



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Shadow Analysis

HEARING DATE: NOVEMBER 8, 2018

CONTINUED FROM: OCTOBER 11, 2018

*Record No.:* **2016-008438SHD**  
*Project Address:* **1075 - 1089 FOLSOM STREET**  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lot:* 3754/038 & 039  
*Applicant:* Mark Loper, Reuben, Junius & Rose LLP  
One Bush Street Suite 600  
San Francisco, Ca 94104  
*Property Owner:* 1075 Folsom, LLC  
1725 Clay Street Ste. 102  
San Francisco, CA 94109  
*Staff Contact:* Kimberly Durandet – (415) 575-6816  
[kimberly.durandet@sfgov.org](mailto:kimberly.durandet@sfgov.org)  
*Recommendation:* *Determine Shadow Will Not Adversely Affect Victoria Manalo Draves Park.*

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The project site consists of two adjacent lots at 1075 Folsom Street and 1089 Folsom Street on the south side of Folsom Street, between 7<sup>th</sup> and Sherman Streets, on the block bounded by Folsom Street to the north, Cleveland Street to the south, 7<sup>th</sup> Street to the west, and Sherman Street to the east in the South of Market neighborhood.

The proposed project (Project) would demolish the existing building and parking lot on the site and construct a six-story, 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. Each SRO unit would be 350 sf in size. The Project would provide 1,122 sf of common open space in the rear yard and 1,500 sf of private open space (a total of 15 private decks and balconies) on floors two to six. The proposed building would be 65 feet tall per the San Francisco Planning Code (73 feet, 9 inches for stair and elevator penthouses).

### REQUIRED COMMISSION ACTION

Under Planning Code Section ("Section") 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the

General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

The Commission must determine that shadow would not adversely affect public open spaces under Recreation and Park Commission jurisdiction (Section 295) for the project to be approved.

## **ISSUES AND OTHER CONSIDERATIONS**

- **Public Comment & Outreach.** The Department has issued the Project's neighborhood notification under Section 312 to owners and occupants within 150 feet of the subject property from September 10, 2018 to October 10, 2018. A Request for Discretionary Review was filed on October 10, 2018 by Angelica Cabande of SOMCAN (South of Market Community Action Network). To date, the Department has received four letters of support.

At the Recreation and Park Capital Committee hearing on September 5, 2018, community organizations, United Playaz and Friends of Victoria Manalo Draves (VMD) Park, expressed opposition to the Project citing concerns for the shadow. However, there was no opposition during the public comment period at the full Recreation and Park Commission hearing on October 18, 2018. The Project Sponsor has held several meetings with the community over the past six months to work toward resolving outstanding issues and has agreed to donate \$125,000 to the Recreation and Park Department as a voluntary community benefit toward the construction of a dog play area in VMD Park.

- **Project Approval Action.** The approval of the building permit 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.

## **BASIS FOR RECOMMENDATION**

- The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan.
- The Project is fully code-complying and is not seeking any variances, waivers or exceptions from Planning Code requirements.
- In order to further minimize the shadow, the Project would need to be reduced by one story thus eliminating several dwelling units, which does not support the current housing goals of the City and the need for the production of new housing.
- Per Resolution No. 1810-005, the Recreation and Park Commission recommended that the shadow cast by the Project will not have a significant adverse impact on the use of VMD park.
- The Project meets the Departments' Urban Design Guidelines and has been determined to be a compatible design with the surrounding neighborhood.
- The Project will provide inclusionary affordable rental housing for 25% of the 48 SRO units; therefore, a total of 12 SRO units will be part of the City's inclusionary affordable housing program as outlined in Section 415.

- On balance, the Project is consistent with the East SoMa Area Plan.

**ATTACHMENTS:**

Draft Motion – Shadow Analysis

Resolution No.1810-005 Recreation and Park Commission

Exhibit A – Plans and Renderings

Exhibit C –Environmental Determination including Shadow Study

Exhibit D –Maps and Context Photos

Exhibit E – Public Correspondence

Exhibit F - Project Sponsor Shadow Brief and Response to DR dated October 25, 2018

Exhibit G - Inclusionary Affordable Housing Affidavit

Exhibit H –Anti-Discriminatory Housing Affidavit

Exhibit I – First Source Hiring Affidavit



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: NOVEMBER 8, 2018

*Record No.:* 2016-008438SHD  
*Project Address:* 1075-1089 FOLSOM STREET  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lot:* 3754/038 & 039  
*Project Sponsor:* Mark Loper, Reuben, Junius & Rose LLP  
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**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 1075-1089 FOLSOM STREET WOULD NOT BE ADVERSE TO THE USE OF VICTORIA MANALO DRAVES PARK.**

### PREAMBLE

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

Victoria Manalo Draves Park is located on Lot 016 in Assessor's Block 3754, is generally bounded by Folsom Street to the north, Harrison Street to the south, Columbia Square to the east, and Sherman Street to the west. Victoria Manalo Draves Park measures approximately 2.53 acres and is characterized by landscaped areas, walkways and areas for active and passive uses. Victoria Manalo Draves' primary public entrance is located on the corner of Folsom Street and Columbia Square. The entry diagonally bisects the northeast area of the park and is flanked on either side by grassy areas. The walkway branches off towards the center of the park, paths lead to the basketball court, a community garden, and two children's play areas to the south of the community garden with a variety of play structures. The northern play area is designed for younger children while the southern area has larger play equipment for older kids. To the east is an oval-shaped mounded grassy area which is ringed by fixed benches on the north/east/south sides. The walkway continues to south/southeast along a walled playground and terminates in an east-west running transverse walkway which borders the ball field. This walkway

connects a restroom structure and secondary public entrance at Sherman Street at the western edge to a third public entrance from Columbia Square to the east. South of the walkway are fixed picnic tables and the 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.<sup>1</sup>

The area immediately surrounding Victoria Manalo Draves Park is characterized by one- to four-story buildings containing residential, commercial, public and industrial uses. The neighborhood encompassing Victoria Manalo Draves Park is the South of Market Neighborhood and is part of the Eastern Neighborhoods East SoMa Area Plan and is envisioned, generally, for increased building heights and residential density.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on Victoria Manalo Draves Park (with no adjacent structures present) 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 30,324,992 square-foot hours, or approximately 7.41 percent of the TAAS.<sup>2</sup>

On March 31, 2017, Mark Loper (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Shadow Impact Study and on February 14, 2017, the Project Sponsor filed an application with the Department of Building Inspection for a Building Permit Application (2017.0214.9384 & 2017.0214.9382) on the property at 1075-1089 Folsom Street, south side of Folsom Street between 7th and Sherman Streets; Lots 038 & 039 in Assessor's Block 3754, (hereinafter "Subject Property") to demolish the existing structures on the site and to construct a six-story mixed-use building (hereinafter "the Project") at this site. The Project would demolish the existing building and parking lot on the site and construct a six-story, approximately 25,756 gross square foot building with 48 single room occupancy (SRO) dwelling 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. Each SRO unit would be approximately 350 sf in size. The Project would provide approximately 1,122 sf of common open space in the rear yard and approximately 1,500 sf of private open space (a total of 15 private decks and balconies) on floors two to six. The proposed building would be approximately 65 feet tall per the San Francisco Planning Code (73 feet, 9 inches with stair and elevator penthouses).

A technical memorandum, prepared by Prevision Design, was finalized on August 23, 2018 analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2016-008438SHD). The memorandum concluded that the Project would cast approximately 156,666 square-foot-hours of new shadow on Victoria Manalo Draves Park, equal to approximately 0.04 percent of the theoretically available annual sunlight ("TAAS") on Victoria Manalo Draves Park. The new shadow resulting from the Project would fall on a basketball court, children's play area, tables and seating areas, park entry, grassy areas, edges of the ball field, and walkways. Throughout

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<sup>1</sup> San Francisco Recreation and Park Department. *Staff Report- 1075-1089 Folsom Street, Evaluation of Shadow on Victoria Manalo Draves Park*. September 5, 2018

<sup>2</sup> PreVision Design. *Shadow Analysis Report for the Proposed Project 1075-1089 Folsom Street*. August 23, 2018.

the year, new shadow due to the proposed project would occur in areas along the central western edge up through portions of the northeastern corner of the park with new shadow (when occurring) being present for approximately 36 minutes during the affected period, up to a maximum duration of approx. 62 min on December 20 & 21. The largest new shadow area (2551 sf), would occur at 3:45 pm on November 15 through January 25, accounting for shadow over 2.32% of the total park area. The date(s) which have the maximum amount of quantitative shading throughout the day would be November 22 and January 18. Shading from the proposed project is cast over the top of intervening buildings which themselves cast shadows on the park. Due to this condition, as shadows lengthen in the late afternoon, areas that are affected by new shadow would be reached by shadow under existing conditions within 15 minutes. As such, no single location within the park would be in continuous new shadow for longer than 15 minutes.

On October 18, 2018, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Victoria Manalo Draves Park will not be adverse to the use of Victoria Manalo Draves Park.

On November 8, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Shadow Analysis Case No. 2016-008438SHD.

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

## **FINDINGS**

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
  - a. The proposed project would reduce the annual available insolation by about 0.04 percent (a reduction of 156,666 square foot hours of sunlight). This results in a total shadow load of 30,481,657 square foot hours and a reduction of the available insolation to 7.45 percent.
  - b. The additional shadow cast by the proposed project is below one tenth of one percent, and amounts to a reasonable and extremely small loss of sunlight for a park in an area of slated for increased building heights and residential density.
  - c. The net new shadow cast upon Victoria Manalo Draves Park from the Project occurs year-round. During summer months, new shadow would be cast starting between 6:30 pm and 7:30 pm and the duration would be as short as 15 minutes with a small section of

land along the western edge of the ball field being affected. During spring/fall and winter, new shadow would be cast starting between 3 pm and 5pm when central and northern portions of the park would receive new shadow including portions of the pedestrian walkway, children's play area, basketball court, grassy areas, fixed benches and a picnic table as well as the main park entry. The duration of proposed project-generated new shadow would vary throughout the year, with new shadow being present between 17 and approximately 69 minutes. Shadow cast is within approximately the last hour of Section 295 time for which Proposition K is concerned.<sup>3</sup>

- d. The net new shadow cast is relatively small in area in comparison to the size of Victoria Manalo Draves Park and at its greatest extent never exceeds 2.32 percent of the area of Victoria Manalo Draves Park. The average duration of the net new shadow is 36 minutes and never exceeds 62 minutes.
3. A determination by the Planning Commission and the Recreation and Park Commission to allocate net new shadow to the Project does not constitute an approval of the Project.

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<sup>3</sup> PreVision Design. *Shadow Analysis Report for the Proposed Project 1075-1089 Folsom Street*. August 23, 2018.

**DECISION**

That based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. **2016-0084328SHD**, 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 November 8, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYES:

ABSENT:

ADOPTED: November 8, 2018



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Full Analysis

HEARING DATE: NOVEMBER 8, 2018

*Record No.:* **2016-008438DRP**  
*Project Address:* **1075-1089 FOLSOM STREET**  
*Zoning:* SoMa NCT (Neighborhood Commercial Transit) Zoning District  
65-X Height and Bulk District  
SoMa Youth and Family Special Use District  
*Block/Lot:* 3754/038 & 039  
*Project Sponsor:* Mark Loper, Rueben, Junius & Rose LLP  
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### PROJECT DESCRIPTION

The proposed project (Project) would demolish the existing building and parking lot on the site and construct a six-story, 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. Each SRO unit would be 350 sf in size. The Project would provide 1,122 sf of common open space in the rear yard and 1,500 sf of private open space (a total of 15 private decks and balconies) on floors two to six. The proposed building would be 65 feet tall per the San Francisco Planning Code (73 feet, 9 inches for the stair and elevator penthouses).

### SITE DESCRIPTION AND PRESENT USE

The project site consists of two adjacent lots at 1075 Folsom Street and 1089 Folsom Street on the south side of Folsom Street, between 7th and Sherman streets, on the block bounded by Folsom Street to the north, Cleveland Street to the south, 7th Street to the west, and Sherman Street to the east in the South of Market neighborhood. The 3,341 square-foot lot at 1075 Folsom Street is currently occupied by a vacant 2-story industrial building constructed in 1924; the 3,402 square-foot lot at 1089 Folsom Street is currently occupied by a vacant 1-story industrial building constructed in 1951 and an asphalt-paved parking area. The Project's total lot area measures 6,743 square feet.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site vicinity is characterized by a mix of residential, PDR, commercial, and recreational uses and features low- to mid-density scale of development. The buildings on Folsom Street are predominately two to four stories while the buildings on 7th Street range from one to five stories. Victoria Manalo Draves (VMD) Park is less than a block away, 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 in the National Register-eligible Western SoMa Light Industrial and Residential Historic District.

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.

## BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
312 Notice	30 days	September 10, 2018- October 10, 2018	October 10, 2018	November 8, 2018	29 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	October 29, 2018	October 29, 2018	10 days
Mailed Notice	10 days	October 29, 2018	October 29, 2018	10 days

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	1 (See Below)		
Other neighbors on the block or directly across the street	0		
Neighborhood groups	1	2 (See Below)	
Other	4		

One adjacent neighbor contacted the Planning Department to express general support for something being built at the site but had the following concerns:

- Folsom Street bike lane and high pedestrian traffic at the new building entrance.
- AT&T antennas that exist on her roof and expressed concern for the safety of the construction workers who may be in proximity to them along with the potential loss of function of the antennas.

- Losing signage for the business.
- Ground floor rear open space privacy and noisy students of the business not being constrained by new residents.
- Construction site security.

Two nearby residents and one local business submitted letters of support.

District 6 Community Planners submitted an email to the Planning Department with a recommendation of support.

Homeownership SF which helps “diverse and underserved households achieve and sustain homeownership in San Francisco through a coordinated network of member organizations” has submitted a letter in support of the project.

At the Recreation and Parks Department Capital Committee hearing on September 5, 2018, two community groups (Friends of VMD and United Playaz) spoke in opposition to the proposed project relating concerns about shadow impacts.

At the full Recreation and Park Department Commission Hearing on October 18, 2018, there was no public correspondence in opposition to the Project. Planning Department staff has not been contacted by those groups.

## **DR REQUESTOR**

South of Market Community Action Network (SOMCAN). 1110 Howard Street, San Francisco, CA 94103.

## **DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES**

As noted by the DR Requestor:

**Issue #1:** The Project is located in the South of Market Youth and Family Special Use District. The project as proposed for 48 SRO sized units does not meet the intent of the SUD to provide affordable housing opportunities for families.

**Issue #2:** The Project would cast shadow on the nearby Victoria Manalo Draves Park which is a valuable open space resource in the SoMa neighborhood and negatively affects the enjoyment of the space for the existing residents.

The DR Requestor proposes that the Project be revised to not cast any shadow on the park and to provide another housing type that is more suitable for families to be consistent with the SoMa Youth and Family SUD.

## PROJECT SPONSOR'S RESPONSE

The DR Requestor has two primary concerns with the Project: (1) the amount of shadow that is cast on VMD Park, and (2) the use of rental SRO dwelling units. As stated by the DR Requestor, both of these concerns are unfounded, and the DR Request should be denied, as follows:

1. The Project's Shadow is not extraordinary or exceptional. As discussed in greater detail in the Project Sponsor Submittal, the Project's shadow impact from both a quantitative and qualitative perspective is not significant, much less, an extraordinary or exceptional circumstance justifying the Commission to take DR and deny the Project or approve it at a lower density.
2. The Project proposes 350 square foot SRO dwelling units. The DR Requestor is concerned that the unit typology is inconsistent with the purpose of the SoMa Youth and Family Special Use District (the "SUD"). The SUD does not prohibit or discourage SRO dwelling units. Both dwelling units and SRO-style dwelling units are principally permitted at the Property under its base SoMa NCT Zoning District.

The full *Response to Discretionary Review* is provided in "Project Sponsor Submittal".

## PROJECT ANALYSIS

The Department worked with a qualified shadow consultant to determine the amount of shadow cast by the Project. This shadow was analyzed by staff from Planning and the Recreation and Park Department. On October 18, 2018, the Recreation and Park Commission recommended that the shadow cast by the proposed project at 1075-1089 Folsom Street will not have a significant adverse impact on the use and enjoyment of Victoria Manalo Draves (VMD) Park, pursuant to Planning Code Section 295. The proposed project complies with the Planning Code under the SoMa NCT Zoning District, 65-X Height and Bulk Districts and is not seeking exceptions from Planning Code requirements or increased density under the state density bonus law. The SoMa Youth and Family SUD does not prohibit SRO sized dwelling units and encourages affordable housing, which will be provided at 25% rental for this Project (or 12 of the 48 proposed SRO dwelling units).

## ENVIRONMENTAL REVIEW

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

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

Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

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

On September 12, 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.

## **URBAN DESIGN ADVISORY TEAM REVIEW**

The Urban Design Advisory Team (UDAT) reviewed the Project. UDAT found the overall massing, form and scale to be appropriate given the underlying zoning and height/bulk limits. The Project is consistent with the scale and height of nearby properties and as envisioned in the East SoMa Area Plan. Overall, UDAT did not find exceptional or extraordinary circumstances.

## **BASIS FOR RECOMMENDATION**

- The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan.

- The Project is fully code-complying and is not seeking any variances, waivers or exceptions from Planning Code requirements.
- In order to further minimize the shadow, the Project would need to be reduced by one story thus eliminating several dwelling units, which does not support the current housing goals of the City and the need for the production of new housing.
- Per Resolution No. 1810-005, the Recreation and Park Commission recommended that the shadow cast by the Project will not have a significant adverse impact on the use of VMD park.
- The Project meets the Departments' Urban Design Guidelines and has been determined to be a compatible design with the surrounding neighborhood.
- The Project will provide inclusionary affordable rental housing for 25% of the 48 SRO units; therefore, a total of 12 SRO units will be part of the City's inclusionary affordable housing program as outlined in Section 415.
- On balance, the Project is consistent with the East SoMa Area Plan.
- The Department does not find any exceptional or extraordinary circumstances associated with the Project, and recommends the Commission to NOT take DR and approve the Project as proposed.

<b>RECOMMENDATION:</b> <b>Do not take DR and approve the project as proposed.</b>
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**Attachments:**

Section 312 Notice

DR Application

Project Sponsor Shadow Brief and Response to DR dated October 25, 2018



# San Francisco Planning

1660 MISSION STREET, #400  
SAN FRANCISCO, CA 94103  
WWW.SFPLANNING.ORG

## DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION PACKET

Pursuant to Planning Code Section 311 (d) and 312 (e), the Planning Commission may exercise its power of Discretionary Review over a building permit application.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org), or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Please read the Discretionary Review Informational Packet carefully before the application form is completed.

### WHAT TO SUBMIT:

- Two (2) complete applications signed.
- A Letter of Authorization for Agent from the owner giving you permission to communicate with the Planning Department on their behalf.
- Photographs or plans that illustrate your concerns.
- Related covenants or deed restrictions (if any).
- A digital copy (CD or USB drive) of the above materials (optional).
- Payment via check, money order or debit/credit for the total fee amount for this application. (See Fee Schedule).

### HOW TO SUBMIT:

To file your Discretionary Review Public application, please submit in person at the Planning Information Center:

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

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助，請致電415,575.9010。請注意，規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



# San Francisco Planning

## DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION

### Discretionary Review Requestor's Information

Name: Angelica Cabande

Address: 1110 Howard St., San Francisco CA 94103

Email Address: dwoo@somcan.org

Telephone: 415-255-7693

### Information on the Owner of the Property Being Developed

Name: 1075 Folsom, LLC

Company/Organization: 1075 Folsom, LLC

Address: 1725 Clay St, Suite 102, San Francisco 94109

Email Address: angela@thepillarcapital.com

Telephone: 415-706-7688

### Property Information and Related Applications

Project Address: 1075-1089 Folsom St

Block/Lot(s): 3754/038 & 039

Building Permit Application No(s): 2017.0214.9384

### ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		<input checked="" type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?		<input checked="" type="checkbox"/>
Did you participate in outside mediation on this case? (including Community Boards)		<input checked="" type="checkbox"/>

SOMCAN has been heavily involved in discussions with Planning staff for many months regarding the Central Soma Area Plan. Many of those discussions have dealt with the Youth and Family Special Use District, the importance of open space to the community, and housing that serves existing families and low-income populations.

## DISCRETIONARY REVIEW REQUEST

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.

1075 Folsom is in the SOMA Youth and Family Special Use District. Adding SRO condos that shadow Victoria Manalo Draves Park - an important open space for low-income families - violates the intent of the SUD. This is the only park that is open early in the morning. The 312 plans show SROs of limited size and proposed as CONDOS. Planning recognized strong need to protect and enhance health and environment of youth and families. Also to expand family housing and affordable housing opportunities.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

The project needs Planning approval of exception to Proposition K which limits shadows. It should NOT be granted. The housing designed for this site will be priced to sell at a level not compatible to existing residents of the SUD. It does not expand housing opportunities for SUD residents. By impeding sunlight on Victoria Manalo Draves Park it negatively affects existing residents. The site does not provide housing affordable to those residents.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

Project should not cast any shadows AT ALL on Victoria Manalo Draves Park. Type of housing should be rethought to be consistent with purpose of SUD.

# DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

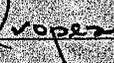
Under penalty of perjury the following declarations are made:

- a) The information presented is true and correct to the best of my knowledge.
- b) Other information or applications may be required.

Signature   
Executive Director of SOMCAN  
415-255-7693  
Relationship to Project (i.e. Owner, Architect, etc.)  
Phone

Angelica Cabande  
Name (Printed)  
dwoo@somcan.org  
Email

**RECEIVED**

For Department Use Only  
Application received by Planning Department:  
By:  

Date: OCT 10 2018  
CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
PIC



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On **February 14, 2017**, the Applicant named below filed Building Permit Application No. **2017.0214.9384** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>1075-1089 Folsom Street</b>	Applicant:	<b>Mark Loper</b>
Cross Street(s):	<b>7<sup>th</sup> and Sherman Streets</b>	Address:	<b>One Bush Street</b>
Block/Lot No.:	<b>3754/038 &amp; 039</b>	City, State:	<b>San Francisco, CA 94104</b>
Zoning District(s):	<b>SOMA NCT / 65-X</b>	Telephone:	<b>(415) 567-9000</b>
Record No.:	<b>2016-008438PRJ</b>	Email:	<b>mloper@reubenlaw.com</b>

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input checked="" type="checkbox"/> Demolition	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Industrial	Residential & Commercial
Front Setback	None (Lot 38) & 48 feet (Lot 39)	None
Side Setbacks	None	None
Building Depth	90 feet (Lot 38) & 42 feet (Lot 39)	90 feet
Rear Yard	None	22.5 feet
Building Height	25 feet (Lot 38) & 14 feet (Lot 39)	65 feet
Number of Stories	2 (Lot 38) & 1 (Lot 39)	No Change
Number of Dwelling Units	0	48
Number of Parking Spaces	8	0
PROJECT DESCRIPTION		
<p>The proposed project would demolish the existing buildings on the site as described below, and construct a six-story, 65-foot tall, approximately 25,756 square-foot (sf) mixed-use building. The building would consist of 48 single room occupancy (SRO) units, approximately 350 sf in size, on the first through sixth floors. A residential lobby, a bicycle storage room for 48 Class 1 bicycle parking spaces, 1,088 sf of commercial space, and a trash room are proposed on the ground floor. The project would provide approximately 1,687 sf of common open space in the rear yard and approximately 1,500 sf of private open space (a total of 15 private decks and balconies) on floors two to six. The project is scheduled for hearing on September 5 and September 20, 2018 by the Recreation and Parks Commission under Section 295 for review of possible shadow cast on Recreation and Parks Department property and for hearing by the Planning Commission on October 11, 2018.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.</p>		

**For more information, please contact Planning Department staff:**

Planner: Kimberly Durandet

Telephone: (415) 575-6816

E-mail: Kimberly.durandet@sfgov.org

Notice Date: 9/10/18

**Expiration Date: 10/10/18**

# GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at [www.communityboards.org](http://www.communityboards.org) for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at [www.sfplanning.org](http://www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org). If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

## BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

## ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at [www.sfplanning.org](http://www.sfplanning.org). An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

**RECREATION & PARK COMMISSION**  
**City and County Of San Francisco**  
**Resolution No. 1810-005**

**RESOLUTION RECOMMENDING TO THE PLANNING COMMISSION THAT THE NET NEW SHADOW CAST BY THE PROPOSED PROJECT AT 1075-1089 FOLSOM STREET WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE USE OF VICTORIA MANALO DRAVES PARK, AS REQUIRED BY PLANNING CODE SECTION 295 (THE SUNLIGHT ORDINANCE).**

**WHEREAS**, Under Planning Code Section 295, the Planning Commission may not approve a building permit application for a structure with a height of 40 feet or higher if the resulting shadow will have an adverse impact on property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission, 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; and

**WHEREAS**, the Recreation and Park Commission has jurisdiction over real property located on lot 016 of Assessor's Block 3754 in San Francisco known as Victoria Manalo Draves Park ("VMD"); and

**WHEREAS**, Pillar Capital Consulting Group, ("Project Sponsor") proposes to demolish the two existing industrial buildings on-site and construct a new, six-story, 65-foot tall (73 feet and 9 inches with stair and elevator penthouse) residential building with 48 studio apartments and 1,088 square feet of ground-floor commercial space; and

**WHEREAS**, Prevision Design analyzed the new shadow cast by the proposed Project on 1075-1089 Folsom Street and determined that the Theoretical Annual Available Sunlight ("TAAS") for VMD is 409,342,836 square-foot hours ("sfh"). The approximated amount of shadow currently cast on VMD by existing buildings is 7.41% of the TAAS for the park. The additional shadow cast by the Project would constitute 0.04% of TAAS, bringing the approximated total annual shading of VMD as a percentage of TAAS to 7.45%; and

**WHEREAS**, the Planning Department is responsible for conducting environmental review for the project. On September 12, 2018, the Department issued a Community Plan Exemption (CPE) determining that implementation of the proposed project would not result in new, significant environmental effects than were previously analyzed and disclosed in the East SoMa Plan; and

**WHEREAS**, the Project will provide the following public benefits to the City: 48 new Single Resident Occupancy (SRO) studio apartments, 350 square feet each; twelve units (25% of total onsite rental project) at below market rate; active use on Folsom Street frontage; restore two existing curb cuts to provide two new parking spaces for public use; opportunity for an outdoor sidewalk seating facility, to activate the streetscape; and expanded tree wells that will reduce concrete pavement by 135 square feet; and

**WHEREAS**, the Commission finds that the additional shadow cast by the Project will not have a significant adverse impact on the use of VMD for the following reasons (1) All new shadow would occur within approximately the last hour of Section 295 times (between 6:30 and 7:30 pm in the summer, and between 3 and 5pm the rest of the year); and (2) the duration of proposed Project-generated new shadow would vary

throughout the year, with new shadow being present for an average of 36 minutes per day; now therefore be it

**RESOLVED**, the Commission recommends that the Planning Commission find that the shadow cast by the proposed project at 1075-1089 Folsom Street will not have a significant adverse impact on the use of Victoria Manalo Draves Park, pursuant to Planning Code Section 295 (the Sunlight Ordinance).

Adopted by the following vote:

Ayes	5
Noes	0
Absent	2

I hereby certify that the foregoing resolution was adopted at the Recreation and Park Commission meeting held on October 18, 2018.

  
Margaret A. McArthur, Commission Liaison

# NEW CONSTRUCTION

# 1075 FOLSOM STREET

## SAN FRANCISCO, CA 94103



**ElevationArchitects**  
1159 Green Street, Suite 4  
San Francisco, CA 94109

415.537.1125 :v  
www.elevationarchitects.com :w



### PROJECT TEAM

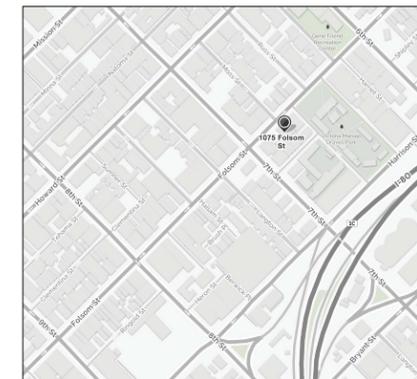
**Building Owner:**  
1075 Folsom LLC  
Pillar Capital  
1725 Clay Street, Suite 102  
San Francisco, CA 94109  
Contact: Angela Cheung  
415.706.7688  
angela@thepillarcapital.com

**Architect:**  
Elevation Architects  
1159 Green Street, Suite 4  
San Francisco, CA 94109  
Contact: Jonathan Pearman  
415.537.1125  
jonathan@elevationarchitects.com

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### GLOSSARY

ABV.	ABOVE	MAX.	MAXIMUM
A.D.	AREA DRAIN	MED.	MEDICINE CABINET
ADJ.	ADJACENT	MECH	MECHANICAL
ACT	ACOUSTIC CEILING TILE	MIN.	MINIMUM
AFF	ABOVE FINISH FLOOR	MTL.	METAL
ALUM	ALUMINUM	MV	MICROWAVE
BLKG	BLOCKING	(N)	NEW
BLDG	BUILDING	N.I.C.	NOT IN CONTRACT
BD	BOARD	NTS	NOT TO SCALE
C	CENTERLINE	O.C.	ON CENTER
CLR	CLEAR	O	OVER
CONC	CONCRETE	OD	OVERFLOW DRAIN
CONT	CONTINUOUS	O.H.	OPPOSITE HAND
CPT	CARPET	PLAM	PLASTIC LAMINATE
CT	CERAMIC TILE	PLY.	PLYWOOD
DIA	DIAMETER	PTD	PAINTED
DIM.	DIMENSION	RAD	RADICAL
DIMS.	DIMENSIONS	REF	REFRIGERATOR
DN	DOWN	REQ.	REQUIRED
DWG	DRAWING	RB	RUBBER BASE
(E), EX.	EXISTING	RM	ROOM
EA.	EACH	RO	ROUGH OPENING
EJ	EXPANSION JOINT	RWD	REDWOOD
ELEC	ELECTRIC	SC	SOLID CORE
EL., ELEV.	ELEVATION	SHT	SHEETING
EMB.	EMBEDDED	SHT	SHEET
EQ	EQUAL	SIM	SIMILAR
EXT	EXTERIOR	SQ	SQUARE
FA	FIRE ALARM	S.S.D.	SEE STRUCTURAL DWGS
FD	FLOOR DRAIN	STL	STEEL
FF	FINISH FLOOR	ST. STL	STAINLESS STEEL
FLR	FLOOR	STOR	STORAGE
F.O.S.	FACE OF STUD	STR.L	STRUCTURAL
F.O.M.	FACE OF MASONRY	STV	SHEET VINYL
GA	GAUGE	T&G	TONGUE AND GROOVE
GALV	GALVANIZED	T.C.	TOP OF CURB
GL	GLASS	TEL	TELEPHONE
GND	GROUND	T.O.S.	TOP OF STEEL
GSM	GALVANIZED SHEET METAL	T.O.W.	TOP OF WALL
GYP. BD.	GYP. BOARD	TYP.	TYPICAL
GWB	GYP. WALLBOARD	U.O.N.	UNLESS OTHERWISE NOTED
HB	HOSE BIB	VCT	VINYL COMPOSITION TILE
HC	HANDICAPPED	VERT.	VERTICAL
HM	HOLLOW METAL	V.I.F.	VERIFY IN FIELD
H.P.	HOUSE PANEL	WD	WOOD
HT	HEIGHT	W/D	WASHER AND DRYER
INS.	INSULATION	W	WITH
INSUL.	INSULATION	WC	WATER CLOSET
INT	INTERIOR	WH	WATER HEATER
JAN	JANITOR CLOSET	WP	WATERPROOF
KIT	KITCHEN		
LAV	LAVATORY		
LT	LIGHT		

### GENERAL NOTES

- THESE DRAWINGS CONSTITUTE A PORTION OF THE CONTRACT DOCUMENTS AS DEFINED IN AIA DOCUMENT A201, THE GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION. REFER TO PROJECT MANUAL.
  - IN BEGINNING WORK, CONTRACTOR ACKNOWLEDGES THOROUGH FAMILIARITY WITH THE BUILDING SITE CONDITIONS, WITH THE DRAWINGS AND SPECIFICATIONS, WITH THE DELIVERY FACILITIES AND ALL OTHER MATTERS AND CONDITIONS WHICH MAY AFFECT THE OPERATIONS AND COMPLETION OF THE WORK AND ASSUMES ALL RISK. CONTRACTOR TO VERIFY SURVEY DIMENSIONS BEFORE COMMENCING WORK. CONTRACTOR SHALL REPORT, AT ONCE, TO THE ARCHITECT ANY ERROR, INCONSISTENCY OR OMISSION THAT MAY BE DISCOVERED AND CORRECT AS DIRECTED, IN WRITING, BY THE ARCHITECT.
  - BY ACCEPTING AND USING THESE DRAWINGS, CONTRACTOR AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE SAFETY CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ARCHITECT HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF THE WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER, THE ARCHITECT OR ANY UNAUTHORIZED PERSON ON THE SITE WITHOUT PERMISSION OF THE CONTRACTOR.
  - ARCHITECT AND OWNER WILL NOT BE RESPONSIBLE FOR ANY CHANGES IN PLANS, DETAILS OR SPECIFICATIONS UNLESS APPROVED IN WRITING IN ADVANCE OF CONSTRUCTION.
  - DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTOR SHALL VERIFY AND BE MADE COMPLETELY RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS SHOWN AND A WRITTEN CHANGE ORDER REQUEST SHALL BE ISSUED BEFORE MAKING ANY CHANGES AT THE JOB SITE.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ANY AND ALL EXISTING UNDERGROUND UTILITIES. ALL DAMAGE TO SUCH SHALL BE REPAIRED AT CONTRACTOR EXPENSE.
  - CONTRACTOR TO PROVIDE BRACING AND SUPPORT AS REQUIRED TO MAINTAIN THE INTEGRITY AND SAFETY OF THE EXISTING STRUCTURE AND ADJACENT STRUCTURE(S) AS NECESSARY.
  - ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CMU OR CENTERLINE OF STEEL, UNLESS OTHERWISE NOTED.
  - ALL EXISTING WALLS, FLOORS AND CEILING AT REMOVED, NEW OR MODIFIED CONSTRUCTION SHALL BE PATCHED AS REQUIRED TO MAKE SURFACES WHOLE, SOUND AND TO MATCH EXISTING ADJACENT CONSTRUCTION, EXCEPT AS OTHERWISE NOTED.
  - ALL WORK SHALL BE IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL BUILDING CODES AND SAFETY ORDINANCES IN EFFECT AT THE PLACE OF BUILDING.
  - ALL DRAWINGS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY THE ARCHITECT ARE COPYRIGHTED DOCUMENTS AND SHALL REMAIN THE PROPERTY OF ELEVATION ARCHITECTS. THESE DOCUMENTS ARE THE INSTRUMENTS OF SERVICE AND AS SUCH, SHALL REMAIN THE PROPERTY OF ELEVATION ARCHITECTS WHETHER THE PROJECT FOR WHICH THEY ARE INTENDED IS EXECUTED OR NOT. THESE DOCUMENTS SHALL NOT BE USED BY ANYONE FOR OTHER PROJECTS, ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS EXCEPT AS AGREED IN WRITING BY ELEVATION ARCHITECTS AND WITH APPROPRIATE COMPENSATION.
- SUBMISSION OR DISTRIBUTION TO MEET OFFICIAL REGULATORY REQUIREMENTS OR FOR OTHER PURPOSES IN CONNECTION WITH THE PROJECT IS NOT TO BE CONSTRUED AS PUBLICATION IN DEROGATION OF THE ARCHITECT'S COMMON LAW COPYRIGHT OR OTHER RESERVED RIGHTS.
- THE CONTRACTOR SHALL TAKE APPROPRIATE STEPS THROUGHOUT THE EXECUTION OF THE PROJECT TO PREVENT AIRBORNE DUST DUE TO THE WORK. MAINTAIN WORK AREAS CLEAN AND FREE FROM UNDUE ENCUMBRANCES AND REMOVE SURPLUS MATERIALS AND WASTE AS THE WORK PROGRESSES.
  - IT IS THE INTENT OF THESE DOCUMENTS TO FULLY COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) AND TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS. WHERE A REQUIREMENT IS IN CONFLICT, THE MORE STRINGENT REQUIREMENT SHALL GOVERN. WHERE DIMENSIONS, SLOPE GRADIENTS AND OTHER CRITICAL CRITERIA ARE NOTED, THEY ARE TO BE ADHERED TO EXACTLY, UNLESS NOTED AS APPROXIMATE. CONTRACTOR'S FAILURE TO COMPLY WITH ANY PROVISION DESCRIBED IN THE DRAWINGS AND SPECIFICATIONS RELATED TO THESE ACCESSIBILITY LAWS AND CODES WILL REQUIRE CORRECTION AT CONTRACTOR'S EXPENSE. WHERE MAXIMUM DIMENSIONS AND SLOPE GRADIENTS ARE NOTED, NO EXCEPTION WILL BE MADE FOR EXCEEDING THESE REQUIREMENTS.

