



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Large Project Authorization

HEARING DATE: NOVEMBER 30, 2017

Date: November 22, 2017
Case No.: **2014.0244ENX**
Project Address: **230 7th STREET**
Zoning: WMUG (Western SoMa Mixed-Use, General) Zoning District
Western SoMa Special Use District
SoMa Youth and Family Special Use District
65-X Height and Bulk District
Block/Lot: 3730/004
Project Sponsor: Steve Vettel, Farella Braun + Martel LLP
235 Montgomery Street
San Francisco, CA 94104
Staff Contact: Kimberly Durandet – (415) 575-6816
kimberly.durandet@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project to allow demolition of an existing parking garage and new construction of a six-story, 65-foot tall, 44,722 square feet (sf), mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking spaces, and 40 Class 1 and 8 Class 2 bicycle parking spaces. The proposed project will provide a total 4,130 sf of open space.

SITE DESCRIPTION AND PRESENT USE

The project site is a through-lot located on the south side of 7th Street between Howard and Folsom Streets on Assessor's Block 3730 Lot 004 in the South of Market (SoMa) neighborhood. The project site has approximately 75 feet of frontage on 7th Street and 75 feet of frontage on Langton Street. The subject parcel measures 12,375 sf and is currently occupied by a two-story 14,230 sf industrial building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located on the block bounded by Howard Street to the north, 8th Street to the west, Folsom Street to the south, and 7th Street to the east. The properties immediately adjacent to the west of the project site are a two-story industrial building that fronts on 7th Street and a two-story industrial building that fronts on Langton Street. The properties immediately adjacent to the east are a one- to two-story motel that fronts on 7th Street and a two-story residential building that fronts on Langton Street. The surrounding area is characterized by a variety of uses, including industrial, commercial, and residential uses. Height and Bulk Districts in the area includes 40-X, 45-X, 55-X, 65-X, 85-X and OS. The project site is

within a quarter mile of the following municipal transit lines; 8, 8AX, 8BX, 12, 14, 14R, 14X, 19, 27, 47, 83X, The project site is within .5 miles from the nearest BART (Bay Area Rapid Transit) station at Civic Center.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on September 26, 2017, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 10, 2017	November 8, 2017	22 days
Posted Notice	20 days	November 10, 2017	November 10, 2017	20 days
Combined Mailed Notice	20 days	November 10, 2017	November 10, 2017	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the notification for the Large Project Authorization.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received 3 letters of support and one public inquiry regarding the proposal.
- Pursuant to Planning Code Section 314, the Entertainment Commission was notified about the project because it is located within 300 feet of a Place of Entertainment. Although a hearing was not held to discuss the project, the sponsor is in direct communication with the Entertainment Commission to address any potential issues.

ISSUES AND OTHER CONSIDERATIONS

- Shadow Analysis: The Commission shall make a determination under Shadow Analysis Application No. 2014.0244SHD, that the net new shadow cast by the Project will not be adverse to the use of Howard & Langton Mini Park Community Garden. This project was reviewed by the Recreation and Parks Commission, who determined that the proposed shadow would not be adverse to the mini park.

- Large Project Authorization: The Commission must grant Large Project Authorization (LPA) pursuant to Planning Code Section 329 to allow new construction of a project over 25,000 gross square feet. As part of the LPA, the Commission may grant exceptions from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests exceptions from the Planning Code requirements for: 1) Dwelling Unit Exposure (Planning Code Section 140). Department staff is generally in agreement with the proposed exceptions given the overall project and its design.
- Affordable Housing: The Project has elected to provide on-site affordable housing as identified in Planning Code Sections 415.6, which requires thirteen and one half (13.5) percent of the total number of units be designated as part of the inclusionary affordable housing program. The Project contains 40 dwelling units and the Sponsor will fulfill this requirement by providing the 5 affordable units on-site, which will be available for rental.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Large Project Authorization (LPA) pursuant to Planning Code Section 329 to allow The proposed project to allow demolition of an existing parking garage and new construction of a six-story, 65-foot tall, 44,722 square feet, mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking spaces, and 40 Class 1 and 8 Class 2 bicycle parking spaces and to allow exception for dwelling unit exposure (Planning Code Section 140).

BASIS FOR RECOMMENDATION

- The Project is consistent with the Planning Code, Priority Policies, and the General Plan.
- The Project is located in a zoning district where residential and retail use is principally permitted.
- The Project in an appropriate in-fill development that will add 40 new dwelling units to the City's housing stock and 2,012 square feet of commercial space in an area that encourages the development of high-density, mid-rise housing and continuous ground floor commercial frontage with pedestrian-oriented retail activities.
- The Project is compatible with the existing neighborhood character, and provides an appropriate massing and scale for the subject block.
- The Project's design is of high quality and will complement the rapidly changing nature of its location in Western SoMa.
- The Project will provide five permanently affordable housing units on-site.
- The project will convert an underused site into a productive mixed-use development.
- The Project will fully utilize the Eastern Neighborhoods Area Plan controls and pay the appropriate development impact fees.
- The Project complies with the First Source Hiring Program.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Draft Motion ENX

Draft Motion SHD

Resolution No. 1711-011 Recreation & Park Commission

Environmental Documents

Block Book Map

Sanborn Map

Zoning Map

Height and Bulk Map

Aerial Photo

Site/Context Photos

Public Comments

Project Sponsor Submittal, including:

- Reduced Plans
- Letter to the Commission
- Public Outreach Summary
- Inclusionary Affordable Housing Program: Affidavit for Compliance
- Anti-Discriminatory Housing Policy
- First Source Hiring Program

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input checked="" type="checkbox"/> Housing Documents |
| | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

KJD _____

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input checked="" type="checkbox"/> Transportation Sustainability Fee (Sec. 411A) | <input checked="" type="checkbox"/> Residential Child Care Requirement (Sec. 414A) |
| <input checked="" type="checkbox"/> Eastern Neighborhoods (Sec. 423) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A LARGE PROJECT AUTHORIZATION PURSUANT TO SECTION 329 OF THE PLANNING CODE, TO ALLOW AN EXCEPTION TO DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, TO ALLOW DEMOLITION OF AN EXISTING PARKING GARAGE AND NEW CONSTRUCTION OF A SIX-STORY, 65-FOOT TALL, 44,722 SQUARE FEET, MIXED-USE RESIDENTIAL BUILDING WITH 40 DWELLING UNITS, 2,012 SQUARE FEET GROUND FLOOR COMMERCIAL SPACE, AND 20 OFF-STREET AUTOMOBILE PARKING SPACES AT 230 7TH STREET (ASSESSOR'S BLOCK 3730, LOT 004) WITHIN THE WMUG (WESTERN SOMA MIXED-USE GENERAL) ZONING DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On August 6th, 2015 Juan Carlos Wallace, Oryx Partners LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Large Project Authorization under Planning Code Section 329 to allow demolition of an existing parking garage and new construction of a six-story, 65-foot tall, 44,722 square feet, mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking spaces at 230 7th street (Assessor's Block 3730, Lot 004) within the WMUG (Western SOMA Mixed-Use General) Zoning District and a 65-X Height and Bulk District.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public

hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

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

On September 26, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

The Planning Department Commission Secretary is the custodian of records, documents are located in the File for Case No. 2014.0244ENX at 1650 Mission Street, Fourth Floor, San Francisco, California.

On November 30, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014.0244ENX.

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

MOVED, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2014.0244ENX, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is a through-lot located on the south side of 7th Street between Howard and Folsom Streets on Assessor’s Block 3730 Lot 004 in the South of Market (SoMa) neighborhood. The project site has approximately 75 feet of frontage on 7th Street and 75 feet of frontage on Langton Street. The subject parcel measures 12,375 square feet (sf), and is currently occupied by a two-story, 14,230 sf industrial building.
3. **Surrounding Properties and Neighborhood.** The project site is located on the block bounded by Howard Street to the north, 8th Street to the west, Folsom Street to the south, and 7th Street to the east. The properties immediately adjacent to the west of the project site are a two-story industrial building that fronts on 7th Street and a two-story industrial building that fronts on Langton Street. The properties immediately adjacent to the east are a one- to two-story motel that fronts on 7th Street and a two-story residential building that fronts on Langton Street. The surrounding area is characterized by a variety of uses, including industrial, commercial, and residential uses. Height and Bulk Districts in the area includes 40-X, 45-X, 55-X, 65-X, 85-X and OS. The project site is within a quarter mile of the following municipal transit lines; 8, 8AX, 8BX, 12, 14, 14R, 14X, 19, 27, 47, 83X. The project site is within .5 miles from the nearest BART (Bay Area Rapid Transit) station at Civic Center.
4. **Project Description.** The proposed project would demolish an existing parking garage and construct a six-story, 65-foot tall, 44,722 square feet, mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking spaces, and 40 Class 1 and 8 Class 2 bicycle parking spaces. The proposed project will provide a total 4,130 sf of open space.
5. **Public Comment.** The Department has received 3 letters of support and one public inquiry regarding the proposal.

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

- A. **Permitted Uses in WMUG Zoning Districts.** Planning Code Sections 844.20 and 844.45 states that residential and retail ($\leq 10,000$ sf) are principally permitted use within the WMUG Zoning District.

The Project would construct 40 dwelling units and 2,012 sf of new retail use within the WMUG Zoning District; therefore, the Project complies with Planning Code Sections 844.20 and 844.45.

- B. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth.

The Project site has 165 feet of lot depth which requires a 25% rear yard that is at least 41.25 feet. The project proposes lot coverage that retains a 44 feet rear yard at grade.

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

The Project is required to provide 3,200 sf of open space. The proposal provides 3,170 sf of common open space in the rear yard at grade and 12 private balcony/terrace open spaces for dwelling units located adjacent to the inner court which meet the requirements of the Planning Code. In total, the Project exceeds the required amount for the dwelling units.

- D. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 feet in width, or an open area (inner court) must be no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. When a dwelling unit faces an outer court whose width is less than 25 feet, the depth of the court shall be no greater than its width.

The Project organizes most dwelling units to have exposure facing either 7th Street or Langton Street, which meets the Planning Code requirements. 10 other dwelling units face an inner court that does not step back at the top three levels. The Department has determined that 6 units facing the inner court require an exception because they do not meet the dimensional requirements of Section 140. The Project is seeking an exception to the dwelling unit exposure requirement as part of the Large Project

Authorization per Sec. 140 and 329 (see below) in order to allow for the highest number of dwelling units provided maximizing site density.

- E. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 14 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The Project meets the requirements for providing active ground floor use at 7th Street frontage through the provision of commercial space with a ground floor height of 14 feet. The frontage on Langton will retain the historic façade and portion of the side walls that will also function as the main residential entrance. This will activate the small street and increase the sense of safety and livability of the area.

- F. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of 1:4 per dwelling unit. Further, in the WMUG District each dwelling unit with at least 2 bedrooms and at least 1,000 square feet of occupied floor area is permitted one auto parking space. Retail sales and services are permitted to provide one auto parking space per 1,500 sf.

The Project is allowed up to 19 automobile parking spaces for the proposed 40 dwelling units while the 2,012 sf of retail use is allowed up to 1 parking space. The Project proposes 20 off-street parking spaces, 0 for the retail use and 20 for the residential use which exceeds the principally permitted amount and requires additional findings per Section 303(u).

- G. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit up to 100 and 1 per four dwelling units above 100. One Class 2 bicycle parking space is required for every 20 dwelling units. Additional bicycle parking requirements apply based on classification of non-residential use; at least two Class 2 spaces are required for retail uses.

The Project includes 40 dwelling units and 2,012 sf of commercial use. Therefore, the Project is required to provide 40 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces for residential and retail uses. The Project will provide 40 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.

- H. **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 13 points for the residential use and 0 points for the retail use which is below the 10,000 sf applicable threshold to apply. However, 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, thus resulting in a required target of 6.5 points for the residential use.

As currently proposed, the Project will achieve 10 points through the following TDM measures:

- *Parking Supply*
- *Unbundled Parking*
- *Bicycle Parking (Option B)*
- *Bicycle Repair Station*

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

For the 40 dwelling units, the Project is required to provide 16 units with at least two-bedrooms or 12 three-bedroom units. The Project provides 1 studio, 23 one-bedroom, 16 two-bedroom and 0 three-bedroom units. Therefore, the Project meets the requirements for dwelling unit mix (40% 2 or more bedrooms).

- J. **Places of Entertainment/Outreach.** Planning Code Section 314 requires that in addition to any other factors appropriate for consideration under the Planning Code, the Planning Department and Planning Commission shall consider the compatibility of uses when approving Residential Uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential project takes into account the needs and interests of both the Places of Entertainment and the future residents or guests of the new development. Such considerations may include, among others: (a) the proposed project's consistency with applicable design guidelines; (b) any proceedings held by the Entertainment Commission relating to the proposed project, including but not limited to any acoustical data provided to the Entertainment Commission, pursuant to Administrative Code Section [116.6](#); and (c) any comments and recommendations provided to the Planning Department by the Entertainment Commission regarding noise issues related to the project pursuant to Administrative Code Section [116.7](#).

The Project is located within a 300 foot radius of a Place of Entertainment (POE). In accordance with the Entertainment Commission's approved "Guidelines for Entertainment Commission Review of Residential Development Proposals Under Administrative Code Chapter 116," Entertainment Commission staff determined that a hearing on this project was not required under Section 116.7(b) of the Administrative Code because the available evidence indicates that noise from the POE is not likely to create a significant disturbance for residents of the project. The Commission has adopted a set of standard "Recommended Noise Attenuation Conditions for Chapter 116 Projects," attached hereto.

Accordingly, the Commission recommends that the Planning Department and/or Department of Building Inspection impose these standard conditions on the development permit(s) for this project.

- K. **Transportation Sustainability Fee.** Planning Code Section 411A establishes the Transportation Sustainability Fee (TSF) and is applicable to project that are the following: (1) More than twenty new dwelling units; (2) New group housing facilities, or additions of 800 gross square feet or more to an existing group housing facility; (3) New construction of a Non-Residential use in excess of 800 gross square feet, or additions of 800 gross square feet or more to an existing Non-Residential use; or (4) New construction of a PDR use in excess of 1,500 gross square feet, or additions of 1,500 gross square feet or more to an existing PDR use; or (5) Change or Replacement of Use, such that the rate charged for the new use is higher than the rate charged for the existing use, regardless of whether the existing use previously paid the TSF or TIDF; (6) Change or Replacement of Use from a Hospital or a Health Service to any other use.

The Project includes more than twenty dwelling units; therefore, the TSF applies as outlined in Planning Code Section 411A. As the Environmental Application was filed prior to July 7, 2015 the non-residential portion of the project will be subject to TIDF rates and the residential portion shall pay TSF rates at 50%.

- L. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on July 30, 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.

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 sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and Community Development and the City Attorney's Office. The

Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on September 18, 2017. 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 July 30, 2014. Pursuant to Planning Code Section 415.3 and 415.6, the on-site requirement is 13.5 %. 5 units (3 one-bedroom and 2 two-bedroom) of the 40 total units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- M. **Residential Child-Care Fee.** Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

The Project includes approximately 42,710 sf of new residential use. The proposed Project is subject to fees as outlined in Planning Code Section 414A.

- N. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the UMU (Urban Mixed-Use) Zoning District that results in the addition of a new residential unit and new construction of non-residential space.

The Project includes 44,722 sf of new construction for 40 dwelling units and 2,012 sf of non-residential use. These uses are subject to Tier 2 Eastern Neighborhood Infrastructure Impact Fees outlined in Planning Code Section 423.

7. **Large Project Authorization in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. Overall building mass and scale.

Overall, the Project's mass and scale is consistent with the changing context of the area and residential developments along 7th Street. The Langton Street historic façade is being preserved and will function as the main entry for the residential units. The main building mass is set back approximately 44 feet from the Langton façade to provide a Code-complying rear yard. The Project includes a recessed ground floor commercial storefront entry with three bay sections of residential expression above which provide vertical modulation along the street facade. Thus, the Project is appropriate for the lot and consistent with the mass and scale of the intent of the WMUG Zoning District and 65-X Height and Bulk District.

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

Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design appears consistent and compatible with the surrounding neighborhood and includes the use of high-quality building materials. The 7th Street facade material palette is comprised

of cement plaster, metal panels, stone and glazing. The façade design offers a residential scale variation of bays with the additional depth and texture provided through sunshades. The Langton Street historic façade will be retained and the rear façade of the main building will in addition to the material palette described above include a “ghosted silhouette” of the previously existing industrial building roofline trusses to reference and interpret the historic use of the site.

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

The Project’s ground floor retail on 7th Street provides an active street frontage which will enhance and offer an effective and engaging connection. Also, the Langton Street frontage which will function as the main residential entrance will activate the street. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity. Off-street parking is provided at the edge of the project on 7th Street near an existing vehicle access corridor on the adjacent property. Consolidating the off-street parking at this location ensure a pedestrian oriented project for the rest of the frontage.

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

The Project provides 3,170 sf of common open space in the rear yard at grade and 12 private balcony/terrace open spaces for dwelling units located adjacent to the inner court which meet the requirements of the Planning Code. In total, the Project exceeds the required amount for the dwelling units.

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

The Department reviewed the subject parcel and determined that there was no opportunity to establish a through-block connection between existing alleys or streets. Therefore, the provision for a mid-block alley is not required.

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

New sidewalk, curb restoration and reduced curb cut, street trees and Class 2 bicycle parking will be provided by the project.

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

The Project includes ground floor retail along 7th Street. There are two entry points for the residents, one on 7th Street and the main entry through the rear yard on Langton Street. The site is not large enough to provide a mid-block pathway.

H. Bulk limits.

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

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

The Project, on balance, meets the Objectives and Policies of the General Plan. See below.

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

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

The Project is seeking exceptions to the requirements for dwelling unit exposure (§140).

Planning Code Section 140 requires that dwelling units face a public street, alley or Code complying open area. The Project organizes most dwelling units to have exposure facing 7th Street and Langton Street which meets the Planning Code requirements. 10 dwelling units face an inner court. The Department has determined that 6 units facing either the inner court require an exception because they do not meet the dimensional requirements of Section 140 and or does not provide an unobstructed open area. Although these units face an area that does not meet the setback required dimensions for dwelling unit exposure, the project provides a courtyard to allow light to permeate the site. Given the overall design and composition, the Commission finds this exception to be acceptable.

9. **Accessory Parking Above That Principally Permitted.**

a. **Residential Uses.** In granting approval for parking accessory to Residential Uses above that principally permitted in [Table 151.1](#), the Planning Commission shall make the following affirmative findings in addition to those stated in Section [303\(c\)](#):

i. All parking meets the active use and architectural screening requirements in Section [145.1](#) and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code;

1. Demonstration that trips to the use or uses to be served, and the apparent demand for additional parking, cannot be satisfied by the amount of parking classified by this Code as accessory, by transit service which exists or is likely to be provided in the foreseeable future, by carpool arrangements, by more efficient use of existing on-street and off-street parking available in the area, and by other means;

The Project proposes 40 dwelling units 10 units have 2 bedrooms and are at least 1,000 sf which allows 1 to 1 parking. The remaining 30 dwelling units could be

authorized for 23 parking spaces for a total of 32 parking spaces possible for authorization through this Code Section. The project proposes only 20 space; one above the principally permitted accessory amount for all uses on the site. The Project's demand for parking exceeds 10 spaces, as demonstrated by the trip generation calculation set forth in the Project's Community Plan Exemption Initial Study, and there are not available on-street or off-street parking facilities available in the immediate vicinity to accommodate that demand. Although transit service is available in the neighborhood, it is anticipated that some residents will own private automobiles. The project is not large enough to require car share parking and it is not anticipated to be provided in the Project garage, and private carpool arrangements are unlikely to be successful within a building of this small size.

2. Demonstration that the apparent demand for additional parking cannot be satisfied by the provision by the applicant of one or more car-share parking spaces in addition to those that may already be required by Section [166](#) of this Code;

Projects with less than 50 dwelling units are not required to provide car share parking spaces.

3. The absence of potential detrimental effects of the proposed parking upon the surrounding area, especially through unnecessary demolition of sound structures, contribution to traffic congestion, or disruption of or conflict with transit services, walking, and cycling; and

The Project's small 20-space garage will not require the demolition of any sound structures (other than the current garage structure being demolished for construction of the Project itself). The Project's Community Plan Exemption Initial Study demonstrated that the Project's traffic generation and 7th Street garage entrance will not contribute to traffic congestion or disrupt or conflict with transit services, walking or bicycling. The 7th Street bicycle lane is on the east side of 7th Street, while the Project and its garage entrance are on the west side of 7th Street.

4. Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal nor diminish the quality and viability of existing or planned streetscape enhancements.

The Project's garage entrance on 7th Street is a single lane 10-foot 9-inch wide building opening recessed from the street façade. The remainder of the 7th Street façade and all of the Langton Street façade are occupied by active commercial and residential uses. The Project will provide 4 new street trees on 7th Street and 4 new street trees on Langton Street. The streetscape improvements on 7th Street are associated with the bicycle lane on the east side of the street, and because the Project's narrow garage entrance is on the west side of the street, it will not diminish the quality or viability of these streetscape improvements.

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

HOUSING ELEMENT

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 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional, or other single use development projects.

The Project is a residential mixed-use development on an underutilized lot and is an ideal infill site. The proposed Project would add 40 dwelling units with a dwelling unit mix of 1 studio, 23 one-bedroom and 16 two-bedroom. The Project Site was rezoned to WMUG as part of a long range planning goal to transition former industrial land and to create a cohesive, higher density residential and mixed-use neighborhood. The Project Sponsor will provide on-site affordable rental housing at a rate of 13.5% (subject to change).

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 11.6

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

The Project involves the removal of the existing parking garage, and construction of a new six-story (65-ft tall) mixed-use building with 40 dwelling units, 2,012 sf ground floor retail, and at grade parking containing 20 automotive parking spaces and 40 Class 1 and 8 Class 2 bicycle parking spaces. The provision of the rear yard courtyard entry with adjacent commercial space and a common outdoor roof deck provides a basis for potential community interaction for the residents of the project.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support “smart” regional growth that locates new housing close to jobs and transit.

Policy 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The project site is located in an area that is transit rich with multiple MUNI lines within a ¼ mile of the project. Further, the subject property is located in the Western SOMA Area Plan that encourages mixed-use development.

WESTERN SOMA AREA PLAN

LAND USE

OBJECTIVE 1.1

BUILD ON AN EXISTING MIXED-USE CHARACTER THAT ENCOURAGES PRODUCTION OF RESIDENTIAL USES IN AREAS MOST APPROPRIATE FOR NEW HOUSING WITH A PROXIMATE MIX OF USES AND SERVICES SERVING LOCAL NEEDS AND THEREBY DEVELOPING A COMPLETE NEIGHBORHOOD.

Policy 1.1.2

Western SoMa land uses should progress from non-residential uses south of Harrison Street northward to an increasingly residential neighborhood with retention of a mix of uses and new missed-use developments where appropriate.

The proposed mixed-use residential project is located on an infill site north of Harrison Street.

OBJECTIVE 1.3

MINIMIZE NOISE IMPACTS AND ENSURE APPROPRIATE NOISE ORDINANCE REQUIREMENTS ARE MET.

POLICY 1.3.1

Reduce potential land use conflicts by providing accurate background noise-level data.

POLICY 1.3.2

Reduce potential land use conflicts by carefully considering the location and design of both noise-generating uses and sensitive uses in the Western SoMa.

The Project is located within a 300 foot radius of a Place of Entertainment (POE). In accordance with the Entertainment Commission’s approved “Guidelines for Entertainment Commission Review of Residential Development Proposals Under Administrative Code Chapter 116,” Entertainment Commission staff

determined that a hearing on this project was not required under Section 116.7(b) of the Administrative Code because the available evidence indicates that noise from the POE is not likely to create a significant disturbance for residents of the project. The Entertainment Commission has adopted a set of standard "Recommended Noise Attenuation Conditions for Chapter 116 Projects," attached hereto. Accordingly, the Entertainment Commission recommends that the Planning Commission and/or Department of Building Inspection impose these standard conditions on the development permit(s) for this project.

OBJECTIVE 3.2

ENCOURAGE NEW NEIGHBORHOOD RESIDENTIAL USES IN LOCATIONS THAT PROVIDE THE GREATEST OPPORTUNITIES TO BUILD ON THE EXISTING NEIGHBORHOOD PATTERNS

POLICY 3.2.1

Discourage housing production that is not in scale with the existing neighborhood pattern.

POLICY 3.2.2

Encourage in-fill housing production that continues the existing built housing qualities in terms of heights, prevailing density, yards and unit sizes.

POLICY 3.2.5

Encourage creation of upper floor residential uses on major streets north of Harrison Street.

POLICY 3.2.6

Promote the production of housing development programs that provide for families and other Western SoMa SUD special population needs in terms of the mix of unit sizes, affordability and tenure.

The Project is an infill project that is in scale, density and height of the existing neighborhood pattern and context north of Harrison Street. Further, it proposes a lot merger that remains in character with the street frontages of the district.

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

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

The proposal would enhance the district by providing a new ground floor retail business and a residential building on what is currently an underutilized site. The new residential building will provide new residents, who can patron nearby neighborhood-serving retail uses, thus increasing the opportunities for local 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 area along 7th Street is characterized primarily by commercial, industrial and residential uses in one- to five-story buildings ranging from 20-feet to 50-feet tall. Langton Street is characterized by one- to two-story commercial/industrial uses and three- to four-story residential buildings. The existing housing and neighborhood character in the surrounding neighborhood would not be adversely affected.

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

No housing is removed for this Project. The project site does not possess any existing housing. The Project Sponsor has elected to provide on-site affordable housing.

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

The project site is within a quarter mile of the following municipal transit lines; 8, 8AX, 8BX, 12, 14, 14R, 14X, 19, 27, 47, 83X. The project site is within .5 miles from the nearest BART (Bay Area Rapid Transit) station at Civic Center.

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

The Project site was last authorized for auto parking use. The Project does not involve commercial office development. The Project will not affect industrial or service sector uses or related employment opportunities.

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

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

- G. That landmarks and historic buildings be preserved.

The proposed project will not materially impair the identified Western SOMA Historic District and thus would not cause a significant impact to the historic resource. The historic portion of the building to be retained and rehabilitated includes the primary façade along Langton Street as well as 44 feet of return walls for the northwest and southwest elevations. The openings of the portion of the historic façade would be repaired and the non-historic brick concrete masonry infill would be removed. The openings will feature new painted iron grillwork to reflect the pattern of the existing steel windows. The new elevation of the building will feature a "ghosted silhouette" of the existing roof and monitor through the use of darker materials in order to provide a historic interpretation of past industrial use at the site.

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

The Project will cast additional shadow on the nearby Howard & Langton Mini Park Community Garden and will have an effect on a property managed and owned by the Recreation and Parks Commission. As noted in Planning Commission Motion No. XXXXX, the additional shadow cast by the Project would not be adverse to the usability of the park.

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

The Project Sponsor submitted a First Source Hiring Affidavit on September 18, 2017 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 Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization No. 2014.0244ENX**, under Planning Code Section 329, to allow the demolition of an existing parking garage and new construction of a six-story, 65-foot tall, 44,722 square feet, mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking spaces and an exception to the requirement for dwelling unit exposure (Planning Code Section 140) within the WMUG (Western SOMA Mixed Use General) Zoning District and a 65-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 25, 2017 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 30, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a **Large Project Authorization** to allow the new construction of a six-story, 65-foot tall, 44,722 square feet, mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking space and an exception to the Planning Code requirements for dwelling unit exposure at 230 7th Street, Assessor's Block 3730, and Lot 004, pursuant to Planning Code Section 329, within the Western SOMA Mixed Use General (WMUG) District and a 65-X Height and Bulk District; in general conformance with plans, dated September 25, 2017 and stamped "EXHIBIT B" included in the docket for Case No. **2014.0244ENX** and subject to conditions of approval reviewed and approved by the Commission on 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 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 Large Project Authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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. **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 Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2015-005862ENV) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor.

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

8. **Additional Project Authorization.** The Project Sponsor must obtain a determination that the proposed shadow cast by the Project would not be adverse to the use of a property owned and/or managed by the Recreation and Parks Commission under Planning Code Section 295, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

DESIGN

9. **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

10. **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

11. **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

12. **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

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

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

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

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

PARKING AND TRAFFIC

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

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

15. **Parking Above Maximum Permitted.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 20 off-street parking spaces for the 40 dwelling units in the WMUG Zoning Districts.

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

16. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 40 Class 1 bicycle parking spaces and 4 Class 2 spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA’s bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

17. **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

18. **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

19. **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
20. **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
21. **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
22. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

23. **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

OPERATION

24. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>
25. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For*

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

26. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator 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

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

27. **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.. These conditions state:

- a) **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.
- b) **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.
- c) **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.
- d) **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.
- e) **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.

