existing twobed$>	<$ccsf prop twobed$>	<$ccsf net twobed$>
Three Bedroom (or +) Units	<$ccsf existing threebed$>	<$ccsf prop threebed$>	<$ccsf net threebed$>
Group Housing - Rooms	<$ccsf existing grouprooms$>	<$ccsf prop grouprooms$>	<$ccsf net grouprooms$>
Group Housing - Beds	<$ccsf existing groupbeds$>	<$ccsf prop groupbeds$>	<$ccsf net groupbeds$>
SRO Units	<$ccsf existing sro$>	<$ccsf prop sro$>	<$ccsf net sro$>
Micro Units	<$ccsf existing micro$>	<$ccsf prop micro$>	<$ccsf net micro$>
Accessory Dwelling Units	<$ccsf existing adu$>	<$ccsf prop adu$>	<$ccsf net adu$>

EXHIBIT E

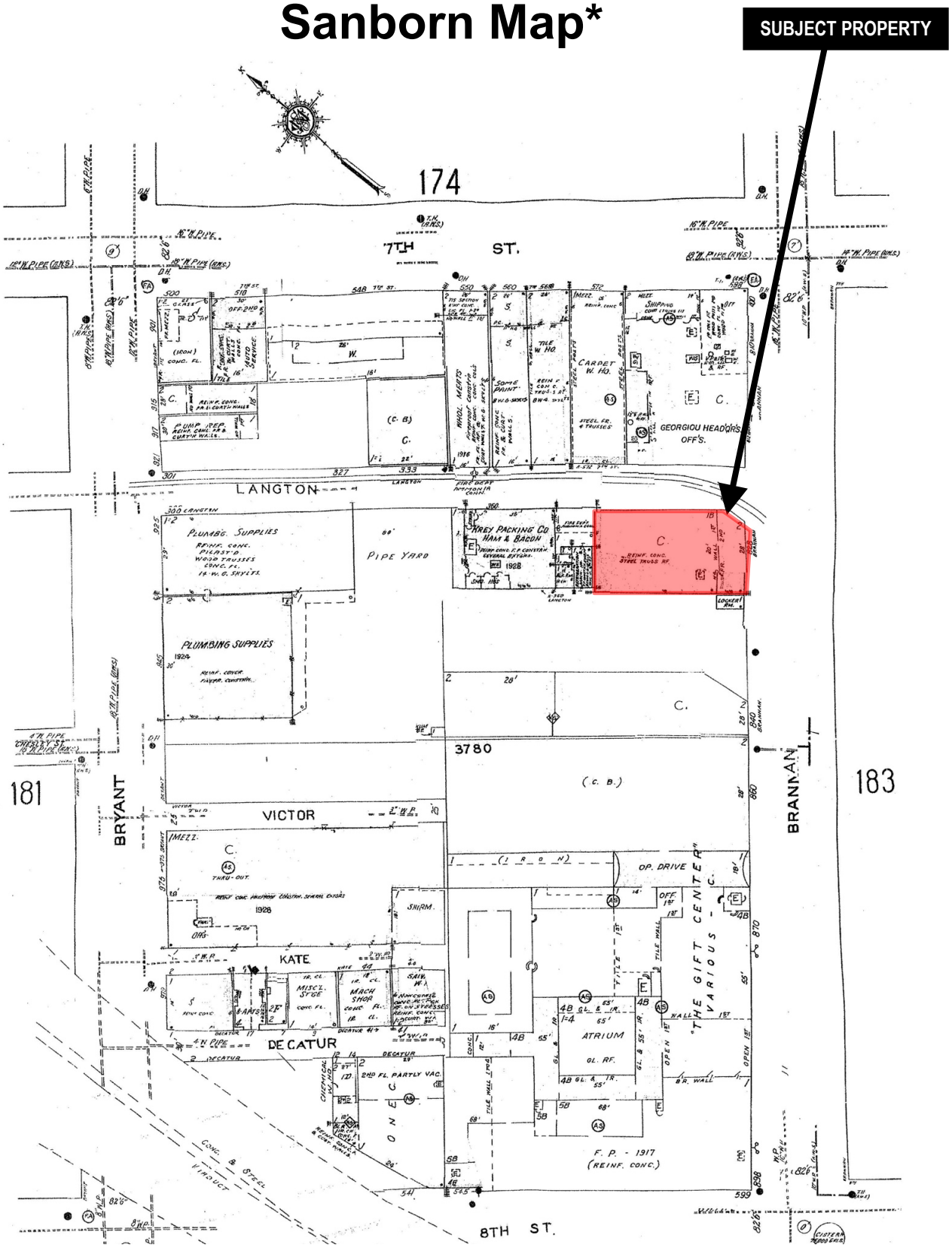
Parcel Map



Large Project Authorization
Case Number 2015-015789ENX
828 Brannan Street

SAN FRANCISCO
PLANNING DEPARTMENT

Sanborn Map*

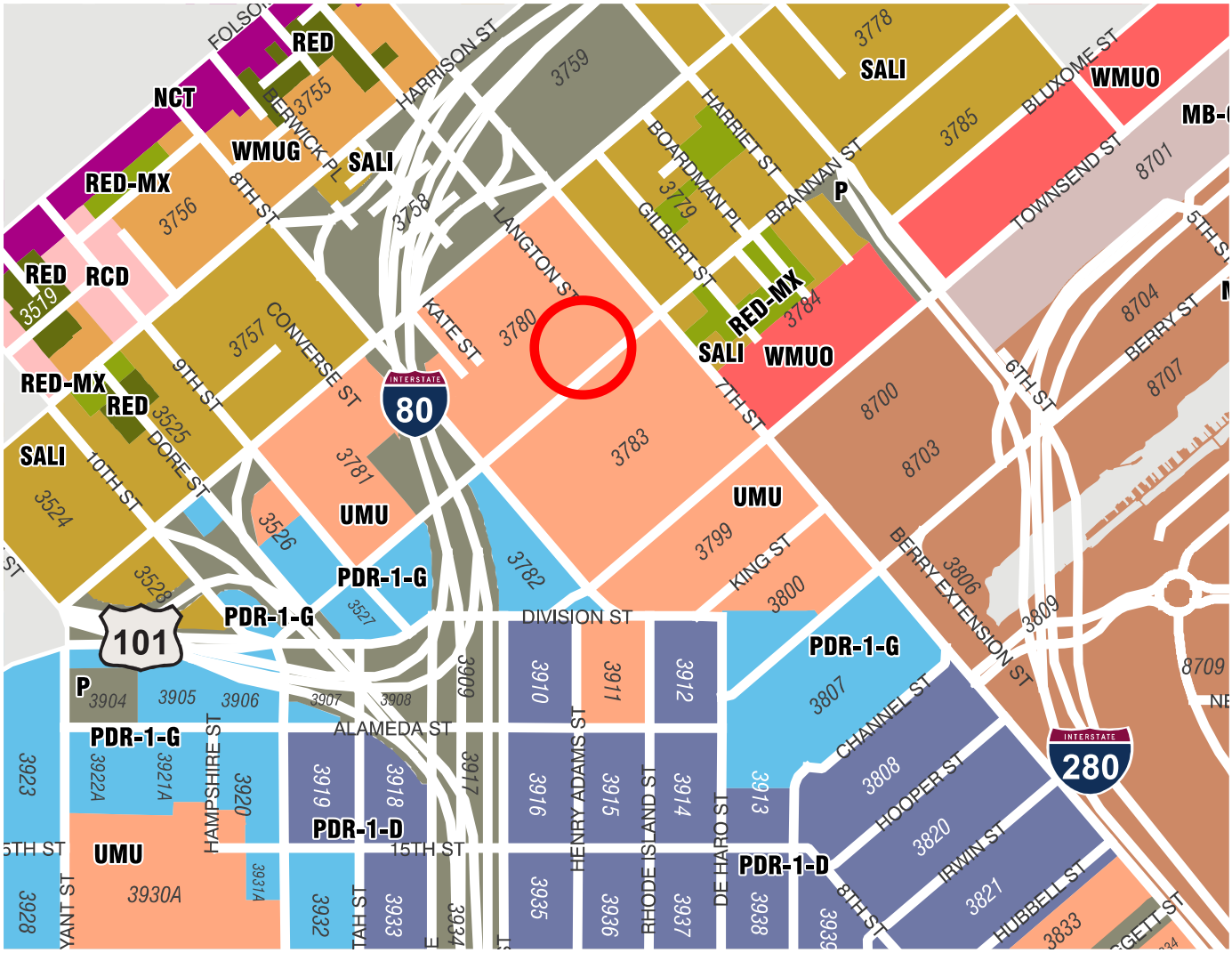


The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Large Project Authorization
Case Number 2015-015789ENX
828 Brannan Street

SAN FRANCISCO
PLANNING DEPARTMENT

Zoning Map



SAN FRANCISCO
PLANNING DEPARTMENT

Large Project Authorization
Case Number 2015-015789ENX
828 Brannan Street

Site Photo

Large Project Authorization
Case Number 2015-015789ENX
828 Brannan Street

SAN FRANCISCO
PLANNING DEPARTMENT

Context Photo

Large Project Authorization
Case Number 2015-015789ENX
828 Brannan Street

SAN FRANCISCO
PLANNING DEPARTMENT

EXHIBIT F

REUBEN, JUNIUS & ROSE, LLP

Melinda A. Sarjapur
msarjapur@reubenlaw.com

April 8, 2019

Delivered Via Hand Delivery & E-Mail (kimberly.durandet@sfgov.org)