### BUILDING DEPARTMENT NOTES

- ENTIRE BUILDING TO BE EQUIPPED WITH APPROVED AUTOMATIC SPRINKLER SYSTEM PER NFPA 13.
- HEIGHT OF BUILDING FROM LOWEST POINT OF FIRE DEPT. ACCESS:  
65'-0" TO ROOF
- OCCUPANCY CLASSIFICATION:  
COMMERCIAL: B  
RESIDENTIAL: R-2
- OCCUPANCY SEPARATION:  
VERTICAL SHAFTS: 2-HOUR  
1ST FLOOR: 3-HOUR  
RESIDENTIAL: 1-HOUR BETWEEN UNITS
- CONSTRUCTION TYPE:  
1ST FLOOR: I-A  
2ND THRU 6TH: III-B
- ACTUAL HEIGHT/STORIES:  
B/I-A: 1 STORY (ALLOWABLE: UNLIMITED - TABLE 504.4)  
R-2/III-B: 5 STORIES (ALLOWABLE: 5 WITHOUT AREA INCREASE - TABLE 504.4)
- B/I-A: 15'-0" (ALLOWABLE: UNLIMITED - TABLE 504.3)  
R-2/III-B: 50'-0" (ALLOWABLE: 75'-0" WITHOUT AREA INCREASE - TABLE 504.3)
- ACTUAL AREA:  
B/I-A: 4,811 SF (ALLOWABLE: UNLIMITED - TABLE 506.2)  
R-2/III-B: 20,385 SF (ALLOWABLE: 32,000 SF USING 16,000 SF AREA FACTOR WITH HEIGHT INCREASE - TABLE 506.2)
- EXITING REQUIREMENTS:  
1ST FLOOR: 2 MEANS OF EGRESS  
2ND THRU 6TH: 2 MEANS OF EGRESS

### SYMBOL LEGEND

- ELEVATION KEY
- DETAIL KEY
- SECTION KEY
- WALL TYPE KEY
- DOOR NUMBER KEY
- WINDOW TYPE KEY
- REVISION CLOUD & KEY

### PERMITS

- SITE PERMIT  
- MECHANICAL, ELECTRICAL, PLUMBING AND FIRE SPRINKLER WORK TO BE DESIGN/BUILD. APPLICATION FOR THOSE PERMITS TO BE FILED SEPARATELY.

### APPLICABLE CODES

BUILDING: 2016 CBC  
MECHANICAL: 2016 CMC  
PLUMBING: 2016 CPC  
ELECTRICAL: 2016 CEC  
FIRE: 2016 CFC & CURRENT NFPA 13  
ENERGY: 2016 CEC (TITLE 24, PART 6)  
GREEN: 2016 GBC  
WITH ALL SAN FRANCISCO AMMENDMENTS

### SCOPE OF WORK

NEW CONSTRUCTION OF 6-STORY RESIDENTIAL BUILDING WITH 48 SRO RENTAL UNITS AND GROUND FLOOR COMMERCIAL SPACE

THE NEW BUILDING WILL BE LOCATED ON TWO EXISTING LOTS (1075 & 1089 FOLSOM STREET), WHICH WILL BE MERGED INTO ONE LOT.

### PLANNING DEPARTMENT NOTES

- PROJECT LOCATION:  
1075 FOLSOM STREET: BLOCK/LOT: 3754/039  
1089 FOLSOM STREET: BLOCK/LOT: 3745/038
- TOTAL COMBINED LOT AREA: 6,750 SF
- ZONING:  
1075 FOLSOM ST: NCT - SOMA NEIGHBORHOOD COMMERCIAL TRANSIT  
1089 FOLSOM ST: NCT - SOMA NEIGHBORHOOD COMMERCIAL TRANSIT
- HEIGHT & BULK:  
1075 FOLSOM ST: 65-X  
1089 FOLSOM ST: 65-X
- PROPOSED BUILDING USE:  
1ST FLOOR COMMERCIAL SPACE (1,088 SF) & 48 SRO RENTAL UNITS ON 6 FLOORS
- PROPOSED BUILDING AREA:  
1ST FLOOR: 4,811 SF  
2ND FLOOR: 4,077 SF  
3RD FLOOR: 4,077 SF  
4TH FLOOR: 4,077 SF  
5TH FLOOR: 4,077 SF  
6TH FLOOR: 4,077 SF  
TOTAL: 25,196 SF
- PROPOSED PARKING: NONE
- BICYCLE PARKING (TABLE 155.2)  
REQUIRED: 48 CLASS 1 FOR RESIDENTIAL UNITS  
2 CLASS 2 FOR RESIDENTIAL UNITS  
1 CLASS 1 FOR COMMERCIAL USE  
2 CLASS 2 FOR COMMERCIAL USE  
PROVIDED: 48 CLASS 1 FOR RESIDENTIAL UNITS  
2 CLASS 2 FOR RESIDENTIAL UNITS  
1 CLASS 1 FOR COMMERCIAL USE  
2 CLASS 2 FOR COMMERCIAL USE

OPEN SPACE (TABLE 753: 80 SF/UNIT IF PRIVATE & 100 SF/UNIT IF COMMON)  
SEC. 135(d)2: SRO UNITS PROVIDE 1/3 OF REQUIREMENT  
1/3 X 100 SF = 33.3 SF/UNIT REQUIRED IF COMMON

PRIVATE OPEN SPACE PROVIDED (15 UNITS):  
UNITS 207-209, 307-309, 407-409, 507-509 & 607-609:  
81 SF OR GREATER

COMMON OPEN SPACE PROVIDED (33 UNITS):  
REQUIRED: 33 UNITS X 33.3 SF = 1,099 SF  
PROVIDED: 1,887.5 SF (AT 1ST FLOOR REAR YARD)

BELOW MARKET RATE UNITS: 48 UNITS X 25% = 12 UNITS

SETBACKS:  
FRONT: NONE  
SIDE: NONE  
REAR: 25% OF LOT: 22.5' X 75' = 1,687.5 SF

### UNIT SUMMARY

FLOOR	UNIT#	TYPE	SIZE	TOTAL (GROSS SF)
1ST	101 - 103	SRO	350 SF	1,050 SF
2ND	201 - 209	SRO	350 SF	3,150 SF
3RD	301 - 309	SRO	350 SF	3,150 SF
4TH	401 - 409	SRO	350 SF	3,150 SF
5TH	501 - 509	SRO	350 SF	3,150 SF
6TH	601 - 609	SRO	350 SF	3,150 SF
TOTAL	48 UNITS			16,800 SF

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

### Cover Sheet

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

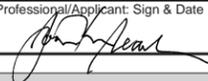
# A-0.1

New Construction  
**1075 FOLSOM STREET**  
 San Francisco, CA 94103  
**APP #2017-0214-9384**

# Green Building: Site Permit Submittal

## BASIC INFORMATION:

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

Project Name <b>1075 FOLSOM STREET</b>	Block/Lot <b>3754/038 &amp; 039</b>	Address <b>1075-1089 FOLSOM STREET</b>
Gross Project Area <b>25,196 SF</b>	Primary Occupancy <b>RESIDENTIAL (R-2)</b>	Number of occupied floors <b>6</b>
Design Professional/Applicant: Sign & Date  <b>08/28/18</b>		

## Instructions:

As part of application for site permit, this form acknowledges the specific green building requirements that apply to a project under San Francisco Green Building Code, California Title 24 Part 11, and related codes. Attachment C3, C4, C5, C6, C7, or C8 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 using such tools as early as possible is strongly recommended.

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. See relevant codes for details.

## 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.)	
Base number of required Greenpoints:	75
Adjustment for retention / demolition of historic features / building:	
Final number of required points (base number +/- adjustment)	
<b>GreenPoint Rated</b> (i.e. meets all prerequisites)	●
<b>Energy Efficiency:</b> Demonstrate a 10% energy use reduction compared to Title 24, Part 6 (2013).	●
<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 4 or more occupied floors must use the "New Residential High-Rise" column. New residential with 3 or fewer occupied floors must use the "New Residential Low 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.

## LEED PROJECTS

Type of Project Proposed (Indicate at right)	New Large Commercial	New Low Rise Residential	New High Rise Residential	Large First Time Commercial Interior	Commercial Major Alteration	Residential Major 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>Energy Use</b> Comply with California Title-24 Part 6 (2013) and meet LEED minimum energy performance (LEED EA p2)	●	LEED prerequisite	●	●	LEED prerequisite only	
<b>Renewable Energy or Enhanced Energy Efficiency</b> Effective 1/1/2012: Generate renewable energy on-site ≥1% of total annual energy cost (LEED EA c2), OR Demonstrate at least 10% energy use reduction (compared to Title 24 Part 6 2013), OR Purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EA c6).	●	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	●	Meet LEED prerequisite	●	Meet LEED prerequisite		
<b>Enhanced Refrigerant Management</b> CalGreen 5.508.1.2, may contribute to LEED EA c4	●	n/r	n/r	●	●	n/r
<b>Indoor Air Quality Management Plan</b> LEED IEQ 3.1	●	CalGreen 4.504.1	CalGreen 4.504.1	CalGreen 5.504.3	CalGreen 5.504.3	CalGreen 4.504.1
<b>Low-Emitting Materials</b> LEED IEQ 4.1, 4.2, 4.3, and 4.4	●	●	●	●	●	●
<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 SS c4.2.	●	See San Francisco Planning Code 155		●	See San Francisco Planning Code 155	
<b>Designated parking:</b> Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles.	●			●	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.	●	n/r	n/r	●	● (addition only)	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).	●	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	●
<b>Acoustical Control:</b> wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40.	●	See CBC 1207		●	● (envelope alteration & addition only)	n/r

## OTHER APPLICABLE NON-RESIDENTIAL PROJECTS

Requirements below only apply when the measure is applicable to the project. Code references below are applicable to Non-Residential buildings. Corresponding requirements for additions and alterations can be found in Title 24 Part 11, Division 5.7. Requirements for additions or alterations apply to applications received July 1, 2012 or after. <sup>3</sup>	Other New Non-Residential	Addition ≥1,000 sq ft OR Alteration ≥\$200,000 <sup>3</sup>
<b>Type of Project Proposed</b> (Check box if applicable)		
<b>Energy Efficiency:</b> Comply with California Energy Code, Title 24, Part 6 (2013).	●	●
<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 SS c4.2).	●	●
<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.	●	●
<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.	●	Addition only
<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.	●	●
<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. OR 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>	●	●
<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.	●	●
<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.	●	●
<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, OR 5. California Collaborative for High Performance Schools EQ 2.2 and listed in the CHPS High Performance Product Database AND carpet cushion must meet Carpet and Rug Institute Green Label, AND indoor carpet adhesive & carpet pad adhesive must not exceed 50 g/L VOC content.	●	●
<b>Composite wood:</b> Meet CARB Air Toxics Control Measure for Composite Wood	●	●
<b>Resilient flooring systems:</b> For 80% 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.	●	●
<b>Environmental Tobacco Smoke:</b> Prohibit smoking within 25 feet of building entries, outdoor air intakes, and operable windows.	●	●
<b>Air Filtration:</b> Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings.	●	●
<b>Acoustical Control:</b> Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40.	●	● (envelope alteration & addition only)
<b>CFCs and Halons:</b> Do not install equipment that contains CFCs or Halons.	●	●
<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</b> Effective January 1, 2012: Generate renewable energy on-site equal to ≥1% of total annual energy cost (LEED EA c2), OR demonstrate a 10% energy use reduction compared to Title 24 Part 6 (2013), OR purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EA c6).	●	n/r

Attachment C-2:  
Green Building:  
Site Permit Submittal

1075 FOLSOM STREET

Version: June 7, 2016



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San Francisco, CA 94109

415.537.1125  
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New Construction  
1075 FOLSOM STREET  
San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

## Green Building

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

**A-0.2**

NOTE: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP PLEASE BE ADVISED AS FOLLOWS:

1. THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENT'S OR HIS AGENT'S REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO FREDERICK T. SEHER & ASSOCIATES, INC.; FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY ON THIS JOB.
2. NO PRELIMINARY TITLE REPORT WAS REVIEWED IN CONJUNCTION WITH THIS MAPPING. IT IS RECOMMENDED THAT A TITLE REPORT BE RECEIVED FROM THE OWNER TO VERIFY THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD OR LOT LINE ADJUSTMENTS THAT MAY HAVE ALTERED THE INFORMATION SHOWN HEREON PRIOR TO ANY DESIGN AND/OR CONSTRUCTION.
3. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR PILLAR CAPITAL 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.
4. 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. FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSE WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFFSITE OR ONSITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSES, INTENT & CONTRACT. LIABILITY SHALL REST UPON THE PARTY OBTAINING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK T. SEHER & ASSOCIATES, INC. DISCLAIMS ANY AND ALL RESPONSIBILITY.
5. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE TRANSFERS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MAPS) AND/OR THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAP (WHICHEVER COMES FIRST) SHALL VOID ALL INFORMATION, HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.
6. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 4 ABOVE.
7. THAT THE USE OF THIS MAP BY OTHER CONSULTANTS OR CONTRACTORS ON BEHALF OF OUR CLIENT SHALL PROMPT THE IMMEDIATE FULFILLMENTS OF ALL CLIENT'S OBLIGATIONS TO FREDERICK T. SEHER & ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO.
8. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN HEREON.
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.

**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 JANUARY 20, 2017.

**SURVEY REFERENCE:**  
THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED:  
APN'S 029, 038 & 039; RECORDED JULY 26, 2011, DOCUMENT NUMBER 2011-K219949-00, ON REEL K446 AT IMAGE 0471.

**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 FOLSOM STREETS. ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. SW 20'W & 5'N, + CUT S RIM PG&E MH. ELEVATION = 6.308'

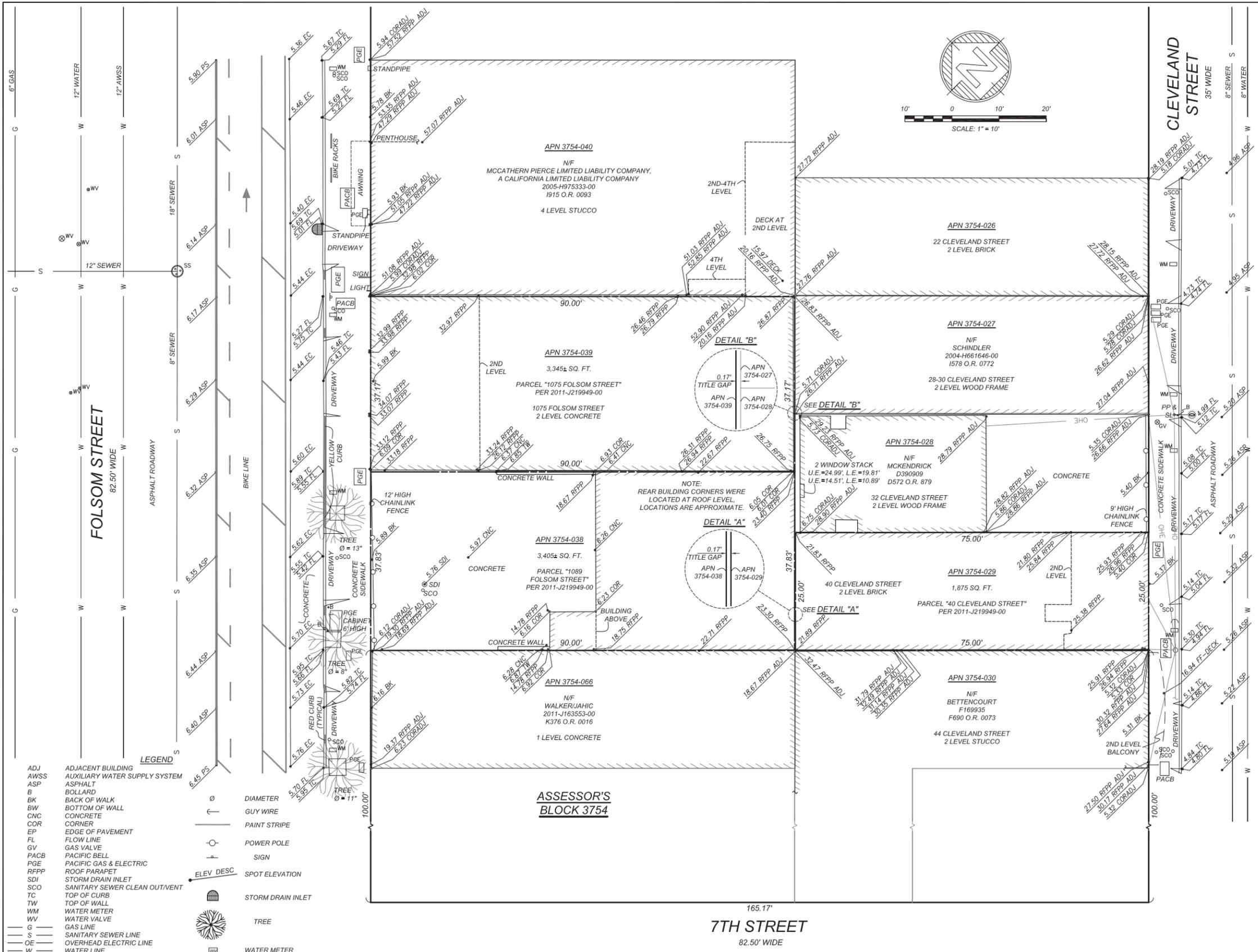
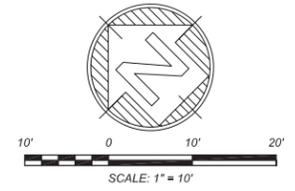
**GENERAL NOTE:**  
THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRUPLINES THEREOF.

**SURVEYOR'S STATEMENT:**

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

DATE 2-13-17

*Frederick T. Seher*  
FREDERICK T. SEHER, PLS  
LICENSE NO. 6216



**LEGEND**

ADJ	ADJACENT BUILDING	Ø	DIAMETER
AWSS	AUXILIARY WATER SUPPLY SYSTEM	—	GUY WIRE
ASP	ASPHALT	—	PAINT STRIPE
B	BOLLARD	—	POWER POLE
BK	BACK OF WALK	—	SIGN
BW	BOTTOM OF WALL	—	SPOT ELEVATION
CNC	CONCRETE	—	STORM DRAIN INLET
COR	CORNER	—	TREE
EP	EDGE OF PAVEMENT	—	WATER METER
FL	FLOW LINE	—	
GV	GAS VALVE	—	
FACB	PACIFIC BELL	—	
PG&E	PACIFIC GAS & ELECTRIC	—	
RPPP	ROOF PARAPET	—	
SDI	STORM DRAIN INLET	—	
SCO	SANITARY SEWER CLEAN OUT/VENT	—	
TC	TOP OF CURB	—	
TW	TOP OF WALL	—	
WM	WATER METER	—	
WV	WATER VALVE	—	
G	GAS LINE	—	
S	SANITARY SEWER LINE	—	
OE	OVERHEAD ELECTRIC LINE	—	
W	WATER LINE	—	

**ASSESSOR'S BLOCK 3754**

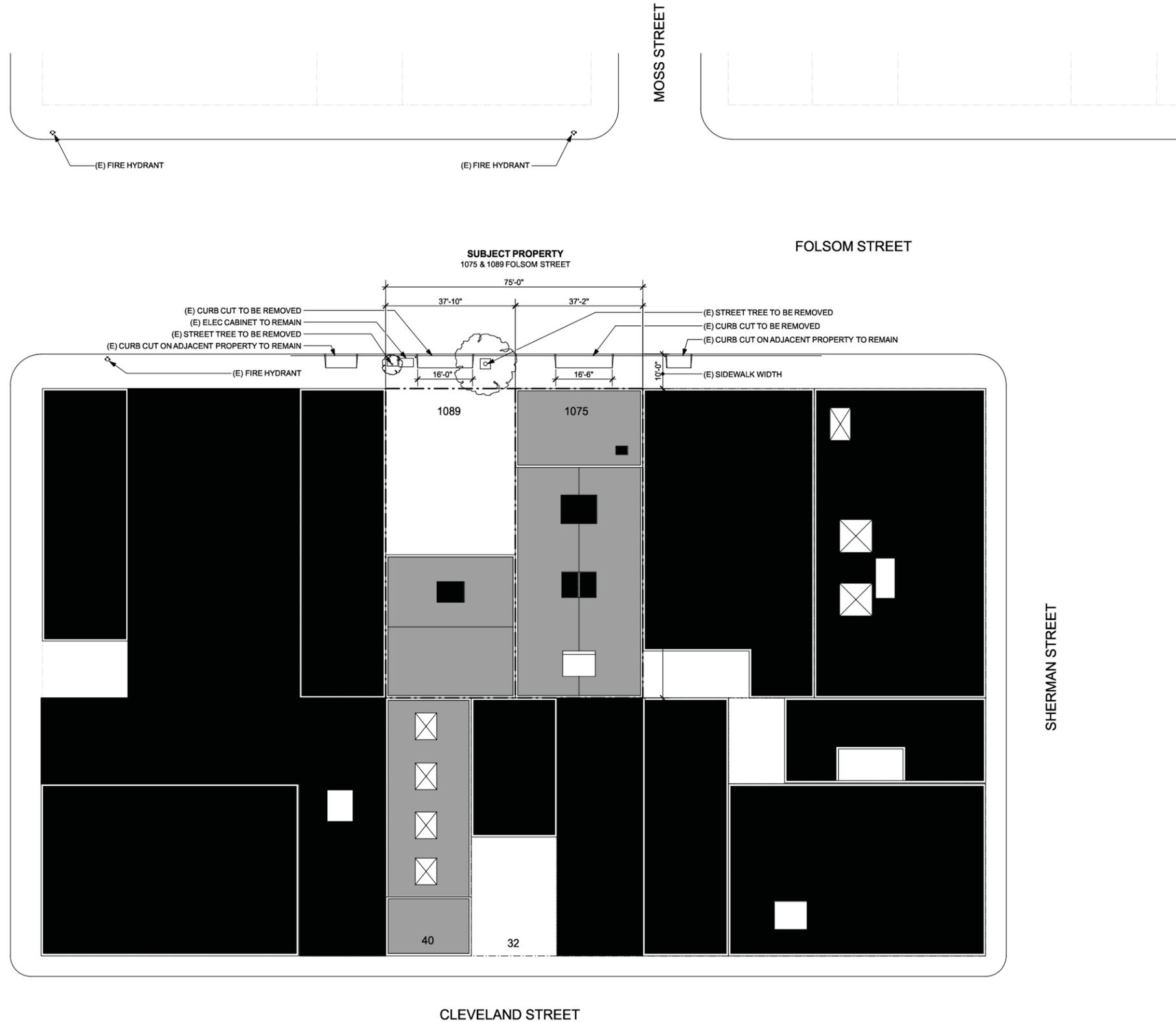
DATE:	FEBRUARY, 2017
SCALE:	1" = 10'
DRAWN BY:	EF
DRAWING NAME:	2025-16
SURVEYED BY:	FTS
CHECKED BY:	EF
CHECKED BY:	

NO.	BY	DATE	REVISIONS

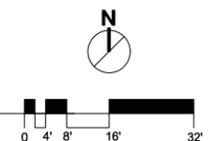


**FREDERICK T. SEHER & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS  
SURVEYING & MAPPING  
841 LOMBARD STREET, SAN FRANCISCO, CA 94133  
(415) 921-7690 FAX (415) 921-7655

**ARCHITECTURAL SITE SURVEY**  
**APN'S 3754-029, 3754-038 & 3754-039**  
**1075 FOLSOM STREET & 40 CLEVELAND STREET, SAN FRANCISCO**



1 EXISTING SITE PLAN  
Scale: 1/16" = 1'-0"



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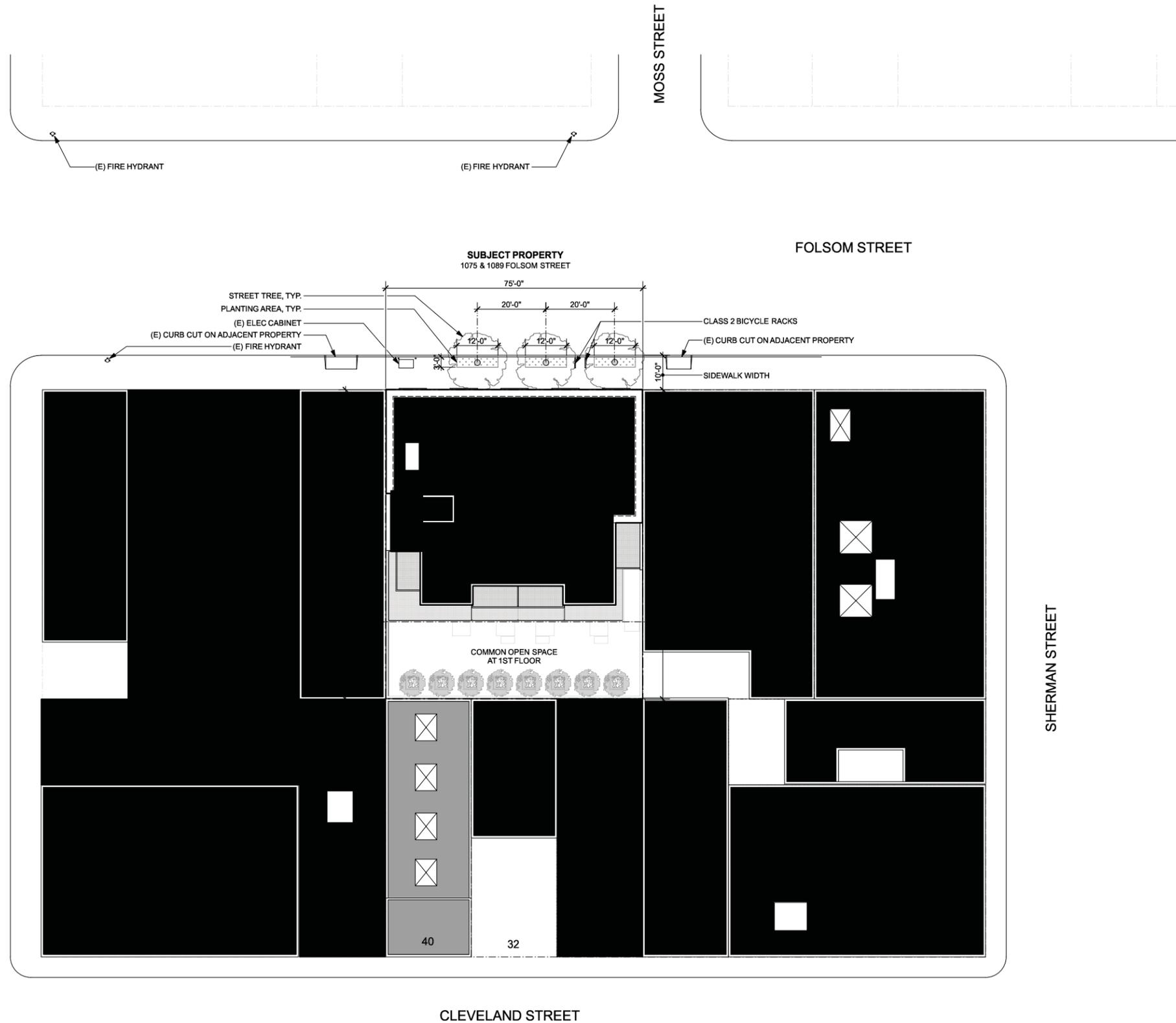
New Construction  
**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

Existing Site Plan

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-1.1**



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New Construction  
**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

Proposed Site Plan

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:



- GENERAL NOTES**
1. THE 1ST FLOOR IS OF TYPE 1-A CONSTRUCTION. A FIRE SEPARATION RATING OF 3 HOURS IS REQUIRED FOR THE FLOOR/CEILING ASSEMBLY BETWEEN THE 1ST AND 2ND FLOORS.
  2. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
[Thin line]	NON-RATED WALL
[Medium line]	1-HR RATED WALL
[Thick line]	2-HR RATED WALL



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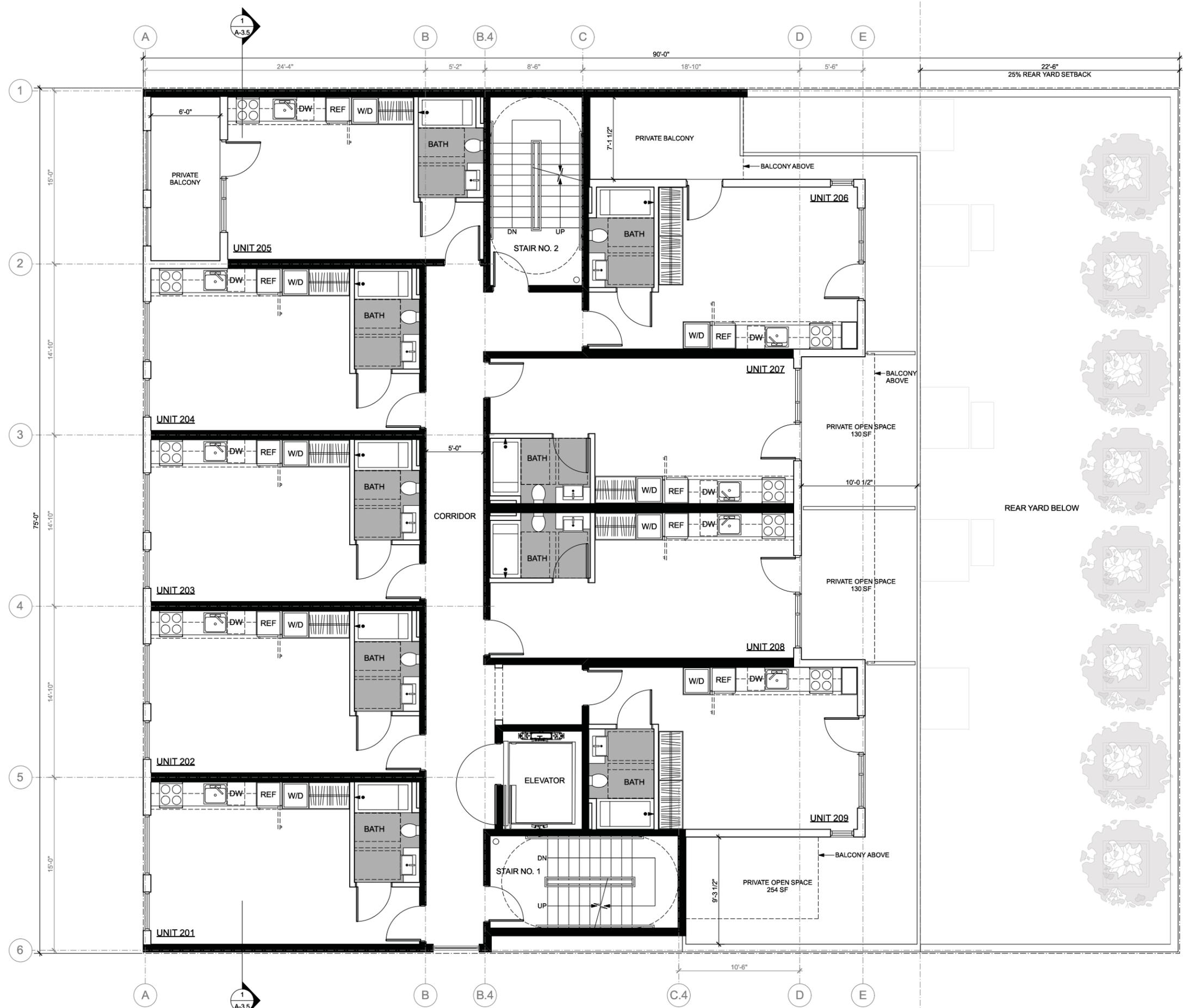
#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

