



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use/Large Project Authorization Shadow Analysis/Variance

HEARING DATE: 12/20/2018

*Record No.:* 2016-004905CUA/ENX/SHD/VAR  
*Project Address:* 1052-1060 Folsom St and 190-194 Russ St  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
RED (Residential Enclave) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lots:* 3731/021, 023 & 087  
*Applicant:* Paul Iantorno  
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*Staff Contact:* Doug Vu – (415) 575-9120  
[doug.vu@sfgov.org](mailto:doug.vu@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The Project includes the demolition of five existing buildings containing 10,349 sq. ft. of commercial use and 4,656 sq. ft. of residential use in four dwelling units on three lots, merger of the lots into one parcel, and the construction of a new seven-story, 64'-6" tall, 58,719 gross sq. ft. mixed-use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (consisting of 3 studio, 23 one-bedroom and 37 two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization pursuant to Planning Code Sections 121.1, 121.7, 303 and 317 for development on a lot greater than 10,000 sq. ft., for the merger of lots resulting in a street frontage greater than 50 feet in the RED Zoning District, and for the demolition of four existing dwelling units, respectively.

The Commission must also grant a Large Project Authorization (LPA) pursuant to Planning Code Section 329 for new construction over 25,000 sq. ft. in the RED Zoning District. Under the LPA, the Commission must grant modifications to the Planning Code requirements for rear yard (Planning Code Section 134) and dwelling unit exposure (Planning Code Section 140).

Finally, the Commission must also adopt a motion that finds the additional shadow cast by the Project on Victoria Manalo Draves Park would not be adverse to the use of the park, pursuant to Planning Code Section 295.

## **ISSUES AND OTHER CONSIDERATIONS**

- **Public Comment & Outreach.** The Department has received one letter of support from the tenants of the existing rental units acknowledging an agreement with the Sponsor to provide temporary housing, relocation funds and future replacement housing, and one letter of opposition from the South of Market Community Action Network expressing concern about shadow impacts on Victoria Manalo Draves Park. The mandatory pre-application neighborhood meeting was held on July 17, 2017, and the Sponsor has conducted additional community outreach including a public meeting on October 16, 2017 that was attended by South of Market Community Action Network (SOMCAN) and other interested community members at the West Bay Pilipino Center. The Sponsor has subsequently maintained communication with individuals of the interested community organizations to discuss community benefits. On November 21, 2018, the Sponsor responded in writing to specific questions from West Bay regarding shadow impacts and project affordability, and has gone door-to-door to speak with merchants and residents.
- **Existing Tenant & Eviction History.** There are four existing units that are tenant occupied and subject to the City's Rent Stabilization and Arbitration Ordinance, and there is no known evidence of any evictions on the subject properties. The Project will demolish and replace these existing units, and the Sponsor will enter into an agreement to provide these tenants with relocation assistance including temporary housing, relocation funds and the right to occupy the new replacement units that will be subject to the Rent Stabilization and Arbitration Ordinance.
- **Variance.** The Project includes 44 dwelling units that are located in the SoMa NCT Zoning District. The Project does not provide a Code-complying rear yard, and eight units that do not meet the dwelling unit exposure requirements. Therefore, the Project will require approval of a variance from the Zoning Administrator, who will consider this request immediately following the hearing for this Conditional Use Authorization.
- **Shadow Impact.** The Project would cast new shadow onto Victoria Manalo Draves Park and increase the shadow load by 0.38% above current levels, resulting in an increase in the total annual shading from 7.41% to 7.79% of Total Annual Available Sunlight (TAAS). The new shadow would fall on the northeastern quarter of the park at the park entry, basketball court, northern children's play area, lawn areas, and several fixed benches, and would be present between February and October in the late afternoon beginning between 5:15 and 6 p.m., with an average duration of 72 minutes.
- **Affordable Housing.** The Project's 63 total dwelling units include four replacement rent-controlled units, 17 net new units located in the RED Zoning District that require 17.6% of the units to be affordable (or 3 units), and 42 net new units located in the SoMa NCT Zoning District that require 25% of the units to be affordable (or 11 units). Excluding the four rent-controlled two-bedroom units, the 59 net new units contain a mix of 3 studio, 23 one-bedroom, and 33 two-bedroom units, and the mix of affordable units include 6 one-bedroom and 8 two-bedroom units.

The Project Sponsor has also agreed to provide one more affordable unit in addition to the required 14 units.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan, including the East SoMa Area Plan. It is an appropriate in-fill development that will replace existing rent-controlled units, add a significant amount of new dwelling units to the City's housing stock, and provide 15 additional units of permanently affordable housing. The Project's design is compatible with the pattern of development in the neighborhood, and additional shadow cast by the Project would not be adverse and is not expected to interfere with the use of Victoria Manalo Draves Park. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **ATTACHMENTS:**

Draft Motion – Large Project Authorization  
Draft Motion – Conditional Use Authorization  
Draft Motion – Shadow Findings under Planning Code Section 295  
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 – Public Correspondence  
Exhibit G – Project Sponsor Brief  
Exhibit H – Inclusionary Affordable Housing Affidavit  
Exhibit I – Anti-Discriminatory Housing Affidavit  
Exhibit J – First Source Hiring Affidavit



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: DECEMBER 20, 2018

*Case No.:* 2016-004905ENX  
*Project Address:* 1052-1060 Folsom Street & 190-194 Russ Street  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
RED (Residential Enclave) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lots:* 3731/021, 023 & 087  
*Project Sponsor:* Paul Iantorno  
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ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO THE REAR YARD REQUIREMENT UNDER PLANNING CODE SECTION 134 AND DWELLING UNIT EXPOSURE REQUIREMENT UNDER PLANNING CODE SECTION 140, FOR THE PROJECT INVOLVING THE DEMOLITION OF FIVE EXISTING BUILDINGS CONTAINING 10,349 SQUARE FEET OF COMMERCIAL USE AND 4,656 SQUARE FEET OF RESIDENTIAL USE, MERGER OF THREE LOTS, AND THE NEW CONSTRUCTION OF A SEVEN-STORY, 64-FEET AND 6-INCH TALL, APPROXIMATELY 58,719 SQUARE FEET MIXED USE BUILDING CONTAINING 2,832 SQUARE FEET OF GROUND FLOOR COMMERCIAL RETAIL USE AND 55,887 SQUARE FEET OF RESIDENTIAL USE FOR 63 DWELLING UNITS (CONSISTING OF THREE STUDIO, 23 ONE-BEDROOM, AND 37 TWO-BEDROOM UNITS), 6,991 SQUARE FEET OF PRIVATE AND COMMON OPEN SPACE, AND A 3,572 SQUARE FEET GROUND FLOOR GARAGE WITH ACCESS FROM A NEW DRIVEWAY ON RUSS STREET FOR 16 OFF-STREET AUTOMOBILE PARKING SPACES AND 63 CLASS 1 BICYCLE PARKING SPACES AT 1052-1060 FOLSOM STREET AND 190-194 RUSS STREET, LOTS 021, 023 AND 087 ON ASSESSOR'S BLOCK 3731, WITHIN THE SOMA NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) AND RED (RESIDENTIAL ENCLAVE) ZONING DISTRICTS, SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT, A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On August 8, 2017, Paul Iantorno of Golden Properties LLC (hereinafter "Project Sponsor"), filed Application No. 2016-004905ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to demolish five existing buildings that contain approximately 10,349 square feet (sq. ft.) of commercial use and 4,656 sq. ft. of residential use containing

four dwelling units, merge three lots into once parcel, and construct a new seven-story, 64-ft. 6-in. tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (including three studio, 23 one-bedroom and 37 two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a new 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces (hereinafter "Project") at 1052-1060 Folsom Street and 190-194 Russ Street, Block 3731 and Lots 021, 023 and 087 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2016-004905ENX at 1650 Mission Street, Suite 400, San Francisco, California.

On December 20, 2018, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2016-004905ENX.

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 December 11, 2018, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section

21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On December 20, 2018, the Commission adopted Motion No. XXXXX, approving a Conditional Use Authorization for the Proposed Project (Conditional Use Authorization Application No. 2016-004905CUA). Findings contained within said motion are incorporated herein by this reference thereto as if fully set forth in this Motion.

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. 2016-004905ENX, 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 the demolition of five existing buildings containing commercial uses and four dwelling units on three lots, merger of the three lots into one parcel, and the construction of a new seven-story, 64'-6" tall, and 58,719 gross sq. ft. mixed-use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (consisting of 3 studio, 23 one-bedroom and 37 two-bedroom), a combined 6,991 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto parking spaces and 63 Class 1 bicycle parking spaces.

3. **Site Description and Present Use.** The Project is located at the northwest corner of Folsom and Russ Streets on three lots, two parcels in the SoMa Neighborhood NCT (Neighborhood Commercial Transit) District, and one parcel in the RED (Residential Enclave) District. The Project Site has a lot area of 11,500 sq. ft. with 75 feet of frontage on Folsom Street and 140 feet on Russ Street. Lot 021 is rectangular shaped and developed with three structures including a 6,197 sq. ft., two-story, corner building containing two commercial storefronts at the ground floor (d.b.a. Deli Board and Fondue Cowboy), and 2 two-bedroom flats at the second floor, a 991 sq. ft. one-story commercial building facing Russ Street, and a 2,158 sq. ft., three-story Edwardian-period designed house at the rear of the lot containing two residential flats over a garage, also facing Russ Street. Lot 023 is located mid-block, rectangular shaped, and improved with a 3,840 sq. ft., two-story commercial building fronting Folsom Street. Lot 087 is T-shaped, faces Russ Street and is developed with a surface parking lot at the front and a 1,819 sq. ft. one-story commercial building at the rear.
  
4. **Surrounding Properties and Neighborhood.** Sixty percent (60%) of the Project Site is located in the SoMa NCT Zoning District, a corridor along 6th and Folsom Streets that connects to the Folsom Street NCT District and possesses a development pattern of ground floor commercial and upper story residential units. Active, neighborhood-serving and pedestrian-oriented ground floor uses are required, and the development controls in this NCT Zoning District are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. While offices and general commercial retail uses may locate on the second story or above in new buildings, most commercial uses are prohibited above the second story.

The remaining rear forty percent (40%) of the Project Site is located in the RED Zoning District, which encompasses many of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the South of Market area. The zoning controls for this district are tailored to encourage compatible and economically feasible in-fill housing, while providing adequate residential amenities to the site and neighborhood. Nonresidential uses are generally not permitted, and undeveloped or underdeveloped properties are viewed as opportunity sites for new, moderate-income, in-fill housing.

Adjacent to the Project Site is a restaurant to the west (d.b.a. Extreme Pizza), an institutional nonprofit use (d.b.a. Mission Hiring Hall) to the east across Russ Street, live-work units and a multi-family dwelling located to the north, and Victoria Manolo Draves Park to the south across Folsom Street.

5. **Public Outreach and Comment.** The Department has received one letter of support from the tenants of the existing rental units acknowledging an agreement with the Project Sponsor to provide temporary housing, relocation funds and future replacement housing, and one letter of opposition from the South of Market Community Action Network expressing concern about shadow impacts on Victoria Manolo Draves Park.

On July 17, 2017, the Project Sponsor conducted the mandatory pre-application neighborhood meeting. Subsequently, the Project Sponsor has conducted additional community outreach including a public meeting on October 16, 2017 that was attended by South of Market Community Action Network (SOMCAN) and other interested community members at the West

Bay Pilipino Center. The Sponsor has further maintained communication with individuals of the interested community organizations to discuss community benefits. On November 21, 2018, the Sponsor responded in writing to specific questions from West Bay regarding shadow impacts and project affordability and has gone door-to-door to speak with merchants and residents.

6. **Planning Code Compliance:** The Planning Code Compliance Findings set forth in Motion No. XXXXX, Case No. 2016-004905CUA (Conditional Use Authorization, pursuant to Planning Code Sections 121.1, 121.7, 303 and 317) apply to this Motion, and are incorporated herein as though fully set forth.

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

- A. **Permitted Use.** Per Planning Code Sections 753 (SoMa NCT Zoning District) and 813 (RED Zoning District), residential and ground floor retail uses are principally permitted.

*The Project proposes new construction of 63 dwelling units and approximately 2,832 square feet of ground floor commercial use.*

- B. **Development of Large Lots.** In order to promote, protect, and maintain a scale of development that is appropriate to each district and compatible with adjacent buildings, new construction or significant enlargement of existing buildings on lots equal to or greater than 10,000 sq. ft. in the SoMa NCT District shall be permitted only as Conditional Uses, pursuant to Planning Code Section 121.1.

*The Project has applied for Conditional Use Authorization to address the required findings for development of a large lot in the SoMa NCT Zoning District (See Case No. 2016-004905CUA).*

- C. **Lot Mergers.** In order to promote, protect, and maintain a fine-grain scale of development in residential districts and on important pedestrian-oriented commercial streets that is appropriate to each district, the merger of lots resulting in a single street frontage greater than 50 feet in the RED district shall require a conditional use pursuant to Planning Code Section 121.7.

*The Project has applied for Conditional Use Authorization to address the required findings for lot mergers in the RED Zoning District (See Case No. 2016-004905CUA).*

- D. **Floor Area Ratio.** Planning Code Section 124 permits a maximum floor area ratio of 2.5 to 1 for properties within the SoMa NCT Zoning District. The area of the Project Site located in the SoMa NCT Zoning District is 7,000 sq. ft., which permits a maximum non-residential development of 17,500 sq. ft.

*The Project proposes 2,832 sq. ft. of ground floor commercial retail space that is equal to a floor area ratio of 0.40 to 1, and complies with the maximum floor area ratio for the property under Planning Code Section 124.*



- E. **Rear Yard.** In the RED and SoMa NCT Zoning Districts, Planning Code Section 134(a)(1) requires a minimum rear yard equal to 25% of the total depth of the lot at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. The subject property has a depth of 140 feet and requires a minimum rear yard of 35 feet.

*The Project includes one ground floor dwelling unit located in the RED Zoning District, and does not provide a rear yard at this floor. Therefore, the Project is seeking an exception to the rear yard requirement as part of the Large Project Authorization (see below).*

*The Project includes two ground floor dwelling units located in the SoMa NCT Zoning District, and does not provide a rear yard at this floor. However, the Project would provide more than the required usable open space, and the Sponsor requests the approval of a variance by the Zoning Administrator under Case No. 2016-004905VAR.*

- F. **Open Space.** Planning Code Section 135 requires a minimum of 80 square feet of usable private open space, or 100 square feet of common open space per dwelling unit in the SoMa NCT Zoning District.

Planning Code Section 135 requires a minimum of 60 square feet of usable private open space, or 80 square feet of common open space per unit in the RED Zoning District.

Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet 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 square feet if located on open ground, a terrace or the surface of an inner or outer court pursuant to PC Section 145(F). Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum area of 300 sq. ft. Further, inner courts may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq. ft. in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

*The Project includes 44 dwelling units located in the SoMa NCT Zoning District, of which two units have private open space that measure at least 6 feet in every horizontal direction, and 42 units sharing common open space. The Project also includes 19 dwelling units located in the RED Zoning District, of which one unit contains private open space that meets the dimensional requirements, and 18 units sharing common open space. The minimum required open space for the Project as proposed is 220 sq. ft. of private, and 5,640 sq. ft. of common usable open space. The common open space for the 60 units is provided through a 2,420 sq. ft. interior courtyard at the second floor that measures at least 15-ft. 8-in. by 25-ft. in every horizontal direction to be determined usable, and a large 4,351 sq. ft. rooftop deck, which provides a total of 6,771 sq. ft. of common open space. The Project provides 1,131 sq. ft. more than the required area of common open space, and complies with Planning Code Section 135.*

- G. **Obstructions.** Planning Code Section 136(c)(2) outlines the requirements for features, which may project over a street, alley, setback or usable open space. Generally, projections over streets and alleys are limited to 3-ft deep with a maximum length of 15-ft for each bay window or balcony. This length shall be reduced in proportion to the distance from such line by means of a 45 degree angle drawn inward from the ends of the 15-ft dimension, thus reaching a maximum of 9-ft along a line parallel to and at a distance of 3-ft from the line establishing the required open area. Additionally, the minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies (except where a bay window and a balcony are located immediately adjacent to one another) shall be two feet at the line establishing the required open area, and shall be increased in proportion to the distance from such line by means of 135-degree angles drawn outward from the ends of such two-foot dimension, reaching a minimum of eight feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

*The Project proposes bay windows along Russ Street at the third through fifth floors, and balconies at the sixth floor that measure 9 feet or less in length at a distance of 3 feet beyond the property line, and with a horizontal separation of at least 10 feet. These bay windows and balconies comply with the dimensional requirements of Planning Code Section 136.*

- H. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, public alley at least 25-ft in width, side yard at least 25-ft in width, or rear yard, which meets the requirements of the Planning Code. Alternatively, an open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed [except for fire escapes not projecting more than necessary for safety and in no case more than 4'-6", chimneys, and those obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of this Code] and is no less than 25 feet in every horizontal dimension for the floor at which the Dwelling Unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor can satisfy the exposure requirement.

*In the SoMa NCT Zoning District, the Project arranges the 63 dwelling units in the building on both sides of an "L-shape" interior corridor so that each unit faces either Folsom Street, Russ Street, or an irregular shaped inner court at the northwest corner of the Project Site that is at least 15-ft. 8-in., and up to 80-ft. in each horizontal dimension. There are 4 dwelling units at the second floor that do not face an inner court at least 45-ft. in every horizontal direction, of which 2 are located in each of the RED and SoMa NCT Zoning Districts. There are 3 dwelling units at the third floor that do not face an inner court at least 40-ft. in every horizontal direction, of which 1 is located in the RED, and 2 are located in the SoMa NCT Zoning District. There are also (2 units at each of the fourth and fifth floors located in the SoMa NCT Zoning District that do not face an inner court at least 35-ft. and 30-ft. in every horizontal direction, respectively. Of these 11 units that do not meet the dwelling unit exposure requirement, the Sponsor requests the approval of a variance for the 8 units located in the SoMa NCT Zoning District by the Zoning Administrator under Case No. 2016-004905VAR, and an exception to the remaining 3 units located in the RED Zoning District as part of the Large Project Authorization under Case No. 2016-004905ENX.*

- I. **Street Frontage.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 14 feet (measured at grade); 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 proposes street grade parking that is set back at least 40-ft. on the ground floor with 12-ft. of frontage devoted to parking access on Russ Street, ground floor commercial active uses that are at least 26-ft. deep with a ceiling height of 20-ft. 2-in. including their respective mezzanines, and located directly adjacent to the sidewalk on Folsom and Russ Streets that contain transparent windows and doorways for over 85% of the street frontage to comply with all the requirements of Planning Code Section 145.1.*

- J. **Better Roofs.** Pursuant to Planning Code Section 149, state law requires that certain new residential and nonresidential buildings set aside a “solar ready” portion of the roof equal to 15% of the total roof area. The solar ready area must be unshaded and free of obstructions, to allow that portion of the roof to be used for future installation of solar energy or heating systems.

*The Project has a total roof area of approximately 6,850 sq. ft. that would require at least 1,028 sq. ft. to be designated as solar ready. The Project proposes to designate 15% as solar ready that is equal to 1,028 sq. ft. and complies with Planning Code Section 149.*

- K. **Off-Street Parking.** Planning Code Section 151.1 principally permits a residential accessory off-street parking ratio of three spaces per four units in the RED Zoning District, one space per two units in the SoMa NCT Zoning District, and a retail sales use ratio of one space per 1,500 sq. ft. of occupiable floor area in the SoMa NCT Zoning District.

*The Project proposes 19 dwelling units in the RED Zoning District, 44 units in the SoMa NCT Zoning District, and 2,822 sq. ft. of retail sales and service use in the SoMa NCT Zoning District, which principally permits up to 36 residential and 2 commercial parking spaces. The Project proposes 16 residential spaces to comply with Planning Code Section 151.1.*

- L. **Bicycle Parking.** Planning Code Section 155.2 requires one Class 1 bicycle parking space for each dwelling unit and every 7,500 sq. ft. of occupied floor area of sales and service use. A minimum of two Class 2 spaces are also required for every 2,500 sq. ft. of occupied floor area for sales and service use.

*The Project contains 63 dwelling units and 2,822 sq. ft. of sales and service use that requires at least 63 Class 1 and 2 Class 2 bicycle parking spaces. A designated room in the garage for 63 Class 1 bicycle parking spaces and sidewalk located racks for 10 Class 2 bicycle parking spaces are proposed to comply with Planning Code Section 155.2.*

- M. **Car Share Requirements.** Planning Code Section 166 requires one car-share parking space for a project that has between 20 and 200 dwelling units.

*The Project includes 63 dwelling units and is required to provide at least one car-share parking space. One space is proposed in addition to the 16 residential spaces, and therefore complies with Planning Code Section 166.*

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

*The Project proposes a total of 16 residential off-street parking spaces that will be unbundled and leased separately from the dwelling units. Therefore, the Project meets the requirement of Planning Code Section 167.*

- O. **Transportation Demand Management (TDM) Program.** 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 5 points.

*The Project Sponsor submitted a completed Environmental Evaluation Application prior to September 4, 2016 on May 10, 2016, and is therefore required to achieve 50% of the point target established in the TDM Program Standards for a target of 5 points. The Project will comply with the TDM Program by achieving 18 points through the following TDM Measures:*

- 1) *Unbundle Parking – Location D;*
- 2) *Parking – Option G;*
- 3) *Bicycle Parking – Option B;*
- 4) *Car Share – Option A; and*
- 5) *On-Site Affordable Housing – Options A & C.*

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

*The Project proposes 63 total dwelling units, including four replacement units and 59 net new units with a mix of three studio, 23 one-bedroom and 33 two-bedroom units. A total 56% of the net new units contain two bedrooms to comply with Planning Code Section 207.6.*

- Q. **Height Exemptions.** Planning Code Section 260(b) identifies features that are exempt from the height limits established by the applicable height and bulk district, in an amount up to but not exceeding that which is specified, including elevator penthouses limited to the top 16 feet and footprint of the elevator shaft, regardless of the height limit of the building.

*The Project proposes one 16-ft. tall elevator penthouse and one 8-ft. 6-in. tall stair penthouse, each measured from the top to comply with Planning Code Section 260(b).*

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

*Pursuant to the shadow analysis under Application No. 2016-004905SHD, the net new shadow cast by the Project on Victoria Manalo Draves Park will not be adverse to the use of the park.*

- S. **Transportation Sustainability Fee ("TSF").** Planning Code Section 411A applies to any change or replacement of use whereby 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.

*The Project includes the change of use for 7,517 sq. ft. from Non-Residential to Residential use and 43,714 sq. ft. of New Residential use that will be subject to the full TSF fee because the environmental review application was filed after July 22, 2015.*

- T. **Child Care Requirements.** Pursuant to Section 414A, the Residential Child Care Impact Fee applies to a project that includes at least one new dwelling unit and takes change of use into consideration.

*The Project includes the change of use for 7,517 gross sq. ft. of Non-Residential to Residential use and 43,714 sq. ft. of New Residential use that will be subject to the Residential Child Care Impact Fee.*

- U. **Affordable Housing.** 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 May 10, 2016; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 17.6% of the proposed dwelling units in the RED Zoning District, and 25% of the proposed dwelling units in the SoMa NCT Zoning District 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 6, 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 May 10, 2016; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 17.6% of the proposed dwelling units in the RED Zoning District, and 25% of the proposed dwelling units in the SoMa NCT Zoning District as affordable, with 17.6% of the units in the RED Zoning District affordable to low-income households, and within the SoMa NCT Zoning District a minimum of 15% of the units affordable to low-income households, 5% of the units affordable to moderate-income households, and the remaining 5% of the units affordable to middle-income households, as defined by the Planning Code and Procedures Manual. Fourteen (14) units (6 one-bedroom, and 8 two-bedroom) of the total 59 net new 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.*

- V. **SoMa Youth and Family Special Use District.** Planning Code Section 249.40A is intended to expand the provision of affordable housing, protect and enhance the health and environment of youth and families by adopting policies that focus on certain lower density areas of this District for the expansion of affordable housing opportunities. Within this District, properties that are not tangent to Howard, Harrison, Folsom, 4th, 5th, 6th and 7th Streets in excess of 45 feet in height shall be subject to the Tier C affordable housing requirements of Section 419.

*The Project proposes 17 net new dwelling units in the RED Zoning District on Lot 087 that is subject to the Tier C affordable housing requirements of Section 419, or 17.6%. The provisions of Planning Code Section 249.40A are met by the 3 affordable dwelling units proposed on Lot 087.*

- W. **Eastern Neighborhoods Impact Fee.** Planning Code Section 423 is applicable to any development project in the Eastern Neighborhoods Program Area which results in at least one net new residential unit or the new construction of a non-residential use.

*The Project includes the change of use for 7,517 gross sq. ft. of Non-Residential to Residential use and 43,714 sq. ft. of New Residential use that will be subject to Tier 2 of the Eastern Neighborhoods Impact Fee.*

7. **Large Project Authorization in Eastern Neighborhoods Mixed Use Districts.** 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 located at the corner of a block with 60% of the development located a neighborhood commercial zoning district and 40% located in a residential enclave, with both neighborhoods having a height limit of 65 feet. This proposed building's massing and scale are responsive to these site conditions by setting back the rearmost structural bay at the sixth and seventh floors to be compatible with the adjacent building scale in the residential enclave. The building is also set back between 5 and 15 feet at the topmost floor to reduce its bulk and possess a scale that is compatible with the block face in this neighborhood commercial district. The architectural design includes a distinct base, middle and top that also complements the neighboring buildings and incorporates the use of bays and varied facade planes to modulate the massing of the building.*

B. Architectural treatments, facade design and building materials:

*The urban context of the Project includes commercial and mixed-use buildings ranging in scale from small to large that are diverse in architectural style and exterior materials. The design of the proposed building is contemporary in its architectural expression with a distinct base, middle and top that complements the neighboring buildings with the use of bays and varied facade planes to modulate the massing of the building and provide visual interest. The exterior materials that reinforce this hierarchy include smooth stucco, porcelain tiles and extensive glazing at the base, fiber cement, smooth steel and phenolic resin panels with horizontal stucco bands and contrasting smooth stucco at the bays at the building's shaft, and corrugated steel panels at the top. Throughout the building, the window sashes will be composed of aluminum to be compatible with the aluminum storefront systems.*

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's ground floor commercial frontage on Folsom Street is set back 3 feet to accommodate planters and widen the sidewalk in front of the building, and the 3 ground floor dwelling units on Russ Street contain elevated entries with porches that have an area of more than 40 sq. ft. each. The building's residential lobby is 10-ft. 2-in. wide and is located between the corner commercial storefront and ground floor dwelling units, and the 10-ft. wide garage door to the ground floor parking garage is located at the rear of the building that will be accessed through a new 10-ft. curbcut. In lieu of a standard rear yard, the development's corner location includes a better suited an inner court at the northwest corner of the Project Site.*

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 includes 220 sq. ft. of private open space for 3 dwelling units, and 6,771 sq. ft. of common open space for the remaining 60 units through the 2,420 sq. ft. inner court at the second floor and a 4,351 sq. ft. rooftop deck. This amount of Code compliant residential open space exceeds what is required by more than 1,130 sq. ft., and publicly accessible open space is not required.*

- 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 subject to the mid-block alley requirements of Planning Code Section 270.2 because the Russ Street frontage is 140 feet.*

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

*The Project includes the planting of 11 new street trees, landscaping/planting beds along the public right-of-way on both streets, and parking racks on the sidewalk for at least 10 bicycles.*

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

*The Project includes repavement and widening of the sidewalk in front of the building's commercial storefronts, and after the removal of 2 existing curbcuts, the addition of one new 10-ft. curbcut that will provide sole access to the ground floor garage at the rear of the building.*

- H. Bulk limits;

*The Project is located in a district that does not have bulk limits, and is therefore not subject to this requirement.*

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

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

8. **Large Project Authorization Exceptions.** Planning Code Section 329 allows the Planning Commission to grant exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts for certain Planning Code requirements, as follows:

- A. Exception to rear yard, 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 Section 329.

(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 includes 63 dwelling units and provides a combination of usable private and common open space through 220 sq. ft. of private decks, a 2,420 sq. ft. inner court at the second floor, and a 4,351 sq.*



*ft. rooftop deck. This total amount of 6,991 sq. ft. is equal to 61% of the Project's area, which exceeds the 2,875 sq. ft., or 25% amount that is required for a Code-conforming rear yard.*

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

*The Project includes the merger of three lots to create an L-shaped corner parcel that fronts Folsom and Russ Streets. Of the three adjacent buildings, two are commercial use structures that do not have rear yards, and one building fronts Moss Street and contains 14 dwelling units with a rear yard. The Project includes an inner court at the second floor with a depth that is between 31-ft. 3-in. and 40-ft. 8-in., and is adjacent to the residential rear yard on Moss Street to preserve its access to light and air and prevent any significant impediments to the adjacent dwelling units. Therefore, the Commission supports this modification of Planning Code Section 134.*

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

*The Project is not seeking a modification to the open space requirements, but is seeking an exception to the exposure requirements for 3 of the 19 dwelling units located in the RED Zoning District. Given the quality of the overall design and the livability of these units, the Commission supports the modification to the dwelling unit exposure requirements, as outlined in Planning Code Section 140 (See Below).*

- B. Where not specified elsewhere in this Subsection (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).*

*The Project arranges the 63 dwelling units in the building on both sides of an "L-shape" interior corridor so that each unit faces either Folsom Street, Russ Street, or an irregular shaped inner court at the northwest corner of the Project Site that is at least 15-ft. 8-in., and up to 80-ft. in each horizontal dimension. There are 4 dwelling units at the second floor that do not face an inner court at least 45-ft. in every horizontal direction, of which 2 are located in each of the RED and SoMa NCT Zoning Districts. The two units in the RED Zoning District face the court with a horizontal dimension of 40-ft. 8-in. or 35-ft. 7-in. perpendicular to the windows in each respective units that units. There are 3 dwelling units at the third floor that do not face an inner court at least 40-ft. in every horizontal direction, of which 1 is located in the RED, and 2 are located in the SoMa NCT Zoning District. The single unit in the RED Zoning District faces the court with a horizontal dimension of 35-ft. 7-in. perpendicular to the window of that unit. The deficit for these three units that range between 4-ft. 5-in. and 11-ft. 5-in. will not reduce their livability, and would allow the Project additional density. Therefore, the Commission supports this modification of Planning Code Section 140.*

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

## **COMMERCE & INDUSTRY ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### **Policy 1.1:**

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

#### **Policy 1.2:**

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

#### **Policy 1.3:**

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

#### **OBJECTIVE 2:**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

#### **Policy 2.1:**

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

#### **OBJECTIVE 6:**

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

#### **Policy 6.2:**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

## **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.

**Policy 1.2**

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas such as Treasure Island, Candlestick Park and Hunter's Point Shipyard.

**Policy 1.10**

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

**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 neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

**OBJECTIVE 5**

ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS

**Policy 5.4**

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

**OBJECTIVE 11**

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

**Policy 11.1**

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

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3**

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

**Policy 11.4**

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

**Policy 11.6**

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

**Policy 11.8**

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

**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.

**Policy 12.3**

Ensure new housing is sustainably supported by the City's public infrastructure systems.

**OBJECTIVE 13**

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

**Policy 13.1**

Support "smart" regional growth that locates new housing close to jobs and transit.

**Policy 13.2**

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

**RECREATION AND OPEN SPACE ELEMENT**

**Objectives and Policies**

**OBJECTIVE 4:**

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

**Policy 4.5:**

Require private usable outdoor open space in new residential development.

**Policy 4.6:**

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

## **TRANSPORTATION ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1**

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

#### **Policy 1.6**

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

#### **OBJECTIVE 11**

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

#### **Policy 11.1**

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

#### **OBJECTIVE 24:**

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

#### **Policy 24.2:**

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

#### **Policy 24.3:**

Install pedestrian-serving street furniture where appropriate.

#### **Policy 24.4:**

Preserve pedestrian-oriented building frontages.

**OBJECTIVE 28:**

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

**Policy 28.1:**

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

**Policy 28.3:**

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

**OBJECTIVE 34:**

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

**Policy 34.1:**

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

**Policy 34.3:**

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

**Policy 34.5:**

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

**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.

**OBJECTIVE 3:**

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

**Policy 3.1:**

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

**Policy 3.3:**

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

**Policy 3.4:**

Promote building forms that will respect and improve the integrity of open spaces and other public areas.

**OBJECTIVE 4:**

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

**Policy 4.5:**

Design walkways and parking facilities to minimize danger to pedestrians.

**Policy 4.13:**

Improve pedestrian areas by providing human scale and interest.

## **EAST SOMA AREA PLAN**

### **Objectives and Policies**

#### Land Use

**OBJECTIVE 1.1:**

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

**Policy 1.1.8**

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

**OBJECTIVE 1.2:**

MAXIMIZE HOUSING POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

**Policy 1.2.1**

Encourage development of new housing throughout East SoMa.

**Policy 1.2.2**

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

**Policy 1.2.3**

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

**Policy 1.2.4**

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

**Housing**

**OBJECTIVE 2.3**

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

**Policy 2.3.2**

Prioritize the development of affordable family housing, both rental and ownership, particularly along transit corridors and adjacent to community amenities.

**Policy 2.3.3**

Require that 40 percent of all units in new developments have two or more bedrooms and encourage that at least 10 percent of all units in new development have three or more bedrooms, except Senior Housing and SRO developments.

**Policy 2.3.5**

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

**Policy 2.3.6**

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

**Built Form**

**OBJECTIVE 3.1**

PROMOTE AN URBAN FORM THAT REINFORCES THE EAST SOMA'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

**Policy 3.1.1**

Adopt heights that are appropriate for SoMa's location in the city, the prevailing street and block pattern, and the anticipated land uses, while preserving the character of its neighborhood enclaves.

**Policy 3.1.8**



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

**Policy 3.1.11**

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

**OBJECTIVE 3.2**

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

**Policy 3.2.1**

Require high quality design of street-facing building exteriors.

**Policy 3.2.4**

Strengthen the relationship between a building and its fronting sidewalk.

*The Project will provide a development that is highly desirable for the neighborhood because it will fulfill multiple General Plan goals by redeveloping an underutilized site with critically needed infill housing and ground floor retail uses in an intensely-developed urban context served by ample public transit and retail services. The proposed development complies with the Urban Design Guidelines, and the building's distinct architectural style with its varying façade planes, exterior materials, upper floor setbacks and street level landscaping will provide an attractive setting to the pedestrian experience.*

*The design of the building is contemporary in its architectural expression with a distinct base, middle and top that complements the neighboring buildings with the use of bays and varied facade planes to modulate the massing of the building and provide visual interest. To reflect the scale of older industrial buildings in the area and to differentiate the commercial nature of Folsom Street from the more residential character of Russ Street, the height of the base along Folsom Street is designed with transparent storefronts with generous floor to ceiling height and provides a transition to the recessed landscaped entrances to the ground floor residential lobby and residential uses on Russ Street. The Russ Street façade is divided into 25- to 30-ft. segments with varying exterior cladding to reflect the width of the existing buildings on Russ Street, and to reduce the horizontality of the building. A portion of the sixth floor is set back from Russ Street and the entire seventh floor is set back from both Folsom and Russ Streets to reduce the visual height and to minimize the shadow on Victoria Manalo Draves Park. The proposed ground floor retail uses will maintain the frontage of commercial uses along the Folsom and 6<sup>th</sup> Street corridors, and new street trees, landscaping and site furniture along the entire perimeter of the Project will improve the visual character and activate the streetscape and pedestrian environment.*

*The existing development in the vicinity varies in size and intensity, and the Project is compatible with the diverse character of the area. The merger of three adjacent lots to allow the development of a 64-ft. 6-in. tall mixed-use building will maximize the number of residential units and provide a dwelling unit mix that supports family-sized housing. The ground floor is divided into three storefronts to be consistent with the existing scale of ground floor commercial uses in the neighborhood. The building's inner court at the*

*northwest corner of the Project Site is intended to minimize light and privacy impacts to the adjacent residential properties.*

*The Project is highly accessible by public transit, with access to eleven MUNI bus lines and sixteen bus stops within a one-quarter mile radius, and the Civic Center MUNI and BART stations located less than one-half mile. Sixteen proposed off-street residential parking spaces accessed through one 12-ft. driveway on Russ Street, and at a ratio of one space for every four units that will be leased separately from the apartments to minimize the impact on existing traffic patterns and the type and volume of traffic in the vicinity of the Project. One dedicated car-share space and 63 Class 1 bicycle parking spaces to promote an alternative transportation mode are also included. The Project's proposed size, height and intensity are comparable to, and compatible with the surrounding neighborhood and community, and are designed to implement the goals and policies of the East SoMa Area Plan.*

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project would replace five existing commercial and residential buildings with one new mixed-use building that would contain 2,832 sq. ft. of commercial space divided into three units that would provide opportunities for neighborhood-serving retail uses and residential employment. The Project would also add new residents to the neighborhood that may patronize these and other businesses, resulting in a net benefit for the East SoMa Neighborhood.*

- 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's proposed size, height and intensity are comparable to, and compatible with the surrounding neighborhood, and are designed to comply with the East SoMa Area Plan. The new development will be compatible with regard to materials, massing, volume, glazing patterns, and roofline with the buildings in the neighborhood to conserve the neighborhood character, and include a varied dwelling unit mix and on-site affordable units to preserve neighborhood cultural and economic diversity.*

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

*The Project will not displace any existing affordable housing. None of the existing four units are designated as part of the City's affordable housing program. The Project will replace four rent-controlled units and will comply with the City's Inclusionary Housing Program by providing 15 units of permanently affordable housing that includes one voluntary BMR unit.*

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

*The Project is adjacent to a major arterial in a transit-oriented area that is served by eleven MUNI bus lines and contains sixteen MUNI stops within a one-quarter mile radius. Sixteen off-street residential parking spaces accessed through one 12-ft. driveway on Russ Street, at a ratio of one space for every four units will minimize the impact on existing traffic patterns and the type and volume of traffic in the vicinity of the Project. Also included are one dedicated car-share space and 63 Class 1 bicycle parking spaces to promote alternative transportation modes. These project elements were included to not impede MUNI transit service and overburden our streets or neighborhood parking.*

- 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 any commercial office development, and will not displace any existing industrial and service sector businesses.*

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

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

- G. That landmarks and historic buildings be preserved.

*There are no landmarks on the site, but the Project has been sensitively designed with building massing, scale, and contemporary architectural expression to be compatible with the surrounding context.*

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

*The net new shadow cast by the Project on Victoria Manalo Draves Park will not be adverse to the use of the park, pursuant to the shadow analysis under Application No. 2016-004905SHD.*

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

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

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

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2016-004905ENX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 10, 2018, 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 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. Any appeal shall be made to the Board of Appeals, unless an associated entitlement is appealed to the Board of Supervisors, in which case the appeal of this Motion shall also be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103, or the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, 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 December 20, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:

**Draft Motion  
December 20, 2018**

**CASE NO. 2016-004905ENX  
1052-1060 Folsom Street & 190-194 Russ Street**

NAYS:

ABSENT:

## EXHIBIT A

### AUTHORIZATION

This authorization is for a Large Project Authorization to demolish five existing buildings, merge three the lots into once parcel, and construct a new seven-story, 64-ft. 6-in. tall, and 58,719 gross sq. ft. mixed-use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (including three studio, 23 one-bedroom and 37 two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a new 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces, pursuant to Planning Code Section 329, located at Lots 021, 023 & 087 in Parcel 3731, within the RED and SoMa NCT Zoning Districts, SoMa Youth and Family SUD, and a 65-X Height and Bulk District, in general conformance with plans, dated December 10, 2018, and stamped "EXHIBIT B" included in the docket for Case No. 2016-004905ENX, and subject to conditions of approval reviewed and approved by the Commission on December 20, 2018 under Motion No. XXXXX. 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 December 20, 2018 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 Large Project authorization and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

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

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

### PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.



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

7. **Additional Project Authorization.** The Project Sponsor must also obtain a Conditional Use Authorization under Planning Code Sections 121.1, 121.7, 303 and 317 to allow the demolition of five existing buildings containing commercial uses and four dwelling units on three lots, merger of the lots into one parcel, and the construction of a new seven-story, 64'-6" tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling (three studio, 23 one-bedroom and 37 two-bedroom) units, a combined 8,923 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 accessory off-street auto and 63 Class 1 bicycle parking spaces. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

## DESIGN – COMPLIANCE AT PLAN STAGE

8. **Final Materials.** Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

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

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning

Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

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

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

## PARKING AND TRAFFIC

12. **Parking Requirement.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than sixteen (16) off-street accessory residential parking spaces, not including the one required car share parking space.

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

13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 63 Class 1 and ten (10) Class 2 bicycle parking spaces.

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

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

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

## PROVISIONS

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

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

16. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee, 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](http://www.sf-planning.org)*

17. **Residential Childcare Impact Fee.** Pursuant to Planning Code Section 414A, the Project Sponsor shall comply with the Residential Childcare Impact Fee provisions through payment of an Impact Fee pursuant to Article 4.

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

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

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

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

## MONITORING - AFTER ENTITLEMENT

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

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

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

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

## OPERATION

22. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*
23. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*
24. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## INCLUSIONARY AFFORDABLE HOUSING PROGRAM

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

25. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 17.6% of the proposed dwelling units in the RED Zoning District as affordable to qualifying households, and 25% of the proposed dwelling units in the SoMa NCT Zoning District as affordable to qualifying households. The Project contains 17 net new units in the RED Zoning District and 42 units in the SoMa NCT Zoning District; therefore, three (3) affordable units in the RED Zoning District and eleven (11) units in the SoMa NCT Zoning District are currently required. The Project Sponsor will fulfill this requirement by providing the 14 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD"). *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

26. **Voluntary Affordable Unit.** The Project Sponsor elected to provide a total of 25% of the proposed dwelling units in the RED Zoning District as Inclusionary Units by adding one additional affordable unit beyond what is required by Section 415. The additional unit is subject to the requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual").
27. **Unit Mix.** The Project contains three (3) studios, 23 one-bedroom, and 33 two-bedroom units; therefore, the required affordable unit mix is 6 one-bedroom and 8 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.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
28. **Mixed Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 17.6% of the proposed dwelling units in the RED Zoning District and 25% of the proposed dwelling units in the SoMa NCT Zoning District as affordable to qualifying households. At least 17.6% of the proposed dwelling units in the RED Zoning District and 15% of the proposed dwelling units in the SoMa NCT Zoning District must be affordable to low-income households, at least 5% of the proposed dwelling units in the SoMa NCT Zoning District must be affordable to moderate income households, and at least 5% of the proposed dwelling units in the SoMa NCT Zoning District 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").  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
29. **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.

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

30. **Replacement of Existing Affordable Units.** The principal project has resulted in demolition of four (4) affordable housing units that are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low- or very-low-income, or housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power and determined to be affordable housing. Pursuant to Planning Code Section 415.6(a)(9), the project sponsor shall replace the 4 units that were removed with units of a comparable number of bedrooms and rents.

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

31. **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.

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

32. **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.

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

33. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty-five percent (25%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

35. **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.

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

36. **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.

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

37. **Other Conditions.** The Project is Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The 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.

- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, with a minimum of 17.6% of the units in the RED Zoning District and 15% of the units in the SoMa NCT Zoning District affordable to low-income households, 5% of the units in the SoMa NCT Zoning District to moderate-income households, and the remaining 5% of the units of the units in the SoMa NCT Zoning District 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.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. 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.





# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: DECEMBER 20, 2018

*Case No.:* 2016-004905CUA  
*Project Address:* 1052-1060 Folsom Street & 190-194 Russ Street  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
RED (Residential Enclave) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lots:* 3731/021, 023 & 087  
*Project Sponsor:* Paul Iantorno  
Golden Properties LLC  
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*Staff Contact:* Doug Vu – (415) 575-9120  
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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121.1, 121.7, 303 AND 317 FOR THE DEVELOPMENT OF A LOT GREATER THAN 10,000 SQUARE FEET IN THE SOMA NCT ZONING DISTRICT, MERGER OF LOTS THAT RESULT IN A STREET FRONTAGE GREATER THAN 50 FEET IN THE RED DISTRICT, AND THE DEMOLITION OF FOUR EXISTING DWELLING UNITS FOR THE PROJECT INVOLVING THE DEMOLITION OF FIVE EXISTING BUILDINGS, MERGER OF THREE LOTS, AND THE NEW CONSTRUCTION OF A SEVEN-STORY, 64-FEET AND 6-INCH TALL, APPROXIMATELY 58,719 SQUARE FEET MIXED-USE BUILDING CONTAINING 2,832 SQUARE FEET OF GROUND FLOOR COMMERCIAL RETAIL USE AND 55,887 SQUARE FEET OF RESIDENTIAL USE FOR 63 DWELLING UNITS (CONSISTING OF THREE STUDIO, 23 ONE-BEDROOM, AND 37 TWO-BEDROOM), 6,991 SQUARE FEET OF PRIVATE AND COMMON OPEN SPACE, AND A 3,572 SQUARE FEET GROUND FLOOR GARAGE WITH ACCESS FROM A NEW DRIVEWAY ON RUSS STREET FOR 16 OFF-STREET AUTOMOBILE PARKING SPACES AND 63 CLASS 1 BICYCLE PARKING SPACES AT 1052-1060 FOLSOM STREET AND 190-194 RUSS STREET, LOTS 021, 023 AND 087 IN ASSESSOR'S BLOCK 3731, WITHIN THE SOMA NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) AND RED (RESIDENTIAL ENCLAVE) ZONING DISTRICTS, SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT, A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On August 8, 2017, Paul Iantorno of Golden Properties LLC (hereinafter "Project Sponsor"), filed Application No. 2016-004905CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to demolish five existing buildings that include approximately 10,349 square feet (sq. ft.) of commercial use and 4,656 sq. ft. of residential use containing

four dwelling, merge three the lots into once parcel, and construct a new seven-story, 64-ft. 6-in. tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (including three studio, 23 one-bedroom and 37 two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a new 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces (hereinafter "Project") at 1052-1060 Folsom Street and 190-194 Russ Street, Block 3731 and Lots 021, 023 and 087 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2016-004905CUA at 1650 Mission Street, Suite 400, San Francisco, California.

