



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: DECEMBER 14, 2017

Case No.: **2015-001360CUA**
Project Address: **793 South Van Ness Avenue**
Zoning: NC-3 (Neighborhood Commercial-Moderate Scale) Zoning District
Mission Alcohol/Fringe Financial Restricted Use Districts
55-X Height and Bulk District
Block/Lot: 3591/024
Project Sponsor: Steve Vettel, Farella Braun & Martel
235 Montgomery Street
San Francisco, CA 94104
Staff Contact: Kimberly Durandet – (415) 575-6816
kimberly.durandet@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The Project includes demolition of a vacant gas station and new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building (approximately 86,449 gross square feet (gsf)) with 75 dwelling units, 77 Class 1 bicycle parking spaces, and 8 Class 2 bicycle parking spaces, 38 off-street vehicular parking (1 car share space included), and 4,570 gsf of retail at the ground floor. The dwelling unit mix includes 45 one-bedroom units and 30 two-bedroom units. The Project includes common open space provided by an inner courtyard and a roof deck (collectively measuring approximately 4,166 square feet (sq ft)), an interior courtyard (measuring approximately 3,082 sq ft) and a rooftop deck (measuring approximately 1,084 sq ft). The majority of the open space requirements are met through private balconies and terraces for 60 dwelling units. The Project also includes streetscape improvements including curb cut removals, and street trees. Pursuant to California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law.

SITE DESCRIPTION AND PRESENT USE

The site ("Project Site"), Lot 024, in the Assessor's Block 3591, is located on the northeast corner of South Van Ness and 19th Street in the Neighborhood Commercial-Moderate (NC-3) Zoning District. The Project Site is an approximately 17,600 sq ft lot located at 793 South Van Ness Avenue in San Francisco's Mission District with 122.5 feet of frontage on 19th Street and 146 feet of frontage on South Van Ness Avenue. The Project Site is developed with vacant Shell gasoline station facilities approximately 20-foot tall at the highest point.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project Site is located in a mixed-use area within the Mission Area Plan. West of the site is characterized by three- to four-story residential buildings. The building immediately adjacent to the project site on the north is a four-story residential building. The buildings immediately adjacent to the east of the project site are two-story, industrial buildings. The southwest and southeast corners of South Van Ness Avenue and 19th Street are zoned NC-1 (Neighborhood Commercial Cluster) with a two-story, mixed-use building with a ground floor restaurant occupying the southwest corner and three-story, mixed-use building with ground floor retail occupied by the Kaiser Glass Company on the southeast corner. Other zoning districts in the vicinity of the Project Site include: PDR-1-G (Production, Distribution, and Repair - General); RH-3 (Residential House, Three-Family); RM-1 (Residential Mixed - Low Density); RM-2 (Residential Mixed - Moderate Density); Mission Street NCT (Neighborhood Commercial Transit); RTO-Mission (Residential Transit Oriented-Mission Neighborhood); UMU (Urban Mixed-Use); and P (Public). The Project Site is located along South Van Ness Avenue, which is a high injury pedestrian and vehicular corridor. The project site is located approximately 0.4 miles from 16th Street Bay Area Rapid Transit (BART) station and is within a quarter-mile of several Muni lines including the 12 Folsom, 14 Mission, 14R Mission, 33 Ashbury/18th Street, and 49 Van Ness/Mission.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on December 5, 2017, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 24, 2017	November 24, 2017	20 days
Posted Notice	20 days	November 24, 2017	November 24, 2017	20 days
Mailed Notice	20 days	November 24, 2017	November 24, 2017	20 days

The proposal requires a Section 312 Neighborhood notification, which was conducted in conjunction with the notification for the Conditional Use Authorization.

PUBLIC COMMENT

As of December 7, 2017, the Department has not received any public correspondence either in opposition to the Project.

ISSUES AND OTHER CONSIDERATIONS

- Conditional Use Authorization: The Project requires Conditional Use Authorization under Planning Code Sections 121.1, 303 and 712 and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution 19868), for development on a lot larger than 10,000 sq ft for the project involving new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building (approximately 86,574 gsf) with 75 dwelling units, 77 class 1 bicycle parking spaces, and 8 class 2 bicycle parking spaces and 38 off-street vehicular parking (1 car share space included) on Lot 024 in Assessor's Block 3591 within the NC-3 (Neighborhood Commercial-Moderate Scale) Zoning District and a 55-X Height and Bulk District.
- State Density Bonus Law & Waivers: Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, which permits a maximum 35% density bonus if at least 20% of the "Base Project" units are affordable to low-income households. The "Base Project" includes the amount of residential development that could occur on the project site as of right without modifications to the physical aspects of the Planning Code (ex: open space, dwelling unit exposure, etc.). Under the State Density Bonus Law, the Project Sponsor is entitled to a limited number of concessions or incentives, as well as waivers for any development standard that would physically preclude construction of the project at the proposed density. For the Project at 793 South Van Ness Avenue, the "Base Project" included 55 dwelling units and approximately 57,716 gsf, of which 55,138 gsf would be residential; therefore, the "Bonus Project" (or Project) is permitted a maximum residential square footage of 74,436 gsf. The Project consists of 75 dwelling units with 86,449 gsf (of which 73,683 gsf would be residential). The Project proposes concessions to the development standards for: 1) Rear Yard (Planning Code Section 134); and, 2) Required Off-Street Parking (Planning Code Section 151), and a waiver for 1) Height (Planning Code Sections 250 and 252).
- Inclusionary Affordable Housing: The Project will meet their inclusionary affordable housing requirement by designating a certain number of dwelling units as part of the on-site affordable housing alternative, identified in Planning Code Section 415. The Project's Environmental Evaluation Application was deemed complete on November 24, 2015. Therefore, the Project requires that 14.5% of the total number of units be designated as part of the inclusionary affordable housing program. Since the Project is utilizing the State Density Bonus Law, only the "base project" units (55 dwelling units) are subject to the inclusionary affordable housing requirements. The Project Sponsor has elected to designate 20% of the Base Project Units or 11 dwelling units as part of the on-site inclusionary housing program in order to qualify for the maximum the density bonus allowed per California Government Code Sections 65915-65918. Since the project includes rental housing, the Project Sponsor has entered into an Agreement with the City and County of San Francisco. A copy of this agreement will be provided to the Commission at the public hearing.

MISSION INTERIM ZONING CONTROLS

For "Medium Projects," Planning Commission Resolution No. 19865 requires a Large Project Authorization from the Planning Commission for any project that would construct between 25,000 and

75,000 gross square feet or non-residential use or has between 25 and 75 dwelling units, unless the project is already required to obtain Conditional Use Authorization. The Project Sponsor provided a summary of additional findings for the Mission 2016 Interim Zoning Controls (see attached).

As required by the Mission 2016 Interim Zoning Controls, the most relevant topics for the Commission's consideration as it relates to this project are the potential demographic changes, indirect residential displacement, and the new construction of market-rate housing. The Project Sponsor evaluates how the Project would affect existing and future residents and businesses of the area in their submission. The Project is not displacing current residential uses or any existing tenants. The subject property is currently a commercial building occupied by an abandoned gas station.

The Project Sponsor's analysis concludes that the Project is contributing to the supply of housing, which is in high demand across the City. Per the various studies cited in the Mission Interim Controls, the Sponsor's analysis concludes that the Project will not impact demographic changes occurring in the Mission, nor will it cause direct or indirect displacement in the Mission. Although the Project Sponsor concludes that no demographic changes are occurring as part of the Project, the Controller's Study does state that new market-rate housing does tend to cater to upper income households, however the demographic changes in the City have been occurring independent of whether there is development occurring or not and it is unclear whether new development is attracting additional upper income households than would occurred without the project.

Staff's analysis of the Project Sponsor's submittal against adopted City policies that are relevant to the Mission Interim Zoning Controls (including supporting housing production while retaining neighborhood character, and reducing displacement) is described in the section titled "General Plan Compliance" of the attached Draft Conditional Use Authorization Motion, and is summarized below.

The Project is utilizing the State Density Bonus Law which entitles the Sponsor waivers from any development standard that would physically preclude construction of the project at the proposed density. The Project is seeking waivers which will allow the construction of two additional floors and 20 additional dwelling units. The Project provides the required unit mix for a total of 75 dwelling units that include 45 one-bedroom and 30 two-bedroom units. Of the 75 units, eleven will be on-site below market-rate units, bringing new affordable housing into the neighborhood. The Project fully utilizes the controls offered in the Eastern Neighborhoods Area Plan and appropriately addresses the surrounding neighborhood.

The Department found that this Project, which includes new market rate and on-site affordable housing, on balance, complied with the following Objectives and Policies of the General Plan relating to the Mission Interim Zoning Controls:

General Plan, Housing Element: Housing Production Objective 1, Policies 1.1, 1.8 and 1.10; Housing Affordability Objective 4, Policies 4.4, and 4.5; Neighborhood Character Objective 11, Policies 11.1, 11.2, 11.3, and 11.4.

Mission Area Plan: Land Use Objective 1.2, Policies 1.2.1, 1.2.2 and 1.2.3; Housing Objective 2.3, Policies 2.3.3, 2.3.5 and 2.3.6;; Affordable Housing Production Objective 2.6, Policy 2.6.1; Built Form Objective 3.2: Policies, 3.2.2, 3.2.3 and 3.2.4.

Conversely, the project is in potential conflict with following Objectives and Policies of the General Plan relating to the Mission Interim Zoning Controls:

Mission Area Plan: PDR Retention and Development Objective 1.3, Policy 1.3.2; The Project converts a gas station to a mixed use housing development with ground floor retail. Dwelling Unit Mix and Community Services Objective 2.3, Policy 2.3.3; The Project does not propose any 3-bedroom or greater units. Housing Production Objective 2.4, Policy 2.4.3; The Project does not provide any studio units.

The Project would provide a substantial amount of new housing, including new onsite affordable units, which is a goal for the City and County of San Francisco. Overall the information required by the Interim Controls is, on balance, consistent with the Mission Area Plan Objectives.

MISSION ACTION PLAN 2020

The subject property falls within the area of the Mission Action Plan 2020 (MAP2020) process, endorsed by the Planning Commission earlier this year, and of the Mission 2016 Interim Zoning Controls. MAP 2020 is a collaboration initiated by the community, between community organizations and the City of San Francisco, to create and preserve affordable housing and bring economic stability to the Mission. The goal is to retain and attract low to moderate income residents and community-serving businesses, artists, and nonprofits in order to strengthen and preserve the socioeconomic and cultural diversity of the Mission neighborhood.

Community organizations initiated the plan given the loss and displacement trends of low to moderate income residents, community-serving businesses, artists, and nonprofits affecting the neighborhood due to the affordability crisis. Some of the concerns community representatives involved in MAP2020 and other community organizing efforts, such as the proposed moratoriums earlier this year, have articulated relate to the role market-rate projects could play in exacerbating the direct or indirect displacement and gentrification of this historically working-class neighborhood. Community advocates would like more scrutiny and examination of what these potential effects are, and for market-rate projects to contribute to the solutions, to neighborhood stabilization, and to minimize any potential displacement.

These community concerns gave rise, in part, to the Mission Interim Controls, while permanent solutions and controls are drafted. Interim controls are intended to provide the Commission with additional information to consider in its deliberation related to a project's contribution to the goals of neighborhood stabilization and whether they are addressing any potential negative effects such as direct displacement of residents or businesses.

The Mission Action Plan 2020 was endorsed by the Planning Commission on March 2, 2017. In addition to the endorsement, the Commission approved a nine month extension of the Mission 2016 Interim Zoning Controls to allow staff more time to continue developing legislation to implement MAP2020.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization under Planning Code Sections 121.1, 303 and 712 and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution 19868), for development on a lot larger than 10,000 sq ft for the project involving new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building

(approximately 86,574 gsf) with 75 dwelling units, which would utilize the State Density Bonus Law (California Government Code Sections 65915-65918) at 793 South Van Ness Avenue within the NC-3 (Neighborhood Commercial- Moderate) Zoning District, and a 55-X Height and Bulk District.

BASIS FOR RECOMMENDATION

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

- The Project complies with the applicable requirements of the Planning Code.
- The Project is consistent with the objectives and policies of the General Plan.
- The Project is located in zoning district where residential is principally permitted.
- The Project is an appropriate infill development, which replaces an abandoned gas station.
- The Project complies with the First Source Hiring Program.
- The Project adds 75 new dwelling units to the City's housing stock
- The Project adds on-site affordable housing units, and will designate 20% of the total number of base project dwelling units (or 11 dwelling units) as part of the inclusionary affordable housing program, and will pay the Affordable Housing Fee for the remainder.
- The Project will pay the appropriate development impact fees.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Draft Motion

Parcel Map

Sanborn Map

Zoning Map

Height Map

Aerial Photos

Site Photos

Project Sponsor Submittal:

- Architectural Drawings
- Affordable Housing Affidavit
- Costa-Hawkins Agreement (Pending Final Draft)
- First Source Hiring Affidavit
- Anti-Discriminatory Housing Affidavit

Environmental Determination

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"/> Zoning District Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Height & Bulk Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Aerial Photo | <input checked="" type="checkbox"/> Anti-Discriminatory Housing Affidavit |
| <input checked="" type="checkbox"/> Site Photos | <input checked="" type="checkbox"/> First Source Hiring Affidavit |
| <input checked="" type="checkbox"/> Environmental Determination | |

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

KJD
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☒ Affordable Housing (Sec. 415)

☒ First Source Hiring (Admin. Code)

☒ Transportation Sustainability Fee (Sec. 411A)

☒ Residential Child Care Fee (Sec. 414A)

☒ Eastern Neighborhoods Impact Fee (Sec. 423)

☐ Other

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Planning Commission Draft Motion

HEARING DATE: DECEMBER 14, 2017

Case No.: **2015-001360CUA**
Project Address: **793 South Van Ness Avenue**
Zoning: NC-3 (Neighborhood Commercial-Moderate Scale) Zoning District
Mission Alcohol/Fringe Financial Restricted Special Use Districts
55-X Height and Bulk District
Block/Lot: 3591/024
Project Sponsor: Steve Vettel, Farella Braun & Martel
235 Montgomery Street
San Francisco, CA 94104
Staff Contact: Kimberly Durandet – (415) 575-6816
kimberly.durandet@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121.1, 303 AND 712 AND THE MISSION 2016 INTERIM ZONING CONTROLS (PLANNING COMMISSION RESOLUTION NO. 19868), FOR DEVELOPMENT ON A LOT LARGER THAN 10,000 SQUARE FEET FOR THE PROJECT INVOLVING NEW CONSTRUCTION OF A SEVEN-STORY-OVER-BASEMENT (75-FT TALL) RESIDENTIAL, MIXED-USE BUILDING (APPROXIMATELY 86,574 GROSS SQUARE FEET) WITH 75 DWELLING UNITS, 77 CLASS 1 BICYCLE PARKING SPACES, 8 CLASS 2 BICYCLE PARKING SPACES, AND 38 OFF-STREET VEHICULAR PARKING SPACES, WHICH WOULD UTILIZE THE STATE DENSITY BONUS LAW (CALIFORNIA GOVERNMENT CODE SECTIONS 65915-65918), AND PROPOSES CONCESSIONS AND INCENTIVES FOR REAR YARD (PLANNING CODE SECTION 134) AND REQUIRED OFF-STREET PARKING (PLANNING CODE SECTION 151), AND A WAIVER FROM HEIGHT (PLANNING CODE SECTIONS 250 AND 252) ON LOT 024 IN ASSESSOR'S BLOCK 3591 WITHIN THE NC-3 (NEIGHBORHOOD COMMERCIAL-MODERATE SCALE) ZONING DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On February 25, 2016, Steve Vettel, Farella Braun & Martel (hereinafter "Project Sponsor"), on behalf of The Toboni Group (Property Owner), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 121.1, 303 and 712 and

the Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19868), for development on a lot larger than 10,000 square feet (sq ft) for the project involving new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building (approximately 86,574 gross square feet (gsf)) with 75 dwelling units, 77 class 1 bicycle parking spaces, and 8 class 2 bicycle parking spaces and 38 off-street vehicular parking (1 car share space included) on Lot 024 in Assessor's Block 3591 within the NC-3 (Neighborhood Commercial-Moderate Scale) Zoning District and a 55-X Height and Bulk District.

The Project Sponsor seeks to proceed under the State Density Bonus Law, Government Code Section 65915 et seq ("the State Law"). Under the State Law, a housing development that includes affordable housing is entitled to additional density, concessions and incentives, and waivers from development standards that might otherwise preclude the construction of the project. In accordance with the Planning Department's policies regarding projects seeking to proceed under the State Law, the Project Sponsor has provided the Department with a 55 unit "Base Project" that would include housing affordable to low income households. Since the Project Sponsor is providing 11 units of housing affordable to low income households, the Project is entitled to a density bonus of 35% and is requesting a waiver from the development standard for height limit (Planning Code Sections 250 and 260), as well as a concessions/incentives for rear yard (Planning Code Section 134) and off-street parking (Planning Code Section 151).

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA")). The Commission has reviewed the Final EIR, which has been available for this Commissions review as well as public review.

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

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

peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On December 5, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2015-001360CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On December 14, 2017, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-001360CUA.

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. 2015-001360CUA, 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 site ("Project Site"), Lot 024, in the Assessor's Block 3591, is located on the northeast corner of South Van Ness and 19th Street in the Neighborhood Commercial-Moderate (NC-3) Zoning District. The Project Site is an approximately 17,600 sq ft

lot located at 793 South Van Ness Avenue in San Francisco's Mission District with 122.5 feet of frontage on 19th Street and 146 feet of frontage on South Van Ness Avenue. The Project Site is developed with vacant Shell gasoline station facilities approximately 20-foot tall at the highest point.

3. **Surrounding Properties and Neighborhood.** The Project Site is located in a mixed-use area within the Mission Area Plan. West of the site is characterized by three- to four-story residential buildings. The building immediately adjacent to the project site on the north is a four-story residential building. The buildings immediately adjacent to the east of the project site are two-story, industrial buildings. The southwest and southeast corners of South Van Ness Avenue and 19th Street are zoned NC-1 (Neighborhood Commercial Cluster) with a two-story, mixed-use building with a ground floor restaurant occupying the southwest corner and three-story, mixed-use building with ground floor retail occupied by the Kaiser Glass Company on the southeast corner. Other zoning districts in the vicinity of the Project Site include: PDR-1-G (Production, Distribution, and Repair - General); RH-3 (Residential House, Three-Family); RM-1 (Residential Mixed - Low Density); RM-2 (Residential Mixed - Moderate Density); Mission Street NCT (Neighborhood Commercial Transit); RTO-Mission (Residential Transit Oriented-Mission Neighborhood); UMU (Urban Mixed-Use); and P (Public). The Project Site is located along South Van Ness Avenue, which is a high injury pedestrian and vehicular corridor. The project site is located approximately 0.4 miles from 16th Street Bay Area Rapid Transit (BART) station and is within a quarter-mile of several Muni lines including the 12 Folsom, 14 Mission, 14R Mission, 33 Ashbury/18th Street, and 49 Van Ness/Mission.
4. **Project Description.** The Project includes demolition of a vacant gas station and new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building (approximately 86,449 gsf) with 75 dwelling units, 77 Class 1 bicycle parking spaces, and 8 Class 2 bicycle parking spaces, 38 off-street vehicular parking (1 car share space included), and 4,570 gsf of retail at the ground floor. The dwelling unit mix includes 45 one-bedroom units and 30 two-bedroom units. The Project includes common open space provided by an inner courtyard and a roof deck (collectively measuring approximately 4,166 sq ft), an interior courtyard (measuring approximately 3,082 sq ft) and a rooftop deck (measuring approximately 1,084 sq ft). The majority of the open space requirements are met through private balconies and terraces for 60 dwelling units. The Project also includes streetscape improvements including curb cut removals, and street trees. Pursuant to California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law.
5. **Public Comment.** The Department staff has not received any public correspondence in opposition to the Project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Permitted Uses in NC-3 Zoning District.** Per Planning Code Section 712, dwelling units and retail are a principally permitted uses within the NC-3 (Neighborhood Commercial-Moderate Scale) Zoning District.

The Project would construct 75 dwelling units and approximately 4,570 sq ft of retail within the NC-3 Zoning Districts. Therefore, the proposed project complies with Planning Code Section 712.

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 3.6:1 for properties within the NC-3 Zoning District.

The subject lot measures 17,589 sq ft; thus, the maximum allowable floor area is 63,320 sq ft for non-residential uses. The Project would construct approximately 4,570 sq ft of retail space, and would comply with Planning Code Section 124.

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at the lowest story containing a dwelling unit. Therefore, the Project would have to provide a rear yard which measures approximately 30.5 feet of lot depth from the eastern property line or 36.5 feet of lot depth from the northern property line depending on which frontage is designated to be the front of the project.

The Project includes an above-grade rear yard, which measures approximately 3,536 sq ft (or 20 percent of lot area), and is configured as an inner courtyard along the northeast corner of the property. The Project is required to provide a rear yard measuring 25 percent of the lot area or 4,400 sq ft. Therefore, the Project does not meet the rear yard requirement.

Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, and proposes a concession from the development standards for rear yard, which is defined in Planning Code Section 134. This reduction in the rear yard requirement is necessary to enable the construction of the Project with the increased density provided, as required under Government Code Section 65915(d).

- D. **Usable Open Space.** Within the NC-3, Planning Code Section 712 and 135, a minimum of 80 sq ft of open space per dwelling unit if private or 100 sq ft if common is required for each dwelling unit. Per Planning Code Section 134(g), private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq ft if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq ft if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum area of 300 sq ft. Further, inner courts may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

The Project includes 60 units with private open space meeting the size and dimensional requirements of the Planning Code. For the remaining 15 units, a 3,081 sq ft of common open space is provided in the interior courtyard and a 1,084 sq ft common terrace on the fifth floor; therefore, the Project complies with Planning Code Section 712 and 135.

- E. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires a streetscape plan, which includes elements from the Better Streets Plan, for projects that are located on a lot that has street frontage greater than 250 feet and which proposed new construction. Per Ordinance No. 119-15 (effective August 14, 2015), the Department of Public Works (DPW) is responsible for implementing the required number of street trees along the public rights-of-way, as formerly required in Planning Code Section 138.1.

The Project includes the new construction of a seven-story mixed-use building on a lot with 122-ft of frontage along 19th Street, and 146-ft of frontage along South Van Ness Avenue. The Project includes a streetscape plan consisting of: curb cut removals, new street trees and bike racks. All proposed work would comply with the Better Streets Plan. Therefore, the Project complies with Planning Code Section 138.1.

- F. **Bird Safety.** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

The subject lot is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project meets the requirements for feature-related hazards.

- G. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley at least 20-ft wide, side yard or rear yard must be at least 25 ft in width, or an open area (either an inner court or a space between separate buildings on the same lot) must be no less than 25 ft in every horizontal dimension for the floor at which the dwelling unit is located.

The Project organizes the dwelling units to have exposure on Mission Street, 19th Street or along the inner rear courtyard that measures 75.5- by 52.5-ft at all residential levels. This courtyard meets the requirements of the Planning Code for the purposes of dwelling unit exposure. Therefore, the Project does comply with Planning Code Section 140.

- H. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum

floor-to-floor height of 14 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The Project meets the requirements of Planning Code Section 145.1. The Project has off-street parking that is located at least 25-ft from the front property lines at 19th Street and South Van Ness Avenue. The Project features active uses on the ground floor with a residential lobby, and retail space along 19th Street and South Van Ness Avenue. The ground floor ceiling height of the non-residential uses are at least 14 feet tall and provide required ground level transparency and fenestration. Therefore, the Project complies with Planning Code Section 145.1.

- I. **Off-Street Parking.** Planning Section 151 of the Planning Code requires one off-street parking space for each dwelling unit and one parking space for each 500 sq ft of retail space that exceeds 5,000 sq ft. Therefore, the Project would require 75 parking spaces for the residential use and no parking for the retail use as it is below 5,000 sq ft.

The Project proposes 38 off-street parking spaces (including one car share space). The Project provides 30 spaces through a mechanical stacking system. This is below the required amount required by Planning Code Section 151.

Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, and proposes a concession from the development standards for required off-street parking which is defined in Planning Code 151. This reduction in the number of off-street parking spaces is necessary to enable the construction of the Project with increased density provided by Government Code Section 65915(d).

- J. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires at least one Class 1 bicycle parking spaces for each dwelling unit and one Class 2 bicycle parking space for every 20 dwelling units. Also, one Class 1 bicycle parking space is required for each 7,500 sq ft and one Class 2 space per 2,500 sq ft of retail space is required. The Project includes 75 dwelling units and 4,570 sq ft of retail space; therefore, the Project is required to provide 75 Class 1 bicycle parking spaces and 6 Class 2 bicycle parking spaces.

The Project will provide 77 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces. Therefore, the Project complies with Planning Code Section 155.2.

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

The Project submitted a completed Environmental evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a target of 7.5 points. As currently proposed, the Project will achieve its required 7.5 points through the following TDM measures:

- *Bicycle Parking (Option A)*
- *Bicycle Repair Station*
- *Car Share (Option A)*
- *On-site Affordable Housing (Option B)*
- *Unbundled Parking (Option D)*
- *Parking Supply (Option B)*

- L. **Dwelling Unit Density.** Planning Code Sections 207 and 712 set forth the requirements for density. Planning Code Section 712 for the NC-3 Zoning District outlines a dwelling unit density of one dwelling unit per 600 square feet of lot area, or the density permitted in the nearest Residential District, whichever is greater. The nearest Residential District is the RTO-M (Residential Transit Oriented-Mission) Zoning District, where dwelling unit density is limited by building standards, such as height, setbacks and dwelling unit mix. Therefore, the project site does not a specific dwelling unit density; rather, the dwelling unit density is guided by the requirements for rear yard, open space, dwelling unit exposure, among others.

The Project Sponsor submitted a code-complying "base project," which was reviewed by Department staff to calculate the maximum amount of buildable area for residential use. The code-complying base project resulted in 55 dwelling units measuring 55,138 of residential gsf. The Project Sponsor has elected to provide 11 dwelling units as low-income (between 51-80% AMI) units. These 11 dwelling units provided as low-income units equal 20 percent of the number of units proposed in the code-complying base project. Thus, the Project is allowed a density bonus equal to 35 percent of the base project. The base project submitted for analysis was 55,138 gsf of residential space, therefore, the allowable density bonus equals up to 19,298 gsf additional floor area or a total of 74,436 gsf for the bonus project. The Project is 73,683 gsf of residential space which is within the allowable density bonus calculations. The Project overall is 86,499 gsf.

- M. **Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms. For the 75 dwelling units, the Project is required to provide at least 30 two-bedroom units or 23 three-bedroom units.

The Project provides 30 two-bedroom units out of the 75 units, which is equivalent to 40 percent of the required two-bedroom dwelling units. Therefore, the Project meets the requirements for dwelling unit mix.

- N. **Height.** Planning Code Section 250 and 252 outlines the height and bulk districts within the City and County of San Francisco. The Project is located in the Height and Bulk District 55-X.

Therefore, proposed development is permitted up to a height of 55-ft in the 55-X Height and Bulk District.

The Project would construct a new residential development up to 75-ft tall which exceeds the 55-X Height and Bulk District by 20-feet.

Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, and proposes a waiver from the development standards for height, which are defined in Planning Code Sections 250 and 252. This expansion beyond the height requirement is necessary to enable the construction of the Project with the increased density provided by Government Code Section 65915(e).

- O. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

Based upon a detailed shadow analysis, the Project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.

- P. **Transportation Sustainability Fee.** Planning Code Section 411A is applicable to new development that results in more than twenty dwelling units.

The Project includes approximately 73,683 gsf of new residential use. This square footage shall be subject to the Transportation Sustainability Fee, as outlined in Planning Code Section 411A. The Project shall receive a prior use credit for the 1,966 sq ft of existing PDR space.

- Q. **Residential Child-Care Impact Fee.** Planning Code Section 414A is applicable to new development that results in at least one net new residential unit.

The Project includes approximately 73,683 gsf of new residential use associated with the new construction of 75 dwelling units. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 414A.

- R. **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 any housing project that consists of 10 or more units where an individual project or a phased project is to be undertaken and where the total undertaking comprises a project with 10 or more units, even if the development is on separate but adjacent lots. For any development project that submitted a complete Environmental Evaluation application on or prior to January 12, 2016,

affordable units in the amount of 14.5 percent of the number of units shall be constructed on-site.

