



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: DECEMBER 8, 2016

Date: December 1, 2016
Case No.: **2015-004109CUA**
Project Address: **333 12th Street**
Zoning: WMUG (Western SoMa Mixed-Use General) Zoning District
Western SOMA Special Use District
55-X & 55/65-X Height and Bulk District
Block/Lot: 3521/022 & 055
Project Sponsor: Zac Shore, Panoramic Interests
1321 Mission Street, Ste. 101
San Francisco, CA 94103
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucree@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The Project includes demolition of an existing two-story industrial building (measuring approximately 21,630 square feet (sq ft)) and new construction of a seven-story-with-basement, 80-ft tall, residential building (measuring approximately 144,487 gross square feet (gsf)) with 200 dwelling units and 125 Class 1 bicycle parking spaces. The Project does not possess any off-street vehicular parking, and is requesting an on-street loading space and two on-street car-share parking spaces. The dwelling unit mix includes six one-bedroom units, 94 two-bedroom units, and 100 two-bedroom units with two dens. The Project includes approximately 11,840 sq ft of open space through below-grade outdoor areas along 12th Street and Norfolk Streets (collectively measuring 1,732 sq ft), an interior courtyard (measuring approximately 3,978 sq ft), two private open areas on the second floor (collectively measuring 523 sq ft) and two rooftop decks (collectively measuring 5,607 sq ft). The Project also includes streetscape improvements including sidewalk widening, street trees, planting strips and ten Class 2 bicycle parking spaces. The Project would also merge and subdivide the two existing lots into three new lots, which would result in a project site with 199.99-ft of frontage along Norfolk Street and 157-ft of frontage along 12th Street, and a lot area of 25,518 sq ft. 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 Project is located on an irregularly-shaped mid-block parcel (with a lot area of 29,424± square feet). Currently, the project site has approximately 205-ft of frontage along Norfolk Street and 208-ft 6-in of frontage along 12th Street. Currently, the project site contains a vacant lot (Lot 055), and a two-story, industrial building (Lot 022).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located within the WMUG (Western SoMa Mixed-Use General) Zoning District in the Western SoMa Area Plan. The project site has two street frontages: 12th Street, which is identified as a two-way street with horizontal on-street parking on either side of the street; and, Norfolk Street, which is a smaller-scale, one-way alley with on-street parking along the east side of the street. The immediate context is mixed in character with a mix of residential, commercial and industrial development. The immediate neighborhood includes one-to-three-story commercial and industrial buildings, a one-story bar (d.b.a. The Eagle), and three-to-four-story live/work and residential complexes. Along 12th Street adjacent to the project site is a double-height one-story warehouse to the west, and a two-and-one-half-story single-family residence (aka Lopez Residence) to the east. Along Norfolk Street, the project site abuts a vacant lot to the east and the double-height one-story warehouse to the west. To the west, the vacant lot (identified as 1532 Harrison Street) was recently approved for development as a seven-story (65-ft tall) mixed-use building with 136 dwelling units and 1,463 square feet of ground floor commercial space. Other zoning districts in the vicinity of the project site include: RED-MX (Residential Enclave District - Mixed); WMUO (Western SoMa Mixed Use-Office); PDR-1-G (Production, Distribution and Repair-General); and SALI (Service/Arts/Light Industrial).

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on November 18, 2016, 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 18, 2016	November 18, 2016	20 days
Posted Notice	20 days	November 18, 2016	November 18, 2016	20 days
Mailed Notice	20 days	November 18, 2016	November 18, 2016	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 1, 2016, the Department has not received any public correspondence either in support or opposition to the Project.

ISSUES AND OTHER CONSIDERATIONS

- Conditional Use Authorization: The proposed project requires Conditional Use Authorization from the Planning Commission for a major development requesting a height bonus in the Western SoMa Special Use District, and to exceed the principally-permitted amount of off-street parking. Per Planning Code Section 823(c)(11), the project requires Conditional Use Authorization for Major Developments Requesting Height Bonuses, since the project is larger than .5 acre (25,518 square feet), is located within a split height district (55/65-X), proposed a building with a height above its permitted base height (55-ft), and is not located in the SALI District (WMUG Zoning District). Currently, the Project would construct a new residential development up to 80-ft tall with 200 dwelling units. The Project incorporates six one-bedroom units, 94 two bedroom units, and 100 two-bedroom units with two dens, which range in size from 360 gsf, 437 gsf or 677 gsf, respectively.
- 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 11% of the “Base Project” units are affordable to very-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 333 12th Street, the “Base Project” included 148 dwelling units and approximately 98,042 gross square feet (gsf), of which 82,176 gsf would be residential; therefore, the “Bonus Project” (or Project) is permitted a maximum residential square footage of 110,938.

The Project consists of 200 dwelling units with 144,487 gsf (of which 110,938 gsf would be residential). The Project proposes waivers to the development standards for: 1) Lot Mergers (Planning Code Section 121.7); 2) Rear Yard (Planning Code Section 134); 3) Open Space (Planning Code Section 135); 4) Dwelling Unit Exposure (Planning Code Section 140); 5) Height (Planning Code Sections 250 and 252); and, 6) Off-Street Loading (Planning Code Section 152.1).

- Interior Courtyard: The Project provides an interior courtyard, which is irregularly in shape and is only 20-ft wide at its narrowest point. The Department recognizes that the Project is seeking waivers for these development standards. However, the Department recommends this courtyard be redesigned to a minimum width of 25-ft, in order to satisfy the minimum standards for rear yard, dwelling unit exposure, and open space.
- 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, and through payment of the Affordable Housing Fee. Since the project involves a major development requesting a height

bonus in the Western SoMa SUD, the project site is subject to the Tier B Affordable Housing Requirements of Planning Code Section 419.3(b)(2), as outlined in Planning Code Section 823(c)(11)(B)(vi). The Project's Environmental Evaluation Application was deemed complete on September 18, 2015. Therefore, the Project requires that 18% 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 (148 dwelling units) are subject to the inclusionary affordable housing requirements. The Project Sponsor has elected to designate 14.5% of the Base Project Units (148 Dwelling Units) or 21 dwelling units as part of the on-site inclusionary housing program, and will pay the Affordable Housing Fee for the remainder of the Inclusionary Affordable Housing obligation. Since the project includes rental housing, the Project Sponsor has entered into a Costa-Hawkins Agreement with the City and County of San Francisco. A copy of this agreement will be provided to the Commission at the public hearing.

- Development Impact Fees: The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Eastern Neighborhoods Impact Fee (21,630 sq ft – Tier 2; Change in Use from PDR to Residential)	423 (@ \$11.47)	\$21,641
Eastern Neighborhoods Impact Fee (89,578 sq ft – Tier 2; New Residential)	423 (@ \$15.29)	\$1,369,648
Transportation Sustainability Fee (TSF) [EE filed on 04/23/15 = Use TSF Rules – 50% Disc.] (21,630 gsf – Change in Use from PDR to Residential)	411A (@ \$0.13) x 50%	\$1,406
Transportation Sustainability Fee (TSF) [EE filed on 04/23/15 = Use TSF Rules – 50% Disc.] (44,341 gsf – New Residential, Up to 99 DU)	411A (@ \$7.74) x 50%	\$171,600
Transportation Sustainability Fee (TSF) [EE filed on 04/23/15 = Use TSF Rules – 50% Disc.] (44,967 gsf – New Residential, 99 DU to 200 DU)	411A (@ \$8.74) x 50%	\$196,506
Residential Child-Care Impact Fee with Plan Area Credit (110,938 gsf – 10 Units or More)	414A (@ \$0.84)	\$93,188
	TOTAL	\$1,853,989

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization for major development requesting a height bonus in the Western SoMa SUD, per Planning Code Sections 303 and 823(c)(11).

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 districts where residential is principally permitted.
- The Project is an appropriate infill development, which replaces a surface parking lot and a two-story industrial building currently used as office.
- The Project complies with the First Source Hiring Program.
- The Project adds 200 new dwelling units to the City's housing stock
- The Project adds on-site affordable housing units, and will designate 14.5% of the total number of base project dwelling units (or 21 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 – To Be
- Costa-Hawkins Agreement
- 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

RS
Planner's Initials

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input checked="" type="checkbox"/> Child Care Requirement (Sec. 414 & 414A) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (TSF, Sec. 411A; EN Impact Fee, Sec. 423) |

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Planning Commission Draft Motion

HEARING DATE: DECEMBER 8, 2016

Case No.: **2015-004109CUA**
Project Address: **333 12th Street**
Zoning: WMUG (Western SoMa Mixed-Use General) Zoning District
Western SOMA Special Use District
55-X & 55/65-X Height and Bulk District
Block/Lot: 3521/056
Project Sponsor: Zac Shore, Panoramic Interests
1321 Mission Street, Ste. 101
San Francisco, CA 94103
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 823(C)(11) OF THE PLANNING CODE FOR MAJOR DEVELOPMENT REQUESTING A HEIGHT BONUS IN THE WESTERN SOMA SPECIAL USE DISTRICT FOR THE PROJECT INVOLVING NEW CONSTRUCTION OF A SEVEN-STORY-WITH-BASEMENT (80-FT TALL) RESIDENTIAL BUILDING WITH 200 DWELLING UNITS AT 333 12TH STREET, LOTS 022 & 055 IN ASSESSOR'S BLOCK 3521 WITHIN THE WMUG (WESTERN SOMA MIXED-USE GENERAL) ZONING DISTRICT AND A 55-X AND 55/65-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On November 12, 2015, Zac Shore of Panoramic Interests (hereinafter "Project Sponsor"), on behalf of Paul and Paulette Ryan Revocable Trust and James W. Friedman and Suzanne Stassevitch Revocable Trust (Property Owner), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303 and 823(c)(11) of the Planning Code for major development requesting a height bonus in the Western SoMa Special Use District within the WMUG (Western SoMa Mixed-Use General) Zoning District and a 55-X and 55/65-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 148 unit “Base Project” that would include housing affordable to very-low income households. Because the Project Sponsor is providing 21 units of housing affordable to very-low income households, the Project seeks a density bonus of 35% and waivers of the following development standards: 1) Lot Mergers (Planning Code Section 121.7); 2) Rear Yard (Planning Code Section 134); 3) Open Space (Planning Code Section 135); 4) Dwelling Unit Exposure (Planning Code Section 140); 5) Height (Planning Code Sections 250 and 252); and, 6) Off-Street Loading (Planning Code Section 152.1).

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Western SoMa Area Plan Environmental Impact Report (hereinafter “EIR”). The EIR was prepared, circulated for public review and comment, and, at a public hearing on December 6, 2012, by Motion No. 18756, 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 Western SoMa Area Plan 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. 18756 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 November 18, 2016, 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.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2015-004109CUA at 1650 Mission Street, Fourth Floor, 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.

On December 8, 2016, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-004109CUA.

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. 2015-004109CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Project is located on an irregularly-shaped mid-block parcel (with a lot area of 29,424± square feet). Currently, the project site has approximately 205-ft of frontage along Norfolk Street and 208-ft 6-in of frontage along 12th Street. Currently, the project site contains a vacant lot (Lot 055), and a two-story, industrial building (Lot 022).
3. **Surrounding Properties and Neighborhood.** The project site is located within the WMUG (Western SoMa Mixed-Use General) Zoning District in the Western SoMa Area Plan. The project site has two street frontages: 12th Street, which is identified as a two-way street with horizontal on-street parking on either side of the street; and, Norfolk Street, which is a smaller-scale, one-way alley with on-street parking along the east side of the street. The immediate context is mixed

in character with a mix of residential, commercial and industrial development. The immediate neighborhood includes one-to-three-story commercial and industrial buildings, a one-story bar (d.b.a. The Eagle), and three-to-four-story live/work and residential complexes. Along 12th Street adjacent to the project site is a double-height one-story warehouse to the west, and a two-and-one-half-story single-family residence to the east. Along Norfolk Street, the project site abuts a vacant lot to the east and the double-height one-story warehouse to the west. To the west, the vacant lot (identified as 1532 Harrison Street) was recently approved for development as a seven-story (65-ft tall) mixed-use building with 136 dwelling units and 1,463 square feet of ground floor commercial space. Other zoning districts in the vicinity of the project site include: RED-MX (Residential Enclave District - Mixed); WMUO (Western SoMa Mixed Use-Office); PDR-1-G (Production, Distribution and Repair-General); and SALI (Service/Arts/Light Industrial).

4. **Project Description.** The Project includes demolition of an existing two-story industrial building (measuring approximately 21,630 square feet (sq ft)) and new construction of a seven-story-with-basement, 80-ft tall, residential building (measuring approximately 144,487 gross square feet (gsf)) with 200 dwelling units and 125 Class 1 bicycle parking spaces. The Project does not possess any off-street vehicular parking, and is requesting an on-street loading space and two on-street car-share parking spaces. The dwelling unit mix includes six one-bedroom units, 94 two-bedroom units, and 100 two-bedroom units with two dens. The Project includes approximately 11,840 sq ft of open space through below-grade outdoor areas along 12th Street and Norfolk Streets (collectively measuring 1,732 sq ft), an interior courtyard (measuring approximately 3,978 sq ft), two private open areas on the second floor (collectively measuring 523 sq ft) and two rooftop decks (collectively measuring 5,607 sq ft). The Project also includes streetscape improvements including sidewalk widening, street trees, planting strips and ten Class 2 bicycle parking spaces. The Project would also merge and subdivide the two existing lots into three new lots, which would result in a project site with 199.99-ft of frontage along Norfolk Street and 157-ft of frontage along 12th Street, and a lot area of 25,518 sq ft. 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 has not received any public correspondence either in support or 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 WMUG Zoning District.** Per Planning Code Section 844.20, dwelling units are a principally permitted use within the WMUG (Western SoMa-Mixed Use General) Zoning District.

The proposed project would construct 200 dwelling units within the WMUG Zoning Districts. Therefore, the proposed project complies with Planning Code Section 844.20.
 - B. **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 ground level. In addition, per Planning Code

Section 823(c)(1), the rear yard must be provided at grade. Therefore, the Project would have to provide a rear yard, which measures approximately 6,380 sq ft, located along the rear property line.

The Project includes an at-grade rear yard, which measures approximately 4,081 sq ft, and does not measure the entire length of the lot.

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 rear yard, which are defined in Planning Code 134. This reduction in the rear yard requirements are necessary to enable the construction of the project with the increased density provided by Government Code Section 65915(f)(2).

- C. **Useable Open Space.** Within the WMUG Zoning District, Planning Code Section 135 requires a minimum of 80 sq ft of open space per dwelling unit. Per Planning Code Section 823(c)(2), all dwelling units within the Eastern Neighborhoods Mixed Use Districts shall provide 80 square feet of open space per dwelling units regardless of whether the open space is privately or publicly accessible.

Private useable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq ft is 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 useable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum of 300 sq ft. Further, inner courts may be credited as common useable 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.

Per Planning Code Section 823(c)(2)(B), roof decks within the Western SoMa Special Use District do not qualify as required private or common useable open space.

Therefore, the Project is required to provide 16,000 square feet of open space for the 200 dwelling units.

The Project includes approximately 11,840 sq ft of open space through below-grade outdoor areas along 12th Street and Norfolk Streets (collectively measuring 1,732 sq ft), an interior courtyard (measuring approximately 3,978 sq ft), two private open areas on the second floor (collectively measuring 523 sq ft) and two rooftop decks (collectively measuring 5,607 sq ft). The Proposed does not provide the required amount of open space for the proposed dwelling units, and much of the proposed open space does not meet the dimensional requirements of the Planning Code.

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 open space,

which are defined in Planning Codes 135 and 823. This reduction in the open space standards is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915(f)(2).

- D. **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 larger than one-half acre 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 157-ft of frontage along 12th Street, and 199.9-ft of frontage along Norfolk Street.

The Project includes a streetscape plan consisting of: new street trees, planting strips and bike racks along 12th Street; and sidewalk widening along Norfolk Street. All proposed work would comply with the Better Streets Plan. Therefore, the proposed project complies with Planning Code Section 138.1.

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

The subject lot is not located in close proximity to an Urban Bird Refuge. The proposed project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24-sq ft and larger in size; therefore, the proposed project complies with Planning Code Section 139.

- F. **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 either on 12th or Norfolk Streets, or along the the inner courtyard. Norfolk Street is a public alley measuring 25-ft wide. The proposed inner court does not meet the dimensional requirements of the Planning Code. Therefore, 84 of the 200 dwelling units do not meet the dwelling unit exposure requirements of the Planning Code.

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 dwelling unit exposure, which are defined in Planning Code 140. This reduction in the dwelling unit exposure requirement is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915(f)(2).

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

The Project meets the requirements of Planning Code Section 145.1. The Project does not possess off-street parking or non-residential uses. The Project features active uses on the ground floor with walk-up dwelling units with direct, individual pedestrian access to a public sidewalk along 12th and Norfolk Streets. The main residential lobby is located along 12th Street with a secondary, smaller residential lobby on Norfolk Street. Finally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements. Therefore, the Project complies with Planning Code Section 145.1.

- H. **Off-Street Freight Loading.** Planning Section 152.1 of the Planning Code requires one off-street freight loading space for apartment use between 100,001 and 200,000 gsf.

The Project includes approximately 144,487 gsf of apartment use, thus at least one off-street freight loading space is required.

The Project does not possess any off-street freight loading; rather, the Project is proposing one on-street loading space on 12th Street.

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 off-street freight loading, which are defined in Planning Code 152.1. This reduction in the off street loading requirement is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915(f)(2).

- I. **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. For buildings containing more than 100 dwelling units, 100 Class 1 spaces plus one Class 1 space for every four dwelling units over 100.

The Project includes 200 dwelling units; therefore, the Project is required to provide 125 Class 1 bicycle parking spaces and 10 Class 2 bicycle parking spaces.

The Project will provide 125 Class 1 bicycle parking spaces and 10 Class 2 bicycle parking spaces. Therefore, the proposed project complies with Planning Code Section 155.2.

- J. **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 200 dwelling units, the Project is required to provide at least 80 two-bedroom units or 60 three-bedroom units.

The Project provides six one-bedroom units, 94 two-bedroom units, and 100 two-bedroom units with two dens. Of these 200 two-bedroom units, 194 dwelling units are two-bedrooms or more. Therefore, the Project meets the requirements for dwelling unit mix.

- K. **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 two height and bulk districts: 55-X and 55/65-X. Therefore, proposed development is permitted up to a height of 55-ft in the 55-X Height and Bulk District, and up to a height of 65-ft in the 55/65-X Height and Bulk District with Conditional Use Authorization from the Planning Commission, as defined in Planning Code Section 823.

The Project would construct a new residential development up to 80-ft tall.

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 Codes 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(f)(2).

- L. **Narrow Streets.** Planning Code Section 261.1 outlines height and massing requirements for projects that front onto a “narrow street,” which is defined as a public right of way less than or equal to 40-ft in width. Norfolk Street measures approximately 25-ft wide and is considered a narrow street. For the subject frontage along a narrow street, a 10-ft setback is required above a height of 31-ft 4-inches. Subject frontage is defined as any building frontage more than 60-ft from an intersection with a street wider than 40-ft.

Along Norfolk Street, the Project is setback 10-ft from the property line; therefore, the Project incorporates the required setback and complies with Planning Code 261.1.

- M. **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.

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

The Project includes approximately 110,938 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 21,630 sq ft of existing PDR space.

- O. **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 110,938 gsf of new residential use associated with the new construction of 200 dwelling units. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A.

- P. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Sections 415.3 and 419.3, these requirements apply to projects that consist of 10 or more units. Pursuant to Planning Code Section 415.5, the Project may pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing and Community Development for the purpose of increasing affordable housing citywide. Alternatively, the Project can designate a certain number of dwelling units as part of the inclusionary affordable housing program. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. The Project is located in the Western Soma Special Use District. Given the development site is greater than .5 acre, but less than 3 acres, that the site is located in a split height district, and that the project is proposing a building above the proposed base height, the required on-site inclusionary percentage is based upon the Urban Mixed Use District Tier B affordable housing requirements. A complete Environmental Evaluation Application was submitted on September 18, 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 18% of the proposed dwelling units as affordable. In addition, under the State Density Bonus Law, Government Code section 65915 et seq, a project is entitled to a density bonus, concessions and incentives, and waivers of development standards only if it provides on-site affordable units.

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 has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing

Program by providing a combination of on-site affordable housing and payment of the Affordable Housing Fee. The Project Sponsor is providing 14.5% of the base project units as affordable and paying the Affordable Housing Fee for the remainder of the Inclusionary Affordable Housing Program obligation.

In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and Community Development and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on November XX, 2016. 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 September 18, 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 18% of the total proposed dwelling units in the Base Project as affordable.

The Project Sponsor will provide 14.5% of the total proposed dwelling units in the Base Project as affordable to very-low income households (as defined in California Health and Safety Code section 50105), and will pay the Inclusionary Housing Fee for the remainder of the Inclusionary obligation. 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, it must pay the Affordable Housing Fee with interest, if applicable, on the entirety of the Project, including those additional units constructed as allowed under State Law.

- Q. Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the WMUG Zoning District that results in the new construction of residential space.

The proposed project includes approximately 110,938 gross square feet of new residential development. 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.

- R. **Western SoMa Special Use District.** Planning Code Section 823 outlines the requirements for projects located within the Western SoMa Special Use District. Additional controls are provided for rear yard, open space, exposure, nonconforming uses, vertical architectural elements, SRO units, recreational facilities, nighttime entertainment and animal services, and major developments.

The Project complies with the majority of the requirements outlined in the Western SoMa Special Use District.

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 open space, which are defined in Planning Code 135 and 823. This reduction in the open space requirements is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915.

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 11% of the “Base Project” units are affordable to very-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 14.5% of units in the Base Project as affordable to very-low income households (as defined in California Health and Safety Code section 50105) and is entitled to a 35% density bonus under State Law. The Project proposes waivers to the development standards for: 1) Lot Mergers (Planning Code Section 121.7); 2) Rear Yard (Planning Code Section 134); 3) Open Space (Planning Code Section 135); 4) Dwelling Unit Exposure (Planning Code Section 140); 5) Height (Planning Code Sections 250 and 252); and, 6) Off-Street Loading (Planning Code Section 152.1), which waivers 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 a two-story former industrial building and a vacant lot, and construct a new seven-story residential development with 200 dwelling units. Given the objectives of the Western SoMa Area Plan, the Project is necessary and desirable in promoting the transformation of the surrounding neighborhood, while also maintaining and contributing to the important aspects of the

existing neighborhood, such as providing new housing opportunities. 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, sidewalk widening 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-with-basement residential development in a varied neighborhood context, which includes one-to-two story commercial properties, three-to-five-story tall residential developments and one-to-three story light industrial buildings. The Project incorporates dwelling units, which are below the street grade. These units are provided sufficient light and air, and also contribute to the street activity along the public rights-of-way. Overall, this Project will be beneficial to 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 close to several MUNI bus lines, including the 9-Downtown, 12-Mission and is within one-half mile of the Van Ness Avenue MUNI Station and the Civic Center MUNI and BART stations. The Project provides no off-street parking, which supports the City's transit first policies. 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. The Project also incorporates an on-street loading and pedestrian drop-off zone, in lieu of providing for off-street freight loading.

- 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. The Project would also widen the sidewalks along 12th and Norfolk Streets. These upgrades will be beneficial to the surrounding neighborhood because it will provide new street improvements, lighting, 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 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 not located within a Neighborhood Commercial District. The WMUG Zoning District is an Eastern Neighborhoods Mixed-Use District.

- 9. **Planning Code Section 823(c)(11)** establishes additional criteria for the Planning Commission to consider when reviewing applications for Major Development Requesting a Height Bonus. On balance, the project does comply with said criteria in that:

- a) The project shall demonstrate that it minimizes the impacts of proposed non-residential uses on any adjacent properties in the RED and RED-MX Districts. Specifically, the following potential conflicts shall be addressed:

- a. Social Interaction. Given the diversity of uses and users in Western SoMa, large developments should appropriately buffer conflicting uses, such as housing and late night uses, and commercial uses and playgrounds.

Although the project site is located in proximity to a prominent bar (d.b.a. The Eagle), the Project is sufficiently separated from this use by 12th Street. The Project incorporates setbacks along the ground floor street frontages to provide additional buffers from nearby uses. The Project does not possess any non-residential use.

- b. Hours of Operation. Hours of operation for commercial uses within the project shall consider their proximity and potential impacts to residential uses within the project and near the development site.

The Project does not include any commercial use.

- c. Site Access. Avoid loading and vehicular entries near pedestrian entries, open space, and high traffic areas, and locations that would disturb other users on the site.

The Project does not include any off-street parking or off-street freight loading; therefore, the Project minimizes conflicts with pedestrian entrances and open space.

- d. Environmental Conflicts. Commercial uses that create noise, fumes, and light shall be designed to minimize any impacts on sensitive users of the site. Buildings shall be designed to minimize the impact of wind and shadows on open spaces on the development site and adjacent properties.

The Project does not include commercial uses. The Project has been designed to maximize the access to light and air to the adjacent single-family residence, since an undeveloped lot would be created adjacent to the existing residence. As noted in the environmental determination, the Project will not cause wind or shadow impacts.

- e. Architectural Design. Locate fenestration, decks, doors, and open spaces to minimize potential on-site conflicts between uses and users (e.g. residential and commercial uses).

The Project locates fenestration, decks, doors and open space in a manner that reduces the on-site conflicts between the residential and commercial use. The ground floor commercial use is oriented towards 12th Street, while the residential uses are oriented towards the two sunken courtyards, Norfolk Street, and Harrison Street.

- 8. **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 1.4

Ensure community based planning processes are used to generate land use controls.

Policy 1.6

Consider greater flexibility in number and size of units within established building envelopes in community based planning processes, especially if it can increase the number of affordable units in multi-family structures.

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 residential development in a transitioning area. The Project is located within a mixed-character neighborhood with residential, commercial and industrial properties. The Project site is an ideal infill site, since the existing site contains a two-story former industrial building and a vacant lot. The project site was recently rezoned as part of a long range planning goal to create a cohesive residential and mixed-use neighborhood. The Project is consistent with the WMUG Zoning District, which calls for new housing at a scale and density with the existing neighborhood. As noted by the Project Sponsor, the Project is "affordable by design," since the Project incorporates economically efficient dwelling units, which are either 360 gsf, 437 gsf or 677 gsf in size. The Project does not possess any vehicular parking. The Project would satisfy its inclusionary affordable housing requirement by designating 21 on-site affordable housing units for rent and paying the Affordable Housing Fee for the remainder of the Inclusionary Affordable Housing obligation. The Project is requesting Conditional Use Authorization for Major Development Requesting Height Bonuses, which is a land use control derived out of the Western SoMa Area Plan.

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 200 new dwelling units, the Project will provide 21 on-site affordable units for rent, thus meeting the affordable housing requirements and encourage 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 11.6

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

Policy 11.8

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

The Project responds to the site's location within a mixed-character neighborhood. The Project appropriately responds to the varied residential-industrial character of the larger neighborhood. The Project's facades provide a unique expression not commonly found within the surrounding area, while providing for a material palette which evokes the surrounding industrial 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, sunken outdoor areas, 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 12th and Norfolk Streets. 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.

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 125 Class 1 bicycle parking spaces and 10 Class 2 bicycle parking spaces in secure, convenient locations.

OBJECTIVE 34:

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

Policy 34.3:

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

Policy 34.5:

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

The Project does not provide any off-street vehicular parking, which complies with Planning Code Section 151.1. Further, the Project would infill the existing curb cuts on the project site.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.7:

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

OBJECTIVE 2:

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

Policy 2.6:

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

The Project is located within the Western SoMa neighborhood, which is characterized by the mix of uses. As such, the Project provides expressive street façades, which respond to form, scale and material palette of the existing neighborhood, while also providing a new contemporary architectural vocabulary.

OBJECTIVE 4:

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

Policy 4.5:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

The Project does not provide any off-street vehicular parking; therefore, the Project limits conflicts with pedestrians and bicyclists. Numerous street trees will be planted on each street. Along the project site, the pedestrian experience will be greatly improved.

WESTERN SOMA AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

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

Policy 1.1.2

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

Policy 1.1.7

Establish vertical zoning standards in locations encouraging new mixed-use development and preserving a mix of uses.

Neighborhood Economy

OBJECTIVE 2.2

PROMOTE APPROPRIATE NEW NEIGHBORHOOD BUSINESS OPPORTUNITIES THAT CREATIVELY RESPOND TO NEIGHBORHOOD, CITYWIDE AND REGIONAL ECONOMIC NEEDS AND TRENDS.

Policy 2.2.5

Allow increased height limits on larger development sites in exchange for enhanced public benefits.

Policy 2.2.13

Clearly designate and differentiate streets and their associated zoning for functional goods and services movement from streets with pedestrian and bicycle orientations.

Housing

OBJECTIVE 3.2

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

Policy 3.2.2

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

Policy 3.2.3

Provide additional housing production incentives for areas identified as most appropriate for housing production.

Policy 3.2.6

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

Policy 3.2.7

Create development controls on large sites that clearly direct and provide opportunities to replicated the scale, character and mix of existing uses.

Policy 3.2.8

Establish clear community benefit guidelines for the use of height or density bonuses for residential construction in the Western SoMa SUD.

OBJECTIVE 3.3

ENSURE THAT A SIGNIFICANT PERCENTAGE OF THE NEW HOUSING CREATED IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES.

Policy 3.3.2

Where new zoning has conferred increased development potential; ensure that mechanisms are in place for developers to contribute towards community benefits programs that include open space, transit, community facilities/services, historic/social heritage preservation and affordable housing, above and beyond citywide inclusionary requirements.

Urban Design and Built Form

OBJECTIVE 5.1

Reinforce the diversity of the existing built form and the warehouse, industrial and alley character.

Policy 5.1.1

Promote, preserve and maintain the mixed use character of Western SoMa's small scale commercial and residential uses.

The Project features an appropriate use encouraged by the Area Plan for this location. The Project has obtained a height bonus per the Western SoMa SUD, and will provide the appropriate community benefits commensurate with the increased development. In addition, the Project is located within the prescribed height guidelines, and includes the appropriate dwelling unit mix, since all dwelling units are two-bedroom dwellings. The Project introduces a contemporary architectural vocabulary, which is sensitive to the prevailing scale and neighborhood fabric. The Project provides for a high quality designed exterior, which features a variety of materials, colors and textures, including weathered steel, integrated color plaster, perforated panels and aluminum-sash windows. Off-street parking is limited and provided in a space efficient configuration below-grade. The Project will also pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees.

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

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

Currently, the project site does not contain any existing neighborhood-serving uses. The Project improves the urban form of the neighborhood by 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 200 new dwelling units, thus resulting in an increase in the neighborhood housing stock. The Project is expressive in design, and relates to the scale and form of the surrounding neighborhood by providing relationships to the newer, larger-scale residential properties. 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 building is an industrial property, which has been recently occupied by an office/trade shop use. 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.

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

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

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
13. The Commission hereby finds that approval of the 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. 2015-004109CUA** under Planning Code Sections 303 and 823(c)(11) for major development requesting height bonuses at 333 12th Street within the WMUG (Western SoMa Mixed-Use General) Zoning District, Western SOMA Special Use District, and a 55-X and 55/65-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 10, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Western SoMa 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 8, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 8, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for conditional use of a major development requesting height bonuses for new construction of a seven-story-with-basement residential building with 200 dwelling units located at 333 12th Street, Block 3521 and Lot 022 & 055, pursuant to Planning Code Sections 303 and 823(c)(11) within the WMUG (Western SoMa Mixed-Use General) Zoning District, Western SOMA Special Use District, and a 55-X and 55/65-X Height and Bulk District; in general conformance with information stamped "EXHIBIT B" included in the docket for Case No. 2015-004109CUA and subject to conditions of approval reviewed and approved by the Commission on December 8, 2016 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 8, 2016 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 Western SoMa Area Plan EIR (Case No. 2015-004109ENV) 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

7. **Improvement Measures.** Improvement measures described in the MMRP for the Western SoMa Area Plan EIR (Case No. 2015-004109ENV) attached as Exhibit C 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

8. **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

9. **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

10. **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

11. **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.

12. **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

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

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>

14. **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

15. **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

16. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than **125** Class 1 bicycle parking spaces and **10** Class 2 bicycle parking spaces.

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

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

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

PROVISIONS

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

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

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

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

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

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

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

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

22. **Eastern Neighborhoods Infrastructure Impact Fee.** 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

23. **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

24. **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>

25. **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

On-Site 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 required to provide 18% 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 through a combination of providing on-site inclusionary units and through payment of the Affordable Housing Fee. The Project Sponsor will fulfill this requirement by providing the 21 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD"). A portion of the Inclusionary Affordable Housing obligation is being met by the on-site units and the remainder will be met through payment of the fee. The applicable Affordable Housing Fee percentage for this project is thirty three percent (33%). The Project Sponsor shall pay the applicable Affordable Housing Fee at the time such Fee is required to be paid.

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 Base Project contains 4 studios, 75 two-bedroom units and 69 two-bedroom units with dens; therefore, the required affordable unit mix is 21 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 14.5 percent or the applicable percentage as discussed above, of each phase's total number of dwelling units as on-site affordable units.

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

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

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

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

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

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

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

The Project Sponsor must pay the Fee portion of the Inclusionary Affordable Housing obligation in full sum to the Development Fee Collection Unit at the DBI for use by MOHCD prior to the issuance of the first construction document.