On December 20, 2018, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2016-004905CUA.

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 December 11, 2018, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section

21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On December 20, 2018, the Commission adopted Motion No. XXXXX, approving a Large Project Authorization for the Proposed Project (Large Project Authorization Application No. 2016-004905ENX). Findings contained within said motion are incorporated herein by this reference thereto as if fully set forth in this Motion.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2016-004905CUA, 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 the demolition of five existing buildings containing commercial uses and four dwelling units on three lots, merger of the lots into one parcel, and the construction of a new seven-story, 64'-6" tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling (3 studio, 23 one-bedroom and 37 two-bedroom) units, a combined 6,991 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces.
3. **Site Description and Present Use.** The Project is located at the northwest corner of Folsom and Russ Streets on three lots, two parcels in the SoMa Neighborhood NCT (Neighborhood

Commercial Transit) District, and one parcel in the RED (Residential Enclave) District. The Project Site has a lot area of 11,500 sq. ft. with 75 feet of frontage on Folsom Street and 140 feet on Russ Street. Lot 021 is rectangular shaped and developed with three structures including a 6,197 sq. ft., two-story, corner building containing two commercial storefronts at the ground floor (d.b.a. Deli Board and Fondue Cowboy), and 2 two-bedroom flats at the second floor, a 991 sq. ft. one-story commercial building facing Russ Street, and a 2,158 sq. ft., three-story Edwardian-period designed house at the rear of the lot containing two residential flats over a garage, also facing Russ Street. Lot 023 is located mid-block, rectangular shaped, and improved with a 3,840 sq. ft., two-story commercial building fronting Folsom Street. Lot 087 is T-shaped, faces Russ Street and is developed with a surface parking lot at the front and a 1,819 sq. ft. one-story commercial building at the rear.

4. **Surrounding Properties and Neighborhood.** Sixty percent (60%) of the Project Site is located in the SoMa NCT Zoning District, a corridor along 6th and Folsom Streets that connects to the Folsom Street NCT District and possesses a development pattern of ground floor commercial and upper story residential units. Active, neighborhood-serving and pedestrian-oriented ground floor uses are required, and the development controls in this NCT Zoning District are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. While offices and general commercial retail uses may locate on the second story or above in new buildings, most commercial uses are prohibited above the second story.

The remaining rear forty percent (40%) of the Project Site is located in the RED Zoning District, which encompasses many of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the South of Market area. The zoning controls for this district are tailored to encourage compatible and economically feasible in-fill housing, while providing adequate residential amenities to the site and neighborhood. Nonresidential uses are generally not permitted, and undeveloped or underdeveloped properties are viewed as opportunity sites for new, moderate-income, in-fill housing. The properties adjacent to the Project Site include a restaurant to the west (d.b.a. Extreme Pizza), an institutional nonprofit use (d.b.a. Mission Hiring Hall) to the east across Russ Street, live-work units and a multi-family dwelling located to the north, and Victoria Manolo Draves Park to the south across Folsom Street.

5. **Public Outreach and Comment.** The Department has received one letter of support from the tenants of the existing rental units acknowledging an agreement with the Project Sponsor to provide temporary housing, relocation funds and future replacement housing, and one letter of opposition from the South of Market Community Action Network expressing concern about shadow impacts on Victoria Manolo Draves Park.

On July 17, 2017, the Project Sponsor conducted the mandatory pre-application neighborhood meeting. Subsequently, the Project Sponsor has conducted additional community outreach including a public meeting on October 16, 2017 that was attended by South of Market Community Action Network (SOMCAN) and other interested community members at the West Bay Pilipino Center. The Sponsor has subsequently maintained communication with individuals of the interested community organizations to discuss community benefits. On November 21, 2018, the Sponsor responded in writing to specific questions from West Bay regarding shadow

impacts and project affordability and has gone door-to-door to speak with merchants and residents.

6. **Planning Code Compliance:** The Planning Code Compliance Findings set forth in Motion No. XXXXX, Case No. 2016-004905ENX (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.
7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
  - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The Project's proposed size, height and intensity are comparable to, and compatible with the surrounding neighborhood and community, and it is designed to comply with the East SoMa Area Plan. Sixty percent (60%) of the Project Site is located in the SoMa NCT District, a corridor along 6th and Folsom Streets that connects to the Folsom Street NCT District and possesses a development pattern of ground floor commercial and upper story residential units. Active, neighborhood-serving and pedestrian-oriented ground floor uses are required, and the development controls in this NCT district are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. The remaining rear forty percent (40%) of the Project Site is located in the RED District, which encompasses many of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the South of Market area. Nonresidential uses are generally not permitted, and undeveloped or underdeveloped properties are viewed as opportunity sites for new, moderate-income, in-fill housing.*

*The Project will provide a development that is highly desirable for the neighborhood because it will fulfill the above stated goals by redeveloping an underutilized site with critically needed infill housing and ground floor retail uses in an intensely-developed urban context served by ample public transit and retail services. Residents of the Project will be able to walk, bike, or take transit to commute, shop, and meet other needs without reliance on private automobile use. The proposed ground floor retail uses will maintain the frontage of commercial uses along the Folsom and 6<sup>th</sup> Street corridors, and new street trees, landscaping and site furniture along the entire perimeter of the Project will improve the visual character and activate the streetscape and pedestrian environment.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
  - (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The existing development in the vicinity varies in size and intensity, and the Project is generally compatible with the diverse character of the area. The proposed merger of three adjacent lots to allow the development of a 64-ft. 6-in. tall mixed-use building will maximize the number of residential units and provide a dwelling unit mix that supports several General Plan policies and goals. The ground floor will include approximately 2,832 sq. ft. of commercial retail space that is divided into three storefronts to be consistent with the existing scale of ground floor commercial uses in the neighborhood. The building's inner court at the northwest corner of the Project Site is intended to minimize light and privacy impacts to the adjacent residential properties. The building's massing and volumetric proportions were considered to reduce impacts to Victoria Manolo Draves Park, and net new shadows will be minimal by lasting approximately one hour and 36 minutes on the longest day of the year beginning one hour before sunset. The cumulative shadow impact, including neighboring projects, will not exceed the 1% allowable budget for any shadow increase on the Park. Therefore, the Project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or be injurious to property, improvement or potential development in the vicinity.*

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

*The Project is highly accessible by public transit, with access to eleven MUNI bus lines and sixteen bus stops within a one-quarter mile radius, and the Civic Center MUNI and BART stations located less than one-half mile. Folsom Street is a designated Class II San Francisco Bikeway Network route, and nineteen additional routes are located within one-half mile of the Project. Folsom Street is also a designated Key Walking Street under the City's WalkFirst Program.*

*The Project proposes sixteen off-street residential parking spaces accessed through one 12-ft. driveway on Russ Street, and at a ratio of one space for every four units that will be leased separately from the apartments to minimize the impact on existing traffic patterns and the type and volume of traffic in the vicinity of the Project. Also included in the garage is one dedicated car-share space and 63 Class 1 bicycle parking spaces to promote an alternative transportation mode that is encouraged by the City. Finally, the Project's loading demand will be significantly minimized from the current conditions because the existing 10,349 sq. ft. of commercial space will be reduced to 2,832 sq. ft.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The Project includes residential and commercial uses that are typical of the surrounding context, and will not introduce operational noises or odors that are detrimental, excessive, or atypical for the area. While some temporary increase in noise, dust and/or odors can be expected during both demolition and construction, appropriate measures will be taken to minimize the generation of, and impacts from these emissions as required by the Building Code and any other applicable limitations.*

*Specifically, the noise is limited in duration and will be regulated by the San Francisco Noise Ordinance which prohibits excessive noise levels from construction activity and limits the*

*permitted hours of work and be subject to mitigation measures set forth in the Eastern Neighborhoods EIR. The Project Sponsor will be required to spray the site to suppress dust during demolition, excavation, and construction. Therefore, these activities should not generate significant airborne dust. The building will not exhibit an excessive amount of glazing or other reflective materials, and is therefore not expected to cause offensive amounts of glare.*

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

*The Project includes the planting of new street trees and other landscaping along the public right-of-way, and will provide 6,991 sq. ft. of residential open space through private decks, a common interior court, and a rooftop top. Off-street parking for the Project will be located in an at-grade garage at the rear of the building on Russ Street that will be accessed through one 12-ft. driveway. The Project provides more than adequate treatment to landscaping, screening, open spaces and parking areas which will contribute to the health, safety, convenience and general welfare of persons residing or working in the vicinity and will also benefit surrounding properties.*

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

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

- D. That the use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*A primary purpose of the SoMa NCT District is for new development to be moderate in scale, neighborhood-serving, pedestrian-oriented at the ground floor with residential levels above, and the purpose for new development in the RED District is in-fill housing. The Project complies with these goals by providing a new mixed-use building containing ground floor commercial retail space and new housing at the upper floors that have a diverse unit mix and is compatible with the scale and density currently existing in the area.*

8. **Planning Code Section 121.1** outlines additional criteria for the Planning Commission to consider in the review of applications for Development of Large Lots in the SoMa NCT Zoning District:

1. The mass and facade of the proposed structure are compatible with the existing scale of the district.

*The Project is located at the corner of a block with 60% of the development located a neighborhood commercial zoning district and 40% located in a residential enclave, with both neighborhoods having a height limit of 65 feet. This proposed building's massing and scale are responsive to these site conditions by setting back the rearmost structural bay at the sixth and seventh floors to be compatible with the adjacent building scale in the residential enclave. The building is also set back between 5 and*

15 feet at the topmost floor to reduce its bulk and possess a scale that is compatible with the block face in this neighborhood commercial district. The architectural design includes a distinct base, middle and top that also complements the neighboring buildings and incorporates the use of bays and varied facade planes to modulate the massing of the building. The exterior materials that reinforce this hierarchy include smooth stucco, porcelain tiles and extensive glazing at the base, fiber cement, smooth steel and phenolic resin panels with horizontal stucco bands and contrasting smooth stucco at the bays at the building's shaft, and corrugated steel panels at the top. Throughout the building, the window sashes will be composed of aluminum to be compatible with the aluminum storefront systems. Although two lots (3731/021 and 023) with a combined area of 7,000 sq. ft. are located in the SoMa NCT District, the Project includes the merger of three parcels and the construction of a new mixed-use building on a single 11,500 sq. ft. lot, thus forming one development lot for the Project. The Sponsor requests a Conditional Use Authorization pursuant to Planning Code Section 121.1.

2. The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

The Project's facade includes ground floor commercial frontage on Folsom Street that is set back 3 feet to accommodate planters and widen the sidewalk in front of the building to be compatible with the surrounding ground floor active uses on Folsom Street. The three ground floor dwelling units on Russ Street contain elevated entries with porches that have an area of more than 40 sq. ft. each, a 10-ft. 2-in. wide residential lobby located between the corner commercial storefront and ground floor dwelling units, and a 10-ft. wide garage door to the ground floor parking garage located at the rear of the building to be compatible with the adjacent facades and residential scale of Russ Street. The Sponsor requests a Conditional Use Authorization pursuant to Planning Code Section 121.1.

9. **Planning Code Section 121.7** The Planning Commission may approve a merger resulting in a lot frontage of larger than 50-ft in the RED Zoning District when one or more of the following findings can affirmatively be made:

1. The lot merger will enable a specific residential project that provides housing on-site at affordability levels significantly exceeding the requirements of Section 415.

The Project's 63 total dwelling units include four replacement rent-controlled units, 17 net new units located in the RED Zoning District that require 17.6% of the units to be affordable (or 3 units), and 42 net new units located in the SoMa NCT Zoning District that require 25% of the units to be affordable (or 11 units). Excluding the four rent-controlled two-bedroom units, the 59 net new units contain a mix of 3 studio, 23 one-bedroom, and 33 two-bedroom units, and the mix of affordable units include 6 one-bedroom and 8 two-bedroom units. The Project Sponsor has also agreed to provide one more affordable unit in addition to the required 14 units. The Sponsor requests a Conditional Use Authorization pursuant to Planning Code Section 121.7.

2. The lot merger will facilitate development of an underutilized site historically used as a single use and the new project is comprised of multiple individual buildings



*The Project does not propose multiple individual buildings, but the new development includes commercial retail uses and high density residential uses that will replace the existing underutilized buildings.*

3. The lot merger serves a unique public interest that cannot be met by building a project on a smaller lot.

*The proposed lot merger would permit the construction of one building containing 63 dwelling units that would efficiently use land area through shared common features such as entrances, interior hallways and circulation, open space, and a parking garage. Alternatively, development of the three subject lots individually with separate buildings would require separate systems for each structure and yield significantly less dwelling units. The merger of these lots to maximize the development of new dwelling units serves a public interest that cannot be achieved by building smaller separate projects on individual lots, which complies with Planning Code Section 121.7(d)(3). The Sponsor requests a Conditional Use Authorization pursuant to Planning Code Section 121.7*

10. **Planning Code Section 317** outlines additional criteria for the Planning Commission to consider in the review of applications for Residential Demolition:

- A. Whether the property is free of a history of serious, continuing Code violations;

*The properties had two Planning Department enforcement cases from 2014 (Case No. 12947 and 13538) that were related to the commercial uses, which have been abated. Currently, the properties do not have any further violations or Code violations.*

- B. Whether the housing has been maintained in a decent, safe, and sanitary condition;

*The properties have no history of complaints related to the housing on site. The existing housing units have been maintained in a decent, safe and sanitary condition.*

- C. Whether the property is an “historical resource” under CEQA;

*The existing buildings are not historical resources under CEQA, pursuant to Case No. 2016-004905ENV.*

- D. Whether the removal of the resource will have a substantial adverse impact under CEQA;

*The existing buildings are not historical resources under CEQA, pursuant to Case No. 2016-004905ENV.*

- E. Whether the Project converts rental housing to other forms of tenure or occupancy;

*The Project will not convert rental housing, but replace four existing rental units in-kind. The Project Sponsor will enter into an agreement with the City to ensure the four rental housing units will remain subject to the City’s Rent Stabilization and Arbitration Ordinance.*

- F. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing;

*The project site has four existing two-bedroom rent controlled units, which are proposed for demolition. The Project Sponsor will provide the current tenants with temporary relocation assistance, including payment of the difference between their current rent and the new rent until the replacement units are available for occupancy, or until they elect to abandon their right of first refusal. These four replacement units will remain subject to the Residential Rent Stabilization and Arbitration Ordinance, and the Project Sponsor will enter into an agreement to ensure the future condominium parcel with the four rent controlled units will remain subject to the City's Rent Stabilization and Arbitration Ordinance.*

- G. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

*The Project does not conserve existing housing, since the four existing housing units will be demolished. However, the Project will yield an increase in the quantity of housing with 59 net new dwelling units that will preserve and positively contribute to the cultural and economic diversity within the neighborhood.*

- H. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

*The Project will provide a new building that is compatible with regard to materials, massing, volume, glazing patterns, and roofline with the buildings in the neighborhood to conserve the neighborhood character, and include a varied dwelling unit mix and on-site affordable units to preserve neighborhood cultural and economic diversity.*

- I. Whether the Project protects the relative affordability of existing housing;

*The Project will preserve the existing low-income housing by replacing the four units on site and executing a Costa Hawkins Exception agreement with the City.*

- J. Whether the Project increases the number of permanently affordable units as governed by Section 415;

*The Project will provide 15 new and permanently affordable units that will be available to low, moderate, and middle income households pursuant to Planning Code Section 415.*

- K. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

*The Project will replace a mixed-use building containing four existing dwelling units in an established South of Market neighborhood with a new building that will contain 63 dwelling units on a site that has been targeted for in-fill housing in the RED and SoMa NCT Zoning Districts.*

- L. Whether the Project increases the number of family-sized units on site;

*The Project will increase the number of family-sized units from four to 37, thus approximately 33 net new family-sized dwelling units.*

- M. Whether the Project creates new supportive housing;

*The Project does not create new supportive housing.*

- N. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

*The Project complies with the Urban Design Guidelines. The building's distinct architectural style with its varying façade planes, exterior materials, upper floor setbacks and street level landscaping will provide an attractive setting to the pedestrian experience. The urban context of the Project includes commercial and mixed-use buildings ranging in scale from small to large that are diverse in architectural style and exterior materials. The design of the proposed building is contemporary in its architectural expression with a distinct base, middle and top that complements the neighboring buildings with the use of bays and varied facade planes to modulate the massing of the building and provide visual interest. To reflect the scale of older industrial buildings in the area and to differentiate the commercial nature of Folsom Street from the more residential character of Russ Street, the height of the base along Folsom Street is designed with transparent storefronts that have a 20-ft. floor to ceiling height and provides a transition to the recessed landscaped entrances to the ground floor residential lobby and residential uses on Russ Street. The Russ Street façade is divided into 25- to 30-ft. segments with varying exterior cladding to reflect the width of the existing buildings on Russ Street, and to reduce the horizontality of the building. A portion of the sixth floor is set back from Russ Street and the entire seventh floor is set back from both Folsom and Russ Streets to reduce the visual height and to minimize the shadow on Victoria Manalo Draves Park.*

- O. Whether the Project increases the number of on-site dwelling units;

*The Project will increase the number of on-site dwelling from 4 to 63 units, thus resulting in a net new 59 units.*

- P. Whether the Project increases the number of on-site bedrooms; and

*The Project will increase the number of on-site bedrooms from 8 to 100, thus resulting in a net increase of 92 bedrooms.*

- Q. Whether or not the replacement project would maximize density on the subject lot.

*The Project will maximize the building envelope and density on the project site.*

11. **General Plan Compliance.** The General Plan Compliance Findings set forth in Motion No. XXXXX, Case No. 2016-004905ENX (Large Project Authorization, pursuant to Planning Code Section 329) apply to this Motion, and are incorporated herein as though fully set forth.

12. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project would replace five existing commercial and residential buildings with one new mixed-use building that would contain 2,832 sq. ft. of commercial space divided into three units that would provide opportunities for neighborhood-serving retail uses and residential employment. The Project would also add new residents to the neighborhood that may patronize these and other businesses, resulting in a net benefit for the East SoMa Neighborhood.*

- 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's proposed size, height and intensity are comparable to, and compatible with the surrounding neighborhood, and is designed to comply with the East SoMa Area Plan. The new development will be compatible with regard to materials, massing, volume, glazing patterns, and roofline with the buildings in the neighborhood to conserve the neighborhood character, and include a varied dwelling unit mix and on-site affordable units to preserve neighborhood cultural and economic diversity.*

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

*The Project will not displace any existing affordable housing. None of the existing four units are designated as part of the City's affordable housing program. The Project will replace four rent-controlled units and will comply with the City's Inclusionary Housing Program by providing an additional fifteen units of permanently affordable housing, including one voluntary BMR unit.*

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

*The Project is adjacent to a major arterial in a transit-oriented area that is served by eleven MUNI bus lines and contains sixteen MUNI stops within a one-quarter mile radius. Sixteen off-street residential parking spaces accessed through one 12-ft. driveway on Russ Street, at a ratio of one space for every four units will minimize the impact on existing traffic patterns and the type and volume of traffic in the vicinity of the Project. Also included are one dedicated car-share space and 63 Class 1 bicycle parking spaces to promote alternative transportation modes. These project elements were included to not impede MUNI transit service and overburden our streets or neighborhood parking.*

- 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 any commercial office development, and will not displace any existing industrial and service sector businesses.*

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

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

- G. That landmarks and historic buildings be preserved.

*There are no landmarks on the site, but the Project has been sensitively designed with building massing, scale, and contemporary architectural expression to be compatible with the surrounding context.*

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

*The net new shadow cast by the Project would not be adverse and is not expected to interfere with the use of Victoria Manalo Draves Park, as determined by a shadow analysis under Case No. 2016-004905SHD.*

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

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

14. 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.

15. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-004905CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 10, 2018, 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 EIR and contained in the MMRP are included as conditions of approval.

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

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

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, 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 December 20, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

## EXHIBIT A

### AUTHORIZATION

This authorization is for a Conditional Use to demolish five existing buildings that include approximately 10,349 square feet (sq. ft.) of commercial use and 4,656 sq. ft. of residential use containing four dwellings, merge three the lots into once parcel, and construct a new seven-story, 64-ft. 6-in. tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (including three studio, 23 one-bedroom and 37 two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a new 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces, pursuant to Planning Code Sections 121.2, 121.7, 303 and 317, located at Lots 021, 023 & 087 in Parcel 3731, within the RED (Residential Enclave) and SoMa NCT (Neighborhood Commercial Transit) Zoning Districts, SoMa Youth and Family SUD (Special Use District), and a 65-X Height and Bulk District, in general conformance with plans, dated December 10, 2018, and stamped "EXHIBIT B" included in the docket for Case No. 2016-004905CUA ,and subject to conditions of approval reviewed and approved by the Commission on December 20, 2018 under Motion No. XXXXX. 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 December 20, 2018 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 years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

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

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

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

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2016-004905ENV) 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 the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Additional Project Authorizations.** The Project Sponsor must also obtain a Large Project Authorization under Section 329 to allow the demolition of five existing buildings containing commercial uses and four dwelling units on three lots, merger of the lots into one parcel, and the construction of a new seven-story, 64'-6" tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling (three studio, 23 one-bedroom and 37 two-bedroom) units, a combined 8,923 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for sixteen (16) accessory off-street auto and 63 Class 1 bicycle parking spaces. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply. The Planning Commission must also adopt a motion that finds the additional shadow cast by the Project on Victoria Manalo Draves Park would not be adverse to the use of the park, pursuant to Planning Code Section 295.

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

## MONITORING - AFTER ENTITLEMENT

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

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

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

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



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: DECEMBER 20, 2018

*Case No.:* 2016-004905SHD  
*Project Address:* 1052-1060 Folsom Street & 190-194 Russ Street  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
RED (Residential Enclave) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lots:* 3731/021, 023 & 087  
*Project Sponsor:* Paul Iantorno  
Golden Properties LLC  
2170 Sutter Street  
San Francisco, CA 94115  
*Staff Contact:* Doug Vu – (415) 575-9120  
[Doug.Vu@sfgov.org](mailto:Doug.Vu@sfgov.org)

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**ADOPTING FINDINGS WITH THE RECOMMENDATION OF THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON VICTORIA MANALO DRAVES PARK BY THE PROPOSED PROJECT AT 1052-1060 FOLSOM STREET AND 190-194 RUSS STREET WOULD NOT BE ADVERSE TO THE USE OF VICTORIA MANALO DRAVES PARK.**

### PREAMBLE

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

On February 7, 1959, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K, which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the shadow would not be significant. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted a memorandum which identified quantitative and qualitative criteria for determinations of significant shadows in parks under the jurisdiction of the Recreation and Park Department.

The Proposition K memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. Victoria Manalo Draves Park was not named in the Proposition K memorandum and, at 2.53 acres (109,997 sq. ft.), is considered a large park which is shadowed less than 20 percent of the time during the year. As such, it is recommended that additional shadow of up to one percent could be potentially permitted if the shadow meets the qualitative criteria of the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new shadow on Victoria Manalo Draves Park would require hearings at the Recreation and Park Commission and the Planning Commission.

Victoria Manalo Draves (VMD) Park is a public park under the jurisdiction of the Recreation and Park Department (RPD). It is a 2.53-acre (109,997 square feet) urban park located in the SoMa neighborhood of San Francisco. The park is bounded by Folsom Street to the northwest, Harrison Street to the southeast, Columbia Square to the northeast, and Sherman Street to the southwest. The park is enclosed by a 5-foot tall fence and locked at night. The stated hours of operation for Victoria Manalo Draves Park are from sunrise to sunset, year-round.

The park contains landscaped areas, walkways and areas for active and passive uses. VMD's primary public entrance is located on the corner of Folsom Street and Columbia Square. Two additional entrances are located at Sherman Street and at Columbia Square. The main entry walkway branches off with paths leading to the basketball court, a community garden and two children's play areas, one for younger children and one for older kids. The park also includes a mounded grassy area surrounded by benches, a restroom structure, picnic tables and a ball field. The outfield is mostly used for adult kickball and occasional RPD and community youth programming. Additionally, the adjacent Bessie Carmichael School uses the ball field for physical education classes during the school year.

The proposed project would result in new shadows falling on the park, adding approximately 1,569,594 annual square foot hours (sfh) of shadow and increasing shadow load by 0.38% above current levels, resulting in an increase in the total annual shading from 7.41% to 7.79% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the Project would be present between February and October in late afternoon hours and would fall on the northeastern quarter of the park and cast new shadows on the park entry, the basketball court, the northern children's play area, lawn areas, and several fixed benches.

On December 9, 2016, Paul Iantorno of Golden Properties LLC (hereinafter "Project Sponsor") filed Application No. 2016-004905SHD (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Shadow Analysis to construct a seven-story, 64-ft. 6-in. tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units, a combined 6,991 sq. ft. of private and common open space, and a new 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces (hereinafter "Project") at 1052-1060 Folsom Street and 190-194 Russ Street, Block 3731 and Lots 021, 023 and 087 (hereinafter "Project Site"). The Project is located within the RED (Residential Enclave) and SoMa NCT (Neighborhood Commercial Transit) Zoning Districts, SoMa Youth and Family SUD (Special Use District), and a 65-X Height and Bulk District.

On an annual basis, the Theoretical Annual Available Sunlight ("TAAS") on Victoria Manalo Draves Park is approximately 409,342,836 square-foot hours of sunlight. Existing structures in the area cast shadows on Victoria Manalo Draves Park that total approximately 30,345,597 square-foot hours, or approximately 7.41% of the TAAS.

A shadow analysis report, prepared by Pre Vision Design, was submitted on October 30, 2018, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2016-004905SHD). The memorandum concluded that the Project would cast approximately 1,569,594 square-foot hours of new shadow on Victoria Manalo Draves Park, equal to approximately 0.38% of the TAAS on Victoria Manalo Draves Park, bringing the estimated total annual shading of the Park as a percentage of TAAS to 7.79% (previously at 7.41%).

On December 11, 2018, the Department determined that the Project did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2016-004905SHD is located at 1650 Mission Street, Suite 400, San Francisco, California.

On December 20, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Shadow Analysis Application No. 2016-004905SHD.

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.

## **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. The additional shadow cast by the Project would not be adverse and is not expected to interfere with the use of the Park for the following reasons:

- a. The magnitude of the additional shadow is well below one percent of TAAS on an annual basis, and amounts to a reasonable and small loss of sunlight for a park in an area of intended for increased building heights and residential density.
  - b. The new shadow would occur in the late afternoon between 5:15 and 6 p.m. when lower levels of weekday and weekend use were observed relative to the peak usage time around noon, with the average duration of the net new shadow being 72 minutes, and never exceeding 110 minutes.
  - c. Shading from the Project would be cast over the top of intervening buildings, which already cast shadows on the park.
  - e. No single location within the park would be in continuous new shadow for longer than 15 minutes.
3. **Public Outreach and Comment.** The Department has received one letter of support from the tenants of the existing rental units acknowledging an agreement with the Sponsor to provide temporary housing, relocation funds and future replacement housing, and one letter of opposition from the South of Market Community Action Network expressing concern about shadow impacts on Victoria Manolo Draves Park. The mandatory pre-application neighborhood meeting was held on July 17, 2017, and the Sponsor has conducted additional community outreach including a public meeting on October 16, 2017 that was attended by South of Market Community Action Network (SOMCAN) and other interested community members at the West Bay Pilipino Center. The Sponsor has subsequently maintained communication with individuals of the interested community organizations to discuss community benefits. On November 21, 2018, the Sponsor responded in writing to specific questions from West Bay regarding shadow impacts and project affordability, and has gone door-to-door to speak with merchants and residents.
4. A determination by the Planning Commission and the Recreation and Park Commission to allocate new shadow to the Project does not constitute an approval of the Project.

**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 **DETERMINES**, under Shadow Analysis Application No. 2016-004905SHD that the net new shadow cast by the Project on Victoria Manalo Draves Park will not be adverse to the use of Victoria Manalo Draves Park.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on December 20, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

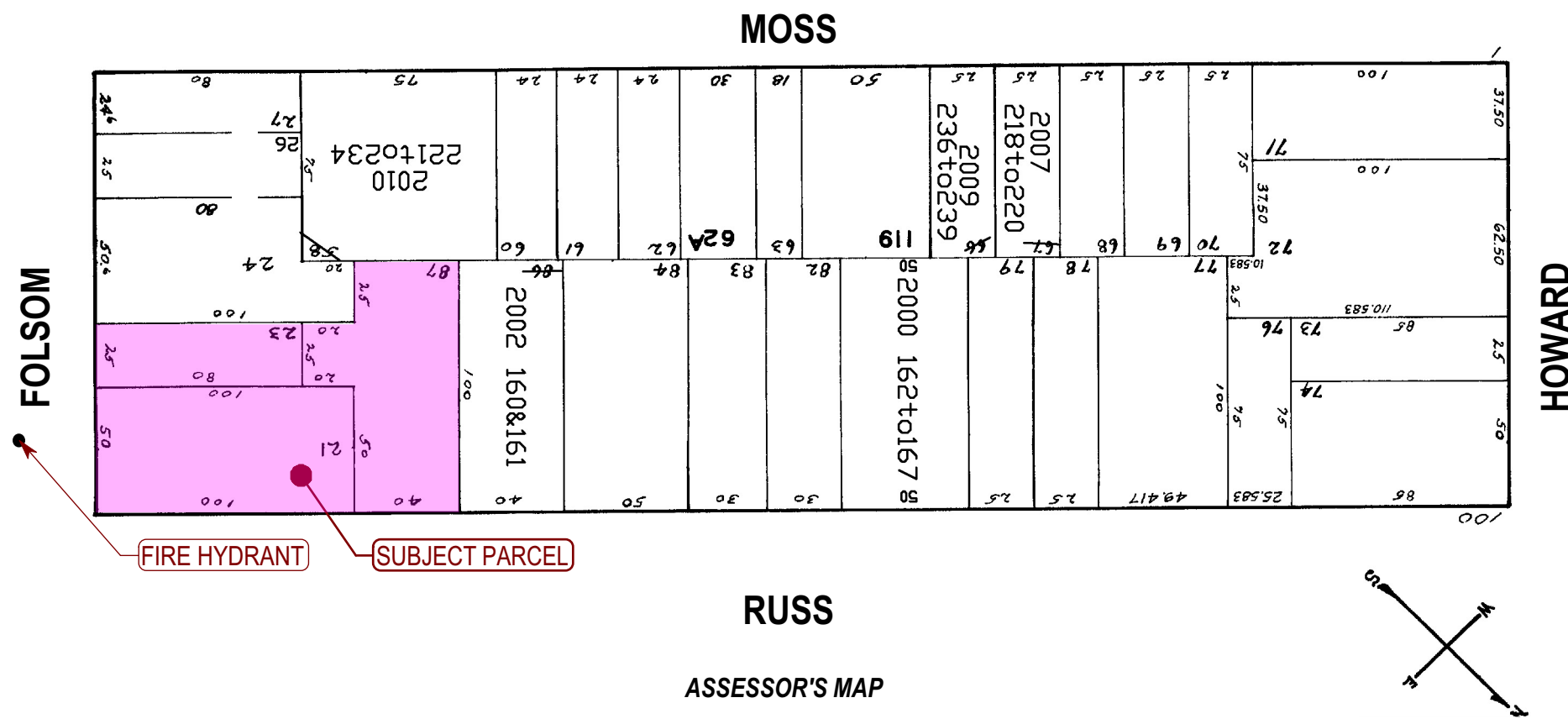


1052-1060 FOLSOM STREET



**SCOPE OF WORK**

PROPOSED ONE NEW CONSTRUCTION SEVEN-STORY MIXED USE BUILDING WITH 63 CONDO UNITS & THREE COMMERCIAL SPACES.



**DRAWING INDEX:**

- A-0.1 COVER SHEET
- A-0.2 PROJECT DATA & INFORMATION
- A-0.3 ZONING & OPEN SPACE INFORMATION
- A-0.4 GROSS FLOOR AREA DIAGRAM
- A-0.4.1 VAR UNIT DIAGRAM
- A-0.5 VICINITY MAP
- A-0.6 MID-BLOCK OPEN SPACE DIAGRAM
- A-0.7 AERIAL PHOTOS
- A-0.8 SITE PHOTOS
- A-0.9 SITE PHOTOS
- A-0.10 SITE PHOTOS
- A-0.11 STREET VIEW
- A-0.12 STREET VIEW
- A-0.13 STREET VIEW
- A-0.14 MATERIAL BOARD
- A-0.15 EXISTING SITE PLAN / SURVEY
- A-1.1 PROPOSED SITE PLAN
- A-2.1 (E) DEMO FLOOR PLANS & ELEVATIONS
- A-2.2 (E) DEMO FLOOR PLANS & ELEVATIONS
- A-2.3 (E) DEMO FLOOR PLANS & ELEVATIONS
- A-3.1 FIRST FLOOR PLAN
- A-3.2 SECOND FLOOR PLAN
- A-3.3 THIRD FLOOR PLAN
- A-3.4 FOURTH / FIFTH FLOOR PLAN
- A-3.6 SIXTH FLOOR PLAN
- A-3.7 SEVENTH FLOOR PLAN
- A-3.8 ROOF PLAN
- A-4.1 FRONT ELEVATION
- A-4.2 RIGHT ELEVATION
- A-4.3 REAR & LEFT ELEVATIONS
- A-5.1 SECTION A-A
- A-5.2 STREETScape & SIDEWALK SECTION
- GPR-0.1 GREENPOINT RATING FORM

**PROJECT DATA**

**PLANNING DATA**  
 ADDRESS: 1052-1060 FOLSOM STREET  
 LOT AREA: 11,500 ± S.F.  
 BLOCK / LOT: 3731 / 021,023,087  
 HEIGHT LIMIT: 65-X  
 BUILDING HEIGHT: 64'-6"  
 ZONING: NCT / RED

**REAR YARD OPEN SPACE**  
 REQUIRED: 2,875 S.F. (25% OF LOT AREA: 11,500 S.F. x 0.25)  
 PROVIDED: 631(NCT)+ 1,789(RED) = 2,420 S.F. (21% OF LOT AREA)

**DWELLING UNIT USABLE OPEN SPACE**  
 REQUIRED: SEE SHEET A-0.3  
 PROVIDED: 8,828 S.F. TOTAL (SEE RESIDENTIAL UNIT MATRIX)

**PARKING SUMMARY**  
 OFF STREET PARKING: 17 (1 ADA & 16 (STACKER))  
 CLASS I BICYCLE PARKING / RESIDENTIAL UNIT: 63 BICYCLE PARKING  
 CLASS II BICYCLE PARKING / 20 RESIDENTIAL UNITS: 4 @ RUSS SIDEWALK  
 CLASS II BICYCLE PARKING FOR 2 COMMERCIAL UNITS: 2+4 @ FOLSOM SIDEWALK

**BMR & RENT CONTROL UNITS**  
 RENT CONTROL REPLACEMENT: 4 UNITS  
 25% BMR UNITS ON-SITE ((63-4) x 0.25): 15 UNITS  
 MARKET RATE: 44 UNITS

**BUILDING CODE SUMMARY**  
 # OF STORIES: 7 STORIES  
 CONSTRUCTION TYPE: TYPE "I-A"  
 OCCUPANCY GROUP: M, R-2, S-2

**APPLICABLE CODES**  
 2016 CALIFORNIA CODES EDITIONS W/ SAN FRANCISCO AMENDMENTS

**PROJECT NAME**  
**1052-1060 Folsom Street**  
 SAN FRANCISCO, CA

SIA CONSULTING CORPORATION  
 1256 HOWARD STREET  
 SAN FRANCISCO, CA 94103  
 T: (415) 741.1292  
 F: (415) 849.1252  
 WWW.SIACONSULT.COM

**SHEET TITLE**

**Cover Sheet**

These documents are property of SIA CONSULTING and are not to be produced changed or copied without the expressed written consent of SIA CONSULTING ENGINEERS.



**RESIDENTIAL UNIT COUNT**

FLOOR LEVEL	UNIT TYPE			TOTAL
	STUDIO	1-BEDROOM	2-BEDROOM	
1ST FLOOR	2	1	0	3
2ND FLOOR	0	1	6	7
3RD FLOOR	0	4	7	11
4TH FLOOR	0	4	7	11
5TH FLOOR	0	4	7	11
6TH FLOOR	0	5	6	11
7TH FLOOR	1	4	4	9
<b>TOTAL</b>	<b>3</b>	<b>23</b>	<b>37</b>	<b>63</b>

**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

**JOB NO.** 16-1727

**SHEET NO.**  
A-0.1

FLOOR AREA DATA BREAKDOWN (GSF)								
LEVEL	COMMERCIAL	RESIDENTIAL	CIRCULATION	GARBAGE / UTILITY	GARAGE	BIKE PARKING	OTHER	TOTAL
1ST FLOOR	2,121 ± S.F.	1,420 ± S.F.	1,762 ± S.F.	939 ± S.F.	3,582 ± S.F.	800 ± S.F.	-	10,624 ± S.F.
2ND FLOOR	701 ± S.F.	5,209 ± S.F.	847 ± S.F.	-	-	-	-	6,757 ±S.F.
3RD FLOOR	-	7,806 ± S.F.	847 ± S.F.	-	-	-	-	8,653 ±S.F.
4TH FLOOR	-	7,806 ± S.F.	847 ± S.F.	-	-	-	-	8,653 ±S.F.
5TH FLOOR	-	7,806 ± S.F.	847 ± S.F.	-	-	-	-	8,653 ±S.F.
6TH FLOOR	-	7,591 ± S.F.	847 ± S.F.	-	-	-	-	8,438 ±S.F.
7TH FLOOR	-	6,038 ± S.F.	847 ± S.F.	-	-	-	-	6,885 ±S.F.
<b>TOTAL</b>	<b>2,822 ± S.F.</b>	<b>43,676 ± S.F.</b>	<b>6,844 ± S.F.</b>	<b>939 ± S.F.</b>	<b>3,582 ± S.F.</b>	<b>800 ± S.F.</b>	<b>-</b>	<b>58,663 ±S.F.</b>

**PROJECT NAME**  
**1052-1060 Folsom Street**  
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**Project Data & Information**

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FIRST LEVEL MATRIX			
FLOOR LEVEL	GROSS FLOOR AREA	# BICYCLE	COMMERCIAL FLOOR AREA
FIRST FLOOR	10,624 ± S.F.	63	2,121 ± S.F.
<b>TOTAL # OF COMMERCIAL UNIT</b>			<b>3</b>

RESIDENTIAL UNIT MATRIX				
FLOOR LEVEL	UNIT TYPE # OF EACH TYPE	TOTAL # OF UNIT	OPEN SPACE	
			PRIVATE	COMMON
1ST FLOOR	STUDIO x 2 / 1-BEDROOM x 1	3	123 S.F.	0 S.F.
2ND FLOOR	1-BEDROOM x 1 / 2-BEDROOM x 6	7	0 S.F.	2,420 S.F.*
3RD FLOOR	1-BEDROOM x 4 / 2-BEDROOM x 7	11	53 S.F.	0 S.F.
4TH FLOOR	1-BEDROOM x 4 / 2-BEDROOM x 7	11	53 S.F.	0 S.F.
5TH FLOOR	1-BEDROOM x 4 / 2-BEDROOM x 7	11	53 S.F.	0 S.F.
6TH FLOOR	1-BEDROOM x 5 / 2-BEDROOM x 6	11	116 S.F.+131 S.F.*	0 S.F.
7TH FLOOR	STUDIO x 1 / 1-BEDROOM x 4 / 2-BEDROOM x 4	9	397 S.F. +1,131 S.F.*	0 S.F.
ROOF	COMMON ROOF DECK	0	0 S.F.	4,351 S.F.*
<b>TOTAL NUMBER OF UNITS</b>	<b>STUDIO x 3 / 1-BEDROOM x 23 / 2-BEDROOM x 37</b>	<b>63 UNITS</b>	<b>2,057 S.F.</b>	<b>6,771 S.F.</b>
<b>TOTAL OPEN SPACE</b>	<b>8,828 S.F. PROVIDED</b>	<b>* QUALIFYING OPEN SPACE TOTAL: 8,033 S.F.</b>		

**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

**DRAWN** A.A

**CHECKED** R.K.

**DATE** 12/26/2016

**REVISED DATE** 12/10/2018

**JOB NO.** 16-1727

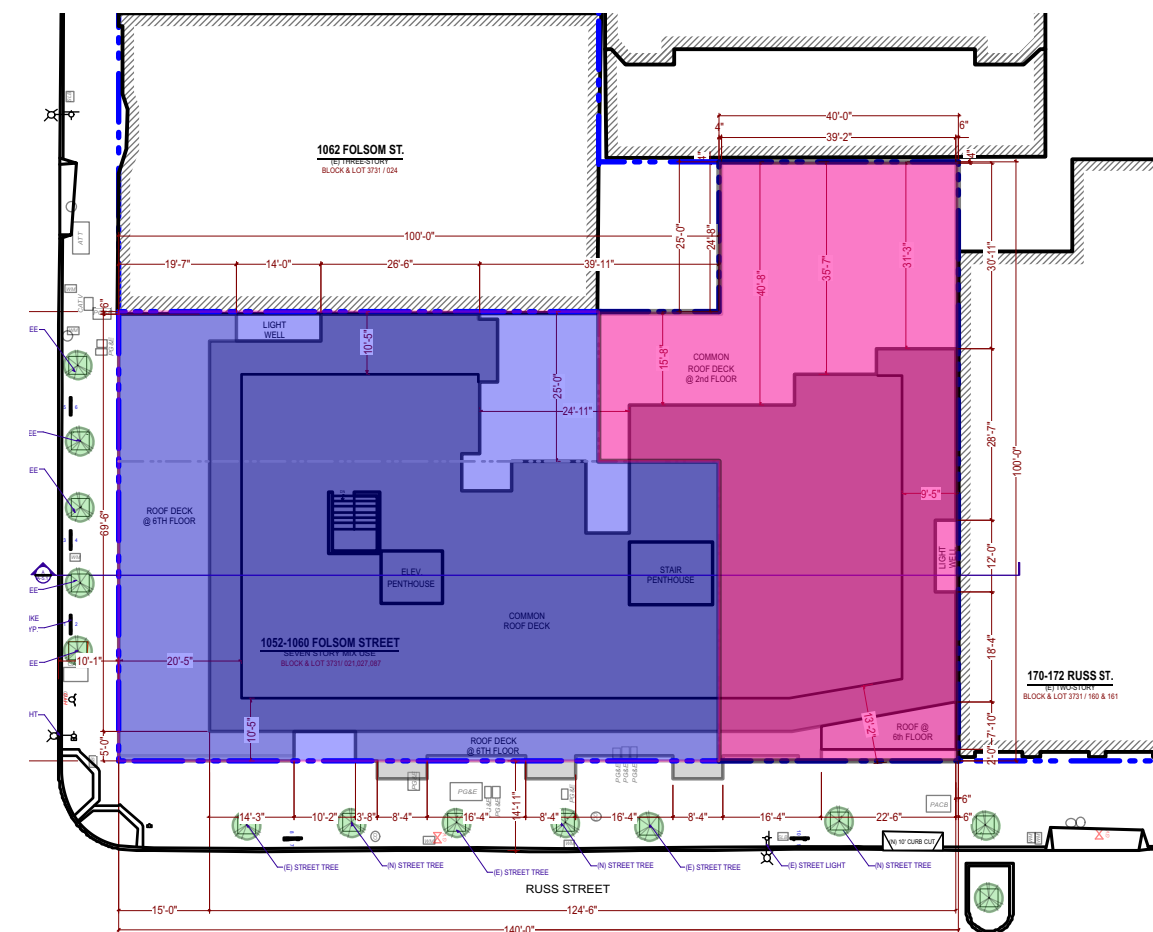
**SHEET NO.**  
**A-0.2**

**ZONING**

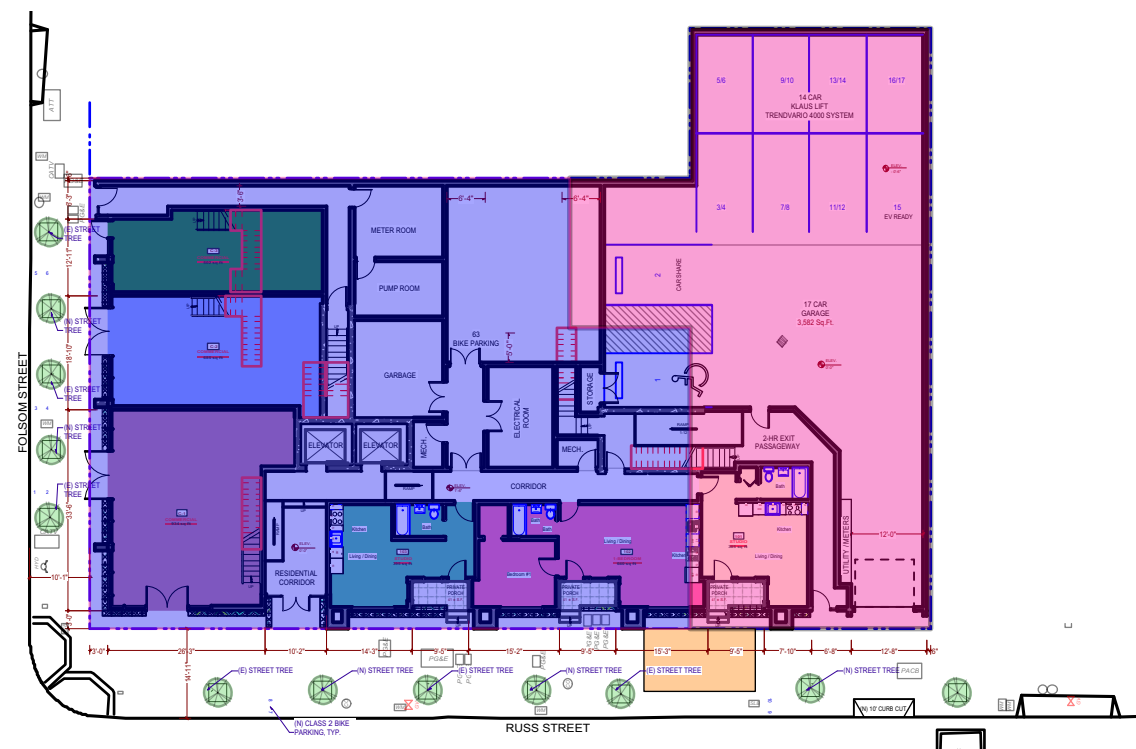
RED   
 NCT



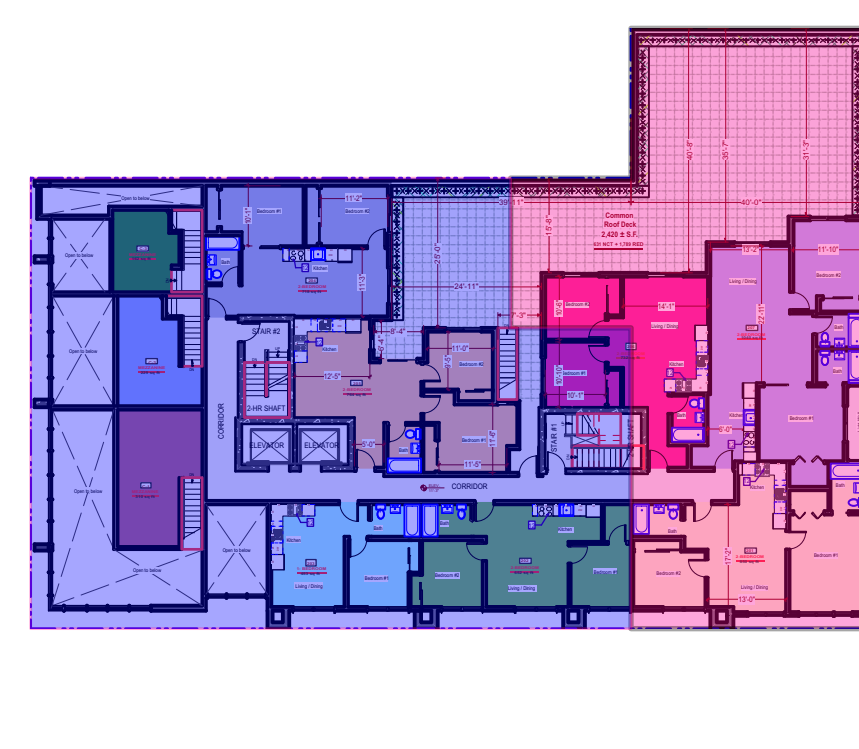
(E) Site Plan Zoning Breakdown  
1/32" = 1'-0"



