



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Large Project Authorization

HEARING DATE: AUGUST 23, 2018

Date: August 17, 2018
Case No.: **2016-012030ENX**
Project Address: **255 SHIPLEY STREET**
Zoning: MUR (Mixed-Use Residential) Zoning District
SoMa Youth and Family Special Use District
45-X Height and Bulk Districts
Block/Lot: 3753/070 & 071
Project Sponsor: Jody Knight, Reuben, Junius and Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
jknight@reubenlaw.com or (415) 567-9000
Staff Contact: Linda Ajello Hoagland – (415) 575-6823
linda.ajellohoagland@sfgov.org
Recommendation: **Approval with Conditions**

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 includes the demolition of an existing 8,650 square foot (sq. ft.) industrial building and construction of a four-story, approximately 43-feet, 9-inches tall 37,830 square feet (sq. ft.) mixed-use building with 24 dwelling units, 4,365 sq. ft. of ground floor Production, Distribution and Repair (PDR), 5 off-street parking spaces, 24 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces. The dwelling unit mix includes 5 studios, 3 one-bedroom and 16 two-bedroom units. The Project includes 2,760 sq. ft. of usable open space through a combination of private and common open space. Two new trees would be planted adjacent to the subject property along Shipley Street and three new trees along the frontage on Clara Street. The existing curb cuts on Shipley and Clara Streets will be removed and replaced with new sidewalk and a new curb-cut will be installed on Clara Street.

ISSUES AND OTHER CONSIDERATIONS

- Public Comment & Outreach: The Department has not received any formal comments regarding the proposal.
- Large Project Authorization: The Commission must grant Large Project Authorization (LPA) pursuant to Planning Code Section 329 to allow new construction over 25,000 gross square feet in an Eastern Neighborhoods Mixed-Use District. As part of the LPA, the Commission may grant exceptions from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The project is seeking exceptions from the rear yard requirements (Planning Code Section 134), dwelling unit

exposure for 5 units (Planning Code Section 140) and street frontage-ground floor active use (Planning Code Section 145.1).

- Entertainment Commission: In compliance with Ordinance No. 70-15, the Project Sponsor consulted the Entertainment Commission, however the Place of Entertainment (Codeword/DNA Pizza) closed and the Entertainment Commission concluded the project no longer required review.
- Inclusionary Affordable Housing: The Project has elected the on-site ownership affordable housing alternative, identified in Planning Code Section 415.6. The project site is located within the MUG Zoning District, which requires 12% (2.88 units) of the total number of units to be designated as part of the inclusionary affordable housing program, since the project filed an Environmental Evaluation Application on June 16, 2017. The Project contains 24 units and the Project Sponsor will fulfill this requirement by providing the 3 affordable units on-site (12.5%), which will be available for rental.
- Proposition X (Planning Code Section 202.8): Planning Code Section [202.8](#) requires that projects resulting in the loss of PDR, Institutional Community, or Arts Activities uses in certain Eastern Neighborhoods provide replacement space for said use. The Project is located in the MUR Zoning District, which is subject to Proposition X, and would remove 8,650 square feet of PDR space. In the area that, as of July 1, 2016, are zoned MUR, the replacement space shall include 0.50 square foot of PDR, Institutional Community, or Arts Activities use for each square foot of the use proposed for conversion. The Project provides 4,365 sq. sf. of PDR use to satisfy the replacement requirement.
- Transportation Demand Management (TDM): In compliance with Planning Code Section 169 the Project submitted a Transportation Demand Management Plan. The Project submitted a completed Environmental Evaluation Application on or after September 4, 2016, and before January 1, 2018. Therefore, the Project must only achieve 75% of the point target established in the TDM Program Standards, resulting in a required target of 8.25 points. As proposed, the Project will achieve 12 points through measures including, but not limited, to parking supply, on-site affordable housing, and bicycle parking.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329, to allow the construction of a new four-story, approximately 43-feet, 6-inches tall 37,830 square feet (sq. ft.) mixed-use building with 24 dwelling units, 4,365 sq. ft. of ground floor PDR, and to allow exceptions to the Planning Code requirements for rear yard (Planning Code Section 134), dwelling unit exposure for 5 units (Planning Code Section 140); and street frontage-ground floor active use (Planning Code Section 145.1).

BASIS FOR RECOMMENDATION

The Department believes this project is approvable for the following reasons:

- The Project is in general compliance with the applicable requirements of the Planning Code.
- The Project is, on balance, consistent with the Objectives and Policies of the General Plan.

- The Project is consistent with and respects the varied neighborhood character, and provides an appropriate massing and scale for the adjacent contexts.
- The Project complies with the First Source Hiring Program.
- The Project produces a new mixed-use development with ground floor PDR and significant site updates, including landscaping and common open space.
- The Project is consistent with and respects the existing neighborhood character, and provides an appropriate massing and scale for a mid-block site.
- The Project adds 24 new dwelling units to the City's housing stock, including 5 studios, 3 one-bedroom and 16 two-bedroom.
- The Project adds on-site affordable housing units, and will designate 12.5% of the total number of base project dwelling units (or 3 dwelling units) as part of the inclusionary affordable housing program.
- The Project will fully utilize the Eastern Neighborhoods Area Plan controls, and will pay the appropriate development impact fees.

ATTACHMENTS:

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414A)
- Other (EN Impact Fees, Sec 423; TSF, Sec 411A)

1650 Mission St.
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Draft Planning Commission Motion No. XXXXX

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ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, 2) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, AND 3) STREET FRONTAGE-GROUND FLOOR ACTIVE USE PURSUANT TO PLANNING CODE SECTION 145.1 FOR THE CONSTRUCTION OF A NEW FOUR-STORY, 43-FOOT, 9-INCH TALL, MIXED-USE BUILDING WITH 24 DWELLING UNITS AND APPROXIMATELY 4,365 SQUARE FEET OF GROUND FLOOR PRODUCTION, DISTRIBUTION AND REPAIR (PDR), LOCATED AT 255 SHIPLEY STREET, LOTS 070 AND 071 IN ASSESSOR'S BLOCK 3753, WITHIN THE MUR (MIXED USE-RESIDENTIAL) ZONING DISTRICT, SOMA YOUTH AND FAMILY AND WESTERN SOMA SPECIAL USE DISTRICTS, AND A 45-X HEIGHT AND BULK DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On November 28, 2017, Jody Knight (hereinafter "Project Sponsor") filed Application No. 2016-012030ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new four-story mixed use building with a total of 24 dwelling units and 4,365 square feet of ground floor Production, Distribution and Repair (PDR) space at 255 Shipley Street (Block 3753, Lots 070 and 071) in San Francisco, California.

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 August 1, 2018, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable

to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On August 23, 2018, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2016-012030ENX.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2016-012030ENX is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2016-012030ENX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The site ("Project Site") consists of two adjacent lots, Lots 070 and 071, in the Assessor's Block 3753, located on the east side of Shipley Street, between 5th and 6th Streets in the Mixed Use-Residential (MUR) Zoning District. The eastern lot, 070, is a through lot to Clara Street, and is currently occupied by an industrial building (8,650 sq. ft.) constructed in 1923 and is currently used as an automobile repair facility with storage and office space. The adjacent lot 071 consists of a paved driveway and surface parking lot (2,000 sq. sf.). The subject property is located mid-block, has approximately 9,750 sq. ft. of lot area, with 50-foot frontage on Shipley Street and a 75-foot frontage on Clara Street.
3. **Surrounding Properties and Neighborhood.** The Project Site is located along a mixed-use corridor within the East SoMa Area Plan. The Project Site has two frontages: Shipley Street, which is a one-way street with parallel on-street parking on both sides of the street; and Clara Street, which is a one-way street with parallel on-street parking on one side of the street. The immediate context is mixed in character with a mix of residential, industrial and automotive uses. The surrounding buildings vary in appearance and height; two- to 5-story buildings are generally multifamily residential in character and consist of wood-frame construction, while the shorter one- and two-story buildings are of more industrial appearance consisting of masonry and concrete construction materials. The project site is within proximity to Interstate 80 (0.1 mile southeast of the project site), Bessie Carmichael Elementary School (0.2 mile southwest, Victoria Manalo Draves Park (0.1 mile southwest), and the South of Market Recreation Center (0.1 mile west). Other zoning districts in the vicinity of the Project Site include: MUG (Mixed-Use,

General); WMUG (Western SoMa Mixed Use, General); SALI (Service, Arts and Light Industrial); and, P (Public).

4. **Project Description.** The project includes the demolition of an existing 8,650 square foot (sq. ft.) industrial building and construction of a four-story, approximately 43-feet, 9-inches tall 37,830 square feet (sq. ft.) mixed-use building with 24 dwelling units, 4,365 sq. ft. of ground floor Production, Distribution and Repair (PDR), 5 off-street parking spaces, 24 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces. The dwelling unit mix includes 5 studios, 3 one-bedroom and 16 two-bedroom units. The Project includes 2,760 sq. ft. of usable open space through a combination of private and common open space. Two new trees would be planted adjacent to the subject property along Shipley Street and three new trees along the frontage on Clara Street. The existing curb cuts on Shipley and Clara Streets will be removed and replaced with new sidewalk and a new curb-cut will be installed on Clara Street.
5. **Public Comment.** As of August 17, 2018, the Planning Department has not received any public comment.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Permitted Uses in MUR Zoning District.** Planning Code Section 841.20 states that residential uses are principally permitted use within the MUR Zoning District. PDR uses listed in Planning Code Sections 843.70-843.87 are principally, conditionally or not permitted.

The Project would construct new residential and retain PDR uses within the MUR Zoning District; therefore, the Project complies with Planning Code Sections 841.20 and 841.70-841.87. Depending on the specific PDR tenant, they will comply as principally permitted PDR uses per Sec. 843.70-843.87 or seek a Conditional Use, as required by the Planning Code.

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) for non-residential uses of 3.0 to 1 for properties within the MUR Zoning District and within 45-X Height and Bulk District.

The Project site is 9,750 square feet, thus resulting in a maximum allowable floor area of 29,250 square feet of non-residential space. The Project would construct a total of 4,365 square feet of non-residential space and would comply with Planning Code Section 124.

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level. Therefore, the Project would have to provide a rear yard, which measures approximately 38.75 feet from the rear lot line.

The Project site is located on a through lot with frontage on Shipley and Clara Streets and has been designed to have a continuous street wall along both street frontages and a ground floor, central courtyard, which measure approximately 25-feet by 50-feet and 15-feet by 25-feet (measuring

approximately 1,625 square feet) between the buildings. In addition, the Project provides common open space via two roof decks, which will measure approximately 2,760 square feet. Therefore, the Project's total amount of common open space (4,385 square feet) exceeds the amount of open space that would have been provided through the rear yard. However, this open area is not located adjacent to the rear property line (Clara Street) as required by the Planning Code; therefore, the Project is seeking a modification of the rear yard requirement as part of the Large Project Authorization (See Below).

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

For the proposed 24 dwelling units, the Project is required to provide 1,920 sq. ft. of open space. In total, the Project exceeds the requirements for open space by providing a total of approximately 2,760 square feet of Code-complying usable open space via two roof decks. Therefore, the Project complies with Planning Code Section 135.

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

The subject lot is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project meets the requirements for feature-related hazards.

- F. Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, code compliant rear yard or other open area that meets minimum area and horizontal dimensions. Planning Code Section requires that an open area be a minimum of 25 feet in every horizontal dimension and at the level of the dwelling unit and the floor above and then increase of five feet in every horizontal dimension at each subsequent floor above the fifth floor.

The Project organizes the dwelling units to have exposure either on Shipley Street, Clara Street or the inner court. Currently, five dwelling units do not face onto an open area, which meets the dimensional requirements of the Planning Code. Therefore, the project is seeking a modification of the dwelling unit exposure requirements for five units as part of the Large Project Authorization.

- G. Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires that active uses occupy the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street; that non-residential uses have a minimum floor-to-floor height of 14 feet; that off-street parking be set back a minimum of 25 from any street facing façade and screened from the public right-of-way; that entrances to off-street parking be no more than one third the width of the street frontage or 20 feet, whichever is less; and that

frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The Project provides off-street parking below grade with an entrance along Clara Street, which is 10-ft wide. The Project features active uses on the ground floor with residential uses with angled balconies along Shipley and Clara Streets and basement level PDR space along Clara Street. The ground floor residential units along Shipley and Clara Streets are not walk-up units; therefore, the project is seeking a modification from the street frontage- ground floor active residential use requirements as part of the Large Project Authorization. Additionally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements.

- H. Off-Street Parking.** Off-Street vehicular parking is not required within the MUR Zoning District. Rather, per Planning Code Section 151.1, off-street parking is principally permitted within the MUR Zoning District at a ratio of one car for each four dwelling units (0.25) or conditionally permitted at a ratio of .75 cars for each four dwelling unit.

For the 24 dwelling units, 5 off-street parking spaces are permitted. The Project proposed 5 off-street parking spaces and therefore complies with Planning Code Section 151.1.

- I. Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units. Additional bicycle parking requirements apply based on classification of non-residential uses, at least two Class 2 spaces are required for non-residential uses.

The Project includes 24 dwelling units; therefore, the Project is required to provide 24 Class 1 bicycle parking spaces and 1 Class 2 bicycle parking spaces for residential uses and 2 Class 2 spaces for the ground floor non-residential uses. The Project will provide 24 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

- J. Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 11 points.

The Project submitted a completed Environmental Evaluation Application on or after September 4, 2016, and before January 1, 2018. Therefore, the Project must only achieve 75% of the point target established in the TDM Program Standards, resulting in a required target of 8.25 points. As currently proposed, the Project will achieve 12 points through the following TDM measures:

1. *Parking Supply (Option G)*
2. *Unbundled Parking (Location D)*
3. *Bicycle Parking (Option A)*
4. *On-Site Affordable Housing (Option A)*

- K. Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms, or no less than 35 percent of the total number of proposed Dwelling Units shall contain at least two or three bedrooms with at least 10 percent of the total number of proposed Dwelling Units containing three bedrooms.

For the 24 dwelling units, the Project is required to provide either 10 two-bedroom units or 7 three-bedroom units or 8 two or three-bedroom units, with no less than 2 three-bedroom units. Currently, the Project provides 16 two-bedroom units; therefore, the proposed project complies with Planning Code Section 207.6.

- L. Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on June 16, 2017; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on May 16, 2018. The EE application was submitted on June 16, 2017. Pursuant to Planning Code Sections 415.3 and 415.6, the current on-site requirement is 12%. Three units (2 studios and one two-bedroom) of the 24 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- M. Transportation Sustainability Fee.** Planning Code Section 411A is applicable to new development that results in more than twenty dwelling units.

The Project includes approximately 28,090 gross square feet of new residential use and 4,365 gross square feet of PDR use. This square footage shall be subject to the Transportation Sustainability Fee, as outlined in Planning Code Section 411A.

- N. Residential Child-Care Impact Fee.** Planning Code Section 414A is applicable to new development that results in at least one net new residential unit.

The Project includes approximately 28,090 gross square feet of new residential use associated with the new construction of 24 dwelling units. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A.

- O. Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the MUR (SOMA Mixed Use - Residential) Zoning District that results in the addition of gross square feet of non-residential space.

The Project includes approximately 37,830 gross square feet of new development consisting of approximately 28,090 square feet of new residential use and 4,365 square feet of PDR. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.

- 7. Large Project Authorization in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine design criteria that must be considered by the Planning Commission when considering LPAs. The Planning Commission finds that the project is compliant with these nine criteria as follows:

- A. Overall building mass and scale.**

The Project's mass and scale are appropriate for a through lot fronting on two mixed-use streets, and surrounded by a mix of residential industrial and commercial buildings on Shipley and Clara Streets. As part of the Eastern Neighborhoods Area Plan, these portions of Shipley and Clara Streets were rezoned to increase the overall height and density to provide the opportunity to support the City's housing goals and public transit infrastructure. The Project complies with the East SoMa Area, which is part of the Eastern Neighborhoods Area Plans, by providing for a new four-story (43-ft, 9-inch tall) mixed-use building with 24 residential dwelling units along this portion of Shipley and Clara Streets. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage and block wall along Shipley and Clara Streets. The Project's inner court location contributes positively to the irregular pattern of interior block open space in the subject block. The adjacent properties to the north and south include two- to four-story, multi-family residential uses and single-story PDR uses; two- to four story multi-family residential uses across Shipley Street to the west; and across Clara Street to the east are two four-story residential buildings. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood, which is transitioning to a higher density mixed-use area, as envisioned by the East SoMa Area Plan.

- B. Architectural treatments, facade design and building materials.**

Overall, the Project has a contemporary frame architectural style that complements the adjacent residential buildings. The Project's architectural treatments, facade design and building materials include Porcelonsa at the ground floor, white high pressure laminated resin board rains screen on the upper floors, glass railings, and aluminum frame glazing. The facade provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in

the neighborhood. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood.

- C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access.

On the lower floors, the Project provides regularly spaced residential units with angled glazing and balconies and a central access to the residential lobby on both Shipley and Clara Streets. The Project includes basement level PDR use which has its entrance along Clara Street, in addition to glazed openings at the basement level. The singular driveway on Clara Street and the proposed parking spaces in the basement reduces vehicular queuing and minimizes potential conflicts with pedestrians and bicyclists. The Project's inner court aligns with the developing mid-block open space and is provided at the ground level. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity.

- D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site.

The Project provides required open space for the 24 dwelling units in the form of roof decks. In total, the Project provides approximately 2,760 square feet of open space.

- E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2.

Planning Code Section 270.2 does not apply to the Project, since the project does not possess more than 200-ft of frontage along any single street.

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

The Project provides the required number of new street trees, as well as new sidewalks and bicycle racks. These improvements will enhance the public realm.

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

Since the subject lot has two street frontages, the Project provides ample circulation around the project site, with convenient access to bicycle parking and amenities from the residential lobby. Automobile access is limited to the single entry/exit (measuring 10-feet wide) along Clara Street.

- H. Bulk limits.

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

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

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

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

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

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

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

The Project site is located on a through lot with frontage on Shipley and Clara Streets and has been designed to have a continuous street wall along both street frontages and a ground floor, inner court, which measures approximately 25-feet by 50-feet and 15-feet by 25-feet (measuring approximately 1,625 square feet) between the buildings. However, the courtyard provides for a comparable amount of open space, in lieu of the code-compliant rear yard. Overall, the Project will be located on a lot measuring 9,750 square feet in size, and would be required to provide a rear yard measuring approximately 2,906 square feet. The Project provides a 1,625 square foot inner court and common open space for the 24 dwelling units through common roof decks, which will measure approximately 2,670 square feet. In total, the Project provides approximately 4,295 square feet of open space, thus exceeding the amount of space, which would have been provided in a code-conforming rear yard.

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

The Project does not impede access to light and air for the adjacent properties in that the building to the north of the site covers 100 percent of the lots resulting in no mid-block open space. The Project's inner court will create mid-block open space where none currently exists; the inner court will also continue the mid-block open space on the properties to the south.

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

The Project is not seeking a modification to the open space requirements; however, the Project is

seeking a modification to the exposure requirements for 5 of the 24 dwelling units. Overall, the majority of the Project meets the intent of exposure requirements defined in Planning Code Section 140. Currently, these 5 dwelling units do not front onto a code-complying open area.

- B. Street Frontage. Exception to the requirements for street frontage, pursuant to Planning Code Section 145.1).

Planning Code Section 145.1 requires active uses within the first 25 feet of building depth on the ground floor. The building has been designed with central building entrances and corridors which extend through the building from Shipley Street to Clara Street, providing direct access in and out of the building from both streets. The street fronting residential units have small private balconies which will activate the Project's frontages. While the residential units are considered an active use, they are not walk-up units; therefore, the project is seeking a modification from the street frontage- ground floor active residential use requirements as part of the Large Project Authorization. Given the proposed ground floor design, the Commission finds this exception is warranted due to the overall improvement in the streetscape and activation of the project frontages.

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

In addition to the modification of the requirements for rear yard and street frontage-ground floor active residential uses, the Project is seeking modifications of the requirements for exposure (Planning Code Section 140).

Under Planning Code Section 140, all dwelling units must face onto an open area, which is at least 25-wide. The Project organizes the dwelling units to have exposure either on Shipley Street, Clara Street, or along the ground floor inner court. This inner court does not meet the rear yard requirements, since it is located in the center of the subject site, is obstructed by the pedestrian bridges above and it does not extend 25 feet in every horizontal direction. Currently, 5 dwelling units (located on the first through fourth floors) do not face onto an open area, which meets the dimensional requirements of the Planning Code. These dwelling units still face onto an open area and are also afforded sufficient access to light and air. Given the overall design and composition of the Project, the Commission finds this modification is warranted, due to the Project's quality of design and comparable amount of open space/open areas.

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

HOUSING

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

The Project is a mixed-use development containing a total of 24 new dwelling units. The Project provides a mix of studio, one and two-bedroom units, ranging in size from 320 to 1,310 square feet, which will suit range of households. The Project includes 3 on-site affordable dwelling units, which complies with the inclusionary affordable housing requirements.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

The design of this Project responds to the site's location within a mixed-use area with industrial, commercial and residential uses. The Project's facades provide a simple expression that relates to the surrounding neighborhood, while providing for a material palette and aesthetic, which is contemporary in character and relatively simple in design. The exterior is designed with modern materials including Porcelonsa at the ground floor, white high pressure laminated resin board rains screen on the upper floors, glass railings, and aluminum frame glazing. The massing and scale are indicative of the urban fabric of the surrounding area.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 25:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 25.2:

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

Policy 25.4:

Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Shipley and Clara Streets, as permitted by the Department of Public Works (DPW). The proposed building will provide active spaces oriented at the pedestrian level.

OBJECTIVE 30:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 30.1:

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

Policy 30.3:

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

The Project includes 24 Class 1 bicycle parking spaces in a secure and convenient location, and 4 Class 2 bicycle parking spaces, which are publically-accessible.

OBJECTIVE 36:

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

Policy 36.1:

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

The Project does propose accessory vehicular parking and includes transportation demand management measures in compliance with Planning Code Section 169, and thereby promotes the City's transit first policies and strategies that encourage the use of alternative modes of transportation.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.7:

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

The Project is located within the East SoMa neighborhood. The surrounding area is mixed in character with industrial, commercial and residential uses. As such, the Project provides an appropriate ground floor, massing and scale, which responds to the form and scale of the existing neighborhood, while also providing a new contemporary architectural vocabulary and a better pedestrian experience, as compared to the existing site.

OBJECTIVE 4:

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

Policy 4.5:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

Although the project site has two street frontages, it only provides one vehicular access point for the entire project, thus limiting conflicts with pedestrians and bicyclists. New street trees will be planted on each street. The Project provides ample frontages for PDR and residential use and an active ground floor, which appropriately engages the street. Along the project site, the pedestrian experience will be greatly improved. Currently, the site contains a warehouse.

EAST SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 1.1

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

Policy 1.1.8

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

OBJECTIVE 1.2

MAXIMIZE HOUSING POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1

Encourage development of new housing throughout East SoMa.

Policy 1.2.2

Encourage in-fill housing development is compatible with its surroundings.

Policy 1.2.3

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

Policy 1.2.4

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

OBJECTIVE 2.3

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

Policy 2.3.5

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

Policy 2.3.6

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

OBJECTIVE 3.1

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

Policy 3.1.1

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

Policy 3.1.8

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

Policy 3.1.11

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

OBJECTIVE 3.2

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

Policy 3.2.1

Require high quality design of street-facing exteriors.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

The Project is largely residential, but does include a basement level production, distribution and repair space. The Project provides the mix of uses encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk guidelines, and includes the appropriate dwelling unit mix, since approximately 67% or 16 units are two-bedroom dwellings. The Project introduces a contemporary architectural vocabulary, which responds to the prevailing scale and neighborhood fabric and which compliments the broader context of large buildings along Mission and Market Streets. The Project provides an exterior which features a variety of materials, including Porcelonsa, high pressure laminated resin board rains screen, glass railings, and aluminum frame glazing. The Project will pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees, Transportation Sustainability Fee and the Residential Child-Care Fee.

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

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

The site is currently occupied by an industrial warehouse building used as an automotive repair shop. No retail uses exist on the project site. The Project improves the urban form of the neighborhood by removing the former warehouse. The Project would add new residents, visitors, and employees to the neighborhood, which would strengthen nearby retail uses and would provide new opportunity for retail employment/ownership.

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

No housing exists on the project site. The Project will provide 24 dwelling units, thus resulting in an increase in the neighborhood housing stock. The Project would also provide production, distribution and repair space that is compatible with the mix of existing residential, industrial and commercial uses.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will provide 3 on-site affordable dwelling units, thus increasing the City's stock of affordable housing units.

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

The project site is well-served by public transportation. The Project is located within walking distance to the Powell Street Muni and BART Station, and is within a .25 mile of several Muni bus stops, including the 8-City College, 12-Mission, 14X-Daly City and 12-Jackson & Van Ness. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking at a ratio of .25 per dwelling unit, and ample bicycle parking for residents and their guests.

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

The Project is consistent with the East SoMa Area Plan, which encourages mixed-use development, while maintaining its special mixed-use character. The Project does not involve the creation of commercial office development. The Project would enhance opportunities for resident employment and ownership in industrial and service sectors by providing for new housing and PDR space, which will increase the diversity of the City's housing supply (a top priority in the City) and provide new potential neighborhood-serving uses and employment opportunities.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code.

- G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the project site or within the immediate vicinity.

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

The Project will not cast shadow on public parks or open spaces.

11. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall

have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2016-0120306ENX** under Planning Code Section 329 to allow the new construction of a four-story (43-foot, 9-inch tall) mixed use building residential building with 24 dwelling units and approximately 4,365 square feet of basement level production, distribution and repair (PDR), and exceptions to the requirements for: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure for 5 units (Planning Code Section 140); and 3) street frontage-ground floor active use (Planning Code Section 145.1); within the MUR (Mixed Use-Residential) Zoning District, Eastern SoMa and SoMa Youth and Family Special Use Districts, and a 45-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 13, 2018, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

Draft Motion
Hearing Date: August 23, 2018

CASE NO. 2016-012030ENX
255 Shipley Street

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 23, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: August 23, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to construct a four-story (43-foot, 9-inch tall) mixed use building with 24 dwelling units and approximately 4,365 square feet of basement level Production, Distribution and Repair use at 255 Shipley Street (Block 3753 Lots 070 and 071) within the MUR (Mixed Use-Residential) Zoning District, Eastern SoMa and SoMa Youth and Family Special Use District, and a 45-X Height and Bulk District, in general conformance with plans dated August 13, 2018 and stamped "EXHIBIT B" included in the docket for Case No. 2016-012030ENX and subject to conditions of approval reviewed and approved by the Commission on August 23, 2018 under Motion No. XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on August 23, 2018 under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

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

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

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

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2016-012030ENV) attached as Exhibit C are necessary to

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

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

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

10. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

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

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

PARKING AND TRAFFIC

11. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 24 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

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

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

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

13. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the

Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

14. **Managing Loading Activities.** The project sponsor shall coordinate with the SFMTA to minimize traffic congestion during residential move-in/move-out activities and freight loading activities associated with the production, distribution and repair space.

PROVISIONS

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

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

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

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

17. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

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

18. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

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

19. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 the Project Sponsor shall contribute to the Eastern Neighborhoods Public Benefit Fund through payment of an Impact Fee.

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

MONITORING

20. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject

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

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

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

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

OPERATION

22. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

23. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

24. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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

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

INCLUSIONARY HOUSING

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

26. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 24 units; therefore, 3 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 3 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

27. **Unit Mix.** The Project contains 5 studio, 3 one-bedroom and 16 two-bedroom units; therefore, the required affordable unit mix is 2 studio and 1 two-bedroom unit. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

28. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

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

29. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

31. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>


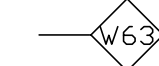
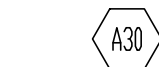
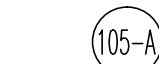


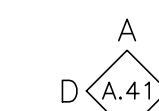

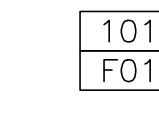
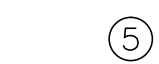

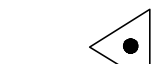
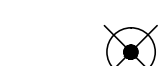


As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to low-income households, as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- g. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

SYMBOLS

-  REFERENCE POINT
-  WALL, FLOOR AND ROOF TYPE
-  WINDOW NUMBER (FOR WINDOW SCHEDULE)
-  DOOR NUMBER (FOR DOOR SCHEDULE)
-  DETAIL NUMBER
SHEET LOCATION
-  SECTION NUMBER
SHEET LOCATION
-  SPECIFIC WALL LETTER
SHEET LOCATION
-  ROOM NAME
-  ROOM NUMBER
FLOOR TYPE
-  SHEET NOTE DESIGNATION AND NUMBER
-  SPRINKLER: PENDENT CONCEALED
-  SPRINKLER: SIDEWALL CONCEALED
-  SPRINKLER: PENDANT
-  PROPERTY LINE
-  HANDICAP ACCESSIBLE

PROJECT DATA

PARKING:

AUTOMOBILE STALLS PROVIDED: 6

24 DWELLING UNITS X .25 PARKING STALLS PER DWELLING UNITS PERMITTED = 6 STALLS

BIKE STALLS PROVIDED: 28

CLASS I = 24
CLASS II = 4

CLASS I BIKE STALLS
24 UNITS X 1 STALL/DWELLING UNIT = 24 REQ. 24 CLASS I PROVIDED

CLASS II BIKE STALLS
24 UNITS X 1 STALL/20 DWELLING UNIT + 1 STALL FOR PDR = 3 REQ. 4 CLASS II PROVIDED

TDM SCORE:
TARGET RES: 11 PROVIDED RES: 12
TARGET PDR: 0 PROVIDED PDR: 4

OPEN SPACE:

REQUIRED RESIDENTIAL:
MINIMUM REQ: 15' X 15'
80 SF/UNIT X 24 DWELLING UNITS X 1.333 = 2,559 SF

PROVIDED RESIDENTIAL:

	AREA	% OF LOT AREA
NORTH ROOF DECK	1,785 SF	18.3%
SOUTH ROOF DECK	975 SF	10%
TOTAL	2,760 SF	28.3%

TOTAL OPEN SPACE 2,760 SF > 2,559 SF

REAR & SIDE YARDS:

TOTAL AREA REQUIRED: 25% OF TOTAL LOT AREA: .25 X 9,750 = 2,438

TOTAL AREA PROVIDED:

	AREA	% OF LOT AREA
REAR YARD	1,635 SF	17%
SIDE YARD	780 SF	8%
PDR	27 SF	.3%
TOTAL	2,442 SF	25.3%

TOTAL REAR/SIDE YARD: 2,442 SF > 2,438 SF

CODE USED:

2016 CBC
2016 MUNICIPAL CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA ENERGY CODE
2016 CALIFORNIA FIRE CODE
2016 CALIFORNIA FIRE CODE
2016 NFPA 72 (FIRE ALARMS)
2016 NFPA 13 / 13R (SPRINKLERS),
2016 CALIFORNIA GOVERNMENT CODE

EXCAVATION CALCULATION

	VOLUME	DEPTH
PDR	976 CY	-10.35'
PIT	50 CY	-16.25'
PARKING	1339 CY	-7.6'
TOTAL	2365 CY	

EXHIBIT B

PROJECT DATA

PROJECT SITE: 255 SHIPLEY ST.,
SAN FRANCISCO, CA 94103

CROSS STREET: SIXTH ST.