Parcel Map

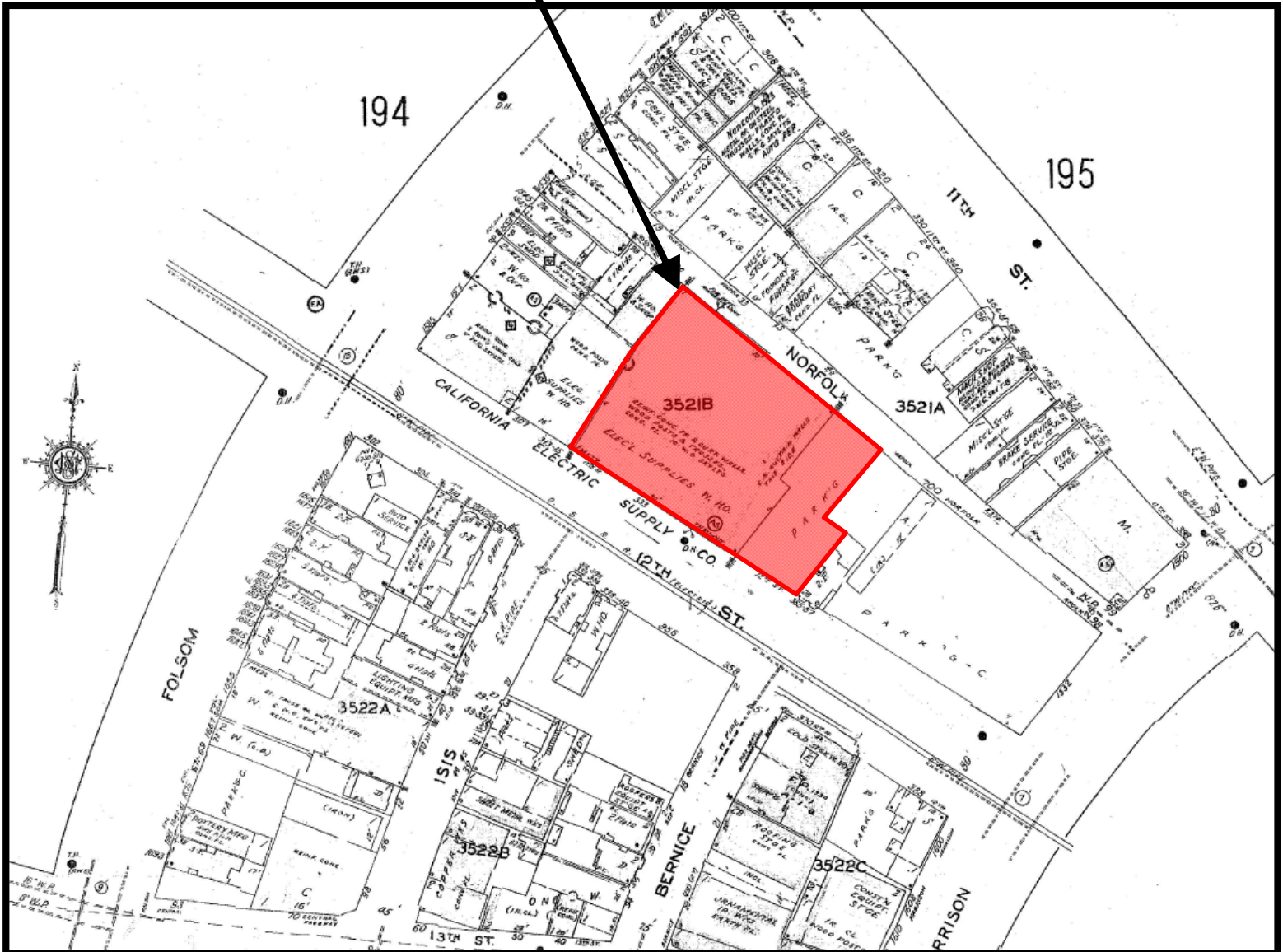
PROJECT SITE



Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Sanborn Map*

PROJECT SITE

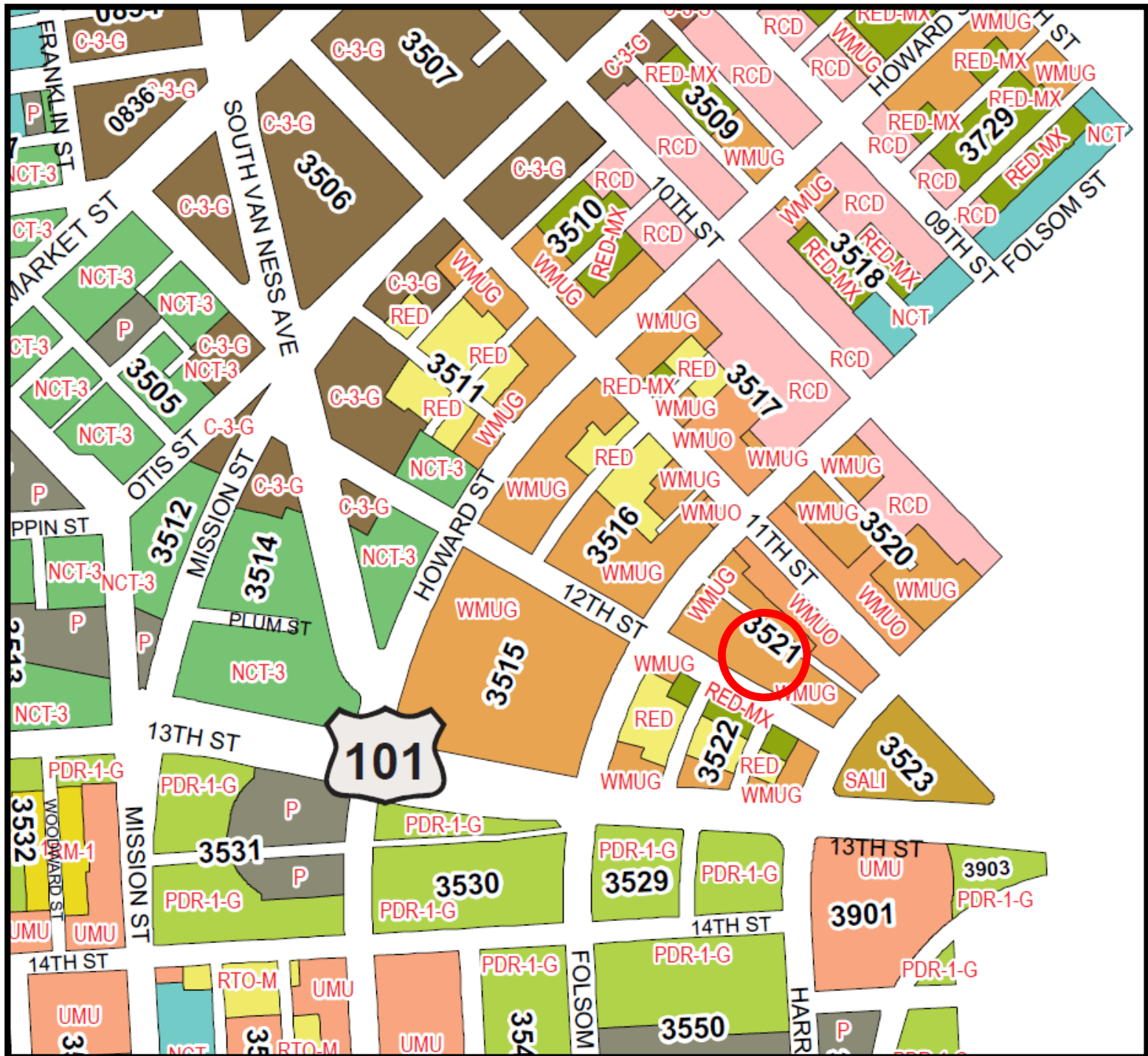


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



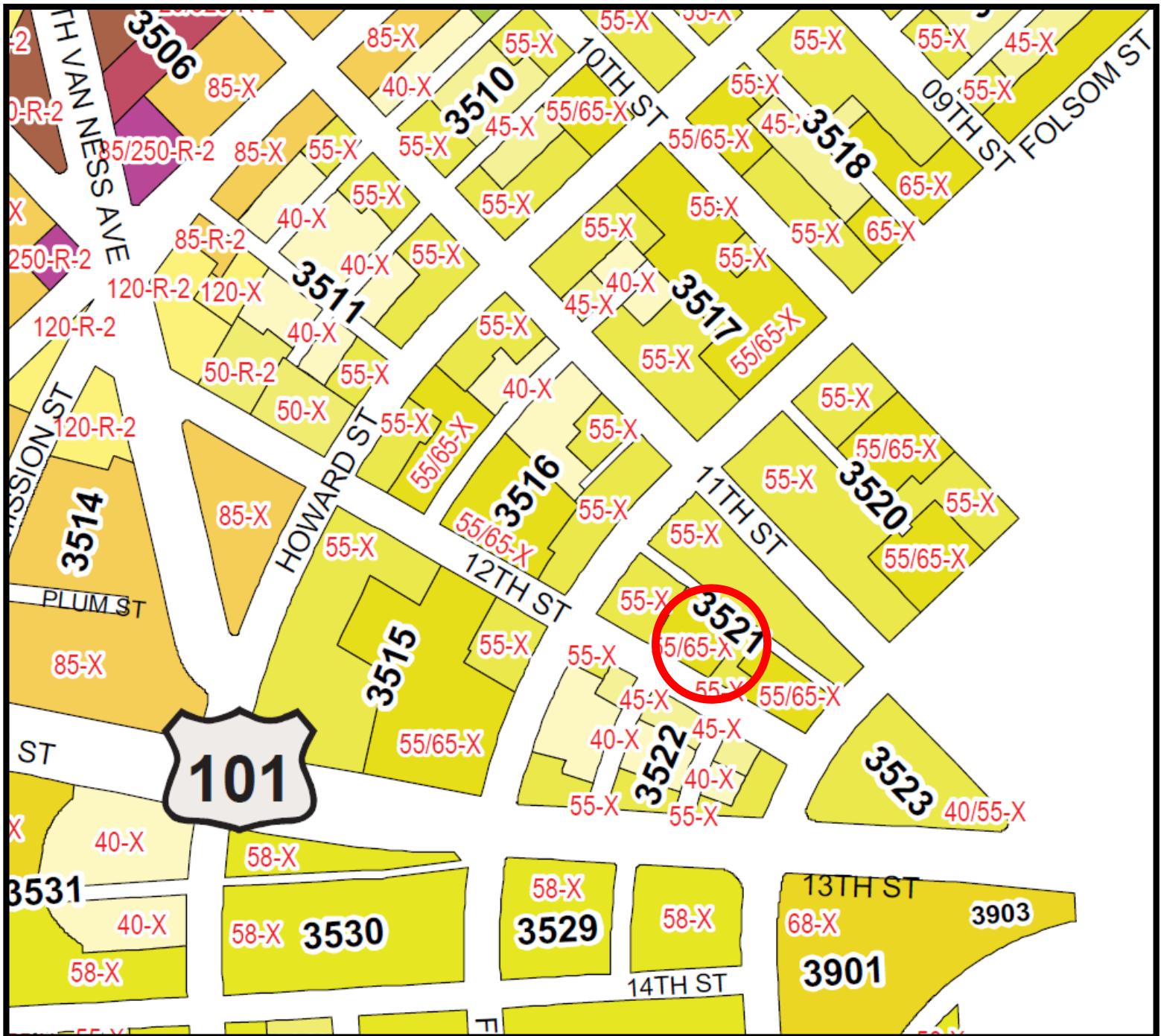
Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Zoning Map



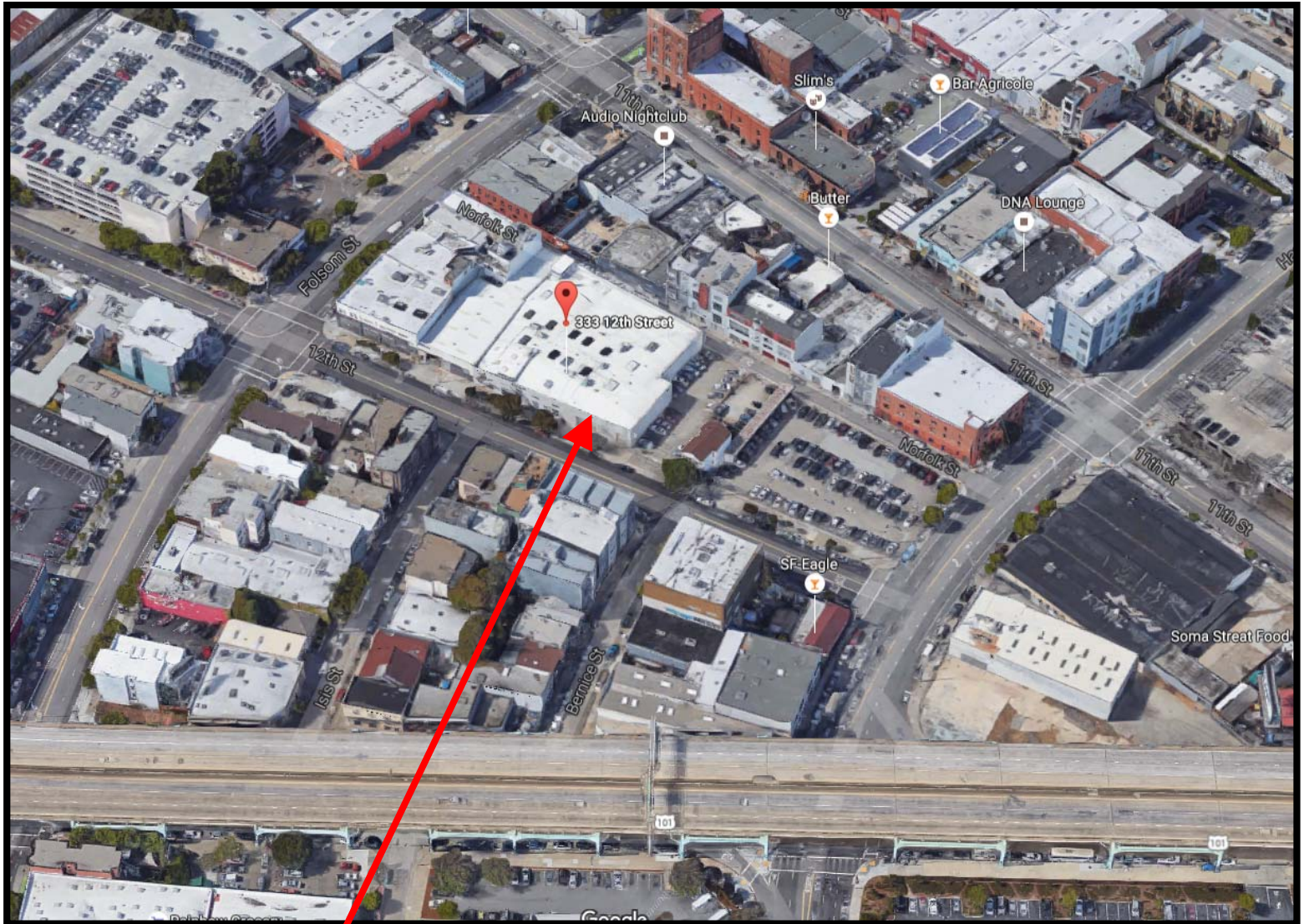
Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Height Map



Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Aerial Photo



PROJECT SITE



Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Site Photo

PROJECT SITE



333 12th Street, View of 12th Street looking West

Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Site Photo

PROJECT SITE



333 12th Street, View of 12th Street looking East

Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street

Site Photo

PROJECT SITE



333 12th Street, View of Norfolk Street

Conditional Use Authorization Hearing
Case Number 2015-004109CUA
333 12th Street



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

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

Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
333 12th Street San Francisco, CA 94103		3521/022 & 055	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
2015-004109	2015-004109 ENX		
PROJECT SPONSOR	MAIN CONTACT	PHONE	
Panoramic Interests	Zac Shore	510-883-1000	
ADDRESS			
1321 Mission Street Ste. 101			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94103		zac@panoramic.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
201	0	8 + basement	\$26,550,000
ANTICIPATED START DATE			
est. 2018			

Section 2: First Source Hiring Program Verification

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

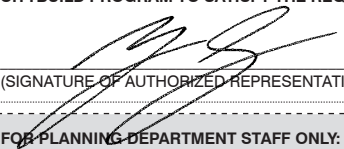
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

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				Laborer			
Boilermaker				Operating Engineer			
Bricklayer				Painter			
Carpenter				Pile Driver			
Cement Mason				Plasterer			
Drywall/Latherer				Plumber and Pipefitter			
Electrician				Roofer/Water proofers			
Elevator Constructor				Sheet Metal Worker			
Floor Coverer				Sprinkler Fitter			
Glazier				Taper			
Heat & Frost Insulator				Tile Layer/ Finisher			
Ironworker				Other:			
		TOTAL:				TOTAL:	

- Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? ☒ YES ☐ NO
- Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? ☐ YES ☐ NO **TBD: No contractor hired yet**
- Will hiring and retention goals for apprentices be established? ☒ YES ☐ NO
- What is the estimated number of local residents to be hired? _____

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Zac Shore, Director of Development	zac@panoramic.com	510-883-1000
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		4/5/2016 (DATE)
FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG		
Cc: Office of Economic and Workforce Development, CityBuild Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org		

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
Paul & Paulette Ryan	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
333 12th Street San Francisco, CA 94103	(415) 861-3084
	EMAIL:
	N/A

APPLICANT'S NAME:	
Zac Shore (Panoramic Interests)	Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS:	TELEPHONE:
1321 Mission Street Ste. 101 San Francisco, CA 95104	(510) 883-1000
	EMAIL:
	zac@panoramic.com

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

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	
Terrance Alan	Same as Above <input type="checkbox"/>
ADDRESS:	TELEPHONE:
N/A	(415) 264 - 1129
	EMAIL:
	terrance@sequelmedia.com

2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:
333 12th Street San Francisco		94103
CROSS STREETS:		
Folsom St & Harrison St		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3521 / 022 & 055	WMUG	55/65-X & 55-X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	0	201	201
<input checked="" type="checkbox"/> Demolition			
<input type="checkbox"/> Alteration			
<input type="checkbox"/> Other: _____			

Compliance with the Anti-Discriminatory Housing Policy

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

1a. If yes, in which States? _____

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

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

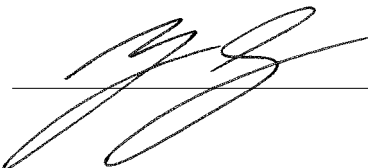
If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.

Human Rights Commission contact information
Mullane Ahern at (415)252-2514 or mullane.ahern@sfgov.org

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: 5/23/2016

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

Zac Shore

Owner ☒ Authorized Agent (circle one)



GreenTRIP
ADVISORY COMMITTEE

Marcial Chao
Pyatok Architects

Elizabeth Deakin
University of California
Berkeley

Joe DiStefano
Calthorpe Associates

Adam Garcia
Greenbelt Alliance

Robert Cunningham
Santa Clara Valley
Transportation Authority

Valerie Knepper
Metropolitan
Transportation
Commission (Retired)

Richard Lee
Transportation Choices for
Sustainable Communities

Todd Litman
Victoria Transport
Policy Institute

Kathleen Livermore
Former, City of Alameda

Pilar Lorenzana-Campo
SV@Home

Adam Millard-Ball
University of California
Santa Cruz

Jeffrey Tumlin
Nelson\Nygaard

Aaron Welch
Raimi + Associates

Kate White
California State
Transportation Agency

Jeff Wood
The Overhead Wire

November 23, 2016

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

Dear Commission President Fong and Planning Commissioners,

We are pleased to announce that the Panoramic Interests **CITYSPACES® 333** project (333 12th Street) will qualify for **Conditional GreenTRIP Zero Parking Certification** based on the current proposed design and amenities dated November 23, 2016.

We are conditionally certifying **CITYSPACES® 333** for Zero Parking Certification. As part of **minimum eligibility requirements** for this certification, the project must provide 0 residential vehicle parking spaces per unit, at least one secured bicycle parking space per unit, and guest bicycle parking for at least 20% of units. Upon approval of these conditions, this project will join an esteemed group of certified projects that employ traffic reduction strategies. The project must also participate in **GreenTRIP's Transportation and Parking Survey** for annual monitoring.

This project's essential traffic reduction strategy is offering **unbundled parking**, which separates the cost of housing from the cost of parking a vehicle. The project will also include 40 short-term bike parking spaces on the sidewalk, one secured bicycle parking space per unit, and 125 additional bicycle parking spaces in a shared bike room -- for a total of 325 bicycle parking spaces. The project will also include two carshare pods out front.

Since 1997, TransForm has been working for world class public transportation and walkable communities in the Bay Area and beyond. In 2008, TransForm launched GreenTRIP, a certification program for new residential development, focused on **Traffic Reduction** and **Innovative Parking**. GreenTRIP certifies projects that will allow new residents to drive less while increasing their mobility in a variety of ways. When residents have access to affordable homes close to services, jobs and transit, and developments are designed with traffic reduction and innovative parking, there are benefits for all:

- Increased household transportation savings.
- Economic support for locally serving businesses.
- Less freeway traffic and fewer vehicle collisions.
- Improved public health through increased walking and better air quality.
- Greater demand and support of transit service.
- Reduced greenhouse gas emissions, supporting compliance with SB375 and AB32.

Please refer to the attached **Project Evaluation Report** for a summary of the project's benefits and Please view the guidelines in our How-To Guide here: <https://goo.gl/fgJ7IU>.

Since this project is still going through entitlement, we are awarding a Conditional GreenTRIP Zero Parking Certification. We will award a full certification upon city approval of final entitlements, if those entitlements include the following project characteristics:

1. Provide zero parking: 100% unbundled parking for all residential spaces.
2. Build a total of 200 units on 0.59 acres.
3. Install no fewer than 200 long-term, secured residential bike parking spaces.
4. Install no fewer than 40 short-term guest bike parking spaces.

If any of these characteristics change significantly in the approval (entitlement) process, we will need to re-evaluate the project to determine if the project still meets criteria for GreenTRIP Certification. For more information please refer to our website at: www.GreenTRIP.org.

Sincerely,



Nina Rizzo
GreenTRIP Planner, (510) 740-3150 x340



GreenTRIP

Traffic Reduction + Innovative Parking

www.GreenTRIP.org

PROJECT EVALUATION REPORT

CITYSPACES® 333

333 12TH STREET, SAN FRANCISCO, CA 94103
DEVELOPER: PANORAMIC INTERESTS

ZERO PARKING
CONDITIONAL CERTIFICATION
AS OF NOVEMBER 16, 2016

Full Certification is contingent on inclusion of key project characteristics in final city entitlements.



COMPARED TO THE TYPICAL
BAY AREA HOUSEHOLD,
CITYSPACES® 333 IS
PROJECTED* TO RESULT IN:

60% LESS DRIVING

Per Household

Bay Area Average is 50 Miles Driven per Day, per Household

46% LESS GHGs

Per Household

Each household of CITYSPACES® 333 is expected to emit 18 pounds of GHGs per day.

*URBEMIS Model 2007 v9.2.4



TRAFFIC REDUCTION STRATEGY



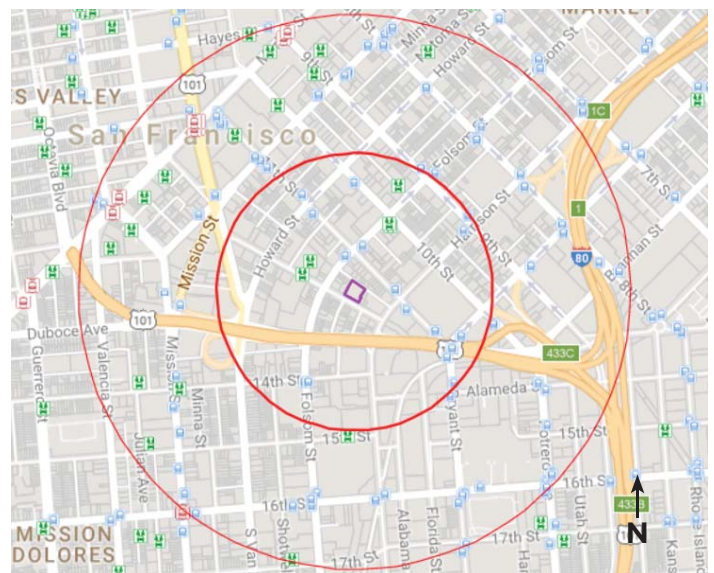
UNBUNDLED PARKING

UNBUNDLED PARKING IS A **GreenTRIP** TRAFFIC REDUCTION STRATEGY, AND ZERO PARKING IS THE ULTIMATE OF UNBUNDLED PARKING. IT SEPARATES THE COST OF HOUSING FROM THE COST OF PARKING A VEHICLE. THIS MAY TRANSLATE INTO FINANCIAL SAVINGS FOR RESIDENTS WHO CHOOSE NOT TO DRIVE.

KEY PROJECT DETAILS:

- **ZERO PARKING**
- **0.59 ACRES, 200 UNITS, 7 STORIES**
- **325 SECURED RESIDENTIAL BIKE PARKING SPACES**
- **40 GUEST BIKE PARKING SPACES**
- **2 CARSHARE CARS LOCATED ON-SITE**
- **BICYCLE REPAIR FACILITIES ON-SITE**
- **MARKETING AND OUTREACH TO RESIDENTS ABOUT TRAVEL CHOICES**
- **1 ON-STREET RESIDENTIAL/COMMERCIAL LOADING SPACE**

PROJECT CONTEXT MAP



CONCENTRIC CIRCLES REPRESENT THE AREA WITHIN 1/4 AND 1/2-MILE FROM THE PROJECT. PURPLE OUTLINE REPRESENTS THE PROJECT FOOTPRINT. SOURCE: GOOGLE MAPS



RENDERING FOR CITYSPACES® 333

CITYSPACES® 333

TRIP REDUCTION CREDITS

The following is an inventory of URBEMIS model inputs. The projected driving is affected by the following trip reduction credits.

DENSITY

339 UNITS/ACRE

SOURCE: PANORAMIC INTERESTS



25%
REDUCTION

MIX OF USES

WITHIN A HALF-MILE
63,097 JOBS
4,087 HOMES

LOCAL RETAIL PRESENT

SOURCE: 2014 CENSUS



0%
REDUCTION

2%
REDUCTION

TRANSIT SERVICE

2,562 MUNI AND SAMTRANS BUSES IN 1/4 MILE
2,405 DAILY BART AND MUNI METRO TRAINS IN 1/2 MILE

SOURCE: BART, SFMTA



13%
REDUCTION

PEDESTRIAN/BICYCLE FRIENDLINESS

550 INTERSECTIONS PER SQ. MILE
97% STREETS W/ SIDEWALKS
74% ARTERIAL STREETS W/ BIKE LANES

OR WHERE SUITABLE, DIRECT PARALLEL ROUTES

SOURCE: GOOGLE MAPS



6%
REDUCTION

AFFORDABLE HOUSING

11% OF UNITS ARE DEED RESTRICTED BELOW MARKET RATE HOUSING

SOURCE: PANORAMIC INTERESTS



0.4%
REDUCTION

Residents living and working within a 1/2 mile or 10 minute walk to transit are 10 times more likely to take transit.¹

Residents living within a 1/2 mile of transit drive 50% less than those living further away.²

WALK SCORE®



Walker's Paradise

Daily errands do not require a car.



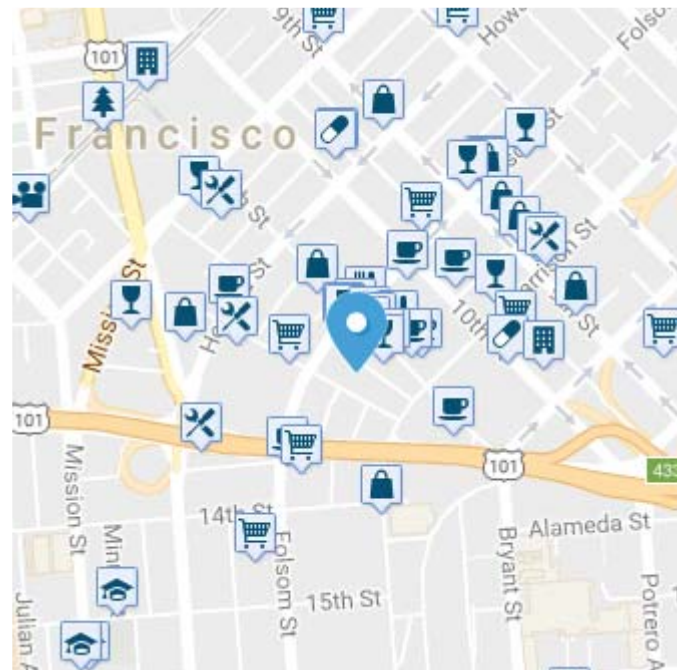
Rider's Paradise

World-class public transportation.



Biker's Paradise

Flat as a pancake, excellent bike lanes.



Source: Walk Score®

GreenTRIP evaluates how well a proposed residential project design achieves Traffic Reduction and Innovative Parking strategies.

GreenTRIP conducts an evaluation based on information provided by the developer and gathered from publicly available sources.

QUESTIONS?

Contact:

GreenTRIPInfo@TransFormCA.org

www.GreenTRIP.org

a project of



¹ ABAG New Places, New Choices, 2007

² Cervero, Arrington, TCRP Report 128, 2008



San Francisco Planning Commission
1650 Mission St #400
San Francisco, CA 94103

November 29, 2016

RE: Support of 333 12th Street Project

Dear Planning Commissioners:

We are writing in support of Panoramic Interest's proposed multifamily development at 333 12th Street in San Francisco. This 200-unit residential project will help create more capacity for a city that is deeply in need of housing.

CCA has experience working with this developer and we are confident that the project they envision will not only be of high quality, but also will introduce new and much needed ideas for how San Francisco might continue to make headway on our housing crunch.

The unit type they've designed – the micro suite – is a next generation version of the corner suites they developed at 1321 Mission, the project we have our students living in. This unit type, with 9-foot ceilings and oversized operable windows, has been the surprise hit of our student housing.

They have taken the lessons learned on ours and other urban housing they've completed and advanced it with rigorous stacking and unit planning that allows them to achieve highly efficient and sustainable construction.

We think this is a well-conceived, proven approach by a developer with extremely high quality standards and should result in a positive addition to our housing stock.

We respectfully request that the San Francisco Planning Department support the 333 12th street project.

Sincerely,

A handwritten signature in blue ink, appearing to read "D Meckel", is written over a light blue horizontal line. Below the signature, the name "David Meckel" is printed in a small, black, sans-serif font.

Director of Campus Planning

REUBEN, JUNIUS & ROSE, LLP

November 30, 2016

By Email

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 333 12th Street – Case No. 2015-004109
Our File No.: 6954.10

Dear President Fong and Commissioners:

This office represents Panoramic Interests (“Panoramic”), the sponsor of a project at 333 12th Street (the “Project”). The Project proposes a 7-story plus garden level residential project featuring 200 affordable-by-design units, nearly all of which have two bedrooms, in an appropriate infill location currently occupied by a surface parking lot and an office building. This is a zero-parking project with 125 on-site bike parking spaces, a bike repair station, a digital transit screen, and other amenities that encourage sustainable transportation choices. The Project will provide affordable units on site and is entitled to a density bonus pursuant to state law. We look forward to presenting the Project to you on December 8, 2016.

A. The Project Complies with the Density Bonus Law

The Project is proposed under California’s Density Bonus Law.¹ The Density Bonus Law incentivizes the production of affordable housing, particularly in mixed-income projects. It entitles a project providing on-site affordable units to additional residential density above what would otherwise be permitted under a city’s planning code. Specifically, state law allows a project that designates 11% or more of its units “very low income” to a 35% density bonus. Planning department staff determined that a development at the Project site without any bonus density, i.e. a “base project,” consists of 148 dwelling units. Its 35% density bonus equals 52 units, for a total Project size of 200 units. Eleven percent of the base project units will be set aside for very low income households earning up to 50% of area median income (“AMI”). An additional 3.5% of the base project will be affordable at the levels specified in the local inclusionary program, i.e. to households earning 55% of AMI if rented or to households earning 90% of AMI if sold.

¹ California Government Code § 65915 *et. seq.*

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevin
Tuija I. Catalano | Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben | Thomas Tunny
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey
Chloe V. Angelis | Louis J. Sarmiento | Jared Egerman^{2,3} | John McInerney III²

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

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

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

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The Density Bonus Law requires the city to waive development standards that would physically preclude construction at the bonus density. In addition, Projects with at least ten percent low-income units are entitled to two “concessions or incentives” that help offset the cost of the subsidized units. Panoramic is not requesting any concessions or incentives. Rather, it is seeking waivers from the following development standards that preclude construction of the bonus density mandated by state law: (1) lot frontage length limit of 100 feet for merged lots; (2) rear yard; (3) usable open space; (4) unit exposure; (5) height; and (6) off-street loading:

- **Lot Length.** The lot length restriction generally prohibits lot mergers resulting in a single lot with street frontage greater than 100 feet in the WMUG zoning district. This restriction applies to 12th Street, but not the "alley" frontage on Norfolk.² The Project would merge a portion of an adjoining lot on Norfolk into the assembly. Though there is no increase in lot frontage on 12th Street, a waiver is technically required for the merger. In order to comply with this restriction, the lot frontage along 12th Street would have to be reduced in size from 157 feet to no greater than 99.99 feet, eliminating 4 units per story in the 12th Street wing. In total, approximately 32 of the Project’s 200 units would be eliminated. See project plans, pg. 20.
- **Rear Yard.** The Project, which is on a through-lot, proposes two “wings,” one fronting 12th Street and another fronting Norfolk Street. One of these wings would have to be eliminated to comply with the traditional rear yard standard, reducing the project’s unit count by approximately half and preventing the project from achieving a 35% density bonus. See project plans, pg. 20.
- **Open Space.** 80 square feet of open space is required for every unit. Because roof decks are not counted as open space in Western SoMa, open space is required to be at grade or in balconies. Inner courts are required to meet a 45-degree sun access plane requirement, which here would require increasing the size of the proposed interior courtyard and imposing graduated upper story setbacks, eliminating 116 units. See project plans, pg. 19. The Project also cannot accommodate an 80-square foot private deck for each unit and still achieve the 35% density bonus: these balconies would not meet the size restrictions for projecting balconies in the Planning Code, and converting a portion of interior space into covered decks would reduce habitable floor area and lead to interior spaces that would not meet the minimum 120 square foot living space requirement of the San Francisco Housing Code.

² This lot merger restriction does not apply to Norfolk Street, which is defined as an alley -- not a street -- by the Planning Code.

- **Unit Exposure.** Because the Project does not provide a traditional rear yard, the units facing the interior would need to meet the Planning Code’s “inverted pyramid” requirement in order to comply with the strict unit exposure rule. Literal compliance would eliminate 131 units. A graphic overlaying the inverted pyramid on the Project design are included on pg. 20 of the project plan set.
- **Height.** Without a waiver of the 55/65 foot height limit to allow a building reaching approximately 80 feet in height, the Project could not make use of the density bonus, as 52 units would need to be eliminated. See project plans, pg. 20.
- **Off-Street Loading.** The Planning Code requires one off-street freight loading space for all residential projects between 100,001 and 200,000 gross square feet in size. The Project is 110,398 gross square feet, triggering this requirement. Except for a common room on the first story, the entire ground floor features walk-up residential units, as does the entire garden level. Adding a code-compliant loading space would eliminate four units, two each on the garden level and first floor. See project plans, pg. 20.

B. The Project’s Garden Level and First Floor Units Activate the Street

The Project features a “walk up” first floor and “walk down” garden level of dwelling units directly accessible from the street. All of these units have direct pedestrian access to and from the street—as well as interior circulation access. The first-story units are located approximately 3’-6” above street level along 12th Street and 4’ above street level along Norfolk, and will be accessible via a shared stoop, meeting the Ground Floor Residential Design Guidelines.

While somewhat less common in San Francisco, garden level design typology is frequent in London and other American cities such as New York and Washington D.C.



Figure 1: Example of walk-down garden level units in London.

The Project goes above and beyond the light and ventilation requirements of the Building Code, and it creates outdoor spaces that support planting and are large enough to be lived in. The Project's design ensures that the garden-level units receive direct sunlight and good ventilation. These units will be set back 10 feet from the sidewalk on Norfolk Street and 9 feet along 12th Street, and are situated approximately 7 feet below grade. Additionally, at the 12th Street frontage, the Project proposes an arcade inspired by John Nash's famous Park Crescent at Portland Place in London. The proposed arcade height above the sidewalk level is approximately 14'-6", creating a double-height space at the garden level and ensuring excellent exposure while still maintaining streetwall continuity.

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

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827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589



Figure 2: Park Crescent at Portland Place, London by John Nash (1821).

C. The Project's Open Spaces, Courtyards and Street-Level Setbacks Will Create a High-Quality Living and Neighborhood Environment.

The Project includes high-quality open space in a number of different locations, including two rooftop decks (one on each wing), private patios for every garden level unit, and an inner courtyard. Combined, the roof decks total approximately 5,600 square feet in size. The inner courtyard, almost 4,000 square feet in size and averaging 26'-5" in depth, creates a project-specific "mid block" open space element. A 900 square foot interior community room will be accessible from 12th Street, providing another location for residents to gather.

Because the lot is an irregularly shaped through lot, providing grade-level open space in an interior courtyard allows the Project to activate both streets while at the same time offering a common amenity space that is easily accessible by residents.

The Project is set back at the garden and first levels between 9-10 feet from the property line, a design choice that ensures ample livability into the garden-level units' front courtyards. Were the inner court to be expanded, it would necessarily require either a

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reduction in unit sizes (which would make them non-compliant with the Building Code) or pushing one or both of the wings towards the street level, shortening the length of the street setback and jeopardizing the adequacy of light and air accessing the garden level units. Pushing the mass toward Norfolk Street would further conflict with upper-level setback requirements on alley frontages. Also it should be noted that the proposed continuous 10-foot setback at Norfolk will improve the street environment. In addition to increasing the perceived width of the alley (from 25 to 35 feet) it allows for required trees to be planted along this entire approximately 200-foot frontage—which would otherwise be impossible to do.