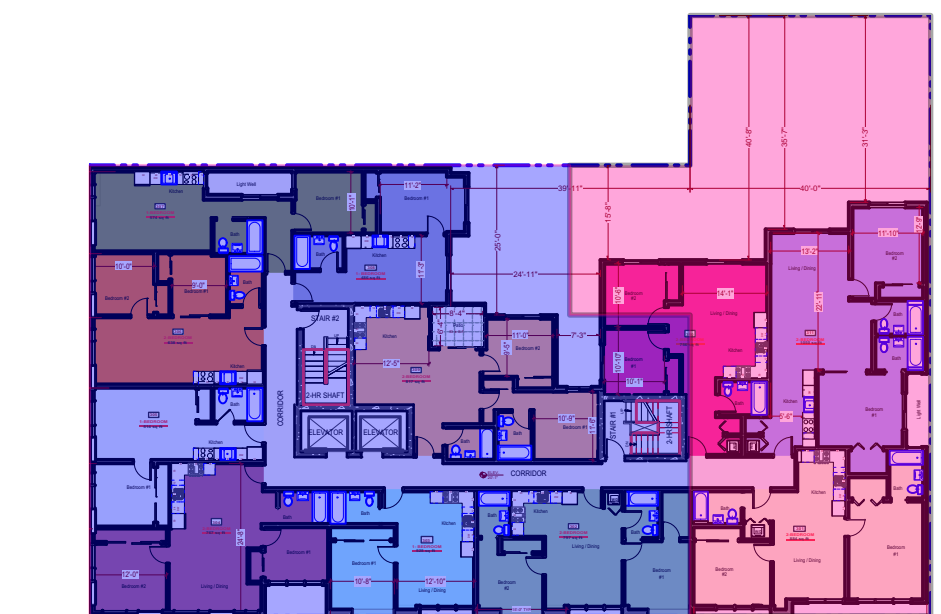
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1/32" = 1'-0"



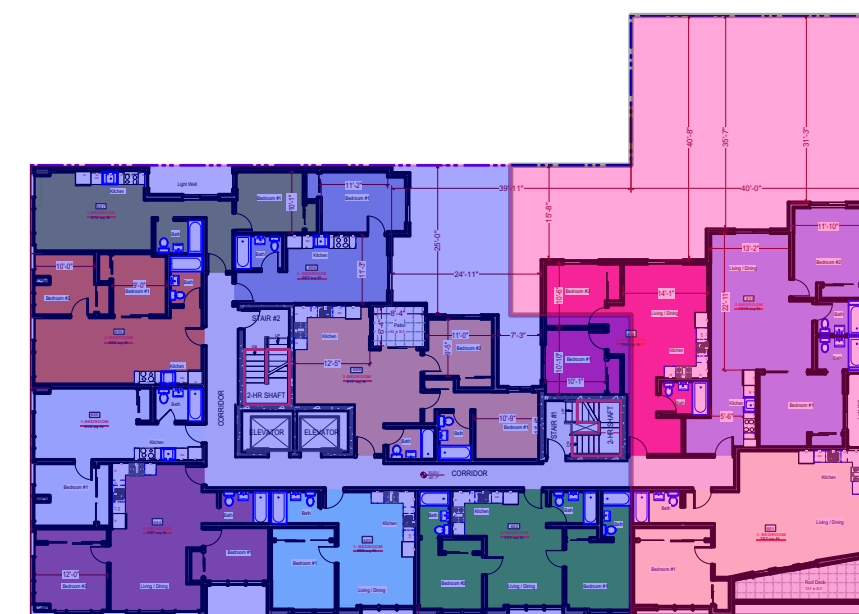
1st Floor Zoning Breakdown  
1/32" = 1'-0"



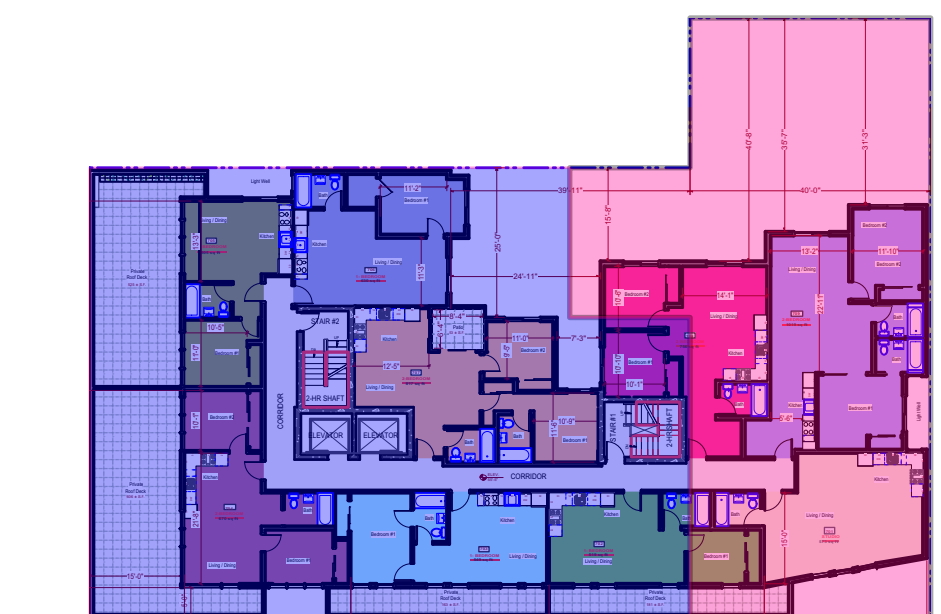
2nd Floor Zoning Breakdown  
1/32" = 1'-0"



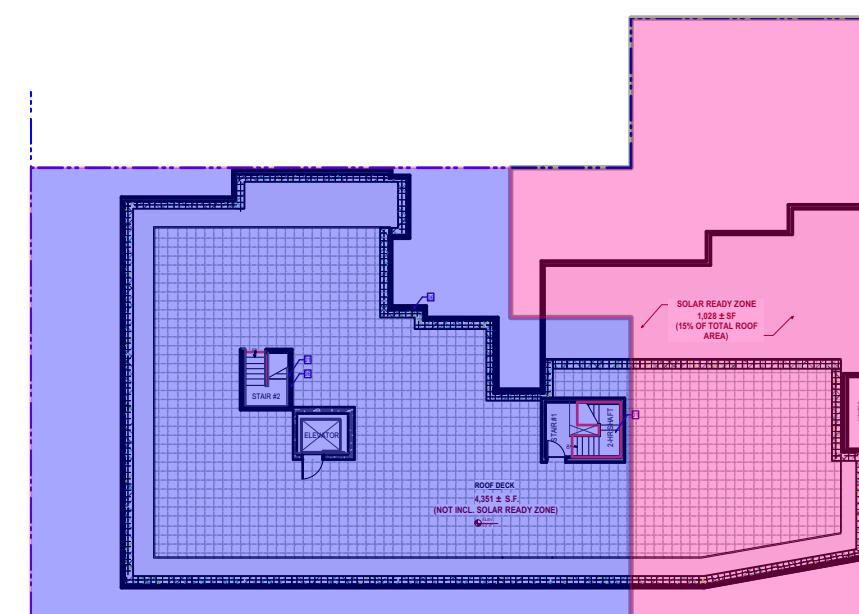
3rd-5th Floors Zoning Breakdown  
1/32" = 1'-0"



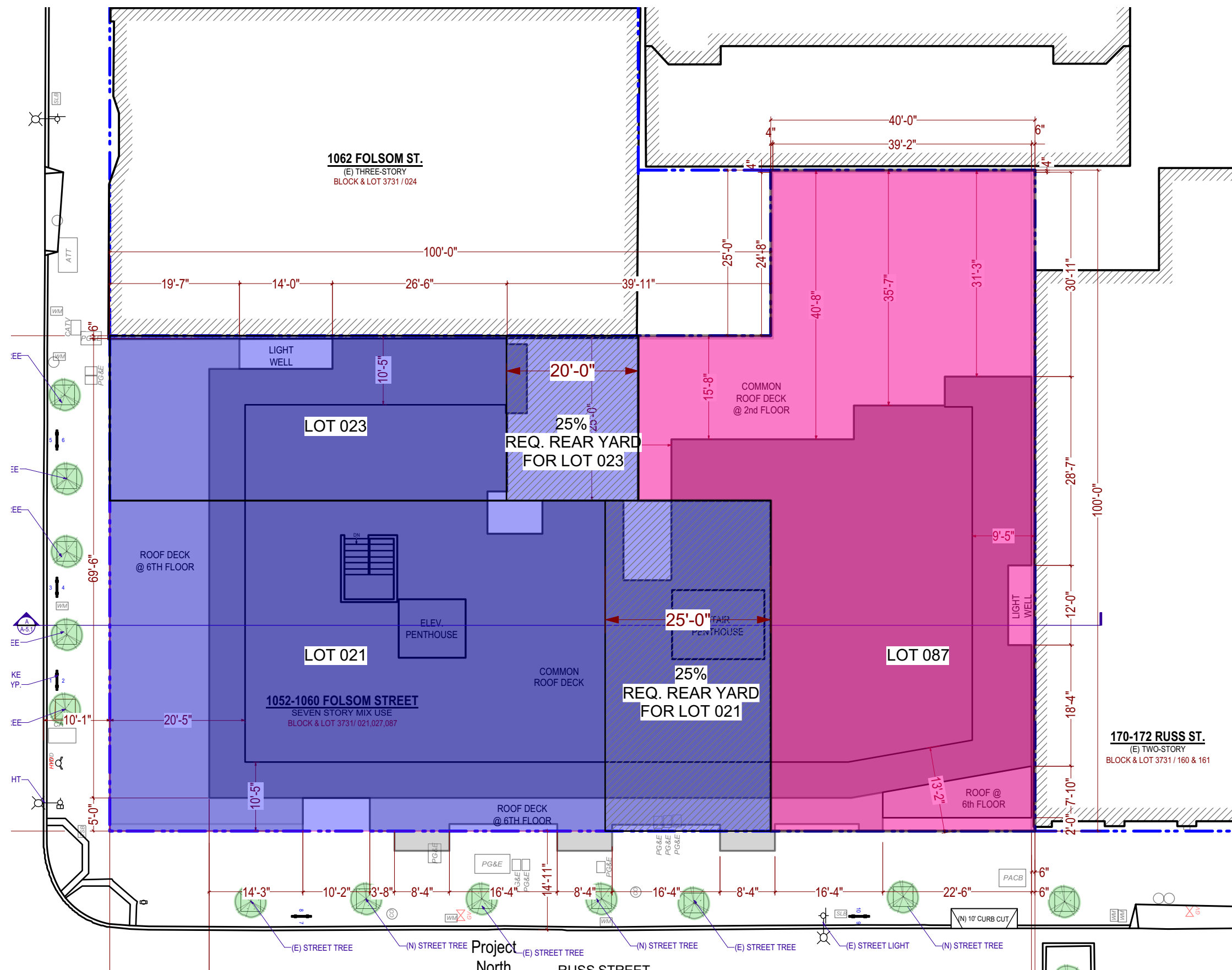
6th Floor Zoning Breakdown  
1/32" = 1'-0"



7th Floor Zoning Breakdown  
1/32" = 1'-0"



Roof Zoning Breakdown  
1/32" = 1'-0"



(N) Site Plan Zoning Breakdown  
1/16" = 1'-0"

**Residential Open Space Designation Matrix:**

Unit Level	Unit #	Zoning/ Area Req.	Private/ Common	Area Prov.	Location
First	101	RED/80	C	80s.F./unit	2nd Flr. Open Space
	102/3	NCT/100	C	100s.F./unit	2nd Flr. Open Space
Second	201/206/7	RED/80	C	80s.F./unit	2nd Flr. Open Space
	202/3/4/5	NCT/100	C	100s.F./unit	2nd Flr. Open Space
Third	301/310/11	RED/80	C	80s.F./unit	2nd Flr. Open Space
	302/3/4/5/6/7/8/9	NCT/100	C	100s.F./unit	2nd Flr. Open Space
Fourth	401/410/11	RED/80	C	80s.F./unit	Roof
	402/3/4/5/6/7/8/9	NCT/100	C	100s.F./unit	Roof
Fifth	501/510/11	RED/80	C	80s.F./unit	Roof
	502/3/4/5/6/7/8/9	NCT/100	C	100s.F./unit	Roof
Sixth	601	RED/60	P	131s.F.	Unit 601
	610/11	RED/80	C	80s.F./unit	Roof
Seventh	602/3/4/5/6/7/8/9	NCT/100	C	100s.F./unit	Roof
	701/708/9	RED/80	C	80s.F./unit	Roof
	702	NCT/100	C	100s.F./unit	Roof
	703	NCT/100	C	100s.F./unit	Roof
	704	NCT/80	P	606s.F.	Unit 704
	705	NCT/80	P	525s.F.	Unit 705
	706/7	NCT/100	C	100s.F./unit	Roof

**2nd Floor Roof Deck Open Space:**  
Total Designated: 1,960 S.F.  
Total Provided: 2,420 S.F.

**Roof Deck Open Space:**  
Total Designated: 3,900 S.F.  
Total Provided: 4,351 S.F.

**Zoning Controls Table:**

Zoning	RED	SOMA NCT
Height	65-X	65-X
Rear Yard	110'-140' Max. Bldg. Length	25%
Rear Yard Prov.	±1,789 S.F.	±631 S.F.
Street Frontage / Active Use	-	Min. 25'
Dwelling Density	-	-
Open Space	60s.F. if Private 80s.F. if Common	80s.F. if Private 100s.F. if Common
Off Street Parking	-	None Required

**Unit/Zoning Matrix:**

Zoning	RED	SOMA NCT
# Of Units	19	44
# Units W/ Private Open Space	1	2
# Units W/ Common Open Space	18	42
Req. Open Space	60x1=60s.F. 80x18=1,440s.F.	80x2=160s.F. 100x42=4,200s.F.

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**Zoning District  
Diagram &  
Open Space Table**

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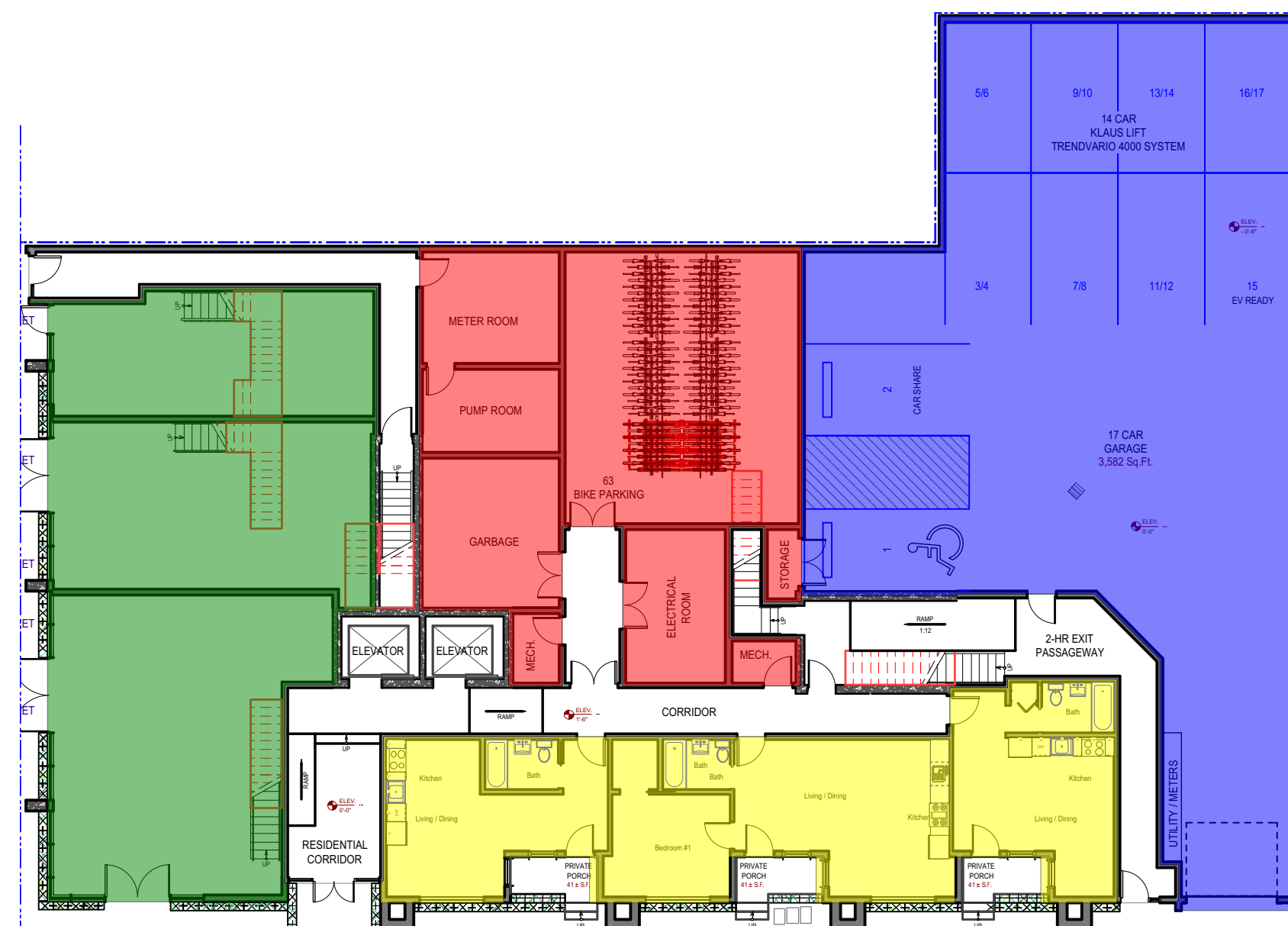
**DATE** 12/26/2016

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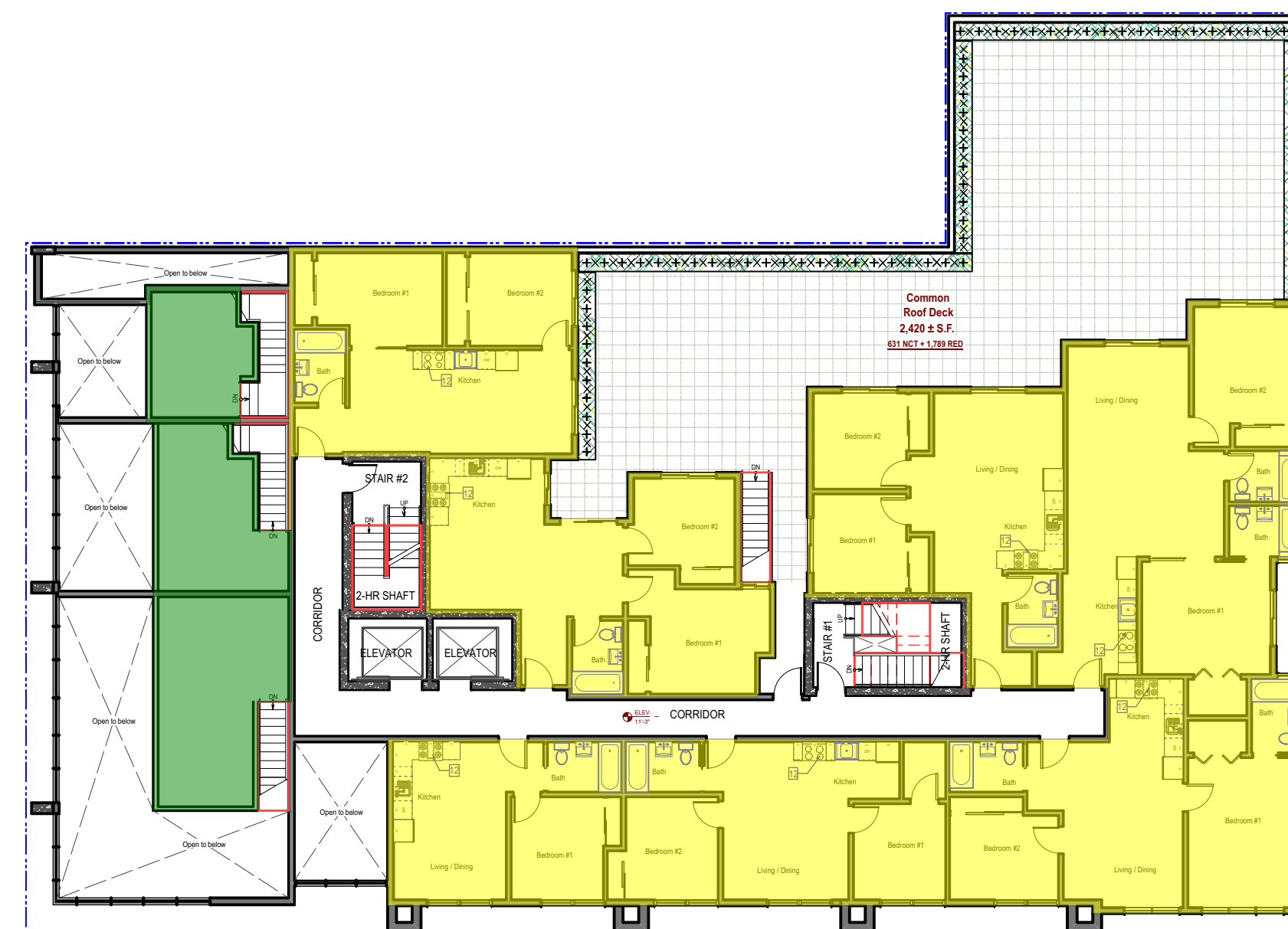
**JOB NO.** 16-1727

**SHEET NO.**

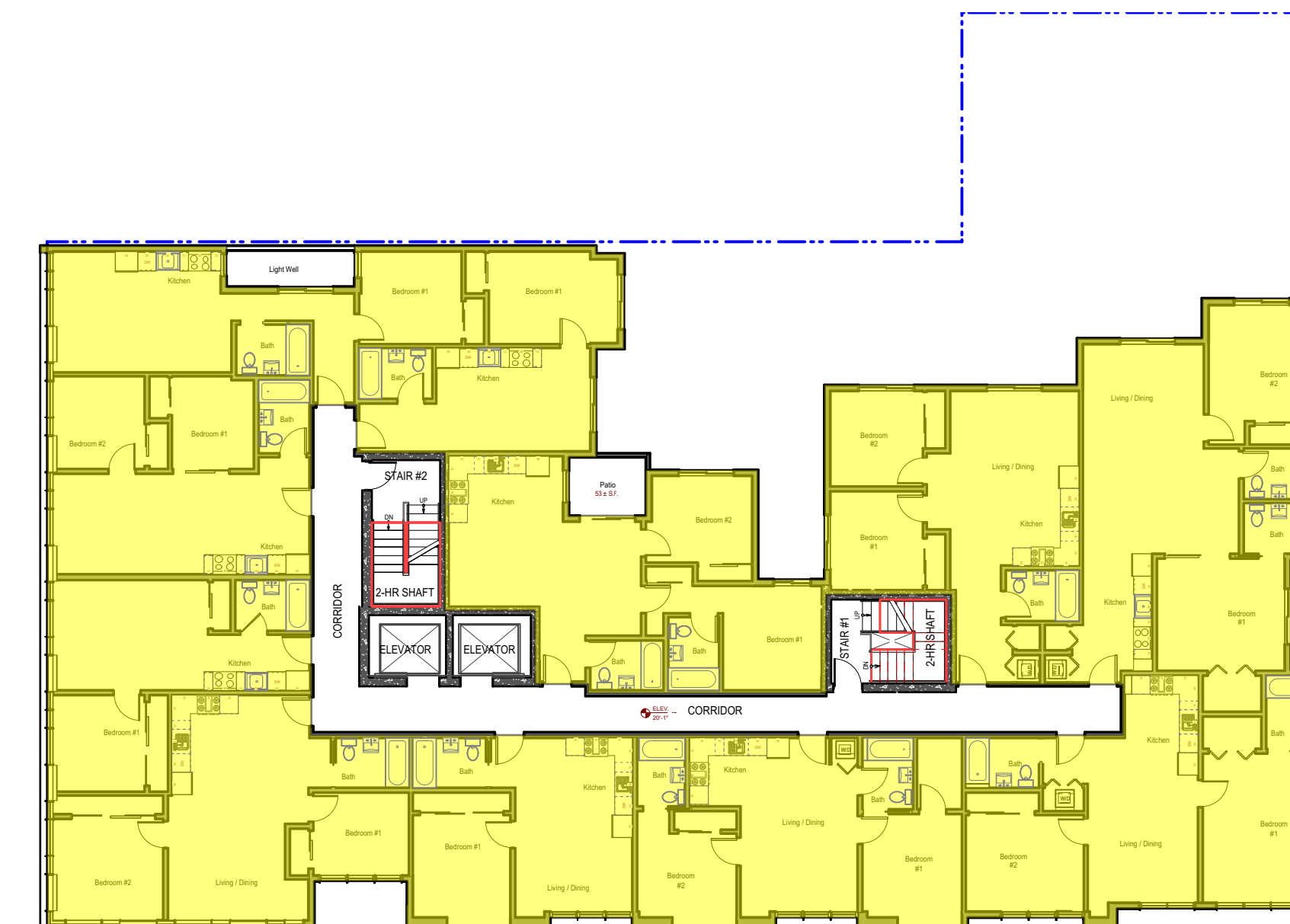
**A-0.3**



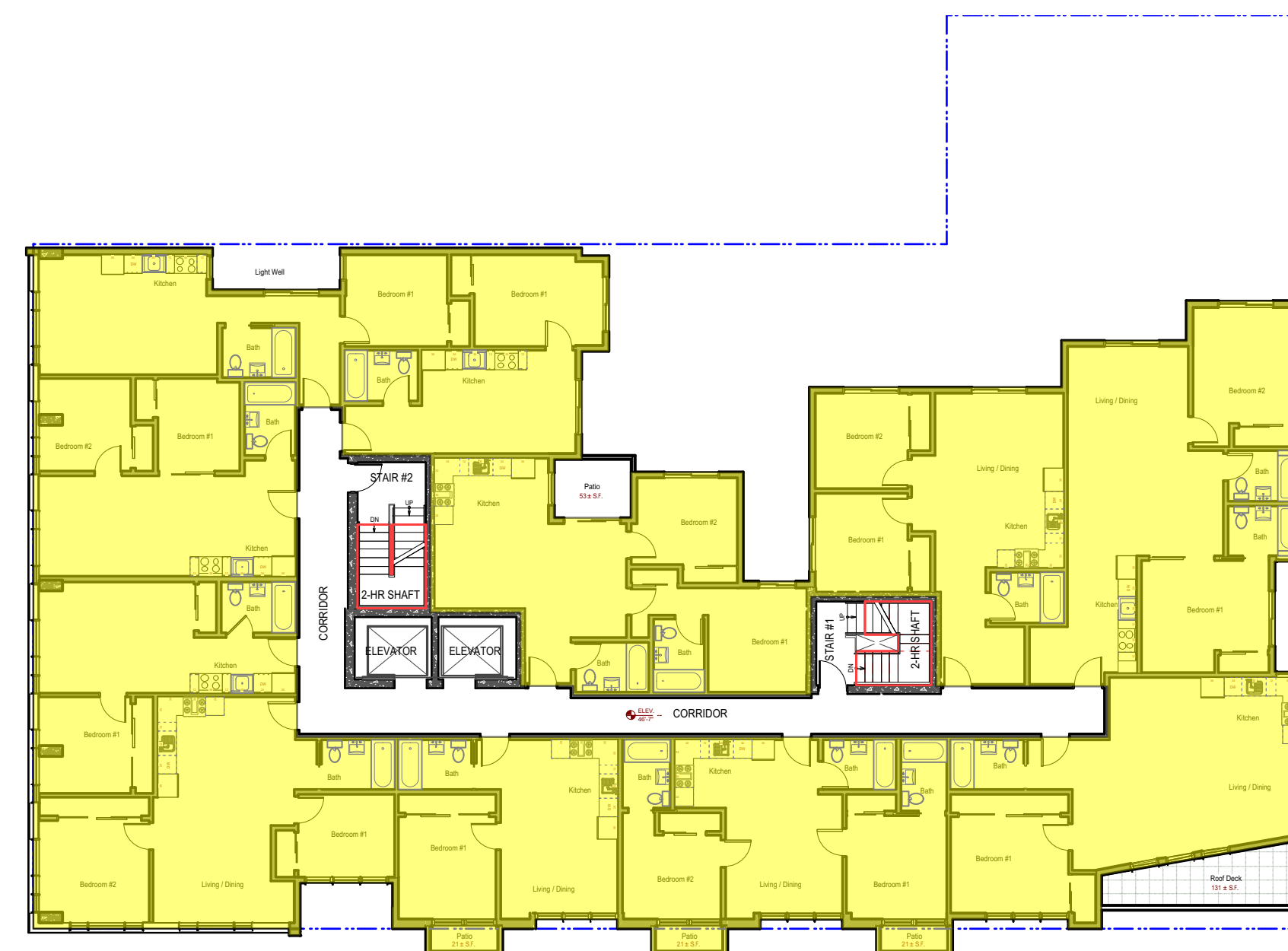
<b>1st Floor</b> 1/16" = 1'-0"	<b>Garage</b> 3,582 S.F.	<b>Residential</b> 1,420 S.F.
	<b>Circulation</b> 1,762 S.F.	<b>Commercial</b> 2,121 S.F.
	<b>Bike, Trash, Meter &amp; Pump Rooms</b> 1,739 S.F.	



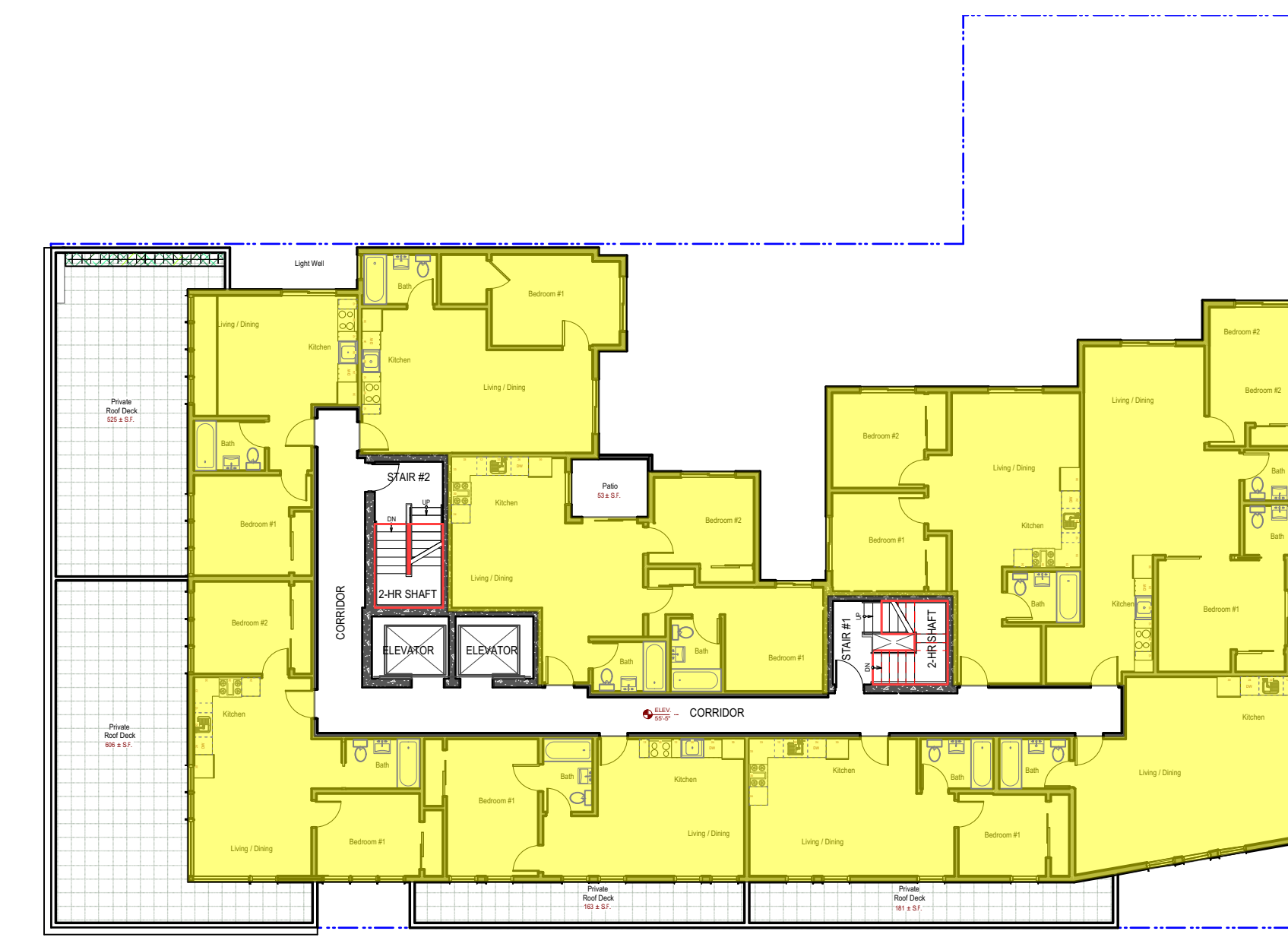
<b>2nd Floor</b> 1/16" = 1'-0"	<b>Residential</b> 5,209 S.F.
	<b>Commercial</b> 701 S.F.
	<b>Circulation</b> 847 S.F.



<b>3rd, 4th, 5th Floors</b> 1/16" = 1'-0"	<b>Residential</b> 7,806 S.F.
	<b>Circulation</b> 847 S.F.



<b>6th Floor</b> 1/16" = 1'-0"	<b>Residential</b> 7,591 S.F.
	<b>Circulation</b> 847 S.F.



<b>7th Floor</b> 1/16" = 1'-0"	<b>Residential</b> 6,038 S.F.
	<b>Circulation</b> 847 S.F.

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## Gross Floor Area Diagram

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### ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

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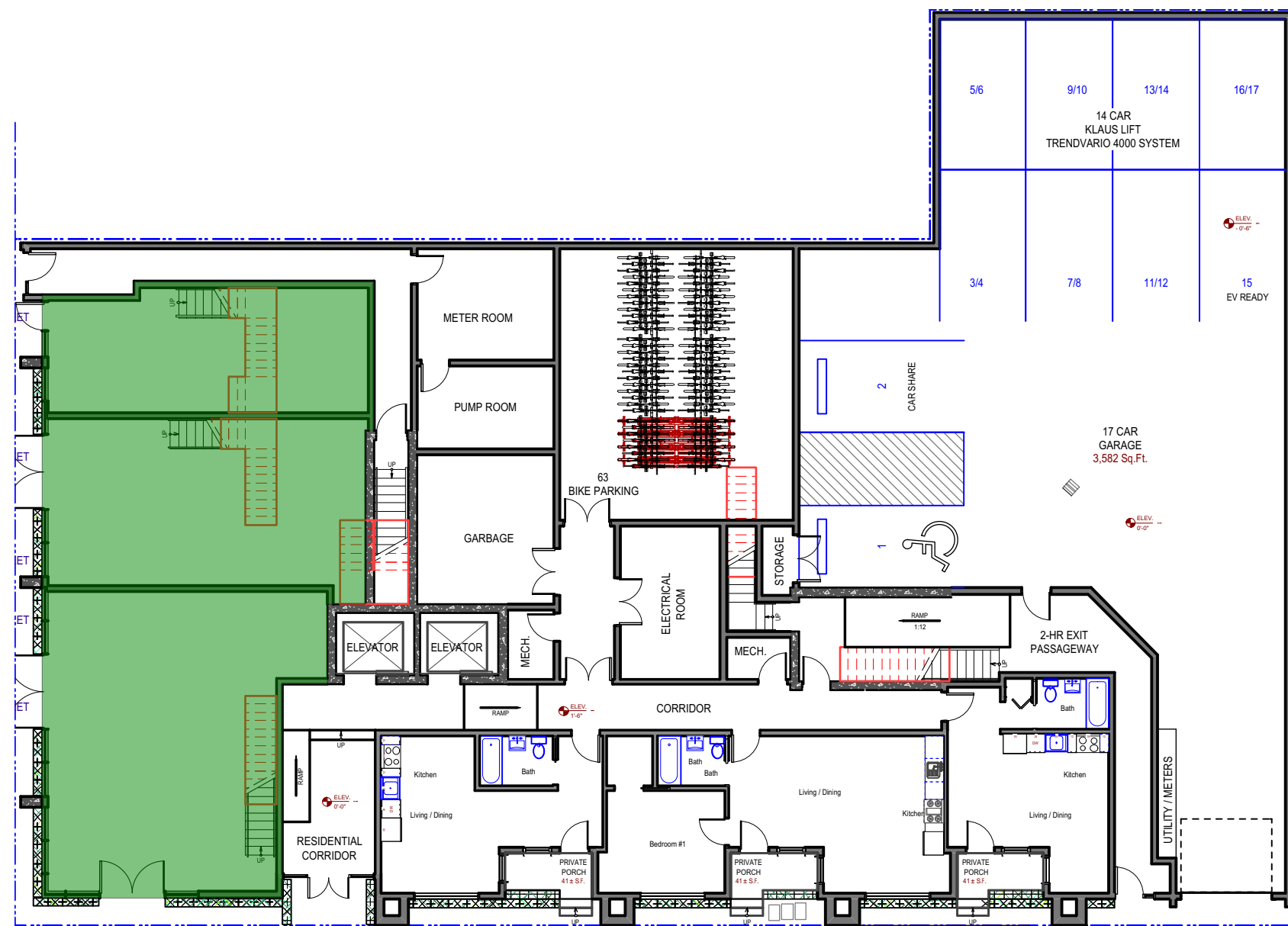
**DATE** 12/26/2016

**REVISED DATE** 12/10/2018

**JOB NO.** 16-1727

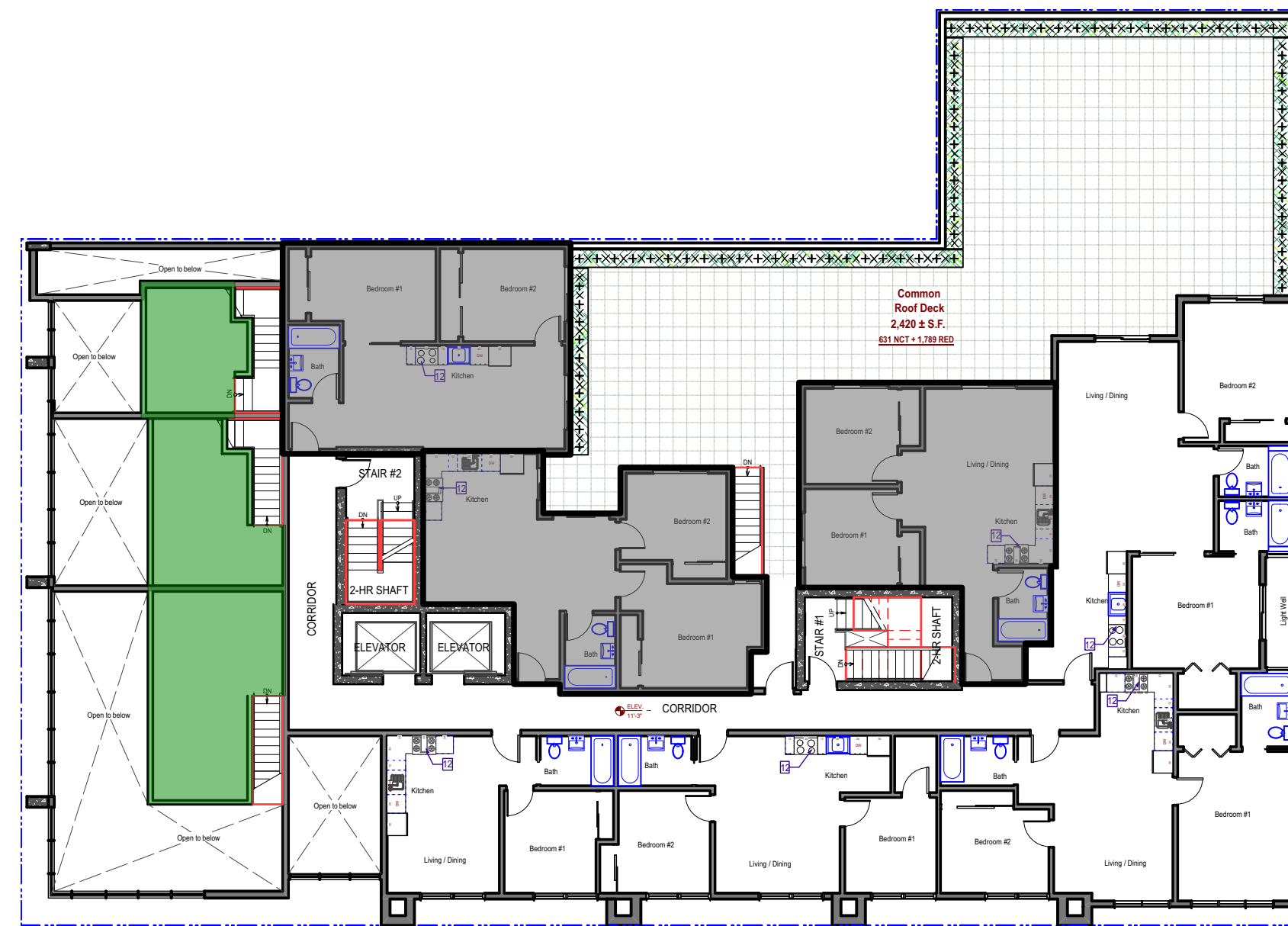
**SHEET NO.**

**A-0.4**



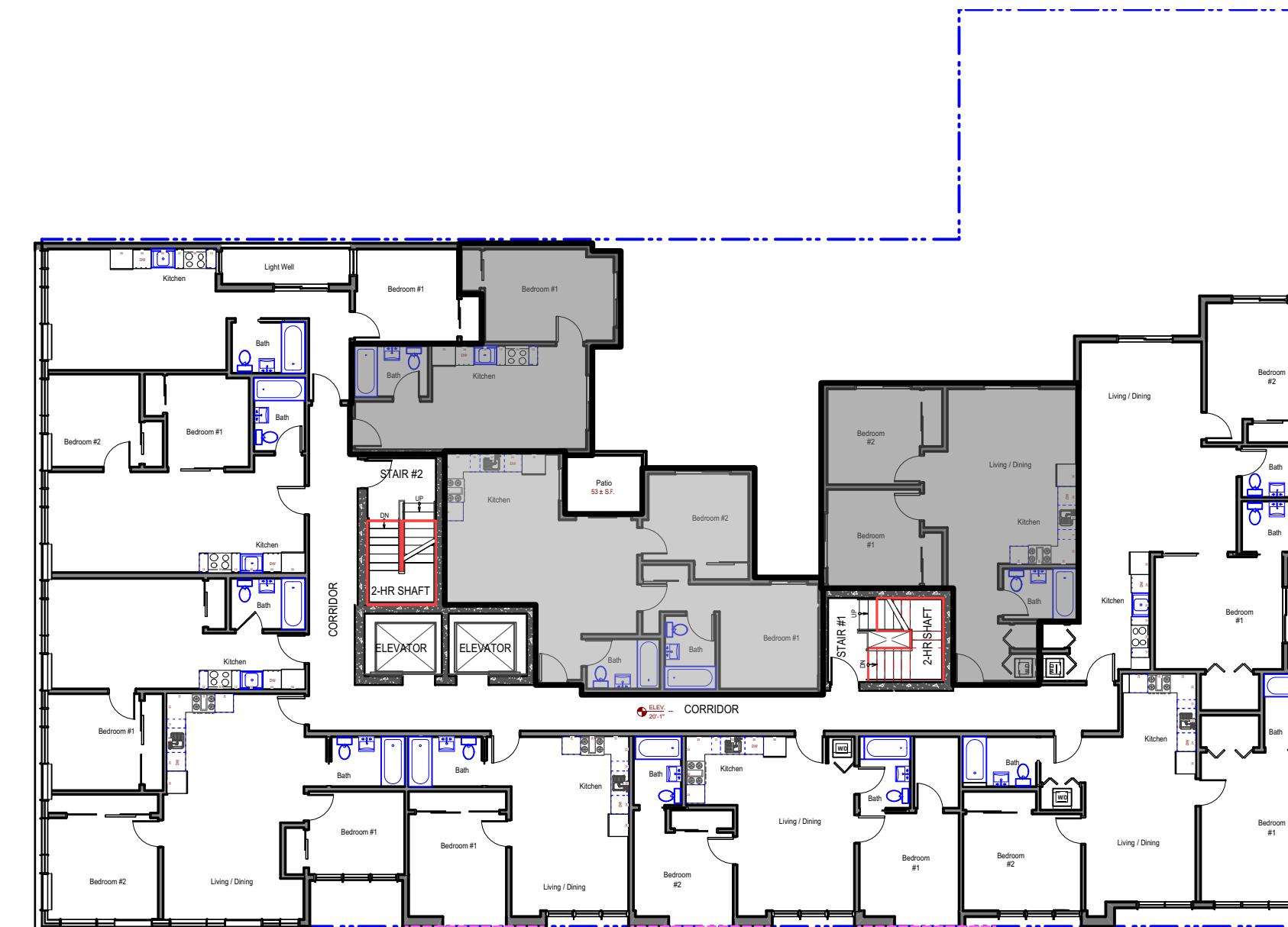
**1st Floor**  
1/16" = 1'-0"

