



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MAY 14, 2015

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Suite 400
San Francisco,
CA 94103-2479

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Date: May 7, 2015
Case No.: **2014.1019C**
Project Address: **1000 MISSISSIPPI STREET (aka 1001 TEXAS STREET)**
Zoning: RH-3 (Residential, House Districts, Three-Family)
40-X Height and Bulk District
Block/Lot: 4224/015, 016, 037, 038, 039, and 040
Project Sponsor: Ryan Egan
Heights Properties, LLP
6179 E. Broadway Boulevard
Tucson, Arizona 85711
Staff Contact: Erika Jackson – (415) 558-6363
erika.jackson@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The Project Sponsor proposes to develop four residential buildings totaling approximately 44,602 square feet. Each of the buildings will be four stories and, at most, 40 feet in height. In total, the Project will include 28 dwelling units and 28 off-street parking spaces. All dwelling units will have at least two-bedrooms each, making them suitably sized for families. The Project will include 22 two-bedroom dwelling units, 4 three-bedroom dwelling units, and 2 four-bedroom units.

The Project's common open space will be provided in three landscaped courtyards at the first residential level and on two roof decks atop Building A. In addition, 18 of the dwelling units will be provided with private open space in the form of a deck, balcony or terrace. In total, the Project will include approximately 4,299 square feet of common open space and approximately 1,267 square feet of private open space.

The Project will have two principal pedestrian entrances, one each on Mississippi and Texas Streets. The Mississippi Street entrance will provide access to the Project's main lobby, mail room and six secure bicycle parking spaces. A custom designed metal gate will be centrally located between the two buildings with frontage on Texas Street and will provide access to the entire Project. In addition, two units will have individual stoop entries on Texas Street. A third pedestrian entry at the north end of Texas will provide Fire Department access and egress to several north-facing units.

Parking will be located in a 10,609 square foot, podium-level garage below the grade of Texas Street. The garage will contain 28 secure bicycle parking spaces and independently accessible off-street parking for 28 cars, including one handicapped space. No off-street loading is required or proposed. The garage will be accessed via a gated driveway on Texas Street.

Texas Street currently terminates at 1073 Texas Street, approximately 170 feet to the south of the Project Site. The Project Sponsor proposes to extend Texas Street approximately 270 feet pursuant to applications on file with the Department of Public Works (hereinafter "DPW"). The extension of Texas Street will be approximately 35-feet wide with 10-foot-wide sidewalks adjoining the Project Site. In addition to providing pedestrian and vehicular access to currently landlocked properties, the street extension will improve Fire Department access by creating a fire-truck turnaround at the end of Texas Street.

SITE DESCRIPTION AND PRESENT USE

The Project Site comprises six (6) existing lots, Assessor's Lots 15, 16, 37, 38, 39, and 40 on Block 4224, on the southeastern foot of Potrero Hill on the block bounded by Mississippi Street to the east, 25th Street to the south, Texas Street to the west, and a hillside to the north. The Project Site is within the RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. Mississippi and Texas Streets are both dead ends at this time. An approximately 450 square foot home that formerly existed on one of the 6 lots was destroyed by fire in 2006.

The 23,300 square foot (0.53 acre) Project Site is unimproved and slopes downward from the northwestern corner. Patches of vegetation are interspersed with exposed bedrock throughout the Project Site. Mississippi Street terminates at the southeastern edge of the site, and the improved portion of Texas Street currently terminates before reaching the southwestern edge of the Project Site. Though vacant, the Project Site is within a developed area of the City and does not provide habitat for any rare or endangered species.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

There are industrial and commercial uses to the north and east of the subject property, including the San Francisco Food Bank and Live/Work units, that fall in a M-1 (Light Industrial) Zoning District. There is a cluster of residential structures, comprised primarily of modern buildings, along Mississippi and Texas Streets to the south that falls in a RH-3 (Residential, House Districts, Three-Family) Zoning District. Except for the property directly across Mississippi Street to the east of the subject property, all other properties on the east side of that street contain residential developments. The residential structures in this cluster range from single-family to multi-unit structures and from 2 to 4 stories. The San Francisco Housing Authority's Potrero Terrace Project lies immediately to the west of the Project Site and covers the hillside to the west, across Texas Street, consisting of multiple 3-story buildings. The San Francisco Food Bank warehouse is located at the base of a cliff to the north of the Project Site. Other industrial and commercial uses predominate to the east.

The neighborhood is well-served by public transportation and has convenient access to Interstate 280. The 22nd Street Caltrain Station is within walking distance, as is the 23rd Street Stop on MUNI's new T-Third Light Rail Line. BART is accessible via MUNI's 53-Southern Heights line, which stops within a block of the Project Site. The 48-Quintara and 19-Polk lines also stop within three blocks of the Project Site.

PROJECT HISTORY

This proposal would reauthorize a project (Case Number 2006.0810CEK) that was previously approved by the Planning Commission as a Planned Unit Development on April 17, 2008 under Motion Number 17583. The originally approved project included for five residential buildings totally approximately 51,965 square feet and containing 28 residential units. The project was approved with 5 modifications - density (Planning Code Section 209.1), rear yard (Planning Code Section 134), open space (Planning Code Section 135), exposure (Planning Code Section 140), and method of measurement for height (Planning Code Section 260). The current proposal is asking for 3 modifications - density (Planning Code Section 209.1), rear yard (Planning Code Section 134), and method of measurement for height (Planning Code Section 260).

Although there was general support for the development of the subject property in 2008, there were also concerns from neighbors about the height along Mississippi Street, overall massing, and overflow on-street parking. The project sponsor addressed these concerns by lowering the entire development by 4 to 5 feet in height, reducing the height of the building fronting Mississippi Street, increasing the size of the courtyards, and proposing to extend Texas Street along the entire property frontage.

The following is a timeline of the project history:

- April 17, 2008 – The Planning Commission approved a Planned Unit Development (Case Number 2006.0810CEK) under Motion Number 17583.
- August 24, 2010 – A Letter of Determination was issued extending the three-year Performance Period by one year.
- April 17, 2012 – No Building Permit Application was ever issued for the project; and therefore, the approved Conditional Use Authorization expired.
- November 2012 – The property was purchased by the current owner.
- April 4, 2013 – The Planning Commission approved Resolution Number 18838 establishing a 60-day opt-in stimulus program to foster the implementation of projects approved between April 4, 2003 and October 4, 2011 that had been delayed due to the economic recession in the late 2000's.
- July 31, 2014 – The Project Sponsor filed this Conditional Use Authorization Application requesting another extension of Performance Period. The Planning Department determined that because this project missed the 60-day opt-in window to the stimulus program, it was not eligible for an extension of the Performance Period and that the project must be reauthorized under a new Conditional Use Authorization in order for the project to move forward.
- September 23, 2014 – The Project Sponsor modified this Conditional Use Authorization Application to seek a reauthorization of the project on September 23, 2014.

The current proposal has several minor modifications to the original approval, including a reduction in the amount of square footage by approximately 7,363 (from 51,965 to 44,602) square feet, the increase in the amount of common usable open space by approximately 629 square feet with the addition of a third courtyard.. The height of the proposed buildings, the unit count, and off-street parking amounts will stay the same. The project sponsor will be adding required bicycle parking and paying the Eastern Neighborhoods Impact Fees in accordance with current Planning Code requirements.

ENVIRONMENTAL REVIEW

On September 21, 2007 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project. A memo was added to the file on March 18, 2015 that addresses changes in CEQA procedures since 2007.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 13, 2015	March 13, 2015	20 days
Posted Notice	20 days	March 13, 2015	March 13, 2015	20 days
Mailed Notice	10 days	March 23, 2015	March 23, 2015	10 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT AND PROJECT CHANGES

The Department has received several phone calls and emails expressing opposition to the proposed project and concerns regarding overflow on-street parking, Fire Department access to the site, size and scale of the proposed development, and the addition of a second garage entrance on Mississippi Street. In response to neighborhood concerns, the Project Sponsor continued the project from the April 2, 2015 Planning Commission hearing. During that time period the Project Sponsor had several community meetings and has also met individually with some immediate neighbors in order to find a compromise that alleviates their concerns. The Project Sponsor has modified the original submittal in order to address their concerns as follows:

- Elimination of the second driveway garage access point along Mississippi Street.
- Setting back a portion of Building A by an additional approximately 7 feet from Mississippi Street (for a total of 17 feet from Mississippi Street)
- Elimination of the stair penthouse on Building A.
- An additional setback for a portion of Unit 101 on the first and second floors (located on the Mississippi Street side in the southeast corner of Building A) from Mississippi Street.
- An approximately 7 foot by 7 foot notch out of the southeast corner of Building A on the ground level.

ISSUES AND OTHER CONSIDERATIONS

- The Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 28 units; therefore, 3 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 3 affordable units on-site.
- The current proposal has several minor changes to the original approval, including a reduction in the amount of square footage by approximately 7,363 square feet, the increase in the amount of common usable open space by approximately 629 square feet with the addition of a third

courtyard. The height of the proposed buildings, the unit count, and off-street parking amounts will stay the same.

- The project sponsor will be adding required bicycle parking and will be paying the Eastern Neighborhoods Impact Fees in accordance with current Planning Code requirements.
- The current proposal is asking for 3 modifications as part of the Planned Unit Development - density (Planning Code Section 209.1), rear yard (Planning Code Section 134), and method of measurement for height (Planning Code Section 260). This is a reduction in modifications from 5 to 3 from the original approval.
- The Project Sponsor proposes to extend Texas Street approximately 270 feet pursuant to applications on file with DPW. The extension of Texas Street will be approximately 35-feet wide with 10-foot-wide sidewalks adjoining the Project Site. In addition to providing pedestrian and vehicular access to currently landlocked properties, the street extension will improve Fire Department access by creating a fire-truck turnaround at the end of Texas Street.
- The Project Sponsor executed a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.
- The Project's sustainable features include, but are not limited to, the following:
 - Minimal on-site excavation and off-haul;
 - On-site construction waste management;
 - Stormwater management through landscape design;
 - Rainwater collection for irrigation and wash-down of paved areas;
 - Pre-wire for photovoltaic panels for each unit;
 - Solar pre-heated domestic hot water system;
 - Low VOC paints;
 - High recycled content building materials;
 - Units design for natural cross-ventilation and passive solar benefits;
 - Low-water demand fixtures; and
 - High fly-ash concrete.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization for a Planned Unit Development under Planning Code Section 304 to allow the construction of four residential buildings, each approximately four stories and 40-feet in height and containing a total of 28 dwelling units and 28 off-street parking spaces on six vacant lots at 1000 Mississippi Street, a.k.a. 1001 Texas Street with modifications for density (Planning Code Section 209.1), rear yard (Planning Code Section 134), and method of measurement for height (Planning Code Section 260).

BASIS FOR RECOMMENDATION

- The project complies with the applicable PUD requirements of the Planning Code.

- The project is consistent with the objectives and policies of the General Plan.
- The project complies with the First Source Hiring Program.
- The project will provide 28 family-size units, including 22 2-bedroom units, 4 3-bedroom units, and 2 4-bedroom units, including 3 affordable housing units.
- The project site is a large, underutilized property in an urban area. The topography and limited access make it a difficult site to develop. A well-designed PUD is an appropriate approach towards developing the property.
- The project includes multiple sustainable features.

RECOMMENDATION: Approval with Conditions
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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 checked="" type="checkbox"/> Neighbor Emails | <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

Planner's Initials

ESJ: G:\DOCUMENTS\Projects\CU\Mississippi 1000\ExecutiveSummary.doc



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 type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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Block/Lot: 4224/015, 016, 037, 038, 039, and 040
Project Sponsor: Ryan Egan
Heights Properties, LLP
6179 E. Broadway Boulevard
Tucson, Arizona 85711
Staff Contact: Erika Jackson – (415) 558-6363
erika.jackson@sfgov.org

ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTION 304 OF THE PLANNING CODE TO ALLOW A PLANNED UNIT DEVELOPMENT, INCLUDING MODIFICATIONS OF CODE PROVISIONS FOR RESIDENTIAL DENSITY, REAR YARD SETBACK, AND MEASUREMENT OF HEIGHT, CONSISTING OF FOUR RESIDENTIAL BUILDINGS, EACH APPROXIMATELY 40-FEET IN HEIGHT AND CONTAINING A TOTAL OF 28 DWELLING UNITS AND 28 OFF-STREET PARKING SPACES, ON SIX VACANT LOTS AT 1000 MISSISSIPPI STREET (A.K.A. 1001 TEXAS STREET), WITHIN THE RH-3 (RESIDENTIAL, HOUSE DISTRICTS, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 3, 2014, Ryan Egan (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization for a Planned Unit Development under Planning Code Section 304 to allow the construction of four residential buildings, each approximately four stories and approximately 40-feet in height and containing a total of 28 dwelling units and 28 off-street parking spaces (hereinafter "Project"), on six vacant lots at 1000 Mississippi Street, a.k.a. 1001 Texas Street (hereinafter "Project Site"). The Project Site is in an RH-3 (Residential, House Districts, Three-Family) Zoning District and a 40-X Height and Bulk District.

On May 14, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.1019C.

On September 21, 2007 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014.1019C, 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 comprises six (6) existing lots, Assessor's Lots 15, 16, 37, 38, 39, and 40 on Block 4224, on the southeastern foot of Potrero Hill on the block bounded by Mississippi Street to the east, 25th Street to the south, Texas Street to the west, and a hillside to the north. The Project Site is within the RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. Mississippi and Texas Streets are both dead ends at this time. An approximately 450 square foot home that formerly existed on one of the 6 lots was destroyed by fire in 2006.

The 23,300 square foot (0.53 acre) Project Site is unimproved and slopes downward from the northwestern corner of the site. Patches of vegetation are interspersed with exposed bedrock throughout the Project Site. Mississippi Street terminates at the southeastern edge of the site, and the improved portion of Texas Street currently terminates before reaching the southwestern edge of the Project Site. Though vacant, the Project Site is within a developed area of the City and does not provide habitat for any rare or endangered species.

3. **Surrounding Properties and Neighborhood.** There are industrial and commercial uses to the north and east of the subject property, including the San Francisco Food Bank and Live/Work units, that fall in a M-1 (Light Industrial) Zoning District. There is a cluster of residential structures, comprised primarily of modern buildings, along Mississippi and Texas Streets to the south that falls in a RH-3 (Residential, House Districts, Three-Family) Zoning District. Except for the property directly across Mississippi Street to the east of the subject property, all other properties on the east side of that street contain residential developments. The residential structures in this cluster range from single-family to multi-unit structures and from 2 to 4 stories.

The San Francisco Housing Authority's Potrero Terrace Project lies immediately to the west of the Project Site and covers the hillside to the west, across Texas Street, consisting of multiple 3-story buildings. The San Francisco Food Bank warehouse is located at the base of a cliff to the north of the Project Site. Other industrial and commercial uses predominate to the east.

The neighborhood is well-served by public transportation and has convenient access to Interstate 280. The 22nd Street Caltrain Station is within walking distance, as is the 23rd Street Stop on MUNI's new T-Third Light Rail Line. BART is accessible via MUNI's 53-Southern Heights line, which stops within a block of the Project Site. The 48-Quintara and 19-Polk lines also stop within three blocks of the Project Site.

4. **Project Description.** The Project Sponsor proposes to develop four residential buildings totaling approximately 44,602 square feet. Each of the buildings will be four stories and, at most, 40 feet in height. In total, the Project will include 28 dwelling units and 28 off-street parking spaces. All dwelling units will have at least two-bedrooms each, making them suitably sized for families. The Project will include 22 two-bedroom dwelling units, 4 three-bedroom dwelling units, and 2 four-bedroom units.

The Project's common open space will be provided in three landscaped courtyards at the first residential level and on two roof decks atop Building A. In addition, 18 of the dwelling units will be provided with private open space in the form of a deck, balcony or terrace. In total, the Project will include approximately 4,299 square feet of common open space and approximately 1,267 square feet of private open space.

The Project will have two principal pedestrian entrances, one each on Mississippi and Texas Streets. The Mississippi Street entrance will provide access to the Project's main lobby, mail room and six secure bicycle parking spaces. A custom designed metal gate will be centrally located between the two buildings with frontage on Texas Street and will provide access to the entire Project. In addition, two units will have individual stoop entries on Texas Street. A third pedestrian entry at the north end of Texas will provide Fire Department access and egress to several north-facing units.

Parking will be located in a 10,609 square foot, podium-level garage below the grade of Texas Street. The garage will contain 28 secure bicycle parking spaces and independently accessible off-street parking for 28 cars, including one handicapped space. No off-street loading is required or proposed. The garage will be accessed via a gated driveway on Texas Street.

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5. **Public Comment and Project Changes.** The Department has received several phone calls and emails expressing opposition to the proposed project and concerns regarding overflow on-street parking, Fire Department access to the site, size and scale of the proposed development, and the addition of a second garage entrance on Mississippi Street. In response to neighborhood concerns, the Project Sponsor continued the project from the April 2, 2015 Planning Commission hearing. During that time period the Project Sponsor had several community meetings and has also met individually with some immediate neighbors in order to find a compromise that alleviates their concerns. The Project Sponsor has modified the original submittal in order to address their concerns as follows:
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 - An additional setback for a portion of Unit 101 on the first and second floors (located on the Mississippi Street side in the southeast corner of Building A) from Mississippi Street.
 - An approximately 7 foot by 7 foot notch out of the southeast corner of Building A on the ground level.
6. **Project History.** This proposal would reauthorize a project (Case Number 2006.0810CEK) that was previously approved by the Planning Commission as a Planned Unit Development on April 17, 2008 under Motion Number 17583. The originally approved project included for five residential buildings totally approximately 51,965 square feet and containing 28 residential units. The project was approved with 5 modifications - density (Planning Code Section 209.1), rear yard (Planning Code Section 134), open space (Planning Code Section 135), exposure (Planning Code Section 140), and method of measurement for height (Planning Code Section 260). The current proposal is asking for 3 modifications - density (Planning Code Section 209.1), rear yard (Planning Code Section 134), and method of measurement for height (Planning Code Section 260).

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The following is a timeline of the project history:

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

- A. **Use Limitations.** Planning Code Section 209.1 identifies dwelling units as a principally permitted use in the RH-3 Zoning District.

The Project is exclusively residential and will contain 28 dwelling units.

- B. **Height and Bulk Limitations.** In the 40-X Height and Bulk District, the Planning Code allows building heights up to 40-feet and does not restrict bulk. Sections 260 and 261 describe the method of measuring building height. Minor deviations to the method of measuring height are permitted as part of a PUD pursuant to Section 304(d)(6).

The Project consists of four buildings arrayed across the site, which slopes downward from Texas Street to Mississippi Street. Three of the buildings strictly comply with the 40-foot height limit. A small portion of the fourth building—designated Building A on the attached plans—exceeds the height limit by a maximum of 2 feet 9 inches if measured according to Section 260. A minor deviation in the method of measuring building height is therefore required. For further description of the required height measurement modification for Building A and supporting findings, see Part 9(v) below.

- C. **Residential Density Limitations.** In the RH-3 District, Planning Code Section 209.1 allows up to one dwelling unit per 1,000 square feet of lot area as a conditional use. Section 304(d)(4) allows a PUD in an RH-3 District to utilize the higher density ratio permitted in an RM-1

(Residential, Mixed, Low Density) District less one unit. In the RM-1 District, up to one dwelling unit is allowed for each 800 square feet of lot area.

With 23,300 square feet of lot area, up to 23 dwelling units could be constructed on the Project Site with a conditional use. However, as part of a PUD, the Project is eligible for additional density up to a maximum of 28 units. For further discussion of the proposed density and findings supporting modification of the generally applicable limit, see Part 9(i) below.

- D. **Rear Yard Setback Requirements.** Section 134 establishes minimum required rear yards in all zoning districts. The rear yard is a function of lot depth. Planning Code Section 134(a) generally requires a minimum rear yard depth equal to 45 percent of the total depth of the lot, starting at grade level and at each succeeding story or level of the building. Section 304 permits well-reasoned modifications of the rear yard requirement as part of a PUD.

The Project does not provide a 45 percent rear yard, and therefore requires a modification of this requirement through the Planned Unit Development procedure, discussed further in Part 9(iii) below.

- E. **Usable Open Space.** Usable open space is required for dwelling units in all zoning districts. Under Section 135(d), the minimum amount of usable open space for dwelling units in the RH-3 District is as follows: 100 square feet per unit if private and 133 square feet per unit if common. Section 135 also specifies minimum dimensions, areas, and exposure requirements. Dimensional requirements for common open space require the space to be 15 feet in every dimension and at least 300 square feet in area, and if located in an inner courtyard, the space must be 20 feet in every direction and at least 400 square feet in area. Dimensional requirements for private open space require the space to have a minimum horizontal dimension of six feet and a minimum area of 36 square feet 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 square feet if located on open ground, a terrace or the surface of an inner or outer court.

The Project will provide a combination of private usable open space (balconies, decks and terraces) and common usable open space (three courtyards and two roof decks). The Project will include a total of 1,267 square feet of private outdoor space that meets the dimensional requirements of the Code for 18 units. The Project will include a total of 4,299 square feet of common usable open space that meets the dimensional requirements of the Code, which would exceed the Code requirement. The Planning Code requires 3,724 square feet of common usable open space (133 square feet per unit) for 28 units.

- F. **Dwelling Unit Exposure.** Section 140 requires that every dwelling unit in every use district is required to face either a public street, a public alley at least 25 feet in width, a rear yard meeting the requirements of this Code, an outer court with a width greater than 25 feet, or an open area at least 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

All proposed dwelling units comply with the dwelling unit exposure requirement.

- G. **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 would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on March 19, 2015. The EE application was submitted on June 29, 2006. Pursuant to Planning Code Section 415.3 and 415.6, the on-site requirement is 12%. 3 units (3 two-bedroom) of the 28 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.

- H. **Parking and Loading.** Planning Code Section 151 requires one independently accessible parking space per dwelling unit. One of the first four required parking spaces, and one of every two required spaces in excess of four, may be a compact space. Under Section 152, no freight loading is required for residential buildings less than 100,000 square feet in size.

The Project requires and provides 28 off-street parking spaces, including 10 compact spaces and 1 handicapped space in an underground parking garage. The Project will not include any off-street loading spaces, and none are required for residential uses at the proposed size.

- I. **Bicycle Parking.** Planning Code Section 155.2 establishes bicycle parking requirements for all uses. One Class 1 bicycle parking space is required for each residential dwelling unit and one Class 2 bicycle parking space is required for each 20 residential dwelling units.

The Project is required to provide 28 Class 1 spaces and 1 Class 2 spaces on site. The 28 Class 1 spaces will be located in the underground parking garage. The 1 Class 2 space will be located along Texas Street. The Project proposes to provide the required 29 bicycle parking spaces.

- J. **Street Trees.** Section 138.1 requires a minimum of one street tree for each 20 feet of frontage along a street or alley.

The Project will comply by planting the requisite number of trees on both new and existing Mississippi and Texas Street sidewalks abutting the Project Site.

- K. **Shadow.** Section 295 restricts new shadow, cast by structures exceeding a height of 40-feet, upon property under the jurisdiction of the Recreation and Park Commission.

A shadow fan was developed based on the drawings submitted with the application to determine the shadow impact of the project on properties protected by the Sunlight Ordinance. The fan indicates that there is no shadow impact from the subject property on any property protected by the Ordinance. Therefore, the proposed project is in compliance.

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

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

The Project is desirable because it will develop a vacant infill site with 28 well-designed residential units that will help alleviate the City's housing shortage. Competition for existing housing has created intense pressure on the supply of housing affordable to low- and moderate-income households. Units of suitable size for families are increasingly scarce, and San Francisco's population of families with children has declined as a result. The Project includes 28 units that will be large enough for families, including three affordable units. It will help relieve competitive pressures in the housing market and provide a significant number of new units for the City's families.

The Project is compatible with the scale and character of its surroundings and will make substantial improvements that will benefit the neighborhood as a whole. The Project's design and scale are consistent with the modern buildings in the neighborhood, many of which are four stories in height. The proposed extension of Texas Street may provide additional on-street parking for all neighborhood residents, will improve fire access, and allow developments on other vacant or underutilized lots in the neighborhood.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project would result in four 40-foot high buildings in an urbanized area that is consistent with the size, character and uses of other nearby structures. To mimic the underlying topography of the Project Site, the height of the buildings taper with the underlying slope.

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

The Project will be well served by public transit and freeways, and will not result in significant traffic or parking impacts. The T-Third light rail and CalTrain are within walking distance. The 53-Southern Heights bus line is steps away from the Project and provides a convenient BART connection. Given area transit facilities, the Project's 28 off-street parking spaces are adequate to serve the Project, and additional on-street parking for neighborhood use may be created by the extension of Texas Street.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project has received a categorical exemption from environmental review. It will not cause a noticeable increase in the ambient noise leveling the area, nor generate substantially more light or glare than do the existing uses in the neighborhood. The Project will not produce significant air quality impacts due to vehicular emissions.

The residential uses are not anticipated to generate any noxious or offensive emissions, noise, glare, dust or odors. Off-street parking will be completely enclosed, located substantially below-grade level, and will comply with all Planning and Building Code requirements.

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

At present, the Project Site comprises a total of six unimproved, non-landscaped lots interspersed with patches of vegetation and exposed bedrock. The Project incorporates landscaping throughout the site, and will include landscaped setbacks on both the Texas and Mississippi Street frontages. All parking will be enclosed and the garage will be located below the grade of Texas Street. The Project will include one point of access to the garage on Texas Street. Lighting along the building façade and at the street level will be appropriate for a residential neighborhood and an improvement over the current unlighted nighttime conditions.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed in Part 10, below.

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

The proposed project is located within an RH-3 Zoning District.

9. **Planned Unit Development.**

- A. **PUD Objectives and Permissible Modifications of Planning Code Requirements.** Planning Code Section 304 states that “[t]he Procedures for Planned Unit Developments are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the City as a whole. In cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain of the provisions contained elsewhere in this Code.”

The proposed Project requires modifications of the following Planning Code provisions:

- Dwelling unit density;
- Rear yard setback; and
- Height measurement.

The Commission hereby determines that the proposed Project would provide a design that qualifies as outstanding, and is complementary to the values of the surrounding area. The Planning Commission therefore finds and determines that the following modifications to the Project are warranted and hereby granted:

- i. Dwelling Unit Density. In the RH-3 District, Planning Code Section 209.1 allows up to one dwelling unit per 1,000 sq. ft. of lot area as a conditional use, which would allow up to 23 dwelling units on the Project Site. Because 28 are proposed, an exception is required. Section 304(d)(4) states that a proposed PUD development shall “be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the PUD will not be substantially equivalent to a reclassification of property.” This allows a PUD in an RH-3 District to utilize the higher density ratio permitted in an RM-1 (Residential, Mixed, Low Density) District less one unit. In the RM-1 District, up to one dwelling unit is allowed for each 800 sq. ft. of lot area.

The Project will include 28 dwelling units, the maximum number of units permitted pursuant to Section 304(d)(4).

- ii. Rear Yard Setback. Planning Code Section 134(a) generally requires a minimum rear yard depth equal to 45 percent of the total depth of the lot, starting at grade level and at each succeeding story or level of the building. Section 304 permits well-reasoned modifications of the rear yard requirement as part of a PUD. The Project does not

incorporate a rear yard, but instead provides open space in courtyards, a roof deck and side setbacks.

The modification of the rear yard is warranted due to the Project Site's irregular shape and topography, its large size, its frontage on two streets, and the absence of a traditional pattern of rear yards on the subject block. The rear yard requirements are intended primarily to assure the protection and continuation of established mid-block landscaped open spaces and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings. Requiring this Project to conform to the standard setback requirement does not further these goals since there is no consistent pattern of mid-block open space near the Project Site.

Requiring a traditional rear yard would require massing all of the buildings on one end of the Project Site or other. Such an orientation would result in a less aesthetic configuration of buildings that would not correspond to the topography of the Project Site. It would also force an east-west orientation to many of the units, depriving them of passive solar heating and lighting benefits that flow from southern exposure.