NEIGHBORHOOD: SOUTH OF MARKET

BLOCK/LOT: 3753 / 070&071

ZONING: MUR

CONSTRUCTION TYPE: TYPE I/V

PRESERVATION: C- NO HISTORIC RESOURCE PRESENT

HEIGHT: 45' - X

NUMBER OF STORIES: 4 OVER BASEMENT

LOT AREA: 9,750

EXISTING VS PROPOSED AREA USAGE:

	EXISTING	EXISTING TO BE RETAINED	NEW CONSTRUCTION	PROJECT TOTALS
PROJECT FEATURES				
DWELLING UNITS	0	0	24	24
PARKING SPACES	6	5	0	5
HEIGHT OF BUILDING(S)	20	0	45	45
NUMBER OF STORIES	2	0	4 OVER BASEMENT	4 OVER BASEMENT
BICYCLE SPACES	0	0	28	28
GROSS SQUARE FOOTAGE (GSF)				
RESIDENTIAL	0	0	28,090	28,090
OFFICE/MEZZ PDR	2,410	0	0	0
	6,240	4,365	0	4,365
PARKING AND MEP LOT 071	2,000	635	4,740	5,375
TOTAL GSF	10,650	5,000	32,830	37,830

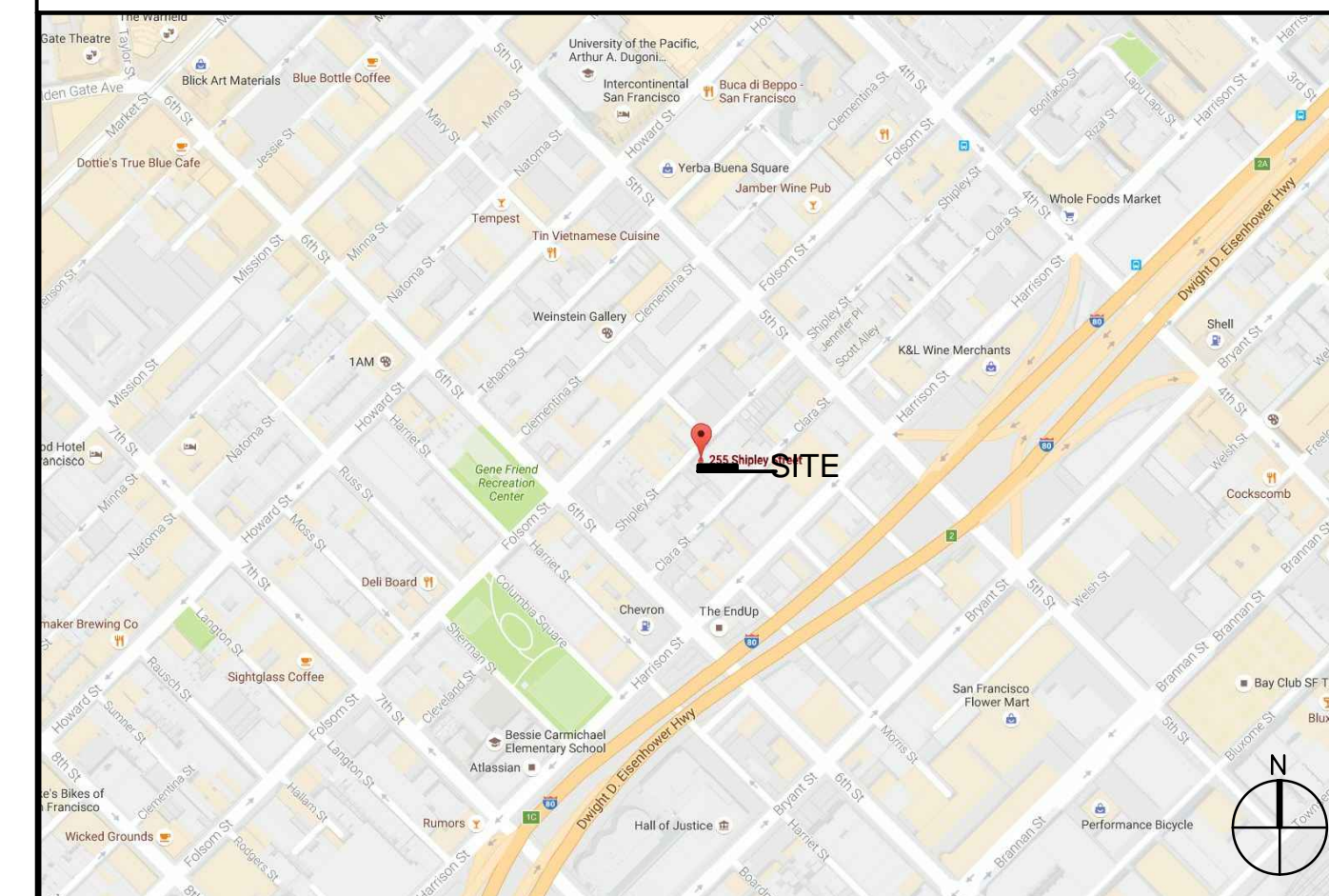
FLOOR AREA:

	PARKING+ MEP	PDR	RESIDENTIAL	RESIDENTIAL CIRC.	AREA
BASEMENT	5,375	4,365	-	-	9,740 SF
LEVEL 1	-	-	4,890	1,510	6,400 SF
LEVEL 2	-	-	6,000	1,230	7,230 SF
LEVEL 3	-	-	6,000	1,230	7,230 SF
LEVEL 4	-	-	6,000	1,230	7,230 SF
GROSS SF	5,375	4,365	22,890	5,200	37,830 SF

DWELLING AREA

	TYPE 1 (STUDIO)	TYPE 2 (1BD)	TYPE 3 (1BD)	TYPE 4 (2BD)	TYPE 5 (2 BED)	TYPE 6 (2BD+DEN)	TOTAL
AREA	320	480	600	1,150	600	1,310	
LEVEL 1	2	1	0	1	0	2	6
LEVEL 2	1	0	0	1	1	3	6
LEVEL 3	1	0	1	1	0	3	6
LEVEL 4	1	0	1	1	0	3	6
TOTAL	5	3			16		24
PERCENTAGE OF UNIT COUNT	21%	13%			67%		
NET SF	1,600	1,680			19,610		22,890

PROJECT MAP



PROJECT DIRECTORY

OWNER: SHIPLEY STREET, LLC
650 FLORIDA STREET
SAN FRANCISCO, CA, 94110
T: 415.759.6228
F: 415.759.6215
CONTACT: ANDREY LIBOV
ALIBOV@ARCON-ONLINE.COM

ARCHITECT: STANLEY SAIOWITZ | NATOMA ARCHITECTS INC.
1022 NATOMA ST, NO. 3
SAN FRANCISCO, CA 94103
T: 415.626.8977
CONTACT: NEIL KAYE
NKAYE@SAITOWITZ.COM

SHEET INDEX

SHEET#	SHEET NAME	SHEET SCALE
A0.0	TITLE SHEET	N.T.S
1	SURVEY	AS NOTED
2	EXISTING BUILDING PLAN	AS NOTED
A0.2	DEMOLITION PLAN	3/32"=1'-0"
A0.3	SITE PLAN	3/32"=1'-0"
A0.4	REAR YARD ANALYSIS	AS NOTED
A0.12	SITE PHOTOS	N.T.S
A0.13	RENDERING	N.T.S
A0.14	RENDERING	N.T.S
A0.15	RENDERING	N.T.S
A0.16A	RENDERING	N.T.S
A0.16B	RENDERING	N.T.S
A1.1	BASEMENT FLOOR PLAN	1/8"=1'-0"
A1.2	GROUND FLOOR PLAN	1/8"=1'-0"
A1.3	LEVEL 2 FLOOR PLAN	1/8"=1'-0"
A1.4	LEVEL 3 FLOOR PLAN	1/8"=1'-0"
A1.5	LEVEL 4 FLOOR PLAN	1/8"=1'-0"
A1.6	ROOF PLAN	1/8"=1'-0"
A2.1	SECTION	1/8"=1'-0"
A2.2	SECTION	1/8"=1'-0"
A3.1	ELEVATION	1/8"=1'-0"
A3.2	ELEVATION	1/8"=1'-0"
A3.3	ELEVATION	1/8"=1'-0"

REVISIONS

NO.	DESCRIPTION

OWNER:
SHIPLEY STREET, LLC
650 Florida Street
San Francisco, CA 94110
T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS INC.
1022 Natoma Street, No. 3
San Francisco, CA 94103
T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
SAN FRANCISCO, CALIFORNIA 94107

TITLE:
TITLE SHEET

SET: **PLANNING COMMISSION**

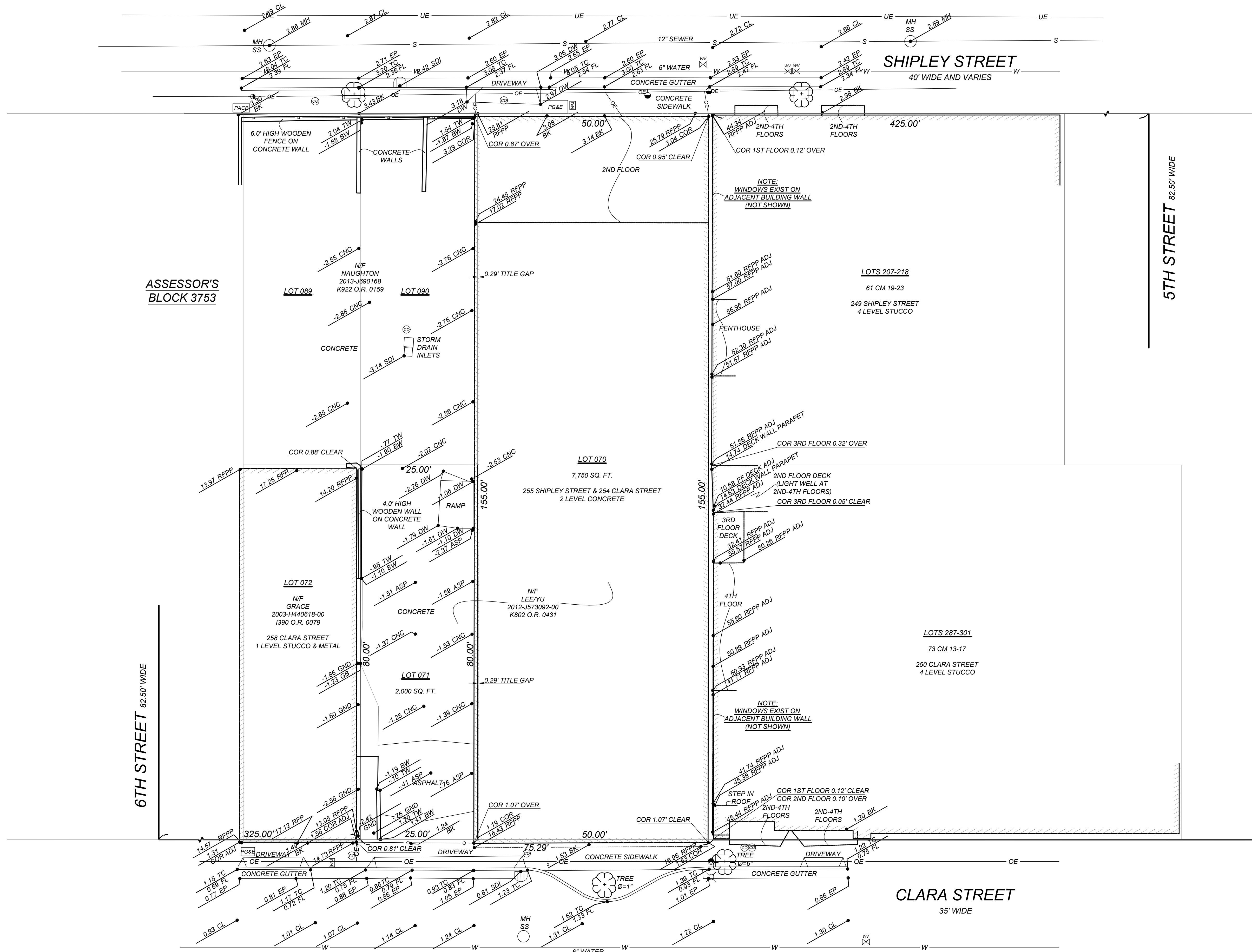
DATE: **08-13-2018**

SCALE: **NTS**

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SHEET NO:

A0.0



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 T 415.759.6228

ARCHITECT:
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 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST

SAN FRANCISCO, CALIFORNIA 94107

TITLE:
SURVEY

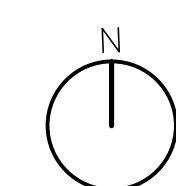
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DATE: **08-13-2018**

SCALE: **3/32" = 1'-0"**

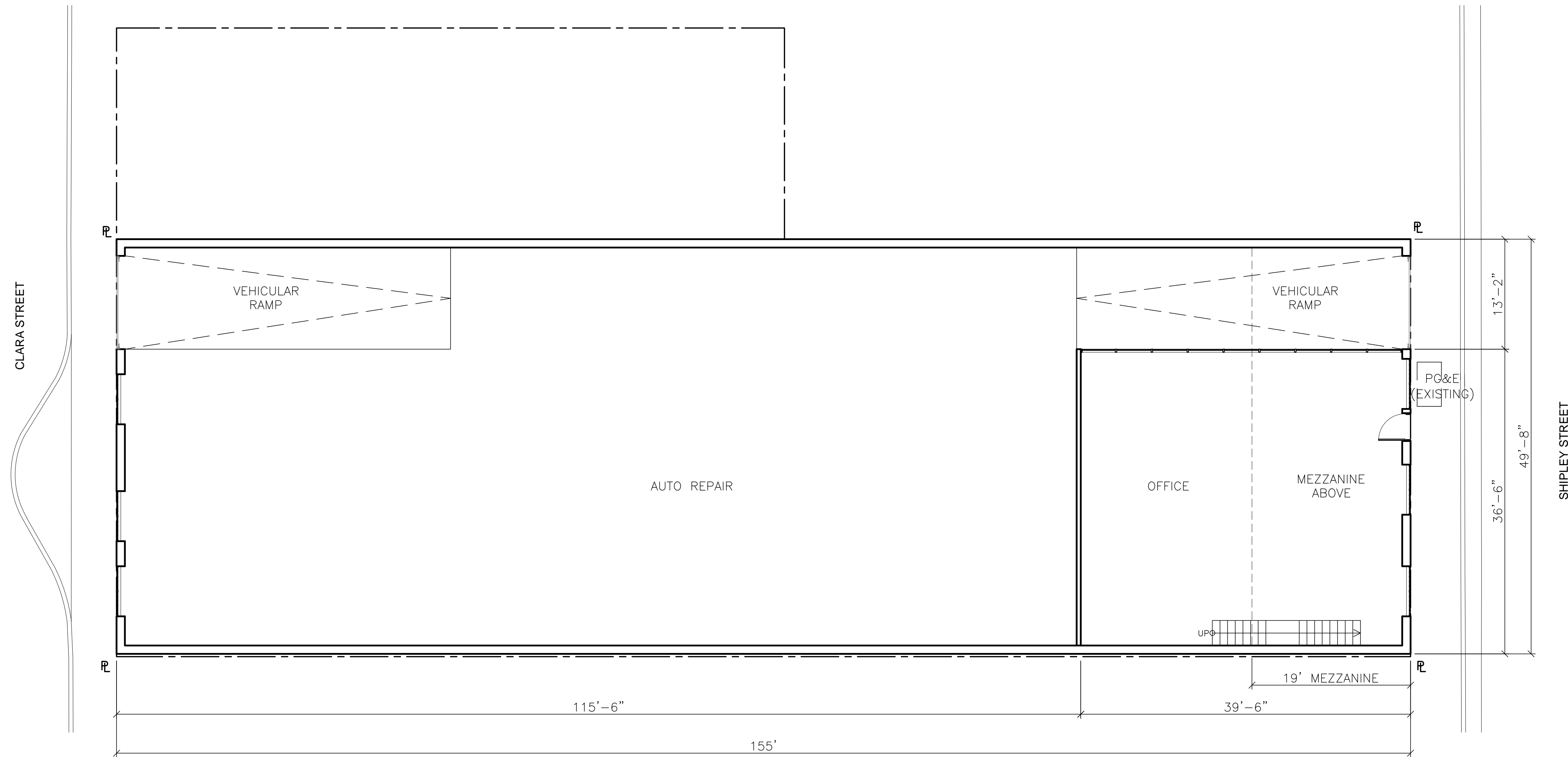
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SHEET NO:



SURVEY 1

1



REVISIONS	

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 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
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 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
EXISTING BUILDING PLAN

SET: **PLANNING COMMISSION**

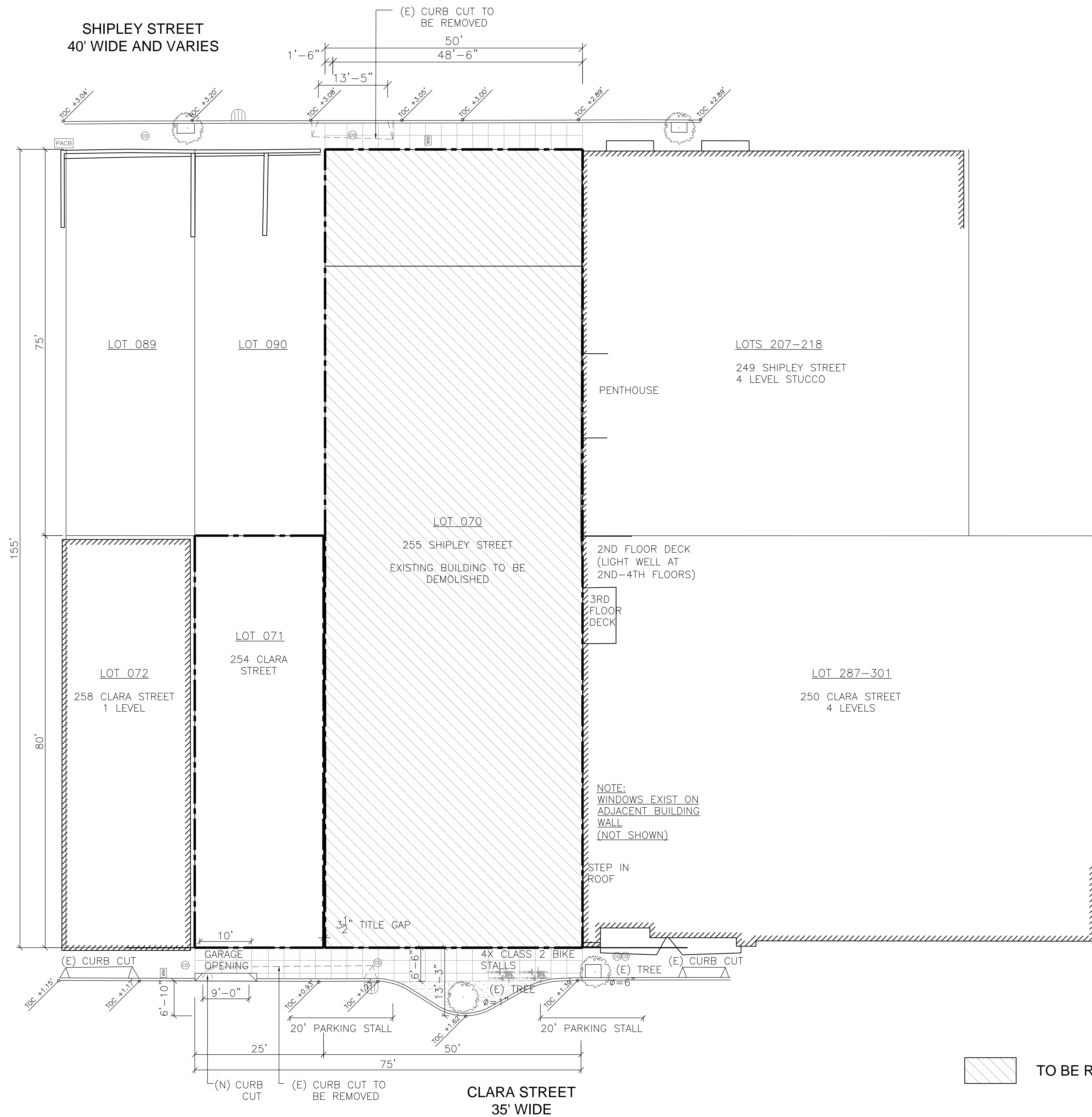
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SCALE: **1/8" = 1'-0"**

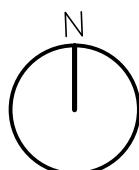
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SHEET NO:
2

ASSESSOR'S
BLOCK 3753



 TO BE REMOVED



DEMO PLAN 1

REVISIONS	

OWNER:
SHIPLEY STREET, LLC
650 Florida Street
San Francisco, CA 94110
T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
1022 Natoma Street, No. 3
San Francisco, CA 94103
T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
SAN FRANCISCO, CALIFORNIA 94107

TITLE:
DEMO PLAN

SET: **PLANNING COMMISSION**

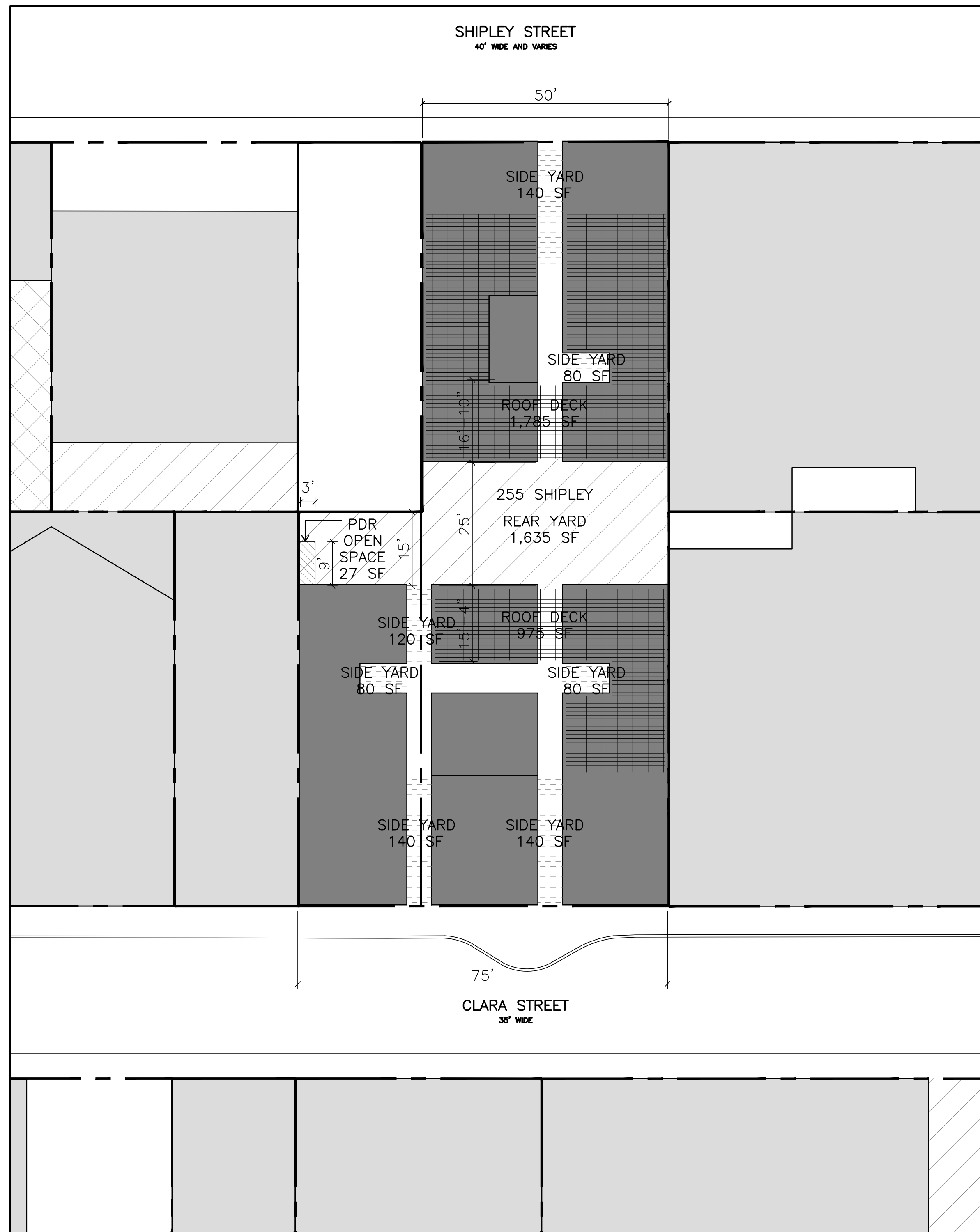
DATE: **08-13-2018**

SCALE: **3/32" = 1'-0"**

DRAWN: **SSINAI**

SHEET NO:

A0.2



- REARYARD
- SIDEYARD
- PDR OPEN SPACE (NON-RESIDENTIAL)
- ROOFDECK
- PROJECT BUILDING FOOTPRINT
- CONTEXT BUILDING FOOTPRINTS
- PROPERTY LINE

REAR YARD = 1,635 SF
 SIDE YARDS = 780 SF
 PDR = 27 SF
 TOTAL REAR YARD = 2,442 SF
 2,442 SF / 9,750 SF (LOT AREA) = 25%.
 + ROOFDECK COMMON SPACE = 2,760
 TOTAL OUTDOOR SPACE = 5,202 SF (53%)

* OPEN SPACE NON-RESIDENTIAL - SFPC SEC 135.3 REQUIRES 1 SF OF OPEN SPACE PER 120 SF OF MANUF/LIGHT INDUSTRIAL USES.
 PDR USE = 2500SF / 120 SF = 20.83 OR 21 SF NON RESIDENTIAL OPEN SPACE REQ'D
 PROJECT PROVIDES 27 SF OF NON RESIDENTIAL OPEN SPACE. COMPLIES.

REAR YARD ANALYSIS: 1/16" = 1'-0"

2



- PROJECT BUILDING FOOTPRINT
- CONTEXT BUILDING FOOTPRINTS
- LOTS WITH LESS THAN 25% REAR YARD IN STUDY AREA
- LOTS WITH MORE THAN 25% REAR YARD IN STUDY AREA
- PROPERTY LINE

AVERAGE REAR YARD OF LOTS IN STUDY AREA = 15.79 %
 LOTS W/ LESS THAN REQUIRED 25% REAR YARD = 80.65%

ADJACENT BLOCK REAR YARD ANALYSIS DIAGRAM: 1/32" = 1'-0"

1

REVISIONS

OWNER:
 SHIPLEY STREET, LLC
 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
 STANLEY SAIOWITZ |
 NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
 REAR YARD ANALYSIS

SET: PLANNING COMMISSION

DATE: 08-13-2018

SCALE: AS NOTED

DRAWN: SSSNAI

SHEET NO:

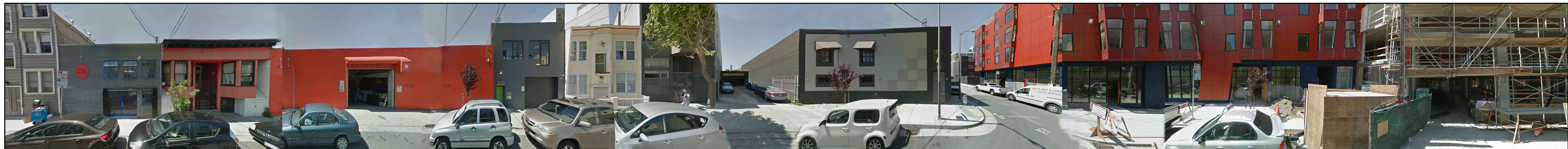
A0.4



255 SHIPLEY STREET
SITE LOCATION

SHIPLEY STREET SITE ELEVATION

2



FACING SHIPLEY STREET ELEVATION

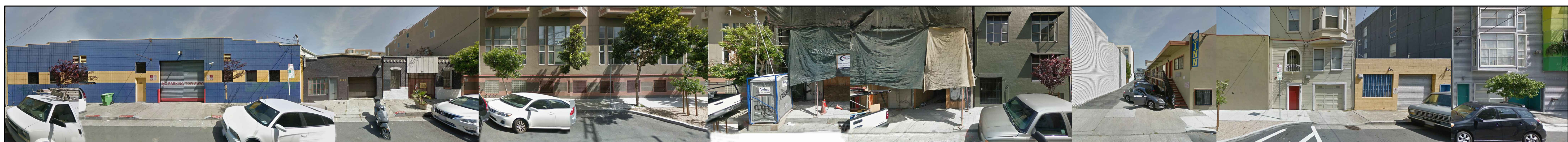
2



254 CLARA STREET
SITE LOCATION

CLARA STREET SITE ELEVATION

3



FACING CLARA STREET ELEVATION

4

REVISIONS	

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SHIPLEY STREET, LLC
650 Florida Street
San Francisco, CA 94110
T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
1022 Natoma Street, No. 3
San Francisco, CA 94103
T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

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SAN FRANCISCO, CALIFORNIA 94107

TITLE:
STREET PHOTOS

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **NTS**

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SHEET NO:

A0.12



SHIPLEY STREET 1

REVISIONS	

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 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
RENDERING

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **NTS**

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SHEET NO:

A0.13



CLARA STREET

1

REVISIONS	

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 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
RENDERING

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **NTS**

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SHEET NO:

A0.14



PDR WINDOW

IN-GRADE PLANTER SHOWN WITH
AGAPANTHUS OR SIMILAR

PDR WINDOW

DETAIL VIEW - CLARA STREET

2



DETAIL VIEW - SHIPLEY STREET

1

REVISIONS

OWNER:
SHIPLEY STREET, LLC
650 Florida Street
San Francisco, CA 94110
T 415.759.6228

ARCHITECT:
**STANLEY SAIOWITZ |
NATOMA ARCHITECTS Inc.**
1022 Natoma Street, No. 3
San Francisco, CA 94103
T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
SAN FRANCISCO, CALIFORNIA 94107

TITLE:
RENDERING

SET: PLANNING
COMMISSION

DATE: 08-13-2018

SCALE: NTS

DRAWN: SSINAI
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SHEET NO:

A0.15



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 San Francisco, CA 94103
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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
RENDERING

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **NTS**

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SHEET NO:
A0.16A



OPERABLE GLAZING WRAPS AROUND THE CORNER TO INCREASE THE NUMBER OF EYES ON THE STREET AND CREATES USABLE OUTDOOR SPACES BETWEEN THE STREET AND THE UNITS.

