



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Downtown Project Authorization

HEARING DATE: AUGUST 13, 2015

CONTINUED FROM: JULY 16, 2015

Date: August 6, 2015
Case No.: **2013.0159X**
Project Address: **525 HARRISON STREET**
Zoning: RH-DTR (Rincon Hill Downtown Residential) Zoning District
Existing Height/Bulk: 65-X & 65/400-R Height and Bulk District
Proposed Height/Bulk: 65-X & 65/250-R Height and Bulk District
Block/Lot: 3764/063
Project Sponsor: Steve Vettel, Farella Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104
Staff Contact: Richard Sucre – (415) 575-9108
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project includes demolition of the existing two-story former industrial building (27,500 gsf), and the new construction of a 23-story residential building (approximately 255,468 gross square feet; up to 250-ft tall) with up to 205 dwelling units, 1,000 square feet of ground floor café/retail, 103 off-street parking spaces, 127 Class 1 bicycle parking spaces, and 20 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 94 two-bedroom units, 69 one-bedroom units, and 42 studio units. The proposed project includes approximately 15,683 square feet of open space via ground floor street improvements, private balconies, a podium level roof deck, and a rooftop terrace. The entrance to the below-grade parking levels via a 22-ft wide entrance off of Harrison Street.

SITE DESCRIPTION AND PRESENT USE

The proposed project is located on an irregularly-shaped lot on the east side of Harrison Street between 1st and Essex Streets. The subject lot has a lot area of approximately 12,998± sq ft, and has approximately 140-ft of frontage on Harrison Street. The subject lot is bordered by a freeway on-ramp to the south and east, and a vacant lot to the north. The subject lot is currently occupied by a two-story former industrial building (measuring approximately 27,500 gsf), which is currently an entertainment venue (d.b.a. Sound Factory).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Rincon Hill DTR Zoning District along a transitioning corridor within the Rincon Hill Plan area. To the north of the project site is a vacant lot and a three-story, former industrial building (d.b.a Terra), while to the south of the project site is the freeway on-ramp. Across from the project site, opposite Harrison Street, is a four-story residence with 33 dwelling units and a new 400-ft residential tower with up to 320 dwelling units at 45 Lansing Street, which is under construction. Other zoning districts in the vicinity of the project site include: P (Public), SB-DTR (South Beach Downtown Residential District), and TB-DTR (Transbay Downtown Residential).

ENVIRONMENTAL REVIEW

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, 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.

On August 6, 2015, the Department prepared an Addendum to the previously-certified Final EIR. The EIR Addendum did not identify any new significant and unavoidable impacts not examined in the original FEIR.

AMENDED HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	10 days	June 26, 2015	June 26, 2015	20 days
Posted Notice	20 days	June 26, 2015	June 26, 2015	20 days
Mailed Notice	10 days	July 6, 2015	June 26, 2015	20 days

An amended public hearing notification was conducted to reflect the update to the project design, which increased in size since the original public notification.

PUBLIC COMMENT

As of August 6, 2015, the Department has received several public inquiries regarding the proposed project. The majority of these inquiries have expressed neither support nor opposition to the proposed project. One of the public correspondences requested additional review of the project against the City's Vision Zero policies. The Department received one letter of support from the San Francisco Housing Action Coalition (See Attached).

ISSUES AND OTHER CONSIDERATIONS

- Design Review/Project Revisions: As a follow-up to the initiation of the legislative amendments on May 28, 2015, the Planning Commission conducted a design review of the proposed project at

a public hearing on June 18, 2015. In response to the Commission's comments, the Project Sponsor has undertaken a redesign of the proposed project at 525 Harrison Street to address the concerns voiced by the Commission and to better align the project to the Rincon Hill Area Plan. The project has been redesigned with a more slender tower, a reduced tower floorplate, a more refined podium, and an increase in the number of dwelling units and overall gross square footage.

Table 1. Original & Project Revisions at 525 Harrison Street

	<i>Original</i>	<i>Revised</i>
Gross Square Footage	229,270 gsf	255,468 gsf
Height	173-ft	250-ft
Dwelling Units	179	205
Parking Spaces	97	103
Tower Floorplate	10,398 gsf	8,925 gsf

- Legislative Amendments: The proposed project requires legislative amendments (General Plan Amendment and Planning Code Text Amendment) to the Rincon Hill Area Plan and Planning Code to provide for modification of the tower bulk, upper tower sculpting and tower spacing requirements of the Planning Code (See Case No. 2013.0159T). Specifically, these legislative amendments would add text to Policies 3.3 and 3.4 of the Rincon Hill Area Plan to address modification of the tower spacing and tower bulk requirements of the San Francisco Planning Code, and would add criteria to Planning Code Section 270(e) and 309.1 to allow for exceptions to the tower bulk, upper tower sculpting, and tower spacing requirements on Block 3764. In addition, the project would also decrease the subject lot's height limit from 65/400-R to 65/250-R (See Case No. 2013.0159Z). These legislative amendments must be adopted by the Board of Supervisors, in order to vest the Commission's determination. The legislative amendments have been updated to reflect the updated project design.
- Downtown Project Authorization Exceptions: As part of the Downtown Project Authorization (DPA), the Commission may grant exceptions from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests an exception from the requirements for dwelling unit exposure (Planning Code Section 140) and tower bulk, tower sculpting and tower spacing (Planning Code Section 270(e)(5)). Department staff is generally in agreement with the proposed modifications given the overall project and its outstanding and unique design.
- Inclusionary Affordable Housing: The Project has elected the on-site affordable housing alternative, identified in Planning Code Section 415.6. The project site is located within the RH-DTR Zoning District, which requires 12% of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 205 units and the Project Sponsor will fulfill this requirement by providing the 25 affordable units on-site, which will be available for rent. As part of the project, the Project Sponsor has entered into a Costa-Hawkins Agreement with the City.
- Development Impact Fees: The Project will be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Rincon Hill Community Improvement Fund (227,968 gsf– New Residential)	418 (@ \$10.44)	\$2,379,986
Rincon Hill Community Improvement Fund (27,500 gsf– Non-Residential to Residential)	418 (@ \$6.07)	\$166,925
SoMa Community Stabilization Fee (232,100 gsf–New Residential)	418.3(d) (@ \$13.29)	\$3,395,170
	TOTAL	\$5,948,081

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, due to potential changes to the Project and the Controller's annual inflation adjustment for impact fees.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Downtown Project Authorization pursuant to Planning Code Section 309.1 to allow the new construction of a 23-story residential building with up to 205 dwelling units, and to allow modifications to the requirements for dwelling unit exposure (Planning Code Section 140) and tower bulk, tower sculpting and tower spacing (Planning Code Section 270(e)(5)).

BASIS FOR RECOMMENDATION

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

- The Project is consistent with the objectives and policies of the General Plan, as amended.
- The Project is located in a zoning district where residential is principally permitted.
- The Project will produce a new residential development and significant site updates, including landscaping, private and common open space, sidewalk improvements.
- The Project complies with the First Source Hiring Program.
- The Project adds up to 205 new dwelling units to the City's housing stock.
- The Project shall construct 25 new on-site affordable housing units.
- The Project will fully utilize the Rincon Hill Area Plan controls, and will pay the appropriate development impact fees.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion-Downtown Project Authorization
Parcel Map
Sanborn Map
Aerial Photograph

Zoning Map
Project Sponsor Submittal
Architectural Drawings
Affordable Housing Affidavit
Costa-Hawkins Agreement
First Source Hiring Affidavit
Anti-Discriminatory Housing Policy Affidavit
Public Correspondence
EIR Addendum

Attachment Checklist

- | | |
|---|--|
| ☒ Executive Summary | ☒ Project Sponsor Submittal |
| ☒ Draft Motion | Drawings: <u>Existing Conditions</u> |
| ☐ Environmental Determination | ☒ Check for legibility |
| ☒ Zoning District Map | Drawings: <u>Proposed Project</u> |
| ☒ Height & Bulk Map | ☒ Check for legibility |
| ☒ Parcel Map | ☐ Health Dept. Review of RF levels |
| ☒ Sanborn Map | ☐ RF Report |
| ☒ Aerial Photo | ☐ Community Meeting Notice |
| ☒ Context Photos | ☒ Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| ☒ Site Photos | |

Exhibits above marked with an "X" are included in this packet

RS
Planner's Initials

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☒ Affordable Housing (Sec. 415)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Downtown Park Fee (Sec. 412)

☒ First Source Hiring (Admin. Code)

☐ Child Care Requirement (Sec. 414)

☒ Other (Rincon Hill Impact Fees, Sec. 418)

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Planning Commission Draft Motion

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65-X & 65/250-R Height and Bulk District
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ADOPTING FINDINGS RELATING TO A DOWNTOWN PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 309.1 AND 827, TO ALLOW AN EXCEPTION TO DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140 AND TOWER BULK, TOWER SCULPTING AND TOWER SPACING PURSUANT TO PLANNING CODE SECTION 270(E)(5) TO ALLOW CONSTRUCTION OF A NEW 23-STORY RESIDENTIAL BUILDING (APPROXIMATELY 255,468 GSF) WITH UP TO 205 DWELLING UNITS (CONSISTING OF 42 STUDIOS, 69 1-BEDROOM UNITS AND 94 2-BEDROOM UNITS), LOCATED AT 525 HARRISON STREET, LOT 063 IN ASSESSOR'S BLOCK 3764, WITHIN THE RH-DTR (RINCON HILL DOWNTOWN RESIDENTIAL) ZONING DISTRICT AND A 65-X AND 65/250-R HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On January 13, 2014, Steve Vettel of Farella Braun + Martel, LLP of behalf of Hines Interests Ltd. (hereinafter "Project Sponsor") filed Application No. 2013.0159X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Downtown Project Authorization to construct a new 17-story residential building with 179 dwelling units at 525 Harrison Street (Block 3764 Lot 063) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Final Environmental Impact Report (hereinafter

“EIR”). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, 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.

In approving the Rincon Hill Plan, the Commission adopted CEQA Findings in its Motion No. 17008 and hereby incorporates such Findings by reference.

On August 6, 2015, the Department finalized an Addendum to the Rincon Hill Plan EIR, which determined that the analyses and the conclusions reached in the Final EIR remain valid. The proposed project would not cause new significant adverse impacts beyond those identified in the original Rincon Hill Plan Final EIR.

Since the Rincon Hill Plan Final EIR was certified, there have been no substantial changes to the Rincon Hill 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. There is no new information of substantial importance that would change the conclusions set forth in the Final EIR. No further environmental review is required. The file for this project, including the Rincon Hill Final EIR and the EIR Addendum, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California (Case No. 2013.0159E).

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

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2013.0159X at 1650 Mission Street, 4th Floor, San Francisco, California.

On August 13, 2015, the Planning Commission (“Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization Application No. 2013.0159X.

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 Downtown Project Authorization requested in Application No. 2013.0159X, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The proposed project is located on an irregularly-shaped lot on the east side of Harrison Street between 1st and Essex Streets. The subject lot has a lot area of approximately 12,998± sq ft, and has approximately 140-ft of frontage on Harrison Street. The subject lot is bordered by a freeway on-ramp to the south and east, and a vacant lot to the north. The subject lot is currently occupied by a two-story former industrial building (measuring approximately 27,500 gsf), which is currently an entertainment venue (d.b.a. Sound Factory).
3. **Surrounding Properties and Neighborhood.** The project site is located in the Rincon Hill DTR Zoning District along a transitioning corridor within the Rincon Hill Plan area. To the north of the project site is a vacant lot and a three-story, former industrial building (d.b.a Terra), while to the south of the project site is the freeway on-ramp. Across from the project site, opposite Harrison Street, is a four-story residence with 33 dwelling units and a new 400-ft residential tower with up to 320 dwelling units at 45 Lansing Street, which is under construction. Other zoning districts in the vicinity of the project site include: P (Public), SB-DTR (South Beach Downtown Residential District), and TB-DTR (Transbay Downtown Residential).
4. **Project Description.** The proposed project includes demolition of the existing two-story former industrial building (27,500 gsf), and the new construction of a 23-story residential building (approximately 255,468 gross square feet (gsf)) with up to 205 dwelling units, 1,000 square feet of ground floor café/retail, 103 off-street parking spaces, 127 Class 1 bicycle parking spaces, and 20 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 97 two-bedroom units, 69 one-bedroom units, and 42 studio units. The proposed project includes approximately 15,375 square feet of open space via ground floor street improvements, private balconies, a podium level roof deck, and a rooftop terrace. The entrance to the below-grade parking levels via a 22-ft wide entrance off of Harrison Street.
5. **Public Comment.** The Department has received several public inquiries regarding the proposed project. The majority of these inquiries have expressed neither support nor opposition to the proposed project. One of the public correspondences requested additional review of the project against the City's Vision Zero policies. The Department received one letter of support from the San Francisco Housing Action Coalition.
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 RH-DTR Zoning Districts.** Planning Code Section 827.46 states that residential use is principally permitted use within the RH-DTR Zoning District. Planning

Code Section 827.26 states that ground floor retail use is principally permitted within the RH-DTR Zoning District.

The Project would construct new residential use and a ground floor café within the RH-DTR Zoning District; therefore, the Project complies with Planning Code Sections 827.26 and 827.46.

- B. **Height.** Planning Code Section 827.10 outlines the requirements associated with the 65/250-R Height and Bulk District, as defined in Planning Code Sections 102, 105, 106, 250-252, 260, 263.19, and 270.

As noted in Planning Code Section 260(b)(1)(H) and (I), certain features are exempt from the height limited including enclosed space related to the recreational use of the roof shall not to exceed 16 feet in height and additional building volume used to enclose or screen from view mechanical equipment and rooftop features. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable, shall meet the requirements of Section 141, shall not exceed 10 percent of the total height of any building taller than 105 feet, shall have a horizontal area not more than 85 percent of the total area of the highest occupied floor, and shall contain no space for human occupancy. The features described in (b)(1)(B) shall not be limited to 16 feet for buildings taller than 160 feet, but shall be limited by the permissible height of any additional rooftop volume allowed by this Subsection.

The Project is located within a split height district with the eastern portion of the site located in 65-X Height and Bulk District and the western portion of the site located in the 65/250-R Height and Bulk District. The Project complies with the height limit, since the Project includes a podium of 65-ft and a tower height of 250-ft. The Project includes a rooftop screen for the mechanical equipment, which is approximately 15-ft above the height limit, and meets the requirements of Planning Code Section 260(b)(1)(H) and (I).

- C. **Tower Bulk and Spacing.** Planning Code Section 270(e) outlines the requirements for tower bulk and spacing. Within the 65/250-R Height and Bulk District, Planning Code 270 limits the upper tower of buildings between the 241-ft and 300-ft to a plan length of 100-ft and a diagonal dimension of 125-feet. Further, the maximum floor area for the upper tower is limited to 8,500 square feet. According to Planning Code Section 270(e)(2)(G), a minimum distance of 115 feet must be preserved between all structures above 110 feet in height at all levels above 110 feet in height.

The Project does not comply with the bulk controls because the Project includes a tower with a plan length of 113-ft, a diagonal dimension of 142-ft and a tower floor area of 8,925 square feet. In addition, the Project has a tower spacing of 82-ft above a height of 110-ft. Therefore, the Project is seeking a modification of the tower bulk, upper tower sculpting and tower spacing requirements under the Downtown Project Authorization, pursuant to Planning Code Section 270(e)(5) and 309.1.

- D. **Rear Yard.** Planning Code Section 827.12 permits 100 percent lot coverage, and does not require a rear yard for the project site.

The Project includes covers the majority of the subject lot, and is consistent with Planning Code Section 827.12.

- E. **Setbacks.** Planning Code Section 827.13 requires a building setback of 10-ft above a height of 65-ft along Spear, Maine, Beale, Fremont, and First Streets. This requirement shall not apply to street frontage occupied by a building taller than 85-ft. This upper story setback requirement shall not apply to the first 60 linear feet from corners at Folsom, Harrison and Bryant Streets.

Since the Project includes construction of a building taller than 85-ft, this requirement does not apply.

- F. **Street-Facing Active Uses.** Planning Code Sections 145.1 and 827.14 requires active uses on all street frontages. Per Planning Code Section 145.1, active use is defined as either: residential use above the ground floor or on the ground floor if they provide direct, individual pedestrian access to a public sidewalk; spaces accessory to residential uses, such as fitness or community rooms, with direct access to a public sidewalk; building lobbies, so long as they do not exceed 40-ft or 25% of building frontage, whichever is larger; or, public uses described in Planning Code Section 790.80. Along Harrison Street, individual ground floor residential units are encouraged, where appropriate.

The Project provides active uses along Harrison Street. The residential lobby is less than 40-ft wide, and the Project provides a pedestrian arcade and café along the majority of the street frontage. Further, the Project includes residential amenity spaces towards the west end of the building, which will assist in activating the visible street frontage. Therefore, the Project complies with Planning Code Sections 145.1 and 827.14.

- G. **Off-Street Parking.** Planning Section 151.1 of the Planning Code permits one off-street parking space for each two dwelling units.

The Project is allowed to have a maximum of 103 off-street parking spaces for the 205 dwelling units. Currently, the Project provides 103 off-street parking spaces via mechanical lifts. Of the 103 off-street parking spaces, four parking spaces are identified as handicap accessible and one parking space is identified as two car share parking spaces. Therefore, the Project complies with Planning Code Section 151.1.

- H. **Parking and Loading Access.** Planning Code Sections 145.14, 151.1, 155(r), 825 and 827.16 prohibits parking above ground except on sloping sites, and limits parking access to two openings that are a maximum of 11-ft wide each, or a single opening that is no more than 22-ft wide. Loading access is limited to one opening that is a maximum of 15-ft wide.

The Project includes 103 below-grade, off-street parking spaces, which are accessible from a single opening along Harrison Street, which measures 22-ft. The Project does not include off-street loading access. Therefore, the Project complies with Planning Code Sections 825(b)(5) and 827.16.

- I. **Usable Open Space per Residential Unit.** Planning Code Sections 135 and 827.16 require a minimum of 75 sq ft of open space per dwelling unit.

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. Further, inner courts may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

In DTR Districts, publically-accessible useable open space may fulfill the open space requirement, and may include: an unenclosed park or garden at street grade; an unenclosed plaza at street grade with seating areas and landscaping; an unenclosed pedestrian pathway; and streetscape improvements with landscaping and pedestrian amenities in compliance with Better Streets Plan.

The Project is required to provide 15,375 sq ft of open space for the proposed 205 dwelling units.

Currently, the Project provides streetscape improvements, which will meet the Better Streets Plan (approximately 2,280 square feet), a ground floor, publically-accessible arcade (measuring 675 square feet), private balconies for 36 dwelling units (with a total of 1,800 square feet), a podium roof deck (4,416 square feet) and a roof terrace (6,512 square feet). In total, the Project provides 15,683 square feet of open space. Therefore, the Project complies with Planning Code Section 135.

- J. **Permitted Obstructions.** Planning Code Section 136 outlines the requirements for features, which may project over a street, alley, setback or usable open space. Generally, projections over streets and alleys are limited to 3-ft deep with a maximum length of 15-ft for each bay window or balcony. This length shall be reduced in proportion to the distance from such line by means of a 45 degree angle drawn inward from the ends of the 15-ft dimension, thus reaching a maximum of 9-ft along a line parallel to and at a distance of 3-ft from the line establishing the required open area.

The Project includes balconies that project over the property line onto Harrison Street. These balconies meet the dimensional requirements of the Planning Code. Therefore, the Project complies with Planning Code Section 136.

- K. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction, as well as a streetscape plan, which includes elements from the Better Streets Plan.

The Project includes the new construction of a 23-story residential tower on a lot with approximately 140-ft of frontage along Harrison Street. Therefore, the Project is required to provide a total of 7 street trees along Harrison Street.

The Project will provide 6 new street trees along Harrison Street, and will pay an in-lieu fee for the two remaining required street trees along Harrison Street, as specified in Planning Code Section 428. In addition, the Project is proposing sidewalk widening and other streetscape improvements, such as landscaping and bicycle parking.

Therefore, the Project complies with Planning Code Section 138.1.

- L. **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. The Project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24-sq ft and larger in size; therefore, the Project complies with Planning Code Section 139.

- M. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, public alley at least 25-ft in width, side yard at least 25-ft in width, or rear yard, which meets the requirements of the Planning Code.

The Project organizes the dwelling units to have exposure either on Harrison Street or facing the freeway on-ramp. Currently, ninety-six dwelling units do not face onto a public street or a code-complying yard. Therefore, the Project is seeking a modification of the dwelling unit exposure requirements for these dwelling units as part of the Downtown Project Authorization (See Below).

- N. **Shadow.** Planning Code Section 147 requires the reduction of shadow on certain public or publicly accessible open spaces in C-3, South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts. Similarly, Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

Based upon a detailed shadow analysis, the Project does not cast any net new shadow upon public open space or properties under the jurisdiction of the Recreation and Parks Commission.

- O. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires at least 100 Class 1 bicycle parking spaces plus one Class 1 bicycle parking space for every four dwelling units exceeding 100, and one Class 2 bicycle parking spaces for every 20 dwelling units.

The Project includes 205 dwelling units; therefore, the Project is required to provide 127 Class 1 bicycle parking spaces and 10 Class 2 bicycle parking spaces. The Project will provide 120 Class 1 bicycle parking spaces within the basement level and 20 Class 2 bicycle parking spaces on the street. Therefore, the Project complies with Planning Code Section 155.2.

- P. **Car Share Requirements.** Planning Code Section 166 requires one car-share parking spaces, plus one for every 200 dwelling units over 200, for projects with 201 residential units or more.

Since the Project includes 205 dwelling units, it is required to provide a minimum of one car-share parking space. The Project provides two car-share parking spaces, thus exceeding this requirement. Therefore, the Project complies with Planning Code Section 166.

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

The Project is providing off-street parking that is accessory to the dwelling units. These spaces will be unbundled and sold and/or leased separately from the dwelling units; therefore, the Project meets this requirement.

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

For the 205 dwelling units, the Project is required to provide at least 82 two-bedroom units or 32 three-bedroom units. The Project provides 42 studios, 69 one-bedroom units, and 94 two-bedroom units. Therefore, the Project meets the requirements for dwelling unit mix.

- S. **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, the current percentage requirements apply to projects that consist of ten or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing for the purpose of increasing affordable housing citywide.

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 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 or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on August 5, 2015 and a draft of the Costa Hawkins agreement on August 5, 2015. The EE application was submitted on August 2, 2013. Pursuant to Planning Code Section 415.3 and 415.6 the on-site requirement is 12%. 25 units (11 two-bedrooms, 9 one-bedrooms and 5 studios) of the 205 units provided will be affordable rental 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. The Project must execute the Costa Hawkins agreement prior to Planning Commission approval or must revert to payment of the Affordable Housing Fee.

- T. **Rincon Hill Community Infrastructure Impact Fee.** Planning Code Section 418 is applicable to any development project within the Rincon Hill Area Plan that results in the addition of at least one net new residential unit.

The Project includes approximately 255,468 gross square feet of new residential development that is subject to the Rincon Hill Community Infrastructure Impact Fee, as outlined in Planning Code Section 418. The Project will receive a credit for existing uses on the subject lot. These fees must be paid prior to the issuance of the building permit application.

- U. **South of Market (SOMA) Community Stabilization Fee.** Planning Code Section 418.3(d) is applicable to any development project within the Rincon Hill Area Plan that results in new residential development.

The Project includes approximately 255,468 gross square feet of new residential development that is subject to the SOMA Community Stabilization Fee, as outlined in Planning Code Section 418.3(d). These fees must be paid prior to the issuance of the building permit application.

- V. **Reduction of Ground Level Wind Currents.** Planning Code 825(d) requires that new buildings and additions to existing buildings shall not cause ground-level wind currents, which exceed more than 10 percent of the time year-round, between 7:00am and 6:00pm, the comfort level of 11 mph equivalent wind speed in areas of substantial pedestrian use and 7 mph equivalent wind speed in public seating areas.

Based upon a determination from the Zoning Administrator, the Project shall not cause ground-level wind currents, which exceed the tolerances permitted by the Planning Code. According to the wind study, the existing site has a single wind hazard conditions on the north side of Harrison Street, adjacent to 45 Lansing Street, which exceeds the hazard level of 26 miles per hour for a single full hour per year. The Project would assist in removing two existing pedestrian-comfort criterion exceedances and would not add new exceedances to pedestrian-comfort. The Project would aggravate the one existing wind hazard, thus increasing its duration by 1 hour per year for a total of two hours per year. However, this wind hazard will be eliminated by the planned streetscape improvements in front of 45 Lansing Street and 525 Harrison Street. In conformance with the Rincon Hill Streetscape Plan, the proposed street trees would eliminate the two hours per year project hazard, thus the Project would mitigate existing and new ground-level wind currents or hazards.

- W. **Building Standards-Development Concept.** Planning Code Section 827(a)(1) outlines a development concept that establishes a podium up to 85-ft in height with a slender residential towers spaced to provide ample light and air to the district. New development will contribute to the creation of a substantial amount of public open space, as well as provide private common areas, courtyards, and balconies. Streets will be improved to provide widened sidewalks with substantial public open space. Ground floor uses will be pedestrian-oriented in character, consisting primarily of retail on Folsom Street, and individual townhouse-style residential units on First, Fremont, Beale, Main, and Spear Streets, as well as on alleys and mid-block pathways. Parking will be located below grade, and building utilities (loading bays, service doors, garage doors) will be located in sidewalk vaults or on secondary frontages.

The Project includes a residential tower over a clearly delineated podium level with the private balconies, which start at the second floor, a podium-level deck/lounge and a roof terrace. The Project provides a new residential tower along Harrison Street. The Project includes common open space and private balconies, as well as ground floor street improvements along Harrison Street. The ground floor uses are pedestrian-oriented and adhere to the active use requirements. Off-street parking is located below grade. Therefore, the Project is consistent with the development concept of the Rincon Hill Downtown Residential District.

7. **Downtown Project Authorization in RH-DTR.** Planning Code Section 309.1 lists aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these aspects as follows:

A. Overall building mass and scale.

The Project's mass and scale are appropriate for the surrounding context, which includes a mixed context of former industrial properties, smaller-scale residential buildings and larger-scale residential towers. The Project complies with fulfilling the vision of the Rincon Hill Area Plan, and provides a residential tower that contributes to sculpting the San Francisco skyline, while also providing context for the other nearby towers. This new tower is smaller-in-scale as compared to other nearby residential towers, and assists in sculpting the skyline towards the larger, nearby residential tower. The bulk and sculpting requirements of the proposed tower are within the maximum parameters of the towers planned for Rincon Hill. Overall, the mass and scale are appropriate for the surrounding context.

B. Architectural treatments, facade design and building materials:

The Project's architectural treatments, façade design and building materials include fiber cement panels, vision glass, and aluminum siding, which are organized into a rhythmic expression on the exterior façade. The Project provides alternating fenestration surrounded by a solid grid, which wraps around the exterior tower down to the podium level. The Project successfully addresses the unique lot condition, podium articulation and proportion between solid and glazing. As a lower-scale residential tower, the Project provides variety to the skyline as compared to the more glassy, larger-scale towers found within the surrounding Rincon Hill neighborhood. The Project successfully transitions the base podium to the upper tower by introducing a roof deck on the podium level roof, which provides for a glassy/glazed return onto the Harrison Street façade. Overall, the Project offers a high quality architectural treatment, which provides for unique and expressive architectural design that is consistent with the new construction in 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;

Along Harrison Street, the Project features a residential lobby with a gracious public entry on the ground floor, as well as access to the below-grade garage through a 22-ft wide opening. Along the street, the ground floor is setback approximately 9-ft to form a publically-accessible arcade, which provide an outdoor seating area to the ground floor café and lobby. Along with the proposed street improvements, the Project provides a lower floor level that encourages and improves the pedestrian experience.

D. On sloping sites, parking provided above ground pursuant to Section 825(b)(5)(A);

All off-street parking is located below grade, as is consistent with the policies of the Rincon Hill Area Plan.

E. The provision of required open space, both on- and off-site;

The Project provides the necessary amount of code-complying open space.

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

In compliance with Planning Code Section 138.1, the Project provides six street trees along Harrison Street, and will pay an in-lieu fee for the other required street trees not provided. In addition, the Project includes streetscape elements, including expanded sidewalks, corner bulb-outs and site furnishings. The Department finds that these improvements would improve the public realm.

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

The Project has street frontage on Harrison Streets, and incorporates sidewalk and public realm improvements, including sidewalk widening, street trees and street furniture. The primary focal point for the residents would occur on Harrison Street through the residential lobby and cafe. Automobile access is limited to a single entrance off of Harrison Street.

- H. Other changes necessary to bring a project into conformance with the applicable elements and area plans of the General Plan.

The Project is seeking legislative amendments, including a General Plan Amendment of Policies 3.3 and 3.4 of the Rincon Hill Area Plan, a Planning Code Text Amendment to add Planning Code Sections 270(e)(5) and 309.1 to address modification of the tower bulk, upper tower sculpting and tower spacing requirements, and a Zoning Map Amendment to decrease the height limit of the subject lot from 65/400-R to 65/250-R.

The Project, on balance, meets the Objectives and Policies of the General Plan (See Below).

8. **Downtown Project Authorization Exceptions.** Proposed Planning Code Section 309.1 allows exceptions for projects in the Rincon Hill Downtown Residential District:

- A. Reductions in the dwelling unit exposure requirements of Section 140;

Under Planning Code Section 140, all dwelling units must face onto a public street or alley that is at least 25-wide or a code-complying open space. The Project organizes the dwelling units to have exposure either on Harrison Street or the adjacent freeway. The adjacent freeway is not a code-compliant street, alley or open space. A total of 96 of the 205 dwelling units would require a modification to the Planning Code's exposure requirements. Although these dwelling units don't face onto a code-complying street or open space, they are still afforded sufficient access to light and air. Given the overall design and composition of the Project, the Commission supports this modification due to the Project's high quality of design and community benefits.

- B. Exceptions to the tower requirements of Section 270(e), pursuant to the criteria described in Section 270(e)(3), 270(e)(4), and 270(e)(5);

Exceptions to Tower Bulk, Upper Tower Sculpting and Tower Spacing Requirements on Block 3764. Exceptions to the tower bulk, upper tower sculpting and tower spacing requirements described in Subsections (e)(2)(A), (F) and (G) above may be granted to a project only on Block 3764, Lot 063, pursuant to the procedures described in Section 309.1 of this Code provided that the project meets all of the following criteria:

(A) Within 115 feet of Block 3764, Lot 063, there is a tower greater than 85 feet in height as part of a building that has received a First Construction Document;

The Project is located within 115-ft of a residential tower greater than 85-ft in height at 45 Lansing Street. 45 Lansing Street is located approximately 82-ft from the Project's residential tower.

(B) The project involves the construction of, or alteration to, a tower of no more than 250 feet in height;

The Project includes construction of a residential tower, which is approximately 250-ft tall.

(C) The subject lot has a total area of no more than 15,000 square feet;

The subject lot is 12,998 square feet in size.

(D) A minimum distance of 82 feet must be preserved between any structures on the parcel and any other structure on or off the parcel above 110 feet in height at all levels above 110 feet in height. Spacing shall be measured horizontally from the outside surface of the exterior wall of structures, which shall include those features described in Section 136(c)(2) and (3).

The Project preserves a tower spacing of 82-ft above a height of 110-ft.

(E) The project is primarily residential and contains no more than 250,000 gross square feet.

The Project would construct 205 new residential dwelling units within a building with approximately 222,688 gross square feet of residential use.

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

HOUSING

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

The Project is a high density residential development in transitioning area. The Project site is an ideal infill site. The project site was rezoned to RH-DTR as part of a long range planning goal to create a cohesive, higher density residential neighborhood. The surrounding neighborhood features a consistent zoning, which encourages new residential uses. The Project will provide new on-site affordable housing units for rent, thus increasing the availability of new housing to all income levels.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

The Project provides a new residential tower with a façade design that provides a rhythmic expression, which is a consistent characteristic of the surrounding context. The Project fits into the surrounding context, and provides new construction, which is of high quality design and construction. The exterior is designed with modern materials including fiber cement panels, aluminum siding and vision glass. The Project's tower is sculpted in a manner that is consistent with the parameters identified in the Rincon Hill Area Plan.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

Policy 24.3:

Install pedestrian-serving street furniture where appropriate.

Policy 24.4:

Preserve pedestrian-oriented building frontages.

The Project will install new street trees and will undertake street improvements along Harrison Street, including sidewalk widening, landscaping and site furnishings. Frontages are designed with active spaces oriented at the pedestrian level.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The Project includes 127 Class 1 bicycle parking spaces and 20 Class 2 bicycle parking spaces in secure, convenient locations.

OBJECTIVE 34:

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

Policy 34.1:

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

Policy 34.3:

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

Policy 34.5:

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

The Project provides the principally permitted amount of off-street parking with a parking to dwelling unit ratio of .5 spaces per unit. The parking spaces are accessed via a single entrance off of Harrison Street. Parking is adequate for the project and complies with maximums prescribed by the Planning Code.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.7:

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

The Project is located within the Rincon Hill neighborhood, which has transitioned into a residential neighborhood. As such, the Project provides expressive street façades, which respond to form, scale and material palette of the new construction in the neighborhood. The Project introduces a ground floor retail use, which will assist in activating this portion of Harrison Street.

OBJECTIVE 4:

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

Policy 4.5:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

The Project provides vehicular access off of Harrison Street, and includes measures to improve pedestrian safety on the subject block. New street trees will be planted on Harrison Street. Ample frontages, common and private open spaces, and ground floor active uses directly accessing the street will also be provided by the Project. Along the project site, the pedestrian experience will be greatly improved. The site is currently occupied by an entertainment venue.

RINCON HILL AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

ENCOURAGE THE DEVELOPMENT OF A UNIQUE DYNAMIC, MIXED-USE RESIDENTIAL NEIGHBORHOOD CLOSE TO DOWNTOWN, WHICH WILL CONTRIBUTE SIGNIFICANTLY TO THE CITY'S HOUSING SUPPLY.

OBJECTIVE 1.2

MAXIMIZE HOUSING IN RINCON HILL TO CAPITALIZE ON RINCON HILL'S CENTRAL LOCATION ADJACENT TO DOWNTOWN EMPLOYMENT AND TRANSIT SERVICE, WHILE STILL RETAINING THE DISTRICT'S LIVABILITY.

OBJECTIVE 1.5

ADD LIFE AND ACTIVITY TO THE DISTRICT'S PUBLIC SPACES BY PROVIDING ACTIVE USES ON STREET-FACING GROUND FLOORS.

Policy 1.1

Allow housing as a principal permitted use throughout the district.

Policy 1.3

Eliminate the residential density limit to encourage the maximum amount of housing possible within the allowable building envelope.

Policy 1.4

Require parking to be located primarily underground so that the allowable above-ground building envelope can be used for housing.

Housing

OBJECTIVE 2.1

PROVIDE QUALITY HOUSING IN A PLEASANT ENVIRONMENT THAT HAS ADEQUATE ACCESS TO LIGHT, AIR, OPEN SPACE AND NEIGHBORHOOD AMENITIES, AND THAT IS BUFFERED FROM EXCESSIVE NOISE.

OBJECTIVE 2.3

ENCOURAGE NEW HOUSING PRODUCTION OF AN ADEQUATE SIZE AND CONFIGURATION TO SERVE FAMILIES.

Policy 2.4

Require 40 percent of all units in new development to be two or more bedroom units.

Urban Design

OBJECTIVE 3.1

ACHIEVE AN AESTHETICALLY PLEASING RESIDENTIAL COMMUNITY.

OBJECTIVE 3.2

DEVELOP A DISTINCTIVE SKYLINE FORM FOR RINCON HILL THAT COMPLIMENTS THE LARGER FORM OF DOWNTOWN, THE NATURAL LANDFORM, AND THE WATERFRONT AND THE BAY, AND RESPONDS TO EXISTING POLICIES IN THE URBAN DESIGN ELEMENT.

OBJECTIVE 3.5

MAINTAIN VIEW CORRIDORS THROUGH THE AREA BY MEANS OF HEIGHT AND BULK CONTROLS THAT INSURE CAREFULLY SPACED SLENDER TOWERS RATHER THAN BULKY, MASSIVE BUILDINGS.

OBJECTIVE 3.6

ENSURE ADEQUATE LIGHT AND AIR TO THE DISTRICT AND MINIMIZE WIND AND SHADOW ON PUBLIC STREETS AND OPEN SPACES.

OBJECTIVE 3.8

ENCOURAGE A HUMAN SCALE STREETScape WITH ACTIVITIES AND DESIGN FEATURES AT PEDESTRIAN EYE LEVEL, AND AN ENGAGING PHYSICAL TRANSITION BETWEEN PRIVATE DEVELOPMENT AND THE PUBLIC REALM.

OBJECTIVE 3.9

MINIMIZE THE VISUAL IMPACTS OF RESIDENTIAL PARKING, LOADING, UTILITIES AND SERVICES ON THE NEIGHBORHOOD.

Policy 3.5

Allow no more than three towers per block, to optimize exposure to light and air from residential units, streets and open spaces.

Policy 3.17

Require that all parking must be located below street grade. For sloping sites with a grade change of greater than ten feet, require that no less than 50 percent of the parking must be below grade, and any portions not below grade must be lined by active uses.

The Project provides new residential development that is consistent with the updated Objectives and Policies of the Rincon Area Plan. The Project provides a new residential tower within the prescribed height, and includes the appropriate dwelling unit mix, since more than 40 percent or 94 units are two-bedroom dwelling units. The Project provides below-grade off-street parking and also incorporates street and ground level improvements, including sidewalk widening, street trees and site furnishings, to better enhance the public realm. The Project introduces a contemporary architectural vocabulary, which is bold and elegant relative to the surrounding context. The Project provides for a high quality designed exterior

with a variety of patterns, textures and materials. The Project will also pay the appropriate development impact fees, including the Rincon Hill Community Impact Fee.

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

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

The project site does not contain any existing neighborhood-serving retail uses. The existing use is an entertainment venue. The Project will provide new residents to the area, which will provide opportunity for patronage to nearby retail uses. The Project also incorporates a small-scale café/retail area on the ground floor, thus providing new opportunities for future businesses.

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

No housing exists on the project site. The project will provide up to 205 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project is expressive in design, and relates to the scale and form of the new construction in the surrounding neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, and shall provide new on-site affordable housing units for rent, thus increasing the opportunity for future affordable housing.

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

The project site is within proximity to public transportation. The Project is located within two blocks of a Muni bus station at Second and Folsom Streets, and is within five blocks of the temporary Transbay Terminal. The Project also provides sufficient off-street parking at a ratio of .5 per dwelling unit, 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 would not display any industrial or service sectors due to commercial office development, because the Project solely includes new residential development.

- 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.

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

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

The Project will not affect the City's parks or open space or their access to sunlight and vistas. A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission.

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

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

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
13. The Commission hereby finds that approval of the Downtown 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 Downtown Project Authorization Application No. 2013.0159X** under Planning Code Section 309.1 to allow the new construction of a 23-story residential building with up to 205 dwelling units, and a modification to the requirements for dwelling unit exposure (Planning Code Section 140) and tower bulk, upper tower sculpting and tower spacing (Planning Code Section 270(e)(5)), within the RH-DTR (Rincon Hill Downtown Residential) Zoning District, and a 65-X and 65/250-R Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 4, 2015, 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 Rincon Hill 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 309.1 Downtown 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 August 13, 2015.

Draft Motion
August 13, 2015

CASE NO. 2013.0159X
525 Harrison Street

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 13, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a Downtown Project Authorization to allow for the new construction of a 17-story residential building with up to 179 dwelling units, and a modification to the requirements for dwelling unit exposure, tower bulk, upper tower sculpting and tower spacing, located at 525 Harrison Street, Lot 063 in Assessor's Block 3764, pursuant to Planning Code Section 309.1 within the RH-DTR (Rincon Hill Downtown Residential) Zoning District, and a 65-X and 65/250-R Height and Bulk District; in general conformance with plans, dated July 1, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0159X and subject to conditions of approval reviewed and approved by the Commission on August 13, 2015 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 August 13, 2015 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 Office Development Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Validity. The authorization and right vested by virtue of this action is valid for two (2) 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 two-year period.

Per Planning Code Section 309.1(e), construction of any development in an "R" bulk district containing a building taller than 110 feet (herein referred to as a "tower project") shall commence within 24 months of the date the tower project is first approved by the Planning Commission or Board of Appeals pursuant to the provisions of this Section. Failure to begin construction work within that period, or thereafter to carry the development diligently to completion, shall be grounds for the Planning Commission to revoke approval of the tower project or phase. Neither the Department of Public Works nor the Board of Appeals shall grant any extension of time inconsistent with the requirements of Planning Code Section 309.1(e)(1). For the purposes of this Subsection, "carry the development diligently to completion" shall mean continuous construction work without significant stoppage toward the completion of a tower structure beyond any site clearance, grading, excavation, or demolition of existing buildings on the project site.

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

Expiration and Renewal. Should a Building or Site Permit be sought after the two (2) 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

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 two (2) 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

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

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

Mitigation Measures. Mitigation measures described in the MMRP for the Rincon Hill Plan EIR (Case No. 2013.0159E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

Additional Project Authorization. The Project Sponsor must obtain a General Plan Amendment to Policies 3.3 and 3.4 of the Rincon Hill Area Plan, a Planning Code Text Amendment to add criteria to Planning Code Sections 270(e) and 309.1 to allow for modification of the tower bulk, tower spacing and tower bulk requirements, and a Zoning Map Amendment to decrease the height limit of Block/Lot 3764/063 from 65/400-R to 65/250-R. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

This approval is contingent on, and will be of no further force and effect until the date that the San Francisco Board of Supervisor has approved by resolution approving the Zoning Map Amendment, Planning Code Text Amendment and General Plan Amendment.

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

DESIGN – COMPLIANCE AT PLAN STAGE

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

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street

frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

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

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

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

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

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

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

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

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

PARKING AND TRAFFIC

Unbundled Parking. 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

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 103 off-street parking spaces for the 205 dwelling units (or .5 off-street parking spaces for each dwelling unit) contained therein.

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

Car Share. Pursuant to Planning Code Section 166, no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

Bicycle Parking. Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than **127** Class 1 bicycle parking spaces and **10** Class 2 bicycle parking spaces.

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

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

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

PROVISIONS

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

Rincon Hill Community Infrastructure Impact Fee. Pursuant to Planning Code Section 418.3(b)(1), the Project shall pay the Rincon Hill Community Infrastructure Impact Fee, execution of a Waiver Agreement with the Planning Department, or execution of an In-Kind Agreement with the Planning Department prior to issuance of the first construction document.

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

South of Market Community Stabilization Fee. Pursuant to Planning Code Section 418.3(d), the Project shall pay the SOMA Community Stabilization Fee, prior to issuance of the first construction document.

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

MONITORING

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

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

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

OPERATION

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

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

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>

Noise Control. The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

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

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

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

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

INCLUSIONARY HOUSING

Affordable Units

1. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project

contains 205 units; therefore, 25 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 25 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 ("MOH").

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

2. **Unit Mix.** The Project contains 42 studios, 69 one-bedroom and 94 two-bedroom units; therefore, the required affordable unit mix is 5 studios, 9 one-bedroom, and 11 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 MOH.

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

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

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

4. **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%) of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

6. **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 Mayor's Office of Housing's websites, including on the internet at:

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

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

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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average fifty-five (55) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to renters of affordable units according to the Procedures Manual.

- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior to issuance of the first construction document or must revert payment of the Affordable Housing Fee.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
AIR QUALITY					
<i>Mitigation Measure 1 – Construction Air Quality</i>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.
The project sponsor or the project sponsor's Contractor shall comply with the following:					
A. <i>Engine Requirements</i>					
1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.					
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.					
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute					

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
idling limit.					
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.					
B. Waivers.					
1. The Planning Department’s Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).					
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table 3 below.					

Adopted Mitigation Measures

Table 3 – Off-Road Equipment Compliance Step-down Schedule

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

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

** Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

MONITORING AND REPORTING PROGRAM

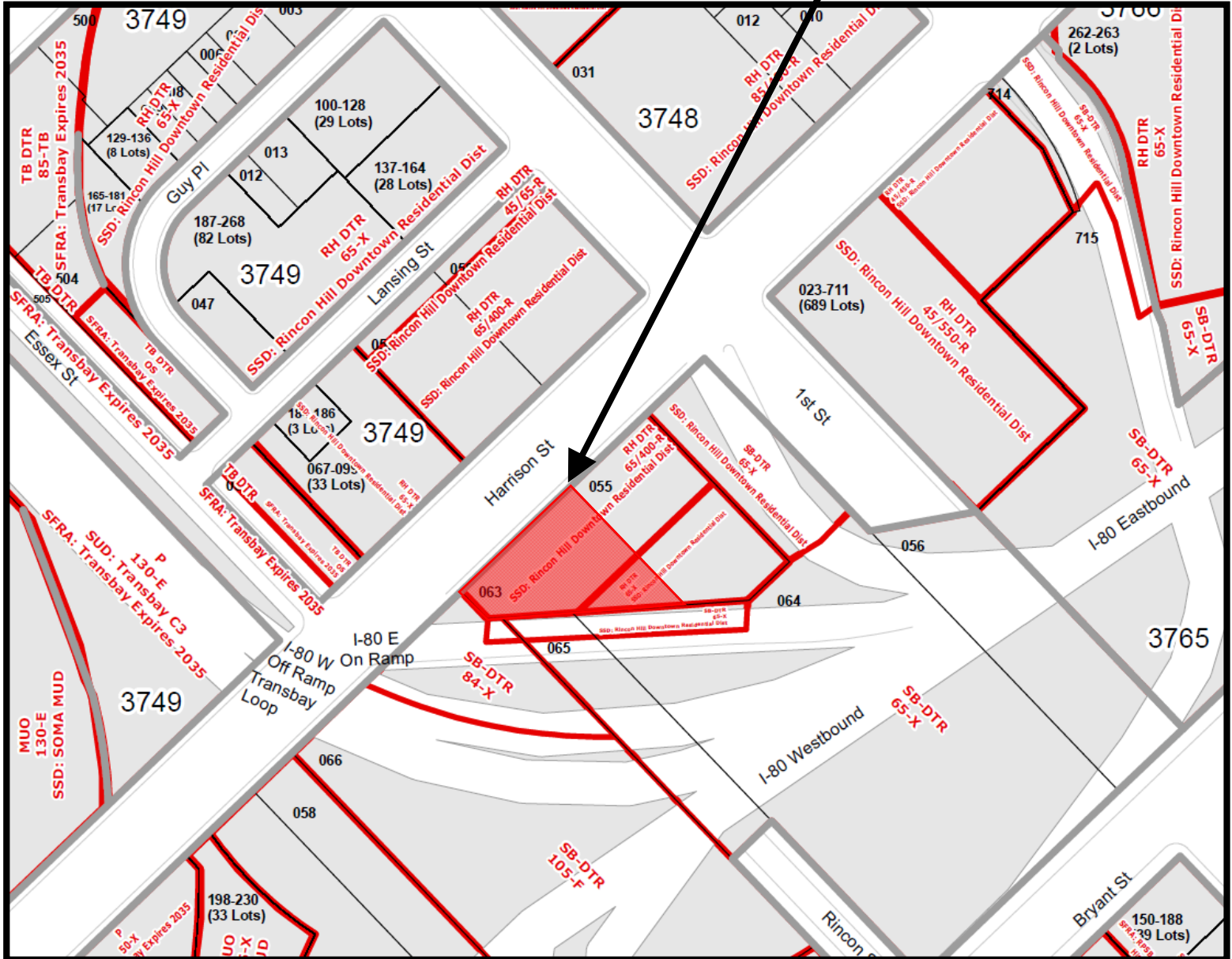
Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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Project sponsor/ contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Prepare and submit a Plan.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.
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Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.					
3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.					
D. <i>Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.	Project sponsor/ contractor(s).	Quarterly.	Submit quarterly reports.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.

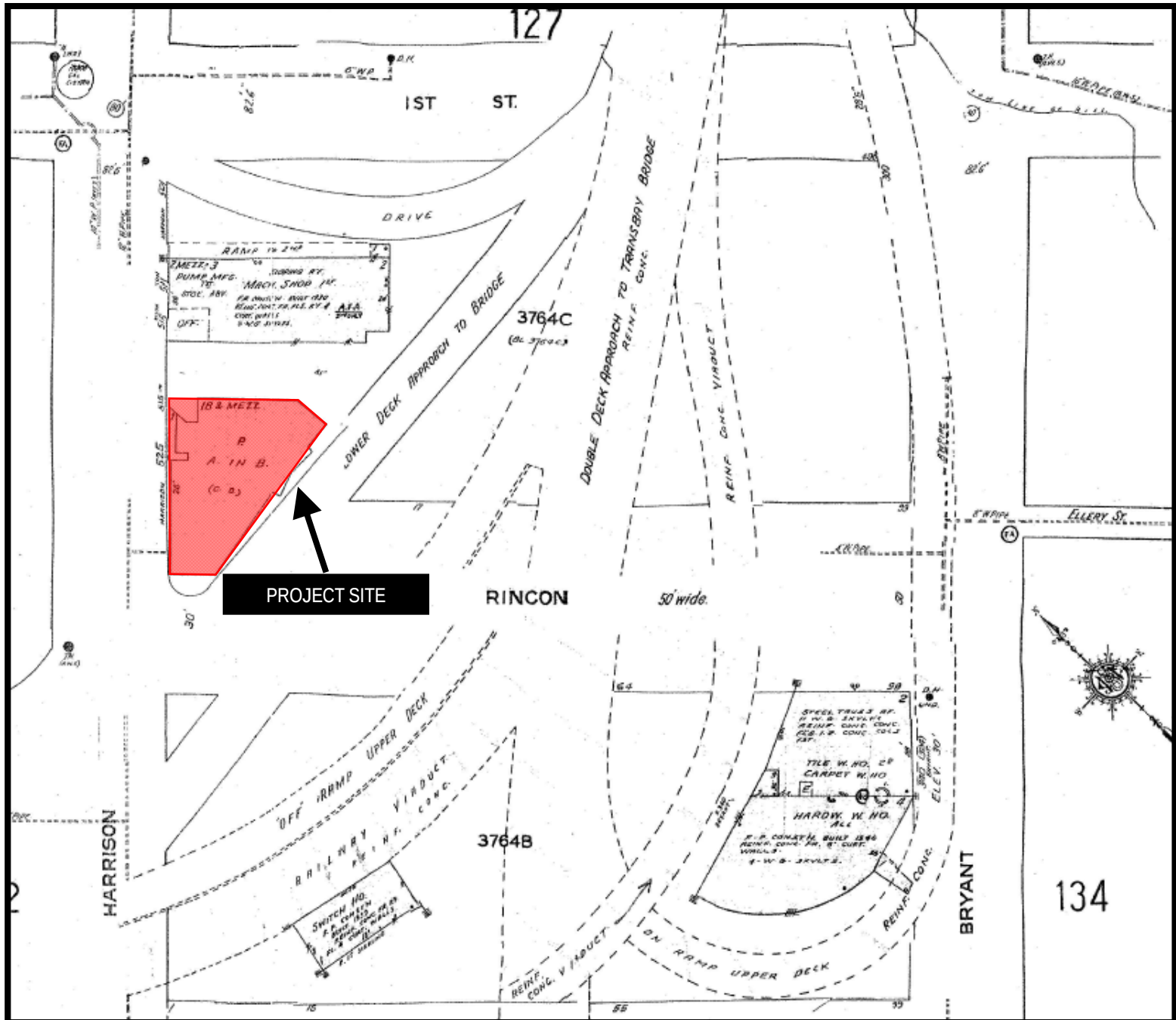
Parcel Map

SUBJECT LOT



Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

Sanborn Map*

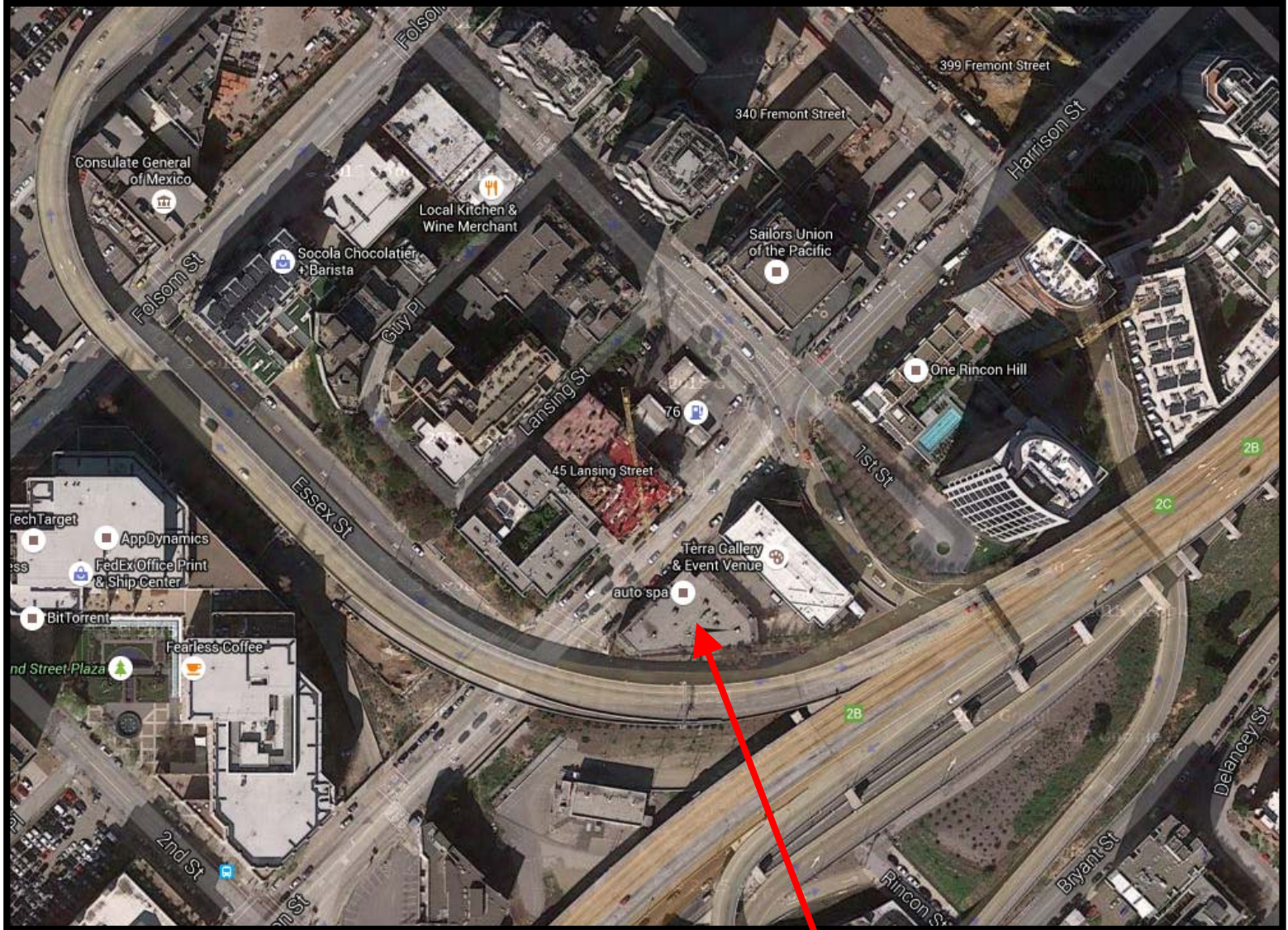


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

Aerial Photo

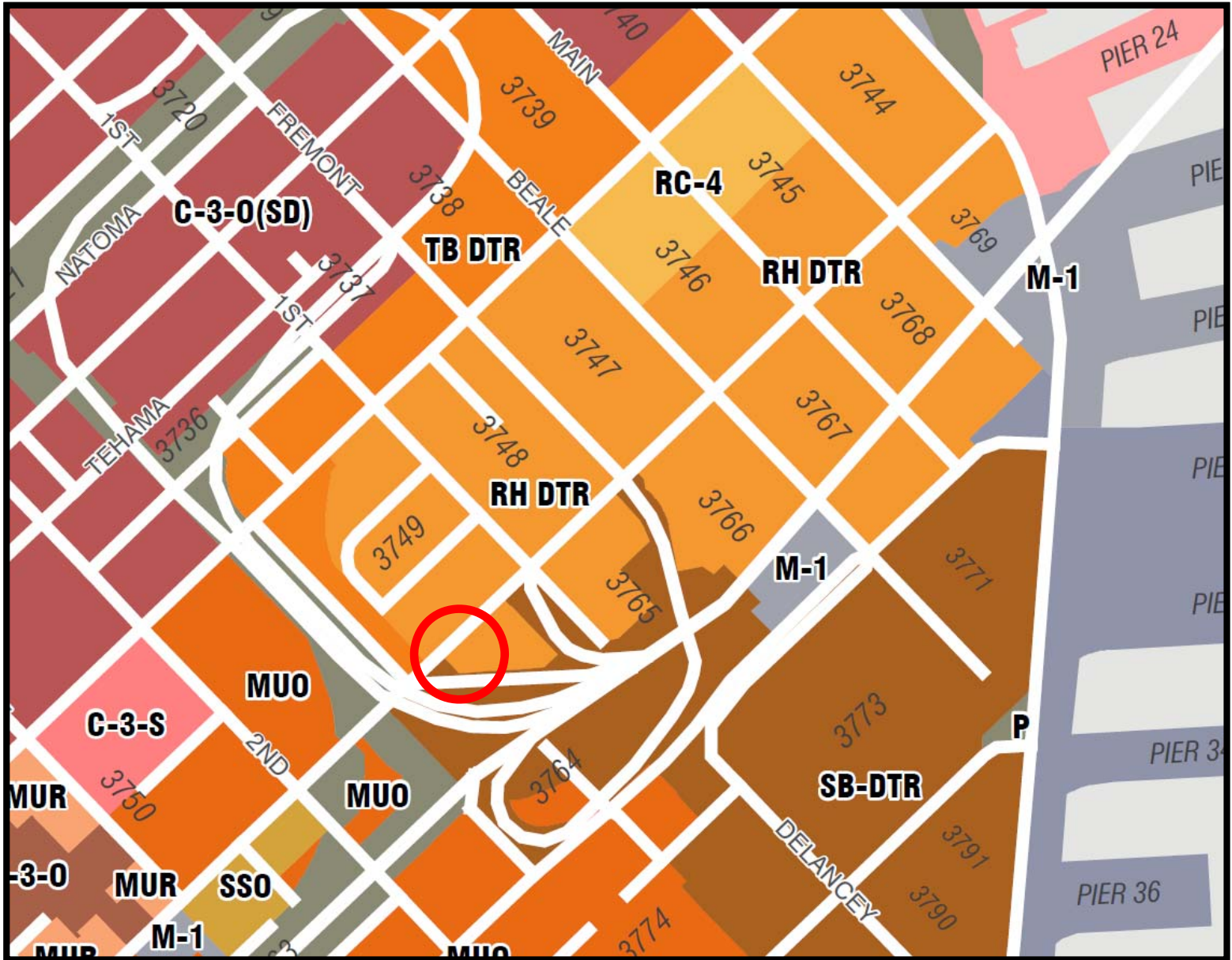


PROJECT SITE



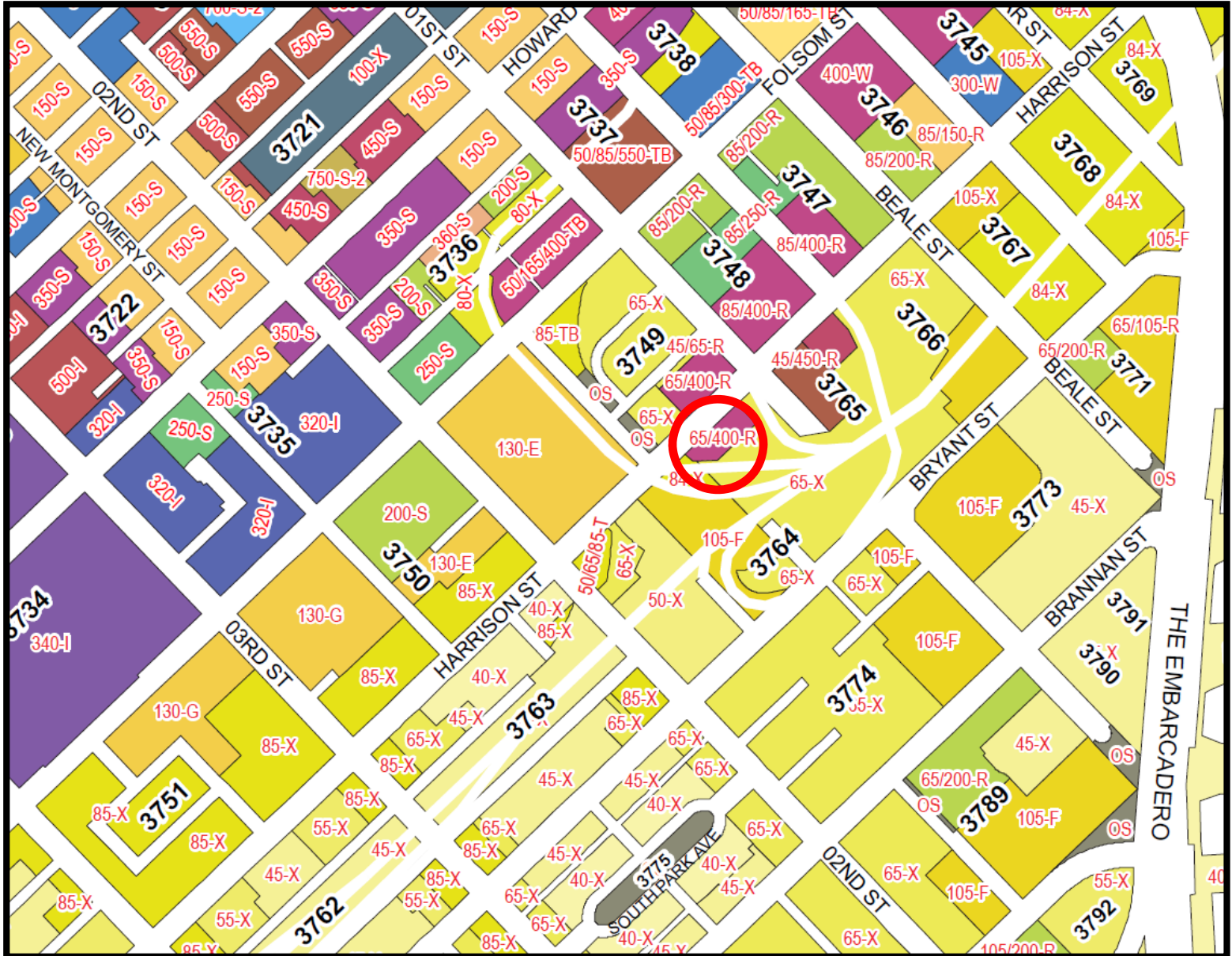
Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

Zoning Map



Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

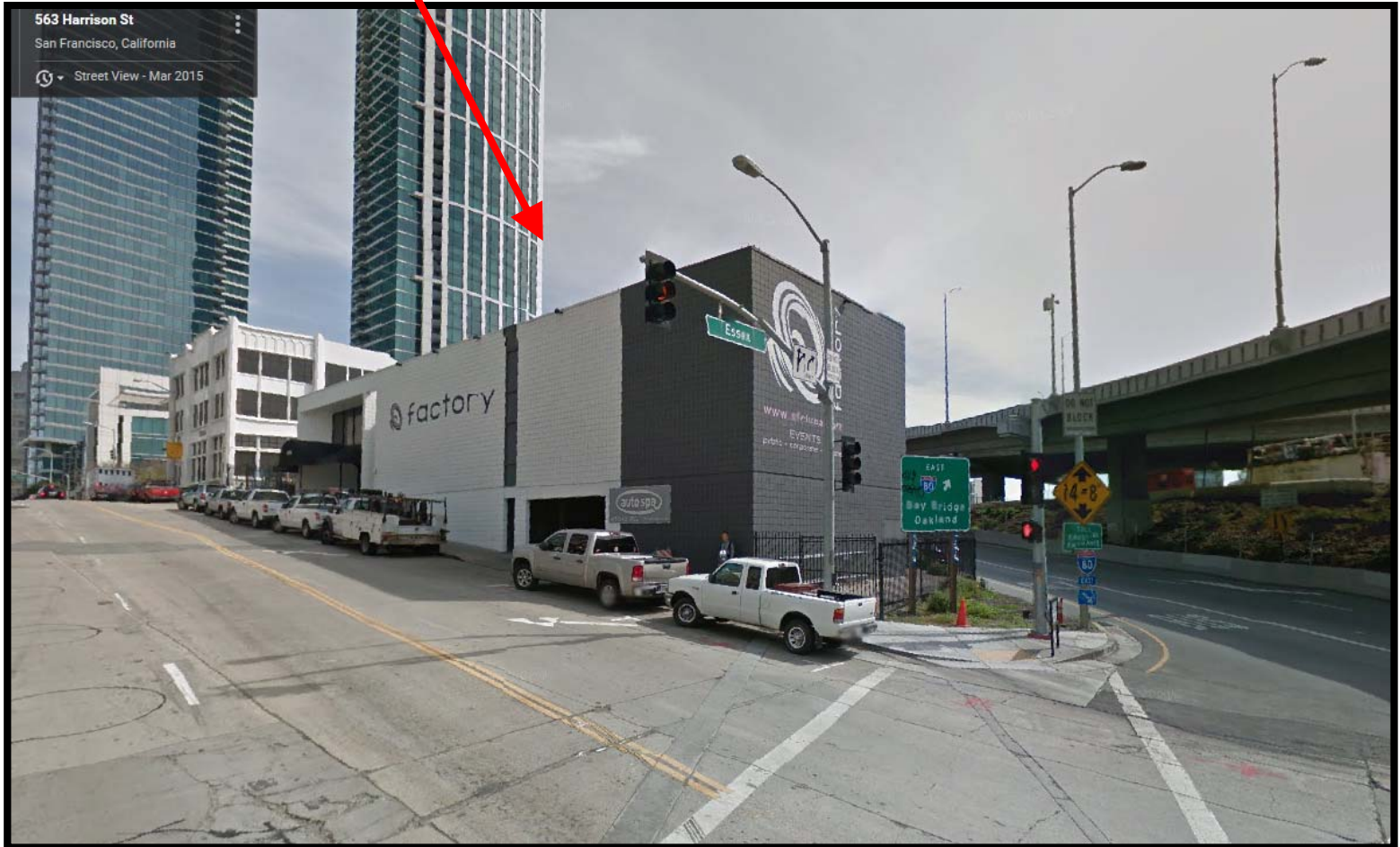
Height & Bulk District Map



Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

Site Photo

PROJECT SITE

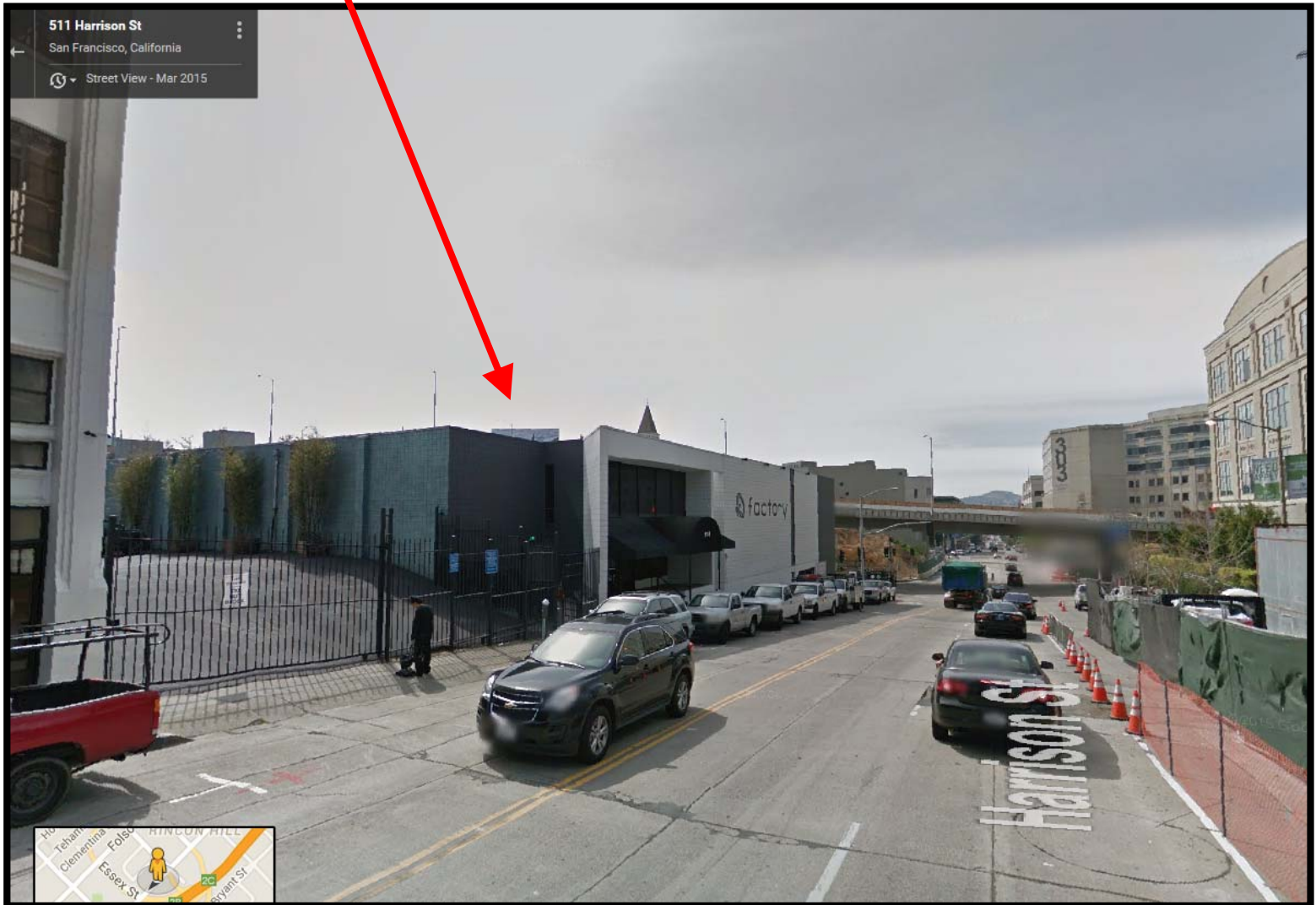


525 Harrison Street

Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

Site Photo

PROJECT SITE



525 Harrison Street

Downtown Project Authorization
Case Number 2013.0159X
525 Harrison Street

Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

8/5/15

Date

I, Cameron Falconer, do hereby declare as follows:

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

525 Harrison Street

Address

3764/063

Block / Lot

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

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

2013.0159 E

Planning Case Number

Building Permit Number

This project requires the following approval:

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

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

Rich Sucre

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- ☐ Yes (if yes, please indicate Tier) _____
- ☒ No

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

- ☐ This project uses California Debt Limit Allocation Committee (CDLAC) funding.
- ☐ This project is 100% affordable.

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

- ☐ Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).
- ☒ On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

d. If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative and the accompanying unit mix tables on page 4.

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

☒ **Rental.** Exemption from Costa Hawkins Rental Housing Act.² The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:

☐ Direct financial contribution from a public entity.

☒ Development or density bonus or other public form of assistance.

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

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

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

f. The Project Sponsor must pay the Affordable Housing 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, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer 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. Executed on this day in:

San Francisco, CA
Location

8/5/15
Date

Cmf
Signature

Cameron Falconer, SMD
Name (Print), Title

(415) 982-6200
Contact Phone Number

cc: Mayor's Office of Housing
Planning Department Case Docket
Historic File, if applicable
Assessor's Office, if applicable

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
205	0	42	69	94	0

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

- ☒ On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
25	0	5	9	11	0

- ☐ Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-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. (if applicable)		Number of Market-Rate Units in the Off-site Project	

- ☐ 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 would 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. Fee _____ % of affordable housing requirement.

2. On-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

3. Off-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-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. (if applicable)		Number of Market-Rate Units in the Off-site Project	

Affidavit for Compliance with the Inclusionary Affordable Housing Program

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name <i>Hines Interests Limited Partnership</i>	Company Name
Print Name of Contact Person <i>Cameron Falconer</i>	Print Name of Contact Person
Address <i>101 California Street Suite 1000</i>	Address
City, State, Zip <i>San Francisco, CA 94111</i>	City, State, Zip
Phone, Fax <i>(415) 982-6200</i>	Phone, Fax
Email <i>cameron.falconer@hines.com</i>	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.	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.
Signature 	Signature
Name (Print), Title <i>Cameron Falconer, SMD</i>	Name (Print), Title

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: <i>Brit Hahn</i>	
PROPERTY OWNER'S ADDRESS: <i>715 Harrison Street, Suite 1000 San Francisco, CA 94107</i>	TELEPHONE: <i>(415) 540-7938</i>
	EMAIL: <i>brit.hahn@aol.com</i>

APPLICANT'S NAME: <i>Hines Interests Limited Partnership c/o Cameron Falconer</i> Same as Above ☐	
APPLICANT'S ADDRESS: <i>101 California Street Suite 1000 San Francisco, CA 94111</i>	TELEPHONE: <i>(415) 982-6200</i>
	EMAIL: <i>cameron.falconer@hines.com</i>

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

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

2. Location and Project Description

STREET ADDRESS OF PROJECT: <i>525 Harrison Street</i>		ZIP CODE: <i>94105</i>	
CROSS STREETS: <i>Harrison & Essex</i>			
ASSESSORS BLOCK/LOT: <i>3764 / 063</i>	ZONING DISTRICT: <i>Rincon Hill - DTR</i>	HEIGHT/BULK DISTRICT: <i>65X, 65/400R</i>	
PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
☒ New Construction ☒ Demolition ☐ Alteration ☐ Other: _____	<i>0</i>	<i>205</i>	<i>205</i>

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? IL, FL, GA, MN, TX, MA, CO, PA, WA,
Washington DC

- 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.

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: 8/15/15

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

Cameron Falconer
Owner / Authorized Agent (circle one)



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

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

Section 1: Project Information

PROJECT ADDRESS <i>525 Harrison</i>		BLOCK/LOT(S) <i>3764 / 063</i>
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE) <i>2013.0159 E</i>	MOTION NO. (IF APPLICABLE)
PROJECT SPONSOR <i>Hines Interests Limited Partnership</i>	MAIN CONTACT <i>Cameron Falconer</i>	PHONE <i>(415) 982-6200</i>
ADDRESS <i>101 California Street Suite 1000</i>		
CITY, STATE, ZIP <i>San Francisco, CA 94111</i>		EMAIL <i>cameron.falconer@hines.com</i>
ESTIMATED RESIDENTIAL UNITS <i>205</i>	ESTIMATED SQ FT COMMERCIAL SPACE <i>1000 SF</i>	ESTIMATED HEIGHT/FLOORS <i>250' / 23 Floors</i>
ESTIMATED CONSTRUCTION COST		
ANTICIPATED START DATE		

Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
☒	Project is wholly Residential
☐	Project is wholly Commercial
☐	Project is Mixed Use
☒	A: The project consists of ten (10) or more residential units;
☐	B: The project consists of 25,000 square feet or more gross commercial floor area.
☐	C: Neither 1A nor 1B apply.
NOTES: • If you checked C, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department. • If you checked A or B, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83. • For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.org • If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.	

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	—	—	—	Laborer	49.20	2	10
Boilermaker	—	—	—	Operating Engineer	66.88	—	3
Bricklayer	—	—	—	Painter	61.88	2	10
Carpenter	68.07	5	20	Pile Driver	—	—	—
Cement Mason	53.68	2	10	Plasterer	—	—	—
Drywall/Latherer	68.95	5	30	Plumber and Pipefitter	108.44	3	15
Electrician	118.02	2	10	Roofer/Water proofer	51.42	2	5
Elevator Constructor	92.70	1	5	Sheet Metal Worker	84.96	2	8
Floor Coverer	68.32	1	5	Sprinkler Fitter	82.19	1	5
Glazier	68.55	2	10	Taper	61.99	4	20
Heat & Frost Insulator	79.32	1	4	Tile Layer/Finisher	56.60	2	10
Ironworker	62.30	2	10	Other:	—	—	—
TOTAL:			104	TOTAL:			86

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? _____

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Cameron Falconer	Cameron.Falconer@hines.com	(415) 982-6200
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)		8/15/15 (DATE)
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		

Free Recording Requested Pursuant to
Government Code Section 27383

When recorded, mail to:

San Francisco Planning Department
1650 Mission Street, Room 400
San Francisco, California 94103
Attn: Director

Lots 063 in Assessor's Block 3764

**AGREEMENT TO PROVIDE ON-SITE AFFORDABLE HOUSING UNITS BETWEEN
THE CITY AND COUNTY OF SAN FRANCISCO AND
MMI/HINES HARRISON, RELATIVE TO THE
DEVELOPMENT KNOWN AS 525 HARRISON STREET**

THIS AGREEMENT TO PROVIDE ON-SITE AFFORDABLE HOUSING UNITS ("Agreement") dated for reference purposes only as of this ____ day of _____, 2015, is by and between the CITY AND COUNTY OF SAN FRANCISCO, a political subdivision of the State of California (the "City"), acting by and through its Planning Department, and MMI/HINES HARRISON LLC, a Delaware limited liability company ("Developer") with respect to the project approved for 525 Harrison Street (the "Project"). City and Developer are also sometimes referred to individually as a "Party" and together as the "Parties."

RECITALS

This Agreement is made with reference to the following facts:

A. Code Authorization. Chapter 4.3 of the California Government Code directs public agencies to grant concessions and incentives to private developers for the production of housing for lower income households. The Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50 et seq., hereafter the "Costa-Hawkins Act") imposes limitations on the establishment of the initial and all subsequent rental rates for a dwelling unit with a certificate of occupancy issued after February 1, 1995, with exceptions, including an exception for dwelling units constructed pursuant to a contract with a public entity in consideration for a direct financial contribution or any other form of assistance specified in Chapter 4.3 of the California Government Code (Section 1954.52(b)). Pursuant to Civil Code Section 1954.52(b), the City's Board of Supervisors has enacted as part of the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq, procedures and requirements for entering into an agreement with a private developer to memorialize the concessions and incentives granted to the developer and to provide an exception to the Costa-Hawkins Act for the inclusionary units included in Developer's project.

B. Property Subject to this Agreement. The property that is the subject of this Agreement consists of the real property in the City and County of San Francisco, California, at 525 Harrison Street, Lots 063 in Assessor's Block 3764 and located on the southern frontage of Harrison Street between 1st Street and Essex Street (the "Property"). The Property is more particularly described in Exhibit A attached hereto. The Property is or will be owned in fee by Developer.

C. Development Proposal; Intent of the Parties. The Developer proposes to remove the existing building and construct a new 22-story, 205-unit mixed use residential building on the Property. The dwelling units would be offered as rental units and the inclusionary affordable housing would be provided on-site. The Project would fulfill its inclusionary affordable housing requirement by providing 12% of the dwelling units, or 25 below-market rate (BMR) units, on-site, assuming that 205 residential units are constructed.

On _____, 2015, pursuant to Motion No. _____ the Planning Commission approved Section 309.1 Review (for Downtown Residential District Project Authorization) ("Section 309.1 Approval") with exceptions from Planning Code requirements related to tower separation, bulk, and dwelling unit exposure. In addition, on _____, 2015, the San Francisco Board of Supervisors adopted Ordinance No. _____, amending the Planning Code (the "Code Amendment") to authorize the Planning Commission to consider exceptions to the bulk controls and tower separation requirements for structures up to 250 feet in height on the Property, and to lower the height/bulk designation on a portion of the property from 65/400-R to 65/250-R.

The Section 309.1 Approval and the Code Amendment are collectively referred to herein as the "Project Approvals". The dwelling units that are the subject of this Agreement are the Project's on-site inclusionary units representing twelve percent (12%) of the Project's dwelling units, which assuming that 205 dwelling are constructed, would total 25 inclusionary units (the "Inclusionary Units"). The dwelling units in the Project that are not Inclusionary Units, representing eighty-eight percent (88%) of the Project's dwelling units, which, assuming that 205 units are constructed, would total 180 units, are referred to herein as the "Market Rate Units". This Agreement is not intended to impose restrictions on the Market Rate Units or any portions of the Project other than the Inclusionary Units. The Parties acknowledge that this Agreement is entered into in consideration of the respective burdens and benefits of the Parties contained in this Agreement and in reliance on their agreements, representations and warranties.

D. Inclusionary Affordable Housing Program. The Inclusionary Affordable Housing Program, San Francisco Planning Code Section 415 et seq. (the "Affordable Housing Program") provides that developers of any housing project consisting of ten or more units to pay an Affordable Housing Fee, as defined therein. The Affordable Housing Program provides that developers may be eligible to meet the requirements of the program through the alternative means of entering into an agreement with the City and County of San Francisco pursuant to Chapter 4.3 of the California Government Code for concessions and incentives, pursuant to which the developer covenants to provide affordable on-site units as an alternative to payment of the Affordable Housing Fee to satisfy the requirements of the Affordable Housing Program and in consideration of the City's concessions and incentives.

E. Developer's Election to Provide On-Site Units. Developer has elected to enter into this Agreement to provide the Inclusionary Units on-site in lieu of payment of the Affordable Housing Fee in satisfaction of its obligation under the Affordable Housing Program, and to provide for an exception to the rent restrictions of the Costa-Hawkins Act for the Inclusionary Units only.

F. Compliance with All Legal Requirements. It is the intent of the Parties that all acts referred to in this Agreement shall be accomplished in such a way as to fully comply with the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA"),

Chapter 4.3 of the California Government Code, the Costa-Hawkins Act, the San Francisco Planning Code, and all other applicable laws and regulations.

G. Project's Compliance with CEQA. Pursuant to CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Project was found exempt from further CEQA review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3, as noted in Planning Motion _____, based on its conformance with the Rincon Hill Area Plan and the environmental analysis contained in the Rincon Hill Plan Final Environmental Impact Report (Case No. 2000.1081E).

H. General Plan Findings. This Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable area or specific plan, and the Priority Policies enumerated in Planning Code Section 101.1, as set forth in Planning Commission Motion No. _____.