**1st Floor Plan**

project: 15.20.1  
 drawn by: JJ  
 checked by: JP  
 date: 02.14.17  
 scale:

**A-2.1**

**1 1ST FLOOR PLAN**  
 Scale: 1/4" = 1'-0"



- GENERAL NOTES**
1. THE 1ST FLOOR IS OF TYPE 1-A CONSTRUCTION. A FIRE SEPARATION RATING OF 3 HOURS IS REQUIRED FOR THE FLOOR/CEILING ASSEMBLY BETWEEN THE 1ST AND 2ND FLOORS.
  2. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL

1 2ND FLOOR PLAN  
Scale: 1/4" = 1'-0"



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**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

**2nd Floor Plan**

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

**A-2.2**



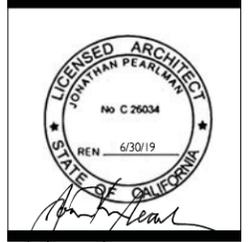
1 3RD FLOOR PLAN  
Scale: 1/4" = 1'-0"

**GENERAL NOTES**  
1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



**ElevationArchitects**  
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415.537.1125 v  
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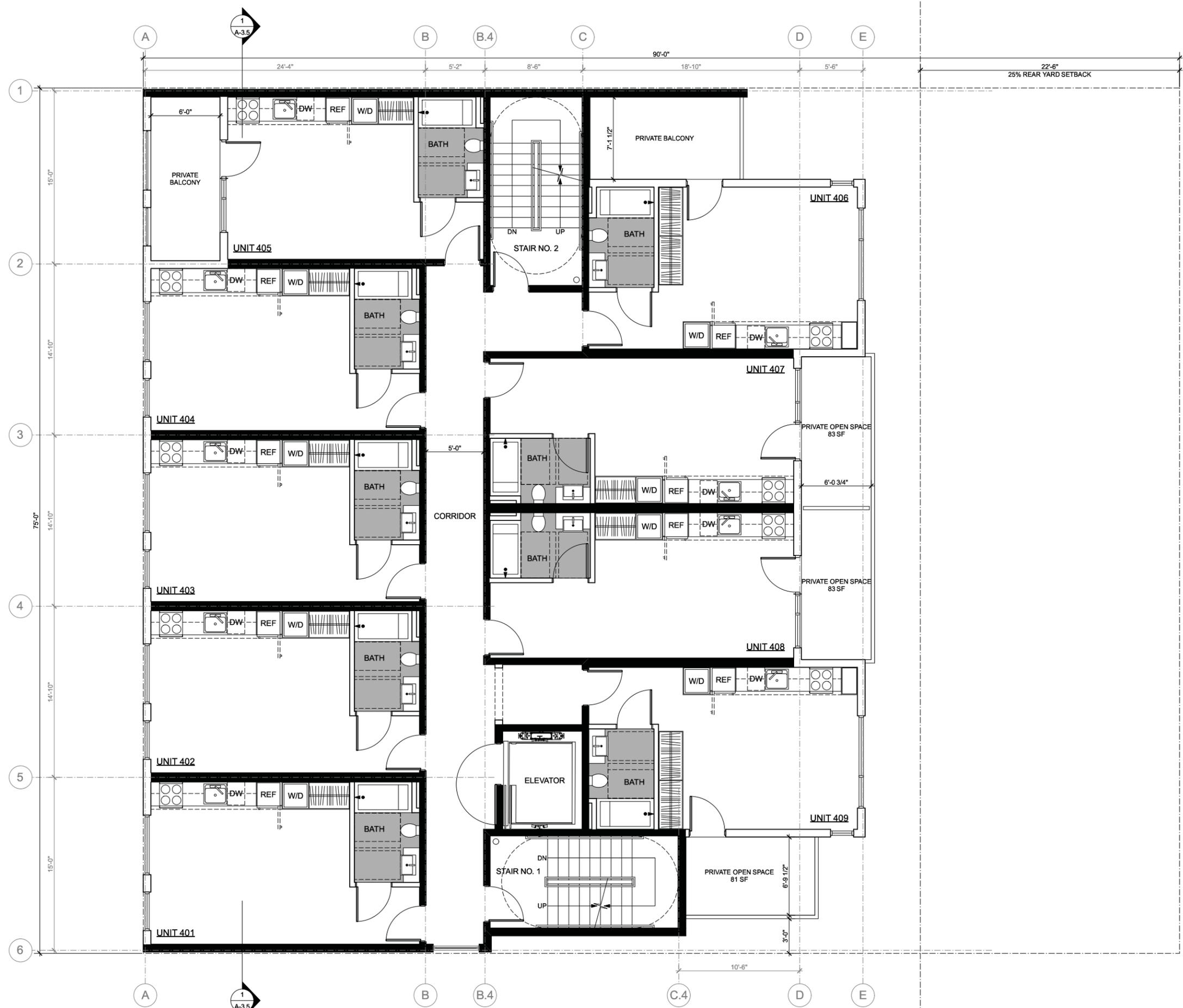
New Construction  
**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

**3rd Floor Plan**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-2.3**



1 4TH FLOOR PLAN  
Scale: 1/4" = 1'-0"

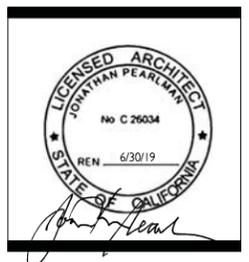
**GENERAL NOTES**  
1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



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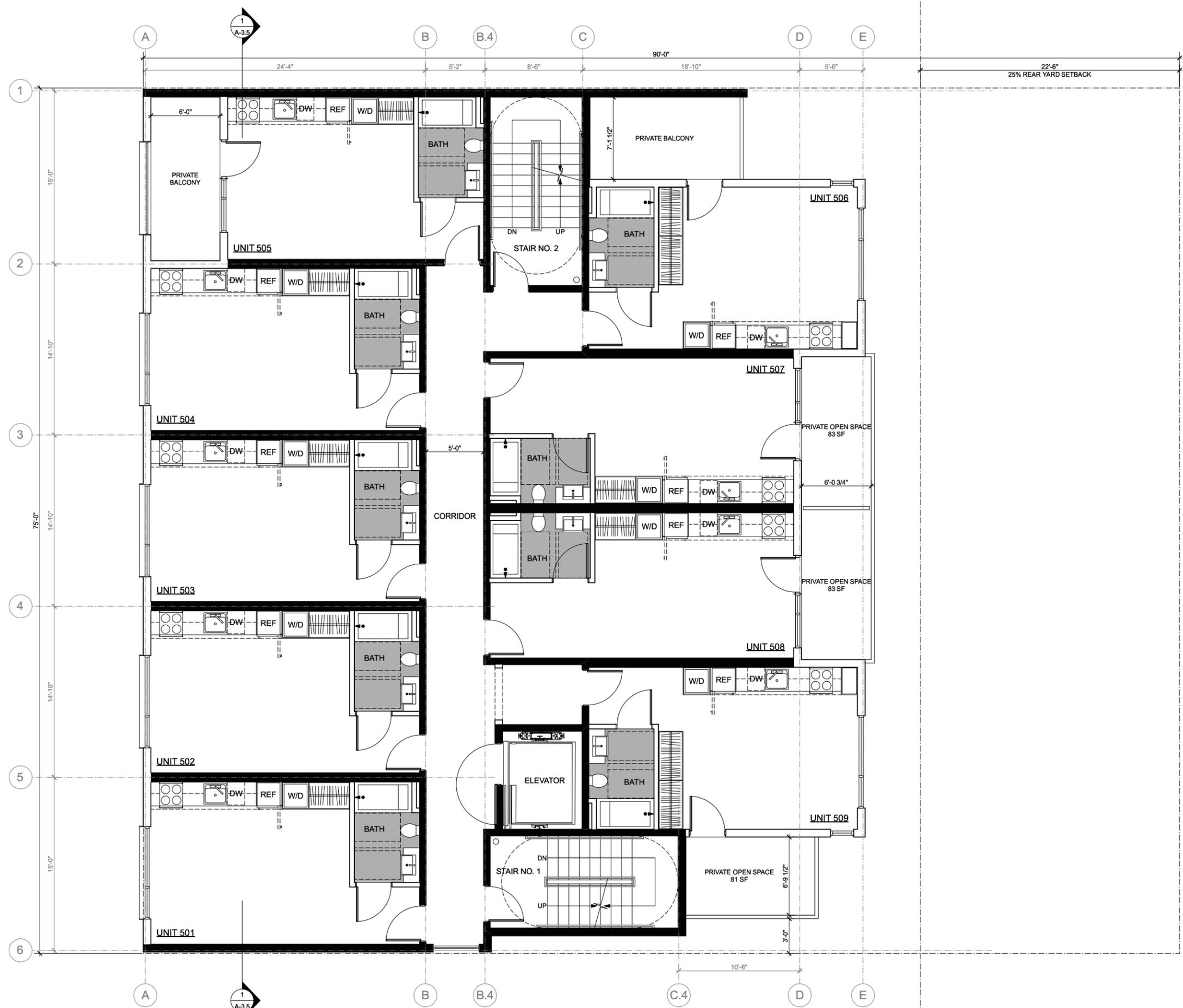
New Construction  
**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

**4th Floor Plan**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-2.4**



**GENERAL NOTES**  
 1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL

1 5TH FLOOR PLAN  
 Scale: 1/4" = 1'-0"



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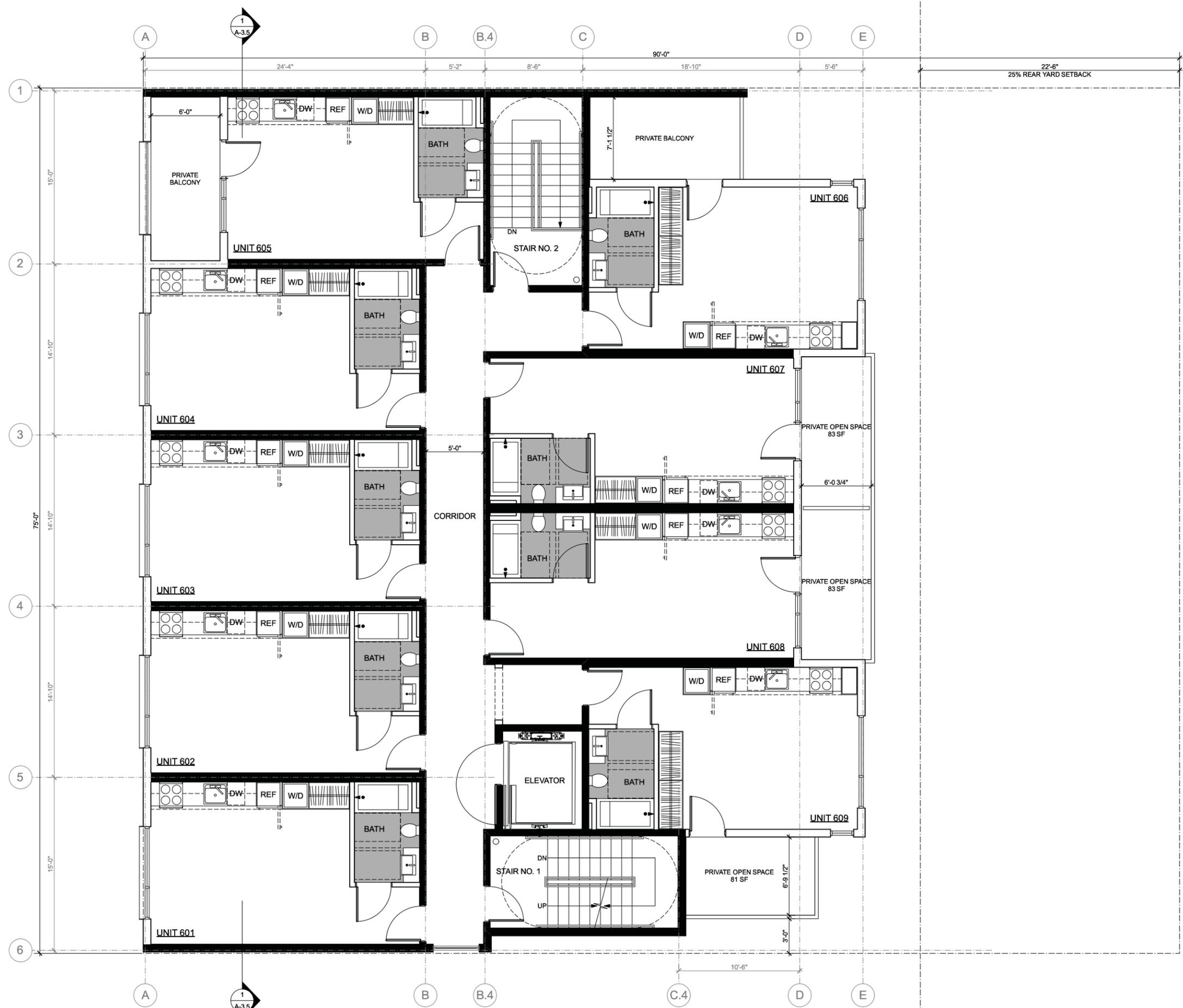
New Construction  
**1075 FOLSOM STREET**  
 San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

**5th Floor Plan**

project: 15.20.1  
 drawn by: JJ  
 checked by: JP  
 date: 02.14.17  
 scale:

**A-2.5**



**GENERAL NOTES**  
 1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL

1 6TH FLOOR PLAN  
 Scale: 1/4" = 1'-0"



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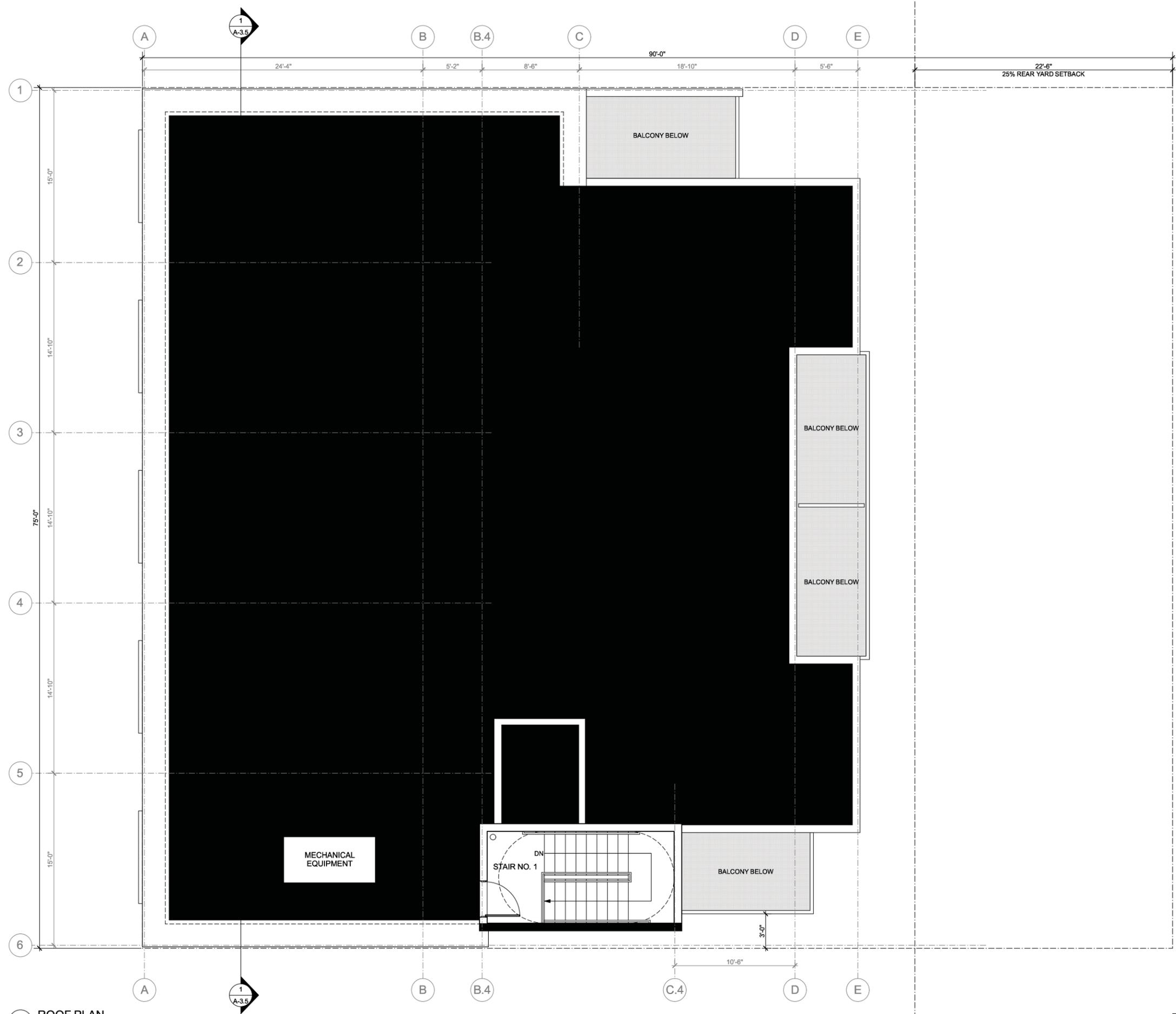
New Construction  
**1075 FOLSOM STREET**  
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#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

**6th Floor Plan**

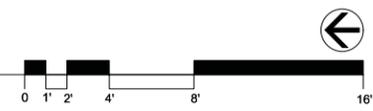
project: 15.20.1  
 drawn by: JJ  
 checked by: JP  
 date: 02.14.17  
 scale:

**A-2.6**



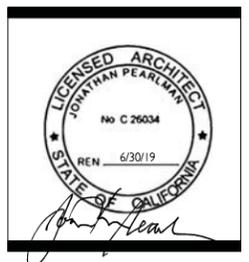
1 ROOF PLAN  
Scale: 1/4" = 1'-0"

KEY	
[Thin line]	NON-RATED WALL
[Medium line]	1-HR RATED WALL
[Thick line]	2-HR RATED WALL



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San Francisco, CA 94103

#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

**Roof Plan**

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

**A-2.7**



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- ELEVATION GENERAL NOTES**
1. FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT, AS SHOWN IN THESE DRAWINGS, NO PANES OF GLASS ARE LARGER THAN 23 SF.
  2. THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.

New Construction  
**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

**North Elevation**

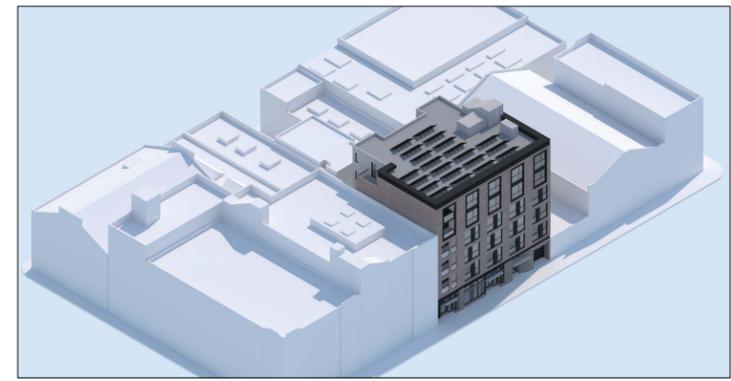
project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**1 NORTH ELEVATION - FOLSOM STREET**  
Scale: 1/4" = 1'-0"

**A-3.1**



1 FOLSOM STREET ELEVATION  
Scale: 1/8" = 1'-0"



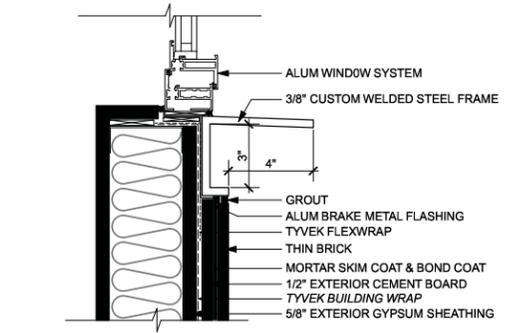
AXON VIEW FROM NORTHEAST



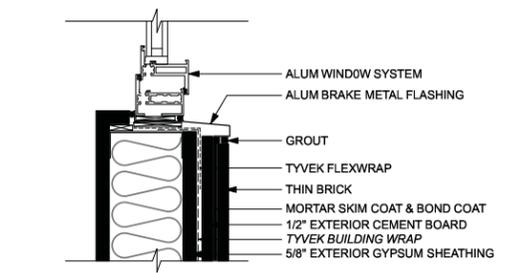
AXON VIEW FROM SOUTHWEST



2 REAR YARD ELEVATION  
Scale: 1/8" = 1'-0"



4 WINDOW SILL AT STEEL FRAME  
Scale: 3" = 1'-0"

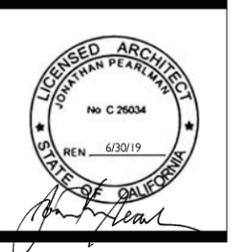


3 WINDOW SILL AT THIN BRICK  
Scale: 3" = 1'-0"



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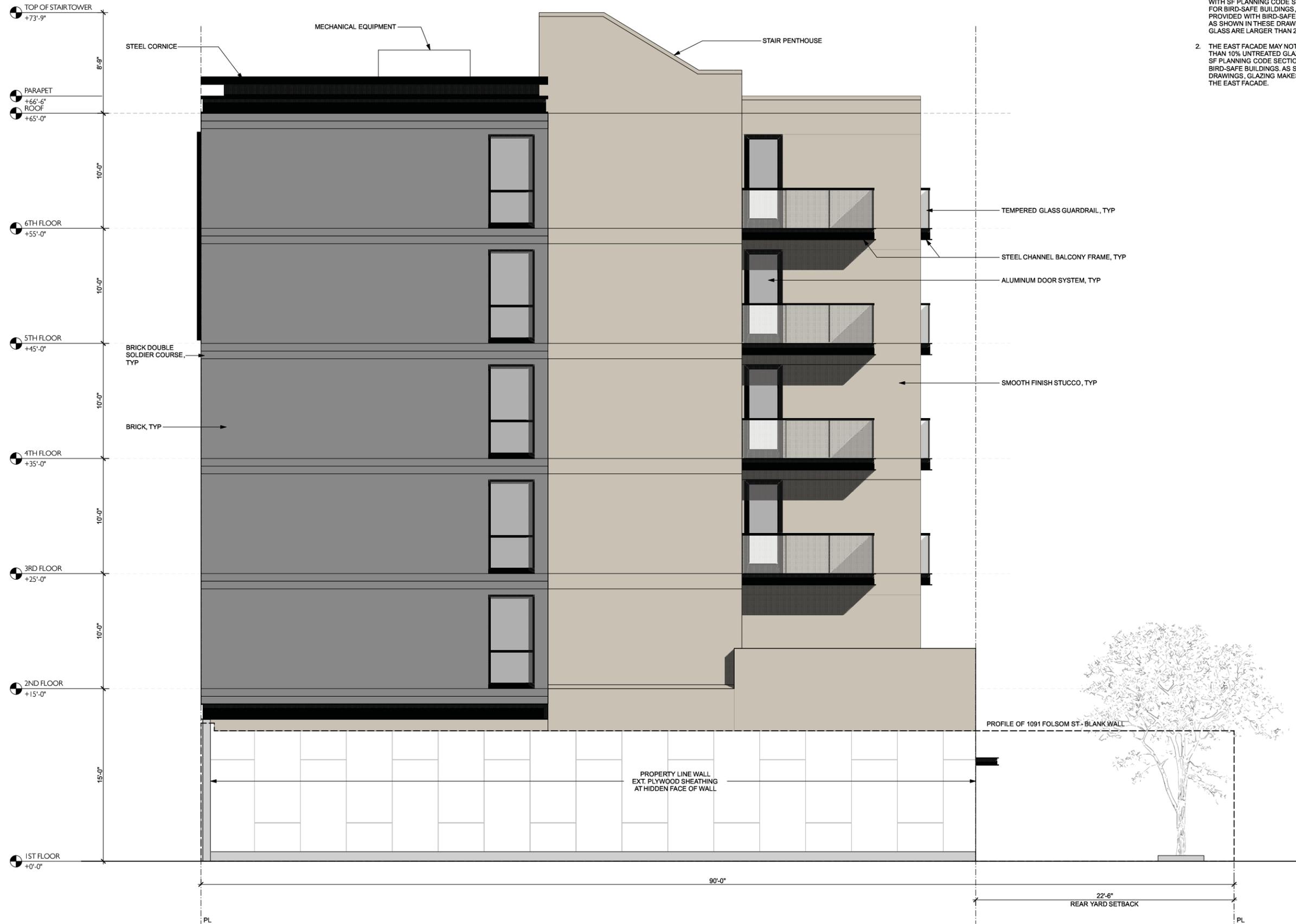
New Construction  
1075 FOLSOM STREET  
San Francisco, CA 94103

#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

Front & Rear Elevations

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

A-3.1A



- ELEVATION GENERAL NOTES**
1. FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS. UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT, AS SHOWN IN THESE DRAWINGS, NO PANES OF GLASS ARE LARGER THAN 23 SF.
  2. THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.



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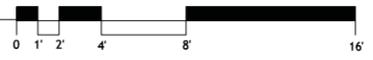
New Construction  
**1075 FOLSOM STREET**  
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#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

**West Elevation**

project: 15.20.1  
 drawn by: JJ  
 checked by: JP  
 date: 02.14.17  
 scale:

1 **WEST ELEVATION**  
 Scale: 1/4" = 1'-0"



**A-3.2**



TOP OF STAIRTOWER  
+73'-9"

8'-9"

PARAPET  
+66'-6"

ROOF  
+65'-0"

10'-0"

6TH FLOOR  
+55'-0"

10'-0"

5TH FLOOR  
+45'-0"

10'-0"

4TH FLOOR  
+35'-0"

10'-0"

3RD FLOOR  
+25'-0"

10'-0"

2ND FLOOR  
+15'-0"

15'-0"

1ST FLOOR  
+0'-0"

STAIR PENTHOUSE  
ELEVATOR OVERRIDE

ALUMINUM WINDOW/DOOR SYSTEM, TYP

CORNICE, BEYOND

STUCCO CONTROL JOINTS, TYP

STEEL CORNICE

TEMPERED GLASS GUARDRAIL, TYP

BRICK DOUBLE SOLDIER COURSE, TYP

BRICK, TYP

STEEL CHANNEL BALCONY FRAME, TYP

SMOOTH FINISH STUCCO, TYP

- ELEVATION GENERAL NOTES**
- FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT. AS SHOWN IN THESE DRAWINGS, NO PANES OF GLASS ARE LARGER THAN 23 SF.
  - THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS. AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.

1 SOUTH ELEVATION - REAR YARD  
Scale: 1/4" = 1'-0"



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New Construction  
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San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planning Rev
	09.26.18	Owner Rev

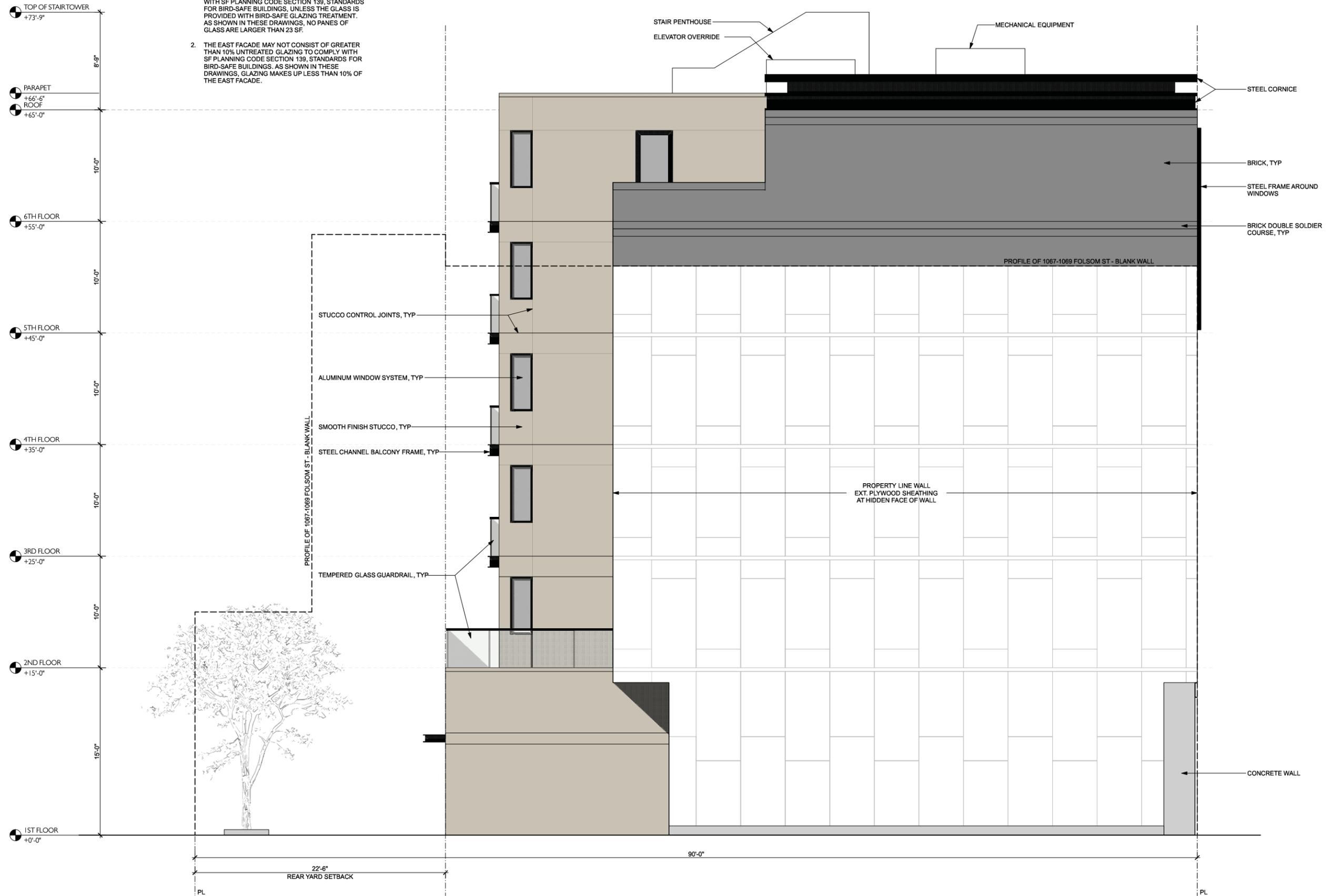
**South Elevation**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-3.3**

**ELEVATION GENERAL NOTES**

- FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT. AS SHOWN IN THESE DRAWINGS, NO PANES OF GLASS ARE LARGER THAN 23 SF.
- THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.



