



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Memo to the Planning Commission

HEARING DATE: JULY 9, 2020  
CONTINUED FROM JUNE 11, 2020

**DATE:** July 3, 2020  
**TO:** Planning Commission  
**FROM:** Linda Ajello Hoagland, Senior Planner  
**RE:** 1145 Mission Street Update (Record No. 2007.0604X)

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### BACKGROUND

On June 11, 2020, at the request of the Project Sponsor, the Planning Commission continued the Conditional Use Authorization for 1145 Mission Street to the public hearing on July 9, 2020, with the direction to conduct additional outreach to the adjacent neighbors and the SoMa Pilipinas. Since the June 11, 2020 hearing, the following has occurred:

- The Project Sponsor has volunteered on additional one-bedroom below market-rate (BMR) residential unit to be affordable-to-low-income households for a total of four BMR units out of 25 total units;
- Continued conversation with the concerns expressed by the SoMa Pilipinas; and,
- Sent e-mail correspondence to the adjacent property owners/HOA at 639 Minna Street.

#### Attachments:

- Revised Motion
- Project Sponsor Memo
- Correspondence
- Updated Inclusionary Housing Affidavit



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: JULY 9, 2020

*Record No.:* 2007.0604X  
*Project Address:* 1145 MISSION STREET  
*Zoning:* Mixed Use-Office (MUO) Zoning District  
65-X Height and Bulk District  
East SoMa Area Plan  
*Block/Lot:* 3727/168  
*Project Sponsor:* Darren Lee  
1167 Mission Street, Floor 1  
San Francisco, CA 94103  
*Property Owner:* Landmark Lofts, LLC  
San Francisco, CA 94103  
*Staff Contact:* Linda Ajello Hoagland, AICP – (415) 575-6823  
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**ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 329 AND 842, TO CONSTRUCT A SIX-STORY, 65-FOOT TALL, APPROXIMATELY 37,905 SQUARE FOOT MIXED-USE BUILDING WITH 25 DWELLING UNITS (CONSISTING OF 15 ONE-BEDROOM UNITS AND 10 TWO-BEDROOM UNITS), APPROXIMATELY 4,500 SQUARE FEET OF GROUND FLOOR COMMERCIAL, 9 BELOW-GRADE OFF-STREET PARKING SPACES AND 1 CAR-SHARE SPACE FOR THE PROJECT AT 1145 MISSION STREET WITHIN THE MUO (MIXED USE-OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On August 21, 2014, Darren Lee of Landmark Lofts, LLC (hereinafter "Project Sponsor") filed Application No. 2007.0604X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new six-story, 65-ft tall, mixed-use building with 25 dwelling units and approximately 4,500 square feet of ground floor commercial (hereinafter "Project") at 1145 Mission Street, Block 3727 Lot 168 (hereinafter "Project Site").

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this 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 July 29, 2016, 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 June 11, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2007.0604X. At this hearing, the Commission continued the Project to the Public Hearing on July 9, 2020.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2007.0604X 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 as requested in Application No. 2007.0604X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project includes new construction of a six-story, 65-foot tall, mixed-use building (approximately 37,905 square feet) with 25 residential dwelling units, 4,500 square feet of ground floor commercial, 9 below-grade off-street parking spaces, 1 car-share parking space, 30 Class 1 bicycle parking spaces, and 3 Class 2 bicycle parking spaces on a vacant lot. The Project includes a dwelling-unit mix consisting of 15 one-bedroom units and 10 two-bedroom units.
3. **Site Description and Present Use.** The Project is located on a 6,750 square foot vacant lot. The site was previously occupied by a two-story brick commercial building constructed in 1907. The building was demolished in violation of a previously approved project (Planning Case No. 2000.531E, Building Permit No. 200007145147) for a vertical and horizontal addition to the existing 2-story commercial building. A demolition permit (No. 200908144870) has been submitted and will be processed in conjunction with the permit for new construction.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the MUO Zoning District in the East SoMa Area Plan. The immediate context is mixed in character with commercial, office, light industrial, residential and government uses. Land uses adjacent to the site include a 2-story office building for the San Francisco Fire Department to the east and a 5-story live/work building to the south. Across the street from the building on Mission Street is an 18-story Federal Building and three connected 23-story multi-family residential towers. Other zoning districts in the vicinity of the project site include: C-3-G (Downtown General Commercial), WMUG (Western SoMa Mixed Use-General), and RED (Residential Enclave) Zoning Districts.

The project site is also located in the SoMa Pilipinas - Filipino Cultural Heritage District, which was adopted by the Board of Supervisors in April 2016. The Filipino Cultural Heritage District encompasses the area between 2<sup>nd</sup> Street, 11<sup>th</sup> Street, Market Street and Brannan Street. This district has been recognized the home to the largest concentrations of Filipinos in San Francisco and as the cultural center of the regional Filipino community.

5. **Public Outreach and Comments.** To date, the Department has not received any public comments regarding the proposed project.



On May 19, 2020, the Project Sponsor reached out to the SoMa Pilipinas in order to go over the Project and answer any questions. On May 26, 2020, David Woo, Land Use Analyst for the SoMa Pilipinas sent the Sponsor the SOMA Pilipinas Community Development Standards which outlines the Cultural District's position on various aspects of land use and development. On June 23, 2020, the Project Sponsor and SoMa Pilipinas continued discussions via telephone, follow-ed up with a letter from the Sponsor on June 26, 2020 to David Woo and Raquel Redondiez from the SoMa Pilipinas outlining the conversation.

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 the MUO Zoning District.** Planning Code Section 842 states that residential uses and retail sales and service uses are principally permitted use within the MUO Zoning District.

*The Project would construct 25 new residential units with ground floor commercial uses within the MUO Zoning District; therefore, the Project complies with Planning Code Sections 842. Depending on the specific commercial tenant, they will comply as principally permitted retail sales and service uses per Sec. 842 or seek a Conditional Use, as required by the Planning Code.*

- A. **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 MUO Zoning District and within 65-X Height and Bulk District.

*The Project site is 6,750 square feet, thus resulting in a maximum allowable floor area of 20,250 square feet of non-residential space. The Project would construct a total of 4,500 square feet of non-residential space and would comply with Planning Code Section 124.*

- B. **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 22.5 feet from the rear lot line.

*The Project site is located on a 75-foot wide by 90-foot deep lot with frontage on Mission Street. The Project provides a rear yard of 22-feet 6-inches at each residential level and, therefore, complies with Planning Code Section 134.*

- C. **Useable Open Space.** Planning Code Section 135 requires a minimum of 80 sq. ft. of open space per dwelling unit, if not publicly accessible, or 54 sq. ft. of open space per dwelling unit, if publicly accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 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. In addition, 1 sq. ft. for every 250 sq. ft. of open space is required for retail uses.

*The Project provides a 1,703 square foot common roof deck open space for all building tenants and three units include private, code-compliant open space in excess of 80 square feet. Therefore, the Project complies with Planning Code Section 135.*

- D. 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.*

- E. 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 Mission Street or the code-compliant rear yard, therefore, the Project complies with Planning Code Section 140.*

- F. 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 4,500 square feet of ground floor commercial with residential units on the floors above, both of which are active uses. The ground floor commercial space will have a floor-to-floor ceiling height of 14-feet, a depth in excess of 25-feet and no less than 60 percent of the ground level fenestrated with transparent windows on the ground floor frontage. Off-street parking for the Project is located below grade with a 10-foot wide entrance, which is less than the maximum of 20-feet that is allowed. Therefore, the Project complies with Planning Code Section 145.1.*

- G. Off-Street Parking.** Off-Street vehicular parking is not required within the MUO Zoning District. Rather, per Planning Code Section 151.1, a maximum of 1.5 parking spaces for each dwelling unit and 1.5 spaces for every 500 square feet of occupied floor area of retail sales and service uses.

*The Project provides 10 off-street parking spaces, including 1 car-share parking space, which is below the maximum number of spaces permitted and, therefore, complies with Planning Code Section 151.1.*

- H. 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 25 dwelling units; therefore, the Project is required to provide 25 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 30 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.*

- I. 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 prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 5.5 points. As currently proposed, the Project will achieve its required 13 points through the following TDM measures:*

1. *Parking Supply (Option K)*
2. *Car Share Parking (Option A)*
3. *Unbundled Parking (Location D)*
4. *Bicycle Parking (Option A)*
5. *On-Site Affordable Housing (Option B)*

- J. 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 25 dwelling units, the Project provides 15 one-bedroom and 10 two-bedroom units; therefore, the proposed project complies with Planning Code Section 207.6.*

- K. Height and Bulk.** Planning Code Section 250 and 252 outlines the height and bulk districts within the City and County of San Francisco. The Project is located in the 65-X height and bulk district. Therefore, the proposed development is permitted up to a height of 65 feet with no bulk limit.

*The Project would construct a new 65-foot tall mixed-use building and, therefore, complies with Planning Code Sections 250 and 252.*

- 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 prior to January 1, 2013; 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 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project. The Project Sponsor first submitted the Affidavit on March 26, 2020, which incorrectly identified an ownership project instead of a rental project. A revised Affidavit was submitted on June 29, 2020. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on July 19, 2007; 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 total proposed dwelling units as affordable to low-income households, as defined by the Planning Code and Procedures Manual. Three units (1 one-bedroom, and 2 two-bedroom) of the total 25 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 25,000 square feet of housing and 4,500 gross square feet of commercial 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 25,000 square feet of new residential use associated with the new construction of 25 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 MUO (Mixed Use – Office) Zoning District that results in the addition of gross square feet of non-residential space and at least one new dwelling unit.

*The Project includes approximately 37,905 gross square feet of new development consisting of approximately 25,000 square feet of new residential use and 4,500 square feet of non-residential use. 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 lot fronting on a mixed-use corridor and surrounded by a mix of residential and commercial buildings on Mission Street. The Project complies with the East SoMa Area Plan, which is part of the Eastern Neighborhoods Area Plans, by providing for a new six-story (65-ft tall) mixed-use building with 25 residential dwelling units and ground floor commercial along this portion of Mission Street. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage and block wall along Mission Street. The immediate context is mixed in character with commercial, office, light industrial, residential and government uses. Adjacent properties include a 2-story office building for the San Francisco Fire Department to the east and a 5-story live/work building to the south. Across the street from the building on Mission Street is an 18-story Federal Building and three connected 23-story multi-family residential towers. 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 surrounding residential and non-residential buildings from various time periods. The Project's architectural treatments, facade design and building materials include cement plaster, fiber cement siding, metal panels, glass railings and aluminum windows and storefronts. 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.**

*The Project is consistent with the development density established for the Project Site in the Eastern Neighborhoods Area Plan. The building's ground floor commercial and residential lobby provides an*

*active street frontage which will enhance and offer an effective and engaging connection between the public and private areas. It will enliven the sidewalk offering a sense of security and encouraging positive activities that will benefit, not just the immediate areas, but the overall neighborhood as well. It provides a code compliant rear yard open space at the rear yard to face the adjacent buildings' rear yard, enhancing the natural light exposure and overall livability of the neighbors' units even without an established mid-block open space. The singular driveway on Mission Street and the proposed independently accessible parking spaces in the basement reduces vehicular queuing and minimizes potential conflicts with pedestrians and bicyclists. 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 25 dwelling units in the form of a roof deck and private terraces. In total, the Project provides approximately 2,800 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 one street frontage, automobile access is limited to the one entry/exit (measuring 10-ft wide) along Mission Street, minimizing impacts to pedestrian and vehicular traffic along Mission Street. Pedestrian access is provided to the residences via a lobby and two secondary exits directly to the sidewalk. The Project includes ground floor commercial along Mission Street with an independent pedestrian entry from Mission 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:

*The Project is code-complying and seeks no exceptions from the Planning Code.*

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

## **HOUSING ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### **Policy 1.1**

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

#### **Policy 1.10**

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

#### **OBJECTIVE 11:**

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

#### **Policy 11.1**

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

#### **Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

#### **Policy 11.3**

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

#### **Policy 11.4:**

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

**Policy 11.6**

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

**Policy 11.8**

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

**OBJECTIVE 12:**

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

**Policy 12.2**

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

**URBAN DESIGN ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.3**

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

**Policy 1.7**

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

**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.



**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 is a mixed-use development containing a total of 25 new dwelling units with ground floor commercial. The building contemporary design of the building incorporates elements from both the historic and newer buildings in the area. The Project provides a mix of one and two-bedroom units, ranging in size from approximately 600 to 1,000 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. Additionally, the Project site is located along a major transportation network with access to BART and over 20 Muni Lines within walking distance.*

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

*The Project proposes 9 accessory vehicular parking spaces (.36 spaces per unit) and 1 car-share space. The Project also 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.*

**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, childcare 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 3.1.6**

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the the best of the older buildings that surrounds them.

**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.

**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 3.2.2**

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

**Policy 3.2.4**

Strengthen the relationship between a building and its fronting sidewalk.

*The Project is mixed-use with ground floor commercial and 25 residential units above. 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 40% or 10 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 Street. The Project provides an exterior which features a variety of materials, including cement plaster, fiber cement siding, metal panels, glass railings and aluminum windows and storefronts. 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 complies with said policies in that:

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

*The Project site is vacant and, therefore, does not possess any neighborhood-serving retail uses. The Project provides ground floor commercial space and 25 new dwelling units, which will enhance the nearby provide new retail opportunities for new and existing residents in the neighborhood who may patron and/or own these businesses.*

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

*The Project site does not possess any existing housing. The Project would provide 25 new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. The Project is expressive in design and relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project site does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by providing 3 below-market rate dwelling units for sale. Therefore, the Project will increase the stock of affordable housing units in the City.*

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

*The Project Site is served by nearby public transportation options. The Project is located within ¼ mile of more than 20 Muni Lines and is within walking distance of the Civic Center BART Station. Future residents would be afforded proximity to a bus line and BART Station. The Project also provides off-street parking at the principally permitted amounts and sufficient bicycle parking for residents and their guests.*

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

*The Project site is currently vacant and does not include commercial office development as part of the proposed project.*

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

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

- G. That landmarks and historic buildings be preserved.

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

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

*The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.*

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 (Administrative Code Section 83.11), 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. 2007.0604X** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 6, 2020, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on July 9, 2020.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 9, 2020

## EXHIBIT A

### AUTHORIZATION

This authorization is for a Large Project Authorization to allow new construction of a six-story, 65-foot tall, mixed-use building (approximately 37,905 square feet) with 25 residential dwelling units, 4,500 square feet of ground floor commercial located at 1145 Mission Street, Block 3727, and Lot 168 pursuant to Planning Code Section(s) 329 and 842 within the Mixed Use-Office (MUO) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated January 6, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2007.0604X and subject to conditions of approval reviewed and approved by the Commission on July 9, 2020 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 9, 2020 under Motion No XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project authorization and any subsequent amendments or modifications.

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

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

### PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (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](http://www.sf-planning.org)*
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
6. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.



*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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 building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

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

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

10. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

11. **Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department in consultation with Public Works shall require the following location(s) for transformer vault(s) for this project: if an electrical transformer is required, the preferred location is within the project's property lines. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

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

## PARKING AND TRAFFIC

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](mailto:tdm@sfgov.org) or 415-558-6377, [www.sf-planning.org](http://www.sf-planning.org).*

13. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 28 bicycle parking spaces (25 Class 1 spaces for the residential portion of the Project and 3 Class 2 spaces for the both the commercial and residential portions of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto: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](http://www.sf-planning.org)*

15. **Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than 1.5 off-street parking spaces per dwelling unit ( $25 \times 1.5 = 38$ ) and 1.5 parking spaces for each 500 square feet of Occupied Floor Area for retail, sales and service uses ( $4,500/500 = 9$ ) off-street parking spaces.

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

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

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

## PROVISIONS

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

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

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

19. **Residential Child Care Impact Fee.** 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](http://www.sf-planning.org)*

20. **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.

- a. **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 Sponsor also elected to provide a total of 16% of the units as Inclusionary Units by adding one additional affordable unit beyond what's required by Section 415. The Project Sponsor requested that the additional unit be subject to the

requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual") for ease of implementation. Accordingly, all affordable units will be subject to the same requirements and the Procedures Manual. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

- b. **Voluntary Affordable Units.** The Project Sponsor elected to provide a total of 16% of the proposed units as Inclusionary Units by adding one additional, one-bedroom affordable unit beyond what's required by Section 415. The additional unit will be provided to qualifying low-income households at a rental rate of 55% of Area Median Income. The additional unit is subject to the requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco. Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual").
- c. **Unit Mix.** The Project contains 15 one-bedroom and 10 two-bedroom units; therefore, the required affordable unit mix is 1 one-bedroom unit and 2 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
- d. **Income Levels for Affordable 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 at a rental rate of 55% of Area Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
- e. **Minimum Unit Sizes.** Affordable units are not required to be the same size as the market rate units and may be 90% of the average size of the specified unit type. For buildings over 120 feet in height, as measured under the requirements set forth in the Planning Code, the average size of the unit type may be calculated for the lower 2/3 of the building as measured by the number of floors.

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

- f. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda.

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

- g. **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 each phase's total number of dwelling units as on-site affordable units.

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

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

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

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

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

- j. **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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- i. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households with a minimum of 12% of the units affordable to low-income households. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- ii. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, with a minimum of 12% of the units affordable to low-income households such as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual
- iii. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- iv. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- v. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- vi. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable



21. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

22. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
23. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
24. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

25. **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>*
26. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made

aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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



Good afternoon Planning Commissioners, my name is Darren Lee, the project sponsor and to continue where we left off from the June 11<sup>th</sup> Planning Commission Meeting, I will address the following items: the retail space, affordable housing and art rendering that is representative of the Filipino community.

1. The retail space – We plan to occupy this space for our business, D3 Construction and Enertia Designs in which we will house the employment of 14 very low AMI, 3 – Low AMI and 1 – Moderate AMI wage earners. D3 Construction is a general contracting business in which we handle seismic retrofits, single family and 2-4 unit renovations and additions as well as kitchen and bath remodels. We also house a structural engineering firm called Enertia Designs. Our office is currently located at 1167 Mission Street in which our company has handled the seismic retrofit construction work for this building in 2015. We have been in the SOMA District since 1997 and have worked throughout the community and city for the past 20 years.
2. Affordable housing – Although it will be difficult for us financially, we will voluntarily offer one additional affordable housing unit bringing the total to four. This will be a one bedroom unit at the lower end of the AMI which will be monitored by the Mayor's Office of Housing and Community Development.
3. Art rendering – We are proposing a plaque to be placed in the sidewalk or on the building that is a map of the Filipino Cultural District.

We have conducted a Zoom meeting with Raquel Redondiez and David Woo, SOMA Pilipinas on Tuesday, June 23<sup>rd</sup> and have proposed the aforementioned items.

We have also reached out to 638 Minna Street HOA on Friday, June 26<sup>th</sup> and have addressed their concerns with the construction of 1145 Mission Street since they may be impacted at the rear.

I hope that with these additional considerations, you will approve our project. Thank you very much.



## D3 CONSTRUCTION

1167 Mission Street, 1st Floor  
San Francisco, CA 94103

June 26, 2020

Work: 415.271.0528

Fax: 415.701.0212

Raquel and David;

Thank you for the time for our call on Tuesday morning. As you requested here is our proposal with our situation for your consideration.

The background we presented includes the following.

### Time Line:

The delay in our project was not a result of a nefarious scheme as implied. But in the 11 years since our current project was in planning it was subject to 2 planning plan codes and environmental review, first from the M zoning to the Eastern Neighborhoods. This meant that the CEQA section was reevaluated and rewritten after April 2015; 6 years after our permit was submitted, (since it took Eastern Neighborhood plan so long to get passed). It was reassigned to our current Planner in 2018 when finally moved ahead. Overlapping this process was the UDAT review, where we redesigned the exterior building at least 3 times.

### Acknowledgement of the Filipino Historic Cultural District:

The project sponsor is proposing a "plaque" to be placed in the sidewalk or on a building that is a map of the Filipino Cultural District. We will work with you to decide on its placement and design. As we mentioned our site may not be the most appropriate location.

### Affordable Office Space:

The current plan is for the project sponsor to occupy the whole ground floor commercial space. The project sponsor currently occupies 5,063 sf at 1167 Mission Street, on the same block, where they have been since 2013. The profile of the people who work there include:

14 - Very Low AMI

3 - Low AMI

1 - Moderate AMI

We are trying to keep these jobs at San Francisco.

### Additional Affordable Unit:

We are voluntarily increasing our affordable unit by adding an additional affordable unit. This will be a one bedroom unit at the lower end of the AMI which will be monitored by the Mayor's Office of Housing and Community Development (MOCD). Given today's construction costs and costs of holding the property, this is the most that the project can afford.

We look forward to working with you and bringing additional housing to our block on Mission Street.

Best,

Darren Lee, Project Sponsor

**From:** [Darren Lee](#)  
**To:** [tad@ieee.org](mailto:tad@ieee.org); [board@638minna.com](mailto:board@638minna.com); [diskwiz@gmail.com](mailto:diskwiz@gmail.com); [shawnlynch3000@gmail.com](mailto:shawnlynch3000@gmail.com)  
**Subject:** 1145 Mission Street Development  
**Date:** Friday, June 26, 2020 5:59:43 PM

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

638 Minna Street Residences,

Just wanted to update you on the latest:

1. We are working with SOMA Pilipinas to provide what we can to them for the community in terms of additional affordable housing unit and art rendering.
2. If the Planning Commission approves the project, the building architectural set and structural engineering set of plans still need to be developed then go through the building department for approvals. Construction will not start for at least 2-3 years so hopefully Covid-19 will be gone so thus working from home will not be impacted as much if they go back to work.
3. Development of a construction plan to include dust control measures.
4. Concerns for excavation will be based on the structural plans which have not yet been designed.
5. Noise mitigation.

Once we have retained a general contractor for the project, we will develop a plan to mitigate #3-5 above.

Please feel free to address any suggestions that will help facilitate this process. Thank you.

Best,

Darren Lee  
415.271.0528

**AFFIDAVIT**

# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



## San Francisco Planning

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

June 29, 2020

*Date*

I, Darren Lee,  
do hereby declare as follows:

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

1145 Mission Street

*Address*

Block 3727 / Lot 168

*Block / Lot*

The subject property is located within the following Zoning District:

Mixed Use Office (MUO)

*Zoning District*

65-X

*Height and Bulk District*

*Special Use District, if applicable*

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?

Yes  No

**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:

2007.0604X

*Planning Case Number*

200908144872

*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*

A complete Environmental Evaluation Application or Project Application was accepted on:

*Date*

The project contains 25 total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:

- This project is 100% affordable.
- This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?

Yes  No

*( If yes, please indicate Affordable Housing Tier)*

Is this project a HOME-SF Project?

Yes  No

*( If yes, please indicate HOME-SF Tier)*

Is this project an Analyzed or Individually Requested State Density Bonus Project?

Yes  No

**C** Please indicate the tenure of the project.

- Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.
- Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental units for the life of the project. The applicable fee rate is the rental fee rate.

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

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

The applicable inclusionary rate is:

12%

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

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

*Residential Gross Floor Area*

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

**F** The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

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

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

**I** For projects with over 25 units and with EEA's accepted between January 1, 2013 and January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

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

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

## UNIT MIX TABLES

### Number of All Units in PRINCIPAL PROJECT:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
25			15	10	

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.4. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

**On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4):  % of the unit total.

### Number of Affordable Units to be Located ON-SITE:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
3			2 (1 + 1 voluntary)	2	

LOW-INCOME	Number of Affordable Units	% of Total Units	AMI Level
	4 (1 voluntary unit)	16% (12% required)	55%
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 or 419.3):  % of the unit total.

### Number of Affordable Units to be Located OFF-SITE:

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

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



**UNIT MIX TABLES: CONTINUED**

**Combination** of payment of a **fee, on-site affordable units, or off-site affordable units** with the following distribution:  
*Indicate what percent of each option will be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.*

1. On-Site  % of affordable housing requirement.

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

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

2. Off-Site  % of affordable housing requirement.

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

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

3. Fee  % of affordable housing requirement.

**Is this Project a State Density Bonus Project?**  Yes  No  
 If yes, please indicate the bonus percentage, up to 35% \_\_\_\_\_, and the number of bonus units and the bonus amount of residential gross floor area (if applicable) \_\_\_\_\_

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

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

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

- On-site Affordable Housing Alternative
- Payment of the Affordable Housing Fee prior to the first construction document issuance
- Off-site Affordable Housing Alternative (Section 415.7)
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

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

Landmark Lofts, LLC

*Company Name*

Darren Lee

*Name (Print) of Contact Person*

1167 Mission Street, Fl. 1

*Address*

San Francisco, CA 94103

*City, State, Zip*

(415) 271-0528

*Phone / Fax*

darrenlee77@aol.com

*Email*

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

**Sign Here**

*Signature:*

*Name (Print), Title:*

Darren Lee, Managing Member

Executed on this day in:

*Location:*

*Date:*

San Francisco, CA

6/29/20

**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

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## Executive Summary Large Project Authorization

HEARING DATE: JUNE 11, 2020

*Record No.:* 2007.0604X  
*Project Address:* 1145 Mission Street  
*Zoning:* Mixed Use-Office (MUO) Zoning District  
65-X Height and Bulk District  
East SoMa Area Plan  
*Block/Lot:* 3727/168  
*Project Sponsor:* Darren Lee  
1167 Mission Street, Floor 1  
San Francisco, CA 94103  
*Property Owner:* Landmark Lofts, LLC  
San Francisco, CA 94103  
*Staff Contact:* Linda Ajello Hoagland, AICP – (415) 575-6823  
[linda.ajellohoagland@sfgov.org](mailto: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 new construction of a six-story, 65-foot tall, mixed-use building (approximately 37,905 square feet) with 25 residential dwelling units, 4,500 square feet of ground floor commercial, 9 below-grade off-street parking spaces, 1 car-share parking space, 30 Class 1 bicycle parking spaces, and 3 Class 2 bicycle parking spaces on a vacant lot. The Project includes a dwelling-unit mix consisting of 15 one-bedroom units and 10 two-bedroom units.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Large Project Authorization, pursuant to Planning Code Sections 329 and 841, to allow construction of a new building consisting of more than 25,000 gross square feet within the MUO Zoning District.

### ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** To date, the Department has not received any public comments regarding the proposed project. On May 19, 2020, the Project Sponsor reached out to the SoMa Pilipinas in order to go over the Project and answer any questions. On May 26, 2020, David Woo, Land Use Analyst for the SoMa Pilipinas sent the Sponsor the SOMA Pilipinas Community Development Standards which outlines the Cultural District's position on various aspects of land use and development.

- **Code-Complying.** The Project is fully compliant with the Planning Code, and is not seeking any variances or exceptions under the Large Project Authorization.
- **Inclusionary Affordable Housing.** The Project will meet its inclusionary affordable housing requirements by designating a certain number of dwelling units as part of the on-site affordable housing alternative identified in Planning Code Section 415. A complete Project Application was submitted on July 19, 2007; 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 total proposed dwelling units as affordable to low-income households, as defined by the Planning Code and Procedures Manual. Three units (1 one-bedroom and 2 two-bedroom) of the total 25 units provided will be affordable units.
- **SoMa Pilipinas.** The project site is located in the SoMa Pilipinas - Filipino Cultural Heritage District, which was adopted by the Board of Supervisors in April 2016. The Filipino Cultural Heritage District encompasses the area between 2<sup>nd</sup> Street, 11<sup>th</sup> Street, Market Street and Brannan Street. This district has been recognized the home to the largest concentrations of Filipinos in San Francisco and as the cultural center of the regional Filipino community. This cultural heritage district does not possess any specific land use requirements, which could impact the Project.

## **ENVIRONMENTAL REVIEW**

The Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the East SoMa Area Plan and the Objectives and Policies of the General Plan. The Project will provide 25 new dwelling units to the City’s housing stock, including new on-site below-market rate units for rent, which is a goal for the City.

## **ATTACHMENTS:**

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



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: JUNE 11, 2020

*Record No.:* 2007.0604X  
*Project Address:* 1145 MISSION STREET  
*Zoning:* Mixed Use-Office (MUO) Zoning District  
65-X Height and Bulk District  
East SoMa Area Plan  
*Block/Lot:* 3727/168  
*Project Sponsor:* Darren Lee  
1167 Mission Street, Floor 1  
San Francisco, CA 94103  
*Property Owner:* Landmark Lofts, LLC  
San Francisco, CA 94103  
*Staff Contact:* Linda Ajello Hoagland, AICP – (415) 575-6823  
[linda.ajellohoagland@sfgov.org](mailto:linda.ajellohoagland@sfgov.org)

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Fax:  
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Planning  
Information:  
**415.558.6377**

**ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 329 AND 842, TO CONSTRUCT A SIX-STORY, 65-FOOT TALL, APPROXIMATELY 37,905 SQUARE FOOT MIXED-USE BUILDING WITH 25 DWELLING UNITS (CONSISTING OF 15 ONE-BEDROOM UNITS AND 10 TWO-BEDROOM UNITS), APPROXIMATELY 4,500 SQUARE FEET OF GROUND FLOOR COMMERCIAL, 9 BELOW-GRADE OFF-STREET PARKING SPACES AND 1 CAR-SHARE SPACE FOR THE PROJECT AT 1145 MISSION STREET WITHIN THE MUO (MIXED USE-OFFICE) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On August 21, 2014, Darren Lee of Landmark Lofts, LLC (hereinafter "Project Sponsor") filed Application No. 2007.0604X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new four-story, 65-ft tall, mixed-use building with 25 dwelling units and approximately 4,500 square feet of ground floor commercial (hereinafter "Project") at 1145 Mission Street, Block 3727 Lot 168 (hereinafter "Project Site").

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this 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 July 29, 2016, 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 June 11, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2007.0604X.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2007.0604X 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 as requested in Application No. 2007.0604X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project includes new construction of a six-story, 65-foot tall, mixed-use building (approximately 37,905 square feet) with 25 residential dwelling units, 4,500 square feet of ground floor commercial, 9 below-grade off-street parking spaces, 1 car-share parking space, 30 Class 1 bicycle parking spaces, and 3 Class 2 bicycle parking spaces on a vacant lot. The Project includes a dwelling-unit mix consisting of 15 one-bedroom units and 10 two-bedroom units.
3. **Site Description and Present Use.** The Project is located on a 6,750 square foot vacant lot. The site was previously occupied by a two-story brick commercial building constructed in 1907. The building was demolished in violation of a previously approved project (Planning Case No. 2000.531E, Building Permit No. 200007145147) for a vertical and horizontal addition to the existing 2-story commercial building. A demolition permit (No. 200908144870) has been submitted and will be processed in conjunction with the permit for new construction.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the MUO Zoning District in the East SoMa Area Plan. The immediate context is mixed in character with commercial, office, light industrial, residential and government uses. Land uses adjacent to the site include a 2-story office building for the San Francisco Fire Department to the east and a 5-story live/work building to the south. Across the street from the building on Mission Street is an 18-story Federal Building and three connected 23-story multi-family residential towers. Other zoning districts in the vicinity of the project site include: C-3-G (Downtown General Commercial), WMUG (Western SoMa Mixed Use-General), and RED (Residential Enclave) Zoning Districts.

The project site is also located in the SoMa Pilipinas - Filipino Cultural Heritage District, which was adopted by the Board of Supervisors in April 2016. The Filipino Cultural Heritage District encompasses the area between 2<sup>nd</sup> Street, 11<sup>th</sup> Street, Market Street and Brannan Street. This district has been recognized the home to the largest concentrations of Filipinos in San Francisco and as the cultural center of the regional Filipino community.

5. **Public Outreach and Comments.** To date, the Department has not received any public comments regarding the proposed project.

On May 19, 2020, the Project Sponsor reached out to the SoMa Pilipinas in order to go over the Project and answer any questions. On May 26, 2020, David Woo, Land Use Analyst for the SoMa Pilipinas sent the Sponsor the SOMA Pilipinas Community Development Standards which outlines the Cultural District's position on various aspects of land use and development.

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 the MUO Zoning District.** Planning Code Section 842 states that residential uses and retail sales and service uses are principally permitted use within the MUO Zoning District.

*The Project would construct 25 new residential units with ground floor commercial uses within the MUO Zoning District; therefore, the Project complies with Planning Code Sections 842. Depending on the specific commercial tenant, they will comply as principally permitted retail sales and service uses per Sec. 842 or seek a Conditional Use, as required by the Planning Code.*

- A. **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 MUO Zoning District and within 65-X Height and Bulk District.

*The Project site is 6,750 square feet, thus resulting in a maximum allowable floor area of 20,250 square feet of non-residential space. The Project would construct a total of 4,500 square feet of non-residential space and would comply with Planning Code Section 124.*

- B. **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 22.5 feet from the rear lot line.

*The Project site is located on a 75-foot wide by 90-foot deep lot with frontage on Mission Street. The Project provides a rear yard of 22-feet 6-inches at each residential level and, therefore, complies with Planning Code Section 134.*

- C. **Useable Open Space.** Planning Code Section 135 requires a minimum of 80 sq. ft. of open space per dwelling unit, if not publicly accessible, or 54 sq. ft. of open space per dwelling unit, if publicly accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 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 area of 300 sq. ft. In addition, 1 sq. ft. for every 250 sq. ft. of open space is required for retail uses.

*The Project provides a 1,703 square foot common roof deck open space for all building tenants and three units include private, code-compliant open space in excess of 80 square feet. Therefore, the Project complies with Planning Code Section 135.*

- D. 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.*

- E. 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 Mission Street or the code-compliant rear yard, therefore, the Project complies with Planning Code Section 140.*

- F. 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 4,500 square feet of ground floor commercial with residential units on the floors above, both of which are active uses. The ground floor commercial space will have a floor-to-floor ceiling height of 14-feet, a depth in excess of 25-feet and no less than 60 percent of the ground level fenestrated with transparent windows on the ground floor frontage. Off-street parking for the Project is located below grade with a 10-foot wide entrance, which is less than the maximum of 20-feet that is allowed. Therefore, the Project complies with Planning Code Section 145.1.*

- G. Off-Street Parking.** Off-Street vehicular parking is not required within the MUO Zoning District. Rather, per Planning Code Section 151.1, a maximum of 1.5 parking spaces for each dwelling unit and 1.5 spaces for every 500 square feet of occupied floor area of retail sales and service uses.