Commission President Myrna Melgar
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 828 Brannan – Large Project Authorization
Planning Case No.: 2015-015789ENX
Hearing Date: April 25, 2019
Our File No.: 7107.07

Dear President Melgar and Commissioners:

Our office represents the S. Hekemian Group ("**Sponsor**"), the sponsor of a 50-unit residential building with ground-floor retail at 828 Brannan Street (the "**Project**"). The Project would construct a new building containing more than 25,000 gross square feet in the Urban Mixed Use zoning district, and therefore requires approval of a Large Project Authorization from the Planning Commission.

The Large Project Authorization should be approved due to the Project's attractive design and substantial benefits:

- Adding 50 new dwelling units to the City's housing stock;
- Providing a diverse mix of studio, one-bedroom, and two-bedroom units;
- Constructing approximately 9 new below-market-rate units on site;
- Creating approximately 2,100 GSF of new neighborhood-serving retail;
- Paying substantial development impact fees, which will be used to fund neighborhood and citywide improvements; and
- Re-activating the adjacent street frontages through installation of new healthy street trees and streetscape improvements.

We look forward to presenting this Project to the Commission on April 25, 2019.

1. Property Description

The Property is a 12,989 square foot lot, located at the northwest corner of Brannan and Langton Streets in the South of Market neighborhood. It currently contains a non-historic 2-story warehouse that has been vacant for years. An approximately 20-foot wide strip along the eastern edge of the Property is not developable – it comprises the western half of Langton Street, which is a private right-of way in this area. As a result, the developable area of the site is only 10,849 square feet.

The Property is zoned Urban Mixed Use ("**UMU**") and is within a 68-X height and bulk district. It is within the Eastern Neighborhoods Area Plans (Showplace Square/Potrero Hill), in an area transitioning from predominantly PDR to a more mixed-use residential character. This is reflected in the diverse character of adjacent development. To the immediate west is a three-story retail building, currently occupied by REI; to the east across Langton Street are two-to-three story office buildings; and to the north are a mix of office, PDR and multi-unit residential development ranging from one-to-five stories.

2. Project Description

The Project will replace a non-historic warehouse with a new seven-story, mixed-use residential building containing 50 dwelling units and approximately 2,100 gross square feet of ground floor retail. The units would be provided in a diverse mix of 10 studios; 15 one-bedroom units (5 in a loft design); and 25 two-bedroom units, creating a range of potential housing options. Fifty percent (50%) of the Project's dwelling units would contain two bedrooms.

