



MEMO TO THE PLANNING COMMISSION

HEARING DATE: FEBRUARY 4, 2021

Continued from the January 7, 2021 and January 21, 2021 Hearings

January 28, 2021

Record No.: 2013.1535CUA-02
Project Address: 450-474 O'Farrell Street/532 Jones Street
Zoning: RC-4 - Residential- Commercial, High Density Zoning District
80-T-130-T Height and Bulk District
North of Market Residential Special Use District
Block/Lot: 0317/007, 009, 011
Project Sponsor: Forge Development Partners LLC
155 Montgomery Street, Suite 300
San Francisco, CA 94104
Fifth Church of Christ, Scientist San Francisco
San Francisco, CA 94102
Property Owner: Fifth Church of Christ, Scientist San Francisco
San Francisco, CA 94102
Staff Contact: Marcelle Boudreaux – (628) 652-7375
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Recommendation: Approve Amendments

Background

The project was originally scheduled and noticed for the January 7, 2021 Planning Commission hearing. At the January 7, 2021 hearing, the item was continued to the January 21, 2021 Planning Commission hearing at the request of the sponsor, to allow additional time for community engagement. At the January 21, 2021 Planning Commission hearing, the item was continued to the February 4, 2021 Planning Commission hearing at the request of the sponsor, to allow additional time for community engagement.

Current Proposal

There are no changes to the proposal since the packet was published on January 14, 2021. A revised Draft Motion has been attached that includes minor edits. Other attachments include: a separate Memo to the

Planning Commission in response to a letter received on the addendum, Motion No. 20280 (Statement of Overriding Considerations for the original project) and the Mitigation and Monitoring Report Program (MMRP).

Public Outreach and Comments

The Department has received 41 form letters in support, 2 other letters of support, including from Yimby Law, and 3 letters in opposition to the Project, including from Tenderloin Housing Clinic, TNDC, Tenant Associations Coalition of San Francisco neighborhood groups, and one phone call in opposition. The opposition to the Project is centered on the shift to group housing, concerns about the community engagement process, and a neighbor's perception that the church has not been a good neighbor. The support for the Project is focused on the development of new housing, below market rate options, community-serving retail and new home for the Fifth Church of Christ, Scientist. An additional letter was received regarding the adequacy of the Addendum prepared for the project.

Required Commission Action

In order for the Project to proceed, the Commission must approve an amended Planned Unit Development/ Conditional Use Authorization Condition of Approval Nos. 24, 25, 26, and 32 of Planning Commission Motion No. 20281, to reflect compliance of the amended Project with Sections 166, 155, 155.1, and 155.2, and of 415 of the Planning Code, respectively. An approval by the Commission will reflect compliance standards for the change to group housing use and removal of residential off-street parking.

Basis For Recommendation

The Department finds that the proposed changes to the Conditions of Approval does not affect the Project's consistency with the Objectives and Policies of the General Plan, and the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Recommendation: Approve Amendments

Attachments:

Revised Draft Motion, dated February 4, 2021
Memo in Response to Letter on the Addendum
Motion No. 20280 (Statement of Overriding Considerations)
Mitigation and Monitoring Report Program (MMRP)
Executive Summary, Draft Motion and attachments dated January 14, 2021



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: ~~JANUARY 21~~ FEBRUARY 4, 2021

Record No.: 2013.1535CUA-02
Project Address: 450-474 O'Farrell Street/532 Jones Street
Zoning: RC-4 - Residential- Commercial, High Density Zoning District
80-T-130-T Height and Bulk District
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ADOPTING FINDINGS TO APPROVE AN AMENDED CONDITIONAL USE AUTHORIZATION THAT WOULD MODIFY CONDITION OF APPROVAL NOS. 24, 25, 26 AND 32 OF PLANNING COMMISSION MOTION NO. 20281 TO REFLECT COMPLIANCE OF THE AMENDED PROJECT WITH SECTIONS 166, 155, 155.1, AND 155.2, AND OF 415 OF THE PLANNING CODE, RESPECTIVELY.

PREAMBLE

On January 24, 2020, Alexander Zucker of Forge Development Partners, LLC, (hereinafter "Project Sponsor") filed Application No. 2013.1535CUA-02 (hereinafter "Application") with the Planning Department (hereinafter "Department") for an amended Planned Unit Development/ Conditional Use Authorization to amend Conditions of Approval Nos. 24, 25, 26 and 32 of Planning Commission Motion No. 20281 (hereinafter "Project") at 450-474 O'Farrell Street and 532 Jones Street, Block 0317 Lots 007, 009 and 011 (hereinafter "Project Site").

This project has undergone environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code. The Planning Commission certified the Final Environmental Impact Report (EIR) for the project on September 13, 2018 (Motion No. 20279). On December 21, 2020, the Planning Department published an addendum to Final EIR for the Project. The Planning Department concluded that no further environmental review is required for this revised Project for the reasons set forth in the Addendum. This

Commission concurs with that conclusion. On September 13, 2018, the Commission adopted Motion No. 20280 adopting CEQA findings for the original Project, including a Statement of Overriding Considerations, and adopted a Mitigation Monitoring and Reporting Program (MMRP) for the Project. Those findings and adoption of the MMRP set forth in Motion No. 20280 are incorporated by reference in this Motion as though fully set forth herein. No further environmental review is required.

On January 7, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Planned Unit Development/Conditional Use Authorization Application No. 2013.1535CUA-02. On September 13, 2018, the Commission approved the original Project in Planning Commission Motion Nos. 20279, 20280 and 20281.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2013.1535CUA-02 is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the amended Conditional Use Authorization as requested in Application No. 2013.1535CUA-02, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The current proposal is to amend Condition of Approval Nos. 24, 25, 26 and 32 of Planning Commission Motion No. 20281 to modify the Project's compliance with Sections 166, 155, 155.1, and 155.2, and of 415 of the Planning Code, respectively.

The previously approved Project includes demolition of three buildings: 450 O'Farrell Street (currently occupied by the Fifth Church of Christ, Scientist); 474 O'Farrell Street (one-story, vacant retail building); and 532 Jones Street (one-story restaurant use, with five existing residential units). The proposal is to merge these three lots, and construct a new mixed-use building rising up to 130-foot-tall (13-story), with up to 176 dwelling units, restaurant and/or retail space on the ground floors, and a replacement church (proposed religious institution) incorporated into the ground and two upper levels, below grade parking and mechanical spaces, private and common open space and 116 Class 1 and 9 Class 2 bicycle parking spaces. The project would construct a total of approximately 218,155 square feet ("sf") of development, including 182,668 sf of residential space, 3,827 sf of restaurant/retail space, 9,555 sf for religious institution use, 8,398 sf of residential open space (288 sf of private open space and 8,110 sf of common open space), and 21,105 sf of below-grade parking (up to 46 spaces). The project also proposes merger of three Lots

007, 009, and 011 in Assessor's Block 0317.

A revised project scope ("amended Project") still includes demolition of the three buildings, construction of up to a 13-story mixed use building with similar massing and basement, ground floor commercial and a new church, and residential open space, but now proposes up to 302 group housing rooms instead of up to 176 residential units and no longer proposes residential off-street parking. The number of bicycle parking spaces has been modified to: 73 Class 1 and 12 Class 2. The revised project would now construct a total of approximately 199,384 square feet ("sf") of development, including 165,972 sf of residential space, 7,959 sf of restaurant/retail space, 10,181 sf for religious institution use, and 4,900 sf of residential open space. The project also proposes merger of three Lots 007, 009, and 011 in Assessor's Block 0317.

3. **Site Description and Present Use.** The project site is currently occupied by the three-story, 26,904-square-foot Fifth Church of Christ, Scientist, including a 1,400-square-foot parking lot with four parking spaces at 450 O'Farrell Street; a one-story, 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story, 1,012-square-foot restaurant and residential building with five units at 532 Jones Street.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the RC-4 zoning district, a District defined by its compact, walkable, transit-oriented and mixed-use nature, within the Downtown/ Civic Center neighborhood. The immediate context is primarily residential with neighborhood-serving commercial uses. The immediate vicinity includes buildings ranging from five to 12 stories, and within a two-block radius up to 16-stories (including at the end of the subject site block). Within ¼-mile radius east of the site is the dense commercial retail area surrounding Union Square and the western boundary of the Financial District, and within ¼-mile south of the site is the City's major ceremonial and transit corridor Market Street. The project site is located within the boundaries of the Uptown Tenderloin Historic District which is listed in the National Register. Other zoning districts in the vicinity of the project site include: C-3-G (Downtown General), C-3-R (Downtown Retail), and P (Public), which exhibit a range of height and bulk districts: 80-T, 80-A, 80-130-F, and 225-S.
5. **Public Outreach and Comments.** The Department has received ~~14-41~~ form letters in support, 2 other letters of support, including from Yimby Law, and 3 letters in opposition to the Project, including from Tenderloin Housing Clinic, TNDC, Tenant Associations Coalition of San Francisco neighborhood groups, and one phone call in opposition. The opposition to the Project is centered on the shift to group housing, and concerns about the community engagement process, and a neighbor's perception that the church has not been a good neighbor. The support for the Project is focused on the development of new housing, below market rate options, community-serving retail and new home for the Fifth Church of Christ, Scientist. An additional letter was received regarding the adequacy of the Addendum prepared for the project.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section F of Planning Commission Motion No. 20281, except as amended below:
 - A. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 12

points.

The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 12 points. As currently proposed, the Project will achieve its required 12 points through the following TDM measures:

- Parking Supply
- Bicycle Parking
- Bicycle Repair Station
- Multimodal Wayfinding Signage
- Real Time Transportation Displays
- On-Site Affordable Housing

- B. Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on November 21, 2014, project approval was granted on September 13, 2018, and a site permit was issued on May 13, 2020; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the proposed group housing rooms/ dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project. The Project Sponsor submitted such Affidavit on August 21, 2020. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on November 24, 2014, project approval was granted on September 13, 2018, and a site permit issued May 13, 2020; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the total proposed dwelling units as affordable to low-income households, as defined by the Planning Code and Procedures Manual. 40 units/rooms (all studios) of the total 297 new units/rooms and 5 replacement units/rooms, for a total of 45 provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- 7. Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the Project is consistent and does comply with said criteria as originally described in Section G of Planning Commission Motion No. 20281, except as amended below:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Downtown/ Civic Center neighborhood contains a mix of residential, commercial and institutional uses, including religious facilities. This mixed-use building will be compatible with that neighborhood mix of uses. The project will provide rental housing, ground floor retail space, and a new Christian Science church and Reading Room (institutional use) to replace the existing church site (deemed obsolete and oversized), a vacant commercial building adjacent to the church, and a one-story restaurant building containing five existing residential units that will be replaced on-site. Specifically, this mixed-use project includes 302 newly constructed group housing rooms (with 45 on-site affordable rooms including the five replacement units), supporting a need in the City, a new church facility, and retail space.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project's proposed building massing is consistent with the character and design of the neighborhood, and will not impede any development of surrounding properties. The project would be a contemporary, but compatible, design that references the character-defining features of the surrounding district and is compatible with size and scale, composition, materials and architectural details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation. The elements include the new church structure, and two different architectural styles for floors seven and above. The expression of the upper levels is compatible with the overall design and district, but read as secondary elevations. Finally, a vertical notch is proposed at the corner of O'Farrell Street and Shannon Alley, further reducing the building's massing impact. The building's design is well-articulated horizontally and vertically in order to reduce the apparent massing.

Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019.

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

The Project site is located accessible by public transit, with multiple public transit alternatives (MUNI Bus lines 2-Clement, 3-Jackson, 27-Bryant, 31-Balboa, 38-Geary, 38R-Geary Rapid, and 45-Union/Stockton; Powell Street and Civic Center BART/MUNI) within close walking distance. Additionally, the Project site is directly adjacent to O'Farrell and Jones Streets, both major thoroughfares which provide ready access to those driving.

Parking is available either along surrounding neighborhood streets or within the proposed minimal off-street parking for the institutional use. The vehicular entrance is located on Shannon Street, which will be less detrimental to the existing traffic pattern than would be a garage entrance on O'Farrell Street, which has a dedicated transit lane and one vehicular travel lane. The residential entrance, including entrance to the on-site bicycle parking, is located of O'Farrell Street. Pedestrian entrances to the retail and church uses are on O'Farrell and additional retail use from Jones Streets, further activating those major streets. Given the small amount of retail space (less than 4,000 square feet) and limited loading needs as discussed in the project EIR, the project will seek an exception to off-street loading requirements by providing an on-street solution. The development will not be detrimental to the convenience of persons residing or working in the vicinity.

- C. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The project site is located within the RC-4 zoning district and subarea No. 1 of the North of Market Residential Special Use District. This SUD has a stated purpose which includes protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area. Considered as a whole, although the project demolishes historic resources, the Project would add housing and commercial goods and services to add to and to support the residential-commercial District, in addition to a new church facility, into one mixed-use building. The Project site is well-served by transit and existing commercial services, with amenities accessible by foot, bike or transit. The Project includes 302 group housing rooms with 316 beds, and provision of on-site affordable units. On balance, the Project conforms with multiple goals and policies of the General Plan.

- 8. Planned Unit Development.** Section 304 establishes criteria and limitations for the authorization of Planned Unit Development (PUD)'s over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. In cases of projects on sites ½-acre or greater that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section H of Planning Commission Motion No. 20281, except as amended below:

A. Specifically the project seeks these modifications:

- (1) *A modification of the rear yard requirements per Section 134(j) of the Planning Code is still required, as a modification through the PUD process, to allow for open space in a configuration other than a rear yard.*
- (2) *An exception to dwelling unit requirements is not required for the amended Project, as it complies with Section 140 of the Planning Code.*
- (3) *An exception to the off-street loading requirements per Section 152 of the Planning Code is still required, which requires one residential loading space for the project.*
- (4) *An exception to permitted obstructions is not required for the amended Project, as the amended Project complies with Section 136(c) of the Planning Code.*

B. On balance, the Project complies with said criteria of Section 304(d) in that it:

- (1) Provides off-street parking adequate for the occupancy proposed;

Off-street parking is not required in the RC-4 zoning district. The project provides off-street parking for the religious institution, with up to 6 dedicated for that use. Balanced with multiple transit lines within ¼-mile, options for walking, and over 85 bicycle parking spaces, both on-site and on the sidewalks, this limited off-street parking is adequate and appropriate for the proposed uses, for this downtown location.

- (2) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

Pursuant to Section 209.3 of the Planning Code, the RC-4 residential high-density zoning district, permits a group housing density up to one bedroom per every 70 square feet of lot area. On this 22,106 square foot site, 316 bedrooms are permitted, and 302 bedrooms are proposed with 316 beds. Accordingly, no increase in density is being sought.

9. Additional Findings to Section 303(c) for Conditional Use Authorization request. Each Planning Code Section may establish criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

- A. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications to demolish or convert Residential Buildings. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning

Commission Motion No. 20281, except as amended below:

- (1) whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing;

The existing five units are not deed-restricted, tax-credit funded affordable housing. Although Planning Staff does not have the authority to make a determination on the rent control status of a property, it is to be assumed that the units to be demolished are subject to the Residential Rent Stabilization and Arbitration Ordinance due to building construction date circa 1950. Only two of the five units are occupied, and the project sponsor will be working with MOH and other parties to ensure a relocation plan. The project includes five additional on-site affordable units in excess of its inclusionary housing requirement (13.5%, or 40 units) as new, on-site replacement units. The project proposes a total of 45 on-site affordable units pursuant to Section 415 of the Planning Code.

- (2) whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;

Although the existing housing will not be conserved, the mixed-use project, which merges three lots, will replace the five existing units – only two of which are currently occupied – with 302 newly constructed group housing rooms. The five replacement rooms and 297 group housing rooms in the project meet the stated purpose of the North of Market Residential Special Use District and the City's priority policies to encouraging dense infill housing in close proximity to transit. By providing a varied bedroom mix and on-site affordable units (40 inclusionary units/rooms and 5 replacement inclusionary units/rooms), the surrounding neighborhood's cultural and economic diversity will be enhanced.

- (3) whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The project conserves neighborhood character with a mixed-use project including 302 newly constructed group housing rooms, including 45 units/rooms as on-site affordable, a church, retail space, all while including features that are consistent with the character defining features of the Uptown Tenderloin National Register Historic District. Architectural elements from existing structures will be incorporated into the new building design to maintain its connection to the neighborhood's history. The new building design is compatible with the prevailing development pattern and neighborhood character on the project and surrounding blocks. The group housing rooms – primary one bed but a small number with two beds per room – is balanced with compliant residential open space at various levels and communal amenity space throughout the residential portion. The minimal amount of ground floor retail supports the new and existing residential uses, and, overall, the project seeks to enhance the neighborhood's economic and cultural diversity. Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an

informational hearing on October 3, 2019.

- (4) whether the project protects the relative affordability of existing housing;

None of the five units in the existing building are deed-restricted affordable housing, however, are presumed to be subject to the Rent Stabilization and Arbitration Ordinance. The Project as a whole is required to comply with San Francisco's inclusionary housing program under Section 415 of the Planning Code. In addition, the five units to be demolished will be replaced as on-site inclusionary. As a result, 14.9% of the group housing rooms provided on-site will be affordable (40 required inclusionary units/rooms and 5 replacement inclusionary units/rooms).

- (5) whether the project increases the number of permanently affordable units as governed by Section 415;

By demolishing the five existing units, and replacing them with a project that will comply with Section 415 of the Planning Code, the number of affordable units will increase. The Project's required inclusionary is 13.5% or 40 affordable units/rooms and the replacement five affordable units/rooms, will produce a project with 45 on-site affordable units/rooms, thereby increasing the supply of newly constructed affordable units within a market-rate project.

- (6) whether the project increases the number of family-sized units on-site;

The five existing units are all studios, and therefore are not family-sized. The project currently proposes group housing rooms that are primarily with one bed, and a small proportion with two beds per room. Thus, the number of overall rooms will increase, but not family-size units as a result of the project.

- (7) whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

The project is of superb architectural and urban design quality and enhances existing neighborhood character. The EIR for the project has determined the new building compatible with the Uptown Tenderloin National Register Historic District. The project will be a contemporary, but compatible, design that references the character-defining features of the surrounding district, in terms of size and scale, composition, and materials. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation. Materials selection includes pre-cast concrete, with varying finishes, with deep recesses for glazing at the primary elevations fronting the street, and non-reflective metal panel systems with vertical oriented glazing and spandrel panel at the elevations setback from the street and secondary elevations. Further, the design minimizes the building's mass with alternating setbacks, which seeks to minimize the appearance of bulk and minimize impacts to adjacent neighbors light and air, consistently applied design guidelines.

Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street

from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019.

- (8) whether the project increases the number of on-site Dwelling Units;

The existing 532 Jones Street building contains five presumed studio dwelling units. The project proposes 302 group housing rooms which is an increase of on-site residential units/ rooms.

- (9) whether the project increases the number of on-site bedrooms;

The existing 532 Jones Street building contains five studio units, i.e. no bedrooms. The project currently proposes to increase the number beds to a total of 316 beds in 302 bedrooms.

- (10) whether or not the replacement project would maximize density on the subject lot;

The project provides 302 group housing rooms (with 316 beds) by proposing to merge three lots - the 532 Jones Street, 474 O'Farrell Street and 450 O'Farrell Street lots - and developing one building. Density permitted for group housing in the RC-4 zoning district would allow 316 group rooms on this site. By merging three lots and building vertically to the permitted height limit for the site, the project is able to provide full use of the density available on the subject lot, as well as the adjacent two lots. Notably, the project sculpts the massing adjacent to the existing neighbors to preserve light and air.

- B. Additional Findings pursuant to Section 253(b)(1) establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building exceeding a height of 40 feet in a RM or RC District where the street frontage is more than 50 feet. In reviewing any such proposal for a building or structure exceeding 40 feet in height in a RH District, 50 feet in height in a RM or RC District, or 40 feet in a RM or RC District where the street frontage of the building is more than 50 feet the Planning Commission shall consider the expressed purposes of this Code, of the RH, RM, or RC Districts, and of the height and bulk districts, set forth in Sections 101, 209.1, 209.2, 209.3, and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

The height of the building varies from 55 feet to 130 feet, exceeding the 40 feet in height on a site with more than 50 feet of street frontage in an RC district, but in compliance with the 80-T-130-T height and bulk district applicable to this project site. As discussed at length in the Section 303(c) findings and further in the General Plan Compliance section, the project is on balance compatible with the criteria, objectives, and policies and principles of the RC-4 district, North of Market

Residential Special Use District subarea No. 1, and the General Plan. Specifically, RC-4 districts call for a mixture of high-density dwellings with supporting commercial uses and open space. The project provides that 302 group housing rooms, with retail and religious institution uses on the lower levels.

- C. **Additional Findings pursuant to Section 249.5(c)(1) for Section 263.7** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building exceeding a height of 80 feet in the North of Market Residential Special Use District. In the 80-120-T and 80-130-T Height and Bulk Districts located within the North of Market Residential Special Use District (NOMRSUD), heights higher than 80 feet would be appropriate in order to effect a transition from the higher downtown heights to the generally lower heights of the existing buildings in the NOMRSUD core area and the Civic Center area and to make more feasible the construction of new housing, provided that development of the site is also consistent with the general purposes of the NOMRSUD as set forth in Section 249.5(b). In making determinations on applications for Conditional Use authorizations required for uses located within the North of Market Residential Special Use District, the Planning Commission shall consider the purposes as set forth in Subsection 249.5(b) as delineated below. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

- (1) protect and enhance important housing resources in an area near downtown;
The project increases housing resources in the downtown area with proposed 302 group housing rooms.
- (2) conserve and upgrade existing low and moderate income housing stock;
The project replaces the existing five residential units with newly constructed replacement units/rooms. As such, the project provides a total of 45 on-site inclusionary affordable units/rooms.

- D. **Additional Findings pursuant to Section 271(c)** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building's bulk limits to be exceeded. Exceptions to the Section 270 bulk limits are permitted through Section 271. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

- a. The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:
 - i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;
 - ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;
 - iii. Differences in materials, colors or scales of the facades that produce separate major elements;
 - iv. Compensation for those portions of the building, structure or development

- that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and
- v. In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.
- b. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:
- i. A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;
 - ii. Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;
 - iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and
 - iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The project's O'Farrell Street elevation is articulated to break the massing down into several distinct sections. The 13-story massing would be setback from the street/retained façade. Vertical recesses are introduced at ground level between the church and other massing, and above ground level to break up massing and increase articulation.

The proposed O'Farrell Street elevation references the tripartite composition characteristic of the district. Specifically, the existing 450 O'Farrell Street façade and the proposed church façade will be the base, the apartments will be the middle, and the parapet will define the top. The proposed base at the new church and at the Jones Street elevation will be further articulated as a two-part vertical composition with a high ground floor, similar to the bases of the adjacent and surrounding district contributors.

The articulation of the proposed façade along on O'Farrell Street will divide the façade in vertical subzones and will reflect the verticality of the nearby buildings by breaking up the form. The projecting precast concrete sections (rendered in white) with punched rectangular windows accentuate the elongated form of the building. On the western half of the elevation, the orientation of the rectangular windows strengthens verticality while adding rhythm to the façade, through application of an alternate materials palette: non-reflective metal, spandrel panel and glazing system. The secondary façades, including the western setback and the Shannon Street elevation, will be relatively flat, broken by lines and projecting balconies on Shannon Street.

Continuous street walls are typical of the district. The 8-story building component to the west, which will be clad in a textured pre-clad concrete and will house the new church, will extend to the property line. In addition, the Jones Street elevation will also extend to the property line, creating a continuous street wall. This urban design move preserves and

enhances the pedestrian environment since the required use of transparency at these elevations provides an openness for pedestrians and users.

The building's design is well-articulated in order to reduce the apparent massing and includes retention of a unique urban design feature as a device to orient the community. The site is within the Uptown Tenderloin National Register Historic District, and the new building has been determined compatible with the District and the character of the surrounding neighborhood, specifically the scale and size, composition, materials, and architectural details.

Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019. The amended Project does not exceed the original approval of bulk exceedance.

- 10. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan as originally described in Section J of Planning Commission Motion No. 20281. The amended Project is consistent with the following Objectives and Policies of the General Plan, except as amended below:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.2

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

Policy 1.10

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

OBJECTIVE 2

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

OBJECTIVE 12

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

Policy 12.2

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

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.3

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

Policy 1.7

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

OBJECTIVE 2

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 2.6

Respect the character of older development nearby in the design of new buildings.

OBJECTIVE 3

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 3.1

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

Policy 3.5

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

COMMERCE AND INDUSTRY ELEMENT**Objectives and Policies****OBJECTIVE 1****MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.****Policy 1.1**

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

OBJECTIVE 2**MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.****Policy 2.1**

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

OBJECTIVE 6**MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.****Policy 6.4**

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The Project is a high-density residential development at an infill site, providing 302 group housing rooms in a mixed-use area. The Project includes 40 new on-site affordable housing units/rooms for rent, which assist in meeting the City's affordable housing goals. The Project is also in close proximity to ample public transportation.

The Project generally promotes the purpose of the North of Market Residential Special Use District through infill housing at compatible density. The project introduces 297 new group housing rooms with on-site affordable units near downtown, provides five new replacement units/rooms on-site, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. Further, street improvements such as street trees and bicycle parking will further enhance the public realm, consistent with the better street plan policies in the General Plan.

The proposed new construction would produce high-quality architectural design that is compatible with the surrounding neighborhood and with the Uptown Tenderloin National Register Historic District, in which the site is located. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with

neighboring 6- to 19-story development in close proximity to the site. The Project would provide a new religious facility that will enable an existing church, which in its current location has been located at this site for more than 90 years, to continue to be located within the community and provide updated, code compliant, and expanded religious instructional and outreach facilities, while salvaging and reusing certain features of the building's interior elements.

Although the project does not provide family housing, the substantial number of new rooms provides housing opportunity. The project, on balance, promotes the policies and objectives of the General Plan by locating housing at a mixed-use infill development site, with neighborhood-serving commercial, and at a density to support it, where households can easily rely on public transportation, walking and bicycling for a majority of daily trips.

11. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. The Project is, on balance, consistent with the priority policies as originally described in Section 3 of Planning Commission Motion No. 20281. The amended Project is consistent with the following policies and as amended below:

- 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 possess any neighborhood-serving retail uses. The Project provides ~~117 new dwelling units~~ 302 new group housing units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.

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

The project introduces 297 new group housing rooms with on-site affordable units near downtown, provides five new replacement group housing rooms/ units as on-site affordable units, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with neighboring 6- to 19-story development in close proximity to the site.

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

The project proposes to replace the five existing residential units, none of which are deed-restricted affordable units but are presumed to be subject to the Rent Stabilization and Arbitration Ordinance, with 302 total group housing rooms, 45 of which are designated on-site affordable housing. As a

result, the project creates an increase in the City's supply of affordable housing.

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

The Project Site is served by nearby public transportation options. The Project site is very accessible by public transit, with multiple public transit alternatives (MUNI Bus lines 2-Clement, 3-Jackson, 27-Bryant, 31-Balboa, 38-Geary, 38R-Geary Rapid, and 45-Union/Stockton; Powell Street and Civic Center BART/MUNI) within close walking distance. Additionally, the Project site is directly adjacent to O'Farrell and Jones Streets, both major thoroughfares which provide ready access to those driving.

Parking is available either along surrounding neighborhood streets. The proposed garage has up to 6 parking spaces, all dedicated to churchgoers, in addition to 73 Class 1 and 12 Class 2 bicycle spaces. Given the accessibility of the project site, and the limited retail uses proposed, the project will not create community traffic that impedes MUNI service or overburdens the streets.

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

The Project does not include commercial office development. ~~Although the Project would remove a PDR use, the Project does provide new housing, which is a top priority for the City. The Project incorporates new PDR use, thus assisting in diversifying the neighborhood character.~~

- 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.

Part of the project includes demolition of a building (450 O'Farrell Street) determined individually eligible for the California Register of Historic Resources. In certifying the Project's Environmental Impact Report (EIR), the Planning Commission adopted a Statement of Overriding Considerations, Motion No. 20280, finding that the impacts of demolition of the individual historic architectural resource are outweighed by the benefits of the Project. The proposed new construction would produce high-quality architectural design that is compatible with the Uptown Tenderloin National Register Historic District, in which the site is located.

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

Although the Project does cast shadow on the adjacent public park, the adjacent public park

(Parque Ninos Unidos) is still afforded access to sunlight, which should not dramatically affect the use and enjoyment of this park. Since the Project is not more than 40-ft tall, additional study of the shadow impacts was not required per Planning Code Section 295.

- 12. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

- 13.** 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.
- 14.** The Commission hereby finds that approval of the amended Planned Unit Development/Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES an amended Planned Unit Development/Conditional Use Authorization Application No. 2013.1535CUA-02** subject to the original conditions authorized through Planning Commission Motion No. 20281 as "Exhibit A" of that motion, with exception Condition Nos. 24, 25, 26 and 32 of Motion No. 20281, which is amended as described and attached to this Motion hereto as "EXHIBIT A", in general conformance with plans on file, dated December 7, 2020, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

This project has undergone environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code. The Planning Commission certified the Final Environmental Impact Report (EIR) for the project on September 13, 2018 (Motion No. 20279). On December 21, 2020, the Planning Department published an addendum to Final EIR for the Project. No further environmental review is required.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 21 February 4, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: ~~January 21~~February 4, 2021

EXHIBIT A

Authorization

This authorization is for amended conditional use authorization to modify Condition of Approval Nos. 24, 25, 26 and 32 of Planning Commission Motion No. 20281 to allow: a mixed-use building, with group housing residential use, institutional use and ground floor commercial for the Project located at 450-474 O'Farrell and 532 Jones Street, Block 0317, Lots 007, 009, and 011 within the **RC-4 Zoning** District and a **80-T-130-T** Height and Bulk District; in general conformance with plans, dated **December 7, 2020**, and stamped "EXHIBIT B" included in the docket for Record No. **2013.1535CUA-02** and subject to conditions of approval reviewed and approved by the Commission on **January 21, 2021** 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 ~~January 21~~February 4, 2021 under Motion No XXXXXX.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

1. **Parking for Affordable Units.** The amended Project no longer includes off-street residential parking, therefore, this Condition of Approval no longer applies.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Car Share.** Pursuant to Planning Code Section 166, zero car share spaces shall be made available. The amended Project includes fewer than 24 parking spaces for the non-residential use and no longer includes parking for the residential use, therefore, this Condition of Approval does not apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Bicycle Parking** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than **85** bicycle parking spaces (**73** Class 1 spaces for the residential and religious uses portion of the Project and **12** Class 2 spaces for the residential, religious, and commercial uses portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

- a. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 302 units/rooms, of which 5 are replacement units/rooms; therefore, 45 affordable units/rooms are currently required (40 units/rooms to satisfy the 13.5% on site requirement and 5 replacement units/rooms). The Project Sponsor will fulfill this requirement by providing the 45 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be

modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- b. **Unit Mix.** The Project contains 302 group housing rooms/ units; X studios, X one-bedroom, X two-bedroom, and X three-bedroom units; therefore, the required affordable unit mix is 40 group housing rooms/ units, plus an additional five replacement group housing rooms/ units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- c. **Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households at a rental rate of 55% of Area Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- e. **Replacement of Existing Affordable Units.** The principal project has resulted in demolition, conversion, or removal of affordable housing units that are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low- or very-low-income, or housing that is subject to any

form of rent or price control through a public entity's valid exercise of its police power and determined to be affordable housing. Pursuant to Planning Code Section 415.6(a)(9), the project sponsor shall replace the five (5) units that were removed with units of a comparable number of bedrooms and rents. The project shall replace five (5) units (5 group housing rooms/units) priced at 55% AMI.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- f. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation shall comply with the designation standards published by the Planning Department and updated periodically.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- g. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than thirteen and a half percent (13.5%) plus the five replacement units, or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- j. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City

and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

- vi. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.



A MEMO TO THE PLANNING COMMISSION

HEARING DATE: February 4, 2021

January 27, 2021

Case Number: 2013.1535EIA
Project Address: 450–474 O’Farrell Street/532 Jones Street
Zoning: RC-4 (Residential-Commercial, High Density)
North of Market Residential Special Use District Subarea #1
Fringe Financial Services Restricted Use District
80-T-130-T Height and Bulk District
Block/Lot: 0317/007, 009, and 011
Project Sponsors: Forge Development Partners
Alexander Zucker (415) 855-1869
Fifth Church of Christ, Scientist
Elzbieta Strong (510) 579-4179
Staff Contact: Jenny Delumo (628) 652-7568
jenny.delumo@sfgov.org

Background

On September 13, 2018, the San Francisco Planning Commission certified the environmental impact report (EIR)¹ for the 450–474 O’Farrell Street/532 Jones Street project (State Clearinghouse No. 2017022067), in accordance with the California Environmental Quality Act (CEQA). Subsequent to the 2018 EIR certification and project approval, the project sponsor proposed additional changes to the previously approved project (“revised project”). Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, “[i]f, 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 therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter.” In addition, CEQA section 21166 and CEQA Guidelines section 15162–15163 provide that when an EIR has been certified for a project, no new, subsequent, or supplemental EIR shall be required unless one or more of the following events occurs:

¹ San Francisco Planning Department, 450–474 O’Farrell Street/532 Jones Street Project, Final Environmental Impact Report. This document is available for review on the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/> by searching 2013.1535ENV in the search box above the map. Individual files can be viewed by clicking on the “Planning Applications” link, clicking the “More Details” link under the project’s environmental record number 2013.1535ENV, and then clicking on the “Related Documents” link.

- (1) substantial changes are proposed in the project, which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) substantial changes occur with respect to the circumstances under which the project is being undertaken, which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) new information of substantial importance, which was not known and could not have been known at the time the EIR was certified, becomes available.

Pursuant to CEQA Guidelines section 15164, the San Francisco Planning Department, as lead agency, evaluated the potential environmental impacts of the revised project and determined the revised project would not result in new or different environmental impacts, substantially increase the severity of the previously identified environmental impacts or require new mitigation measures. The following technical studies and background analysis were prepared for the revised project, which support the conclusion that the revised project would not result in any new or more severe significant impacts than what was identified in the EIR: Historic Resource Evaluation Part II², Part II Historic Resource Evaluation Response³, transportation study⁴, preliminary geotechnical evaluation⁵, wind analysis⁶, shadow analysis⁷, and an analysis of air quality, noise, and vibration impacts based on the revised project’s construction schedule and construction equipment list. Therefore, the revised project would not change the analyses or conclusions in the initial study and EIR for the previous project.

An addendum was published on December 21, 2020 for the 450–474 O’Farrell Street/532 Jones Street project, which determined the impacts of the revised project would not require the preparation of a subsequent or supplemental EIR.⁸ The addendum determined there would no new significant impacts from the change in use from residential to group housing uses.

Response to Letter on the Addendum

On January 7, 2021 Michael W. Shonafelt, on behalf of the Pacific Bay Inn, Inc., submitted a letter to the Planning Commission commenting on the addendum prepared for the revised project. The Pacific Bay Inn is located at 500 – 520 Jones Street, which is directly west of the project site. The impacts to the residence and building at 500-520 Jones Street were extensively analyzed in the 450–474 O’Farrell Street/532 Jones Street addendum.

² TreanorHL, *450-474 O’Farrell Street and 532 Jones Street, San Francisco, CA Historic Resource Evaluation Part II: Compatibility and Impacts Analysis*, December 11, 2020.

³ San Francisco Planning Department, *Part II Historic Resources Evaluation Response*, December 12, 2020.

⁴ LCW Consulting, *450 O’Farrell Street/532 Jones Street Project – Addendum to the TIS*, July 22, 2020.

⁵ Langan Engineering and Environmental Services, Inc., *Preliminary Geotechnical Evaluation, 450 O’Farrell Street, San Francisco, California*, March 25, 2020.

⁶ RWDI, *Updated Letter 450 O’Farrell Street – Wind Analysis*, July 2020.

⁷ CADP, *450 O’Farrell Street Shadow Report Amendment for Proposed Modified Design Scheme*, July 9, 2020.

⁸ San Francisco Planning Department, *450–474 O’Farrell Street/532 Jones Street Project, Addendum to Environmental Impact Report*. This document is available for review on the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/> by searching 2013.1535EIA in the search box above the map. Individual files can be viewed by clicking on the “Planning Applications” link, clicking the “More Details” link under the project’s environmental record number 2013.1535EIA, and then clicking on the “Related Documents” link.

The letter claims that the revised project's features and circumstances warrant further disclosure and analysis. Specifically, the letter states the addendum does not analyze potential significant construction impacts on sensitive receptors and that impacts to sensitive receptors are heightened due to the stay-at-home orders issued in response to the COVID-19 public health emergency. The addendum adequately analyzed construction noise impacts on the surrounding sensitive receptors, including residence at the Pacific Bay Inn located 500-520 Jones Street. The addendum determined that construction of the revised project would not exceed the noise standards in the City Noise Ordinance (Article 29 of the Police Code, sections 2907 and 2908). While construction would result in an increase in ambient noise levels on an intermittent basis, noise levels from construction are not anticipated to result in a substantial increase in ambient levels. Furthermore, the methodology for the construction noise analysis in the EIR and addendum both conservatively assume that residential noise sensitive receptors would be home during construction activities, including during normal business hours (i.e., 8 a.m. to 5 p.m.). With these conservative assumptions, the addendum determined that construction of the revised project would not result significant construction noise impacts, similar to the approved project. Although it is possible that more people may be at home during the day as a result of the COVID-19 pandemic, the COVID-19 shelter-in-place/stay safe at home order would not result in new or more significant construction noise impacts than were disclosed and analyzed in the addendum because the analysis already conservatively assumed that the closest sensitive receptors living in residences on parcels adjacent to the site would be home during construction activities. COVID-19 does not change the context of this analysis and does not affect the determination. Thus, potential construction noise impacts from the revised project were appropriately analyzed and disclosed in the addendum.

The letter claims the revised project's proposed group home use constitutes a new project requiring environmental review. The addendum analyzed the potential impacts of the revised project, including the proposed trips and loading demand generated by the group housing use. The letter claims the addendum and transportation analysis for the revised project did not adequately analyze the additional commercial retail/restaurant space proposed by the revised project. The addendum adequately analyzed transportation impacts from the proposed group housing use and determined the revised project would result in a less-than-significant transportation impacts. A transportation study was prepared to analyze the revised project's potential construction and operational impacts related to potentially hazardous conditions, accessibility, public transit, vehicle miles traveled, and loading.⁹ Travel demand for the approved project was determined consistent with the methodology in the 2002 Transportation Impact Analysis Guidelines for Environmental Review which were applicable for transportation analyses at the time. Since then, the planning department published the 2019 update to the Transportation Impact Analysis Guidelines for Environmental Review. The travel demand for the revised project was determined based on the revised methodology and trips rates in the 2019 Guidelines. The potential impacts resulting from the revised project's proposed commercial retail/restaurant uses and change to group housing use were appropriately analyzed and disclosed in the addendum.

The letter also claims new geotechnical information has emerged prompting further environmental review. An updated geotechnical report was prepared for the revised project.¹⁰ The updated report uses available site-specific geotechnical and subsurface data to determine the appropriate construction methods and foundation for the revised project. As documented in the geotechnical report, the project site is underlain with several feet of fill and below Dune sand to a depth of approximately 20 feet below existing street grade. The Dune sand is likely underlain

⁹ LCW Consulting, *450 O'Farrell Street/532 Jones Street Project – Addendum to the TIS*, July 22, 2020.

¹⁰ Langan Engineering and Environmental Services, Inc., *Preliminary Geotechnical Evaluation*, 450 O'Farrell Street, San Francisco, California, March 25, 2020.

with Colman formation. Beneath the Colma formation is bedrock of the Franciscan formation at a depth of approximately 100 feet below existing street grade. The project site is not located in a designated liquefaction hazard zone. Thus, the potential for liquefaction and lateral spreading is low. Based on the project site's subsurface conditions, the report finds the basement and foundation, which would extend to approximately 20 feet below existing street grade, could be supported with a rigid shallow foundation system consisting of footings with interconnected grade beams, or a mat. The portion of the proposed building that would be located at-grade (i.e., beneath the Church sanctuary) should be constructed on deep foundations (e.g., drilled piers, auger-cast-in-place piles, rammed aggregate piers, or drilled displacement piles) supported in the medium dense to very dense sand that is located at approximately 20 feet below the existing street grade. Excavation on the project site should be shored to protect adjacent buildings and streets. the report finds the project could be constructed with implementation of these preliminary recommendations. Thus, any potential geology and soils impacts resulting from the revised project was appropriately analyzed and disclosed in the addendum.

In summary, the planning department evaluated all of the potential impacts of the revised project and the addendum prepared for the revised project was appropriately prepared and issued pursuant to in accordance with CEQA and Chapter 31 of the Administrative Code.



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20280

HEARING DATE: SEPTEMBER 13, 2018

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Case No.: 2013.1535ENV/CUA
Project Address: 450-474 O'FARRELL STREET/ 532 JONES STREET
Zoning: RC-4 (Residential-Commercial, High Density) District
80-130-T Height and Bulk District
North of Market Special Use District No. 1
Block/Lot: 0317/007, 009, 011
Sponsor: Fifth Church of Christ, Scientist
450 O'Farrell Partners, LLC
39 Forrest Street, Suite 201
Mill Valley, CA 94941
Attn: Tyler Evje
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ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS OF FACT, FINDINGS REGARDING SIGNIFICANT IMPACTS AND SIGNIFICANT AND UNAVOIDABLE IMPACTS, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND A STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO APPROVALS FOR THE PROJECT, LOCATED AT 450-474 O'FARRELL STREET AND 532 JONES STREET, TO DEMOLISH THE EXISTING COMMERCIAL BUILDING (474 O'FARRELL STREET), EXISTING COMMERCIAL AND RESIDENTIAL BUILDING (532 JONES STREET), AND EXISTING RELIGIOUS BUILDING (450 O'FARRELL STREET), AND CONSTRUCT A 13-STORY MIXED USE BUILDING CONTAINING UP TO 176 RESIDENTIAL UNITS, AND APPROXIMATELY 3,827 SQUARE FEET GROUND FLOOR RETAIL, 9,555 SQUARE FEET NEW RELIGIOUS (CHURCH) USE, AND BELOW-GRADE PARKING FOR UP TO 46 VEHICLES.

PREAMBLE

The Project Sponsor (450 O'Farrell Partners, LLC) submitted an application for a project located at 450-474 O'Farrell Street for a Conditional Use Authorization under Planning Code Section 303, for Planned Unit Development under Section 304, with modifications to Section 132 (permitted obstructions), Section 134 (rear yard modification), Section 140 (dwelling unit exposure), and Section 152 (residential off-street loading), and additional Conditional Use Authorization to the Planning Code under Section 317(g)(5) for demolition of existing residential units; Section 253(b) for new construction over 40 feet in height and a street frontage greater than 50 feet; Section 263.7 for an exception to the 80-foot base height limit in North

of Market Residential Special Use District No. 1; Section 271 for exceptions to Section 270, governing the bulk of the building; and Section 303 for the new religious institution (church) use.

The project proposes demolition of three buildings: 450 O'Farrell Street (currently occupied by the Fifth Church of Christ, Scientist); 474 O'Farrell Street (one-story, vacant retail building); and 532 Jones Street (one-story restaurant use, with five existing residential units). The proposal is to merge these three lots, and construct a new mixed-use building rising up to 130-foot-tall (13-story), with up to 176 dwelling units, restaurant and/or retail (restaurant/retail) space on the ground and first floors, and a replacement church (proposed religious institution) incorporated into the ground and two upper levels. The project would construct a total of 218,155 sf of development, including 182,668 sf of residential space, 3,827 sf of restaurant/retail space, 9,555 sf for religious institution use (i.e., replacement of the existing church), 8,398 sf of residential open space (288 sf of private open space and 8,110 sf of common open space), and 21,105 sf of below-grade parking in one building. Of the 176 units, five of the proposed units would be affordable units proposed as replacement rent-controlled units from the existing units in the 532 Jones Street building; 23 additional units would be affordable units, for a total of 28 affordable on-site units. Access to the residential lobby would be from a Shannon Street entry. The restaurant/retail space would be in two areas: one space accessed from Jones Street and one space accessed from O'Farrell Street. A single basement level with access from Shannon Street would provide up to 46 off-street vehicle parking spaces for building tenants and the religious institution use. The project would provide 125 Class 1 (bicycle locker or space in a secure room) and 16 Class 2 (publicly accessible bicycle rack) bicycle parking spaces on O'Farrell and on Jones Street frontages.

The Commission reviewed and considered the Final Environmental Impact Report (FEIR) for the Project and found the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*) ("CEQA"), the CEQA Guidelines (14 Cal. Code Reg. section 15000 *et seq.*), and Chapter 31 of the San Francisco Administrative Code.

The Commission found the FEIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31 by its Motion No. 20279.

The Commission, in certifying the FEIR, found that the project described in the FEIR will have the following significant and unavoidable environmental impacts: (1) the demolition of the existing building located at 450 O'Farrell Street will cause a substantial adverse change in the significance of an individually eligible historical resource.

The Planning Department, Office of the Commission Secretary, is the custodian of records for the Planning Department materials, located in the File for Case No. 2013.1535ENV/CUA, at 1650 Mission Street, Fourth Floor, San Francisco, California.

On September 13, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2013.1535ENV/CUA to consider the approval of the Project. 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 Project, the Planning Department staff, expert consultants and other interested parties.

This Commission has reviewed the entire record of this proceeding, the Environmental Findings, attached to this Motion as Attachment A, regarding the alternatives, mitigation measures, environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, and the proposed MMRP attached as Attachment B, which material was made available to the public.

MOVED, that the Planning Commission hereby adopts findings under the California Environmental Quality Act, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, and adopts the MMRP attached as Attachment B, based on the findings attached to this Motion as Attachment A as though fully set forth in this Motion, and based on substantial evidence in the entire record of this proceeding.

I hereby certify that the foregoing Motion was **ADOPTED** by the Planning Commission at its regular meeting of September 13, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Melgar, Fong, Johnson, Koppel, Moore

NOES: Richards

ABSENT: None

DATE: September 13, 2018

Attachment A

California Environmental Quality Act Findings

PREAMBLE

In determining to approve the project described in Section I, below, the ("Project"), the San Francisco Planning Commission (the "Commission") makes and adopts the following findings of fact and decisions regarding the Project description and objectives, significant impacts, significant and unavoidable impacts, mitigation measures and alternatives, and a statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA"), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("CEQA Guidelines"), Section 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA, separate and apart from the Commission's certification of the Project's Final EIR, which the Commission certified prior to adopting these CEQA findings.

These findings are organized as follows:

Section I provides a description of the proposed project at 450-474 O'Farrell Street and 532 Jones Street, the environmental review process for the Project, the City approval actions to be taken, and the location and custodian of the record.

Section II lists the Project's less-than-significant impacts that do not require mitigation.

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures.

Section IV identifies significant project-specific or cumulative impacts that would not be eliminated or reduced to a less-than-significant level and describes any applicable mitigation measures as well as the disposition of the mitigation measures. The Final EIR identified mitigation measures to address these impacts, but implementation of the mitigation measures will not reduce the impacts to a less than significant level.

Sections III and IV set forth findings as to the mitigation measures proposed in the Final EIR. (The Draft EIR and the Comments and Responses document together comprise the Final EIR, or "FEIR.") Attachment B to the Planning Commission Motion contains the Mitigation Monitoring and Reporting Program ("MMRP"), which provides a table setting forth each mitigation measure listed in the Final Environmental Impact Report that is required to reduce a significant adverse impact.

Section V identifies the project alternatives that were analyzed in the EIR and discusses the reasons for their rejection.

Section VI sets forth the Planning Commission's Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

The MMRP for the mitigation measures that have been proposed for adoption is attached with these findings as **Attachment B** to this Motion. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. Attachment B provides a table setting forth each mitigation measure listed in the FEIR that is required to reduce a significant adverse impact. Attachment B also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in Attachment B.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report ("Draft EIR" or "DEIR") or the Responses to Comments ("RTC") document, which together comprise the Final EIR, are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

I. PROJECT DESCRIPTION AND PROCEDURAL BACKGROUND

A. Project Description

The project site is at 450 O'Farrell Street, 474 O'Farrell Street, and 532 Jones Street, San Francisco, California. The block is bounded by Geary Street to the north, O'Farrell Street to the south, Taylor Street to the east, and Jones Street to the west, with Shannon Street bisecting the block from O'Farrell Street to Geary Street. The project site, which is within San Francisco's Downtown/Civic Center neighborhood, has an area of 22,106 square feet (sf) and includes three rectangular parcels (Assessor's block/lot 0317/007, 0317/009, and 0317/011) that would be merged to form a single lot. The project site is currently occupied by the three-story, 26,904-square-foot Fifth Church of Christ, Scientist, including a 1,400-square-foot parking lot with four parking spaces at 450 O'Farrell Street; a one-story, 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story, 1,012-square-foot restaurant and residential building with five units at 532 Jones Street. The proposed project would involve demolition of the existing Fifth Church of Christ, Scientist building except for the front façade along O'Farrell Street and a 30-foot return on Shannon Street. The vacant retail building along O'Farrell Street, and the restaurant building along Jones Street would also be demolished. All three buildings are considered contributing historic resources to the Uptown Tenderloin National Register Historic District (UTNRHD), which is listed in the National Register of Historic Places (NRHP). The church at 450 O'Farrell Street is individually eligible for the California Register of Historic Resources (CRHR).

The new building would be a 13-story, 130-foot-tall (with an additional 20 feet for the elevator penthouse) mixed-use building with up to 176 dwelling units, restaurant and/or retail (restaurant/retail) space on the ground and first floors, and a replacement church (proposed religious institution) incorporated into the ground and two upper levels. The project would construct a total of 218,155 sf of development, including 182,668 sf of residential space, 3,827 sf of restaurant/retail space¹, 9,555 sf for religious institution use (i.e., replacement of the existing church), 8,398 sf of open space (288 sf of private open space and 8,110 sf of common open space available to residents), and 21,105 sf of below-grade parking in one building. Of the

¹ The project sponsor will determine the use mix, but the EIR evaluated the space as if entirely occupied by restaurant uses, as this provided a conservative scenario for traffic and associated effects.

176 units, five of the proposed units would be replacement rent-controlled units, replacing the existing units in the 532 Jones Street building; 23 additional units would be below-market-rate (BMR) units, for a total of 28 BMR units on the site. The restaurant/retail space would be in two areas: one space accessed from Jones Street and one space accessed from O'Farrell Street. A single basement level with access from Shannon Street would provide up to 46 off-street vehicle parking spaces for building tenants and the religious institution use. The project would provide 125 Class 1 (bicycle locker or space in a secure room) and 16 Class 2 (publicly accessible bicycle rack) bicycle parking spaces. The Class 1 bicycle parking spaces would be kept on the basement and first floor, 14 of the Class 2 bicycle parking spaces would be located on O'Farrell Street, and two of the Class 2 bicycle spaces would be located on Jones Street. The project would incorporate common open space in three areas: on Level 4 in an interior courtyard and above Level 13 on a roof deck. The religious institution building entrance would be located along O'Farrell Street and the residential building entrance would be located along Shannon Street.

The project site is located within the North of Market Residential Special Use District No. 1 (North of Market SUD) and the 80-T/130-T Height and Bulk District. The site's RC-4 Zoning District allows a residential density of one unit per 200 square feet of lot area; however, the North of Market SUD allows a greater density (i.e., one unit per 125 square feet lot area).

B. Project Objectives

The project sponsors and developers are the Fifth Church of Christ, Scientist and 450 O'Farrell Partners, LLC. The project sponsors' objectives for the proposed project are identified below.

- ▶ Develop a mixed-use project that contains residential uses, retail uses, and church space for worship in downtown San Francisco.
- ▶ Construct well-designed, financially feasible mixed-use residential housing units that contribute to the well-being of the community; new retail space for the benefit of neighborhood residents and businesses; and a church facility that will allow the church to continue its active presence in the community into the future.
- ▶ Create a new church facility for Fifth Church of Christ, Scientist that will enable it to fulfill its mission of bringing hope, comfort, compassion, and peace to the Tenderloin, where it has been for more than 90 years, with a:
 - New Christian Science Reading Room fronting O'Farrell Street that is inviting, light filled, and open to the public during the week;
 - Modern, welcoming, light-filled sanctuary for services and meetings, along with re-used church elements, including stained glass windows, oculus skylight, pipe organ, and oak pews;
 - Light-filled Sunday School and up-to-date Children's Room.
- ▶ Contribute toward the City and County of San Francisco (City) goal of creating 30,000 housing units in an area that is identified for higher-density housing in proximity to downtown as well as local and regional transportation hubs (San Francisco Municipal Railway [Muni] and Bay Area Rapid Transit [BART]) and increase the affordable housing supply in San Francisco in accordance with City requirements.

- ▶ Implement the City's High-Density zoning designation for the site, which is in the North of Market Residential Special Use District, with new construction that conforms to the character of the Upper Tenderloin National Register Historic District (UTNRHD).
- ▶ Create new retail and other services and activate a vibrant, interactive ground plane for the project for the benefit of neighborhood residents and commercial enterprises.