The Project Sponsor seeks to develop under the State Density Bonus Law, and therefore must include on-site affordable units in order to construct the Project at the requested density and with the requested waivers of development standards. The Project Sponsor submitted a complete Environmental Evaluation on November 24, 2015, thus is required to provide affordable units in the amount of 14.5 percent of the number of units constructed on site. The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Sections 415.5 and 415.6 and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing on-site affordable housing. The Project Sponsor is providing 14.5 percent of the base project units as affordable to satisfy the Inclusionary Affordable Housing Program obligation 11 units (7 one-bedroom and 4 two-bedroom) of the 75 units provided will be affordable units.

In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the projects on- or offsite units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and Community Development and the City Attorney's Office.

The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on September 18, 2017. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on November 24, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 14.5 percent of the total proposed dwelling units in the Base Project as affordable.

The Project Sponsor will satisfy the Inclusionary Housing requirements by providing eleven units, or 20 percent of the total proposed dwelling units in the Base Project as affordable to low-income households (as defined in California Health and Safety Code section 50105). If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative prior to issuance of the first construction document, this conditional

use approval shall be deemed null and void. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative after construction, the City shall pursue any and all available remedies at law.

- S. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the Eastern Neighborhoods Program Area that results in the new construction of residential and non-residential space.

The proposed project includes approximately 73,683 gross square feet of new residential development, 4,570 gsf of commercial space, 8,196 gsf of accessory parking for a total of 86,449 gsf for the proposed building. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.

7. **State Density Bonus Law:** Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law. The State Law permits a 35% density bonus if at least 20% of the “Base Project” units are affordable to low-income households (as defined in California Health and Safety Code section 50105). The “Base Project” includes the amount of residential development that could occur on the project site as of right without modifications to the physical aspects of the Planning Code (ex: open space, dwelling unit exposure, etc.). Under the State Density Bonus Law, the Project Sponsor is entitled to a limited number of concessions or incentives, as well as waivers for any development standard that would physically preclude construction of the project at the proposed density.

The Project is providing 20% of units in the Base Project as affordable to low income households (51-80% of area median income, as defined in California Health and Safety Code Section 50105) and is entitled to a 35% density bonus under State Law. The Project proposes concessions/incentives to the development standards for rear yard (Planning Code Section 134) and required off-street parking (Planning Code Section 151). The Project proposes a waiver to the development standards for height (Planning Code Sections 250 and 252). The concessions and waiver are necessary to construct the Project at the proposed density.

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

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

The Project will demolish an abandoned gas station, and construct a new seven-story residential development with 75 dwelling units. Given the objectives of the Mission Area Plan, the Project is necessary and desirable in promoting the development of housing, while also maintaining and contributing to the important aspects of the existing neighborhood. Housing is a top priority for the

City and County of San Francisco. The size and intensity of the proposed development is necessary and desirable for this neighborhood and the surrounding community because it will provide new opportunities for housing and add new site amenities that will contribute to the character of the surrounding neighborhood. The Project will also replace an underutilized site, while also providing new public amenities, including landscaping, and bicycle parking. The immediate area is extremely varied in character and features a variety of uses, including light industrial, commercial, and residential. The influx of new residents will contribute to the economic vitality of the existing neighborhood by adding new patrons for the nearby retail uses. In summary, the Project is an appropriate urban invention and infill development.

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

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project would establish a new seven-story residential development with ground floor commercial on a corner in a varied neighborhood context, which includes one-to-two story commercial properties, three-to-four-story tall residential developments and one-to-three story light industrial buildings. The Project is an appropriate infill corner development given the character of the surrounding neighborhood.

- 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 would not adversely affect public transit in the neighborhood. The project site is located approximately 0.4 miles from 16th Street Bay Area Rapid Transit (BART) station and is within a quarter-mile of several Muni lines including the 12-Folsom, 14-Mission, 14R-Mission, 33-Ashbury/18th Street, and 49-Van Ness/Mission. Provision of bicycle storage areas along with the close proximity to mass transit is anticipated to encourage residents, employees and visitors to use alternate modes of transportation.

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

The Project will comply with the City's requirements to minimize noise, glare, odors, or other harmful emissions. Conditions of Approval are included to address potential issues.

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

The Project will provide required number of street trees and new bicycle parking along the public rights-of-way which will be beneficial to the surrounding neighborhood because it will provide new street improvements and vegetation.

- (3) 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, except for those requirements for which the Project Sponsor seeks a waiver under the State Density Bonus Law (California Government Code Sections 65915-65918). The Commission finds that these waivers and concessions are required in order to construct the Project at the density allowed by State Law. The Project is consistent with objectives and policies of the General Plan as detailed below.

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

The Project is in conformity with the Moderate-Scale Neighborhood Commercial Zoning District, which is described in the Planning Code as follows:

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

9. **Planning Code Section 121.1** establishes criteria for the Planning Commission to consider when reviewing applications for Developments of Large Lots in Neighborhood Commercial Districts. On balance, the project complies with said criteria in that:

- a) The mass and facade of the proposed structure are compatible with the existing scale of the district.

The Project's design includes a mass and façade that borrows elements present in the surrounding neighborhood, such as traditional bay windows, painted plaster to ensure a design that is of an appropriate scale for this larger corner development site. The ground floor façade is broken up horizontally by two large retail storefronts. Vertically, the façade is broken up with a series of bay window projections and balconies. Overall, the mass and façade of the Project is consistent and compatible with the surrounding neighborhood.

- b) The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

The proposed facade design and architectural treatments with various vertical and horizontal elements and a pedestrian scale ground floor which is consistent with the Mission neighborhood. The new building's character ensures contemporary design with quality building materials (including stucco, siding and tile) that relate to the surrounding structures that make-up the Mission's distinct character. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood

10. **Mission Interim Zoning Controls.** Planning Commission Resolution No. 19548 requires that any residential or mixed use Project that is a "Medium Project" between 25,000 and 75,000 gross square feet of non-residential use or between 25 and 75 dwelling units shall require a Large Project Authorization under Planning Code Section 329, and provide additional information that shall be considered by the Planning Commission in its deliberation of the application.

The Project Sponsor provided the required additional application information. The Department's analysis of the Project Sponsor's submittal against adopted City policies are relevant to the Mission 2016 Interim Zoning Controls, including supporting housing production while retaining neighborhood character, and reducing displacement, is described in the following section titled "General Plan Compliance."

11. **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.

Policy 1.8

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

Policy 1.10

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

The Project is a higher density mixed-use development on an underutilized lot along a primary vehicular transit corridor. The Project Site is an ideal infill site that is currently occupied by a gas station. The proposed Project would add 75 units of housing to the site with a dwelling unit mix of one-bedroom and two-bedroom units. The Project is consistent with the NC-3 Zoning District, which encourages housing development in new buildings above the ground story and that is affordable to people with a wide range of incomes. The Project includes eleven on-site affordable housing units and is near multiple transit lines and BART.

OBJECTIVE 4

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

Policy 4.4

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

Policy 4.5

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

Out of 75 new dwelling units, the Project will provide 11 on-site affordable units for rent, thus meeting the affordable housing requirements and encouraging diversity among income levels within the new development.

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.

The Project responds to the site's location within a mixed-character neighborhood. The Project appropriately responds to the varied character of the larger neighborhood and its siting as a corner lot. The

Project's façades provide a design commonly found within the surrounding area, while providing for a material palette which evokes the surrounding residential and commercial context.

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.

Policy 4.6:

Assure the provision of adequate public open space to serve new residential development.

The Project will create private and common open space areas in a new residential development through an interior courtyard and a roof deck. The project will not cast shadows over 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 24.3:

Install pedestrian-serving street furniture where appropriate.

Policy 24.4:

Preserve pedestrian-oriented building frontages.

The Project will provide new streetscape improvements along 19th Street and South Van Ness Avenue. Further, the Project will provide new street plantings, bicycle parking, and new site furnishings. Frontages are designed with active spaces oriented at the pedestrian level for an enhanced pedestrian experience, a great improvement over the former gas station.

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 77 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces in secure, convenient locations.

URBAN DESIGN ELEMENT

Objectives and Policies

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.

Although the Project Site has two street frontages, it will provide only one vehicular access point for the Project, reducing potential conflict with pedestrians and bicyclists. The 14-foot ground floor heights and active use will enhance the pedestrian experience and the site will be further improved through the removal of curb cuts and addition of street trees. Currently, the site contains an abandoned gas station.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.2

IN AREAS OF THE MISSION 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

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

Policy 1.2.3

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

The Project will replace a gas station with a new mixed-use building with ground floor retail space and residential units above, consistent with the existing residential and commercial uses in the neighborhood. Additionally, the Project complies with the applicable the bedroom mix requirements and is seeking waivers from the height and bulk standards through utilization of the State Density Bonus Law.

Housing

OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

Policy 2.3.3

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

Policy 2.3.5

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

Policy 2.3.6

Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

The Project includes 45 one-bedroom units and 30 two-bedroom units of which 11 will be Below Market Rate (BMR). Furthermore, the Project will be subject to the Eastern Neighborhood Impact Fee, Transportation Sustainability Fee and Residential Childcare Fee.

OBJECTIVE 2.6

CONTINUE AND EXPAND THE CITY'S EFFORTS TO INCREASE PERMANENTLY AFFORDABLE HOUSING PRODUCTION AND AVAILABILITY.

Policy 2.6.1

Continue and strengthen innovative programs that help to make both rental and ownership housing more affordable and available.

The Project will create seventy-five residential units, eleven of which are BMR units, on a site where no housing currently exists, thus increasing affordable housing production and availability.

Built Form

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM.

Policy 3.2.2

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

Policy 3.2.3

Minimize the visual impact of parking.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

The Project is largely residential, but includes a moderately-sized ground floor retail component along 19th Street and South Van Ness Avenue. With a ceiling height for the retail is approximately of 14 feet, the Project provides the mix of uses encouraged by the Area Plan for this location. In addition, the Project includes the appropriate dwelling-unit mix, since 40% or 30 of the 75 units are two-bedroom dwelling units. The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. Overall, the Project offers an architectural treatment that is contemporary, yet contextual, and that is consistent and compatible with the surrounding neighborhood. The Projects off-street parking is set back and buffered by the retail use.

12. **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.

Currently, the project site does not contain any existing neighborhood-serving uses. The Project improves the urban form of the neighborhood by adding new dwelling units. The Project would add new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.

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

No housing exists on the project site. The project will provide up to 75 new dwelling units, thus resulting in an increase in the neighborhood housing stock. The Project, although a larger corner development, relates to the scale and form of the surrounding neighborhood by providing relationships

to the newer, larger-scale residential properties in the area. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.

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

The Project will not alter the existing commuter traffic patterns. The project site is within walking distance to public transportation options. The location of the site will enable employees and visitors to the building to walk, bike, or use public transit.

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

The Project does not include commercial office development and does not displace the City's industrial and services sectors. The existing lot is an abandoned gas station. The Project provides new housing, which is a top priority in the City.

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

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

- G. That landmarks and historic buildings be preserved.

The Project will not impact any landmark or historic building, since the project site does not contain any landmarks or historic buildings.

- 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 has no impact on open spaces.

13. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any

building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

14. 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.
15. 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. 2015-001360CUA** under Planning Code Sections 121.1, 303 and 712 and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19868), for development on a lot larger than 10,000 sq ft for the project involving new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building (approximately 86,574 gross square feet) with 75 dwelling units at 793 South Van Ness Avenue within the NC-3 (Neighborhood Commercial- Moderate) Zoning District, and a 55-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 15, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this 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 December 14, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 14, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for conditional use under Planning Code Sections 121.1, 303 and 712 and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19868), for development on a lot larger than 10,000 sq ft for the project involving new construction of a seven-story-over-basement (75-ft tall) residential, mixed-use building (approximately 86,574 gross square feet) with 75 dwelling units at 793 South Van Ness Avenue within the NC-3 (Neighborhood Commercial- Moderate) District, and a 55-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 15, 2017, and stamped "EXHIBIT B", included in the docket for Case No. 2015-001360CUA and subject to conditions of approval reviewed and approved by the Commission on December 14, 2017 under Motion No. XXXXX. 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 December 14, 2017 under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhood Neighborhoods Plan EIR (Case No. 2015-001360ENV) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

MONITORING

7. **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

8. **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

DESIGN

9. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

10. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the 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.

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

first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

12. 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>

13. 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

PARKING AND TRAFFIC

14. Unbundled Parking. All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning

Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

15. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 77 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces.

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

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

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

PROVISIONS

17. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

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

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

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

19. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

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

20. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

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

21. **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

OPERATION

22. **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

23. **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>

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

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

INCLUSIONARY HOUSING REQUIREMENTS

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

1. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is currently required to provide 14.5% of the proposed dwelling units in the Base Project as affordable to qualifying households. The Project Sponsor has elected to satisfy the

Inclusionary Affordable Housing obligation by providing on-site inclusionary units. The Project Sponsor will fulfill this requirement by providing the 11 affordable units on-site. As required for the project to achieve a 35% density bonus under the State Density Bonus Law and Planning Code section 206.6, 7 (20%) of the units shall be affordable for a term of 55 years to households earning between 51 and 80% of area median income and, upon the expiration of the 55 year term, shall thereafter be rented at the rates specified in the inclusionary affordable housing program. 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"), and in accordance with the State Density Bonus Program and Planning Code section 206.6.

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

2. **Unit Mix.** The Project contains 45 one-bedroom, and 30 two-bedroom units; therefore, the required affordable unit mix is 7 one-bedroom, and 4 two-bedroom units. If the market-rate unit-mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

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

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

4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fourteen and one half percent (14.5%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

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

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

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

6. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

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

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

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

- (i) The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- (ii) . If the units in the building are offered for rent, seven (11%) of the affordable unit(s) shall be rented to very low-income households, as defined in California Health and Safety Code Section 50105 and/or California Government Code Sections 65915-65918, the State Density Bonus Law. Any remaining inclusionary units shall be rented to low-income households, as defined in the Planning Code and the Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- (iii) The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of

affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

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

Parcel Map

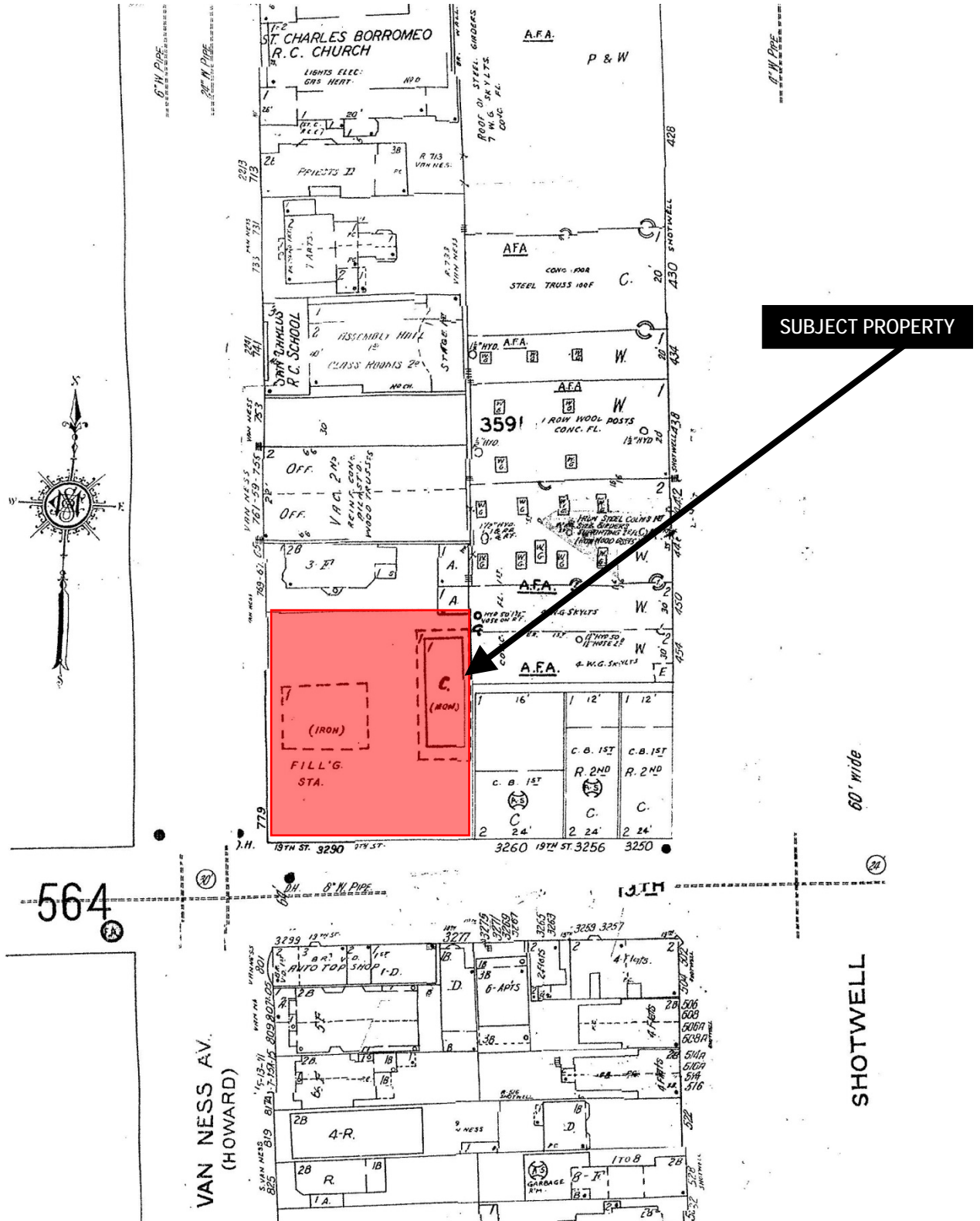
BLOCK 3591



Conditional Use Authorization
Case Number 2015-001360CUA
793 South Van Ness- State Density Bonus



Sanborn Map*

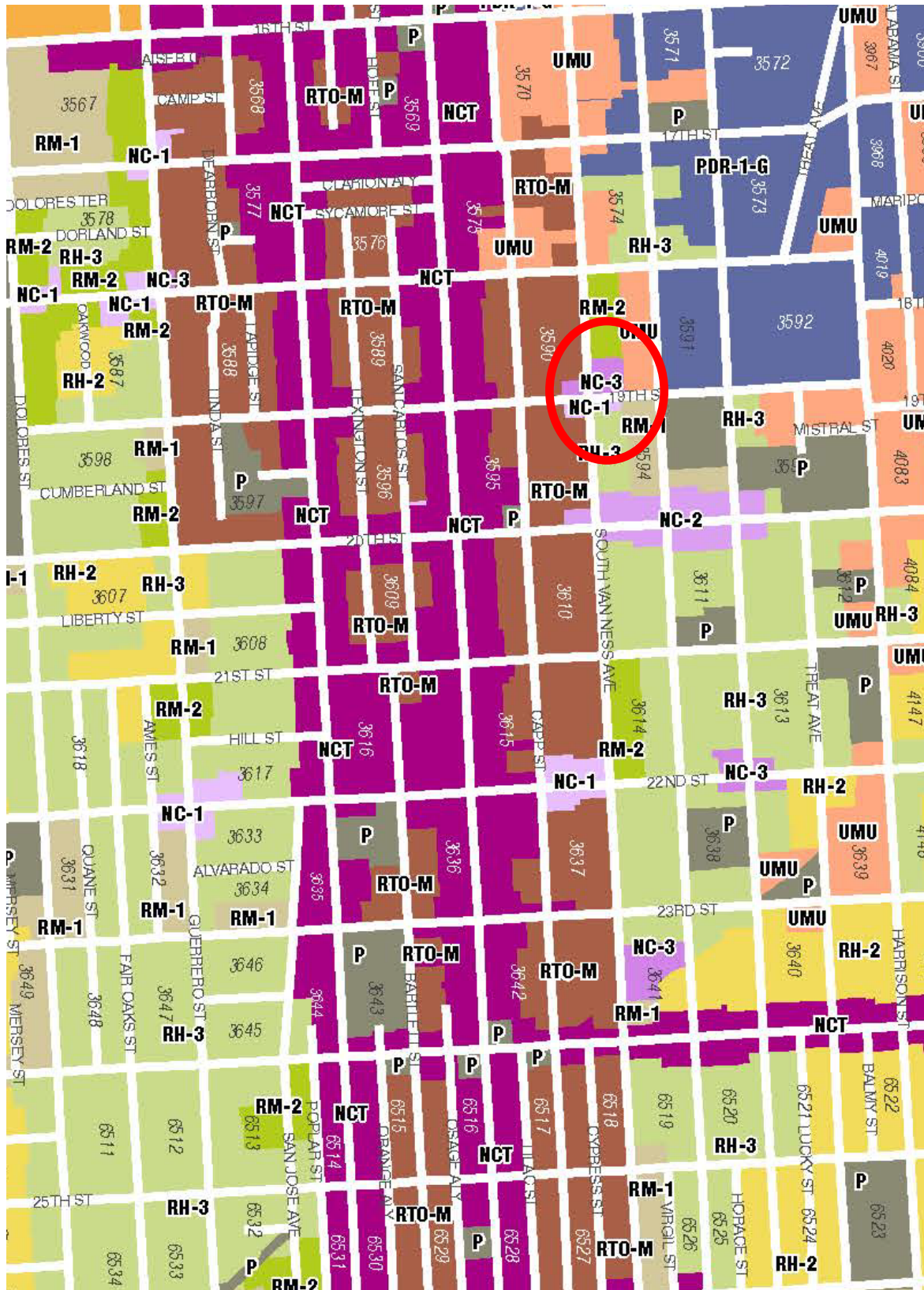


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Case Number 2015-001360CUA
793 South Van Ness- State Density Bonus

Zoning Map



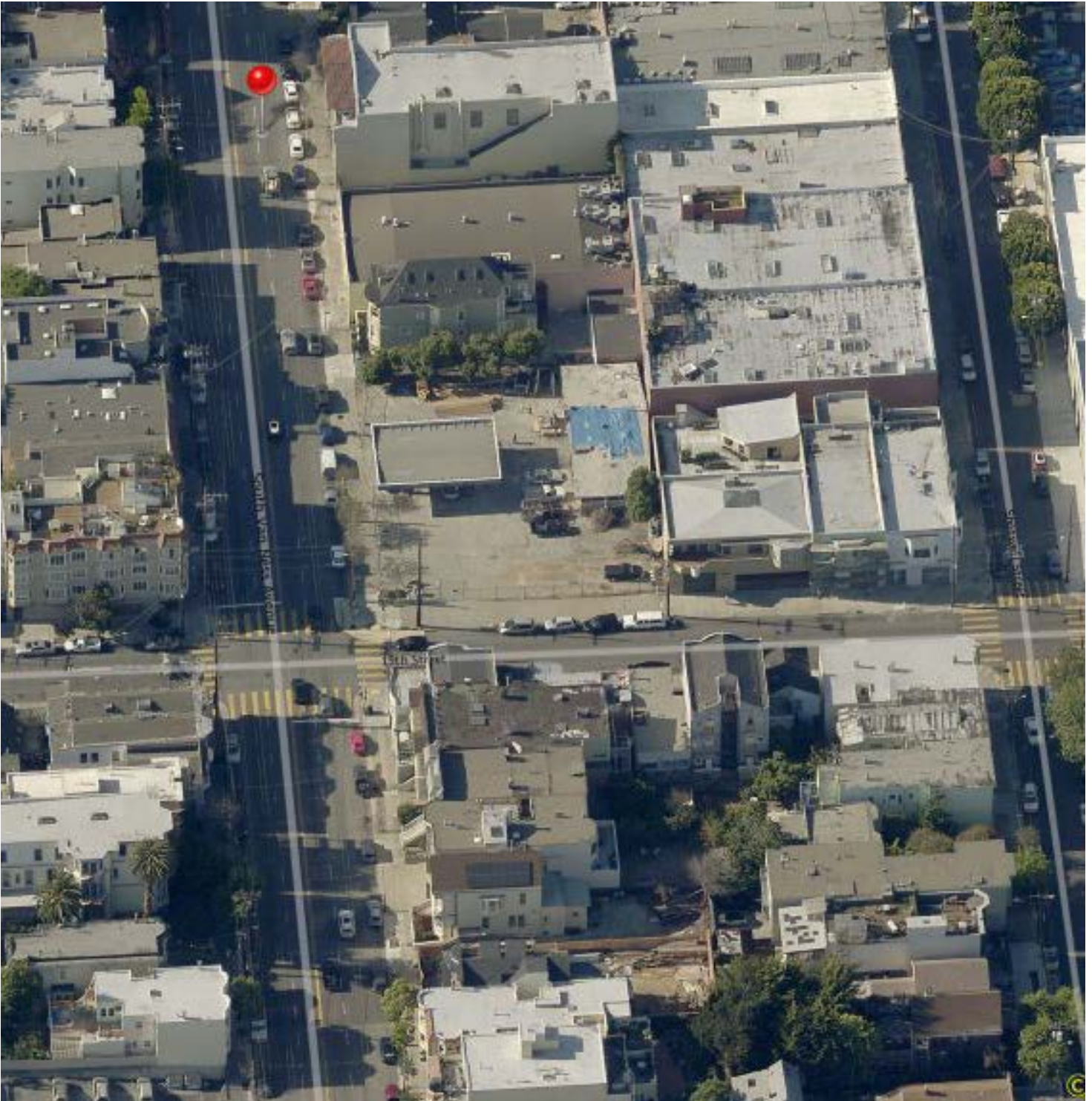
Conditional Use Authorization
Case Number 2015-001360CUA
793 South Van Ness- State Density Bonus

Height Map



Conditional Use Authorization
Case Number 2015-001360CUA
793 South Van Ness- State Density Bonus

Arial Photo



Site Photos



Conditional Use Authorization
Case Number 2015-001360CUA
793 South Van Ness- State Density Bonus



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

Case No.: 2015-001360ENV
Project Address: 793 South Van Ness Avenue
Zoning: NC-3 (Moderate-Scale Neighborhood Commercial) Use District
55-X Height and Bulk District
Block/Lot: 3591/024
Lot Size: 17,600 square feet
Plan Area: Eastern Neighborhoods Area Plan (Mission)
Project Sponsor: Joe Toboni, 799 South Van Ness LLC
415-359-9842, jtoboni@tobonigroup.com
Staff Contact: Elizabeth White
415-575-6813, elizabeth.white@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project site is an approximately 17,600-square-foot lot located at 793 South Van Ness Avenue in San Francisco's Mission District on the northeast corner of South Van Ness Avenue and 19th Street. The project site is a former gas station built in 1968 that has been out of service since 2002. The proposed project would demolish two remaining structures on the site (a 20-foot tall gas pump canopy and an approximately 2,000-square-foot, single-story building), and construct an approximately 75-foot-tall (approximately 81 feet tall with rooftop appurtenances), seven-story, mixed-use building with 75 residential units, approximately 4,500 square feet of ground floor retail space, and 38 off-street parking spaces.

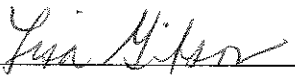
(Continued on next page.)

CEQA DETERMINATION

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

DETERMINATION

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



Lisa M. Gibson
Environmental Review Officer

12/5/17

Date

cc: Joe Toboni, Project Sponsor; Supervisor Hilary Ronen, District 9; Kimberly Durand, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The proposed project seeks to use the state density bonus law (California Government Code sections 65915-65918) to obtain a 35% increase in density above what would otherwise be permitted under current NC-3 zoning district controls. The density increase is allowed in exchange for the project sponsor providing 20% of the project's base 55 units for low-income households.¹ The proposed project would construct an approximately 86,000-square-foot building containing 75 units, comprised of 30 two-bedroom units and 45 one-bedroom units. The proposed project would provide two separate retail spaces: an approximately 3,900-square-foot retail space on the corner of 19th Street and South Van Ness Avenue and an approximately 600-foot retail space on 19th Street.

The state density bonus law permits project sponsors to select three waivers or concessions from local development standards if a certain percentage of affordable units are included in the project. Under the state density bonus law, this proposed project is seeking two concessions for the proposed project: an increase in height from 55 feet to 75 feet and modification of the rear yard requirement as defined in section 134 of the San Francisco Planning Code.