- iii. Height Measurement. In the 40-X Height and Bulk District, the Planning Code allows building heights up to 40-feet. Sections 260 and 261 describe the method of measuring building height, which divide the Project Site into three discrete segments for purposes of measuring height. The first segment extends from Texas Street to the middle of the Project Site. The second segment extends inward fifteen feet from Mississippi Street. In these first two segments, no height modification is required.

The third segment for purposes of height measurement lies between the other two and includes portions of Building A. In this area, the Planning Code calls for height to be measured from existing grade at every cross section of the building. Due to irregularity of the existing grade, a small portion of Building A exceeds the 40-foot height by a maximum of three feet if measured pursuant to Section 260.

The Project requires an exception to the manner in which height is measured under Section 260. The height of Building A shall not be measured at every cross section of the building. Rather, the Height of Building A will be measured from every cross section of the building excluding the portion of the building over Unit 401 on the fourth floor (roughly between Gridlines 6 and 7). This modification results in a minor deviation of a maximum of 2 feet 9 inches in the Project's height. The exception is warranted, because it is necessary to allow for a consistent roofline height in Building A. Without the exception, Unit 401 would need to be eliminated, bringing the total unit count from 28 to 27.

- B. **PUD Approval Criteria.** Section 304(d) lists 11 criteria that a PUD must meet in addition to the criteria set forth in Section 303.

- i. The Project affirmatively promotes applicable objectives and policies of the General Plan.

The Project would comply with the applicable provisions of the City's General Plan, as discussed in Part 10 below.

- ii. The Project provides off-street parking adequate for the occupancy proposed.

The Project would provide off-street parking adequate for the occupancy proposed, as discussed in Part 7(H) above.

- iii. The Project provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code.

The Project would provide usable open space to its occupants that is at least equal to the open spaces normally required by the Planning Code, as discussed in Part 7(E) above.

- iv. The Project is limited in dwelling unit density to less than the density that would be allowed by Article 2 of the Planning Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

As discussed in Part 7(C) above, additional residential density is permitted as part of a PUD. The Project will include 28 dwelling units, which is within the permissible residential density for a PUD of this size in an RH-3 District.

- v. In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code.

No commercial uses are proposed as part of the project. Except for the industrial uses on the east side of Mississippi Street, there is no other commercial use in the immediate vicinity.

- vi. The Project is not excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of the Planning Code, and no such deviation shall depart from the purposes or intent of those sections.

The Project Site is within a 40-X Height and Bulk District, and requires a modification to the method of height measurement. Such modification is expressly permitted by Section 304(d) and is consistent with the above criteria. The minor change is necessary to compensate for the highly irregular slope of the Project Site and does not undermine the intent of the Planning Code's height restrictions. With the modification discussed in Part 9(A)(v) above, the entire Project would be 40-feet high or less.

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

The project site is located within an RH-3 Zoning District.

- viii. In NC Districts, not violate the use limitations by story set forth in Article 7 of the Planning Code.

The project site is located within an RH-3 Zoning District.

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

The project site is located within an RH-3 Zoning District.

- x. Provide street trees as per the requirements of Section 138.1 of the Planning Code.

The proposed project complies with Planning Code Section 138.1.

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

The proposed project complies with Planning Code Section 132(g) and (h).

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

HOUSING

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

The Project site is underused and is near underutilized commercial and industrial areas. Though it is zoned for residential development, there are no dwelling units currently at the Project site. Constructing 28 new

residential units – including affordable units – in this underutilized area will directly alleviate the city's housing shortage and lead to more affordable housing.

The Project site is an ideal infill site that is currently vacant. The project site is zoned RH-3. To the east there are parcels zoned M-1 (Light Industrial), in which residential uses require a conditional use permit, to UMU (Urban Mixed Use), a district in which residential uses would be principally permitted. Areas to the west of the Project Site are zoned RM-1. The Project is consistent with the Eastern Neighborhoods Plan, which envisions that the neighborhood will retain its present residential/mixed-use character.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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

Policy 11.6

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

Policy 11.8

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

As described above, the Project would develop an empty site that is zoned for multi-family residential development. The Project appropriately locates housing units at a site zoned for residential use and increases the supply of housing in conformity with the allowable density limits of the RH-3 zoning district. The Project's architectural design is compatible with the existing scale and character of the neighborhood given the unique characteristics and scale of the Project site.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 4:

PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

Policy 4.5:

Require private usable outdoor open space in new residential development.

The Project will create private and common open space areas in a new residential development through inner courtyards, roof decks, and private balconies. The project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

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

Policy 24.4:

Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Texas and Mississippi Streets. The Project Sponsor proposes to extend Texas Street approximately 270 feet pursuant to applications on file with DPW. The extension of Texas Street will be approximately 35-foot wide with 10-foot-wide sidewalks adjoining the Project Site. In addition to providing pedestrian and vehicular access to currently landlocked properties, the street extension will improve Fire Department access by creating a fire-truck turnaround at the end of Texas Street.

The Project would improve the appearance of the neighborhood. At present, the Project site comprises six unimproved lots. The Project's construction of dwelling units is in conformity with plans envisioned for the area. The four buildings, ranging up to 40 feet in height, are all within the legally permissible height range, and are in conformity with the low-scale horizon of neighboring buildings in the area. The landscaping and ample open space would improve the aesthetic appeal of the neighborhood.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The Project includes 28 Class 1 bicycle parking spaces and 1 Class 2 bicycle parking space in secure, convenient locations.

OBJECTIVE 34:

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

Policy 34.1:

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

Policy 34.3:

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

Policy 34.5:

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

The Project minimizes parking problems by providing up to 28 accessible parking spaces below grade. Because the Project is situated two blocks from a Caltrain station, six blocks from the T-third light rail line, and steps from a Muni bus stop route that connects to the 16th & Mission BART station, residents have the opportunity to use public transportation, further minimizing any potential traffic impacts. The parking spaces are accessed by two ingress/egress point measuring from Texas and Mississippi Streets. Parking is adequate for the project and complies with requirements prescribed by the Planning Code.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.7:

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

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

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

The introduction of 28 new households into the neighborhood will help fulfill the goal of increasing residential density in Potrero Hill. It will not displace production, distribution, and repair (PDR) uses, of which there are none at the Project site.

The Project will contribute to the city's affordable housing supply by creating three new affordable on-site housing units, and through payment of an in-lieu fee.

The Project would improve the appearance of the neighborhood. At present, the Project site comprises six unimproved lots. The Project's construction of dwelling units is in conformity with plans envisioned for the area. The four buildings, ranging up to 40 feet in height, are all within the legally permissible height range, and are in conformity with the low-scale horizon of neighboring buildings in the area. The landscaping and ample open space would improve the aesthetic appeal of the neighborhood.

OBJECTIVE 4:

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

Policy 4.5:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

The Project will improve the neighborhood environment by providing high quality residential development. The new building will be compatible in use and design with other buildings in the neighborhood. The Project will result in an improvement to the neighborhood by eliminating the existing empty and un-landscaped lots that exist on the Project site.

SHOWPLACE SQUARE / POTRERO AREA PLAN

Objectives and Policies

OBJECTIVE 1.2:

IN AREAS OF SHOWPLACE/POTRERO WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1:

Ensure that in-fill housing development is compatible with its surroundings.

Policy 1.2.2:

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

Policy 1.2.3:

Identify parts of Showplace Square where it would be appropriate to increase maximum heights for residential development.

There are industrial and commercial uses to the north and east of the subject property, including the San Francisco Food Bank and Live/Work units, that fall in a M-1 (Light Industrial) Zoning District. There is a cluster of residential structures, comprised primarily of modern buildings, along Mississippi and Texas Streets to the south that falls in a RH-3 (Residential, House Districts, Three-Family) Zoning District. Except for the property directly across Mississippi Street to the east of the subject property, all other properties on the east side of that street contain residential developments. The residential structures in this cluster range from single-family to multi-unit structures and from 2 to 4 stories. The proposed four residential buildings are compatible with the surrounding neighborhood given the topography of the area and the subject lot.

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 Project will improve prospects for neighborhood retailers by bringing new residents, i.e. potential customers, to the area.

- 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 will enhance its neighborhood. The Project will promote economic diversity in the neighborhood by adding up to 28 residential units, including three BMR units. The Project is compatible with the scale and design of the neighborhood where it is located and does not entail the demolition of housing or the displacement of neighborhood residents.

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

No housing is removed for this Project. The Project would increase the City's supply of affordable housing by adding 28 dwelling units—including three dedicated affordable units—to San Francisco's strained housing supply.

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

This is a residential project, and, therefore, will not create significant new commuter traffic that could overburden local streets or neighborhood parking. Residential projects do not create permanent, on-site jobs, and therefore do not generate commuter traffic. To the contrary, the housing created by the Project will be in close proximity to a major transit artery at Third Street, within walking distance of a Caltrain station, and within steps of a Muni bus route that directly serves the 16th and Mission BART station. Because of the proximity of the Project to these majority arteries and transit hubs, it is anticipated that the Project will generate substantially less traffic than a similar residential building located elsewhere.

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

The Project is exclusively residential and the Project Site is vacant. The Project will not harm our industrial and service sectors by displacing them with commercial office development. Construction of the Project will generate jobs in the industrial sector, and new residents will incrementally increase demand for services. Thus, the Project should help create economic opportunities in the industrial and service sector.

- 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.

A landmark or historic building does not occupy the Project site.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

13. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014.1019C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 4, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 14, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 14, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Planned Unit Development for the construction of four residential buildings, each approximately four stories and 40-feet in height and containing a total of 28 dwelling units and 28 off-street parking spaces on six vacant lots at 1000 Mississippi Street, a.k.a. 1001 Texas Street, Assessor's Block 4224, Lots 015-016 and 037-040 pursuant to Planning Code Section(s) 304 within the **RH-3** District and a **40-X** Height and Bulk District; in general conformance with plans, dated **May 4, 2015**, and stamped "EXHIBIT B" included in the docket for Case No. **2014.1019C** and subject to conditions of approval reviewed and approved by the Commission on **May 14, 2015** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **May 14, 2015** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **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
7. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application for each building. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
10. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning

Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

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

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

PARKING AND TRAFFIC

11. **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

12. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide **twenty eight (28)** independently accessible off-street parking spaces.

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

13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than **28** Class 1 bicycle parking spaces and **1** Class 2 bicycle parking space.

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

14. **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

15. **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
16. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Affordable Units

17. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 28 units; therefore, 3 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 3 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.
18. **Unit Mix.** The Project contains 22 two-bedroom, 4 three-bedroom, and 2 four-bedroom units; therefore, the required affordable unit mix is 3 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.

19. **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.
20. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) of the each phase's total number of dwelling units as on-site affordable units.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.
21. **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.
22. **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 sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
 - 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 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.
 - g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.

- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

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
24. **Revocation Due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

25. **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>
26. **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>
27. **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

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

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



SAN FRANCISCO PLANNING DEPARTMENT

CERTIFICATE OF DETERMINATION OF EXEMPTION/EXCLUSION FROM ENVIRONMENTAL REVIEW

Project Title: 2006.0810E – Construction of 28 New Residential Units
Location: 1000 Mississippi Street
Block/Lot 4224/15, 16, 37, 38, 39, & 40
City and County San Francisco

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Description of Nature and Purpose of Project: The approximately 23,300 square-foot project site is located at 1000 Mississippi Street [Assessor's Block 4224, Lots 15, 16, 37, 38, 39, 40] on a block bounded by 25th Street, Texas Street, and Pennsylvania Avenue in the Potrero Hill neighborhood. The proposed project is a 28-unit Planned Unit Development (PUD) that would construct five buildings totaling approximately 57,974 square-feet with a 28-space below grade off-street garage, and a pool and common open space. Each building would be 4 stories and approximately 40-feet in height above grade.

The project site consists of six lots, two fronting Mississippi Street (Lots 15 and 16) and four fronting Texas Street (Lots 37, 38, 39, and 40). The project site is currently vacant with an approximately 16 percent average northwest upward slope from the Mississippi Street property line to the rear property line at Texas Street. The original 450-square-foot, one-story residence built in 1900 on lot 15 was destroyed by fire on August 1, 2005. The project site is within a RH-3 (House, Three Family) zoning district and a 40-X height and bulk district. The proposed project would require a Conditional Use authorization for the Planned Unit Development.

Name of Person, Board, Commission or Department Proposing to Carry Out Project:

John Conomos, Property Owner

(415) 923-9868

EXEMPT STATUS:

X Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332]

Contact Person: Brett Bollinger

Telephone: (415) 575-9024

Date of Determination:

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

September 2, 2007

Bill Wycko
Acting Environmental Review Officer

cc: John Conomos, Project Contact
Julian Banales, SE Quadrant Team Leader
Supervisor Sophie Maxwell, District 10
Bulletin Board

M.D.F.
Exemption/Exclusion File
Sue Hestor

Remarks: CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The following discussion indicates that the proposed project would not have a significant effect on the environment.

Infill Development- CEQA State Guidelines Section 15332, or Class 32, allows for the exemption of an in-fill development meeting various conditions. The project's effects in relationship to these conditions are described below:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The site is within a RH-3 (Residential, House, Three-Family) zoning district and a 40-X height and bulk district. The proposed project would require a Conditional Use (CU) authorization for a Planned Unit Development (PUD) and allowable exceptions from the *San Francisco Planning Code* for density limitations and rear yard requirements. The Conditional Use authorization procedures are contained in the *San Francisco Planning Code* in Section 303 and 304, which applies to Planned Unit Developments. Therefore, the project would be consistent with the General Plan and applicable zoning designations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The approximately 23,300 square-foot or 0.53-acre site is located within a developed area of San Francisco and within a developed RH-3 Use District and adjacent to an M-1 (Light Industrial) Use District. The site is located in an industrial/commercial area of San Francisco between the Bayview District and the Potrero Hill District. This area of San Francisco is primarily an industrial neighborhood with a small area of residential buildings in the vicinity of the project site. The surrounding area is occupied by several industrial type facilities including the San Francisco Food Bank, auto repair facilities and various commercial enterprises. Therefore, the proposed project would be characterized as an in-fill development surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

The project site is vacant land covered with patches of vegetation intersperse between exposed bedrock, which is within a developed area of the City and does not provide habitat for any rare or endangered plant or animal species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic

Using the Planning Department's 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002), the proposed project is estimated to generate approximately 280 daily person-trips of which, about 48 daily person-trips would be during the PM peak-hour. These trips would be distributed among various modes of transportation, including single occupancy vehicles, carpools, public transit, walking, and bicycling. Of the 48 PM peak-hour person-trips for the proposed use, 38 would be vehicle trips, seven would be transit trips, one walking trip, and two trips would be through some other mode of

transportation. Based on the mode split and average automobile occupancy of 1.07 persons per vehicle¹ for the census tract area, there would be 204 daily vehicular trips of which 35 would be during the PM peak-hour for the proposed residential use. The change in traffic in the project area as a result of the proposed project would be undetectable to most drivers. The proposed project would add a small increment to the cumulative long-term traffic increase on the local roadway network in the neighborhood; however, any increase in vehicular activity as a result of the proposed project would not be above levels which are common and generally accepted in urban areas.

Parking: Pursuant to *Planning Code* Section 151, the proposed project would be required to provide approximately 28 off-street parking spaces, one space for each residential unit. The proposed project would provide 28 parking spaces in a below grade parking garage and would therefore meet *Planning Code* requirements. The parking demand associated with the proposed project was estimated using the *2002 Guidelines*. Using this approach, the proposed residential use would create a parking demand of 42 spaces. Therefore, the proposed project would be about 14 spaces short of the estimated parking demand. San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, day to night, month-to-month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents, should however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines §15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular would be in keeping with the City's "Transit First" policy.

Noise

An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The proposed project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by the occupants of the proposed project would be considered common and generally acceptable in an urban area, and would not be considered a significant impact. The proposed construction could generate noise and possibly vibration that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated under Article 29 of the City's Police Code, and would be temporary and intermittent in nature. Considering the above discussion, the proposed project would not be expected to result in a significant impact with respect to noise.

Air Quality

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size of

¹ 2000 U.S. Census – Journey to Work, Census Tract 227.

projects that the District considers capable of producing air quality problems due to vehicle emissions or stationary sources of pollution. The BAAQMD considers residential projects greater than 510 apartment units, office projects greater than 280,000 gsf, and retail development greater than 87,000 gsf to result in potentially significant vehicular emission impacts. The proposed project would not exceed the minimum standards. Therefore, no significant air quality impacts would be generated by the proposed project.

In traffic-related studies, the additional non-cancer health risk attributable to roadway proximity was seen within 1,000 feet of the roadway and was strongest within 300 feet. California freeway studies show about a 70 percent drop-off in particulate pollution levels at 500 feet from the roadway. Therefore, the Air Resource Board (ARB) recommends that new sensitive land uses (e.g., residences, schools, daycare centers, parks and playgrounds, and medical facilities) not be located within 500 feet of a freeway or urban roads carrying 100,000 vehicles per day. This recommendation is put forth to minimize potential non-cancer health effects of exposure to pollutants known to increase incidence of asthma and other respiratory ailments, particularly fine particulates, as well as cancer risk from exposure to diesel particulates from truck and bus exhaust and benzene and 1,3-butadiene from automobile exhaust.

The ARB notes that these recommendations are advisory and should not be interpreted as defined "buffer zones." ARB acknowledges that land use agencies must balance other considerations, including housing and transportation needs, the benefits of urban infill, community economic development priorities, and other quality of life issues. With careful evaluation of exposure, health risks, and affirmative steps to reduce risk where necessary, ARB's position is that infill development, mixed-use, higher density, transit-oriented development, and other concepts that benefit regional air quality can be compatible with protecting the health of individuals at the neighborhood level.

Diesel particulate matter (DPM) is a toxic air contaminant and the ARB recommends that proximity to sources of DPM emissions be considered in the siting of new development. Among other things, ARB advises that new sensitive land uses (e.g., residences, schools, daycare centers, playgrounds, or medical facilities) not be located within 500 feet of a freeway or urban roads carrying 100,000 vehicles per day, or within 1,000 feet of a distribution center (warehouse) that accommodates more than 100 trucks or more than 40 refrigerator trucks per day. The proposed project is located approximately 572-feet from Interstate 280², which is a freeway carrying over 100,000 vehicles per day. The San Francisco Food Bank distribution center is located within 1,000 feet of the project site and accommodates approximately 20-30 trucks per day.³ Therefore, the proposed project is not located within 1,000 feet of a distribution center that accommodates 100 trucks per day or more than 40 refrigerator trucks per day.

For the above reasons, the proposed project would not result in significant effects related to air quality.

Water Quality

Project-related wastewater and storm water would flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. The proposed project would not generate wastewater or result in discharges that would have the potential to degrade water quality or contaminate a public water supply. Thus, the project would not result in significant effects related to water quality.

² Correspondence from John Conomos, Project Sponsor, to Brett Bollinger, Planner, Major Environmental Analysis. July 24, 2007.

³ Correspondence from Stacey Robinson, San Francisco Food Bank 900 Pennsylvania Ave San Francisco, CA 94107, to Brett Bollinger, Planner, Major Environmental Analysis. September 11, 2007

(e) *The site can be adequately served by all required utilities and public services.*

The proposed project would be undertaken in an area where all utilities and services are currently provided; no need for any expansion of public utilities or public service facilities is anticipated.

Geotechnical Investigation

According to the Geotechnical Investigation conducted by Treadwell & Rollo,⁴ the project site is within the Coast Ranges Geomorphic Province, which includes the San Francisco Bay and the northwest-trending mountains that parallel the coast of California. Bedrock outcrops are visible on the site. Borings from this investigation as well as previous investigations indicate where bedrock is not exposed at the ground surface the site is underlain by varying thicknesses of fill and native soil overlying Franciscan Formation bedrock consisting of serpentine, siltstone and sandstone. Moderately hard and strong, closely fractured serpentine bedrock follows the ground surface except where medium dense silty sand with gravel and rubble fill was placed to level the northern and northeast portions of the site. The maximum thickness of fill encountered was at Boring TR-2, where bedrock was encountered at a depth of 9 feet. At the northern and western portions of the site, bedrock was encountered at the ground surface and a depth of 2 feet deep at Borings TR-1 and TR-3, respectively.

The Geotechnical Investigation concludes that the project can be constructed as planned with relatively strong and low-compressible bedrock present near the ground surface. Based on the finding in the geotechnical investigation, this material will provide suitable support for spread footings or a mat foundation. Where it is not practical to excavate for footings or a mat foundation or where there is insufficient lateral confinement because of sloping conditions, drilled piers should be used. Therefore, the proposed project would be adequately supported on the proposed foundation under the current site conditions.

Neighborhood Concerns

A "Notification of Project Receiving Environmental Review" was mailed on April 5, 2007 to owners within 300-foot radius of the project site and occupants of adjacent properties and interested parties. Three members of the public requested a copy of the final environmental determination for the proposed project when issued. Other members of the public expressed concerns related to the construction of the Planned Unit Development of 28 residential units, specifically parking and traffic. A discussion of these issues is contained above under "Traffic" and "Parking" and in the infill development discussions about consistency with applicable general plan and zoning designations.

Conclusion:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project would not have a significant effect on an historic resource and there are no other unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The proposed project is an in-fill development that meets the conditions set for the CEQA Guidelines Section 15332, and would have no significant environmental effects. Therefore, the proposed project would be exempt under Class 32, Infill Development. For the above reasons, the proposed project is appropriately exempt from environmental review.

⁴ Treadwell & Rollo, *Geotechnical Investigation 1000 Mississippi*, November 27, 2006. A copy of this report is on file with the Planning Department at 1650 Mission Street 4th Floor and is available for public review by appointment as part of the project file 2006.0810E.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: March 18, 2015

TO: Erika Jackson

FROM: Jeanie Poling, Environmental Planning

RE: Environmental Review for 1000 Mississippi Street (2014.1019C)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

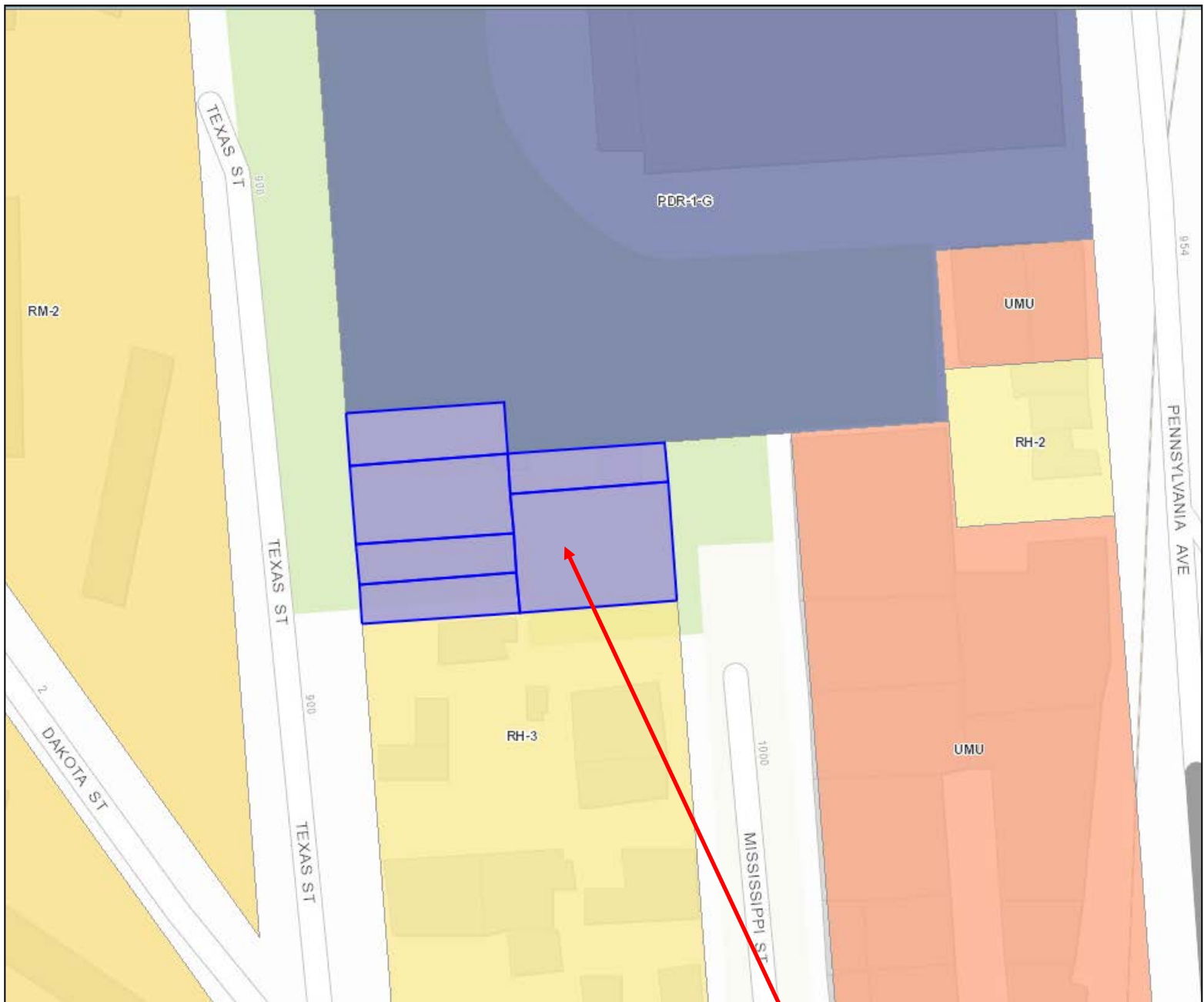
The project was fully evaluated and determined to be exempt under Class 32 on September 21, 2007 (Case No. 2006.0810E).

I reviewed the revised project (drawings dated 9/10/14). The total floor area was reduced by approximately 6,600 gsf; the number of buildings was reduced from five to four; the unit mix was changed; the amount of open space was reduced; and a second garage access was added along Mississippi Street.

To comply with current requirements, the project sponsor enrolled in the Department of Public Health's Maher program for oversight of hazardous materials and submitted a noise study that recommends measures for Title 24 compliance. The second garage entrance would not result in any transportation or circulation impacts.

Regarding excavation of serpentine soil, construction activities are subject to the Dust Control Ordinance requirements contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. Requirements of the Dust Control Ordinance include, but are not limited to, watering to prevent dust from becoming airborne, sweep or vacuum sidewalks, and cover inactive stockpiles of dirt. These measures ensure that serpentinite does not become airborne during construction.