C. Project Approvals

The Project requires the following Planning Commission or Planning Department approvals:

- ▶ Certification of the Final EIR, adoption of CEQA findings, adoption of a mitigation and monitoring report (MMRP) by the Planning Commission.
- ▶ Planning Commission approval of a Conditional Use Authorization under Planning Code Section 317(g)(5) for demolition of existing residential units; Section 253(b) for new construction over 40 feet in height and a street frontage greater than 50 feet; Section 263.7 for an exception to the 80-foot base height limit in 80-T/130-T height and bulk district; Section 271 for exceptions to Section 270, governing the bulk of the building; and Section 303 for the new religious institution (church) use, and a Planned Unit Developments (PUD), pursuant to Planning Code Section 304. A PUD is a special type of Conditional Use Authorization that allows the Planning Commission to modify or waive certain Planning Code requirements, applicable to sites at least 0.5 acre in size, in accordance with the provisions of Section 304 of the Planning Code.
- ▶ Implementation of the proposed project would require authorization, modification, or waiver of the following Planning Code requirements through approval of a PUD: under Planning Code Section 134 for rear yard configuration, under Planning Code Section 140 for dwelling unit exposure, under Planning Code Section 136 for permitted obstructions, and under Planning Code Section 152 for off-street loading. As proposed, the configuration of the rear yard of the project site does not meet the requirements of Planning Code Section 134(g). Some dwelling units do not meet the technical requirements of Section 140 for dwelling unit exposure, the balconies proposed over Shannon Street exceed the technical dimensions permissible as obstructions over the public right of way as required by Section 136(c), and the project site lacks one off-street loading space for residential use, as required by Section 152. Therefore, the proposed project would, as part of the PUD process, request modifications for these requirements.

Actions by Other City Departments and State Agencies

The Project requires the following approvals by other City departments:

- ▶ Approval of site, demolition, grading, and building permits (Planning Department and Department of Building Inspection).
- ▶ Approval of lot merger and tentative subdivision maps; recommend to the Board of Supervisors approval of final subdivision maps (San Francisco Public Works).
- ▶ Approval of permits for streetscape improvements in the public right-of-way, including a curb cut on Shannon Street (San Francisco Public Works).

- ▶ Approval of a request for curb cut, color curb, and on-street parking changes on O'Farrell Street and Shannon Street (San Francisco Municipal Transportation Agency).
- ▶ Approval of project compliance with the Stormwater Design Guidelines (San Francisco Public Utilities Commission).
- ▶ Approval of a Stormwater Control Plan (San Francisco Public Utilities Commission).
- ▶ Approval of a Site Mitigation Plan pursuant to the Maher Ordinance prior to the commencement of any excavation work (San Francisco Department of Public Health).
- ▶ Approval of a Soil Mitigation Plan and Construction Dust Control Plan prior to construction- period activities (San Francisco Department of Public Health).
- ▶ Approval of an Article 38 ventilation plan prior to submitting plans for a mechanical permit (San Francisco Department of Public Health and Department of Building Inspection).
- ▶ Approval of permit for the installation, operation, and testing of diesel backup generator from the Bay Area Air Quality Management District.

D. Environmental Review

The Project Sponsor submitted a complete Environmental Evaluation Application for the Project on November 21, 2014. On February 22, 2017, the Department published a Notice of Preparation of Environmental Impact Report ("NOP") and Initial Study ("IS"). Publication of the NOP and IS initiated a 30-day public review and comment period that began on February 22, 2017 and ended on May 23, 2017.

On October 25, 2017, the Department published the Draft Environmental Impact Report (hereinafter "DEIR"), and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

Notices of availability of the DEIR and of the date and time of the public hearing were posted near the Project Site by the Project Sponsor on October 25, 2017.

On October 25, 2017, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on October 25, 2017.

The Commission held a duly advertised public hearing on the DEIR on November 30, 2017, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for commenting on the EIR ended on December 11, 2017.

The Department prepared responses to comments on environmental issues received during the 47 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments

received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR. This material was presented in a Responses to Comments document, published on June 13, 2018, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Responses to Comments document all as required by law. The IS is included as Appendix A to the DEIR and is incorporated by reference thereto.

Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.

On September 13, 2018, the Commission reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. The FEIR was certified by the Commission on September 13, 2018 by adoption of its Motion No. 20279.

E. Content and Location of Record

The record upon which all findings and determinations related to the adoption of the proposed Project are based include the following:

- The FEIR, and all documents referenced in or relied upon by the FEIR, including the IS;
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the FEIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the FEIR;
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the FEIR, or incorporated into reports presented to the Planning Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the project or the FEIR;
- All applications, letters, testimony, and presentations presented to the City by the Project Sponsor and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the EIR;
- The MMRP; and,
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcripts and audio files, a copy of all letters regarding the FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Planning Department, Jonas P. Ionin, is the custodian of these documents and materials.

F. Findings about Environmental Impacts and Mitigation Measures

The following Sections II, III and IV set forth the Commission's findings about the FEIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the FEIR and adopted by the Commission as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the FEIR, these findings will not repeat the analysis and conclusions in the FEIR but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings.

In making these findings, the Commission has considered the opinions of staff and experts, other agencies, and members of the public. The Commission finds that (i) the determination of significance thresholds is a judgment decision within the discretion of the City and County of San Francisco; (ii) the significance thresholds used in the FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and City staff; and (iii) the significance thresholds used in the FEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Commission is not bound by the significance determinations in the FEIR (see Public Resources Code, Section 21082.2, subdivision (e)), the Commission finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the FEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the FEIR, and these findings hereby incorporate by reference the discussion and analysis in the FEIR supporting the determination regarding the project impact and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts and incorporates in these findings the determinations and conclusions of the FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings, and relies upon them as substantial evidence supporting these findings.

As set forth below, the Commission adopts and incorporates the mitigation measures set forth in the FEIR, which are set forth in the attached MMRP, to reduce the significant and unavoidable impacts of the Project. The Commission intends to adopt the mitigation measures proposed in the FEIR. Accordingly, in the event a mitigation measure recommended in the FEIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the FEIR due to a clerical error, the language of the policies and implementation measures as set forth in the FEIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the FEIR.

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the Commission rejecting the conclusions of the FEIR or the mitigation measures recommended in the FEIR for the Project.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

II. LESS-THAN-SIGNIFICANT IMPACTS

The FEIR finds that implementation of the Project would result in less-than-significant impacts or less-than-significant impacts with mitigation in the following environmental topic areas: Land Use and Land Use Planning, Population and Housing, Cultural Resources (effect on UTNHRD and cumulative effects to archaeological and tribal resources, and human remains), Transportation and Circulation, Noise, Air Quality, Greenhouse Gas Emissions, Wind and Shadow, Recreation, Utilities and Service Systems, Public Services, Biological Resources, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Mineral and Energy Resources, and Agriculture and Forest Resources.

Note: Senate Bill (SB) 743 became effective on January 1, 2014. Among other things, SB 743 added § 21099 to the Public Resources Code and eliminated the requirement to analyze aesthetics and parking impacts for certain urban infill projects under CEQA. The proposed Project meets the definition of a mixed-use residential project on an infill site within a transit priority area as specified by Public Resources Code § 21099.² Accordingly, the FEIR did not discuss the topic of Aesthetics, which are no longer considered in determining the significance of the proposed Project's physical environmental effects under CEQA. The FEIR nonetheless provided visual simulations for informational purposes. Similarly, the FEIR included a discussion of parking for informational purposes. This information, however, did not relate to the significance determinations in the FEIR.

Additionally, the Initial Study and/or FEIR determined some impacts were less than significant, and improvement measures were proposed to further reduce these less-than-significant impacts, which the Project Sponsor has agreed to implement:

- **Impact TR-1:** The proposed Project would not conflict with applicable plans or policies related to the use or promotion of alternative transportation methods. With implementation of Improvement Measures I-TR-1 (Transportation Demand Management Plan), I-TR-2 (Monitoring and Abatement of queues), and I-TR-3 (Construction Management Plan and Public Updates), Impact TR-1, which was identified as less than significant in the FEIR, is further reduced.

² San Francisco Planning Department. 2016. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 405–474 O'Farrell Street/532 Jones Street, November 14, 2016. This document (and all other documents cited in this environmental impact report, unless otherwise noted) is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1535E.

III. FINDINGS OF SIGNIFICANT IMPACTS THAT CAN BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH MITIGATION AND THE DISPOSITION OF THE MITIGATION MEASURES

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this section concern 7 potential impacts and mitigation measures proposed in the IS and/or FEIR. These mitigation measures are included in the MMRP. A copy of the MMRP is included as Attachment B to the Planning Commission Motion adopting these findings.

The Project Sponsor has agreed to implement the following mitigation measures to address the potential cultural resources and air quality, impacts identified in the IS and/or FEIR. As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that, unless otherwise stated, the Project will be required to incorporate mitigation measures identified in the IS and/or FEIR into the Project to mitigate or to avoid significant or potentially significant environmental impacts. Except as otherwise noted, these mitigation measures will reduce or avoid the potentially significant impacts described in the IS and/or Final EIR, and the Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and are included as conditions of approval in the Planning Commission's Conditional Use Authorization under Planning Code Section 303 of the Planned Unit Development under Planning Code Section 304 and also will be enforced through conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, these Project impacts would be avoided or reduced to a less-than-significant level. The Planning Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

The following mitigation measures would be required to reduce seven impacts identified in the Initial Study and/or FEIR to a less-than-significant level:

Impacts to Architectural Resources

- **Impact CR-3:** Construction activities for the proposed project could result in physical damage to adjacent historic resources. (DEIR ps. 4.36-4.39; add any relevant pages of the RTC) With implementation of Mitigation Measure M-CR-3a (Vibration Monitoring and Management Plan), and M-CR-3b (Construction Best Practices for Historical Architectural Resources), Impact CR-3 is reduced to a less-than-significant level. (DEIR ps. 4.38-4.39.)
- **Impact C-CR-1:** The proposed project, in combination with past, present, and reasonably foreseeable future projects in the project vicinity, could result in a significant cumulative impact on historic architectural resources. With implementation of Mitigation Measures CR-3a (Vibration Monitoring and Management Plan) and CR-3b (Construction Best Practices for Historical Architectural Resources), Impact C-CR-1 is reduced to a less-than-significant level.

Impacts to Cultural Resources

- **Impact CP-2:** Construction activities for the proposed project could result in a substantial adverse change in the significance of as-yet unknown archaeological resources beneath the project site, should such resources exist beneath the project site. (IS, ps. 47-48) With implementation of Mitigation Measure M-CP-2 (procedures for accidental discovery of archaeological materials), Impact CP-2 is reduced to a less-than-significant level. (IS, p. 48.)
- **Impact CP-3:** Construction activities for the proposed project could result in the disturbance of human remains, including those interred outside of formal cemeteries, should such remains exist beneath the project site. (IS p. 48-49.) With implementation of Mitigation Measure M-CP-3 (Human Remains), Impact CP-3 is reduced to a less-than-significant level.

Impacts to Air Quality

- **Impact AQ-2:** The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial pollutant concentrations. (IS, ps. 84-88.) With implementation of Mitigation Measure M-AQ-2 (Construction Air Quality), Impact AQ-2 is reduced to a less-than-significant level. (IS, p. 86.)
- **Impact AQ-4:** The proposed project would generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. (IS, ps. 88-90.) With implementation of Mitigation Measure M-AQ-4 (Best Available Control Technology for Diesel Generators), Impact AQ-4 is reduced to a less-than-significant level.
- **Impact C-AQ:** The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would contribute to cumulative air quality impacts but would not result in a cumulatively considerable contribution to a cumulative impact. (IS, ps. 91-92.) With implementation of Mitigation Measures M-AQ-2 and M-AQ-4, described above, Impact C-AQ would be reduced to a less-than-significant impact. (IS, p. 92.)

IV. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The FEIR identifies one significant and unavoidable impact on historic architectural resources and one significant and unavoidable impact on cultural resources.

The Planning Commission further finds based on the analysis contained within the FEIR, other considerations in the record, and the significance criteria identified in the FEIR, that feasible Mitigation Measures M-CR-1a to -1c (documentation according to the standards of the Historic American Buildings Survey, Interpretive Display, and Salvage Program) are available to reduce the significant Project impact, but not to a less-than-significant level; and no mitigation measures are available to reduce Impact CP-1 to a less-than-significant level. Therefore, those impacts remain significant and unavoidable. The Commission also finds that, although measures were considered in the FEIR that could reduce some significant impacts, certain measures, as described in this Section IV below, are infeasible for reasons set forth below, and therefore those impacts remain significant and unavoidable or potentially significant and unavoidable.

Thus, the following significant impact on the environment, as reflected in the FEIR, is unavoidable. But, as more fully explained in Section VI, below, under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Planning Commission finds that this impact is acceptable for the legal, environmental, economic, social, technological and other benefits of the Project. This finding is supported by substantial evidence in the record of this proceeding.

The FEIR identifies the following impact for which no feasible mitigation measures were identified that would reduce these impacts to a less than significant level:

Impacts to Cultural Resources – Impact CR-1

The proposed Project would demolish most of the historic 1923 Fifth Church of Christ, Scientist, and retain only the historic façade and colonnade on O'Farrell Street and a 30-foot return on Shannon Street, which would cause a substantial adverse change in the significance of an individually eligible historical resource, as defined in CEQA Guidelines Section 15064.5(b). (DEIR ps. 4.32-4.34.) The following mitigation measures were identified that would reduce this impact, as follows:

- Mitigation Measure M-CR-1a (Documentation);
- Mitigation Measure M-CR-1b (Interpretation); and
- Mitigation Measure M-CR-1c (Salvage).

The Commission finds that, for the reasons set forth in the FEIR, although implementation of Mitigation Measures M-CR-1a, M-CR-1b, M-CR-1c would reduce the cultural resources impact of demolition of the historic 1923 Fifth Church of Christ, Scientist building, this impact would nevertheless remain significant and unavoidable. (DEIR p. 4.32.)

V. EVALUATION OF PROJECT ALTERNATIVES

A. Alternatives Analyzed in the FEIR

This section describes the alternatives analyzed in the Project FEIR and the reasons for rejecting the alternatives as infeasible. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that generally reduce or avoid potentially significant impacts of the Project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The Planning Department considered a range of alternatives in Chapter 6 of the FEIR. The FEIR analyzed the No Project Alternative, the Full Preservation Alternative, and the Partial Preservation Alternative. Each alternative is discussed and analyzed in these findings, in addition to being analyzed in Chapter 6 of the FEIR. The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the FEIR and in the record. The FEIR reflects the Planning Commission's and the City's independent judgment as to the alternatives. The Planning Commission finds that the Project provides the best balance between satisfaction of Project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the FEIR.

B. Reasons for Approving the Project

Retail/Residential Building Component

- ▶ Develop a mixed-use project that contains residential uses, retail uses, and church space for worship in downtown San Francisco.
- ▶ Construct well-designed, financially feasible mixed-use residential housing units that contribute to the well-being of the community; new retail space for the benefit of neighborhood residents and businesses; and a church facility that will allow the church to continue its active presence in the community into the future.
- ▶ Create a new church facility for Fifth Church of Christ, Scientist that will enable it to fulfill its mission of bringing hope, comfort, compassion, and peace to the Tenderloin, where it has been for more than 90 years, with a:
 - New Christian Science Reading Room fronting O'Farrell Street that is inviting, light filled, and open to the public during the week;
 - Modern, welcoming, light-filled sanctuary for services and meetings, along with re-used church elements, including stained glass windows, oculus skylight, pipe organ, and oak pews;
 - Light-filled Sunday School and up-to-date Children's Room.
- ▶ Contribute toward the City and County of San Francisco (City) goal of creating 30,000 housing units in an area that is identified for higher-density housing in proximity to downtown as well as local and regional transportation hubs (San Francisco Municipal Railway [Muni] and Bay Area Rapid Transit [BART]) and increase the affordable housing supply in San Francisco in accordance with City requirements.
- ▶ Implement the City's High-Density zoning designation for the site, which is in the North of Market Residential Special Use District, with new construction that conforms to the character of the Upper Tenderloin National Register Historic District (UTNRHD).
- ▶ Create new retail and other services and activate a vibrant, interactive ground plane for the project for the benefit of neighborhood residents and commercial enterprises.

C. Evaluation of Project Alternatives

CEQA provides that alternatives analyzed in an EIR may be rejected if "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible . . . the project alternatives identified in the EIR." (CEQA Guidelines § 15091(a)(3).) The Commission has reviewed each of the alternatives to the Project as described in the FEIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make these Alternatives infeasible, for the reasons set forth below.

In making these determinations, the Planning Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Commission is also aware that under CEQA case law the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

The City identified three alternatives for analysis: 1) the No Project Alternative; 2) the Full Preservation Alternative; 2) the Partial Preservation Alternative. Those alternatives are considered below. In addition, three other alternatives were considered as part of the FEIR's screening process for identifying potentially feasible alternatives, but rejected from detailed analysis. Those alternatives, described in the DEIR at ps. 6-18 and 6.19, are as follows:

- **Redevelopment of 450 O'Farrell Only.** This alternative was rejected because it included complete demolition of the historic church and therefore would not reduce the significant and unavoidable impacts associated with the proposed Project.
- **Redevelopment of 450 and 474-480 O'Farrell Only.** This alternative was rejected because it would have included complete demolition of the building at 450 O'Farrell Street; therefore, it would not reduce the significant and unavoidable impacts associated with the proposed Project.
- **Additional Preservation Alternative.** This alternative was rejected because it provided only 70 dwelling units, a number that would be insufficient to meet the City's policies to develop dense housing for all, including on-site affordable housing, at an infill site in close proximity to public transportation.

1. No Project Alternative

Under the No Project Alternative, the Project Site would foreseeably remain in its existing condition. The buildings on the project site would not be altered, and the proposed 237,810 combined square feet of religious, residential, retail, open space, and supporting uses would not be constructed. The 26,904 square foot Fifth Church of Christ, Scientist building would remain. The two-story, 4,415-square-foot building located at 474 O'Farrell Street would remain but it is currently vacant and would need complete seismic and Building Code upgrades to be able to be occupied or demolished and a new structure build; and the approximately 1,012-square-foot, largely single-story building at 532 Jones Street would continue to be used as a restaurant with 5 substandard dwelling units. Building heights on the site would not be increased and parking would also remain unaltered.

This alternative would not preclude development of another project on the project site should such a proposal be put forth by the project sponsor or another entity. However, it would be speculative to set forth such an alternative project at this time.

The Planning Commission rejects the No Project Alternative as infeasible because it would fail to meet the Project Objectives and the City's policy objectives for the following reasons:

- 1) The No Project Alternative would not meet any of the Project Sponsor's or City's objectives regarding the redevelopment of a large underutilized site, creation of a mixed-use project that

provides new residential dwelling units and affordable housing, a new church facility and additional retail space;

- 2) The No Project Alternative would be inconsistent with key goals of the General Plan with respect to housing production. With no new housing developed, the No Project Alternative would not increase the City's housing stock of both market rate and affordable housing, would not create new job opportunities for construction workers, and would not expand the City's property tax base.
- 3) The No Project Alternative would leave the portion of the Project Site at 474 O'Farrell that is unsafe and unoccupied in its current condition without significant code-complying upgrades.

For the foregoing reasons, the Planning Commission rejects the No Project Alternative as infeasible.

2. Full Preservation Alternative

The Full Preservation Alternative would include preservation and rehabilitation of the Fifth Church of Christ, Scientist building, an individual historic resource and a contributor to the UTRHD, and demolition of the vacant retail building at 474 O'Farrell, as well as the restaurant building and five residential units at 532 Jones Street.

The full Preservation Alternative would combine the parcels that currently encompass 450 O'Farrell Street, 474 O'Farrell Street, and 532 Jones Street. The Full Preservation Alternative would demolish the buildings at 474 O'Farrell Street and 532 Jones Street and construct two new structures, a 13-story structure from Jones Street to Shannon Street and a 13-story structure at 474 O'Farrell Street. The two structures would be connected by a walkway. A courtyard between the two new structures would provide required light and air. The Full Preservation Alternative would include 97 new residential units (87,595 net square feet); a new church (10,666 square feet); one new retail space (800 square feet); space for assembly use (*i.e.*, corporate and private events) within the existing church (17,800 square feet); open space, serving the residential use; and 28 parking spaces.

The existing church would be retained and rehabilitated for an assembly use (see DEIR Figures 6-1, 6-2, and 6-3). A new 25-foot-deep, 80-foot-wide seven-story residential addition (14,000 square feet) would be constructed at the northwest corner of the church, extending two stories above the roof. The addition would remove the majority of the rear wall of the sanctuary, including the raised stage and clathri grillwork, which are identified character-defining features of the individually eligible historic resource at 450 O'Farrell Street. These items would be reinstalled in new interior locations if feasible. The interior double-story volume defining the sanctuary would remain legible.

A new church would be constructed to the west and adjacent to the old church, with 11 stories of new residential units above at 474 O'Farrell Street. In addition there would be retail at the ground floor of the Jones Street façade with residential above. The new church at 474 O'Farrell and retail space at the ground-floor level of 532 Jones Street would feature glazed storefronts.

The Planning Commission rejects the Full Preservation Alternative as infeasible because it would not meet the Project Objectives or City policy objectives for reasons including, but not limited to, the following:

- 1) The Full Preservation Alternative would limit the Project to 97 dwelling units at an infill site in close proximity to public transportation; whereas the proposed Project would add substantially more units, a total of 176, to the City's housing stock, including the replacement units. The City's important policy objectives as expressed in the Housing Element of the General Plan, in Policies 1.1, 1.4, 1.8 and 1.10, are to increase the housing stock whenever possible to address a shortage of housing in the City, and further, to promote dense housing in mixed use buildings.
- 2) The Full Preservation Alternative would also limit the Project to 17 total affordable units in a mixed-use building; whereas the proposed Project would provide up to 28 affordable units to the City's stock of affordable housing and contribute to the City's Inclusionary Housing Program. The City's important policy objective as expressed in Policy 1.1 of the Housing Element of the General Plan is to increase the affordable housing stock whenever possible to address a shortage of housing in the City.
- 3) The Full Preservation Alternative would limit the retail/restaurant space to approximately 800 gross square feet, not fully satisfying the City's policies in support of encouraging the location of neighborhood goods and services as an accessible convenience to residents, as expressed in Policy 6.4 of the Commerce and Industry Element of the General Plan.
- 4) The residential/retail component of the Full Preservation Alternative is economically infeasible. All such housing and mixed use development projects are capital-intensive and depend on obtaining financing from equity investors to cover a significant portion of the Project's costs, obtain a construction loan for the bulk of construction costs, and provide significant costs out-of-pocket. Equity investors require a certain profit margin to finance development projects and must achieve established targets for their internal rate of return and return multiple on the investment. Because the Full Preservation Alternative would result in a project that is significantly smaller than the Project, and contains 79 fewer residential units, the total potential for generating revenue is lower while the construction cost per square foot is higher due to lower economies of scale and the impact of fixed project costs associated with development. The reduced unit count would not generate a sufficient economic return to obtain financing and allow development of the proposed Project and therefore would not be built.

Economic and Planning Systems Inc. ("EPS"), a qualified real estate economics firm, prepared on behalf of the Project sponsor, a memorandum entitled "450 O'Farrell Street Development Feasibility Review and Evaluation", which is included in the record and is incorporated herein by reference. Given the significant fixed development costs (such as property acquisition and site improvement costs), the lower number of units in the Full and Partial Preservation Alternatives negatively impacts its financial viability, as there are fewer units over which these fixed development costs can be spread in comparison to the Project. The memorandum concludes that the Full Preservation Alternative is not financially feasible because the development costs for the Full Preservation Alternative significantly exceed potential revenues, resulting in a negative developer margin or return.

Specifically, implementation of the Full Preservation Alternative for apartment development would result in total development costs of \$108,157,000 with total estimated Net Operating Income of \$3,108,000 and result in a yield of 2.9%, net developer return to the developer and a

negative of \$34,295,000 of revenue less total development costs. This analysis was based on the project being rental housing and is in 2017 dollars.

The Planning Department requested the Project Sponsor to engage Willdan Financial Services ("Willdan"), a qualified real estate economics firm, to independently review the EPS analysis of the financial feasibility of the residential/retail component of the Full and Partial Preservation Alternatives on behalf of the City. Willdan produced a memorandum entitled "450 O'Farrell Street Development Pro Forma Peer Review and Evaluation", which is included in the record and is incorporated herein by reference. Willdan verified that the methodology and assumptions used by EPS were reasonable and verified the conclusion of the feasibility analysis that the mixed use, residential and church development component of the Full and Partial Preservation Alternatives are financially infeasible. The City has reviewed the analyses prepared by EPS and Willdan and concurs in their conclusions.

In an August 30, 2018, Addendum to its 450 O'Farrell Street Development Feasibility Review and Evaluation, EPS also evaluated whether the use of historic preservation tax credits, New Market tax credits, Mills Act property tax reductions or the sale of transferable development rights (TDRs) could be utilized to close the funding gap needed to render the Full Preservation Alternative feasible. EPS concluded that use of any of these potential funding sources, even if the project were to qualify for them, would be insufficient to fund the financial gap required to render the alternative financially feasible.

- 5) The Full Preservation Alternative would create a project with fewer housing units in an area well-served by transit, services and shopping and adjacent to employment opportunities which would then push demand for residential development to other sites in the City or the Bay Area. This would result in the Full Preservation Alternative not meeting, to the same degree as the Project, the City's *Strategies to Address Greenhouse Gas Emissions* or CEQA and the Bay Area Air Quality Management District's ("BAAQMD") requirements for a GHG reductions, by not maximizing housing development in an area with abundant local and region-serving transit options.

For the foregoing reasons, the Planning Commission rejects the Full Preservation Alternative as infeasible.

3. Partial Preservation Alternative

The Partial Preservation Alternative would develop a similar program to that of the proposed project, but would include partial preservation of and rehabilitation of the Fifth Church of Christ, Scientist. The Partial Preservation Alternative would maintain most of the exterior character-defining features of the Church at 450 O'Farrell.

The Partial Preservation Alternative would include partial preservation and rehabilitation of the Fifth Church of Christ, Scientist at 450 O'Farrell Street, partial restoration of the vacant retail building at 474 O'Farrell Street, and demolition of the restaurant building at 532 Jones Street.

The Partial Preservation Alternative would combine the parcels that currently encompass 450 O'Farrell Street, 474 O'Farrell Street, and 532 Jones Street. The Partial Preservation Alternative would construct a

new 13-story (130-foot) U-shaped building, spanning the three lots. The interior of the U would include a courtyard, providing required light and air. This alternative would create 162 dwelling units; a new church (10,207 square feet); new retail space (4,638 square feet); open space, serving the residential uses; and 39 parking spaces (see Figures 6-4, 6-5, and 6-6). The proposed new addition above and behind the retained 45 feet of the historic church structure would be set back 20 feet from the front street-wall property line and 35 feet at the corner of O'Farrell and Shannon Streets, creating a jogged corner.

The Partial Preservation Alternative would remove the rear 67 feet of the existing church, including, but not limited to, part or all of the following character-defining features: the windows, two-story sanctuary space with sloped floor and curving balcony, raised stage, clathri grillwork, stained glass, and oculus skylight. These features would be reinstalled in new locations in the new building wherever feasible. The character-defining features of the church to remain in part or in whole include, but are not limited to, the symmetrical tripartite façade, Tuscan columns, exterior vestibule with ornamental plaster ceiling and panels, cornice, akroterion, bronze doors, windows, and curving balcony.

The lower part of the U-shaped building would have a staggered setback (15 to 35 feet from west to east) long O'Farrell Street from the preserved façades. One leg of the U would run along Shannon Street and the other along the side of 500 Jones Street. Where the building would face Jones Street, it would decrease in height to match the adjacent buildings. There would be retail on the ground floor of the Jones Street façade, with residential above. The new church space would be behind the restored façade at 474 O'Farrell, and an assembly space would be located in the retained portion of the old church.

This alternative would reduce but not eliminate the significant and unavoidable impacts on historical resources. Additionally, this alternative meets many but not all of the Project Sponsor's and City's objectives. Specifically, while this alternative provides the ability to redevelop the underutilized site, it reduces the number of residential units by 14 Units or 9%.

The Planning Commission rejects the Partial Preservation Alternative as infeasible because it would not eliminate any of the significant unavoidable individual impacts of the proposed Project and it would not meet the Project Objectives or City policy objectives for reasons including, but not limited to, the following:

- 1) The Partial Preservation Alternative would limit the Project to 162 dwelling units at a site in close proximity to public transportation; whereas the Preferred Project would provide up to 176 units, including replacement units, to the City's housing stock and maximize the creation of new residential units. The City's important policy objectives as expressed in the Housing Element of the General Plan, in Policies 1.1, 1.8 and 1.10, are to increase the housing stock whenever possible to address a shortage of housing in the City, and further, to promote dense housing in mixed use buildings.
- 2) The Partial Preservation Alternative would also limit the Project to 26 total affordable units; whereas the Preferred Project would provide up to 28 affordable units to the City's stock of affordable housing and contribute to the City's Inclusionary Housing Program. The City's important policy objective as expressed in Policy 1.1 of the Housing Element of the General Plan is to increase the affordable housing stock whenever possible to address a shortage of housing in the City.

- 3) The Partial Preservation Alternative would create a project that would not fully utilize this infill site for housing production, thereby not fully satisfying General Plan policies such as Housing Element Policies 1.1, 1.4, and 1.10. The shaping of the massing in the alternative, although consistent with and enhances the scale and urban character of the area, supporting Policies 3.1 and 3.5 of the Urban Design Element of the General Plan, would not further the City's housing policies to create more housing, particularly affordable housing opportunities as well as the proposed Project does, and would not remove all significant unavailable impacts.
- 4) The residential/retail component of the Partial Preservation Alternative is economically infeasible. Large development projects are capital-intensive and depend on obtaining financing from equity investors to cover a significant portion of the project's costs, obtain a construction loan for the bulk of construction costs, and provide significant costs out-of-pocket. Equity investors require a certain profit margin to finance development projects and must achieve established targets for their internal rate of return and return multiple on the investment. Because the Partial Preservation Alternative would result in a project that is smaller than the Project, and contains 16 fewer residential units, the total potential for generating revenue is lower while the construction cost per square foot is higher due to lower economies of scale and the impact of fixed project costs associated with development. The reduced unit count would not generate a sufficient economic return to obtain financing and allow development of the proposed Project and therefore would not be built.

EPS, a qualified real estate economics firm, prepared on behalf of the Project sponsor a memorandum entitled "450 O'Farrell Street Development Feasibility Review and Evaluation", which is included in the record and is incorporated herein by reference. Given the significant fixed development costs (such as property acquisition and site improvement costs), the lower number of units in the Partial Preservation Alternative negatively impacts its financial viability, as there are fewer units over which these fixed development costs can be spread in comparison to the Project. The memorandum concludes that the Partial Preservation Alternative is not financially feasible because the development costs for the Partial Preservation Alternative significantly exceed potential revenues, resulting in a significantly reduced developer margin or return.

Specifically, implementation of the Partial Preservation Alternative for apartment development would result in total development costs of \$143,210,000 and result in a yield of 3.9% net developer margin or return and a negative of \$8,811,000 of revenue less total development costs.

The Planning Department requested the Project Sponsor to engage Willdan to independently review the EPS analysis of the financial feasibility of the residential/retail component of the Partial Preservation Alternative on behalf of the City. Willdan produced a memorandum entitled "450 O'Farrell Street Development Pro Forma Peer Review and Evaluation", which is included in the record and is incorporated herein by reference. Willdan verified that the methodology and assumptions used by EPS were reasonable and verified the conclusion of the EPS analysis that the residential/retail component of the Partial Preservation Alternative is financially infeasible. The City has reviewed the analyses prepared by EPS and Willdan and concurs in their conclusions.

In an August 30, 2018, Addendum to its 450 O'Farrell Street Development Feasibility Review and Evaluation, EPS also evaluated whether the use of historic preservation tax credits, New Market tax credits, Mills Act property tax reductions or the sale of transferable development rights (TDRs) could be utilized to close the funding gap needed to render the Partial Preservation Alternative feasible. EPS concluded that use of any of these potential funding sources, even if the project were to qualify for them, would be insufficient to fund the financial gap required to render the alternative financially feasible.

- 5) The Partial Preservation Alternative would create a project with fewer housing units in an area well-served by transit, services and shopping and adjacent to employment opportunities which would then push demand for residential development to other sites in the City or the Bay Area. This would result in the Partial Preservation Alternative not meeting, to the same degree as the Preferred Project, the City's *Strategies to Address Greenhouse Gas Emissions* or CEQA and the Bay Area Air Quality Management District's ("BAAQMD") requirements for a GHG reductions, by not maximizing housing development in an area with abundant local and region-serving transit options.

For the foregoing reasons, the Planning Commission rejects the Partial Preservation Alternative as infeasible.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures, impacts related to Historic Architectural Resources will remain significant and unavoidable. Pursuant to CEQA section 21081 and CEQA Guideline Section 15093, the Planning Commission hereby finds, after consideration of the FEIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the record, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approval, significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures proposed in the FEIR/IS and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technological, legal, social and other considerations.

The Project will have the following benefits:

1. The Project promotes the policies and objectives of the General Plan by providing a range of residential unit types to serve a variety of needs at an infill development site with a mix of uses. The Project will provide up to 176 dwelling units with a varied unit mix: 15 studio units (8.5%); 30 junior one-bedrooms (17%); 69 one-bedrooms (39.2%); 62 two-bedrooms (35.2%). This is consistent with the City's priority policy to increase the housing stock whenever possible to address a shortage of housing in the City, and further Policies 1.8 and 1.10 of the Housing Element of the General Plan, to promote dense housing in mixed use buildings.
2. The Project would increase the stock of permanently affordable housing by creating approximately 23 new below-market rate units, available for rent to households whose total income is below 55% of the Area Median Income, provided in accordance with the City's Affordable Inclusionary Housing Ordinance and promoting Policy 1.1 of the Housing Element of the General Plan. An additional five units are proposed as replacement rent-controlled units, at similar AMI rental rates, also on-site. The Project proposes these affordable units mixed into the overall market rate project, in furtherance of the City's policies supporting mixed-income projects in which private developers construct and maintain affordable housing units.
3. The Project would provide a new religious facility that will enable an existing church, which in its current location has been located at this site for more than 90 years, to continue to be located within the community and provide updated, code compliant, and expanded religious instructional and outreach facilities, while salvaging and reusing certain features of the building's interior elements.
4. The Project generally promotes the purpose of the North of Market Residential Special Use District through infill housing at compatible density. The project introduces 171 new residential units with on-site affordable units near downtown, provide five new replacement residential units on-site, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. Further, street improvements such as street trees and bicycle parking will further enhance the public realm, consistent with the better street plan policies in the General Plan.
5. The Project, on balance, supports the City's Urban Design Policies 2.6, 3.1 and 3.5, as expressed in the General Plan. Although the proposed project does not preserve the historic architectural resources on site, the proposed new construction would produce high-quality architectural design that is compatible with the Uptown Tenderloin National Register Historic District, in which the site is located. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with neighboring 6- to 19-story development in close proximity to the site. In addition, the project maintains a sense of scale on the block through

retaining a portion of the façade of the 450 O'Farrell building, which is to be incorporated into the new building.

6. The Project supports the General Plan Policies 1.1 and 1.10 of the Housing Element, and Policy 6.4 of the Commerce and Industry Element of the General Plan, by locating housing for all at a mixed-use infill development site, with neighborhood commercial, and at a density to support, where households can easily rely on public transportation, walking and bicycling for a majority of daily trips. The site is located within a few blocks of six Muni bus lines, approximately ¼-mile from the Powell station for BART and Muni light rail service, and provides a total of 125 Class 1 secure indoor bicycle parking spaces, and 16 Class 2 sidewalk bike rack spaces.
7. The Project meets the City's Strategies to Address Greenhouse Gas Emissions and the BAAQMD requirements for a GHG reductions by maximizing development on an infill site that is well-served by transit, services and shopping and is suited for dense residential development, where residents can commute and satisfy convenience needs without frequent use of a private automobile and is adjacent to employment opportunities, in an area with abundant local and region-serving transit options.
8. The Project will create approximately 319 temporary construction jobs, and permanent jobs in the retail sector. These jobs will provide employment opportunities for San Francisco residents, promote the City's role as a commercial center, and provide additional payroll tax revenue to the City, providing direct and indirect economic benefits to the City.

Having considered the above, the Planning Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the FEIR and/or IS, and that those adverse environmental effects are therefore acceptable.

Mitigation Monitoring and Reporting Program

SECTION 1: AUTHORITY

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to California Environmental Quality Act (known as CEQA [Public Resources Code Sections 21000 et seq.]) Section 21081.6 to provide for the monitoring of mitigation measures required of the 450-474 O'Farrell Street/532 Jones Street Project (Project), as set forth in the Final Environmental Impact Report (Final EIR) prepared for the Project. This report will be kept on file in the offices of the City Planning Department (City), 1650 Mission Street, Fourth Floor, San Francisco, CA, 94103.

SECTION 2: MONITORING SCHEDULE

Prior to the issuance of building permits, while detailed development plans are being prepared for approval by Agency and/or City staff, Agency and/or City staff will be responsible for ensuring compliance with mitigation monitoring applicable to the project construction, development, and design phases. Agency and/or City staff will prepare or cause to be prepared reports identifying compliance with mitigation measures. Once construction has begun and is underway, monitoring of the mitigation measures associated with construction will be included in the responsibilities of designated Agency and/or City staff, who shall prepare or cause to be prepared reports of such monitoring no less than once a month until construction has been completed. Once construction has been completed, the Agency and/or City will monitor the project as deemed necessary.

SECTION 3: CHANGES TO MITIGATION MEASURES

Any substantive change in the monitoring and reporting plan made by Agency and/or City staff shall be reported in writing to the City Environmental Review Officer. Reference to such changes shall be made in the monthly/yearly Environmental Mitigation Monitoring Report prepared by City staff. Modifications to the mitigation measures may be made by City staff subject to one of the following findings, documented by evidence included in the record:

- a. The mitigation measure included in the Final EIR and the Mitigation Monitoring and Reporting Program is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment, or other factors.

OR

- b. The modified or substitute mitigation measure to be included in the Mitigation Monitoring and Reporting Program either provides corrections to text without any substantive change in the intention or meaning of the original mitigation measure, or provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the Final EIR and the Mitigation Monitoring and Reporting Program; and the modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those

which were considered by the responsible hearing bodies in their decisions on the Final EIR and the proposed project; and the modified or substitute mitigation measures are feasible, and the City, through measures included in the Mitigation Monitoring and Reporting Program or other City procedures, can assure their implementation.

SECTION 4: SUPPORT DOCUMENTATION

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

SECTION 5: FORMAT OF MITIGATION MONITORING MATRIX

The mitigation monitoring matrix on the following pages identifies the environmental issue areas for which monitoring is required, the required mitigation measures, the timeframe for monitoring, and the responsible implementing and monitoring agencies.

If any mitigation measures are not being implemented, the Agency and/or City may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) criminal prosecution and/or administrative fines; (6) forfeiture of security bonds or other guarantees; and (7) revocation of permits or other entitlements.

SECTION 6: DEFINITIONS

For the purposes of this MMRP, the following definitions are used:

- **City’s Environmental Review Officer**— The Environmental Review Officer at the San Francisco Planning Department, referred to herein as “ERO.”
- **Code of Federal Regulations**— Referred to herein as “CFR.”
- **Project Sponsors**— The project sponsors consist of 450 O’Farrell Street Partners, LLC, and the Fifth Church of Christ, Scientist.

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Cultural Resources				
<p>Mitigation Measure CR-1a: Documentation. Prior to the issuance of demolition or site permits, the project sponsors shall undertake Historic American Building Survey (HABS) documentation of the subject property, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:</p> <ul style="list-style-type: none">Measured Drawings: A set of measured drawings that depict the existing size, scale, and dimension of the subject property. The Planning Department Preservation staff will accept the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.). The Planning Department Preservation staff will assist the consultant in determining the appropriate level of measured drawings;HABS-Level Photography: Digital photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; andHABS Historical Report: A written historical narrative and report, per HABS Historical Report Guidelines.Video documentation: Video footage of the exterior and interior of contributing elements of the subject property. <p>The professional shall prepare the documentation and submit it for review and approval by the Planning Department Preservation staff prior to the issuance of demolition permits. The documentation shall be disseminated by the project sponsors to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.</p>	Project sponsors and qualified historic preservation individual	Prior to the issuance of a demolition permit for the building	Planning Department Preservation Technical Specialist to review and approve HABS documentation.	Considered complete upon submittal of final HABS documentation to the Preservation Technical Specialist.
<p>Mitigation Measure CR-1b: Interpretation. The project sponsors shall provide a permanent display of interpretive materials concerning the history and architectural features of the original 450 O’Farrell Street building and its relationship with the Uptown Tenderloin National Register Historic District and the Tenderloin neighborhood. Interpretation of the site’s history and relationship with the District shall be supervised by an architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards, and may engage additional consultants to develop the display. The interpretative materials (which may include, but are not limited to, a display of photographs, news articles, memorabilia, and/or video) shall be placed in a prominent setting on the project site visible to pedestrians, such as a lobby, Reading Room of the new church or O’Farrell Street frontage.</p> <p>A proposal describing the general parameters of the interpretive program shall be approved by the San Francisco Planning Department Preservation staff prior to issuance of a site permit. The content, media and other characteristics of such interpretive display shall be approved by the San Francisco Planning Department Preservation staff prior to issuance of a Temporary Certificate of Occupancy.</p>	Project sponsor and qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the building	Planning Department Preservation Technical Specialist to review and approve interpretive display	Considered complete upon installation of display.

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Mitigation Measure CR-1c: Salvage. Prepare an in-depth salvage document for the character-defining features of the existing church building at 450 O’Farrell Street. The project sponsors shall work with a professional who meets the Secretary of Interior’s Standards to develop a salvage report that documents the building’s character-defining features for conservation and assesses the feasibility of reinstallation at the new church space or in other facilities. The salvage report shall include documentation of interior historic interior features, such as the light fixtures, the marble in the bathroom, sanctuary space with balcony, decorative plaster work in the lobby and sanctuary, raised sanctuary stage, the organ pipes, and the grillwork fronting the organ pipes, and any exterior character-defining features that would not be retained by the project. Additionally, the salvage document shall include the identification of diverse organizations with interest in curation of the materials. The professional shall prepare the salvage report and submit it for review and approval by the Planning Department preservation staff prior to the issuance of demolition permits.	Project sponsors and qualified historic preservation individual.	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the 450 O’Farrell Street building	Planning Department Preservation Technical Specialist to review and approve the salvage report	Considered complete upon approval of the salvage report by the Planning Department Preservation Technical Specialist.
Mitigation Measure CR-3a: Vibration Monitoring and Management Plan. The project sponsors shall retain the services of a qualified structural engineer or vibration consultant and a preservation architect who meet the Secretary of the Interior’s Historic Preservation Professional Qualification Standards to conduct a Pre-Construction Assessment of the identified adjacent contributing resources to the Uptown Tenderloin National Register Historic District at 500–520 Jones Street, 536–544 (540) Jones Street, 546–548 (548) Jones Street, 565–575 Geary Street, 438–440 (438) O’Farrell Street, 415 Taylor Street, and 577–579 Geary Street. Prior to any demolition or ground-disturbing activity, the Pre-Construction Assessment shall be prepared. It shall contain written and photographic descriptions of the existing condition of visible exteriors from the public rights-of-way of the adjacent buildings and interior locations upon permission of the owners of the adjacent properties. The Pre-Construction Assessment shall determine specific locations to be monitored and include annotated drawings of the buildings to locate accessible digital photo locations and locations of survey markers and/or other monitoring devices (e.g., to measure vibrations). The Pre-Construction Assessment shall be submitted to the Planning Department along with the demolition and site permit applications. The structural engineer and/or vibration consultant, in consultation with the preservation architect, shall develop, and the project sponsors shall adopt, a vibration management and continuous monitoring plan to protect the adjacent historic buildings against damage caused by vibration or differential settlement caused by vibration during project construction activities. In this plan, the maximum vibration level not to be exceeded at each building shall be 0.2 inch per second, or a level determined by the site-specific assessment made by the structural engineer and/or the vibration consultant in coordination with the preservation architect for the project. The vibration management and monitoring plan shall document the criteria used in establishing the maximum vibration level for the project. In addition, this plan shall state the maximum settlement levels not to be exceeded at each building, which shall range from 3/8-inch to 1/2-inch; or a level determined by the site-specific assessment made by the structural engineer in coordination with the preservation architect for the project. This settlement criterion shall be included in the vibration management and monitoring plan. The vibration management and monitoring plan shall include pre-construction surveys and continuous vibration monitoring throughout the duration of the major construction project activities that would require heavy-duty equipment to ensure that vibration levels do not exceed the established standard. The vibration management and monitoring plan shall be submitted to the Planning Department’s preservation staff prior to issuance of the demolition permit. Should vibration levels be observed in excess of the standard, or if settlement to adjacent buildings occurs beyond the settlement levels described above, construction shall be halted and alternative protective measures shall be put in practice. Alternative protective measures may include, but would not be limited to, additional underpinning, additional shoring, grouting, and soldier piles. Appropriate protective measures to prevent damage to adjacent buildings shall be determined on a case by case basis. Should construction of the proposed project result in any damage to adjacent buildings, repairs may be completed as part of the project. The structural engineer and/or vibration consultant and the historic preservation consultant shall conduct regular periodic inspections of digital photographs, survey markers, and/or other monitoring devices during ground-disturbing activity at the project site. The buildings shall be protected to prevent further damage and remediated to pre-construction conditions as shown in the Pre-	Project sponsors, contractor, qualified structural engineer or vibration consultant and qualified preservation architect	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the 450 O’Farrell Street building Should vibration or settlement levels be observed in excess of the standards set in the mitigation measure, Planning must be notified immediately along with a description of alternative protective measures proposed to be put in place to prevent further damage to adjacent buildings.	Planning Department Preservation Technical Specialist shall review and approve the vibration monitoring and management plan. Planning Department Preservation Technical Specialist shall review and approve alternative protection measures, if necessary.	Considered complete upon submittal to ERO of post-construction report on vibration monitoring plan and effects, if any, on proximately historical resources.

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Construction Assessment with the consent of the building owner.				
Mitigation Measure CR-3b: Construction Best Practices for Historical Architectural Resources. The project sponsors shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to the adjacent contributing resources at 500–520 Jones Street, 536–544 (540) Jones Street, 546–548 (548) Jones Street, 565–575 Geary Street, 438–440 (438) O’Farrell Street, 415 Taylor Street, and 577–579 Geary Street, including, but not limited to, staging of equipment and materials as far as possible from historic buildings to limit damage; using techniques during demolition, excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and adjacent contributing resource(s); enclosing construction scaffolding to avoid damage from falling objects or debris; and ensuring appropriate security to minimize risks of vandalism and fire. These construction specifications shall be submitted to the Planning Department along with the Demolition and Site Permit Applications.	Project sponsors, contractor, qualified structural engineer or vibration consultant and qualified preservation architect	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the building	Planning Department Preservation Technical Specialist shall review and approve the construction specifications.	Considered complete upon approval of construction specifications by the by the Planning Department Preservation Technical Specialist.
Mitigation Measure M-CP-2: Accidental Discovery. The project sponsors shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, supervisory personnel, etc. The project sponsors shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet. Should any indication of an archeological resource be encountered during any soil-disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken. If the ERO determines that an archeological resource may be present within the project site, the project sponsors shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsors immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions. The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC)	Project sponsors, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Planning Department’s Environmental Review Officer.	Prior to issuance of any permit for soil-disturbing activities and during construction.	Project sponsor, ERO, archeologist.	Considered complete upon ERO’s approval of FARR

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.				
Mitigation Measure M-CP-3: Human Remains. Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws along with the following procedures. This shall include immediate notification of the Coroner of the City and County of San Francisco and the ERO. In the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, as required under M-CP-3, the project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsors and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.	Project sponsors, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Review Officer.	Throughout the duration of ground-disturbing activities	Project sponsor to notify ERO, Coroner, and, if applicable, NAHC of any discovery of human remains	Considered complete upon completion of ground-disturbing activities
Air Quality				
Mitigation Measure M-AQ-2: Construction Air Quality The project sponsors or the project sponsors’ 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 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	Project sponsors and construction contractor.	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection, with ongoing compliance with the Construction Emissions Minimization Plan throughout the construction period.	ERO to review and approve Construction Emissions Minimization Plan; project sponsor and construction contractor to comply with, and document compliance with, Construction Emissions Minimization Plan as required by the ERO	Construction Emissions Minimization Plan considered complete upon ERO review and acceptance of Plan; measure considered complete upon completion of project construction and submittal to ERO of required documentation

Mitigation Monitoring & Reporting Program																
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule												
<p>operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. Waivers.</p> <p>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).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible, the equipment would not produce desired emissions reduction due to expected operating modes, installation of the equipment would create a safety hazard or impaired visibility for the operator, or there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next-cleanest piece of off-road equipment, according to Table 12.</p> <p>TABLE 12: OFF-ROAD EQUIPMENT COMPLIANCE STEP-DOWN SCHEDULE</p> <table><tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr><tr><td>1</td><td>Tier 2</td><td>ARB Level 2 VDECS</td></tr><tr><td>2</td><td>Tier 2</td><td>ARB Level 1 VDECS</td></tr><tr><td>3</td><td>Tier 2</td><td>Alternative Fuel*</td></tr></table> <p>** Alternative fuels are not a VDECS.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <p>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>2. The project sponsors shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
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*														

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>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 sponsors shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>				
<p>Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators. The project sponsors shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsors shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.</p>	Project sponsors and construction contractor.	Prior to issuance of site permit	ERO to review and approve the diesel emission control strategy.	Considered complete upon ERO approval of the diesel emission control strategy.

Improvement Measures				
Improvement Measures Agreed to by the Project Sponsor.	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Transportation				
<p>Improvement Measure I-TR-1: Transportation Demand Management (TDM) Plan. As an improvement measure to encourage the use of sustainable modes, the project sponsors and subsequent property owners, should develop and implement a TDM Plan. The scope and number of TDM measures included in the TDM Plan should be in accordance with the Planning Commission Standards for the TDM Program (TDM Program) for the type of development proposed.¹ The proposed project’s TDM Plan should conform to the most recent version of the TDM Program Standards available at the time of the project’s approval. The Planning Department should review and approve the TDM Plan, as well as any subsequent revisions to the TDM Plan, pursuant to the TDM Program Standards. The TDM Plan should target a reduction in the vehicle miles traveled (VMT) rate (e.g., VMT per capita), monitor and evaluate project performance (actual VMT), and adjust TDM measures over time to attempt to meet VMT target reduction.</p> <p>The TDM Plan may include, but is not limited to, the types of measures summarized below for explanatory example purposes. Actual TDM measures selected should include those from the TDM Program Standards which describe the scope and applicability of candidate measures in detail and include:</p> <ol style="list-style-type: none">1. Active Transportation: Provision of streetscape improvements to encourage walking, secure bicycle parking, shower and locker facilities for cyclists, subsidized bike share memberships for project occupants, bicycle repair and maintenance services, and other bicycle-related services2. Car-Share: Provision of car-share parking spaces and subsidized memberships for project occupants3. Delivery: Provision of amenities and services to support delivery of goods to project occupants4. Family-Oriented Measures: Provision of on-site childcare and other amenities to support the use of sustainable transportation modes by families5. High-Occupancy Vehicles: Provision of carpooling/vanpooling incentives and shuttle bus service6. Information and Communications: Provision of multimodal wayfinding signage, transportation information displays, and tailored transportation marketing services7. Land Use: Provision of on-site affordable housing and healthy food retail services in underserved areas8. Parking: Provision of unbundled parking, short term daily parking provision, parking cash out offers, and reduced off-street parking supply.	<p>This measure is no longer required because it has been superceded by the passage of the Transportation Demand Management (TDM) Program (Board File # 160925/34-17)</p>			
<p>Improvement Measure I-TR-2: Monitoring and Abatement of Queues. To reduce the potential for queuing of vehicles accessing the project site, it should be the responsibility of the project sponsors to ensure that recurring vehicle queues or vehicle conflicts do not occur on Shannon Street. A vehicle queue is defined as one or more vehicles (destined to the parking garage) blocking any portion of the Shannon Street sidewalk or travel lanes for a consecutive period of three minutes or longer on a daily and/or weekly basis.</p> <p>If the Planning Director, or his or her designee, suspects that a recurring queue or conflict is present, the Planning Department should notify the project sponsors in writing. Upon request, the owner/operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant should prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue or conflict does exist, the project sponsors should have 90 days from the date or the written determination to abate the recurring queue or conflict.</p>	<p>Project sponsor.</p>	<p>During project occupancy.</p>	<p>Transportation consultant, Planning Department</p>	<p>During project occupancy if a queuing of vehicles occurs.</p>

¹ San Francisco Planning Department, *Draft TDM Program Standards*, July 2016 are available online at: <http://sf-planning.org/tdm-materials-and-resources>.