The Project will reach a maximum height 68 feet, and will contain a below-grade garage with 22 parking spaces and 52 Class 1 bicycle parking spaces, accessed from Langton Street.

The Project would provide a 2,687 gross square foot courtyard at the ground floor. While there is no existing pattern of mid-block open space in this area, the Project's courtyard has been oriented toward the northwest to allow for connection to future mid-block open spaces that may evolve as the neighborhood transitions to a more mixed-use residential character. In addition, the Project would provide approximately 4,000 gross square feet of common usable open space in the form of a roof deck, and five private balconies on floors three to seven. The roof deck would be set back approximately 5 feet from the building edge along Brannan and Langton Street to minimize visual impact.

The Project will make significant streetscape improvements, including the removal of an existing curb cut along Brannan Street and planting up to four new healthy street trees which will help to create a more inviting atmosphere for residents and pedestrians.

3. Summary of Project Benefits

The Project would provide a range of public benefits to the community, including:

- **New Housing.** Adding *50 new units to the City's rental housing stock* in a diverse mix of lofts, studio, one-bedroom, and two-bedroom units that will provide housing for a range of family sizes and income levels.

- **On-Site Affordable Housing.** The Sponsor has elected to satisfy the City's Inclusionary Housing Program through providing approximately 9 new on-site below-market-rate units.

- **Neighborhood-Serving Retail.** Providing approximately *2,100 gross square feet of neighborhood-serving ground floor retail,* fronting on Brannan Street. This area would help to re-activate the adjacent street frontage, creating a more vibrant experience for residents and pedestrians.

- **Impact Fees and Community Improvements.** The Project will generate substantial development impact fees through payment of the City's Transportation Sustainability Fee; UMU Affordable Housing Fee; Eastern Neighborhoods Impact Fees; Child Care Fees; and School Impact Fee. This will directly benefit the public through financing or developing new infrastructure, affordable housing, and community facilities.

- **Advancing Eastern Neighborhoods Policy.** The Project would directly advance goals of the Eastern Neighborhoods Plans for Showplace Square/Potrero Hill by constructing an attractive new multi-unit residential development on an underutilized parcel in a transitioning industrial area.

- **Streetscape Improvements.** The Project would remove an existing curb cut along Brannan Street and create a more inviting streetscape for residents and pedestrians through replacement of the adjacent sidewalk, installation of up to four new healthy street trees and bicycle racks.

- **Job Creation.** The Project will create jobs during construction and increase the City's workforce. The attractive retail commercial space occupying the entire Brannan Street frontage of building will also create the potential for numerous new full and part-time positions, many of which are anticipated to be filled by local residents.

4. Exceptions Requested

In connection with the Large Project Authorization, the Project requests the following exceptions, which are minimal and justified under the criteria set forth by the Code:

- **Rear Yard.** Planning Code Section 134 requires a rear yard equivalent to 25% of the total lot depth, beginning at the lowest story. In lieu of a traditional setback, the Project will provide a 2,687 square foot landscaped courtyard. This is justified as there is no pattern of mid-block open space on this block, though the courtyard has been oriented to align with future mid-block open spaces. The courtyard will meet the intent of Section 134 by providing an attractive, usable open space that occupies approximately 25% of the developable lot area, and ensures ample light and air for residents.

- **Dwelling Unit Exposure.** Planning Code Section 140 requires that all dwelling units face onto an unobstructed open space that is at least 25 feet in every horizontal dimension at the building's first two floors, and then increases by 5 feet in every horizontal direction at each subsequent floor. The Project provides a first floor courtyard that is 25' deep by 108' wide. However, an exception is required from progressive 5-foot setbacks at the building's third floor and above. This is justified by the narrow width of developable area on the lot (approximately 60 feet), resulting from maintenance of an approximately 20-foot wide strip on the east side of the site as a portion of the private Langton Street. Setbacks above the third floor would result in an undesirable reduction in total unit count. Units facing the courtyard would have exposure onto a large, well-lit, and attractively-landscaped open area.