AGREEMENT

The Parties acknowledge the receipt and sufficiency of good and valuable consideration and agree as follows:

1. GENERAL PROVISIONS

1.1 Incorporation of Recitals and Exhibits. The preamble paragraph, Recitals, and Exhibits, and all defined terms contained therein, are hereby incorporated into this Agreement as if set forth in full.

2. CITY'S DENSITY BONUS AND CONCESSIONS AND INCENTIVES FOR THE INCLUSIONARY UNITS.

2.1 Exceptions, Concessions and Incentives. The Developer has received the following density bonus, concessions and incentives for the production of the Inclusionary Units on-site.

2.1.1 Code Amendment. The Code Amendment amended the Planning Code to authorize the Planning Commission to consider exceptions to the bulk controls and tower separation requirements for structures up to 250 feet in height on the Property. Prior to adoption of the Code Amendment, Section 270(e)(2)(G) would have required spacing of 115 feet between all structures above 110 feet of height at all levels above 110 feet in height. Because of its proximity to other existing towers, this requirement would have rendered construction of the Project above 110 feet in height infeasible. The Code Amendment allowed a structure to be built on the Property in excess of this 110 foot limit. In addition, the Code Amendment provided an exception to the tower bulk and sculpting requirements of Planning Code Sections 270(e)(2)(A) and (F), which would have required reduced floorplate area at all levels of the Project above sixty-five (65) feet. As a result of the Code Amendment, the Project was approved with greater floor area and a greater number of dwelling units than would have otherwise been possible under the Planning Code.

2.1.2 Section 309.1 Approval. The Section 309.1 Approvals included exceptions to a number of Planning Code requirements that would otherwise have applied to the Project, including: (i) tower separation (pursuant to Section 270(e)(2)); (ii) building bulk (pursuant to Section

270(e)(2); and (iii) dwelling unit exposure (pursuant to Section 140). These exceptions allowed the Project to provide additional floor area and a greater number of dwelling units than would have otherwise been possible under the Planning Code.

2.1.3 Waiver of Affordable Housing Fee. City hereby determines that the Developer has satisfied the requirements of the Affordable Housing Program by covenanting to provide the Inclusionary Units on-site, as provided in Section 3.1, and accordingly hereby waives the obligation of the Developer to pay the Affordable Housing Fee. City would not be willing to enter into this Agreement and waive the Affordable Housing Fee without the understanding and agreement that Costa-Hawkins Act provisions set forth in California Civil Code section 1954.52(a) do not apply to the Inclusionary Units as a result of the exemption set forth in California Civil Code section 1954.52(b). Upon completion of the Project and identification of the Inclusionary Units, Developer agrees to record a notice of restriction against the Inclusionary Units in the form required by the Affordable Housing Program.

2.2 Costa-Hawkins Act Inapplicable to Inclusionary Units Only.

2.2.1 Inclusionary Units. The parties acknowledge that, under Section 1954.52(b) of the Costa-Hawkins Act, the Inclusionary Units are not subject to the Costa Hawkins Act. Through this Agreement, Developer hereby enters into an agreement with a public entity in consideration for forms of concessions and incentives specified in California Government Code Sections 65915 et seq. The concessions and incentives are comprised of, but not limited to, the concessions and incentives set forth in Section 2.1.

2.2.2 Market Rate Units. The Parties hereby agree and acknowledge that this Agreement does not alter in any manner the way that the Costa-Hawkins Act or any other law, including the City's Rent Stabilization and Arbitration Ordinance (Chapter 37 of the San Francisco Administrative Code) apply to the Market Rate Units.

3. COVENANTS OF DEVELOPER

3.1 On-Site Inclusionary Affordable Units. In consideration of the concessions and incentives set forth in Section 2.1 and in accordance with the terms and conditions set forth in the Affordable Housing Program and the Project Approvals, upon Developer obtaining its first certificate of occupancy for the Project, Developer shall provide twelve percent (12%) of the dwelling units as on-site Inclusionary Units in lieu of payment of the Affordable Housing Fee. For example, based on the contemplated total of 205 units comprising the Project, a total of 25 Inclusionary Units would be required in lieu of payment of the Affordable Housing Fee.

3.2 Developer's Waiver of Rights Under the Costa-Hawkins Act Only as to the Inclusionary Units. The Parties acknowledge that under the Costa-Hawkins Act, the owner of newly constructed residential real property may establish the initial and all subsequent rental rates for dwelling units in the property without regard to the City's Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the San Francisco Administrative Code). The Parties also understand and agree that the Costa-Hawkins Act does not and in no way shall limit or otherwise affect the restriction of rental charges for the Inclusionary Units because this Agreement falls within an express exception to the Costa-Hawkins Act as a contract with a public entity in consideration for

a direct financial contribution or other forms of assistance specified in Chapter 4.3 (commencing with section 65915) of Division 1 of Title 7 of the California Government Code including but not limited to the density bonus, concessions and incentives specified in Section 2. Developer acknowledges that the density bonus and concessions and incentives result in identifiable and actual cost reductions to the Project. Should the Inclusionary Units be deemed subject to the Costa-Hawkins Act, as a material part of the consideration for entering into this Agreement, Developer, on behalf of itself and all its successors and assigns to this Agreement, hereby expressly waives, now and forever, any and all rights it may have under the Costa-Hawkins Act with respect only to the Inclusionary Units (but only the Inclusionary Units and not as to the Market Rate Units) consistent with Section 3.1 of this Agreement. Without limiting the foregoing, Developer, on behalf of itself and all successors and assigns to this Agreement, agrees not to bring any legal or other action against City seeking application of the Costa-Hawkins Act to the Inclusionary Units for so long as the Inclusionary Units are subject to the restriction on rental rates pursuant to the Affordable Housing Program. The Parties understand and agree that the City would not be willing to enter into this Agreement without the waivers and agreements set forth in this Section 3.2.

3.3 Developer's Waiver of Right to Seek Waiver of Affordable Housing Program. Developer specifically agrees to be bound by all of the provisions of the Affordable Housing Program applicable to on-site inclusionary units with respect to the Inclusionary Units. Developer covenants and agrees that it will not seek a waiver of the provisions of the Affordable Housing Program applicable to the Inclusionary Units.

4. MUTUAL OBLIGATIONS

4.1 Good Faith and Fair Dealing. The Parties shall cooperate with each other and act in good faith in complying with the provisions of this Agreement and implementing the Project Approvals.

4.2 Other Necessary Acts. Each Party shall execute and deliver to the other all further instruments and documents as may be reasonably necessary to carry out this Agreement, the Project Approvals, the Affordable Housing Program (as applied to the Inclusionary Units) and applicable law in order to provide and secure to each Party the full and complete enjoyment of its rights and privileges hereunder.

4.3 Effect of Future Changes to Affordable Housing Program. The City hereby acknowledges and agrees that, in the event that the City adopts changes to the Affordable Housing Program after the date this Agreement is executed by both Parties, nothing in this Agreement shall be construed to limit or prohibit any rights Developer may have to modify Project requirements with respect to the Inclusionary Units to the extent permitted by such changes to the Affordable Housing Program.

5. DEVELOPER REPRESENTATIONS, WARRANTIES AND COVENANTS.

5.1 Interest of Developer. Developer represents that it is or will be the legal and equitable fee owner of the Property, that it has the power and authority to bind all other persons with legal or equitable interest in the Inclusionary Units to the terms of this Agreement, and that all other persons holding legal or equitable interest in the Inclusionary Units are to be bound by this

Agreement. Developer is a limited liability company, duly organized and validly existing and in good standing under the laws of the State of California. Developer has all requisite power and authority to own property and conduct business as presently conducted. Developer has made all filings and is in good standing in the State of California.

5.2 No Conflict With Other Agreements; No Further Approvals; No Suits. Developer warrants and represents that it is not a party to any other agreement that would conflict with the Developer's obligations under this Agreement. Neither Developer's articles of organization, bylaws, or operating agreement, as applicable, nor any other agreement or law in any way prohibits, limits or otherwise affects the right or power of Developer to enter into and perform all of the terms and covenants of this Agreement. No consent, authorization or approval of, or other action by, and no notice to or filing with, any governmental authority, regulatory body or any other person is required for the due execution, delivery and performance by Developer of this Agreement or any of the terms and covenants contained in this Agreement. To Developer's knowledge, there are no pending or threatened suits or proceedings or undischarged judgments affecting Developer or any of its members before any court, governmental agency, or arbitrator which might materially adversely affect Developer's business, operations, or assets or Developer's ability to perform under this Agreement.

5.3 No Inability to Perform; Valid Execution. Developer warrants and represents that it has no knowledge of any inability to perform its obligations under this Agreement. The execution and delivery of this Agreement and the agreements contemplated hereby by Developer have been duly and validly authorized by all necessary action. This Agreement will be a legal, valid and binding obligation of Developer, enforceable against Developer in accordance with its terms.

5.4 Conflict of Interest. Through its execution of this Agreement, the Developer acknowledges that it is familiar with the provisions of Section 15.103 of the City's Charter, Article III, Chapter 2 of the City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the California Government Code, and certifies that it does not know of any facts which constitute a violation of said provisions and agrees that it will immediately notify the City if it becomes aware of any such fact during the term of this Agreement.

5.5 Notification of Limitations on Contributions. Through execution of this Agreement, the Developer acknowledges that it is familiar with Section 1.126 of City's Campaign and Governmental Conduct Code, which prohibits any person who contracts with the City, whenever such transaction would require approval by a City elective officer or the board on which that City elective officer serves, from making any campaign contribution to the officer at any time from the commencement of negotiations for the contract until three (3) months after the date the contract is approved by the City elective officer or the board on which that City elective officer serves. San Francisco Ethics Commission Regulation 1.126-1 provides that negotiations are commenced when a prospective contractor first communicates with a City officer or employee about the possibility of obtaining a specific contract. This communication may occur in person, by telephone or in writing, and may be initiated by the prospective contractor or a City officer or employee. Negotiations are completed when a contract is finalized and signed by the City and the contractor. Negotiations are terminated when the City and/or the prospective contractor end the negotiation process before a final decision is made to award the contract.

5.6 Nondiscrimination. In the performance of this Agreement, Developer agrees not to discriminate on the basis of the fact or perception of a person's, race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes, against any City employee, employee of or applicant for employment with the Developer, or against any bidder or contractor for public works or improvements, or for a franchise, concession or lease of property, or for goods or services or supplies to be purchased by the Developer. A similar provision shall be included in all subordinate agreements let, awarded, negotiated or entered into by the Developer for the purpose of implementing this Agreement.

6. AMENDMENT; TERMINATION

6.1 Amendment or Termination. Except as provided in Sections 6.2 (Automatic Termination) and 8.3 (Remedies for Default), this Agreement may only be amended or terminated with the mutual written consent of the Parties.

6.1.1 Amendment Exemptions. No amendment of a Project Approval shall require an amendment to this Agreement. Upon approval, any such matter shall be deemed to be incorporated automatically into the Project and this Agreement (subject to any conditions set forth in the amendment). Notwithstanding the foregoing, in the event of any direct conflict between the terms of this Agreement and any amendment to a Project Approval, then the terms of this Agreement shall prevail and any amendment to this Agreement shall be accomplished as set forth in Section 6.1 above.

6.2 Automatic Termination. This Agreement shall automatically terminate in the event that the Inclusionary Units are no longer subject to regulation as to the rental rates of the Inclusionary Units and/or the income level of households eligible to rent the Inclusionary Units under the Affordable Housing Program, or successor program.

7. TRANSFER OR ASSIGNMENT; RELEASE; RIGHTS OF MORTGAGEES; CONSTRUCTIVE NOTICE

7.1 Agreement Runs With The Land. Developer may assign or transfer its duties and obligations under this Agreement to another entity, provided such entity is the legal and equitable fee owner of the Property ("Transferee"). As provided in Section 9.2, this Agreement runs with the land and any Transferee will be bound by all of the terms and conditions of this Agreement.

7.2 Rights of Developer. The provisions in this Section 7 shall not be deemed to prohibit or otherwise restrict Developer from (i) granting easements or licenses to facilitate development of the Property, (ii) encumbering the Property or any portion of the improvements thereon by any mortgage, deed of trust, or other device securing financing with respect to the Property or Project, (iii) granting a leasehold interest in all or any portion of the Property, or (iv) transferring all or a portion of the Property pursuant to a sale, transfer pursuant to foreclosure, conveyance in lieu of foreclosure, or other remedial action in connection with a mortgage. None of the terms, covenants, conditions, or restrictions of this Agreement or the other Project Approvals shall be deemed waived

by City by reason of the rights given to the Developer pursuant to this Section 7.2. Furthermore, although the Developer initially intends to operate the Project on a rental basis, nothing in this Agreement shall prevent Developer from later selling all or part of the Project on a condominium basis, provided that such sale is permitted by, and complies with, all applicable City and State laws including, but not limited to that, with respect to any inclusionary units, those shall only be sold pursuant to the City Procedures for sale of inclusionary units under the Affordable Housing Program.

7.3 Developer's Responsibility for Performance. If Developer transfers or assigns all or any portion of the Property or any interest therein to any other person or entity, Developer shall continue to be responsible for performing the obligations under this Agreement as to the transferred property interest until such time as there is delivered to the City a legally binding agreement pursuant to which the Transferee assumes and agrees to perform Developer's obligations under this Agreement from and after the date of transfer of the Property (or an interest therein) to the Transferee (an "Assignment and Assumption Agreement"). The City is entitled to enforce each and every such obligation assumed by the Transferee directly against the Transferee as if the Transferee were an original signatory to this Agreement with respect to such obligation. Accordingly, in any action by the City against a Transferee to enforce an obligation assumed by the Transferee, the Transferee shall not assert any defense against the City's enforcement of performance of such obligation that is attributable to Developer's breach of any duty or obligation to the Transferee arising out of the transfer or assignment, the Assignment and Assumption Agreement, the purchase and sale agreement, or any other agreement or transaction between the Developer and the Transferee. The transferor Developer shall remain responsible for the performance of all of its obligations under the Agreement prior to the date of transfer, and shall remain liable to the City for any failure to perform such obligations prior to the date of the transfer.

7.4 Release Upon Transfer or Assignment. Upon the Developer's transfer or assignment of all or a portion of the Property or any interest therein, including the Developer's rights and interests under this Agreement, the Developer shall be released from any obligations required to be performed from and after the date of transfer under this Agreement with respect to the portion of the Property so transferred; provided, however, that (i) the Developer is not then in default under this Agreement and (ii) the Transferee executes and delivers to the City the legally binding Assignment and Assumption Agreement. Following any transfer, in accordance with the terms of this Section 7, a default under this Agreement by the Transferee shall not constitute a default by the Developer under this Agreement and shall have no effect upon the Developer's rights under this Agreement as to the remaining portions of the Property owned by the Developer. Further, a default under this Agreement by the Developer as to any portion of the Property not transferred or a default under this agreement by the Developer prior to the date of transfer shall not constitute a default by the Transferee and shall not affect any of Transferee's rights under this Agreement.

7.5 Rights of Mortgagees; Not Obligated to Construct; Right to Cure Default.

7.5.1 Notwithstanding anything to the contrary contained in this Agreement (including without limitation those provisions that are or are intended to be covenants running with the land), a mortgagee or beneficiary under a deed of trust, including any mortgagee or beneficiary who obtains title to the Property or any portion thereof as a result of foreclosure proceedings or conveyance or other action in lieu thereof, or other remedial action, ("Mortgagee") shall not be obligated under this Agreement to construct or complete the Inclusionary Units required by this

Agreement or to guarantee their construction or completion solely because the Mortgagee holds a mortgage or other interest in the Property or this Agreement. The foregoing provisions shall not be applicable to any other party who, after such foreclosure, conveyance, or other action in lieu thereof, or other remedial action, obtains title to the Property or a portion thereof from or through the Mortgagee or any other purchaser at a foreclosure sale other than the Mortgagee itself. A breach of any obligation secured by any mortgage or other lien against the mortgaged interest or a foreclosure under any mortgage or other lien shall not by itself defeat, diminish, render invalid or unenforceable, or otherwise impair the obligations or rights of the Developer under this Agreement.

7.5.2 Subject to the provisions of the first sentence of Section 7.5.1, any person, including a Mortgagee, who acquires title to all or any portion of the mortgaged property by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise shall succeed to all of the rights and obligations of the Developer under this Agreement and shall take title subject to all of the terms and conditions of this Agreement. Nothing in this Agreement shall be deemed or construed to permit or authorize any such holder to devote any portion of the Property to any uses, or to construct any improvements, other than the uses and improvements provided for or authorized by the Project Approvals and this Agreement.

7.5.3 If City receives a written notice from a Mortgagee or from Developer requesting a copy of any Notice of Default delivered to Developer and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to Developer, any Notice of Default delivered to Developer under this Agreement. In accordance with Section 2924 of the California Civil Code, City hereby requests that a copy of any notice of default and a copy of any notice of sale under any mortgage or deed of trust be mailed to City at the address shown on the first page of this Agreement for recording, provided that no Mortgagee or trustee under a deed of trust shall incur any liability to the City for any failure to give any such notice of default or notice of sale except to the extent the City records a request for notice of default and notice of sale in compliance with Section 2924b of the California Civil Code (a "Request for Special Notice") with respect to a specific mortgage or deed of trust and the Mortgagee or trustee fails to give any notice required under Section 2924b of the California Civil Code as a result of the recordation of a Request for Special Notice.

7.5.4 A Mortgagee shall have the right, at its option, to cure any default or breach by the Developer under this Agreement within the same time period as Developer has to remedy or cause to be remedied any default or breach, plus an additional period of (i) thirty (30) calendar days to cure a default or breach by the Developer to pay any sum of money required to be paid hereunder and (ii) ninety (90) days to cure or commence to cure a non-monetary default or breach and thereafter to pursue such cure diligently to completion; provided that if the Mortgagee cannot cure a non-monetary default or breach without acquiring title to the Property, then so long as Mortgagee is diligently pursuing foreclosure of its mortgage or deed of trust, Mortgagee shall have until ninety (90) days after completion of such foreclosure to cure such non-monetary default or breach. Mortgagee may add the cost of such cure to the indebtedness or other obligation evidenced by its mortgage, provided that if the breach or default is with respect to the construction of the improvements on the Property, nothing contained in this Section or elsewhere in this Agreement shall be deemed to permit or authorize such Mortgagee, either before or after foreclosure or action in lieu thereof or other remedial measure, to undertake or continue the construction or completion of the improvements (beyond the extent necessary to conserve or protect improvements or construction

already made) without first having expressly assumed the obligation to the City, by written agreement reasonably satisfactory to the City, to complete in the manner provided in this Agreement the improvements on the Property or the part thereof to which the lien or title of such Mortgagee relates. Notwithstanding a Mortgagee's agreement to assume the obligation to complete in the manner provided in this Agreement the improvements on the Property or the part thereof acquired by such Mortgagee, the Mortgagee shall have the right to abandon completion of the improvement at any time thereafter.

7.5.5 If at any time there is more than one mortgage constituting a lien on any portion of the Property, the lien of the Mortgagee prior in lien to all others on that portion of the mortgaged property shall be vested with the rights under this Section 7.5 to the exclusion of the holder of any junior mortgage; provided that if the holder of the senior mortgage notifies the City that it elects not to exercise the rights sets forth in this Section 7.5, then each holder of a mortgage junior in lien in the order of priority of their respective liens shall have the right to exercise those rights to the exclusion of junior lien holders. Neither any failure by the senior Mortgagee to exercise its rights under this Agreement nor any delay in the response of a Mortgagee to any notice by the City shall extend Developer's or any Mortgagee's rights under this Section 7.5. For purposes of this Section 7.5, in the absence of an order of a court of competent jurisdiction that is served on the City, a then current title report of a title company licensed to do business in the State of California and having an office in the City setting forth the order of priority of lien of the mortgages shall be reasonably relied upon by the City as evidence of priority.

7.6 Constructive Notice. Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Project or the Property is and shall be constructively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Project or the Property.

8. ENFORCEMENT OF AGREEMENT; REMEDIES FOR DEFAULT; DISPUTE RESOLUTION

8.1 Enforcement. The only parties to this Agreement are the City and the Developer. This Agreement is not intended, and shall not be construed, to benefit or be enforceable by any other person or entity whatsoever.

8.2 Default. For purposes of this Agreement, the following shall constitute a default under this Agreement: the failure to perform or fulfill any material term, provision, obligation, or covenant hereunder and the continuation of such failure for a period of thirty (30) calendar days following a written notice of default and demand for compliance; provided, however, if a cure cannot reasonably be completed within thirty (30) days, then it shall not be considered a default if a cure is commenced within said 30-day period and diligently prosecuted to completion thereafter, but in no event later than one hundred twenty (120) days.

8.3 Remedies for Default. In the event of an uncured default under this Agreement, the remedies available to a Party shall include specific performance of the Agreement in addition to any other remedy available at law or in equity. In addition, the non-defaulting Party may terminate this Agreement subject to the provisions of this Section 8 by sending a Notice of Intent to Terminate to

the other Party setting forth the basis for the termination. The Agreement will be considered terminated effective upon receipt of a Notice of Termination. The Party receiving the Notice of Termination may take legal action available at law or in equity if it believes the other Party's decision to terminate was not legally supportable.

8.4 No Waiver. Failure or delay in giving notice of default shall not constitute a waiver of default, nor shall it change the time of default. Except as otherwise expressly provided in this Agreement, any failure or delay by a Party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any such rights or remedies; nor shall it deprive any such Party of its right to institute and maintain any actions or proceedings that it may deem necessary to protect, assert, or enforce any such rights or remedies.

9. MISCELLANEOUS PROVISIONS

9.1 Entire Agreement. This Agreement, including the preamble paragraph, Recitals and Exhibits, constitute the entire understanding and agreement between the Parties with respect to the subject matter contained herein.

9.2 Binding Covenants; Run With the Land. From and after recordation of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding upon the Parties, and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, and all persons or entities acquiring the Property, any lot, parcel or any portion thereof, or any interest therein, whether by sale, operation of law, or in any manner whatsoever, and shall inure to the benefit of the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. Regardless of whether the procedures in Section 7 are followed, all provisions of this Agreement shall be enforceable during the term hereof as equitable servitudes and constitute covenants and benefits running with the land pursuant to applicable law, including but not limited to California Civil Code Section 1468.

9.3 Applicable Law and Venue. This Agreement has been executed and delivered in and shall be interpreted, construed, and enforced in accordance with the laws of the State of California. All rights and obligations of the Parties under this Agreement are to be performed in the City and County of San Francisco, and such City and County shall be the venue for any legal action or proceeding that may be brought, or arise out of, in connection with or by reason of this Agreement.

9.4 Construction of Agreement. The Parties have mutually negotiated the terms and conditions of this Agreement and its terms and provisions have been reviewed and revised by legal counsel for both City and Developer. Accordingly, no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Language in this Agreement shall be construed as a whole and in accordance with its true meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. Each reference in this Agreement to this Agreement or any of the Project Approvals shall be deemed to refer to the Agreement or the Project Approval as it may be amended from time to time pursuant to the provisions of the Agreement, whether or not the particular reference refers to such possible amendment.

9.5 Project Is a Private Undertaking; No Joint Venture or Partnership.

9.5.1 The development proposed to be undertaken by Developer on the Property is a private development. The City has no interest in, responsibility for, or duty to third persons concerning any of said improvements. The Developer shall exercise full dominion and control over the Property, subject only to the limitations and obligations of the Developer contained in this Agreement or in the Project Approvals.

9.5.2 Nothing contained in this Agreement, or in any document executed in connection with this Agreement, shall be construed as creating a joint venture or partnership between the City and the Developer. Neither Party is acting as the agent of the other Party in any respect hereunder. The Developer is not a state or governmental actor with respect to any activity conducted by the Developer hereunder.

9.6 Signature in Counterparts. This Agreement may be executed in duplicate counterpart originals, each of which is deemed to be an original, and all of which when taken together shall constitute one and the same instrument.

9.7 Time of the Essence. Time is of the essence in the performance of each and every covenant and obligation to be performed by the Parties under this Agreement.

9.8 Notices. Any notice or communication required or authorized by this Agreement shall be in writing and may be delivered personally or by registered mail, return receipt requested. Notice, whether given by personal delivery or registered mail, shall be deemed to have been given and received upon the actual receipt by any of the addressees designated below as the person to whom notices are to be sent. Either Party to this Agreement may at any time, upon written notice to the other Party, designate any other person or address in substitution of the person and address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

To City:

John Rahaim
Director of Planning
San Francisco Planning Department
1650 Mission Street
San Francisco, California 94102

with a copy to:

Dennis J. Herrera, Esq.
City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Attn: Evan A. Gross, Dep. City Attorney

To Developer:

MMI/Hines Harrison LLC
c/o Hines
Attn: Cameron Falconer
101 California Street, Suite 1000
San Francisco, CA 94111

and a copy to:

Steven L. Vettel
Farella Braun + Martel LLP
235 Montgomery Street
San Francisco, CA 94104

9.9 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect unless enforcement of the remaining portions of the Agreement would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement.

9.10 MacBride Principles. The City urges companies doing business in Northern Ireland to move toward resolving employment inequities and encourages them to abide by the MacBride Principles as expressed in San Francisco Administrative Code Section 12F.1 et seq. The City also urges San Francisco companies to do business with corporations that abide by the MacBride Principles. Developer acknowledges that it has read and understands the above statement of the City concerning doing business in Northern Ireland.

9.11 Tropical Hardwood and Virgin Redwood. The City urges companies not to import, purchase, obtain or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood, or virgin redwood wood product.

9.12 Sunshine. The Developer understands and agrees that under the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the State Public Records Law (Gov't Code Section 6250 et seq.), this Agreement and any and all records, information, and materials submitted to the City hereunder are public records subject to public disclosure.

9.13 Effective Date. This Agreement will become effective on the date that the last Party duly executes and delivers this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

Approved as to form:
Dennis J. Herrera, City Attorney

By: _____
John Rahaim
Director of Planning

By: _____
Evan A. Gross
Deputy City Attorney

DEVELOPER

MMI/Hines Harrison LLC,
a Delaware limited liability company

By: _____
Name: Cameron Falconer
Title: VP

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

Subscribed and sworn to (or affirmed) before me on this _____, by
_____, who proved to me on the basis of satisfactory evidence to be
the person(s) who appeared before me.

Signature: _____ (seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

Subscribed and sworn to (or affirmed) before me on this _____, by
_____, who proved to me on the basis of satisfactory evidence to be
the person(s) who appeared before me.

Signature: _____ (seal)

EXHIBIT A

Legal Description of Property



525 HARRISON STREET
SECTION 309.1 APPLICATION

SCP SOLOMON CORDWELL BUENZ
© 2015

Hines

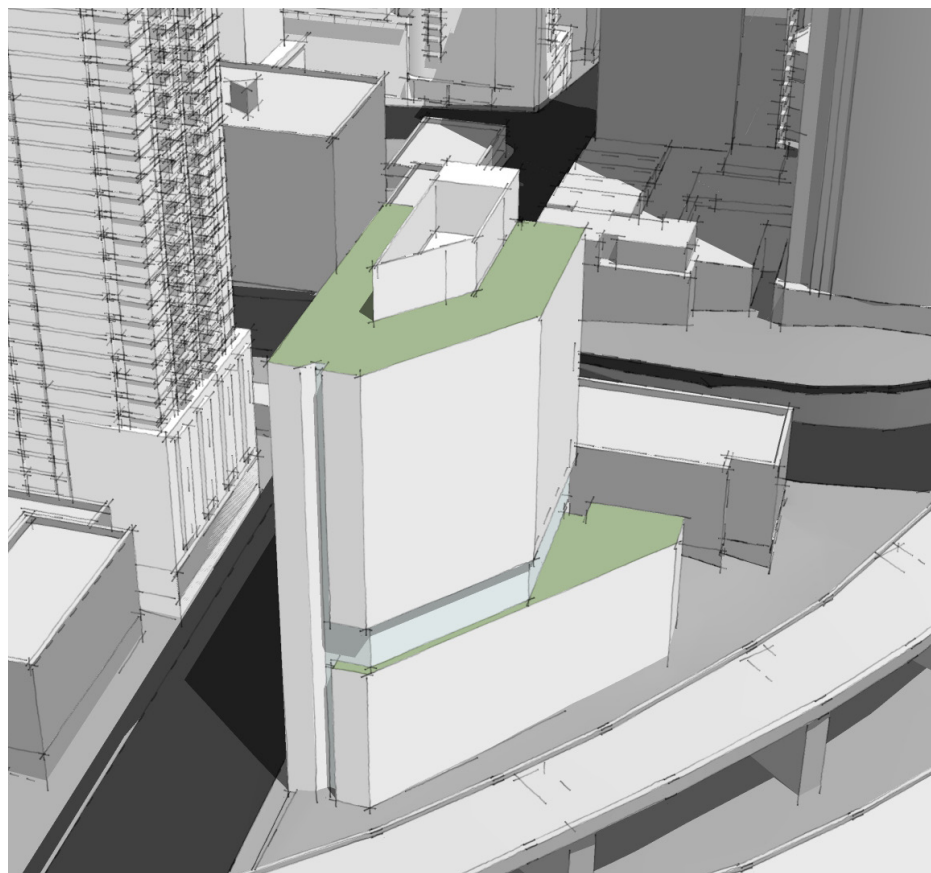
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DESIGN EVOLUTION

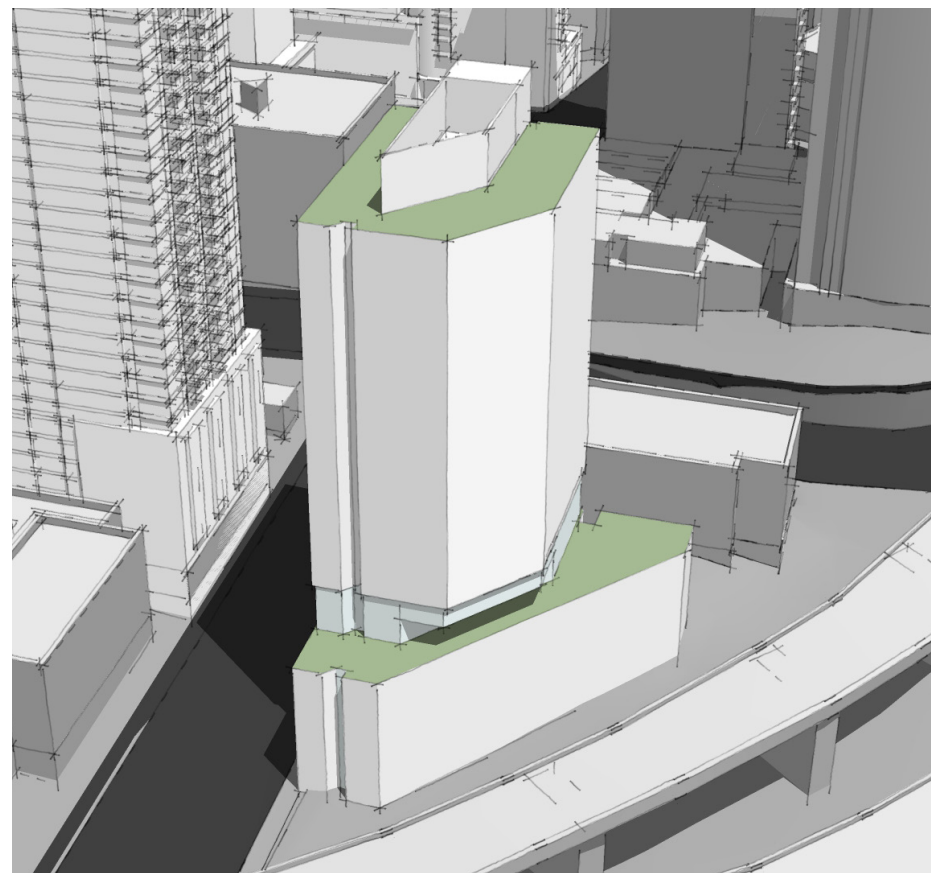
4	Massing Analysis
5	Rincon Hill Skyline Impact, June 2015 - Original
6	Rincon Hill Skyline Impact, August 2015 - Updated
7	Freeway Impact, June 2015 - Original
8	Freeway Impact, August 2015 - Updated
9	Freeway Elevation, August 2015 - Updated
10	Harrison Street Facade, August 2015 - Updated
11	Conceptual Massing, August 2015 - Updated
12	Conceptual Massing, August 2015 - Updated
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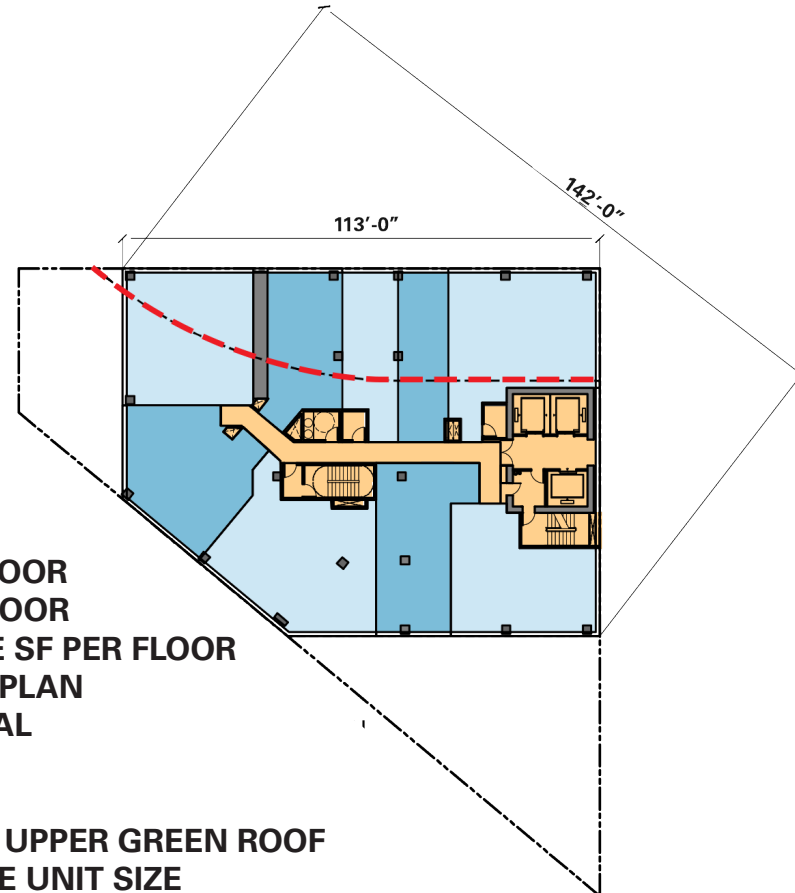
June 2015 - Originally Proposed Massing



August 2015 - Updated to Incorporate Planning Commission Comments

PLANNING COMMISSION COMMENT: THE PLANNING COMMISSION SUGGESTED THE TEAM LOOK AT MAXIMIZING HOUSING ON THE SITE.

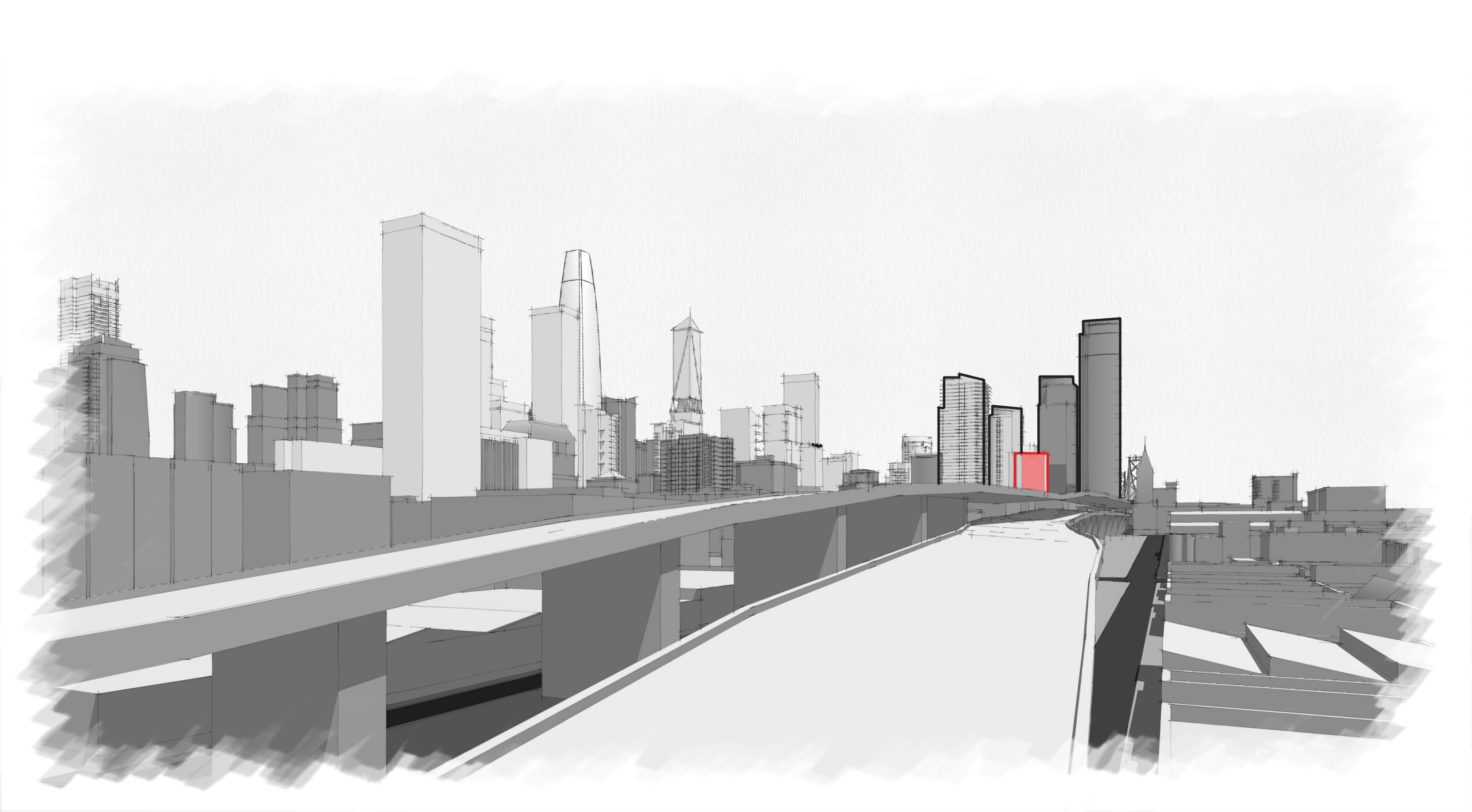
THE ORIGINALLY PROPOSED SCHEME HAD 179 UNITS OF HOUSING. THE SITE WILL SUPPORT 205 UNITS OF HOUSING WITHOUT NEGATIVELY IMPACTING TRAFFIC. AS SUCH, THE UPDATED SCHEME PROPOSES 205 UNITS OF HOUSING. THE NUMBER OF BMR UNITS, PROVIDED ON SITE AT 12% OF THE TOTAL, INCREASES FROM 22 TO 25.



MASSING ANALYSIS

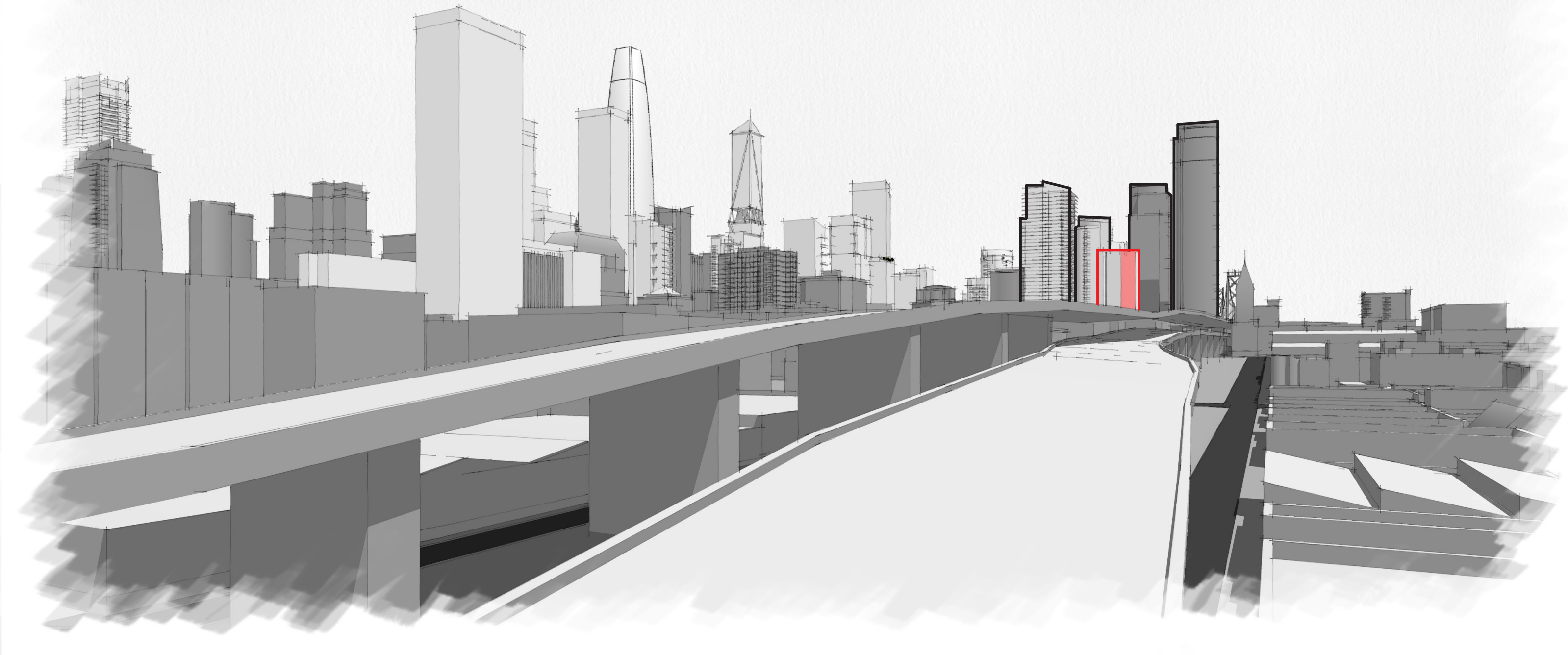
525 HARRISON STREET
Hines

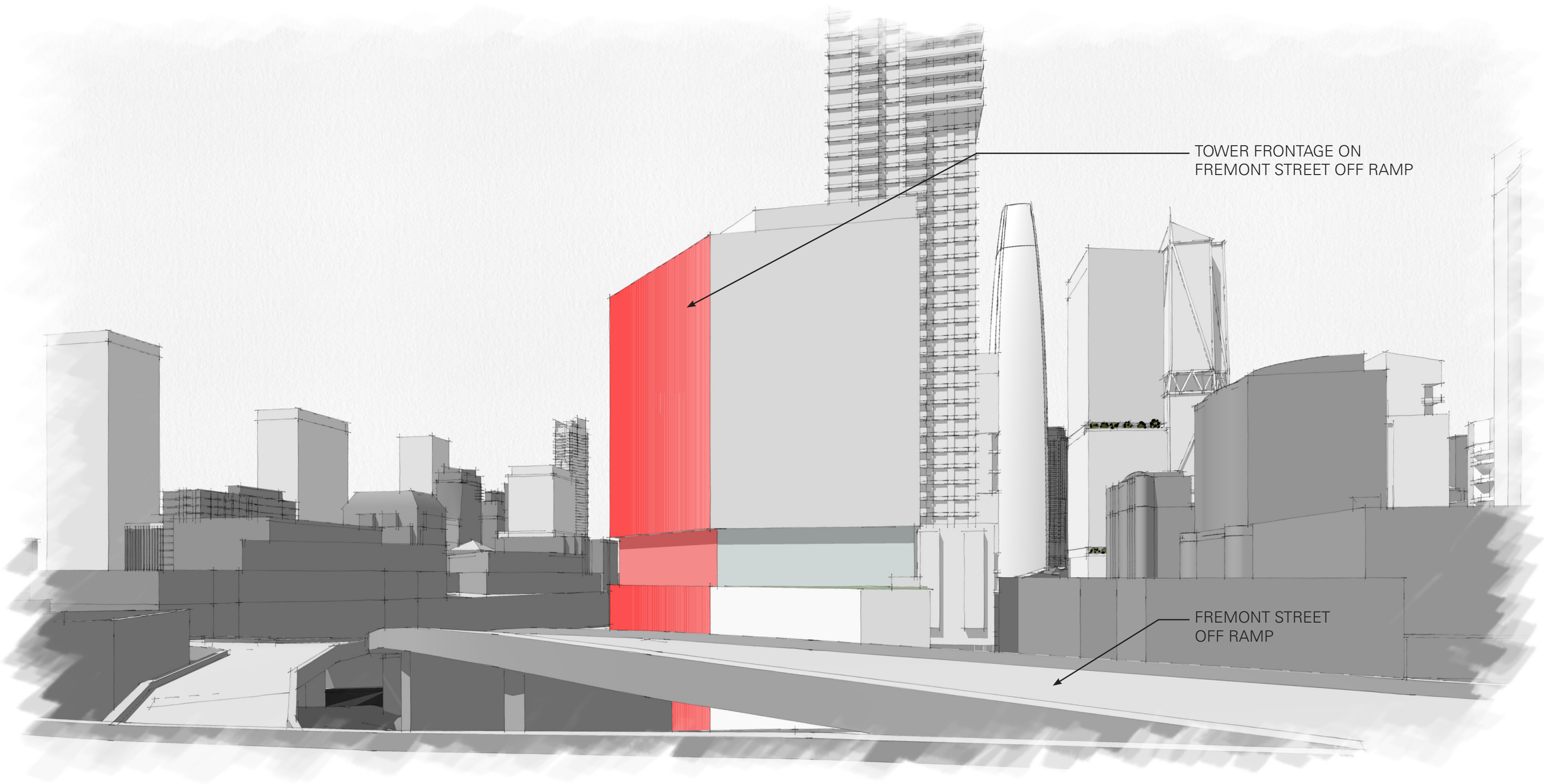
08.04.2015



PLANNING COMMISSION COMMENT: THE HEIGHTS OF THE NEIGHBORING BUILDINGS STEP DOWN FROM THE TOP OF RINCON HILL TO THE EDGE OF THE NEIGHBORHOOD WHERE THE BUILDING IS LOCATED. THE PROJECT, AS DESIGNED, DOES NOT REINFORCE THIS STEPPING PATTERN ON THE SKYLINE. THE PLANNING COMMISSION WOULD PREFER TO SEE A BUILDING IN THE 200' - 300' RANGE THAT BETTER ADDRESSES THIS EFFECT.

HAVING STUDIED SEVERAL MASSING STRATEGIES THE BUILDING IS NOW 250' TALL AND PROVIDES A STRONG VISUAL TRANSITION FROM THE RINCON HILL TOWERS TO THE MID RISE BUILDINGS IN THE ADJACENT NEIGHBORHOODS.



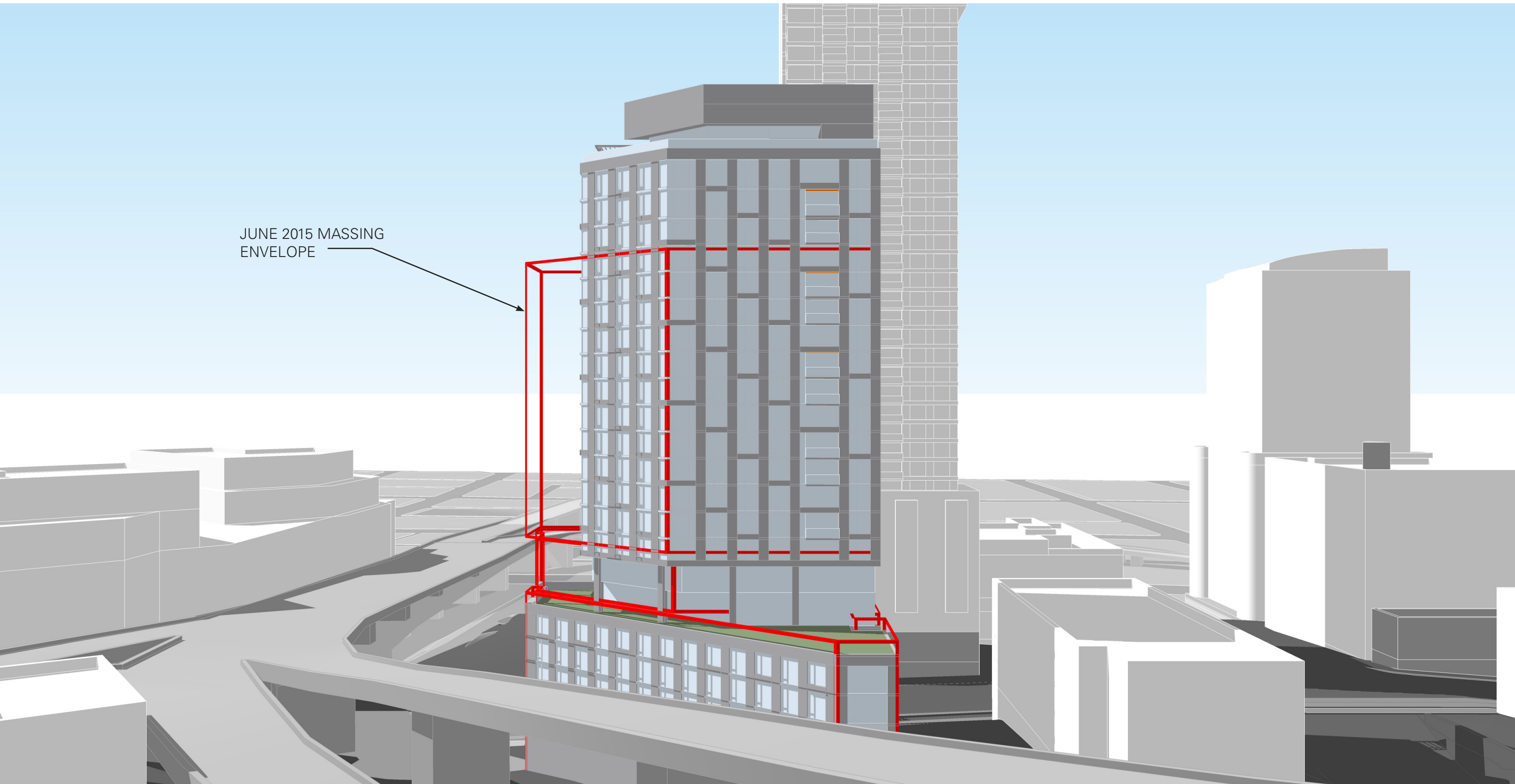


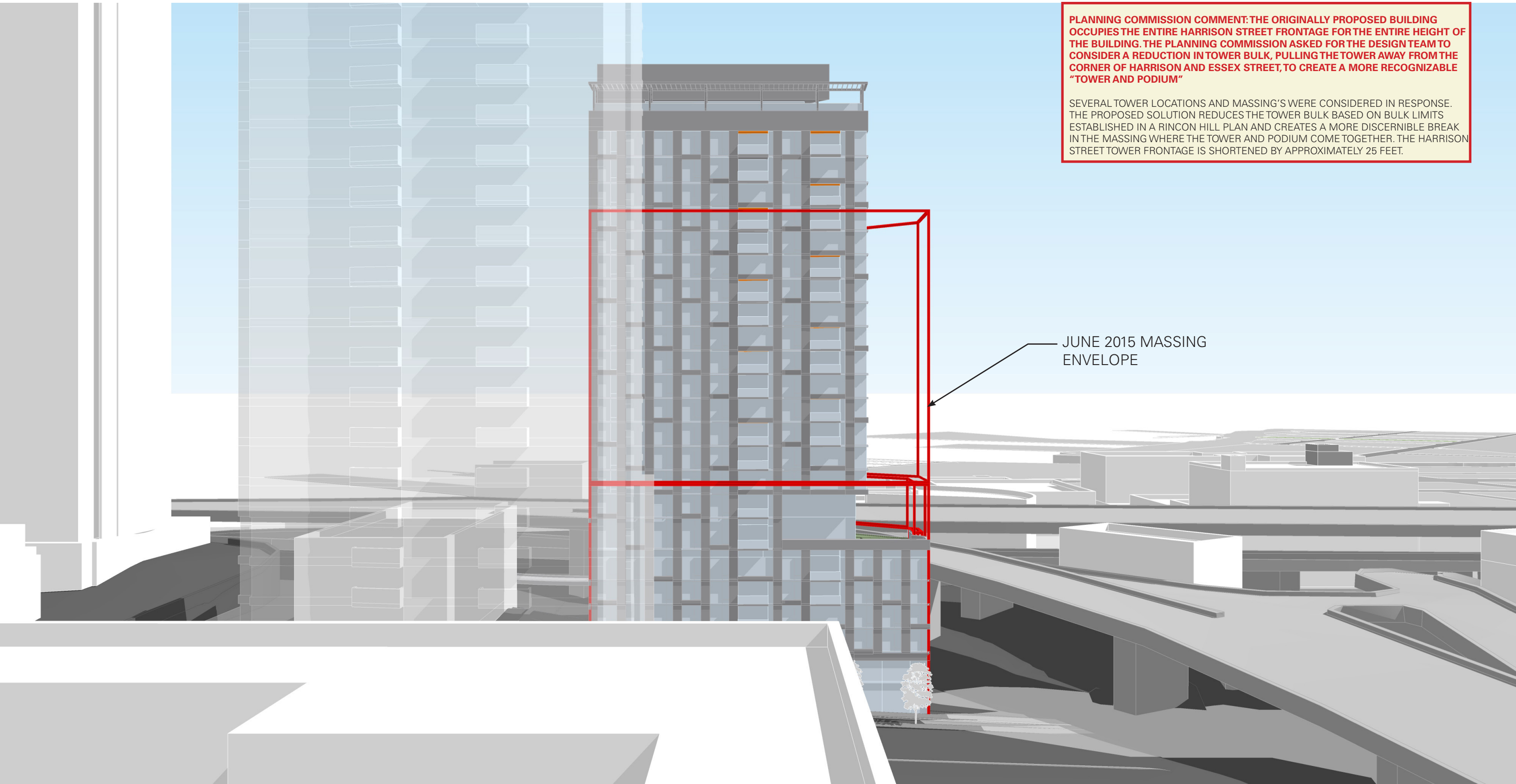
PLANNING COMMISSION COMMENT: THE BUILDING IS HIGHLY VISIBLE FROM THE FREEWAY, PARTICULARLY ON THE APPROACH TO DOWNTOWN FROM THE EAST BAY. THE DESIGN SHOULD LOOK AT A MASSING THAT REDUCES THE AMOUNT OF BUILDING FRONTING THE FREEWAY AND OPEN UP THE VIEW TO DOWNTOWN.

THE REVISED MASSING, WHILE TALLER, LIMITS THE WIDTH OF THE TOWER THAT HAS DIRECT FRONTAGE FACING THE OFF RAMP. THIS OPENS UP THE VIEW TO DOWNTOWN WHEN APPROACHING THE CITY FROM THE EAST BAY.

TOWER FRONTAGE ON
FREMONT STREET OFF RAMP

FREMONT STREET
OFF RAMP





PLANNING COMMISSION COMMENT: THE ORIGINALLY PROPOSED BUILDING OCCUPIES THE ENTIRE HARRISON STREET FRONTAGE FOR THE ENTIRE HEIGHT OF THE BUILDING. THE PLANNING COMMISSION ASKED FOR THE DESIGN TEAM TO CONSIDER A REDUCTION IN TOWER BULK, PULLING THE TOWER AWAY FROM THE CORNER OF HARRISON AND ESSEX STREET, TO CREATE A MORE RECOGNIZABLE "TOWER AND PODIUM"

SEVERAL TOWER LOCATIONS AND MASSING'S WERE CONSIDERED IN RESPONSE. THE PROPOSED SOLUTION REDUCES THE TOWER BULK BASED ON BULK LIMITS ESTABLISHED IN A RINCON HILL PLAN AND CREATES A MORE DISCERNIBLE BREAK IN THE MASSING WHERE THE TOWER AND PODIUM COME TOGETHER. THE HARRISON STREET TOWER FRONTAGE IS SHORTENED BY APPROXIMATELY 25 FEET.

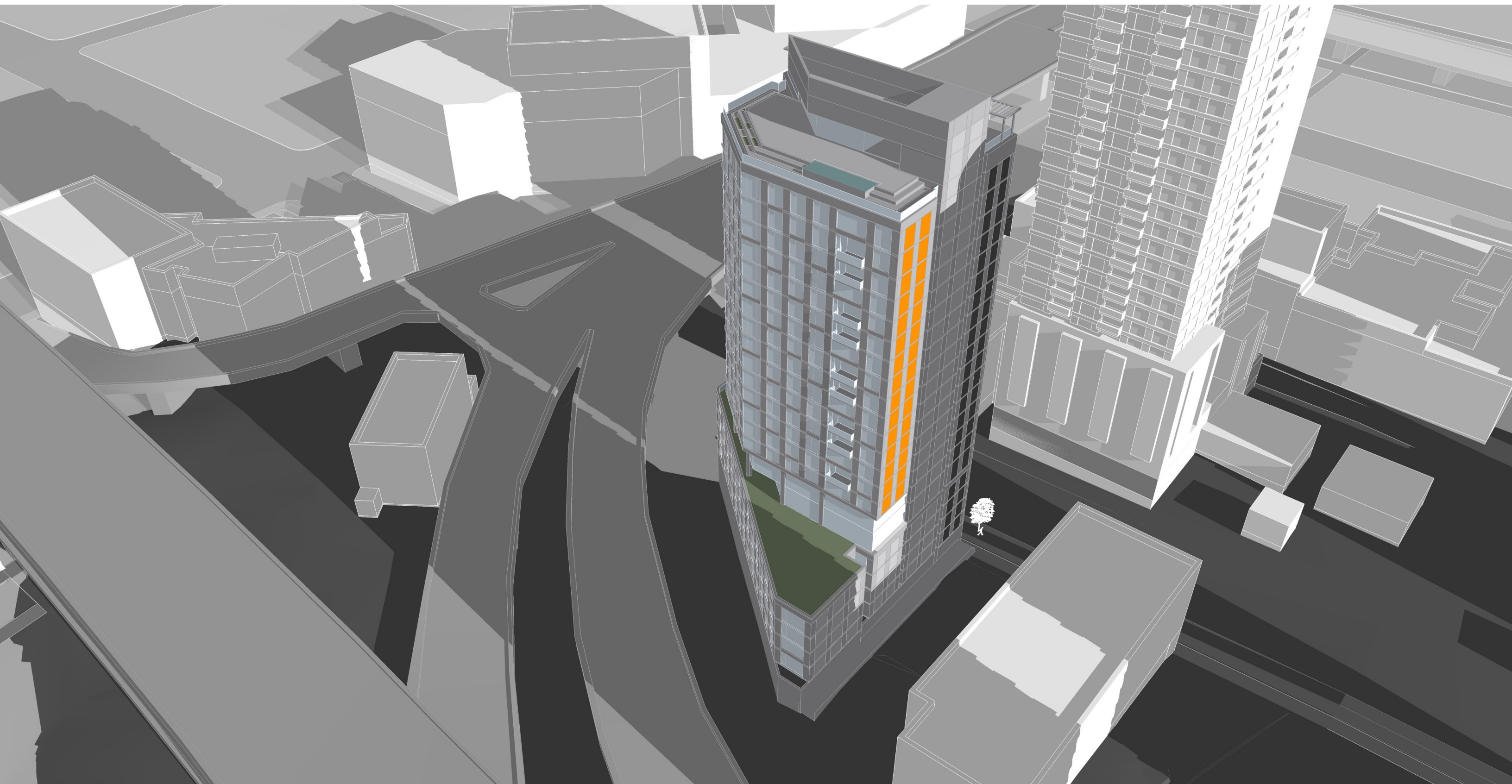


CONCEPTUAL MASSING - AUGUST 2015 - UPDATED

525 HARRISON STREET
Hines

08.04.2015

SCB SOLOMON CORDWELL BUENZ
© 2015



CONCEPTUAL MASSING - AUGUST 2015 - UPDATED

525 HARRISON STREET
Hines

08.04.2015

SCB SOLOMON CORDWELL BUENZ
© 2015



PODIUM TREATMENT - JUNE 2015 - ORIGINAL

525 HARRISON STREET
Hines

08.04.2015



PODIUM TREATMENT - AUGUST 2015 - UPDATED

525 HARRISON STREET
Hines

08.04.2015



BUILDING LEGEND:

IN DESIGN

- 525 HARRISON STREET
- BLOCK 9: 440'-0"/85'-0"
- BLOCK 8: 550'-0"
- 325 FREMONT: 250'-0"

IN CONSTRUCTION

- 45 LANSING: 430'-0"
- 340 FREMONT: 400'-0"
- 399 FREMONT: 400'-0"/70'-0"
- BLOCK 6: 300'-0"/70'-0"; BUILDING C: 71'-6"
- LUMINA: 400'-0"/350'-0"/85'-0"

FINISHED

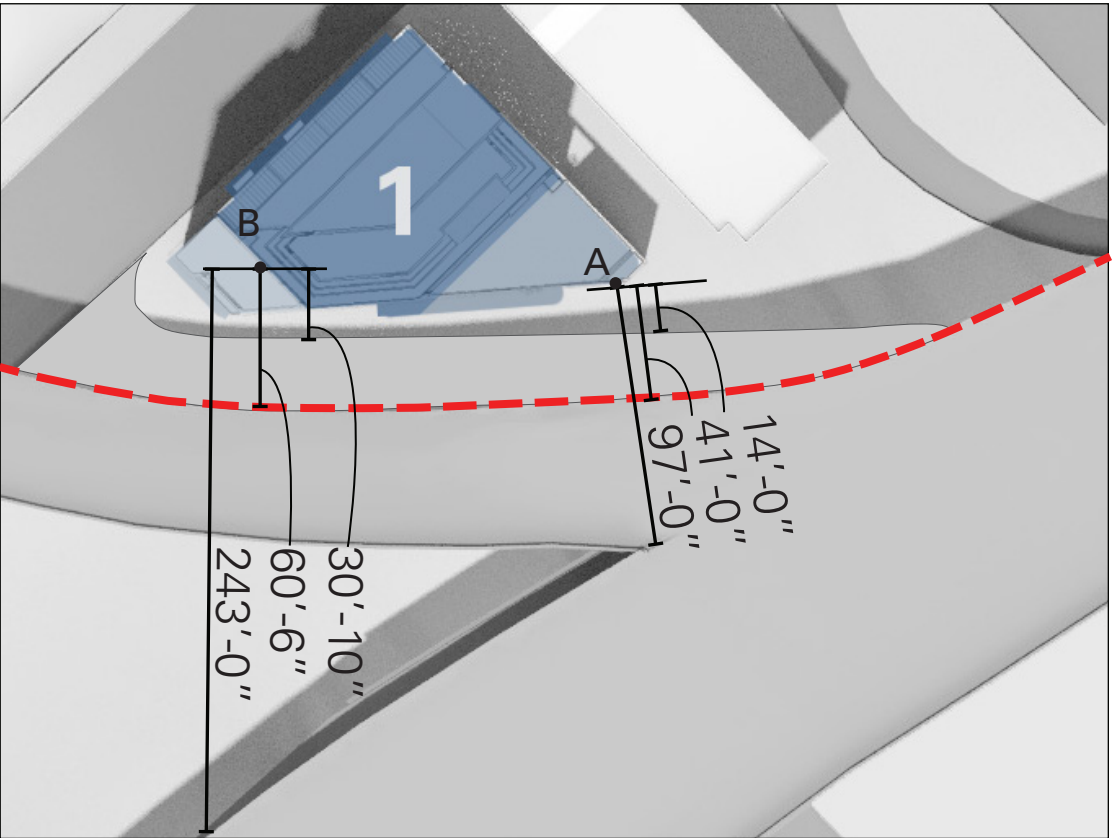
- ONE RINCON HILL, TOWER ONE: 600'-0"/55'-0"
- ONE RINCON HILL, TOWER TWO: 483'-0"
- THE METROPOLITAN: 266'-0"
- 388 BEALE: 185'-9"
- INFINITY TOWERS: 423'-0"/350'-0"

DISTANCE FROM FREEWAY:

- 525 HARRISON STREET:
 - 14'-0" FROM ON RAMP (POINT A)
 - 41'-0" FROM OFF RAMP (POINT A)
 - 97'-0" FROM FREEWAY (POINT A)
 - 30'-10" FROM OFF RAMP (POINT B)
 - 60'-6" FROM OFF RAMP (POINT B)
 - 243'-0" FROM FREEWAY (POINT B)
- ONE RINCON HILL, TOWER ONE: 15'-0" FROM FREEWAY
- ONE RINCON HILL, TOWER TWO: 7'-6" FROM OFF RAMP

TOWER SEPARATION:

- 1-2: 87'-5"
- 3-4: 115'-0"
- 4-7: 134'-3"
- 5-5: 72'-0"
- 5-6: 101'-6"
- 6-7: 91'-7"
- 7-12: 69'-11"
- 12-12: 49'-11"
- 13-13: 84'-11"
- 14-14: 82'-5"

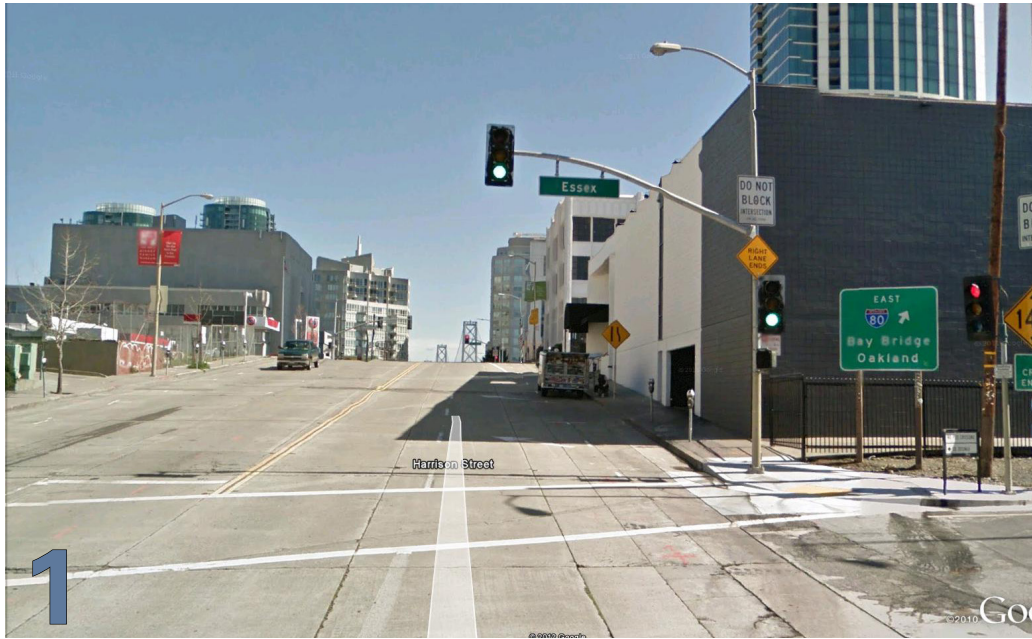




PROJECT SITE

525 HARRISON STREET
Hines

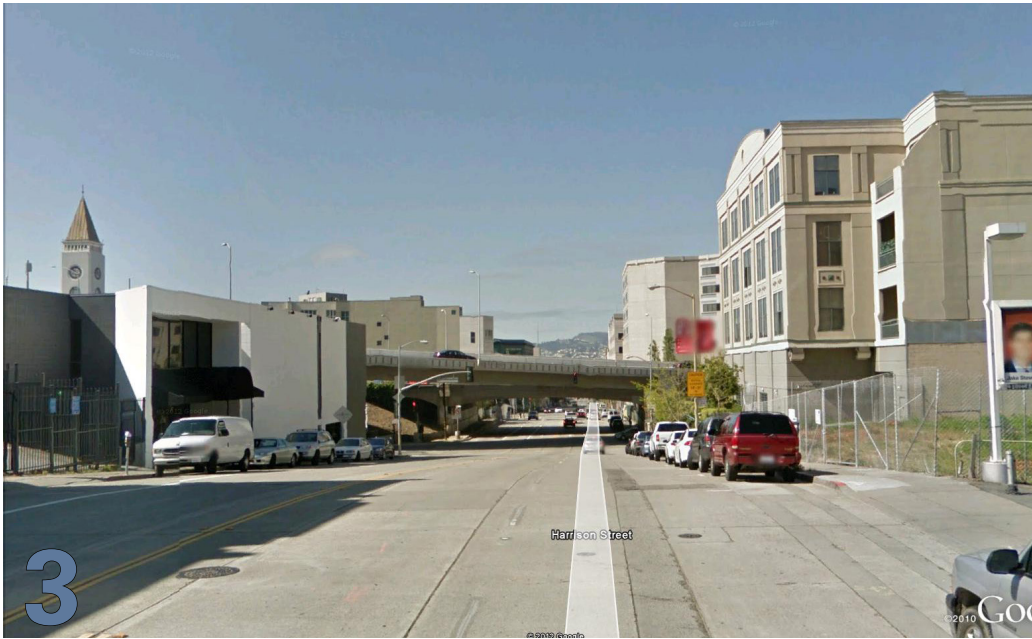
08.04.2015



LOOKING NORTH-EAST, UP HARRISON STREET



EXISTING BUILDING ON SITE TO BE REPLACED



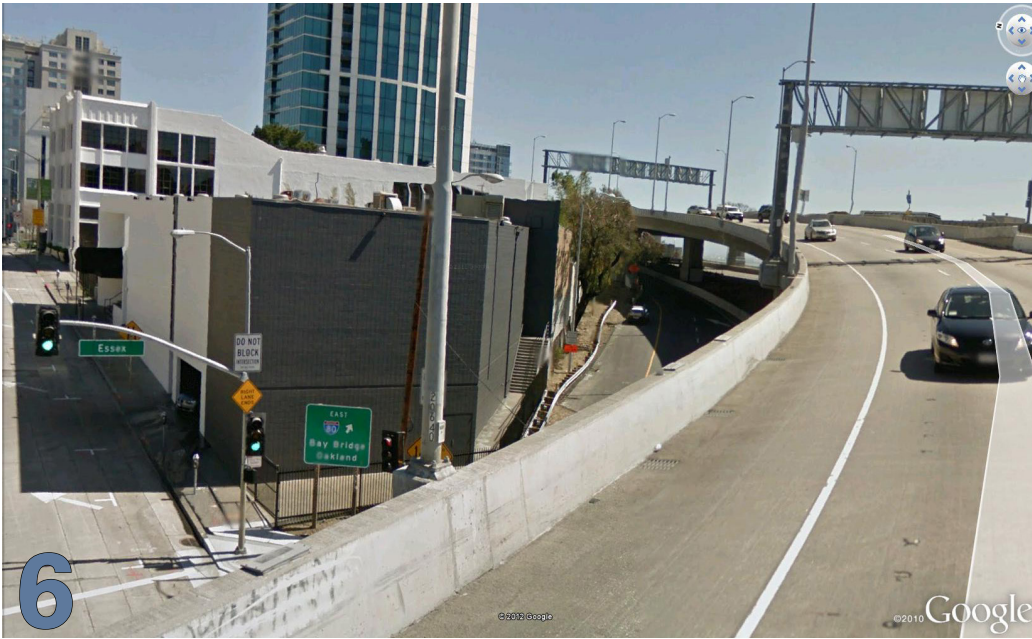
LOOKING SOUTHWEST, DOWN HARRISON STREET



LOOKING EAST, I-80 ON-RAMP



BELOW I-80 OFF-RAMP



FROM I-80 OFF-RAMP

PROJECT SITE CONDITIONS

525 HARRISON STREET
Hines

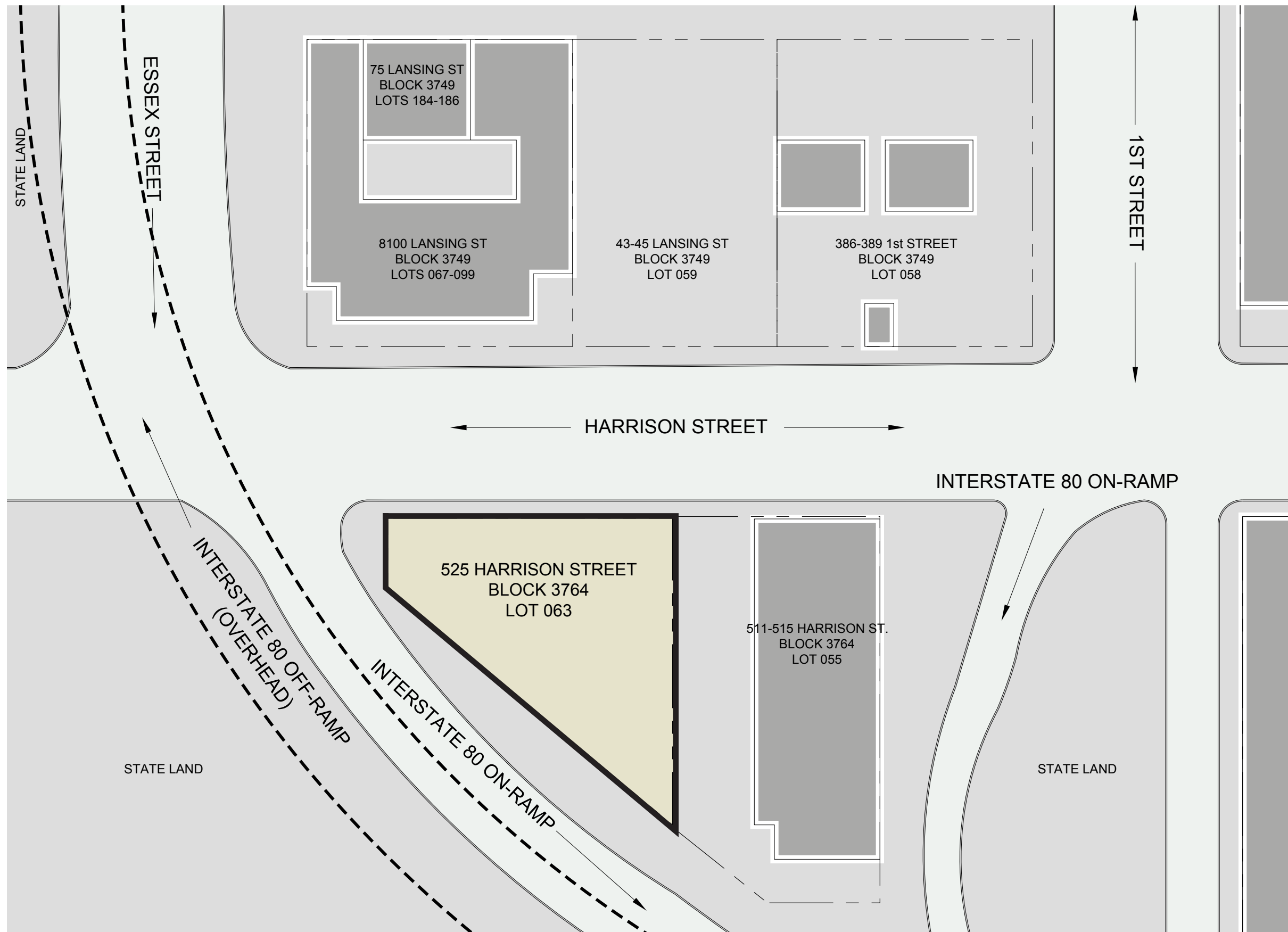
08.04.2015



PROJECT SITE

525 HARRISON STREET
Hines

08.04.2015



PROJECT SITE

525 HARRISON STREET
Hines

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HEIGHT	LEVEL		units	avg.	nsf	eff.	resid. gsf	retail gsf	balconies	amenity gsf	parking gsf	parking spaces	total gsf
15.00	250.00	MECH	-	-	-	-	2,460			0	0	0	2,460
11.00	239.00	ROOF	-	-	-	-	3,025			1,065	0	0	3,025
12.83	221.17	22	9	798	7,180	80%	8,925		100	0	0	0	8,925
10.67	210.50	21	9	798	7,180	80%	8,925		100	0	0	0	8,925
11.67	198.83	20	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	189.17	19	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	179.50	18	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	169.83	17	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	160.17	16	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	150.50	15	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	140.83	14	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	131.17	13	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	121.50	12	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	111.83	11	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	102.17	10	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	92.50	9	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	82.83	8	9	798	7,180	80%	8,925		100	0	0	0	8,925
9.67	73.17	7	9	792	7,130	81%	8,775			0	0	0	8,775
12.67	60.50	6	5	681	3,407	44%	7,710		50	2,930	0	0	7,710
12.67	47.83	5	14	733	10,260	83%	12,395		50	0	0	0	12,395
9.67	38.17	4	14	733	10,260	83%	12,395		50	0	0	0	12,395
9.67	28.50	3	14	735	10,285	83%	12,420		100	0	0	0	12,420
9.67	18.83	2	14	733	10,260	83%	12,395		50	0	0	0	12,395
15	3.83	1	-	-	-	-	10,990	1,000		7,649	0	0	11,990
		B1	-	-	-	-	2,172			-	10,504	22	12,676
		B2	-	-	-	-	2,038			-	10,638	30	12,676
		B3	-	-	-	-	2,038			-	10,638	51	12,676
			205 units	777 avg.unit	159,302 nsf	71.5% eff.	222,688 resid. gsf	1,000 gsf	1,800	11,644 amenity gsf	31,780 parking gsf	103 parking spaces	255,468 total gsf

BUILDING SUMMARY

255,468 GROSS SQUARE FEET
159,302 NET SQUARE FEET

205 UNITS
(42) STUDIOS - 20%
(69) 1 BEDROOMS - 34%
(94) 2 BEDROOMS - 46%
777 SF AVERAGE UNIT SIZE
25 ON-SITE BMR UNITS

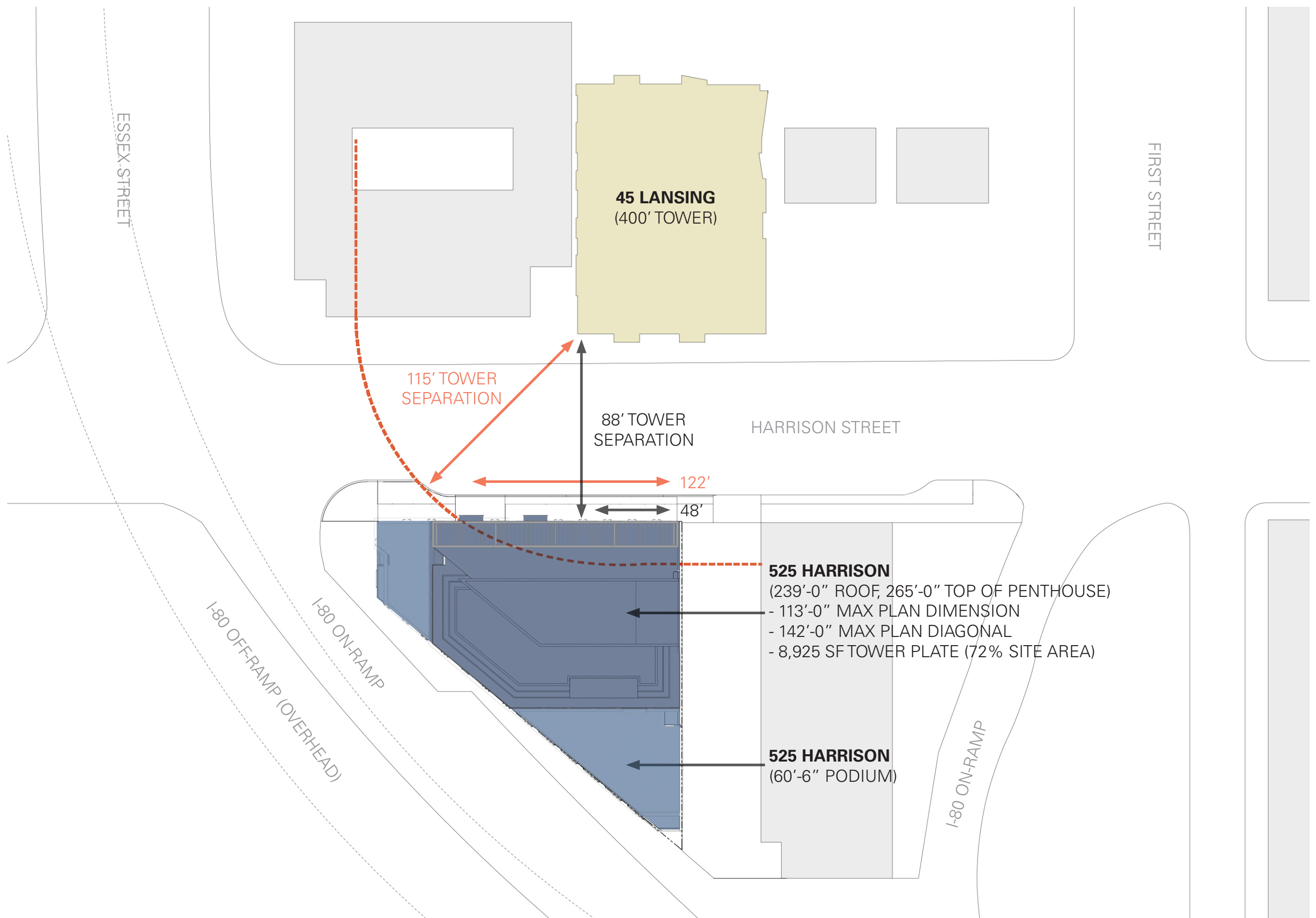
11,644 SQUARE FEET AMENITY
- 1,000 SF ROOFTOP LOUNGE
- 2,930 SF PODIUM LOUNGE
- 7,649 SF LEVEL 1 FITNESS + LOUNGE
(1,000 SF CAFE/RETAIL IN LOUNGE SF)