Open Space

The proposed project would provide common open space for the residential component of the project on the second and sixth stories of the building. The proposed project would provide an approximately 3,500-square-foot corner rear yard and a 1,100-square-foot roof deck on the sixth floor.

Site Circulation

The proposed project would provide 37 off-street vehicle parking spaces and one car share space located on the ground floor level of the building. Vehicle parking would be provided via a pit stacker parking system² for 30 of the proposed 37 parking spaces. The proposed project would provide 86 bicycle parking spaces comprised of 75 class 1 spaces and five class 2 spaces for the residential uses and two class 1 spaces and four class 2 spaces for the retail uses.³ Four class 2 bicycle spaces would be located on 19th Street, two class 2 bicycle spaces would be located on South Van Ness Avenue, and three class 2 spaces would be located on the ground floor level inside of the proposed building.

The project site has four existing curb cuts, varying in width from approximately 27 feet to 45 feet. The proposed project would remove two existing curb cuts on South Van Ness Avenue and one existing curb cut on 19th Street. The proposed project would retain the fourth curb cut on 19th Street, but reduce the width from 30 feet to 10 feet to allow for vehicle access for the buildings at-grade parking on the ground floor. A warning system alerting pedestrians when a vehicle is exiting from the garage would be installed at the garage entrance. One bicycle parking area would be accessed via the lobby entrance on 19th Street and a second bicycle parking area would be accessed via the ground floor garage. Additionally, a striped yellow passenger loading zone is proposed in front of the entrance to the building on 19th Street.

¹ The "base project" describes the maximum density permitted under the Planning Code without the state density bonus.

² Pit stackers are a type of stacker parking device in which cars drive into a multi-level system, located within a single parking space. The levels are then adjusted in or out of the pit to allow for the stacked parking of two vehicles in one parking space.

³ Section 155.1(a) of the Planning Code defines class 1 bicycle spaces as "spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residences, nonresidential occupants, and employees" and defines class 2 bicycles as "spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use".

Construction Activities

Construction of the proposed project would occur over approximately 24 months. The majority of construction staging would occur on site. The curb lane on 19th Street in front of the project site may be used for construction staging at certain points during the construction of the proposed project. The proposed project would require excavation to a maximum depth of approximately 8 feet for the installation of the 15 vehicle pit stacker systems and elevator pit. Approximately 2,400 cubic yards of soil would be removed from the project site during construction activities.

PROJECT APPROVALS

The proposed project at 793 South Van Ness Avenue would require the following approvals:

Actions by the Planning Commission

- Conditional Use Authorization (Planning Commission)

Actions by other City Departments

- Demolition, Site, and Building Permits (Department of Building Inspection)
- Street Improvement Permit for modifications to public sidewalks, street trees, and curb cuts (Public Works Bureau of Street Use and Mapping)
- Review for compliance with Article 22A of the San Francisco Health Code (Department of Public Health)
- Stormwater Management Plan (San Francisco Public Utilities Commission)
- Approval of a proposed passenger loading space (San Francisco Municipal Transportation Agency's color curb program)

The approval of the Conditional Use Authorization from the Planning Commission will constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 793 South Van Ness Avenue proposed project described above, and incorporates by reference information contained in

the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)⁴. Project-specific studies were prepared for the proposed project to determine if either would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at the 793 South Van Ness Avenue.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{5,6}

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁷

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the

⁴ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

⁵ San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

⁶ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

⁷ Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the 793 South Van Ness Avenue project site was rezoned to a NC-3 District. The NC-3 Districts are intended to offer a wide range of goods and services with a mix of residential units. Housing development in new buildings is encouraged above the second story. Prior to the Eastern Neighborhoods Plan, the project site was zoned as an NC-1 District.⁸ NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods, primarily during daytime hours. Similar to NC-3 Districts, housing development in new buildings is encouraged above the ground story in most districts. The proposed project and the relation to PDR land supply and cumulative land use effects is discussed further in the project-specific initial study, under Land Use. The 793 South Van Ness Avenue site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site allowing buildings up to 55 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 793 South Van Ness Avenue are consistent with and were encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 793 South Van Ness Avenue project, and identified the mitigation measures applicable to the 793 South Van Ness Avenue project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{9,10} Therefore, no further CEQA evaluation for the 793 South Van Ness Avenue proposed project is required. In sum, the Eastern Neighborhoods PEIR and this certificate of determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is an approximately 17,600-square-foot lot located at 793 South Van Ness Avenue in San Francisco's Mission District on the northeast corner of South Van Ness Avenue and 19th Street. The project site is currently occupied by the remains of a former gas station, which has not been operated since 2002. West of the site, the uses are predominately residential characterized by buildings three-to-four stories in height. The building immediately adjacent to the north of the project site is a four-story residential building. The building immediately adjacent to the east of the project site is a two-story, mixed-use building with the ground floor space occupied by San Francisco Auto Repair Center. The southwest and southeast corners of South Van Ness Avenue and 19th Street are zoned NC-1 (Neighborhood Commercial

⁸ San Francisco Planning Department. Amendments to the Zoning Map. Block Number/Lot Number 3591/024, Case No. 2004.0160EMTZUUU. Available at: http://sf-planning.org/sites/default/files/FileCenter/Documents/1383-Map_amendments_height%26zoning_by_BlockLot_Initiation.pdf

⁹ Adam Varat, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 793 South Van Ness Avenue, August 4, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-001360ENV.

¹⁰ Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 793 South Van Ness Avenue, October 27, 2017.

Cluster) with a two-story, mixed-use building with a ground floor restaurant occupying the southwest corner and three-story, mixed-use building with ground floor retail occupied by the Kaiser Glass Company on the southeast corner. The project site is located approximately 0.4 miles from the 16th Street Bay Area Rapid Transit (BART) station and is within a quarter-mile of several Muni lines including the 12- Folsom, 14-Mission, 14R-Mission, 22-Fillmore, 27-Bryant, 33-Ashbury/18th Street, and 49-Van Ness/Mission.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed project at 793 South Van Ness Avenue would include a height increase of two stories (20 feet) above the 55-X height and bulk district pursuant to the state density bonus law. Consistent with the state density bonus law, the San Francisco Planning Department determined that the proposed project is in conformance with the height, use, and density described in the Eastern Neighborhoods PEIR. The proposed project would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 793 South Van Ness Avenue project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. As a result of the adoption of the Plan, the project site was rezoned from an NC-1 District to an NC-3 District. The proposed project would demolish a vacant PDR land use to construct a mixed-use residential and retail use. Therefore, proposed project would contribute to significant and unavoidable impacts on land use with respect to PDR land supply. This conversion was already considered in the Eastern Neighborhoods PEIR, and therefore, the proposed project would not contribute to any impact related to PDR uses not already identified in the PEIR. The proposed project would not contribute to the impact on historic architectural resources because no resources are located at the project site and the project site is not located in a designated state or local historic district. The proposed project would increase the volume of transit ridership, but would not contribute considerably to the transit impacts identified in the Eastern Neighborhoods PEIR. The proposed project would not contribute to the shadow impact because it would not cast shadows on any parks or open spaces. Three mitigation measures identified in the Eastern Neighborhoods PEIR are necessary to reduce the proposed project's impacts to less than significant. These mitigation measures address the potential to impact archaeological resources as a result of ground disturbing activities, the development and implementation of a set of noise attenuation measures during construction, and the proper removal and disposal of hazardous building materials.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 2** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

Table 2 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving is not proposed.	Not Applicable
F-2: Construction Noise	Applicable: temporary construction noise from the use of heavy equipment would occur in proximity to noise-sensitive receptors.	The project sponsor has agreed to implement Project Mitigation Measure 2, which includes the development and implementation of a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: interior noise would be required to meet acoustical standards in Title 24 of the Building Code.	Not Applicable
F-4: Siting of Noise-Sensitive Uses	Not Applicable: interior noise would be required to meet acoustical standards in Title 24 of the Building Code.	Not Applicable
F-5: Siting of Noise-Generating Uses	Not Applicable: the proposed project would not include noise-generating uses.	Not Applicable
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	Not Applicable
G. Air Quality		
G-1: Construction Air Quality	Not Applicable: these requirements have been superseded by the San Francisco Dust Control Ordinance.	The project is required to comply with the San Francisco Dust Control Ordinance.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: the project site is not located within the Air Pollutant Exposure Zone.	Not Applicable

Mitigation Measure	Applicability	Compliance
G-3: Siting of Uses that Emit Diesel Particulate Matter (DPM)	Not Applicable: the residential and retail uses associated with the proposed project are not expected to emit substantial levels of DPMs.	Not Applicable
G-4: Siting of Uses that Emit other Toxic Air Contaminants (TACs)	Not Applicable: the proposed project would not include a backup diesel generator or other use that emits TACs.	Not Applicable
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: the proposed project are within Archeological Mitigation Zone J2: Properties with no Previous Studies.	Not Applicable
J-2: Properties with no Previous Studies	Applicable: the proposed project are within Archeological Mitigation Zone J2: Properties with no Previous Studies.	The project sponsor has agreed to implement Project Mitigation Measure 1, which includes archeological testing.
J-3: Mission Dolores Archeological District	Not Applicable: the proposed project are within Archeological Mitigation Zone J2: Properties with no Previous Studies.	Not Applicable
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	Not Applicable
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.	Not Applicable
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission.	Not Applicable

Mitigation Measure	Applicability	Compliance
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: the proposed project involves the demolition of an existing gasoline service station that was constructed before 1970.	The project sponsor has agreed to implement this requirement as Project Mitigation Measure 3, which requires removal and proper disposal of hazardous building materials according to applicable federal, state, and local laws prior to the start of demolition.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA.	Not Applicable
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA.	Not Applicable
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA.	Not Applicable
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA.	Not Applicable
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA.	Not Applicable
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA.	Not Applicable
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA.	Not Applicable

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

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on June 5, 2017 to adjacent occupants and owners of properties within 300 feet of the 793 South Van Ness Avenue project site. The Planning Department received comments from seven individuals on the proposed project, all of which expressed concerns about the height and/or density of the proposed building. All seven of the commenters also indicated concern about transportation-related issues including pedestrian safety, parking, congestion, public transit, and traffic hazards. Four commenters conveyed concerns about public services, specifically how the proposed project would impact emergency services and water, sewer, and electrical infrastructure. Four commenters raised concerns related to noise impacts generated during project construction as well as noise impacts from the increased density that would occur in the neighborhood. Three commenters expressed concerns related to air quality impacts associated with construction activities as well as the emissions associated with the operations of the proposed building. Two commenters conveyed concerns related to the project site’s designation as an area prone to flooding, with one commenter stating that the sewer system would not be able to handle additional runoff resulting from the proposed project. Two commenters expressed concerns related to the potential shadow impacts on nearby properties. One commenter inquired about the potential wind impacts from the proposed building on the surrounding area. One commenter expressed concern about character of the building in a historic district. Three individuals requested that the Planning Department send them the final environmental documentation for the project. These concerns were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the project-specific initial study:¹¹

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and

¹¹ The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-001360ENV.

5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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

ATTACHMENT A: MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures and Project-Specific Improvement Measures)

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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Mitigation Measures from the Eastern Neighborhoods Area Plan EIR

Archeology				
<p>Project Mitigation Measure 1- Archeological Testing (Implementing Eastern Neighborhoods Mitigation J-2)</p> <p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).</p> <p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site¹ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological</p>	Project Sponsor, project contractor, and project archeologist.	Prior to issuance of any permit for soil-disturbing activities and during construction activities.	The Environmental Review Officer (ERO) to review and approve the Archeological Research Design and Treatment Plan (ARDTP).	The project archeologist to report on progress bi-monthly to the ERO. Considered complete after review and approval of ARDTP by the ERO.

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

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

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(Including the Text of the Mitigation Measures and Project-Specific Improvement Measures)

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p> <p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ul style="list-style-type: none"> A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. <p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> ▪ The archeological consultant, project sponsor, and ERO shall 				

ATTACHMENT A: MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures and Project-Specific Improvement Measures)

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</p> <ul style="list-style-type: none"> ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. 				

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MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> ▪ <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. ▪ <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. ▪ <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. ▪ <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. ▪ <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. ▪ <i>Final Report.</i> Description of proposed report format and distribution of results. ▪ <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><i>Human Remains, Associated or Unassociated Funerary Objects.</i> The</p>				

ATTACHMENT A: MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures and Project-Specific Improvement Measures)

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinterment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).</p> <p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the</p>				

ATTACHMENT A: MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures and Project-Specific Improvement Measures)

MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.				
Noise				
Project Mitigation Measure 2- Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2) The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. The Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible: <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 	Project Sponsor and project contractor	During construction	Project Sponsor to provide Planning Department with monthly reports during construction period.	Considered complete upon receipt of final monitoring report at completion of construction.
Hazardous Materials				
Project Mitigation Measure 3 (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1) The sponsor shall ensure that any equipment containing PCBs or DEHP,	Project Sponsor	Prior to demolition activities.	Planning Department, in consultation with Department of Public	Considered complete upon submittal of a monitoring report.

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MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.			Health (DPH); Project Sponsor or contractor will submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.	

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PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
Transportation and Circulation				
<p>Project Improvement Measure 1 – Construction Management Plan and Public Updates</p> <ul style="list-style-type: none"> <i>Construction Management Plan</i> – The project sponsor will develop and, upon review and approval by the SFMTA and Public Works, implement a Construction Management Plan, addressing transportation-related circulation, access, staging and hours of delivery. The Construction Management Plan would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruption and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The Construction Management Plan would supplement and expand, rather than modify or supersede, and manual, regulations, or provisions set forth by the SFMTA, Public Works, or other City departments and agencies, and the California Department of Transportation. Management practices could include: best practices for accommodating pedestrians and bicyclists, identifying routes for construction trucks to utilize, minimizing deliveries and travel lane closures during the a.m. (7:30 a.m. to 9:00 a.m.) and p.m. (4:30 p.m. to 6:00 p.m.) peak periods along South Van Ness Avenue and 19th Street (Monday through Friday). <i>Carpool, Bicycle, Walk and Transit Access for Construction Workers</i> - To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include as part of the Construction Management Plan methods to encourage carpooling, bicycle, walk and transit access to the project site by construction workers (such as providing secure bicycle parking spaces, participating in free-to-employee and employer ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers. <i>Construction Worker Parking Plan</i> - As part of the Construction Management Plan that will be developed by the construction contractor, the location of construction worker parking could be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking could be discouraged. The project sponsor could provide on-site parking once the below grade parking garage is usable. <i>Project Construction Updates for San Francisco Fire and Police</i> 	Project Sponsor	Two months prior to construction and quarterly for the entirety of project construction activities.	Project Sponsor and project contractor in consultation with the San Francisco Police and Fire Department; Project Sponsor and project contractor will submit construction schedules to the San Francisco Police and Fire Departments, with a copy to the Planning Department. Project sponsor will include the Planning Department on any additional correspondence and submittals to the San Francisco Fire and Police Departments.	Ongoing

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PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>Departments</i> - The project sponsor will coordinate with the San Francisco Fire and Police Departments for the duration of project construction activities regarding the construction schedule and activities that could temporarily impact 19th Street access. Two months prior to beginning construction, the project sponsor will provide the San Francisco Fire and Police Departments the proposed construction schedule and indicate the proposed activities that could temporarily impact 19th Street access. Subsequent updates or addendums to the proposed schedule and a list of construction activities will be provided to the Fire and Police Departments on a quarterly basis to avoid conflict between project construction activities and emergency services.</p>				
<p>Project Improvement Measure 2: Queue Abatement To minimize the vehicle queues at the project driveway into the public right-of-way, the project will be subject to the Planning Department's vehicle queue abatement conditions of approval:</p> <ul style="list-style-type: none"> It will be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis. If a recurring queue occurs, the owner/operator of the parking facility will employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable). Suggested abatement methods include but are not limited to the following: redesign of the facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of "LOT FULL" signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, 	Project sponsor	During project operation	Project sponsor to implement queue abatement measures on an as-needed basis and in consultation with the Planning Department.	Ongoing

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PROPOSED IMPROVEMENT MEASURES TO BE ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>time-of-day parking surcharge, or validated parking.</p> <ul style="list-style-type: none"> If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department will notify the property owner in writing. Upon request, the owner/operator will hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant will prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator will have 90 days from the date of the written determination to abate the queue. 				



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: **2015-001360ENV**
Project Address: **793 South Van Ness Avenue**
Zoning: NC-3 (Moderate-Scale Neighborhood Commercial) Use District
55-X Height and Bulk District
Block/Lot: 3591/024
Lot Size: 17,600 square feet
Plan Area: Eastern Neighborhoods Area Plan (Mission)
Project Sponsor: Joe Toboni, 799 South Van Ness LLC
415-359-9842, jtoboni@tobonigroup.com
Staff Contact: Elizabeth White
415-575-6813, elizabeth.white@sfgov.org

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415.558.6377

PROJECT DESCRIPTION

The project site is an approximately 17,600-square-foot lot located at 793 South Van Ness Avenue in San Francisco's Mission District on the northeast corner of South Van Ness Avenue and 19th Street (refer to **Figure 1**). The project site is a former gas station built in 1968 that has been out of service since 2002. The immediate area surrounding 793 South Van Ness Avenue contains residential uses to the north and to the west, and mixed-use and Production, Distribution, and Repair (PDR) uses¹ to the east and to the south.

The proposed project would demolish two remaining structures (a 20-foot tall gas pump canopy and a 2,000-square-foot, single-story building), and construct an approximately 75-foot-tall (approximately 81 feet tall with rooftop appurtenances), seven-story, mixed-use building with 75 residential units, approximately 4,500 square feet of ground floor retail space, and 38 off-street parking spaces. The proposed project seeks to use the state density bonus law under California Government Code sections 65915-65918 to obtain a 35% increase in density above the base 55 units that would be permitted under the existing NC-3 zoning district controls. The density increase is allowed in exchange for the project sponsor providing 20% of the project's base 55 units for low-income households.²

The proposed project would construct an approximately 86,600-square-foot building containing 75 units, comprised of 30 two-bedroom units and 45 one-bedroom units. The proposed project would also provide two separate retail spaces: an approximately 3,900-square-foot retail space on the corner of 19th Street and South Van Ness Avenue and an approximately 600-square-foot retail space on 19th Street.

¹ PDR use is a grouping of uses that includes, but is not limited to all Industrial and Agricultural Uses, Ambulance Services, Animal Hospital, Automotive Service Station, Automotive Repair, Automotive Wash, Arts Activities, Business Services, Cat Boarding, Catering Service, Commercial Storage, Kennel, Motor Vehicle Tow Service, Livery Stable, Parcel Delivery Service, Public Utilities Yard, Storage Yard, Trade Office, Trade Shop, Wholesale Sales, and Wholesale Storage.

² The "base project" describes the maximum density permitted under the Planning Code without the state density bonus.

The state density bonus law permits project sponsors to select three waivers or concessions from local development standards if a certain percentage of affordable units are included in the project. Under the state density bonus law, the proposed project is seeking two concessions: an increase in height from 55 feet to 75 feet and modification of the rear yard requirement as defined in section 134 of the San Francisco Planning Code.

Table 1. Proposed Project

	Proposed Project
Building height	75 feet (approximately 81 feet including the elevator shaft on roof)
Total building area	86,600 square feet (gross floor area)
Residential	73,900 square feet
Retail	4,500 square feet
Storage/parking/building circulation	8,200 square feet
Residential Units	75 units
Two bedrooms	30
One bedroom	45
Vehicle parking	38 spaces
Car share	1
Residential spaces	37
Bicycle Parking	86 spaces
Class 1 (residential)	75
Class 1 (retail)	2
Class 2 (residential)	5
Class 2 (retail)	4
Open Space	4,600 square feet
Rear yard (Floor 2)	3,500 square feet
Roof top open space (Floor 6)	1,100 square feet

Open Space

The proposed project would provide common open spaces for the residential component of the project on the second and sixth stories. The proposed project would provide an approximately 3,500-square-foot corner rear yard and a 1,100-square-foot roof deck on the sixth floor of the building.

Site Circulation

The proposed project would provide 37 off-street vehicle parking spaces and one car share space on the ground floor level of the building. Vehicle parking would be provided via a pit stacker parking system³ for 30 of the proposed 37 parking spaces. The proposed project would provide 86 bicycle parking spaces

³ Pit stackers are a type of stacker parking device in which cars drive into a multi-level system, located within a single parking space. The levels are then adjusted in or out of the pit to allow for the stacked parking of two vehicles in one parking space.

comprised of 75 class 1 spaces and five class 2 spaces for the residential uses and two class 1 spaces and four class 2 spaces for the retail uses.⁴

The project site has four existing curb cuts, varying in width from approximately 27 feet to 45 feet. The proposed project would remove two existing curb cuts on South Van Ness Avenue and one existing curb cut on 19th Street. The proposed project would retain the fourth curb cut on 19th Street, but reduce the width from 30 feet to 10 feet to allow for vehicle access for the building's at-grade parking on the ground floor. A warning system alerting pedestrians when a vehicle is exiting from the garage would be installed at the garage entrance. One bicycle parking area would be accessed via the lobby entrance on 19th Street and a second bicycle parking area would be accessed via the ground floor garage. Four class 2 bicycle spaces would be located on 19th Street, two class 2 bicycle spaces would be located on South Van Ness Avenue, and three class 2 spaces would be located on the ground floor level inside of the proposed building.

Additionally, a striped yellow passenger loading zone is proposed in front of the entrance to the building on 19th Street.

Construction Activities

Construction of the proposed project would occur over approximately 24 months. The majority of construction staging would occur on site. The curb lane on 19th Street in front of the project site may be used for construction staging at certain points during the construction of the proposed project. The proposed project would require excavation to a maximum depth of approximately 8 feet for the installation of the 15 vehicle pit stacker systems and elevator pit. Approximately 2,400 cubic yards of soil would be removed from the project site during construction activities. Pile driving is not proposed as part of this project.

⁴ Section 155.1(a) of the Planning Code defines class 1 bicycle spaces as "spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residences, nonresidential occupants, and employees" and defines class 2 bicycles as "spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use".

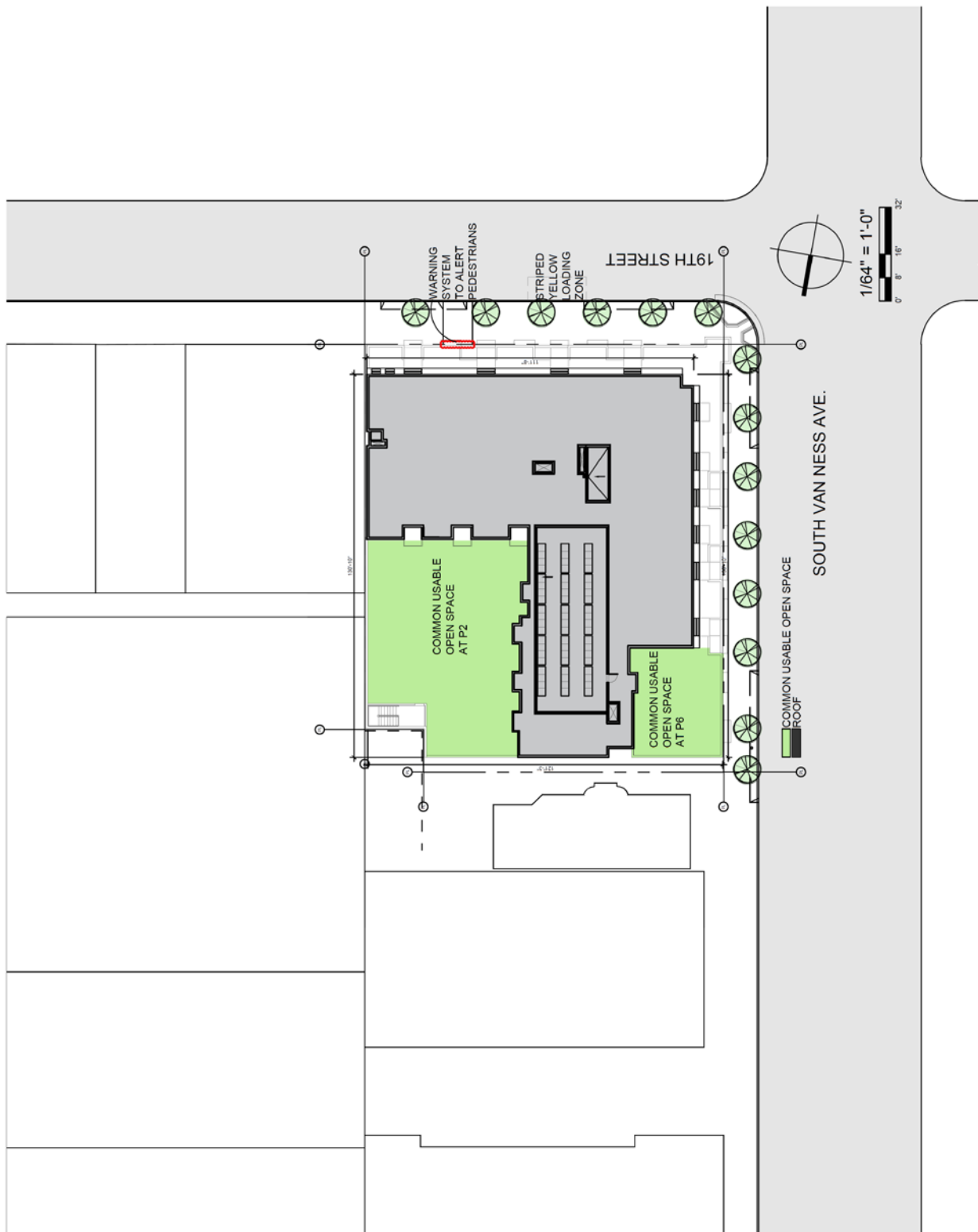
Figure 1. Project Location



Figure 2. 793 South Van Ness Avenue (view looking northeast)



Figure 3. Proposed Project Site Plan



The site plan for the South Van Ness project shows a building footprint with various internal spaces including retail, lobby, storage, and parking. The plan is oriented with 19th Street to the north and South Van Ness to the east. Key features include:

- Building Footprint:** A large rectangular building with a central section containing a lobby and storage areas. The main retail area is on the right side.
- Parking:** Stacker parking is located on the left side of the building. A parking area is also shown within the building's footprint.
- Landscaping:** New street trees are indicated along the 19th Street frontage. Existing street trees are shown along South Van Ness.
- Infrastructure:** A gas meter is located near the 19th Street frontage. A warning system to alert pedestrians is also shown.
- Legend:**
 - Stairs/Elevator: Yellow
 - Utilities/Parking: Grey
 - Bikes: Pink
 - Lobby: Blue
 - Retail: Light Blue
- Dimensions:** The building footprint is 140'-9" wide and 140'-9" deep. The parking area is 26'-4" wide and 43'-9" deep.
- Notes:**
 - (2) CLASS 2 RETAIL BIKES
 - (6) NEW STREET TREES ON 19TH STREET
 - (4) CLASS 2 RESIDENTIAL BIKES
 - (2) CLASS 2 RETAIL BIKES
 - (3) EXISTING STREET TREES
 - (5) NEW STREET TREES ON S. VAN NESS