INCLUSIONARY HOUSING REQUIREMENTS

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

1. **Number of Required Units.** Pursuant to Planning Code Section 419.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 40 units; therefore, 5 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 5 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

2. **Unit Mix.** The Project contains 1 studio, 23 one-bedroom and 16 two-bedroom units; therefore, the required affordable unit mix is 0 studios, 3 one-bedroom and 2 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

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

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

4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than thirteen and five tenths percent (13.5%) of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

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

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

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

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input checked="" type="checkbox"/> Transportation Sustainability Fee (Sec. 411A) | <input checked="" type="checkbox"/> Residential Child Care Fee (Sec. 414A) |
| <input checked="" type="checkbox"/> Eastern Neighborhoods Impact Fee (Sec. 423) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

HEARING DATE: NOVEMBER 30, 2017

Case No.: **2014.0244SHD**
Project Address: **230 7th STREET**
Zoning: WMUG (Western SOMA Mixed-Use General) Zoning District
65-X Height and Bulk District
Block/Lot: 3730/004
Project Sponsor: Juan Carlos (JC) Wallace, Oryx Partners LLP
PO Box 14315
San Francisco, CA 94114
Staff Contact: Kimberly Durandet – (415) 575-6816
kimberly.durandet@sfgov.org

ADOPTING FINDINGS, WITH THE RECOMMENDATION OF THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON HOWARD & LANGTON MINI PARK BY THE PROPOSED PROJECT AT 230 7TH STREET WOULD NOT BE ADVERSE TO THE USE OF MINI-PARK PURSUANT TO PLANNING CODE SECTION 295.

PREAMBLE

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

On February 7, 1989, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Howard & Langton Mini Park and Community Garden (Howard & Langton) is located on Lot 091 in Assessor's Block 3730, is generally bounded by Howard Street to the north, Langton Street to the east, Folsom Street to the south, and Rausch Street to the west. Howard & Langton is approximately .22 acres or 9,374 square feet (sf) and is characterized by a community garden that has 60 plots with benches and tables and is bordered by a metal slatted fence. The park is gated and access is limited to specified daylight hours to persons with plots for gardening. The neighborhood immediately surrounding Howard & Langton is characterized by one- to five-story buildings containing residential, commercial and

industrial uses. The neighborhood encompassing Howard & Langton is part of the Eastern Neighborhoods Area Plan and is envisioned, generally, for increased building heights and residential density.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on Howard & Langton has approximately 38,025,265 square-foot-hours of sunlight. Existing structures in the area cast shadows on Howard & Langton that total approximately 48.86 percent of the TAAS.

On September 9, 2015, Juan Carlos (JC) Wallace (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Shadow Impact Study and on August 06, 2015, the Project Sponsor filed an application with the Department for a Large Project Authorization on the property at 230 7th Street (Assessor's Block 3730, Lot 004) to allow demolition of an existing parking garage and new construction of a six-story, 65-foot tall, 44,722 square feet, mixed-use residential building with 40 dwelling units, 2,012 square feet ground floor commercial space, and 20 off-street automobile parking spaces within the WMUG (Western SOMA Mixed-Use General) Zoning District and a 65-X Height and Bulk District.

A technical memorandum, prepared by ESA, was finalized on September 19, 2017, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2014.0244SHD). The memorandum concluded that the Project would cast approximately 580,231 square-foot-hours of new shadow on Howard & Langton, equal to approximately 1.53 percent of the theoretically available annual sunlight ("TAAS") on Howard & Langton.

On November 16, 2017, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project will not be adverse to the use of Howard & Langton.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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

FINDINGS

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

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons:
 - a. All new shadow cast by the Project would occur in the early mornings with all shadows gone by no later than 9:00am, thus the Project would not cast shadows during mid-day and early afternoon hours when the park has maximum sunlight exposure;

- b. The duration of the Project generated new shadow would vary throughout the year, with new shadow being present for a maximum of 130 minutes and an average of 78 minutes;
 - c. New shadow from the Project would not be present throughout the year, with no new shadow cast on the park during the winter;
 - d. New shadow would only affect some areas of the park, including about half of the garden plots in the summer and about one third of the garden plots in the spring and fall;
3. A determination by the Planning Commission and the Recreation and Park Commission to allocate net new shadow to the Project does not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Project Sponsor, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. **2014.0244SHD**, that the net new shadow cast by the Project will not be adverse to the use of Howard & Langton.

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 November 30, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYES:

ABSENT:

ADOPTED:

**CITY AND COUNTY OF SAN FRANCISCO
RECREATION & PARK COMMISSION
RESOLUTION NO. 1711-011**

RESOLUTION RECOMMENDING TO THE PLANNING COMMISSION THAT THE NET NEW SHADOW CAST BY THE PROPOSED PROJECT AT 230 SEVENTH STREET WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE USE OF HOWARD & LANGTON MINI PARK COMMUNITY GARDEN, AS REQUIRED BY PLANNING CODE SECTION 295 (THE SUNLIGHT ORDINANCE).

WHEREAS, Under Planning Code Section 295, the Planning Commission may not approve a building permit application for a structure with a height of 40 feet or higher if the resulting shadow will have an adverse impact on property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission, unless the Planning Commission, upon recommendation from the General Manager of the Recreation and Park Department in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant; and

WHEREAS, the Recreation and Park Commission has jurisdiction over real property located on portions of lot 091 of Assessor's Block 3730 in San Francisco known as Howard & Langton Mini Park Community Garden ("Howard & Langton"); and

WHEREAS, Oryx Partners, LLC, ("Project Sponsor") proposes to demolish all but the rear wall of the existing parking garage structure and construct a six-story mixed-use building containing 40 residential units and approximately 2,000 square feet of ground floor commercial space ("Project"); and

WHEREAS, ESA analyzed the new shadow cast by the proposed Project on Howard & Langton and determined that the Theoretical Annual Available Sunlight ("TAAS") for Howard & Langton is 38,025,265 square-foot hours ("sfh"). The amount of shadow currently cast on Howard & Langton by existing buildings constitutes 48.86% of the TAAS for the park. The additional shadow cast by the Project would constitute 1.53% of TAAS, bringing the total annual shading of Howard & Langton as a percentage of TAAS to 50.38%; and

WHEREAS, the Planning Department is responsible for conducting environmental review for the project. The Department completed a Community Plan Exemption (CPE) Checklist to evaluate whether the environmental impacts of the proposed project were addressed in the Programmatic Environmental Impact Report (PEIR) for the Western SOMA; and

WHEREAS, on September 26, 2017, The Planning Department determined that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Western SOMA PEIR; and

WHEREAS, the Project will provide the following public benefits to the City: 5 of the 40 proposed units will be below-market-rate units; the building's historic Langton Street façade will be preserved; the project's lower-level commercial spaces will help activate the street frontage to increase public safety; and

WHEREAS, the Commission finds that the additional shadow cast by the Project will not have a significant adverse impact on the use of Howard & Langton Mini Park Community Garden for the following reasons: (1) All new shadow cast by the Project would occur in the early mornings with all shadows gone by no later than 9:00 am, thus the Project would not cast shadows during mid-day and early afternoon hours when the park has maximum sunlight exposure; (2) the duration of proposed Project-generated new shadow would vary throughout the year, with new shadow being present for a maximum of 130 minutes and an average of 78 minutes; (3) new shadow from Project would not be present throughout the year, with no new shadow cast on the park during the winter; (4) new shadow would only affect some areas of the park, including about half of the garden plots in the summer and about one third of the garden plots in the spring and fall; now therefore be it

RESOLVED, the Commission recommends that the Planning Commission find that the shadow cast by the proposed project at 320 Seventh Street will not have a significant adverse impact on the use of Howard & Langton Mini Park Community Garden, pursuant to Planning Code Section 295 (the Sunlight Ordinance).

Passed by the following vote:

Ayes	6
Noes	0
Absent	0

I hereby certify that the foregoing resolution was adopted at the Recreation and Park Commission meeting held on November 16, 2017.


Margaret A. McArthur, Commission Liaison



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

Case No.: 2014.0244E
Project Address: 230 7th Street
Zoning: Western SoMa Mixed Use-General (WMUG)
65-X Height and Bulk District
Western SoMa Special Use District
Youth and Family Special Use District
Plan Area: Western SoMa Community Plan
Block/Lot: 3730/004
Lot Size: 12,375 square feet
Project Sponsor: Juan Carlos Wallace, Oryx Partners, (415) 902-5882
Staff Contact: Don Lewis – (415) 575-9168
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PROJECT DESCRIPTION

The project site is located on the block bounded by Howard Street to the north, 8th Street to the west, Folsom Street to the south, and 7th Street to the east in the South of Market neighborhood. The project site is a through-lot with frontages on 7th and Langton streets. The project site is occupied by a two-story, 14,230-square-foot, industrial building (constructed in 1924) and is currently used as an indoor public parking garage with approximately 75 spaces. The project sponsor proposes the demolition of the existing building (except for the brick Langton Street façade which would be retained and rehabilitated) and construction of a 65-foot-tall (81-foot-tall with elevator penthouse), six-story, mixed-use building approximately 44,720 square feet in size with 40 residential units, 2,010 square feet of ground-floor commercial space, and 20 off-street parking spaces.

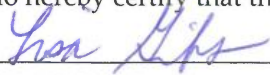
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CEQA DETERMINATION

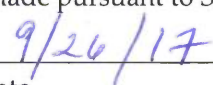
The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

DETERMINATION

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



LISA GIBSON
Environmental Review Officer



Date

cc: Juan Carlos Wallace, Project Sponsor
Kimberly Durandet, Current Planner
Supervisor Jane Kim, District 6

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

PROJECT DESCRIPTION (continued)

The proposed mix of units would include two-bedroom, one-bedroom, and studio units. The project would provide 40 Class I bicycle spaces at the ground floor and four Class 2 bicycle spaces on the sidewalk in front of the project site (two on 7th Street and two on Langton Street). The proposed project would include 3,170 square feet of common open space in the form of an at-grade rear yard situated between the new building and the rehabilitated Langton Street façade and 1,085 square feet of common open space on the roof deck. The project would plant eight new street trees (four on 7th Street and four on Langton Street). The four existing curb cuts (two on 7th Street and two on Langton Street) would be removed and standard sidewalk and curb dimensions restored. The project would create a new 10-foot-wide curb cut on 7th Street for access to the ground-floor parking garage.

During the approximately 16-month construction period, the proposed project would require up to approximately 8 feet of excavation below ground surface for the building foundation and car stacking system, resulting in approximately 800 cubic yards of soil removal. The proposed building would be supported by a mat foundation on improved soil; impact piling driving is not proposed or required.

PROJECT APPROVAL

The proposed 230 7th Street project would require the following approvals:

Actions by the Planning Commission

- Approval of a large project authorization from the Planning Commission is required per Planning Code section 329 for the new construction of a building greater than 25,000 gross square feet in size.

Actions by other City Departments

- Approval of a site mitigation plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of building permits from the San Francisco Department of Building Inspection for demolition and new construction.

The approval of the large project authorization would be the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 230 7th Street project described above, and incorporates by reference information contained in the programmatic EIR for the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* (Western SoMa PEIR).¹ Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Western SoMa PEIR.

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

As a result of the *Western SoMa Community Plan*, the project site was rezoned from SLR (Service/Light Industrial/Residential District) to Western SoMa Mixed Use-General (WMUG) district. The WMUG district is largely comprised of the low-scale, production, distribution, and repair (PDR) uses mixed with housing and small-scale retail. The WMUG is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. Housing is encouraged over ground-floor commercial and PDR uses. New residential or mixed use developments are encouraged to provide as much mixed-income family housing as possible.

Individual projects that could occur in the future under the *Western SoMa Community Plan* will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 230 7th Street is consistent with, and was encompassed within, the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 230 7th Street project, and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{2,3} Therefore, no further CEQA evaluation for the 230 7th Street project is required. In sum, the Western SoMa PEIR and this certificate of determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

¹ San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report (PEIR)*, Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031, certified December 6, 2012. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed May 28, 2015.

² San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 230 7th Street*, December 3, 2015. This document, and other cited documents, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-011215ENV.

³ San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning Analysis, 230 7th Street*, October 27, 2015.

PROJECT SETTING

The project site is located on the block bounded by Howard Street to the north, 8th Street to the west, Folsom Street to the south, and 7th Street to the east in the South of Market neighborhood. The project site is a through-lot with frontages on 7th and Langton streets. The project site is occupied by a two-story, 14,230-square-foot, industrial building (constructed in 1924) and is currently used as an indoor public parking garage with approximately 75 spaces. The properties immediately adjacent to the west of the project site is a two-story industrial building (constructed in 1922) that fronts on 7th Street and a two-story mixed-use building (constructed in 1915) that fronts on Langton Street. The properties immediately adjacent to the east of the project site is a two-story motel building (constructed in 1955) that fronts on 7th Street and a two-story residential building (constructed in 1908) that fronts on Langton Street. The surrounding area around the project site is characterized by a variety of uses, including industrial, commercial, and residential uses. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 8, 8AX, 8BX, 12, 14, 14R, 14X, 19, 27, 47, and 83X. The closest bus stop is approximately 160 feet north of the project site at the intersection of Howard and 7th streets. In addition, there is a bus stop approximately 380 feet south of the project site at the intersection of Folsom and 7th streets. There are bicycle lanes along 7th, Folsom, and Howard streets. The surrounding parcels are either within the WMUG, P (Public) or RED (South of Market Residential Enclave) zoning districts. Height and bulk districts within a one-block radius include 40-X, 55-X, and 65-X.

There is a proposed development at 65 Langton/262 7th Street (Case No. 2014.0334ENV) that involves the demolition of an existing one-story warehouse and construction of a six-story mixed-use residential building (approximately 90 feet east of the project site). There is also a proposed development at 280-282 7th Street (Case No. 2016-004946ENV) that involves the demolition of an existing two-story nightclub and construction of a six-story mixed-use residential building (approximately 190 feet east of the project site). Additionally, there is a 65-foot-tall mixed-use development under construction at 1140 Folsom Street/99 Rausch Street (Case No. 2013.0986ENV) approximately 230 feet south of the project site.

POTENTIAL ENVIRONMENTAL EFFECTS

The Western SoMa PEIR included analyses of environmental issues including: Land Use; Aesthetics, Population and Housing; Cultural and Paleontological Resources; Transportation and Circulation; Noise and Vibration; Air Quality; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Public Services, Utilities, and Service Systems; Biological Resources; Geology and Soils; Hydrology and Water Quality; Hazards and Hazardous Material; Mineral and Energy Resources; and Agriculture and Forest Resources. The proposed 230 7th Street project is in conformance with the height, use and density for the site described in the Western SoMa PEIR and would represent a small part of the growth that was forecast for the *Western SoMa Community Plan*. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 230 7th Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Western SoMa PEIR.

Significant and unavoidable impacts were identified in the Western SoMa PEIR for the following topics: historic resources, transportation and circulation, noise, air quality, and shadow. The project site is located within the Western SoMa Light Industrial and Residential Historic District and the project proposes the demolition of a contributing resource to the historic district. Planning staff find that the removal of the existing building would not materially impair the historic district, and the proposed building, which would retain and rehabilitate the existing Langton Street façade, was determined to be compatible with the historic district. Therefore, the project would not contribute to any historic resource

impact. Transit ridership generated by the project would not considerably contribute to the transit impacts identified in the Western SoMa PEIR. Since the proposed project could generate excessive construction noise, Mitigation Measure M-NO-2a would ensure that project noise from construction activities is minimized to the maximum extent feasible. The proposed project is required to comply with the Construction Dust Control Ordinance, and implementation of Mitigation Measure M-AQ-7 would reduce construction-related air quality impacts by requiring a construction emissions minimization plan for health risks and hazards. The project, which would add new shadow on the Howard & Langton Mini Park Community Garden in the early morning from mid-January through late November, would contribute considerably to the significant and unavoidable cumulative shadow impact that was identified in the Western SoMa PEIR. The proposed project would shade nearby streets, sidewalks, and private property at times within the project vicinity, but at levels commonly expected in urban areas.

The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. **Table 1** below lists the mitigation measures identified in the Western SoMa PEIR and states whether the mitigation measure would apply to the proposed project.

Table 1 – Western SoMa PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
Cultural and Paleontological Resources		
M-CP-1a: Documentation of a Historical Resource	Not Applicable: While the existing building proposed for demolition is a contributor to a historic district, the removal of the contributing resource would not result in a substantial adverse change in the significance of the eligible historic district. Additionally, the Langton Street façade would be retained and rehabilitated.	Not Applicable
M-CP-1b: Oral Histories	Not Applicable: demolition of the existing building would not warrant this mitigation measure resource	Not Applicable
M-CP-1c: Interpretive Program	Not Applicable: demolition of the existing building would not warrant this mitigation measure	Not Applicable
M-CP-4a: Project-Specific Preliminary Archeological Assessment (PAR)	Applicable: project would require more than 5 feet of below grade excavation	Pursuant to the results of the PAR, the project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #3 (Archeological Testing), as

Mitigation Measure	Applicability	Compliance
		Project Mitigation Measure 3.
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Applicable: pursuant to the results of the preliminary archeological review.	Pursuant to the results of the preliminary archeological review, the project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #3 (Archeological Testing), as Project Mitigation Measure 3.
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Applicable: new construction would be adjacent to historical resources	The project sponsor has agreed to use all feasible means to avoid damage to adjacent historical resources (Project Mitigation Measure 1).
M-CP-7b: Construction Monitoring Program for Historical Resources	Applicable: new construction would be adjacent to historical resources	The project sponsor has agreed to undertake a monitoring plan to minimize damage to adjacent historical resources and to ensure that any damage is documented and repaired (Project Mitigation Measure 2).
Transportation and Circulation		
M-TR-1c: Traffic Signal Optimization (8 th /Harrison/I-80 WB off-ramp)	Not applicable: automobile delay removed from CEQA analysis	Not Applicable
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not Applicable: project would not remove loading spaces along Folsom Street	Not Applicable
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not Applicable: superseded by Planning Code section 423, Eastern Neighborhoods Impact Fees and Public Benefits Fund	The project is subject to Eastern Neighborhoods Tier 1 impact fee, a portion of which funds transit improvements
F. Noise and Vibration		
M-NO-1a: Interior Noise Levels for Residential Uses	Not Applicable: compliance with state building code standards would ensure that existing ambient noise levels would not adversely affect the proposed residential uses	Not Applicable

Mitigation Measure	Applicability	Compliance
M-NO-1b: Siting of Noise-Sensitive Uses	Not Applicable: compliance with state building code standards would ensure that existing ambient noise levels would not adversely affect the proposed residential uses	Not Applicable
M-NO-1c: Siting of Noise-Generating Uses	Not Applicable: project is not proposing a noise-generating use	Not Applicable
M-NO-1d: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environmental conditions on a proposed project's future users if the project would not exacerbate those environmental conditions	Not Applicable
M-NO-2a: General Construction Noise Control Measures	Applicable: project proposes new construction that could generate excessive construction noise	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction (Project Mitigation Measure 4).
M-NO-2b: Noise Control Measures During Pile Driving	Not Applicable: project does not include pile-driving activities	Not Applicable
Air Quality		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not Applicable: project would not generate more than 3,500 daily vehicle trips	Not Applicable
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not Applicable: superseded by San Francisco Health Code Article 38 (Air Pollutant Exposure Zone)	Not Applicable
M-AQ-4: Siting of Uses that Emit PM _{2.5} or other DPM and Other TACs	Not Applicable: the proposed residential and retail uses would not generate substantial levels of PM _{2.5} or other DPM and other TACs	Not Applicable
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not Applicable: project meets the screening criteria for construction criteria air pollutants	Not Applicable
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: project includes construction in an area of poor air quality	The project sponsor has agreed to implement a Construction Emissions Minimization Plan for Health Risk and Hazards (Project

Mitigation Measure	Applicability	Compliance
		Mitigation Measure 5).
Wind and Shadow		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Not Applicable: project would not exceed 80 feet in height as measured by the Planning Code.	Not Applicable
Biological Resources		
M-BI-1a: Pre-Construction Special-Status Bird Surveys	Applicable: project includes building demolition	The project sponsor has agreed to conduct pre-construction special-status bird surveys by a qualified biologist between February 1 and August 15 if building demolition is scheduled to take place during that period (Project Mitigation Measure 6).
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Applicable: project involves demolition of a building with vacant areas	The project sponsor has agreed to conduct pre-construction special-status bat surveys by a qualified biologist (Project Mitigation Measure 7).
Hazards and Hazardous Materials		
M-HZ-2: Hazardous Building Materials Abatement	Applicable: project includes demolition of a pre-1970s building	The project sponsor has agreed to ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of (Project Mitigation Measure 8).
M-HZ-3: Site Assessment and Corrective Action	Not Applicable: superseded by San Francisco Health Code article 22A (Maher Ordinance)	Not Applicable

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on September 16, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. One member of the public

provided the following comments: the project should retain both façades of the existing building; the proposed building is too tall and would impact the neighborhood's character; the project would impact views and sunlight and would result in shadow impacts on Langton Street; and the project should provide access to the parking garage on both Langton and 7th streets to reduce traffic impacts.

As discussed in the "Historic Architectural Resources" section of the initial study, the removal of the existing building would not materially impair the historic district and the proposed building, which would retain its Langton Street façade, was determined to be compatible with the historic district. As discussed in the "Land Use and Land Use Planning" section of the initial study, the proposed project is permitted in the WMUG zoning district and the 65-X height and bulk district, and is consistent with the Western SoMa Community Plan. As discussed in the "Wind and Shadow" section of the initial study, the proposed project would shade portions of nearby streets, sidewalks, and private properties in the project vicinity at different times of day throughout the year. Shadows on streets and sidewalks would be transitory in nature, would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant impact under CEQA. As discussed in the "Transportation and Circulation" section of the initial study, the project's residential and retail uses would not result in substantial additional vehicle miles traveled, and the location of the parking garage access on 7th Street would not result in a significant impact. No other comments were received. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Western SoMa PEIR.

CONCLUSION

As summarized above and further discussed in the project-specific initial study⁴:

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

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁴ The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014.0244E.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES Project Mitigation Measure 1 – Protect Historical Resources from Adjacent Construction Activities (Implementing Western SoMa PEIR Mitigation Measure M-CP-7a) The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used on the construction site. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings (as identified by the Planning Department preservation staff), using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.	Project sponsor, contractor, and Environmental Review Officer (ERO).	Prior to and during construction activities.	Project sponsor and contractor.	Considered complete upon ERO's approval of construction specifications.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 2 – Construction Monitoring Program for Historical Resources (Implementing Western SoMa PEIR Mitigation Measure M-CP-7b)</p> <p>The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.</p> <p>Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example,</p>	Project sponsor, contractor, qualified historic preservation professional, and ERO.	Prior to the start of demolition, earth moving, or construction activity proximate to a designated historical resource.	Planning Department Preservation Technical Specialist shall review and approve construction monitoring program.	Considered complete upon submittal to ERO of post-construction report on construction monitoring program and effects, if any, on proximately historical resources.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.</p> <p>Project Mitigation Measure 3 – Archeological Testing (Implementing Western SoMa PEIR Mitigation Measure M-CP-4a)</p> <p>Based on a reasonable presumption that archeological resources may be present on the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports prepared by the consultant as specified herein shall be submitted</p>	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to issuance of any permit for soils-disturbing activities and during construction activities.	Project sponsor/archeological consultant and ERO.	Considered complete upon ERO's approval of FARR.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of 4 weeks. At the direction of the ERO, the suspension of construction can be extended beyond 4 weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Section 15064.5(a)(c).</p> <p>Consultation with Descendant Communities. On discovery of an archeological site¹ associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site, and to consult with ERO regarding appropriate archeological treatment of the site; of recovered data from the site; and if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.</p> <p>Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved</p>				

¹ The term "archeological site" is intended to minimally include any archeological deposit, feature, burial, or evidence of burial.

² An "appropriate representative" of the descendant group is defined, in the case of Native Americans, as any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission; and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archeologist.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project; the testing method to be used; and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If, based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO, in consultation with the archeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:</p> <ul style="list-style-type: none"> A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance, and that 				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
interpretive use of the resource is feasible.				
<p>Archeological Monitoring Program. If the ERO, in consultation with the archeological consultant, determines that an archeological monitoring program shall be implemented, the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils-disturbing activities. The ERO, in consultation with the archeological consultant, shall determine which project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), or site remediation shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context. ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource. ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the project archeological consultant, determined that project construction 				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>activities could have no effects on significant archeological deposits.</p> <ul style="list-style-type: none"> ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis. ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile-driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile-driving activity may affect an archeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made, in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. 				

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

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accordance with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. The ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations. • Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures. • Discard and De-accession Policy. Description of and rationale for field and post-field discard and de-accession policies. • Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. 				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> • Final Report. Description of proposed report format and distribution of results. • Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. 				

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco; and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Section 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.

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

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert in the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR, along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/CRHR. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p>Project Mitigation Measure 4: General Construction Noise Control Measures (Implementing Western SoMa PEIR Mitigation Measure M-NO-2a)</p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:</p> <ul style="list-style-type: none"> The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating 	Project sponsor and construction contractor.	Prior to issuance of a building permit and during construction activities.	The project sponsor shall prepare and submit monthly noise reports during construction.	Considered complete upon final monthly report.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>shields or shrouds, wherever feasible).</p> <ul style="list-style-type: none"> The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to 				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.</p> <p>Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.</p>				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Project Mitigation Measure 5 – Construction Air Quality (Implementing Western SoMa PEIR Mitigation Measure M-AQ-7) A. Engine Requirements. 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement. 2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited. 3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction	Project sponsor, contractor(s).	Submit certification statement prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s), and the ERO.	Considered complete upon submittal of certification statement.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 (ERO) or designee 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 on-site 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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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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 the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

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

1. The Plan shall include estimates of the construction timeline by phase, with a

Project sponsor, contractor(s).

Prepare and submit a Plan prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.

Project sponsor, contractor(s), and the ERO.

Considered complete upon findings by the ERO that the Plan is complete.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the</p>				

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	Project sponsor/contractor(s).	Submit quarterly reports.	Project sponsor, contractor(s), and the ERO.	Considered complete upon findings by the ERO that the Plan is being/has been implemented.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 6 – Pre-Construction Special-Status Bird Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1a)</p> <p>The project sponsor shall ensure that pre-construction special-status bird surveys are conducted when trees would be removed or buildings would be demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Wildlife (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.</p>	Project sponsor, qualified biologist, CDFG, and USFWS.	Prior to the issuance of demolition or building permits when trees or shrubs would be removed or buildings demolished.	Project sponsor, qualified biologist, CDFG, and USFWS.	During demolition or tree removal activities.

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 7 – Pre-Construction Special-Status Bat Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1b)</p> <p>The project sponsor shall ensure that pre-construction special-status bat surveys are conducted by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.</p>	Project sponsor, qualified biologist, CDFG.	Prior to issuance of building or demolition permits when trees with trunks over 12 inches in diameter are to be removed or when vacant buildings or those used seasonally or not occupied, especially in the upper stories, are to be demolished.	Project sponsor, qualified biologist.	Prior to issuance of building or demolition permits

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 8 – Hazardous Building Materials Abatement (Implementing Western SoMa PEIR Mitigation Measure M-HZ-2)</p> <p>The project sponsor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor, construction contractor(s).	Prior to any demolition or construction activities	Project Sponsor; Planning Department; Department of Public Health	Prior to any demolition or construction activities



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: **2014.0244E**
Project Address: **230 7th Street**
Zoning: Western SoMa Mixed Use-General (WMUG)
65-X Height and Bulk District
Western SoMa Special Use District
Youth and Family Special Use District
Plan Area: Western SoMa Community Plan
Block/Lot: 3730/004
Lot Size: 12,375 square feet
Project Sponsor: Juan Carlos Wallace, Oryx Partners, (415) 902-5882
Staff Contact: Don Lewis, (415) 575-9168, don.lewis@sfgov.org

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PROJECT DESCRIPTION

The project site is located on the block bounded by Howard Street to the north, 8th Street to the west, Folsom Street to the south, and 7th Street to the east in the South of Market neighborhood (see Figure 1, Project Location). The project site is a through-lot with frontages on 7th and Langton streets. The project site is occupied by a two-story, 14,230-square-foot, industrial building (constructed in 1924) and is currently used as an indoor public parking garage with approximately 75 spaces. The project sponsor proposes the demolition of the existing building (except for the brick Langton Street façade which would be retained and rehabilitated) and construction of a 65-foot-tall (81-foot-tall with elevator penthouse), six-story, mixed-use building approximately 44,720 square feet in size with 40 residential units, 2,010 square feet of ground-floor commercial space, and 20 off-street parking spaces (see Figure 2, Site Plan; Figure 3, Ground Floor Plan; and Figure 4, Upper Floor Plan).

The proposed mix of units would include two-bedroom, one-bedroom, and studio units. The project would provide 40 Class I bicycle spaces at the ground floor and four Class 2 bicycle spaces¹ on the sidewalk in front of the project site (two on 7th Street and two on Langton Street). The proposed project would include 3,170 square feet of common open space in the form of an at-grade rear yard situated between the new building and the rehabilitated Langton Street façade and 1,085 square feet of common open space on the roof deck (see Figure 5, Roof Plan). The project would plant eight new street trees (four on 7th Street and four on Langton Street). The four existing curb cuts (two on 7th Street and two on Langton Street) would be removed and standard sidewalk and curb dimensions restored. The project would create a new 10-foot-wide curb cut on 7th Street for access to the ground-floor parking garage.