*The Project provides 10 off-street parking spaces, including 1 car-share parking space, which is below the maximum number of spaces permitted and, therefore, complies with Planning Code Section 151.1.*



- H. 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 25 dwelling units; therefore, the Project is required to provide 25 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 30 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.*

- I. 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 prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 5.5 points. As currently proposed, the Project will achieve its required 13 points through the following TDM measures:*

1. *Parking Supply (Option K)*
2. *Car Share Parking (Option A)*
3. *Unbundled Parking (Location D)*
4. *Bicycle Parking (Option A)*
5. *On-Site Affordable Housing (Option B)*

- J. 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 25 dwelling units, the Project provides 15 one-bedroom and 10 two-bedroom units; therefore, the proposed project complies with Planning Code Section 207.6.*

- K. Height and Bulk.** Planning Code Section 250 and 252 outlines the height and bulk districts within the City and County of San Francisco. The Project is located in the 65-X height and bulk district. Therefore, the proposed development is permitted up to a height of 65 feet with no bulk limit.

*The Project would construct a new 65-foot tall mixed-use building and, therefore, complies with Planning Code Sections 250 and 252.*

- 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 prior to January 1, 2013; 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 March 26, 2020. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Project Application. A complete Project Application was submitted on July 19, 2007; 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 total proposed dwelling units as affordable to low-income households, as defined by the Planning Code and Procedures Manual. Three units (1 one-bedroom and 2 two-bedroom) of the total 25 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 25,000 square feet of housing and 4,500 gross square feet of commercial 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 25,000 square feet of new residential use associated with the new construction of 25 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 MUO (Mixed Use – Office) Zoning District that results in the addition of gross square feet of non-residential space and at least one new dwelling unit.

*The Project includes approximately 37,905 gross square feet of new development consisting of approximately 25,000 square feet of new residential use and 4,500 square feet of non-residential use. 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 lot fronting on a mixed-use corridor and surrounded by a mix of residential and commercial buildings on Mission Street. The Project complies with the East SoMa Area Plan, which is part of the Eastern Neighborhoods Area Plans, by providing for a new six-story (65-ft tall) mixed-use building with 25 residential dwelling units and ground floor commercial along this portion of Mission Street. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage and block wall along Mission Street. The immediate context is mixed in character with commercial, office, light industrial, residential and government uses. Adjacent properties include a 2-story office building for the San Francisco Fire Department to the east and a 5-story live/work building to the south. Across the street from the building on Mission Street is an 18-story Federal Building and three connected 23-story multi-family residential towers. 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 surrounding residential and non-residential buildings from various time periods. The Project's architectural treatments, facade design and building materials include cement plaster, fiber cement siding, metal panels, glass railings and aluminum windows and storefronts. 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.**

*The Project is consistent with the development density established for the Project Site in the Eastern Neighborhoods Area Plan. The building's ground floor commercial and residential lobby provides an active street frontage which will enhance and offer an effective and engaging connection between the*

*public and private areas. It will enliven the sidewalk offering a sense of security and encouraging positive activities that will benefit, not just the immediate areas, but the overall neighborhood as well. It provides a code compliant rear yard open space at the rear yard to face the adjacent buildings' rear yard, enhancing the natural light exposure and overall livability of the neighbors' units even without an established mid-block open space. The singular driveway on Mission Street and the proposed independently accessible parking spaces in the basement reduces vehicular queuing and minimizes potential conflicts with pedestrians and bicyclists. 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 25 dwelling units in the form of a roof deck and private terraces. In total, the Project provides approximately 2,800 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 one street frontage, automobile access is limited to the one entry/exit (measuring 10-ft wide) along Mission Street, minimizing impacts to pedestrian and vehicular traffic along Mission Street. Pedestrian access is provided to the residences via a lobby and two secondary exits directly to the sidewalk. The Project includes ground floor commercial along Mission Street with an independent pedestrian entry from Mission 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:

*The Project is code-complying and seeks no exceptions from the Planning Code.*

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

## **HOUSING ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

##### **Policy 1.1**

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

##### **Policy 1.10**

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

#### **OBJECTIVE 11:**

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

##### **Policy 11.1**

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

##### **Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

##### **Policy 11.3**

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

##### **Policy 11.4:**

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

**Policy 11.6**

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

**Policy 11.8**

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

**OBJECTIVE 12:**

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

**Policy 12.2**

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

**URBAN DESIGN ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.3**

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

**Policy 1.7**

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

**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.

**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 is a mixed-use development containing a total of 25 new dwelling units with ground floor commercial. The building contemporary design of the building incorporates elements from both the historic and newer buildings in the area. The Project provides a mix of one and two-bedroom units, ranging in size from approximately 600 to 1,000 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. Additionally, the Project site is located along a major transportation network with access to BART and over 20 Muni Lines within walking distance.*

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

*The Project proposes 9 accessory vehicular parking spaces (.36 spaces per unit) and 1 car-share space. The Project also 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.*

**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, childcare 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 3.1.6**

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the the best of the older buildings that surrounds them.

**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.



**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 3.2.2**

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

**Policy 3.2.4**

Strengthen the relationship between a building and its fronting sidewalk.

*The Project is mixed-use with ground floor commercial and 25 residential units above. 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 40% or 10 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 Street. The Project provides an exterior which features a variety of materials, including cement plaster, fiber cement siding, metal panels, glass railings and aluminum windows and storefronts. 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 complies with said policies in that:

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

*The Project site is vacant and, therefore, does not possess any neighborhood-serving retail uses. The Project provides ground floor commercial space and 25 new dwelling units, which will enhance the nearby provide new retail opportunities for new and existing residents in the neighborhood who may patron and/or own these businesses.*

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

*The Project site does possess any existing housing. The Project would provide 25 new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. The Project is expressive in design and relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project site does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by providing 3 below-market rate dwelling units for sale. Therefore, the Project will increase the stock of affordable housing units in the City.*

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

*The Project Site is served by nearby public transportation options. The Project is located within ¼ mile of more than 20 Muni Lines and is within walking distance of the Civic Center BART Station. Future residents would be afforded proximity to a bus line and BART Station. The Project also provides off-street parking at the principally permitted amounts and sufficient bicycle parking for residents and their guests.*

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

*The Project site is currently vacant and does not include commercial office development as part of the proposed project.*

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

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

- G. That landmarks and historic buildings be preserved.

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

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

*The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces at any time during the year.*

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 (Administrative Code Section 83.11), 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. 2007.0604X** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 6, 2020, 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 329/309 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 11, 2020.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 11, 2020

## EXHIBIT A

### AUTHORIZATION

This authorization is for a Large Project Authorization to allow new construction of a six-story, 65-foot tall, mixed-use building (approximately 37,905 square feet) with 25 residential dwelling units, 4,500 square feet of ground floor commercial located at 1145 Mission Street, Block 3727, and Lot 168 pursuant to Planning Code Section(s) 329 and 842 within the Mixed Use-Office (MUO) Zoning District and a 65-X Height and Bulk District; in general conformance with plans, dated January 6, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2007.0604X and subject to conditions of approval reviewed and approved by the Commission on June 11, 2020 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 11, 2020 under Motion No XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

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

### PERFORMANCE

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

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

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

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

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
- 6. Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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 building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

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

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

10. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

11. **Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department in consultation with Public Works shall require the following location(s) for transformer vault(s) for this project: if an electrical transformer is required, the preferred location is within the project's property lines. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

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

## PARKING AND TRAFFIC

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](mailto:tdm@sfgov.org) or 415-558-6377, [www.sf-planning.org](http://www.sf-planning.org).*

13. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 28 bicycle parking spaces (25 Class 1 spaces for the residential portion of the Project and 3 Class 2 spaces for the both the commercial and residential portions of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto: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](http://www.sf-planning.org)*



15. **Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than 1.5 off-street parking spaces per dwelling unit ( $25 \times 1.5 = 38$ ) and 1.5 parking spaces for each 500 square feet of Occupied Floor Area for retail, sales and service uses ( $4,500/500 = 9$ ) off-street parking spaces.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
16. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## PROVISIONS

17. **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](http://www.sf-planning.org)*
18. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.  
*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*
19. **Residential Child Care Impact Fee.** 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](http://www.sf-planning.org)*
20. **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.
- a. **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 25 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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- b. **Unit Mix.** The Project contains 15 one-bedroom and 10 two-bedroom units; therefore, the required affordable unit mix is 1 one-bedroom unit and 2 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

- c. **Income Levels for Affordable 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 at a sales price of 90% of Area Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

- d. **Minimum Unit Sizes.** Affordable units are not required to be the same size as the market rate units and may be 90% of the average size of the specified unit type. For buildings over 120 feet in height, as measured under the requirements set forth in the Planning Code, the average size of the unit type may be calculated for the lower 2/3 of the building as measured by the number of floors.

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

- e. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda.

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

- f. **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 each phase's total number of dwelling units as on-site affordable units.

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

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

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

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

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

- i. **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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- i. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households with a minimum of 12% of the units affordable to low-income households. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

- ii. 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.
- iii. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- iv. 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.
- v. 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's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable

21. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

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

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

23. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

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

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

## OPERATION

25. **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>*

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

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

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



# 1145 MISSION STREET

## SAN FRANCISCO, CA

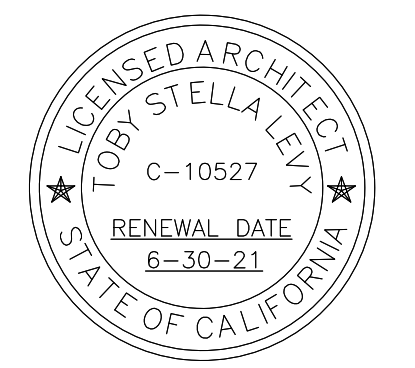
**EXHIBIT  
B**



**NOTICE:**  
These drawings and specifications are the property and copyright of Levy Design Partners Inc. and shall not be used except by written agreement with Levy Design Partners

ABBREVIATIONS	LEGEND	GENERAL NOTES	DRAWING INDEX	CONTACT LIST																																																
<p>A/C AIR CONDITIONING ADJ. ADJUSTABLE A.F.F. ABOVE FINISH FLOOR ALUM. ALUMINUM ALT. ALTERNATE APPROX. APPROXIMATELY ARCH. ARCHITECT(URAL) A.C.T. ACOUSTIC CEILING TILE</p> <p>BLDG. BUILDING BLKG. BLOCKING BOT. BOTTOM</p> <p>C./CL. CENTER LINE CAB. CABINET C.G. CORNER GUARD CHG. CHANGE CL. CEILING CL.CS. CLOSET CLR. CLEAR C.M.U. CONCRETE MASONRY UNIT COL. COLUMN CONC. CONCRETE CONN. CONNECTION CONST. CONSTRUCTION CORR. CORRIDOR C.T. CERAMIC TILE CTR. CENTER</p> <p>DET. DETAIL DIA./Ø DIAMETER DIM. DIMENSION DN. DOWN DWS. DRAINING D.S. DOWN SPOUT</p> <p>(E) EXISTING EA. EACH ELEV. ELEVATION ELEC. ELECTRICAL ELEV. ELEVATOR EQ. EQUIPMENT EXP. EXPOSED EXT. EXTERIOR</p> <p>F.D. FLOOR DRAIN FIN. FINISH FLR. FLOOR FLASH. FLASHING FLUOR. FLUORESCENT F.O.F. FACE OF FINISH F.O.S. FACE OF STUD FRFR. FIREPROOF FURR. FURRING</p> <p>GA. GAGE GALV. GALVANIZED G.C. GENERAL CONTRACTOR GL. GLASS GR. GRAD GYP. BD. GYPSUM BOARD</p> <p>H.B. HOSE BIB HC. HANDICAPPED H.C. HOLLOW CORE HDWR. HARDWARE HGT. HEIGHT H.M. HOLLOW METAL HP. HIGH POINT HR. HOUR H.W. HOT WATER</p> <p>INSUL. INSULATION/INSULATED INT. INTERIOR JAN. JANITOR JT. JOINT</p> <p>L.P. LOW POINT</p> <p>MAX. MAXIMUM M.C. MEDICINE CABINET M.D. MOTION DETECTOR MECH. MECHANICAL MIN. MINIMUM MTD. MOUNTED MTL. METAL</p> <p>(N) NEW N.C. NOT IN CONTRACT NO. NUMBER N.T.S. NOT TO SCALE</p> <p>O.C. ON CENTER OFF. OFFICE OPNG. OPENING OPP. OPPOSITE O.T.B. OPEN TO BELOW</p> <p>PR. PAIR P-LAM. PLASTIC LAMINATE PTD. PAINTED PLYWD. PLYWOOD P.O. PRIVATE OFFICE</p> <p>R.D. ROOF DRAIN REQ. REQUIRED RM. ROOM R.O. ROUGH OPENING</p> <p>S.C. SOLID CORE STOR. STORAGE SHT. SHEET SIM. SIMILAR STR. STRUCTURAL</p> <p>T. TREAD T&amp;G. TONGUE AND GROOVE TEL. TELEPHONE T.O. TOP OF TYP. TYPICAL</p> <p>U.O.N. UNLESS OTHERWISE NOTED V.I.F. VERIFY IN FIELD</p> <p>WD. WOOD W.P. WATERPROOF</p>	<p>Ⓧ.xxx → DETAIL REFERENCE NUMBER → SHEET WHERE DETAIL IS LOCATED</p> <p>▲ #/X.XX → DIRECTION OF SECTION VIEW INTERIOR SECTION IDENTIFICATION/ → SHEET WHERE SECTION IS LOCATED</p> <p>← #/X.XX → SHEET WHERE ELEVATION IS LOCATED</p> <p>Ⓧ.xxx → ELEVATION REFERENCE NUMBER</p> <p>(101) → DOOR SYMBOL</p> <p>(W-Ø) → WINDOW SYMBOL</p> <p>X.XX → WALL / FLOOR TYPE SYMBOL</p> <p>Ⓧ → ELEVATION DATUM</p> <p>X'-X" → CEILING HEIGHT</p> <p>△ → REVISION SYMBOL</p> <p>○ → WALL-MOUNTED INCANDESCENT SCONCE LIGHT FIXTURE</p> <p>◇ → WALL-MOUNTED COMPACT FLUORESCENT SCONCE LIGHT FIXTURE</p> <p>□ → RECESSED INCANDESCENT LIGHT FIXTURE AT CEILING</p> <p>⊕ → RECESSED COMPACT FLUORESCENT LIGHT FIXTURE AT CEILING</p> <p>◇ → SURFACE-MOUNTED COMPACT FLUORESCENT LIGHT FIXTURE AT CEILING</p> <p>⊗ → COMBINATION EXHAUST FAN AND COMPACT FLUORESCENT LIGHT FIXTURE, RECESSED AT CEILING</p> <p>○ → SURFACE-MOUNTED FLUORESCENT STRIP LIGHT FIXTURE, CEILING-MOUNTED (WITH LENGTH AS INDICATED)</p> <p>○ → SURFACE-MOUNTED TRACK LIGHT FIXTURE, CEILING-MOUNTED (WITH LENGTH AS INDICATED)</p> <p>⊗ → EMERGENCY LIGHT FIXTURE WITH BATTERY PACK, CEILING OR WALL-MOUNTED</p> <p>⊗ → EXIT LIGHT FIXTURE WITH BATTERY BACK-UP, CEILING OR WALL-MOUNTED (WITH DIRECTIONAL ARROWS AS REQUIRED)</p> <p>Ⓢ → ONE-WAY SWITCH, MOUNTED AT +48" A.F.F., U.O.N.</p> <p>Ⓢ → TWO-WAY SWITCH, MOUNTED AT +48" A.F.F., U.O.N.</p> <p>Ⓢ → THREE-WAY SWITCH, MOUNTED AT +48" A.F.F., U.O.N.</p> <p>Ⓢ → DUPLEX OUTLET, MOUNTED AT +15" A.F.F., U.O.N.</p> <p>Ⓢ → DUPLEX OUTLET (WATERPROOF) MOUNTED AT +15" A.F.F., U.O.N.</p> <p>Ⓢ → DUPLEX OUTLET, (DEDICATED) MOUNTED AT +15" A.F.F., U.O.N.</p> <p>Ⓢ → DUPLEX OUTLET, WITH GROUND FAULT INTERRUPTER, MOUNTED AT +44" A.F.F., U.O.N.</p> <p>Ⓢ → DUPLEX OUTLET (FOR DISHWASHER), MOUNTED UNDER KITCHEN CABINET</p> <p>△ → TELEPHONE JACK, MOUNTED AT +15" A.F.F., U.O.N.</p> <p>▲ → DATA JACK, MOUNTED AT +15" A.F.F., U.O.N.</p>	<p>GENERAL CONDITIONS: AIA DOCUMENT A201, GENERAL CONDITIONS FOR THE PERFORMANCE OF THE CONTRACT IS HEREBY INCORPORATED INTO THESE DRAWINGS AND SHALL BE CONSIDERED AS PART OF THE REQUIREMENTS FOR THE COMPLETION OF THE WORK.</p> <p>EXISTING CONDITIONS: CONDITIONS SHOWN ON THE DRAWINGS ARE AS SHOWN ON THE ORIGINAL DRAWINGS AND AS OBSERVED ON THE SITE, BUT THEIR ACCURACY IS NOT GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE. ANY DISCREPANCIES SHALL BE REPORTED TO ARCHITECT PRIOR TO PROCEEDING WITH THE WORK. NOTE: DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE OF THE DRAWINGS.</p> <p>PERMITS: THE CONTRACTOR SHALL OBTAIN AND PAY ALL CITY AND/OR COUNTY FEES RELATING TO PROJECT, EXCEPTING THE GENERAL PERMIT, WHICH IS THE RESPONSIBILITY OF THE OWNERS' AND IS REIMBURSABLE TO THE G.C.</p> <p>CODES: ALL WORK SHALL BE DONE IN COMPLIANCE WITH ALL APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO: UNIFORM BUILDING CODES, NATIONAL ELECTRICAL, MECHANICAL, AND PLUMBING CODES, HEALTH DEPARTMENT REGULATIONS, FIRE AND SAFETY CODES, CITY AND/OR COUNTY ORDINANCES AND REGULATIONS AND OTHER CODES GOVERNING CONSTRUCTION.</p> <p>SITE RESPONSIBILITY: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING HEALTH AND SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. CONTRACTOR TO LIMIT TRAFFIC AND ACCESS TO THOSE AREAS WHERE WORK IS PERFORMED.</p> <p>CLEAN UP AND REPAIRS: THE CONSTRUCTION SITE SHALL BE MAINTAINED IN AN ORDERLY MANNER AT ALL TIMES WITH ALL DEBRIS REMOVED AT THE END OF THE EACH DAY. AT THE COMPLETION OF THE CONSTRUCTION REMOVE ALL EXCESS MATERIALS AND REFUSE FROM SITE. LEAVE ALL SURFACES WITHIN CONSTRUCTION SITE FREE FROM DUST, DIRT AND STAINS. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY SURFACES OR ITEMS DAMAGED BY CONSTRUCTION TO THE SATISFACTION OF THE ARCHITECT AND OWNER.</p> <p>PATCHING: PROPERLY PREPARE SURFACES FOR RECEIVING THE SPECIFIED FINISHES INCLUDING PATCHING OF SURFACES ALTERED BY CONSTRUCTION. ON PATCHED AREAS OR AREAS WHERE A FINISH IS NOT SPECIFIED, THE FINISH SHALL MATCH ADJACENT MATERIAL IN CONSTRUCTION, COLOR AND TEXTURE.</p> <p>ALL WORK NOTED "N.I.C." OR NOT IN CONTRACT IS TO BE PROVIDED BY A CONTRACTOR OTHER THAN THE GENERAL CONTRACTOR.</p> <p>"ALIGN" AS USED IN THESE DOCUMENTS SHALL MEAN TO ACCURATELY LOCATE FINISH FACES ON THE SAME PLANE.</p> <p>"TYPICAL" AS USED IN THESE DOCUMENTS SHALL MEAN THAT THE CONDITION IS THE SAME OR REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, U.O.N.</p> <p>DETAILS ARE USUALLY KEYED AND NOTED "TYPICAL" ONLY ONCE, WHEN THEY FIRST OCCUR, AND ARE REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, U.O.N.</p> <p>SCHEDULE: UPON SUBMITTAL OF THE FINAL CONSTRUCTION COSTS, THE CONTRACTOR SHALL ALSO SUBMIT A CONSTRUCTION SCHEDULE INDICATING THE REQUIRED CONSTRUCTION TIME FOR ALL SUBCONTRACTOR'S AND CONTRACTOR'S WORK AND A COST-BY-TRADE BREAKDOWN FOR USE IN SCHEDULING AND EVALUATING PAY REQUESTS.</p> <p>SUBSTITUTIONS: SUBSTITUTIONS, REVISIONS, OR CHANGES MUST HAVE APPROVAL BY THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.</p> <p>DAMAGE: THE CONTRACTOR SHALL REPAIR OR REPLACE ANY SURFACES OR ITEMS DAMAGED BY CONSTRUCTION TO THE SATISFACTION OF THE ARCHITECT OR OWNER.</p> <p>GUARANTEES: THE CONTRACTOR SHALL GUARANTEE THAT THE PROJECT WILL BE FREE OF DEFECTS OF WORKMANSHIP AND MATERIALS FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE BY THE OWNER. NO WORK DEFECTIVE IN CONSTRUCTION OR QUALITY DEFICIENT IN ANY REQUIREMENT OF THE DRAWINGS OR NOTES WILL BE ACCEPTABLE IN CONSEQUENCE OF THE OWNER'S OR ARCHITECT'S FAILURE TO POINT OUT DEFECTS OR DEFICIENCIES DURING CONSTRUCTION. DEFECTS OF WORKMANSHIP OR MATERIALS REVEALED WITHIN A PERIOD OF ONE YEAR FROM THE ACCEPTANCE SHALL BE REPLACED BY WORK CONFORMING WITH THE INTENT OF THE CONTRACT AT NO COST TO THE OWNER. NO PAYMENT, EITHER PARTIAL OR FINAL, SHALL BE CONSTRUED AS AN ACCEPTANCE OF DEFECTIVE WORK.</p> <p>COLUMN CENTERLINES (ALSO REFERRED TO AS GRIDLINES) ARE SHOWN FOR DIMENSIONAL PURPOSES. (REFER TO BASE BUILDING DRAWINGS FOR EXACT LOCATIONS).</p> <p>CONSTRUCTION HOURS: SEE CITY OF SAN FRANCISCO MUNICIPAL CODE FOR HOUR OF CONSTRUCTION AND HOURS OF CONSTRUCTION NOISE-RELATED ACTIVITY ON HOLIDAYS</p> <p>ANY HIDDEN CONDITIONS THAT REQUIRE WORK TO BE PERFORMED BEYOND THE SCOPE OF THE BUILDING PERMIT ISSUED FOR THESE PLANS MAY REQUIRE FURTHER CITY APPROVALS INCLUDING REVIEW BY THE PLANNING COMMISSION. THE BUILDING OWNER, PROJECT DESIGNER, AND/OR CONTRACTOR MUST SUBMIT A REVISION TO THE CITY FOR ANY WORK NOT GRAPHICALLY ILLUSTRATED ON THE JOB COPY OF THE PLANS PRIOR TO PERFORMING THE WORK.</p> <p>ALL PATHS OF TRAVEL AND COMMON USE SPACES WILL BE ACCESSIBLE AND ALL LIVING UNITS WILL BE ADAPTABLE.</p>	<p><b>GENERAL</b></p> <p>A0.0 COVER SHEET A0.1 SITE PHOTOS A0.2 SHADOW STUDIES A0.3 GREENPOINT RATED CHECKLIST</p> <p>A1.1 SITE PLAN</p> <p>A2.1 BASEMENT &amp; STREET FLOOR PLANS A2.2 2ND &amp; 3RD FLOOR PLANS A2.3 4TH &amp; 5TH FLOOR PLANS A2.4 6TH FLOOR &amp; ROOF PLANS</p> <p>A3.1 EXTERIOR ELEVATIONS A3.2 EXTERIOR ELEVATIONS</p> <p>A4.1 BUILDING SECTIONS A4.2 BUILDING SECTIONS</p>	<p><b>OWNER</b></p> <p>DARREN LEE 1927 LYON STREET SAN FRANCISCO, CA 94115 415/271-0528</p> <p>CONTACT: DARREN LEE</p> <p><b>ARCHITECT</b></p> <p>LEVY DESIGN PARTNERS 99 SOUTH PARK SAN FRANCISCO, CA 94107 415/777-0561 415/777-5117 FAX</p> <p>CONTACT: TOBY LEVY</p>																																																
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LOCATION	BASEMENT & 1ST FLOOR	2ND-6TH FLOORS																																																		
PROPOSED OCCUPANCY	S-2 (PARKING), & M (MERCHANTILE)	R2 (RESIDENTIAL)																																																		
CONSTRUCTION*	TYPE IA	TYPE III-A																																																		
SRINKLERED	YES	YES																																																		
AREA																																																				
ALLOWABLE AREA (CBC TABLE 506.2)	UNLIMITED	72,000 SF																																																		
ALLOWABLE AREA MODIFICATION PER STORY (CBC 506.1)	N/A																																																			
TOTAL ALLOWABLE AREA (CBC 506.2)	UNLIMITED	72,000 SF																																																		
PROPOSED AREA	BASEMENT: 6,623 SF 1ST FL: 6,475 SF (4,500 SF OF MERCHANTILE)	2ND FL: 4,852 SF 3RD FL: 5,045 SF 4TH FL: 5,045 SF 5TH FL: 4,990 SF 6TH FL: 4,875 SF																																																		
TOTAL PROPOSED AREA	13,098 SF	24,807 SF																																																		
HEIGHT & STORIES																																																				
ALLOWABLE HEIGHT (CBC TABLE 503)	UNLIMITED	85'-0"																																																		
PROPOSED HEIGHT	N/A	65'-0" TO T.O. ROOF STRUCTURE																																																		
ALLOWABLE STORIES (CBC TABLE 503)	UNLIMITED	5 FLOORS (WITHOUT AREA INCREASE)																																																		
PROPOSED STORIES	2	5																																																		
OCCUPANT LOAD	S-2 OCCUPANCY (BASEMENT): 6,384/200 = 32 M OCCUPANCY (1ST FL): 4,500/30 = 150 R2 OCCUPANCY (1ST & 2ND FL): 4,147/200 = 21 TOTAL: 191	RESIDENTIAL: 3RD FL: 3,757/200 = 19 4TH FL: 3,757/200 = 19 5TH FL: 3,757/200 = 19 6TH FL: 3,757/200 = 19 TOTAL: 76																																																		

**1145 MISSION ST**  
**SAN FRANCISCO, CA**  
**25 RESIDENTIAL UNITS**



**1145 MISSION STREET**  
**SAN FRANCISCO, CA**  
**BLOCK/LOT: 3727-168**  
**PROJECT NO.: 00-08**

DATE	SET ISSUE
07-29-2009	PLANNING SUBMITTAL
09-12-2016	PLANNING SUBMITTAL REV.01
07-13-2018	PLANNING SUBMITTAL REV.02
02-11-2019	PLANNING SUBMITTAL REV.03
04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY

(415) 777-0561 P  
(415) 777-5117 F

SCALE: AS NOTED

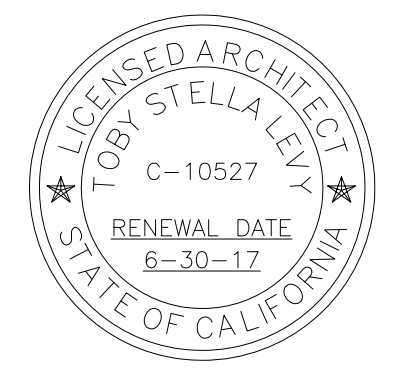
COVER SHEET

**A0.0**



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1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS



1145 MISSION STREET  
 SAN FRANCISCO, CA  
 BLOCK/LOT: 3727-168  
 PROJECT NO.: 00-08

DATE	SET ISSUE
07-29-09	PLANNING SUBMITTAL
09-12-16	PLANNING SUBMITTAL REV.01

CONTACT: TOBY LEVY

(415) 777-0561 P  
 (415) 777-5117 F

SCALE: N.T.S.

SITE PHOTOS



1 LOOKING EAST ON MISSION STREET (WITH PROPOSED BUILDING)  
 N.T.S.



2 1145 MISSION STREET (WITH VACANT LOT)  
 N.T.S.



3 BUILDINGS ACROSS THE STREET FROM SITE (PHOTO TAKEN FROM 7TH ST AND MISSION ST)  
 N.T.S.



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9:00 AM



NOON



4:00 PM

**1** SHADOW STUDIES FOR THE EQUINOX (MARCH & SEPTEMBER)  
 N.T.S.

**1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS**



9:00 AM

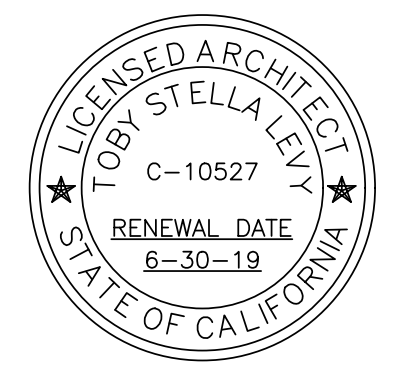


NOON



4:00 PM

**2** SHADOW STUDIES FOR THE SOLSTICE (JUNE & DECEMBER)  
 N.T.S.



1145 MISSION STREET  
 SAN FRANCISCO, CA  
 BLOCK/LOT: 3727-168  
 PROJECT NO.: 00-08

DATE	SET ISSUE
07-29-2009	PLANNING SUBMITTAL
09-12-2016	PLANNING SUBMITTAL REV.01
07-13-2018	PLANNING SUBMITTAL REV.02
02-11-2019	PLANNING SUBMITTAL REV.03
04-01-2019	PLANNING SUBMITTAL REV.04

CONTACT: TOBY LEVY

(415) 777-0561 P  
 (415) 777-5117 F

SCALE: N.T.S.

SHADOW  
 STUDIES

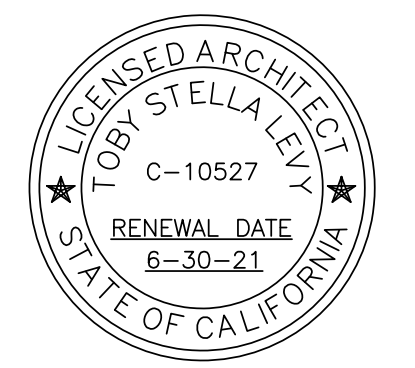






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**1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS**



1145 MISSION STREET  
 SAN FRANCISCO, CA  
 BLOCK/LOT: 3727-168  
 PROJECT NO.: 00-08

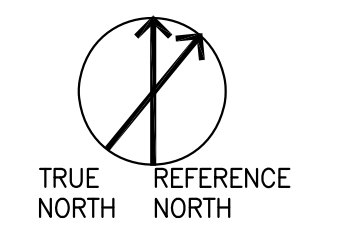
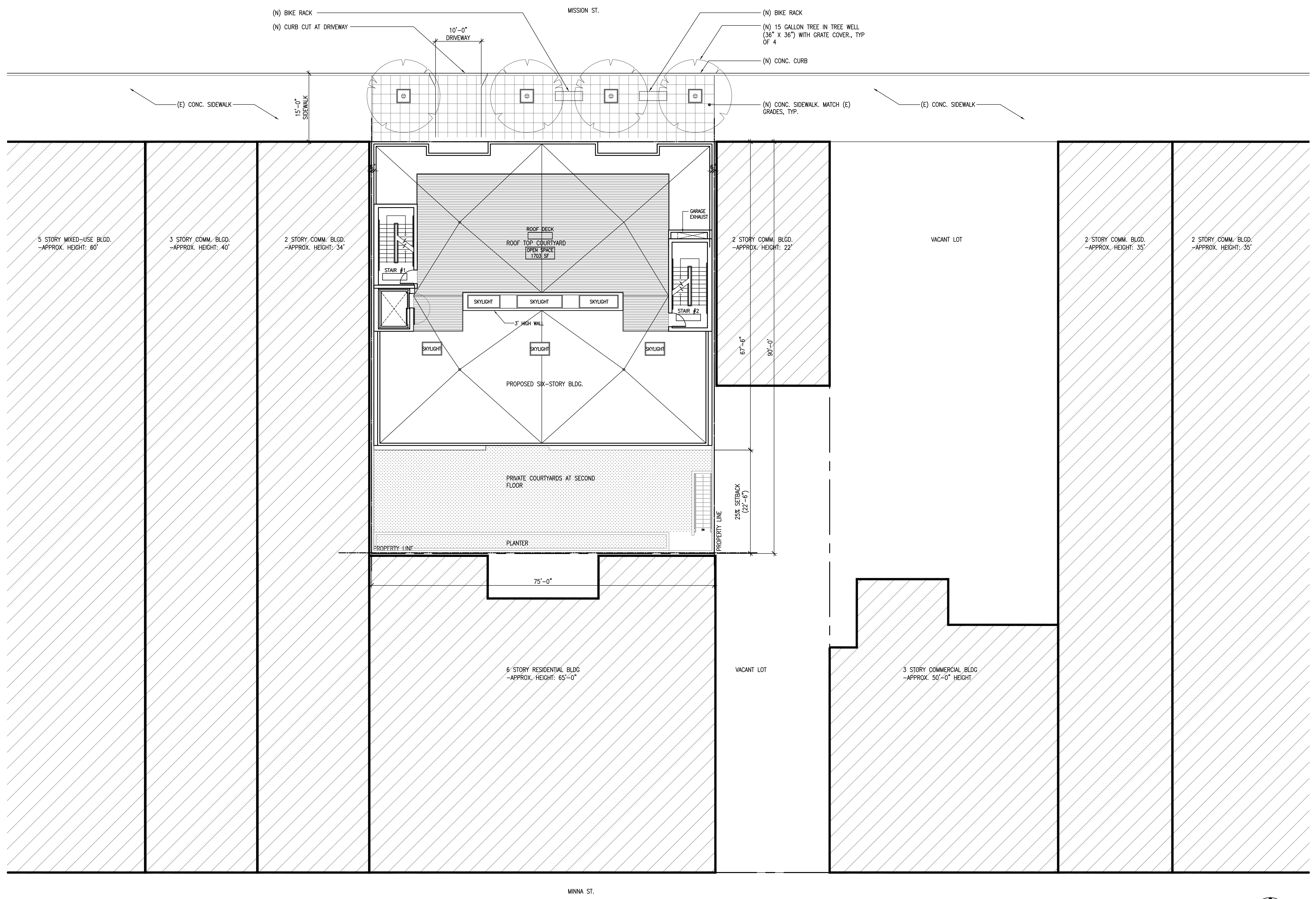
DATE	SET ISSUE
07-29-2009	PLANNING SUBMITTAL
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02-11-2019	PLANNING SUBMITTAL REV.03
04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY  
 (415) 777-0561 P  
 (415) 777-5117 F