Improvement Measures				
Improvement Measures Agreed to by the Project Sponsor.	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>Improvement Measure I-TR-3: Construction Management Plan and Public Updates.</p> <p>Construction Coordination – To reduce potential conflicts between construction activities and pedestrians, bicyclists, transit and vehicles at the project site, the project sponsors should require that the contractor prepare a Construction Management Plan for the project construction period. The preparation of a Construction Management Plan could be a requirement included in the construction bid package. Prior to finalizing the Plan, the project sponsor/construction contractor(s) should meet with San Francisco Public Works (Public Works), San Francisco Municipal Transportation Agency (SFMTA),), the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to include in the Construction Management Plan to reduce traffic congestion, including measures to reduce potential traffic, bicycle, and transit disruption and pedestrian circulation effects during construction of the proposed project. This review should consider other ongoing construction in the project vicinity. As determined necessary by the SFMTA to minimize the potential for impacting vehicle and transit traffic on O’Farrell Street, the Construction Management Plan could include restrictions on travel lane closures or construction truck deliveries or materials removal during the AM (7 to 9 AM) and PM (3 to 7 PM) peak periods when tow-away regulations are in effect on O’Farrell Street.</p> <p>Carpool, Bicycle, Walk and Transit Access for Construction Workers – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include as part of the Construction Management Plan methods to encourage carpooling, bicycle, walk and transit access to the project site by construction workers (such as providing transit subsidies to construction workers, providing secure bicycle parking spaces, participating in free-to-employee ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers.</p> <p>Construction Worker Parking Plan – As part of the Construction Management Plan that could be developed by the construction contractor, the location of construction worker parking could be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking could be discouraged. All construction bid documents could include a requirement for the construction contractor to identify the proposed location of construction worker parking. If on-site, the location, number of parking spaces, and area where vehicles would enter and exit the site could be required. If off-site parking is proposed to accommodate construction workers, the location of the off-site facility, number of parking spaces retained, and description of how workers would travel between an off-site facility and the project site could be required.</p> <p>Project Construction Updates for Adjacent Businesses and Residents – To minimize construction impacts on access to nearby institutions and businesses, the project sponsors could provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and parking lane and sidewalk closures. A regular email notice could be distributed by the project sponsors that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.</p>	Project sponsor	Develop Construction Management Plan prior to the start of construction, and implement plan throughout the construction period.	Project sponsor and construction contractor. Planning will review and approve the Construction Management Plan (CMP).	Considered complete upon completion of project construction.

COVER SHEET: MITIGATION MONITORING AND REPORTING PROGRAM

The table below indicates when compliance with each mitigation measure for the project must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure's requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			
	Prior to the Start of Construction*	During Construction**	Post-Construction or Operational	Compliance with MM completed?
Mitigation Measure CR-1a: Documentation.	X		X	
Mitigation Measure CR-1b: Interpretation.	X		X	
Mitigation Measure CR-1c: Salvage	X			
Mitigation Measure CR-3a: Vibration Monitoring and Management Plan.	X	X		
Mitigation Measure CR-3b: Construction Best Practices for Historical Architectural Resources.	X	X		
Mitigation Measure M-CP-2: Accidental Discovery.	X	X		
Mitigation Measure M-CP-3: Human Remains. Human Remains and Associated or Unassociated Funerary Objects.	X	X		
Mitigation Measure M-AQ-2: Construction Air Quality	X	X		
Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators.	X		X	

*Prior to any ground disturbing activities at the project site.

**Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

Period of Compliance

Adopted Improvement Measure	Prior to the Start of Construction*	During Construction**	Post-Construction or Operational	Compliance with Improvement Measure completed?
Improvement Measure I-TR-3: Construction Management Plan and Public Updates.	X	X		

*Prior to any ground disturbing activities at the project site.

**Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

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



Property Owner or Legal Agent Signature

12/21/2020

Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
Mitigation Measures Agreed To By Project Sponsor				
Historic Architectural/Cultural Resources				
<p>Project Mitigation Measure CR-1a: Documentation. Prior to the issuance of demolition or site permits, the project sponsors shall undertake Historic American Building Survey (HABS) documentation of the subject property, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:</p> <ul style="list-style-type: none"> Measured Drawings: A set of measured drawings that depict the existing size, scale, and dimension of the subject property. The Planning Department Preservation staff will accept the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.). The Planning Department Preservation staff will assist the consultant in determining the appropriate level of measured drawings; HABS-Level Photography: Digital photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and HABS Historical Report: A written historical narrative and report, per HABS Historical Report Guidelines. Video documentation: Video footage of the exterior and interior of contributing elements of the subject property. <p>The professional shall prepare the documentation and submit it for review and approval by the Planning Department Preservation staff prior to the issuance of demolition permits. The documentation shall be disseminated by the project</p>	Project sponsor's qualified architectural historian at the direction of the ERO	Prior to the start of any demolition or adverse alteration on a designated historic resource.	Planning Department Preservation Technical Specialist to review and approve HABS documentation. Considered complete upon submittal of final HABS documentation to the Preservation Technical Specialist.	Considered complete upon submittal of final HABS documentation to the Preservation Technical Specialist.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
sponsors to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.				
<p>Project Mitigation Measure CR-1b: Interpretation. The project sponsors shall provide a permanent display of interpretive materials concerning the history and architectural features of the original 450 O'Farrell Street building and its relationship with the Uptown Tenderloin National Register Historic District and the Tenderloin neighborhood. Interpretation of the site's history and relationship with the District shall be supervised by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, and may engage additional consultants to develop the display. The interpretative materials (which may include, but are not limited to, a display of photographs, news articles, memorabilia, and/or video) shall be placed in a prominent setting on the project site visible to pedestrians, such as a lobby, Reading Room of the new church or O'Farrell Street frontage.</p> <p>A proposal describing the general parameters of the interpretive program shall be approved by the San Francisco Planning Department Preservation staff prior to issuance of a site permit. The content, media and other characteristics of such interpretive display shall be approved by the San Francisco Planning Department Preservation staff prior to issuance of a Temporary Certificate of Occupancy.</p>	Project sponsor's qualified architectural historian at the direction of the ERO	<p>Interpretive plan prior to the start of any demolition or adverse alteration of a designated historic resource.</p> <p>Interpretive display installation prior to issuance of a temporary certificate of occupancy.</p>	Planning Department Preservation Technical Specialist to review and approve interpretive display.	Considered complete upon installation of display.
<p>Project Mitigation Measure CR-1c: Salvage. Prepare an in-depth salvage document for the character-defining features of the existing church building at 450 O'Farrell Street. The project sponsors shall work with a professional who meets the Secretary of Interior's Standards to develop a salvage report that documents the building's character-defining features for conservation and assesses the feasibility of reinstallation at the new church space or in other facilities. The salvage report shall include documentation of interior historic interior features, such as the light fixtures, the marble in the bathroom, sanctuary space with balcony, decorative plaster work in the lobby and sanctuary, raised sanctuary stage, the organ pipes, and the grillwork fronting the organ pipes, and any exterior character-defining features that would not be retained by the project. Additionally, the salvage document shall include the identification of diverse organizations with interest in curation of the materials. The professional shall prepare the salvage report and submit it for review and approval by the Planning Department preservation staff prior to the issuance of demolition permits.</p>	Project sponsors and qualified historic preservation consultant at the direction of the ERO	Prior to issuance of construction permits	Planning Department Preservation Technical Specialist to review and approve prior to any construction activities.	Considered complete upon approval of the salvage report by the Planning Department Preservation Technical Specialist.
<p>Project Mitigation Measure CR-3a: Vibration Monitoring and Management Plan. The project sponsors shall retain the services of a qualified structural engineer or vibration consultant and a preservation architect who meet the Secretary of the</p>	Project sponsors, contractor,	Prior to the start of any demolition or ground disturbing	Project sponsors, contractor, and qualified historic	Considered complete after construction activities are completed

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>Interior's Historic Preservation Professional Qualification Standards to conduct a Pre-Construction Assessment of the identified adjacent contributing resources to the Uptown Tenderloin National Register Historic District at 500–520 Jones Street, 536–544 (540) Jones Street, 546–548 (548) Jones Street, 565–575 Geary Street, 438–440 (438) O'Farrell Street, 415 Taylor Street, and 577–579 Geary Street. Prior to any demolition or ground-disturbing activity, the Pre-Construction Assessment shall be prepared. It shall contain written and photographic descriptions of the existing condition of visible exteriors from the public rights-of-way of the adjacent buildings and interior locations upon permission of the owners of the adjacent properties. The Pre-Construction Assessment shall determine specific locations to be monitored and include annotated drawings of the buildings to locate accessible digital photo locations and locations of survey markers and/or other monitoring devices (e.g., to measure vibrations). The Pre-Construction Assessment shall be submitted to the Planning Department along with the demolition and site permit applications. The structural engineer and/or vibration consultant, in consultation with the preservation architect, shall develop, and the project sponsors shall adopt, a vibration management and continuous monitoring plan to protect the adjacent historic buildings against damage caused by vibration or differential settlement caused by vibration during project construction activities. In this plan, the maximum vibration level not to be exceeded at each building shall be 0.2 inch per second, or a level determined by the site-specific assessment made by the structural engineer and/or the vibration consultant in coordination with the preservation architect for the project. The vibration management and monitoring plan shall document the criteria used in establishing the maximum vibration level for the project. In addition, this plan shall state the maximum settlement levels not to be exceeded at each building, which shall range from 3/8-inch to 1/2-inch; or a level determined by the site-specific assessment made by the structural engineer in coordination with the preservation architect for the project. This settlement criterion shall be included in the vibration management and monitoring plan. The vibration management and monitoring plan shall include pre-construction surveys and continuous vibration monitoring throughout the duration of the major construction project activities that would require heavy-duty equipment to ensure that vibration levels do not exceed the established standard. The vibration management and monitoring plan shall be submitted to the Planning Department's preservation staff prior to issuance of the demolition permit. Should vibration levels be observed in excess of the standard, or if settlement to adjacent buildings occurs beyond the settlement levels described above, construction shall be halted and alternative protective measures shall be put in practice. Alternative protective measures may include, but would not be limited to, additional underpinning, additional shoring, grouting, and soldier piles.</p>	<p>and qualified historic preservation professional, and structural engineer and/or vibration consultant</p>	<p>activity permits and throughout ground-disturbance and construction.</p>	<p>preservation professional, and structural engineer and/or vibration consultant and planning department.</p>	<p>and after buildings and/or structures are remediated to their pre-construction condition at the conclusion of vibration-generating activity on the site, should any damage occur.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
Appropriate protective measures to prevent damage to adjacent buildings shall be determined on a case by case basis. Should construction of the proposed project result in any damage to adjacent buildings, repairs may be completed as part of the project. The structural engineer and/or vibration consultant and the historic preservation consultant shall conduct regular periodic inspections of digital photographs, survey markers, and/or other monitoring devices during ground-disturbing activity at the project site. The buildings shall be protected to prevent further damage and remediated to pre-construction conditions as shown in the Pre-Construction Assessment with the consent of the building owner.				
Mitigation Measure CR-3b: Construction Best Practices for Historical Architectural Resources. The project sponsors shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to the adjacent contributing resources at 500–520 Jones Street, 536–544 (540) Jones Street, 546–548 (548) Jones Street, 565–575 Geary Street, 438–440 (438) O’Farrell Street, 415 Taylor Street, and 577–579 Geary Street, including, but not limited to, staging of equipment and materials as far as possible from historic buildings to limit damage; using techniques during demolition, excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and adjacent contributing resource(s); enclosing construction scaffolding to avoid damage from falling objects or debris; and ensuring appropriate security to minimize risks of vandalism and fire. These construction specifications shall be submitted to the Planning Department along with the Demolition and Site Permit Applications.	Project sponsors, contractor, and qualified historic preservation professional, and Planning Department’s Environmental Review Officer.	Prior to the start of any demolition or ground-disturbing activities.	Planning Department Preservation Technical Specialist shall review and approve the construction specifications.	Considered complete upon approval of construction specifications by the Environmental Review Officer.
Mitigation Measure M-CP-2: Accidental Discovery. The project sponsors shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, supervisory personnel, etc. The project sponsors shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet. Should any indication of an archeological resource be encountered during any soil-disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing	Project sponsors, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Planning Department’s Environmental Review Officer.	Prior to issuance of any permit for soil-disturbing activities and during construction.	Project sponsor, Environmental Review Officer, archeologist.	Considered complete upon Environmental Review Officer’s approval of a Final Archaeological Resources Report, if required.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsors shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsors immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above. Project sponsors, contractor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department's Environmental Review Officer. Prior to issuance of any permit for soil-disturbing activities and during construction. Project sponsor, ERO, archeologist. Considered complete upon ERO's approval of FARR.</p>				
<p>Mitigation Measure M-CP-3: Human Remains. Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws along with the following procedures. This shall include immediate notification of the Coroner of the City and County of San Francisco and the ERO. In the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, as required under M-CP-3, the project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsors and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.</p>	<p>Project sponsors, contractor, Planning Department's archeologist or qualified archaeological consultant, and Planning Department's Environmental Review Officer.</p>	<p>Prior to issuance of any permit for soil-disturbing activities and during construction.</p>	<p>Project sponsors to notify SFRA, Coroner, and, if applicable, California State Native American Heritage Commission.</p>	<p>Considered complete upon approval by ERO of a Final Archaeological Resources Report, if required.</p>
Air Quality				
<p>Mitigation Measure M-AQ-2: Construction Air Quality The project sponsors or the project sponsors' 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</p>	<p>Project sponsors and construction contractor.</p>	<p>Prior to the issuance of construction permits and throughout the construction period.</p>	<p>Planning Department.</p>	<p>Considered complete after construction activities are complete.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule									
<p>Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p> <p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p> <p>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.</p> <p>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.</p> <p>B. <i>Waivers.</i></p> <p>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).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible, the equipment would not produce desired emissions reduction due to expected operating modes, installation of the equipment would create a safety hazard or impaired visibility for the operator, or there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next-cleanest piece of off-road equipment, according to Table 12.</p> <p>Table 12: Off-Road Equipment Compliance Step-down Schedule</p> <table><tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr><tr><td>1</td><td>Tier 2</td><td>ARB Level 2 VDECS</td></tr><tr><td>2</td><td>Tier 2</td><td>ARB Level 1 VDECS</td></tr></table>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS				
Compliance Alternative	Engine Emission Standard	Emissions Control											
1	Tier 2	ARB Level 2 VDECS											
2	Tier 2	ARB Level 1 VDECS											

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures			Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
3	Tier 2	Alternative Fuel*				
<p align="center">** Alternative fuels are not a VDECS.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> 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. The project sponsors 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. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way. <p>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 sponsors shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>						
<p>Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators. The project sponsors shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1)</p>			Project sponsors and construction contractor.	Prior to the start of heavy diesel	Environmental Review	Considered complete upon Environmental Review

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsors shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.		equipment use on site.	Officer to review and approve the diesel emission control strategy.	Officer approval of the diesel emission control strategy.
Improvement Measures				
Improvement Measure I-TR-3: Construction Management Plan and Public Updates. Construction Coordination – To reduce potential conflicts between construction activities and pedestrians, bicyclists, transit and vehicles at the project site, the project sponsors should require that the contractor prepare a Construction Management Plan for the project construction period. The preparation of a Construction Management Plan could be a requirement included in the construction bid package. Prior to finalizing the Plan, the project sponsor/construction contractor(s) should meet with San Francisco Public Works (Public Works), San Francisco Municipal Transportation Agency (SFMTA), the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to include in the Construction Management Plan to reduce traffic congestion, including measures to reduce potential traffic, bicycle, and transit disruption and pedestrian circulation effects during construction of the proposed project. This review should consider other ongoing construction in the project vicinity. As determined necessary by the SFMTA to minimize the potential for impacting vehicle and transit traffic on O'Farrell Street, the Construction Management Plan could include restrictions on travel lane closures or construction truck deliveries or materials removal during the AM (7 to 9 AM) and PM (3 to 7 PM) peak periods when tow-away regulations are in effect on O'Farrell Street. Carpool, Bicycle, Walk and Transit Access for Construction Workers – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include as part of the Construction Management Plan methods to encourage carpooling, bicycle, walk and transit access to the project site by construction workers (such as providing transit subsidies to construction workers,	Project sponsor.	Prior to the issuance of construction permits and throughout the construction period.	Transportation consultant, Planning Department, construction contractor.	Considered complete after construction activities are completed.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation and Improvement Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>providing secure bicycle parking spaces, participating in free-to-employee ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers.</p> <p>Construction Worker Parking Plan – As part of the Construction Management Plan that could be developed by the construction contractor, the location of construction worker parking could be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking could be discouraged. All construction bid documents could include a requirement for the construction contractor to identify the proposed location of construction worker parking. If on-site, the location, number of parking spaces, and area where vehicles would enter and exit the site could be required. If off-site parking is proposed to accommodate construction workers, the location of the off-site facility, number of parking spaces retained, and description of how workers would travel between an off-site facility and the project site could be required.</p> <p>Project Construction Updates for Adjacent Businesses and Residents – To minimize construction impacts on access to nearby institutions and businesses, the project sponsors could provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and parking lane and sidewalk closures. A regular email notice could be distributed by the project sponsors that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.</p>				



EXECUTIVE SUMMARY CONDITIONAL USE

AMENDMENT TO CONDITIONS OF APPROVAL OF MOTION NO. 20281

HEARING DATE: JANUARY 21, 2021

Continued from January 7, 2021 hearing

Record No.: 2013.1535CUA-02
Project Address: 450-474 O'Farrell Street/532 Jones Street
Zoning: RC-4 - Residential- Commercial, High Density Zoning District
80-T-130-T Height and Bulk District
North of Market Residential Special Use District
Block/Lot: 0317/007, 009, 011
Project Sponsor: Forge Development Partners LLC
155 Montgomery Street, Suite 300
San Francisco, CA 94104
Fifth Church of Christ, Scientist San Francisco
San Francisco, CA 94102
Property Owner: Fifth Church of Christ, Scientist San Francisco
San Francisco, CA 94102
Staff Contact: Marcelle Boudreaux – (628) 652-7375
marcelle.boudreaux@sfgov.org

Recommendation: Approval with Conditions

Project Description

The current proposal is to amend Conditions of Approval Nos. 24, 25, 26, and 32 of Planning Commission Motion No. 20281 adopted on September 13, 2018. The project has been revised to include up to 302 group housing rooms instead of up to 176 residential units, and no longer includes residential off-street parking. The approved project would still demolish three existing buildings at 450 O'Farrell, 474 O'Farrell and 532 Jones Streets, and still construct a mixed use building up to 13-stories on O'Farrell and Shannon Streets and up to 4-stories on Jones Street, but will now contain up to 302 group housing rooms and 316 beds, in addition to the previously approved ground floor commercial and a new church, with off-street parking for the church use. The Project would also include a lot merger of Lots 007, 009 and 011 on Block 0317.

Required Commission Action

In order for the Project to proceed, the Commission must approve an amended Planned Unit Development/ Conditional Use Authorization Condition of Approval Nos. 24, 25, 26, and 32 of Planning Commission Motion No. 20281, to reflect compliance of the amended Project with Sections 166, 155, 155.1, and 155.2, and of 415 of the Planning Code, respectively. An approval by the Commission will reflect compliance standards for the change to group housing use and removal of residential off-street parking.

Issues and Other Considerations

- **Public Comment & Outreach.**
 - **Support/Opposition:** The Department has received 14 form letters in support and 3 letters in opposition to the Project, including from Tenderloin Housing Clinic, TNDC, Tenant Associations Coalition of San Francisco neighborhood groups.
 - The opposition to the Project is centered on the shift to group housing, and concerns about the community engagement process.
 - **Outreach:** The sponsor has been conducting community outreach since early December 2020. This has included meeting with leading Tenderloin CBOs and NGOs, SROs, faith-based organizations, area property owners and businesses. The focus of this outreach has been to clearly explain the changes to the project since the project was entitled and to accept community input and answer questions. To date, interest has focused on community benefits, size and functionality of units, unit mix, and amenities.
- **Project Revisions:** Since the public hearing on September 13, 2018 and an informational hearing on October 3, 2019, the Project Sponsor has updated the Project as follows:
 - Group Housing Use: In this Zoning District, group housing use is principally permitted. In the RC-4 Zoning District, up to up to one bedroom for every 70 square feet of lot area is permitted, which is up to 316 rooms for this lot size of 22,106 square feet. The Project proposes 302 rooms and 316 beds.
 - Project Approvals:
 - The project still requires an approval of a Planned Unit Development (PUD) Section 304 of the Planning Code, for its overall massing. Due to Project modifications, the PUD exceptions still required are the following Sections of the Planning Code: Section 134(j) for rear yard modification and Section 152 for on-street loading; however, exceptions granted for Section 140 (exposure) and for Section 136(c) (permitted obstructions) are no longer required as the Project is compliant with Code in these areas.
 - Other approvals still required for the amended Project include Conditional Use Authorization of: demolition of five existing dwelling units (Section 317 of the Planning Code), exceeding height of 50 feet with street frontage greater than 50 feet (Section 253 of the Planning Code) and exceeding height of 80 feet in North of Market Residential Special Use District No. 1 (Section 249.5/263.7 of the Planning Code), bulk exceedance (Section 270/271 of the Planning Code), and establishment of a new religious institution (Section 303 of the Planning Code).

- On-site Inclusionary: This project is grandfathered at 13.5% on-site inclusionary units/rooms, which is 40 rooms (13.5% x 297 new units/ rooms). Five replacement units/rooms are additionally included related to the demolition of five units at 532 Jones Street. The total on-site number is 45 units/ rooms.
- Amended Condition of Approval Nos. 24, 25, 26 and 32 of Motion No. 20281.
 - Condition No. 24 – The amended Project no longer includes residential off-street vehicular parking, therefore the requirement for parking for affordable units is no longer required.
 - Condition No. 25 - The amended Project no longer includes residential off-street vehicular parking and the non-residential off-street parking number is less than 24, therefore the requirement for provision of Car Share (pursuant to Section 166 of the Planning Code) is no longer required.
 - Condition No. 26 - Pursuant to Sections 155, 155.1 of the Planning Code, the Project is required to satisfy bicycle parking requirements for Class 1 (on-site) and Class 2 spaces. The change to the residential use, number of rooms and the removal of residential off-street vehicular parking dictate modified requirements, which are detailed in the draft Motion.
 - Condition No. 32 - Pursuant to Section 415 of the Planning Code, the Project is required to satisfy Inclusionary Affordable Housing requirements. The change to group housing rooms dictates modified requirements, which are detailed in the draft Motion.

Environmental Review

This project has undergone environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code. The Planning Commission certified the Final Environmental Impact Report (EIR) for the project on September 13, 2018 (Motion No. 20279). On December 21, 2020, the Planning Department published an addendum to Final EIR for the Project. No further environmental review is required.

Basis for Recommendation

The Department finds that the proposed changes to the Conditions of Approval does not affect the Project's consistency with the Objectives and Policies of the General Plan, and the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Conditional Use Authorization with Amended Conditions of Approval
Exhibit B – Plans and Renderings – Amended Project
Exhibit C – Amended Inclusionary Affordable Housing Affidavit
Exhibit D – Original Approval Motion No. 20281, Conditions of Approval and Original Approved Plans



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: JANUARY 21, 2021

Record No.: 2013.1535CUA-02
Project Address: 450-474 O'Farrell Street/532 Jones Street
Zoning: RC-4 - Residential- Commercial, High Density Zoning District
80-T-130-T Height and Bulk District
North of Market Residential Special Use District
Block/Lot: 0317/007, 009, 011
Project Sponsor: Forge Development Partners LLC
155 Montgomery Street, Suite 300
San Francisco, CA 94104
Fifth Church of Christ, Scientist San Francisco
San Francisco, CA 94102
Property Owner: Fifth Church of Christ, Scientist San Francisco
San Francisco, CA 94102
Staff Contact: Marcelle Boudreaux – (628) 652-7375
marcelle.boudreaux@sfgov.org

ADOPTING FINDINGS TO APPROVE AN AMENDED CONDITIONAL USE AUTHORIZATION THAT WOULD MODIFY CONDITION OF APPROVAL NOS. 24, 25, 26 AND 32 OF PLANNING COMMISSION MOTION NO. 20281 TO REFLECT COMPLIANCE OF THE AMENDED PROJECT WITH SECTIONS 166, 155, 155.1, AND 155.2, AND OF 415 OF THE PLANNING CODE, RESPECTIVELY.

PREAMBLE

On January 24, 2020, Alexander Zucker of Forge Development Partners, LLC, (hereinafter "Project Sponsor") filed Application No. 2013.1535CUA-02 (hereinafter "Application") with the Planning Department (hereinafter "Department") for an amended Planned Unit Development/ Conditional Use Authorization to amend Conditions of Approval Nos. 24, 25, 26 and 32 of Planning Commission Motion No. 20281 (hereinafter "Project") at 450-474 O'Farrell Street and 532 Jones Street, Block 0317 Lots 007, 009 and 011 (hereinafter "Project Site").

This project has undergone environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code. The Planning Commission certified the Final Environmental Impact Report (EIR) for the project on September 13, 2018 (Motion No. 20279). On December 21, 2020, the Planning Department published an addendum to Final EIR for the Project. No further environmental review is required.

On January 7, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Planned Unit Development/Conditional Use Authorization Application No. 2013.1535CUA-02. On September 13, 2018, the Commission approved the original Project in Planning Commission Motion Nos. 20279, 20280 and 20281.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2013.1535CUA-02 is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the amended Conditional Use Authorization as requested in Application No. 2013.1535CUA-02, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The current proposal is to amend Condition of Approval Nos. 24, 25, 26 and 32 of Planning Commission Motion No. 20281 to modify the Project's compliance with Sections 166, 155, 155.1, and 155.2, and of 415 of the Planning Code, respectively.

The previously approved Project includes demolition of three buildings: 450 O'Farrell Street (currently occupied by the Fifth Church of Christ, Scientist); 474 O'Farrell Street (one-story, vacant retail building); and 532 Jones Street (one-story restaurant use, with five existing residential units). The proposal is to merge these three lots, and construct a new mixed-use building rising up to 130-foot-tall (13-story), with up to 176 dwelling units, restaurant and/or retail space on the ground floors, and a replacement church (proposed religious institution) incorporated into the ground and two upper levels, below grade parking and mechanical spaces, private and common open space and 116 Class 1 and 9 Class 2 bicycle parking spaces. The project would construct a total of approximately 218,155 square feet ("sf") of development, including 182,668 sf of residential space, 3,827 sf of restaurant/retail space, 9,555 sf for religious institution use, 8,398 sf of residential open space (288 sf of private open space and 8,110 sf of common open space), and 21,105 sf of below-grade parking (up to 46 spaces). The project also proposes merger of three Lots 007, 009, and 011 in Assessor's Block 0317.

A revised project scope ("amended Project") still includes demolition of the three buildings, construction of up to a 13-story mixed use building with similar massing and basement, ground floor commercial and a new church, and residential open space, but now proposes up to 302 group housing rooms instead of up to 176 residential units and no longer proposes residential off-street parking. The number of bicycle parking spaces has been modified to: 73 Class 1 and 12 Class 2. The revised project would now construct

a total of approximately 199,384 square feet ("sf") of development, including 165,972 sf of residential space, 7,959 sf of restaurant/retail space, 10,181 sf for religious institution use, and 4,900 sf of residential open space. The project also proposes merger of three Lots 007, 009, and 011 in Assessor's Block 0317.

3. **Site Description and Present Use.** The project site is currently occupied by the three-story, 26,904-square-foot Fifth Church of Christ, Scientist, including a 1,400-square-foot parking lot with four parking spaces at 450 O'Farrell Street; a one-story, 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story, 1,012-square-foot restaurant and residential building with five units at 532 Jones Street.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the RC-4 zoning district, a District defined by its compact, walkable, transit-oriented and mixed-use nature, within the Downtown/ Civic Center neighborhood. The immediate context is primarily residential with neighborhood-serving commercial uses. The immediate vicinity includes buildings ranging from five to 12 stories, and within a two-block radius up to 16-stories (including at the end of the subject site block). Within ¼-mile radius east of the site is the dense commercial retail area surrounding Union Square and the western boundary of the Financial District, and within ¼-mile south of the site is the City's major ceremonial and transit corridor Market Street. The project site is located within the boundaries of the Uptown Tenderloin Historic District which is listed in the National Register. Other zoning districts in the vicinity of the project site include: C-3-G (Downtown General), C-3-R (Downtown Retail), and P (Public), which exhibit a range of height and bulk districts: 80-T, 80-A, 80-130-F, and 225-S.
5. **Public Outreach and Comments.** The Department has received 14 form letters in support and 3 letters in opposition to the Project, including from Tenderloin Housing Clinic, TNDC, Tenant Associations Coalition of San Francisco neighborhood groups. The opposition to the Project is centered on the shift to group housing, and concerns about the community engagement process.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section F of Planning Commission Motion No. 20281, except as amended below:
 - A. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 12 points.

The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 12 points. As currently proposed, the Project will achieve its required 12 points through the following TDM measures:

- Parking Supply
- Bicycle Parking
- Bicycle Repair Station
- Multimodal Wayfinding Signage
- Real Time Transportation Displays
- On-Site Affordable Housing

- B. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on November 21, 2014, project approval was granted on September 13, 2018, and a site permit was issued on May 13, 2020; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the proposed group housing rooms/ dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project. The Project Sponsor submitted such Affidavit on August 21, 2020. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on November 24, 2014, project approval was granted on September 13, 2018, and a site permit issued May 13, 2020; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the total proposed dwelling units as affordable to low-income households, as defined by the Planning Code and Procedures Manual. 40 units/rooms (all studios) of the total 297 new units/rooms and 5 replacement units/rooms, for a total of 45 provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the Project is consistent and does comply with said criteria as originally described in Section G of Planning Commission Motion No. 20281, except as amended below:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Downtown/ Civic Center neighborhood contains a mix of residential, commercial and institutional uses, including religious facilities. This mixed-use building will be compatible with that neighborhood mix of uses. The project will provide rental housing, ground floor retail space, and a new Christian Science church and Reading Room (institutional use) to replace the existing church site (deemed

obsolete and oversized), a vacant commercial building adjacent to the church, and a one-story restaurant building containing five existing residential units that will be replaced on-site. Specifically, this mixed-use project includes 302 newly constructed group housing rooms (with 45 on-site affordable rooms including the five replacement units), supporting a need in the City, a new church facility, and retail space.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project's proposed building massing is consistent with the character and design of the neighborhood, and will not impede any development of surrounding properties. The project would be a contemporary, but compatible, design that references the character-defining features of the surrounding district and is compatible with size and scale, composition, materials and architectural details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation. The elements include the new church structure, and two different architectural styles for floors seven and above. The expression of the upper levels is compatible with the overall design and district, but read as secondary elevations. Finally, a vertical notch is proposed at the corner of O'Farrell Street and Shannon Alley, further reducing the building's massing impact. The building's design is well-articulated horizontally and vertically in order to reduce the apparent massing.

Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019.

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

The Project site is located accessible by public transit, with multiple public transit alternatives (MUNI Bus lines 2-Clement, 3-Jackson, 27-Bryant, 31-Balboa, 38-Geary, 38R-Geary Rapid, and 45-Union/Stockton; Powell Street and Civic Center BART/MUNI) within close walking distance. Additionally, the Project site is directly adjacent to O'Farrell and Jones Streets, both major thoroughfares which provide ready access to those driving.

Parking is available either along surrounding neighborhood streets or within the proposed minimal off-street parking for the institutional use. The vehicular entrance is located on Shannon Street, which will be less detrimental to the existing traffic pattern than would be a garage entrance on O'Farrell Street, which has a dedicated transit lane and one vehicular travel lane. The residential entrance, including entrance to the on-site bicycle parking, is located of O'Farrell Street. Pedestrian entrances to the retail and church uses are on

O'Farrell and additional retail use from Jones Streets, further activating those major streets. Given the small amount of retail space (less than 4,000 square feet) and limited loading needs as discussed in the project EIR, the project will seek an exception to off-street loading requirements by providing an on-street solution. The development will not be detrimental to the convenience of persons residing or working in the vicinity.

- C. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The project site is located within the RC-4 zoning district and subarea No. 1 of the North of Market Residential Special Use District. This SUD has a stated purpose which includes protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area. Considered as a whole, although the project demolishes historic resources, the Project would add housing and commercial goods and services to add to and to support the residential-commercial District, in addition to a new church facility, into one mixed-use building. The Project site is well-served by transit and existing commercial services, with amenities accessible by foot, bike or transit. The Project includes 302 group housing rooms with 316 beds, and provision of on-site affordable units. On balance, the Project conforms with multiple goals and policies of the General Plan.

- 8. Planned Unit Development.** Section 304 establishes criteria and limitations for the authorization of Planned Unit Development (PUD)'s over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. In cases of projects on sites ½-acre or greater that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section H of Planning Commission Motion No. 20281, except as amended below:

- A. Specifically the project seeks these modifications:

- (1) *A modification of the rear yard requirements per Section 134(j) of the Planning Code is still required, as a modification through the PUD process, to allow for open space in a configuration other than a rear yard.*
- (2) *An exception to dwelling unit requirements is not required for the amended Project, as it complies with Section 140 of the Planning Code.*
- (3) *An exception to the off-street loading requirements per Section 152 of the Planning Code is still required, which requires one residential loading space for the project.*
- (4) *An exception to permitted obstructions is not required for the amended Project, as the amended Project complies with Section 136(c) of the Planning Code.*

B. On balance, the Project complies with said criteria of Section 304(d) in that it:

- (1) Provides off-street parking adequate for the occupancy proposed;

Off-street parking is not required in the RC-4 zoning district. The project provides off-street parking for the religious institution, with up to 6 dedicated for that use. Balanced with multiple transit lines within ¼-mile, options for walking, and over 85 bicycle parking spaces, both on-site and on the sidewalks, this limited off-street parking is adequate and appropriate for the proposed uses, for this downtown location.

- (2) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

Pursuant to Section 209.3 of the Planning Code, the RC-4 residential high-density zoning district, permits a group housing density up to one bedroom per every 70 square feet of lot area. On this 22,106 square foot site, 316 bedrooms are permitted, and 302 bedrooms are proposed with 316 beds. Accordingly, no increase in density is being sought.

9. **Additional Findings to Section 303(c) for Conditional Use Authorization request.** Each Planning Code Section may establish criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

A. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications to demolish or convert Residential Buildings. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

- (1) whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing;

The existing five units are not deed-restricted, tax-credit funded affordable housing. Although Planning Staff does not have the authority to make a determination on the rent control status of a property, it is to be assumed that the units to be demolished are subject to the Residential Rent Stabilization and Arbitration Ordinance due to building construction date circa 1950. Only two of the five units are occupied, and the project sponsor will be working with MOH and other parties to ensure a relocation plan. The project includes five additional on-site affordable units in excess of its inclusionary housing requirement (13.5%, or 40 units) as new, on-site replacement units. The project proposes a total of 45 on-site affordable units pursuant to Section 415 of the Planning Code.

- (2) whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;

Although the existing housing will not be conserved, the mixed-use project, which merges three lots, will replace the five existing units – only two of which are currently occupied – with 302 newly constructed group housing rooms. The five replacement rooms and 297 group housing rooms in the project meet the stated purpose of the North of Market Residential Special Use District and the City's priority policies to encouraging dense infill housing in close proximity to transit. By providing a varied bedroom mix and on-site affordable units (40 inclusionary units/rooms and 5 replacement inclusionary units/rooms), the surrounding neighborhood's cultural and economic diversity will be enhanced.

- (3) whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The project conserves neighborhood character with a mixed-use project including 302 newly constructed group housing rooms, including 45 units/rooms as on-site affordable, a church, retail space, all while including features that are consistent with the character defining features of the Uptown Tenderloin National Register Historic District. Architectural elements from existing structures will be incorporated into the new building design to maintain its connection to the neighborhood's history. The new building design is compatible with the prevailing development pattern and neighborhood character on the project and surrounding blocks. The group housing rooms – primary one bed but a small number with two beds per room – is balanced with compliant residential open space at various levels and communal amenity space throughout the residential portion. The minimal amount of ground floor retail supports the new and existing residential uses, and, overall, the project seeks to enhance the neighborhood's economic and cultural diversity. Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019.

- (4) whether the project protects the relative affordability of existing housing;

None of the five units in the existing building are deed-restricted affordable housing, however, are presumed to be subject to the Rent Stabilization and Arbitration Ordinance. The Project as a whole is required to comply with San Francisco's inclusionary housing program under Section 415 of the Planning Code. In addition, the five units to be demolished will be replaced as on-site inclusionary. As a result, 14.9% of the group housing rooms provided on-site will be affordable (40 required inclusionary units/rooms and 5 replacement inclusionary units/rooms).

- (5) whether the project increases the number of permanently affordable units as governed by Section 415;

By demolishing the five existing units, and replacing them with a project that will comply with Section 415 of the Planning Code, the number of affordable units will increase. The Project's required inclusionary is 13.5% or 40 affordable units/rooms and the replacement five affordable units/rooms, will produce a project with 45 on-site affordable units/rooms, thereby increasing the supply of newly constructed affordable units within a market-rate project.

- (6) whether the project increases the number of family-sized units on-site;

The five existing units are all studios, and therefore are not family-sized. The project currently proposes group housing rooms that are primarily with one bed, and a small proportion with two beds per room. Thus, the number of overall rooms will increase, but not family-size units as a result of the project.

- (7) whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

The project is of superb architectural and urban design quality and enhances existing neighborhood character. The EIR for the project has determined the new building compatible with the Uptown Tenderloin National Register Historic District. The project will be a contemporary, but compatible, design that references the character-defining features of the surrounding district, in terms of size and scale, composition, and materials. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation. Materials selection includes pre-cast concrete, with varying finishes, with deep recesses for glazing at the primary elevations fronting the street, and non-reflective metal panel systems with vertical oriented glazing and spandrel panel at the elevations setback from the street and secondary elevations. Further, the design minimizes the building's mass with alternating setbacks, which seeks to minimize the appearance of bulk and minimize impacts to adjacent neighbors light and air, consistently applied design guidelines.

Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019.

- (8) whether the project increases the number of on-site Dwelling Units;

The existing 532 Jones Street building contains five presumed studio dwelling units. The project proposes 302 group housing rooms which is an increase of on-site residential units/rooms.

- (9) whether the project increases the number of on-site bedrooms;

The existing 532 Jones Street building contains five studio units, i.e. no bedrooms. The project currently proposes to increase the number beds to a total of 316 beds in 302 bedrooms.

- (10) whether or not the replacement project would maximize density on the subject

lot;

The project provides 302 group housing rooms (with 316 beds) by proposing to merge three lots - the 532 Jones Street, 474 O'Farrell Street and 450 O'Farrell Street lots - and developing one building. Density permitted for group housing in the RC-4 zoning district would allow 316 group rooms on this site. By merging three lots and building vertically to the permitted height limit for the site, the project is able to provide full use of the density available on the subject lot, as well as the adjacent two lots. Notably, the project sculpts the massing adjacent to the existing neighbors to preserve light and air.

- B. **Additional Findings pursuant to Section 253(b)(1)** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building exceeding a height of 40 feet in a RM or RC District where the street frontage is more than 50 feet. In reviewing any such proposal for a building or structure exceeding 40 feet in height in a RH District, 50 feet in height in a RM or RC District, or 40 feet in a RM or RC District where the street frontage of the building is more than 50 feet the Planning Commission shall consider the expressed purposes of this Code, of the RH, RM, or RC Districts, and of the height and bulk districts, set forth in Sections 101, 209.1, 209.2, 209.3, and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

The height of the building varies from 55 feet to 130 feet, exceeding the 40 feet in height on a site with more than 50 feet of street frontage in an RC district, but in compliance with the 80-T-130-T height and bulk district applicable to this project site. As discussed at length in the Section 303(c) findings and further in the General Plan Compliance section, the project is on balance compatible with the criteria, objectives, and policies and principles of the RC-4 district, North of Market Residential Special Use District subarea No. 1, and the General Plan. Specifically, RC-4 districts call for a mixture of high-density dwellings with supporting commercial uses and open space. The project provides that 302 group housing rooms, with retail and religious institution uses on the lower levels.

- C. **Additional Findings pursuant to Section 249.5(c)(1) for Section 263.7** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building exceeding a height of 80 feet in the North of Market Residential Special Use District. In the 80-120-T and 80-130-T Height and Bulk Districts located within the North of Market Residential Special Use District (NOMRSUD), heights higher than 80 feet would be appropriate in order to effect a transition from the higher downtown heights to the generally lower heights of the existing buildings in the NOMRSUD core area and the Civic Center area and to make more feasible the construction of new housing, provided that development of the site is also consistent with the general purposes of the NOMRSUD as set forth in Section 249.5(b). In making determinations on applications for Conditional Use authorizations required for uses located within the North of

Market Residential Special Use District, the Planning Commission shall consider the purposes as set forth in Subsection 249.5(b) as delineated below. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

- (1) protect and enhance important housing resources in an area near downtown;
The project increases housing resources in the downtown area with proposed 302 group housing rooms.
- (2) conserve and upgrade existing low and moderate income housing stock;
The project replaces the existing five residential units with newly constructed replacement units/rooms. As such, the project provides a total of 45 on-site inclusionary affordable units/rooms.

D. **Additional Findings pursuant to Section 271(c)** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building's bulk limits to be exceeded. Exceptions to the Section 270 bulk limits are permitted through Section 271. On balance, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code as originally described in Section I of Planning Commission Motion No. 20281, except as amended below:

- a. The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:
 - i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;
 - ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;
 - iii. Differences in materials, colors or scales of the facades that produce separate major elements;
 - iv. Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and
 - v. In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.
- b. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:
 - i. A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;
 - ii. Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;
 - iii. Use of materials, colors and scales either similar to or harmonizing with

- those of nearby development; and
- iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The project's O'Farrell Street elevation is articulated to break the massing down into several distinct sections. The 13-story massing would be setback from the street/retained façade. Vertical recesses are introduced at ground level between the church and other massing, and above ground level to break up massing and increase articulation.

The proposed O'Farrell Street elevation references the tripartite composition characteristic of the district. Specifically, the existing 450 O'Farrell Street façade and the proposed church façade will be the base, the apartments will be the middle, and the parapet will define the top. The proposed base at the new church and at the Jones Street elevation will be further articulated as a two-part vertical composition with a high ground floor, similar to the bases of the adjacent and surrounding district contributors.

The articulation of the proposed façade along on O'Farrell Street will divide the façade in vertical subzones and will reflect the verticality of the nearby buildings by breaking up the form. The projecting precast concrete sections (rendered in white) with punched rectangular windows accentuate the elongated form of the building. On the western half of the elevation, the orientation of the rectangular windows strengthens verticality while adding rhythm to the façade, through application of an alternate materials palette: non-reflective metal, spandrel panel and glazing system. The secondary façades, including the western setback and the Shannon Street elevation, will be relatively flat, broken by lines and projecting balconies on Shannon Street.

Continuous street walls are typical of the district. The 8-story building component to the west, which will be clad in a textured pre-clad concrete and will house the new church, will extend to the property line. In addition, the Jones Street elevation will also extend to the property line, creating a continuous street wall. This urban design move preserves and enhances the pedestrian environment since the required use of transparency at these elevations provides an openness for pedestrians and users.

The building's design is well-articulated in order to reduce the apparent massing and includes retention of a unique urban design feature as a device to orient the community. The site is within the Uptown Tenderloin National Register Historic District, and the new building has been determined compatible with the District and the character of the surrounding neighborhood, specifically the scale and size, composition, materials, and architectural details.

Pursuant to Condition of Approval Nos. 12a and 13 in Motion No. 20281, the Project design was modified to remove the existing colonnaded façade at 450 O'Farrell Street from the project, and the revised design was presented to the Planning Commission at an informational hearing on October 3, 2019. The amended Project does not exceed the

original approval of bulk exceedance.

10. General Plan Compliance. The Project is, on balance, consistent with the following Objectives and Policies of the General Plan as originally described in Section J of Planning Commission Motion No. 20281. The amended Project is consistent with the following Objectives and Policies of the General Plan, except as amended below:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.2

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

Policy 1.10

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

OBJECTIVE 2

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

OBJECTIVE 12

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

Policy 12.2

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

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.3

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

Policy 1.7

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

OBJECTIVE 2

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 2.6

Respect the character of older development nearby in the design of new buildings.

OBJECTIVE 3

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 3.1

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

Policy 3.5

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

OBJECTIVE 2

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

Policy 2.1

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

OBJECTIVE 6

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

Policy 6.4

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The Project is a high-density residential development at an infill site, providing 302 group housing rooms in a mixed-use area. The Project includes 40 new on-site affordable housing units/rooms for rent, which assist in meeting the City's affordable housing goals. The Project is also in close proximity to ample public transportation.

The Project generally promotes the purpose of the North of Market Residential Special Use District through infill housing at compatible density. The project introduces 297 new group housing rooms with on-site affordable units near downtown, provides five new replacement units/ rooms on-site, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. Further, street improvements such as street trees and bicycle parking will further enhance the public realm, consistent with the better street plan policies in the General Plan.

The proposed new construction would produce high-quality architectural design that is compatible with the surrounding neighborhood and with the Uptown Tenderloin National Register Historic District, in which the site is located. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with neighboring 6- to 19-story development in close proximity to the site. The Project would provide a new religious facility that will enable an existing church, which in its current location has been located at this site for more than 90 years, to continue to be located within the community and provide updated, code compliant, and expanded religious instructional and outreach facilities, while salvaging and reusing certain features of the building's interior elements.

Although the project does not provide family housing, the substantial number of new rooms provides housing opportunity. The project, on balance, promotes the policies and objectives of the General Plan by locating housing at a mixed-use infill development site, with neighborhood-serving commercial, and at a density to support it, where households can easily rely on public transportation, walking and bicycling for a majority of daily trips.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. The Project is, on balance, consistent with the priority policies as originally described in Section 3 of Planning Commission Motion No. 20281. The amended Project is consistent with the following policies and as amended below:

- 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 possess any neighborhood-serving retail uses. The Project provides 117 new dwelling units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.

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

The project introduces 297 new group housing rooms with on-site affordable units near downtown, provides five new replacement group housing rooms/ units as on-site affordable units, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with neighboring 6- to 19-story development in close proximity to the site.

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

The project proposes to replace the five existing residential units, none of which are deed-restricted affordable units but are presumed to be subject to the Rent Stabilization and Arbitration Ordinance, with 302 total group housing rooms, 45 of which are designated on-site affordable housing. As a result, the project creates an increase in the City's supply of affordable housing.

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

The Project Site is served by nearby public transportation options. The Project site is very accessible by public transit, with multiple public transit alternatives (MUNI Bus lines 2-Clement, 3-Jackson, 27-Bryant, 31-Balboa, 38-Geary, 38R-Geary Rapid, and 45-Union/Stockton; Powell Street and Civic Center BART/MUNI) within close walking distance. Additionally, the Project site is directly adjacent to O'Farrell and Jones Streets, both major thoroughfares which provide ready access to those driving.

Parking is available either along surrounding neighborhood streets. The proposed garage has up to 6 parking spaces, all dedicated to churchgoers, in addition to 73 Class 1 and 12 Class 2 bicycle spaces. Given the accessibility of the project site, and the limited retail uses proposed, the project will not create community traffic that impedes MUNI service or overburdens the streets.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from

displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development. Although the Project would remove a PDR use, the Project does provide new housing, which is a top priority for the City. The Project incorporates new PDR use, thus assisting in diversifying the neighborhood character.

- 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.

Part of the project includes demolition of a building (450 O'Farrell Street) determined individually eligible for the California Register of Historic Resources. In certifying the Project's Environmental Impact Report (EIR), the Planning Commission adopted a Statement of Overriding Considerations, Motion No. 20280, finding that the impacts of demolition of the individual historic architectural resource are outweighed by the benefits of the Project. The proposed new construction would produce high-quality architectural design that is compatible with the Uptown Tenderloin National Register Historic District, in which the site is located.

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

Although the Project does cast shadow on the adjacent public park, the adjacent public park (Parque Ninos Unidos) is still afforded access to sunlight, which should not dramatically affect the use and enjoyment of this park. Since the Project is not more than 40-ft tall, additional study of the shadow impacts was not required per Planning Code Section 295.

- 12. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

- 13.** 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.

14. The Commission hereby finds that approval of the amended Planned Unit Development/Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES an amended Planned Unit Development/Conditional Use Authorization Application No. 2013.1535CUA-02** subject to the original conditions authorized through Planning Commission Motion No. 20281 as "Exhibit A" of that motion, with exception Condition Nos. 24, 25, 26 and 32 of Motion No. 20281, which is amended as described and attached to this Motion hereto as "EXHIBIT A", in general conformance with plans on file, dated December 7, 2020, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

This project has undergone environmental review pursuant to the California Environmental Quality Act and Chapter 31 of the San Francisco Administrative Code. The Planning Commission certified the Final Environmental Impact Report (EIR) for the project on September 13, 2018 (Motion No. 20279). On December 21, 2020, the Planning Department published an addendum to Final EIR for the Project. No further environmental review is required.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 21, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

Draft Motion
January 21, 2021

RECORD NO. 2013.1535CUA-02
450-474 O'Farrell Street/ 532 Jones Street

NAYS:

ABSENT:

RECUSE:

ADOPTED: January 21, 2021

EXHIBIT A

Authorization

This authorization is for amended conditional use authorization to modify Condition of Approval Nos. 24, 25, 26 and 32 of Planning Commission Motion No. 20281 to allow: a mixed-use building, with group housing residential use, institutional use and ground floor commercial for the Project located at 450-474 O'Farrell and 532 Jones Street, Block 0317, Lots 007, 009, and 011 within the **RC-4 Zoning** District and a **80-T-130-T** Height and Bulk District; in general conformance with plans, dated **December 7, 2020**, and stamped "EXHIBIT B" included in the docket for Record No. **2013.1535CUA-02** and subject to conditions of approval reviewed and approved by the Commission on **January 21, 2021** 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 **January 21, 2021** under Motion No **XXXXXX**.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

1. **Parking for Affordable Units.** The amended Project no longer includes off-street residential parking, therefore, this Condition of Approval no longer applies.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Car Share.** Pursuant to Planning Code Section 166, zero car share spaces shall be made available. The amended Project includes fewer than 24 parking spaces for the non-residential use and no longer includes parking for the residential use, therefore, this Condition of Approval does not apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Bicycle Parking** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than **85** bicycle parking spaces (**73** Class 1 spaces for the residential and religious uses portion of the Project and **12** Class 2 spaces for the residential, religious, and commercial uses portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

- a. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 302 units/rooms, of which 5 are replacement units/rooms; therefore, 45 affordable units/rooms are currently required (40 units/rooms to satisfy the 13.5% on site requirement and 5 replacement units/rooms). The Project Sponsor will fulfill this requirement by providing the 45 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be

modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- b. **Unit Mix.** The Project contains 302 group housing rooms/ units; X studios, X one-bedroom, X two-bedroom, and X three-bedroom units; therefore, the required affordable unit mix is 40 group housing rooms/ units, plus an additional five replacement group housing rooms/ units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- c. **Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households at a rental rate of 55% of Area Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- e. **Replacement of Existing Affordable Units.** The principal project has resulted in demolition, conversion, or removal of affordable housing units that are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate-, low- or very-low-income, or housing that is subject to any

form of rent or price control through a public entity's valid exercise of its police power and determined to be affordable housing. Pursuant to Planning Code Section 415.6(a)(9), the project sponsor shall replace the five (5) units that were removed with units of a comparable number of bedrooms and rents. The project shall replace five (5) units (5 group housing rooms/units) priced at 55% AML.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- f. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation shall comply with the designation standards published by the Planning Department and updated periodically.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- g. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than thirteen and a half percent (13.5%) plus the five replacement units, or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

- j. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City

and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sfplanning.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 (628) 652-7600, www.sfplanning.org or the Mayor's Office of Housing and Community Development at (415) 701-5500, www.sfmohcd.org.

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

Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

- vi. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

450 O'FARRELL STREET

CONDITIONAL USE AND VARIANCE APPLICATION

REV.