During the approximately 16-month construction period, the proposed project would require up to approximately 8 feet of excavation below ground surface for the building foundation and car stacking

¹ Section 155.1(a) of the Planning Code defines Class 1 bicycle spaces as “spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees” and defines Class 2 bicycle spaces as “spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.”

system, resulting in approximately 800 cubic yards of soil removal. The proposed building would be supported by a mat foundation on improved soil; impact piling driving is not proposed or required.

PROJECT APPROVALS

The proposed 230 7th Street project would require the following approvals:

Actions by the Planning Commission

- Approval of a large project authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet in size.

Actions by other City Departments

- Approval of a site mitigation plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of building permits from the San Francisco Department of Building Inspection for demolition and new construction.

The approval of the large project authorization would be the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* (Western SoMa PEIR).² The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Western SoMa PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such topics are identified, no additional environmental review shall be required for the project beyond that provided in the Western SoMa PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

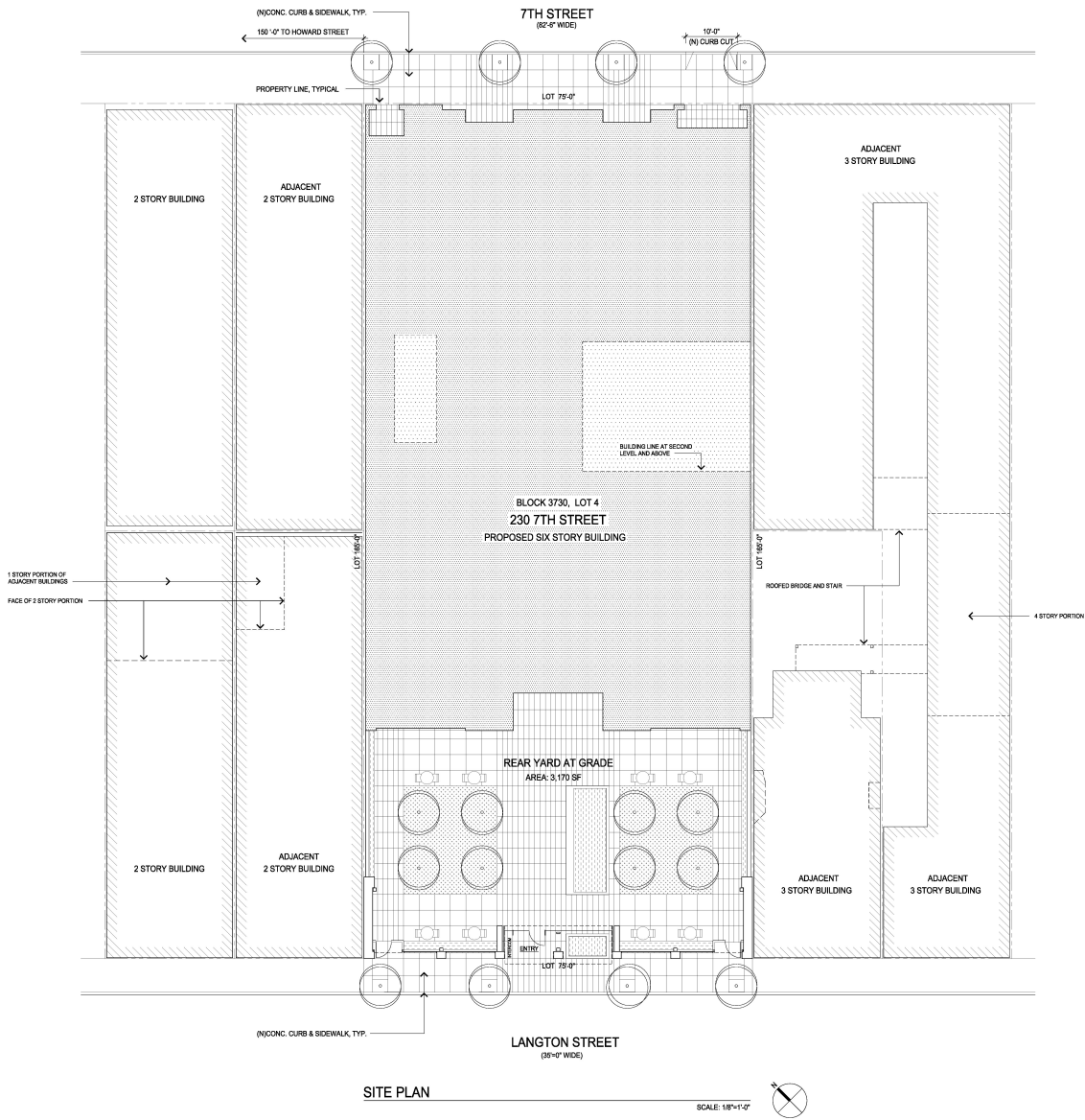
The Western SoMa PEIR identified significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind and shadow, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts

² San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report* (PEIR), Planning Department Cases No. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031, certified December 6, 2012. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed June 3, 2016.

Figure 1: Project Location

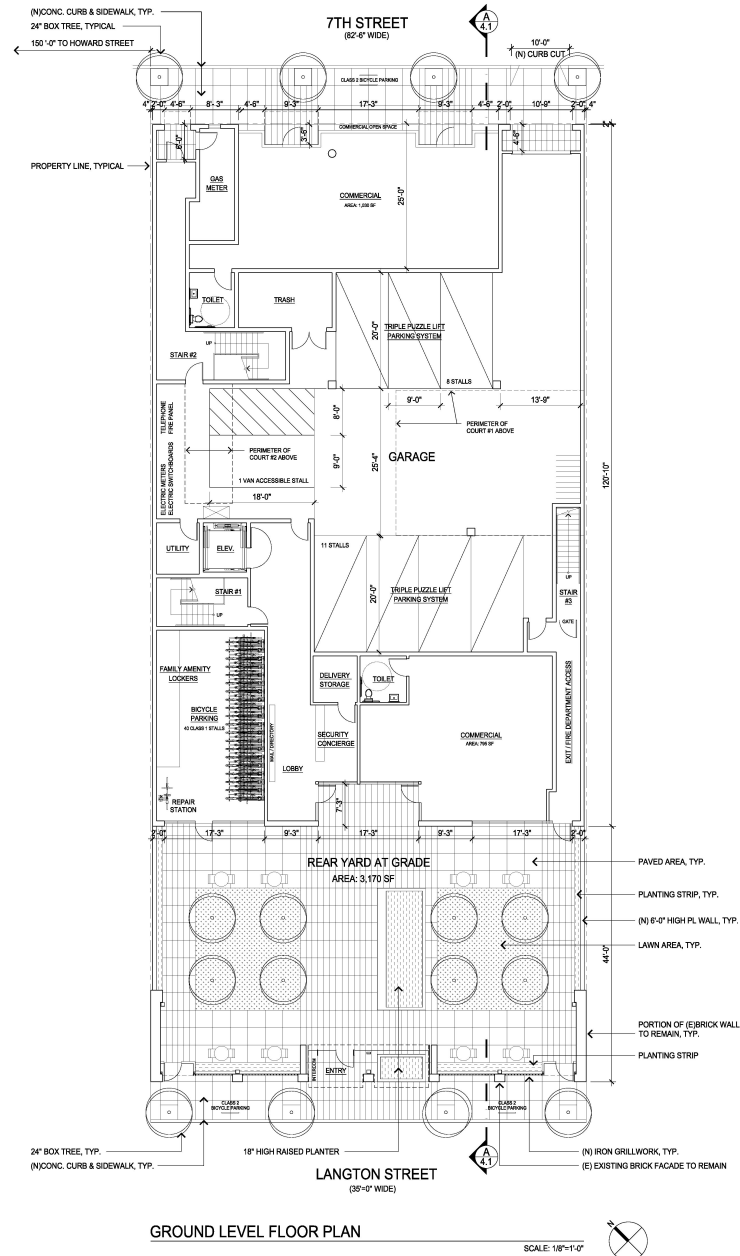


Figure 2. Site Plan



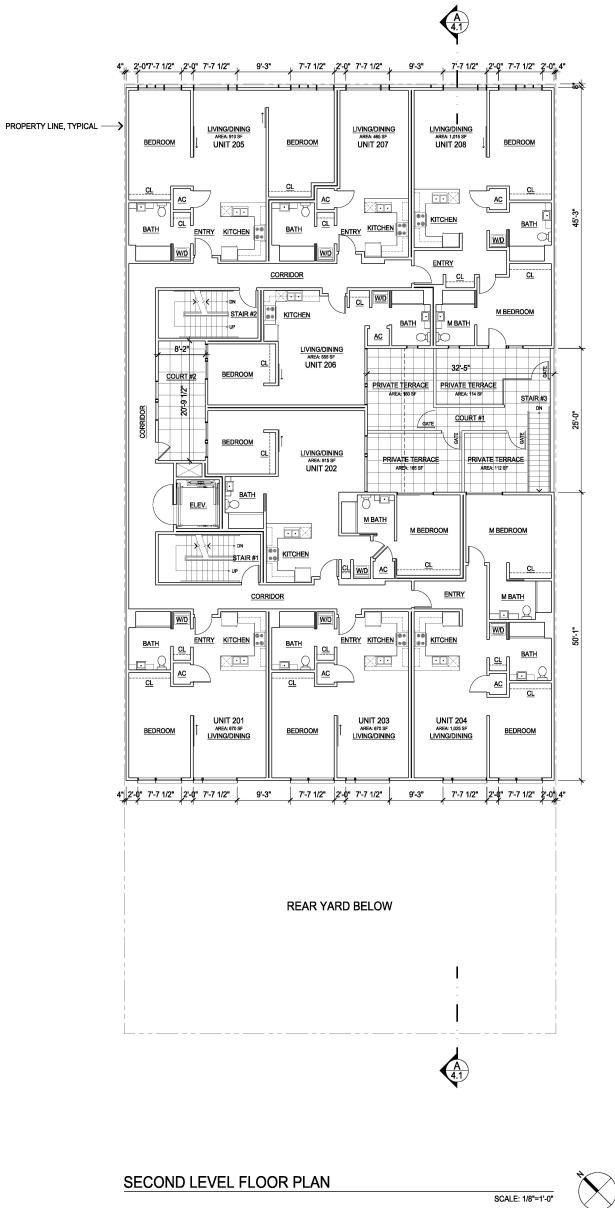
Comments: Not to Scale
Source: Gary Gee, May 9, 2017

Figure 3. Ground Floor



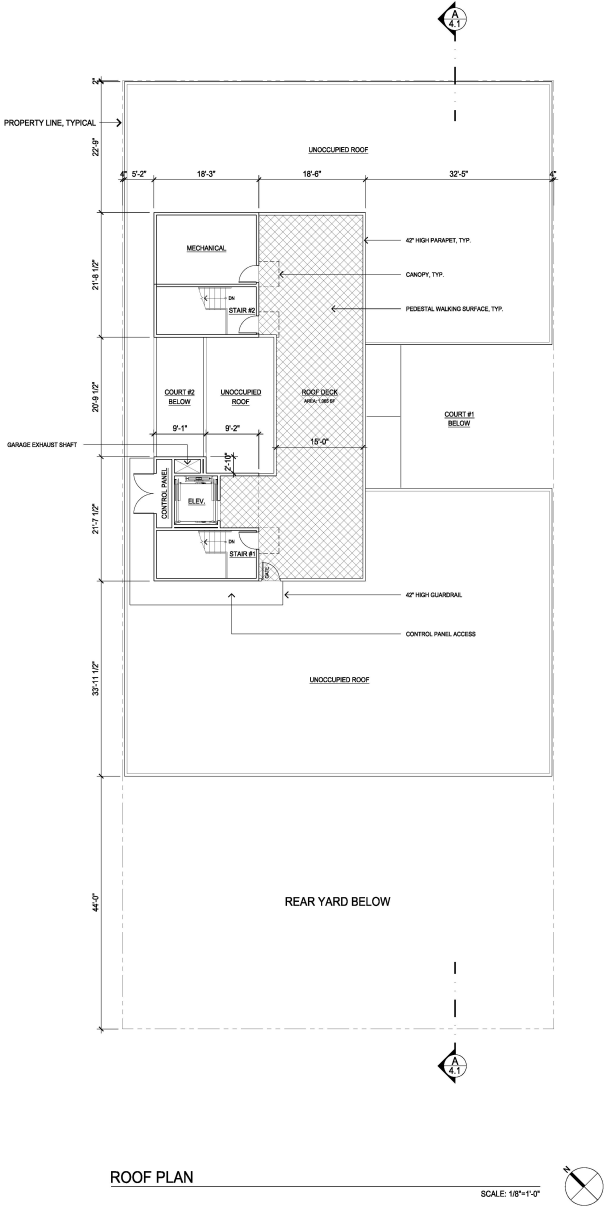
Comments: Not to Scale
Source: Gary Gee, May 9, 2017

Figure 4. Upper Floor



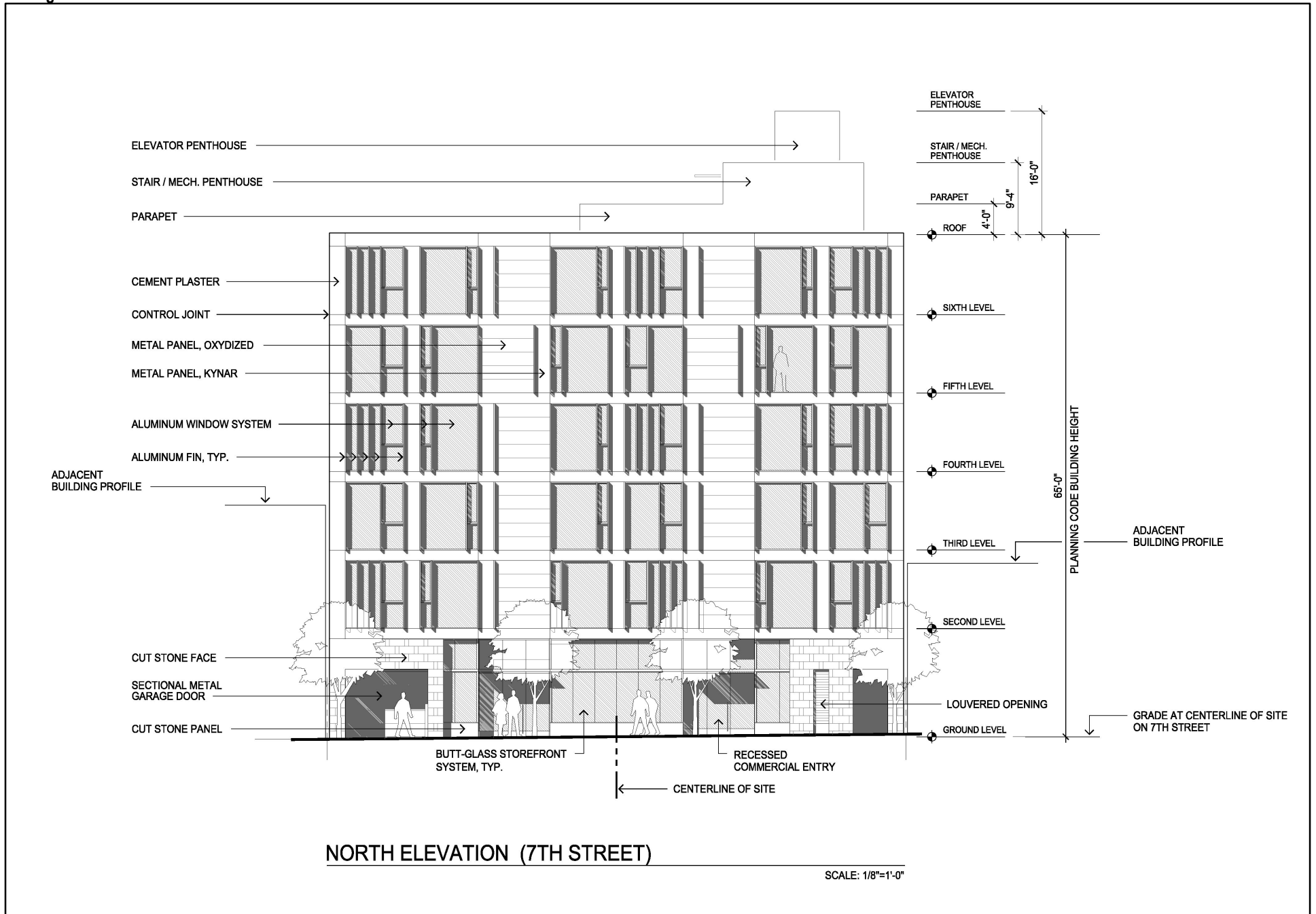
Comments: Not to Scale
Source: Gary Gee, May 9, 2017

Figure 5. Roof Level



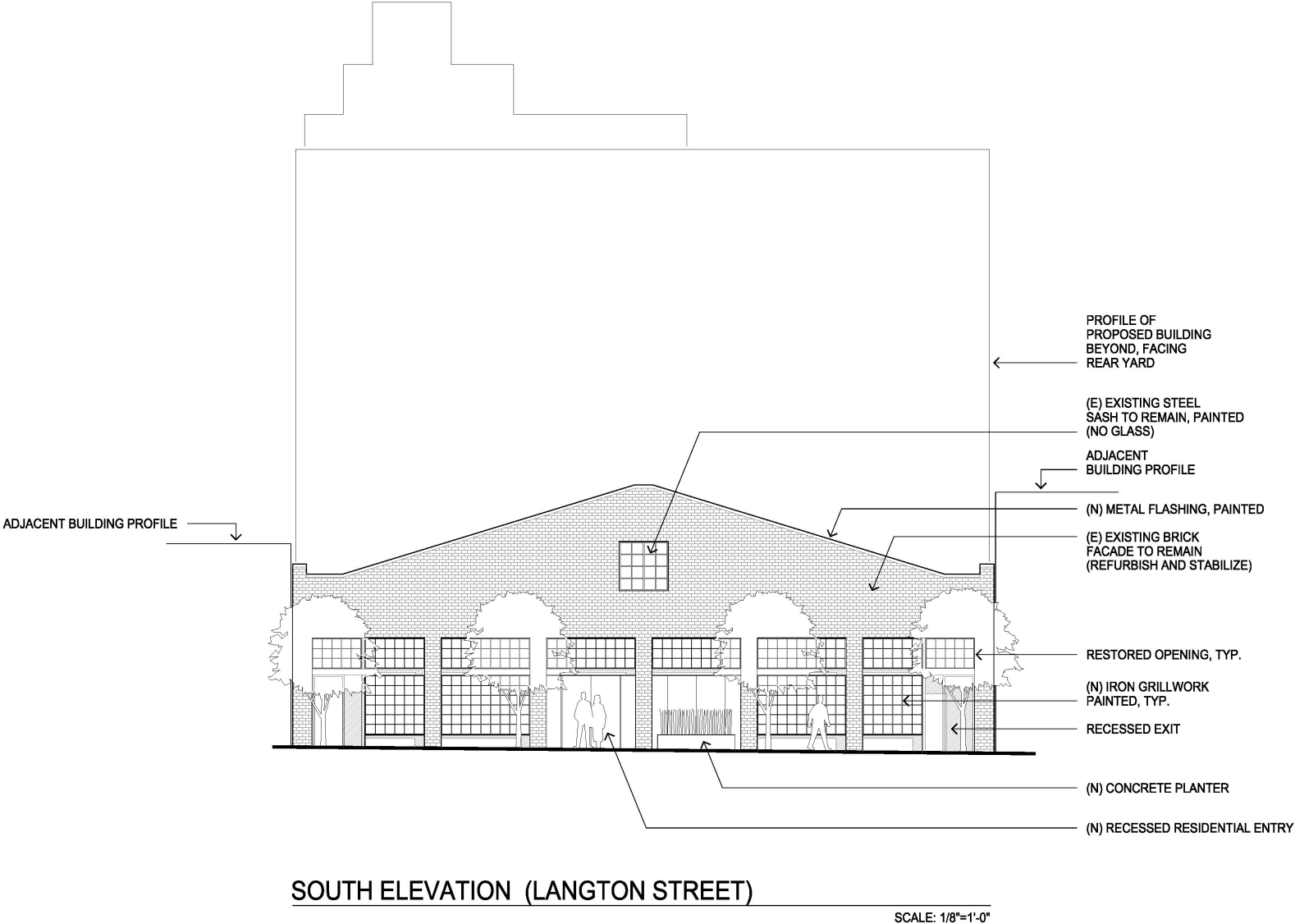
Comments: Not to Scale
Source: Gary Gee, May 9, 2017

Figure 6. Elevation - 7th Street



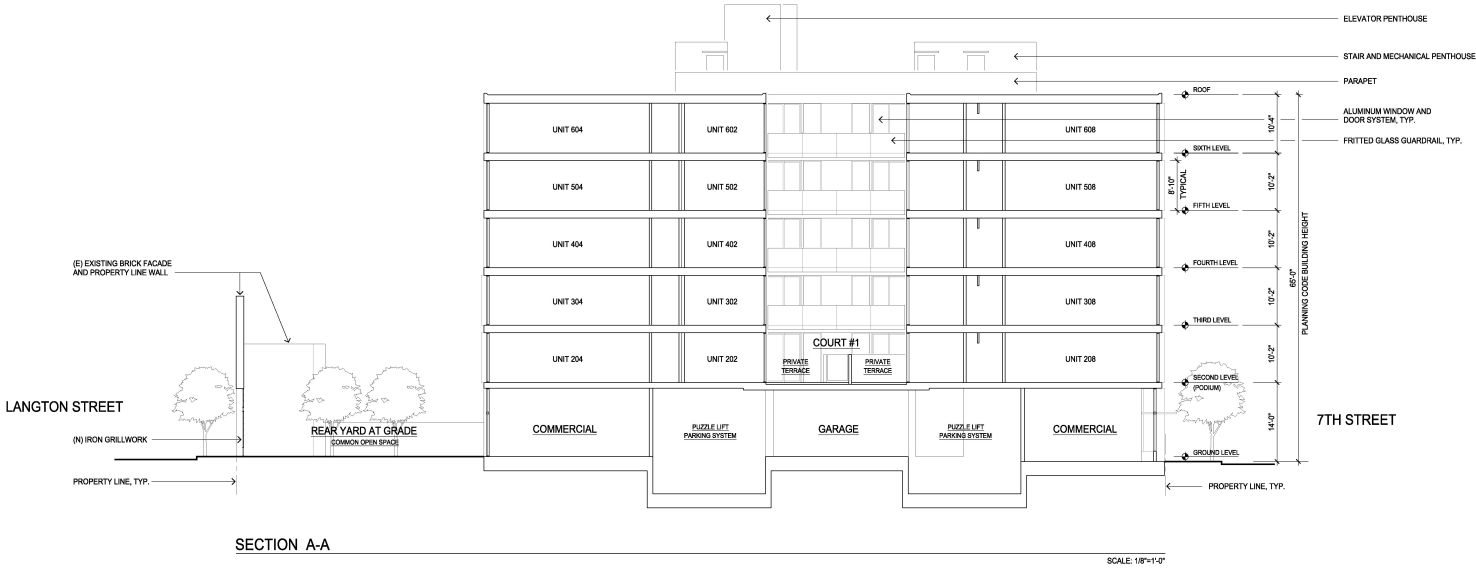
Comments: Not to Scale
Source: Gary Gee, May 9, 2017

Figure 7. Elevation - Langton Street



Comments: Not to Scale
Source: Gary Gee, May 9, 2017

Figure 8. Building Section



Comments: Not to Scale
Source: Gary Gee, May 9, 2017

related to cultural and paleontological resources, transportation and circulation, noise, air quality, and shadow. Mitigation measures were identified for the above impacts—aside from shadow—and reduced said impacts to less-than-significant levels except for those related to cultural and paleontological resources (cumulative impacts from demolition of historic resources), transportation (cumulative transit impacts on several Muni lines), noise (cumulative noise impacts), and air quality (program-level TACs and PM_{2.5} pollutant impacts, program-level and cumulative criteria air pollutant impacts).

The proposed project involves the demolition of the existing industrial building and construction of a 65-foot-tall (81-foot-tall with elevator penthouse), six-story, mixed-use building approximately 44,720 square feet in size with 40 residential units, 2,010 square feet of ground-floor commercial space, and 20 off-street parking spaces. As discussed in this initial study, the proposed project would not result in new significant environmental effects or effects of greater severity than were already analyzed and disclosed in the Western SoMa PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Western SoMa PEIR in 2012, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Western SoMa plan area. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

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

Aesthetics and Parking

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

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

The proposed project meets each of the above criteria. Therefore, this initial study does not consider aesthetics or parking in determining the significance of project impacts under CEQA.³ Project elevations are included in the project description (see Figure 6, 7th Street Elevation, and Figure 7, Langton Street Elevation).

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

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

As a result of the Western SoMa Community Plan, the project site was rezoned from SLR (Service/Light Industrial/Residential District) to Western SoMa Mixed Use-General (WMUG) district. The WMUG district is largely comprised of low-scale, production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. Housing is encouraged over ground floor commercial and production, distribution, and repair uses. New residential or mixed use developments are encouraged to provide as much mixed-income family housing as possible. The proposed residential and small-scale retail uses are consistent with this designation.

³ San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 230 7th Street, May 5, 2017. This document, and other cited documents, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2014.0244E.

The Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in the WMUG zoning district and is consistent with the height, density, and land uses as specified in the Western SoMa Community Plan.^{4,5}

The Western SoMa PEIR determined that implementation of the Area Plan would not create any new physical barriers in the Plan Area because the rezoning and Area Plan do not provide for any new major roadways, such as freeways, that would divide the project area or isolate individual neighborhoods within it.

For these reasons, implementation of the proposed project would not result in significant impacts related to land use and land use planning that were not identified in the Western SoMa PEIR.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
2. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Western SoMa Community Plan is to identify appropriate locations for housing to meet the citywide demand for additional housing. The Western SoMa PEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in and of itself, result in adverse physical effects but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population throughout the Plan Area. The Western SoMa PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

Implementation of the proposed project would result in 40 new residential units and approximately 2,010 square feet of retail use which would increase the number of residents and employees within the Western

⁴ San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning Analysis*, 230 7th Street, October 27, 2015.

⁵ San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis*, 230 7th Street, December 3, 2015.

SoMa area.⁶ This amount of retail use is not anticipated to attract a substantial amount of new employees to San Francisco and it can be anticipated that most of the employees would live in San Francisco (or nearby communities). Therefore, the project would not generate substantial demand for new housing for the potential employees. These direct effects of the proposed project on population and housing are within the scope of the population and housing growth anticipated under the Western SoMa Community Plan and are evaluated in the Western SoMa PEIR.

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

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

Historic Architectural Resources

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

The below section relies substantially on a Historic Resource Evaluation (HRE) prepared for the proposed project, as well as the Planning Department's Preservation Team Review Form.^{7,8}

The subject building at 230 7th Street is a two-story, brick-masonry building that was constructed in 1924 in a warehouse/industrial architectural survey. The project site is located within the Western SoMa Light Industrial and Residential Historic District (Western SoMa Historic District). As part of the adopted South of Market Historic Resource Survey, the project site was assigned a California Historic Resource Status

⁶ Based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, six total employees are assumed for 2,010 square feet of retail space.

⁷ Carey & Co. Inc., 230 7th Street, *Historic Resource Evaluation, Part 1 and Part 2*, March 26, 2015.

⁸ San Francisco Planning Department, 230 7th Street, *Preservation Team Review Form*, May 3, 2017.

Code (CHRSC) of “3D,” which designates this property as “appears eligible for the National Register of Historic Places (NRHP) as a contributor to a NRHP eligible district through survey evaluation.”⁹ The 230 7th Street building is not individually eligible for listing in the California Register of Historic Places.

The Western SoMa Historic District developed between 1906 and 1936, and contributing resources are light industrial, residential and commercial properties. The district is significant as a representative of a noteworthy trend in development patterns and the establishment of ethnic groups in San Francisco. The district is also significant as a representation of a group of properties that embody the distinctive characteristics of a type, period, or method of construction and as a representation of a significant and distinguishable entity whose components may lack individual distinction.

The Western SoMa Historic District was destroyed in 1906 and rebuilt in two major building booms (1906-1911 and 1920-1925) and many buildings were designed by a limited number of architects which resulted in a uniform building stock. The majority of the buildings are two-to-five story, reinforced concrete loft structures with multi-light steel industrial windows and minimal ornamentation. Light industrial buildings in the historic district are characterized by loft spaces that are used for light manufacturing, warehousing and wholesale distribution, and automotive repair. During the first building boom, light industrial buildings were often constructed of brick masonry, while buildings from the second boom were often two- or three-story concrete loft structures. The historic district originally possessed 721 resources, of which 478 resources contribute to the district’s historic character.