Local precedent for this inner courtyard design in a building of comparable height can be found in San Francisco, at Lombard Place between Van Ness and Polk Streets:



Figure 3: Lombard Place, San Francisco.

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D. The Project Will Have Significant Public Benefits.

The Project's public benefits program is significant. Among its contributions to the neighborhood and the city at large are the following:

- **Affordable by Design.** In addition to providing on-site units affordable to very low income households, the Project's market rate units are affordable by design. All units will feature highly efficient standardized plans that are optimized to achieve lower overhead costs—savings which will be passed on to occupants and reflected in the units' relative affordability. Although almost all of the units will be two-bedroom, they will be more compact than typical new residential units, and consequently rent for less. The Project's 555 square foot average unit size is smaller than the average two-bedroom unit in other developments proposed or recently completed near the Project site, including 1532 Harrison (828 gsf average), 855 Brannan/aka 801 Brannan (1020 gsf), the Rowan at 338/aka 346 Potrero (866 sf), One Henry Adams (1029 sf), Potrero 1010 at 1010 16th Street (1038 sf), and the L Seven at 350 8th Street (937 sf).
- **Impact Fees.** The Project will pay into a number of impact fees, supporting child care services, and funding public schools, transportation and infrastructure improvements. Specifically, the Project will be subject to the following fees: Child Care; Eastern Neighborhoods Infrastructure; Schools; and Transportation Sustainability.
- **Public Realm Improvements.** The Project sponsor will undertake improvements to both 12th Street and Norfolk Street in front of the site, enhancing the walkability of this block and improving the pedestrian experience to and from the future Eagle Plaza at the corner of 12th and Harrison.
- **On-Site Affordable Housing.** The Project was conceived and underwritten when the on-site affordability level was 12%; since that time, the affordability percentage for the Project was increased to 14.5%. The Project will comply with these requirements by providing on-site affordable units. To qualify for the density bonus, 11% of the base project units will be set aside for very low income households earning up to 50% of area median income ("AMI"). An additional 3.5% of the base project will be affordable at the levels specified in the local inclusionary program, i.e. to households earning 55% of AMI if rented or to households earning 90% of AMI if sold.

Contrary to the guidance provided in the Preliminary Project Assessment for the Project, Department staff has more recently taken the position that the Project is

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required to provide 18% on-site affordable units. This is based on an affordability requirement for projects in Western SoMa that seek a height increase from 55 to 65 feet under the Planning Code. However, the Project Sponsor is not requesting an optional height increase from 55 to 65 feet under the Planning Code. It is entitled to an increase from the base project height of 55 feet to the bonus project height of 80 feet in order to achieve the state-mandated density bonus. The Density Bonus Law prohibits cities from requiring additional entitlements or increasing development standards when that entitlement or development standard applies only because the Project is seeking a density bonus. Staff's position would do exactly what the law prohibits: require compliance with new development controls solely because of the bonus density and height waiver. Accordingly, the project should be approved at a 14.5% affordability level. Please see our letter to the Planning Department dated October 12, 2016 and attached as Exhibit A for more information.³

E. The Project is Consistent with Planned Neighborhood Development

The Project will replace an underutilized contractor's office building and parking lot with a multifamily residential project. 1532 Harrison, a seven story (six-story plus garden level), 136-unit residential project on the same block as the Property and fronting Harrison Street was approved by this Commission in November 2015. When constructed, it will further establish this block as an appropriate location for residential infill. A perspective of the block once these projects are constructed, as viewed from 12th Street:



³ In fact, the Planning Department's position is inherently contradictory. It diminished the permitted density of the project by limiting it to the permitted base height of 55 feet, rather than the conditionally permitted height of 65 feet. If the Project is required to obtain a CU and meet the "Tier B" UMU affordable housing requirement of 18%, then the base project should have been calculated assuming a conditional use for 65 feet of height.

Consistent with the Western SoMa Design Standards, the building will have a simple architectural expression and consistent range of materials, representing the area's "warehouse/art/industrial" context. Facades are proposed with a combination of composite and wood siding combined with corrugated metal or fiber-cement finishes that are found throughout the surrounding neighborhood.

The Project sponsor will improve both 12th Street and Norfolk Street in front of the site, improving pedestrian circulation. Its improvements along 12th will complement the more comprehensive re-use of the corner of 12th and Harrison, which will be transformed into Eagle Plaza, a 12,535 square foot public open space. Future residents of the Project will be able to enjoy this open space, and the Project's own public streetscape improvements should provide synergy for pedestrians walking along 12th Street to and from Eagle Plaza.

E. Conclusion

The Project will improve the existing conditions on the site, adding much-needed affordable-by-design housing along with a significant number of units affordable to very low income families. The Project is consistent with applicable, objective development standards and, as confirmed by its Community Plan Exemption, will not cause significant impacts to public health or safety. As an appropriate infill residential project with on-site affordable units, the Project is entitled to its bonus density and a waiver of certain development standards under state law. The state Housing Accountability Act (Cal. Gov. Code Sec. 65589.5) precludes the disapproval of projects that are consistent with applicable development standards and do not impact public health or safety. Consistent with these state mandates to alleviate the shortage of housing, we urge you to approve the Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Daniel Frattin

Enclosures

Exhibit A

REUBEN, JUNIUS & ROSE, LLP

October 12, 2016

Delivered By Email

Rich Sucre
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 333 12th Street – Conditional Use Requirement
Our File No.: 6954.10

Dear Rich:

This letter responds to Planning Department staff's direction that the 333 12th Street project (the "Project") submit an application for a Conditional Use entitlement and comply with additional development standards under Planning Code Section 823(c)(11). As detailed below, imposing the Conditional Use requirement and additional development standards would violate the State Density Bonus Law. We request your confirmation that Section 823(c)(11) will not be applied against the Project, and the Project's only entitlement will be a Large Project Authorization.

1. Background: Project Status and San Francisco's Informal Density Bonus Process

a. The NOPDR

On April 1, 2016, the Planning Department issued a Notice of Planning Department Requirements ("NOPDR-1") for the 333 12th Street project (the "Project"). Among other issues, NOPDR-1 addressed the Project's compliance with the State Density Bonus Law (Gov. Code §65915), noting:

- "The Department is currently working on formal procedures for the implementation of the State Density Bonus Law. Additional information may be required in the future;" and
- "Per Planning Code Section 823(c)(11), the project may require a Conditional Use Authorization rather than a Large Project Authorization. The Department is requesting additional consultation from the City Attorney on whether or not this code section would be applicable. If applicable, the project will require submittal of a

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revised application with the findings for Conditional Use. In addition, the project will be subject to added requirements, as outlined in Planning Code Section 823(c)(11)."

The City has not adopted formal procedures¹ to implement the State Density Bonus Law for projects with a mix of affordable and market rate units. Nevertheless, in a series of emails and meetings, we have subsequently confirmed that the Department has received the information necessary to process the project pursuant to the State Density Bonus Law. We are currently working toward a December 8, 2016, Planning Commission hearing, pending further feedback on building materials, courtyard configuration, and submittal of a final set of design drawings.

The potential for a Conditional Use Authorization ("CU") was raised because the Project is located in a split height district (55/65-X) where a base building height of 55 feet is permitted. Buildings above 55 feet are permitted with a CU, up to a maximum height of 65 feet. (Section 823(c)(11).) Buildings above 65 feet are not permitted. San Francisco's Planning Code does not allow for exceptions or variances from height limits.

b. Project's Entitlement Processing Status

The Planning Department required the project sponsor to submit a base building design that complies with all aspects of the Planning Code ("Base Project") as part of processing the Project under the State Density Bonus Law. This is used as a baseline to determine the extent of a requested density bonus. The Project is located in a zoning district that does not have a numerical density limit; instead, residential density is determined by permitted volume, primarily set by height and bulk restrictions.

Here, the Base Project's total residential floor area would be approximately 82,176 square feet in size, and it would be 55 feet in height and contain 148 units. More than 11% of the units would be rental units affordable to very-low-income households. Under the State Density Bonus Law, this level of affordability entitles the Project to a 35 percent density bonus. To achieve the state-mandated density bonus of 52 units, the project includes 200 units in a 80-foot tall building with 110,938 square feet of residential use.

¹ Although every city and county in California is required to adopt an ordinance that specifies how the municipality will implement the State Density Bonus Law, San Francisco's only implementing ordinance addresses only 100% affordable projects. There are no adopted procedures or ordinances specifying the manner of compliance for projects providing a mix of market-rate and affordable housing. The City's failure to adopt the required density bonus ordinance does not excuse it from complying with the statute. (Gov. Code § 65915(a).)

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The Planning Department has confirmed that the Base Project complies with the 55-foot height limit and all other aspects of the Planning Code. Like any project larger than 25,000 square feet in an Eastern Neighborhoods Mixed Use District, the Base Project would require a Large Project Authorization (“LPA”) approval by the Planning Commission under Section 329. In fact, the Project’s Preliminary Project Assessment letter dated August 28, 2015 directed the sponsor to file an LPA and not a Conditional Use application. Section 329 does not impose any additional substantive development standards or controls on projects. Instead, it is “an effort to achieve the objectives and policies of the General Plan, the applicable Design Guidelines, and the purposes” of the Planning Code. It also gives the Planning Commission authority to grant enumerated exceptions from the Planning Code.

In contrast, a CU sets a higher bar for approval. In addition to making General Plan compliance findings, the Planning Commission must affirmatively find—for any CU—that a project, (1) “at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community;” and (2) “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.” (Planning Code § 303(c)). The height bonus provisions of Section 823(c)(11) layer further development controls, including heightened standards for affordable housing, on top of the standard CU criteria.

2. A Conditional Use Authorization is Not Required for the Project

We seek Planning Department confirmation that a CU is not required. Such a requirement would directly conflict with State Density Bonus Law for the reasons set forth below.

a. State Law Prohibits Additional Discretionary Approvals or Development Standards for Density Bonus Projects

The State Density Bonus Law prohibits requiring an additional entitlement or increasing development standards when the entitlement or additional development standards apply only because the project is seeking a density bonus. “The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, **or other discretionary approval.**” (Cal. Gov. Code § 65915(f)(5); emphasis added). A similar provision applies to an applicant’s requested concessions and incentives: “the granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, **or other discretionary approval.**” (Gov. Code § 65915(j)(1); emphasis added).

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Also, no “development standards” can be applied against the Project that would “have the effect of physically precluding the construction of a development meeting the criteria” of the Density Bonus Law’s minimum required on-site affordable units “at the densities or with the concessions or incentives permitted” by the law. (Gov. Code § 65915(e)(1)). The definition of a “development standard” includes a site or construction condition, including, without limitation, local height, setback, floor area ratio, onsite open space, and parking area ratio requirements that would otherwise apply to residential development pursuant to ordinances, general plan elements, specific plans, charters, or other local condition, law, policy, resolution, or regulation. (Gov. Code § 65915(o)(1).)

One court succinctly explained the development standard waiver requirement as follows: “[s]tandards may be waived that physically preclude construction of a housing development meeting the requirements for a density bonus, period.” (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1346-1347). The California Supreme Court recently concluded that inclusionary housing requirements are properly classified as a “land use regulation,” and not an exaction like impact fees, because the control “simply places a restriction on the way the developer may use its property” by limiting unit price. (*California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 461).

The City of Berkeley’s approach to additional controls and entitlements in *Wollmer II* is instructive. To accommodate the proposed density bonus project, Berkeley waived or reduced height, floor-area ratio, and setback standards. The court noted that “absent these waivers, variances would have been required.” (*Wollmer*, 193 Cal.App.4th at 1348). The appellant *Wollmer* argued that the project’s Class 32 exemption under CEQA could not be granted because the City had waived “applicable” zoning designations and standards. The Court disagreed, and upheld Berkeley’s reasoning that the development standards and additional entitlements it waived were simply not applicable to the project because the Density Bonus Law “**renders these standards inapplicable in order to allow the density bonus.**” (*Id.*, emphasis added).

b. Requiring A Conditional Use and Imposing Additional Section 823(c)(11) Development Standards Conflicts with State Law

The Planning Department’s position would require a CU entitlement and impose a host of additional “controls” (i.e. development standards) solely because the Project with a density bonus exceeds a 55-foot height limit. Exceeding the height limit is necessary for the Project to be built at the density allowed by law. To require the Project to obtain a CU for a height bonus achieved via the State Density Bonus Law is to do exactly what the law prohibits: impose a different discretionary approval and require compliance with new development controls based on the very granting of a density bonus.

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Requiring a CU entitlement and compliance with the additional controls of Section 823(c)(11) runs contrary to the holding of *Wollmer*. There, the additional development standards necessary to allow the density bonus would have otherwise required a variance. The court concluded that Berkeley properly determined the project did not need to meet these requirements, and just as importantly did not need to go through the variance process. Because the Project here is a density bonus project, the same logic applies: state law renders the CU process and the additional development controls of Section 823(c)(11) inapplicable to the Project.

Applying the CU requirement here would not only serve as a textbook example of what the Density Bonus Law was created to prevent, it would also result in an incoherent position for the Project. The Planning Department has determined that the Base Project height must be 55 feet, not 65 feet as allowed with a CU. The Density Bonus Law requires relief from height limitations to the extent necessary to allow construction of the Project with the density bonus, i.e. relief from the 55-foot height limit—not the 65-foot limit. The Planning Department has also confirmed that a 80-foot structure is necessary for the Project to receive the 35% density bonus. In contrast, the CU process only permits a structure up to 65 feet, significantly below the Project’s height. If the Base Project can only be 55 feet in height, and the State Density Bonus Law requires waivers from all development controls that would preclude the Project achieving its allowed density bonus, there is simply no room in the approval process for an additional CU requirement.

The Planning Department’s position is also inconsistent with the intent of the State Density Bonus Law. The purpose of the law is to encourage the production of affordable housing within market rate projects (*Wollmer v. City of Berkeley*, 193 Cal.App.4th at 1339), and also just as importantly to protect sponsors that comply with the law’s various technical requirements from reluctant or even hostile cities or counties. Indeed, “setting up an additional hurdle” to be cleared solely because a project is a density bonus project “would be contrary to the spirit of the Density Bonus Law, which is designed to encourage, even require, incentives to developers that construct affordable housing.” (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 826).

That is exactly what the Planning Department’s position would do: set up an additional entitlement with new development controls that would not apply to the Base Project, and impose them solely because the Project is a density bonus project that requires height above 55 feet in order to achieve its permitted density bonus. “[I]mposing ‘costs’ on a developer attempting to build affordable units is hostile to the letter and spirit of the density bonus law.” (*Wollmer*, 193 Cal.App.4th at 1344).

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3. Conclusion

The State Density Bonus Law is a powerful tool that imposes a strict set of rules for Cities and Counties to follow when a project meets its technical requirements, including prohibiting additional or different entitlements and development standards. The Conditional Use process and additional controls set out in Section 823(c)(11) cannot be applied to the Project without calling into question compliance with the State Density Bonus Law. Please confirm the Project will be processed with a Large Project Authorization entitlement.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Daniel A. Frattin

cc: Susan Cleveland-Knowles, Deputy City Attorney
John Rahaim, Director, San Francisco Planning Department
Scott Sanchez, Zoning Administrator, San Francisco Planning Department



333 - 12TH STREET



UPWARD VIEW OF STREET FACADE

NARRATIVE

OVERVIEW

The site is composed of two parcels – 3521/022 (22,787 sf) and 3521/055 (6,637 sf). Each parcel extends the full depth of the block from 12th Street to Norfolk Alley. Currently, Lot 022 is a contractor’s office. Lot 055 is vacant, paved, surrounded by a chain link fence and is used as a parking lot.

The project proposes lot line modifications in order to create three parcels – “Lot A” (3521/022A – 14,355 sf), “Lot B” (3521/022B – 11,163 sf) and “Lot C” (3521/022C – 3,909 sf.) Only Lots A and B (25,518 sf overall) are to be developed as part of the proposed project. Lot C is not included.

Panoramic Interests, the Project Sponsor, proposes to demolish both the existing building and the parking lot and redevelop the aforementioned portion of the site (Lots A and B) per the State Density Bonus Law (California Government Code Sections 65915-65918), into an “affordable-by-design / workforce” rental housing project.

To this end, the Project Sponsor is proposing both a “Base Project” and a proposed “Bonus Project”. The Base Project describes the maximum density permitted per the San Francisco Planning Code. The Bonus Project describes the maximum density permitted per California State Law.

THE “BASE” PROJECT

The Base Project proposes to develop a 5-story-over-basement building with a maximum height of 55 feet on each of the parcels (Lots A and B).

There would be a total of 148 dwelling units (97% 2-Bedroom or larger). A minimum of 11% of the dwelling units would be affordable to very-low-income households.

The average unit size would be 555 gsf.

Together, both buildings would have a combined Gross Floor Area (GFA) of approximately 98,042 sf (GFA), of which approximately 82,176 sf (GFA) will be residential. 112 Class I bicycle parking spaces would be provided. 2 on-street car-share spaces are suggested, No automobile parking would be provided.

THE PROPOSED “BONUS” PROJECT

The Bonus Project proposes to merge the separate parcels (Lots A and B) to create a single parcel containing a single building comprised of two connected wings. Both wings (facing Norfolk

and 12th Street), will be 7-story-over-basement structures that will rise to maximum height of approximately 80 feet.

The Density Bonus Law entitles a Bonus Project to the maximum 35% density bonus if at least 11% of its Base Project units are affordable to very-low-income households. This project meets the minimum standard to achieve the maximum percentage listed. Accordingly, there will be a total of 200 dwelling units (97% 2-bedroom or larger)."

The average unit size would be 555 gsf.

The building will have a combined Gross Floor Area (GFA) of approximately 147,569 sf (GFA), of which approximately 110,938 sf (GFA) will be residential. A minimum of 125 Class I bicycle parking spaces would be provided. No automobile parking would be provided. Additionally, 1 on-street residential / commercial loading space and 2 on-street car-share spaces are suggested.

Also per the Density Bonus Law, various Waivers will be required for the realization of the Bonus Project. See pages 19 & 20, “Bonus Project Data, Area Summaries, & Density Scenario” for more details.

No special Modifications or Variances would be necessary for the development of the Base Project.

THE ARCHITECTURE

The building, per District Guidelines, shall have a “simple architectural expression” and “consistent range of materials” respecting the area’s “warehouse/art/industrial” context. Facades are currently proposed with a combination of composite/wood siding combined with corrugated metal and/or fiber-cement finishes that are found throughout the surrounding neighborhood.

All street-facing 1st Floor dwelling units will have a finish floor height averaging about 3’-6” above the 12th Street sidewalk level and approximately 4’-0” above the Norfolk Street sidewalk level, and will have individualized sidewalk-facing “stoop” entryways in addition to fully-accessible entries from the building’s common circulation areas. Both the 1st Floor dwelling units as well as the Basement “Garden Level” units will be set back 9 feet from the public right-of-way on 12th Street and 10 feet on Norfolk Street.

Additionally, on the 12th Street frontage, a generous Lobby & Community Room at sidewalk level will help activate the pedestrian experience.

“Inactive” uses such as the trash/recycling/compost room & utility spaces along Norfolk are minimized through the application of architectural treatments. Overall, “street-activation” uses are provided along 89% of the building’s frontages.

PROPOSAL FOR CONCESSIONS, INCENTIVES, AND WAIVERS

Under the State Density Bonus Law, the Project Sponsor is entitled to two concessions or incentives, as well as a Waiver of any development standard that would physically preclude construction of the project at the density proposed. The Project Sponsor proposes Waivers of the following development standards that physically preclude development of the bonus density:

1. Lot Merger: Waive Lot Merger restrictions per Sec. 121.7 because these lot merger restrictions would preclude the development of a 35% increase in dwelling unit density.

2. Rear Yard: Waive Rear Yard requirements per Sec. 134(a)(1) because a Code-compliant Rear Yard would preclude the development of a 35% increase in dwelling unit density.

3. Open Space: Waive Usable Open Space requirements & restrictions per Sec. 135(f)(C) & Sec. 823 because providing code-compliant Usable Open Space would preclude the development of a 35% increase in dwelling unit density.

4. Dwelling Unit Exposure: Waive Usable Open Space requirements & restrictions per Sec. 140 because providing Code-compliant Usable Open Space would preclude the development of a 35% increase in dwelling unit density.

5. Height Limit: Waive Building Height requirement from 55-X & 55/65-X to approximately 80’-0” because a Code-compliant building height would preclude the development of a 35% increase in dwelling unit density.

6. Off-Street Loading : Waive Off-Street Freight Loading Space requirement per. Sec 152.1 because providing a Code-compliant Off-Street Loading Space would preclude the development of a 35% increase in dwelling unit density.

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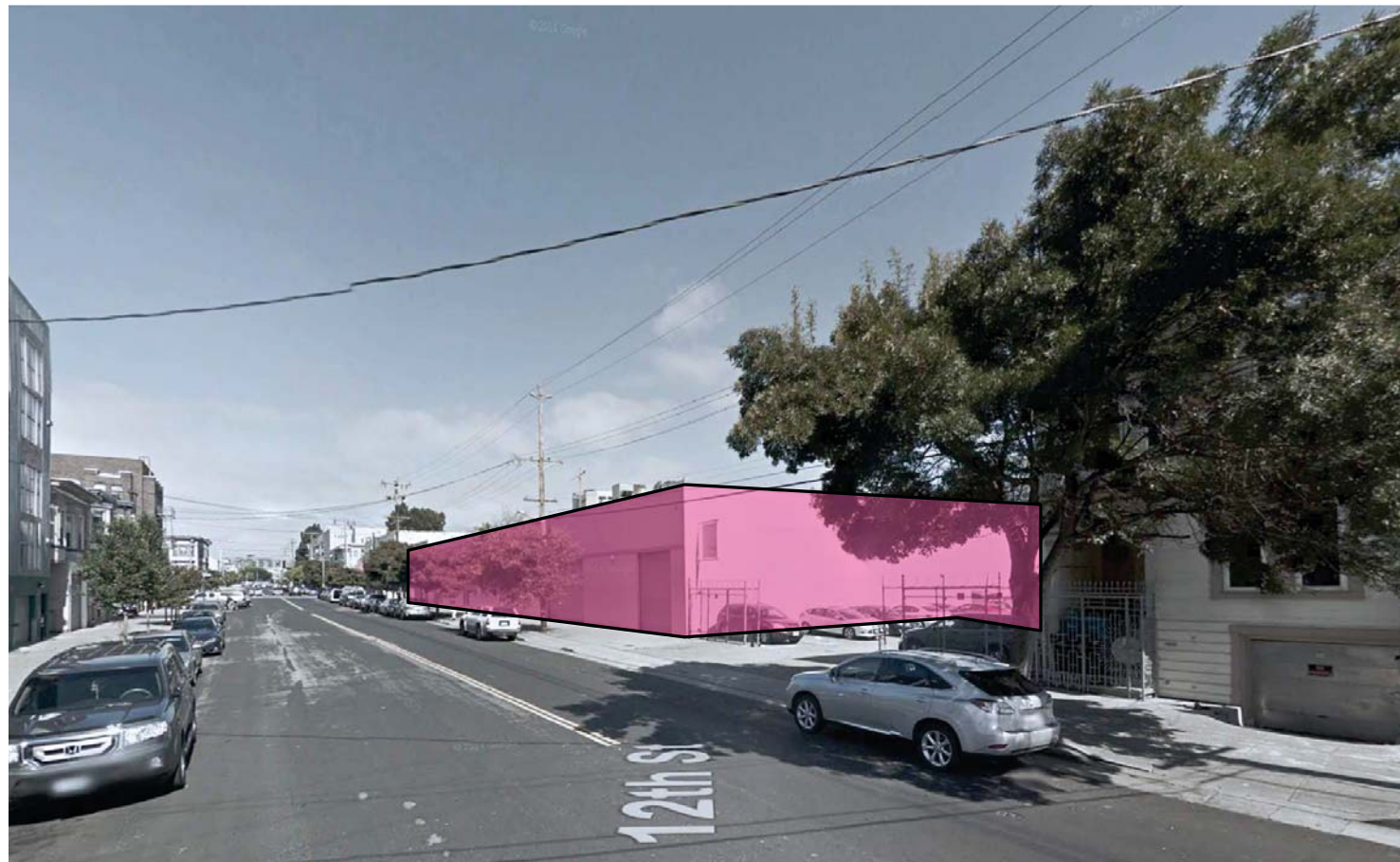
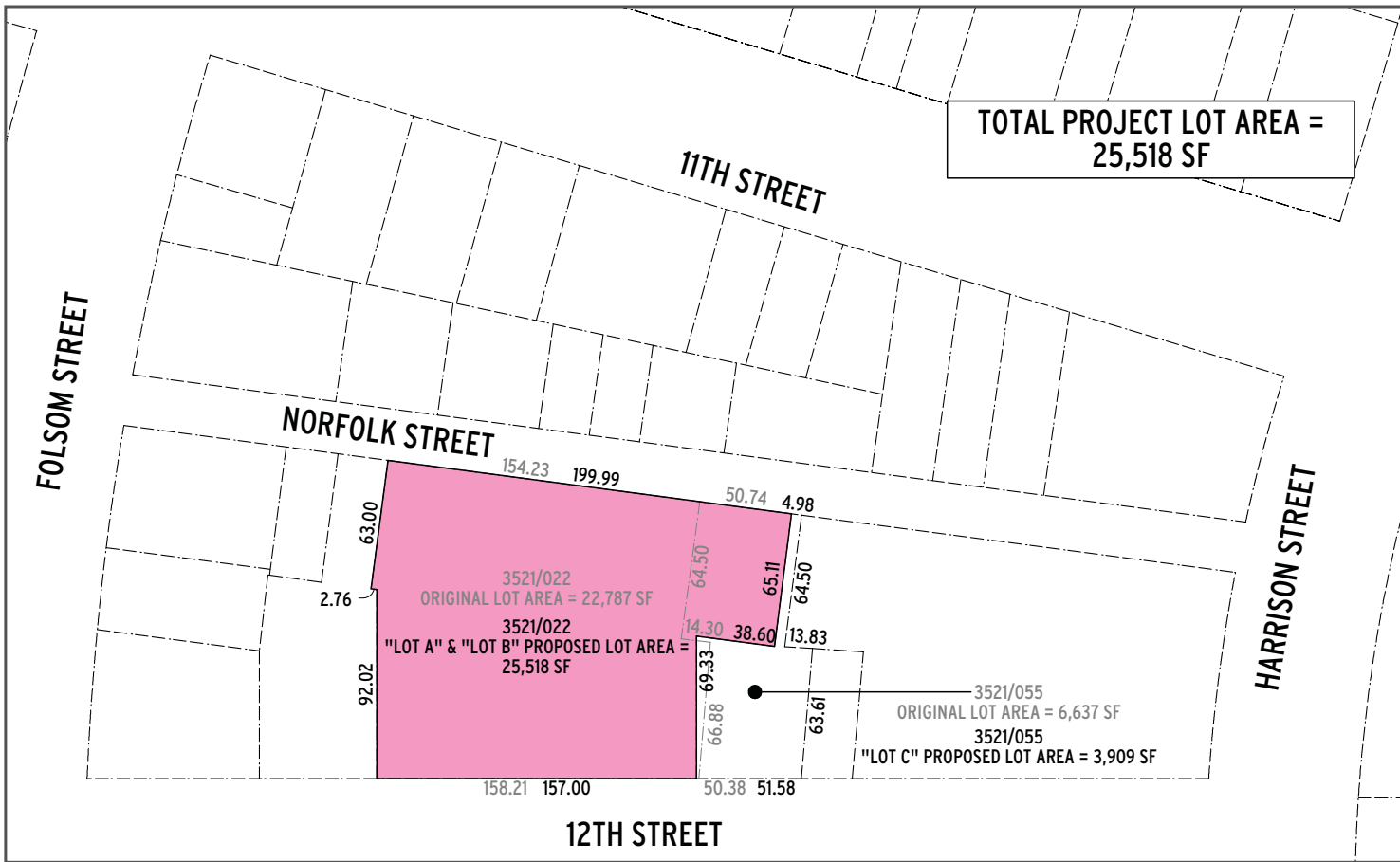
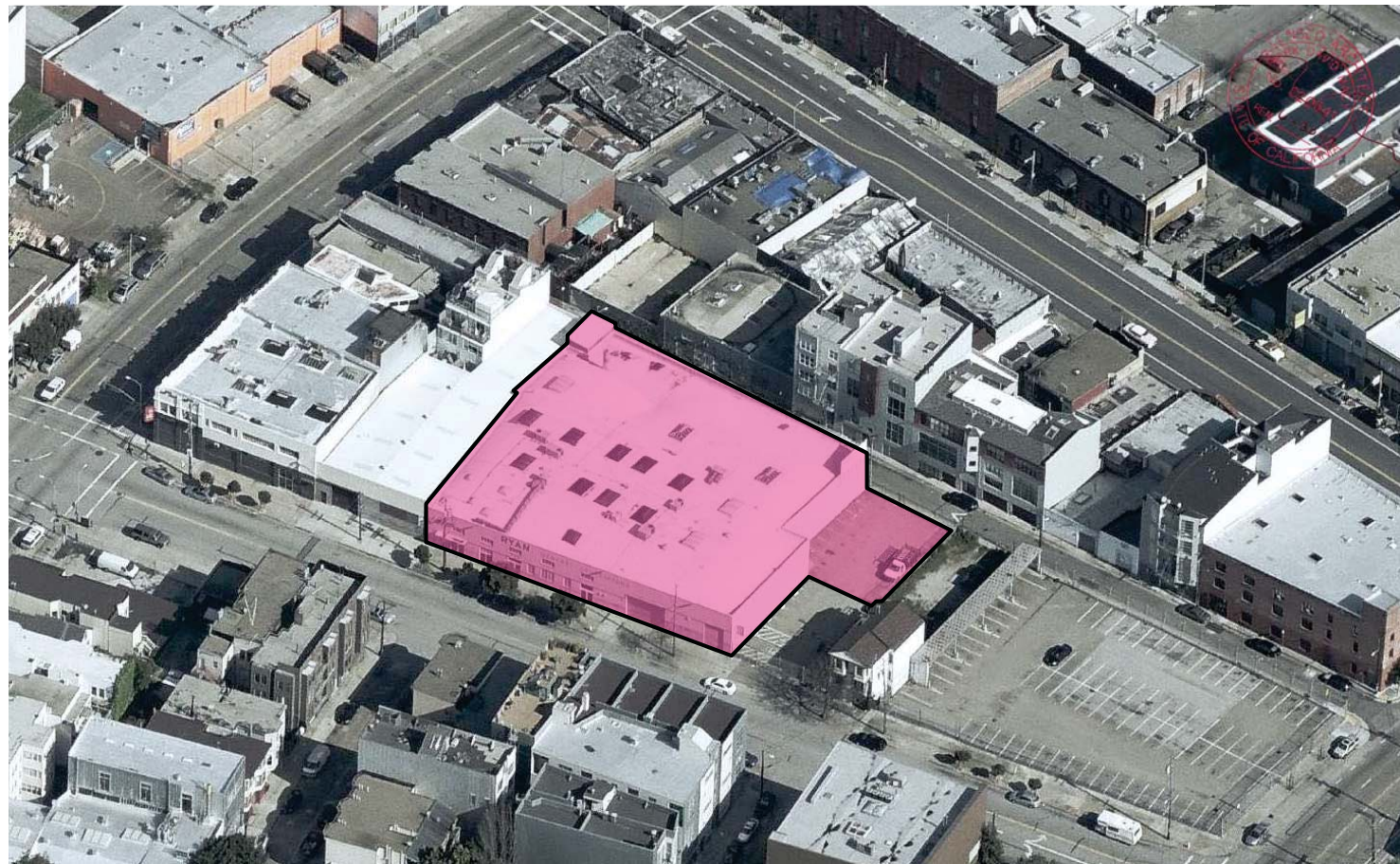
APPENDIX 1: PROPOSED LANDSCAPE

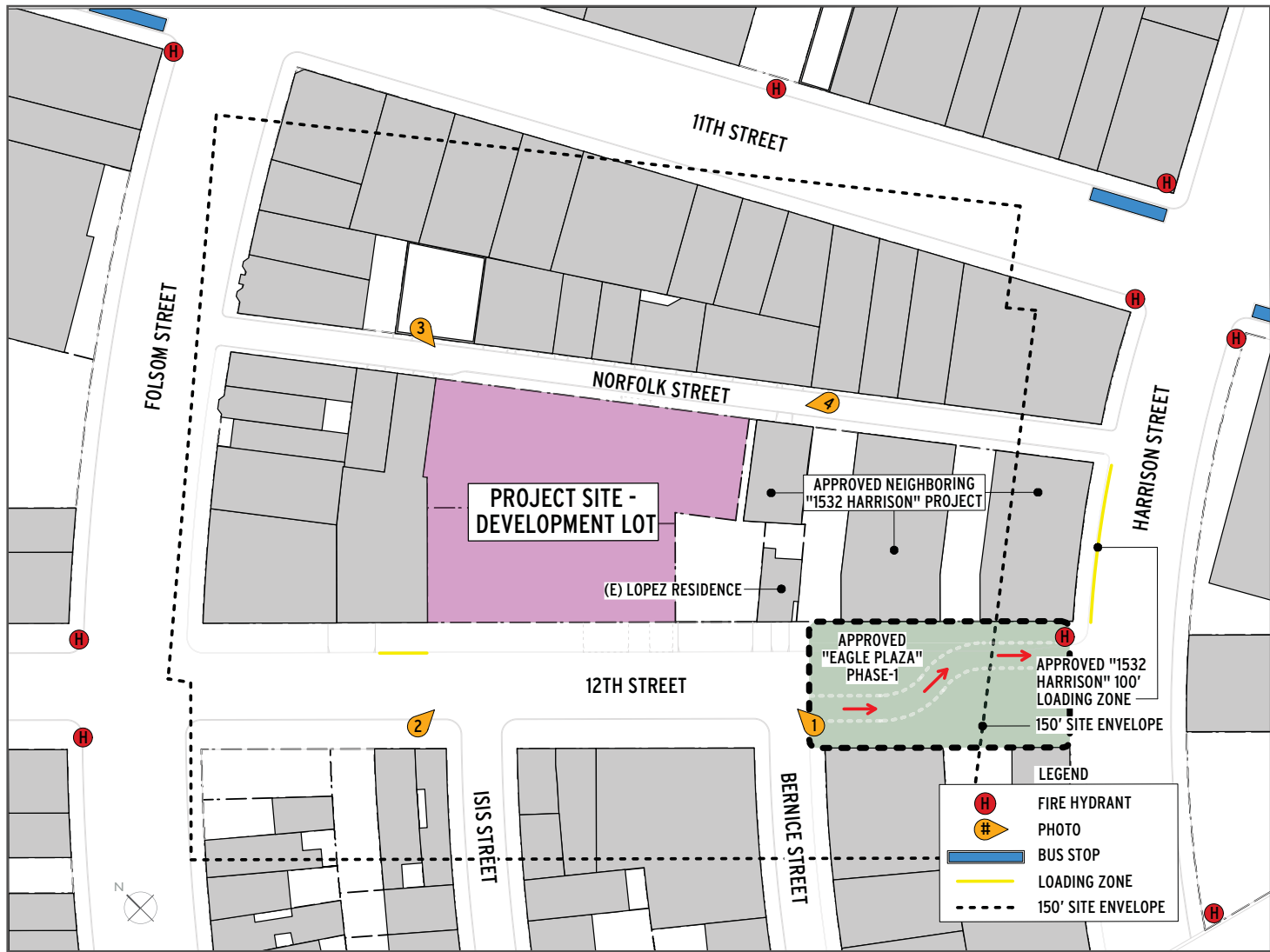
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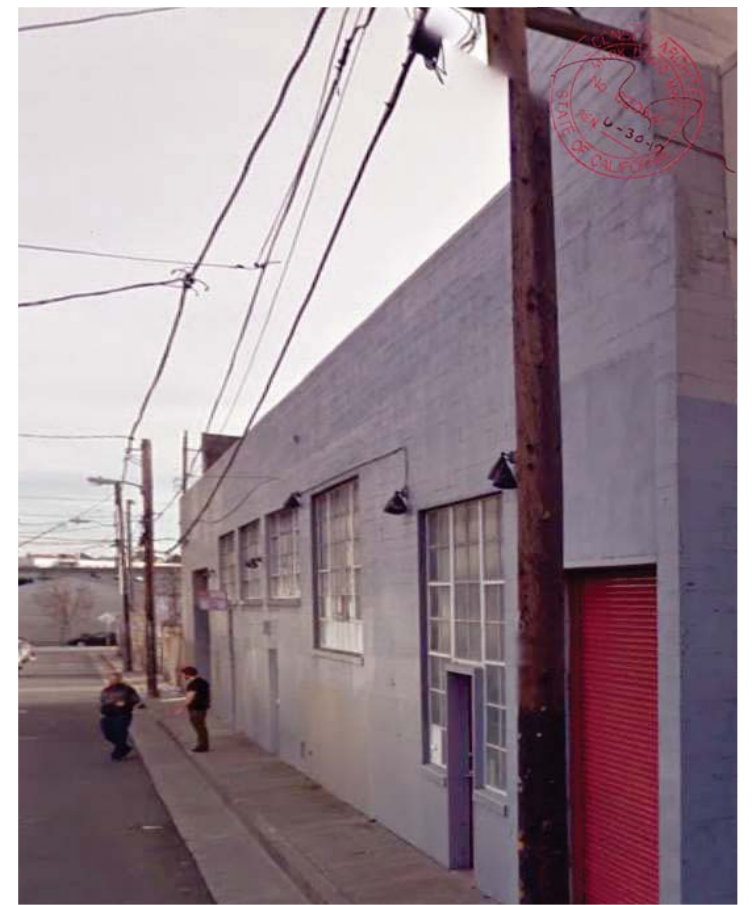
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3. VIEW FROM THE NORTH AT NORFOLK ALLEY



1. VIEW FROM THE SOUTH AT 12TH STREET



4. VIEW FROM THE EAST AT NORFOLK ALLEY

TITLE REPORT

THE TITLE REPORT USED IN THIS SURVEY WAS ISSUED BY OLD REPUBLIC TITLE COMPANY, ORDER NUMBER 0227015094-MN, DATED JANUARY 30, 2015, AT 7:30 AM.