103 PARKING SPACES
(96) MECHANICAL STACKER SPACES
(3) SURFACE SPACES
(4) ACCESSIBLE SPACES
(2 CAR SHARE SPACES)

127 CLASS 1 BICYCLE PARKING SPACES

20 CLASS 2 BICYCLE PARKING SPACES

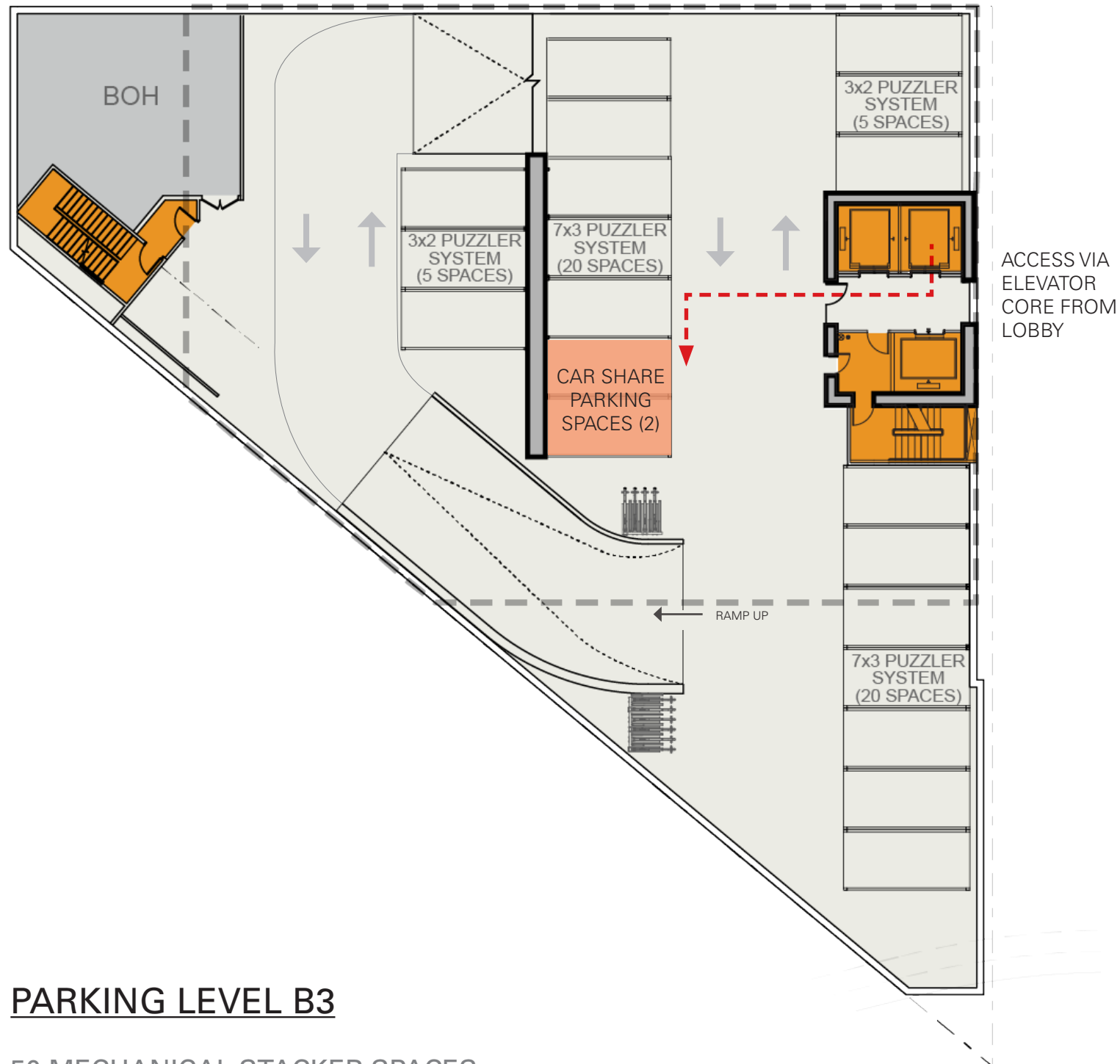
				LEVEL																					Total	Total nrsf	Total By Type
Unit Name	Type	nsf	nsf (L6-7)	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
S-A	studio	530	SAME	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	21	11,130	42 20.5%
S-B	studio	405	SAME	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	21	8,505	
1A-Balcony	1-bed	705	SAME		1	1		1	1		1	1		1	1		1	1		1	1		1	1	14	9,870	
1A-Juliet	1-bed	731	SAME	1			1			1			1			1		1		1		1			7	5,117	
1B-Balcony	1-bed	625	SAME			1	1																		2	1,250	
1B-Juliet	1-bed	665	SAME	1	1																				2	1,330	
1C	1-bed	561	SAME	1	1	1	1																		4	2,244	
1D	1-bed	480	SAME	1	1	1	1																		4	1,920	
1E	1-bed	720	SAME	1	1	1	1																		4	2,880	
1F	1-bed	1,190	SAME	1	1	1	1																		4	4,760	
1G	1-bed	730	SAME	1	1	1	1																		4	2,920	69 33.7%
1H	1-bed	715	SAME	1	1	1	1																		4	2,860	
1J	1-bed	725	SAME	1	1	1	1																		4	2,900	
1K	1-bed	740	SAME						1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	16	11,840	
2A	2-bed	1,035	SAME	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	21	21,735	
2B	2-bed	790	SAME	1	1	1	1																		4	3,160	
2C	2-bed	1,045	SAME	1	1	1	1																		4	4,180	
2D	2-bed	850	816					1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	17	14,416	94 45.9%
2E	2-bed	745	775						1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	16	11,950	
2F	2-bed	1,290	SAME						1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	16	20,640	
2G-Balcony	2-bed	845	SAME								1		1	1		1	1		1			1	1		9	7,605	
2G-Juliet	2-bed	870	SAME						1	1		1			1			1			1			1	7	6,090	
				14	14	14	14	5	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	205	159,302	



SITE PLAN

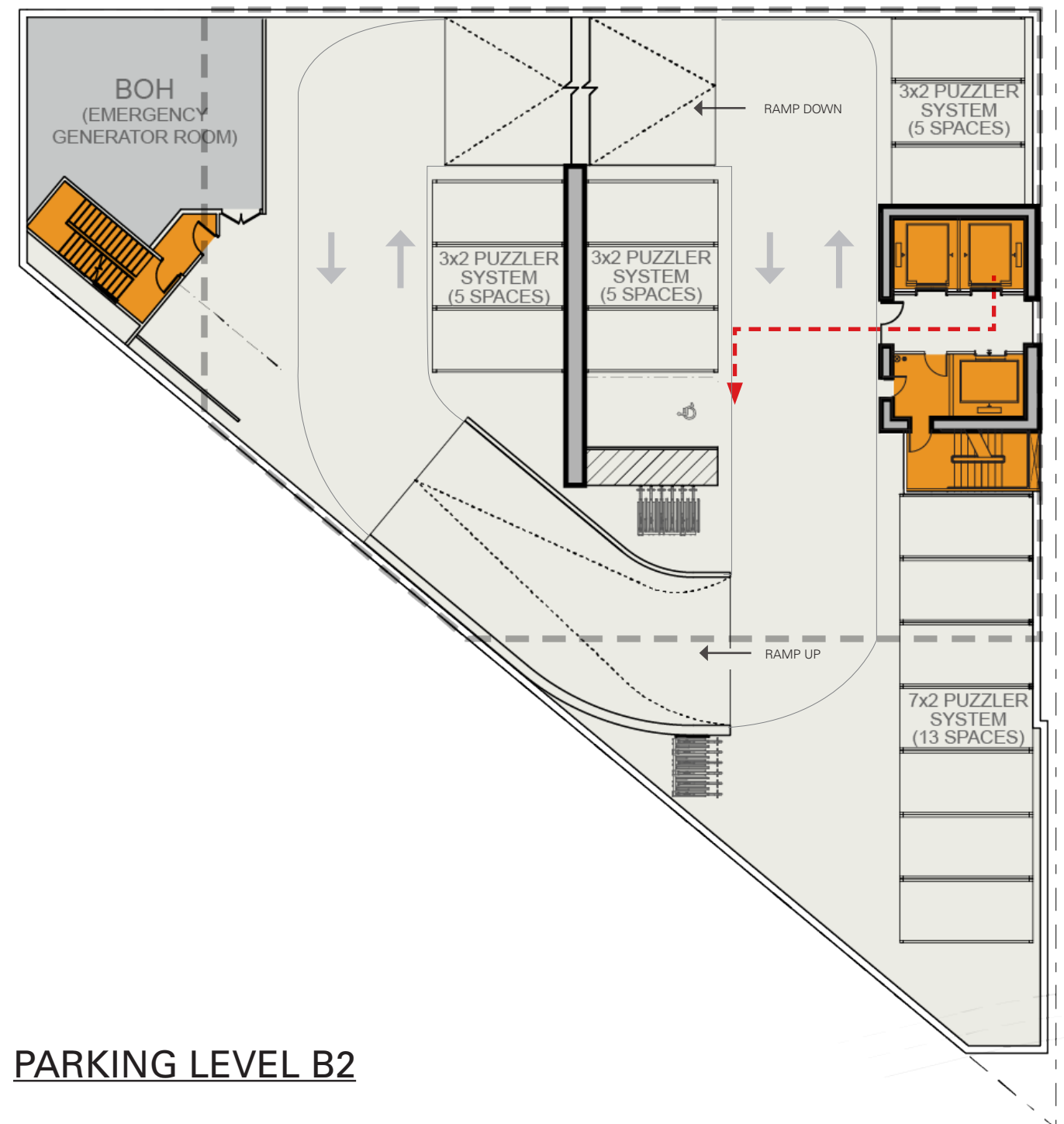
525 HARRISON STREET
Hines

08.04.2015



PARKING LEVEL B3

50 MECHANICAL STACKER SPACES
1 SURFACE SPACE



PARKING LEVEL B2

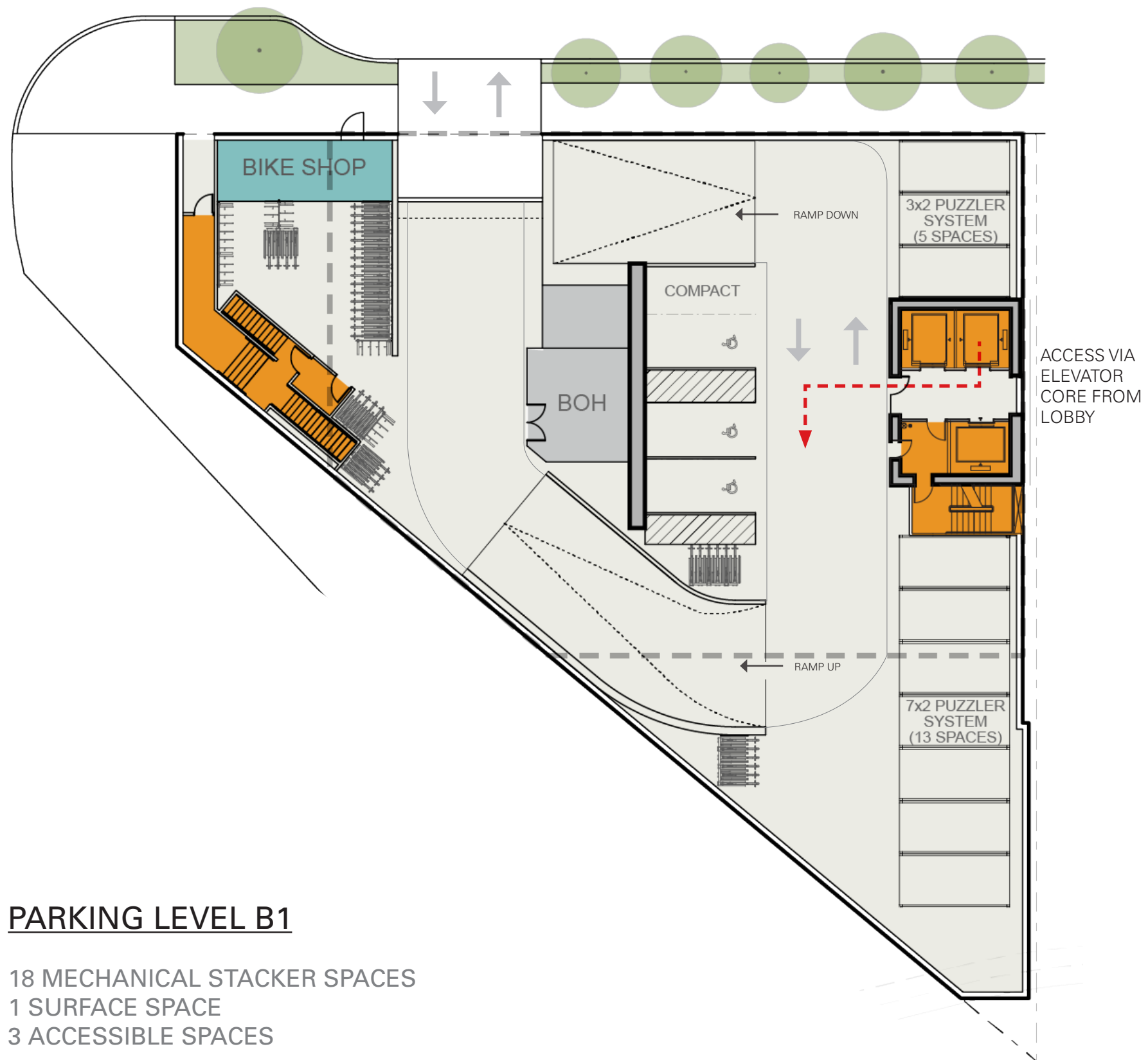
28 MECHANICAL STACKER SPACES
1 SURFACE SPACE
1 ACCESSIBLE SPACE



PLAN - LEVELS B3 & B2

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PARKING LEVEL B1

18 MECHANICAL STACKER SPACES
1 SURFACE SPACE
3 ACCESSIBLE SPACES



0' 10' 20'

PLAN - LEVEL B1

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PLAN - LEVEL 1

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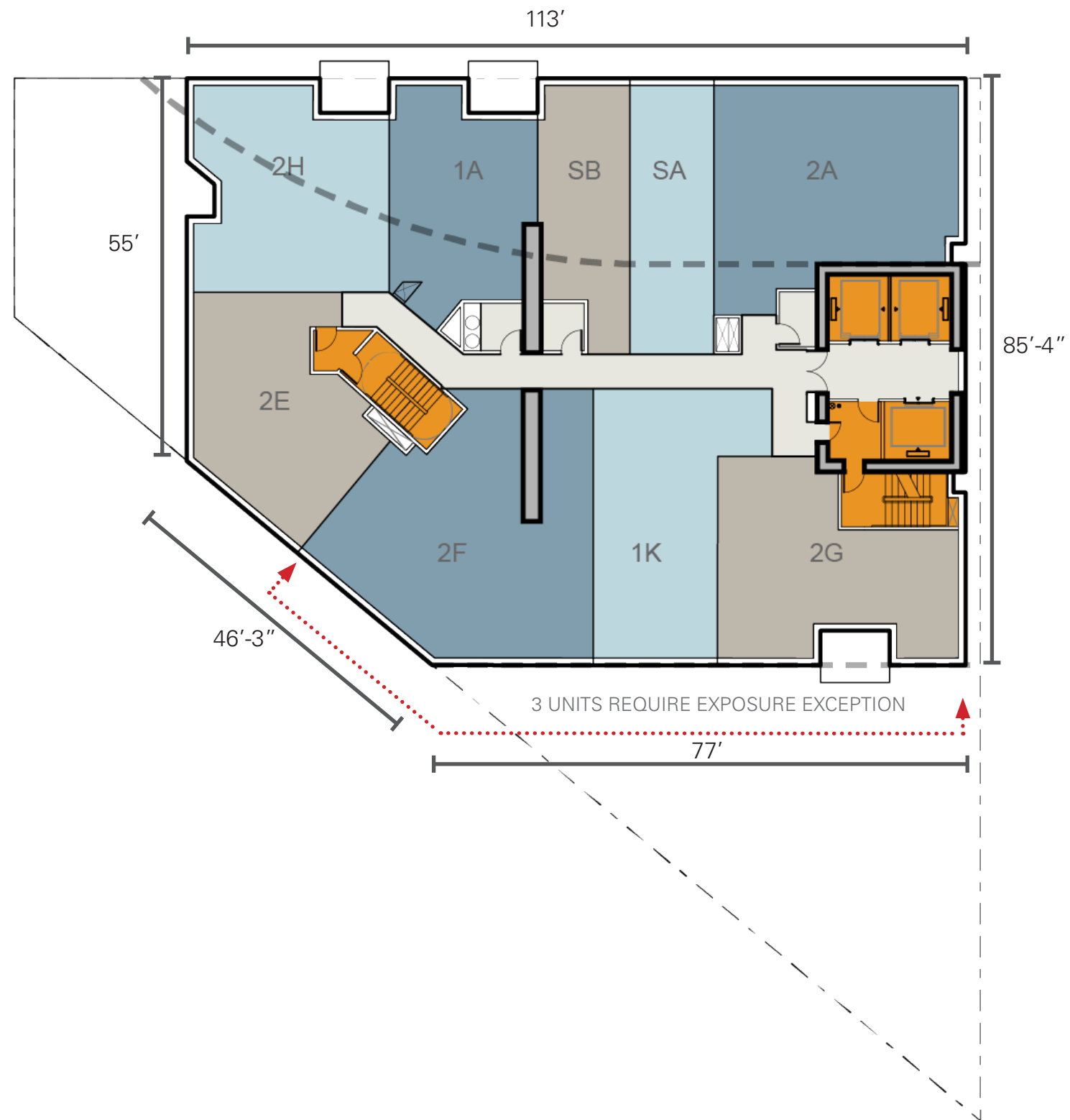


LEVEL 6

5 UNITS/LEVEL
 (2 STUDIOS, 1 1-BED, 2 2-BED)

681 SF AVERAGE UNIT SIZE
 7,710 GROSS SQUARE FEET
 3,407 NET SQUARE FEET

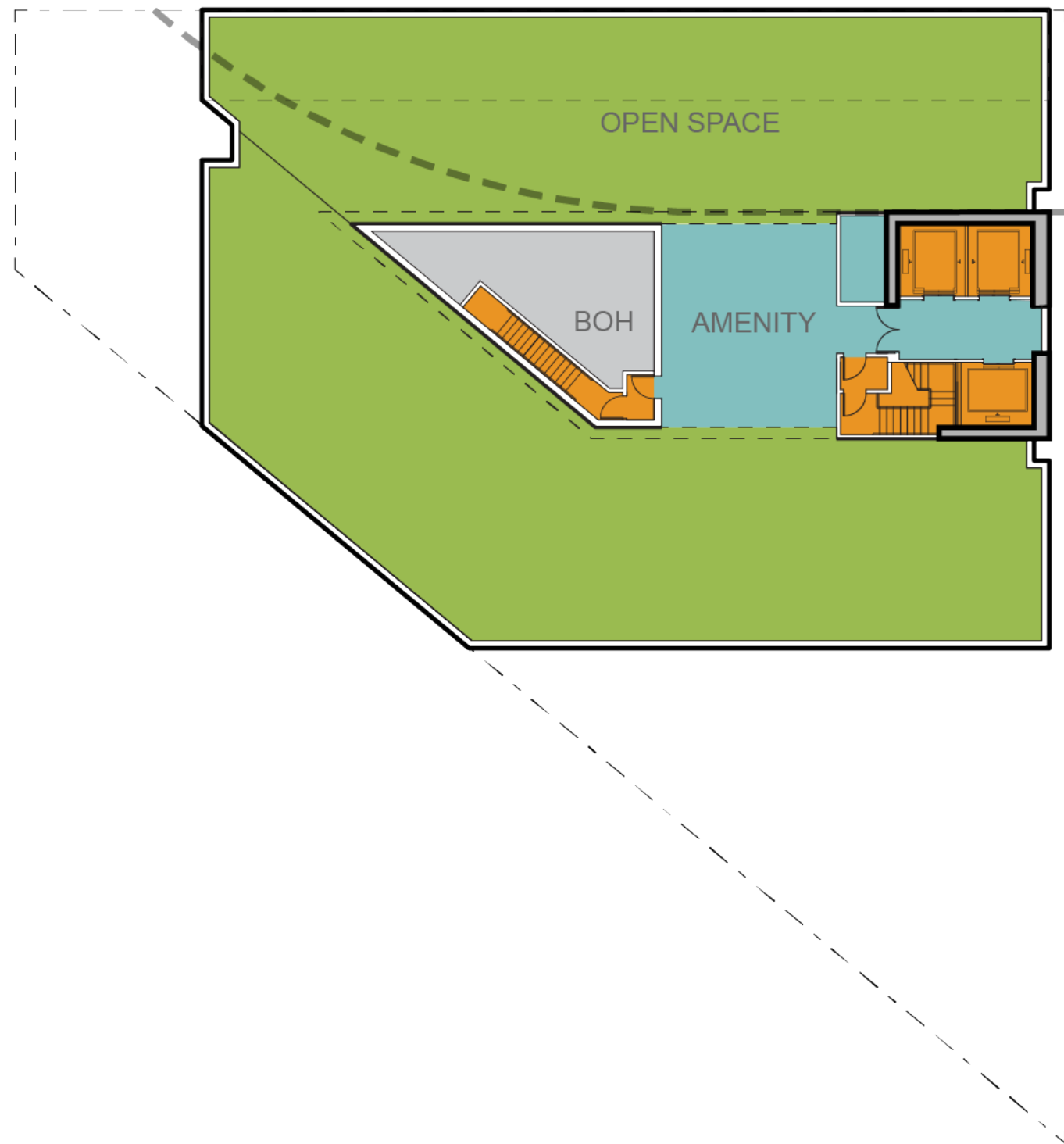




TYPICAL TOWER LEVEL

9 UNITS/LEVEL
 (2 STUDIOS, 2 1-BED, 5 2-BED)
 798 SF AVERAGE UNIT SIZE
 8,925 GROSS SQUARE FEET
 7,180 NET SQUARE FEET





0' 10' 20'

PLAN - ROOFTOP LOUNGE

525 HARRISON STREET
Hines

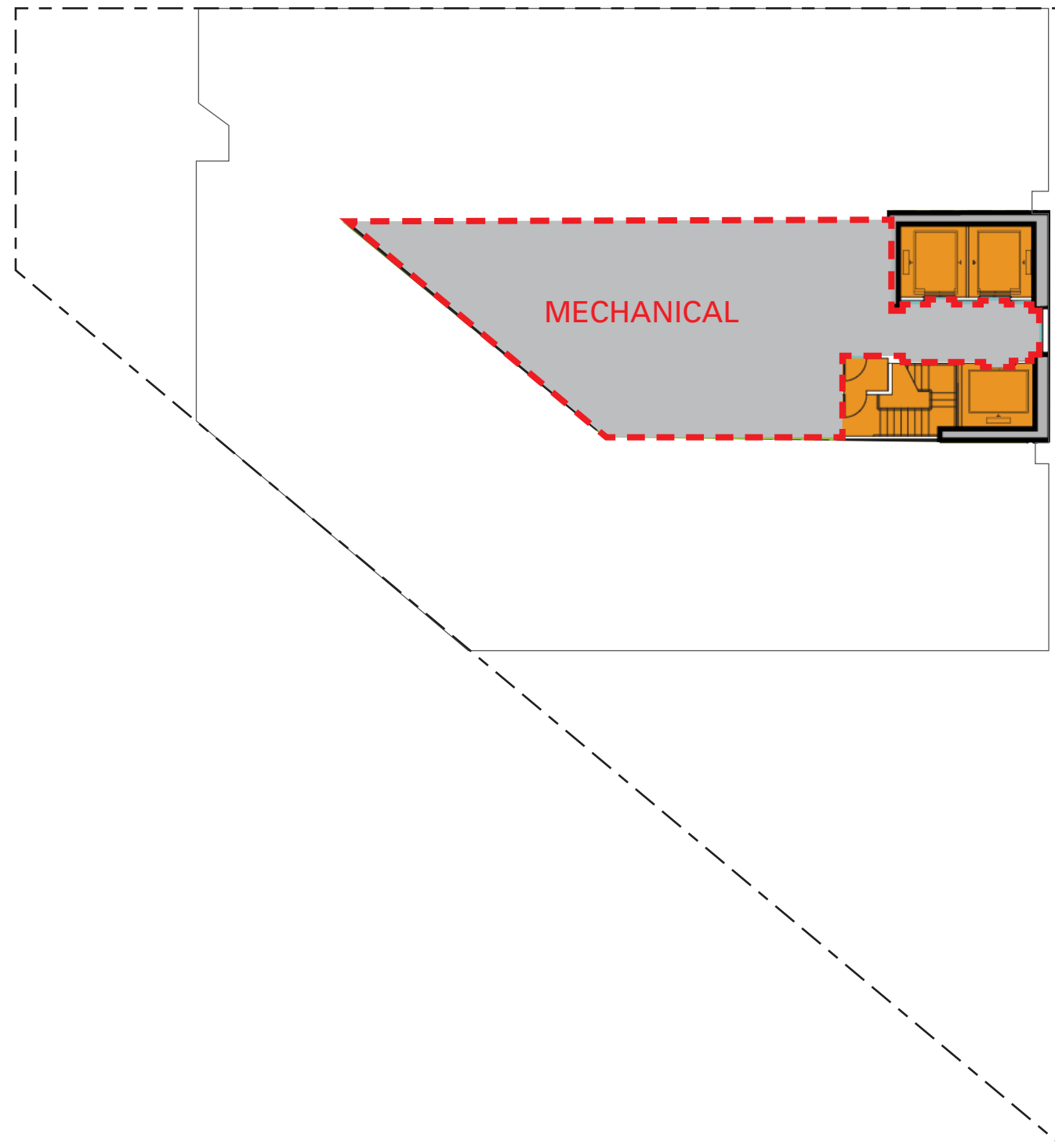
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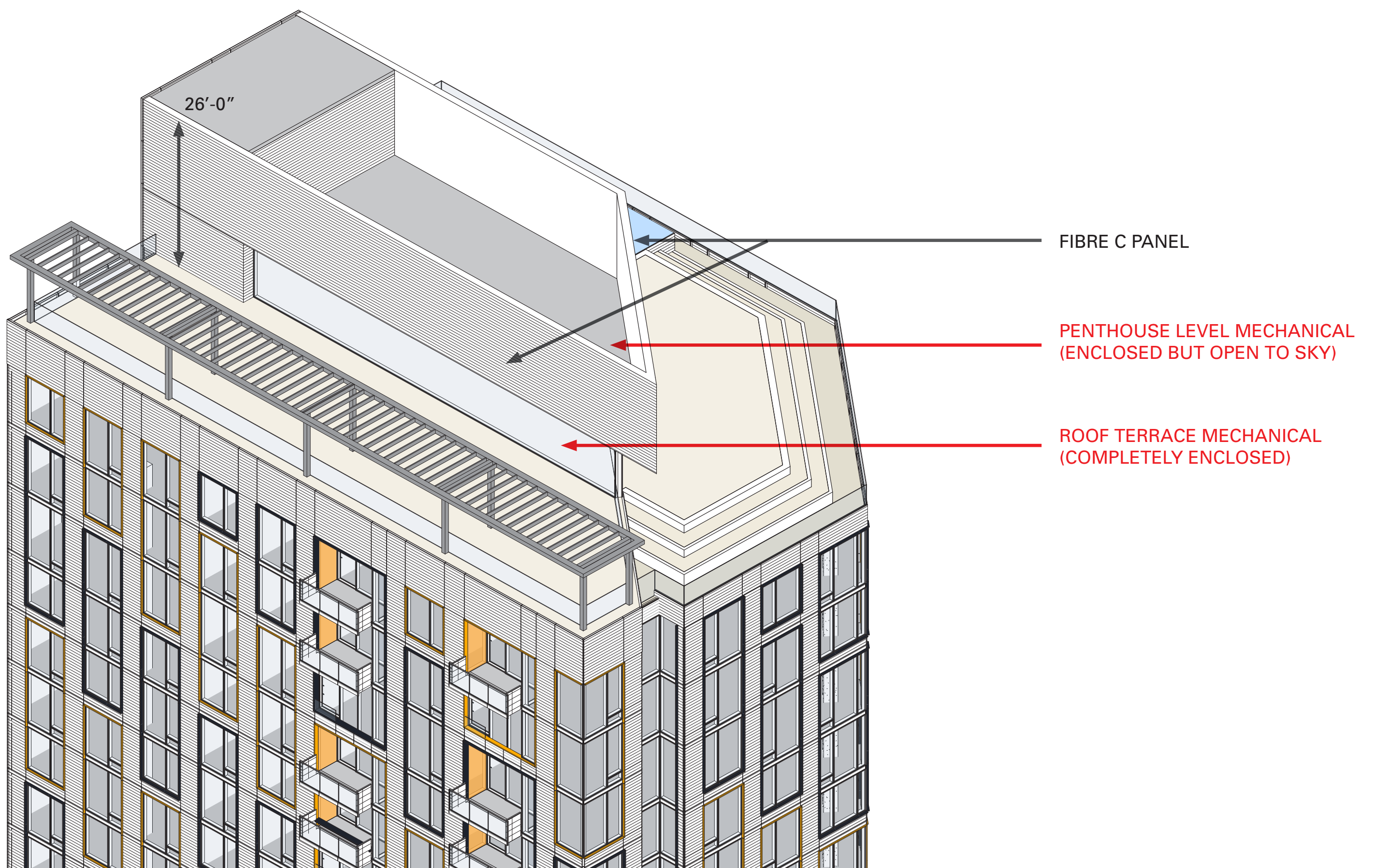


ROOFTOP LOUNGE

525 HARRISON STREET
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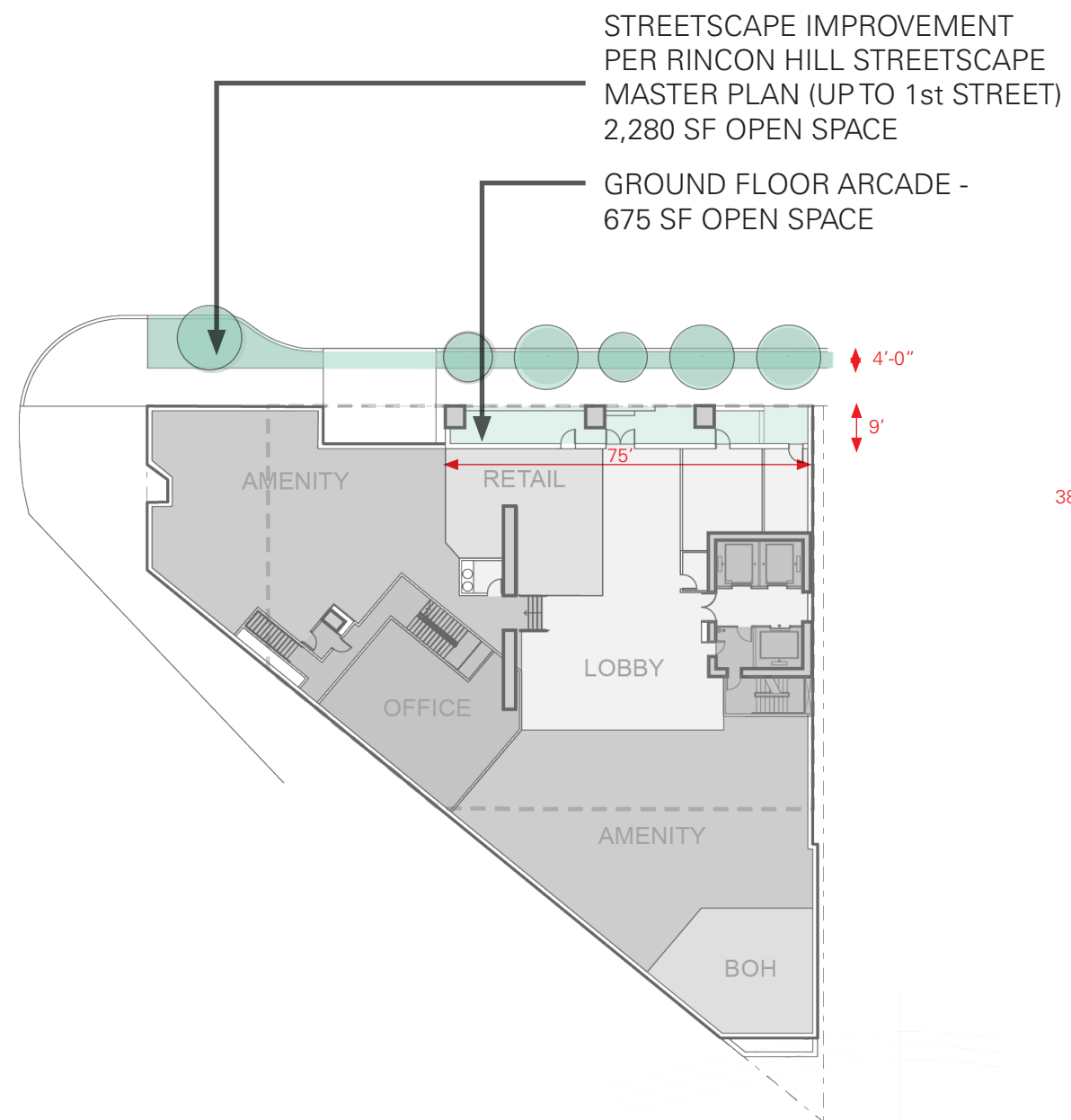




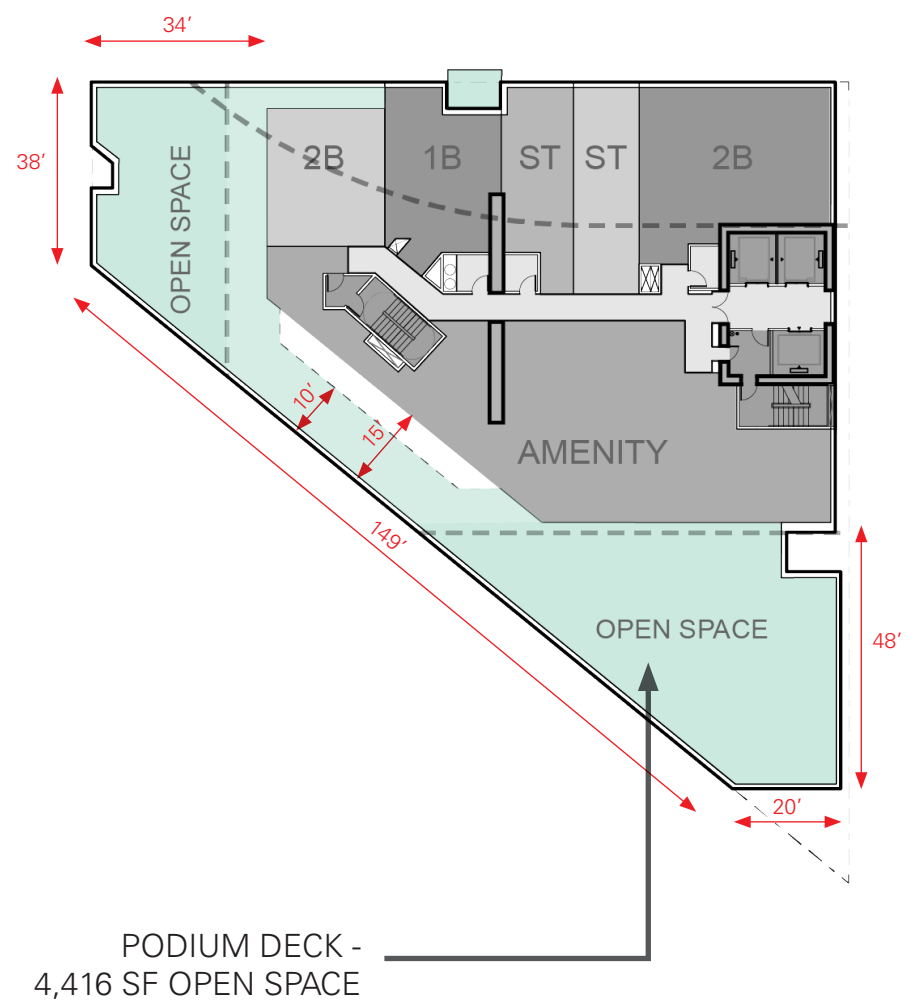
ROOFTOP SCREENING

525 HARRISON STREET
Hines

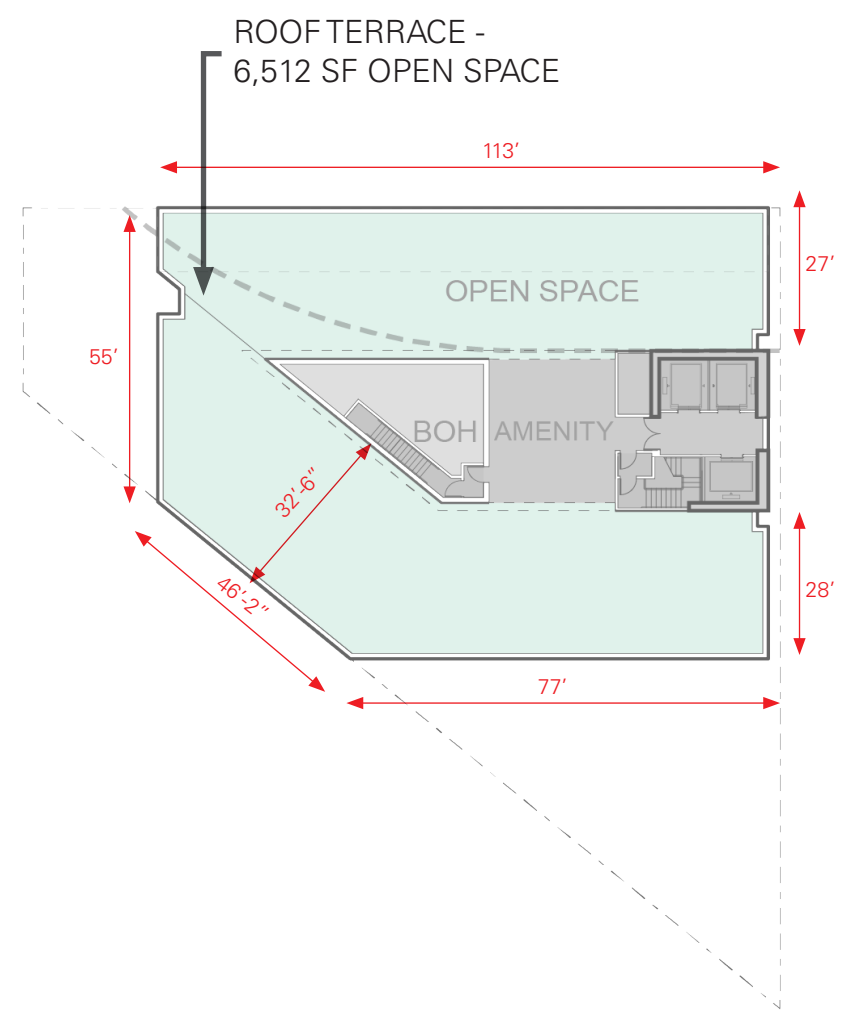
08.04.2015



LEVEL 1 GROUND



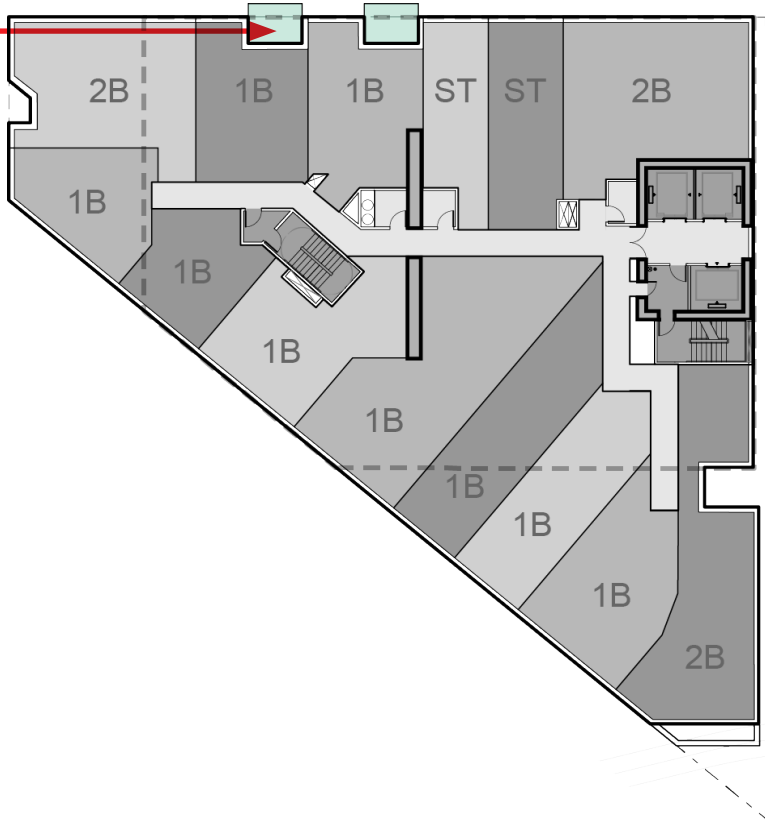
LEVEL 6 PODIUM DECK



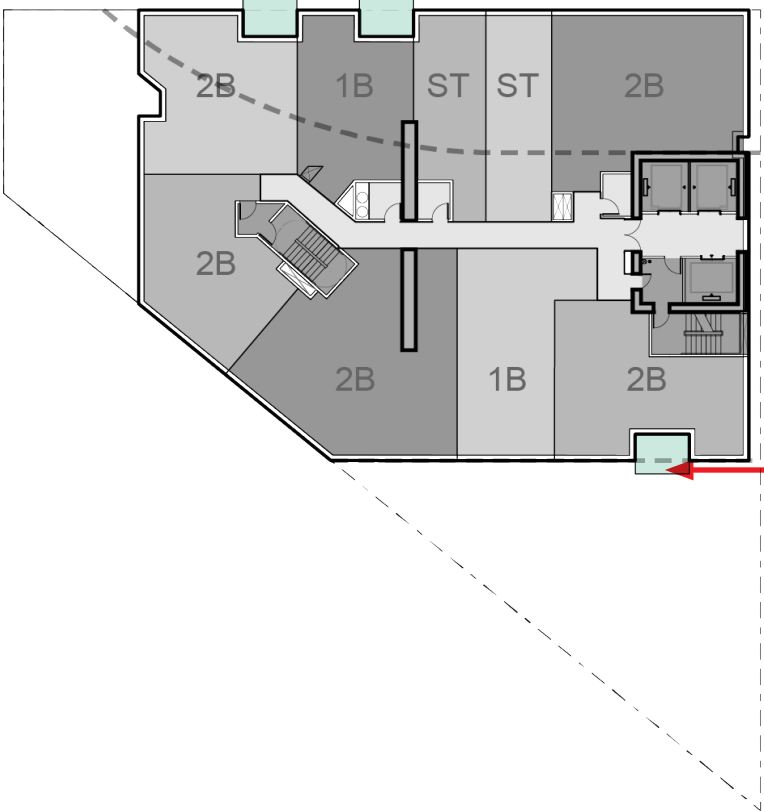
ROOF TERRACE

OPEN SPACE CALCULATION

BALCONY LOCATION ON
SELECT TOWER LEVELS.
50 SF OPEN SPACE

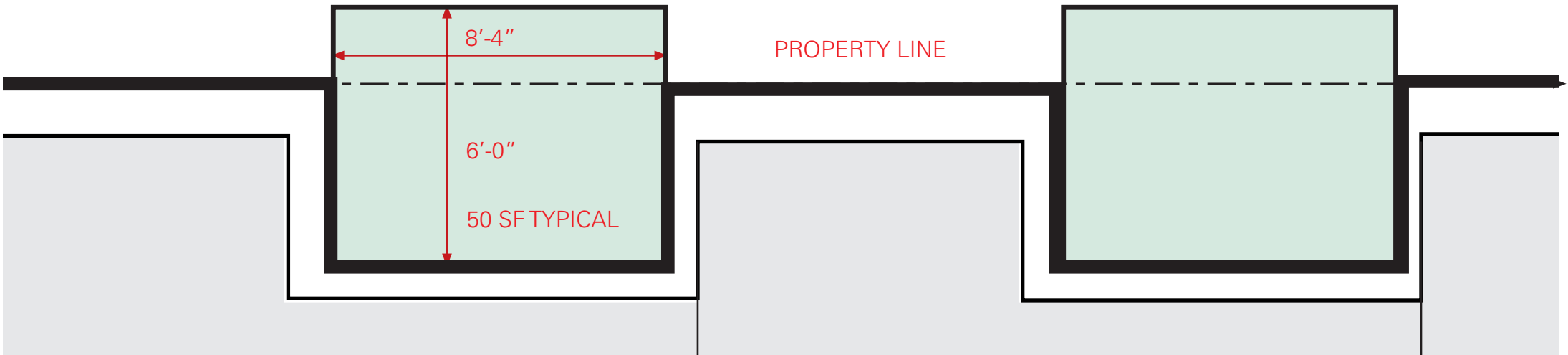


PODIUM LEVELS 2-5

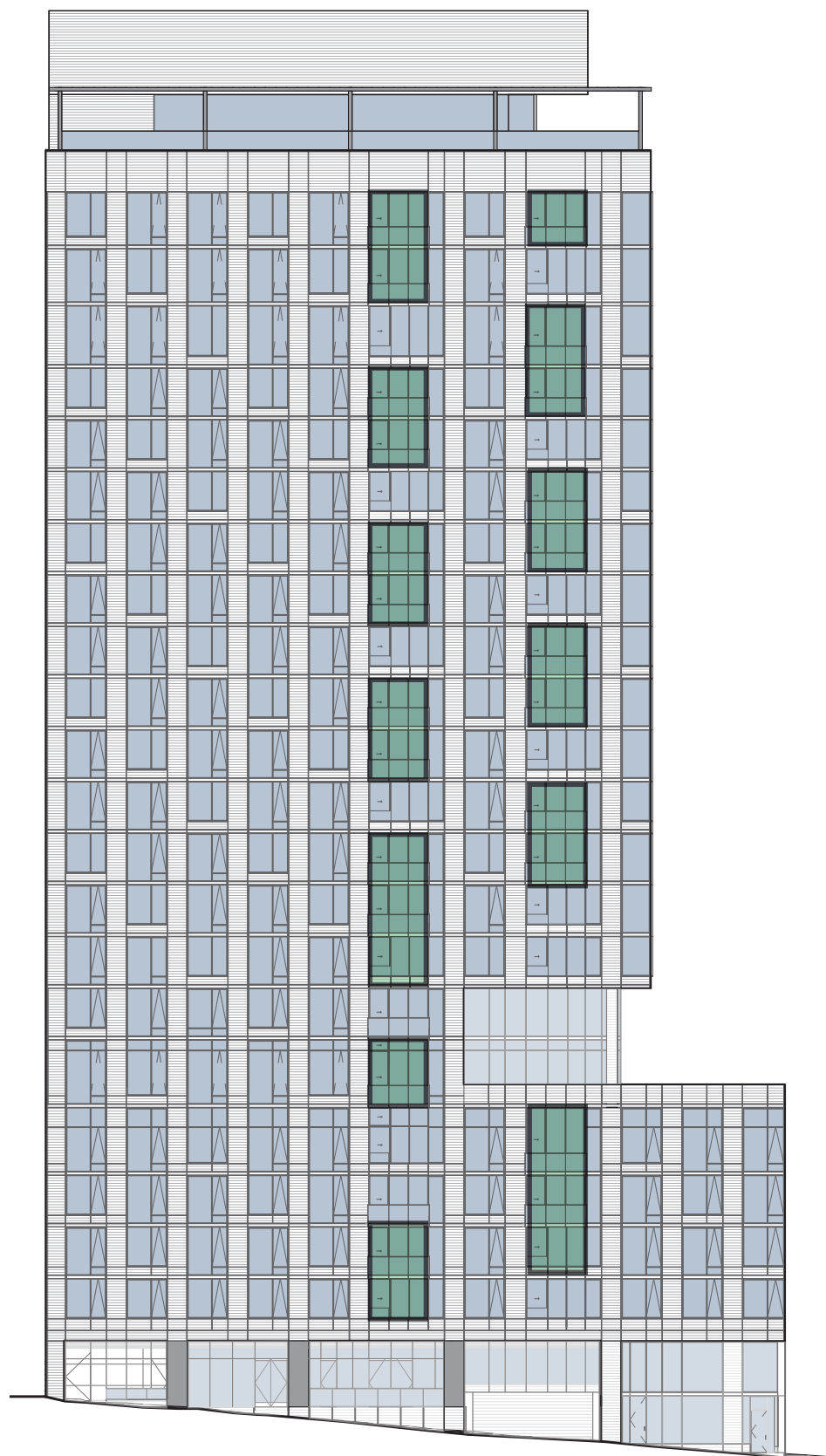
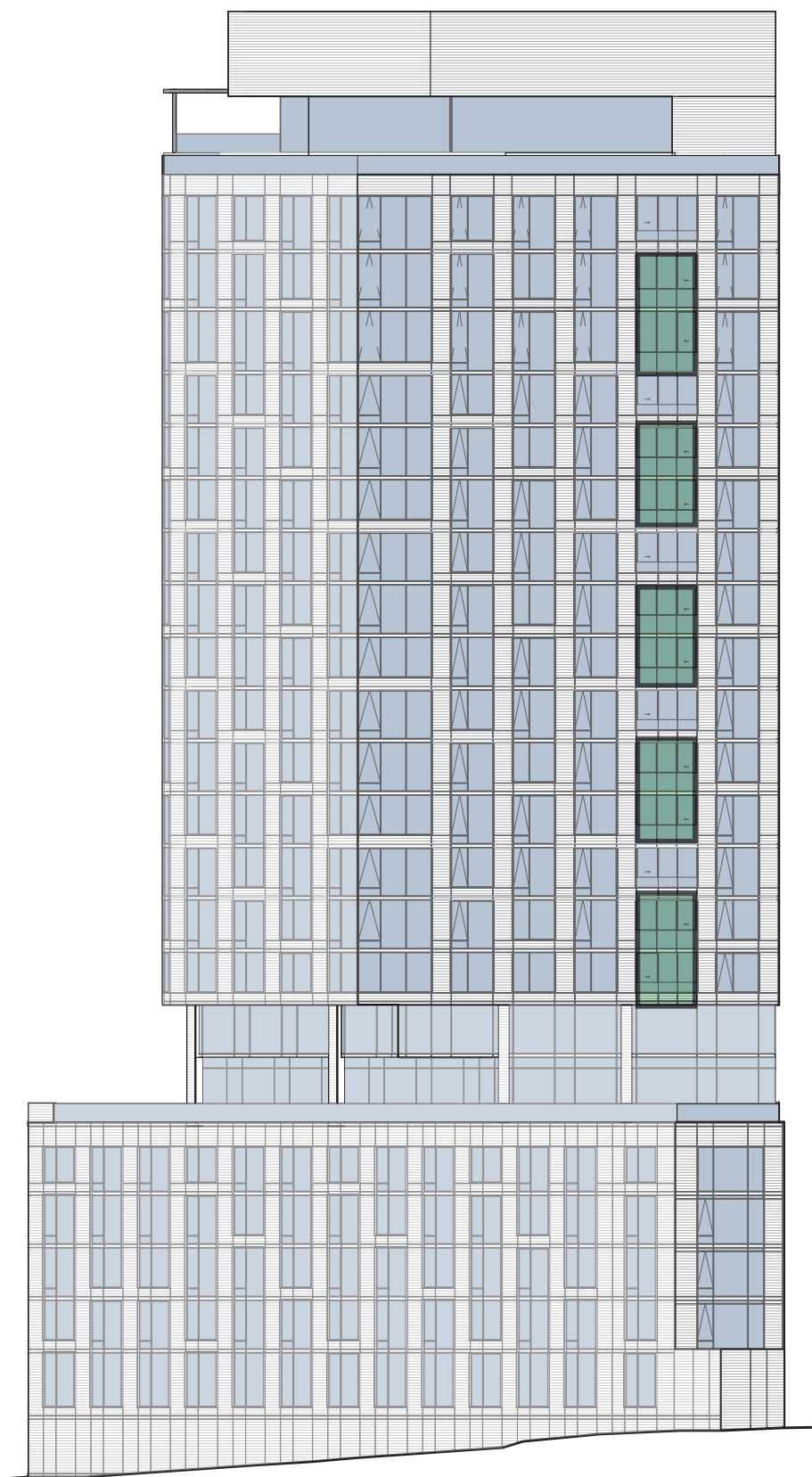


BALCONY LOCATION ON SELECT
TOWER LEVELS. 50 SF OPEN SPACE
ALIGNS WITH EXTERIOR PATTERN

TOWER LEVELS 6-17



TYPICAL BALCONY DIMENSIONS



BALCONY LOCATIONS

OPEN SPACE CALCULATIONS

STREETSCAPE	2,280 SF
LEVEL 1 ARCADE	675 SF
LEVEL 6 PODIUM DECK	4,416 SF
ROOF TERRACE	6,512 SF
PRIVATE BALCONIES	1,800 SF

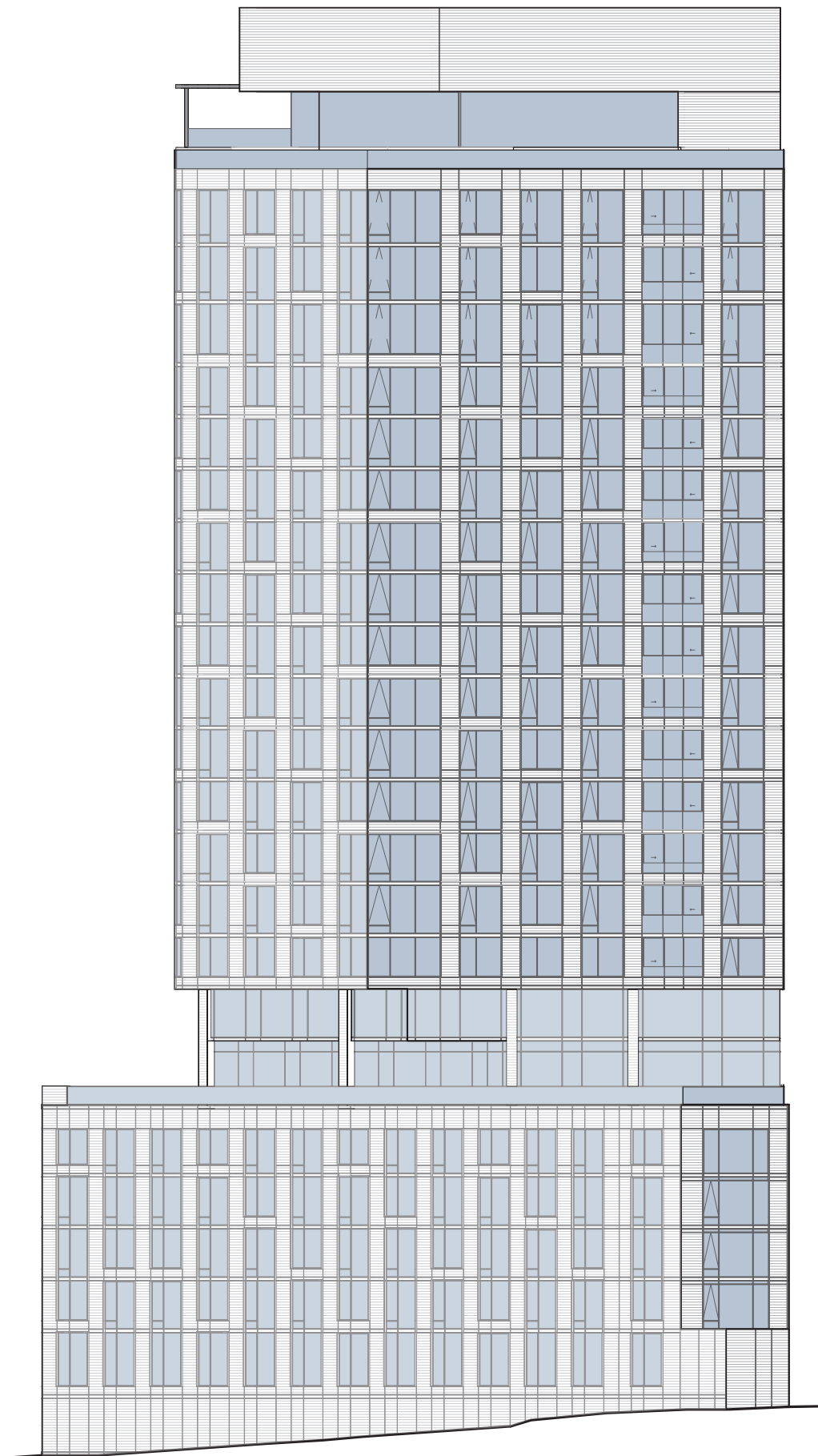
TOTAL 15,683 SF

REQUIRED 15,375 SF
(205 UNITS x 75 SF/UNIT)

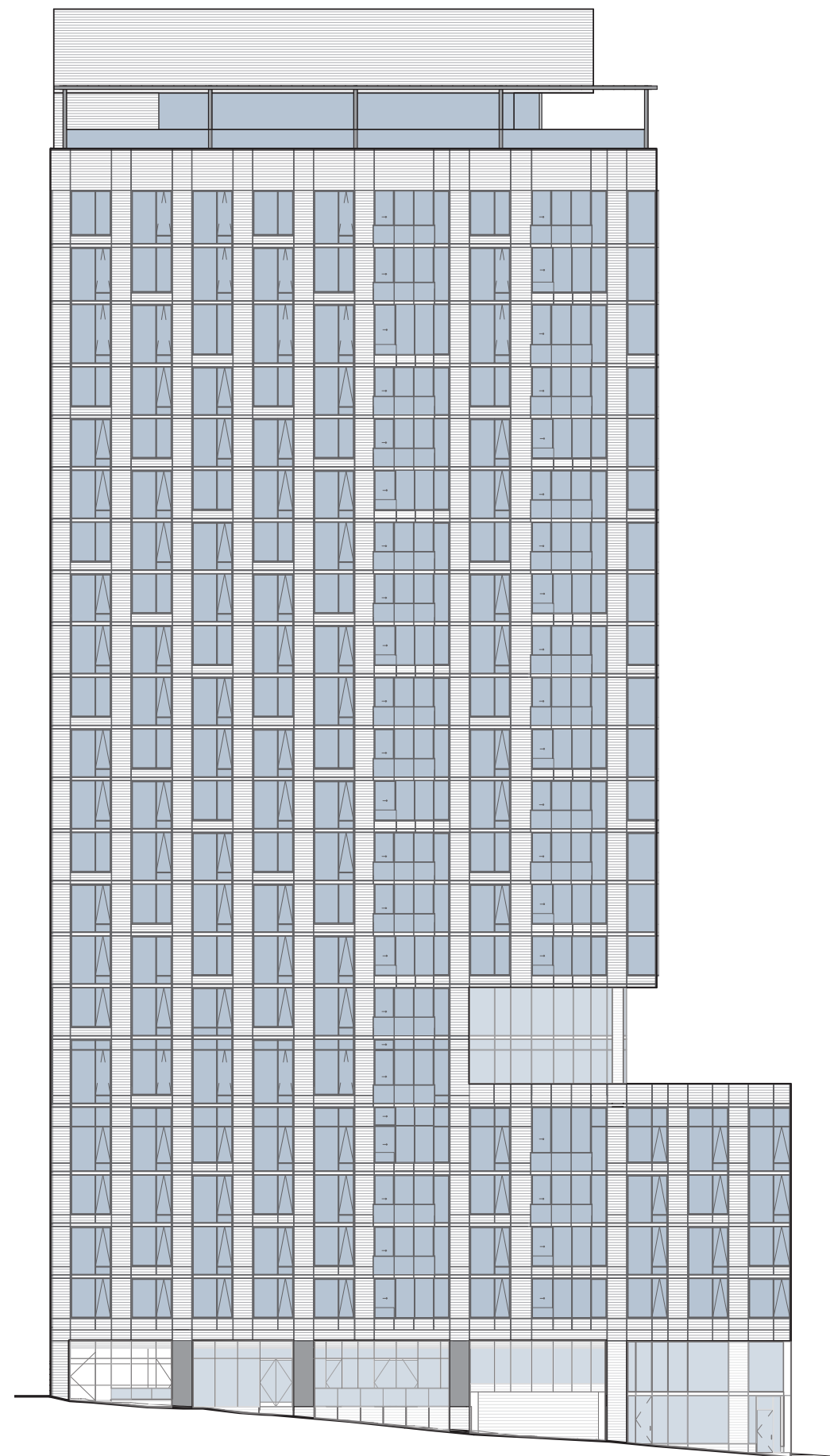
OPEN SPACE CALCULATION

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SOUTH
↑

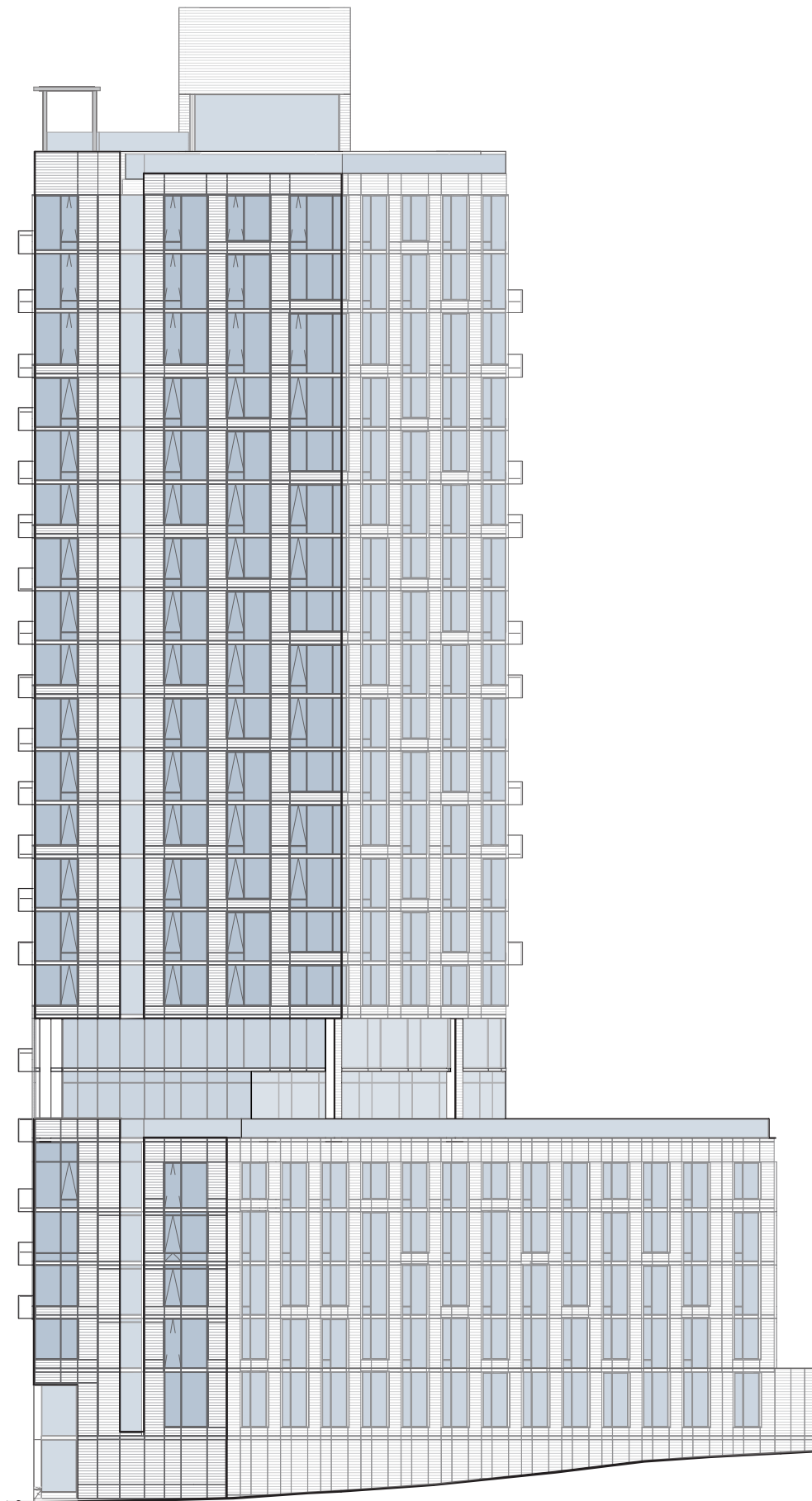


NORTH
↓

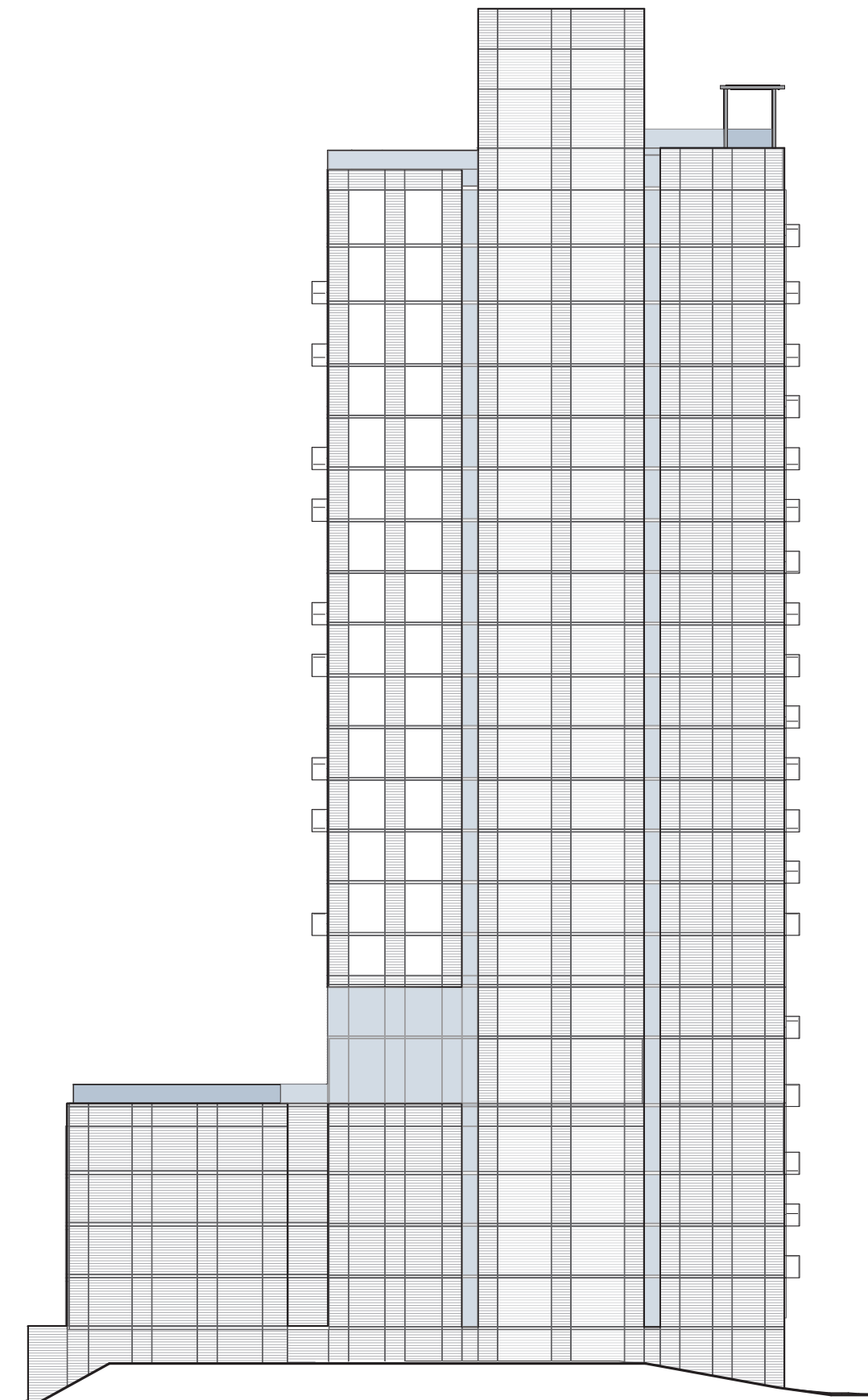
ELEVATIONS

525 HARRISON STREET
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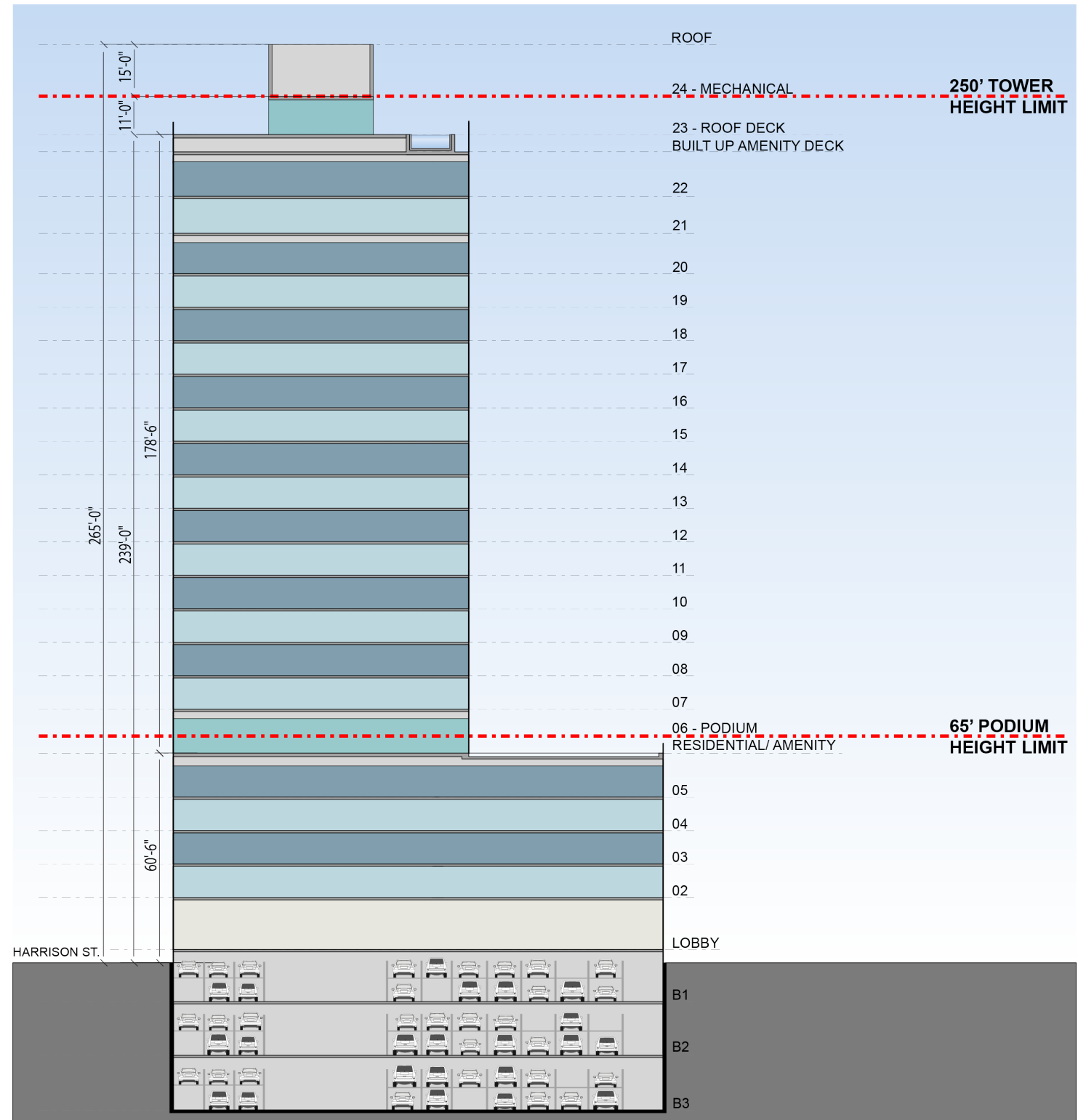
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WEST



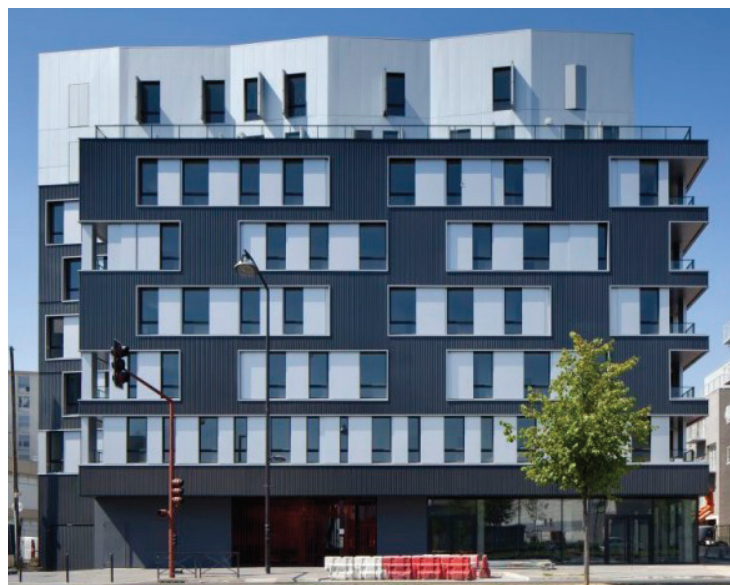
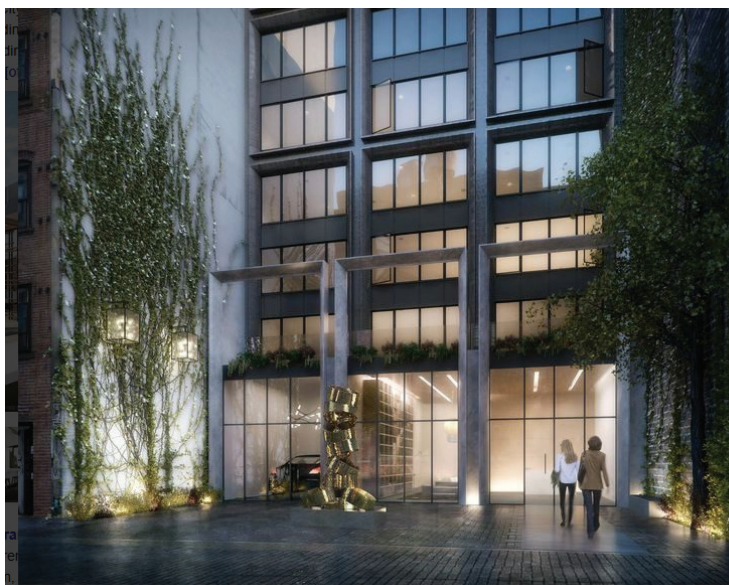
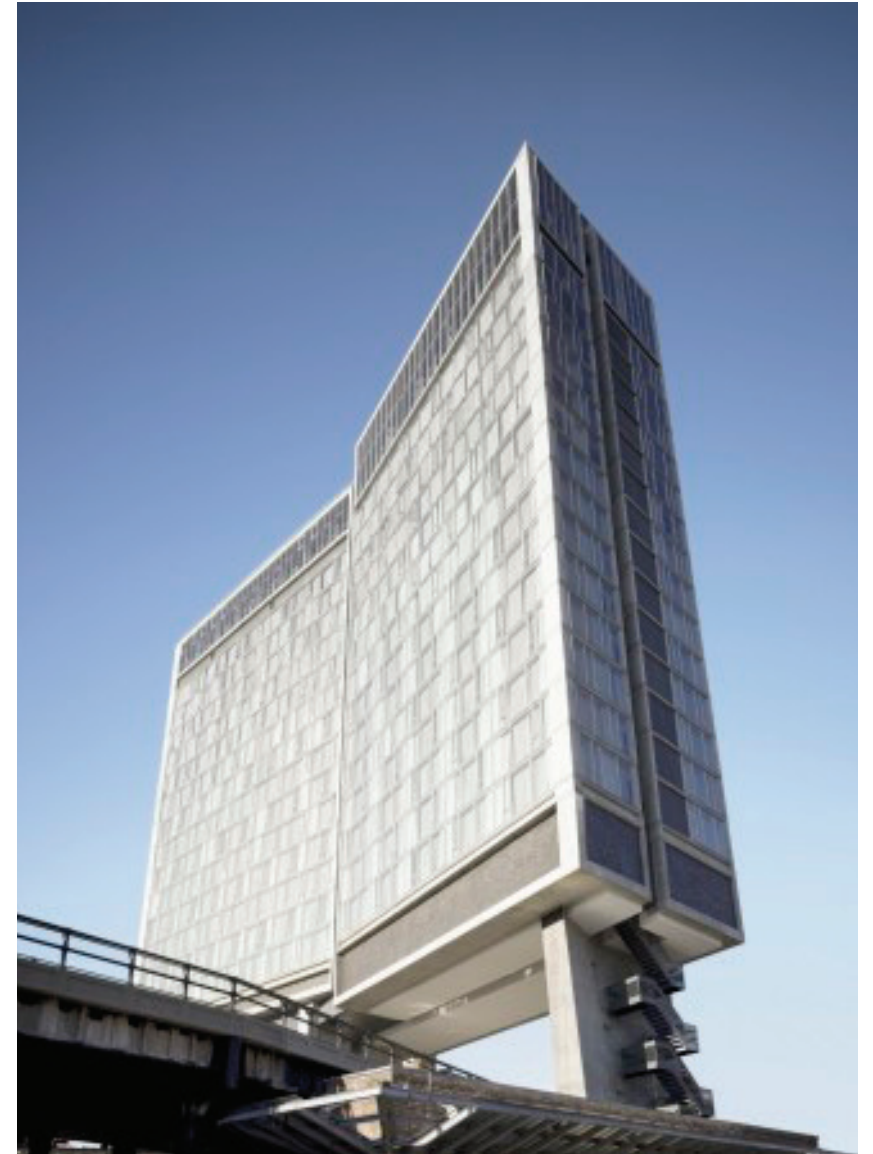
EAST



PROJECT SECTION

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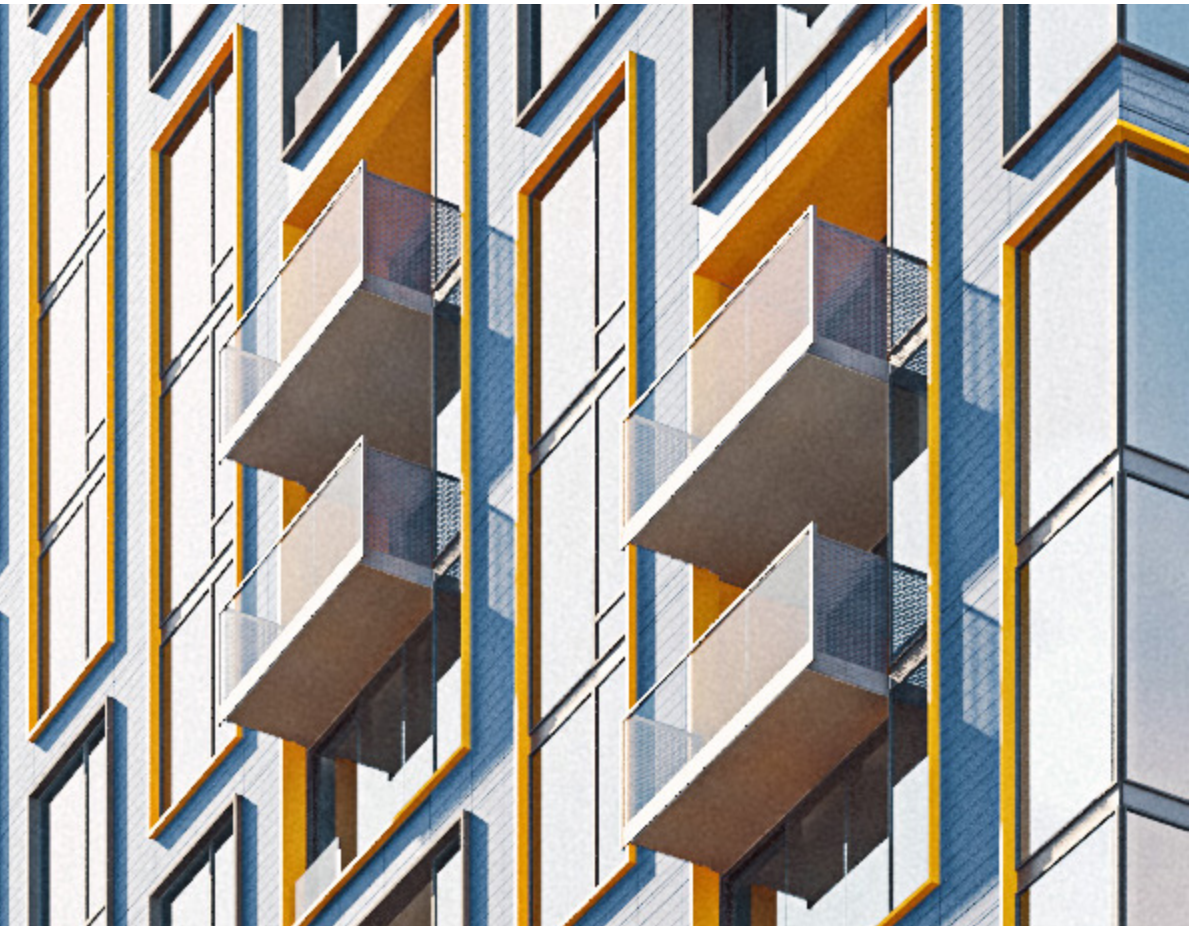
MASONRY FACADES

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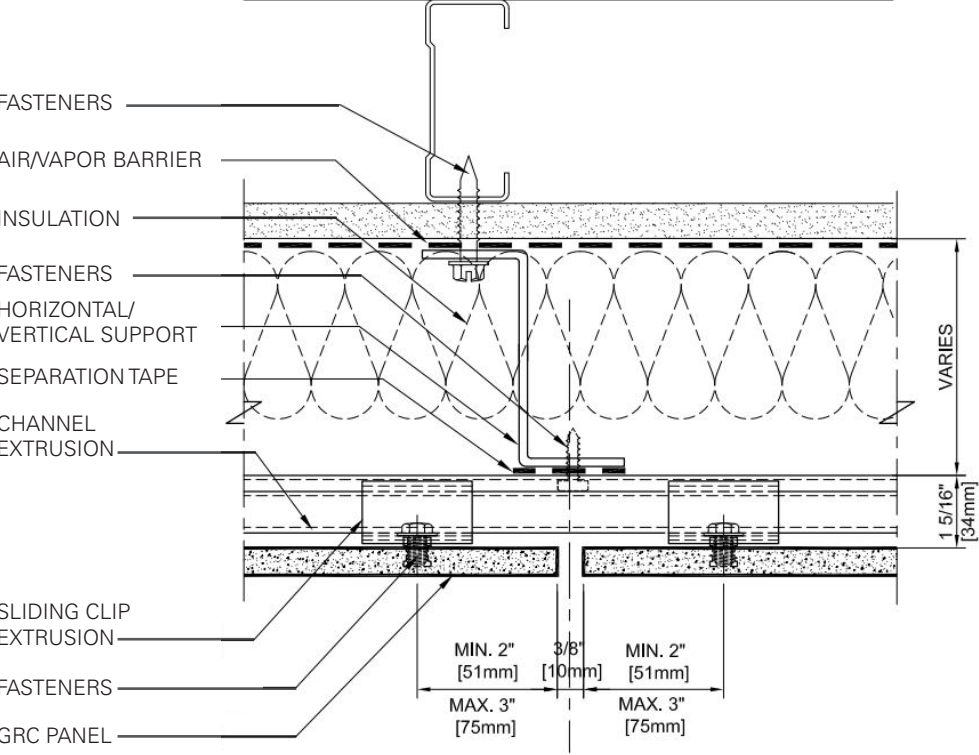
08.04.2015

DESIGN REVIEW COMMENT: INVESTIGATE USE OF MASONRY FURTHER AND CONSIDER MORE MASONRY/LESS GLASS

The masonry we are proposing for the façade is a cementitious rain-screen cladding. This offers several advantages over traditional brick construction and, with its superior weathering characteristics, breathability, low maintenance and its ability to improve indoor air quality, it is ideally suited to this building given its proximity to the freeway. Furthermore, the color of the rain-screen can be lightened or darkened in order to meet the right aesthetics for the façade. The amount of masonry and glass on the façade are the product of several factors. Glass area will be limited in response to the energy needs of the building as well as the acoustic limitations of building next to the freeway. However, the residential units within the building have fairly deep floor plans and windows should allow natural light to penetrate far in to the units. These variables will be further understood as the design progresses and further energy modeling is completed.