Figure 5. Proposed Project Level 2



Figure 6. Proposed Project Levels 3, 4, and 5



Figure 7. Proposed Project Level 6



Figure 8. Proposed Project Level 7

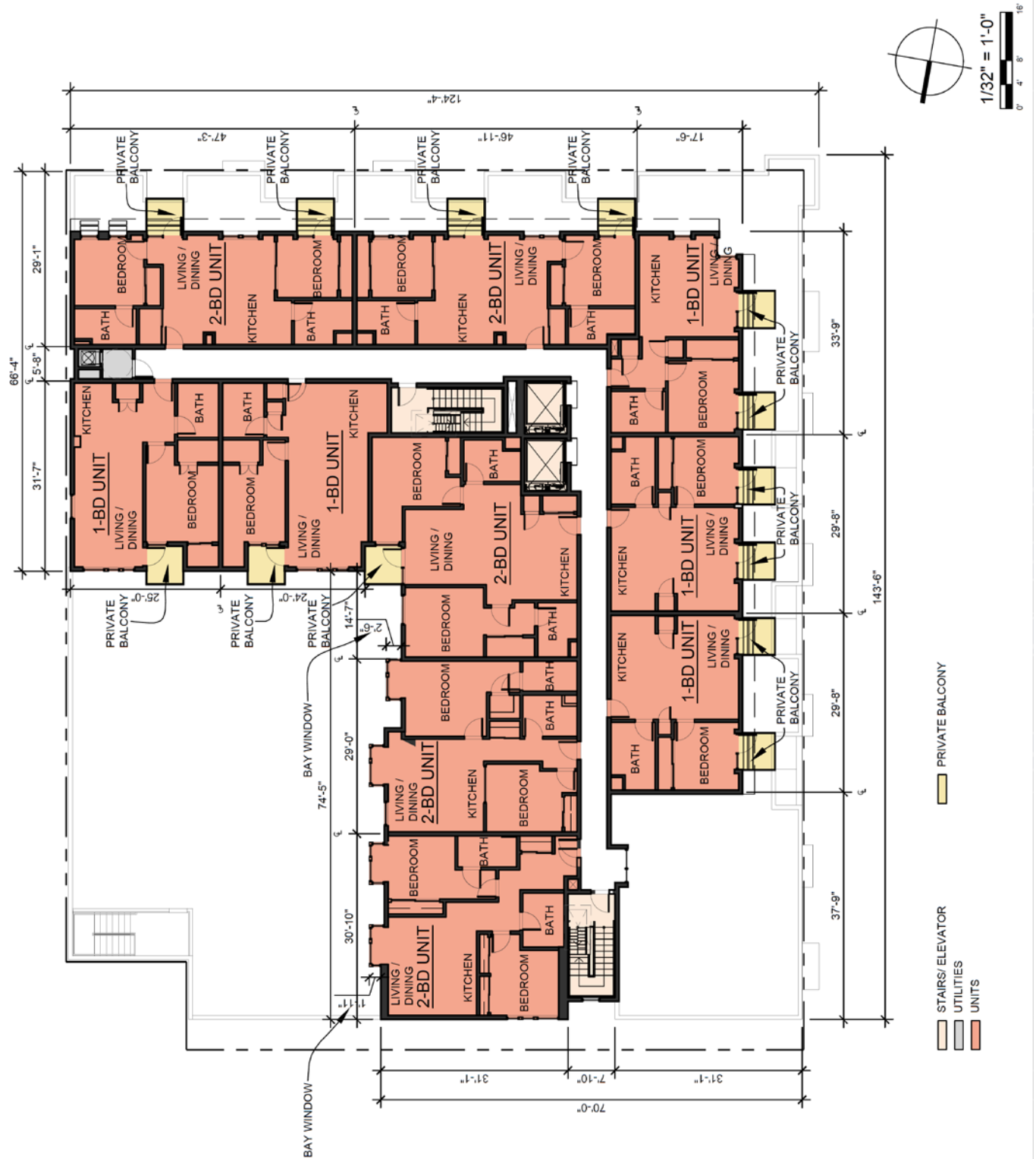
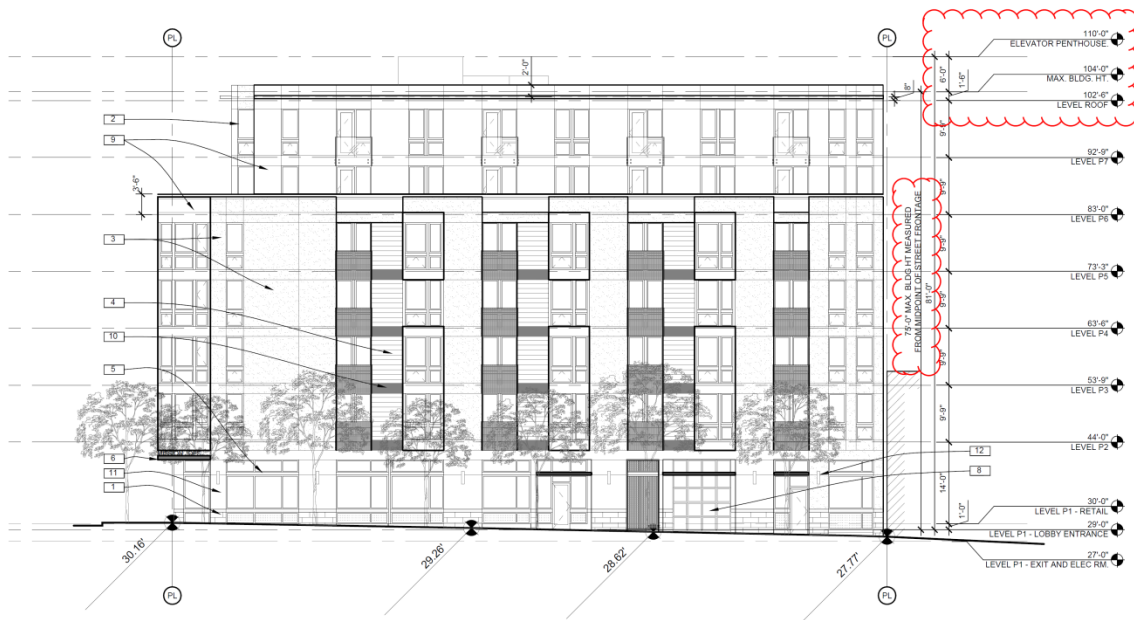


Figure 9. Proposed Project 19th Street Elevation (South Elevation)



ELEVATION KEYNOTES

- | | |
|-----------------------|------------------------|
| 1. LARGE FORMAT TILE | 10. MOCHA BROWN STUCCO |
| 2. ALUMINUM WINDOW | 11. COOL GRAY STUCCO |
| 3. LIGHT BEIGE STUCCO | 12. LIGHT FIXTURES |
| 4. RAIN SCREEN SIDING | |
| 5. STOREFRONT WINDOWS | |
| 6. CANOPY | |
| 7. ALUM. RAILING | |
| 8. GARAGE DOOR | |
| 9. WARM GRAY STUCCO | |

Figure 10. Proposed Project South Van Ness Elevation (West Elevation)



ELEVATION KEYNOTES

- | | |
|-----------------------|------------------------|
| 1. LARGE FORMAT TILE | 10. MOCHA BROWN STUCCO |
| 2. ALUMINUM WINDOW | 11. COOL GRAY STUCCO |
| 3. LIGHT BEIGE STUCCO | 12. LIGHT FIXTURES |
| 4. RAIN SCREEN SIDING | |
| 5. STOREFRONT WINDOWS | |
| 6. CANOPY | |
| 7. ALUM. RAILING | |
| 8. GARAGE DOOR | |
| 9. WARM GRAY STUCCO | |

PROJECT APPROVALS

The proposed project at 793 South Van Ness Avenue would require the following approvals:

Actions by the Planning Commission

- Conditional Use Authorization

Actions by other City Departments

- Demolition, Site, and Building Permits (Department of Building Inspection)
- Street Improvement Permit for modifications to public sidewalks, street trees, and curb cuts (Public Works Bureau of Street use and Mapping)
- Review for compliance with Article 22A of the San Francisco Health Code (Department of Public Health)
- Stormwater Management Plan (San Francisco Public Utilities Commission)
- Approval of a proposed passenger loading space (San Francisco Municipal Transportation Agency's color curb program)

EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).⁵ The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and

⁵ San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would demolish the remaining gas station facilities on the project site and construct a seven-story mixed-use building containing 75 dwelling units, approximately 4,500 square feet of ground floor retail space, and 38 off-street parking spaces. The environmental effects of the proposed project are analyzed in this document. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “CEQA Section 21099” heading below).
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 14, 2016 through January 14, 2018.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation section).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).
- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

Aesthetics and Parking

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁶ Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

In addition, CEQA section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a [*Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*](#)⁷ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

⁶ San Francisco Planning Department. Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis for 793 South Van Ness Avenue, June 30, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-001360ENV.

⁷ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

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

The Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the plan area throughout the lifetime of the plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the plan area under the No Project scenario. Within the Mission Area Plan subarea, the Eastern Neighborhoods PEIR considered the effects of losing up to approximately 3,370,000 square feet of PDR space through the year 2025. The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR space. This impact was addressed in a *statement of overriding considerations* with CEQA findings and adopted as part of the Eastern Neighborhoods Rezoning and Areas Plans approval on January 19, 2009.

Development of the proposed project would result in the net loss of approximately 2,000 square feet of former PDR building space and would preclude future PDR uses on the 17,600-square-foot lot. This would contribute to the significant cumulative land use impact related to loss of PDR space that was identified in the Eastern Neighborhoods PEIR. The project site is located in the NC-3 District, which is intended to offer a wide range of goods and services with a mix of residential units, and the proposed project is consistent with the development density established for the site under the Eastern Neighborhoods Rezoning and Area Plans. As stated above, the PEIR acknowledges that the loss of PDR space resulting from development under the adopted rezoning and area plans would have a significant and unavoidable cumulative impact on land use. The proposed project would contribute to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR, but would not result in new or more severe impacts than were disclosed in the PEIR. As such, the project's contribution to this cumulative impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and area plans do not provide for any new major roadways, such as freeways that would disrupt or divide the plan area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the NC-3 (Moderate-Scale Neighborhood Commercial) Use District

and are consistent with the land uses as envisioned in the Mission Area Plan. N-3 zoning districts are meant to offer a wide range of goods and services with a mix of residential units while the Mission Area Plan calls for transportation improvements and reduced parking in order to encourage alternatives to vehicle travel. As a mixed-use residential project with reduced parking, the proposed project is consistent with this designation. The proposed project's bulk and density is permitted within the Northeast Mission generalized zoning district in accordance with the state density bonus law.^{8,9}

As proposed, the project is permitted with the development density established in the Eastern Neighborhoods Rezoning and Area Plans and with the allowable height concessions pursuant to the state density bonus. Implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: "would induce substantial growth and concentration of population in San Francisco." The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing

⁸ Adam Varat, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 793 South Van Ness, August 4, 2016.

⁹ Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 793 South Van Ness Avenue, October 27, 2017.

housing in appropriate locations next to Downtown and other employment generators and furthering the City's transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the No-Project scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects on neighborhood character through gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income households, and states moreover that lower-income residents of the Eastern Neighborhoods, who also disproportionately live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

Pursuant to CEQA Guidelines sections 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as "blight" or "urban decay" have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts "shall not be considered a significant effect" per CEQA Guidelines section 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods Rezoning and Area Plans could contribute to gentrification and displacement, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

The proposed project would demolish the existing gasoline station facilities on the project site and construct a seven-story mixed-use building containing 75 dwelling units, approximately 4,500 square feet of ground floor retail space, and 38 off-street parking spaces. The 75 dwelling units would result in about 182 residents on the project site and the ground floor retail areas would employ approximately 13 people.^{10,11} These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project's contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use,

¹⁰ The Eastern Neighborhoods PEIR assumed that the Plan Area would have an average household size of about 2.43 residents per dwelling unit in the year 2025.

¹¹ The number of employees for retail space is estimated based on the assumption of 350 average gross square feet per employee.

transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

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

Historic Architectural Resources

Pursuant to CEQA Guidelines sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The proposed project would demolish the existing gasoline station facilities on the project site and construct a seven-story building containing 75 dwelling units, approximately 4,500 square feet of ground floor retail space, and 38 off-street parking spaces. The existing gas station located on the project site was constructed in 1968. The project site was not surveyed in 2010 as part of the Inner Mission North Historic Resources Survey due to its age at the time. Therefore, a Historic Resource Evaluation was prepared for the proposed 793 South Van Ness Avenue project.¹² The Preservation Team Review, completed by the Planning Department preservation staff, relied on the information provided in the evaluation to conclude

¹² Architectural Resources Group, 793 South Van Ness Avenue, San Francisco, Historic Resource Evaluation, September 2015.

that the existing facilities at 793 South Van Ness are not historic resources.¹³ As discussed in the project's evaluation, the Shell gasoline service station was one of more than 3,000 similar structures that Shell Oil Company built in their ranch design, a style the company instituted in the late 1950s. The subject building is not a particularly early example of the style, nor is it one of the most intact or well-preserved. No known historic events occurred at the subject property and there are no individual owners or occupants that could be identified as important to history, and the building is not architecturally distinct such that it would qualify individually for listing on the local, state, or federal registers. The subject property is not eligible for any local, state, or federal register under any criteria individually or as part of a historic district. The 793 South Van Ness Avenue project site is not located within the boundaries of any identified historic district. Although a number of historic districts were identified in the surrounding neighborhood, the immediate vicinity was determined to not contain a sufficient concentration of historically or aesthetically related buildings due to the inconsistent pattern of development and dissimilar collection of building types. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less-than-significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The proposed project would excavate approximately 8 feet below ground surface for the installation of 15 vehicle pit stacker systems and an elevator pit. Approximately 2,400 cubic yards of soil would be removed from an area where no previous archeological studies have been prepared. In accordance with Mitigation Measure J-2, Planning Department staff archeologists performed a Preliminary Archeological Review of the project site. Based on this evaluation, the 793 South Van Ness Avenue Project site may have archeological resources present within the project site. The potential for the project to adversely affect archaeological resources would be avoided by implementation of Project Mitigation Measure Number 1 Archeological Testing, as described in the Mitigation Measures section at the end of this document.¹⁴

For these reasons, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

¹³ Tina Tam, San Francisco Planning Department, *Preservation Team Review Form*, 793 South Van Ness Avenue, August 10, 2016.

¹⁴ San Francisco Planning Department, *Preliminary Archaeological Review for 793 South Van Ness Avenue*, July 18, 2017.

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

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects, and that project-specific analyses would need to be conducted for future development projects under the Eastern Neighborhoods Rezoning and Area Plans.

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, emergency access, and construction transportation impacts of the proposed project.¹⁵ Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site. As part of the proposed project, the project sponsor has agreed to implement two Project Improvement Measures to further reduce transportation and circulation impacts associated with the construction and operation of the proposed building at 793

¹⁵ San Francisco Planning Department, *Transportation Calculations for 793 South Van Ness Avenue*, October 6, 2017.

South Van Ness Avenue. These improvement measures are described below and full text of each improvement measure is provided in the Mitigation and Improvements section of this initial study.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less-than-significant level. Thus, these impacts were found to be significant and unavoidable.

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

The Eastern Neighborhoods PEIR did not evaluate vehicle miles traveled or the potential for induced automobile travel. The VMT Analysis presented below evaluates the project’s transportation effects using the VMT metric.

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

Vehicle Miles Traveled (VMT) Analysis

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

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

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

tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{16,17}

For residential development, the existing regional average daily VMT per capita is 17.2.¹⁸ For retail development, regional average daily retail VMT per employee is 14.9.¹⁹ Regional average daily VMT for these land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 2. Daily Vehicle Miles Traveled, which includes the TAZ in which the project site is located, 537.

Table 2. Daily Vehicle Miles Traveled

<u>Land Use</u>	<u>Existing</u>			<u>Cumulative 2040</u>		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 537</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 537</u>
Households (Residential)	17.2	14.6	5.0	16.1	13.7	4.4
Employment (Retail)	14.9	12.6	9.2	14.6	12.4	9.7

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less-than-significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a TAZ that exhibits low levels of VMT; Small Projects are projects that would generate fewer than 100 vehicle trips per day; and the Proximity to Transit Stations criterion includes projects that are within a half mile of an existing major transit stop, have a floor area ratio of greater than or equal to 0.75, vehicle parking that is less than or equal to that

¹⁶ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹⁷ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

¹⁸ Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

¹⁹ Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

The proposed project would include residential and retail use. As shown in Table 2, the existing residential average daily VMT in TAZ 537 per capita is 5.0. The existing residential average VMT per capita is 61 percent below the existing regional average daily VMT per capita of 17.2. The future 2040 residential average daily VMT per capita is estimated to be 4.4 in TAZ 537, which is 66 percent below the future 2040 regional average daily VMT per capita of 16.1. The existing average daily retail VMT per capita is 9.2 in TAZ 537. The existing average daily retail VMT per capita is 39 percent below the existing regional average daily VMT per capita for retail of 14.9. The future 2040 retail average daily VMT per capita is estimated to be 9.7, which is 34 percent below the future 2040 average daily retail VMT per capita of 14.6. Given that the project site is located in area in which the existing future 2040 residential VMT would be below the existing and future 2040 regional averages, the proposed project's residential and retail uses would not result in substantial additional VMT, and impacts would be less-than-significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.²⁰ Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant.

Trip Generation

The proposed project involve the demolition of existing gas station facilities and the construction of an approximately 75-foot-tall, mixed-use building containing 75 residential units and approximately 4,500 square feet of ground floor retail space. The proposed project would provide 38 off-street parking spaces and 86 bicycle parking spaces.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.²¹ Refer to Tables 3 and 4 for the proposed project trip generation.

Table 3. Estimated New Daily Project Trip Generation by Mode

	Auto	Transit	Walk	Other modes	Total person trips (inbound and outbound)
Proposed Project	696	293	200	124	1,313

Table 4. Estimated p.m. Peak Hour Trips

	Auto	Transit	Walk	Other modes	Total (inbound and outbound)
Proposed Project	84 ^a	44	22	20	171

Notes

^a 469 vehicle trips accounting for vehicle occupancy data for Census Tract 537

²⁰ San Francisco Planning Department. Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis for 793 South Van Ness Avenue, June 30, 2017.

²¹ San Francisco Planning Department, *Transportation Calculations for 793 South Van Ness Proposed Project*, October 6, 2017.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).²² The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. In compliance with a portion of Mitigation Measure E-11: Transportation Demand Management, the city adopted a comprehensive Transportation Demand Management Program for most new development citywide (Ordinance 34-17, effective March 19, 2017). The proposed project would be subject to the fee. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.²³ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Boulevard. The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in section 138.1 of the Planning Code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods Plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

²² Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

²³ <http://tsp.sfplanning.org>

The project site is located within a quarter mile of several local transit lines including Muni lines 12-Folsom, 14-Mission, 14R-Mission, 22-Fillmore, 27-Bryant, 33-Ashbury/18th Street, and 49-Van Ness/Mission. The proposed project would be expected to generate 293 daily transit trips, including 44 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 44 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of three Muni lines: 22-Fillmore, 33-Ashbury/18th Street, and 49-Van Ness/Mission. The proposed project would not contribute considerably to these conditions as the minor contribution of 44 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

Emergency Vehicle Access

San Francisco Fire Department's Station 7 is located at 2300 Folsom Street at 19th Street, one block east from the project site. Overall, the construction-related transportation impacts from the proposed project on emergency vehicles would be less than significant because these activities would be temporary and intermittent in nature and limited in their effects. Construction of the proposed project would occur over approximately 24 months. The majority of construction staging activities would occur on-site. The curb lane on 19th Street in front of the project site may be used for construction staging at certain points during the construction of the proposed project. There would be an average of between 15 to 40 construction workers per day at the project site. U.S. Route 101 provides the primary regional access to the project site. Construction truck routes would access U.S. 101 from either Caesar Chavez Street via South Van Ness Avenue or from Vermont Street via 17th Street. Given the proximity to Station 7, the project sponsor has agreed to implement Project Improvement Measure 1, in which the project sponsor will implement a construction management plan to address transportation-related circulation, access, staging, and hours of delivery to reduce potential conflicts between construction activities and emergency vehicles path of travel. The construction management plan will be provided to the San Francisco Fire and Police Departments for review and approval.

The Eastern Neighborhoods PEIR identified that the existing street grid provides ample access for emergency responders and egress for residents and workers, and that there would be no direct or indirect alteration of this situation to any substantial degree. Furthermore, the Eastern Neighborhoods PEIR identified that the Fire Department reviews building permits for multi-story structures so there would be no interference with an adopted emergency response plan or emergency evacuation plan.²⁴ The proposed project would not permanently alter or sever 19th Street as a western emergency access route nor would it impact other western routes for emergency vehicles. However, to minimize the potential for vehicle queues at the 793 South Van Ness Avenue project driveway into the public right-of-way on 19th Street to interfere with emergency vehicles, the project sponsor has agreed to implement Project Improvement

²⁴ San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final EIR. August 7, 2008. Page 499. http://sf-planning.org/sites/default/files/FileCenter/Documents/4005-EN_Final-EIR_Part-8_Prk-Shd-Arch-Hist-Haz-Oth.pdf

Measure 2: Queue Abatement, in which the project sponsor will implement queue abatement measures if there is recurring queue. Abatement measures could include redesign of the facility to improve vehicle circulation, employment of parking attendants, or other methods as listed in the improvement measure. As described in the project description, the project proposes to construct a yellow passenger loading zone on 19th Street to prevent conflicts between pedestrian or passenger loading activities and vehicular traffic.

Conclusion

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to transportation and circulation and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less-than-significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent

development projects.²⁵ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would be supported by drilled, cast-in-place, concrete piers. No pile driving activities are proposed during the construction activities. Since construction would not require pile driving, Mitigation Measure F-1 is not applicable. Because construction activities would require heavy equipment, PEIR Mitigation Measure F-2 is applicable to the proposed project, and is included in the Mitigation Measures section as Project Mitigation Measure 2. Project Mitigation Measure 2 would reduce construction noise by requiring the sponsor to develop and implement a set of noise attenuation measures under the supervision of a qualified acoustical consultant.

In addition, all construction activities for the proposed project (approximately 24 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of PW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 24 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be

²⁵ Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the *Eastern Neighborhoods PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less-than-significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

required to comply with the Noise Ordinance and Eastern Neighborhoods PEIR Mitigation Measure F-2, which would reduce construction noise impacts to a less-than-significant level.

Operational Noise

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project involves the construction of a seven-story, mixed-use building with 75 units and approximately 4,500 square feet of retail use. The proposed project's residential and retail uses would be similar to surrounding uses and are not expected to be in excess of existing ambient noise levels, therefore, PEIR Mitigation Measure F-5 is not applicable.

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

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

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

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
6. AIR QUALITY—Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses²⁶ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less-than-significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.²⁷

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

²⁶ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

²⁷ The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is no longer applicable to the proposed project.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”²⁸ The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria²⁹ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The proposed project would demolish the existing gas station facilities and construct an approximately 75-foot-tall, mixed-use building with 75 residential units, approximately 4,500 square feet of ground floor retail space, which would meet the Air Quality Guidelines criteria air pollutant screening levels for operation and construction.³⁰ Therefore, the proposed project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

²⁸ San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

²⁹ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

³⁰ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2011. Table 3-1. Criteria air pollutant screening sizes for an apartment, low-rise building is 451 dwelling units for operational and 240 dwelling units for construction. Criteria air pollutant screen sizes for a General Office Building is 346,000 square feet for operational and 277,000 square feet for construction.

Construction

The project site is not located within an identified Air Pollutant Exposure Zone. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and the remainder of Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is not applicable to the proposed project.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. In addition, the proposed project would not include any sources that would emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less-than-significant.

Conclusion

For the above reasons, none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the proposed project would not result in significant air quality impacts that were not identified in the PEIR.

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

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E³¹ per service population,³² respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less-than-significant. No mitigation measures were identified in the PEIR.

³¹ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

³² Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the proposed project's GHG impact is less-than-significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*³³ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,³⁴ exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,³⁵ Executive Order S-3-05³⁶, and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{37,38} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-0539 and B-30-15.40,41 Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site by introducing residential uses (75 dwelling units) and approximately 4,500 square feet of retail space to the project site. Thirty-seven parking spaces and one car share space would be provided as part of the proposed project. The addition of residential and commercial uses would result in annual increased GHG emissions through added vehicle trips (mobile sources) to the site and an increase from operational uses – such as energy consumption and increased waste and wastewater, and solid waste disposal. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

³³ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

³⁴ ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

³⁵ Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

³⁶ Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

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

³⁸ Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

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

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

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

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

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.⁴²

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁴³ and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁴⁴ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁴⁵

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

⁴² Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴³ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

⁴⁴ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁴⁵ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 793 South Van Ness Avenue*, April 27, 2017.

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

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The proposed project proposes to construct a 75-foot-tall building, up to 81-feet-tall with rooftop appurtenances. The rooftop appurtenances include an elevator penthouse. The new elevator penthouse would be set back about 39 feet from the South Van Ness Avenue façade of the building and 34 feet from 19th Street façade of the building. Given the small footprint of this rooftop structure and its location away from the sidewalks on South Van Ness Avenue and 19th Street, any overhead winds that they intercept would be redirected onto the roof of the proposed building. Overhead winds that are intercepted and redirected by the penthouse structure would not reach the sidewalks on 19th Street or South Van Ness Avenue. Although the proposed 75-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

Shadow

Planning Code section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering section 295 of the Planning Code because certain parks are not subject to section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would construct a 75-foot-tall building (up to 81-feet-tall including roof top appurtenances); therefore, the Planning Department prepared a preliminary shadow fan analysis to

determine whether the proposed project would have the potential to cast new shadow on nearby parks.⁴⁶ No parks or open spaces would be impacted by the proposed project.

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

For the above reasons, the proposed project would not result in significant impacts related to shadow that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

As part of the Eastern Neighborhoods adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact

⁴⁶ San Francisco Planning Department, Shadow Fan Analysis for 793 South Van Ness Avenue, May 26, 2017.

fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Daggett Park opened on April 19, 2017 and Folsom Park at 17th and Folsom opened on June 23, 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population to the project area. The proposed project would provide private useable open spaces for the new residential units. The proposed project would provide an approximately 3,500-square-foot corner rear yard and a 1,200-square-foot roof deck on the sixth floor.

As the proposed project would not degrade recreational facilities and is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2015 Urban Water Management Plan (UWMP) in June 2016. The UWMP update includes city-wide demand projections to the year 2040, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway. The project site is located within an area in San Francisco that is prone to flooding during storms. For a discussion of the proposed project's potential flooding impacts, please refer to section 14. Hydrology and Water Quality.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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11. PUBLIC SERVICES—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR. For a discussion of the proposed project's impacts to emergency access vehicles, please refer to section 4. Transportation and Circulation.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, the proposed project would not result in new or substantially more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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12. BIOLOGICAL RESOURCES—Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is located within Mission Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

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

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation was prepared for the proposed project.⁴⁷ The investigation concluded that the project site is underlain by approximately 5 to 12 feet of fill and possible fill consisting of very stiff to hard sandy clay with gravel, clay with sand, and medium dense to very dense clayey sand, and silty sand with gravel. The fill is underlain by dense to very dense silty sand and clayey sand, and very stiff to hard clay with sand and sandy clay to the maximum depth explored (approximately 52 feet). The project site does not fall within an area of potential seismic hazards from liquefaction during seismic events. The sand layers encountered as part of the geotechnical investigation are dense to very dense or have sufficient fines to resist liquefaction during seismic events. The likelihood of these layers liquefying is low. The proposed project would be supported by drilled, cast-in-place, concrete piers. No pile driving is proposed as part of project construction.

The proposed project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of

⁴⁷ Rollo & Ridley, *Geotechnical Investigation*, 799 South Van Ness Avenue, San Francisco, California, June 24, 2015.

the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

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

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

For informational purposes, below is a description of the requirements for development in areas prone to flooding and flood hazards.⁴⁸ Development in the City and County of San Francisco must account for flooding potential. Areas located on fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. The project site is located within an area in San Francisco that is prone to flooding during storms, especially where ground stories are located below an elevation of 0.0 City Datum or, more importantly, below the hydraulic grade line or water level of the sewer.

Pursuant to Planning Director Bulletin Number 4⁴⁹, the project sponsor submitted the proposed project proposal for preliminary review to San Francisco Department of Public Works Hydraulics Division. The purpose of this review is to avoid flooding problems caused by the relative elevation of a proposed structure to the hydraulic grade line in the sewers. The Department of Public Works reviewed the proposed project at 793 South Van Ness Avenue and recommended that the ground floor elevations of the building be at or above the official grade elevations to minimize the potential of street storm flows from entering the property.⁵⁰ As required, the project sponsor is continuing coordination with public works regarding conceptual sewer design. Therefore, these requirements would ensure that the proposed project would not exacerbate an existing flood hazard in the project area.

The proposed project would construct rear yards on a site currently occupied entirely by structures and an impervious surface parking lot. The proposed project would have an approximately 3,500-square foot rear yard. The rear yard would be constructed on top of a concrete slab on the second story of the building. Although the yard would be constructed on top of an impervious surface, a stormwater management system composed of pervious surface materials, such as concrete pavers over gravel, flow through planters, traditional planters, and decking over gravel or pedestals in the rear yard, would slow and lessen the volume of runoff entering the combined sewer system from the project site. Therefore, the proposed project would not substantially increase runoff from the site when compared to the existing condition. In accordance with the City's Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to Low Impact Design approaches. Therefore, the proposed project would not adversely affect runoff and drainage.