VAR Needed  
Residential Unit Meeting Req.  
Commercial Unit



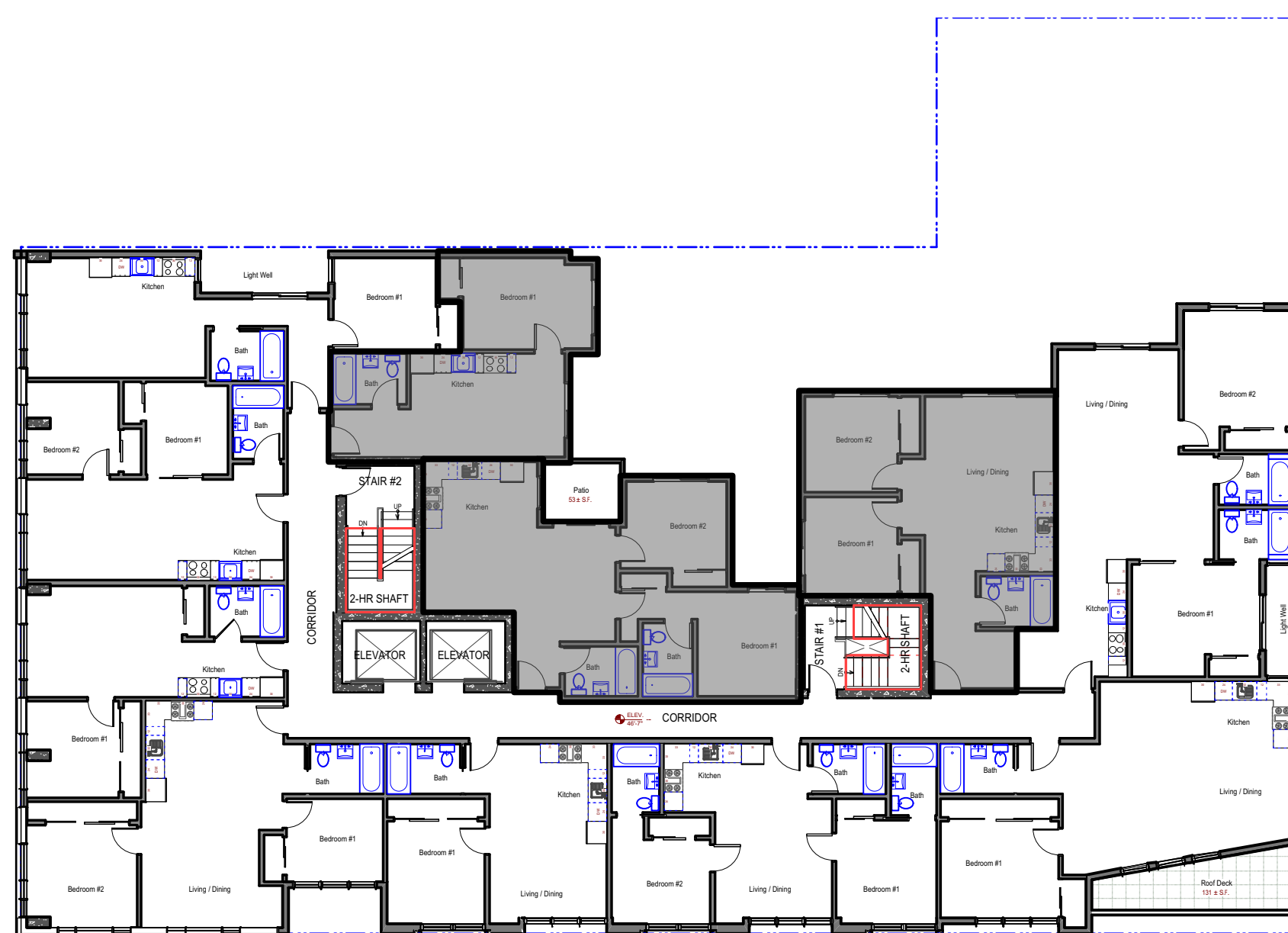
**2nd Floor**  
1/16" = 1'-0"

VAR Needed  
Residential Unit Meeting Req.  
Commercial Unit



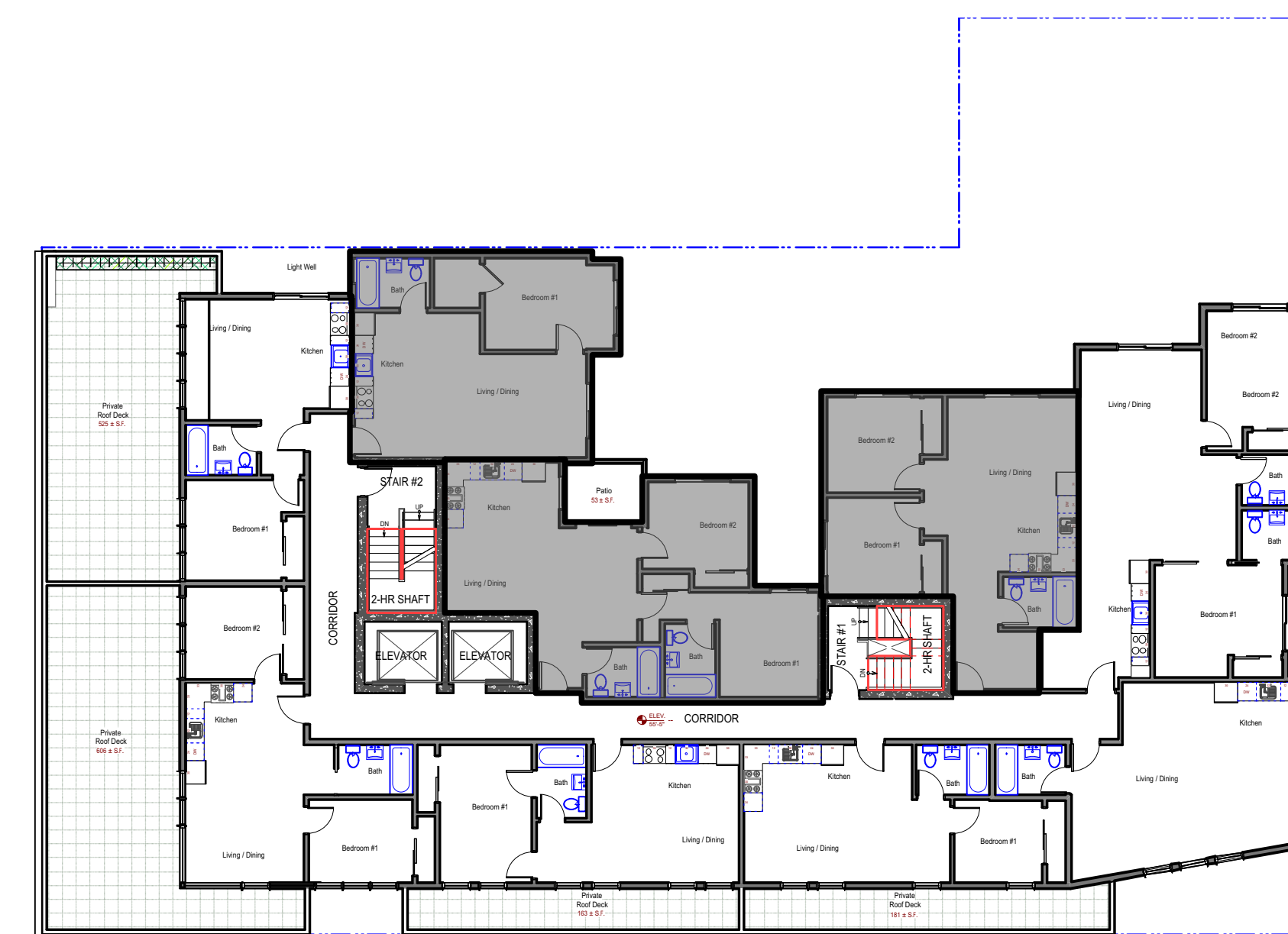
**3rd-5th Floor**  
1/16" = 1'-0"

VAR Needed  
Residential Unit Meeting Req.



**6th Floor**  
1/16" = 1'-0"

VAR Needed  
Residential Unit Meeting Req.



**7th Floor**  
1/16" = 1'-0"

VAR Needed  
Residential Unit Meeting Req.

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# Unit Exposure Diagram

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**A-0.4.1**

7<sup>TH</sup> ST.

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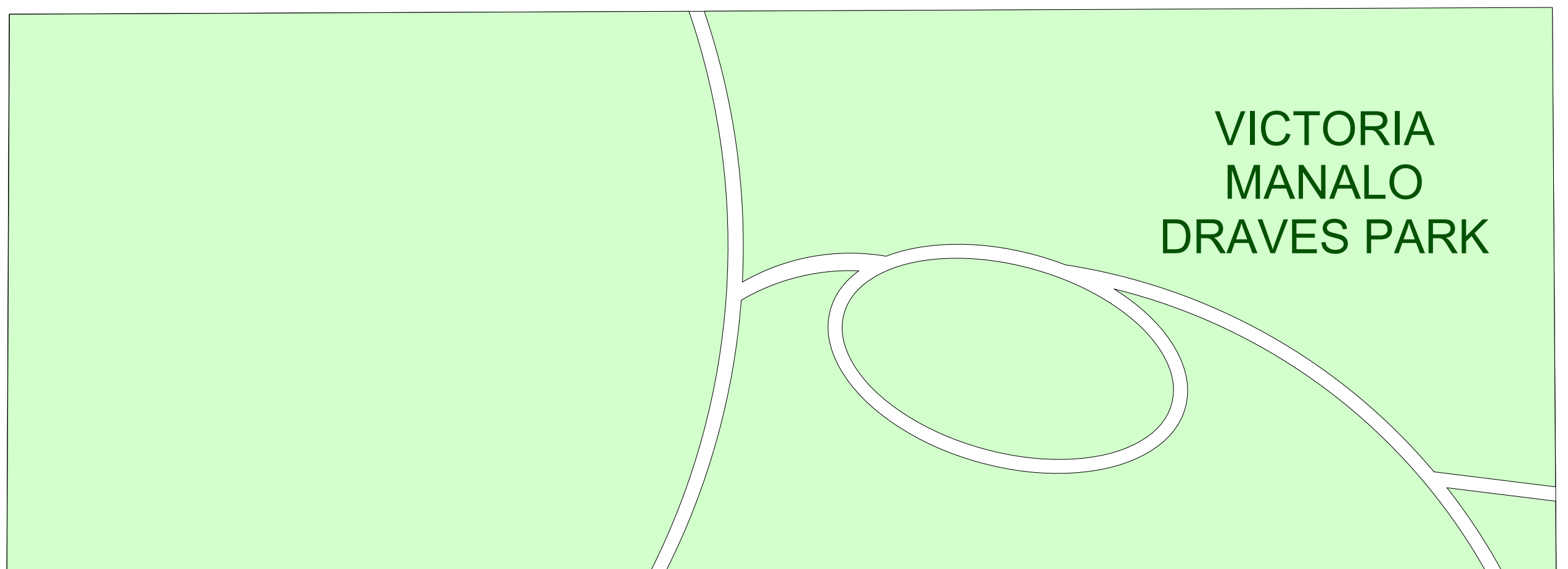
MOSS ST.

HARRISON ST.

FOLSOM ST.

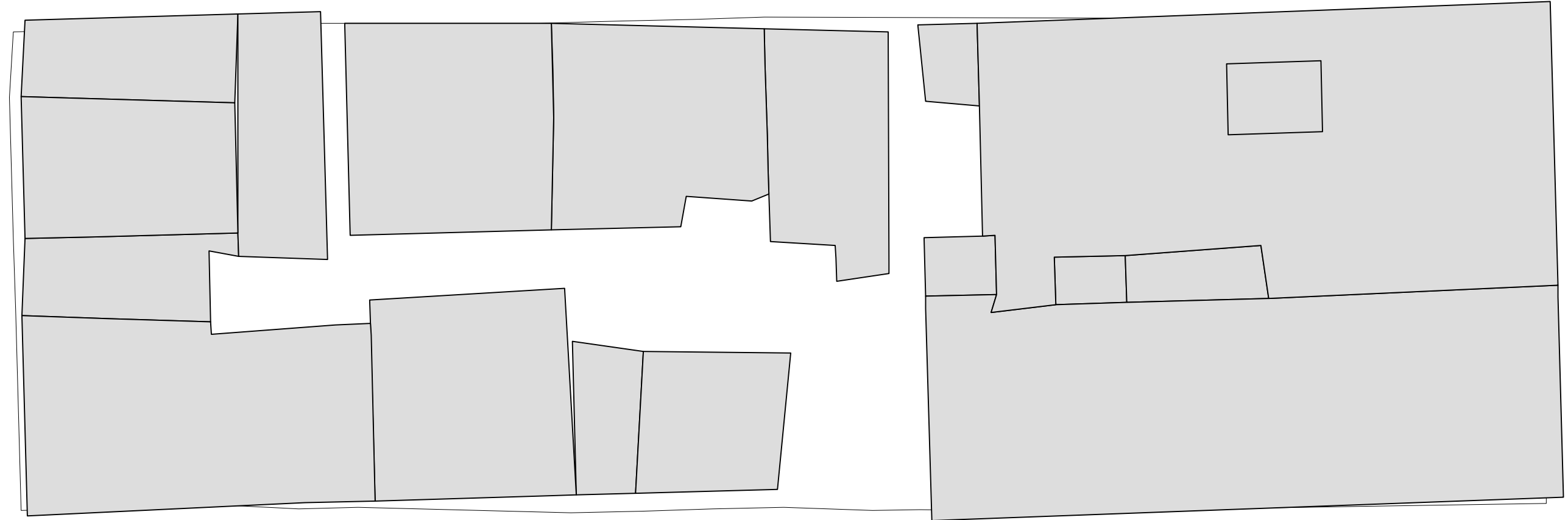
HOWARD ST.

SHERMAN ST.



Vicinity Map

RUSS ST.



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NO.	DATE	DESCRIPTION

COLUMBIA SQ.

HARRIET ST.

DRAWN A.A

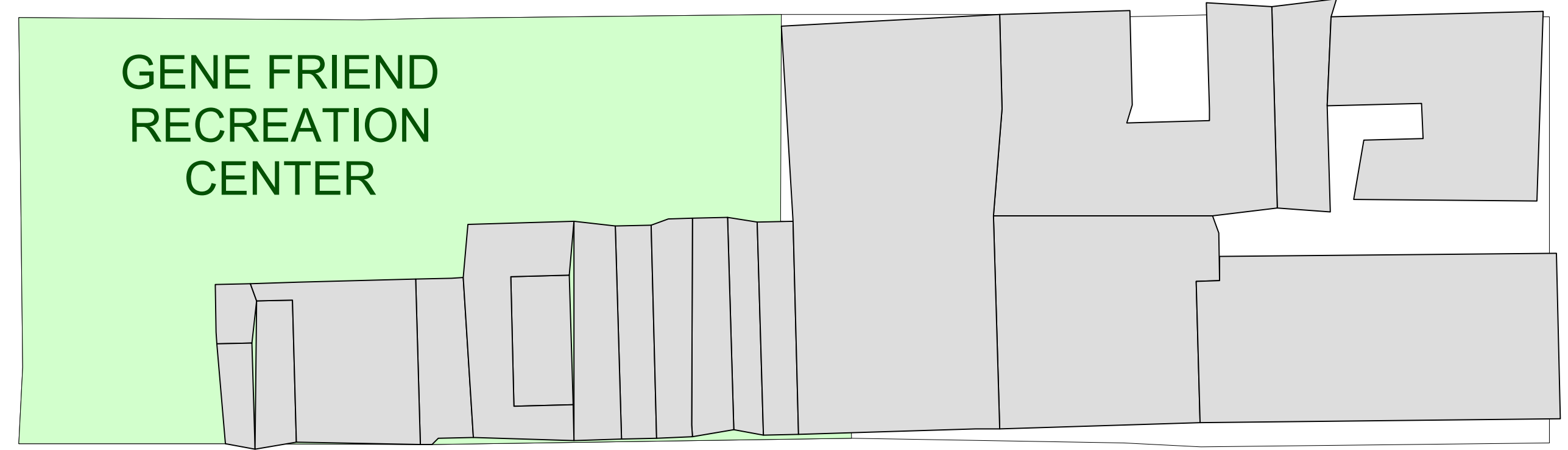
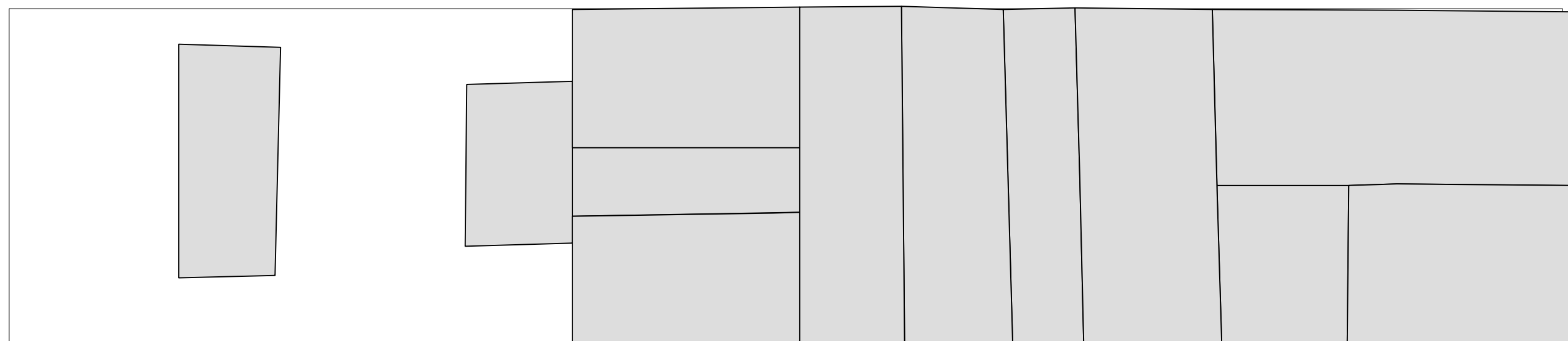
CHECKED R.K.

DATE 12/26/2016

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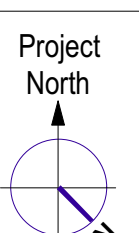
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A-0.5

Vicinity Plan  
 1:500



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**Mid-Block  
 Open Space  
 Pattern Diagram**

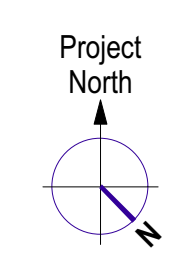


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Mid-Block Open Space Diagram  
 N.T.S



- Proposed Project:**
- Proposed Open Space:**
- Mid-Block Open Space:**

<b>DRAWN</b>	A.A
<b>CHECKED</b>	R.K.
<b>DATE</b>	12/26/2016
<b>REVISED DATE</b>	12/10/2018
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<b>SHEET NO.</b>	A-0.6

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Aerial Photos

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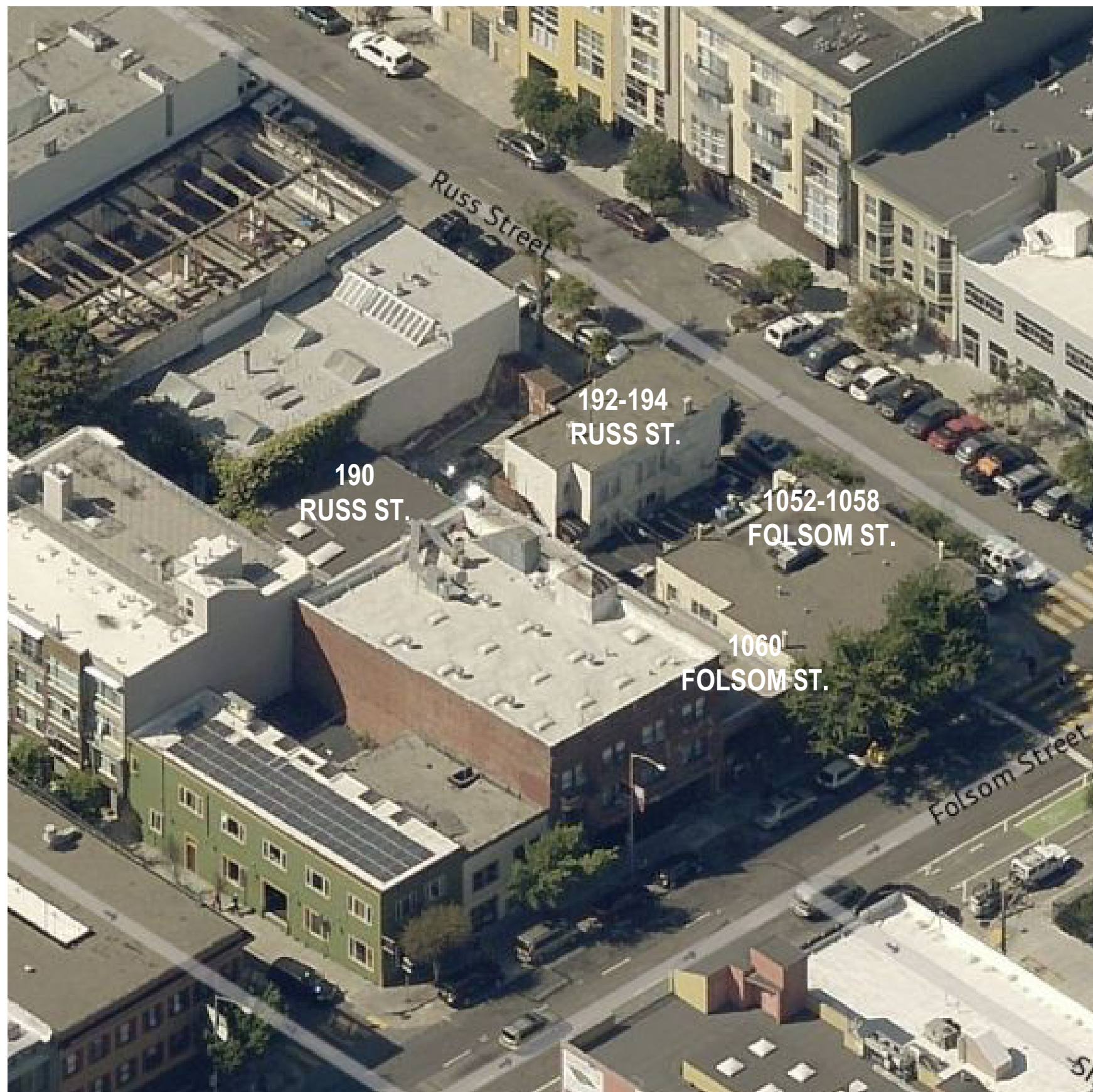
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Aerial View 1



Aerial View 2



Aerial View 3



PROJECT NAME  
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Folsom Street Block Face



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**Site  
 Photos**



Folsom Across Street Block Face

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Russ Street Block Face



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Russ Across Street Block Face

Site  
 Photos

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PROJECT NAME  
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Folsom-Russ Corner Street View



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Site  
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Folsom Street View

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A-0.10

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**Street Views**



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Isometric View

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SHEET NO.

A-0.12

Isometric View

N.T.S



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**Perspective View**

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SHEET NO.	A-0.13



Russ Street Perspective View  
 N.T.S

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Perspective View



Folsom Street Perspective View  
 N.T.S

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JOB NO.	16-1727
SHEET NO.	A-0.14



Phenolic Resin Panel - Wood Grain Finish



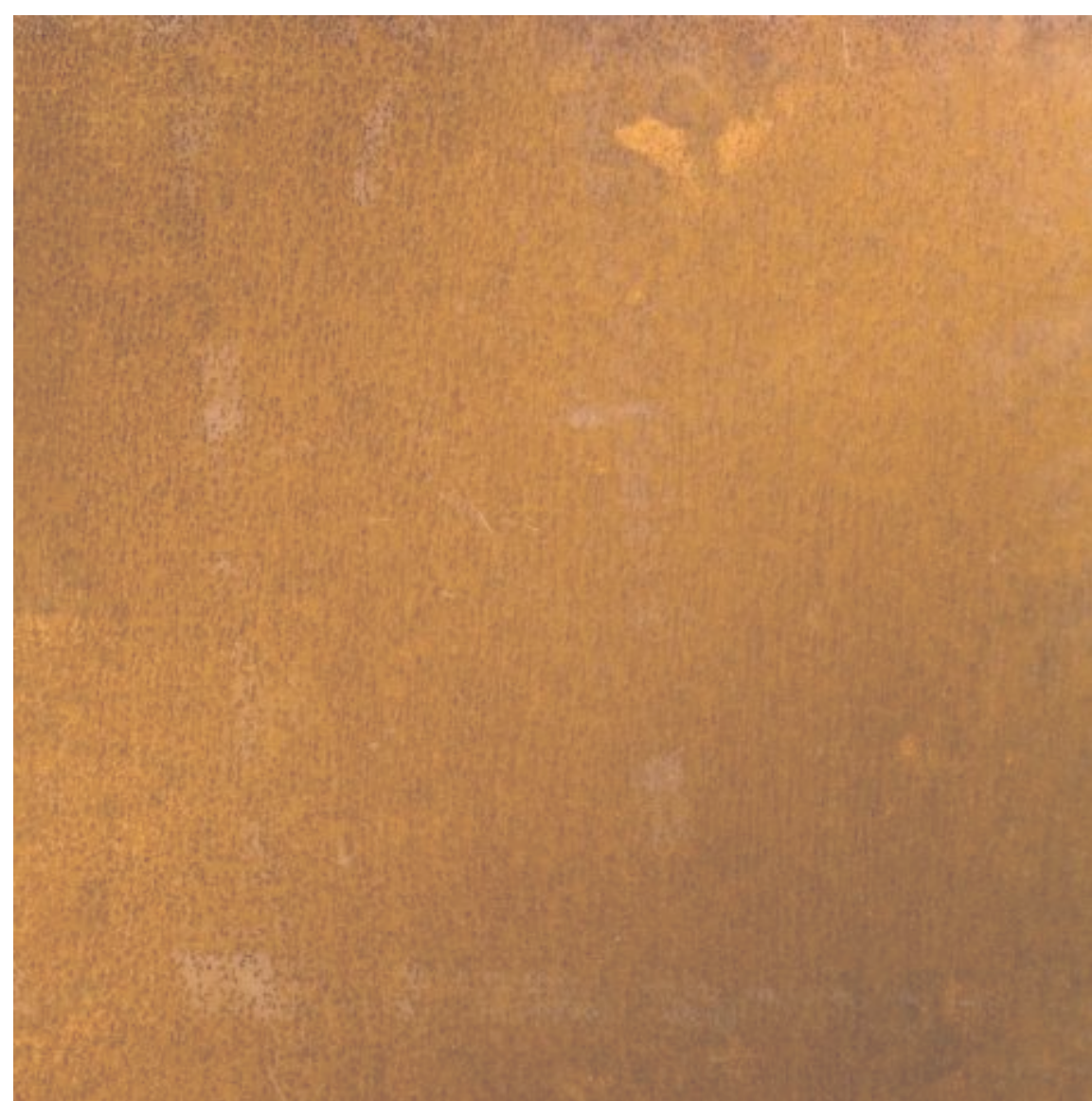
Porcelain Tiles - Wood Grain Finish



Corrugated Corten Steel Panel



High Quality Smooth Stucco



Smooth Corten Steel Panel



PROJECT NAME  
**1052-1060 Folsom Street**  
 SAN FRANCISCO, CA



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SHEET TITLE

**Material Board**

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**DATE** 12/26/2016

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**JOB NO.** 16-1727

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**A-0.15**



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2. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR PAOLO IANTORNO AND THAT IT REMAINS THE PROPERTY OF FREDERICK T. SEHER & ASSOCIATES, INC. WHETHER THE PROJECT (IF ANY PROPOSED) ON THIS SITE IS CONSTRUCTED OR NOT.

3. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENT(S) PREPARED BY FREDERICK T. SEHER & ASSOCIATES, INC. IN RELATION HEREOF SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN FOR: BUILDING PERMIT AND LAND SUBDIVISION. FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFF-SITE OR ON-SITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSES. INTENT & CONTRACT LIABILITY SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK T. SEHER & ASSOCIATES, INC. DISCLAIMS ANY AND ALL RESPONSIBILITY.

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6. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 2 ABOVE.

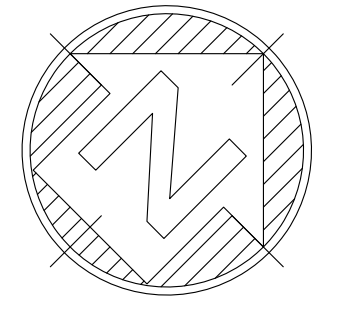
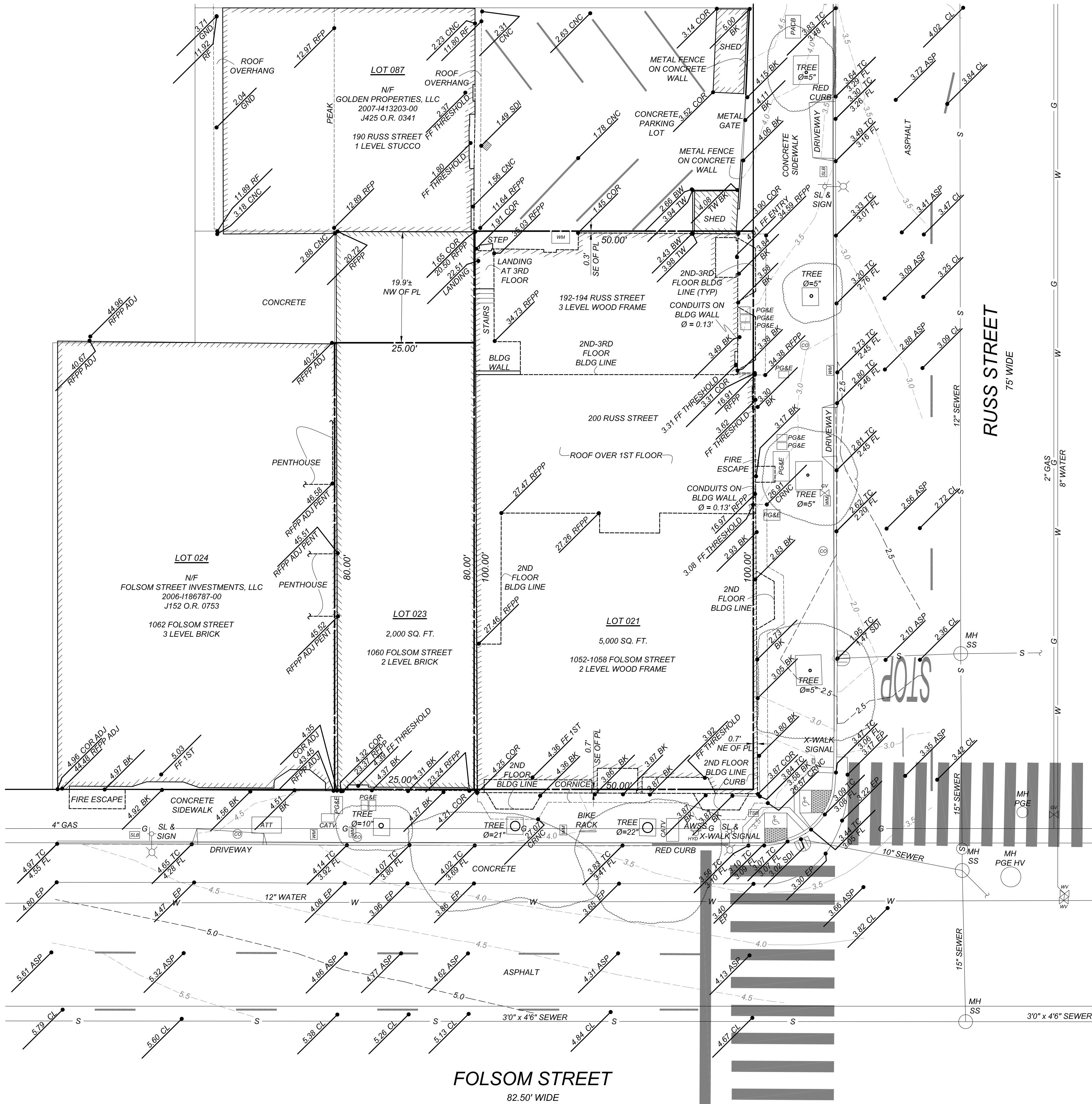
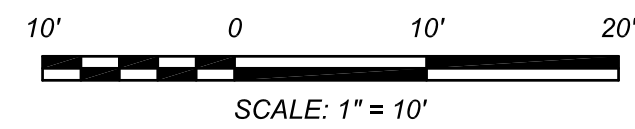
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9. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. A SIGNED PRINT DELIVERED TO THE CLIENT OR CLIENT REPRESENTATIVE CONSTITUTES OUR PROFESSIONAL WORK PRODUCT, AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR FOR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

LEGEND

- ADJ ADJACENT BUILDING
- ASP ASPHALT
- BK BACK OF WALK
- BW BOTTOM OF WALL
- BLDG BUILDING
- CATV CABLE TELEVISION
- CL CENTER LINE
- CNC CONCRETE
- CRNC CORNICHE
- COR CORNER
- DW DRIVEWAY
- EP EDGE OF PAVEMENT
- FF FINISHED FLOOR
- FL FLOW LINE
- GND GROUND
- MH MANHOLE
- PACB PACIFIC BELL
- PG&E PACIFIC GAS & ELECTRIC
- RF ROOF
- RFP ROOF PEAK
- RFPP ROOF PARAPET
- SDI STORM DRAIN INLET
- SL STREET LIGHT
- SLB STREET LIGHT BOX
- TC TOP OF CURB
- TSB TRAFFIC SIGNAL BOX
- TW TOP OF WALL
  
- GAS LINE
- SANITARY SEWER LINE
- WATER LINE
  
- Ø DIAMETER
- FIRE HYDRANT
- GAS VALVE
- HANDICAP RAMP
- STREET LIGHT
- PAINT STRIPE
- SANITARY SEWER CLEAN OUT/VENT
- SIGN
  
- ELEV DESC SPOT ELEVATION
- STORM DRAIN INLET
- TREE/DRIPLINE
- WATER METER
- WATER VALVE



BOUNDARY NOTES:

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE LAW. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

DATE OF FIELD SURVEY:

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON JUNE 19, 2014.

SURVEY REFERENCE:

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEEDS:  
LOT 021: RECORDED JULY 3, 2007, DOCUMENT NUMBER 2007-1413196-00, ON REEL J425 AT IMAGE 0334.  
LOT 023: RECORDED DECEMBER 29, 2010, DOCUMENT NUMBER 2010-1108900-00, ON REEL K300 AT IMAGE 0120.

UTILITY NOTE:

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

PROJECT BENCHMARK - DESCRIPTION:

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF 7TH AND HOWARD STREETS. ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. S.W. CORNER, CROW CUT OUTER RIM SWI. ELEVATION = 13.999'

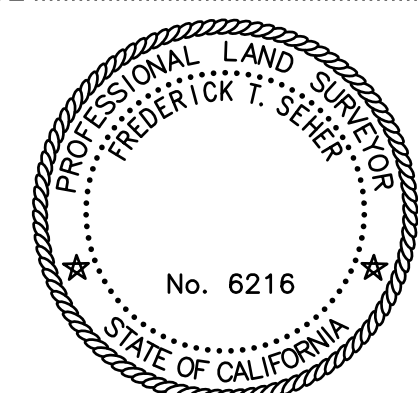
SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY.

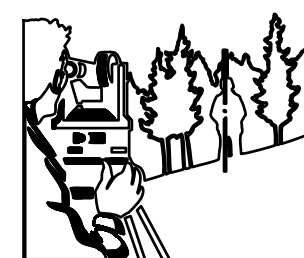
DATE 07/02/18

*Frederick T. Seher*

FREDERICK T. SEHER, PLS  
LICENSE NO. 6216



DATE: JUNE, 2014	▲			
SCALE: 1" = 10'	▲			
DRAWN BY: EE	▲			
DRAWING NAME: 1821-14	▲			
SURVEYED BY: FTS	▲			
CHECKED BY: JC	▲			
CHECKED BY:	▲			
	NO.	BY	DATE	REVISIONS



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PROFESSIONAL LAND SURVEYORS  
SURVEYING & MAPPING  
841 LOMBARD STREET, SAN FRANCISCO, CA 94133  
(415) 921-7690 FAX (415) 921-7655

**ARCHITECTURAL SITE SURVEY**  
**1052-1060 FOLSOM STREET, 194-200 RUSS STREET, SAN FRANCISCO, CA**  
**ASSESSOR'S BLOCK 3731, LOTS 021 & 023**

SHEET  
**1**  
OF 1 SHEETS  
JOB NO.:  
1821-14



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SHEET TITLE

(N) Site Plan

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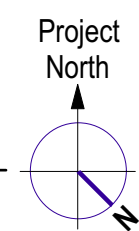
JOB NO. 16-1727

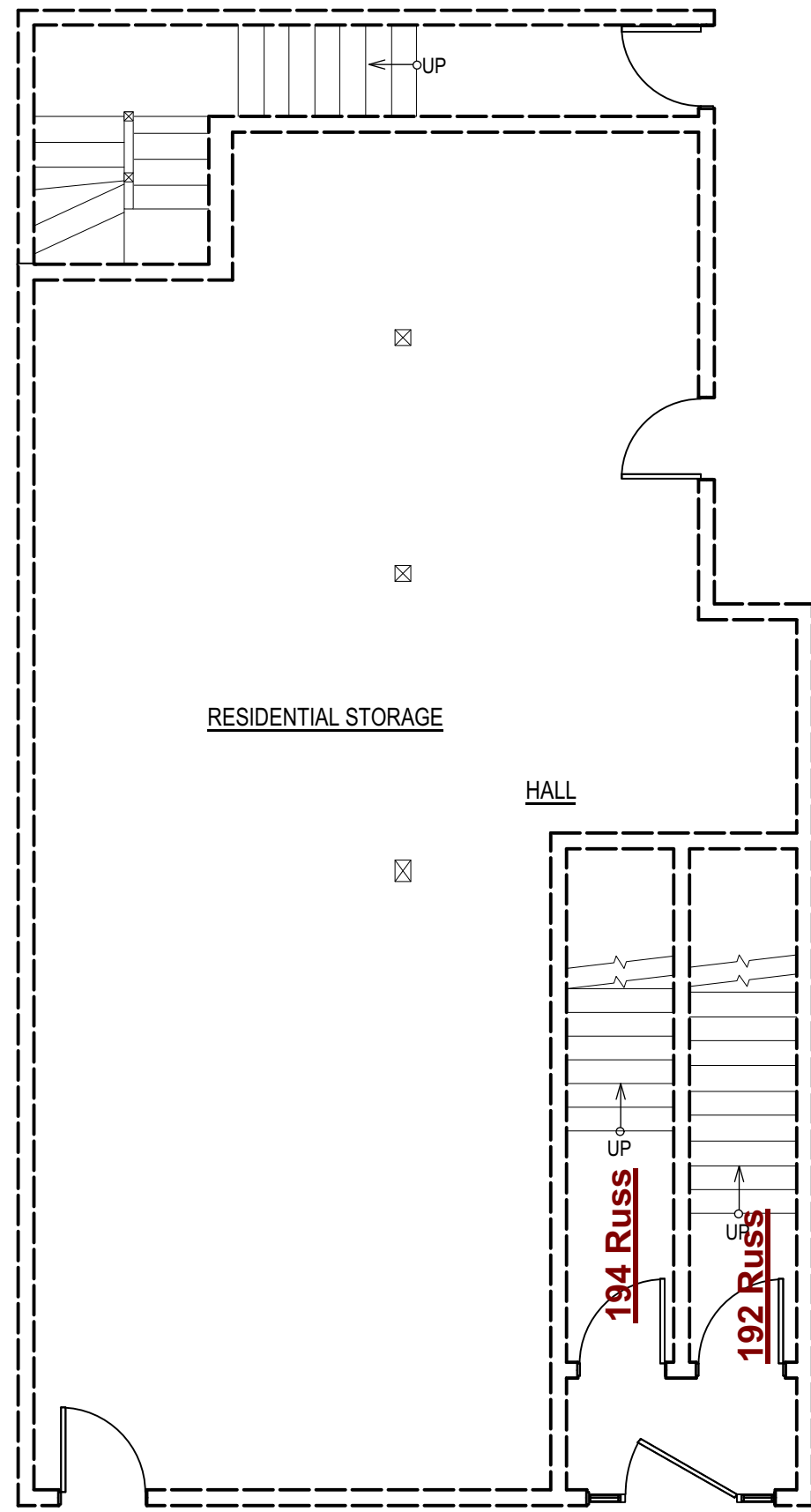
SHEET NO.