The proposed project would not materially impair the identified Western SoMa Historic District and thus would not cause a significant impact to the historic resource. The proposed project conforms to the *Secretary of the Interior’s Standards for Rehabilitation* in relation to new construction within a historic district boundary for the following reasons. The new construction would have a 44-foot setback from the Langton Street elevation. This deep setback would allow the new construction to be generally invisible from Langton Street. The historic portion of the building to be retained and rehabilitated includes the primary façade along Langton Street as well as 44 feet of the return walls for the northwest and southwest elevations. The openings of the portion of the historic Langton Street façade would be repaired and the non-historic brick concrete masonry infill would be removed. The existing openings would be rehabilitated and would feature new painted iron grillwork that would reflect the historic muntin pattern of the existing steel windows. The mortar and brick would be repaired and repointed as necessary along the Langton Street façade and along the return walls of the secondary elevations. The design of the new elevation along the Langton Street façade would feature a regular pattern of aluminum windows and metal panels. In addition, the location of the existing roof and roof monitor will be “ghosted” onto this elevation through the use of a darker material. This would allow the historic location of the industrial roof that would be removed to be interpreted in some way. The 7th Street façade would maintain compatibility with the materials of the industrial contributing buildings within the historic district and would feature a regular pattern of punched openings with aluminum frame windows. The ground-floor elevation, which contains a commercial space, would feature a regular rhythm of storefront windows with a solid bulkhead at the base and a transom window at the ceiling, along with two paired recessed storefront entries.

⁹ The South of Market Area Historic Resource Survey is available online at: <http://www.sf-planning.org/index.aspx?page=2530>, accessed May 8, 2017.

Since removal of the 230 7th Street building would not result in a substantial adverse change in the significance of the historic district, PEIR Mitigation Measures M-CP-1a: Documentation of a Historical Resource, M-CP-1b: Oral Histories, and M-CP-1c: Interpretive Program do not apply to the proposed project.

Immediately west of the project site is the 244 7th Street building (constructed in 1922) and the 7 Langton Street building (constructed in 1915). As part of the adopted South of Market Historic Resource Survey, both of these properties were assigned a CHRSC of “3D,” which designates a property as “appears eligible for the NRHP as a contributor to a NRHP eligible district through survey evaluation.”¹⁰ Therefore, Western SoMa PEIR Mitigation Measures M-CP-7a: Protect Historical Resources from Adjacent Construction Activities and M-CP-7b: Construction Monitoring Program for Historical Resources would apply to the proposed project. The project sponsor has agreed to implement Mitigation Measures M-CP-7a and M-CP-7b as Project Mitigation Measures 1 and 2, respectively.¹¹ Compliance with these mitigation measures would result in less-than-significant impacts on off-site historical resources.

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

Archeological Resources

The Western SoMa PEIR determined that implementation of the community plan could result in significant impacts on archeological resources and identified two mitigation measures that would reduce these potential impacts to a less than-significant-level. Western SoMa PEIR Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment and M-CP-4b: Procedures for Accidental Discovery of Archeological Resources apply to projects involving any soils-disturbing or soils-improving activities including excavation to a depth of 5 or more feet below grade. The proposed project at 230 7th Street would involve up to 8 feet of excavation below ground surface and approximately 800 cubic yards of soil disturbance. Therefore, Mitigation Measure M-CP-4a applies to the project.

As part of project implementation of Mitigation Measure M-CP-4a, the Planning Department’s archeologists conducted a preliminary archeology review for the proposed project, which determined that the proposed project has the potential to adversely affect CEQA-significant archeological resources. Therefore, in accordance with Mitigation Measure M-CP-4a, the project sponsor would be required to prepare an archeological testing program to more definitively identify the potential for California register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level.¹² The project sponsor has agreed to implement the requirements of the Planning Department’s third standard archeological mitigation measure (Archeological Testing), as Project Mitigation Measure 3.

Paleontological Resources

The Western SoMa PEIR determined that implementation of the plan would have low potential to uncover unique or significant fossils as geological materials that would be disturbed by construction excavations in the plan area would have little to no likelihood of containing unique or significant fossils. Therefore, the PEIR found less-than-significant impacts on paleontological resources.

¹⁰ Ibid.

¹¹ The full text of project mitigation measures is provided in the “Mitigation Measures” section below.

¹² Randall Dean, Staff Archeologist, San Francisco Planning Department. Archeological Review Log.

The proposed project would involve excavation of approximately 8 feet below ground surface, and the project site is anticipated to be underlain by 10 feet of fill consisting of primarily loose to dense sand and gravel with building debris.¹³ Therefore, the project site has low sensitivity for unique paleontological resources.

For the reasons above, the proposed project would not result in either project-level or cumulative significant impacts on cultural and paleontological resources that were not identified in the Western SoMa PEIR.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
4. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Western SoMa PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, emergency access, or construction. Transportation system improvements included as part of the Western SoMa Community Plan were identified to have

¹³ LAGAN, *Revised Preliminary Geotechnical Report, 230-234 7th Street*, San Francisco, California, March 16, 2017.

significant impacts related to loading, but the impacts were reduced to less-than-significant levels with mitigation.

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

Vehicle Miles Traveled (VMT) Analysis

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{14,15}

The proposed project would have a significant effect on the environment if it would cause substantial additional VMT. State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA*

¹⁴ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹⁵ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

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

For residential development, the existing regional average daily VMT per capita is 17.2.¹⁶ For retail development, regional average daily work-related VMT per employee is 14.9. Average daily VMT for both land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 626.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 626	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 626
Households (Residential)	17.2	14.6	2.0	16.1	13.7	1.7
Employment (Retail)	14.9	12.6	8.6	14.6	12.4	8.4

As shown in Table 1, the proposed project’s residential and retail uses would be located in a TAZ where existing VMT for residential and retail uses are more than 15 percent below regional averages.¹⁷ The existing average daily VMT per capita is 2.0, which is 88 percent below the existing regional average daily VMT per capita of 17.2. Future 2040 average daily VMT per capita is 1.7, which is 89 percent below the future 2040 regional average daily VMT per capita of 16.1. The existing average daily VMT per retail employee is 8.6, which is 42 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per retail employee is 8.4, which is 42 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.

Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project’s residential and retail uses would not result in substantial additional VMT. Therefore, the proposed project would not result in a significant impact related to VMT.

¹⁶ Includes the VMT generated by the households in the development.

¹⁷ San Francisco Planning Department, *Eligibility Checklist*: CEQA Section 21099 – Modernization of Transportation Analysis for 230 7th Street, May 5, 2017.

The project site also meets the Proximity to Transit Stations screening criterion, which also indicates that the proposed project's residential and retail uses would not cause substantial additional VMT.¹⁸

Induced Automobile Travel Analysis

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

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The four existing curb cuts (two on 7th Street and two on Langton Street) would be removed and standard sidewalk and curb dimensions restored. The project would create a new 10-foot-wide curb cut on 7th Street for access to the ground-level parking garage. Additionally, four Class 2 bicycle spaces would be located on the sidewalk in front of the project site (two on 7th Street and two on Langton Street). These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.¹⁹

Trip Generation

The project sponsor proposes the demolition of the existing industrial building and construction of a six-story, mixed-use building approximately 44,720 square feet in size with 40 residential units, 2,010 square feet of ground-floor commercial space, and 20 off-street parking spaces. The project would provide 40 Class I bicycle spaces at the ground-floor level and four Class 2 bicycle spaces on the sidewalk in front of the project site (two on 7th Street and two on Langton Street).

Trip generation of the proposed project was calculated using a trip-based analysis and information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.²⁰ The proposed project would generate an estimated 642 person trips (inbound and outbound) on a weekday daily basis, consisting of 213 person trips by auto (136 vehicle trips accounting for vehicle occupancy data for this Census Tract), 128 transit trips, 218 walk trips and 83 trips by other modes.²¹ During the p.m. peak hour, the proposed project would generate an estimated 86 person trips, consisting of 28 person trips by auto (20 vehicle trips accounting for vehicle occupancy data), 18 transit trips, 29 walk trips and 11 trips by other modes.

Transit

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 8, 8AX, 8BX, 12, 14, 14R, 14X, 19, 27, 47, and 83X. The closest bus stop, which serves the 19 bus line, is approximately 160 feet north of

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ San Francisco Planning Department, *Transportation Calculations for 230 7th Street*, April 6, 2017.

²¹ Trip credit was not given for the trips generated by the existing use on the project site.

the project site at the intersection of Howard and 7th streets. In addition, there is a bus stop approximately 380 feet south of the project site at the intersection of Folsom and 7th streets that serves the 12 bus line.

According to the *Western SoMa Community Plan Transportation Impact Study*, all of the transit lines serving the Plan Area at the time of the study were currently operating well-below Muni's capacity utilization (the number of passengers on board a transit vehicle relative to the total capacity) of 85 percent.²² The proposed project would generate a total of 128 daily transit trips and 18 p.m. peak-hour transit trips, which would be distributed among the multiple transit lines serving the project vicinity. These 128 daily and 18 p.m. peak-hour transit trips represent a minor contribution to overall transit demand in the plan area that would be accommodated by existing transit capacity. The proposed project would not result in unacceptable levels of transit service or cause an increase in transit service delays or operating costs.

For these reasons, the proposed project would not result in significant impacts related to transit that were not identified in the Western SoMa PEIR.

Bicycle

In the project vicinity, there are bicycle lanes along 7th, Folsom, and Howard streets. As stated above, the proposed project would generate an estimated 11 p.m. peak hour trips by "other" modes, which includes bike trips. These new bicycle trips from the proposed project would be sufficiently accommodated within these facilities and would not interfere with bicycle accessibility to the site and adjoining area. The proposed project would not create potentially hazardous conditions for bicyclists as the bicycle lane that runs along 7th Street is located on the opposite side of the project site. Therefore, the proposed project would have a less-than-significant impact on bicyclists.

Pedestrians

The PEIR acknowledged that the Western SoMa is in an area of San Francisco with one of the highest concentrations of pedestrian injuries and deaths. Pedestrian volumes within the Plan area are low to moderate, with higher pedestrian volumes along portions of Townsend, Brannan, and Bryant Streets, and near the Caltrain terminal at Fourth and King Streets. The PEIR identified a number of transportation system improvements that are near the vicinity of the project site which include the following: Posting of "truck route" signs on Ninth, Tenth, Harrison, and Bryant Streets; installation of new signalized mid-block pedestrian crossings at Eighth and Natoma Streets; installation of streetscape and traffic calming improvements on Minna, Natoma, and Ringold Streets; installation of sidewalk extensions/bulb-outs on Folsom Street between Fourth Street and 13th Street; and installation of gateway treatments at and in the vicinity of freeway off-ramps.

The PEIR states that new pedestrian trips generated by development under the community plan would be accommodated on the existing sidewalks and would not substantially affect pedestrian operation on nearby sidewalks and crosswalks. While the frequency of conflict between pedestrians and vehicles could likely increase as traffic volumes increase along with increases in pedestrian exposure associated with residential and non-residential development, implementation of the plan would not be expected to have a significant impact on existing pedestrian conditions because neither vehicle traffic volumes nor

²² LCW Consulting, Western SoMa Community Plan Transportation Impact Study, Table 4, June 2012.

pedestrian activity would increase to such a degree that a substantial increase in conflicts would be anticipated. Therefore, the PEIR found impacts on pedestrians to be less than significant.

The proposed project would generate approximately 47 pedestrian trips (29 walking trips and 18 trips to/from nearby transit stops) during the typical p.m. peak hour. The new pedestrian trips could be accommodated on existing sidewalks and crosswalks adjacent to the project site and would not substantially overcrowd the sidewalk along 7th Street or Langton Street, which are approximately 10 feet and 7 feet wide, respectively. Implementation of the proposed project would improve pedestrian circulation by reducing the number of curb cuts and parking spaces at the project site.^{23,24} The proposed project would not create potentially hazardous conditions for pedestrian or otherwise substantially interfere with pedestrian accessibility to the site and adjacent areas. In addition, the project site was not identified as being in a high-injury corridor as defined by Vision Zero, which is the City's adopted road safety policy that aims for zero traffic deaths in San Francisco by 2024.²⁵

For the above reasons, the proposed project would not result in significant project-level or cumulative pedestrian impacts that were not identified in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²³ The four existing curb cuts (two on 7th Street and two on Langton Street) would be removed and standard sidewalk and curb dimensions restored. The project would create a new 10-foot-wide curb cut on 7th Street for access to the ground-level parking garage.

²⁴ There are approximately 75 existing parking spaces in the existing building and the proposed project would include 20 off-street parking spaces.

²⁵ Vision Zero High Injury Network map, accessed on May 8, 2017, is available online at:

<http://sfgov.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=335c508503374f5d94c95cb2a1f3f4f4>.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noise-generating uses such as PDR, retail, entertainment, office, and cultural/institutional/educational uses. In addition, the Western SoMa PEIR noted that implementation of the *Western SoMa Community Plan* would incrementally increase traffic-generated noise on some streets in the plan area and would result in construction noise impacts from pile driving and other construction activities. The Western SoMa PEIR identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels; three of these mitigation measures may be applicable to subsequent development projects.²⁶

PEIR Mitigation Measure M-NO-1c addresses impacts related to individual development projects containing land uses that could generate noise that exceeds ambient noise levels in their respective vicinities. The project site is located in an urbanized area with ambient noise levels typical of those in San Francisco neighborhoods. The existing traffic noise levels on 7th Street is above 70 dBA (Ldn).^{27,28,29} The proposed project includes residential and retail uses. Since the project does not include noise-generating uses, PEIR Mitigation Measure M-NO-1c is not applicable.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into

²⁶ Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the Western SoMa PEIR determined that incremental increases in traffic-related noise attributable to implementation of the *Western SoMa Community Plan* would be less than significant and thus would not exacerbate the existing noise environment. Therefore, Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d are not applicable. Nonetheless, for all noise-sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures M-NO-1a and M-NO-1b would be met by compliance with the acoustical standards set forth in the California Building Standards Code (Title 24 of the California Code of Regulations).

²⁷ San Francisco General Plan. *Environmental Protection Element, Map 1, Background Noise Levels – 2009*. Available online at: http://generalplan.sfplanning.org/images/16.environmental/ENV_Map1_Background_Noise%20Levels.pdf. Accessed on May 10, 2017.

²⁸ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

²⁹ The DNL or Ldn is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

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

PEIR Mitigation Measures M-NO-2a: General Construction Noise Control Measures and M-NO-2b: Noise Control Measures During Pile Driving require implementation of noise controls during construction in order to reduce construction-related noise impacts. The proposed project consists of the demolition of the existing building and the construction of a new six-story building, which would generate construction noise. Therefore, PEIR Mitigation Measure M-NO-2a (Project Mitigation Measure 4) is applicable to the proposed project. The proposed building would be supported by a mat foundation on improved soils and impact pile driving is not required. Since the building foundation would avoid vibration effects typically generated by pile-driving activities, PEIR Mitigation Measure M-NO-2b is not applicable to the proposed project.

In addition, all construction activities for the proposed project, which would occur over the course of approximately 16 months, are subject to the San Francisco Noise Ordinance. The noise ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA (L_{dn})^{30,31} at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of San Francisco Public Works (SFPW) or the Director of DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise level by 5 dBA at the project site's property line, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of SFPW authorizes a special permit for conducting the work during that period.

The DBI is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.), and the police department is responsible for enforcing the noise ordinance during all other hours. Nonetheless, during the approximately 16-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise. There may be times when construction noise could interfere with indoor activities in residences and businesses near the project site and be perceived as an annoyance by the occupants of nearby properties. The increase in project-related construction noise in the project vicinity would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately

³⁰ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

³¹ The L_{dn} is the L_{eq} , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period, obtained after the addition of 10 dB to sound levels during nighttime hours (10:00 p.m. to 7:00 a.m.). The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

16 months), intermittent, and restricted in occurrence and level, as the contractor is subject to and would comply with the noise ordinance. Compliance with the noise ordinance and Project Mitigation Measure 4 would reduce any construction-related noise effects on nearby residences to the greatest extent feasible.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topics 5e and 5f are not applicable to the proposed project.

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

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

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

Construction Dust Control

To reduce construction dust impacts, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. The proposed project would disturb less than a half of an acre. Therefore, a dust control plan per the Dust Control Ordinance is not required. However, in compliance with the Construction Dust Control

Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping, and other measures. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant.

Criteria Air Pollutants

The Bay Area Air Quality Management District's (BAAQMD) *CEQA Air Quality Guidelines* (Air Quality Guidelines)³² provide screening criteria for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. The proposed mixed-use development involves the construction of 40 dwelling units and 2,010 square feet of retail space, which would meet the Air Quality Guidelines criteria air pollutant screening levels for operation and construction.³³ Since construction of the proposed project would generate criteria air pollutant emissions below applicable thresholds, PEIR Mitigation Measures M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants would not apply to the proposed project. The project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects is required for projects generating more than 3,500 vehicle trips resulting in excessive criteria pollutant emissions. The proposed project would generate approximately 136 daily vehicle trips. Therefore, Mitigation Measure M-AQ-2 would not apply to the proposed project.

Health Risk

Subsequent to certification of the Western SoMa PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 8, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. The project site is within an APEZ. The APEZ, as defined in Article 38, consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ, such as the proposed project, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

³² Bay Area Air Quality Management District. *CEQA Air Quality Guidelines*, 2017.

³³ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, 2017. Criteria air pollutant screening sizes for an Apartment, Low-Rise Building is 451 dwelling units for operational and 240 dwelling units for construction. Criteria air pollutant screening sizes for a Regional Shopping Center is 99,000 square feet for operational and 277,000 square feet for construction.

Construction

PEIR M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards require projects to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. For projects with construction activities located in an APEZ, compliance with Mitigation Measure M-AQ-7 would require submittal of a Construction Emissions Minimization Plan to the Environmental Review Officer for review and approval. Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 16 months, and diesel-generating equipment would be required for the duration of the proposed project's construction phase. Since the project site is located within an identified APEZ, Mitigation Measure M-AQ-7 (Project Mitigation Measure 5) would apply to the proposed project. Project Mitigation Measure 5 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.³⁴ Compliance with this mitigation measure would result in less-than-significant health risk impacts from project-related construction vehicles and equipment.

Siting New Sources

Mitigation Measure M-AQ-4: Siting of Uses that Emit PM_{2.5} or DPM and Other TACs involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project includes the construction of a six-story mixed-use building with 40 residential units and 2,010 square feet of retail space. The project would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, such as a diesel emergency generator, that would emit TACs as part of everyday operations. Therefore, Mitigation Measure M-AQ-4 is not applicable to the proposed project, and project operations would not result in significant health risk impacts.

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

³⁴ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

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

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing greenhouse gas (GHG) emissions. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with a GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*³⁵ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,³⁶ exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2017 Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{37,38} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,³⁹ B-30-15,^{40,41} and Senate Bill (SB) 32.^{42,43} Therefore, projects that are consistent with San Francisco's

³⁵ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

³⁶ ICF International, Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco, January 21, 2015.

³⁷ California Legislative Information, Assembly Bill 32, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

³⁸ Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2017 Clean Air Plan* set a target of reducing GHG emissions to below 1990 levels by year 2020.

³⁹ Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

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

⁴¹ San Francisco's GHG Reduction Goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

⁴² Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

⁴³ Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air

GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The Western SoMa PEIR determined that the goals and policies of the area plan were consistent with San Francisco's GHG reduction strategy and that implementation of the area plan policies would ensure that subsequent development would be consistent with GHG plans and would result in less-than-significant impacts with respect to GHG emissions.

The proposed project would increase the intensity of use by introducing residential uses (40 residential units) to the project site with 2,010 square feet of retail space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and retail operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code and Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency and reduce the proposed project's energy-related GHG emissions.⁴⁴

The proposed project's waste-related GHG emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁴⁵ and reducing the energy required to produce new materials.

Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-

contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

⁴⁴ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴⁵ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

emitting finishes would reduce volatile organic compounds (VOCs).⁴⁶ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁴⁷

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions.

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. For these reasons, the proposed project would not result in significant impacts beyond those identified in the Western SoMa PEIR.

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

Wind

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

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects less than 80 feet in height would not have the potential to generate significant wind impacts. The proposed 65-foot-tall (81-foot-tall including the elevator penthouse), six-story building would be four stories (approximately 40 feet) taller than the immediately adjacent two-story buildings but similar in height to the existing five-story buildings nearby. Therefore, the proposed project would not contribute to the significant wind impact identified in the Western SoMa PEIR, and Mitigation Measure M-WS-1 is not applicable.

⁴⁶ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁴⁷ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 230 7th Street*, May 8, 2017.

For the above reasons, the proposed project is not anticipated to cause significant project-level or cumulative pedestrian wind impacts that were not identified in the Western SoMa PEIR.

Shadow

Planning Code section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would have a significant and unavoidable impact related to the creation of new shadows in a manner that would substantially affect outdoor recreation facilities or other public areas, including the Howard & Langton Mini Park Community Garden (Howard-Langton Mini Park). No mitigation measures were identified in the PEIR.

The Western SoMa Community Plan increased the height limit on parcels east and west of the Howard-Langton Mini Park by 5 feet (from 50 feet to 55 feet) while parcels along Seventh Street were increased by 15 feet (from 50 feet to 65 feet). The PEIR concluded that these changes would permit development that could substantially increase shadow on the Howard-Langton Mini Park, but would maintain substantial mid-day sunlight. Additional shading on the park from structures on Seventh Street would occur during summer morning hours, when shadows would extend in a southwesterly direction over the park. The PEIR noted that the enjoyment of the park would likely not be substantially or adversely affected by any modest new shading that could occur, as the park would not be affected by new shading most times of the day or times of the year. However, as stated above, the PEIR found this impact to be significant and unavoidable.

The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis found that the project would cast new shadow on the Howard-Langton Mini Park.⁴⁸ Therefore, a more refined project-specific analysis was conducted for the proposed project to determine the project's shadow impact on the Howard-Langton Mini Park, and this analysis is summarized below.⁴⁹

The Howard-Langton Mini Park is 0.23 acres (10,218 square feet) in size and is located at Howard and Langton streets, on the south side of Howard Street between Seventh and Eighth streets, approximately 43 feet west of the project site. This park includes a community garden with benches and tables and is bordered by a metal slatted fence. The park is locked and gated, and access is available only to persons with an assigned garden plot.⁵⁰ The park includes approximately 40 plots, and there is a waiting list of approximately 60 people for a plot. Members can grow produce and ornamental plants for personal use.

Dense lush flowering and edible fruits are prevalent throughout the site, mostly within boxed (raised) garden beds. The raised beds are roughly distributed around the garden. Additional plantings are located

⁴⁸ San Francisco Planning Department, *Shadow Fan – 230 7th Street*, April 17, 2014.

⁴⁹ ESA, *Shadow Analysis of Proposed 230 Seventh Street Project*, September 19, 2017.

⁵⁰ ESA visited Howard-Langton Mini Park on Friday, October 2, 2015, between 8:00 a.m. and 9:00 a.m., a time when new shadow from the proposed project would fall on the park. The garden was locked upon arrival. One garden member arrived approximately 8:35 a.m., and this was the only person present during our site visit. ESA also visited the site on Thursday, July 13, Thursday, July 20, and Tuesday, July 25, 2017, between approximately 9:00 a.m. and 9:30 a.m. No more than one person was present at the garden on any of these site visits. ESA was granted entry to the park again during the visit on July 25, 2017.

in smaller wooden planter boxes and half-barrels. Numerous tall garden plants and trees are along the perimeter of the site, blocking many clear views of the inside from the outside. Some of the plantings are supported by wood arbors. There are benches and portable seats scattered throughout the park, along with a wooden table and benches near the northwest corner. There is a large rectangular arbor covering benches, tables, and chairs in the center of the park's eastern edge along Langton Street. It appears that at least half of the site is dedicated to the gardened box plots, with the remainder given over to seating areas and walking paths, two of which are oriented generally north-south near the center of the park. At the rear (southwest corner) of the garden is a chicken coop and fenced enclosure. A toolshed is nearby, along the rear wall, and a potting bench sits a few feet farther towards the center of the park. Trash, compost, and recycling bins are stored near the southeast corner of the garden. In addition to planter beds connected by a series of dirt pathways, the garden includes seating areas (tables, chairs, benches) and a decorative (non-operational) fountain near the center. Three of the four corners of the park have light poles with two lights anchored on top.⁵¹

The Howard-Langton Mini Park is partially shaded throughout the day on the winter solstice by buildings to its south and west; maximum sunlight occurs around 11:00 a.m. when nearly half of the park is in sun. On the spring and fall equinoxes, two-thirds or more of the park is in sunlight between about 10:30 a.m. and 1:00 p.m.; until about 2:30 p.m., the buildings to the south casts partial shadow, while the buildings to the west shades the park beginning shortly after 11:00 a.m. On the summer solstice, the park is 95 percent shaded between 6:47 a.m. and 7:15 a.m., but is more than 75 percent sunny from about 9:00 a.m. until 3:00 p.m., and remains more than half in the sun until after 6:15p.m. It is fully shaded after 7:15 p.m. As noted above, use of the park is limited to those with garden plots.

The existing shadow load on the park is 48.86 percent of theoretical annual available sunlight, meaning that 48.86 percent of the sunlight that would otherwise fall on the mini park during the hours governed by section 295 is obscured by existing buildings. The calculations undertaken for the project shadow analysis indicate that net new shadow from the proposed project would eliminate approximately 1.53 percent of the available sunlight, and that new shadow would fall on the park in the early morning from mid-February through late October.

On the summer solstice (the day of maximum duration of project shadow), net new shadow would fall primarily on portions of the southern half of the park and would not extend into the northern third of the park. Net new shadow would fall on the park beginning at 6:47 a.m., covering the five percent of the park not in existing shadow. Project shadow would increase in coverage until 7:45 a.m., at which time project shadow would cover about one-fourth of the park. With existing shadow at this time, approximately 75 percent of the park would be shaded. Project shadow would decrease to 17 percent of the park (60 percent with existing shadow) by 8:00 a.m., to five percent of the park (35 percent with existing shadow) by 8:30 a.m., and to 0.3 percent (27 percent with existing shadow) by 8:45 a.m. Project shadow would completely leave the park shortly after 8:55 a.m., for a total duration of project shadow on some portion of the park for approximately two hours and ten minutes. Net new shadow would reach approximately half the garden plots, although none would be newly shaded for more than about one hour, and many locations would experience 45 minutes or less of new shadow. There would be no net new shadow on the southwestern most portion of the park, including the chicken coop, which is shaded under existing conditions until about 12:30 p.m.

⁵¹ The height of these lights are a few feet taller than the nearby street lights.

On the spring and fall equinoxes, net new shadow would fall on the northern and eastern portions of the park. Project shadow would fall on the seating area at the northwest corner of the park beginning at 7:57 a.m., covering the 24 percent of the park not in existing shadow. Project shadow would extend diagonally towards the center of the park, moving south and east, and falling on the area of the large arbor along the park's eastern edge. Project shadow would increase in coverage until 8:15 a.m., at which time project shadow would cover 29 percent of the park (94 percent with existing shadow). Project shadow would decrease to 19 percent of the park (74 percent with existing shadow) by 8:30 a.m., and to four percent of the park (55 percent with existing shadow) by 8:45 a.m., and would completely leave the park a few minutes later. The duration of project shadow on some portion of the park would be about one hour. An estimated one-third of the garden plots would be shaded by project shadow at some time on the spring and fall equinoxes, generally for no more than about 30 minutes. There would be no net new shadow on the winter solstice.

The maximum shadow coverage by the project at any given time would be approximately 4,042 square feet (40 percent of the park) at 8:00 a.m. on August 16 and April 26. At this time, project shadow would add to existing shadow (58 percent coverage of the park) to shade all but two percent of the park. Project shadow would decrease to 27 percent of the park (76 percent with existing shadow) at 8:15 a.m., to 15 percent of the park (56 percent with existing shadow) at 8:30 a.m., and to 5 percent of the park (42 percent with existing shadow) at 8:45 a.m., and would leave the park shortly thereafter. August 16 and April 26 would also be the days of greatest overall shadow coverage: on these days, project shadow would total approximately 3,336 square foot hours, which represents approximately 2.8 percent of the total available sunlight between 7:25 a.m. and 7:02 p.m. on those days.⁵²

On August 16 and April 26, shadow would fall on the northwestern, central, and southeastern portions of the park. Shadow would first reach the park just before 7:30 a.m., initially reaching only the seating area at the northwestern corner of the park and increasing in coverage as existing shadows recede until, at 8:00 a.m., shadow would cover the park's northwest quadrant, the center of the park, including the decorative fountain, about half the garden plots, parts of the two north-south pathways, and a portion of the arbor and seating area along the park's eastern edge. After 8:00 a.m., shadow would withdraw from the park's northwest corner and would move south and east and diminish in coverage, with the maximum westerly extension reaching the north-south center line of the park about 8:20 a.m. By 8:35 a.m., project shadow would cover only approximately the southeastern 15 percent of the park (the southern half of the arbor and the area where trash bins are stored). Project shadow would leave the park by about 8:55 a.m.