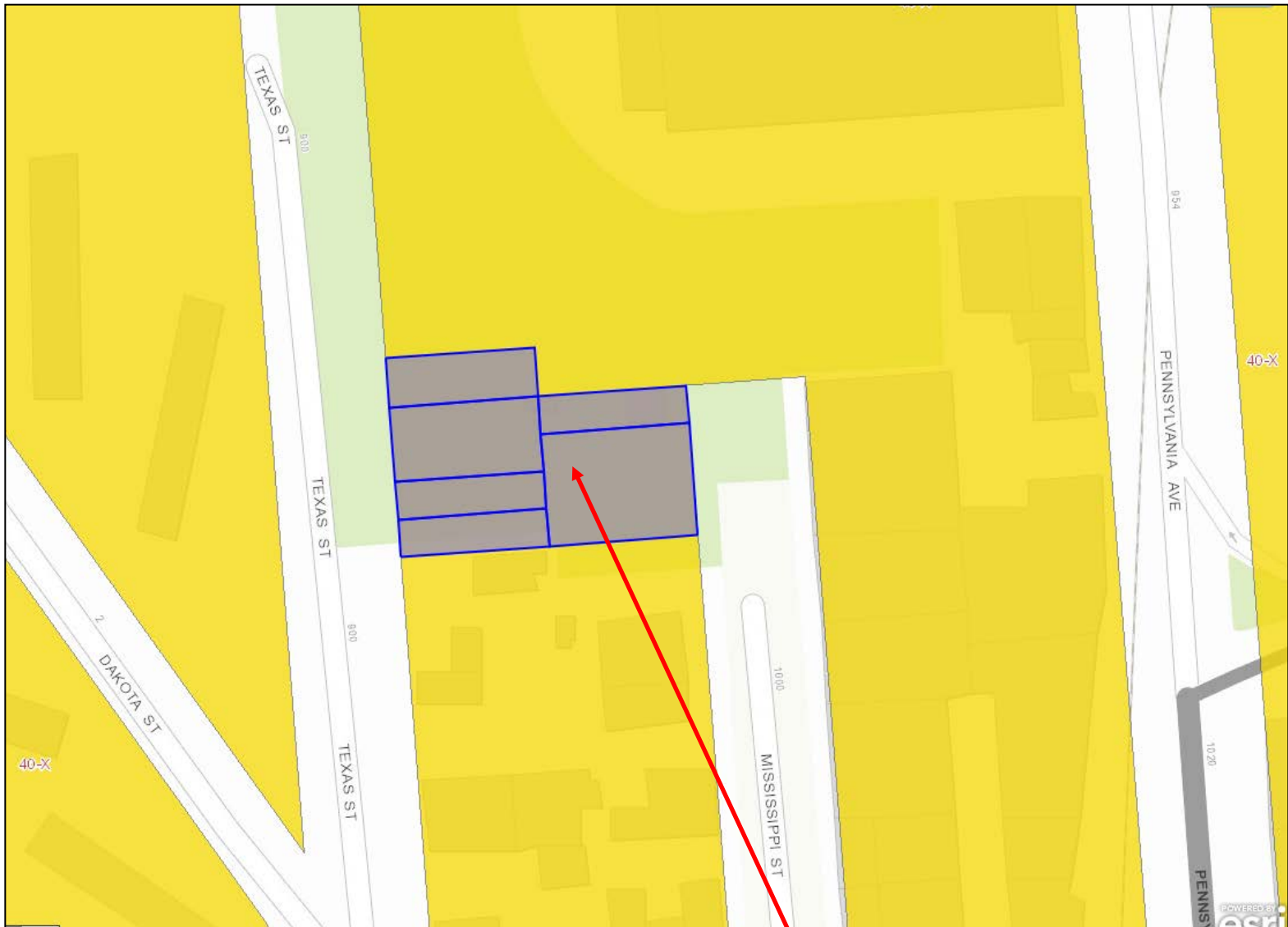
Zoning Map



SUBJECT PROPERTY



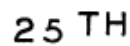
Height and Bulk Map



SUBJECT PROPERTY

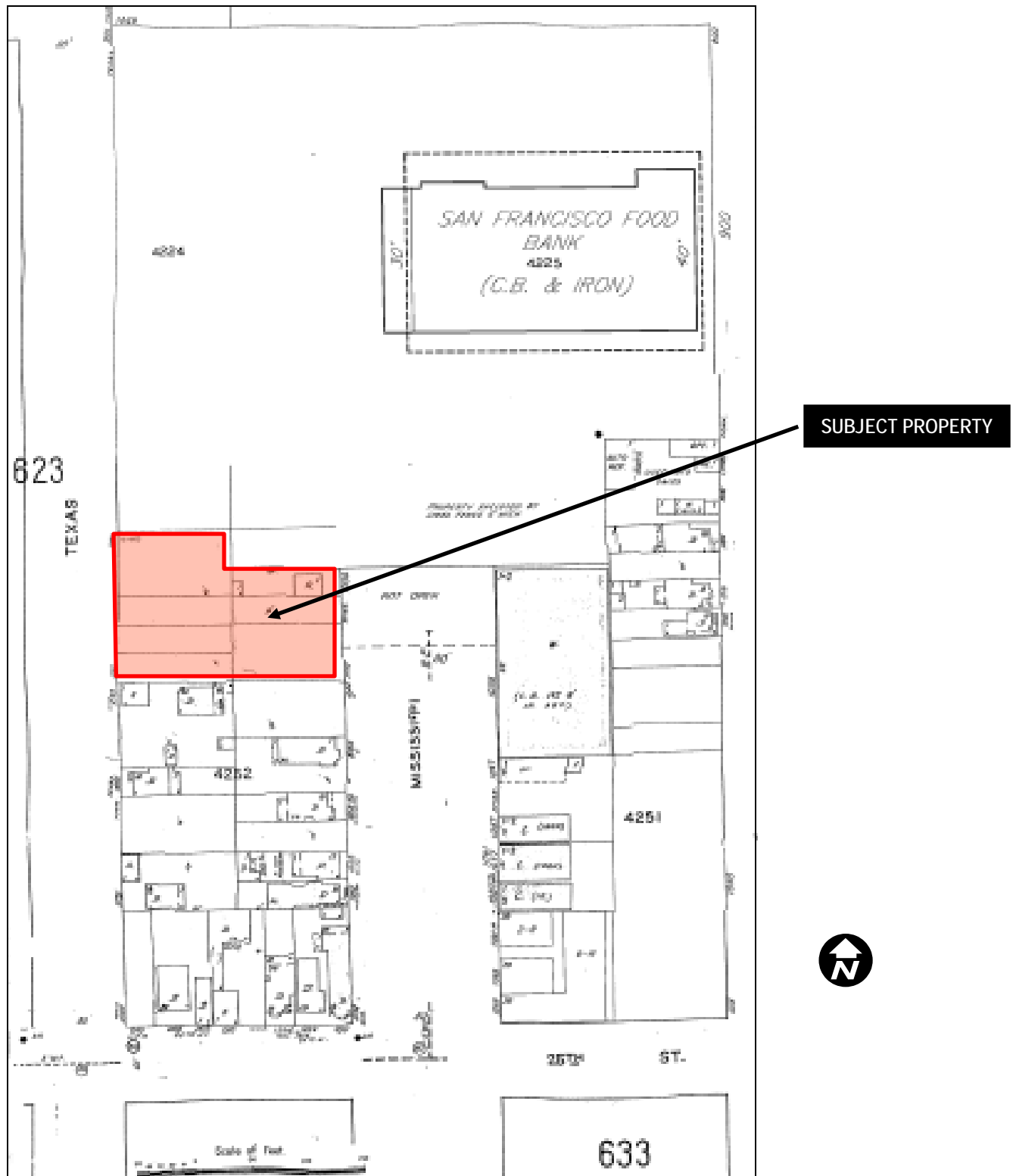


TEXAS



SAN FRANCISCO
PLANNING DEPARTMENT

Sanborn Map*



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

Conditional Use Hearing
Case Number 2014.1019C
Planned Unit Development
1000 Mississippi Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014.1019C
Planned Unit Development
1000 Mississippi Street

Aerial Photo



SUBJECT PROPERTY



Aerial Photo



SUBJECT PROPERTY



Site Photo – From Mississippi Street



Site Photo – From Texas Street





SAN FRANCISCO
PLANNING
DEPARTMENT

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

T: 415.558.6378
F: 415.558.6409

AFFIDAVIT FOR Compliance with the Inclusionary Affordable Housing Program

Date: January 11, 2013

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

From: San Francisco Planning Department

Re: Compliance with the Inclusionary Affordable Housing Program

All projects that involve five or more new dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Section 415 of the Planning Code. Every project subject to Section 415 must pay an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% of the total number of units proposed (or the applicable percentage if subject to different area plan controls or requirements).

A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new on- or off-residential units rather than offer them as rental units. Second, the project may be eligible for an Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that 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 the necessary documentation to the Planning Department and the Mayor's Office of Housing. Additional material may be required to determine if a project is eligible to fulfill the Program's requirements through an alternative.

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.

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

March 19, 2015

Date

I, Melinda A. Sarjapur, do hereby declare as follows:

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

1000 Mississippi

Address

4224 / 015, 016, 037, 038, 039, & 040

Block / Lot

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

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

2014.1019C

Planning Case Number

200705010141

Building Permit Number

This project requires the following approval:

☒ Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)

☐ This project is principally permitted.

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

Erika Jackson

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

☒ Yes (if yes, please indicate Tier) 1

☐ No

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

☐ This project uses California Debt Limit Allocation Committee (CDLAC) funding.

☐ This project is 100% affordable.

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

☐ Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).

☒ On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

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

- ☒ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ☐ **Rental.** Exemption from Costa Hawkins Rental Housing Act.² The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 though one of the following:
- ☐ Direct financial contribution from a public entity.
 - ☐ Development or density bonus or other public form of assistance.
 - ☐ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

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

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

f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on this day in:

San Francisco, California

Location

March 19, 2015

Date



Signature

Melinda A. Sarjapur

Name (Print), Title

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

(415) 567-9000

Contact Phone Number

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
28	0	0	0	25	2

Four-Bed
1

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

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

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
3	0	0	0	3	0

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

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

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)		Number of Market-Rate Units in the Off-site Project		

- ☐ Combination of payment of a fee, on-site affordable units, or off-site affordable units with the following distribution:

Indicate what percent of each option would be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. Fee _____ % of affordable housing requirement.

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


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

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

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

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)		Number of Market-Rate Units in the Off-site Project		

Affidavit for Compliance with the Inclusionary Affordable Housing Program

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT, (IF DIFFERENT)
Company Name Heights Properties	Company Name
Print Name of Contact Person Ryan Egan	Print Name of Contact Person
Address 6179 E. Broadway Boulevard	Address
City, State, Zip Tucson, AZ 85711	City, State, Zip
Phone, Fax (520) 512-0020	Phone, Fax
Email ryan.egan@heightspropertiesllp.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.  Signature RYAN EGAN R.E. COORDINATOR Name (Print), Title	I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above. Signature Name (Print), Title

Jackson, Erika

From: sunny outdoors <sunny_outdoors@yahoo.com>
Sent: Tuesday, March 17, 2015 6:54 PM
To: Jackson, Erika
Cc: lalitha@gmail.com
Subject: Re: 1000 Mississippi St plans

Follow Up Flag: Follow up
Flag Status: Flagged

Pls send OLD plans of 1000 Mississippi

It seems like it's LARGER than the original plans.
It seems like the main access is on Mississippi instead of Texas, which was the original plans.

The building seems like it is way larger than the original plans. It is out of scale with the established neighborhood.

The drawings you sent to me today doesn't confirm it's a 28 unit building. There's no summary table block of the plans.

Please also send copies to my neighbor

lalitha@gmail.com

====

For written responses and email responses, how should the neighbors respond to the planning department in charge.

thank you

Winnie on Mississippi

SIGNATURE:

==

Producing meat consumes the most amount of precious WATER. Please conserve water by eating less meat.

From: "Jackson, Erika" <erika.jackson@sfgov.org>
To: sunny outdoors <sunny_outdoors@yahoo.com>
Sent: Tuesday, March 17, 2015 4:21 PM
Subject: RE: 1000 Mississippi St plans

Hi Winnie,

Thanks for your email. I will send you the most current plans that I have, but please understand that they are subject to change prior to when they are put in the staff report 1 week before the hearing.

If you would like to include a letter in the staff report, please make sure I have that by 9am on Monday, March 23. Of course, you can also come to the hearing to speak the Planning Commissioners directly about any concerns.

Thanks,
Erika

From: sunny outdoors [mailto:sunny_outdoors@yahoo.com]
Sent: Tuesday, March 17, 2015 2:49 PM
To: Jackson, Erika
Subject: 1000 Mississippi St plans

hi there, I was wondering when is the deadline to protest this project?

by any chance you can email me their latest plans? I know I can get them 1 week before the hearing. There might be something you can send to me for the time being,

Thanks,

I'm a neighbor

Winnie
415 990 9861

Jackson, Erika

From: jim walter <jimbicycle2014@outlook.com>
Sent: Wednesday, March 18, 2015 12:10 PM
To: Jackson, Erika
Subject: 1000 mississippi

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ericka

My name is Jim and I live on Mississippi and just heard about this project. I heard that the plans have been changed so the garage access is now on Mississippi st. We fought the planned project back in 2008 so the garage access is on Texas st.

1. There is a big parking problem now with parrelel parking on one side and 90 degree parking on the other.
2. People park on Mississippi from the projects due to car more safer here.
3. we dont have copies of the 2008 plans and the final 2015 plans
4. there used to be a house where this project is planned and burned down because of fire dept access problems now it will be worse. FIRE DEPT ACCESS IS DANGEROUS with the main access on mississippi.
5. this project is out of scale in a established neighborhood.
- 6 with aprox 2 cars per unit there will be 60 new cars that will have to battle for a parking place.
7. people even park on the wide sidewalks due to no parking places.
8. there are bussiness on the street that have aprox 12 semi trucks a day to deliver material with 50 foot trailers. with street cleaning once a week there have been fights over this problem, its a nightmare.

We need more time to respond to this project and there is not enough time to mail in a responce we need to posepone the 3-23-2015 responce date. also exact instruction of how to send in opposition letters. address , do they need to be postmarked, can we also email them, can we also bring them to the hearing. etc etc.

We need to also the pospone the 4-2-2015 hearing should be in the evening so the working residents can attend and have more time to prepare please let me know asap.

thank you
Jim Vendetti 415-920-3994

Jackson, Erika

From: Morgan Molvig <ammolvig@gmail.com>
Sent: Friday, March 20, 2015 1:44 PM
To: Jackson, Erika
Subject: Regarding 1000 Mississippi Street Project

Follow Up Flag: Follow up
Flag Status: Flagged

Erika,

I am writing to express my concern for the proposed construction project at 1000 Mississippi Street. As a resident of this block, I would like to contest this project for the following reasons:

The building being proposed is disproportionately sized to the rest of the buildings on the block. Introducing a 28 unit building with 2-4 bedrooms per unit and only 28 parking spots in the proposed garage would create major parking issues on the block. The 28 parking spots being added will not mitigate a large influx of vehicles on a street that is already saturated. Additionally, it is my understanding that the original plans from 2008 had to remove the parking lot entrance on Mississippi Street due to objections from the surrounding residents, so I was surprised to see the same entrance return on this proposal. To be sure, this is still a concern for the residents on Mississippi Street, as nothing has changed since 2008.

Furthermore, I have concerns regarding the environmental impact of the project. There are many hawks inhabiting the hill that is being proposed for removal. I have not seen any indication of an Environmental Impact Report addressing this. Beyond environmental health, I am concerned for the health of my family and my neighbors, as the hill is made of asbestos rock. Excavation of the rock is clearly a health hazard. This needs to be addressed as well.

To reiterate, I am contesting this project for the above reasons, and will continue to do so until I see each of my concerns mitigated.

Thank You,

Morgan Molvig

--

Morgan Molvig

415.370.2487 | LinkedIn

Jackson, Erika

From: Adalbert Wysocki <adalbertwysocki@gmail.com>
Sent: Friday, March 20, 2015 1:47 PM
To: Jackson, Erika
Cc: msarjapur@reubenlaw.com; ryan@heightspropertiesllp.com; Lin Koh
Subject: 1000 Mississippi St Development Project

Follow Up Flag: Follow up
Flag Status: Flagged

March 20, 2015

To:

- Erica Jackson, planner for the project 1000 Mississippi St
- The Planning Commissioners of the City of San Francisco

CC: Melinda A. Sarjapur, REUBEN, JUNIUS & ROSE LLP

CC: Ryan Egan, Heights Properties, LLP

RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107

Case No. 2014.1019C

Permit No. 2007.05.01.0141

This letter is being written in response to the proposed residential development noted above on behalf of Adalbert Wysocki and Lin Koh owners of 1032 Mississippi St property and directly next to the new development.

First and before all, most of us on Mississippi learned about the development from the public hearing display that was first placed on the week end of March 12th 2015. It is unacceptable that the residents the closest and most impacted by the new development were omitted from the initial notification sent in June 2014. **Therefore we request as of now to put the project on standby to give us the time to get familiar with all the documentation and assess the project viability.**

As of now we identified several concerns:

- 1 The scale of the project is not in line with the existing size or height of the current developments on the block that is limited to 40 feet. The proposed height of development is 181 feet from the street level of Mississippi to the roofline of the 4 stories of the buildings. This is more than **4 times the height of our building!**
- 2 The windows of the new development give directly into our windows and our roof patio. **This is a great concern for our privacy.**
- 3 The new development notice mentions 28 units, mostly 2 bedrooms but also 3 and 4 bedrooms for only 28 parking spots in an underground garage. The parking on Mississippi St is already a great concern due to:
 - limited number of parking spots
 - traffic generated from the SF Garden Supply, the business occupying the warehouse across the street.
 - cal train commuters parking in the street for the day

The number of parking spots is definitely too low and needs to be revised along with the overall parking strategy.

- 4 It appears that the plans show a parking entrance on Mississippi St just next to our property. This will have a disturbance next to our walls (sound and vibrations) but also will only make worse the parking situation on the street (entrance availability, fire department restrictions). What is surprising is that this entrance for Mississippi St was removed during the 2008 project revision due to protests from the community but is now back??? What changed? **We categorically request that the parking entrance on Mississippi St is removed but also that only an emergency exists is located on Mississippi St (no entrance as this would make people park on the street)**
- 5 The excavation required for this project will directly impact our building and might have an **impact on our foundations**. This is a great concern for the long-term stability of our property.
- 6 The rock that will need to be removed in order to build the development has serpentinite, which contains chrysotile asbestos, a known carcinogen. How the excavation will be handled to prevent any **emanations of chrysotile asbestos particles in the air that might have a long term fatal impact on the health of our community.**

We are looking forward for the new timeline for the hearing and detailed answers to each of the concerns and requests listed above. For clarification purpose, we am contesting this project for the above reasons, and will continue to do so until each of our concerns are addressed.

Best regards,

Adalbert Wysocki & Lin Koh

1032 Mississippi St

San Francisco CA 94107

Jackson, Erika

From: Anirban Bardalaye <abardalaye@gmail.com>
Sent: Sunday, March 22, 2015 10:09 AM
To: Jackson, Erika
Cc: Lalitha Bardalaye
Subject: Concerns With 1000 Mississippi Street Development
Attachments: 1000 Mississippi St Development Concerns.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika,

Please find attached our official complaint regarding the proposed development at 1000 Mississippi Street. For your convenience, I have copied the complaint in its entirety at the bottom of this email.

We sincerely hope that the city planning commission will take necessary steps to address the concerns mentioned in our complaint. Let us know if you have any questions or need additional information.

Best,
Lalitha and Anirban Bardalaye

Residents of 1073 Mississippi St.

HOA President of 107x Mississippi St.

***** COPY OF ATTACHED COMPLAINT *****

March 22, 2015

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
From: HOA Boards of 25th Street and Mississippi Streets, San Francisco 94107
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141

To Whom It May Concern:

We are writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107. We are residents of 1073 Mississippi Street and are also the HOA presidents of 107x Mississippi Street Condos.

We have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Question: What is the developer's plan to fit into the neighborhood character? What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?

2. Traffic is already a major concern on Mississippi Street due to the garden supply business that operates at the end of the cul-de-sac at 1025-1035 Mississippi Street. SF Garden Supply occupies an extremely large warehouse of approx. 20,000 sq.ft. that specializes in commercial-grade organic growing supplies. There is a constant flow of traffic – cars and oversize, large semi-trailer/commercial vehicles – operating 6 days per week (Monday-Saturday 9-6pm). With the proposed 28 units building, the already bad traffic and parking situation will exacerbate and will pose hazard to the Mississippi Street residents.

Question: What is the developer's plan to mitigate traffic concerns?

3. As residents of 1072 Mississippi Street, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer.

Question: Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community? What measures will the developer take to protect the health of the community?

4. This project will be quite a nuisance for the neighborhood given the size of the project.

Question: What is the timeline of the project from start to finish? How much of that time is construction? What will be done to minimize the dust and noise? Since the non San Francisco based developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

To summarize, our main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues. Like many other parents with young kids, this development, if allowed, will destroy the community we have built and will force many of us to move to a “family friendly” neighborhood.

Sincerely,

Lalitha & Anirban Bardalaye

Residents of 1073 Mississippi St.

HOA President of 107x Mississippi St.

March 22, 2015

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
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We have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Question: **What is the developer's plan to fit into the neighborhood character? What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?**

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Question: **What is the developer's plan to mitigate traffic concerns?**

3. As residents of 1072 Mississippi Street, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer.

Question: Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community? What measures will the developer take to protect the health of the community?

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Question: What is the timeline of the project from start to finish? How much of that time is construction? What will be done to minimize the dust and noise? Since the non San Francisco based developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

To summarize, our main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues. Like many other parents with young kids, this development, if allowed, will destroy the community we have built and will force many of us to move to a “family friendly” neighborhood.

Sincerely,

Lalitha & Anirban Bardalaye
Residents of 1073 Mississippi St.
HOA President of 107x Mississippi St.

Jackson, Erika

From: Reagan Richey <reaganr@icloud.com>
Sent: Sunday, March 22, 2015 8:40 PM
To: Jackson, Erika
Subject: 1000 Mississippi Street development

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern:

I am writing to respond to a notice that was recently brought to my attention regarding a proposed residential building project at 1000 Mississippi Street in the San Francisco Potrero neighborhood. We were notified of this indirectly via sign placed near our street, a mere 10 days before the indicated deadline to respond. While I'm certain that this is not adequate notice, the inadequate notice is the least of our concerns with this development, so please read on.

These are just the first 4 bullet points I can think of:

#1: By all appearances, this building project will exceed the reasonable capacity of our small street by making it the only driving route in and out of the proposed development, which appears to be a fairly large complex built on top of a hill located at the end of our dead-end street. This will greatly increase traffic on our street, and as you are aware, dead-end streets have unique issues with traffic congestion. In addition, the street already has a lot of traffic in the form of trucks going to the warehouse at the end of the street, not to mention lots of dangerous downhill drive-by traffic on our only exit street (25th Street) from the nearby housing project, in addition to frequent Muni bus passes.

#2: Next is the issue of parking, which is already limited in this area, and the proposed building will certainly overload the available spots. We already have problems with visitors, and delivery trucks accidentally blocking residential driveways. It appears that the design looks like it may accommodate underground parking (?), but with new developments come lots of new visitors, so any development of this size will certainly overload this area.

#3: I'm also concerned about the apparent height of the new development, which is 4 stories tall and built atop a tall hill. Is it legal to build to this height, given the much lower height of the existing adjacent residences?

#4: Finally -- and perhaps most importantly of all -- is there an environmental impact report? Because we've seen nothing. We are aware that Potrero Hill contains natural-occurring asbestos. Does the developer have clearance to dig in this hill, and if so, compensate us for being relocated during this process?

In the near-term, issue numbers 1 and 2 (traffic and parking) will definitely be front and center during construction ... because the only path to the construction site appears to be our tiny street.

So to conclude: We were recently notified in a non-forthcoming manner about a building project that will have major impact on our lives, health and property values and given very little time to respond. This development shows particular potential to have

a negative impact on the quality of life in an existing neighborhood, and appears to only have been proposed for the purpose of enriching investors from outside the state that are offering nothing to contribute back to the community in return.

We request that you look into this manner and take the appropriate action, starting with passing on our objections to the developers themselves.

Thank you very much for your attention to this matter,

Reagan Richey

Jackson, Erika

From: strecho@juno.com
Sent: Sunday, March 22, 2015 9:01 PM
To: Jackson, Erika
Subject: 1000 Mississippi

Follow Up Flag: Follow up
Flag Status: Flagged

March 21, 2015

To: The Planning Commissioners of the City of San Francisco
From: Gina Silverman
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141

To Whom It May Concern:

I am writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107.

In 7 years as a condo owner on Mississippi Street, nothing has been as alarming to me as this project in terms of quality of life, health and safety and also property values. It is a gigantic development that dwarfs anything on our street of single houses and small 3-10 unit condos. It is out-sized not only in the fact of it being 28 units but also in its extreme height which will tower over even the tallest of the adjacent buildings by 120 feet. It doesn't fit into the neighborhood's character at all.

I knew of this project originally as a Texas street development. But it appears at the last minute that the access to the garage was switched from Texas to Mississippi. This switch happened with virtually no notice to the neighbors - only a posted sign, which I never would have seen unless a neighbor called it to my attention. The original entrance from Texas street was one that the neighbors fought for when the plans first were approved. This seems like a bait and switch and it is a change that will definitely affect our quality of life and neighborhood character negatively.

Our road is a very narrow dead end that is already glutted with parked cars from the residences here and also people using Cal Train. But this is further exacerbated by the large warehouse directly opposite the 1000 Mississippi garage entrance. All day long 18-wheel trucks try to negotiate the narrow road which can make access to the residences difficult. Moreover customers of the warehouse are often double parked and parked up on our sidewalks. The addition of 28 units of car traffic is virtually unimaginable not to mention their guests and their cars. This road is so hard to access that the previous home at 1000 Mississippi actually burned to the ground many years ago due to inability of fire trucks to access the site.

Finally, I'm very concerned about the environmental effects of the development. As far as asbestos (which is naturally occurring on Potrero Hill) have there been environmental impact reports? How long is the proposed work to go on? What will be done to minimize noise and dust? As far as congestion, will there be anything done to help with traffic flow on the street? Will any stairways be built to give Mississippi residents access to Texas street? Will the developer help provide green space to offset the increased density in a neighborhood already sorely limited for green park space (such as help make Tunnel-Top park on the corner of 25th and Pennsylvania a reality).

In sum, it seems to me that all the benefits of this development will go to the developer and all the downside will be borne by the owners and residents already here. Our downside includes greatly diminished quality of life both during construction and after, health and safety concerns, and potentially lower property values. At very least the entry to this behemoth needs to be relocated at the original Texas street side.

Sincerely,

Gina Silverman
1099 Mississippi St. #4, SF 94107

TaxSlayer

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<http://thirdpartyoffers.juno.com/TGL3141/550f9007e8bae100748a5st01vuc>

Jackson, Erika

From: Michal Ettinger <michalettinger@gmail.com>
Sent: Sunday, March 22, 2015 10:31 PM
To: Jackson, Erika
Subject: 1000 Mississippi Proposed Building Development

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika and to Whom It May Concern:

I am writing in response to the plans to build a 28 unit building at 1000 Mississippi Street.

My husband and I have now lived in the Dogpatch/Potrero Hill neighborhood for over 10 years (SF for 18) and have lived at 1053 Mississippi for 7 years. When we bought this place we immediately fell in love with this little slice of Mississippi Street. We knew that we wanted to grow a family and imagined our kids playing in the cul-de-sac as we did when we were kids. Fast-forward to today, we have two boys – 3.5 years old and 6 months old. Our older son comes home from preschool makes his rounds saying hi to the neighbors – Jim, Benny, Lalitha, etc waves to the guys at the garden center and when they close shop we let him ride on the sidewalk and the street with his other buddies. There are 12 kids on this street, 12! For all of us parents this cul-de-sac is safe in a city where you can't play outside your house.

San Francisco is changing and growing and development is imminent. There is a shortage of housing, we get it. However don't build your driveway to the garage on a street that already has issues with parking and traffic. Texas street is 4 – 5 times longer than Mississippi it can handle the thru traffic, ours can't. And a street concentrated with kids who play outside.

Also, you need to share with the neighbors the Environmental Impact Report. It is my understanding that this hill is serpentine rock, which contains asbestos. How will the developer protect the health of the residents of Mississippi Street? Most importantly the kids!

To summarize, my main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. They have everything to gain and we are left with the increased pollution, traffic, and possibly some health issues.

Sincerely,

Michal Ettinger

Jackson, Erika

From: Olusoji Fanoiki <magodo@comcast.net>
Sent: Sunday, March 22, 2015 10:45 PM
To: Jackson, Erika
Subject: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107

Follow Up Flag: Follow up
Flag Status: Flagged

March 21, 2015

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
From: *Olusoji Fanoiki*
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141

To Whom It May Concern:

We are writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107.

We have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. The scale of the proposed residential project is not within the existing size or height of the current residential or commercial developments on the block. The proposed height of the development is 180 feet from the street level of Mississippi Street to the roofline of the four 4-story buildings. While we understand that the site at 1000 Mississippi Street sits above the existing street level, this is of great concern as it does not fit into the existing neighborhood, and it will impact adjacent neighbors. The residential buildings adjacent to this proposed development are 60 feet in height from the street level to the roof of the buildings, a difference of 120 feet.

Question: How can the builder build to this height? Isn't this in violation of San Francisco's city building codes?

2. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Question: What is the developer's plan to fit into the neighborhood character? What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street

given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?