⁴⁸ In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/archive/S213478.PDF>). Accordingly, hazards resulting from a project that place development in an area prone to flooding are not considered impacts under CEQA unless the project would exacerbate the existing flood hazard.

⁴⁹ San Francisco Planning Department. Planning Director Bulletin No. 4, Review of Projects in Identified Areas Prone to Flooding. October 2009. Available at: http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf

⁵⁰ Wong, Cliff. "Re: 799 South Van Ness – Review for project in flood-prone areas". Message to Vidhi Patel (Ian Birchall and Associates). July 7, 2017. E-mail.

Groundwater is expected to be encountered at an estimated depth of 13 to 14 feet below grade.⁵¹ The proposed project involves ground disturbing activities to a depth of approximately 8 feet so groundwater is not anticipated to be encountered during construction. However, in the event that groundwater is encountered during construction of the proposed project, dewatering and discharge would be subject to the requirements of the City of San Francisco's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97).

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

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

⁵¹ Rollo & Ridley, *Geotechnical Investigation*, 799 South Van Ness Avenue, San Francisco, California, June 24, 2015

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, under storage tank closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1 would apply to the proposed project. See full text of Mitigation Measure L-1 in the Mitigation Measures section below.

Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, remediation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project site is a vacant Shell gasoline facility which ceased operations in 2002. The facility was constructed in 1968 and was owned by Shell gasoline until 2004. The proposed project would require excavation up to 8 feet deep for the installation of the 15 vehicle pit stacker systems and one elevator pit. Approximately 2,400 cubic yards of soil would be removed from the project site during construction activities. Therefore, the project is subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I Environmental Site Assessment (ESA) was prepared for the project to assess the potential

for site contamination.^{52,53} According to the Phase I ESA, the gasoline underground storage tanks, waste oil tank, product dispensers, piping, and hydraulic hoists associated with the former gasoline station were removed in December 2004 and groundwater monitoring wells were sampled on a quarterly and semi-annual basis from 2004-2009. In August 2014, a human health risk assessment was prepared and submitted to the San Francisco DPH- Local Oversight Program and in October 2014, a Corrective Action Plan was submitted to DPH- Local Oversight Program. Therefore, the project sponsor is currently in consultation with the San Francisco Department of Public Health to obtain a site closure letter for 793 South Van Ness Avenue. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

The proposed project would be required to remediate any identified potential soil contamination in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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

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

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

⁵² Maher Ordinance Application for 799 South Van Ness, submitted March 21, 2016.

⁵³ PII Environmental, Phase I Environmental Site Assessment, 793 South Van Ness Avenue, San Francisco, April 2015.

Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1 – Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the

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

Consultation with Descendant Communities: On discovery of an archeological site⁵⁴ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁵⁵ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an

⁵⁴ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁵⁵ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

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

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

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

The scope of the ADRP shall include the following elements:

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

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed

including the reinternment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

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

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

Project Mitigation Measure 2 – Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2)

The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 3 - Hazardous Building Materials (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1)

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

PROJECT IMPROVEMENT MEASURES

Project Improvement Measure 1 – Construction Management Plan and Public Updates

- *Construction Management Plan* – The project sponsor will develop and, upon review and approval by the SFMTA, the Fire Department, the Police Department, and Public Works, implement a Construction Management Plan, addressing transportation-related circulation, access, staging and hours of delivery. The Construction Management Plan would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruption and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The Construction Management Plan would supplement and expand, rather than modify or supersede, and manual, regulations, or provisions set forth by the SFMTA, Public Works, or other City departments and agencies, and the California Department of Transportation. Management practices could include: best practices for accommodating pedestrians and bicyclists, identifying routes for construction trucks to utilize, minimizing deliveries and travel lane closures during the a.m. (7:30 a.m. to 9:00 a.m.) and p.m. (4:30 p.m. to 6:00 p.m.) peak periods along South Van Ness Avenue and 19th Street (Monday through Friday).
- *Carpool, Bicycle, Walk and Transit Access for Construction Workers* – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include as part of the Construction Management Plan methods to encourage carpooling, bicycle, walk and transit access to the project site by construction workers (such as providing secure bicycle parking spaces, participating in free-to-employee and employer ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers.
- *Construction Worker Parking Plan* - As part of the Construction Management Plan that will be developed by the construction contractor, the location of construction worker parking could be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking could be discouraged. The project sponsor could provide on-site parking once the below grade parking garage is usable.
- *Project Construction Updates for San Francisco Fire and Police Departments* – The project sponsor will coordinate with the San Francisco Fire and Police Departments for the duration of project construction activities regarding the construction schedule and activities that could temporarily impact 19th Street access. Two months prior to beginning construction, the project sponsor will provide the San Francisco Fire and Police Departments the proposed construction schedule and indicate the proposed activities that could temporarily impact 19th Street access. Subsequent updates or addendums to the proposed schedule and a list of construction activities will be provided to the Fire and Police Departments on a quarterly basis to avoid conflict between project construction activities and emergency services.

Project Improvement Measure 2: Queue Abatement

To minimize the vehicle queues at the project driveway into the public right-of-way, the project will be subject to the Planning Department's vehicle queue abatement conditions of approval:

- It will be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or

more vehicles (destined to the parking facility) blocking any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

- If a recurring queue occurs, the owner/operator of the parking facility will employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).
- Suggested abatement methods include but are not limited to the following: redesign of the facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of "LOT FULL" signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.
- If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department will notify the property owner in writing. Upon request, the owner/operator will hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant will prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator will have 90 days from the date of the written determination to abate the queue.

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793 SOUTH VAN NESS

San Francisco,
CA 94110.
PROJECT
APN : 3591/024

SCALE : N.T.S.
DRAWING TITLE : COVER SHEET
SHEET NO. : A-COVER

SHEET DESCRIPTION
DATE 11 / 15 / 2017
ISSUE
STATE DENSITY
BONUS SCHEME



DRAWING SET

- A-0.0 - SITE PLAN

A -1.0 - PLAN LEVEL 1

A-2.0 - PLAN LEVEL 2

A-3.0 - PLAN LEVEL 3

A-4.0 - PLAN LEVEL 4

A-5.0 - PLAN LEVEL 5

A-6.0 - PLAN LEVEL 6
- A-7.0 - PLAN LEVEL 7

A-8.0 - ROOF PLAN

A-9.0 - WEST ELEVATION

A-10.0 - SOUTH ELEVATION

A-11.0 - NORTH ELEVATION

A-12.0 - EAST ELEVATION

A-13.0 - SECTION
- A-14.0 - PHOTOGRAPHS

A-15.0 - PHOTOGRAPHS

A-16.0 - RENDERINGS

A-17.0 - RENDERINGS

A-18.0 - RENDERINGS

A-19.0 - RENDERINGS

A-20.0 - RENDERINGS
- A-21.0 - RENDERINGS

A-22.0 - DATA SHEET

A-23.0 - SITE SURVEY

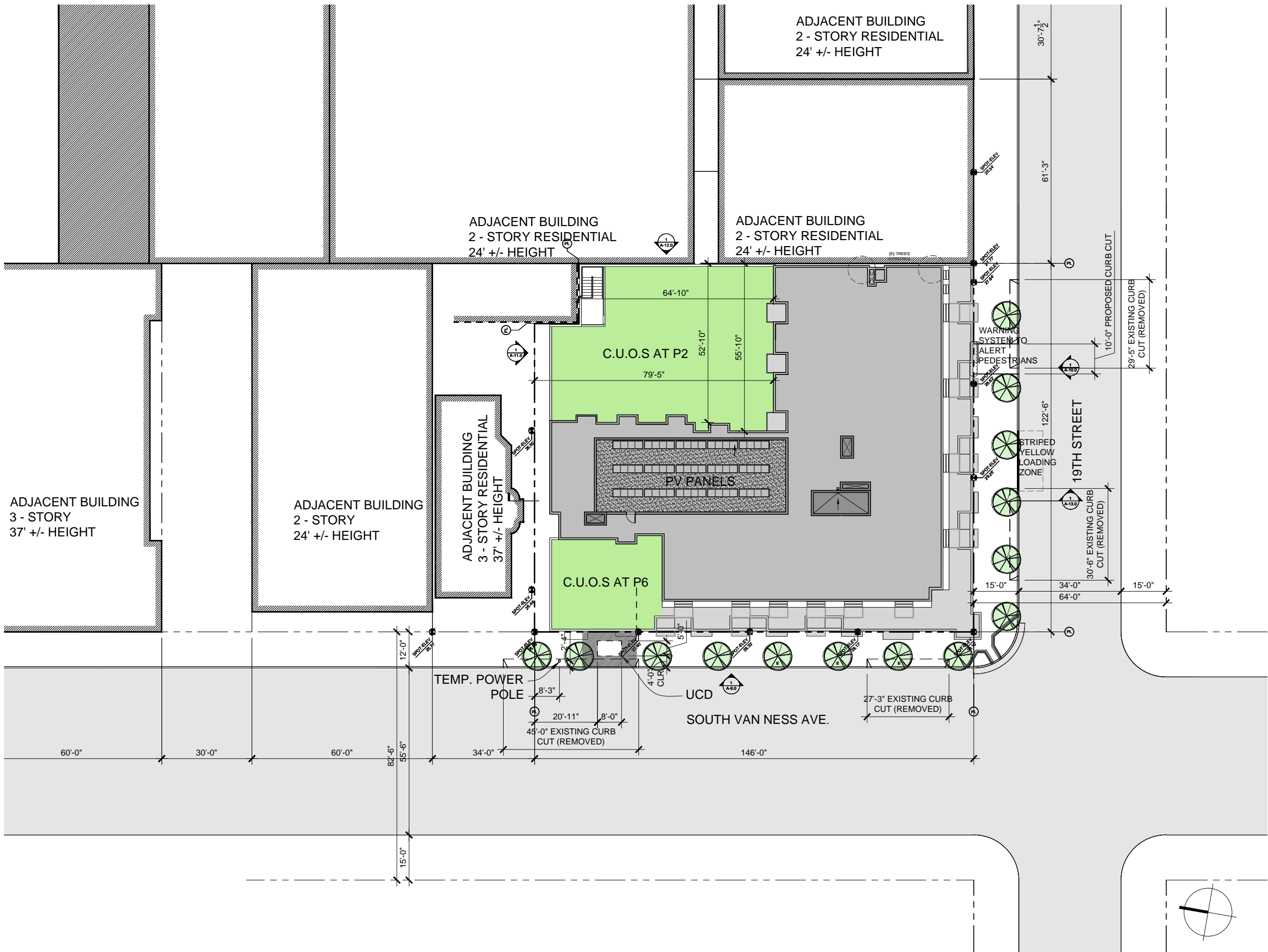
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A-25.0 - RETAIL ENT. RENDERING

A-26.0 - GROSS FLOOR AREA

A-27.0 - DWELLING UNIT EXPOSURE

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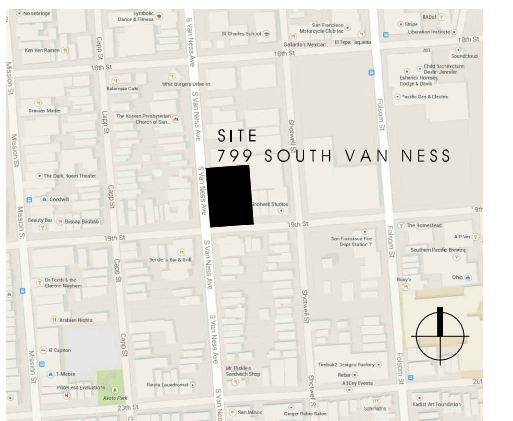
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SHEET NO. : A-0.0

SHEET DESCRIPTION

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APN : 3591/024

SCALE : 1/16" : 1'0"

DRAWING TITLE : PLAN LEVEL 1

SHEET NO. : A-1.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017
ISSUE
**STATE DENSITY
BONUS SCHEME**

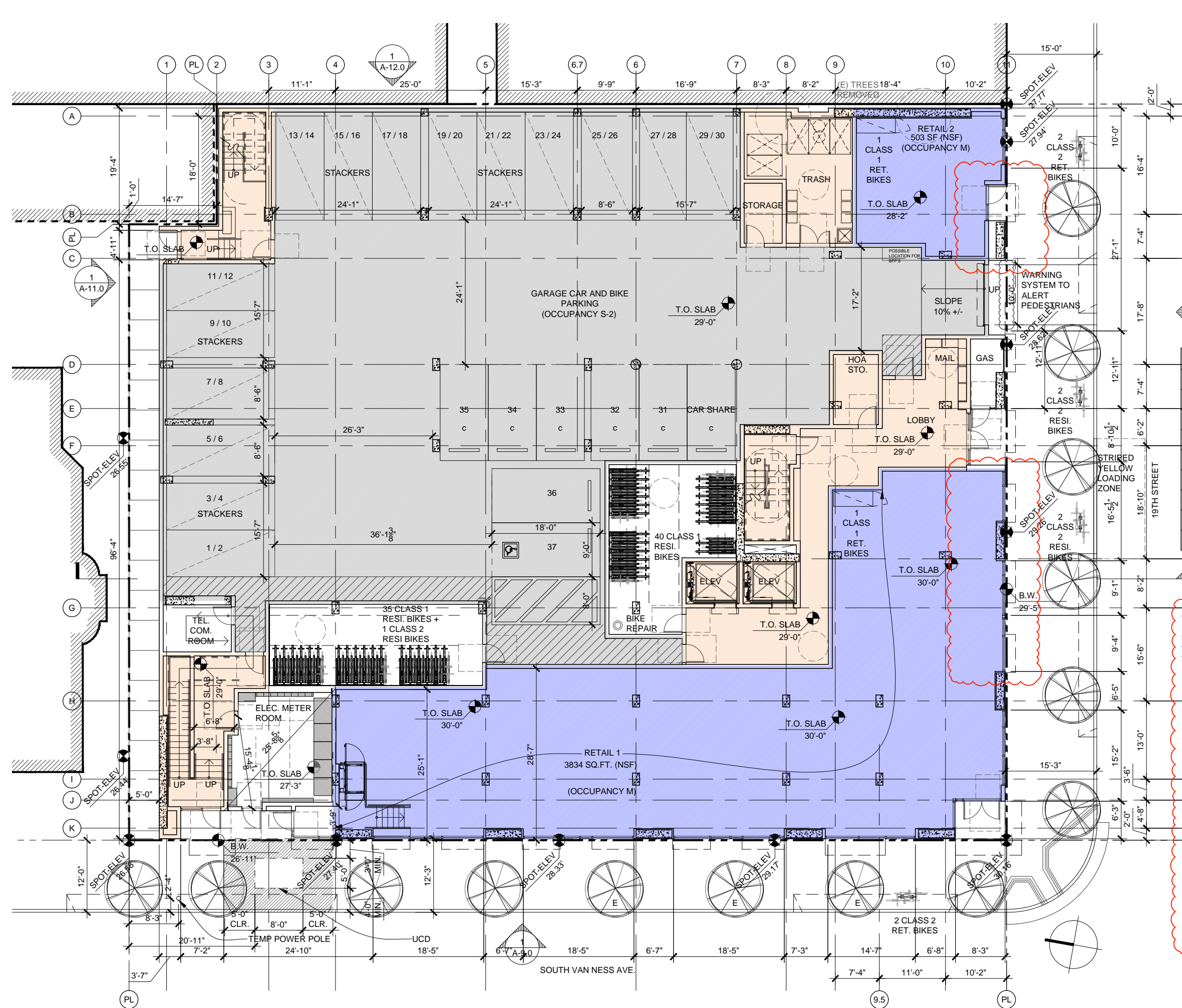
MISC. RESIDENTIAL
USES (CIRCULATION,
TRASH, STORAGE,
HOA COMMON,
LOBBY)
RETAIL
PARKING

BUILDING DATA			
FLOOR	PARKING	1 BED	2 BED
1	37 CARS + 1 CAR SH.		
2		8	5
3		9	5
4		9	5
5		9	5
6		5	5
7		5	5
	37 CARS + 1 CAR SHARE	45 (60%)	30 (40%)
		TOTAL : 75 UNITS	

USABLE OPEN SPACE
80 S.F. PRIVATE OR 100 S.F. COMMON
USABLE OPEN SPACE REQUIRED PER
UNIT.
ADJACENT PROPERTY (RM-2) NEAREST
RESIDENTIAL DISTRICT TO 799
SOUTH VAN NESS (NC -3 DISTRICT)
PRIVATE BALCONY USABLE OPEN SPACE
(P.U.O.S.)
= 36 SF X 53 = 1908 SF
PRIVATE DECKS AS USABLE OPEN SPACE
(P.U.O.S.) AT P6
= 80 SF X 5 UNITS = 400 SF
ADDITIONAL P.U.O.S. REQUIRED:
=(75 UNITS X 80) - (1908 + 400)
= 6000 - 2308 SF
= 3692 SF
IF REMAINING OPEN SPACE IS PROVIDED
AS C.U.O.S. THEN REQ'D C.U.O.S.
= P.U.O.S. REQ'D X 1.25
= 3692 SF X 1.25
= 4615 SF
PROVIDED C.U.O.S. AT P2 = 3536 SF
PROVIDED C.U.O.S. AT P6 = 1084 SF
TOTAL C.U.O.S. = 4620 SF
(EXCEEDS REQUIRED C.U.O.S. BY 5 SF)

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- 1 BED
- 2 BED
- MISC. RESIDENTIAL USES (CIRCULATION, TRASH, STORAGE, HOA COMMON, LOBBY)
- P.U.O.S.
- C.U.O.S.

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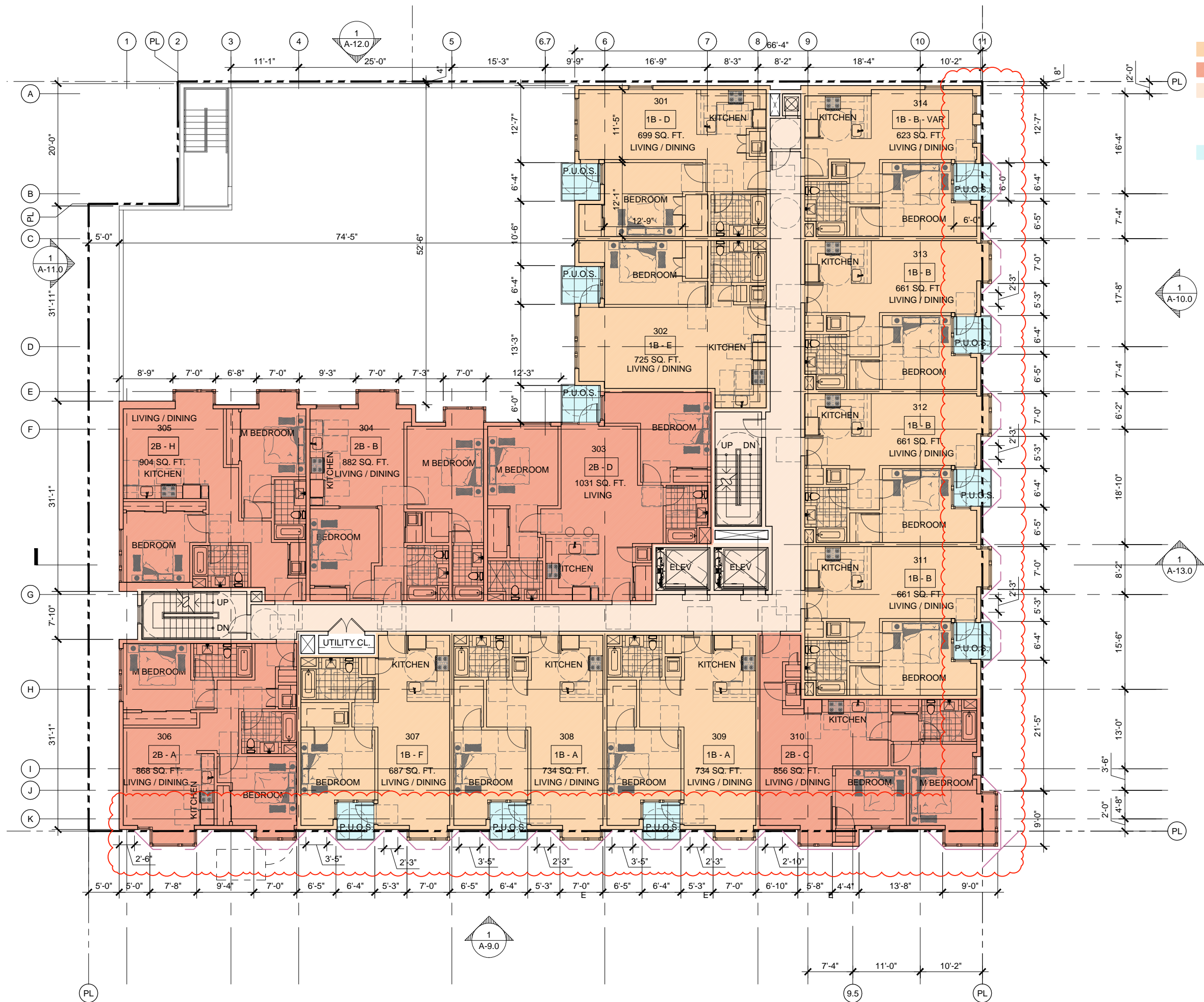
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DRAWING TITLE : PLAN LEVEL 2
SHEET NO. : A-2.0

SHEET DESCRIPTION
DATE 11 / 15 / 2017
ISSUE STATE DENSITY BONUS SCHEME



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- 1 BED
- 2 BED
- MISC. RESIDENTIAL
USES (CIRCULATION,
TRASH, STORAGE,
HOA COMMON,
LOBBY)
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APN : 3591/024

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SCALE : 1/16" = 1'0"

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SHEET NO. : A-3.0

SHEET DESCRIPTION

DATE

11 / 15 / 2017

ISSUE

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BONUS SCHEME

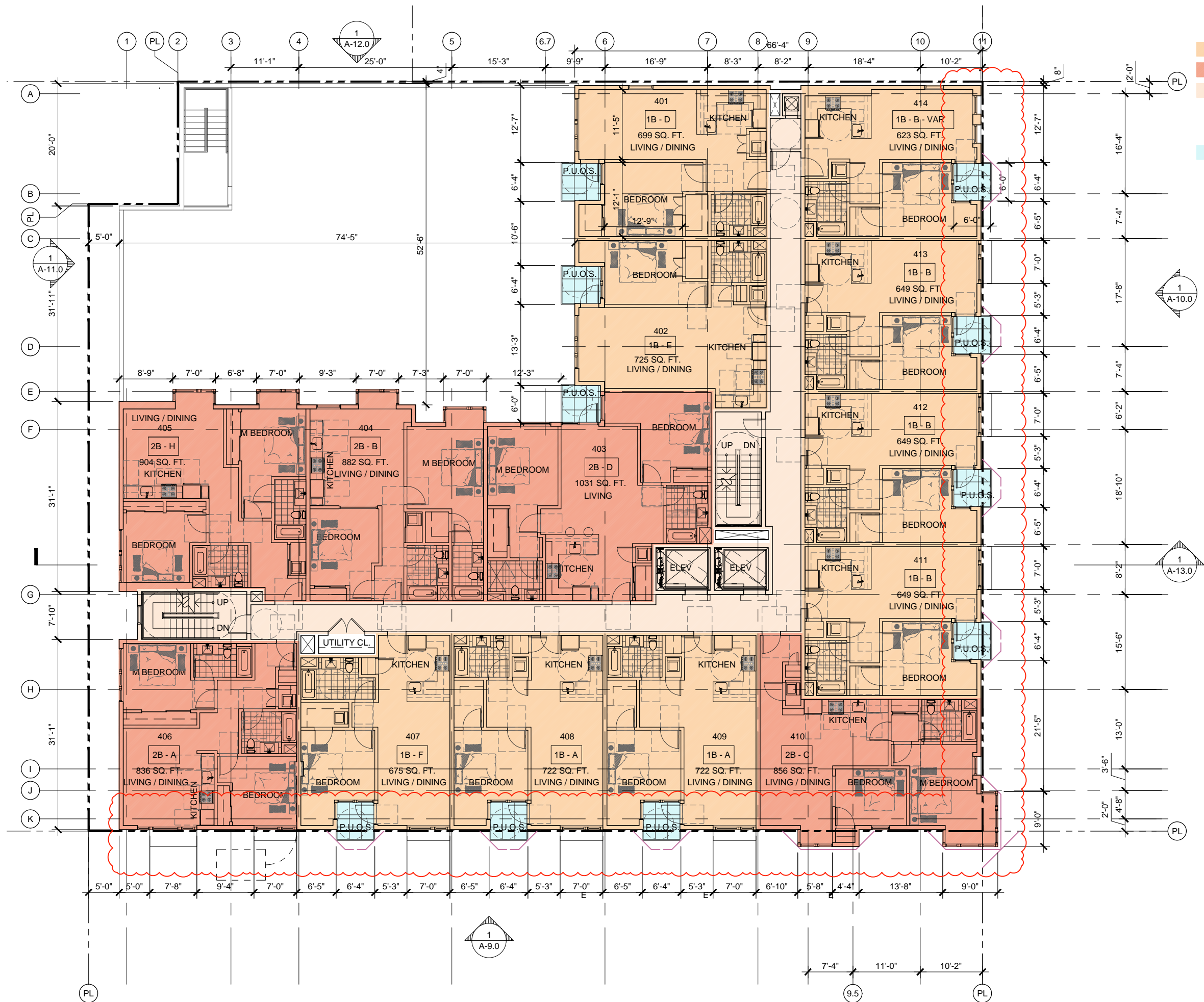


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APN : 3591/024

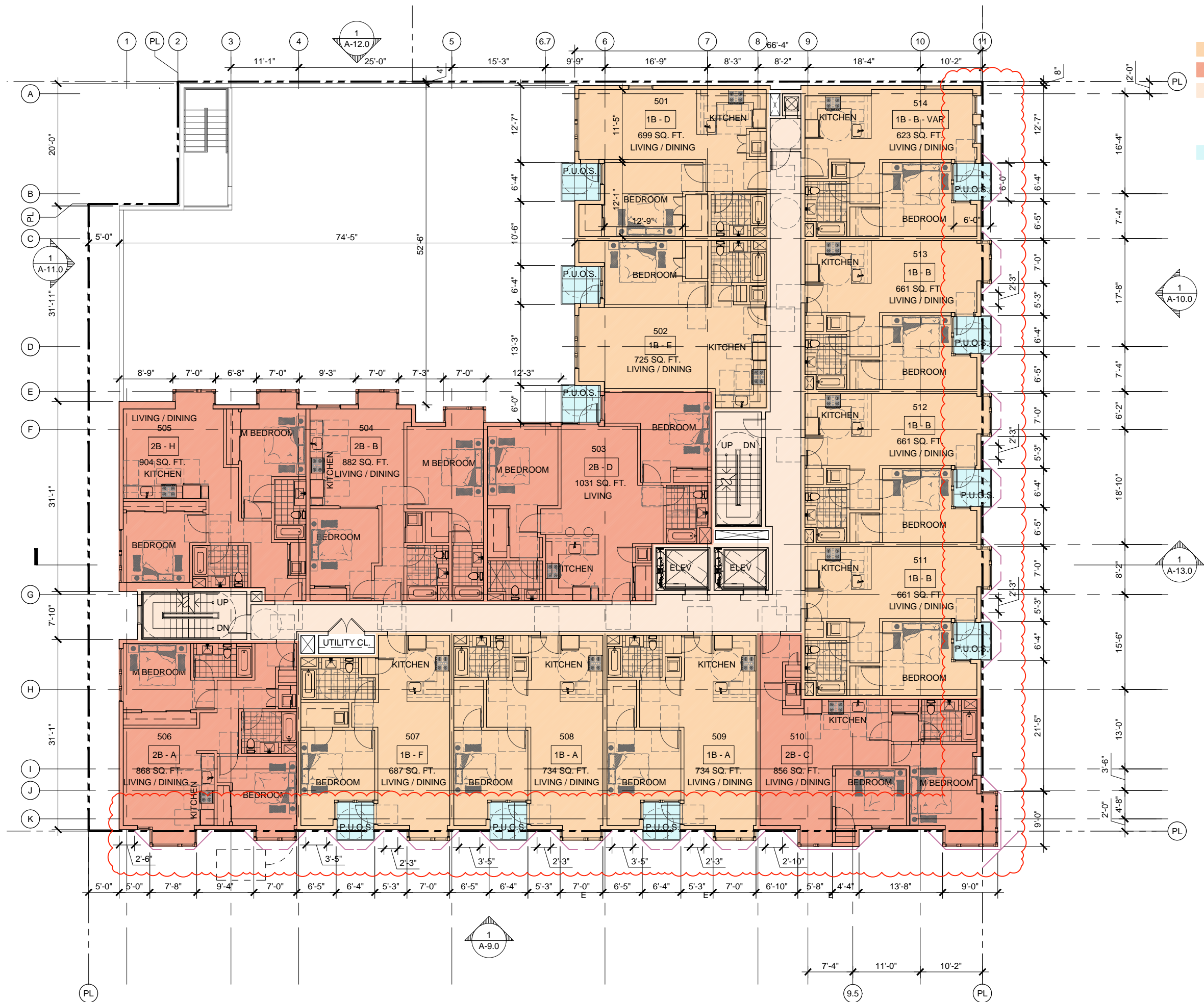
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SHEET NO. : A-4.0