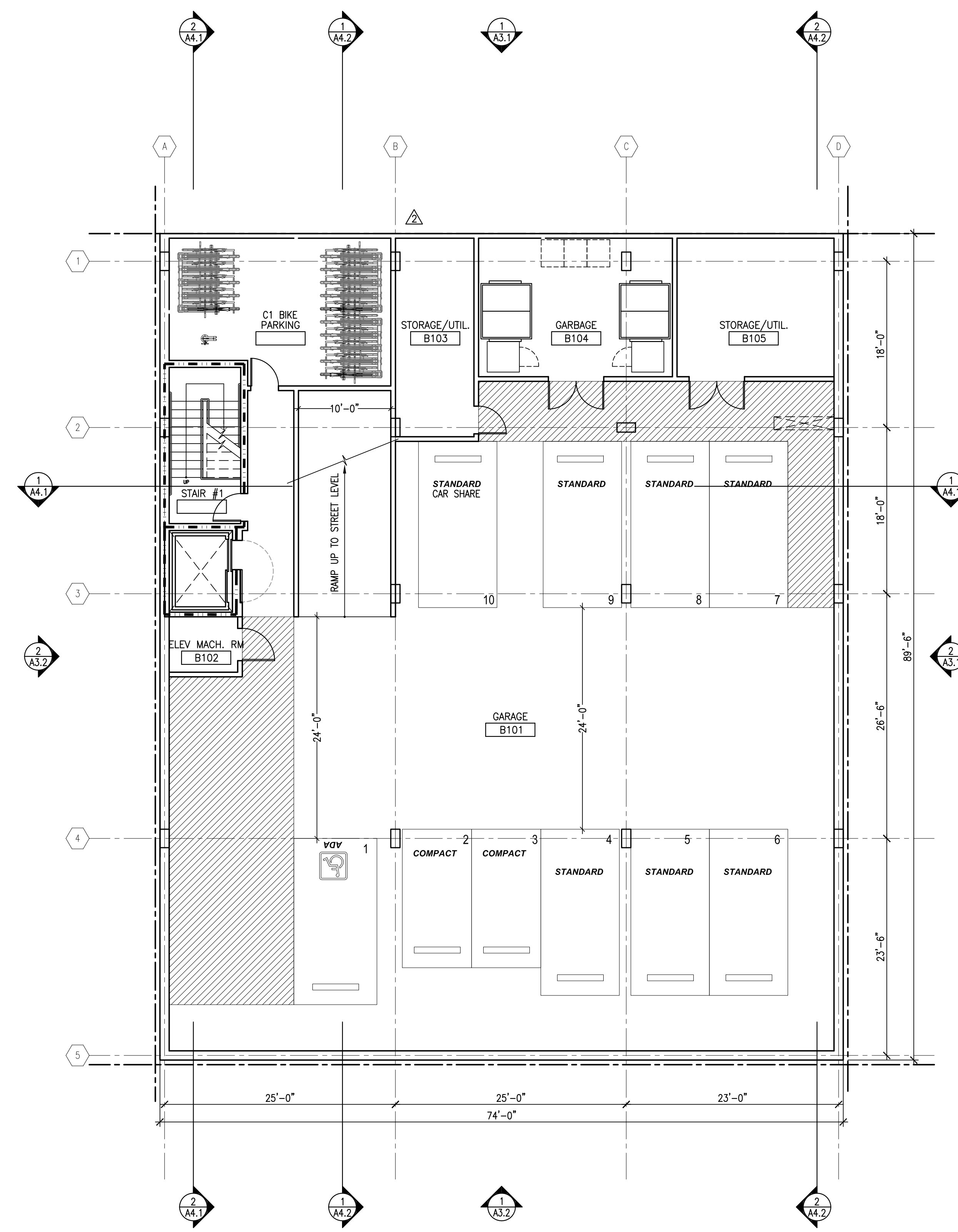
SCALE: 1" = 10'-0"

**SITE PLAN**

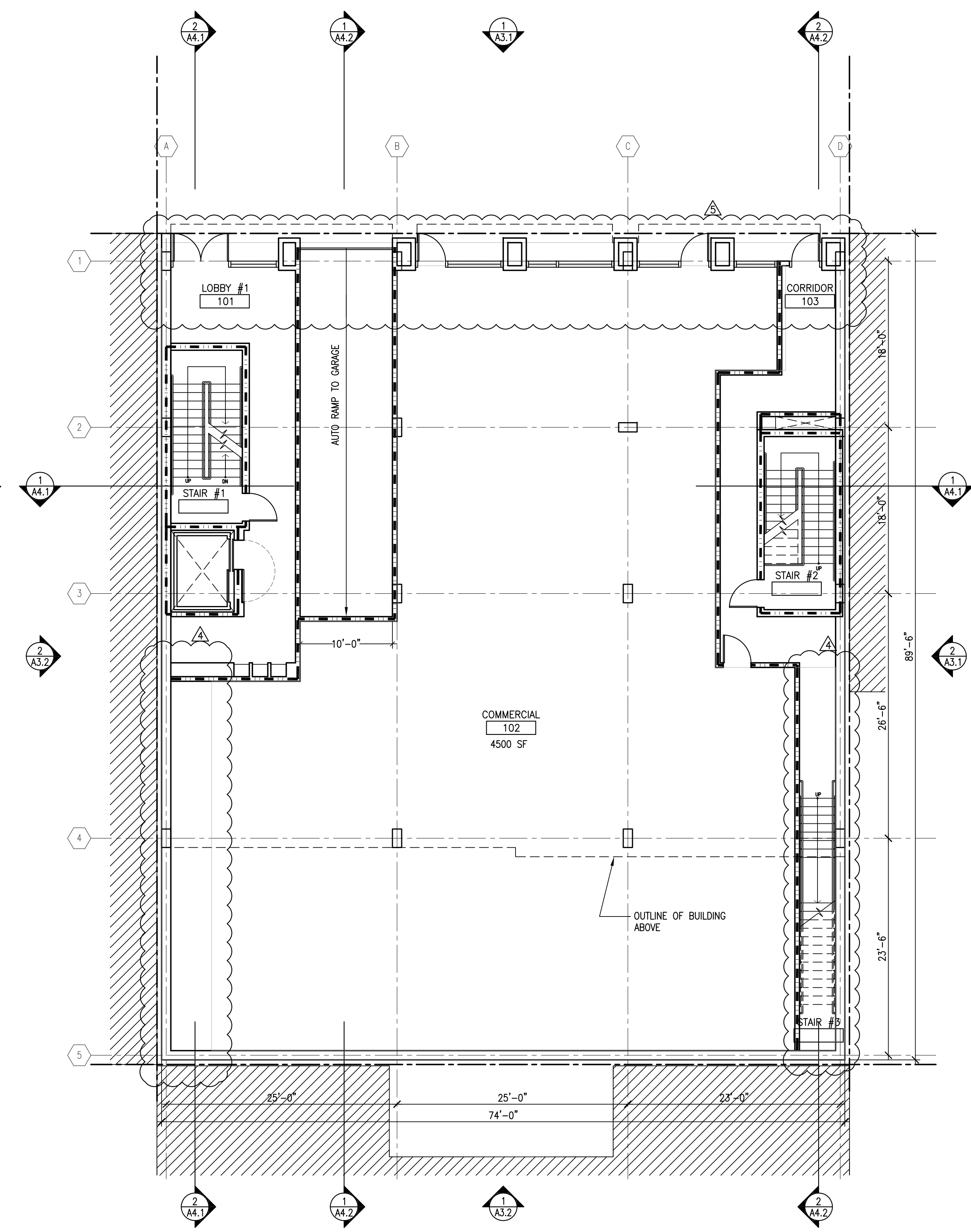
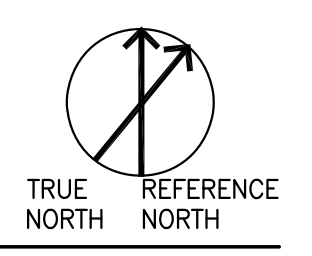
**A1.1**



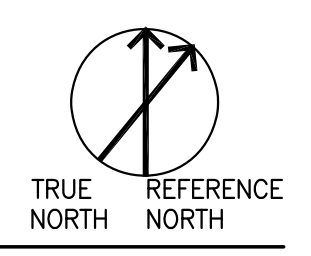
NOTICE:  
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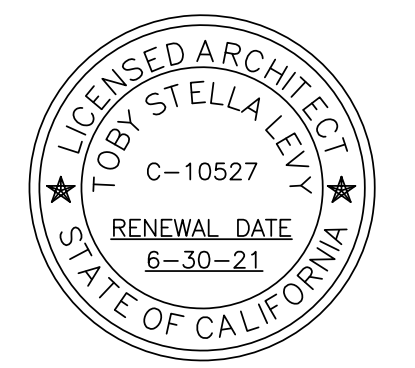
1 BASEMENT FLOOR PLAN  
 1/8"=1'-0"



2 STREET FLOOR PLAN  
 1/8"=1'-0"



1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS



1145 MISSION STREET  
 SAN FRANCISCO, CA  
 BLOCK/LOT: 3727-168  
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DATE	SET ISSUE
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01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY

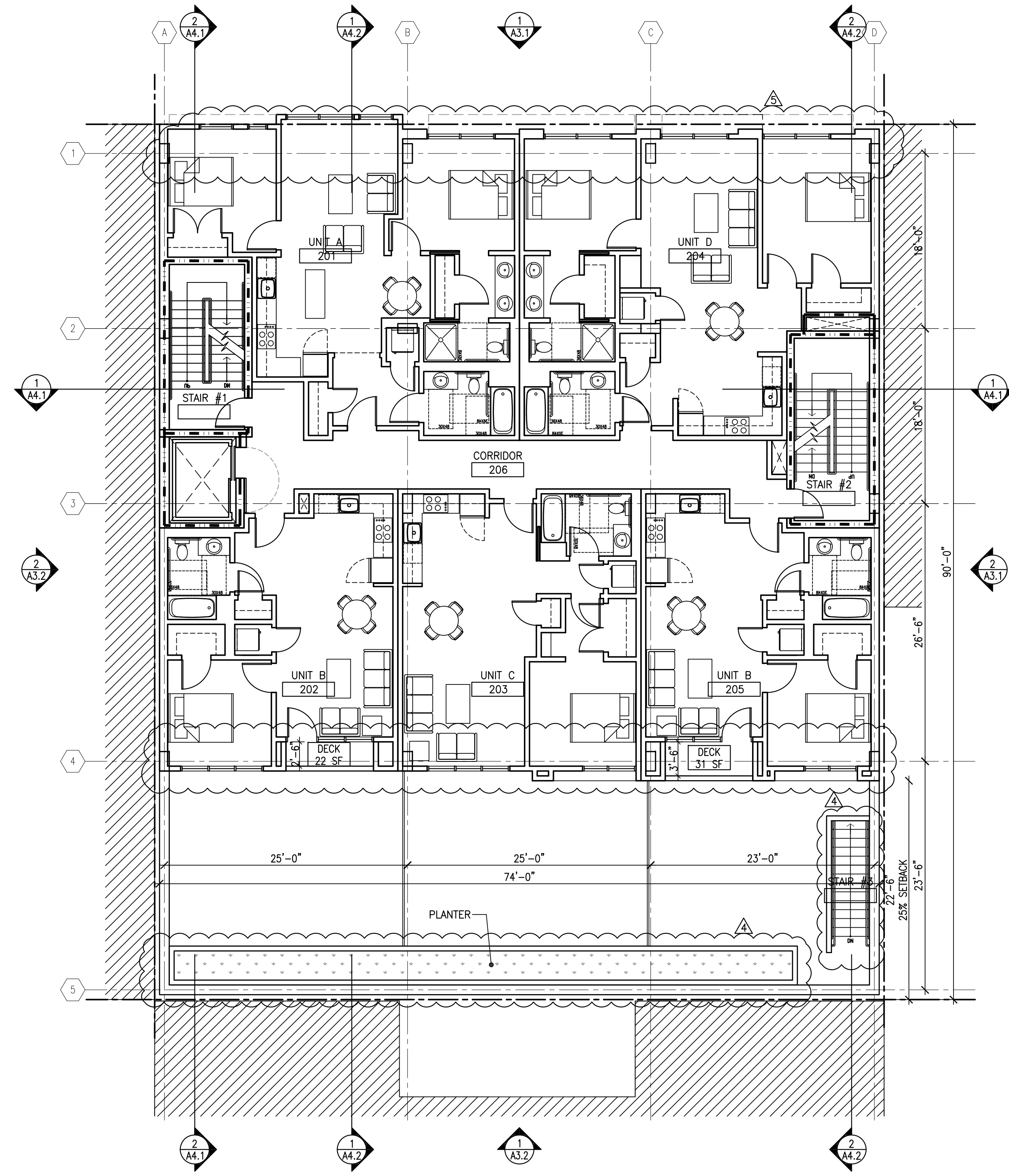
(415) 777-0561 P  
 (415) 777-5117 F

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

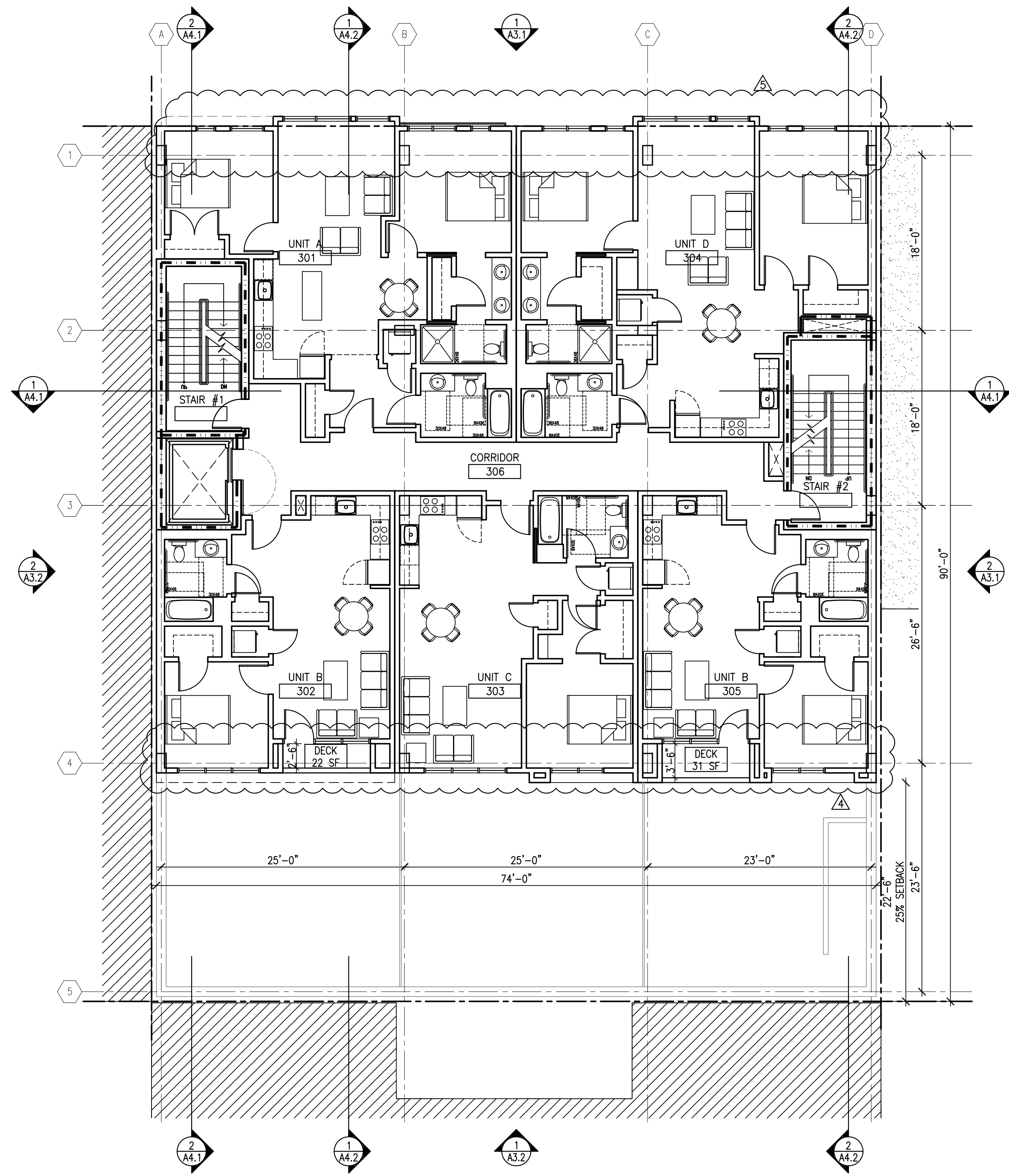
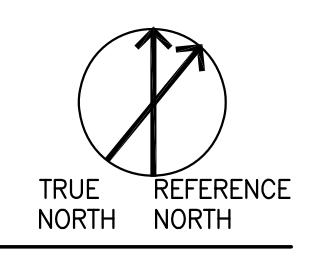
FLOOR PLANS:  
 BASEMENT &  
 GROUND FLOOR



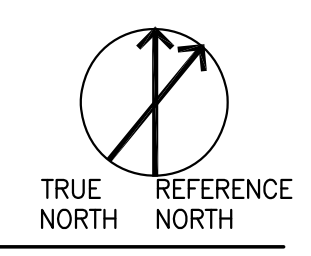
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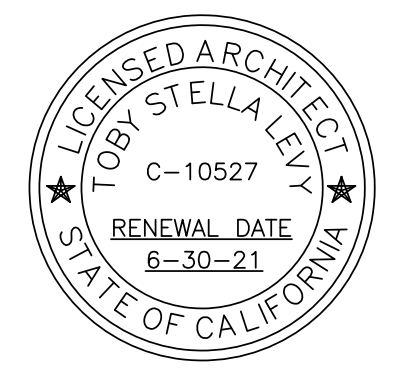
**2** SECOND FLOOR PLAN  
 1/8"=1'-0"



**3** THIRD FLOOR PLAN  
 1/8"=1'-0"



**1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS**



1145 MISSION STREET  
 SAN FRANCISCO, CA  
 BLOCK/LOT: 3727-168  
 PROJECT NO.: 00-08

DATE	SET ISSUE
07-29-2009	PLANNING SUBMITTAL
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04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY

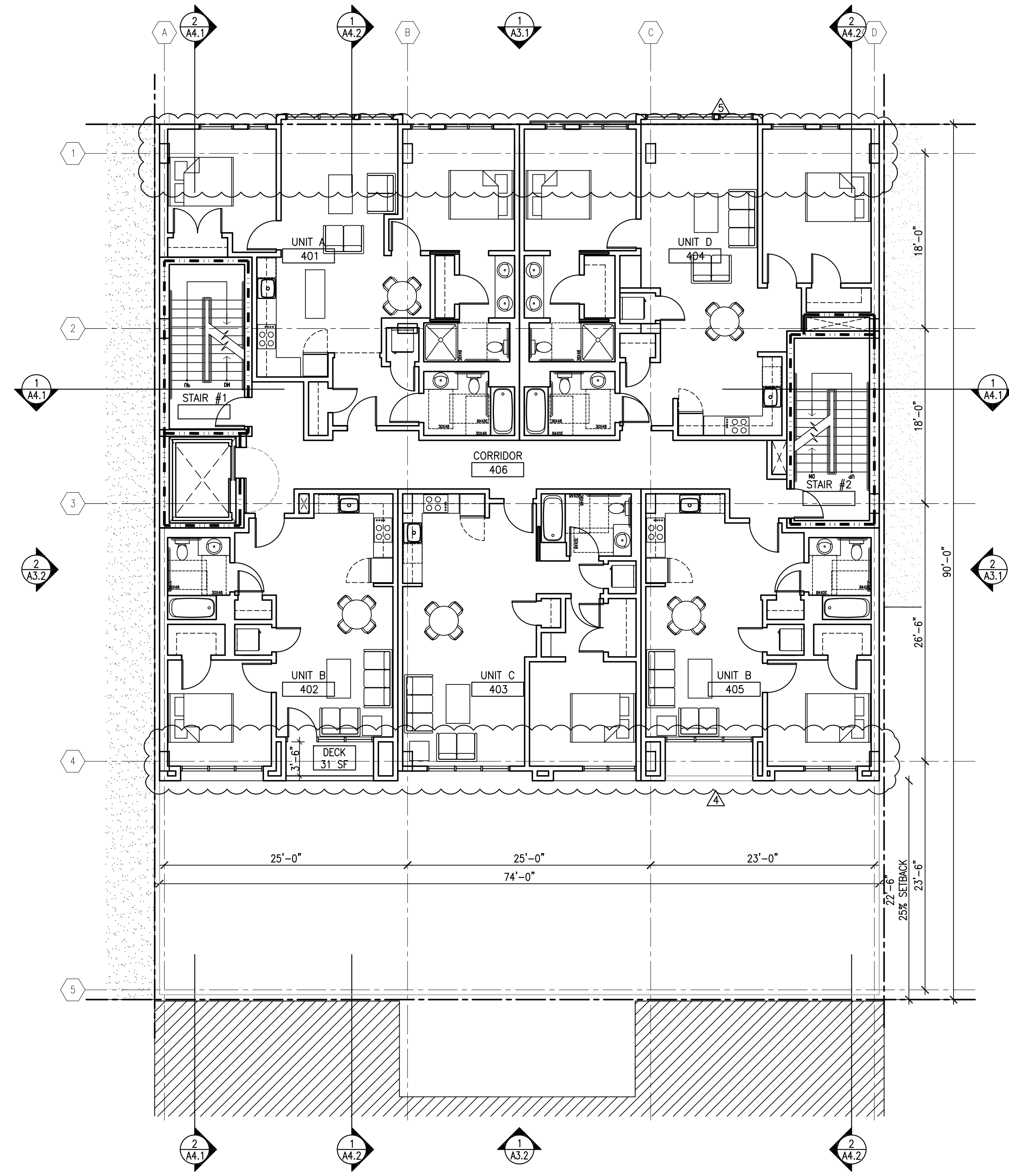
(415) 777-0561 P  
 (415) 777-5117 F

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

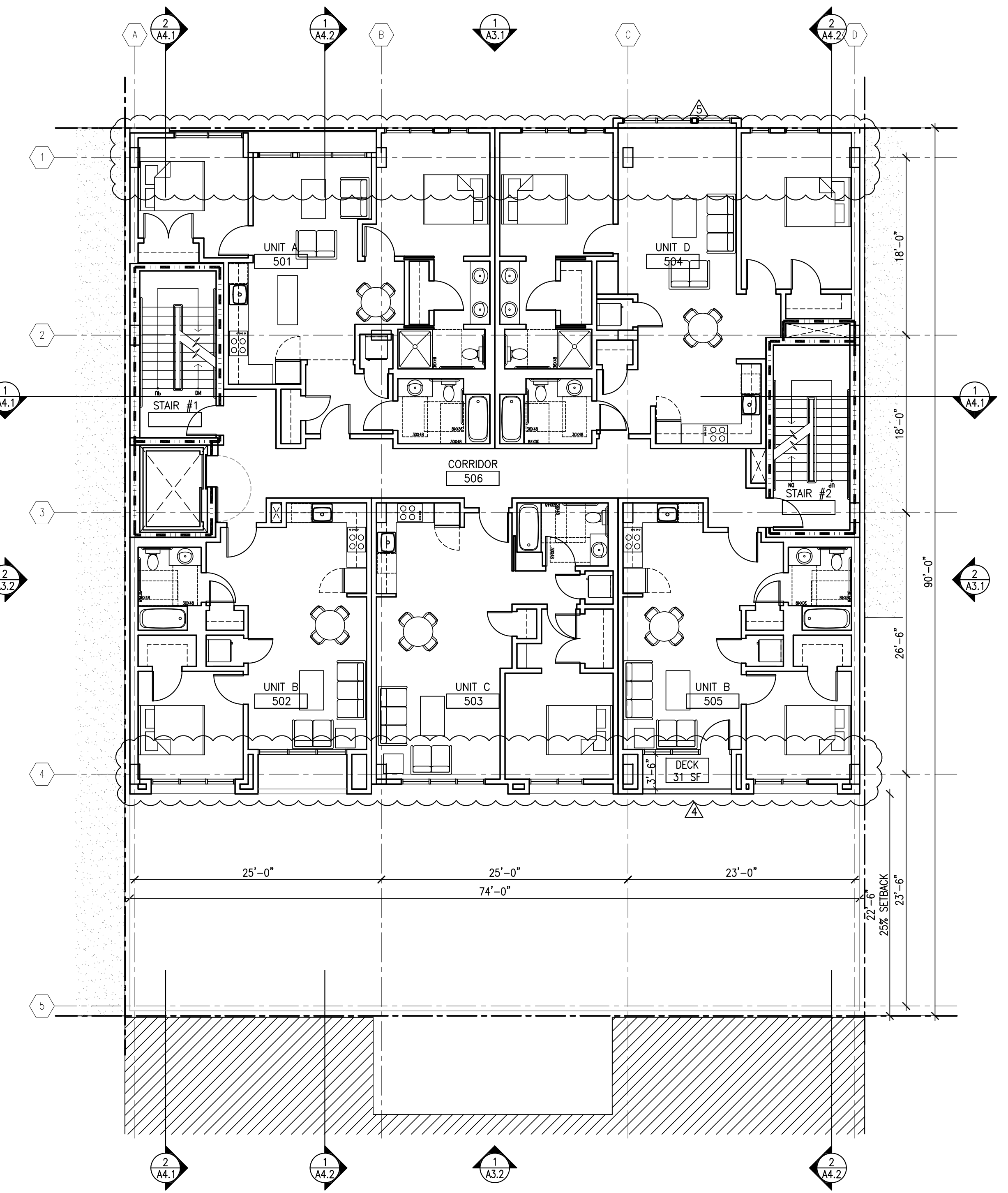
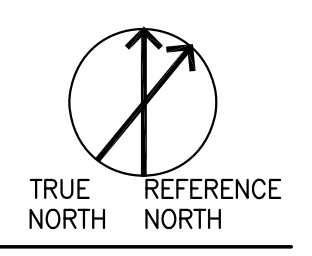
**FLOOR PLANS:  
 SECOND &  
 THIRD FLOOR**

**A2.2**

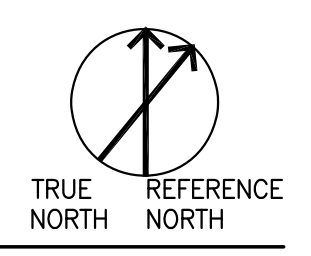
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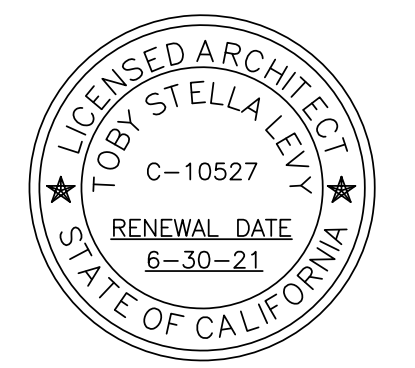
1 FOURTH FLOOR PLAN  
 1/8"=1'-0"



2 FIFTH FLOOR PLAN  
 1/8"=1'-0"



1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS



1145 MISSION STREET  
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01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY

(415) 777-0561 P  
 (415) 777-5117 F

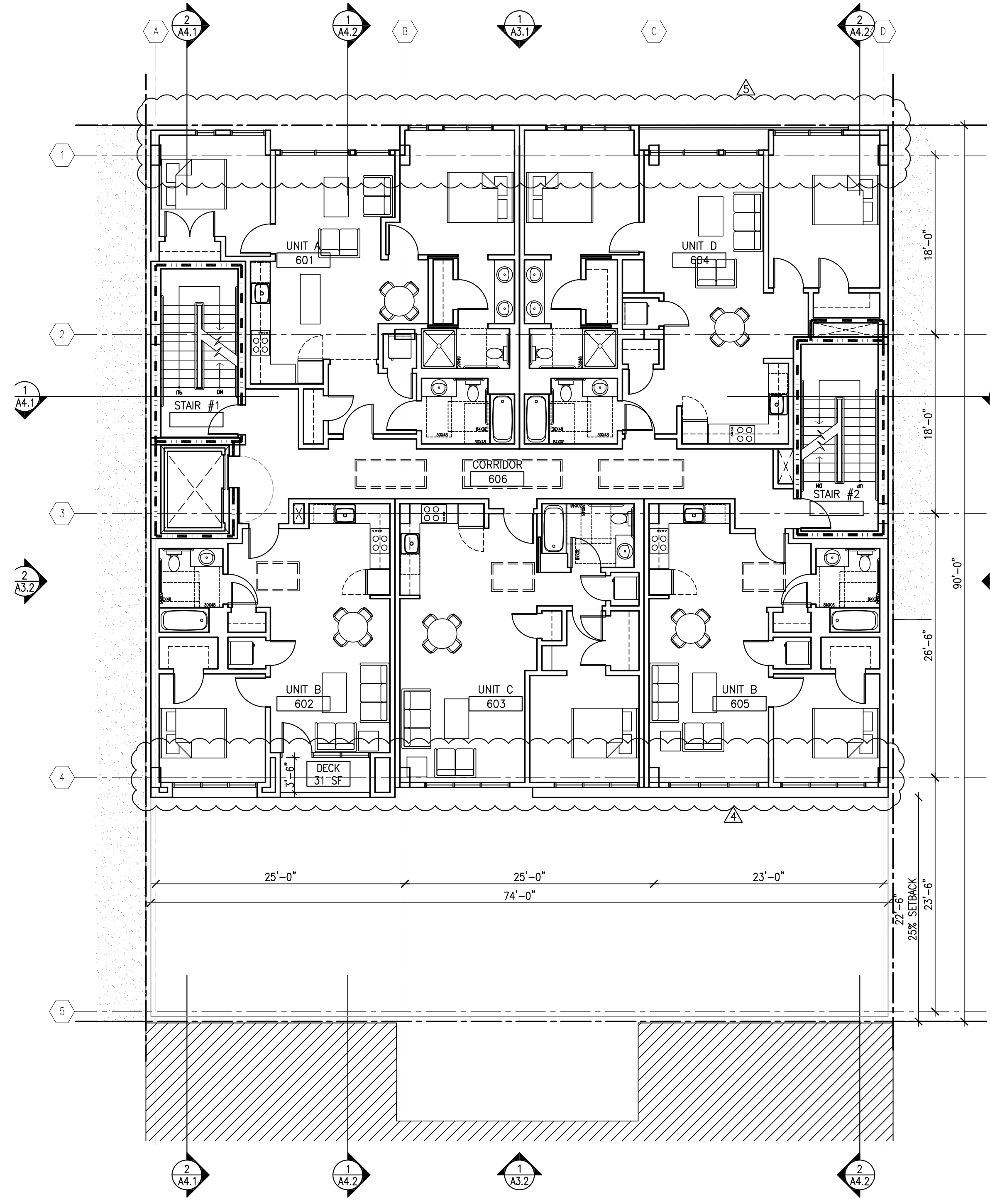
SCALE: 1/8" = 1'-0"

FLOOR PLANS:  
 FOURTH &  
 FIFTH FLOOR

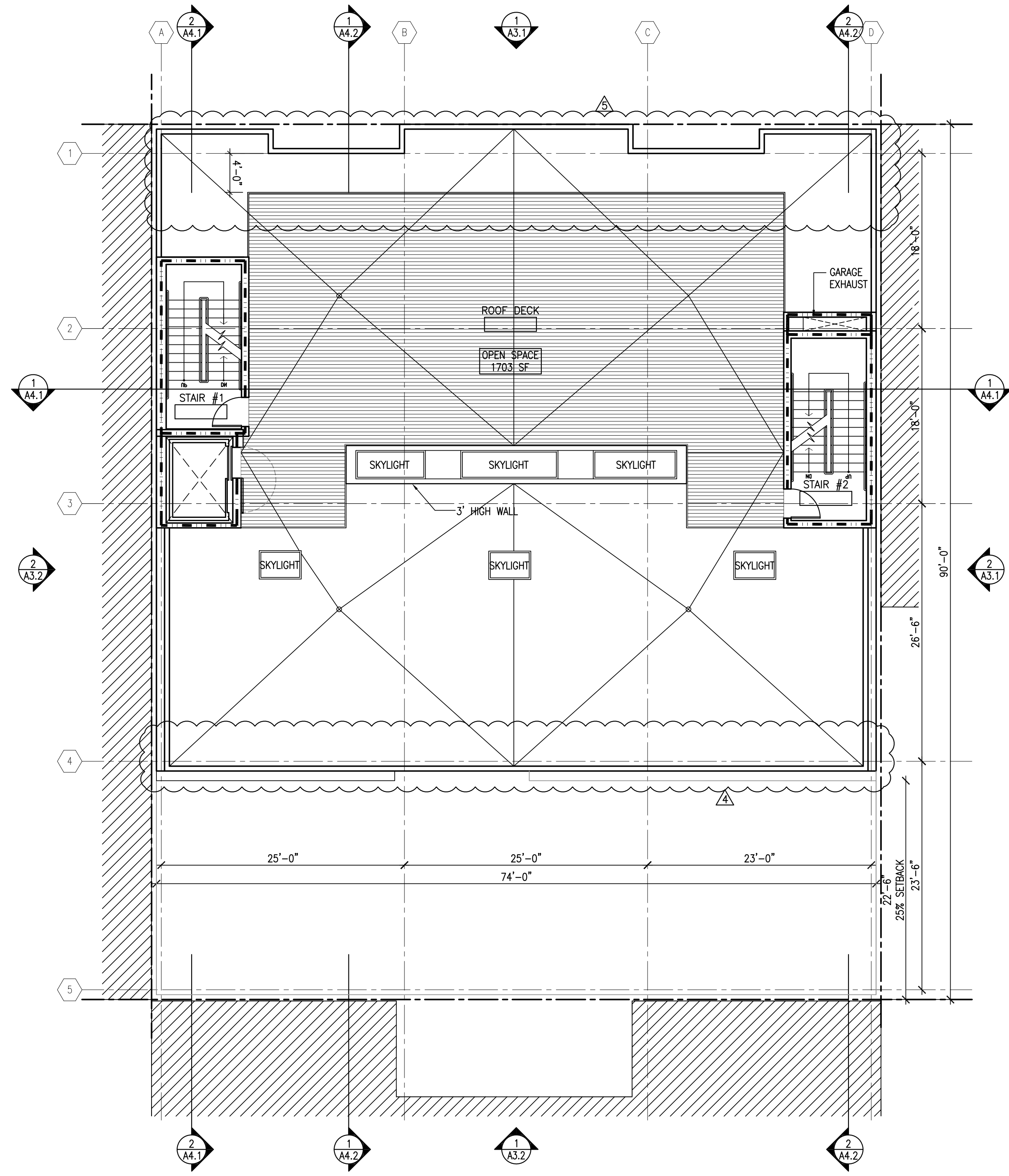
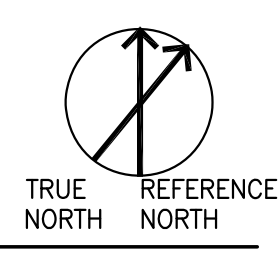
A2.3