3. Traffic is already a major concern on Mississippi Street due to the garden supply business that operates at the end of the cul-de-sac at 1025-1035 Mississippi Street. SF Garden Supply occupies an extremely large warehouse of approx. 20,000 sq.ft. that specializes in commercial-grade organic growing supplies. There is a constant flow of traffic – cars and oversize, large semi-trailer/commercial vehicles – operating 6 days per week (Monday-Saturday 9-6pm). Those large semi-trailer, commercial vehicles make deliveries in the early morning hours and sit in the middle of the street for hours unloading their deliveries. This already creates a very challenging parking situation with not only customer vehicles and delivery trailers blocking access, but also the cars of the warehouse employees. As mentioned above, this warehouse sits directly across from this proposed residential development, as well as at the end of the block of Mississippi Street. To be frank, we don't know how residents would be able to enter or exit this end of the street should this proposed residential development proceed.

Question: What is the developer's plan to mitigate traffic concerns?

4. As residents, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer.

Question: What measures will the developer take to protect the health of the community? Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community?

5. We were only notified of this project when a physical sign was posted on March 13, 2015 at the proposed site. This is not adequate notification for the neighborhood. This gave us 10 days to respond.

Question: Why were the residents not adequately notified of such a proposed development that would significantly impact that the current quality of living? Residents have now raised concerns that the City of San Francisco continues to ignore our neighborhood. This is unacceptable.

6. This project will be quite a nuisance for the neighborhood given the size of the project.

Question: What is the timeline of the project from start to finish? How much of that time is construction? What will be done to minimize the dust and noise? Since the non-based San Francisco developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

7. On the same proposed lot, the original house that sat on this piece of land burned down some years. It is a story that many of our residents remember. The home burned to the ground owing to a lack of fire department access.

Question: What is the developer's plan to ensure that fire department access is addressed?

To summarize, our main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer

and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues.

Sincerely,

Olusoji Fanoiki
1087 Mississippi St.
San Francisco, CA 94107

Jackson, Erika

From: Jeff Wiguna <jpwiguna@gmail.com>
Sent: Sunday, March 22, 2015 11:02 PM
To: Jackson, Erika
Subject: Alarming Concerns Regarding 1000 Mississippi Building Development

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika,

I am writing because I have been informed of some important changes in the 1001 Texas project that is now changed to 1000 Mississippi St. project. As a resident of Mississippi Street these are just a few of my deeply held concerns below:

1. The changes to this project are no minor modifications
2. The neighbors gathered together and met with the previous project architect in 2008 to go over many concerns. One of which was the garage entrance on Mississippi. The final deal was to change the garage entrance from Mississippi to Texas in 2008. The architect on this project has remained the same from 2008 to present.
3. The plans don't show any parking impact survey or fire department survey for Mississippi Street access. The parking is currently 90 degree and parallel parking. It is so bad that many people park on the sidewalk and sometimes triple park on the street. It is especially bad because of the company Hydroponics on the street, that very often has 18 wheeler trucks offloading and loading materials for the company. The street is already crowded and over capacity. So much so that **a house burned down** at the end of Mississippi St. 15 years ago because the fire department did not have proper access.
4. This project is out of scale with the well established neighborhood.
5. I never received notice of this project and we only heard about this project from the street posting.
6. We don't have enough parking spaces now and with the proposed driveway on Mississippi and fire department red zones similar to the ones noted on the Texas plans we will lose even more spots. We don't have any survey of current parking plans for Mississippi even though the affect will be very large.
7. Overflow and guest parking is better on Texas street, the need for parking spots already exceeds supply on Mississippi.
8. This construction might go on for 2+ years and all construction should be done on Texas Street.
9. There are many families with kids on this street. The planned driveway for Mississippi would increase car traffic and **increase the likelihood of accidents with these children** that play on the sidewalks and sometimes streets. Not to mention the small size of the road would become even more crowded with cars driving in and out of the new development.

10. 25th Street already has multiple busses driving by that cause a lot of traffic. The increase in traffic would be horrendous.

11. We have learned that the rock materials is carcinogenic and potentially deadly and there have been no reports as to how construction from digging or clearing of the rock will prevent rock dust from flying all over the neighborhood creating unhealthy air for residents all nearby.

We ask that these concerns be taken into consideration and addressed before any approval or construction begins. The Mississippi community is very concerned.

Very truly yours,

Jeff Wiguna

JEFF WIGUNA

562.508.3397

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Jackson, Erika

From: Andrew Strickman <andrew.strickman@gmail.com>
Sent: Sunday, March 22, 2015 11:13 PM
To: Jackson, Erika
Subject: FEEDBACK: 1000 Mississippi Development Proposal
Attachments: 032215_1000Mississippi_strickman.docx

Follow Up Flag: Follow up
Flag Status: Flagged

To: The Planning Commissioners of the City of San Francisco and Erika Jackson, planner
From: Andrew Strickman, 1053 Mississippi Street
RE: Proposed Development at 1000 Mississippi Street, San Francisco

To Whom It May Concern:

My wife and I have lived on the 1000 Block of Mississippi Street for more than 6 years. We purchased our condo on this street in part because of the quiet nature of the block, due to the cul-de-sac which keeps this street from connecting to the rest of Mississippi Street and Potrero Hill.

This is a block that, since we arrived, has seen residential growth in line with the neighborhood's small-scale architecture, and the notable addition of more than 10 families with children under the age of 5 — 12 children in all.

We are extremely concerned not by the proposal to build additional residential units in our neighborhood along Texas Street, but by the plan to locate a driveway that will serve 28 parking spaces within this development at the end of Mississippi Street.

The issues will begin when construction commences, and will likely impact not only health, safety and traffic flow during the construction phase, but also the limited parking situation that now exists on our street.

We now currently deal on a daily basis with the regular ingress and egress of retail customers to the garden supply warehouse at the end of our block including 18-wheel semi trucks that regularly block the end of Mississippi Street and the customers who double park along the block when there aren't available parking spaces. The idea of adding to that congestion is frustrating and the impact it will have on the nature of our block is concerning.

Most importantly, this is a small street that has become a hub for young families. Our children play on these sidewalks, and when quiet, ride bikes and scooters along the street. The idea of adding another 28+ cars to the traffic on this street is worrisome.

What is most bothersome is that we understood a verbal commitment was made by the developer, when this project was originally proposed in 2008, to locate the driveway on Texas Street. What has changed, and why has the proposal reverted to the original plan?

We are pro-development in our neighborhood and support responsible creation of homes and parking. But we feel that the current plan for 1000 Mississippi's driveway and traffic is not responsible, nor does it reflect the fabric and culture of our small street.

We urge you to reconsider our strong opposition to this plan as proposed.

Thank you.

Sincerely,
Andrew Strickman
1053 Mississippi Street

--

Andrew Strickman
m: 415.812.1904

To: The Planning Commissioners of the City of San Francisco and Erika Jackson, planner
From: Andrew Strickman, 1053 Mississippi Street
RE: Proposed Development at 1000 Mississippi Street, San Francisco

To Whom It May Concern:

My wife and I have lived on the 1000 Block of Mississippi Street for more than 6 years. We purchased our condo on this street in part because of the quiet nature of the block, due to the cul-de-sac which keeps this street from connecting to the rest of Mississippi Street and Potrero Hill.

This is a block that, since we arrived, has seen residential growth in line with the neighborhood's small-scale architecture, and the notable addition of more than 10 families with children under the age of 5 — 12 children in all.

We are extremely concerned not by the proposal to build additional residential units in our neighborhood along Texas Street, *but by the plan to locate a driveway that will serve 28 parking spaces within this development at the end of Mississippi Street.*

The issues will begin when construction commences, and will likely impact not only health, safety and traffic flow during the construction phase, but also the limited parking situation that now exists on our street.

We now currently deal on a daily basis with the regular ingress and egress of retail customers to the garden supply warehouse at the end of our block including 18-wheel semi trucks that regularly block the end of Mississippi Street and the customers who double park along the block when there aren't available parking spaces. The idea of adding to that congestion is frustrating and the impact it will have on the nature of our block is concerning.

Most importantly, this is a small street that has become a hub for young families. Our children play on these sidewalks, and when quiet, ride bikes and scooters along the street. The idea of adding another 28+ cars to the traffic on this street is worrisome.

What is most bothersome is that we understood a verbal commitment was made by the developer, when this project was originally proposed in 2008, to locate the driveway on Texas Street. What has changed, and why has the proposal reverted to the original plan?

We are pro-development in our neighborhood and support responsible creation of homes and parking. But we feel that the current plan for 1000 Mississippi's driveway and traffic is not responsible, nor does it reflect the fabric and culture of our small street.

We urge you to reconsider our strong opposition to this plan as proposed.

Thank you.

Sincerely,
Andrew Strickman
1053 Mississippi Street

Jackson, Erika

From: Richard Lee <richard@richardlee.name> on behalf of Richard Lee <richard@lee.name>
Sent: Sunday, March 22, 2015 11:50 PM
To: Jackson, Erika
Subject: 1000 Mississippi Construction

Follow Up Flag: Follow up
Flag Status: Flagged

Hello-

It's come to my attention that there is a large new development proposed for the 1000 end of Mississippi. As you may know, Mississippi has no outlet on that end, so all traffic from the new development will need to exit at the 1099 end. Also, there is not a lot of available street parking on Mississippi street, and little other street parking nearby due to the heavy Caltrain commuter use. Building a number of new multi bedroom homes but without providing off street parking for more than one car per unit seems a recipe for increased parking problems. Also, I would strongly suggest that an exit on Texas street be used in addition to, or instead of, Mississippi Street.

Additionally, I have not seen anything in the current plans that addresses any sort of integration of the new development into the existing neighborhood. One aspect that would be much appreciated would be a green strip with right of way access for the public connecting the 1000 end of Mississippi to Texas street. If this development intends instead to be a private barrier rather than a public connector between the far ends of Texas and Mississippi streets, I feel it is ill suited for our community.

Also, I am perplexed as to why this construction is seemingly coming 'out of the blue'. Compared to the Rebuild Potrero project, which has done extensive outreach to the community, listening to and incorporating a lot of feedback, this development seem to be imposed upon the community with no outreach or consideration. It does not bode well for an amicable relationship between the developer and the existing residents.

Richard Lee
HOA Treasurer
1099 Mississippi Street Apt 9
San Francisco, CA 94107

Jackson, Erika

From: Melissa Adams <melrosemelissa@yahoo.com>
Sent: Monday, March 23, 2015 12:34 AM
To: Jackson, Erika
Cc: Kerry McCartney
Subject: Proposed Development at 1000 Mississippi Street, SF.
Attachments: 1000 Mississippi St Development.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Erika,

Please find the attached letter for the City of San Francisco Planning Commissioners

RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141
From: HOA Boards of 25th Street and Mississippi Streets and Community Residents, SF 94107

Please let me know if you have any questions.

Melissa Adams
1030 Mississippi Street
San Francisco, CA 94107

March 21, 2015

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
From: HOA Boards of 25th Street and Mississippi Streets, San Francisco 94107
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141

To Whom It May Concern:

We are writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107. We represent the 25th and Mississippi HOA Boards and Neighborhood Association.

We have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. The scale of the proposed residential project is not within the existing size or height of the current residential or commercial developments on the block. The proposed height of the development is 180 feet from the street level of Mississippi Street to the roofline of the four 4-story buildings. While we understand that the site at 1000 Mississippi Street sits above the existing street level, this is of great concern as it does not fit into the existing neighborhood, and it will impact adjacent neighbors. The residential buildings adjacent to this proposed development are 60 feet in height from the street level to the roof of the buildings, a difference of 120 feet.

Question: How can the builder build to this height? Isn't this in violation of San Francisco's city building codes?

2. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Question: What is the developer's plan to fit into the neighborhood character? What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?

3. Traffic is already a major concern on Mississippi Street due to the garden supply business that operates at the end of the cul-de-sac at 1025-1035 Mississippi Street. SF Garden Supply occupies an extremely large warehouse of approx. 20,000 sq.ft. that specializes in commercial-grade organic growing supplies. There is a constant flow of traffic – cars and oversize, large semi-trailer/commercial vehicles – operating 6 days per week (Monday-Saturday 9-6pm). Those large semi-trailer, commercial vehicles make deliveries in the early morning hours and sit in the middle of the street for hours unloading their deliveries. This already creates a very challenging parking situation with not only customer vehicles and delivery trailers blocking access, but also the cars of the warehouse employees. As mentioned above, this warehouse sits directly across from this proposed residential development, as well as at the end of the block of Mississippi Street. To be frank, we don't know how residents would be able to enter or exit this end of the street should this proposed residential development proceed.

Question: What is the developer's plan to mitigate traffic concerns?

4. As residents of Mississippi Street and 25th Streets, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentine, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer.

Question: What measures will the developer take to protect the health of the community? Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community?

5. We were only notified of this project when a physical sign was posted on March 13, 2015 at the proposed site. This is not adequate notification for the neighborhood. This gave us 10 days to respond.

Question: Why were the residents not adequately notified of such a proposed development that would significantly impact that the current quality of living? Residents have now raised concerns that the City of San Francisco continues to ignore our neighborhood. This is unacceptable.

6. This project will be quite a nuisance for the neighborhood given the size of the project.

Question: What is the timeline of the project from start to finish? How much of that time is construction? What will be done to minimize the dust and noise? Since the non-based San Francisco developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

7. On the same proposed lot, the original house that sat on this piece of land burned down some years. It is a story that many of our residents remember. The home burned to the ground owing to a lack of fire department access.

Question: What is the developer's plan to ensure that fire department access is addressed?

To summarize, our main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues.

Sincerely,

25th Street & Mississippi Street HOA Boards and Community

Aldo Wysocki – 1032 Mississippi St.

Lin Koh – 1032 Mississippi St.

Melissa Adams – 1030 Mississippi St.

Kerry McCartney – 1030 Mississippi St.

Jackson, Erika

From: Keith Wong <keithwong.klw@gmail.com>
Sent: Monday, March 23, 2015 1:19 AM
To: Jackson, Erika
Subject: Proposed project at 1000 Mississippi Street
Attachments: 1000 Mississippi Concerns Ltr.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ms. Jackson,

Please see attached letter of concern for the above referenced project.

Thank you for your consideration in this matter.

Keith Wong

March 22, 2015

RE: Development Project at 1000 Mississippi Street, San Francisco, CA

To Whom It May Concern:

We are writing to you in regards to our concerns with the proposed development project at 1000 Mississippi Street. While we have no general opinion on the proposed building(s), we are concerned with the use of the 1000-1099 block of Mississippi Street for the ingress and egress of vehicles into the proposed project. This particular block is currently a cul-de-sac where many families with small children reside. Placement of a driveway on this block of Mississippi Street would bring an unreasonable amount of vehicular traffic through and have a tremendous impact on the neighborhood (for example, it would make it much more precarious for children to ride their bikes in front of their homes). In addition, the amount of street parking currently available for existing residents is already limited. Allowing for additional vehicular traffic would no doubt attract the project's spill-over vehicles.

Thank you for taking the time to consider our concerns.

K. Wong/L. Quan

1051 Mississippi Street

San Francisco, CA

Jackson, Erika

From: alfinsf <alfinsf@yahoo.com>
Sent: Monday, March 23, 2015 4:39 AM
To: Jackson, Erika
Subject: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107

Follow Up Flag: Follow up
Flag Status: Flagged

Case#: 2014.1019C
Permit#: 2007.05.01.0141

To Whom It May Concern:

We are writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107.

We have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. The scale of the proposed residential project is not within the existing size or height of the current residential or commercial developments on the block. The proposed height of the development is 180 feet from the street level of Mississippi Street to the roofline of the four 4-story buildings. While we understand that the site at 1000 Mississippi Street sits above the existing street level, this is of great concern as it does not fit into the existing neighborhood, and it will impact adjacent neighbors. The residential buildings adjacent to this proposed development are 60 feet in height from the street level to the roof of the buildings, a difference of 120 feet.

Question: How can the builder build to this height? Isn't this in violation of San Francisco's city building codes?

2. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Question: What is the developer's plan to fit into the neighborhood character? What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?

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the street for hours unloading their deliveries. This already creates a very challenging parking situation with not only customer vehicles and delivery trailers blocking access, but also the cars of the warehouse employees. As mentioned above, this warehouse sits directly across from this proposed residential development, as well as at the end of the block of Mississippi Street. To be frank, we don't know how residents would be able to enter or exit this end of the street should this proposed residential development proceed.

Question: What is the developer's plan to mitigate traffic concerns?

4. As residents, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer.

Question: What measures will the developer take to protect the health of the community? Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community?

5. We were only notified of this project when a physical sign was posted on March 13, 2015 at the proposed site. This is not adequate notification for the neighborhood. This gave us 10 days to respond.

Question: Why were the residents not adequately notified of such a proposed development that would significantly impact that the current quality of living? Residents have now raised concerns that the City of San Francisco continues to ignore our neighborhood. This is unacceptable.

6. This project will be quite a nuisance for the neighborhood given the size of the project.

Question: What is the timeline of the project from start to finish? How much of that time is construction? What will be done to minimize the dust and noise? Since the non-based San Francisco developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

7. On the same proposed lot, the original house that sat on this piece of land burned down some years. It is a story that many of our residents remember. The home burned to the ground owing to a lack of fire department access.

Question: What is the developer's plan to ensure that fire department access is addressed?

To summarize, our main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues.

Sincerely,

Alfredo Victorio
1077 Mississippi St.
San Francisco, CA 94107

Jackson, Erika

From: dennis montalto <dennismontalto@sbcglobal.net>
Sent: Monday, March 23, 2015 7:29 AM
To: Jackson, Erika
Subject: 1000 mississippi

Follow Up Flag: Follow up
Flag Status: Flagged

March 21, 2015

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
From: *Dennis Montalto*
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141

Commissioners,

I am writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107.

We have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. The scale of the proposed residential project is not within the existing size or height of the current residential or commercial developments on the block. The proposed height of the development is 180 feet from the street level of Mississippi Street to the roofline of the four 4-story buildings. While we understand that the site at 1000 Mississippi Street sits above the existing street level, this is of great concern as it does not fit into the existing neighborhood, and it will impact adjacent neighbors. The residential buildings adjacent to this proposed development are 60 feet in height from the street level to the roof of the buildings, a difference of 120 feet.

Question: How can the builder build to this height? Isn't this in violation of San Francisco's city building codes?

2. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Question: What is the developer's plan to fit into the neighborhood character? What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street

parking by residents and 22nd Street Caltrain station visitors?

3. Traffic is already a major concern on Mississippi Street due to the garden supply business that operates at the end of the cul-de-sac at 1025-1035 Mississippi Street. SF Garden Supply occupies an extremely large warehouse of approx. 20,000 sq.ft. that specializes in commercial-grade organic growing supplies. There is a constant flow of traffic – cars and oversize, large semi-trailer/commercial vehicles – operating 6 days per week (Monday-Saturday 9-6pm). Those large semi-trailer, commercial vehicles make deliveries in the early morning hours and sit in the middle of the street for hours unloading their deliveries. This already creates a very challenging parking situation with not only customer vehicles and delivery trailers blocking access, but also the cars of the warehouse employees. As mentioned above, this warehouse sits directly across from this proposed residential development, as well as at the end of the block of Mississippi Street. To be frank, we don't know how residents would be able to enter or exit this end of the street should this proposed residential development proceed.

Question: What is the developer's plan to mitigate traffic concerns?

4. As residents, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer.

Question: What measures will the developer take to protect the health of the community? Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community?

5. We were only notified of this project when a physical sign was posted on March 13, 2015 at the proposed site. This is not adequate notification for the neighborhood. This gave us 10 days to respond.

Question: Why were the residents not adequately notified of such a proposed development that would significantly impact that the current quality of living? Residents have now raised concerns that the City of San Francisco continues to ignore our neighborhood. This is unacceptable.

6. This project will be quite a nuisance for the neighborhood given the size of the project.

Question: What is the timeline of the project from start to finish? How much of that time is construction? What will be done to minimize the dust and noise? Since the non-based San Francisco developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

7. On the same proposed lot, the original house that sat on this piece of land burned down some years. It is a story that many of our residents remember. The home burned to the ground owing to a lack of fire department access.

Question: What is the developer's plan to ensure that fire department access is addressed?

8. With the proposed Hope development of Potrero annex the increase population density along with traffic will dramatically effect quality of life in this neighborhood.

To summarize, our main concerns are that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues.

Sincerely,

*Dennis
Montalto
1504 25th st. SF 94107*

Jackson, Erika

From: Stephanie Jain Wiguna <stephjain@gmail.com>
Sent: Monday, March 23, 2015 9:03 AM
To: Jackson, Erika
Subject: 1000 Mississippi St / 1001 Texas St. Project

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika,

I am writing because I have been informed of some important changes in the 1001 Texas project that is now changed to 1000 Mississippi St. project. As a resident of Mississippi Street these are just a few of my deeply held concerns below:

1. The changes to this project are no minor modifications
2. The neighbors gathered together and met with the previous project architect in 2008 to go over many concerns. One of which was the garage entrance on Mississippi. The final deal was to change the garage entrance from Mississippi to Texas in 2008. The architect on this project has remained the same from 2008 to present.
3. The plans don't show any parking impact survey or fire department survey for Mississippi Street access. The parking is currently 90 degree and parallel parking. It is so bad that many people park on the sidewalk and sometimes triple park on the street. It is especially bad because of the company Hydroponics on the street, that very often has 18 wheeler trucks offloading and loading materials for the company. The street is already crowded and over capacity. So much so that **a house burned down** at the end of Mississippi St. 15 years ago because the fire department did not have proper access.
4. This project is out of scale with the well established neighborhood.
5. I never received notice of this project and we only heard about this project from the street posting.
6. We don't have enough parking spaces now and with the proposed driveway on Mississippi and fire department red zones similar to the ones noted on the Texas plans we will lose even more spots. We don't have any survey of current parking plans for Mississippi even though the affect will be very large.
7. Overflow and guest parking is better on Texas street, the need for parking spots already exceeds supply on Mississippi.
8. This construction might go on for 2+ years and all construction should be done on Texas Street.
9. There are many families with kids on this street. The planned driveway for Mississippi would increase car traffic and increase the likelihood of accidents with these children that play on the sidewalks and sometimes streets. Not to mention the small size of the road would become even more crowded with cars driving in and out of the new development.
10. 25th Street already has multiple busses driving by that cause a lot of traffic. The increase in traffic would be horrendous.
11. We have learned that the rock materials is carcinogenic and potentially deadly and there have been no reports as to how construction from digging or clearing of the rock will prevent rock dust from flying all over the neighborhood creating unhealthy air for residents all nearby.

We ask that these concerns be taken into consideration and addressed before any approval or construction begins. The Mississippi community is very concerned.

Warm Regards,
Stephanie

Jackson, Erika

From: patricia hunting <patriciahunting@gmail.com>
Sent: Monday, March 23, 2015 10:57 AM
To: Jackson, Erika
Subject: 1000 Mississippi Proposed Building Development

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika,

I learned about the 1000 Mississippi Building project both via a letter from the city announcing the hearing and also via my Mississippi St. neighbors. I can not attend the April 2 meeting, as I have jury duty. Here are my thoughts:

I live on 25th St., between Texas and Mississippi. My concern is that neither Texas St. nor Mississippi St. are great options for the number of cars coming in and out of that project. I would like to know how many new units are going in, how many parking spaces have been designated in the garage, and what the plan for traffic flow will be, as both Mississippi and Texas are small streets. Why can the garage not have exits on both streets? This would alleviate the burden from one over the other.

Additionally, I hope that careful planning has been done for this new development in relation to SFHope's plan to redevelop the projects and add literally 100s of extra units to the existing 623.

An attractive feature of Potrero Hill for me when I bought here in 2003, was that it really felt like a neighborhood, free of high rise buildings and congestion. Had I known that the projects would be replaced with up to 1700 units and that a huge development would be built at the end of tiny Mississippi St., I may have looked elsewhere.

With the boom in tech, it appears that the city of San Francisco has thrown caution to the wind, developing every last square inch of this city with blatant disregard to those of us already living here. I see this as a greedy, disrespectful way of trying to "grow" a city. The growing pains are obvious and no one seems to care. By the time the damage is done, and no one can get in or out of the south side of Potrero Hill, it will be too late.

I submit these comments because the city that I moved to in 1994 that I loved so much is being converted from paradise to hell. If a survey were to be conducted with long term residents, I think that you would receive similar feedback. In fact, many of my friends have already left and others are making plans to do the same. It feels like a mass exodus. All cities grow and change with time, but the rate at which San Francisco is trying to grow is alarming.

Please take these thoughts and suggestions into consideration when finalizing this project.

Respectfully,

Patricia Hunting, CTP
Owner, 1512 25th St., San Francisco, CA 94107

Jackson, Erika

From: Max Schmeder <maxisome@gmail.com>
Sent: Monday, March 23, 2015 1:57 PM
To: Jackson, Erika
Subject: Letter to Commissioners - Case#: 2014.1019C

Follow Up Flag: Follow up
Flag Status: Flagged

Case#: 2014.1019C
Permit#: 2007.05.01.0141

To The Planning Commissioners of the City of San Francisco,

We are writing to express our concern and alarm about the proposed development at 1000 Mississippi St., San Francisco, 94107.

We have been residents of 1060 Mississippi St. since 1981 and we are distressed to see the tranquil character of our little cul-de-sac neighborhood threatened by the vast proportions of the project.

Because the buildings will stand on top of a sharply rising portion of the block, their four-story heights will rise 180 feet above the street level, dwarfing the houses next door, which are zoned R-3.

In absolute height, the proposed development will be the equivalent of an eighteen-story tower, and it will completely dwarf our homes. We live in a two-story Victorian less than 100 yards from the proposed development that rises 30 feet above street level.

The proposed development will rise to six times the height of our house.

We are also concerned about the parking. The developers are providing 28 parking spaces for 28 units, an inadequate number of spaces for a development of multi-bedroom units. The extra cars will be directed to our already parking-saturated street. It is critical that the well-being of our neighborhood be protected by denying access to this new project from Mississippi St. - that includes all foot- and car-traffic - so that spillover parking is exclusively redirected to the adjacent Texas St..

Thank you,

Elena Myers

and

Max Schmeder

1060 Mississippi St.

San Francisco, CA 94107

Jackson, Erika

From: Abigail Morris <abbym10@yahoo.com>
Sent: Monday, March 23, 2015 3:03 PM
To: Jackson, Erika
Subject: Case #2014.1019C, Permit #2007.05.01.0141 (Proposed Decelopment at 1000 Mississippi Street, SF, CA 94107)

Follow Up Flag: Follow up
Flag Status: Flagged

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
From: HOA Boards of 25th Street and Mississippi Streets, San Francisco 94107
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141
To Whom It May Concern:

I am writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107. I am a property owner and HOA board member for a property located on the 1000 block of Mississippi Street. The various HOAs, including mine, and the Neighborhood Association have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. As residents of Mississippi Street and 25th Streets, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer. Until such time as the community has had the opportunity to review and comment on the Environmental Impact Report, given the serious environmental and health concerns this may raise for all residents, no approval should be granted for this project.

Questions:

What measures will the developer take to protect the health of the community?

Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community and provide time to address and concerns raised therein?

Will the developer/City provide access to experts (medical/environmental/geological), at the developer's cost, to discuss these issues and concerns?

2. We were only notified of this project when a physical sign was posted on March 13, 2015 at the proposed site. This is not adequate notification for the neighborhood. This gave us 10 days to respond. Residents have now raised concerns that the City of San Francisco continues to ignore our neighborhood. This is unacceptable.

Question: Why were the residents not adequately notified of such a proposed development that would significantly impact that the current quality of living?

3. This project will be quite a nuisance for the neighborhood given the size of the project.

Questions:

What is the timeline of the project from start to finish?

How much of that time is construction?

During what days and hours will construction/excavation be permitted if the project is approved?

What will be done to minimize the dust and noise?

Since the non-San Francisco based developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

4. On the same proposed lot, the original house that sat on this piece of land burned down some years. It is a story that many of our residents remember. The home burned to the ground owing to a lack of fire department access.

Question: What is the developer's plan to ensure that fire department access is addressed?