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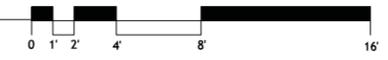
New Construction  
**1075 FOLSOM STREET**  
San Francisco, CA 94103

#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

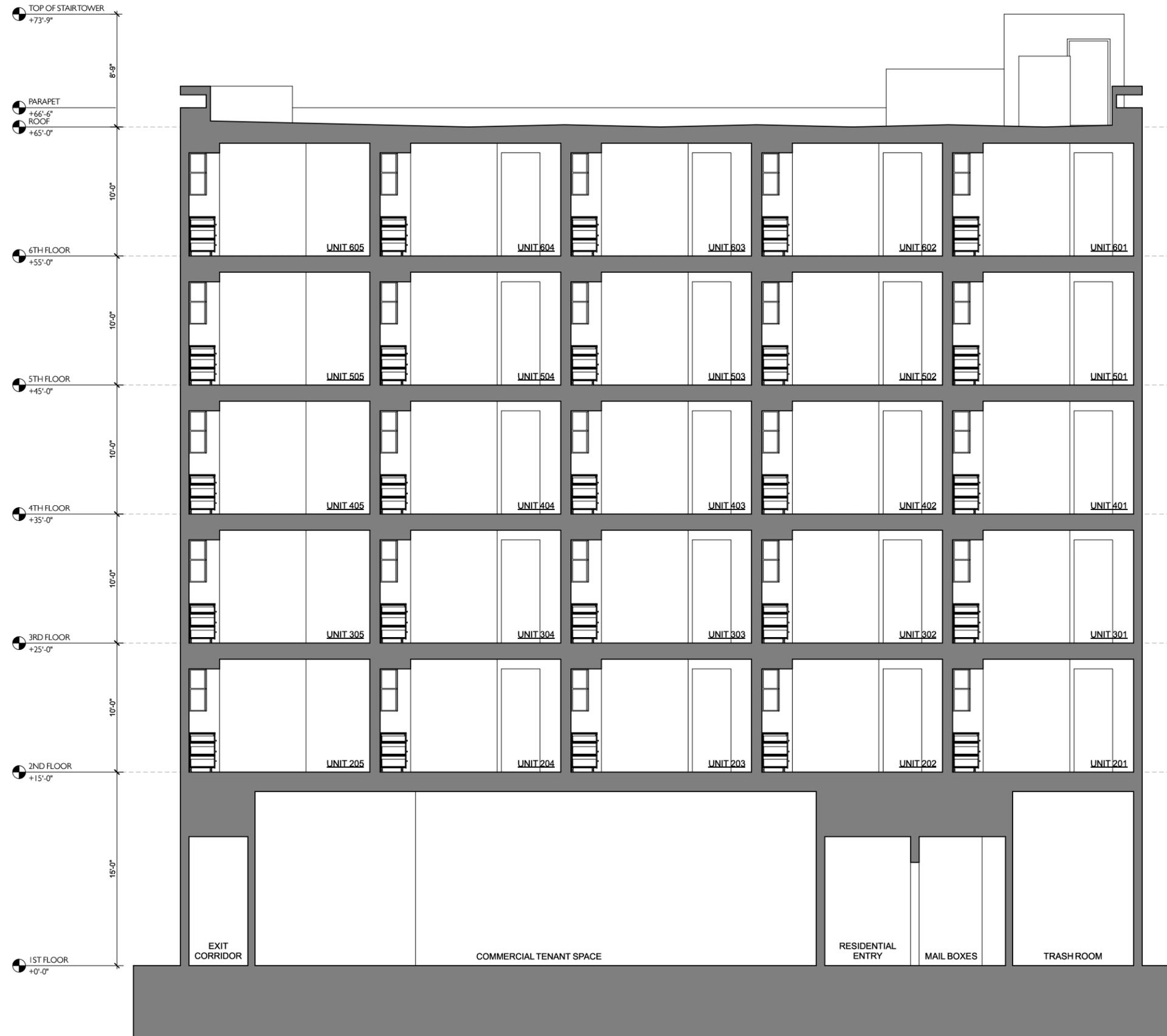
**East Elevation**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

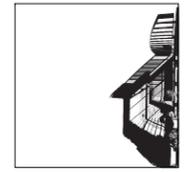
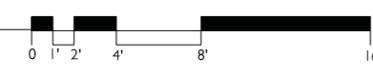
1 **EAST ELEVATION**  
Scale: 1/4" = 1'-0"



**A-3.4**



1 EAST - WEST BUILDING SECTION  
Scale: 1/4" = 1'-0"



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#	date	issue
01.17.18		NOPDR #1
02.14.18		NOPDR #2
08.28.18		Planning Rev
09.26.18		Owner Rev

**East-West  
Building Section**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-3.5**



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

Case No.: 2016-008438ENV  
 Project Address: 1075-1089 Folsom Street  
 Zoning: SOMA Neighborhood Commercial Transit (NCT)  
 65-X Height and Bulk District  
 SOMA Youth and Family Special Use District  
 Block/Lot: 3754/038, 039  
 Lot Size: 3,402 and 3,341 square feet  
 Plan Area: Eastern SoMa subarea of the Eastern Neighborhoods Area Plan  
 Project Sponsor: Jonathan Pearlman, Elevation Architects, (415) 537-1125 ext. 101  
 Staff Contact: Alesia Hsiao, (415) 575-9044, Alesia.Hsiao@sfgov.org

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

Reception:  
 415.558.6378

Fax:  
 415.558.6409

Planning  
 Information:  
 415.558.6377

### PROJECT DESCRIPTION

The project site consists of two adjacent lots at 1075 Folsom Street and 1089 Folsom Street on the south side of Folsom Street, between 7th and Sherman streets, on the block bounded by Folsom Street to the north, Cleveland Street to the south, 7th Street to the west, and Sherman Street to the east in the South of Market neighborhood. The approximately 3,341 square-foot lot at 1075 Folsom Street is currently occupied by a vacant 2-story industrial building constructed in 1924; the approximately 3,402 square-foot lot at 1089 Folsom Street is currently occupied by a vacant 1-story industrial building constructed in 1951 and an asphalt-paved parking area.

The project site is served by two curb cuts along Folsom Street: one in front of 1075 Folsom Street (approximately 16½-feet) and one in front of 1089 Folsom Street (approximately 16-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.

*for*   
 Lisa M. Gibson  
 Environmental Review Officer

*September 12, 2018*  
 Date

cc: Jonathan Pearlman, Project Sponsor; Supervisor Jane Kim, District 6; Kimberly Durandet, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The proposed project 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. Each SRO unit would be approximately 350 sf in size. The project would provide approximately 1,122 sf of common open space in the rear yard and approximately 1,500 sf of private open space (a total of 15 private decks and balconies) on floors two to six. The proposed building would be approximately 65 feet tall per the San Francisco Planning Code (73 feet, 9 inches with stair and elevator penthouses).

The proposed project would not provide off-street vehicle parking; 48 *class I* bicycle parking spaces would be located within a bicycle storage room on the first floor, one class I bicycle parking space would be located within the first floor commercial space and four *class II* bicycle spaces would be located in front of the building's commercial space. The project would remove two existing curb cuts and two street trees, and install three street trees along Folsom Street. The existing 10-foot sidewalk along Folsom Street would remain.

Construction of the proposed project would occur for approximately 19 months. On-site construction work would consist of demolition of the existing structures, excavation, and subgrade work. Project construction would require excavation of approximately two feet below existing grade with an extra 10 inches of depth along the perimeter and removal of approximately 425 cubic yards of soil for installation of a mat slab foundation system. Pile driving would not be required.

## PROJECT APPROVAL

The proposed project would require the following approvals:

### *San Francisco Planning Commission*

- 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 Health*

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

### *San Francisco Municipal Transportation Agency*

- Review and approval of closure of two curb cuts along Folsom Street.

### *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 building permit 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.

**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 1075-1089 Folsom Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 1075 and 1089 Folsom Street.

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

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts

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

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

<sup>3</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.

include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 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>4</sup>

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to MUR District. The MUR District is intended to facilitate the development of high-density, mid-rise housing and encourage the expansion of retail, business service and commercial and cultural arts activities. It is also intended to serve as a buffer between high-density, predominately commercial areas near the Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of 6th Street. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Initial Study Checklist, under Land Use. The 1075 and 1089 Folsom Street site, which is located in the East SoMa District of the Eastern Neighborhoods, was designated as a site with a height limit of 65 feet.

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 1075 and 1089 Folsom 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 1075 and 1089 Folsom Street project, and identified the mitigation measures applicable to the 1075 and 1089 Folsom Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project

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

site.<sup>5,6</sup> Therefore, no further CEQA evaluation for the 1075 and 1089 Folsom Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located on the north side of Folsom Street between 7<sup>th</sup> Street and Sherman Street, and Cleveland Street to the south. Folsom Street is an eastbound three-lane, one-way street with parking on the north side of the street and a protected bike lane on the south side of the street. Running north, 7<sup>th</sup> Street is a one-way, four-lane street with parking on the west side of the street and a protected bike lane on the east side of the street. Sherman Street is a narrow one-way, one-lane street running south with parking on the east side of the street. *Class II*<sup>7</sup> and *IV*<sup>8</sup> bicycle facilities are located on Folsom Street and 7<sup>th</sup> Street respectively.

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. 1,008 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.
- 1052-1060 Folsom Street and 190-194 Russ Street, which would demolish the existing structures and construct a new six-story, 64½-foot-tall, 58,673 gross square feet mixed use building with 63 units and 17 parking spaces. Common usable open space for 60 units would consist of a 2,420 square foot rear yard on the second floor and a 5,241 square foot roof deck. 3 units have 1,262 square feet of private open space in the form of balconies, terraces, or patios.
- 280 7<sup>th</sup> 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 7<sup>th</sup> 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.

The project site vicinity is characterized by a mix of residential, PDR, commercial, and recreational uses and features low- to mid-density scale of development. The buildings on Folsom Street are predominately two to four stories while the buildings on 7<sup>th</sup> Street range from one to five stories. Victoria Manalo Draves Park is less than a block away, located along Sherman Street between Folsom and Harrison

<sup>5</sup> Josh Switzky, San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 1075 & 1089 Folsom Street*, July 11, 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. 2016-008438ENV.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1075 & 1089 Folsom Street*, October 16, 2017.

<sup>7</sup> *Class II bikeways* (bike lanes) are established along streets in corridors where there is significant bicycle demand, and where there are distinct needs that can be served by them (California Department of Transportation, *Chapter 1000 Bicycle Transportation Design*, updated July 2, 2018).

<sup>8</sup> A *class IV bikeway* (separated bikeway) is a bikeway for the exclusive use of bicycles and includes a separation required between the separated bikeway and the through vehicular traffic. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking. (California Department of Transportation, *Class IV Bikeway Guidance (Separated Bikeways/Cycle Tracks)*, May 3, 2018.)

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 also located within the SoMA Neighborhood Commercial Transit (NCT) Zoning District, 65-X Height and Bulk District, South of Market Youth and Family Special Use District, and the National Register-eligible Western SoMa Light Industrial and Residential Historic District.

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.

## 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 1075 and 1089 Folsom 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 1075 and 1089 Folsom 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 historic architectural resources, transportation and circulation, and shadow. The existing building on the project site is not individually eligible for listing in the California Register of Historical Resources but is a contributor to the National Register-eligible Western SoMa Light Industrial and Residential Historic District.<sup>9</sup> Although the proposed project involves demolition of a contributor to the historic district, the proposed new building compatible with the historic district and the loss of the existing structure was determined not to materially impair the character defining features of the historic district such that it would not convey its significance.<sup>10,11</sup> As such, the proposed demolition of the existing buildings on the project site would not result in a significant adverse impact on historic resources, and therefore would not contribute to any significant and unavoidable impacts to historic resources. In regards to transportation impacts, the proposed project would not contribute considerably to significant project-specific and cumulative traffic and transit impacts identified in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR determined that projects developed in the South of Market neighborhood in the area surrounding Victoria Manalo Draves Park could result in significant and unavoidable shadow impacts. However, shadow on Victoria Manalo Draves Park generated by the proposed project would not be expected to substantially affect the use and enjoyment of the park as the shade would occur during lower levels of weekday and weekend use and would be of short duration, and would not combine with shadows from other reasonably foreseeable development projects. Therefore, the proposed project would not contribute considerably to shadow impacts identified in the Eastern Neighborhoods PEIR.

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<sup>9</sup> Tim Kelley Consulting, LLC, *Part I Historical Resource Evaluation – 1075 Folsom Street San Francisco, California*, May 2015.

<sup>10</sup> Tim Kelley Consulting, LLC, *Historical Resource Evaluation Part 2– 1075 Folsom Street San Francisco, California*, January 2017.

<sup>11</sup> San Francisco Planning Department, *Historic Resource Evaluation Response for 1075-1089 Folsom Street*, March 8, 2018.

The proposed project would contribute to significant and unavoidable impacts on land use with respect to PDR land supply. The existing vacant buildings are former industrial buildings dedicated to PDR uses, thus, the proposed project would remove approximately 6,743 square feet of existing PDR use. The PEIR considers the presence of PDR businesses and activities and how they may operate as PDR clusters. As noted in the PEIR, PDR uses typically occupied small floor plate-buildings with garages and upper floor lofts with one of the largest PDR clusters in East SoMa as printing and publishing. Therefore, the proposed project's, removal of approximately 6,743 gsf of existing PDR space would contribute considerably to the significant and unavoidable land use impact identified in the PEIR related to the loss of PDR space.

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: the proposed project would not involve pile driving.	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 construction noise attenuation measures under Project Mitigation Measure 3.
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
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	Not Applicable: CEQA no longer requires the	Not Applicable

Mitigation Measure	Applicability	Compliance
Environments	consideration of the effects of existing environmental conditions on a proposed 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	Not Applicable: the proposed residential and commercial uses are not expected to emit substantial levels of other TACs.	Not Applicable
<b>J. Archeological Resources</b>		Not Applicable
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>		Not Applicable
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 4.
<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 mitigation by SFMTA	Not Applicable

Mitigation Measure	Applicability	Compliance
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 Exhibit 1 for the 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 June 27, 2017 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. 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. The proposed project would cast a shadow on Victoria Manalo Draves Park all year round and on the days of maximum shading, between 3:00 p.m. and 4:00 p.m. However, no single location within the park would be in continuous new shadow for longer than 15 minutes. This 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 project-specific initial study<sup>12</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>12</sup> The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2016-008438ENV.

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.



**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
 (Including the Text of the Mitigation Measures)**

PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>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.</p> <p><i>Archeological Testing Program.</i> 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.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ul style="list-style-type: none"> <li>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</li> <li>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.</li> </ul>	<p>Project sponsor/Archeological consultant at the direction of the ERO.</p>	<p>Prior to soil disturbing activities.</p>	<p>report findings as appropriate.</p> <p>Submittal of draft ATP to ERO for review and approval. Archeological consultant undertake activities specified in ATP and immediately notify ERO of any encountered archeological resource.</p>	<p>Considered complete upon completion of the archeological testing program outlined in the ATP.</p>
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally</p>	<p>Project sponsor/ archeological consultant at the</p>	<p>During soils-disturbing activities.</p>	<p>Project sponsor/archeological consultant shall meet</p>	<p>Considered complete upon completion of archeological monitoring</p>

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
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PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>include the following provisions:</p> <ul style="list-style-type: none"> <li>▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the 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;</li> <li>▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;</li> <li>▪ 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;</li> <li>▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the</li> </ul>	<p>direction of the ERO.</p>		<p>and consult with ERO on scope of AMP. Archeological consultant to monitor soils-disturbing activities specified in AMP and immediately notify ERO of any encountered archeological resource.</p>	<p>plan as outlined in the AMP.</p>

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
 (Including the Text of the Mitigation Measures)**

<p align="center"><b>PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL</b></p>	<p align="center"><b>Responsibility for Implementation</b></p>	<p align="center"><b>Mitigation Action and Schedule</b></p>	<p align="center"><b>Monitoring/Report Responsibility</b></p>	<p align="center"><b>Status/Date Completed</b></p>
<p>encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>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.</p> <p><i>Archeological Data Recovery Program.</i> 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.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>▪ <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>▪ <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>▪ <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies.</li> <li>▪ <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>▪ <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>▪ <i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li>▪ <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research</li> </ul>	<p>ERO, archeological consultant, and project sponsor.</p>	<p>In the event that an archeological site is uncovered during the construction period.</p>	<p>Archeological consultant to prepare an ADRP and to undertake the archeological data recovery program in consultation with ERO.</p>	<p>Considered complete upon completion of archeological data recovery plan as outlined in the ADRP.</p>



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 (Including the Text of the Mitigation Measures)**

PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>archeological data.            Following completion of FARR and review and approval by ERO.</p>	<p>Following approval from the ERO, archeological consultant to distribute FARR.</p>	<p>Considered complete upon certification to ERO that copies of FARR have been distributed.</p>
<b>Noise</b>				
<p><b>Project Mitigation Measure 2- Construction Noise (Implementing Portions of Eastern Neighborhoods PEIR Mitigation Measure F-2)</b></p> <p>The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>▪ Erect temporary plywood noise barriers around the construction site, particularly where a site adjoins noise-sensitive uses;</li> <li>▪ Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;</li> <li>▪ Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>▪ Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>▪ 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.</li> </ul>	<p>Project sponsor, contractor(s), and acoustical consultant.</p>	<p>Prior to and during demolition and construction activities.</p>	<p>Project sponsor, contractor(s) to submit a noise attenuation to the Department of Building Inspection.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>
<b>Air Quality</b>				
<p><b>Project Mitigation Measure 3- Construction Air Quality (Implementing Eastern Neighborhoods PEIR</b></p>	<p>Project sponsor, contractor(s).</p>	<p>Submit certification</p>	<p>Project sponsor, contractor(s) to submit</p>	<p>Considered complete upon submittal of</p>

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
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PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><b>Mitigation Measure G-1).</b>                      The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p><i>A. Engine Requirements.</i></p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 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.</li> <li>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>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.</li> <li>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.</li> </ol> <p><i>B. Waivers.</i></p> <ol style="list-style-type: none"> <li>1. The Planning Department's Environmental Review Officer or</li> </ol>		statement prior to construction activities requiring the use of off-road equipment.	certification statement to the ERO.	certification statement.

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 (Including the Text of the Mitigation Measures)**

PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed												
<p>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).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB 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:</p> <p><b>Table—Off-Road Equipment Compliance Step-Down Schedule</b></p> <table border="1" data-bbox="113 938 913 1130"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>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.</p> <p>A. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*	<p>Project sponsor, contractor(s).</p>	<p>Prepare and submit a Plan prior to issuance of a permit specified in</p>	<p>Project sponsor, contractor(s) and the ERO.</p>	<p>Considered complete upon findings by the ERO that the Plan is complete.</p>
Compliance Alternative	Engine Emission Standard	Emissions Control														
1	Tier 2	ARB Level 2 VDECS														
2	Tier 2	ARB Level 1 VDECS														
3	Tier 2	Alternative Fuel*														

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
 (Including the Text of the Mitigation Measures)**

PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>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.</p> <p>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.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>C. <i>Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	<p>Project sponsor, contractor(s).</p>	<p>Section 106A.3.2.6 of the San Francisco Building Code.</p> <p>Submit quarterly reports.</p>	<p>Project sponsor, contractor(s) and the ERO.</p>	<p>Considered complete upon findings by the ERO that the Plan is being/has been implemented.</p>
<b>Hazardous Materials</b>				
<p><b>Project Mitigation Measure 4- Hazardous Building Materials (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1)</b></p>	<p>Project sponsor and construction contractor(s).</p>	<p>Prior to and during demolition and construction</p>	<p>The project sponsor and construction contractor(s) to submit</p>	<p>Considered complete upon submittal of a monitoring report.</p>

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
 (Including the Text of the Mitigation Measures)**

PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>The sponsor shall ensure that any equipment containing PCBs or DEHP, 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.</p>		<p>activities.</p>	<p>a report to the Department of Public Health, with copies to the Planning Department and the Department of Building Inspection, at end of the construction period.</p>	

**Improvement Measures**

Historical Resources				
<p><b>Project Improvement Measure 1- Interpretive Program on Site History</b></p> <p>The project sponsor shall facilitate the development of an interpretive program focused on the history of the project site. The interpretive program should be developed and implemented by a qualified professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner, such as a museum or exhibit curator. This program shall be initially outlined in a proposal for an interpretive plan subject to review and approval by Planning Department Preservation Staff. The proposal shall include the proposed format and location of the interpretive content, as well as high-quality graphics and written narratives. The proposal prepared by the qualified consultant describing the general parameters of the interpretive program shall be approved by Planning Department Preservation Staff prior to issuance of the architectural addendum to the Site Permit. The detailed content, media and other characteristics of such interpretive program shall be approved by Planning Department Preservation Staff prior to issuance of a Temporary Certificate of Occupancy.</p> <p>The interpretative program shall include but not be limited to the installation of permanent on-site interpretive displays or screens in publicly accessible locations. Historical photographs may be used to illustrate the site's history.</p> <p>The primary goal is to educate visitors and future residents about the property's historical themes, associations, and lost contributing features within broader historical, social, and physical landscape contexts. These themes would include but not be limited to the subject property's original</p>	<p>Project sponsor and museum or exhibit curator in consultation with the Planning Department Preservation Technical Specialist.</p>	<p>Prior to issuance of the architectural addendum, develop an interpretive display.</p>	<p>Planning Department Preservation Technical Specialist to review and approve interpretive display.</p>	<p>Considered complete upon installation of interpretive display.</p>

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM  
 (Including the Text of the Mitigation Measures)**

<b>PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
function as well as the history of the surrounding neighborhood as a mixed residential and industrial area largely reconstructed after the 1906 Earthquake and Fire.				



# SAN FRANCISCO PLANNING DEPARTMENT

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## Initial Study – Community Plan Evaluation

*Case No.:* **2016-008438ENV**  
*Project Address:* **1075-1089 Folsom Street**  
*Zoning:* SOMA Neighborhood Commercial Transit (NCT)  
65-X Height and Bulk District  
South of Market Youth and Family Special Use District  
*Block/Lot:* 3754/038, 039  
*Lot Size:* 3,402 and 3,341 square feet  
*Plan Area:* East SoMA of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* Jonathan Pearlman, Elevation Architects, (415) 537-1125 ext. 101  
*Staff Contact:* Alesia Hsiao, (415) 575-9044, Alesia.Hsiao@sfgov.org

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### PROJECT DESCRIPTION

#### Project Location and Site Characteristics

The project site consists of two adjacent lots at 1075 and 1089 Folsom Street, located on the south side of Folsom Street, between 7th and Sherman streets, on the block bounded by Folsom Street to the north, Cleveland Street to the south, 7th Street to the west, and Sherman Street to the east in the South of Market neighborhood (see Figure 1, Project Location). The approximately 3,341 square-foot lot at 1075 Folsom Street is currently occupied by a vacant, 2-story industrial building constructed in 1924; the approximately 3,402 square-foot lot at 1089 Folsom Street is currently occupied by a vacant, 1-story industrial building constructed in 1951 and an asphalt-paved parking area.

The project site is served by two curb cuts along Folsom Street: one in front of 1075 Folsom Street (approximately 16½-feet) and one in front of 1089 Folsom Street (approximately 16feet).

#### Project Characteristics

The proposed project 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. Each SRO unit would be approximately 350 sf in size. The project would provide approximately 1,122 sf of common open space in the rear yard and approximately 1,500 sf of private open space (a total of 15 private decks and balconies) on floors two to six. The proposed building would be approximately 65 feet tall per the San Francisco Planning Code (73 feet, 9 inches with stair and elevator penthouses).

Figure 1 – Project Site Location

1075 & 1089 Folsom Street



The proposed project would not provide off-street vehicle parking; 48 *class I* bicycle parking spaces would be located within a bicycle storage room on the first floor, one *class I* bicycle parking space would be located within the first floor commercial space and four *class II* bicycle spaces would be located in front of the building's commercial space. The project would remove two existing curb cuts and two street trees and install three street trees along Folsom Street. The existing 10-foot sidewalk along Folsom Street would remain. See Exhibit 1 for a complete set of project plans (site plan, floor plans, elevations, and sections).

Construction of the proposed project would occur for approximately 19 months consisting of demolition of the existing structures, excavation and subgrade work, framing, building construction, and architectural coating finishing. Project construction would require excavation of approximately two feet below existing grade with an extra 10 inches of depth along the perimeter and removal of approximately 425 cubic yards of soil for installation of a mat slab foundation system. Pile driving would not be required.

## PROJECT APPROVALS

The proposed project would require the following approvals:

### *San Francisco Planning Commission*

- 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 Health*

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

### *San Francisco Municipal Transportation Agency*

- Review and approval of closure of two curb cuts along Folsom Street.

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

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative 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 industrial buildings on the site and construction of an approximately 25,756 gross square foot building, including 48 SRO units, 1,141 sf of commercial space, a residential lobby, a community room, a bicycle storage room, and a trash room on the first floor. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

## CHANGES IN THE REGULATORY ENVIRONMENT

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

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

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “CEQA Section 21099” heading below).
- Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various city agencies in 2014, Proposition A and B passage in November 2014, the Transportation Sustainability Program<sup>3</sup> process, and state statute and Planning Commission resolution regarding automobile delay, and VMT effective March 2016 (see CPE Checklist section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see CPE Checklist section, Noise).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see CPE Checklist section, Air Quality).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see CPE Checklist section, Recreation).
- Article 22A of the Health Code amendments effective August 2013 (see CPE Checklist section, Hazards and Hazardous Materials).

### **Aesthetics and Parking**

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

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

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

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

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section

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<sup>2</sup> San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1075 & 1089 Folsom Street*, July 18, 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. 2016-008438ENV.

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>3</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT and induced automobile travel analysis are provided in the Transportation section.

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<sup>3</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).

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>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 analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the plan area throughout the lifetime of the plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the plan area under the No Project scenario. Within the Eastern SoMa subarea, the Eastern Neighborhoods PEIR considered the effects of losing up to approximately 770,000 square feet of PDR space through the year 2025. 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 space. This impact was addressed in a *statement of overriding considerations* with CEQA findings and adopted as part of the Eastern Neighborhoods Rezoning and Areas Plans approval on January 19, 2009.

Development of the proposed project would result in the loss of approximately 6,743 square feet of PDR building space and this would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The project site is located in the 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 loss of 6,743 square feet of existing PDR uses represents a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR, but would not result in new or more severe impacts than were disclosed in the PEIR. As such, the project’s contribution to this cumulative impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers in the 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 Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the SOMA NCT Zoning District and is consistent with the bulk, density, and land uses as envisioned in the Eastern Neighborhood Plan.<sup>4,5</sup>

Thus, the project would not physically divide an established community, as it is consistent with the city’s long-range development plans for the site. The project would be compatible with existing surrounding uses, which includes residential and commercial uses. Because the proposed project is consistent with the development density and land uses 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:	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
<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 Rezoning and Area Plans is to identify appropriate locations for housing in the city’s industrially zoned land to meet the citywide demand for additional housing. The PEIR 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

<sup>4</sup> Josh Switzky, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 1075 & 1089 Folsom Street*, July 11, 2018.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, 1075 & 1089 Folsom Street*, October 16, 2017.

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 industrial buildings on the project site and construct a 6-story, approximately 25,756-square-foot, mixed use building containing 48 SRO units and approximately 1,141 square feet of first floor commercial space. The 48 SRO units would result in about 48 residents on the project site and the first floor commercial uses would employ approximately 4 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> Potential growth-inducing impacts are also assessed based on a project's consistency with adopted plans that addressed growth management from a local and regional standpoint. Association of Bay Area Government's growth forecasts estimate the city's population to

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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, May 2018.

increase by approximately 280,490 persons to a total of 1,085,725 persons by 2040.<sup>9</sup> The number of housing units in San Francisco is expected to grow by 25 percent by 2040.<sup>10</sup> Employment in San Francisco is forecast to increase by 34 percent (191,000 jobs) between 2010 and 2040, for a total of approximately 760,000 jobs.<sup>11</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 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—</b>				
<b>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

<sup>9</sup> Association of Bay Area Governments and Metropolitan Transportation Commission, *Plan Bay Area*, July 2013, p. 40, [http://files.mtc.ca.gov/pdf/Plan\\_Bay\\_Area\\_FINAL/Plan\\_Bay\\_Area.pdf](http://files.mtc.ca.gov/pdf/Plan_Bay_Area_FINAL/Plan_Bay_Area.pdf), accessed on September 5, 2018.

<sup>10</sup> Association of Bay Area Governments and Metropolitan Transportation Commission, *Plan Bay Area Chapter 3: Where we live, where we work*, p. 55, [http://files.mtc.ca.gov/pdf/Plan\\_Bay\\_Area\\_FINAL/3-Where\\_We\\_Live\\_Where\\_We\\_Work.pdf](http://files.mtc.ca.gov/pdf/Plan_Bay_Area_FINAL/3-Where_We_Live_Where_We_Work.pdf), accessed on September 5, 2018.

<sup>11</sup> Association of Bay Area Government and Metropolitan Transportation Commission, *Jobs-Housing Connection Strategy, Table 3.1 Employment and Housing Growth by County*, revised in 2012, [http://www.planbayarea.org/sites/default/files/pdf/JHCS/May\\_2012\\_Jobs\\_Housing\\_Connection\\_Strategy\\_Main\\_Report.pdf](http://www.planbayarea.org/sites/default/files/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf), accessed on September 5, 2018.

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 section below relies substantially on a *historic resource evaluation* prepared for the proposed project, as well as the Planning Department's *historic resource evaluation response*.<sup>12,13</sup>

### **Western SoMa Light Industrial and Residential Historic District**

The project site is located within the Western SoMa Light Industrial and Residential Historic District (Western SoMa Historic District), a National Register-eligible district identified through the South of Market Area Historic Resource Survey.<sup>14,15</sup> The Western SoMa Historic District developed between 1906 and 1936, and contributing resources are light industrial, residential and commercial properties. The historic district was determined to be eligible for the National Register under Criteria 1 (events) and 3 (embodies the distinctive characteristics of a type, period, region or method of construction or possesses high artistic values) as a diverse neighborhood almost entirely destroyed and rebuilt after the 1906 earthquake, and an intact collection of a range of different building types dating almost entirely from the period of 1906-1913 and later from 1918 to the early 1920s. The historic district includes 721 properties, of which 478 properties were identified as contributors to the district.

Although character-defining features of the historic district were not identified during the survey, the historic resource evaluation prepared for the subject property, as well as a report prepared by Page & Turnbull for the property located at 340-350 11<sup>th</sup> Street,<sup>16</sup> as part of another project, provide a description of character-defining features for the historic district's light industrial, warehouse, and commercial buildings with which the Department concurs. These features are as follows:

- The light industrial, warehouse, and commercial buildings within the district are typically one to five stories in height, with the majority being two and three-story structures.
- These buildings generally have no (or minimal) setbacks at the street level or at their upper stories, and are generally regularly shaped, with some trapezoidal shapes at the southwest portion of the district.
- Buildings in the historic district tend to occupy the entire parcel on which they are located, with the front façade spanning the entire width of the lot, and have rectilinear forms, with flat roofs or low pitch front gable roofs.

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<sup>12</sup> Tim Kelley Consulting, LLC, *Part I Historical Resource Evaluation 1075 Folsom Street, San Francisco, California*, May 2015.

Tim Kelley Consulting, LLC, *Historical Resource Evaluation Part 2 1075 Folsom Street, San Francisco, California*, January 2017.

<sup>13</sup> San Francisco Planning Department, *Historic Resource Evaluation Response for 1075-1089 Folsom Street*, March 8, 2018.

<sup>14</sup> The Western SoMa Light Industrial and Residential Historic District Record is available online at: <http://sf-planning.org/historic-resources-survey-program>, accessed July 18, 2018.

<sup>15</sup> The South of Market Area Historic Resource Survey is available online at: <http://sf-planning.org/south-market-area-historic-resource-survey>, accessed July 18, 2018.

<sup>16</sup> Page and Turnball, *350 11th Street Historic Resource Evaluation Part II: Proposed Project Analysis*, March 5, 2015.

- The first story of these buildings includes a mixture of fixed windows, multi-light steel sash windows, pedestrian entrances, and vehicular entrances while upper story windows vary in accordance with when they were constructed.
- Most of the buildings are of concrete or brick masonry construction, with brick or stucco cladding. Primary façades of contributing buildings, especially at upper stories, often include large expanses of glass, set most commonly in metal sash multi-light windows.
- The light industrial, warehouse, and commercial buildings in the district are generally subdued in color with some brick buildings painted to show their natural red or buff brick color and stucco buildings painted in muted natural tones including brown, grey, blue or off-white.
- Design features of these buildings are generally largely symmetrical at their primary facades, with generally flush entrances, although some commercial buildings have recessed entries. Primary facades tend to be strictly rectilinear, with strong vertical piers between large multilight windows.
- Architectural detail is generally restrained due to the utilitarian use of the buildings. Smaller buildings like the 1-to-2-story automobile related buildings, generally have a greater amount of detail than the larger, 2-to-4-story general-use light industrial or warehouse buildings, which may only exhibit a small area of decoration around the primary entrance or office, if at all.
- Some buildings in the district were designed in the Classical Revival style, the Spanish Colonial Revival style, and the Art Deco style. Many buildings in the district are designed in the 20th Century Commercial style, and have very little ornamentation, which may include a moderately projecting cornice and applied plaster cartouches or garlands.

### **Subject Properties at 1075 and 1089 Folsom Street**

The subject building at 1075 Folsom Street is a 1-story plus mezzanine light industrial building constructed in 1924 for owner Lawrence A. Myers by contractor Oliver W. Britt. The building has sustained a few alterations to the exterior that include masonry block infill at the ground level, a modern primary entrance, and a replacement of the historic vehicular door with a modern roll-up door. The subject building at 1089 Folsom Street is a 1-story ancillary garage structure added to 1075 Folsom in 1951. Although located on two separate lots, the buildings at 1075 and 1089 Folsom Street form a single, closely related site and will be referred hereafter as the subject property and the subject building.

As part of the South of Market Area Historic Resource Survey, the subject property was assigned a code of 3D, which designates the building as eligible for listing in the California Register as a contributor to the Western SoMa Historic District through survey evaluation.<sup>17</sup> The subject building was not evaluated for individual historic significance as part of that survey. Therefore, the historic resource evaluation for this environmental review evaluated the subject property for individual historic resource eligibility.