5. Community Outreach

The Sponsor has hosted two noticed neighborhood meetings to solicit neighbor feedback and ensure that the Project is designed in a manner that complements neighborhood character. As of the date of this letter, no opposition has been received.

6. Conclusion

The Project would construct an attractively-designed 50-unit building with ground floor retail on an underutilized corner parcel in a transitioning industrial area. It would provide a diverse mix of unit types including approximately 9 on-site below-market-rate units. The Project has been thoughtfully designed to respect the scale and character of neighborhood development, and would provide substantial net benefits. For these reasons, and those listed in the application, we urge you to approve the Large Project Authorization application.

Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Melinda A. Sarjapur

cc: Vice President Joel Koppel
Commissioner Rich Hillis
Commissioner Milicent Johnson
Commissioner Kathryn Moore
Commissioner Dennis Richards
Jonas P. Ionin, Commission Secretary
Peter Hekemian, S. Hekemian Group

EXHIBIT G

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

San Francisco Planning

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

Date: July 20, 2018

To: Applicants subject to Planning Code Section 415 and 419: *Inclusionary Affordable Housing Program*

From: San Francisco Planning Department

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

All projects that include 10 or more dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Planning Code Sections 415 and 419. Every project subject to the requirements of Planning Code Section 415 or 419 is required to pay the Affordable Housing Fee. A project may be eligible for an Alternative to the Affordable Housing Fee. All projects that can demonstrate that they are eligible for an Alternative to the Affordable Housing Fee must provide necessary documentation to the Planning Department and Mayor's Office of Housing and Community Development.

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

The inclusionary requirement for a project is determined by the date that the Environmental Evaluation Application (EEA) was deemed complete by the Department ("EEA accepted date"). There are different inclusionary requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached charts to determine the applicable requirement. Charts 1-3 include two sections. The first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

For projects with complete EEA's accepted on or after January 12, 2016, the Inclusionary Affordable Housing Program requires the provision of on-site and off-site affordable units at a mix of income levels. The number of units provided at each income level depends on the project tenure, EEA accepted date, and the applicable schedule of on-site rate increases. Income levels are defined as a percentage of the Area Median Income (AMI), for low-income, moderate-income, and middle-income units, as shown in Chart 5. Projects with a complete EEA accepted prior to January 12, 2016 must provide the all of the inclusionary units at the low income AMI. **Any project with a complete EEA accepted prior to January 12, 2016 must obtain a site or building permit by December 7, 2018, or will be subject to higher Inclusionary Housing rates and requirements. Rental projects with 25 units or more be subject to an 18% on-site rate and ownership projects with 25 units or more will be subject to a 20% on-site rate.**

Summary of requirements. Please determine what requirement is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) was submitted deemed complete by Planning Staff. Chart 1-A applies to all projects throughout San Francisco with EEA's accepted prior to January 12, 2016, whereas Chart 1-B specifically addresses UMU (Urban Mixed Use District) Zoning Districts. Charts 2-A and 2-B apply to rental projects and Charts 3-A and 3-B apply to ownership projects with a complete EEA accepted on or after January 12, 2016. Charts 4-A and 4-B apply to three geographic areas with higher inclusionary requirements: the North of Market Residential SUD, SOMA NCT, and Mission Area Plan.

The applicable requirement for projects that received a first discretionary approval prior to January 12, 2016 are those listed in the "EEA accepted before 1/1/13" column on Chart 1-A.

CHART 1-A: Inclusionary Requirements for all projects with Complete EEA accepted before 1/12/2016

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

* except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet, which are subject to he requirements of 25+ unit projects at or below 120 feet.