5. The scale of the proposed residential project is not within the existing size or height of the current residential or commercial developments on the block. The proposed height of the development is 180 feet from the street level of Mississippi Street to the roofline of the four 4-story buildings. While we understand that the site at 1000 Mississippi Street sits above the existing street level, this is of great concern as it does not fit into the existing neighborhood, and it will impact adjacent neighbors. The residential buildings adjacent to this proposed development are 60 feet in height from the street level to the roof of the buildings, a difference of 120 feet.

Questions:

How can the builder build to this height?

Isn't this in violation of San Francisco's city building codes?

6. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Questions:

What is the developer's plan to fit into the neighborhood character?

What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?

7. Traffic is already a major concern on the 1000 block of Mississippi Street due to the garden supply business that operates at the end of the cul-de-sac at 1025-1035 Mississippi Street. SF Garden Supply occupies an extremely large warehouse of approx. 20,000 sq.ft. that specializes in commercial-grade organic growing supplies. There is a constant flow of traffic – cars and oversize, large semi-trailer/commercial vehicles – operating 6 days per week (Monday-Saturday 9-6pm). Those large semi-trailer, commercial vehicles make deliveries in the early morning hours and sit in the middle of the street for hours unloading their deliveries. This already creates a very challenging parking situation with not only customer vehicles and delivery trailers blocking access, but also the cars of the warehouse employees. As mentioned above, this warehouse sits directly across from this proposed residential development, as well as at the end of the block of Mississippi Street. To be frank, we don't know how residents would be able to enter or exit this end of the street should this proposed residential development proceed.

Question: What is the developer's plan to mitigate traffic concerns?

To summarize, our main concerns are that the potential serious environmental and health concerns of the community have not been addressed, there has been no access provided to the Environmental Impact Report and that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues. These are serious concerns that must be adequately addressed prior to any approval of the project.

Sincerely,

Abigail M. Morris
Attorney at Law
1050 Mississippi Street, Unit 1
1050 Mississippi Street Homeowner's Association.

Jackson, Erika

From: sunny outdoors <sunny_outdoors@yahoo.com>
Sent: Monday, March 23, 2015 3:16 PM
To: Jackson, Erika
Cc: lalitha@gmail.com
Subject: : 1000 Mississippi St plans
Attachments: 1000 Mississippi 1001 Texas protest letter.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika Jackson,

Enclosed is my letter of protest for 1000 Mississippi.
Due to limited time, I rushed a letter to you.

From: "Jackson, Erika" <erika.jackson@sfgov.org>
To: sunny outdoors <sunny_outdoors@yahoo.com>
Cc: "lalitha@gmail.com" <lalitha@gmail.com>
Sent: Wednesday, March 18, 2015 9:22 AM
Subject: RE: 1000 Mississippi St plans

Hi Winnie,

I don't have a digital copy of the plans from project approved in 2008. I only have a digital version of the approval motion (attached). If you want to see the plans from the approved project, let me know and I can put the case file at our reception desk for you to view.

To answer your questions, the project is coming back for a new approval because they are adding a second garage entrance on Mississippi. The originally approved garage entrance on Texas is remaining the same. The unit count is staying the same, but the project is actually getting smaller - the square footage of the project has decreased from 51,965 to 45,378.

The final report and plans will be available 1 week prior to the hearing.

Let me know if you have any further questions and/or if you will be coming in to review the old case file.

Thanks,
Erika

From: sunny outdoors [mailto:sunny_outdoors@yahoo.com]
Sent: Tuesday, March 17, 2015 6:54 PM
To: Jackson, Erika
Cc: lalitha@gmail.com
Subject: Re: 1000 Mississippi St plans

Pls send OLD plans of 1000 Mississippi

It seems like it's LARGER than the original plans.

It seems like the main access is on Mississippi instead of Texas, which was the original plans.

The building seems like it is way larger than the original plans. It is out of scale with the established neighborhood.

The drawings you sent to me today doesn't confirm it's a 28 unit building. There's no summary table block of the plans.

Please also send copies to my neighbor

lalitha@gmail.com

===

For written responses and email responses, how should the neighbors respond to the planning department in charge.

thank you

Winnie on Mississippi

SIGNATURE:

==

Producing meat consumes the most amount of precious WATER. Please conserve water by eating less meat.

From: "Jackson, Erika" <erika.jackson@sfgov.org>
To: sunny outdoors <sunny_outdoors@yahoo.com>
Sent: Tuesday, March 17, 2015 4:21 PM
Subject: RE: 1000 Mississippi St plans

Hi Winnie,

Thanks for your email. I will send you the most current plans that I have, but please understand that they are subject to change prior to when they are put in the staff report 1 week before the hearing.

If you would like to include a letter in the staff report, please make sure I have that by 9am on Monday, March 23. Of course, you can also come to the hearing to speak the Planning Commissioners directly about any concerns.

Thanks,
Erika

From: sunny outdoors [mailto:sunny_outdoors@yahoo.com]
Sent: Tuesday, March 17, 2015 2:49 PM
To: Jackson, Erika
Subject: 1000 Mississippi St plans

hi there, I was wondering when is the deadline to protest this project?

by any chance you can email me their latest plans? I know I can get them 1 week before the hearing. There might be something you can send to me for the time being,

Thanks,

I'm a neighbor

Winnie
415 990 9861

March 21, 2015

To: The Planning Commissioners of the City of San Francisco

From: HOA Boards of 25th Street and Mississippi Streets, San Francisco 94107

RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107

Case#: 2014.1019C

Permit#: 2007.05.01.0141

To Whom It May Concern:

My name is Winnie Seto and I live on 1056 Mississippi Street.

I am opposing the 1000 Mississippi/1001 Texas project completely. The project now wants to make a driveway on Mississippi St instead of Texas Street, that was not the plan in the 2008 when the neighbors met with the architectures MANY times at his office on 300 Beal Street, SF CA.

THAT WAS THE DEAL that was to have the driveway on Texas St. ONLY.

Now the new plans mean the removal of 1 million cubic feet of dirt that contains asbestos, without an environmental review. We have people including children that live in the neighborhood that will have lifetime health issues due to lifetime breathing issues. My father had asbestos in his lungs from his work and was unable to work or breathe properly at the young age of 40. Overall the asbestos on Mississippi is not healthy to breathe.

The asbestos will go all over the food bank which they have their food inside and outside their building. You can see clearly they have thousands of pounds of food including fresh produce outside their parking lot.

About fifteen years ago, a small house on the same location as this proposed building burned all the way to the ground because the fire department did not have fire hydrants on Mississippi or Texas street. The trucks were clogged between cars at the end of the street and ran over their own hoses and never got water on the fire. At the time, the fire department didn't see the fire hydrant. This is a factual report.

The closest fire hydrant currently is on corner of 25th Street and Mississippi. It's on the corner of a house and not visible on Mississippi St.

The mega monster buildings will block on sunlight not only to our side of the homes but blocking the expensive solar panels installed at the Food Bank.

Traffic on Mississippi has cars coming into the dead end streets all the time. Residences are trying to navigate this tight dead end street on a daily basis.

I have just ONLY 10 days' notice; I would like to put this email in the package to the planning committee on March 23, 2015.

I think this project is trying to pull a rug under the neighborhood for the sake of personal financial greed. After finding out what's going to happen to our neighborhood is just one of many small steps that is making San Francisco a not so good place to live or to raise a family.

Please feel free to give me a call if you have any questions at 415-990-9861. I will be at the April 2 meeting. Unfortunately, I had to take time off from work so I can attend. There are neighbors would like to come to the meeting but cannot afford to or unable to take time off for the meeting.

Further meetings can we please have it after work hours?

See you on at the April 2, Meeting, Thank you,

Winnie Seto

Jackson, Erika

From: 6900@zandeslabs.com
Sent: Monday, March 23, 2015 9:45 PM
To: Jackson, Erika
Subject: Mississippi St Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Ian Avidan

1062 Mississippi St

San Francisco CA

In Regards to 1001 Texas St/ 1000 Mississippi

Changes to the project are not minimal modifications. Neighbors got together and met the previous architects in 2008 to go over many concerns.

The main concern was on the garage entrance on Mississippi St.

The final deal was to change the garage entrance to Texas St. in 2008.

The architect on the project has remained the same from 2008-present.

The plan does not show any parking impact survey, or fire department survey for the Mississippi St. access.

The parking now is 90 degree and parallel parking. It is so many people, people park on the sidewalk.

A house burnt down 15 years ago due to the fire department not having proper access on Mississippi St.

This project is out of scale with the well-established neighborhood. The neighborhood has changed since 2008.

I never received notice of this project. Only heard about it from a side walk posting.

We don't have enough parking spaces now and with the proposed driveway on Mississippi St. and fire department red zones similar to the ones noted on Texas St. we will lose even more spots.

We do not have any survey of the current parking plan for Mississippi.

Over flow and guest parking on Texas St. is better. Parking space exceeds demand on Mississippi St.

This construction project might go on for 2 years. All construction access should be on Texas St.

This is an Arizona land speculator.

The earths grading will put asbestos in the air from the serpentine rocks.

Lead and asbestos will also be put in the ground and airs from the assisting house on the lot were the construction will begin.

No environment impact has been published on the impact of the neighborhood due to the construction of this project.

Sincerely,

Ian Avidan

Ian Avidan

Jackson, Erika

From: Darien Behravan <dbehavan@gmail.com>
Sent: Monday, March 23, 2015 10:20 PM
To: Jackson, Erika
Subject: 1000 Mississippi project

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms.Jackson

My name is Darien Behravan and I am a chronic pain and spine physician. I actually treat many employees from the City and county of San Francisco in my practice for work related injuries and chances are if you know anyone that works for the city and county of SF and if they have sustained a work related injury and live in the East Bay they have seen me as a patient.

I have grave concerns regarding this 1000 Mississippi project and what you see in action here is a typical Big Builder's effort to abuse and misuse the system.

First and foremost the city of San Francisco is becoming unaffordable for normal everyday people and I am saddened to see equal housing opportunities for low income family being vanished. And now we have a builder who feels so ashamed to name their project what it is - which is a Texas street address- because they do NOT want to affiliate or associate themselves with good honest low income families on Texas street.

This is absolutely appalling to see. The homes are to be built on TEXAS STREET and their address is to be what it is, who has ever heard of anyone pulling such a stunt in order to give a false sense of presence to their homes ?? The ONLY reason this builder does not want a texas street address is because Texas street is for good honest low income families and this builder is manipulating the system in place in order to get a Mississippi address so that they can sell their condos for even more money that average families can not afford. This builder should be ashamed of themselves.

I would actually make this builder rebuild or renovate one residence / home in the Potrero hill Low income section housing. They once again want a Mississippi people simply to con potential buyers into thinking the condos are not on Texas. This is such a dishonest act and moreover I would like to ask the builder ONE simple question " Why are you trying to change the address from where the homes are being built to a false address ? "

Furthermore back in 2008 the previous project architect had the courtesy and professionalism to meet with the residents of Mississippi street and the agreement and final deal was that the garage entrance would be changed from Mississippi to Texas and I am sure you can simply ask him and if this architect who has remained the same person with the new project and builder has any professionalism left in him he can corroborate that.

As it is on Mississippi street we do not have enough parking as it is and we park on 25th street. The project will not have enough parking for its residents and the overflow will naturally end up on our street whereas there are far far more parking spots on Texas street than Mississippi street. People are now parking on side walks on Mississippi street.

Furthermore the plans do not show any parking impact survey or fire department survey for Mississippi street access, we have had homes burn down on this street with inadequate and substandard Fire department access.

Another issue is the fact that this builder decided to pull another fast one by not ever notifying the residents of Mississippi street bur rather street posting. Ms.Jackson are you surprised at this fact given what you have seen so far from this builder.

Furthermore there are a lot of new borns on this street of ours and my daughter likes to go play on the side walk. As a physician I don't have to be reminded of the health hazards of Asbestos and what exposure to this dangerous chemical will do to our lungs specially the young immature lungs of new borns. The land is made of Serpentine Rock which will put so much asbestos in the air over this 2 year project. Over the next two years they will most likely excavate on average at least between 500 to 1 million cubic square of this dangerous rock and giving this project which is on Texas street access on Mississippi street will simply put our children at Danger.

I am sure Ms.Jackson you are familiar with the lay out of Texas street but Texas street is a mostly undeveloped street which is overlooked by the low income housing projects and there are far more street parkings and access points on Texas street than Mississippi.

Another concern of mine is the impact that this project will have on the low income housing people living in Potrero. This project which will be about 8-10 stories high is not only out of scale and proportion with the well established Neighborhood but it will also intimidate and obstruct the views of those living in those low income housing who deserve to have a nice view of the East Bay as much as we all do.

Please Ms.Jackson do your usual thorough due diligence that you are known for in this case and do not allow this builder take advantage of the people first and the system second.

I will gladly attend the up coming meeting and verbalize these concerns should you wish me to do so.

My cell number is 4159489903

Thank you

--

Darien Behravan D.O., AQPM
Pain Management
Interventional Spine & Pain
Musculoskeletal Medicine
Anesthesiology

Jackson, Erika

From: Richard Lee <richard@richardlee.name> on behalf of Richard Lee <richard@lee.name>
Sent: Tuesday, March 24, 2015 2:16 PM
To: Jackson, Erika
Subject: Re: 1000 Mississippi Construction

Follow Up Flag: Follow up
Flag Status: Flagged

These developers are not from San Francisco, or even California. Are they allowed to build here without a local contact? It seems like their lack of community notice and involvement does not fit with the character of our city.

Where are these discussions going to be held? Do I contact Ryan Egan to learn more?

Richard
Key ID: 1BDD3DC4DDB5E343

> On Mar 24, 2015, at 2:05 PM, Jackson, Erika <erika.jackson@sfgov.org> wrote:
>
> It will not be heard on April 2. Many neighbors asked for more time to discuss the project, so the Project Sponsor decided to go ahead and continue the project to April 30 to allow time for discussions. The project sponsor contact info is as follows:
>
> Heights Properties, LLP
> Ryan Egan
> 6179 E. Broadway Blvd.
> Tucson, AZ 85711
> Office (520)512-0020
> Fax (520)512-1000
> ryan@heightspropertiesllp.com
>
> Thanks,
> Erika
>
> -----Original Message-----
> From: Richard Lee [<mailto:richard@richardlee.name>] On Behalf Of
> Richard Lee
> Sent: Tuesday, March 24, 2015 1:57 PM
> To: Jackson, Erika
> Subject: Re: 1000 Mississippi Construction
>
> So, I just received a letter in the mail yesterday saying that the hearing was on April 2nd. Is that not the case? You should send out a followup ASAP, as people are probably making plans to take off work to be there.
>
> How do I get in contact with the 'project sponsor'?
>
> Richard
> Key ID: 1BDD3DC4DDB5E343

>

>

>> On Mar 24, 2015, at 1:35 PM, Jackson, Erika <erika.jackson@sfgov.org> wrote:

>>

>> Thank you for your email. Your email will be included in the Planning Commission packet. With that said, the Project Sponsor has decided to postpone the Planning Commission hearing date to April 30 to allow more time to work with surrounding neighbors. You will be notified regarding upcoming community meetings to discuss the project.

>>

>> Thanks,

>> Erika

>>

>>

>> Erika S. Jackson, AICP, LEED AP

>> Planner, Current Planning

>>

>> Planning Department, City and County of San Francisco

>> 1650 Mission Street, Suite 400, San Francisco, CA 94103

>> Direct: 415-558-6363 Fax: 415-558-6409

>> Email: erika.jackson@sfgov.org

>> Web: www.sfplanning.org

>>

>>

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

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

>>

>>

>>

>>

>> -----Original Message-----

>> From: Richard Lee [<mailto:richard@richardlee.name>] On Behalf Of

>> Richard Lee

>> Sent: Sunday, March 22, 2015 11:50 PM

>> To: Jackson, Erika

>> Subject: 1000 Mississippi Construction

>>

>> Hello-

>>

>> It's come to my attention that there is a large new development proposed for the 1000 end of Mississippi. As you may know, Mississippi has no outlet on that end, so all traffic from the new development will need to exit at the 1099 end. Also, there is not a lot of available street parking on Mississippi street, and little other street parking nearby due to the heavy Caltrain commuter use. Building a number of new multi bedroom homes but without providing off street parking for more than one car per unit seems a recipe for increased parking problems. Also, I would strongly suggest that an exit on Texas street be used in addition to, or instead of, Mississippi Street.

>>

>> Additionally, I have not seen anything in the current plans that addresses any sort of integration of the new development into the existing neighborhood. One aspect that would be much appreciated would be a green strip with right of way access for the public connecting the 1000 end of Mississippi to Texas street. If this development intends instead to be a private barrier rather than a public connector between the far ends of Texas and Mississippi streets, I feel it is ill suited for our community.

>>

>> Also, I am perplexed as to why this construction is seemingly coming 'out of the blue'. Compared to the Rebuild Potrero project, which has done extensive outreach to the community, listening to and incorporating a lot of feedback,

this development seem to be imposed upon the community with no outreach or consideration. It does not bode well for an amicable relationship between the developer and the existing residents.

>>

>> Richard Lee

>> HOA Treasurer

>> 1099 Mississippi Street Apt 9

>> San Francisco, CA 94107

>

Jackson, Erika

From: Laura Tracy <laurajtracy@gmail.com>
Sent: Tuesday, March 24, 2015 3:51 PM
To: Jackson, Erika
Subject: 1000 Mississippi St Project lack of community review

Follow Up Flag: Follow up
Flag Status: Flagged

To: The Planning Commissioners of the City of San Francisco
Cc: Ryan Egan, Heights Properties, LLP
From: HOA Boards of 25th Street and Mississippi Streets, San Francisco 94107
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case#: 2014.1019C
Permit#: 2007.05.01.0141
To Whom It May Concern:

I am writing in response to an upcoming planned and proposed residential development at 1000 Mississippi Street, San Francisco, CA 94107. I am a property owner and HOA board member for a property located on the 1000 block of Mississippi Street. The various HOAs, including mine, and the Neighborhood Association have several concerns that the non-San Francisco developer must address before moving ahead with this project.

1. As residents of Mississippi Street and 25th Streets, we are concerned with the fact that we have not seen NOR read the Environmental Impact Report. In addition, the hillside is made up of rock that will need to be removed in order to build the development contains serpentinite, which contains chrysotile asbestos, a known carcinogen, which has been known to cause cancer. Until such time as the community has had the opportunity to review and comment on the Environmental Impact Report, given the serious environmental and health concerns this may raise for all residents, no approval should be granted for this project.

Questions:

What measures will the developer take to protect the health of the community?

Will the developer and/or the City of San Francisco share the Environmental Impact Report with the community and provide time to address and concerns raised therein?

Will the developer/City provide access to experts (medical/environmental/geological), at the developer's cost, to discuss these issues and concerns?

2. We were only notified of this project when a physical sign was posted on March 13, 2015 at the proposed site. This is not adequate notification for the neighborhood. This gave us 10 days to respond. Residents have now raised concerns that the City of San Francisco continues to ignore our neighborhood. This is unacceptable.

Question: Why were the residents not adequately notified of such a proposed development that would significantly impact that the current quality of living?

3. This project will be quite a nuisance for the neighborhood given the size of the project.

Questions:

What is the timeline of the project from start to finish?

How much of that time is construction?

During what days and hours will construction/excavation be permitted if the project is approved?

What will be done to minimize the dust and noise?

Since the non-San Francisco based developer is looking to significantly profit from this community, what are his/her plans to improve the neighborhood – an area that is seriously lacking in community-shared green space?

4. On the same proposed lot, the original house that sat on this piece of land burned down some years. It is a story that many of our residents remember. The home burned to the ground owing to a lack of fire department access.

Question: What is the developer's plan to ensure that fire department access is addressed?

5. The scale of the proposed residential project is not within the existing size or height of the current residential or commercial developments on the block. The proposed height of the development is 180 feet from the street level of Mississippi Street to the roofline of the four 4-story buildings. While we understand that the site at 1000 Mississippi Street sits above the existing street level, this is of great concern as it does not fit into the existing neighborhood, and it will impact adjacent neighbors. The residential buildings adjacent to this proposed development are 60 feet in height from the street level to the roof of the buildings, a difference of 120 feet.

Questions:

How can the builder build to this height?

Isn't this in violation of San Francisco's city building codes?

6. The additional 28 units that are proposed would increase the existing density of the neighborhood by 70%. Currently, there are 4-condo developments (mostly single buildings) on the east side of the street that range in size from 4 to 8 units and 1 garden supply business that occupies a very large portion of the block at the dead-end of the street across from the proposed residential development. On the west side of the street, there are 3 condo buildings ranging in size from 2 to 3 units and 3 single-family homes. In total, there are approximately 40 existing residential units on the entire block.

Questions:

What is the developer's plan to fit into the neighborhood character?

What is the developer's plan to reduce traffic congestion, noise, and pollution from Mississippi Street given the fact that the street is already overly congested with outside traffic, as well as street parking by residents and 22nd Street Caltrain station visitors?

7. Traffic is already a major concern on the 1000 block of Mississippi Street due to the garden supply business that operates at the end of the cul-de-sac at 1025-1035 Mississippi Street. SF Garden Supply occupies an extremely large warehouse of approx. 20,000 sq.ft. that specializes in commercial-grade organic growing supplies. There is a constant flow of traffic – cars and oversize, large semi-trailer/commercial vehicles – operating 6 days per week (Monday-Saturday 9-6pm). Those large semi-trailer, commercial vehicles make deliveries in the early morning hours and sit in the middle of the street for hours unloading their deliveries. This already creates a very challenging parking situation with not only customer vehicles and delivery trailers blocking access, but also the cars of the warehouse employees. As mentioned above, this warehouse sits directly across from this proposed residential development, as well as at the end of the block of Mississippi Street. To be frank, we don't know how residents would be able to enter or exit this end of the street should this proposed residential development proceed.

Question: What is the developer's plan to mitigate traffic concerns?

To summarize, our main concerns are that the potential serious environmental and health concerns of the community have not been addressed, there has been no access provided to the Environmental Impact Report and that the non-San Francisco-based developer is looking to build an oversized development in our community that is out-of-scale with present, existing residential and commercial buildings. The new proposed development will significantly increase traffic, noise, and congestion, which will negatively impact our quality of life. All of this is at the profit of the developer and does nothing for our community. He/she has everything to gain and we are left with the increased pollution, traffic, and possibly some health issues. These are serious concerns that must be adequately addressed prior to any approval of the project.

Sincerely,

Laura Tracy

Owner and member; Mississippi St HOA

Jackson, Erika

From: patricia hunting <patriciahunting@gmail.com>
Sent: Tuesday, March 24, 2015 7:32 PM
To: Jackson, Erika
Subject: Re: 1001 (not 1000) Mississippi Proposed Building Development

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Erika. I will be out of the country on the 30th, but please include my comments. I saw that the complex has 28 units & seems to have 1 space per unit. I wonder about the 28 street parking spots? I do not believe that there are that many at present on Mississippi.

Best,
Patricia

On Tuesday, March 24, 2015, Jackson, Erika <erika.jackson@sfgov.org> wrote:

Thank you for your email. Your email will be included in the Planning Commission packet. With that said, the Project Sponsor has decided to **postpone the Planning Commission hearing date to April 30** to allow more time to work with surrounding neighbors. You will be notified regarding upcoming community meetings to discuss the project.

Thanks,

Erika

**Erika S. Jackson, AICP, LEED AP
Planner, Current Planning**

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6363 **Fax:** 415-558-6409

Email: erika.jackson@sfgov.org

Web: www.sfplanning.org



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

From: patricia hunting [mailto:patriciahunting@gmail.com]
Sent: Monday, March 23, 2015 12:00 PM
To: Jackson, Erika
Subject: Re: 1001 (not 1000) Mississippi Proposed Building Development

Hi Erika,

I just wrote to you about 1001 Mississippi, not 1000.

Thank you!

Best,

Patricia Hunting

On Mon, Mar 23, 2015 at 1:56 PM, patricia hunting <patriciahunting@gmail.com> wrote:

Dear Erika,

I learned about the 1000 Mississippi Building project both via a letter from the city announcing the hearing and also via my Mississippi St. neighbors. I can not attend the April 2 meeting, as I have jury duty. Here are my thoughts:

I live on 25th St., between Texas and Mississippi. My concern is that neither Texas St. nor Mississippi St. are great options for the number of cars coming in and out of that project. I would like to know how many new units are going in, how many parking spaces have been designated in the garage, and what the plan for traffic flow will be, as both Mississippi and Texas are small streets. Why can the garage not have exits on both streets? This would alleviate the burden from one over the other.

Additionally, I hope that careful planning has been done for this new development in relation to SFHope's plan to redevelop the projects and add literally 100s of extra units to the existing 623.

An attractive feature of Potrero Hill for me when I bought here in 2003, was that it really felt like a neighborhood, free of high rise buildings and congestion. Had I known that the projects would be replaced with up to 1700 units and that a huge development would be built at the end of tiny Mississippi St., I may have looked elsewhere.

With the boom in tech, it appears that the city of San Francisco has thrown caution to the wind, developing every last square inch of this city with blatant disregard to those of us already living here. I see this as a greedy, disrespectful way of trying to "grow" a city. The growing pains are obvious and no one seems to care. By the time the damage is done, and no one can get in or out of the south side of Potrero Hill, it will be too late.

I submit these comments because the city that I moved to in 1994 that I loved so much is being converted from paradise to hell. If a survey were to be conducted with long term residents, I think that you would receive similar feedback. In fact, many of my friends have already left and others are making plans to do the same. It feels like a mass exodus. All cities grow and change with time, but the rate at which San Francisco is trying to grow is alarming.

Please take these thoughts and suggestions into consideration when finalizing this project.

Respectfully,

Patricia Hunting, CTP

Owner, 1512 25th St., San Francisco, CA 94107

Jackson, Erika

From: Max Schmeder <maxisome@gmail.com>
Sent: Friday, April 03, 2015 7:29 AM
To: Jackson, Erika
Subject: Appealing a Conditional Use

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Jackson,

In 2008 a conditional use application was granted by the planning commission for a development that was never begun. It's now clear to us that the pretexts presented to the commission for the conditional use (a PUD) were misleading. This was for the parcels between 1000 Mississippi St. and 1001 Texas St.

What is the procedure for requesting the commission to reconsider the conditional use?

thank you,
Max Schmeder
1060 Mississippi St.
(415) 407-8334

Jackson, Erika

From: Adalbert Wysocki <adalbertwysocki@gmail.com>
Sent: Monday, April 06, 2015 1:44 PM
To: Jackson, Erika
Cc: Lin Koh
Subject: Re: 1000 Mississippi St Development Project

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Erika,

I just left a message on your voice mail.

I would like to understand what is the purpose of the April 30th hearing and how this hearing plays in regards to the numerous exceptions that the project had granted in 2008.

As you hopefully saw, the interest from the neighborhood in regards to this project is much higher than in 2008 and we expect certain unacceptable aspects of the project reconsidered.

I would appreciate your prompt response as we need to come up with an action plan adapted to the status of the project.

Best,
Adalbert

On Mar 24, 2015, at 1:37 PM, Jackson, Erika <erika.jackson@sfgov.org> wrote:

Thank you for your email. Your email will be included in the Planning Commission packet. With that said, the Project Sponsor has decided to **postpone the Planning Commission hearing date to April 30** to allow more time to work with surrounding neighbors. You will be notified regarding upcoming community meetings to discuss the project.

Thanks,
Erika

**Erika S. Jackson, AICP, LEED AP
Planner, Current Planning**

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-558-6363 **Fax:** 415-558-6409

Email: erika.jackson@sfgov.org

Web: www.sfplanning.org

<image001.png> <image002.png> <image003.png> <image004.png> <image005.png>

Planning Information Center (PIC): 415-558-6377 or pic@sfgov.org
Property Information Map (PIM): <http://propertymap.sfplanning.org>

From: Adalbert Wysocki [mailto:adalbertwysocki@gmail.com]
Sent: Friday, March 20, 2015 1:47 PM
To: Jackson, Erika
Cc: msarjapur@reubenlaw.com; ryan@heightspropertiesllp.com; Lin Koh
Subject: 1000 Mississippi St Development Project

March 20, 2015

To:

- Erica Jackson, planner for the project 1000 Mississippi St
- The Planning Commissioners of the City of San Francisco

CC: Melinda A. Sarjapur, REUBEN, JUNIUS & ROSE LLP

CC: Ryan Egan, Heights Properties, LLP

RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107

Case No. 2014.1019C

Permit No. 2007.05.01.0141

This letter is being written in response to the proposed residential development noted above on behalf of Adalbert Wysocki and Lin Koh owners of 1032 Mississippi St property and directly next to the new development.