The historic resource evaluation analysis found that the existing building does not retain significance as an individual resource for the following reasons: The subject building was constructed at the end of the Reconstruction Era in the South of Market area. The immediate block is a mix of modern buildings with some early and late reconstruction era buildings. The building did not make a significant contribution to that pattern or to the broad pattern of local or regional history, or the cultural heritage of California. The

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<sup>17</sup> Tim Kelley Consulting, LLC, *Part I Historical Resource Evaluation 1075 Folsom Street, San Francisco, California*, May 2015.

original and subsequent owners and occupants of the building were not important to local, state or national history. The building was constructed by a local builder, Oliver Britt who is not considered a master builder. In addition, the building does not embody the distinctive characteristics of a type, period, region, or method of construction to a significant degree, and does not represent the work of a master, or possess high artistic value. Due to these factors, the subject building was determined not to be individually eligible for listing in the California Register. The department concurs with the findings of the historic resource evaluation part I that the building at 1075 and 1089 Folsom Street is not an individual historic resource for the purpose of CEQA.<sup>18</sup>

### **Project Impact Analysis**

Although the existing building at 1075 and 1089 Folsom Street is not an individual historic resource, it is a contributing resource within the identified Western SoMa Historic District. The proposed project would demolish the existing 1-story plus mezzanine reinforced brick masonry light industrial building and the 1-story garage. Therefore, the analysis focused on whether the demolition of the existing structures would materially impair the character defining features of the surrounding historic district such that it would no longer convey its significance.

The historic resource analysis evaluated the demolition of the existing building and new construction for both compatibility with the character-defining features of the Western SoMa Historic District as well as for the potential to materially impair the character defining features of the historic district, using the guidance of Standard 9 and Standard 10 of the Secretary of the Interior's Standards for Rehabilitation.<sup>19, 20</sup>

The department found that the proposed building at 1075 and 1089 Folsom Street is compatible with a number of the characteristics of the Western SoMa Historic District, including its massing and fenestration pattern of metal, albeit aluminum rather than steel, window systems to provide delineation of where windows meet building walls or columns, a flat roof that reinforces the continuity of its massing, a solid mass with a bulkhead and a steel cornice atop the structure and distinct window configurations at the upper levels to reflect building hierarchy, materiality of the cladding with brick and smooth-finished stucco, and ground floor storefronts. One aspect of the proposed project that is not strictly compatible with the characteristics of the historic district is its height of 65 feet and composition of six levels, making it incrementally taller than the majority of the buildings in the district. Although the proposed project involves the demolition of a contributing resource to the historic district, the site is located at edge of the irregularly shaped district, which terminates in the middle of the subject block (just south of the subject property) and again two parcels to the east. The property immediately to the east, 1067 Folsom, was completed in 2002 and is not compatible with the character of the district. The property immediately to the west, 1091 Folsom, is a non-contributing single-story building completed in 1944. As such, the project would result in a contemporary but compatible infill building located between two non-contributing structures near the edge of the district. This would maintain the aesthetic separation along the street wall from those properties on the north side of Folsom Street while also improving the cohesion

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<sup>18</sup> San Francisco Planning Department, *Historic Resource Evaluation for 1075 & 1089 Folsom Street*, March 8, 2018.

<sup>19</sup> The Secretary of Interior's Standards of Rehabilitation is available online at: <https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>, accessed April 12, 2018.

<sup>20</sup> The intent of the Secretary of the Interior Standards for Rehabilitation is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. Standards 9 and 10 are related to new additions, exterior alterations to historic buildings, and adjacent or related new construction.

between the contributing buildings found at the edges of the south side of Folsom Street, per Standard 9 of the Secretary of the Interior's Standards for Rehabilitation.

The proposed project includes the demolition of a contributing building and new contemporary but compatible infill construction within the historic district. The department therefore determined that although demolition of the contributing resource is not reversible, the essential form and integrity of the character defining features of the Western SoMa Historic District as a whole would not be impaired. Therefore, the proposed project complies with Standard 10 of the Secretary of the Interior's Standards for Rehabilitation.

The department found that as the project is consistent with the Secretary of the Interior's Standards of Rehabilitation, it would not cause a direct or indirect impact to the integrity of the historic district. The proposed project includes demolition of a single contributory building within a large historic district with many contributing resources and its replacement with a new building that is contemporary but compatible with the district's character-defining features. This new, compatible structure would be built at the edge of the district, which terminates in the middle of the subject block, just south of the subject property. As the proposed project would be located at the edge of the historic district, demolition and new construction is less of a concern than if it were located in the district's center. When taken in its entirety, the historic district is very large and a compatible, newly constructed building at the edge would not affect the ability to understand its significance.

The project site is in proximity to and adjacent to existing historic resources. The buildings that are designated as Category A – Historic Resource Present and within 25 feet of the proposed project are as follows: immediately east of the project site includes 1067 Folsom Street and 1061 Folsom Street, immediate west of the project site includes 1091 Folsom Street and 1099 Folsom Street, immediately south of the project site includes 321 7th Street and 333 7th Street.

The department determined that the demolition of 1075 and 1089 Folsom Street, and the new construction of the proposed project would not substantially affect the nearby historic resources, including individually eligible buildings along Folsom Street or within the Western SoMa Historic District. As mentioned above, the design of the proposed project has been determined to be compatible with the character-defining features of the historic district such that it would not result in significant impacts to the historic district. While the proposed project may slightly alter the setting of these nearby individual buildings and contributors to the historic district, the overall integrity of these resources would not be affected by the project.

### **Cumulative Impact Analysis**

The geographic scope of potential cumulative historic architectural resource impacts includes the project site and the adjacent city blocks to the west side of Sherman Street, between Folsom and Harrison streets, to the north and south side of Folsom Street, between 7th and Sherman streets, to the east side of 7th Street, between Folsom and Harrison streets, and to the north side of Harrison Street, between 7th and Sherman streets. As described above, while the proposed project includes the demolition of a single contributory building within a large historic district and construction of a new building that is compatible with the district's character defining features, it would not constitute significant impact to historic architectural resources. Within the cumulative study area, there is one active planning application, which does not involve a contributing resource. Both that project and all current building permits within the cumulative study area are related to the installation of wireless facilities, installation of signage, or other modifications that do not involve expansion of the building envelope. These cumulative projects would

have a less than significant impact on the historic district, and the proposed project would not combine with other cumulative projects to result in a significant cumulative impact on the historic district.

Although the immediately adjacent properties are non-contributing resources to the historic district, there are other nearby properties that are both individual resources as well as contributors to the district. Although the proposed project would alter the setting of these individual buildings, there does not appear to be a combination of recent and foreseeable projects that would result in significant cumulative impacts to any identified individual resources in the project vicinity. For these reasons, the historic resource evaluation and historic resource evaluation response determined that the proposed project would not combine with other cumulative projects to result in significant cumulative impacts to historic architectural resources.

### **Conclusion**

The historic resource evaluation and historic resource evaluation response for the proposed project determined that it would involve the demolition of a contributing building to the Western SoMa Historic District. However, the proposed demolition would not result in a significant cultural resource impact because demolition of one of approximately 478 contributing buildings and construction of a compatible building in this location would not affect the ability of the historic district to convey its significance. To further minimize any secondary, but less than significant, effects due to the demolition of the existing structure, Project Improvement Measure 1 (Interpretive Program on Site History) has been identified. This is included in this community plan evaluation as Project Improvement Measure 1, beginning on page 53 (full text provided in the “Improvement Measures” section below). In conclusion, the Department finds that the proposed project would not cause a significant impact to the Western SoMa Historic District.

### **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 two feet with an extra 10 inches along the perimeter within a 6,743-square feet area, resulting in approximately 425 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, so 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 the planning department archeologist.<sup>21</sup> Based on the preliminary archeological review, the department archeologist determined that standard Archeological Mitigation Measure 3 (Archeological

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<sup>21</sup> San Francisco Planning Department, *Preliminary Archeological Review (PAR) for 1075-1089 Folsom Street*, July 7, 2017.

Testing) would apply to the proposed project.<sup>22</sup> The preliminary archeological review and mitigation requirements and its requirements 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 47 (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

<sup>22</sup> Ibid.

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>23</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 and Induced Automobile Travel Analysis presented below evaluate the project’s transportation effects using the VMT metric.

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

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

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from

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<sup>23</sup> San Francisco Planning Department. *Transportation Study Determination, Case No. 2016-008438ENV, 1075-1089 Folsom Street*, June 1, 2017.

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>24,25</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>26</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>27</sup> Average daily VMT for all three 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, 630.

**Table 1 Daily Vehicle Miles Traveled**

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 630	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 630
Households (Residential)	17.2	14.6	2.1	16.1	13.7	1.8
Employment (Retail)	14.9	12.6	8.6	14.6	12.4	8.6

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research’s (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* (“proposed transportation impact guidelines”)

<sup>24</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>25</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>26</sup> Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

<sup>27</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.

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 2.1 miles for the transportation analysis zone the project site is located in (TAZ 630). This is approximately 88 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>28</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 1.8 miles for the transportation analysis zone the project site is located in (630). This is approximately 89 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 8.6 miles for the transportation analysis zone the project site is located in (TAZ 630). This is approximately 42 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.<sup>29</sup>

Projected 2040 average daily retail employee VMT per capita is 8.6 miles for the transportation analysis zone the project site is located in (630). This is approximately 41 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

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<sup>28</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1075-1089 Folsom Street*, July 18, 2018.

<sup>29</sup> *Ibid.*

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. Therefore, the proposed project would not contribute considerably to any substantial cumulative increase in VMT as a result of the proposed retail use.<sup>30</sup>

### **Induced Automobile Travel Analysis**

A project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. OPR's proposed transportation impact guidelines include a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant and a detailed VMT analysis is not required.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The project would remove an approximately 16½-foot curb cut in front of 1075 Folsom Street and an approximately 16-foot-wide curb cut in front of 1089 Folsom Street. In addition, the proposed project would install approximately four class II bicycle parking spaces on Folsom Street. These features fit within the general types of projects that would not substantially induce automobile travel.<sup>31</sup> Therefore, the proposed project would not substantially induce automobile travel and this impact would be less than significant.

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

### **Trip Generation**

The proposed project would demolish the existing buildings on the project site and construct a six-story building with 48 SRO units and 1,141 sf of commercial space, a residential lobby, a community room, a bicycle storage room, and a trash room on the first floor. The first floor would also provide 48 class I bicycle parking spaces within a bicycle storage room on the first floor and one class I bicycle parking space within the commercial space. Four class II bicycle parking spaces would be installed on the sidewalk of Folsom Street in front 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>32</sup> Project trip generation is the total person trips by land uses for existing and proposed uses,<sup>33</sup> which is described for informational purposes. The proposed project would generate an estimated 531 person trips (inbound and outbound) on a weekday daily basis, consisting of 159 person trips by auto, 149 transit trips, 163 walk trips and 60 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 78 person trips, consisting of 22 person trips by auto, 23 transit trips, 23 walk trips and nine trips by other modes.

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<sup>30</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1075-1089 Folsom Street*, July 18, 2018.

<sup>31</sup> *Ibid.*

<sup>32</sup> San Francisco Planning Department, *Transportation Calculations for 1075-1089 Folsom Street*, May 7, 2018.

<sup>33</sup> San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

## 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>34</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. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.<sup>35</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 or have been implemented 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, 14, 14R, 14X, 19, 27, 47, 8, 83X, 8AX, 8BX. The proposed project would be expected to generate 149 daily transit trips, including 23 during the p.m. peak hour. Given the wide availability of nearby transit, the

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<sup>34</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.

<sup>35</sup> <http://tsp.sfplanning.org>

addition of 23 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni line 27 (Bryant). The proposed project would not contribute considerably to these conditions as its minor contribution of 23 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 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>36</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, and would require excavation in order to construct the new foundation. Therefore, Mitigation Measure F-1 does not apply to the project. Per the geotechnical report, the proposed building should be constructed on a mat slab foundation. The report found that compaction grouting would be most appropriate for ground improvement with shallow foundation 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 will 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 should 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, 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 50. Project Mitigation Measure 2 requires the identification and implementation of site-specific noise attenuation measures (full text provided in the “Mitigation Measures” section below).

In addition, all construction activities for the proposed project (approximately 19 months) would be subject to the San Francisco Noise Ordinance (article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment,

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<sup>36</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).

other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of Public Works 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 19 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measure 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 commercial project would not include noise-generating land uses. While the proposed project would include retail space on the first 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 battery system 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.

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.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building

permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the city's design review and approval processes to ensure that the design of new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topics 12e and f from the CEQA Guidelines, Appendix G are 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>37</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

<sup>37</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.

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>38</sup>

### **Construction Dust Control**

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. 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 Bay Area Air Quality Management District’s quantitative thresholds for individual projects.”<sup>39</sup> The district’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>40</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 not exceed 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

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<sup>38</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.

<sup>39</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>40</sup> Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, updated May 2017. See pp. 3-2 to 3-3.

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 approximately 48 SRO units and 1,141 square feet of commercial 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.

### **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 San Francisco Department of Public Health (the health department) 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 with article 38, the project sponsor has submitted an initial application to the health department.<sup>41</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 the anticipated 19-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 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.<sup>42</sup> Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 3 Construction Air Quality.

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<sup>41</sup> Department of Public Health, *Article 38: 1075-1089 Folsom Street Project*, March 2, 2017.

<sup>42</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 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

The full text of Project Mitigation Measure 3 Construction Air Quality is provided in the “Mitigation Measures” section below on page 51.

**Siting New Sources**

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. In addition, the proposed project would not include any sources that would emit DPM or other TACs, since there will be no generator onsite or other stationary sources that could emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less than significant.

**Conclusion**

For the above reasons, with implementation of Project Mitigation Measure 3, 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>43</sup> per service population,<sup>44</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 Bay Area Air Quality Management District has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the

<sup>43</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>44</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.

project's GHG impact is less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*<sup>45</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the district and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>46</sup> exceeding the year 2020 reduction goals outlined in the district's *Bay Area 2017 Clean Air Plan*,<sup>47</sup> Executive Order S-3-05<sup>48</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>49,50</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>51</sup> B-30-15,<sup>52,53</sup> and Senate Bill (SB) 32.<sup>54,55</sup> Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site. The existing use on the project site is as a light industrial building. The proposed project would add approximately 48 SRO units and an approximately 1,141 sf of commercial space, thereby increasing the number of people who would access the project 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 commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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<sup>45</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>46</sup> ICF International, *Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco*, January 21, 2015. Available at [http://sfenvironment.org/sites/default/files/fliers/files/icf\\_verificationmemo\\_2012sfecommunityinventory\\_2015-01-21.pdf](http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfecommunityinventory_2015-01-21.pdf), accessed March 16, 2015.

<sup>47</sup> Bay Area Air Quality Management District, *Clean Air Plan*, April 2017. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed August 3, 2018.

<sup>48</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>49</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>50</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>51</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>52</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>53</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>54</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>55</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.

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, 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 California Green Building Code, city's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>56</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>57</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. Compliance with the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>58</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>59</sup>

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

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<sup>56</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>57</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>58</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>59</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1075-1089 Folsom Street*, September 6, 2018.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
<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 the 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 (73 feet, 9 inches with stair and elevator penthouses) would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

**Shadow**

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction of departments other than the San Francisco Recreation and Park 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 residential development with a 65-foot-tall (73 feet, 9 inches with stair and elevator penthouses) building; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadows on nearby parks, open spaces, and school yards.<sup>60</sup> 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>61</sup> Victoria Manalo Draves Park is under the jurisdiction of the Recreation

<sup>60</sup> San Francisco Planning Department, *1075 & 1089 Folsom Street Shadow Fan*, July 22, 2015.

<sup>61</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.sfsharedschoolyard.org/>). Therefore, project-generated shadow on Bessie Carmichael Elementary School is not discussed in this checklist.

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>62</sup> The shadow study consists of quantitative and qualitative analysis of the potential shadow impacts to Victoria Manolo Draves Park, including existing surrounding buildings and cumulative projects (i.e. reasonably foreseeable development projects with the potential to shadow Victoria Manolo 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 winter solstice (December 21), when the midday sun is at its lowest and shadows are longest; and the spring/fall equinox (March 21/September 21), when shadows are midway through a period of lengthening.

The Proposition K memorandum, dated February 3, 1989, was developed by the Recreation and Park Department and the Planning Department<sup>63</sup> to established tolerance levels for new shading for specific parks and established 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>64</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, 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 the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Thus, approval of new shadow on Victoria Manalo Draves Park would require hearings at the Recreation and Park Commission and Planning Commission.

#### *Victoria Manalo Draves Park*

Victoria Manalo Draves Park is located on 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 locked at night. It is open from sunrise to sunset, 365 days per year.

The analysis determined that the proposed project would cast new shadow on Victoria Manalo Draves Park all year round. During summer, the duration would be as short as 15 minutes with a small section along the western edge of the ball field being affected. During spring, fall, and winter, central and northern portions of the park would receive new shadow including portions of the pedestrian walkway, children's play area, basketball court, grassy areas, fixed benches and a picnic table as well as the main park entry. January 18 and November 22 were found to be the days of maximum shading, when the estimated net new shadow on Victoria Manalo Draves Park, as a result of the project, would be at its

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<sup>62</sup> Prevision Design, *Shadow Analysis Report for the Proposed 1075 & 1089 Folsom Street Project per SF Planning Section 295 Standards*, August 23, 2018.

<sup>63</sup> San Francisco Planning Department, *Proposition K – The Sunlight Ordinance Memorandum*, February 3, 1989.

<sup>64</sup> The amount of sun the park would receive throughout the year if there was no shadow on the park at any time.

largest and longest duration. On the days of maximum shading, new shadow would occur at 3:00 p.m. and would move eastward across the park for approximately one hour and would be gone by 4:00 p.m.<sup>65</sup> New shadow would occur at the western edge of the basketball court, the pedestrian pathway, and some grassy areas within the northern portion of the park. Thus, the proposed building would add new shadow to the park during hours regulated by Planning Code Section 295 (i.e., from one hour after sunrise to one hour after sunset). The longest duration of new shadow would be approximately 62 minutes and the average shadow would be cast for 36 minutes.

The qualitative analysis for the shadow study included six 30-minute field observations. The observations were conducted between June 26 and July 7, 2013, at various times of the day, in order to assess park usage. Over the course of these site visits, approximately 25 to 125 users were observed at Victoria Manolo Draves Park. Peak usage (125 people) occurred on a Wednesday afternoon and the lowest observed usage (25 people) occurred on a Sunday morning. During the observation periods, park uses included users eating lunch and resting on benches, walking dogs, playing basketball and children playing in the playground area. Overall, observed peak use at the park occurred during weekday noontime hours.

As described previously, new shadow due to the proposed project would occur along the central western edge up through portions of the northeastern corner of the park. Approximately one quarter of the basketball court, a small portion of the southern children's play area, six fixed benches and one picnic table would receive new shadow from the project at some point during the affected periods. In addition, less sensitive areas such as the park entry, grassy areas, edges of the ball field and walkways, would also receive new shadow. However, the new shadow would occur in the late afternoon when lower levels of weekday and weekend use were observed (relative to the noontime hours). Additionally, shading from the proposed project would be cast over the top of intervening buildings, which already cast shadows on the park. Although, shadows would increase in the late afternoon, no single location within the park would be in continuous new shadow for longer than 15 minutes. The new shadow resulting from the proposed project would not be expected to substantially affect the use and enjoyment of the park as the shadow would occur during lower levels of weekday and weekend use and would be of short duration. Therefore, the proposed project would result in less-than-significant shadow impacts on Victoria Manolo Draves Park.

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

## Conclusion

As described above, the proposed project would add new shadow to Victoria Manolo Draves Park regulated by Planning Code Section 295. However, no single location within the park would be under continuous new shadow for longer than 15 minutes, thus the new shadow would not be expected to substantially affect the use and enjoyment of the park, resulting in less than significant impacts. The

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<sup>65</sup> Prevision Design, *Shadow Analysis Report for the Proposed 1075 & 1089 Folsom Street Project per SF Planning Section 295 Standards*, August 23, 2018.

proposed project would also not add new shadow to any other public park or privately owned public open space. Accordingly, the project would result in less than significant impacts related to shadow.

When taking the other reasonably foreseeable projects into consideration,<sup>66</sup> the cumulative shadow including these other proposed projects would increase shadow on the park by 0.04 percent, increasing the total annual shading from approximately 0.42 percent to 0.46 percent.<sup>67</sup> Therefore, the proposed project in combination with reasonably foreseeable projects would not have a significant cumulative shadow impact. For these reasons, , the proposed project would not combine with reasonably foreseeable future projects to create a significant cumulative shadow impact. .

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts related to shadow 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>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 Park 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

<sup>66</sup> Cumulative projects include the proposed development at 40 Cleveland Street (2015-006512ENV), 1052 Folsom Street (2016-004905ENV), 363 6th Street (2011.0586E), and 345 6th Street (2013.1773E).

<sup>67</sup> Prevision Design, *Shadow Analysis Report for the Proposed 1075 & 1089 Folsom Street Project per SF Planning Section 295 Standards*, August 23, 2018.

improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 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. Daggett Park at Daggett Street between 7th and 16th streets opened on April 19, 2017 and Folsom Park at 17th and Folsom opened on June 23, 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24). As shown on Map 07 of the ROSE, the project site is not located in an area with a greater need of open spaces.<sup>68</sup> There are two open space and recreation facilities in the project vicinity including Victoria Manalo Draves Park at Folsom and Sherman streets and Howard & Langton Mini Park at Howard and Langton streets.

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. The proposed project would provide approximately 1,122 sf of common open space on the first floor rear yard area and approximately 1,500 sf of private open space (15 private decks and balconies) on floors two to six.

Therefore, the proposed project would not create a substantial increase in the use of open space and recreation facilities such that physical deterioration or degradation of existing facilities would occur, and there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

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<sup>68</sup> San Francisco General Plan Recreation and Open Space Element, *Map 07 High Needs Areas: Priority Acquisition & Renovation Areas*, April 2014.

<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"/>
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 resulting from implementation of the Plan would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2015 Urban Water Management Plan (UWMP) in June 2016. The UWMP update includes city-wide demand projections to the year 2040, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20 percent reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the city's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the

Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

The San Francisco Construction and Demolition Ordinance (Ordinance No. 27-06) requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. This requirement has been augmented by the Green Building Ordinance, which requires that at least 75 percent of construction and demolition debris be diverted from landfills. Although the proposed project would incrementally increase total waste generation by increasing the number of residents and employees, the proposed project would comply with all applicable statutes and regulations related to solid waste and the impact would be less-than-significant.

The UWMP projections are based upon growth and buildout as provided within the city’s General Plan, and the proposed project is consistent with the land uses and development density under the Eastern Neighborhoods Rezoning and Area Plans. As described in topic 2, Population and Housing, the proposed project would add 48 residents and 4 employees at the project site, which would nominally increase the amount of water and wastewater generated at the project site. Therefore, the incremental increase in demand resulting from the proposed would be accommodated and there would be no additional impacts on utilities and service systems beyond those less-than-significant impacts 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>
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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 resulting from implementation of the Plan 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.

Development of the proposed project would increase overall demand for public services. However, this growth would not exceed growth projections for the area or the region, as discussed in topic 2, Population and Housing. Public service providers have accounted and planned for such growth in order to continue to provide services to San Francisco residents. Therefore, 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>
<b>12. BIOLOGICAL RESOURCES—</b>				
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the plans. 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 East SoMa Plan area of the Eastern Neighborhoods Area Plan on two adjacent lots fully developed with industrial buildings. As such, the project site does not support habitat for any candidate, sensitive or special status species. Therefore, implementation of the proposed project would not result in significant impacts to biological resources 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>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 checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 that included one boring and one cone penetration test was prepared for the proposed project.<sup>69</sup> The investigation included reconnaissance of the project site and vicinity, laboratory testing of selected soil samples, and engineering analysis of the obtained data and information. The results of the site reconnaissance and information obtained from the boring samples indicate the upper 12 feet of soils were fills or loose sand, and soil encountered consisted of brown silty fine sand, slightly moist, loose to dense, to a maximum depth of 30 feet. Groundwater was encountered at 9 feet below ground surface at the time of the field study. The geotechnical investigation concluded that the proposed structure should be supported on a mat slab, and that concrete slab-on-grade should be underlain by a layer of 15-mil vapor retarder, and that with implementation of these recommendations, 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. In addition, the project site is located within a state seismic hazard zone for liquefaction hazard. Pursuant to the State Seismic Hazard Mapping Act (SHMA) (Public Resources Code chapter 7.8, sections 2690-2699.6), the geotechnical report is required to identify an area of seismic hazard, and the recommendations to address such hazards are required to be made conditions of the building permit for the proposed project. 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"/>

<sup>69</sup> Wayne Ting & Associates, Inc., *Geotechnical Investigation, Proposed Six-Story Mixed-Use Commercial Buildings and Condominium, 1075 Folsom Street*, March 6, 2016.

<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>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The approximately 6,743-square feet project site is fully developed with impervious surfaces consisting of a 1-story with mezzanine industrial building, 1-story garage, 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 common open space at the rear yard of the first floor, which would reduce runoff from the site. In accordance with the Stormwater Management Ordinance (Ordinance No. 64-16) and Public Works Code section 147, the proposed project would be subject to and would comply with the San Francisco Public Utilities Commission (SFPUC) Stormwater Design Guidelines, incorporating low impact design approaches and stormwater management systems into the project. Adherence to SFPUC requirements would ensure that stormwater is managed appropriately so as to not adversely affect drainage systems and water quality.

Stormwater runoff during construction must comply with the Construction Site Runoff Ordinance (Ordinance No. 260-13) and the Public Works Code section 146. Construction activities that disturbs 5,000 sf or more, such as the project, must submit an Erosion and Sediment Control Plan to the SFPUC for

review and approval prior to construction. The plan would outline the best management practices (BMPs) to be implemented during construction to prevent the discharge of sediment, non-stormwater, and waste runoff from the project site. As a result, the proposed project would not increase stormwater runoff.

The project site is not located within a 100-year flood zone;<sup>70</sup> therefore, proposed project would not expose people or structures to flooding risks or hazards, or impede or redirect flood flows in a 100-year flood hazard area. As the project site is not located within a flood hazard zone or near a water reservoir with a dam or levee, the proposed project would not 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.<sup>71</sup> Similarly, the project site also is not located within a tsunami hazard zone and would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche or tsunami.<sup>72</sup>

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

Topics:	<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"/>
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"/>

<sup>70</sup> Federal Emergency Management Agency Preliminary Flood Insurance Rate Map, *San Francisco Interim Floodplain Map NE San Francisco*, November 12, 2015. Available online at:

[https://sfgsa.org/sites/default/files/Document/SF\\_NE.pdf](https://sfgsa.org/sites/default/files/Document/SF_NE.pdf), accessed September 4, 2018.

<sup>71</sup> San Francisco Planning Department. *San Francisco General Plan, Community Safety Element Map 6*. October 2012. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf), accessed September 4, 2018.

<sup>72</sup> San Francisco Planning Department. *San Francisco General Plan, Community Safety Element Map 5*. October 2012. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf), accessed September 4, 2018.

<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) 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 the existing buildings on 1075 and 1089 Folsom Street, Mitigation Measure L-1 would apply to the proposed project. See full text of Project Mitigation Measure 4 in the “Mitigation Measures” section below on page 52.

**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 project site is located within the article 22 (Maher) area and would include excavation of approximately two feet below grade with an extra 10 inches of depth along the perimeter, resulting in approximately 425 cubic yards of soil excavation. Therefore, the project is subject to the Maher Ordinance, which is administered and overseen by San Francisco Department of Public Health (the health department). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a *phase I environmental site assessment* that meets the requirements of Health Code Section 22.A.6.

A environmental site assessment determines the potential for site contamination and level of exposure risk associated with the project. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application<sup>73</sup> to the health department and an environmental site assessment<sup>74</sup> has been prepared to assess the potential for site contamination. The environmental site assessment noted that the current building at 1075 Folsom Street was developed with a hardware and steel company in 1924 and as a lithography company in 1971, and a different building at 1089 Folsom Street was developed as an iron works/architectural iron and bronze facility and the current building was constructed and occupied as a warehouse and yard in 1951. Small quantities of hazardous materials related to printing and lithography activities were used at the 1075 Folsom Street property and small quantities of similar hazardous wastes were generated. One wastewater filtration/neutralization unit is located at the 1089 Folsom Street property and reported as conditionally exempt from permitting/monitoring requirements. The unit is reported as two conditionally exempt commercial laundry units in regulatory documents. The report identified a recognized environmental condition and other environmental conditions associated with the project site. Based on its location within the expanded Maher area, presence of contaminants are in shallow soil, fill material, and ground water. Any site development disturbing more than 50 cubic yards of soil within the expanded Maher area would trigger a mandatory subsurface investigation. Investigation results must be submitted for evaluation by the San Francisco Local Oversight Program to determine the need for remediation and/or development of a Soils Management Plan (SMP).

Additionally, historical occupancy of the buildings on the subject property for several decades by metals works, chemical manufacturing and print shop companies may have resulted in small-quantity hazardous materials releases on the site. Based on the date of construction of the current buildings, as well as historical manufacturing and industrial use, undocumented underground storage tanks could remain present, and consideration of an underground storage tank survey is recommended. In addition, ACM and LBP may be present in the properties materials and finishes, and prior to demolition of the structures, pre-demolition asbestos and lead-based paint surveys is required to be conducted by a licensed consultant. Identified materials are required to be appropriately abated by a licensed contractor. An Operation and Maintenance plan shall be prepared for the project site to manage ACMs in place prior to abatement. Appropriate permits for the commercial laundry units are recommended for further investigation. The project sponsor may be required to conduct soil sampling and analysis. The health department has reviewed the proposed project's environmental site assessment and geotechnical report.<sup>75</sup>

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<sup>73</sup> Elevation Architects, *Maher Application, 1075 Folsom Street*, February 28, 2017.

<sup>74</sup> All West Environmental, Inc., *Environmental Site Assessment, 1075 & 1089 Folsom Street and 40 Cleveland Street, San Francisco, California 94103*, June 2, 2015.

<sup>75</sup> Wayne Ting & Associates, Inc., *Geotechnical Investigation 1075 Folsom Street*, March 6, 2016.

Based on these materials, the health department determined that the project requires a *phase II site assessment* to further characterize the project site with a planned investigation of soil, soil vapor, and/or groundwater at this project site.<sup>76</sup>

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

Therefore, with implementation of Project Mitigation Measure 4, 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 include 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.

All land in San Francisco, including the project site is located within the Mineral Resource Zone 4 (MRZ-4), indicating that there is inadequate information available for assignment to any other mineral resource zone.<sup>77</sup> Thus, the project site is not a designated area of significant mineral deposits. In addition, no

<sup>76</sup> Department of Public Health, *Phase II Site Assessment Work Plan Request 1075-1089 Folsom Street*, January 5, 2018.

<sup>77</sup> California Division of Mines and Geology, *Open File Report 96 03 and Special Report 146, Parts I and II*, 1986.

significant mineral resources exist in San Francisco.<sup>78</sup> Therefore, the initial study checklist topic 16a and 16b are not applicable.

The proposed project would include demolition of existing industrial buildings and construction of residential and commercial uses. The proposed project would be subject to the San Francisco Green Building Code energy conservation standards including installation of water-efficient fixtures, energy efficient appliances, and solar panels, as well as features to encourage alternative modes of transportation, such as bicycle parking. The project’s energy demand would be typical for a development of this scope and nature. In addition, the proposed project would comply with current state and local codes concerning energy consumption, including Title 24. As the proposed project would not result in the use of large amounts of fuel, water, or energy, or result in the use of these resources in a wasteful manner, impacts would be less than significant. There would be no additional impacts on mineral and energy resources beyond those analyzed 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>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.

<sup>78</sup> San Francisco Planning Department, *San Francisco General Plan Environmental Protection Element*, amended December 2, 2004.

As the project site does not contain agricultural uses and is not zoned for such uses, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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## 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. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three 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 sections 15064.5 (a) and (c).

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>79</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>80</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.

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<sup>79</sup> By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>80</sup> An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archaeologist.

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

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

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

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

redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

*Human Remains, Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who

shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The 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 an 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 reinternment 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. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

## **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**

Compliance Alternative	Engine Emission Standard	Emissions Control
------------------------	--------------------------	-------------------

1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

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

\*\* Alternative fuels are not a VDECS.