SHEET DESCRIPTION
DATE 11 / 15 / 2017
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APN : 3591/024

PROJECT

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DRAWING TITLE : PLAN LEVEL 5

SHEET NO. : A-5.0

SHEET DESCRIPTION

DATE

11 / 15 / 2017

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STATE DENSITY
BONUS SCHEME

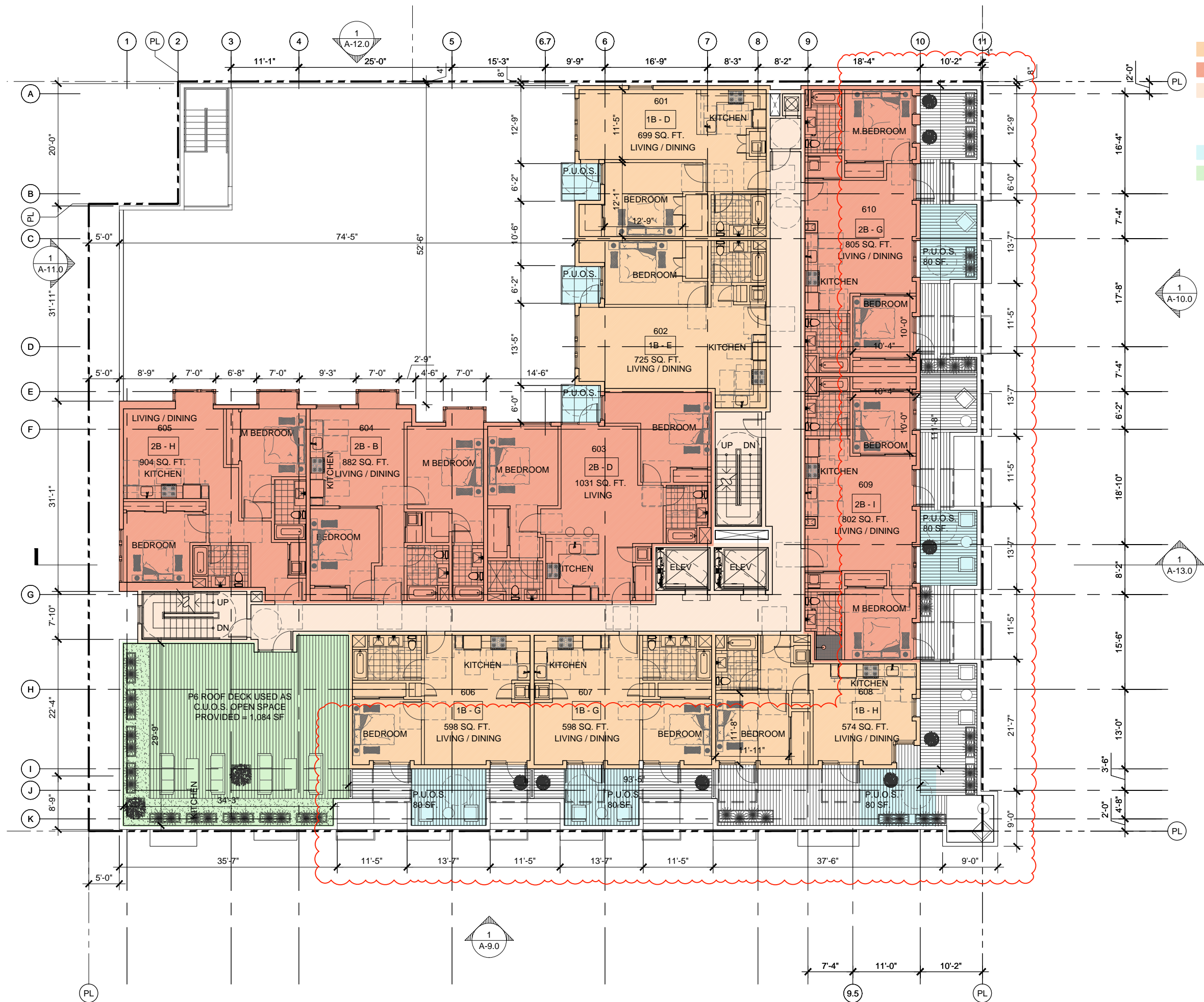


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- 1 BED
- 2 BED
- MISC. RESIDENTIAL USES (CIRCULATION, TRASH, STORAGE, HOA COMMON, LOBBY)
- P.U.O.S.
- C.U.O.S.

799 SVN LLC.
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#415.828.0717
OWNER jfoboni@tobonigroup.com

793 SOUTH VAN NESS

San Francisco,
CA 94110.

APN : 3591/024

PROJECT

SCALE : 1/16" : 1'0"

DRAWING TITLE : PLAN LEVEL 6

SHEET NO. : A-6.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017

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APN : 3591/024

SCALE : 1/16" : 1'0"

DRAWING TITLE : ROOF PLAN LEVEL

SHEET NO. : A-8.0

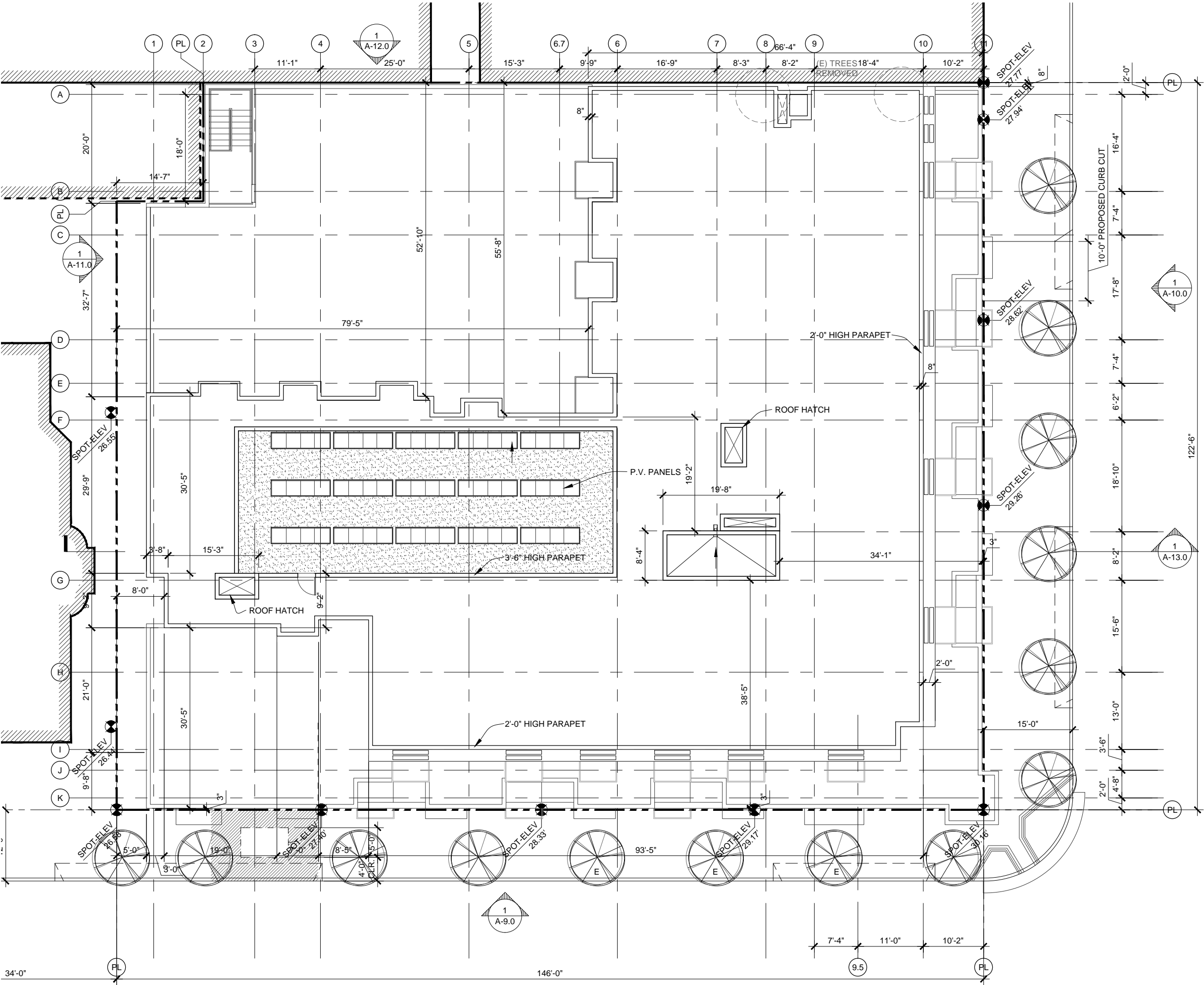
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APN : 3591/024

SCALE : 1/16" : 1'0"

DRAWING TITLE : WEST ELEVATION

SHEET NO. : A-9.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017
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BONUS SCHEME



ELEVATION KEYNOTES

- | | |
|-----------------------|------------------------|
| 1. LARGE FORMAT TILE | 10. MOCHA BROWN STUCCO |
| 2. ALUMINUM WINDOW | 11. COOL GRAY STUCCO |
| 3. LIGHT BEIGE STUCCO | 12. LIGHT FIXTURES |
| 4. RAIN SCREEN SIDING | |
| 5. STOREFRONT WINDOWS | |
| 6. CANOPY | |
| 7. ALUM. RAILING | |
| 8. GARAGE DOOR | |
| 9. WARM GRAY STUCCO | |

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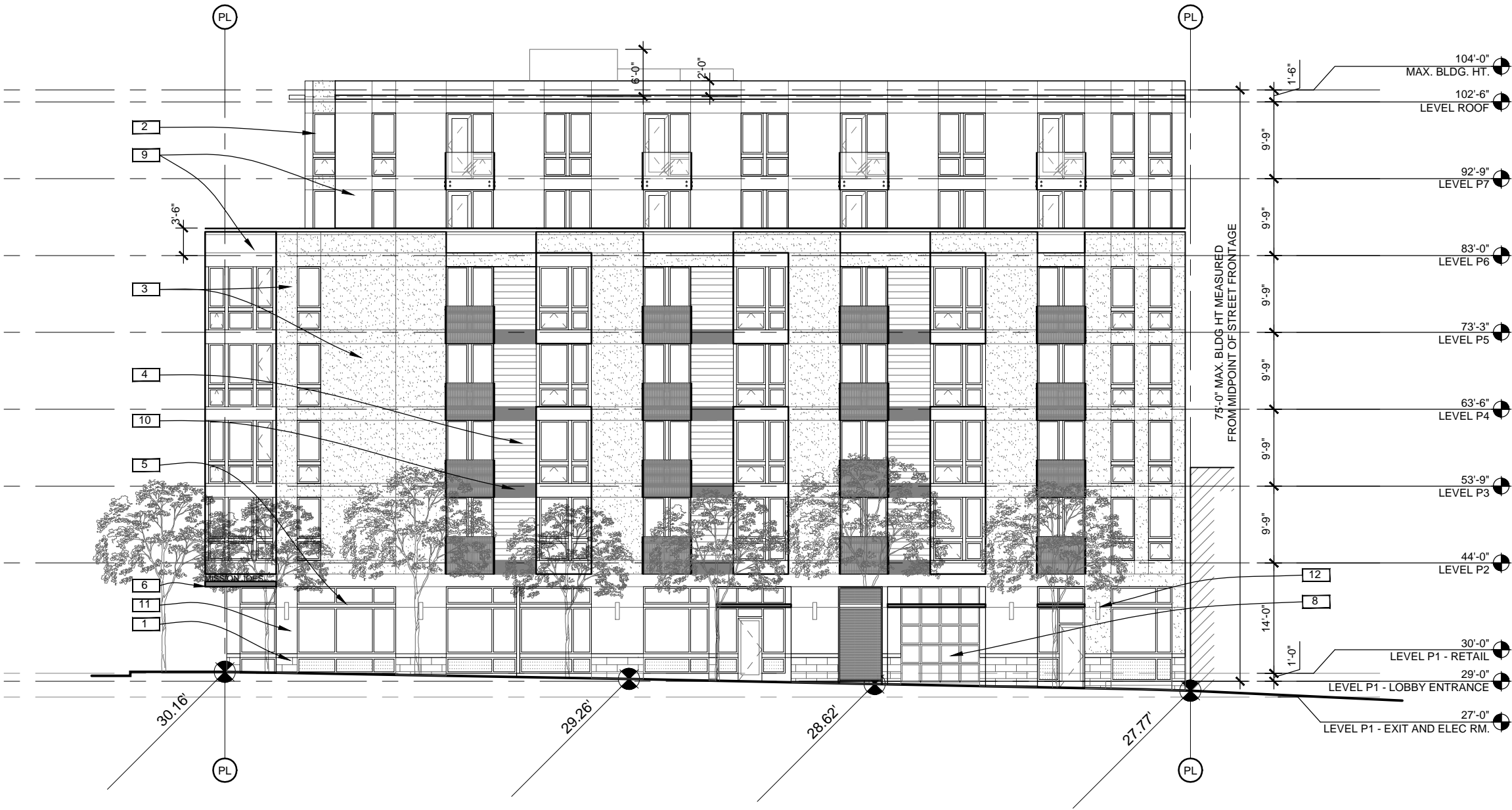
SCALE : 1/16" : 1'0"

DRAWING TITLE : SOUTH ELEVATION

SHEET NO. : A-10.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017 ISSUE
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BONUS SCHEME



ELEVATION KEYNOTES

- | | |
|-----------------------|------------------------|
| 1. LARGE FORMAT TILE | 10. MOCHA BROWN STUCCO |
| 2. ALUMINUM WINDOW | 11. COOL GRAY STUCCO |
| 3. LIGHT BEIGE STUCCO | 12. LIGHT FIXTURES |
| 4. RAIN SCREEN SIDING | |
| 5. STOREFRONT WINDOWS | |
| 6. CANOPY | |
| 7. ALUM. RAILING | |
| 8. GARAGE DOOR | |
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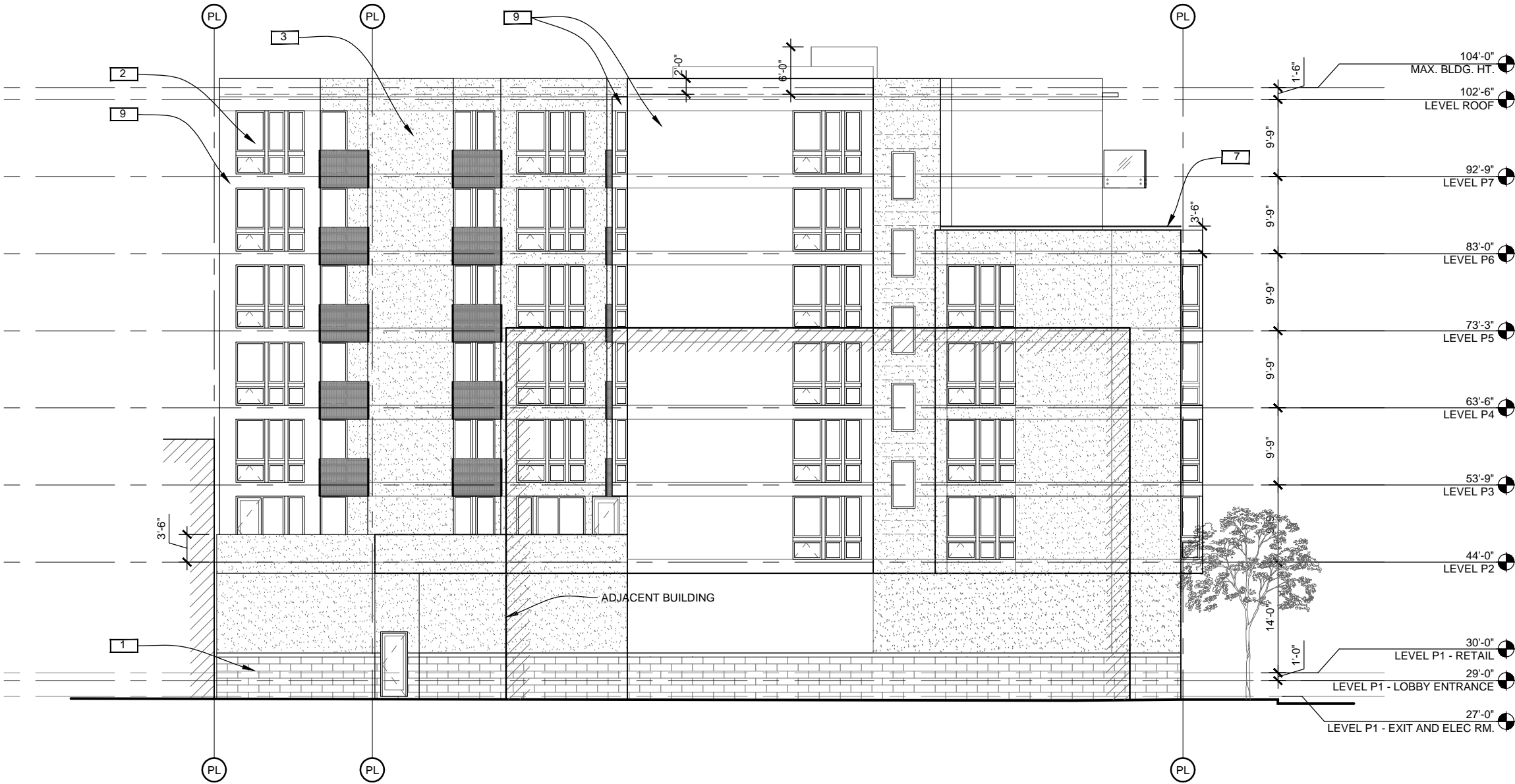
SCALE : 1/16" : 1'0"

DRAWING TITLE : NORTH ELEVATION

SHEET NO. : A-11.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017
ISSUE
STATE DENSITY
BONUS SCHEME



ELEVATION KEYNOTES

- | | |
|-----------------------|------------------------|
| 1. LARGE FORMAT TILE | 10. MOCHA BROWN STUCCO |
| 2. ALUMINUM WINDOW | 11. COOL GRAY STUCCO |
| 3. LIGHT BEIGE STUCCO | 12. LIGHT FIXTURES |
| 4. RAIN SCREEN SIDING | |
| 5. STOREFRONT WINDOWS | |
| 6. CANOPY | |
| 7. ALUM. RAILING | |
| 8. GARAGE DOOR | |
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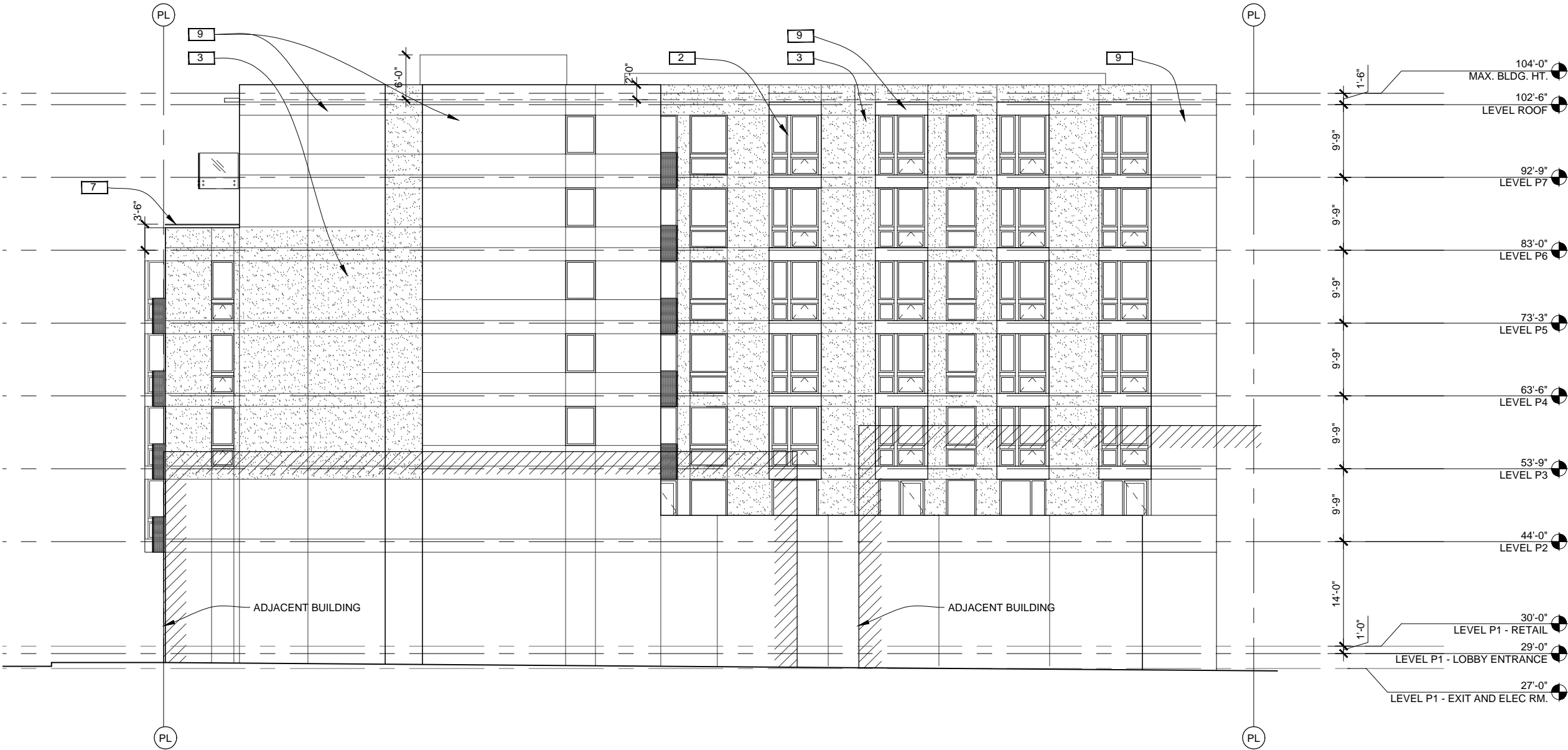
SCALE : 1/16" : 1'0"

DRAWING TITLE : EAST ELEVATION

SHEET NO. : A-12.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017 ISSUE
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ELEVATION KEYNOTES

- | | |
|-----------------------|------------------------|
| 1. LARGE FORMAT TILE | 10. MOCHA BROWN STUCCO |
| 2. ALUMINUM WINDOW | 11. COOL GRAY STUCCO |
| 3. LIGHT BEIGE STUCCO | 12. LIGHT FIXTURES |
| 4. RAIN SCREEN SIDING | |
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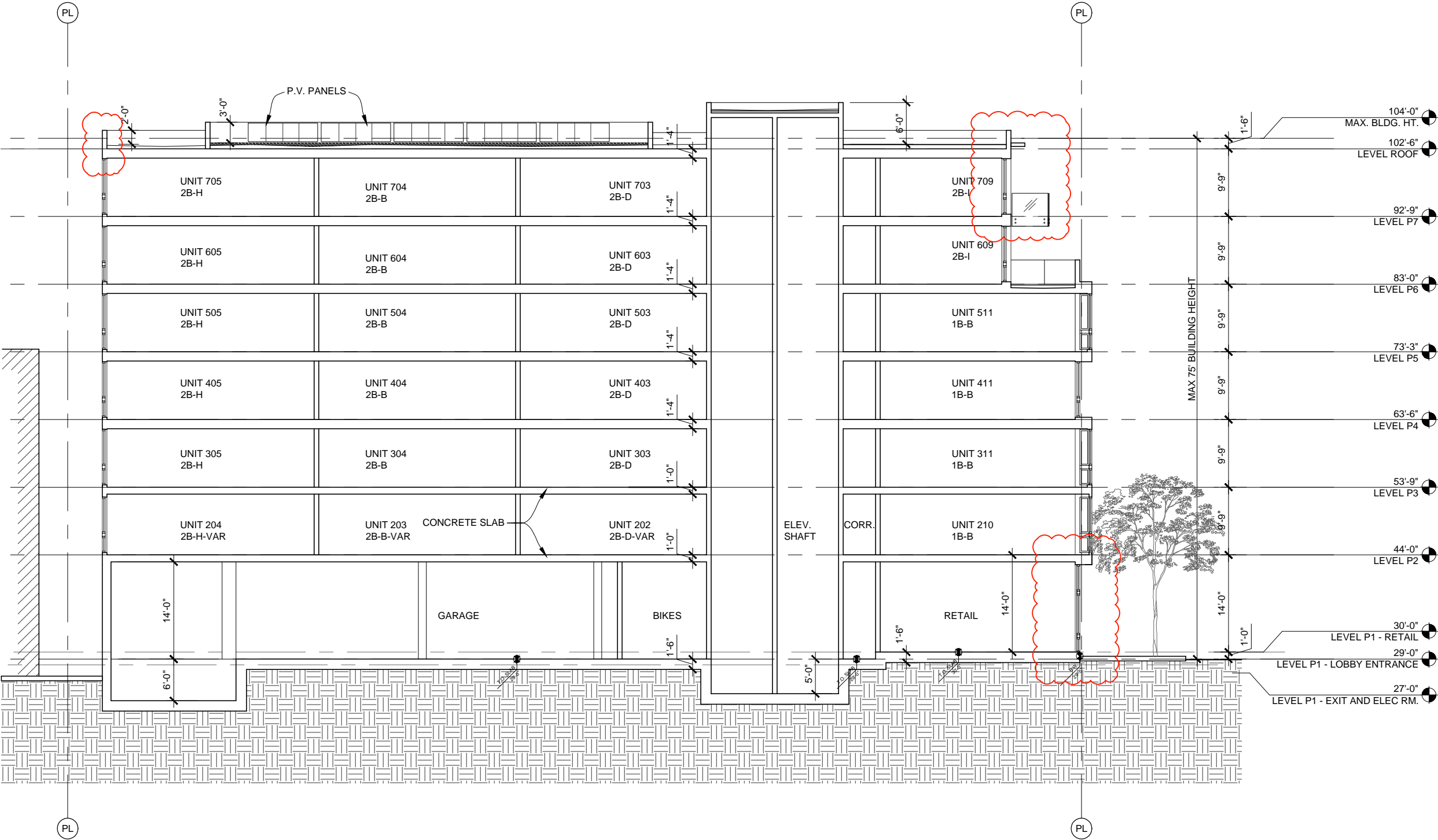
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SCALE : 1/16" : 1'0"
DRAWING TITLE : SECTION
SHEET NO. : A-13.0

SHEET DESCRIPTION
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SOUTH VAN NESS AVE. - NORTH EAST CORNER



SOUTH VAN NESS AVE. - NORTH WEST CORNER



SOUTH VAN NESS AVE. - SOUTH WEST CORNER



SOUTH VAN NESS AVE. - SOUTH EAST CORNER

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SCALE : N.T.S.