First and before all, most of us on Mississippi learned about the development from the public hearing display that was first placed on the week end of March 12th 2015. It is unacceptable that the residents the closest and most impacted by the new development were omitted from the initial notification sent in June 2014. **Therefore we request as of now to put the project on standby to give us the time to get familiar with all the documentation and assess the project viability.**

As of now we identified several concerns:

- 1 The scale of the project is not in line with the existing size or height of the current developments on the block that is limited to 40 feet. The proposed height of development is 181 feet from the street level of Mississippi to the roofline of the 4 stories of the buildings. This is more than **4 times the height of our building!**
- 2 The windows of the new development give directly into our windows and our roof patio. **This is a great concern for our privacy.**
- 3 The new development notice mentions 28 units, mostly 2 bedrooms but also 3 and 4 bedrooms for only 28 parking spots in an underground garage. The parking on Mississippi St is already a great concern due to:
 - limited number of parking spots
 - traffic generated from the SF Garden Supply, the business occupying the warehouse across the street.
 - cal train commuters parking in the street for the day**The number of parking spots is definitely too low and needs to be revised along with the overall parking strategy.**
- 4 It appears that the plans show a parking entrance on Mississippi St just next to our property. This will have a disturbance next to our walls (sound and vibrations) but also will only make worse the parking situation on the street (entrance availability, fire department restrictions). What is surprising is that this entrance for Mississippi St was removed during the 2008 project revision due to protests from the community but is now

back??? What changed? **We categorically request that the parking entrance on Mississippi St is removed but also that only an emergency exists is located on Mississippi St (no entrance as this would make people park on the street)**

- 5 The excavation required for this project will directly impact our building and might have an **impact on our foundations**. This is a great concern for the long-term stability of our property.
- 6 The rock that will need to be removed in order to build the development has serpentinite, which contains chrysotile asbestos, a known carcinogen. How the excavation will be handled to prevent any **emanations of chrysotile asbestos particles in the air that might have a long term fatal impact on the health of our community**.

We are looking forward for the new timeline for the hearing and detailed answers to each of the concerns and requests listed above. For clarification purpose, we am contesting this project for the above reasons, and will continue to do so until each of our concerns are addressed.

Best regards,
Adalbert Wysocki & Lin Koh
1032 Mississippi St
San Francisco CA 94107

Jackson, Erika

From: Adalbert Wysocki <adalbertwysocki@gmail.com>
Sent: Monday, April 13, 2015 2:23 PM
To: Jackson, Erika
Cc: jim walter; Max Schmeder; Melissa; Kerry McCartney
Subject: Postponing '1000 Mississippi St / 1001 Texas St' Project Public Hearing to May 30th

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Erika,

I just left a message on your voice mail.

31 neighbors met with the developer last Wednesday, and our concerns about the development project only increased.

We would like to request postponing the hearing scheduled for April 30th.

The developer is asking for Conditional Use and exceptions and we need time to understand and analyze this information.

Considering that none of us was notified mid-2014, what would have given us time to work with the developer, we consider this is our right to request postponing the hearing to May 30th.

Looking forward for a response from you,

Best,
Adalbert Wysocki
1032 Mississippi St

Jackson, Erika

From: Melissa <melrosemelissa@yahoo.com>
Sent: Tuesday, April 14, 2015 3:12 PM
To: Jackson, Erika
Cc: Adalbert Wysocki; jim walter; Max Schmeder; Kerry McCartney
Subject: Re: Postponing '1000 Mississippi St / 1001 Texas St' Project Public Hearing to May 30th

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for looking into this. I check my mail daily and I did not receive this. We do often have problems with the mail being delivered to the wrong addresses frequently.

Sent from my iPhone

> On Apr 14, 2015, at 11:44 AM, Jackson, Erika <erika.jackson@sfgov.org> wrote:
>
> Hi Melissa,
> I double checked the mailing list that notices were mailed to and I do see your address listed. Here is the information that we sent the notice to:
>
> 4224 171 McCartney-Adams 1030 Mississippi St San Francisco CA 94107
>
> I'm not sure why the post office did not deliver this notice to your address. We mailed the notice on March 20, 2015. This was a required 10-day notice in advance of the original April 2, 2015 hearing date. An on-site poster notice and a newspaper ad are also required in addition to the mailed notice per the Planning Code.
>
> Regarding the request to delay the hearing - I have forwarded this request to the Project Sponsor. The Planning Department cannot postpone a hearing date. This request has to come directly from the Project Sponsor or from a Planning Commissioner.
>
> Thanks,
> Erika
>
>
> Erika S. Jackson, AICP, LEED AP
> Planner, Current Planning
>
> Planning Department, City and County of San Francisco
> 1650 Mission Street, Suite 400, San Francisco, CA 94103
> Direct: 415-558-6363 Fax: 415-558-6409
> Email: erika.jackson@sfgov.org
> Web: www.sfplanning.org
>
>
> Planning Information Center (PIC): 415-558-6377 or pic@sfgov.org
> Property Information Map (PIM): <http://propertymap.sfplanning.org>
>

>
>
> -----Original Message-----
> From: Melissa [<mailto:melrosemelissa@yahoo.com>]
> Sent: Monday, April 13, 2015 3:10 PM
> To: Adalbert Wysocki
> Cc: Jackson, Erika; jim walter; Max Schmeder; Kerry McCartney
> Subject: Re: Postponing '1000 Mississippi St / 1001 Texas St' Project
> Public Hearing to May 30th
>
> Erica,
>
> I live at 1030 Mississippi St., the building that will sit adjacent to the proposed development. I was not notified about this development outside of the posting of a physical sign on March 13th, 2015.
>
> The developer did not answer my question as to why I was not notified by mail prior to his sign posting. I find this completely unacceptable as a SF tax payer, not to mention doesn't this violate the required process the developer must adhere to?
>
> I too request this hearing be delayed.
>
> Best regards,
>
> Melissa Adams
> 1030 Mississippi St.
>
> Sent from my iPhone
>
>> On Apr 13, 2015, at 2:22 PM, Adalbert Wysocki <adalbertwysocki@gmail.com> wrote:
>>
>> Dear Erika,
>> I just left a message on your voice mail.
>> 31 neighbors met with the developer last Wednesday, and our concerns about the development project only increased.
>> We would like to request postponing the hearing scheduled for April 30th.
>> The developer is asking for Conditional Use and exceptions and we need time to understand and analyze this information.
>> Considering that none of us was notified mid-2014, what would have given us time to work with the developer, we consider this is our right to request postponing the hearing to May 30th.
>>
>> Looking forward for a response from you,
>>
>> Best,
>> Adalbert Wysocki
>> 1032 Mississippi St
>

Jackson, Erika

From: Max Schmeder <maxisome@gmail.com>
Sent: Tuesday, April 14, 2015 6:27 PM
To: Jackson, Erika
Cc: Adalbert Wysocki; Tony Kelly; J.R. Eppler; Alison Heath; rod minott; Jim Vendetti
Subject: Regarding the height of 1000 Mississippi St.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Jackson,

I recently left a phone message for you, but I want to give you a more detailed account of my message in writing.

Having looked into the planning code, it seems to me that the project was improperly approved in 2008. The building's Mississippi Street frontage should have been measured from the Mississippi Street curb, and restricted to 40 feet. In addition, PUD usage should not have been granted because PUD conditions categorically forbid height exemptions beyond "minor deviations."

Mr. Egan Sr. explained to me that the Texas st. elevation is being used for measuring the height of the project, but if true, this is an error.

In the case of developments with two street frontages, Planning Code Section 102.12(d) gives the builder discretion to choose the street from which to measure the height of the buildings, but that baseline standard only extends as far as the midway line equidistant between the two streets (or 100 feet into the lot, whichever is larger). Beyond the midway line, the height should be measured from the curb of the opposite street, i.e. Mississippi Street. (See 102.12(b-c), to which 102.12(d) defers)

The developer has requested a modification for the method of height measurement, citing Planning Code Section 260, and I understand that you have already clarified that this request refers to another aspect of height. Indeed, §260 should not have bearing here since it merely adds new rules for laterally sloping streets and certain other exceptional uses, but doesn't modify the fundamental rules for establishing height.

The developer will be re-seeking PUD approval, but PUD provisions expressly forbid any height exemptions beyond "minor deviations" ("Under no circumstances be excepted from any height limit...") For all of the potential exemptions that come with PUD status, height beyond "minor deviations" is not one of them. In fact, the PUD code contains an additional "anti-loophole" provision against attempts to circumvent the "purposes or intent" of the height restrictions.

As far as I can tell, this design shouldn't have been approved in 2008. Moreover, it was and remains out of compliance with the conditions for PUD approval.

I hope we can talk about this over the phone soon.

Respectfully,
Max Schmeder
(415) 407-8334

Jackson, Erika

From: Alison Heath <alisonheath@sbcglobal.net>
Sent: Wednesday, April 15, 2015 12:09 PM
To: Jackson, Erika
Subject: Re: 1000 Mississippi Street

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Erika,

It seems to me that, although the current design shows that the project steps down some, the height issues described below remain a problem:

"Massing/Height Must Reflect the Topography. Building massing/heights need to reflect topography of hillside site and step with the hillside - both from Texas Street down to Mississippi Street and laterally up along Texas Street. The current proposal does not reflect the topography at all, is massed at all one uniform height measured from Texas Street, and results in a building 90' above the elevation of Mississippi Street. The resulting effect is inappropriately massive, out of scale, and does not appropriately respond to the hillside condition."

Since the project is under Conditional Use review, isn't there a higher standard of proof than with a simple? Specifically the requirements that the project adhere to the General Plan requirement: "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods".

I will be at Planning tomorrow to meet with Chris Townes. I'm not sure I'll have time to look at the file tomorrow, but I'll let you know if I do. Thanks for your all your help.

Alison Heath
<http://www.alisonheath.com>
alisonheath@sbcglobal.net

On Apr 15, 2015, at 10:10 AM, Jackson, Erika wrote:

> Hi Alison,
> Because the project is a PUD, it went to UDAT and not RDT. Corey did not personally do the design review – he was simply the project planner back in 2008. I am attaching the UDAT notes from the review of this project on January 17, 2008. The project was modified after this date to incorporate the comments. There is a lot of information on this in the file from 2008. Let me know if you'd like to come by and take a look at the file and I'll put it at reception for you.
>
> Thanks,
> Erika
>
> From: Alison Heath [<mailto:alisonheath@sbcglobal.net>]
> Sent: Tuesday, April 14, 2015 5:52 PM
> To: Jackson, Erika
> Subject: Re: 1000 Mississippi Street
>

> Thanks, Erika. I just want to confirm that there was no review by the Residential Design Team, only the 2008 review by Corey Teague. I have a copy of the 2008 Conditional Use Motion, but is there any detailed record of his review on file?

>

> Alison Heath

> <http://www.alisonheath.com>

> alisonheath@sbcglobal.net

>

>

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>

> On Apr 14, 2015, at 12:11 PM, Jackson, Erika wrote:

>

>

> Let me know if you need anything else.

>

> Thanks,

> Erika

>

> From: Alison Heath [<mailto:alisonheath@sbcglobal.net>]

> Sent: Tuesday, April 14, 2015 12:00 PM

> To: Jackson, Erika

> Subject: 1000 Mississippi Street

>

> Please send me the new CU application and environmental reviews. Thanks!

>

> Alison Heath

> <http://www.alisonheath.com>

> alisonheath@sbcglobal.net

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>

> <2006.0810E_1000 Mississippi St.pdf><2014-001291ENV note.pdf><1000 Mississippi_Current Project Narrative and Revision Summary_9.23.14.pdf>

>

> <1000MississippiUDAT.pdf>

Jackson, Erika

From: Adalbert Wysocki <adalbertwysocki@gmail.com>
Sent: Wednesday, April 15, 2015 12:29 PM
To: ryan@heightspropertiesllp.com; jim@heightspropertiesllp.com
Cc: Jackson, Erika; Melissa Adams; Kerry McCartney
Subject: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107. Case #: 2014.1019C Permit #: 2007.05.01.0141
Attachments: Letter to the developer - 1000 Mississippi Street - 20150415.1.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jim and Ryan Egan,

Please find attached a letter signed by 44 members of our community listing a number of concerns and requests related to the development at 1000 Mississippi Street, San Francisco by your real estate company Heights Properties, LLP. We are looking forward to discussing with you about the modifications to the project in order to address those concerns.

Best Regards,

Adalbert Wysocki, Melissa Adams, Kerry McCartney The Neighbors of Mississippi Street, 25th Street and Texas Street

To: Jim Egan, Ryan Egan, Heights Properties, LLP
Cc: The Planning Commissioners of the City of San Francisco
From: HOA of 1030/1032 Mississippi Street, 25th Street, Mississippi Street, & Texas Street
Neighborhood Group, San Francisco 94107
Date: April 15, 2015
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case #: 2014.1019C
Permit #: 2007.05.01.0141

Dear Jim and Ryan Egan,

We are writing to thank you again for attending our community meeting last Wednesday, April 8th, 2015, in which 31 residents of Mississippi Street, 25th Street, and Texas Street attended. As you know, we were only made aware of your proposed development on Friday, March 13th by way of a sign that was posted on the land at 1000 Mississippi Street. Up until that time, the majority of the neighbors on Mississippi Street, 25th Street, and Texas Street were not notified of your proposed development, as we communicated to Erika Jackson and The Planning Commission in letters following March 13th. To be frank, we do not understand why we were never notified prior to one month ago, and have not had the opportunity of working with you to address community concerns.

One area of great concern that we have about your proposed development at the end of Mississippi Street is the substantial increase in congestion on Mississippi Street, a dead-end street. Your proposed development includes a driveway (for entrance and exit) on Mississippi Street and a pedestrian exit. The previous developer's traffic study, commissioned in 2008, showed the impact of traffic on Mississippi Street as being an additional 280 (two-hundred and eighty) car trips a day. Since the time of the traffic study in 2008, The SF Garden Supply retail business, across the road from your proposed development, has doubled in size and now occupies the entire 30,000 square foot warehouse; previously, the other half sat empty. The business operates Monday – Saturday from 9am – 6pm with a constant stream of vehicles and semi-trailers delivering inventory. The east side of Mississippi Street is also work-live lofts, not just residential only – again increasing the amount of congestion coming on to Mississippi Street.

Our street is unique due to the mix of retail, residential, and work-live buildings. Besides the increase in car trips a day, we will lose 4 (four) existing 90 degree parking spaces due to your proposed driveway and pedestrian exit at the dead-end of Mississippi Street. Given that Mississippi Street is one block closer to the on- and off-ramp of the 280 freeway, we believe that more residents will use this entrance and exit as opposed to your proposed driveway located on Texas Street. Mississippi Street simply cannot accommodate an increase in additional vehicular traffic.

Another area of great concern is the proposed height of the development. You propose to develop an out-of-scale residential development, one that sits 81ft. above the street level on Mississippi Street, over twice the height of the current residential buildings' rooflines. The maximum height of existing buildings on Mississippi Street is at 40ft. above street level, conforming to existing building regulations and historic homes dating back to 1903. The height of your proposed development on the Mississippi Street frontage side should be measured from the Mississippi Street curb.

The community feels that the size of your proposed residential project will adversely impact the quality of life and impact the look and feel of the Mississippi Street neighborhood, which is currently zoned as

RH-3. Our neighborhood is made up of mostly Victorian single-family homes, Victorian 2-building condominiums, and other contemporary-looking 2-building condominiums that are regulated by height, and in which other developers took great care to make sure that they fitted in with the existing neighborhood. We believe that your proposed developed would be grossly out-of-character of Mississippi Street (like an Ocean Liner parked next to a row of sailboats).

The third area of concern is the impact of increased noise due to the design and height of the buildings. Building 28 units on a small parcel of land hovering 41ft. above the roofline of the adjacent residential structures will create a noise problem and negatively impact quality of life. The topography of the hill also exacerbates the level of noise and causes an echo-effect. Many years ago, a development was built on Texas Street overlooking Mississippi Street and the noise factor is extremely serious owing to the number of balconies and decks overlooking the hill and street. Police have been called numerous times with noise complaints and it was been an ongoing neighborhood issue. You propose several common open spaces and large decks overlooking adjacent residential spaces, as well as the fact that your plan calls for 40% of the units having private balconies. This will negatively impact the quality of life and increase noise on the block.

In summary, we are concerned that your motives and commitment to make a profit over our community's best interest is a considerable factor in your choice to build an out-of-scale residential tower 81ft. in height, over 40ft. above the rooflines of adjacent residential dwellings. We feel that you are disregarding the concerns of a great many residents and your choices will burden us forever. We take pride in the character of our neighborhood and, as someone who will impact our community, we hope that you will take this into consideration with our proposed requests below.

We respectfully request the following:

- Eliminate the driveway on Mississippi Street.
- Redesign the development to terrace down the hill to be consistent to the height of the existing properties on Mississippi Street and to conform to the existing height restrictions of Mississippi Street.
- Commission a noise impact study.

We look forward to hearing from you.

Sincerely,



Adalbert Wysocki, 1032 Mississippi Street

Melissa Adams, 1030 Mississippi Street




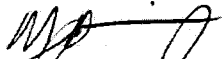

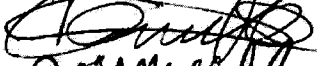

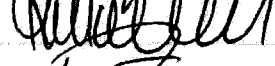









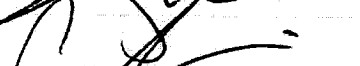


Kerry McCartney 1030 Mississippi Street

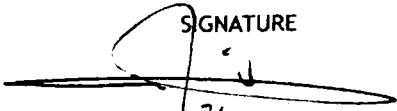

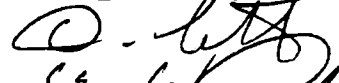

The Neighbors of Mississippi Street, 25th Street, and Texas Street (*please see attached signature sheet*)

attachments

NEIGHBORS OF MISSISSIPPI STREET, 25TH STREET, & TEXAS STREET

	PRINTED NAME	HOME ADDRESS	SIGNATURE
1	Melissa Adams	1030 Mississippi St. SF 94107	Melissa Adams
2	KERRY MCCARTNEY	1036 Mississippi St. SF 94107	Kerry McCartney
3	Gabriel Lemus	1500 th 25 th SF 94107	Gabriel Lemus
4	Mirna Lemus	1500 th 25 th SF 94107	Mirna Lemus
5	Kyle Gillen	1032 Mississippi St. SF, CA 94107	Kyle Gillen
6	RICHARD LEE	1099 MISSISSIPPI ST #9 SF, CA 94107	Richard D. Lee
7	ANIRBAN BARDALAYE	1073 MISSISSIPPI ST, CA 94107	Anirban Bardalaye
8	LALITHA BARDAZAYE	1073 MISSISSIPPI ST, SF, CA 94107	Lalitha Bardalaye
9	Antoni Choudhuri	1060 MISSISSIPPI ST. SF, CA 94107	Antoni Choudhuri
10	Morgan Molvig	1060 Mississippi St SF, CA 94107	Morgan Molvig
11	Danny Douglass	1032 Mississippi St SF CA 94107	Danny Douglass
12	ANDREW STRICKMAN	1053 MISSISSIPPI ST, SF CA 94107	Andrew Strickman
13	Oluseji Fanoiki	1087 Mississippi St SF CA 94107	Oluseji Fanoiki
14	MICHAEL ETTINGER	1053 MISSISSIPPI ST, SF CA 94107	Michael Ettinger
15	Gina Silverman	1099 Mississippi St. #4, SF, CA 94107	Gina Silverman

	PRINTED NAME	HOME ADDRESS	SIGNATURE
16	ADALBERT WYSOCKI	1032 MISSISSIPPI ST	
17	HUILIN KOW	1032 MISSISSIPPI ST	
18	Kopdl Goonetilleke	1057 Mississippi St	
19	Malcolm Goonetilleke	1057 Mississippi St	
20	Reagan Richey	1099 Mississippi St #4	
21	Chantal Eusebio	1099 Mississippi St #6	
22	MOLINA CERVANTES	1099 MISSISSIPPI #8 STREET	
23	MICHAEL KRAKOWSKI	1099 MISSISSIPPI STREET #8	
24	Pauline Wan	1073 Texas St	
25	Elena Myers	1060 MISSISSIPPI ST.	
26	Max Schmede	1060 MISSISSIPPI ST.	
27	Dimitry Lublin	1035 MISSISSIPPI	
28	ALT VICTORIO	1077 MISSISSIPPI ST.	
29	MIKE RABANAL	" "	
30	Vladimir Arakelyan	1071 Mississippi st.	
31	MARMA SAPIRO	1099 MISSISSIPPI ST #10	
32	Fan H. Avidan	1062 Mississippi St.	
33	Angu P. Manian	1047 Mississippi St.	
34	Sriram Manian	1047 Mississippi St.	
35	PATRICIA HUNTING	1510 25th STREET SE 94107	

	PRINTED NAME	HOME ADDRESS	SIGNATURE	
36	Danien Behravan	1075 mississippi		
37	Jacqueline Duffy	1075 mississippi		
38	Dennis Montalto	1504 28th St		
39	BONNIE WINIFRED BERGERON	1504 25th St SF CA		(Bonnie)
40	Joanne Desmond	1047 Mississippi St #2	signature requested by email	AW
41	Kerwin Ng	1075 Texas St	signature requested by email	AW
42	James W Vendetti	1056 Mississippi St	signature requested by email	AW
43	Winnie Seto	1056 Mississippi St	signature requested by email	AW
44	Joshua Whitehouse	1099 Mississippi St #3	signature requested by email	AW

Jackson, Erika

From: Brian Reed <brian@brihospitality.com>
Sent: Thursday, April 16, 2015 9:01 AM
To: cwu.planning@gmail.com; Jackson, Erika; Dimitri; Brian Reed
Subject: FW: case #2014.1019C, Permit # 2007.05.01.0141
Attachments: MISSISSIPPI STREET 4.15.15.pdf; Signed PUC letter 001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Brian Reed [<mailto:brian@brihospitality.com>]
Sent: Thursday, April 16, 2015 8:45 AM
To: 'cwu.planning@gmail.com'; Jackson, Erika; 'Malia.Cohen@sfgov.org'
Cc: Dimitri; jimbicycle2014@outlook.com
Subject: case #2014.1019C, Permit # 2007.05.01.0141

Dear Commission Secretary:

April 16, 2015

Erica Jackson, AICP, LEED AP
Planner, Current Planning

Re: Proposed Development at 1000 Mississippi Street
San Francisco, CA 94107
Case #: 2014.1019C
Permit #: 2007.05.01.0141

Dear Ms. Jackson:

Please include my letter and attached photo in the information for the scheduled Planning Commission meeting on April 30, 2015.

As a nine year home owner and resident on Mississippi Street, I look forward to the addition of new housing and neighbors in San Francisco, my local community of Potrero Hill and Mississippi Street. **The proposed driveway does not in any way create a harmonious enhancement to Mississippi Street, Potrero Hill and its existing and future residents.**

I am **OPPOSED TO** the above referenced development's proposal to build a driveway connected to the existing DEAD END Mississippi Street. The addition and change from the 2008 PUC approved plans **adding a secondary driveway will create:**

- Negative impacts on the health, safety and pedestrian access and use for existing residents, pedestrians and traffic flow. (see attached photo)
- A **private, luxury, separate and exclusive gated community of 28 units** atop the existing sloped hill location that do not conform, contribute or in any way enhance the community of Mississippi Street.

I encourage the Planning Commission and it's commissioners to reject and or amend the proposed plans for the new development.

Thank you for your consideration and help in this process of continuing to make San Francisco the BEST PLACE TO LIVE IN THE WORLD.

Cordially,

Brian Reed
1085 Mississippi Street
San Francisco, CA 94107

CC:
San Francisco Planning Commission members
Supervisor Malia Cohen

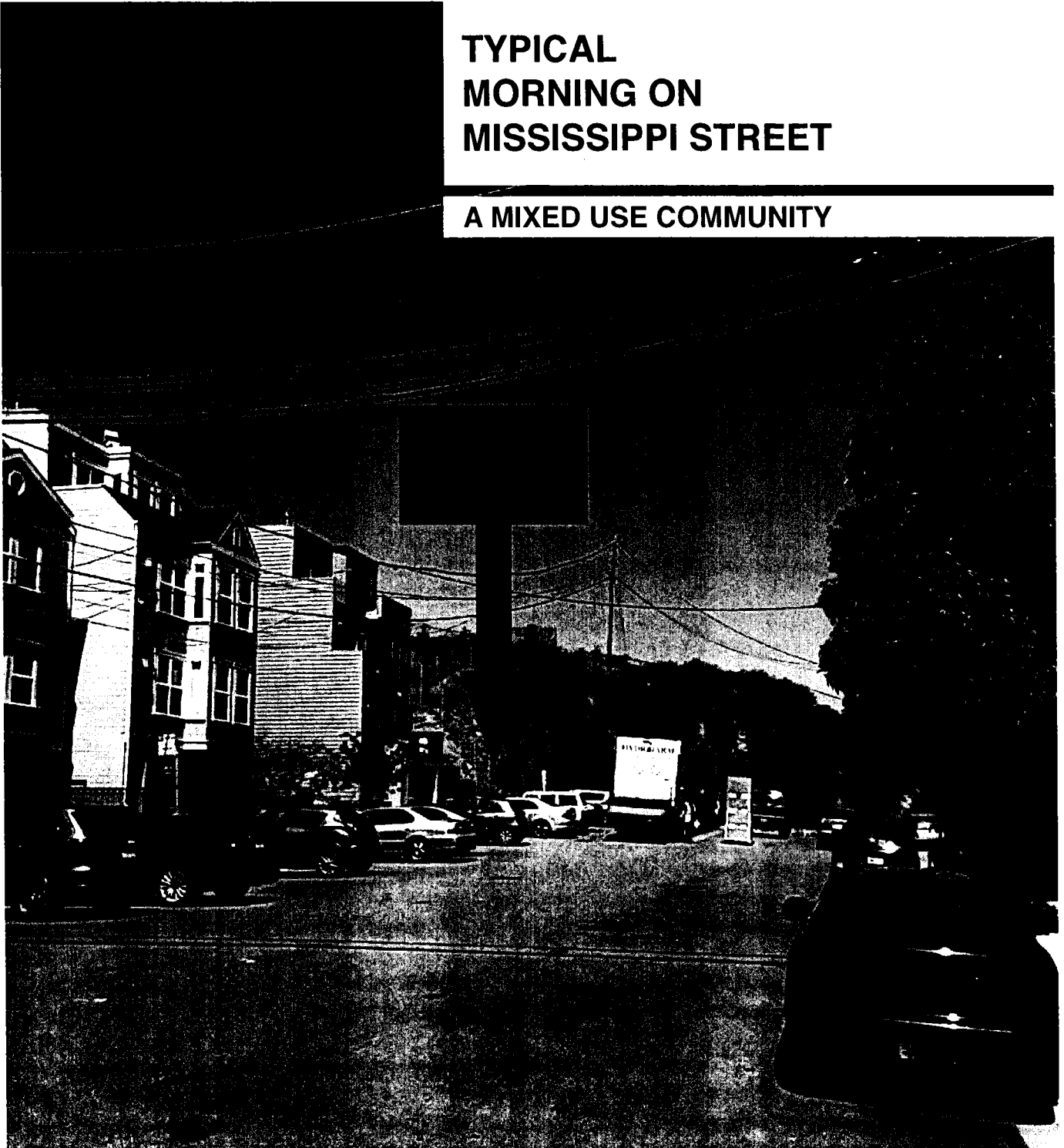
Brian L. Reed Principal

Bri Hospitality ::
Management and Consulting
155 Sansome Street, Suite 555, San Francisco, CA 94104
P 415 637 6729 C 415 637 6729 F 415 291 9023
<http://www.brihospitality.com>

WED / APRIL 15 / 2015 / 11:30 AM

**TYPICAL
MORNING ON
MISSISSIPPI STREET**

A MIXED USE COMMUNITY



April 16, 2015

Erica Jackson, AICP, LEED AP
Planner, Current Planning

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San Francisco, CA 94107
Case #: 2014.1019C
Permit #: 2007.05.01.0141**

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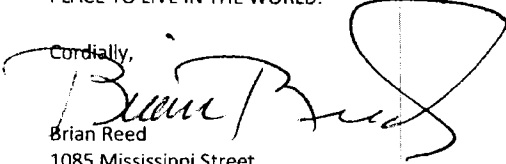
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Cordially,



Brian Reed
1085 Mississippi Street
San Francisco, CA 94107

CC:
San Francisco Planning Commission members
Supervisor Malia Cohen

Jackson, Erika

From: D <d.lublin@yahoo.com>
Sent: Thursday, April 16, 2015 9:58 AM
To: Jackson, Erika
Subject: case #2014.1019C, Permit # 2007.05.01.0141
Attachments: 1000 mississippi.pdf; 1000 mississippi.doc

Follow Up Flag: Follow up
Flag Status: Flagged

TO: The Commissioners of the City of San Francisco and Erika Jackson, Planner

FROM: Dimitry Lublin

Business Owner

SF Garden Supply

1035 Mississippi Street

San Francisco, CA 94107

RE: Proposed Development at 1000 Mississippi Street and the Addition of a Second Driveway on Mississippi Street

Dear Planning Commissioners:

Several years ago, I made a conscious decision to move the location of my business. Based on what I believed to be the growing challenges of working on the increasingly busy streets of San Francisco, I wanted a commercial space on a quiet block with limited accessibility. For the last seven years, I have operated my retail company from 1035 Mississippi Street and come to depend on the predictability and efficiency afforded by its unique location.