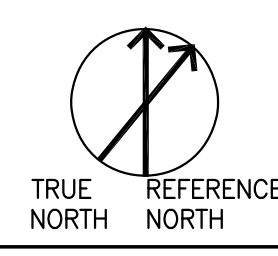
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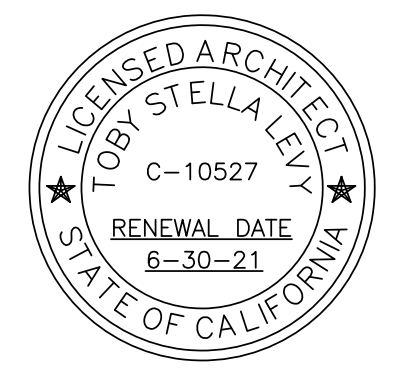
1 SIXTH FLOOR PLAN  
 1/8"=1'-0"



2 ROOF PLAN  
 1/8"=1'-0"



1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS



1145 MISSION STREET  
 SAN FRANCISCO, CA  
 BLOCK/LOT: 3727-168  
 PROJECT NO.: 00-08

DATE	SET ISSUE
07-29-2009	PLANNING SUBMITTAL
09-12-2016	PLANNING SUBMITTAL REV.01
07-13-2018	PLANNING SUBMITTAL REV.02
02-11-2019	PLANNING SUBMITTAL REV.03
04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY

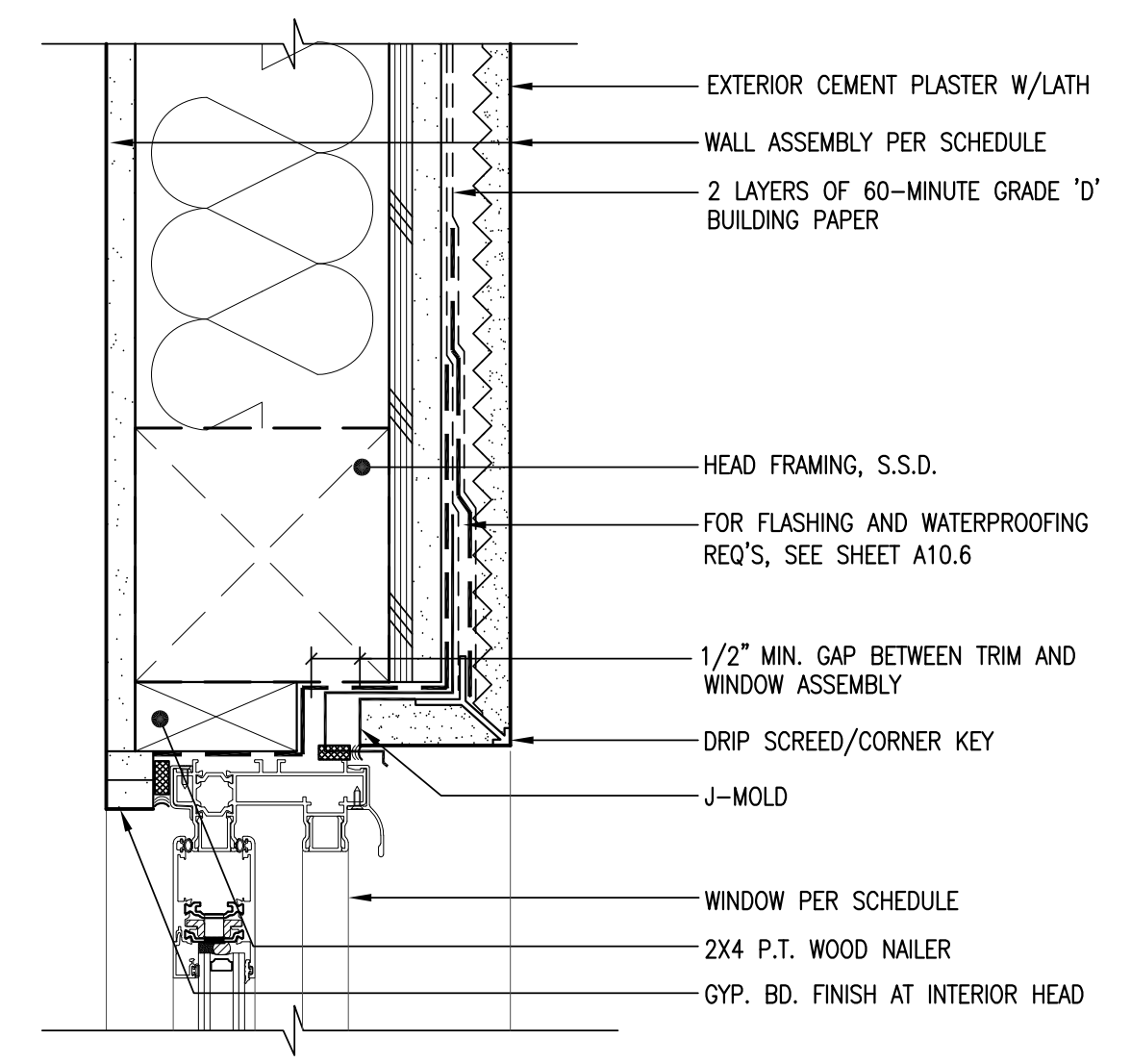
(415) 777-0561 P  
 (415) 777-5117 F

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

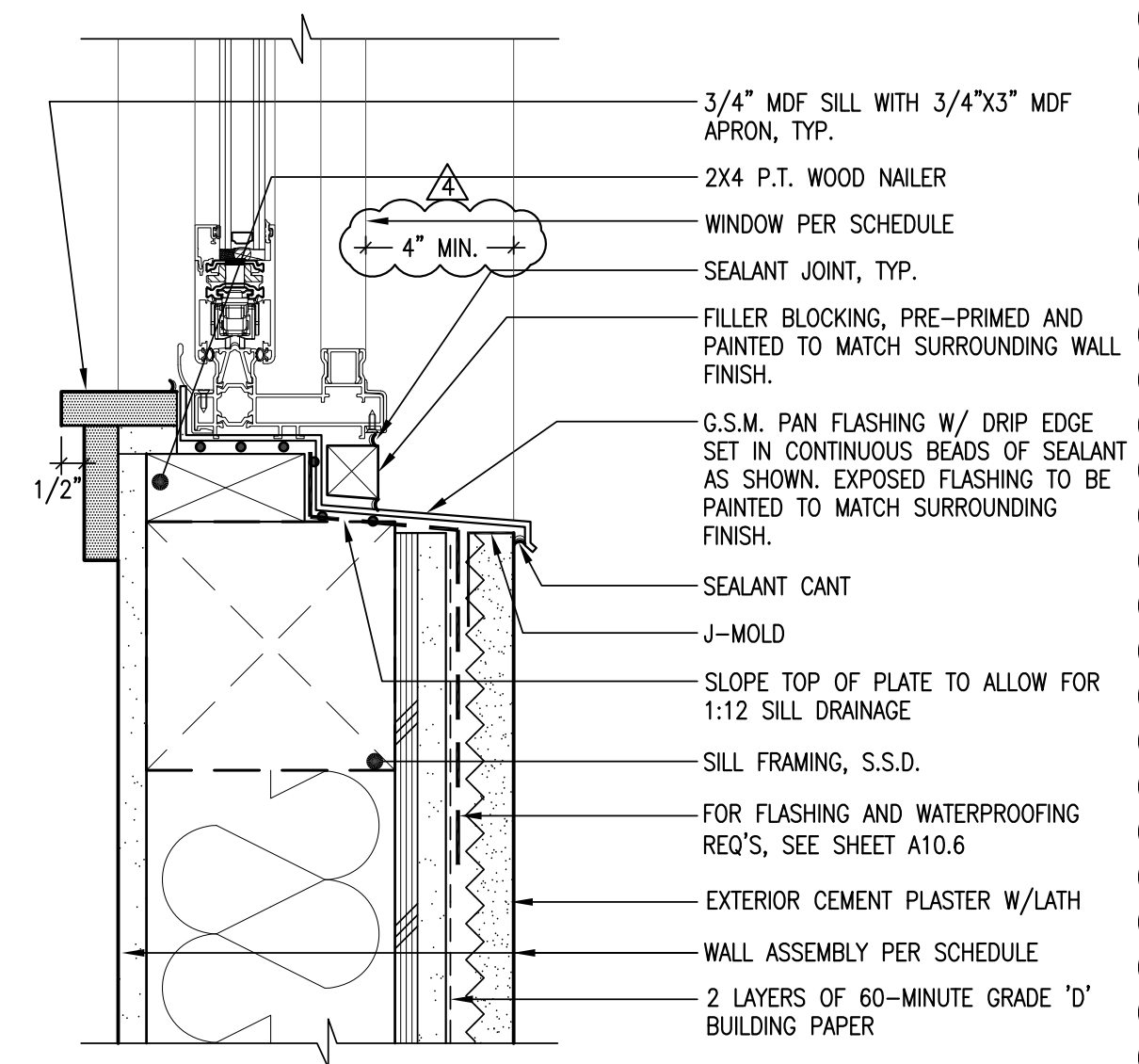
FLOOR PLANS:  
 SIXTH FLOOR &  
 ROOF



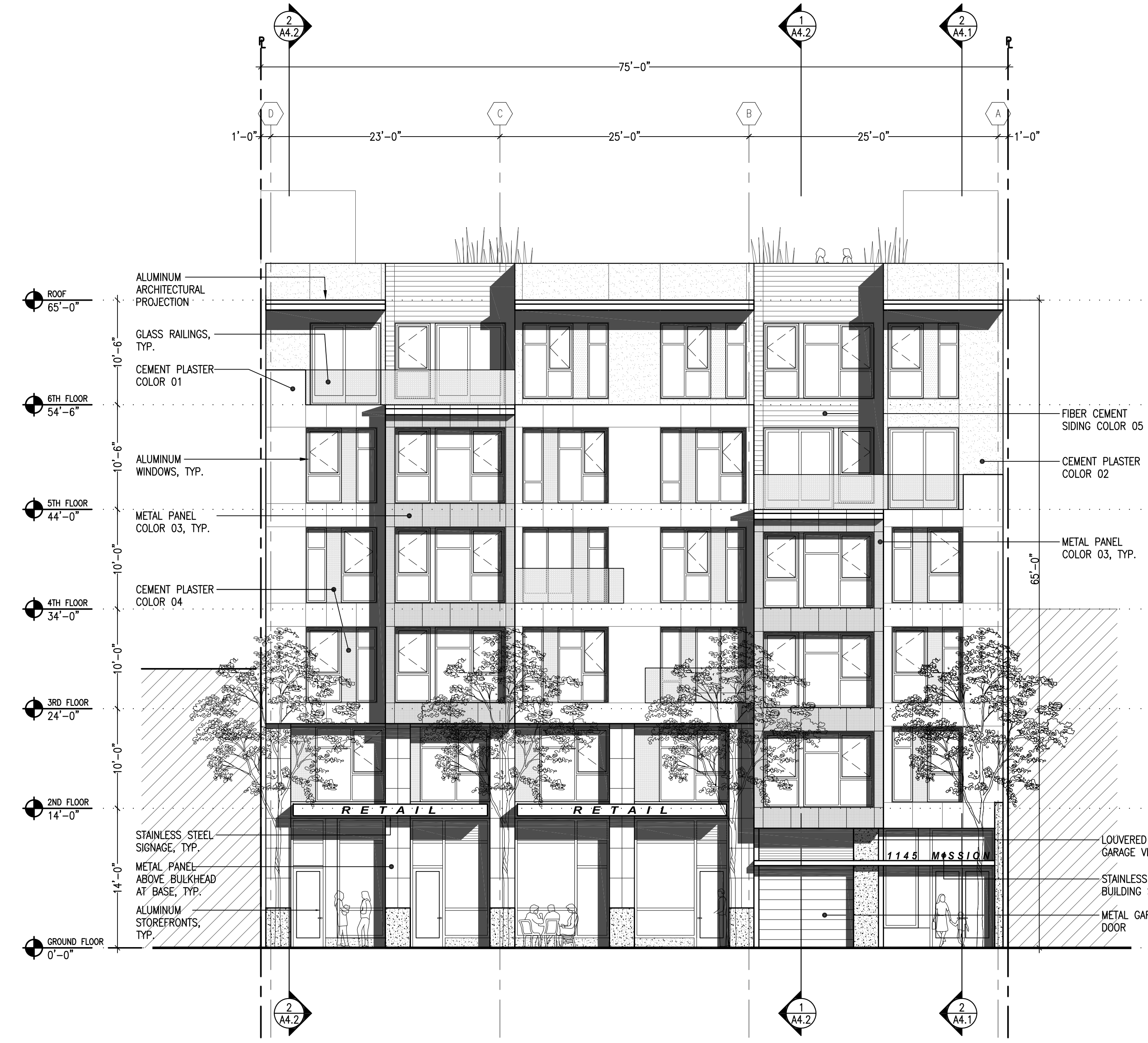
NOTICE:  
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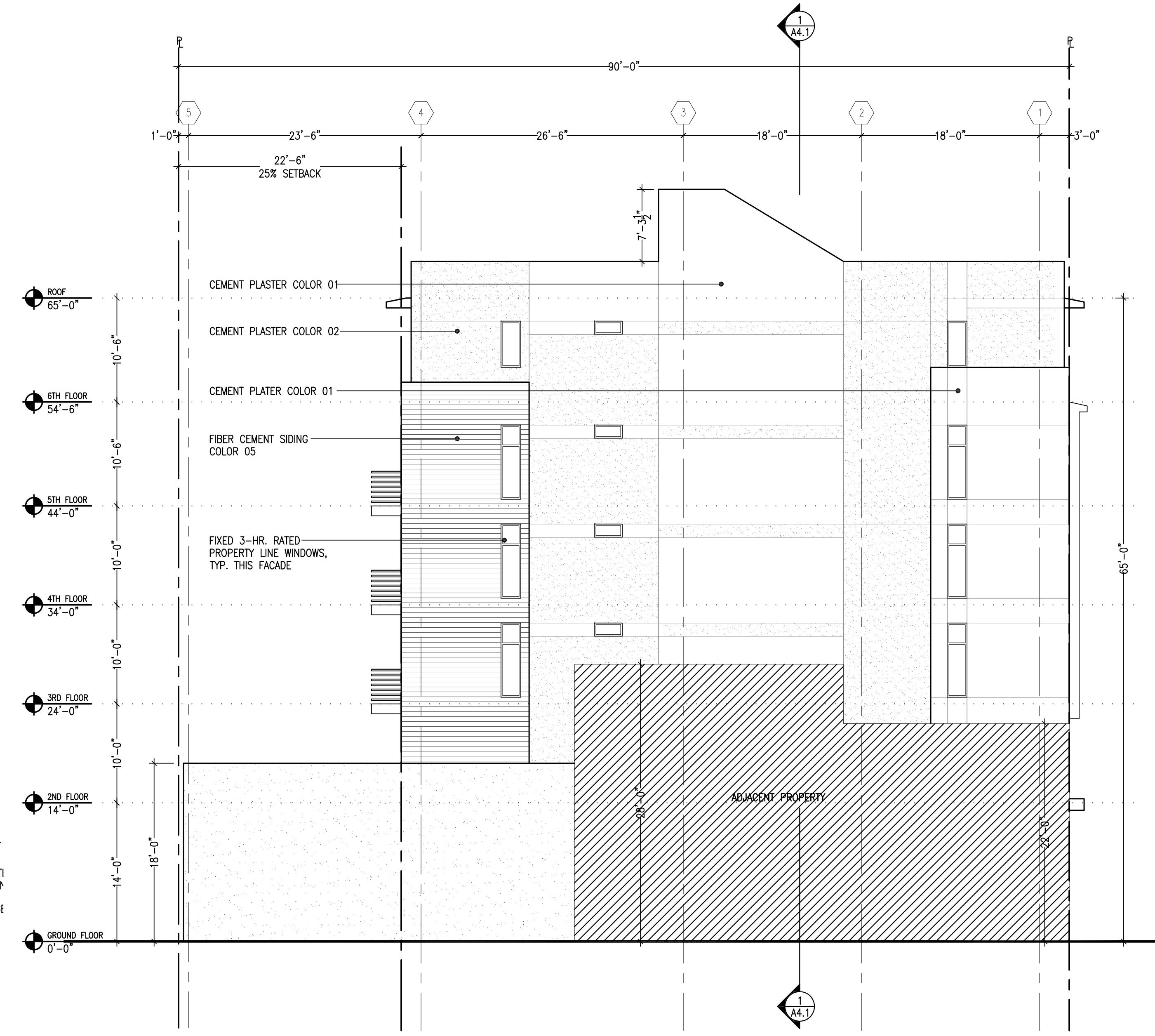
**3 WINDOW HEAD DETAIL**  
 3'-1'-0" CEMENT PLASTER



**4 WINDOW SILL DETAIL**  
 3'-1'-0" CEMENT PLASTER

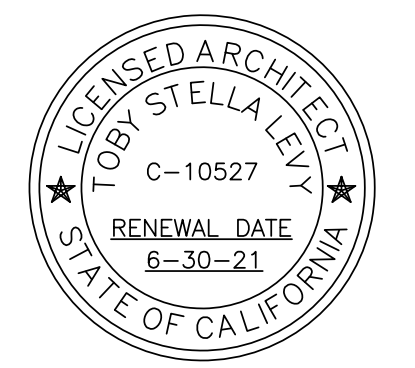


**1 MISSION STREET ELEVATION**  
 1/8"=1'-0"



**2 SIDE ELEVATION**  
 1/8"=1'-0"

**1145 MISSION ST**  
**SAN FRANCISCO, CA**  
**25 RESIDENTIAL UNITS**



1145 MISSION STREET  
 SAN FRANCISCO, CA  
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04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY  
 (415) 777-0561 P  
 (415) 777-5117 F

SCALE: AS NOTED

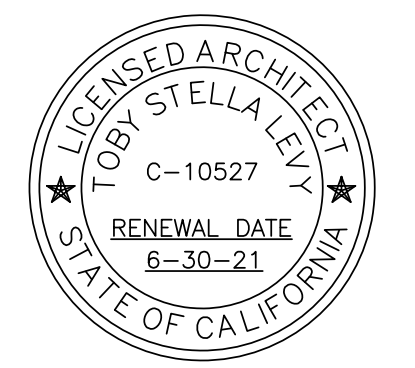
EXTERIOR ELEVATIONS

**A3.1**



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**1145 MISSION ST  
 SAN FRANCISCO, CA  
 25 RESIDENTIAL UNITS**



1145 MISSION STREET  
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 BLOCK/LOT: 3727-168  
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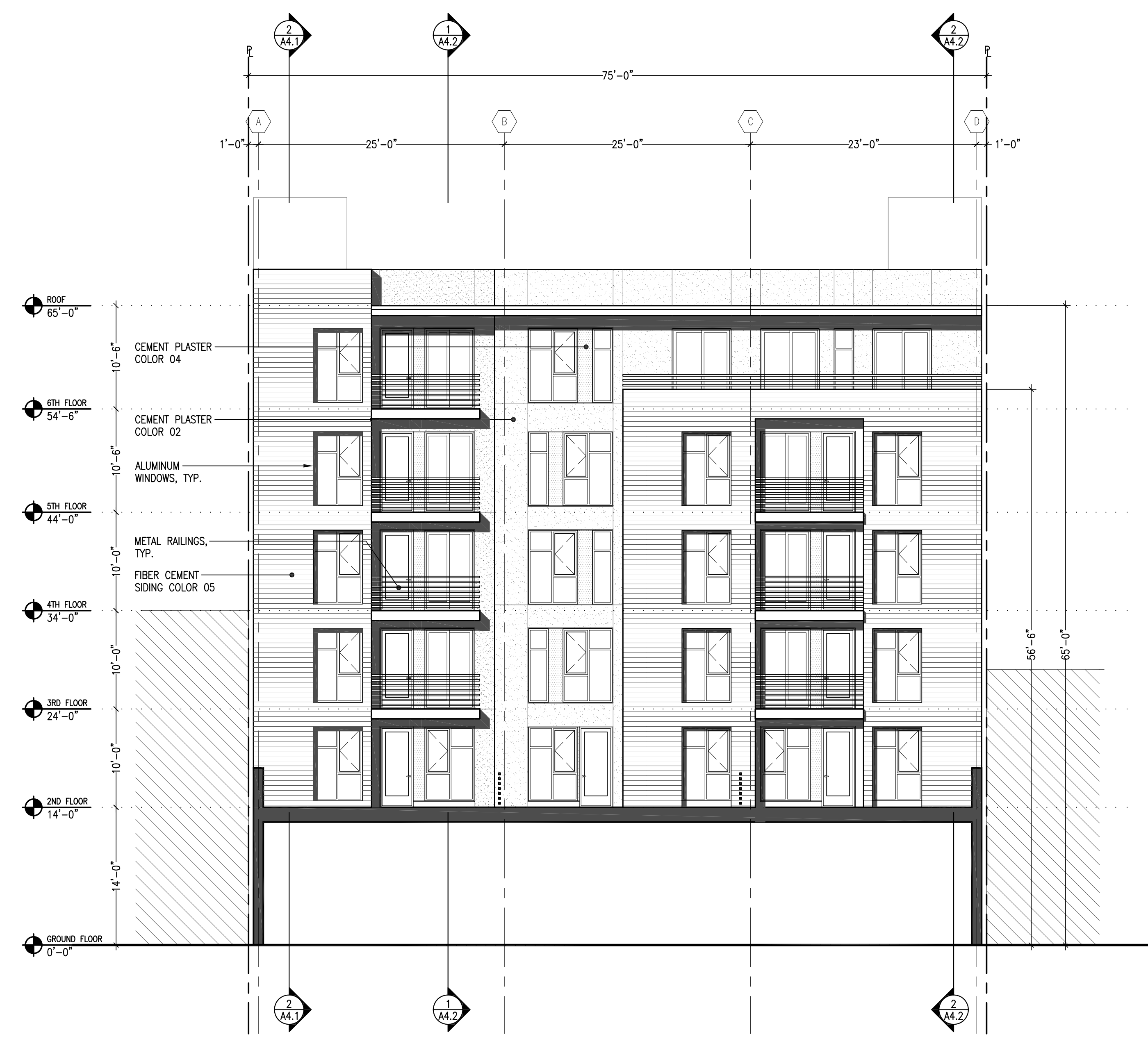
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CONTACT: TOBY LEVY  
 (415) 777-0561 P  
 (415) 777-5117 F

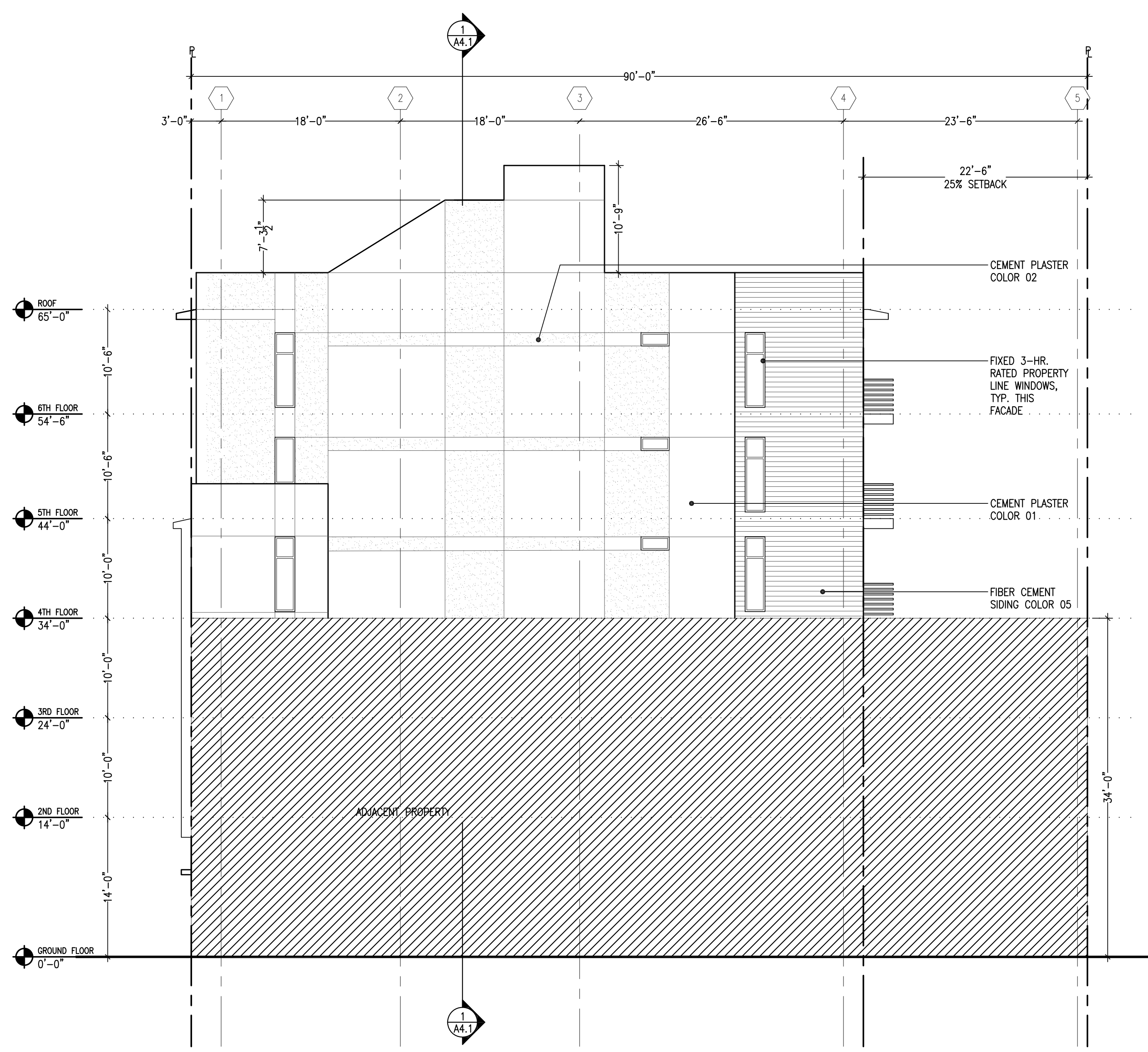
SCALE: AS NOTED

EXTERIOR ELEVATIONS

**A3.2**



**1** COURTYARD ELEVATION  
 1/8"=1'-0"

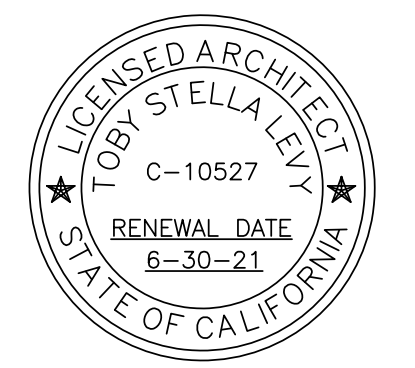


**2** SIDE ELEVATION  
 1/8"=1'-0"



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**1145 MISSION ST  
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 25 RESIDENTIAL UNITS**



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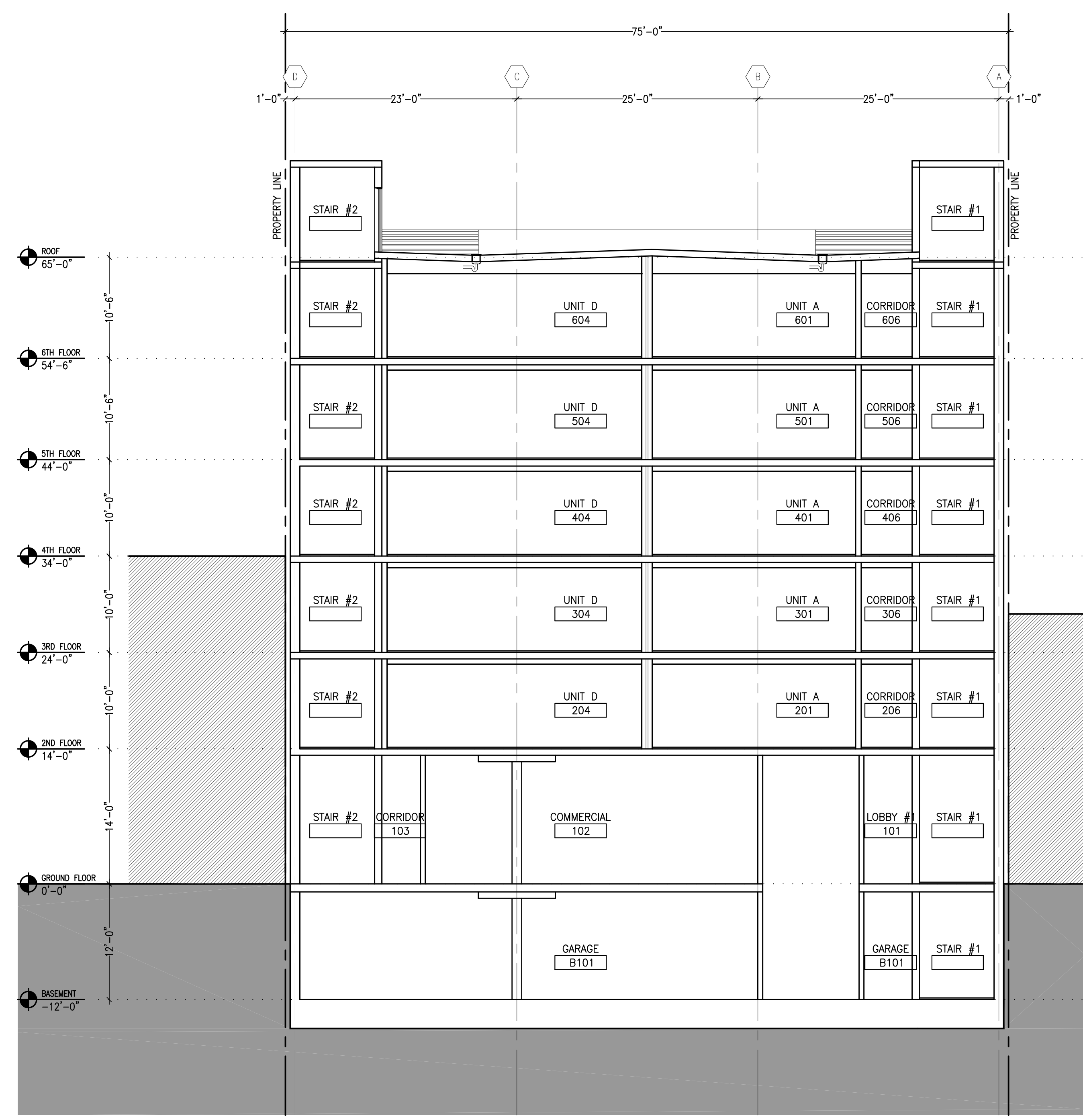
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07-13-2018	PLANNING SUBMITTAL REV.02
02-11-2019	PLANNING SUBMITTAL REV.03
04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

CONTACT: TOBY LEVY

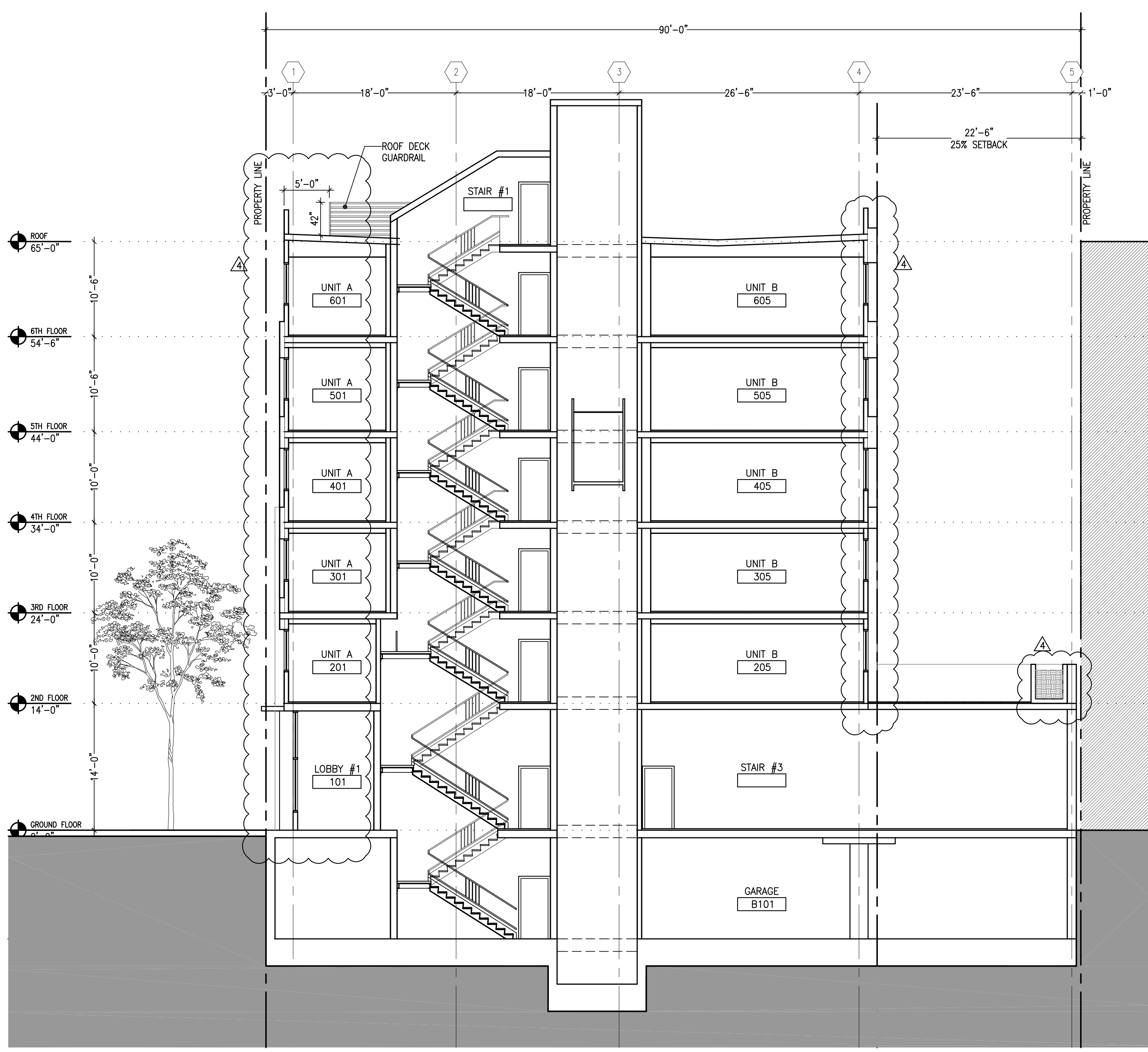
(415) 777-0561 P  
 (415) 777-5117 F

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

**BUILDING  
 SECTIONS**



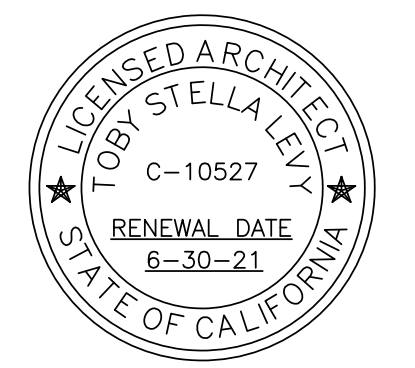
**1 SECTION 1**  
 1/8"=1'-0"