December 7th, 2020

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Zoning Information Overview:

Site: 450 O'Farrell Street, San Francisco CA 94102
Parcel: Block 0317 / Parcels 007, 009, 011

Zoning: RC-4 (Residential-Commercial, High Density)
Special Use Districts: North of Market Residential 1
Fringe Financial Services RUD
Within 1/4 mile of an Existing Fringe Financial Service

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Site Information

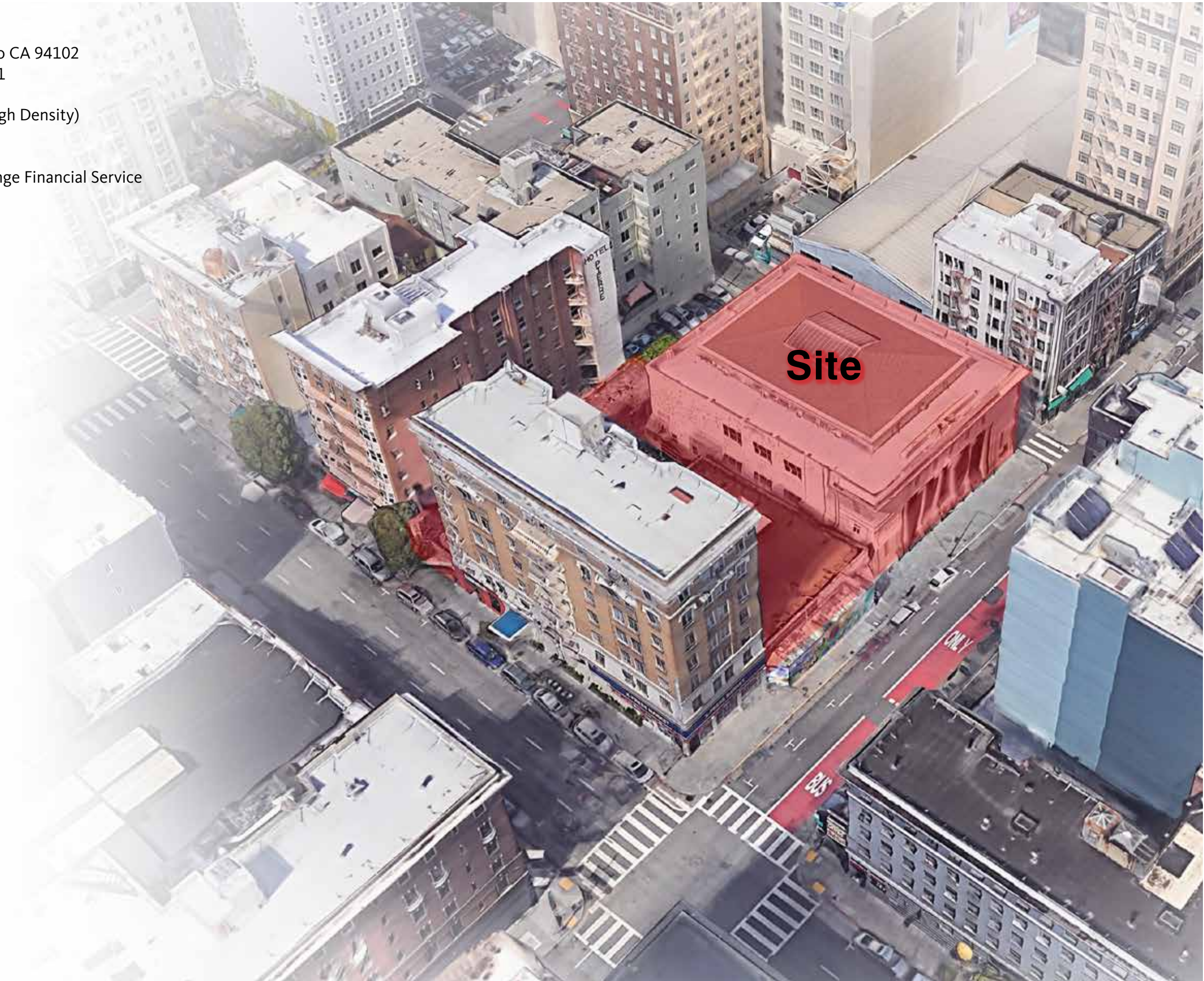
Parcel Map
Existing Survey
Aerial Images
Existing Context

Proposed Design Revisions

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Site Plan Proposed
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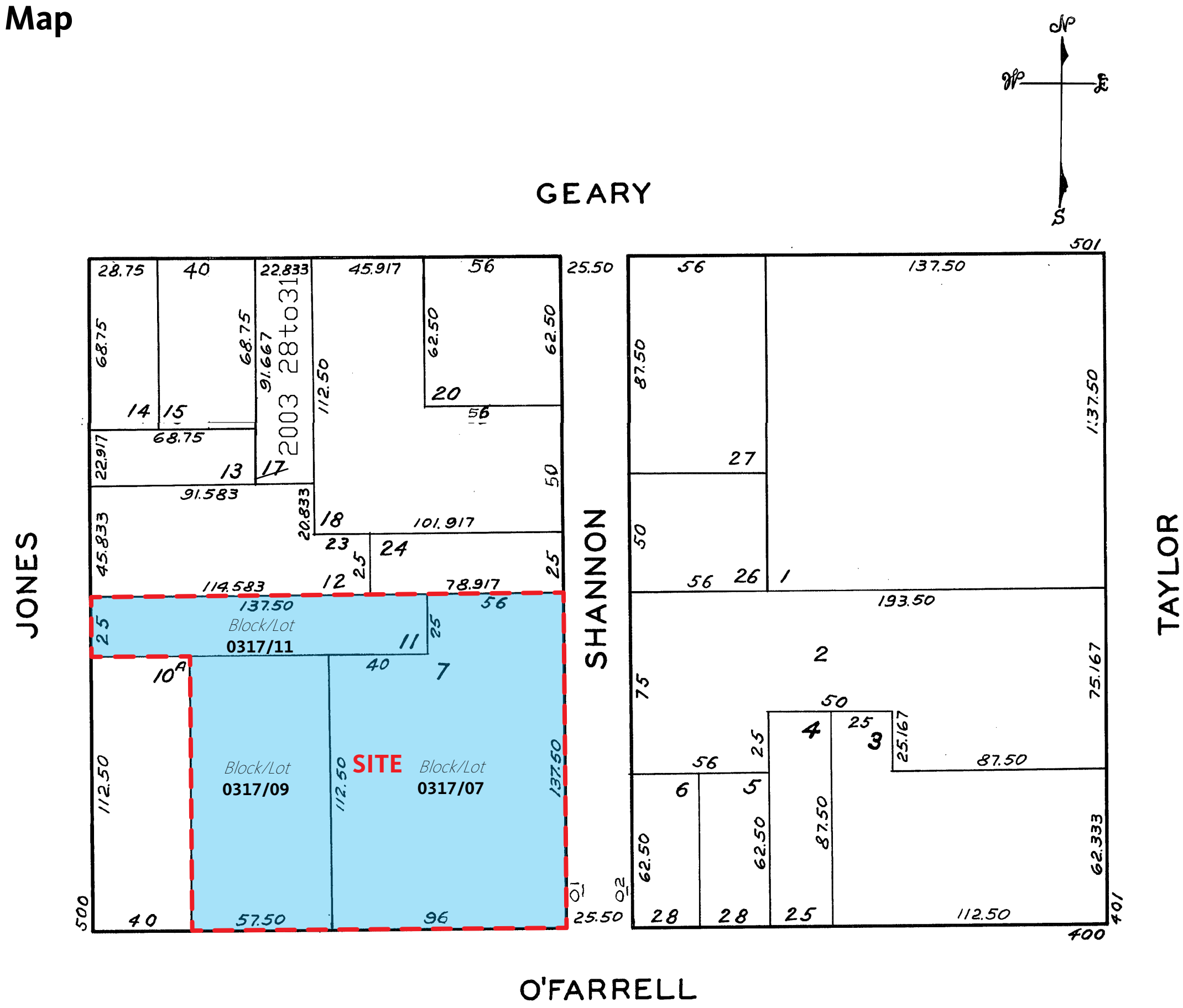
Previously Approved

Elevation - O'Farrell St.
Elevation - Jones St.
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Building Materials

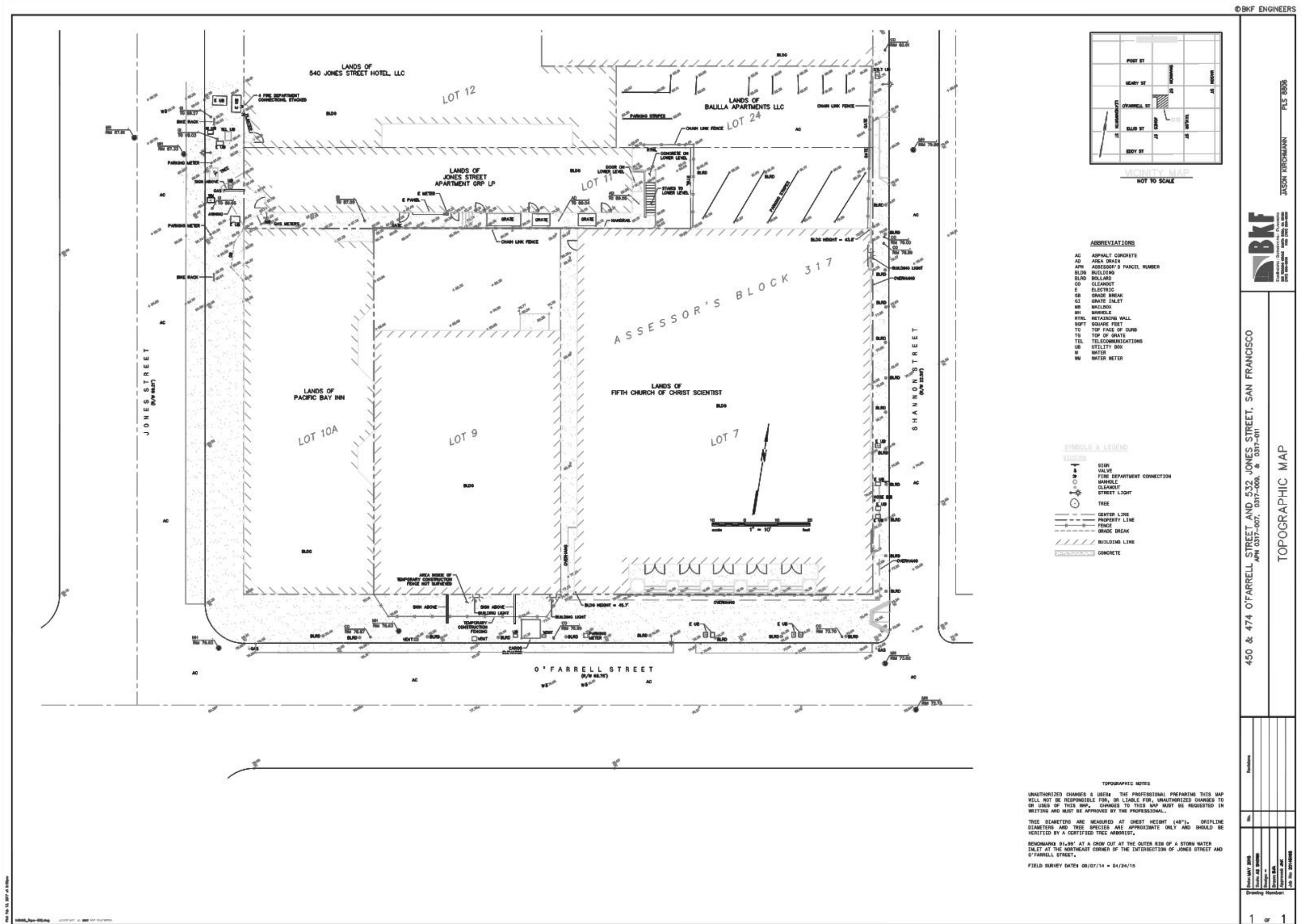


Site Information

Site - Parcel Map



Site - Existing Survey



Site - **Aerial Images**



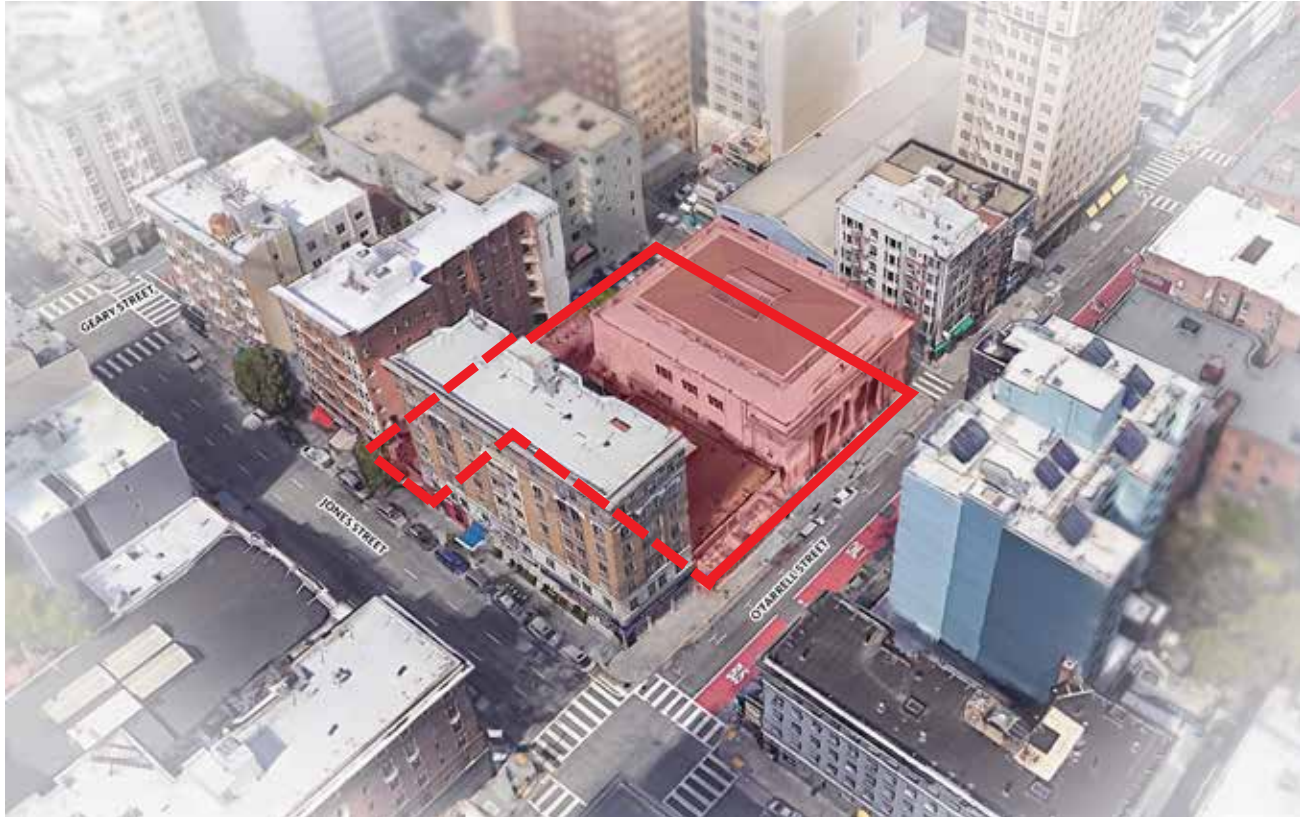
Looking North West



Looking South West



Looking South East



Looking North East

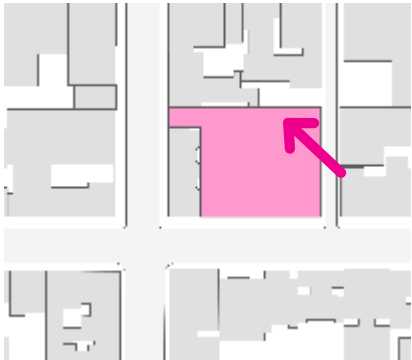
Site - Existing Context



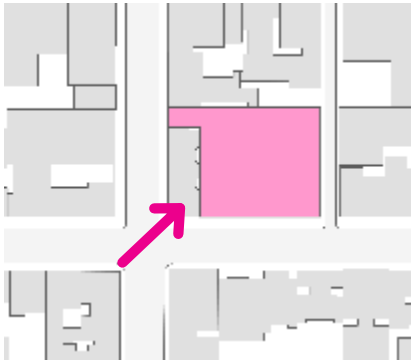
North West At O'Farrell St



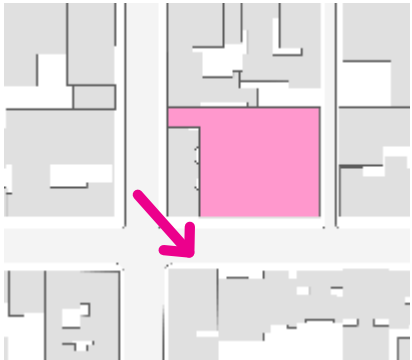
North West At Shannon St



North East At Jones St & O'Farrell St



South East At Jones St & O'Farrell St

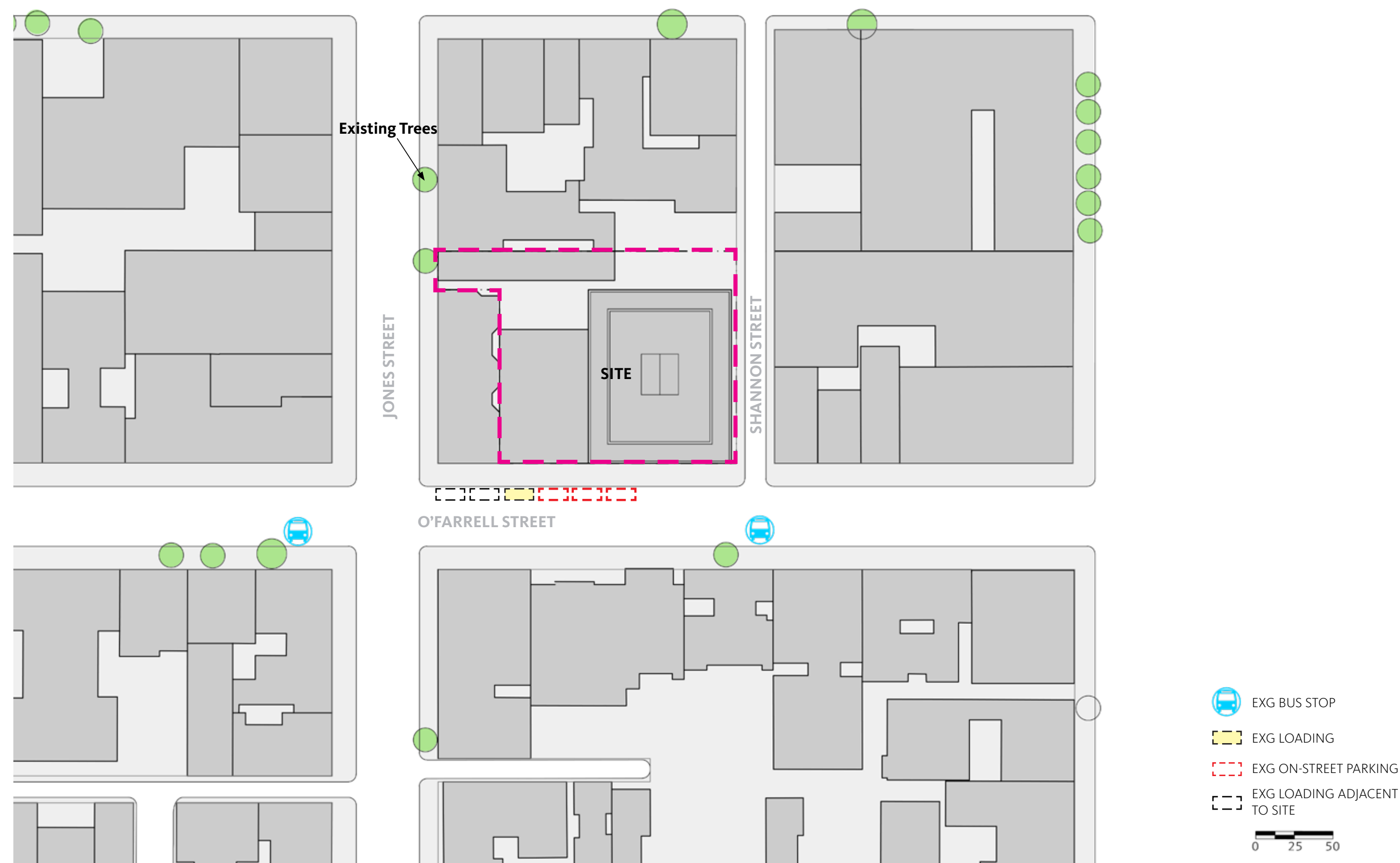


Proposed Design Revisions

Project Data - Zoning

	Site / Zoning	Approved	Proposed Revisions
Site	450 O'Farrell Street, San Francisco CA 94102	-	-
Parcel	Block 0317 / Parcels 007, 009, 011	-	-
Zoning	RC-4 (Residential-Commercial, High Density)	-	-
Special Use Districts:	North of Market Residential 1 Fringe Financial Services RUD Within 1/4 mile of an Existing Fringe Financial Service	-	-
Density	Dwelling Units: 1 Unit per 125 SF (In North Market Residential 1) Lot Area 22,106 SF / 125 Units per SF = 176 Units Group Housing: 1 Bedroom per 70 SF Lot Area 22,106 SF / 70 Bedrooms per SF = 315	Approved as a residential building containing 176 Dwelling Units.	The proposed revisions change the type of housing from residential dwelling units to group housing. The allowable density increases from 176 Units (1 Unit per 125 SF of lot area) to 302 Bedrooms (1 bedroom per 70 SF of lot area) The proposed project is for 302 density units.
Rear Yard	25% Lot Depth, no less than 15', at the level of the lowest dwelling unit. Sec. 134	A modification of the rear yard per Sec. 134(g), through the PUD process, to allow for open space in a configuration other than a rear yard. The building is approved with full lot coverage at the ground level, however the upper levels are sculpted in an L-shaped configuration with a light well to match the neighbor the West.	The proposed revisions reduce the depth of the L-Shape and increase the size of the open space, providing more lights and air into the open space.
Dwelling Unit Exposure	Dwelling Units and Group Housing shall have a room of 120 SF with a window onto a space meeting the requirements of Sec. 140. Further pursuant to Sec 140(b), for group housing projects, either each bedroom or at least one interior common area that meets the 120 square-foot minimum superficial floor area requirement with a window facing onto a street	An exception to dwelling unit exposure requirements per Sec. 140 for 21 of the 176 units. This equates to 11.9% of the units requiring an exception.	The proposed revisions increase the rear open space and therefore allow for greater number of floors to comply with the Sec. 140 exposure requirements.Dwelling Unit Exposure: Within the project all units have access to common areas meeting the requirements of Section 140; Levels 2, 4, 6, 8, 10 and 12 propose an amenity space with a superficial area greater than 120 SF with windows facing onto a public right of way.
Off-Street Loading	1 Loading Off-Street Space per 100,000 SF of Occupied SF. Sec. 152	An exception to the off-street loading requirements per Sec. 152 which require one residential loading space. Instead the project proposes to convert one of the three existing general on-street metered parking spaces on O'Farrell Street adjacent to the project to a metered commercial loading space & to convert the two existing vehicle passenger loading / unloading zoning adjacent to the project site be revised from only during church service to all day passenger loading / unloading.	No revisions proposed.
Permitted Obstructions	Sec. 136	An exception to permitted obstructions, project balconies project over Shannon St. 4 inches beyond what is permitted.	Balconies extending 1'-0" over the property line at Shannon are proposed. According to Sec 136(c) this 1foot projection is permitted
Height & Bulk	80-T - 130-T; Per Table 270 a max. Length of 110' & a max. diagonal of 125' apply above the predominate street-wall or 80', whichever is less. Sec. 253, 249.5/263.7	The height and bulk we approved as shown in the original CU application.	The proposed revisions reduce the bulk at the rear of the building. No other revisions are proposed.
Open Space	Per Dwelling Unit: 36 SF if Private, 48 SF if Common Per Bedroom in Group Housing: 1/3 the dwelling unit requirement (16 SF per Bedroom)	Meets 100% of the Open Space requirement, per SF Planning. 176 Total Units; 4 with Private, 172 req. Common. 172 Units * 48 SF per Unit = 8,256 SF required Common Open Space	Meets 100% of the Open Space requirement, per SF Planning. This reduces the area from 8,256 SF to 4,900 SF. 302 Bedrooms * 16 SF per = 4,832 SF required, 4,900 SF Open Space Proposed.
Parking	None Required. Permitted 0.5 spaces per unit & max. permitted with CU 0.75 spaces per unit	Residential Parking Spaces. 49 Spaces.	0 Residential Parking Spaces, 6 Dedicated Church Parking Spaces.
Bike Parking	Residential Grouphousing requires (1) Class 1 space per 4 beds (first 100 beds) & (1) Class 1 space per 5 beds (above 100). (2) Class 2 spaces per 100 beds. Religious Use requiried (5) Class 1 spaces for capacity less than 500. (1) Class 2 spaces per 500 seats. Retail requires (1) Class 1 space per 7,500 sf of retail, (2) Class 2 spaces per 2,500 sf of retail.	-	Bike Parking: Residential Group Housing: Class 1 = (65) spaces, Class 2 = (6) spaces Religious Use: Class 1 = (5) spaces, Class 2 = (1) space Retail: Class 1 = (0) spaces, Class 2 = (2) spaces Additional Measures: - Bicycle Repair Station - Multimodal Way Finding Signage - Real Time Transportation Displays

Site Plan - Existing



Site Plan - Proposed



Proposed Project - Area Chart

Levels		Project Areas (SF)								Unit Count (Group Occupancy Unit, GOU)				Open Space (SF)			Parking (Spaces)			
		Net Residential *	Amenities	Common (*2)	Residential Subtotal	Retail @ O'Farrell St.	Church (*3)	Retail @ Jones St. (*3)	Parking & Mechanical	Total Built Area	GOU Small	GUO Medium	GUO Large	Totals	Private	Common	Total	Spaces	ADA	Total
Level	Roof								2,645	2,645						2,750	2,750			
Level	13	9,928	250	2,876	13,054				-	13,054	2	22	2	26			-			
Level	12	9,928	250	2,876	13,054				-	13,054	2	22	2	26			-			
Level	11	9,928	252	3,512	13,692				-	13,692	2	22	2	26			-			
Level	10	9,928	730	3,512	14,170				-	14,170	2	22	2	26			-			
Level	9	10,692	252	2,748	13,692				-	13,692	2	24	1	27			-			
Level	8	10,692	730	2,748	14,170				-	14,170	2	24	1	27			-			
Level	7	10,692	252	2,748	13,692				-	13,692	2	24	1	27			-			
Level	6	10,692	730	2,748	14,170				-	14,170	2	24	1	27			-			
Level	5	10,692	252	2,748	13,692				-	13,692	2	24	1	27			-			
Level	4	9,841	2,551	2,740	15,131				-	15,131	2	22	1	25		2,150	2,150			
Level	3	7,007	252	3,352	10,610		2,449	938	(0)	13,997	2	17		19			-			
Level	2	7,007	730	2,819	10,556			938	(0)	11,494	2	17		19			-			
Level	1		4,321	1,979	6,299	2,185	7,462		4,860	20,806							-	5	1	6
Level	B1		-			3,257			9,999	13,256							-			
Totals		117,026	11,552	37,405	165,983	5,442	9,911	1,876	17,503	200,715	24 7.9%	264 87.4%	14 4.6%	302	- 0 Units	4,900 302 Units	4,900	5	1	6
Site											1	1	2		Sleeping Compartments per GOU					
											24	264	28	316	Total Sleeping Compartments					

Open Space Requirements	The Open space requirement for Dwelling Units is 36 SF if Private & 48 SF if Common. For group housing the minimum amount of usable open space provided for use by each bedroom shall be one-third the amount required for a dwelling unit as specified; 16 SF Common per unit.	302 Units X 16 SF/Unit = 4,832 SF	Sec. 135 SF Planning Code
Parking Requirements	None Required; Permitted, 1 Space per DU, Max. w/ CU, 3 Spaces per 4 DU. NOTE: Parking it for Church Use only - Not for public use.	None Required	Sec. 155 SF Planning Code
Inclusionary Affordable Housing Program	The project will provide BMR units at a count of 13.5% of the total units plus 5 replacement units; 45 Rooms are to be provided. <i>Base requirement: 302 unit - 5 replacement units= 297 Units for calculation * 13.5% = 40 Rooms (40.09, rounded down).</i> <i>Replacement Rent controlled units =5 Rooms</i> <i>Total Rooms: 40 Units + 5 Units = 45 Units</i>	45 Units	Per Approval on October 3rd, 2019

(*) Net Residential is measured at the centerline of the demise & corridor walls, and to the interior of the exterior wall.

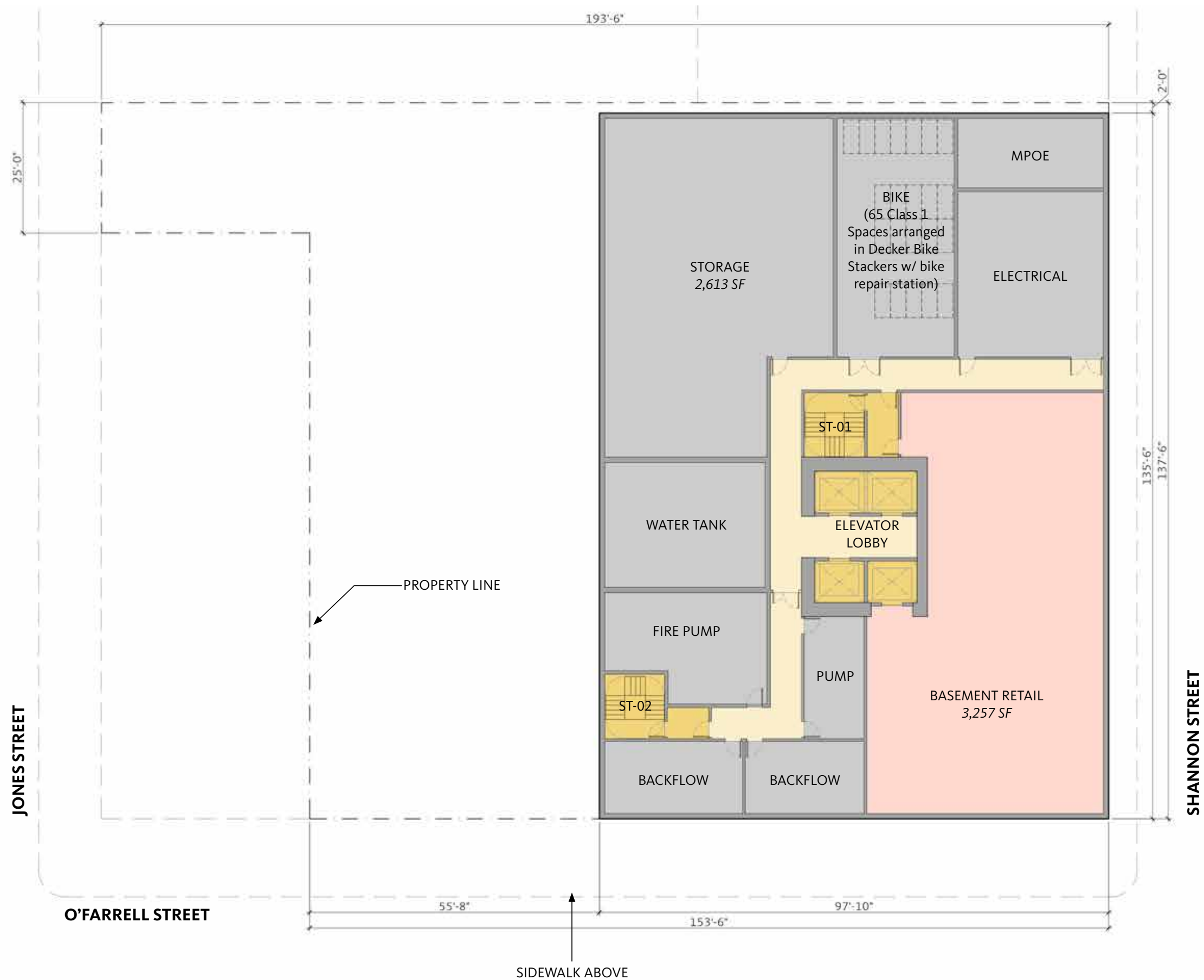
(*2) Common: Lobby, Corridor, Stairs, Elevators, Mech. Spaces dedicated to floors, and shafts. See plans for spec. areas.

(*3) Church & Jones St. Retail specific areas to be detailed separately.

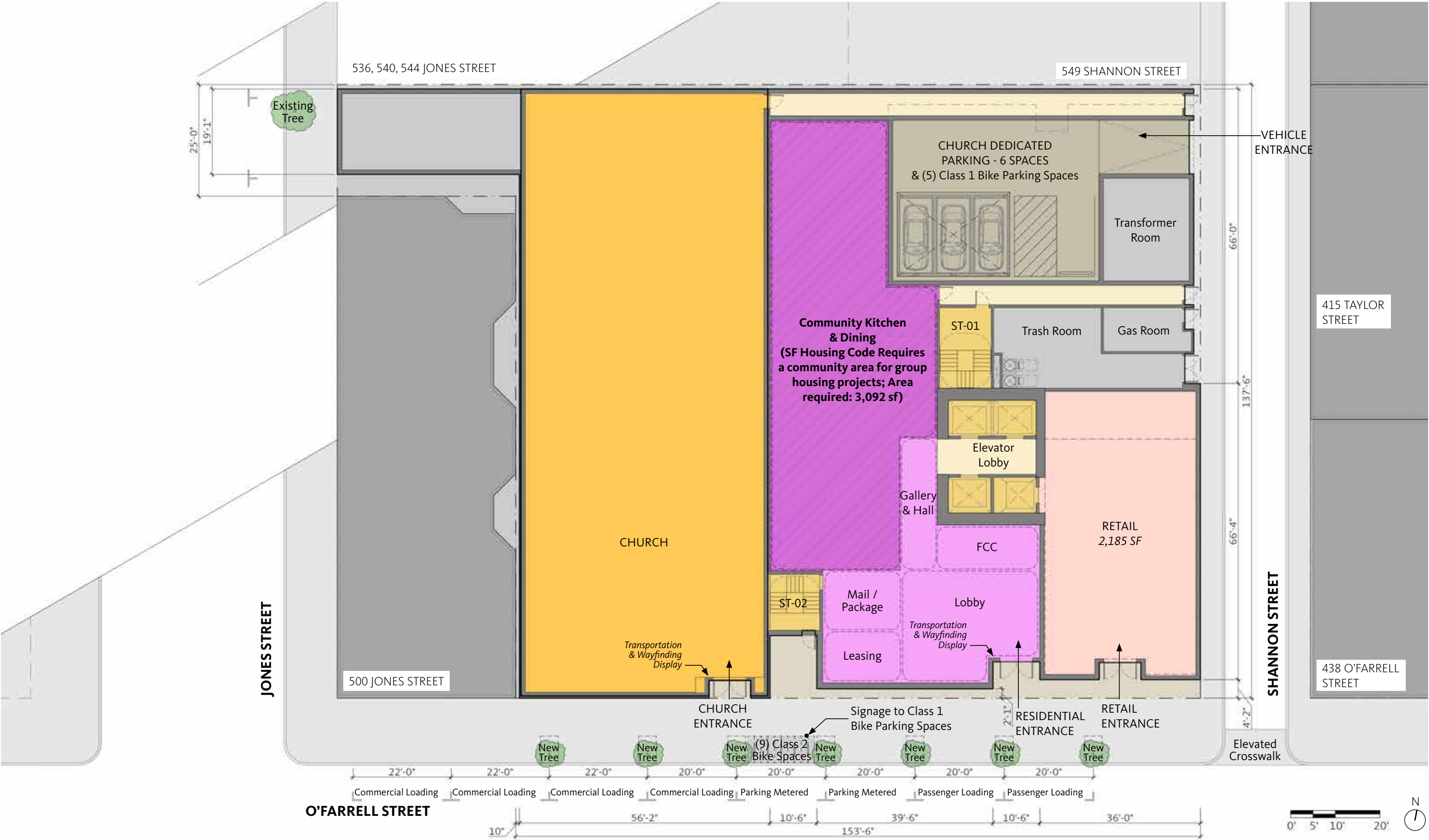
(*4) Eff. % does not include Amenity spaces. It represents the Net Residential divided by the Residential Subtotal.

(*5) Based on plan set approved 10/03/2019.

Plan - Basement Level



Plan - Ground Floor Level



Plan - Level 2





Plan - Level 4



Plan - Level 5



Plan - Level 6-9



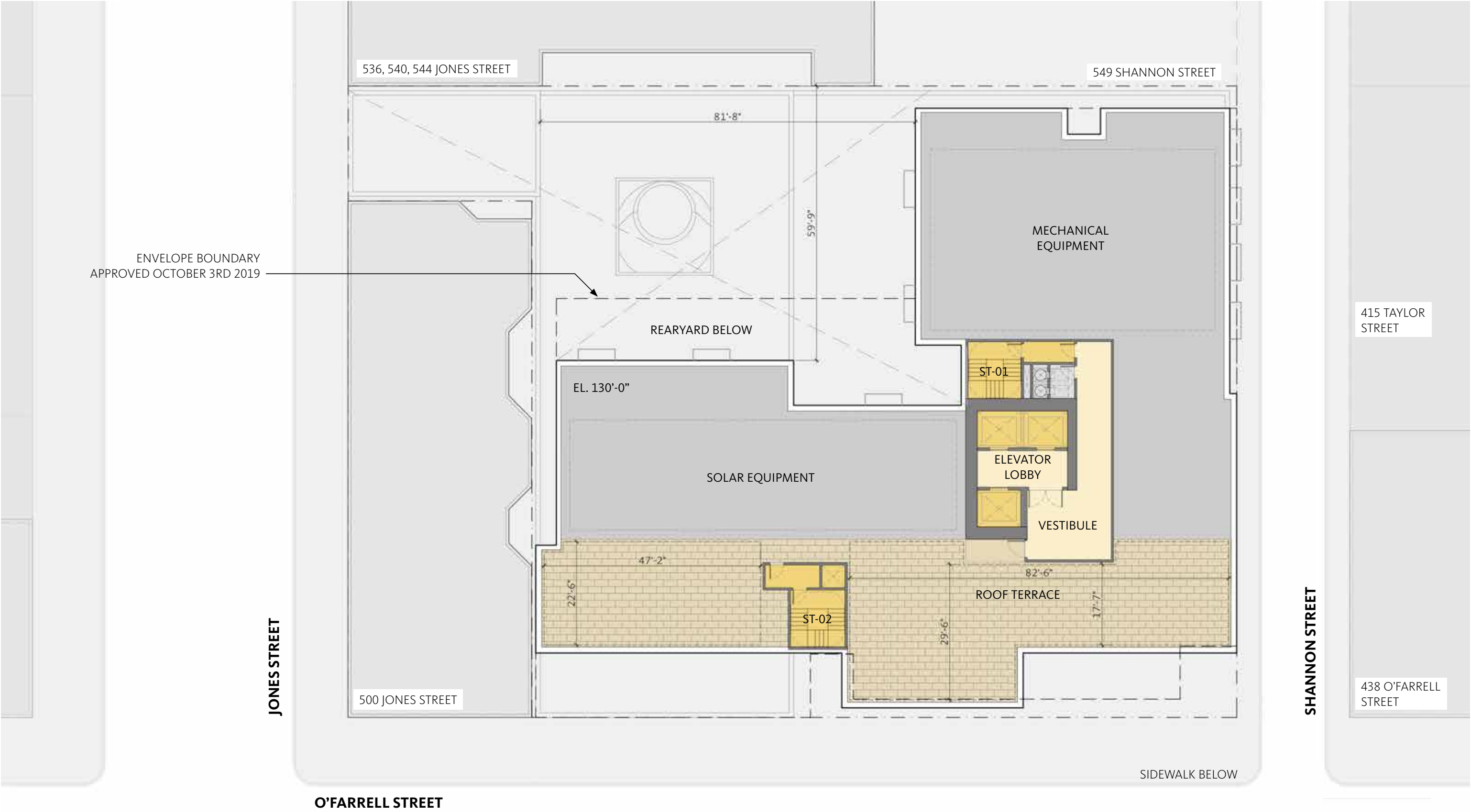
Plan - Level 10 & 11



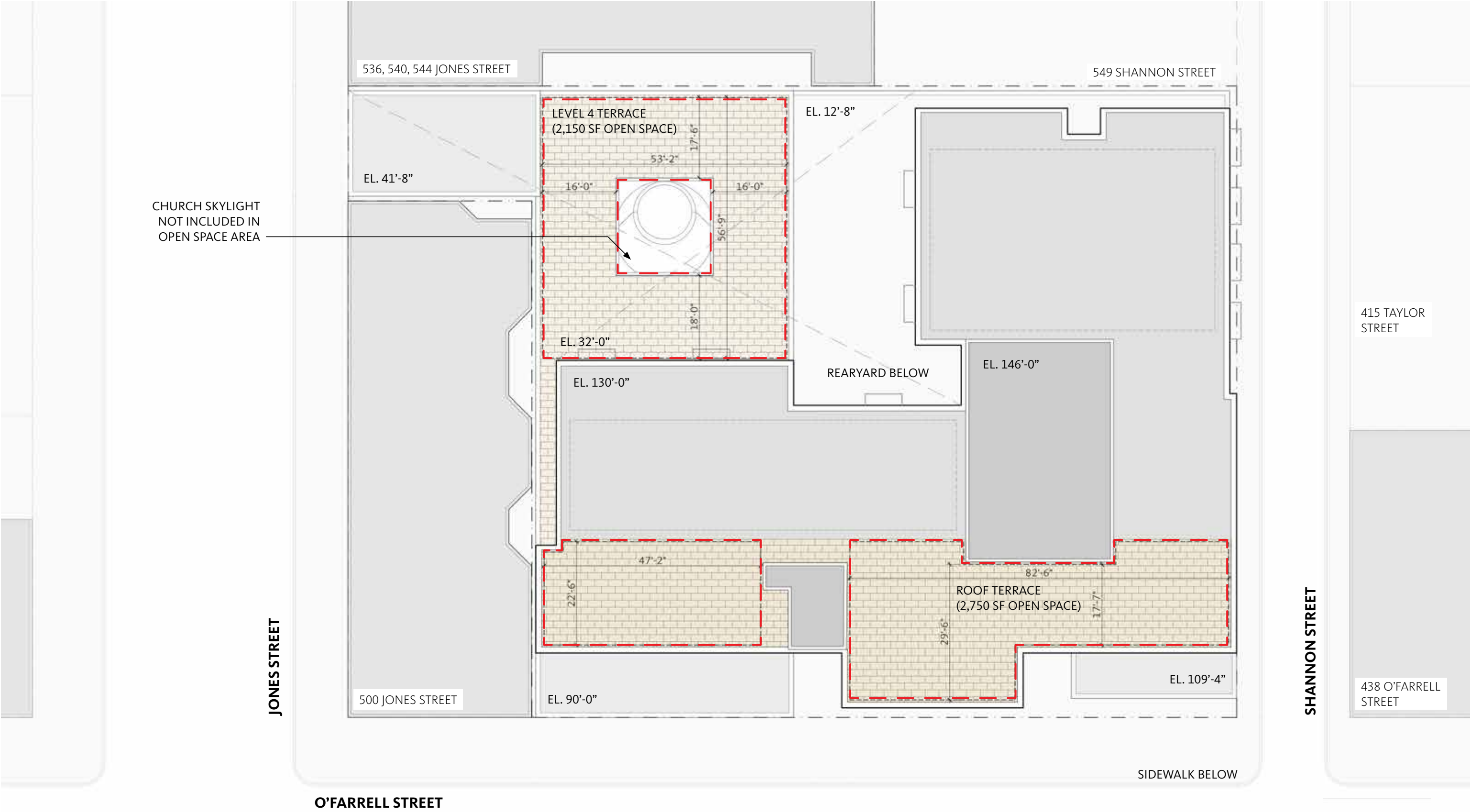
Plan - Level 12 & 13



Plan - Roof Level



Plan - Upper Roof Level & Open Space Diagrams



Unit Mix - Per Planner Request

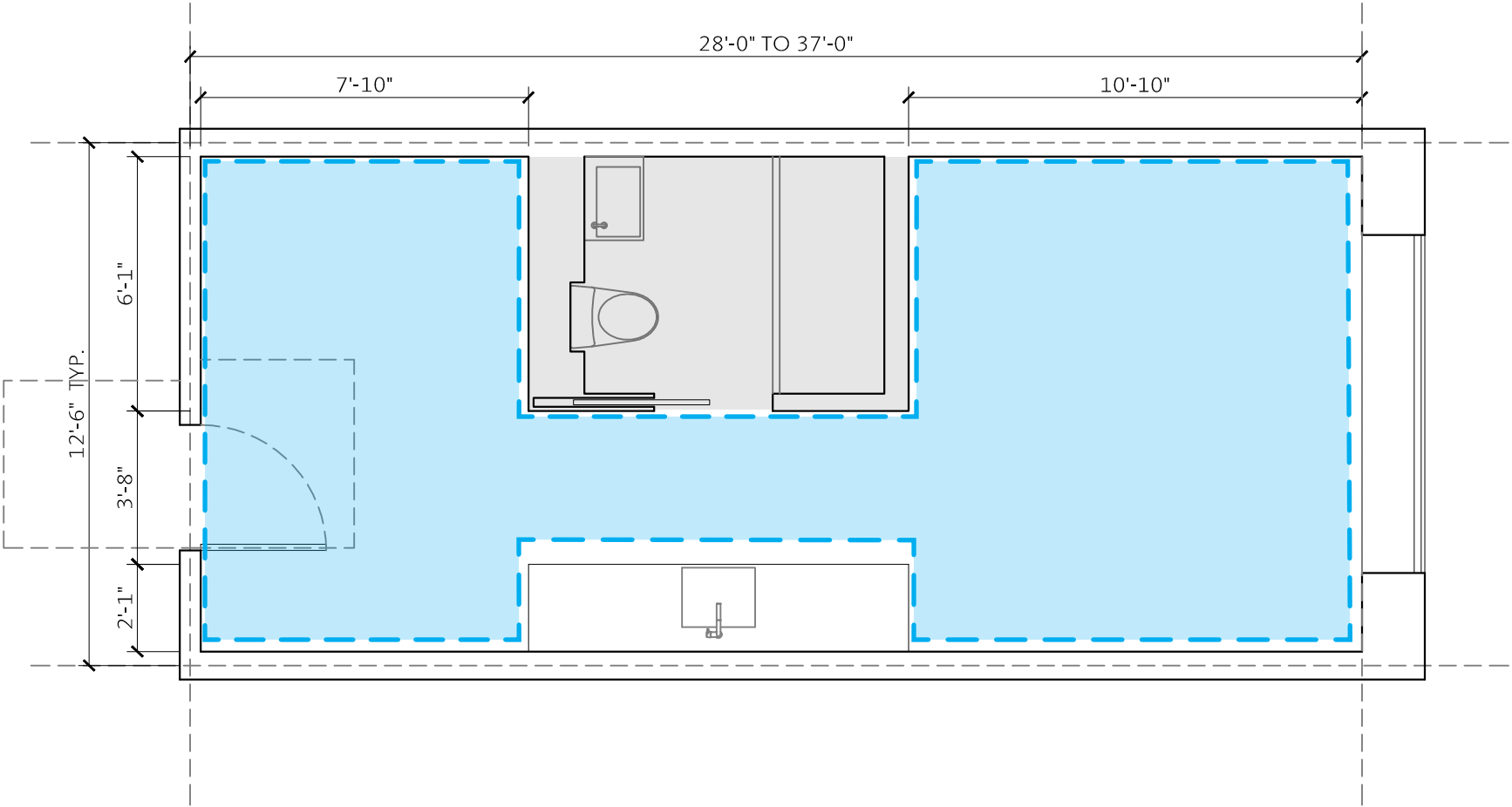
Levels		Unit Count by Type																		Totals
Unit Type		A	B	B1	C	C1	D	D1	D2	E	E1	E2	F	F1	G	G1	H	H1	H2	Combined
Level	Roof																			
Level	13	5	6	1	2	1	2	1	1						3	1	1	1	1	26
Level	12	5	6	1	2	1	2	1	1						3	1	1	1	1	26
Level	11	5	6	1	2	1	2	1	1						3	1	1	1	1	26
Level	10	5	6	1	2	1	2	1	1						3	1	1	1	1	26
Level	9	5	6	1	2	1	2	1	1	2	1	1	3	1						27
Level	8	5	6	1	2	1	2	1	1	2	1	1	3	1						27
Level	7	5	6	1	2	1	2	1	1	2	1	1	3	1						27
Level	6	5	6	1	2	1	2	1	1	2	1	1	3	1						27
Level	5	5	6	1	2	1	2	1	1	2	1	1	3	1						27
Level	4	5	6	1	2	1	2	1	1	2	1	1	2							25
Level	3	5	6	1	2	1	2	1	1											19
Level	2	5	6	1	2	1	2	1	1											19
Level	1																			
Level	B1																			
Totals		60 19.9%	72 23.8%	12 4.0%	24 7.9%	12 4.0%	24 7.9%	12 4.0%	12 4.0%	12 4.0%	6 2.0%	6 2.0%	17 5.6%	5 1.7%	12 4.0%	4 1.3%	4 1.3%	4 1.3%	4 1.3%	302

Beds / Unit Type	1	1	1	1	1	1	1	1	1	1	1	2	1	1	1	1	2	1	2	21
Total Beds per Type	60	72	12	24	12	24	12	12	12	12	6	12	17	5	12	4	8	4	8	316

Unit Habitable Area (SF)	243	261	218	284	236	326	266	315	368	292	479	312	312	255	255	508	258	353	
Length	26'-4"	27'-10"	27'-10"	29'-9"	29'-9"	33'-4"	33'-4"	33'-4"	36'-10"	36'-10"	36'-10"	32'-1"	32'-1"	27'-4"	27'-4"	27'-7"	27'-7"	27'-7"	
Unit Total Area (SF)	346	365	318	389	337	433	369	423	477	400	644	418	434	358	375	639	361	471	