CHART 1-B: Requirements for all projects in UMU Districts with Complete EEA accepted before 1/12/2016

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

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

CHART 2-A: Inclusionary Requirements for Rental projects with Complete EEA accepted on or after 1/12/16

Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/12/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%

CHART 2-B: Requirements for Rental Projects in UMU Districts with Complete EEA accepted on or after 1/12/16

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/1/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.4%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	19.6%	19.6%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 3-A: Inclusionary Requirements for Owner projects with Complete EEA accepted on or after 1/12/16

Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/12/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%

CHART 3-B: Requirements for Owner Projects UMU Districts with Complete EEA accepted on or after 1/12/16

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/1/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.4%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 4-A: Inclusionary Requirements for Rental projects with Complete EEA accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/12/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/12/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
On-Site: Rental Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Low Income (55% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (80% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Middle Income (110% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%

CHART 4-B: Inclusionary Requirements for Owner projects with Complete EEA accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/12/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Complete EEA Accepted BEFORE: →	*1/1/18*	*1/1/19*	*1/1/20*	*1/1/21*	*1/1/22*	*1/1/23*	*1/12/24*	*1/1/25*	*1/1/26*	*1/1/27*	*1/1/28*
On-Site: Ownership Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Low Income (80% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (105% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (130% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

CHART 5: Income Levels for Projects with a complete EEA on or after January 12, 2016

Projects with complete EEA Application on or after January 12, 2016 are subject to the Inclusionary rates identified in Charts 2 and 3. For projects that propose on-site or off-site Inclusionary units, the Inclusionary Affordable Housing Program requires that inclusionary units be provided at three income tiers, which are split into three tiers. Annual increases to the inclusionary rate will be allocated to specific tiers, as shown below. Projects in the UMU Zoning District are not subject to the affordabliity levels below. Rental projects with 10-24 units shall provide all of the required Inclusionary units with an affordable rent at 55% Area Median Income (AMI), and ownership projecs with 10-24 units shall provide all of the required Inclusionary units at sales price set at 80% AMI.

Complete EEA Accepted BEFORE: →	***1/1/18***	***1/1/19***	***1/1/20***	***1/1/21***	***1/1/22***	***1/1/23***	***1/12/24***	***1/1/25***	***1/1/26***	***1/1/27***	***1/1/28***
On-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Low Income (55% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (80% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%
Middle Income (110% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%

Complete EEA Accepted BEFORE: →	***1/1/18***	***1/1/19***	***1/1/20***	***1/1/21***	***1/1/22***	***1/1/23***	***1/12/24***	***1/1/25***	***1/1/26***	***1/1/27***	***1/1/28***
On-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Low Income (80% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (105% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%
Middle Income (130% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%

Complete EEA Accepted BEFORE: →	***1/1/18***	***1/1/19***	***1/1/20***	***1/1/21***	***1/1/22***	***1/1/23***	***1/12/24***	***1/1/25***	***1/1/26***	***1/1/27***	***1/1/28***
Off-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Low Income (55% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (80% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (110% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

Complete EEA Accepted BEFORE: →	***1/1/18***	***1/1/19***	***1/1/20***	***1/1/21***	***1/1/22***	***1/1/23***	***1/12/24***	***1/1/25***	***1/1/26***	***1/1/27***	***1/1/28***
Off-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Low Income (80% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (105% AMI)	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
Middle Income (130% AMI)	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419

San Francisco Planning

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

11/20/18
Date

I, Peter Hekemian,
do hereby declare as follows:

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

828 Brannan Street
Address

3780/004E
Block / Lot

The subject property located within the following Zoning District:

Urban Mixed Use (UMU)
Zoning District

68-X
Height and Bulk District

N/A
Special Use District, if applicable

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

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

2015-015789
Planning Case Number

N/A
Building Permit Number

This project requires the following approval:

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

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

Kimberly Durandet/Justin Horner
Planner Name

A complete Environmental Evaluation Application was submitted on:

12/10/2015
Date

The project contains 50 total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:
- ☐ This project is 100% affordable.
- ☐ This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?
■ Yes Tier B ☐ No
(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?
☐ Yes _____ ■ No
(If yes, please indicate HOME-SF Tier)

Is this project a State Density Bonus Project?
☐ Yes ■ No

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

- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5)
- ■ On-site Affordable Housing Alternative (Planning Code Sections 415.6)
- ☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)
- ☐ Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)
- ☐ Land Dedication (Planning Code Section 419)

The applicable inclusionary rate is:

18%

On-site, off-site or fee rate as a percentage

D If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative.