FEE TITLE TO SAID ESTATE IS VESTED IN:

PAUL B. RYAN AND PAULETTE B. RYAN, AS TRUSTEES OF THE PAUL AND PAULETTE RYAN REVOCABLE TRUST DATED FEBRUARY 25, 1991 AS AMENDED AND RESTATED FEBRUARY 25, 2000 AND AMENDED FEBRUARY 7, 2002 AN UNDIVIDED 50% INTEREST AND

JAMES W. FRIEDMAN AND SUZANNE M. STASSEVITCH, AS TRUSTEES OF THE JAMES W. FRIEDMAN AND SUZANNE M. STASSEVITCH REVOCABLE TRUST DATED AUGUST 24, 2000 AS AMENDED FEBRUARY 15, 2002, AN UNDIVIDED 50% INTEREST

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SAN FRANCISCO, CITY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL I:
BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF 12TH STREET, DISTANT THEREON 142.271 FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF FOLSOM STREET; RUNNING THENCE SOUTHEASTERLY ALONG SAID LINE OF 12TH STREET 158.063 FEET TO A POINT DISTANT THEREON 250.376 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; THENCE NORTHWESTERLY 67 FEET, MORE OR LESS, TO A POINT ON THE ARBITRARY LINE DRAWN NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET TO THE SOUTHEASTERLY LINE OF FOLSOM STREET EQUI-DISTANT FROM THE SOUTHWESTERLY LINE OF NORFOLK STREET AND THE NORTHEASTERLY LINE OF 12TH STREET, SAID POINT BEING DISTANT ON SAID ARBITRARY LINE SO DRAWN, 250.375 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; THENCE NORTHWESTERLY ALONG SAID ARBITRARY LINE SO DRAWN 14.111 FEET TO A LINE DRAWN SOUTHWESTERLY AT A RIGHT ANGLE TO THE SOUTHWESTERLY LINE OF NORFOLK STREET FROM A POINT DISTANT THEREON 285 FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF FOLSOM STREET; THENCE NORTHEASTERLY ALONG LAST SAID LINE SO DRAWN 67.846 FEET TO SAID SOUTHWESTERLY LINE OF NORFOLK STREET; THENCE NORTHWESTERLY ALONG SAID LINE OF NORFOLK STREET 154.2292 FEET; THENCE AT A RIGHT ANGLE SOUTHWESTERLY 63 FEET; THENCE AT A RIGHT ANGLE SOUTHEASTERLY 2.182 FEET TO A LINE DRAWN NORTHEASTERLY AT A RIGHT ANGLE TO SAID LINE OF 12TH STREET FROM THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID LAST LINE SO DRAWN 92 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

BEING A PORTION OF MISSION BLOCK 9.

PARCEL II:
BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF NORFOLK STREET, DISTANT THEREON 237 FEET AND 2 INCHES NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; THENCE SOUTHEASTERLY ALONG SAID LINE OF NORFOLK STREET 22 FEET AND 4 INCHES; THENCE AT A RIGHT ANGLE SOUTHWESTERLY 64 FEET AND 7 INCHES TO THE INTERSECTION OF A LINE DRAWN NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET TO THE NORTHEASTERLY LINE OF FOLSOM STREET EQUI-DISTANT FROM THE SOUTHWESTERLY LINE OF NORFOLK STREET AND THE NORTHEASTERLY LINE OF 12TH STREET; THENCE NORTHWESTERLY ALONG THE LINE SO DRAWN 23 FEET AND 9 INCHES; THENCE NORTHEASTERLY 66 FEET AND 1-5/8 INCHES TO THE POINT OF BEGINNING.

BEING PART OF MISSION BLOCK NO. 9.

PARCEL III:
BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF NORFOLK STREET, DISTANT THEREON 285 FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF FOLSOM STREET; RUNNING THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF NORFOLK STREET 25 FEET; THENCE AT A RIGHT ANGLE SOUTHWESTERLY 68 FEET 6 INCHES, MORE OR LESS, TO THE INTERSECTION OF A LINE DRAWN NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET TO THE SOUTHEASTERLY LINE OF FOLSOM STREET EQUI-DISTANT FROM THE SOUTHWESTERLY LINE OF NORFOLK STREET AND THE NORTHEASTERLY LINE OF 12TH STREET; THENCE NORTHWESTERLY ALONG THE LINE SO DRAWN 25 FEET, MORE OR LESS, TO THE INTERSECTION OF A LINE DRAWN SOUTHWESTERLY AT A RIGHT ANGLE TO THE SOUTHWESTERLY LINE OF NORFOLK STREET FROM THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE LINE SO DRAWN 68 FEET 6 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING A PORTION OF MISSION BLOCK NO. 9

PARCEL IV:
BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF 12TH STREET, DISTANT THEREON 225 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; RUNNING THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF 12TH STREET 25 FEET; THENCE NORTHEASTERLY 67 FEET AND 6 INCHES, MORE OR LESS, TO A POINT DISTANT NORTHWESTERLY 250 FEET FROM THE NORTHWESTERLY LINE OF HARRISON STREET MEASURED ALONG A LINE DRAWN NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET MEASURED ALONG A LINE DRAWN NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET EQUI-DISTANT FROM THE SOUTHWESTERLY LINE OF NORFOLK STREET AND THE NORTHEASTERLY LINE OF 12TH STREET; THENCE SOUTHEASTERLY ALONG THE LINE SO DRAWN 25 FEET; THENCE SOUTHWESTERLY 65 FEET AND 6 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING A PORTION OF MISSION BLOCK NO. 9

PARCEL V:
BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF NORFOLK STREET, DISTANT THEREON 310 FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF FOLSOM STREET; RUNNING THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF NORFOLK STREET 2 FEET AND 10 INCHES, MORE OR LESS, TO A POINT DISTANT THEREON 237 FEET AND 2 INCHES NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET WHICH POINT IS ALSO THE MOST NORTHERLY CORNER OF PARCEL OF LAND DESCRIBED IN THE DEED FROM G. PICKARD TO HENRY GREGOIRE AND RONIA GREGOIRE, HIS WIFE, DATED JUNE 14, 1932, RECORDED JUNE 14, 1932 IN BOOK 2380 OF OFFICIAL RECORDS, OF THE CITY AND COUNTY OF SAN FRANCISCO, AT PAGE 240; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 66 FEET AND 1-5/8 INCHES, MORE OR LESS, TO THE MOST WESTERLY CORNER OF SAID PARCEL; THENCE NORTHWESTERLY 2 FEET AND 10 INCHES, MORE OR LESS, TO THE MOST SOUTHERLY CORNER OF PARCEL 1 IN THE DECREE ESTABLISHING TITLE - HENRY GREGOIRE AND RONIA GREGOIRE VS. ALL PERSONS; CERTIFIED COPY OF WHICH WAS RECORDED MARCH 20, 1936 IN BOOK 2918 OF OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, PAGE 183; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL, 68 FEET AND 6 INCHES, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING PART OF MISSION BLOCK NO. 9

PARCEL VI:
BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF 12TH STREET, DISTANT THEREON 200 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; RUNNING THENCE NORTHWESTERLY ALONG THE SAID NORTHEASTERLY LINE OF 12TH STREET 25 FEET; THENCE AT A RIGHT ANGLE NORTHEASTERLY 65 FEET AND 6 INCHES TO A LINE DRAWN FROM THE NORTHWESTERLY LINE OF HARRISON STREET TO THE SOUTHEASTERLY LINE OF FOLSOM STREET TO THE SOUTHWESTERLY LINE OF FOLSOM STREET AND EQUI-DISTANT BETWEEN THE SOUTHWESTERLY LINE OF NORFOLK STREET AND THE NORTHEASTERLY LINE OF 12TH STREET, AT A POINT DISTANT THEREON 225 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; THENCE SOUTHEASTERLY ALONG SAID LINE OF 25 FEET; THENCE SOUTHWESTERLY 63 FEET AND 9 INCHES TO SAID NORTHEASTERLY LINE OF 12TH STREET AND THE POINT OF BEGINNING.

BEING A PORTION OF MISSION BLOCK NO. 9

PARCEL VII:
BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF 12TH STREET, DISTANT THEREON 250 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET; RUNNING THENCE NORTHWESTERLY ALONG SAID LINE OF 12TH STREET 9.378 OF A FOOT; THENCE NORTHEASTERLY 67 FEET, MORE OR LESS, TO AN ARBITRARY LINE DRAWN NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET TO THE SOUTHEASTERLY LINE OF FOLSOM STREET EQUI-DISTANT FROM THE SOUTHWESTERLY LINE OF NORFOLK STREET AND THE NORTHEASTERLY LINE OF 12TH STREET TO A POINT DISTANT ON SAID ARBITRARY LINE 250.375 FEET NORTHWESTERLY FROM THE NORTHWESTERLY LINE OF HARRISON STREET, THENCE SOUTHEASTERLY ALONG SAID ARBITRARY LINE OF 0.375 OF A FOOT; THENCE SOUTHWESTERLY 66.909 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF MISSION BLOCK NO. 9

NOTES

- DATE OF FIELD SURVEY: FEBRUARY 19, 20, AND 23, 2015 AS TO THE BOUNDARY AND TOPOGRAPHIC SURVEY OF THE SUBJECT PROPERTY.
- THE UTILITIES SHOWN HEREON ARE BY SURFACE OBSERVATION AND RECORD INFORMATION ONLY AND NO WARRANTY IS GIVEN HEREIN AS TO THEIR EXACT LOCATION. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR CONTRACTOR TO VERIFY THE EXACT LOCATION OF THE UTILITIES WITH THE APPROPRIATE UTILITY COMPANY OR AGENCY.
- UTILITY JURISDICTIONS / PROVIDERS ARE AS FOLLOWS:
STORM DRAINS: CITY AND COUNTY OF SAN FRANCISCO
SANITARY SEWER: CITY AND COUNTY OF SAN FRANCISCO
WATER: CITY AND COUNTY OF SAN FRANCISCO
ELECTRICITY: PACIFIC GAS & ELECTRIC CO.
NATURAL GAS: PACIFIC GAS & ELECTRIC CO.
- ASSESSOR'S PARCEL NO.: ASSESSOR'S LOT 055 AND 022; BLOCK 3521
- NO PLOTTABLE EASEMENTS ARE LISTED IN THE TITLE REPORT.

RECORD REFERENCES

- R1) PARCEL MAP OF 1, 5, & 9 BERNICE STREET, RECORDED IN BOOK 72 OF CONDOMINIUM MAPS, PAGES 59-63, SAN FRANCISCO COUNTY RECORDS.
- R2) PARCEL MAP, 16-18-20-22 NORFOLK STREET, RECORDED IN BOOK 83 OF CONDOMINIUM MAPS AT PAGES 4-6, SAN FRANCISCO COUNTY RECORDS.
- R3) RECORD OF SURVEY, LOTS 7, 10, 49, & 50, RECORDED IN BOOK Y OF MAPS, PAGE 42, SAN FRANCISCO COUNTY RECORDS.
- R4) CITY MONUMENT LINES ARE BASED ON MONUMENT MAP NO. 283 FILED IN THE OFFICE OF THE CITY ENGINEER OF THE CITY AND COUNTY OF SAN FRANCISCO.

BENCHMARK

+ CUT IN SOUTH RIM OF MANHOLE MARKED "MRY MH" IN WALK AT THE NORTHWEST CORNER OF THE INTERSECTION OF 11TH STREET AND HARRISON STREET, PER BOX 4, BOOK 464, PAGE 52 OF FIELD NOTES; ELEVATION = 9.266 FEET, CITY OF SAN FRANCISCO DATUM.

SURVEYOR'S STATEMENT

THIS SURVEY WAS DONE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE LAND SURVEYORS ACT AT THE REQUEST OF PANORAMIC INTERESTS IN FEBRUARY 2015.

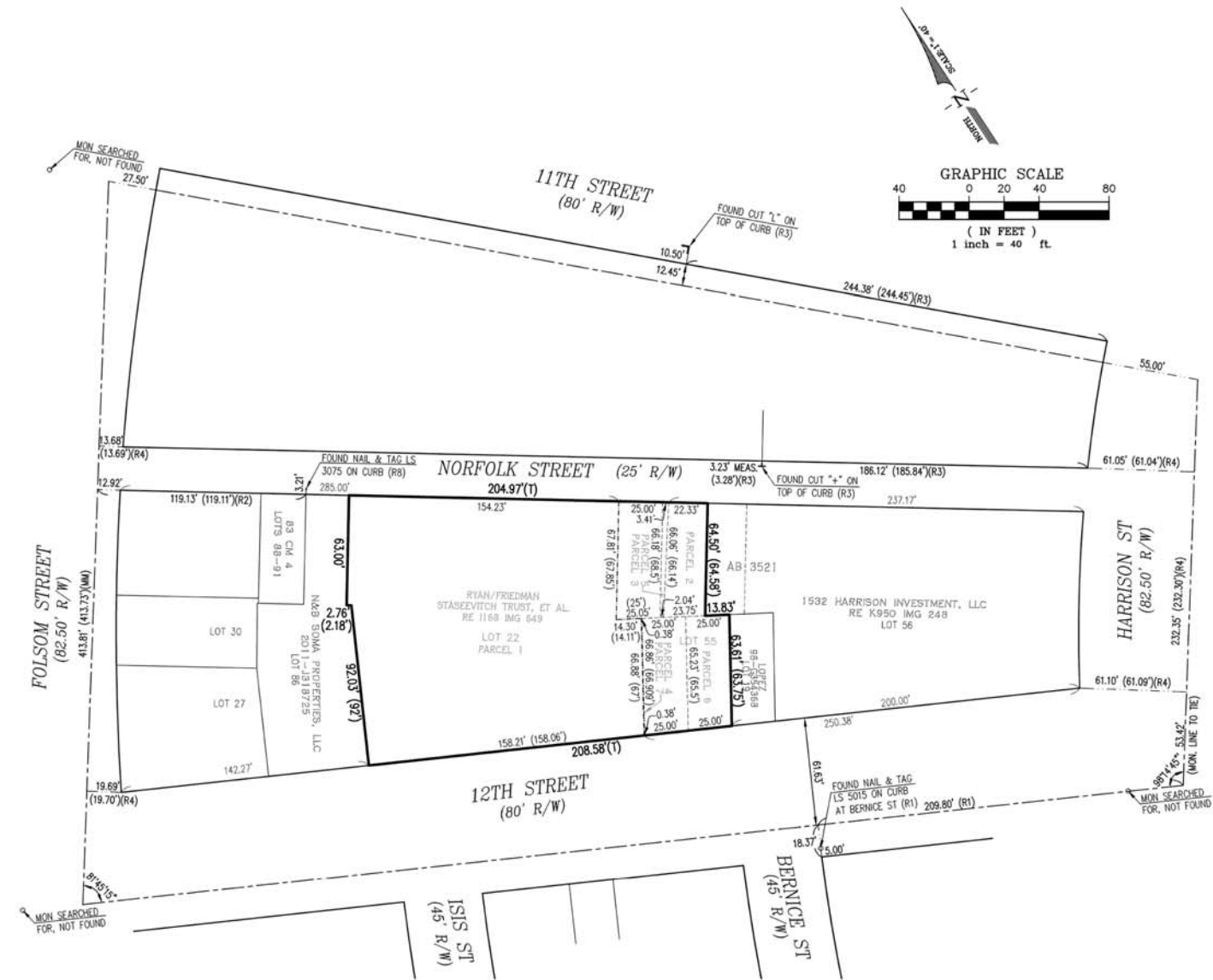
JACQUELINE LUK, PLS 8934
LUK & ASSOCIATES, INC.

DATE MAR. 2, 2015



SHEET INDEX

SHEET	DESCRIPTION
1	TITLE SHEET, NOTES, BOUNDARY SURVEY
2	TOPOGRAPHIC SURVEY



BOUNDARY SURVEY

SCALE: 1" = 40'



VICINITY MAP
NOT TO SCALE

LEGEND:

SYMBOLS	DESCRIPTION
—	RIGHT OF WAY (R/W)
—	PROPERTY LINE (PL)
—	ADJACENT PROPERTY LINE
---	ASSESSOR'S LOT LINE
---	INTERIOR LOT LINE
---	MONUMENT LINE
---	TIE LINE
O	FOUND MONUMENT AS NOTED
MK	MARK
APN	ASSESSOR'S PARCEL NUMBER
PTR	PRELIMINARY TITLE REPORT
(T)	TOTAL
DOC. NO.	DOCUMENT NUMBER
S.F.	SQUARE FEET
M.M.	MONUMENT TO MONUMENT
(ML-ML)	MONUMENT LINE TO MONUMENT LINE
MEAS.	MEASURED
LOT #	LOT NUMBER
(333.61') (R1)	RECORD DATA REFERENCE
IMG	IMAGE
PG	PAGES
RE	REEL
SFNF	SEARCH FOR NOT FOUND

TOPOGRAPHIC &
BOUNDARY SURVEY
FOR

333 12TH STREET

BEING PARCELS ONE THROUGH SEVEN AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED JUNE 27, 2002 AS DOCUMENT NO. 2002-H193241-00, SAN FRANCISCO COUNTY RECORDS; ALSO BEING A PORTION OF MISSION BLOCK NO. 9. CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA
MARCH 2015

PREPARED BY

LUK AND ASSOCIATES

CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS
738 ALFRED NOBEL DRIVE
HERCULES, CALIFORNIA 94547
(510) 724-3388

SHEET 1
JOB NO.: 15031A10

F:\Jobs\FILE2015\15031A10\TOPO-BDRY-15031A10.dwg



PROPOSED PROJECT



PROPOSED 333 12TH ST. PROJECT

EXISTING RESIDENCE
365 12TH ST.

APPROVED 1532 HARRISON ST.
PROJECT

VIEW ALONG 12TH STREET



LOBBY AND COMMUNITY ROOM ALONG 12TH STREET



STOOPS & PORCHES ALONG 12TH STREET



TYPOLOGICAL PRECEDENTS
FOR WALK-UP & WALK-DOWN
UNITS INCLUDE THIS PORCH &
ARCADE AT PORTLAND PLACE,
PARK CRESCENT, IN LONDON.
THE DIMENSIONS OF THIS EX-
AMPLE MATCH OUR PROPOSAL
EXACTLY. OUR PROPOSAL GOES
BEYOND THE PROVISION OF THE
LIGHT AND VENTILATION RE-
QUIREMENTS OF THE PLANNING
& BUILDING CODES TO CREATE
OUTDOOR SPACES THAT SUP-
PORT PLANTING, AND ARE LARGE
ENOUGH TO BE LIVED IN.

**PORCH / ARCADE PRECEDENT, PORTLAND PLACE, PARK CRESCENT,
LONDON, UK, BY JOHN NASH**



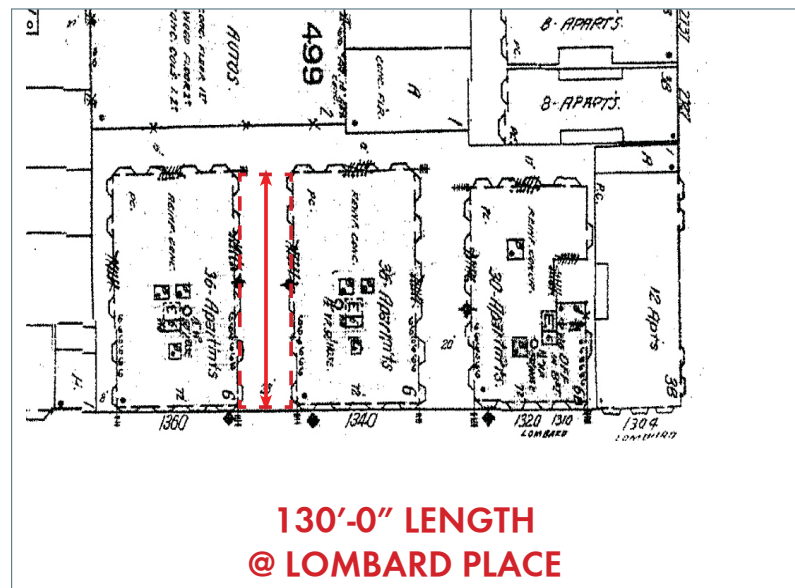
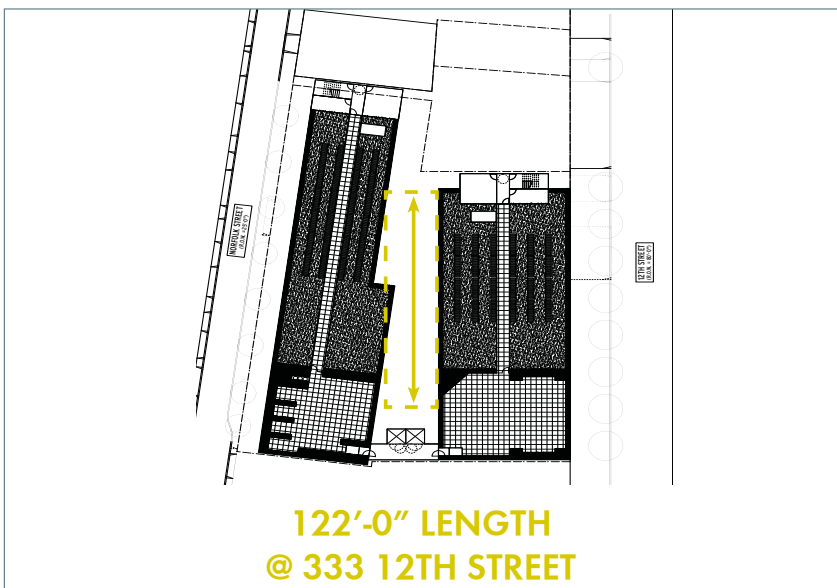
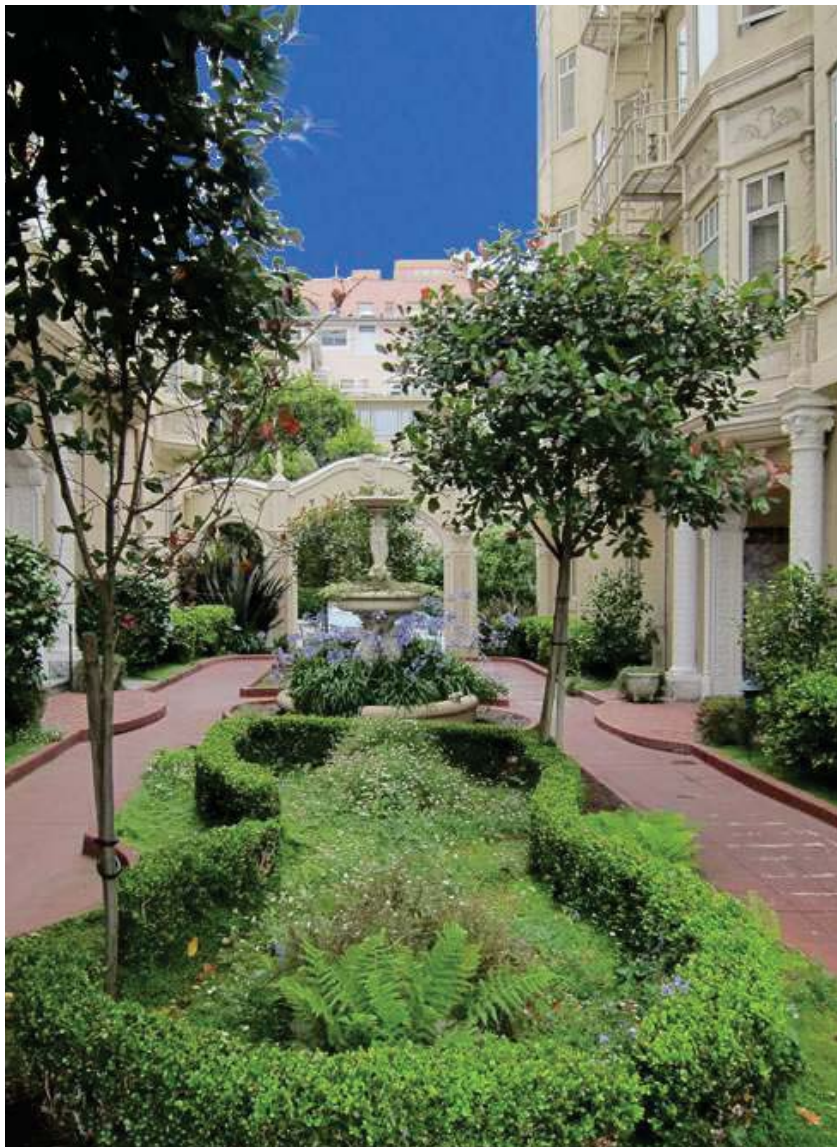
STOOPS & PORCHES ALONG NORFOLK ALLEY



SHARED ENTRY STOOPS ALONG NORFOLK ALLEY



GARDEN LEVEL UNIT INTERIOR

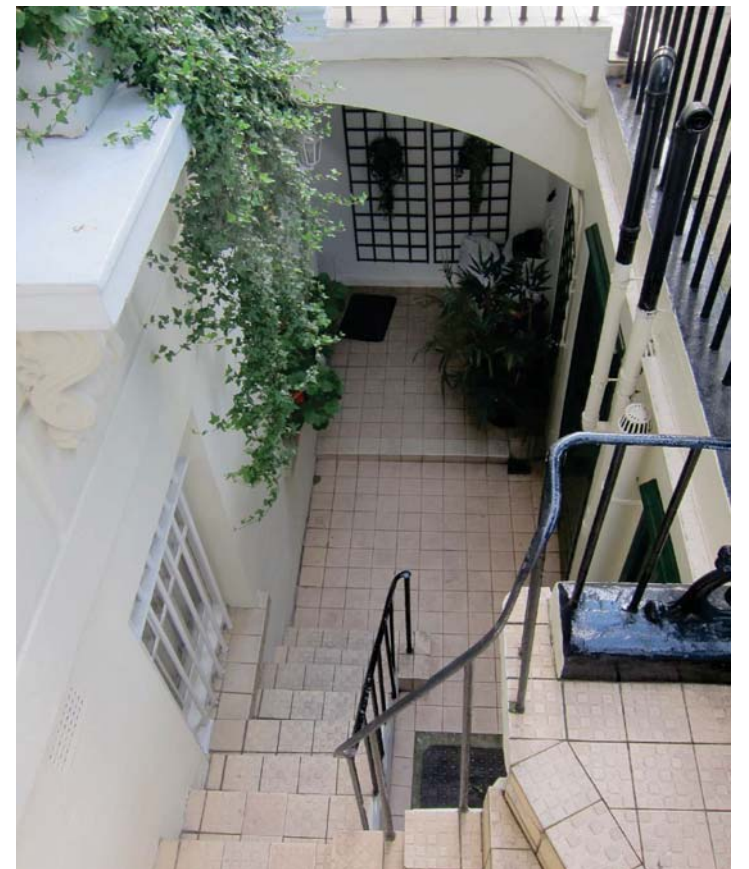


COURTYARD WIDTH PRECEDENT: LOMBARD PLACE IN SAN FRANCISCO



THIS TYPOLOGY IS UBIQUITOUS IN LONDON & THROUGHOUT THE UK: THE DEPTH WE ARE PROPOSING (9 FEET) IS SIMILAR

THE DIMENSIONS OF THIS PORCH & ARCADE AT PORTLAND PLACE, PARK CRESCENT, IN LONDON (BY JOHN NASH) MATCH OUR PROPOSAL ALMOST EXACTLY



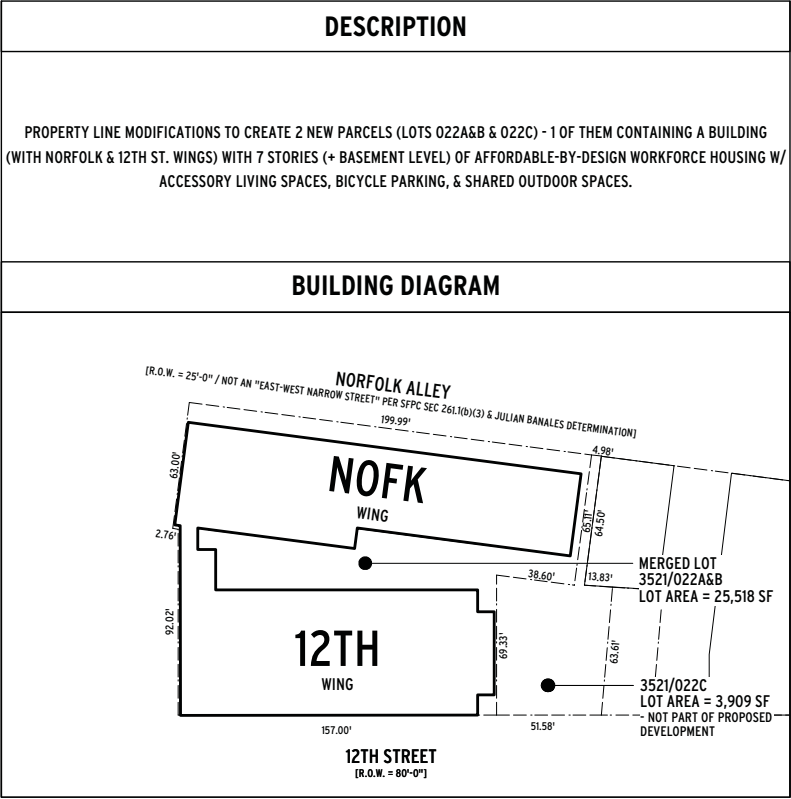
WALK UP / WALK DOWN DWELLING UNIT PRECEDENTS IN LONDON



CLASSIC ENGLISH TERRACE PRECEDENTS IN LONDON & BATH



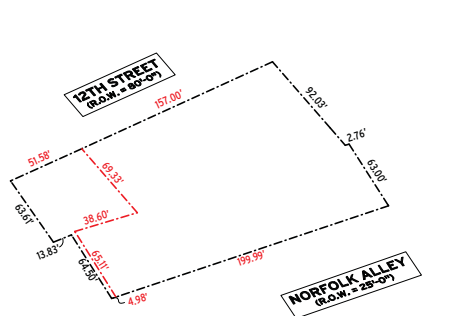
SHARED ENTRY STOOP PRECEDENTS IN SAN FRANCISCO



PLANNING DATA	
EXISTING ASSESSOR PARCELS:	3521/022 & 3521/055
PROPOSED ACCESSOR PARCELS:	3521/022A & 3521/022B (3521/022C - NOT IN PROJECT)
ZONING:	WMUG (WESTERN SOMA S.U.D.)
HEIGHT & BULK DISTRICT:	55/65-X & 55-X
EXISTING LOT AREAS:	22,787 SF & 6,637 SF = 29,424 SF (0.675 AC)
PROPOSED PROJECT LOT AREAS:	14,355 SF + 11,163 SF = 25,518 SF (0.586 AC)
MODIFIED REAR YARD:	4,081 SF PROVIDED (6,380 SF; 25% REQ'D)
GROSS SQUARE FEET OF CONSTRUCTION:	150,901 SF TOTAL
GROSS FLOOR AREA (PER SFPC SEC.102.9):	147,569 SF TOTAL
RESIDENTIAL GROSS FLOOR AREA (PER SFPC SEC.102.9):	110,938 SF TOTAL
DWELLING UNITS:	200 TOTAL (341 DU/AC)
AVG. UNIT SIZE:	555 SF
BMR:	21 UNITS (14.5% OF BASE PROJECT)
BEDS:	394
OPEN SPACE:	UP TO 11,770 SF PROVIDED
BICYCLE PARKING:	125 TOTAL SPACES
	- RESIDENTIAL CLASS I (125 REQ'D)
	- PLUS (10) RESIDENTIAL CLASS II (10 REQ'D)
AUTOMOBILE PARKING:	0 SPACES
	- 0 REQ'D; 0.25/DU PERMITTED (UP TO .75/DU VIA C.U.)
CARSHARE:	0 TOTAL (0 REQ'D)
	- 2 ON-STREET SPACES SUGGESTED
OFF-STREET LOADING:	0 SPACES (1 REQ'D, PER SFPC TABLE 152.1) - WAIVER REQ'D
	- 1 ON-STREET SPACES SUGGESTED
BETTER STREETS IMPROVEMENTS:	REQ'D. PER SFPC SEC. 138.1

BUILDING DATA	
STORIES:	7 + BASEMENT
CONSTRUCTION TYPE:	TYPE IB THROUGHOUT
	-FULLY SPRINKLERED
BUILDING HEIGHT:	80 FEET, APPROX.
BUILDING USE:	HOUSING (W/ ACCESSORY USES)
OCCUPANCY TYPE(S):	R2, U, S2

AREA SUMMARY											
LEVEL	G	1	2	3	4	5	6	7	R	TOTAL GSF	TOTAL GFA*
RESIDENTIAL	11,534	11,534	14,645	14,645	14,645	14,645	14,645	14,645	0	110,938	110,938
BICYCLE PARKING	1,544	0	0	0	0	0	0	0	0	1,544	0
CIRCULATION /UTILITY	5,216	6,431	4,164	4,164	4,164	4,164	4,164	4,164	1,788	38,419	36,631
TOTAL	18,294	17,965	18,809	18,809	18,809	18,809	18,809	18,809	1,788	150,901	147,569
*GFA per San Francisco Planning Code Sec. 102.9											
UNIT TYPE SUMMARY											
LEVEL	G	1	2	3	4	5	6	7	R	TOTAL GSF	TOTAL GFA*
1B (AVG=360 SF)	QTY	0	0	1	1	1	1	1	0	6	2,160
	SF	0	0	360	360	360	360	360	0	2,160	
2B (AVG=437 SF)	QTY	14	14	11	11	11	11	11	0	94	41,078
	SF	6,118	6,118	4,807	4,807	4,807	4,807	4,807	0	41,078	
2B+ (AVG=677 SF)	QTY	8	8	14	14	14	14	14	0	100	67,700
	SF	5,416	5,416	9,478	9,478	9,478	9,478	9,478	0	67,700	
TOTAL (AVG=555 SF)	QTY	22	22	26	26	26	26	26	0	200	110,938
	SF	11,534	11,534	14,645	14,645	14,645	14,645	14,645	0	110,938	
OUTDOOR AREAS SUMMARY SUMMARY											
LEVEL	G	1	2	3	4	5	6	7	R	TOTALS	
OUTDOOR AREAS	5,710	0	523	0	0	0	0	0	5,607	11,840	

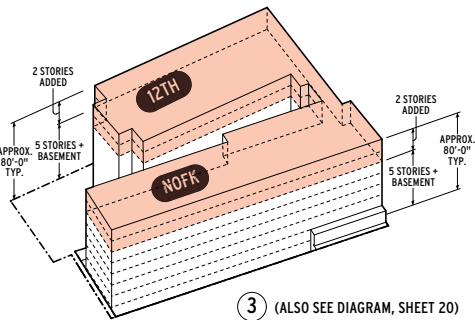


① (ALSO SEE DIAGRAM, SHEET 20)

MODIFIED LOT CONFIGURATION

WAIVER #1

- WAIVE THE LOT MERGER RESTRICTIONS OF SEC. 121.7



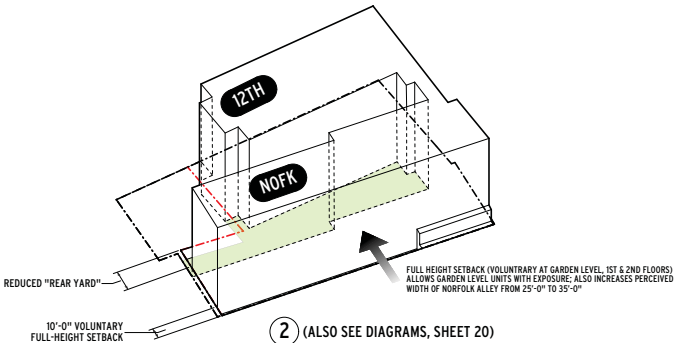
MINIMUM BUILDING HEIGHT INCREASE & OFF-STREET LOADING WAIVERS

WAIVER #5

- ALLOW INCREASE IN SEC. 250 HEIGHT LIMIT FROM 55'-X & 55/65'-X TO APPROX. 80'-0"

WAIVER #6 - OFF-STREET LOADING

- WAIVE OFF-STREET LOADING SPACE REQUIREMENT PER SEC. 152.1



WAIVER #2 - REAR YARD

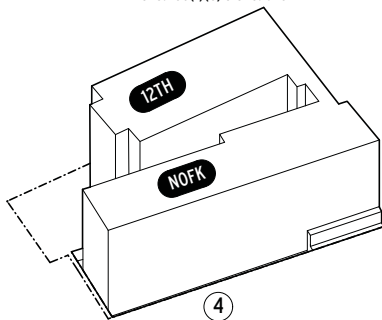
- WAIVE REAR YARD REQUIREMENT PER SEC. 134(a)(1)

WAIVER #3 - OPEN SPACE

- WAIVE USABLE OPEN SPACE REQUIREMENTS & RESTRICTIONS PER SEC. 135(f)(C) & SEC. 823

WAIVER #4 - UNIT EXPOSURE

- WAIVE DWELLING UNIT EXPOSURE REQUIREMENT PER SEC. 140



NORFOLK

+

12TH

=

(6) 1B (3%)
(94) 2B (47%)
(100) 2B+ (50%)

TOTAL DWELLING UNITS = 200 (100%)

- 35% BONUS DENSITY (BASE 148 DU X 35%) = 200 DU PER CALIFORNIA GOVERNMENT CODE SECTIONS 65915-65918
- BELOW MARKET RATE (BMR) DWELLING UNITS PER BONUS DENSITY LAW: 16 TOTAL (11% OF BASE PROJECT AT 50% AMI)
- ADDITIONAL BELOW MARKET RATE (BMR) DWELLING UNITS PER SF INCUSIONARY HOUSING REQUIREMENTS: 5 TOTAL (3.5% OF BASE PROJECT)
- TOTAL BELOW MARKET RATE (BMR) DWELLING UNITS: 21 TOTAL (14.5% OF BASE PROJECT)

BONUS DENSITY CALCULATIONS

STEP 1. DEFINE THE BASE PROJECT (A HYPOTHETICAL PROJECT)
THE BASE PROJECT IS A HYPOTHETICAL PROJECT THAT REPRESENTS THE "MAXIMUM ALLOWABLE DENSITY" FOR A PROPOSED PROJECT AT A PARTICULAR SITE.