**2 SECTION 2**  
 1/8"=1'-0"

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 SAN FRANCISCO, CA  
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02-11-2019	PLANNING SUBMITTAL REV.03
04-01-2019	PLANNING SUBMITTAL REV.04
01-06-2020	PLANNING SUBMITTAL REV.05

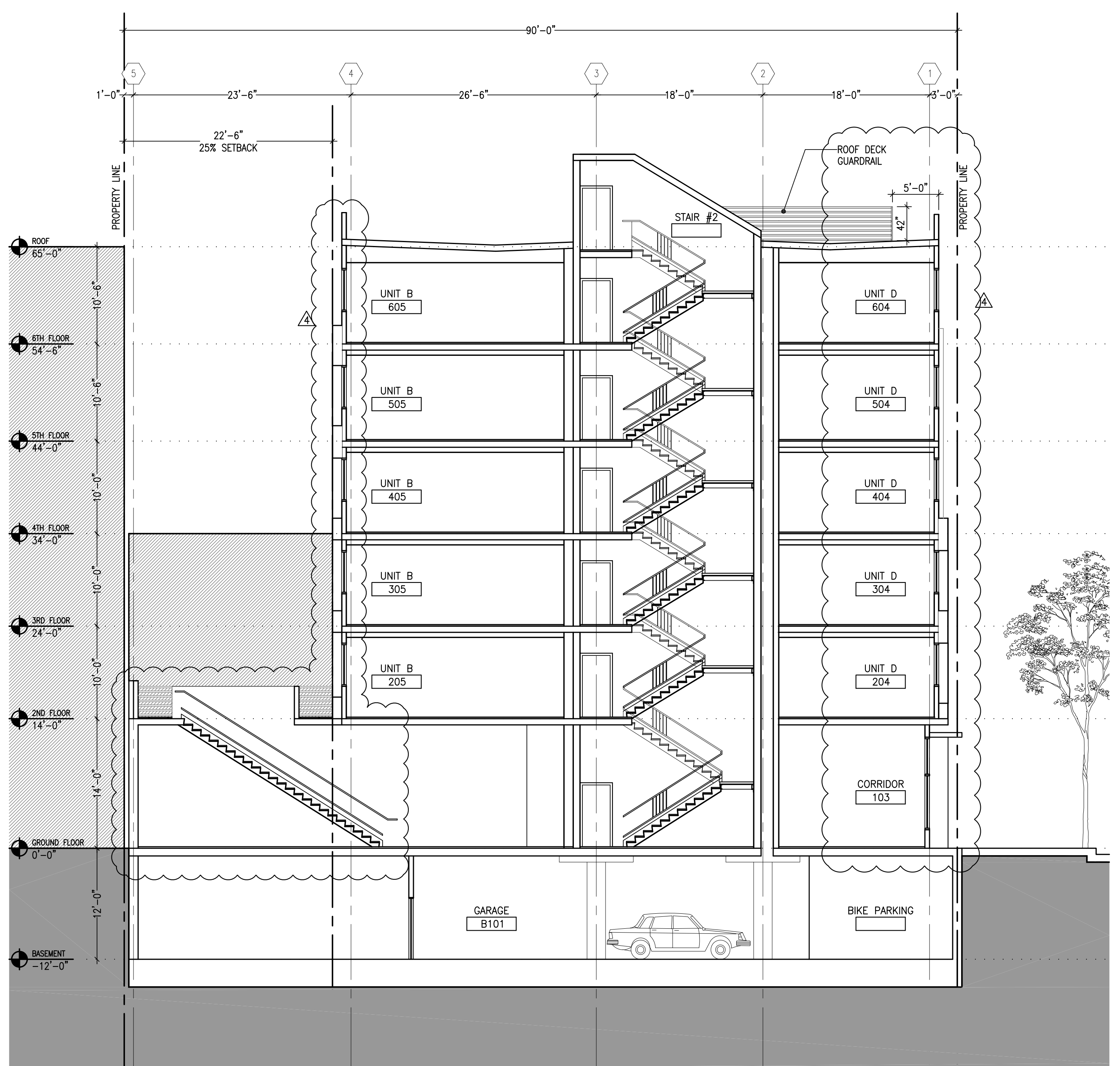
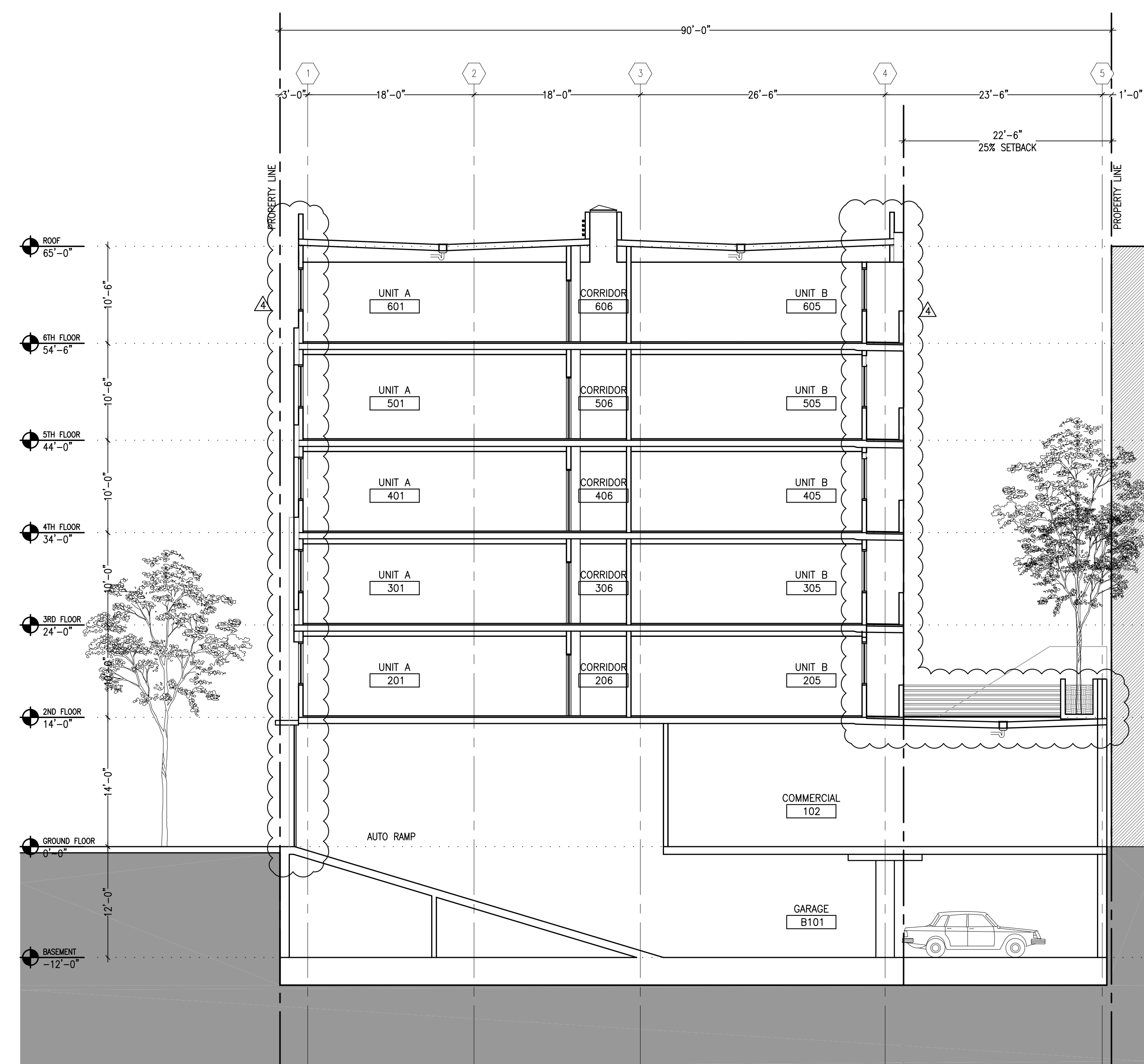
CONTACT: TOBY LEVY

(415) 777-0561 P  
 (415) 777-5117 F

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

**BUILDING  
 SECTIONS**

**A4.2**



**1 SECTION 1**  
 1/8"=1'-0"

**2 SECTION 2**  
 1/8"=1'-0"





©2019 Google

RETAIL RETAIL

LEASE





RETAIL

RETAIL

1415 MISSION

ALYAH

ALYAH

FRIENDS AND FAMILY

NO PARKING

EXCEPT

TRUCKS

ONLY

MON-FRI

8AM-5PM

NO PARKING

EXCEPT

TRUCKS

ONLY

MON-FRI

8AM-5PM

NO PARKING

EXCEPT

TRUCKS

ONLY

MON-FRI

8AM-5PM

NO PARKING

EXCEPT

TRUCKS

ONLY

MON-FRI

8AM-5PM

NO PARKING

EXCEPT

TRUCKS

ONLY

MON-FRI

8AM-5PM

NO PARKING

EXCEPT









# SAN FRANCISCO PLANNING DEPARTMENT

**EXHIBIT  
C**

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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

*Case No.:* 2007.0604E  
*Project Title:* 1145 Mission Street  
*Zoning/Plan Area:* Mixed Use – Office (MUO)  
65-X Height/Bulk District  
Western SoMa Community Plan Area  
*Block/Lot:* 3727/168  
*Lot Size:* 6,750 square feet  
*Project Sponsor:* Darren Lee, Landmark Lofts, LLC, (415) 271-0528  
*Staff Contact:* Jeanie Poling, (415) 575-9072, Jeanie.poling@sfgov.org

*Reception:*  
415.558.6378

*Fax:*  
415.558.6409

*Planning  
Information:*  
415.558.6377

### PROJECT DESCRIPTION

The 1145 Mission Street project (proposed project) would construct a 65-foot-tall (75 feet tall including the 10-foot-tall mechanical penthouse), 30,674-square-foot (sf) mixed-use building containing 25 dwelling units (18,725 sf), 4,125 sf of ground-floor retail, and parking for 12 vehicles and 13 bicycles in one basement level 12 feet below grade. The project site is located at 1145 Mission Street on Assessor's Block 3721, Lot 168. The 6,750-sf site is located on the south side of Mission Street on the block bounded by Mission Street, Julia Street, Minna Street, and 7<sup>th</sup> Street in the Western South of Market (SoMa) neighborhood and is within the Mixed Use – Office (MUO) Zoning District and the 65-X Height and Bulk District. (Continued on next page.)

### EXEMPT STATUS

Exempt 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.

  
SARAH B. JONES  
Environmental Review Officer

July 29, 2016  
Date

cc: Darren Lee, Project Sponsor  
Kimberly Durandet, Current Planner  
Supervisor Jane Kim, District 6

Virna Byrd, M.D.F.  
Exclusion/Exemption Dist. List

## PROJECT DESCRIPTION (continued)

The proposed residential units would comprise 15 one-bedroom and 10 two-bedroom units in the five floors above the ground-floor retail space (for a total of six stories in the building). The ground floor and basement level would cover the entire lot, while the second through sixth floors would be set back 22.5 feet from the rear property line, where a six-story live-work building is built out to the shared lot line of the adjacent property. Private decks would be included for 10 units, and approximately 1,350 sf of common open space would be provided on the rear of the second floor and on a rooftop courtyard. Provisions for street frontage tree planting would be carried out pursuant to San Francisco requirements.

The City is considering significant changes to the inclusionary affordable housing requirement as currently regulated by Planning Code Section 415 and the City Charter. The proposed project would not be affected by these proposed changes because its environmental evaluation application was received prior to January 1, 2013. The proposed project must comply with affordable housing requirements in effect on January 12, 2016. These requirements are to provide one of the following: on-site (12 percent or three units), off-site (20 percent or five units), or through an in-lieu fee (20 percent).

The project site is currently vacant; the western two-thirds (approximately 50 feet by 90 feet) of the site is excavated to a depth of approximately 14 feet below street grade, where, prior to 2006, the basement of a two-story brick commercial building constructed in 1907 existed. A previous project (Planning Case No. 2000.531E, Building Permit No. 200007145147) involved a vertical and horizontal expansion of the then-existing on-site building for the creation of live/work lofts; the project was approved in 2004 but was not constructed. In violation of the permit, the entire previously existing building was demolished in 2006.

Construction of the currently proposed project would occur over approximately 16 to 18 months. Construction equipment to be used would include backhoes, excavators, and construction cranes. In addition to the western portion of the project site that was previously excavated to 14 feet, the entire project site would be excavated to a depth of 16 feet to accommodate the foundation and the 12-foot-deep basement level. The total amount of excavation for the project would be approximately 1,300 cubic yards (cy) of soil.

The proposed project would include below-grade parking for 12 vehicles and 13 bicycles. The parking level would total approximately 6,380 sf, including storage areas. The garage would be accessed through a 10-foot-wide garage door separating the residential and retail entrances on Mission Street.

## PROJECT APPROVAL

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*)
- **Building Permit** (*Department of Building Inspection*)

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

## COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for 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, 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 1145 Mission Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eight Street Project (Western SoMa Community Plan PEIR).<sup>1</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Western SoMa PEIR.

The Western SoMa PEIR included analyses of the following environmental issues: land use; aesthetics; population and housing; cultural and paleontological resources; transportation and circulation; noise and vibration; air quality; greenhouse gas emissions; wind and shadow; recreation; public services, utilities, and service systems; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agricultural and forest resources.

The 1145 Mission Street site is located in the Western SoMa Community Plan Area. As a result of the Western SoMa rezoning process, the project site was rezoned to a 65-X Height and Bulk District, as well as a Mixed Use – Office (MUO) District. The MUO District is intended to encourage office uses and housing, as well as small-scale light industrial and arts activities. The proposed project is consistent with uses permitted within the MUO Districts.

Individual projects that could occur in the future under the Western SoMa Community Plan 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 1145 Mission Street is consistent with and was encompassed within the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 1145 Mission Street project, and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the

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<sup>1</sup> Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Available: <<http://www.sf-planning.org/index.aspx?page=1893>>.



Planning Code applicable to the project site.<sup>2,3</sup> Therefore, no further CEQA evaluation for the 1145 Mission Street project is required. In sum, the Western SoMa PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located in the South of Market District on the block bounded by Mission Street, Julia Street, Minna Street, and 7<sup>th</sup> Street. Surrounding properties on the south side of Mission Street are also zoned MUO, while properties along the north side of Mission Street within the same street block are zoned C-3-G (Downtown General Commercial). The project site and adjacent properties on the same side of the street are within a 65-X height and bulk district, while nearby properties across the street are in height and bulk districts ranging from 120-S to 240-S. Building heights in the project area range from about one to five stories south of Mission Street, and about one to 20-plus stories north of Mission Street.

The project site is generally surrounded by commercial, office, light industrial, residential, and government uses. Land uses adjacent to the site include an office for the San Francisco Fire Department to the east and a live/work building to the south. Across the street from the project site on Mission Street is the 18-story (above ground floor) Federal Building and three connected 23-story multi-family residential towers with approximately 20 stories over ground-floor retail. A number of vacant properties exist along the south side of Mission Street within the same block. Residential homes line the Minna Street and Natoma Street blocks between 7<sup>th</sup> Street and 8<sup>th</sup> Street. The U.S. Court of Appeals building is located at the northwest corner of Mission Street and 7<sup>th</sup> Street intersection, and the Pacific Gas and Electric (PG&E) Mission Substation is located at the southwest corner of the intersection Mission Street and 8<sup>th</sup> Street intersection.

The project vicinity is an area of transition. Development projects within three blocks of the project site include a 13-story mixed-use building with 195 residential units (1270 Mission Street), two six-story mixed-use building containing 44 residential units (230 7<sup>th</sup> Street), a six-story building containing 87 SRO studio units (262 7<sup>th</sup> St.), a six-story, mixed use building containing 23 residential units (282 7<sup>th</sup> Street), and an eight-story tourist and residential hotel (99 6<sup>th</sup> Street). Also nearby are many changes of use and tenant improvement projects, including a two-story auto garage to office use (1125 Mission Street). Two blocks to the east of the project site, near the intersection of Mission Street and 5<sup>th</sup> Street is the four-acre 5M project, which involves the construction of four new buildings ranging in height from 50 feet to 470 feet. Four blocks to the west of the project site, near the intersection of Mission Street and South Van Ness Avenue, is the "Hub," where proposed projects include a 39-story mixed-use building (1500 Mission Street), a 27-story mixed use building (30 Otis Street,), and six other eight- to 40-story buildings within the Mission Street, South Van Ness Avenue, and Market Street corridor.

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<sup>2</sup> Adam Varat. 2014. San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning Analysis. 1145 Mission Street. May 15. This document (and all other documents cited in this report, unless otherwise noted) is on file and available for review as part of Case File No. 2007.0604E.

<sup>3</sup> Jeff Joslin, Director of Current Planning. 2015. Community Plan Exemption Eligibility Determination, Current Planning. September 1.

## POTENTIAL ENVIRONMENTAL EFFECTS

The proposed 1145 Mission Street project is in conformance with the height, use and density for the site described in the Western SoMa PEIR and would represent a small part of the growth that was forecast for the Western SoMa Community Plan. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 1145 Mission Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Western SoMa PEIR.

Significant and unavoidable impacts were identified in the Western SoMa PEIR for the following topics: historic resources, transportation and circulation, noise, air quality, and shadow. The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. **Table 1** (page 6) lists the mitigation measures identified in the Western SoMa PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Western SoMa PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>D. Cultural and Paleontological Resources</b>		
M-CP-1a: Documentation of a Historical Resource	Not applicable: site is not a historic resource and is not located in a historic district	Not applicable
M-CP-1b: Oral Histories	Not applicable: site is not a historic resource and is not located in a historic district	Not applicable
M-CP-1c: Interpretive Program	Not applicable: site is not a historic resource and is not located in a historic district	Not applicable
M-CP-4a: Project-Specific Preliminary Archeological Assessment	Applicable: soil disturbing activities proposed	The project sponsor shall retain an archeological consultant, submit an Archeological Testing Plan (ATP) for review, implement the ATP prior to soil disturbance, and, as needed, implement an Archeological Monitoring Program (AMP) with all soil-disturbing activities. Project sponsor and archeologist shall notify and mitigate the finding of any archeological resource in coordination with the Environmental Review Officer (ERO).
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Not applicable: negated by implementation of M-CP-4a/ archeological testing	Not applicable
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Applicable: adjacent historic resources present	The project sponsor shall incorporate into construction specifications a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings.

Mitigation Measure	Applicability	Compliance
M-CP-7b: Construction Monitoring Program for Historical Resources	Applicable: adjacent historic resources present	The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions.
<b>E. Transportation and Circulation</b>		
M-TR-1c: Traffic Signal Optimization (8 <sup>th</sup> /Harrison/I-80 WB off-ramp)	Not applicable: automobile delay removed from CEQA analysis	Not applicable
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not applicable: project would not remove loading spaces along Folsom Street	Not applicable
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not applicable: transit ridership generated by project would not considerably contribute to impact	Not applicable
<b>F. Noise and Vibration</b>		
M-NO-1a: Interior Noise Levels for Residential Uses	Not applicable: impacts of the environment on the project no longer a CEQA topic	Not applicable
M-NO-1b: Siting of Noise-Sensitive Uses	Not applicable: impacts of the environment on the project no longer a CEQA topic	Not applicable
M-NO-1c: Siting of Noise-Generating Uses	Not applicable: project is not proposing a noise-generating use	Not applicable
M-NO-1d: Open Space in Noisy Environments	Not applicable: impacts of the environment on the project no longer a CEQA topic	Not applicable

Mitigation Measure	Applicability	Compliance
M-NO-2a: General Construction Noise Control Measures	Applicable: project includes construction activities	The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques; locate stationary noise sources as far from adjacent or nearby sensitive receptors as possible; use hydraulically or electrically powered impact tools; and include noise control requirements to construction contractors. The project sponsor shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise.
M-NO-2b: Noise Control Measures During Pile Driving	Applicable: project could potentially include pile-driving activities	A set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. The project sponsor shall require the construction contractor to erect temporary plywood noise barriers along the project boundaries, implement “quiet” pile-driving technology, monitor the effectiveness of noise attenuation measures by taking noise measurements, and limit pile-driving activity to result in the least disturbance to neighboring uses.
<b>G. Air Quality</b>		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not applicable: project would not generate more than 3,500 daily vehicle trips	Not applicable, but project could be subject to the Transportation Demand Management Ordinance, if effective at the time of project approval.
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not applicable: superseded by Health Code Article 38	Not applicable
M-AQ-4: Siting of Uses that Emit PM <sub>2.5</sub> or other DPM and Other TACs	Not applicable: project-related construction and operation would not introduce substantial emissions	Not applicable

Mitigation Measure	Applicability	Compliance
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not applicable: project does not exceed the BAAQMD screening criteria	Not applicable
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: project includes construction in an area of poor air quality	The project sponsor shall undertake a project-specific construction health risk analysis to be performed by a qualified air quality specialist, as appropriate and determined by the Environmental Planning Division of the San Francisco Planning Department, for diesel-powered and other applicable construction equipment, using the methodology recommended by the Bay Area Air Quality Management District (BAAQMD) and/or the San Francisco Planning Department.
<b>I. Wind and Shadow</b>		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Not applicable: project would not exceed 80 feet in height	Not applicable
<b>L. Biological Resources</b>		
M-BI-1a: Pre-Construction Special-Status Bird Surveys	Applicable: project includes removal of shrubs	Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period.
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Not applicable: project does not include removal of buildings or other habitat for roosting bats	Not applicable
<b>O. Hazards and Hazardous Materials</b>		
M-HZ-2: Hazardous Building Materials Abatement	Not applicable: project does not include demolition of a pre-1970s building	Not applicable
M-HZ-3: Site Assessment and Corrective Action	Not applicable: superseded by Health Code Article 22A (Maher Ordinance)	Not applicable

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

## **PUBLIC NOTICE AND COMMENT**

A "Notification of Project Receiving Environmental Review" was mailed on May 11, 2015 to adjacent occupants and owners of properties within 300 feet of the project site and to community groups and other interested parties. 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. One comment was received asking for notification when the CPE is released. No other comments were received.

## **CONCLUSION**

As summarized above and further discussed in the CPE Checklist:<sup>4</sup>

1. The proposed project is consistent with the development density established for the project site in the Western SoMa Community Plan;
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 Western SoMa PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Western SoMa 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 Western SoMa 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 Western SoMa PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>4</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2007.0604E.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Community Plan Exemption Checklist

*Case No.:* **2007.0604E**  
*Project Title:* **1145 Mission Street**  
*Zoning/Plan Area:* Mixed Use – Office (MUO)  
65-X Height/Bulk District  
Western SoMa Community Plan Area  
*Block/Lot:* 3727/168  
*Lot Size:* 6,750 square feet  
*Project Sponsor:* Darren Lee, Landmark Lofts, LLC, (415) 271-0528  
*Staff Contact:* Jeanie Poling, (415) 575-9072, Jeanie.poling@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

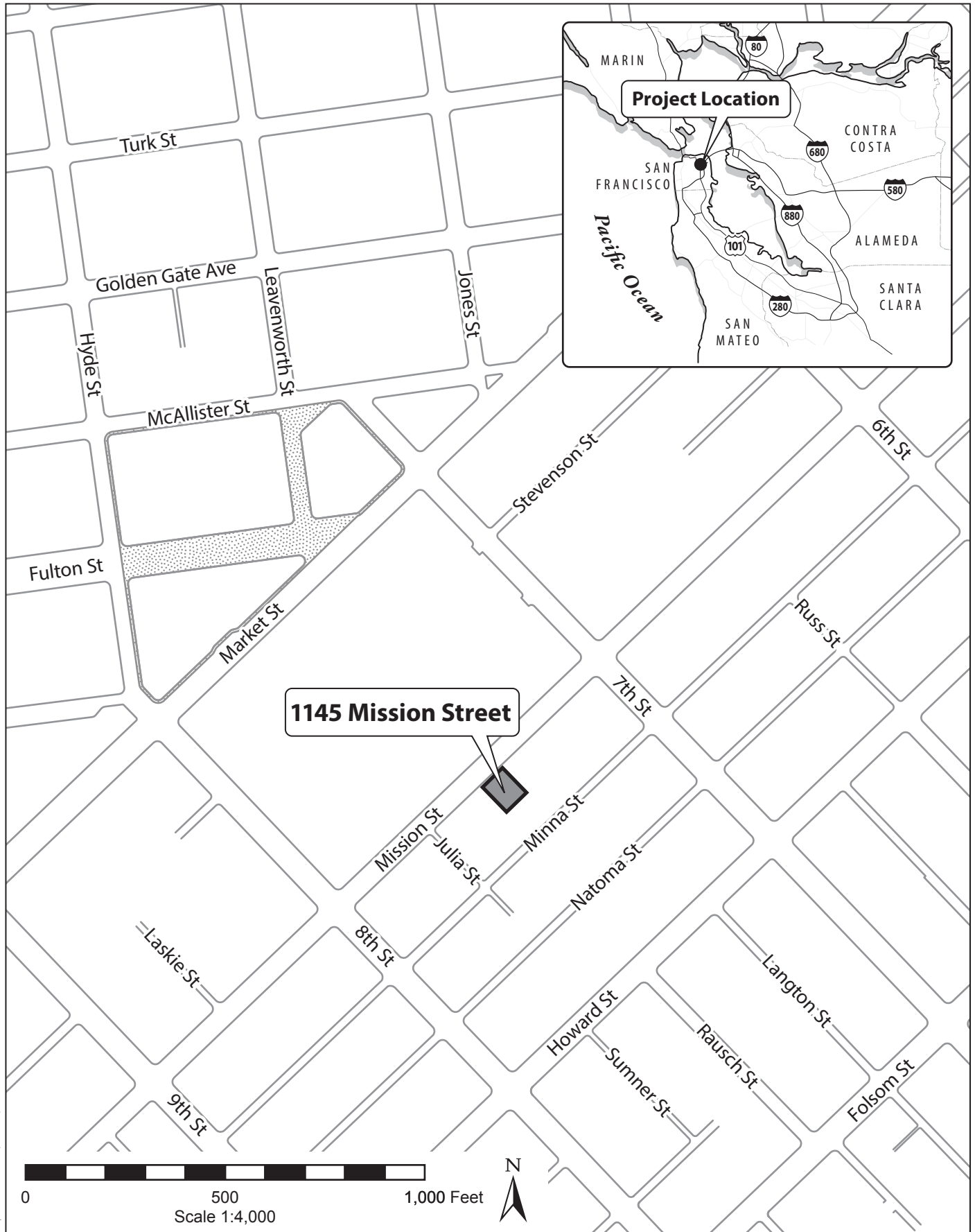
Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

The 1145 Mission Street project (proposed project) would construct a 65-foot tall (75 feet tall including the 10-foot-tall mechanical penthouse), 30,674-square-foot (sf) mixed-use building containing 25 dwelling units (18,725 sf), 4,125 sf of ground-floor retail, and parking for 12 vehicles and 13 bicycles in one basement level 12 feet below grade. The project site is located at 1145 Mission Street on Assessor's Block 3721, Lot 168. The 6,750-sf site is located on the south side of Mission Street on the block bounded by Mission Street, Julia Street, Minna Street, and 7<sup>th</sup> Street in the Western South of Market (SoMa) neighborhood and is within the Mixed Use – Office (MUO) Zoning District and the 65-X Height and Bulk District. **Figure 1** (page 2) shows the location of the project site within the Western SoMa Community Plan.

The proposed residential units would comprise 15 one-bedroom and 10 two-bedroom units in the five floors above the ground-floor retail space (for a total of six stories in the building). The ground floor and basement level would cover the entire lot, while the second through sixth floors would be set back 22.5 feet from the rear property line, where a six-story live-work building is built out to the shared lot line of the adjacent property. Private decks would be included for 10 units, and approximately 1,350 sf of common open space would be provided on the rear of the second floor and on a rooftop courtyard. Provisions for street frontage tree planting would be carried out pursuant to San Francisco requirements.





1145 Mission Street Community Plan Exception Project  
 Case No. 2007.0604E  
 May 12, 2014

**Figure 1**  
**Project Site Location**

The City is considering significant changes to the inclusionary affordable housing requirement as currently regulated by Planning Code Section 415 and the City Charter. The proposed project would not be affected by these proposed changes because its environmental evaluation application was received prior to January 1, 2013. The proposed project must comply with affordable housing requirements in effect on January 12, 2016. These requirements are to provide one of the following: on-site (12 percent or three units), off-site (20 percent or five units), or through an in-lieu fee (20 percent).

The proposed project would include below-grade parking for 12 vehicles and 13 bicycles. The parking level would total approximately 6,380 sf, including storage areas. The garage would be accessed through a 10-foot-wide garage door separating the residential and retail entrances on Mission Street.

The project site is currently vacant; the western two-thirds (approximately 50 feet by 90 feet) of the site is excavated to a depth of approximately 14 feet below street grade, where, prior to 2006, the basement of a two-story brick commercial building constructed in 1907 existed. A previous project (Planning Case No. 2000.531E, Building Permit No. 200007145147) involved a vertical and horizontal expansion of the then-existing on-site building for the creation of live/work lofts; the project was approved in 2004 but was not constructed. In violation of the permit, the entire previously existing building was demolished in 2006.

Construction of the currently proposed project would occur over approximately 16 to 18 months. Construction equipment to be used would include backhoes, excavators, and construction cranes. In addition to the western portion of the project site that was previously excavated to 14 feet, the entire project site would be excavated to a depth of 16 feet to accommodate the foundation and the 12-foot-deep basement level. The total amount of excavation for the project would be approximately 1,300 cubic yards (cy) of soil.

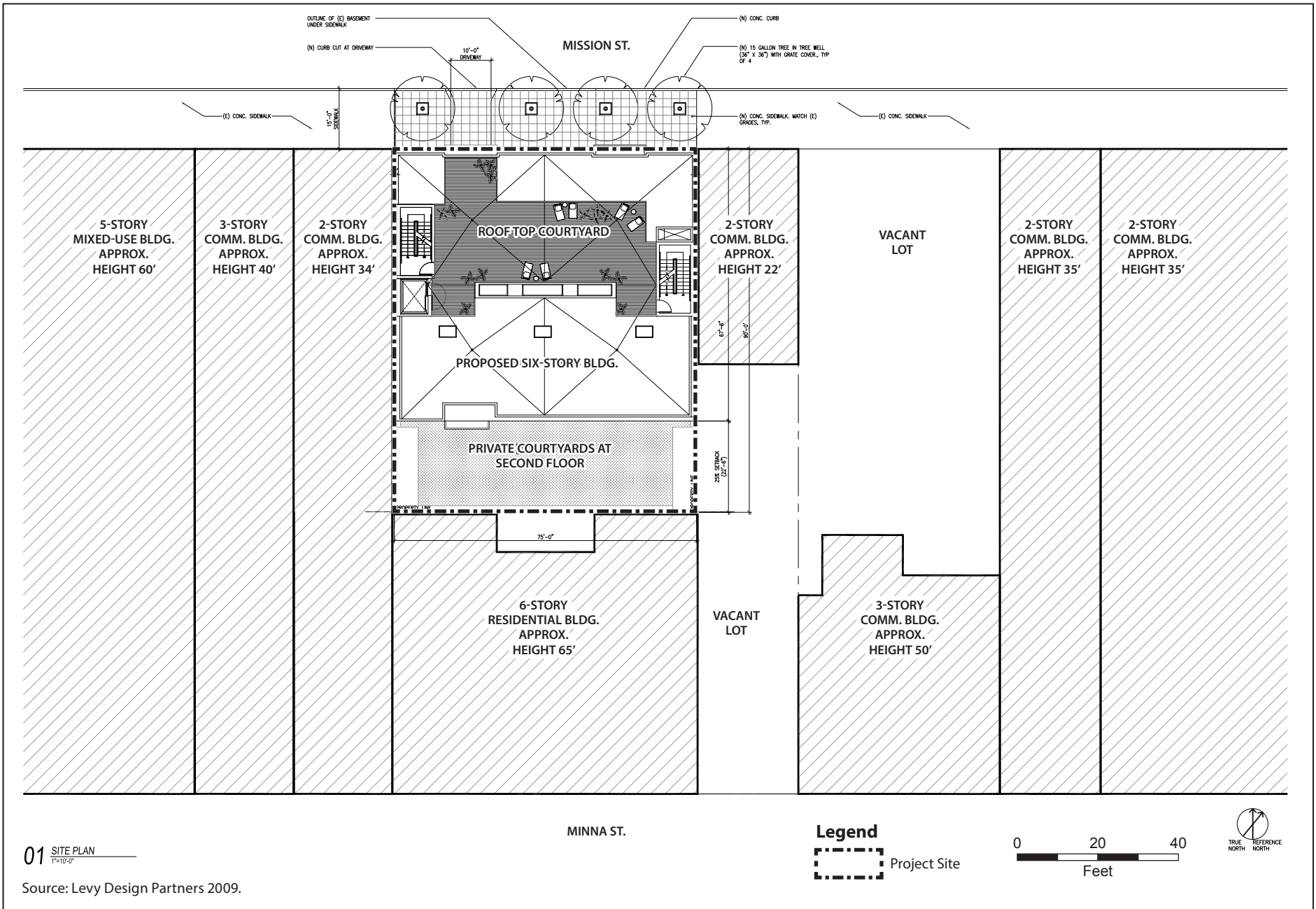
**Figures 2 through 6** (pages 4 through 8) show the proposed site plan for the proposed project, and **Figures 7 through 11** (pages 9 through 13) show the floor plans, building elevations, and building sections.