DRAWING TITLE : PHOTOGRAPHS

SHEET NO. : A-14.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017
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19TH STREET - ADJACENT PROPERTIES



SOUTH VAN NESS AVE. - ADJACENT PROPERTIES

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 PROJECT San Francisco,
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SCALE : N.T.S.
 DRAWING TITLE : PHOTOGRAPHS
 SHEET NO. : A-15.0
 SHEET DESCRIPTION
 DATE 11 / 15 / 2017 ISSUE
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SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-16.0

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SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-17.0

SHEET DESCRIPTION

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SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-18.0

SHEET DESCRIPTION

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SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-19.0

SHEET DESCRIPTION

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SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-20.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017
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APN : 3591/024

SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-21.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017
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FLOOR	TOTAL NO. OF UNITS	APT. #	UNIT	NET AREA(SQFT)	SALEABLE AREA	GROSSFLOOR AREA #	TOTAL GSF
P ROOF	0	0	ROOF STAIR			0	0
P7	10	701	1B-D	699	7,618	8,308	9,768
		702	1B-E	725			
		703	2B-D	1031			
		704	2B-B	882			
		705	2B-H	904			
		706	1B-G	598			
		707	1B-G	598			
		708	1B-H	574			
		709	2B-I	802			
		710	2B-G	805			
		CIRCULATION			1,413		
		TRASH CHUTE			47		
	P.O.U.S. - 13 BALCONIES	468					
	MAINTENANCE	45					
P6	10	601	1B-D	699	7,618	8,308	9,768
		602	1B-E	725			
		603	2B-D	1031			
		604	2B-B	882			
		605	2B-H	904			
		606	1B-G	598			
		607	1B-G	598			
		608	1B-H	574			
		609	2B-I	802			
		610	2B-G	805			
		CIRCULATION			1,413		
		TRASH CHUTE			47		
	C.U.O.S.	1,084					
	P.U.O.S. - 5 DECKS	400					
	P.U.O.S. - 3 BALCONIES	108					
	MAINTENANCE	45					
P5	14	501	1B-D	699	10,726	11,603	13,042
		502	1B-E	725			
		503	2B-D	1031			
		504	2B-B	882			
		505	2B-H	904			
		506	2B-A	868			
		507	1B-F	687			
		508	1B-A	734			
		509	1B-A	734			
		510	2B-C	856			
		511	1B-B	661			
		512	1B-B	661			
513		1B-B	661				
514		1B-B-VAR	623				
	CIRCULATION			1,392			
	TRSH CHUTE			47			
	P.U.O.S. - 10 BALCONIES	360					
	MAINTENANCE	72					
P4	14	401	1B-D	699	10,622	11,496	12,935
		402	1B-E	725			
		403	2B-D	1031			
		404	2B-B	882			
		405	2B-H	904			
		406	2B-A	836			
		407	1B-F	675			
		408	1B-A	722			
		409	1B-A	722			
		410	2B-C	856			
		411	1B-B	649			
		412	1B-B	649			
413		1B-B	649				
414		1B-B-VAR	623				
	CIRCULATION			1,392			
	TRASH CHUTE			47			
	P.U.O.S. - 10 BALCONIES	360					
	MAINTENANCE	72					
P3	14	301	1B-D	699	10,726	11,603	13,042
		302	1B-E	725			
		303	2B-D	1031			
		304	2B-B	882			
		305	2B-H	904			
		306	2B-A	868			
		307	1B-F	687			
		308	1B-A	734			
		309	1B-A	734			
		310	2B-C	856			
		311	1B-B	661			
		312	1B-B	661			
313		1B-B	661				
314		1B-B-VAR	623				
	CIRCULATION			1,392			
	TRASH CHUTE			47			
	P.U.O.S. - 10 BALCONIES	360					
	MAINTENANCE	72					
P2	13	201	1B-D-VAR	693	9,773	10,706	12,875
		202	2B-D-VAR	971			
		203	2B-B-VAR	848			
		204	2B-H-VAR	863			
		205	2B-A-VAR	851			
		206	1B-F-VAR	679			
		207	1B-A-VAR	727			
		208	1B-A-VAR	727			
		209	2B-C-VAR	841			
		210	1B-B	656			
		211	1B-B	656			
		212	1B-B	656			
213		1B-B-VAR	605				
		COMMON ROOM					
	CIRCULATION			1,450			
	TRASH CHUTE			47			
	P.U.O.S. - 7 BALCONIES	252					
	CUOS AT REAR YARD	3,525					
	MAINTENANCE	72					
P1		RETAIL 1		3,834	4,337	4,570	15,019
		RETAIL 2		503		8,196	
		PARKING		7,968		1,729	
		CIRCULATION				524	
		STORAGE/ TRASHROOM					
		BIKE PARKING		959			
		MAINTENANCE/ UTILITY		475			

TOTAL BUILDING GROSS AREA					86,449
TOTAL RESIDENTIAL GROSS AREA				73,683	
TOTAL BUILDING SALEABLE RESIDENTIAL AREA			57,083		
TOTAL RETAIL GROSS AREA				4,570	
TOTAL PARKING AREA AND COUNT			37 CARS PLUS1 CAR SHARE PARKING	8,196	
BIKE PARKING REQUIRED			BIKE PARKING PROVIDED		
RESIDENTIAL	CLASS 1	1 PER DWELLING UNIT +1 PER 4 UNITS OVER 100		75	75
	CLASS 2	1 PER 20 DWELLING UNITS		4	5
RETAIL 1	CLASS 1	1 PER 7500 SQ.FT. OF OCCUPIED FLOOR AREA(3834 SQ.FT.)		1	1
	CLASS 2	MIN 2 (1 PER 2500SQ.FT. OF OCCUPIED AREA)		2	2
RETAIL 2	CLASS 1	1 PER 7500 SQ.FT. OF OCCUPIED FLOOR AREA(503 SQ.FT.)		1	1
	CLASS 2	MIN 2 (1 PER 2500SQ.FT. OF OCCUPIED AREA)		2	2
				TOTAL	86

UNIT	UNIT SIZES (NSF)	NO. OF UNITS	PERCENTAGE	UNITS PER TYPE	UNITS SIZE (NSF)
1B-A	(2x722)+(4x734)	6	60.0%	45	574-734
1B-A-VAR	727	2			
1B-B	(3x649)+(3X565)+6x661)	12			
1B-B-VAR	605+(3x623)	4			
1B-D	699	5			
1B-D-VAR	693	1			
1B-E	725	5			
1B-F	675+(2x687)	3			
1B-F-VAR	679	1			
1B-G	598	4			
1B-H	574	2	40.0%	30	805-1031
2B-A	836+(2x868)	3			
2B-A-VAR	851	1			
2B-B	882	5			
2B-B-VAR	848	1			
2B-C	856	3			
2B-C-VAR	841	1			
2B-D	1031	5			
2B-D-VAR	971	1			
2B-G	805	2			
2B-H	904	5			
2B-H-VAR	863	1			
2B-I	802	2			
TOTAL NUMBER OF UNITS				75	

USABLE OPEN SPACE
80 S.F. PRIVATE OR 100 S.F. COMMON USABLE OPEN SPACE REQUIRED PER UNIT. ADJACENT PROPERTY (RM-2) NEAREST RESIDENTIAL DISTRICT TO 799 SOUTH VAN NESS (NC-3 DISTRICT)
PRIVATE BALCONY USABLE OPEN SPACE (P.U.O.S.) = 36 SF X 53 = 1908 SF
PRIVATE DECKS AS USABLE OPEN SPACE (P.U.O.S.) AT P6= 80 SF X 5 = 400 SF
ADDITIONAL P.U.O.S. REQUIRED: (75 UNITS X 80) - (1908+400) =6000 -2308 SF = 3692 SF
IF REMAINING OPEN SPACE IS PROVIDED AS C.U.O.S. THEN REQ'D C.U.O.S.= P.U.O.S. REQ'D X 1.25 = 3692 SF X 1.25 = 4615 SF
PROVIDED C.U.O.S AT P2 = 3536 SF PROVIDED C.U.O.S AT P6 = 1084 SF TOTAL C.U.O.S. = 4620 SF (EXCEEDS REQUIRED C.U.O.S. BY 5 SF)

BASE PROJECT BONUS
CURRENT STATE PROJECT RESIDENTIAL GSF= 73,693 SF
PROJECT COMPLIES WITH 1.35 X BASE RESIDENTIAL GSF 55,138 SF X 1.35= 74,436SF 74,436SF= MAX STATE PROJECT RESIDENTIAL GSF

AREAS INCLUDE CIRCULATION CORRIDORS / CORES

GSF AREA CALCULATIONS AS PER SF PLANNING CODE

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APN : 3591/024

SCALE : N.T.S.

DRAWING TITLE : DATA SHEET

SHEET NO. : A-22.0

SHEET DESCRIPTION

DATE ISSUE

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ASSESSOR'S
BLOCK No. 3591

ACCESS NOTE

DUE TO LIMITED ACCESS TO THE REAR OR THE ADJACENT AND/OR SUBJECT BUILDING(S) AND/OR COVERED STRUCTURE(S) AT THE TIME OF THIS SURVEY, THE TOPOGRAPHIC DATA FOR THOSE BUILDING(S) AND/OR STRUCTURE(S) IS NOT SHOWN HEREON.

IT SHALL BE THE RESPONSIBILITY OF OUR CLIENT TO CALL OUR OFFICE IN ORDER TO HAVE OUR SURVEYORS LOCATE ADDITIONAL INFORMATION AND/OR STRUCTURE(S) ONCE THE SITE HAS BEEN CLEARED. WE REQUIRE AN ADVANCE NOTICE OF FOUR (4) DAYS MORE OR LESS.

ALSO, NOTE THAT THERE WILL BE ADDITIONAL CHARGES FOR SUCH STAKING AS IT IS NOT A PART OF THE SCOPE OF THIS JOB'S CONTRACT.

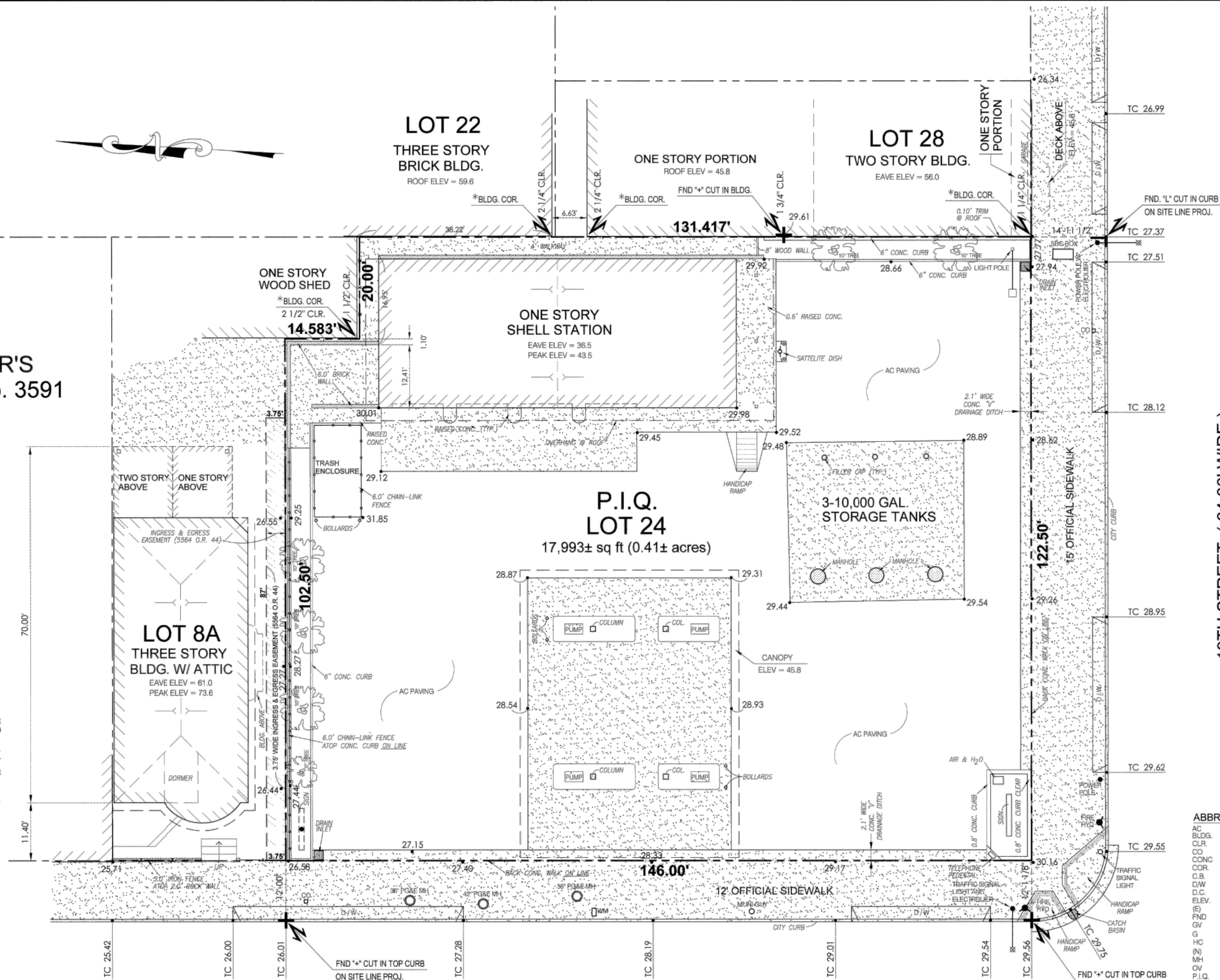
NOTES: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP PLEASE BE ADVISED AS FOLLOWS:

- THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS IF ANY WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENT'S AND/OR HIS AGENT'S REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO TRANSMERICAN ENGINEERS. FOR THIS PROJECT WE WERE ONLY PROVIDED WITH THE FOLLOWING INFORMATION: CLEARED, CHAIN REPORT, CHAIN REPORT, CHAIN REPORT OF P.I.Q.; FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY HEREON AS BEING BEYOND OUR CONTRACT AND ANY OTHER COMMITMENT TO OUR CLIENT.
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ABBREVIATION

AC	ASPHALT CONCRETE
BLDG.	BUILDING
CLR.	CLEAR
CO	CLEANOUT
CONC.	CONCRETE
COR.	CORNER
C.B.	CATCH BASIN
D/W	DRIVEWAY
D.C.	DROP CURB AT DRIVEWAY
ELEV.	ELEVATION
(E)	EXISTING
FND	FOUND
GV	GAS VALVE
G	GLUTTER
HC	HANDICAP RAMP
(N)	NEW
MH	MANHOLE
OV	OVER
P.I.Q.	PROPERTY IN QUESTION
P/L	PROPERTY LINE
PROJ.	PROJECTED
P.M.	PARKING METER
TC	TOP OF CURB
W.M.	WATER METER

BENCH MARK:

19TH ST. & SO. VAN NESS AVE. (N.E. CORNER)
SURVEY MON. IN WALK
ELEV. = 29.739 (CITY DATUM)

Job No.	5590.1
Sheet No.	1 of 1
Date	MAY 2004
Survey	J.B. 5/21/04
Design	
Drawn	JT 5/25/04
Checked	H.A. 5/27/04
Scale	1" = 10'-0"



FOCK PLAZA
1390 Market St., Suite 201
San Francisco, CA 94102
Phone No. (415) 559-4092
Fax No. (415) 559-4071

ARCHITECTURAL TOPOGRAPHIC SURVEY
ASSESSOR'S BLOCK No. 3591
LOT No. 24
793 SOUTH VAN NESS AVENUE
SAN FRANCISCO
CALIFORNIA

Approved by:	EXP.
Chief Engineer License No.	
Approved by:	
Chief Surveyor License No. 3075	
Expires 6/30/2006	

Revisions	By:

FILE NAME: 5590.1_ARSS

A-23.0 N.T.S. - SITE SURVEY

799 SVN LLC,
3364 Sacramento Street
San Francisco
CA - 94118
#415.828.0717
OWNER jfoboni@tobonigroup.com

793 SOUTH VAN NESS

PROJECT San Francisco,
CA 94110.
APN : 3591/024

SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-24.0

SHEET DESCRIPTION

DATE 11 / 15 / 2017 ISSUE
STATE DENSITY
BONUS SCHEME



ib+a
architecture
ian birchall and associates
251 south van ness ave, suite 300
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t: 415.512.9660 f: 415.512.9663
www.ibadesign.com
project contact: Ian Birchall

799 SVN LLC,
3364 Sacramento Street
San Francisco
CA - 94118
#415.828.0717

OWNER jtoboni@tobonigroup.com

793 SOUTH VAN NESS

PROJECT San Francisco,
CA 94110.
APN : 3591/024

SCALE : N.T.S.

DRAWING TITLE : RENDERINGS

SHEET NO. : A-25.0

SHEET DESCRIPTION

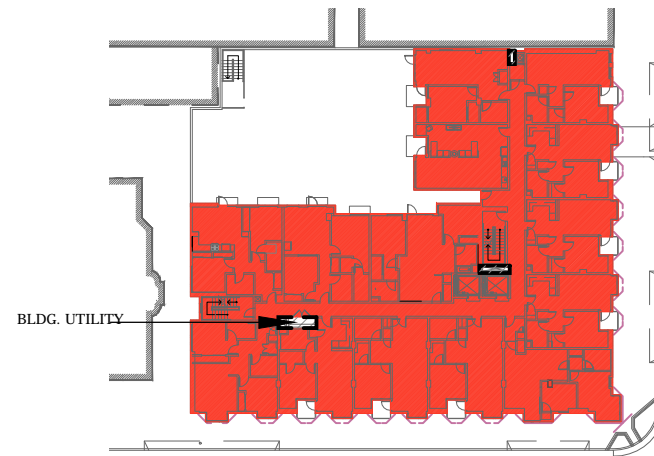
DATE 11 / 15 / 2017
ISSUE STATE DENSITY
BONUS SCHEME



ib+a
architecture
ian birchall and associates
251 south van ness ave, suite 300
san francisco, ca 94103
t: 415.512.9660 f: 415.512.9663
www.ibadesign.com
project contact: Ian Birchall



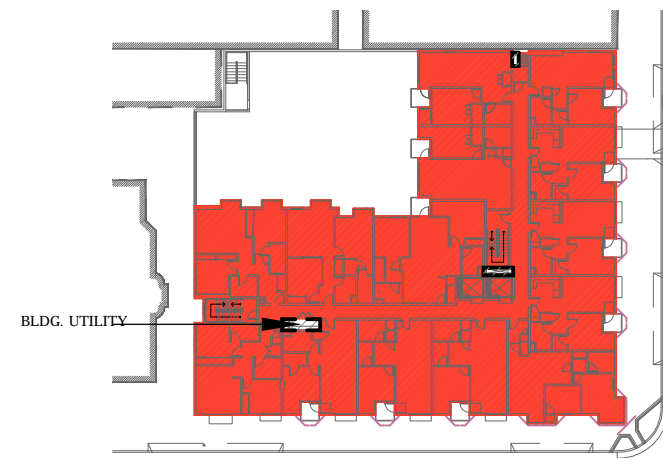
PLAN LEVEL 1: 15,019 SF



PLAN LEVEL 2: 12,875 SF



PLAN LEVEL 3: 13,042 SF



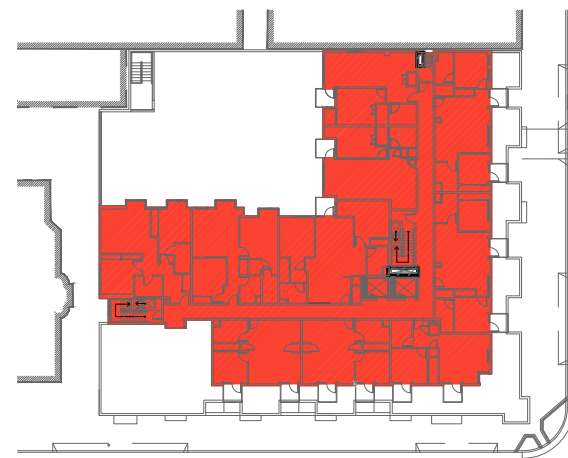
PLAN LEVEL 4: 12,935 SF



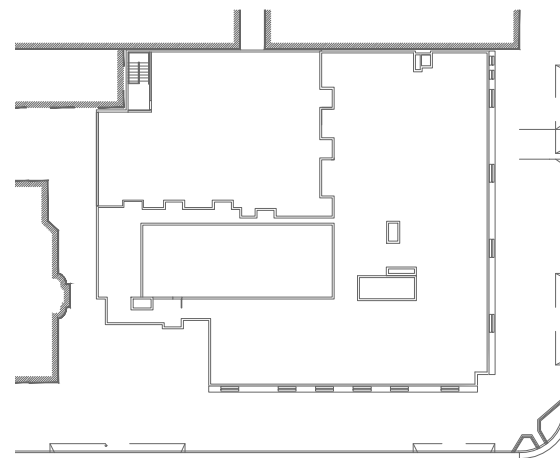
PLAN LEVEL 5: 13,042 SF



PLAN LEVEL 6: 9,768 SF



PLAN LEVEL 7: 9,768 SF



PLAN LEVEL ROOF: 0 SF

TOTAL FLOOR AREA, GROSS: 86,449 SF
(PER SF PLANNING CODE)

799 SVN LLC.
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OWNER jfoboni@tobonigroup.com

793 SOUTH VAN NESS

PROJECT San Francisco, CA 94110.
APN : 3591/024

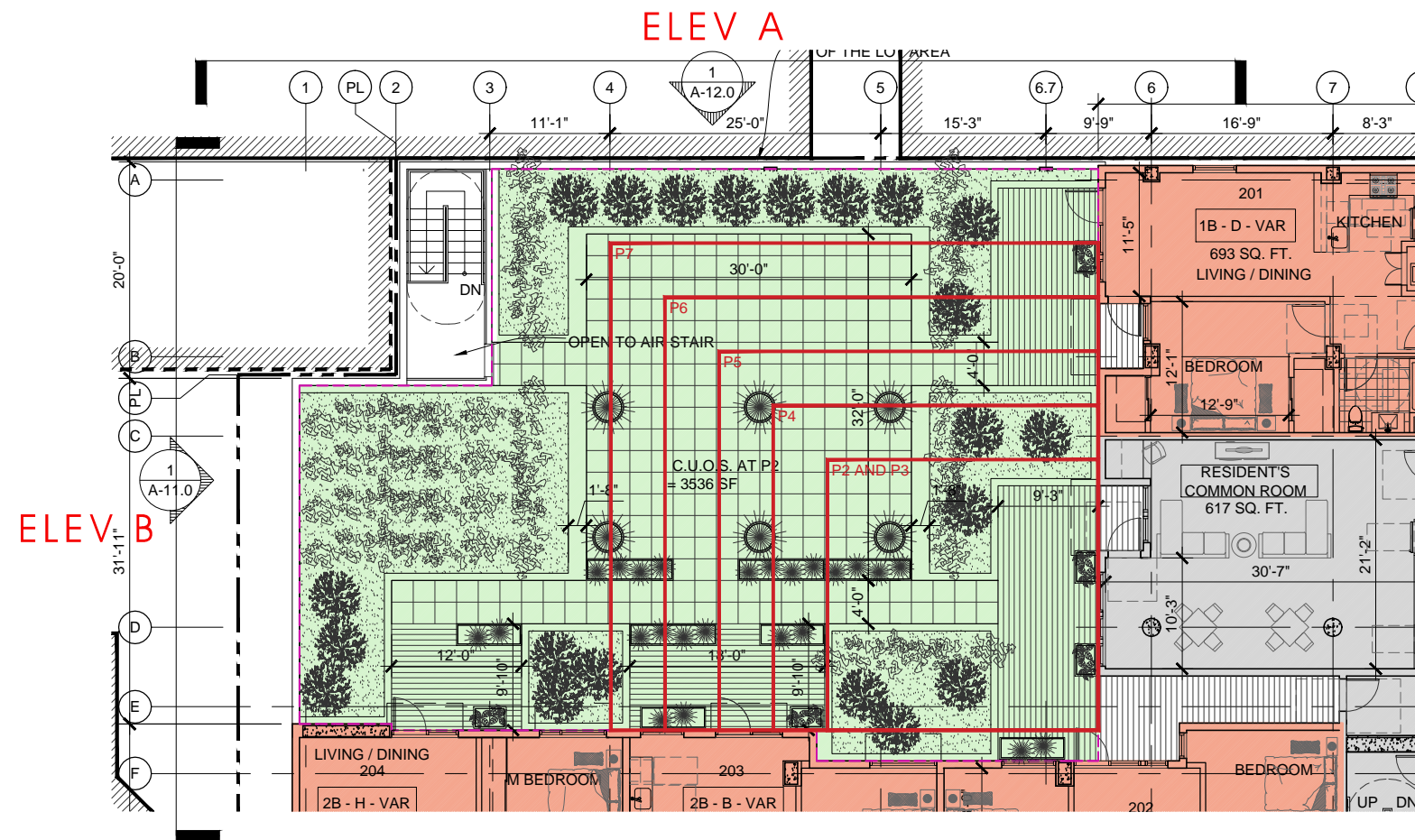
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DRAWING TITLE : GROSS FLOOR AREA DIAGRAM
SHEET NO. : A-26.0

SHEET DESCRIPTION
DATE 11 / 15 / 2017 ISSUE STATE DENSITY BONUS SCHEME



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project contact: Ian Birchall



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OWNER jfoboni@tobonigroup.com