1A. BASE PROJECT RESIDENTIAL FLOOR AREA

CALCULATE THE BASE PROJECT'S RESIDENTIAL FLOOR AREA, INCLUDING EACH STORY OF A HYPOTHETICAL BUILDING, ON THE PROPOSED SITE.

GARDEN LEVEL RESIDENTIAL AREA:	12,696 SF
1ST FLOOR RESIDENTIAL AREA:	11,949 SF
2ND FLOOR RESIDENTIAL AREA:	15,595 SF
3RD FLOOR RESIDENTIAL AREA:	13,981 SF
4TH FLOOR RESIDENTIAL AREA:	13,981 SF
5TH FLOOR RESIDENTIAL AREA:	13,981 SF
TOTAL RESIDENTIAL FLOOR AREA:	82,176 SF

1B. PROPOSED AVERAGE RESIDENTIAL UNIT SIZE

DETERMINE THE PROPOSED PROJECT'S AVERAGE RESIDENTIAL UNIT SIZE BY DIVIDING THE TOTAL RESIDENTIAL FLOOR AREA OF THE BASE PROJECT BY ITS PROPOSED NUMBER OF UNITS.

GARDEN LEVEL RESIDENTIAL AREA:	11,534 SF
1ST FLOOR RESIDENTIAL AREA:	11,534 SF
2ND FLOOR RESIDENTIAL AREA:	14,645 SF
3RD FLOOR RESIDENTIAL AREA:	14,645 SF
4TH FLOOR RESIDENTIAL AREA:	14,645 SF
5TH FLOOR RESIDENTIAL AREA:	14,645 SF
6TH FLOOR RESIDENTIAL AREA:	14,645 SF
7TH FLOOR RESIDENTIAL AREA:	14,645 SF
TOTAL RESIDENTIAL FLOOR AREA:	110,938 SF

TOTAL UNITS:	200 DWELLING UNITS
AVERAGE UNIT SIZE:	110,938 SF/200 DU = 555 SF/DU

1C. BASE PROJECT MAXIMUM UNITS

CALCULATE THE BASE PROJECT'S MAXIMUM NUMBER OF RESIDENTIAL UNITS BY DIVIDING THE SQUARE FOOTAGE OF THE BASE PROJECT (STEP 1.A) BY THE AVERAGE UNIT SIZE (STEP 1.B).

1.A: BASE PROJECT FLOOR AREA:	82,176 SF
1.B: AVERAGE UNIT SIZE:	555 SF/DU
1.C: BASE UNITS:	82,176 SF / 555 SF/DU = 148 DU

STEP 2. DEFINE THE DENSITY BONUS PROJECT
DENSITY BONUS UNITS ARE MARKET-RATE UNITS THAT EXCEED THE "MAXIMUM ALLOWABLE RESIDENTIAL DENSITY," THE AMOUNT OF AFFORDABLE UNITS, AND THEIR AFFORDABILITY.

2A. CONFIRM THE NUMBER AND TYPE (AFFORDABILITY LEVEL) OF BELOW MARKET RATE UNITS:
% AFFORDABLE UNITS: 14.5% = .145 X 148 DU = 21 DU

2B. CONSULT THE DENSITY BONUS LAW TO DETERMINE THE DENSITY BONUS PERCENTAGE:
% GRANTED FOR DENSITY BONUS: 35%

2C. MULTIPLY THAT PERCENTAGE BY THE NUMBER OF BASE PROJECT UNITS (FROM STEP 1C):
BONUS UNITS: 35% X 148 = 52 UNITS

2D. ADD THE NUMBER OF DENSITY BONUS UNITS TO THE NUMBER OF BASE PROJECT UNITS:
BONUS UNITS: 148 DU + 52 DU = 200 UNITS

2E. THE APPLICANT DECIDES HOW MANY DENSITY BONUS UNITS SHE WANTS. ADD THIS NUMBER OF UNITS TO THE NUMBER OF BASE PROJECT UNITS.
PROPOSED DENSITY BONUS UNITS: 200 UNITS

STEP 3. THE PLANNING COMMISSION ACTS ON THE DENSITY BONUS PROJECT

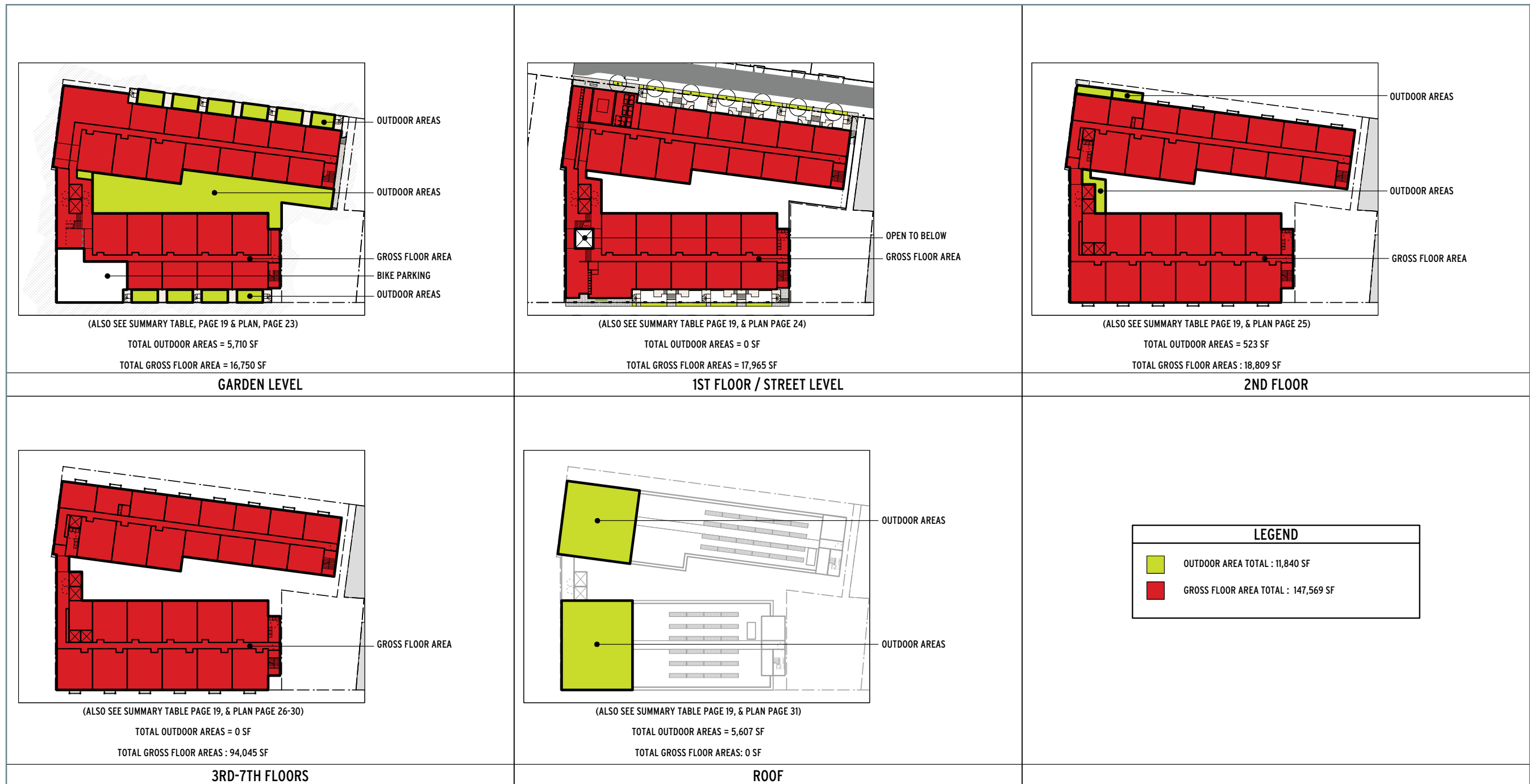
3A. REQUESTED WAIVERS

1. WAIVE LOT MERGER RESTRICTIONS OF SEC. 121.7
2. WAIVE REAR YARD REQUIREMENTS PER SEC 134
3. WAIVE USABLE OPEN SPACE REQUIREMENTS & RESTRICTIONS PER SEC 135 & SEC 823
4. WAIVE DWELLING UNIT EXPOSURE REQUIREMENTS PER SEC 140
5. ALLOW INCREASE IN SEC. 250 HEIGHT LIMIT FROM 55'-X & 55/65'-X TO APPROXIMATELY 80 FEET
6. WAIVE OFF-STREET LOADING SPACE REQUIREMENTS PER SEC 152.1

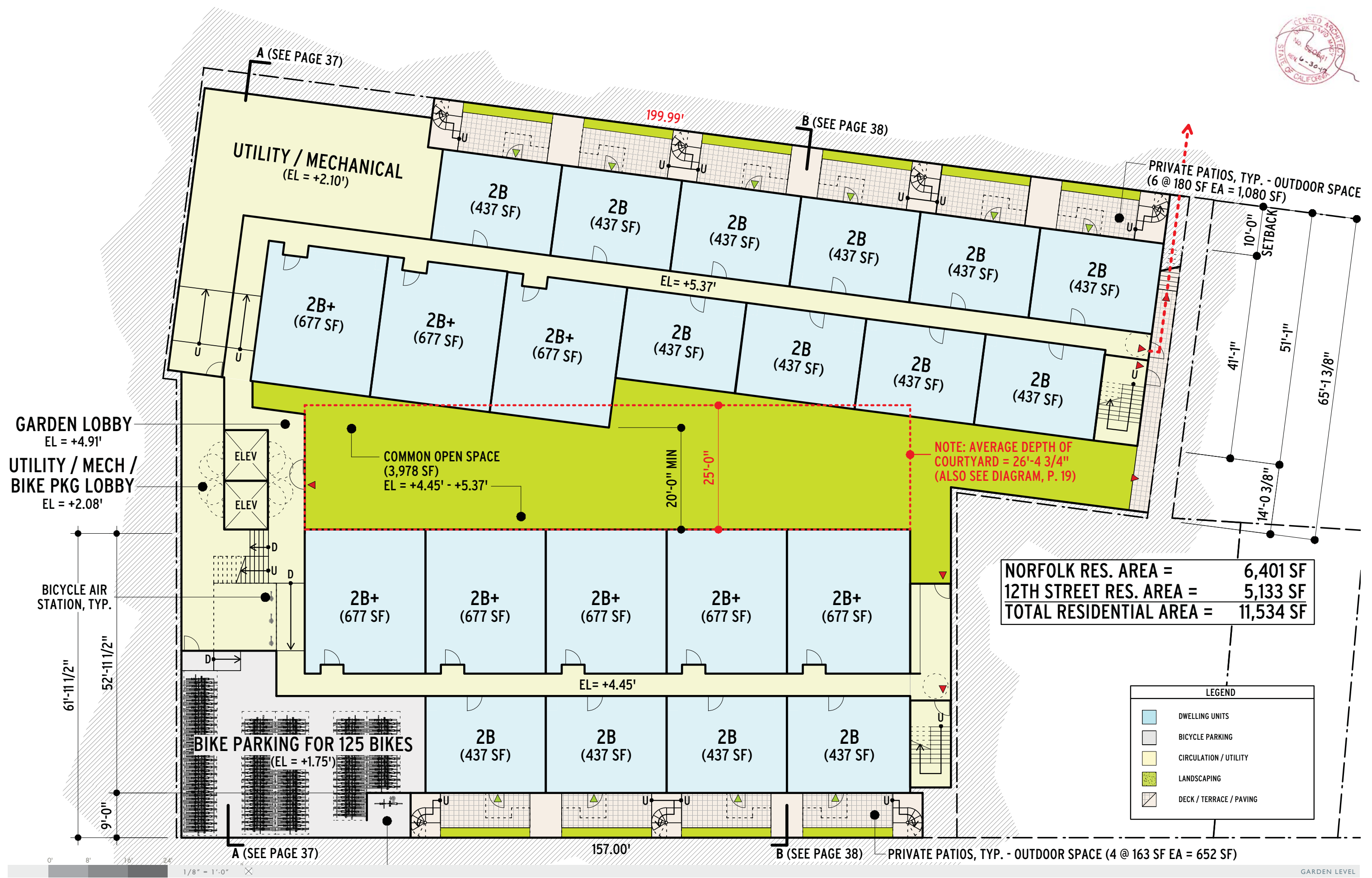


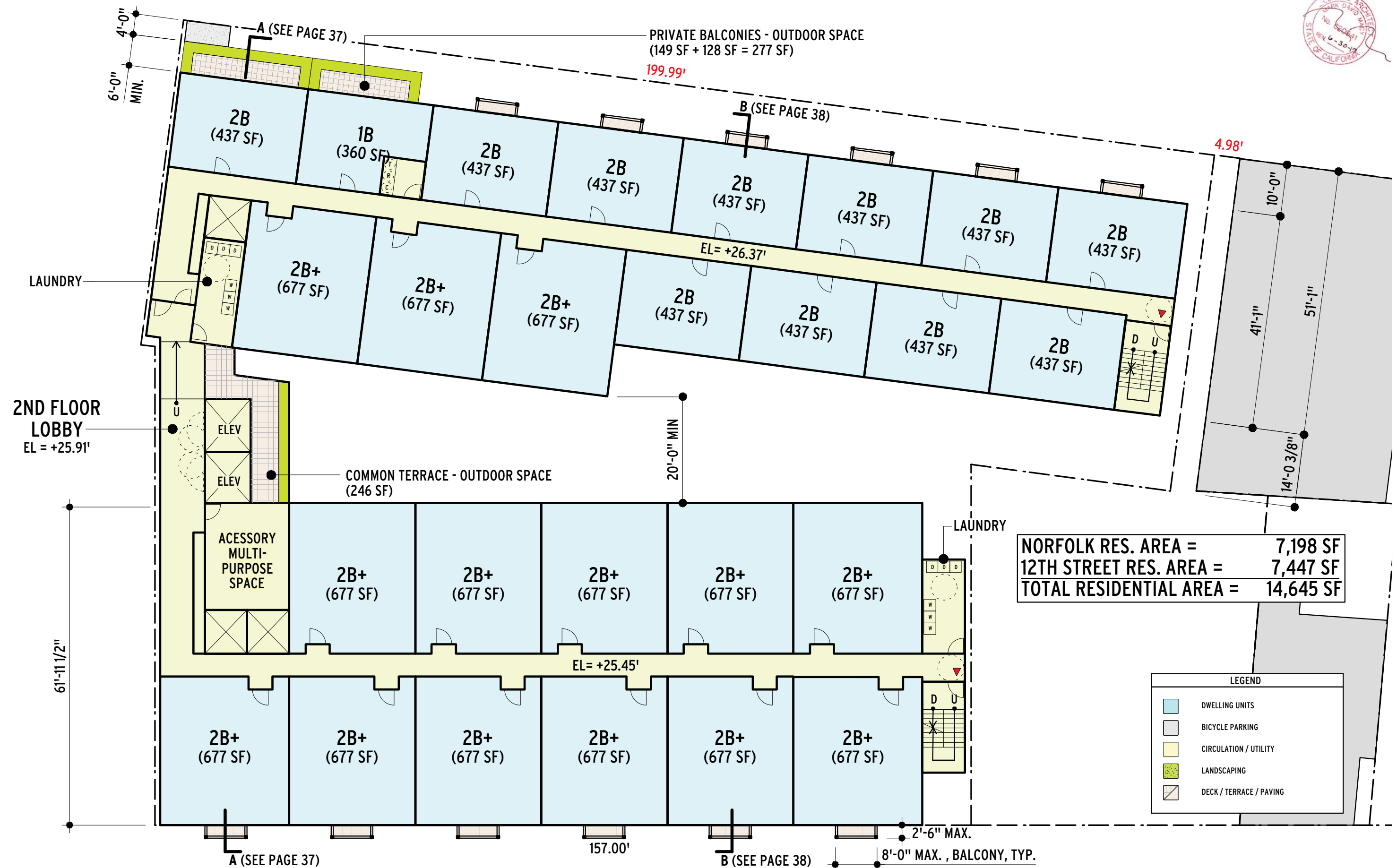
<p>THE LOT MERGER RESTRICTION WOULD ELIMINATE 32 UNITS TOTAL</p> <p>LOT LINE IF 12TH ST FRONTAGE REDUCED TO < 100'</p> <p>PROPOSED DWELLING UNITS, TYP.</p> <p>PROPOSED LOT LINE, TYP.</p> <p>ORIGINAL LOT LINE</p> <p>WAIVER #1 WAIVE LOT MERGER RESTRICTION 121.7 BECAUSE INABILITY TO MERGE LOTS WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY</p>	<p>THE REAR YARD REQUIREMENT WOULD ELIMINATE 108 UNITS TOTAL</p> <p>CODE-COMPLIANT REAR YARD = 6,380 SF (25% OF LOT AREA)</p> <p>PROPOSED OUTDOOR AREA AT GRADE = 3,978 SF</p> <p>WAIVER #2 WAIVE REAR YARD REQUIREMENT PER SEC. 134(a)(1) BECAUSE CODE-COMPLIANT REAR YARD WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY</p> <p>THE MINIMUM COURTYARD WIDTH REQUIREMENT WOULD ELIMINATE EITHER 20 UNITS AT NORFOLK (12 OF WHICH ACTIVATE THE STREET) OR 32 UNITS AT THE COURTYARD</p> <p>10'-0" SETBACK AT GARDEN LEVEL, 1ST & 2ND FLOORS, ALLOWS FOR WALK-DOWN UNITS W/ PRIVATE OUTDOOR SPACE AND INCREASED STREET ACTIVATION ON NORFOLK</p> <p>PROPOSED OUTDOOR AREA AT GRADE = 3,978 SF</p> <p>NOTES:</p> <ul style="list-style-type: none">AVERAGE DEPTH OF COURTYARD = 26'-4 3/4"ONLY 3% OF AREA DEFINED BY A 25'-0" WIDE COURTYARD IS ENCRACHED UPON BY BUILDING <p>WAIVER #2 WAIVE REAR YARD REQUIREMENT PER SEC. 134(a)(1) BECAUSE CODE-COMPLIANT REAR YARD WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY</p>		
<p>WAIVER #1: LOT MERGER</p>	<p>WAIVER #2: WAIVE REAR YARD & MINIMUM COURTYARD DEPTH</p>		
<p>OPEN SPACE REQUIREMENTS WOULD ELIMINATE 116 UNITS TOTAL</p> <p>CODE-COMPLIANT USABLE OPEN SPACE IF AT GRADE & NOT ON ROOF = 16,000 SF (80 SF PER DU REQ'D. PER SFPD SEC. 135)</p> <p>PROPOSED OUTDOOR AREA AT GRADE = 3,978 SF</p> <p>WAIVER #3 NOTES:</p> <ol style="list-style-type: none">TOTAL PROPOSED OUTDOOR AREAS = 11, 840 SFCODE COMPLIANT BALCONY OPEN SPACE NOT POSSIBLE AT STREET FRONTS OR AT COURTYARDCODE-COMPLIANT ROOF DECK USABLE OPEN SPACE ALSO NOT POSSIBLE <p>WAIVER #3 WAIVE USABLE OPEN SPACE REQUIREMENTS & RESTRICTIONS PER SEC. 135(f)(C) & SEC. 823 BECAUSE PROVIDING CODE-COMPLIANT USABLE OPEN SPACE AT GRADE WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY</p>	<p>OPEN SPACE REQUIREMENTS WOULD ELIMINATE 131 UNITS TOTAL</p> <p>DASHED LINE = CODE-COMPLIANT BUILDING ENVELOPE AT EACH SUCCESSIVE STORY FROM GARDEN LEVEL TO ROOF</p> <p>WAIVER #4 WAIVE DWELLING UNIT EXPOSURE REQUIREMENTS & RESTRICTIONS PER SEC. 140 BECAUSE PROVIDING CODE-COMPLIANT DWELLING UNIT EXPOSURE WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY</p>	<p>BUILDING HEIGHT REQUIREMENTS WOULD ELIMINATE 52 UNITS TOTAL</p> <p>35% ADDITIONAL DWELLING UNIT DENSITY PER FLOOR DOES NOT FIT ON THE SITE WITHIN THE CODE-COMPLIANT BUILDING HEIGHT LIMIT</p> <p>PROPOSED DWELLING UNITS PER FLOOR, TYP.</p> <p>WAIVER #5 WAIVE BUILDING HEIGHT REQUIREMENT FROM 55'-X & 55'/65'-X TO APPROXIMATELY 80'-0" BECAUSE A CODE-COMPLIANT BUILDING HEIGHT WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY</p>	<p>OFF-STREET LOADING REQUIREMENT WOULD ELIMINATE 4 UNITS TOTAL (AT GARDEN & 1ST FLOOR LEVELS)</p> <p>AREA OF OFF-STREET LOADING SPACE</p> <p>WAIVER #6 WAIVE OFF-STREET FREIGHT LOADING SPACE REQUIREMENT PER. SEC 152.1 BECAUSE PROVIDING CODE-COMPLIANT OFF-STREET LOADING SPACE WOULD PRECLUDE THE DEVELOPMENT OF A 35% INCREASE IN DWELLING UNIT DENSITY.</p>
<p>WAIVER #3: OPEN SPACE</p>	<p>WAIVER #4 UNIT EXPOSURE</p>	<p>WAIVER #5: BUILDING HEIGHT</p>	<p>WAIVER #6: OFF-STREET LOADING</p>