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

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

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

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

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

## **IMPROVEMENT MEASURES**

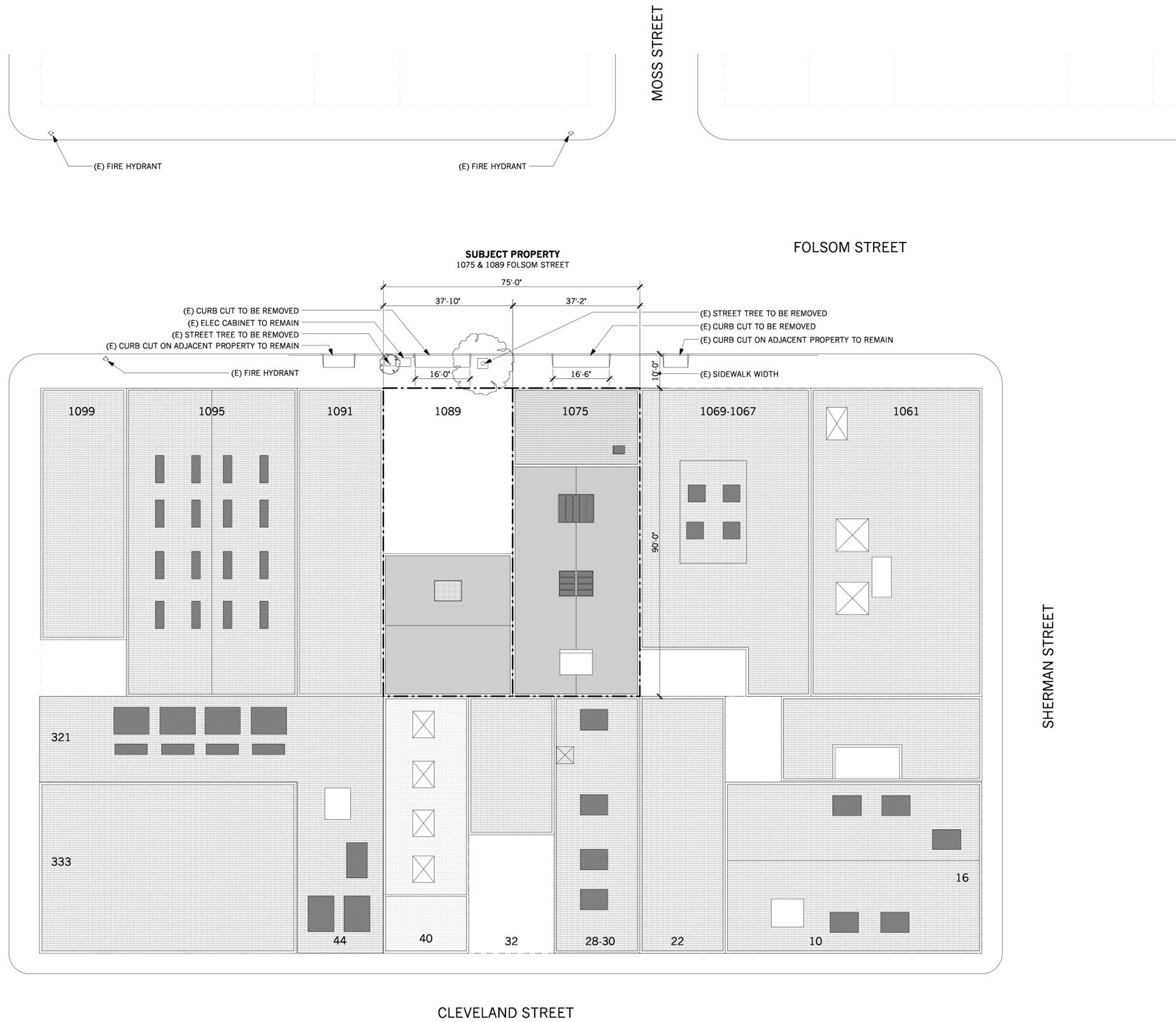
### **Project Improvement Measure 1: Interpretive Program on Site History**

The project sponsor shall facilitate the development of an interpretive program focused on the history of the project site. The interpretive program should be developed and implemented by a qualified professional with demonstrated experience in displaying information and graphics to the public in a visually interesting manner, such as a museum or exhibit curator. This program shall be initially outlined in a proposal for an interpretive plan subject to review and approval by Planning Department Preservation Staff. The proposal shall include the proposed format and location of the interpretive content, as well as high-quality graphics and written narratives. The proposal prepared by the qualified consultant describing the general parameters of the interpretive program shall be approved by Planning Department Preservation Staff prior to issuance of the architectural addendum to the Site Permit. The detailed content, media and other characteristics of such interpretive program shall be approved by Planning Department Preservation Staff prior to issuance of a Temporary Certificate of Occupancy.

The interpretative program shall include but not be limited to the installation of permanent on-site interpretive displays or screens in publicly accessible locations. Historical photographs may be used to illustrate the site's history.

The primary goal is to educate visitors and future residents about the property's historical themes, associations, and lost contributing features within broader historical, social, and physical landscape contexts. These themes would include but not be limited to the subject property's original function as well as the history of the surrounding neighborhood as a mixed residential and industrial area largely reconstructed after the 1906 Earthquake and Fire.

# Exhibit 1



7TH STREET

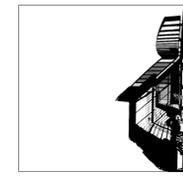
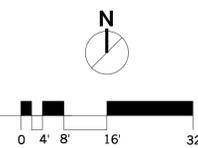
MOSS STREET

FOLSOM STREET

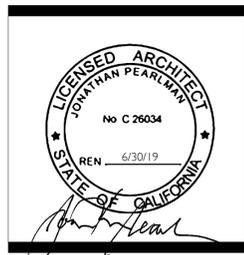
SHERMAN STREET

CLEVELAND STREET

1 EXISTING SITE PLAN  
Scale: 1/16" = 1'-0"



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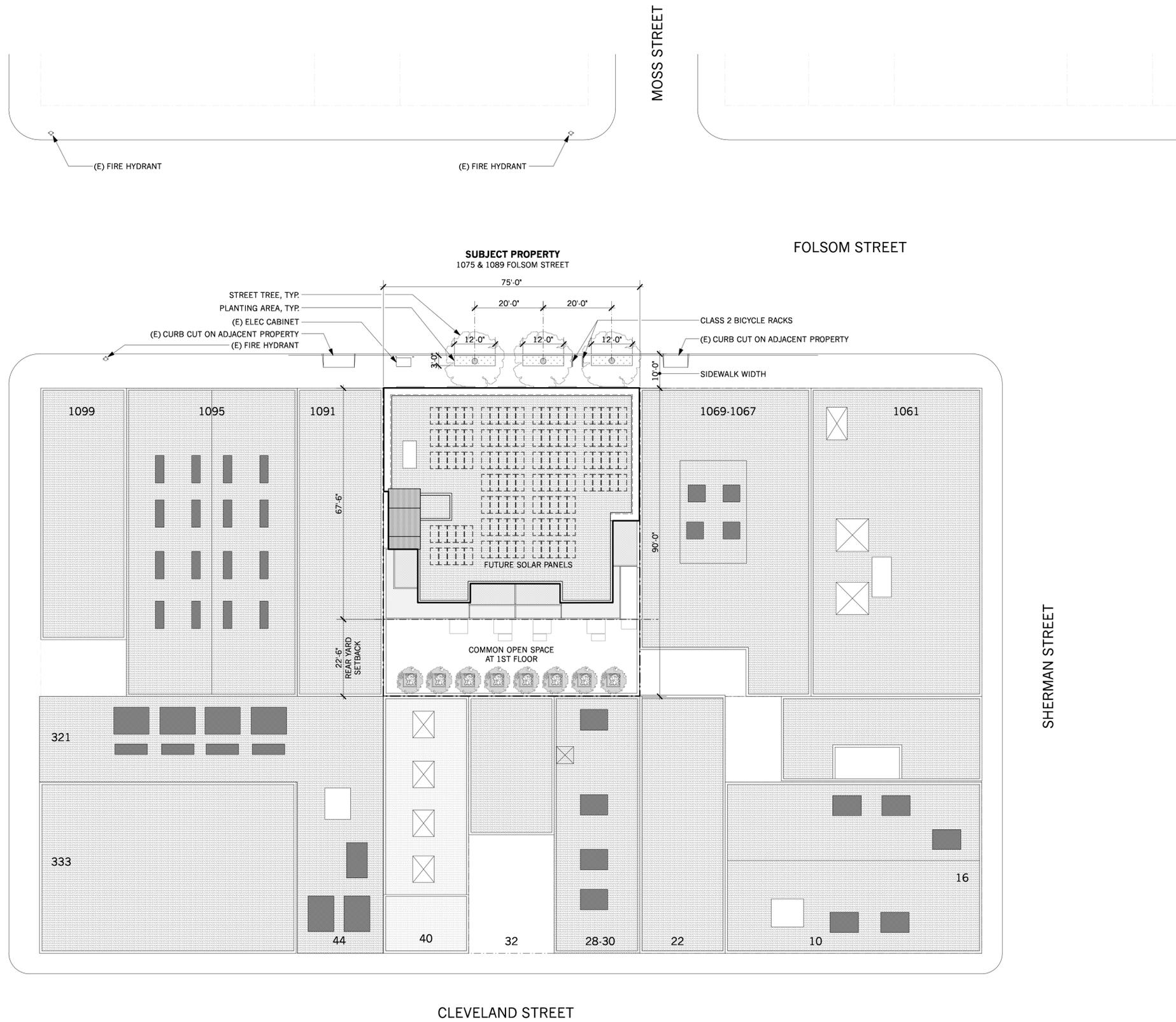


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#	date	issue
01.17.18	NOPDR #1	
02.14.18	NOPDR #2	
08.28.18	Planner Revs	

**Existing Site Plan**  
project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-1.1**



7TH STREET

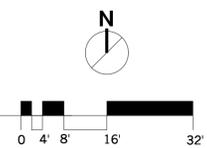
MOSS STREET

FOLSOM STREET

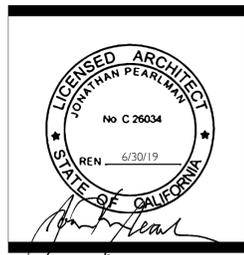
SHERMAN STREET

CLEVELAND STREET

1 PROPOSED SITE PLAN  
Scale: 1/16" = 1'-0"



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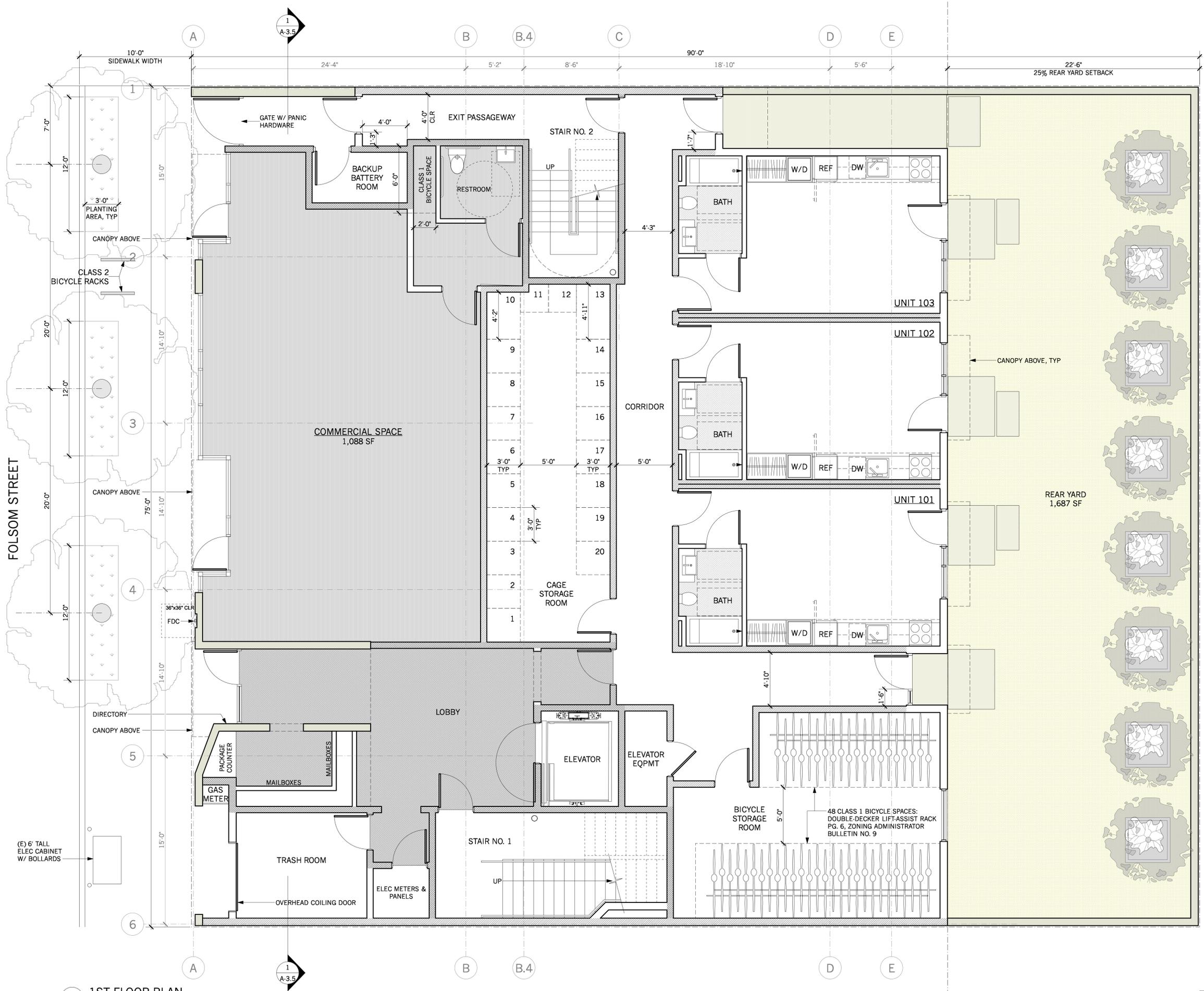
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	02.14.18	NOPDR #2
	08.28.18	Planner Revs

**Proposed Site Plan**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-1.2**

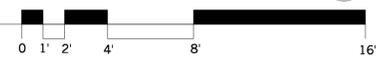


- GENERAL NOTES**
1. THE 1ST FLOOR IS OF TYPE 1-A CONSTRUCTION. A FIRE SEPARATION RATING OF 3 HOURS IS REQUIRED FOR THE FLOOR/CEILING ASSEMBLY BETWEEN THE 1ST AND 2ND FLOORS.
  2. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

**KEY**

	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL

1 1ST FLOOR PLAN  
Scale: 1/4" = 1'-0"



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	08.28.18	Planner Revs

1st Floor Plan  
project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

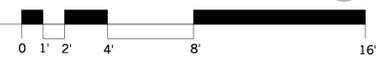
**A-2.1**



1 2ND FLOOR PLAN  
Scale: 1/4" = 1'-0"

- GENERAL NOTES**
1. THE 1ST FLOOR IS OF TYPE 1-A CONSTRUCTION. A FIRE SEPARATION RATING OF 3 HOURS IS REQUIRED FOR THE FLOOR/CEILING ASSEMBLY BETWEEN THE 1ST AND 2ND FLOORS.
  2. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



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**2nd Floor Plan**

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

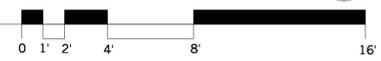
**A-2.2**



1 3RD FLOOR PLAN  
Scale: 1/4" = 1'-0"

**GENERAL NOTES**  
1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



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**3rd Floor Plan**

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

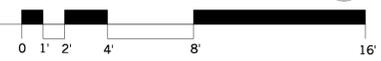
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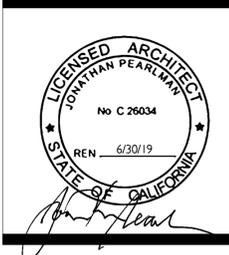
1 4TH FLOOR PLAN  
Scale: 1/4" = 1'-0"

**GENERAL NOTES**  
1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



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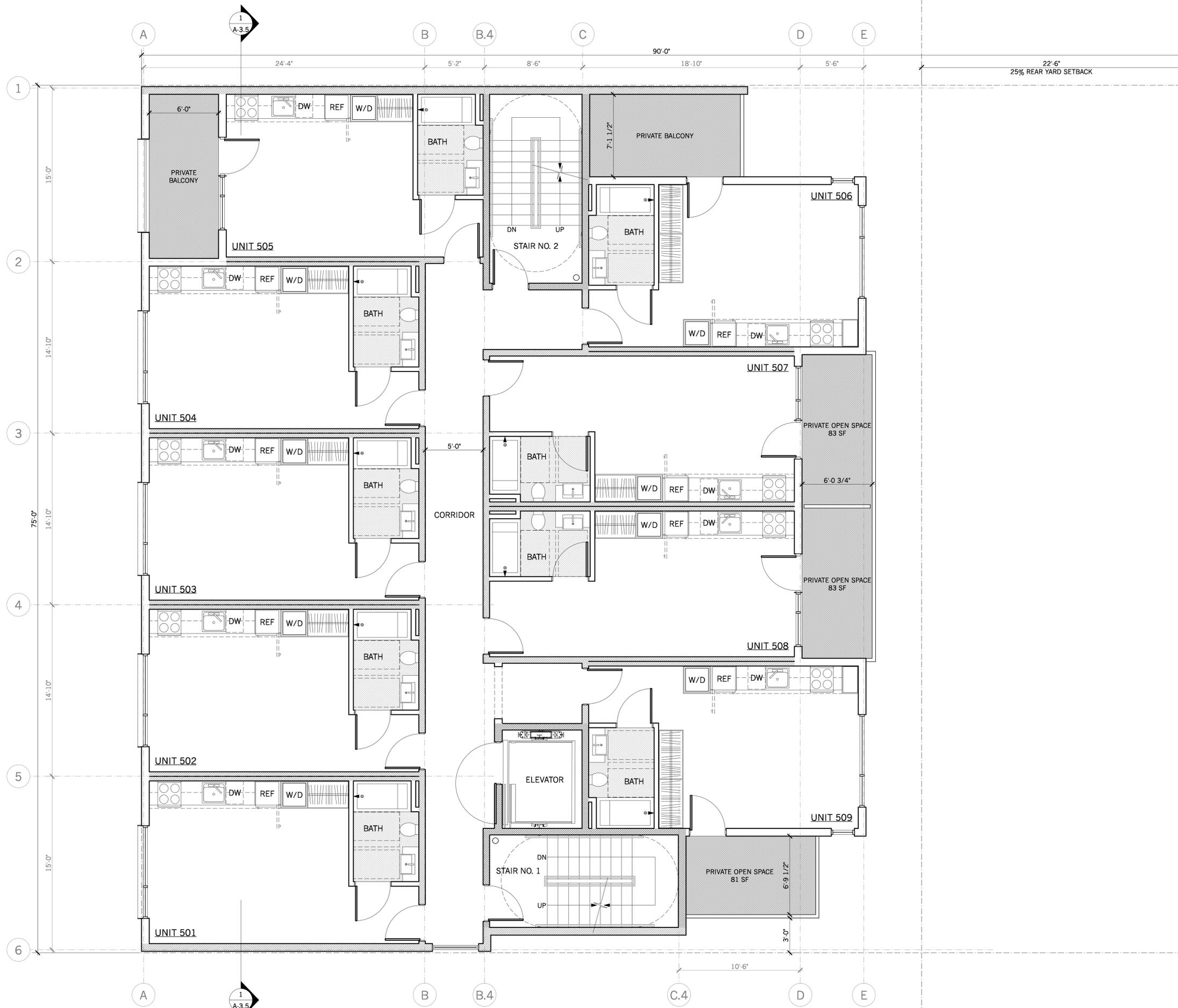
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02.14.18	NOPDR #2	
08.28.18	Planner Revs	

4th Floor Plan

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

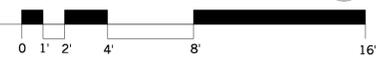
**A-2.4**



1 5TH FLOOR PLAN  
Scale: 1/4" = 1'-0"

**GENERAL NOTES**  
1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



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5th Floor Plan  
project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

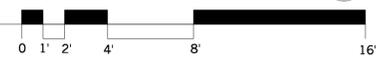
**A-2.5**



1 6TH FLOOR PLAN  
Scale: 1/4" = 1'-0"

**GENERAL NOTES**  
1. A FIRE SEPARATION RATING OF 1 HOUR IS REQUIRED FOR ALL WALLS AND FLOOR/CEILING ASSEMBLIES BETWEEN DWELLING UNITS.

KEY	
	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL



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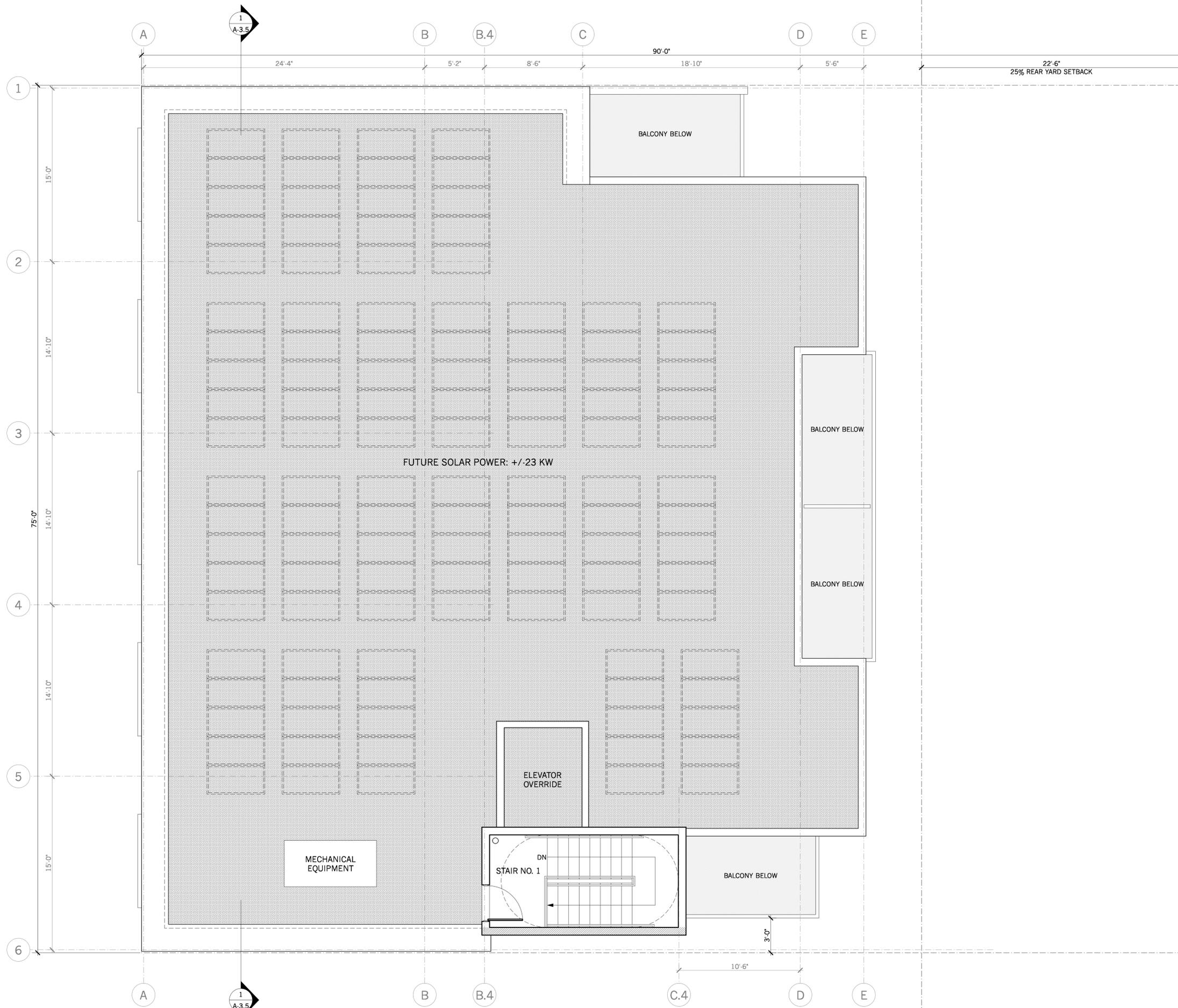


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08.28.18	Planner Revs	

6th Floor Plan  
project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

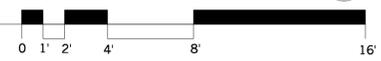
**A-2.6**



KEY

	NON-RATED WALL
	1-HR RATED WALL
	2-HR RATED WALL

1 ROOF PLAN  
Scale: 1/4" = 1'-0"



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Roof Plan

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

**A-2.7**



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	02.14.18	NOPDR #2
	08.28.18	Planner Rev

**North Elevation**

project:	15.20.1
drawn by:	JJ
checked by:	JP
date:	02.14.17
scale:	

**A-3.1**



- ELEVATION GENERAL NOTES**
- FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT. AS SHOWN IN THESE DRAWINGS, GLAZING TREATMENT, AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.
  - THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS. AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.

**1 NORTH ELEVATION - FOLSOM STREET**  
 Scale: 1/4" = 1'-0"



1 FOLSOM STREET ELEVATION  
Scale: 1/8" = 1'-0"



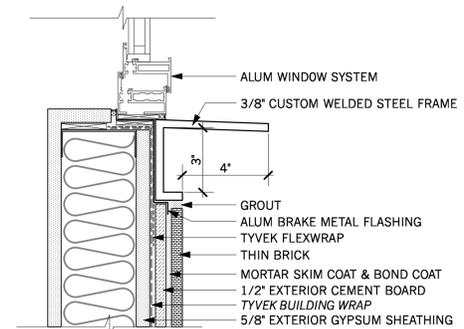
AXON VIEW FROM NORTHEAST



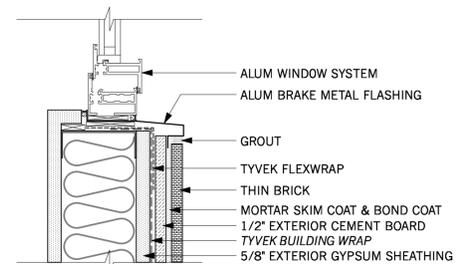
AXON VIEW FROM SOUTHWEST



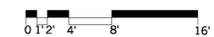
2 REAR YARD ELEVATION  
Scale: 1/8" = 1'-0"



4 WINDOW SILL AT STEEL FRAME  
Scale: 3" = 1'-0"



3 WINDOW SILL AT THIN BRICK  
Scale: 3" = 1'-0"



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**Front & Rear Elevations**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-3.1A**

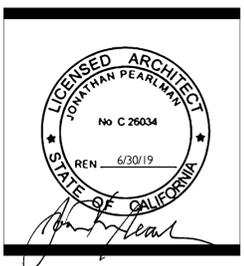


- ELEVATION GENERAL NOTES**
1. FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT. AS SHOWN IN THESE DRAWINGS, NO PANES OF GLASS ARE LARGER THAN 23 SF.
  2. THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS. AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.



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	02.14.18	NOPDR #2
	08.28.18	Planner Rev

**West Elevation**

project: 15.20.1  
 drawn by: JJ  
 checked by: JP  
 date: 02.14.17  
 scale:

1 WEST ELEVATION  
 Scale: 1/4" = 1'-0"



**A-3.2**



1 SOUTH ELEVATION - REAR YARD  
Scale: 1/4" = 1'-0"

- ELEVATION GENERAL NOTES**
- FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT. AS SHOWN IN THESE DRAWINGS, GLAZING TREATMENT, AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.
  - THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS. AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.



**ELEVATION**architects  
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415.537.1125 :v  
www.elevationarchitects.com :w



Condominiums  
**1075 FOLSOM STREET**  
 San Francisco, CA 94103

#	date	issue
	01.17.18	NOPDR #1
	02.14.18	NOPDR #2
	08.28.18	Planner Rev

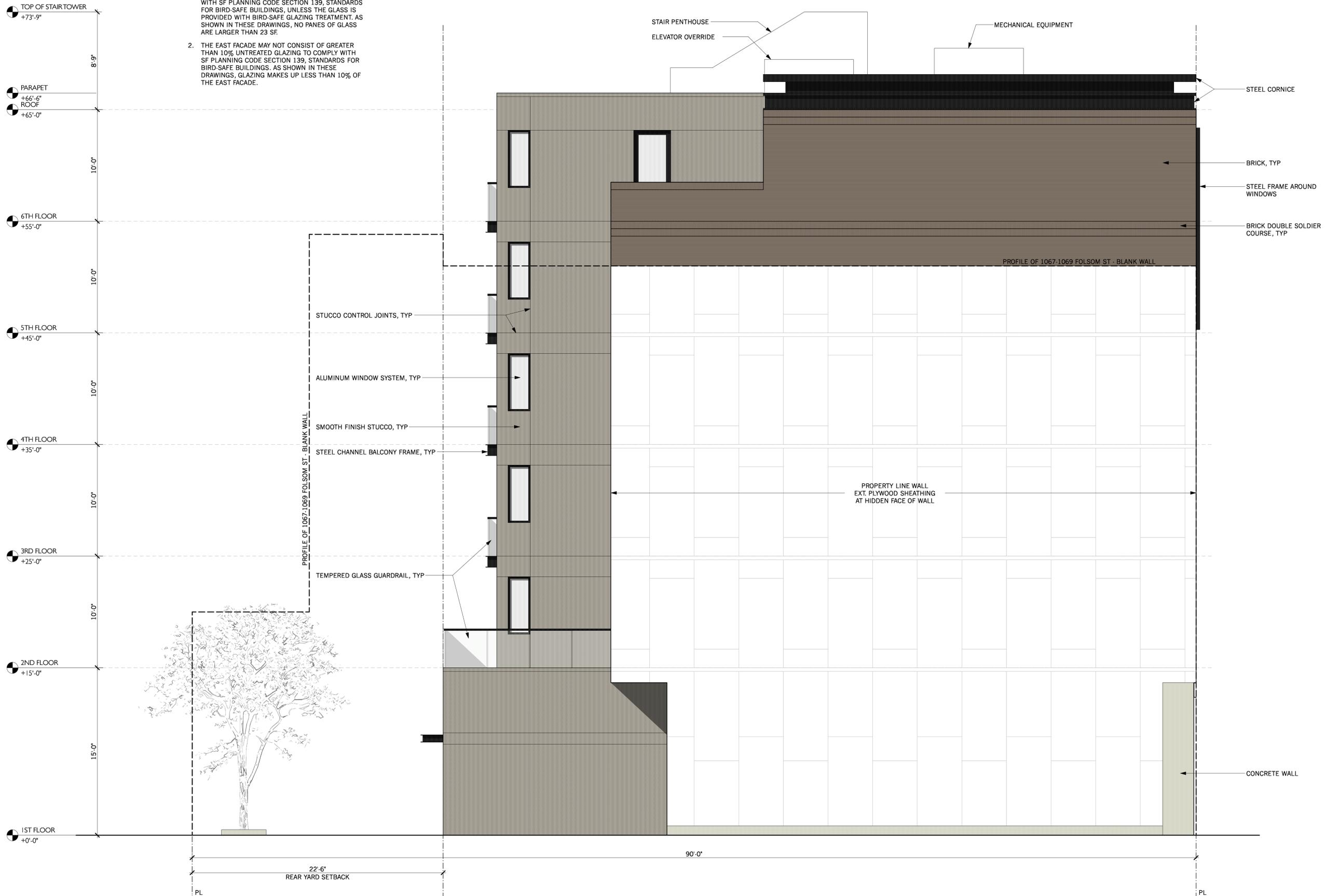
**South Elevation**

project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

**A-3.3**

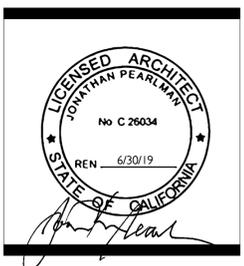
**ELEVATION GENERAL NOTES**

1. FOR ALL FACADES, NO SINGLE, UNDIVIDED PANE OF GLASS MAY BE LARGER THAN 24 SF TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS, UNLESS THE GLASS IS PROVIDED WITH BIRD-SAFE GLAZING TREATMENT, AS SHOWN IN THESE DRAWINGS, NO PANES OF GLASS ARE LARGER THAN 23 SF.
2. THE EAST FACADE MAY NOT CONSIST OF GREATER THAN 10% UNTREATED GLAZING TO COMPLY WITH SF PLANNING CODE SECTION 139, STANDARDS FOR BIRD-SAFE BUILDINGS. AS SHOWN IN THESE DRAWINGS, GLAZING MAKES UP LESS THAN 10% OF THE EAST FACADE.