HIGH PERFORMANCE MASONRY FACADE



WATER PENETRATION

Continuous air flow between cladding and layers between the inner layer of the exterior wall and vertical cavity. Penetration of water through joints of facade is minimal and ventilation permits drainage of water that has.

THE LOAD BEARING WALL

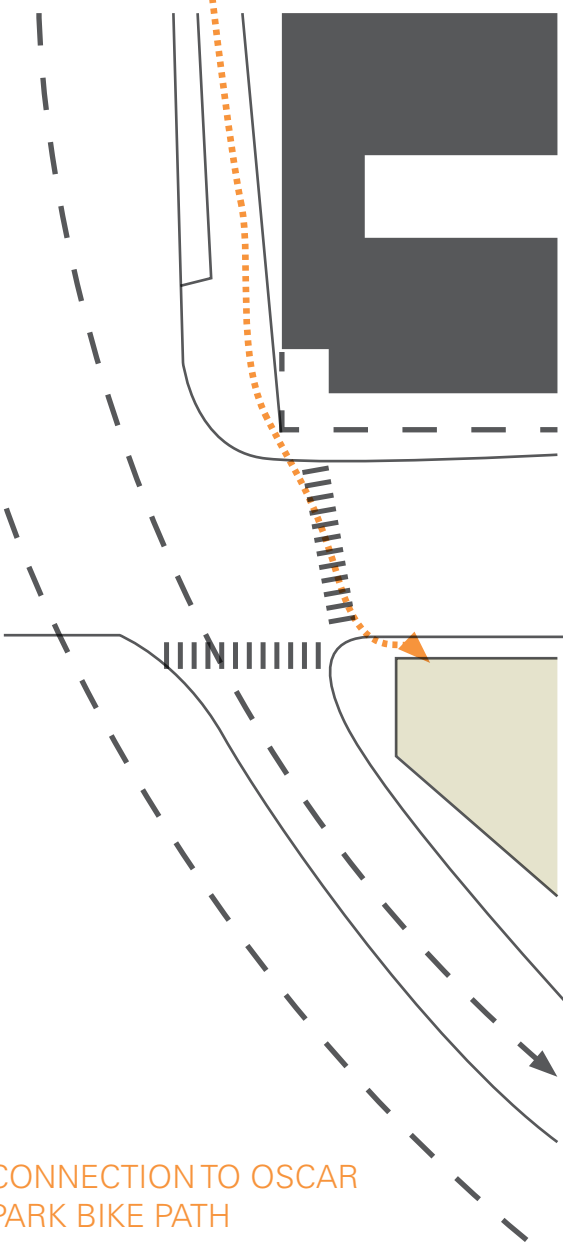
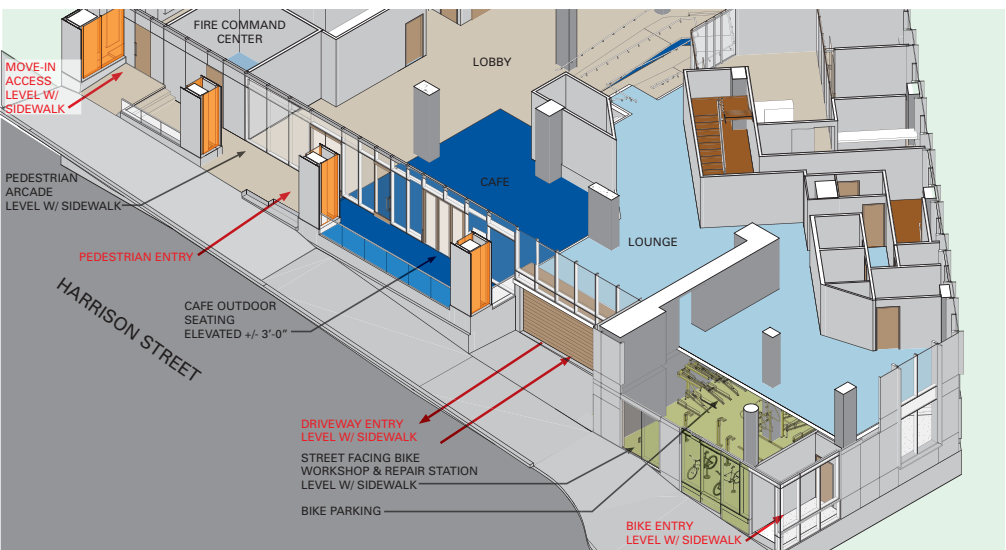
The load-bearing wall protected by the ventilated facade system will typically be dry and deterioration will be minimal. Relatively light construction compared to other wall assemblies provides reduced weight applied to the load-bearing wall.

INSULATION

Assembly allows more room for insulation versus standard thicker masonry walls. Additional insulation can improve the energy efficiency of the entire building.

INDOOR AIR QUALITY

Weather barrier is a key component to stop moisture from penetrating the building. Two options of the barrier include vapor-permeable versus a barrier that prevents air infiltration. The vapor permeable barrier can contribute to improved indoor air quality, while the later can reduce uncontrolled heat or cold leakage.



CONNECTION TO OSCAR PARK BIKE PATH



HARRISON STREET IMPROVEMENTS

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WHARTON
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1.800.WHARTON
KNOWLEDGE FOR
LEADERSHIP

2 COASTS
One Global Experience
Wharton
University of Pennsylvania



ONE WAY

Essex

EAST
80
Bay Bridge
Oakland

14-8

TOLL
CROSSING
ENTRANCE
80
EAST



525 HARRISON STREET
PROJECT TIMELINE REVIEW

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PROJECT SITE

525 HARRISON STREET
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06.10.2015



1
LOOKING NORTH-EAST, UP HARRISON STREET



2
EXISTING BUILDING ON SITE TO BE REPLACED



3
LOOKING SOUTHWEST, DOWN HARRISON STREET



4
LOOKING EAST, I-80 ON-RAMP



5
BELOW I-80 OFF-RAMP



6
FROM I-80 OFF-RAMP

PROJECT SITE CONDITIONS

525 HARRISON STREET
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06.10.2015



BUILDING LEGEND:

IN DESIGN

- 525 HARRISON STREET
- BLOCK 9: 440'-0"/85'-0"
- BLOCK 8: 550'-0"
- 325 FREMONT: 250'-0"

IN CONSTRUCTION

- 45 LANSING: 430'-0"
- 340 FREMONT: 400'-0"
- 399 FREMONT: 400'-0"/70'-0"
- BLOCK 6: 300'-0"/70'-0"; BUILDING C: 71'-6"
- LUMINA: 400'-0"/350'-0"/85'-0"

FINISHED

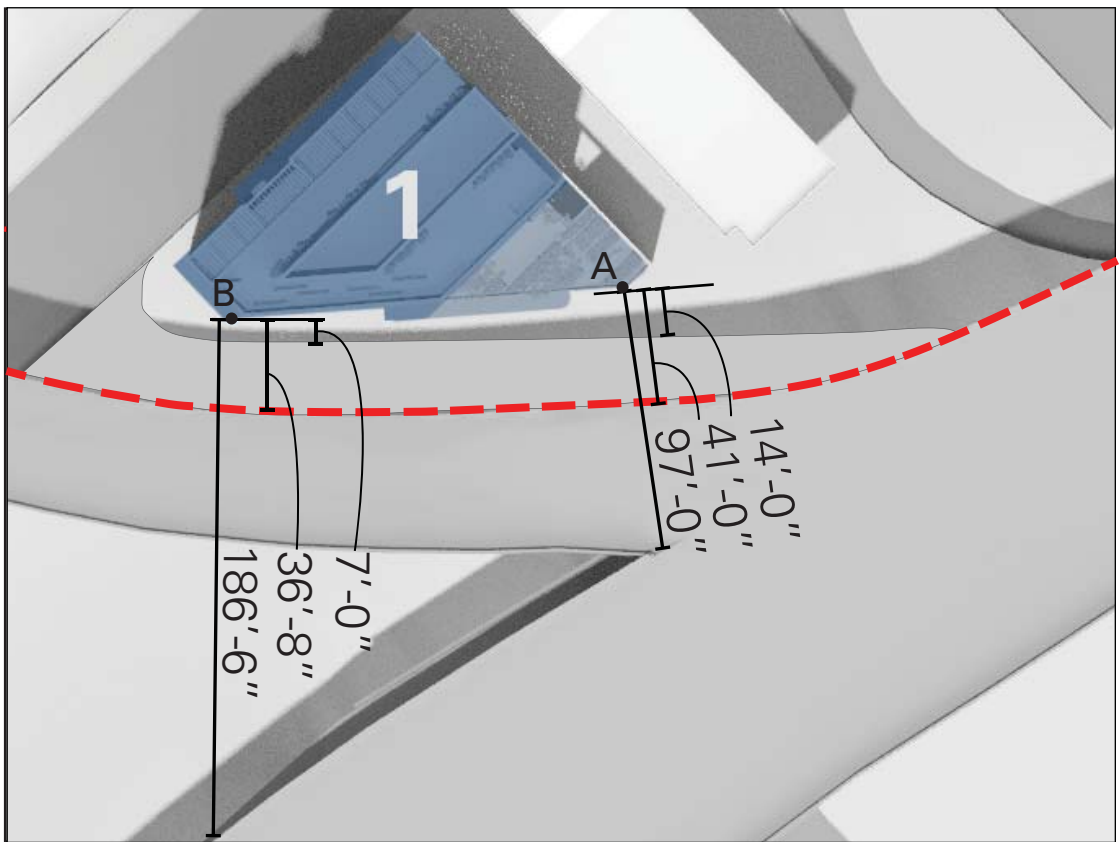
- ONE RINCON HILL, TOWER ONE: 600'-0"/55'-0"
- ONE RINCON HILL, TOWER TWO: 483'-0"
- THE METROPOLITAN: 266'-0"
- 388 BEALE: 185'-9"
- INFINITY TOWERS: 423'-0"/350'-0"

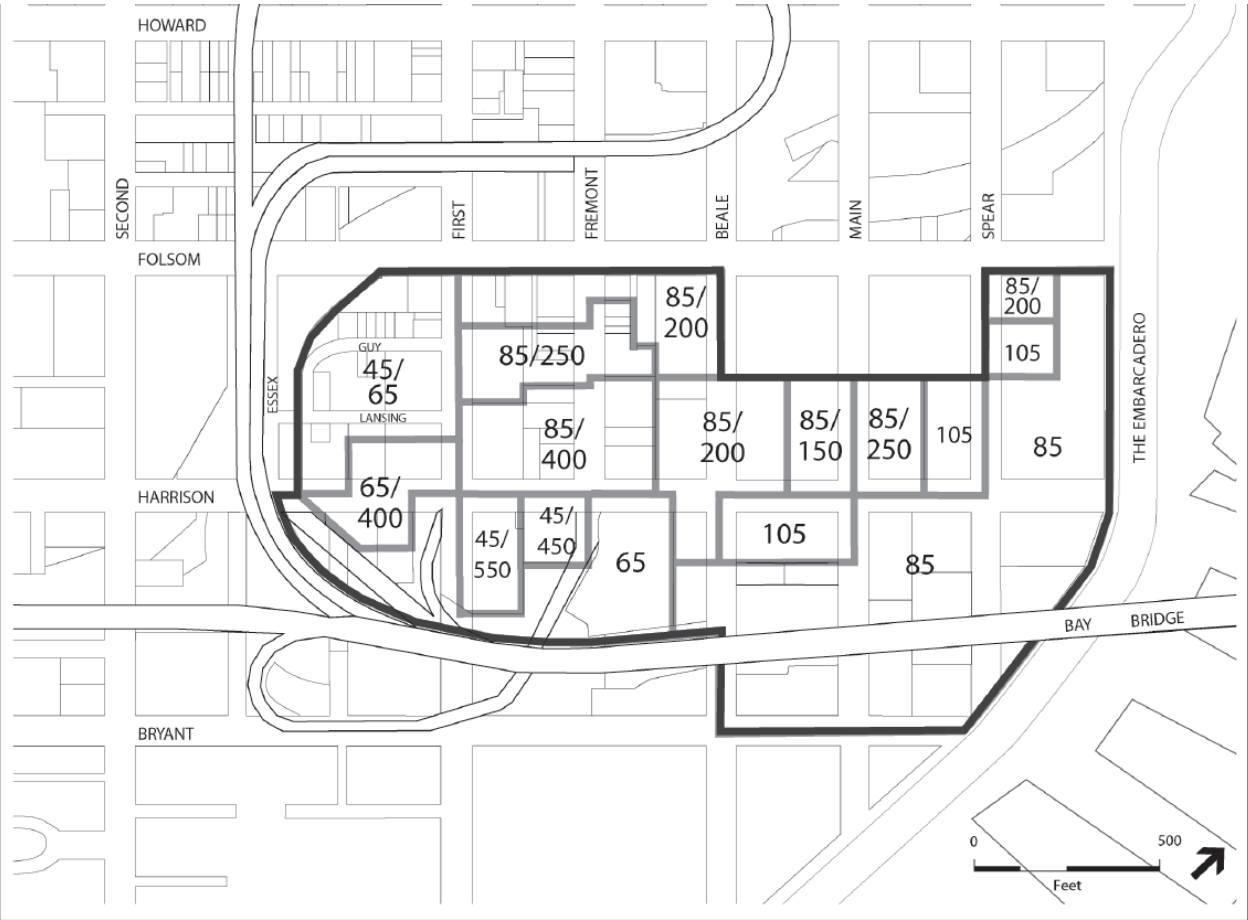
DISTANCE FROM FREEWAY:

- 525 HARRISON STREET: 14'-0" FROM ON RAMP (POINT A)
41'-0" FROM OFF RAMP (POINT A)
97'-0" FROM FREEWAY (POINT A)
7'-0" FROM OFF RAMP (POINT B)
36'-8" FROM OFF RAMP (POINT B)
82'-6" FROM FREEWAY (POINT B)
-
- ONE RINCON HILL, TOWER ONE: 15'-0" FROM FREEWAY
ONE RINCON HILL, TOWER TWO: 7'-6" FROM OFF RAMP

TOWER SEPARATION:

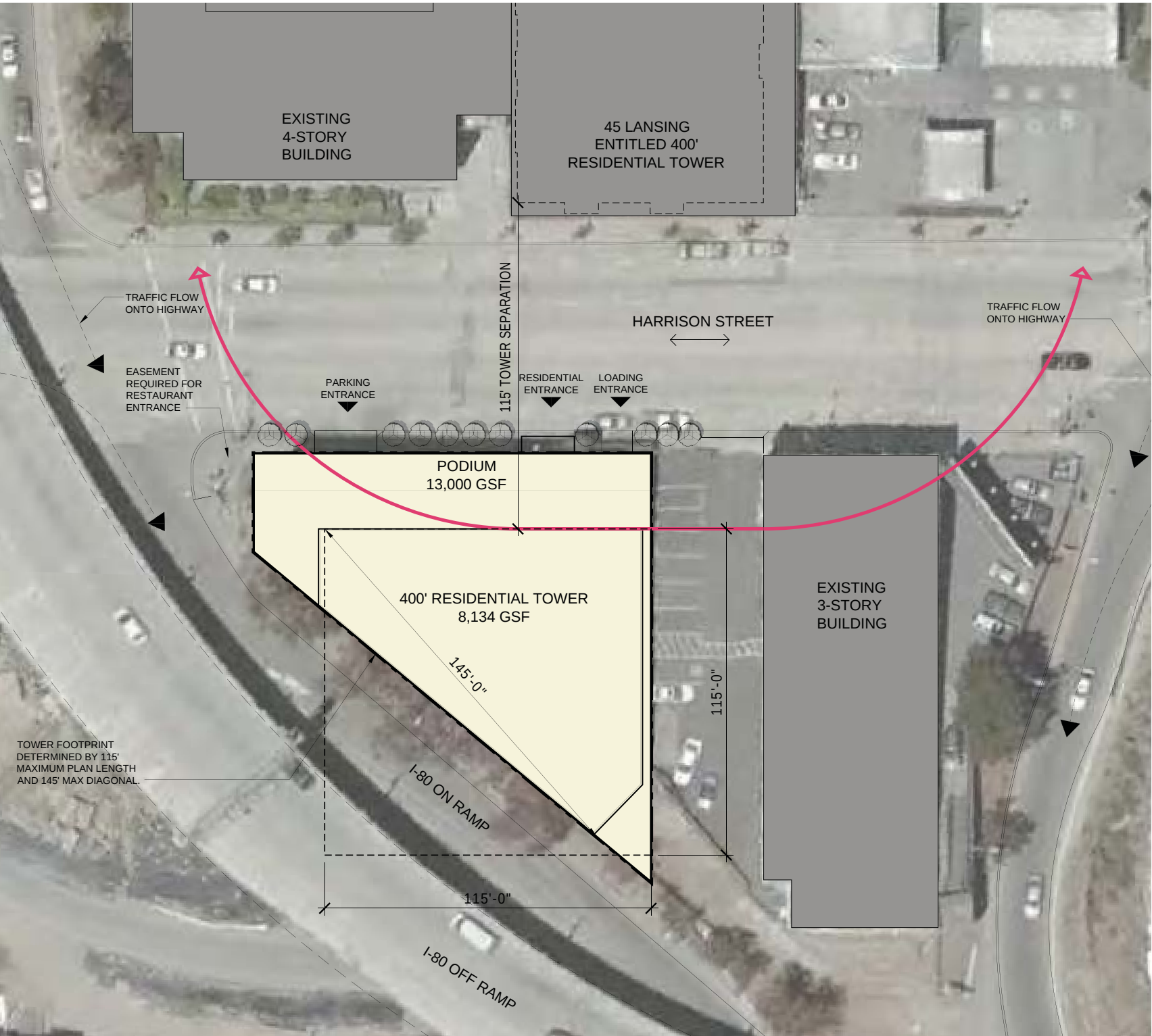
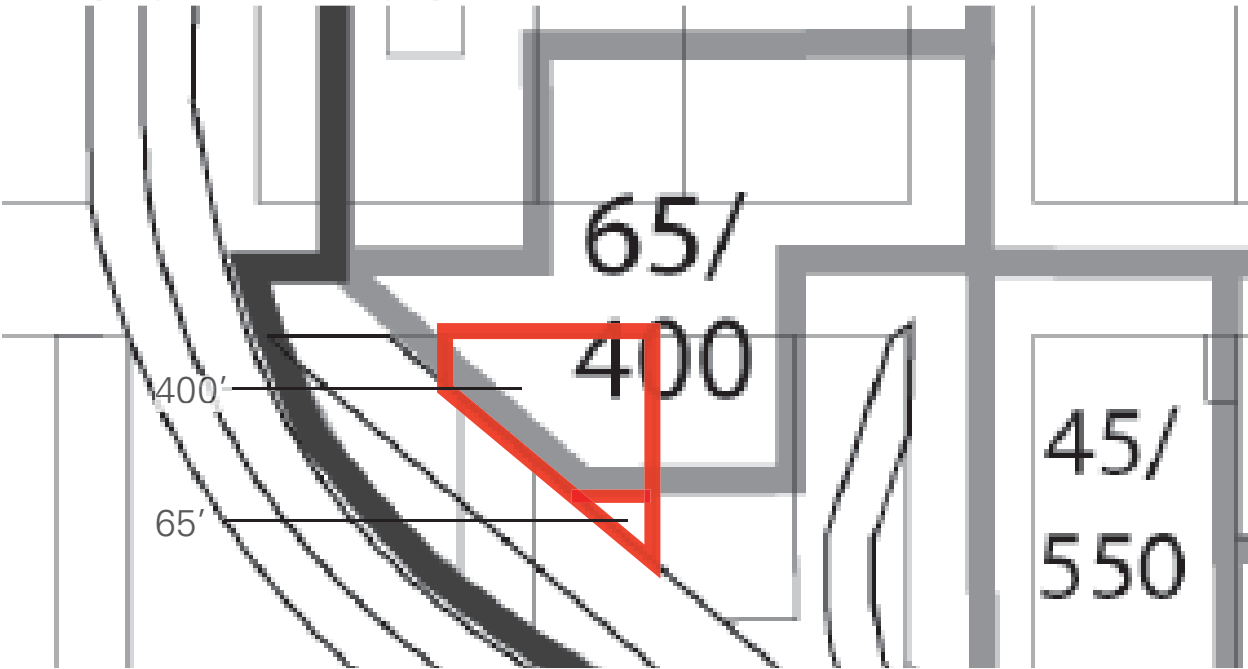
- 1-2: 87'-5"
- 3-4: 115'-0"
- 4-7: 134'-3"
- 5-5: 72'-0"
- 5-6: 101'-6"
- 6-7: 91'-7"
- 7-12: 69'-11"
- 12-12: 49'-11"
- 13-13: 84'-11"
- 14-14: 82'-5"





Height and Bulk District boundary
85/200 Podium/Tower height limits in feet*

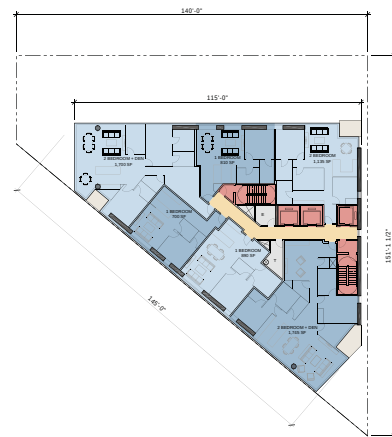
* Tower height subject to additional bulk and spacing controls



NOTE: Early zoning analysis in 2010 was based on the draft Rincon Hill Plan. The different height designations within the site were not expressly dimensioned in the draft height map. The design team's initial response recognized the height, bulk, and tower separation restrictions. The exact size and location of the 65' height limit within the site formed part of the early conversations with Planning Department.



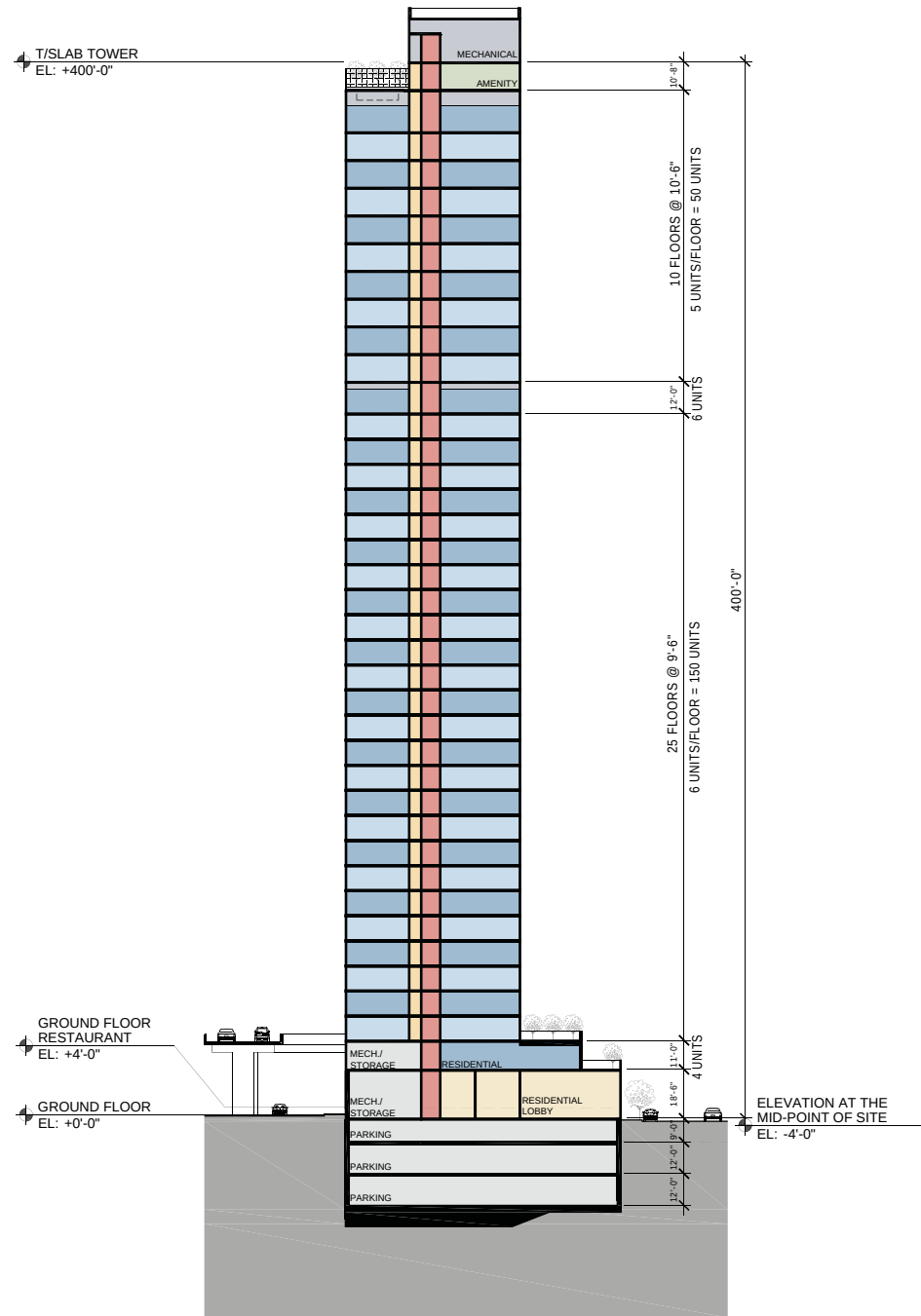
© 2010 Solomon Cordwell Buenz



© 2010 Solomon Cordwell Buenz

UNIT MIX SUMMARY

Lower Levels 3-28			
1 Bedroom	3	x 26 floors	78 units
2 Bedroom	1	x 26 floors	26 units
2 Bedroom + Den	2	x 26 floors	52 units
Total	68/200		156 units



SCB

© 2010 Solomon Cordwell Buenz

SECTION
525 HARRISON STREET
SCB STUDY

05/28/2010

0' 20' 40'



SCB

© 2009 Solomon Cordwell Buenz

525 HARRISON STREET
MASSING STUDIES
SCB Study

05.28.2010

5085.008



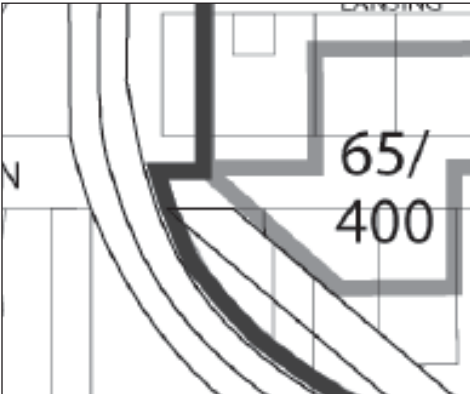
525 HARRISON STREET
Hines

06.10.2015

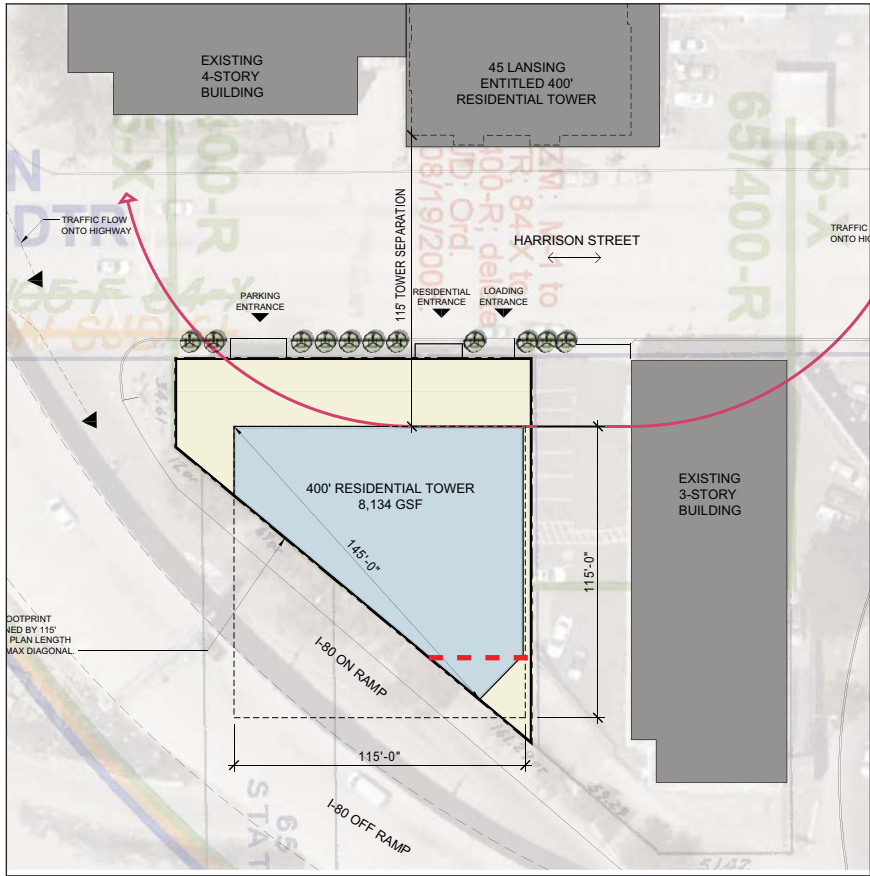
SCB SOLOMON CORDWELL BUENZ
© 2015

CONCEPTUAL DESIGN FOR 400' TOWER, MAY 2010

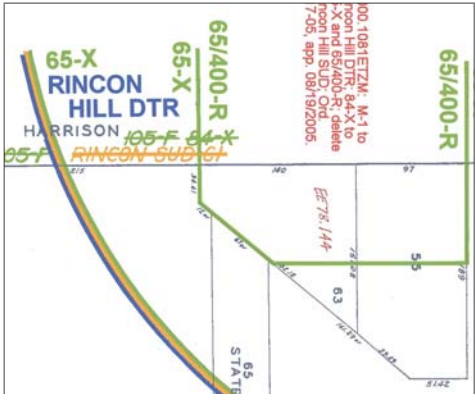
DRAFT RINCON HILL PLAN,
FEBRUARY 2005



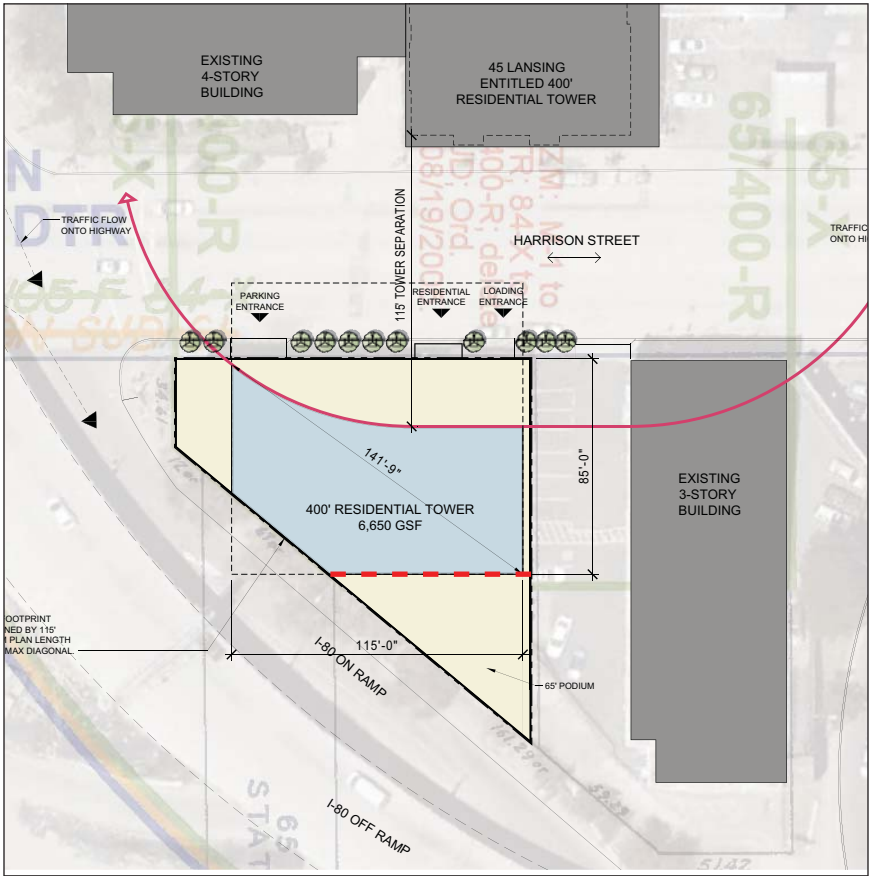
TOWER CONSTRAINTS,
FEBRUARY 2005



ADOPTED ZONING MAP
OCTOBER 2010



REVISED TOWER CONSTRAINTS,
OCTOBER 2010



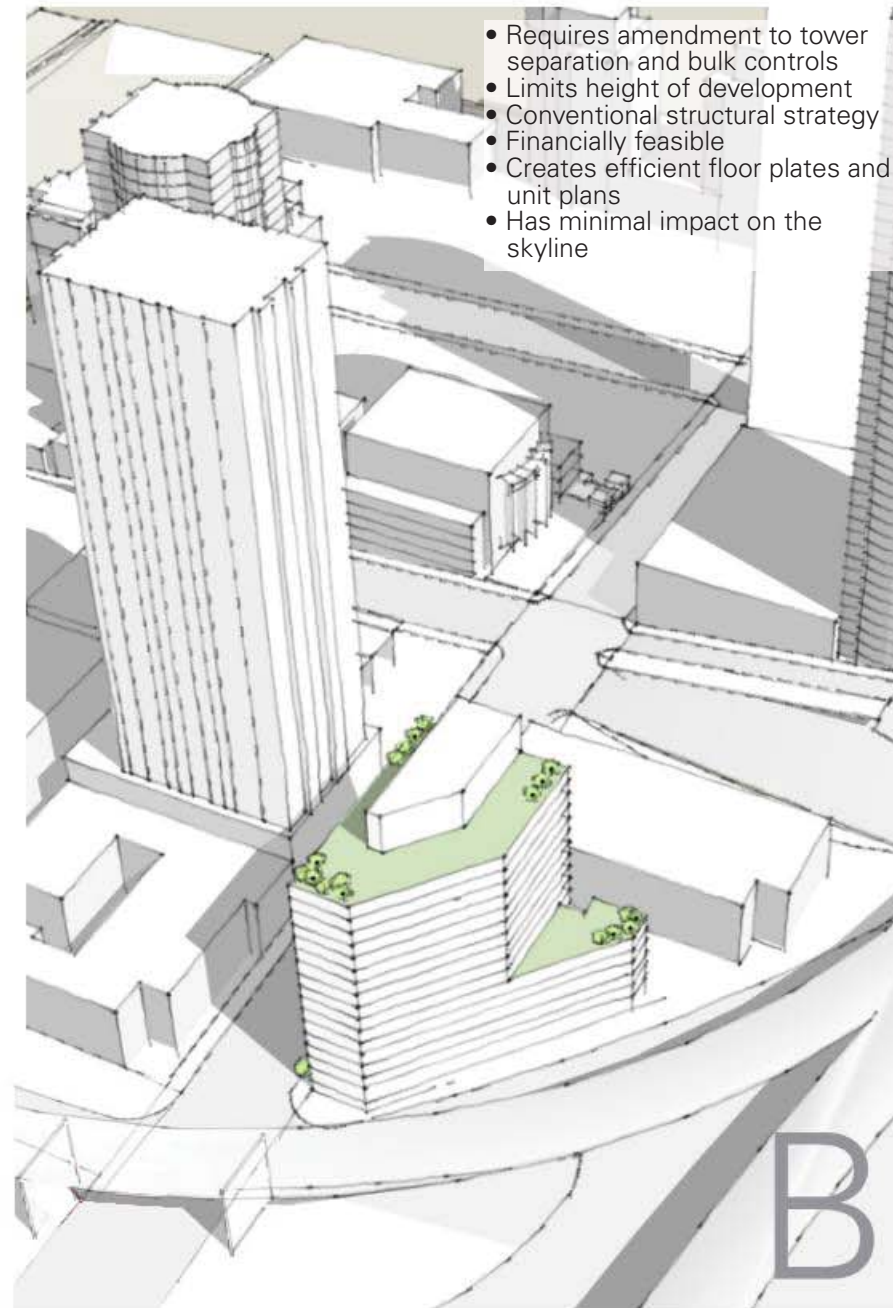
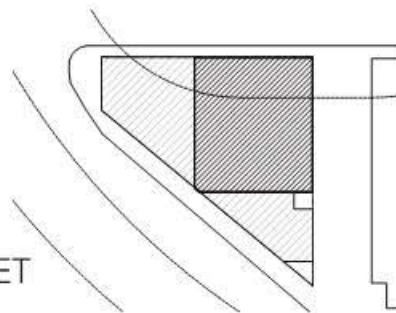
NOTE: The height designations in the adopted zoning map were significantly more restrictive than the draft plan had suggested. The resulting tower footprint is restricted in both size and geometry. The Planning Department stated that they had not anticipated another tower west of first street as part of the Rincon Hill Plan. The design team was instructed to investigate massing responses lower than a 400' tower.



A

110' TOWER

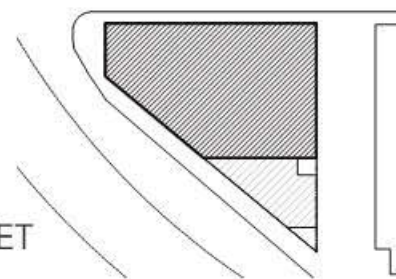
74,735 NSF
105,440 GSF
106 UNITS
1,214,950 CUBIC FEET



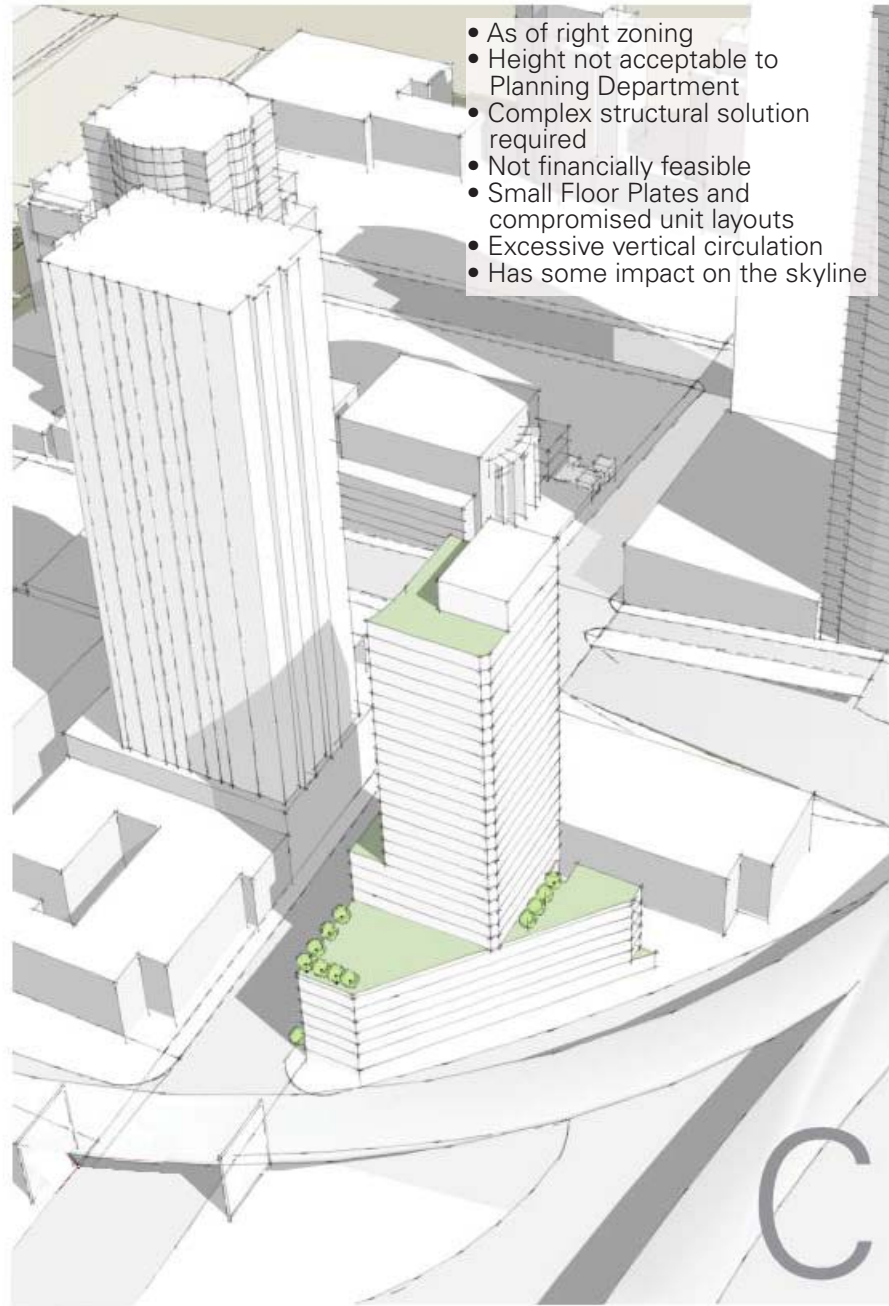
B

160' TOWER

143,060 NSF
187,600 GSF
184 UNITS
1,934,080 CUBIC FEET



NOTE: Having discussed and presented several massing alternatives with Planning Department, the solution outlined in green was selected for further study.

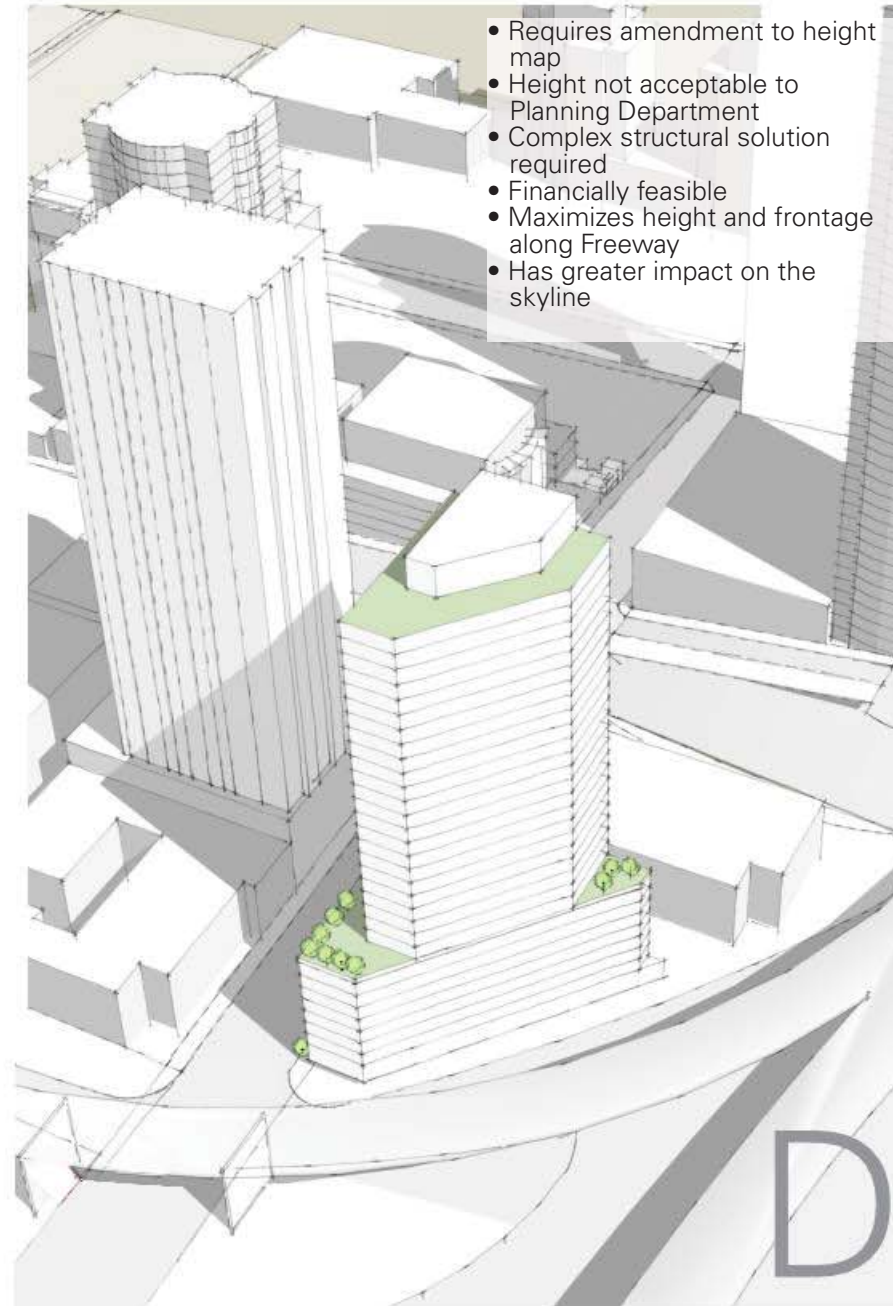
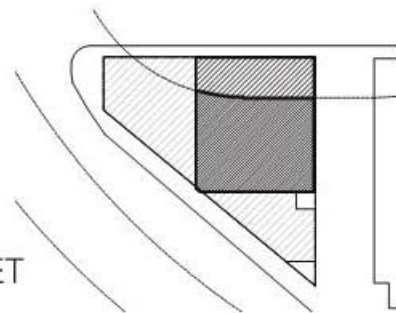


- As of right zoning
- Height not acceptable to Planning Department
- Complex structural solution required
- Not financially feasible
- Small Floor Plates and compromised unit layouts
- Excessive vertical circulation
- Has some impact on the skyline

C

290' TOWER

145,295 NSF
200,770 GSF
184 UNITS
2,104,060 CUBIC FEET

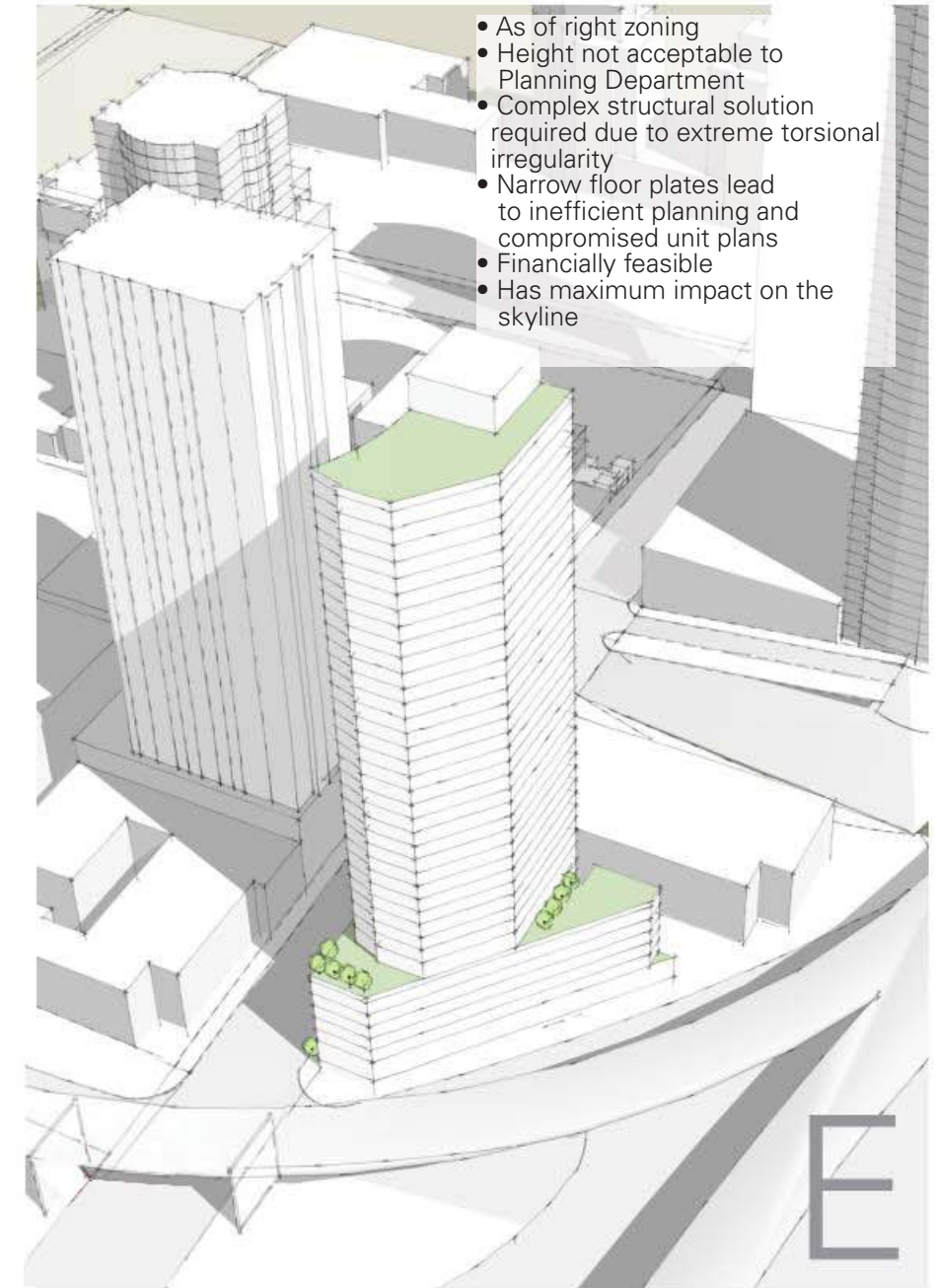
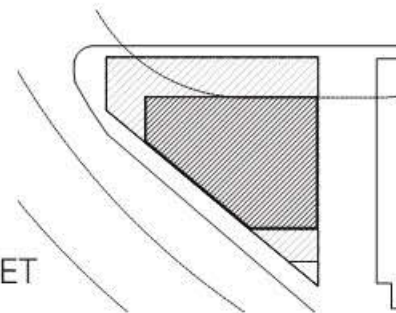


- Requires amendment to height map
- Height not acceptable to Planning Department
- Complex structural solution required
- Financially feasible
- Maximizes height and frontage along Freeway
- Has greater impact on the skyline

D

85/301' TOWER

213,695 NSF
293,500 GSF
275 UNITS
2,925,060 CUBIC FEET

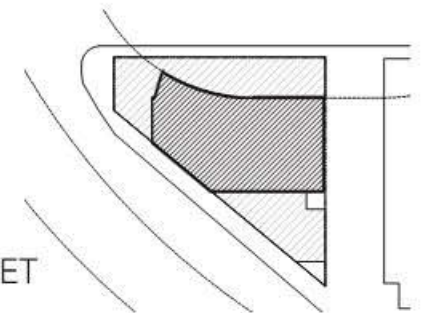


- As of right zoning
- Height not acceptable to Planning Department
- Complex structural solution required due to extreme torsional irregularity
- Narrow floor plates lead to inefficient planning and compromised unit plans
- Financially feasible
- Has maximum impact on the skyline

E

400' TOWER

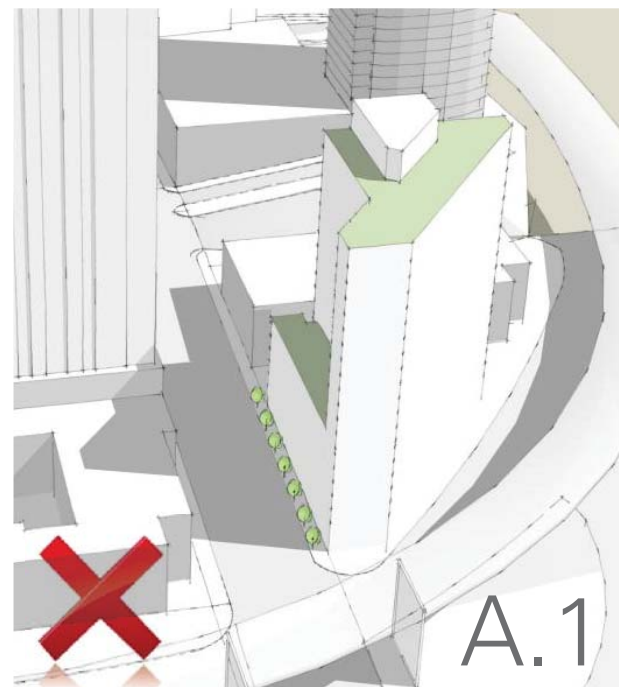
218,555 NSF
300,650 GSF
280 UNITS
3,131,210 CUBIC FEET



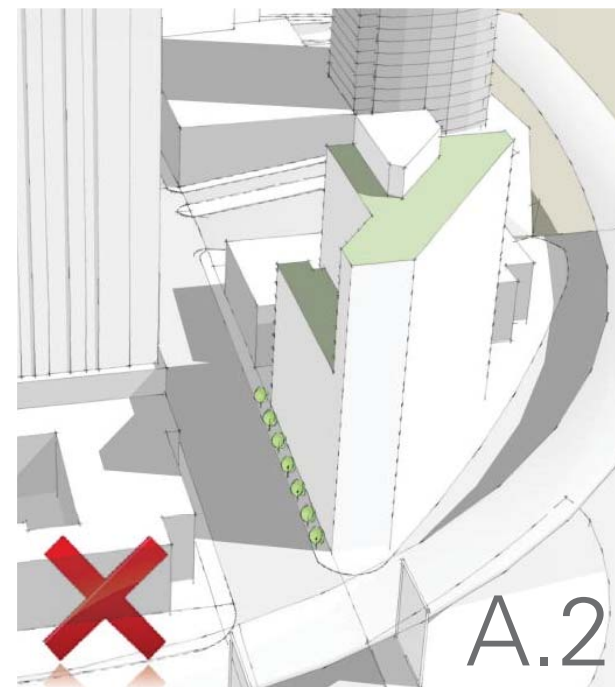
PLANNING DEPARTMENT PREFERRED SCHEME VS. SIMILAR MASSING/HEIGHT OPTIONS



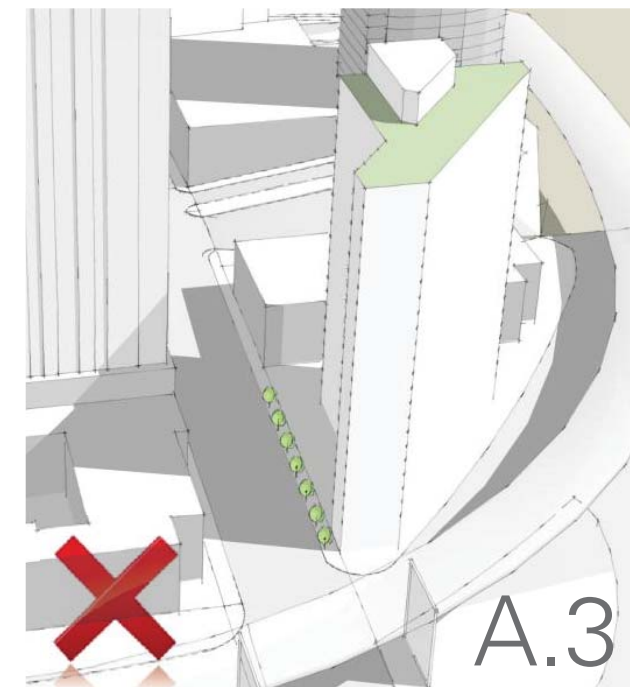
- LIMITED BUILDING HEIGHT
- EFFICIENT FLOOR PLANS
- MASSING LIMITS IMPACT UPON VIEWS
- DESIGN CREATES MORE WELCOMING MASS ALONG FREEWAY



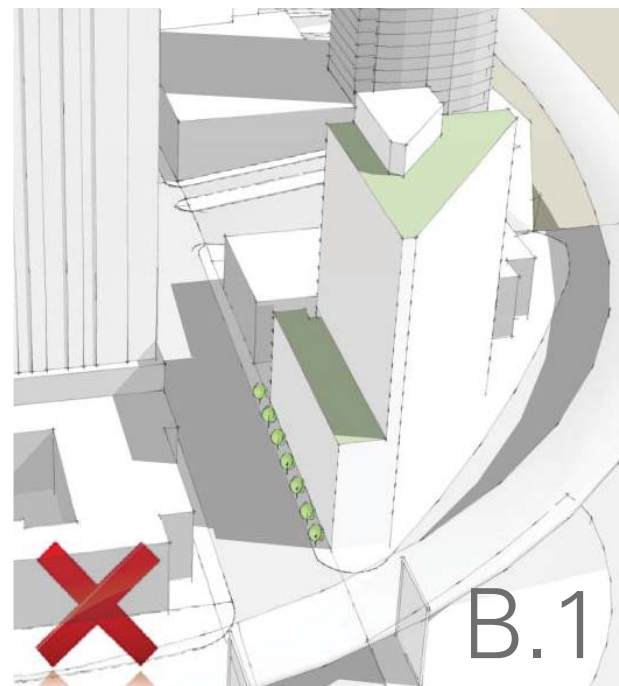
- INEFFICIENT FLOOR PLANS
- STRUCTURAL IRREGULARITIES
- SOLID WALL MASS ALONG FREEWAY



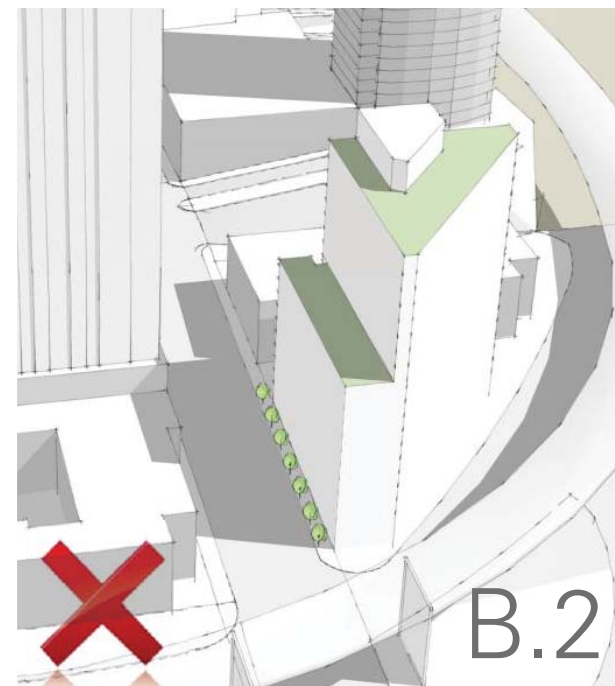
- INEFFICIENT FLOOR PLANS
- STRUCTURAL IRREGULARITIES
- SOLID WALL MASS ALONG FREEWAY



- 230'-250' BUILDING HEIGHT
- INEFFICIENT FLOOR PLANS
- STRUCTURAL IRREGULARITIES
- SOLID WALL MASS ALONG FREEWAY



- INEFFICIENT FLOOR PLANS
- SOLID WALL MASS ALONG FREEWAY
- RESTRICTED SIZE OF TYPICAL UPPER FLOOR



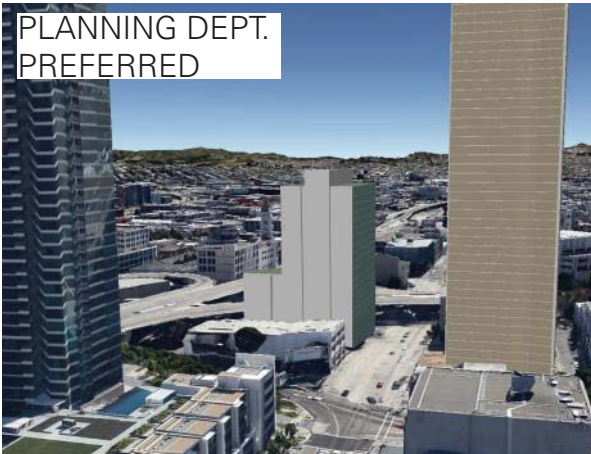
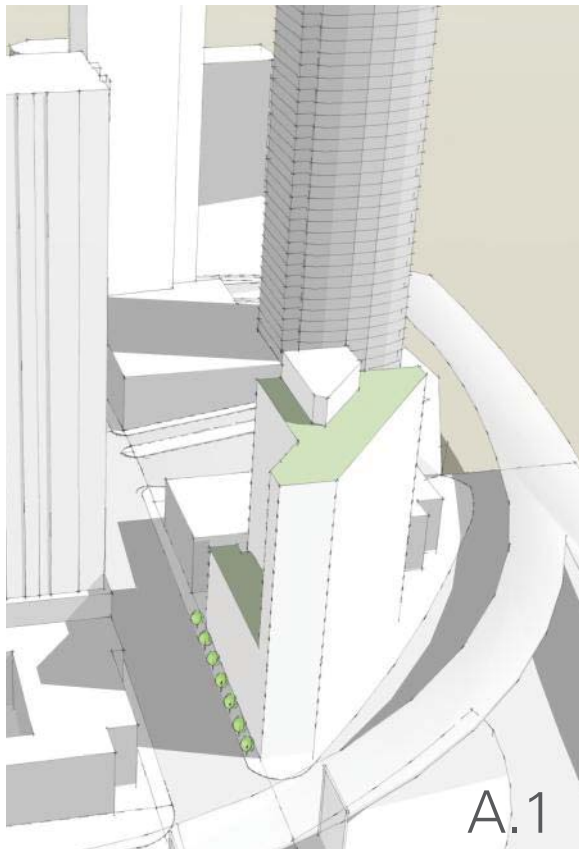
- INEFFICIENT FLOOR PLANS
- SOLID WALL MASS ALONG FREEWAY
- RESTRICTED SIZE OF TYPICAL UPPER FLOOR



- 230'-250' BUILDING HEIGHT
- SOLID WALL MASS ALONG FREEWAY
- RESTRICTED SIZE OF TYPICAL FLOOR

NOTE: Having agreed on direction of height and bulk, the Planning Department requested a study to determine the best placement of the project within the site. The impact of the proposed massing when viewed from the freeway was of particular concern. The Planning Department approved a scheme placing the bulk along Harrison Street, away from the freeway. Height would be limited and, in return, a proposed plan amendment, allowing increased bulk and reduced tower separation, would be supported.

PLANNING DEPARTMENT
PREFERRED VS. A.1 SCHEME



TOWER SEPARATION COMPARISON



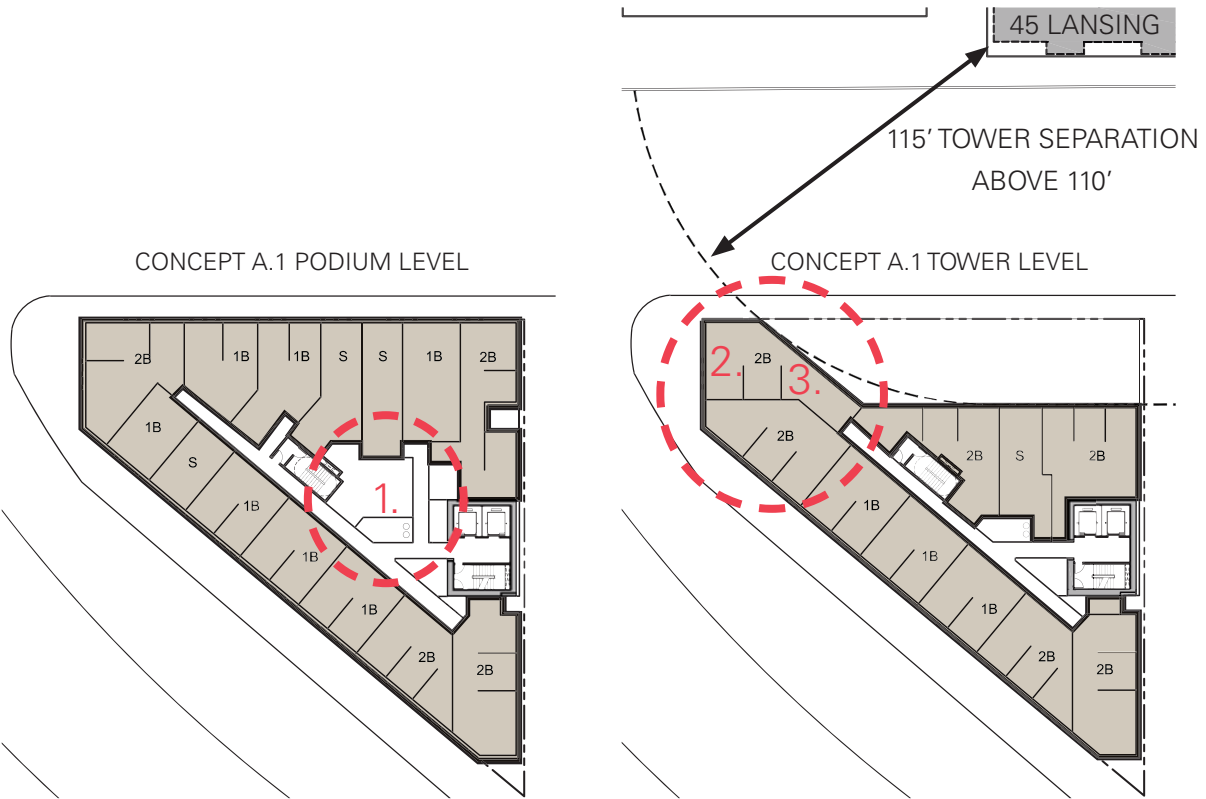
FREEWAY COMPARISON

CONCEPT A.1

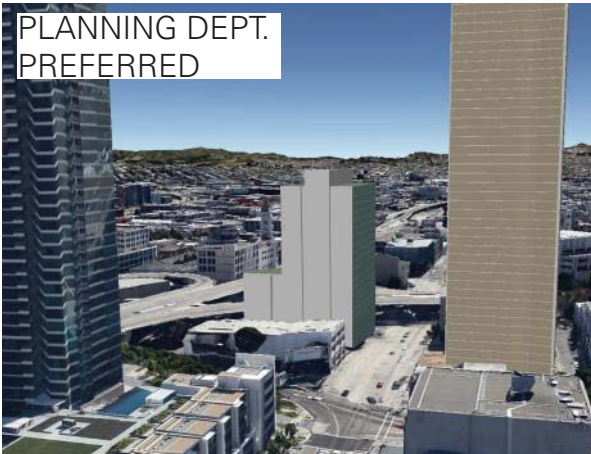
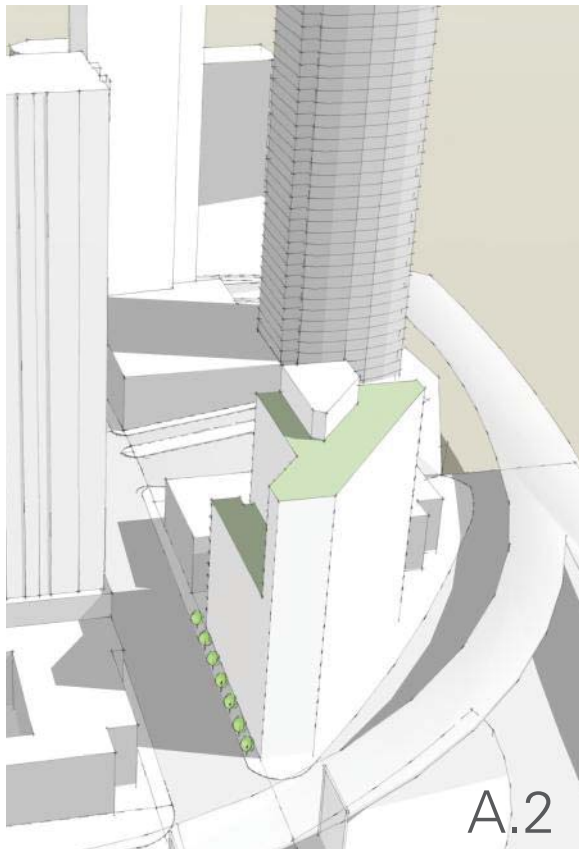
200' BUILDING, MAXIMUM 9,855SF TOWER PLATE
ATOP 65' PODIUM ADHERING TO RINCON HILL
DOWNTOWN RESIDENTIAL ZONING

NOTES

- 1. EXCESSIVE PLAN DEPTH CREATES INEFFICIENT PODIUM
- 2. IRREGULAR ALLOWABLE TOWER PLATE CREATES COMPROMISED UNIT PLANS
- 3. ADDITIONAL STRUCTURE WILL BE REQUIRED DUE TO TORSIONAL IRREGULARITIES OF INEFFICIENT TOWER PLAN
- 4. TOWER DESIGN CREATES SOLID WALL ALONG FREEWAY



PLANNING DEPARTMENT
PREFERRED VS. A.2 SCHEME



TOWER SEPARATION COMPARISON



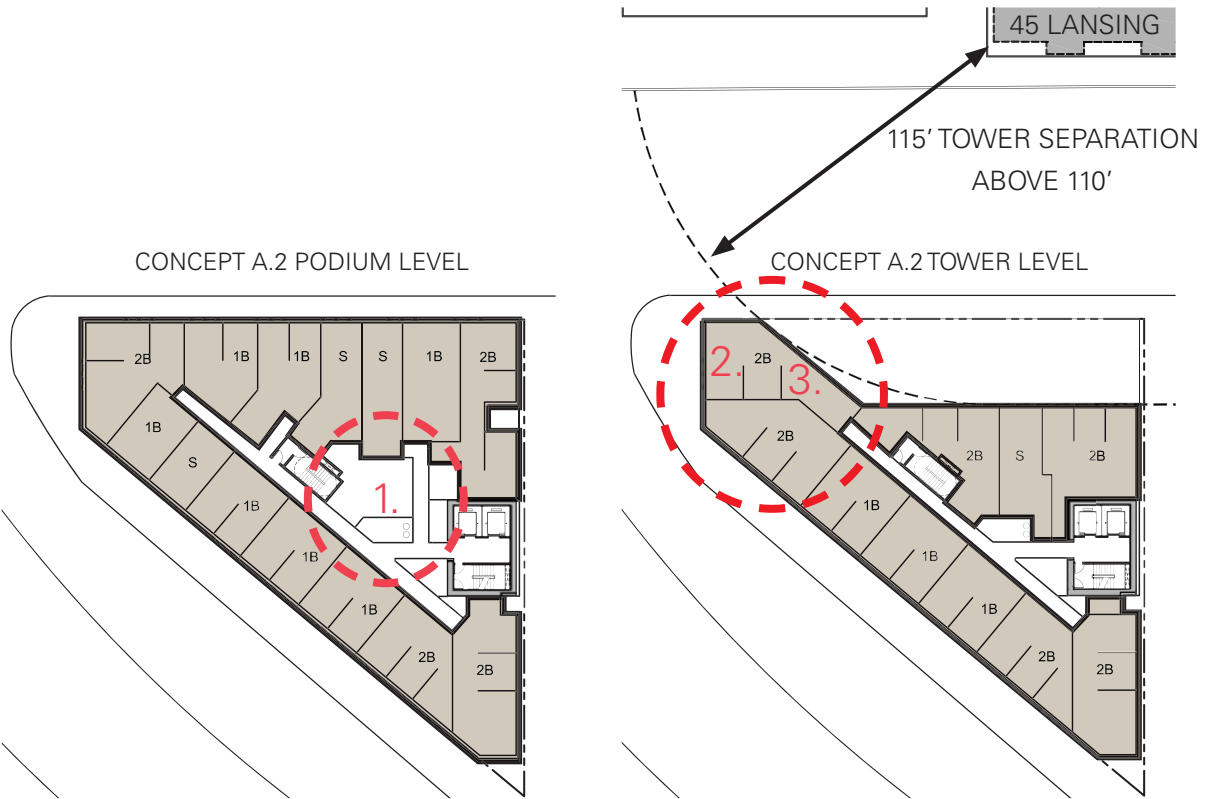
FREEWAY COMPARISON

CONCEPT A.2

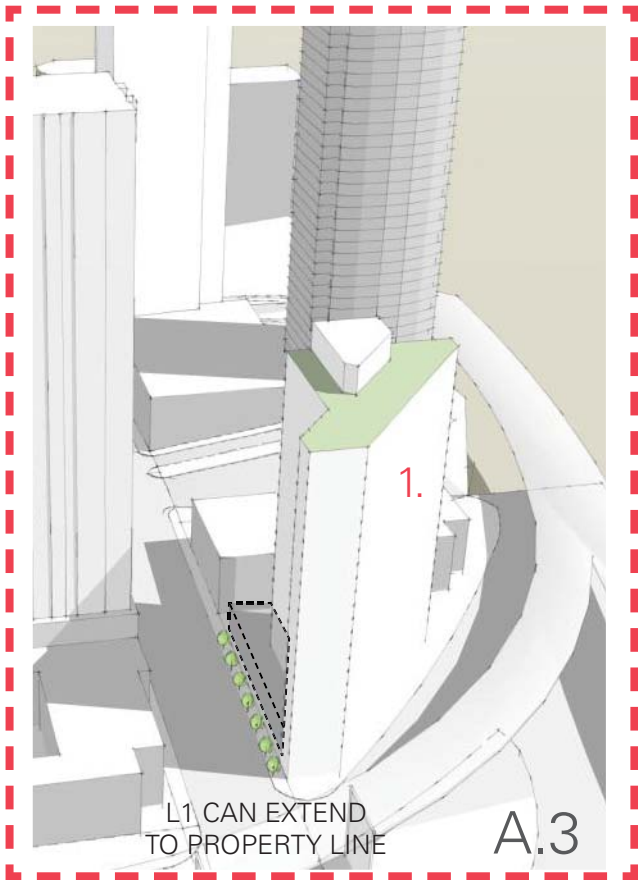
200' BUILDING, MAXIMUM 9,855SF TOWER PLATE
ATOP 110' PODIUM ADHERING TO TOWER
SEPARATION REQUIREMENTS

NOTES

- 1. EXCESSIVE PLAN DEPTH CREATES
INEFFICIENT PODIUM
- 2. IRREGULAR ALLOWABLE TOWER PLATE
CREATES COMPROMISED UNIT PLANS
- 3. ADDITIONAL STRUCTURE WILL BE REQUIRED
DUE TO TORSIONAL IRREGULARITIES OF
INEFFICIENT TOWER PLAN
- 4. TOWER DESIGN CREATES SOLID WALL ALONG
FREEWAY



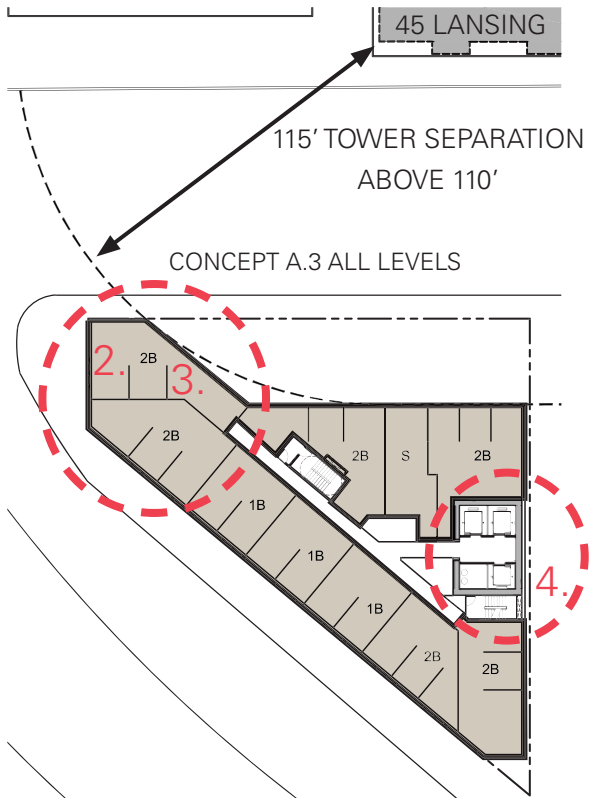
PLANNING DEPARTMENT
PREFERRED VS. A.3 SCHEME



TOWER SEPARATION COMPARISON



FREEWAY COMPARISON



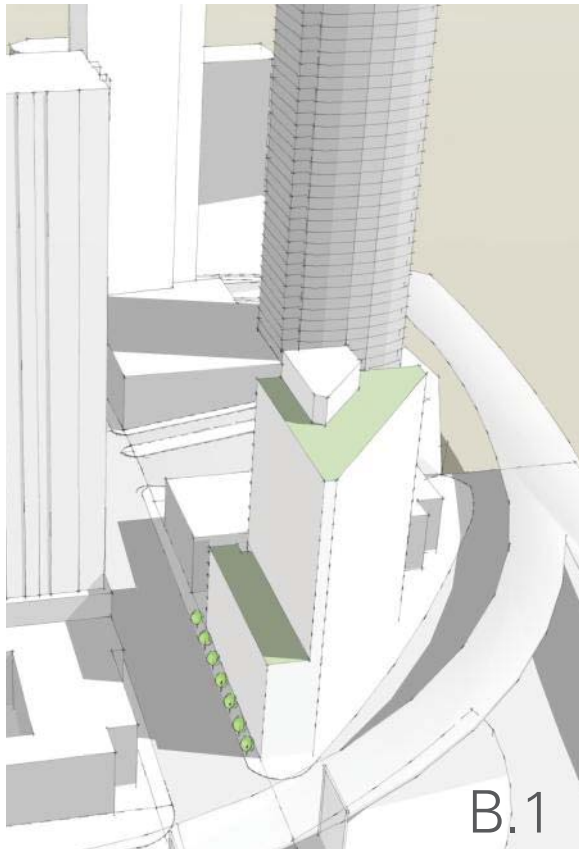
CONCEPT A.3

230'-250' BUILDING, MAXIMUM 9,855SF TOWER
PLATE WITH NO PODIUM

NOTES

- 1. WILL REQUIRE 230'-250' HEIGHT TO REACH EQUIVALENT PROGRAM
- 2. IRREGULAR ALLOWABLE TOWER PLATE CREATES COMPROMISED UNIT PLANS
- 3. ADDITIONAL STRUCTURE WILL BE REQUIRED DUE TO TORSIONAL IRREGULARITIES OF INEFFICIENT TOWER PLAN
- 4. ADDITIONAL ELEVATOR REQUIRED FOR HEIGHT
- 5. TOWER DESIGN CREATES SOLID WALL ALONG FREEWAY