PORCELANOSA HIGHLY DURABLE EXTERIOR BUILDING MATERIAL FOR THE GROUND LEVEL OF THE BUILDING. SEE PHYSICAL SAMPLE DELIVERED TO PLANNER

PDR WINDOW

REVISIONS

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 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
RENDERING

SET: **PLANNING COMMISSION**

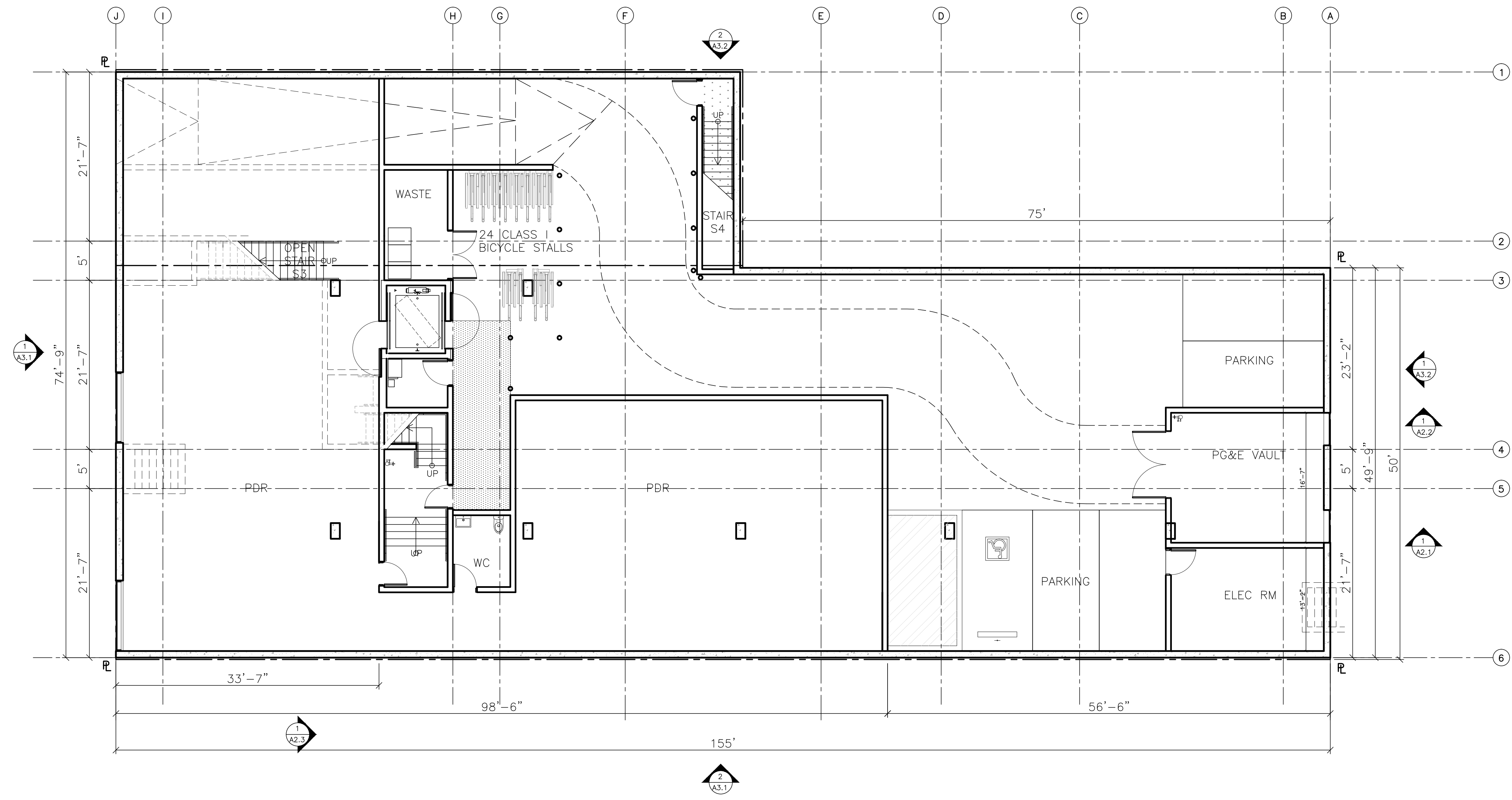
DATE: **08-13-2018**

SCALE: **NTS**

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SHEET NO:

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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
BASEMENT FLOOR PLAN

SET: **PLANNING COMMISSION**

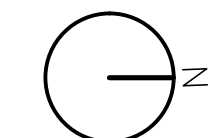
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**

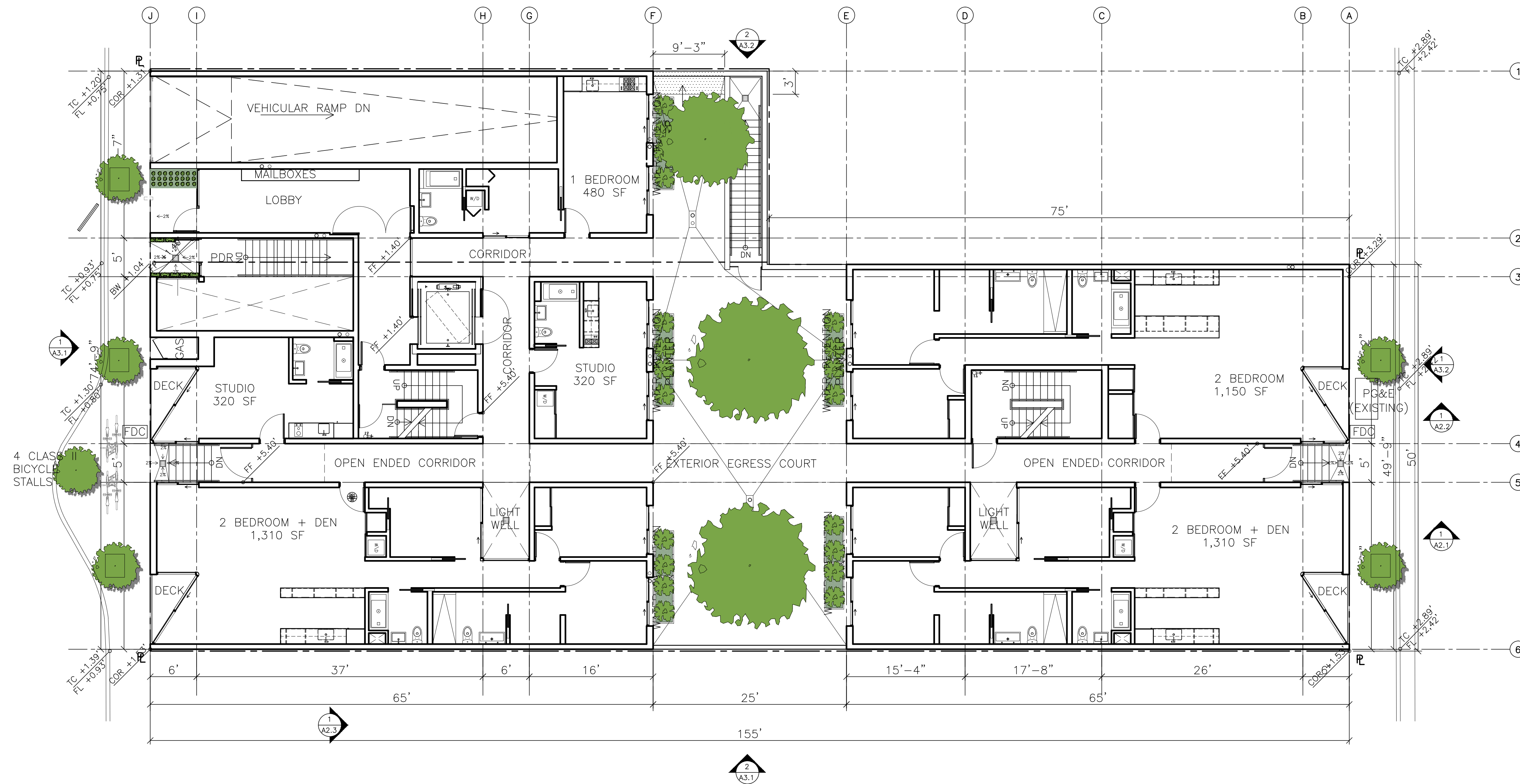
SHEET NO:

A1.1



BASEMENT FLOOR PLAN

1



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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 1 FLOOR PLAN

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

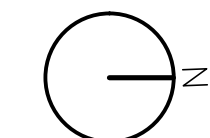
DRAWN: **SSINAI**
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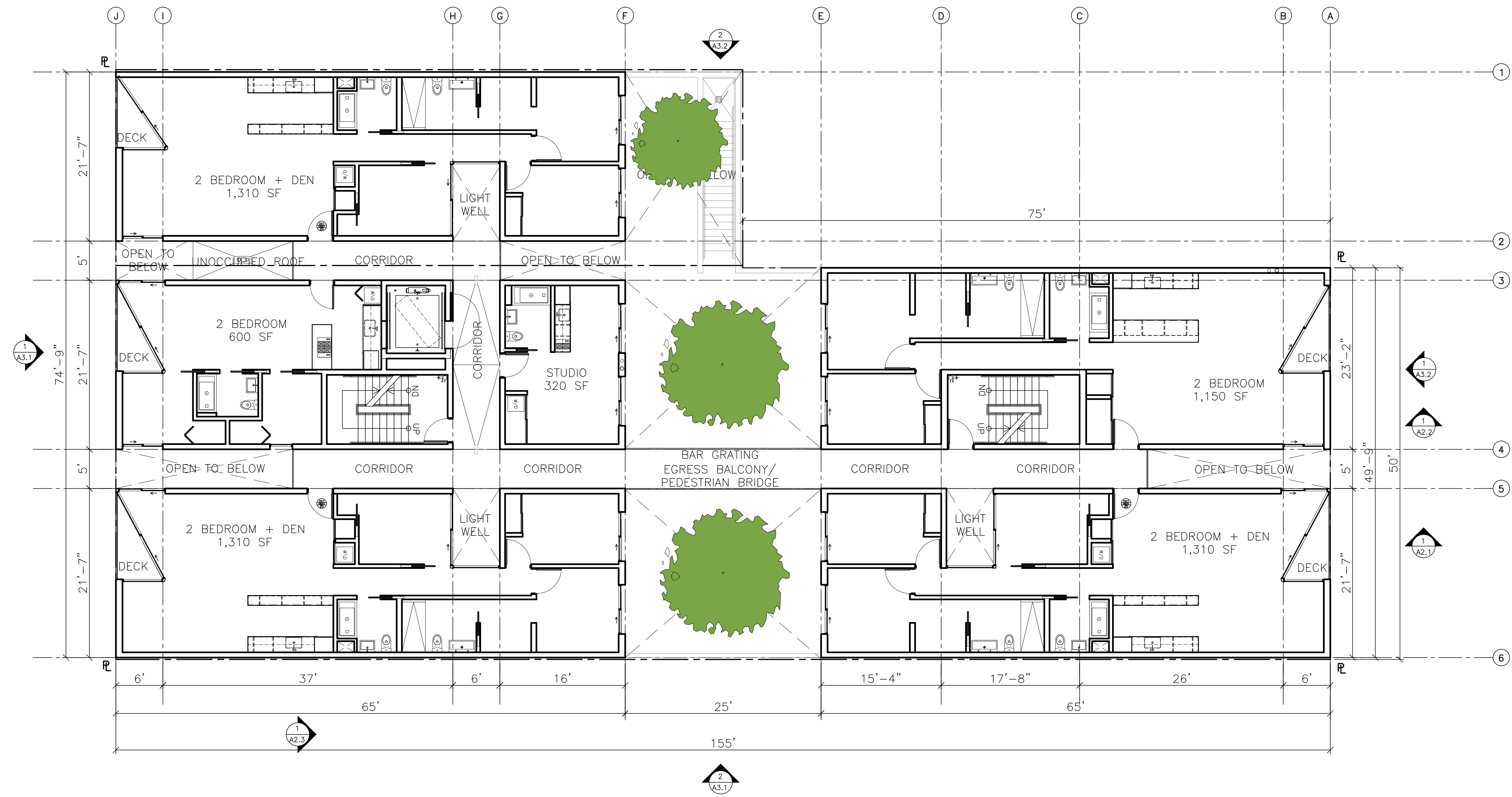
SHEET NO:

A1.2

GROUND FLOOR PLAN

1





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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 2 FLOOR PLAN

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

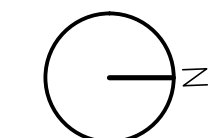
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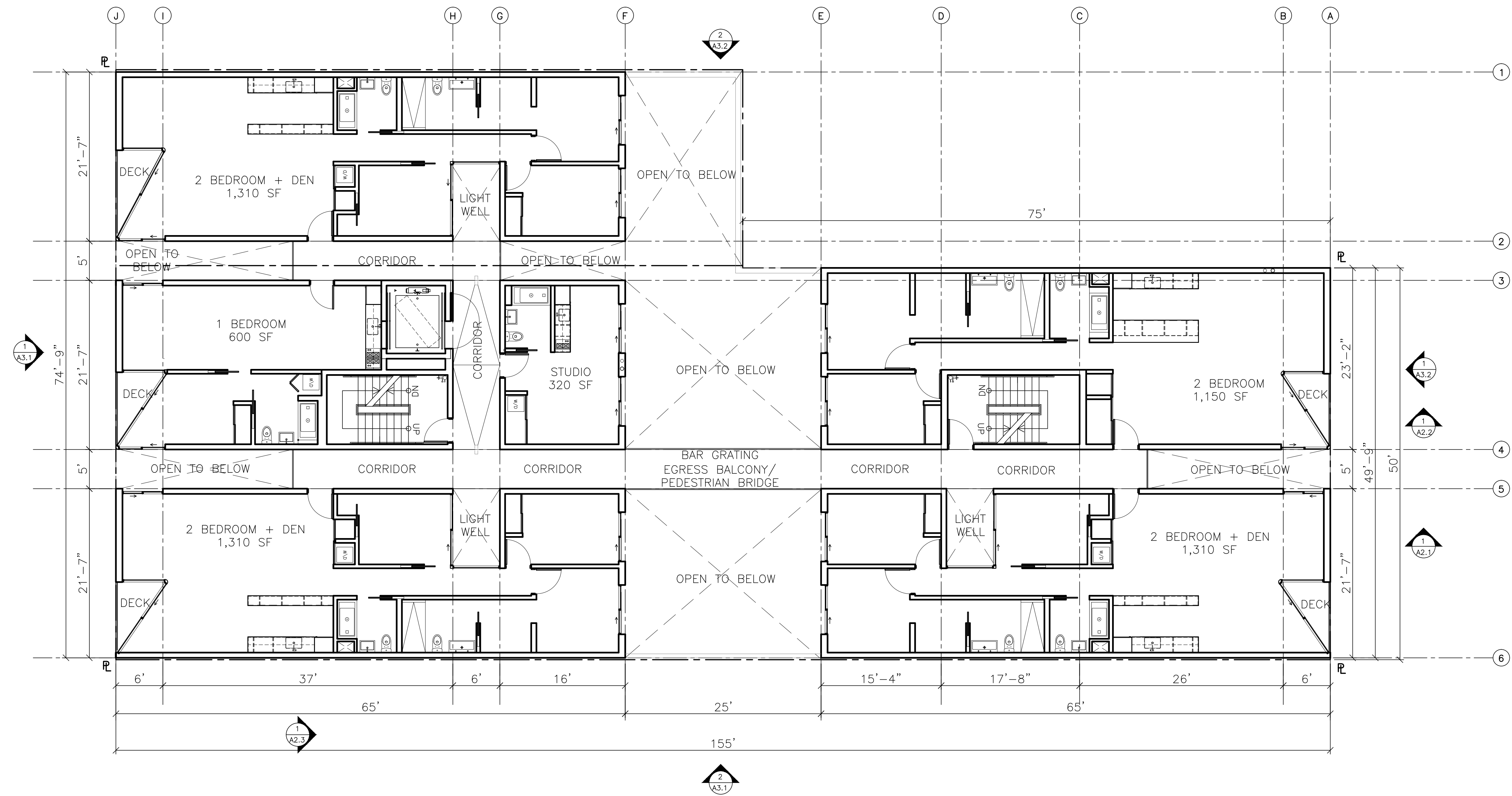
SHEET NO:

A1.3

LEVEL 2 FLOOR PLAN

1





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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST

SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 3 FLOOR PLAN

SET: **PLANNING COMMISSION**

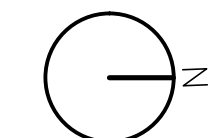
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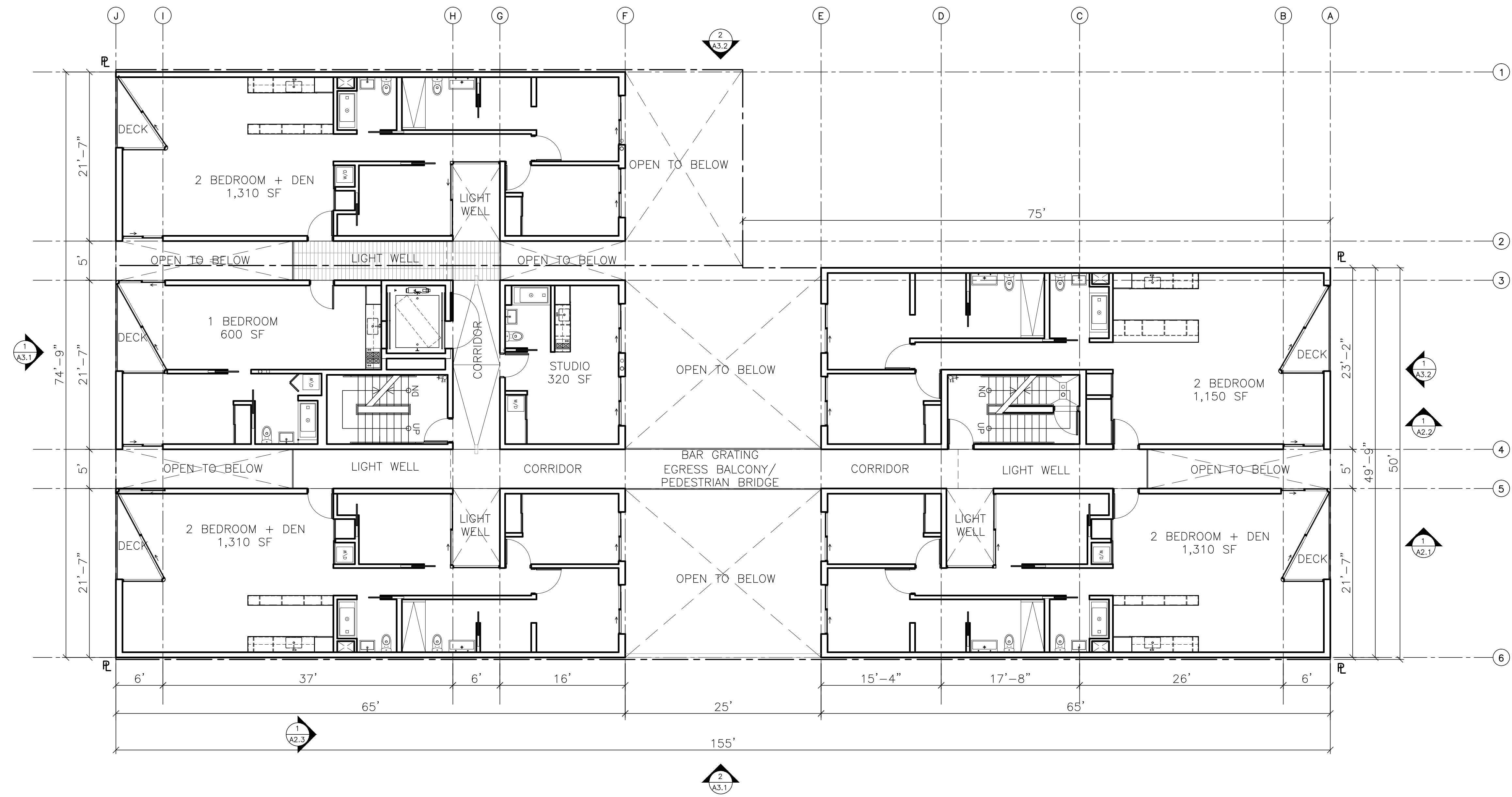
SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**
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SHEET NO:

A1.4





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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 4 FLOOR PLAN

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

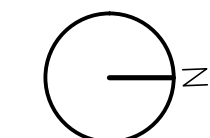
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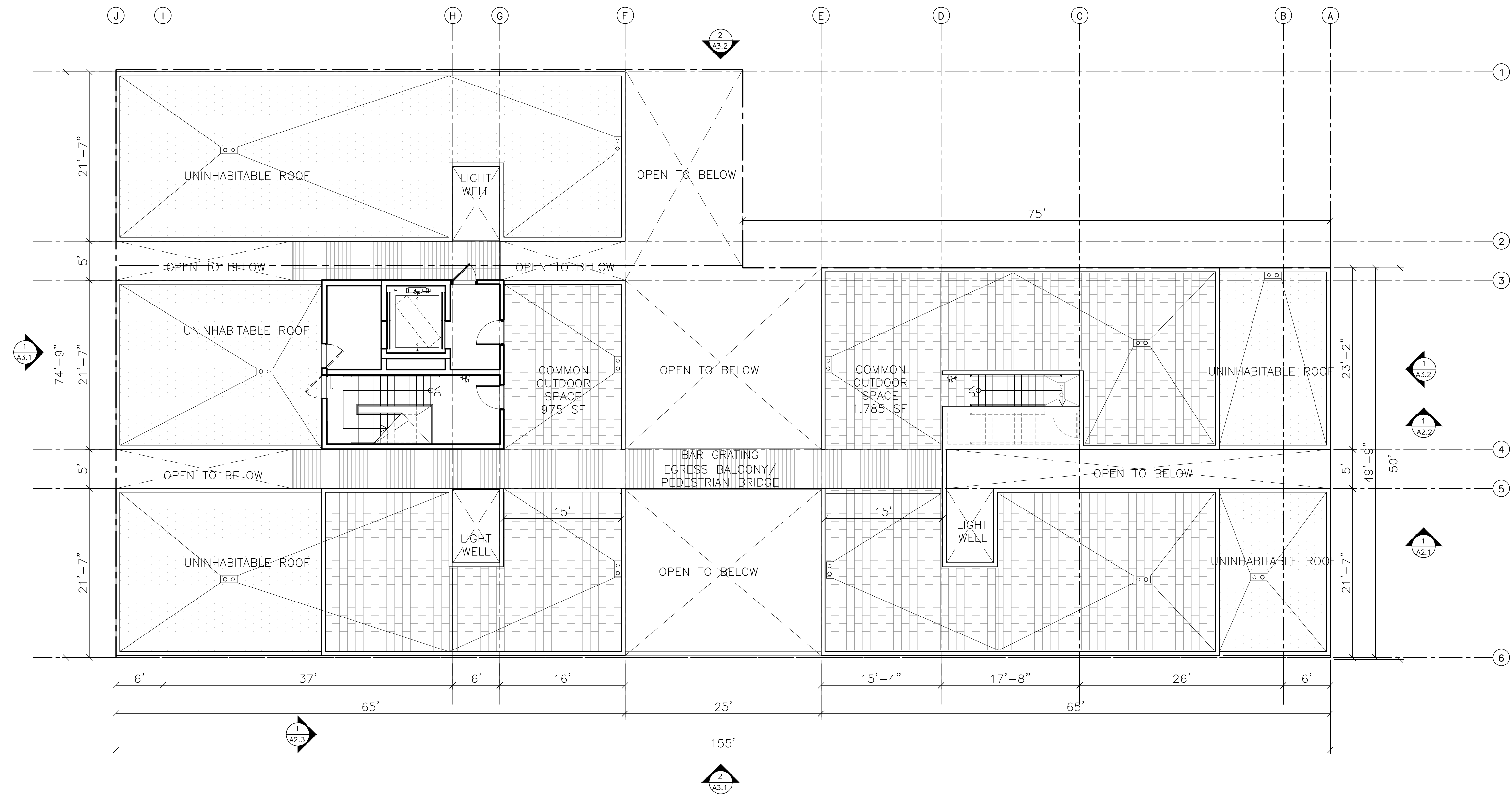
SHEET NO:

A1.5

LEVEL 4 FLOOR PLAN

1





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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST

SAN FRANCISCO, CALIFORNIA 94107

TITLE:
ROOF PLAN

SET: **PLANNING COMMISSION**

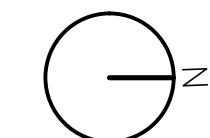
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**
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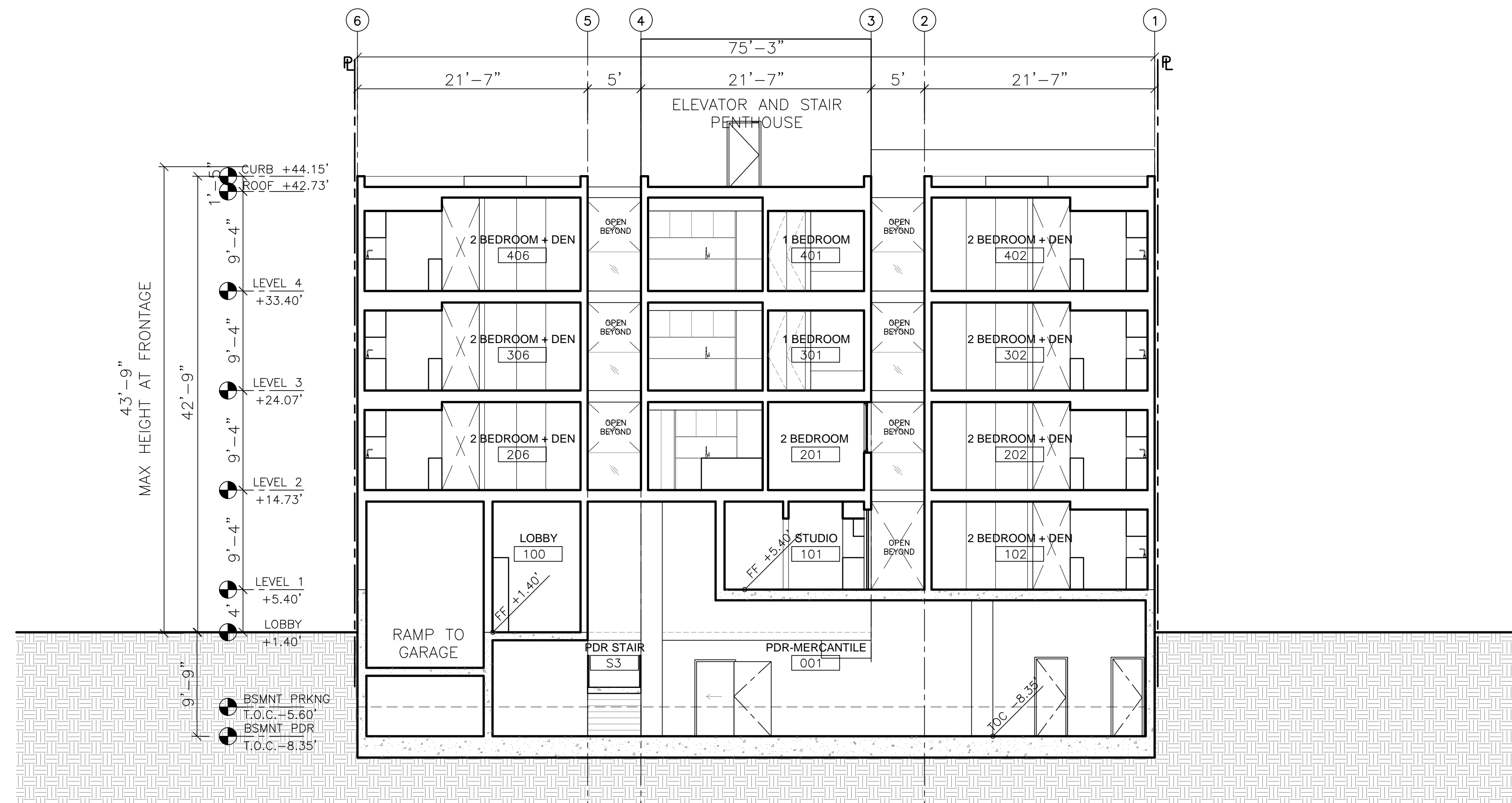
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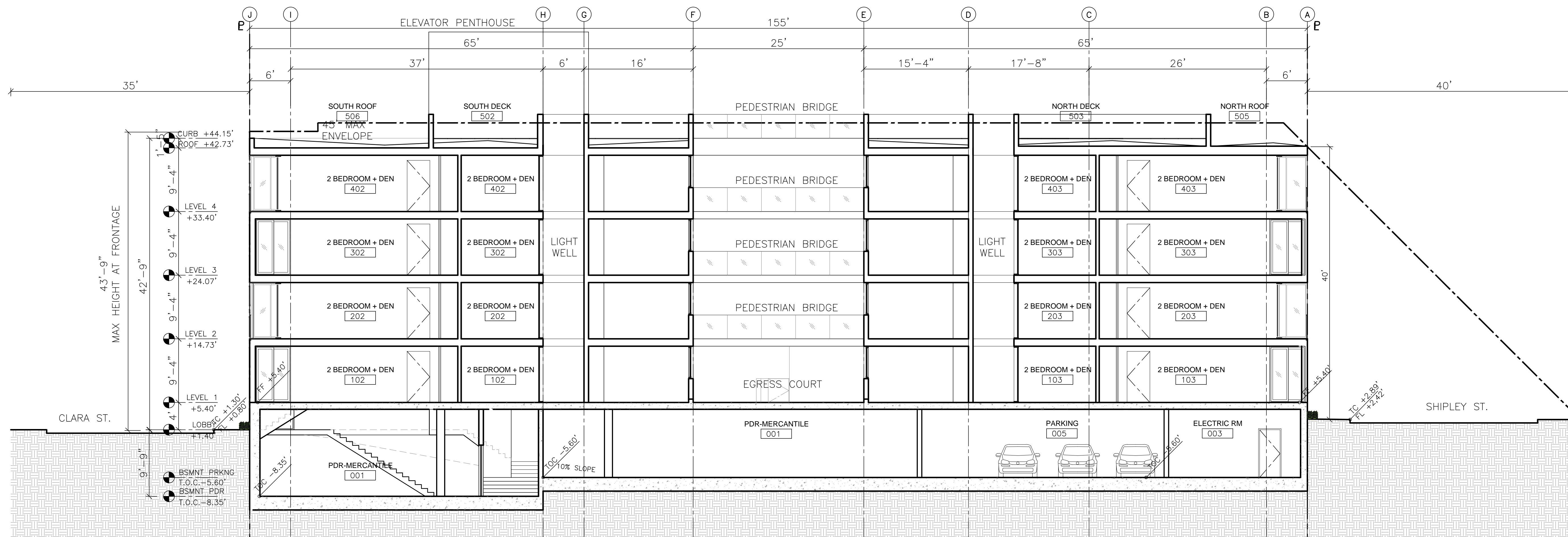


ROOF PLAN

1



SECTION 2



SECTION 1

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STRUCTURAL:

MEP:

LANDSCAPE:

TITLE:
SECTIONS

SET: **PLANNING COMMISSION**

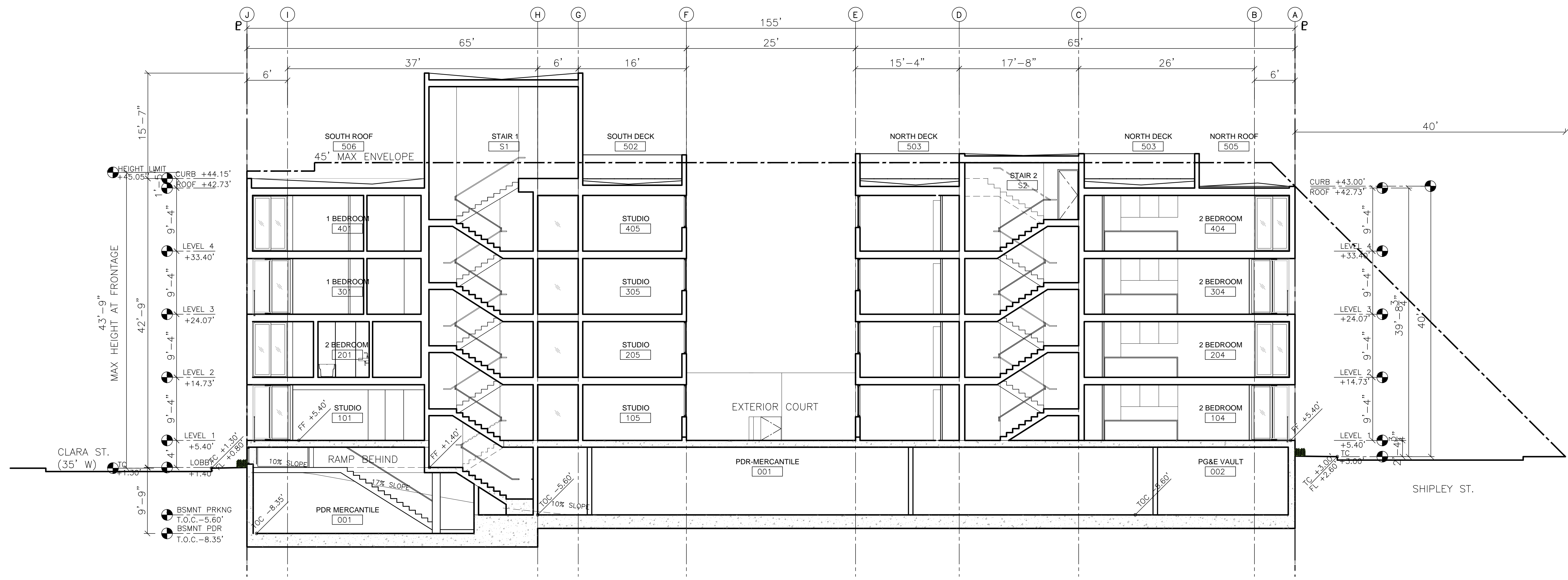
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**

SHEET NO:
A2.1

255 SHIPLEY ST
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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
SECTIONS