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San Francisco, CA 94103

#	date	issue
01.17.18	NOPDR #1	
02.14.18	NOPDR #2	
08.28.18	Planner Rev	

**East Elevation**

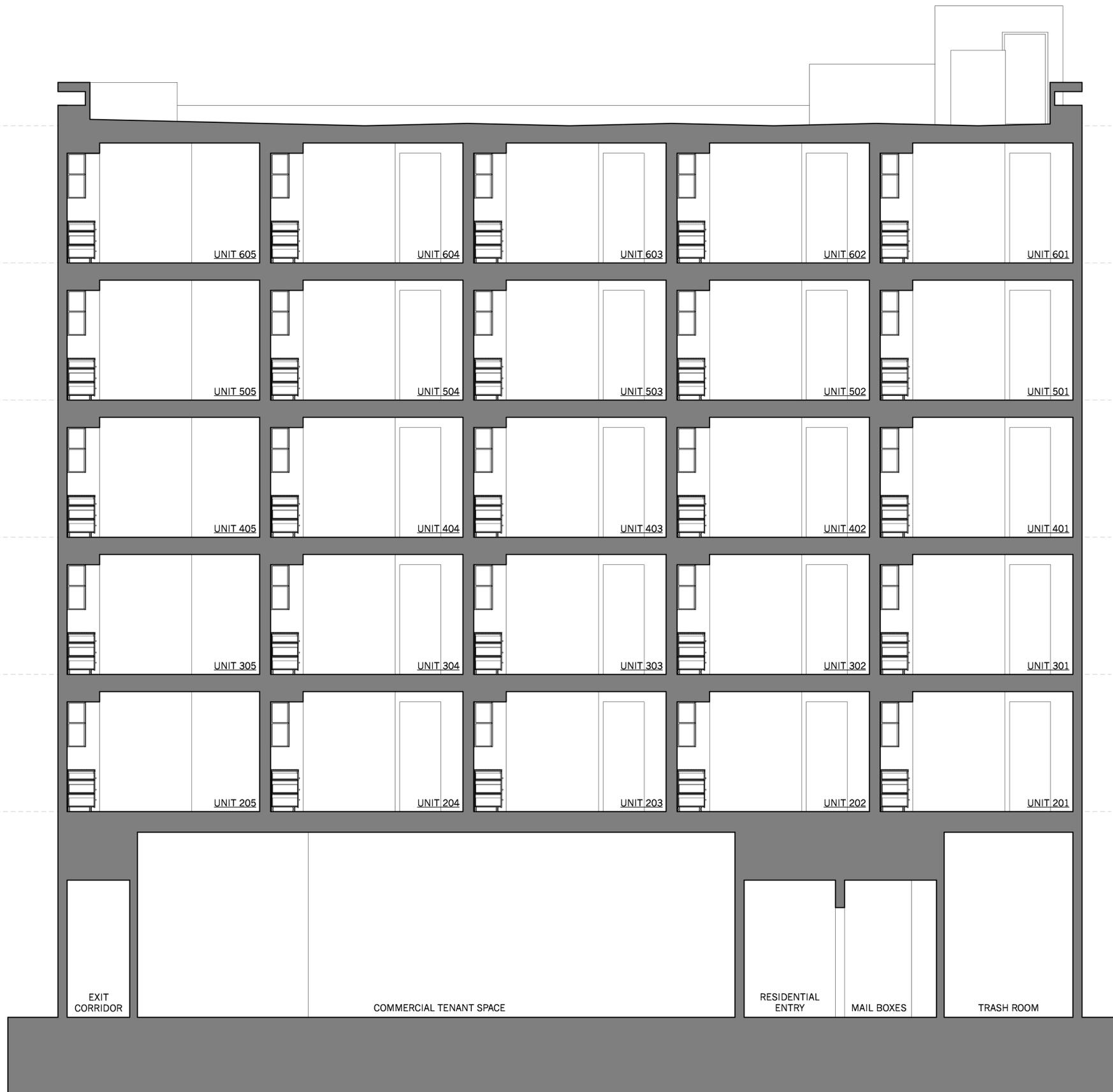
project: 15.20.1  
drawn by: JJ  
checked by: JP  
date: 02.14.17  
scale:

1 **EAST ELEVATION**  
Scale: 1/4" = 1'-0"



**A-3.4**

TOP OF STAIR TOWER  
 +73'-9"  
 8'-9"  
 PARAPET  
 +66'-6"  
 ROOF  
 +65'-0"  
 10'-0"  
 6TH FLOOR  
 +55'-0"  
 10'-0"  
 5TH FLOOR  
 +45'-0"  
 10'-0"  
 4TH FLOOR  
 +35'-0"  
 10'-0"  
 3RD FLOOR  
 +25'-0"  
 10'-0"  
 2ND FLOOR  
 +15'-0"  
 15'-0"  
 1ST FLOOR  
 +0'-0"



1 EAST - WEST BUILDING SECTION  
 Scale: 1/4" = 1'-0"



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Condominiums  
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 San Francisco, CA 94103

#	date	issue
01.17.18	NOPDR #1	
02.14.18	NOPDR #2	
08.28.18	Planner Rev	

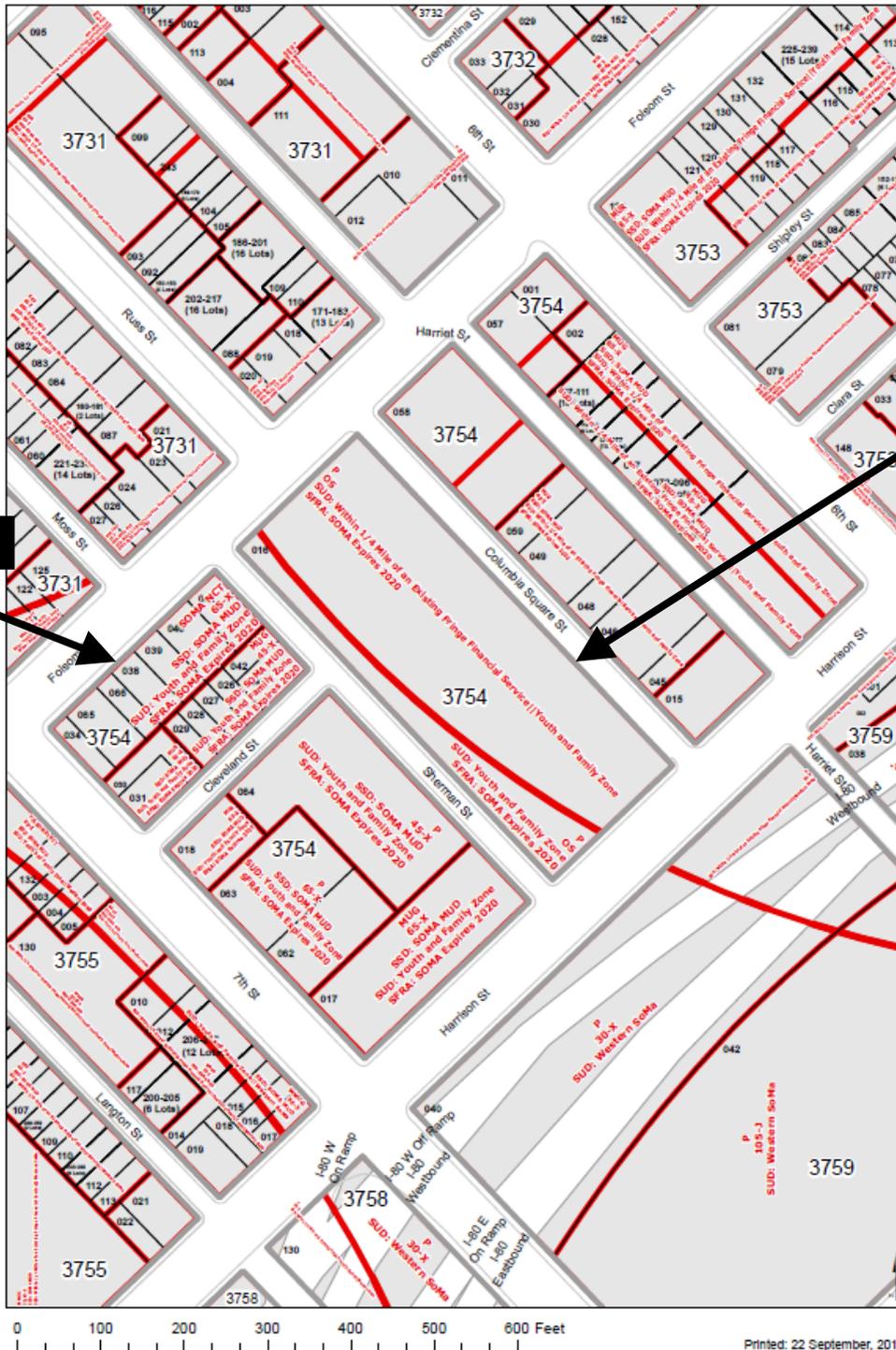
**East-West  
 Building Section**

project: 15.20.1  
 drawn by: JJ  
 checked by: JP  
 date: 02.14.17  
 scale:

**A-3.5**

# Parcel Map

BLOCK 3754

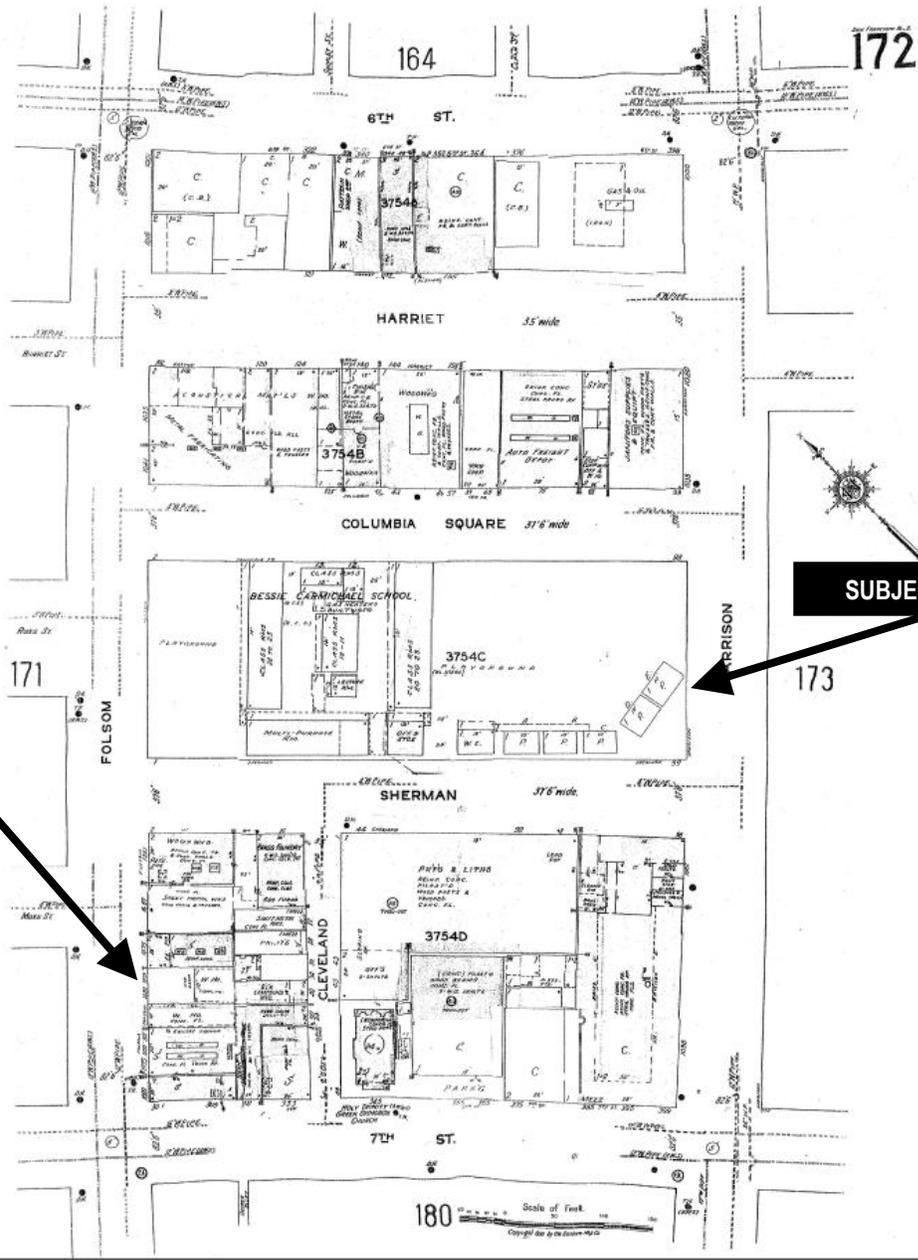


Printed: 22 September, 2016



# Sanborn Map\*

THESE SANBORN MAPS ARE DATED TO THE MID 1990'S  
USE ONLY FOR HISTORICAL CONTEXT

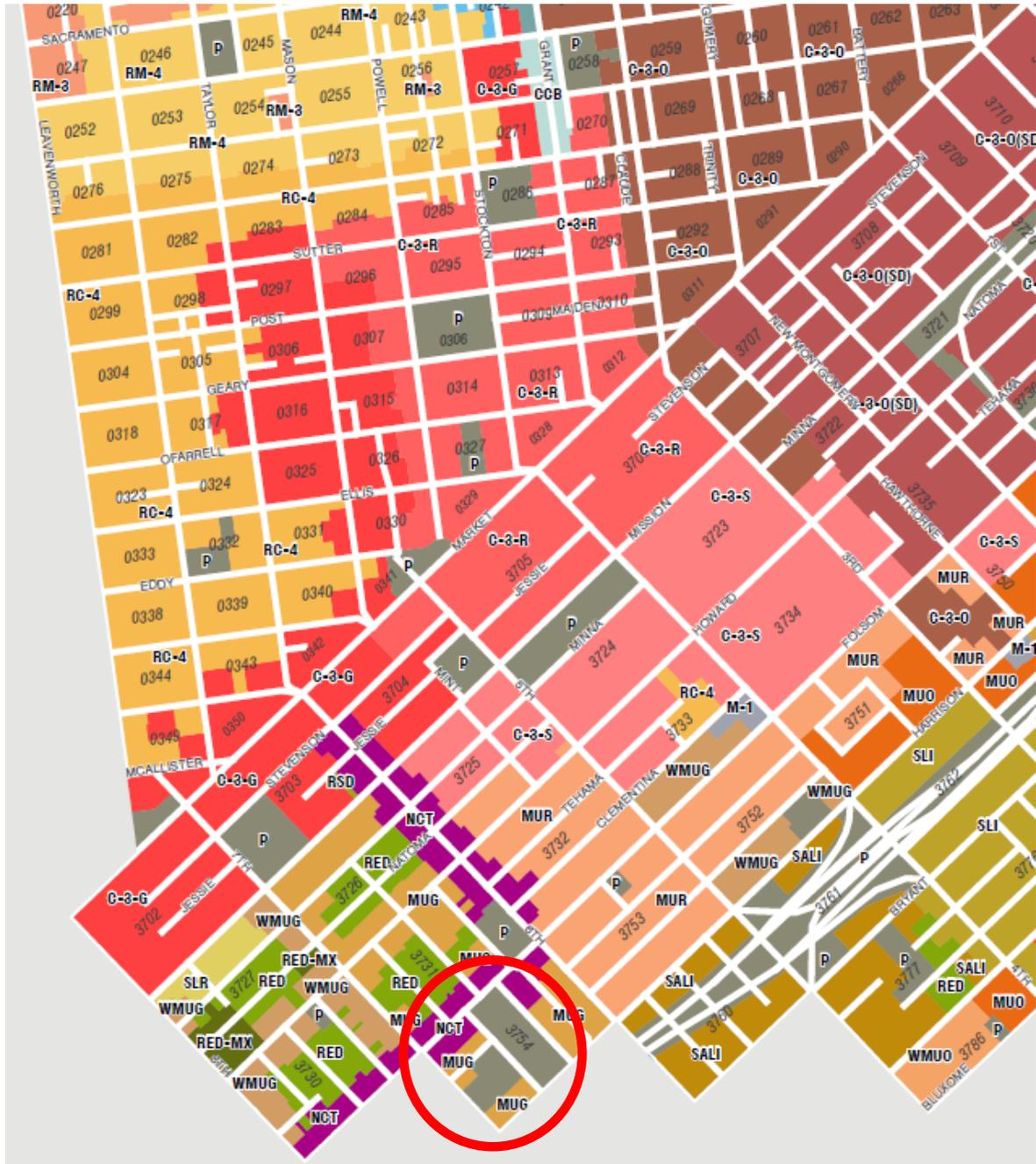


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Shadow Analysis  
Case Number 2016-008438SHD  
1075-1089 Folsom Street

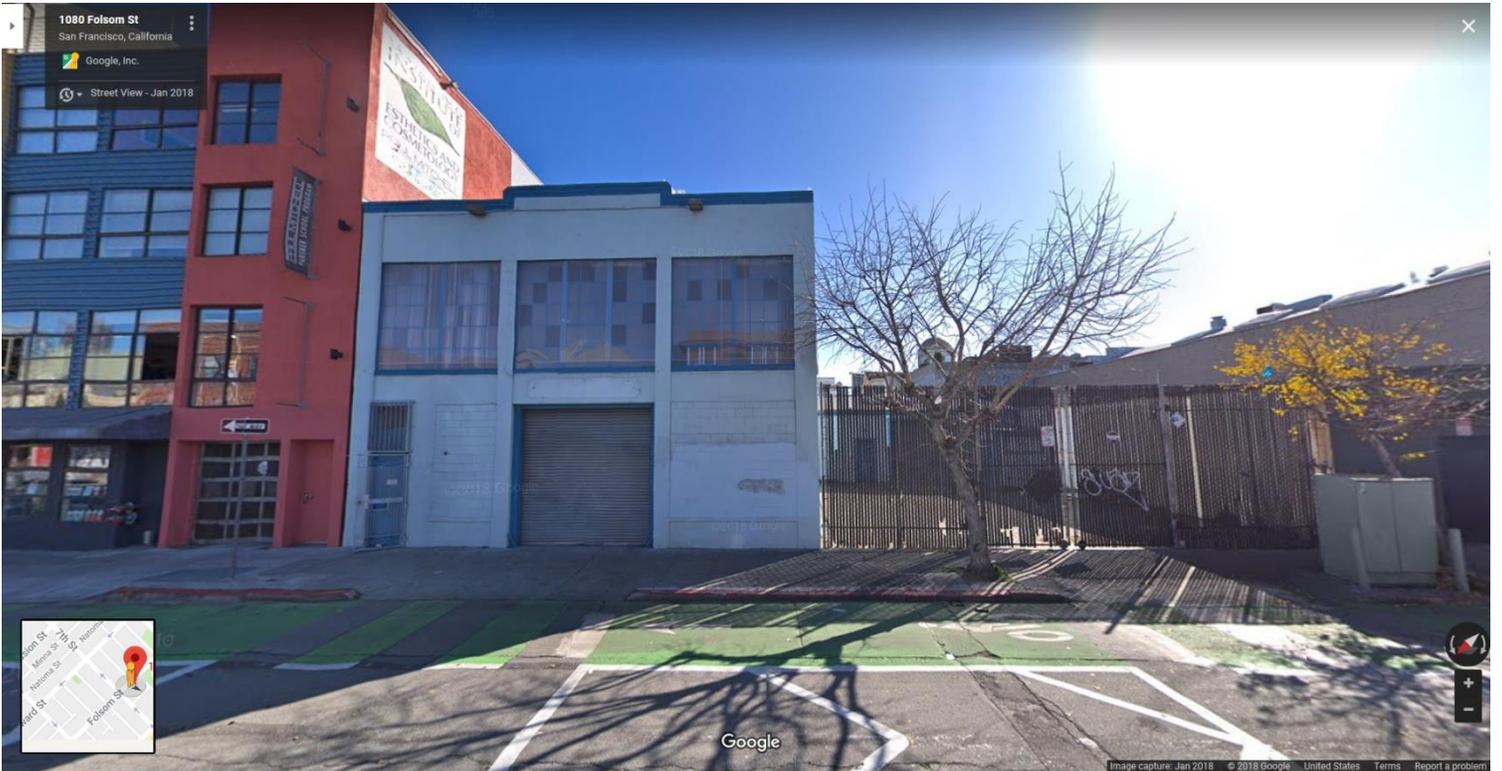


# Zoning Map

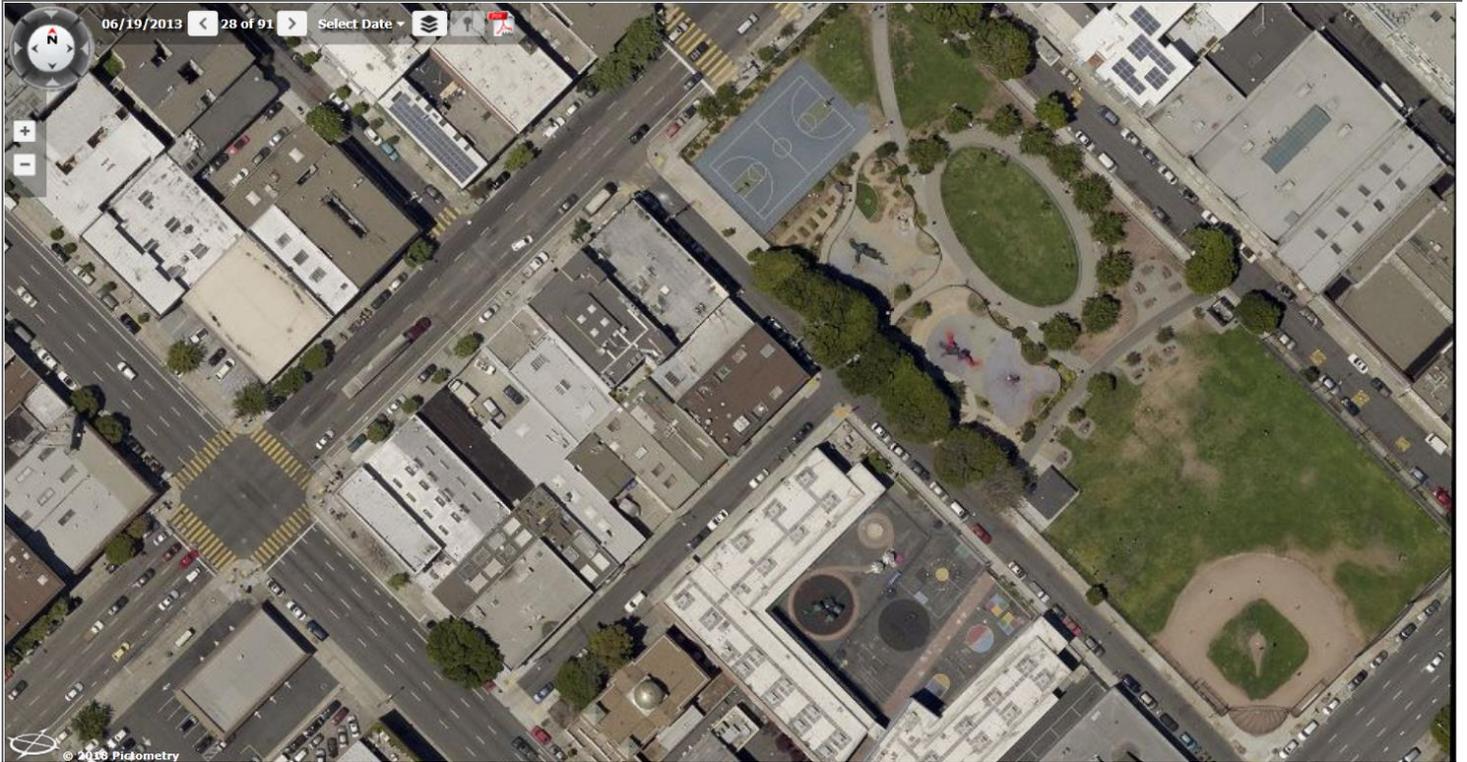


Shadow Analysis  
Case Number 2016-008438SHD  
1075-1089 Folsom Street

# Site Photo



# Context Photo



## Durandet, Kimberly (CPC)

---

**From:** Marvis Phillips <marvisphillips@gmail.com>  
**Sent:** Friday, October 12, 2018 12:24 AM  
**To:** Alesia.Haiao@sfgov.org; Durandet, Kimberly (CPC)  
**Cc:** Jonathan Pearlman  
**Subject:** Case No. 2016-008438ENV(SHD) - 1075-1089 Folsom Street.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Kimberly and Alesia,

First to Kimberly sorry I'm late sending this my "Internet" was out yesterday 10 October 2018, due to a "sliced 'Fiber Cable' somewhere in the 94102 area" it was finally fixed around noon (11 October 2018).

Anyway, the District 6 Community Planners held it's meeting on Wednesday and the sponsors for 1075-1089 Folsom Street did a presentation. After a intense conversation, question's/answers, the Board in Executive Session voted 5-0-0 to support this project. Including the small area of shadow on the park nearby. (Sent an email to the Rec/Park Commission with our support.) we encourage the Planning Commission to support this item.

The SOMA area of San Francisco is in flux and is in need with smaller size units for those who are just starting out in the employment field, and do not have a great deal of flunks for housing. Projects like this one fill that gap Ned therefore are extremely important to support. So again I state that the District 6 Community Planners, are in support of this project. Thank you.

Sincerely,

Marvis J. Phillips  
Board Chair  
District 6 Community Planners

--

Marvis J. Phillips  
Board Chair  
District 6 Community Planners



October 14, 2018

Kimberly Durandet  
Principal Planner  
Planning Department  
City and County of San Francisco  
1650 Mission Street Suite 400  
San Francisco, CA 94103

RE: 1075 Folsom Street Project

Dear Ms. Durandet,

This letter is in support of the proposed building project on 1075 Folsom Street. As a small business owner in the SoMa District we are excited to see the development and creation of residential housing in the area. The proposed forty eight unit project would be a huge benefit to our business and we are excited to see the continued development in the SoMa District.

We are especially grateful that Pillar Capitol Consulting Group is involved in this project as Iza Ramen has developed a great relationship with them and the newly opened 99 Rausch Street. They have taken initiative to reach out to local businesses, creating a beneficial partnership for businesses and residents within the local community.

We hope the 1075 Folsom Street Project will bring continued improvement aesthetically to the neighborhood and will invigorate the residence to patronize local businesses.

Sincerely,

Ritsuo Tsuchida  
Owner  
Iza Ramen LLC  
628-444-3070

Kimberly Durandet  
Principal Planner  
Planning Department  
City and County of San Francisco  
1650 Mission Street, Suite 400,  
San Francisco, CA 94103  
[kimberly.durandet@sfgov.org](mailto:kimberly.durandet@sfgov.org)

April 23, 2018

Dear Ms. Durandet,

I am writing in support of the proposed green building project at 1075 Folsom Street. This proposal maximizes the number of units the lot can accommodate, while prioritizing energy efficiency and solar power. It also helps to reduce environmental impact by promoting the multiple transit options available in the SoMa neighborhood, rather than wasting valuable space on parking stalls. There is a great demand for studios in this neighborhood, and this proposal will provide ownership opportunities at an entry level price point. Additionally, we appreciate that the project will offer 25% of the units for sale Below Market Rate (BMR).

Homeownership SF worked with Pillar Capital Consulting on the marketing and application submission for the BMR unit sales at 99 Rausch. I was impressed by the thoughtful design and attention to detail they demonstrated as developers. Their team was professional, and genuinely excited to accommodate a wide range of income levels. The end result is a beautiful condominium complex that feels both and warm, incorporating many conveniences with natural elements and lush green spaces. I would like to see more developments in San Francisco lead by Pillar Capital Consultants.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Shannon Way', is written over a light-colored background.

Shannon Way  
Executive Director  
Homeownership SF

Kimberly Durandet  
Principal Planner, Planning Department  
City and County of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
kimberly.durandet@sfgov.org

22 October, 2018

Dear Ms. Durandet,

I'm writing in support of the proposed building project at 1075 Folsom Street. I have lived within a block of the intersection of 7th and Folsom Streets in San Francisco for over 25 years, including living 2 doors away from this proposed building. As you can imagine, in the 25+ years I've lived in this neighborhood, I've seen a lot of change. Some of it has been great, some of it problematic. But, the thing that seems to have made the most positive impact on the neighborhood is more housing—in particular, a diverse mix of affordable housing. I'm grateful that this project promises just that.

After living at 22 Cleveland Street (which this new project joins) and 20 Langton Street, I now live at 99 Rausch a new building by the same developers as the 1975 Folsom project. I've watched rents and purchase prices in this neighborhood sky-rocket and make it difficult and even impossible for longtime residents to stay in the neighborhood. With the development in this neighborhood, I've also seen the character of the neighborhood shift, as it becomes affordable only to young tech workers. Families, artists, educators, and other non-tech workers have had a difficult time keeping-up with rents and housing prices so this proposed property comes at a sorely needed time.

I've been impressed with the 99 Rausch development. By no means is the majority of this property aimed at lower-income residents (beyond the BMR units) but it makes possible these units and other neighborhood improvements. That said, however, Pillar Capital has done a great job of involving the community and helping to make this property a net-positive for the neighborhood. Their care in involving local businesses and community groups shows their commitment to having a positive impact around them. The building I live in doesn't take a minimally-minded approach to development. It is thoughtful, high-quality, and professional in terms of materials, design, and how it integrates into its surroundings. It wasn't built to merely maximize saleable square footage but to create a quality experience that enhanced its residents' lives.

As a local educator (I've taught at California College of the Arts, a mile away, for 18 years) this is a great opportunity to create units affordable for educators at a time when the school is shifting its Oakland campus to San Francisco, not to mention for other workers and even some students. It would be fantastic to be able to add a more diverse residential community to this part of the city.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan Shedroff', with a long, sweeping horizontal stroke extending to the right.

Nathan Shedroff  
Resident, 99 Rausch

October 15, 2018

RE: SUPPORT LETTER for the Project at 1075 Folsom Street in San Francisco, CA

To Whom It May Concern:

I am the owner of the property at 222 8<sup>th</sup> Street and I support the proposed project at **1075 Folsom Street**. We are a block away from this project and I feel this project is appropriate for the neighborhood. The development is a positive direction for Folsom Street and Western SoMa.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Dimalanta". The signature is fluid and cursive, with a large initial "M" and "D".

---

Name: Marc Dimalanta, 2two2 Inc.

222 8<sup>th</sup> Street, San Francisco, CA 94103

# REUBEN, JUNIUS & ROSE, LLP

Mark Loper  
mloper@reubenlaw.com

October 25, 2018

**Delivered Via Electronic Mail (Kimberly.durandet@sfgov.org)**

President Rich Hillis  
San Francisco Planning Commission  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

**Re: 1075 Folsom Street – Shadow Application and Response to DR  
Planning Department Files No. 2016-008438**

Dear President Hillis and Commissioners:

We represent 1075 Folsom Street LLC, the sponsor of a mixed-income rental housing project (the “Project”) at 1075-1089 Folsom Street (the “Property”). The Project, which requires no design-related exceptions, will deliver 48 new housing units with 25% affordability on a relatively small infill site, meeting the overarching goal of the SOMA Youth and Family Zone to deliver more affordable housing units. 0.04% of net new shadow cast by the Project on the 2.5 acre Victoria Manalo Draves Park (“VMD Park”) is well below the suggested 1% Prop. K quantitative threshold, changes location depending on time of year, and is limited in duration, dispersing its impact as experienced by park users. The Project sponsor has also made a binding \$125,000 commitment to construct a dog park in VMD Park. The Project raises no exceptional or extraordinary circumstances justifying its disapproval or approval with fewer housing units. We look forward to presenting the Project to you on November 8.

## **A. Project Background and Benefits**

The Project was first proposed in March 2016, over two and a half years ago. It is located on Folsom Street between 7<sup>th</sup> Street and Sherman Street, one half block to the west of VMD Park. It is in the East SOMA neighborhood, and as part of the comprehensive Eastern Neighborhoods Plan was rezoned into the SOMA Neighborhood Commercial Transit zoning district and the SOMA Youth and Family Special Use District. It is not within the boundaries of the Central SOMA Plan area.

Approximately 25,000 square feet in size and six stories in height, it includes 48 350-square foot rental SRO dwelling units, 12 of which will be affordable, and an approximately 1,000 square

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tel: 415-567-9000 | fax: 415-399-9480

Oakland Office  
456 8th Street, 2<sup>nd</sup> Floor, Oakland, CA 94607  
tel: 510-257-5589

[www.reubenlaw.com](http://www.reubenlaw.com)

foot ground floor commercial space. It requires no exceptions from the Planning Code relating to the building design or massing such as rear yard or unit exposure, nor does it require special approval for building height or seek additional stories via a density bonus. The Project's benefits include:

1. **25% rental BMR units.** The Project will deliver 25% rental BMR units, the first project in the area to do so. 25% is the highest affordability requirement in San Francisco, exceeding the citywide 19% requirement for rentals. Providing these affordable units on-site furthers the SOMA Youth and Family Zone's purpose to "expand the provision of affordable housing."<sup>1</sup>
2. **Affordable by design market rate rental dwelling units.** In addition to providing on-site affordable units, the Project's market rate units are affordable by design. At 350 square feet in size, these units are more compact than typical new residential units, and will consequently rent for less, passing on savings to occupants and making the units affordable to a wider range of individuals. It is a goal of the Sponsor for the Project's occupants to be people living and working in San Francisco.
3. **\$125,000 for dog park in VMD Park.** After meeting with community groups, the sponsor came to understand that any additional shadow on VMD Park is important and should not be disregarded. To that end, the Project sponsor made a binding commitment to contribute \$125,000 to the Recreation and Parks Department to fund the construction of a dog park in VMD Park.
4. **Transit-oriented development.** The Project furthers San Francisco's transit goals in a number of different ways. It proposes zero off-street parking spaces even though it is permitted to have up to 24 spaces (one space for every two units), and includes 48 Class I bicycle spaces, one space for each unit and fitting for a project located along a major bicycle transit route. It is within walking distance of both the Civic Center BART and MUNI station and the 4<sup>th</sup> and King Caltrain station, as well as numerous MUNI bus lines.
5. **Impact fees.** The Project's impact fees will support child care service, fund public schools, and construct transportation and infrastructure improvements both in the neighborhood and throughout the city.