PLANNING DEPARTMENT
PREFERRED VS. B.1 SCHEME



TOWER SEPARATION COMPARISON

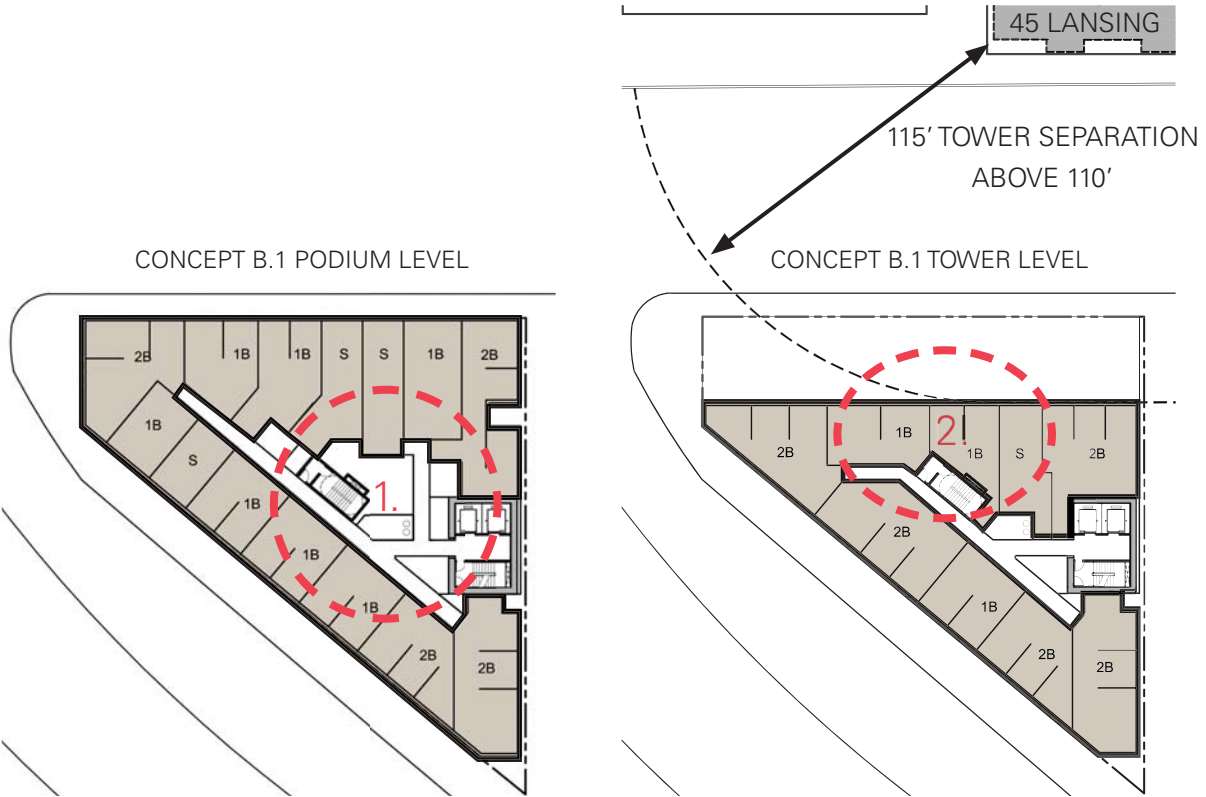


FREEWAY COMPARISON

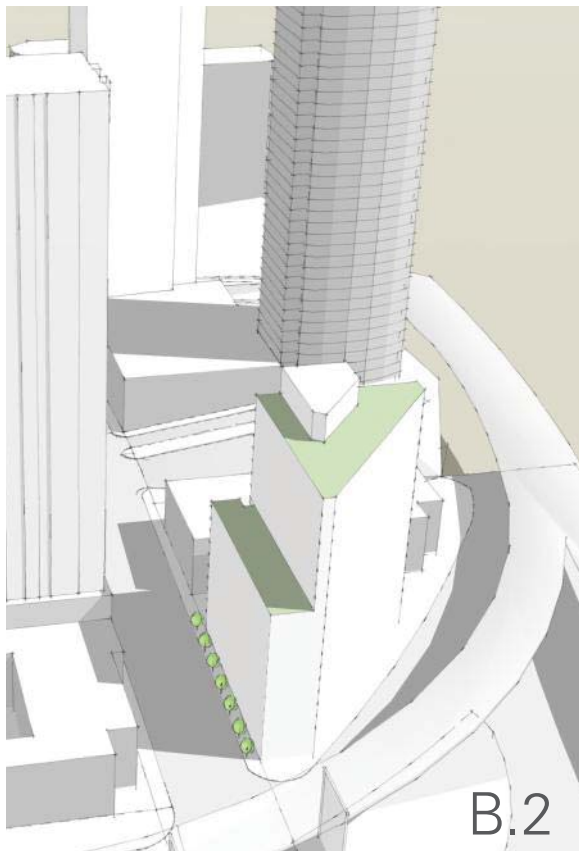
CONCEPT B.1

200' BUILDING, TRIANGULAR 8,920SF PLATE
ATOP 65' PODIUM ADHERING TO RINCON HILL
DOWNTOWN RESIDENTIAL ZONING

- NOTES
- 1. EXCESSIVE PLAN DEPTH CREATES
INEFFICIENT PODIUM
 - 2. IRREGULAR GEOMETRY CREATES
COMPROMISED UNIT PLANS
 - 3. TOWER DESIGN CREATES SOLID WALL ALONG
FREEWAY



PLANNING DEPARTMENT
PREFERRED VS. B.2 SCHEME



TOWER SEPARATION COMPARISON



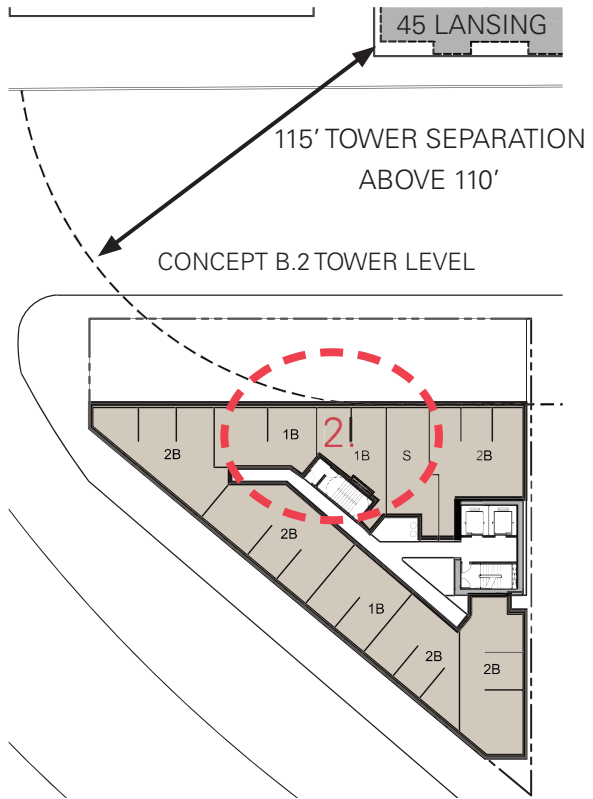
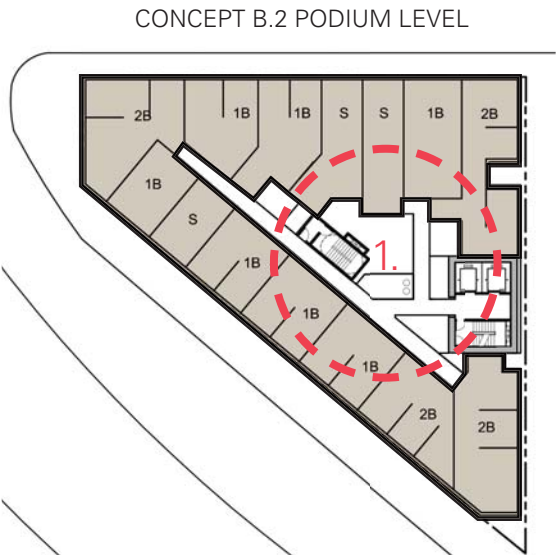
FREEWAY COMPARISON

CONCEPT B.2

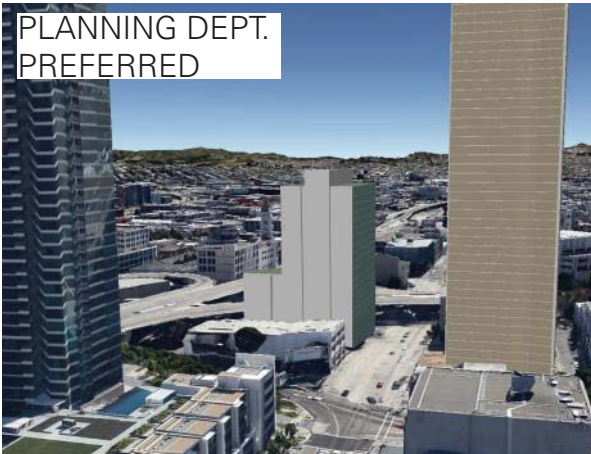
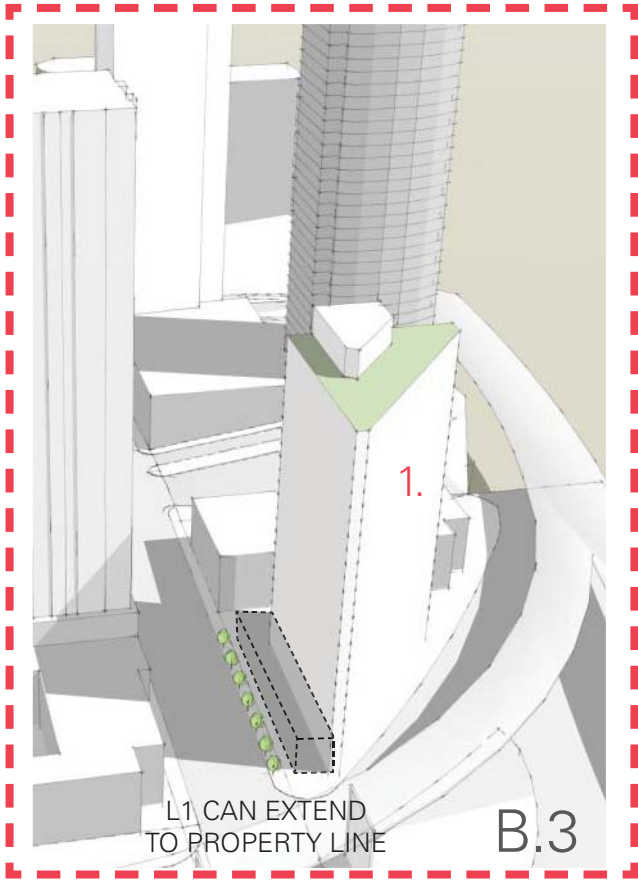
200' BUILDING, TRIANGULAR 8,920SF TOWER
PLATE ATOP 110' PODIUM ADHERING TO TOWER
SEPARATION REQUIREMENTS

NOTES

- 1. EXCESSIVE PLAN DEPTH CREATES
INEFFICIENT PODIUM
- 2. IRREGULAR GEOMETRY CREATES
COMPROMISED UNIT PLANS
- 3. TOWER DESIGN CREATES SOLID WALL ALONG
FREEWAY



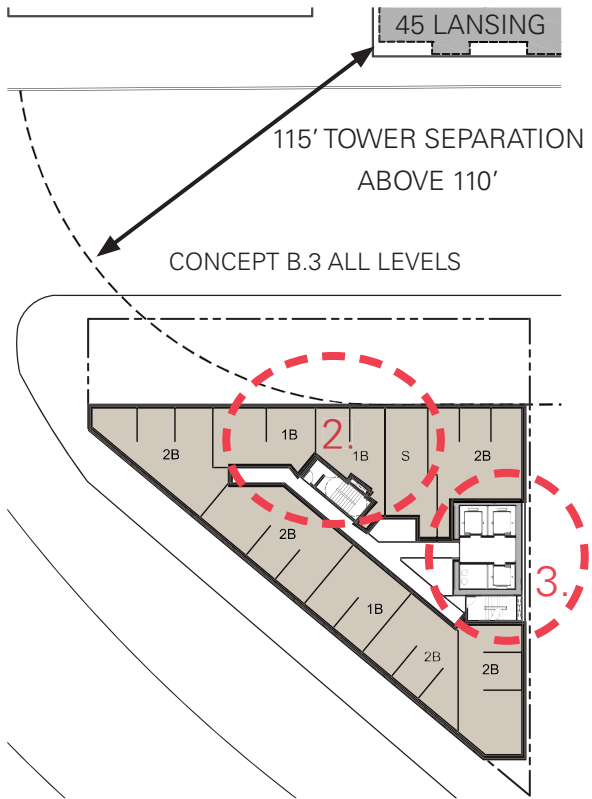
PLANNING DEPARTMENT
PREFERRED VS. B.3 SCHEME



TOWER SEPARATION COMPARISON



FREEWAY COMPARISON



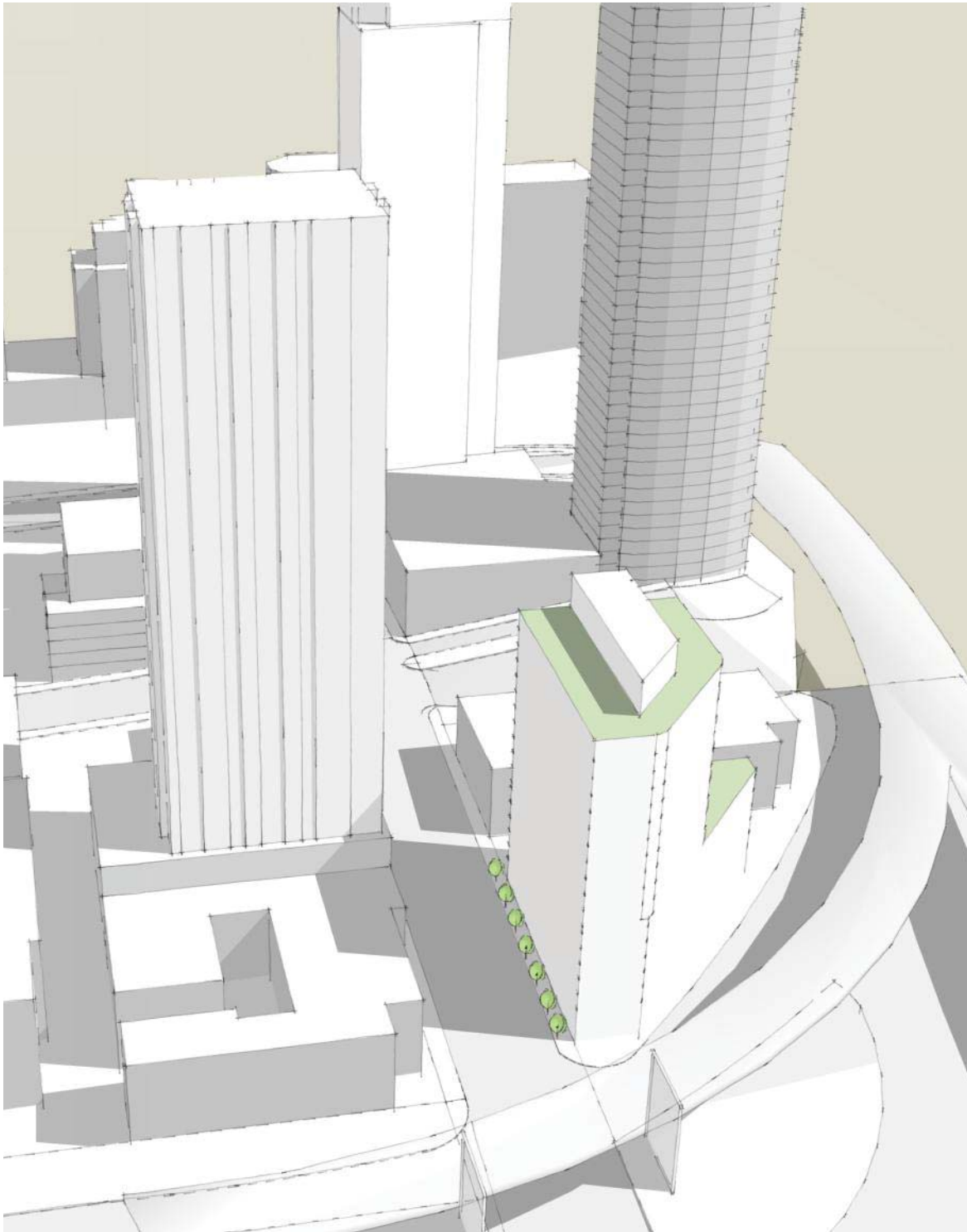
CONCEPT B.3

230'-250' BUILDING, TRIANGULAR 8,920SF TOWER
PLATE WITH NO PODIUM

NOTES

- 1. WILL REQUIRE 230'-250' HEIGHT TO REACH EQUIVALENT PROGRAM
- 2. IRREGULAR GEOMETRY CREATES COMPROMISED UNIT PLANS
- 3. ADDITIONAL ELEVATOR REQUIRED FOR HEIGHT
- 4. TOWER DESIGN CREATES SOLID WALL ALONG FREEWAY

PLANNING DEPARTMENT
PREFERRED SCHEME



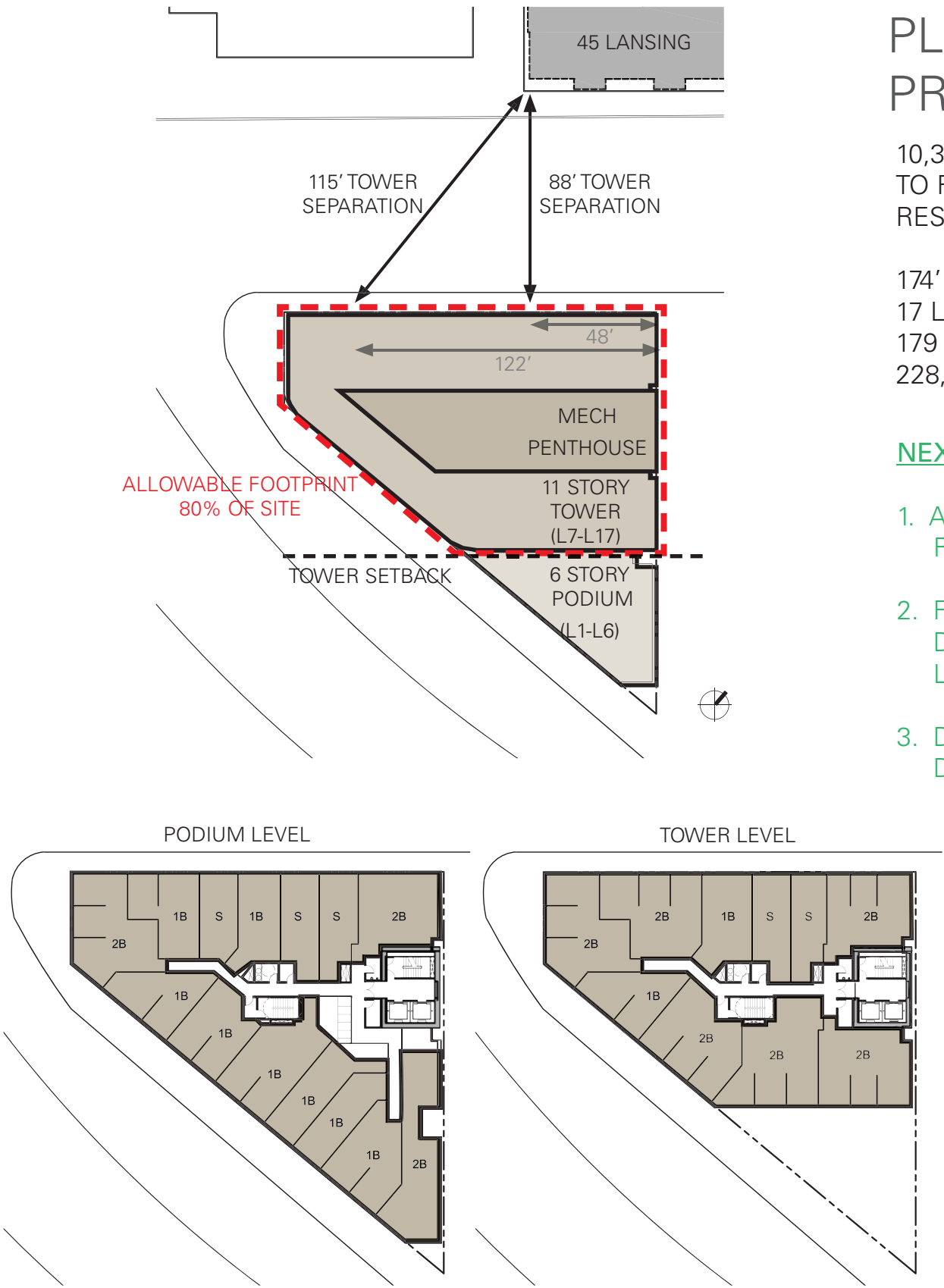
PLANNING DEPARTMENT
PREFERRED SCHEME

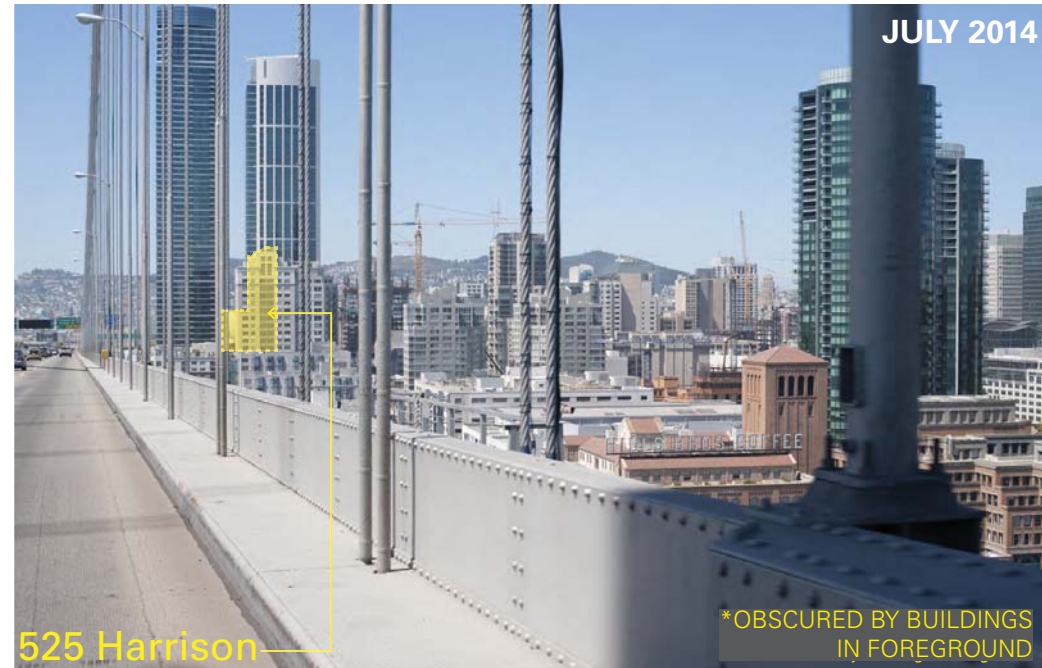
10,398SF TOWER PLATE ADHERING
TO RINCON HILL DOWNTOWN
RESIDENTIAL ZONING (80% SITE)

174' BUILDING
17 LEVELS
179 UNITS
228,982 TOTAL BUILDING GSF

NEXT STEPS

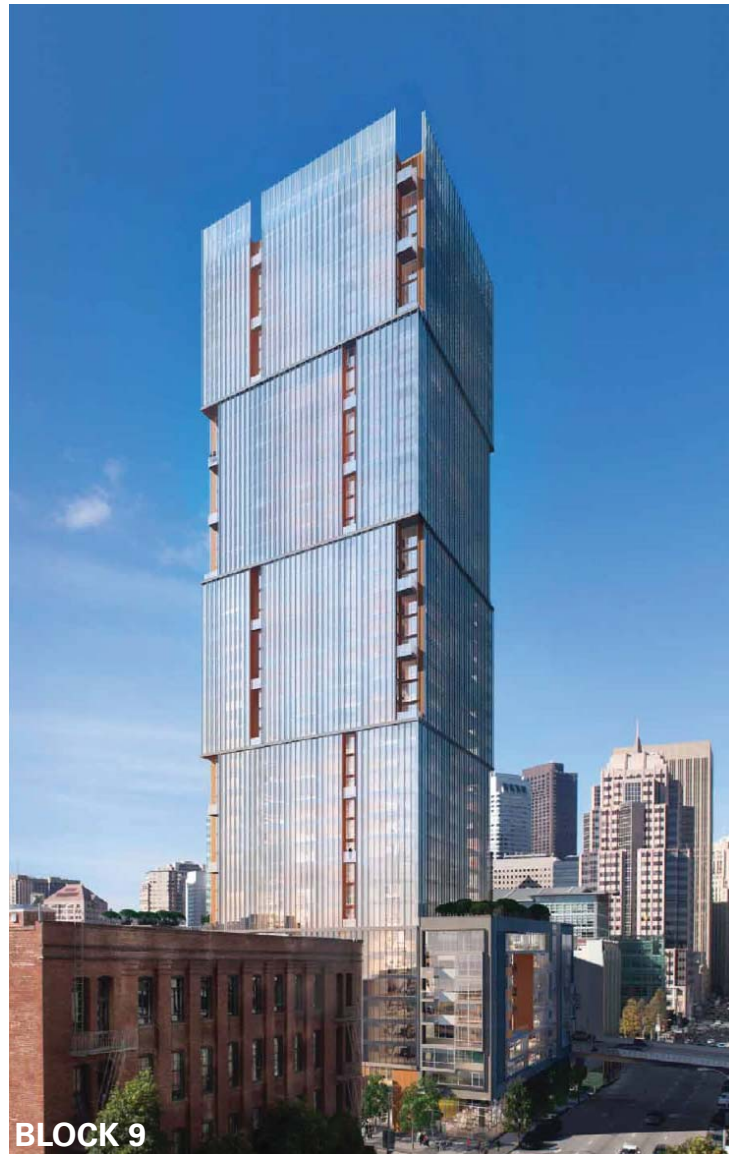
- 1. ANALYZE FACADE FOR OPPORTUNITIES TO REDUCE GLASS
- 2. FINALIZE UNIT LAYOUT, STREETSCAPE DESIGN, AND PODIUM & ROOFTOP LANDSCAPE DESIGN
- 3. DEVELOP TIMELINE WITH CITY PLANNING DEPARTMENT FOR APPROVALS





NOTE: Planning Department requested that the design team look at the resulting mass within the context of the city. Supported by the presented exhibits, the building is not a “skyline” building and is not visible from the water, the East Bay, or the Bay Bridge. Approaching the city from the East Bay on the freeway, the building does not come into view until you are past One Rincon Hill. At this point, the building is of similar scale and massing to many of the older surrounding buildings. This contextual approach to the site proved non-controversial when presented to the neighborhood groups affected by the project.





BLOCK 9



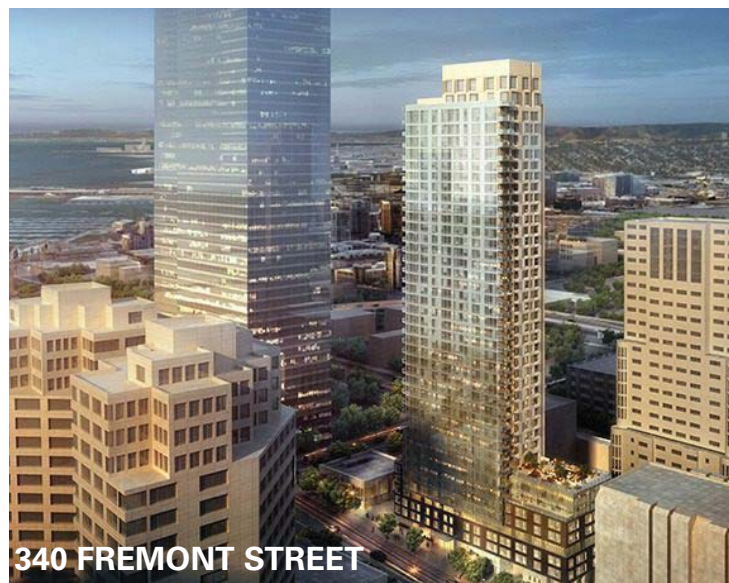
45 LANSING STREET



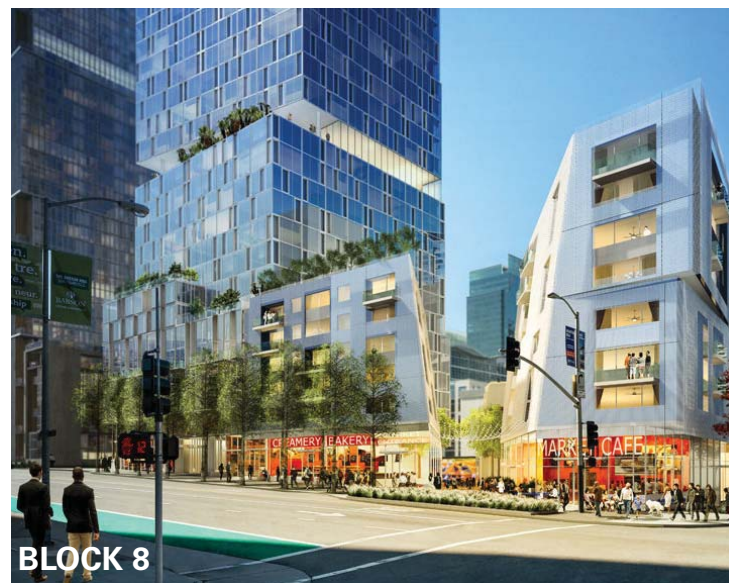
399 FREMONT STREET



ONE RINCON HILL TOWERS



340 FREMONT STREET



BLOCK 8



BLOCK 6

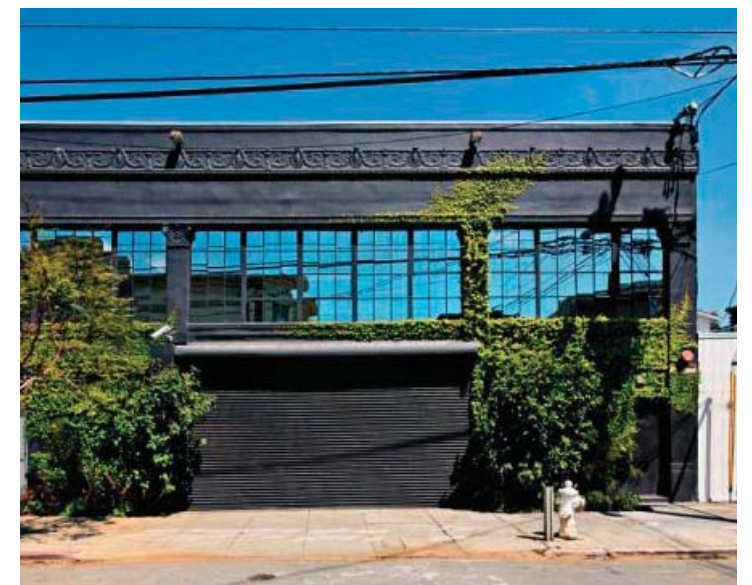
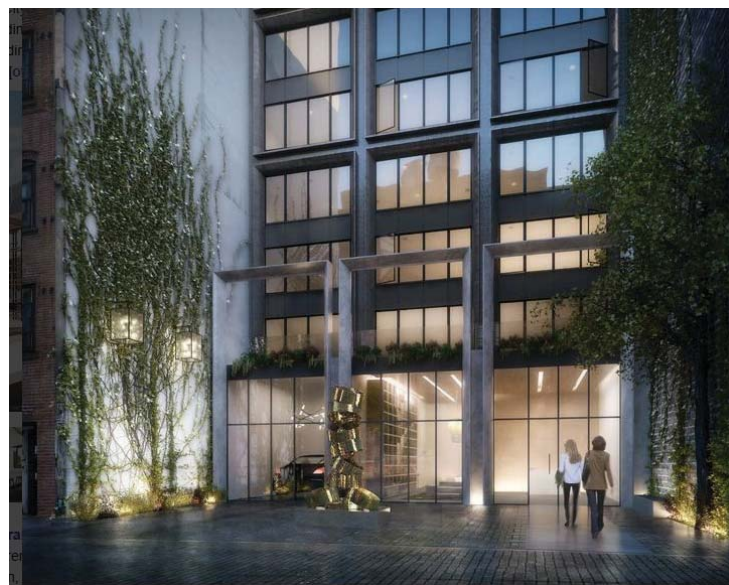
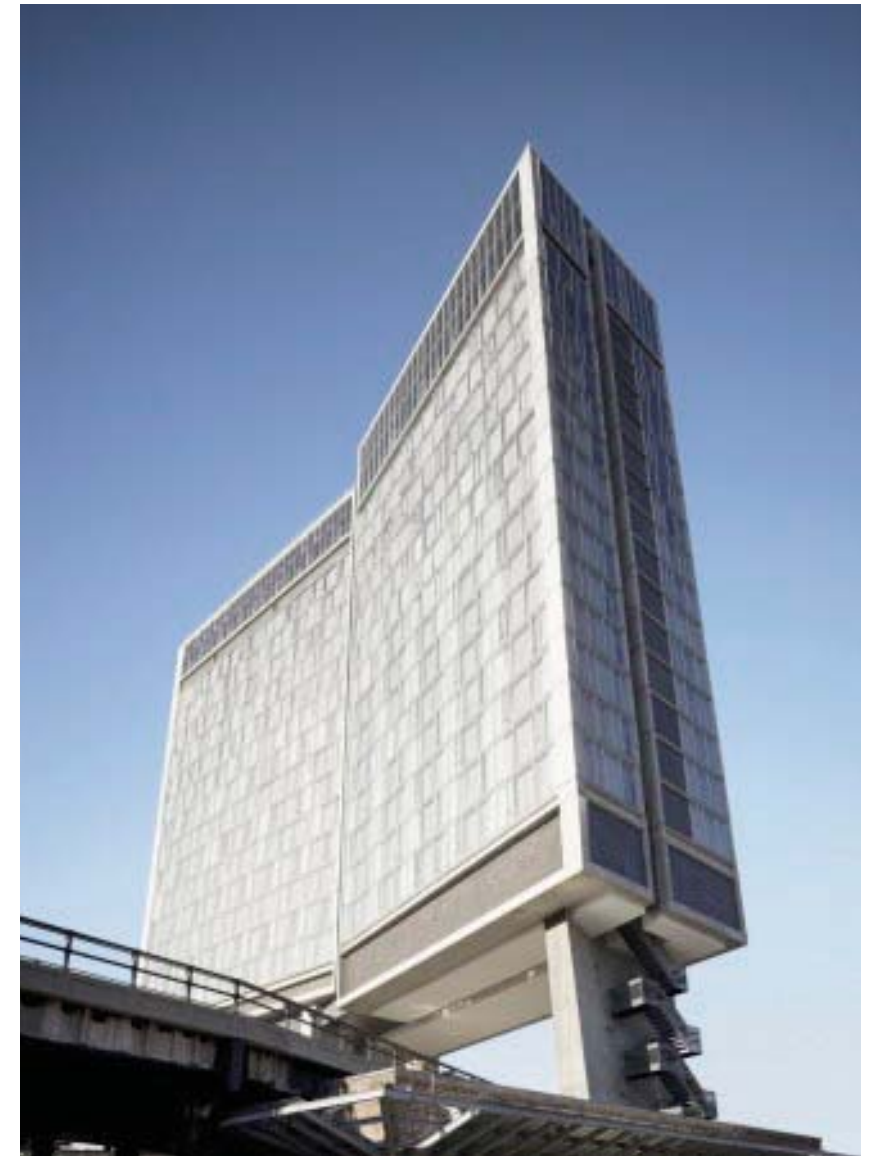
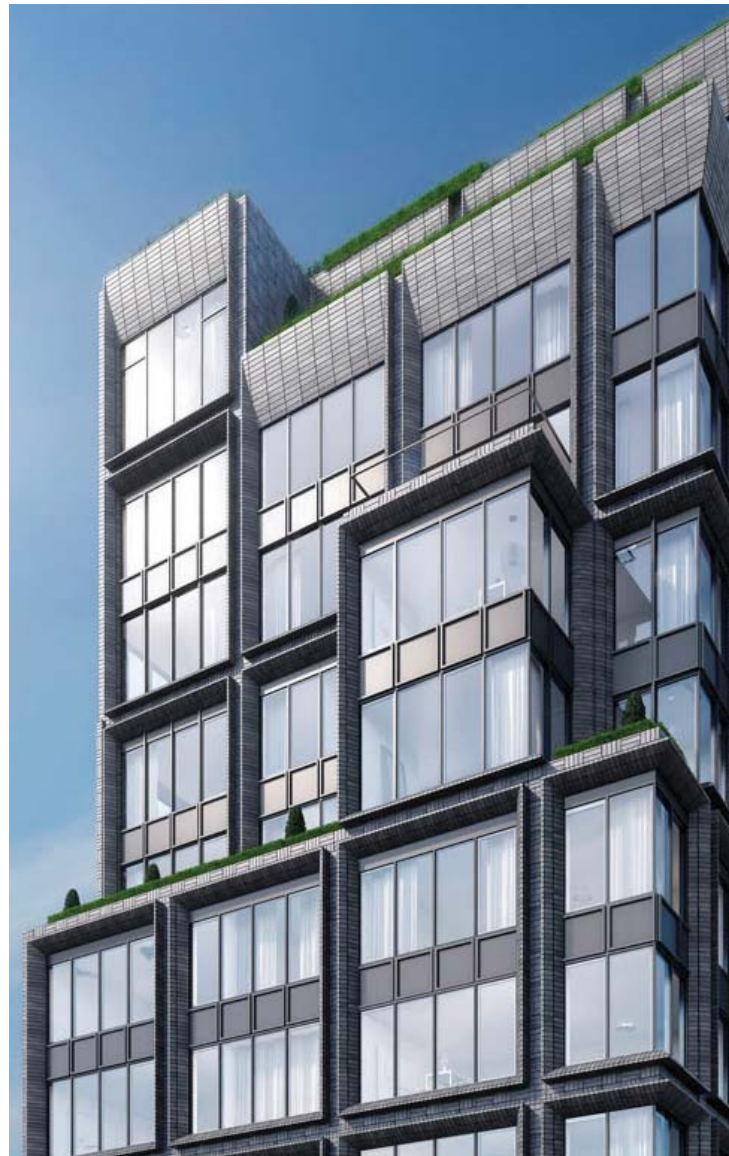


INFINITY AND LUMINA TOWERS

RINCON HILL NEIGHBORHOOD TOWERS

525 HARRISON STREET
Hines

06.10.2015

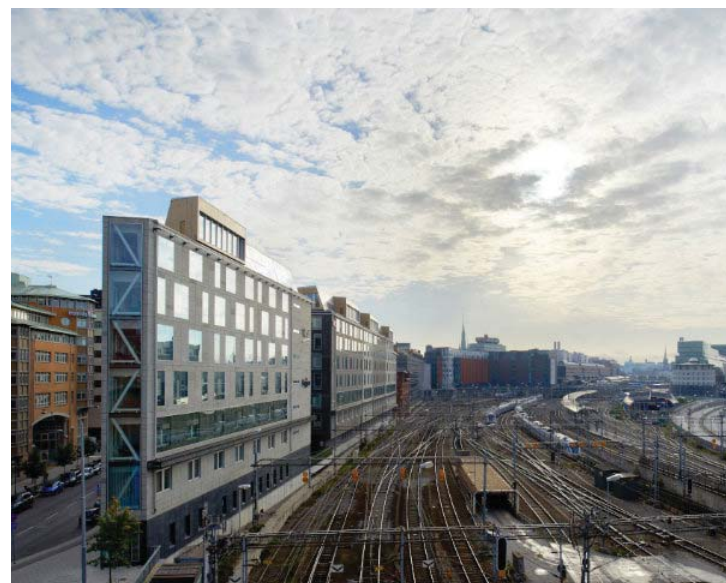


INDUSTRIAL/WAREHOUSE MATERIALS

525 HARRISON STREET
Hines

06.10.2015

SCB SOLOMON CORDWELL BUENZ
© 2015

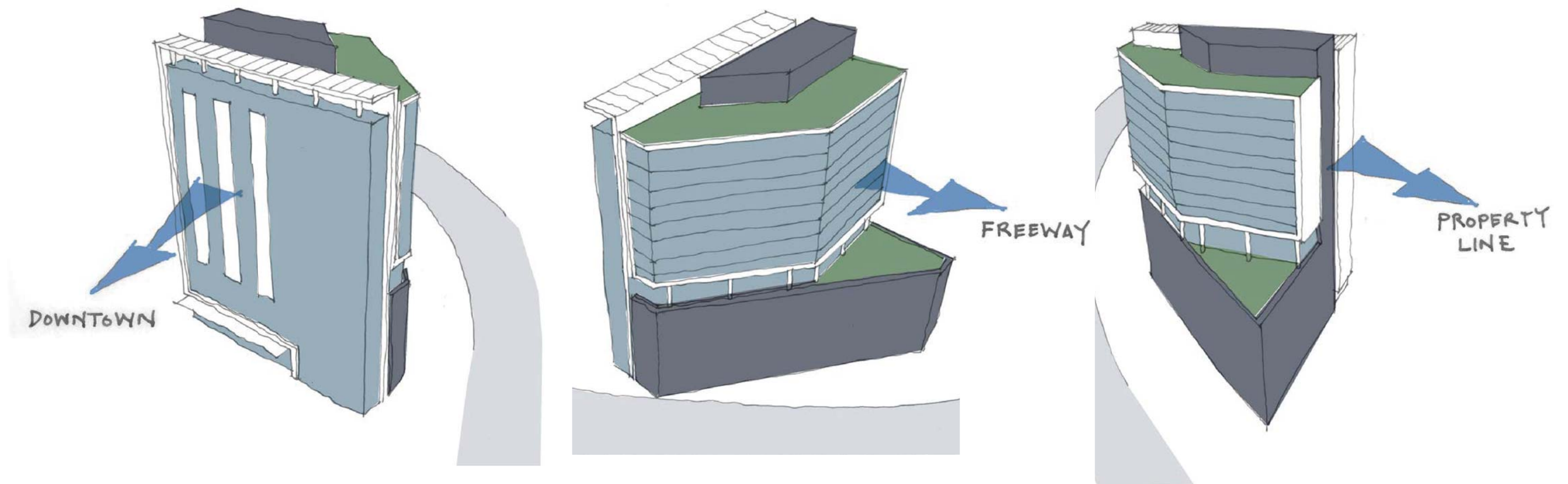


FLATIRON CORNERS

525 HARRISON STREET
Hines

06.10.2015

SCB SOLOMON CORDWELL BUENZ
© 2015



NOTE: Three distinct volumes bring the complex massing geometry together. At the podium, facing the freeway, a more solid masonry volume mitigates freeway noise and pollution and responds to the older buildings in the surrounding neighborhoods. A glassier volume peers over the freeway to the less obstructed views beyond. A third volume along Harrison Street responds in scale and detail to the other buildings in the Rincon Hill Neighborhood and to Downtown San Francisco. The volumes come together on the building's narrow end to create architectural interest and a "flatiron" corner.

A



B

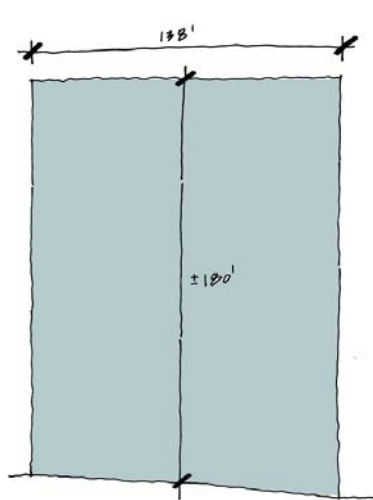


C

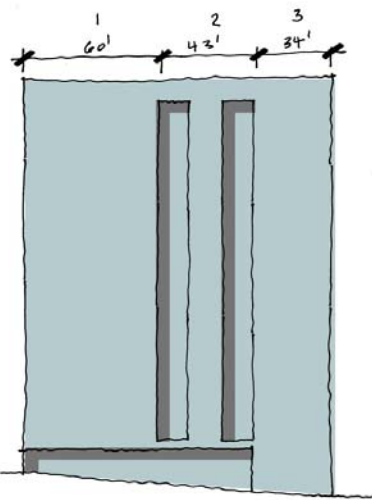


PLANNING DEPARTMENT PREFERRED

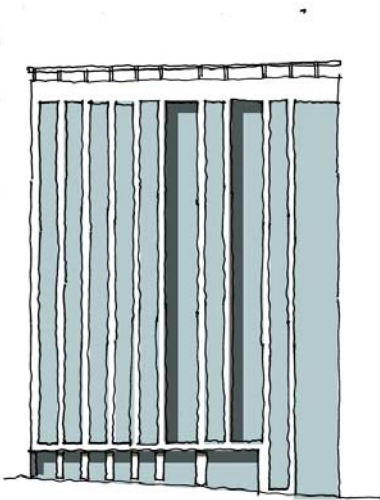
NOTE: While generally supportive of the massing and language of the building, the Planning Department did not support such a “glassy” building. The language of the podium was well received and deemed appropriated for the site context. The Planning Department directed the design team to consider a more solid, masonry approach for the entire building.



ALL GLASS



BALCONIES AND LOBBY



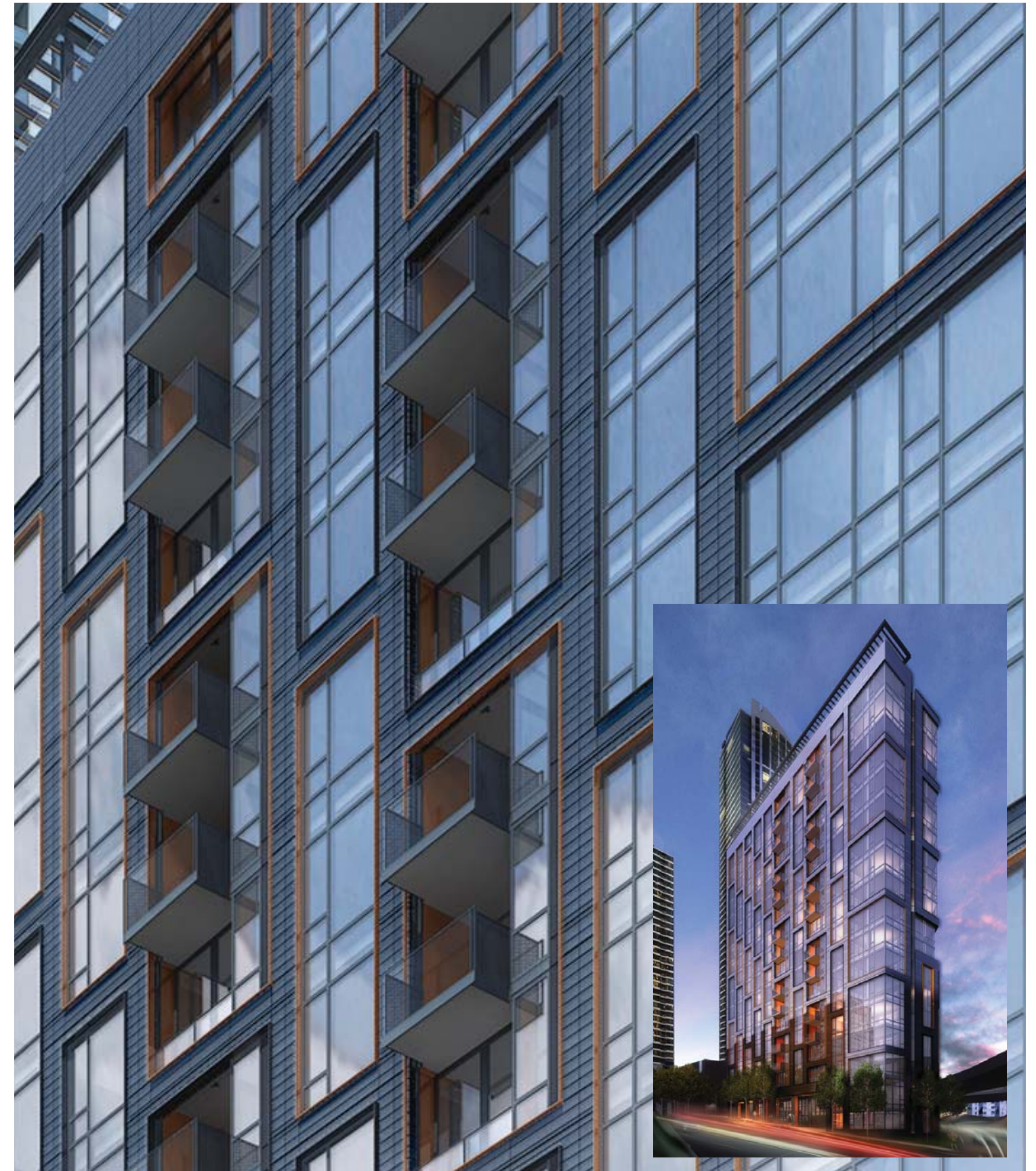
VERTICAL MODULATION



STEPS RESPONDING TO HARRISON STREET



MASONRY

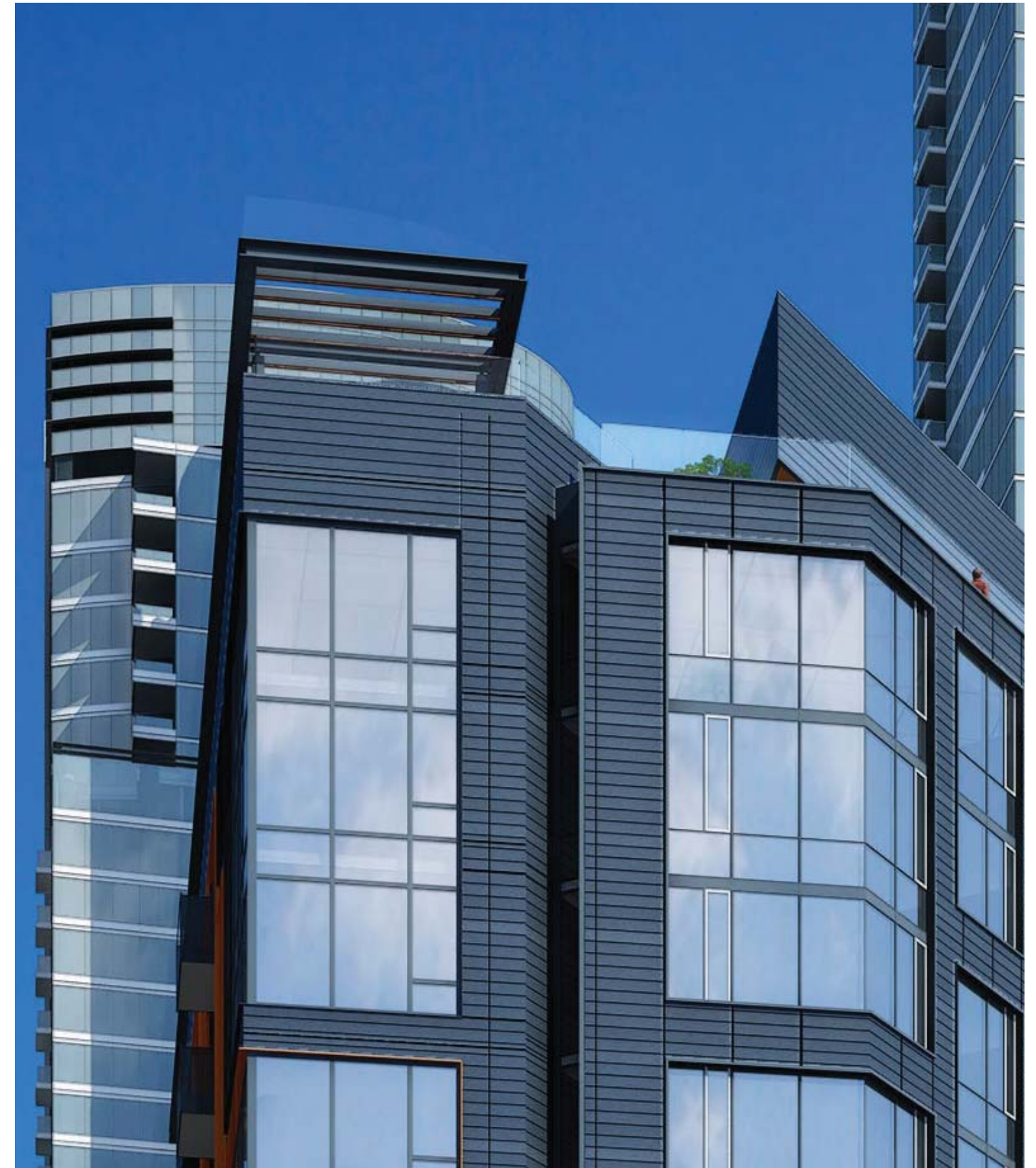


NORTH ELEVATION, MARCH 2015

ELEVATIONS REVISED TO INCORPORATE COMMENTS FROM PLANNING DEPARTMENT

525 HARRISON STREET
Hines

06.10.2015

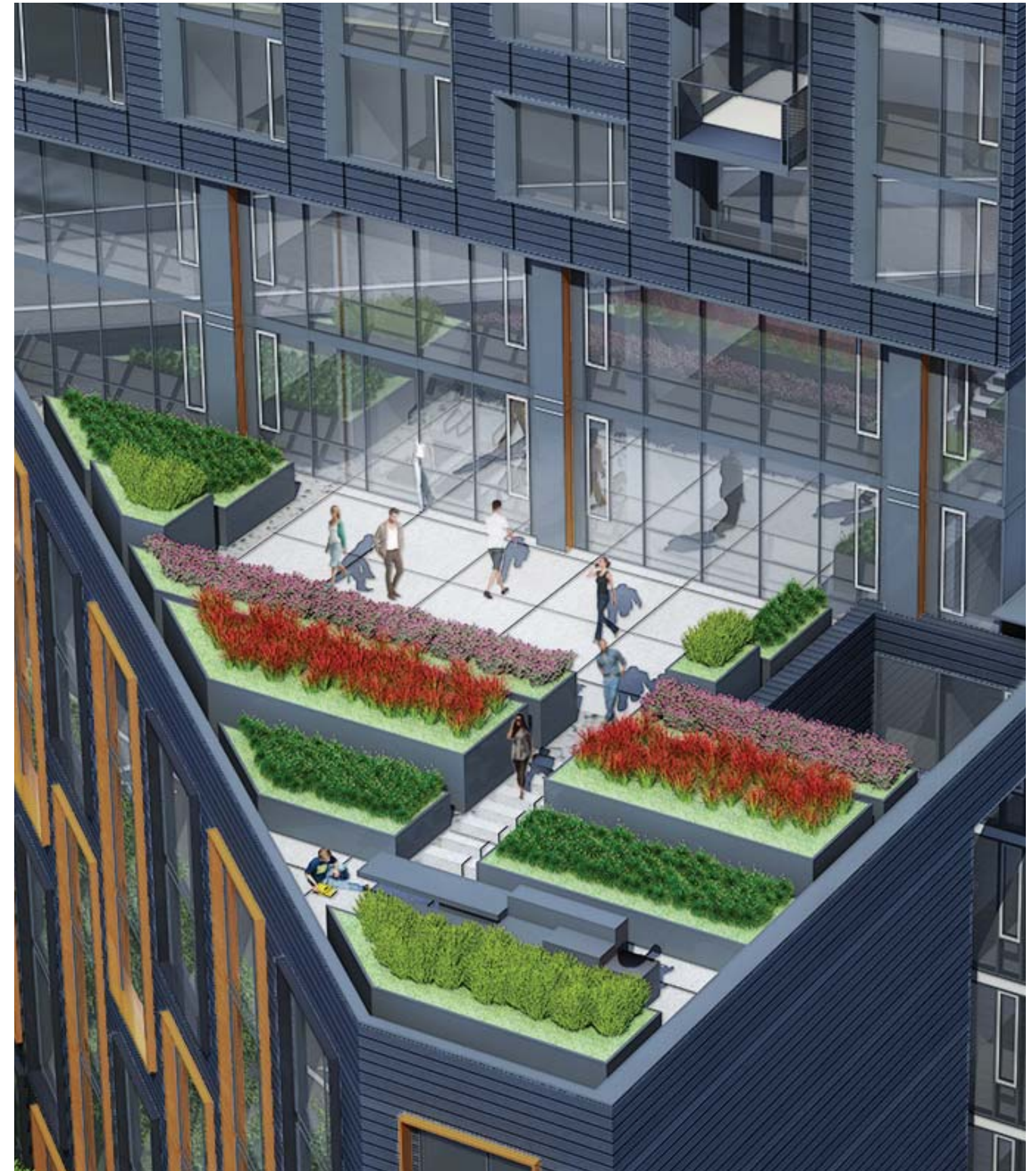


WEST ELEVATION, MARCH 2015

ELEVATIONS REVISED TO INCORPORATE COMMENTS FROM PLANNING DEPARTMENT

525 HARRISON STREET
Hines

06.10.2015

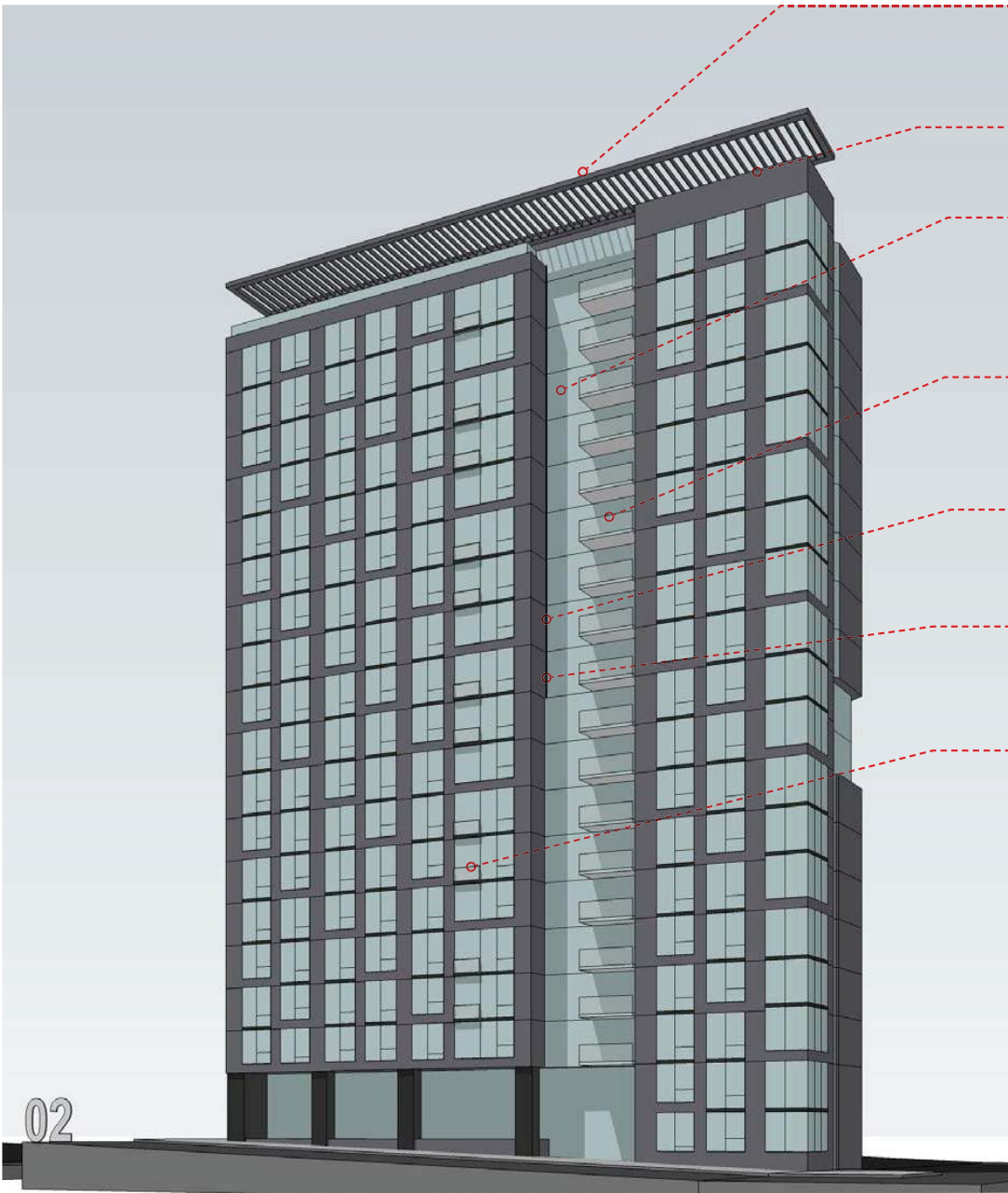


SOUTH ELEVATION, MARCH 2015

ELEVATIONS REVISED TO INCORPORATE COMMENTS FROM PLANNING DEPARTMENT

525 HARRISON STREET
Hines

06.10.2015



- CONSIDER DIFFERENT CANOPY DESIGN OVER RECESS TO REINFORCE MASSING BREAK
- CORNER VOLUME APPROXIMATELY 3.5' HIGHER THAN ADJACENT VOLUME
- SIMPLE GLASS WINDOW WALL TREATMENT EXTENDS UP SLOT. TREATMENT IS SIMILAR TO GROUND FLOOR WITH LESS ARTICULATION THAN ADJACENT WALL
- CLEAR LOW IRON GLASS HANDRAILS WITH SLAB COVERS TO MATCH WILL DEMATERIALIZE THE BALCONIES IN THE SLOT
- REVEAL DEPTH COULD BE AS MUCH AS 5' (THIS CHANGE WILL REQUIRE FURTHER STRUCTURAL ANALYSIS)
- REVEALS BETWEEN GLASS AND ADJACENT MASONRY WILL REINFORCE APPEARANCE OF VOLUMES SLIPPING BY ONE ANOTHER
- BALCONIES AT MASONRY VOLUME WILL BECOME JULIET BALCONIES ALL THE WAY UP TO FURTHER DIFFERENTIATE THEM FROM THE BALCONIES IN THE SLOT. OPEN SPACE STRATEGY IS ALMOST IN TACT BUT WILL NEED SOME FURTHER ANALYSIS

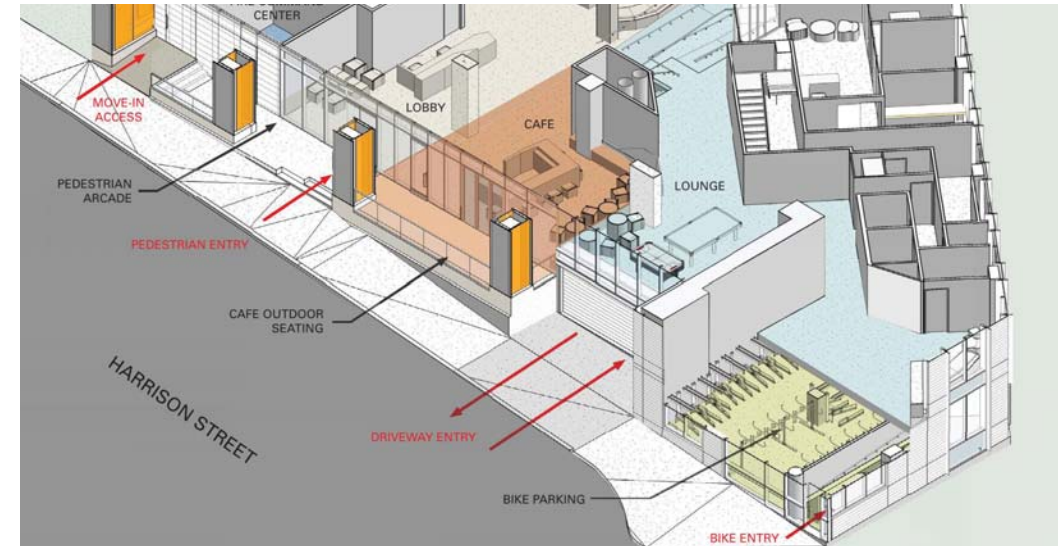


NOTE: UDAT requested that the massing be broken up along Harrison Street. In keeping with the Rincon Hill Plan, the goal was to create a series of three, more slender volumes, versus a single broad volume.



NOTE: The Planning Director requested a lighter material be considered for the facade. The design team investigated several versions which balance this request with the industrial masonry design intent, and the reality of lighter building materials in proximity to the freeway.

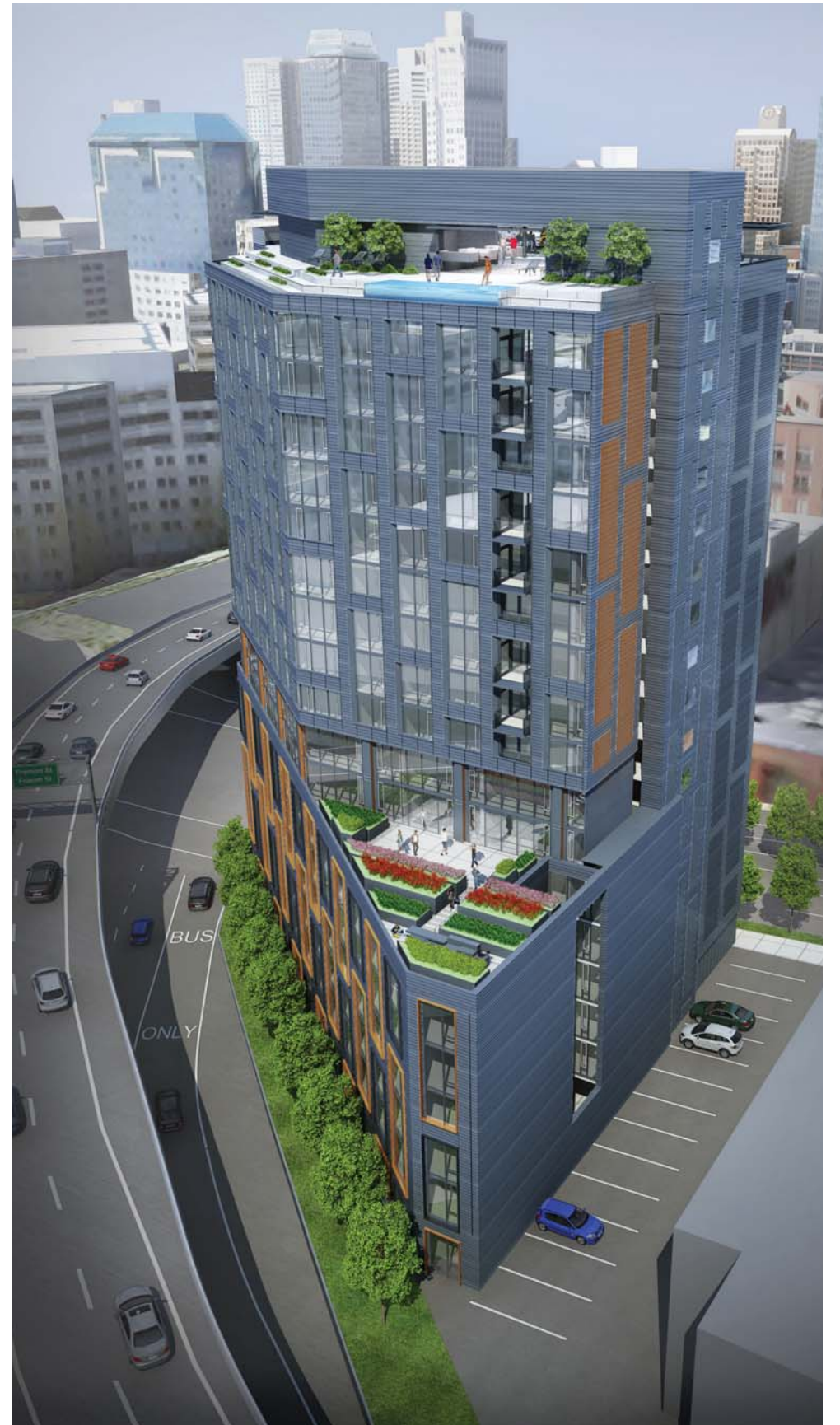




HARRISON STREET IMPROVEMENTS

525 HARRISON STREET
Hines

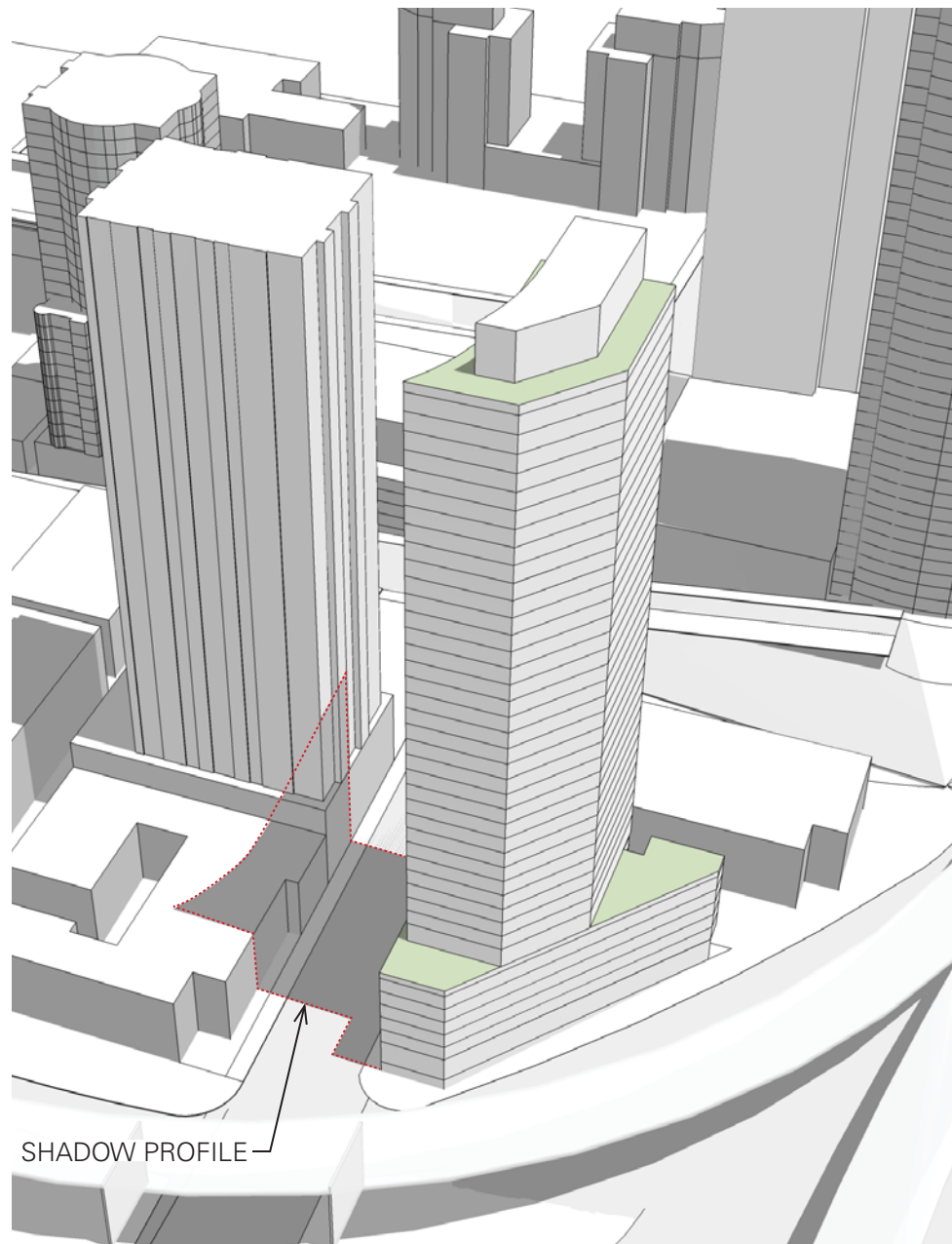
06.10.2015



ELEVATIONS APPROVED BY UDAT, **MAY 2015**

525 HARRISON STREET
Hines

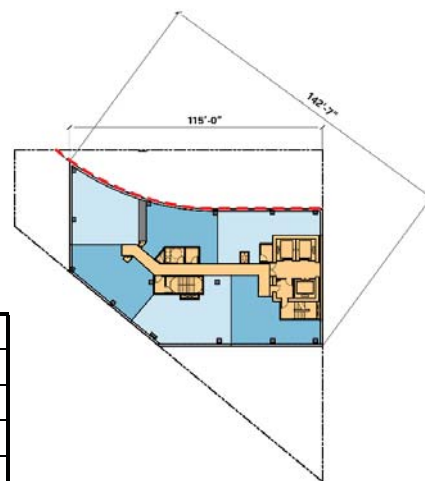
06.10.2015



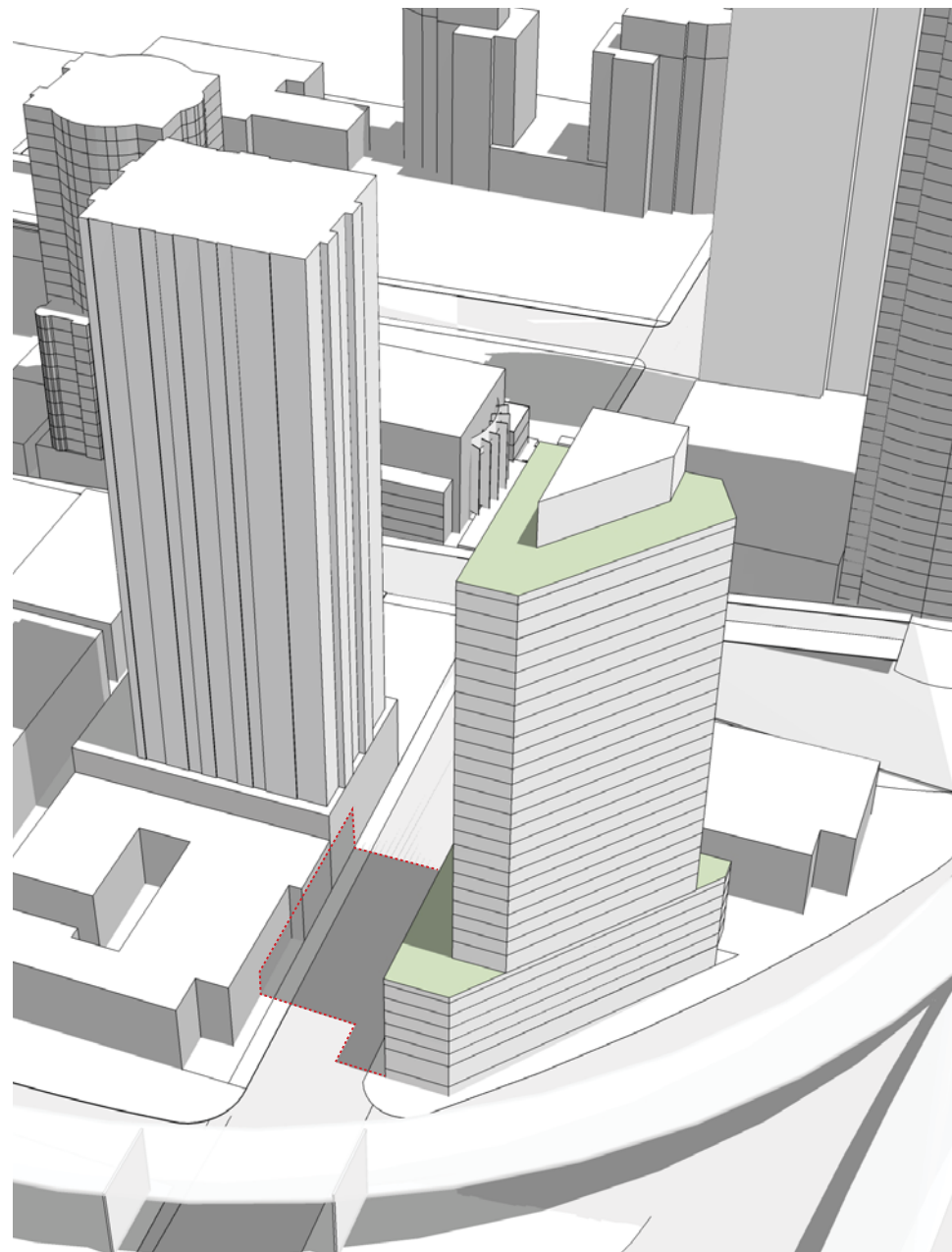
SHADOW PROFILE

A – 400'

AS OF RIGHT
6 UNITS PER FLOOR
6,950 GSF
1,775 SF CORE
5,175 NSF
74% EFFICIENT
40 FLOORS
273 UNITS
397'-4" HEIGHT



✗	Efficient vertical circulation/floor plan
✗	Conventional Structure, no peer review
✗	Financial Viability
✗	Neighborhood Support
✗	OK per CPE traffic/wind/shadow studies



B – 300'

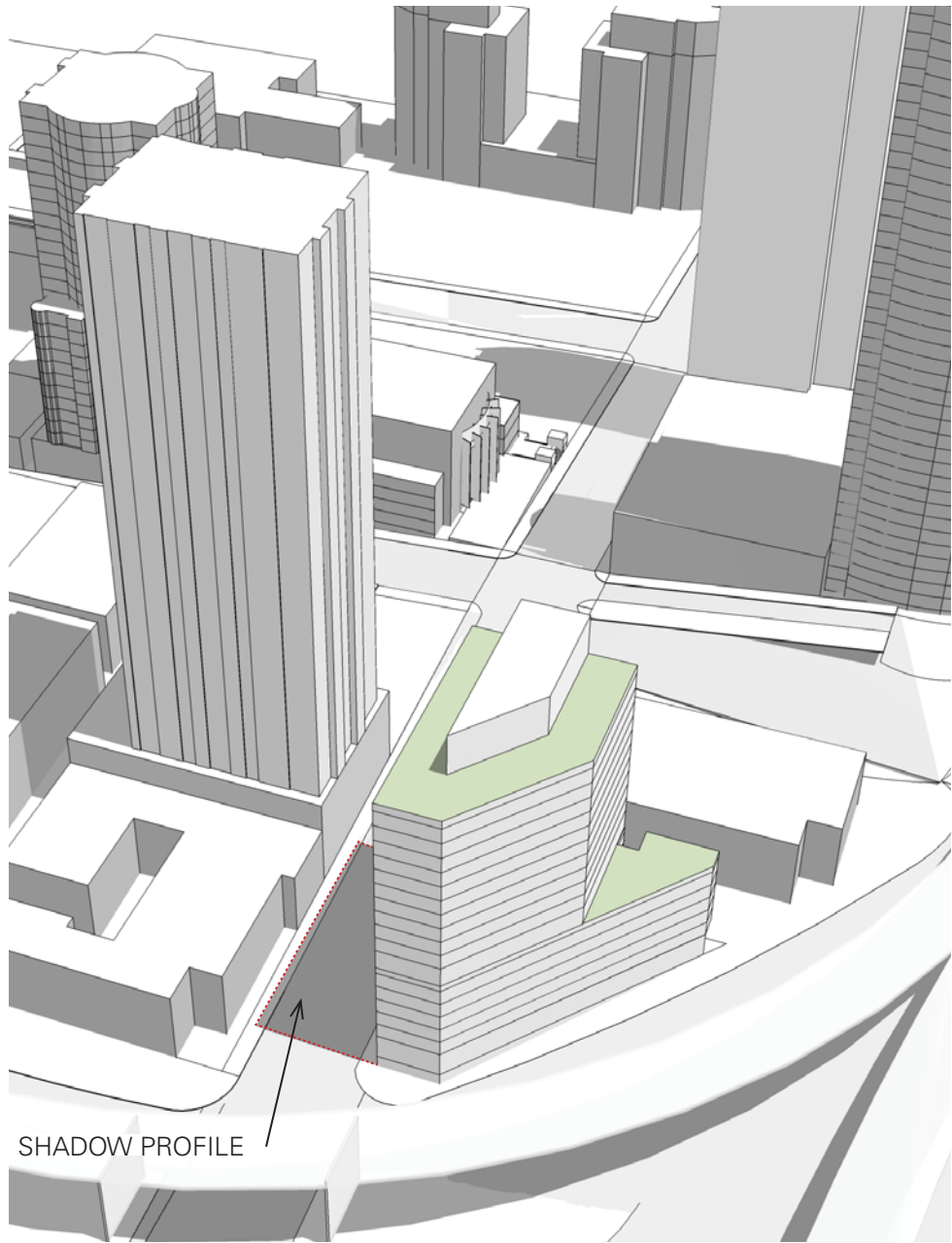
TOWER SEPARATION OBSERVED
AS OF RIGHT BULK
REQUIRES MAP CHANGE:
8 UNITS PER FLOOR
8,200 GSF
1,800 SF CORE
6,400 NSF
78% EFFICIENT
30 FLOORS
261 UNITS
300'-8" HEIGHT



✗	Efficient vertical circulation/floor plan
✗	Conventional Structure, no peer review
✗	Financial Viability
✗	Neighborhood Support
✗	OK per CPE traffic/wind/shadow studies

NOTE: The following massing studies were considered in response to the comments from the Planning Commission Initiation Hearing.

- A: Prior studied massing option, as of right.
- B: Prior studied massing option, tower separation and bulk observed, requires map change.
- C: Proposed design: tower separation and bulk exception required.
- D: Allowable bulk at 300'-0". Massing shows reduced height to match size of proposed design. Tower separation and bulk exception required.
- E: As of right bulk, with tower separation exception.
- F (C+3): Proposed design with three added floors to reach maximum housing under current CPE studies.
- G (D+2): Allowable bulk at 300'-0" and maximized housing under current CPE studies.