A-1.2

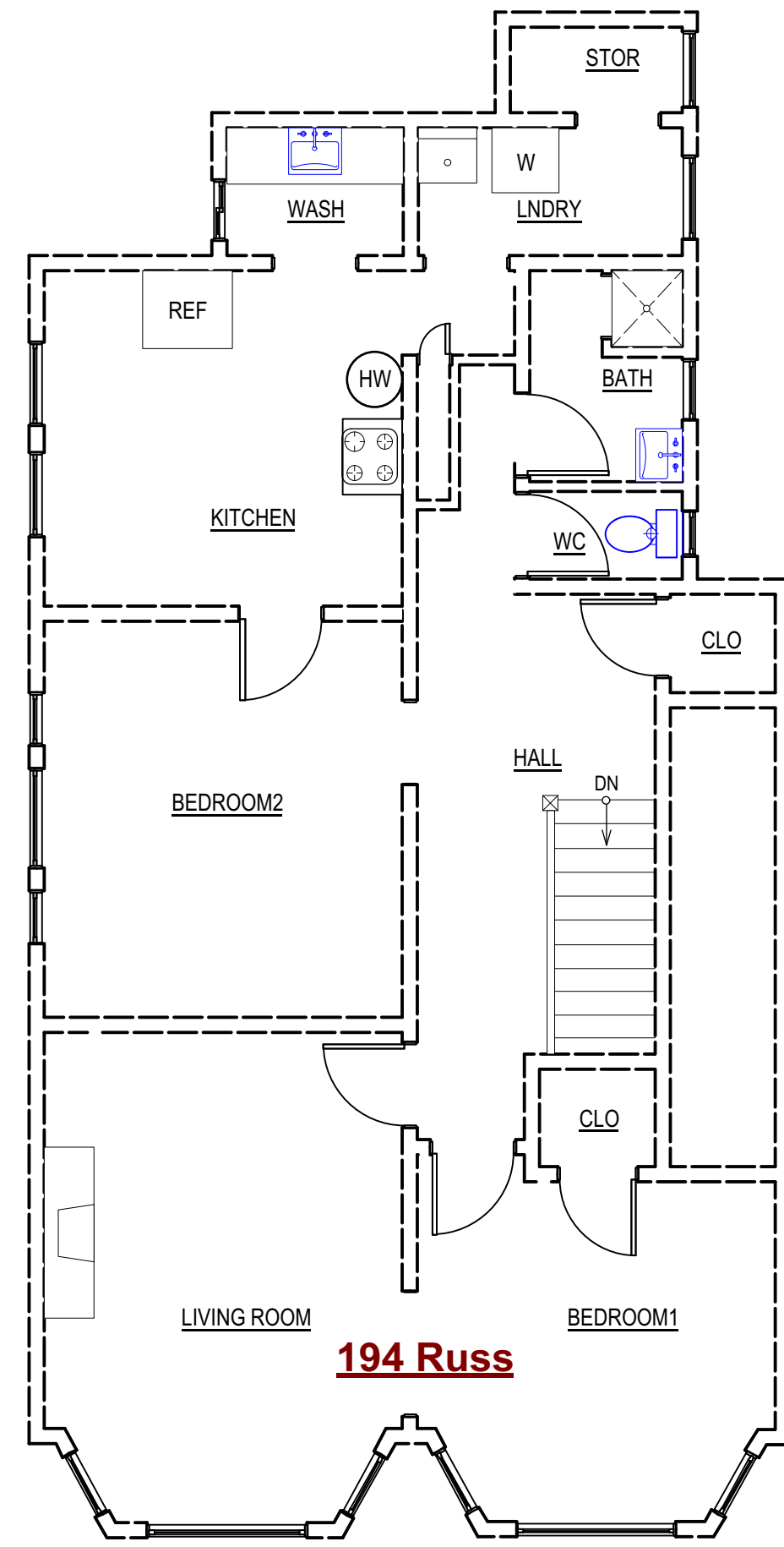


Proposed Site Plan  
3/16" = 1'-0"

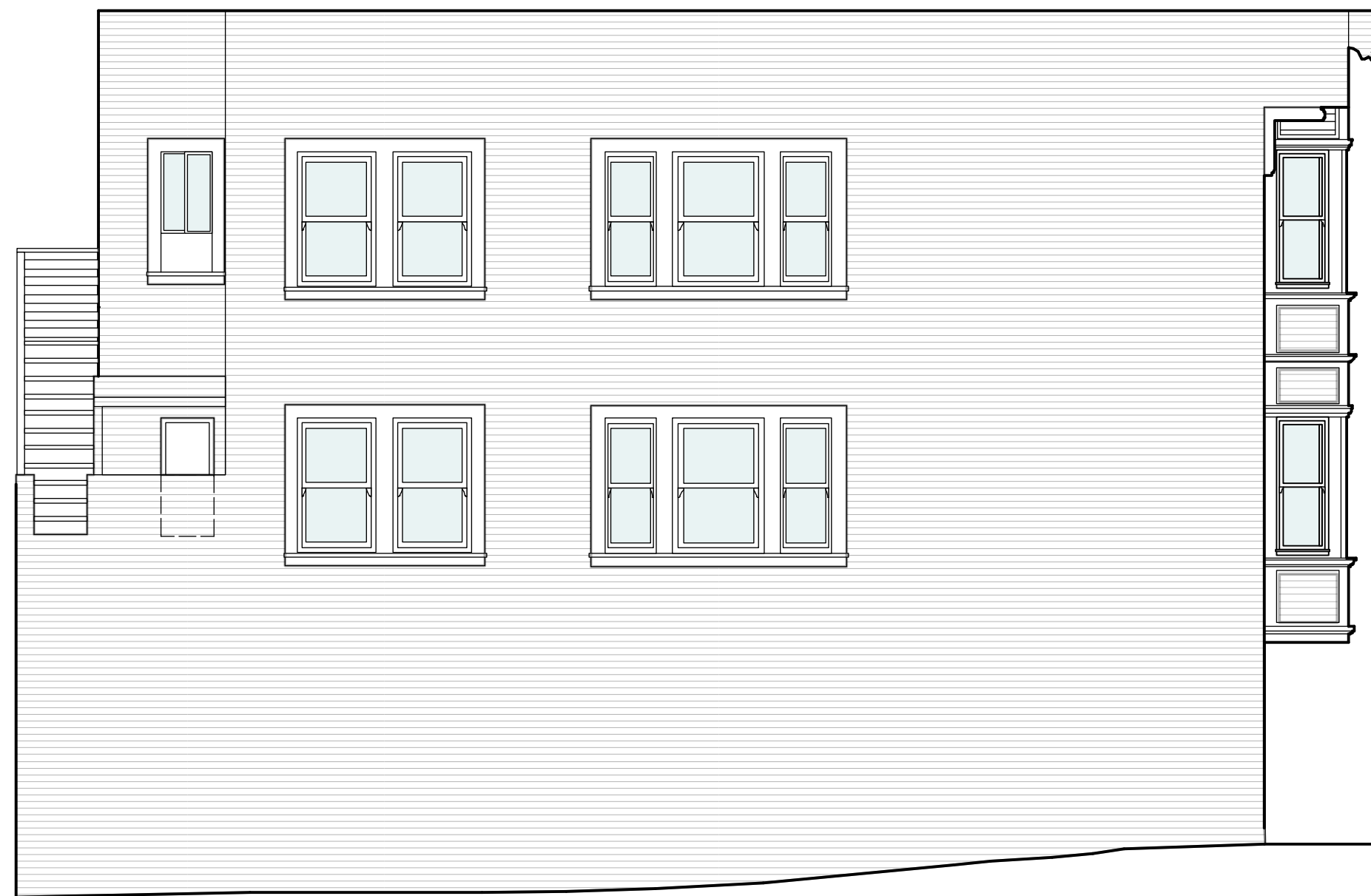
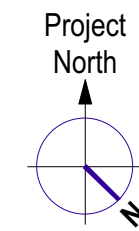




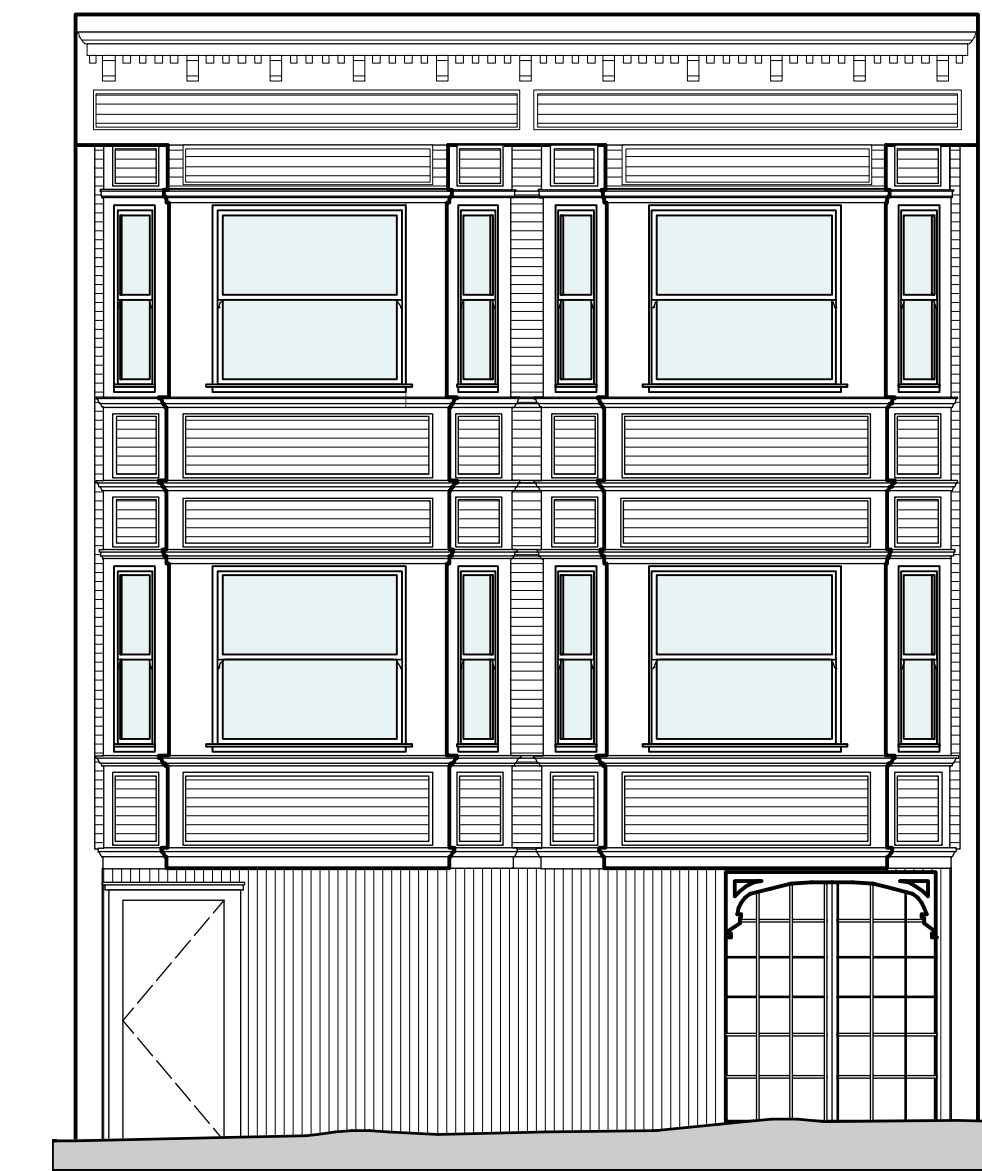
Existing First Floor Plan  
3/16" = 1'-0"



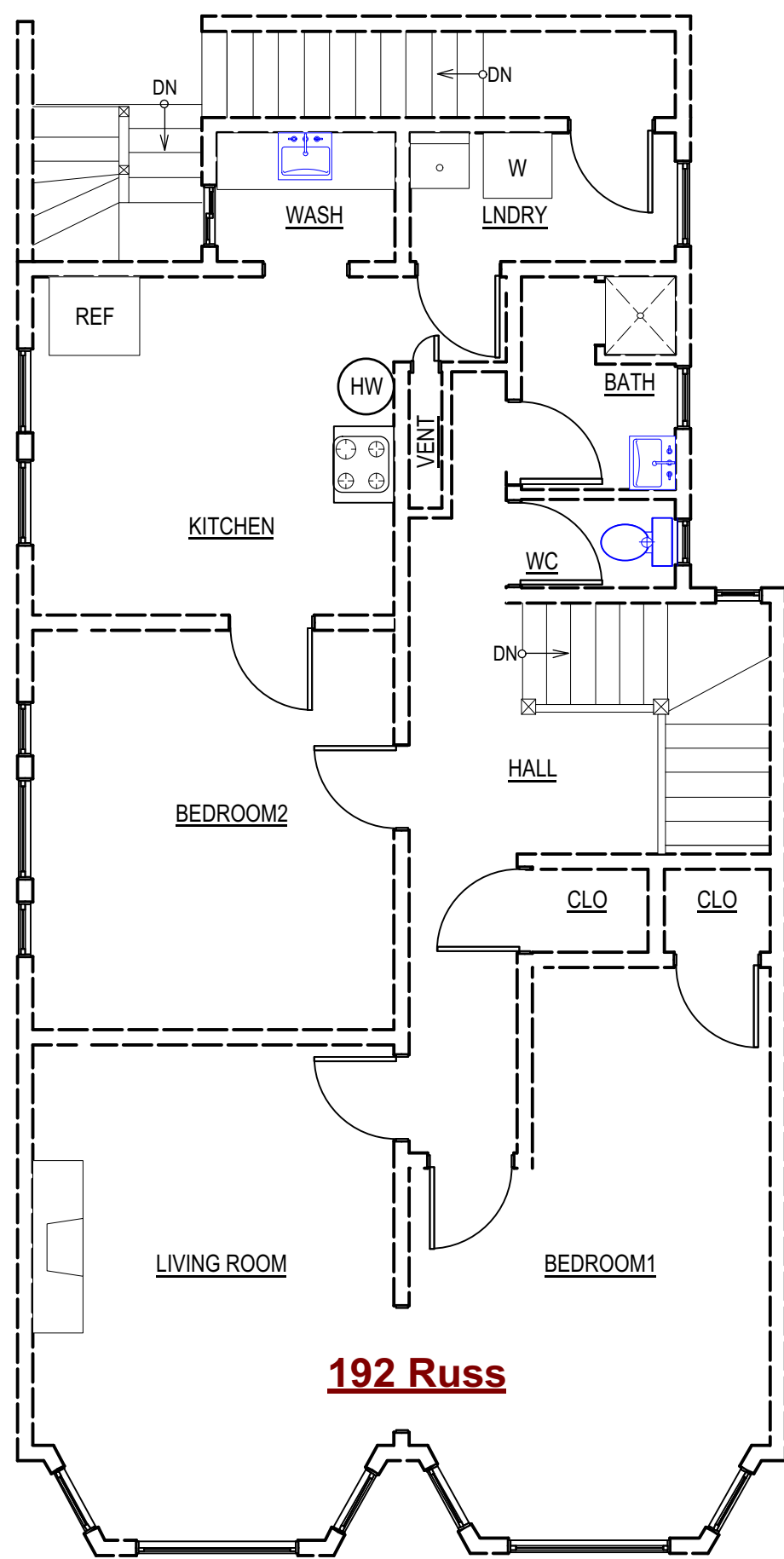
Existing Second Floor Plan  
3/16" = 1'-0"



Existing Left Elevation  
3/16" = 1'-0"



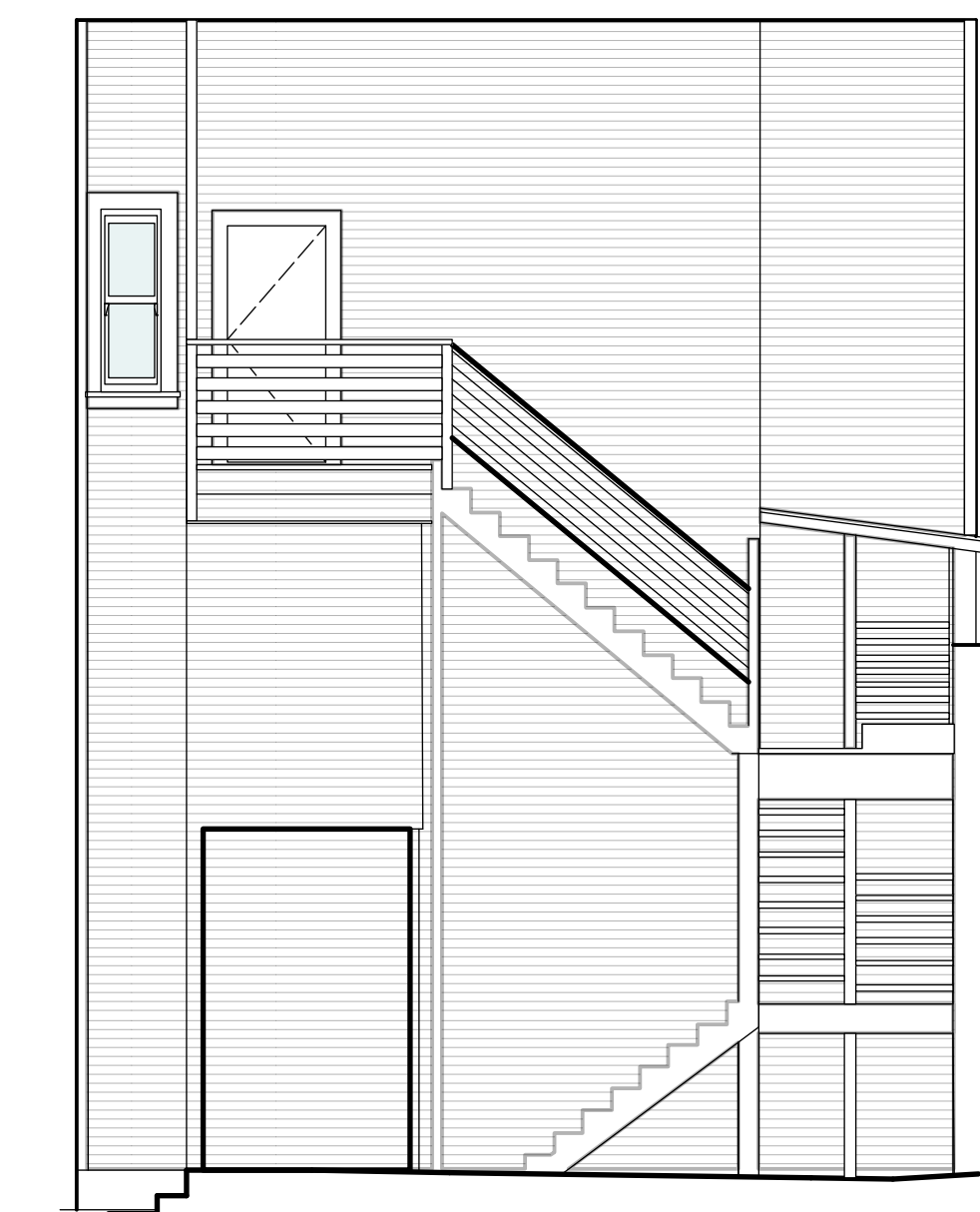
Existing Front Elevation  
3/16" = 1'-0"



Existing Third Floor Plan  
3/16" = 1'-0"



Existing Right Elevation  
3/16" = 1'-0"



Existing Rear Elevation  
3/16" = 1'-0"

PROJECT NAME  
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SAN FRANCISCO, CA



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SHEET TITLE

**192-194 Russ**  
Existing  
Floor Plans  
& Elevations

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**A-2.1**



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190 Russ  
& 1060 Folsom  
Existing  
Floor Plans  
& Elevations

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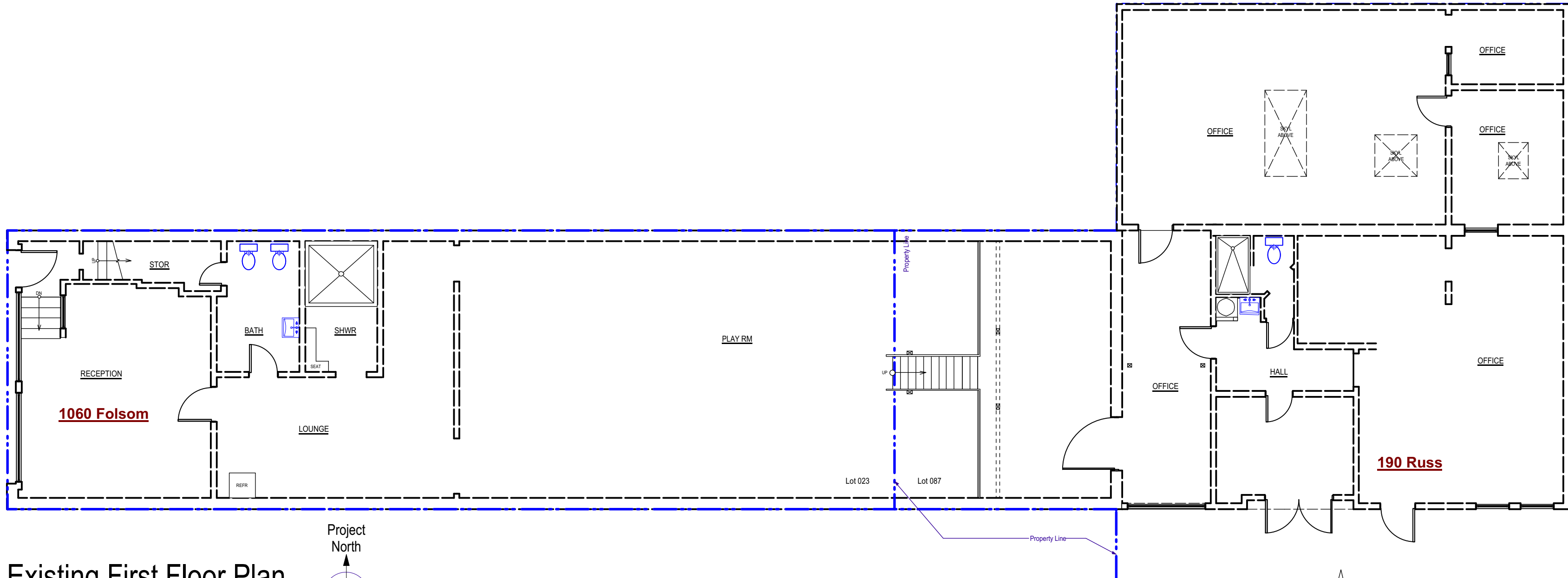
DATE 12/26/2016

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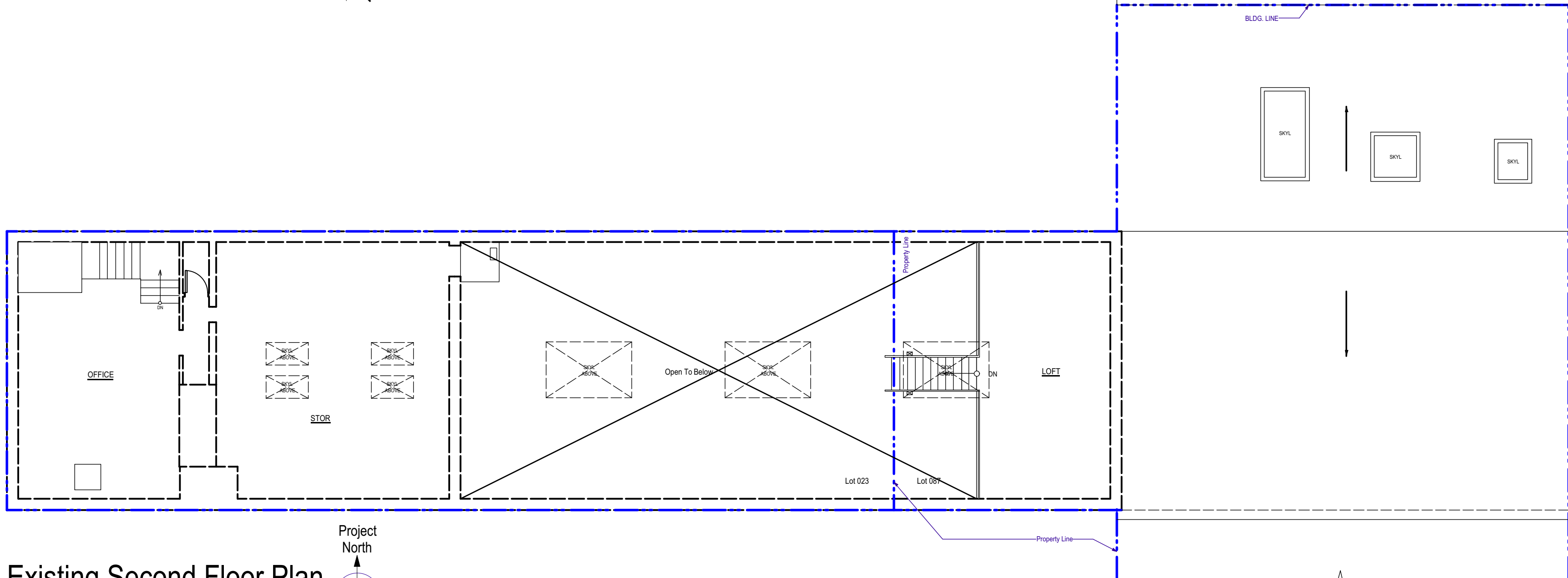
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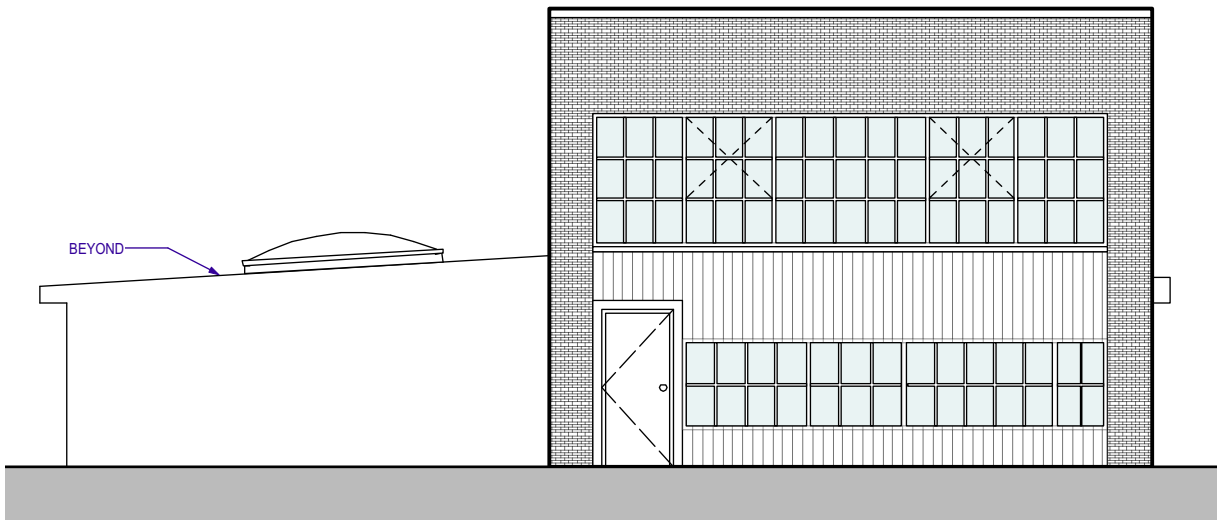
A-2.2



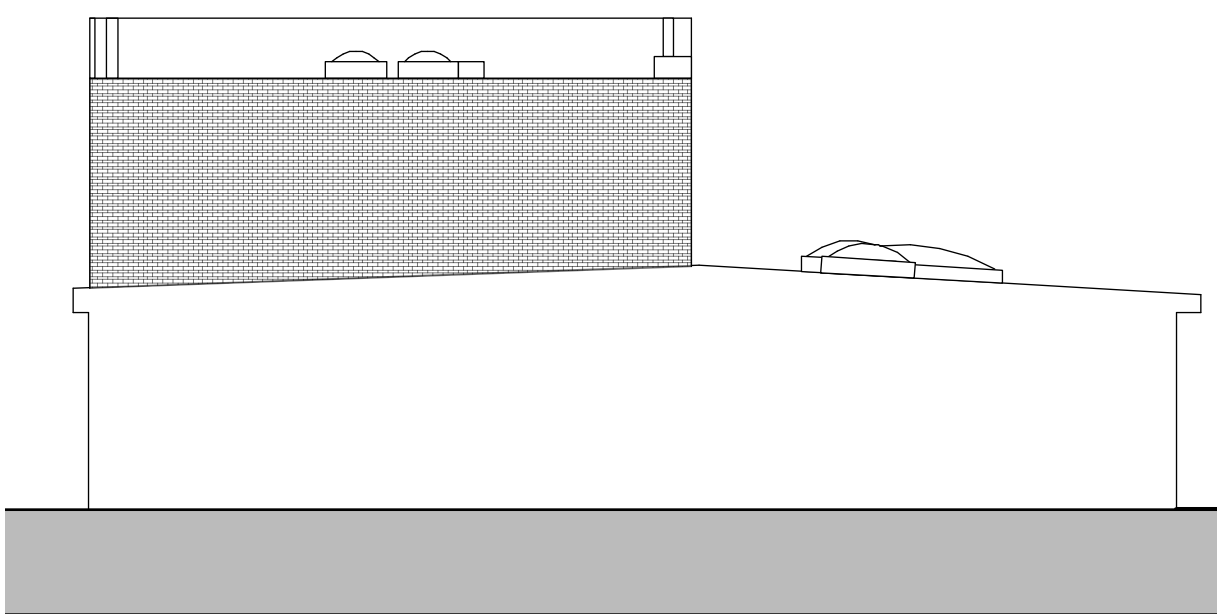
Existing First Floor Plan  
1/8" = 1'-0"



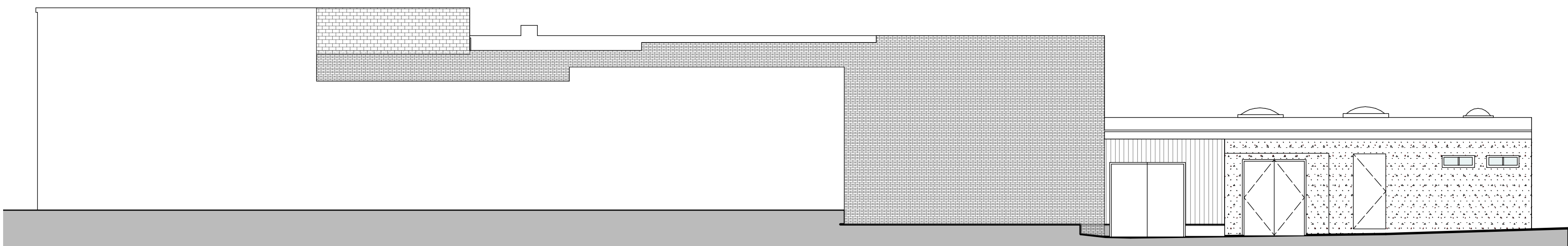
Existing Second Floor Plan  
1/8" = 1'-0"



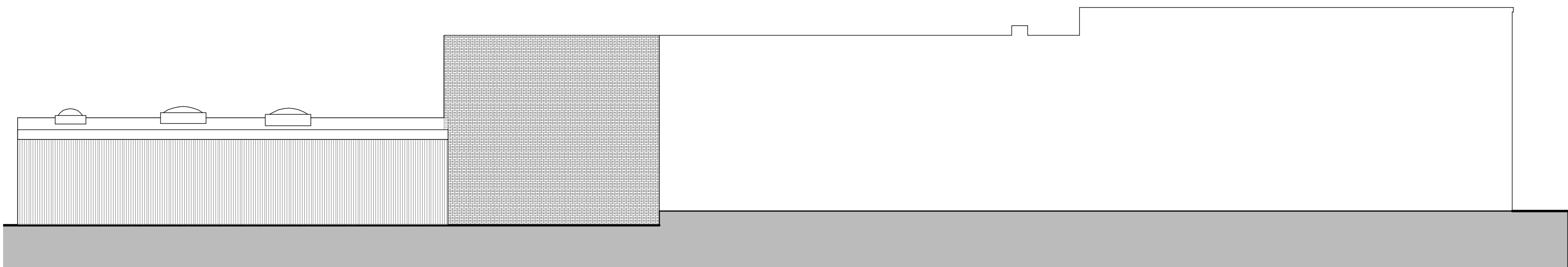
Existing Front Elevation (Folsom St)  
1/8" = 1'-0"



Existing Rear Elevation (Folsom St)  
1/8" = 1'-0"



Existing Front Elevation (Russ St)  
1/8" = 1'-0"



Existing Rear Elevation (Russ St)  
1/8" = 1'-0"

PROJECT NAME  
**1052-1060 Folsom Street**  
SAN FRANCISCO, CA



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1052-1058 Folsom  
Existing  
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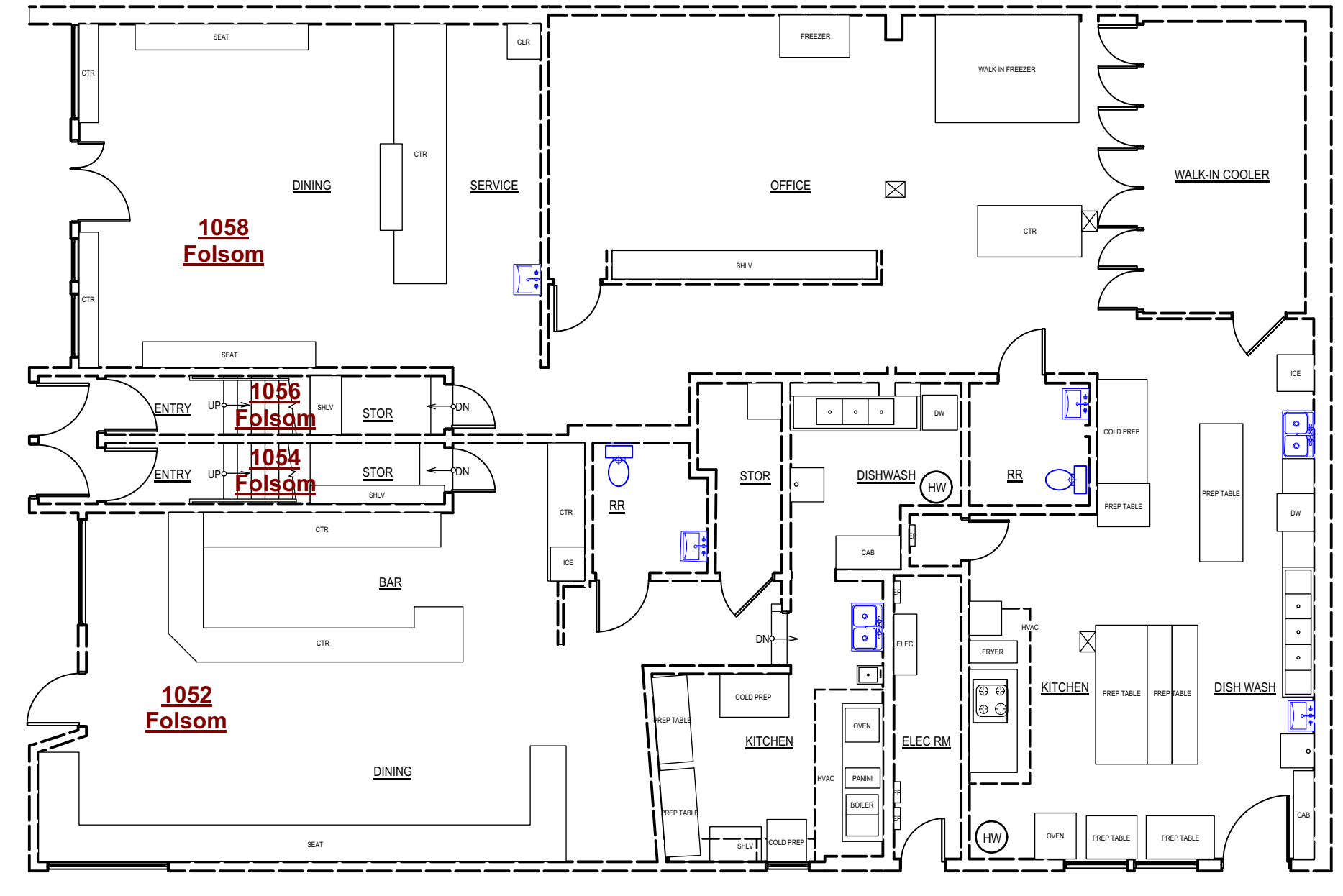
DATE 12/26/2016

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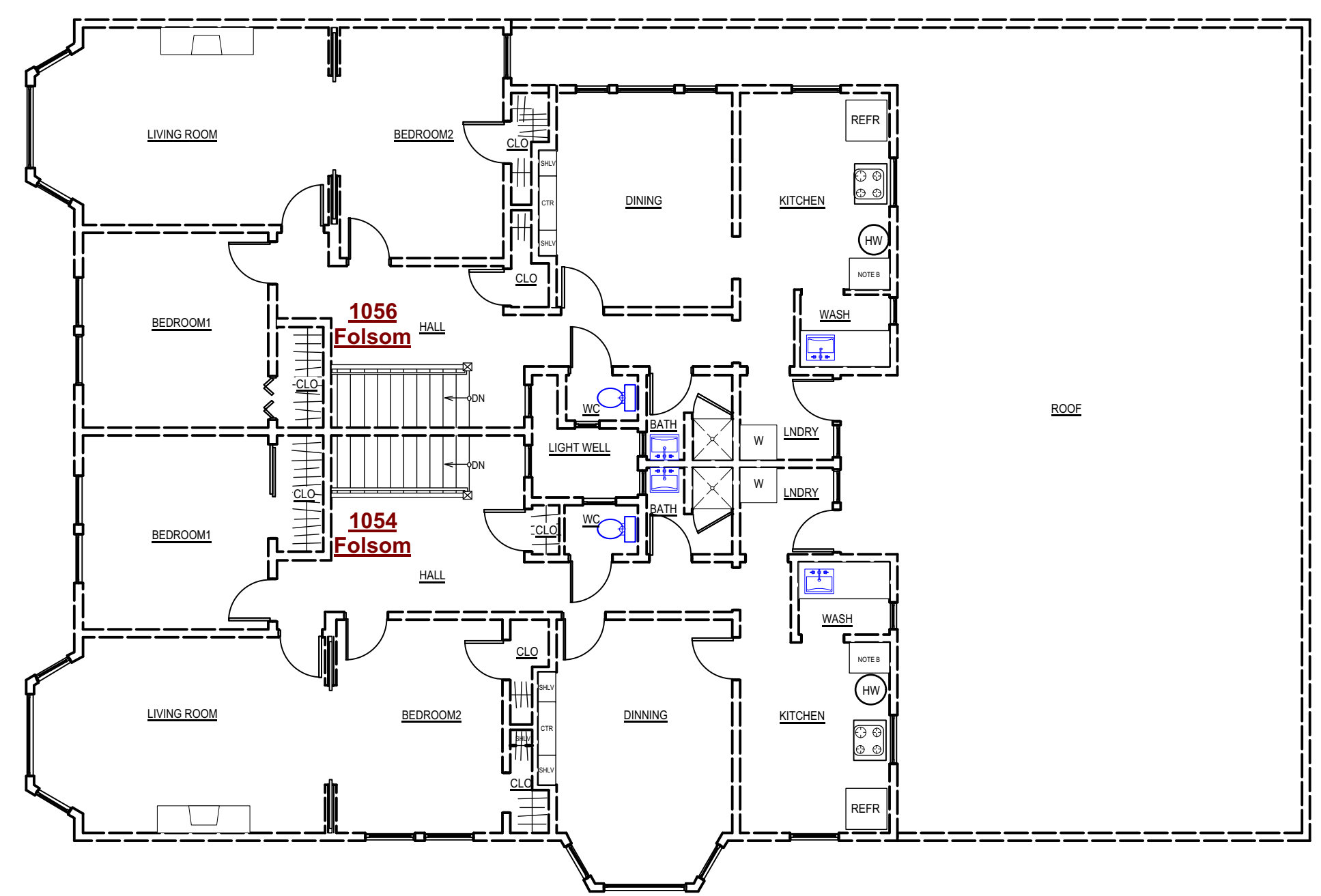
JOB NO. 16-1727

SHEET NO.

A-2.3



Existing First Floor Plan  
1/8" = 1'-0"  
Project North



Existing Second Floor Plan  
1/8" = 1'-0"  
Project North



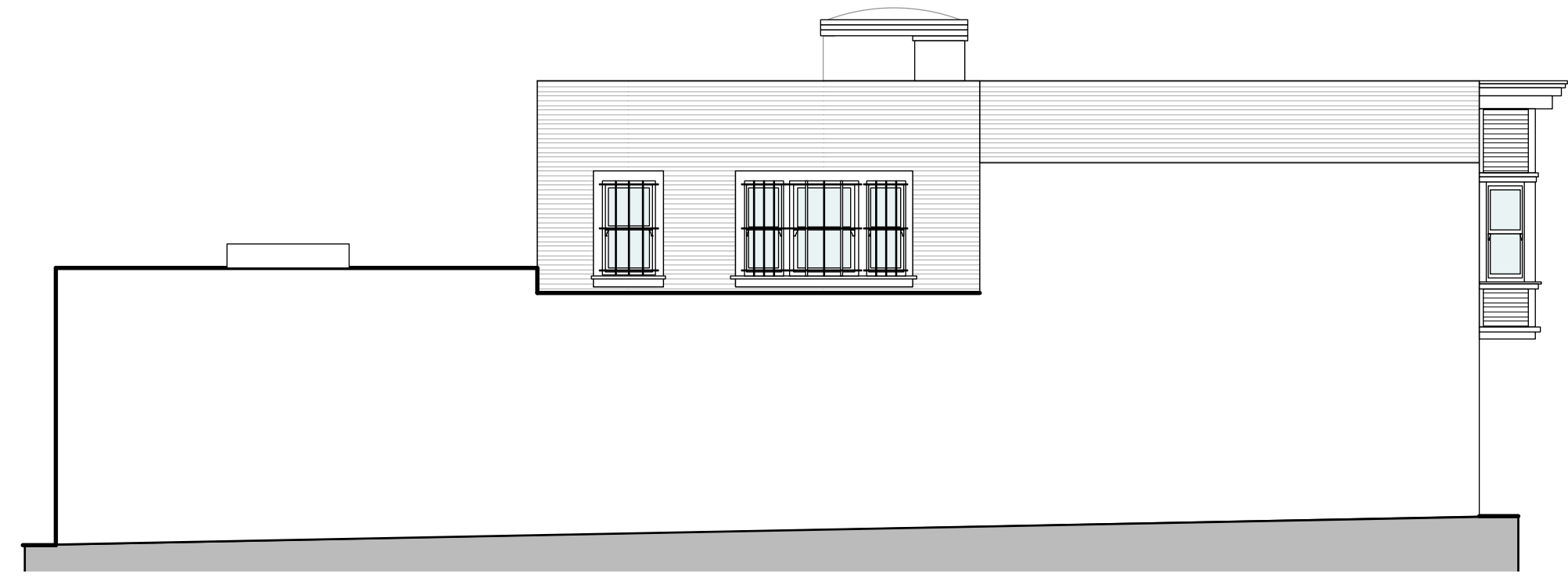
Existing Front Elevation (Folsom St)  
1/8" = 1'-0"



Existing Rear Elevation (Folsom St)  
1/8" = 1'-0"



Existing Front Elevation (Russ St)  
1/8" = 1'-0"



Existing Rear Elevation (Russ St)  
1/8" = 1'-0"

PROJECT NAME  
**1052-1060 Folsom Street**  
 SAN FRANCISCO, CA



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# First Floor Plan

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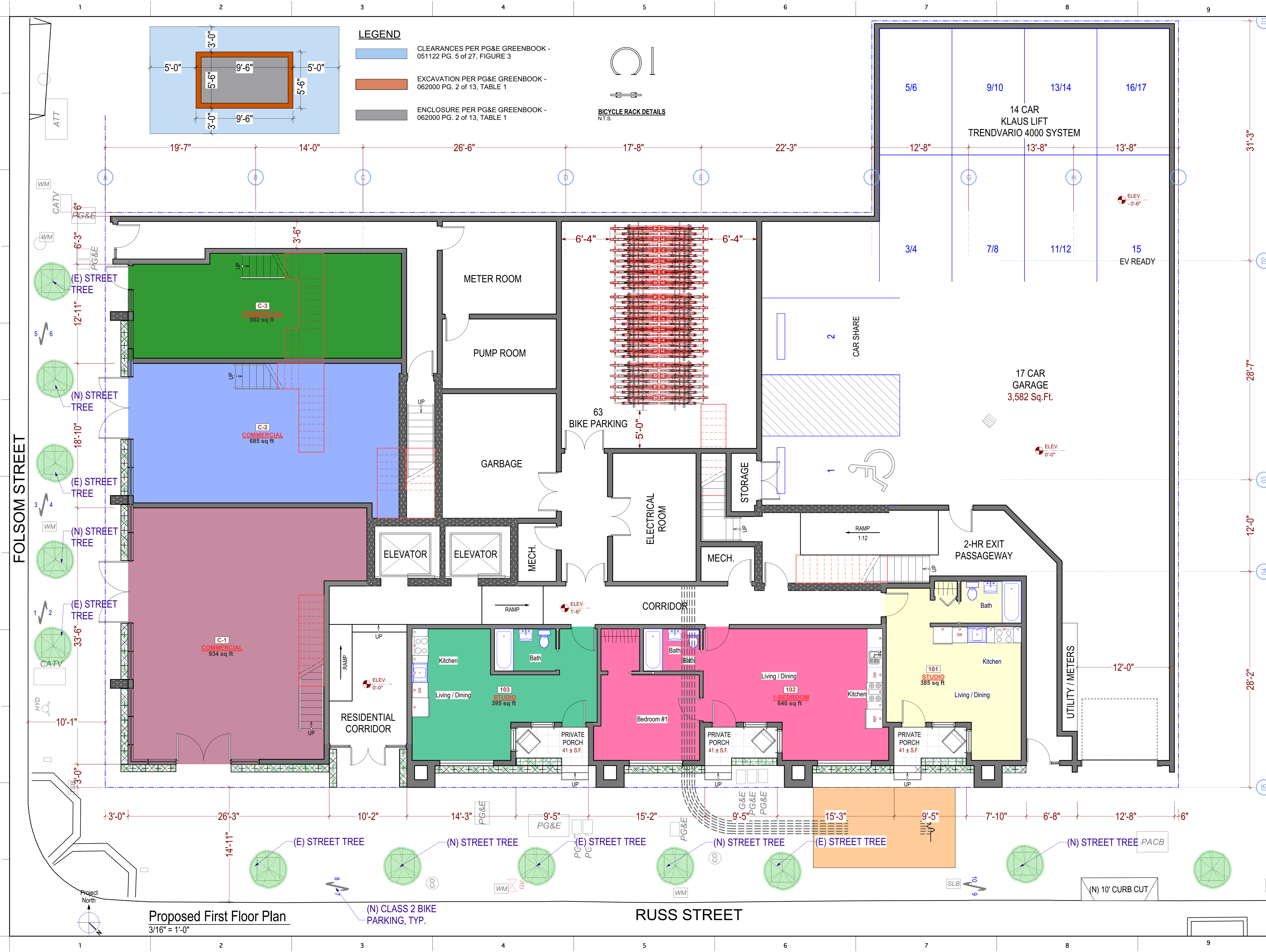
**DATE** 12/26/2016

**REVISED DATE** 12/10/2018

**JOB NO.** 16-1727

**SHEET NO.**

**A-3.1**



**Proposed First Floor Plan**  
 3/16" = 1'-0"

**RUSS STREET**

(N) 10' CURB CUT



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Second Floor Plan

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**REVISED DATE** 12/10/2018

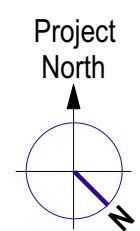
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**SHEET NO.**

A-3.2



Proposed Second Floor Plan  
3/16" = 1'-0"





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# Third Floor Plan

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**REVISED DATE** 12/10/2018

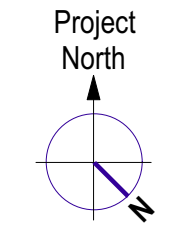
**JOB NO.** 16-1727

**SHEET NO.**

## A-3.3



Proposed Third Floor Plan  
3/16" = 1'-0"







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# Fourth/Fifth Floor Plan

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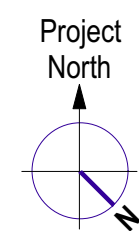
JOB NO. 16-1727

SHEET NO.

## A-3.4



Proposed Fourth/Fifth Floor Plan  
3/16" = 1'-0"





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SHEET TITLE

# Sixth Floor Plan

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ISSUES / REVISIONS

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DATE 12/26/2016

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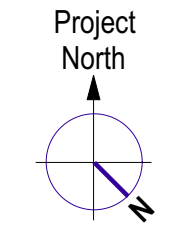
JOB NO. 16-1727

SHEET NO.

## A-3.6



Proposed Sixth Floor Plan  
3/16" = 1'-0"





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SHEET TITLE

Seventh Floor Plan

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ISSUES / REVISIONS

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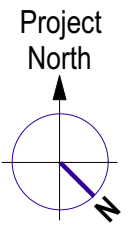
JOB NO. 16-1727

SHEET NO.