I employ six people who also live in San Francisco and generate \$500,000 in sales tax revenue. My ability to continue to employ local people and generate revenue for the state and city is dependent upon being able to do business in my legal, commercial space at 1035 Mississippi. The proposed driveway from the proposed development at 1000 Mississippi and the congestion it will create with the addition of a second driveway on the dead end block of Mississippi Street will prevent me from continuing.

Although this area of Potrero Hill has grown significantly, the developments have structurally stayed in line with the community and have not disturbed the residents and businesses nor the integrity of the neighborhood. With that said, I worry that the safety and freedom of play for children will be negatively impacted by the traffic, which will increase with the introduction of a second driveway entrance at the end of Mississippi Street.

I wholeheartedly support additional housing for the people of San Francisco. However, my greatest concern as a small business owner will be my ability to continue to conduct business as usual. On a weekly basis we receive deliveries transported on extremely large trucks and the creation of a second driveway entrance will undoubtedly impede our ability to operate efficiently. SF Garden Supply is a locally owned and operated retailer and with that comes a reasonable expectation of convenient access for customers and vendors.

In discovering the amendment to the original 2008 Development Plan, I fully became aware of the inevitable disruption to my daily operations.

This proposed change has forced me to seek out comparable warehouse space in what is an already anemic market. My fear in becoming yet another small business forced out of city is preventable by reconsidering the approval of this superfluous driveway entrance.

I appreciate your consideration of my request to oppose the approval of the second driveway entrance at 1000 Mississippi Street.

Thank you.

Sincerely,

Dimitry Lublin

TO: The Commissioners of the City of San Francisco and Erika Jackson, Planner

FROM: Dimitry Lublin

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1035 Mississippi Street

San Francisco, CA 94107

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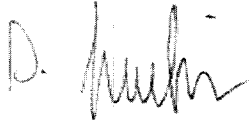
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I appreciate your consideration of my request to oppose the approval of the second driveway entrance at 1000 Mississippi Street.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Lublin". The signature is written in a cursive, flowing style with a large initial "D" and a long, sweeping underline.

Dimitry Lublin

Jackson, Erika

From: Adalbert Wysocki <adalbertwysocki@gmail.com>
Sent: Thursday, May 07, 2015 1:40 PM
To: jim@heightspropertiesllp.com; ryan@heightspropertiesllp.com
Cc: Jackson, Erika; Melissa; Kerry McCartney
Subject: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107. Case #: 2014.1019C Permit #: 2007.05.01.0141
Attachments: Letter to Developer - 1000 Mississippi St - 20150507.pdf

Dear Jim and Ryan Egan,

Please find attached a letter from the HOA of 1030/1032 Mississippi Street and supporting neighbors of 25th Street, Mississippi Street & Texas Street San Francisco 94107.

After several meetings, we feel that the modifications that you made to the project and listed in the attached letter addressed most of our concerns.

Ensuring those modification are implemented, we feel comfortable with your moving forward with the project.

Best Regards,

Adalbert Wysocki, Melissa Adams, Kerry McCartney And Supporting Neighbors of Mississippi Street, 25th Street and Texas Street

To: Jim Egan, Ryan Egan, Heights Properties, LLP
Cc: The Planning Commissioners of the City of San Francisco
From: HOA of 1030/1032 Mississippi Street and supporting neighbors of 25th Street,
Mississippi Street & Texas Street San Francisco 94107
RE: Proposed Development at 1000 Mississippi Street, San Francisco, CA 94107
Case #: 2014.1019C
Permit #: 2007.05.01.0141

Dear Jim and Ryan Egan:

We are writing to you in follow up to our previous discussions and meetings about the proposed development at 1001 Texas/1000 Mississippi. Per our letter dated April 15th 2015, we outlined three main areas of concern:

- Increased traffic on Mississippi St due to a driveway and a pedestrian entrance
- Height and overall scale of the construction not in line with the neighborhood
- Noise impact due to special geography of the street and a towering structure

Based on several meetings and discussions that have taken place since then to address our concerns, we believe you've proposed acceptable modifications to the original plans.

Per the plans dated May 5, 2015 that you shared with us, the modifications include:

- Removal of the driveway on Mississippi St
- Pedestrian fire exit only (no entrance) on Mississippi St
- Set back development by 7 feet from the property line for the furthest building on Mississippi St
- Set back development by 12 feet from the property the for the closest building on Mississippi St
- Aesthetic modifications: recessed windows vs protruding
- Staggered shape of the building on Mississippi St
- Retaining wall following the retaining wall of 1030 Mississippi St
- Landscaping of the wall around the main open space of the building
- Other modifications required to accommodate the changes above

Additionally, you confirmed that the official address of the new development will be 1001 Texas Street and not 1000 Mississippi Street.

You also confirmed the use of 'appropriate' siding panels in order to reduce the noise impact from the reverberation.

Ensuring that these modifications outlined above are implemented to the development per the plans you presented us, we feel comfortable with your moving forward with the project.

Kerry McCartney
Melissa Adams
Adalbert Wysocki

And the supporting neighbors of Mississippi Street, 25th Street, and Texas Street (please see the list below)

Name	Address	Decision
Adalbert Wysocki	1032 Mississippi St	Support
Lin Koh	1032 Mississippi St	Support
Melissa Adams	1030 Mississippi St	Support
Kerry McCartney	1030 Mississippi St	Support
Mirna Rojas-Lemus	1500 25th St.	Support
Lalitha Bardalaye	1073 Mississippi Street	Support
Anirban Bardalaye	1073 Mississippi Street	Support
Gabriel Lemus	1500 25th Street	Support
Mirna Lemus	1500 25th Street	Support
Pauline Wan	1073 Texas Street	Support
Richard Lee	1099 Mississippi Street # 9	Support
Andrew Strickman	1053 Mississippi Street	Support
Michal Ettinger	1053 Mississippi Street	Support
Gina Silverman	1099 Mississippi st	Support
Reagan Richey	1099 Mississippi st	Support
Darien Behravan	1075 Mississippi st	Support
Jolie Behravan	1075 Mississippi st	Support
Jacqueline Duffy	1075 Mississippi st	Support
Alexandra Morgan Molvig	1060 Mississippi Street #A	Support

REUBEN, JUNIUS & ROSE, LLP

May 7, 2015

By Messenger

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 1000 Mississippi Street (Block 4224, Lots 15, 16, & 37-40) – Request for Modified Conditional Use Authorization for PUD

Dear President Fong and Commissioners:

Our office represents Heights Properties, LLP, the project sponsor (“Sponsor”) of a 28-unit residential development (the “Project”) at 1000 Mississippi Street.

This Project was previously approved by the Planning Commission in April 2008. However, despite the owner’s diligent pursuit of a site permit, the Project suffered delays due to the economic recession and unusual infrastructure challenges. These issues have been resolved, and the Sponsor is ready to obtain a site permit and begin construction as soon as possible.

The Project remains largely consistent with the 2008 approval, with minor modifications and improvements, including:

- Reduction of 7,363 gross square feet of floor area;
- Increase of 629 square feet of common open space;
- Incorporation of an additional 5-foot setback of the entire building along Mississippi Street and refinements to building massing along southern lot line; and
- Refinement of color and material palates to more closely respond to adjacent structures.

In addition, the Project has added 17 bicycle parking spaces to meet current Code requirements, and is now subject to the Eastern Neighborhoods Impact Fees.

The Sponsor respectfully requests that the Commission grant a modified Conditional Use authorization for a Planned Use Development (“PUD”), allowing this desirable residential Project to finally proceed to construction. We look forward to presenting the Project to you on May 14, 2015.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin

Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Tuija I. Catalano | Thomas Tunny | David Silverman

Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

A. Project History

On April 17, 2008, the Planning Commission approved an Conditional Use application filed by Mississippi Street Investors, LP (the "Previous Owners") for development of five residential buildings at the site, each approximately four stories and 40 feet in height, and containing a total of 28 dwelling units and 28 parking spaces (the "Prior Approval").

The Prior Approval contained a standard performance condition, requiring the project sponsor to obtain a site permit within three years of approval (the "Performance Condition").

Following the Prior Approval, the Previous Owner pursued a site permit, but was delayed due to the global economic recession, as well as a determination by the San Francisco Water Department that there was insufficient water flow pressure to the site to meet requirements of the San Francisco Fire Department. The Previous Owner was told that the only way to resolve this issue was for the owner to bear the total cost of upgrading approximately 400 feet of 8-inch water main between 25th Street and the property with a new 12-inch pipe. This improvement had an estimated cost of more than \$400,000, which the Previous Owner could not afford to bear alone.

The Zoning Administrator later granted an extension of the Performance Condition to April 2012, to allow the Previous Owner time to pursue a partnership with nearby developers to fund the infrastructure improvements. However, the partnership never materialized, and the Previous Owner eventually sold the Property due to economic difficulties.

In November 2012, the Sponsor purchased the Property, and soon thereafter approached Planning Department to request a further administrative extension. However, the Department determined that the Project was not eligible for administrative extensions due to the timing of the filing.

Immediately following this determination, the Sponsor filed this application for a modified Conditional Use authorization to allow the Project to move forward.

The Sponsor has now resolved the pre-existing water pressure issue with the City's Water and Fire Departments, and is ready and eager to commence construction.

B. Site Conditions

The Project site is as 23,300 square foot, unimproved, steeply-sloping through lot, located between Mississippi Street and a proposed extension of Texas Street in the southeastern area of Potrero Hill. It is zoned RH-3 ("Residential, House, Three-Family") and is within a 40-X Height and Bulk District.

The site is vacant, undeveloped and currently occupied by patches of unmaintained vegetation, exposed bedrock and chain link fence, which serve no productive function.

There are no sidewalks or streetscape improvements adjacent to the site. In fact, Mississippi and Texas Streets are both dead ends at this time, and a significant portion of the site is landlocked. Mississippi Street extends to the southeast portion of the site where it terminates in a cul-de-sac. The improved portion of Texas Street ends before the southwest edge of property, where it trails off into an asphalt walking path.

To the north and east are industrial and commercial uses, including the San Francisco Food Bank and a garden supply store located just across Mississippi Street. To the south are modern residential structures, ranging from 2-4 stories. Along the hillside to its west is the San Francisco Housing Authority's Potrero Terrace Project, which consists of numerous 3-story multi-unit residential buildings.

Images of the Project site and existing conditions are attached in Exhibit A.

C. Project Description

The Project remains largely consistent with the form and character originally approved in 2008. Its height, unit count, and off-street parking count have not changed. However, the Sponsor has made minor modifications and improvements, including:

- *Reduction of 7,363 square feet of gross floor area.* This is the result of reduced building massing and a design revisions in which the two easternmost buildings approved in 2008 were connected by a stairwell;
- *Increase of 629 square feet of common usable open space.* This was accomplished through the expansion of two landscaped, ground-floor courtyards (eliminating the previous need for exceptions from usable open space and dwelling unit exposure requirements); and
- *Incorporating an additional 5-foot setback of the entire building from Mississippi Street and refinements to building massing along southern lot line.* As a result, the entire building is now set back a full 15 feet from Mississippi Street.

In addition, the Project's *unit mix was modified to increase the number of two bedroom units; 17 bicycle parking spaces were added* to meet current Code requirements; and the *Project is now be subject to the Eastern Neighborhoods Impact Fees*.

The modified Project has been thoughtfully designed to relate to the scale and character of adjacent development. It would construct four buildings totaling approximately 44,602 gross square feet, and extending to a maximum height of 40 feet, in keeping with the scale of other 4-story residential structures in the neighborhood.

The Project would contain *28 new dwelling units*, including 25 two bedroom units; 2 three bedroom units; and 1 four bedroom unit. *All of the dwelling units would contain at least two bedrooms*, making them attractive for family occupancy. The Project would also include 28 off-street parking spaces at its basement level, accessible from Texas Street.

The Project would *exceed Code requirements for usable open space* by providing 4,299 square feet of *attractively-landscaped, commonly-accessible open areas* in the form of three ground-floor court yards and two inviting roof decks, as well as 1,267 square feet of *privately-accessible open space* in the form of 18 balconies.

Further, the Project would involve significant streetscape and infrastructure improvements along both Mississippi and Texas Streets, including the *extension of the developed portion of Texas Street and water line infrastructure along the full length of the Property*.

These modifications will benefit the entire neighborhood by improving pedestrian and vehicle access to the landlocked property, providing additional on-street parking, improving Fire Department access by creating a fire truck turnaround at the end of Texas Street, and facilitating future residential development on adjacent parcels.

Project plans and renderings are attached as Exhibit A.

D. Summary of Project Benefits

The Project will provide significant benefits to the City, including:

- **Payment of an estimated \$445,000 in Eastern Neighborhoods Fees and Compliance with Current Planning Code Requirements.** The Project was originally approved in 2008, prior to adoption of the Eastern Neighborhoods Area Plans. However, the modified Project has been reviewed for consistency with all current Planning Code requirements, and will *pay an estimated \$445,000 in Eastern Neighborhoods Impact Fees*. These fees will be used to fund public open spaces, streetscape improvements, and housing within the Eastern Neighborhoods Plan Area.
- **Privately Funding Extension of Texas Street.** In connection with the Project, the Sponsor will *pay for the extension of Texas Street and improved water line infrastructure along the entire western site frontage – an improvement estimated to cost more than \$400,000*. These improvements will benefit the community by (a) improving pedestrian and vehicular access to the currently landlocked site; (b) improving Fire Department access by creating a fire truck turnaround at the end of Texas Street; (c) creating additional on-street parking along the expanded roadway; and (d) facilitating the development of other vacant or underutilized neighborhood lots that may not otherwise be financially feasible.
- **Smart Infill Development Furthering Goals of the Eastern Neighborhoods Plans.** The Showplace Square/ Potrero Hill Plan was adopted in 2008 as part of the Eastern Neighborhoods rezoning effort. The Project is consistent with underlying Zoning controls and would further the intent of the Plan by: (a) locating new infill residential development within an area where such uses are encouraged and in a manner compatible with the surrounding neighborhood

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character; (b) contributing to the development of affordable family housing units within the neighborhood; (c) providing 28 new dwelling units, each containing two or more bedrooms and suitable for family housing; and (d) improving the public realm with attractive streetscape improvements that will encourage residential use and enjoyment within the surrounding neighborhood.

- **Addition of 28 New Units to the City's Housing Stock.** San Francisco is suffering from a housing shortage that has resulted in pent-up demand and an undesirable escalation in prices. The Project will construct 28 new dwelling units, increasing the amount of available housing in the City. These would include a mix of two, three, and four-bedroom units (25 two bedroom; 2 three-bedroom; 1 four-bedroom) that would serve the needs of various future occupants.
- **Addition of Housing Suitable for Families.** The Showplace Square/Potrero Hill and San Francisco General Plan both recognize the need for more City housing suitable for occupancy by families. In fact, Policy 4.1 of the City's Housing Element calls for the development of new housing that is appropriate for families with children. The Project will directly advance this goal by providing 28 new units containing two or more bedrooms.
- **Improving Pedestrian Experience.** The Project will involve significant pedestrian improvements adjacent to the site along both Mississippi and Texas Streets, including planting new street trees, installation of new sidewalks, and landscaped areas, lighting, and extension of Texas Street to the north end of the site.
- **Job Creation.** The Project will create jobs during construction and increase the City's workforce.

E. Modifications Requested

In 2008, the Project was granted modifications from Planning Code requirements for residential density, rear yard, usable open space, dwelling unit exposure and measurement of height. *The modified project has eliminated the previous need for usable open space and dwelling unit exposure modifications.*

As described below, the remaining modifications are each minor, necessary in order to allow for the efficient and productive development of this irregular site, and will not negatively impact future use or enjoyment of the Project or surrounding community.

Density. Projects in the RH-3 District are generally allowed to provide up to 1 unit per 1,000 square feet of lot area with Conditional Use authorization, principally permitting 23 units on the site. However, with a PUD approval, the Planning Code allows for up to 28 units. This minor density modification is warranted to promote efficient development of the site. It will also further goals of the Showplace Square/Potrero Hill Area Plan, including *Objective 1.2:* to "maximize development potential in keeping with neighborhood character."

Rear Yard. Planning Code Section 134 requires that residential buildings in the RH-3 District provide a rear yard setback equal to 45 percent of the total lot depth. The Project is seeking a modification to provide multiple open spaces throughout the site in lieu of the traditional setback. This is warranted, as a traditional rear yard would significantly restrict the development potential on this irregularly-shaped and steeply-sloping through lot, and would prevent development of an attractive street frontage on either Mississippi or Texas Streets.

Method of Height Measurement. As part of a PUD approval, the Planning Code allows minor modifications to the method of height calculation. Three of the Project's buildings strictly comply with the 40-foot limit when measured from Texas Street along interior lot cross sections. However, due to the irregular and steeply-sloping site topography, a small portion of the northern building would slightly exceed the height limit when measured from multiple locations. The requested modification allowing measurement from a single location will provide for a consistent roofline for the effected building.

F. Project Outreach

This Project was originally scheduled for Commission hearing in early April. However, the Sponsor requested a continuance at that time in order to conduct additional neighborhood outreach.

Over the past five weeks, the Sponsor has proactively reached out to members of the surrounding community and met on several occasions to discuss the Project. In direct response to neighbor comments, the Sponsor has incorporated a number of thoughtful design modifications. These include:

- *Eliminating a proposed garage access and pedestrian entry from Mississippi Street* in order to minimize Project impacts along this street;
- *Agreeing to seek an alternative Project address along the extended portion of Texas Street*, in order to reduce any potential parking or traffic concerns on Mississippi Street;
- *Incorporating an additional 5-foot setback of the entire building from Mississippi Street*, in addition to the 10-foot setback otherwise required by the Code. This will result in a total 15-foot setback along this frontage;
- *Revising Project coloring and design materials* in order to more closely respond to adjacent buildings;
- *Reconfiguring and reducing the size of the southeastern-most building* containing the 4-bedroom unit, in order to improve the view corridor from the roof deck of the adjacent 1030-1032 Mississippi Street property; and
- *Repositioning and frosting certain south-facing windows* in order to preserve privacy to the adjacent 1030-1032 Mississippi Street property.

G. Conclusion

The Project would create an attractive new 28-unit residential development on an undeveloped lot, furthering goals of the Eastern Neighborhoods Area Plans. All of the units would have at least two bedrooms, making them attractive for family occupancy. The previously-approved project suffered unavoidable delays due to economic conditions and unforeseen infrastructure complications. However, these issues have now been resolved and the Sponsor is prepared to commence construction of the Project as soon as possible. We urge the Commission to approve the current application, allowing this desirable new Project to move forward.

Very truly yours,



Melinda A. Sarjapur

REUBEN, JUNIUS & ROSE, LLP

Enclosures

cc: Vice-President Cindy Wu
Commissioner Michael Antonini
Commissioner Denis Richards
Commissioner Rich Hillis
Commissioner Kathrin Moore
Commissioner Christine D. Johnson
Jonas P. Ionin – Commission Secretary
John Rahaim – Planning Director
Scott Sanchez – Zoning Administrator
Erika Jackson – Project Planner
Ryan Egan – Heights Properties, LLP

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1000 Mississippi

Presentation to the San Francisco Planning Commission

Date of Package: May 6, 2015

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Date of Package:
May 6, 2015

SITE AND SURROUNDING NEIGHBORHOOD ARCHITECTURE

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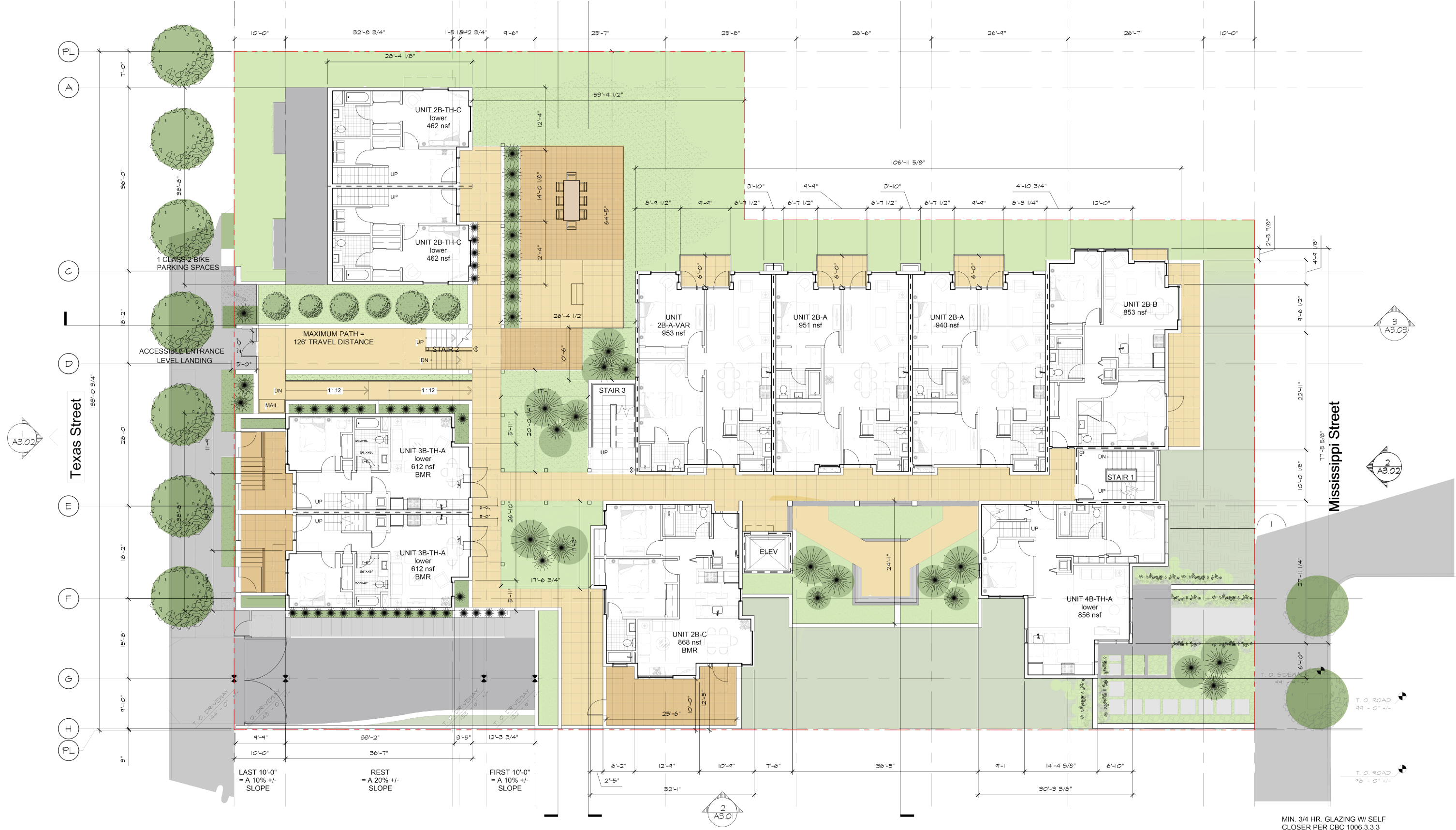
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HILLSIDE CONTEXT VIEWS

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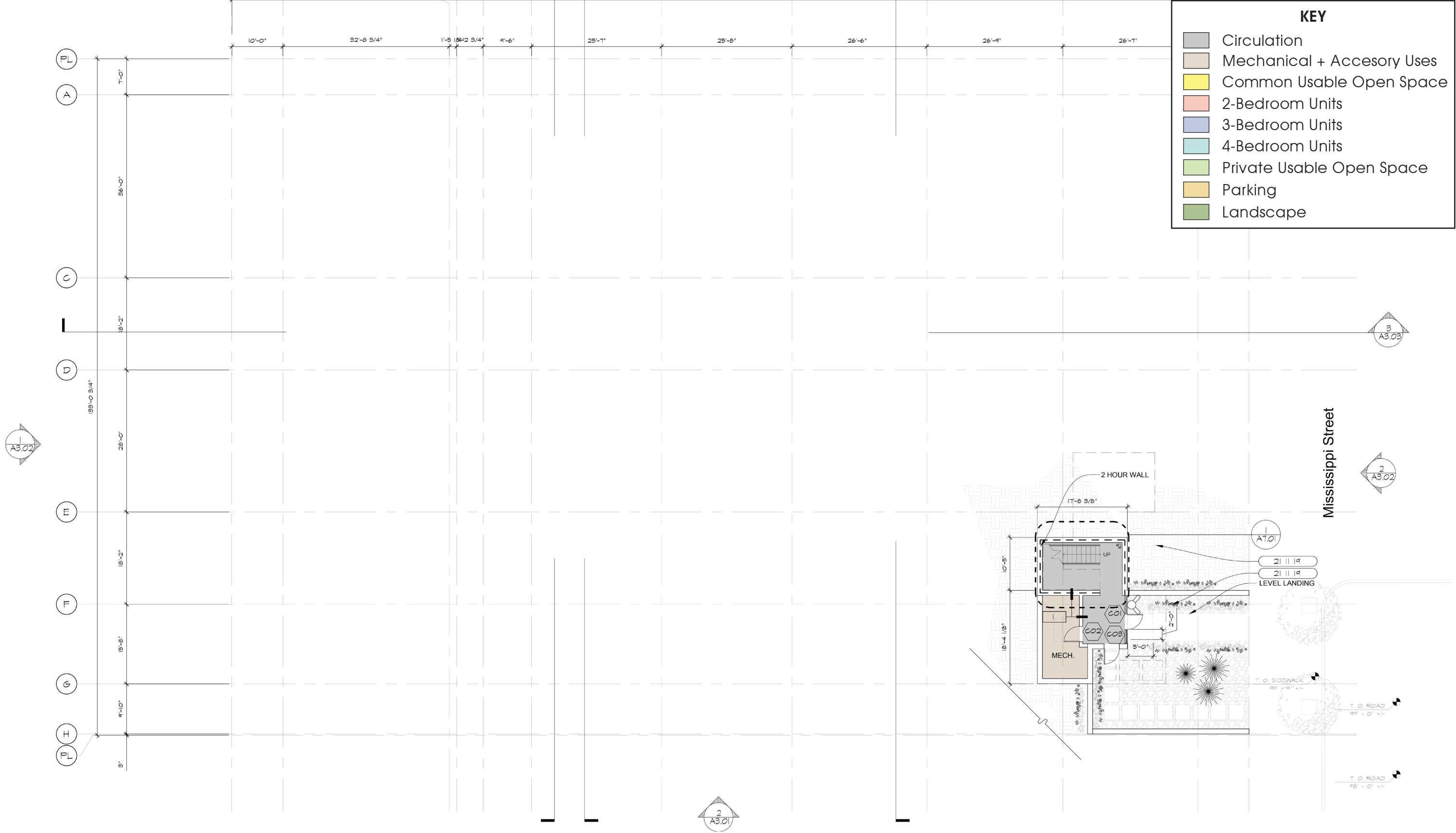
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SITE AND LANDSCAPING PLAN