#### **B. The Project, Prop. K, and Victoria Manalo Draves Park**

Because the Project is over 40 feet in height and casts shade on VMD Park, it is required to obtain a Section 295 Shadow Authorization from this Commission concluding that the Project's shadow will not have an adverse impact on the use of the park. On October 18, the Recreation and Parks Commission unanimously passed a resolution recommending to this Commission that the Project's net new shadow will not have a significant adverse impact on the use of VMD Park. This recommendation is consistent with Planning Department staff's conclusions in the Project's

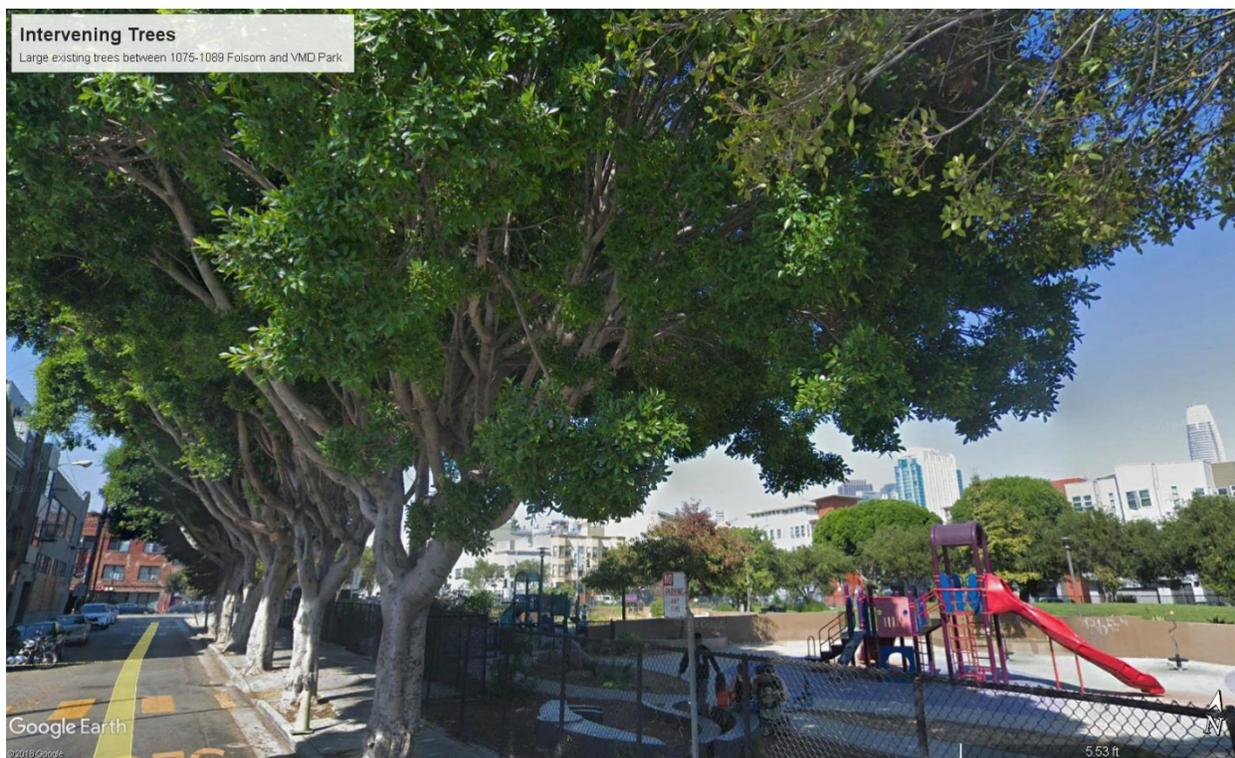
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<sup>1</sup> San Francisco Planning Code § 249.40A.

Community Plan Evaluation that the 0.04% of net new shadow does not cause a significant impact on the environment. There are a number of factors supporting this conclusion.

First, the Project is well within the quantitative standards suggested by Prop. K. Unlike some parks, VMD Park does not have an absolute cumulative shadow limit. On parks over two acres in size that are shadowed less than 20% of the time, the City's suggested quantitative threshold for acceptable net new shadow is 1%.<sup>2</sup> VMD Park is 2.53 acres in size, and is currently in shadow 7.41% of the time. The Project's 0.04% net new shadow is 25 times less than the City's quantitative significance threshold for VMD Park.

The Project's qualitative impact would be less than significant. Although the average duration of shadow is 36 minutes, no single location in the park would be in continuous new shadow for longer than 15 minutes. Also, shadow is cast on different areas of the park depending on the season, with a portion of the baseball diamond shaded during summer solstice, a portion of the oval grass area during fall and spring equinox, and a portion of the basketball court during the winter. In addition, although existing trees are not included in the technical shadow analysis, a bank of 13 large trees line Sherman Street to the west of the park and would absorb a portion of the Project's net new shadow—in particular on the children's play area. A photo of these trees:



<sup>2</sup> Memorandum from the Planning and Recreation and Parks Departments to the Planning Commission and Recreation and Parks Commission, "Proposition K—The Sunlight Ordinance," dated February 3, 1989, pg. 4. The memo is included as **Exhibit A** for reference.

Factoring in surrounding development, the Project and three adjacent projects will cast a total of 0.41% net new shadow on VMD Park. The Project's contribution is only roughly one tenth of the total cumulative net new shadow cast on the park.<sup>3</sup>

The Project has been carefully designed to minimize shadow on the park, with the rooftop's elevator override and mechanical equipment located on the western edge of the building away from the park. Were the Project to be redesigned to eliminate all net new shadow on VMD Park, it would lose an entire floor of housing, costing 9 total units and between 2-3 BMR units.

Finally, through discussions and meetings with neighborhood groups, the Project sponsor came to understand that any additional shadow on VMD Park, no matter how much, is important and should be acknowledged and addressed as part of the Project. To that end, and at the suggestion of these groups, the Project sponsor made a binding commitment to provide \$125,000 to the Recreation and Parks Department for construction of a dog park. The Project sponsor believes this permanent improvement will benefit the community, provide a safe and fun space for neighborhood residents to bring their pets, and further enhance the use and enjoyment of the park.

### **C. Response to DR: Unit Design, Programming, and On-Site Affordability**

The DR requestor—who was invited to but did not attend meetings the sponsor held with other neighborhood groups—has two primary concerns with the Project: (1) the amount of shadow that is cast on VMD Park, and (2) the use of rental SRO dwelling units. Both of these concerns are unfounded, and the DR request should be denied.

#### **1. The Project's Shadow Is Not Extraordinary or Exceptional**

As discussed in greater detail above, the Project's shadow impact from both a quantitative and qualitative perspective is not significant, much less an extraordinary or exceptional circumstance justifying the Commission to take DR and deny the Project or approve it at a lower density.

Quantitatively, its 0.04% net new shadow is 25 times less than the 1% significance threshold suggested by the 1989 Prop. K shadow memo. Qualitatively, no shadow will be cast on a single location for greater than 15 minutes; shadow will be cast in different locations depending on the season; a bank of large trees that is not factored into the quantitative analysis will absorb some of the Project's net new shadow, particularly on the tot lot; and the Project's net new shadow represents only one-tenth of the total 0.41% of shadow that will cumulatively be cast on VMD Park, factoring in other nearby development.

The Project has been carefully designed to minimize shadow impacts. It is code-compliant and does not request any exceptions that might increase massing and therefore potentially cast

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<sup>3</sup> The other projects casting shadow on VMD Park are 850 Bryant (the Hall of Justice) (0.03%); 40 Cleveland (0.003%), and 1052-1060 Folsom/190 Russ (0.38%).

more shadow on the park. The sponsor is not seeking a density bonus to add additional height above the limit, and rooftop appurtenances have been moved to the westernmost portion of the roof.

Redesigning the building to eliminate the Project's 0.04% net new shadow would result in the loss of 9 rental housing units, between 2-3 of which would be affordable. It would also raise questions about the Project's financial feasibility. Approving a less dense project without explaining how 0.04% net new shadow on a 2.5 acre park causes a significant public health or safety impact to park users would also raise concerns about Housing Accountability Act compliance.

## 2. The Project's Unit Typology is Not Extraordinary or Exceptional

Like a project at 42 Otis Street that this Commission recently approved<sup>4</sup>, the Project proposes 350 square foot SRO dwelling units. The DR requestor appears to take issue with the unit typology on the grounds that it is inconsistent with the purpose of the SOMA Youth and Family Special Use District (the "SUD"), and incorrectly assumes the project will be condos. These concerns are unfounded.

The Purpose of the SUD is to "expand the provision of affordable housing," and adopt policies that "enhance the health and environment of youth and families" by focusing on "lower density areas of the district" for the "expansion of affordable housing opportunities."<sup>5</sup> The SUD does not prohibit or discourage SRO dwelling units. Both dwelling units and SRO-style dwelling units are principally permitted at the Property under its base SOMA NCT zoning district.<sup>6</sup>

The Project meets the purpose of the SUD. It provides 25% on-site affordability, which is 6% higher than the current citywide requirement for rental projects (19%)—and 13% higher than the 42 Otis Street project (12%). It will deliver 12 affordable units, which will be appropriate and available for neighborhood residents. Considering the Project's delivery of on-site BMR units, the DR request's concern about increasing affordable housing for neighborhood residents appears better directed to policymakers who can amend the BMR lottery system to allow local preference.

It is a rental project, making both the affordable units and the market rate units available to a wider range of future tenants than a condo project. We should note that a previous plan set contained a drafting error misidentifying the Project's tenancy as condominium, but that mistake has been corrected in the plan set that will be referenced in the Project's approval motions, should it be approved. In any event, the Project sponsor completed an affidavit committing to on-site rentals in February of this year (see **Exhibit B**). At 350 square feet in size, these units are more

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<sup>4</sup> The Commission did not take DR and approved the 42 Otis project in September. Like 1075 Folsom, the DR Requestor of 42 Otis claimed that SRO units are inappropriate type of market rate housing. Unlike 42 Otis, 1075 Folsom will be a rental project and deliver 25% affordability on-site, whereas 42 Otis proposed condos and provided 12% on-site affordability.

<sup>5</sup> Planning Code § 249.40A.

<sup>6</sup> Planning Code § 753.

compact than typical new residential units, and will consequently rent for less, passing on savings to occupants and making the units affordable to a wider range of potential future tenants.

The Project's unit typology meets a number of objectives of the Eastern SOMA Area Plan, including ensuring that a significant percentage of new housing is affordable to people with a wide range of incomes (Objective 2.1); ensuring that new residential developments satisfy an array of housing needs with respect to tenure, unit mix, and community services (Objective 2.3); and continue and expand the City's efforts to increase permanently affordable housing production and availability.

Changing the project's unit typology to traditional dwelling units would actually undermine the purpose of the SUD in a few different ways. It would result in 22 units, less than half of the 48 units currently proposed. Consequently, the Project's affordability requirement would be reduced from 25% to 12%, because unit count would dip below 25. The number of BMR units would decrease by four times, from 12 to 3—eliminating 9 BMR rental units. And the market rate units would be significantly more expensive, with market pressure to make the project condos instead of rentals. This reduction in housing density also is not necessary to eliminate a significant objective health or safety impact.

Finally, the Project will not lead to an exceptional or extraordinary number of new mixed-income or market rate SRO projects in the Property's vicinity. By our calculations, with the Project, only 18% of new housing units within ¼ mile of the site approved by this Commission since 2016 have proposed SROs or group housing: a 102-unit project at 345 6<sup>th</sup> Street approved in 2016 and the Project (see Appendix). This type of new housing is one part of the broader solution to addressing the City's acute housing shortage, and appropriate on a small transit-oriented infill site like the Property.

### **C. Conclusion**

This thoughtfully-designed infill Project will not have a significant effect on the use and enjoyment of VMD Park, either quantitatively or as experienced by neighbors using the park, and does not cause any exceptional or extraordinary impacts. Instead, the Project will deliver a high percentage of rental affordable units for a mixed-income project, meeting the purpose of the Youth and Family Zone, with a unit type that is not predominant in the neighborhood and will be affordable to a comparably wider range of future tenants.

Sincerely,

**REUBEN, JUNIUS & ROSE, LLP**



Mark Loper

**Appendix – Approved Projects within ¼ Mile of Property Since 2016**

	<b>363 6th Street (2015)</b>	<b>345 6th Street (2016)</b>	<b>377 6<sup>th</sup> St./988 Harrison (2016)</b>	<b>301 6th St. /999 Folsom (2017)</b>	<b>980 Folsom Street (2017)</b>	<b>1144-1150 Harrison (2018)</b>	<b>1075 Folsom Street</b>
<b>Housing Units</b>	104 units	102 units (SRO)	100 units	95 units	33 units	371 units	48 units (SRO)
<b><i>Total Units</i></b>					853		
<b><i>SRO Units</i></b>					150 (17.6%)		

\* 1144-1150 Harrison Street paid the affordable housing fee to preserve 101 existing affordable units at the South Beach Marina Apartments.

# **Exhibit A**

This absolute cumulative limit could be used up by one or more new buildings, but, the final determination of how much of this limit could be used by an individual building and what form the new shadow will take should be determined on a case by case basis. However, any shadow cast beyond this limit would be considered significant and could not be allowed.

Allocation of The Absolute Cumulative Limit Among Individual Buildings

Each open space has distinctive characteristics of existing shadows and the shadow that would be created by a new building. Each potential shadow also has distinctive characteristics. Depending on the proposed new building's location the shadow could be fast or slow moving (shadows of buildings near the open space will move through the open space slower than a building farther away from the open space). The proposed new building's height and location will also determine the size and shape of potential new shadow in the park, when (e.g. time of day, time of season) and where in the park the new shadow would be cast. Since a potential shadow may have immensely varied impacts at different times of day, or different seasons, or duration of the shadow, or the size or the location of the shadow, the evaluation of impact depends on a variety of qualitative factors.

The factors to be considered in allocating additional shadow within the Absolute Cumulative Limit will vary from park to park based on the characteristics of that park and the pattern of its existing shadows.

Qualitative criteria for each park should be based on existing shadow profiles, important times of day, important seasons in the year, size and duration of new shadows and the public good served by buildings casting new shadow. These bases are explained below:

### Value of the Sunlight

Time of Day (morning, mid-day, afternoon)

Based on existing shadow conditions and location of a given park, the time of day values of sunlight will have to be established. For example, afternoon and morning sun resources may be more important for preservation in neighborhood parks whereas mid-day sun may be more important in downtown parks. Additionally, some parks may have more shadow during certain times of the day when compared with other parks.

Time of Year (Spring, Summer, Fall, Winter)

In the same way that the time of day value of sunlight has to be established, sunlight value during times of year will also have to be determined.

### Shadow Characteristics

Size of Shadow

Small shadows will generally be preferred to large shadows unless they last for long periods of time or fall on parts of the park where sunlight is particularly critical to users.

#### Duration of Shadow

Shadows lasting a short period of time will generally be preferred to shadows which last a long time unless the fleeting shadows fall during a critical time of day or season and/or are so large that they disrupt use of the park.

#### Location of Shadow

Efforts should be made to avoid shadows in areas of the park where existing or future use of the park is intense and where a new shadow could have detrimental effects on park vegetation.

### **Building Characteristics**

#### Public Good Served By Shadow Caster

Buildings in the public interest in terms of a needed use or building design and urban form may be allocated a larger portion of the Absolute Cumulative Limit than other buildings. For example, the Civic Center Urban Design Plan calls for a building at the same height as the existing library to continue the cornice on Marshall Square thus completing the gap in the framing of Civic Center Plaza. A new library building to accommodate the growing needs of the Public Library is proposed at that space. This new building would cast new shadows in the morning hours on Civic Center Plaza. If the new building could not cast shadows, the ability to use the site for the library would be severely limited. Most of the Civic Center Plaza shadow "budget" could perhaps be allocated to be used by this library.

### **STAFF PROPOSAL FOR CONSIDERATION BY BOTH COMMISSIONS**

The Proposition K mandate is to minimize new shadow impacts and protect the sun resource on San Francisco open spaces. On the basis of several public hearings on the subject, the objective is to construe Proposition K very strictly in terms of the additional shadow on parks. In order to accomplish this objective an Absolute Cumulative Limit is proposed for each individual park. This limit is the additional amount of shadow-foot-hours expressed as a percentage of total-foot-hours of each park as measured by the Sunlight Access Computer System (SACS) developed for the City by the University of California at Berkeley. Additionally, for each open space, criteria for the approval of new buildings have been proposed to evaluate allocations within the Absolute Cumulative Limit.

There are two major factors affecting the impact of shadow on the use of a park which are relevant to setting standards. One is the size of the park and the other is the amount of existing shadow on the park. Taking these two factors into account the staff recommends that the following standards be adopted.

In smaller parks (less than two acres) which are already shadowed 20% or more of the time during the year, it is recommended that no additional shadow

be permitted. On this basis the Absolute Cumulative Limit should be set at zero for the following parks:

<u>Name Of Park</u>	<u>Absolute Cumulative Limit</u>
Maritime Plaza	0%
Embarcadero Plaza I (north)	0%
Portsmouth Square	0%
St. Mary's Square	0%
Boeddecker Park	0%
Chinese Playground	0%
Sgt. Macaulley Park	0%
Huntington Park	0%
South of Market Park	0%

In larger parks (two acres or more) which are shadowed between 20% and 40% of the time during the year it is recommended that up to an additional 0.1% of the current shadow should be permitted if the specific shadow meets the additional qualitative criteria for the park. On this basis the Absolute Cumulative Limit for the following parks should be set at 0.1%:

<u>Name of Park</u>	<u>Absolute Cumulative Limit</u>
Embarcadero Plaza II (south)	0.1%
Union Square	0.1%

Some parks, although within this category above, have surrounding height limits that preclude the possibility of any new shadow. Therefore, the Absolute Cumulative Limit for these parks should be set at 0%. These parks are:

<u>Name of Park</u>	<u>Absolute Cumulative Limit</u>
Washington Square	0%
North Beach	0%

In larger parks which are shadowed less than 20% of the time during the year, it is recommended that additional shadow of up to 1.0% could be permitted if the specific shadow meets the additional qualitative criteria for that park. On this basis the Absolute cumulative criteria for the following park should be set at 1.0%:

<u>Name of Park</u>	<u>Absolute Cumulative Limit</u>
Civic Center Plaza	1.0%

For the three parks on which additional shadow is recommended, it is further recommended that individual project shadows within the Absolute Cumulative Limit be allocated according to the following qualitative criteria for each park.

## Union Square

- LOCATION:** Geary, Post, Powell, Stockton  
Located in the center of the City's retail district.
- SIZE:** 105,515 square feet  
This park ranks as the third largest Downtown park.
- CHARACTERISTICS:** The park is surrounded by tall buildings to the east, west and the south. This relatively flat formal park is slightly elevated from the surrounding streets. Features include park furniture for sitting and lawn areas. The greatest intensity of park use occurs during mid-day hours. Users are downtown workers, shoppers, tourists. Many pedestrians use the park as a mid-block crossing. This park is the location for many civic demonstrations and cultural activities. Union Square is near the Powell Street cable car line and major hotels. A parking facility is located beneath the park.

### **SUN AND SHADOW CONDITIONS:**

#### Yearly Shadow:

38.3% of the total year round sunshine is used up by existing shadows. The shadow profile for this park is generally a "U" shaped shadow distribution with significant shadows in the morning and even greater shadows in the afternoon hours. The "U" shaped distribution is increasingly flat in the Winter due to increased mid-day shadows.

#### Seasonal Shadow:

- Summer:** Least shadow impacts - greatest sun resource. Shadowed in early morning and late afternoon with relatively more shadow during the afternoon hours. Approximately 30% of the sun resource is in shadows at the time of the Summer Solstice.
- Spring/Fall:** Major shadow impacts during the early morning and late afternoon hours. Morning shadows increase as Fall approaches. The least shadow impacts occur between 9:30 AM and 2:30 PM. During Equinox approximately 35% of the park sun resource is in shade.
- Winter:** The greatest shadow impacts on Union Square occur during the Winter months. In Winter, nearly 50% of the park is in shadow for the entire day. There is very little sunlight available before 9:30 AM and after 2:30 PM during the winter. The Winter Solstice conditions are such that 60% of the park sun resource is in shadow.

## ADDITIONAL SHADOW

### Absolute Limit:

Increase of up to 0.1% of total foot-hours for the park based on size and amount of existing shadow. A maximum of 392,663.5 new shadow foot-hours could be allowed.

### Qualitative Criteria:

- Avoid additional shadows during mid-day.

## Civic Center Plaza

**LOCATION:** Polk, Grove, Larkin, McAllister  
In the Civic Center, with major government offices, library and Brook Hall surrounding the open space.

**SIZE:** 222,995 square feet  
Civic Center Plaza is the largest downtown park.

**CHARACTERISTICS:** Heaviest use occurs during mid-day hours. Users are civic center workers, tourists and street people. Features include some park furniture for sitting, lawn area and fountain. This park is the location for many civic demonstrations, assemblies and cultural activities. This is a relatively flat formal park. A parking garage is located beneath the park. Adopted redesign of the park will accommodate more use by neighborhood children and day care providers.

### **SUN AND SHADOW CONDITIONS:**

Yearly Shadow: 7.4% of the total year round sunshine is used up by existing shadows. Civic Center is one of the sunniest of the downtown parks. During most of the year the daily shadow distribution profile is that of a relatively flat "U" shape with greater shadows in the afternoon than in the morning. By Winter the "U" shape has flattened further by decreases in shadows early and late and increased shadows at mid-day.

#### Seasonal Shadow:

- Summer:** Sunny all day except in the late afternoon hours when an average of less than 40% of the park is in shade. Some shadows very early in the morning and very late in the afternoon. Almost no shadows from 9 AM to 4 PM. Approximately 5% in shadows during the Summer Solstice.
- Spring/Fall:** In general summer shadow conditions continue from the Spring and into the Fall. There are however less shadow impacts during the early morning hours and more shadows in the afternoon than occur during the Summer months. Approximately 5% in shadows during the Equinox.
- Winter:** Nearly 75% of the park remains in sun during the Winter months. In late afternoon hours there are increased shadow impacts on the open space. Approximately 10% in shadows during the Winter Solstice.

## ADDITIONAL SHADOW

### Absolute Limit:

Increase of up to 1.0% of total foot-hours for the park based on size of the park and the amount of existing shadow.

A maximum of 8,272,486.1 new shadow foot hours could be allowed.

### Qualitative Criteria:

Preserve afternoon sun, particularly on seating areas and lawn areas.

## Embarcadero Center 2

- LOCATION:** Embarcadero, Clay & Steuart  
This open space is located at the Eastern edge of the Financial District.
- SIZE:** 149,698 square feet  
The second largest Downtown park.
- CHARACTERISTICS:** This park is a plaza surrounded by large office buildings with many ground floor restaurants opening on to the space. The plaza contains a large fountain, open air cafes and is predominately paved. There is a flat grass area at the South end of the plaza. The space has excellent access from Market Street and South of Market Street. During lunch hour the park is heavily used by workers from the Financial District. Tourist use of the park is also heavy due to its location at the base of Market Street, proximity to the Ferry Building, California Street cable car line and the Hyatt Regency. Noon concerts, fashion shows and performances create a great deal of day use of the park.
- SUN AND SHADOW CONDITIONS:**

Yearly Shadow: This open space has significant sun resources during the morning hours. Afternoon shadows are heavy. The "J" shape to the shadow profile is consistent throughout the Spring, Fall and Summer due to the morning sun and the heavy afternoon shadows. The "J" shaped shade curve disappears in the Winter. In the Winter no more than 50% of the park is in the sun after the noon hour. The shape of the curve in Winter is represented by a shaft of sun in the morning and a nearly solid block of shadow in the post morning hours. Overall, 37.6% of the annual sun resource is currently in shadow.

Seasonal Shadow:

**Summer:** Between 8:30 am and noon there are almost no shadows in the plaza. Before 8:30 am nearly 40% of the space is in the shade. After the mid-morning sun the shadows gradually increase until 100% of the park is in shadow at the end of the day. 30% shaded during the Summer Solstice.

**Spring/Fall:** For two hours in the mid-morning there is 100% sun in the park. After 11:30 am the shadows increase such that mid-afternoon shadows are greater than in Summer but never reach the 100% shadows of late afternoon Summer days. 60% shaded during the Equinox.

Winter: During the Winter there is a brief two hour period where the park is in the sun. After 10 am shadows increase rapidly and by noon in mid-December 90% of the plaza is in the shade. 80% shaded during the Winter Solstice.

#### **ADDITIONAL SHADOW**

Absolute Limit: Increase of up to 0.1% of total foot-hours for the park based on size of park and amount of existing shadows. A maximum of 557,086.1 new shadow foot-hours could be allowed.

Qualitative Criteria: Avoid mid-day and Winter shadows.

SAN FRANCISCO  
CITY PLANNING COMMISSION  
RESOLUTION NO. 11595

JOINT RESOLUTION OF THE CITY PLANNING COMMISSION AND RECREATION AND PARK COMMISSION ADOPTING CRITERIA FOR DETERMINATIONS OF SIGNIFICANT SHADOWS IN FOURTEEN DOWNTOWN PARKS WHICH ARE SUBJECT TO BEING SHADOWED BY NEW DEVELOPMENT AND DECLARING THE INTENTION TO APPLY THESE CRITERIA REGARDING SHADOW IMPACTS PRIOR TO CONSIDERATION OF AN APPLICATION FOR A STRUCTURE THAT WOULD SHADOW A PROTECTED PROPERTY.

WHEREAS, The people of the City and County of San Francisco in June 1984 adopted an initiative ordinance, commonly known as Proposition K; and

WHEREAS, Proposition K requires that the City Planning Commission disapprove any building permit application authorizing the construction of any structure that will have any adverse impact on the use of property under the jurisdiction of the Recreation and Park Department because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant; and

WHEREAS, Proposition K provides that the City Planning Commission and the Recreation and Park Commission shall adopt criteria for the implementation of that ordinance; and

WHEREAS, Proposition K can most effectively be implemented by analyzing properties in the City protected by that legislation which could be shadowed by new development, the current patterns of use of such properties, how such properties might be used in the future including considerations of possible future design and redevelopment of the property, and the various shadowing that could be created by various structures, including the amount of shadowing, the duration, and location; and

WHEREAS, The City Planning Commission and Recreation and Park Commission endorsed the submission by the Department of City Planning to the Mayor of a request for a supplemental appropriation in order to fund an analysis of properties that could be shadowed by new development (Resolution No. 13887); and

WHEREAS, A contract was awarded to the University of California at Berkeley's College of Environmental Design to develop a computerized system which could analyze existing shadow conditions on Proposition K properties and provide information to these Commissions necessary to establish rules or guidelines delineating the type of shadowing that can be determined to be significant or insignificant; and

WHEREAS, a computerized system of analysis was developed and used to analyze existing shadow conditions on fourteen downtown parks under the jurisdiction of the Recreation and Park Department; and

WHEREAS, The information developed by this computer analysis was then evaluated jointly by the staffs at the Department of City Planning and the Recreation and Park Department; and

WHEREAS, Recommendations for determinations of significant new shadows based on these staff evaluations were presented jointly to the Commissions in October and November of 1987; and

WHEREAS, A duly advertised public hearing was held on these recommendations; and

THEREFORE BE IT RESOLVED, That the criteria and the staff proposal for consideration by both Commissions presented in the memorandum to the Planning Commission and the Recreation and Park Commission dated February 3, 1989 regarding "Proposition K -- The Sunlight Ordinance" and describing criteria for determining significance be adopted as rules and guidelines for the determinations of significant shadows for the fourteen downtown parks analyzed.

I hereby certify that the foregoing Resolution was ADOPTED by the City Planning Commission on February 7, 1989.

Lori Yamauchi  
Secretary

AYES	Commissioners Bierman, Dick, Engmann, Hu, Johnson, Morales and Tom
NOES	None
ABSENT	None
ADOPTED	February 7, 1989

AKG:181

## **Exhibit B**

# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



Date

I, Angela Cheung,  
do hereby declare as follows:

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

1075 and 1089 Folsom Street  
Address

3754 / 038, 039  
Block / Lot

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

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

2015 - 006512  
Planning Case Number

2017-02149384  
Building Permit Number

This project requires the following approval:

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

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

Kimberly Durandet  
Planner Name

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

Is this project a State Density Bonus Project?

- Yes \_\_\_\_\_
  - No
- (If yes, please indicate whether the project is an Analyzed or Individually Requested State Density Bonus Project)

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

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

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

**Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.

**Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>1</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:

- Direct financial contribution from a public entity.
- Development or density bonus, or other public form of assistance.
- Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

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

- (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

**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.

**H** For projects with EEA's accepted before January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor proceeds with pursuing a permit.

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

**J** 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.

**K** I am a duly authorized agent or owner of the subject property.

<sup>1</sup> California Civil Code Section 1954.50 and following.

**Note to Reviewer:**  
**The Board of Supervisors passed an ordinance "fixing" the Costa Hawkins requirement for on-site affordable rental units.**

**File No. 171193.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

San Francisco  
Location

Feb 8, 2018  
Date

**Sign Here**

  
Signature

Angela Cheung, Manager  
Name (Print), Title

(415) 706-7688  
Contact Phone Number

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

## UNIT MIX TABLES

### Number of All Units in PRINCIPAL PROJECT:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
48	48	0	0	0	0

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

**On-site Affordable Housing Alternative** (Planning Code Section 415.6):  % 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:
	12	0	0	0	0

LOW-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	7	15	55%
MODERATE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	2	5	80%
MIDDLE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	3	5	110%

**Off-site Affordable Housing Alternative** (Planning Code Section 415.7):  % 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 (Planning Code Sections 415.7)
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5)

**Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT**

1075 Folsom LLC

Company Name

Angela Cheung

Name (Print) of Contact Person

1725 Clay Street, #102

Address

San Francisco, CA 94109

City, State, Zip

415-931-3922

Phone / Fax

angela@thepillarcapital.com

Email

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

**Sign Here**

Angela Cheung / Authorized Signatory

Signature:



Name (Print), Title:

Angela Cheung, Manager

**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:

# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



Date: October 25, 2017

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

From: San Francisco Planning Department

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

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

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

The provisions of the Inclusionary Housing Program have recently been revised by the Board of Supervisors, effective on August 26, 2017 (Ord. No. 158-17 and File NO. 161351). Please be aware that the inclusionary requirements may differ for projects depending on when a complete Environmental Evaluation Application (EEA) was deemed complete by the Department ("EEA Accepted date"). Please also note that there are different requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached charts to determine the applicable requirement. Charts 1-3 include two sections. The first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

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

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

Projects that received a first discretionary approval prior to January 12, 2016 are not subject to the revised Inclusionary requirement. The applicable requirements for these projects are those listed in the "EEA accepted before 1/1/13" column.

The Project contains:  48 UNITS	The zoning of the property is: SOMA NCT	Complete EEA was submitted on: 2/23/2016
---------------------------------------	--------------------------------------------	---------------------------------------------

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

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

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

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

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

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









# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



Date

I, Angela Cheung,  
do hereby declare as follows:

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

1075 and 1089 Folsom Street  
Address

3754 / 038, 039  
Block / Lot

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

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

2015 - 006512  
Planning Case Number

2017-02149384  
Building Permit Number

This project requires the following approval:

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

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

Kimberly Durandet  
Planner Name

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

Is this project a State Density Bonus Project?

- Yes \_\_\_\_\_
  - No
- (If yes, please indicate whether the project is an Analyzed or Individually Requested State Density Bonus Project)

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

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

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

**Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.

**Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>1</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:

- Direct financial contribution from a public entity.
- Development or density bonus, or other public form of assistance.
- Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

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

- (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

**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.

**H** For projects with EEA's accepted before January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor proceeds with pursuing a permit.

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

**J** 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.

**K** I am a duly authorized agent or owner of the subject property.

<sup>1</sup> California Civil Code Section 1954.50 and following.

**Note to Reviewer:**  
**The Board of Supervisors passed an ordinance "fixing" the Costa Hawkins requirement for on-site affordable rental units.**

**File No. 171193.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

San Francisco  
*Location*

Feb 8, 2018  
*Date*

**Sign Here**

  
*Signature*

Angela Cheung, Manager  
*Name (Print), Title*

(415) 706-7688  
*Contact Phone Number*

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

## UNIT MIX TABLES

### Number of All Units in PRINCIPAL PROJECT:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
48	48	0	0	0	0

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

**On-site Affordable Housing Alternative** (Planning Code Section 415.6):  % 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:
	12	0	0	0	0

LOW-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	7	15	55%
MODERATE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	2	5	80%
MIDDLE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	3	5	110%

**Off-site Affordable Housing Alternative** (Planning Code Section 415.7):  % 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 (Planning Code Sections 415.7)
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5)

**Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT**

1075 Folsom LLC

Company Name

Angela Cheung

Name (Print) of Contact Person

1725 Clay Street, #102

Address

San Francisco, CA 94109

City, State, Zip

415-931-3922

Phone / Fax

angela@thepillarcapital.com

Email

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

**Sign Here**

Angela Cheung / Authorized Signatory

Signature:



Name (Print), Title:

Angela Cheung, Manager

**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:

# SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME: 1075 Folsom LLC	
PROPERTY OWNER'S ADDRESS: 1725 Clay Street, #102 San Francisco, CA 94109	TELEPHONE: (415 ) 931-3922
	EMAIL: angela@thepillarcapital.com

APPLICANT'S NAME: Angela Cheung <span style="float: right;">Same as Above <input checked="" type="checkbox"/></span>	
APPLICANT'S ADDRESS:	TELEPHONE: ( )
	EMAIL:

CONTACT FOR PROJECT INFORMATION: <span style="float: right;">Same as Above <input checked="" type="checkbox"/></span>	
ADDRESS:	TELEPHONE: ( )
	EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): <span style="float: right;">Same as Above <input checked="" type="checkbox"/></span>	
ADDRESS:	TELEPHONE: ( )
	EMAIL:

## 2. Location and Project Description

STREET ADDRESS OF PROJECT: 1075 and 1089 Folsom Street		ZIP CODE: 94103
CROSS STREETS: 7th Street and Sherman Street		
ASSESSORS BLOCK/LOT: 3754/ 038 and 039	ZONING DISTRICT: SOMA NCT	HEIGHT/BULK DISTRICT: 65-X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	0	48	48
<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: \_\_\_\_\_

Feb 8, 2018

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

Angela Cheung / Authorized Agent

Owner / Authorized Agent (circle one)



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)	
1075 and 1089 Folsom Street		3754 / 038, 039	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
2017-02149384	2015-006512	N/A	
PROJECT SPONSOR	MAIN CONTACT	PHONE	
1075 Folsom, LLC	Angela Cheung	415-931-3922	
ADDRESS			
1725 Clay Street #102			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94109		angela@thepillarcapital.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
48	1,118 sf	6 stories, 65'	
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 <b>C</b>, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.</li> <li>If you checked <b>A</b> or <b>B</b>, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning 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...