## PROJECT APPROVAL

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*)
- **Building Permit** (Department of Building Inspection)

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

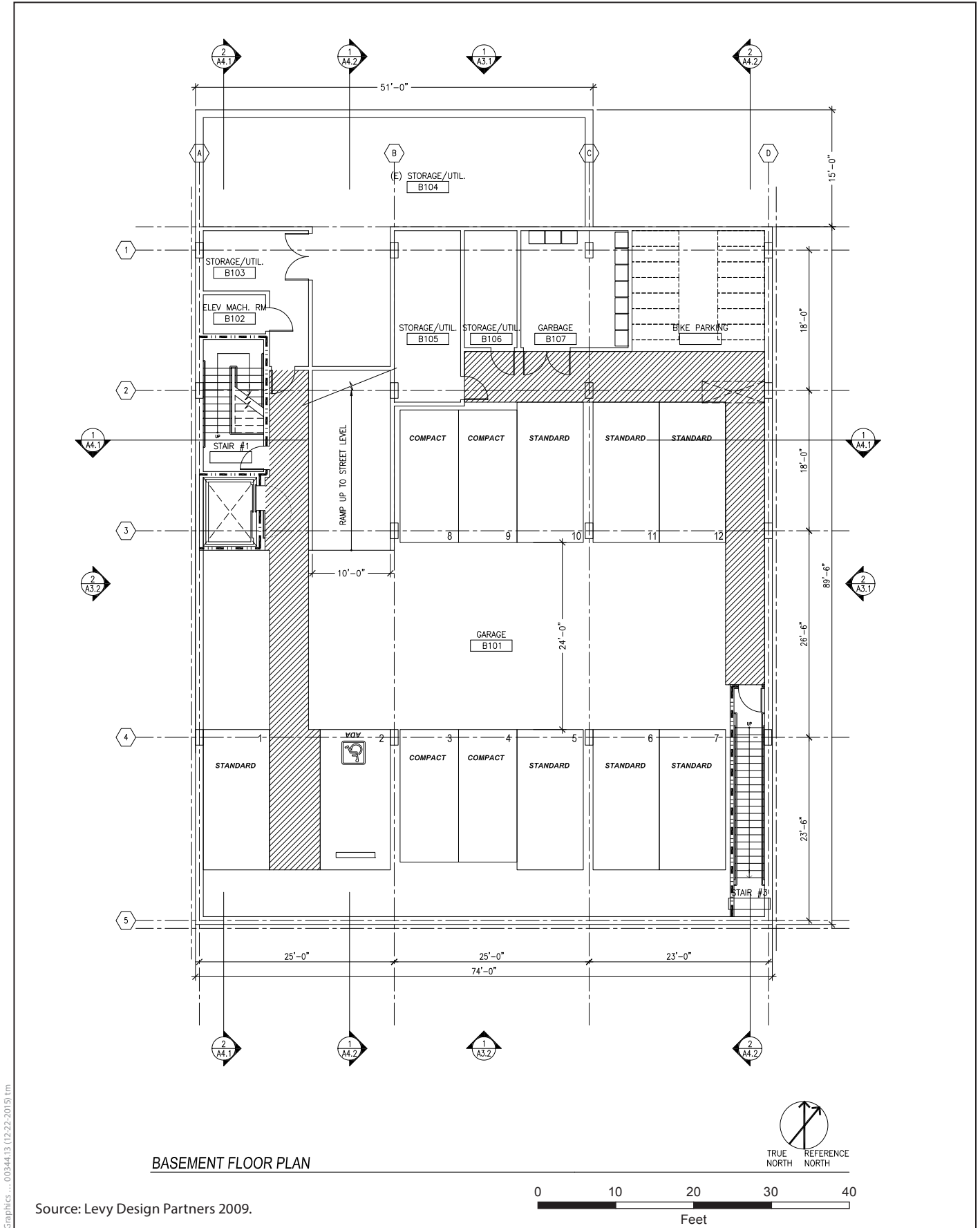


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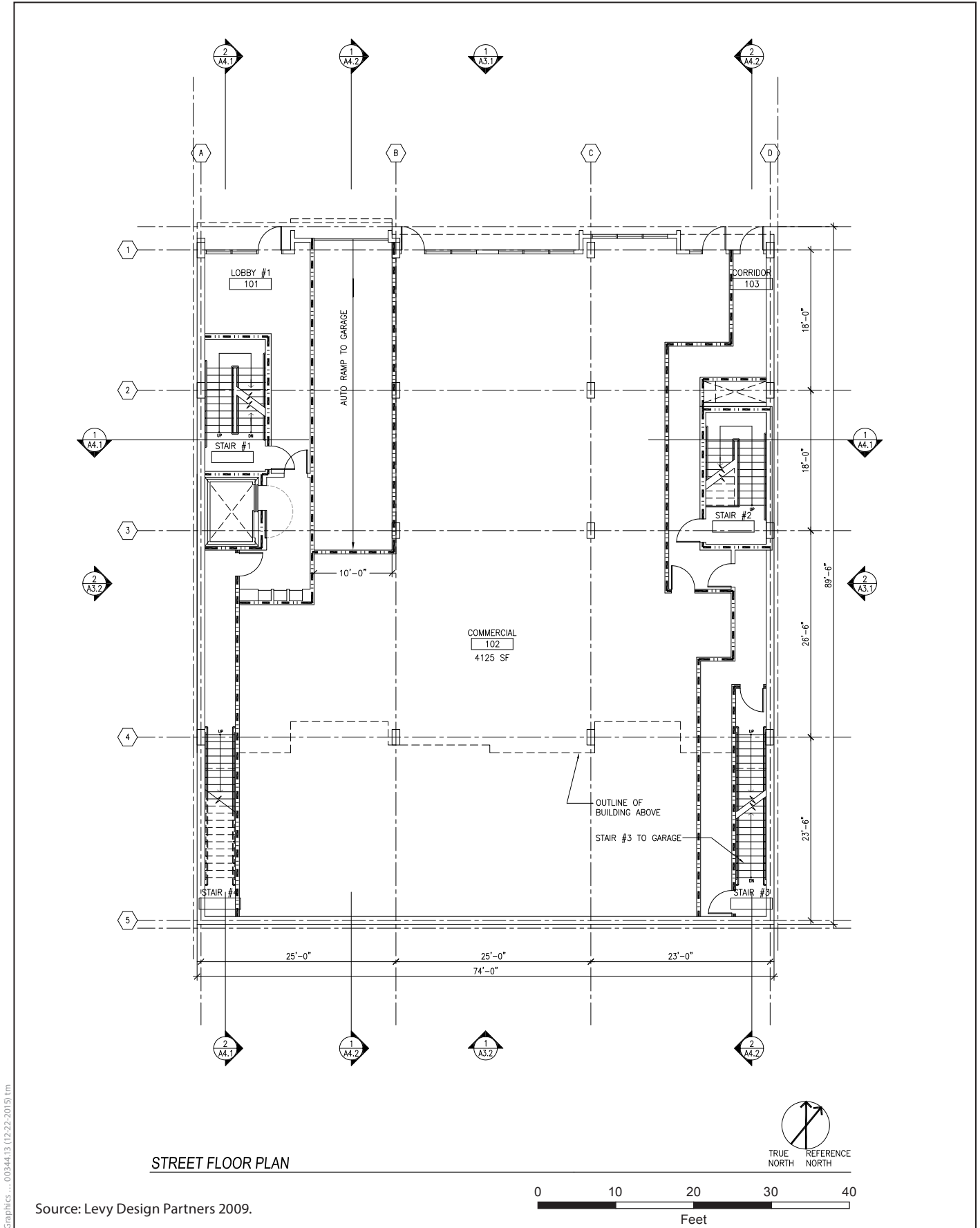
1145 Mission Street Community Plan Exception Project  
 Case No. 2007.0604E  
 May 12, 2014

**Figure 2**  
**Proposed Site Plan and Rooftop Plan**



1145 Mission Street Community Plan Exception Project  
Case No. 2007.0604E

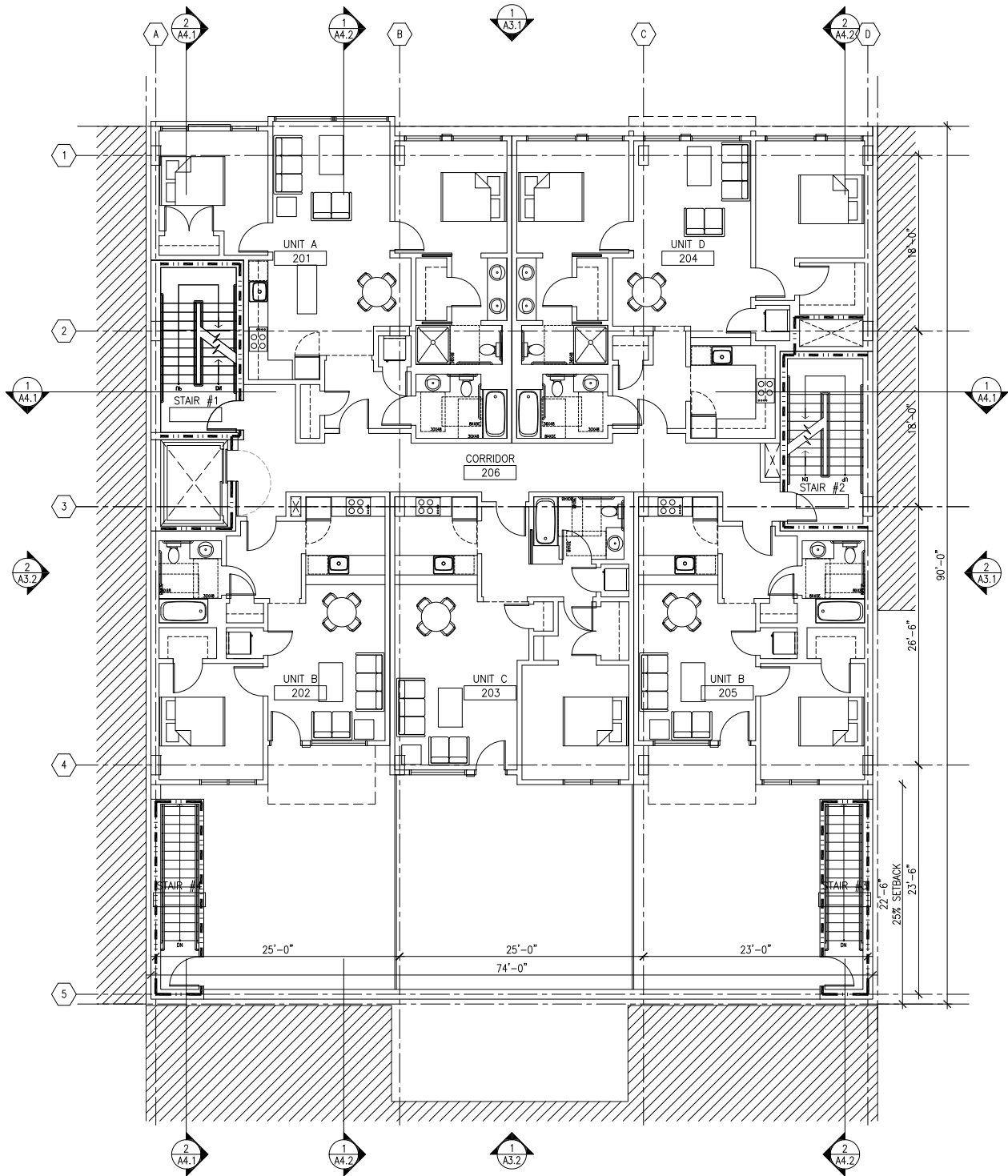
**Figure 3**  
**Proposed Basement Floor Plan**



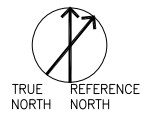
STREET FLOOR PLAN

Source: Levy Design Partners 2009.

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**SECOND FLOOR PLAN**

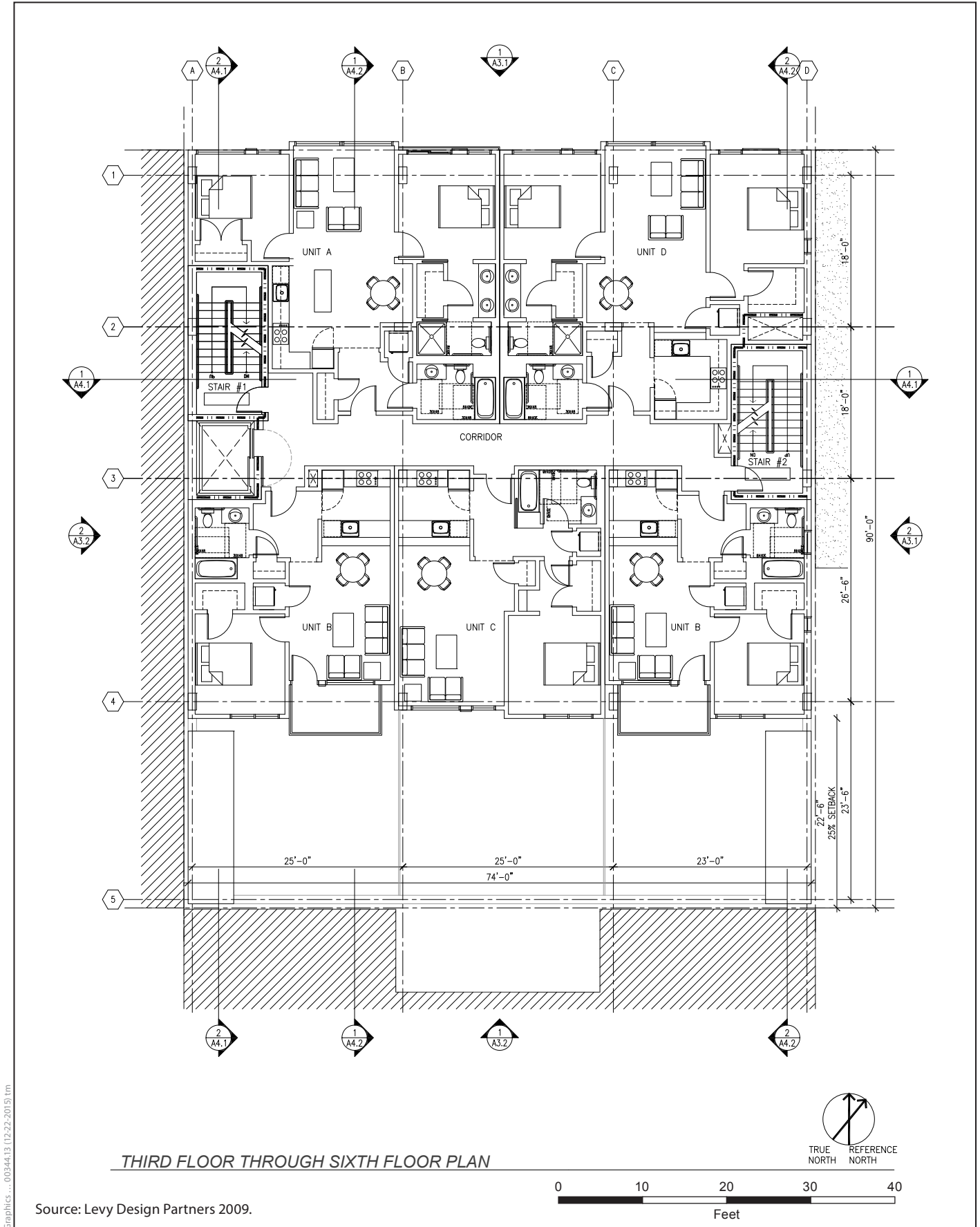


Source: Levy Design Partners 2009.

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1145 Mission Street Community Plan Exception Project  
Case No. 2007.0604E

**Figure 5**  
**Proposed 2nd Floor Plan**



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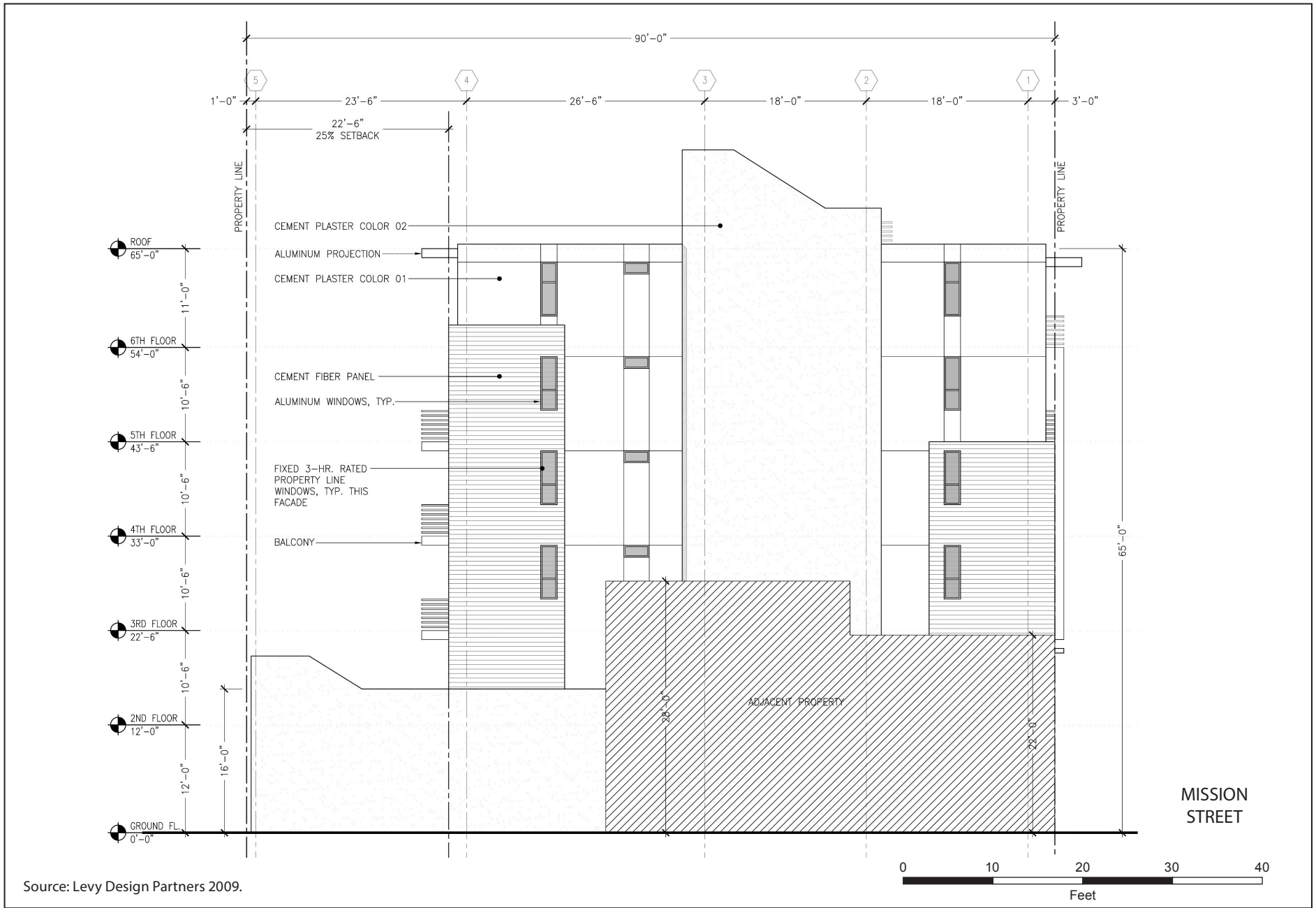


Source: Levy Design Partners 2009.

1145 Mission Street Community Plan Exception Project  
Case No. 2007.0604E

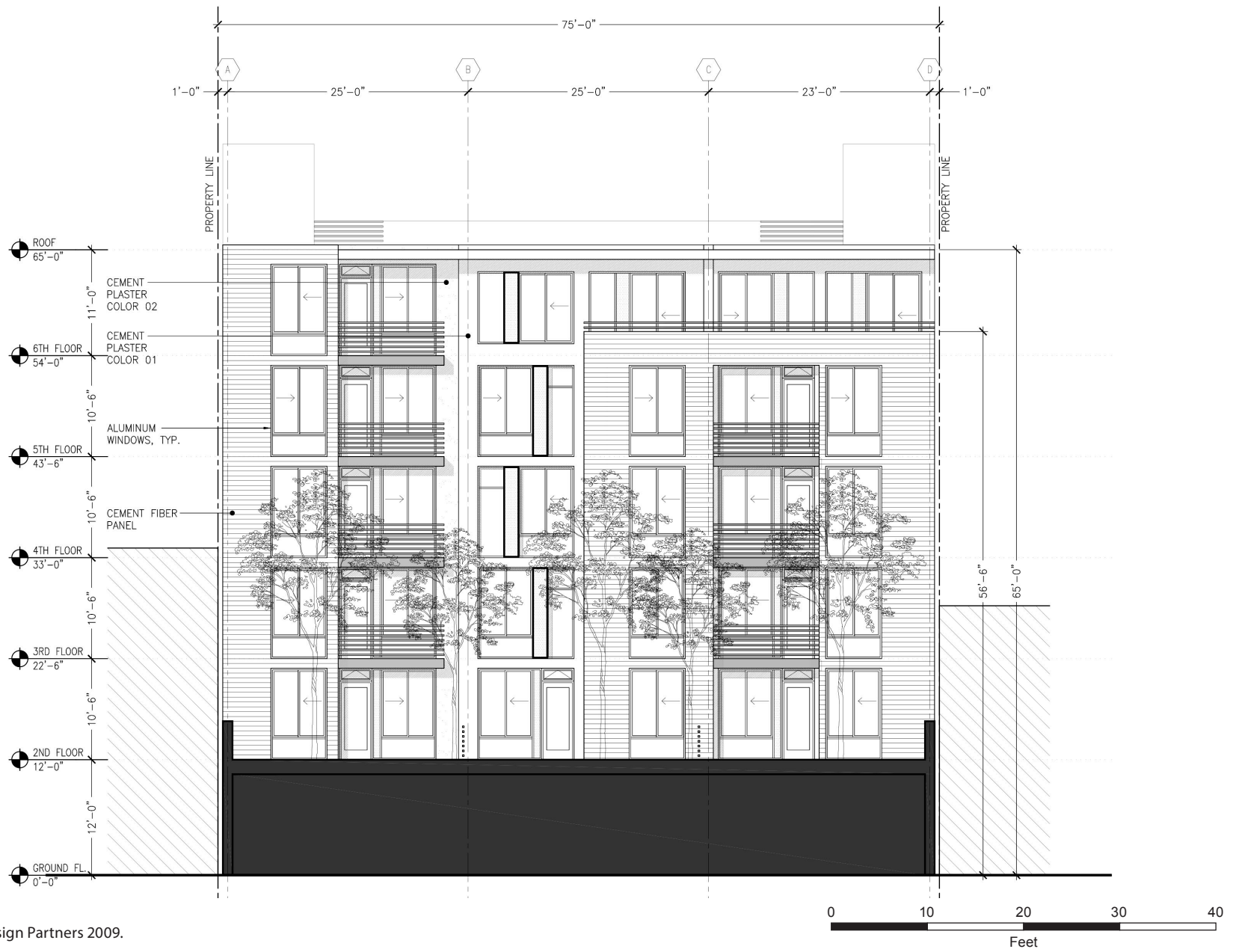
**Figure 7**  
**Mission Street Elevation**





1145 Mission Street Community Plan Exception Project  
Case No. 2007.0604E

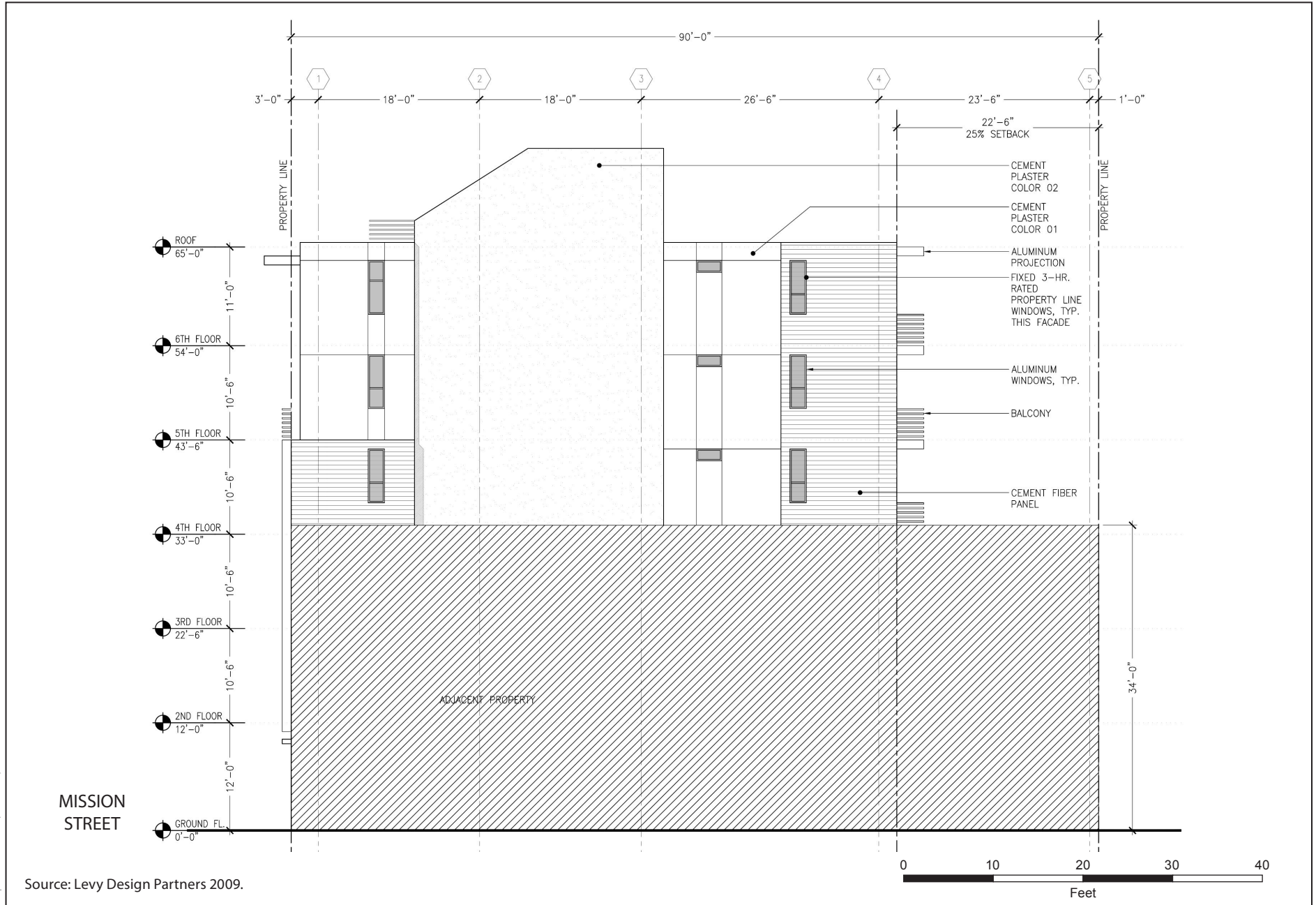
**Figure 8**  
**East Side Elevation**



Source: Levy Design Partners 2009.

1145 Mission Street Community Plan Exception Project  
Case No. 2007.0604E

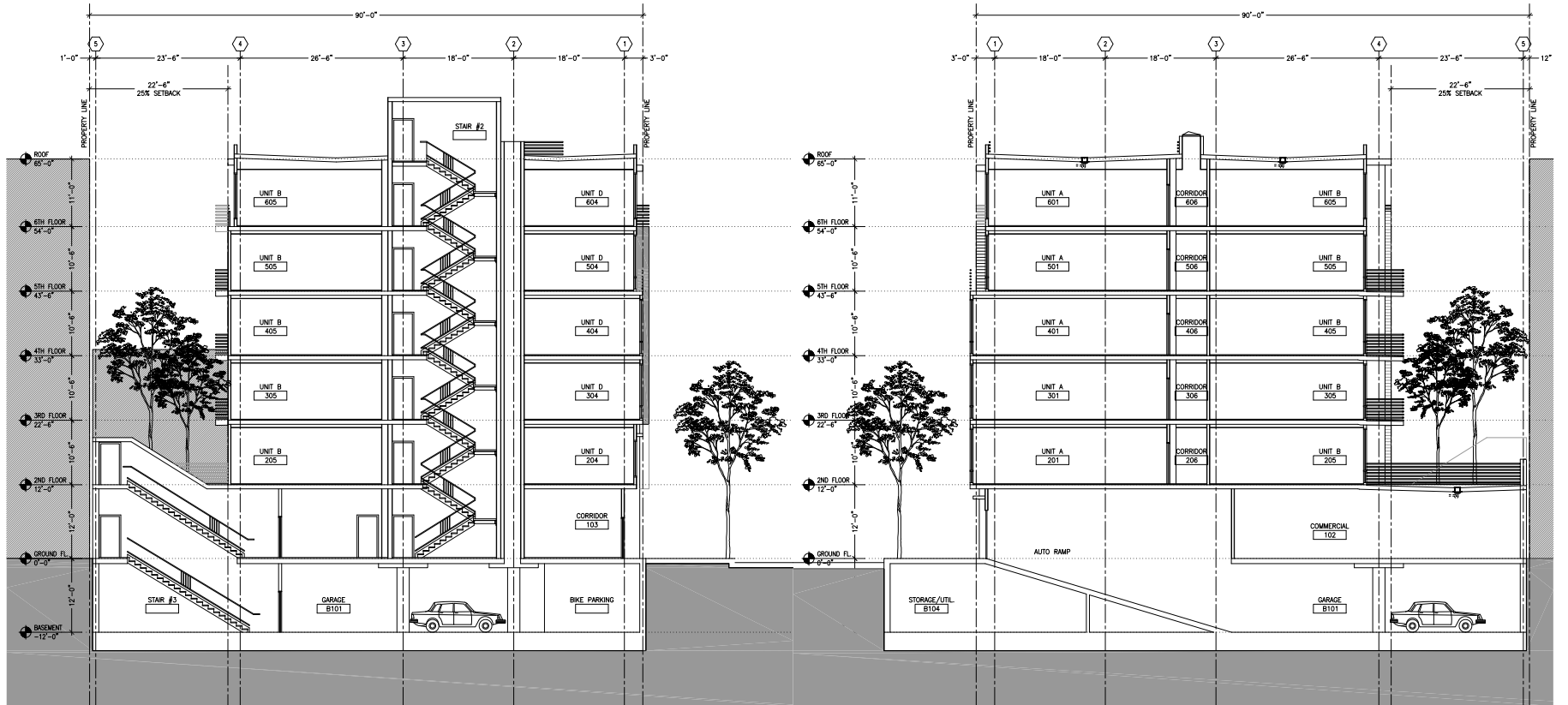
**Figure 9**  
**Courtyard Elevation**



Source: Levy Design Partners 2009.

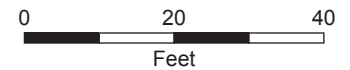
1145 Mission Street Community Plan Exception Project  
Case No. 2007.0604E

**Figure 10**  
**West Side Elevation**



02 SECTION 2  
1/8"=1'-0"

01 SECTION 1  
1/8"=1'-0"



Source: Levy Design Partners 2009.

## EVALUATION OF ENVIRONMENTAL EFFECTS:

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project (Western SoMa PEIR).<sup>1</sup> The CPE Checklist indicates 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 Western SoMa 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 Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code 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 listed at the end of this document.

The Western SoMa PEIR identified significant impacts related to transportation and circulation, cultural and paleontological resources, wind and shadow, noise and vibration, air quality, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to shadow, transportation and circulation, cultural and paleontological resources, air quality, and noise. Aside from shadow, mitigation measures were identified for the above impacts and reduced these impacts to less than significant except for those related to transportation (program-level and cumulative traffic impacts at three intersections; and cumulative transit impacts on several San Francisco Municipal Transportation Agency (Muni) lines), cultural and paleontological resources (cumulative impacts from demolition of historic resources), noise (cumulative noise impacts), air quality (program-level toxic air contaminants (TACs) and fine particulate matter (PM<sub>2.5</sub>) pollutant impacts, program-level and cumulative criteria air pollutant impacts).

## CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Western SoMa PEIR in 2012, 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 Western SoMa Plan Area. 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:

- State statute regarding aesthetics and parking impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled, (VMT), effective March 2016 (see “Senate Bill 743” and “Transportation” below);

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<sup>1</sup> San Francisco Planning Department. 2012. Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report (PEIR). Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Certified December 6, 2012. Available: <<http://www.sf-planning.org/index.aspx?page=1893>>.

- Transit Effectiveness Project (aka “Muni Forward”) adopted in March 2014, increased transportation and transit funding through passage of Propositions A and B in November 2014, and the Transportation Sustainability Program<sup>2</sup> (see “Transportation” below);
- San Francisco ordinance establishing Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, Health Code Section 38 amended December 2014 (see “Air Quality” below); and
- San Francisco Recreation and Open Space Element of the General Plan, adopted April 2014 (see “Recreation” below); and
- Health Code Article 22A, amended August 2013 (see “Hazardous Materials” below).

The proposed project would include construction of 65-foot-tall, 30,674-square-foot (sf) mixed-use building containing 25 dwelling units (18,725 sf), 4,125 sf of ground-floor retail, and a basement parking garage. As discussed in this checklist below, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Western SoMa PEIR.

## **SENATE BILL 743**

### **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.<sup>3</sup> Project design details, including parking, are included in the project description.

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

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

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<sup>2</sup> San Francisco Planning Department. “Transportation Sustainability Program.” Available: <<http://tsp.sfplanning.org>>.

<sup>3</sup> San Francisco Planning Department. 2016. CEQA Section 21099 – Modernization of Transportation Analysis for 1145 Mission Street. April 5, 2016. 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. 2007.0604E.



capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*<sup>4</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Western SoMa PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measure M-TR-1c: Traffic Signal Optimization (8<sup>th</sup>/Harrison/I-80 WB off-ramp). Instead, a VMT impact analysis is provided in the Transportation section.

<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>1. LAND USE AND LAND USE PLANNING— Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that adoption of the Western SoMa Community Plan would not result in a significant impact related to land use and would not result in a cumulative loss of production, distribution, and repair (PDR) uses. The Western SoMa PEIR anticipated that future development under the Community Plan would result in more cohesive neighborhoods and would include more clearly defined residential, commercial, and industrial areas. No mitigation measures were identified in the PEIR.

An EIR Addendum for Rezoning of Adjacent Parcels (Addendum) was adopted in October 2013. The project evaluated in the Addendum included rezoning for a cluster of parcels along Mission Street and 10<sup>th</sup> Street (referred to as the Adjacent Parcels) that were analyzed in the Western SoMa Community Plan Final EIR (FEIR), but not included within the Western SoMa Plan Area or rezoning. The 1145 Mission Street project site is included in the FEIR as one of these Adjacent Parcels. Changes addressed in the

<sup>4</sup> The Governor’s Office of Planning and Research. “Updating the Analysis of Transportation Impacts Under CEQA.” Available: <[https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php)>

Addendum did not result in changes to the analysis, conclusions, or mitigation measures presented in the Western SoMa FEIR.<sup>5</sup>

When the rezoning occurred, the project site was rezoned from SLR (Service/Light-Industrial/Residential) to MUO (Mixed-Use Office). As currently presented, the proposed project meets the development density for the project site as proposed under the Western SoMa Community Plan. The Citywide Planning and Neighborhood Planning Divisions of the Planning Department have determined that the proposed project is permitted in the MUO Zoning District and is consistent with the height, density, and land uses as specified in the Western SoMa Community Plan, maintaining the mixed character of the area by encouraging residential and commercial development.<sup>6,7</sup>

The project would not physically divide an established community, conflict with applicable land use regulations, or have a substantial impact upon the existing character of the vicinity. For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to land use and land use planning.