SET: **PLANNING COMMISSION**

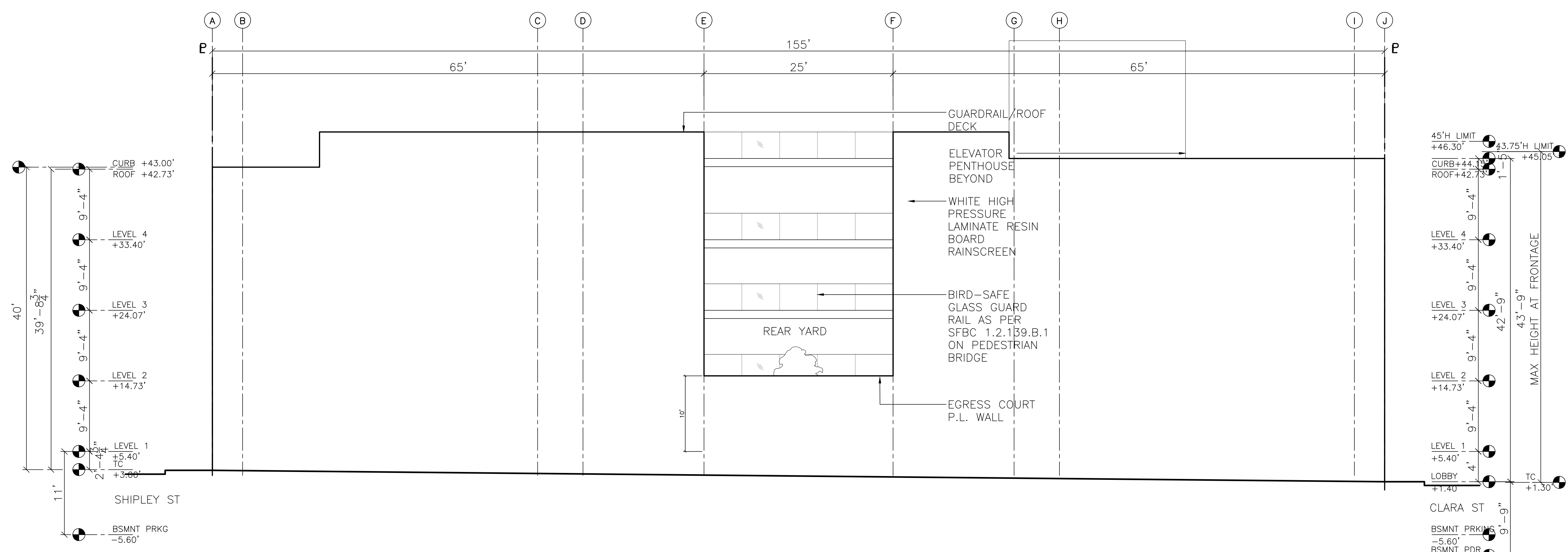
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**
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SHEET NO:

A2.2



WEST ELEVATION 2



CLARA STREET ELEVATION 1

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STRUCTURAL:

MEP:

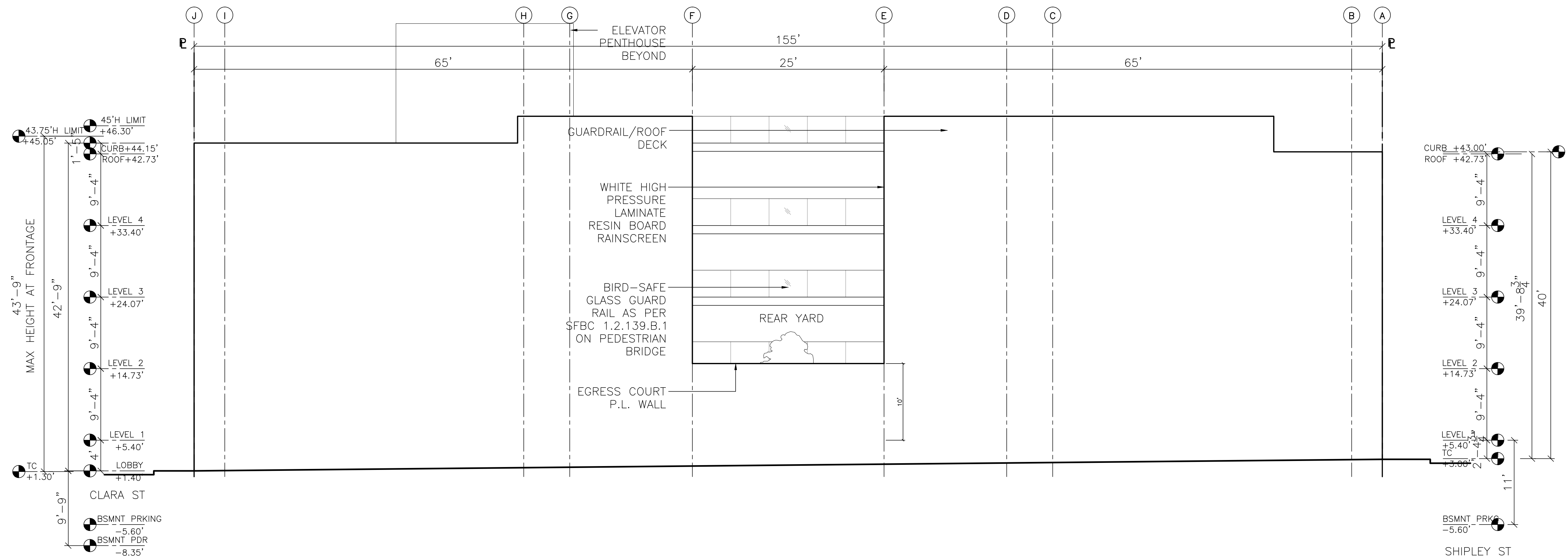
LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
ELEVATIONS

SET: **PLANNING COMMISSION**
 DATE: **08-13-2018**
 SCALE: **1/8" = 1'-0"**
 DRAWN: **SSINAI**

SHEET NO:
A3.1



EAST ELEVATION 2



SHIPLEY STREET ELEVATION 1

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STRUCTURAL:

MEP:

LANDSCAPE:

TITLE:
ELEVATIONS

SET: **PLANNING COMMISSION**

DATE: **08-13-2018**

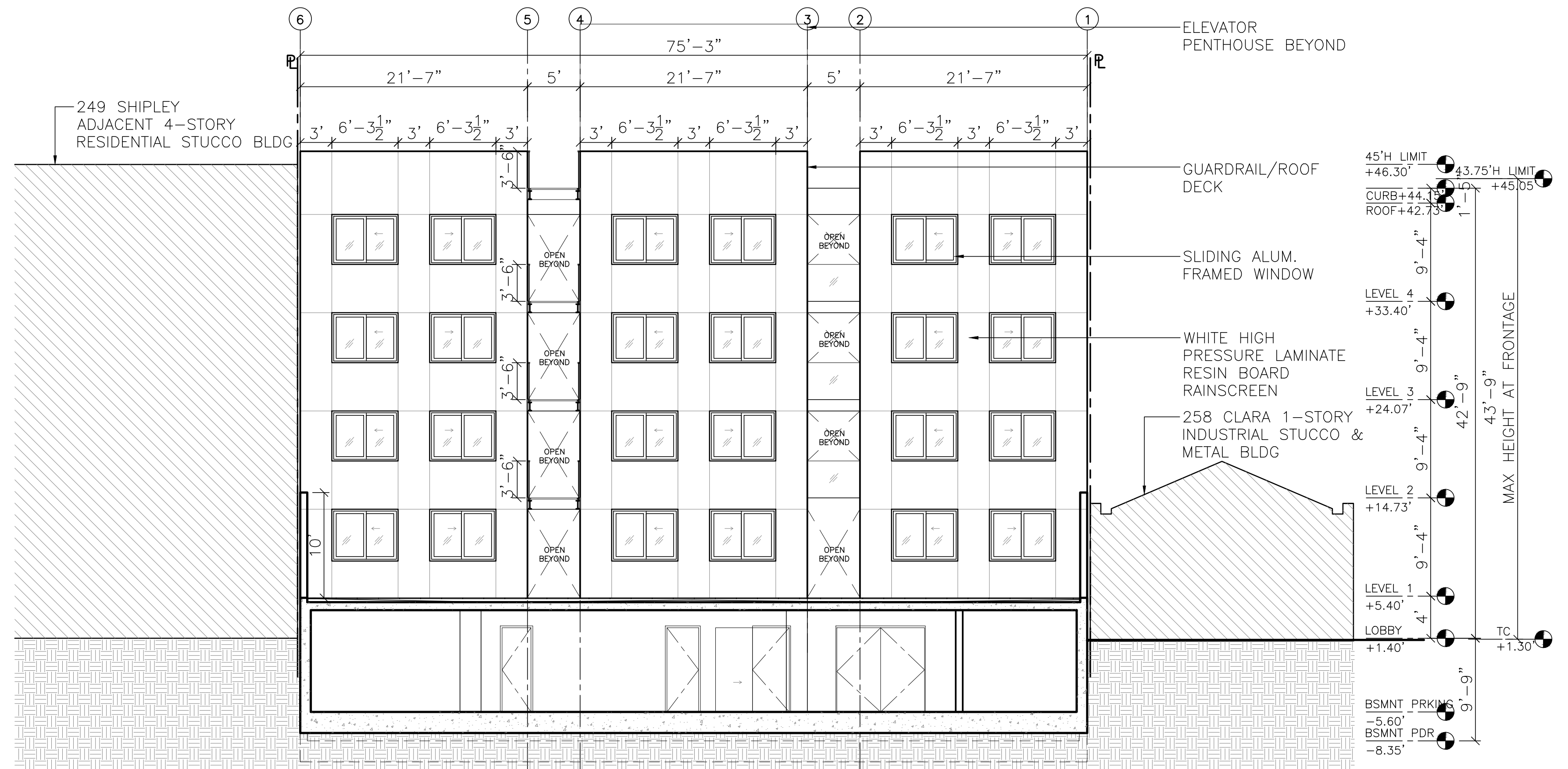
SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**

SHEET NO:

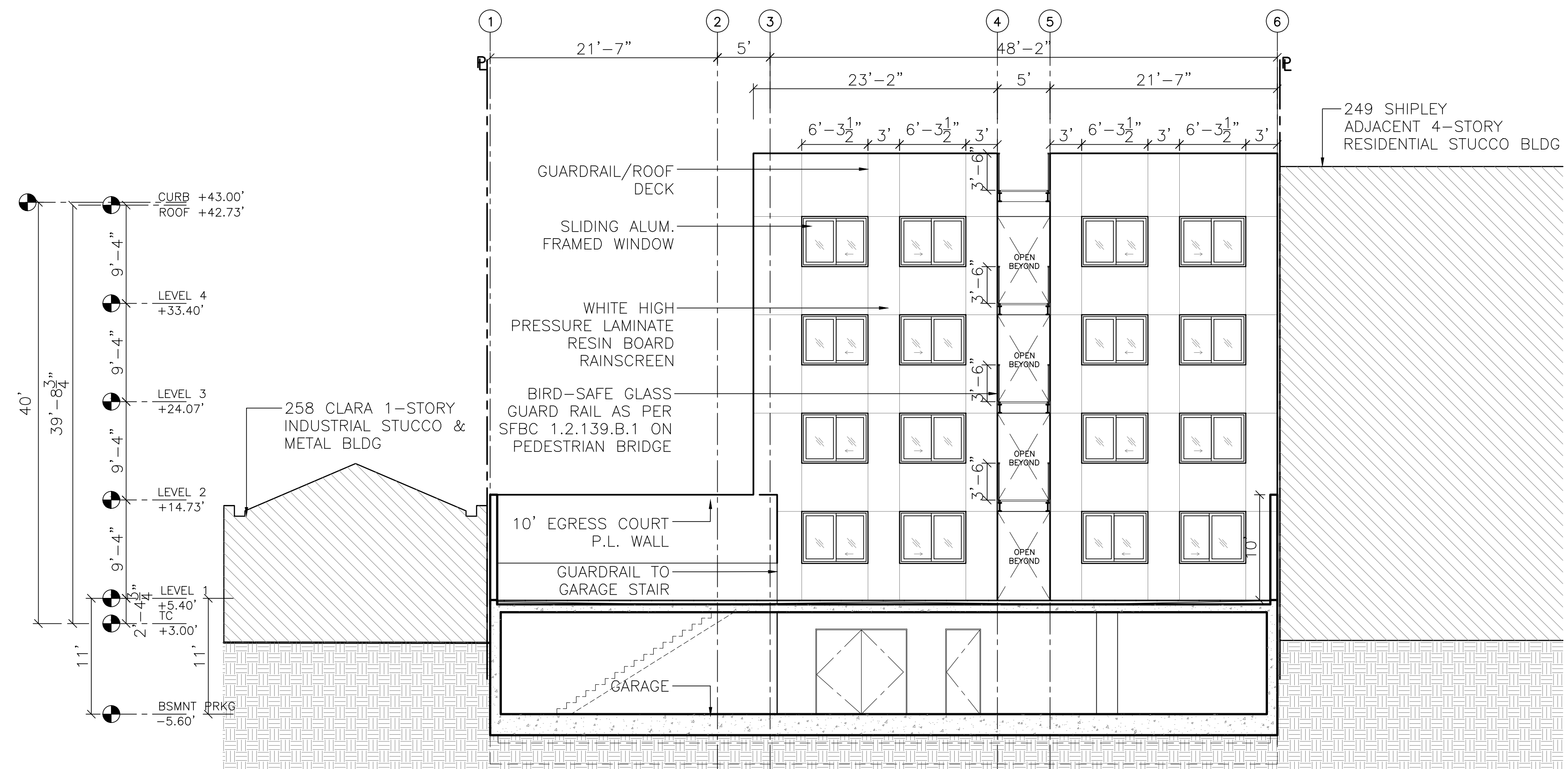
A3.2

255 SHIPLEY ST
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SOUTH ELEVATION COURT

2



NORTH ELEVATION COURT

1

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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
ELEVATIONS

SET: **PLANNING COMMISSION**

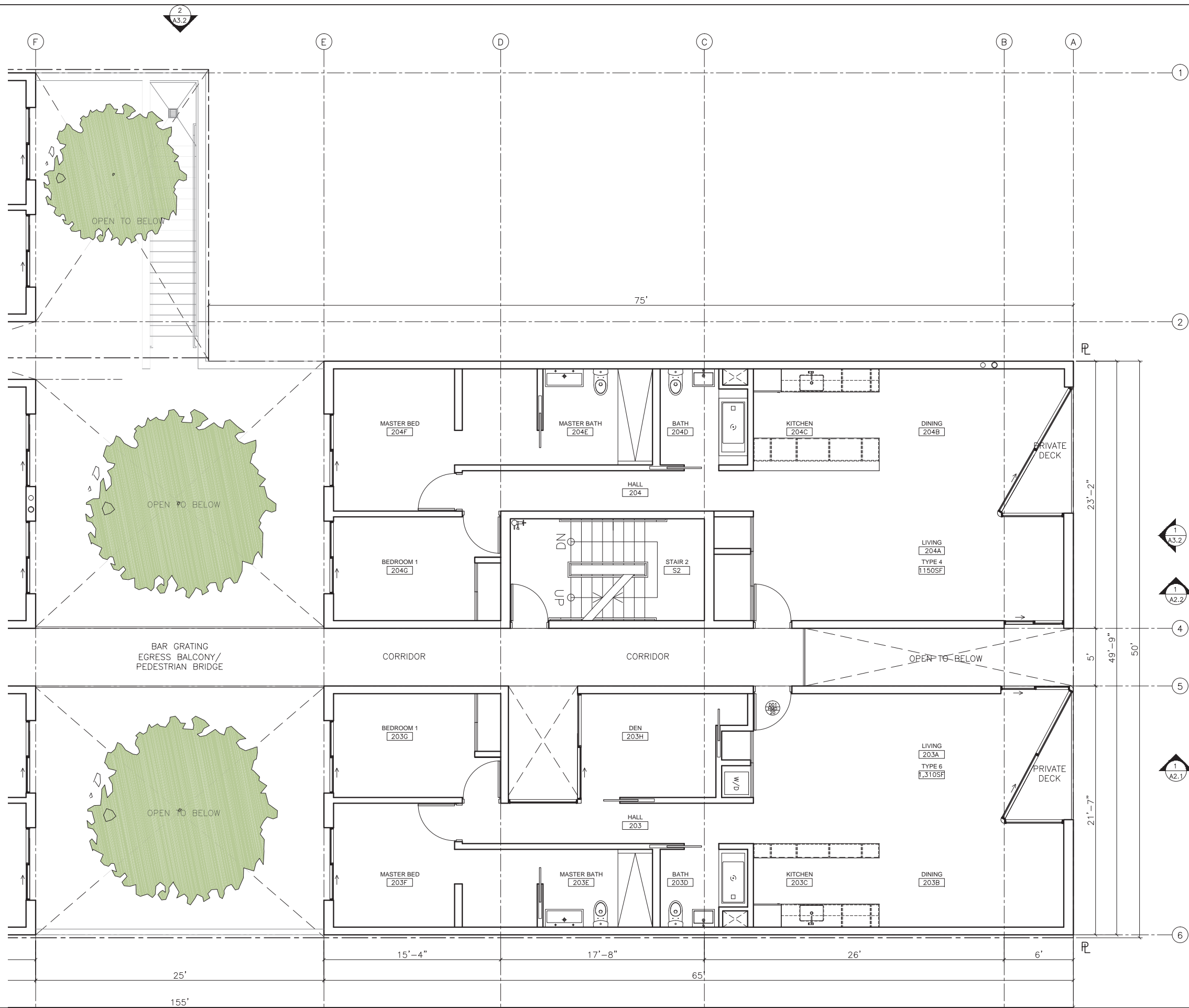
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**

SHEET NO:

A3.3



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STRUCTURAL:

MEP:

LANDSCAPE:

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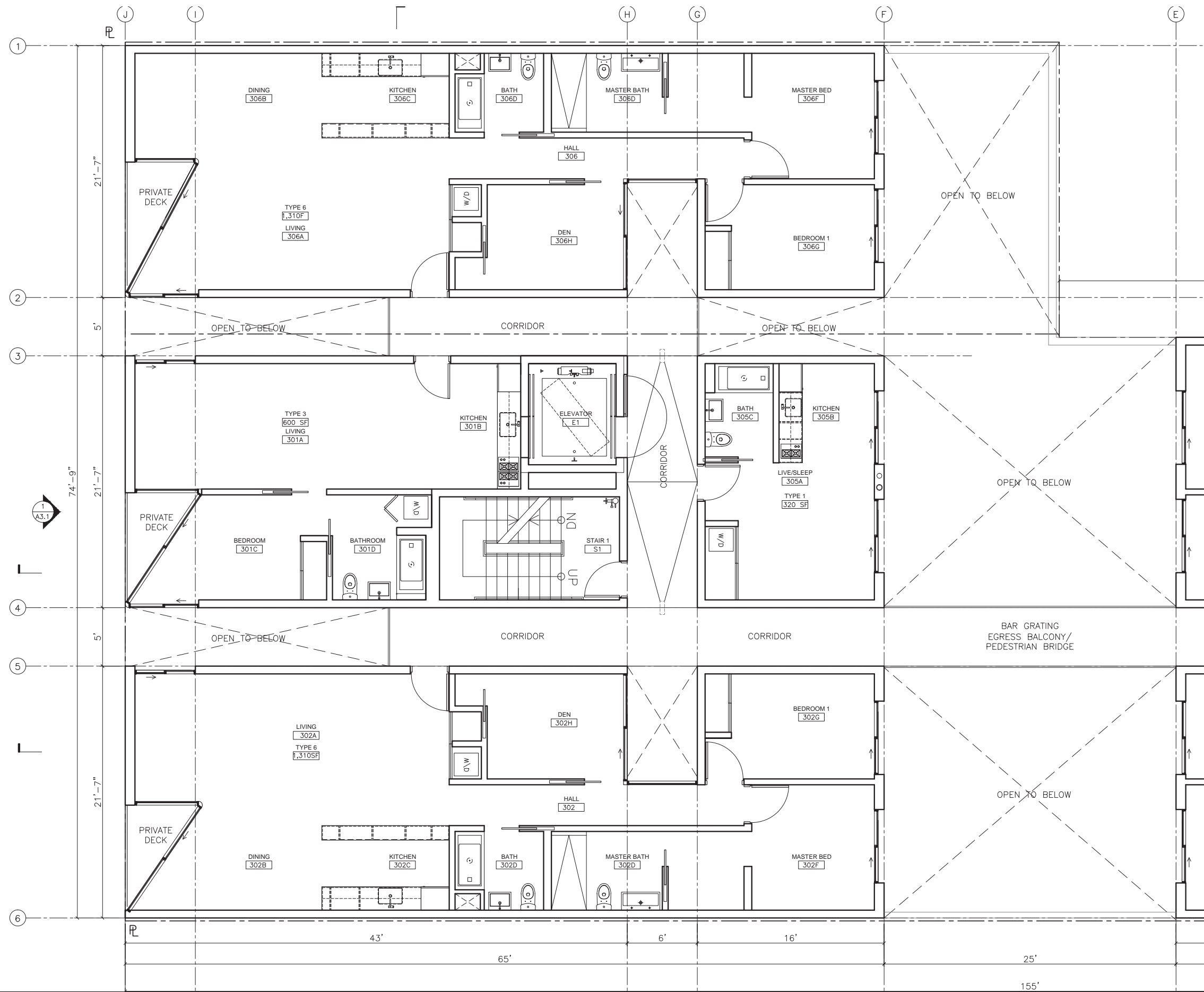
SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 2 FLOOR PLAN

SET: LPA
 DATE: 08-06-2018
 SCALE: 1/4" = 1'-0"
 DRAWN: SSJNAI
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A1.12

LEVEL 2 FLOOR PLAN 1



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STRUCTURAL:

MEP:

LANDSCAPE:

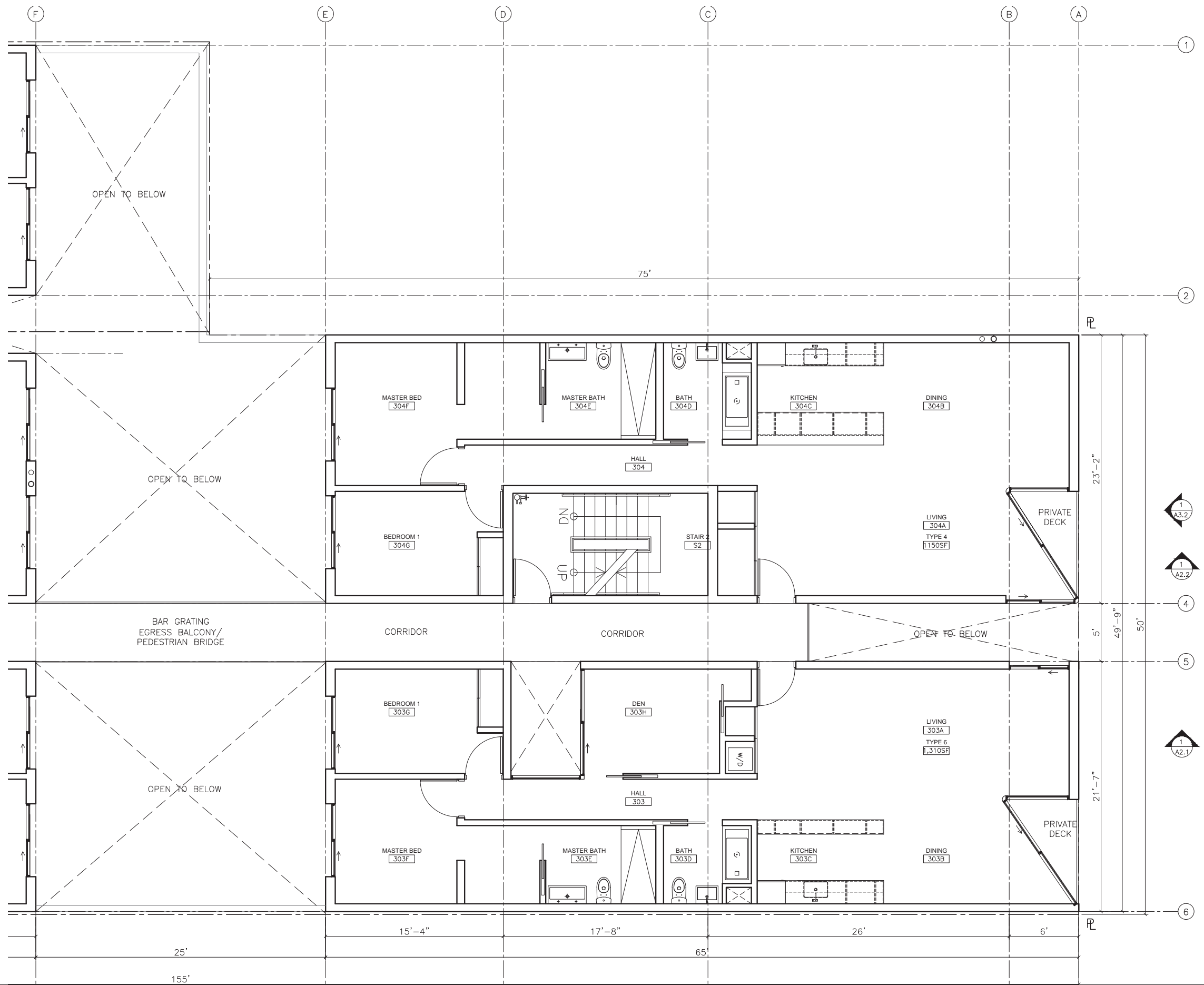
255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 3 FLOOR PLAN

SET: LPA
 DATE: 08-06-2018
 SCALE: 1/4" = 1'-0"
 DRAWN: SS/NAI

SHEET NO:
A1.13

LEVEL 3 FLOOR PLAN 1



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STRUCTURAL:
 MEP:
 LANDSCAPE:

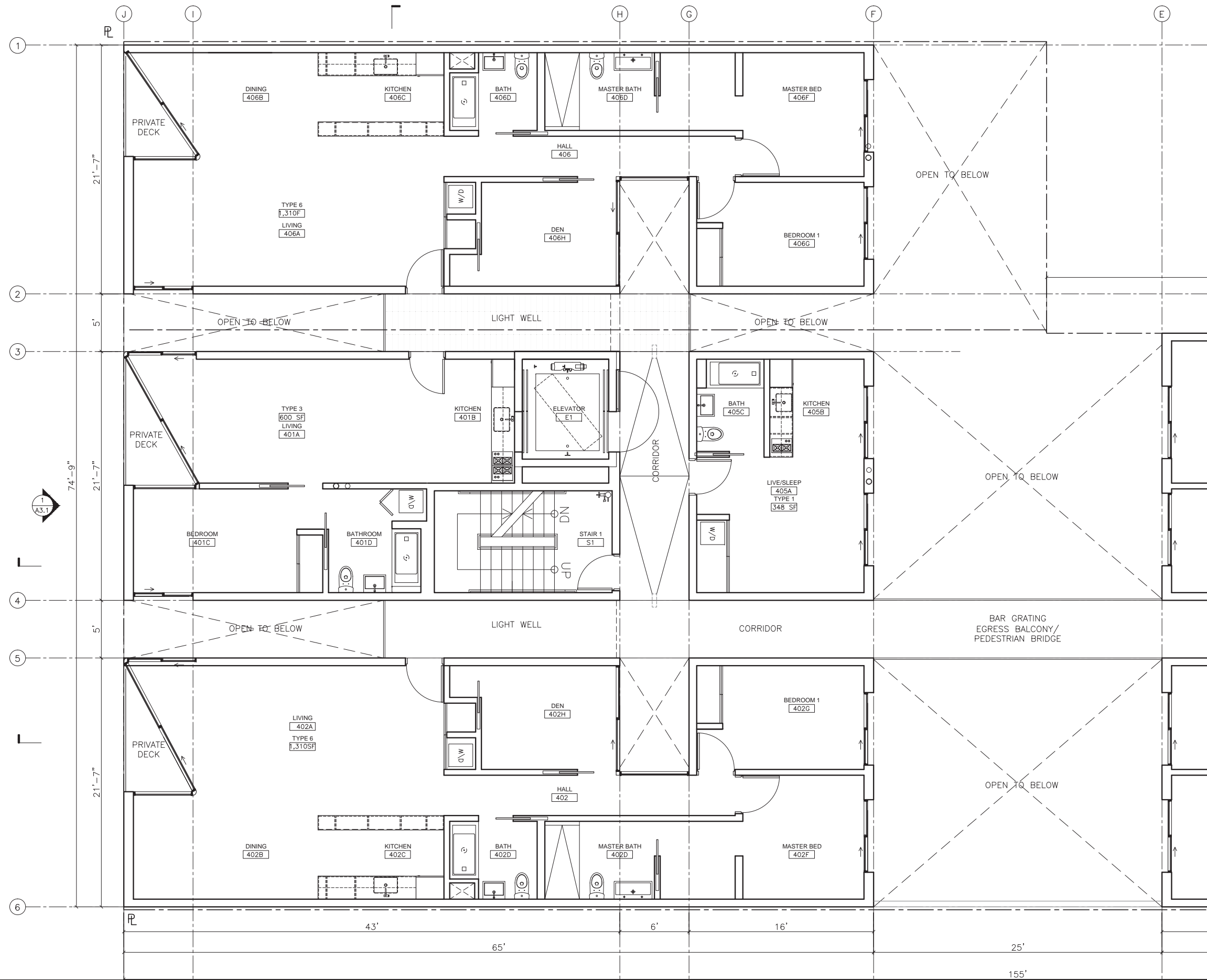
255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 3 FLOOR PLAN

SET: LPA
 DATE: 08-06-2018
 SCALE: 1/4" = 1'-0"
 DRAWN: SSINAI

SHEET NO:
A1.14

LEVEL 3 FLOOR PLAN



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STRUCTURAL:

MEP:

LANDSCAPE:

TITLE:
LEVEL 4 FLOOR PLAN

SET: LPA
 DATE: 08-06-2018
 SCALE: 1/4" = 1'-0"

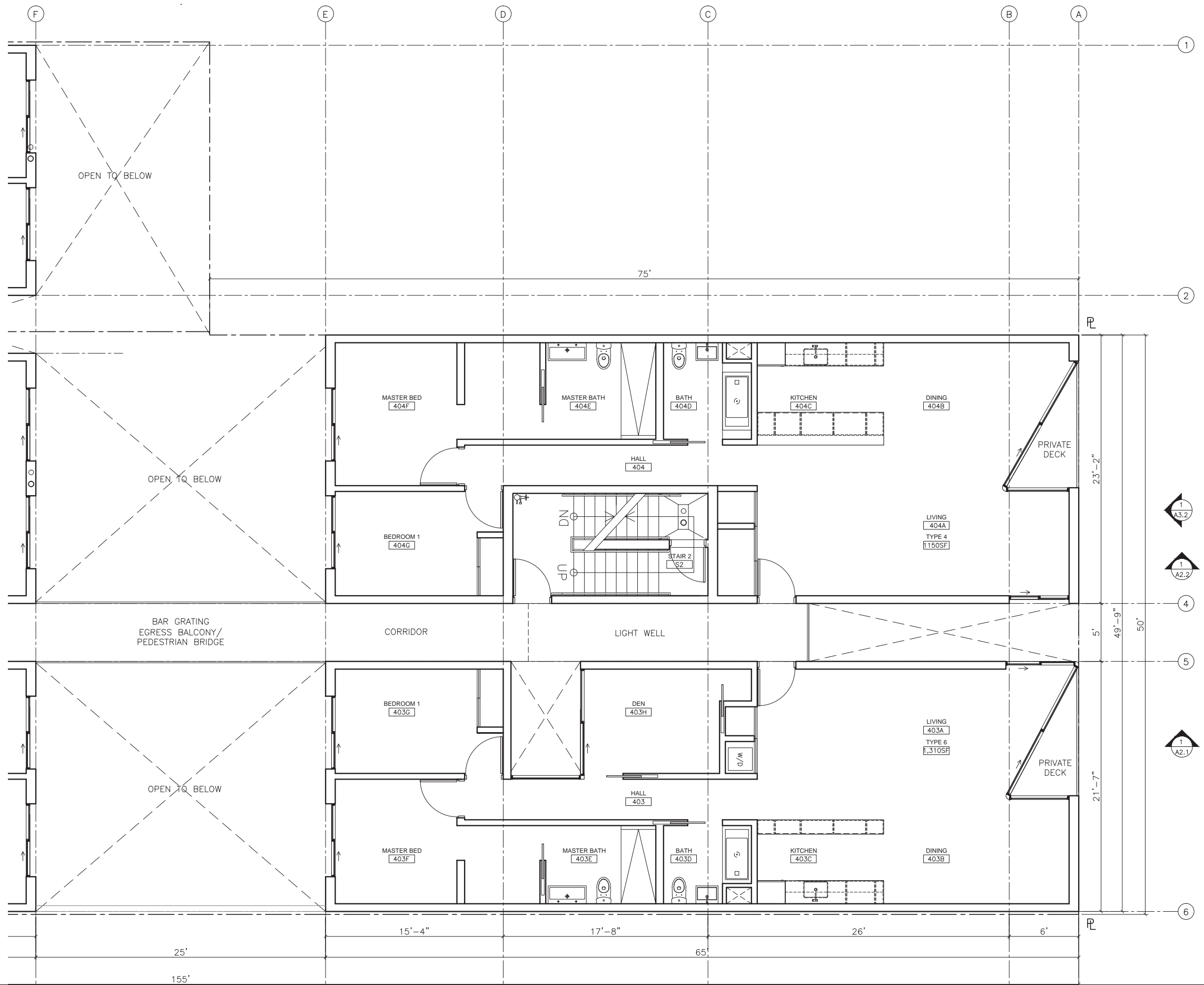
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A1.15