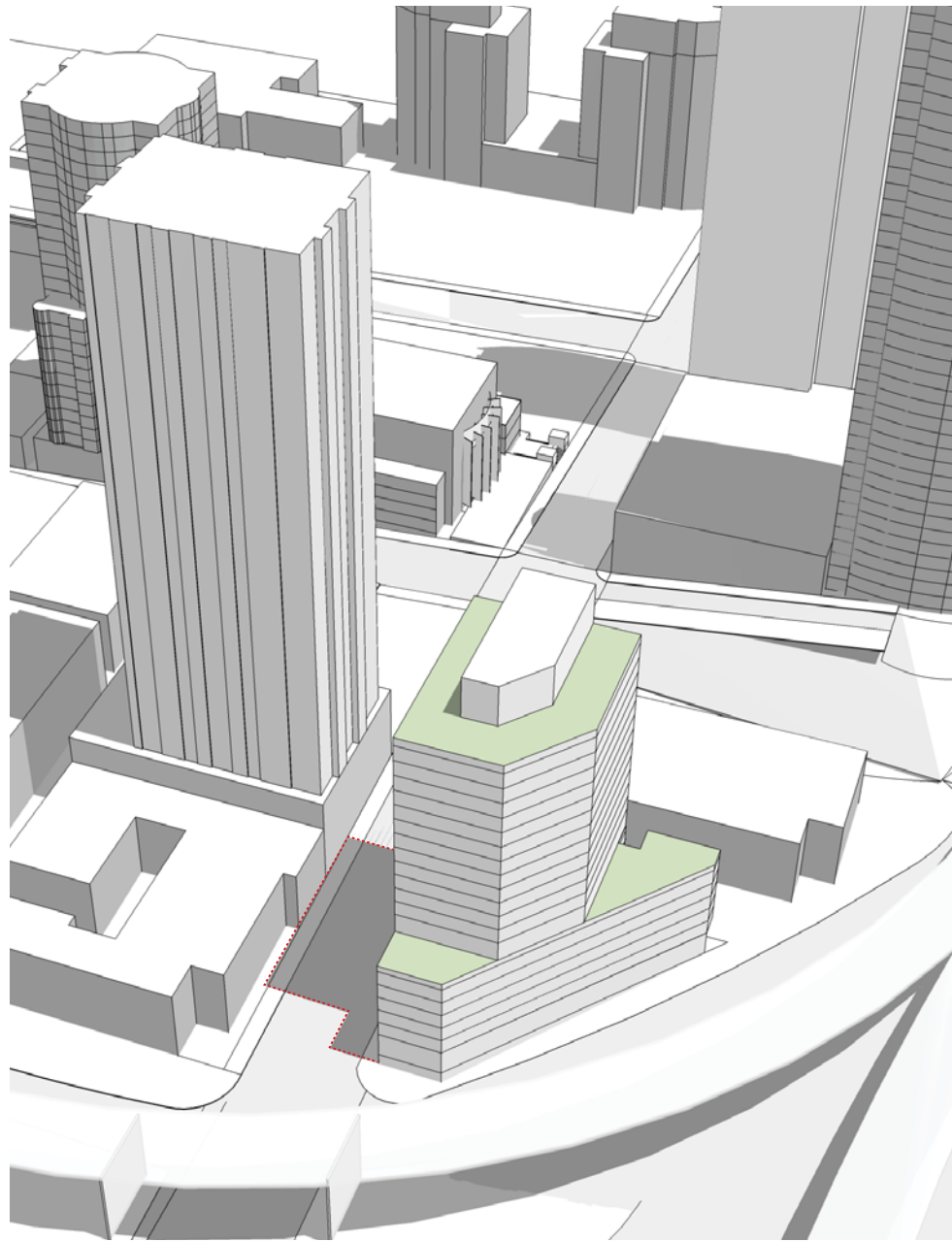
SHADOW PROFILE

C – 175'

PROPOSED DESIGN:
TOWER SEPARATION EXCEPTION
BULK EXCEPTION:
10 UNITS PER FLOOR
10,398 GSF
1,795 SF CORE
8,600 NSF
83% EFFICIENT
17 FLOORS
179 UNITS
175' HEIGHT

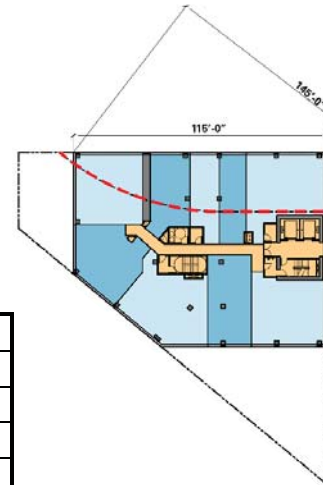


✓	Efficient vertical circulation/floor plan
✓	Conventional Structure, no peer review
✓	Financial Viability
✓	Neighborhood Support
✓	OK per CPE traffic/wind/shadow studies

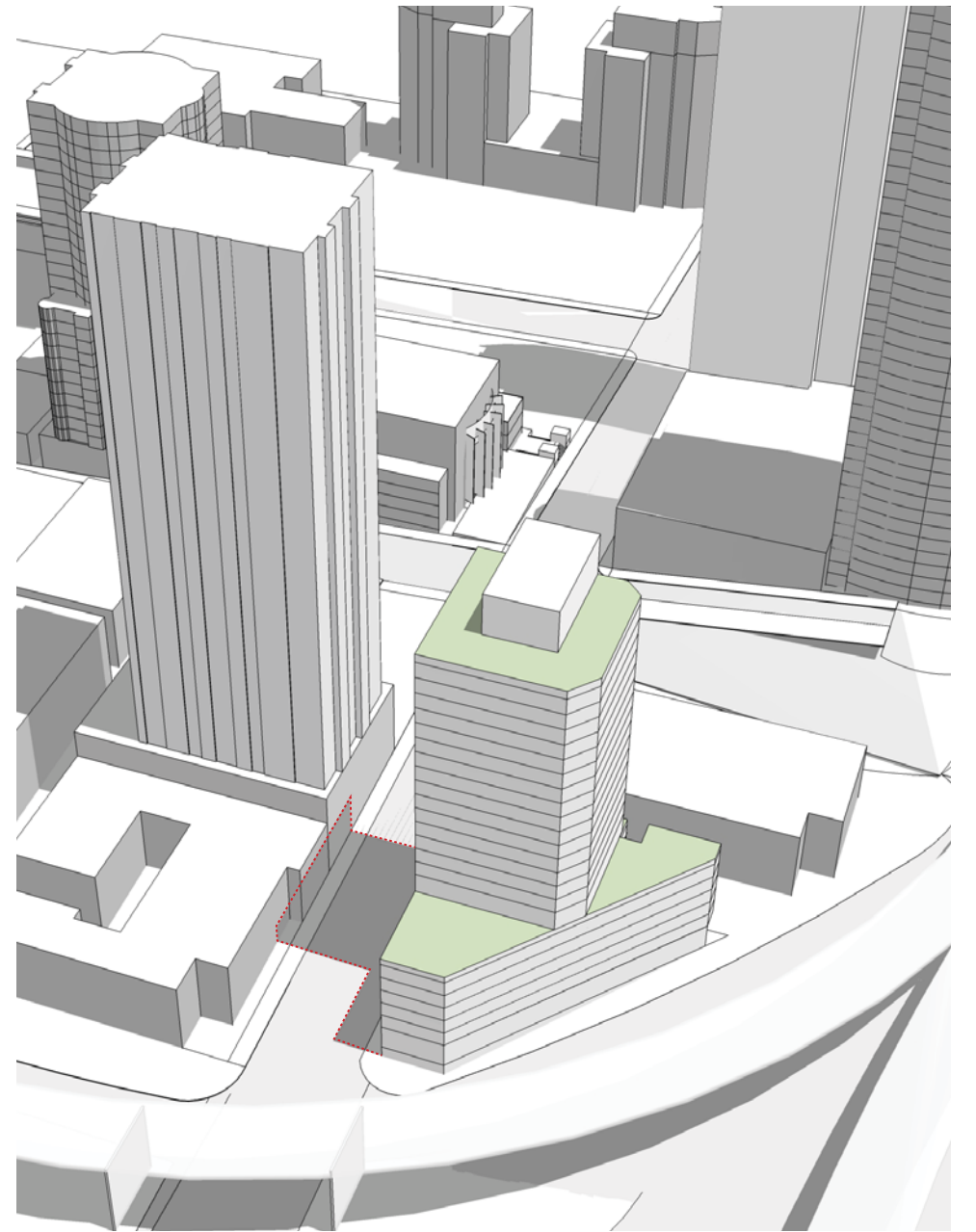


D – 194'-4"

TOWER SEPARATION EXCEPTION
BULK EXCEPTION:
9 UNITS PER FLOOR
9,275 GSF
1,682 SF CORE
7,590 NSF
82% EFFICIENT
19 FLOORS
186 UNITS
194'-4" HEIGHT

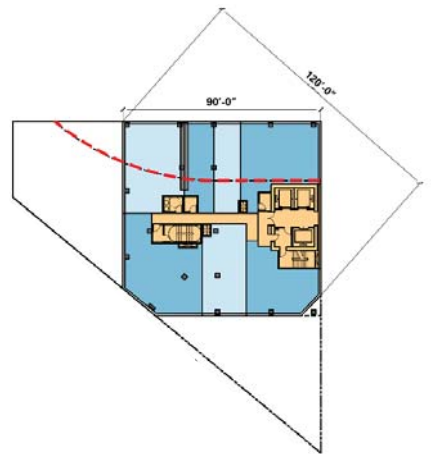


✗	Efficient vertical circulation/floor plan
✓	Conventional Structure, no peer review
✓	Financial Viability
✓	Neighborhood Support
✓	OK per CPE traffic/wind/shadow studies

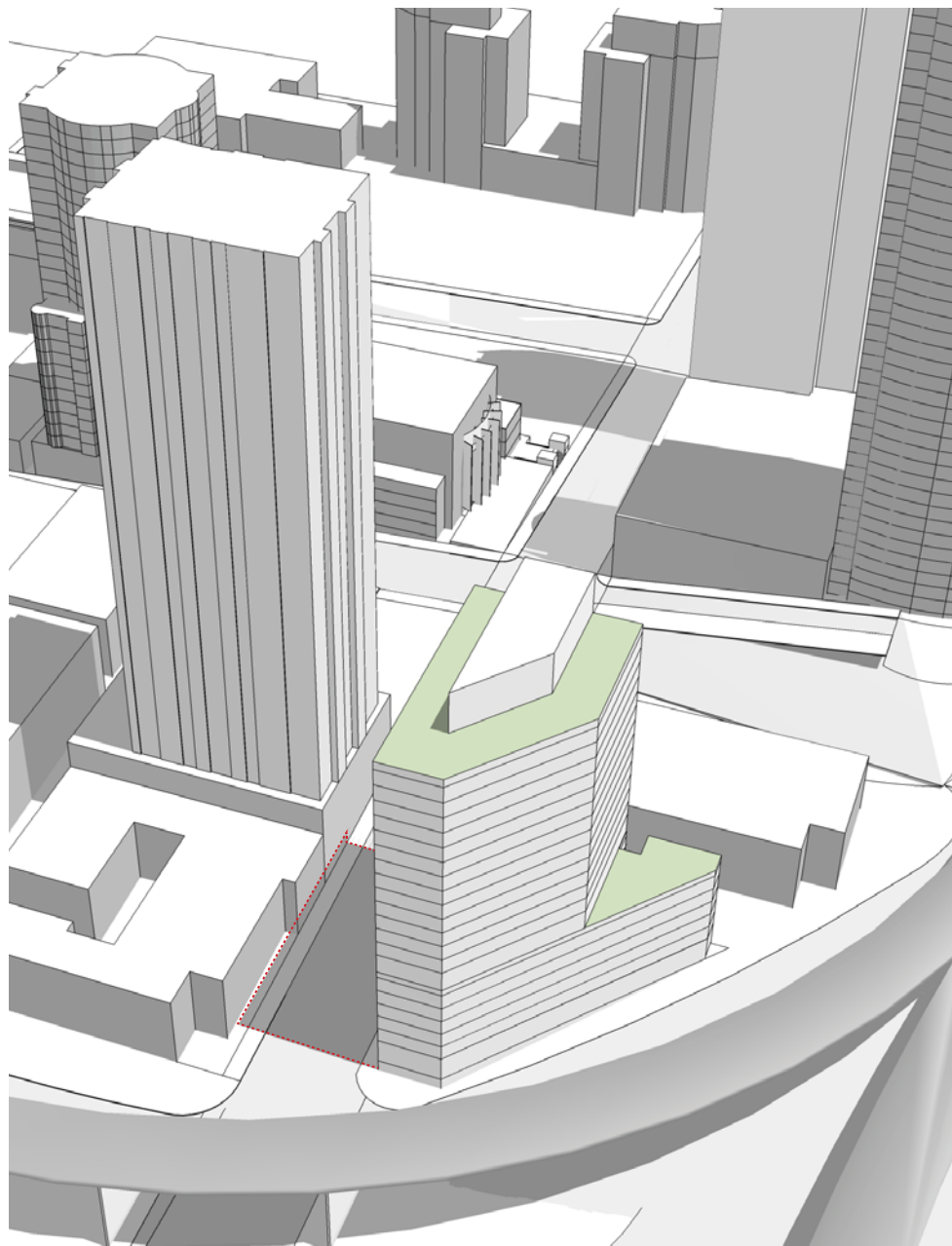


E – 223'-4"

TOWER SEPARATION EXCEPTION
AS OF RIGHT BULK:
7 UNITS PER FLOOR
7,588 GSF
1,645 SF CORE
5,943 NSF
78% EFFICIENT
22 FLOORS
181 UNITS
223'-4" HEIGHT



✗	Efficient vertical circulation/floor plan
✗	Conventional Structure, no peer review
✗	Financial Viability
✗	Neighborhood Support
✓	OK per CPE traffic/wind/shadow studies



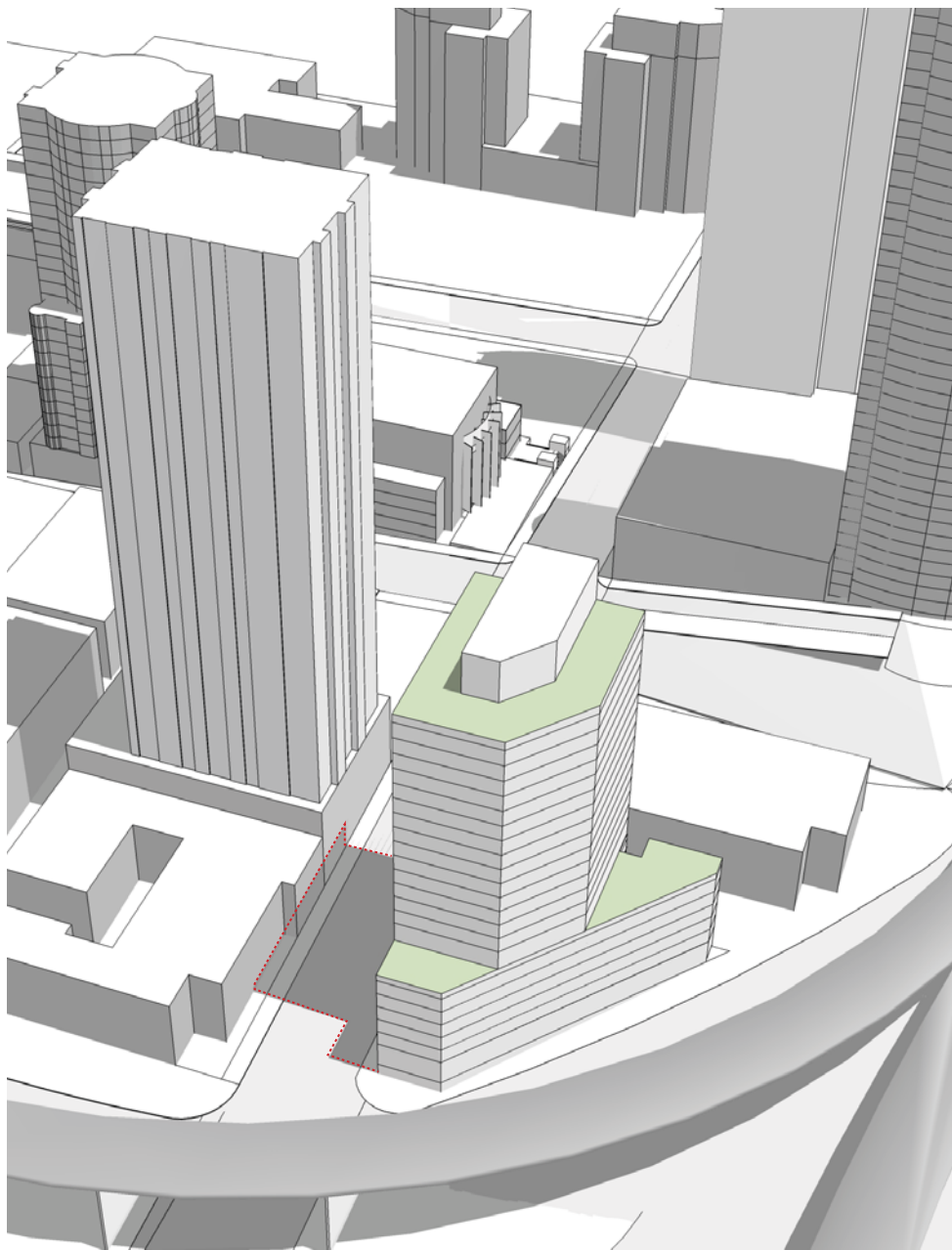
F – 203'-11" (C+3)

BULK EXCEPTION
TOWER SEPARATION EXCEPTION:
10 UNITS PER FLOOR
10,398 GSF
1,932 SF CORE
8,466 NSF
81% EFFICIENT
20 FLOORS
*204 UNITS
203'-11" HEIGHT

*5 UNITS REMOVED FROM PODIUM



✗/✓	Efficient vertical circulation/floor plan
✓	Conventional Structure, no peer review
✓	Financial Viability
✗/✓	Neighborhood Support
✓	OK per CPE traffic/wind/shadow studies



G – 213'-8" (D+2)

TOWER SEPARATION EXCEPTION
BULK EXCEPTION
9 UNITS PER FLOOR
9,275 GSF
1,819 SF CORE
7,456 NSF
80% EFFICIENT
21 FLOORS
204 UNITS
213'-8" HEIGHT

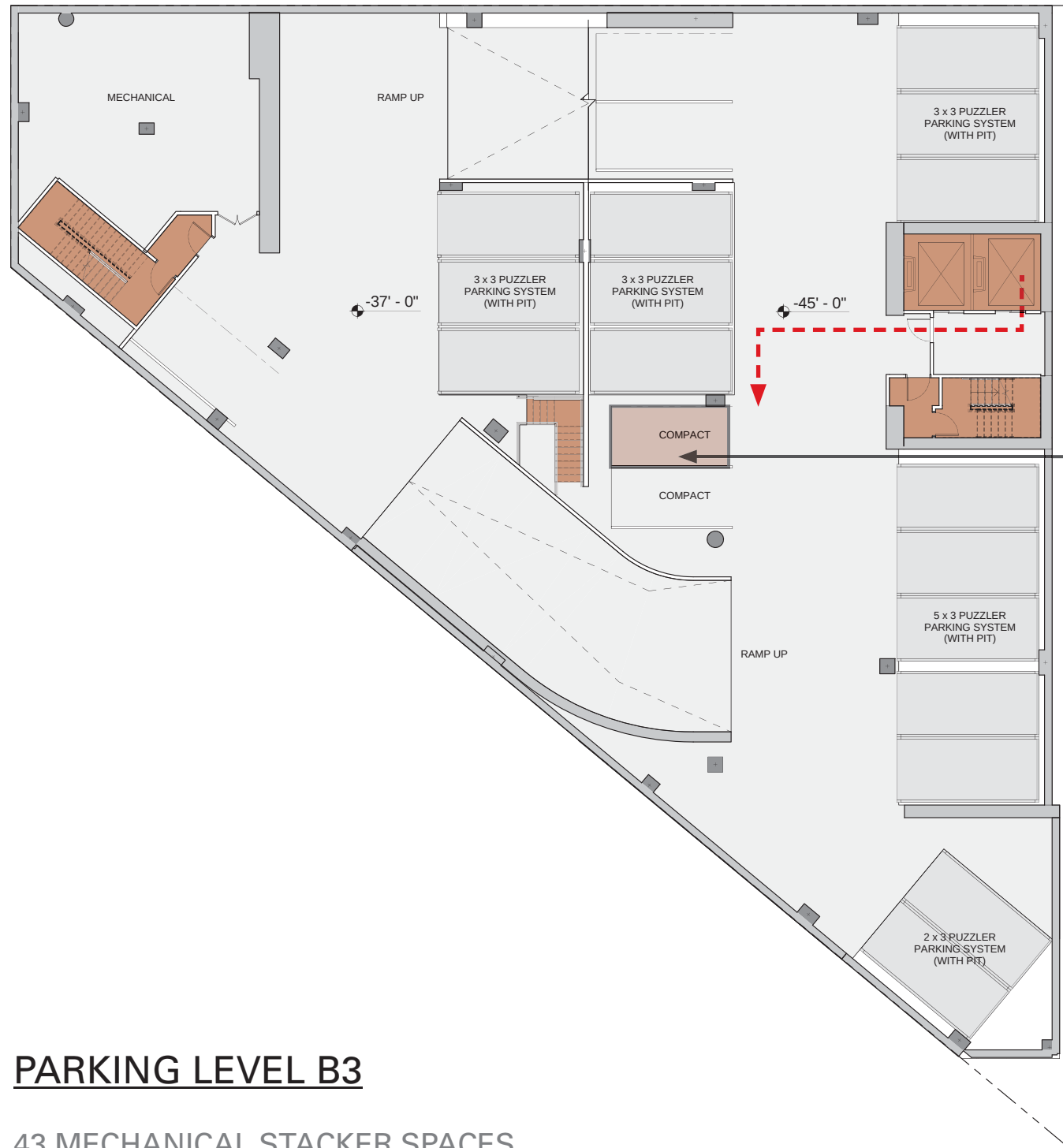


✗	Efficient vertical circulation/floor plan
✓	Conventional Structure, no peer review
✓	Financial Viability
✗	Neighborhood Support
✓	OK per CPE traffic/wind/shadow studies

NOTE: Schemes "D", "F", and "G" represent the most viable alternate massing approaches versus the proposed design (C).

NOTE: Scheme "F" and "G" remain within an acceptable tolerance per the current CPE studies. The studies indicate an upper limit of 205 units.

Scheme "F" would require the removal of 5 units from the podium in order to keep the total unit count below 205. This design modification would occur at the southeastern corner of the podium, which would also provide an "accommodation" for a possible future contra flow exit ramp per the ARUP/MTC Study.

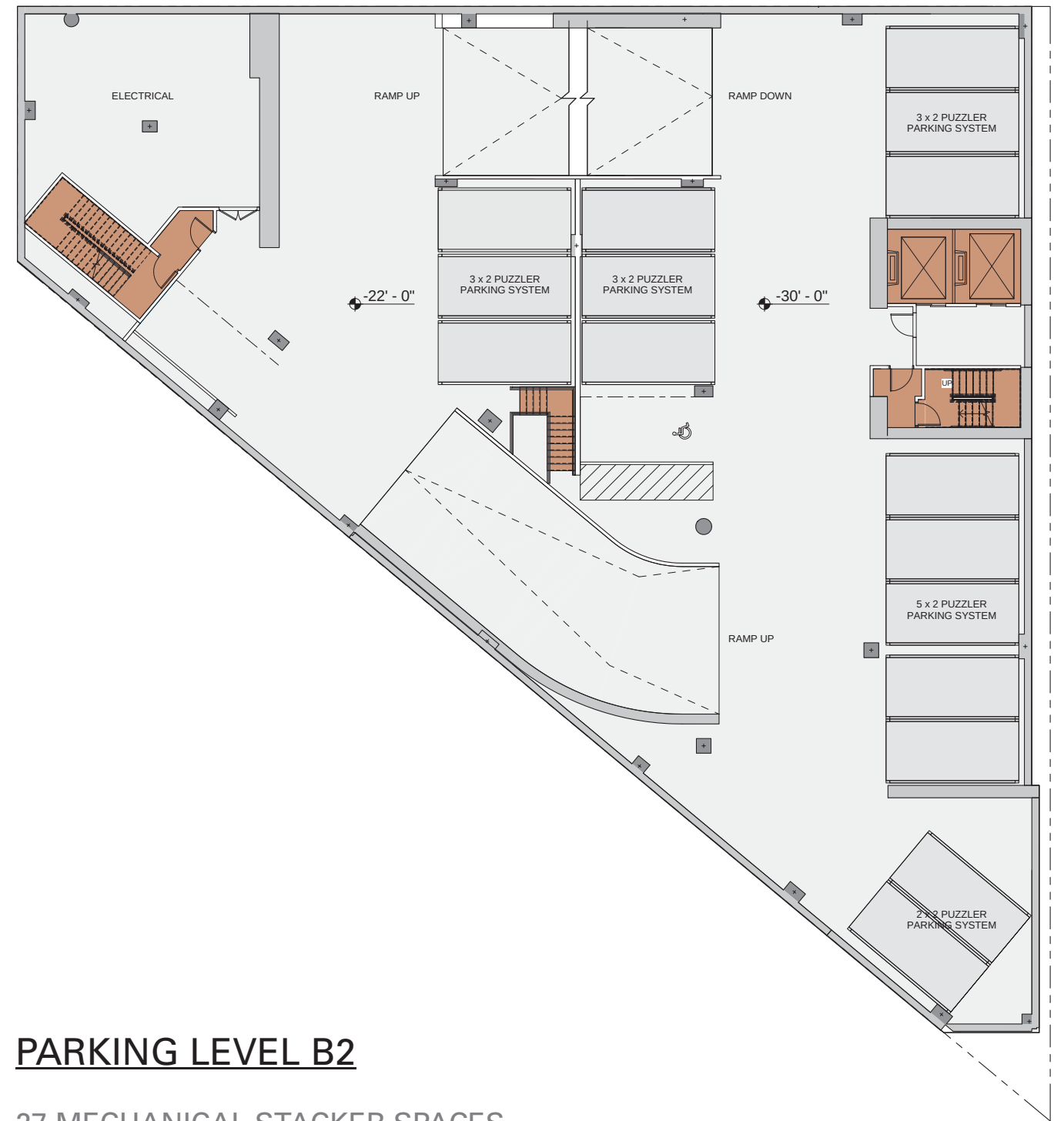


ACCESS VIA
ELEVATOR
CORE FROM
LOBBY

CAR SHARE
PARKING SPACE

PARKING LEVEL B3

43 MECHANICAL STACKER SPACES
5 SURFACE SPACES

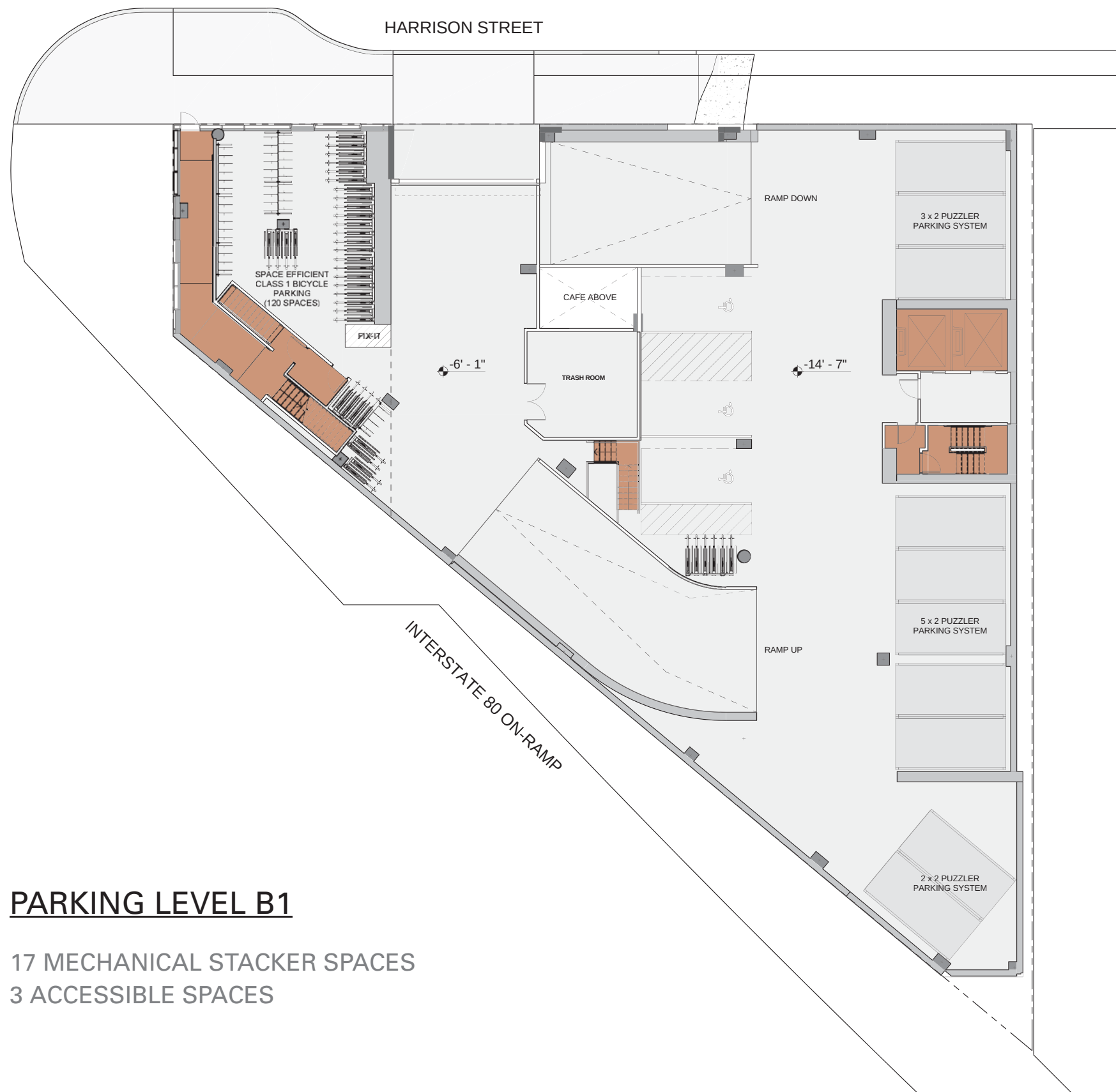


PARKING LEVEL B2

27 MECHANICAL STACKER SPACES
1 SURFACE SPACE
1 ACCESSIBLE SPACE



0' 10' 20'



PARKING LEVEL B1

17 MECHANICAL STACKER SPACES
3 ACCESSIBLE SPACES



0' 10' 20'

PLAN - LEVEL B1

525 HARRISON STREET
Hines

06.10.2015



PLAN - LEVEL 1

525 HARRISON STREET
Hines

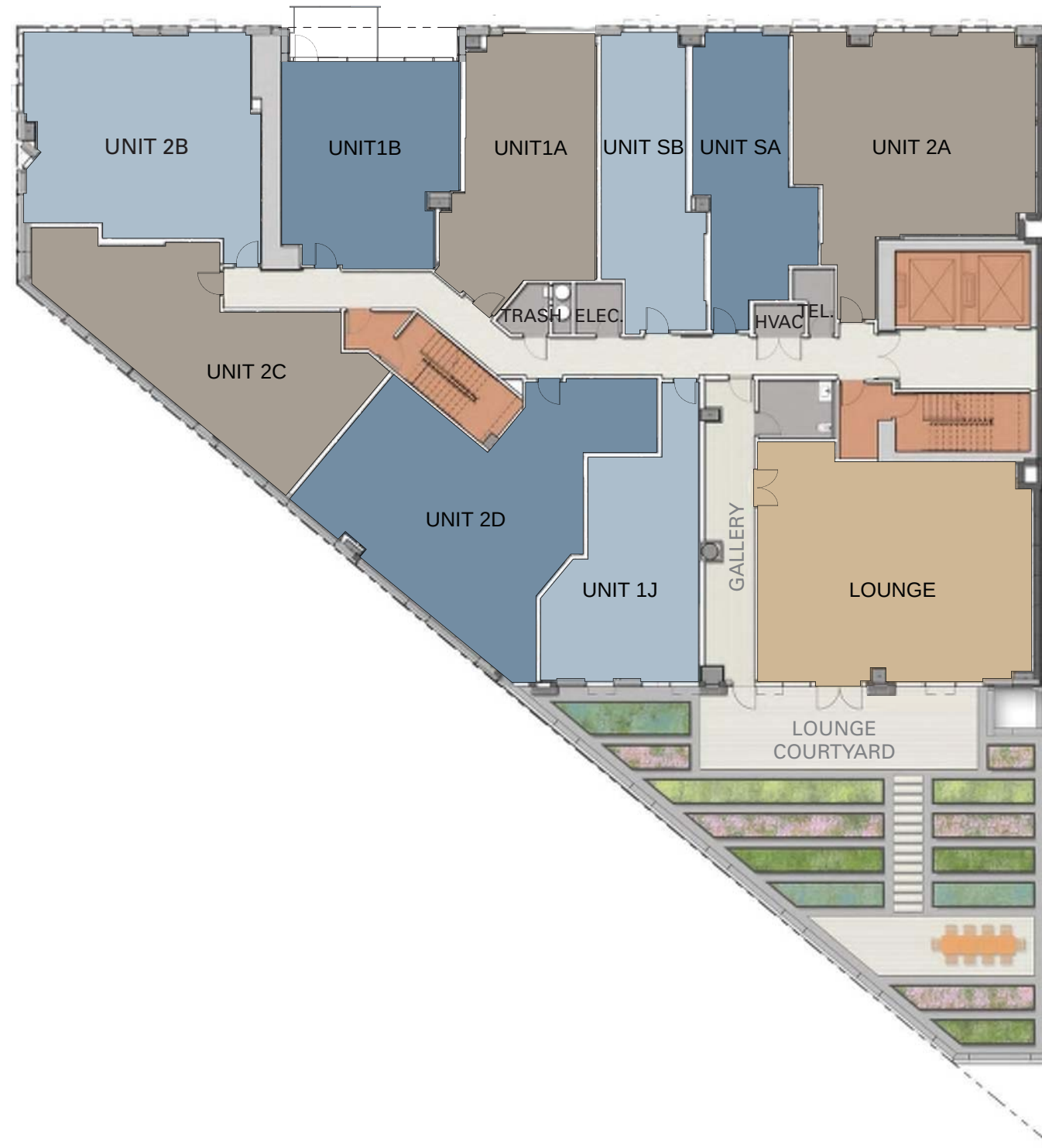
06.10.2015



TYPICAL PODIUM LEVEL

5 LEVELS
14 UNITS/LEVEL
(3 STUDIOS, 8 1-BED, 3 2-BED)
715 SF AVERAGE UNIT SIZE
12,500 GROSS SQUARE FEET
10,000 NET SQUARE FEET

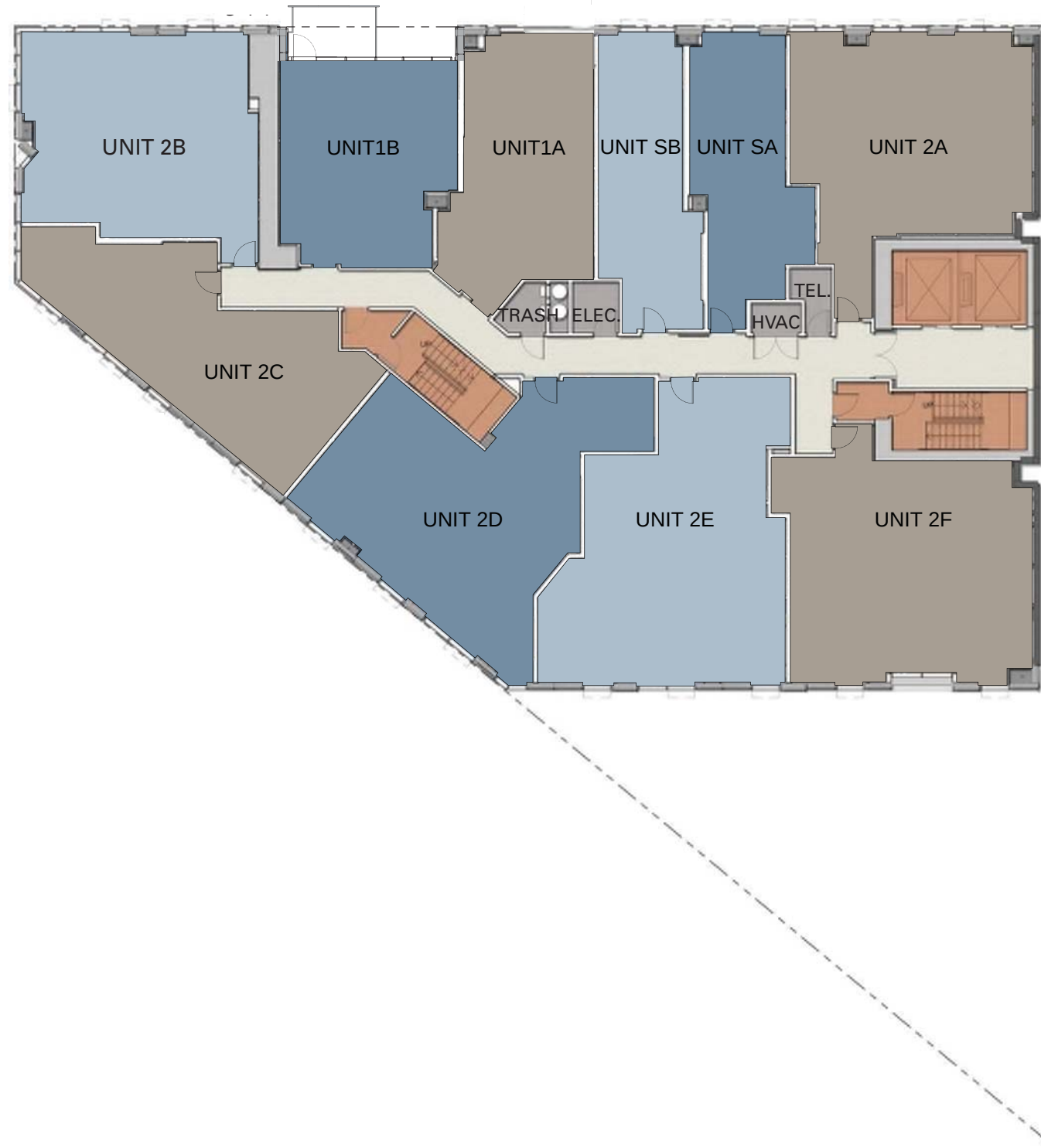




LEVEL 7

9 UNITS/LEVEL
 (2 STUDIOS, 3 1-BED, 4 2-BED)
 775 SF AVERAGE UNIT SIZE
 10,400 GROSS SQUARE FEET
 6,970 NET SQUARE FEET
 1,130 SF LOUNGE

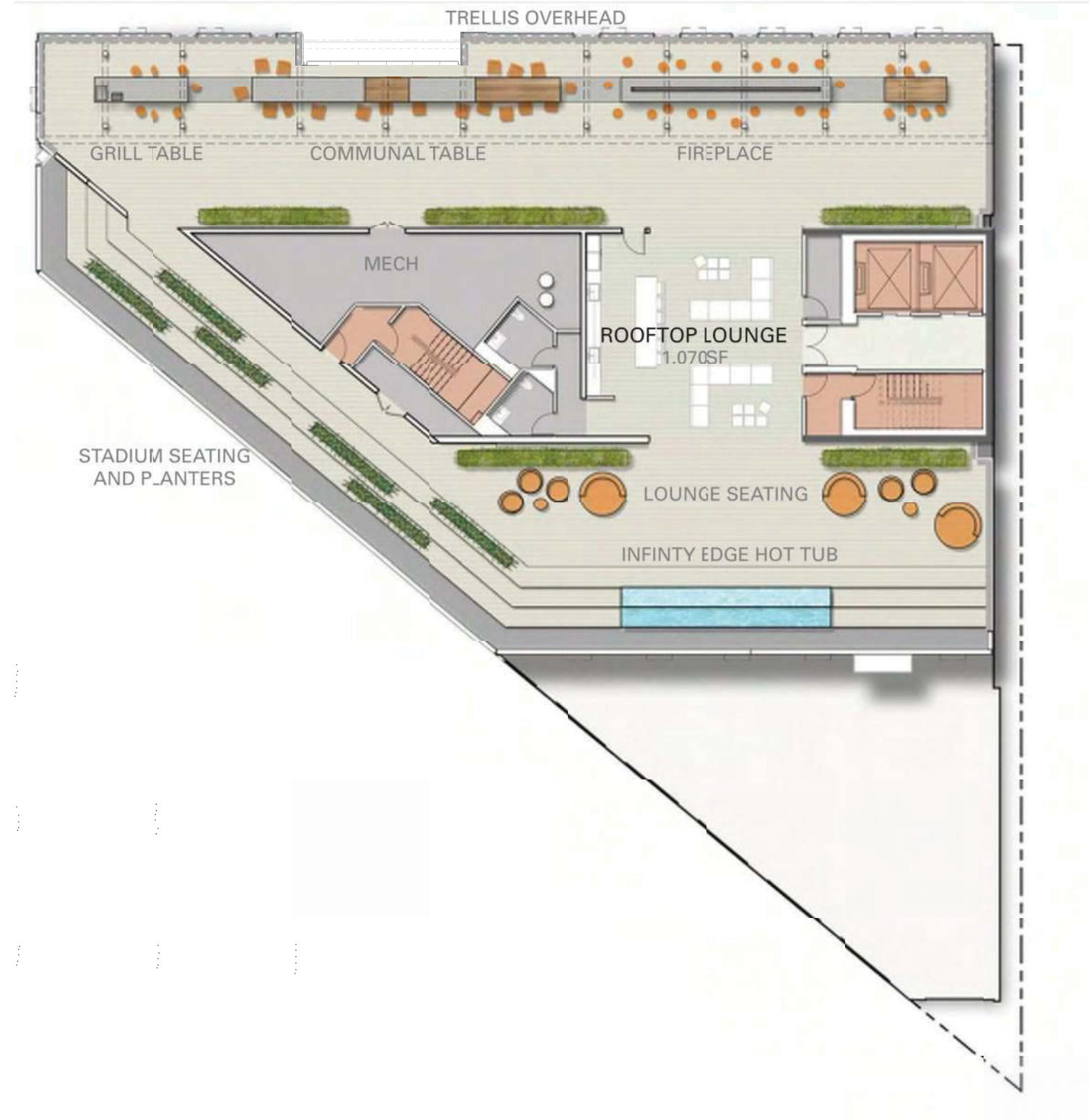




TYPICAL TOWER LEVEL

10 LEVELS
10 UNITS/LEVEL
(2 STUDIOS, 2 1-BED, 6 2-BED)
860 SF AVERAGE UNIT SIZE
10,400 GROSS SQUARE FEET
8,590 NET SQUARE FEET





PLAN - ROOFTOP LOUNGE

525 HARRISON STREET
 Hines

06.10.2015

AMENITY
@ 10'-0" FLOOR TO FLOOR
5' ROOF BUILD-UP



10 RESIDENTIAL LEVELS
@ 9'-8" FLOOR TO FLOOR



1 RESIDENTIAL LEVEL
@ 12'-2" FLOOR TO FLOOR
1 RESIDENTIAL LEVEL
@ 10'-2" FLOOR TO FLOOR



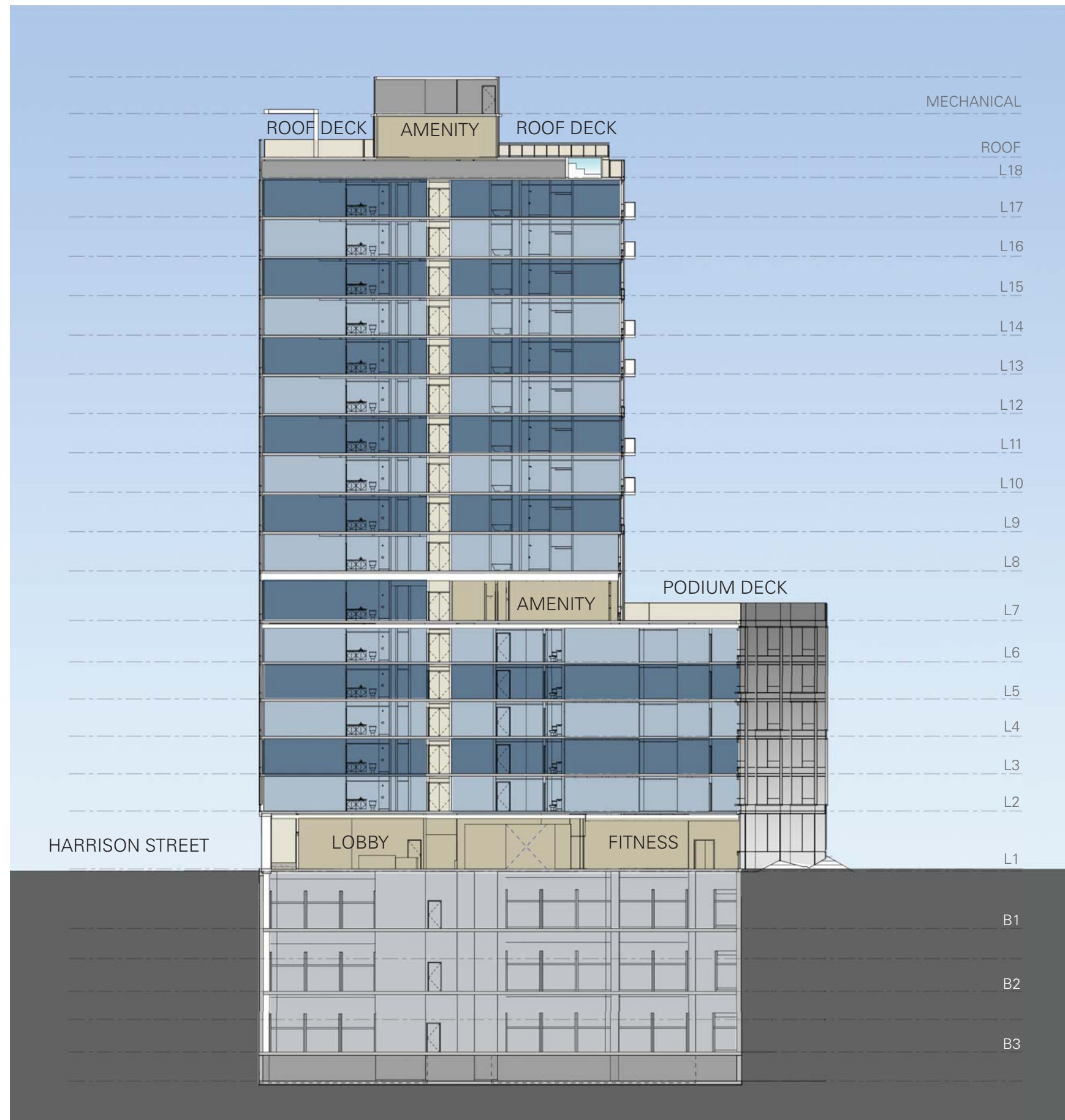
4 RESIDENTIAL LEVELS
@ 9'-2" FLOOR TO FLOOR



LOBBY & AMENITY
@ 14'-3" FLOOR TO FLOOR



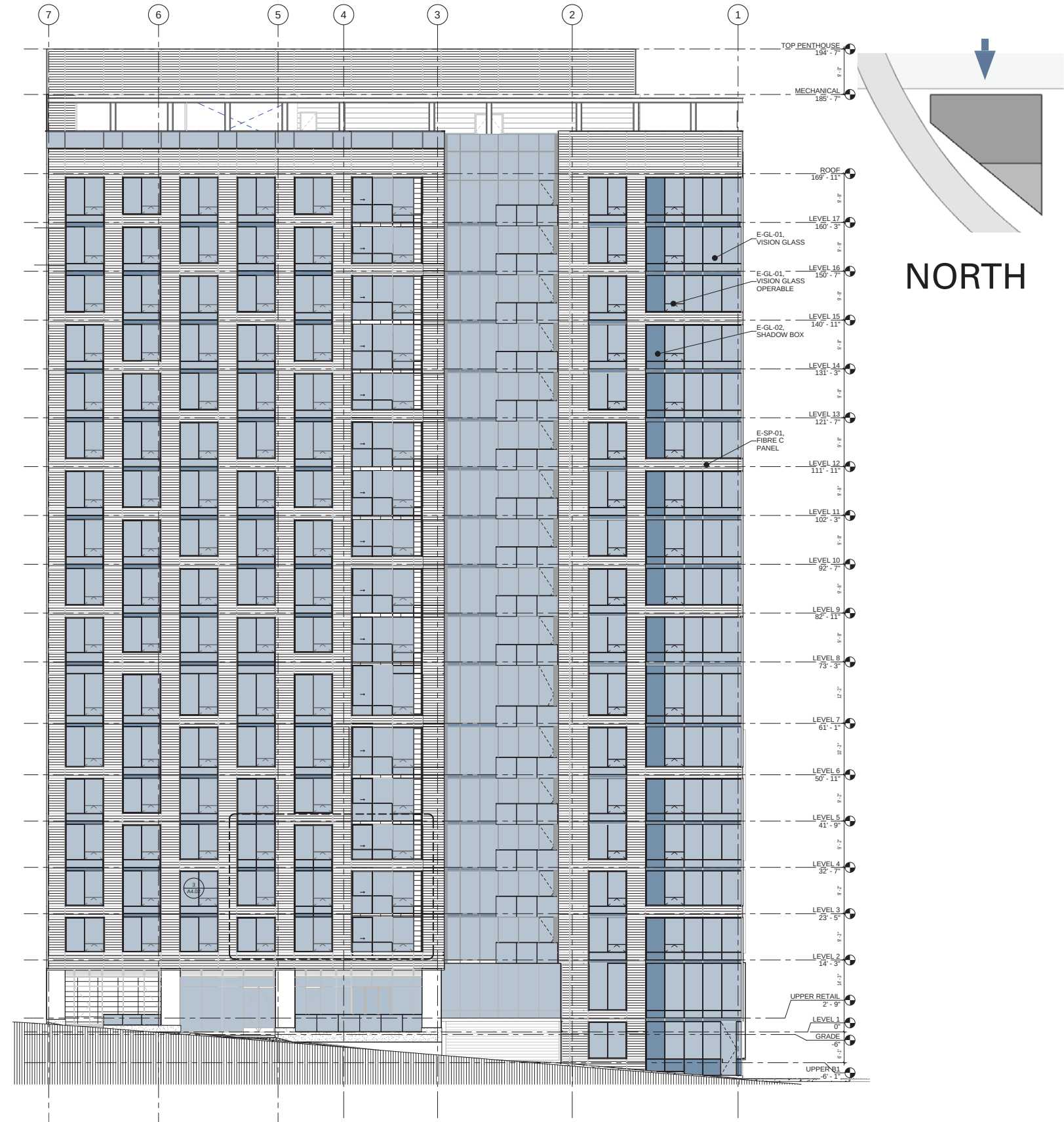
3 PARKING LEVELS
@ 15'-0" FLOOR TO FLOOR

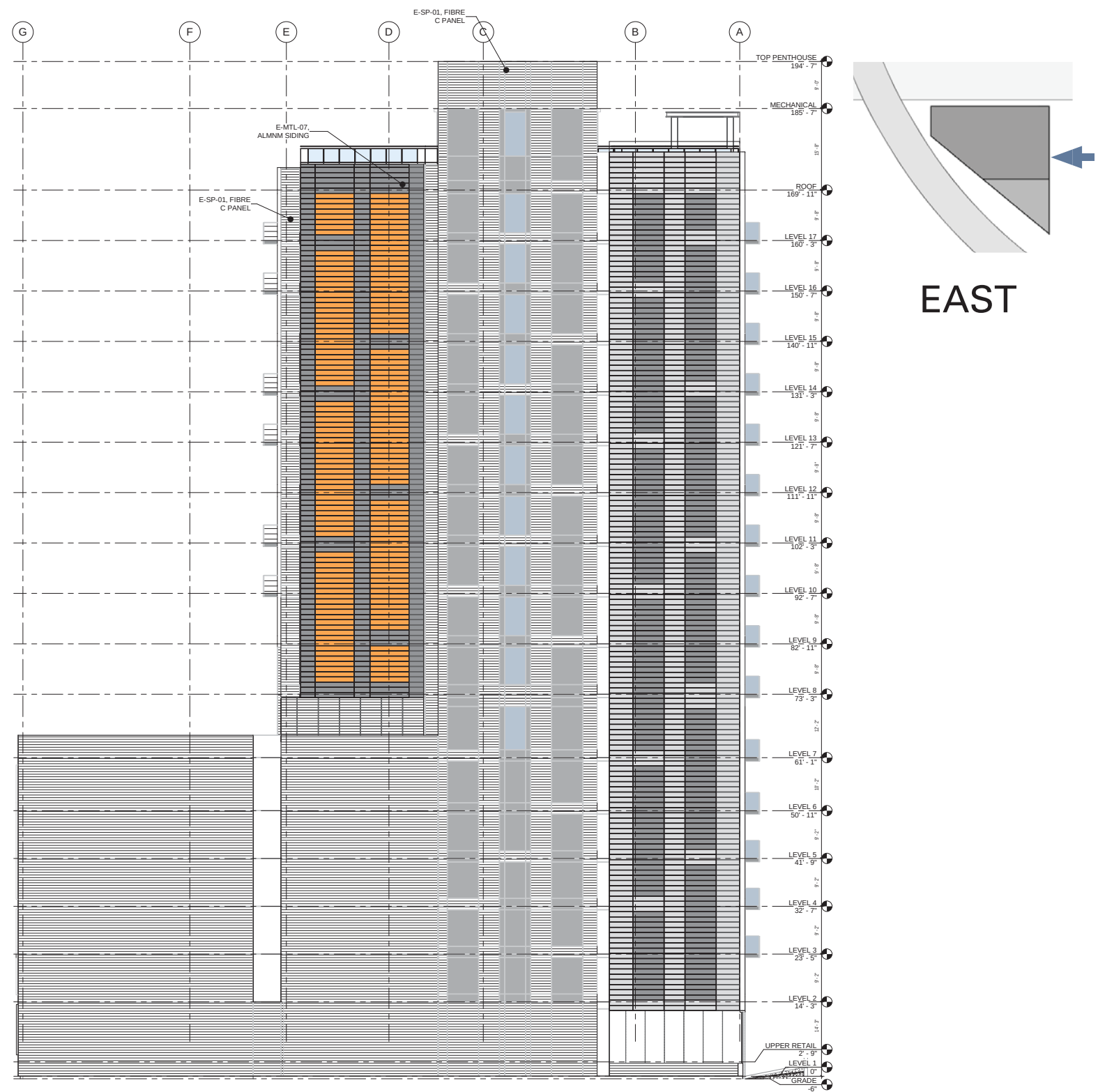
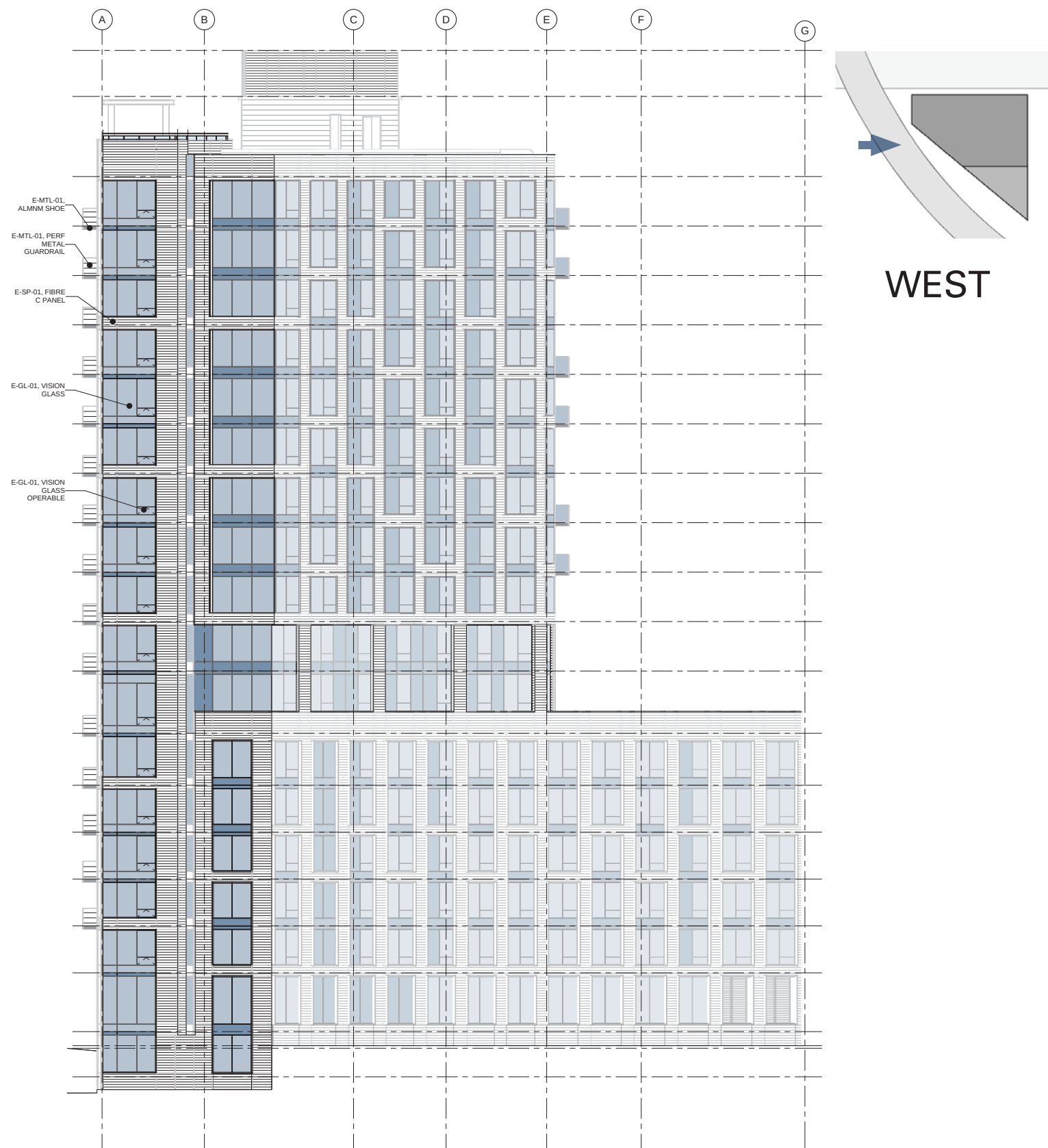


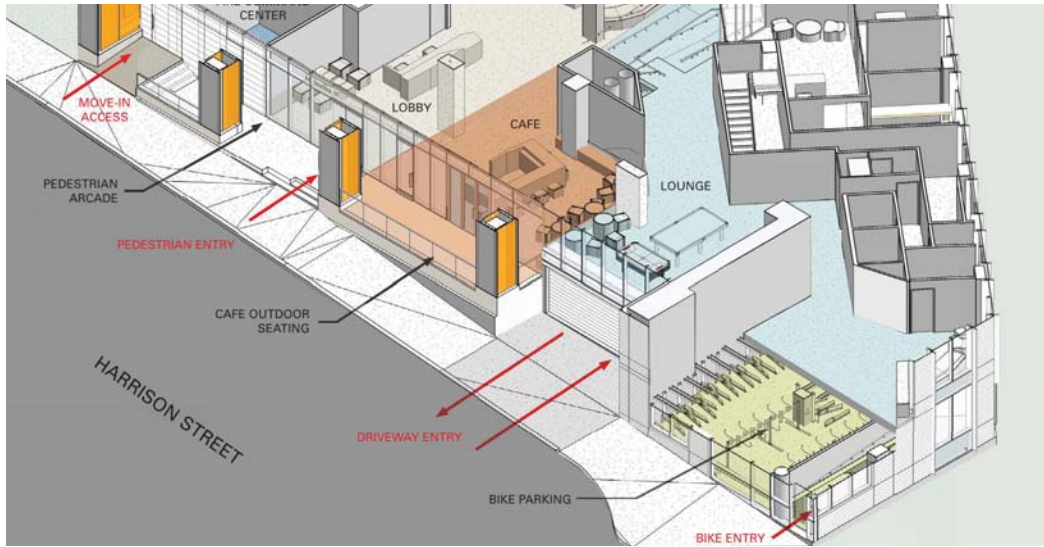
PROJECT SECTION

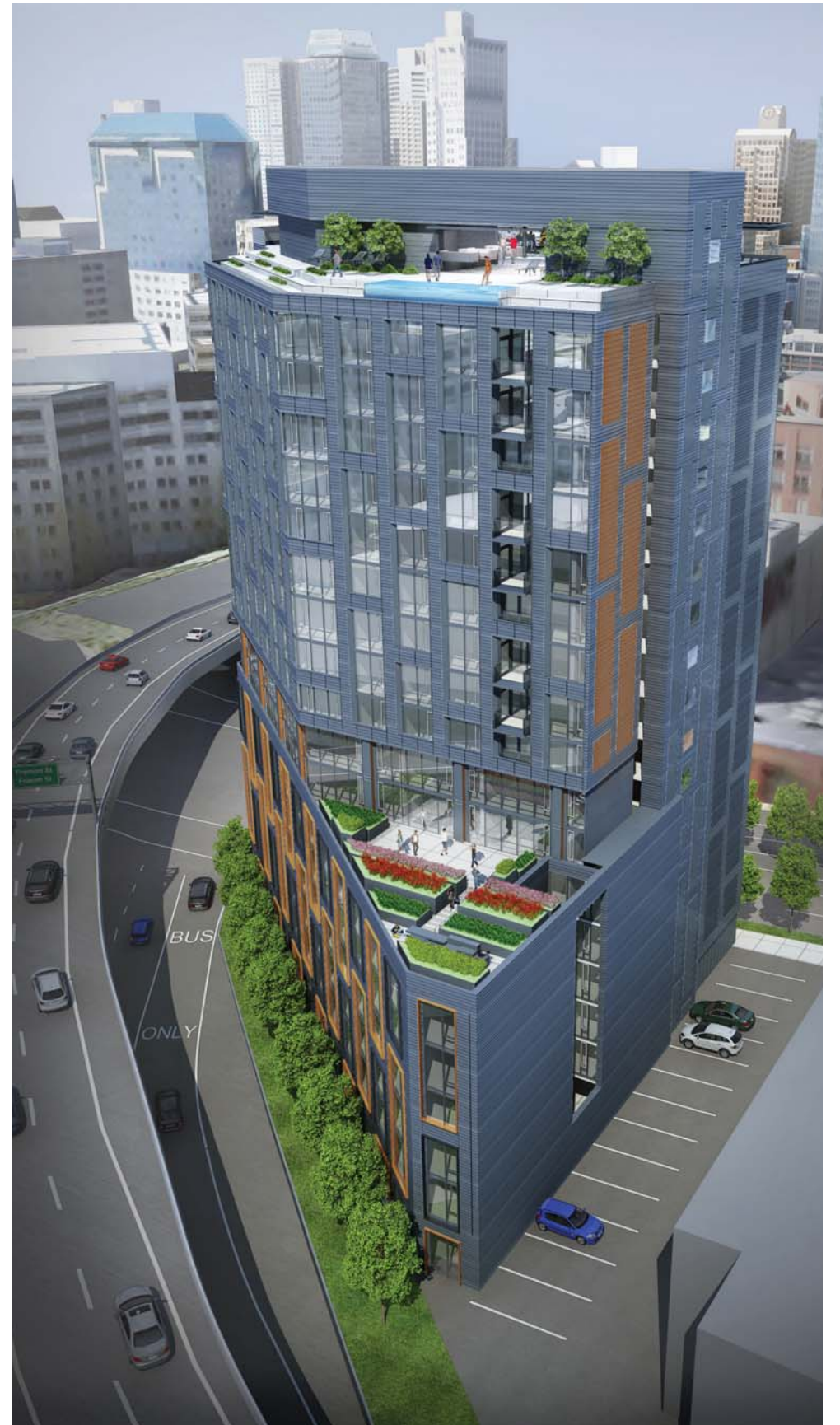
525 HARRISON STREET
Hines

06.10.2015







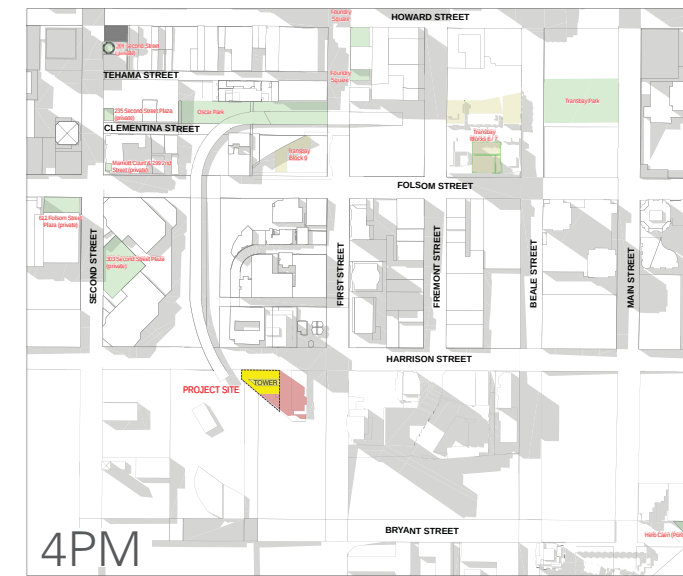
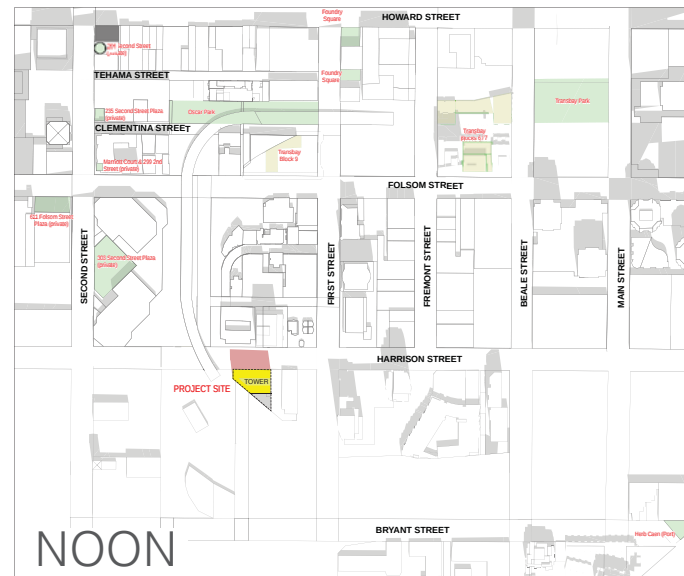
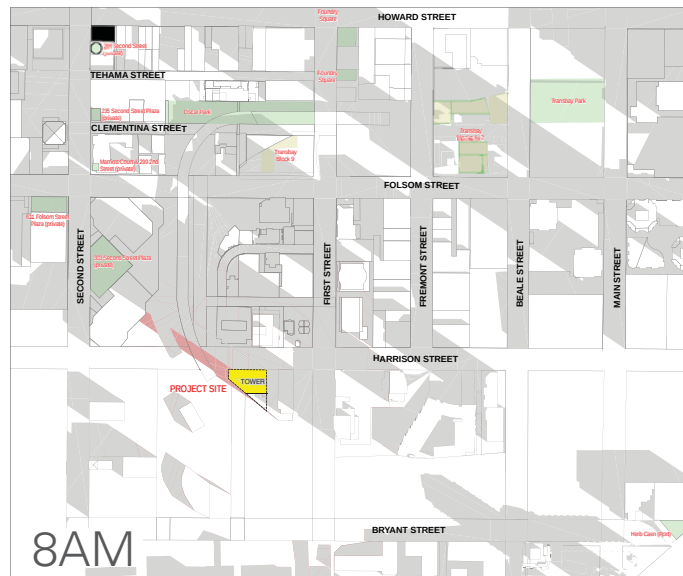


ELEVATIONS APPROVED BY UDAT, **MAY 2015**

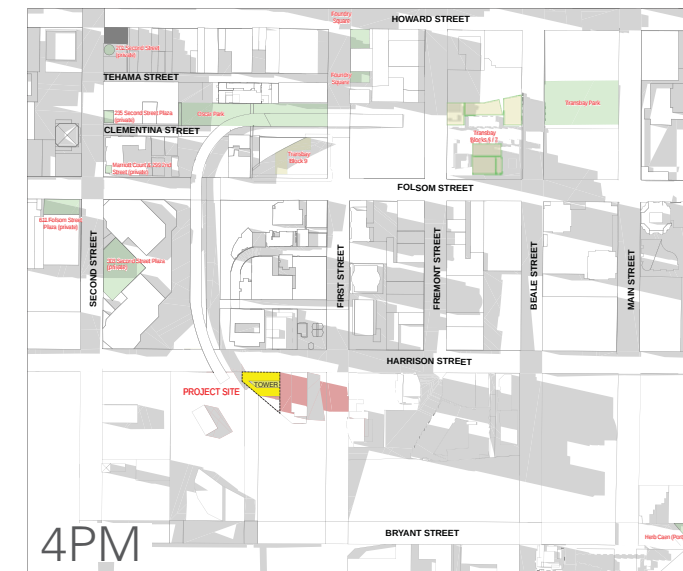
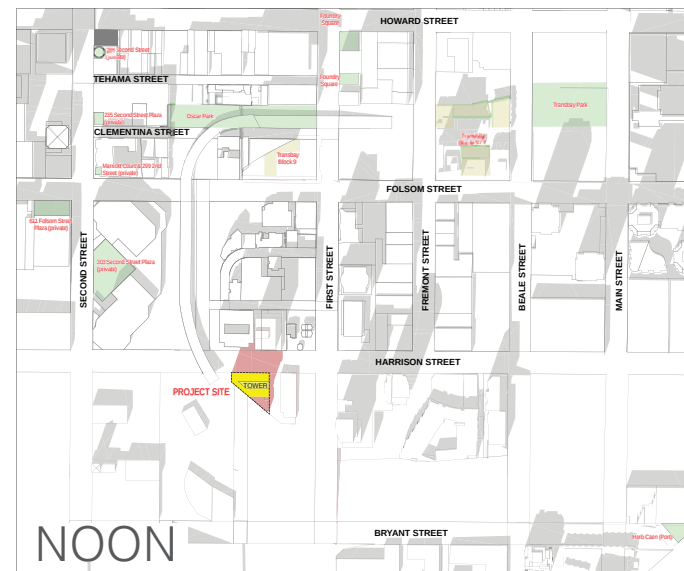
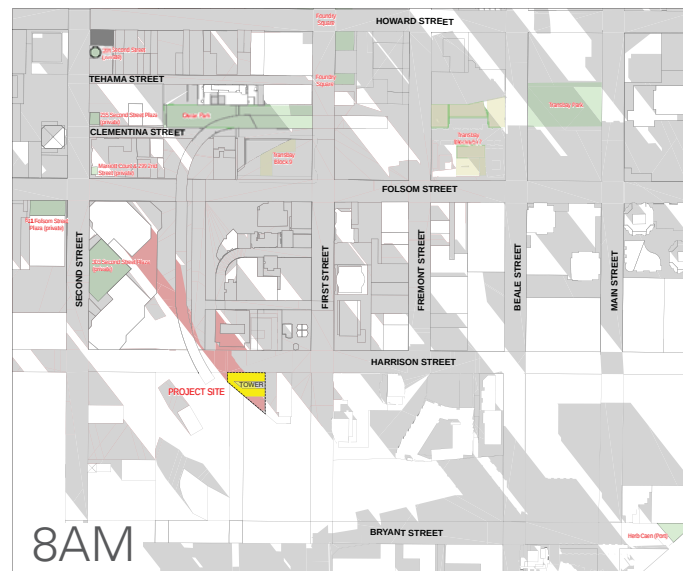
525 HARRISON STREET
Hines

06.10.2015

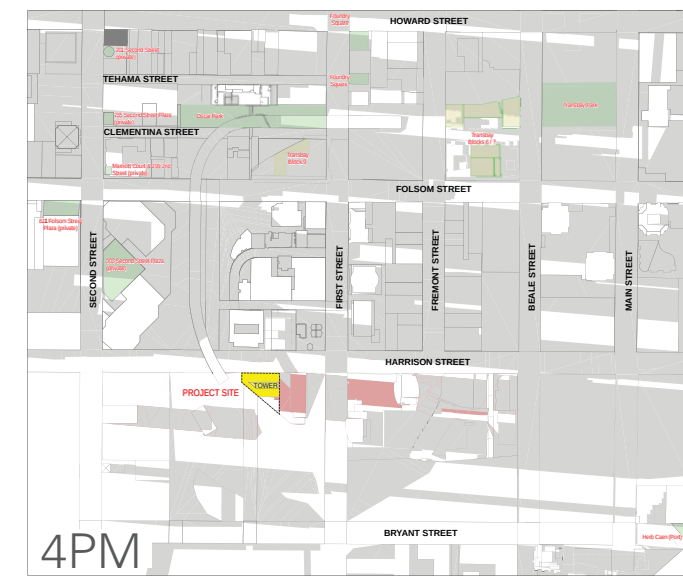
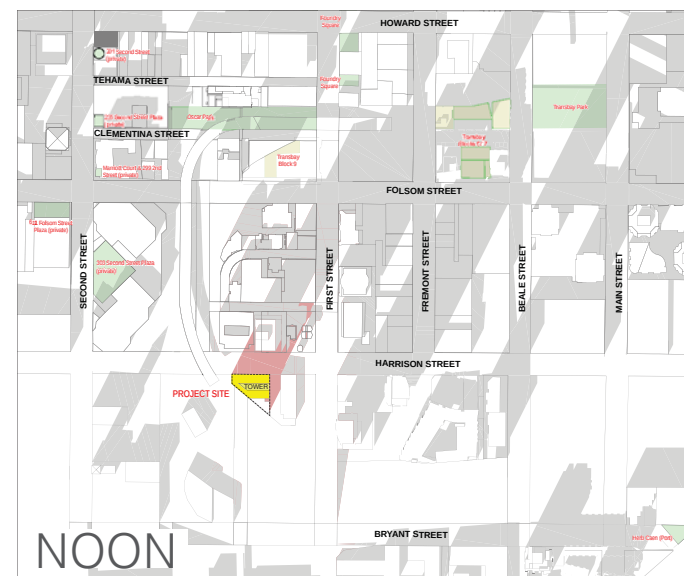
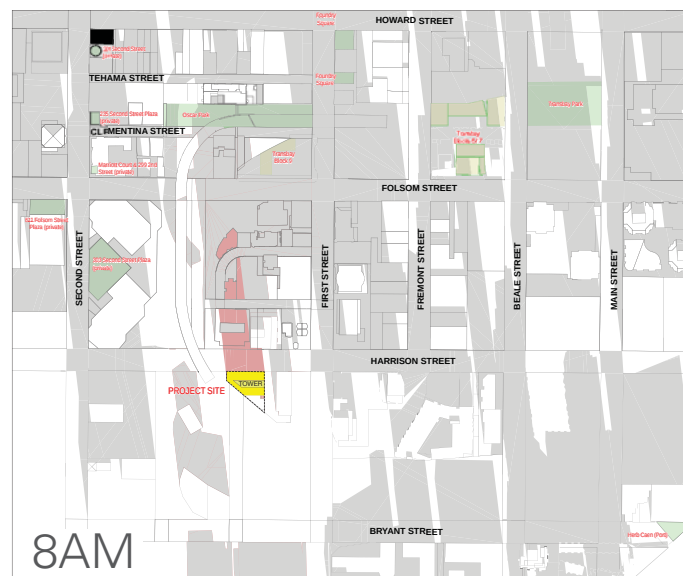
JUNE 21ST



SEPTEMBER 20TH



DECEMBER 20TH

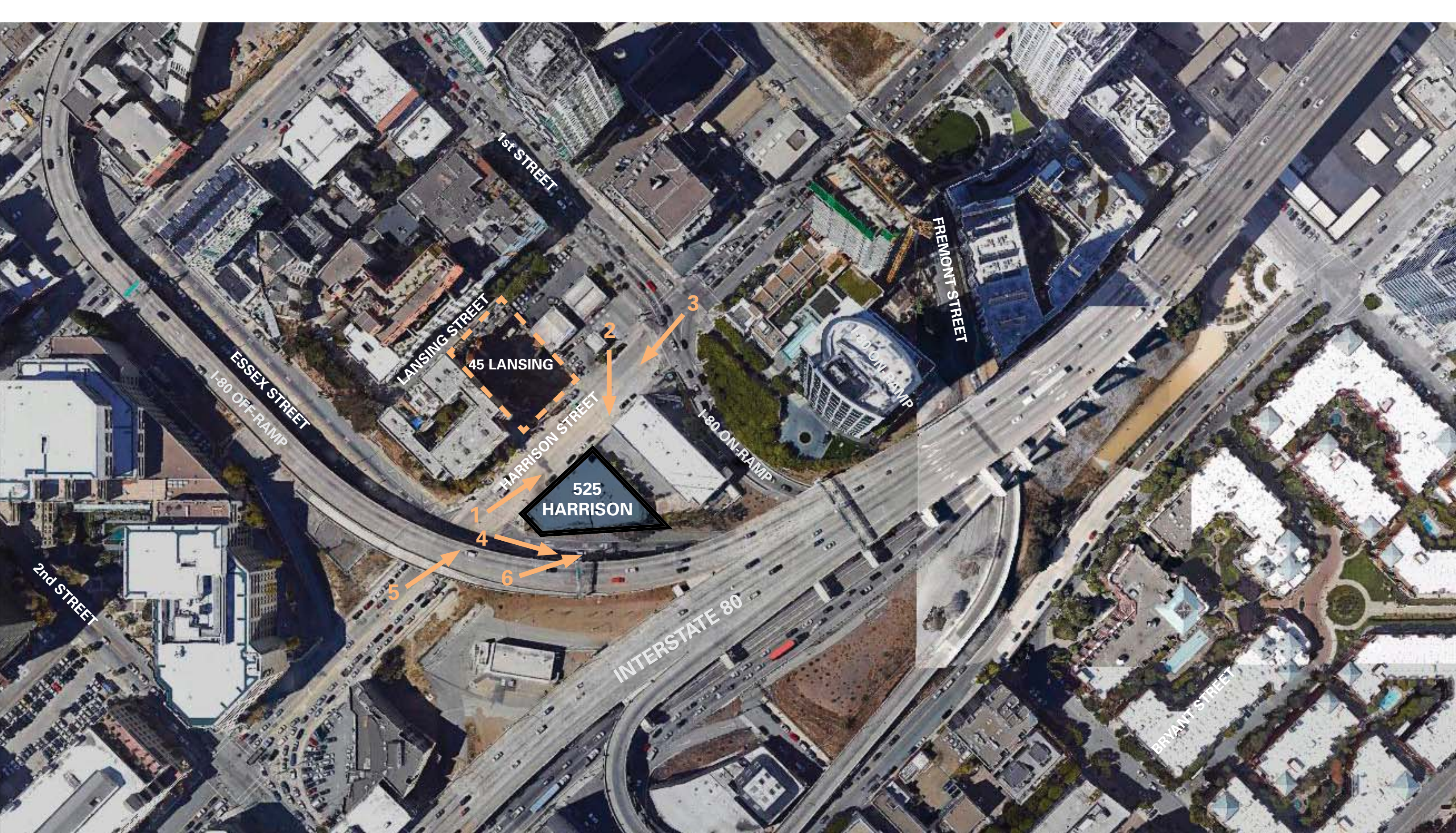


SHADOW STUDIES

525 HARRISON STREET
Hines



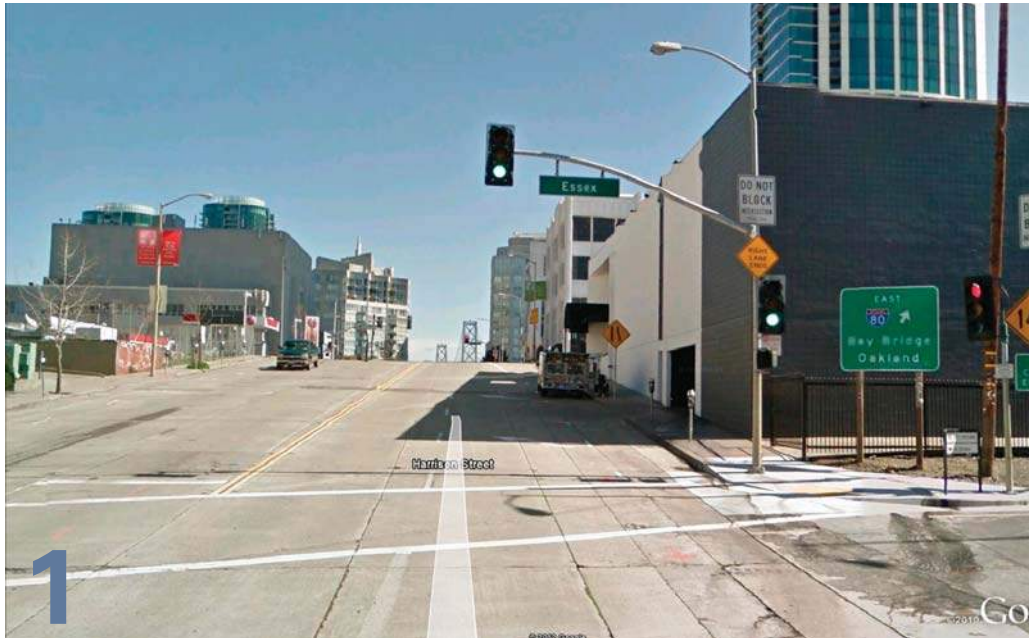
525 HARRISON STREET
SECTION 309.1 APPLICATION



PROJECT SITE

525 HARRISON STREET
Hines

05.28.2015



1
LOOKING NORTH-EAST, UP HARRISON STREET



2
EXISTING BUILDING ON SITE



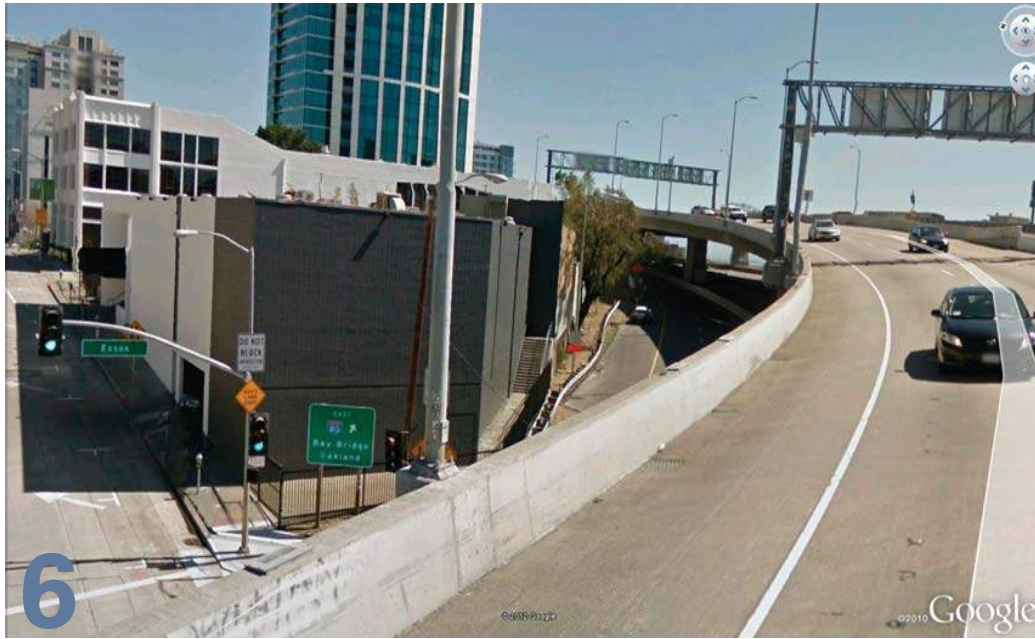
3
LOOKING SOUTHWEST, DOWN HARRISON STREET