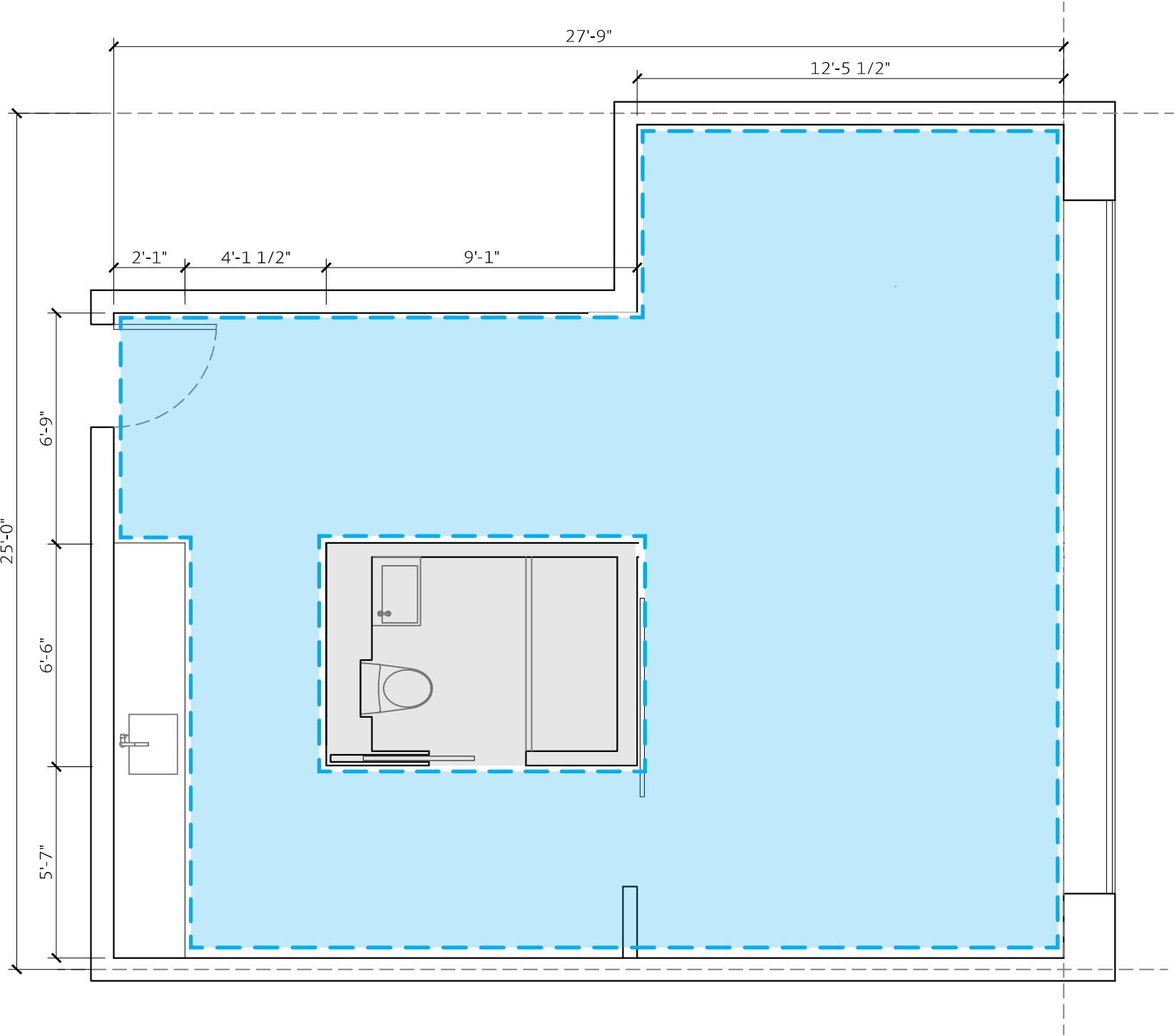
Unit Plan - Typical Unit

Small Studios & Medium Studios: *There is 1 bed per small and medium studio.*

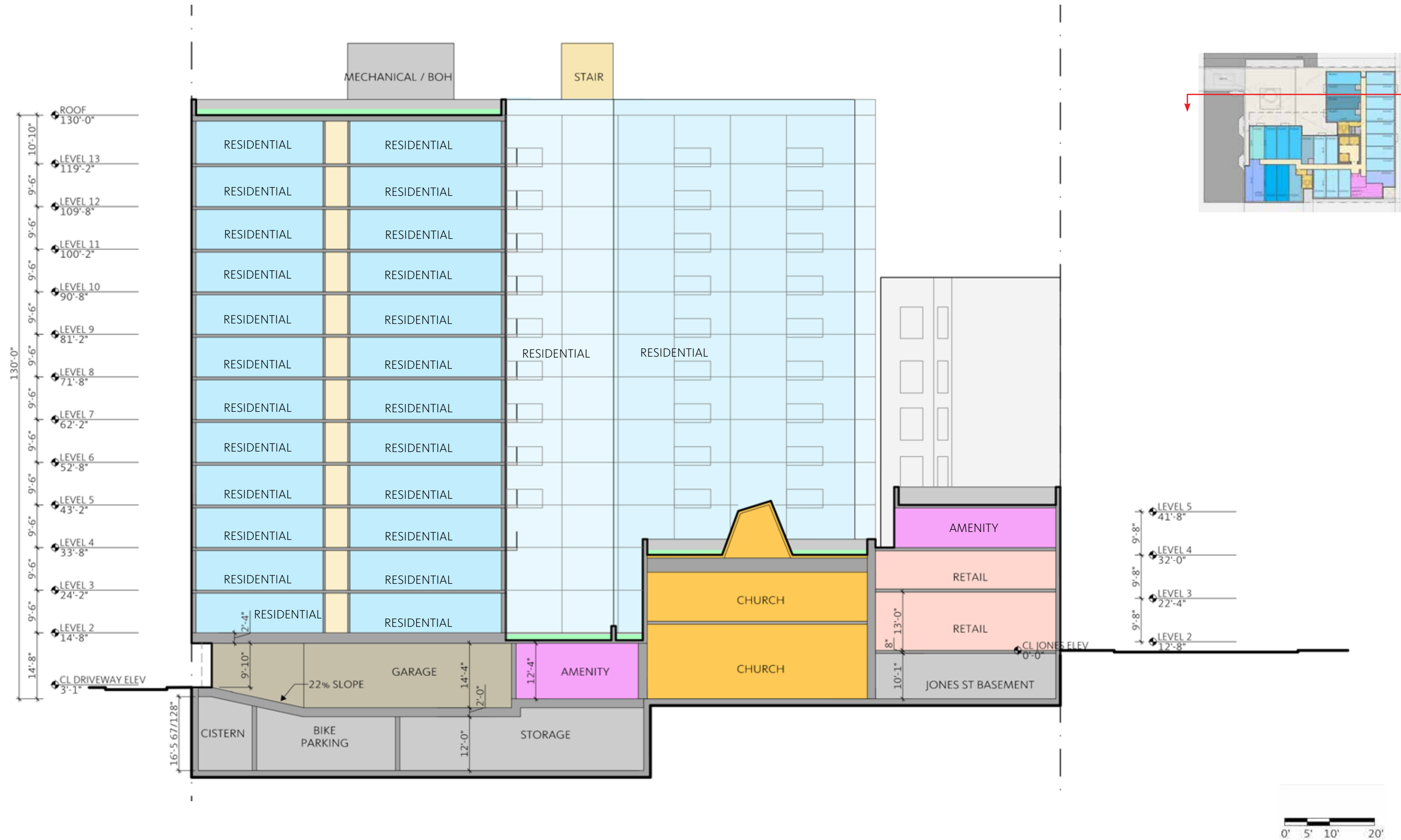


Unit Plan - Large Unit

Large Studios: *There is 1 or 2 beds per large studio.*



Section - **East / West** - Through Jones St. Retail



Section - **North / South** - Through Lobby W/ Church Beyond

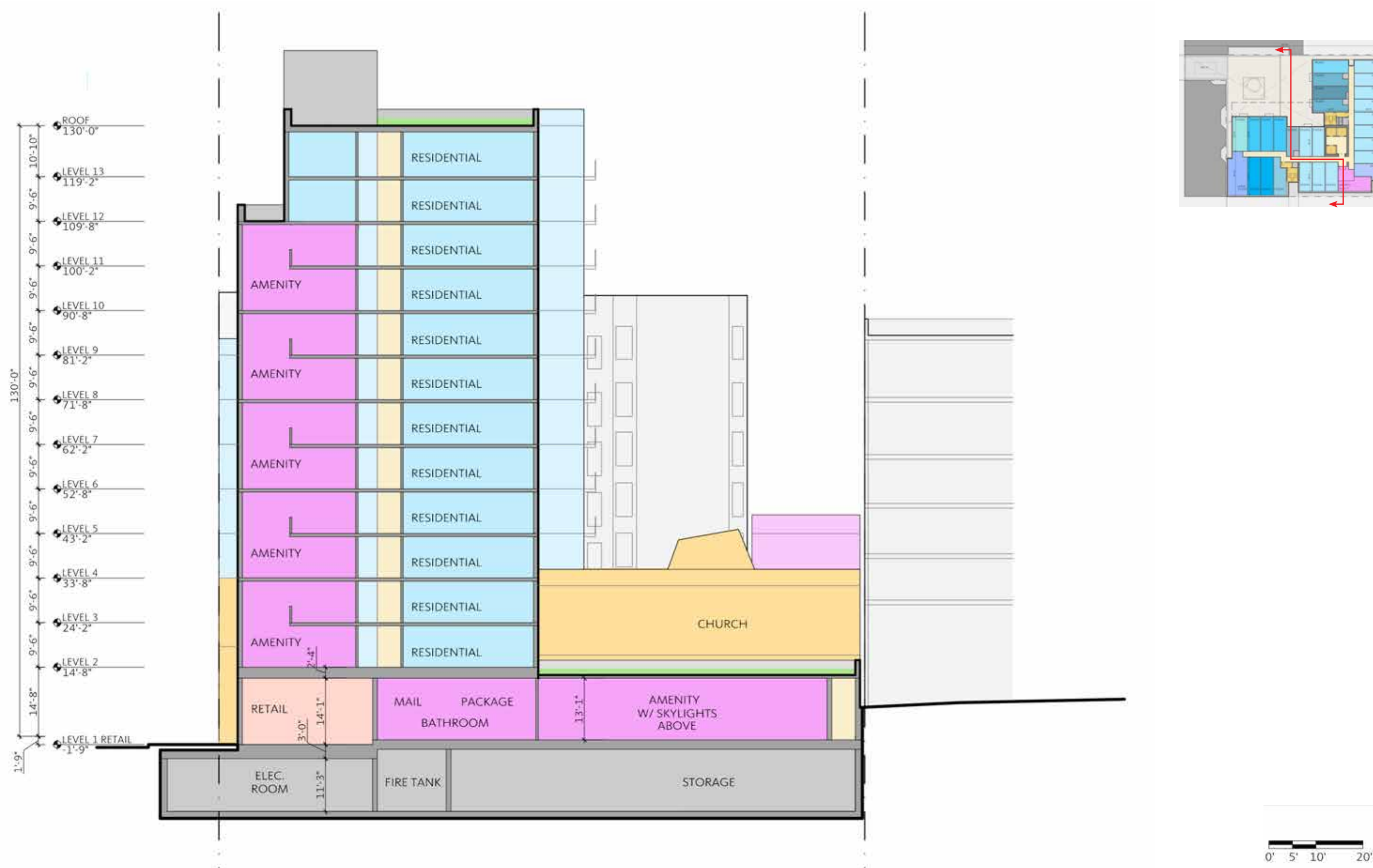
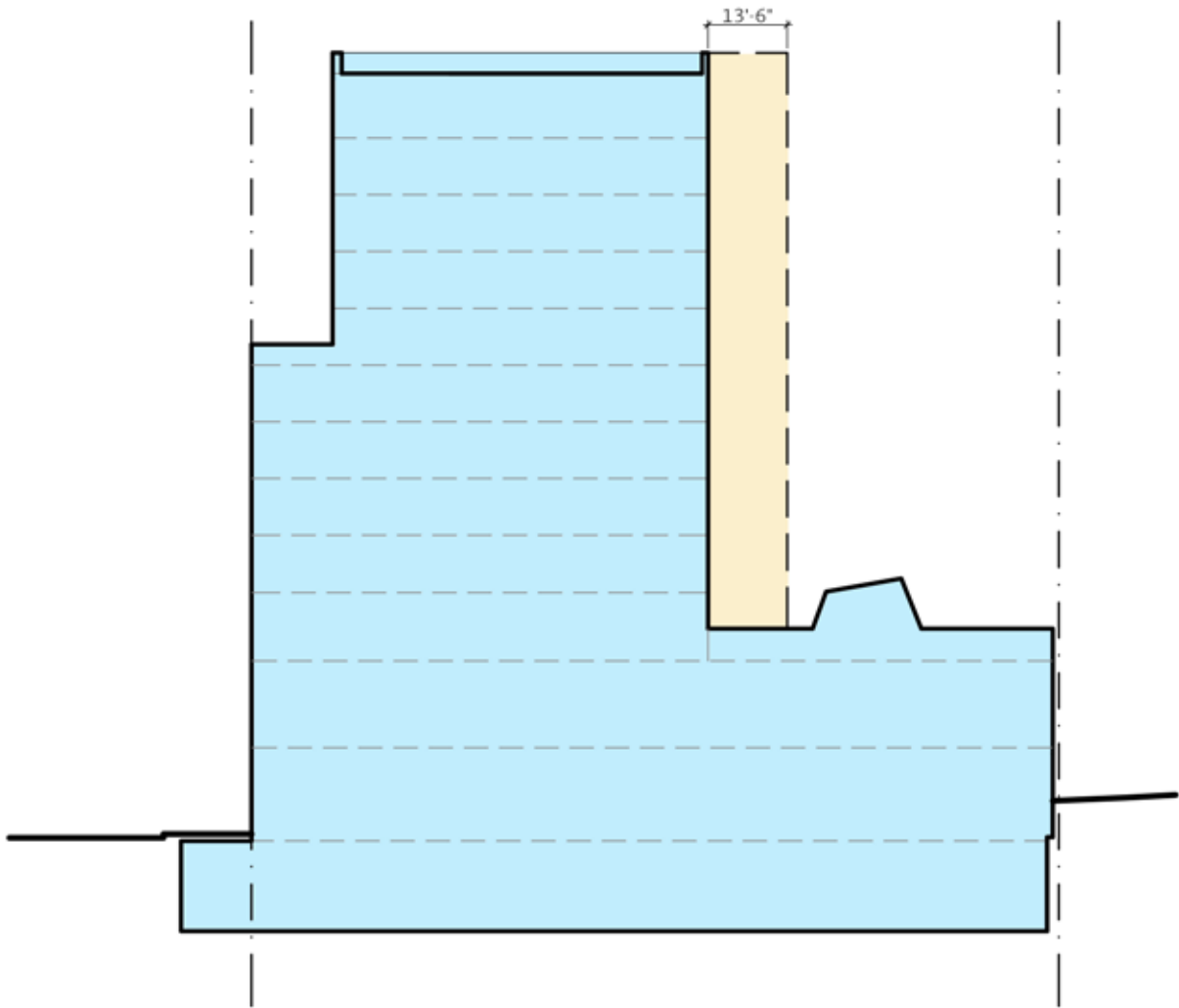
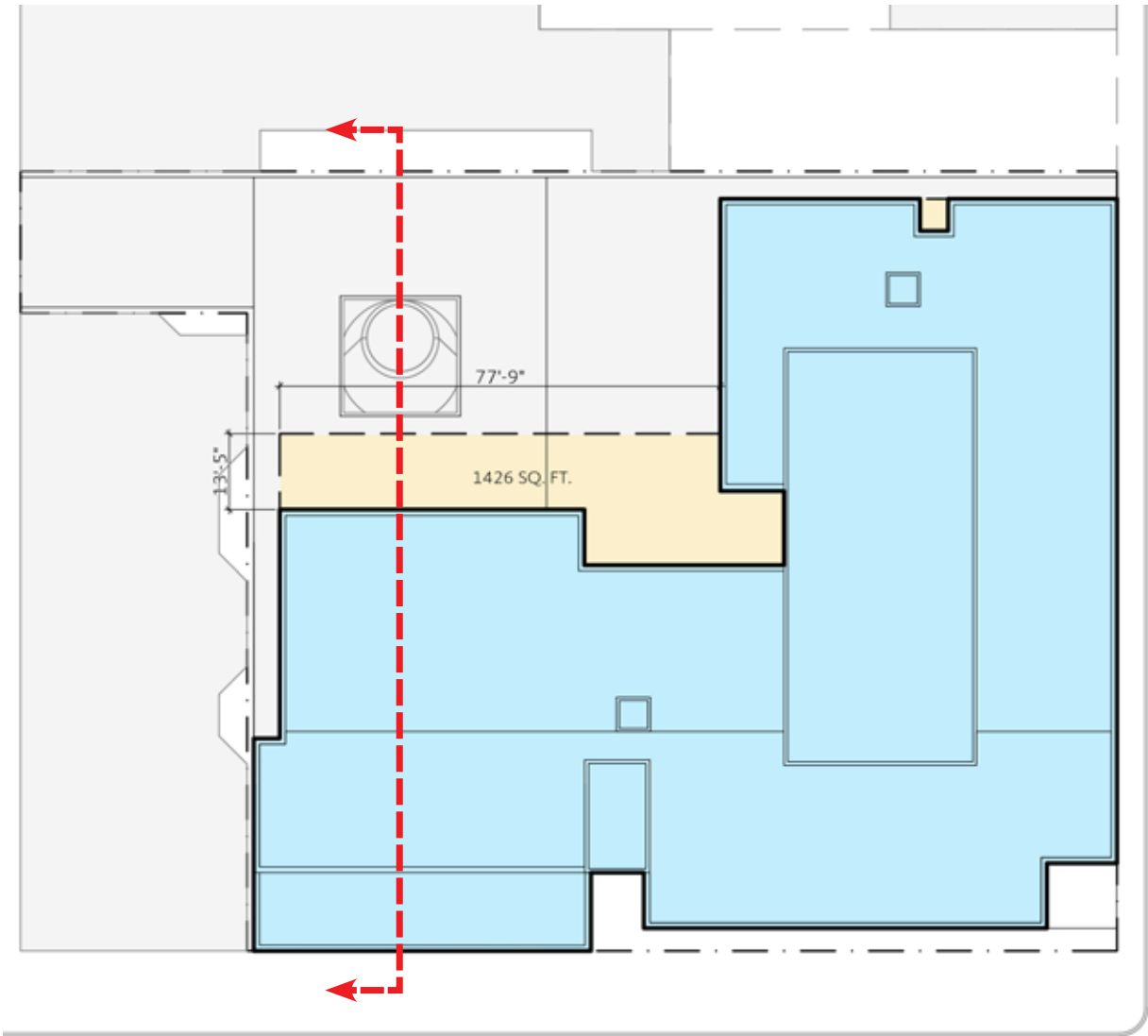


Diagram - Bulk Reduction



Elevation - Jones Street

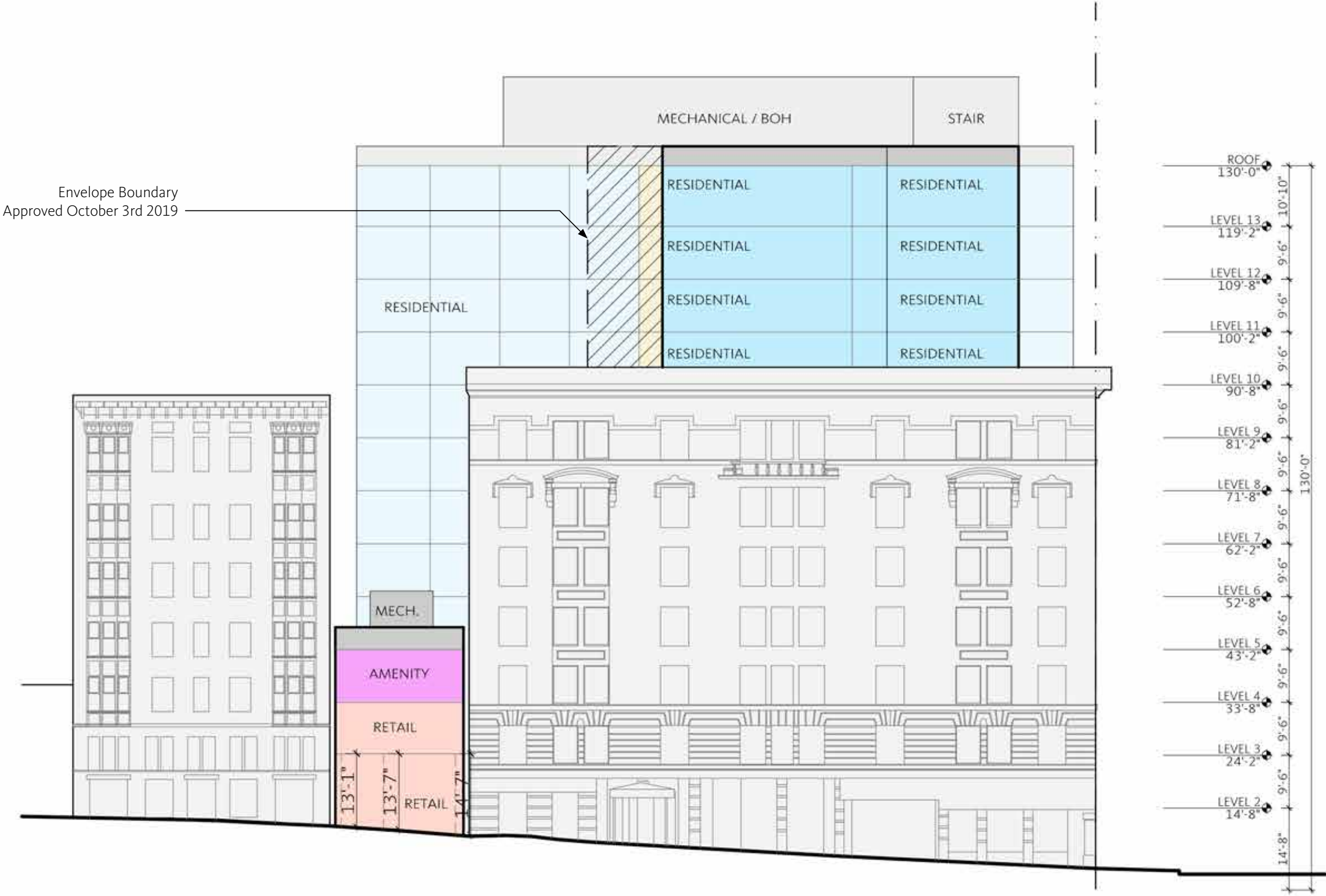
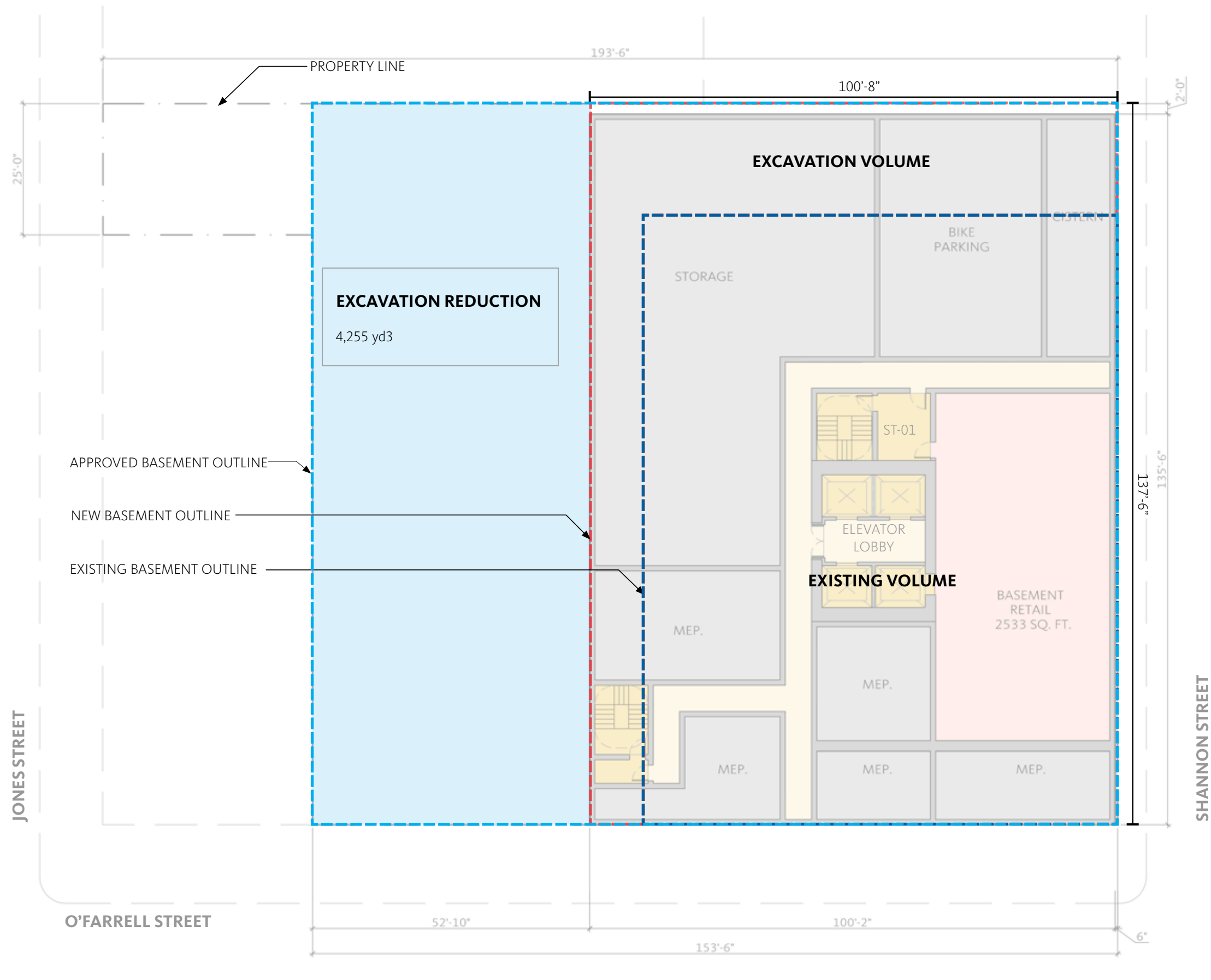


Diagram - **Excavation Diagram**

* Assuming a 16' deep existing and proposed basement



Facade Design

3D Rendering - O'Farrell St.



3D Rendering - O'Farrell St.



3D Rendering - O'Farrell St.



Building Materials



Material Palette

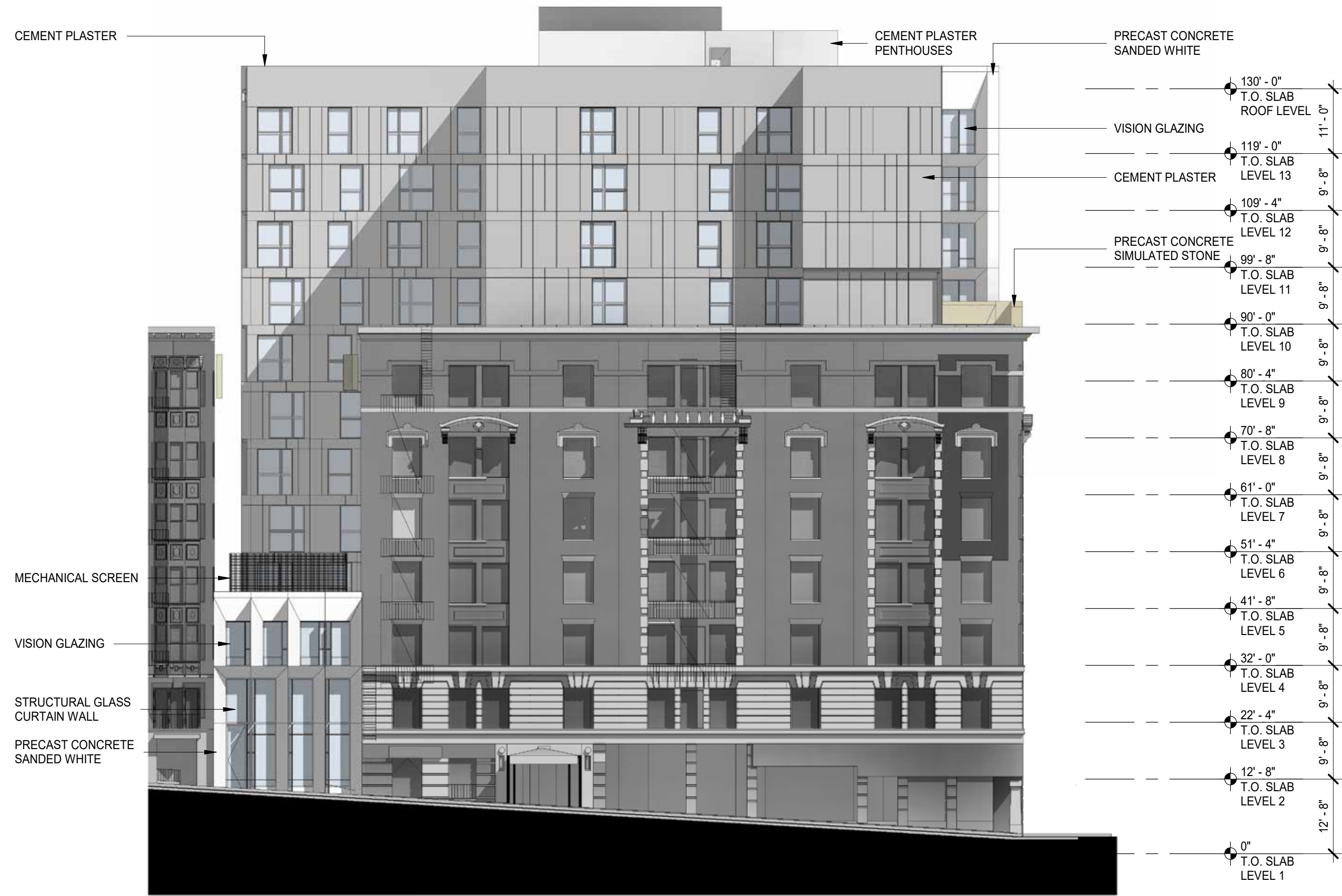
- Precast Concrete**
 - White
 - Simulated Stone
- Glazed Window Wall**
 - Clear
 - Spandrel
- Metal Panel**
 - Charcoal Grey
- Cement Plaster**
 - Charcoal Grey

Currently Approved

Elevation - O'Farrell St.



Elevation - Jones St.



Elevation - Shannon St.



3D Rendering - O'Farrell St.



Building Materials



Material Palette

- Precast Concrete**
 - White
 - Simulated Stone
- Glazed Window Wall**
 - Clear
 - Spandrel
- Metal Panel**
 - Charcoal Grey
- Cement Plaster**
 - Charcoal Grey



COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

Date: October 24, 2018

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

From: San Francisco Planning Department

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

All projects that include 10 or more dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Planning Code Sections 415 and 419. Every project subject to the requirements of Planning Code Section 415 or 419 is required to pay the Affordable Housing Fee. A project may be eligible for an Alternative to the Affordable Housing Fee. All projects that can demonstrate that they are eligible for an Alternative to the Affordable Housing Fee must provide necessary documentation to the Planning Department and Mayor's Office of Housing and Community Development.

At least 30 days before the Planning Department and/or Planning Commission can act on the project, this Affidavit for Compliance with the Inclusionary Affordable Housing Program must be completed. Please note that this affidavit is required to be included in Planning Commission packets and therefore, must comply with packet submittal guidelines.

The inclusionary requirement for a project is determined by the date that the Environmental Evaluation Application (EEA) or Project Application (PRJ) was deemed complete by the Department ("EEA/PRJ accepted date"). There are different inclusionary requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached charts to determine the applicable requirement. Charts 1-3 include two sections. The first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

For projects with complete EEA's/PRJ's accepted on or after January 12, 2016, the Inclusionary Affordable Housing Program requires the provision of on-site and off-site affordable units at a mix of income levels. The number of units provided at each income level depends on the project tenure, EEA/PRJ accepted date, and the applicable schedule of on-site rate increases. Income levels are defined as a percentage of the Area Median Income (AMI), for low-income, moderate-income, and middle-income units, as shown in Chart 5. Projects with a complete EEA accepted prior to January 12, 2016 must provide the all of the inclusionary units at the low income AMI. **Any project with 25 units or more and with a complete EEA accepted between January 1, 2013 and January 12, 2016 must obtain a site or building permit by December 7, 2018, or will be subject to higher Inclusionary Housing rates and requirements. Generally, rental projects with 25 units or more be subject to an 18% on-site rate and ownership projects with 25 units or more will be subject to a 20% on-site rate.**

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

The applicable requirement for projects that received a first discretionary approval prior to January 12, 2016 are those listed in the "EEA accepted before 1/1/13" column on Chart 1-A.

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

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

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

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

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

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

CHART 2-A: Inclusionary Requirements for Rental projects with Complete EEA/PRJ accepted on or after 1/12/16

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

CHART 2-B: Requirements for Rental Projects in UMU Districts with Complete EEA/PRJ accepted on or after 1/12/16

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

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	19.6%	19.6%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 3-A: Inclusionary Requirements for Owner projects with Complete EEA/PRJ accepted on or after 1/12/16

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%

CHART 3-B: Requirements for Owner Projects UMU Districts with Complete EEA/PRJ accepted on or after 1/12/16

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

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.4%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 4-A: Inclusionary Requirements for Rental projects with Complete EEA/PRJ accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

Complete EEA/PRJ Accepted BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

Complete EEA/PRJ Accepted BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Rental Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Low Income (55% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (80% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Middle Income (110% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%

CHART 4-B: Inclusionary Requirements for Owner projects with Complete EEA/PRJ accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

Complete EEA/PRJ Accepted BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%

Complete EEA/PRJ Accepted BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Ownership Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Low Income (80% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (105% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (130% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

CHART 5: Income Levels for Projects with a complete EEA/PRJ on or after January 12, 2016

Projects with complete EEA Application on or after January 12, 2016 are subject to the Inclusionary rates identified in Charts 2 and 3. For projects that propose on-site or off-site Inclusionary units, the Inclusionary Affordable Housing Program requires that inclusionary units be provided at three income tiers, which are split into three tiers. Annual increases to the inclusionary rate will be allocated to specific tiers, as shown below. Projects in the UMU Zoning District are not subject to the affordability levels below. Rental projects with 10-24 units shall provide all of the required Inclusionary units with an affordable rent at 55% Area Median Income (AMI), and ownership projects with 10-24 units shall provide all of the required Inclusionary units at sales price set at 80% AMI.

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Low Income (55% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (80% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%
Middle Income (110% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Low Income (80% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (105% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%
Middle Income (130% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
Off-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Low Income (55% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (80% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (110% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

Complete EEA/PRJ Accepted

BEFORE: →	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
Off-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Low Income (80% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (105% AMI)	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
Middle Income (130% AMI)	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



**San Francisco
Planning**

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

August 21, 2020

Date

I, Alexander Zucker,
do hereby declare as follows:

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

450 O'Farrell, 474 O'Farrell, and 530 Jones

Address

0317/007, 009, 011

Block / Lot

The subject property is located within the following Zoning District:

RC-4

Zoning District

80-T-130-T

Height and Bulk District

Special Use District, if applicable

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

☐ Yes ☐ No

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

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

Planning Case Number

2018-1029-4361 S

Building Permit Number

This project requires the following approval:

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

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

Marcelle Boudreaux

Planner Name

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

Date

The project contains 302 total dwelling units and/or group housing rooms.

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

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

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

☐ Yes ☒ No

(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?

☐ Yes ☒ No

(If yes, please indicate HOME-SF Tier)

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

☐ Yes ☒ No

C Please indicate the tenure of the project.

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

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

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

☐ Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5)

☒ On-site Affordable Housing Alternative (Planning Code Sections 415.6)

☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7)

☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units
(Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)

☐ Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)

☐ Land Dedication (Planning Code Section 419)

The applicable inclusionary rate is:

13.5% + 5 replacement units

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

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

Residential Gross Floor Area

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

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

(1) Inform the Planning Department and the Mayor's Office of Housing and Community Development and, if applicable, fill out a new affidavit;

(2) Record a new Notice of Special Restrictions; and

(3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

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

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

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

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

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS: 302	SRO / Group Housing: 302	Studios: 302	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
----------------------------	-----------------------------	-----------------	--------------------	--------------------	--------------------------------

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

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

Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS: 302	SRO / Group Housing: 302	Studios: 302	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
----------------------------	-----------------------------	-----------------	--------------------	--------------------	--------------------------------

LOW-INCOME	Number of Affordable Units 45	% of Total Units 13.5% + 5 replacement units	AMI Level 55%
MODERATE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
MIDDLE-INCOME	Number of Affordable Units	% of Total Units	AMI Level

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

Number of Affordable Units to be Located OFF-SITE:

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

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

UNIT MIX TABLES: CONTINUED

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

1. On-Site % of affordable housing requirement.

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

Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

2. Off-Site % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:

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

Income Levels for On-Site or Off-Site Units in Combination Projects:

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

3. Fee % of affordable housing requirement.

Is this Project a State Density Bonus Project? ☐ Yes ☒ No

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

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

Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

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

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

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

Forge Development Partners LLC

Company Name

Alexander Zucker

Name (Print) of Contact Person

155 Montgomery Street, Suite 300

Address

415.855.1869

Phone / Fax

San Francisco, CA 94104

City, State, Zip


alexander@forgeddevelopmentpartners.com

Email

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

Sign Here

Signature:



Name (Print), Title:

Alexander Zucker, Development Manager

Executed on this day in:

Location:

San Francisco

Date:

8/21/20

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

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

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

Sign Here

Signature:

Name (Print), Title:



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20281

HEARING DATE: SEPTEMBER 13, 2018

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.: **2013.1535ENV/CUA**
Project Address: **450-474 O'FARRELL STREET/ 532 JONES STREET**
Zoning: **RC-4 (Residential-Commercial, High Density) District**
80-T-130-T Height and Bulk District
North of Market Special Use District No. 1
Block/Lot: **0317/007, 009, 011**
Project Sponsor: **Fifth Church of Christ, Scientist**
450 O'Farrell Partners, LLC
39 Forrest Street, Suite 201
Mill Valley, CA 94941
Attn: Tyler Evje
te@thompsondorfman.com
Staff Contact: **Marcelle Boudreaux - (415) 575-9140**
Marcelle.boudreaux@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 303 FOR: I) PLANNED UNIT DEVELOPMENT PURSUANT TO SECTION 304, WITH MODIFICATIONS FOR REAR YARD (SECTION 134(G)), DWELLING UNIT EXPOSURE (SECTION 140); OFF-STREET LOADING (SECTION 152) AND PERMITTED OBSTRUCTIONS (SECTION 136(C)); II) FOR DEMOLITION OF FIVE EXISTING DWELLING UNITS (SECTION 317); III) EXCEEDING HEIGHT OF 50 FEET WITH STREET FRONTAGE GREATER THAN 50 FEET (SECTION 253); IV) HEIGHT GREATER THAN 80 FEET IN NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT NO. 1 (SECTION 249.5/263.7); V) BULK EXCEEDANCE (SECTION 270); VI) ESTABLISHMENT OF NEW RELIGIOUS INSTITUTION USE (SECTION 303). THE PROJECT, LOCATED AT 450-474 O'FARRELL STREET AND 532 JONES STREET, TO DEMOLISH THE EXISTING COMMERCIAL BUILDING (474 O'FARRELL STREET), EXISTING COMMERCIAL AND RESIDENTIAL BUILDING (532 JONES STREET), AND EXISTING RELIGIOUS BUILDING (450 O'FARRELL STREET), AND CONSTRUCT A 13-STORY MIXED USE BUILDING CONTAINING UP TO 176 RESIDENTIAL UNITS, AND APPROXIMATELY 3,827 SQUARE FEET GROUND FLOOR RETAIL, 9,555 SQUARE FEET NEW RELIGIOUS (CHURCH) USE, AND BELOW-GRADE PARKING FOR UP TO 46 VEHICLES, LOCATED AT LOTS 007, 009 AND 011 IN ASSESSOR'S BLOCK 0317, WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY), NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT NO. 1, AND 80-T-130-T HEIGHT AND BULK DISTRICT.

PREAMBLE

On September 8, 2015, Bruce Fairty of 450 O'Farrell Partners, LLC (hereinafter "Project Sponsor") filed a complete application with the Department for the project, as modified by subsequent submittals, with the San Francisco Planning Department (hereinafter "Department") for a Conditional Use Authorization request pursuant to Section 303 for Planned Unit Development under Section 304, with modifications to Section 132(c) (permitted obstructions), Section 134 (rear yard modification), Section 140 (dwelling unit exposure), and Section 152 (residential off-street loading), and additional Conditional Use Authorization to the Planning Code under Section 317(g)(5) for demolition of existing residential units; Section 253(b) for new construction over 40 feet in height and a street frontage greater than 50 feet; Section 263.7 for an exception to the 80-foot base height limit in North of Market Residential Special Use District No. 1; Section 271 for exceptions to Section 270, governing the bulk of the building; and Section 303 for the new religious institution (church) use. The project proposes demolition of three buildings: 450 O'Farrell Street (currently occupied by the Fifth Church of Christ, Scientist); 474 O'Farrell Street (one-story, vacant retail building); and 532 Jones Street (one-story restaurant use, with five existing residential units). The proposal is to merge these three lots, and construct a new mixed-use building rising up to 130-foot-tall (13-story), with up to 176 dwelling units, restaurant and/or retail space on the ground floors, and a replacement church (proposed religious institution) incorporated into the ground and two upper levels, with up to 46 below grade parking spaces, private and common open space and Class 1 and 2 bicycle parking spaces, (the "Project") on the subject property located on Lots 007, 009, 011 in Assessor's Block 0317.

On November 21, 2014, Project Sponsor had on file a complete environmental evaluation application with the Department for environmental review for the Project.

The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on February 22, 2017.

On October 25, 2017, the Department published a Draft EIR ("DEIR") for public review (Case No. 2013.1535ENV). The DEIR was available for public comment until December 11, 2017. On November 30, 2017, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the DEIR. On June 13, 2018, the Department published a Comments and Responses document, responding to comments made regarding the DEIR prepared for the Project.

On September 13, 2018, the Commission reviewed and considered the Final EIR ("FEIR") and found that the contents of said report and the procedures through which the FEIR was prepared and publicized in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found that the FEIR was adequate, accurate, and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the DEIR, and certified the FEIR by Motion No. 20279 for the Project in compliance with CEQA, the CEQA Guidelines, and Chapter 31.

Department staff prepared a Mitigation Monitoring and Reporting program ("MMRP"), which material was made available to the public and this Commission for this Commission's review, consideration and action. These improvement and mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On September 13, 2018, the Commission adopted Motion No. 20280 adopting CEQA findings, including a Statement of Overriding Considerations, and adopting the MMRP, which findings and adoption of the MMRP are hereby incorporated by reference as though fully set forth herein.

On March 2, 2016, the Project Sponsor submitted a request for review of development exceeding 40 feet (Case No. 2013.1535SHD), pursuant to Section 295, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (RPD). Department staff prepared a preliminary shadow fan analysis depicting the potential shadow cast by the development which indicated that the project could potentially cast shadow on Boedekker Park and Tenderloin Recreation Center, parks under the jurisdiction of RPD. A shadow study was prepared by CADP (dated January 21, 2016) that included more precise articulation of the envelope and accounted for shadows from existing buildings. Staff analyzed this study and concluded that the Project could not potentially cast shadow on properties under the jurisdiction. Therefore, the Project would have no impact to properties subject to Section 295.

The Planning Department, Office of the Commission Secretary, is the custodian of records for these actions, and such records are located at 1650 Mission Street, Fourth Floor, San Francisco, California.

On September 13, 2018, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2013.1535ENVCUA. 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, the Planning Department staff, and other interested parties.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2013.1535ENVCUA, 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:

- A. The above recitals are accurate and constitute findings of this Commission.
- B. **Project Description.** The project proposes demolition of three buildings: 450 O'Farrell Street (currently occupied by the Fifth Church of Christ, Scientist); 474 O'Farrell Street (one-story, vacant retail building); and 532 Jones Street (one-story restaurant use, with five existing

residential units). The proposal is to merge these three lots, and construct a new mixed-use building rising up to 130-foot-tall (13-story), with up to 176 dwelling units, restaurant and/or retail space on the ground floors, and a replacement church (proposed religious institution) incorporated into the ground and two upper levels, below grade parking and mechanical spaces, private and common open space and 116 Class 1 and 9 Class 2 bicycle parking spaces. The project would construct a total of approximately 218,155 square feet ("sf") of development, including 182,668 sf of residential space, 3,827 sf of restaurant/retail space, 9,555 sf for religious institution use, 8,398 sf of residential open space (288 sf of private open space and 8,110 sf of common open space), and 21,105 sf of below-grade parking (up to 46 spaces). The project also proposes merger of three Lots 007, 009, and 011 in Assessor's Block 0317.

- C. **Site Description and Present Use.** The project site is currently occupied by the three-story, 26,904-square-foot Fifth Church of Christ, Scientist, including a 1,400-square-foot parking lot with four parking spaces at 450 O'Farrell Street; a one-story, 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story, 1,012-square-foot restaurant and residential building with five units at 532 Jones Street.
- D. **Surrounding Properties and Neighborhood.** The Project Site is located within the RC-4 zoning district, a District defined by its compact, walkable, transit-oriented and mixed-use nature, within the Downtown/ Civic Center neighborhood. The immediate context is primarily residential with neighborhood-serving commercial uses. The immediate vicinity includes buildings ranging from five to 12 stories, and within a two-block radius up to 16-stories (including at the end of the subject site block). Within ¼-mile radius east of the site is the dense commercial retail area surrounding Union Square and the western boundary of the Financial District, and within ¼-mile south of the site is the City's major ceremonial and transit corridor Market Street. The project site is located within the boundaries of the Uptown Tenderloin Historic District which is listed in the National Register. Other zoning districts in the vicinity of the project site include: C-3-G (Downtown General), C-3-R (Downtown Retail), and P (Public), which exhibit a range of height and bulk districts: 80-T, 80-A, 80-130-F, and 225-S.
- E. **Public Outreach and Comments.** The Department received public comment during the environmental review process, some focused outside of the scope of EIR and included concerns about increased traffic, excess noise, and gentrification. Since the notice period for this hearing, the Department has received one letter directly in support of the project's additional rental housing and the church project (attached). A letter of objection to the surrounding safety due to the project was received (attached). The sponsor team has submitted a detailed outreach report (attached), outlining the numbers and details of outreach conducted with local nonprofits, businesses and residents, over approximately two years. In addition, the sponsor has submitted over 60 letters of support (attached) from neighborhood businesses, residents and members of area churches in support of a project that provides an adequate size church, provides rental housing and retail space on this site.
- F. **Community Organization Outreach.** At the instruction of the Planning Commission, the Project Sponsor and San Francisco Heritage will continue working together towards a mutually agreeable solution.

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

1. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 15 points.

The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 15 points (residential). As currently proposed, the Project will achieve its required 15 points through the following TDM measures:

- *Unbundled Parking*
- *Parking Supply*
- *On-Site Affordable Housing*

2. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.6, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on November 21, 2014; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the proposed dwelling units as affordable. In addition, pursuant to Section 415.6(a)(9), the Commission shall require that the project sponsor replace the number of existing affordable units removed with units of a comparable number of bedrooms and sales prices or rents on the site, in addition to compliance with the requirements set forth in this Section.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project. The Project Sponsor submitted such Affidavit on June 4, 2018. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on November 21, 2014; therefore, pursuant

to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the total proposed dwelling units as affordable. Twenty-three (23) units (5 studios, 9 one-bedrooms, 9 two-bedrooms) of the total 171 net new units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable. In addition, the Project proposes demolition of five studio units currently existing at the site presumed to be subject to the Rent Stabilization and Arbitration Ordinance and these five will be replaced as on-site affordable units. Total number of on-site affordable units for the Project will be 28 of the 176 total dwelling units, or 16%.

H. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in Section 303(c) in that:

1. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Downtown/ Civic Center neighborhood contains a mix of residential, commercial and institutional uses, including religious facilities. This mixed-use building will be compatible with that neighborhood mix of uses. The project will provide rental housing, ground floor retail space, and a new Christian Science church and Reading Room (institutional use) to replace the existing church site (deemed obsolete and oversized), a vacant commercial building adjacent to the church, and a one-story restaurant building containing five existing residential units that will be replaced on-site. Specifically, this mixed-use project includes 176 newly constructed dwelling units (with 28 on-site affordable units including the five replacement units), supporting a need in the City, a new church facility, retail space, and below grade parking.

2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project's proposed building massing is consistent with the character and design of the neighborhood, and will not impede any development of surrounding properties. The project would be a contemporary, but compatible, design that references the character-defining features of the surrounding district and is compatible with size and scale, composition, materials and architectural details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation. The elements include the retained church façade and colonnade, the new church structure, and two different architectural styles for floors seven and above. The façade of the main building is set back from the street, beyond the existing 450 O'Farrell building façade

and the new church building. The expression of the upper levels is compatible with the overall design and district, but read as secondary elevations. Finally, a vertical notch is proposed at the corner of O'Farrell Street and Shannon Alley, further reducing the building's massing impact. The building's design is well-articulated horizontally and vertically in order to reduce the apparent massing and includes retention of a unique urban design feature as a device to orient the community.

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

The Project site is located accessible by public transit, with multiple public transit alternatives (MUNI Bus lines 2-Clement, 3-Jackson, 27-Bryant, 31-Balboa, 38-Geary, 38R-Geary Rapid, and 45-Union/Stockton; Powell Street and Civic Center BART/MUNI) within close walking distance. Additionally, the Project site is directly adjacent to O'Farrell and Jones Streets, both major thoroughfares which provide ready access to those driving.

Parking is available either along surrounding neighborhood streets or within the proposed underground parking garage. The proposed below-grade garage proposes up to 46 parking spaces, of which 10 are to be dedicated to the church and one car share space. The vehicular entrance is located on Shannon Street, which will be less detrimental to the existing traffic pattern than would be a garage entrance on O'Farrell Street, which has a dedicated transit lane and one vehicular travel lane. The residential entrance, including entrance to the on-site bicycle parking, is located along Shannon Street, a feature designed to activate this elevation of the project site. Pedestrian entrances to the retail and church uses are on O'Farrell and additional retail use from Jones Streets, further activating those major streets. Given the small amount of retail space (less than 4,000 square feet) and limited loading needs as discussed in the project EIR, the project will seek an exception to off-street loading requirements by providing an on-street solution. The development will not be detrimental to the convenience of persons residing or working in the vicinity.

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

The Project will not emit any noxious odors or emissions. As a primarily residential and religious building, there will be limited generation of dusts or odors, and all activities are contained inside the building, which prevents noise pollution from emanating. The location of exhaust fans and louvers will comply with applicable regulations to prevent emissions from directly affecting surrounding residents and the public. The design does not contain large expanses of glazing or highly reflective glass that would create unwanted glare. During construction, appropriate measures will be taken to minimize the generation of and impacts from noise, dust and odor as required by the Building Code and any other applicable limitations.

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

Street trees are proposed along O'Farrell and Jones Streets as appropriate to meet Better Streets requirements and introduce a greening element downtown. The project proposes common and private open space in the form of private decks, setbacks, and portions of the property at the upper levels behind the retained colonnade; and common open space through a lower level courtyard, and a roof deck. The common open space areas will include landscaping and screening. The project will be properly and minimally lit, with signage to in conformance with Code requirements to promote easy access to, from, and within the building. Parking is all located below grade, with the parking garage entrance screened per Code.

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

The Project generally complies with the applicable sections of the Code, with certain exceptions. The residential uses contemplated for the Project within the RC-4 are generally permitted, and the proposed commercial uses are permitted within the RC-4 zoning district. Some of the project massing, including the contemplated maximum height and bulk exceedance, require additional Conditional Use authorization. The Project seeks several modifications to the requirements of the Planning Code through the PUD process. The purpose of the PUD process is to allow a well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the Project generally meets the intent of these Planning Code requirements and will not adversely affect the General Plan.

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

The project site is located within the RC-4 zoning district and subarea No. 1 of the North of Market Residential Special Use District. This SUD has a stated purpose which includes protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area. Considered as a whole, although the project demolishes historic resources, the Project would add housing and commercial goods and services to add to and to support the residential-commercial District, in addition to a new church facility, into one mixed-use building. The Project site is well-served by transit and existing commercial services, with amenities accessible by foot, bike or transit. The Project includes a mix of unit types, including 45 studios, 69 one-bedroom units, 62 two-bedroom units, and provision of on-site affordable units. This mix of units can serve diverse housing sizes. On balance, the Project conforms with multiple goals and policies of the General Plan.

- I. **Planned Unit Development.** Section 304 establishes criteria and limitations for the authorization of Planned Unit Development (PUD)'s over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. In cases of projects on sites ½-acre or greater that exhibit outstanding overall design and are complementary to the design and

values of the surrounding area, such projects may merit modification of certain Code requirements.

1. Specifically the project seeks these modifications:

- a) *A modification of the rear yard requirements per Section 134(g) of the Planning Code, as a modification through the PUD process, to allow for open space in a configuration other than a rear yard. Although the building does propose full lot coverage, the L-shaped design combined with sculpting of the mass produce a configuration of lower floors adjacent to the northern neighbor's lightwell. The project proposes a compliant amount of residential open space, as follows: private open space in the form of private decks, setbacks; and common open space through a lower level courtyard, and a roof deck.*
- b) *An exception to dwelling unit exposure requirements per Section 140 of the Planning Code for 21 of the 176 units. Although these units do not look onto an area that meets the exact dimensional requirements for an inner court that expands five feet at each upper level the, buildings L-shape creates an open area that allows these units to face onto an area with access to light and air.*
- c) *An exception to the off-street loading requirements per Section 152 of the Planning Code, which requires one residential loading space for the project. Instead, the project proposes to convert one of the three existing general on-street metered parking spaces on O'Farrell Street adjacent to the project site to a metered commercial loading space, and would request from the San Francisco Municipal Transportation Agency (SFMTA) that the hours of operation of the existing two vehicle passenger loading/unloading zone adjacent to the project site be revised from only during church service to all day passenger loading/unloading, with an exception during the tow away peak periods.*
- d) *An exception to permitted obstructions. The balconies at upper residential levels project over Shannon Street 4 inches beyond what is permitted per technical dimensions at public rights of way when sidewalk is less than 9 feet, as outlined in Section 136(c) of the Planning Code. This exceedance will be minimally perceptible but allow additional habitable space at these balconies.*

2. On balance, the Project complies with said criteria of Section 304(d) in that it:

- a) Affirmatively promotes applicable objectives and policies of the General Plan;

See General Plan Compliance discussion under Item #J.

- b) Provides off-street parking adequate for the occupancy proposed;

Off-street parking is not required in the RC-4 zoning district. The project provides off-street parking for residential use at a ratio less than .25 in a below grade garage. Up to 46 spaces are proposed, with 10 dedicated to visitors to the religious institution and one car share space. Balanced with multiple transit lines within ¼-mile, options for walking, and over 125 bicycle parking spaces, both on-site and on the sidewalks, this off-street parking is adequate for the proposed uses, for this downtown location.

- c) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

The open space provided by the project complies with the residential open space requirements under the Code. Private open space is provided in the form of decks and balconies to eight residential units; and common open space is provided for the balance of residential units through a lower level roof deck courtyard and at the roof deck.

- d) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

Pursuant to Section 249.5, in the North of Market Residential Special Use District No. 1 the density ratio for the site is one dwelling unit for each 125 square feet of lot area, allowing up to 176 units on this 22,106 square foot site. Accordingly, no increase in density is being sought.

- e) In R Districts, include Commercial Uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include Commercial Uses only according to the provisions of Section 231 of this Code;

The proposed retail use is properly scaled for the neighborhood and the project as a whole. The project proposes two retail spaces, totaling less than 4,000 square feet. This is in accord with other small, ground floor retail uses on the surrounding blocks, and appropriate for the overall size of the project.

- f) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections;

No exception to the 130-foot height limit is being sought. Please review discussion of Conditional Use Authorization in Items #(I)(2) and #(I)(3).

- g) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of this Code;

The site is located within the RC-4 zoning district, therefore, this is not applicable.

- h) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;

The site is located within the RC-4 zoning district, therefore, this is not applicable.

- i) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

The site is located within the RC-4 zoning district, therefore, this is not applicable.

- j) Provide street trees as per the requirements of Section 138.1 of the Code.

The project will comply with all street tree requirements per requirements pursuant to the Public Works Code.

- k) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

The site is located within the RC-4 zoning district, therefore, this Code Section is not applicable to the Project.

J. Additional Findings to Section 303(c) for Conditional Use Authorization request. Each Planning Code Section may establish criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization.

- 1. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:

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

The mixed use property has housed a restaurant and residential uses. Although some violations are on file for the property for both uses, these have been abated through the Department of Building Inspection (DBI) process. There are no pending Building Code complaints associated with the 532 Jones Street property.

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

Currently, per information provided by the Sponsor, two of the residential units are used as storage for non-residential uses, and one residential unit is vacant. The remaining two residential units are occupied by employees of the ground floor

restaurant in the building (d.b.a. Shalimar). There are no open complaints for the residential use.

- c. whether the property is an "historical resource" under CEQA;

The building is considered a contributor to the Uptown Tenderloin National Register Historic District, therefore is an historical resource under CEQA, however is not listed as individually significant in either the National Register or California Register.

- d. whether the removal of the resource will have a substantial adverse impact under CEQA;

The EIR for the project determined that demolition of the 532 Jones building would not have a significant adverse impact to historical resources (Uptown Tenderloin National Register Historic District) under CEQA. The replacement project will be compatible with the scale of the surrounding neighborhood.

- e. whether the project converts rental housing to other forms of tenure or occupancy;

The existing units are rental housing, and the project proposes to initially offer all dwelling units as rental units. Therefore, as proposed the project sponsor indicates that there is no conversion to other forms of tenure or occupancy.

- f. whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing;

The existing five units are not deed-restricted, tax-credit funded affordable housing. Although Planning Staff does not have the authority to make a determination on the rent control status of a property, it is to be assumed that the units to be demolished are subject to the Residential Rent Stabilization and Arbitration Ordinance due to building construction date circa 1950. Only two of the five units are occupied, and the project sponsor will be working with MOH and other parties to ensure a relocation plan. The project includes five additional on-site affordable units in excess of its inclusionary housing requirement (13.5%, or 23 units) as new, on-site replacement units. The project proposes a total of 28 on-site affordable units pursuant to Section 415 of the Planning Code.

- g. whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;

Although the existing housing will not be conserved, the mixed-use project, which merges three lots, will replace the five existing units – only two of which are currently occupied – with 176 newly constructed units. The five replacement

residential units and 171 new residential units in the project meet the stated purpose of the North of Market Residential Special Use District and the City's priority policies to encouraging dense infill housing in close proximity to transit. By providing a varied unit mix and on-site affordable units (23 inclusionary units and 5 replacement inclusionary units), the surrounding neighborhood's cultural and economic diversity will be enhanced.