<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>2. POPULATION AND HOUSING—</b>				
<b>Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Western SoMa Community Plan was to identify appropriate locations for housing to meet the Citywide demand for additional housing. The Western SoMa PEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the rezoning and that any population increase would not, in itself, result in adverse physical effects, but 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

<sup>5</sup> San Francisco Planning Department. 2013. Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project, Final Environmental Impact Report (FEIR). Planning Department Case No. 2008.0877E. Certified December 6, 2012. Addendum certified October 10, 2013. Available: <<http://www.sf-planning.org/index.aspx?page=1893>>.

<sup>6</sup> San Francisco Planning Department. 2014. Community Plan Exemption Eligibility Determination, Citywide Planning Analysis. 1145 Mission Street. May 15, 2014.

<sup>7</sup> Jeff Joslin, Director of Current Planning. 2015. Community Plan Exemption Eligibility Determination, Current Planning. September 1.



all of the Community Plan project area. The Western SoMa PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the Western SoMa PEIR.

The proposed 30,674-sf mixed-use building would contain 25 dwelling units (18,725 sf) and ground-floor retail (4,125 sf). These uses would be expected to add approximately 57 residents<sup>8</sup> and approximately 10 employees<sup>9</sup> to the site. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Western SoMa Community Plan, and were evaluated in the Western SoMa PEIR. The proposed project will comply with affordable housing requirements in effect on January 12, 2016. These requirements are to provide one of the following: on-site (12 percent or three units), off-site (20 percent or five units), or through an in-lieu fee (20 percent).

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Western SoMa PEIR.

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

**Historic Architectural Resources**

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Western SoMa PEIR identified significant and unavoidable impacts related to causing a substantial adverse change in the significance of a historic resource through demolition.

The project site is currently vacant; approximately two-thirds (50 feet by 90 feet) of the site, in the western portion, has been previously excavated to a depth of approximately 14 feet below street grade. Prior to 2006, the project site contained a two-story brick commercial building constructed in 1907. A previous project (Planning Case No. 2000.531E, Building Permit No. 200007145147) involved a vertical and

<sup>8</sup> Based on an average household size of 2.26 persons per household in the City (2010 Census).

<sup>9</sup> Based on a standard generation rate of 450 gsf of retail space per employee.

horizontal expansion of the previously existing building for the creation of live/work lofts. This project was approved in 2004 but was not constructed. In violation of the permit, the entire previously existing building was demolished in 2006, and the site is currently vacant. Because no structures are present at the site, the mitigation measures outlined in the Western SoMa PEIR related to historic resources would not be required.

The Western SoMa PEIR anticipated that project-specific construction activity could result in substantial damage to adjacent properties identified as historic resources. PEIR Mitigation Measures M-CP-7a (Protect Historical Resources from Adjacent Construction Activities) and M-CP-7b (Construction Monitoring Program for Historical Resources) require project sponsors, in consultation with the Planning Department, to determine whether historic buildings are within 100 feet (if pile driving is proposed) or 25 feet (if heavy equipment is proposed) of a construction site. If so, the project sponsor must ensure that contractors use all feasible means to avoid damage to those historic buildings during demolition and construction (PEIR Mitigation Measure M-CP-7a), and undertake a monitoring program to ensure that any such damage is documented and repaired (PEIR Mitigation Measure M-CP-7b). Pile driving would not be used for construction of the proposed project, but heavy equipment would be used for portions of the construction. The building immediately west of the project site (1151-1153 Mission Street) is designated as a Category A historic resources and is within 25 feet of excavation for the proposed project. The building immediately east of the project site (1139 Mission Street) is designated as a Category B historic resources and is within 25 feet of excavation for the proposed project. Accordingly and pursuant to PEIR Mitigation Measure M-CP-7a and PEIR Mitigation Measure M-CP-7b (identified as Project Mitigation Measures 1 and 2 under Mitigation Measures at the end of this checklist), the project sponsor shall:

1. Incorporate into construction specifications a requirement that contractors use all feasible means to avoid damage to the structures at 1151-1153 Mission Street and 1139 Mission Street, including use of construction techniques that reduce vibration, use of appropriate excavation shoring methods, and use of adequate security to minimize risks of vandalism and fire; and
  1. Prepare and implement a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired.

With implementation of Mitigation Measures M-CP-7a and M-CP-7b (identified in this document as **Project Mitigation Measures 1** and **2**, respectively, on page 45) the proposed project would not contribute to construction-related historic architectural resource impacts. In compliance with the mitigation measures, the proposed project would require implementation of protection methods and a monitoring program during construction in order to reduce these impacts to a less-than-significant level.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Western SoMa Community Plan PEIR.

### **Archeological Resources**

The Western SoMa PEIR determined that implementation of the Community Plan could result in significant impacts on archeological resources and identified two mitigation measures that would reduce these potential impacts to a less than-significant level. Western SoMa PEIR Mitigation Measure M-CP-4a:

Project-Specific Preliminary Archeological Assessment and M-CP-4b: Procedures for Accidental Discovery of Archeological Resources apply to projects involving any soils-disturbing or soils-improving activities including excavation to a depth of five or more feet below grade.

A portion of the project site had been previously excavated to a depth of approximately 14 feet below street grade. However, additional excavation would occur for the below-grade parking area and/or for foundation support. As part of the project, the portion of the project site that has not previously been excavated would be excavated to a depth of 16 feet below street grade. Therefore, Mitigation Measure M-CP-4a would apply to the project. The archeological testing program required as part of Mitigation Measure M-CP-4a, as discussed below, would nullify the need for an accidental discovery program; therefore, Mitigation Measure M-CP-4b would not apply to the project.

As part of project implementation of Mitigation Measure M-CP-4a, the Planning Department’s archeologists conducted a Preliminary Archeology Review (PAR) of the project site and the proposed project.<sup>10</sup> The PAR determined that the potential of the project to adversely affect archeological resources would be avoided by implementation of the Planning Department’s Third Standard Archeological Mitigation Measure (Archeological Testing). Therefore, in accordance with Mitigation Measure M-CP-4a (**Project Mitigation Measure 3** on page 45), the project sponsor would be required to retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List maintained by the Planning Department archeologists, and the selected archeological consultant would be required to undertake an archeological testing program as specified in **Project Mitigation Measure 3** on page 45. The project would not result in significant impacts related to archeological resources with implementation of this mitigation measure.

For the reasons above, the proposed project would not result in significant impacts on cultural resources that were not identified in the Western SoMa PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION— Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>10</sup> San Francisco Planning Department. 2015. Archeological Review. September 22, 2015.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) 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 Western SoMa PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, emergency access, or construction. Because the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on pedestrians, bicyclists, emergency access, or construction beyond those analyzed in the Western SoMa PEIR. Transportation system improvements included as part of the Western SoMa Plan were identified to have significant impacts related to loading, but the impact was reduced to less than significant with mitigation. There are no impacts particular to the project or the project site. Accordingly, consistent with the Western SoMa PEIR, the proposed project would not conflict with any applicable transportation plans, ordinances, policies, or programs.

The Western SoMa PEIR anticipated that adoption of the Western SoMa Community Plan could result in significant impacts on traffic, transit, and loading, and identified four transportation mitigation measures. One mitigation measure reduced loading impacts to less than significant. Even with mitigation, however, it was anticipated that the significant adverse traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

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

The Western SoMa 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 Community Plan Exemption Checklist topic 4c is not applicable.

## Vehicle Miles Traveled (VMT) Analysis

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>11,12</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>13</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>14</sup> Average daily VMT for all three land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 623.

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<sup>11</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

<sup>12</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>13</sup> Includes the VMT generated by the households in the development.

<sup>14</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

**Table 1: Daily Vehicle Miles Traveled**

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 623	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 623
Households (Residential)	17.2	14.6	2.0	16.1	13.7	1.8
Employment (Retail)	14.9	12.6	8.2	14.6	12.4	8.0

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets screening criteria, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required.

Table 1 identifies the regional VMT, 15 percent below the regional average VMT, and the VMT in the transportation analysis zone (TAZ) in which the project site is located (623). In TAZ 623, the existing average daily household VMT per capita is 2.0 and the existing average daily retail employee VMT per capita is 8.2. The TAZ 623 VMT averages are more than 15 percent below the existing regional VMT averages of 17.2 and 14.9, respectively, and the proposed project would not result in substantial additional VMT.<sup>15</sup> Table 1 also identifies the future 2040 regional average VMT, 15 percent below the regional average VMT, and the VMT in the TAZ in which the project is located. In TAZ 623, the future 2040 average daily household VMT per capita is 1.8 and the future 2040 average daily retail employee VMT per capita is 8.0. These averages are more than 15 percent below the future 2040 regional VMT averages of 16.1 and 14.6, respectively, and the proposed project would not result in substantial additional VMT.<sup>16</sup> Therefore, the proposed project would not cause substantial additional VMT and impacts would be less than significant.

### Trip Generation

The proposed project involves construction of a 30,674-sf mixed-use building containing 25 dwelling units (18,725 sf) and ground-floor retail (4,125 sf). The proposed residential units would be comprised of 15 one-bedroom and 10 two-bedroom units in the five floors above ground level (for a total of six stories in the building). The project would provide up to 12 vehicle and 13 bicycle parking spaces in a below-grade garage.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>17</sup> The proposed project would generate an

<sup>15</sup> San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 1601 Mission Street, March 14, 2016.

<sup>16</sup> *Ibid.*

<sup>17</sup> San Francisco Planning Department. 2013. Transportation Calculations for 1145 Mission Street. June 6, 2013.

estimated 867 person trips (inbound and outbound) on a weekday daily basis, consisting of 280 person trips by auto, 195 transit trips, 300 walking trips and 93 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 96 person trips, consisting of 29 person trips by auto (15 vehicle trips accounting for vehicle occupancy data for this Census Tract), 24 transit trips, 33 walk trips, and 9 trips by other modes.

### **Transit**

Western SoMa Mitigation Measure M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts was adopted to address significant transit impacts. Subsequently, as part of the Transportation Sustainability Program the San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>18</sup> The Transportation Sustainability Fee updated, expanded, and replaced the prior Transit Impact Development Fee.

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) involved system-wide review and evaluation, and made recommendations to improve service and increase transportation efficiency. Service improvements have been made along several routes with the Western SoMa Plan Area, including the 14 and 14R transit lines.

San Francisco Transportation and Road Improvement Bond, Proposition A, approved in November 2014, authorized the city to borrow \$500 million through issuing general obligation bonds in order to meet transportation infrastructure needs of the city. The projects to be funded include Muni Forward projects; pedestrian, bicycle, and vehicle, safety programs; transit vehicle maintenance. San Francisco Adjusting Transportation Funding for Population Growth, Proposition B, also approved in November 2014, increases the base contribution to SFMTA by a percentage equal to the city's annual population increase.

The project site is located within 0.25 mile of several local transit lines, including Muni bus lines 12, 14, and 19; Muni Rapid bus lines 9R and 14R; Muni Metro lines J, K, L, M, N, and T; and the Civic Center BART and Muni station. The proposed project would be expected to generate 195 daily transit trips, including 24 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 24 p.m. peak hour transit trips would be accommodated by existing capacity. Accordingly, 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.

The Western SoMa Community Plan PEIR identified less-than-significant impacts relating to exceedance of the capacity utilization standards for Muni lines or regional transit providers, or a substantial increase in delays or operating costs. However, the Western SoMa Community Plan PEIR identified significant cumulative (2030) transit impacts for the "Other Lines" corridor, which includes the J Church, 10 Townsend, 12 Folsom-Pacific, 19 Polk, and 27 Bryant routes within the Southeast Screenline related to additional programmatic growth. The Western SoMa PEIR identified Mitigation Measure M-C-TR-2 to impose development impact fees. Even with this mitigation, however, the cumulative transit impact of

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<sup>18</sup> Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

the Western SoMa Plan Area development was found to be significant and unavoidable and a Statement of Overriding Considerations related to this impact was adopted as part of the PEIR Certification and Plan approval. The proposed project’s 24 p.m. peak hour transit trips would represent a less than one percent contribution to both the “Other Lines” corridor and the Southeast Screenline. As such, the proposed project would not make a cumulatively considerable contribution to the unacceptable levels of cumulative transit service identified in the Western SoMa PEIR. Mitigation Measure M-C-TR-2 is, therefore, not applicable to the proposed project. However, as discussed above, the proposed project would be subject to the Transportation Sustainability Fee.

**Conclusion**

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Western SoMa Community Plan PEIR related to transportation and circulation and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Western SoMa PEIR. No mitigation would be warranted.

<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>5. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that implementation of the Western Soma Area Plan would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to traffic-generated noise levels along major streets throughout the plan area. The Western SoMa PEIR identified six noise mitigation measures, three of which may be applicable to subsequent



development projects.<sup>19</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into Section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical requirement for non-residential uses. Both compliance methods require wall, floor/ceiling, and window assemblies to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise standards are achieved. In compliance with Title 24, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses requires a noise analysis for new development including commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity in order to reduce potential conflicts between existing sensitive receptors and new noise-generating uses. The proposed project includes retail use on the ground floor that could be considered a noise-generating use. However, the proposed retail use would comply with the land use noise compatibility requirements in the San Francisco General Plan and Police Code Section 2909, would not adversely affect nearby noise-sensitive uses, and there would be no particular circumstances about the project site that appear to warrant heightened concern about noise levels that would be generated by the proposed retail use. Therefore, Mitigation Measure M-NO-1c would not apply to the proposed project.

Mitigation Measures M-NO-2a: General Construction Noise Control Measures and M-NO-2b: Noise Control Measures during Pile Driving require implementation of noise controls during construction in order to reduce construction-related noise impacts. The proposed project would involve construction of a six-story mixed-use building and, therefore, would contribute to construction-related noise impacts. The project would be subject to Mitigation Measures M-NO-2a—detailed under **Project Mitigation Measure 4** on page 49—in order to reduce these impacts to a less-than-significant level. The foundation may require pile driving, although if needed, the project sponsor would utilize pre-drilled piers to reduce the

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<sup>19</sup> Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d 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 *Western SoMa PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Western SoMa Area Plan would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures M-NO-1a, M-NO-1b are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

resulting noise and groundborne vibration created by this construction activity. Therefore, since the foundation may require pile driving and could potentially result in vibration effects typically generated by pile-driving activities, Mitigation Measure M-NO-2b would apply to the proposed project and is included as **Project Mitigation Measure 5** on page 50, and would reduce the construction noise and vibration impacts to less-than-significant levels.

In addition, all construction activities for the proposed project (occurring over the course of approximately 16 to 18 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA<sup>20</sup> ( $L_{dn}$ <sup>21</sup>) 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 the Department of Public Works (DPW) 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 DPW 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, 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 and may be considered an annoyance by occupants of nearby properties. 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 (approximately 18 months), intermittent, and restricted in occurrence and level, because the contractor would be subject to and would comply with the Noise Ordinance. Compliance with the Noise Ordinance would reduce any construction-related noise effects on nearby residences to the greatest extent feasible.

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, the Community Plan Exemption Checklist topics 5e and 5f are not applicable.

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

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<sup>20</sup> The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

<sup>21</sup> The  $L_{dn}$  is the  $L_{eq}$ , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The  $L_{eq}$  is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

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

The Western SoMa PEIR identified significant and unavoidable impacts related to violation of an air quality standard, uses that emit Diesel Particulate Matter (DPM), and construction emissions. The Western SoMa PEIR identified five mitigation measures that would help reduce air quality impacts; however, they would not be able to reduce these impacts to a less-than-significant level.

**Construction Dust Control**

To reduce construction dust impacts, the San Francisco Board of Supervisors 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 avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. The proposed project would disturb less than a half of an acre. Therefore, 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. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant.

**Criteria Air Pollutants**

The Bay Area Air Quality Management District’s (BAAQMD) *CEQA Air Quality Guidelines* (Air Quality Guidelines)<sup>22</sup> provide screening criteria 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

<sup>22</sup> Bay Area Air Quality Management District. CEQA Air Quality Guidelines. Updated May 2011.

Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Because 25 dwelling units and 4,125 sf of retail space are proposed, criteria air pollutant emissions during construction and operation of the proposed project would be below the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects is required for projects generating more than 3,500 vehicle trips resulting in excessive criteria pollutant emissions. The proposed project would generate approximately 317 daily vehicle trips. Therefore, Mitigation Measure M-AQ-2 would not apply to the proposed project.

### **Health Risk**

Subsequent to certification of the Western SoMa PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (amended December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM<sub>2.5</sub> concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone, such as the proposed project, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

#### *Construction*

Mitigation Measures M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants and M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards require projects to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. For projects with construction activities located in an Air Pollutant Exposure Zone, compliance with Mitigation Measures M-AQ-6 and M-AQ-7 would require submittal of a Construction Emissions Minimization Plan to the Environmental Review Officer for review and approval. Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 18 months, and diesel-generating equipment would be required for the duration of the proposed project's construction phase. However, construction of the proposed project would generate criteria air pollutant emissions below applicable thresholds, and Mitigation Measure M-AQ-6 would not apply to the proposed project. Nonetheless, the project site is located within an identified Air Pollutant Exposure Zone; therefore, Mitigation Measure M-AQ-7 would apply to the proposed project. Mitigation Measure M-AQ-7 is detailed in **Project Mitigation Measure 6** on page 50. Compliance with this mitigation measure would result in less-than-significant air quality impacts from project-related construction vehicles and equipment.

*Sensitive Land Uses*

For sensitive-use projects within the Air Pollutant Exposure Zone as defined by Article 38, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM<sub>2.5</sub> (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of the DPH that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor submitted an initial application to the DPH.<sup>23</sup> The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of PEIR Mitigation Measure M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors. Therefore, PEIR Mitigation Measure M-AQ-3 is not applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

*Siting New Sources*

Mitigation Measure M-AQ-4: Siting of Uses that Emit PM<sub>2.5</sub> or DPM and Other TACs involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The project proposes construction of a six-story, mixed-use building containing 25 dwelling units, 4,125 sf of retail space, and a basement parking garage. The project would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, such as a diesel emergency generator, that would emit TACs as part of everyday operations. The project site is located within an identified Air Pollutant Exposure Zone and would result in an increase in construction- and operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project is below the screening criteria provided in the Air Quality Guidelines for construction- and operational-related criteria air pollutants. Thus, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure M-AQ-4 is not applicable to the proposed project.

For the above reasons, the proposed project would not result in significant impacts on air quality that were not identified in the Western SoMa PEIR.

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<sup>23</sup> City and County of San Francisco Department of Public Health. 2015. Application for Article 38 Compliance Assessment. December 10, 2015.

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

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*<sup>24</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>25</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD’s *2010 Clean Air Plan*,<sup>26</sup> Executive Order S-3-05,<sup>27</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>28,29</sup> In addition, San Francisco’s GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>30</sup> and B-30-15.<sup>31,32</sup> Therefore, projects that are consistent with San Francisco’s GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site by constructing a new building with 25 dwelling units over ground-floor retail. Therefore, the proposed project would contribute to annual

<sup>24</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

<sup>25</sup> ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

<sup>26</sup> 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.

<sup>27</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>28</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>29</sup> Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

<sup>30</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>31</sup> Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>32</sup> San Francisco’s GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

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 City's Commuter Benefits Program, Emergency Ride Home Program, transportation management programs, Transportation Sustainability Fee, Jobs-Housing Linkage Program, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Stormwater Management Ordinance and Residential Energy Conservation Ordinance, thereby reducing the proposed project's energy-related GHG emissions.<sup>33</sup> The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, which would reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. This regulation also promotes reuse of materials, conserving their embodied energy,<sup>34</sup> and reducing the energy required to produce new materials. Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions, would reduce emissions of GHGs. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>35</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>36</sup>

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the Western SoMa 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 PEIR and no mitigation measures are necessary.

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<sup>33</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>34</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>35</sup> While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

<sup>36</sup> San Francisco Planning Department. 2016. Compliance Checklist Table for Greenhouse Gas Analysis: Table 1. Private Development Projects. June 21, 2016.

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

**Wind**

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would have a potentially significant impact related to the alteration of wind in a manner that would substantially affect public areas. However, the PEIR determined that this impact could be reduced to a less-than-significant level with implementation of Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing, which would require a wind analysis for any new structures within the Community Plan Area that have a proposed height of 80 feet or taller.

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects under 80 feet in height would not have the potential to generate significant wind impacts. The proposed 65-foot-tall mixed-use building would be similar in height to existing buildings in the area, and thus the project would not contribute to the significant wind impact identified in the Western SoMa PEIR because the proposed structure would not rise substantially above nearby buildings and would not exceed 80 feet in height. Therefore, Mitigation Measure M-WS-1 would not apply to the proposed project.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the Western SoMa PEIR related to wind.

**Shadow**

The Western SoMa PEIR determined that implementation of the Plan and Rezoning of the Adjacent Parcels would have a significant and unavoidable impact related to the creation of new shadows in a manner that would substantially affect outdoor recreation facilities or other public areas. No mitigation measures were identified in the PEIR.

Planning Code Section 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Parks Department between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The proposed project would construct a building 65 feet in height. To determine whether the proposed project would conform to Section 295, the Planning Department conducted a preliminary shadow fan analysis. The preliminary shadow fan analysis determined that the project would not cast shadows on any public open spaces or recreational resources, including but not limited to parks under the jurisdiction of the San Francisco Recreation and Parks



Department.<sup>37</sup> Therefore, the project would not contribute to the significant shadow impact identified in the Western SoMa Community Plan PEIR.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the Western SoMa Community Plan PEIR related to shadow.

<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>9. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan 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 were identified in the PEIR.

The Recreation and Open Space Element (ROSE) of the San Francisco General Plan was updated in April 2014. Policy 2.1 of the ROSE prioritizes acquisition of open space in high needs areas, and the Western SoMa neighborhood is recognized in the ROSE as a high needs area. Policy 2.11 of the ROSE encourages that privately developed residential open spaces, including common spaces, in the downtown and multi-family zoning districts be increased.

The project would result in approximately 57 new on-site residents and approximately 10 retail employees. The limited increase of population in to the proposed project would not substantially increase the use and deterioration of the local recreational facilities nor require construction of new or expansion of facilities. 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 within the development projected under the Western SoMa Community Plan, there would be no additional impacts on recreation beyond those analyzed in the Western SoMa PEIR.

<sup>37</sup> San Francisco Planning Department. 2013. 1145 Mission Street Shadow Fan. July 13, 2013.

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

The Western SoMa PEIR determined that the anticipated increase in population in the Plan area 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.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Western SoMa 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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**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 Western SoMa PEIR determined that the anticipated increase in population in the Plan area would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on public services beyond those analyzed in the Western SoMa 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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**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"/> |
| 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"/> |

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) 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 Western SoMa PEIR, the Western SoMa Community Plan Area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been industrial uses for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Western SoMa Community Plan would largely consist of new construction of mixed uses in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Western SoMa PEIR concluded that implementation of the Plan would not result in any significant effects related to riparian habitat, wetlands, movement of migratory species, local policies or ordinances protecting biological resources, or habitat conservation plans.

The Western SoMa PEIR determined that the Western SoMa Community Plan would result in significant but mitigable impacts on special-status birds and bats that may be nesting in trees or roosting in buildings that are proposed for removal/demolition as part of an individual project. As described above, the previously existing building was demolished in 2006. Therefore, there are no buildings at the project site that could provide habitat for nesting birds or roosting bats. In addition, no large trees (those with trunks over 12 inches in diameter) are located at the project site. Therefore, Mitigation Measure M-BI-1b, which requires pre-construction special-status bat surveys, would not be applicable to the proposed project.

Although no large trees are located at the project site, shrubs and other vegetation could provide habitat for nesting birds. As identified in the PEIR, Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys would reduce these impacts to a less-than-significant level. Mitigation Measure M-BI-1a requires that conditions of approval for building permits issued for construction of projects within the Western SoMa Community Plan Area include a requirement for pre-construction special-status bird surveys when trees or shrub would be removed. The project would be subject to Mitigation Measures M-BI-1a, as detailed in **Project Mitigation Measure 7** on page 51, requiring pre-construction special-status bird surveys.

Because the proposed project would be subject to the above mitigation measure and is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on biological resources beyond those analyzed in the Western SoMa PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS—Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, 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 risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the PEIR concluded that the project would not result in significant impacts related to geological hazards. No mitigation measures were identified in the PEIR.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code. A geotechnical report was prepared for the

proposed project which provided recommendations for final building design.<sup>38,39</sup> The report concluded that there were no unusual geology and soil conditions at the project site. The proposed project would comply with the recommendations of this geotechnical review by incorporating the recommendations into the final building design subject to DBI review.

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 Western SoMa PEIR, and no mitigation measures are necessary.

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

<sup>38</sup> Earth Mechanics Consulting Engineers. 2000. Report Geotechnical Investigation Planned Development at 1145 Mission Street, San Francisco, California. July 8, 2000.

<sup>39</sup> H. Allen Gruen, Geotechnical Engineer. 2014. Geotechnical Report Updated Proposed Development at 1145 Mission Street San Francisco, California. March 19, 2014.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is currently almost entirely covered by pervious surfaces, and the proposed building and courtyard areas would fully occupy the project site. As a result, the proposed project would result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with the Stormwater Design Guidelines, incorporating Low Impact Design (LID) approaches and stormwater management systems into the project. Adherence to the City and County of San Francisco drainage requirements in accordance with the Stormwater Management Ordinance would also ensure that stormwater is managed and that the project provides adequate retention or detention capacity to minimize potential sources of pollution. Therefore, the proposed project would not adversely affect runoff and drainage.

The project site is in an area that is prone to flooding during storms, especially where ground stories are located below an elevation of 0.0 San Francisco City Datum<sup>40</sup> or, more importantly, below the hydraulic grade line or water level of the sewer. The City has implemented a review process to avoid flooding problems caused by the relative elevation of the structure to the hydraulic grade line in the sewers. The project sponsor would coordinate with the San Francisco Public Utilities Commission (SFPUC) prior to construction for a review to determine whether the project has the potential to result in ground-level flooding during storms. It is currently anticipated that the project site would be designed to manage flooding through planters on the rear deck, the podium, and the roof. These planters would collect and store stormwater runoff, reducing the likelihood of on-site flooding. The SFPUC and/or its delegate would review the permit application and comment on the proposed application and potential for flooding during wet weather. The project sponsor would incorporate any recommended design measures, as applicable.

For the above reasons, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Western SoMa PEIR.

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<sup>40</sup> San Francisco City Datum establishes the City’s zero point for surveying purposes at approximately 8.6 feet above the mean sea level established by 1929 U.S. Geological Survey datum, and approximately 11.3 feet above the current 1988 North American Vertical Datum. Because tides are measured from mean lower low water, which is about 3.1 feet below mean sea level (MSL), an elevation of 0, SFD, is approximately 8.2 feet above MSL.

<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>15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

The Western SoMa PEIR identified less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials, the potential for the Plan or subsequent development projects within the Plan Area to interfere with an adopted emergency response plan, and the potential for subsequent projects to expose people or structures to a significant risk with respect to fires. In addition, the project site is currently vacant; therefore, hazardous building materials do not exist on-site and Western SoMa PEIR Mitigation Measure M-HZ-2, which pertains to hazardous building materials abatement, does not apply to the proposed project.

The Western SoMa PEIR identified potentially significant impacts related to exposing the public or the environment to unacceptable levels of hazardous materials as a result of subsequent projects within the Plan Area. The PEIR determined that Mitigation Measure M-HZ-3: Site Assessment and Corrective Action would reduce these impacts to a less-than-significant level.

Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A, which is administered and overseen by the Department of Public Health (DPH) and is also known as the Maher Ordinance. Amendments to the Maher Ordinance became effective August 24, 2013, and require sponsors of projects that disturb more than 50 cubic yards of soil to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code



Section 22.A.6. Mitigation Measure M-HZ-3 of the Western SoMa PEIR related to contaminated soil and groundwater is therefore superseded by the Maher Ordinance and, accordingly, does not apply to the proposed project.

The project site is underlain by artificial fill, often a source of contaminants in San Francisco. The proposed project would disturb more than 50 cubic yards of soil and, therefore, would be subject to soil and/or groundwater testing requirements of the Maher Ordinance.<sup>41</sup> The Phase I ESA developed in accordance with the Maher Ordinance determined the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor submitted an initial Maher Application to DPH,<sup>42</sup> and a Phase I ESA was prepared to assess the potential for site contamination.<sup>43</sup> According to the Phase I ESA, the project site at 1145 Mission Street was identified in the regulatory database as a Facility Inventory Database Underground Storage Tank (CA FID UST) site, a California Statewide Environmental Evaluation and Planning System UST (CA SWEEPS UST) site, a Statewide Underground Storage Tank (CA UST) site, a Historic "Cortese" Hazardous Waste and Substances Sites List (CA HIST CORTESE), a Leaking Underground Storage Tank (CA LUST) site, and a Historic Underground Storage Tank (CA HIST UST) site. Under this Historically Recognized Environmental Condition, a UST was removed in 1990 from beneath the sidewalk on Minna Street at the adjacent site to the east. This location was part of a larger parcel encompassing the current project site that has since been subdivided. During the UST removal, a release of gasoline was documented and soil samples were tested to determine the level of contamination. Testing indicated levels of petroleum-related contaminants present in the soil as being within federal standards for safety. Due to the low levels detected in the soil at the time of excavation, in 1995, the Regional Water Quality Control Board granted case closure to the site and required no corrective action. However, based on the historical presence of a UST and the documented release of gasoline into soil during the UST removal, the requirements of the Maher Ordinance should be considered during development of the proposed project as noted below.

The Phase I ESA also noted an environmental issue at the site located at 1127 Mission Street, 300 feet northeast of the project site. This site, based on topographic map interpretation inferred to be hydrologically cross-gradient from the project site, was formerly developed with an auto repair station. Based on the nature of operations and documented release of gasoline, this site is a source of volatile contaminants of concern (COCs). Based on the facility's close proximity and documented COCs, a vapor encroachment condition (VEC) cannot be ruled out. The Phase I ESA states that further investigation under the Maher Ordinance may be required during development of the proposed project, as noted below.

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<sup>41</sup> The Maher Map identifies sites that are known or suspected to contain contaminated soil and/or groundwater.

<sup>42</sup> Weden, Martita Lee, San Francisco Department of Health. "1145 Mission Street." December 7, 2015.

<sup>43</sup> AEI Consultants. 2014. Phase I Environmental Site Assessment Report, 1145-1149 Mission Street, City and County of San Francisco, CA 94103. January 13, 2014.

The groundwater under the project site, the Downtown Basin, has low quality because of the high number of leaking USTs in the area and other naturally occurring factors. However, because the groundwater is not considered a source of drinking water for the project, the low quality is not expected to present a human health risk.

While no Recognized Environmental Conditions (RECs) (indicating known current contamination with hazardous materials) and Non-ASTM Considerations (such as asbestos-containing materials, lead-based paint, radon, and indoor mold) were identified on site, the Historically Recognized Environmental Condition and the environmental issue mentioned above both indicate a need for further consideration under the Maher Ordinance to investigate potentially hazardous conditions. The Maher Ordinance requires that, if the project site has a record of hazardous substances in the ground or soil water, a work plan be submitted to the Department of Public Health, including soil and groundwater sampling. If concerns are identified during sampling and testing, a site mitigation plan may be required as part of approval by the Department of Public Health for issuance of an approval to commence the project. Through compliance with the Maher Ordinance, Article 22A of the Health Code, as explained above, the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to hazardous soil and/or groundwater.

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

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

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

Community 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 within the development projected under the Western SoMa Community Plan, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Western SoMa PEIR.

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

The Western SoMa PEIR determined that no agricultural or forest resources exist in the Plan Area; therefore, the Western SoMa Community Plan would have no effect on agricultural and forest resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Western SoMa PEIR.

## MITIGATION MEASURES

### **Project Mitigation Measure 1 - Protect Historical Resources from Adjacent Construction Activities (Mitigation Measure M-CP-7a of the Western SoMa PEIR)**

The project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings at 1151-1153 Mission Street and 1139 Mission Street, using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.

### **Project Mitigation Measure 2 - Construction Monitoring Program for Historical Resources (Mitigation Measure M-CP-7b of the Western SoMa PEIR)**

The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 25 feet, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.

### **Project Mitigation Measure 3 – Archeological Testing Program (Mitigation Measure M-CP-4a of the Western SoMa PEIR)**

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological

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

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>44</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>45</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

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<sup>44</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>45</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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

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

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

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

*Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the

proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.



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

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

**Project Mitigation Measure 4 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)**

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the noisiest activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning

Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

**Project Mitigation Measure 5 – Noise Control Measures During Pile Driving (Mitigation Measure M-NO-2b of the Western SoMa PEIR)**

For individual projects within the Draft Plan Area and Adjacent Parcels that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible:

- The sponsor of a subsequent development project shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels by 5 to 10 dBA, although the precise reduction is a function of the height and distance of the barrier relative to receptors and noise source(s);
- The sponsor of a subsequent development project shall require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- The sponsor of a subsequent development project shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- The sponsor of a subsequent development project shall require that the construction contractor limit pile-driving activity to result in the least disturbance to neighboring uses.

Additionally, if pile driving would occur within proximity to historical resources, project sponsors would be required to incorporate Mitigation Measures M-CP-7a, Protect Historical Resources from Adjacent Construction Activities, (**Project Mitigation Measure 1**, above on page 45) and Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources (**Project Mitigation Measure 2**, above on page 45).

**Project Mitigation Measure 6 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR)**

To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Draft Plan Area and on the Adjacent Parcels shall undertake a project-specific construction health risk analysis to be performed by a qualified air quality specialist, as appropriate and determined by the Environmental Planning Division of the San Francisco Planning Department, for diesel-powered and other applicable construction equipment, using the methodology

recommended by the Bay Area Air Quality Management District (BAAQMD) and/or the San Francisco Planning Department. If the health risk analysis determines that construction emissions would exceed health risk significance thresholds identified by the BAAQMD and/or the San Francisco Planning Department, the project sponsor shall develop a Construction Emissions Minimization Plan for Health Risks and Hazards designed to reduce health risks from construction equipment to less-than-significant levels.