A-3.7



Proposed Seventh Floor Plan  
3/16" = 1'-0"





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SHEET TITLE

Roof Plan

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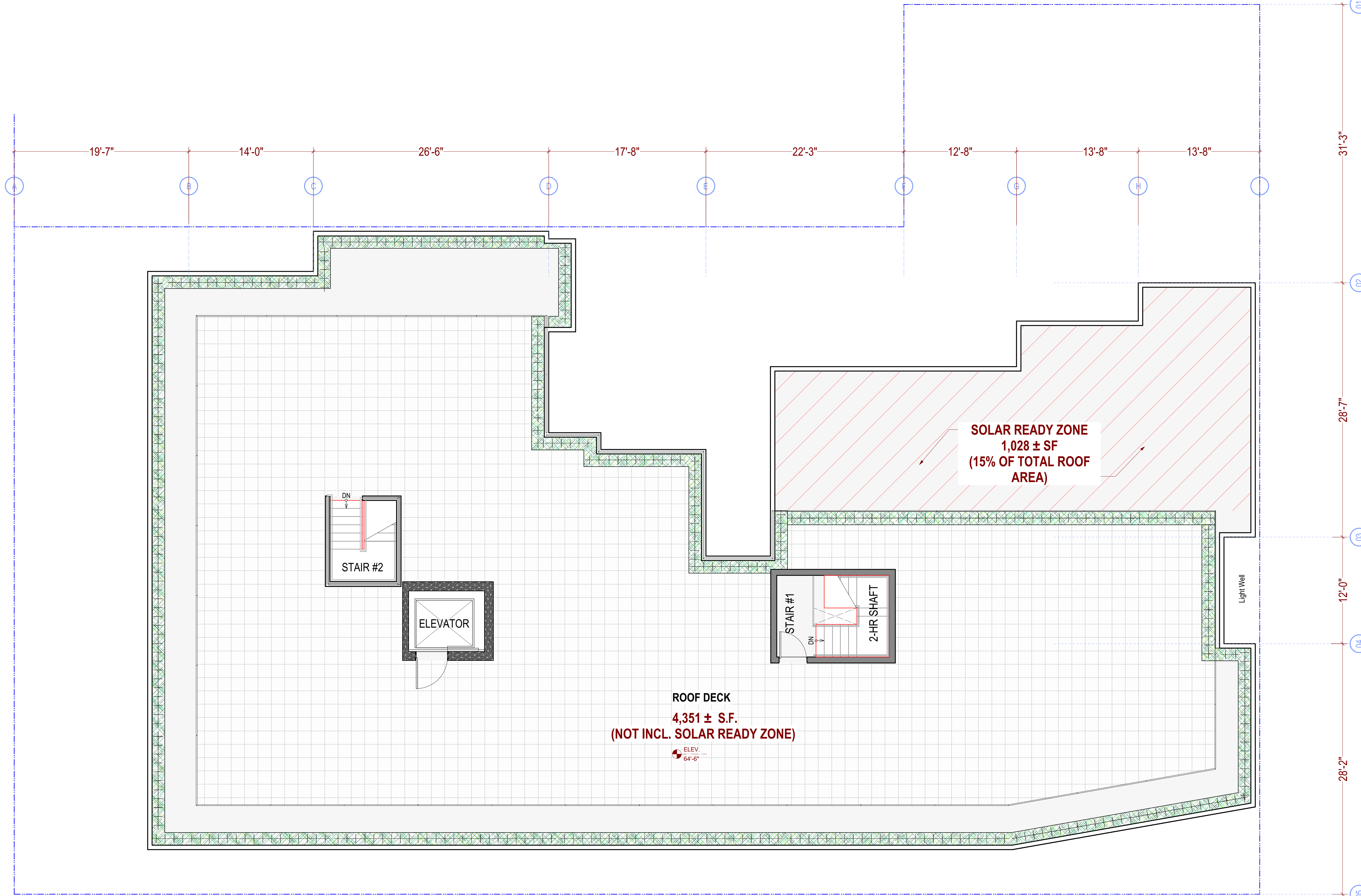
DATE 12/26/2016

REVISED DATE 12/10/2018

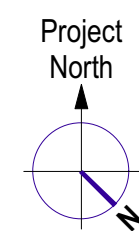
JOB NO. 16-1727

SHEET NO.

A-3.8



Proposed Roof Plan  
3/16" = 1'-0"



PROJECT NAME  
**1052-1060 Folsom Street**  
 SAN FRANCISCO, CA



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SHEET TITLE

Front Elevation  
 (Folsom Street)

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ISSUES / REVISIONS

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DATE 12/26/2016

REVISED DATE 12/10/2018

JOB NO. 16-1727

SHEET NO.

A-4.1



Proposed Front Elevation (Folsom Street)  
 3/16" = 1'-0"

- ① HIGH QUALITY SMOOTH STUCCO
- ② CABLE RAILING, 42" HIGH MIN. TYP.
- ③ ALUM. WINDOW
- ④ ALUM. PATIO DOOR
- ⑤ ALUM. STORE FRONT, TYP.
- ⑥ PHENOLIC RESIN PANEL - WOOD GRAIN FINISH, TYP.
- ⑦ PHENOLIC RESIN PANEL - WOOD GRAIN FINISH, TYP.
- ⑧ CORRUGATED CORTEN STEEL PANELS
- ⑨ PORCELAIN TILES - WOOD GRAIN FINISH, TYP.
- ⑩ GLASS RAILING, 42" HIGH MIN. TYP.
- ⑪ SMOOTH CORTEN STEEL PANELS
- ⑫ FIBER CEMENT PANEL



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**Right Elevation  
(Russ Street)**



**Proposed Right Elevation (Russ Street)**  
3/16" = 1'-0"

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**DATE** 12/26/2016

**REVISED DATE** 12/10/2018

**JOB NO.** 16-1727

**SHEET NO.**

**A-4.2**



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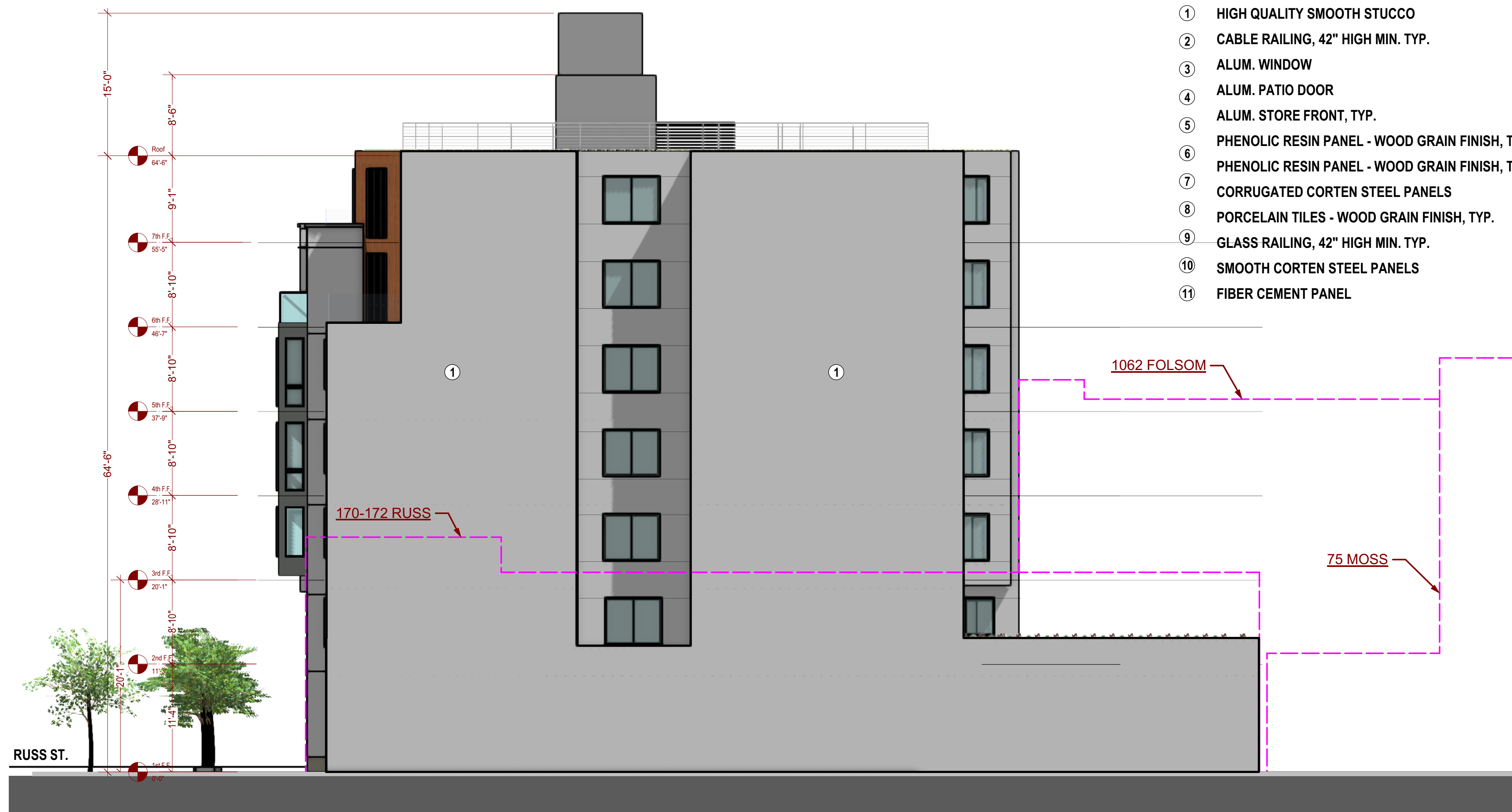
SHEET TITLE

# Left & Rear Elevations



Proposed Left Elevation (South West)

1/8" = 1'-0"



Proposed Rear Elevation (North West)

1/8" = 1'-0"

- ① HIGH QUALITY SMOOTH STUCCO
- ② CABLE RAILING, 42" HIGH MIN. TYP.
- ③ ALUM. WINDOW
- ④ ALUM. PATIO DOOR
- ⑤ ALUM. STORE FRONT, TYP.
- ⑥ PHENOLIC RESIN PANEL - WOOD GRAIN FINISH, TYP.
- ⑦ PHENOLIC RESIN PANEL - WOOD GRAIN FINISH, TYP.
- ⑧ CORRUGATED CORTEN STEEL PANELS
- ⑨ PORCELAIN TILES - WOOD GRAIN FINISH, TYP.
- ⑩ GLASS RAILING, 42" HIGH MIN. TYP.
- ⑪ SMOOTH CORTEN STEEL PANELS
- ⑫ FIBER CEMENT PANEL

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SHEET NO.

**A-4.3**



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Section

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JOB NO. 16-1727

SHEET NO.

A-5.1



Proposed Section  
3/16" = 1'-0"



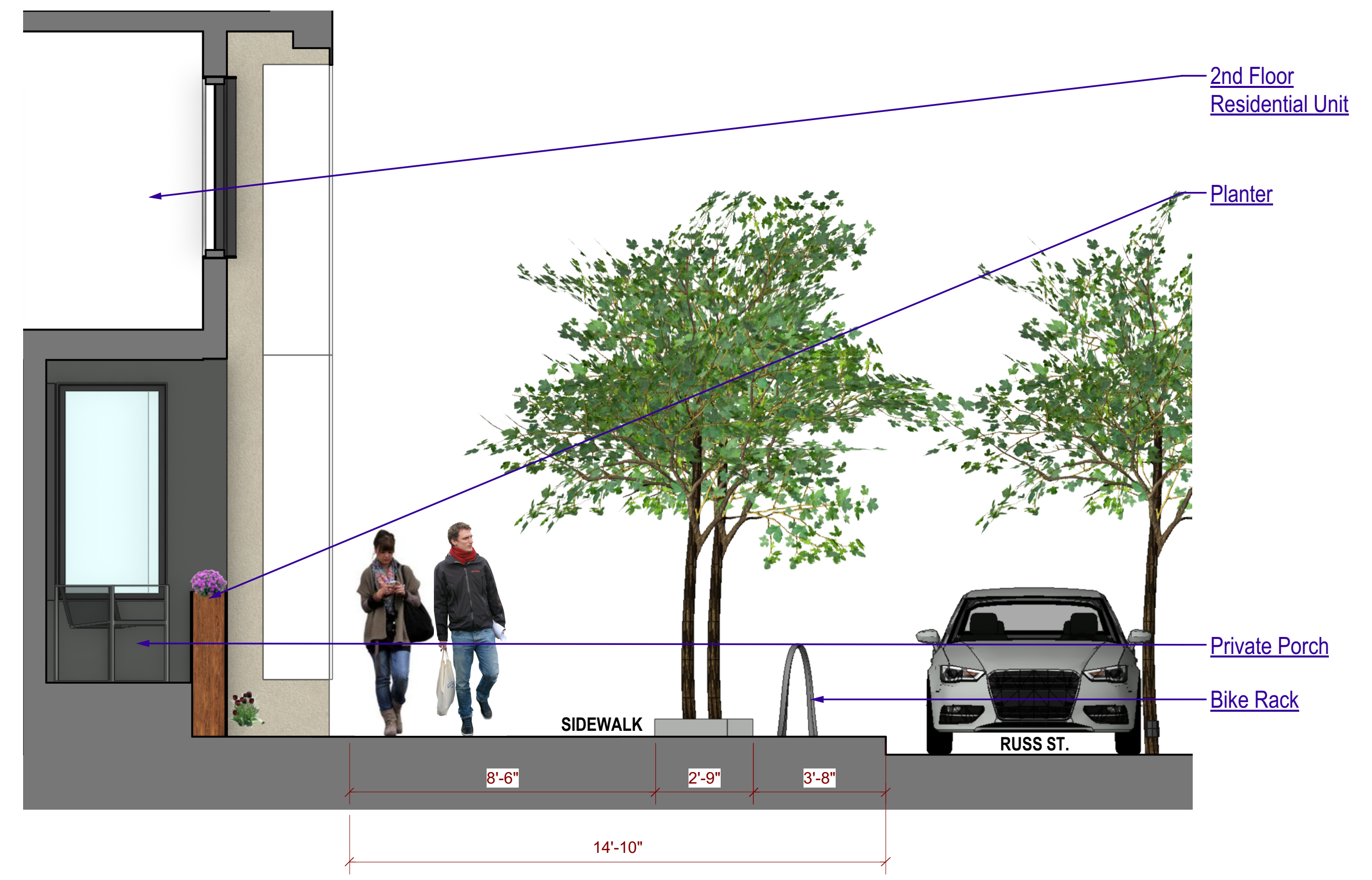
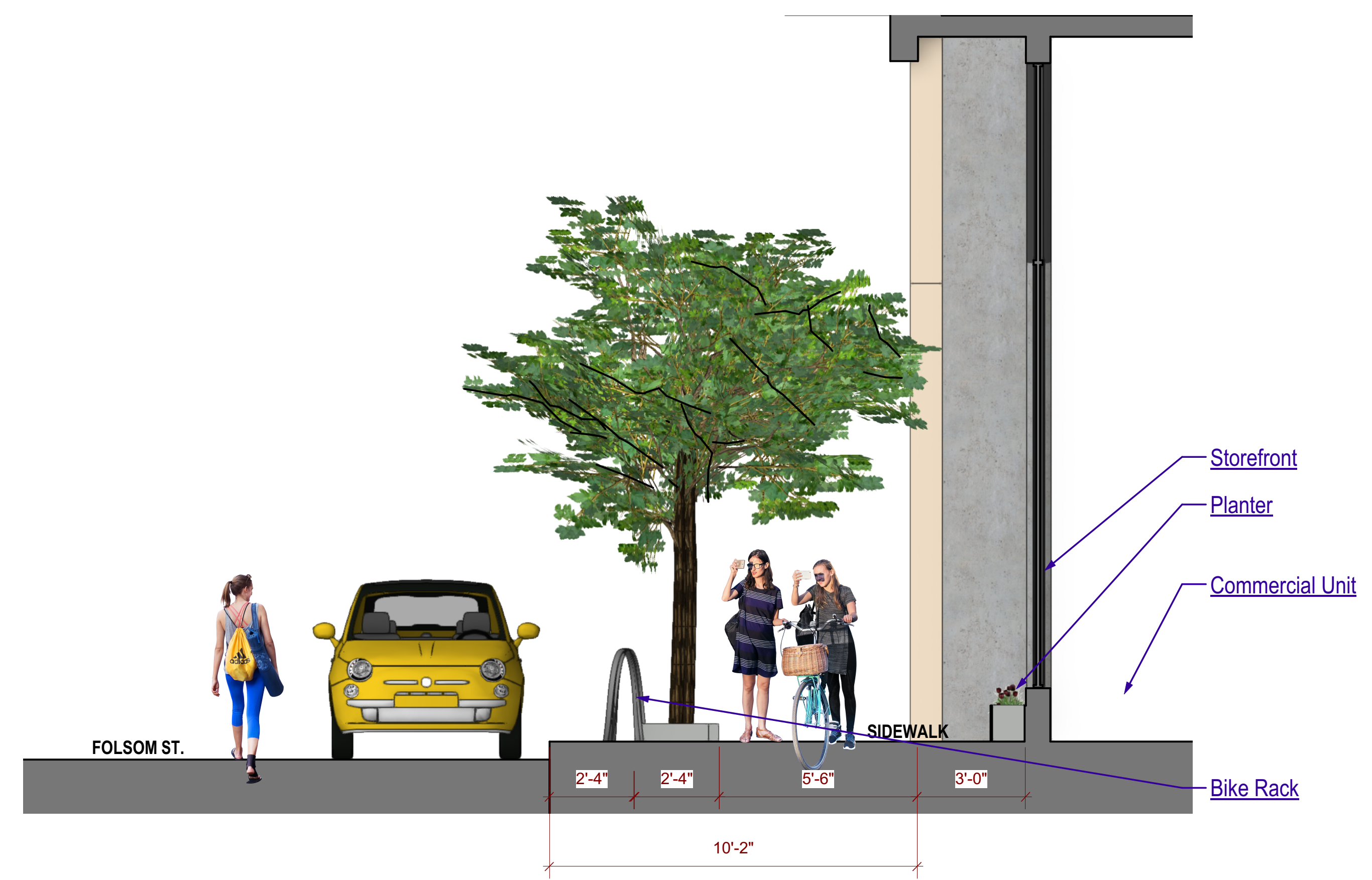
PROJECT NAME  
**1052-1060 Folsom Street**  
 SAN FRANCISCO, CA



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**Streetscape &  
 Sidewalk Section**



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SHEET NO.

**A-5.2**

# Green Building: Site Permit Checklist

## BASIC INFORMATION:

These facts, plus the primary occupancy, determine which requirements apply. For details, see AB 093 Attachment A Table 1.

Project Name 1052-60 FOLSOM	Block/Lot 3731 / 021,023,087	Address 1052-1060 FOLSOM / 190-194 Russ St.
Gross Building Area 58,663 S.F. +/-	Primary Occupancy M, R-2	Design Professional/Applicant: Sign & Date Bahman Ghassemzadeh
# of Dwelling Units 63	Height to highest occupied floor 64'-6"	Number of occupied floors 7

ALL PROJECTS, AS APPLICABLE	
<b>Construction activity stormwater pollution prevention and site runoff controls</b> - Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	●
<b>Stormwater Control Plan:</b> Projects disturbing ≥5,000 square feet must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines	●
<b>Water Efficient Irrigation</b> - Projects that include ≥ 1,000 square feet of new or modified landscape must comply with the SFPUC Water Efficient Irrigation Ordinance.	●
<b>Construction Waste Management</b> – Comply with the San Francisco Construction & Demolition Debris Ordinance	●
<b>Recycling by Occupants:</b> Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials. See Administrative Bulletin 088 for details.	●

GREENPOINT RATED PROJECTS	
<b>Proposing a GreenPoint Rated Project</b> (Indicate at right by checking the box.)	<input type="checkbox"/>
Base number of required Greenpoints:	75
Adjustment for retention / demolition of historic features / building:	<input type="checkbox"/>
Final number of required points (base number +/- adjustment)	<input type="checkbox"/>
<b>GreenPoint Rated</b> (i.e. meets all prerequisites)	●
<b>Energy Efficiency:</b> Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6.	●
<b>Meet all California Green Building Standards Code requirements</b> (CalGreen measures for residential projects have been integrated into the GreenPoint Rated system.)	●

## Notes

- 1) New residential projects of 75' or greater must use the "New Residential High-Rise" column. New residential projects with >3 occupied floors and less than 75 feet to the highest occupied floor may choose to apply the LEED for Homes Mid-Rise rating system; if so, you must use the "New Residential Mid-Rise" column.
- 2) LEED for Homes Mid-Rise projects must meet the "Silver" standard, including all prerequisites. The number of points required to achieve Silver depends on unit size. See LEED for Homes Mid-Rise Rating System to confirm the base number of points required.
- 3) Requirements for additions or alterations apply to applications received on or after July 1, 2012.

## Instructions:

As part of application for site permit, this form acknowledges the specific green building requirements that apply to a project under San Francisco Building Code Chapter 13C, California Title 24 Part 11, and related local codes. **Attachment C3, C4, or C5 will be due with the applicable addendum.** To use the form:

(a) Provide basic information about the project in the box at left. This info determines which green building requirements apply.

### AND

(b) Indicate in one of the columns below which type of project is proposed. If applicable, fill in the blank lines below to identify the number of points the project must meet or exceed. A LEED or GreenPoint checklist is not required to be submitted with the site permit application, but such tools are strongly recommended to be used.

Solid circles in the column indicate mandatory measures required by state and local codes. For projects applying LEED or GreenPoint Rated, prerequisites of those systems are mandatory. This form is a summary; see San Francisco Building Code Chapter 13C for details.

LEED PROJECTS						
Type of Project Proposed (Indicate at right)	New Large Commercial	New Residential Mid-Rise <sup>1</sup>	New Residential High-Rise <sup>1</sup>	Commerical Interior	Commercial Alteration	Residential Alteration
<b>Overall Requirements:</b>						
<b>LEED certification level</b> (includes prerequisites):	GOLD	SILVER	SILVER	GOLD	GOLD	GOLD
Base number of required points:	60	2	50	60	60	60
Adjustment for retention / demolition of historic features / building:				n/a		
Final number of required points (base number +/- adjustment)				50		
<b>Specific Requirements:</b> (n/r indicates a measure is not required)						
<b>Construction Waste Management – 75% Diversion</b> AND comply with San Francisco Construction & Demolition Debris Ordinance LEED MR 2, 2 points	●	●	●	●	Meet C&D ordinance only	●
<b>15% Energy Reduction</b> Compared to Title-24 2008 (or ASHRAE 90.1-2007) LEED EA 1, 3 points	●	●	●	●	LEED prerequisite only	
<b>Renewable Energy or Enhanced Energy Efficiency Effective 1/1/2012:</b> Generate renewable energy on-site ≥1% of total annual energy cost (LEED EAc2), OR Demonstrate an additional 10% energy use reduction (total of 25% compared to Title 24 Part 6 2008), OR Purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EAc6).	●	n/r	n/r	n/r	n/r	n/r
<b>Enhanced Commissioning of Building Energy Systems</b> LEED EA 3	●	Meet LEED prerequisites				
<b>Water Use - 30% Reduction</b> LEED WE 3, 2 points	●	n/r	●	Meet LEED prerequisites		
<b>Enhanced Refrigerant Management</b> LEED EA 4	●	n/r	n/r	n/r	n/r	n/r
<b>Indoor Air Quality Management Plan</b> LEED IEQ 3.1	●	n/r	n/r	n/r	n/r	n/r
<b>Low-Emitting Materials</b> LEED IEQ 4.1, 4.2, 4.3, and 4.4	●	n/r	●	●	●	●
<b>Bicycle parking:</b> Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater, or meet LEED credit SSc4.2. (13C.5.106.4)	●	n/r See San Francisco Planning Code 155		●	n/r	n/r
<b>Designated parking:</b> Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles. (13C.5.106.5)	●			●	n/r	n/r
<b>Water Meters:</b> Provide submeters for spaces projected to consume more than 1,000 gal/day, or more than 100 gal/day if in building over 50,000 sq. ft. (13C.5.303.1)	●	n/r	n/r	n/r	n/r	n/r
<b>Air Filtration:</b> Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings (or LEED credit IEQ 5). (13C.5.504.5.3)	●	n/r	n/r	●	n/r	n/r
<b>Air Filtration:</b> Provide MERV-13 filters in residential buildings in air-quality hot-spots (or LEED credit IEQ 5). (SF Health Code Article 38 and SF Building Code 1203.5)	n/r	●	●	n/r	n/r	n/r
<b>Acoustical Control:</b> Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40. (13C.5.507.4)	●	See CBC 1207		●	n/r	n/r

OTHER APPLICABLE NON-RESIDENTIAL PROJECTS		
Type of Project Proposed (Check box if applicable)	Other New Non-Residential	Addition >2,000 sq ft OR Alteration >\$500,000 <sup>3</sup>
<b>Energy Efficiency:</b> Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6. (13C.5.201.1.1)	●	n/r
<b>Bicycle parking:</b> Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater (or LEED credit SSc4.2). (13C.5.106.4)	●	●
<b>Fuel efficient vehicle and carpool parking:</b> Provide stall marking for low-emitting, fuel efficient, and carpool/van pool vehicles; approximately 8% of total spaces. (13C.5.106.5)	●	●
<b>Water Meters:</b> Provide submeters for spaces projected to consume >1,000 gal/day, or >100 gal/day if in buildings over 50,000 sq. ft.	●	●
<b>Indoor Water Efficiency:</b> Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets, and urinals. (13C.5.303.2)	●	●
<b>Commissioning:</b> For new buildings greater than 10,000 square feet, commissioning shall be included in the design and construction of the project to verify that the building systems and components meet the owner's project requirements. (13C.5.410.2) <b>OR</b> for buildings less than 10,000 square feet, testing and adjusting of systems is required.	●	● (Testing & Balancing)
<b>Protect duct openings and mechanical equipment during construction</b> (13C.5.504.3)	●	●
<b>Adhesives, sealants, and caulks:</b> Comply with VOC limits in SCAQMD Rule 1168 VOC limits and California Code of Regulations Title 17 for aerosol adhesives. (13C.5.504.4.1)	●	●
<b>Paints and coatings:</b> Comply with VOC limits in the Air Resources Board Architectural Coatings Suggested Control Measure and California Code of Regulations Title 17 for aerosol paints. (13C.5.504.4.3)	●	●
<b>Carpet:</b> All carpet must meet one of the following: 1. Carpet and Rug Institute Green Label Plus Program 2. California Department of Public Health Standard Practice for the testing of VOCs (Specification 01350) 3. NSF/ANSI 140 at the Gold level 4. Scientific Certifications Systems Sustainable Choice <b>AND Carpet cushion</b> must meet CRI Green Label. <b>AND Carpet adhesive</b> must not exceed 50 g/L VOC content. (13C.5.504.4.4)	●	●
<b>Composite wood:</b> Meet CARB Air Toxics Control Measure for Composite Wood (13C.5.504.4.5)	●	●
<b>Resilient flooring systems:</b> For 50% of floor area receiving resilient flooring, install resilient flooring complying with the VOC-emission limits defined in the 2009 Collaborative for High Performance Schools (CHPS) criteria or certified under the Resilient Floor Covering Institute (RFCI) FloorScore program. (13C.5.504.4.6)	●	●
<b>Environmental Tobacco Smoke:</b> Prohibit smoking within 25 feet of building entries, outdoor air intakes, and operable windows. (13C.5.504.7)	●	●
<b>Air Filtration:</b> Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings. (13C.5.504.5.3)	●	Limited exceptions. See CA T24 Part 11 Section 5.714.6
<b>Acoustical Control:</b> Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40. (13C.5.507.4)	●	● See CA T24 Part 11 Section 5.714.7
<b>CFCs and Halons:</b> Do not install equipment that contains CFCs or Halons. (13C.5.508.1)	●	●
<b>Additional Requirements for New A, B, I, OR M Occupancy Projects 5,000 - 25,000 Square Feet</b>		
<b>Construction Waste Management</b> – Divert 75% of construction and demolition debris AND comply with San Francisco Construction & Demolition Debris Ordinance.	●	Meet C&D ordinance only
<b>Renewable Energy or Enhanced Energy Efficiency Effective January 1, 2012:</b> Generate renewable energy on-site equal to ≥1% of total annual energy cost (LEED EAc2), OR demonstrate an additional 10% energy use reduction (total of 25% compared to Title 24 Part 6 2008), OR purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EAc6).	●	n/r

## PROJECT NAME

1052-1060 Folsom Street  
SAN FRANCISCO, CA



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## SHEET TITLE

GreenPoint  
Checklist

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## ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

**DRAWN** A.A

**CHECKED** R.K.

**DATE** 12/26/2016

**REVISED DATE** 12/10/2018

**JOB NO.** 16-1727

**SHEET NO.**  
GPR 0.1



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

Case No.: 2016-004905ENV  
 Project Address: 1052-1060 Folsom Street and 190-194 Russ Street  
 Zoning: NCT (SOMA Neighborhood Commercial Transit) Use District and  
 RED (Residential Enclave) Use District  
 Youth and Family Zone Special Use District  
 65-X Height and Bulk District  
 Block/Lot: 3731/021, 023, and 087  
 Lot Size: 11,500 square feet (0.26 acres)  
 Plan Area: Eastern Neighborhoods Area Plan  
 Project Sponsor: Paul Iantorno, Golden Properties LLC, (415) 440-0201  
 Staff Contact: Christopher Espiritu, (415) 575-9022, Christopher.Espiritu@sfgov.org

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 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

### PROJECT DESCRIPTION


The project site is located on the northwest corner of the intersection of Folsom Street and Russ Street, on a block that sits between two mid-block alleys—Russ Street to the northeast and Moss Street to the southwest— in the South of Market neighborhood of San Francisco. It has frontages along two streets – approximately 75 feet along Folsom and 140 feet along Russ streets. The site consists of three adjacent lots totaling 11,500 square feet (sq. ft.) and contains five existing buildings. Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot. Lot 21 contains three buildings: 1052-1058 Folsom Street which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space; 192-194 Russ Street, which was also constructed in 1916, and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; and 200 Russ Street (formerly 196 Russ Street) which was also constructed in 1916, and is occupied by a one-story commercial building. Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924. The project site has two existing curb cuts located along the Russ Street frontage of the site: one at 1058 Folsom Street (approximately 10 feet in width) and one in front of 190 Russ Street (approximately 10 feet). (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

12/11/18  
 Date

cc: Alice Barkley, Project Sponsor; Supervisor Jane Kim, District 5; Doug Vu, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The proposed project would demolish the existing buildings on the project site, merge the three lots into a single lot, and construct a new seven-story, approximately 59,000-gross-square-foot mixed-use building with 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The proposed unit mix for the 63 dwelling units consists of three studio units, 23 one-bedroom units, and 37 two-bedroom units. Four units would be designated as replacement for the four existing rent-controlled units (in the 1052-1060 Folsom Street and 192 Russ Street buildings), 15 units would be designated as below market rate units, and the remaining 44 dwelling units would be market rate. The proposed building would be approximately 64 feet, 6 inches tall per the San Francisco Planning Code (with an additional 15 feet to the top of the rooftop elevator and stair penthouses and mechanical equipment). The project would provide approximately 6,800 sq. ft. of common open space within the second floor deck and a rooftop deck, and a combined total of approximately 2,100 sq. ft. of private open space for units on the 1<sup>st</sup> through 7<sup>th</sup> floors. The project would also include an at-grade garage for 17 vehicles and 63 bicycle parking spaces (Class I) and 10 Class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.

The ground floor of the proposed project would include about 2,800 sq. ft. for three retail spaces fronting Folsom Street, three ground-floor residential units fronting on Russ Street, and about 800 sq. ft. for 63 Class I bicycle parking spaces. Also, 10 Class II bicycle parking spaces would be provided on the Folsom Street and Russ Street sidewalks.<sup>1</sup> The ground floor would also include approximately 4,500 sq. ft. for building services and an at-grade garage with 17 off-street vehicle parking spaces in stackers (including one handicapped-accessible parking space and one car share parking space) that would be accessible via Russ Street. The project would construct a new 10-foot-wide curb cut on Russ Street and a driveway into the aforementioned at-grade garage, restore sidewalk to standard heights where curb cuts are removed, and install street trees along the Folsom Street and Russ Street frontages. The existing 13'-1" wide sidewalk along Folsom Street and the 14'-11" wide sidewalk along Russ Street would remain. A complete set of plans (site plan, floor plans, elevations, and sections) is included in Planning Case File Number 2016-004905ENV and attached to this document. The proposed ground-floor dwelling units would be accessed through individual entrances/exits along the Russ Street frontage of the project site. All other dwelling units would be accessed through a residential lobby also located on the ground floor with an entrance/exit on Russ Street. Access to the proposed ground-floor retail units would be through individual entrances/exits located along the Folsom Street frontage of the site, and an additional entrance/exist would be located on Russ Street for one corner retail unit.

Construction of the propose project would occur for approximately 12 months and would consist of demolition of the existing structures, excavation and subgrade work, framing, building constructions, and architectural finishing. Project-related excavation would be required to a depth of approximately six feet below existing ground surface and would involve the removal of approximately 340 cubic yards of soil for the installation of a drilled pier and slab foundation system. Pile driving would not be required.

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<sup>1</sup> Class I bicycle parking are long-term bicycle parking for residents and/or employees that are typically located within designated off-street spaces such as bicycle lockers or bicycle storage rooms. Class II bicycle parking are short-term parking for visitors that are typically located in commonly-accessible areas, such as bicycle racks on sidewalks fronting the project site.

## PROJECT APPROVAL

The proposed project would require the following approvals:

### *San Francisco Planning Commission*

- Approval of a Large Project Authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet and for an exception from the rear yard requirements.
- Approval of a Conditional Use Authorization from the Planning Commission is required per Planning Code Section 121.1, 317 and 303 for development on a lot greater than 10,000 sq. ft. in area and removal of a dwelling unit, respectively.
- Approval of a variance application from the light and air access requirements of Section 140.
- Findings, upon the recommendation of the Recreation and Park Director and/or Commission, that shadow would not adversely affect public open spaces under Recreation and Park Commission jurisdiction (Section 295).

### *Department of Building Inspection*

- Review and approval of demolition and building permits.

### *Department of Public Works, Bureau of Street Use and Mapping*

- Review and approval of condominium map
- Review and approval of sidewalk closure and street use permits

### *Department of Public Health*

- Review for compliance with the Maher Ordinance, article 22A of the Health Code.
- Review for compliance with enhanced ventilation, article 38 of the Health Code.
- Review and approval of a Dust Control Plan.

### *San Francisco Municipal Transportation Agency*

- Review and approval of removal of two curb cuts along Folsom Street and approval of one new curb cut.
- Review and approval of Class II bicycle parking spaces on the sidewalks of Folsom and Russ Streets.
- Approval of associated street and sidewalk permits;

### *San Francisco Public Utilities Commission*

- Approval of a stormwater management plan that complies with the city's stormwater design guidelines.

### *San Francisco Recreation and Parks Department:*

- Determination that shadow would not adversely affect open spaces under Commission jurisdiction.

**Approval Action:** The approval of the Large Project Authorization by the Planning Commission would be the Approval Action for the 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 1052-1060 Folsom Street and 190-194 Russ Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>2</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>3,4</sup>

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred

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<sup>2</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

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

<sup>4</sup> 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.

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 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.<sup>5</sup>

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to SoMa NCT (Neighborhood Commercial Transit) District and RED (Residential Enclave) District. The SoMa NCT and RED districts are intended to protect the balance and variety of ground-floor retail uses along the ground floor, and promote housing in the floors above. 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 1052-1060 Folsom Street and 190-194 Russ Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with building up to 65 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 1052-1060 Folsom Street and 190-194 Russ 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 1052-1060 Folsom Street and 190-194 Russ Street project, and identified the mitigation measures applicable to the 1052-1060 Folsom Street and 190-194 Russ Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>6</sup> Therefore, no further CEQA evaluation for the 1052-1060 Folsom Street and 190-194 Russ 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 vicinity is characterized by a mix of residential, commercial, and recreational uses and features low- to mid-density scale of development. The project site is a corner lot and along the Folsom

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<sup>5</sup> Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1052-1060 Folsom Street and 190-194 Russ Street, December 2018.

Street frontage, the site is directly adjacent to an existing three-story office building with a ground-floor commercial use to the southwest (1062 Folsom Street). Along the Russ Street frontage of the site, adjacent buildings are a mix of two- to three-story residential buildings and a five-story residential building. Along the Folsom Street frontage of the site, adjacent buildings include a mix of two- to five-story mixed use buildings. Victoria Manalo Draves Park is across the street from the project site, located along Sherman Street between Folsom and Harrison streets. Bessie Carmichael Elementary School and the Ukrainian Orthodox Church of St. Michael are located south of the project site, south of Cleveland Street. The project site is located within a quarter mile of several local transit lines including Muni lines 12, 14, 14R, 14X, 19, 27, 47, 8, 83X, 8AX and 8BX. The project site is located one and a half blocks northwest of the Interstate 80 freeway, and a westbound on-ramp is located one and a half block to the south, at the intersection of Harrison and Seventh. The major arterial streets surrounding the subject block (Folsom, Seventh, Sixth, and Howard streets) are multi-lane streets that serve as primary access routes to and from the Interstate 80, Interstate 280, and Highway 101 freeway. The project site is located within the SoMA Neighborhood Commercial Transit (NCT) Zoning District, 65-X Height and Bulk District, and the South of Market Youth and Family Special Use District.

Recently approved and proposed projects within one block include:

- 40 Cleveland Street, which would replace the existing building on the lot with a new 40-foot-tall, 4-story, 5-unit, 5,658-square-foot residential condominium building. Approximately 1,000 square feet of private and common open space would be provided in the rear yard, private decks, and a common roof deck. The new building would include a single parking space and six Class 1 bicycle parking spaces within a bicycle storage room in the ground floor garage.
- 1075-1089 Folsom Street, which would demolish the existing buildings on the site and construct a six-story, approximately 25,756-gross-square-foot building with 48 single room occupancy (SRO) units on the first through sixth floors, as well as commercial space, a residential lobby, a community room, a bicycle storage room, and a trash room on the first floor. The commercial space would be approximately 1,141 square feet (sf) in size.
- 280 7th Street, which would demolish a vacant two-story nightclub and replace it with two new buildings: a 65-foot-tall mixed-use residential building and a five-story, 52-foot-tall residential building (collectively measuring approximately 25,659 gross square feet) with up to 20 dwelling units and no parking.
- 262 7th Street, which would demolish the existing warehouse and construct a 65-foot-tall, seven story, mixed-use building approximately 39,222 square feet in size with 96 single room occupancy residential units and 906 square feet of ground-floor commercial retail space.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 1052-1060 Folsom Street and 190-194 Russ 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 1052-1060 Folsom Street and 190-194 Russ 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 significant and unavoidable impacts on land use, historic architectural resources, transportation and circulation, and shadow.

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
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed.	Not Applicable.
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site.	Not Applicable.
F-4: Siting of Noise-Sensitive Uses	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site Not Applicable.	Not Applicable.
F-5: Siting of Noise-Generating Uses	Not Applicable: the proposed project would not include noise-generating uses.	Not Applicable.
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of existing environmental conditions on a proposed	Not Applicable.

Mitigation Measure	Applicability	Compliance
	project's future users if the project would not exacerbate those environmental conditions.	
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable: the proposed project would include construction within the Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan to reduce construction emissions under Project Mitigation Measure 2.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: this mitigation measure has been superseded by Health Code Article 38, and the project sponsor has enrolled with the Department of Public Health in the Article 38 program.	Not Applicable.
G-3: Siting of Uses that Emit DPM	Not Applicable: the proposed residential and commercial uses are not expected to emit substantial levels of DPM.	Not Applicable.
G-4: Siting of Uses that Emit other TACs	Applicable: the proposed residential and commercial building includes a back up generator for the elevator.	The project sponsor has agreed to develop and implement a best available control technology for diesel generators under Project Mitigation Measure 4.
<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Not Applicable: the project site was not evaluated in any previous studies.	Not Applicable.
J-2: Properties with no Previous Studies	Applicable: the project site is located in an area with no previous studies. Project would implement Testing mitigation measure based on the preliminary archeological review.	The project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #3 (Testing) in compliance with this mitigation measure under Project Mitigation Measure 1.
J-3: Mission Dolores Archeological District	Not Applicable: the project site is not located within the	Not Applicable.

Mitigation Measure	Applicability	Compliance
	Mission Dolores Archeological District.	
<b>K. Historical Resources</b>		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department.	Not Applicable.
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.	Not Applicable.
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission.	Not Applicable.
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Applicable: the project involves the demolition of existing buildings.	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws prior to demolishing the existing buildings under Project Mitigation Measure 5.
<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-5: Enhanced Transit Funding	Not Applicable: plan level	Not Applicable.

Mitigation Measure	Applicability	Compliance
	mitigation by SFMTA.	
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA.	Not Applicable.
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA.	Not Applicable.
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA.	Not Applicable.
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA.	Not Applicable.
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA.	Not Applicable.
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA.	Not Applicable.

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 October 16, 2018 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Two individuals submitted comments. One individual requested a copy of the environmental document. The second individual shared their concerns about the proposed project’s potential to shadow the Victoria Manalo Draves Park and the Gene Friend Recreation Center. This topic is further discussed in initial study checklist topic 8, Wind and Shadow. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

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

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

<sup>7</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2016-004905ENV.

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

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



# SAN FRANCISCO PLANNING DEPARTMENT

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

## Initial Study – Community Plan Evaluation

*Case No.:* 2016-004905ENV  
*Project Address:* 1052-1060 Folsom Street and 190-194 Russ Street  
*Zoning:* NCT (SOMA Neighborhood Commercial Transit) Use District and  
RED (Residential Enclave) Use District  
65-X Height and Bulk District  
*Block/Lot:* 3731/021, 023, and 087  
*Lot Size:* 11,500 square feet (0.26 acres)  
*Plan Area:* Eastern Neighborhoods Area Plan, East SoMa Plan area  
*Project Sponsor:* Paul Iantorno, Golden Properties LLC, (415) 440-0201  
*Staff Contact:* Christopher Espiritu, (415) 575-9022, Christopher.Espiritu@sfgov.org

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Information:  
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### PROJECT DESCRIPTION

#### Project Location and Site Characteristics

The project site is located on the northwest corner of the intersection of Folsom Street and Russ Street, on a block that sits between two mid-block alleys—Russ Street to the northeast and Moss Street to the southwest— in the South of Market neighborhood of San Francisco. It has frontages along two streets – approximately 75 feet along Folsom and 140 feet along Russ streets. The site consists of three adjacent lots totaling 11,500 square feet (sq. ft.) and contains five existing buildings. Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot. Lot 21 contains three buildings: 1052-1058 Folsom Street, which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space; 192-194 Russ Street, which was also constructed in 1916, and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; and 200 Russ Street (formerly 196 Russ Street) which was also constructed in 1916, and is occupied by a one-story commercial building. Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924.

The project site has two existing curb cuts located along the Russ Street frontage of the site: one at 1058 Folsom Street (approximately 10 feet in width) and one in front of 190 Russ Street (approximately 10 feet).

#### Project Characteristics

The proposed project would demolish the existing buildings on the project site, merge the three lots into a single lot, and construct a new seven-story, approximately 59,000-gross-square-foot mixed-use building with 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The proposed unit mix for the 63 dwelling units consists of three studio units, 23 one-bedroom units, and 37 two-bedroom units. Four units would be designated as replacement for the four existing on-site rent-controlled units (in

the 1052-1060 Folsom Street and 192 Russ Street buildings), 15 units would be designated as below market rate units, and the remaining 44 dwelling units would be market rate. The proposed building would be approximately 64 feet, 6 inches tall per the San Francisco Planning Code (with an additional 15 feet to the top of the rooftop elevator and stair penthouses and mechanical equipment). The project would provide approximately 6,800 sq. ft. of common open space within the second floor deck and a rooftop deck, and a combined total of approximately 2,100 sq. ft. of private open space for units on the 1<sup>st</sup> through 7<sup>th</sup> floors. The project would also include an at-grade garage for 17 vehicles and 63 bicycle parking spaces (Class I) and 10 Class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.

The ground floor of the proposed project would include about 2,800 sq. ft. for three retail spaces fronting Folsom Street, and three ground-floor residential units fronting on Russ Street, and about 800 sq. ft. for 63 Class I bicycle parking spaces. Also, 10 Class II bicycle parking spaces would be provided on the Folsom Street and Russ Street sidewalks.<sup>1</sup> The ground floor would also include approximately 4,500 sq. ft. for an at-grade garage with 17 off-street vehicle parking spaces in stackers (including one handicapped-accessible parking space) that would be accessible via Russ Street. The project would construct a new 10-foot-wide curb cut on Russ Street and a driveway into the aforementioned at-grade garage, restore sidewalk to standard heights where curb cuts are removed, and install street trees along the Folsom Street and Russ Street frontages. The existing approximately 13-foot-wide sidewalk along Folsom Street and the approximately 15-foot-wide sidewalk along Russ Street would remain. A complete set of plans (site plan, floor plans, elevations, and sections) is included in Planning Case File Number 2016-004905ENV and attached to this document. The proposed ground-floor dwelling units would be accessed through individual entrances/exits along the Russ Street frontage of the project site. All other dwelling units and handicapped access to the ground-floor dwelling units would be accessed through a residential lobby also located on the ground floor with an entrance/exit on Russ Street. Access to the proposed ground-floor retail spaces would be through individual entrances/exits located along the Folsom Street frontage of the site, and an additional entrance/exist would be located on Russ Street for the proposed corner retail space.

Construction of the propose project would occur for approximately 12 months and would consist of demolition of the existing structures, excavation and subgrade work, framing, building constructions, and architectural finishing. Project-related excavation would be required to a depth of approximately six feet below existing ground surface and would involve the removal of approximately 340 cubic yards of soil for the installation of a drilled pier and slab foundation system. Pile driving would not be required.

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<sup>1</sup> Class I bicycle parking spaces are long-term bicycle parking for residents and/or employees that are typically located within designated off-street spaces such as bicycle lockers or bicycle storage rooms. Class II bicycle parking spaces are short-term parking for visitors that are typically located in commonly-accessible areas, such as bicycle racks on sidewalks fronting the project site.

Figure 1 – Project Site Location





## PROJECT APPROVALS

The proposed project would require the following approvals:

### *San Francisco Planning Commission*

- Approval of a Large Project Authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet and for an exception from the rear yard requirements.
- Approval of a Conditional Use Authorization from the Planning Commission is required per Planning Code Section 121.1, 317 and 303 for a lot merger, development on a lot greater than 10,000 sq. ft. in area, and removal of four dwelling units, respectively.
- Approval of a variance application from the light and air access requirements of Section 140.
- Findings, upon the recommendation of the Recreation and Park Director and/or Commission, that shadow would not adversely affect public open spaces under Recreation and Park Commission jurisdiction (Section 295).