- h. whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The project conserves neighborhood character with a mixed-use project including 176 newly constructed dwelling units, including 16%, or 28 units, as on-site affordable, a church, retail space, and below grade parking, all while including features that are consistent with the character defining features of the Uptown Tenderloin National Register Historic District. Architectural elements from existing structures will be incorporated into the new building design to maintain its connection to the neighborhood's history. Additionally, retention of the existing 450 O'Farrell building facade and colonnade along O'Farrell Street will preserve a unique urban design feature of this building, as a key orientation element for the block and neighborhood. The new building design is compatible with the prevailing development pattern and neighborhood character on the project and surrounding blocks. The unit mix – studios, junior one bedrooms, one bedrooms, and two bedrooms – is balanced with compliant residential open space at various levels, and enables individuals and families to live in a building together. The minimal amount of ground floor retail supports the new and existing residential uses, and, overall, the project seeks to enhance the neighborhood's economic and cultural diversity.

- i. whether the project protects the relative affordability of existing housing;

None of the five units in the existing building are deed-restricted affordable housing, however, are presumed to be subject to the Rent Stabilization and Arbitration Ordinance. The project as a whole is required to comply with San Francisco's inclusionary housing program under Section 415 of the Planning Code. In addition, the five units to be demolished will be replaced as on-site inclusionary. As a result, 16% of the dwelling units provided on-site will be affordable (23 required inclusionary units and 5 replacement inclusionary units).

- j. whether the project increases the number of permanently affordable units as governed by Section 415;

By demolishing the five existing units, and replacing them with a project that will comply with Section 415 of the Planning Code, the number of affordable units will increase. The Project's required inclusionary is 13.5% or 23 affordable units and the replacement five affordable units, will produce a project with 28 on-site affordable

units, thereby increasing the supply of newly constructed affordable units within a market-rate project.

- k. whether the project locates in-fill housing on appropriate sites in established neighborhoods;

The project locates in-fill housing in close proximity to transit, in the Downtown/ Civic Center neighborhood within the dense residential-commercial Uptown Tenderloin Historic District.

- l. whether the project increases the number of family-sized units on-site;

The five existing units are all studios, and therefore are not family-sized. The project currently proposes a diverse unit mix, with 45 studio units, 69 one-bedroom units, and 62 two-bedroom units proposed. Thus, the number of family-size units will increase as a result of the project.

- m. whether the project creates new supportive housing;

The project does not provide supportive housing.

- n. whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

The project is of superb architectural and urban design quality and enhances existing neighborhood character. The EIR for the project, the new building has been determined compatible with the Uptown Tenderloin National Register Historic District. The project will be a contemporary, but compatible, design that references the character-defining features of the surrounding district, in terms of size and scale, composition, and materials. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation. Materials selection includes pre-cast concrete, with varying finishes, with deep recesses for glazing at the primary elevations fronting the street, and non-reflective metal panel systems with vertical oriented glazing and spandrel panel at the elevations setback from the street and secondary elevations.

The project retains the 450 O'Farrell building facade and colonnade along O'Farrell Street in order to preserve a unique urban design feature of this building, as a key orientation element for the block and neighborhood. Further, the design minimizes the building's mass with alternating setbacks, which seeks to minimize the appearance of bulk and minimize impacts to adjacent neighbors light and air, consistently applied design guidelines.

- o. whether the project increases the number of on-site Dwelling Units;

The existing 532 Jones Street building contains five dwelling units, while the project proposes 176 dwelling units – an increase of 171 total dwelling units.

- p. whether the project increases the number of on-site bedrooms;

The existing 532 Jones Street building contains five studio units, i.e. no bedrooms. The project currently proposes a total of 193 bedrooms, in addition to 45 studios, which includes the junior one-bedrooms.

- q. whether or not the replacement project would maximize density on the subject lot;

The project maximizes density by proposing to merge three lots - the 532 Jones Street, 474 O'Farrell Street and 450 O'Farrell Street lots - and developing one building to maximize the permitted density in the North of Market Residential Special Use District, subarea No. 1. The project will increase the dwelling units from 5 units by adding 171 units, for a total of 176 units. By merging three lots and building vertically to the permitted height limit for the site, the project is able to provide full use of the density available on the subject lot, as well as the adjacent two lots. Notably, the project sculpts the massing adjacent to the existing neighbors to preserve light and air. The maximum units in this project given the density allowed in this special use district is 176 units.

- r. if replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

Not applicable. The building to be replaced is assumed to be subject to the Residential Rent Stabilization and Arbitration Ordinance.

2. **Additional Findings pursuant to Section 253(b)(1)** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building exceeding a height of 40 feet in a RM or RC District where the street frontage is more than 50 feet. In reviewing any such proposal for a building or structure exceeding 40 feet in height in a RH District, 50 feet in height in a RM or RC District, or 40 feet in a RM or RC District where the street frontage of the building is more than 50 feet the Planning Commission shall consider the expressed purposes of this Code, of the RH, RM, or RC Districts, and of the height and bulk districts, set forth in Sections 101, 209.1, 209.2, 209.3, and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located. On balance, the Project does comply with said criteria in that:

The height of the building varies from 55 feet to 130 feet, exceeding the 40 feet in height on a site with more than 50 feet of street frontage in an RC district, but in compliance with the 80-T-130-T height and bulk district applicable to this project site. As discussed at length in the Section 303(c) findings and further in the General Plan Compliance section, the project is on balance compatible with the criteria, objectives, and policies and principles of the RC-4 district, North of Market Residential Special Use District subarea No. 1, and the General Plan. Specifically, RC-4 districts call for a mixture of high-density dwellings with supporting commercial uses and open space. The project provides that 176 dwelling units in a diverse mix, with retail and religious institution uses on the lower levels.

3. **Additional Findings pursuant to Section 249.5(c)(1) for Section 263.7** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building exceeding a height of 80 feet in the North of Market Residential Special Use District. In the 80-120-T and 80-130-T Height and Bulk Districts located within the North of Market Residential Special Use District (NOMRSUD), heights higher than 80 feet would be appropriate in order to effect a transition from the higher downtown heights to the generally lower heights of the existing buildings in the NOMRSUD core area and the Civic Center area and to make more feasible the construction of new housing, provided that development of the site is also consistent with the general purposes of the NOMRSUD as set forth in Section 249.5(b). In making determinations on applications for Conditional Use authorizations required for uses located within the North of Market Residential Special Use District, the Planning Commission shall consider the purposes as set forth in Subsection 249.5(b) as delineated below. On balance, the Project does comply with said criteria in that:

- a) protect and enhance important housing resources in an area near downtown;

The project increases housing resources, with a varied unit mix, in the downtown area by a total of 171 units.

- b) conserve and upgrade existing low and moderate income housing stock;

The project replaces the existing five residential units with newly constructed replacement units. As such, the project provides a total of 28 on-site inclusionary affordable units.

- c) preserve buildings of architectural and historic importance and preserve the existing scale of development:

Although the project demolishes buildings of architectural and historic importance, the replacement project is compatible with the scale of development in the neighborhood.

- d) maintain sunlight in public spaces;

The project EIR determined that the project would not cause any shadow impacts on area parks and open spaces or any other significant shadow impacts. Further, analysis conducted pursuant to Section 295 of the Planning Code determined that no parks under the jurisdiction of Recreation and Parks Department would be impacted by the project.

- e) encourage new infill housing at a compatible density;

The project is an infill housing development in close proximity to various modes of transit, with additional options for walking and biking, at a density consistent with the special use district and compatible with the dense urban neighborhood

- f) limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area;

No tourist hotel is contemplated by the project.

- g) limit the number of commercial establishments which are not intended primarily for customers who are residents of the area.

The limited retail space proposed is compatible with other mixed-use projects in the area and of a scale that would be primarily intended to serve residents of the area.

4. **Additional Findings pursuant to Section 271(c)** establishes criteria for the Planning Commission to consider in addition to Section 303(c) when reviewing applications for a building's bulk limits to be exceeded. Section 270 of the Planning Code establishes the bulk districts and the maximum dimensions within each bulk district. Within the "T" bulk district, at a setback height established pursuant to Section 132.2, but no higher than 80 feet, the maximum plan dimension is established at 110 feet (plan length) and 125 feet (diagonal). The project exceeds these dimensions with a proposed diagonal of approximately 165 feet 6 inches and plan dimension of approximately 115 feet. Exceptions to the Section 270 bulk limits are permitted through Section 271. On balance, the Project does comply with said criteria in that:

- a. The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:
- i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

- ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;
 - iii. Differences in materials, colors or scales of the facades that produce separate major elements;
 - iv. Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and
 - v. In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.
- b. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:
- i. A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;
 - ii. Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;
 - iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and
 - iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The project's O'Farrell Street elevation is articulated to break the massing down into several distinct sections. The front façade of the 450 O'Farrell building would be retained and incorporated into the proposed project as a unique urban design feature and create a distinct entry to the O'Farrell Street retail use. The 13-story massing would be setback from the street/retained façade. The building component to the west will rise to eight stories and will house the church on the street level and residences above. The rest of the structure will be set back from O'Farrell Street, helping to reduce the building's massing at the street.

The proposed O'Farrell Street elevation references the tripartite composition characteristic of the district. Specifically, the existing 450 O'Farrell Street façade and the proposed church façade will be the base, the apartments will be the middle, and the parapet will define the top. The proposed base at the new church and at the Jones Street elevation will be further articulated as a two-part vertical composition with a high ground floor, similar to the bases of the adjacent and surrounding district contributors.

The articulation of the proposed façade along on O'Farrell Street will divide the façade in vertical subzones and will reflect the verticality of the nearby buildings by breaking up the horizontal form. The projecting precast concrete sections (rendered in white) with punched rectangular windows accentuate the elongated form of the building. On the western half of the elevation, the orientation of the rectangular windows strengthens verticality while adding rhythm to the façade, through application of an alternate

materials palette: non-reflective metal, spandrel panel and glazing system. The secondary façades, including the western setback and the Shannon Street elevation, will be relatively flat, broken by lines and projecting balconies on Shannon Street.

Continuous street walls are typical of the district. Along O'Farrell Street, the existing 450 O'Farrell Street façade will be retained. The 8-story building component to the west, which will be clad in a textured pre-clad concrete and will house the new church, will extend to the property line. In addition, the Jones Street elevation will also extend to the property line, creating a continuous street wall. This urban design move preserves and enhances the pedestrian environment since the required use of transparency at these elevations provides an openness for pedestrians and users.

The building's design is well-articulated in order to reduce the apparent massing and includes retention of a unique urban design feature as a device to orient the community. The site is within the Uptown Tenderloin National Register Historic District, and the new building has been determined compatible with the District and the character of the surrounding neighborhood, specifically the scale and size, composition, materials, and architectural details.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.10

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

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

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.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.3

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

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6

Respect the character of older development nearby in the design of new buildings.

OBJECTIVE 3:

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

Policy 3.1

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

Policy 3.5

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

OBJECTIVE 2:

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

Policy 2.1

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

OBJECTIVE 6:

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

Policy 6.4

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The Project is a high-density residential development at an infill site, providing 176 new dwelling units in a mixed-use area. The Project includes 28 on-site affordable housing units for rent, which assist in meeting the City's affordable housing goals. The Project is also in close proximity to ample public transportation.

The Project generally promotes the purpose of the North of Market Residential Special Use District through infill housing at compatible density. The project introduces 171 new residential units with on-site affordable units near downtown, provides five new replacement residential units on-site, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. Further, street improvements such as street trees and bicycle parking will further enhance the public realm, consistent with the better street plan policies in the General Plan.

The proposed new construction would produce high-quality architectural design that is compatible with the surrounding neighborhood and with the Uptown Tenderloin National Register Historic District, in which the site is located. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with neighboring 6- to 19-story development in close proximity to the site. In addition, the project maintains a sense of scale on the block through retaining a portion of the façade of the 450 O'Farrell building, which is to be incorporated into the new building. The Project would provide a new religious facility that will enable an existing church, which in its current location has been located at this site for more than 90 years, to continue to be located within the community and provide updated, code compliant, and expanded religious instructional and outreach facilities, while salvaging and reusing certain features of the building's interior elements.

The project, on balance, promotes the policies and objectives of the General Plan by locating housing for all at a mixed-use infill development site, with neighborhood-serving commercial, and at a density to support it, where households can easily rely on public transportation, walking and bicycling for a majority of daily trips.

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

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

The project proposes demolishing the existing restaurant and retail spaces, and replacing those with new retail spaces that are consistent in size and intensity with the rest of the block. The overall retail space proposed is less than 4,000 square feet, thereby creating opportunities for residents while not diminishing the residential nature of the mixed-use block.

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

The project introduces 171 new residential units with on-site affordable units near downtown, provides five new replacement residential units as on-site affordable units, proposes less than 4,000 square feet of ground floor commercial which can support existing and new residents, and does not shade public open spaces. Although the proposal does not preserve historic architectural resources, the new building scale, materials and architectural features are compatible with the surrounding neighborhood character and buildings. The Project will activate O'Farrell Street with the re-located church site and retail use, Shannon Street with the residential lobby, and Jones Street with additional retail use. The new building will reflect the characteristic pattern which gives to the City and its neighborhood an image, sense of purpose, and a means of orientation; and, moderating major new development to complement the City pattern, by providing a new, mixed-use development consistent with neighboring 6- to 19-story development in close proximity to the site.

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

The project proposes to replace the five existing residential units, none of which are deed-restricted affordable units but are presumed to be subject to the Rent Stabilization and Arbitration Ordinance, with 176 total residential units, 28 of which are designated on-site affordable housing. As a result, the project creates an increase in the City's supply of affordable housing.

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

The Project Site is served by nearby public transportation options. The Project site is very accessible by public transit, with multiple public transit alternatives (MUNI Bus lines 2-Clement, 3-Jackson, 27-Bryant, 31-Balboa, 38-Geary, 38R-Geary Rapid, and 45-Union/Stockton; Powell Street and Civic Center BART/MUNI) within close walking distance. Additionally, the Project site is directly adjacent to O'Farrell and Jones Streets, both major thoroughfares which provide ready access to those driving. Parking is available either along surrounding neighborhood streets or within the proposed below grade parking garage. This garage has up to 46 parking spaces, of which 10 parking spaces will be dedicated to churchgoers, and one car share space, in addition to 125 Class 1 and Class 2 bicycle spaces. Given the accessibility of the project site, and the limited retail uses proposed, the project will not create community traffic that impedes MUNI service or overburdens the streets.

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

The Project does not include commercial office development. Although the Project would remove a small existing service sector use, the Project does provide new housing, which is a top priority for the City and proposes replacement of ground floor commercial retail space.

- 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.

Part of the project includes demolition of a building (450 O'Farrell Street) determined individually eligible for the California Register of Historic Resources. In certifying the Project's Environmental Impact Report (EIR), the Planning Commission adopted a Statement of Overriding Considerations, Motion No. 20280 finding that the impacts of demolition of the individual historic architectural resource are outweighed by the benefits of the Project. The proposed new construction would produce high-quality architectural design that is compatible with the Uptown Tenderloin National Register Historic District, in which the site is located.

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

A shadow analysis prepared by CADP (dated January 21, 2016) determined that the Project would not cast any net new shadow on nearby open spaces or spaces under the jurisdiction of the Recreation and Parks Department (Boeddeker Park and Tenderloin Recreation Center).

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2013.1535ENVCUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 28, 2018, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

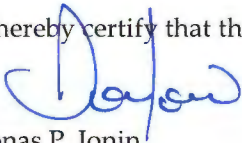
The Planning Commission has reviewed and considered the FEIR and the record as a whole and hereby adopts the CEQA findings contained in Planning Commission Motion No. 20280, incorporated herein as part of this motion, by this reference thereto, and the MMRP attached to Motion No. 20280 as Exhibit B and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the FEIR and contained in the MMRP are included as conditions of approval.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 13, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore

NAYS: Richards

ABSENT: None

ADOPTED: September 13, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a mixed-use residential and institutional use building with ground floor commercial and below grade parking located at 450-474 O'Farrell Street and 532 Jones in Lots 007, 009 and 011 of Block 0317 pursuant to Planning Code Section(s) 303, 304, 317, 253, 249.5, and 271 within the RC-4 District and North of Market Residential Special Use District and a 80-T-130-T Height and Bulk District; in general conformance with plans, dated June 28, 2018, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1535ENVCUA and subject to conditions of approval reviewed and approved by the Commission on September 13, 2018, under Motion No. 20281. 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 September 13, 2018 under Motion No. 20281.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20281 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

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

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

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

Chapter 116 Residential Projects. The Project Sponsor shall comply with the "Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects," which were recommended by the Entertainment Commission on August 25, 2015. These conditions state:

7. **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.
8. **Sound Study.** Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.
9. **Design Considerations.**
 - a. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
 - b. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE's operations and noise during all hours of the day and night.
10. **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.
11. **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

DESIGN – COMPLIANCE AT PLAN STAGE

12. **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

- a. **Façade and Colonnade.** Prior to issuance of the site permit architectural addendum, the Project Sponsor shall work with the Planning Department to redesign the lower levels of the southeast corner of the Project to eliminate the existing 450 O'Farrell Street façade and colonnade and replace it with a contemporary but compatible design that maintains the project's references to the character-defining features of the surrounding district, including the ground-floor storefront height, tripartite façade composition, organization of building into vertical masses, punched window openings, and material uses, ensuring the project's compatibility with the Uptown Tenderloin National Register Historic District in terms of size and scale, composition and materials.

13. **Final Design.** The final design shall be presented to the Planning Commission at a future Informational hearing at a regularly scheduled hearing of the Planning Commission.

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

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

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

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

16. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

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

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

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

18. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.

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

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

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

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

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

20. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

21. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to

implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

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

22. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans if applicable as determined by the project planner. Odor control ducting shall not be applied to the primary façade of the building.

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

PARKING AND TRAFFIC

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

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

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

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

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

25. **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

26. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than **125** bicycle parking spaces (**116** Class 1 spaces for the residential portion of the Project and **9** Class 1 or 2 spaces for the commercial portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

27. **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

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

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

29. **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

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

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

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

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

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

- a) **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households. Further, pursuant to Planning Code Section 415.6(a)(9), the project is required to replace five affordable units existing at the site and that will be removed with units of comparable number of bedrooms and sales prices or rents, in addition to compliance with the requirements set forth in Planning Code Section 415. Therefore, the Project is required to provide 16% of the proposed dwelling units as affordable to qualifying households. The Project contains 176 newly constructed units, of which five units are replacement units; therefore, 28 affordable units are currently required, five of which are the affordable replacement units. The Project Sponsor will fulfill this requirement by providing the 28 affordable units on-site. If the number of market-rate units change, the number of required affordable units, twenty-three (23), shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD"). If the number of existing units to be removed changes, which is currently five (5) units, the number of replacement affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

- b) **Unit Mix.** The Project contains newly constructed: 40 studios, 69 one-bedroom, and 62 two-bedroom units; therefore, the required affordable unit mix at 13.5% is 5 studios, 9 one-bedroom, and 9 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD. In addition, the project includes replacement of five affordable studio units currently existing at the site; therefore, the required affordable replacement is five affordable studio units. If the number of units to be removed changes, which is currently five (5) units, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

- c) **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

- d) **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than sixteen (16%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

- e) **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

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

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

- i. 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.

- ii. If the units in the building are offered for rent, the affordable unit(s) shall be rented to low-income households, as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- iii. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- iv. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- v. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- vi. 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 that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project.
- vii. 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.

- viii. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

MONITORING - AFTER ENTITLEMENT

33. **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
34. **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

35. **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>
36. **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

37. **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

450

O'FARRELL

450

O'FARRELL

Motion No. 20281
Attachment B



28 JUNE 2018

DLR Group | KwanHenmi

Cover

AP1.00



Urban Location

NTS



Neighborhood Location

NTS

Sheet List

AP1.00	-	Cover
AP1.01	-	Location Maps and Sheet List
AP1.02	-	Material Palette
AP1.03	-	Survey
AP1.04	-	Site Plan (Existing)
AP1.05	-	Site Plan (Proposed)
AP1.06	-	Site Aerial Photo
AP1.07	-	Streetscape Plan
AP1.08	-	Context Photos
AP1.09	-	Project Data
AP1.10	-	Typical Units
AP1.11	-	Bike Parking Access
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AP2.00	-	Floor Plan - Level P1
AP2.01	-	Floor Plan - Level 1
AP2.02	-	Floor Plan - Level 2
AP2.03	-	Floor Plan - Level 3
AP2.04	-	Floor Plan - Level 4
AP2.05	-	Floor Plan - Level 5
AP2.06	-	Floor Plan - Level 6
AP2.07	-	Floor Plan - Level 7-9
AP2.10	-	Floor Plan - Level 10
AP2.11	-	Floor Plan - Levels 11-13
AP2.14	-	Roof Plan
<hr/>		
AP3.01	-	Elevation - O'Farrell Street
AP3.02	-	Elevation - Shannon Street
AP3.03	-	Elevation - Jones Street
<hr/>		
AP3.11	-	Building Section - Transverse
AP3.12	-	Building Section - Longitudinal
<hr/>		
AP4.01	-	Building Detail - Precast
AP4.02	-	Building Detail - Window Wall and Balconies
<hr/>		
AP5.01	-	View - O'Farrell from East
AP5.02	-	View - O'Farrell and Shannon
AP5.03	-	View - O'Farrell and Shannon
AP5.04	-	View - O'Farrell and Jones
AP5.05	-	View - Jones Street
<hr/>		
AP6.01	-	Axonometric - from Southeast
AP6.02	-	Axonometric - from Southwest
<hr/>		
AP7.01	-	Rendering - O'Farrell Street from West (Day) - Closeup
AP7.02	-	Rendering - O'Farrell Street from West (Day)
AP7.03	-	Rendering - O'Farrell Street from East (Day) - Closeup
AP7.04	-	Rendering - O'Farrell Street from East (Day)
AP7.05	-	Rendering - O'Farrell Street from East (Night) - Closeup
AP7.06	-	Rendering - O'Farrell Street from East (Night)

Notes:

- 1 - Parking in the basement is unbundled per SF Planning Code Section 167
- 2 - Bird safe glazing per SF Planning Code Section 139 is not required on this project.

450 O'FARRELL

Project Sponsors:

450 O'Farrell Partners LLC
39 Forrest Street
Suite 201
Mill Valley, CA 94941
Contact: Tyler Evje
Tel: 415 569 4554
Email: TE@thompsondorfman.com

Fifth Church of Christ, Scientist
450 O'Farrell Street
San Francisco, CA 94102
Contact: Ela Strong
Tel: 510 579 4179
Email: ela@elastrong.com

Architect:

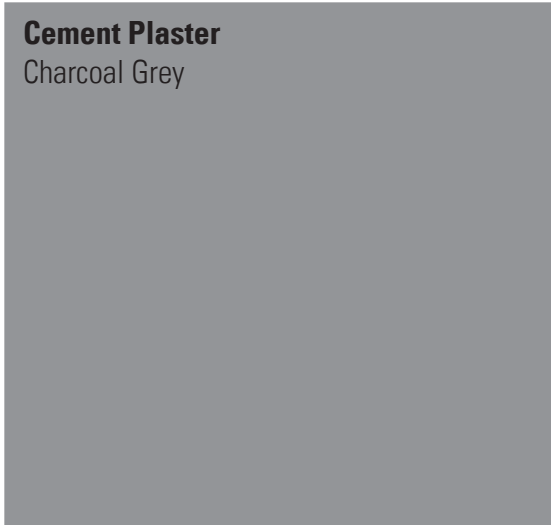
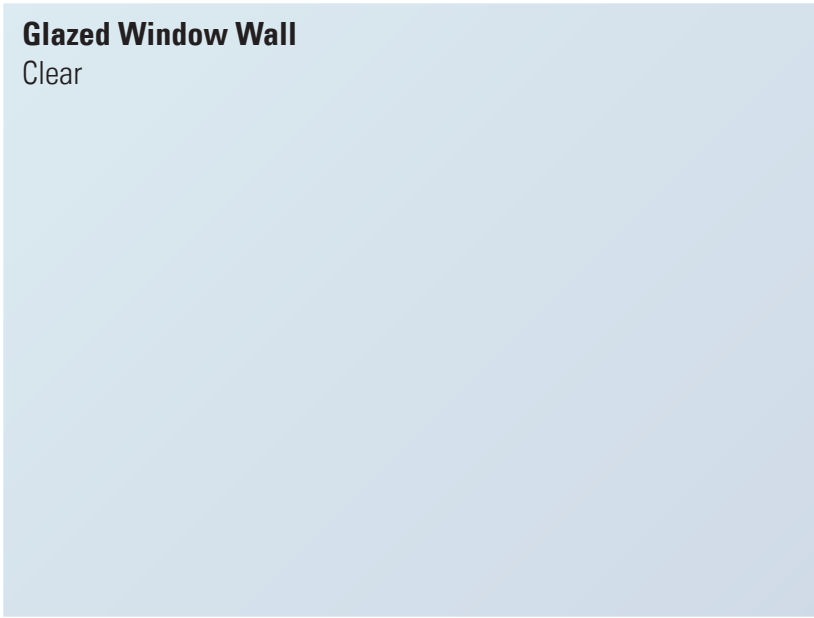
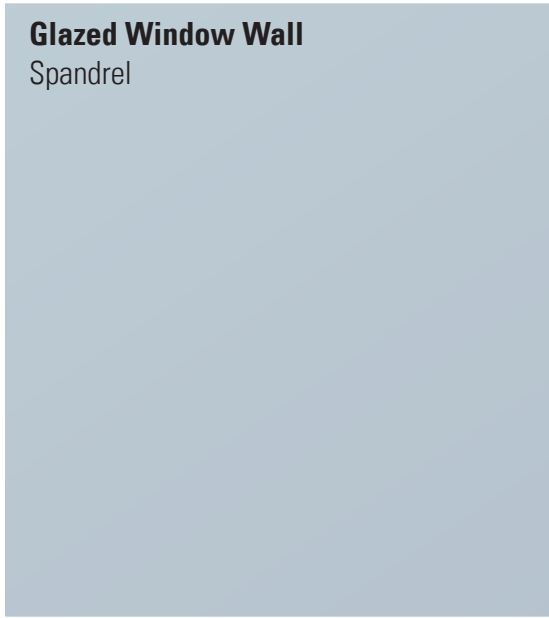
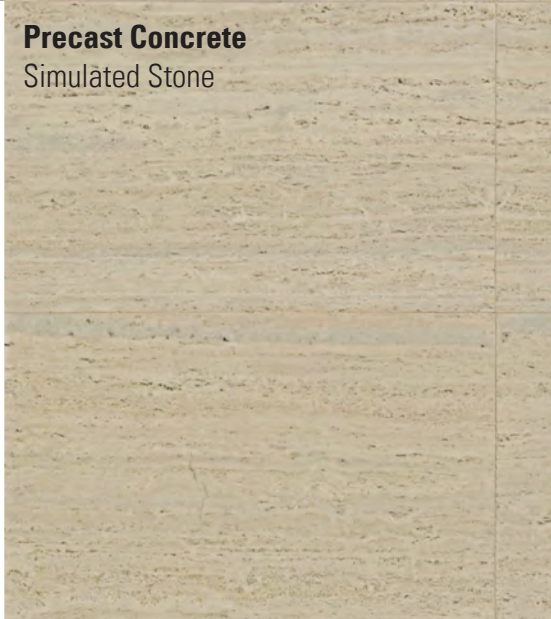
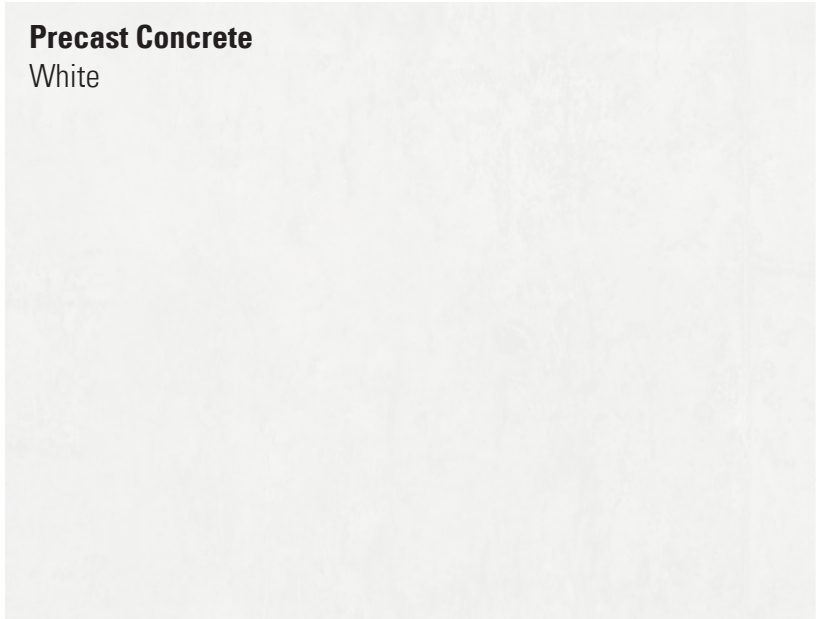
DLR Group|Kwan Henmi
456 Montgomery Street
Suite 200
San Francisco, CA 94104
Contact: Dan Spotswood-Moberly
Tel: 415 901 7230
Fax: 415 777 5102
Email: dspotswood-moberly@dlrgroup.com

28 JUNE 2018

 DLR Group|KwanHenmi

Location Maps
and Sheet List

AP1.01



Material Palette

- Precast Concrete**
- White
 - Simulated Stone

- Glazed Window Wall**
- Clear
 - Spandrel

- Metal Panel**
- Charcoal Grey

- Cement Plaster**
- Charcoal Grey

28 JUNE 2018

450 O'FARRELL

JASON KIRCHMANN PLS 8806



450 & 474 O'FARRELL STREET AND 532 JONES STREET, SAN FRANCISCO
APN 0317-007, 0317-009, & 0317-011

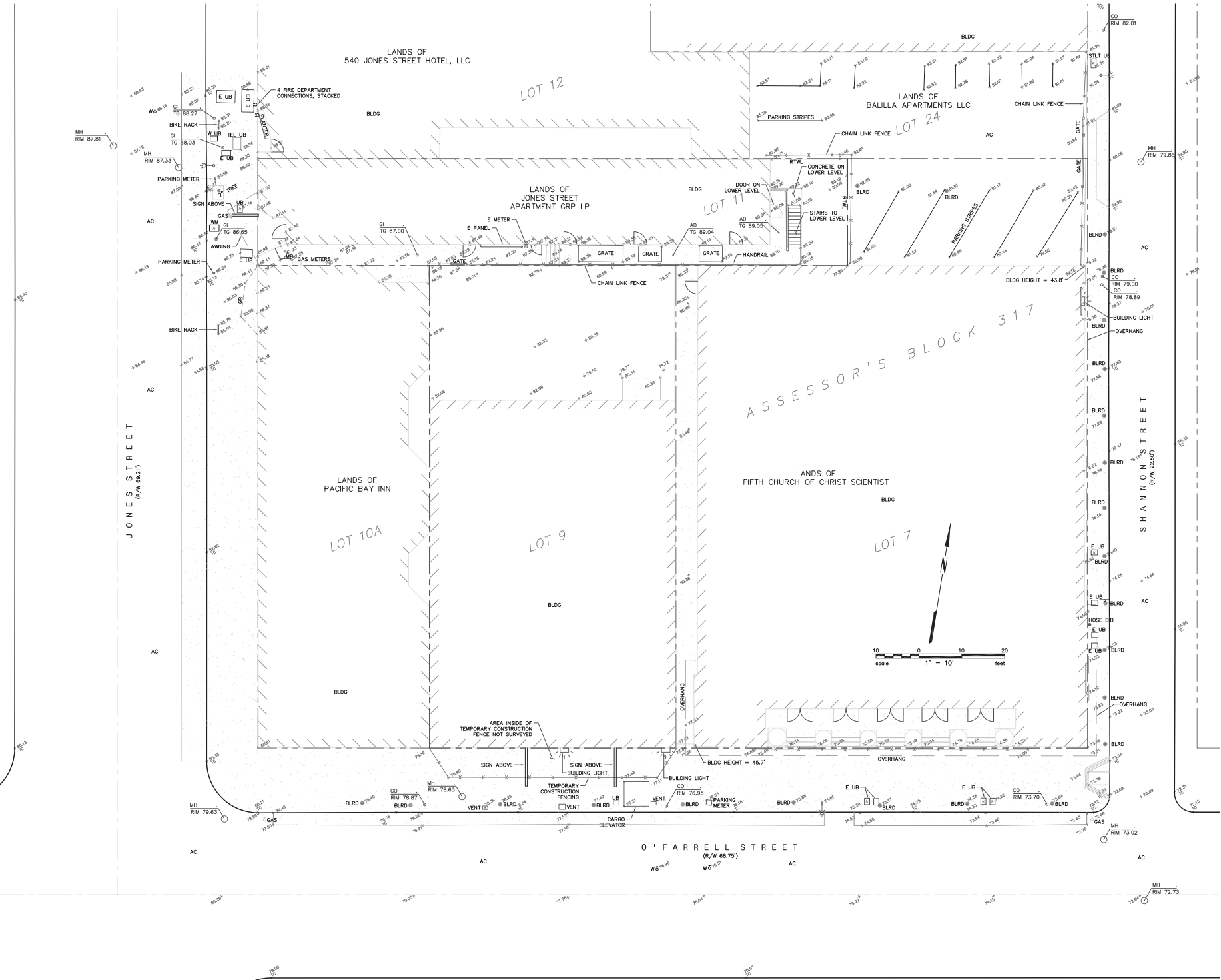
TOPOGRAPHIC MAP

28 JUNE 2018

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Survey

AP1.03



ABBREVIATIONS

- AC ASPHALT CONCRETE
- AD AREA DRAIN
- APN ASSESSOR'S PARCEL NUMBER
- BLRD BUILDING
- BLRD BOLLARD
- CO CLEANOUT
- E ELECTRIC
- GB GRADE BREAK
- GI GRADE INLET
- MB MAILBOX
- MH MANHOLE
- RTWL RETAINING WALL
- SQFT SQUARE FEET
- TC TOP FACE OF CURB
- TG TOP OF GRADE
- TEL TELECOMMUNICATIONS
- UB UTILITY BOX
- W WATER
- WM WATER METER

SYMBOLS & LEGEND

- EXISTING
 - SIGN
 - VALVE
 - FIRE DEPARTMENT CONNECTION
 - MANHOLE
 - CLEANOUT
 - STREET LIGHT
 - TREE
- PROPERTY LINE
- GRADE BREAK
- BUILDING LINE
- CONCRETE

TOPOGRAPHIC NOTES

UNAUTHORIZED CHANGES & USES: THE PROFESSIONAL PREPARING THIS MAP WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THIS MAP. CHANGES TO THIS MAP MUST BE REQUESTED IN WRITING AND MUST BE APPROVED BY THE PROFESSIONAL.

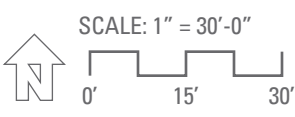
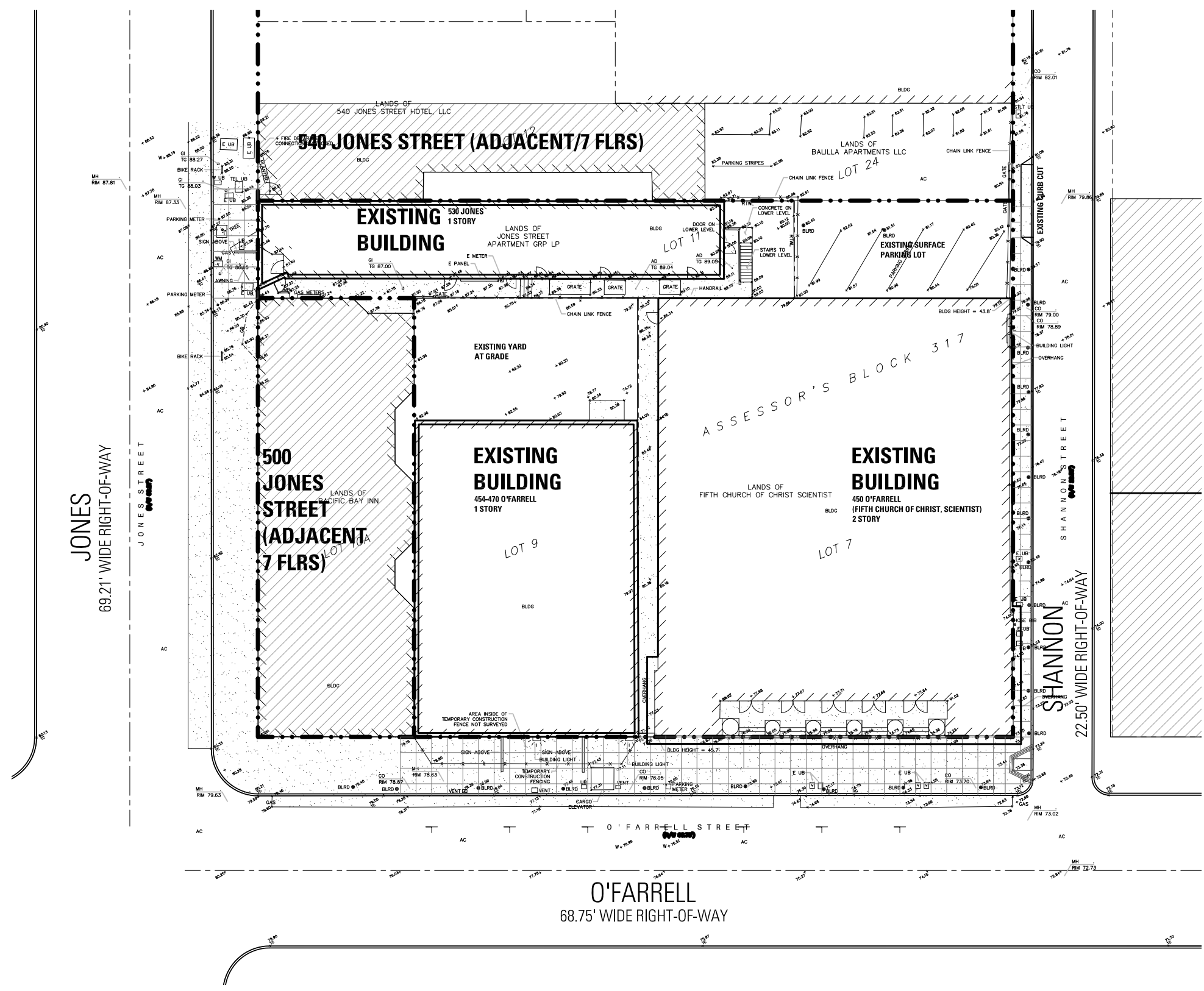
TREE DIAMETERS ARE MEASURED AT CHEST HEIGHT (48"). DRIPLINE DIAMETERS AND TREE SPECIES ARE APPROXIMATE ONLY AND SHOULD BE VERIFIED BY A CERTIFIED TREE ARBORIST.

BENCHMARK: 91.99' AT A CROW CUT AT THE OUTER RIM OF A STORM WATER INLET AT THE NORTHEAST CORNER OF THE INTERSECTION OF JONES STREET AND O'FARRELL STREET.

FIELD SURVEY DATE: 08/07/14 - 04/24/15

Site Plan

450
O'FARRELL



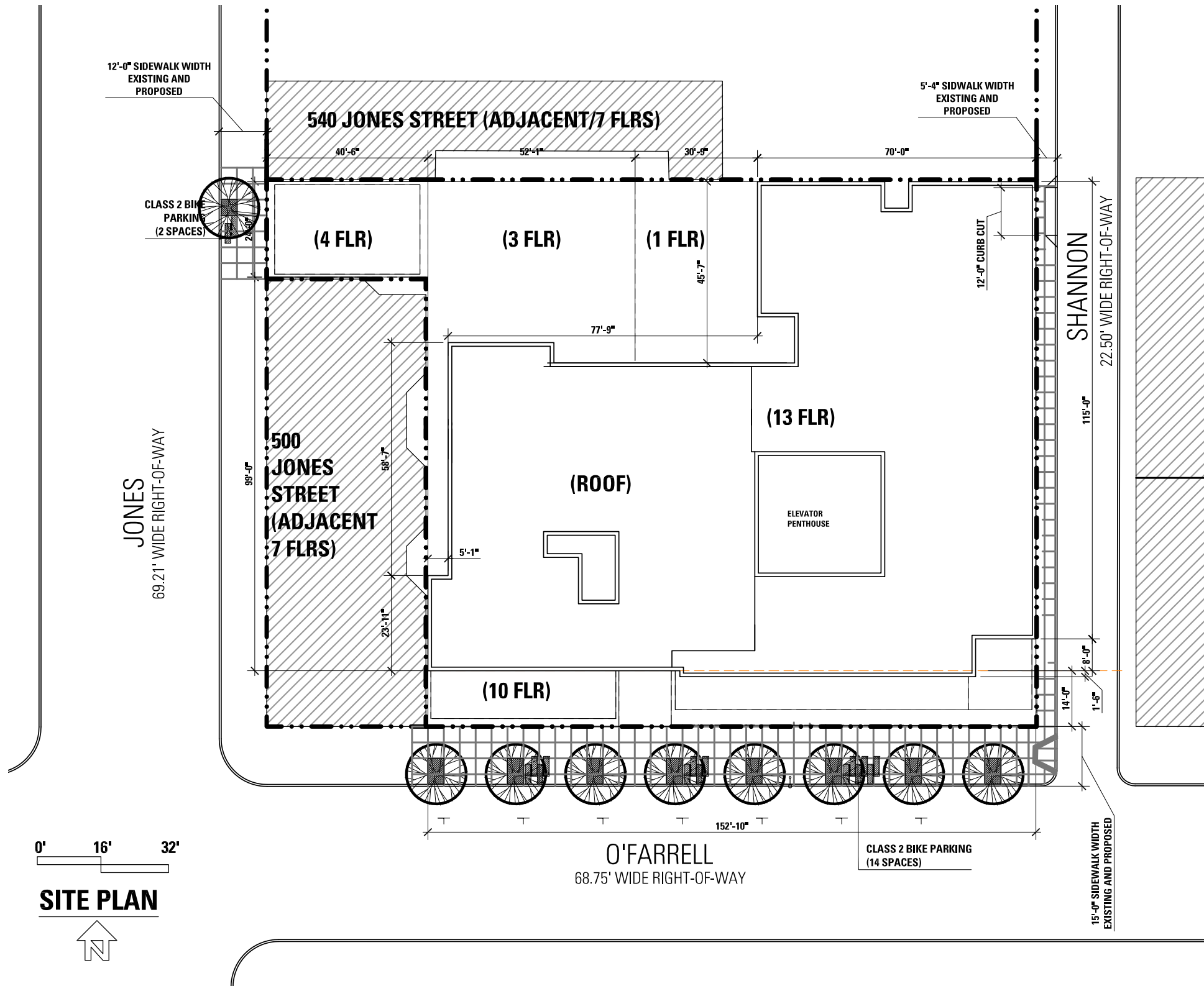
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Site Plan (Existing)

AP1.04

450
O'FARRELL



SCALE: 1" = 30'-0"



0' 15' 30'

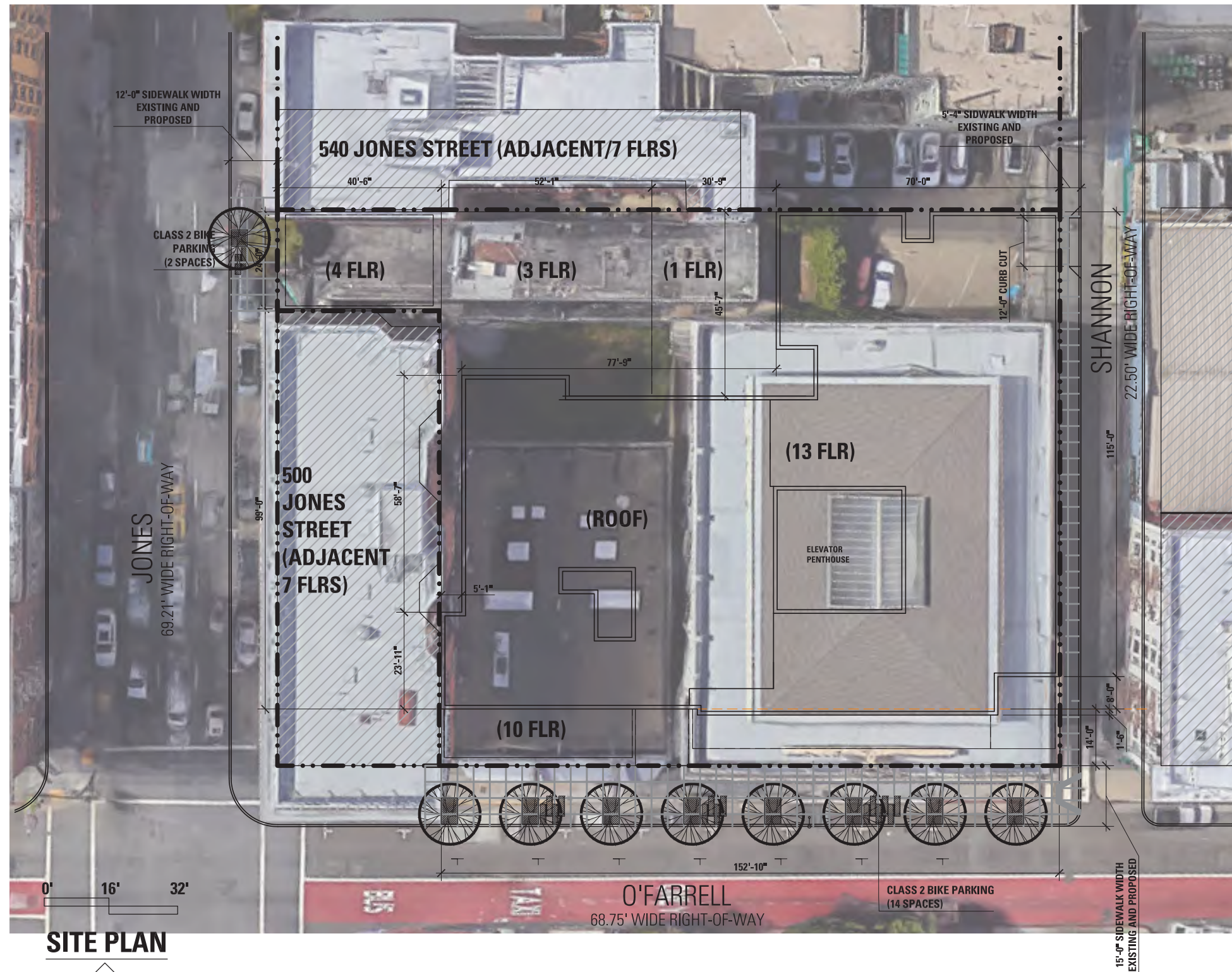
28 JUNE 2018

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Site Plan (Proposed)

AP1.05

450 O'FARRELL



SCALE: 1" = 30'-0"

0' 15' 30'

28 JUNE 2018

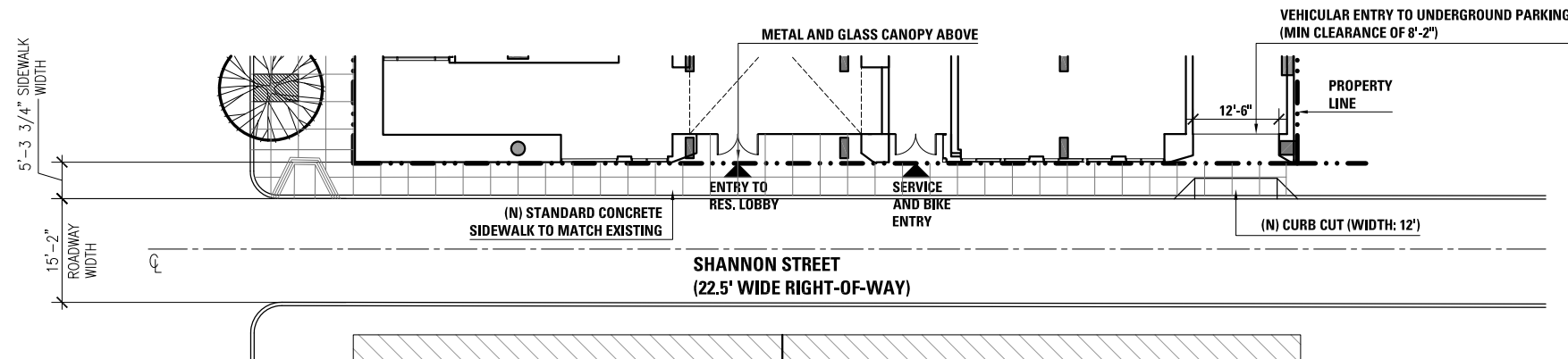
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Site Aerial Photo

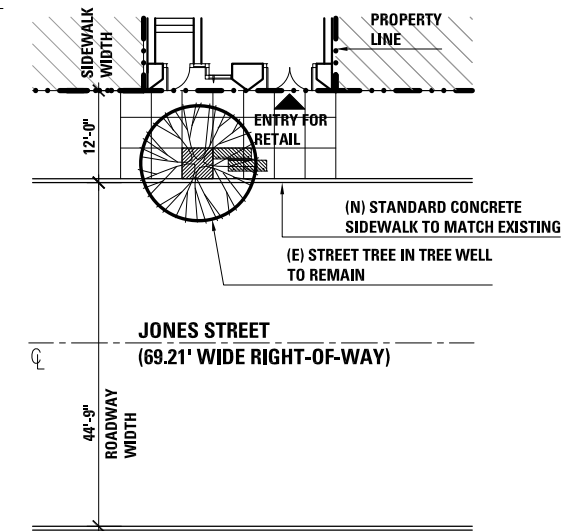
AP1.06

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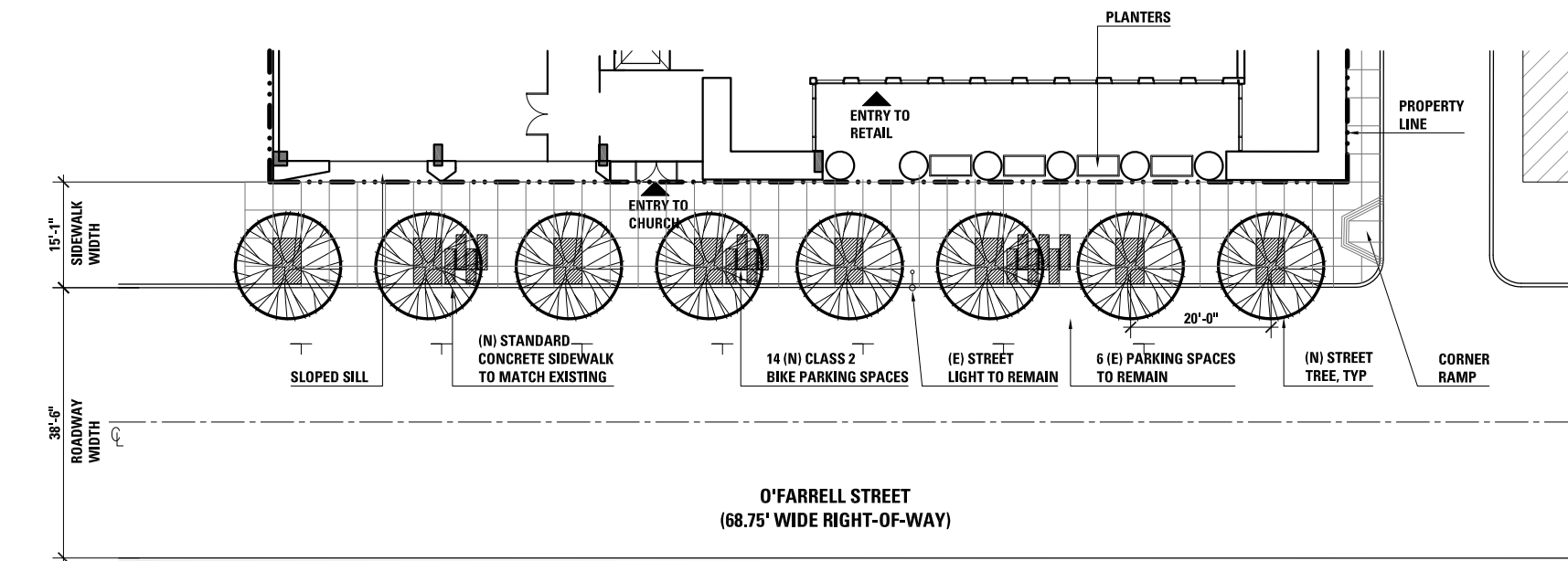
O'FARRELL



2 STREETScape - SHANNON



3 STREETScape - JONES



1 STREETScape - O'FARRELL

28 JUNE 2018

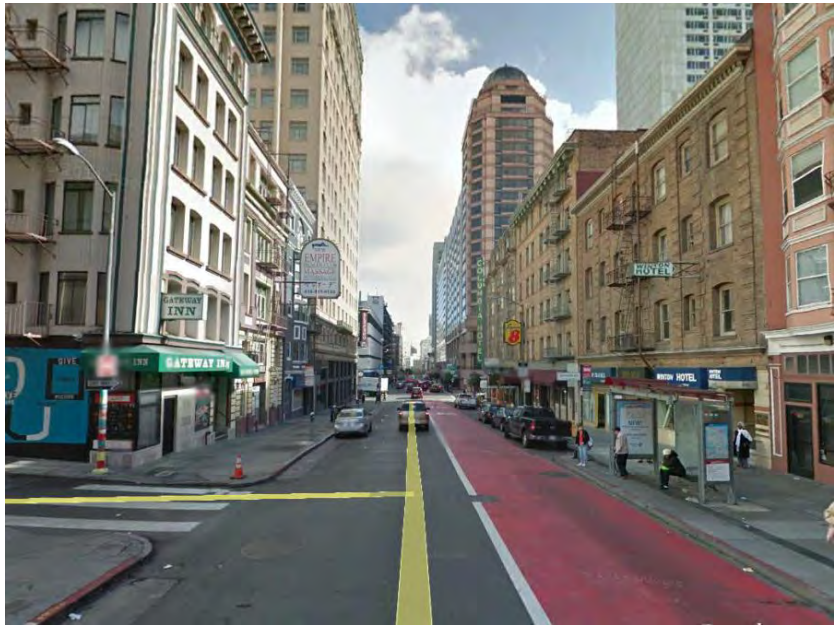
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Streetscape Plan

AP1.07



3



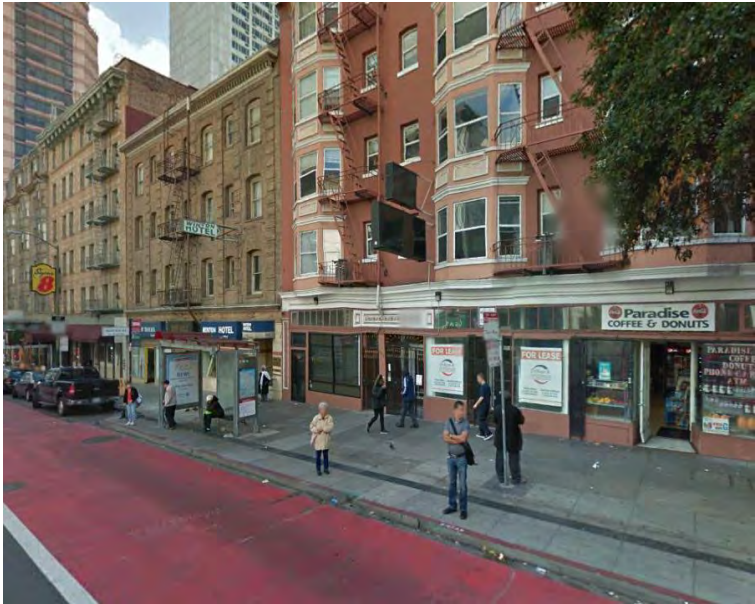
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5



1



2



PHOTO KEY

450

O'FARRELL

28 JUNE 2018

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Context Photos

AP1.08

Project Data

Unit Count and Area Tabulation

Level	Gross Area	Rentable *	Retail	Church
Basement	22,105			
1	21,080		3,057	6,765
2	8,290	6,050	770	
3	14,415	9,210		2,790
4	16,300	11,080		
5	15,430	13,090		
6	15,295	12,960		
7	15,420	12,960		
8	15,420	12,960		
9	15,420	12,960		
10	14,745	12,360		
11	14,745	12,360		
12	14,745	12,360		
13	14,745	12,360		
Totals	218,155	140,710	3,827	9,555

* Net of Circulation, Hallways, etc.