- ☐ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ■ **Rental.** All affordable housing units will be rental units and will remain rental untis for the life of the project.

E The Project Sponsor acknowledges that any change which results in the reduction of the number of on-site affordable units following the project approval shall require public notice for a hearing and approval by the Planning Commission.

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

(1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;

(2) Record a new Notice of Special Restrictions; and

(3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

F The Project Sponsor acknowledges that in the event that one or more rental units in the principal project become ownership units, the Project Sponsor shall notifiy the Planning Department of the conversion, and shall either reimburse the City the proportional amount of the Inclusionary Affordable Housing Fee equivalent to the then-current requirement for ownership units, or provide additional on-site or off-site affordable units equivalent to the then-current requirements for ownership units.

G For projects with over 25 units and with EEA's accepted before January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to an 18% on-site rate and ownership projects will be subject to a 20% on-site rate.

H For projects with EEA's accepted on or after January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project within 30 months of the Project's approval, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor is issued a site or building permit.

I If a Project Sponsor elects to completely or partially satisfy their Inclusionary Housing requirement by paying the Affordable Housing Fee, the Sponsor must pay the fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:					
TOTAL UNITS: 50	SRO / Group Housing:	Studios: 10	One-Bedroom Units: 15	Two-Bedroom Units: 25	Three (or more) Bedroom Units: 0

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.3. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

■ **On-site Affordable Housing Alternative** (Planning Code Section 415.6): 18 % of the unit total.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS:	SRO / Group Housing: 0	Studios: 10	One-Bedroom Units: 15	Two-Bedroom Units: 25	Three (or more) Bedroom Units: 0

LOW-INCOME	Number of Affordable Units 9	% of Total Units 18%	AMI Level 55%
MODERATE-INCOME	Number of Affordable Units 0	% of Total Units 0	AMI Level 0
MIDDLE-INCOME	Number of Affordable Units 0	% of Total Units 0	AMI Level 0

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

Number of Affordable Units to be Located OFF-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

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

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
	Number of Affordable Units	% of Total Units	AMI Level
	Number of Affordable Units	% of Total Units	AMI Level

UNIT MIX TABLES: CONTINUED

N/A

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

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

1. On-Site ☐ % of affordable housing requirement.

If the project is a State Density Bonus Project, please enter "100%" for the on-site requirement field and complete the Density Bonus section below.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

2. Off-Site ☐ % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):		Off-Site Project Address:			
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

Income Levels for On-Site or Off-Site Units in Combination Projects:			
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

3. Fee ☐ % of affordable housing requirement.

Is this Project a State Density Bonus Project? ☐ Yes ■ No

If yes, please indicate the bonus percentage, up to 35% _____, and the number of bonus units and the bonus amount of residential gross floor area, if applicable _____

I acknowledge that Planning Code Section 415.4 requires that the Inclusionary Fee be charged on the bonus units or the bonus residential floor area.

Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

This project will replace the affordable units to be demolished, converted, or removed using the following method:

☐ On-site Affordable Housing Alternative

☐ Payment of the Affordable Housing Fee prior to the first construction document issuance

☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7)

☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5)

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

828 Brannan Partners, LLC (c/o The S. Hekemian Group)
Company Name

Peter Hekemian
Name (Print) of Contact Person

157 Throckmorton Ave, Ste 1
Address

Mill Valley, CA 94941
City, State, Zip

(415) 888-8662
Phone / Fax

ph@shg.us.com
Email

I am a duly authorized agent or owner of the subject property. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

Sign Here

Signature: [signature]

Name (Print), Title: Pete Hekemian, Member

Executed on this day in:

Location: Englewood New Jersey

Date: 11/20/18

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

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

Sign Here

Signature:

Name (Print), Title:

EXHIBIT H

SUPPLEMENTAL INFORMATION FOR

Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
828 Brannan Partners, LLC (c/o The S. Hekemian Group / Attn: Peter Hekemian)	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
157 Throckmorton Ave, Ste 1 Mill Valey, CA 94941	(415) 888-8662
	EMAIL:
	ph@shg.us.com