DENSITY BONUS WAIVER DIAGRAMS



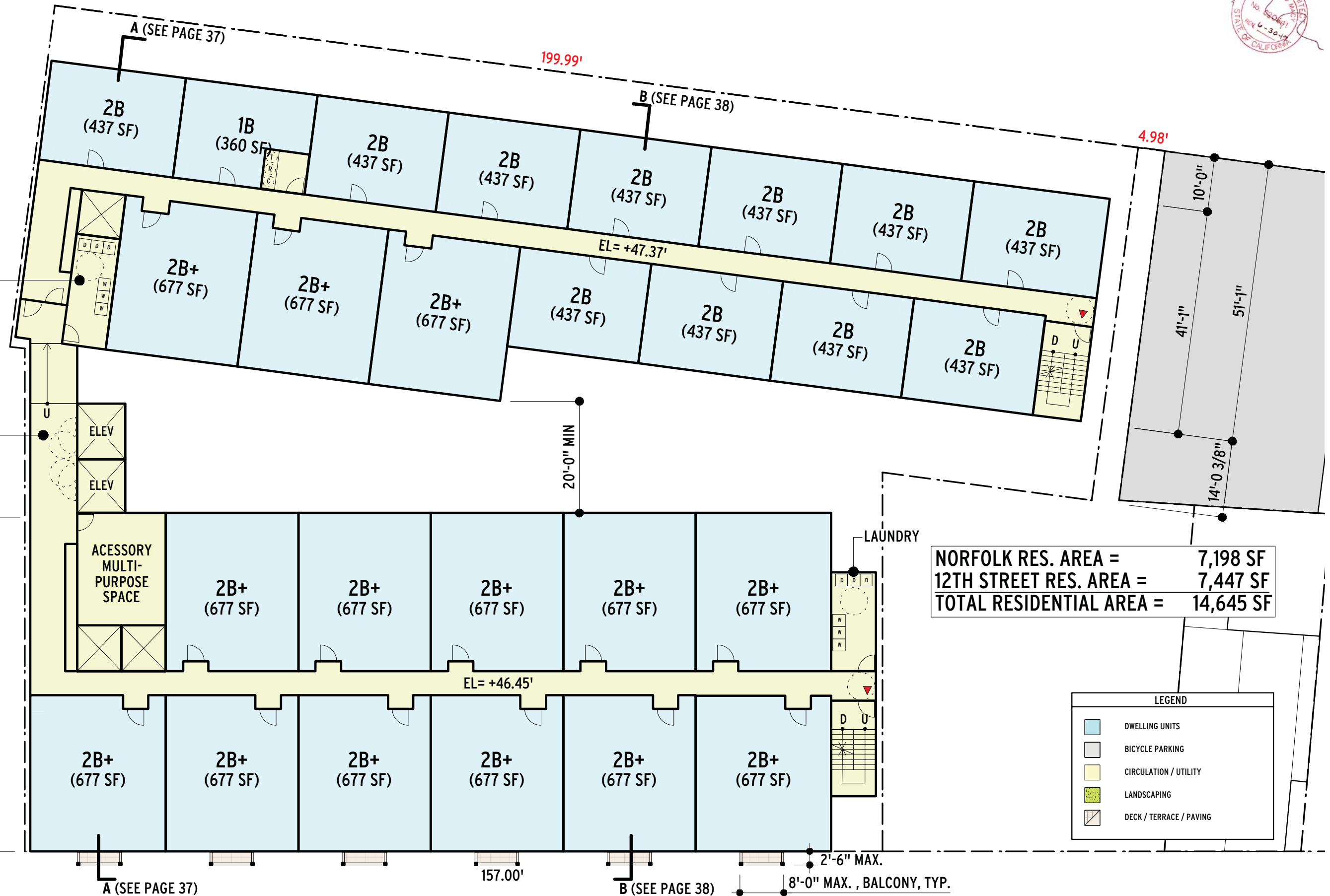
GROSS FLOOR AREA AND OUTDOOR SPACE DIAGRAMS

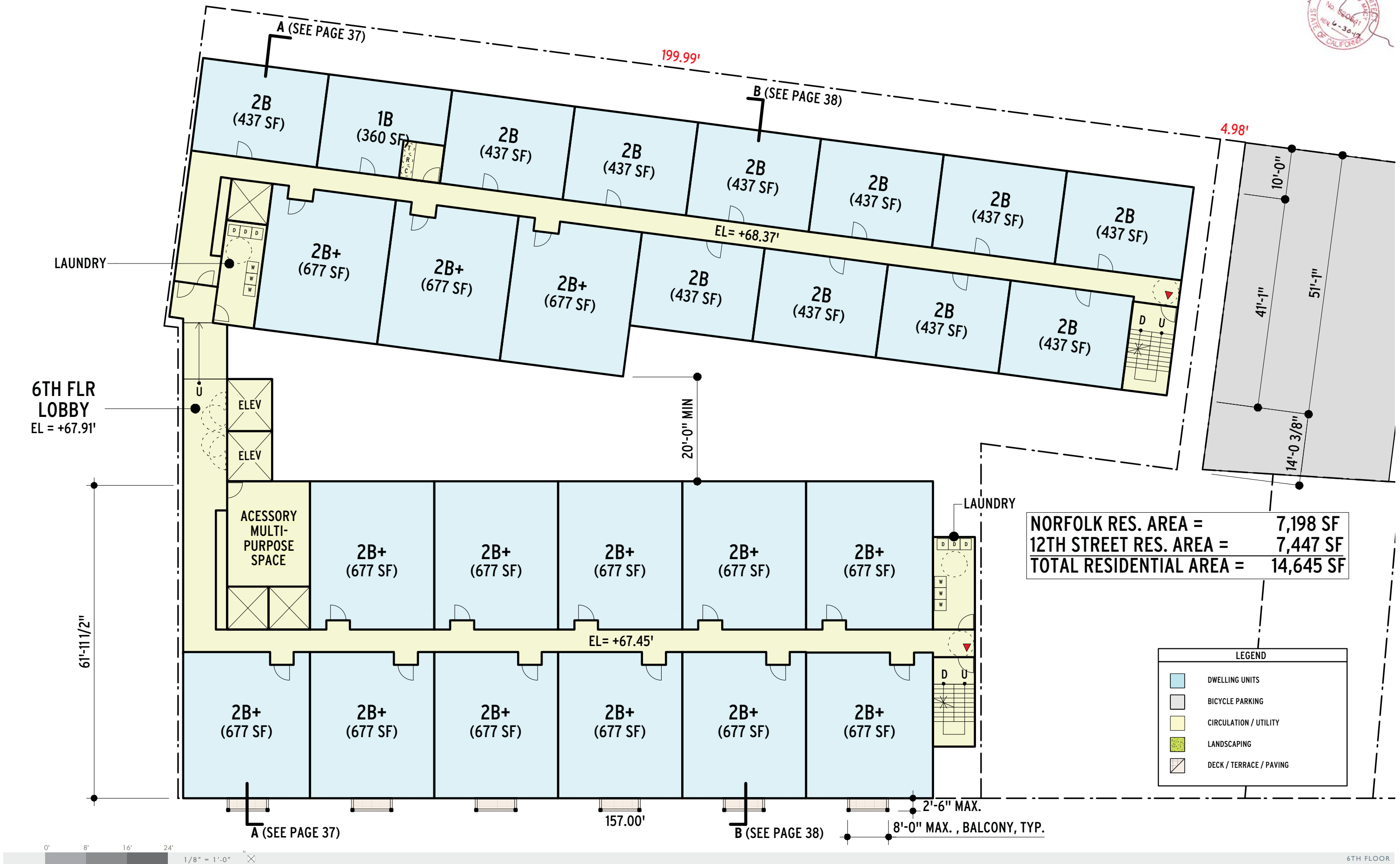


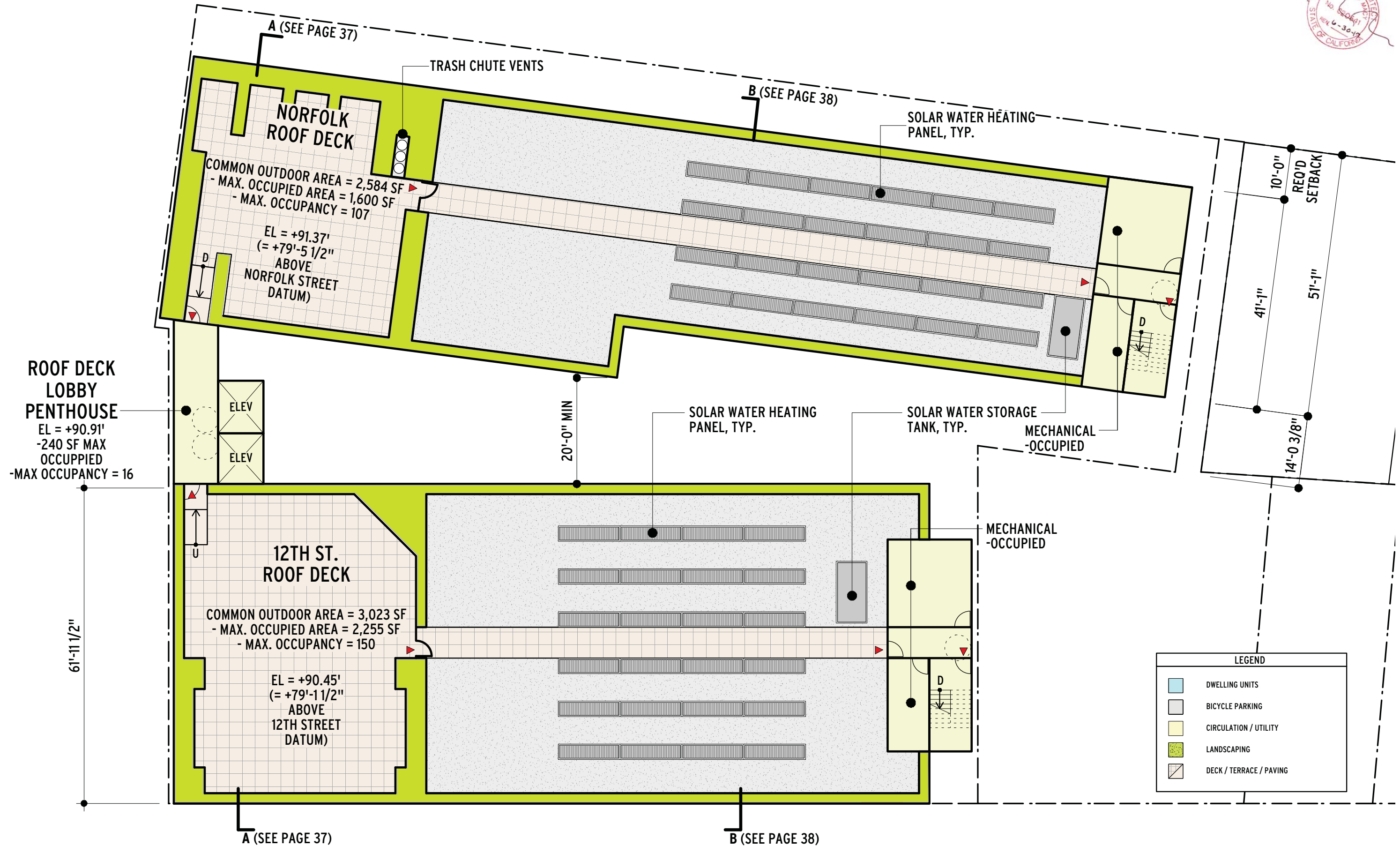


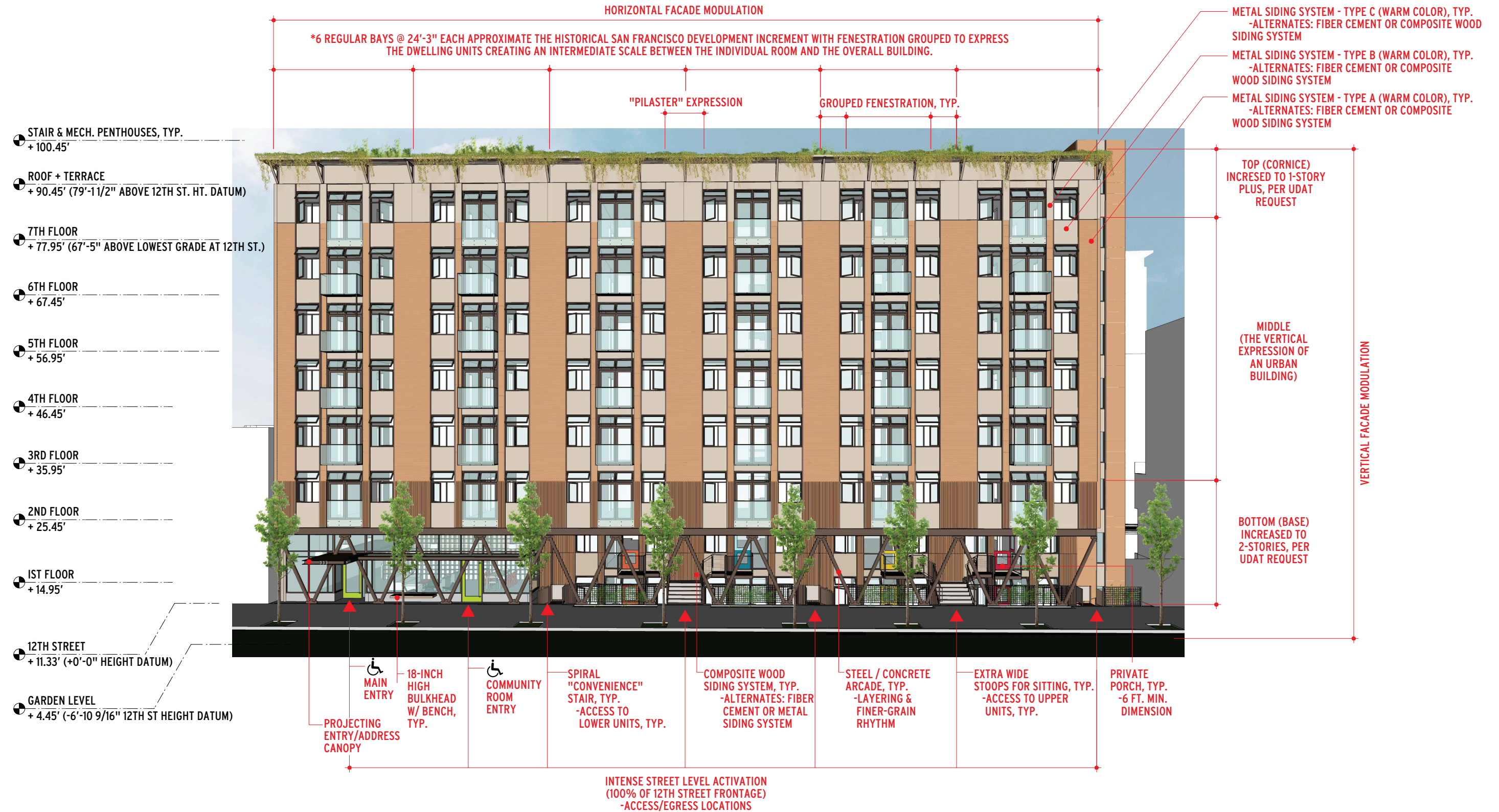
NORFOLK RES. AREA =	7,198 SF
12TH STREET RES. AREA =	7,447 SF
TOTAL RESIDENTIAL AREA =	14,645 SF

LEGEND	
	DWELLING UNITS
	BICYCLE PARKING
	CIRCULATION / UTILITY
	LANDSCAPING
	DECK / TERRACE / PAVING

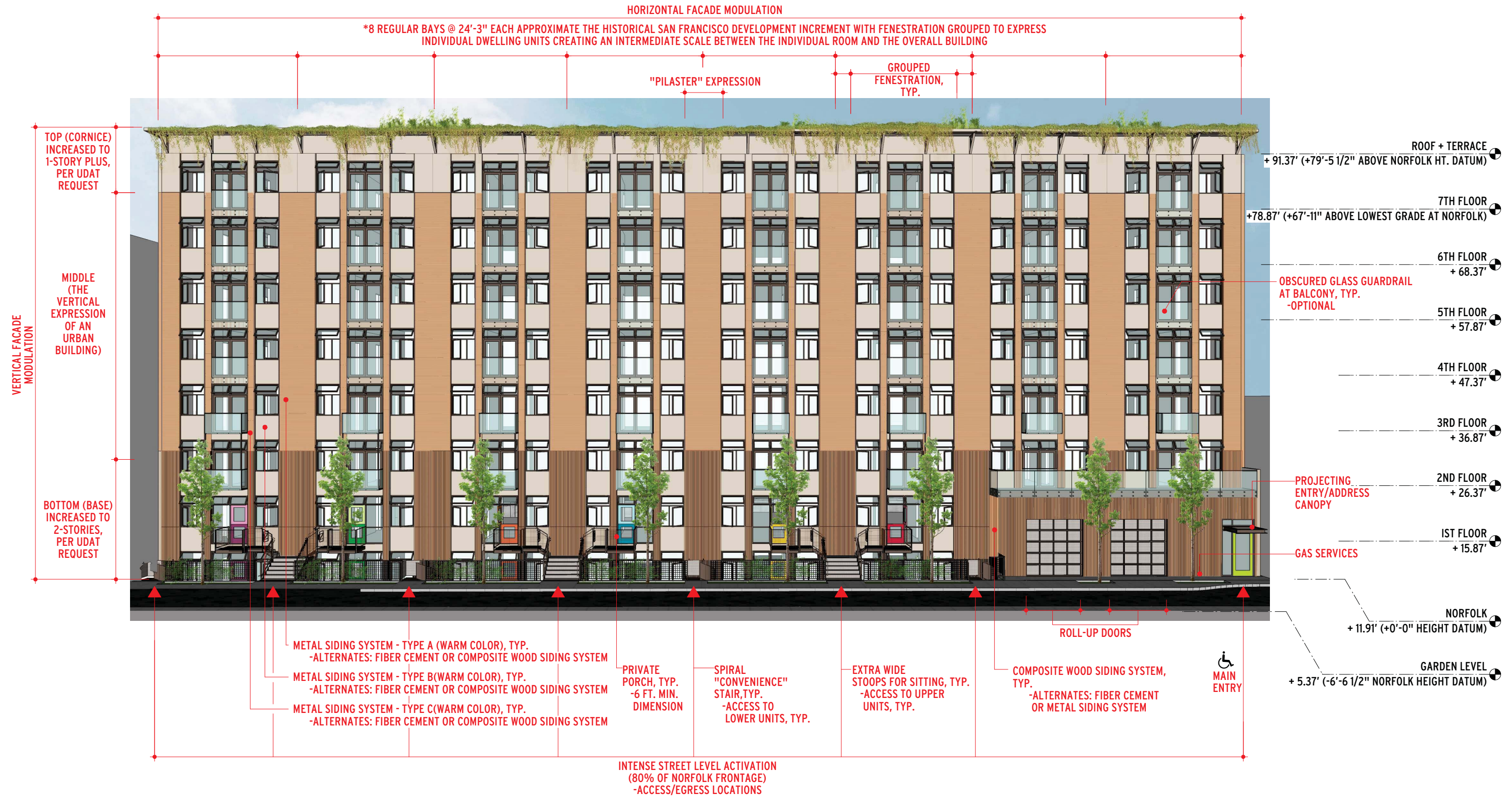


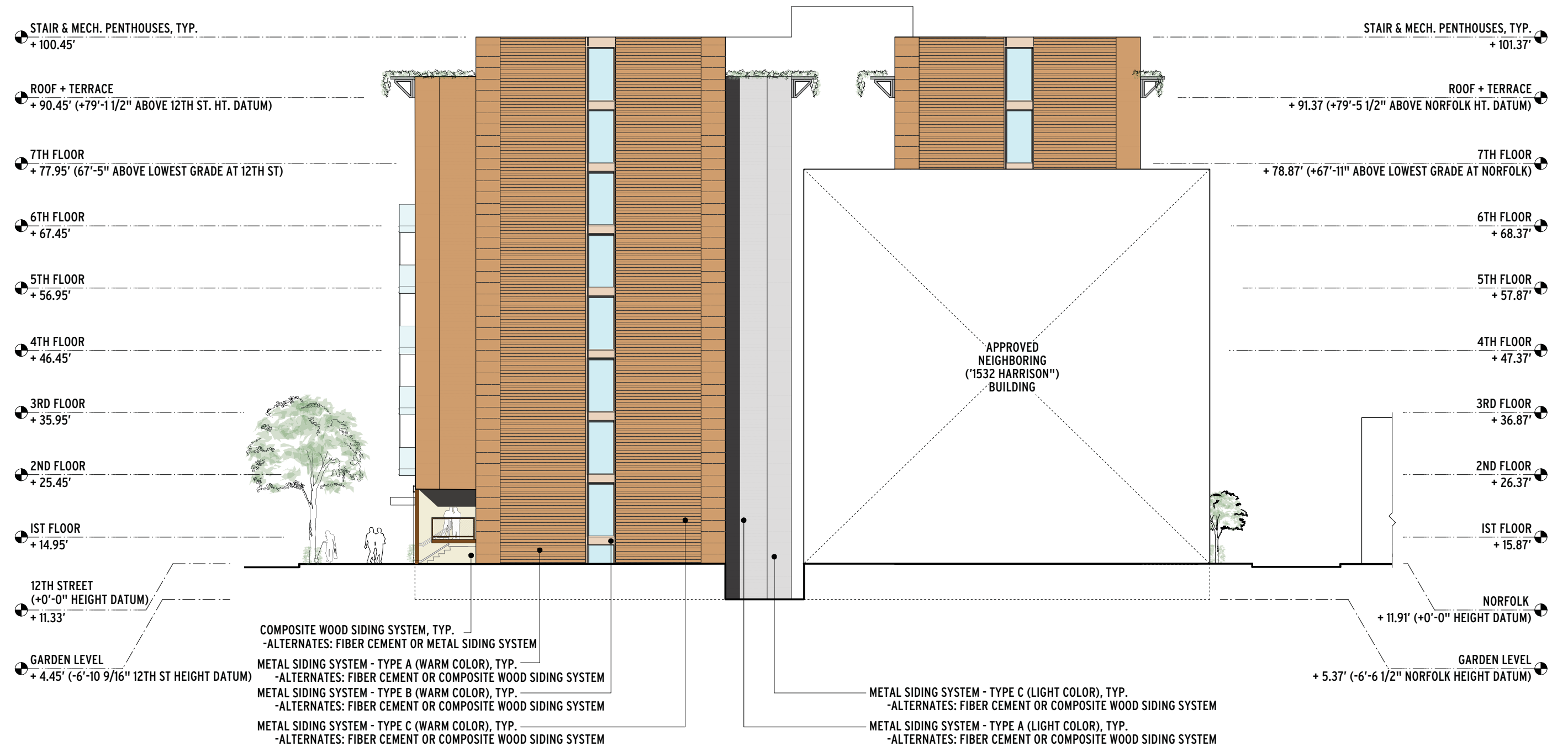


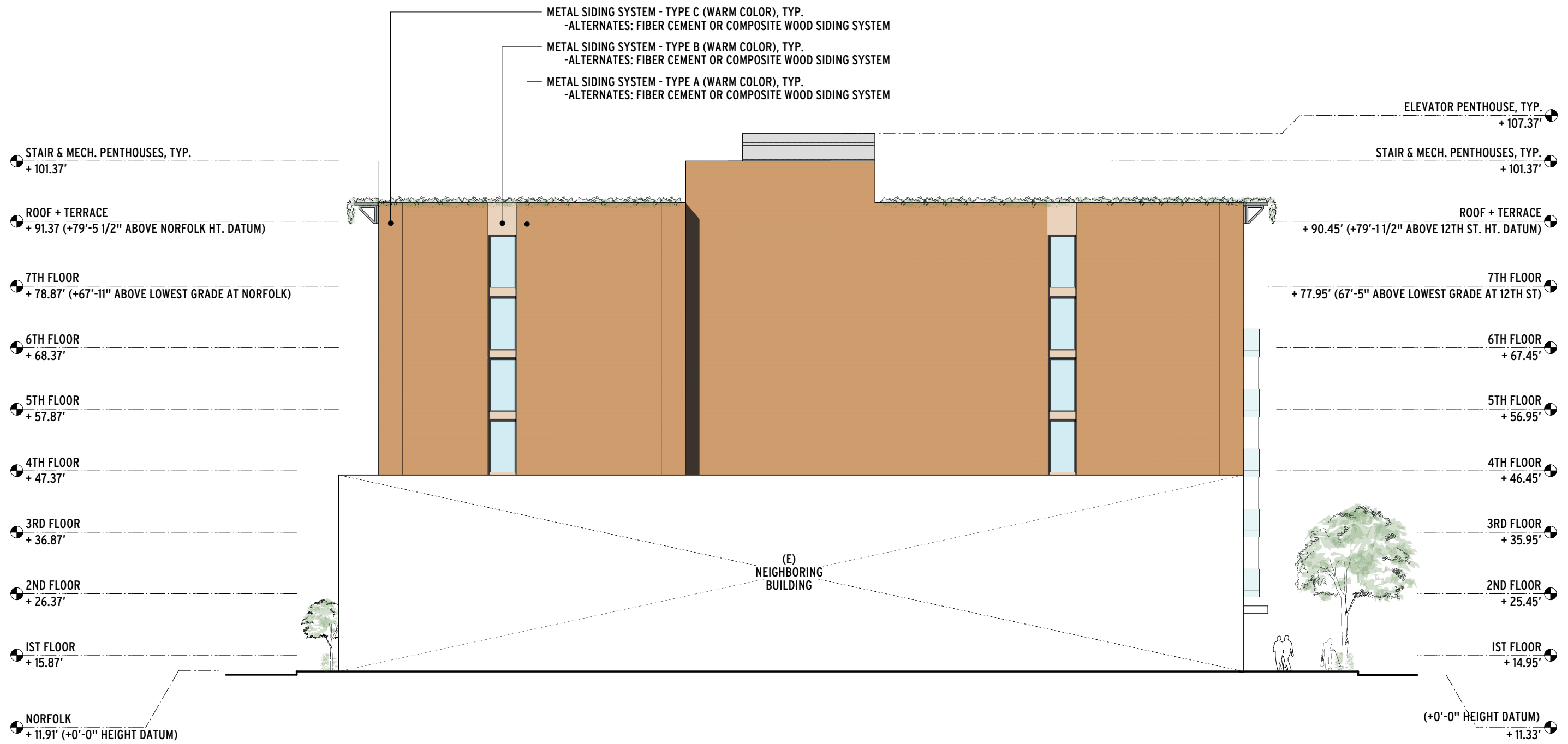




12TH STREET ELEVATION (WEST)







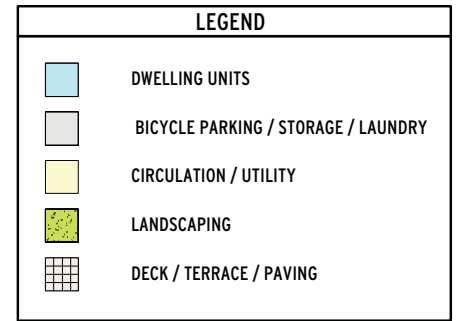


0' 8' 16' 24'
1/8" = 1'-0"

EAST ELEVATION AT REAR YARD

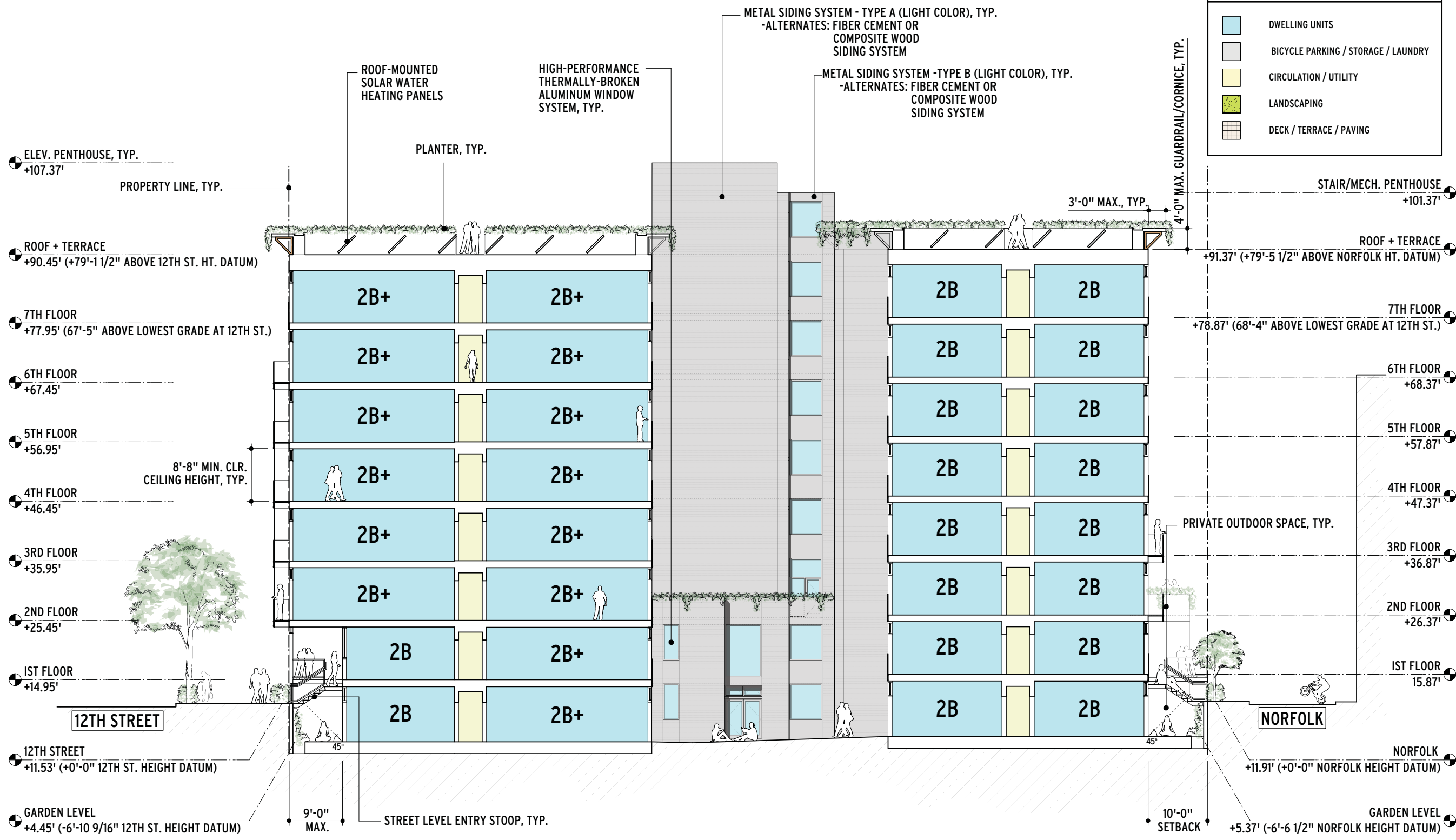


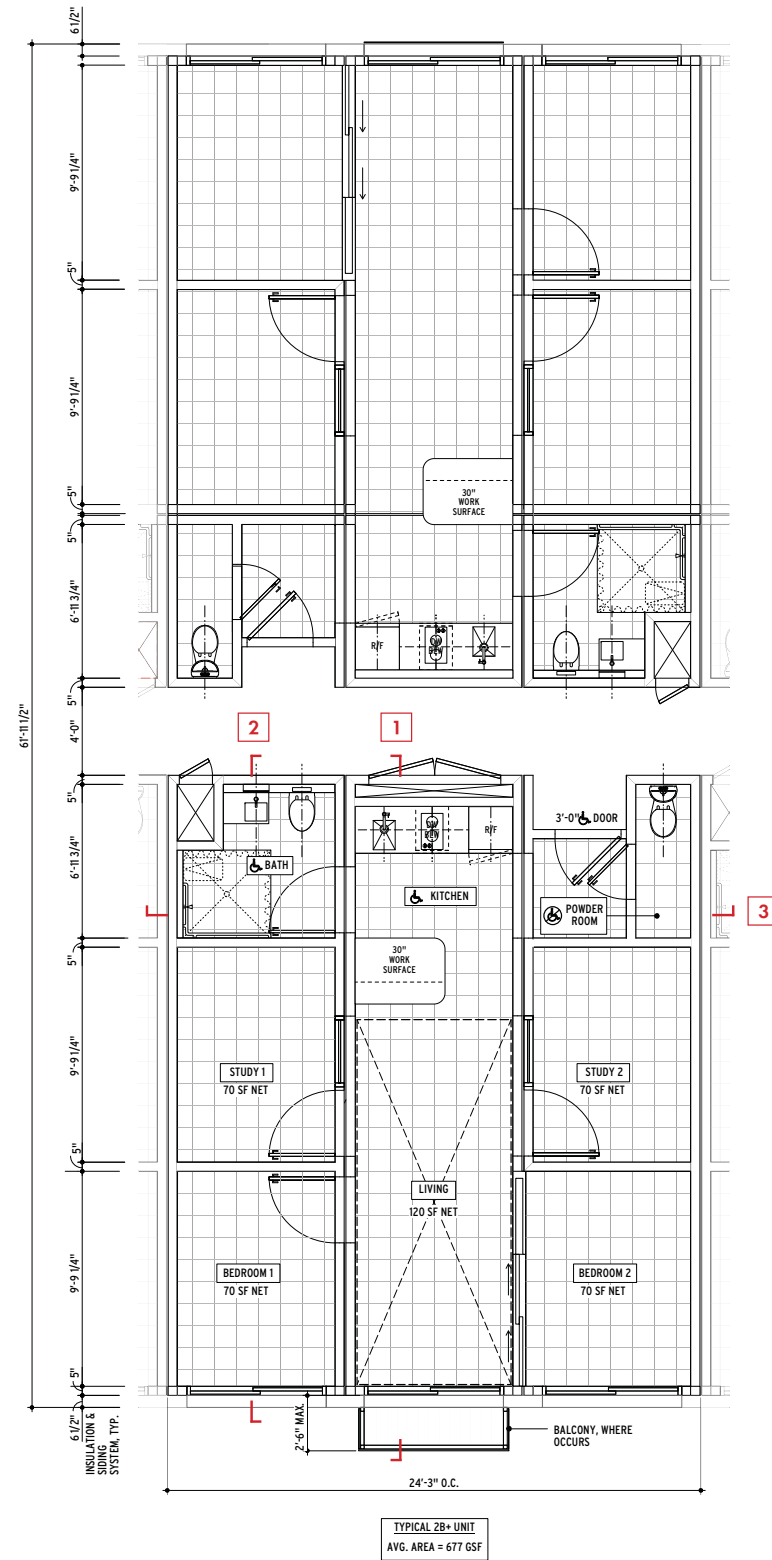
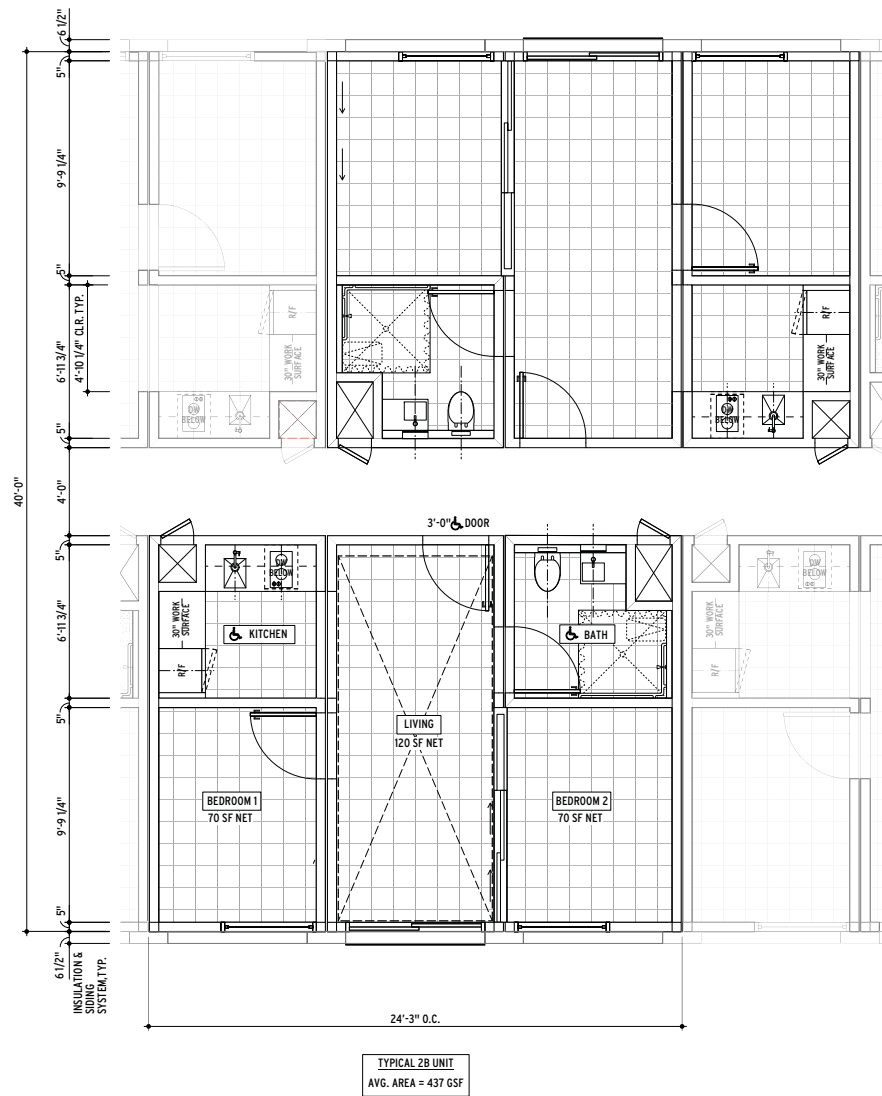
WEST ELEVATION AT REAR YARD





LEGEND	
	DWELLING UNITS
	BICYCLE PARKING / STORAGE / LAUNDRY
	CIRCULATION / UTILITY
	LANDSCAPING
	DECK / TERRACE / PAVING





1

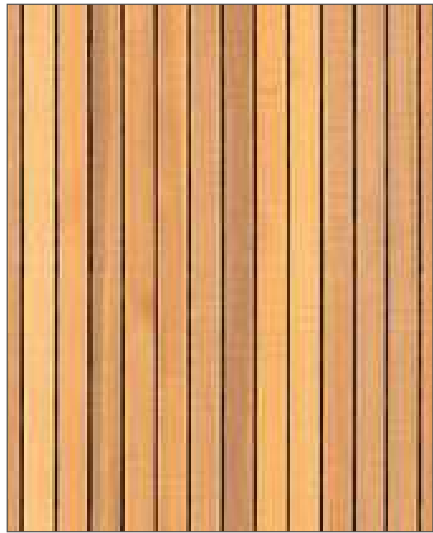


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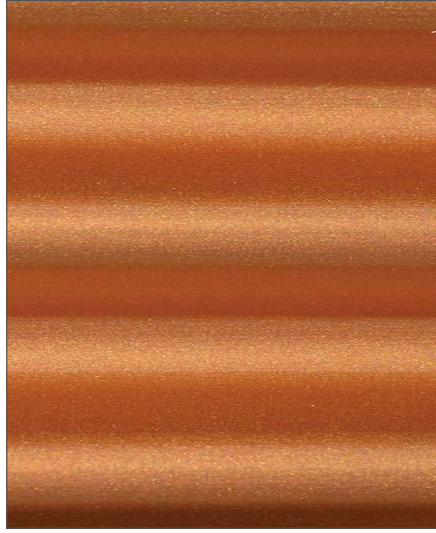


3

TYPICAL UNIT PLANS & REPRESENTATIVE SECTIONAL PERSPECTIVE VIEWS OF INTERIORS



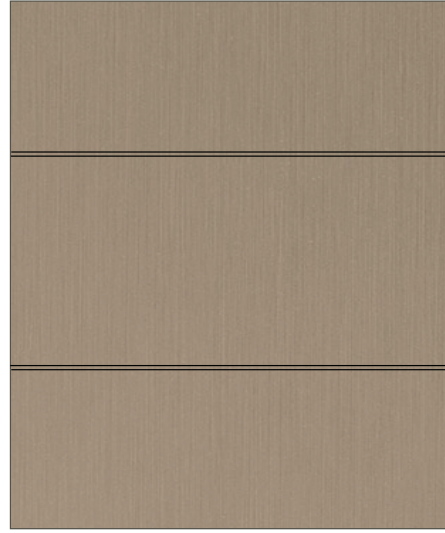
1 COMPOSITE WOOD SIDING



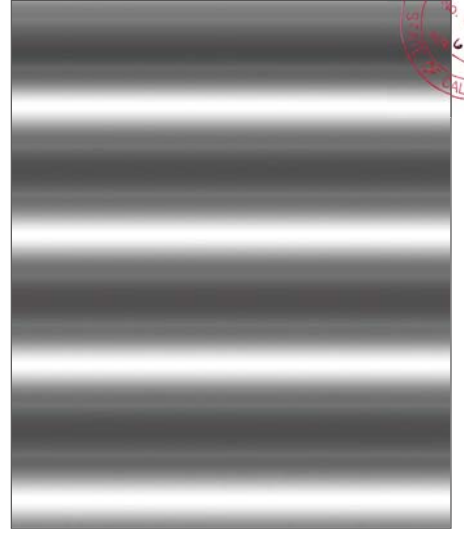
2 METAL SIDING SYSTEM TYPE A
(WARM COLOR)



3 METAL SIDING SYTEM TYPE B
(WARM COLOR)



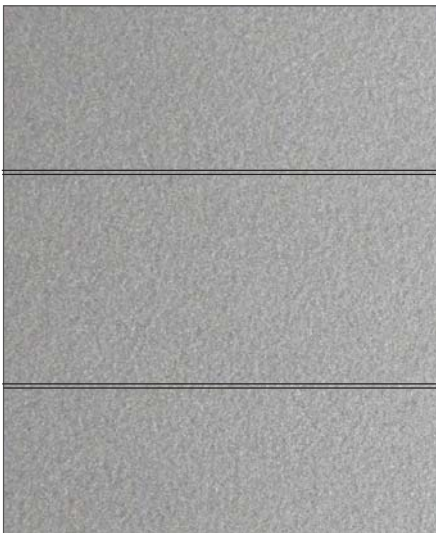
4 METAL SIDING SYTEM TYPE C
(WARM COLOR)



5 METAL SIDING SYTE TYPE A
(LIGHT COLOR)



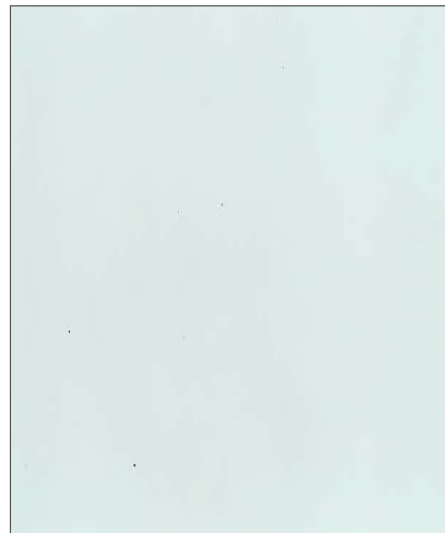
6 METAL SIDING SYTEM TYPE B
(LIGHT COLOR)



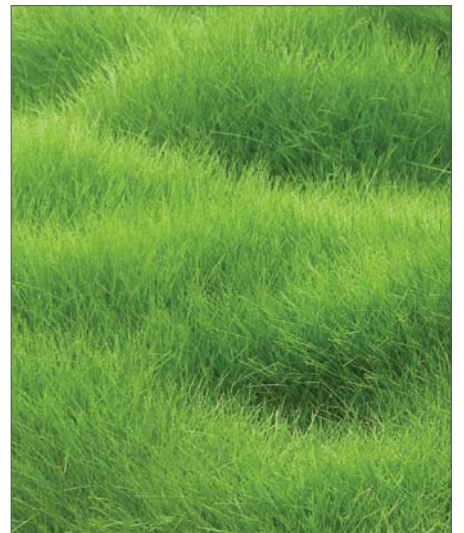
7 METAL SIDING SYTEM TYPE C
(LIGHT COLOR)