S	Jr1	1	2	Total
0	0	0	0	
3	0	2	3	8
1	2	3	5	11
1	1	6	5	13
1	3	6	6	16
1	3	6	6	16
1	3	6	6	16
1	3	6	6	16
1	3	6	6	16
1	3	7	5	16
1	3	7	5	16
1	3	7	5	16
1	3	7	5	16
14	30	69	63	176
8.0%	17.0%	39.2%	35.8%	100.0%

Jr 1	ST	Jr 1	ST	Jr 1	Jr 1	1 BR	1 BR	2 Bed	1 BR	1 BR	1 BR	1 BR	1 BR	1 BR	1 BR+	1 BR	1 BR+	2 Bed	2 Bed	2 Bed	2 Bed	2 Bed
550	470	630	510	650	710	660	790	930	700	730	770	850	600	840	700	830	1,040	960	1,070	1,130	1,210	
S1	S2	S3	S4	S5	S6	A1	A1'	A1''	A2	A3	A3'	A3''	A4	A5	A6	A8	B1	B3	B4	B5	B6	
	1		2					1				1			1		2					
	1			1	1			1		1		1			1		2	1		1		
	1	1					1		1	1		1			1	1	2	1		1	1	
3	1						1		1	1	1				1	1	2	1	1	1	1	
3	1					1			1	1	1				1	1	2	1	1	1	1	
3	1					1			1	1	1				1	1	2	1	1	1	1	
3	1					1			1	1	1				1	1	2	1	1	1	1	
3	1					1			1	1	1		1	1	1		2	1	1	1		
3	1					1			1	1	1		1	1	1		2	1	1	1		
3	1					1			1	1	1		1	1	1		2	1	1	1		
3	1					1			1	1	1		1	1	1		2	1	1	1		
3	1					1			1	1	1		1	1	1		2	1	1	1		
27	12	1	2	1	1	8	2	2	10	11	9	3	4	4	12	6	24	11	9	11	6	

Count of Units which
Require Sec 140

0
0
4
4
4
1
1
1
1
1
1
1
1
1
1
21

Total Units

450
O'FARRELL

Rear Yard

Site Area	22,105 sf
Rear Yard Required	5,526 sf (22,105 x .25)
Rear Yard Provided	3,773 sf (Levels 2 and 4 Combined)

Residential Amenity Area

Level 1 (Lobby)	1,944 sf
Level 4	2,497 sf
Total	4,441 sf

Retail Area

Retail Space 1 (Facing O'Farrell)	3,057 sf
Retail Space 2 (Facing Jones) (Enters at Grade from Jones)	770 sf
Total	3,827 sf

Church Area

Lower Level (Level 1)	6,765 sf
Upper Level (Level 3)	2,790 sf
Total	9,555 sf

Parking

Cars	
Resident Typ	29 sp
Resident Accessible	1 sp (1 or 2% of typ spaces)
Accessible Typ	0 sp
Accessible Van	1 sp (1 per 8 accessible)
Car Share	1 sp
Church Use Typ	9 sp
Church Use Accessible	1 sp (1 or 2% of typ spaces)
Accessible Typ	0 sp
Accessible Van	1 sp (1 per 8 accessible)
Total	41 sp (All Inclusive)

Open Space

Requirement	Zone: RC-4		
Private	176 Units	36 sf	6,336 sf
OR			
Common		48 sf	8,427 sf
Provided			
Private			
Counted Area		Counted Area	Actual Area
Private Decks - Rear yard @Level 2	(4 units)	144 sf	1,500 sf
O'Farrell Setback Deck @ Level 10	(2 units)	72 sf	510 sf
Behind Colonnade West @ Level 4	(1 unit)	36 sf	110 sf
Behind Colonnade East @ Level 4	(1 unit)	36 sf	110 sf
Private Total		288 sf	2,230 sf
Provides for	8 units		N/A
Common			
Courtyard @ Level 4		2,271 sf	
Roof Deck		5,800 sf	
Common Total		8,071 sf	
Provides for	168 units		

Bicycles

Resident Use		
Class 1	119 sp	(100 spaces + 1 for every 4 units above 100)
Class 2	9 sp	(1 spaces for every 20 units)
Church Use		
Class 1	5 sp	(5 for facilities <500 guests)
Class 2	1 sp	(1 per 500 seats or for every portion of each 50 person capacity)
Commercial Use (Eating/Drinking)		
Class 1	1 sp	(1 per 7500 sf of area)
Class 2	6 sp	(1 per 750 sf of area, min 2)

Total Class 1	125 sp
Total Class 2	16 sp

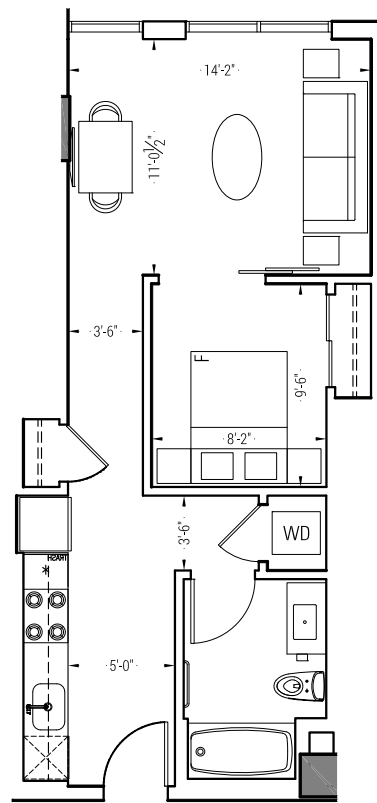
28 JUNE 2018



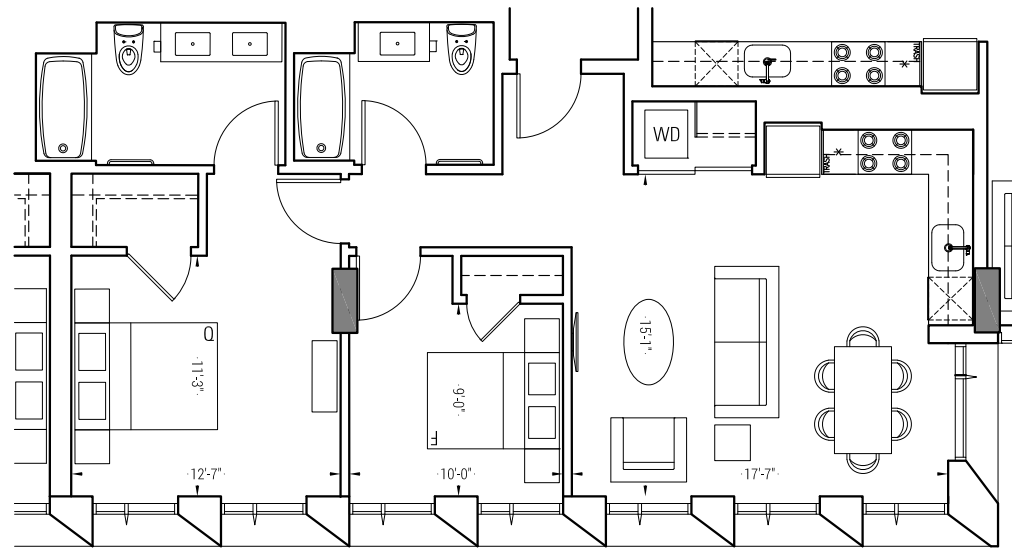
Project Data

AP1.09

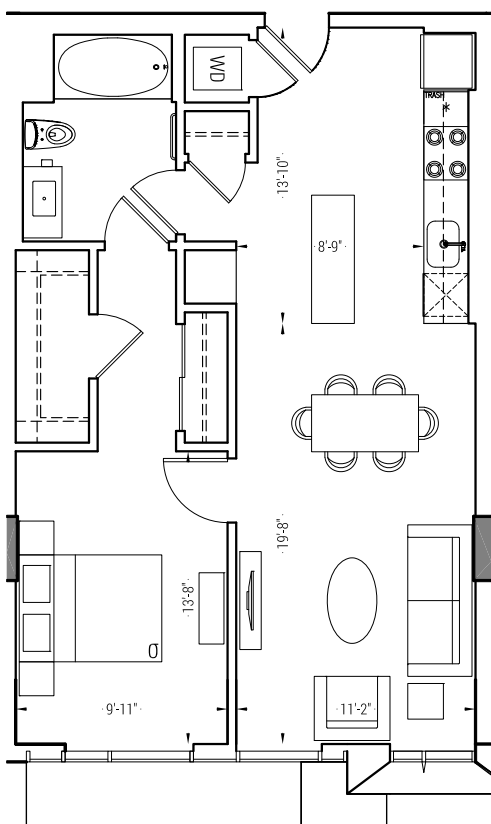
Typical Units



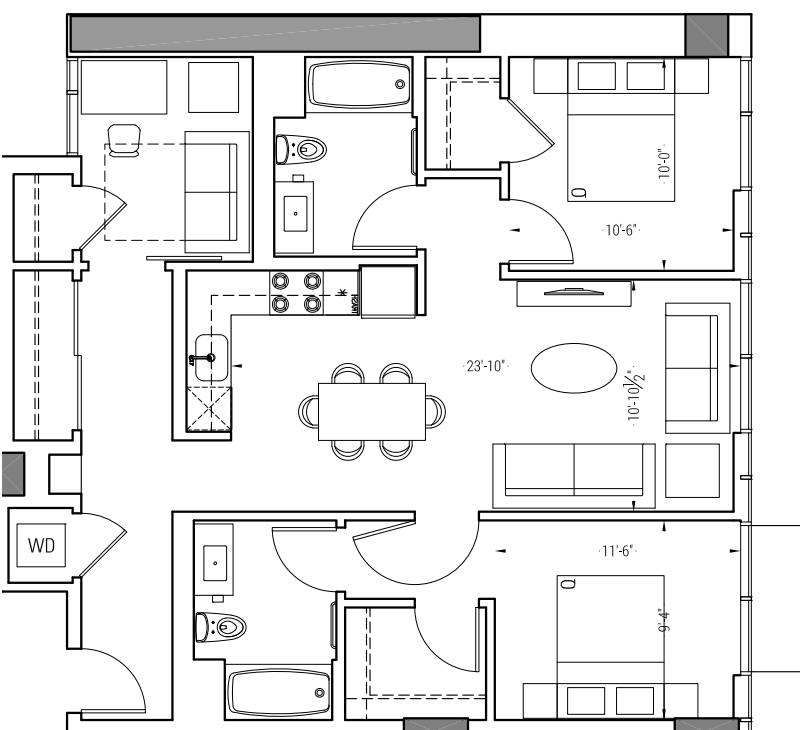
Unit Type S1 (Jr 1 Bed)



Unit Type B3 (2 Bed)



Unit Type A3 (1 Bed)



Unit Type B1 (2 Bed)

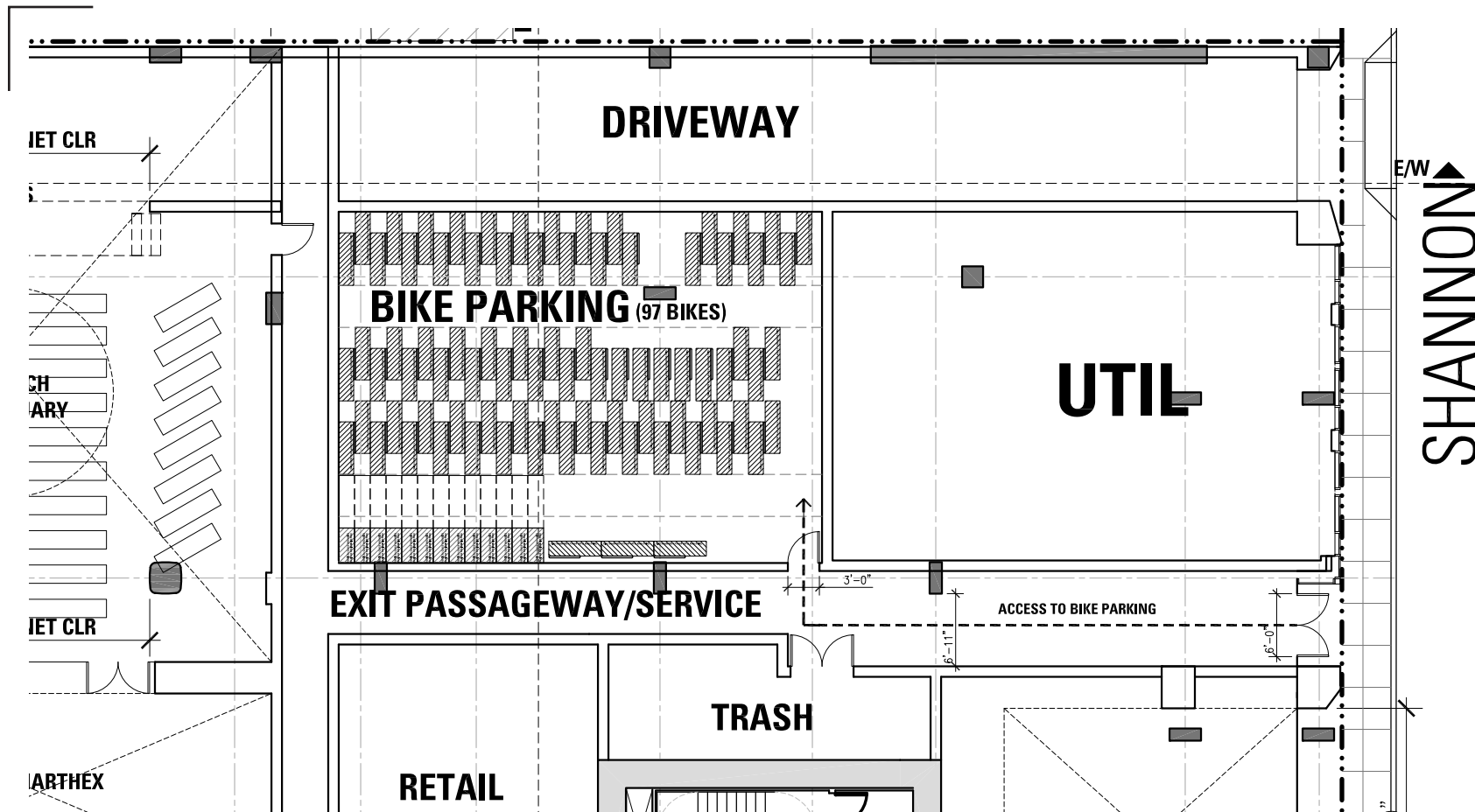
450
O'FARRELL

28 JUNE 2018

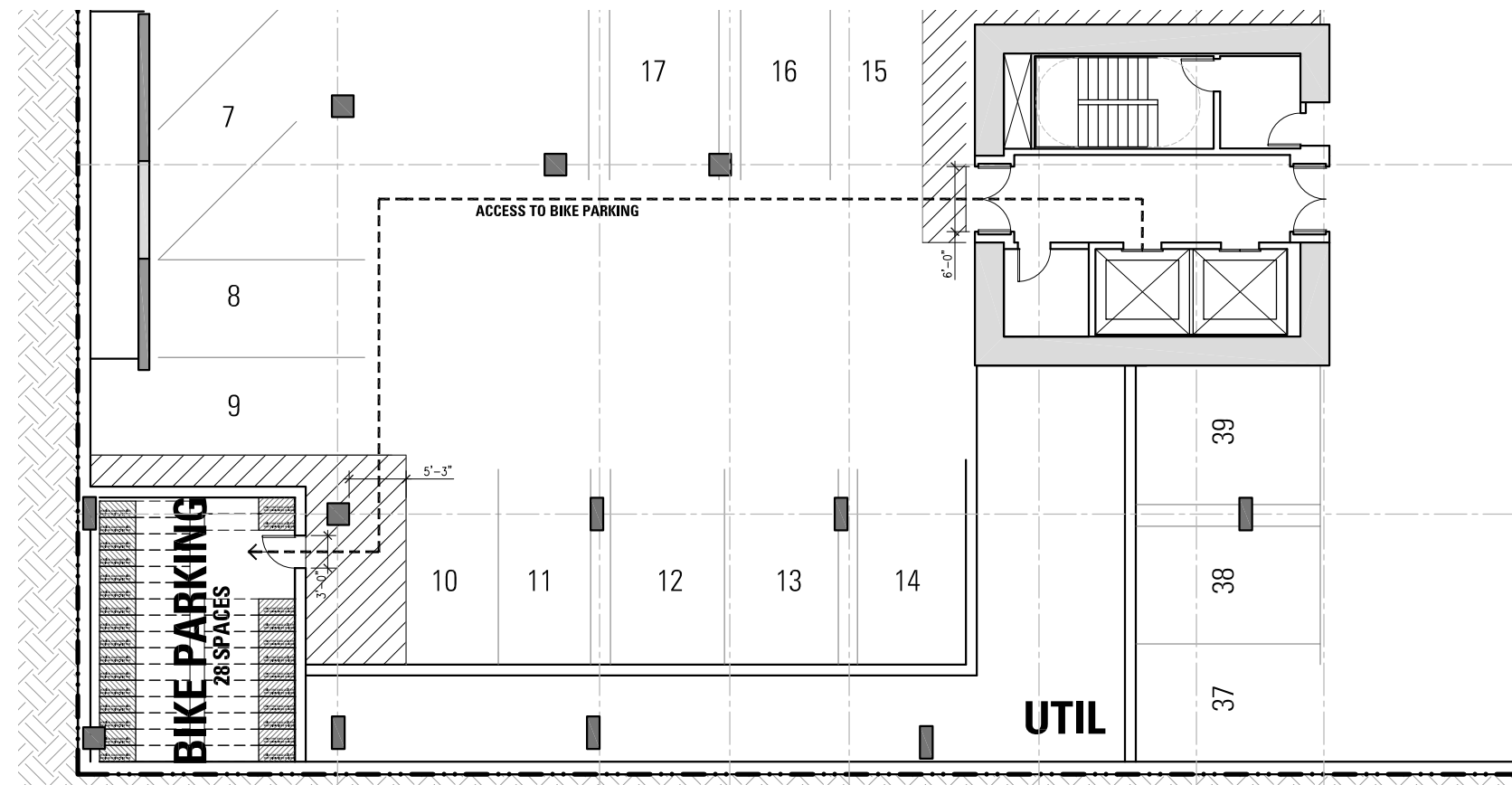
DLR Group | KwanHenmi

Typical Units

AP1.10



BIKE PARKING ACCESS PATH - LEVEL 1



BIKE PARKING ACCESS PATH - LEVEL P1

450
O'FARRELL

28 JUNE 2018

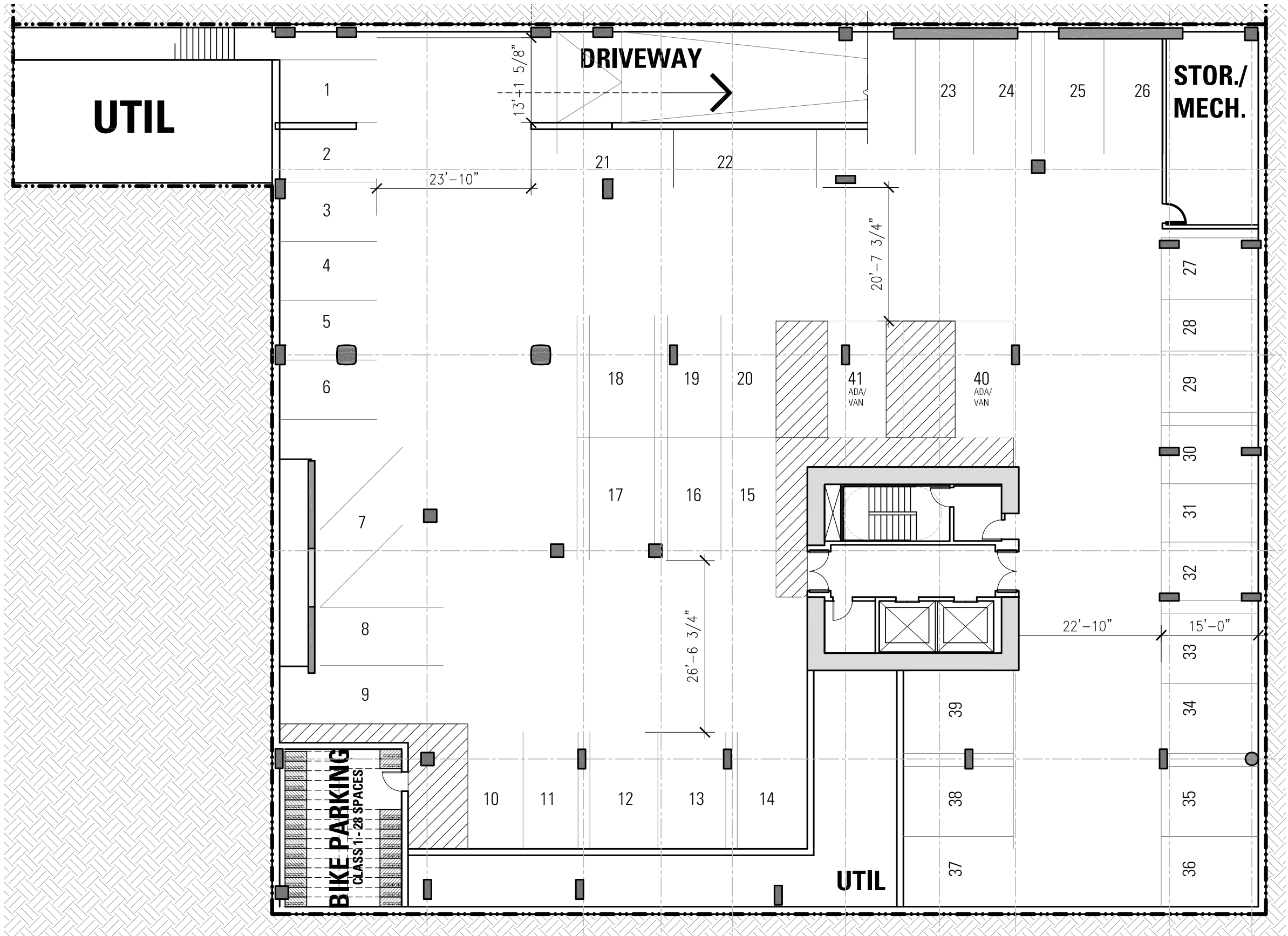
DLR Group | KwanHenmi

Bike Parking Access

AP1.11

450

O'FARRELL



NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

SCALE: 1" = 16'-0"

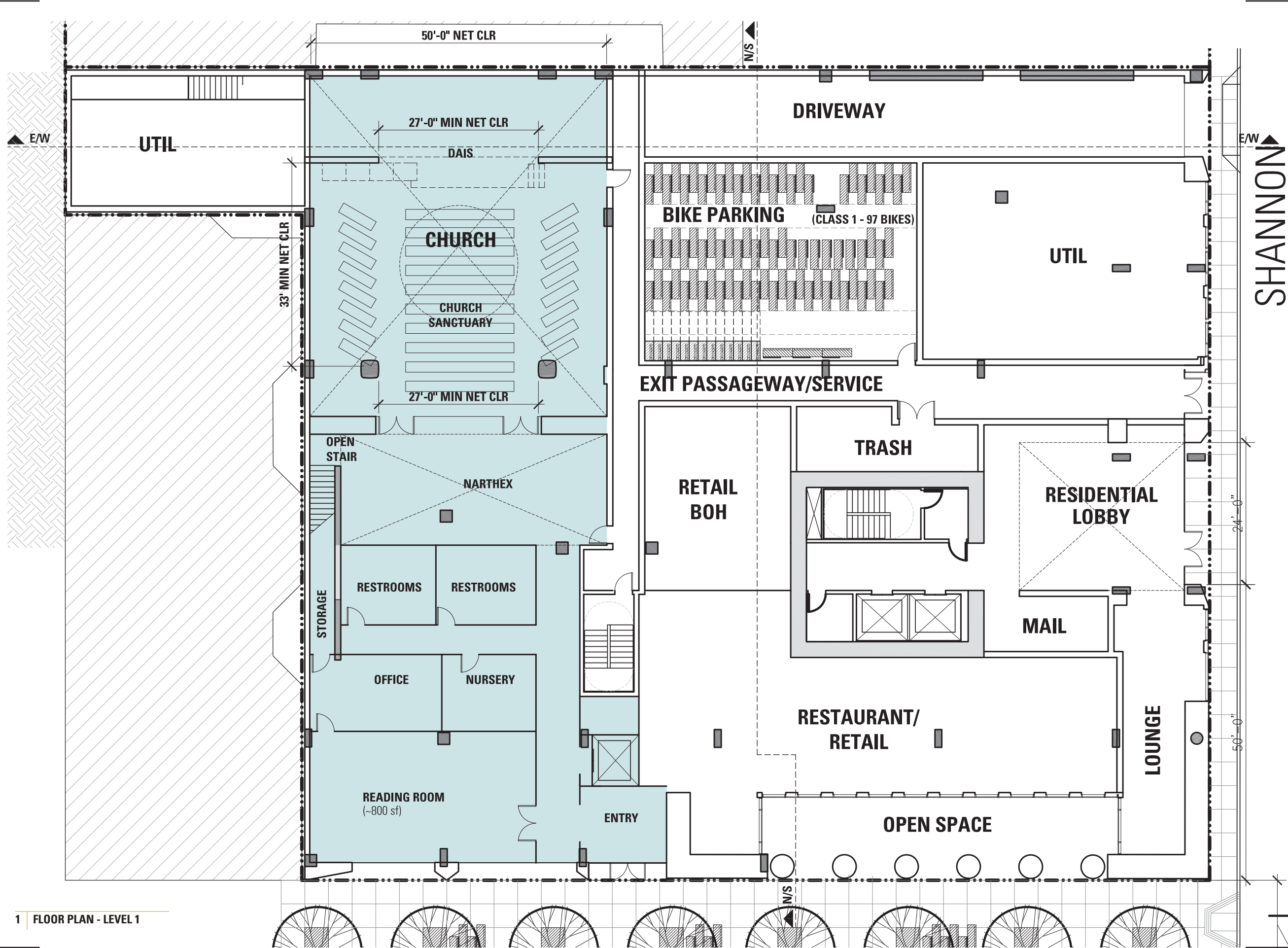
0' 4' 8' 12' 16'

28 JUNE 2018

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Floor Plan
- Level P1

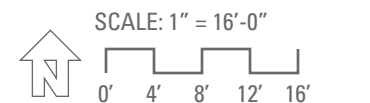
AP2.00



450

O'FARRELL

NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

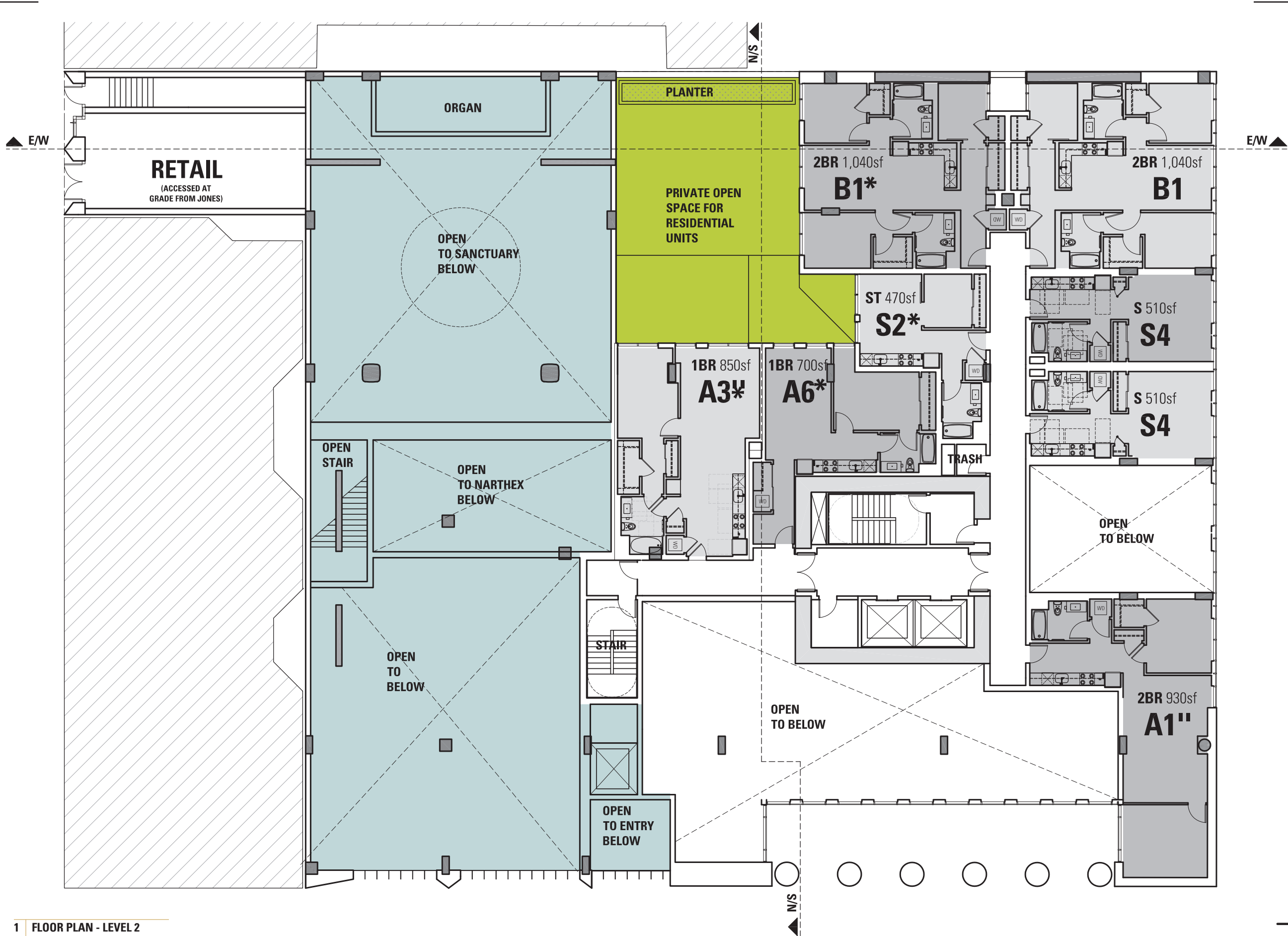


28 JUNE 2018

DLR Group | KwanHenmi

Floor Plan
- Level 1

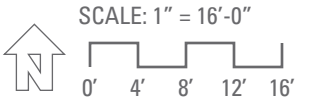
AP2.01



450

O'FARRELL

NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

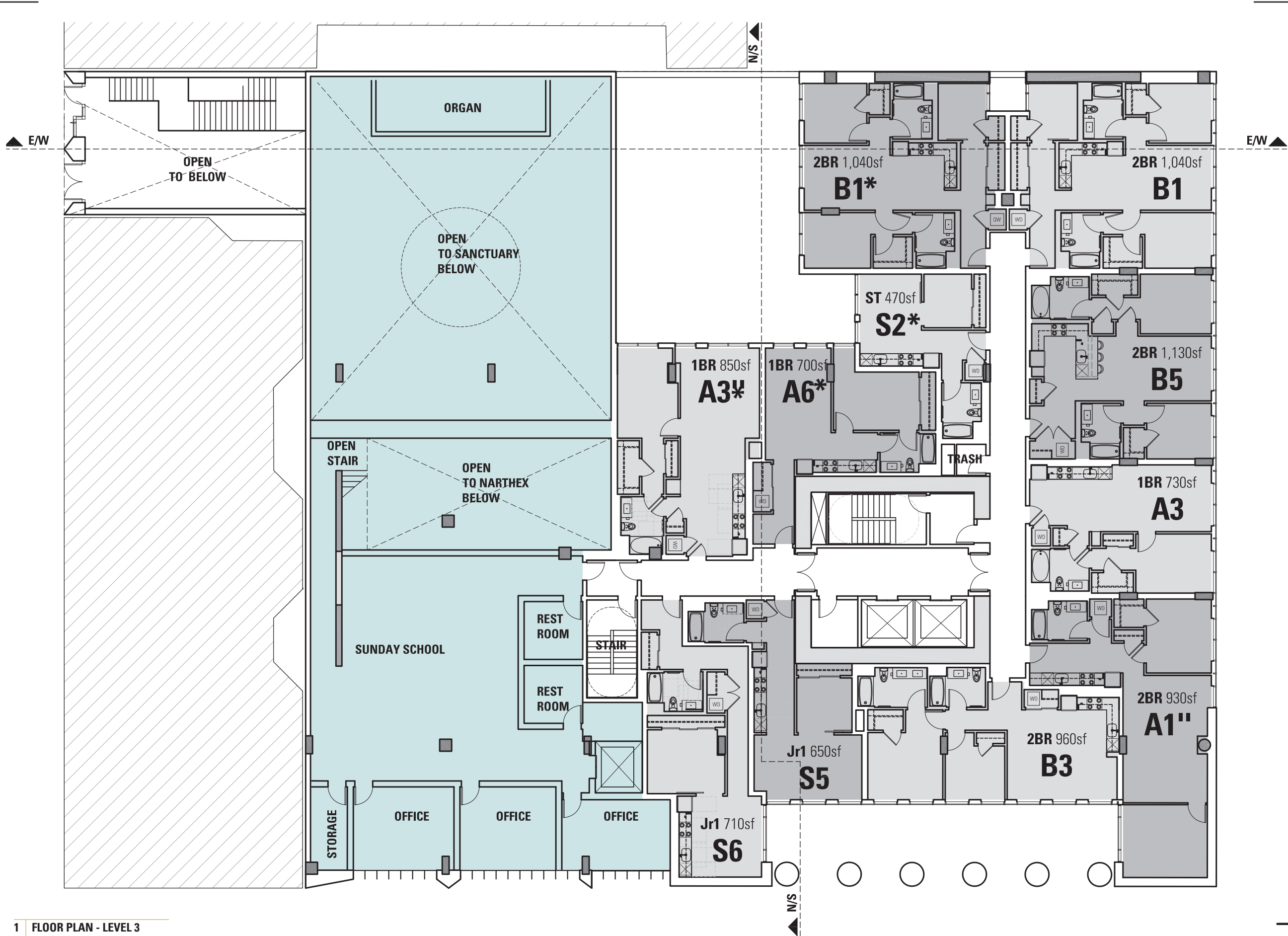


28 JUNE 2018

 DLR Group |  KwanHenmi

Floor Plan
- Level 2

AP2.02



450

O'FARRELL

NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

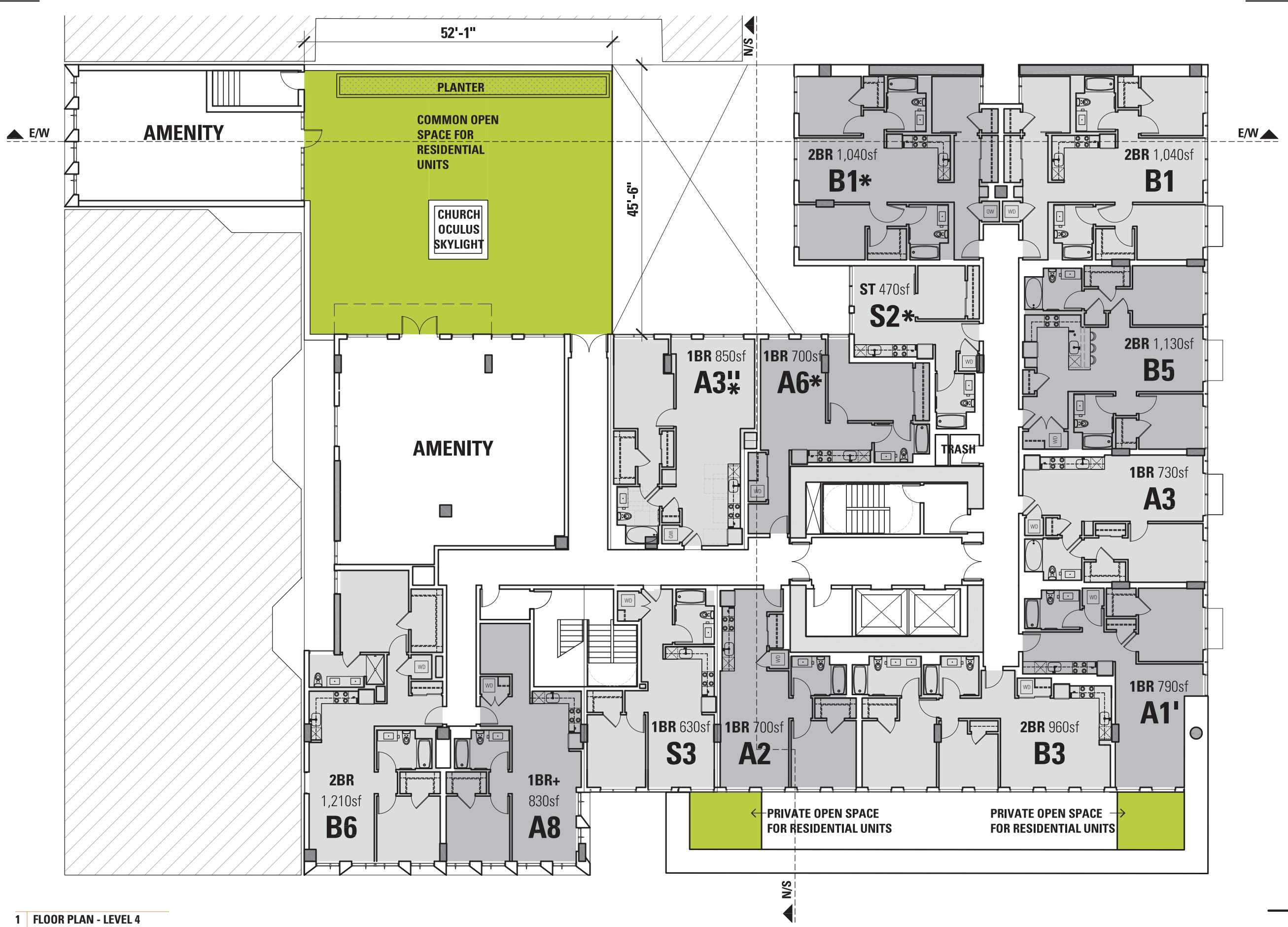
SCALE: 1" = 16'-0"

28 JUNE 2018

 DLR Group | **KwanHenmi**

Floor Plan
- Level 3

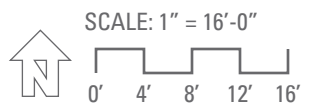
AP2.03



450

O'FARRELL

NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code



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DLR Group | KwanHenmi

Floor Plan
- Level 4

AP2.04

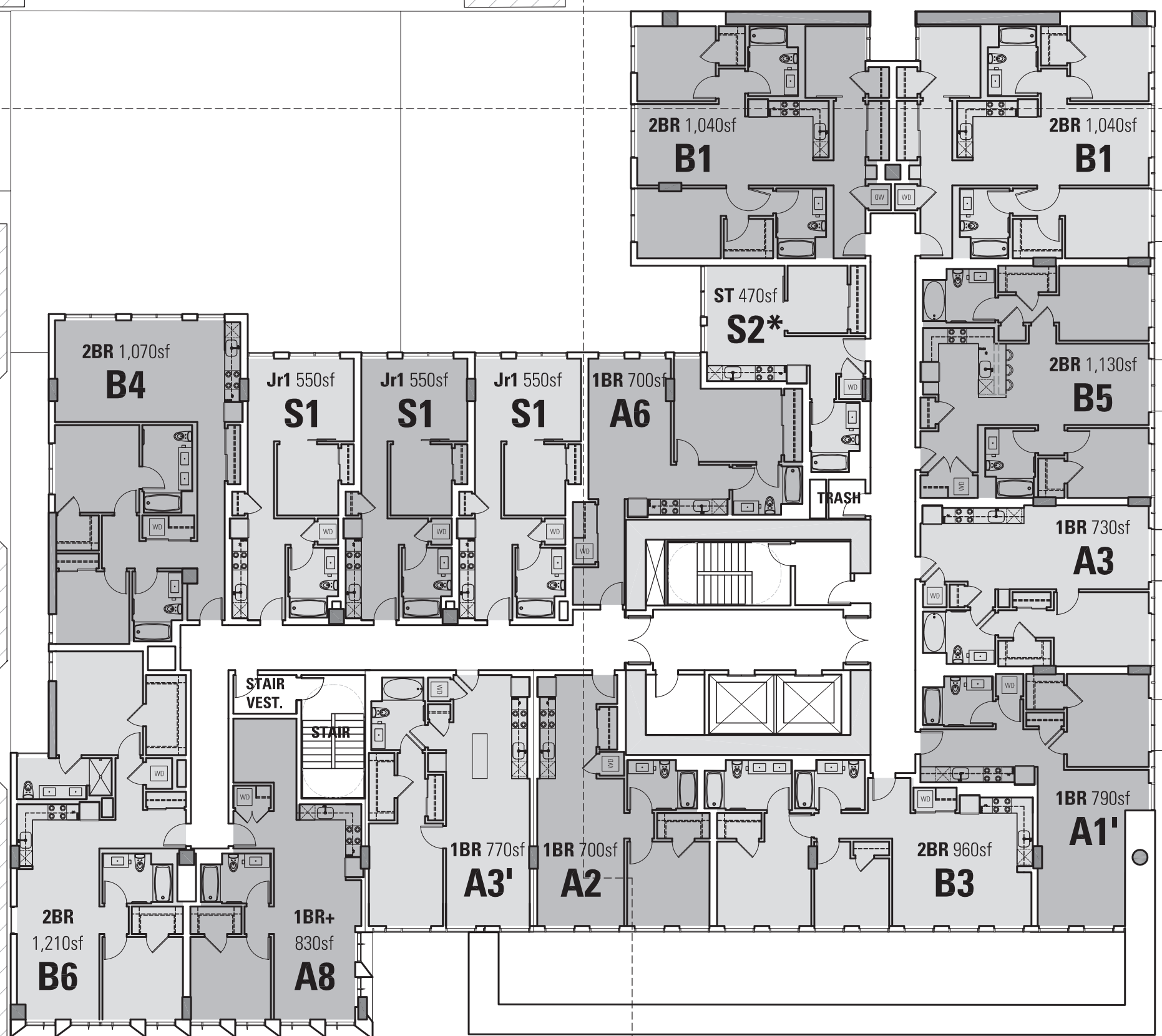
E/W

N/S

E/W

450

O'FARRELL



NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

SCALE: 1" = 16'-0"

28 JUNE 2018

DLR Group | KwanHenmi

Floor Plan
- Level 5

AP2.05

450

O'FARRELL



NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

SCALE: 1" = 16'-0"

0' 4' 8' 12' 16'

28 JUNE 2018

DLR Group | KwanHenmi

Floor Plan
- Level 6

AP2.06

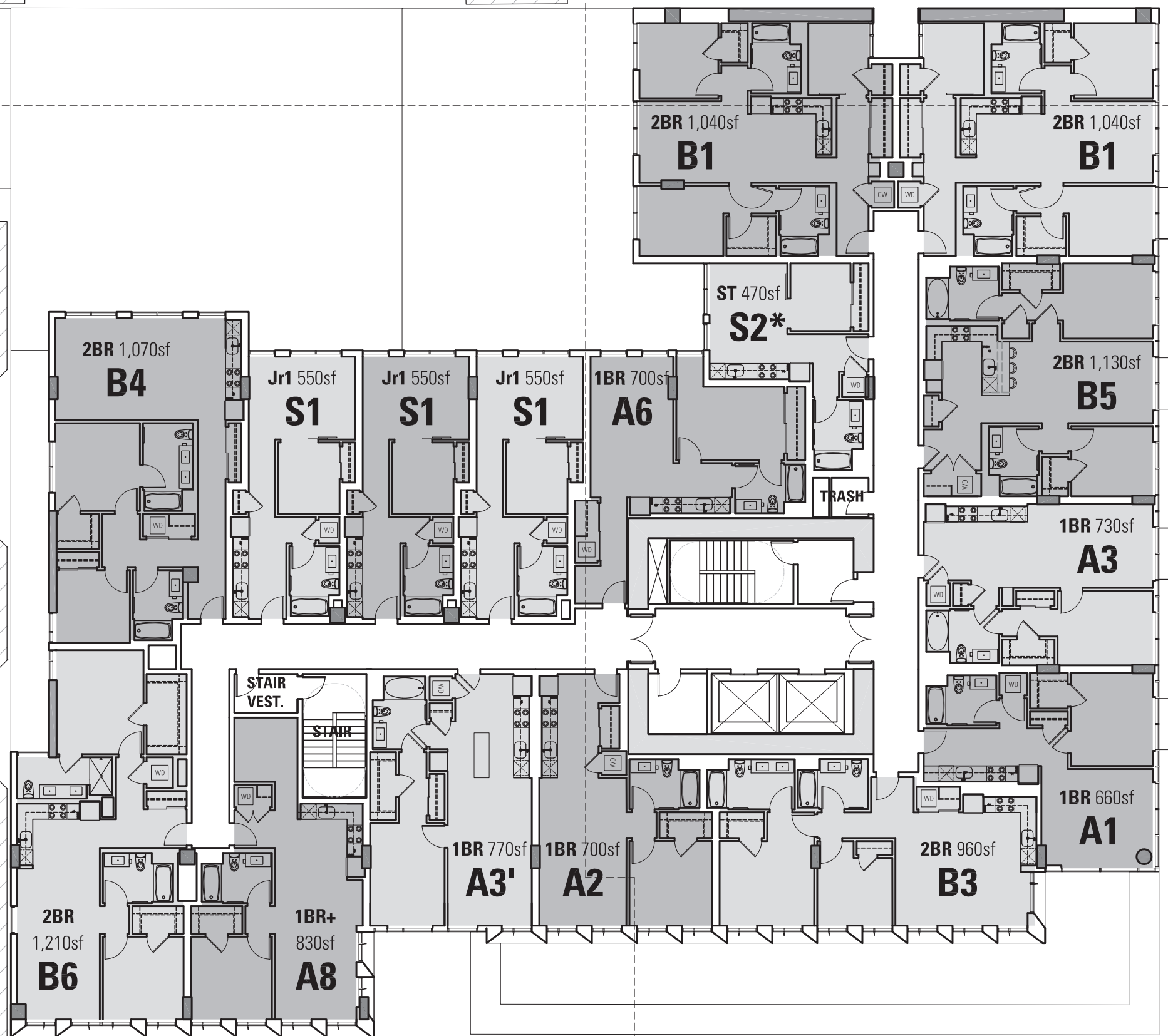
E/W

N/S

E/W

450

O'FARRELL



NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

SCALE: 1" = 16'-0"

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Floor Plan
- Levels 7-9

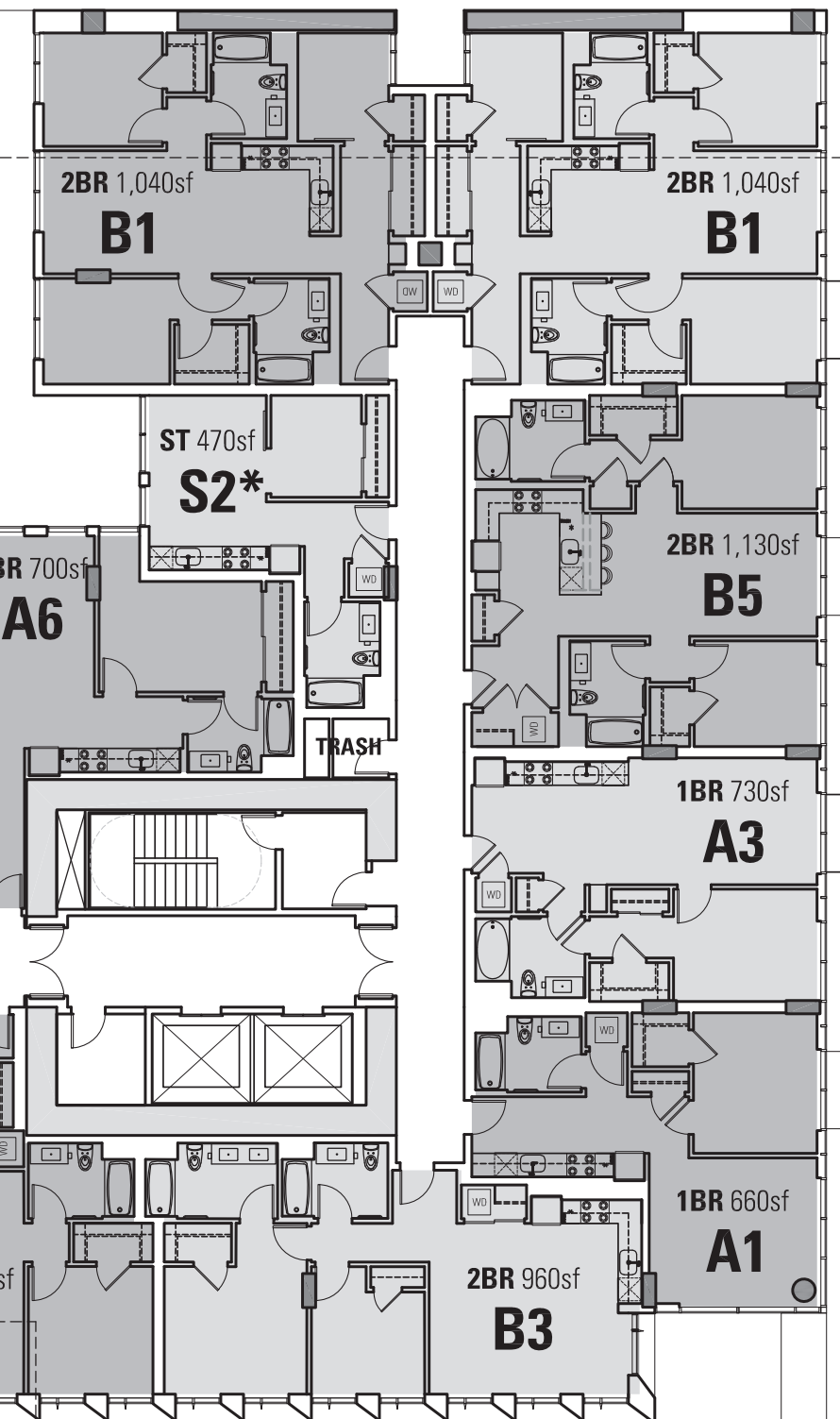
AP2.07



E/W

N/S

E/W



450

O'FARRELL

NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

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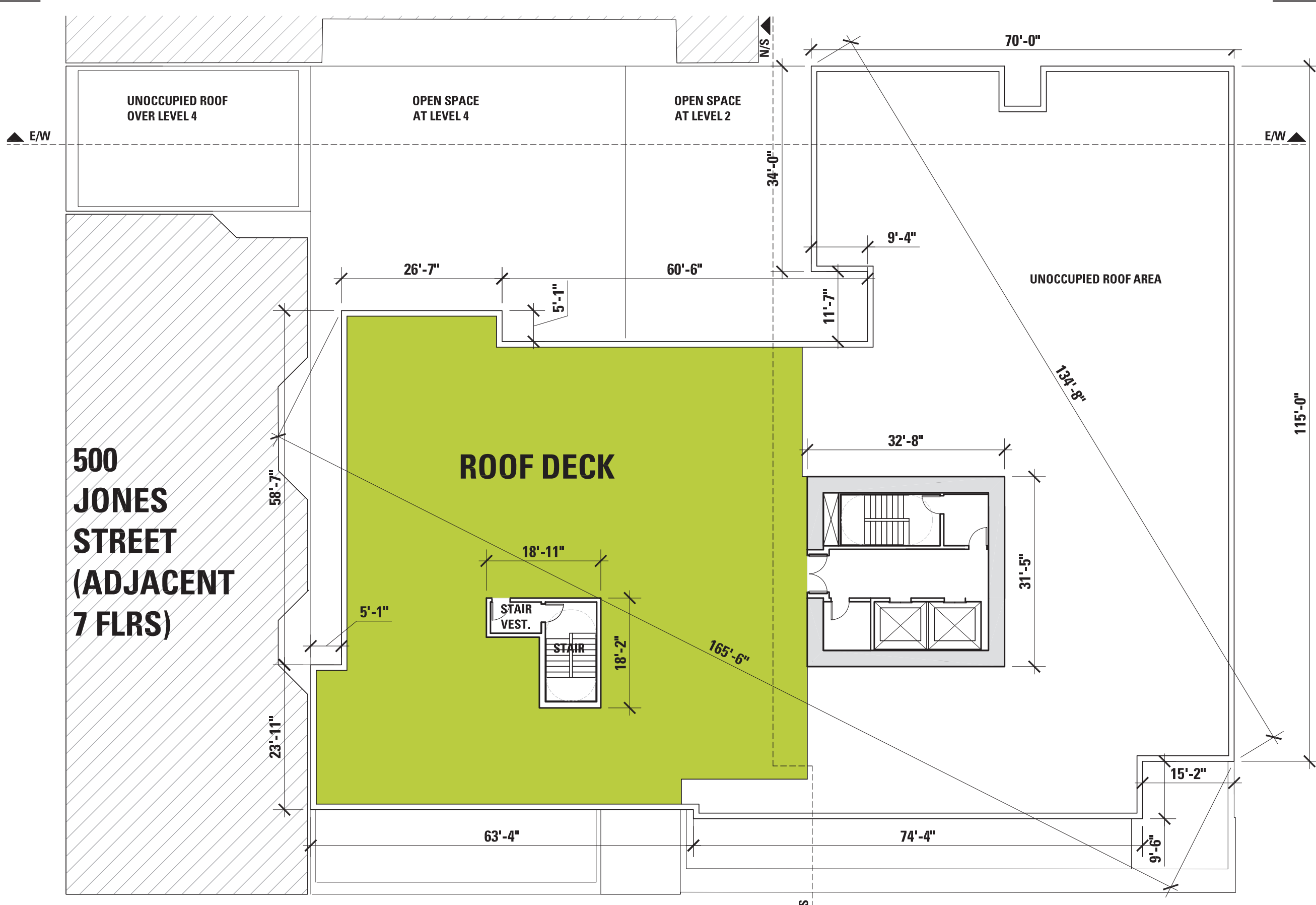
0' 4' 8' 12' 16'