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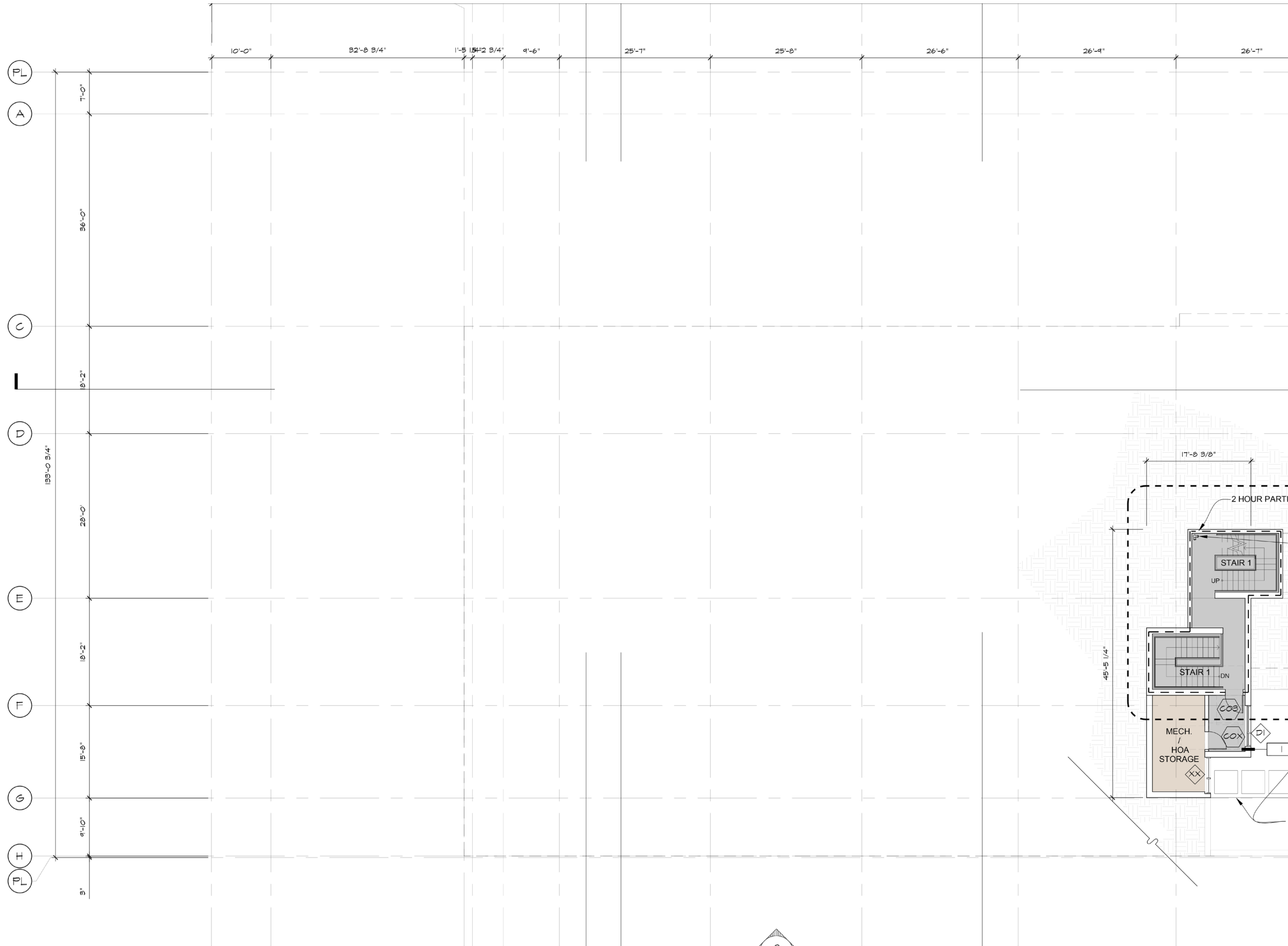
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BASEMENT 1 PLAN

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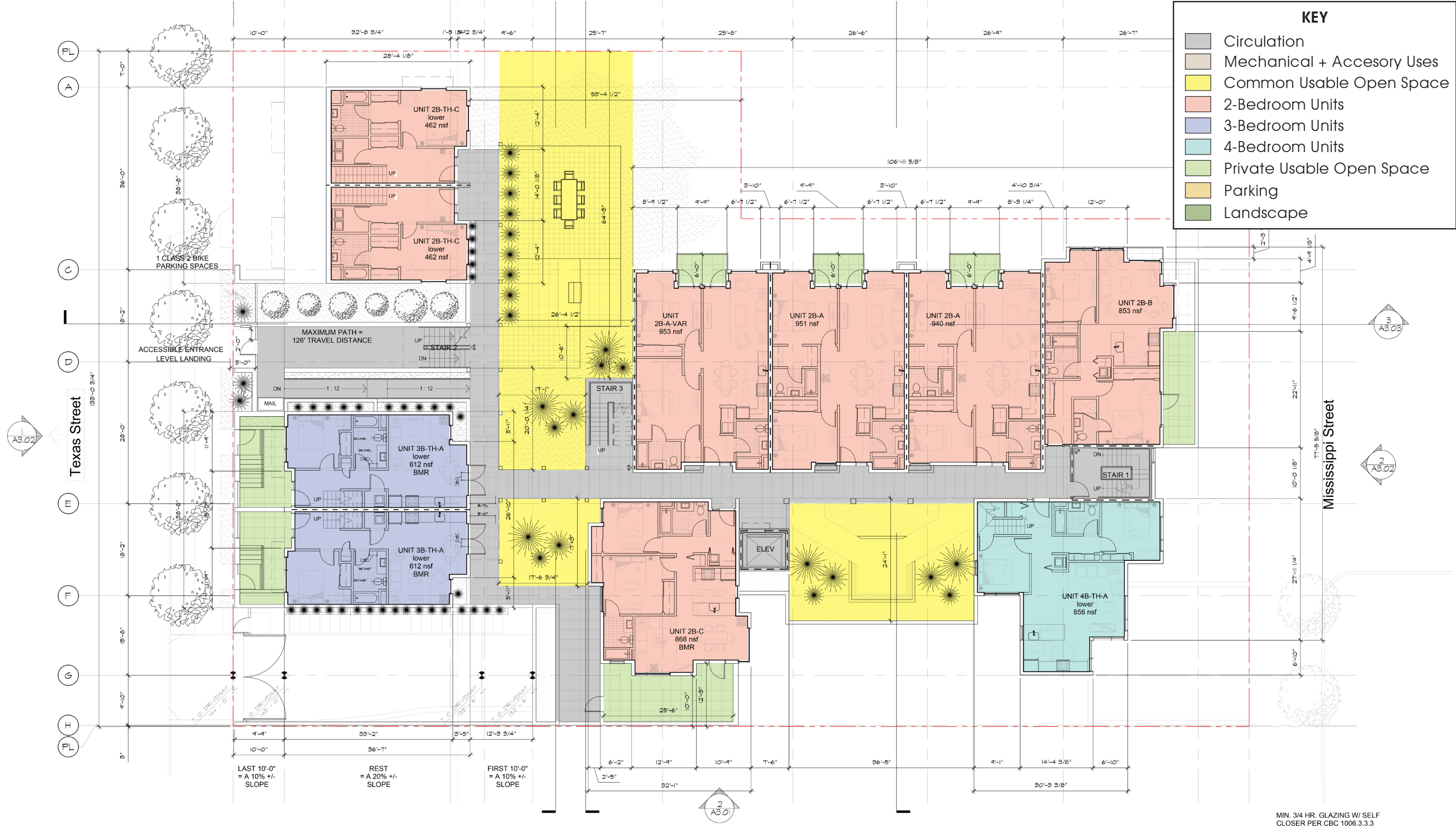
KEY	
	Circulation
	Mechanical + Accessory Uses
	Common Usable Open Space
	2-Bedroom Units
	3-Bedroom Units
	4-Bedroom Units
	Private Usable Open Space
	Parking
	Landscape



Mississippi Street

RETAINING WALL - SEE CIVIL DRAWINGS





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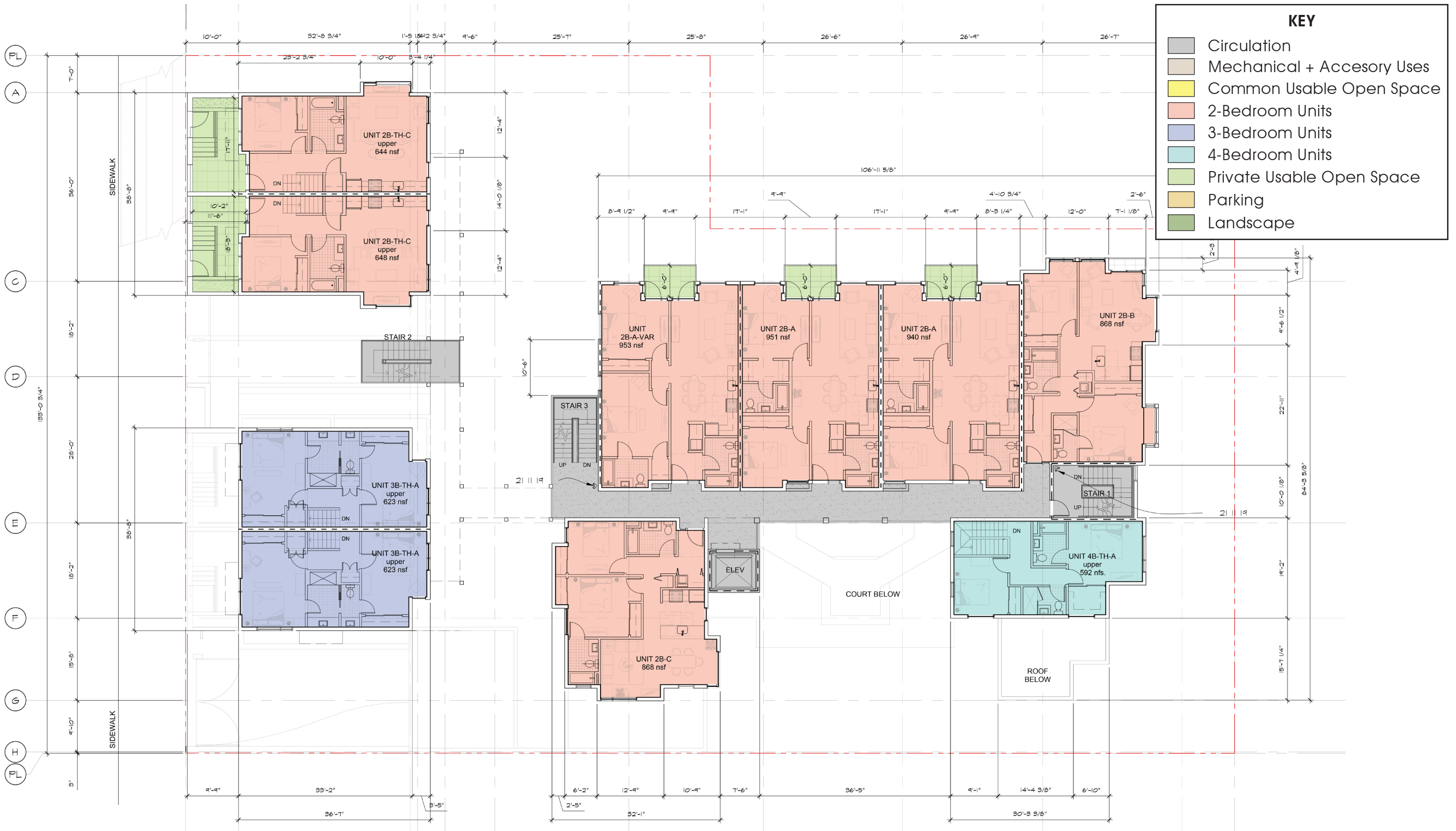
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LEVEL 1 PLAN

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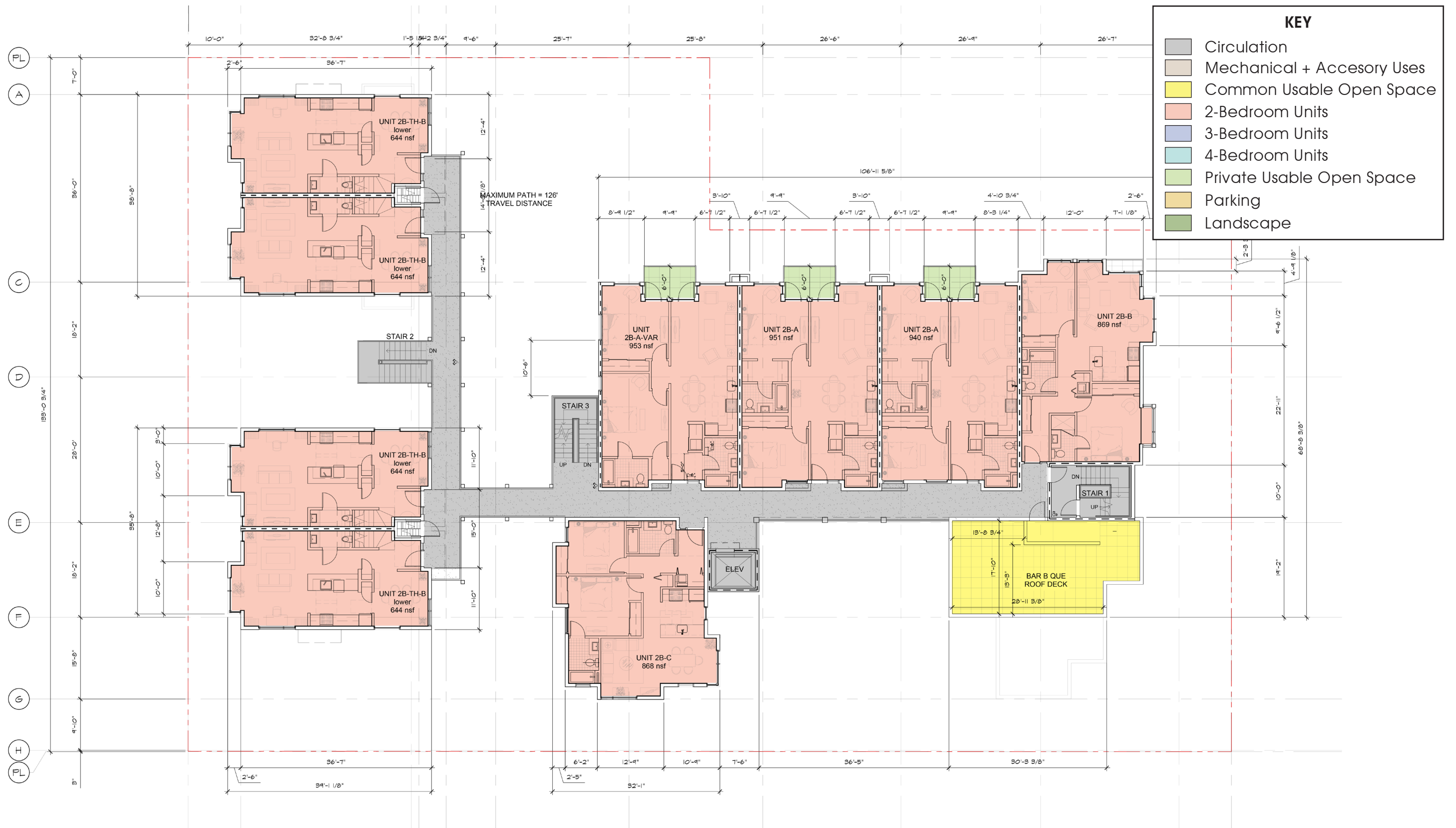
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LEVEL 2 PLAN

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MIN. 3/4 HR. GLAZING W/ SELF
CLOSER PER CBC 1006.3.3.3

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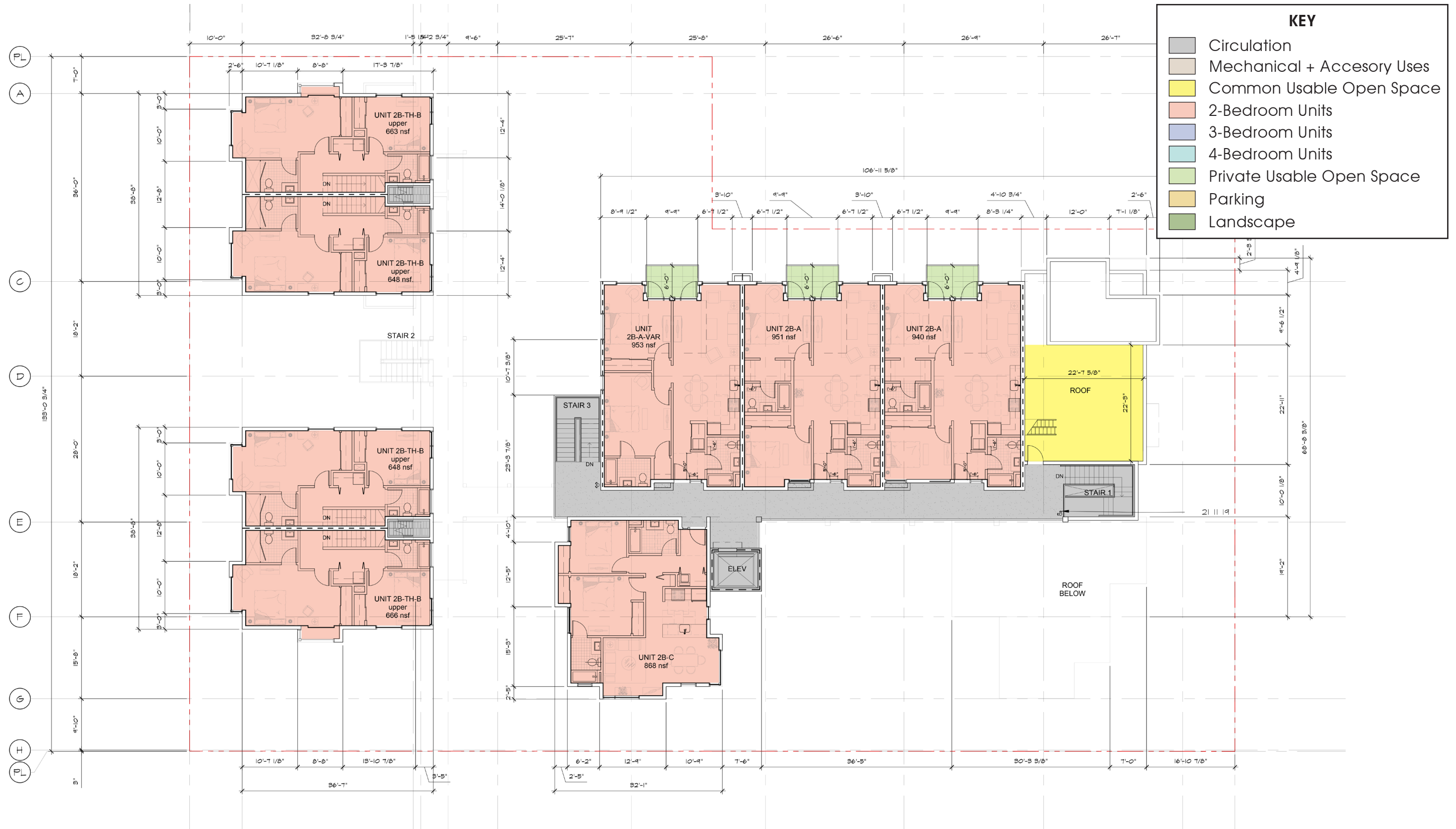
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LEVEL 3 PLAN

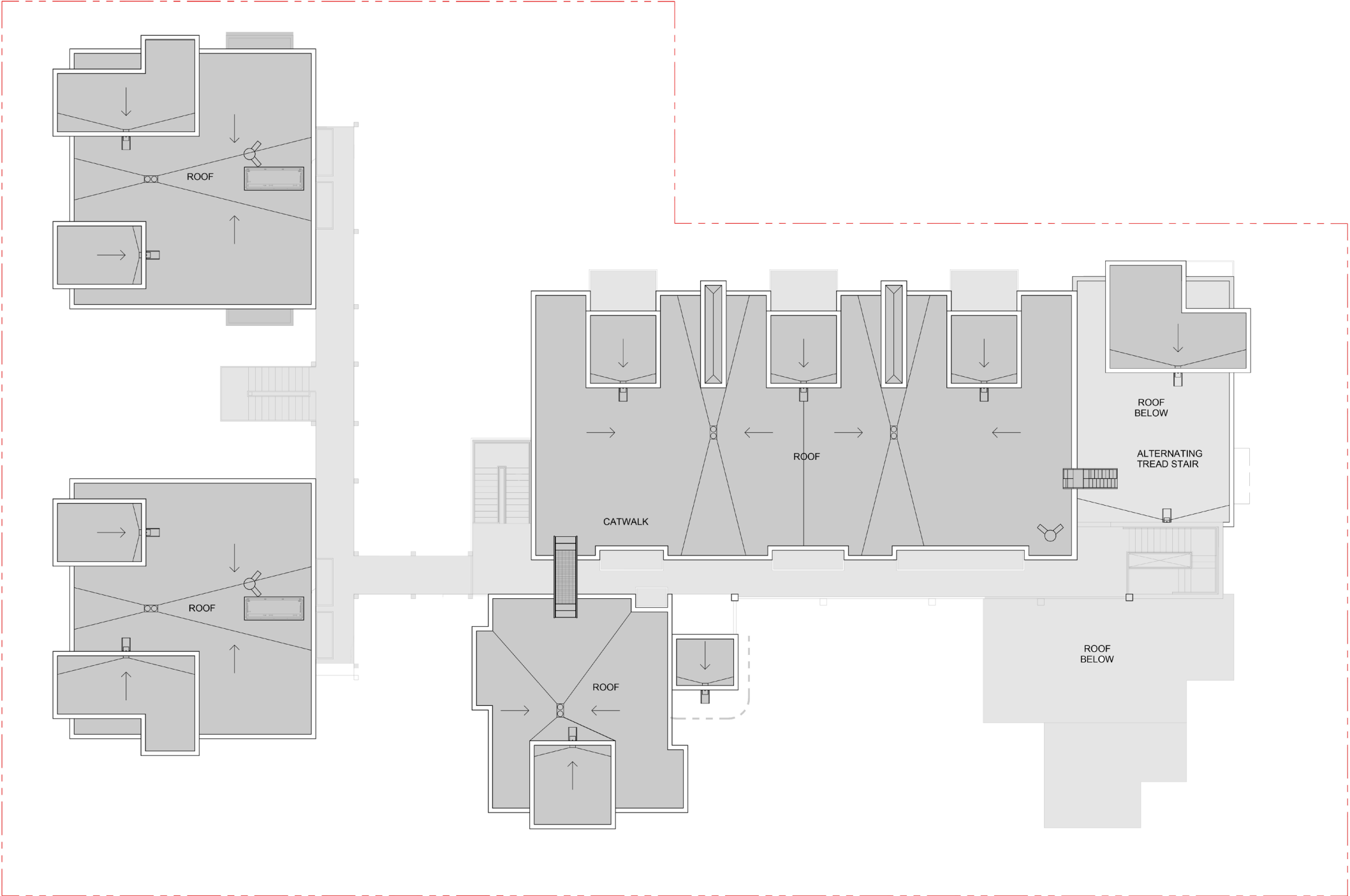
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ROOF PLAN

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NORTH ELEVATION

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NORTH ELEVATION

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NORTH ELEVATION

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SOUTH ELEVATION

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LONGITUDINAL SECTION

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AERIAL VIEW FROM WEST

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AERIAL VIEW FROM SOUTH

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AERIAL VIEW FROM SOUTHEAST + SOUTH COURTYARDS

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AERIAL VIEW FROM NORTH

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VIEW OF TEXAS STREET GARAGE ENTRANCE

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VIEWS ALONG TEXAS STREET

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VIEW OF TEXAS STREET ENTRANCE

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VIEW OF NORTH COURTYARD

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VIEW FROM MISSISSIPPI STREET

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AERIAL VIEW OF MISSISSIPPI STREET ENTRANCE

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VIEW OF MISSISSIPPI STREET ENTRANCE + RAMP

1000 Mississippi

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VIEW TO NORTHEAST FROM NORTH COURTYARD

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1000 Mississippi Street

Unit Matrix Updated : 15_0504

Floor	Unit Number	Unit Type	Bedroom Count	Unit Type Count	Saleable Area
First Floor	101	4B-TH-A Lower	4	1	856
	102	2B-B	2	1	853
	103	2B-A	2	2	940
	104	2B-A	2		951
	105	2B-A-VAR	2	1	953
	106	2B-C	2	1	868
	107	3B-TH-A Lower	3	2	612
	108	3B-TH-A Lower	3		612
	109	2B-TH-C Lower	2	2	462
	110	2B-TH-C Lower	2		462
Second Floor	101	4B-TH-A Upper	4		592
	201	2B-B	2	1	868
	202	2B-A	2	2	940
	203	2B-A	2		951
	204	2B-A-VAR	2	1	953
	205	2B-C	2	1	868
	107	3B-TH-A Upper	3		623
	108	3B-TH-A Upper	3		623
	109	2B-TH-C Upper	2		648
	110	2B-TH-C Upper	2		644
Third Floor	301	2B-B	2	1	869
	302	2B-A	2	2	940
	303	2B-A	2		951
	304	2B-A-VAR	2	1	953
	305	2B-C	2	1	868
	306	2B-TH-B Lower	2	4	644
	307	2B-TH-B Lower	2		644
	308	2B-TH-B Lower	2		644
	309	2B-TH-B Lower	2		644
Fourth Floor	401	2B-A	2	2	940
	402	2B-A	2		951
	403	2B-A-VAR	2		953
	404	2B-C	2	1	868
	306	2B-TH-B Upper	2		666
	307	2B-TH-B Upper	2		648
	308	2B-TH-B Upper	2		648
	309	2B-TH-B Upper	2		663

Total Unit Count	28
Total Residential Net Area	28,773

Building Floor Areas

Level	Building Use	Gross Floor Area (SF)	Exterior Circulation (SF)	Common Usable Open Space	Private Usable Open Space
Basement 1	Egress	462			
Basement 2	Egress	703			
	Garage / Community Room	10,609			
Basement 3					
First Floor	Residential	8,616	2,324	3,198	536
Second Floor	Residential	8,735	982	0	377
Third Floor	Residential	8,161	1,534	597	177
Fourth Floor	Residential	7,316	832	504	177
		44,602			
Total Gross Floor Area					
Total Exterior Circulation			5,672		
Total Common Usable Area				4,299	
Total Private Usable Open Space					1267

Open Space Calculations

Open Space Required (if all private); 28 X 100 = 2800 SF

Open Space Provided;

Private Usable Open Space*	Units w/ PUOS	PUOS Area	Total PUOS
First Floor	4	59	236
	3	100	300
Second Floor	3	59	177
	2	100	200
Third Floor	3	59	177
Forth Floor	3	59	177
Total Private Usable Open Space			1267

Balance of Open Space	2800-1267 =	1533
Common Usable Open Space (balance multiplied by 1.33)		2038.89
Common Usable Open Space Provided*		4,299

* Private and Common Open Space the meets the minimum requirements of Section 136 of the SFPC

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