8 PAINTED STEEL / WINDOW SASH



9 OBSCURED GLASS GUARDRAIL



10 GREENERY



MATERIALS PALETTE

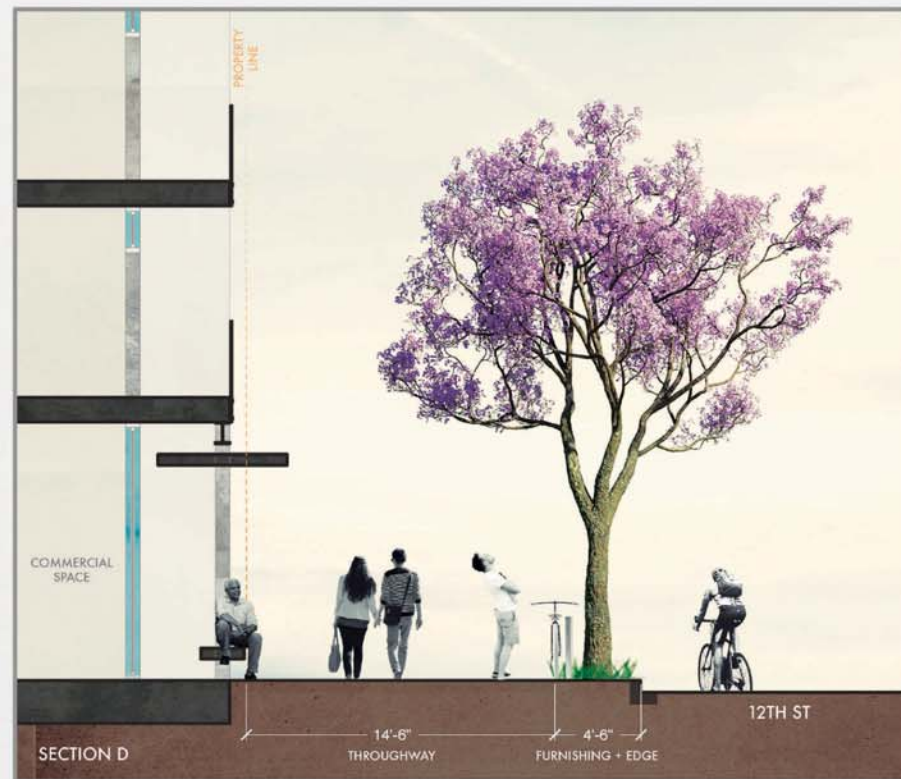
APPENDIX I: PROPOSED
LANDSCAPE DESIGN



KEY PLAN



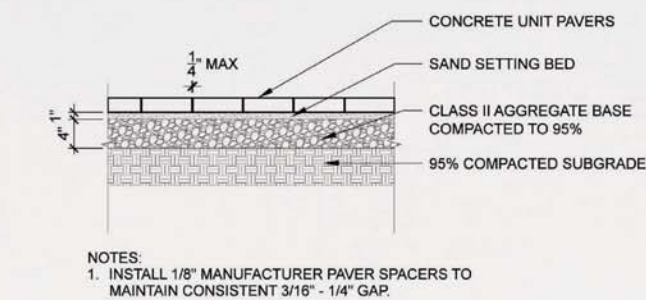
SIDEWALK PAVING



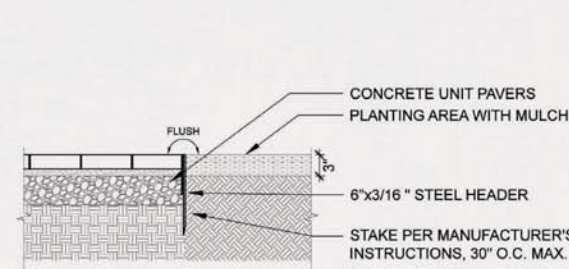
SLIP RESISTANCE TEST REPORT FOR UNIT PAVER



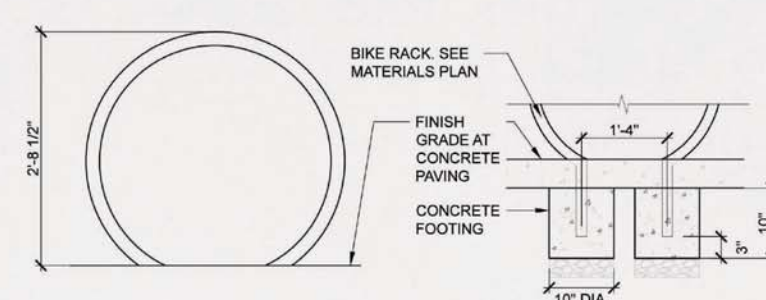
BIKE RACK



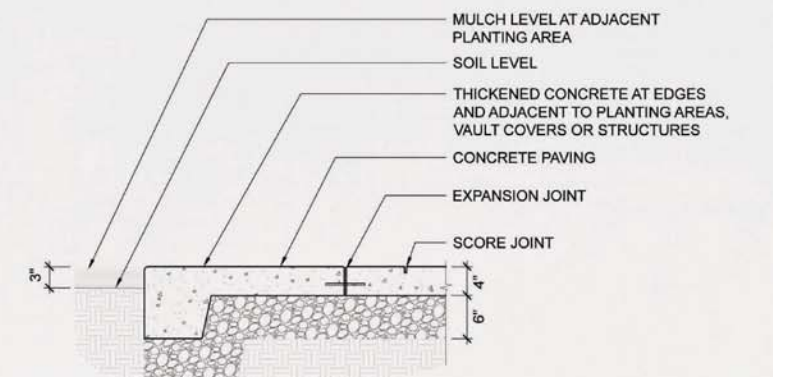
1 CONCRETE UNIT PAVERS



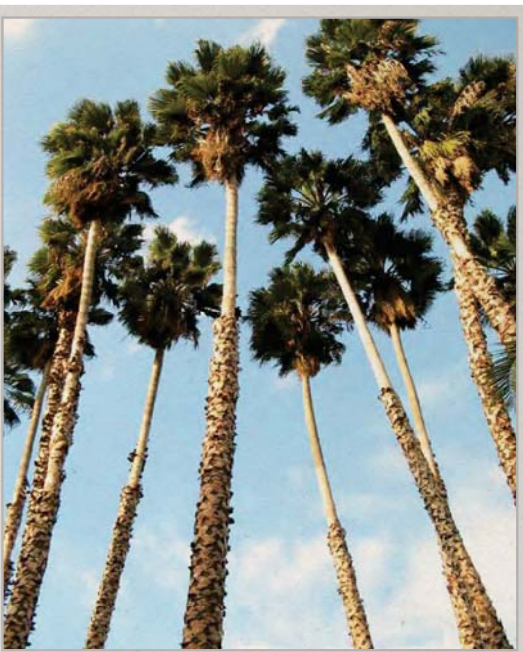
2 METAL EDGING AT CONCRETE UNIT PAVERS



3 BIKE RACK



4 CONCRETE SIDEWALK PAVING



WASHINGTONIA ROBUSTA
MEXICAN FAN PALM



HEUCHERA SPP.
ISLAND ALUM ROOT



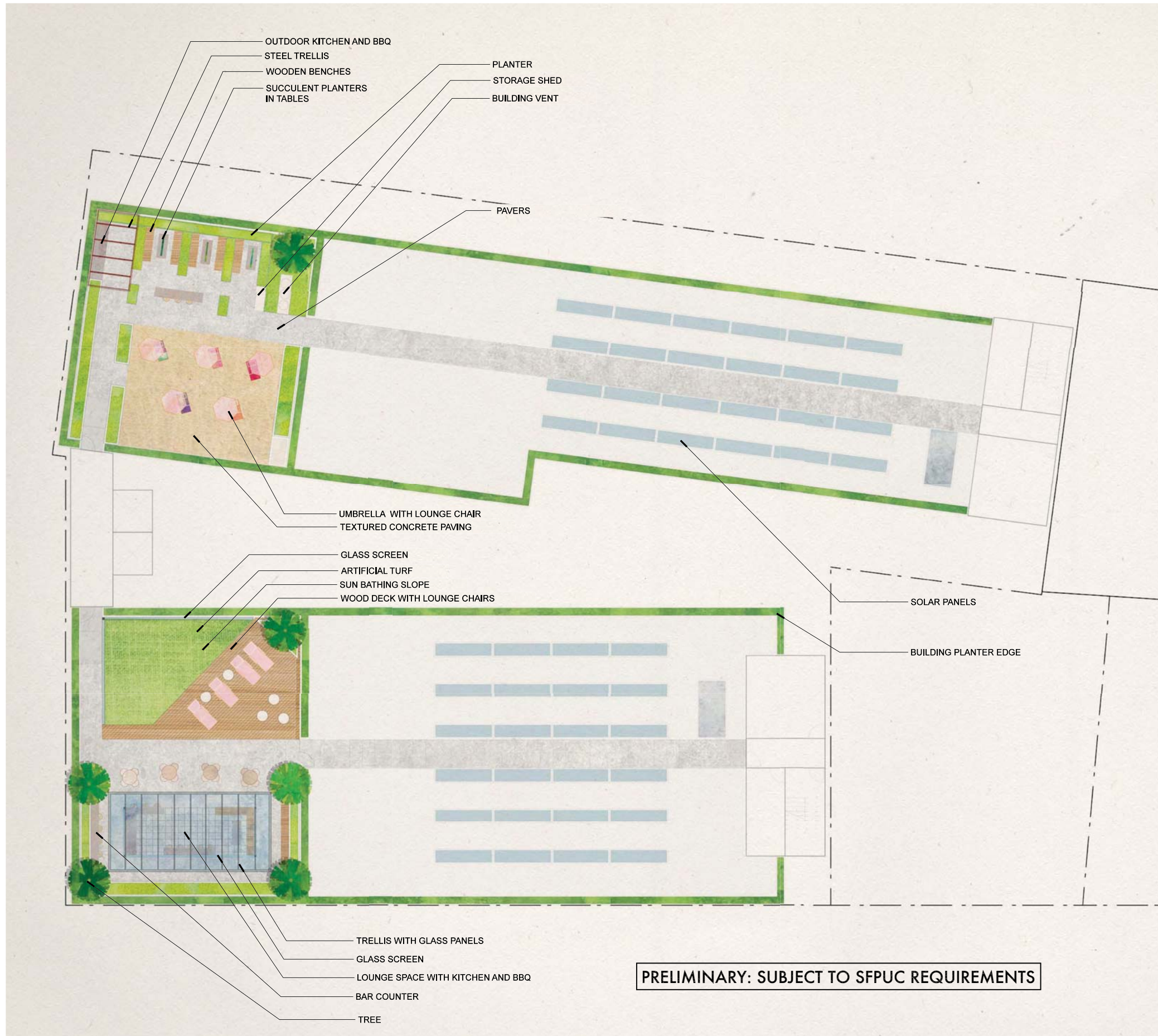
NEPHROLEPIS CORDIFOLIA
SOUTHERN SWORD FERN



IRIS DOUGLASIANA
DOUGLAS IRIS



LIRIOPE SPICATA SILVER DRAGON
SILVER DRAGON LILY TURF



OLEA EUROPAEA SWAN HILL
OLIVE



AGAVE ATTENUATA
FOXTAIL AGAVE



AEONIUM SPP.
AEONIUM



BULBINELLA FLORIBUNDA
CAT'S TAIL



SENECIO MANDRALISCAE
BLUE CHALK STICK

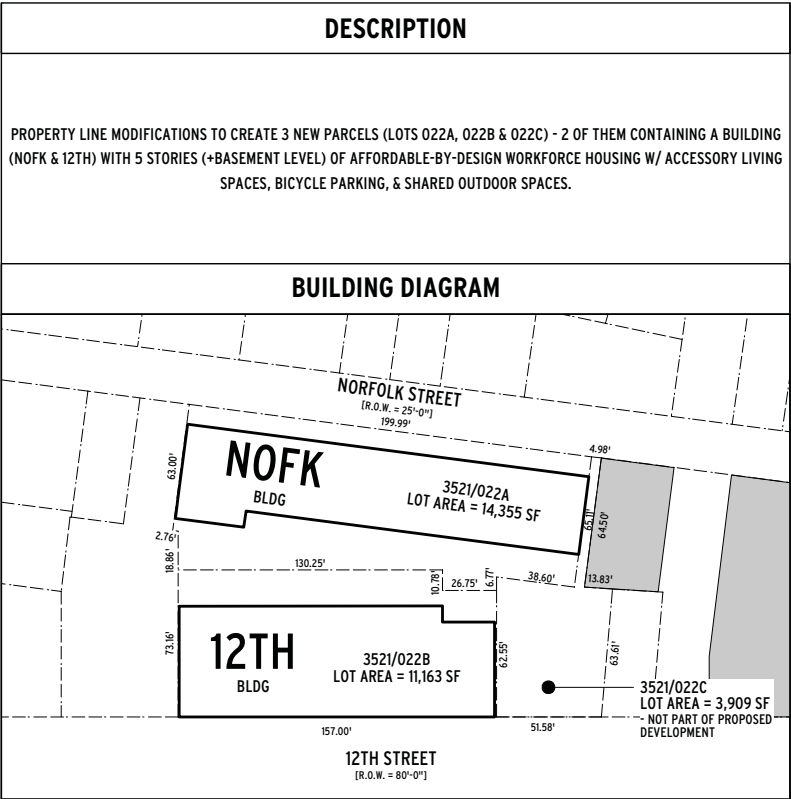


LOTUS BERTHELOTII
PAROT'S BEAK

0' 10' 20' 30'
1" = 10'



APPENDIX 2: BASE PROJECT



PLANNING DATA	
EXISTING ASSESSOR PARCELS:	3521/022 & 3521/055
PROPOSED ACCESSOR PARCELS:	3521/022A & 3521/022B (3521/022C - NOT IN PROJECT)
ZONING:	WMUG (WESTERN SOMA S.U.D.)
HEIGHT & BULK DISTRICT:	55/65-X & 55-X
EXISTING LOT AREAS:	22,787 SF & 6,637 SF = 29,424 SF (0.675 AC)
PROPOSED PROJECT LOT AREAS:	14,355 SF + 11,163 SF = 25,518 SF (0.586 AC)
REAR YARD:	7,051 SF PROVIDED (6,380 SF; 25% REQ'D)
GROSS SQUARE FEET OF CONSTRUCTION:	52,673 SF + 49,392 SF = 102,065 SF TOTAL
GROSS FLOOR AREA (PER SFPC SEC.102.9):	98,042 SF TOTAL
RESIDENTIAL GROSS FLOOR AREA (PER SFPC SEC.102.9):	82,176 SF TOTAL
DWELLING UNITS:	80 + 68 = 148 TOTAL (253 DU/AC)
AVG. UNIT SIZE:	555 SF
BMR:	21 UNITS (14.5% REQ'D)
BEDS:	292
USABLE OPEN SPACE:	6,400 SF + 5,605 SF = 12,005 SF PROVIDED (11,840 SF REQ'D) - 80 DU @ 80 SF/DU = 6,400 SF REQ'D (6,400 PROVIDED) - 68 DU @ 80 SF/DU = 5,440 SF REQ'D (5,605 PROVIDED)
BICYCLE PARKING:	80 + 68 = 148 TOTAL SPACES - RESIDENTIAL CLASS I (112 REQ'D) - PLUS (8) RESIDENTIAL CLASS II (7) REQ'D
AUTOMOBILE PARKING:	0 SPACES - 0 REQ'D; 0.25/DU PERMITTED (UP TO .75/DU VIA C.U.)
CARSHARE:	0 SPACES (0 REQ'D, PER SFPC SEC. 166(d)(1))
OFF-STREET LOADING:	0 SPACES (0 REQ'D, PER SFPC TABLE 152.1) - SINCE RESIDENTIAL GFA < 100,001 SF
BETTER STREETS IMPROVEMENTS:	REQ'D. PER SFPC SEC. 138.1
BUILDING DATA	
STORIES:	5 + BASEMENT
CONSTRUCTION TYPE:	TYPE IB THROUGHOUT -FULLY SPRINKLERED
BUILDING HEIGHT:	55'-0"
BUILDING USE:	HOUSING (W/ ACCESSORY USES)
OCCUPANCY TYPE(S):	R2, U, S2

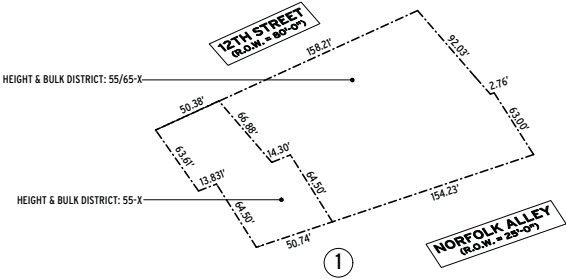
AREA SUMMARY																		
LEVEL	G		1		2		3		4		5		R		TOTAL			
BUILDING	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK + 12TH	TOTAL GFA*
RESIDENTIAL	7,074	5,622	6,514	5,428	8,383	7,212	6,769	7,212	6,769	7,212	6,769	7,212	0	0	42,278	39,898	82,176	82,176
BICYCLE PARKING	599	545	0	0	0	0	0	0	0	0	0	0	0	0	599	545	1,144	0
CIRCULATION / UTILITY	1,803	1,793	2,317	2,045	1,107	870	1,107	870	1,107	870	1,107	870	1,248	1,631	9,796	8,949	18,745	15,866
TOTAL	9,476	7,960	8,831	7,473	9,490	8,082	7,876	8,082	7,876	8,082	7,876	8,082	1,248	1,631	52,673	49,392	102,065	98,042

*GFA per San Francisco Planning Code Sec. 102.9

UNIT TYPE SUMMARY																		
LEVEL	G		1		2		3		4		5		R		TOTAL			
BUILDING	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK + 12TH	TOTAL GFA*
STUDIO (AVG=311 SF)	QTY	0	1	0	0	0	0	1	0	1	0	0	0	0	3	1	4	1,242
	SF	0	315	0	0	0	0	309	0	309	0	0	0	0	927	315	1,242	
2B (AVG=492 SF)	QTY	10	4	10	5	5	2	11	2	11	2	11	2	0	58	17	75	36,920
	SF	5,648	2,285	5,088	2,333	2,548	979	5,034	979	5,034	979	5,034	979	0	28,386	8,534	36,920	
2B+ (AVG=638 SF)	QTY	2	5	2	5	9	10	2	10	2	10	2	10	0	19	50	69	44,014
	SF	1,426	3,022	1,426	3,095	5,835	6,233	1,426	6,233	1,426	6,233	1,426	6,233	0	12,965	31,049	44,014	
TOTAL (AVG=555 SF)	QTY	12	10	12	10	14	12	14	12	14	12	14	12	0	80	68	148	
	SF	7,074	5,622	6,514	5,428	8,383	7,212	6,769	7,212	6,769	7,212	6,769	7,212	0	42,278	39,898	82,176	82,176

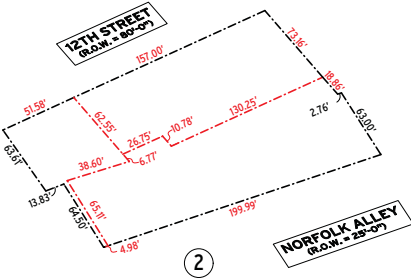
CODE-COMPLYING OPEN SPACE SUMMARY

LEVEL	G		1		2		3		4		5		R		TOTAL			
BUILDING	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK	12TH	NOFK + 12TH	
COMMON OPEN SPACE	4,259	2,627	0	0	0	0	0	0	0	0	0	0	0	0	4,259	2,627	6,886	
PRIVATE OPEN SPACE	328	453	480	545	528	495	640	495	0	495	0	495	0	0	1,976	2,978	4,954	
OPEN SPACE SUBTOTALS	4,587	3,080	480	545	528	495	640	495	0	495	0	495	0	0	6,235	5,605	11,840	
OPEN SPACE TOTALS	7,667		1,025		1,023		1,135		495		495		0		11,840			



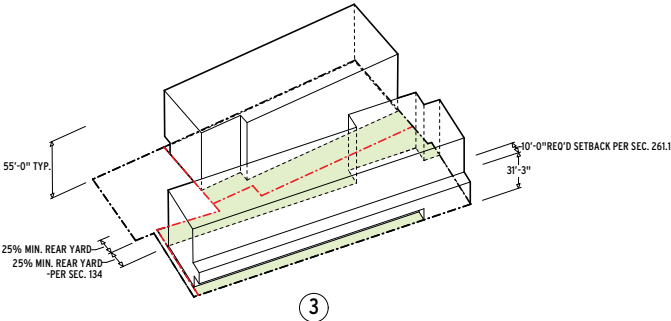
EXISTING LOT CONFIGURATION

- ZONING DISTRICT: WMUG (SEC. 844)
- SPECIAL USE DISTRICT: WESTERN SOMA (SEC. 823)



MODIFIED LOT CONFIGURATION

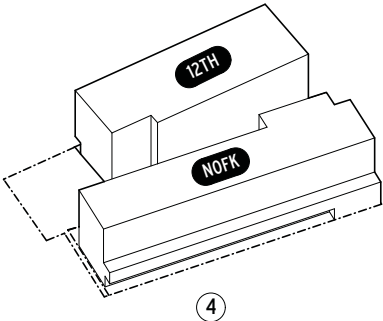
- ALLOWED PER PLANNING CODE SEC. 121.7 SINCE NORFOLK ALLEY IS NOT A STREET PER SECS. 102.1 & 102.25



ALLOWABLE BUILDING VOLUMES

- PER PLANNING CODE

- NO HORIZONTAL MASS REDUCTION REQ'D PER SFPC SEC. 207.1
- NO MID-BLOCK ALLEY REQ'D PER SFPC SEC. 207.2



"BASE SCENARIO" BUILDING

NOFK
(3) ST (4%)
(58) 2B (73%)
(19) 2B+ (23%)
(80) DU

+

12TH
(1) ST (1%)
(17) 2B (25%)
(50) 2B+ (74%)
(68) DU

=

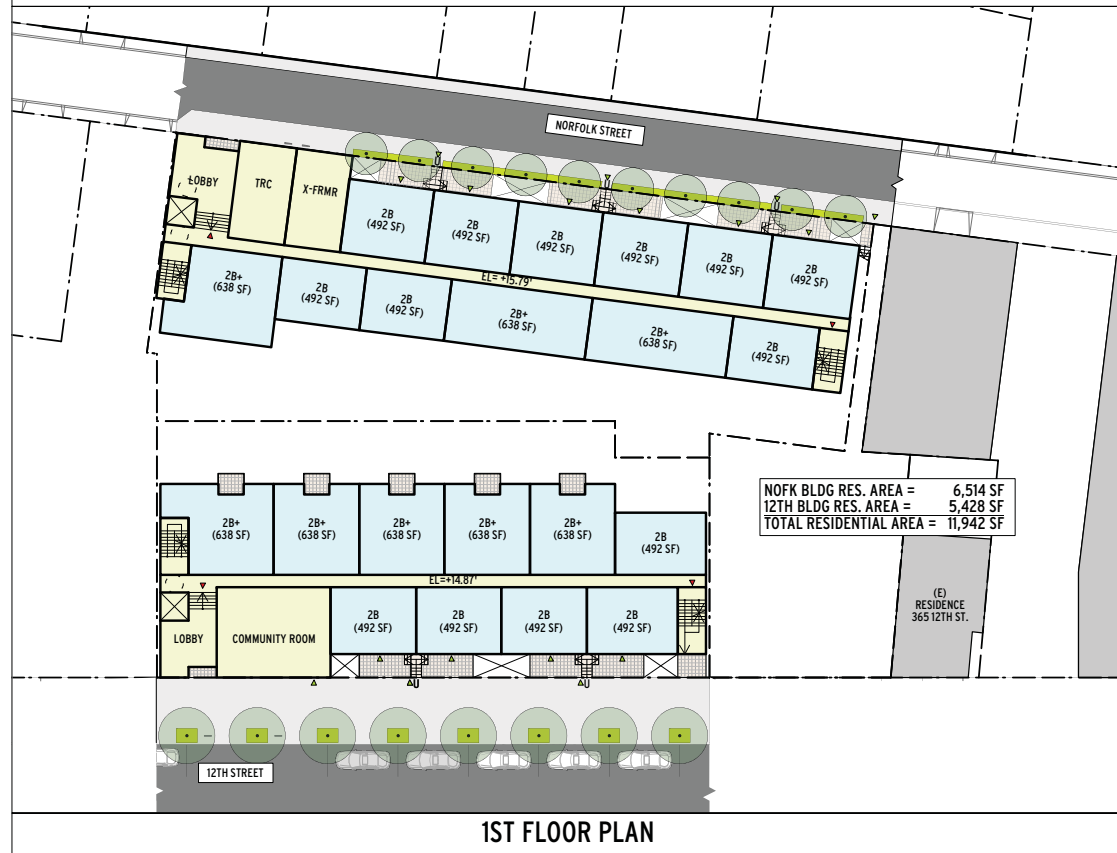
(4) ST (3%)
(75) 2B (51%)
(69) 2B+ (46%)
TOTAL DWELLING UNITS = 148 (100%)

- SINCE NONE OF THE LOTS ARE > 0.5 ACRE, NO HEIGHT BONUS IS BEING REQUESTED AND 823(C)(11) IS NOT APPLICABLE.
- BELOW MARKET RATE (BMR) DWELLING UNITS: 18 TOTAL (12% PER CODE).
- ALL BUILDINGS HAVE REQ'D EXPOSURE (SEC. 140) & "NON-ROOF-DECK" OPEN SPACE (SEC. 135) & SEC. 823(c)(2)(B).