28 JUNE 2018

DLR Group | KwanHenmi

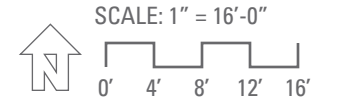
Floor Plan
- Levels 11-13

AP2.11



450 O'FARRELL

NOTE: Units designated with the * symbol require an exception to section 140 of the SF Planning Code

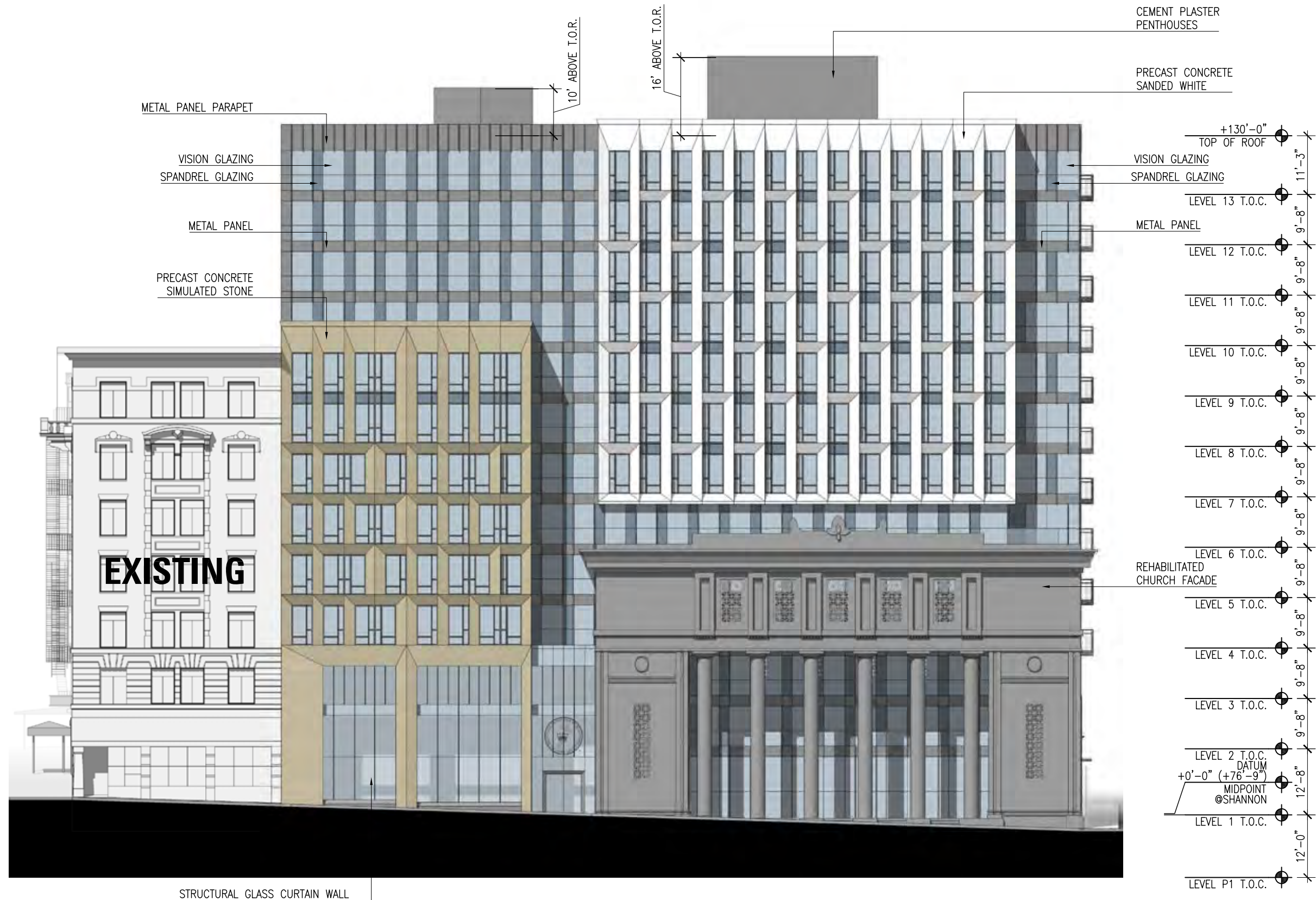


28 JUNE 2018

DLR Group | KwanHenmi

Roof Plan

AP2.14



450

O'FARRELL

SCALE: 1" = 20'-0"

0' 5' 10' 15' 20'

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DLR Group | KwanHenmi

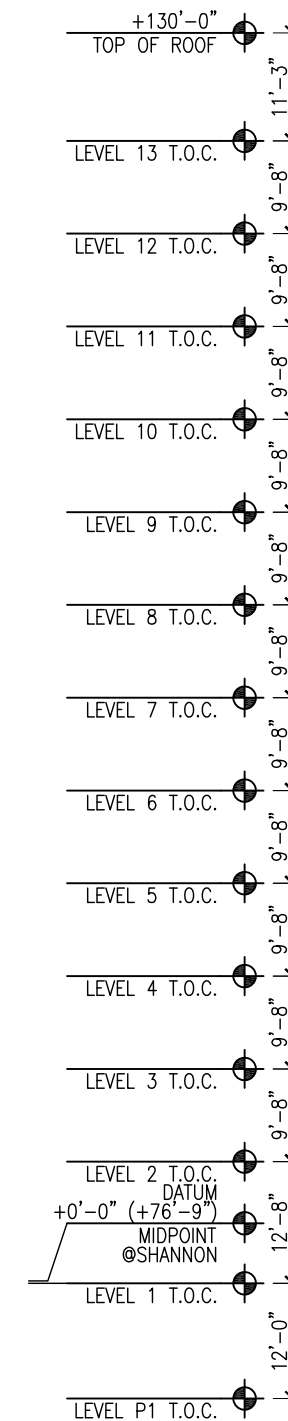
Elevation
- O'Farrell Street

AP3.01



450

O'FARRELL



SCALE: 1" = 20'-0"

28 JUNE 2018

DLR Group | KwanHenmi

Elevation
- Shannon Street

AP3.02

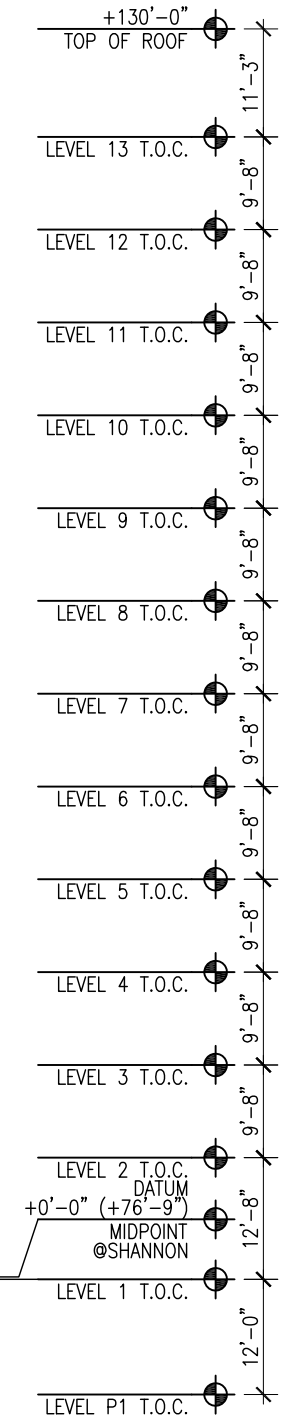
450

O'FARRELL



PRECAST CONCRETE SANDED WHITE

VISION GLAZING

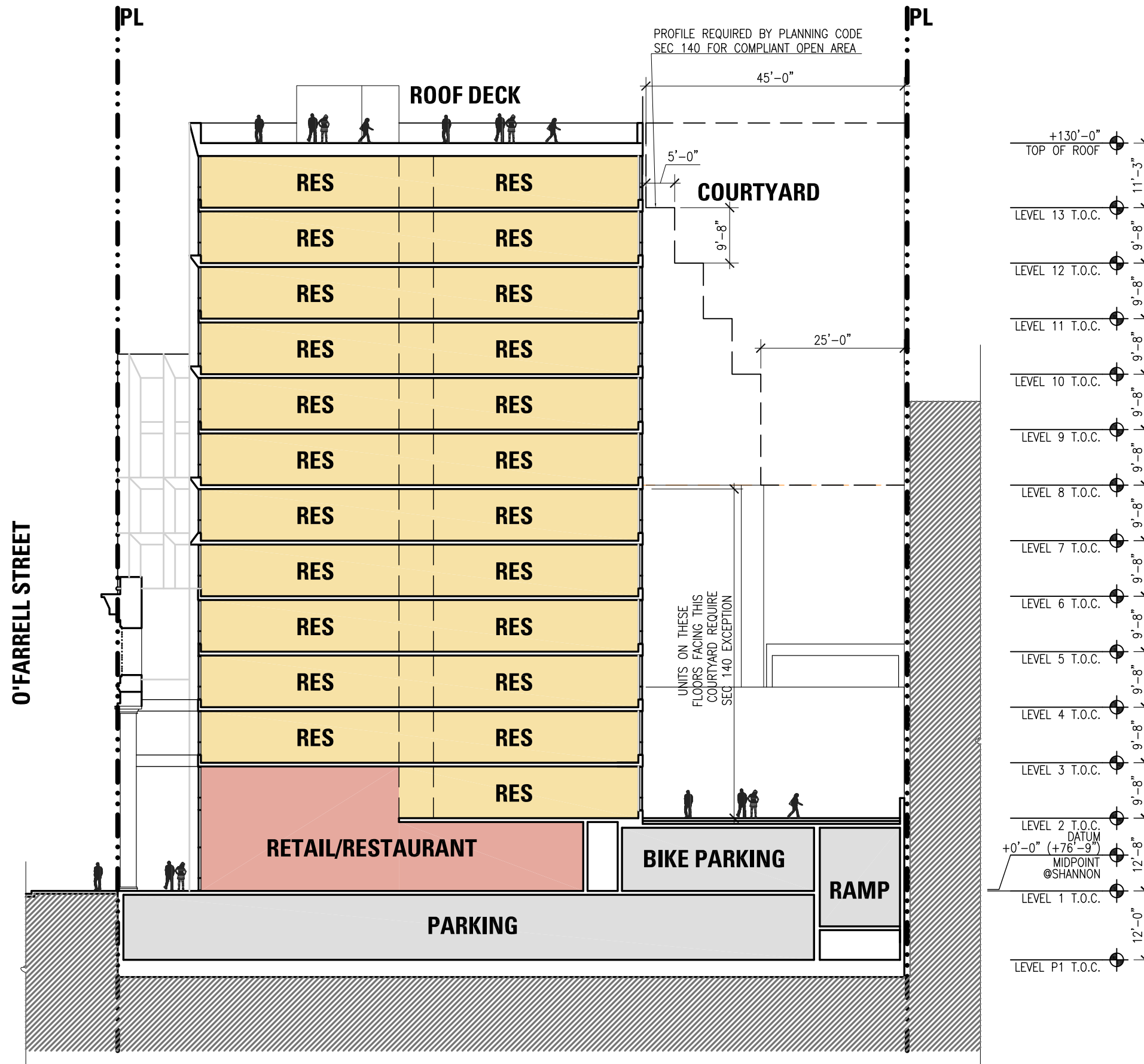


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Elevation
- Jones Street

AP3.03



450

O'FARRELL

28 JUNE 2018

 DLR Group |  KwanHenmi

Building Section
- Transverse

AP3.11

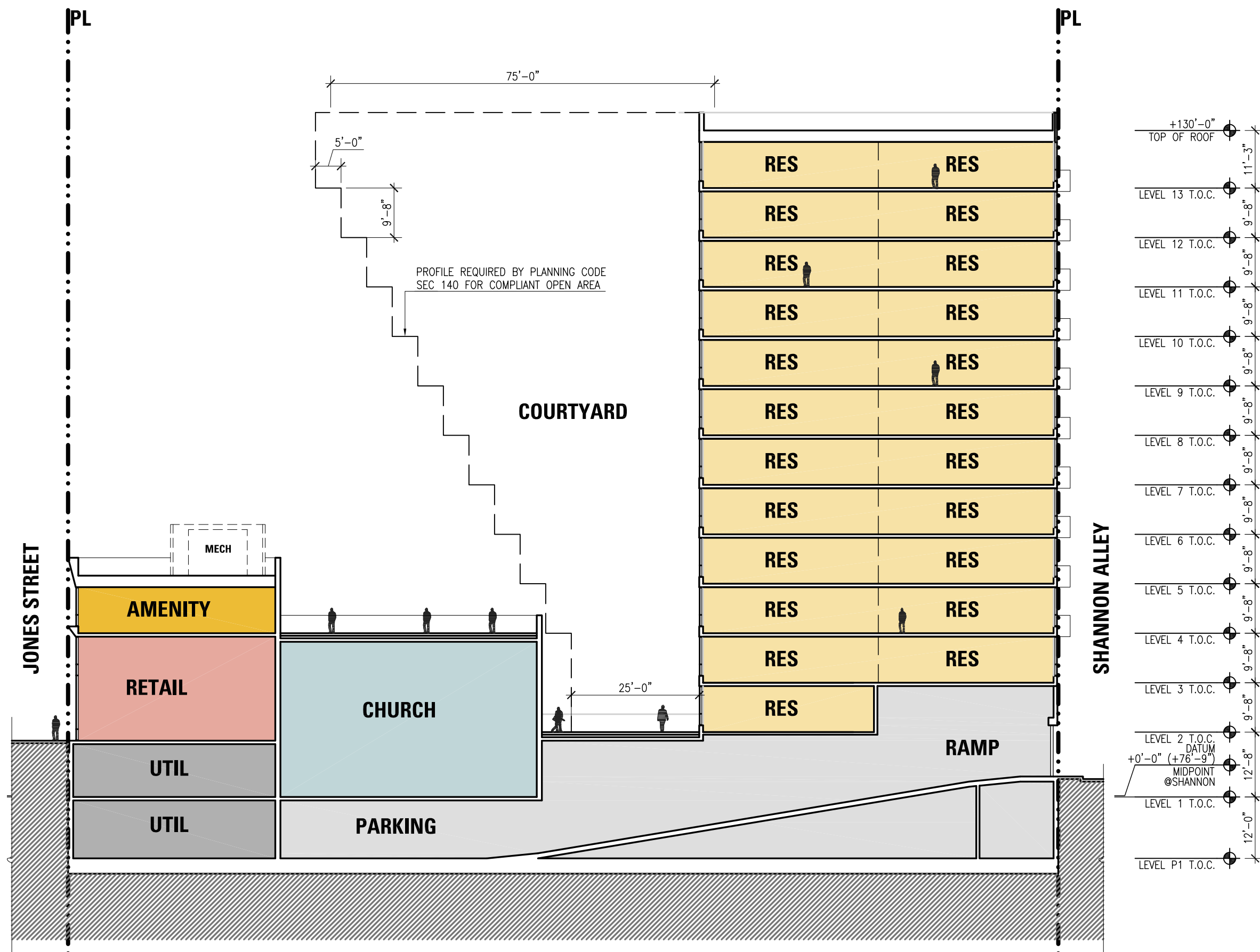
O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

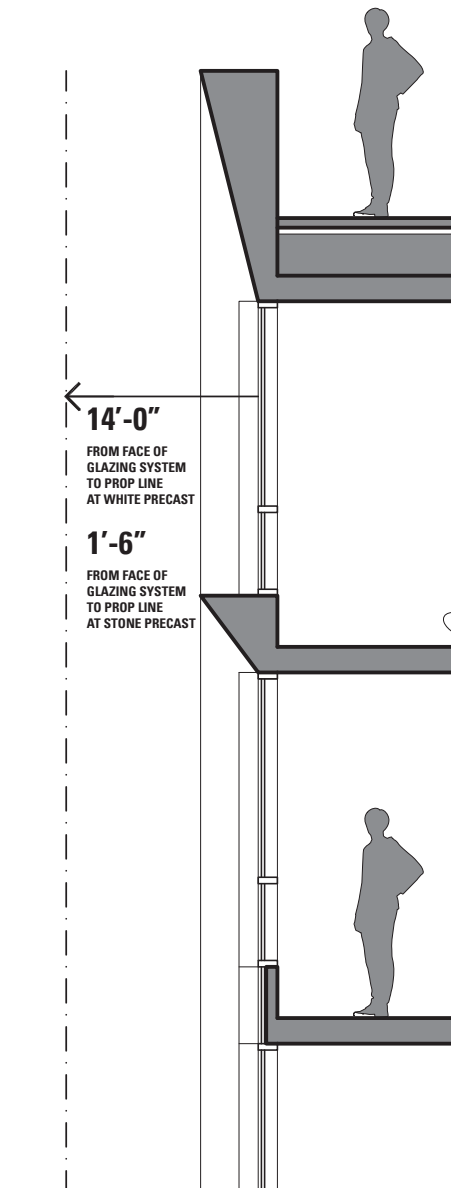
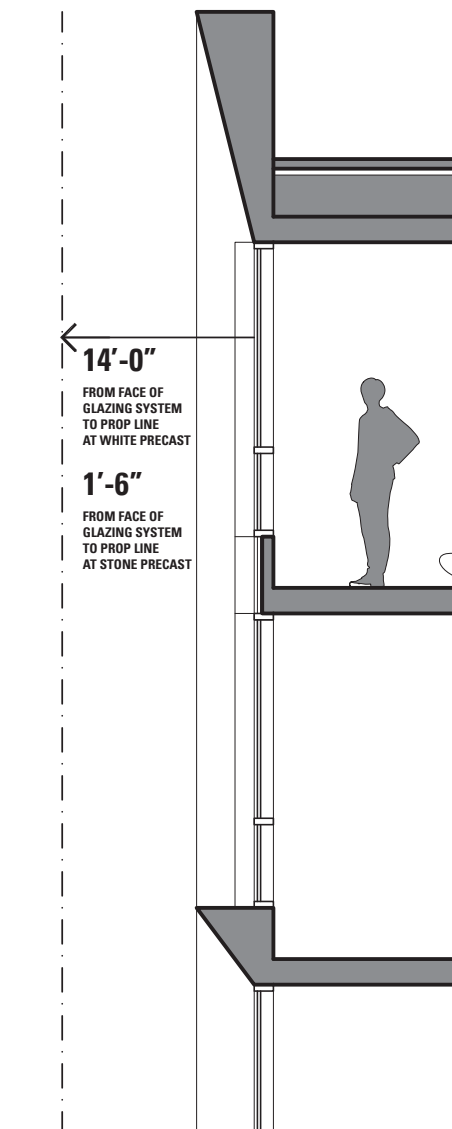
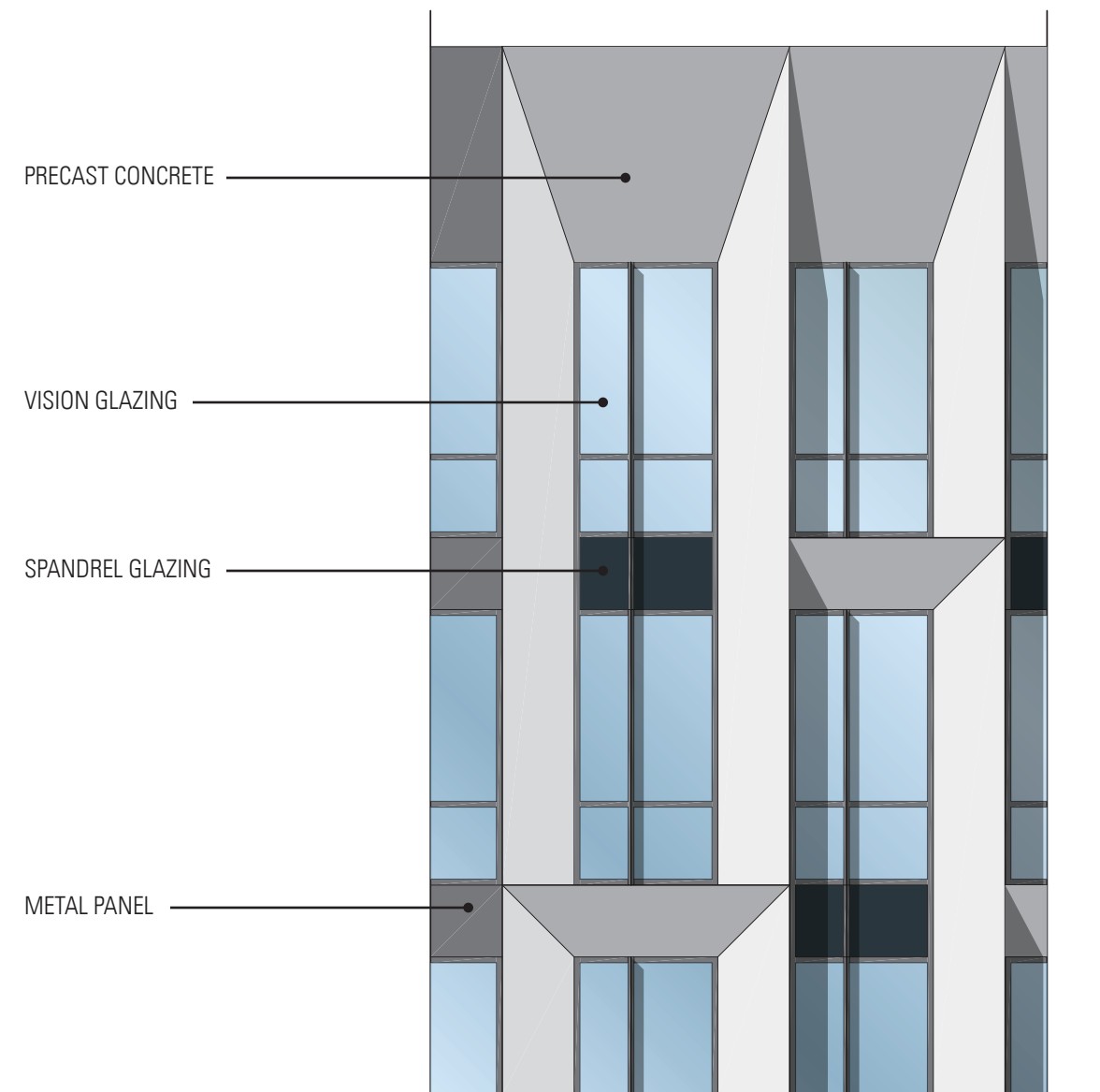
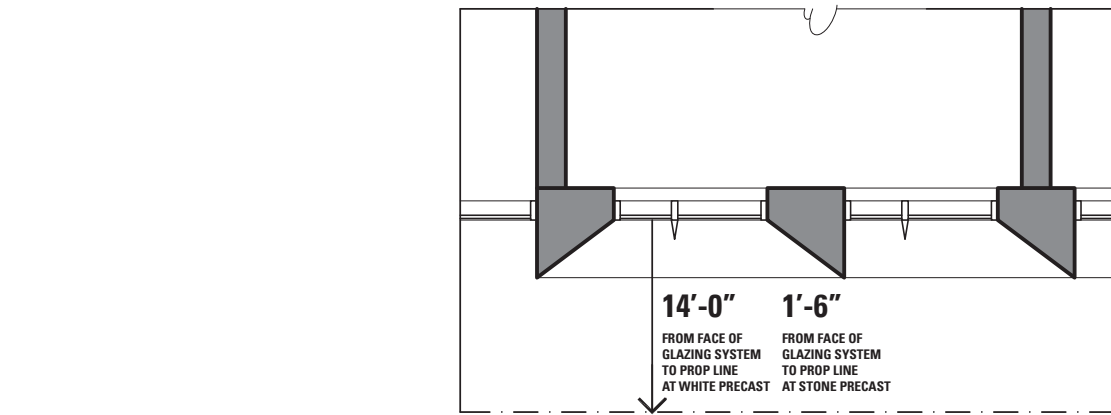
Building Section - Longitudinal

AP3.12



450

O'FARRELL



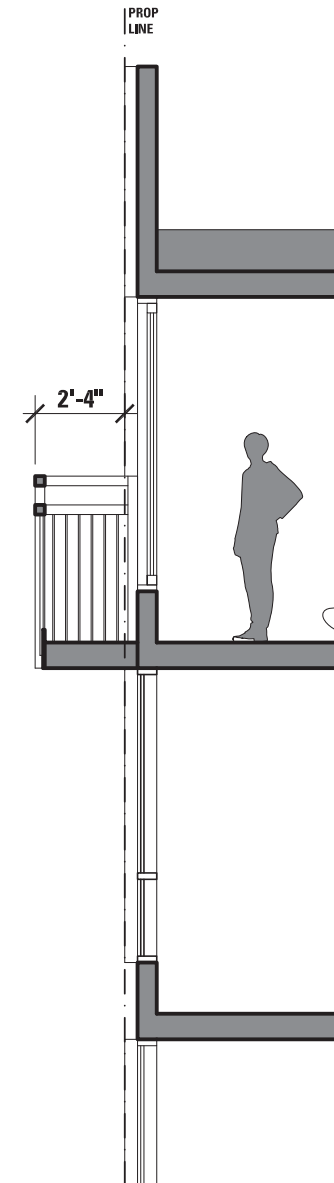
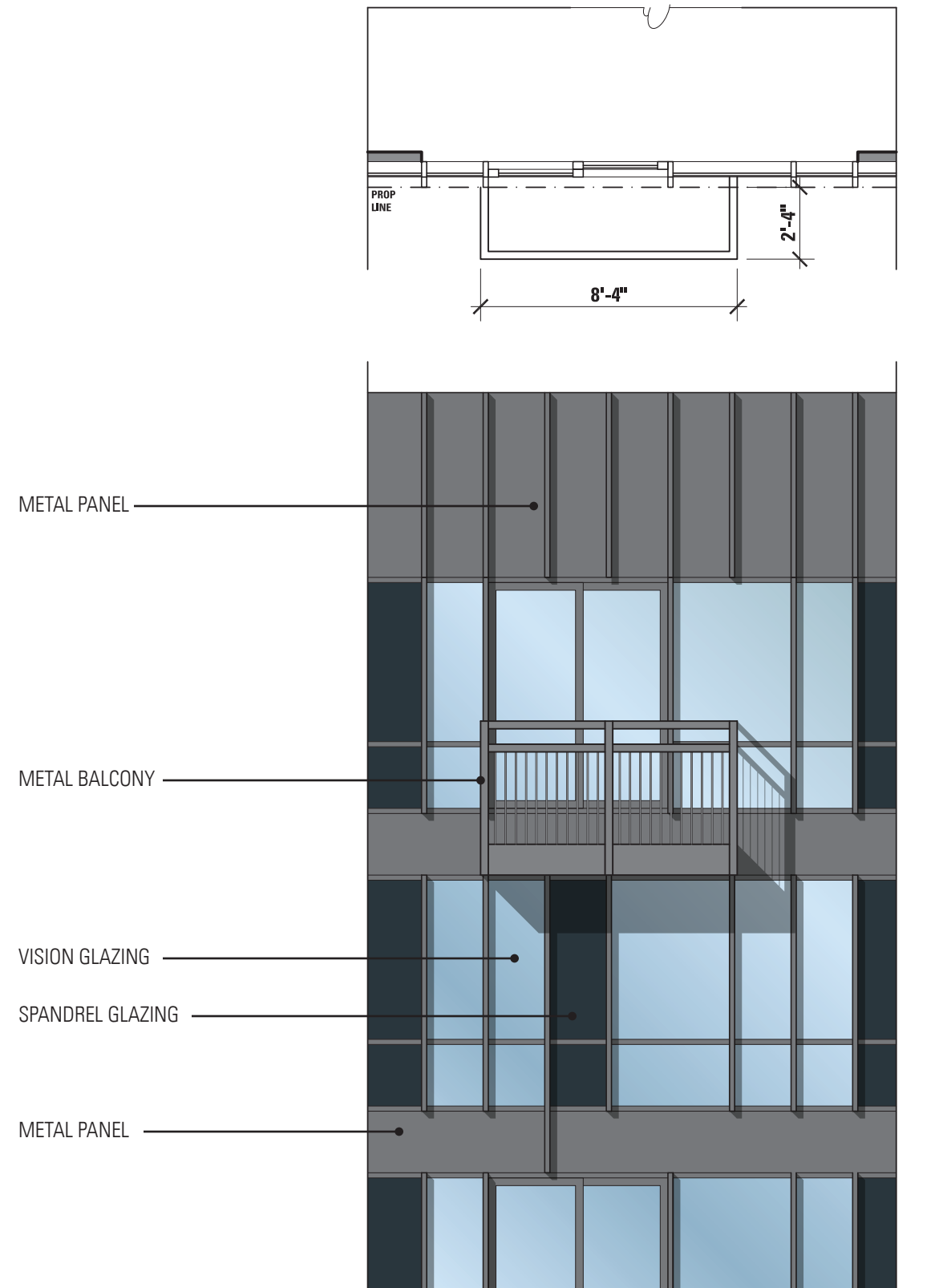
28 JUNE 2018

DLR Group | KwanHenmi

Building Detail
- Precast

AP4.01

450 O'FARRELL



28 JUNE 2018

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Building Detail
- Window Wall+Balconies

AP4.02



450

O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

View
- O'Farrell from East

AP5.01

PREFERRED PROJECT

FACADE SETBACK 14'
FROM O'FARRELL

THIS BUILDING NOT
PART OF PROJECT



450

O'FARRELL

28 JUNE 2018

DLR Group | KwanHenmi

View
- O'Farrell and Shannon

AP5.02



450

O'FARRELL

28 JUNE 2018

DLR Group | KwanHenmi

View
- O'Farrell and Shannon

AP5.03

450

O'FARRELL



28 JUNE 2018

 DLR Group | KwanHenmi

View
- O'Farrell and Jones

AP5.04



450

O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

View
- Jones Street

AP5.05



450

O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

Axonometric
- from Southeast

AP6.01



450

O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

Axonometric
- from Southwest

AP6.02



450
O'FARRELL

28 JUNE 2018

DLR Group | KwanHenmi

Rendering (Closeup)
- O'Farrell from West (Day)

AP7.01

450

O'FARRELL



28 JUNE 2018

 DLR Group | KwanHenmi

Rendering
- O'Farrell from West (Day)

AP7.02



450

O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

Rendering (Closeup)
- O'Farrell from East (Day)

AP7.03



450

O'FARRELL

28 JUNE 2018

DLR Group | KwanHenmi

Rendering
- O'Farrell from East (Day)

AP7.04



450

O'FARRELL

28 JUNE 2018

 DLR Group | KwanHenmi

Rendering (Closeup)
- O'Farrell from East (Night)

AP7.05



450

O'FARRELL

28 JUNE 2018

DLR Group | KwanHenmi

Rendering
- O'Farrell from East (Night)

AP7.06

Mitigation Monitoring and Reporting Program

SECTION 1: AUTHORITY

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to California Environmental Quality Act (known as CEQA [Public Resources Code Sections 21000 et seq.]) Section 21081.6 to provide for the monitoring of mitigation measures required of the 450-474 O'Farrell Street/532 Jones Street Project (Project), as set forth in the Final Environmental Impact Report (Final EIR) prepared for the Project. This report will be kept on file in the offices of the City Planning Department (City), 1650 Mission Street, Fourth Floor, San Francisco, CA, 94103.

SECTION 2: MONITORING SCHEDULE

Prior to the issuance of building permits, while detailed development plans are being prepared for approval by Agency and/or City staff, Agency and/or City staff will be responsible for ensuring compliance with mitigation monitoring applicable to the project construction, development, and design phases. Agency and/or City staff will prepare or cause to be prepared reports identifying compliance with mitigation measures. Once construction has begun and is underway, monitoring of the mitigation measures associated with construction will be included in the responsibilities of designated Agency and/or City staff, who shall prepare or cause to be prepared reports of such monitoring no less than once a month until construction has been completed. Once construction has been completed, the Agency and/or City will monitor the project as deemed necessary.

SECTION 3: CHANGES TO MITIGATION MEASURES

Any substantive change in the monitoring and reporting plan made by Agency and/or City staff shall be reported in writing to the City Environmental Review Officer. Reference to such changes shall be made in the monthly/yearly Environmental Mitigation Monitoring Report prepared by City staff. Modifications to the mitigation measures may be made by City staff subject to one of the following findings, documented by evidence included in the record:

- a. The mitigation measure included in the Final EIR and the Mitigation Monitoring and Reporting Program is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment, or other factors.

OR

- b. The modified or substitute mitigation measure to be included in the Mitigation Monitoring and Reporting Program either provides corrections to text without any substantive change in the intention or meaning of the original mitigation measure, or provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the Final EIR and the Mitigation Monitoring and Reporting Program; and the modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those

which were considered by the responsible hearing bodies in their decisions on the Final EIR and the proposed project; and the modified or substitute mitigation measures are feasible, and the City, through measures included in the Mitigation Monitoring and Reporting Program or other City procedures, can assure their implementation.

SECTION 4: SUPPORT DOCUMENTATION

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

SECTION 5: FORMAT OF MITIGATION MONITORING MATRIX

The mitigation monitoring matrix on the following pages identifies the environmental issue areas for which monitoring is required, the required mitigation measures, the timeframe for monitoring, and the responsible implementing and monitoring agencies.

If any mitigation measures are not being implemented, the Agency and/or City may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) criminal prosecution and/or administrative fines; (6) forfeiture of security bonds or other guarantees; and (7) revocation of permits or other entitlements.

SECTION 6: DEFINITIONS

For the purposes of this MMRP, the following definitions are used:

- **City’s Environmental Review Officer**— The Environmental Review Officer at the San Francisco Planning Department, referred to herein as “ERO.”
- **Code of Federal Regulations**— Referred to herein as “CFR.”
- **Project Sponsors**— The project sponsors consist of 450 O’Farrell Street Partners, LLC, and the Fifth Church of Christ, Scientist.

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Cultural Resources				
<p>Mitigation Measure CR-1a: Documentation. Prior to the issuance of demolition or site permits, the project sponsors shall undertake Historic American Building Survey (HABS) documentation of the subject property, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:</p> <ul style="list-style-type: none">• Measured Drawings: A set of measured drawings that depict the existing size, scale, and dimension of the subject property. The Planning Department Preservation staff will accept the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.). The Planning Department Preservation staff will assist the consultant in determining the appropriate level of measured drawings;• HABS-Level Photography: Digital photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and• HABS Historical Report: A written historical narrative and report, per HABS Historical Report Guidelines.• Video documentation: Video footage of the exterior and interior of contributing elements of the subject property. <p>The professional shall prepare the documentation and submit it for review and approval by the Planning Department Preservation staff prior to the issuance of demolition permits. The documentation shall be disseminated by the project sponsors to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.</p>	Project sponsors and qualified historic preservation individual	Prior to the issuance of a demolition permit for the building	Planning Department Preservation Technical Specialist to review and approve HABS documentation.	Considered complete upon submittal of final HABS documentation to the Preservation Technical Specialist.
<p>Mitigation Measure CR-1b: Interpretation. The project sponsors shall provide a permanent display of interpretive materials concerning the history and architectural features of the original 450 O’Farrell Street building and its relationship with the Uptown Tenderloin National Register Historic District and the Tenderloin neighborhood. Interpretation of the site’s history and relationship with the District shall be supervised by an architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards, and may engage additional consultants to develop the display. The interpretative materials (which may include, but are not limited to, a display of photographs, news articles, memorabilia, and/or video) shall be placed in a prominent setting on the project site visible to pedestrians, such as a lobby, Reading Room of the new church or O’Farrell Street frontage.</p> <p>A proposal describing the general parameters of the interpretive program shall be approved by the San Francisco Planning Department Preservation staff prior to issuance of a site permit. The content, media and other characteristics of such interpretive display shall be approved by the San Francisco Planning Department Preservation staff prior to issuance of a Temporary Certificate of Occupancy.</p>	Project sponsor and qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the building	Planning Department Preservation Technical Specialist to review and approve interpretive display	Considered complete upon installation of display.

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Mitigation Measure CR-1c: Salvage. Prepare an in-depth salvage document for the character-defining features of the existing church building at 450 O’Farrell Street. The project sponsors shall work with a professional who meets the Secretary of Interior’s Standards to develop a salvage report that documents the building’s character-defining features for conservation and assesses the feasibility of reinstallation at the new church space or in other facilities. The salvage report shall include documentation of interior historic interior features, such as the light fixtures, the marble in the bathroom, sanctuary space with balcony, decorative plaster work in the lobby and sanctuary, raised sanctuary stage, the organ pipes, and the grillwork fronting the organ pipes, and any exterior character-defining features that would not be retained by the project. Additionally, the salvage document shall include the identification of diverse organizations with interest in curation of the materials. The professional shall prepare the salvage report and submit it for review and approval by the Planning Department preservation staff prior to the issuance of demolition permits.	Project sponsors and qualified historic preservation individual.	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the 450 O’Farrell Street building	Planning Department Preservation Technical Specialist to review and approve the salvage report	Considered complete upon approval of the salvage report by the Planning Department Preservation Technical Specialist.
Mitigation Measure CR-3a: Vibration Monitoring and Management Plan. The project sponsors shall retain the services of a qualified structural engineer or vibration consultant and a preservation architect who meet the Secretary of the Interior’s Historic Preservation Professional Qualification Standards to conduct a Pre-Construction Assessment of the identified adjacent contributing resources to the Uptown Tenderloin National Register Historic District at 500–520 Jones Street, 536–544 (540) Jones Street, 546–548 (548) Jones Street, 565–575 Geary Street, 438–440 (438) O’Farrell Street, 415 Taylor Street, and 577–579 Geary Street. Prior to any demolition or ground-disturbing activity, the Pre-Construction Assessment shall be prepared. It shall contain written and photographic descriptions of the existing condition of visible exteriors from the public rights-of-way of the adjacent buildings and interior locations upon permission of the owners of the adjacent properties. The Pre-Construction Assessment shall determine specific locations to be monitored and include annotated drawings of the buildings to locate accessible digital photo locations and locations of survey markers and/or other monitoring devices (e.g., to measure vibrations). The Pre-Construction Assessment shall be submitted to the Planning Department along with the demolition and site permit applications. The structural engineer and/or vibration consultant, in consultation with the preservation architect, shall develop, and the project sponsors shall adopt, a vibration management and continuous monitoring plan to protect the adjacent historic buildings against damage caused by vibration or differential settlement caused by vibration during project construction activities. In this plan, the maximum vibration level not to be exceeded at each building shall be 0.2 inch per second, or a level determined by the site-specific assessment made by the structural engineer and/or the vibration consultant in coordination with the preservation architect for the project. The vibration management and monitoring plan shall document the criteria used in establishing the maximum vibration level for the project. In addition, this plan shall state the maximum settlement levels not to be exceeded at each building, which shall range from 3/8-inch to 1/2-inch; or a level determined by the site-specific assessment made by the structural engineer in coordination with the preservation architect for the project. This settlement criterion shall be included in the vibration management and monitoring plan. The vibration management and monitoring plan shall include pre-construction surveys and continuous vibration monitoring throughout the duration of the major construction project activities that would require heavy-duty equipment to ensure that vibration levels do not exceed the established standard. The vibration management and monitoring plan shall be submitted to the Planning Department’s preservation staff prior to issuance of the demolition permit. Should vibration levels be observed in excess of the standard, or if settlement to adjacent buildings occurs beyond the settlement levels described above, construction shall be halted and alternative protective measures shall be put in practice. Alternative protective measures may include, but would not be limited to, additional underpinning, additional shoring, grouting, and soldier piles. Appropriate protective measures to prevent damage to adjacent buildings shall be determined on a case by case basis. Should construction of the proposed project result in any damage to adjacent buildings, repairs may be completed as part of the project. The structural engineer and/or vibration consultant and the historic preservation consultant shall conduct regular periodic inspections of digital photographs, survey markers, and/or other monitoring devices during ground-disturbing activity at the project site. The buildings shall be protected to prevent further damage and remediated to pre-construction conditions as shown in the Pre-	Project sponsors, contractor, qualified structural engineer or vibration consultant and qualified preservation architect	<p>Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the 450 O’Farrell Street building</p> <p>Should vibration or settlement levels be observed in excess of the standards set in the mitigation measure, Planning must be notified immediately along with a description of alternative protective measures proposed to be put in place to prevent further damage to adjacent buildings.</p>	<p>Planning Department Preservation Technical Specialist shall review and approve the vibration monitoring and management plan.</p> <p>Planning Department Preservation Technical Specialist shall review and approve alternative protection measures, if necessary.</p>	Considered complete upon submittal to ERO of post-construction report on vibration monitoring plan and effects, if any, on proximately historical resources.

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Construction Assessment with the consent of the building owner.				
Mitigation Measure CR-3b: Construction Best Practices for Historical Architectural Resources. The project sponsors shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to the adjacent contributing resources at 500–520 Jones Street, 536–544 (540) Jones Street, 546–548 (548) Jones Street, 565–575 Geary Street, 438–440 (438) O’Farrell Street, 415 Taylor Street, and 577–579 Geary Street, including, but not limited to, staging of equipment and materials as far as possible from historic buildings to limit damage; using techniques during demolition, excavation, shoring, and construction that create the minimum feasible vibration; maintaining a buffer zone when possible between heavy equipment and adjacent contributing resource(s); enclosing construction scaffolding to avoid damage from falling objects or debris; and ensuring appropriate security to minimize risks of vandalism and fire. These construction specifications shall be submitted to the Planning Department along with the Demolition and Site Permit Applications.	Project sponsors, contractor, qualified structural engineer or vibration consultant and qualified preservation architect	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection for the building	Planning Department Preservation Technical Specialist shall review and approve the construction specifications.	Considered complete upon approval of construction specifications by the by the Planning Department Preservation Technical Specialist.
Mitigation Measure M-CP-2: Accidental Discovery. The project sponsors shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, supervisory personnel, etc. The project sponsors shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet. Should any indication of an archeological resource be encountered during any soil-disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken. If the ERO determines that an archeological resource may be present within the project site, the project sponsors shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor. Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsors immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions. The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC)	Project sponsors, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Planning Department’s Environmental Review Officer.	Prior to issuance of any permit for soil-disturbing activities and during construction.	Project sponsor, ERO, archeologist.	Considered complete upon ERO’s approval of FARR

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.				
Mitigation Measure M-CP-3: Human Remains. Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws along with the following procedures. This shall include immediate notification of the Coroner of the City and County of San Francisco and the ERO. In the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, as required under M-CP-3, the project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsors and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.	Project sponsors, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Review Officer.	Throughout the duration of ground-disturbing activities	Project sponsor to notify ERO, Coroner, and, if applicable, NAHC of any discovery of human remains	Considered complete upon completion of ground-disturbing activities
Air Quality				
Mitigation Measure M-AQ-2: Construction Air Quality The project sponsors or the project sponsors’ 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 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	Project sponsors and construction contractor.	Prior to issuance of a site permit, demolition permit, or any other permit from the Department of Building Inspection, with ongoing compliance with the Construction Emissions Minimization Plan throughout the construction period.	ERO to review and approve Construction Emissions Minimization Plan; project sponsor and construction contractor to comply with, and document compliance with, Construction Emissions Minimization Plan as required by the ERO	Construction Emissions Minimization Plan considered complete upon ERO review and acceptance of Plan; measure considered complete upon completion of project construction and submittal to ERO of required documentation

Mitigation Monitoring & Reporting Program																
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule												
<p>operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. Waivers.</p> <p>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).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible, the equipment would not produce desired emissions reduction due to expected operating modes, installation of the equipment would create a safety hazard or impaired visibility for the operator, or there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next-cleanest piece of off-road equipment, according to Table 12.</p> <p>TABLE 12: OFF-ROAD EQUIPMENT COMPLIANCE STEP-DOWN SCHEDULE</p> <table><tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr><tr><td>1</td><td>Tier 2</td><td>ARB Level 2 VDECS</td></tr><tr><td>2</td><td>Tier 2</td><td>ARB Level 1 VDECS</td></tr><tr><td>3</td><td>Tier 2</td><td>Alternative Fuel*</td></tr></table> <p>** Alternative fuels are not a VDECS.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <p>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>2. The project sponsors shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
Compliance Alternative	Engine Emission Standard	Emissions Control														
1	Tier 2	ARB Level 2 VDECS														
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3	Tier 2	Alternative Fuel*														

Mitigation Monitoring & Reporting Program				
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>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 sponsors shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>				
Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators. The project sponsors shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsors shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.	Project sponsors and construction contractor.	Prior to issuance of site permit	ERO to review and approve the diesel emission control strategy.	Considered complete upon ERO approval of the diesel emission control strategy.

Improvement Measures				
Improvement Measures Agreed to by the Project Sponsor.	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
Transportation				
<p>Improvement Measure I-TR-1: Transportation Demand Management (TDM) Plan. As an improvement measure to encourage the use of sustainable modes, the project sponsors and subsequent property owners, should develop and implement a TDM Plan. The scope and number of TDM measures included in the TDM Plan should be in accordance with the Planning Commission Standards for the TDM Program (TDM Program) for the type of development proposed.¹ The proposed project’s TDM Plan should conform to the most recent version of the TDM Program Standards available at the time of the project’s approval. The Planning Department should review and approve the TDM Plan, as well as any subsequent revisions to the TDM Plan, pursuant to the TDM Program Standards. The TDM Plan should target a reduction in the vehicle miles traveled (VMT) rate (e.g., VMT per capita), monitor and evaluate project performance (actual VMT), and adjust TDM measures over time to attempt to meet VMT target reduction.</p> <p>The TDM Plan may include, but is not limited to, the types of measures summarized below for explanatory example purposes. Actual TDM measures selected should include those from the TDM Program Standards which describe the scope and applicability of candidate measures in detail and include:</p> <ol style="list-style-type: none">1. Active Transportation: Provision of streetscape improvements to encourage walking, secure bicycle parking, shower and locker facilities for cyclists, subsidized bike share memberships for project occupants, bicycle repair and maintenance services, and other bicycle-related services2. Car-Share: Provision of car-share parking spaces and subsidized memberships for project occupants3. Delivery: Provision of amenities and services to support delivery of goods to project occupants4. Family-Oriented Measures: Provision of on-site childcare and other amenities to support the use of sustainable transportation modes by families5. High-Occupancy Vehicles: Provision of carpooling/vanpooling incentives and shuttle bus service6. Information and Communications: Provision of multimodal wayfinding signage, transportation information displays, and tailored transportation marketing services7. Land Use: Provision of on-site affordable housing and healthy food retail services in underserved areas8. Parking: Provision of unbundled parking, short term daily parking provision, parking cash out offers, and reduced off-street parking supply.	<p>This measure is no longer required because it has been superceded by the passage of the Transportation Demand Management (TDM) Program (Board File # 160925/34-17)</p>			
<p>Improvement Measure I-TR-2: Monitoring and Abatement of Queues. To reduce the potential for queuing of vehicles accessing the project site, it should be the responsibility of the project sponsors to ensure that recurring vehicle queues or vehicle conflicts do not occur on Shannon Street. A vehicle queue is defined as one or more vehicles (destined to the parking garage) blocking any portion of the Shannon Street sidewalk or travel lanes for a consecutive period of three minutes or longer on a daily and/or weekly basis.</p> <p>If the Planning Director, or his or her designee, suspects that a recurring queue or conflict is present, the Planning Department should notify the project sponsors in writing. Upon request, the owner/operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant should prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue or conflict does exist, the project sponsors should have 90 days from the date or the written determination to abate the recurring queue or conflict.</p>	<p>Project sponsor.</p>	<p>During project occupancy.</p>	<p>Transportation consultant, Planning Department</p>	<p>During project occupancy if a queuing of vehicles occurs.</p>

¹ San Francisco Planning Department, *Draft TDM Program Standards*, July 2016 are available online at: <http://sf-planning.org/tdm-materials-and-resources>.

Improvement Measures				
Improvement Measures Agreed to by the Project Sponsor.	Responsibility for Implementation	Mitigation Schedule	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>Improvement Measure I-TR-3: Construction Management Plan and Public Updates.</p> <p>Construction Coordination – To reduce potential conflicts between construction activities and pedestrians, bicyclists, transit and vehicles at the project site, the project sponsors should require that the contractor prepare a Construction Management Plan for the project construction period. The preparation of a Construction Management Plan could be a requirement included in the construction bid package. Prior to finalizing the Plan, the project sponsor/construction contractor(s) should meet with San Francisco Public Works (Public Works), San Francisco Municipal Transportation Agency (SFMTA),), the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to include in the Construction Management Plan to reduce traffic congestion, including measures to reduce potential traffic, bicycle, and transit disruption and pedestrian circulation effects during construction of the proposed project. This review should consider other ongoing construction in the project vicinity. As determined necessary by the SFMTA to minimize the potential for impacting vehicle and transit traffic on O’Farrell Street, the Construction Management Plan could include restrictions on travel lane closures or construction truck deliveries or materials removal during the AM (7 to 9 AM) and PM (3 to 7 PM) peak periods when tow-away regulations are in effect on O’Farrell Street.</p> <p>Carpool, Bicycle, Walk and Transit Access for Construction Workers – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include as part of the Construction Management Plan methods to encourage carpooling, bicycle, walk and transit access to the project site by construction workers (such as providing transit subsidies to construction workers, providing secure bicycle parking spaces, participating in free-to-employee ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers.</p> <p>Construction Worker Parking Plan – As part of the Construction Management Plan that could be developed by the construction contractor, the location of construction worker parking could be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking could be discouraged. All construction bid documents could include a requirement for the construction contractor to identify the proposed location of construction worker parking. If on-site, the location, number of parking spaces, and area where vehicles would enter and exit the site could be required. If off-site parking is proposed to accommodate construction workers, the location of the off-site facility, number of parking spaces retained, and description of how workers would travel between an off-site facility and the project site could be required.</p> <p>Project Construction Updates for Adjacent Businesses and Residents – To minimize construction impacts on access to nearby institutions and businesses, the project sponsors could provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and parking lane and sidewalk closures. A regular email notice could be distributed by the project sponsors that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.</p>	Project sponsor	Develop Construction Management Plan prior to the start of construction, and implement plan throughout the construction period.	Project sponsor and construction contractor. Planning will review and approve the Construction Management Plan (CMP).	Considered complete upon completion of project construction.