4
LOOKING EAST, I-80 ON-RAMP



5
BELOW I-80 OFF-RAMP



6
FROM I-80 OFF-RAMP

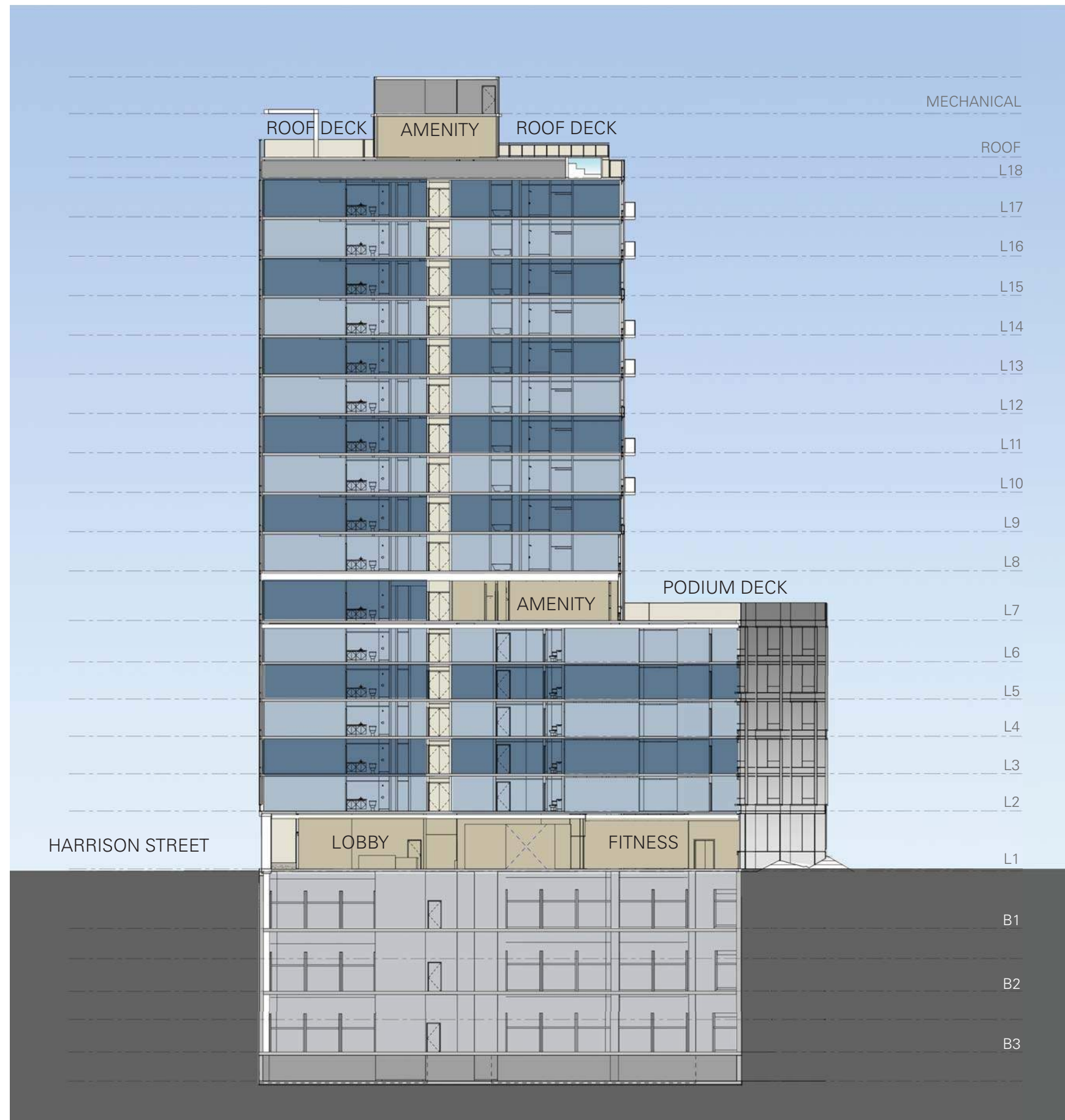
PROJECT SITE - EXISTING CONDITIONS

525 HARRISON STREET
Hines

05.28.2015

SCB SOLOMON CORDWELL BUENZ
© 2015

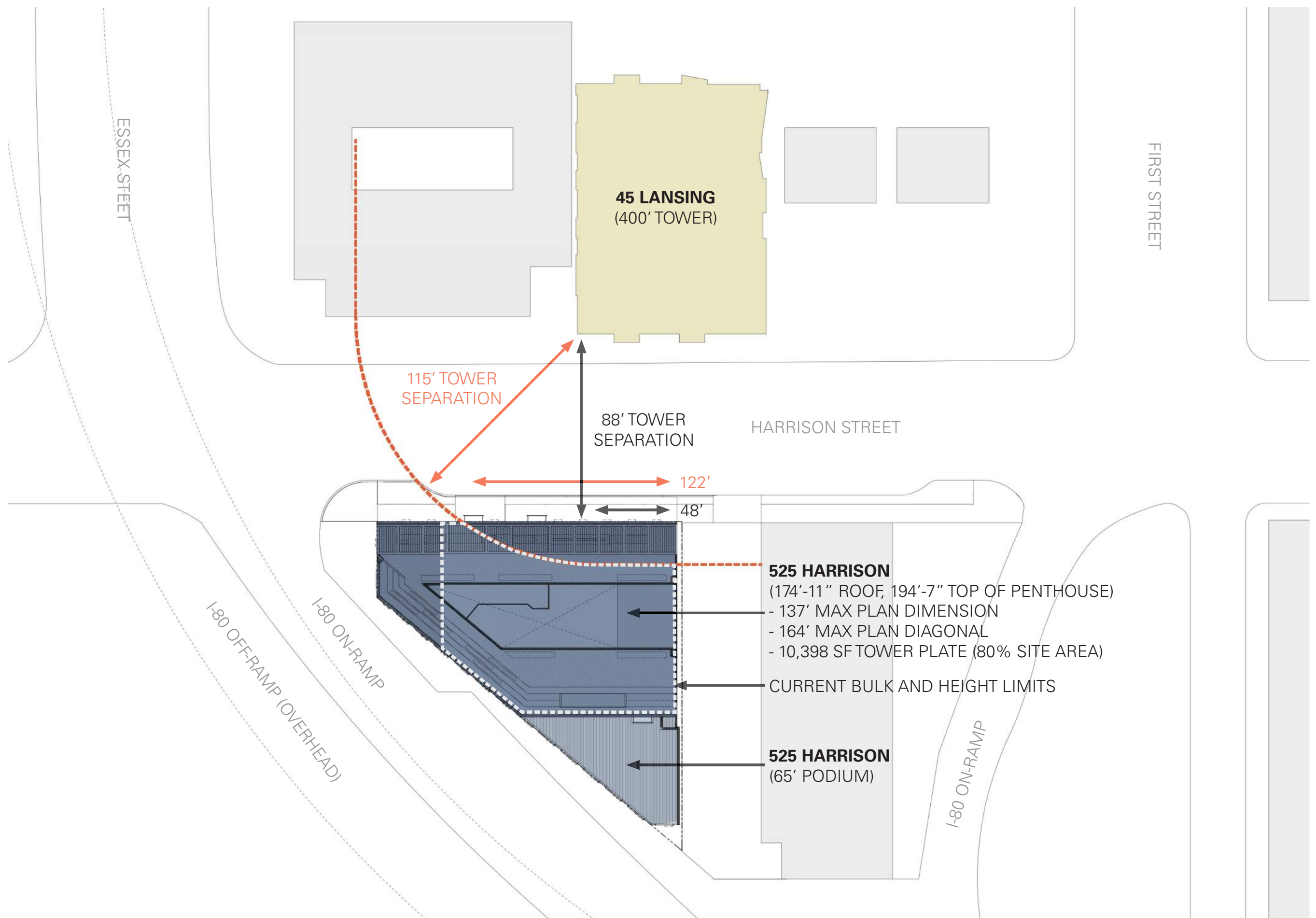
- **179 UNITS**
 - (37) STUDIOS - 20.7%
 - (63) 1 BEDROOMS - 35.2%
 - (79) 2 BEDROOMS - 44.1%
 - 789 SF AVERAGE UNIT SIZE
- **12% ON-SITE BMR UNITS**
- **97 PARKING SPACES**
- **120 CLASS 1 BICYCLE PARKING SPACES**
- **20 CLASS 2 BICYCLE PARKING SPACES**
- **790 SF RETAIL**



PROJECT SECTION

525 HARRISON STREET
Hines

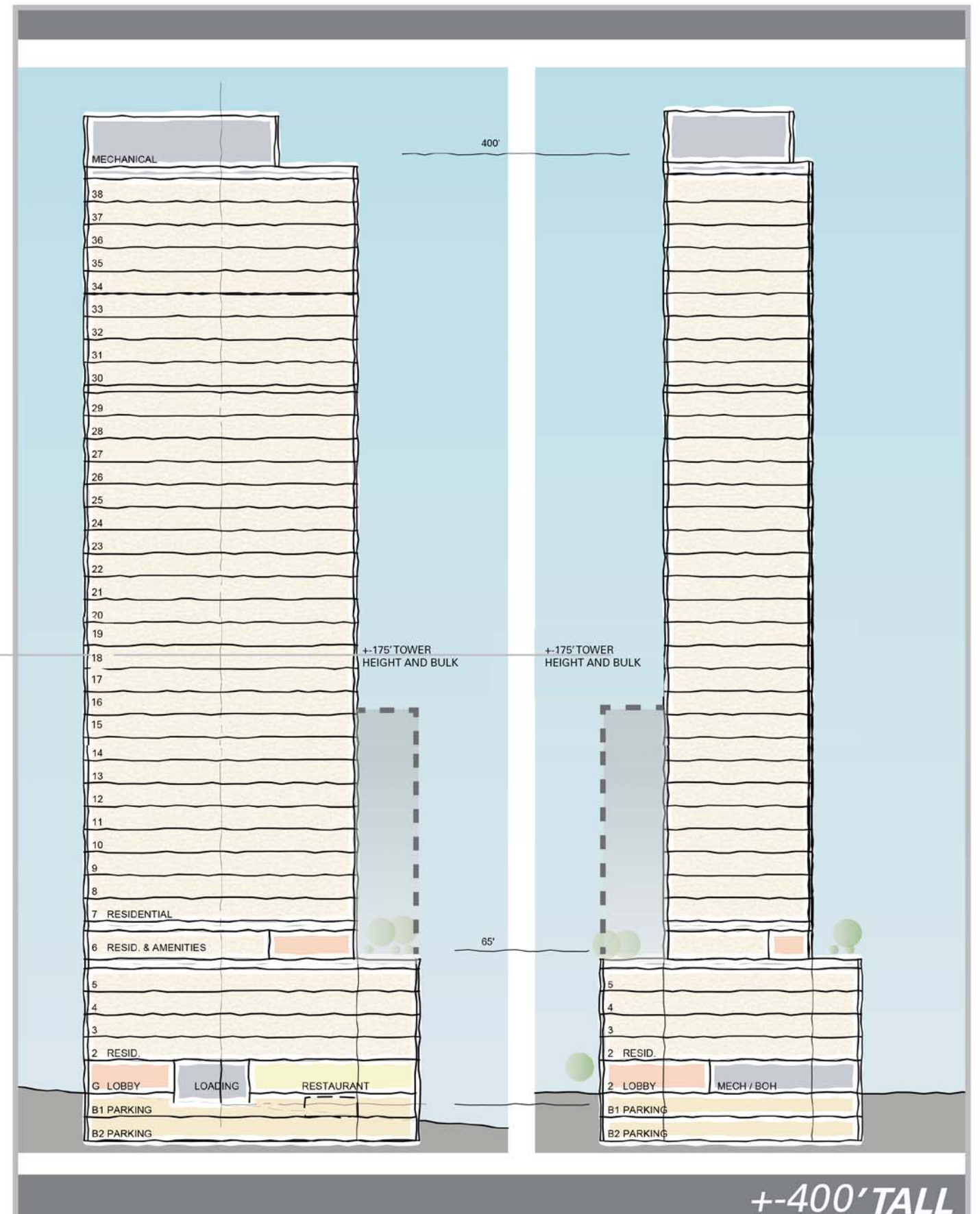
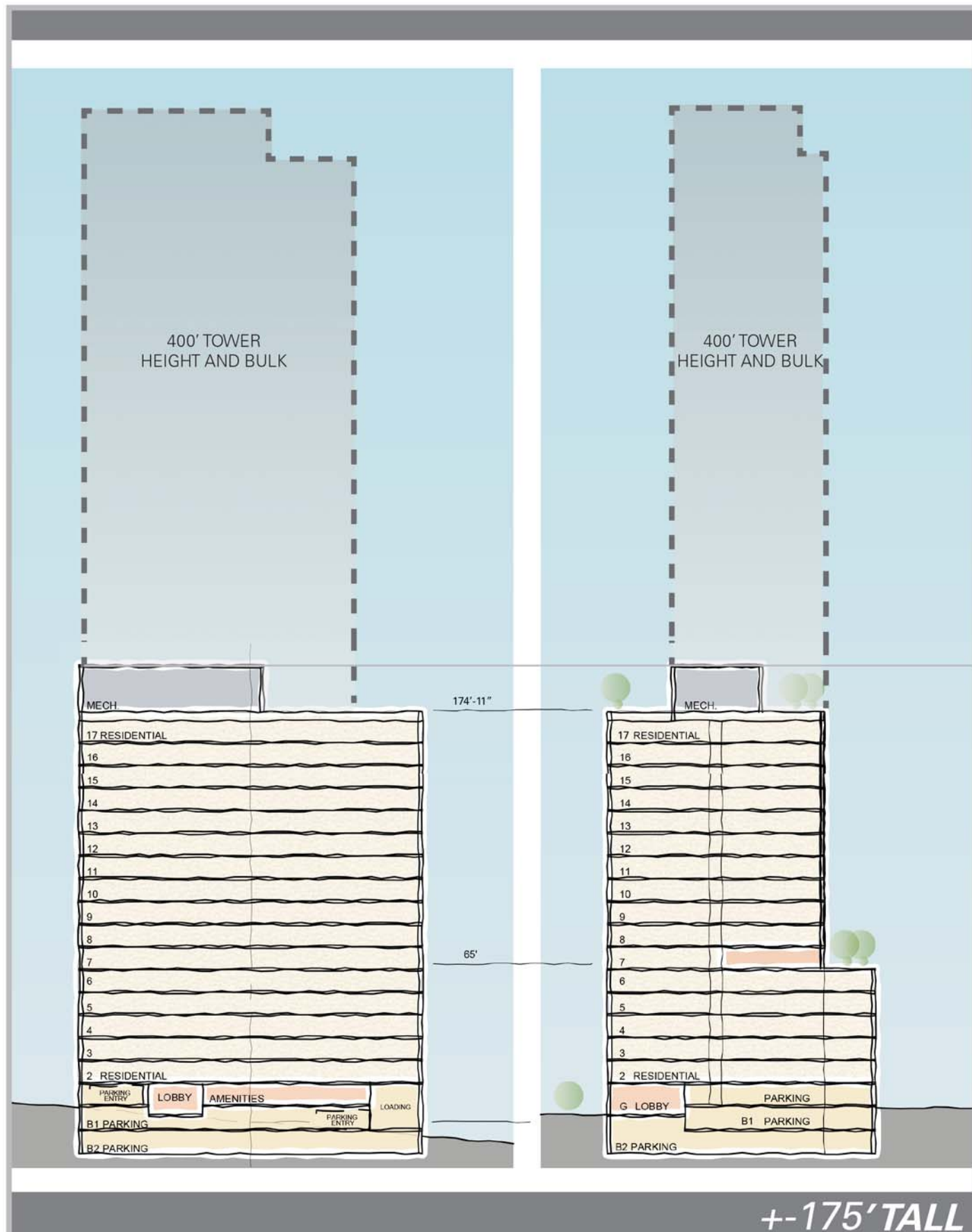
05.28.2015



SITE PLAN

525 HARRISON STREET
Hines

05.28.2015





CURRENT BULK & HEIGHT LIMITS

525 HARRISON STREET
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05.28.2015



PROPOSED BULK & HEIGHT

525 HARRISON STREET
Hines

05.28.2015



CURRENT BULK & HEIGHT LIMITS

525 HARRISON STREET
Hines

05.28.2015



PROPOSED BULK & HEIGHT

525 HARRISON STREET
Hines

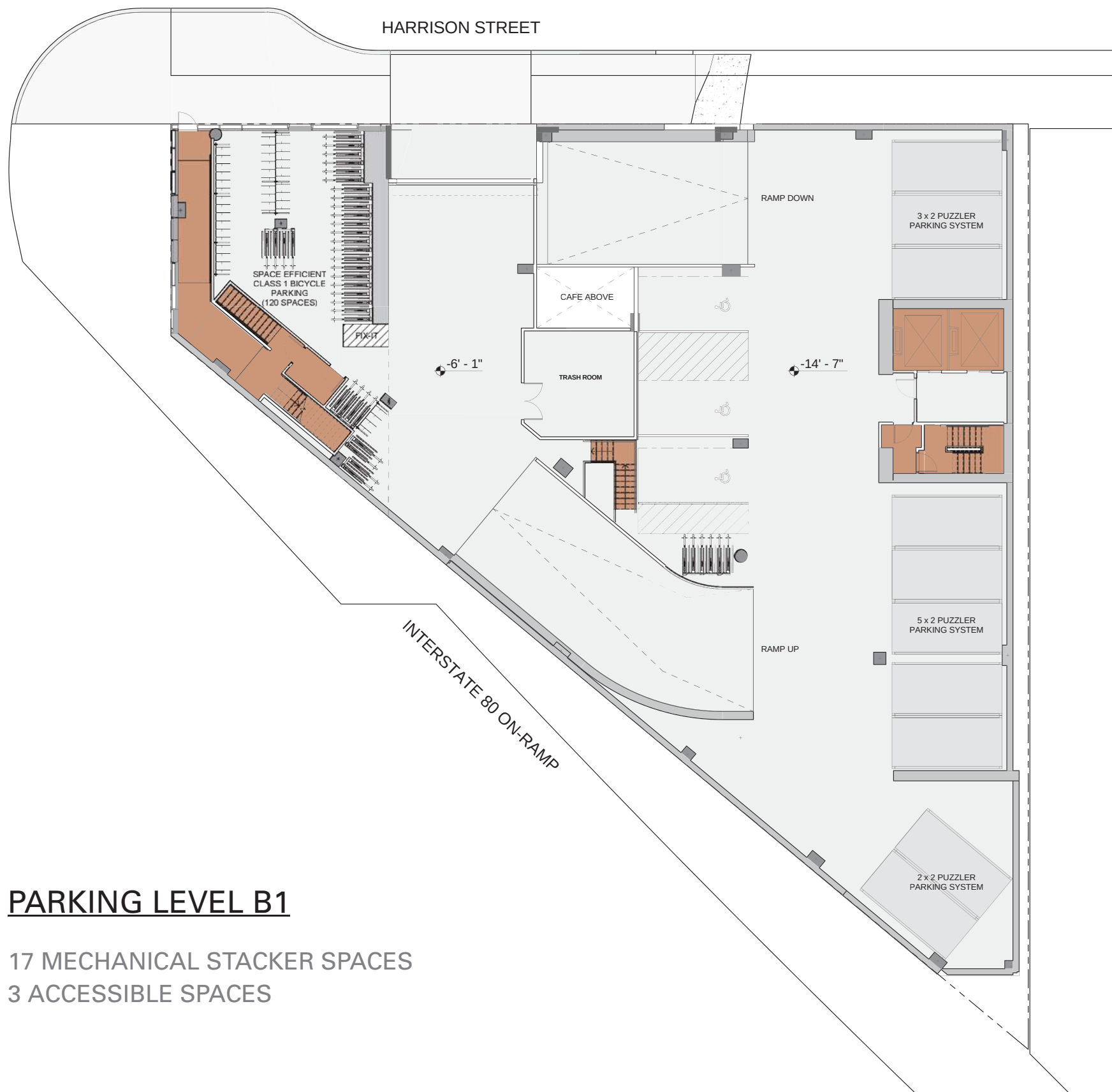
05.28.2015



PROPOSED BULK & HEIGHT

525 HARRISON STREET
Hines

05.28.2015



PARKING LEVEL B1

17 MECHANICAL STACKER SPACES
3 ACCESSIBLE SPACES



0' 10' 20'

PLAN - LEVEL B1

525 HARRISON STREET
Hines

05.28.2015



PLAN - LEVEL 1

525 HARRISON STREET
Hines

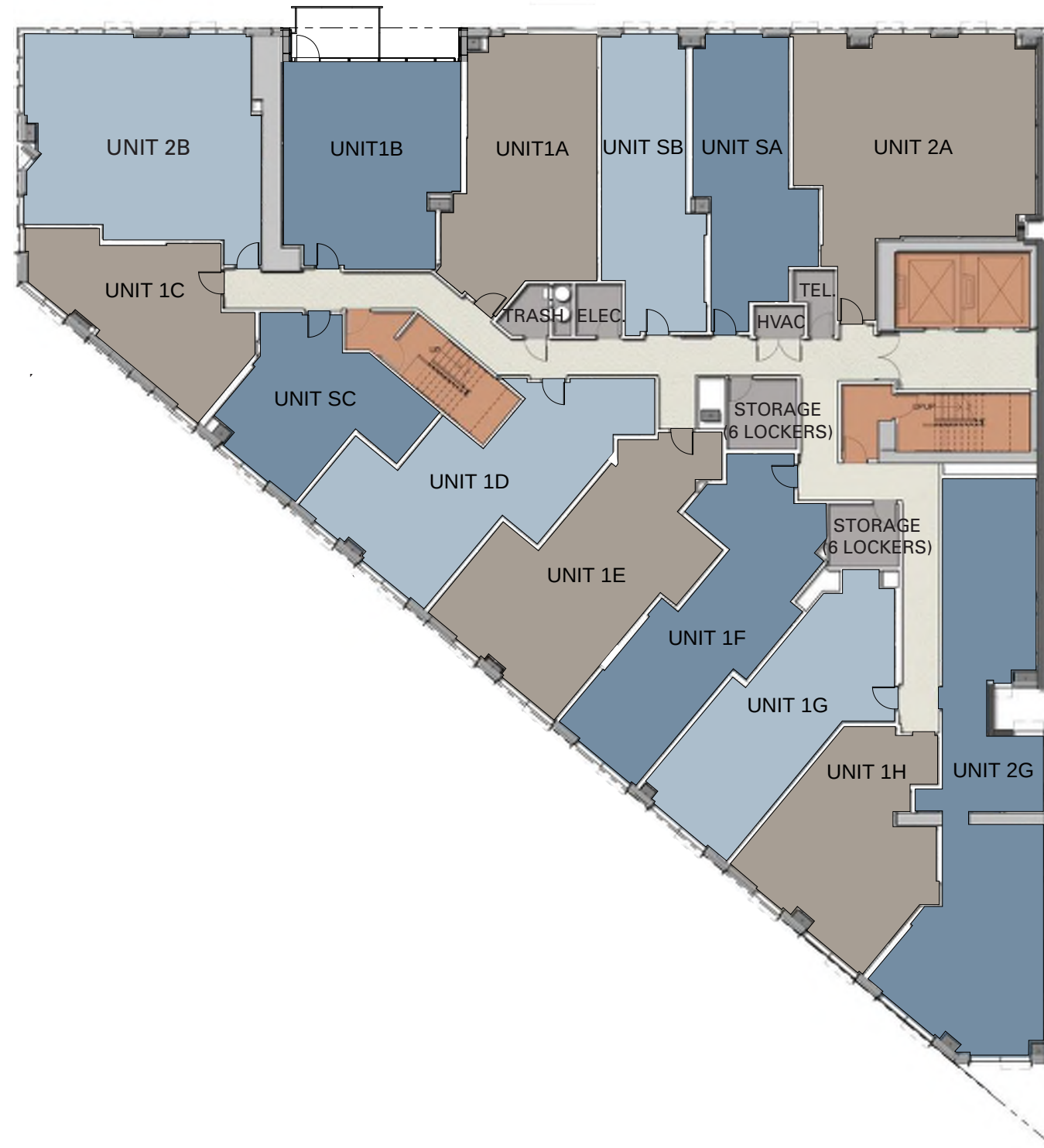
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HARRISON STREET

525 HARRISON STREET
Hines

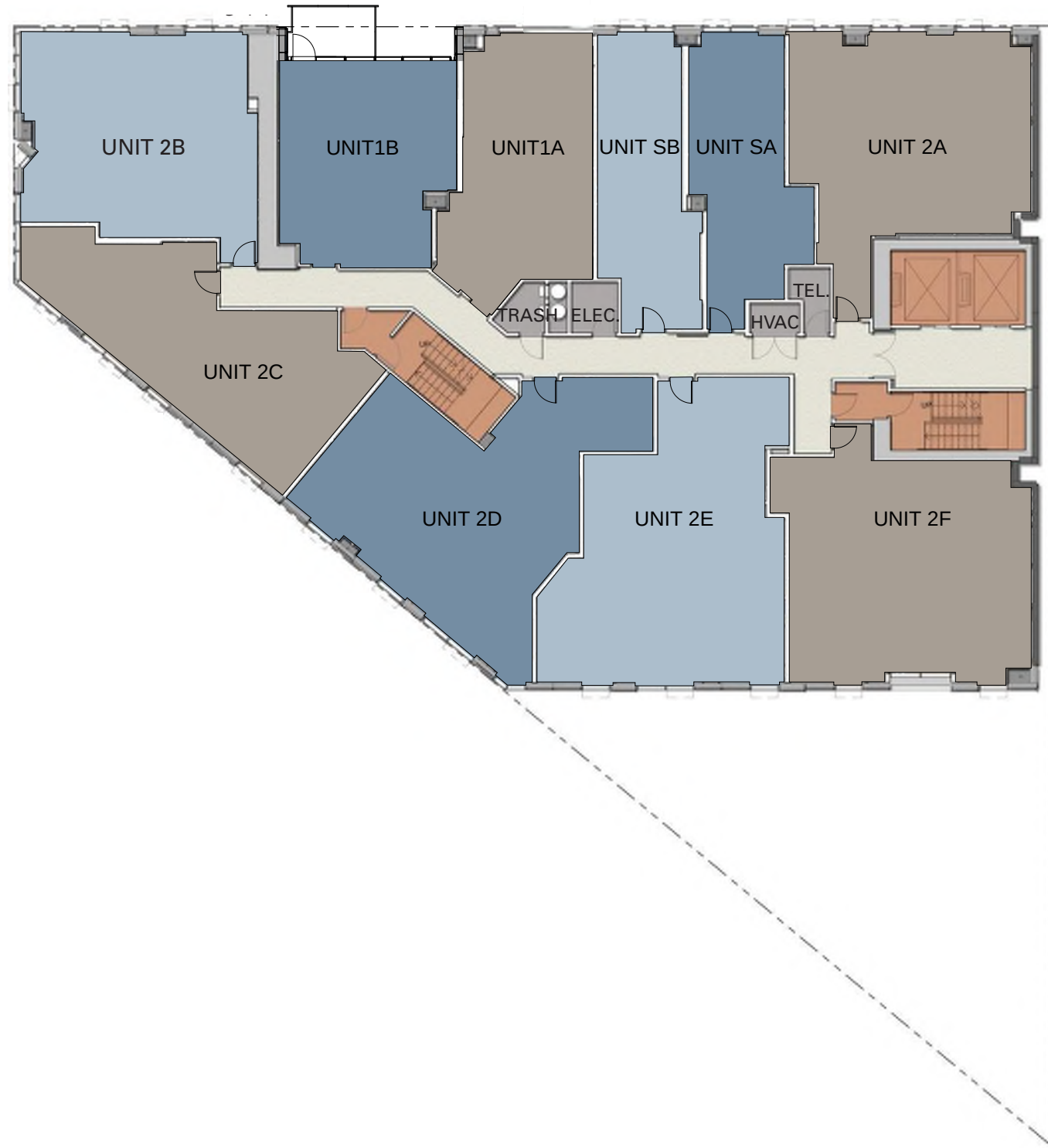
05.28.2015



TYPICAL PODIUM LEVEL

5 LEVELS
14 UNITS/LEVEL
(3 STUDIOS, 8 1-BED, 3 2-BED)
715 SF AVERAGE UNIT SIZE
12,500 GROSS SQUARE FEET
10,000 NET SQUARE FEET





TYPICAL TOWER LEVEL

10 LEVELS
10 UNITS/LEVEL
(2 STUDIOS, 2 1-BED, 6 2-BED)
860 SF AVERAGE UNIT SIZE
10,400 GROSS SQUARE FEET
8,590 NET SQUARE FEET





PLAN - ROOFTOP LOUNGE

525 HARRISON STREET
Hines

05.28.2015



BUILDING RENDERING

525 HARRISON STREET
Hines

05.28.2015



PROPOSED BULK & HEIGHT

525 HARRISON STREET
Hines

05.28.2015

Sucre, Richard (CPC)

From: Alice Rogers <arcomnsf@pacbell.net>
Sent: Tuesday, July 28, 2015 6:29 PM
To: cwu.planning@gmail.com; planning@rodneyfong.com; wordweaver21@aol.com; Richards, Dennis (CPC); Johnson, Christine (CPC); mooreurban@aol.com; richhillissf@yahoo.com
Cc: Nicole Ferrara; Sucre, Richard (CPC); Chasan, Paul (CPC); Kim, Jane (BOS); Lang, David (BOS); Ionin, Jonas (CPC)
Subject: 525 Harrison St; 2013.0159X--requesting Vision Zero-approved pedestrian/bike safety improvements

Dear Planning Commissioners,

Although you already have a robust discussion ahead of you related to massing and General Plan requirements for this project, **I am writing to ask that you also take time to examine the pedestrian and bike safety improvements that will be needed to get residents and visitors safely to/from this project, including safe crossings across Harrison, Essex and First streets.** These improvements should meet the highest Vision Zero standards that have been adopted by the City, MTA and CalTrans, and should ensure protected crossings from sidewalk to sidewalk, without any pedestrian barriers.

While I understand that Planning staff has been working actively and cooperatively with the project sponsor to incorporate important Better Streets elements like wider sidewalks and bulb-outs, it is not yet clear what detailed safe-crossing plans are being required to fully integrate this site in to the surrounding sidewalk and bike network. As the private citizen who is party to the Memorandum Of Understanding requiring a Vision Zero-approved safe crossing plan for the 340 Bryant Street project, I want to be sure that this project addresses and incorporates a comprehensive safe-crossing plan as part of the project approval, NOT as an after-the-fact discussion item.

All projects moving through the development process should include a thorough review of pedestrian/bike safety improvements, but sites like this one—adjacent to freeway ramps—need an extra level of attention: freeways and the myriad attendant congestion issues need to be tamed where they co-exist with residential and pedestrian-oriented commercial areas. 525 Harrison is before you now, but you will be revisiting the need again and again as the Central SoMa Plan unfurls.

Please make Vision Zero be a proactive lens when planning new density, rather than simply a retroactive program trying to reclaim our streets for people, for safety and for health.

Sincerely,

Alice Rogers
Individual Vision Zero Coalition Member
D6 Pedestrian Safety Committee

.....
Alice Rogers
10 South Park St
Studio 2
San Francisco, CA 94107

415.543.6554

CC: Richard Sucre, Planning Lead
Jonas Ionin, Commission Secretary
Paul Chassen, Planning
Nicole Ferrara, Vision Zero Coalition Lead; Executive Director, Walk San Francisco
Jane Kim, D6 Supervisor

Sucre, Richard (CPC)

From: David Alberti <dalberti@feinday.com>
Sent: Wednesday, July 29, 2015 2:42 PM
To: Sucre, Richard (CPC)
Subject: Downtown Project Authorization - 525 Harrison Street Case No. 2013.0159X

Dear Mr. Sucre,

I live at 425 First Street. I recently received an amended notice of public hearing regarding Case No. 2013.0159A. From what I can see there has been another request to increase the size of the proposed development. I am concerned as the area has just taken on a number of large developments, which have significantly and adversely affected traffic in the immediate area. I am concerned that continued attempts to increase the size of the 525 Harrison proposed development is only going to make matters worse. Please let me know how I can any additional information on the project and/or its proposed amendments.

Thanks,

David Alberti



Mr. Cameron Falconer
Hines Interests
101 California Street, Suite 1000
San Francisco, CA 94111

June 15, 2015 (Revised from April 10, 2014)

Ref: 525 Harrison Street – Mixed-Use Development

Dear Mr. Falconer,

On behalf of the San Francisco Housing Action Coalition (SFHAC), I am pleased to inform you of our firm endorsement of your 525 Harrison Street proposal. Following our review and discussion, our Project Review Committee believes the project has merit and will make a substantial contribution to SFHAC's mission of increasing the supply of well-designed, well-located housing in San Francisco. This letter reflects how your proposed project meets our guidelines and can also be improved. We believe that this project embodies the principals of good quality urban design and, with the implementation of our suggestions, will meet the needs of both present and future San Franciscans. We have attached a copy of our project review guidelines for your reference.

Project Description:

You propose to demolish the existing building at the site, which is used as a nightclub and auto detailer, and replace it with a 179-unit residential building with ground-floor retail.

Land Use:

SFHAC believes this is an appropriate location for new housing considering its proximity to jobs and transit. The current nightclub and auto-detailer are no longer consistent with the site's zoning, as the Rincon Hill Area Plan is designated as a high-density residential neighborhood.

Density:

The proposed project is 58 percent lower than the maximum allowable height and takes up 35 percent less volume than allowed by zoning. As a result, there will be fewer homes built than if the height and bulk were maximized. Normally, we prefer projects that provide the highest reasonable density on the site. In this case, however, our Committee felt the proposed design is appropriate, as it fits an elegant building into the context of the existing much taller Rincon Hill towers.

Affordability:

At the time of your presentation, you had not yet decided on whether you will provide the below-market-rate (BMR) units on site or if you will pay the *in lieu* fee. We are pleased to be informed you have decided to include the BMR units on-site, equating to 22 homes, or 12 percent of the total units.



Mr. Falconer
June 15, 2015
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Parking and Alternative Transportation:

The proposed project is located in a transit-rich neighborhood and is within walking distance of BART stations and MUNI stations, bus stops, Golden Gate Transit and SamsTrans. Your plan provides 97 car parking spaces (a relatively low parking ratio), two CarShare spaces and 140 bicycle parking spots, 120 Class I and 20 Class II. Since we first reviewed the project, you have reduced the car parking by 14 spaces, from your original count of 111. We feel this is an improvement. The SFHAC urges you to consider increasing the amount of bike parking to a 1:1 ratio by using new bike storage technology.

Preservation:

There are no structures of significant historical or cultural merit on or next to the site.

Urban Design:

SFHAC commends you for the steps you are taking to create a pedestrian-friendly environment in a difficult location. You are proposing several design features that will activate the streetscape. These features include widening the existing sidewalks, creating bulb-outs on the street corners, adding street trees between Essex Street and 1st Street, and streetscape enhancements on Harrison Street and Essex Street. These improvements will also improve the connection of your project to the Embarcadero.

Given the site's tight space limitations, you have creatively planned several gathering spaces for the residents within the building. These include a café on the ground floor lobby, a gym on the ground floor more amenity space on the 7th floor that connects to outdoor space.

Environmental Features:

You are targeting LEED Silver for the proposed project. At the time of your presentation, you had not yet hired a sustainability consultant and had not formalized several decisions regarding which environmental features the project would provide. We encourage you to strive for LEED Silver.

Community Input:

SFHAC commends you for the efforts you have made to engage community stakeholders. You have reached out to numerous community groups and neighborhood organizations to get their input on the proposed project. You expressed to us that the surrounding community supports the demolition of the existing building and wants the site put to better use.

Thank you for submitting this project to the SFHAC Project Review Committee for our review. Please keep us abreast of any changes or updates with this project. We are pleased to support your excellent project as it moves forward. Let us know how we may be of assistance.

Sincerely,



Tim Colen, Executive Director

SFHAC Project Review Criteria

Land Use: Housing should be an appropriate use of the site given the context of the adjacent properties and the surrounding neighborhood and should enhance neighborhood livability.

Density: The project should take full advantage of the maximum unit density and/or building envelope, allowable under the zoning rules.

Affordability: The need for affordable housing, including middle income (120-150 of Area Median Income) housing, is a critical problem and SFHAC gives special support to projects that propose creative ways to expand or improve unit affordability beyond the legally mandated requirements.

Parking and Alternative Transportation: SFHAC expects the projects it endorses to include creative strategies to reduce the need for parking, such as ample bicycle storage, provision of space for car-share vehicles on-site or nearby, un-bundling parking cost from residential unit cost, and measures to incentivize transit use. Proximity to transit should result in less need for parking.

In districts with an as-of-right maximum and discretionary approval up to an absolute maximum, SFHAC will support parking exceeding the as-of-right maximum only to the extent the Code criteria for doing so are clearly met. In districts where the minimum parking requirement is one parking space per residential unit (1:1), the SFHAC will not, except in extraordinary circumstances, support a project with parking in excess of that amount.

Preservation: If there are structures of significant historic or cultural merit on the site, their retention and/or incorporation into the project consistent with historic preservation standards is encouraged. If such structures are to be demolished, there should be compelling reasons for doing so.

Urban Design: The project should promote principles of good urban design: Where appropriate, contextual design that is compatible with the adjacent streetscape and existing neighborhood character while at the same time utilizing allowable unit density: pleasant and functional private and/or common open space; pedestrian, bicycle and transit friendly site planning; and design treatments that protect and enhance the pedestrian realm, with curb cuts minimized and active ground floor uses provided.

Projects with a substantial number of multiple bedroom units should consider including features that will make the project friendly to families with children.

Mr. Falconer
June 15, 2015
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Environmental Features: SFHAC is particularly supportive of projects that employ substantial and/or innovative measures that will enhance their sustainability and reduce their carbon footprint.

Community Input: Projects for which the developer has made a good faith effort to communicate to the community and to address legitimate neighborhood concerns, without sacrificing SFHAC's objectives, will receive more SFHAC support.



San Francisco Housing Action Coalition (SFHAC) Project Report Card

Address: 525 Harrison Street

Project Sponsor: Hines Interests

Date of SFHAC Review: February 26, 2014

Grading Scale:

1 = Fails to meet project review guideline criteria

2 = Meets some project review guideline criteria

3 = Meets basic project review guideline criteria

4 = Exceeds basic project review guideline criteria

5 = Goes far beyond of what is required

Criteria for SFHAC Endorsement:

1. The project must have been presented to the SFHAC Project Review Committee;
2. The project must score a minimum of 3/5 on any given guideline.

<i>Guideline</i>	<i>Comments</i>	<i>Grade</i>
Land Use	The proposed project replaces a nightclub and auto detailer with 179 residential units above ground floor retail.	5
Density	The proposed project is significantly smaller than what is allowed under zoning, but for appropriate reasons that improve its design.	4
Affordability	The project sponsor will include the below-market-rate (BMR) homes on site, equating to 22 homes, or 12 percent of the units.	3
Parking and Alternative Transportation	The site is accessible to multiple transit lines. The car-parking ratio is relatively low, but we would like more bike parking added.	4
Preservation	There are no structures of significant cultural or historic merit on or near the site that would be affected.	N/A
Urban Design	The proposed project will significantly enhance the surrounding streetscape by widening sidewalks, creating bulb-outs and adding street trees, among other improvements.	5
Environmental Features	The project sponsor is striving for LEED Silver, but has not clearly addressed which features it will incorporate into the project.	3
Community Input	The project sponsor has reached out to numerous community stakeholders. The neighbors in the area agreed that the current site should be put to better use.	5
Additional Comments	There are no comments to add.	N/A
Final Comments	SFHAC endorses the proposed project at 525 Harrison Street.	4.1/5

Please see attached letter for further explanation.

Sucre, Richard (CPC)

From: Sue Hestor <hestor@earthlink.net>
Sent: Sunday, May 24, 2015 7:41 PM
To: Kathrin Moore; Johnson, Christine (CPC); Richards, Dennis (CPC); Rodney Fong; Cindy Wu; Rich Hillis; Michael Antonini
Cc: Secretary, Commissions (CPC); Rich.sucre@sfgov.org; Jamie Whitaker; Dorothy Dana; Katy Liddell; Andrew Brooks; Jones, Sarah (CPC); Schuett, Rachel (CPC)
Subject: 525 Harrison initiation Thursday 5/28

I am unable to be at the Thursday 5/28 Planning Commission meeting. I submit these comments on item #9 for your consideration.

Item #9 is initiation of various text and map changes for the **525 Harrison St project 2013.0159TZ**. The legislation proposes that the hearing to approve 525 Harrison be set no earlier than June 18. A substantial amount of what would be in the staff report to approve the project is in the case material for the initiation. I am basing my comments on what appears in that staff report, including its lack of any environmental document.

The 525 Harrison site is DIRECTLY ACROSS THE BAY BRIDGE from 340 Bryant on the south side of the Bridge. 525 Harrison also DIRECTLY ABUTS THE HEAVY TRAFFIC ON THE ESSEX STREET ON-RAMP ONTO THE NORTH SIDE OF THAT BRIDGE. (According to the recent Chronicle, what also may be a counter-flow west-bound lane during a.m. peak).

This is the second building RIGHT NEXT TO THE BAY BRIDGE (**site across Bridge to the south - 340 Bryant**) where **fast-flowing traffic plus a difficult site** create access problems to the proposed housing units. Specifically for *pedestrians and bicycles*. For 340 Bryant, Sterling not Essex Street provides direct access onto the Bay Bridge. When 340 Bryant was appealed to them, the Board of Supervisors and Board of Appeals responded to public concern about the lack of safe access to 340 Bryant - and required modifications for access. Those changes are not yet worked out because access to 340 Bryant is so complicated. Action by the Boards was required because Planning failed to analyze, set out problems of safe access, and require installation of modifications to ensure safe pedestrian and bicycle access across Bryant to the change from industrial to tech offices. Here it is Harrison Street.

On again Environmental Review will issue an exemption, this time based on the Rincon Hill Area Plan EIR, for 340 Bryant based on the Eastern Neighborhoods Area Plan EIR. Like 340 Bryant, 525 Harrison needs safe pedestrian access to a VERY DIFFICULT SITE.

I request that the Commission make the following requirements for consideration of approval of 525 Harrison:

- That a thorough analysis of solving access problems to this site AND REQUIRING CONSTRUCTION OF IMPROVEMENTS be done prior to issuing an Environmental EXEMPTION.
- That there be notice of the availability of the environmental exemption at LEAST ONE MONTH before any scheduled consideration of project approval, so that the public can be informed of the proposed provision of safe access.
- That the staff report for the project be available at least TWO WEEKS before the matter is to be considered by the Planning Commission so that there is time for the public to submit written comments for consideration by the Commission.

These changes will require that the next hearing be later than June 18.

Sue Hestor

Attorney for appellant in 340 Bryant
870 Market St #1128
San Francisco 94102

PLEASE PRINT OUT THIS EMAIL AND INSERT INTO APPROPRIATE WRITTEN FILES OF PLANNING COMMISSION



SAN FRANCISCO PLANNING DEPARTMENT

Addendum to Environmental Impact Report (EIR)

Addendum Date: August 6, 2015
Case No.: 2013.0159E
Project Title: 525 Harrison Street
EIR Information: Rincon Hill Plan Final EIR (Case No. 2000.1081E; State Clearinghouse No. 1984061912), certified May 5, 2005.
Zoning: RH-DTR (Rincon Hill Downtown Residential) Zoning District
65-X and 65/400-R Height and Bulk District
Block/Lot: Block 3764; Lot 063 (12,998 square feet)
Project Sponsor: Cameron Falconer, Hines
(415) 982-6200
Lead Agency: San Francisco Planning Department
Staff Contact: Rachel A. Schuett – (415) 575-9030
rachel.schuett@sfgov.org

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Introduction

The California Environmental Quality Act *CEQA Guidelines* (Guidelines) Section 15164(a) states that "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." These conditions include substantial changes to the proposed project, or the circumstances under which the project is undertaken, that would result in new significant impacts, or a substantial increase in the severity of previously identified impacts, and, thus, require major revisions to the EIR.

Alternatively, if, per Guidelines Section 15164(a)(3), "new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time that the previous EIR was certified "identifies any of the following: new significant impacts, a substantial increase in the severity of previously identified impacts; that mitigation measures or alternatives previously thought infeasible are actually feasible, and/or new mitigation measures or alternatives are identified that are considerably different from those analyzed in the EIR, a subsequent EIR would be required.

The identification of new or different mitigation measures or alternatives, or a change to the feasibility status of a previously identified mitigation measure or alternative is only cause for a subsequent EIR if the mitigation measure or alternative would "substantially reduce one or more significant effects of the proposed project, but the project proponents decline to adopt the mitigation measure or alternative"[Guidelines Section 15162(a)(3)].

This Addendum summarizes the project-specific environmental effects associated with the proposed 525 Harrison Street residential project and incorporates by reference information contained within the *Rincon Hill Plan Final EIR* (Case No. 2000.1081E; State Clearinghouse No.

1984061912), since the project site is located within the Rincon Hill Area Plan area. The proposed project is a 250-foot-tall residential building with a tower over podium design, which includes 205 residential units. As described further, below, the *Rincon Hill Plan Final EIR* analyzed two project options: the “115-foot Tower Separation Option” (“Preferred Option”), which is based on a 115-foot tower separation, and the “82.5-Foot Tower Separation Option” which is based on an 82.5-foot tower separation.

Ultimately, the Preferred Option was adopted, which precluded development of a residential tower on the project site due to the proximity to the 75 Lansing Street development on the north side of Harrison Street. The Rincon Hill Plan also specifies that no exemptions may be made. As a result, the proposed project would require a legislative amendment to the Rincon Hill Plan, the Planning Code, and the General Plan, as described further, below.

Project-specific studies were prepared for the proposed project at 525 Harrison Street. These studies examined the project’s potential environmental effects on archeological resources; geology and seismicity; hazards and hazardous materials; noise; wind; shadow; transportation; and greenhouse gas emissions. Each study is referenced under its individual topic area and is available for review in its entirety at the San Francisco Planning Department in case file 2013.0159E.

This Addendum assesses the proposed project’s potential to cause environmental impacts and concludes that the proposed project would not result in new environmental effects or effects of greater severity than were already evaluated for and disclosed in the Rincon Hill Plan EIR (“program EIR”). Furthermore, as part of the analysis of project specific effects, this Addendum does not identify new or additional information that would alter the conclusions of the Rincon Hill Plan EIR. This document, in conjunction with the *Mitigation Monitoring and Reporting Program* prepared for this project, identifies mitigation measures contained in the Rincon Hill Plan EIR that would be applicable to the proposed project at 525 Harrison Street. Background information pertaining to prior environmental review conducted for the Rincon Hill Plan is included below, as well as a description of the proposed project, an evaluation of potential environmental effects and project-specific mitigation measures.

Background

On May 5, 2005, the Planning Commission certified the Final EIR for the Rincon Hill Plan (*Rincon Hill Plan FEIR*). The *Rincon Hill Plan FEIR*¹ analyzed amendments to the Planning Code and Zoning Maps and to the Rincon Hill Area Plan, an element of the San Francisco General Plan. The EIR analysis was based on assumed development and activity that was anticipated to occur under the Rincon Hill Plan, including a number of sites specifically identified for high-rise residential development.

¹ Because the *Rincon Hill Plan* addressed impacts at a program level of detail, it is referred to herein as both the “Final EIR” or “FEIR” and as the “program EIR.”

The analysis included the construction of five new residential towers that had been approved, but were not yet under construction at:

- 300 Spear Street (two towers)
- 201 Folsom Street (two towers)
- 325 Fremont Street (one tower)

The analysis also included two residential projects that were under construction, but not yet completed at:

- 333 1st Street (two towers)
- 40-50 Lansing Street (mid-rise 85 feet)²

The *Rincon Hill Plan FEIR* analyzed two project options: the “115-foot Tower Separation Option” (“Preferred Option”), which is based on a 115-foot tower separation, and the “82.5-Foot Tower Separation Option” which is based on an 82.5-foot tower separation. The two project options are distinguished solely by different tower separation requirements. The tower separation requirement sets a minimum distance between residential towers at their closest point. Tower separation does not apply to the podium portion of a building.

The proposed height and bulk limits, including horizontal and diagonal plan dimensions, average floor area, and all other land use controls including rear yard, front setbacks, usable open space, and off-street parking requirements are consistent between the two options.

The 115-Foot Tower Separation Option would have allowed for four new residential towers at:

- 425 1st Street (two towers)
- 45 Lansing Street (one tower)
- 340-350 Fremont Street (one tower)

The 82.5-Foot Tower Separation Option would have allowed for the same towers as the 115-Foot Tower Separation Option, plus three additional towers at:

- 375 (or 399) Fremont Street (one tower)
- Northwest Corner of Fremont and Harrison Streets (one tower)
- South Side of Harrison Street between Essex and 1st (one tower)³

However, subsequent to the publication of the Draft EIR, Planning Department staff recommended that the Preferred Option be revised to allow one additional tower up to

² *Rincon Hill Plan Final Environmental Impact Report*. Case No. 2000.1081E. Page 16.

³ *Rincon Hill Plan Final Environmental Impact Report*. Case No. 2000.1081E. Page 19.

400 feet on the sites of 375 and 399 Fremont Street.⁴ Therefore, the Preferred Option would allow for five new residential towers, and the 82.5-Foot Tower Separation Option would allow for seven new residential towers. The additional two towers allowed under the 82.5-Foot Tower Separation Option would be located at the northwest corner of Fremont and Harrison Streets and the south side of Harrison Street between Essex and 1st, the latter of which comprises the project site for 525 Harrison Street.

Under the Preferred Option, an 85 foot podium level residential building was envisioned for the project site. Under the 82.5-Foot Tower Separation Option, an up to 400 foot residential tower over an 85 foot podium level base was identified for the project site. In the *Rincon Hill Plan FEIR* the project site is generally called out as “South Side of Harrison near 1st.” It should be noted that in the *Rincon Hill Plan FEIR* it was also envisioned that the project site (Block 3764/Lot 063) would be merged with the adjacent parcel to the northeast (Block 3764/Lot 055) in order to facilitate development of a residential tower.

The Rincon Hill Plan Preferred Option, as revised in the Final EIR, was the option that was ultimately approved by the Planning Commission. Subsequent to the certification of the Final EIR, in August 2005, the Board of Supervisors approved, and the mayor signed into law, revisions to the Planning Code, Zoning Maps, and General Plan that constituted the final “Preferred Option” analyzed in the Rincon Hill Plan EIR.

The legislation created the Rincon Hill Downtown Residential Mixed Use (RH-DTR) District, which covers most of the area bounded approximately by Folsom Street, Steuart Street, the Embarcadero, Bryant Street, Beale Street, the Bay Bridge west approach, and the Fremont Street off-ramp from the bridge. The legislation increased height limits within this area; amended the Rincon Hill Area Plan within the General Plan; imposed community improvement impact fees to fund open space, pedestrian and streetscape improvements, traffic calming, and a community center and library; and created a South of Market community stabilization fund to offset potential economic impacts, including effects related to affordable housing, economic and community development, and community cohesion.

The Preferred Option, as approved by the Board of Supervisors, included the same 85-foot podium level residential building at 525 Harrison Street, as was analyzed in the *Rincon Hill Plan FEIR*.

Proposed Revisions to Project

This Addendum analyzes the change to the proposed project, from the 400-foot residential tower, over 85-foot podium, straddling the project site and the adjacent parcel to the east analyzed in the 82.5 Foot Tower Separation Option, to a 250-foot tower, over

⁴ *Rincon Hill Plan Final Environmental Impact Report*. Case No. 2000.1081E. Page 17.

60.5-foot podium, constructed within the project site's single parcel boundary.⁵ This analysis considers whether or not the revisions to the proposed project would result in new or substantially more severe impacts than those identified in the *Rincon Hill Plan FEIR*.

Further, this Addendum also provides project-level CEQA review for the 525 Harrison Street project. The *Rincon Hill Plan FEIR* was a programmatic review of the effects of implementation of the plan which was largely focused on the maximum building envelopes across the plan area associated with the height, bulk, tower separation and other land use controls proposed under the plan options. The *Rincon Hill Plan FEIR* also included project-level clearance for several buildings that were being individually proposed by several project sponsors, since these buildings were planned at a level of detail that was suitable for a project-level review, at that time.

The *Rincon Hill Plan FEIR* also provided an analysis of the cumulative environmental effects of buildout under both plan options.

Given that the proposed project does not exceed the density of development envisioned for this site, the cumulative analysis of this project's contributions to impacts under the Rincon Hill Area Plan were adequately addressed in the *Rincon Hill Plan FEIR*. Thus, this Addendum focuses on any impacts that could result from the proposed project, which may not have been identified in the higher level programmatic review.

The project site is located on an irregularly-shaped, approximately 13,000-square-foot parcel (Assessor's Block 3764, Lot 063), within an irregularly-shaped block. The project site is bounded by Harrison Street to the north, Essex Street to the west, the adjacent parcel (Assessor's Block 3764, Lot 055) and 1st Street to the east, and the elevated Interstate 80 (I-80) westbound Fremont Street off-ramp to the south. Directly beneath the westbound I-80 elevated Fremont Street off-ramp is the eastbound Essex Street on-ramp. This on-ramp includes two mixed flow lanes and one transit-only lane and provides access directly onto the Bay Bridge (See Figures 1 and 2 – all figures are located in Attachment A).

Given the proximity to the Bay Bridge, the project site has somewhat limited vehicular access. For example, 1st Street to the east (one-way southbound) does allow a left turn onto Harrison Street, but primarily provides access onto the Bay Bridge in the eastbound direction. Similarly, Fremont Street (one block beyond 1st Street to the east) is a two-way street, which allows a left turn onto Harrison Street, but primarily provides access to the Financial District and the South of Market Area (SoMa) from the Bay Bridge (westbound).

⁵ It should be noted that proposed project is larger than the 85-foot podium level residential building included in the Preferred Option.

The site is currently occupied by a 16,000-square-foot two story commercial building housing a nightclub and an auto detailing business, within a building that was constructed in 1982.

The proposed project would include demolition of the existing two-story, 16,000-square-foot commercial building and construction of a 23-story, 250-foot-tall residential tower with a 4-foot parapet wall and a 15-foot mechanical penthouse, reaching 265 feet at the highest point. The building's podium would be a five-story, 60.5-foot-tall base, built to the lot line and generally shaped by the project site's irregular boundaries. The residential tower would include about 222,688 square feet of residential uses, including lobby and residential amenity spaces on the ground floor, 7th floor and rooftop, and approximately 1,000 square feet of ground-floor commercial space. The proposed project would include up to 205 residential units, including 42 studios, 69 one-bedroom, and 94 two-bedroom rental units.⁶ The building, a tower-on-podium design, would occupy the entire 13,000 square-foot lot. (See Figures 3 through 6, and Figures 10 through 14). The proposed building would have a reinforced concrete frame constructed on a mat slab foundation with footings and would require excavation to a depth of approximately 64 feet; 26,000 cubic yards of soil would need to be removed from the site.

The primary entrance to the proposed project for vehicles, pedestrians and bicyclists would be from Harrison Street. Specifically, the building's residential lobby would be accessed from Harrison Street as would the 127 Class I bicycle spaces, which would be located on level B1. The entrance to the parking garage, which consists of three underground levels, would be via a 22 foot-wide driveway, also off of Harrison Street. The ingress for the garage would be via Harrison Street from either the eastbound or westbound direction. Egress from the project garage would also be via Harrison Street, but would be restricted to right turns only. Therefore, all traffic exiting the garage would travel eastbound on Harrison Street. In addition, 20 Class II bicycle parking spaces (bicycle racks) would be provided along the project frontage on Harrison Street. The space efficient bicycle parking system would meet the requirements of Zoning Administrator Bulletin No. 9: Bicycle Parking Requirements-Design and Layout. (See Figure 7: Proposed Parking - Level B1).

The proposed project includes up to 103 vehicular parking spaces in three levels of underground parking. Of these spaces, 93 would be provided in two- or three-tier automated puzzler parking stackers⁷, six would be surface parking spaces, and four would be accessible parking spaces. Two carshare spaces would also be provided on level B3. (See Figures 7 through 9)

⁶ The FEIR's 82.5-Foot Tower Separation Alternative included a 400-foot-tall-tower over podium on the south side of Harrison Street between 1st and Essex Streets, which would accommodate about 230 dwelling units.

⁷ An automated puzzler parking stacker system is a space-efficient parking strategy that allows vehicles to be parked close together and two-to-three high on a mechanical lift system that is operated robotically.

The proposed project includes a total of 15,397 square feet (sf) of both private and common open space for residents. Open space includes 1,800 sf of private balconies, 2,280 sf of streetscape on the ground floor, a 4,188 sf garden terrace on the sixth floor and a 6,512 sf rooftop deck. (See Figures 15 through 18).

The proposed project would include a back-up generator. The proposed generator would be diesel-fueled, with a 300 kilowatt (KW) standby (270 KW prime) rating, and would be equipped with either a Tier 4 certified engine, or a Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS).

The proposed project would also include a filtered air supply system to maintain all residential units under positive pressure when windows are closed, as described further in the air quality section.

The proposed project also includes improvements to the pedestrian right of way along Harrison Street between 1st and Essex Streets including; bulbouts at all four corners of the intersection of 1st and Harrison; bulbouts at the corner of Harrison and Essex Streets; and . sidewalk widening on the south side of Harrison Street, adjacent to the project frontage, for the entire block between 1st and Essex Streets. The proposed project also includes bulbouts at the southeast corner of 1st and Essex Streets, and at the southwest corner of 1st and Harrison Streets, consistent with the Rincon Hill Streetscape Plan. (See Figures 19 through 21).

Legislative Amendment. The project site is within the 65-X height and bulk district (65-foot height limit with no bulk controls) at the southeast corner of the site and the 65/400-R height and bulk district (400-foot height limit, limitations on bulk above 65 feet in height) for the remainder of the site. As proposed, with a height of 265 feet to the top of the rooftop parapet, the project would be consistent with the height limit. The bulk controls limit the plan dimensions of a building to a maximum of 100 feet (horizontal) and 125 feet (diagonal) and an average floor area for all tower floors (above 85 feet) of 8,500 square feet. With a tower floor area of approximately 8,925 square feet, the project would not comply with the bulk controls. Given that there is a residential tower located across Harrison Street from the project site (at 75 Lansing), the project would not comply with the Rincon Hill Downtown Residential (RH-DTR) zoning district's tower separation requirement of 115 feet between buildings above 110 feet in height.

Therefore, the proposed project includes a legislative amendment to Policies 3.3 and 3.4 of the Rincon Hill Area Plan (which is adopted as part of the San Francisco General Plan), to Planning Code Section 270 by adding Section 270(e)(5), and to the Zoning Map to amend the height and bulk district on a portion of the site from 65/400-R to 65/250-R.

Policies 3.3 and 3.4 of the Rincon Hill Area Plan Element of the General Plan would be amended to read as follows (deletions are in ~~strikeout~~ and additions are underlined):

Policy 3.3

Minimize tower bulk to the dimensions shown in Figure 4, to ensure a feasible tower floorplate, to create elegant, slender towers and to preserve views and exposure to light and air. In recognition of a new housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage the provisions of housing on this site in keeping with the overall goals of this plan, provided that the other urban design and planning policies of the plan are met.

Policy 3.4

Require towers to be spaces no less than 115 feet apart, the maximum plan dimension per Figure 4 for towers over 85 feet in height, to minimize shadowing of streets and open space, and to preserve at least as much sky plane as tower bulk. In recognition of a new housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage the provision of housing on this site in keeping with the overall goals of this plan, provided that the other urban design and planning policies of the plan are met.

Planning Code Section 270 would amended by adding Section 270(e)(5) as follows (deletions are in ~~strikeout~~ and additions are underlined):

(5) Exceptions to Tower Bulk, Upper Tower Sculpting and Tower Spacing Requirements on Block 3764. Exceptions to the tower bulk, upper tower sculpting and tower spacing requirements described in Subsections (e)(2)(A), (F) and (G) above may be granted to a project only on Block 3764, Lot 063, pursuant to the procedures described in Section 309.1 of this Code, provided that the project meets all of the following criteria:

(A) Within 115 feet of Block 3764, Lot 063, there is a tower greater than 85 feet in height as part of a building that has received a First Construction Document;

(B) The project involves the construction of, or alteration to, a tower of no more than 250 feet in height;

(C) The subject lot has a total area of no more than 15,000 square feet;

(D) A minimum distance of 82 feet must be preserved between any structures on the parcel and any other structure on or off the parcel above 110 feet in height at all levels above 110 feet in height. Spacing shall be measured horizontally from the outside surface of the exterior wall of structures, which shall include those features described in Section 136(c)(2) and (3); and

(E) The project is primarily residential and contains no more than 250,000 gross square feet.

Sheet HT01 of the Zoning Map of the City and County of San Francisco would be amended to change the Height and Bulk District for Assessor's Block 3764, Lot 063 from 65-X, 65/400-R to 65-X, 65/250-R.

Construction Phasing and Durations

Project construction would be completed in five partially overlapping phases, including: demolition (one month), excavation and shoring (4 months), grading activities (1 week), foundation construction (1.5 months), and building construction (13 months). Overall, construction would take approximately 21 months and is expected to begin in July 2016.

Project Approvals

The proposed project requires the following approvals, which may be reviewed in conjunction with the project's requisite environmental review, but may not be granted until such required environmental review is completed.

Planning Commission

- Recommendation of a Zoning Map Amendment to reclassify the existing 65-X and 65/400-R height and bulk designation for Block 3764/063, shown on Height and Bulk Map No. 1 (Sheet HT01), to a 65-X and 65/250-R height and bulk designation.
- Recommendation of an amendment to Policies 3.3 and 3.4 of the Rincon Hill Area Plan.
- Recommendation of a Planning Code Text Amendment to amend Planning Code Section 270(e) to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements of Planning Code Section 270(e)(2)(A), (F), and (G), under Planning Code Section 309.1.
- A Downtown Project Authorization from the Planning Commission per Planning Code Section 309.1 with a modification to the dwelling unit exposure, tower bulk, upper tower sculpting and tower spacing requirements.

Board of Supervisors

- Adoption of a Zoning Map Amendment to reclassify the existing 65-X and 65/400-R height and bulk designation for Block 3764/063, shown on Height and Bulk Map No. 1 (Sheet HT01), to a 65-X and 65/250-R height and bulk designation.
- Adoption of an amendment to Policies 3.3 and 3.4 of the Rincon Hill Area Plan.
- Adoption of a Planning Code Text Amendment to amend Planning Code Section 270(e) and 309.1 to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements of Planning Code Section 270(e)(2)(A), (F) and (G).

Other City Departments

- Approval of a site permit (Planning Department and Department of Building Inspection).
- Approval of demolition, grading, and building permits (Planning Department and Department of Building Inspection).
- Approval of project compliance with the Stormwater Control Guidelines (Department of Public Works).
- Approval of a stormwater control plan (San Francisco Public Utilities Commission).
- Approval of construction within the public right-of-way (e.g., bulbouts and sidewalk extensions) (San Francisco Department of Public Works and San Francisco Municipal Transportation Agency).
- Approval of a proposed 40-foot commercial loading space through San Francisco Municipal Transportation Agency's Color Curb program.

Potential Environmental Effects of Revised Project

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefor shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter."

The Rincon Hill FEIR included analyses of environmental issues including: land use and General Plan conformity; visual quality; transportation; population and housing; air quality; shadow; wind; hazardous materials, cultural (archaeological and historical) resources, hydrology and water quality, and growth inducement.

Because the 525 Harrison Street project is proposed at the same location as described in the program EIR, at a slightly reduced intensity (205 units, compared to 230 units in the FEIR 82.5-Foot Tower Separation Alternative), and a reduced height (250 feet, compared to 400 feet) and similar bulk, the 525 Harrison Street project would represent a small part of the growth forecast for Rincon Hill in the program EIR, and the project analyzed in the program EIR also included the impacts of the proposed project.

As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the program EIR. The following discussion includes impacts particular to the project as currently designed, including assessment of project-specific impacts related to visual quality, transportation, shadow, wind, hazardous materials, cultural resources, and growth inducement. In addition, there is a brief discussion of geology (discussed in the program EIR Initial Study, contained in FEIR Appendix A), based on a site-specific geotechnical investigation.

Since the proposed changes would not alter the analysis for other topics in the FEIR, there is no further discussion of those topics within this Addendum. The topics include: population and housing, historical resources, hydrology and water quality, and growth inducement.

Land Use, Plans, and Policies

The proposed project would result in a land use change by removing an approximately 16,000 square foot commercial building housing a nightclub and an auto detailing business, and replacing it with a residential tower. The proposed project would result in an introduction of residential uses on the site, but would not have a significant adverse impact on the existing character of the area or divide the neighborhood. This is primarily because the Rincon Hill neighborhood has been transitioning from largely commercial and light industrial uses to residential uses over the past twenty years. The residential tower proposed on the site is similar to, although slightly smaller in scale, than other newly constructed residential towers in the immediate vicinity.

Rincon Hill Downtown Residential (RH-DTR) Zoning District. The project site is located within the Rincon Hill Downtown Residential (RH-DTR) Zoning District and is in a 65-X and 65/400-R Height and Bulk Districts. In the RH-DTR district, residential uses are permitted by right, as are most retail uses, including the proposed café.

Dwelling units are permitted as of right in the RH-DTR Zoning District with no maximum density limit. Density is instead controlled by the physical constraints of the *Planning Code* like height, bulk, setbacks, open space, and dwelling unit exposure. The proposed project includes 205 dwelling units and would require an exception from the dwelling unit exposure requirements of the Planning Code, as described further below.

Height and Bulk Limit and Tower Separation: *Planning Code* Section 260 requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The project site is within a 65-X and 65/400-R Height and Bulk Districts; but the project sponsor is seeking a legislative amendment to reduce the height limit to 65/250-R on the portion of the site within the 65/400-R height and bulk district. The proposed project is a 250-foot residential tower, topped by a mechanical penthouse and parapet. At 265 feet at the top of the mechanical penthouse⁸, the proposed project would be consistent with the 65-X and 65/250-R height limit because the Planning Code permits a mechanical penthouse up to 16 feet in height above the height limit. The project would require a Planning Code Text Amendment to amend Planning Code Section 270(e) to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements of Planning Code Section 270(e)(2)(A)(F) and (G).

⁸ The San Francisco Planning Code defines the height of a building from the existing grade to the finish floor of the roof; this measurement does not include the parapet or the mechanical penthouse.

Dwelling Unit Exposure: *Planning Code* Section 140 requires at least one window in each dwelling unit to face directly onto a public street or public alley at least 25 feet in width, a side yard at least 25 feet in width, or a rear yard meeting the requirements of this Code. Freeway on-ramps and off-ramps do not qualify as a public street, alley, side yard or rear yard. Therefore, all dwelling units, which face onto the freeway on-ramps or off-ramps, require an exception to the dwelling unit exposure requirements of Section 140.

Residential Open Space: *Planning Code* Section 135 requires at least 75 square feet (sf) of usable private and/or common open space for each dwelling unit in the RH-DTR Zoning District, for a total of 15,375 square feet of required open space. The building at 525 Harrison Street includes a total of 15,397 square feet (sf) of both private and common open space for residents. Open space includes 1,800 sf of private balconies, 2,280 sf of streetscape on the ground floor, a 4,188 sf garden terrace on the seventh floor and a 6,512 square foot rooftop deck.

Dwelling Unit Mix: *Planning Code* Section 207.6 requires at least 40 percent of the total number of proposed dwelling units to contain two or more bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. The 525 Harrison Street building will provide 46 percent of the dwelling units as 2-bedroom units or larger (94 units), thus meeting the dwelling unit mix requirement under Section 207.6.

Streetscape Plan: *Planning Code* Section 138.1(c)(2) requires projects with a collective street frontage of more than 250 feet to provide a streetscape plan that meets the minimum requirements of the Better Streets Plan. The proposed streetscape plan includes the appropriate standard features required by the Better Streets Plan (i.e. sidewalk widening, street trees, planting strips, bicycle parking, etc.). See Figures 19 through 21.

Shadow: *Planning Code* Section 147 requires reduction of substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under *Planning Code* Section 295. Section 295 restricts new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. As described below, the Shadow Analysis conducted for the project indicates that the proposed project would not cast shadow upon Public, Publicly Accessible or Publicly Financed or Subsidized Open Space.

Parking: *Planning Code* Section 151.1 does not require any parking for projects in the RH-DTR Zoning District. However, up to 0.50 parking spaces may be provided per dwelling unit by right, and up to one space per dwelling unit is allowed with a Conditional Use Authorization. The proposed building at 525 Harrison Street includes the principally permitted amount of off-street parking with 103 parking spaces .

Bicycle Parking: *Planning Code* Section 155.2 requires projects with more than 100 dwelling units, to provide at least one Class I bicycle parking space for each dwelling unit and an additional Class I space for every four units over 100 units, and one Class II

bicycle parking space for every 20 dwelling units. The residential portion of the project would require 127 Class I spaces and ten Class II spaces. For the café, a minimum of two Class II spaces is required. The Project provides 127 Class I bicycle parking spaces and 12 Class II bicycle parking space.

Car Share: *Planning Code* Section 166 requires newly constructed buildings containing over 200 dwelling units to provide two car share spaces, plus 1 for every 200 dwelling units over 200, at no cost, to a certified car-share organization for purposes of providing car-share services for its car-share service subscribers. Since the proposed project includes 205 dwelling units, two car share parking spaces would be required. The Project provides two car share parking spaces.

Rincon Hill Impact Fees/SOMA Community Stabilization Fee. *Planning Code* Section 418 and 418.3(d) are applicable to any development project within the Rincon Hill Area Plan that results in the addition of at least one net new residential unit. The Project will pay the appropriate development impact fees.

Inclusionary Affordable Housing Program: Pursuant to San Francisco *Planning Code* Section 415, 12% of the units are required to be affordable units if provided on-site (11 two-bedroom units, 9 one-bedroom units and 5 studio 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.

Visual Quality

Subsequent to the publication of the *Rincon Hill Plan FEIR*, on September 27, 2013 the California Legislature passed and Governor Brown signed into law Senate Bill 743 (SB 743) (Steinberg, 2013). Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

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

The proposed project meets each of the above three criteria and thus, this Addendum does not consider aesthetics in determining the significance of project impacts under

CEQA.⁹ The Planning Department acknowledges that aesthetic effects may be of interest to the public and the decision makers. Therefore, the following discussion of visual effects is provided for informational purposes.

The *Rincon Hill Plan FEIR* did not identify any significant visual quality impacts. The structure, massing (including height), and location of the proposed 525 Harrison Street project were included in the program EIR analysis, including the visual simulations. As discussed in the *Rincon Hill Plan FEIR*, development under the Rincon Hill Plan would result in substantial changes to the San Francisco skyline. The visual effects of this new development would be most noticeable in distant views of downtown San Francisco.

However, the *Rincon Hill Plan FEIR* analyzed an 82.5 Foot Tower Separation option, which included a 400 foot residential tower on the project site, and ultimately found that although the cumulative effects of development under the Rincon Hill Area Plan would result in an overall change to the area, this would not be considered a significant adverse effect.

Transportation

The proposed 525 Harrison Street project is consistent with the level of development analyzed for the site in the *Rincon Hill Plan FEIR*. The program EIR studied 17 intersections for existing, 2020 baseline, 2020 plus project and cumulative (2020) conditions. The FEIR found that, in 2020 with the addition of Rincon Hill Plan developments and cumulative traffic, 10 of the 17 intersections would operate at level of service (LOS) F, two intersections would operate at LOS E, and the remaining five intersections would operate at LOS D or better which is considered acceptable. In general, the poor operating conditions that would occur are along the primary access routes to the Bay Bridge, including 2nd, 1st and Harrison Streets.

Of the 12 intersections that would operate at LOS E or F, development under the Rincon Hill Plan would cumulatively result in a significant unavoidable impact at several intersections, including: 1st/Folsom Streets, 1st/Market Streets, Fremont/Harrison Streets, and The Embarcadero/Folsom Street. A project-specific transportation study was prepared for 525 Harrison Street.^{10,11,12} The study analyzed existing, existing plus project

⁹ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist* for 525 Harrison Street, June 4, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

¹⁰ A transportation study was prepared for an earlier version of the proposed project which included 179 residential units. When the unit count was increased to 205 units a subsequent memo was prepared to document the changes in the findings based on larger project. Both documents are cited here, and the remainder of the transportation impact discussion is based on these two studies.

¹¹ Stantec Consulting Services, *525 Harrison Street Transportation Study (Case No. 2013.0159E)*, February 3, 2015. Available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case No. 2013.0159E.

and cumulative (2020) conditions at eight intersections. The following six study intersections were also analyzed in the FEIR: Harrison/1st Streets, Harrison/Fremont Streets, Folsom/1st Streets, Folsom/Fremont Streets, Harrison/Essex Streets, Harrison Street/The Embarcadero. The project-specific analysis evaluated two additional intersections at 2nd Street: Harrison/2nd Streets and Bryant/2nd Streets.

Implementation of the proposed project would result in the construction of a 250-foot-tall residential tower containing up to 205 dwelling units. The residential unit mix consists of 94 two-bedroom units and 99 one-bedroom units and studios. Trip generation rates for the proposed project were calculated based on the methodology in the *San Francisco Transportation Impact Analysis Guidelines for Environmental Review*, dated October 2002.

The proposed project would result in 2,373 net new person trips, per day. Of these person trips, 388 trips would be made during the PM peak hour. The proposed project would have an auto mode share of about 16 percent. As a result, the proposed project would generate about 876 daily auto-person trips, of which 143 auto-person trips would occur during the PM peak hour.¹³

The project-specific study did not identify any significant impacts that were not identified in the program EIR. At the intersection of Folsom/Fremont Streets, intersection operations would drop from LOS C in the existing and existing plus project conditions to LOS D in the cumulative condition. Thus, the intersection would continue to operate at an acceptable level of service.

At the intersections of Harrison Street/The Embarcadero, Essex/Harrison Streets, Harrison Streets/1st, Folsom/1st Streets and Harrison/Fremont Streets, where operations would be at LOS F under cumulative conditions, the project would not contribute considerably to critical turning movements. The critical turning movement at an intersection is the movement that causes the greatest delay to drivers (measured in seconds). The critical turning movement is the turning movement that sets the LOS for the entire intersection.

At these five intersections, the proposed project would either add vehicles to movements that would continue to operate satisfactorily, or if they would add traffic to the critical movement, the number of vehicles added would be relatively small. Therefore, for these five intersections, project traffic would not represent a considerable contribution to the cumulative conditions, and the proposed project would not have a significant impact at these intersections.

¹² Stantec Consulting Services, *525 Harrison Street Transportation Study (Case No. 2013.0159E); Memorandum for 525 Harrison Street Transportation Impact Study*, July 31, 2015. Available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case No. 2013.0159E.

¹³ The PM peak hour is the single hour within the PM peak period, between 3 pm and 7pm with the highest volume of vehicle trips, as determined by traffic counts conducted during the peak period.

The Harrison/2nd Street intersection would also operate at LOS F under cumulative conditions, and the Bryant/2nd Street intersection would operate at LOS E. However, as with the *Rincon Hill Plan FEIR* study intersections described above, although the proposed project would add vehicles to critical turning movements the number of vehicles added would be relatively small and would not be considered a

significant contribution to the cumulative condition, therefore the proposed project would not have a significant traffic impact at these intersections.

The proposed project would generate only small percentages of the transit, pedestrian, and bicycle trips that the FEIR attributed to the Rincon Hill Plan, and the project contribution to these volumes, as a share of the total that would be generated by development under the Plan, would generally be proportional with the project's share of new residential units in the Plan area. Because the impacts of the Plan-generated increases were not considered significant, the proposed project's impacts would similarly be less than significant.

As mentioned under "Visual Quality" subsequent to the publication of the *Rincon Hill Plan FEIR* Senate Bill 743 (SB 743) (Steinberg, 2013) was passed. Now, Public Resources Code Section 21099(d), effective January 1, 2014, provides that for projects meeting certain criteria, parking impacts are not to be considered within the CEQA review. The proposed project meets the SB 743 criteria and, thus, this Addendum does not consider parking in determining the significance of project impacts under CEQA.¹⁴ However, the Planning Department acknowledges that parking effects may be of interest to the public and the decision makers. Therefore, the following discussion of parking effects is provided for informational purposes.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense

¹⁴ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist* for 525 Harrison Street, June 4, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" Policy and numerous *San Francisco General Plan* policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter, Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e., walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, would reasonably address potential secondary effects.

Pursuant to Planning Code Section 151.1, off-street parking spaces are not required, but may be provided, for residential uses in the RH-DTR District. The proposed project would provide 103 spaces for the residential uses,¹⁵ and it would generate a parking demand of 272 spaces (264 long-term/8 short-term), resulting in a parking shortfall of 169 spaces. The long-term residential parking demand generally occurs during the overnight hours. Residents would be able to park their vehicles on nearby streets as there is some availability of on-street parking in the project vicinity during the overnight hours. Although there are fewer on-street parking spaces available during the daytime, the project vicinity is well served by public transit and other modes of transportation, providing residents of and visitors to the project site with alternatives to driving.

Given the residential nature of the proposed project and the limited number of parking spaces in the garage, minimal queuing for the garage is expected. Any queuing would likely be contained within the project site and is not likely to affect the travel lanes on Harrison Street. For these reasons, the proposed project's parking shortfall would not create hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians.

Likewise, parking impacts were identified as less than significant in the program EIR, and such is the case for the proposed project.

¹⁵ The proposed project would provide a total of 41 parking spaces (40 residential spaces and 1 car-share space).

The proposed project would generate approximately 111 daily service vehicle trips, resulting in the demand for less than one loading space during both the average and peak hours for loading activities. The project sponsor has not proposed any off-street loading and two spaces are required under Planning Code Section 152.2. Instead the project sponsor is proposing to convert two standard curb parking/loading spaces on the south side of Harrison Street to a 40-foot-long commercial loading space for commercial delivery vehicles. The proposed loading spaces would be subject to review and approval through SFMTA's Color Curb Program.

In summary, the project-specific transportation study demonstrates that the program EIR adequately addressed the transportation impacts of the proposed 525 Harrison Street project; that the 525 Harrison Street would not have any additional effects that were not examined in the program EIR; and that no new or additional information has come to light that would alter the conclusions of the program EIR.

Air Quality

The *Rincon Hill Plan FEIR* identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The *Rincon Hill Plan FEIR* identified two mitigation measures that would reduce air quality impacts to less-than-significant levels.

Rincon Hill Plan FEIR Mitigation Measure E.1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. Subsequent to the certification of the *Rincon Hill Plan FEIR*, the 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 No. 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI.

Also subsequent to the certification of the *Rincon Hill Plan FEIR*, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),¹⁶ which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's

¹⁶ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

criteria air pollutant emissions may 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. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("Air Pollutant Exposure Zones"). Air Pollutant Exposure Zones were identified based on two health-based criteria:

- (1) Excess cancer risk from all sources > 100; and
- (2) PM_{2.5} concentrations from all sources including ambient >10µg/m³.

Sensitive receptors¹⁷ within these Air Pollutant Exposure Zones are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these Air Pollutant Exposure Zones. These locations (i.e., within Air Pollutant Exposure Zones) require additional consideration when projects or activities have the potential to emit toxic air contaminants (TACs), including diesel particulate matter (DPM) emissions from temporary and variable construction activities.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified based on health-protective criteria that considers estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The proposed project would include new sensitive receptors in the form of residential uses, and the project site is within an identified Air Pollutant Exposure Zone. Each of the Air Pollutant Exposure Zone criteria is discussed below.

The above 100 per one million persons (100 excess cancer risk) criteria is based on United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale

¹⁷ The BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: (1) residential dwellings, including apartments, houses, condominiums, (2) schools, colleges, and universities, (3) daycares, (4) hospitals, and (5) senior care facilities. Bay Area Air Quality Management District (BAAQMD), *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, p. 12.

level.¹⁸ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk.

Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,¹⁹ the USEPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.²⁰

Fine Particulate Matter. In April 2011, the USEPA published Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that the then current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³. The Air Pollutant Exposure Zone for San Francisco is based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 µg/m³ to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

Proximity to Freeways. According to the California Air Resources Board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,²¹ lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

Health Vulnerable Locations. Based on the BAAQMD’s evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater

¹⁸ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

¹⁹ 54 Federal Register 38044, September 14, 1989.

²⁰ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

²¹ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>.

than 90 per one million persons exposed, and/or (2) PM_{2.5} concentrations in excess of 9 µg/m³.²²

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective 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. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality.

The proposed project is located within an Air Pollutant Exposure Zone. Therefore, the proposed project would: (1) require an enhanced ventilation system to comply with the Article 38 of the San Francisco Health Code, (2) require that all stationary sources (i.e. backup diesel generators) meet Tier 4 requirements, and (3) that construction emissions be quantified and minimized, as described below.

The proposed project is a residential development and is considered a sensitive land use for purposes of air quality evaluation. For sensitive use projects within the Air Pollutant Exposure Zone as defined by Article 38, such as the proposed project, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 MERV filtration.

DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance Article 38, the project sponsor has submitted an initial application to DPH.²³ The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38. As discussed in the project description, construction of the proposed project would be completed in five partially overlapping phases, including: demolition (one

²² San Francisco Planning Department and San Francisco Department of Public Health, 2014 *Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14 Amendment to Health Code Article 38

²³ San Francisco Department of Public Health. *Application for Article 38 Compliance Assessment*. June 2, 2015 [Revised August 5, 2015]. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No 2013.0159.

month), excavation and shoring (4 months), grading activities (1 week), foundation construction (1.5 months), and building construction (13 months). Overall, construction would take approximately 21 months and is expected to begin in August July 2016.

Construction activities from the proposed project may result in dust, primarily from ground-disturbing activities, such as excavation. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance. Therefore, the first part of the *Rincon Hill Plan EIR* Mitigation Measure E.1 is not applicable to the proposed project. Construction activities from the proposed project would also result in the emission of criteria air pollutants and DPM from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips; therefore, the second part of Mitigation Measure E.1 is applicable. Project Mitigation Measure 1, Construction Air Quality is consistent with the second part of Mitigation Measure E.1. With implementation of project Mitigation Measure 1, the proposed project would not result in any new or more severe significant impacts than were identified in the *Rincon Hill FEIR* related to construction air quality. Diesel-fueled construction equipment would be used on site and for delivering building supplies throughout the construction duration.

The proposed project's construction activities would be temporary and variable in nature. Furthermore, the proposed project would be subject to California regulations limiting idling times to five minutes, which would further reduce sensitive receptors' exposure to temporary and variable DPM emissions.²⁴ The excavation and removal of approximately 26,000 cubic yards of soil would exceed the BAAQMD's Air Quality Guidelines construction screening criterion of 10,000 cubic yards. Thus, quantification of construction-related criteria air pollutant emissions is required for the proposed project. As shown in Table 1: Estimated Average Daily Construction Emissions of the Proposed Project, the average daily emissions from the proposed project's construction activities would be below the BAAQMD thresholds of significance for criteria air pollutants.²⁵²⁶²⁷

²⁴ California Code of Regulations, Title 13, Division 3, Chapter 10, Section 2485.

²⁵ Rachel Schuett, Air Quality Technical Memo to File, *525 Harrison Street Project*, June 24, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

²⁶ Subsequent to the preparation of the June 24, 2015 Air Quality Technical Memo, the proposed project increased in size from 179 units to 205 units. A subsequent CalEEMod model run was prepared on August 4, 2015 to update the emissions calculations; the remainder of this section is based on the August 4, 2015 model run.