Cumulative Impacts

There are two nearby projects on file with the Planning Department that could add new shadow to the Howard-Langton Mini Park. These projects are both 65 feet in height and on the same block as the project site—at 65 Langton Street/262 Seventh Street (Case No. 2014.0334ENV) and at 280-282 Seventh Street (Case No. 2014.1469ENV). Additionally, a 65-foot-tall project is under construction on the project block, at 1140 Folsom Street/99 Rausch Street (Case No. 2013.0986). Cumulative shadow analysis performed for these three projects along with the proposed project determined that, of the three cumulative projects,

⁵² Calculation: 3,336 square foot hours divided by (11.6 hours of sunlight x park size of 10,218 square feet) = 2.8 percent.

only the project at 65 Langton Street/262 Seventh Street would add net new shadow to the park. This project would add an additional 0.09 percent of available sunlight to the project-only shadow coverage, for a total of 1.62 percent of available sunlight, compared to 1.53 percent by the project alone. This cumulative project would add a small amount of additional shadow to shadow that would be cast by the project, before 9:00 a.m. between mid-February and mid-March and from late September through late October. Between early November and early February, when the proposed project would not cast any new shadow on the park, the cumulative project at 65 Langton Street/262 Seventh Street would add a small amount of new shadow to the park, covering less than one-fifth of the park at most. This shadow would last less than 45 minutes daily and would leave the park by 8:30 a.m. at the latest. The maximum amount of new shadow cast by this cumulative project during this time would be about 1,810 square feet (18 percent of the park) at 7:37 a.m. on November 1 and February 8. The cumulative project at 65 Langton Street/262 Seventh Street would add no additional shadow between March 22 and September 20, including on the spring and fall equinoxes and the summer solstice.

Conclusion

The proposed project would cast net new shadow on the Howard-Langton Mini Park in the morning hours between 6:47 a.m. and shortly before 9:00 a.m., from mid-February through late October. On the summer solstice (June 21), the park would be shaded by the proposed project beginning at 6:47 a.m., with the size of project shadow peaking at 7:45 a.m., and with project shadow leaving the park about 8:50 a.m. The maximum shadow from the project would occur on April 26 and August 16 at 8:00 a.m., when the project would cover 40 percent of the park. However, the park is not accessible to the public, as it is locked and available to members only. During the site visits, no more than one visitor was observed during the 8:00 to 9:30 a.m. time frame. Therefore, the new shadow that would be attributed to the project would not appear to substantially or adversely affect use of the park. The net new shadow could have an undetermined effect on the available sunlight for the garden plots. However, the amount of sunlight after 9:00 a.m. would not change, leaving the same amount of sunlight as under existing conditions for the great majority of the day. Therefore, the effects on garden plots from the proposed project would be minimal. The net new shadow on Howard-Langton Mini Park represents a considerable contribution to the significant and unavoidable cumulative shadow impact on the Howard-Langton Mini Park identified in the Western SoMa PEIR. However, this would not result in significant impacts that were previously not identified or more severe adverse impacts than those analyzed in the PEIR.⁵³

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

In light of the above, the project would not result in significant project-level or cumulative shadow impacts beyond those identified in the Western SoMa PEIR.

⁵³ The proposed project will be presented to both the Recreation and Parks Commission and then the Planning Commission for a determination of the project's shadow impact on the Howard-Langton Mini Park, under Section 295 of the Planning Code.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
9. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures were identified in the PEIR.

In November 2012, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond, providing the Recreation and Park Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. The amended ROSE includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies locations where proposed open space connections should be built, specifically streets appropriate for potential “living alleys.” In addition, the amended ROSE identifies the role of both the Better Streets Plan and the Green Connections Network in open space and recreation. Green Connections are streets and paths that connect people to parks, open spaces, and the waterfront while enhancing the ecology of the street environment. Two routes identified within the Green Connections Network cross the Western SoMa Community Plan Area: Tenderloin to Potrero (Route 18) and Folsom, Mission Creek to McLaren (Route 20).

As the proposed project would not degrade recreational facilities and is within the scope of development projected under the Western SoMa Community Plan, there would be no additional impacts on recreation beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Western SoMa PEIR determined that the anticipated increase in population would not result in a significant impact on the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

As the proposed project is within the scope of development projected under the Western SoMa Community Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
11. PUBLIC SERVICES—Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

Because the proposed project is within the scope of the development projected under the Western SoMa Community Plan, there would be no additional project-level or cumulative impacts on public services beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
12. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Western SoMa PEIR, the plan area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the plan area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects under the Western SoMa Community Plan would largely consist of new construction in heavily built-out former industrial neighborhoods, loss of vegetation or disturbance of wildlife other than common urban species would be minimal. Therefore, the Western SoMa PEIR concluded that implementation of the Western SoMa Community Plan would not result in any significant effects related to riparian habitat, wetlands, movement of migratory species, local policies or ordinances protecting biological resources, or habitat conservation plans.

The Western SoMa PEIR determined that the Western SoMa Community Plan would result in significant but mitigable impacts on special-status birds and bats that may be nesting in trees or roosting in

buildings that are proposed for removal/demolition as part of an individual project. As identified in the PEIR, Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys and M-BI-1b: Pre-Construction Special-Status Bat Surveys would reduce these impacts to less-than-significant levels.

PEIR Mitigation Measure M-BI-1a requires that building permits issued for construction of projects within the plan area include conditions of approval requiring pre-construction special-status bird surveys when trees would be removed or buildings would be demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. The proposed project, which involves demolition of a building, is subject to PEIR Mitigation Measure M-BI-1a, which is identified as Project Mitigation Measure 6.

PEIR Mitigation Measure M-BI-1b requires pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or when vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. The proposed project would not remove any trees; however, the existing building that is proposed for demolition contains vacant areas on the second story. Therefore, PEIR Mitigation Measure M-BI-1b (Project Mitigation Measure 7) is applicable to the proposed project.

As the proposed project includes the mitigation measure discussed above and is within the geographic area of the Western SoMa Community Plan, there would be no additional impacts on biological resources beyond those analyzed in the Western SoMa PEIR.

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

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR concluded that implementation of the Western SoMa Community Plan would indirectly increase the population that would be subject to geologic hazards, including earthquakes, seismically induced ground shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level given the seismically active characteristics of the San Francisco Bay Area. Therefore, the PEIR concluded that implementation of the Western SoMa Community Plan would not result in significant impacts related to geologic hazards. No mitigation measures were identified in the PEIR.

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. Borings at the project site were not included in this investigation. The findings and recommendations are summarized below.⁵⁴

The project site is anticipated to be underlain by 10 feet of fill consisting of primarily loose to dense sand and gravel with building debris. The fill is anticipated to be underlain by 10 to 20 feet of beach deposit consisting of very loose to dense sand. The fill and beach deposit is anticipated to be underlain by a weak and compressible clay deposit. Groundwater is anticipated to be between 10 to 12 feet below ground surface, and the project site is located in a liquefaction zone. The geotechnical investigation recommends that the proposed development be supported by a shallow foundation on improved soil using compaction grouting or other ground improvement techniques. Drilled piers could also be considered to support the proposed building. Impact piling driving is not required or proposed.

The Seismic Hazards Mapping Act (seismic hazard act, located in Public Resources Code 2690 *et seq.*), enacted in 1990, protects public safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failures or hazards caused by earthquakes. The California Geological Survey designates the project site as within an area that may be prone to earthquake-induced ground failure during a major earthquake due to liquefaction hazard. Because of this, site design and construction must comply with the seismic hazard act, its implementing regulations, and the California Department of Conservation's guidelines for evaluating and mitigating seismic hazards. In addition to the seismic hazard act, adequate investigation and mitigation of failure-prone soils is also required by the mandatory provisions of the

⁵⁴ LANGAN, *Revised Preliminary Geotechnical Report, 230-234 7th Street, San Francisco, California*, March 16, 2017.

California Building Code (state building code, California Code of Regulations, Title 24). The *San Francisco Building Code* has adopted the state building code with certain local amendments. The regulations implementing the seismic hazard act include criteria for approval of projects within seismic hazard zones that require a project be approved only when the nature and severity of the seismic hazards at the site have been evaluated in a geotechnical report and appropriate mitigation measures⁵⁵ have been proposed and incorporated into the project, as applicable.

The proposed project is required to conform to the local building code, which ensures the safety of all new construction in the City. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, Section 1804.1, Excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations) and 1809 (shallow foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category and soil classification at the project site. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

For these reasons, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Western SoMa PEIR, and no mitigation measures are necessary.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁵⁵ In the context of the seismic hazard act, "mitigation" refers to measures that reduce earthquake hazards, rather than the Mitigation Measures that were identified in the programmatic EIR, which are required by the California Environmental Quality Act (CEQA) to reduce or avoid environmental impacts of a proposed project.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The entire project site is covered by impervious surfaces, and the proposed building's footprint would cover the entire project site. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the project site or an increase in the amount of runoff and drainage from the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10, effective May 22, 2010), the proposed project is required to comply with the stormwater design guidelines, incorporating low impact design approaches and stormwater management systems into the project. Therefore, the proposed project would not adversely affect runoff and drainage.

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

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR identified less-than-significant impacts related to the routine transport, use, or disposal of hazardous material; the potential for the Western SoMa Community Plan or subsequent development projects within the plan area to interfere with an adopted emergency response plan; and the potential for subsequent development projects within the plan area to expose people or structures to a significant risk with respect to fires.

Hazardous Building Materials

The proposed project would involve demolition of the existing building on the project site, which was constructed in 1924. Because this structure was built before the 1970s, hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos and lead-based paint are likely to be present in this structure. Demolishing the existing structure could expose workers or the community to hazardous building materials. In compliance with the Western SoMa PEIR, the proposed project would be required

to implement PEIR Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement, identified as Project Mitigation Measure 8. Project Mitigation Measure 8 would require the project sponsor to ensure that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of demolition. Project Mitigation Measure 8 would reduce potential impacts related to hazardous building materials to a less-than-significant level.

For these reasons, the proposed project would not result in significant impacts related to hazardous building materials that were not identified in the Western SoMa PEIR.

Handling of Potentially Contaminated Soils

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

Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A (also known as the Maher Ordinance), which is administered and overseen by the Department of Public Health (DPH). Amendments to the Maher Ordinance became effective August 24, 2013 and require that sponsors for projects that disturb more than 50 cubic yards of soil retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. PEIR Mitigation Measure M-HZ-3, related to contaminated soil and groundwater, is therefore superseded by the Maher Ordinance.

The project site is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater.⁵⁶ The proposed project would require excavation to a depth of 8 feet below ground surface and the removal of 800 cubic yards of soil. Therefore, the project sponsor is required to retain the services of a qualified professional to prepare a Phase I ESA that meets the requirements of Health Code Section 22.A.6.

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

In compliance with the Maher Ordinance, the project sponsor submitted a Maher Application and a Phase I ESA to DPH.^{57,58} Based on the Phase I ESA, the project site was occupied by residential structures and stores from circa 1887 to 1913. The project site appeared to be vacant from circa 1914 until the existing structure was built in 1924. During the late-1940s through mid-2000s, an auto parts warehouse and

⁵⁶ San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf. Accessed September 20, 2016.

⁵⁷ Innovative & Creative Environmental Solutions, *Phase I Environmental Site Assessment*, 230 7th Street, San Francisco, CA, July 18, 2014.

⁵⁸ Russell Yim, SFDPH, email to Don Lewis, 230 7th Street, April 2, 2015.

machine shop occupied the existing building. This historical use of the project site as an auto parts warehouse and machine shop represents a *recognized environmental condition*, indicating the potential for soil or groundwater contamination related to the use and storage of hazardous materials at the site. The Phase I ESA recommends the collection of soil samples to assess the potential presence of metals, solvents, and petroleum hydrocarbons, and soil vapor samples should also be collected to assess the potential vapor intrusion within the project site. The proposed project would be required to remediate potential soil and/or groundwater contamination described above in accordance with Article 22A of the Health Code.

As discussed above, implementation of Project Mitigation Measure 8 and compliance with all applicable federal, state, and local regulations would ensure that the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Western SoMa PEIR.

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

The Western SoMa PEIR determined that the Western SoMa Community Plan would facilitate the construction of both new residential and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the DBI. The plan area does not include any natural resources routinely extracted, and the rezoning does not result in any natural resource extraction programs. Therefore, the Western SoMa PEIR concluded that implementation of the Western SoMa Community Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is located within the Western SoMa Community Plan area, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Western SoMa PEIR.

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

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

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

MITIGATION MEASURES

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

The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction- generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used in a subsequent development project; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used on the subsequent development project. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings (as identified by the Planning Department preservation staff), using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.

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

The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

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

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

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site⁵⁹ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁶⁰ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

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

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project

⁵⁹ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁶⁰ An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.

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

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

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

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

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

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

- The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).
- The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

Project Mitigation Measure 5 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR)

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

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than

20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

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

Table – Off-Road Equipment Compliance Step-down Schedule

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

How to use the table: If the ERO determines that the equipment

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

** Alternative fuels are not a VDECS.

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

Project Mitigation Measure 6 – Pre-Construction Special-Status Bird Surveys (Mitigation Measure M-BI-1a of the Western SoMa PEIR)

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

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

The project sponsor shall ensure that pre-construction special-status bat surveys are conducted by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.

Project Mitigation Measure 8 – Hazardous Building Materials Abatement (Mitigation Measure M-HZ-2 of the Western SoMa PEIR)

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

Parcel Map

BLOCK 3730



SUBJECT PROPERTY

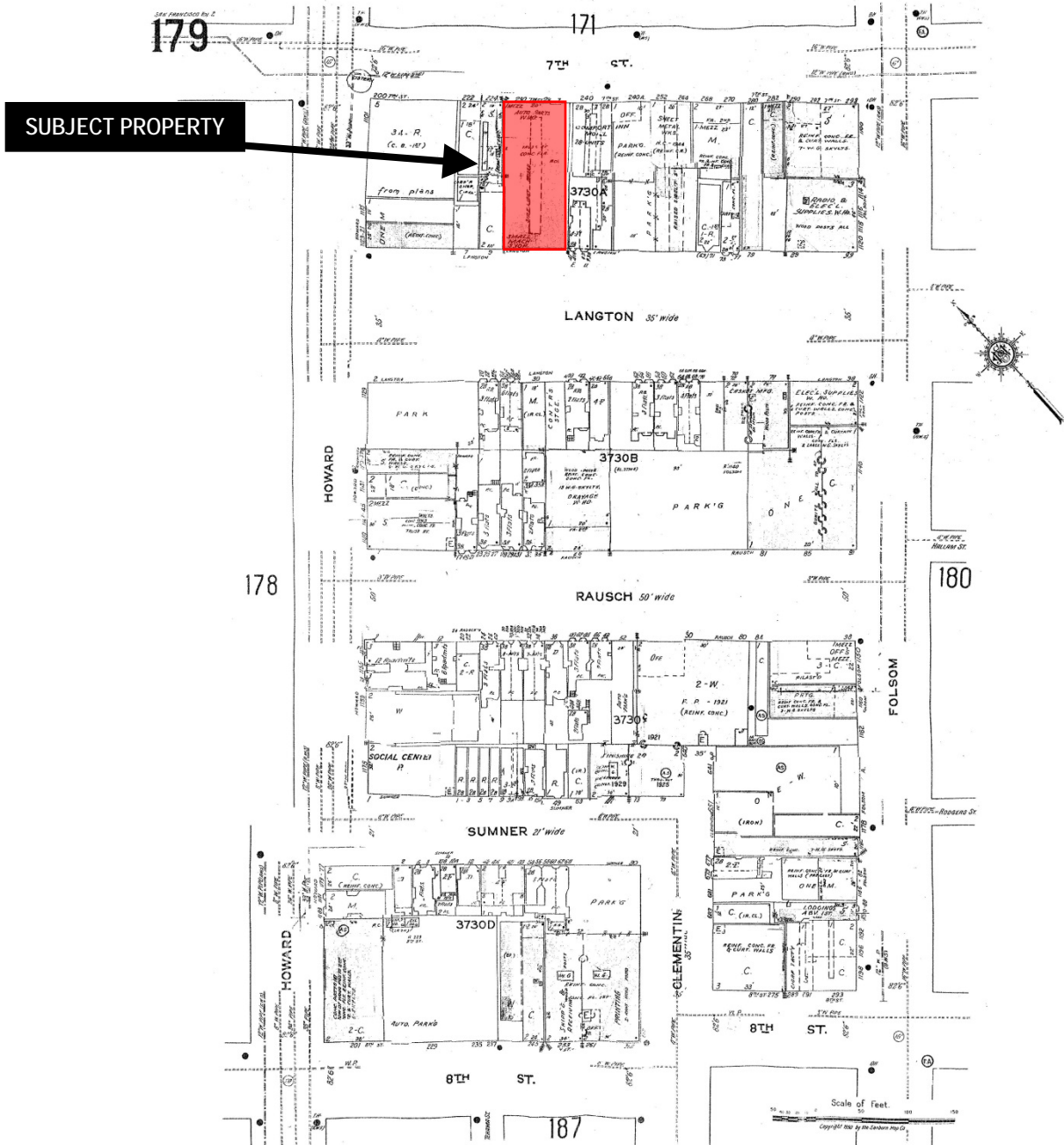
Printed: 2 January, 2016



Large Project Authorization
Case Number 2014.0244ENX
230 7th Street

Sanborn Map*

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

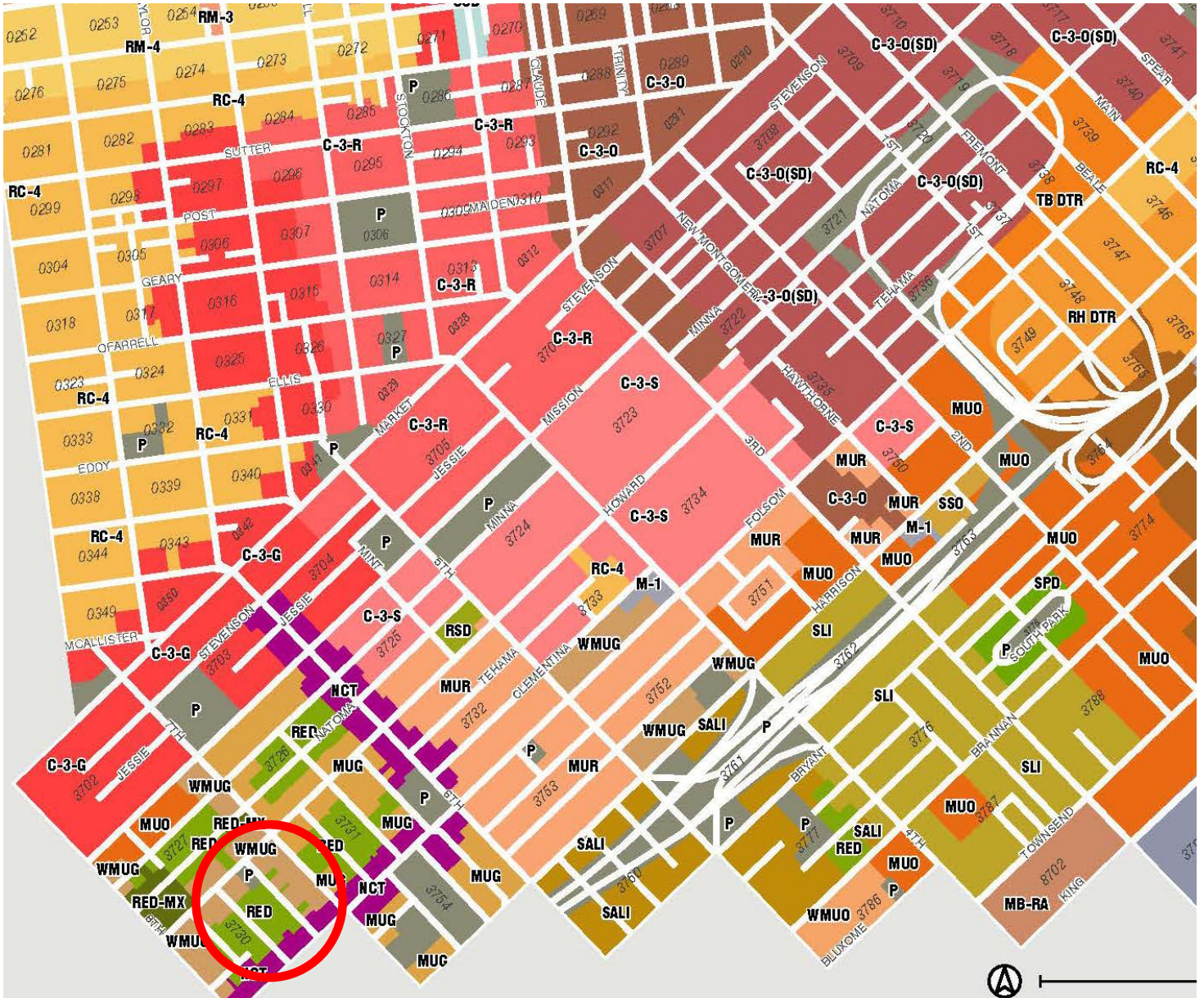


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



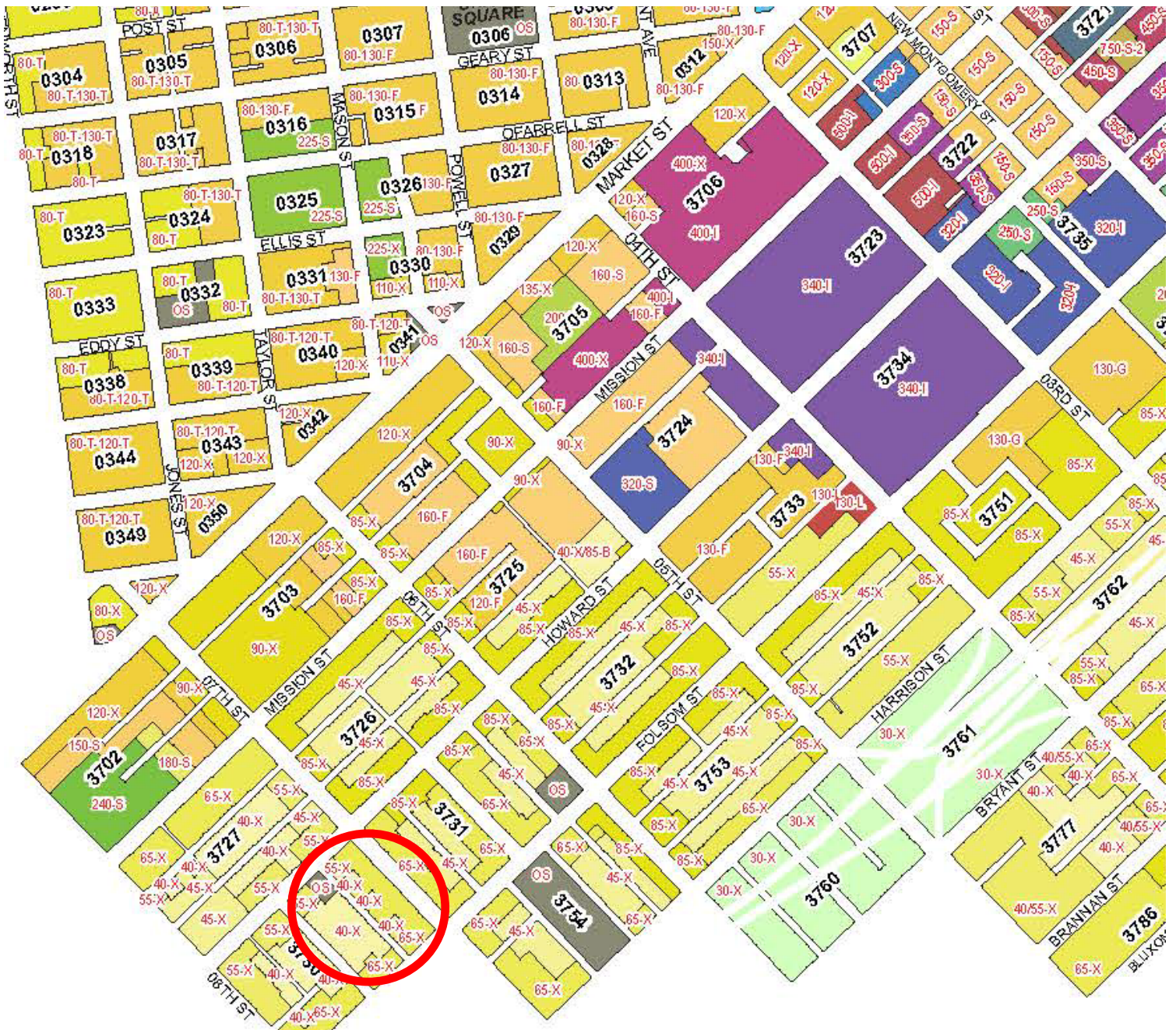
Large Project Authorization
Case Number 2014.0244ENX
230 7th Street

Zoning Map



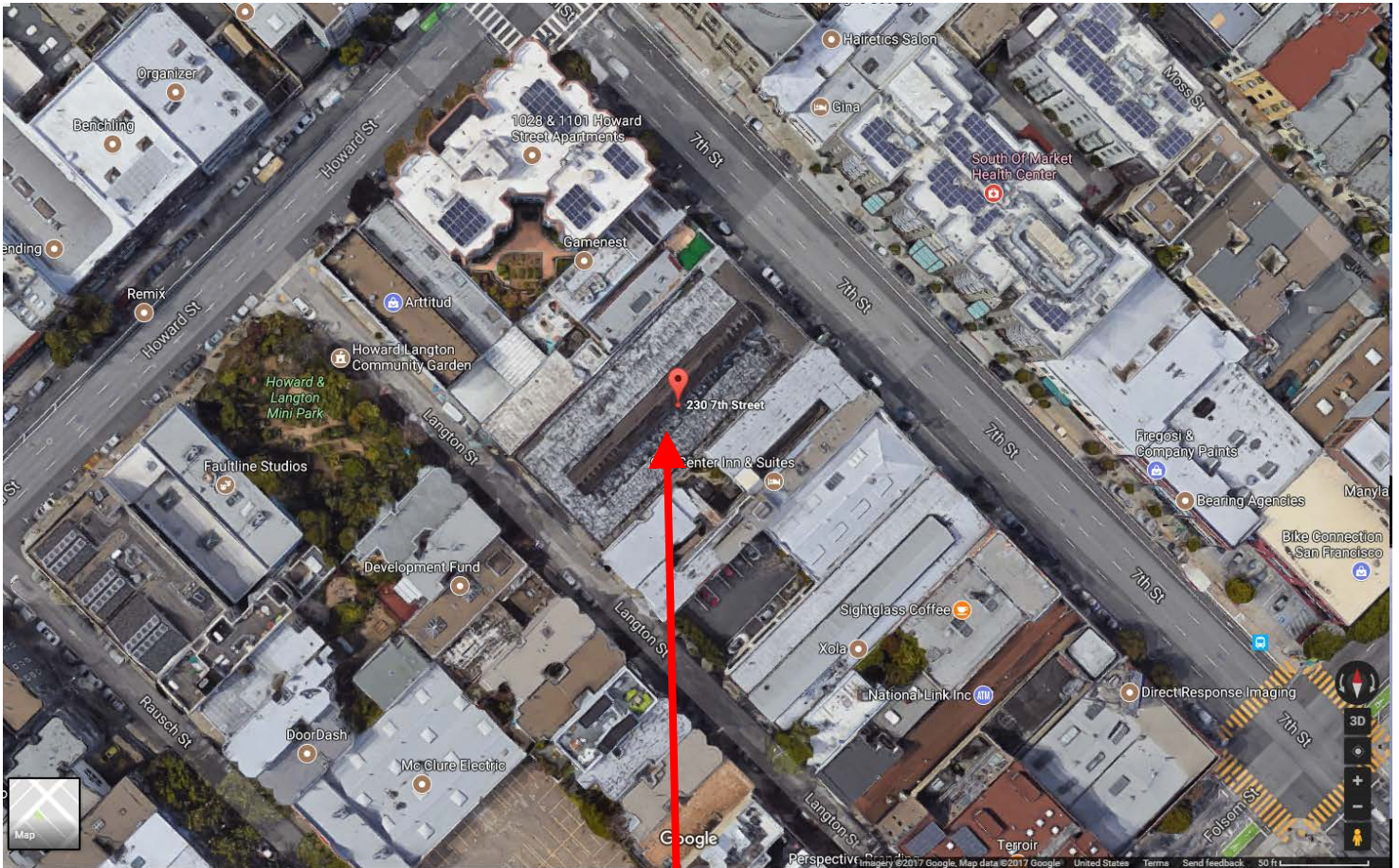
Large Project Authorization
Case Number 2014.0244ENX
230 7th Street

Height Map



Large Project Authorization
Case Number 2014.0244ENX
230 7th Street

Aerial Photo



SUBJECT PROPERTY



Large Project Authorization
Case Number 2014.0244ENX
230 7th Street

Site Photo

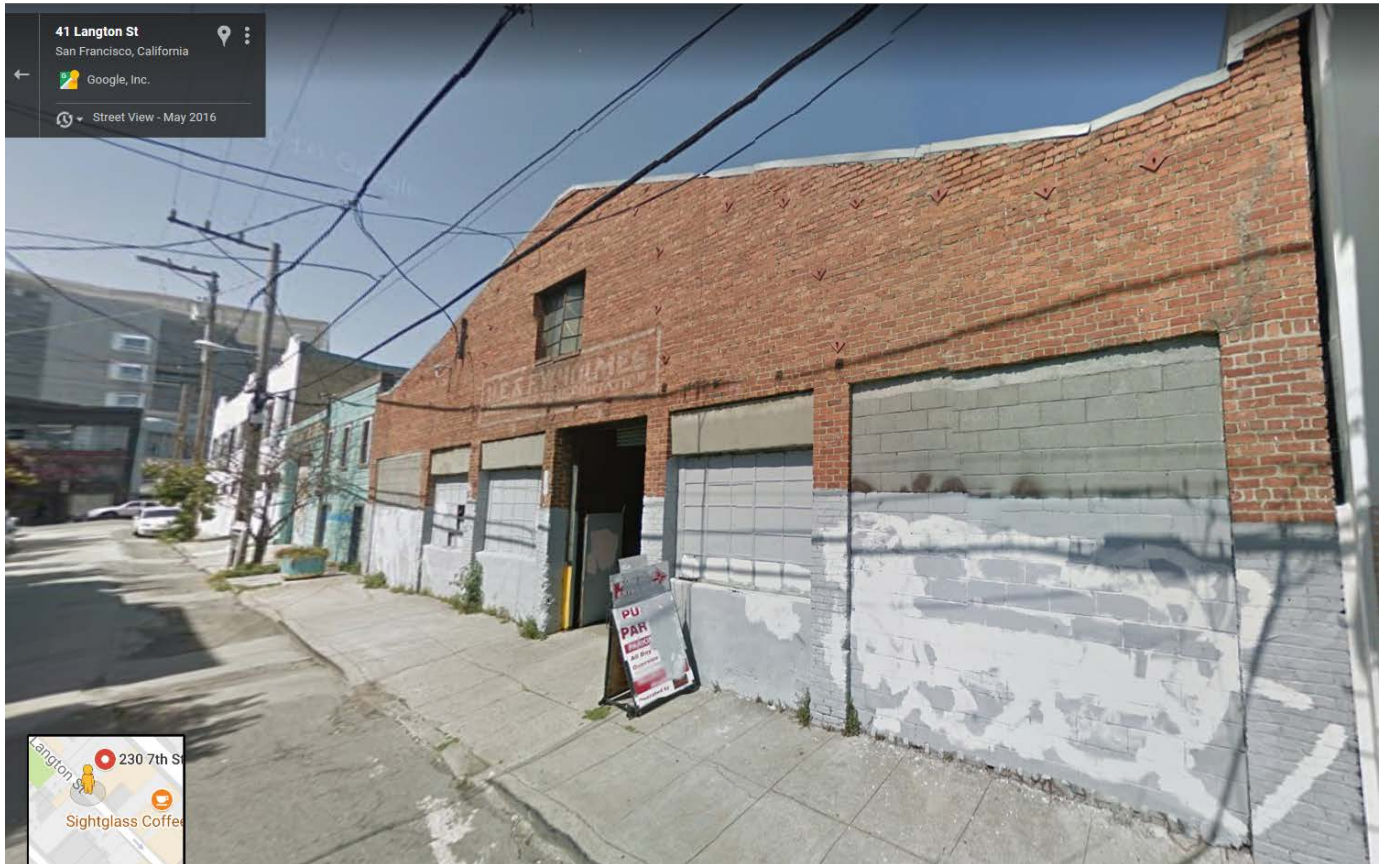
7th Street Frontage



Large Project Authorization
Case Number 2014.0244ENX
230 7th Street

Site Photo

Langton Street Frontage

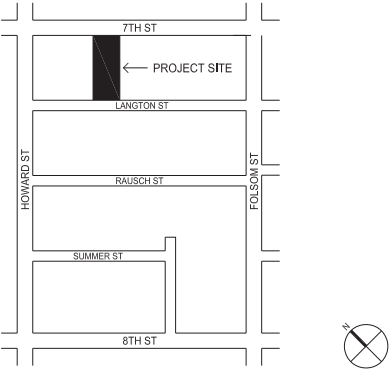


Large Project Authorization
Case Number 2014.0244ENX
230 7th Street



230 7TH STREET - 7TH STREET VIEW

VICINITY MAP



SCOPE OF WORK

DEMOLISH EXISTING BUILDING.