All requirements in the Construction Emissions Minimization Plan must be included in contract specifications.

**Project Mitigation Measure 7 – Pre-Construction Special-Status Bird Surveys (Mitigation Measure M-BI-1a of the Western SoMa PEIR)**

Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.



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DATE: May 28 2020

TO: 1145 Mission Street, Case No. 2007.0604E

FROM: Jeanie Poling, Environmental Planning

RE: Revision to Mitigation Monitoring and Reporting Program

A community plan exemption for the proposed project was published on July 29, 2016. The project has not been approved yet; however, a public hearing before the Planning Commission is scheduled for June 11, 2020. While there have been no changes to the project requiring updated environmental analysis, the Planning Department has updated its practices regarding implementation of mitigation measures and mitigation monitoring. This memo explains the changes to the mitigation measures cited in the 2016 community plan exemption.

Mitigation measure language has been updated to clarify that measures are the project sponsor's responsibility (e.g., "the project sponsor shall...") and to reduce redundancy. In addition, the following changes have also been made to individual mitigation measures.

**Project Mitigation Measure 1** – added a sentence to clarify how this measure relates to Project Mitigation Measure 2.

**Project Mitigation Measure 2** – renamed the construction monitoring program to the vibration management and monitoring plan.

**Project Mitigation Measure 3** – added language regarding discovery of tribal cultural resources, which is now required under CEQA. Made minor updates to the archeological testing program to address other agency comments on previous documents and minor process changes since 2016.

**Project Mitigation Measure 5** – updated the language of the Construction Emissions Minimization Plan for Health Risks and Hazards mitigation measure.

These change to the mitigation measures do not change the project analysis or conclusion that the project is exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3. No additional environmental review is required.

**MITIGATION MONITORING AND REPORTING PROGRAM –  
 MITIGATION AND IMPROVEMENT MEASURES FOR 1145 MISSION STREET PROJECT**

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<b>Cultural Resources</b>				
<p><b><u>Project Mitigation Measure 1 - Protect Historical Resources from Adjacent Construction Activities (Mitigation Measure M-CP-7a of the Western SoMa PEIR)</u></b></p> <p>The project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings at 1151-1153 Mission Street and 1139 Mission Street, using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire. This information shall inform the construction monitoring program and be added to a vibration management and monitoring plan as required under Project Mitigation Measure 2.</p>	Project sponsor and contractor	Project sponsor to provide a list of measures to ensure avoidance of damage to nearby buildings to the Planning Department prior to issuance of site permit.	Planning Department Preservation Technical Specialist	Considered complete upon Planning Department's approval of avoidance measures to be included in construction specifications and in the vibration management and monitoring plan (see Project Mitigation Measure 2)
<p><b><u>Project Mitigation Measure 2 - Construction Monitoring Program for Historical Resources (Mitigation Measure M-CP-7b of the Western SoMa PEIR)</u></b></p> <p>The project sponsor shall undertake a monitoring program laid out in a vibration management and monitoring plan to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 25 feet, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each</p>	Project sponsor, contractor, and qualified historic preservation professional	Pre-construction survey and vibration monitoring plan to be submitted to the Planning Department prior to issuance of site permit. Monitoring throughout construction period	Planning Department Preservation Technical Specialist in consultation with qualified historic preservation professional	Considered complete after project sponsor submits and Planning Department preservation staff approves a post-construction report that notes that any damage has been repaired to pre-construction condition



Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.</p> <p>Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.</p>				
<p><b><u>Project Mitigation Measure 3: Archeological Testing Program (Mitigation Measure M-CP-4a in the PEIR)</u></b></p> <p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three archeological consultants on the QACL.</p> <p>The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological interpretation, monitoring, and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be</p>	<p>Project sponsor's qualified archeological consultant and construction contractor</p>	<p>Prior to issuance of site permits and throughout the construction period</p>	<p>Environmental Review Officer Planning Department's ERO or archeologist and qualified archeological consultant</p>	<p>Considered complete after the FARR is approved</p>

Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).</p>				
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site<sup>1</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>2</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the final archaeological resources report shall be provided to the representative of the descendant group.</p>	<p>The archaeological consultant, Project Sponsor and project contractor at the direction of the ERO</p>	<p>Monitoring of soils disturbing activities</p>	<p>Consultation with ERO on identified descendant group</p>	<p>Considered complete after the FARR is approved and provided to descendant group</p>
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected</p>	<p>Project sponsor’s qualified archaeological consultant and cons</p>	<p>Prior to soil-disturbing activities</p>	<p>Planning Department</p>	<p>Considered complete after approval of the ATP</p>

<sup>1</sup> By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>2</sup> An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>	<p>struction contractor</p>			
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include preservation in place, additional archeological interpretation, monitoring, testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist.</p> <p>If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be redesigned so as to avoid any adverse effect on the significant archeological resource. If preservation in place is not feasible, a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p> <p>at the discretion of the project sponsor either:</p> <p>The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>				



Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> <li>• The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</li> <li>• The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;</li> <li>• The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;</li> <li>• The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> </ul> <p>If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an</p>				

Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p>				
<p><i>Tribal Cultural Resources.</i> In the event of the discovery of an archaeological resource of Native American origin, the Environmental Review Officer (ERO), the project sponsor, and the tribal representative, shall consult to determine whether preservation in place would be feasible and effective. If it is determined that preservation-in-place of the tribal cultural resource (TCR) would be both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction.</p> <p>If the Environmental Review Officer (ERO), in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall implement an interpretive program of the tribal cultural resource in consultation with affiliated tribal representatives. A Tribal Cultural Resources Interpretation Plan (TCRIP) produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.</p>	<p>Project sponsor archeological consultant, and ERO, in consultation with the affiliated Native American tribal representatives</p> <p>Project sponsor in consultation with the tribal representative</p>	<p>If significant archeological resource is present, during implementation of the project</p> <p>After determination that preservation in place is not feasible, and subsequent to archaeological data recovery</p>	<p>Planning Department</p> <p>Planning Department</p>	<p>Considered complete upon project redesign, completion of ARPP</p> <p>Complete upon sponsor verification to ERO that interpretive program was implemented prior to project occupancy</p>

Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>• <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>• <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies.</li> <li>• <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>• <i>Final Report.</i> Description of proposed report format and distribution of results.</li> </ul>	<p>Project sponsor’s qualified archaeological consultant and construction contractor</p>	<p>In the event that an archaeological site is uncovered during the construction period</p>	<p>Planning Department</p>	<p>Considered complete after FARR is reviewed and approved</p>



Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> <li><i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</li> </ul>				
<p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco Medical Examiner, NAHC, and MLD</p>	<p>In the event that human remains are uncovered during the construction period</p>	<p>Planning Department</p>	<p>Considered complete after approval of the final ARDP and disposition of human remains has occurred as specified in the agreement</p>
<p><i>Public Interpretation.</i> If project soils disturbance results in the discovery of a significant archeological resource, the ERO may require that information provided by archeological data recovery be made available to the public in the form of a non-technical, non-confidential archeological report, archeological signage and displays or another interpretive product. The project</p>	<p>Archaeological consultant at the direction of the ERO</p>	<p>Following completion of cataloguing, analysis, and interpretation of recovered</p>	<p>ERO in consultation with archeological consultant.</p>	<p>APIP is complete on review and approval of ERO. Interpretive program is complete on certification to</p>

Mitigation Monitoring and Reporting Program

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>archeological consultant shall submit an archeological public interpretation plan (APIP) that describes the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. Copies of the Draft APIP shall be sent to the ERO for review and approval.</p>		archeological data.		ERO that program has been implemented
<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a draft final archeological resources report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with GIS shapefiles of the site and features if encountered and copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	Project sponsor's qualified archaeological consultant at the direction of the ERO	At completion of archeological investigations	Planning Department	Considered complete after FARR is approved and certification to ERO that copies of FARR have been distributed
<b>Noise</b>				
<p><b><u>Project Mitigation Measure 4 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)</u></b></p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall</p>	Project sponsor and construction contractor	Submit list of tracking measures prior to issuance of building permit and comply with tracking	Planning Department and DBI	Considered complete upon completion of construction



# SAN FRANCISCO PLANNING DEPARTMENT

EXHIBIT D

## Land Use Information

PROJECT ADDRESS: 1145 MISSION STREET  
RECORD NO.: 2007-0604X

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

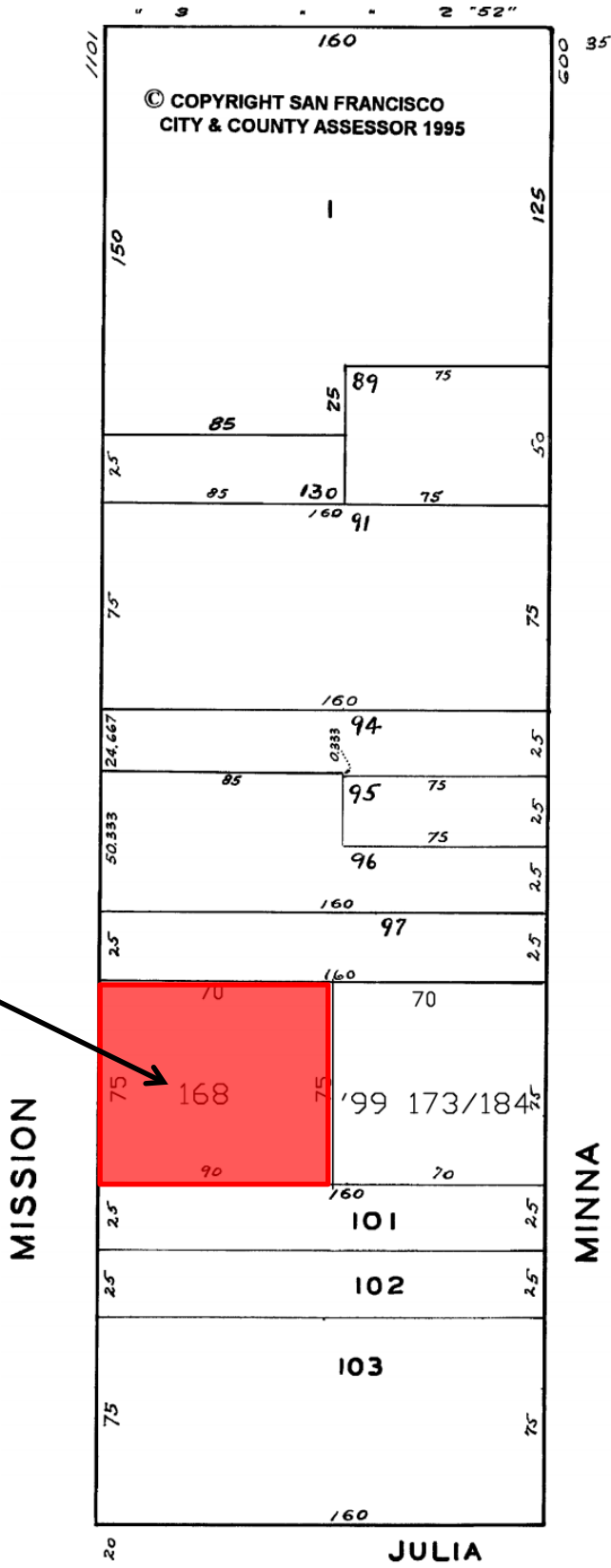
	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	N/A	6,623 (total basement)	6,623 (total basement)
Residential GSF	N/A	~26,782	~26,782
Retail/Commercial GSF	N/A	4,500	4,500
Office GSF	N/A	N/A	N/A
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	N/A	N/A	N/A
Medical GSF	N/A	N/A	N/A
Visitor GSF	N/A	N/A	N/A
CIE GSF	N/A	N/A	N/A
Usable Open Space	N/A	~2,800	~2,800
Public Open Space	N/A	N/A	N/A
Other ( )			
<b>TOTAL GSF</b>	N/A	~40,705	~40,705
	EXISTING	NET NEW	TOTALS
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable	0	3	3
Dwelling Units - Market Rate	0	22	22
Dwelling Units - Total	0	25	25
Hotel Rooms	N/A	N/A	N/A
Number of Buildings	0	1	1
Number of Stories	N/A	N/A	6 stories
Parking Spaces	N/A	9	9
Loading Spaces	0	0	0
Bicycle Spaces	N/A	Class 1 = 30	Class 1 = 30
Car Share Spaces	N/A	1	1
Other ( )			



# Block Book Map

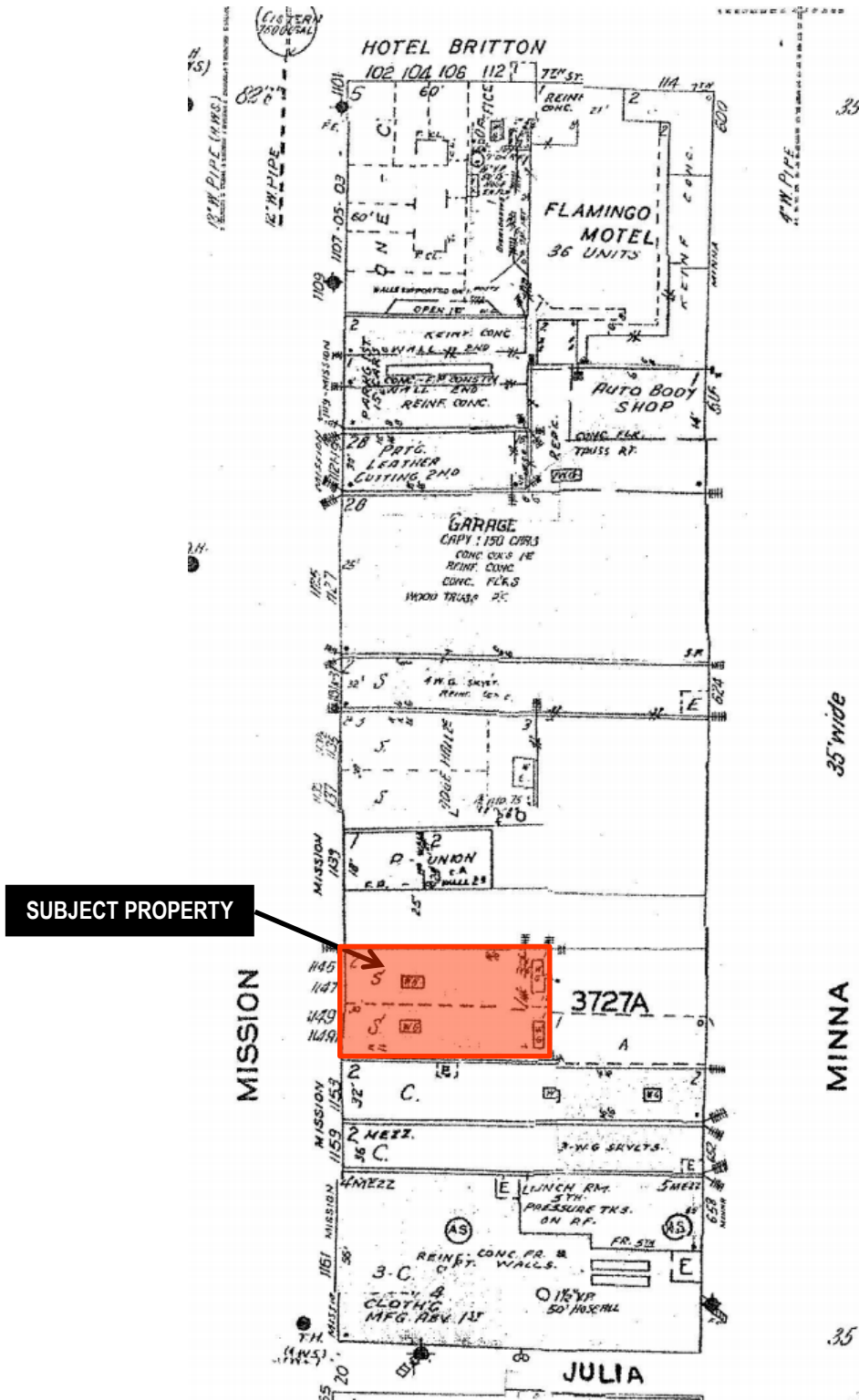
EXHIBIT  
E

Subject Property



Conditional Use Authorization  
Case Number 2007.0604X  
1145 Mission Street

# Sanborn Map\*

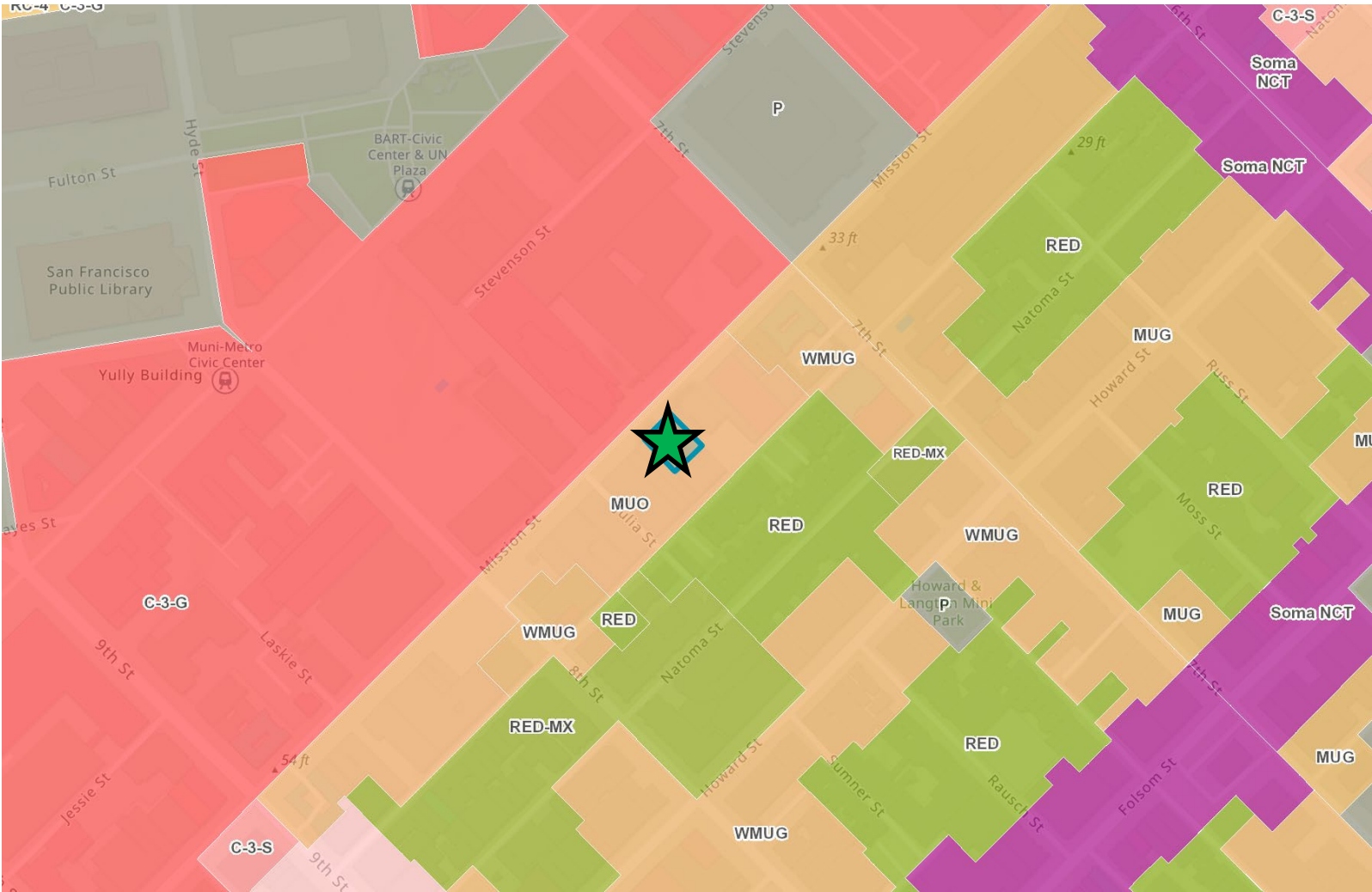


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Authorization  
 Case Number 2007.0604X  
 1145 Mission Street



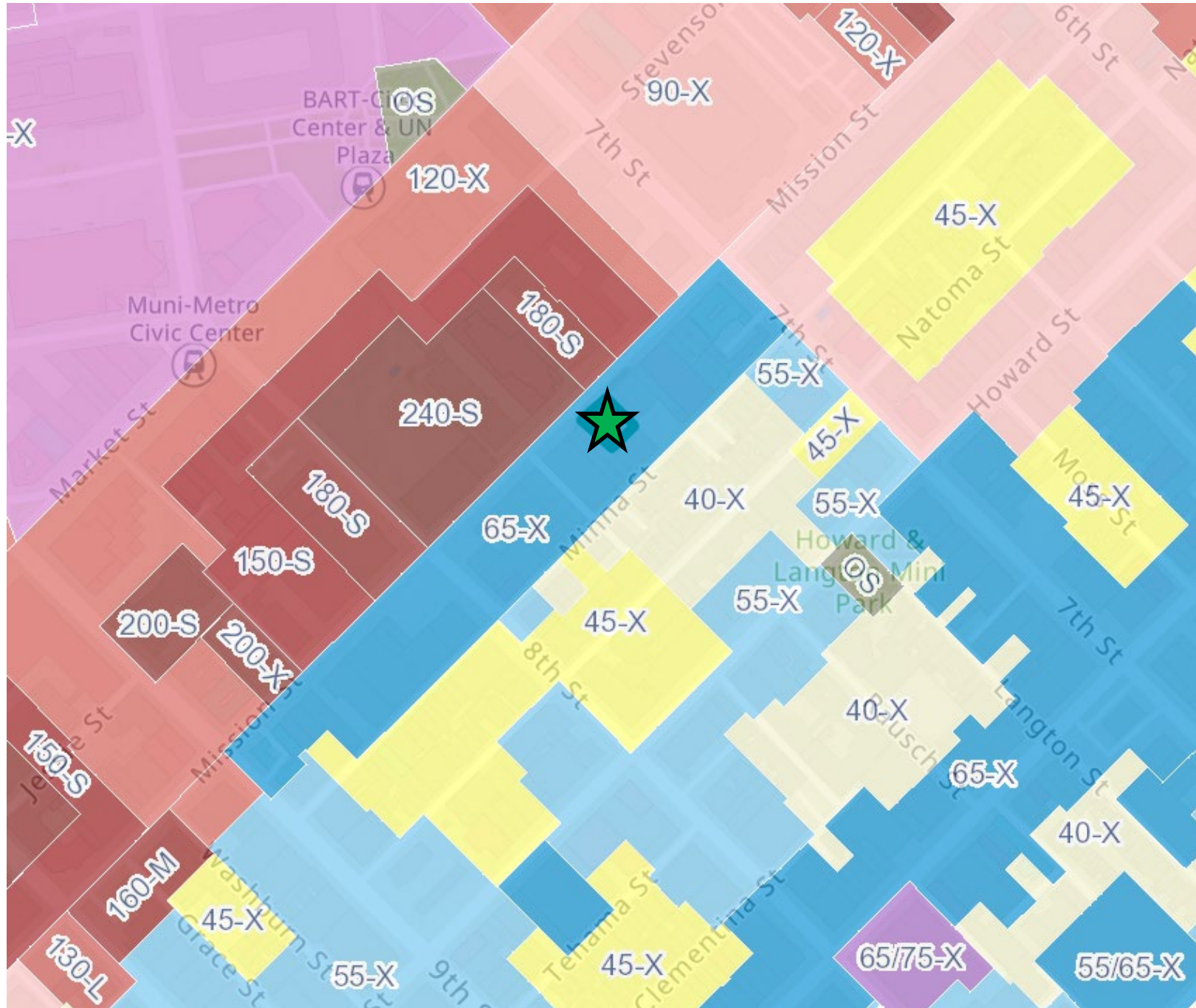
# Zoning Map



Conditional Use Authorization  
Case Number 2007.0604X  
1145 Mission Street



# Height and Bulk Map



Conditional Use Authorization  
Case Number 2007.0604X  
1145 Mission Street



# Aerial Photo





# Aerial Photo



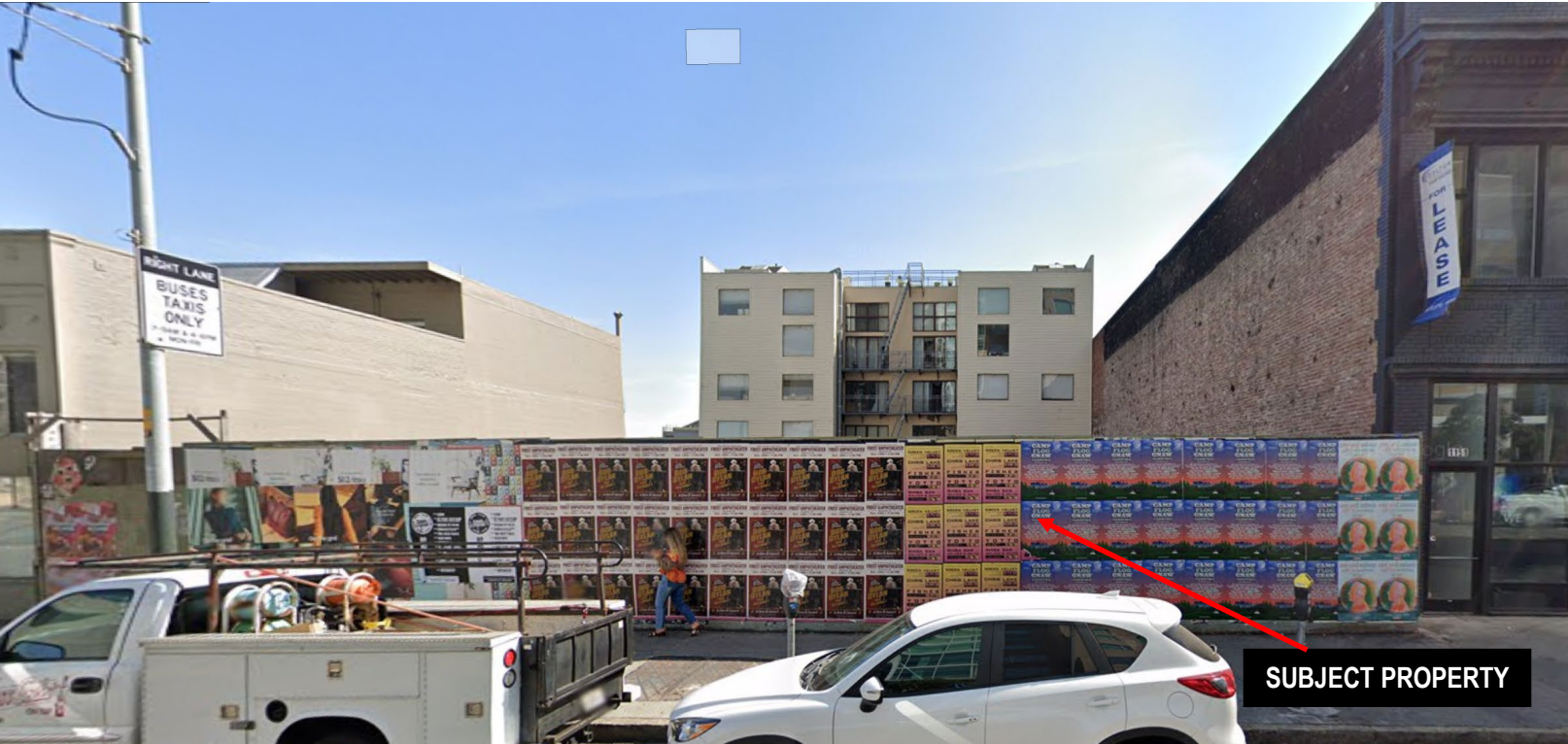
SUBJECT PROPERTY





# Context Photos

## SUBJECT PROPERTY ON MISSION STREET



Conditional Use Authorization  
Case Number 2007.0604X  
1145 Mission Street

# Site Photo

## PORTION OF BLOCK ON MISSION STREET



**SUBJECT PROPERTY**

Conditional Use Authorization  
Case Number 2007.0604X  
1145 Mission Street



# Site Photo

PORTION OF OPPOSITE SIDE OF SUBJECT BLOCK ON MISSION



Conditional Use Authorization  
Case Number 2007.0604X  
1145 Mission Street



EXHIBIT  
F

AFFIDAVIT

COMPLIANCE WITH THE  
INCLUSIONARY AFFORDABLE  
HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



San Francisco  
Planning

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

3/25/20  
Date

I, Darren Lee  
do hereby declare as follows:

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

1167 Mission St. Fl. 1  
Address

3727 / 168  
Block / Lot

The subject property is located within the following Zoning District:

MVD  
Zoning District

65'-0"  
Height and Bulk District

Special Use District, if applicable

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?

Yes  No

**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:

2007.0604  
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

A complete Environmental Evaluation Application or Project Application was accepted on:

Date

The project contains 25 total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:

- This project is 100% affordable.
- This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?

Yes  No

(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?

Yes  No

(If yes, please indicate HOME-SF Tier)

Is this project an Analyzed or Individually Requested State Density Bonus Project?

Yes  No

**C** Please indicate the tenure of the project.

- Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.
- Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental units for the life of the project. The applicable fee rate is the rental fee rate.

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

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

The applicable inclusionary rate is:

---

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

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

---

*Residential Gross Floor Area*

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

**F** The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

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

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

**I** For projects with over 25 units and with EEA's accepted between January 1, 2013 and January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

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

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



**UNIT MIX TABLES**

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

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.4. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

**On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4):  % of the unit total.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS: 25	SRO / Group Housing:	Studios:	One-Bedroom Units: 1	Two-Bedroom Units: 2	Three (or more) Bedroom Units:
<b>LOW-INCOME</b>	Number of Affordable Units 3	% of Total Units 12%		AMI Level	
<b>MODERATE-INCOME</b>	Number of Affordable Units	% of Total Units		AMI Level	
<b>MIDDLE-INCOME</b>	Number of Affordable Units	% of Total Units		AMI Level	

**Off-site Affordable Housing Alternative** (Planning Code Section 415.7 or 419.3):  % of the unit total.

Number of Affordable Units to be Located OFF-SITE:					
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:	

<b>AMI LEVELS:</b>	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):		Mortgage No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

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

3. Fee  % of affordable housing requirement.

**Is this Project a State Density Bonus Project?**  Yes  No

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

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

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

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

- On-site Affordable Housing Alternative
- Payment of the Affordable Housing Fee prior to the first construction document issuance
- Off-site Affordable Housing Alternative (Section 415.7)
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

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

Landmark Leffs LLC  
Company Name  
Darren Lee  
Name (Print) of Contact Person  
1167 Mission St. Fl. 1  
Address  
San Francisco, CA 94103  
City, State, Zip  
415-271-1528  
Phone / Fax  
darrenlee77@aol.com  
Email

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

**Sign Here**

Signature:  Name (Print), Title: Darren Lee, Managing Member

Executed on this day in: Location: San Francisco, CA Date: H2420 3/25/20

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

Company Name  
Name (Print) of Contact Person  
Address  
City, State, Zip  
Phone / Fax  
Email

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

**Sign Here**

Signature: Name (Print), Title:

**EXHIBIT  
G**

# SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
Landmark Lofts LLC	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
1167 Mission St. 1st Flr. San Francisco, CA 94103	(415) 271-0528
	EMAIL:
	darran@t7caol.com

APPLICANT'S NAME:	
Darran LLC <span style="float: right;">Same as Above <input type="checkbox"/></span>	
APPLICANT'S ADDRESS:	TELEPHONE:
1167 Mission St. 1st Flr San Francisco, CA 94103	(415) 271-0528
	EMAIL:
	darran@t7caol.com

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

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

## 2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:
1145 Mission St		94103
CROSS STREETS:		
7th / 8th St.		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3727/168		65'

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Demolition <input type="checkbox"/> Alteration <input type="checkbox"/> Other: _____	0	25	25



# Compliance with the Anti-Discriminatory Housing Policy

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

1a. If yes, in which States? \_\_\_\_\_

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

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

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

Human Rights Commission contact information  
Mullane Ahern at (415)252-2514 or [mullane.ahern@sfgov.org](mailto:mullane.ahern@sfgov.org)

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: \_\_\_\_\_

Date: 4/26/16

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

Barbara Lee  
Owner / Authorized Agent (circle one)



SAN FRANCISCO  
PLANNING  
DEPARTMENT

**EXHIBIT  
H**

# 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 1145 Mission St.		BLOCK/LOT(S) 3727 / 168	
BUILDING PERMIT APPLICATION NO. 2009.0814.9872	CASE NO. (IF APPLICABLE) 2007.0604X	MOTION NO. (IF APPLICABLE)	
PROJECT SPONSOR Landmark 6AS LLC	MAIN CONTACT Darren Lee	PHONE 415.271.0528	
ADDRESS 1167 Mission St 1 <sup>st</sup> Flr.			
CITY, STATE, ZIP SF CA 94103		EMAIL darrenlee77@aol.com	
ESTIMATED RESIDENTIAL UNITS 25	ESTIMATED SQ FT COMMERCIAL SPACE 4500 sq ft.	ESTIMATED HEIGHT/FLOORS 65 ft. / 6 flr.	ESTIMATED CONSTRUCTION COST \$8,000,000
ANTICIPATED START DATE 1/2018			

#### Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none"> <li>If you checked C, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department</li> <li>If you checked A or B, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.</li> <li>For questions, please contact OEWD's CityBuild program at <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a> or (415) 701-4848. For more information about the First Source Hiring Program visit <a href="http://www.workforcedevelopmentsf.org">www.workforcedevelopmentsf.org</a></li> <li>If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.</li> </ul>	

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer				Laborer			
Boilermaker				Operating Engineer			
Bricklayer				Painter	\$135/hr		10
Carpenter	\$50-65/hr		15	Pile Driver	\$65/hr		3
Cement Mason				Plasterer	\$135/hr		10
Drywall/Latherer	\$35/hr		20	Plumber and Pipefitter	\$165-70/hr		10
Electrician	\$65-70/hr		10	Roofer/Water proofer	\$50/hr		8
Elevator Constructor	TBD	3	3	Sheet Metal Worker	\$50/hr		8
Floor Coverer	TBD	10	10	Sprinkler Fitter	\$165-70/hr		10
Glazier				Taper			
Heat & Frost Insulator				Tile Layer/ Finisher	\$165/hr.		10
Ironworker				Other:			
<b>TOTAL:</b>				<b>TOTAL:</b>			

1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?  YES  NO
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations?  YES  NO
3. Will hiring and retention goals for apprentices be established?  YES  NO
4. What is the estimated number of local residents to be hired? 60

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Darren Lee, Manager	darrenlee77@gmail.com	415-271-0528
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
		4/26/14
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		