### *Department of Building Inspection*

- Review and approval of demolition and building permits.

### *Department of Public Works, Bureau of Street Use and Mapping*

- Review and approval of condominium map
- Review and approval of sidewalk closure and street use permits

### *Department of Public Health*

- Review for compliance with the Maher Ordinance, article 22A of the Health Code.
- Review for compliance with enhanced ventilation, article 38 of the Health Code.
- Review and approval of a Dust Control Plan.

### *San Francisco Municipal Transportation Agency*

- Review and approval of removal of two curb cuts along Folsom Street and approval of one new curb cut.
- Review and approval of Class II bicycle parking spaces on the sidewalks of Folsom and Russ Streets.
- Approval of associated street and sidewalk permits

### *San Francisco Public Utilities Commission*

- Approval of a stormwater management plan that complies with the city's stormwater design guidelines.

### *San Francisco Recreation and Parks Department:*

- Determination that shadow would not adversely affect open spaces under Commission jurisdiction.

The approval of the Large Project Authorization by the Planning Commission would be the Approval Action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).<sup>2</sup> The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative 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 involve the demolition of the existing commercial and residential buildings on the site and construction of an approximately 59,000 sq. ft. building, including 63 dwelling units, approximately 2,800 sq. ft. of ground-floor retail space, and an at-grade garage for 17 vehicle and 63 bicycle parking spaces. 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

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

areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

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

### **Aesthetics and Parking**

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

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

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

### **Automobile Delay and Vehicle Miles Traveled**

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

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*<sup>4</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as 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.

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<sup>3</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1052-1060 Folsom Street and 190-194 Russ Street, September 28, 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. 2016-004905ENV.

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

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

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would not remove any existing PDR uses and would therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. In addition, the project site was zoned Residential / Service Mixed Use District (RSD) prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses and the rezoning of the project site did not contribute to the significant impact.

The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers in the Easter 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 Planning Department has determined that the proposed project is consistent with the SoMa NCT Zoning District and 65-X Height and Bulk District, and is therefore consistent with the development density principally permitted for the project site under the planning code and zoning map provisions.<sup>5</sup> The project site is located in the SOMA NCT Zoning District, which permits both housing and PDR uses, and 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 project would not remove any existing PDR on the project site and would not represent a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR. Also, the project 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.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1052-1060 Folsom Street and 190-194 Russ Street, December 11, 2018.

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR 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 disproportionately 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 project site would demolish the existing residential and commercial buildings on the project site and construct a seven-story, approximately 59,000-square-foot, mixed use building containing 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The 63 dwelling units would result in about 146 residents on the project site and the ground floor retail use would employ approximately eight people.<sup>6,7</sup> The potential population growth associated with the project would represent a negligible amount of the city’s current population of 883,963 persons.<sup>8</sup> As residents and employees generated by the proposed project would constitute a negligible increase in the population and the number of jobs, the increase would be accommodated within the planned population, housing, and employment growth in San Francisco. The proposed project would also increase the amount of housing available, thereby reducing the demand for housing elsewhere. 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

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<sup>6</sup> The Eastern Neighborhoods PEIR assumed that the Plan Area would have an average household size of about 2.43 residents per dwelling unit in the year 2025.

<sup>7</sup> The number of employees for retail space is estimated based on the assumption of 350 average gross square feet per employee.

<sup>8</sup> State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State – January 1, 2018*. Sacramento, California, accessed October 2018.

study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

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

**Historic Architectural Resources**

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

The project site is developed with five existing buildings: Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot; Lot 21 includes 1052-1058 Folsom Street, which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space, as well as 192-194 Russ Street, which was also constructed in 1916 and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924. The project site was included in the South of Market Historic Resource Survey and each building on Lots 87, 21, and 23 were rated “7R,” indicating they were identified in a



reconnaissance-level survey but not evaluated. As such, the five existing buildings are designated as Category B historical resources (properties requiring further evaluation for historic significance and/or buildings that are over 45 years of age) pursuant to San Francisco Historic Preservation Bulletin No. 16. A historic resource evaluation report was prepared for the proposed project and was reviewed by a Preservation Technical Specialist.<sup>9, 10</sup> None of the five existing buildings on the site were determined to be individually eligible for listing in the California Register of Historical Resources under any criteria (Criterion 1-Events, Criterion 2-Persons, Criterion 3-Architecture, or Criterion 4-Information Potential) and the proposed project would not impact historic materials or features. The project site is not located in an existing historic or conservation district and there are no proposed preservation districts that include the project site. 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.

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

### **Archeological Resources**

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

The proposed project would excavate to a maximum depth of approximately six feet, resulting in approximately 340 cubic yards of soils disturbance. The project site is located in the Archeological Mitigation Zone J-2: Properties with No Previous Studies of the Eastern Neighborhoods PEIR; therefore, PEIR Mitigation Measure J-2 is applicable to the proposed project. In accordance with Mitigation Measure J-2, a *preliminary archeological review* was conducted by a planning department archeologist.<sup>11</sup> Based on the preliminary archeological review, the department archeologist determined that standard Archeological Mitigation Measure 3 (Testing) would apply to the proposed project.<sup>12</sup> The preliminary archeological

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<sup>9</sup> Tim Kelley Consulting, LLC, Historical Report 1052-1058 Folsom Street-1060 Folsom Street-192-194 Russ Street, San Francisco, California, February 2016.

<sup>10</sup> San Francisco Planning Department, Preservation Technical Review Form for *1052-1060 Folsom Street and 190-194 Russ Street*, November 30, 2018.

<sup>11</sup> San Francisco Planning Department, Preliminary Archeological Review (PAR) for 1052-1060 Folsom Street and 190-194 Russ Street, November 5, 2018.

<sup>12</sup> Ibid.

review and mitigation requirements and its requirement for archeological testing are consistent with Mitigation Measure J-2 of the Eastern Neighborhoods PEIR, the implementation of which would reduce impacts related to archeological resources to a less-than-significant level. The project sponsor has agreed to implement Mitigation Measure J-2, as identified as Project Mitigation Measure 1 on page 40 (full text provided in the “Mitigation Measures” section below).

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.<sup>13</sup> Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.

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

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

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

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

### **Vehicle Miles Traveled (VMT) Analysis**

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for

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<sup>13</sup> San Francisco Planning Department. Transportation Study Determination, Case No. 2016-004905ENV, 1052-1060 Folsom Street and 190-194 Russ Street, October 22, 2018.

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

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>16</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>17</sup> Average daily VMT for all 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, TAZ 627.

**Table 1: Daily Vehicle Miles Traveled**

<u>Land Use</u>	<u>Existing</u>			<u>Cumulative 2040</u>		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 627</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 627</u>
Households (Residential)	17.2	14.6	1.9	16.1	13.7	1.6
Employment (Retail)	14.9	12.6	8.5	14.6	12.4	8.3

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*

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

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

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

<sup>17</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

*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.

#### *Vehicle Miles Traveled Analysis – Residential*

Existing average daily household VMT per capita is 1.9 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 89 percent below the existing regional average daily household VMT of 17.2 miles. As the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project’s residential uses would not result in substantial additional VMT and impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project’s residential uses would not cause substantial additional VMT.<sup>18</sup>

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, using the same methodology as outlined for existing conditions, but includes residential and job growth estimates and reasonably foreseeable transportation investments through 2040. Projected 2040 average daily household VMT per capita is 1.6 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 90 percent below the projected 2040 regional average daily household VMT of 16.1 miles. Given the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project’s residential uses would not result in substantial additional VMT. Therefore, the proposed project would not contribute considerably to any substantial cumulative increase in VMT for the proposed residential use.

#### *Vehicle Miles Traveled Analysis – Retail*

Existing average daily retail employee VMT per capita is 8.3 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 43 percent below the existing regional average daily retail employee VMT of 14.9 miles. As the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project’s retail uses would not result in substantial additional VMT and these impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project’s retail uses would not cause substantial additional VMT.

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<sup>18</sup> San Francisco Planning Department, Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1052-1060 Folsom Street and 190-194 Russ Street, September XX, 2018.

Projected 2040 average daily retail employee VMT per capita is 8.5 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 43 percent below the projected 2040 regional average daily retail employee VMT of 14.6 miles. Given that the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's retail uses would not result in substantial additional VMT.<sup>19</sup> Therefore, the proposed project would not cause substantial additional VMT and impacts would be less than significant.

### **Trip Generation**

The proposed project would involve the demolition of the existing commercial and residential buildings on the site and construction of an approximately 59,000 sq. ft. building, including 63 dwelling units, approximately 2,800 sq. ft. of ground-floor retail space, and an at-grade garage for 17 vehicles and 63 bicycle parking spaces (Class I). Additionally, 10 Class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>20</sup> The proposed project would generate an estimated 990 person trips (inbound and outbound) on a weekday daily basis, consisting of 324 person trips by auto, 251 transit trips, 302 walk trips and 113 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 136 person trips, consisting of 43 person trips by auto (34 vehicle trips accounting for vehicle occupancy data for this Census Tract), 37 transit trips, 40 walk trips and 15 trips by other modes.

### **Transit**

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>21</sup> The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The 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

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<sup>19</sup> Ibid.

<sup>20</sup> San Francisco Planning Department, Transportation Calculations for 1052-1060 Folsom Street and 190-194 Russ Street, October 2018.

<sup>21</sup> Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.<sup>22</sup> In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes 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 16<sup>th</sup> Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16<sup>th</sup> Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 12-Folsom/Pacific, 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 8-Bayshore, 83X-Mid-Market Express, 8AX-Bayshore A Express, 8BX-Bayshore B Express. As noted above, the proposed project would be expected to generate 251 daily transit trips, including 37 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 37 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

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<sup>22</sup> <http://tsp.sfplanning.org>

having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of one Muni line – 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 37 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.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>5. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined



that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.<sup>23</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

### **Construction Noise**

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would not include impact pile driving. Therefore, Mitigation Measure F-1 does not apply to the project. Per the geotechnical report, the proposed building should be constructed on torque down piles or steel H-pile foundations driven at least five feet into very dense sand at a depth of about 120 feet below the ground surface. The geotechnical report found that compaction grouting would be most appropriate for ground improvement for the project site. Compaction grouting involves the use of low slump, mortar-type grout pumped under pressure to densify loose soils by displacement and typically installed by drilling or driving steel pipes. Compaction grouting would be kept within building perimeters. In addition, permeable grout is an option for stabilizing the proposed vertical slopes. As the final foundation design and reinforcement would be determined by the project engineers, this analysis conservatively assumes the possibility of particularly noisy construction activities during project construction. Implementation of the proposed project could include other noisy construction activities due to the anticipated use of an excavator, concrete pump, loaders, backhoe, ready mix truck, and drilling machine, or other construction equipment. Therefore, Eastern Neighborhoods Mitigation Measure F-2 applies to the project as and has been included as Project Mitigation Measure 2 on page 45. Project Mitigation Measure 2 requires the identification and implementation of site-specific noise attenuation measures during project construction (full text provided in the “Mitigation Measures” section below).

In addition, all construction activities for the proposed project (approximately 12 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance), which regulates construction noise. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2)

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<sup>23</sup> Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project’s future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <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).

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 the hours of 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 12 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 Project Mitigation Measure 2 (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. The proposed residential and retail project would not include noise-generating land uses. While the proposed project would include retail space on the ground floor, it is not anticipated that use of the space would generate noise above existing ambient noise levels in the project site vicinity. The proposed project would include mechanical equipment consisting of a diesel generator providing emergency standby power and an air handler unit. The proposed building equipment would be subject to the Noise Ordinance, which limits noise from building equipment to no more than 5 dBA above the local ambient noise level at any point outside of the property line. Therefore, Mitigation Measure F-5 is not applicable 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. In compliance with Title 24, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>6. AIR QUALITY—Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>24</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.<sup>25</sup>

**Construction Dust Control**

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate

<sup>24</sup> The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

<sup>25</sup> The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

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**

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”<sup>26</sup> The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>27</sup> for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The screening criteria level for an “Apartment, mid-rise” is 494 dwelling units for operations and 240 dwelling units for construction. The screening criteria level for a “Fast food restaurant without a drive through” is 8,000 square feet for operations and 277,000 square feet for construction. This land use category was chosen as the project sponsor does not know the type of retail service that would occupy the proposed retail space, and this land use category is one of the most restrictive uses for a small retail space. As the proposed project would provide 63 dwelling units and approximately 2,800 square feet of ground-floor retail space, it would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

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<sup>26</sup> 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.

<sup>27</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

## 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<sub>2.5</sub> 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<sub>2.5</sub> (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.<sup>28</sup>

## 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 1 month of the anticipated 12-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 equipment by 89 to 94 percent compared to uncontrolled construction equipment.<sup>29</sup> 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.

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<sup>28</sup> Department of Public Health, Article 38: 1052-1058, Folsom Street and 190 Russ Street Project, November 8, 2018.

<sup>29</sup> 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 VDECs 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).

**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. However, the proposed project would include a backup diesel generator, which would emit DPM, a TAC. Therefore, Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-4 related to siting of uses that emit TACs by requiring the engine to meet higher emission standards. Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators would reduce DPM exhaust from stationary sources by 89 to 94 percent compared to uncontrolled stationary sources. Impacts related to new sources of health risk would be less than significant through implementation of Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators. The full text of Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators is provided in the Mitigation Measures Section below.

For the above reasons, with implementation of Project Mitigation Measures 3 and 4, the proposed project would not result in significant air quality impacts that were not identified in the PEIR.

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

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the East SoMa Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E<sup>30</sup> per service population,<sup>31</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are

<sup>30</sup> CO<sub>2</sub>E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

<sup>31</sup> Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's Strategies to Address Greenhouse Gas Emissions<sup>32</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 30 percent reduction in GHG emissions in 2016 compared to 1990 levels,<sup>33</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's 2017 Clean Air Plan,<sup>34</sup> Executive Order S-3-05<sup>35</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>36,37</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,<sup>38</sup> B-30-15,<sup>39,40</sup> and Senate Bill (SB) 32<sup>41,42,43</sup>. Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

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<sup>32</sup> 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](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

<sup>33</sup> San Francisco Department of the Environment, *San Francisco's Carbon Footprint (2016)*, September 2018. Available at <https://sfenvironment.org/carbon-footprint>, accessed September 25, 2018.

<sup>34</sup> Bay Area Air Quality Management District, *Clean Air Plan*, September 2017. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed July 13, 2018.

<sup>35</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>36</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill\\_asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill_asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>37</sup> Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

<sup>38</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

<sup>39</sup> Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

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

<sup>41</sup> Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

<sup>42</sup> Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

<sup>43</sup> Executive Order B-15-18, which was signed in September 2018, establishes a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions after. Available at <https://www.gov.ca.gov/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>, accessed September 25, 2018. The statewide executive order is slightly more aggressive than the commitment made by Mayor Mark Farrell in April 2018 for the City to reach net-zero greenhouse gas emissions by 2050. The San Francisco Department of the Environment is currently developing a plan to meet the goal of carbon neutrality.

The proposed project would increase the intensity of use of the site by adding 63 dwelling units and approximately 2,800 square feet of ground floor retail uses, thereby increasing the number of people who would access the site daily. 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 retail operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The 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 management programs, Transportation Sustainability Fee, and bicycle parking requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>44</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>45</sup> 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).<sup>46</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>47</sup>

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

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

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

<sup>47</sup> San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 1052-1060 Folsom Street and 190-194 Russ Street, August 2017.



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.

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

**Wind**

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 65-foot-tall building, plus a 15-foot-tall mechanical and stair penthouse, would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area and would be under 80 feet in height. 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 65-foot-tall building (with an additional 15 feet for rooftop mechanical equipment and an elevator/stair penthouse; therefore), the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks. The shadow fan indicated that the proposed project would potentially cast new shadows on Victoria Manalo Draves Park and on the playground at Bessie Carmichael Elementary School.<sup>48</sup> Victoria Manalo Draves Park is under the jurisdiction of the Recreation and Park Commission. Thus, project-generated shadow on the park is subject to Section 295 of the Planning Code.

Based on the results of the preliminary shadow fan analysis, a detailed shadow study was prepared for the proposed project pursuant to Planning Department guidance.<sup>49</sup> The shadow study consists of quantitative and qualitative analysis of the project's potential shadow impacts to Victoria Manalo Draves Park, including analysis of the shadow of existing surrounding buildings and cumulative projects (i.e. reasonably foreseeable development projects with the project's potential to shadow Victoria Manalo Draves Park). The shadow analysis was conducted for representative times of the day for three representative days of the year. The representative days are the summer solstice (June 21), when the midday sun is at its highest and shadows are shortest; the autumnal/vernal equinoxes (September 20/March 22), when shadows are midway through a period of lengthening; and the winter solstice (December 20), when the midday sun is at its lowest and shadows are longest.

The Proposition K memorandum, dated February 3, 1989, was developed by the Recreation and Park Department and the Planning Department<sup>50</sup> to establish tolerance levels for new shading for specific parks and establish shadow criteria for parks not named in the memorandum but still subject to Section 295 of the Planning Code. The tolerance limits are based on the new shadow-foot-hours that would potentially be added to a park as a percentage of the theoretical total square-foot-hours (sfh)<sup>51</sup> of sunlight for that property over a period of one year. The Proposition K memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. Victoria Manalo Draves Park was not named in the Proposition K memorandum and, at 2.53 acres (109,997 sq. ft.), it is considered a large park which is shadowed less than 20 percent of the time during the year. As such, it is recommended that additional shadow of up to one percent could be potentially permitted if the shadow meets the qualitative criteria of how shading would occur in the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new project-related shadow on Victoria Manalo Draves Park would require hearings at the Recreation and Park Commission and the Planning Commission.

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<sup>48</sup> Schoolyards that are enrolled in the Shared Schoolyard Project are considered to be publicly accessible and should be included as public open spaces within the shadow analysis for CEQA review. Bessie Carmichael Elementary School is not currently enrolled as a participating school within the San Francisco Shared Schoolyard Project (<http://www.sfshareschoolyard.org/>). Therefore, project-generated shadow on Bessie Carmichael Elementary School is not discussed in this checklist.

<sup>49</sup> Prevision Design, Shadow Analysis Report for the Proposed 1052 Folsom Street per SF Planning Section 295 Standards, October 30, 2018

<sup>50</sup> San Francisco Planning Department, Proposition K – The Sunlight Ordinance Memorandum, February 3, 1989.

<sup>51</sup> The amount of sun the park would receive throughout the year if there was no shadow on the park at any time.

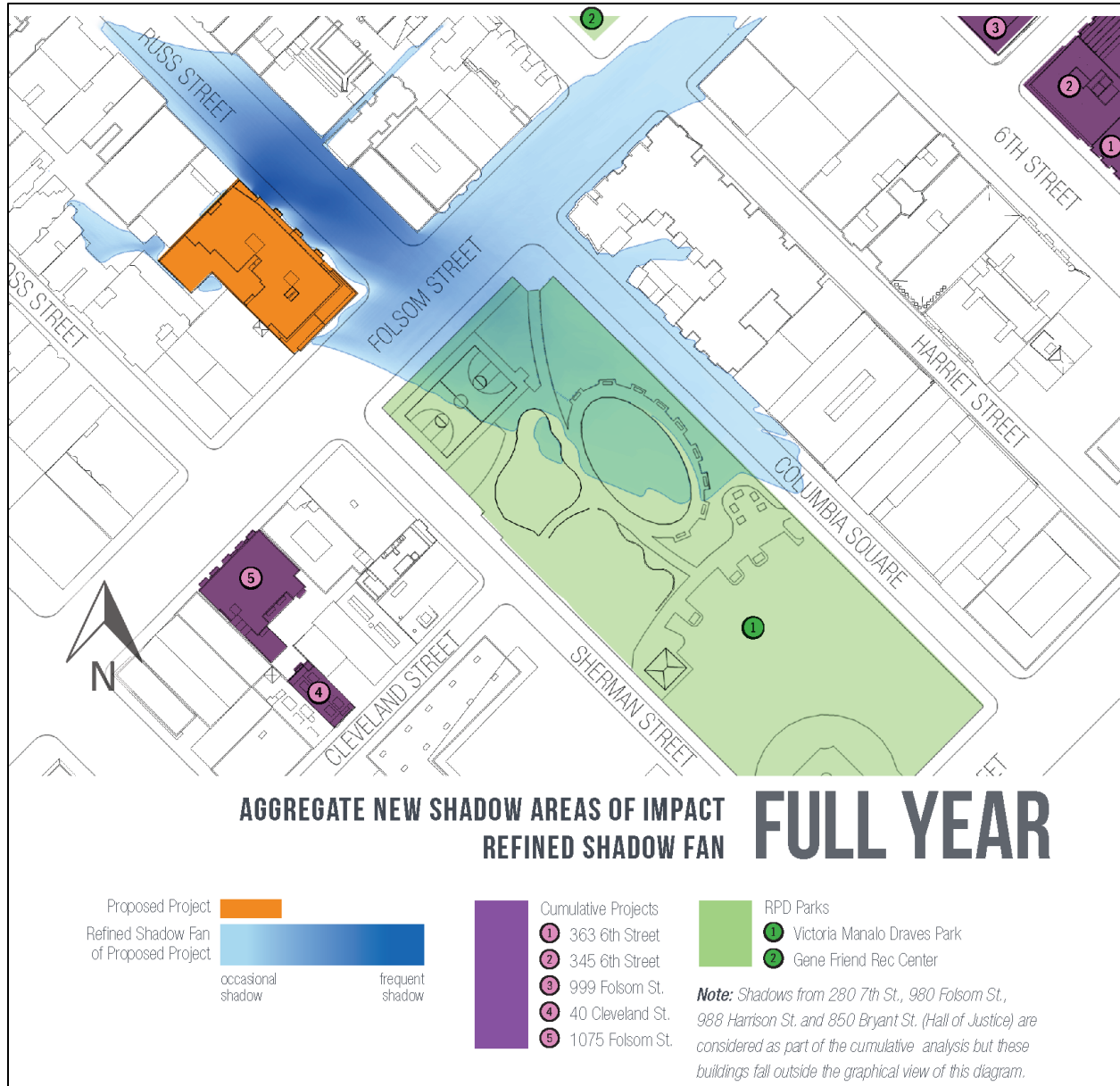
The proposed project would not cast new shadows on the Gene Friend Recreation Center nor any other public parks, privately owned public open spaces, nor the outdoor play area of the Bessie Carmichael Elementary School. Therefore, no additional analysis of shadow on these facilities is provided.

*Victoria Manalo Draves Park*

Victoria Manalo Draves Park is a public park located on Lot 16 of Assessor's Block 3754 and encompasses the entire block bounded by Folsom Street to the northwest, Harrison Street to the southwest, Columbia Square to the northeast and Sherman Street to the southwest. The park contains a baseball field, a batting cage along Columbia Square, fixed picnic tables, playground areas with playground equipment, restrooms, landscaped areas, and walkways. The park is enclosed by a 5-foot-tall fence and is locked at night. It is open from sunrise to sunset, 365 days per year.

The shadow analysis determined that the proposed project would cast new shadow on Victoria Manalo Draves Park throughout the year. As shown in Figure 2, new shadows from the proposed project would occur between approximately February 23<sup>rd</sup> and October 17<sup>th</sup> annually and would enter the park in the late afternoon between approximately 5:15pm and 6pm and be present through the remainder of the afternoon and evening. New shadows would occur in the northeastern quarter of the park and at various times would cast new shadows on the park entry, the basketball court, the northern children's play area, lawn areas, and seven fixed benches. The proposed project would result in new shadows falling on the park, adding approximately 1,569,594 net new annual sfh of shadow and increasing the park's total sfh of shadow from 7.41% of the theoretical annual available sunlight (TAAS) under existing conditions by 0.38% above current levels, resulting in a new annual total shading of 7.79% of the TAAS. The days of maximum shading on the park due to the proposed project would occur on June 21, when the proposed project would shade the northeastern quarter of the park starting between 5:46pm and 6pm and be present for between 96-110 minutes within Section 295 times. Maximum shading would occur at a time (7:36pm) when both existing and project-related shadows would be lengthening at an accelerated rate as compared to other times of day. The largest new shadow would cover 20,064 sf, equal to 18.24% of the total park area (existing shading at that time covers 30% of the park area).

Figure 2 – Full Year Shadow Fan – 1052-1060 Folsom Street and 190-194 Russ Street



Source: Prevision Design, 2018

In order to assess park usage, a qualitative analysis was conducted for the project. The analysis included six 30-minute observation periods conducted during the morning, mid-afternoon, and late afternoon/early evening times between May 18 and May 20, 2018. Based on these observations, the number of users in the park ranged from 4 to 68, with uses that varied at different times of day and days of the week. Observed park uses included children playing in the playground areas, eating lunch and resting on benches, walking dogs, playing basketball or soccer, barbecuing, working in the community garden and for a small portion of observed users, passing through the park. Overall, observed usage of the park was higher during the weekday midday and afternoon observation periods as well as during the weekend morning and midday observation periods. The areas with the highest use at these times were children using the playground areas, with fewer users occupying the other park features. On both morning observations and the weekday afternoon/early evening visit, one user was observed working in the community garden area. The observed intensity of use varied between the various observation times but could be characterized as low to moderate given the park's size. Observed peak use on May 21 corresponded to a ratio of approximately 1,615 square feet of park area per user.

As previously described, new shadow due to the proposed project would occur in the northeastern quarter of the park and would occur during the late afternoon/early evening between approximately 5:15 and 6pm. New shadows cast by the project on the park entry, the basketball court, the northern children's play area, lawn areas, and seven fixed benches would be present though the remainder of the afternoon and evening. In addition, less sensitive areas such as the park entry, grassy areas, edges of the ball field and walkways, would also receive new shadow. Observations of the park noted that peak usage of the park occurred during the weekday midday period (68 users) and weekend midday period (42 users). Based on the analysis, new project-related shadow would be present at times when substantially lower numbers of users were observed during the late afternoon/early evening period (31 users) and weekend late afternoon/early evening period (4 users). Intervening buildings already cast shadows on the same or similar areas of the Victoria Manalo Draves Park, so much of the project-related shadow would not be new shadow. Although shadows would increase in the late afternoon/early evening, no single location within the park would be in continuous new shadow for longer than 15 minutes.

Based on the above, the new shadow resulting from the proposed project would not be expected to substantially affect the use and enjoyment of the park because the project-related shadow would occur during lower levels of weekday and weekend use and would be of short duration in any given area. Users in the affected areas could be affected by the presence of new shadow, however no clear pattern of diminished use of shaded features (vs. unshaded features) was observed under current conditions over the course of the park observation visits. Therefore, the proposed project would result in less-than-significant shadow impacts on Victoria Manalo Draves Park.

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

shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

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

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

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

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The

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

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.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes 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.



<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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**11. PUBLIC SERVICES—Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a 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.

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

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is located within East SoMa 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.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS—Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

A geotechnical investigation was prepared for the proposed project.<sup>52</sup> Soil samples (borings) collected from the project site were observed to contain artificial fill that generally consisted of loose to medium dense sand with variable amounts of clay and abundant debris, including fragments of wood, brick, concrete, and glass. Historical information indicated that the existing fill at the site was placed between and 1870 and 1906. Beneath the undocumented fill material, the site is underlain by weak and highly compressible marine clay deposit, known locally as Bay Mud. Bay Mud extends to a depth of approximately 100 feet below ground surface at the project site. Groundwater was encountered at approximately five feet below ground surface. The report concluded that the proposed building may be adequately supported by driven steel H-piles or torque-down piles. The report recognized that the project site is located in a seismic hazard zone (liquefaction zone), and concluded that the proposed ground floor slab be designed to span between pile caps and /or grade beams and not rely on the fill for

<sup>52</sup> Rockridge Geotechnical, Final Report, Geotechnical Investigation, Proposed Mixed-Use Development, 1052-1060 Folsom Street, San Francisco, California November 30, 2015.

support and that, with implementation of other recommendations for the site outlined in the report, the proposed structure can be built to existing seismic safety standards.

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.

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

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

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

The approximately 11,500-square feet project site is fully developed with impervious surfaces consisting of five residential and retail buildings ranging from one to three stories tall and an asphalt paved parking area. The proposed project would reduce the amount of impervious surface coverage on the project site as the project provides a landscaped common open space at the rear yard of the first floor, which would reduce runoff from the site. As a result, the proposed project would not increase stormwater runoff.

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project’s rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, 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 that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of existing buildings on the project site, Project Mitigation Measure 5 Hazardous Building

Materials would apply to the proposed project. See full text of Project Mitigation 5 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 not include a basement level, but would require greater than 50 cubic yards of soil disturbance on a site identified on the Maher Map. 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 and a Phase I Environmental Site Assessment (ESA) has been prepared to assess the potential for site contamination.<sup>53,54</sup> The ESA noted that prior to the construction of the buildings on-site, the property consisted of commercial buildings from at least 1887 and was occupied by storage warehouse and vacant land from at least 1915. The property was developed in 1916 with the current residential building at 192-194 Russ Street and the current commercial/residential building at 1052-1058 Folsom Street, while the commercial building at 1060 Folsom Street was constructed in 1924. Since 1924, the buildings on the project site were occupied by various residential and commercial tenants, including a workshop, sheet metal shop, storage warehouses, and restaurants. During site reconnaissance, the Phase I ESA noted that the former activities on the site are not expected to represent a significant environmental concern. No hazardous materials or evidence of prior inappropriate storage of hazardous materials were found at the

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<sup>53</sup> Golden Properties, LLC, Maher Application, 190 Russ and 1052-1060 Folsom Streets, May 18, 2015.

<sup>54</sup> AEI Consultants, *Phase I Environmental Site Assessment*, 1052-1060 Folsom Street and 192-194, San Francisco, California 94103, June 13, 2014.

site during the Phase I analysis. No records of underground fuel storage tanks were found, and the existing building’s foundation was found to be intact with no evidence of hazardous materials seeping into the soil or groundwater. No on-site Recognized Environmental Conditions (RECs) were identified during the ESA.

Although the Phase I ESA did not indicate any subsurface soil or groundwater contamination present beneath the site, if such contamination is discovered through coordination with DPH, as required by Article 22A of the Health Code, it would be required to be remediated. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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.

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

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

As the proposed project is 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.



<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

As the proposed project is 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 (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2).** 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 and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. After the first project approval action or as directed by the ERO, the project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the

consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>55</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>56</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

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<sup>55</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>56</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and 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. 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, Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and in the event of the Medical Examiner'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 ERO shall also be immediately notified upon discovery of human remains. 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, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

*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. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public distribution version of the FARR. Copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high interpretive value of the resource, the ERO may require a different or additional 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 shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

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

**Project Mitigation Measure 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 offroad 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 offroad 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 equipment available, according to the Table below:

**Table—Off-Road Equipment Compliance Step-Down Schedule**

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

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project 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 – Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)**

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

**Project Mitigation Measure 5: 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.





# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 1052-1060 FOLSOM ST & 190-194 RUSS ST  
RECORD NO.: 2016-004905CUA/ENX

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

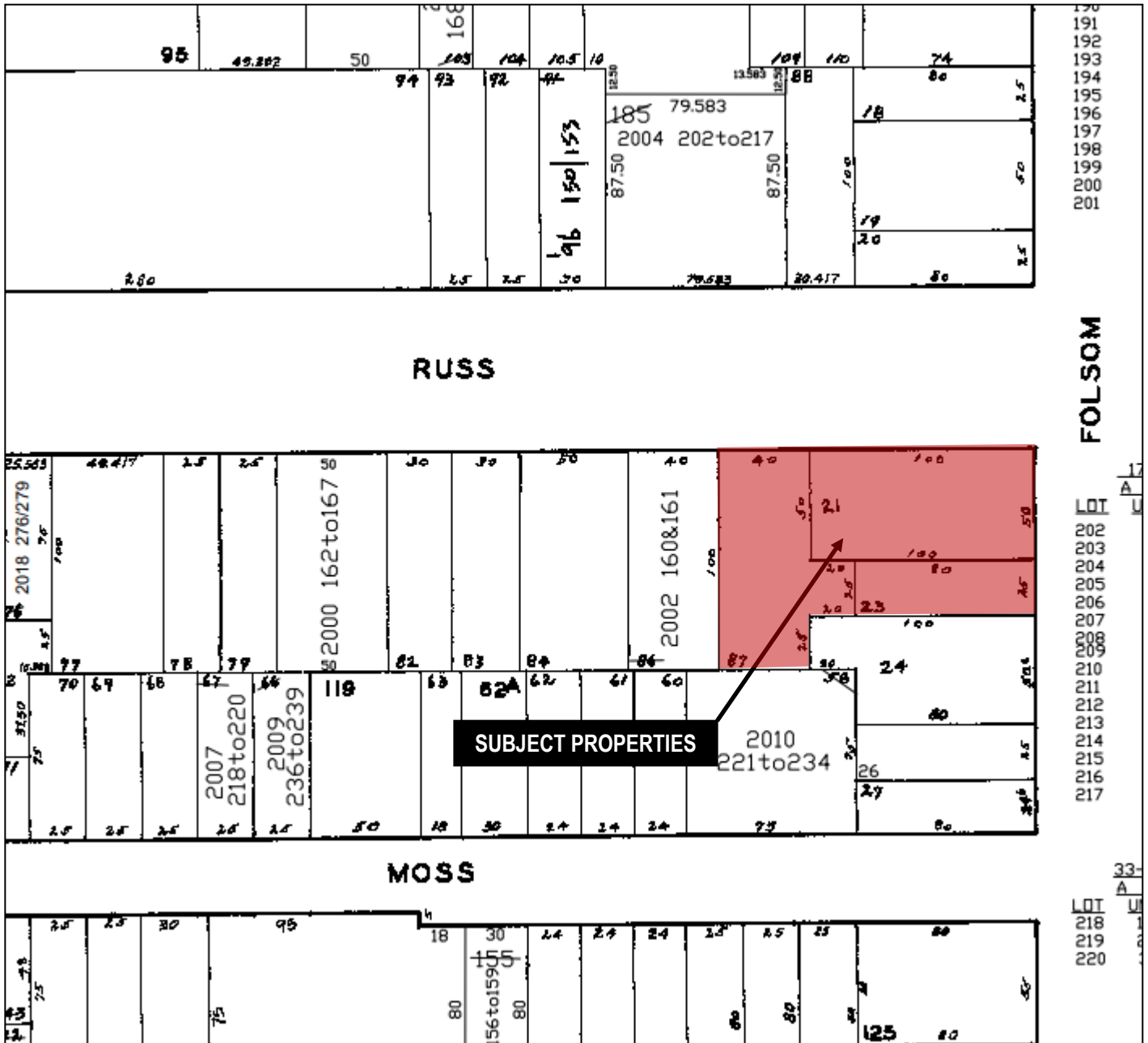
Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

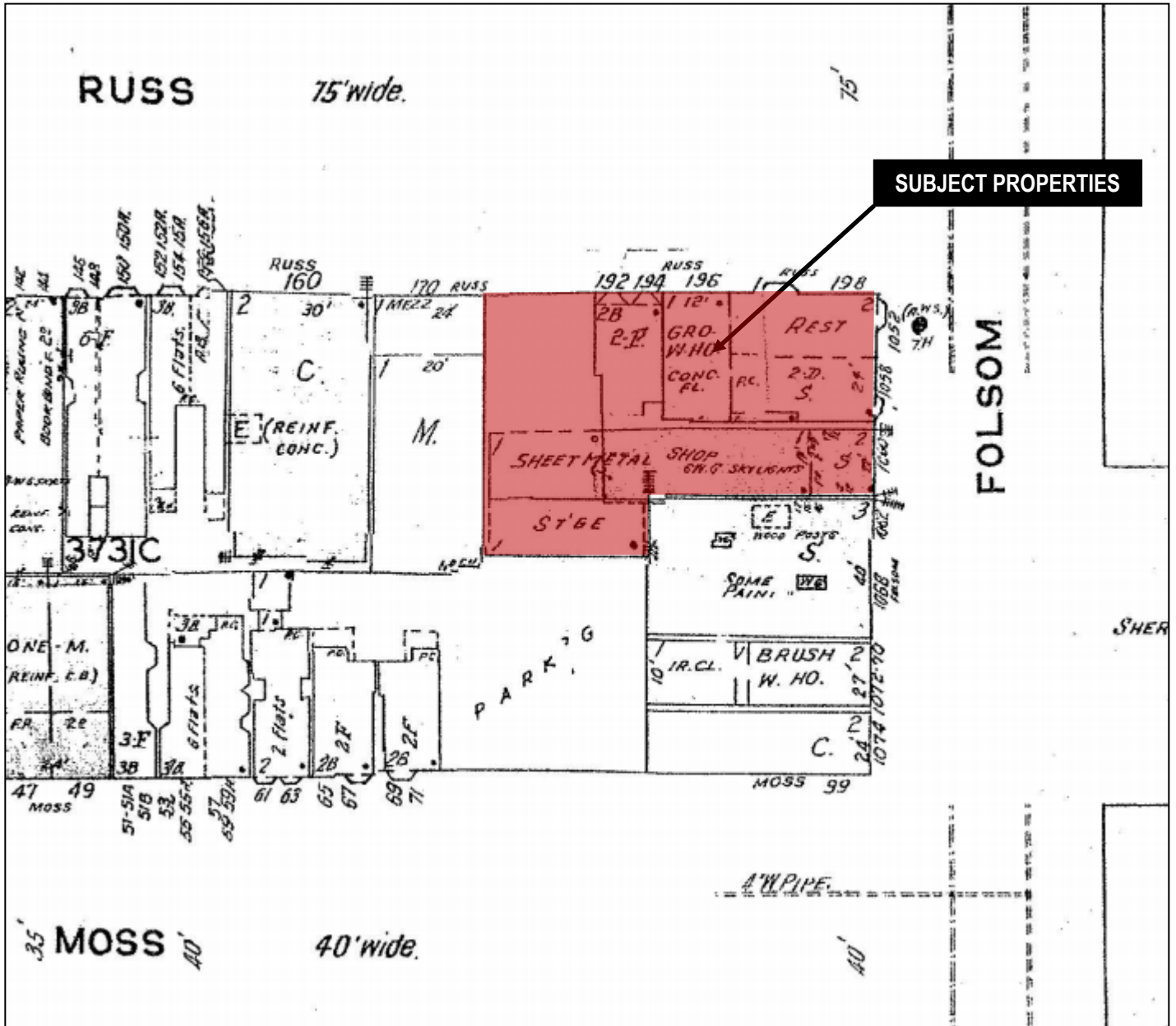
	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	2,000	3,572	1,572
Residential GSF	4,656	55,887	51,231
Retail/Commercial GSF	10,349	2,832	-7,517
Office GSF	-	-	-
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	-	-	-
Medical GSF	-	-	-
Visitor GSF	-	-	-
CIE GSF	-	-	-
Usable Open Space	0	6,991	6,991
Public Open Space	-	-	-
Other ( )			
<b>TOTAL GSF</b>	<b>15,005</b>	<b>62,291</b>	<b>47,286</b>
	EXISTING	NET NEW	TOTALS
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable	-	15	15
Dwelling Units - Rent Controlled	4	-	4
Dwelling Units - Market Rate	-	44	44
Dwelling Units - Total	4	59	63
Hotel Rooms	-	-	-
Number of Buildings	5	1	1
Number of Stories	2	7	7
Parking Spaces	5	16	16
Loading Spaces	-	-	-
Bicycle Spaces	-	73	73
Car Share Spaces	-	1	1

# Parcel Map



Conditional Use Authorization &  
 Large Project Authorization  
 Case No. 2016-004905CUA/ENX/SHD/VAR  
 1052-1060 Folsom St. & 190-194 Russ St.

# Sanborn Map\*

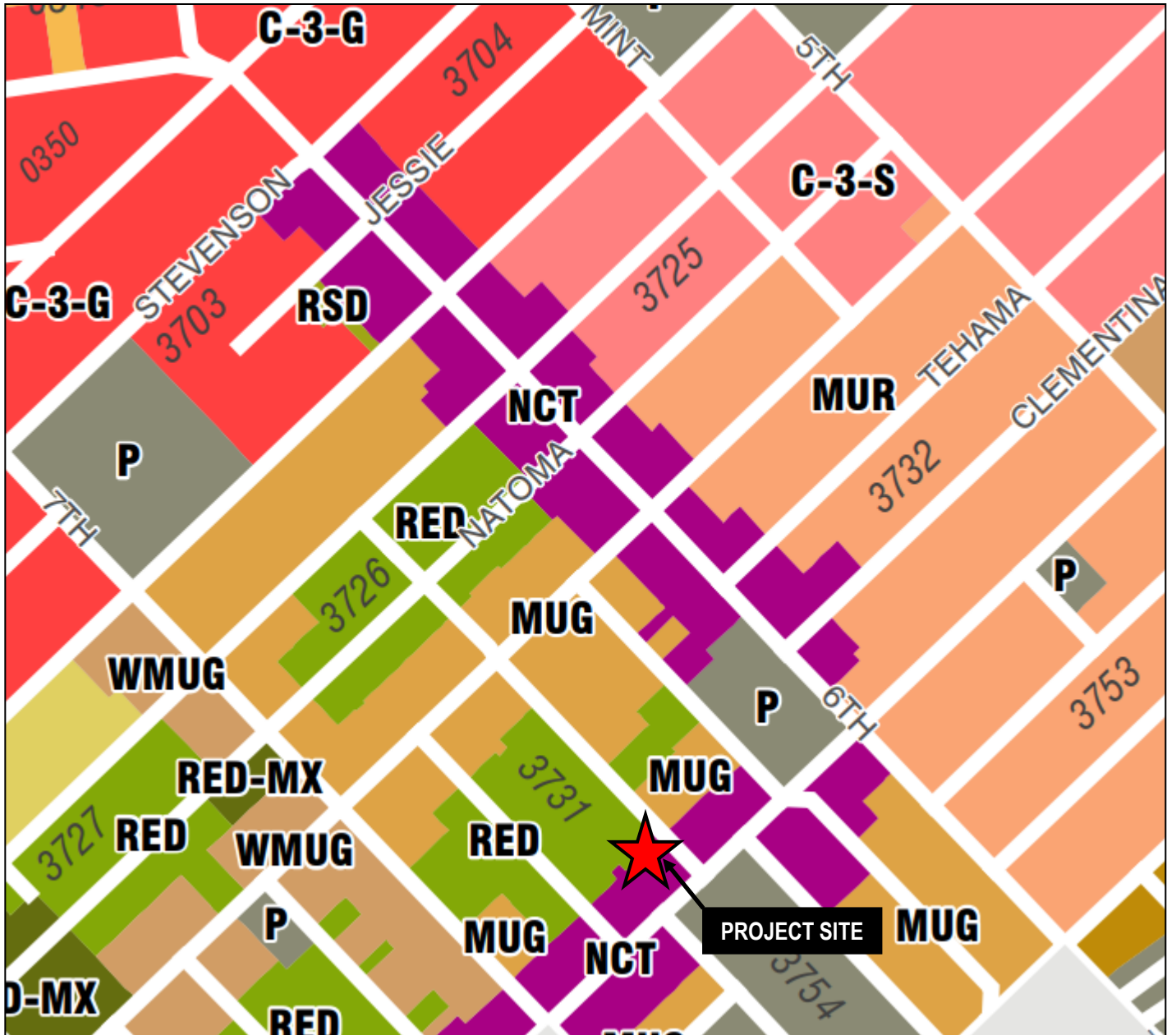


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



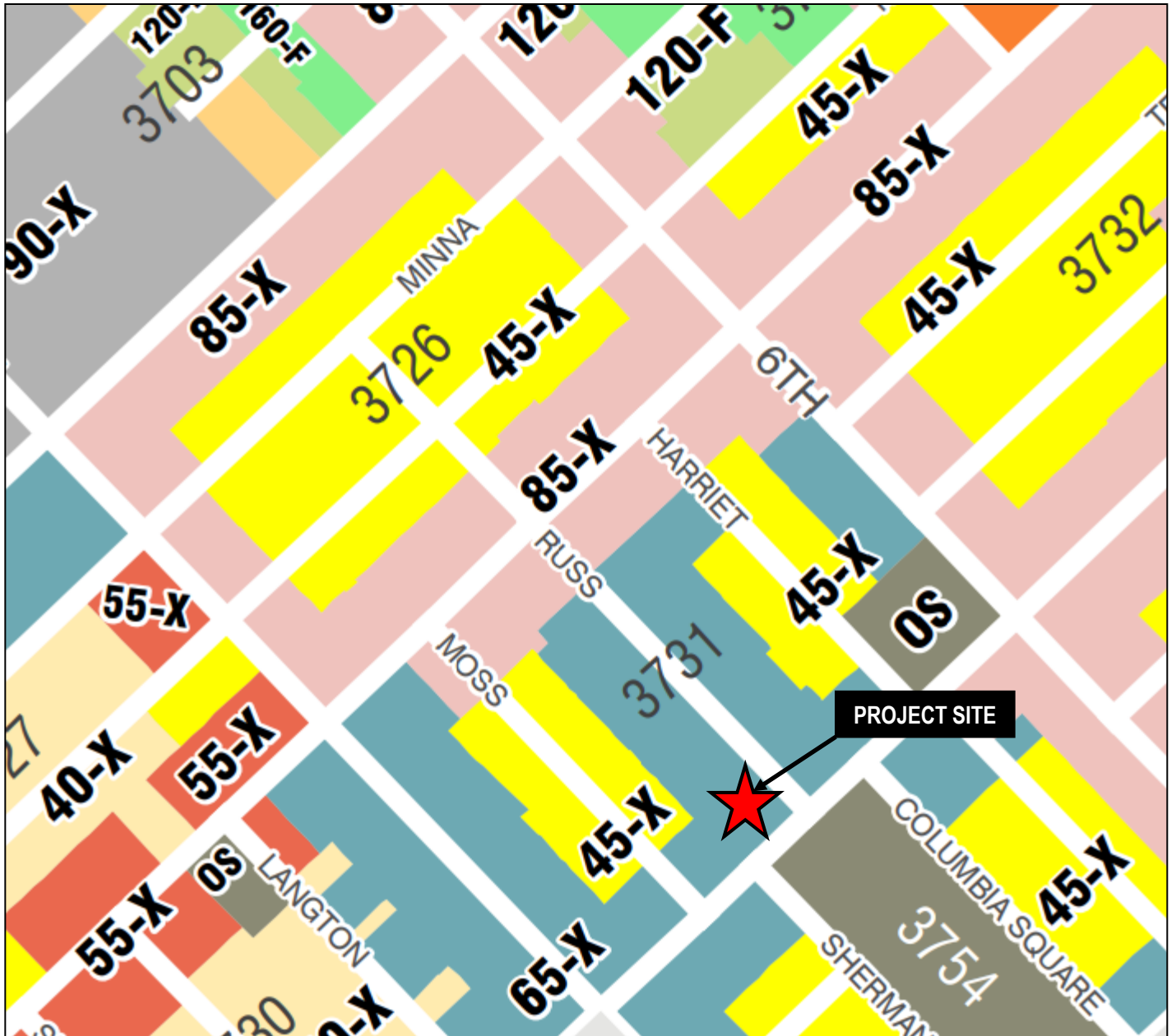
Conditional Use Authorization &  
 Large Project Authorization  
 Case No. 2016-004905CUA/ENX/SHD/VAR  
 1052-1060 Folsom St. & 190-194 Russ St.