CONSTRUCT NEW SIX STORY MIXED USE BUILDING WITH FIVE STORIES OF RESIDENTIAL USE ABOVE GROUND FLOOR COMMERCIAL RETAIL SPACE AND PRIVATE PARKING GARAGE: 40 NEW RESIDENTIAL UNITS TOTAL.

DRAWING INDEX

- A0.0 VICINITY MAP, SCOPE OF WORK, DRAWING INDEX
- A0.1 PLANNING DEPARTMENT NOTES
- SURVEY
- A1.0 SITE PLAN
- A2.1 FLOOR PLANS
- A2.2 FLOOR PLANS
- R1 7TH STREET VIEW
- A3.1 ELEVATIONS
- A3.2 ELEVATIONS
- A4.1 SECTIONS
- R2 LANGTON STREET VIEW
- A6.1 DETAIL LANGTON BRICK FACADE
- R3 COURTYARD VIEW
- A6.2 DETAIL LANGTON BRICK FACADE
- A6.3 DETAIL LANGTON BRICK FACADE
- A8.1 CONCEPTUAL IMAGERY

230
7th Street

Residential Condominium
Mixed Use Project

San Francisco • California

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GEE
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Project No.	Date
13-022	08.28.13

Revisions

No.	Issue / Date
	REVIEW 09.13.13
	REVIEW 10.30.13
	REVIEW 11.05.13
	REVIEW 11.22.13
	REVIEW 12.23.13
	PPA 01.06.14
	REVISED PPA 03.25.15
	REVISED PPA 05.15.15
	LPA 08.04.15
	ISSUED FOR REVIEW 07.07.16
	REVISED LPA 12.05.16
	REVISED LPA 05.01.17
	REVISED LPA 09.25.17

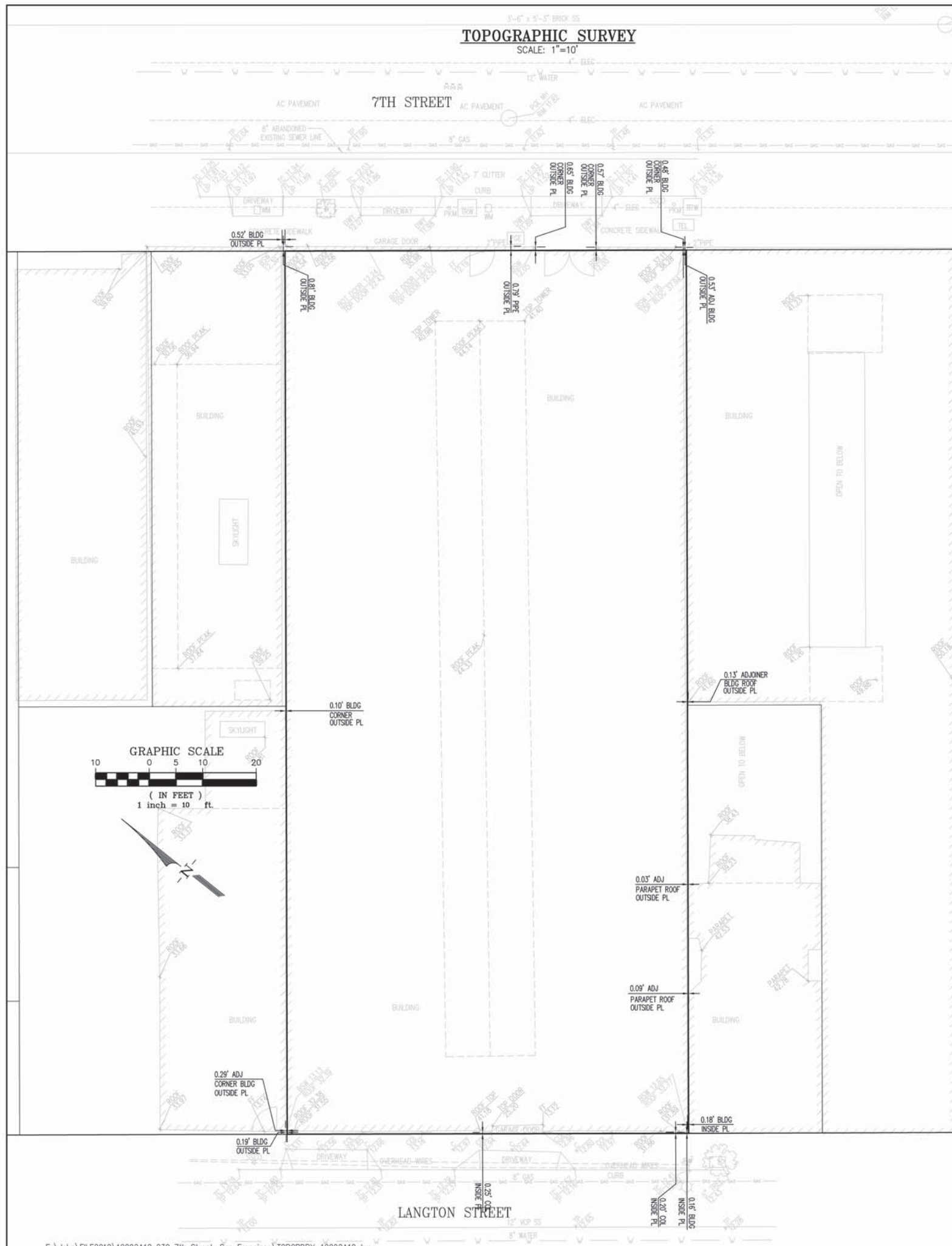
Vicinity Map,
Scope of Work,
Drawing Index

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

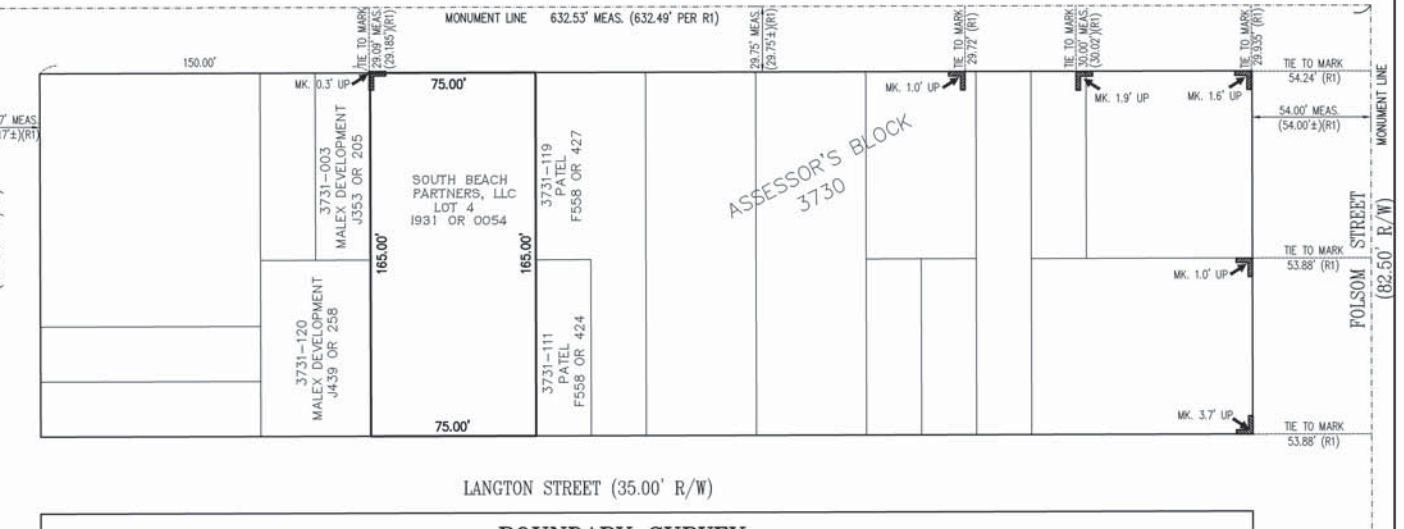
A0.0

TOPOGRAPHIC SURVEY

SCALE: 1"=10'



HOWARD STREET
(82.50' R/W)



LEGEND

SYMBOLS	DESCRIPTION
=====	BOUNDARY - SUBJECT PROPERTY
=====	RIGHT-OF-WAY LINE
=====	ADJOINER'S PROPERTY LINE
-----	MONUMENT LINE
(T)	TOTAL
DOC. NO.	DOCUMENT NUMBER
=====	BUILDING LINE
=====	OVERHANG LINE
WV	WATER VALVE
WM	WATER METER
SSCO	STORM DRAIN MANHOLE
SSMH	SANITARY SEWER CLEANOUT
TEL	SANITARY SEWER MANHOLE
PGE	TELEPHONE BOX
PG	PACIFIC GAS & ELECTRIC BOX
TREE	TREE
PP	POWER POLE
GUY	GUY POLE
UB	UTILITY BOX
RD	ROOF DRAIN
WM	WATER METER
GM	GAS METER
CV	GAS VALVE
JP	JOINT POLE
TS	TRAFFIC SIGNAL
TSB	TRAFFIC SIGNAL BOX
SL	STREET LIGHT
SLB	STREET LIGHT BOX
C	CONCRETE ELEVATION
GRD	GROUND ELEVATION
TP	TOP OF PAVEMENT ELEVATION
TC	TOP OF CURB ELEVATION
TW	TOP OF WALL ELEVATION
STAIR	STAIR
AC	ASPHALT
FF	FINISH FLOOR
BLDG	BUILDING
BSW	BACK OF SIDEWALK
CONC	CONCRETE
GB	GRADE BREAK
EB	ELECTRIC BOX
GUY	GUY POLE
GRD	GROUND
GAR	GARAGE
DI	DRAIN INLET
COL	COLUMN
PLTR	PLANTER
TRW	TREEWELL
TC	TOP FACE OF CURB
TW	TOP FACE OF WALL
DWY	DRIVEWAY
RD	ROOF DRAIN

NOTES

- EASEMENTS AND/OR RIGHTS OF WAY ARE SHOWN HEREON PER THE PTR. OTHER EASEMENTS AND/OR RIGHTS OF WAY OF RECORD, IF ANY, ARE NOT SHOWN HEREON. THE PTR PROVIDED BY THE CLIENT IS FROM 2005; NO CURRENT TITLE REPORT HAS BEEN PROVIDED. THEREFORE, ANY RECORDED DOCUMENTS AFFECTING THE PROPERTY RECORDED AFTER 2005 ARE NOT REFLECTED ON THE SURVEY.
- DATE OF FIELD SURVEY: MARCH 20 AND 25, 2013 AS TO THE BOUNDARY AND TOPOGRAPHIC SURVEY OF THE SUBJECT PROPERTY.
- THE UTILITIES SHOWN HEREON ARE BY SURFACE OBSERVATION AND RECORD INFORMATION ONLY AND NO WARRANTY IS GIVEN HEREIN AS TO THEIR EXACT LOCATION. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR CONTRACTOR TO VERIFY THE EXACT LOCATION OF THE UTILITIES WITH THE APPROPRIATE UTILITY COMPANY OR AGENCY.

UTILITY JURISDICTIONS / PROVIDERS ARE AS FOLLOWS:
STORM DRAINS: CITY AND COUNTY OF SAN FRANCISCO
SANITARY SEWER: CITY AND COUNTY OF SAN FRANCISCO
WATER: CITY AND COUNTY OF SAN FRANCISCO
ELECTRICITY: PACIFIC GAS & ELECTRIC CO.
NATURAL GAS: PACIFIC GAS & ELECTRIC CO.

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE SOUTHWESTERLY LINE OF SEVENTH STREET, DISTANT THEREON ONE HUNDRED FIFTY (150) FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF HOWARD STREET, RUNNING THENCE SOUTHEASTERLY ALONG SAID LINE OF SEVENTH STREET SEVENTY-FIVE (75) FEET; THENCE AT A RIGHT ANGLE SOUTHWESTERLY ONE HUNDRED SIXTY-FIVE (165) FEET TO THE NORTHEASTERLY LINE OF LANGTON STREET; THENCE AT A RIGHT ANGLE NORTHWESTERLY ALONG SAID LINE OF LANGTON STREET SEVENTY-FIVE (75) FEET, THENCE AT A RIGHT ANGLE NORTHEASTERLY ONE HUNDRED SIXTY-FIVE (165) FEET TO SAID SOUTHWESTERLY LINE OF SEVENTH STREET AND THE POINT OF COMMENCEMENT.

BEING PART OF 100 VARA BLOCK NO. 408
APN: LOT 004, BLOCK 3730



VICINITY MAP
NOT TO SCALE

BOUNDARY SURVEY

SCALE: 1"=40'

TITLE REPORT

THE TITLE REPORT USED IN THIS SURVEY WAS ISSUED BY FIRST AMERICAN TITLE COMPANY, PRELIMINARY REPORT TITLE NO. 3809-1940527, DATED MAY 24, 2005 AT 7:30 A.M., REFERRED TO HEREON AS THE "PTR".

BASIS OF SURVEY

BASIS OF SURVEY IS MONUMENT MAP NO. #285 ON FILE WITH THE CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS. STRUCTURE CUT-OFFS WERE USED TO RE-ESTABLISH STREET CONTROL LINES. NO BEARINGS ARE GIVEN.

MONUMENT MAP REFERENCE

R1) MONUMENT MAP NO. 285.

BENCHMARK

STAR CUT AT THE SOUTH SIDE OF THE SOUTHEAST CURB RETURN AT THE INTERSECTION OF 7TH STREET AND HOWARD STREET. ELEVATION = 14.64.

ELEVATIONS ARE BASED ON SAN FRANCISCO CITY DATUM.

SURVEYOR'S STATEMENT

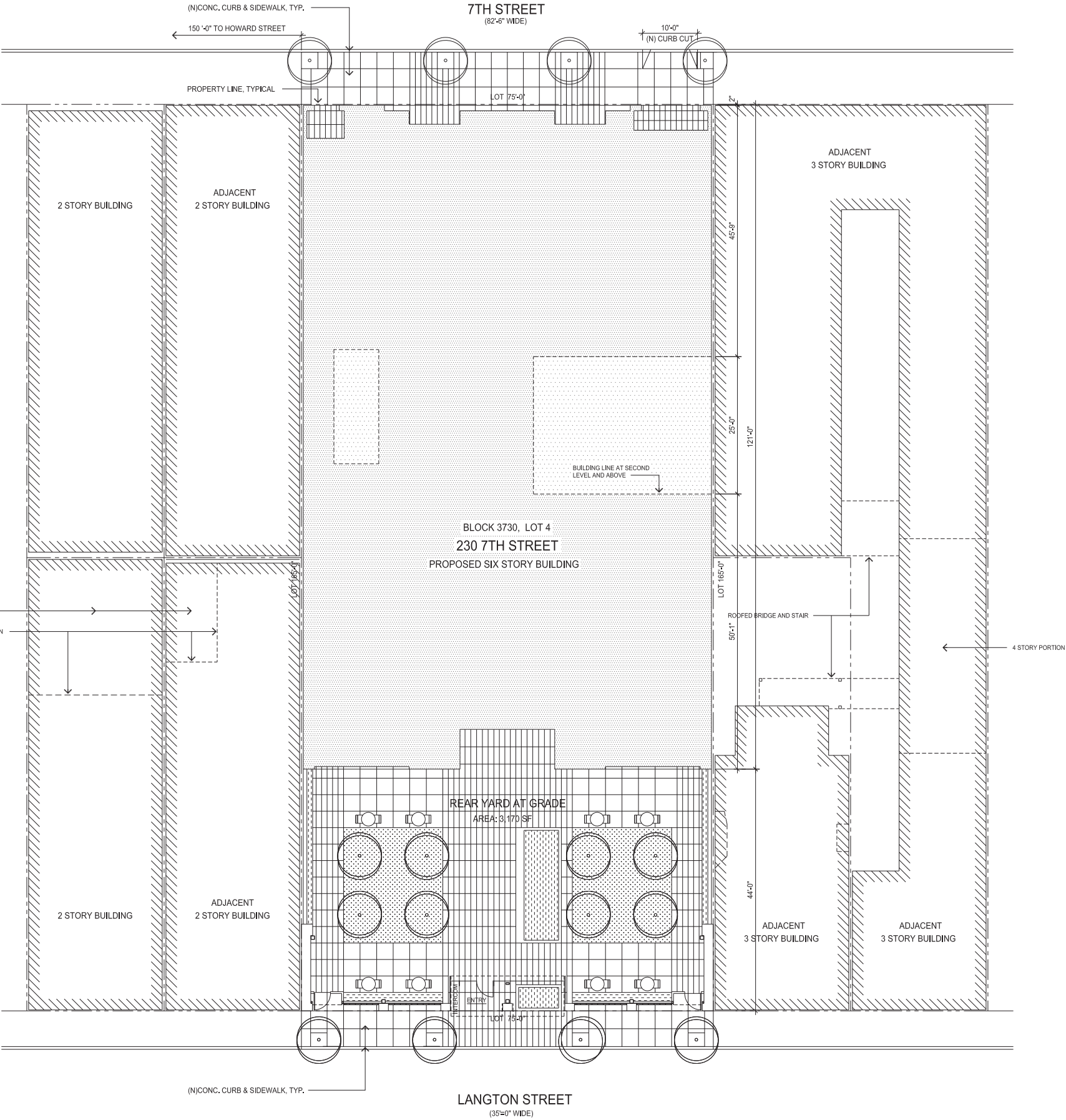
THIS SURVEY WAS DONE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE LAND SURVEYORS ACT AT THE REQUEST OF PFAU LONG ARCHITECTURE IN MARCH 2013.

JACQUELINE LUK P.L.S. 8934
FOR LUK & ASSOCIATES, INC.



TOPOGRAPHIC & BOUNDARY SURVEY

FOR
230 7TH STREET
BEING THAT PARCEL OF LAND DESCRIBED IN THAT CERTAIN DEED RECORDED JULY 14, 2005 AS DOCUMENT NO. 2005-H989472, REEL 1931, IMAGE 0054, OF OFFICIAL RECORDS, CITY AND COUNTY OF SAN FRANCISCO, ALS BEING PART OF 100 VARA BLOCK NO. 408
CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
NOVEMBER 2013
PREPARED BY
LUK AND ASSOCIATES
CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS
738 ALFRED NOBEL DRIVE
HERCULES, CALIFORNIA 94547
(510) 724-3388



SITE PLAN

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



SEE GROUND LEVEL PLAN FOR ADDITIONAL NOTES AND DIMENSIONS

230

7th Street

Residential Condominium
Mixed Use Project

San Francisco • California

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ARCHITECTS
AIA

GARY GEE ARCHITECTS, INC.
98 Brady Street, #8
San Francisco, CA 94103
Tel 415/863-8881
Fax 415/863-8879

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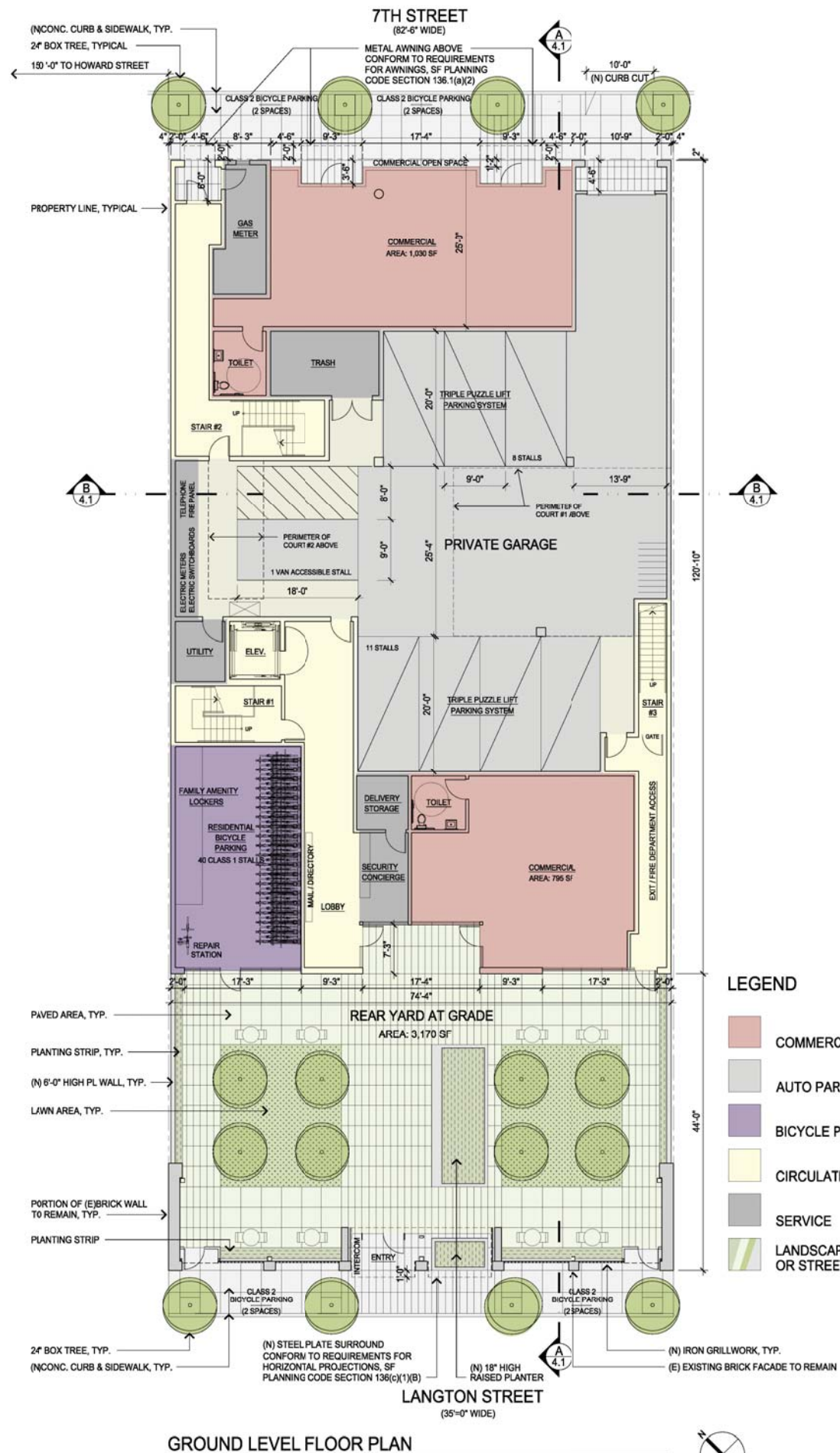
Project No.	Date
13-022	08.28.13

Revisions	
No.	Issue / Date
	REVIEW 09.13.13
	REVIEW 10.30.13
	REVIEW 11.05.13
	REVIEW 11.22.13
	REVIEW 12.23.13
	PPA 01.06.14
	REVISED PPA 03.25.15
	REVISED PPA 05.15.15
	LPA 08.04.15
	ISSUED FOR REVIEW 07.07.16
	ISSUED FOR REVIEW 07.15.16
	ISSUED FOR REVIEW 11.30.16
	REVISED LPA 12.05.16
	REVISED LPA 05.01.17
	REVISED LPA 09.25.17

Site Plan

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

A1.0



GROUND LEVEL FLOOR PLAN



SECOND LEVEL FLOOR PLAN

230

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Project No. 13-022 Date 08.28.13