793 SOUTH VAN NESS

San Francisco,
CA 94110.
APN : 3591/024

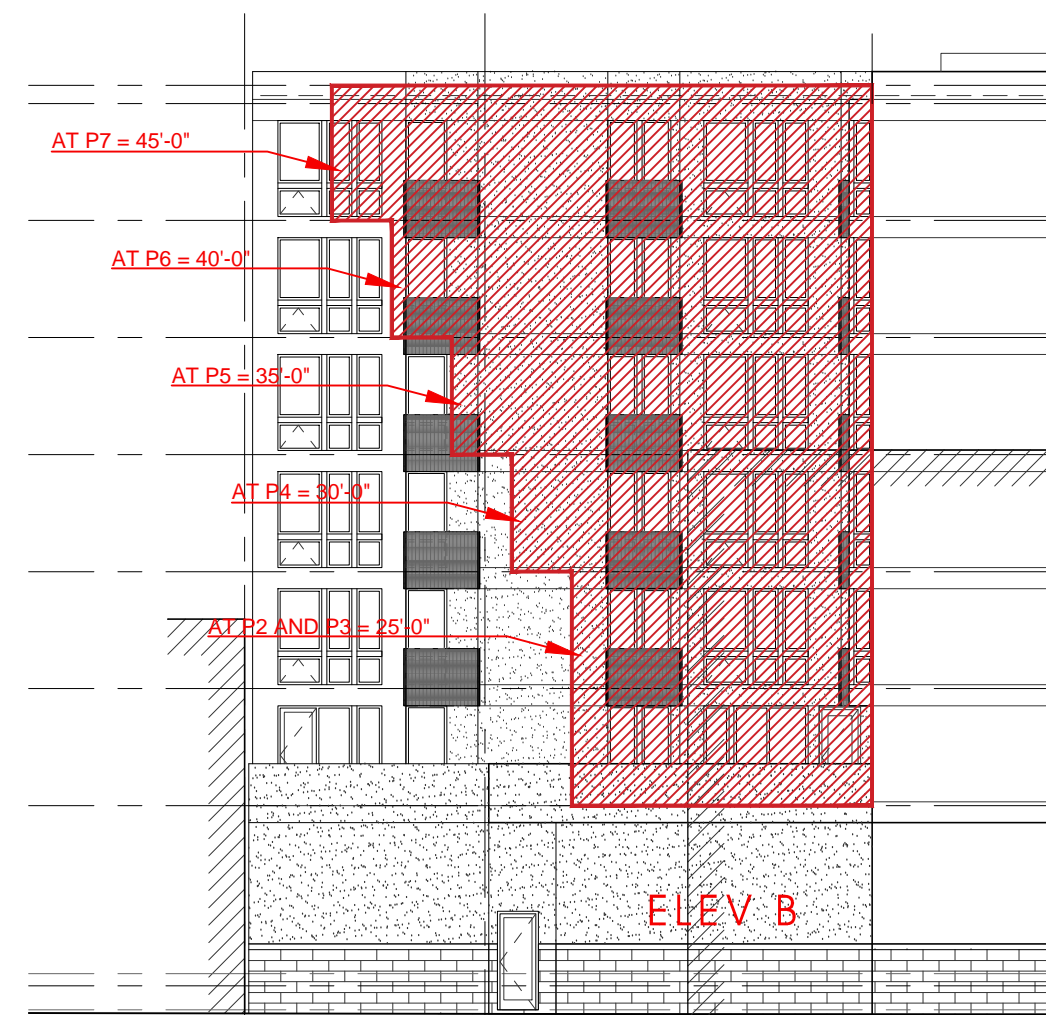
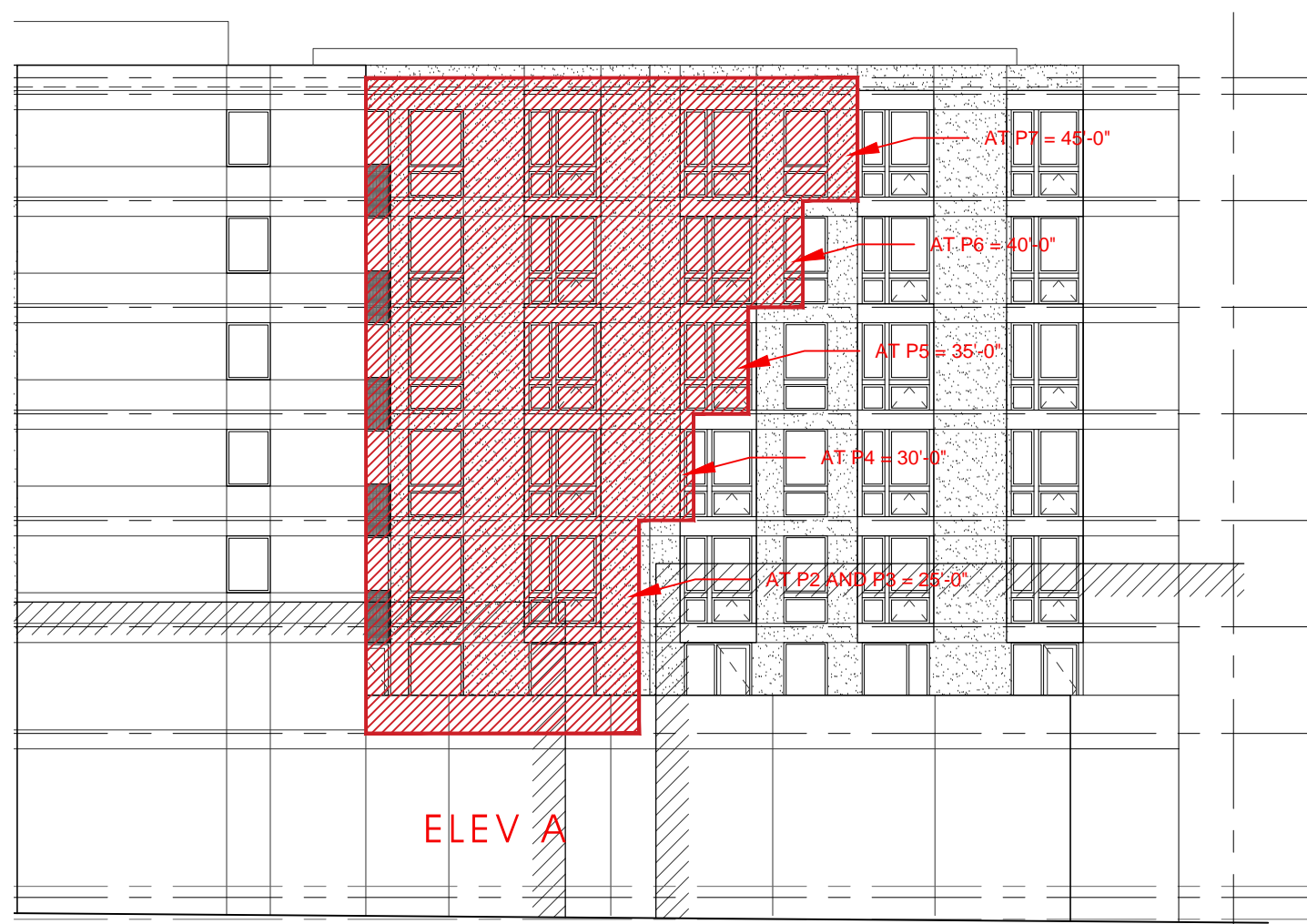
SCALE : 1/16" = 1'0"

DRAWING TITLE : PLAN LEVEL 2

SHEET NO. : A-27.0
DIAGRAM FOR DWELLING
UNIT EXPOSURE

SHEET DESCRIPTION

DATE 11 / 15 / 2017 ISSUE
STATE DENSITY
BONUS SCHEME



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www.ibadesign.com
project contact: Ian Birchall

December 4, 2017

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

Re: 793 South Van Ness Avenue
Case No. 2015-001360CUA
Conditional Use and State Density Bonus Authorization
Hearing Date: December 14, 2017

Dear President Hillis and Commissioners:

I am writing on behalf of the Toboni Group and its principal Joe Toboni, the project sponsor of the 793 South Van Ness Avenue project (the "Project"). The 17,589 square foot Project site is at the northeast corner of 19th Street and South Van Ness Avenue and is occupied by a vacant Shell service station that has been closed for over 10 years. Shell recently completed its soil remediation work.

Project Description. The Project proposes to demolish the abandoned service station structures and construct a 75-foot tall mixed-use building containing 75 dwelling units (40% of which are 2-bedroom units) and 4,337 square feet of ground floor commercial space. Eleven of the 75 units will be on-site inclusionary affordable units, a 14.5% inclusionary percentage. 38 vehicle parking spaces (including one car share space) and 86 bicycle parking spaces are provided. Ian Birchall & Associates is the Project architect.

The Project site is in the Mission Area Plan, a NC-3 (Moderate Scale Neighborhood Commercial) zoning district and the 55-X height and bulk district. NC-3 is not a PDR district (where PDR uses are generally not permitted), nor a district subject to Proposition X's PDR-replacement requirements. Conditional use authorization is required only because the lot exceeds 10,000 square feet in the NC-3 district. The underlying zoning allows a base project of 55 units in a five-story building, with 8 on-site affordable units (the required 14.5% on-site inclusionary percentage).

Consistent with the guidance provided by the Mission Interim Controls, the Toboni Group is utilizing the State Density Bonus law (Cal. Gov't Code § 65915) to increase the total number of dwelling units from 55 to 75 and to increase the height of the Project from five stories to seven stories. Unlike some other recent Density Bonus cases, the Toboni Group elected to set aside 20% of the base project's units as on-site affordable units (rather than the required 14.5%), thereby increasing the Project's overall number of inclusionary units from 8 to 11 and retaining the Project's 14.5% overall inclusionary percentage.

The Project design has been refined to increase the Project's compatibility with the neighborhood by incorporating large setbacks at the two upper floors (the density bonus floors). The façade's solid to void ratio was increased by reducing the size of the windows and glass balconies at the street facades in response to community input. Your Commission packet contains renderings, plans, elevations, and sections.

Pursuant to the State Density Bonus law, the Project is entitled to a waiver of the 55-foot height limit (to allow a 75-foot tall building with setbacks above 55 feet) and two minor concessions: a 20% rear yard at the interior of this corner lot and a reduction in off-street parking from the NC-3 required 75 spaces to 37 spaces, a 0.5:1 ratio. In all other respects, the Project is consistent with the underlying zoning, the Mission Area Plan and the Mission Interim Controls (a summary of the Project's Mission Interim Control compliance is at Exhibit A).

The Toboni Group will build the Project itself and plans on obtaining a site permit to authorize construction within one year of the December 14 hearing. The Toboni Group recently completed a similar mixed income project at 600 South Van Ness Avenue that the Commission approved in June 2015. It will also complete in January 2018 its 1463 Lombard Street project that the Commission approved in October 2015.

Environmental Review. The Department staff has determined that the Project has no environmental impacts not already analyzed and mitigated by the Eastern Neighborhoods EIR. We understand that a Community Plan Exemption will be issued this week.

Community Engagement. The Toboni Group has met several times with its immediate neighbors along South Van Ness Avenue, as well as with representatives of United to Save the Mission. There is general consensus by immediate neighbors in support of the massing and design of the Project.

As with other private housing projects in the Mission, United to Save the Mission opposes the market-rate units in the Project. However, neither the City nor any non-profit builder has expressed an interest in acquiring the site for a 100% affordable housing development.

State Density Bonus/Conditional Use. As the City Attorney has advised the Commission, projects utilizing the State Density Bonus law by providing on-site affordable units are entitled to local agency approval, waiver of development standards that could thwart the bonus units and development standard concessions. Under the Density Bonus Law, a local agency cannot deny a density bonus project's request for an incentive or a development standard waiver unless certain statutorily specified findings, supported by evidence in the administrative record, are made. The state law regarding denial of an incentive requires that the requested incentive "would have a

specific, adverse impact as defined [by the Housing Accountability Act] ¹ upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households. (Cal. Gov't. Code § 65915(d)(1)(B)).

Here, there is no evidence in the record that the Project could have an adverse impact on public health or safety. In fact, the CPE establishes otherwise. And, the Planning Department has determined that no existing structure on the site is a historic resources. Accordingly, we submit that this State Density Bonus project is entitled to the requested conditional use approval, waiver of the 55-foot height limit and the two requested concessions: rear yard configuration and 0.5:1 parking.

Even without these provisions of state law, the Project would warrant the Commission's approval. It meets the objectives and policies of the Mission Area Plan, the General Plan and the Priority Policies of the Planning Code, as well as the policies instituted by the Commission in the Mission Interim Controls. The Project provides 11 affordable units at no cost to the City, as well as 64 additional market-rate units, on a blighted site that has been vacant for over 10 years.

We look forward to the December 14 hearing. Please contact me prior to the hearing if we can provide any additional information.

Sincerely,



Steven L. Vettel

cc: Kimberly Durandet, Planner
Joe Toboni, The Toboni Group
Ian Birchall & Associates, Architects

Enclosure

¹ The Housing Accountability Act defines "specific adverse impact" as "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety." Gov't. Code § 65589.5(d)(2).

EXHIBIT A

793 SOUTH VAN NESS AVENUE MISSION INTERIM CONTROLS COMPLIANCE

The Project is subject to Section B. of the Mission Interim Controls because it is providing between 25 and 75 units. The following are responses to the criteria under Section B. Because the Project is proposed on the site of a long vacant gas station, it is not displacing any PDR use, such that responses required for projects that displace PDR uses are not required.

(a): *Total housing production*: Under the Planning Code, the maximum density of the project is 55 units, based on the height limit and the minimum 40% 2-bedroom requirement. Because the Project is utilizing the State Density Bonus law, it can increase the base density by 35% or 20 units, for a total of 75 units. In exchange for the increase in density, the State Density Bonus Law requires that ___ % of the 55 base density units be affordable to very low income households or that 20% be affordable to low-income households. Rather than providing only 14% of the base project units as very low income units, the Toboni Group is providing 20% of the base project units as very low and low-income units. Those 11 units will be built on-site as a direct result of the increased density provided by the State Density Bonus law. Without a density bonus, only eight BMR units would be built (14.5% of 55 units).

The unit mix for the Project is 45 one-bedroom units and 30 two-bedroom units. The 11 affordable units will reflect this unit mix: seven 1-bedroom BMR units and four 2-bedroom BMR units.

The Project site consists of a long-dormant and vacant (10+ years) gas station. Because there is no housing on the site, the net addition to the housing stock in the Mission district is 75 units, 11 of which will be affordable to low-income households.

The Project enables construction of more of both market-rate and affordable housing than would have been permitted absent use of the State Density Bonus law. By constructing 64 new market rate units and 11 BMR units on a long-dormant gas station site in the Mission, the Project is contributing to moderating the potential for displacement of long-time residents and helping reduce pressure on rent increases on those same residents.

Below are additional findings in support of the Project's direct and indirect contributions to affordable housing production based on reports prepared by San Francisco Office of the Controller and the Board of Supervisors' Budget and Legislative Analyst.

Summary of San Francisco Controller-Office of Economic Analysis Report on the Potential Effects of Limiting Market Rate Housing in the Mission

In its September 10, 2015 report entitled "Potential Effects of Limiting Market-Rate Housing in the Mission" ("Controller's Report"), the San Francisco Controller-Office of Economic Analysis analyzed the potential effects of a temporary moratorium and an indefinite prohibition on market-rate housing in the Mission. The report made the following observations

and drew the following conclusions based on an assessment of the housing market for 9 census tracts in the Mission District.

Changes in many socioeconomic variables occurred in the Mission over the past several years. Not surprisingly, there were changes in household income and increased income equality. In the 9 census tracts analyzed, the growth in housing production in the Mission from 1980-2000 was significantly lower than the Citywide rate. However, consistent with the post-recession housing boom, from 2008-2012, the Mission outpaced Citywide production with a 1.34% annual growth rate in housing production. From 2001-2013, a total of 1,464 units were built in the Mission with the following breakdown:

Market Rate: 721 Units

Affordable Units in Market Rate Projects: 97

Units in 100% Affordable Projects: 646

Fifty-one percent of the units built in the Mission during this time period were affordable.¹

In assessing the short-and-long-term impacts of a moratorium on market rate housing, the report used three criteria: 1. Higher housing prices; 2. Lost resources for affordable housing; and, 3. Higher risk for evictions. When controlling for housing supply, the report found that an increase in supply will bring down housing prices and a constriction of supply will increase the price. The predicted result on prices due to an 18 month moratorium on market rate housing in the Mission was an increase in housing prices of 0.3% and a decrease in production of between 752 and 807 units. Under an indefinite prohibition scenario, housing prices would rise 5.5%, resulting in a loss of 15,005 units, almost twice as much as would occur under a more limited prohibition.²

Because inclusionary housing production is tied to market-rate production, under a temporary moratorium, there would be a delay or loss of approximately 104 affordable on-site inclusionary units and approximately 131 units for off-site inclusionary housing.³

Lastly, displacement and eviction is another potentially direct effect of higher market rate housing prices. The Report, however, did not find a statistical relationship between market rate housing prices and evictions. One inference to draw from the absence of a statistically significant correlation between higher market rate housing prices and evictions is that the demand for new, market rate units puts less upward pressure on the prices of existing, more affordable units. This effect, known as “filtering”, occurs when existing older units are vacated by middle-income earners who can afford newer and more expensive housing. The vacation of the older, affordable existing units makes those units available to lower income households at rents that are more affordable than the new market-rate units.

¹ See Controller’s Report, Table 5, p. 7.

² *Id.*, Table 7, p. 15.

³ *Ibid.*, Table 9, p. 18.

Summary of San Francisco Board of Supervisors Budget and Legislative Analyst's Report on Displacement in the Mission District

The Budget and Legislative Analyst ("BLA") report dated October 27, 2015, focused on the issue of displacement in the Mission. The variables reviewed were 1. Changes in neighborhood's economic and cultural demographics; 2. The number of new housing units needed to lower prices in San Francisco; and 3. Short-term (2 years), medium-term (5 years) and long-term (10 years) projections of housing price increases for one and two bedroom units in the Mission District if current housing price trends continue.

In reviewing the factors that have contributed to increased housing prices in the City, the BLA found that "had an average of 15,300 housing units been added each year over a 30-year period, instead of 2,100, the median 2010 housing value . . . would be \$525,000 (adjusted for inflation) instead of the actual \$839,357".⁴ It observed that any "short term price decreases during the 30 year period" would not have been sustainable absent "annual average increases of 15,300 units over the 30 year period."⁵

In determining the role that a robust and consistent market-rate housing supply plays in moderating housing prices, the BLA cites a 2015 report by the California Legislative Analyst's Office ("LAO Report") regarding the number of units that would needed to have been built in the City to lower the increase in the median value of owner-occupied units (175% in San Francisco between 1980-2010) compared the to the national average of 52%. Exhibit 16 shows that San Francisco had a housing shortfall between that 30 year period of 398,666 units or 561% more than was actually built.⁶ In emphasizing that the City needs to produce much more housing than its historic average annual production of 2,011 units, the BLA concludes that

A level of construction above the City's 1980-2010 average annual housing need of 15,300 units would be needed to actually maintain a lower San Francisco adjusted median housing price from its current value of approximately \$1 million on an ongoing basis.⁷

Given increased housing demand and the historically limited supply of new housing, the BLA estimates that "median housing prices are still projected to increase by nine percent by 2025 in the Mission District."⁸

The Project's use of the State Density Bonus law allows it to contribute more new market-rate units than would have been permitted under the Planning Code and more affordable units than would have been required. Under these circumstances, this Project will have a positive impact on the San Francisco housing market as noted by the BLA Report. The 64 new market-rate units will be occupied by households whose existing units can filter down to be made more affordable to middle-to low-income households or to middle-upper income

⁴ BLA Report, p. 4.

⁵ *Id.*

⁶ *Ibid.*, p. 27.

⁷ *Ibid.* p. 29

⁸ *Ibid.*, p. 36

households new to the City who will not need to bid up the price of existing housing. The 11 affordable units will enable the filtering down of existing units to low-lower income households.

b) *Affordable Housing Production*: The Project is utilizing the State Density Bonus law. That law will result in the Project providing 11 on-site units affordable to low income households, three more units that would be constructed absent a density bonus. That number is derived by requiring that 20% of the Project's base density be set aside for very low and low-income households in exchange for an increase of 35% in density.

c) *Housing Preservation*: The site is comprised solely of a long-dormant gas station that has been inactive for over 10 years. Accordingly, there are no housing units to preserve as a result of Project implementation.

31350\6347748.1

793 South Van Ness Avenue---Community Outreach Recap

Meeting Date: 2/15/17
Meeting Address: 251 South Van Ness Avenue, Suite 300, San Francisco, Ca 94103
Meeting Time: 6 pm
Project Team: Toboni, Vettel, Birchall, Patel, Prose
Attendees: Barros, Burshak, Kamal, Kumar, Jacintho

Meeting Date: 8/22/17
Meeting Address: 1650 Mission Street, 5th floor, San Francisco, Ca 94103
Meeting Time: 3 pm
Project Team: Toboni, Vettel, Birchall, Patel
Attendees: Burshak, Avalos, Ortiz, Papadopoulos, Zamora, Hamer, Kenneth, Hall, Kamal

Meeting Date: 9/19/17
Meeting Place: Stable Café, 17th and Folsom, San Francisco, Ca
Meeting Time: 9 am
Project Team: Toboni
Attendees: Sutha Kamal (neighbor 765 So Van Ness Avenue)

Meeting Date: 10/17/17
Meeting Place: Stable Café, 17th and Folsom, San Francisco, Ca
Meeting Time: 9 am
Project Team: Toboni
Attendees: Weaver, Papadopoulos, Ortiz

Meeting Date: 11/15/17
Meeting Place: Stable Café
Meeting Time: 9 am
Project Team: Toboni
Attendees: Weaver, Ortiz

793 SOUTH Van Ness Avenue

COMMUNITY PRE APPLICATION MEETING

Meeting Date: 02/15/2016

Meeting time: 6 pm.

Meeting Address: 251 SOUTH VAN NESS AVENUE, SUITE 300, SAN FRANCISCO, CA 94103

Project Address: 793 SOUTH VAN NESS AVENUE, SAN FRANCISCO, CA 94110

Property Owner Name: 799 SVN LLC.

Project Sponsor/Representative:

Joe Toboni – Project sponsor / Developer (JT)

- jtoboni@tobonigroup.com

Steve Vettel – Land Use Attorney (SV)

- SVettel@fbm.com

Ian Birchall – Architect / Senior Principal (IB)

- ian@ibadesign.com

Vidhi Patel - from Ian Birchall and Associates (VP)

- vidhi@ibadesign.com

Tracy Prose - from Ian Birchall and Associates (TP)

- tracy@ibadesign.com

Attendees to the meeting:

Joe Rivano Barros (JRB)

- 50 798 0730
- Joe.rivanobarros@missionlocal.com

Jackie Burshak (JB)

- jbarshak@hotmail.com

Sutha Kamal (SKL)

- 765 SVN
- sutha@suthakamal.com

Seema Kumar (SKR)

- seemakumar@gmail.com

Ako Jacintho (AJ)

- 772 SVN Avenue #2
- Chuchinho58@gmail.com

799 SOUTH VAN NESS AVENUE COMMUNITY OUTREACH MEETING

Meeting Date: 08/22/2017

Meeting time: 3 pm.

Meeting Address: 1650 Mission Street, 5th floor, San Francisco, CA 94103.\

Project Address: 793 SOUTH VAN NESS AVENUE, SAN FRANCISCO, CA 94110

Property Owner Name: 799 SVN LLC.

Project Sponsor/Representative:

Joe Toboni – Project sponsor / Developer

- jtoboni@tobonigroup.com

Steve Vettel – Land Use Attorney

- SVettel@fbm.com

Ian Birchall – Architect / Senior Principal

- ian@ibadesign.com

Vidhi Patel – Project Manager

- vidhi@ibadesign.com

Attendees to the meeting:

Jackie Burshak

- jbarshak@hotmail.com

Luis Avalos

Kevin Ortiz - from United to save the Mission.

- Kevinortiz916@gmail.com

Peter Papadopoulos – Cultural Action Network

- papadooloo@gmail.com

Carlos Zamora – 754 South Van ness

- cezamora@yahoo.com

Donna Homer – 767 South Van ness Avenue.

- donnahomer@icloud.com

Rosemary Kenneth – 768 South Van ness Avenue.

- rgk2002rgk@yahoo.com

Rick Hall – 2940 16th street.

- RCLISTPD@gmail.com

Sutha Kamal - 765 SVN

- sutha@suthakamal.com

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



**San Francisco
Planning**

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

Date: August 16, 2016

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

From: San Francisco Planning Department

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

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

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

The Affidavit is divided into two sections. This first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

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

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

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

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

The Project contains: 75 UNITS	The zoning of the property is: NC-3	Complete EEA was submitted on: 7/23/15
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CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

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

* except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet.

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

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

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415 & 419



**San Francisco
Planning**

SAN FRANCISCO PLANNING DEPARTMENT
1690 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 556-6378 SFPLANNING.ORG

Date Oct. 2, 2017

I, Joseph Toboni
do hereby declare as follows:

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

793 South Van Ness Ave.

Address

3591/024

Block / Lot

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

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

2015-001360 CUA

Planning Case Number

Building Permit Number

This project requires the following approval:

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

☐ This project is principally permitted.

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

Kimberly Durandet

Planner Name

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

☐ Yes _____
(If yes, please indicate Affordable Housing Tier)

☒ No

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

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

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

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

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

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

☐ Land Dedication

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

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

☒ **Rental.** Exemption from Costa Hawkins Rental Housing Act.¹ The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:

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

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

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

¹ California Civil Code Section 1954.50 and following.

F Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:
8	10.67%	55%

No. of Affordable Units:	% Affordable Units:	AMI Level:
3	4%	80%

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

H I am a duly authorized agent or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

Location

Date

Sign Here

Signature

Joseph Toboni

Name (Print), Title

415-828-0717

Contact Phone Number

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

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
75			45	30	

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below. If using more than one AMI to satisfy the requirement, please submit a separate sheet for each AMI level.

☒ On-site Affordable Housing Alternative Planning Code Section 415.6): calculated at 14.5 % of the unit total.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
75			5 @ 55% AMI 2 @ 80% AMI	3 @ 55% AMI 1 @ 80% AMI	

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

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

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

1. Fee % of affordable housing requirement.
2. On-Site % of affordable housing requirement.

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

3. Off-Site % of affordable housing requirement.

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

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

799 SWN, LLC To The Toboni Group

Company Name

Joseph Toboni

Name (Print) of Contact Person

3364 Sacramento St.

Address

(415) 828-0717

Phone / Fax

San Francisco, CA 94118

City, State, Zip

jtoboni@tobonigroup.com

Email

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

Sign Here

Signature:

Name (Print), Title:

JOE TOBONI, PRESIDENT

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

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

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

Sign Here

Signature:

Name (Print), Title:



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

T: 415.558.6378
F: 415.558.6409

SUPPLEMENTAL INFORMATION PACKET FOR

Anti-Discriminatory Housing Policy

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

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

WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

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

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

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

HOW IS THIS INFORMATION USED?

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

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

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

WHAT PART OF THE POLICY IS BEING REVIEWED?

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

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

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

INSTRUCTIONS:

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

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

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

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FOR MORE INFORMATION:

Call or visit the San Francisco Planning Department

Central Reception

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

TEL: **415.558.6378**

FAX: **415 558-6409**

WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)

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

TEL: **415.558.6377**

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

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: 799 SVN LLC		TELEPHONE: (415) 828 0717
PROPERTY OWNER'S ADDRESS: 3364 Sacramento Street SF. CA 94118		EMAIL: mtoboni@toboni-group.com
APPLICANT'S NAME: JOE TOBONI Same as Above <input type="checkbox"/>		
APPLICANT'S ADDRESS: as above		TELEPHONE: () as above
		EMAIL:
CONTACT FOR PROJECT INFORMATION: Ian Birchall Assoc Same as Above <input type="checkbox"/>		
ADDRESS: 251 So. Van Ness Ave SF 94103		TELEPHONE: (415) 512 9660
		EMAIL:
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Ian Birchall Assoc Same as Above <input type="checkbox"/>		
ADDRESS: as above		TELEPHONE: ()
		EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT: 799 So Van Ness Ave		ZIP CODE: 94103
CROSS STREETS: corner of 19th Street		
ASSESSORS BLOCK/LOT: 02413591	ZONING DISTRICT: NC-3	HEIGHT/BULK DISTRICT: 65
PROJECT TYPE: (Please check all that apply) <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Demolition <input type="checkbox"/> Alteration <input type="checkbox"/> Other: _____	EXISTING DWELLING UNITS: 0	PROPOSED DWELLING UNITS: 69
		NET INCREASE: 69

Compliance with the Anti-Discriminatory Housing Policy

1. Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California?

☐ YES ☒ NO

1a. If yes, in which States? _____

- 1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest?

☐ YES ☐ NO

- 1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property?

☐ YES ☐ NO

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

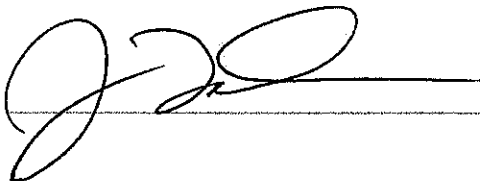
Human Rights Commission contact information
hrc.info@sfgov.org or (415)252-2500

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

9/20/17

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

Manager 799 SVN LLC
Owner / Authorized Agent (circle one)

PLANNING DEPARTMENT USE ONLY

PLANNING DEPARTMENT VERIFICATION:

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

Notification of Incomplete Information made:

To: _____ Date: _____

BUILDING PERMIT NUMBER(S):

DATE FILED:

RECORD NUMBER:

DATE FILED:

VERIFIED BY PLANNER:

Signature: _____ Date: _____

Printed Name: _____ Phone: _____

ROUTED TO HRC:

DATE:

☐ Emailed to: _____



AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

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

Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
799 So. Van Ness Ave		024/3591	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
2015-001360-CUA			
PROJECT SPONSOR	MAIN CONTACT	PHONE	
799 SVN LLC	Joe To boni	4158280717	
ADDRESS			
3364 Sacramento St.			
CITY, STATE, ZIP	EMAIL		
SF 94118	JTOBONI@TOBONIGROUP.COM		
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
69	4900 SF	70' / 7 flrs	\$19M
ANTICIPATED START DATE			

Section 2: First Source Hiring Program Verification

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

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	\$20-\$30	sub	5	Laborer	sub		6
Boilermaker	—			Operating Engineer	—		
Bricklayer	—			Painter	sub		15
Carpenter	\$20-\$50	sub	50	Pile Driver	—		
Cement Mason	\$30-\$50	sub	10	Plasterer	sub		15
Drywall/Latherer	sub		30	Plumber and Pipefitter	sub		15
Electrician	sub		15	Roofer/Water proofer	sub		8
Elevator Constructor	sub		7	Sheet Metal Worker	sub		15
Floor Coverer	sub		15	Sprinkler Fitter	sub		15
Glazier	sub		15	Taper	sub		15
Heat & Frost Insulator	sub		10	Tile Layer/Finisher	sub		20
Ironworker	sub		5	Other:			
TOTAL:				TOTAL:			

1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations?
3. Will hiring and retention goals for apprentices be established?
4. What is the estimated number of local residents to be hired?

YES NO

☐

☐

☐

☐

☐

☐

100-150

unknown
sub
controllers

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
<p>I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.</p>		
<p>(SIGNATURE OF AUTHORIZED REPRESENTATIVE)</p>		<p>9/20/17</p> <p>(DATE)</p>
<p>FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG</p>		
<p>Cc: Office of Economic and Workforce Development, CityBuild Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848 Website: www.workforcedevelopmentst.org Email: CityBuild@sfgov.org</p>		