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LEVEL 4 FLOOR PLAN 1





NO.	DESCRIPTION

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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST

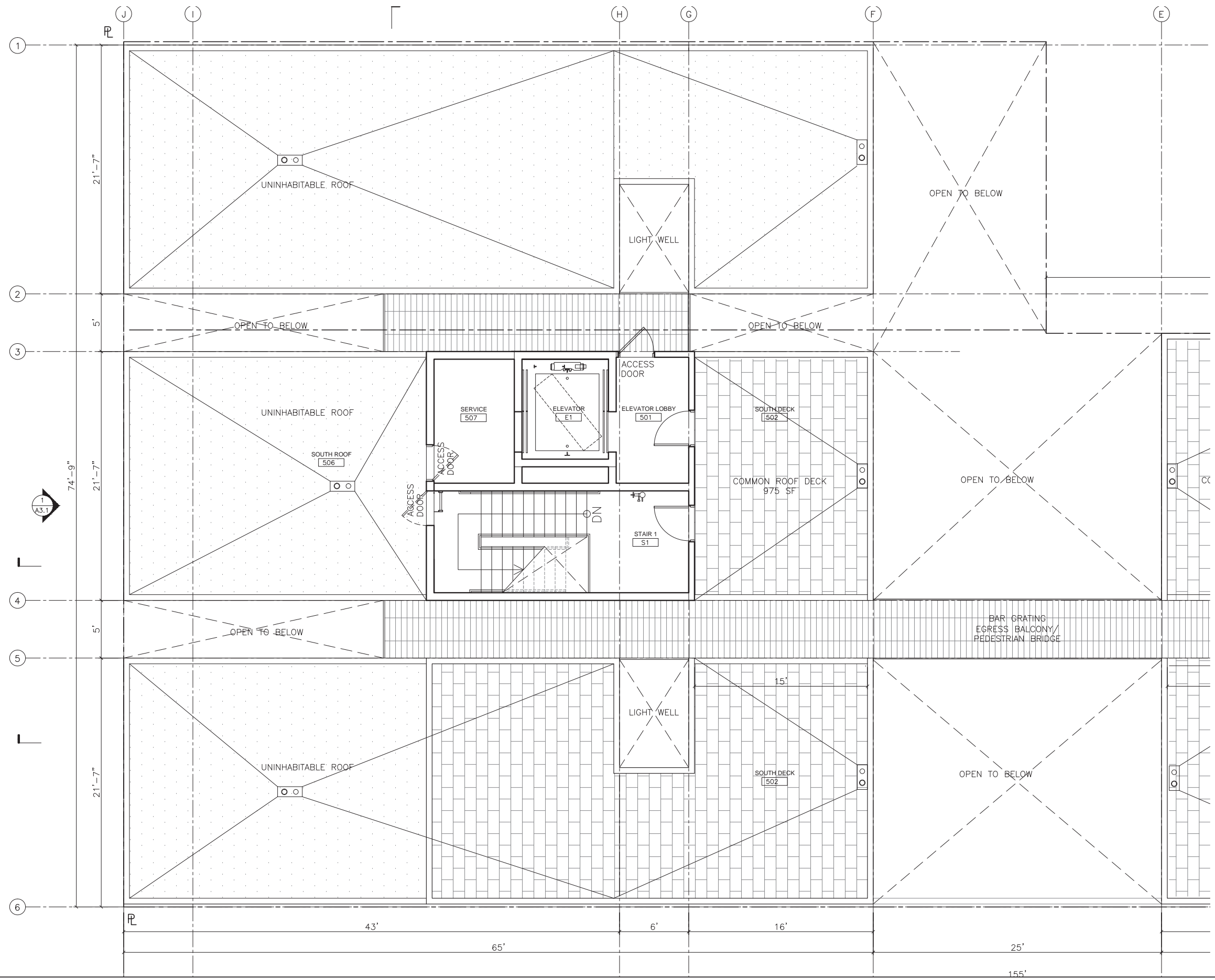
SAN FRANCISCO, CALIFORNIA 94107

TITLE:
LEVEL 4 FLOOR PLAN

SET: LPA
 DATE: 08-06-2018
 SCALE: 1/4" = 1'-0"
 DRAWN: SSJ/NAI
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SHEET NO:
A1.16

LEVEL 4 FLOOR PLAN



1
2
3
4
5
6

P J I H G F E

21'-7"
5'
74'-9"
21'-7"
5'
21'-7"

43'
65'
6'
16'
25'
155'

UNINHABITABLE ROOF
UNINHABITABLE ROOF
UNINHABITABLE ROOF

SOUTH ROOF 506
SERVICE 507
ELEVATOR E1
ELEVATOR LOBBY 501
ACCESS DOOR
ACCESS DOOR
ACCESS DOOR
STAIR 1 S1
DN
LIGHT WELL
LIGHT WELL
SOUTH DECK 502
COMMON ROOF DECK 975 SF
SOUTH DECK 502

OPEN TO BELOW
OPEN TO BELOW
OPEN TO BELOW
OPEN TO BELOW
OPEN TO BELOW

BAR GRATING
EGRESS BALCONY/
PEDESTRIAN BRIDGE

AS.1

REVISIONS	

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STRUCTURAL:

MEP:

LANDSCAPE:

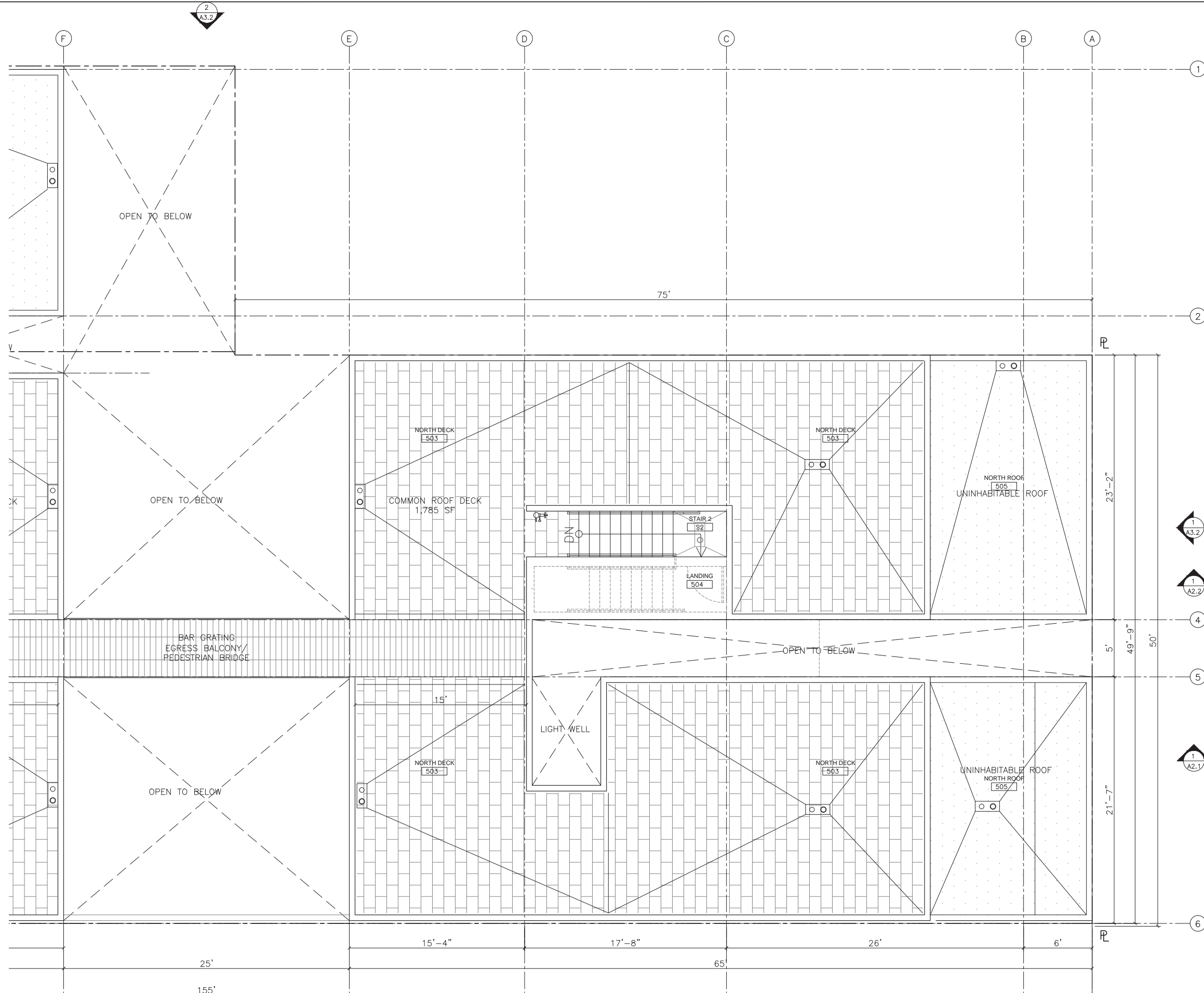
255 SHIPLEY ST

SAN FRANCISCO, CALIFORNIA 94107

TITLE:
ROOF PLAN

SET: LPA
DATE: 08-06-2018
SCALE: 1/4" = 1'-0"
DRAWN: SSJAI

SHEET NO:
A1.17



REVISIONS	

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STRUCTURAL:
 MEP:

LANDSCAPE:

255 SHIPLEY ST

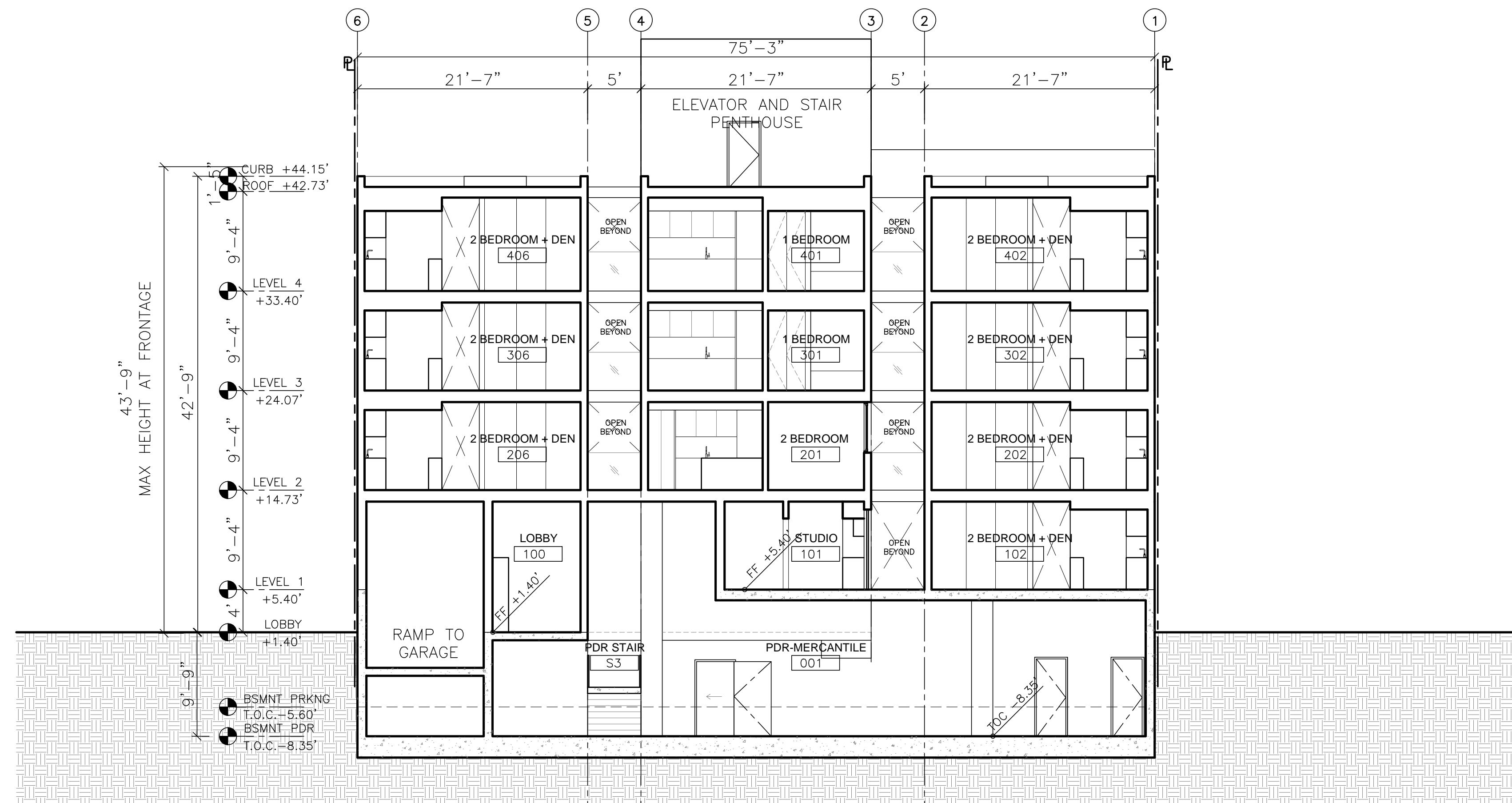
SAN FRANCISCO, CALIFORNIA 94107

TITLE:
ROOF PLAN

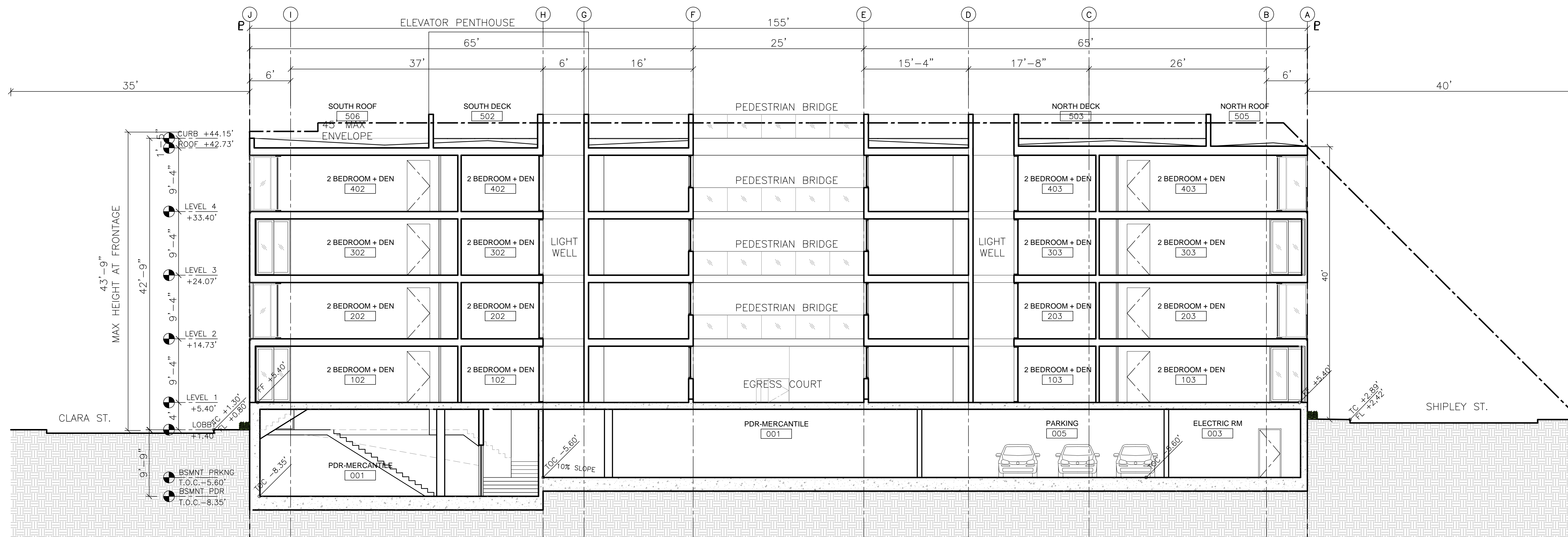
SET: LPA
 DATE: 08-06-2018
 SCALE: 1/4" = 1'-0"
 DRAWN: SSJAI

SHEET NO:
A1.18

ROOF PLAN 1



SECTION 2



SECTION 1

REVISIONS

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 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
SECTIONS

SET: **PLANNING COMMISSION**

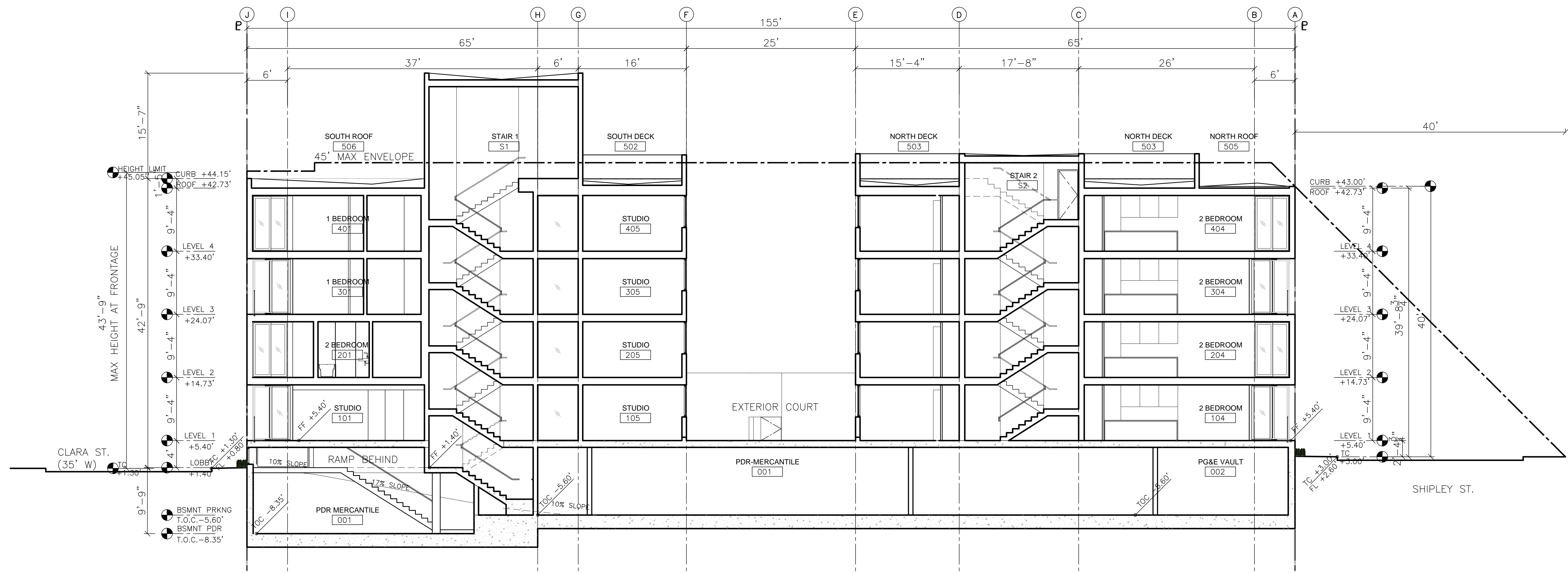
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**

SHEET NO:

A2.1



SECTION 1

REVISIONS

OWNER:
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STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
SECTIONS

SET: **PLANNING COMMISSION**

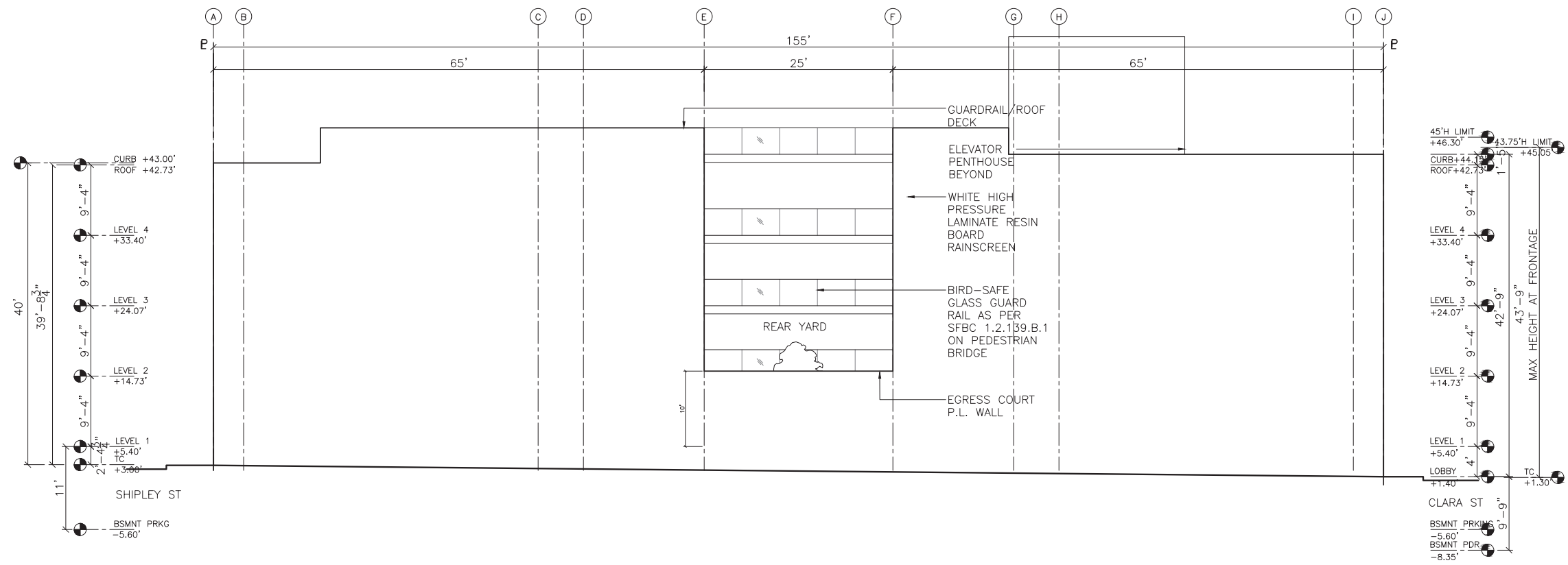
DATE: **08-13-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**
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SHEET NO:

A2.2



WEST ELEVATION 2



CLARA STREET ELEVATION 1

REVISIONS	

OWNER:
SHIPLEY STREET, LLC
 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

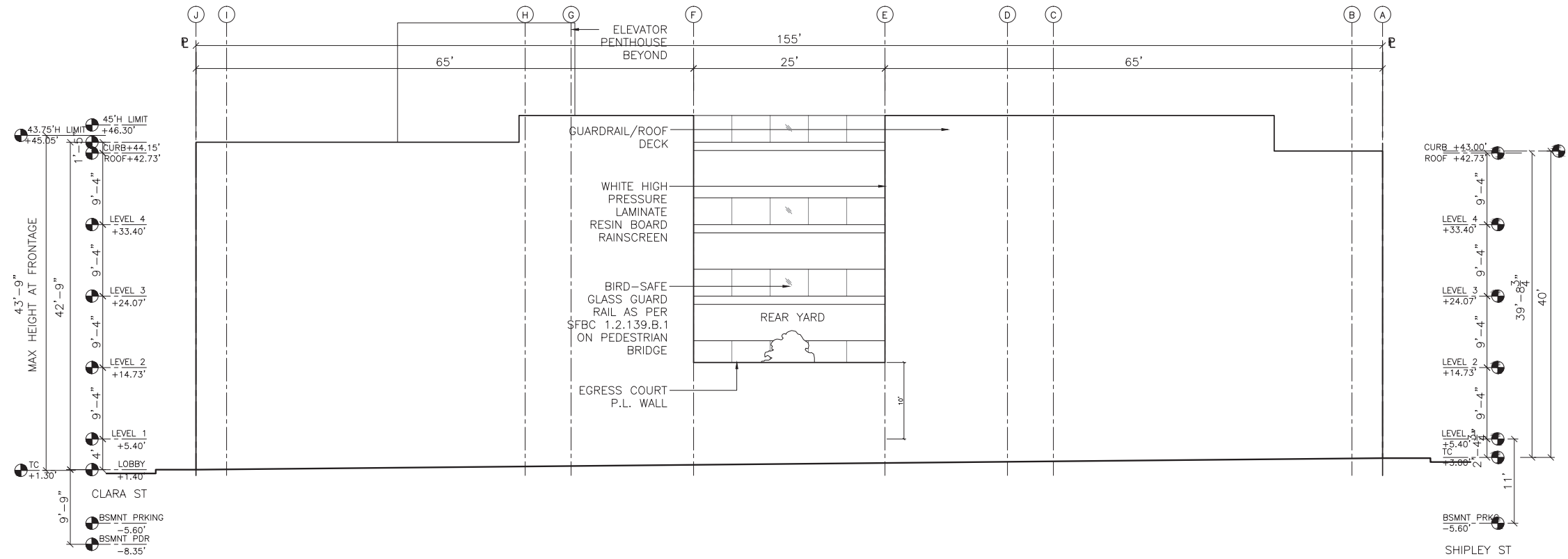
TITLE:
ELEVATIONS

SET: LPA
 DATE: 08-06-2018
 SCALE: 1/8" = 1'-0"

DRAWN: SSINAI
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SHEET NO:
A3.1

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107



EAST ELEVATION 2



SHIPLEY STREET ELEVATION 1

REVISIONS	

OWNER:
SHIPLEY STREET, LLC
 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

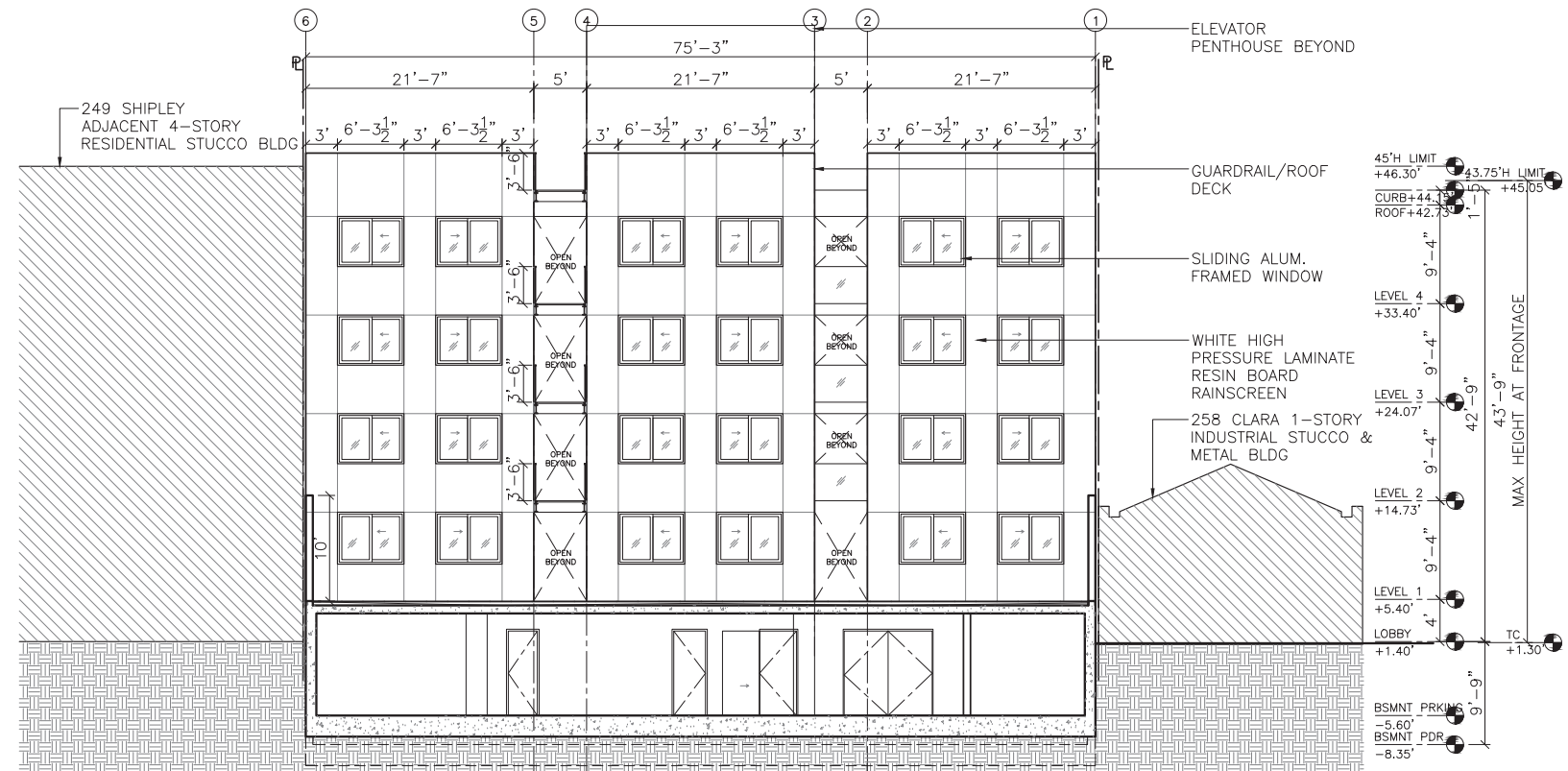
TITLE:
ELEVATIONS

SET: LPA
 DATE: 08-06-2018

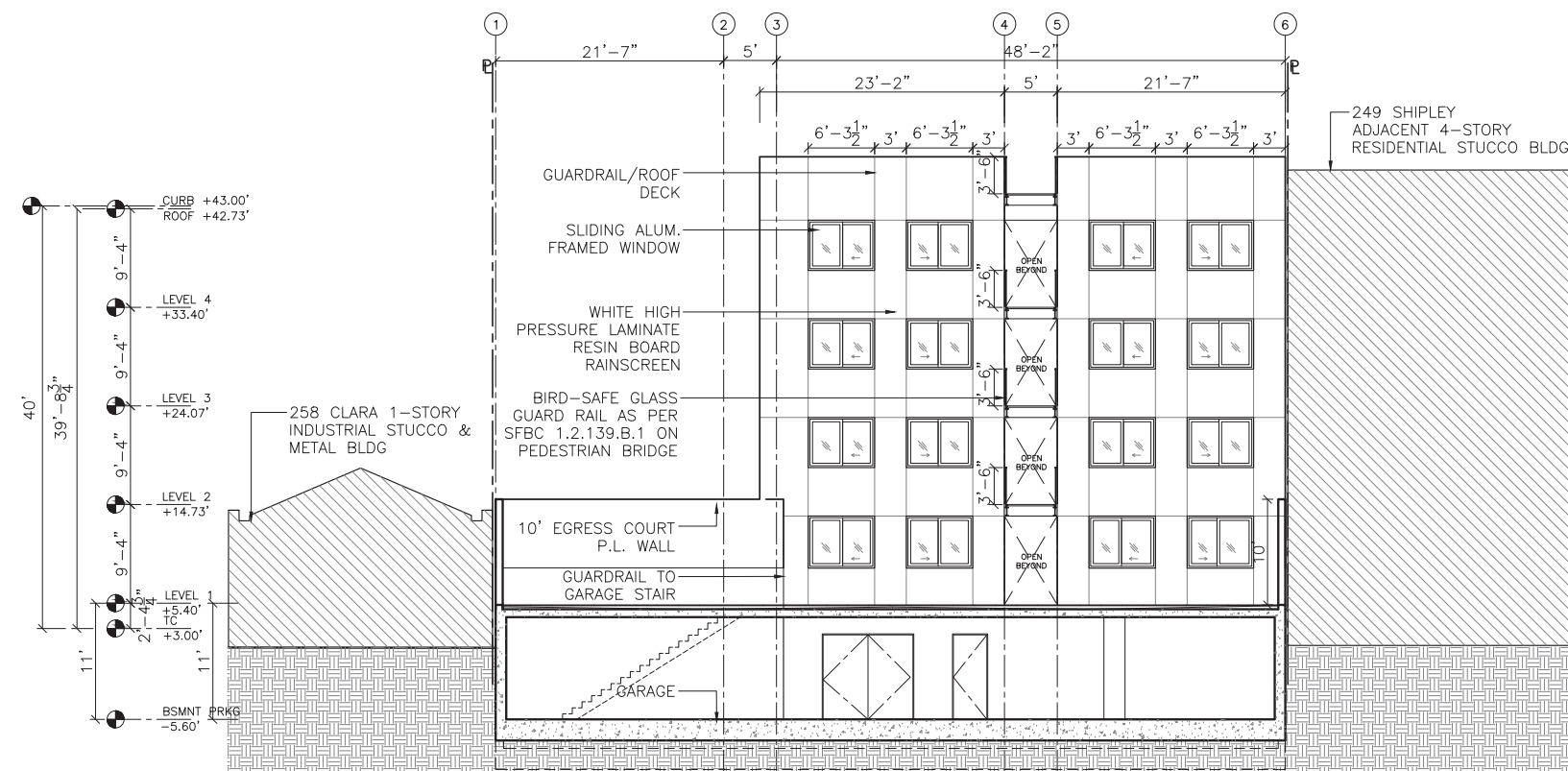
SCALE: 1/8" = 1'-0"
 DRAWN: SSINAI
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SHEET NO:
A3.2