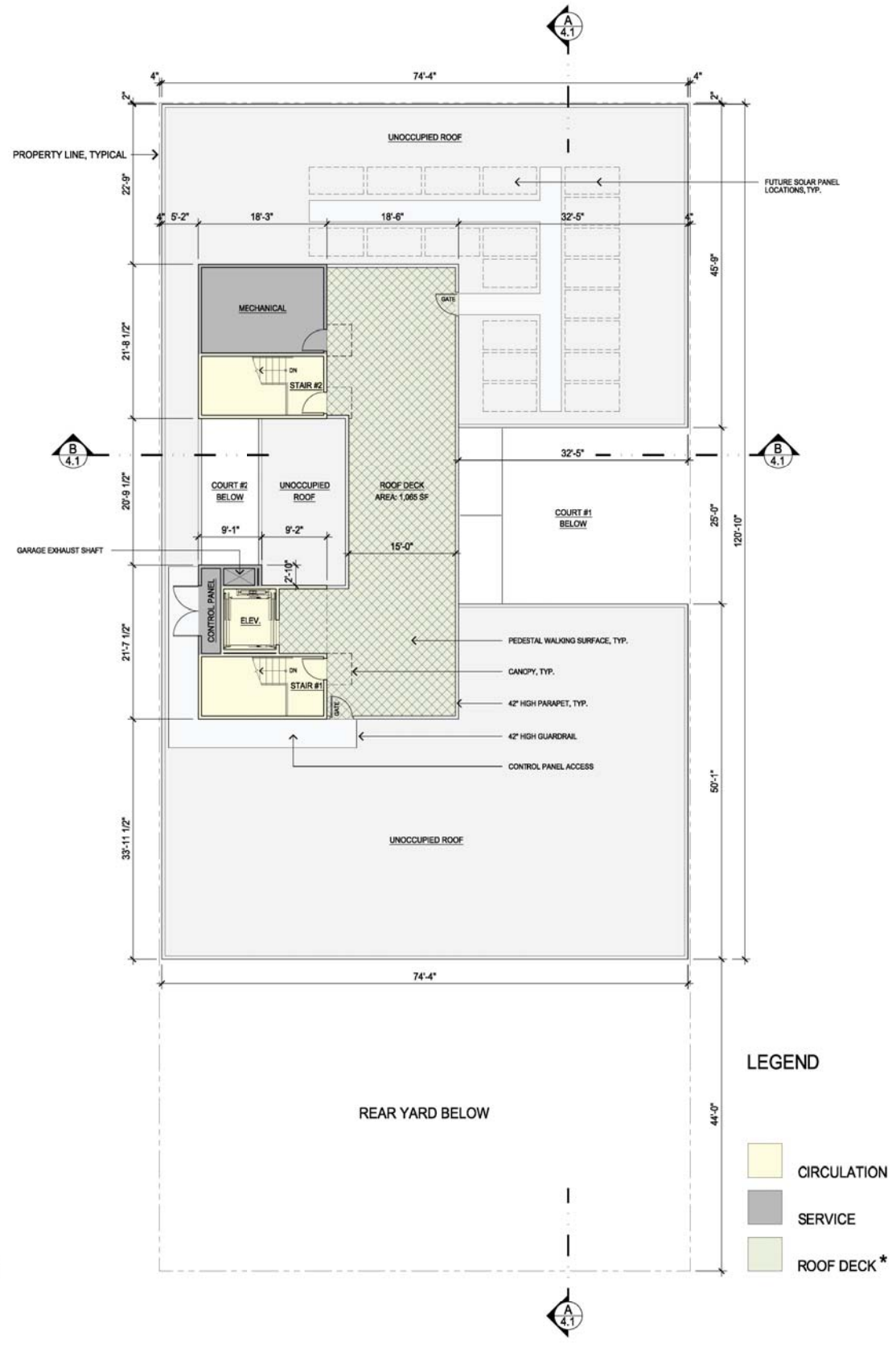
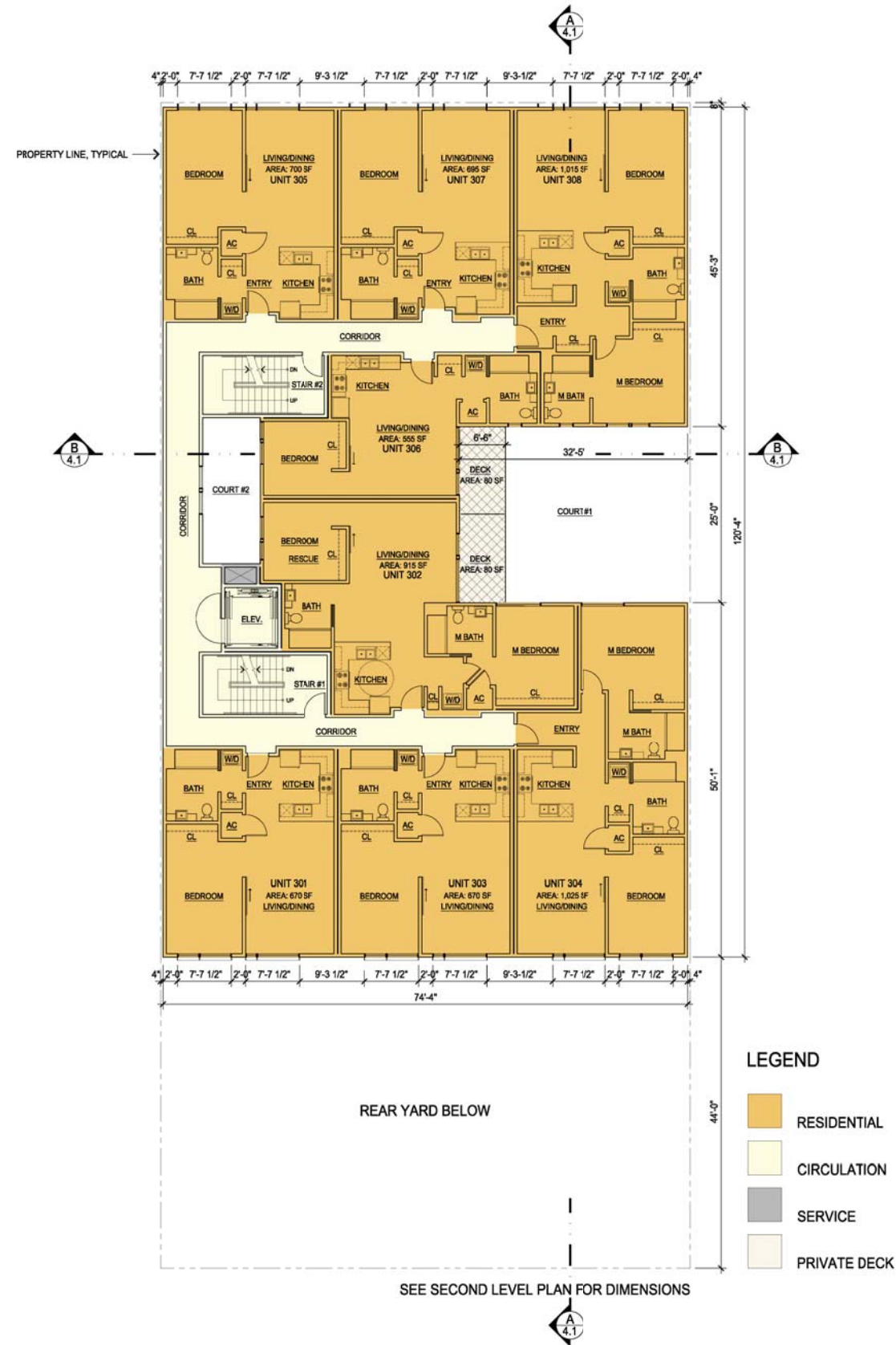
Revisions

No.	Issue / Date
REVIEW	08.13.13
REVIEW	10.30.13
REVIEW	11.05.13
REVIEW	11.22.13
REVIEW	12.23.13
PPA	01.08.14
REVISED PPA	03.25.15
REVISED PPA	05.15.15
LPA	08.04.15
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ISSUED FOR REVIEW	11.30.16
REVISED LPA	12.05.16
REVISED LPA	05.01.17
REVISED LPA	08.25.17

Floor Plans

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

A2.1



* NOTE: AREA OF ROOF DECK IS NOT COUNTED TOWARD RESIDENTIAL OPEN SPACE REQUIREMENT

230

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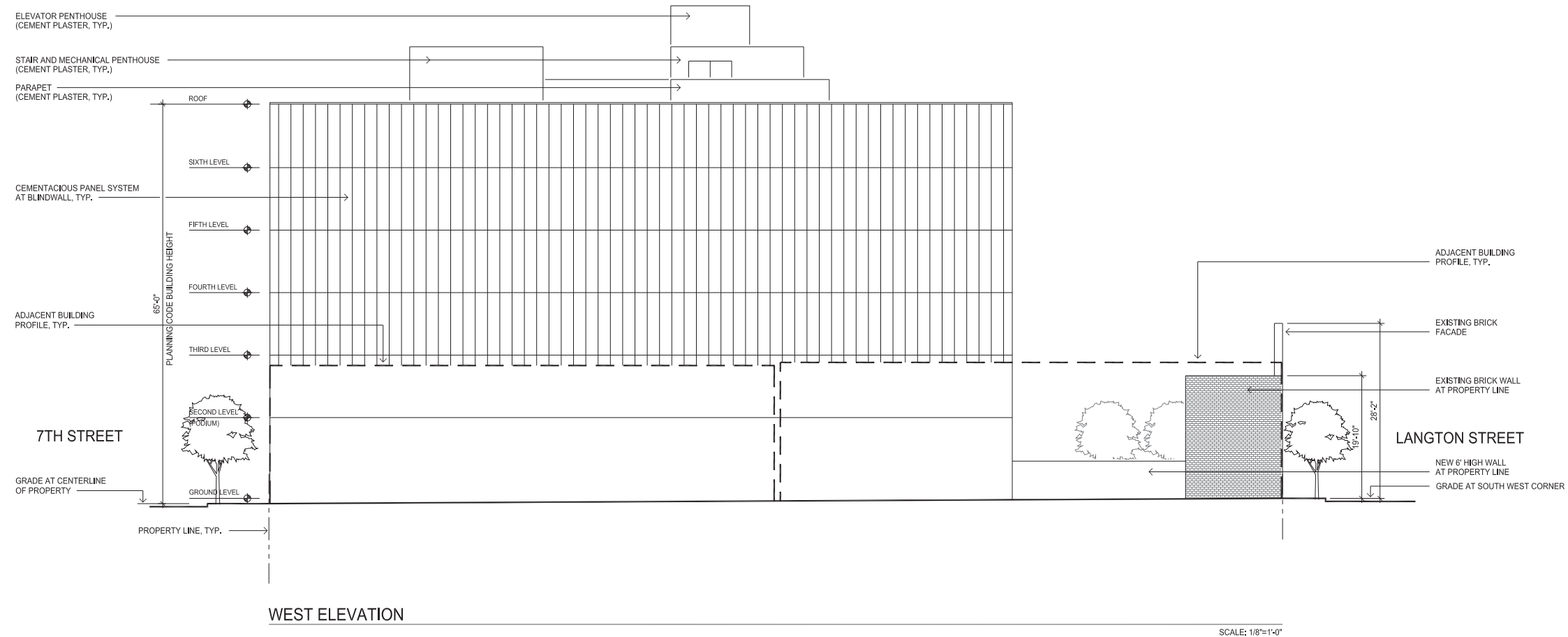
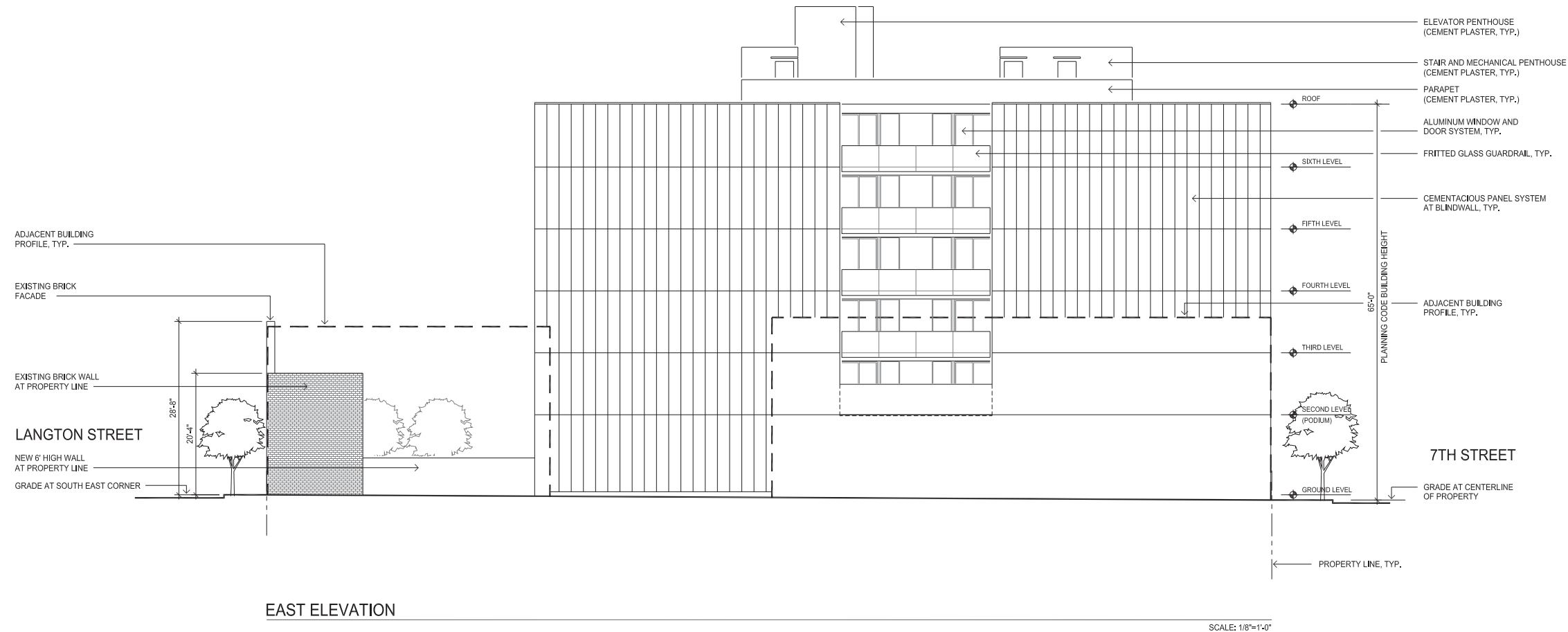
Revisions

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REVIEW	12.23.13
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ISSUED FOR REVIEW	11.30.16
REVISED LPA	12.05.16
REVISED LPA	05.01.17
REVISED LPA	08.25.17

Floor Plans

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

A2.2



230

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Project No.
13-022

Date
08.28.13

Revisions

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LPA	08.04.15
ISSUED FOR REVIEW	11.30.16
REVISED LPA	12.05.16
REVISED LPA	05.01.17
REVISED LPA	09.25.17

Elevations

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

A3.2

230

7th Street

Residential Condominium
Mixed Use Project

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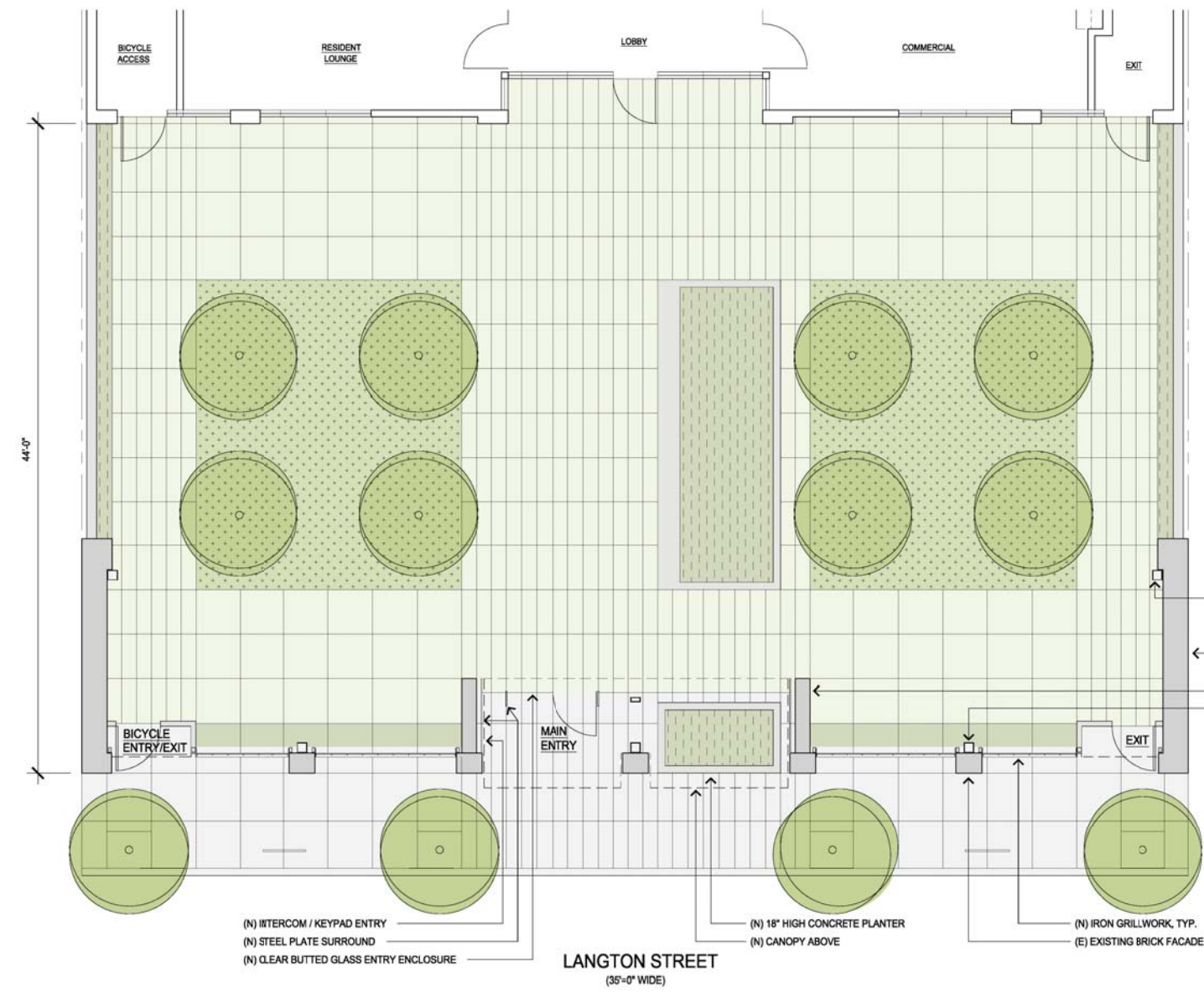
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Project No. 13-022 Date 08.28.13

Revisions

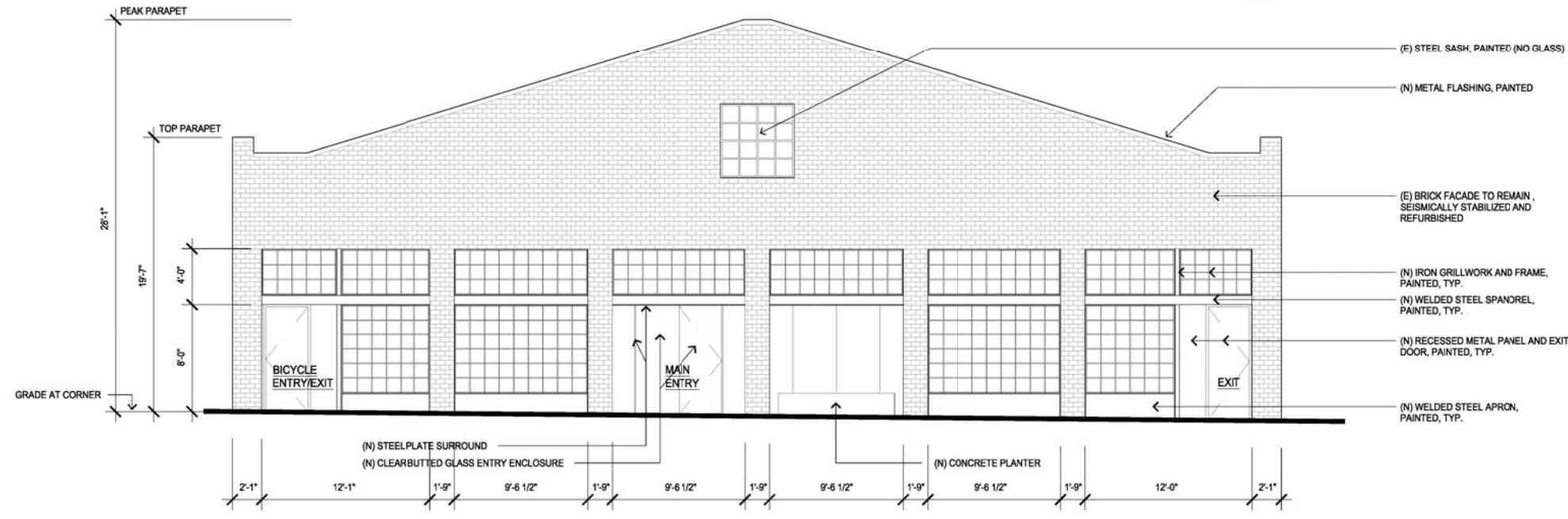
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REVIEW	11.17.16
REVIEW	11.30.16
REVISED UPA	12.05.16
REVISED UPA	05.01.17
REVISED UPA	09.25.17



GROUND LEVEL FLOOR PLAN - LANGTON STREET ENTRY & REAR YARD CONCEPT

SEE SHEET A2.1 FOR ADDITIONAL NOTES AND DIMENSIONS

SCALE: 1/4"=1'-0"



SOUTH ELEVATION (LANGTON STREET)

SCALE: 1/4"=1'-0"

Detail
Langton Brick
Facade

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

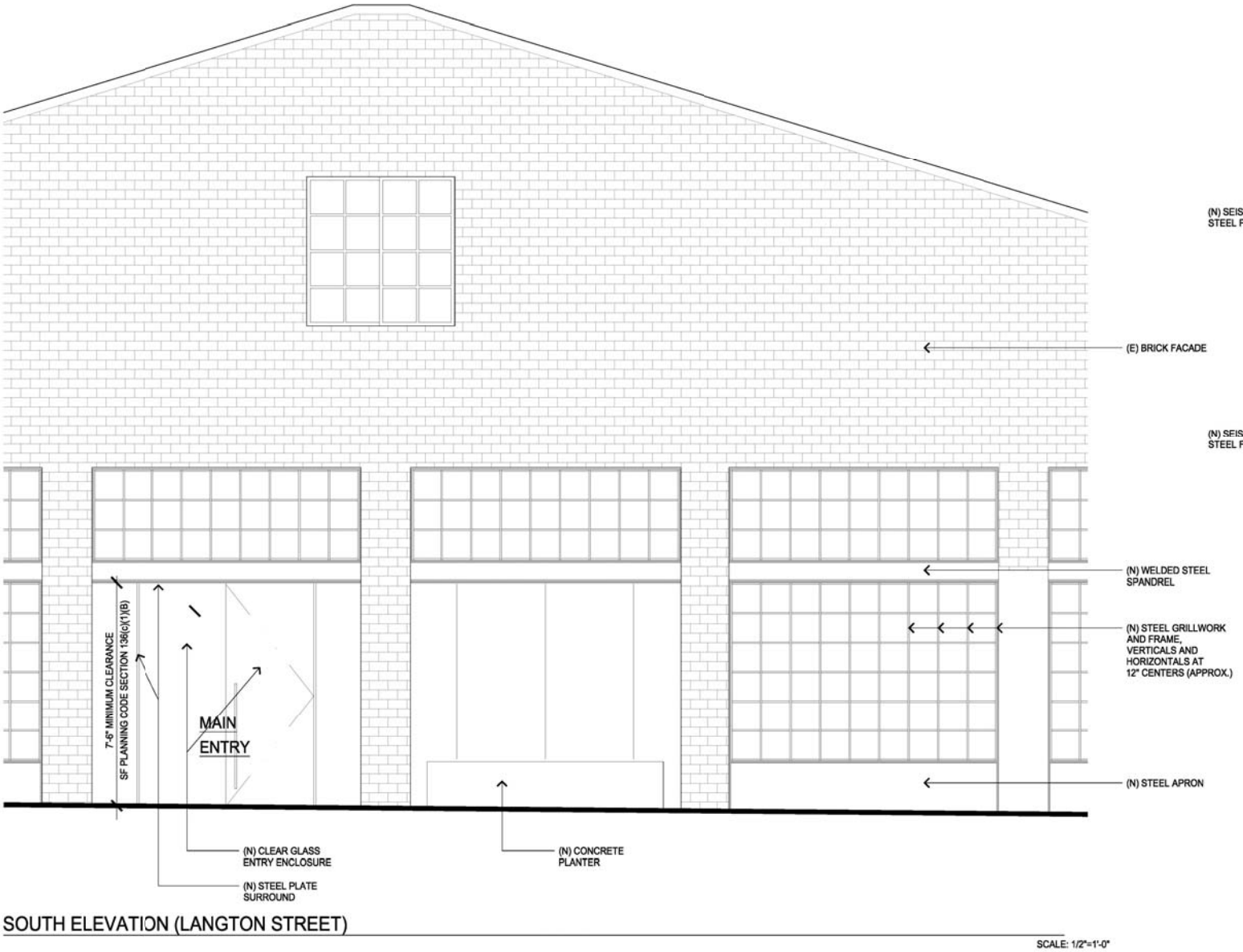
A6.1



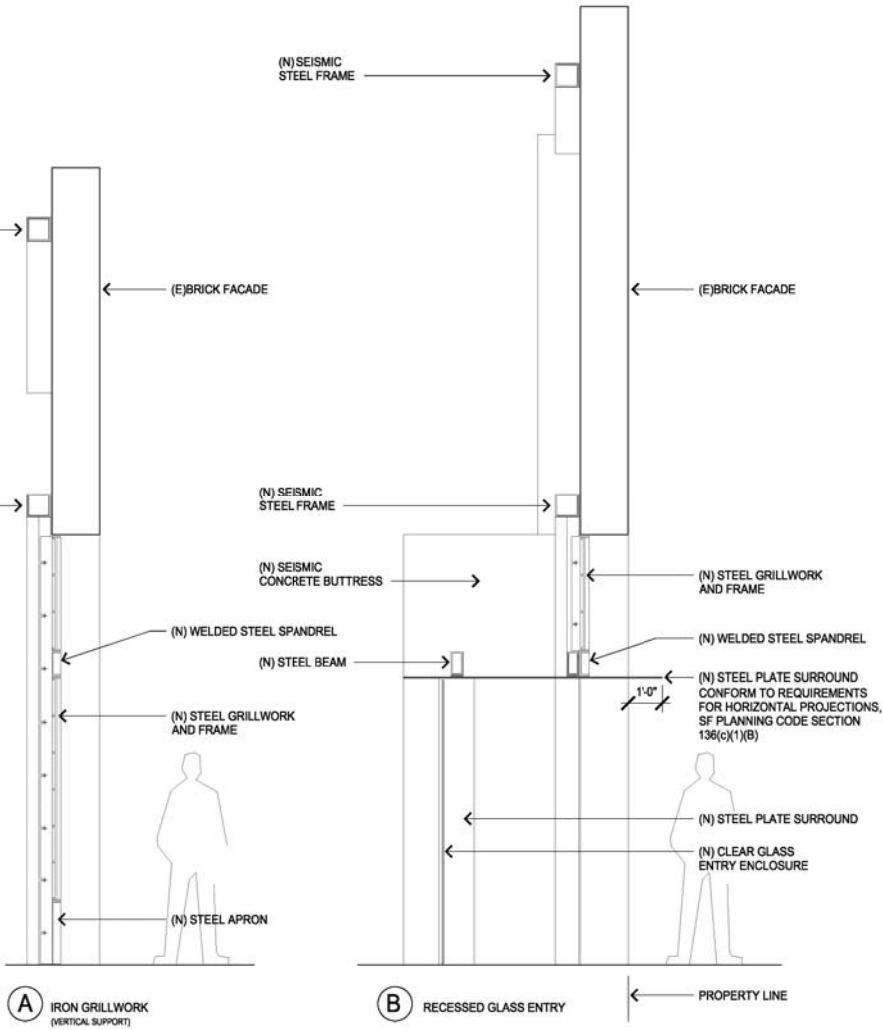
COURTYARD VIEW



GROUND LEVEL FLOOR PLAN - LANGTON STREET ENTRY



SOUTH ELEVATION (LANGTON STREET)



SECTIONS

230
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Project No.
13-022

Date
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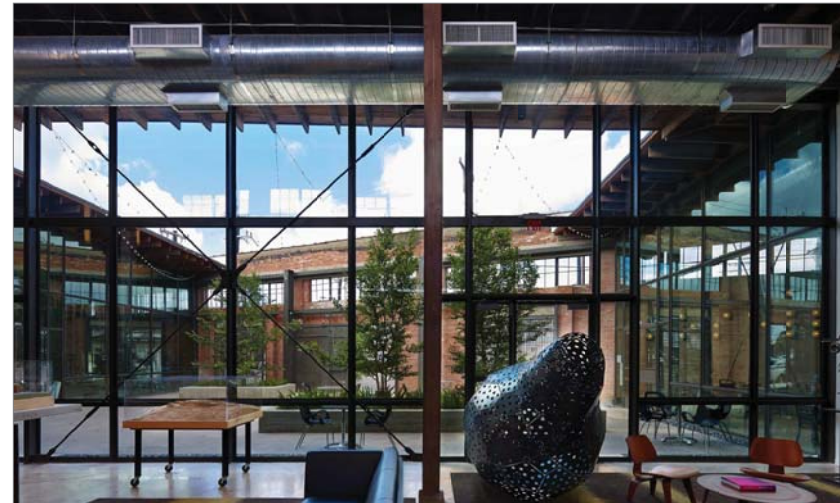
Revisions

No.	Issue / Date
REVIEW	11.17.16
REVIEW	11.30.16
REVISED UPA	12.05.16
REVISED UPA	05.01.17
REVISED UPA	09.25.17

Detail
Langton Brick
Facade

Scale: 1/2" = 1'-0"

A6.3



From: [Malik Coates](#)
To: [Durandet, Kimberly \(CPC\)](#)
Cc: [Golan, Yael \(REC\)](#); [JC Wallace \(jcw@oryxsf.com\)](mailto:jcw@oryxsf.com)
Subject: Re: 230 7th Street
Date: Thursday, October 12, 2017 9:31:11 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image004.png](#)

Excellent, thank you!

On Thu, Oct 12, 2017 at 8:31 AM Durandet, Kimberly (CPC)
<kimberly.durandet@sfgov.org> wrote:

Hi Malik,

This project is scheduled to be heard by the Recreation and Park Commission (Capital Committee) on November 1 and November 16 (full Commission) regarding potential shadow on Howard and Langton Mini Park and Community Garden. You may submit comments and questions to REC staff Yael Golan regarding the shadow on the park.