# Zoning Map



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Height & Bulk Map



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Aerial Photo

## facing north



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Aerial Photo

facing west



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Aerial Photo

## facing south



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.



# Aerial Photo

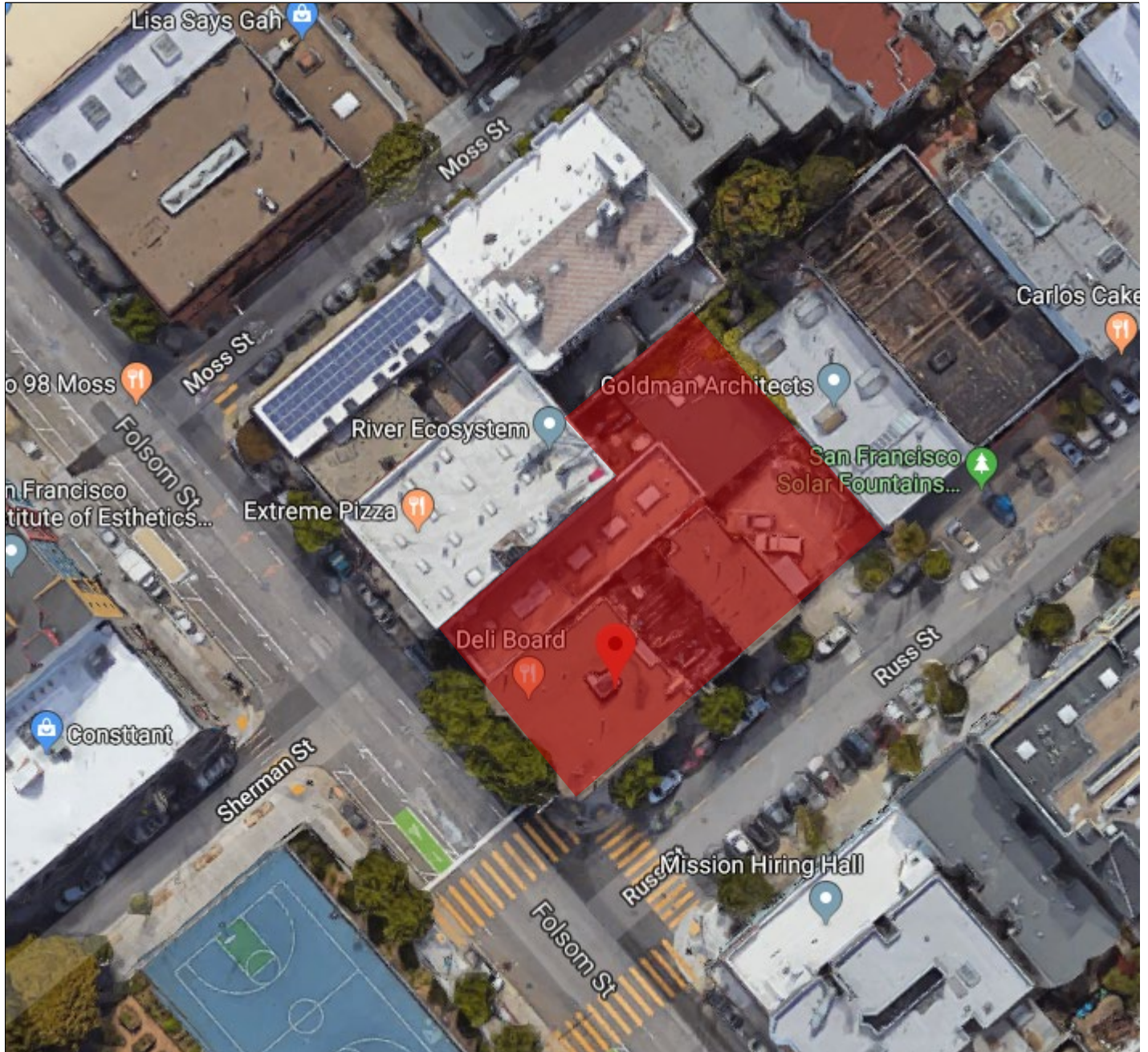
facing east



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Aerial Photo

## site plan view



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Site Photo

## Folsom Street frontage



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Site Photo

## Corner of Folsom & Russ Streets



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

# Site Photo

## Russ Street frontage



Conditional Use Authorization &  
Large Project Authorization  
Case No. 2016-004905CUA/ENX/SHD/VAR  
1052-1060 Folsom St. & 190-194 Russ St.

## TENDERLOIN HOUSING CLINIC

RANDALL M. SHAW  
STEPHEN L. COLLIER  
RAQUEL FOX  
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Phone: 771-9850 ext. 1105

December 11, 2018

### San Francisco Planning Commission

1660 Mission Street, Ground Floor.  
San Francisco, CA 94103-2479

**Re: 1052-1058 Folsom and 194 Russ Streets Re-Development Project  
Tenant Re-Location Package and Assistance  
Owner – Developer: Paul Iantorno / Golden Properties, LLC**

Dear Commission:

I represent the tenants in two residential units located at 1054-1056 Folsom Street and one residential unit at 194 Russ Street, which the ownership seeks to redevelop. In particular, I am advising the tenants in 1054 Folsom [the Carrillo family of 4], 1056 Folsom [another Carrillo family of 3] and 194 Russ [the Lopez family of 4] (hereinafter “tenants”) as to their rights as long-term tenants.

In their effort to bring the development project to fruition, the ownership (Paul Iantorno / Golden Properties, LLC) has proceeded with utmost good faith and has agreed to provide (1) excellent temporary housing, (2) adequate relocation funds, and (3) improved replacement housing units, upon completion of the project.

The tenants and the ownership have reached agreement on all substantive terms, and the tenants look forward to returning to newly-upgraded and rent-controlled premises when the project is completed.

Very truly yours,



Stephen P. Booth, Esq.  
Tenderloin Housing Clinic, Inc.



## South of Market Community Action Network

1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | [www.somcan.org](http://www.somcan.org)

---

December 11, 2018

San Francisco Planning Commission  
City Hall, 1 Dr. Carlton B. Goodlett Place

Re: 1052-1060 Folsom St & 190-194 Russ St

Dear Commissioners,

We are writing to express concerns about the shadow impacts of the proposed 1052-1060 Folsom St & 190-194 Russ St Project on Victoria Manalo Draves Park (VMD).

The proposed 1052-1060 Folsom St & 190-194 Russ St Project is a 64'6" tall seven-story residential building containing 63 units (consisting of studio, one, and two bedroom units) and ground floor retail.

District 6, particularly the SoMa, shoulders a disproportionate burden of development and population growth in San Francisco. However, the south of Market continues to have the least amount of parks and open space per capita, with only two (2) full-size parks: South Park and VMD. South Park was built in 1885 and after one hundred and fifty-one (151) years, finally in 2006 another full-size park was built and named after the Filipina-American South of Market native, and Olympic Gold Medalist, Victoria Manalo Draves.

VMD is an active park and is widely used by SoMa residents, students, and workers. The park serves the youth, adults, and seniors of the community with amenities available year-round, including a basketball court, community garden, children play areas, picnic area, open grassy areas, and benches. The park is utilized by the students of the nearby Bessie Carmichael School, and provides a venue for numerous community events and is favorite lunch hangout to many SoMa workers. Both the park and the project are also located within the Youth and Family Special Use District which was established in 2009 to protect and enhance the health and environment of youth and families in the South of Market.

Before you is the proposed 1052-1060 Folsom St & 190-194 Russ St Project that will cast new shadows on VMD. The Quantitative Summary of Shadow Findings further explains that there is a +0.38% annual increase in shade on the park that would occur for eight (8) months out of the year, affecting the northeastern portion of the park, which includes the Park entry, the basketball court, children's play area, grassy areas, and benches.

This, however, is not the first time this project has been before you. In January 2015, this same developer proposed a similar project though *smaller* in scale. At that time, the developer proposed a six-story residential project that would have caused a +0.07% increase in shadows on VMD. The Recreation and Park Commission and the Planning Commission recognized in 2015 the importance of protecting VMD and the significance of approving this project as a standard for future projects, and voted to reject the project. What is before you now is a larger project, with a much larger shadow impact.

We would like to urge all of you to partner with us in protecting and preserving our very limited open spaces in the South of Market that serve a diverse population of residents, workers, children, youth, families, and seniors. With additional projects in the pipeline that are estimated to cast new shadows on VMD, in addition to the impact of 1052-1060 Folsom St & 190-194 Russ St, there will be a cumulative adverse impact to one of only two full-parks that serves the densely populated area in the South of Market. Approval of this project will set further detrimental precedents for future projects that will totally and completely disregard the value of public open space to the most underserved residents who actively use the park.

With that, **we strongly urge you to vote NO on the 1052-1060 Folsom St & 190-194 Russ St Project**. Furthermore, we urge the Recreation and Park Commission and the Planning Commission to re-examine and update the allowable shadow budget for parks in the South of Market to be consistent with other high density neighborhoods with very little open space that have 0% shadow tolerances. As the South of Market continues to see rapid rates of new development, evident in efforts such as the Central SoMa Plan, it is crucial that existing open spaces are preserved and protected.

Sincerely,



Angelica Cabande  
Organizational Director  
South of Market Community Action Network (SOMCAN)



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ALLIANCES IN MEXICO  
AND SRI LANKA

## VIA MESSENGER AND E-MAIL

December 11, 2018

Commissioner Rich Hillis  
President, Planning Commission  
1650 Mission Street, 4th Floor  
San Francisco, CA 94103

**Re:** 1052 Folsom Street (Case No. 2016-004905ENX/CUA)  
Applications for Conditional Use and Large Project Authorization.

Dear Commissioner Hillis:

Our office represents Golden Properties LLC, the project applicant (“Applicant”), who submitted a Large Project Authorization and a Conditional Use Application for a proposed project located at the corner of Folsom and Russ Streets (“Site”) on August 7, 2017 .

The Applicant proposes to demolish the existing structures on the Site and construct a new seven-story, 64’-6” tall, 58,663 gross square foot (“gsf”) mixed-use building with 63 residential units, 2,822 gsf of retail uses and 17 off-street parking spaces (“Project”). The Project will replace the four (4) existing rent-controlled residential units with four (4) new rent-controlled units (“Replacement Units”).<sup>1</sup> The current tenants will be provided relocation and rental assistance while the Replacement Units are being constructed, and will have the right of first refusal to return to a Replacement Unit.

The Project requires Conditional Use (“CU”) authorization for a project on a lot size larger than 10,000 sq. ft. pursuant to Planning Code Section 121.1,<sup>2</sup> lot merger pursuant to Section

<sup>1</sup> Replacement of the rent-controlled units will be subject to a Costa Hawkins Agreement, which is currently under review by the Planning Department and the City Attorney’s office.

<sup>2</sup> For the sake of brevity, all section numbers refer to the Planning Code unless otherwise specified.

DUANE MORRIS LLP

SPEAR TOWER, ONE MARKET PLAZA, SUITE 2200  
SAN FRANCISCO, CA 94105-1127

PHONE: +1 415 957 3000 FAX: +1 415 957 3001

Commissioner Rich Hillis  
December 11, 2018  
Page 2

121.7(d)(1), and demolition of the existing dwelling units pursuant to Section 317. The Project also requires a large Project Authorization ("LPA") for a project in an Eastern Neighborhoods Mixed-Use District greater than 25,000 gsf, and exceptions from the Planning Code rear yard requirements pursuant to Section 329. The Project requires a determination regarding the significance of new shadow impact on Victoria Manalo Draves Park (the "Park") pursuant to Section 295. Finally, the Project requires the grant of a variance from the light and air access requirement of Planning Code 140 from the Zoning Administrator.

On or about December 11, 2018 the Planning Department ("Department") will have issued a Community Plan Exemption ("CPE") for the proposed Project, a copy of which is attached to the Department's case report before this Commission (hereto "Case Report").

On December 20, 2018, the Planning Commission ("Commission") and Zoning Administrator will hold a consolidated hearing to consider these approvals for the proposed Project. As will be discussed in more detail below, the Project meets the criteria for granting the requested CU and LPA. The Project is consistent with all applicable Planning Code requirements and applicable General Plan objectives and policies. Therefore, we respectfully request that the Planning Commission approve the Project as proposed.

## **PROJECT SITE**

The Site is located on the northwest corner of Folsom and Russ Streets between Sixth and Seventh Streets. The Site consists of three lots (Assessor's Block 3731, Lots 021, 023 and 87) totaling 11,500 sq. ft. that are located in two zoning districts within the Eastern Neighborhood Plan. Lots 21 and 23 are in the SOMA Neighborhood Commercial Transit District ("SoMa NCT"), and Lot 87 is located in the South of Market Residential Enclave District ("RED"). The Site is in a 65'-X height and bulk district.

The Site is improved with five buildings. Lot 21 is improved with three buildings that contain four (4) two-bedroom residential units and ground floor retail spaces. Lot 23 is improved with a 3,840 gsf commercial building, which extends 20 feet into Lot 87. Lot 87 includes a 1,819 gsf commercial building and a 2000 sf surface parking lot and a portion of the building located on Lot 23. Aerial, site, and site vicinity photographs are attached to the Case Report.

The surrounding neighborhood is developed with buildings ranging from one to four stories. Surrounding uses include multi-story apartment buildings, mixed residential/retail buildings, and commercial buildings. Immediately to the west of the project on Folsom Street is the three-story building with ground floor retail and two floors of offices above. Immediately to the north on Russ Street is a two-story, two-unit live-work building, to the west on Moss Street is a four-story 14-unit residential condominium building and to the South and across Folsom Street is the Park. Please refer to the Project Setting Section of the Community Plan Exemption attached to the

Case Report for additional information including recently approved projects by the Commission and Department.

## **PROPOSED PROJECT**

The Applicant proposes to demolish the existing buildings on the Site, merge the lots into a single lot, and construct a new seven-story, 64'6" tall, 58,663 gsf mixed use building. The Project includes 63 residential units (3 studio, 23 one-bedroom and 37 two-bedroom units) of which 25% (15) of the new units will be affordable units plus the four Replacement Units, 2,822 gsf of retail in three retail spaces, a garage with 17 off-street parking spaces (including one car share parking space and a handicapped parking space), 63 Class I bicycle parking spaces, and 10 Class II bicycle parking spaces between the street trees on Folsom and Russ Streets. See Case Report for existing and proposed site plans, floor plans, elevations, sections and photomontage of the Project.

The Project exceeds Planning Code requirements for open space by including common usable open space for 60 units in the form of a 2,420 sf rear yard deck on the second floor and a 4,351 sf roof deck. Three units will have 1,262 sf of qualified private usable open space.

The urban context of the Project includes commercial and mixed-use buildings ranging in scale from small to large that are diverse in architectural style and exterior materials. The design of the proposed building is modern with a distinct base, middle and top, and complements the neighboring buildings with the use of bays and varied façade planes to reduce the scale of the building. The 20' high base along Folsom Street with transparent storefronts reflects the scale of older industrial buildings in the area. The Folsom Street retail stores will have 20' ceiling height providing a distinct façade when compared to the residential scale of the Russ Street façade that includes recessed landscaped entrances to each of the ground floor residential units.

To deemphasize the horizontality of the building, the Russ Street façade is divided into 25'-30' segments reflective of the width of the existing buildings on Russ Street. The sixth floor is set back at the northeast corner and the seventh floor to reduce the minimal shadow impact of the Project on the Park. The distinct architectural style of the Project will provide an attractive setting for the pedestrian experience.

## **COMMUNITY OUTREACH AND SUPPORT**

The Applicant has actively engaged with the neighbors and community organizations for more than two years.<sup>3</sup> On July 17th, 2017 the Applicant hosted a pre-application meeting at the

---

<sup>3</sup> The Applicant's consultants began contacting the community organizations prior to the neighborhood pre-application meeting required by the Department.

Commissioner Rich Hillis  
December 11, 2018  
Page 4

SOMA Recreation Center. Attendees included the current residential tenants, neighbors, as well as members of the South of Market Community Action Network (“SOMCAN”), SOMA Pilipinas, the West Bay Pilipino Multi-Service Center (“West Bay”), the Filipino-American Development Foundation, and the United Playaz.

On October 16, 2017 a second meeting with SOMCAN and other interested community members was held at West Bay. Thereafter, the Applicant and his representatives have continued to communicate and have in-person meetings with individuals of the interested community organizations to discuss community benefits. On November 21, 2018, the Applicant’s representative responded in writing to specific questions raised by West Bay regarding shadow impacts and project affordability. Over the last couple of months, the Applicant and his representatives have gone door to door to speak to merchants and residents. Copies of support petitions are attached hereto as Exhibit 1. Additional support petitions and letters will be forward to the planner for the project prior to the public hearing and presented to the Commission at the hearing.

**THE PROJECT MEETS THE SECTION 303(c) CRITERIA FOR CONDITIONAL USE**

The Project requires a Conditional Use Authorization for development on a lot larger than 10,000 sq. ft. pursuant to Section 121.1, a lot merger pursuant to Section 121.7(d)(1), and demolition of existing dwelling units pursuant to Section 317. The Project meets the criteria of Section 303(c) in that:

1. ***The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary and desirable for, and compatible with, the neighborhood or the community.***

The Project will redevelop an underutilized site with 63 residential units, of which 58% will be two-bedroom units, and 20' floor to floor high ground floor retail space in a neighborhood with easy access to public transit. Merger of the three lots is necessary to maximize the number of residential units in the proposed building. In addition to the four (4) Replacement Units, the Project will add 59 new residential units to the City's Housing stock of which 15 (25%) will be affordable units. Of the 15 affordable units, ten (10) units will be affordable to low income households, two (2) units will be affordable to moderate income households, and three (3) units will be affordable to middle class households.

The current tenants (“Tenants”) of the four rent controlled residential units will be provided relocation and rent assistance while the Replacement Units are being constructed and will have the right to return to the new replacement units. Our office on behalf of the Applicant is negotiating legally enforceable Relocation Agreements with the Tenants' attorneys. The four (4) Replacement Units will be mapped as a single condominium lot with a Notice of Special Restriction that will be recorded with the City’s Recorder’s Office stating that the four

designated Replacement Units will remain subject to the City's Residential Rent Stabilization and Arbitration Ordinance. For all these reasons, the Project will provide a development that is necessary and desirable for, and compatible with, the neighborhood and community.

2. ***The proposed uses or features will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential developments in the vicinity.***

A. The nature of the Site, including its size and shape, and the proposed size, shape and arrangement of structures.

The lot merger will allow development of a project that will maximize the building envelope and the number of residential units on a site that is close to employment centers. Three units will have 1,262 sf of qualified private usable open space. The Project exceeds the required percentages for both two-bedroom and affordable housing units. The Project is compatible with and desirable for the community, and will contribute toward carrying out the late Mayor Lee's goal to construct 30,000 market rate and affordable housing units by 2020.

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

The entry to the garage and the residential component of the Project is on Russ Street. The new retail stores fronting on Folsom Street will enhance the development of Folsom Street as a pedestrian oriented neighborhood shopping street as envisioned by the Department. Traffic from the Project will not alter the current traffic pattern, access to the site or to adjacent buildings.

The Site has easy access to bike lanes and public transit. East-west bicycle lanes and Muni line #12 are a half a block from the Site on Folsom Street, while #19 is half to 1 1/2 blocks away on 7th (inbound) or 8th Street (outbound). The Site is two blocks south of the Mission Street lines (#14, #14R, #14X), two blocks from lines #8, #8AX, #8BX, #27, #30, #45 and #83X, and 3 blocks from Market Street Muni (#9R) and MUNI metro lines (J, K,L,M,N,T), and BART. The 17 off-street parking spaces (that include one car share space per Section §166 and one handicap space) will be adequate due to the Project's proximity to public transit; therefore, the Project will promote the City's transit first policy. Location of the Class II bicycle spaces on the Folsom and Russ Street sidewalks will be subject to approval of SFMTA.

Loading demand for non-residential uses on the Site will be less than the existing retail and commercial uses. Loading demand for the residential component during move-in and move-out will be coordinated by the Applicant or its designee to ensure all required

street and parking permits are obtained. Deliveries will be provided by USPS, Fed Ex, UPS and other delivery services currently serving the site.

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

The Project, with three (3) ground floor retail spaces and 63 residential units above, will not generate noxious or offensive noise, glare, dust or odor. The off-street parking spaces will be in an enclosed garage. All exterior lighting will be down lighting.

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

The common open space for the Project will be a roof deck and the second floor rear yard that would continue the block's existing rear yard open space corridor. Landscaping plans will be submitted to the City for approval. Additional street trees will be planted, subject to approval by the Department of Public Works. The location of the entrance to the garage will be off Russ Street. Deliveries to the Site will be provided by the same, or competing delivery companies that currently service the site. As discussed above, all exterior lighting will be down lighting. All signage will comply with Article 6 of the Planning Code.

Based on the discussion above, the Project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential developments in the vicinity.

3. *That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.*

The Project will be consistent with all applicable provisions of the Planning Code and the City's General Plan. See the discussion in the draft Motion attached to the Case Report.

**THE PROJECT MEETS THE SECTION 317(g)(5) CRITERIA FOR DEMOLITION OF EXISTING RESIDENTIAL UNITS**

Section 317 requires CU authorization for any permit application that would remove one or more residential units by demolition or conversion. The Project meets the specific criteria set forth in Section 317(g)(5) for Planning Commission approval of a CU to demolish the four rent-controlled units, in that:

A. ***Whether the property is free of a history of serious, continuing Code violations.***

There is no history of serious, continuing Code violations related to any building on the Site.

B. ***Whether the housing has been maintained in a decent, safe, and sanitary condition.***

There is no history of complaints from either commercial or residential tenants related to maintenance of the buildings on the Site.

C. ***Whether the property is an "historical resource" under CEQA; and***

D. ***Whether the removal of the resource will have a substantial adverse impact under CEQA.***

Tim Kelly Consulting prepared a Part I and Part II Historic Resource Evaluation ("HRE") for the existing buildings on the Site, a copy of which was submitted with the Environmental review application. This HRE found that none of the buildings on the Site proposed to be demolished would be individually eligible for listing in the California Register of Historical Resources under any of the criteria, and none of these buildings is located in a designated or an identified potential historic district. The Department has reviewed Part 1 and Part 2 of the HRE and concurs that the buildings on the site are not eligible for listing in the California Register of Historical Resources. See the CPE issued for the Project attached to the Case Report. Therefore, demolition of the buildings on the Site will not have an adverse impact under CEQA.

E. ***Whether the project converts rental housing to other forms of tenure or occupancy;***

F. ***Whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing.***

The Project will replace the four (4) two-bedroom rent controlled units proposed to be demolished within the project. The Project Sponsor will assist the Tenants with temporary relocation assistance, including paying the difference between their current rent and the new rent until the new Replacement Units are available for occupancy. The Replacement Units within the Project will be mapped as one condominium parcel and designated as rent-controlled units on the recorded condominium map to be approved by the Board of Supervisors.

- G. *Whether the project conserves existing housing to preserve cultural and economic neighborhood diversity; and*
- H. *Whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity; and*
- I. *Whether the project protects the relative affordability of existing housing.*

The Project will preserve the existing rent-controlled housing stock by replacing the four (4) demolished rent controlled units on Site, and will increase the City's housing stock by 59 units of which 15 will be affordable units. As stated above, 58% of 37 of the Project units will be two-bedroom units suitable for families. The future residents of the Project will be economically diverse including low, moderate, middle class, and market rate households. Therefore, the Project will preserve the cultural and economic neighborhood diversity.

- J. *Whether the project increases the number of permanently affordable units as governed by Section [415](#).*

The Project will increase the number of permanently affordable units on site by 15 units, which is one more than required by the Planning Code, bringing the total rent restricted units to 19, including the Replacement Units.

- K. *Whether the project locates in-fill housing on appropriate sites in established neighborhoods.*

The Project is located in an in-fill opportunity zone (“IOZ”) designated by the City. The Site is underutilized and is in an established neighborhood in the South of Market area.

- L. *Whether the project increases the number of family-sized units on-site.*

Currently there are four (4) two-bedroom rental units on the project site. After completion of the Project, there will be 37 two-bedroom units on site, an increase of 33 two-bedroom units.

- M. *Whether the project creates new supportive housing.*

Similar to the existing buildings, there will be no supportive housing on the site.

- N. *Whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character.*

Please refer to the Project Description section above for a description of the Project design.



O. ***Whether the project increases the number of on-site Dwelling Units***

The Project increases the number of on-site dwelling units by 59 (from 4 to 63) units.

P. ***Whether the project increases the number of on-site bedrooms.***

The Project increases the number of on-site bedrooms by 92 (from 8 to 100) bedrooms.

Q. ***Whether or not the replacement project would maximize density on the subject lot.***

The 64'-6" high Project will maximize the allowable height and the associated dwelling unit density. Except for the sixth and seventh floor setbacks from Russ and/or Folsom Streets, the Project's floor plates are the maximum allowed by the Planning Code. Thus, the Proposed Project would maximize the density allowable on the Site.

R. ***If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.***

The Project will replace the 4 demolished two-bedroom residential units subject to the Residential Rent Stabilization and Arbitration Ordinance with four on-site Replacement Rent-Controlled Units.

**THE PROJECT MEETS THE LARGE PROJECT CRITERIA OF SECTION 329**

The Project requires approval of a Large Parcel Authorization ("LPA") pursuant to Planning Code Section 329, which requires Commission approval of certain projects within an Eastern Neighborhoods Mixed-Use District, such as the RED district. The Commission's review of an LPA application includes consideration of the criteria set forth in Planning Code Section 329(c). The Project meets the criteria, as set forth below.

1. ***Overall building massing and scale; and***
2. ***Architectural treatments, facade design and building materials; and***
3. ***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 EN-SoMa Plan rezoned the area to a mixed-use residential/commercial district with a height limit of 65'. Thus, the EN-SoMa plan envisioned future development of underutilized properties, such as the Site, to include buildings that are higher than the existing buildings they replace. The Project falls within the height limitations adopted as part of Eastern Neighborhood Area Plan,

which was established to relate buildings to the adjacent street widths. Folsom Street is an 82.5' wide right-of-way. Russ Street is a 75' wide right-of-way and is part of the secondary street network that reduces the length of the blocks south of Market. The Department indicates that the optimal building height to alley ratio should be no more than 1.25 times the width of the alley. Using this ratio, a 93.75' high building would be contextually appropriate on Russ Street. Please refer to the Project Description section for a detailed discussion of the Project's urban context and design. Therefore, the Project will implement the vision of the EN-SoMa Plan for the area.

4. ***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***

Three units will have qualified private usable open space that exceeds the Planning Code requirements. Qualified common usable open space will be provided for the remaining 60 units in the form of a 4,351 sq. ft roof deck and a 2,420 sq. ft. rear yard deck on level 2, of which 1,789 sq. ft is in the RED district and 631 sq. ft. in the SoMa NCT district. The 6,771 sq. ft. of common usable open space exceeds the Planning Code requirement of 5,640 sq. ft.

5. ***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](#)***

Not applicable

6. ***Streetscape and other public improvements, including tree planting, street furniture, and lighting; and***
7. ***Circulation, including streets, alleys and mid-block pedestrian pathways***

Please refer to consistency discussion in the conditional use criteria section above.

8. ***Bulk limits***

Not Applicable. The Site is not subject to bulk limits.

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

As discussed in the Case Report, the Project is consistent with the City's applicable General Plan Objective and Policies, as well as the priority policies in Planning Code Section 101.1, as set forth in detail in the draft Motion attached to the Case Report.

## **REQUEST FOR EXCEPTION TO THE REAR YARD REQUIREMENTS**

Under Section 329(d) and as part of an LPA, an applicant may seek an exception to certain provisions of the Planning Code including exceptions from the rear yard requirements.<sup>4</sup> The rear yard requirement may be modified or waived by the Planning Commission provided that the Project meets the criteria of Section 134(f). The project has ground floor residential units in the RED district and the Soma NTC district. In the SoMa NTC district, the rear yard has to be located at the first level where a residential unit is located. In the RED district, the rear yard is required to be located at the ground floor. The area of the rear yard should equal 25% of the lot area (or 2,875 sq. ft.) for a Project located in the SoMa NTC and RED districts. In this case, the rear yard is located at the second residential level and the 2,420 sq. ft. rear yard does not meet the 25% of lot size requirement. Therefore, the Applicant is seeking an exception to the rear yard requirement of Section 134 pursuant to Section 329(d)(8). This exception is warranted for the following reasons:

1. The usable open space of the Project will exceed the Planning Code requirements. In addition to 1,262 ft. of private usable open space for three units, the Project will include a roof deck and a second level rear yard, which combined provides 6,771 sq. ft. of common usable open space for the remaining 60 units. Thus, the amount of common usable open space exceeds the required 5,640 sq. ft. of common usable open space under the Planning Code.
2. The Project will not 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 because the rear yard for the new building is designed to supplement the existing midblock open space of the other existing buildings on the block. Thus, the Project will improve the midblock open space formed by the adjacent properties in that most of the existing residential structures adjacent to the Site do not provide any rear yard. See Sheet A0.5 and Sheet A0.6 of the Project Plans attached to the Case Report showing Project's rear yard and the existing interior block open space.

## **THE SHADOW ANALYSIS SHOWS AN INSIGNIFICANT IMPACT ON VICTORIA MANALO DRAVES PARK**

Under Planning Code section 295, projects greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department are required to prepare a shadow analysis to quantify any potential new shadow impact. The Project is 64'- 6" in height

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<sup>4</sup> The Project will also require a Section 140 light and air exposure variance granted by the Zoning Administrator. The Zoning Administrator will hold a public hearing that is consolidated with the CU and LPA hearing.

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and located across Folsom Street from the Park, a 2.53-acre park under the jurisdiction of the Recreation and Park Department.

The Recreation and Park Commission will conduct a separate public hearing on the Project's shadow impact analysis at their regularly scheduled meeting in the morning of December 20th, 2018 and will forward its recommendation to the Planning Commission. The Project's new shadow, individually or cumulatively, will not exceed the allowable 1% budget for new shadows. For the sake of brevity, please refer to the letter to the Recreation and Park Commission and the Planning Commission setting forth the reasons why the net increase in shadow load from the proposed Project would not have a significant impact on the usage of the Park. It is noted, however, that reducing or eliminating the net new shadow from the Project would have a substantial impact on the number of market rate and affordable housing units constructed on the Site.

#### **PUBLIC BENEFITS PROVIDED BY THE PROJECT.**

The qualitative criteria from the 1989 Memorandum implementing Proposition K includes a consideration of the "public good served by the buildings casting new shadow." Thus, when assessing shadow impacts from the Project, the following public benefits of the Project should be considered:

1. **Park Donation.** The Applicant will donate \$150,000 which will be used to continue the funding of the Park's bathroom security program when the current funding by the Board of Supervisors ends.<sup>5</sup>

2. **Impact Fees.** The Project will pay the required impact fees, a portion of which is allocated for SoMa open space facility development and improvement.

3. **25 Percent Affordable Housing.** The Project will include 15 (or 25%) of the 59 units as affordable units (10 units for low-income households, 2 units for to moderate-income households, and 3 units will be affordable to middle-class households), exceeding the 14 affordable units required by the Planning Code. The percentage of units with rent limitations in Project will be 30%, when including the Replacement Units.

4. **Replacement Units.** The Replacement Units will preserve the number of existing rent controlled units in the City, thus preserving and enhancing the economic diversity of the neighborhood.<sup>6</sup>

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<sup>5</sup> The Recreation and Park Department has informed the Applicant that the funds should be designated for the Park's bathroom security program and channeled through the San Francisco Parks Alliance.

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5. **Relocation Assistance.** The Tenants will be provided relocation assistance and rental assistance at temporary relocation units until the Replacement Units are completed and ready for occupancy.<sup>7</sup>

6. **Rental Unit Mix.** While the Project will apply for a condominium map, the Applicant intends to rent all the units. 58% of the total units (37 of the 63), will be two-bedroom units.

7 **Improved Retail Experience.** Two inefficient retail storefronts will be replaced by three attractive new retail spaces with transparent store fronts and 20' high ceilings meeting the needs of current retailers, enhancing the pedestrian experience along Folsom Street.

## CONCLUSION

The Site is underutilized. The lot merger allows creation of a sufficiently large parcel to allow the construction of a mixed-use building with 63 units. 58% of the units will be two-bedroom units. 25% of the units will be affordable units. There will be Four (4) replacement rent-controlled units included in the Project. The Tenants will be provided with relocation assistance, and temporary relocation units at their current rent,

The Project's new shadow occurs late in the afternoon, is within the allowable 1% increase, will have a de minimus effect on the users of the Park. The Department has found the Project Shadow to be insignificant under CEQA. The Project will enable the Park's bathroom security program to be extended. Therefore, on balance, the Project's public benefits outweigh the limited new shadow cast on the Park and should be approved by the Commission.

Very truly yours,

DUANE MORRIS LLP



Alice Suet Yee Barkley

Attachment (Exhibit 1)

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<sup>6</sup> The four Replacement units will be within a single condominium parcel with a notice of special restriction that they will remain as rent controlled units.

<sup>7</sup> The rent levels are equivalent to rents affordable to households making 30% of AMI, subject only increases allowed under rent control.

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cc: Commissioner Dennis Richards  
Commissioner Myrna Melgar  
Commissioner Rodney Fong  
Commissioner Milicent A. Johnson  
Commissioner Joel Koppel  
Commissioner Kathrin Moore  
John Rahaim  
Dan Sider  
Corey Teague  
Doug Vu  
Seema Adina  
Paolo Iantorno  
Sergioi Iantorno  
Reza Khoshnevisan  
Amir Afifi  
William Fleishhacker  
File

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DuaneMorris

**TABLE OF EXHIBIT**

EXHIBIT 1            Support Petitions




# EXHIBIT 1

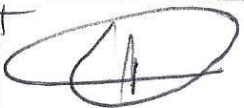

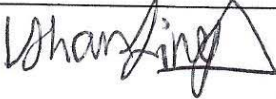




Golden Properties, LLC, is seeking to redevelop the underutilized lots located at the corner of Russ and Folsom Street (the "Site"). The Site currently includes a surface parking lot and five buildings with four two-bedroom residential units, some ground floor retail, ground floor tenant storage, and other commercial uses. The project would demolish these existing structures and replace them with a new mixed-use building that would provide 63 residential units that includes 15 affordable units and three new retail spaces (the "Project").

The tenants at the existing dwelling units are being offered replacement rent-controlled units at the new building, and will be provided relocation assistance and temporary housing while the Project is under construction. Including the replacement rent-controlled units, 28% of the Project's 63 units will be affordable units. The Project sponsor will offer to provide \$150,000 to fund an economic development and security program (that will extend the funding when a program allocated by the Board of Supervisor ends) at the Victoria Manalo Draves Park, which is located across Folsom Street from the Project Site.

On December 20<sup>th</sup>, 2018, the Planning Commission will be considering approval of the Project. I was provided an opportunity to review the Project plans, and by signing below, I support the Proposed Project and urge the Planning Commission to approve the Project. The Project will bring much needed housing to the City, including the 15 affordable housing units as well as replacing the four rent controlled units that will be demolished. The Project will be beneficial to the surrounding neighborhood. Funding to ensure continuing security of the Park users is important to the community.

	Name/Company	Address	Contact Number	Email	Signature
	Judi Ting/ Extreme Pizzas	1062 Folsom St. SF CA 94103			
	John Goldman Goldman Fructs	172 Russ St San Francisco			
	Gordona Dunc Graves Goldman Architects	172 RUSS ST. San Francisco			A Dunc Graves
	Modus, LLC	190 Russ Street San Francisco, CA. 94103	415-261-0000	Cbordoparo@ modus-corp.com	Rob Parker on behalf of Cal Bordoparo 
	Starco Mart	1070 Howard			Tony Lau

#	Name/Company	Address	Contact Number	Email	Signature
	Howard Markt 1000 Howard St	1000 Howard St	Abdul	Howard Food Market @hotmail.com	
	Lions Den IIc	1000 Howard <del>St</del>	Khaled	Lions.Den-IIc@ Hotmail.com	
	Perba buena Market	201 6th Street	Tony	Tonysingh800@ yahoo.com	
	MALIA SPANYOL	224 6th St.		info@woodenman muaythai.com	
	<del>WOODEN MAN</del> WOODEN MAN MUAY THAI				
	DAVID MUIR FONDUE Cowboy 1052 FOLSOM ST	1052 FOLSOM ST. SAN FRANCISCO	415 517-8434	DAVID FONDUE Cowboy Cm	

**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

12/6/2018

Date

I, Golden Properties, LLC, (Paul Iantorno, Authorized Agent)  
do hereby declare as follows:

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

1052 Folsom, 1060 Folsom, 190 Russ & 192 Russ Street

Address

3731/021,023,087

Block / Lot

The subject property is located within the following Zoning District:

SoMa NCT/RED

Zoning District

65-X

Height and Bulk District

SOMA Youth and Family (RED portion only).

Special Use District, if applicable

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?

Yes  No Portion of site in SoMa NCT

**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:

2016-004905

Planning Case Number

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:

Doug Vu

Planner Name

A complete Environmental Evaluation Application or Project Application was accepted on:

June 2016

Date

The project contains 59 new 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  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 an Analyzed or Individually Requested State Density Bonus Project?

Yes  No

**C** Please indicate the tenure of the project.

- Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.
- Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental units for the life of the project. The applicable fee rate is the rental fee rate.

**D** 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:

25% (SoMa NCT) 17.6% (RED)

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

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

*Residential Gross Floor Area*

**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.

**F** The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing and Community Development 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.

**G** 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 notify 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.

**I** For projects with over 25 units and with EEA's accepted between January 1, 2013 and 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 the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

**J** For projects with EEA's/PRJ'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.

**K** 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:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
59 new		3	23	33	

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 206.4. 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, 419.3, or 206.4):  % of the unit total.

### Number of Affordable Units to be Located ON-SITE:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
14			6	8	

LOW-INCOME	Number of Affordable Units	% of Total Units	AMI Level
8	10 (3 in RED and 7 in NCT)	17.6% of RED units and 15% of SOMA NCT units)	55% AMI
MODERATE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	2	5% of units in SOMA NCT	80% AMI
MIDDLE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	2	5% of units in SOMA NCT	110% AMI

**Off-site Affordable Housing Alternative** (Planning Code Section 415.7 or 419.3):  % of the unit total.

### Number of Affordable Units to be Located OFF-SITE:

<b>TOTAL UNITS:</b>	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

**UNIT MIX TABLES: CONTINUED**

**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 (Section 415.7)
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

**Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT**

Golden Properties, LLC

*Company Name*

Paul Iantorno

*Name (Print) of Contact Person*

2710 Sutter Street

*Address*

San Francisco, CA 94115

*City, State, Zip*

415-440-0201 / 415-533-7455

*Phone / Fax*

Paolo@realtywest.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:*

*Name (Print), Title:*

Paul Iantorno (authorized agent)

Executed on this day in:

*Location:*

San Francisco

*Date:*

12/06/2018

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

*Company Name*

*Name (Print) of Contact Person*

*Address*

*City, State, Zip*

*Phone / Fax*

*Email*

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

**Sign Here**

*Signature:*

*Name (Print), Title:*



SAN FRANCISCO  
PLANNING  
DEPARTMENT

# SUPPLEMENTAL INFORMATION PACKET FOR Anti-Discriminatory Housing Policy

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

T: 415.558.6378  
F: 415.558.6409

Pursuant to Administrative Code Section 1.61, certain housing projects must complete and submit a completed Anti-Discriminatory Housing Policy form as part of any entitlement or building permit application that proposes an increase of ten (10) dwelling units or more.

Planning Department staff is available to advise you in the preparation of this application. Call (415)558-6377 for further information.

## WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

Administrative Code Section 1.61 requires the Planning Department to collect an application/form with information about an applicant's internal anti-discriminatory policies for projects proposing an increase of ten (10) dwelling units or more.

## WHAT IF THE PROJECT SPONSOR OR PERMITTEE CHANGE PRIOR TO THE FIRST ISSUANCE OF CERTIFICATE OF OCCUPANCY?

If the permittee and/or sponsor should change, they shall notify the Planning Department and file a new supplemental information form with the updated information.

## HOW IS THIS INFORMATION USED?

The Planning Department is not to review the responses other than to confirm that all questions have been answered. Upon confirmation, the information is routed to the Human Rights Commission.

For questions about the Human Rights Commission (HRC) and/or the Anti-Discriminatory Housing Policy, please call (415) 252-2500 or email [hrc.info@sfgov.org](mailto:hrc.info@sfgov.org).

All building permit applications and/or entitlements related to a project proposing 10 dwelling units or more will not be considered complete until all responses are provided.

## WHAT PART OF THE POLICY IS BEING REVIEWED?

The Human Rights Commission will review the policy to verify whether it addresses discrimination based on sexual orientation and gender identity. The policy will be considered incomplete if it lacks such protections.

## WILL THE ANSWERS TO THE QUESTIONS EFFECT THE REVIEW OF MY PROJECT?

The Planning Department's and Planning Commission's processing of and recommendations or determinations regarding an application shall be unaffected by the applicant's answers to the questions.

## INSTRUCTIONS:

The attached supplemental information form is to be submitted as part of the required entitlement application and/or Building Permit Application. This application does not require an additional fee.

Answer all questions fully and type or print in ink. Attach additional pages if necessary.

Please see the primary entitlement application or Building Permit Application instructions for a list of necessary materials required.



# SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME: <b>Golden Properties, LLC,</b>	
PROPERTY OWNER'S ADDRESS: <b>2170 Sutter Street San Francisco, CA 94115</b>	TELEPHONE: <b>( 415 ) 440-0201</b>
	EMAIL: <b>paolo@realtywest.com</b>

APPLICANT'S NAME:  Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE: (   )
	EMAIL:

CONTACT FOR PROJECT INFORMATION: <b>Alice Barkley</b> Same as Above <input type="checkbox"/>	
ADDRESS: <b>Duane Morris, LLP One Market Plaza, Suite 2200, Spear Tower San Francisco, CA 94105</b>	TELEPHONE: <b>( 415 ) 957-3316</b>
	EMAIL: <b>asbarkely@duanemorris.com</b>

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): <b>David Ho</b> Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE: (   )
	EMAIL: <b>davidkho@yahoo.com</b>

## 2. Location and Project Description

STREET ADDRESS OF PROJECT: <b>1052-1058 Folsom, 1060 Folsom, 190, 192-94, 200 Russ Street</b>		ZIP CODE: <b>94103</b>
CROSS STREETS: <b>Folsom and Russ Streets</b>		
ASSESSORS BLOCK/LOT: <b>3731 / 021, 023, 087</b>	ZONING DISTRICT: <b>SOMA NCT and RED</b>	HEIGHT/BULK DISTRICT: <b>65-X</b>

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	<b>4</b>	<b>63</b>	<b>59</b>
<input checked="" type="checkbox"/> Demolition			
<input type="checkbox"/> Alteration			
<input type="checkbox"/> Other: _____			

# Compliance with the Anti-Discriminatory Housing Policy

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

1a. If yes, in which States? \_\_\_\_\_

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

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

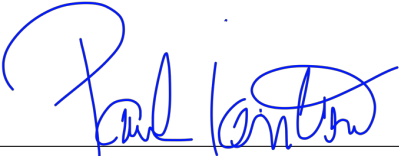
*If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.*

Human Rights Commission contact information  
**[hrc.info@sfgov.org](mailto: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: 12/06/2018

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

**Authorized Agent**

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:
<input type="checkbox"/> Emailed to: _____	



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)	
1052 Folsom, 1060 Folsom, 190 Russ, 192 Russ		3731, 021, 087	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
N/A	2014-004905	N/A	
PROJECT SPONSOR	MAIN CONTACT	PHONE	
GOLDEN PROPERTIES, LLC	Paul Iantorno	415-440-0201	
ADDRESS			
2170 Sutter Street			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94115		Paolo@realtystsf.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
63	2822	64'6"	\$10,744,100
ANTICIPATED START DATE			

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

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

Continued...

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

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	N/A		NA	Laborer	\$20		3
Boilermaker	N/A		—	Operating Engineer	N/A		—
Bricklayer	N/A		—	Painter	\$20		4
Carpenter	\$35	2	8	Pile Driver	N/A		—
Cement Mason	\$35		—	Plasterer	N/A		—
Drywall/Latherer	N/A		—	Plumber and Pipefitter	\$30		3
Electrician	\$30		2	Roofer/Water proofer	\$20		4
Elevator Constructor	\$30		2	Sheet Metal Worker	\$20		2
Floor Coverer	\$18		2	Sprinkler Fitter	\$25		2
Glazier				Taper	\$18		5
Heat & Frost Insulator	N/A		—	Tile Layer/ Finisher	\$20		3
Ironworker	N/A		—	Other:			
			<b>TOTAL:</b>				<b>TOTAL:</b>
			14				24

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

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

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Paul Iantorno	paolo@realtystwst SF.COM	415-440-0201
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)	
	10/26/18	

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