APPLICANT'S NAME:	
	Same as Above ☒
APPLICANT'S ADDRESS:	TELEPHONE:
	( )
	EMAIL:

CONTACT FOR PROJECT INFORMATION:	
	Same as Above ☒
ADDRESS:	TELEPHONE:
	( )
	EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	
	Same as Above ☒
ADDRESS:	TELEPHONE:
	( )
	EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:
828 Brannan Street		94103
CROSS STREETS:		
Langton Street & 8th Street		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3780 / 004E	Urban Mixed Use (UMU)	68-X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
☒ New Construction ☒ Demolition ☐ Alteration ☐ Other: _____	0	50	50

Compliance with the Anti-Discriminatory Housing Policy

1. **Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California?** ☒ YES ☐ NO

   1a. If yes, in which States? New Jersey

   1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest? ☐ YES ☒ NO

   1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property? ☐ YES ☒ NO

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

Human Rights Commission contact information
hrc.info@sfgov.org or (415)252-2500

Applicant's Affidavit

Under penalty of perjury the following declarations are made:
a: The undersigned is the owner or authorized agent of the owner of this property.
b: The information presented is true and correct to the best of my knowledge.
c: Other information or applications may be required.

Signature: _____ Date: 1/18/2019

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

Peter Hekemian
Owner / Authorized Agent (circle one)

PLANNING DEPARTMENT USE ONLY

PLANNING DEPARTMENT VERIFICATION:

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

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

Notification of Incomplete Information made:

To: _____ Date: _____

BUILDING PERMIT NUMBER(S):	DATE FILED:
RECORD NUMBER:	**DATE FILED:**

VERIFIED BY PLANNER:

Signature: _____ Date: _____

Printed Name: _____ Phone: _____

ROUTED TO HRC:	DATE:
☐ Emailed to: _____	

EXHIBIT I

SAN FRANCISCO PLANNING DEPARTMENT

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code Chapter 83

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

Section 1: Project Information

PROJECT ADDRESS	BLOCK/LOT(S)
828 Brannan Street	3780/004E

BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)
N/A	2018-015789	N/A

PROJECT SPONSOR	MAIN CONTACT	PHONE
828 Brannan Partners, LLC (c/o The S. Hekemian Group	Peter Hekemian	(415) 888-8662

ADDRESS
157 Throckmorton Ave, Ste 1

CITY, STATE, ZIP	EMAIL
Mill Valley, CA 94941	ph@shg.us.com

ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
50	2,104 sq. ft.	68'/7 floors	$11,250,000

ANTICIPATED START DATE

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.

NOTES:

- If you checked **C**, this project is NOT subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked **A or B**, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit *www.workforcedevelopmentsf.org*
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	15.40 / hr	1	2
Boilermaker	27.90 / hr	1	2
Bricklayer	27.97 / hr	1	2
Carpenter	29.13 / hr	1	2
Cement Mason	23.48 / hr	1	2
Drywaller/ Latherer	25.66 / hr	1	2
Electrician	30.97 / hr	1	2
Elevator Constructor	29.60 / hr		
Floor Coverer	27.00 / hr		
Glazier	29.00 / hr		
Heat & Frost Insulator	23.06 / hr		
Ironworker	34.58 / hr		
		TOTAL:	24

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Laborer	18.22 / hr	1	2
Operating Engineer	41.80 / hr	1	2
Painter	27.05 / hr	1	2
Pile Driver	38.57 / hr	1	2
Plasterer	19.77 / hr	1	2
Plumber and Pipefitter	28.23 / hr	1	2
Roofer/Water proofer	24.52 / hr		22
Sheet Metal Worker	39.00 / hr		
Sprinkler Fitter	32.48 / hr		
Taper	29.00 / hr		
Tile Layer/ Finisher	21.91 / hr		
Other:			
		TOTAL:	

	YES	NO
1. Will the anticipated employee compensation by trade be consistent with 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?	40	

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Pete Hekemian	PH@SHG.us.com	415 888 8662

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) 11/17/2020

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*