The Planning Commission hearing is scheduled for November 30. You may submit comments and questions to me regarding the project and I am happy to discuss them with you. You may also send comments to the Planning Commission through the Commission Secretary at Commissions.Secretary@sfgov.org or to the individual Commissioners email addresses listed on our website at <http://sf-planning.org/planning-commission%20>

If you'd like your public comments to be included in the Planning Commission Packet, please submit letters or emails to me by November 17, 2017 5:00pm.

I have cc'd the project sponsor to follow up with you as well to give them the opportunity to address neighbor concerns prior to hearing.

Kimberly Durandet
Principal Planner

Current Planning-Southeast Quadrant

Planning Department, City and County of San Francisco
[1650 Mission Street, Suite 400, San Francisco, CA 94103](#)
Direct: 415-575-6816 **Fax:** [415-558-6409](#)

Email: kimberly.durand@sfgov.org

Web: www.sfplanning.org



Planning Information Center (PIC): [415-558-6377](tel:415-558-6377) or pic@sfgov.org

Property Information Map (PIM): <http://propertymap.sfplanning.org>

From: Malik Coates [mailto:malikcoates2@gmail.com]
Sent: Wednesday, October 11, 2017 10:18 PM
To: Durandet, Kimberly (CPC)
Subject: Re: [230 7th Street](#)

Hi Kimberly, just pinging on this. There's been a lot of discussion on this property by the neighbors so I'd like to make sure its reflected.

On Wed, Oct 4, 2017 at 5:58 PM, Malik Coates <malikcoates2@gmail.com> wrote:

Hello.. I'm a neighbor of the proposed building at [230 7th street](#).. I live at 48 langton

I'm working off of the article at <http://www.socketsite.com/archives/2017/09/western-soma-rising-plans-for-six-stories-and-40-units-on-seventh.html>

I've discussed this with others who live nearby and we have a lot of feedback on this proposal. What's the best way be part of the process as this goes forward? Also we'd love to get any more available info on this.

From: [Alex McNees](#)
To: [Durandet, Kimberly \(CPC\)](#)
Subject: 230 7th St
Date: Wednesday, October 18, 2017 10:21:02 AM

Hi Kimberly -

I attended a presentation by the Oryx Partners' regarding the planned development for 230 7th St. I live on Langton on the same block and support this proposal.

I'll support anything that provides more eyes and ears on the Langton sidewalks in front of the Howard-Langton Community Garden. The space in front of that garden is used to sell/use drugs, defecate, pass out, camp, and dump trash. It is a horrible blight on our community and only used by a few members who access the locked garden via key. The rest of us suffer the neglect on the streets surrounding the garden.

I am hopeful that a new building with pedestrian access on Langton will bring more people who care about our street to demand these problems are addressed.

Thanks,
Alex

From: [Angie Yap](#)
To: [Durandet, Kimberly \(CPC\)](#)
Subject: 230 7th St development.
Date: Thursday, October 19, 2017 9:45:54 AM

Hello Kimberly

I got your contact as part of the planning commission through the Oryx partners, whose 230 7th project is scheduled for review. I am a home owner on Langton street, and attended their presentation of the project proposal. I am very supportive of their project and wanted to email you of my support for them

On a separate topic, I also wanted to inquire with you about the langton community garden. I wanted to find out how we can change that community garden into something else. As a property owner on Langton, and a female, I hesitate to walk down langton street to my own home because that garden is a haven for drug users, homeless and prostitution. There is no one that governs the use of the space both inside and outside and given that the people who are part of that community garden do not live on langton street, there is no incentive for them to police what is happening in that garden. I have seen parties in that garden where people are partaking in substances, homeless camps, needles strewn around from all the drug use, rats and other stray cats, feces, food and trash. That corner is absolutely disgusting and a health hazard and the residents of langton has to pay the brunt of this. This is a constant issue and is an impact to the wellbeiong of those who live on langton. Can you please advise how I can petition for the change of use of this garden? We are tired of having to call 311 in futile. The situation has gotten worse over the years.

Please advise
Thanks
Angie

Kimberly Durandet
Current Project Planner
Southeast Quadrant
Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Kimberly,

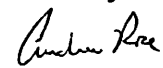
Please accept the following as our letter of support for the proposed 40-unit project at 230 7th Street. We are a community of approximately 50 garden members who plant and care for fruit bearing trees, vegetables, flowers and plants on 41 plots and common areas at the Howard Langton Community Garden.

Oryx Partners has reached out to the Howard Langton Community Garden since early 2016 and has met with representatives of the garden on a number of occasions to present and discuss their project and answer questions. The developer has kept us updated about changes to the project, including the current plans, which eliminate the four-story building on Langton Street, and which allows for a new pedestrian entry courtyard on Langton Street. The garden members recognize and appreciate the Partner's interest in, and commitment to, the existing community on Langton Street.

This recent plan also reduces their shadow impact on our garden. The sponsor has shared the shadow studies as they have been updated to reflect the changes to the project, and has agreed to provide a contribution to the San Francisco Parks Alliance (our fiscal sponsor) for use by the garden community for improvement projects.

The garden community believes the proposed project is an appropriate addition to the neighborhood that will have the added benefit of enhancing neighborhood pedestrian and cyclist activity, in particular on Langton Street, which will also serve to improve safety for the neighborhood and garden.

Sincerely,


Andrew Rose, HLCG Treasurer

November 20, 2017

Hon. Rich Hillis, President
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 230 7th Street
Case No. 2014.0244ENX
Large Project Authorization and Shadow Determination
Hearing Date: November 30, 2017

Dear President Hillis and Commissioners:

I am writing on behalf of Oryx Partners, the project sponsor of the 230 7th Street project (the "Project"). The Project site is a through lot running from 7th Street to Langton Street on the block bounded by Howard, 7th, Folsom and 8th Streets. The Howard-Langton Community Garden, a gated Rec/Park owned community garden, is across Langton Street to the northwest. The Project site is currently occupied by a one-story commercial building being used as a parking garage. The site is in the Western SOMA Area Plan, a WMUG (Mixed Use General) zoning district, the Western SOMA Light Industrial and Residential Historic District, and the 65-X height and bulk district.

Project Description. The Project proposes to demolish the existing parking garage except for its Langton Street brick façade and construct a 65-foot tall mixed-use building along 7th Street containing 40 dwelling units (40% of which are 2-bedroom units) and 2,012 square feet of ground floor commercial space. Five of the 40 units will be on-site inclusionary affordable units. The one-story Langton Street brick façade will be rehabilitated as a pedestrian and bicycle entry to a new rear yard and entry courtyard leading to the building's lobby and a small ground floor commercial space. The Project will provide eyes and ears on Langton Street, which currently experiences significant safety and security issues. The ground floor of the Project's 7th Street façade contains the second commercial space and a vehicular entrance to the Project's 20-space parking garage (a 0.5:1 parking ratio). The Project also provides 40 Class 1 and 8 Class 2 bike parking spaces. Open space is provided in the rear yard and on private terraces and balconies. Gary Gee Architects is the Project designer.

The Project's PPA application was submitted in February 2014, and at that time proposed two new buildings, one 65 feet in height along 7th Street and the other 40 feet in height along Langton Street, separated by a courtyard. Over the next three years, the sponsor and architect worked with Planning staff to reimagine the Project's massing and design to better respond to the

character of the Western SOMA Light Industrial and Residential Historic District and to reduce shadows cast on the Howard-Langton Community Garden.

Those efforts were ultimately successful, but resulted in the loss of four units, from 44 units in the PPA design to 40 units now. Planning staff is in support of the final Project design, including partial demolition of the existing contributory building but retention of the Langton Street brick facade. The Rec/Park Commission determined on November 16 that the new shadow cast by the Project on the Howard-Langton Community Garden, which now ends no later than 8:55 a.m. year round (vs. 9:45 a.m. with the previous design), does not have an adverse impact on use of the garden.

Your Commission packet contains renderings, plans, elevations, and sections. The 7th Street frontage design articulates the façade with a differentiated base and both strong horizontal bands and rhythmic vertical elements. The base incorporates larger elements, deep recesses and a dark stone cladding to differentiate it from the upper stories. Above the base, horizontal floor bands are created using floor to ceiling glass, oxidized and red metal panels and contrasting white cement plaster floor bands. Shallow projecting fins attached to window frame create a vertical rhythm within the horizontal bands.

The rear building wall is partly obscured by the retained Langton Street brick façade, matches the articulation of the 7th Street design, and adds a graphic demarcation of the location of the roof trusses of the existing building that will be removed.

Environmental Review. The Department staff has determined that the project as designed, including demolition of most of the existing parking garage and the contextual detailing of the new building, does not have a significant adverse impact on the integrity of the historic district. All other potential impacts were also determined to be encompassed within the analysis of the Western SOMA EIR, and a Community Plan Exemption was issued for the Project on September 26, 2017.

Community Engagement and Support. Oryx Partners has been working closely with the Howard-Langton Community Garden members and other interested neighbors for over two years. Most recently, the Project team held a widely publicized community meeting on October 17, 2017, and invited all close by neighbors and all South of Market community groups to attend, including SOMA Pilipinas, United Playaz, and West Bay Pilipino Multi-Service Center. The team has also reached out to Sup. Kim's office.

We are aware of no opposition to the Project, and the Project has significant community support. Attached is a letter from the Garden members expressing their support for the Project despite its minor shadowing of the garden during some early morning hours. Your packet contains emails of support from other immediate neighbors on Langton Street as well who support the project's pedestrian and cyclist activity on Langton Street, which will likely improve safety on the street.

Large Project Authorization and Shadow Determination. The Project is consistent with the WMUG zoning and 65-foot height limit. It does require (1) a Large Project Authorization from the Commission for any building exceeding 25,000 square feet in the WMUG district, and (2) a determination by the Commission that the new shadow cast on the Howard-Langton Community Garden would not have a significant impact on use of the garden. Only two LPA exceptions are sought: a unit exposure exception for four of the 40 units that face into a central courtyard, and for an off-street parking ratio of 0.5:1, in excess of the 0.25 ratio principally permitted in the WMUG district, but well below the 0.75:1 ratio conditionally permitted.

The Planning Department is in support of these exceptions, and we request your approval as well. The unit exposure exception is associated with two units on each of Floors 2 and 3 that face into a central courtyard that is over 25' x 25' in dimension but does not widen enough on the upper floors to strictly meeting Planning Code Section 140 requirements for inner courts. Up to 0.75 parking space is permitted in the WMUG district with an LPA approval; we propose 0.5:1 space efficient spaces in a small garage masked on all sides by active uses. The parking count was reduced from an originally proposed 29 spaces to the current 20 spaces. This small garage meets all of the performance criteria set forth in Section 303(t) for approval.

As recommended by the Rec/Park Commission, the project's new shadow on the Howard-Langton Community Garden will not adversely affect use of the park, which is restricted to use only by garden members. The new shadow has been reduced with the Project redesign; all new shadow leaves the park before 9:00 a.m. year around; and direct early morning sunshine is not required to maintain the health of the raised beds and fruit trees comprising the garden. For these reasons and because the Project will improve security and safety along Langton Street, the gardeners themselves – and other neighbors – are in support of the Project.

We look forward to the November 30 hearing. Please contact me prior to the hearing if we can provide any additional information.

Sincerely,



Steven L. Vettel

cc: Kimberly Durandet, Planner
Juan Carlos Wallace and John Ramsbacher, Oryx Partners
Gary Gee Architects

SLV:dc

29538\6301594.2

Kimberly Durandet
Current Project Planner
Southeast Quadrant
Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Kimberly,

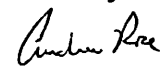
Please accept the following as our letter of support for the proposed 40-unit project at 230 7th Street. We are a community of approximately 50 garden members who plant and care for fruit bearing trees, vegetables, flowers and plants on 41 plots and common areas at the Howard Langton Community Garden.

Oryx Partners has reached out to the Howard Langton Community Garden since early 2016 and has met with representatives of the garden on a number of occasions to present and discuss their project and answer questions. The developer has kept us updated about changes to the project, including the current plans, which eliminate the four-story building on Langton Street, and which allows for a new pedestrian entry courtyard on Langton Street. The garden members recognize and appreciate the Partner's interest in, and commitment to, the existing community on Langton Street.

This recent plan also reduces their shadow impact on our garden. The sponsor has shared the shadow studies as they have been updated to reflect the changes to the project, and has agreed to provide a contribution to the San Francisco Parks Alliance (our fiscal sponsor) for use by the garden community for improvement projects.

The garden community believes the proposed project is an appropriate addition to the neighborhood that will have the added benefit of enhancing neighborhood pedestrian and cyclist activity, in particular on Langton Street, which will also serve to improve safety for the neighborhood and garden.

Sincerely,


Andrew Rose, HLCG Treasurer



230 7th Street – Community Outreach Summary

Oryx Partners, the project sponsor of 230 7th Street, has focused on developing a proposal for a residential development that enhances the Western SoMa neighborhood, is reflective of the community's vision and planning staff feedback, and is complementary to the Western SoMa Light Industrial and Residential Historic District.

Significantly, 230 7th Street has been modified significantly from the original proposed scheme introduced in 2015 to further enhance the public realm and historic context by eliminating a separate four-story building on Langton Street and setting back the main proposed new building 44' from Langton, enabling the preservation of a portion of the existing building, including the entire Langton façade, which will become the main entrance for pedestrians and bicyclists into a landscaped building courtyard. This modification, which resulted in a reduction of units from 44 to 40 units and of parking spaces from 29 to 20 spaces, also reduced the shadow impact to the Howard Langton Community Garden.

From the outset, Oryx has been committed to transparency and thorough community engagement. Outreach began in the Summer of 2015 with a community Pre-Application meeting, which included neighbors, and representatives of neighborhood associations. The meeting was held on July 16, 2015 at 6pm at the Gene Friend Rec. Center and was attended by 11 neighbors and community members.

Oryx engaged directly with the Howard Langton Community Garden membership to present the project. Oryx held meetings in 2016 primarily focused on review of the original (2 building) scheme for the site and the related shadow study, while meetings in 2017 have been to review the revised scheme, updated shadow study, and reach an agreement related to the project's support for improvements to the garden. Meetings have been held on the following dates:

January 28th 2016
March 30th 2016
April 15th 2016
May 19th 2017
August 29th 2017
September 25th 2017



We have met with the following primary community garden representatives although other members of the garden have been there at various times: David Goehring, Bryon Waibel, Andrew Rose, and Brian Wickenheiser. Three of these members (David, Andrew and Brian) have been appointed to be the informal garden subcommittee to reach an agreement regarding the proposed project and garden support (see MOU-Letter Agreement for details).

Oryx is holding an additional community meeting (inviting neighbors and community groups following Planning's Pre-Application meeting guidelines) on October 17th 2017 at 6 p.m.



September 1st, 2017

David Goehring
Andrew Rose
Brian Wickenheiser
Howard Langton Community Garden Association
davidmgoehring@gmail.com
andrew.allen.rose@gmail.com
wickenheiserbrian@yahoo.com

Re: 230 7th Street Proposed Project Memorandum of Understanding

Dear David, Andrew & Brian:

We are writing on behalf of Oryx Partners, LLC and South Beach Partners, LLC regarding our proposed 40-unit residential development at 230 7th Street (the “Project”) to set forth the commitments we have made and the understanding we are reaching with the Howard Langton Community Garden.

Background. As we have discussed, this project has gone through considerable changes since we first discussed it with representatives of the garden in January 2016. In particular, the project was redesigned given input from Planning staff to eliminate a 4-story portion of the project along Langton Street, pull-back the proposed new building by 44’ feet from Langton Street, and preserve and refurbish the existing historic brick façade along Langton Street. A pedestrian and bicycle entry courtyard on Langton will help to enliven the Street while directing any building vehicular traffic to the 7th Street parking entrance. In addition, these changes have served to reduce the shadow impact on the garden by pulling the new building away from the garden. A new shadow analysis dated August 18, 2017, has been completed and is attached and is under final review by Planning staff. We understand that your support is conditioned on shadows not being greater than what is analyzed in this report.

Financial Contribution to Howard Langton Community Garden. In consideration of the proposed project’s shadow impact on the garden, we agree to contribute \$12,000 to the Howard Langton Community Garden in the form of a check to the San Francisco’s Park Alliance as fiscal

September 1st, 2017

Page 2

sponsor for the garden. This will be paid immediately upon approval of the Project by the San Francisco Planning Commission and expiration of the 30-day appeal period following approval with no appeal being filed. If an appeal is filed, the contribution would be made upon final approval of the project by the Board of Supervisors or Board of Appeals, as applicable.

Howard Langton Community Garden support of Project. The Howard Langton Community Garden Association and its members agree to provide support for the Project as follows: (1) A letter of support for the project that Project sponsor can provide to Planning Commissioners, Board of Supervisors members and other interested parties; (2) at least one authorized representative of the garden will attend public hearings such as SF Recreation & Park Commission and San Francisco Planning Commission (and, if applicable, Board of Supervisors or Board of Appeals), to communicate the Community Garden's support for the project.

Sincerely,



Juan Carlos Wallace
Principal & Co-Founder
Oryx Partners, LLC (Developer)



John Ramsbacher
Principal
South Beach Partners, LLC (Owner)

Agreed:

Andrew Rose, Treasurer
Brian Wickinbeiser
David Goehring

Name(s): Andrew Rose, Treasurer
Authorized Representative(s)
Howard-Langton Community Garden

Attachments provided under separate cover:

- 1) ESA Memorandum - 2014.0244E: Shadow Analysis of Proposed 230 Seventh Street Project, dated August 18, 2017 (draft is under review by Erika Jackson, SF Planning Department)
- 2) 230 7th Street Proposed Project Renderings, Site-Plan and Langton façade details (for reference) –from revised LPA dated May 1, 2017

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



**San Francisco
Planning**

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

Date: August 16, 2016

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

From: San Francisco Planning Department

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

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

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 Affidavit is divided into two sections. This 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.

On June 7, 2016, Proposition C was passed by San Francisco voters to modify Affordable Housing Requirements and trailing legislation was passed by the Board of Supervisors (Ord No. 76-16 and File No. 160255) to implement the increased requirements. Please be aware that the inclusionary requirements may differ for projects depending on when a complete Environmental Evaluation Application (EEA) was submitted with the Department. Please also note that there are different requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached tables to determine the applicable requirement.

For new projects with complete EEA's accepted after January 12, 2016, the Inclusionary Affordable Housing Program includes provisions to allow for mixed income levels. Generally speaking, if the required number of units constructed on-site is 25%, a minimum of 15% of the units must be affordable to low-income households and 10% of the units affordable to low- or moderate/middle-income households. The Average Median Income (AMI) for low income is 55% for rental and 80% for ownership. The AMI for moderate/middle income units is 100% for rental and 120% for ownership. Projects subject to grandfathering must provide the all of the inclusionary units at the low income AMI.

Summary of requirements. Please determine what percentage is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) was submitted. Chart A applies throughout San Francisco whereas Chart B addresses UMU (Urban Mixed Use District) Zoning Districts.

If the project received its first discretionary approval prior to January 12, 2016, please use the EEA accepted before 1/1/13 column to determine the applicable percentage because projects that received a first discretionary approval prior to January 12, 2016 are not subject to the new requirements included in the trailing legislation associated with Proposition C (Ord. No. 76-16 and File No. 160255).

The Project contains: 40	UNITS	The zoning of the property is: WMUG	Complete EEA was submitted on: 7/30/2014
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CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16	After 1/12/16
Fee or Off-site					
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects at or below 120'	20.0%	25.0%	27.5%	30.0%	33.0%
25+ unit projects over 120' in height *	20.0%	33.0%	33.0%	33.0%	33.0%
On-site					
10-24 unit projects	12.0%	12.0%	12.0%	12.0%	12.0%
25+ unit projects	12.0%	13.0%	13.5%	14.5%	25.0%

* 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.

CHART B: Inclusionary Requirements for UMU Districts. Please note that the Middle Income Incentive Alternative regulated in Planning Code Section 419 was not changed by Code amendment (Ord. No. 76-16). Also, certain projects in the SOMA Youth and Family SUD rely upon UMU requirements as stipulated by the Planning Code.

Complete EEA Accepted: →	Before 1/1/13	Before 1/1/14	Before 1/1/15	Before 1/12/16	After 1/12/16
On-site UMU					
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%
Tier A 25+ unit projects	14.4%	15.4%	15.9%	16.4%	25.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	16.0%	17.0%	17.5%	18.0%	25.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	17.6%	18.6%	19.1%	19.6%	25.0%
Fee or Off-site UMU					
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	23.0%	28.0%	30.5%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	25.0%	30.0%	32.5%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	27.0%	32.0%	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%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier A 25+ unit > 30K	30.0%	35.0%	37.5%	40.0%	30.0%
Tier B 10-24 unit < 30K	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%
Tier B 25+ unit < 30K	40.0%	45.0%	47.5%	50.0%	40.0%
Tier B 25+ unit > 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier C 10-24 unit < 30K	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%
Tier C 25+ unit < 30K	45.0%	50.0%	52.5%	55.0%	45.0%
Tier C 25+ unit > 30K	40.0%	45.0%	47.5%	50.0%	40.0%

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415 & 419**San Francisco
Planning**

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

9/7/2017

Date

I, John Ramsbacher,
do hereby declare as follows:

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

☐ Yes ☒ No

(If yes, please indicate Affordable Housing Tier)

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

230 7th Street, San Francisco, CA, 94103

Address

3730/004

Block / Lot

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

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

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

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

2014.0244E

Planning Case Number

N/A

Building Permit Number

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

- ☐ Payment of the Affordable Housing Fee prior
to the first construction document issuance
(Planning Code Section 415.5).
☒ On-site Affordable Housing Alternative
(Planning Code Sections 415.6).
☐ Off-site Affordable Housing Alternative
(Planning Code Sections 415.7):
☐ Land Dedication

This project requires the following approval:

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

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

Kimberly Durandet

Planner Name

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

- ☐ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ☒ **Rental.** Exemption from Costa Hawkins Rental Housing Act.¹ The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:
- ☐ Direct financial contribution from a public entity.
 - ☐ Development or density bonus, or other public form of assistance.
 - ☒ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

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

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

F Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:
5	13.5%	55% AMI
No. of Affordable Units:	% Affordable Units:	AMI Level:

G The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

H 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.

Executed on this day in:

San Francisco, CA

Location

09/07/2017

Date

Sign Here



Signature

John F. Ramsbacher, Principal

Name (Print), Title

415-235-9827

Contact Phone Number

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

¹ California Civil Code Section 1954.50 and following.

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS: 40	SRO / Group Housing: 0	Studios: 1	One-Bedroom Units: 23	Two-Bedroom Units: 16	Three (or more) Bedroom Units: 0
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If you selected an On-site or Off-Site Alternative, please fill out the applicable section below. If using more than one AMI to satisfy the requirement, please submit a separate sheet for each AMI level.

☒ **On-site Affordable Housing Alternative** (Planning Code Section 415.6): calculated at % of the unit total.

Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS: 5	SRO / Group Housing: 0	Studios: 0	One-Bedroom Units: 3	Two-Bedroom Units: 2	Three (or more) Bedroom Units: 0
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☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7): calculated at % 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:	

☐ **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. Fee % of affordable housing requirement.

2. On-Site % of affordable housing requirement.

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:
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3. 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:	

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

Oryx Partners, LLC

Company Name

Juan Carlos Wallace

Name (Print) of Contact Person

P.O. Box 14315

Address

San Francisco, CA, 94114

City, State, Zip

(415) 902-5882

Phone / Fax

jcw@oryxsf.com

Email

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

Sign Here

Signature:



Name (Print), Title:

Juan Carlos Wallace

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

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

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

Sign Here

Signature:

Name (Print), Title:



SUPPLEMENTAL INFORMATION PACKET FOR Anti-Discriminatory Housing Policy

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

Pursuant to Administrative Code Section 1.61, certain housing projects must complete and submit a completed Anti-Discriminatory Housing Policy form as part of any entitlement or building permit application that proposes an increase of ten (10) dwelling units or more.

Planning Department staff is available to advise you in the preparation of this application. Call (415)558-6377 for further information.

WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

Administrative Code Section 1.61 requires the Planning Department to collect an application/form with information about an applicant's internal anti-discriminatory policies for projects proposing an increase of ten (10) dwelling units or more.

WHAT IF THE PROJECT SPONSOR OR PERMITTEE CHANGE PRIOR TO THE FIRST ISSUANCE OF CERTIFICATE OF OCCUPANCY?

If the permittee and/or sponsor should change, they shall notify the Planning Department and file a new supplemental information form with the updated information.

HOW IS THIS INFORMATION USED?

The Planning Department is not to review the responses other than to confirm that all questions have been answered. Upon confirmation, the information is routed to the Human Rights Commission.

For questions about the Human Rights Commission (HRC) and/or the Anti-Discriminatory Housing Policy, please call (415) 252-2500 or email hrc.info@sfgov.org.

All building permit applications and/or entitlements related to a project proposing 10 dwelling units or more will not be considered complete until all responses are provided.

WHAT PART OF THE POLICY IS BEING REVIEWED?

The Human Rights Commission will review the policy to verify whether it addresses discrimination based on sexual orientation and gender identity. The policy will be considered incomplete if it lacks such protections.

WILL THE ANSWERS TO THE QUESTIONS EFFECT THE REVIEW OF MY PROJECT?

The Planning Department's and Planning Commission's processing of and recommendations or determinations regarding an application shall be unaffected by the applicant's answers to the questions.

INSTRUCTIONS:

The attached supplemental information form is to be submitted as part of the required entitlement application and/or Building Permit Application. This application does not require an additional fee.

Answer all questions fully and type or print in ink. Attach additional pages if necessary.

Please see the primary entitlement application or Building Permit Application instructions for a list of necessary materials required.

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FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
South Beach Partners, LLC, attn: John Ramsbacher	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
P.O. Box 14315	(415) 235-9827
San Francisco, CA 94114	EMAIL:
	jfr@oryxsf.com

APPLICANT'S NAME:	
Juan Carlos Wallace, Principal, Oryx Partners, LLC	Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS:	TELEPHONE:
P.O. Box 14315	(415) 902-5882
San Francisco, CA 94114	EMAIL:
	jcw@oryxsf.com

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

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

2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:
230 7th Street, San Francisco, CA		94103
CROSS STREETS:		
Howard Street / Folsom Street		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3730 / 004	WMUG	65-X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	N/A	40	40
<input checked="" type="checkbox"/> Demolition			
<input type="checkbox"/> Alteration			
<input type="checkbox"/> Other: _____			

Compliance with the Anti-Discriminatory Housing Policy

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

1a. If yes, in which States? _____

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

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

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

Human Rights Commission contact information
hrc.info@sfgov.org or (415)252-2500

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature:  _____

Date: 09/07/2017

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

Juan Carlos Wallace
Owner / Authorized Agent (circle one)

PLANNING DEPARTMENT USE ONLY

PLANNING DEPARTMENT VERIFICATION:

- ☐ Anti-Discriminatory Housing Policy Form is **Complete**
☐ Anti-Discriminatory Housing Policy Form is **Incomplete**

Notification of Incomplete Information made:

To: _____ Date: _____

BUILDING PERMIT NUMBER(S):	DATE FILED:
RECORD NUMBER:	DATE FILED:
VERIFIED BY PLANNER:	
Signature: _____ Date: _____	
Printed Name: _____ Phone: _____	
ROUTED TO HRC:	DATE:
<input type="checkbox"/> Emailed to: _____	



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

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

Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
230 7th Street, San Francisco, CA		3730/004	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
N/A	2014.0244E		
PROJECT SPONSOR	MAIN CONTACT	PHONE	
Oryx Partners, LLC	Juan Carlos Wallace	(415) 902-5882	
ADDRESS			
P.O.Box 14315			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94114		jcw@oryxsf.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
40	2,012 sqft	65' / 6	\$15,000,000
ANTICIPATED START DATE			

Section 2: First Source Hiring Program Verification

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

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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


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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	-	-	-	Laborer	\$30.00	2	4
Boilermaker	-	-	-	Operating Engineer	\$50.00	1	1
Bricklayer	-	-	-	Painter	\$50.00	2	4
Carpenter	\$45.00	2	7	Pile Driver	-	-	-
Cement Mason	\$30.00	2	4	Plasterer	\$40.00	1	4
Drywall/Latherer	\$50.00	3	7	Plumber and Pipefitter	\$80.00	2	4
Electrician	\$85.00	2	5	Roofer/Water proofer	\$35.00	1	4
Elevator Constructor	\$150.00	1	3	Sheet Metal Worker	\$35.00	1	3
Floor Coverer	\$30.00	1	4	Sprinkler Fitter	\$55.00	1	3
Glazier	\$60.00	1	4	Taper	\$35.00	1	4
Heat & Frost Insulator	\$45.00	1	2	Tile Layer/ Finisher	\$35.00	1	5
Ironworker	\$75.00	2	3	Other:	-	-	-
		TOTAL:	39			TOTAL:	36

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

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
J.C. Wallace, Principal & Co-Founder	jcw@oryxsf.com	415-902-5882
<p>I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.</p> <div style="display: flex; justify-content: space-between;"> <div>  (SIGNATURE OF AUTHORIZED REPRESENTATIVE) </div> <div> 9/15/17 (DATE) </div> </div>		

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

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