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107



SOUTH ELEVATION COURT 2



NORTH ELEVATION COURT 1

REVISIONS

OWNER:
SHIPLEY STREET, LLC
 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:

MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
ELEVATIONS

SET: **LPA**

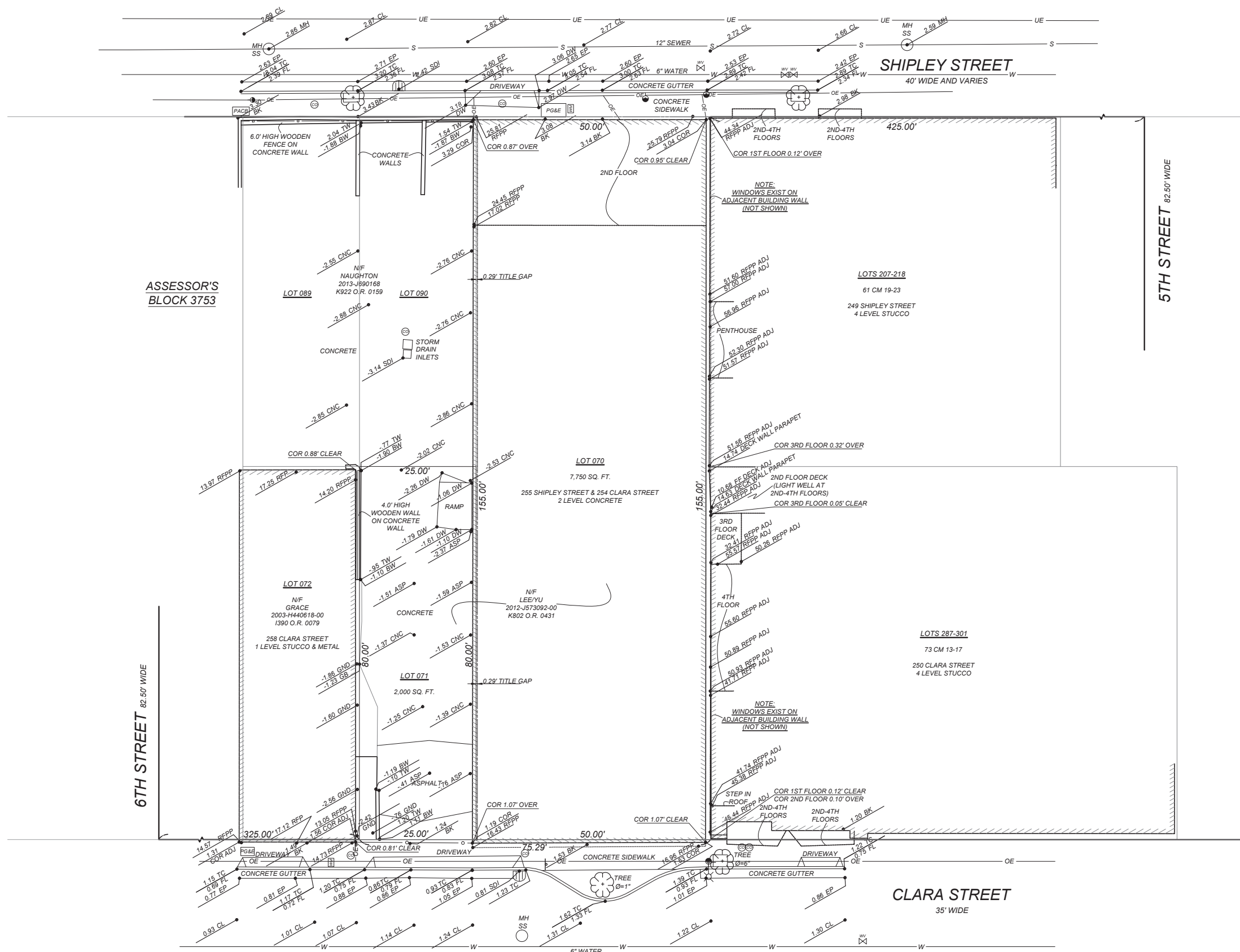
DATE: **08-06-2018**

SCALE: **1/8" = 1'-0"**

DRAWN: **SSINAI**

SHEET NO:

A3.3



REVISIONS	

OWNER:
SHIPLEY STREET, LLC
 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

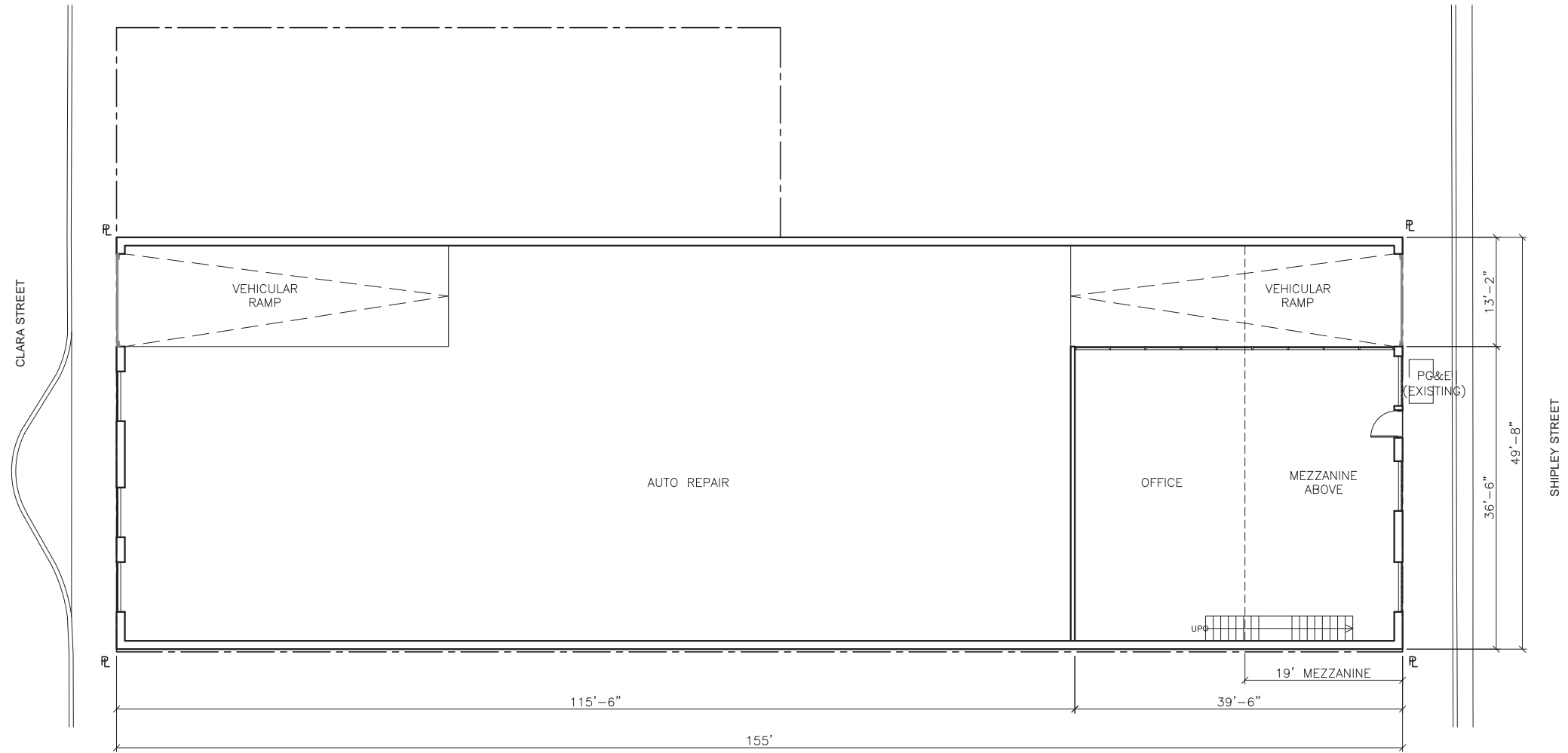
STRUCTURAL:
 MEP:
 LANDSCAPE:

255 SHIPLEY ST

SAN FRANCISCO, CALIFORNIA 94107

TITLE:
SURVEY

SET:	LPA
DATE:	08-06-2018
SCALE:	3/32" = 1'-0"
DRAWN:	SSJ/NAI
SHEET NO:	1



REVISIONS	

OWNER:
SHIPLEY STREET, LLC
 650 Florida Street
 San Francisco, CA 94110
 T 415.759.6228

ARCHITECT:
STANLEY SAIOWITZ | NATOMA ARCHITECTS Inc.
 1022 Natoma Street, No. 3
 San Francisco, CA 94103
 T 415.626.8977 F 415.626.8978

STRUCTURAL:
 MEP:

LANDSCAPE:

255 SHIPLEY ST
 SAN FRANCISCO, CALIFORNIA 94107

TITLE:
EXISTING BUILDING PLAN

SET: LPA

DATE: 08-06-2018

SCALE: 1/8" = 1'-0"

DRAWN: SSINAI

SHEET NO:
2



EXISTING BUILDING PLAN

1



SAN FRANCISCO PLANNING DEPARTMENT

**EXHIBIT
C**

Certificate of Determination Community Plan Evaluation

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

Case No.: 2016-012030ENV
 Project Address: 255 Shipley Street, 254 Clara Street
 Zoning: MUR – Mixed Use Residential
 45-X Height and Bulk District
 Block/Lot: 3753/070, 071
 Lot Size: 9750 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: Neil Kaye, Stanley Saitowitz, Natoma Architects, Inc., 415-626-8977
 Staff Contact: Diane Livia, 415-525-8758, diane.livia@sfgov.org

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project site consists of two adjacent lots between 5th and 6th streets in the South of Market neighborhood. The eastern lot, 070, is a through lot between Shipley Street and Clara Street, and is occupied by a single-story 6,000-square-foot industrial building, with a two-story portion fronting Shipley Street. The adjacent lot 071 fronts Clara Street only and consists of a surface vehicular parking lot. Both project frontages include one existing curb cut each.

The proposed project would demolish an existing building and parking lot across two lots and construct a four-story, 45-foot-tall (60-foot-tall, including rooftop structures), approximately 38,000 gross square foot, mixed use building. The new building would consist of 24 residential units (5 studios, 3 one-bedrooms, 16 two-bedrooms), and 2,500 square feet production distribution repair (PDR) space. The new building would provide six automobile parking spaces and 24 class 1 bicycle parking spaces in a one-story, below-grade parking garage.

CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION

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



Lisa Gibson
Environmental Review Officer

Date 8/1/18

cc: Neil Kaye, Stanley Saitowitz, Natoma Architects, Inc., Project Sponsor; Supervisor Jane Kim, District 6; Linda Ajello Hoagland, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT APPROVAL

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

COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 255 Shipley Street, 254 Clara Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

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

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

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing

¹ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

² 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.

³ 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.

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.⁴

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 (Mixed Use Residential) District. The MUR District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 255 Shipley Street, 254 Clara Street site, which is located in the Eastern SoMa district of the Eastern Neighborhoods, was designated as a site with building up to 45 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 255 Shipley Street, 254 Clara 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 255 Shipley Street, 254 Clara Street project, and identified the mitigation measures applicable to the 255 Shipley Street, 254 Clara Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code

⁴ 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.

applicable to the project site.^{5,6} Therefore, no further CEQA evaluation for the 255 Shipley Street, 254 Clara 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.

Central SoMa

The project site is also located within the Central SoMa Plan, a comprehensive plan for an area within the boundaries of the Eastern Neighborhoods Area Plan. It is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and by an irregular border that generally jogs along Folsom, Howard and Stevenson Streets to the north.

The need for the plan became apparent during the Eastern Neighborhoods planning process, which was initiated in the early 2000s. In 2008, the City and County of San Francisco approved the Eastern Neighborhoods Rezoning and Area Plans project, which covered 2,300 acres on the city's eastern flank and introduced new land use controls and area plans for the eastern part of SoMa, the Central Waterfront, the Mission, and Showplace Square/Potrero Hill neighborhoods.

The Eastern Neighborhoods planning effort had two primary objectives: to address and ensure a stable future for light industrial businesses in the city, mainly through zoning restrictions; and to plan for a substantial amount of new housing, particularly housing affordable to low-, moderate-, and middle-income families and individuals. New housing would be developed in the context of "complete neighborhoods," which would provide sufficient amenities for new residents of these areas.

At that time, the City determined that the pending development of the Central Subway transit project and the development potential of the surrounding area necessitated a separate, focused planning process that took into account for the City's growth needs as well as the opportunity to link transportation and land use planning.

The Planning Department initiated the Central SoMa Planning Process in earnest in early 2011 with funding from the California Department of Transportation and the San Francisco Municipal Transportation Agency.

The plan's sponsor, the San Francisco Planning Department, endeavors to address the social, economic, and environmental aspects of sustainability through a planning strategy that accommodates anticipated population and job growth, provides public benefits, and respects and enhances neighborhood character. The Plan seeks to encourage and accommodate housing and employment growth by (1) removing land use restrictions to support a greater mix of uses while also emphasizing office uses in portions of the Plan Area; (2) amending height and bulk districts to allow for taller buildings; (3) modifying the system of streets and circulation within and adjacent to the Plan Area to meet the needs and goals of a dense, transit-oriented, mixed use district; and (4) creating new, and improving existing, open spaces.

On May 10, 2018, the Planning Commission certified the Central SoMa Plan EIR, however, the Plan is not yet in effect. This project is not reliant upon any of the provisions of the plan or associated planning code

⁵ Anne Brask, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 255 Shipley Street, 254 Clara 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. 2016-021030.

⁶ Kurt Botn, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 255 Shipley Street, 254 Clara Street, June 25, 2018.

changes. This project would not contribute to any significant effects identified in the Central SoMa EIR that were not already identified in the Eastern Neighborhoods PEIR (see below).

PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, parking lots, and production/distribution/repair uses. The scale of development in the project vicinity varies in height from 15 to 90 feet. There is a three-story, six-unit residential building at 249 Shipley Street adjacent to and east of the project site. At 265 Shipley Street, adjacent to and west of the project site, there is currently a parking lot, and permits have been applied for to develop a five-story, 45-foot-tall building containing nine dwelling units and office space. There are two- and three-story residential buildings and an automotive repair space on the north side of Shipley Street across from the project site. There are multi-story, mixed use residential buildings on the north side of Clara Street across from the project site. The remainder of the project block is occupied by multi-story residential buildings, production/design/repair buildings, and parking lots. Other land uses in the area include Interstate 80 (0.1 mile southeast of the project site), Bessie Carmichael Elementary School (0.2 mile southwest, Victoria Manalo Draves Park (0.1 mile southwest), and the South of Market Recreation Center (0.1 mile west).

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 255 Shipley Street, 254 Clara 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 255 Shipley Street, 254 Clara 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 the significant and unavoidable effects regarding these topics.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile	Not Applicable: pile driving	N/A

Mitigation Measure	Applicability	Compliance
Driving)	not proposed.	
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
F-5: Siting of Noise-Generating Uses	Not applicable: the project does not include any noise-generating uses.	N/A
F-6: Open Space in Noisy Environments	Not Applicable: CEQA generally no longer requires the consideration of the effects of existing environmental conditions on a proposed project's future users or residents.	N/A
G. Air Quality		
G-1: Construction Air Quality	Applicable: the project site is within an identified Air Pollutant Exposure Zone.	The project sponsor has agreed to require construction equipment to include engines with higher emissions standards.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by Health Code Article 38	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: new sources of DPM are not proposed.	N/A

Mitigation Measure	Applicability	Compliance
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed project would not be expected to generate toxic air contaminants (TACs) in everyday operations.	N/A
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: proposed project is not within an area for which a final archeological research design and treatment plan (ARDTP) is on file.	N/A
J-2: Properties with no Previous Studies	Applicable: The project site is in an area for which no previous archeological study has been conducted.	The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to implement a mitigation measure related to the accidental discovery of archeological resources.
J-3: Mission Dolores Archeological District	Not Applicable: proposed project is not located in the Mission Dolores Archeological District.	N/A
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department.	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission.	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: proposed project includes demolition of an existing building.	The project sponsor has agreed to remove and dispose of any equipment containing PCBs or

Mitigation Measure	Applicability	Compliance
		DEHP according to applicable laws prior to demolition.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA.	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA.	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA.	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA.	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA.	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA.	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA.	N/A

Please see the attached Mitigation Monitoring and Reporting Program for the complete text of the Eastern Neighborhoods Area Plan 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 May 22, 2018 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised

by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Most respondents expressed concern about the lack of parking involved with the proposed project, conjecturing it will make parking on the street more difficult. The proposed project involves only seven new dwelling units, and would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁷:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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.

⁷ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2016-021030.

MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Actions/ Schedule and Verification of Compliance
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
<i>HISTORIC ARCHITECTURAL/CULTURAL RESOURCES</i>				
Mitigation Measure 1 – Archeological Resources, Properties With No Previous Study (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure J-2)				
<p>The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered, buried, or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c), on tribal cultural resources as defined in CEQA Statute Section 21074, and on human remains and associated or unassociated funerary objects.</p> <p>The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.</p>	Project Sponsor.	Prior to and during soils disturbing activities.	Project sponsor.	Considered complete when ERO receives signed affidavit.

Mitigation Measure 1 continued

A preconstruction training shall be provided to all construction personnel performing or managing soils disturbing activities by a qualified archaeologist prior to the start of soils disturbing activities on the project. The training may be provided in person or using a video and include a handout prepared by the qualified archaeologist. The video and materials will be reviewed and approved by the ERO. The purpose of the training is to enable personnel to identify archaeological resources that may be encountered and to instruct them on what to do if a potential discovery occurs. Images of expected archeological resource types and archeological testing and data recovery methods should be included in the training.

The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet and have taken the preconstruction training.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

Project sponsor and qualified archaeologist.

Prior to and during soils disturbing activities.

Project sponsor.

Considered complete when ERO receives signed affidavit.

Project sponsor, Head Foreman and qualified archeological consultant.

In the event that an archeological site is uncovered during the construction period.

Project Sponsor and qualified archeologist.

Considered complete after Final Archeological Resources Report is approved and provided to descendant group.

Mitigation Measure 1 continued

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. The ERO may also determine that the archeological resources are a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; an archeological testing program; and an interpretative program. If an archeological monitoring program, archeological testing program, or interpretative program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs and reviewed and approved by the ERO. The ERO may also

Mitigation Measure 1 continued

require that the project sponsor immediately implement a site security program if the archeological resource may be at risk from vandalism, looting, or other damaging actions.

If human remains and associated or unassociated funerary objects are discovered during any soils disturbing activity, all applicable State and Federal Laws shall be followed, 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

Mitigation Measure 1 continued

recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the 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).

The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public distribution version of the FARR. Copies of the

Archeological Consultant.

After all soils disturbing activities have concluded.

Archeological consultant.

Considered complete when ERO has received, reviewed and approved FARR.

Mitigation Measure 1 continued

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

NOISE

Measure 2 – Construction Noise (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure F-2)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to

Project sponsor's qualified acoustical consultant and construction contractor.

Previous to commencement of, and during construction.

Planning Department and Department of Building Inspection.

Considered complete after construction activities are completed .

Mitigation Measure 2 continued

commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses.
- Use noise control blankets on a building structure as the building is erected to reduce noise emission from the site.
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses.
- Monitor the effectiveness of noise attenuation measures by taking noise measurements.
- 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.

AIR QUALITY

Project Mitigation Measure 3 – Construction Air Quality (Eastern Neighborhoods Programmatic Environmental Impact Report (PEIR) Mitigation Measure G-1)

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

Project sponsor's construction contractor.

Prior to issuance of construction permits and throughout the construction period. Planning Department.

Considered completed after construction activities are completed.

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 is 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

Mitigation Measure 3 continued

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

Mitigation Measure 3 continued

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,

Mitigation Measure 3 continued

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

Mitigation Measure 3 continued

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.

HAZARDOUS BUILDING MATERIALS

Measure 4 – Hazardous Building Materials Study (Eastern Neighborhoods Rezoning and Area Plans (PEIR Mitigation Measure L-1)

The project sponsor or the project sponsor’s Contractor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or di-(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

Project Sponsor and qualified project archeologist.

Prior to approval of project.

Planning Department in consultation with DPH.

Considered complete upon approval of project.



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: 2016-021030ENV
Project Address: 255 Shipley Street, 254 Clara Street
Zoning: MUR – Mixed Use Residential
45-X
Block/Lot: 3753/070, 071
Lot Size: 9750 square feet
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Neil Kaye, Stanley Saitowitz, Natoma Architects, Inc., 415-626-8977
Staff Contact: Diane Livia, 415-525-8758, diane.livia@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 between 5th and 6th streets in the South of Market neighborhood. The eastern lot, 070, is a through lot between Shipley Street and Clara Street, and is occupied by a single-story 6,000-square-foot industrial building, with a small, two-story portion fronting Shipley Street. The existing building was constructed in 1923 and is currently used as an automobile repair facility with storage and office space. The adjacent lot 071 fronts Clara Street only and consists of a surface vehicular parking lot. Both streets are narrow streets. The project area along Shipley Street is characterized by one- to four-story, multi-unit residential buildings, office buildings and the occasional empty lot. The project area along Clara Street is characterized by residential buildings, a PDR building and a hotel. The project site is surrounded by lots restricted in the 45-X Height and Bulk District. Refer to figures 1 and 2 in Attachment A.

The proposed project would demolish an existing building and parking lot across the two lots and construct a four-story, 45-foot-tall, approximately 38,000 gross square foot, mixed use building. The new building would consist of 24 residential units (5 studios, 3 one-bedrooms, 16 two-bedrooms), 2,500 square feet PDR (production/distribution/repair space), and approximately 4,800 square feet residential storage space. The new building would also provide six automobile parking spaces and 24 class 1 bicycle parking spaces in a one-story, below-grade parking garage, with vehicular access via a two-way, 10-foot wide driveway off Clara Street. Refer to figures 3 through 8 in Attachment A.

The proposed project would excavate three feet below the existing basement and remove approximately 2,365 cubic yards of soil to accommodate the underground parking and a mat foundation. An existing curb cut on Shipley Street as well as an existing curb cut on Clara Street would be eliminated, and a new curb cut would be constructed on Clara providing ingress to the parking garage.

PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, parking lots, open space, and production/distribution/repair uses. The scale of development in the project vicinity varies in height from 15 to 90 feet. There is a three-story, six-unit residential building at 249 Shipley Street adjacent to and east of the project site. At 265 Shipley Street, adjacent to and west of the project site, there is currently a parking lot, and permits have been applied for to develop a five-story, 45 foot tall building containing

nine dwelling units and office space. There are two- and three-story residential buildings and an automotive repair space on the north side of Shipley Street across from the project site. There are multi-story, mixed use residential buildings on the north side of Clara Street across from the project site. The remainder of the project block is occupied by multi-story residential buildings, production/design/repair buildings, and parking lots. Other land uses in the area include Interstate 80 (0.1 mile southeast of the project site), Bessie Carmichael Elementary School (0.2 mile southwest, Victoria Manalo Draves Park (0.1 mile southwest), and the South of Market Recreation Center (0.1 mile west).

The proposed 255 Shipley Street project would require the following approvals:

Actions by the Planning Commission

- Large Project Authorization

Actions by other City Departments

- Building Permits for new construction at 255 Shipley Street and 254 Clara Street (Department of Building Inspection)

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

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).¹ 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 Project 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 (specifically PDR use), transportation (program-level and cumulative traffic

¹ 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.

impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include construction of a four-story, 45 foot high mixed use building with 24 dwelling units, PDR space on the ground floor, and a six-car basement parking garage. 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:

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

Aesthetics and Parking

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

- a) The project is in a transit priority area;

- b) The project is on an infill site;
- 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.² Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

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

In January 2016, OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#)³ 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.

² San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis. 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. 2016-012030ENV.

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

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would remove an existing 6,000 square foot industrial/ PDR building. The project would include 2,500 square feet of PDR space. Thereby, the project would result in a net loss of 3,500 square feet of PDR space. Given the small amount of net loss as a result of the project, the project would not contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. 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 consistent with applicable zoning, height and bulk limits, land use plans, policies, and regulations. The proposed project is permitted in the MUR Mixed Use Residential District and conforms to the development density as envisioned in the East SoMa Area Plan.^{4,5} The MUR District permits residential dwelling units without specific density limitations, allowing physical controls such as height, bulk, and setbacks to control dwelling unit density. The Project would not exceed the applicable 45-foot height limit, except for certain rooftop features such as open space features, mechanical screens, and stair and elevator penthouses as allowable by the Planning Code. The building would also be compliant with the sun access plane/upper story setback requirements of Planning Code Section 261.1(d)(2).

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

⁴ Josh Switzky, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 255 Shipley Street, 254 Clara Street, July 11, 2018.

⁵Kurt Botn, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 255 Shipley Street, 254 Clara Street, June 25, 2018.

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>
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2. POPULATION AND HOUSING—

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

disproportionally live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

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

The project would add 24 dwelling units in a populated area, and reduce existing PDR space by 58 per cent at this site. Although this is an intensification of use, the small number of dwelling units will not induce significant population growth. 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>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated

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

The existing building on the project site was previously evaluated in a historical resources survey and found ineligible for national, state, or local listing. A review of the adopted San Francisco Filipino Heritage Addendum to the South of Market Historic Context Statement (2013) did not reveal any additional information about this building in association with the Filipino community, which was not evaluated as part of the previous South of Market Historic Resource Survey. Thus, the proposed project would not result in significant historic resource impacts. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

Archeological Resources

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

A Planning Department archeologist conducted a preliminary review of the project site in accordance with study requirements of Mitigation Measure J-2 Properties With no Previous Studies of the Eastern Neighborhoods PEIR, and found the Planning Department's first standard archeological mitigation measure (Accidental Discovery) would apply to the proposed project. PEIR Mitigation Measure J-2 is identified as Project Mitigation Measure 1 (full text provided below in "Project 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>
4. TRANSPORTATION AND CIRCULATION – Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.⁶ 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.

⁶ 255 Shipley Transportation Study Determination, Lana Russell-Hurd, June 21, 2017.

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

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

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

Vehicle Miles Traveled (VMT) Analysis

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area’s actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{7,8}

⁷ 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.

⁸ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

For residential development, the existing regional average daily VMT per capita is 17.2.⁹ For office development (proxy for PDR), regional average daily work-related VMT per employee is 19.1. Average daily VMT for both land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table A: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 631.

Table A – Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 631	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 631
Households (Residential)	17.2	14.6	2.2	16.1	13.7	1.8
Employment (Office) (PDR)	19.1	16.2	8.2	17.0	14.5	6.7

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research’s (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* (“proposed transportation impact guidelines”) recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a transportation analysis zone that exhibits low levels of VMT; Small Projects are projects that would generate fewer than 100 vehicle trips per day; and the Proximity to Transit Stations criterion includes projects that are a) within a half mile of an existing major transit stop, b) have a floor area ratio of greater than or equal to 0.75, c) vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and c) are consistent with the applicable Sustainable Communities Strategy.

Residential

The proposed project is located within the 631 TAZ. Fifteen percent less than the regional VMT in this TAZ is 14.6 for residential use. This TAZ has a 2.2 VMT rate for residential use. (See Table A - Daily Vehicle Miles Traveled, above). Therefore, the proposed project meets the Map-Based Screening¹⁰ criterion for residential use.

Office (proxy for PDR use)

⁹ Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

¹⁰ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis.

The proposed project is located within the 631 TAZ. Fifteen percent less than the regional VMT in this TAZ is 16.2 for office use. This TAZ has an 8.2 VMT rate for office use. (See Table A - Daily Vehicle Miles Traveled, above). Therefore, the proposed project meets the Map-Based Screening criterion for office use.

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

Trip Generation

The proposed project would include 24 new dwelling units, a reduction of PDR space from 5,000 square feet to 2,500 square feet, six vehicle parking spaces in a basement parking garage, and 20 Class 1 bicycle parking spaces.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.¹¹ The proposed project would generate an estimated 265 person trips (inbound and outbound) on a weekday daily basis, consisting of 84 person trips by auto, 66 transit trips, 83 walk trips and 32 trips by other modes.

During the p.m. peak hour, the proposed project would generate an estimated 42 person trips, consisting of 13 person trips by auto, (11 vehicle trips accounting for vehicle occupancy data for this Census Tract), 10 transit trips, 13 walk trips and 5 trips by other modes.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).¹² The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.¹³ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time

¹¹ San Francisco Planning Department, Transportation Calculations for 255 Shipley Street, 254 Clara Street, July 5, 2018.

¹² 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.

¹³ <http://tsp.sfplanning.org>

Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Boulevard. The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in Section 138.1 of the Planning Code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building 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 and stops including Muni lines 12-Folsom/Pacific, 19-Polk, 27-Bryant, 30-Stockton, 45-Union/Stockton, 47-Van Ness and 8-Bayshore. The proposed project would be expected to generate 66 daily transit trips, including 10 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 10 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 the 27 – Bryant Muni line. The proposed project would not contribute considerably to these conditions as its minor contribution of 10 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

Conclusion

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive ground borne vibration or ground borne 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.¹⁴ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

¹⁴ 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).

Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would not include pile-driving and therefore Mitigation Measure F-1 would not apply. Mitigation Measure F-2 Construction Noise applies to the proposed project as Project Mitigation Measure 2, due to temporary construction noise from use of heavy equipment. The measure requires the project sponsor to develop and implement a set of noise attenuation measures during construction. (See Project Mitigation Measures Section below).

In addition, all construction activities for the proposed project (approximately 14 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of PW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 14 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 project is not expected to generate such operational noise levels and therefore the mitigation measure would not apply.

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.

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 12f 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>
6. AIR QUALITY—Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹⁵ 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

¹⁵ 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.¹⁶

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 BAAQMD (Bay Area Air Quality Management District)’s quantitative thresholds for individual projects.”¹⁷ The district’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria¹⁸ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria for both residential and PDR space. In both cases the screening criteria are well above the proposed project. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

¹⁶ 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.

¹⁷ 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 July 12, 2018.