²⁷ Karl F. Heiser, Environmental Science Associates, Memorandum regarding 2013.0159E: 525 Harrison Street-Construction Emissions for 205-Unit, 250-foot-tall project. August 4, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

Table 1: Estimated Average Daily Construction Emissions of the Proposed Project

	Projected Emissions (Pounds per Day) ¹			
	ROG	NO _x	PM ₁₀	PM _{2.5}
Average Daily Emissions	4.65	18.23	0.98	0.88
BAAQMD Threshold	54	54	82	54

Note:

¹ Emission factors were generated by CalEEMod model for San Francisco County.

Source: San Francisco Planning Department, June 2015

The proposed project would not be a major source of TACs that pose a significant health impact, because it would not be served by at least 100 trucks per day or 40 refrigerated trucks per day, and it would not generate more than 10,000 vehicle trips per day or 1,000 truck trips per day.

The proposed project would include a new stationary source (one backup diesel generator) that would emit TACs during its infrequent and intermittent periods of operation. As discussed in the project description, the backup generator would be diesel-fueled, with a 300 kilowatt (KW) standby (270 KW prime) rating. The backup generator would be located in the northwest corner of the building on garage level B2 (see Figure 8).

New stationary diesel engines are required to comply with BAAQMD Regulation 2, Rule 5: New Source Review for Toxic Air Contaminants. Regulation 2, Rule 5 requires new sources that result in an excess cancer risk greater than one in one million and/or a chronic hazard index greater than 0.20 to implement the best available control technology to reduce emissions. Here, the backup generator would be equipped with either a Tier 4 certified engine, or a Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). For these reasons, the ambient health risk to sensitive receptors from air pollutants, including DPM and TACs, is not considered substantial.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. However, the proposed project meets the screening criteria provided in the BAAQMD's Air Quality Guidelines for operational-related criteria air pollutants.

For the above reasons, the proposed project would not result in significant impacts related to air quality and would not contribute to the significant impacts identified in the *Rincon Hill Plan FEIR*. Therefore, no additional mitigation measures are necessary. The first part of Mitigation Measure E.1, identified in the *Rincon Hill Plan FEIR* and discussed above, has been superseded by the Construction Dust Control Ordinance and is not applicable to the proposed project. Mitigation Measure 1, Construction Air Quality, is consistent with the second part of Mitigation Measure E.1. With implementation of project Mitigation Measure 1, the proposed project would not result in any new or more

severe significant impacts than were identified in the *Rincon Hill FEIR* related to construction air quality.

Greenhouse Gas Emissions

The State CEQA Guidelines were amended in 2010 to require an analysis of a project's greenhouse gas (GHG) emissions on the environment. The *Rincon Hill Plan FEIR* was certified in 2005 and, therefore, did not analyze the effects of GHG emissions. In addition, the BAAQMD, the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (Air Basin), has prepared guidelines that provide methodologies for analyzing air quality impacts under CEQA, including the impact of GHG emissions. The following analysis is based on BAAQMD's guidelines for analyzing GHG emissions and incorporates amendments to the CEQA guidelines relating to GHGs. As discussed below, the proposed project would not result in any new significant environmental impacts related to GHG emissions.

The proposed project would contribute to the cumulative effects of climate change by emitting GHGs during its construction and operational phases. Construction of the proposed project is estimated at approximately 21 months. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would be subject to and required to comply with several San Francisco policies adopted to reduce GHG emissions as outlined in the GHG Checklist.²⁸ The GHG Checklist policies that are applicable to the proposed project include the Emergency Ride Home Program, bicycle parking requirements, car sharing requirements, Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, SF Green Building Requirements for Energy Efficiency, and Stormwater Management.

These policies, as outlined in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, meet the CEQA qualitative analysis (CEQA Guidelines Section 15064(a)(2)) and BAAQMD requirements for a GHG Reduction Strategy. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.²⁹ Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

²⁸ Greenhouse Gas Analysis: Compliance Checklist (hereinafter "GHG Checklist"), June 12, 2015.

This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

²⁹ GHG Checklist.

Shadow

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 Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The program EIR found that, while development within the plan area would not shade any open spaces subject to Section 295, there are other publicly accessible open spaces that would be subject to additional shading at certain times of the day and year.

In addition, plan area towers would also add new shadow to a proposed new public open space in the plan area, at Fremont and Harrison Streets. However, because of the limited shading of existing open spaces and because the planned open space did not exist, at that time, and would receive substantial morning sun even with plan area development, and based on the assertion that individual projects would receive a program-level shadow analysis, the program EIR found shadow effects to be less than significant.

Under the 82.5-Foot Tower Separation Option, an up to 400 foot residential tower over an 85 foot podium base was identified on the project site and the adjacent parcel. The structure and massing of the proposed 525 Harrison Street project is different than what was analyzed in the *Rincon Hill Plan FEIR*, given that it includes only one of the two adjacent parcels and is proposed at 250 feet in height; hence shadow impacts of the proposed project would likely be reduced compared to the massing that was evaluated under the program EIR. However, shadow impacts are largely determined not only by the size of one building, but by how shadow cast by one building interacts and/or is obscured by shadow cast by other buildings and infrastructure.

Therefore, a project-level shadow analysis (original shadow analysis) was conducted for the 525 Harrison Street project³⁰. The original shadow analysis evaluated a 174-foot tower (modeled at 193 feet to include all rooftop parapets, mechanical penthouses, etc.). When the proposed building height was increased to 250 feet (265 feet at the top of the parapet) a revision to the original shadow analysis was prepared (revised shadow analysis).³¹

The original shadow analysis was initiated with the preparation of a preliminary shadow fan on November 20, 2013. Seven open spaces were identified as falling within the

³⁰ Environmental Science Associates. *Potential New Shadow on Seven Open Spaces - Proposed 525 Harrison Street Residential High-Rise, San Francisco, California*. July 18, 2014 [Revised September 15, 2014]. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E.

³¹ Environmental Science Associates. *Potential New Shadow on Seven Open Spaces Proposed 525 Harrison Street Residential High-Rise, San Francisco, California*. July 28, 2015. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E.

bounds of the shadow fan including five privately owned public open spaces (POPOS) and two Port properties. The POPOS include: 201 2nd Street, 299 2nd Street – Marriott Courtyard, 303 2nd Street Plaza, 235 2nd Street Plaza, and 611 Folsom Street Plaza. The two Port properties are both named Herb Caen Way, but are located on two different sites. The same seven open spaces were identified in the revised shadow analysis.

However, given that the preliminary shadow fan does not take into account intervening buildings, a full set of shadow graphics was prepared for the original shadow analysis.³² These shadow graphics were prepared for the summer solstice (June 21st), the winter solstice (December 20th), and for the fall equinox (September 20) which is also a proxy for the spring equinox. These shadow graphics are created based on a three-dimensional model that not only takes into consideration the intervening buildings, but also the natural topography of the site and surrounding area.

The original shadow analysis includes 35 shadow graphics which depict the shadow cast by the proposed project and the surrounding buildings on the summer and winter solstice and the fall equinox, every two hours, starting from one hour after sunrise, and ending at one hour before sunset.³³

The shadow graphics in the original shadow analysis illustrate that, while project shadows would be long enough to reach five privately owned public open spaces (POPOS) in the morning hours, the shadow cast by the 193-foot project would be too short to reach over the existing buildings at 235 2nd Street, 299 2nd Street, and 303 2nd Street, and that the shadow cast by the 193-foot project would be interceded by the shadow from these and other buildings.³⁴ The revised shadow analysis includes six shadow graphics that focused on the morning hours during which new shadow from the proposed project could potentially reach the same five POPOS. The graphics indicate that, although the shadow from the proposed project would be long enough to reach over some of the existing buildings at 235 2nd Street, 299 2nd Street, and 303 2nd Street, during the early hours of the morning, the open spaces are already shaded at that time by the interceding buildings.³⁵

Further, although the shadow cast by the proposed project could potentially reach the two Port properties, this shadow would be interceded by existing buildings. As a result the proposed project would not cast any net new shadow on any of the parks or open spaces identified within the preliminary shadow fan. Thus, the project-specific shadow

³² Environmental Science Associates. *Potential New Shadow on Seven Open Spaces Proposed 525 Harrison Street Residential High-Rise, San Francisco, California*. July 18, 2014 [Revised September 15, 2014]. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E..

³³ Ibid.

³⁴ Ibid.

³⁵ Environmental Science Associates. *Potential New Shadow on Seven Open Spaces Proposed 525 Harrison Street Residential High-Rise, San Francisco, California*. July 28, 2015. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E.

analysis concludes that the *Rincon Hill Plan FEIR* adequately addressed the shadow impacts of the proposed 525 Harrison Street project; that the 525 Harrison Street project would not have any additional effects that were not examined in the program EIR; and that no new or additional information has come to light that would alter the conclusions of the program EIR.

Wind

The *Rincon Hill Plan FEIR* found, based on a series of three tests³⁶ in connection with the 425 1st Street project, that cumulative Plan area development could result in between one and three hazard exceedances in the area between Essex and Beale Streets, absent project-specific mitigation, with no scenario resulting in more than a total of five hours per year that would exceed the 36-miles per hour (mph) wind hazard criterion (the wind comfort criterion is 11 mph). Since compliance with Planning Code Section 825(d) would preclude these hazard exceedances on a project-specific basis, the program EIR concluded that the Plan would have no significant effects. In terms of average wind speeds, there was also little difference between test scenarios for the *Rincon Hill Plan FEIR*. Average wind speeds ranged from about 11.9 to 12.3 mph, about 1 mph greater than existing conditions; a difference that is unlikely to be perceptible.

A project-specific wind-tunnel study was conducted to evaluate the proposed 525 Harrison Street project.³⁷ The project-specific test was based on the current project design, which includes a 23-story, 250-foot-tall residential tower with a four foot parapet wall and a 15 foot penthouse, reaching 265 feet at the highest point over a six-story, 60.5-foot-tall podium base, built to the lot line and generally shaped by the project site's irregular boundaries.

The project-specific wind-tunnel study tested three scenarios: the existing scenario, the project scenario, and the cumulative development scenario. The existing scenario included all of the existing buildings in the vicinity as well as several 300-to 400-foot-tall high-rise buildings that were under construction at the time of the wind tunnel test at: 45 Lansing Street, 340-350 Fremont Street, 399 Fremont Street, and Transbay Blocks 6/7.

The project scenario simply adds the proposed project at 525 Harrison Street to the existing scenario. The cumulative development scenario includes the proposed project as well as the following high-rise developments that were approved or proposed as of November 21, 2014: Transbay Block 9, 390 1st Street, 325 Fremont Street, and Transbay Block 8.

³⁶ The structure, massing and location of the proposed project were included in each of three cumulative scenarios studied in the *Rincon Hill Plan* analysis.

³⁷ Environmental Science Associates. *Potential Section 825(d) Wind Impacts, Proposed 525 Harrison Street Project, San Francisco California, Case No. 2013.0159E*. August 4, 2015. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E.

The wind-tunnel testing resulted in the following findings:

- **Existing Scenario.** The hazard criterion is exceeded at one test point location on the north side of Harrison Street adjacent to the 45 Lansing Street building, for a total of 1 hour per year. The comfort criterion is exceeded 18% of the time, with the average wind speed being 12.9 mph.
- **Project Scenario.** The hazard criterion is exceeded at one test point location (the same location as the Existing setting), for a total of 2 hours per year, 1 hour per year more than the Existing Scenario. The comfort criterion is exceeded 17% of the time, a reduction of 1% compared to the Existing Scenario, with the average wind speed being 12.9 mph, the same as the Existing Scenario.
- **Cumulative Development Scenario.** The hazard criterion is not exceeded at any test point location. The comfort criterion is exceeded 20% of the time, with the average wind speed being 13.4 mph, which is 0.5 mph higher than the average for the Existing Plus Project Scenario.

Table 2: Wind Impact Related to the Proposed Project

		Hazard Criterion		Comfort Criterion	
		Exceedance locations (# of test opints)	Exceedance time (hours/year)	Comfort Exceedance s (% of time)	Comfort Exceedance s (Average Wind Speed)
Existing Scenario		1	1	18%	12.9 mph
Project Scenario		1	2	17%	12.9 mph
Cumulative Scenario	Development	0	0	20%	13.6mph

Source: Environmental Science Associates, 2015.

The proposed project would not change the one location where the wind hazard criterion is currently exceeded one hour per year, but would increase the exceedance to two hours per year.

The hazard exceedance site is located on the sidewalk of Harrison Street near the site for the 45 Lansing Street high-rise, which will have its primary pedestrian entrance on Lansing Street and a garage entrance on Harrison Street. Therefore, the exceedance site is not located an area with high pedestrian volumes. Moreover, the existing building to the west, at 81 Lansing Street, also has its pedestrian entrance on Lansing Street, not on Harrison Street, and the proposed project at 390 First Street (considered in the cumulative analysis for this 525 Harrison Street project) is likely to have its pedestrian entrance on First Street, not Harrison Street. Finally, the Bay Bridge approach is located south of Harrison Street, generally precluding pedestrian travel to the south. Thus there would likely be less pedestrian access from Harrison Street, as is also the case for the

adjacent 81 Lansing Street residential building to the west. Accordingly, even with future development of the gas station site at 390 First Street, minimal pedestrian use of this north sidewalk along Harrison Street is expected.

Further, landscape trees will be planted at this exceedance location along the north side of Harrison Street as a part of the approved conditions for the 45 Lansing Street project, in conformance with the Rincon Hill Streetscape Plan. Street trees are known to insulate pedestrian walkways from gusty winds; thus the planting of these trees is likely to reduce or eliminate the wind on Harrison Street in the interim between the completion of the 525 Harrison Street project and the buildout of the cumulative development scenario, at which time all hazard exceedances would be eliminated.

In addition, the percentage of the time that the comfort criterion is exceeded goes from 18 percent under the existing condition to 17 percent under the project scenario; and the average wind speed when the comfort criterion is exceeded would remain 12.9 mph.

The cumulative development scenario would result in the elimination of all of the locations where the wind hazard criterion is exceeded. As such, the number of hours during which the wind hazard criterion is exceeded go from one (under the project condition) to zero. The percentage of the time that the comfort criterion is exceeded goes from 17 percent (under the project condition) to 20%; and the average wind speed when the comfort criterion is exceeded goes from 12.9 mph (under the project condition) to 13.4 mph. In summary, no new hazard exceedance locations would result from the construction of the proposed project. Although one additional hour of hazard exceedance would be added at the existing exceedance site once the proposed project is constructed, pedestrian volumes are low in this location, and the trees planted at this location, as part of the 45 Lansing Street project would offer protection to pedestrians from wind gusts. Further, once the cumulative development scenario is built out, all hazard exceedances would be eliminated. Thus, the project wind test demonstrates that the program EIR adequately addressed the wind impacts of the proposed 525 Harrison Street project; that the 525 Harrison Street project would not have any additional effects that were not examined in the program EIR; and that no new or additional information has come to light that would alter the conclusions of the program EIR.

Hazardous Materials

As noted in the *Rincon Hill Plan FEIR*, compliance with applicable federal, state, and local laws, regulations, and standards regarding underground storage tanks, buried debris, unidentified contamination; and compliance with asbestos abatement and polychlorinated biphenyls (PCBs) disposal regulations would ensure that potential impacts associated with hazardous materials would be less than significant. Project-specific analysis of the proposed project is presented below.

The project site falls within the boundary of the City and County of San Francisco Ordinance 253-86 (Maher Ordinance)³⁸ and is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project.

A Phase I ESA for the project site was conducted on December 28, 2012.³⁹ Based on historical Sanborn maps, the original structure on the site was residential. The site has been used as a nightclub from late 1992 to present. The Phase I ESA did not identify any Recognized Environmental Conditions (RECs) on the site or off-site.

The project applicant submitted a Maher Application to DPH along with the Phase I ESA on May 9, 2014, initiating the process of compliance with the Maher Ordinance. If soil and/or groundwater contamination conditions are discovered, the project sponsor could be required to remediate in accordance with Article 22A of the Health Code.

Based on the above project-specific analysis, the program EIR adequately addressed the hazards-related impacts of the proposed 525 Harrison Street project; and the 525 Harrison Street project would not have any additional effects that were not examined in the program EIR; and no new or additional information has come to light that would alter the conclusions of the program EIR.

Cultural Resources

Archaeological Resources

The *Rincon Hill Plan FEIR* found that excavation that would be required for subgrade parking and building foundations could adversely affect subsurface cultural resources, although the impact could be mitigated to a less-than-significant level through one of three mitigation measures, depending on the location of subsequent development. The mitigation measures corresponds to geographic zones. The 525 Harrison Street project site was identified as being within Archeological Mitigation Zone 1 (AMZ-1).

Parcels located within AMZ-1 include properties for which a final archeological research design and treatment plan (ARD/TP) is on file at the Northwest Information Center and the Planning Department. The 525 Harrison Street project site was previously analyzed

³⁸ The Maher Area encompasses the area of the City bayward of the original high tide line, where past industrial uses and fill associated with the 1906 earthquake and bay reclamation often left hazardous waste residue in soils and groundwater. The Ordinance requires that soils must be analyzed for hazardous wastes if more than 50 cubic yards of soils are to be disturbed.

³⁹ ENVIRON International Corporation, Phase I Environmental Site Assessment, 525 Harrison Street, San Francisco, California, December 28, 2012. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E.

in an areawide archeological study. Mitigation identified in the *Rincon Hill Plan FEIR* called for a site-specific addendum to the previous study, or a Preliminary Archeological Review (PAR) performed by the staff archaeologist.

The Planning Department Staff Archeologist completed Preliminary Archeological Review for the 525 Harrison Street project on August 14, 2014, and determined that the excavation related to development of the proposed project would have no effect on undiscovered archeological resources. Therefore, no impact would occur and no mitigation is required.

Therefore, the program EIR adequately addressed the archaeological impacts of the proposed 525 Harrison Street project; the 525 Harrison Street project would not have any additional effects that were not examined in the program EIR; and no new or additional information has come to light that would alter the conclusions of the program EIR.

Historic Architectural Resources

The *Rincon Hill Plan FEIR* identified significant and unavoidable impacts to historic architectural resources within the Plan area, resulting from the anticipated demolition of three known historic resources (the buildings at 347 Fremont Street and 375 Fremont Street, and the former Union Oil Company building at 1st and Harrison Streets) under CEQA, as well as to other potential historical resources, including buildings at 340 and 350 Fremont Street. The FEIR further states that future specific development proposals in the Plan area could affect potential historical resources not yet identified as such.

The existing 16,000 square foot commercial building at 525 Harrison Street was constructed in 1982, and is not considered to be a historic resource. As a result, demolition of the building would not be a significant adverse impact on an historical resource. Therefore, the program EIR adequately addressed impacts to historical resources of the proposed 525 Harrison Street project; the 525 Harrison Street project would not have any additional effects that were not examined in the program EIR; and no new or additional information has come to light that would alter the conclusions of the program EIR.

Geology

Geology was discussed in the Rincon Hill Plan Initial Study (Appendix A of the program EIR) and was determined to result in less-than-significant impacts. In addition DBI is the agency responsible for ensuring project compliance with the seismic safety standards of the Building Code and for assessing potential risks from geologic hazards. Each development project proposed under the *Rincon Hill Plan* is required to comply with the seismic safety standards of the Building Code. In addition, a geotechnical report is required for each development project that is in an area of liquefaction potential or an area susceptible to landslides. The purpose of the geotechnical report is to assess the geologic hazards of a particular site and provide recommendations for reducing potential

damage from those hazards. DBI will review each building permit application and geotechnical report. Based on these requirements, the *Rincon Hill Plan FEIR* concluded that implementation of the *Rincon Hill Plan* would not result in significant impacts related to geology and soils, and no mitigation measures were identified.

A subsequent 525 Harrison Street project-specific geotechnical study was completed, which confirmed the findings of the *Rincon Hill Plan EIR Initial Study*.

The site-specific geotechnical investigation, prepared by an independent consultant, determined that the project could be constructed as planned, on a mat slab foundation with footings.⁴⁰ As part of the geotechnical investigation, two borings were drilled in the parking lane fronting the site. Beneath the asphalt, concrete, and baserock roadway section, the project site is underlain by bedrock and meta-sandstone of the Franciscan Complex. Project excavation would remove overlaying soil and the bottom of the excavation would be within bedrock. Based on the geotechnical investigation, the bedrock has high competency and low compressibility and a mat slab foundation with footings is recommended, as currently proposed by the project sponsor. (Figures 3 through 6, and Figure 10 through 14). The proposed project would require excavation to a depth of approximately 64 feet; 26,000 cubic yards of soil would need to be removed from the site.

No groundwater was encountered during the borings. Based on the site-specific geotechnical investigation, the *Rincon Hill Plan EIR Initial Study* adequately addressed geology impacts of the proposed 525 Harrison Street project; the 525 Harrison Street project would not have any additional effects that were not examined in the program EIR; and no new or additional information has come to light that would alter the conclusions of the program EIR.

Noise

Noise was discussed in the *Rincon Hill Plan EIR Initial Study* (Appendix A of the program EIR) and was determined to result in less-than-significant impacts, with the inclusion of one mitigation measure related to pile driving. For all potential development that could occur under the *Rincon Hill Plan*, Mitigation Measure 1 Construction Noise, identified in the *Rincon Hill Plan FEIR*, requires piles to be pre-drilled whenever feasible and sonic or vibratory pile drivers to be used instead of impact pile drivers, unless impact pile drivers are absolutely necessary.⁴¹ However, given that no pile driving is proposed as part of the construction of the proposed project, this mitigation measure is not applicable.

⁴⁰ Treadwell & Rollo. *Geotechnical Investigation, 525 Harrison Street, San Francisco, California*. April 9, 2014. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2013.0159E.

⁴¹ San Francisco Planning Department, *Rincon Hill Plan FEIR*, certified May 5, 2005, p. 222, and Appendix A, p. 32.

As discussed in the *Rincon Hill Plan Initial Study*, background noise levels in the Rincon Hill neighborhood are typical of most urban areas and are dominated by vehicular traffic noise as well as activities associated with the high density of uses. Traffic noise generated on the Bay Bridge is the most pervasive noise source, with noise levels near the Bay Bridge and Interstate 80 exceeding established land use compatibility standards for housing. Some land uses, and their associated users, are considered more sensitive to ambient noise levels than others due to the types of activities typically involved with the land use and the amount of noise exposure (in terms of both exposure duration and insulation from noise). In general, occupants of residences, schools, daycare centers, hospitals, places of worship, and nursing homes are considered to be sensitive receptors (i.e., persons who are sensitive to noise based on their specific activities, age, health, etc.). The closest sensitive receptors to the project site are existing residential buildings at 45 and 75 Lansing Street.

The Environmental Protection Element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise.⁴² These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research, indicate maximum acceptable ambient noise levels for various newly developed land uses. For residential uses, the maximum satisfactory noise level without incorporating noise insulation into a project is 60 dBA L_{dn} ,^{43,44} while the guidelines indicate that residential development should be discouraged at noise levels above 70 dBA L_{dn} .⁴⁵

Where ambient noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements is typically necessary before final review and approval, and new residences must include noise insulation features. In addition, Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects. This state regulation requires meeting an interior standard of 45 dBA in any habitable room. DBI would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development comply with San Francisco Building Code (Building Code) requirements and Title 24 standards regarding sound transmission for residences.

⁴² *San Francisco General Plan*. Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise, http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm. Accessed January 7, 2014.

⁴³ Sound pressure is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 dB to 140 dB corresponding to the threshold of pain. Because sound pressure can vary by over one trillion times within the range of human hearing, a logarithmic loudness scale allows reporting the sound intensity numbers within a convenient range. Owing to the variation in sensitivity of the human ear to various frequencies, sound is "weighted" to emphasize frequencies to which the ear is more sensitive, in a method known as A-weighting, and is expressed in units of A-weighted decibels (dBA).

⁴⁴ L_{dn} is the average equivalent sound level during a 24-hour day, obtained after the addition of 10 dB to sound levels during nighttime hours (10:00 p.m. to 7:00 a.m.).

⁴⁵ The guidelines are based on maintaining an interior noise level of 45 dBA, L_{dn} , as required by the California Noise Insulation Standards in Title 24, Part 2 of the California Code of Regulations.

Site-specific background noise levels were measured and analyzed in detail for the proposed project, and an Environmental Noise Assessment documents the existing noise sources that contribute to the measured background ambient noise levels.⁴⁶⁴⁷⁴⁸ The noise monitoring survey at the project site occurred over several days from December 26, 2013 to December 31, 2013. Continuous 24-hour noise measurements were taken on each of these days at a height of 12 feet above grade. The noise monitoring survey included a short-term “spot” measurement at 15 feet above the roof to determine how noise levels vary at different elevations.

Noise levels measured at the site were primarily influenced by nearby construction activity and vehicular traffic on Harrison Street and the I-80 on- and off-ramps. Based on the results, the noise measurements recorded a day-night noise average of up to 81 dBA L_{dn} on the 1st Street façade, 82 dBA L_{dn} on the I-80 (Bay Bridge) façade, 85 dBA L_{dn} on the façade that faces the I-80 on- and off-ramps, 81 dBA L_{dn} at the edge of the I-80) ramps at Harrison Street, and 76 dBA L_{dn} on the Harrison Street façade.

To meet Title 24 noise insulation standards, the project sponsor would incorporate the following recommendations from the Noise Study into the project’s design. The Noise Study recommends that the project sponsor use materials of construction, window assemblies and glazing, and architectural details having a minimum laboratory-tested Sound Transmission Class (STC) ratings to ensure an interior noise environment of 45 dBA in habitable rooms as required by Title 24 and the Building Code. During the review of the building permit application, DBI will review the project plans for compliance with Title 24 standards and Building Code requirements.

The proposed project would increase traffic on the local roadway network. Typically, traffic must double in volume to produce a noticeable increase in average noise levels. Based on the transportation analysis prepared for the project, traffic volumes would not double on area streets as a result of the proposed project⁴⁹. Therefore, operation of the proposed project would not cause a noticeable increase in traffic-related ambient noise levels in the project vicinity.

⁴⁶ Charles Salter Associates, *525 Harrison Residences – Updated Environmental Noise Study* 525 Street Project, San Francisco, California, June 9, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

⁴⁷ Subsequent to the preparation of the June 9, 2014 acoustical analysis, the project description was changed resulting in an increase building height and number of units. Charles Salter Associates were consulted and confirmed that the project description changes would not affect the acoustical analysis.

⁴⁸ Eric Broadhurst, PE, Charles Salter Associates, personal communication with Rachel Schuett, San Francisco Planning Department, via e-mail, August 4, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0159E.

⁴⁹ Stantec Consulting Services, *525 Harrison Street Transportation Study* (Case No. 2013.0159E), February 3, 2015; Available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case No. 2013.0159E.

Section 2909 of the Noise Ordinance establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the source must not cause a noise level more than 5 dBA in excess of ambient noise levels; for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient noise levels; for noise on public property, including streets, the limit is 10 dBA in excess of ambient noise levels. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours (until 10:00 p.m.).

Noise from construction activities and from the operation of building equipment is regulated by the San Francisco Noise Ordinance (Noise Ordinance). Section 2907 of the Noise Ordinance requires that noise levels from any individual piece of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the San Francisco Department of Public Works (DPW) or DBI. Section 2908 of the Noise Ordinance prohibits construction between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by DPW or DBI.

Construction of the proposed project and related street and sidewalk improvements would temporarily increase noise in the vicinity. Construction equipment would generate noise and possibly some groundborne vibration that could be considered an annoyance by occupants of nearby properties, although no pile driving is proposed. Construction noise and vibration would fluctuate depending on the construction phase, equipment type, duration of use, and distance between the source and the listener.

However, compliance with Sections 2907 and 2908 of the Noise Ordinance would minimize noise and vibration from construction activities and reduce noise impacts to nearby residential uses to a less-than-significant level.

The proposed project would include mechanical equipment, such as heating and ventilation systems, that could produce operational noise. The operation of this mechanical equipment is subject to the requirements of Section 2909 of the Noise Ordinance, which are discussed above. The proposed project would comply with the requirements of Section 2909 by including acoustical construction improvements to limit operational sources of noise and achieve an interior day-night equivalent sound level of 45 dBA. Compliance with Section 2909 would minimize noise from building operations. Therefore, noise effects related to building operations would be less than significant.

As discussed above, the proposed project would not result in exposure of persons to or generation of noise levels in excess of standards established in the *General Plan*, Noise Ordinance, or applicable standards of other agencies, would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, and would not result in a substantial permanent, temporary, or periodic increase in the ambient noise levels in the project vicinity. Further, the project site is not located within

an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or in the vicinity of a private airstrip, so the proposed project would not expose people residing or working in the area to excessive noise levels from these sources.

In addition, the residents of the proposed project would not be substantially affected by existing noise levels due to the implementation of Title 24 noise insulation standards.

For these reasons, implementation of the proposed project would not result in significant noise impacts consistent with the findings in the *Rincon Hill Plan FEIR*. Further, since construction of the proposed project would not involve pile driving, the construction noise impact identified in the *Rincon Hill Plan FEIR* would not be required. Therefore, no impact would occur and no mitigation is necessary.

Mitigation Measures

The following mitigation measure has been agreed to by the project sponsor to avoid potentially significant effects of the proposed project, and would implement the mitigation measures identified in the program EIR.

Project Mitigation Measure 1 – Construction Air Quality

The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as prohibiting idling motors when equipment is not in use or when trucks are waiting in queues, and implementing specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

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

- A. *Engine Requirements.*
 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
 2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
 3. Diesel engines, whether for off-road or on-road equipment, shall not

be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

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

B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table 3, below.

Table 3 – Off-Road Equipment Compliance Step-down Schedule

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

** Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval.

The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

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

Conclusion

In conclusion, the reduction in building height from 400 feet, as evaluated in the *Rincon Hill Plan EIR*, to 250 feet, as currently proposed does not result in impacts that were not identified in the program EIR. Further, the more fine-grained, project-level evaluation included in this Addendum did not reveal impacts that were not identified in the program EIR.

Thus, the proposed 525 Harrison Street project would not have any additional significant adverse effects nor would any environmental impacts be substantially greater than described in the program EIR. Further, no new or additional information has come to light that would alter the conclusions of the program EIR. Lastly, no mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Thus the *Rincon Hill Plan EIR* adequately addressed all of the impacts of the proposed 525 Harrison Street project.

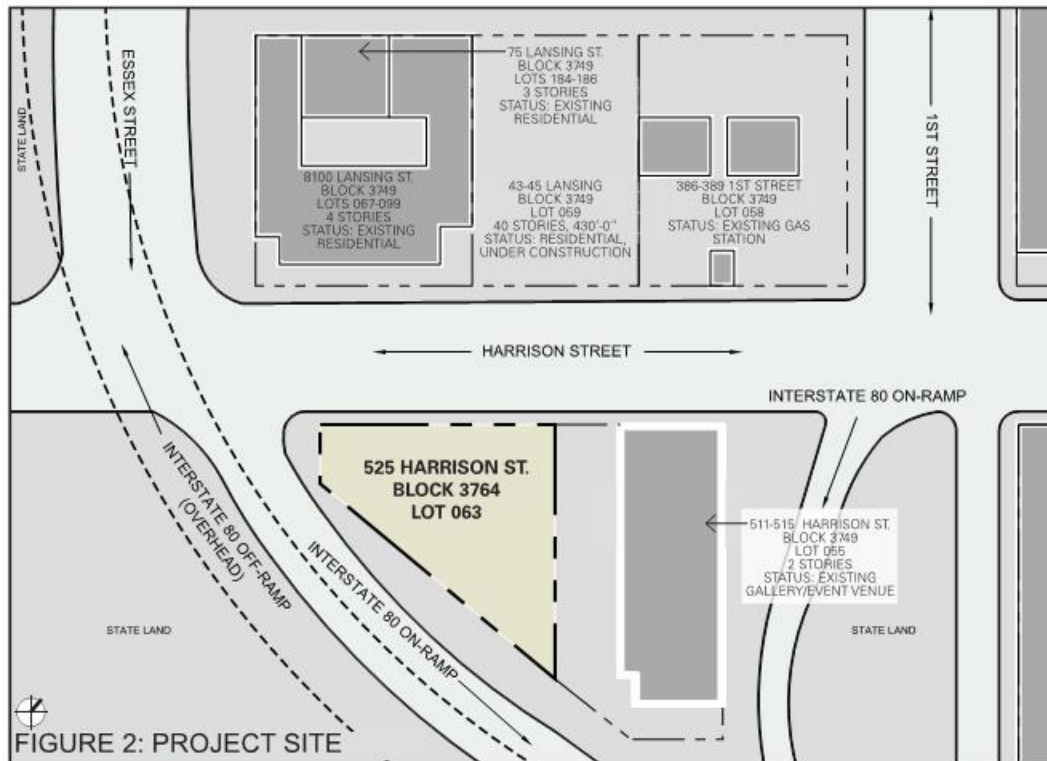
Changes to the proposed project made subsequent to certification of the *Rincon Hill Plan EIR* have not been determined to be substantial; similarly, there have been no substantial changes in circumstances necessitating revisions to the program EIR; and no new information of substantial importance has come to light that raises one or more of the above issues. Therefore, in accordance with San Francisco Administrative Code Section 31.20(f), CEQA Section 21166, and State CEQA Guidelines Sections 15064, 15065, 15162, and 15168, no further environmental review is necessary, and no Supplemental or Subsequent EIR or Negative Declaration is required.

ATTACHMENT A: PROJECT FIGURES

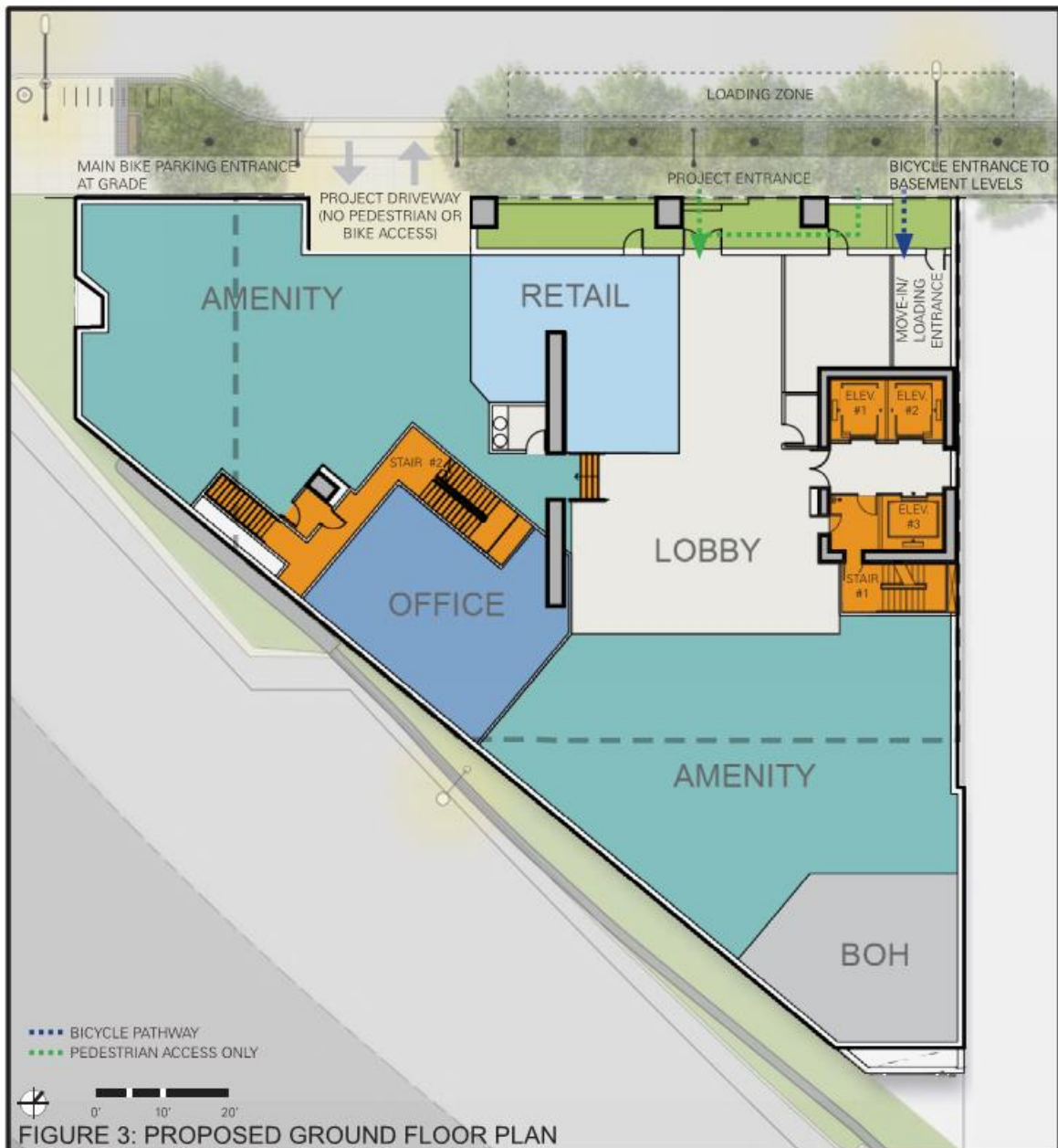


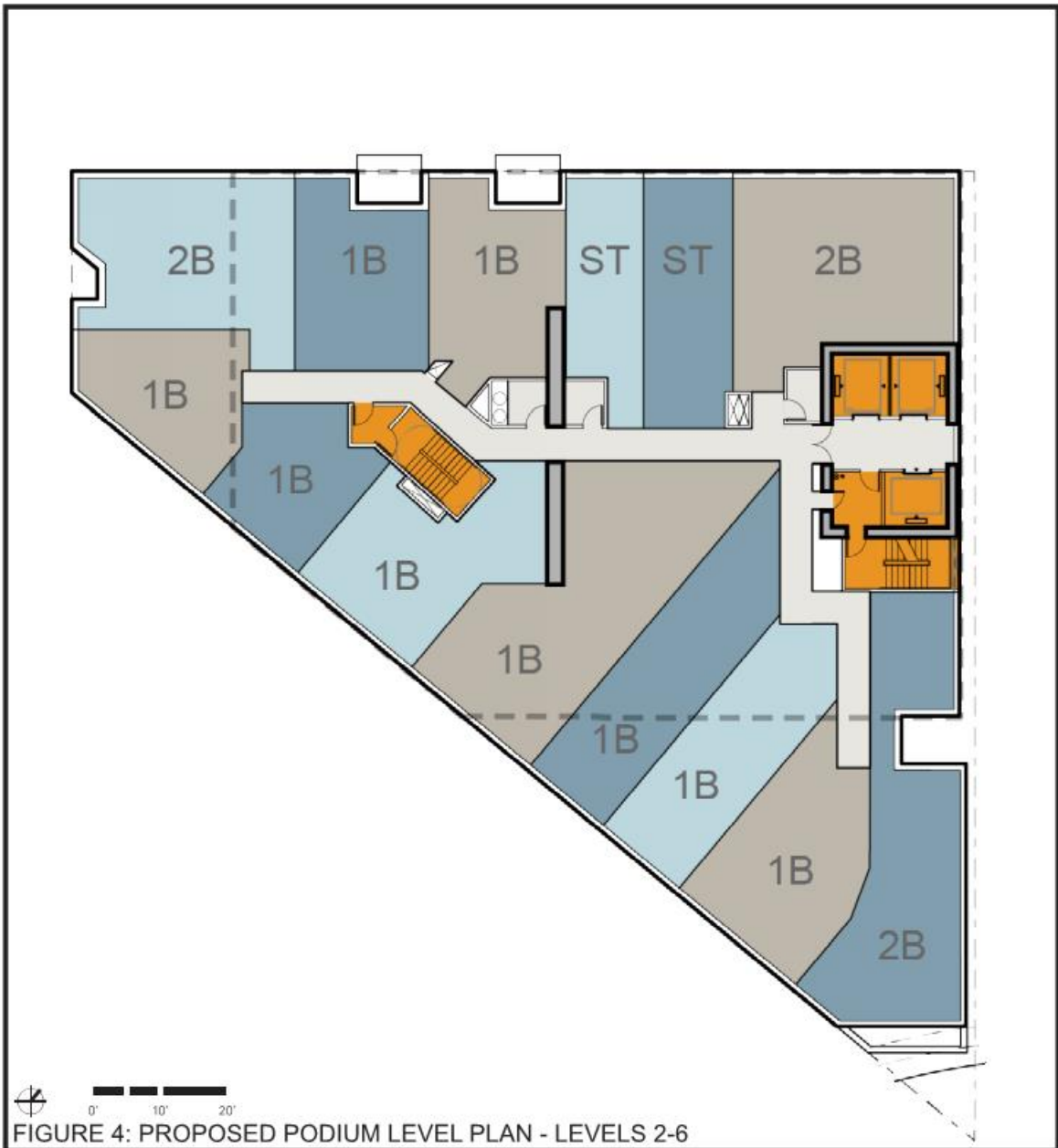
FIGURE 1: PROJECT LOCATION

SOURCE: HINES, 2015



SOURCE: HINES, 2015





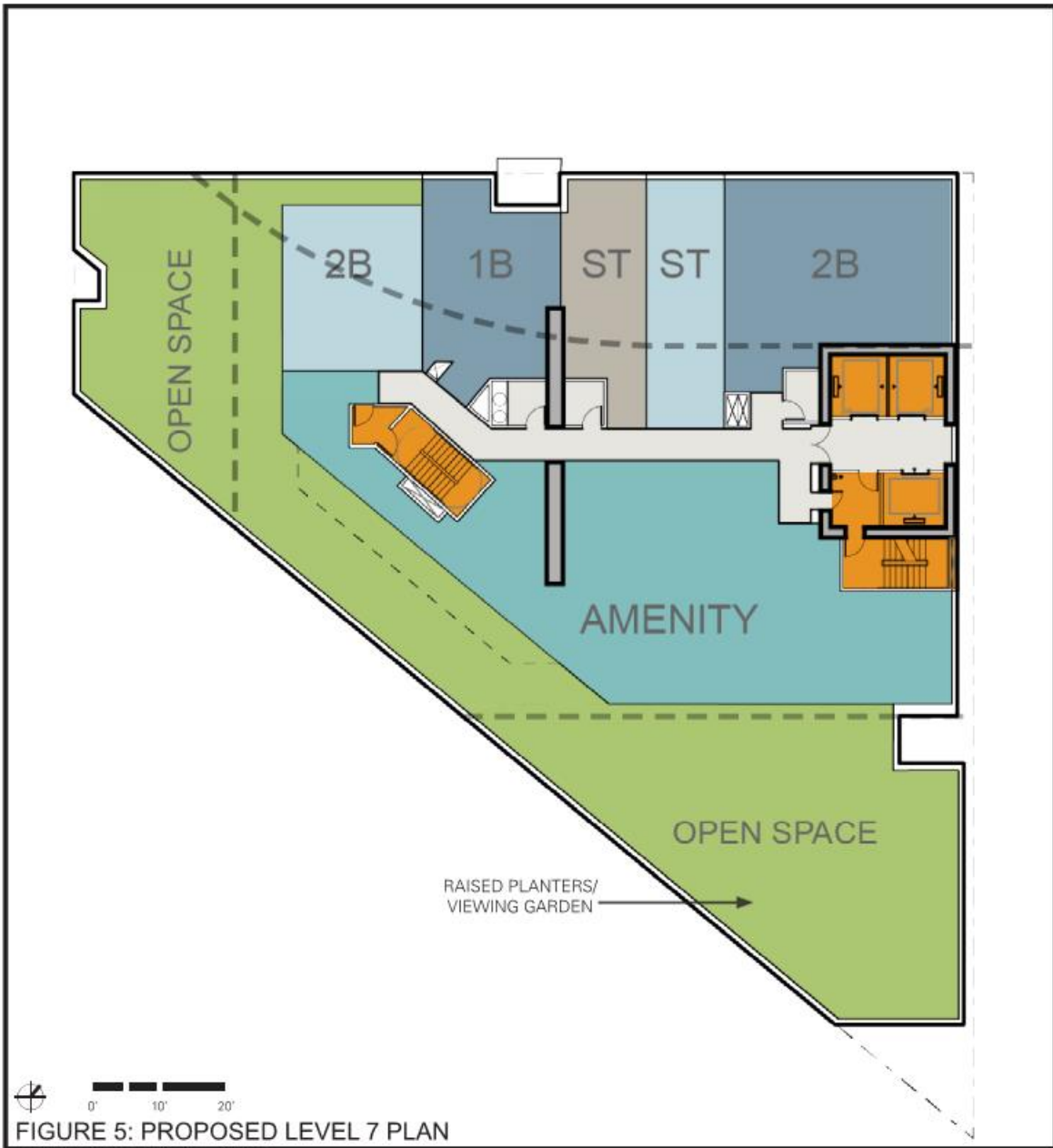
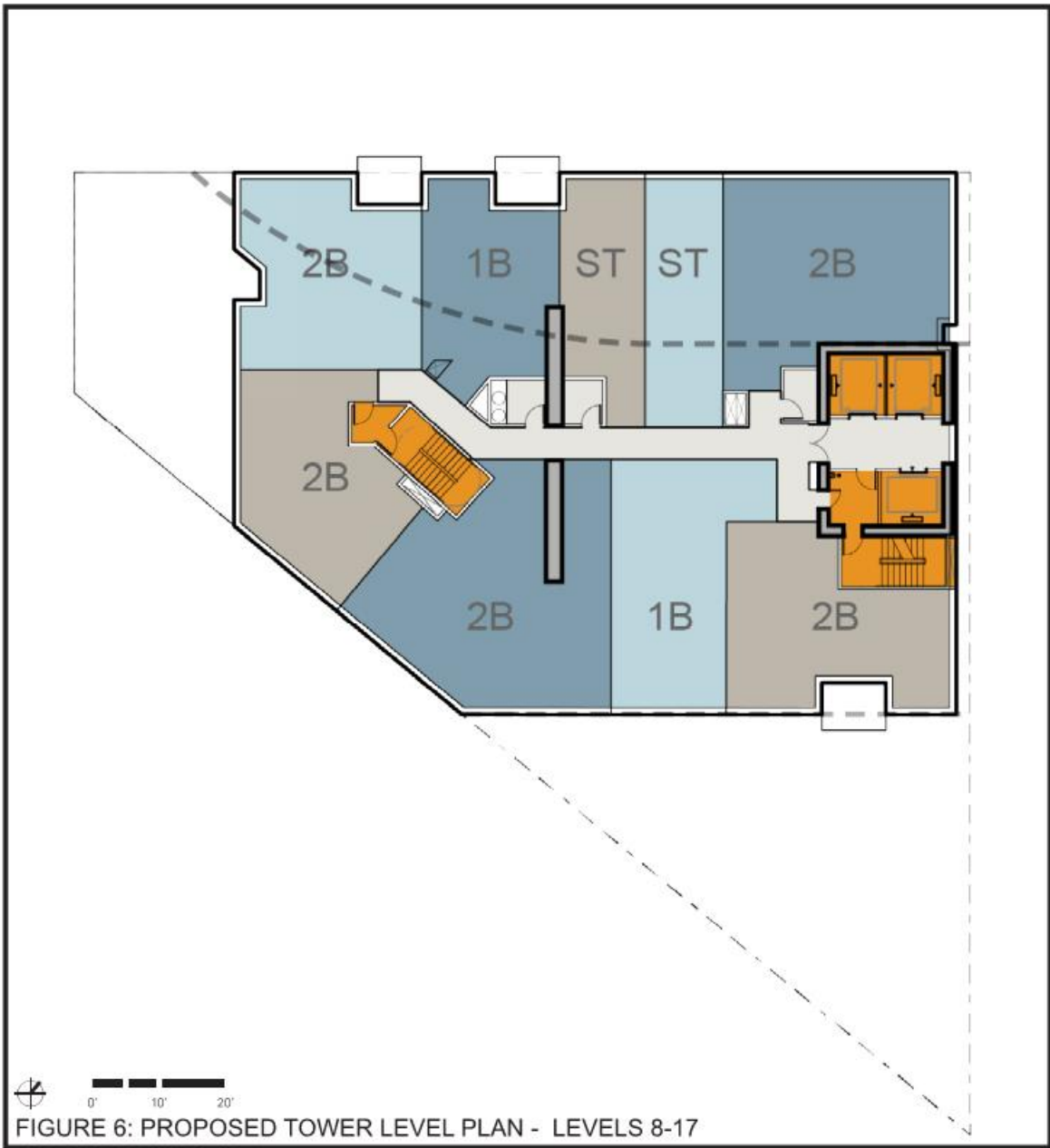


FIGURE 5: PROPOSED LEVEL 7 PLAN
SOURCE: HINES, 2015



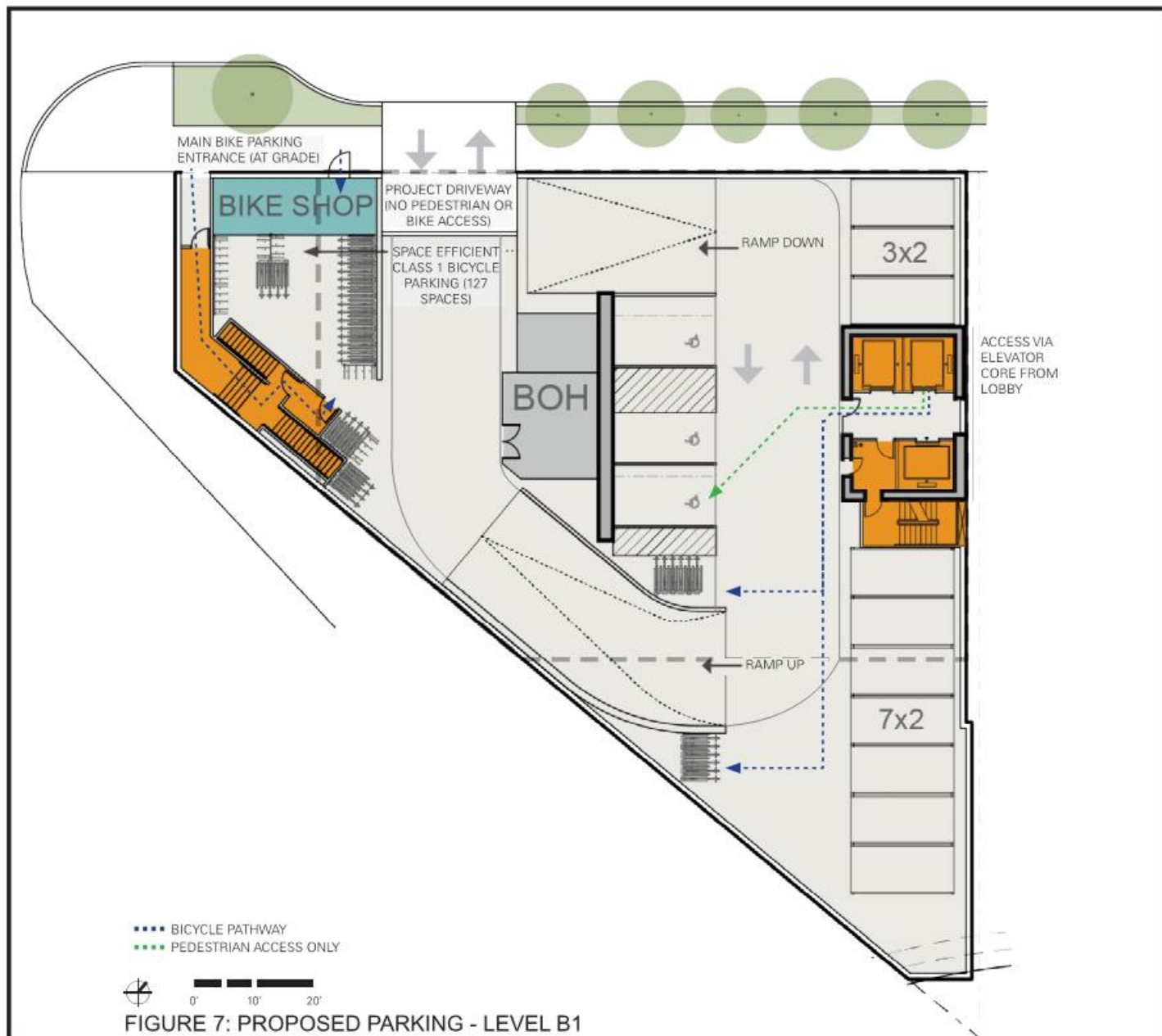


FIGURE 7: PROPOSED PARKING - LEVEL B1

SOURCE: HINES, 2015

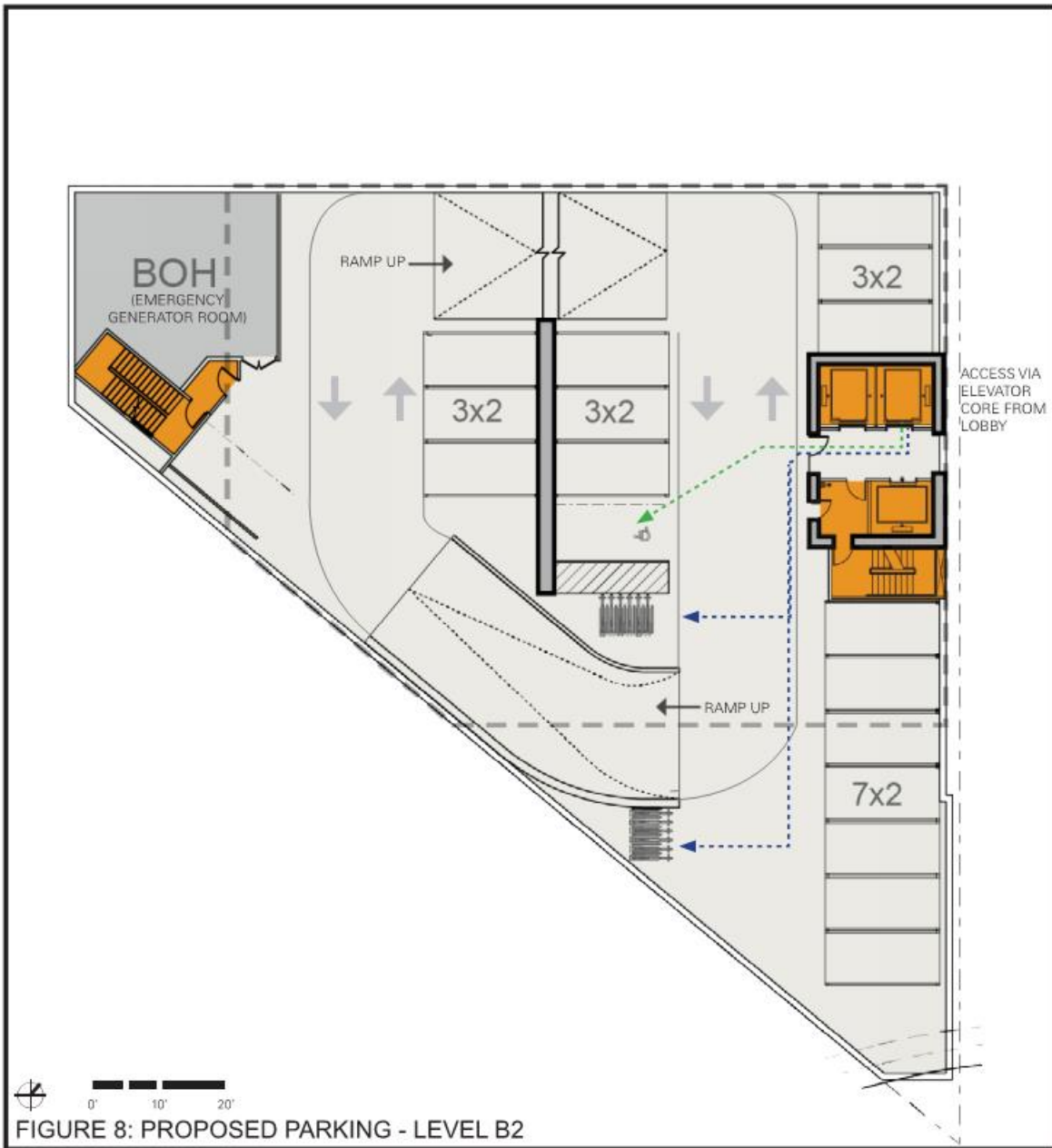


FIGURE 8: PROPOSED PARKING - LEVEL B2
SOURCE: HINES, 2015

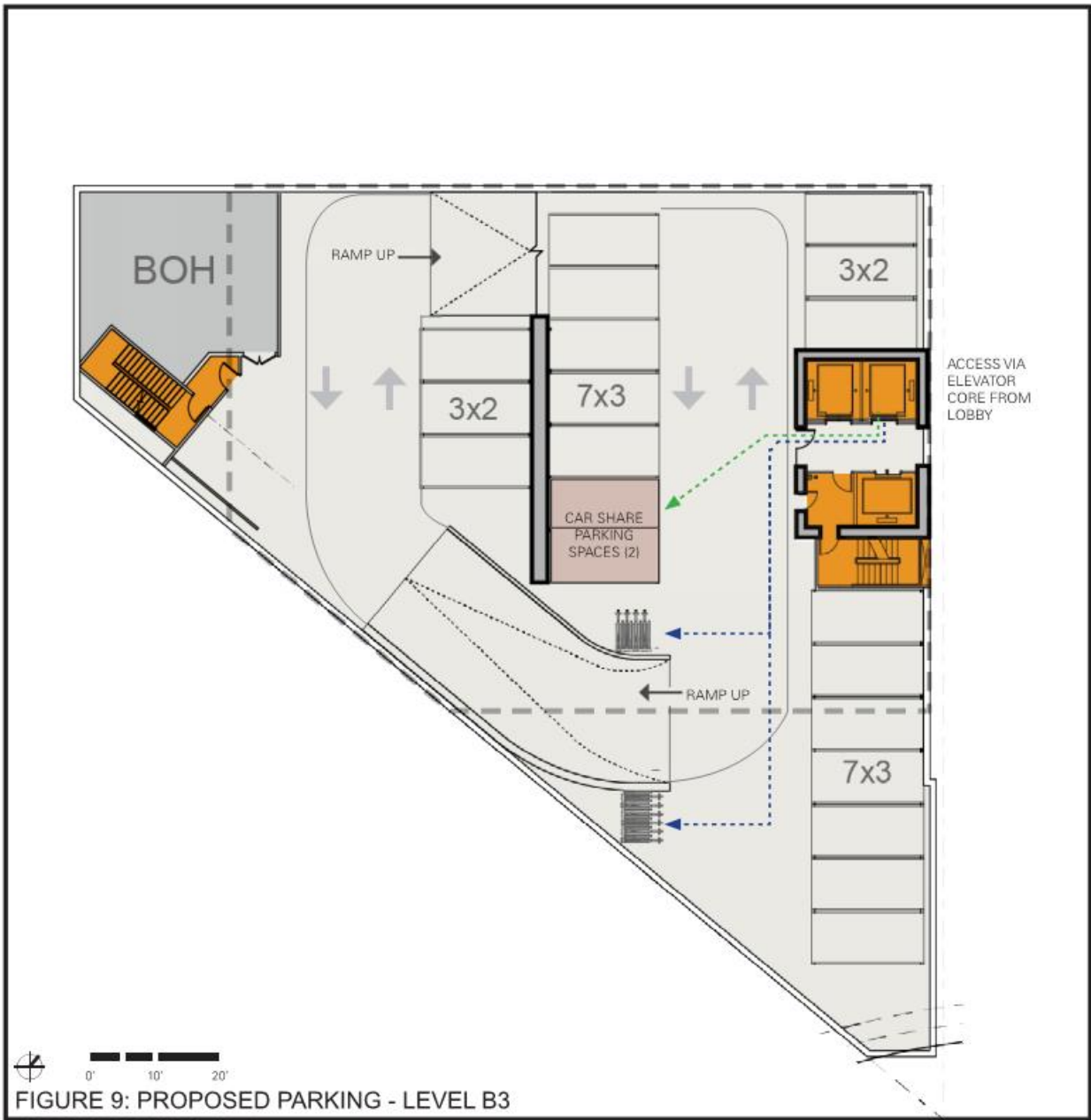
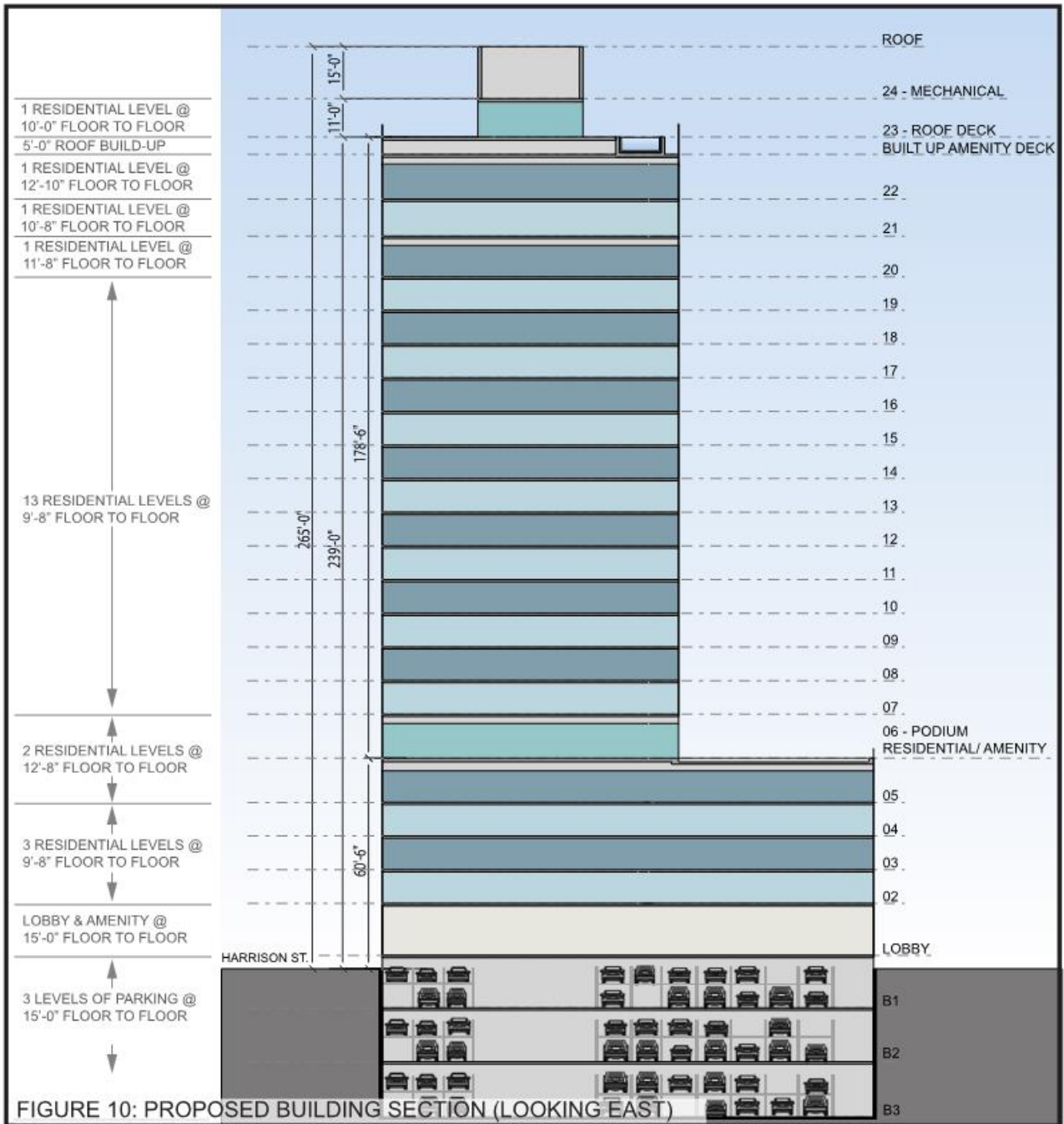


FIGURE 9: PROPOSED PARKING - LEVEL B3
SOURCE: HINES, 2015



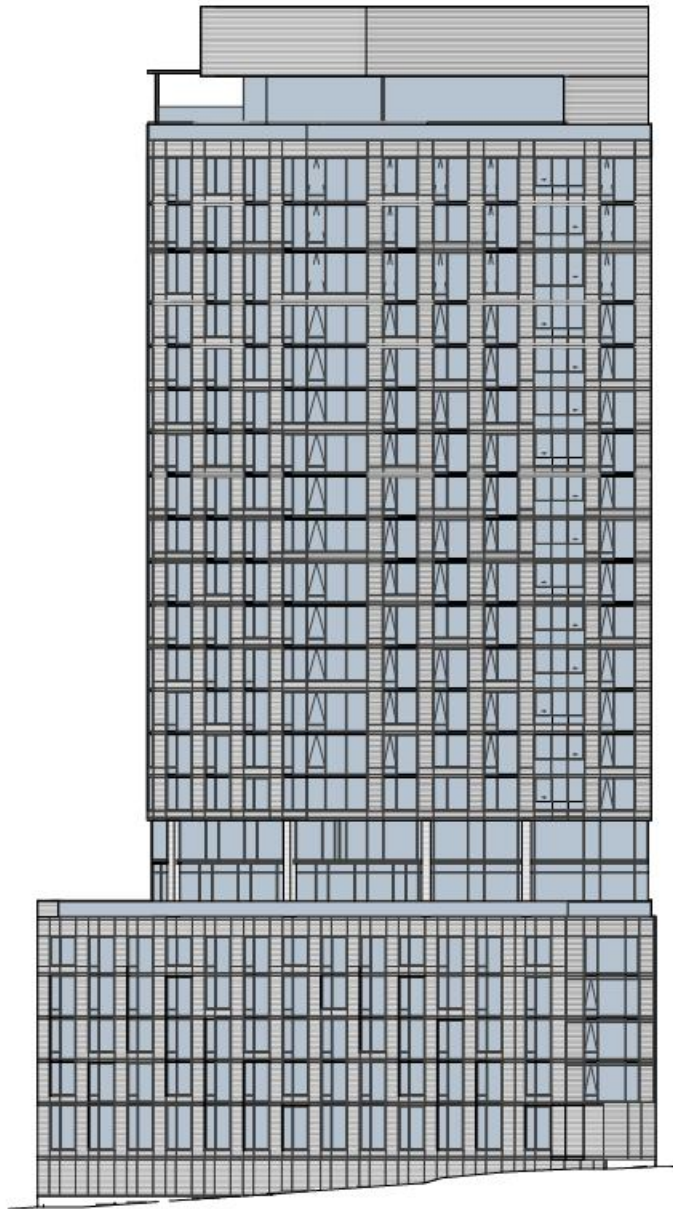


FIGURE 11: PROPOSED ELEVATION, SOUTH
SOURCE: HINES, 2015

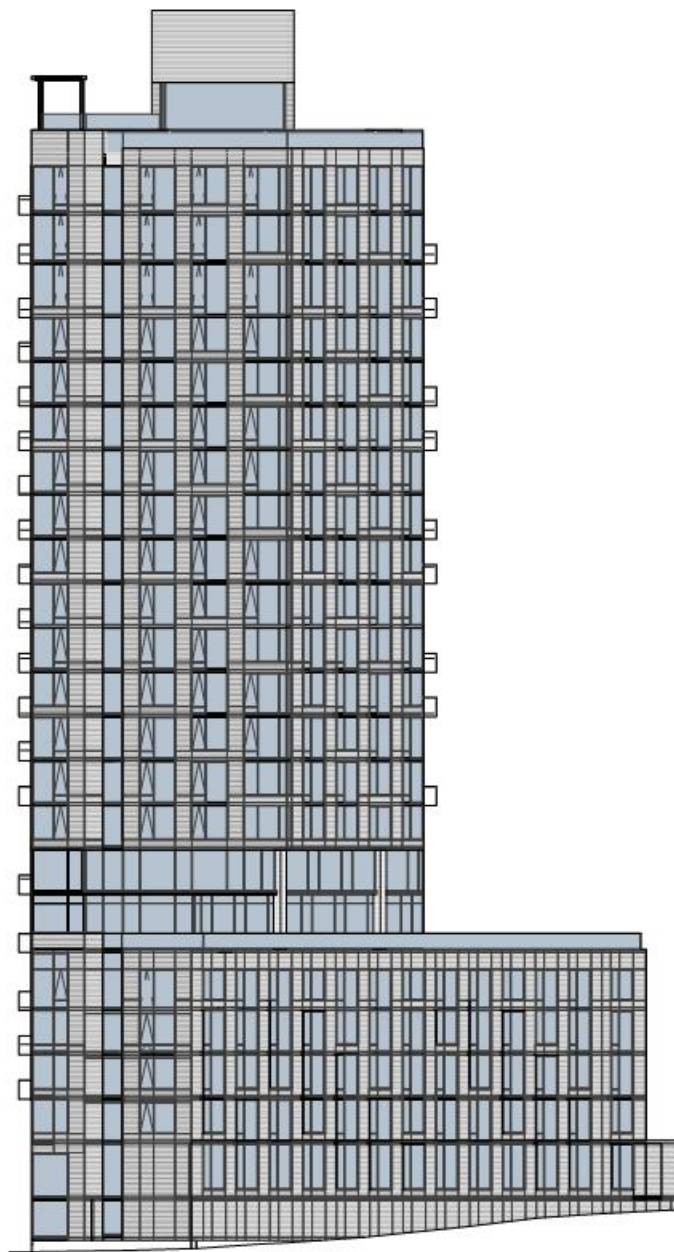


FIGURE 12: PROPOSED ELEVATION, WEST
SOURCE: HINES, 2015

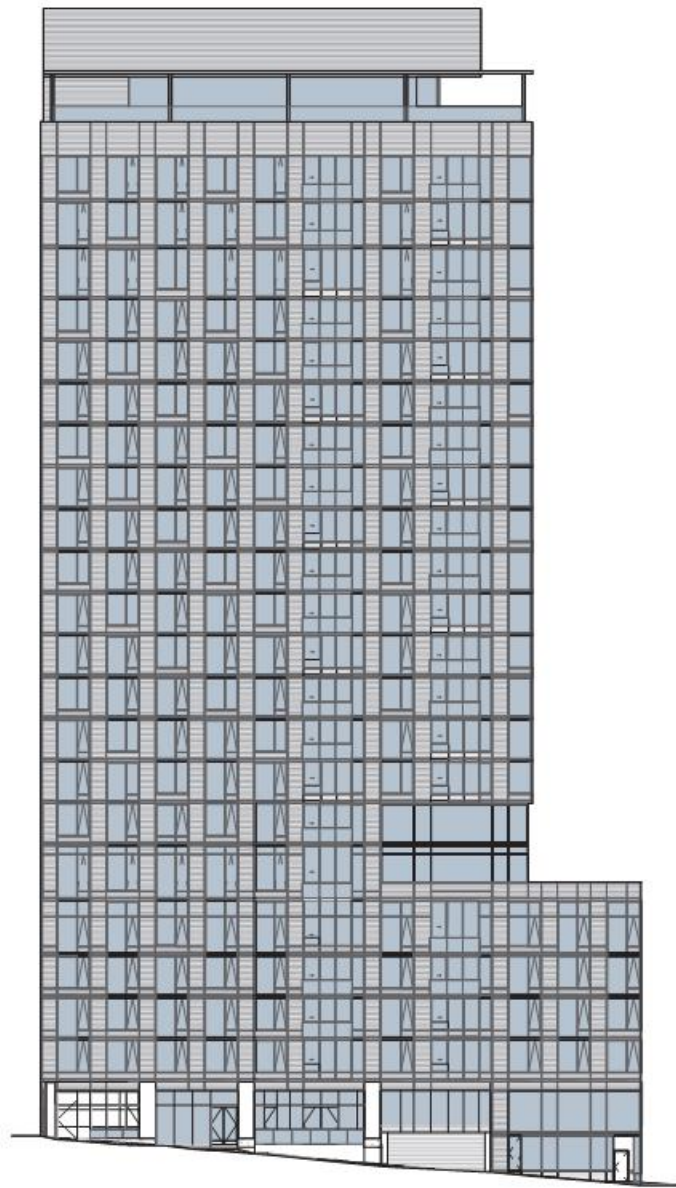


FIGURE 13: PROPOSED ELEVATION, NORTH
SOURCE: HINES, 2015

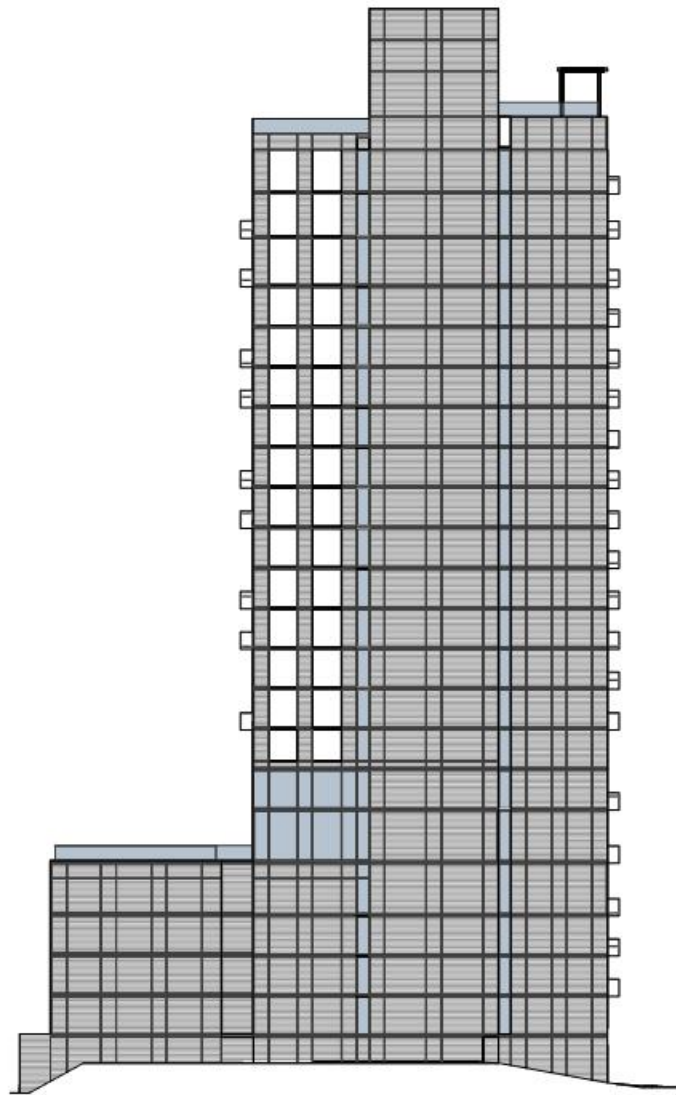
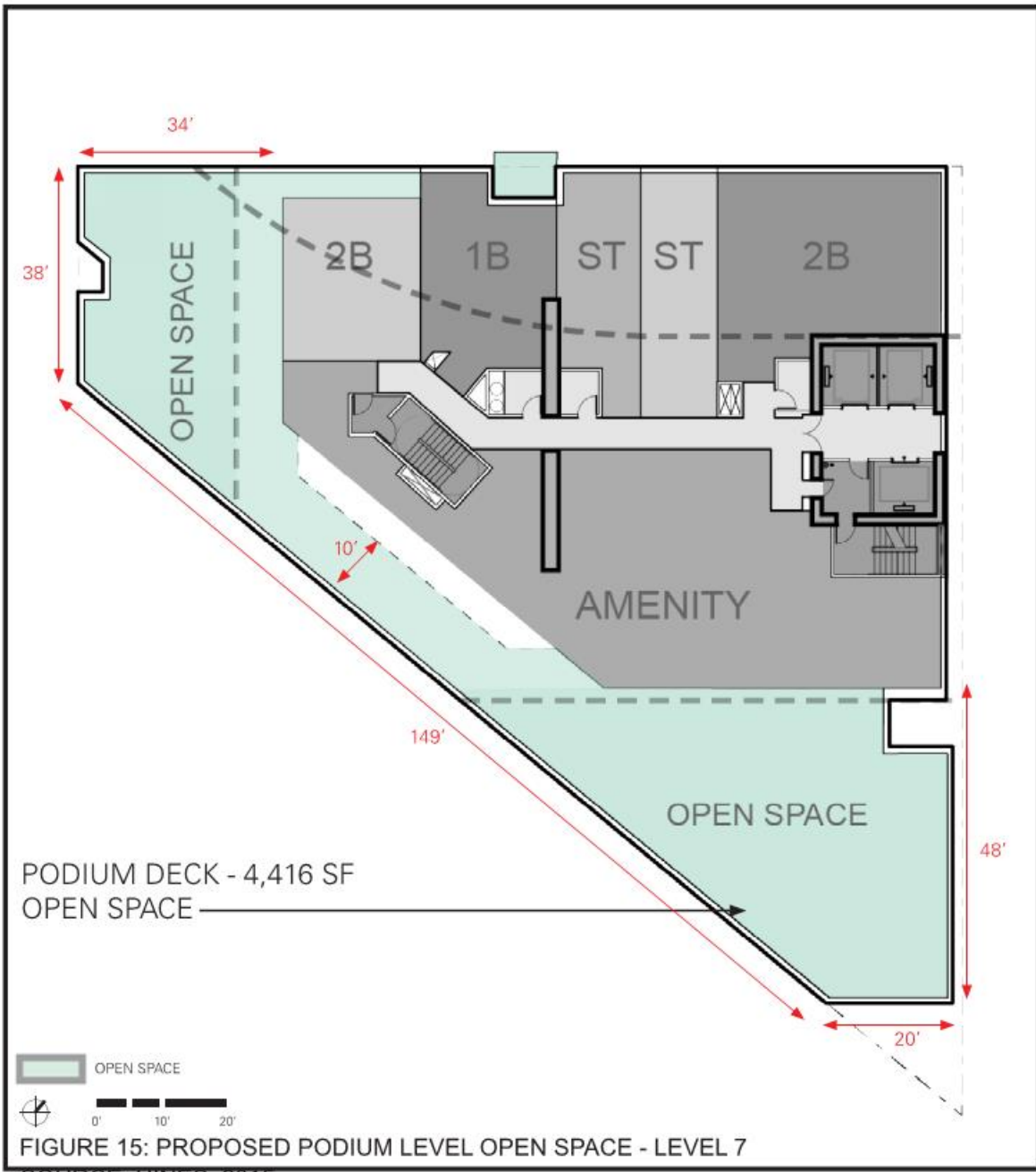


FIGURE 14: PROPOSED ELEVATION, EAST
SOURCE: HINES, 2015



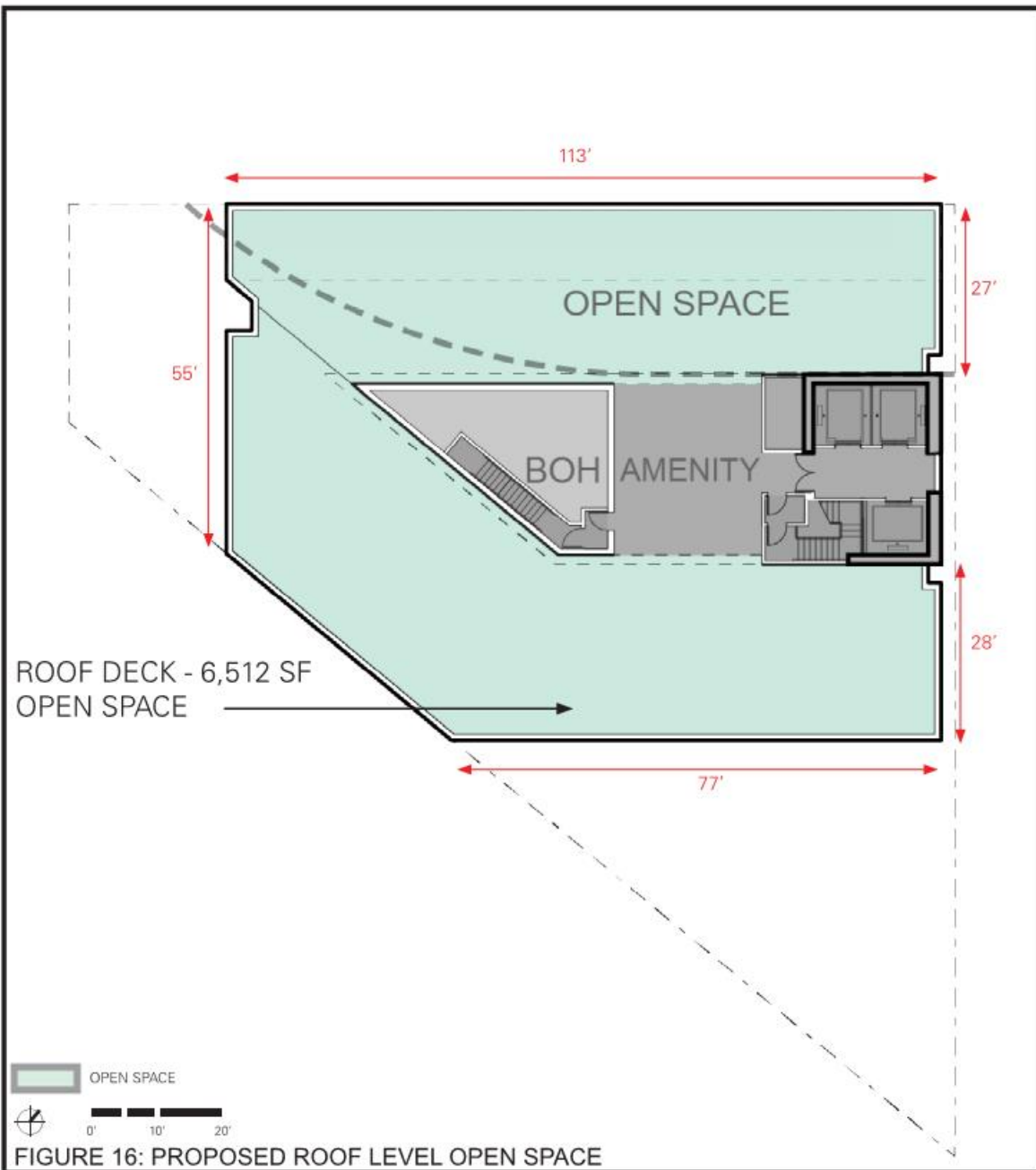


FIGURE 16: PROPOSED ROOF LEVEL OPEN SPACE
SOURCE: HINES, 2015