¹⁸ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the Air Pollutant Exposure Zone, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal. In compliance with Article 38, the project sponsor has submitted an application to DPH.¹⁹

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 (two diesel powered excavators, one loader, one concrete pump) during two months of the anticipated 14 month construction period. Thus, Project Mitigation Measure 3 Construction Air Quality has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 3 Construction Air Quality would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.²⁰ Therefore, impacts related to construction health risks would be less than significant through implementation of this measure. The full text of Project Mitigation Measure 3 Construction Air Quality is provided in the Project Mitigation Measures Section below.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable.

¹⁹ Application for Article 38 Compliance Assessment, SOL Properties LLC. December 21, 2016.

²⁰ 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).

Conclusion

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

<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>
7. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<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 Eastern 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 CO₂E²¹ per service population,²² respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD (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 project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*²³ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,²⁴ exceeding the year 2020 reduction goals outlined in the BAAQMD’s 2010 Clean Air Plan,²⁵ Executive Order S-3-0526, and Assembly Bill 32 (also known as the Global Warming

²¹ CO₂E, 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.

²² 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.

²³ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

²⁴ ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

²⁵ Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

²⁶ 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.

Solutions Act).^{27,28} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-0529 and B-30-15.^{30,31} Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site by adding 24 new dwelling units and reducing existing PDR space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.³² 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,

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

²⁸ 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.

²⁹ 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 MTCO₂E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

³⁰ 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.

³¹ 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.

³² Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy³³ and reducing the energy required to produce new materials.

Compliance with the City’s Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).³⁴ Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.³⁵

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.

<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>
8. WIND AND SHADOW – Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The proposed 45-foot-tall building 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

³³ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

³⁴ 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.

³⁵ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist* for 255 Shipley Street], June 27, 2017.

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

The proposed project would construct a 45-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would have the potential to cast new shadow on nearby parks. The analysis indicates that no shadow would be cast by the proposed project on nearby parks.³⁶

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

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

<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>
9. RECREATION – Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<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:

³⁶ Shadow Fan Analysis Map, 255 Shipley Street, Planning Staff, May 31, 2018.

Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are both set to open in 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to “Transportation” section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

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

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

<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>
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10. UTILITIES AND SERVICE SYSTEMS – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

<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) 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 would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

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

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

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

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

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

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

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

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

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

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

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

The project site is located within the Eastern SoMa Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

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

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

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

A geotechnical investigation was prepared for the proposed project.³⁷ The geotechnical report for the project site indicates very soft to soft unconsolidated clay and silt layers. Multiple sources indicate that the project site is in a high risk area for liquefaction. Additionally, the site is located within an area locally known as the historic Sullivan Marsh³⁸. This is an area which experienced extensive damage during the 1906 Great San Francisco Earthquake and the 1989 Loma Prieta Earthquake. The severe shaking during both major earthquakes caused ground movements, liquefaction, lateral spreading, sand boils, and damage to buildings and underground utilities in the area. No landslide potential, including earthquake-induced land sliding, has been mapped at the project site. No known active faults directly intersect the project site, however, during a major earthquake in the general region, the site will experience strong ground shaking and possible settlement due to “Bay Mud” soil found at 22 to 85-foot depths. The report recommends a mat slab foundation, which the proposed project includes, as well as various specific geotechnical design criteria and recommendations.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s)

³⁷ *Geotechnical Report*, Kleyner, Igor. Adept Construction Solutions, Inc. and MTR Inc. September 30, 2017.

³⁸ Report submitted to the San Francisco Department of Public Works, Harding Lawson Associates. 1991, in *Geotechnical Report*, Kleyner, Igor. Adept Construction Solutions, Inc. and MTR Inc. September 30, 2017.

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.

<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>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

<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>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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15. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<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>
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, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1 would apply to the proposed project. See full text of Project Mitigation Measure 4 in the Project Mitigation Measures Section below.

Soil and Groundwater Contamination

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

The proposed project would disturb approximately 2,370 cubic yards of soil: 9,600 square feet to a depth of between 10 and 16 feet. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to

prepare an ESA (Phase I Environmental Site Assessment) that meets the requirements of Health Code Section 22.A.6.

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

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application³⁹ to DPH and a Phase I⁴⁰ and/or Phase II Environmental Site Assessment, Soil Characterization Study, etc. has been prepared by AEI Consultants to assess the potential for site contamination. The report states that AEI did not identify evidence of recognized, controlled or historical contaminants in connection with the subject property during the course of this assessment. AEI recommends no further investigation for the subject property at this time. However, AEI notes that the requirements of Article 22A should be considered during future development planning. Therefore, the proposed project would not result in any significant impacts related to hazardous materials 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>
16. MINERAL AND ENERGY RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource

³⁹ Maher Ordinance Application, 255 Shipley Street, Stanley Saitowitz Natoma Architects, July 19, 2017.

⁴⁰ Phase I Environmental Site Assessment 255 Shipley Street, San Francisco, AEI Consultants. January 9, 2017.

extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

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

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

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

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

PROJECT MITIGATION MEASURES

Project Mitigation Measure 1 – Archeological Resources, Properties With No Previous Study (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure J-2)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered, buried, or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c), on tribal cultural resources as defined in CEQA Statute Section 21074, and on human remains and associated or unassociated funerary objects. The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.

A preconstruction training shall be provided to all construction personnel performing or managing soils disturbing activities by a qualified archaeologist prior to the start of soils disturbing activities on the project. The training may be provided in person or using a video and include a handout prepared by the qualified archaeologist. The video and materials will be reviewed and approved by the ERO. The purpose of the training is to enable personnel to identify archaeological resources that may be encountered and to instruct them on what to do if a potential discovery occurs. Images of expected archeological resource types and archeological testing and data recovery methods should be included in the training.

The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet and have taken the preconstruction training.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. The ERO may also determine that the archeological resources is a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; an archeological testing program; and an interpretative program. If an archeological monitoring program, archeological testing program, or interpretative program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs and reviewed and approved by the ERO. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource may be at risk from vandalism, looting, or other damaging actions.

If human remains and associated or unassociated funerary objects are discovered during any soils disturbing activity, all applicable State and Federal Laws shall be followed, 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 as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinterment 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).

The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

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

Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure F-2)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that

maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

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

Project Mitigation Measure 3 – Construction Air Quality (Eastern Neighborhoods Programmatic Environmental Impact Report (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 is 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 Study (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure L-1)

The project sponsor or the project sponsor’s Contractor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact 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.

ATTACHMENT A – Figures

FIGURE 1 – 255 Shipley Street, 254 Clara Street



FIGURE 2 – Existing Project Site Plan (Demo Plan)

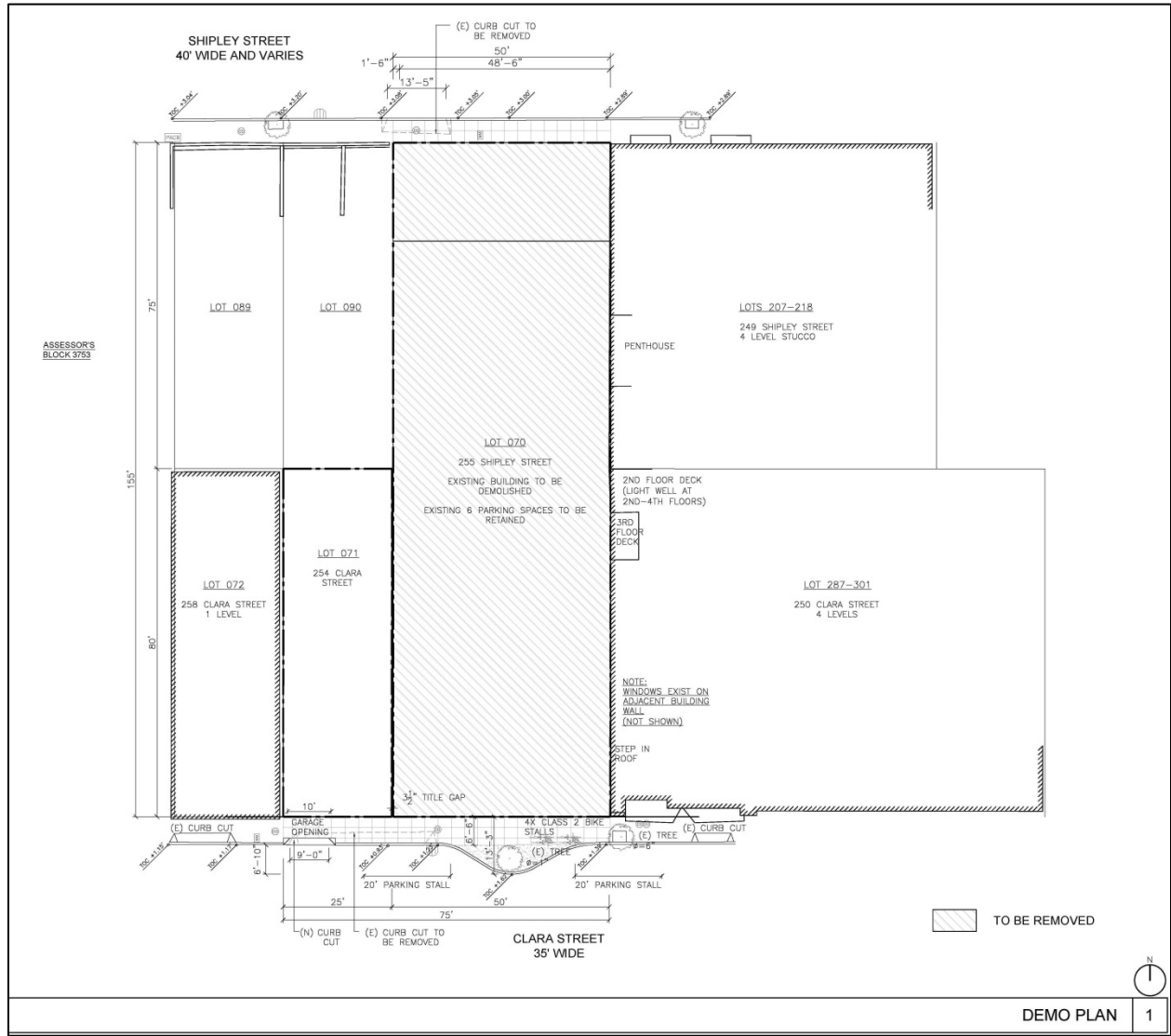


FIGURE 3 – Proposed Project Site Plan

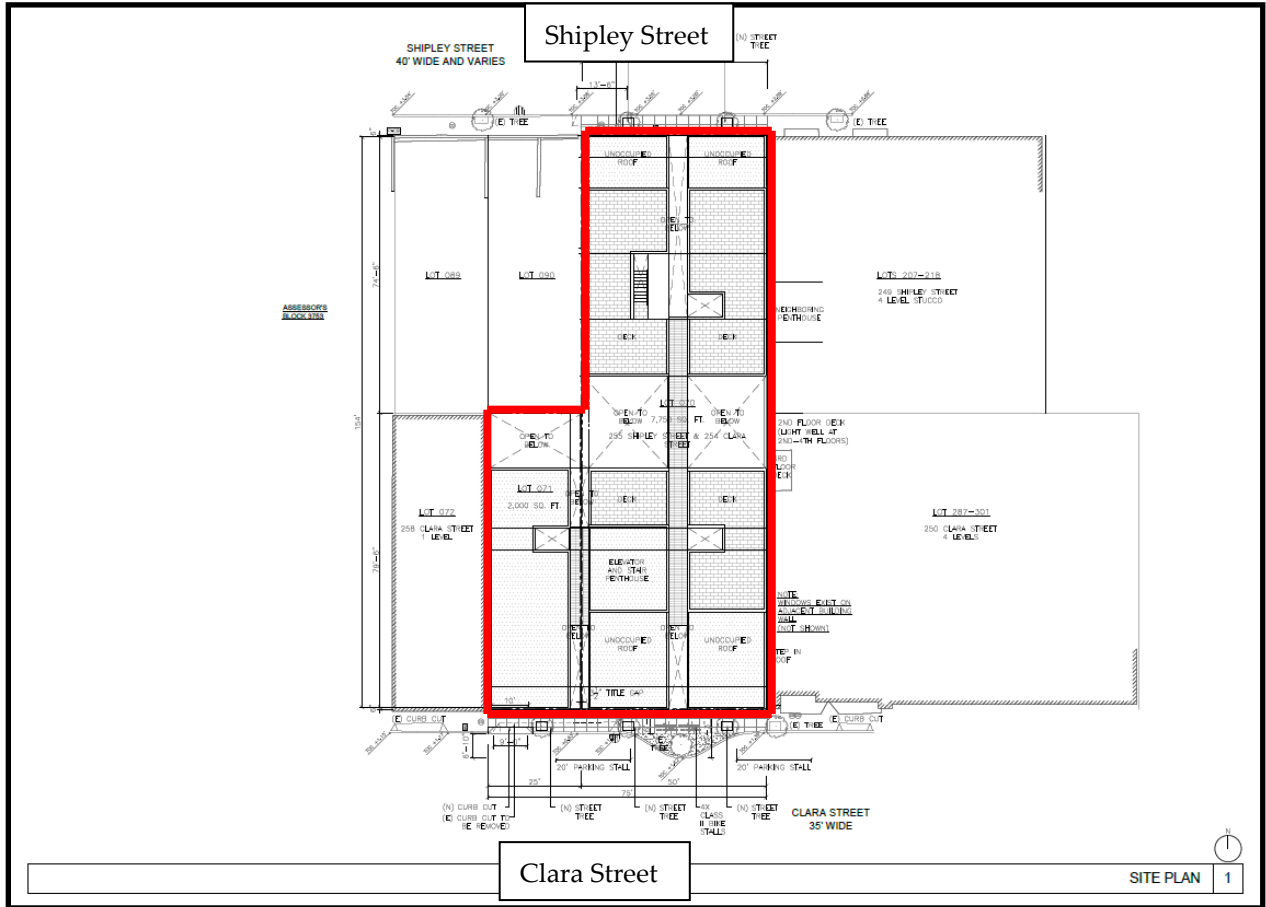


FIGURE 5 – Proposed Representative Upper Floor

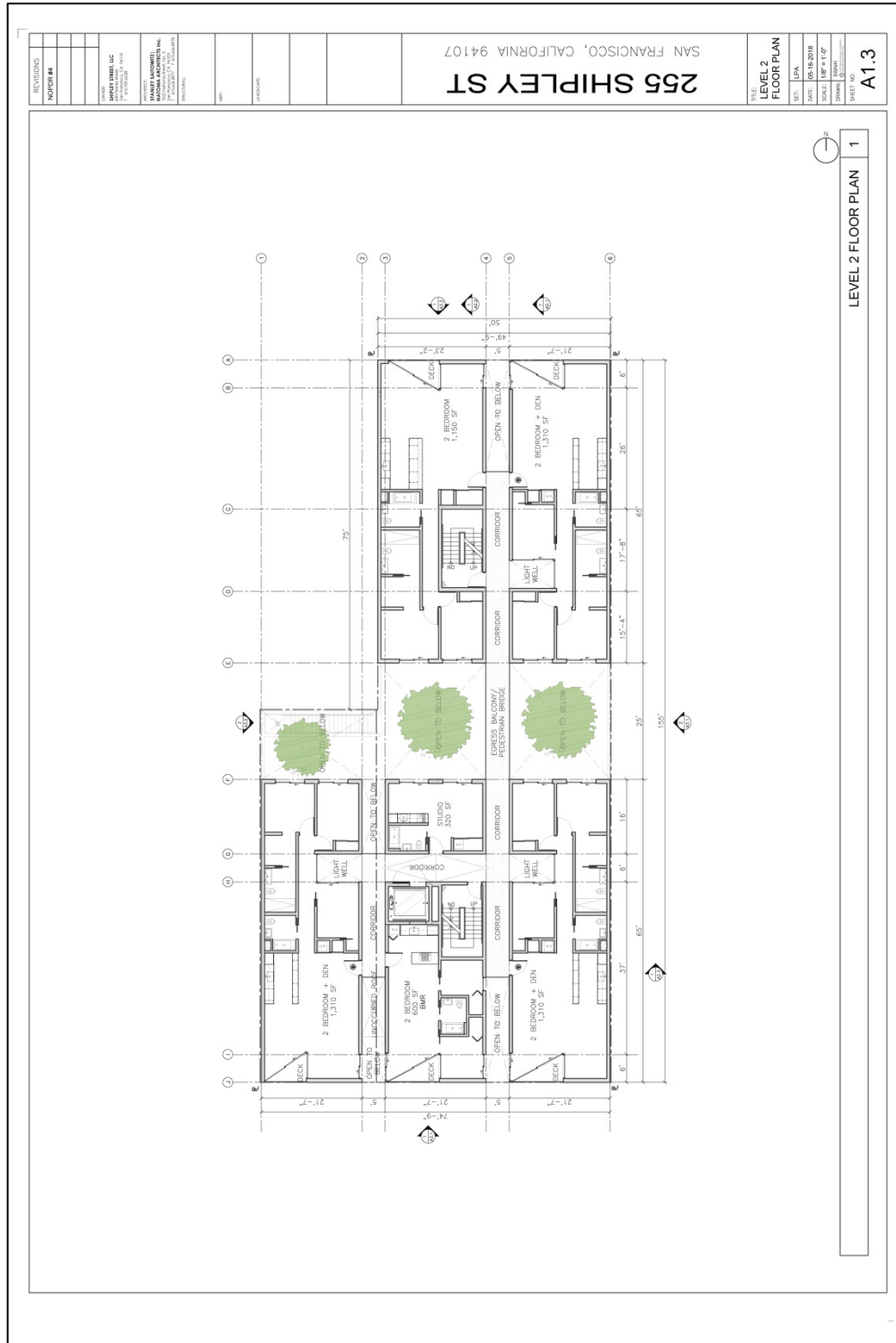


FIGURE 6 – Proposed Roof Plan

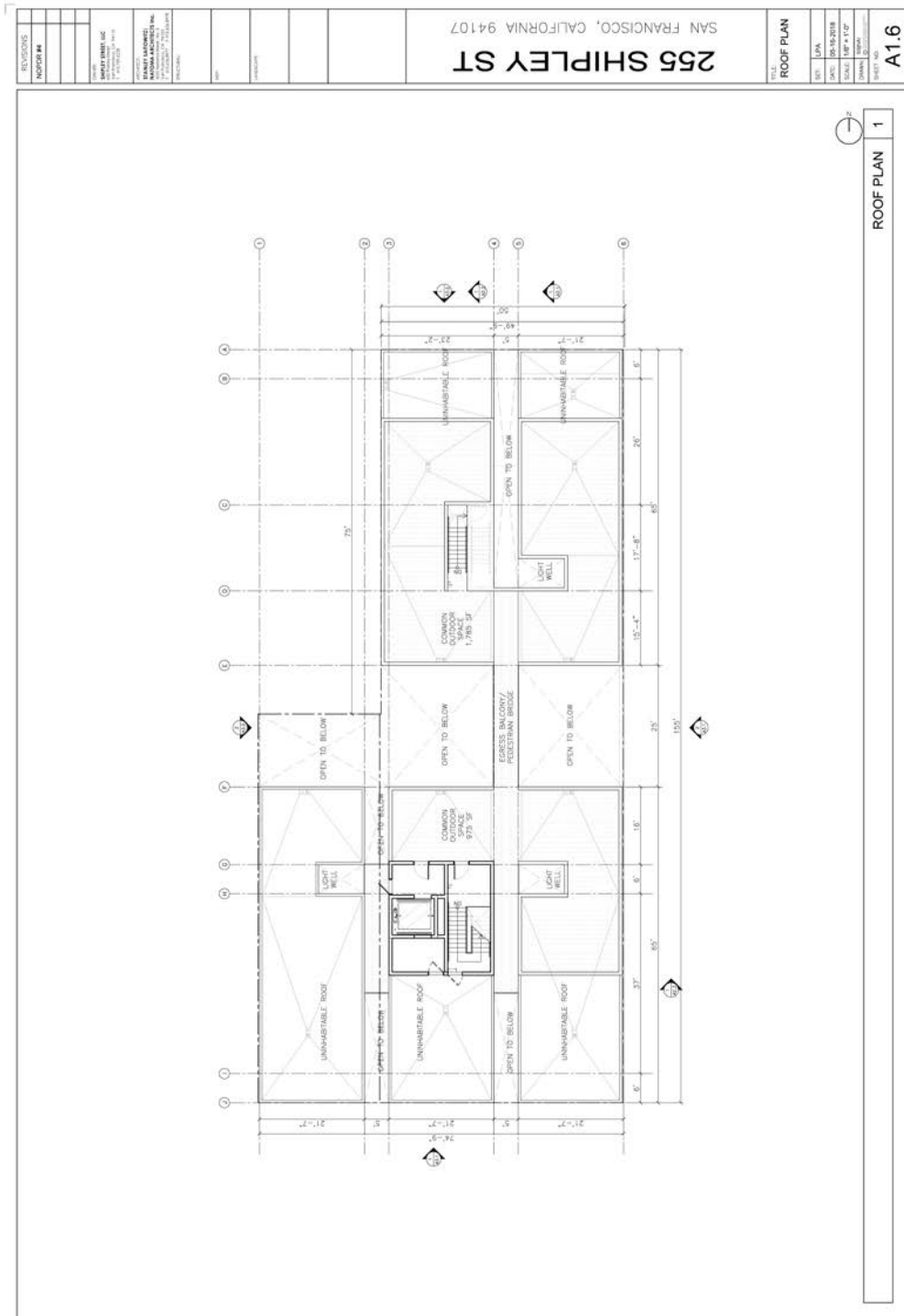
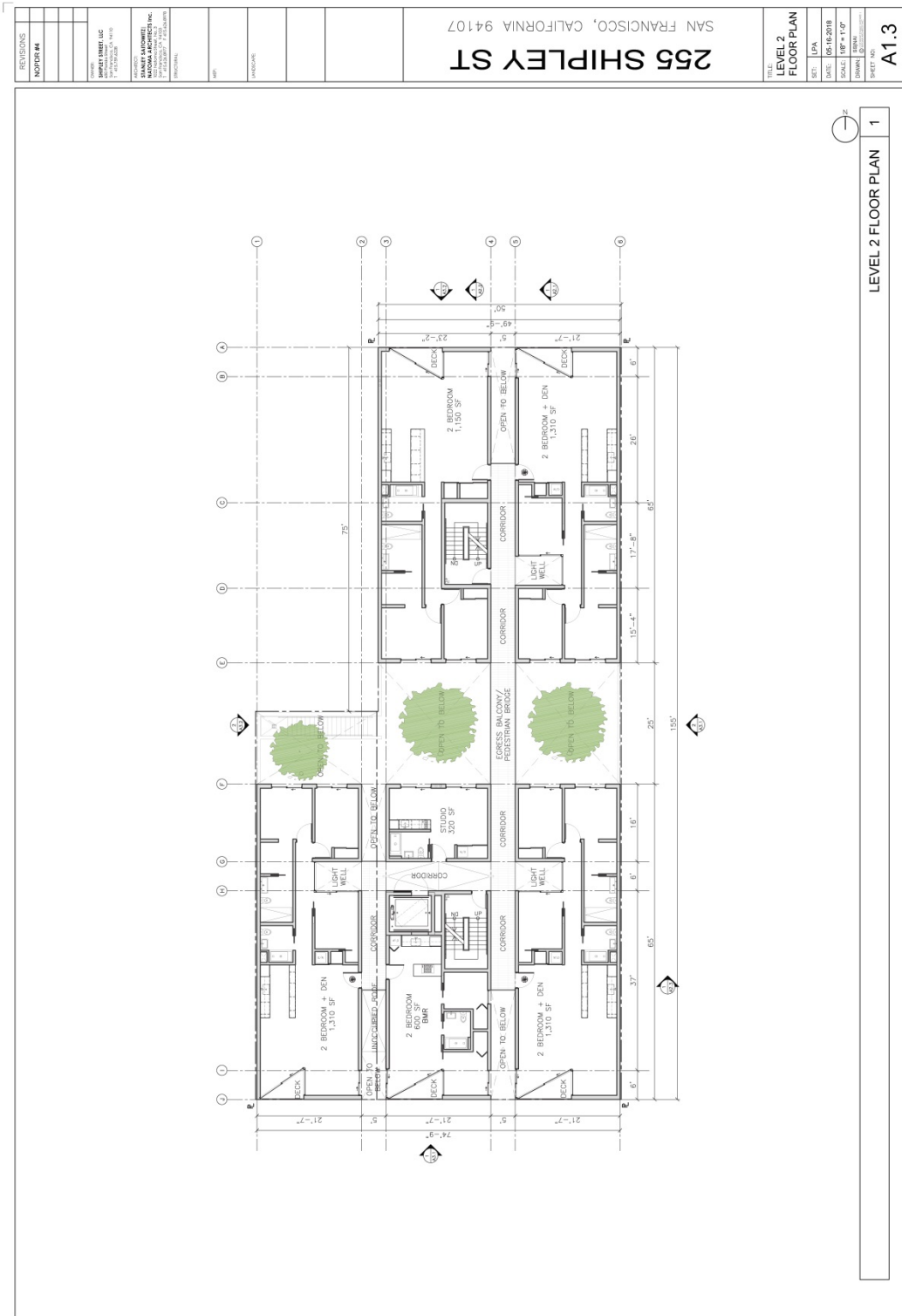


FIGURE 8 – Proposed Shipley St. Elevation





SAN FRANCISCO PLANNING DEPARTMENT

Agreement to Implement Mitigation Measures

Case No.: 2016-012030ENV
Project Address: 255 Shipley Street, 254 Clara Street
Zoning: MUR - Mixed Use-Residential
45-X Height and Bulk District
Block/Lot: 3753/071
Lot Size: 9750 square feet
Project Sponsor: Neil Kaye, Stanley Saitowitz, Natoma Architects, Inc., 415-626-8977
Lead Agency: San Francisco Planning Department
Staff Contact: Diane Livia 415-575-8758

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

MITIGATION MEASURES

Project Mitigation Measure 1 – Archeological Resources, Properties with No Previous Study (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure J-2)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered, buried, or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c), on tribal cultural resources as defined in CEQA Statute Section 21074, and on human remains and associated or unassociated funerary objects. The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.

A preconstruction training shall be provided to all construction personnel performing or managing soils disturbing activities by a qualified archaeologist prior to the start of soils disturbing activities on the project. The training may be provided in person or using a video and include a handout prepared by the qualified archaeologist. The video and materials will be reviewed and approved by the ERO. The purpose of the training is to enable personnel to identify archaeological resources that may be encountered and to instruct them on what to do if a potential discovery occurs. Images of expected archeological resource types and archeological testing and data recovery methods should be included in the training.

The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet and have taken the preconstruction training.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify

the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. The ERO may also determine that the archeological resources is a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; an archeological testing program; and an interpretative program. If an archeological monitoring program, archeological testing program, or interpretative program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs and reviewed and approved by the ERO. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource may be at risk from vandalism, looting, or other damaging actions.

If human remains and associated or unassociated funerary objects are discovered during any soils disturbing activity, all applicable State and Federal Laws shall be followed, 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 as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinterment 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).

The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological

testing/monitoring/data recovery program(s) undertaken. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

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

Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure F-2)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

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

Project Mitigation Measure 3 – Construction Air Quality (Eastern Neighborhoods Programmatic Environmental Impact Report (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 is 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 Study (Eastern Neighborhoods Rezoning and Area Plans (PEIR) Mitigation Measure L-1)

The project sponsor or the project sponsor's Contractor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact 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.

 X I agree to implement the above mitigation measure(s) as a condition of project approval.



Property Owner or Legal Agent Signature

 7/25/2018

Date



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 255 SHIPLEY STREET
RECORD NO.: 2016-012030ENX

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

Reception:
415.558.6378

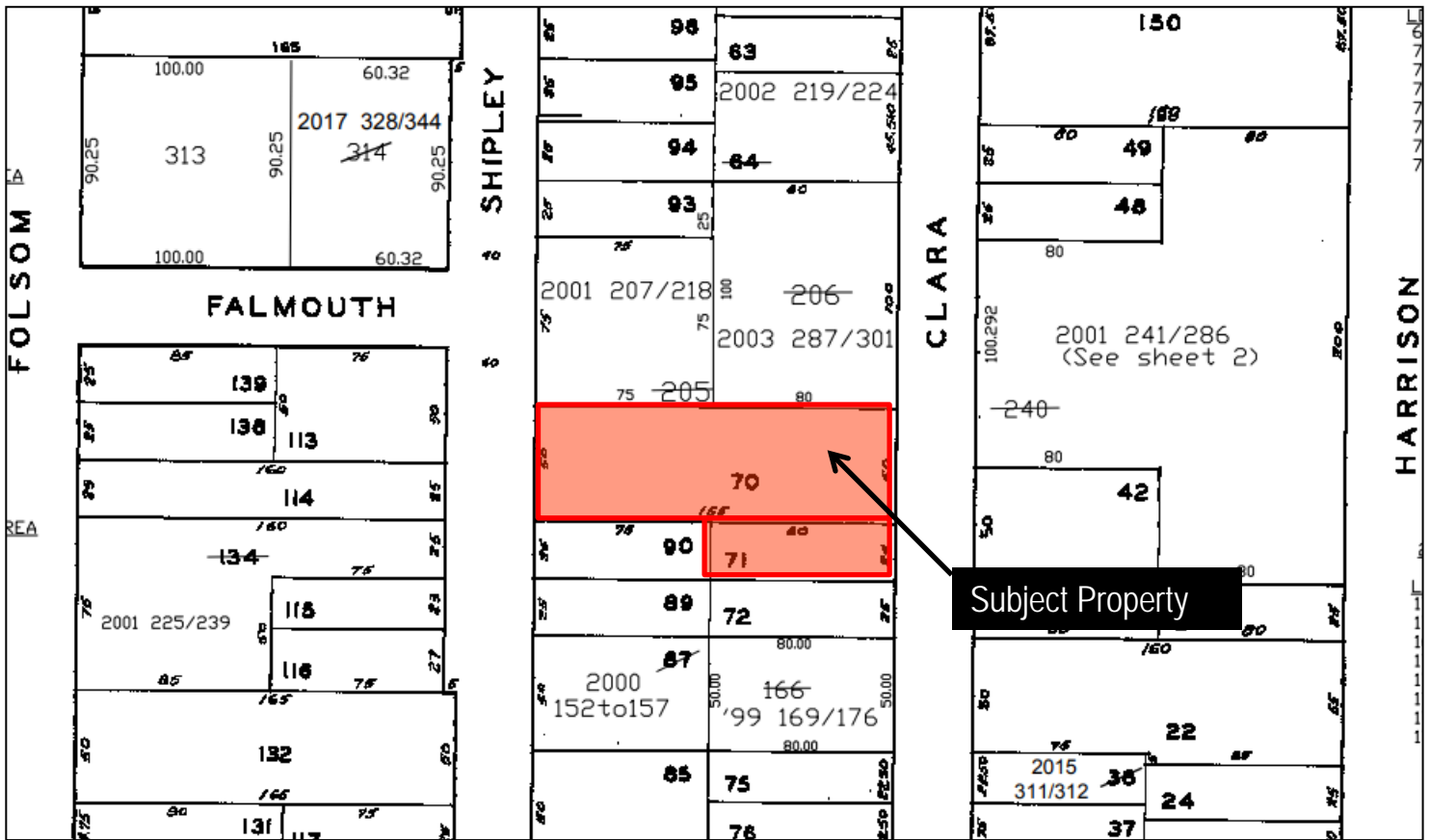
Fax:
415.558.6409

Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Lot Area	9,750	9,750	None
Residential	None	28,090	28,090
Commercial/Retail	None	None	None
Office	None	None	None
Industrial/PDR <i>Production, Distribution, & Repair</i>	8,650	4,365	-4,285
Parking	2,000	5,375	3,375
Usable Open Space	None	2,670	2,670
Public Open Space	None	None	None
Other ()			
TOTAL GSF	10,650	37,830	27,180
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Market Rate	None	21	21
Dwelling Units - Affordable	None	3	3
Hotel Rooms	None	None	None
Parking Spaces	6	-1	5
Loading Spaces	None	None	None
Car Share Spaces	None	None	None
Bicycle Spaces	None	24 Class 1, 4 Class 2	28
Number of Buildings	1	1 (appears as 4)	1
Number of Stories	1-2	4	4
Height of Building(s)	~12' to 22'	43'-9"	43'-9"
Other ()			

Block Book Map

EXHIBIT
E



Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Sanborn Map*

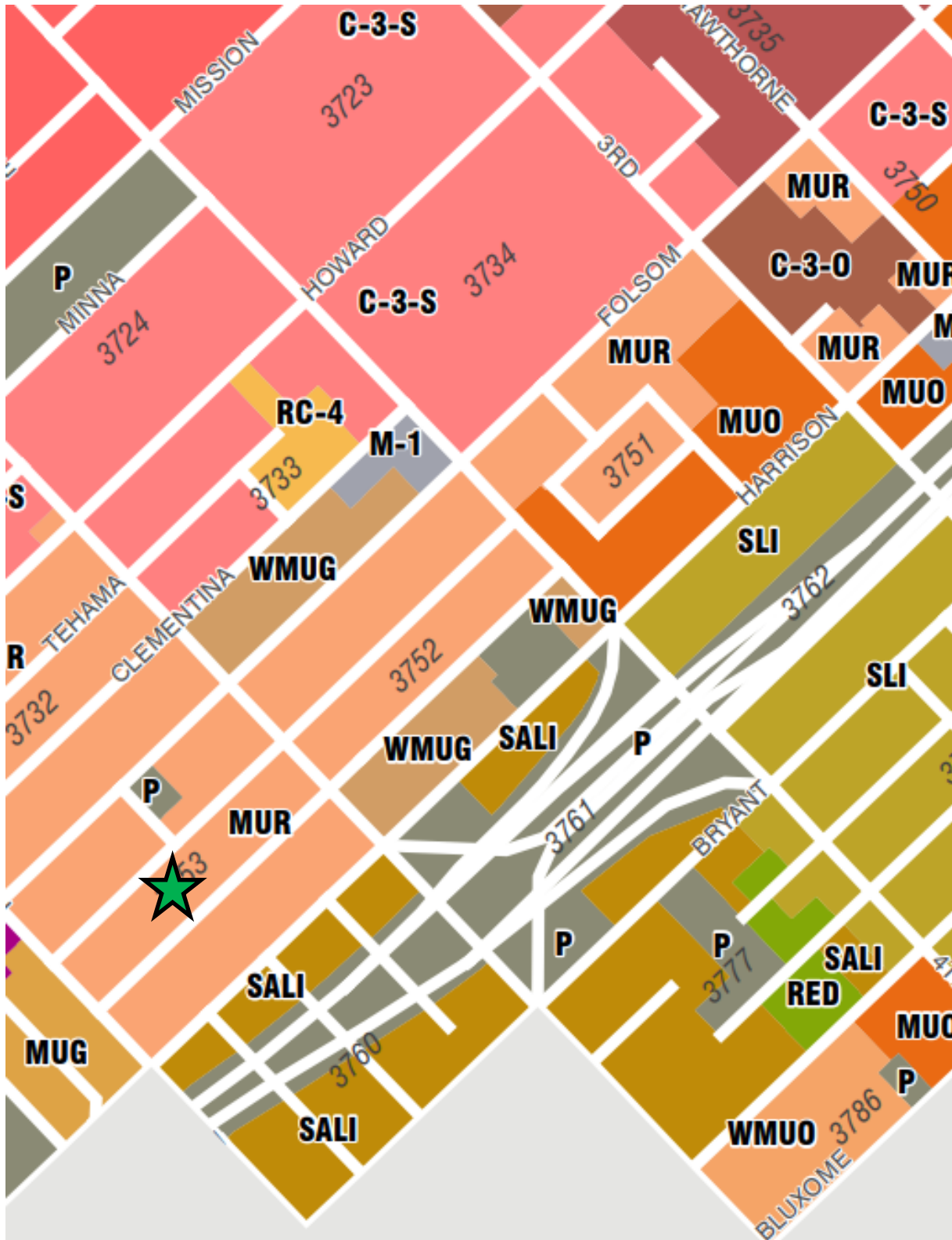


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Large Project Authorization
 Case Number 2016-012030ENX
 255 Shipley Street



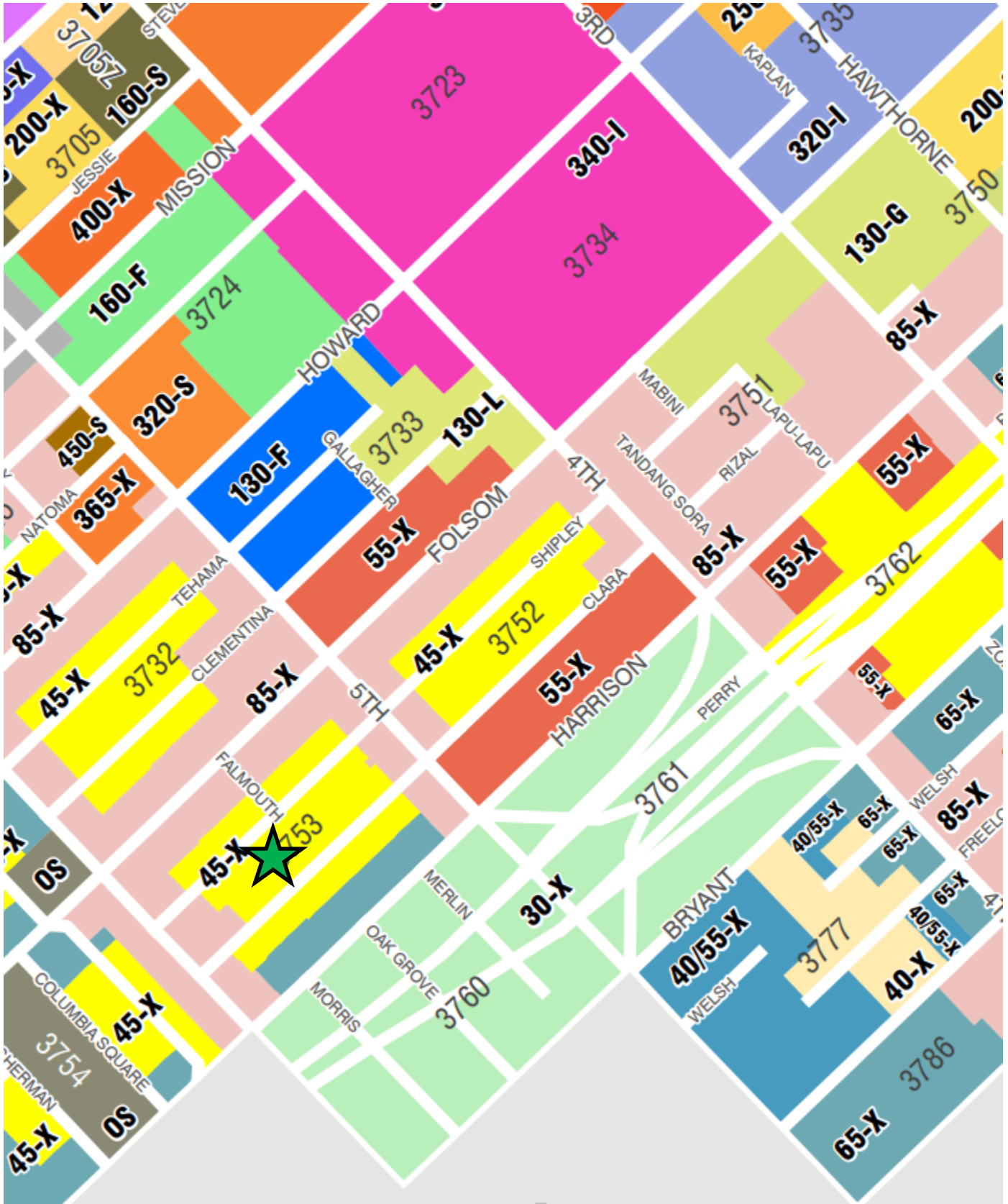
Zoning Map



Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

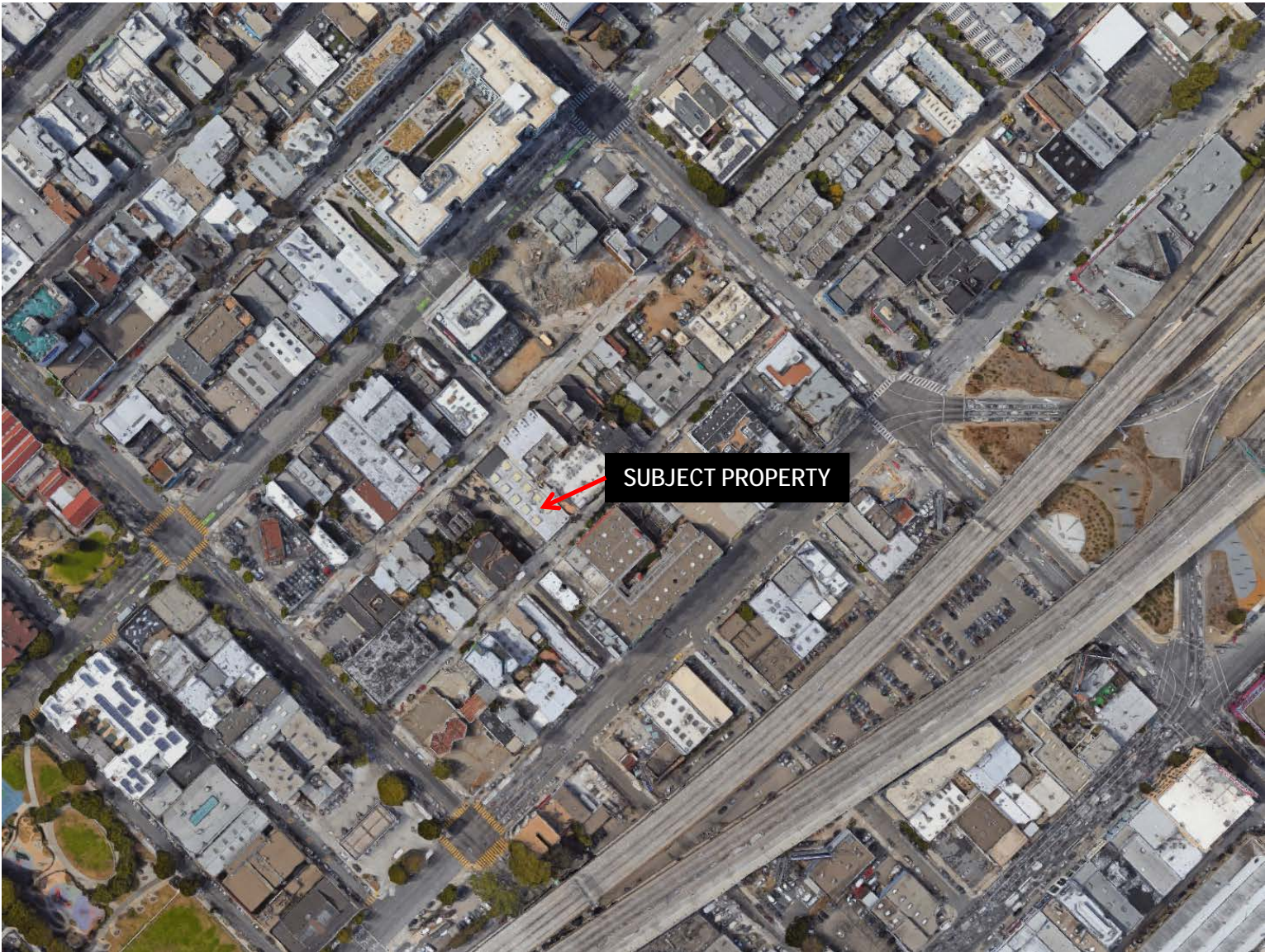


Height and Bulk Map

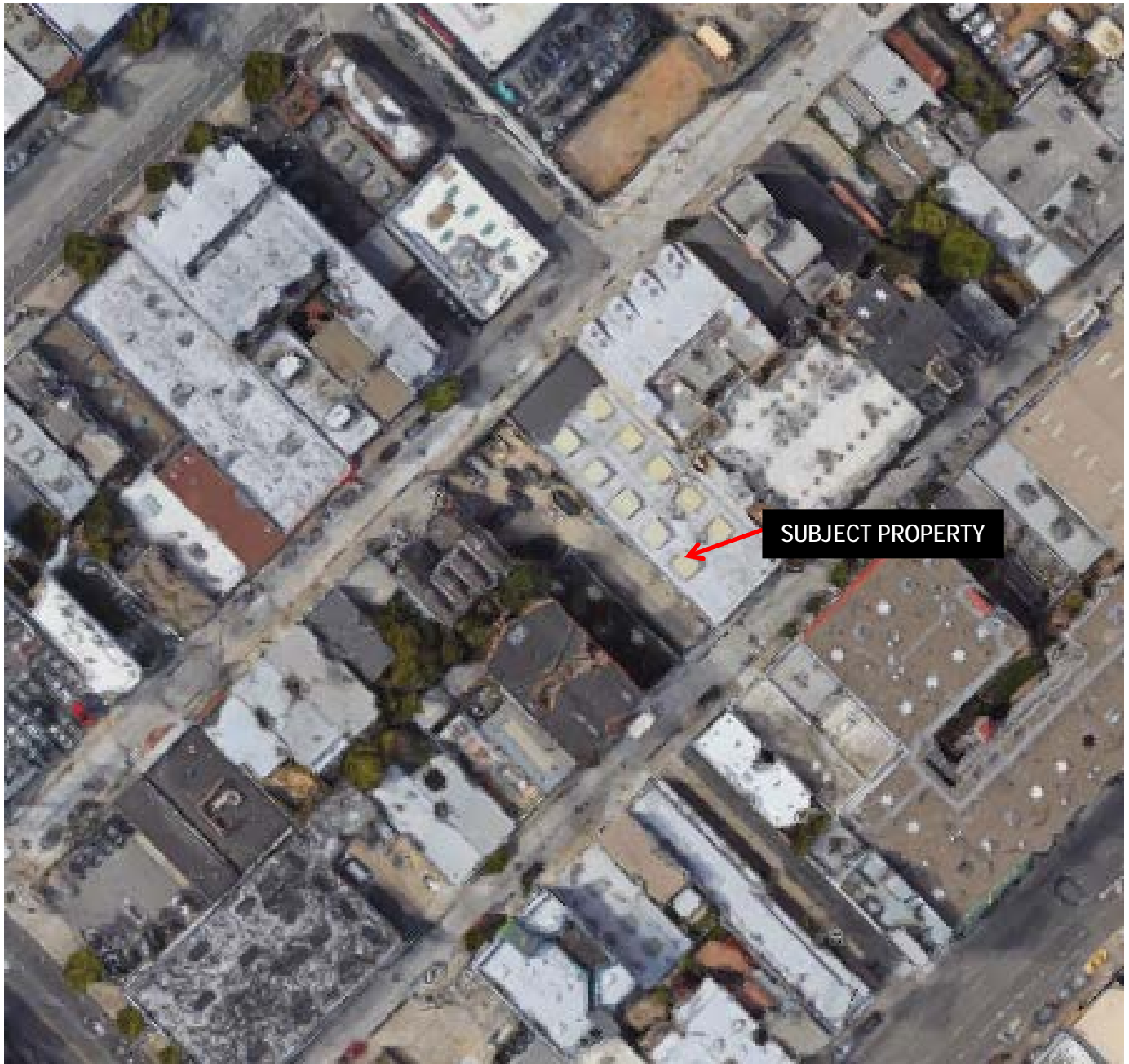


Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Aerial Photo

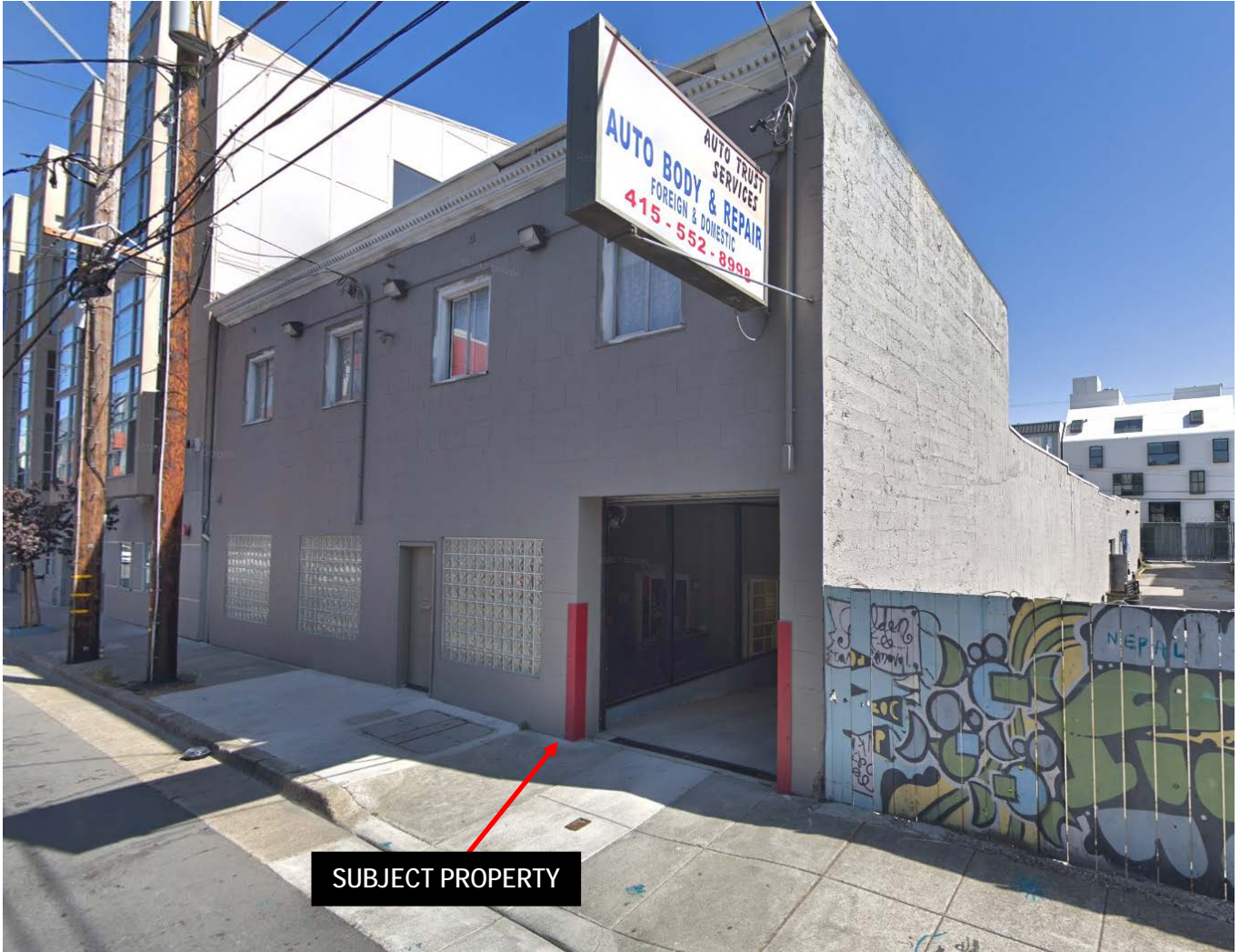


Aerial Photo



Context Photos

SUBJECT PROPERTY ON SHIPLEY STREET



Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Context Photos

SUBJECT PROPERTY ON CLARA STREET



SUBJECT PROPERTY

Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Site Photo

PORTION OF SUBJECT BLOCK ON SHIPLEY STREET



Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Site Photo

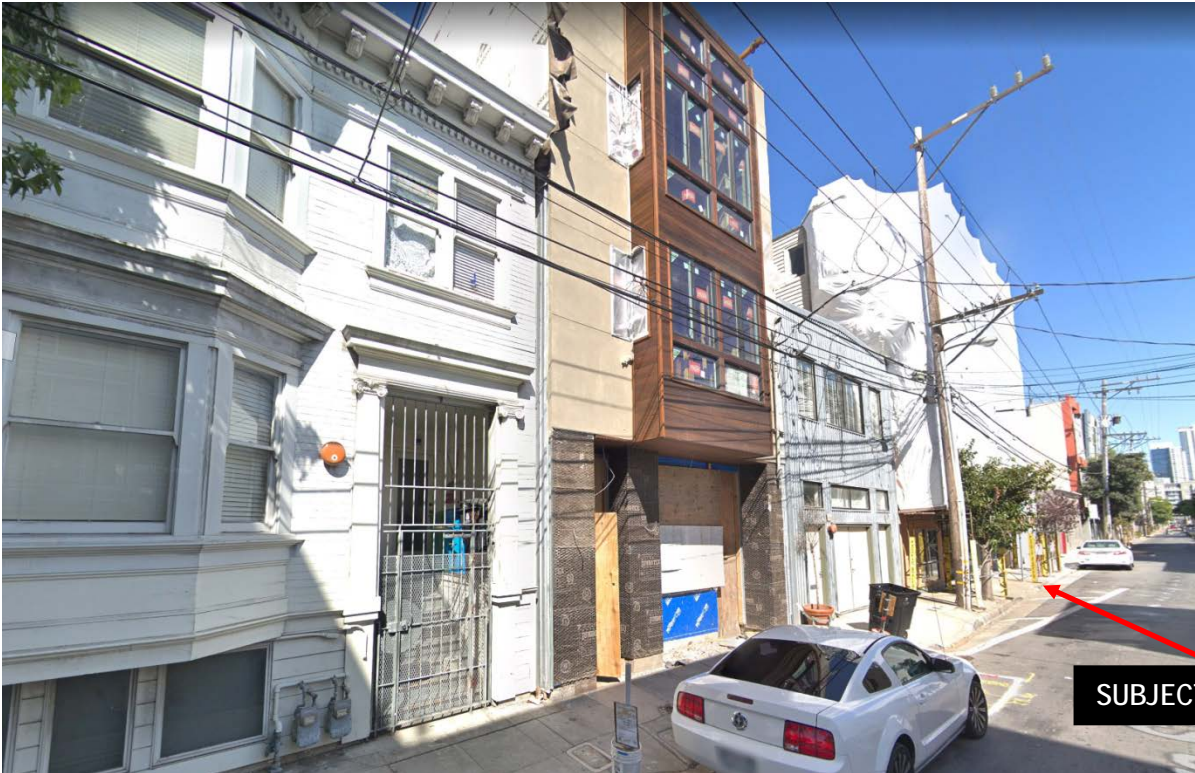
PORTION OF OPPOSITE BLOCK ON SHIPLEY STREET



Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Site Photo

PORTION OF SUBJECT BLOCK ON CLARA STREET



SUBJECT PROPERTY



SUBJECT PROPERTY

Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

Site Photo

PORTION OF OPPOSITE BLOCK ON CLARA STREET



Large Project Authorization
Case Number 2016-012030ENX
255 Shipley Street

REUBEN, JUNIUS & ROSE, LLP

Jody Knight
Jknight@reubenlaw.com

August 15, 2018

Delivered Via Messenger

President Rich Hillis and Commissioners
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94107

Re: 255 Shipley Street
Planning Case Number: 2016-012030
Hearing Date: August 23, 2018
Our File No.: 10574.02

Dear President Hillis and Commissioners:

We represent 255 Shipley LLC (“**Project Sponsor**”), which seeks to demolish the existing building at 255 Shipley Street (the “**Site**”) in order to develop a new four-story mixed-use building with 24 residential units, 4,365 square-feet of PDR space, and 5,202 square-feet of open space in rear and side yards and two roof decks (the “**Project**”). The Project proposes 5 vehicle parking spaces and 28 bike parking spaces. It proposes large balconies and landscaping to contribute to the vitality of the block, activating frontages on both Shipley and Clara Streets.

The Project will include on-site affordable units and 16 family-sized two-bedroom plus den units. It therefore provides much-needed infill housing in an area that is within easy walking distance of numerous transit options and job centers in SoMa and the Financial District.

A. Building Design

255 Shipley is a SoMa mid-block site, with two 25 foot wide lots on Shipley Street and three 25 foot wide lots on Clara Street. A building is proposed for each lot, with slots of open circulation connecting them, and a shared mid-block yard. The shared yard is bridged by a link that connects the buildings. Each floor of each of the 5 buildings provides for independent dwellings, but together, the five buildings become a village-like ensemble with opportunities for light and neighborliness in the slots. On Clara, a large half sunken PDR space is provided, with ground floor windows to let in natural light.

On both Shipley and Clara Streets, incised bays create balconies for the units. This maintains the flat street walls typical of SoMa alleyways, which contrasts with the crenellated bay facades of the larger streets. The image of the building is a microcosm of the image of the

city, and a continuing exploration for a language to build a contemporary San Francisco. The design condenses the sweeping views of the white city of San Francisco where streets wrap the hills like an encrusted map, or the staggered boxes strung along hillsides - images that give the city its mythical character.

B. Exceptions Sought

The Project seeks exceptions for rear yard requirements, dwelling unit exposure, and street-facing ground-level active use requirements.

1. Rear Yard

Pursuant to Planning Code Section 134, a rear yard equal to 25 percent of the total depth of the lot, and in no case fewer than 15 feet, is required. Here, the Site does not lend itself to a traditional rear yard, which would run along either Shipley or Clara Streets, be subject to street noise, and prevent a development that activates both streetfronts.

Instead, the Project proposes 2,442 square-feet of interior courtyard and side yard space, as well as north and south roof decks totaling 2,760 square-feet. Together, these spaces provide 5,202 square-feet of open space, well more than the 2,559 square-feet of open space required by Code, or the 2,438 square-feet of space that would be provided by a Code-compliant rear yard. In addition, the open space is protected from street noise, and the roof-decks will get significantly more sun than would a Code-complaint rear yard.

The rear yard requirements are “intended to assure the protection and continuation of established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district.” (Planning Code § 134.) Aggregating the open space into a single large rear yard would result in a far more visually massive building and would not be appropriate for the district. The granting of the rear yard exception allows the Property to be utilized in the most desirable manner and is consistent with the uneven pattern of surrounding mid-block open space.

2. Dwelling Unit Exposure

Planning Code Section 140 requires that in each dwelling unit the windows of at least one room face directly on to an open area of a public street, public alley, side yard, or rear yard or on an open area which is unobstructed and is no fewer than 25 feet in every horizontal dimension for the floor at which the dwelling unit is located. Additionally, there must be an increase of five feet of open space in every horizontal dimension at subsequent floors. (Planning Code § 140(a).)

All units in the proposed Project face open space. However, the open space exception is required for five of the twenty-four units. On the ground floor of the Project, a one-bedroom apartment looks out on to a 21'- 7" x 9'-3" courtyard and a studio apartment looks out onto a

25' x 21'-7" courtyard, just shy of the Code requirement. Additionally, the central courtyard does not meet the five-foot increase in every horizontal dimension at subsequent floors, so units facing the courtyard do not technically meet exposure requirements. However, the attractive, landscaped courtyard will provide more than sufficient light and air to the units.

3. Street-Facing Active Use

Planning Code Section 145.1(c)(3), requires that space for “active uses” be provided within the first 25 feet of building depth on the ground floor, with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems. On the ground floor, residential uses are considered active uses only if more than 50 percent of the linear residential street frontage at the ground level features walk-up dwelling units that provide direct, individual pedestrian access to a public sidewalk.

The proposed ground-floor lobby on Clara Street meets active use requirement. While the ground-floor units do not contain walk-up front entrances, the design offers a corridor that opens up to the street level and includes large balconies just above street level. This allows security of the building to be preserved, while providing attractive street-facing outdoor spaces that are large, more inviting, and more likely to be used, than a walk up stoop with a lockable gate. It also allows the building to be pulled towards the street and provides for an unbroken strip of planting to beautify the block, which currently is lacking in greenery.

C. Project Benefits

The benefits of the Project include the following:

- 1. The Project contributes to housing in the City, including affordable units on-site.** The Project will comply with the City’s affordable housing program by providing on-site affordable rental units. The Project proposes a mix of studios, one-bedroom and two-bedroom plus den units, and adds family-friendly units to the City’s housing stock in an underutilized area.
- 2. The Project retains PDR space.** The Project will include a sizeable 4,365 square-foot PDR space, creating employment opportunities for those in the surrounding neighborhood.
- 3. The Project will provide public improvements to the area.** The Project will include the planting of landscaping, enhancing the overall aesthetics of the surrounding neighborhood. The Project will also provide street lighting along Shipley Street and Clara Street, contributing to the safety of the neighborhood.

D. Conclusion

President Rich Hillis and Commissioners
San Francisco Planning Commission
August 15, 2018
Page 4

The Project proposes to replace an unattractive building that provides limited street presence with a building that contains both PDR uses and much-needed housing. The Project will contribute to neighborhood vitality, neighborhood jobs, and increased security for pedestrians. The design is consistent with surrounding buildings and benefits the SoMa neighborhood as a whole. We look forward to presenting this Project to you on August 23, 2018. Please let me know if you have any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Jody Knight

cc: Myrna Melgar, Commission Vice-President
Rodney Fong, Commissioner
Milicent A. Johnson, Commissioner
Joel Koppel, Commissioner
Kathrin Moore, Commissioner
Dennis Richards, Commissioner
Linda Ajello Hoagland, Project Planner

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419

**EXHIBIT
G**



San Francisco Planning

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

11/5/18
Date

I, Andrey Libov,
do hereby declare as follows:

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

255 Shipley Street

Address

3753 / 070 & 071

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:

2016-012030ENX

Planning Case Number

Building Permit Number

This project requires the following approval:

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

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

Linda Ajello Hoagland

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 Low-income 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.¹ 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.

¹ California Civil Code Section 1954.50 and following.

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:

Location

Date

Sign Here



Signature

Andrey Libov, Manager

Name (Print), Title

415 760 0192

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:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
24		5	3	16	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:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
3		2		1	
LOW-INCOME	Number of Affordable Units	% of Total Units		AMI Level	
	3	12.5% of total units		65% per Sec. 415.6(a1)	
MODERATE-INCOME	Number of Affordable Units	% of Total Units		AMI Level	
MIDDLE-INCOME	Number of Affordable Units	% of Total Units		AMI Level	

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

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

UNIT MIX TABLES: CONTINUED

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:
0					

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

Shipley Street, LLC

Company Name

Andrey Libov

Name (Print) of Contact Person

1956 San Carlos Ave

Address

San Carlos, CA 94070

City, State, Zip

415 760 0192

Phone / Fax

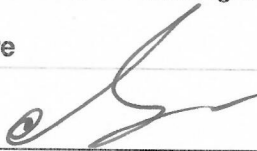
alibov@arcon-online.com

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

Signature:



Name (Print), Title:

Andrey Libov, 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:



**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 <i>255 Shipley Street</i>		BLOCK/LOT(S) <i>3753/070 & 071</i>	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
PROJECT SPONSOR <i>Shipley Street, LLC</i>	MAIN CONTACT <i>Andrey Libov</i>	PHONE <i>415 760 0192</i>	
ADDRESS <i>1956 San Carlos Ave</i>			
CITY, STATE, ZIP <i>San Carlos, CA 94070</i>		EMAIL <i>alibov@arcon-online.com</i>	
ESTIMATED RESIDENTIAL UNITS <i>24</i>	ESTIMATED SQ FT COMMERCIAL SPACE <i>0</i>	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST <i>\$6,000,000</i>
ANTICIPATED START DATE <i>08/01/18</i>			

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

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer				Laborer	25	3	3
Boilermaker	30	2	4	Operating Engineer			0
Bricklayer			0	Painter	25	3	5
Carpenter	30	6	12	Pile Driver			0
Cement Mason	30	6	12	Plasterer	25	6	6
Drywall/Latherer	30	6	12	Plumber and Pipefitter	30	4	6
Electrician	30	2	4	Roofer/Water proofer	30	6	6
Elevator Constructor	30	3	4	Sheet Metal Worker			0
Floor Coverer	30	4	4	Sprinkler Fitter	30	4	4
Glazier	30	4	4	Taper	30	6	6
Heat & Frost Insulator	30	3	3	Tile Layer/ Finisher	30	5	5
Ironworker	30	4	4	Other:			
			TOTAL:				TOTAL:
			63				40

- | | | |
|--|-------------------------------------|--------------------------|
| | YES | NO |
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired? | | _____ |

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Andrey Libov, Manager	alibov@arcon-online.com	415 7600192
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
(SIGNATURE OF AUTHORIZED REPRESENTATIVE)	(DATE)	
	11/5/18	

FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG

Cc: Office of Economic and Workforce Development, CityBuild
 Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848
 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org