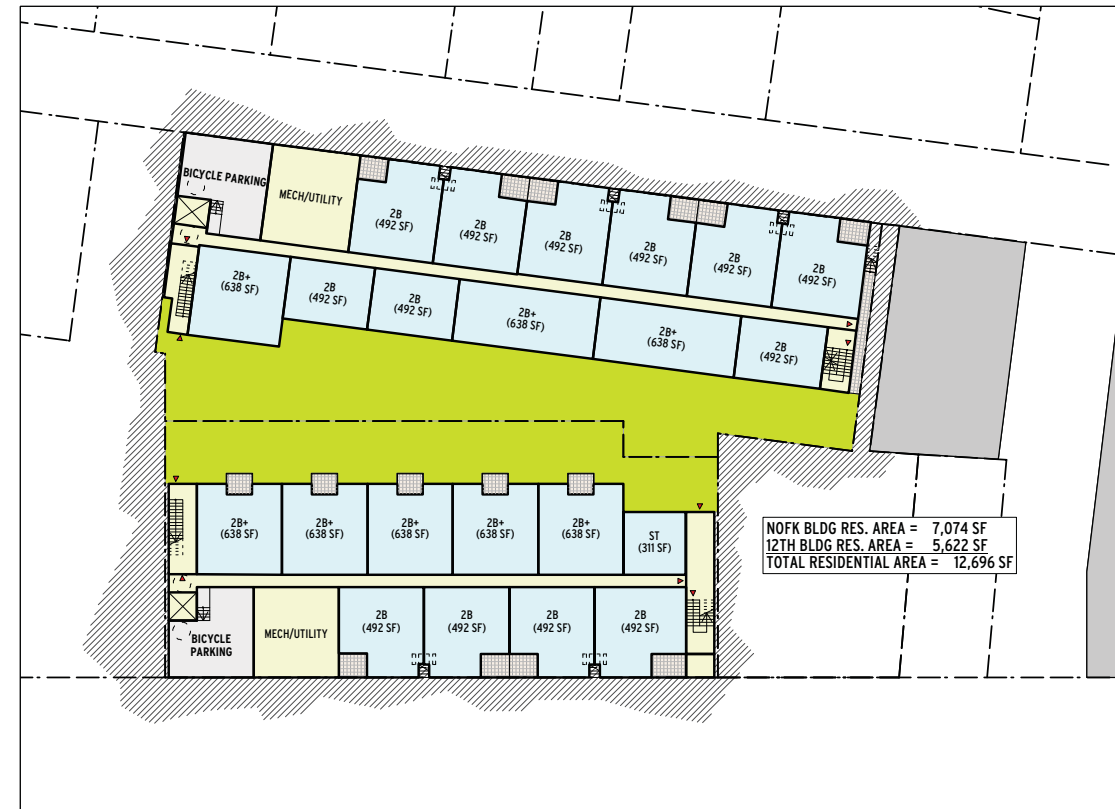




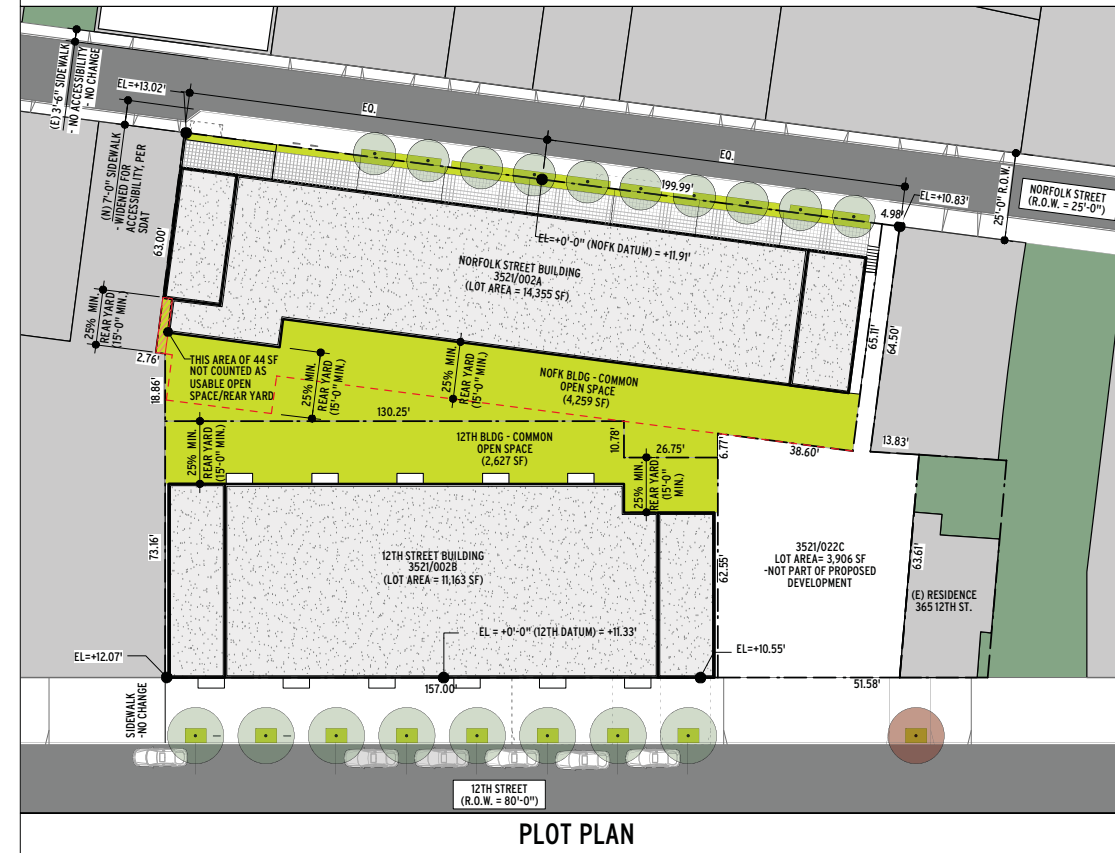
2ND FLOOR PLAN



1ST FLOOR PLAN

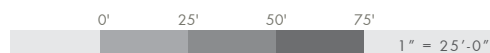


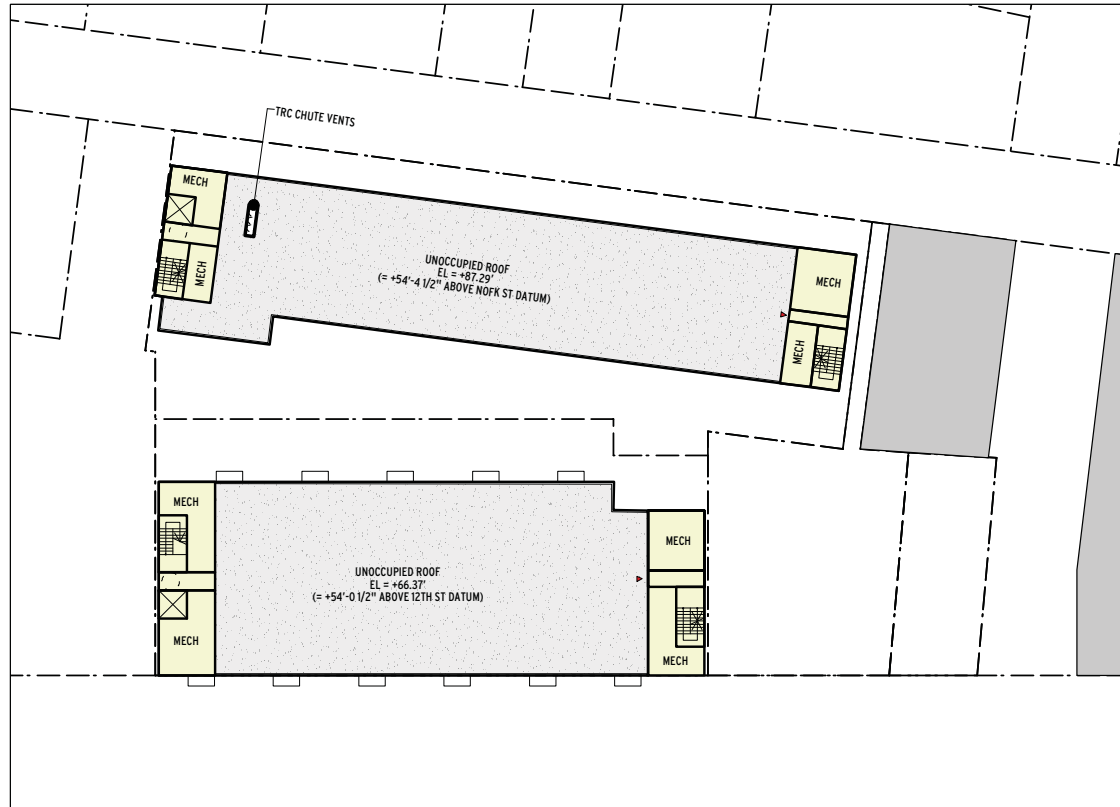
GARDEN LEVEL PLAN



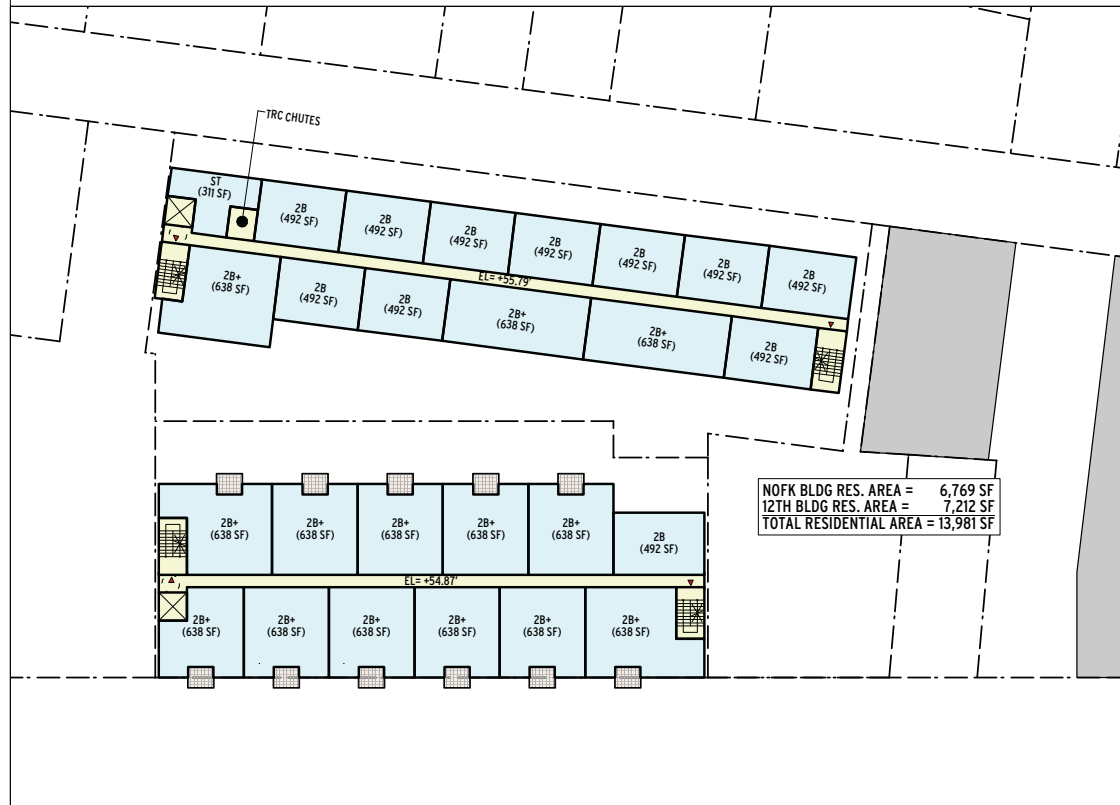
PLOT PLAN

LEGEND	
	DWELLING UNITS
	BICYCLE PARKING
	CIRCULATION / UTILITY
	LANDSCAPING
	DECK / TERRACE / PAVING





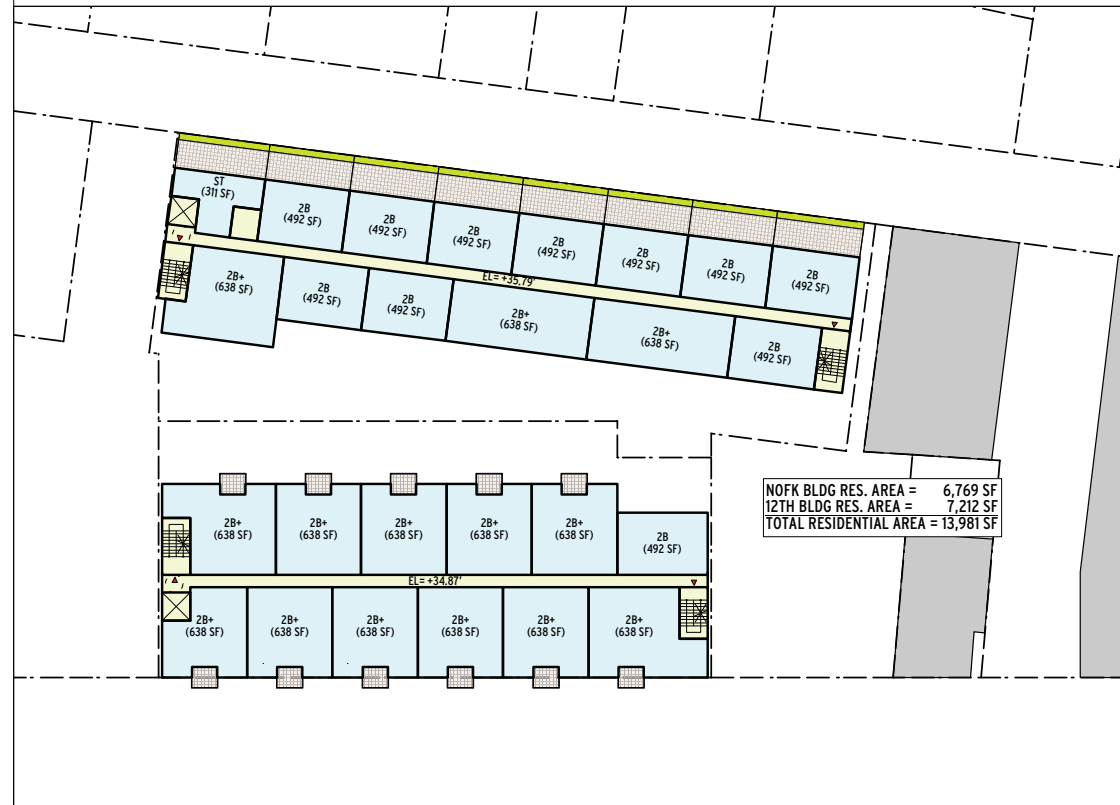
ROOF PLAN



5TH FLOOR PLAN

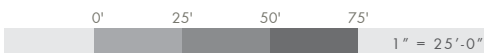


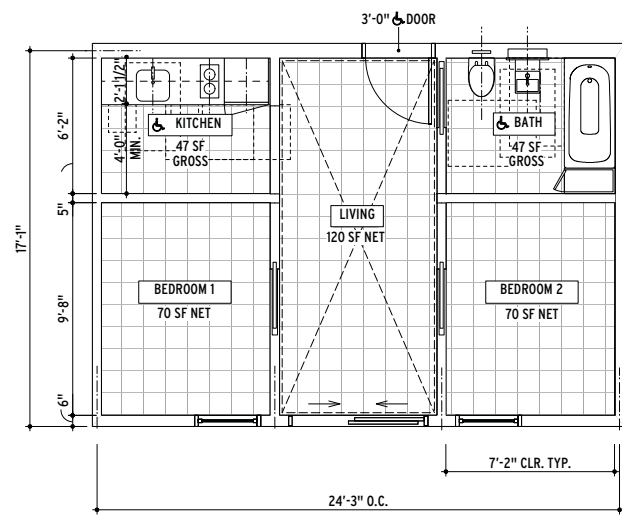
4TH FLOOR PLAN



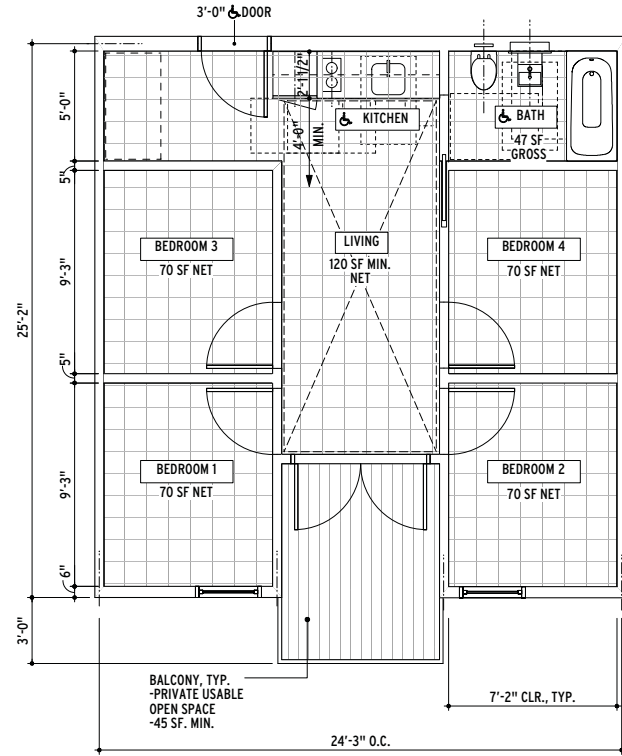
3TH FLOOR PLAN

LEGEND	
	DWELLING UNITS
	BICYCLE PARKING
	CIRCULATION / UTILITY
	LANDSCAPING
	DECK / TERRACE / PAVING

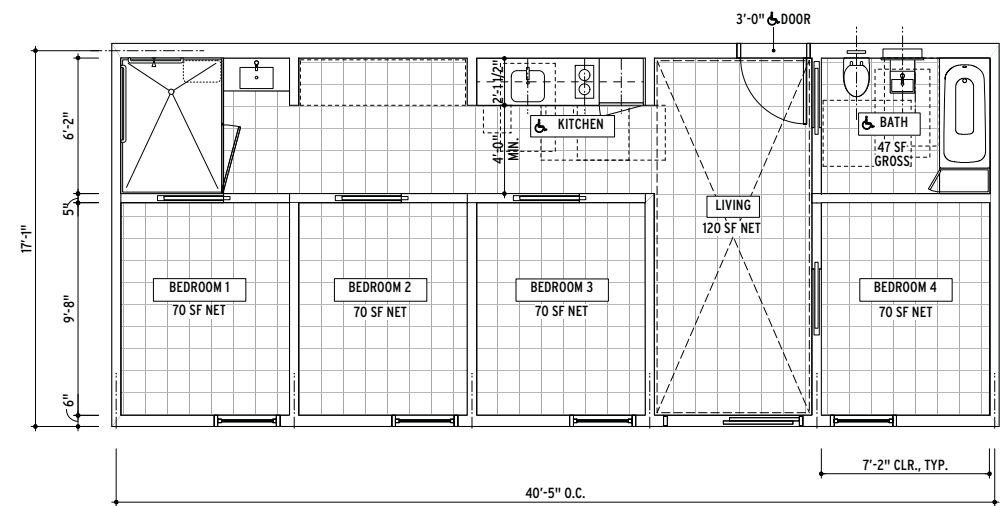




TYPICAL 2B UNIT
AVG. AREA = 492 GSF



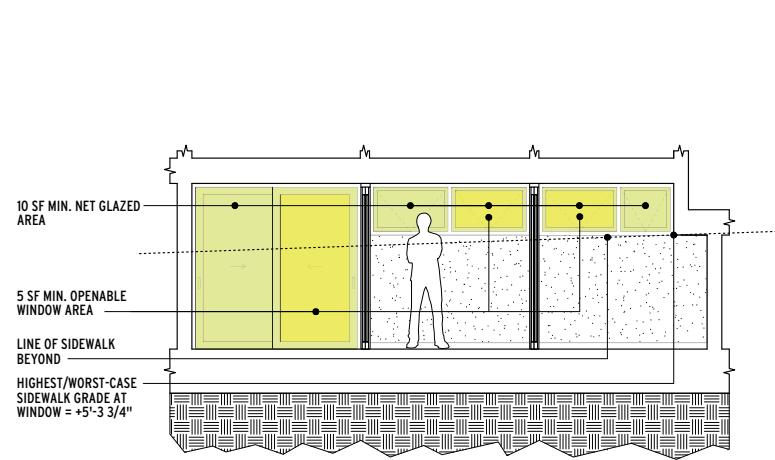
TYPICAL 4B UNIT - TYPE A
AVG. AREA = 638 GSF



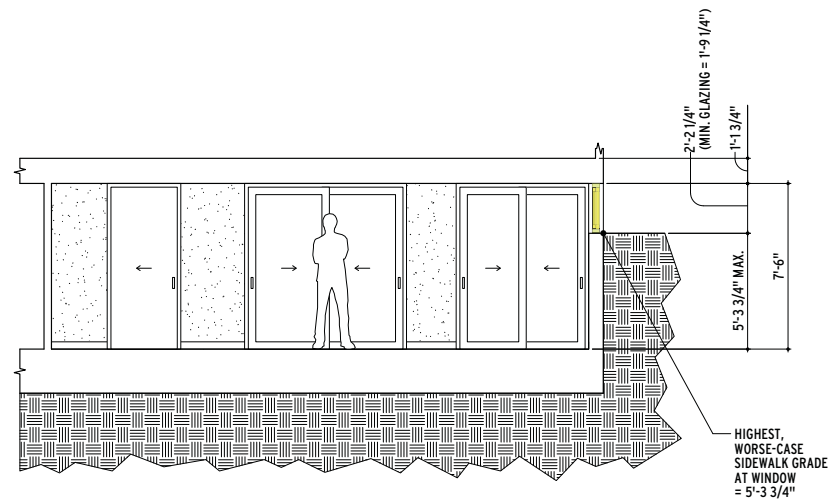
TYPICAL 4B UNIT - TYPE B
AVG. AREA = 638 GSF



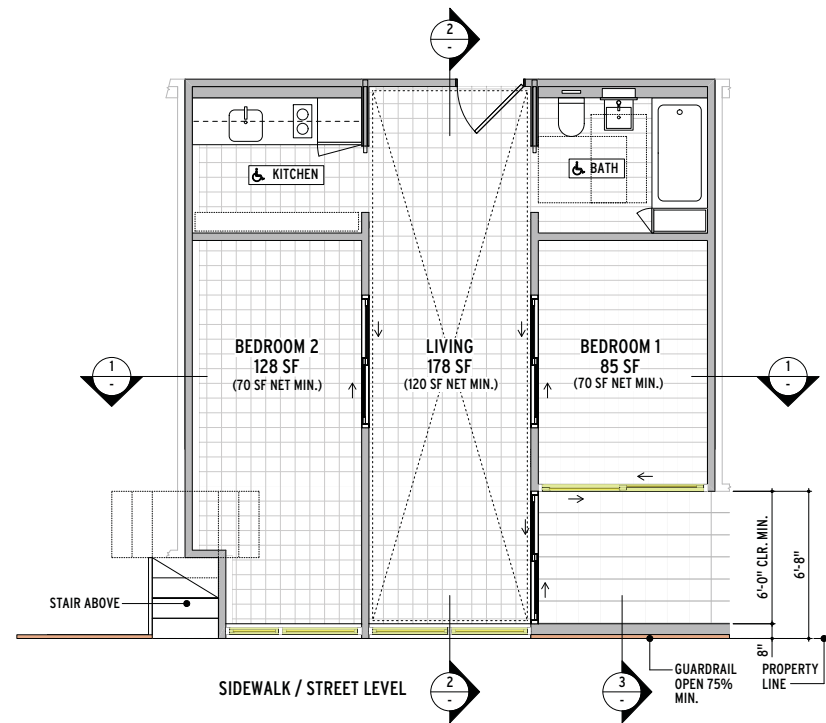
TYPICAL BASE PROJECT UNIT PLANS



1 CROSS SECTION



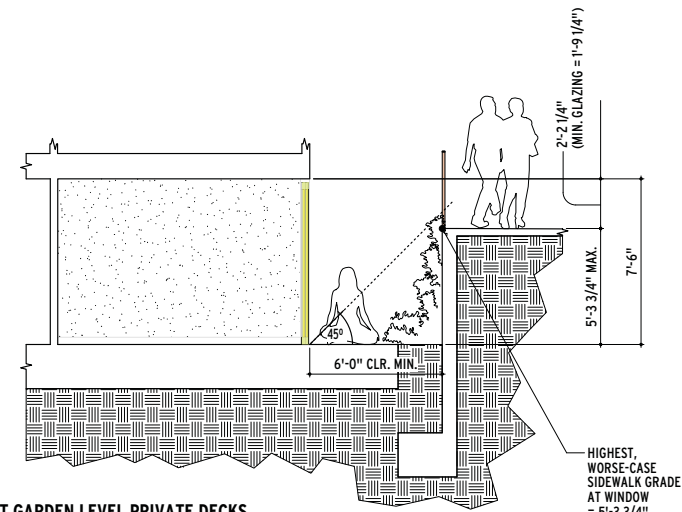
2 LONGITUDINAL SECTION



4 PLAN AT TYPICAL GARDEN LEVEL UNIT

LEGEND

- GLAZED PORTION ABOVE GRADE FOR HABITABLE ROOM TO BE MIN. 10 SF (OR 1/12th OF THE FLOOR AREA, WHICHEVER IS GREATER) PER SF HOUSING CODE SEC. 504(a) & SFBC SEC. 1205.2, TYP.
- MIN. 5 SF (1/2 REQ'D WINDOW AREA) TO BE OPENABLE FOR HABITABLE ROOM PER SF HOUSING CODE SEC. 504(a) & SFBC SEC. 1203.4.1.2, TYP.
- DECORATIVE GUARDRAIL TO BE MIN. 75% OPEN TO PERPENDICULAR VIEW PER SF PLANNING CODE SEC. 145.1(7)



3 SECTION AT GARDEN LEVEL PRIVATE DECKS

0' 4' 8' 12'
1/4" = 1'-0"

BASE PROJECT GARDEN UNITS EXPOSURE PLANS AND ELEVATIONS



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination COMMUNITY PLAN EVALUATION

Case No.: 2015-004109ENV
Project Title: 333 12th Street
Zoning/Plan Area: WSoMa Mixed Use-General (WMUG)
55/65-X Height/Bulk District
Western SoMa Community Plan Area
Block/Lot: 3521/022
Lot Size: 29,424 square feet
Project Sponsor: Zac Shore, Panoramic Interests, (415) 701-7002
Staff Contact: Jeanie Poling, (415) 575-9072
jeanie.poling@sfgov.org

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The 333 12th Street project (proposed project) site is on 12th Street, on the block surrounded by 12th, Folsom, Norfolk, and Harrison Streets, in the South of Market neighborhood in the Western SoMa Plan Area. The proposed project would demolish a one-story 21,630-square-foot (sf) commercial building and surface parking lot and construct a 79-foot-tall residential building (96 feet with elevator penthouse) containing 200 "micro" dwelling units (110,938 gross square feet of residential use) in two eight-story wings. The project would take advantage of the state density bonus law (California Government Code Sections 65915-65918), which allows waivers and concessions from local development standards for projects. Under the state density bonus law, the project would seek concessions for rear yard, dwelling unit exposure, and open space for the new dwelling units, and would also seek a waiver to increase the permitted height of the new building by two stories or 21 feet (the height district allows 55 feet, and 65 feet with conditional use authorization). (Continued on next page.)

CEQA DETERMINATION

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

DETERMINATION

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


LISA M. GIBSON
Acting Environmental Review Officer

11/18/14
Date

cc: Zac Shore, Project Sponsor
Rich Sucre, Current Planner
Supervisor Jane Kim, District 6

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

PROJECT DESCRIPTION (continued)

Parcel 22 (22,787 sf) contains a one-story 21,630 sf commercial building, and parcel 55 (6,637 sf) contains a surface parking lot. The project would involve a lot line adjustment such that parcel 22 would increase to 25,853 sf and be developed. Parcel 55 would decrease to 3,571 sf and would not be part of the proposed development and would remain a surface parking lot.

The proposed building would encompass the entire adjusted parcel and consist of two eight-story wings with 3,978 sf of common open space in between, and 5,607 sf of common open space on the roof. The west wing would front 12th Street and the east wing would front Norfolk Street, and a lobby/elevator corridor would connect the two wings along the north side of the property.¹ Individual private decks would front both Norfolk Street and 12th Street. The ground (“garden”) level would be 6 to 7 feet below grade. The total building height with the elevator penthouse would be 96 feet.

The project would contain 200 dwelling units, consisting six one-bedroom units, 94 two-bedroom units, and 100 two-bedroom-plus units,² dispersed over all eight levels of the two wings of the building. The average size of a one-bedroom unit would be 360 sf, the average two-bedroom unit would be 437 sf, and the average two-bedroom-plus unit would be 677 sf. The proposed project would include 125 Class 1 bicycle parking spaces at the garden and ground floor levels. The project would provide no private vehicle parking.

In compliance with inclusionary affordable housing requirements in effect on January 12, 2016, the project would include 21 on-site affordable dwelling units, which is 14.5 percent of 148 dwelling units of the base project.³

Along the project’s 12th Street frontage, two new car-share spaces would be located between two new bulb-outs, and a 40-foot-long commercial loading zone would be located along the north end of the project site. The 18-foot-wide 12th Street sidewalk would include new street tree plantings. Along the project’s Norfolk Street frontage the 5-foot-wide sidewalk would be increased to 6 feet 9 inches to accommodate accessibility needs and still allow emergency vehicles to access Norfolk.

Construction of the currently proposed project would occur over approximately 18 months. Construction equipment to be used would include pile drivers, excavation machines, and a tower crane. The total amount of excavation for the project would be approximately 7,800 cubic yards of soil to a maximum depth of 12 feet, with shoring to protect adjacent properties to reach a depth of 18 feet.

PROJECT APPROVAL

The proposed project is subject to conditional use authorization from the Planning Commission, which is the *approval action* for the project. The approval action date establishes the start of the 30-day appeal

¹ This document uses the convention that 12th Street runs north/south even though it actually runs northwest/southeast.

² Two-bedroom-plus units would have two bedrooms plus two bonus rooms that could be used as a den or living room.

³ The “base project” describes the maximum density permitted under the Planning Code without the State Density Bonus. See page 16 of the initial study for a discussion of the State Density Bonus.

period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 333 12th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eight Street Project (Western SoMa Community Plan PEIR).⁴ Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Western SoMa PEIR.

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

The 333 12th Street project site is located in the Western SoMa Community Plan Area. As a result of the Western SoMa rezoning process, the project site was rezoned from a 50-X height/bulk district and a Service/Light Industrial/Residential (SLR) district to a 55/65-X height/bulk district and a WSoMa Mixed Use-General (WMUG) district. The WMUG zoning is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. The proposed residential use is consistent with uses permitted within the WMUG district.

⁴ Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Available at <http://sf-planning.org/area-plan-eirs>.

Individual projects that could occur in the future under the Western SoMa Community Plan 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 333 12th Street is consistent with and was encompassed within the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 333 12th Street project, and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{5,6} Therefore, no further CEQA evaluation for the 333 12th Street project is required. In sum, the Western SoMa PEIR and this certificate of determination and accompanying initial study for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is located in the South of Market neighborhood on the block bounded by 12th Folsom, Norfolk, and Harrison streets. All properties within the subject block are within the 55-X and 55/65-X height/bulk districts and are zoned Western SoMa Mixed Use General (WMUG). Across 12th Street from the property is a Residential Enclave-Mixed (RED-MX) district and 45-X height/bulk district.

The project site is surrounded by commercial, light industrial, and residential uses, with building heights generally ranging from one to four stories. Two-way vehicle traffic runs along the 40-foot-wide 12th Street in front of the project site. At the south end of the subject block, approximately 50 feet from the project site, is 1532 Harrison Street, an approved seven-story project that will contain 136 dwelling units over ground-floor commercial use.⁷ A pedestrian plaza, Eagle Plaza, which will convert 13,500 sf of 12th Street into a pedestrian plaza, is expected to be in place after 1532 Harrison Street is occupied. On the opposite (west) side of 12th Street along the project block are two- to four-story residences and live/work buildings and the Eagle Tavern, across from the 1532 Harrison Street development site.

The project site is bound on the east side by Norfolk Street, a 25-foot-wide one-way northbound street. Buildings across Norfolk Street from the subject block include two- to four-story commercial and live/work buildings.

⁵ San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning Analysis. 333 12th Street, October 13, 2016. This document (and all other documents cited in this report, unless otherwise noted) is on file and available for review as part of Case File No. 2015-004109ENV.

⁶ San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning, November 3, 2016.

⁷ Approved by the San Francisco Planning Commission on October 8, 2015 (Motion No. 19488, Case No. 2013.1390CUA). Occupancy is anticipated in early 2020.

POTENTIAL ENVIRONMENTAL EFFECTS

The proposed 333 12th Street project includes a height increase of two stories (21 feet) above the height limit for the 55/65-X height and bulk district under the state density bonus law. Consistent with the state density bonus law, the planning department determined that the proposed project is in conformance with the height, use and density for the site described in the Western SoMa PEIR. The proposed project would represent a small part of the growth that was forecast for the Western SoMa Community Plan. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 333 12th Street project.

Significant and unavoidable impacts were identified in the Western SoMa PEIR for the following topics: historic resources, transportation and circulation, noise, air quality, and shadow. The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials.

Table 1 lists the mitigation measures identified in the Western SoMa PEIR and states whether each measure would apply to the proposed project.

Table 1 – Western SoMa PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
D. Cultural and Paleontological Resources		
M-CP-1a: Documentation of a Historical Resource	Not applicable: site is not a historic resource and is not located in a historic district.	Not applicable.
M-CP-1b: Oral Histories	Not applicable: site is not a historic resource and is not located in a historic district.	Not applicable.
M-CP-1c: Interpretive Program	Not applicable: site is not a historic resource and is not located in a historic district.	Not applicable.
M-CP-4a: Project-Specific Preliminary Archeological Assessment	Applicable: soil disturbing activities proposed.	The project sponsor shall retain an archeological consultant, submit an archeological testing plan (ATP) to the Environmental Review Officer (ERO) for review, implement the ATP prior to soil disturbance, and, as needed, implement an archeological monitoring program (AMP) with all soil-disturbing activities. The project sponsor and archeologist shall notify and mitigate the finding of any archeological resource in coordination with the ERO.

Mitigation Measure	Applicability	Compliance
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Not applicable: negated by implementation of M-CP-4a.	Not applicable.
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Applicable: nearby historic resources are present.	The project sponsor shall incorporate into construction specifications a requirement that the construction contractor(s) use all feasible means to avoid damage to nearby historic buildings.
M-CP-7b: Construction Monitoring Program for Historical Resources	Applicable: nearby historic resources present.	The project sponsor shall undertake a monitoring program to minimize damage to nearby historic buildings and to ensure that any such damage is documented and repaired. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of buildings at 1539-1585 Folsom Street to document and photograph the buildings' existing conditions.
E. Transportation and Circulation		
M-TR-1c: Traffic Signal Optimization (8 th /Harrison/I-80 WB off-ramp)	Not applicable: automobile delay removed from CEQA analysis.	Not applicable.
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not applicable: project would not remove loading spaces along Folsom Street.	Not applicable.
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not applicable: superseded by Transportation Sustainability Fee	Not applicable.
F. Noise and Vibration		
M-NO-1a: Interior Noise Levels for Residential Uses	Not applicable: impacts of the environment on the project no longer a CEQA topic.	Not applicable.
M-NO-1b: Siting of Noise-Sensitive Uses	Not applicable: impacts of the environment on the project no longer a CEQA topic.	Not applicable.
M-NO-1c: Siting of Noise-Generating Uses	Not applicable: project is not proposing a noise-generating use.	Not applicable.

Mitigation Measure	Applicability	Compliance
M-NO-1d: Open Space in Noisy Environments	Not applicable: impacts of the environment on the project no longer a CEQA topic.	Not applicable.
M-NO-2a: General Construction Noise Control Measures	Applicable: project includes construction activities.	The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques; locate stationary noise sources as far from adjacent or nearby sensitive receptors as possible; use hydraulically or electrically powered impact tools; and include noise control requirements in specifications to construction contractors. The project sponsor shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise.
M-NO-2b: Noise Control Measures During Pile Driving	Applicable: project includes pile-driving activities.	Site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. The project sponsor shall require the construction contractor to erect temporary plywood noise barriers along the project boundaries, implement “quiet” pile-driving technology, monitor the effectiveness of noise attenuation measures by taking noise measurements, and limit pile-driving activity to result in the least disturbance to neighboring uses.

Mitigation Measure	Applicability	Compliance
G. Air Quality		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not applicable: project would not generate more than 3,500 daily vehicle trips.	Not applicable, but project could be subject to the Transportation Demand Management Ordinance if effective at the time of project approval.
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not applicable: superseded by Health Code Article 38.	Not applicable.
M-AQ-4: Siting of Uses that Emit PM _{2.5} or other DPM and Other TACs	Not applicable: project-related construction and operation would not introduce substantial emissions.	Not applicable.
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not applicable: project does not exceed the BAAQMD screening criteria.	Not applicable.
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: project includes construction in an area of poor air quality.	The project sponsor shall undertake a project-specific construction health risk analysis to be performed by a qualified air quality specialist for diesel powered and other applicable construction equipment using the methodology recommended by the Bay Area Air Quality Management District (BAAQMD) and/or the San Francisco Planning Department.
I. Wind and Shadow		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Applicable: project including elevator penthouse would exceed 80 feet in height.	Completed as part of environmental review. Screening-level analysis determined no significant wind impact.
L. Biological Resources		
M-BI-1a: Pre-Construction Special-Status Bird Surveys	Applicable: project includes removal of trees and demolition of a building.	Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period.
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Applicable: project includes removal of a building that will be vacant and may include habitat for roosting bats.	Pre-construction special-status bat surveys shall be conducted by a qualified bat biologist

Mitigation Measure	Applicability	Compliance
O. Hazards and Hazardous Materials		
M-HZ-2: Hazardous Building Materials Abatement	Applicable: project includes demolition of a pre-1970s building.	Hazardous building materials must be identified and removed prior to the issuance of demolition or building permits.
M-HZ-3: Site Assessment and Corrective Action	Not applicable: superseded by Health Code Article 22A (Maher Ordinance).	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 Western SoMa PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on May 25, 2016, to adjacent occupants and owners of properties within 300 feet of the project site and to community groups and other interested parties. Concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Two commenters expressed interest in the project (one in favor and one opposed) and requested notification when the environmental document is published. Another commenter opposed the project and expressed concerns about its height and density, lack of parking, and noise complaints about existing nearby entertainment uses from the project’s future residents. These issues are addressed in the initial study under Changes in the Regulatory Environment, Land Use and Land Use Planning, Transportation and Circulation, and Noise.⁸

CONCLUSION

As summarized above and further discussed in the project-specific initial study:⁹

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

⁸ The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No.2015-004109ENV.

⁹ Ibid.

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

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

EXHIBIT ____:

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval and Proposed Improvement Measures)

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES				
Cultural and Paleontological Resources				
<p><u>Project Mitigation Measure 1 - Protect Historical Resources from Adjacent Construction Activities (Mitigation Measure M-CP-7a of the Western SoMa PEIR)</u></p> <p>The project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings at 1539–1585 Folsom Street, using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.</p>	Project sponsor and contractor.	Prior to issuance of building permit.	Planning Department Preservation Technical Specialist.	Considered complete upon Planning Department's approval of construction specifications.
<p><u>Project Mitigation Measure 2 - Construction Monitoring Program for Historical Resources (Mitigation Measure M-CP-7b of the Western SoMa PEIR)</u></p> <p>The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of 1539–1585 Folsom Street to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.</p> <p>Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.</p>	Project sponsor, contractor, and qualified historic preservation professional.	Prior to the start of demolition, earth moving, or construction activity proximate to a designated historical resource.	Planning Department Preservation Technical Specialist.	Considered complete upon submittal to Planning Department of post-construction report on construction monitoring program and effects, if any, on proximately historical resources.
<p><u>Project Mitigation Measure 3: Archeological Testing Program (Mitigation Measure M-CP-4a in the PEIR)</u></p> <p>Based on a reasonable presumption that archeological resources may be present within the</p>	Project sponsor, Planning Department's archeologist, or qualified consultant.	Prior to issuance of building permit and during construction.	Planning Department's ERO or archeologist or qualified archeological consultant.	Considered complete upon approval of PAR or PASS by Planning Department's ERO or

Mitigation Monitoring and Reporting Program

333 12th Street
File No.: 2015-004109ENV

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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 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 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</p>				archeologist.

¹ 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 archaeologist.

Mitigation Monitoring and Reporting Program

333 12th Street
File No.: 2015-004109ENV

Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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> <p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>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> <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 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 activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. <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</p>				

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

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Mitigation or Improvement Measure	Responsibility for Implementation	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>and the ERO.</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 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.</p>				
Noise				
<p><u>Project Mitigation Measure 4 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)</u></p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:</p> <ul style="list-style-type: none"> • The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). • The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. • The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. • The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise 	Project sponsor and construction contractor.	During construction period.	Planning Department and Department of Building Inspection.	Considered complete upon completion of construction.

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<p>to the extent feasible; undertaking the noisiest activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.</p> <ul style="list-style-type: none"> Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity. 				
<p><u>Project Mitigation Measure 5 – Noise Control Measures During Pile Driving (Mitigation Measure M-NO-2b of the Western SoMa PEIR)</u></p> <p>For individual projects within the Draft Plan Area and Adjacent Parcels that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> The sponsor of a subsequent development project shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels by 5 to 10 dBA, although the precise reduction is a function of the height and distance of the barrier relative to receptors and noise source(s); The sponsor of a subsequent development project shall require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; The sponsor of a subsequent development project shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and The sponsor of a subsequent development project shall require that the construction contractor limit pile-driving activity to result in the least disturbance to neighboring uses. <p>Additionally, if pile driving would occur within proximity to historical resources, project sponsors would be required to incorporate Mitigation Measures M-CP-7a, Protect Historical Resources from Adjacent Construction Activities, (Project Mitigation Measure 1, above) and Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources (Project Mitigation Measure 2, above).</p>	Project sponsor and construction contractor.	Prior to issuance of building permit/ during construction.	Planning Department and Department of Building Inspection.	Considered complete upon completion of pile driving.

Air Quality				
<u>Project Mitigation Measure 6 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR)</u>				
<p>To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Draft Plan Area and on the Adjacent Parcels shall undertake a project-specific construction health risk analysis to be performed by a qualified air quality specialist, as appropriate and determined by the Environmental Planning Division of the San Francisco Planning Department, for diesel-powered and other applicable construction equipment, using the methodology recommended by the Bay Area Air Quality Management District (BAAQMD) and/or the San Francisco Planning Department. If the health risk analysis determines that construction emissions would exceed health risk significance thresholds identified by the BAAQMD and/or the San Francisco Planning Department, the project sponsor shall develop a Construction Emissions Minimization Plan for Health Risks and Hazards designed to reduce health risks from construction equipment to less-than-significant levels.</p> <p>All requirements in the Construction Emissions Minimization Plan must be included in contract specifications.</p>	Project sponsor and construction contractor.	Prior to issuance of building permit for any demolition or construction activities.	Planning Department ERO or air quality technical specialist.	Considered complete upon approval of Construction Emissions Minimization Plan by ERO or air quality technical specialist
Biological Resources				
<u>Project Mitigation Measure 7 –Pre-Construction Special-Status Bird Surveys (M-BI-1a of the Western SoMa PEIR)</u>				
<p>Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.</p>	Project sponsor.	Prior to issuance of demolition permit or building permit when trees would be removed.	Planning Department.	Prior to issuance of demolition or building permits.

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<p>Project Mitigation Measure 8 – Pre-Construction Special-Status Bat Survey (Mitigation Measure M-BI-1b of the Western SoMa PEIR)</p> <p>A pre-construction special-status bat survey shall be conducted by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the California Department of Fish and Game. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.</p>	Project sponsor.	Prior to issuance of demolition permit.	Planning Department.	Prior to issuance of demolition or building permits.
Hazards and Hazardous Materials				
<p>Project Mitigation Measure 9 -- Hazardous Building Materials Abatement (M-HZ-2 of the Western SoMa PEIR)</p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor.	Prior to issuance of demolition or building permit.	Planning Department.	Prior to issuance of demolition or building permits.
IMPROVEMENT MEASURES				
Transportation				
<p><u>Project Improvement Measure TR-1: Implement Transportation Demand Management Measures</u></p> <p>TR-1(a): Identify TDM Coordinator: The project sponsor should identify a TDM coordinator for the project site. The TDM coordinator is responsible for the implementation and ongoing operation of all other TDM measures included in the proposed project. The TDM coordinator may be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco (TMASF)), or the TDM coordinator may be an existing staff member (e.g., property manager); the TDM coordinator does not have to work full-time at the project site. The TDM coordinator would be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM coordinator would provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.</p>	Project sponsor.	Ongoing	Project sponsor, building manager, Planning Department.	Ongoing.

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<p>TR-1(b): Provide Transportation and Trip Planning Information to Building Occupants:</p> <ul style="list-style-type: none"> • Move-in packet: Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), where transit passes could be purchased, the 511 Regional Rideshare Program and nearby bike and car-share programs, and where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, and San Francisco Bicycle and Pedestrian maps upon request. • Posted and Real-time Information: A local map and real-time transit information should be installed on site in a prominent and visible location, such as within a building lobby. The local map should clearly identify transit, bicycle, and key pedestrian routes, and also depict nearby destinations and commercial corridors. Real-time transit information via NextMuni and/or regional transit data should be displayed on a digital screen. 				
<p>TR-1(c): Allow City Access for Data Collection: As part of an ongoing effort to quantify the efficacy of TDM measures in general, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. Any on-site activity would require sponsor or property management approval and be coordinated through the TDM coordinator. The building sponsor or a contracted transportation brokerage service (e.g. TMA) should be responsible for administering periodic tenant surveys as part of an ongoing program monitoring effort.</p> <p>TR-1(d): Implement Bicycle Measures:</p> <ul style="list-style-type: none"> • Parking: The project sponsor should increase the number of on-site secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces). • Bay Area Bike Share: Project sponsor should cooperate with the San Francisco Municipal Transportation Agency, San Francisco Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage. <p>TR-1(e): Provide Bicycle Signage. The project sponsor should provide signage indicating the location of on-site bicycle parking facilities.</p>				
<p><u>Improvement Measure TR-2: Coordination of Move-in/Move-Out Operations and Large Deliveries</u></p> <p>To avoid blockages and reduce conflicts along 12th and Norfolk Streets during loading activities, the project sponsor or building manager should contact the San Francisco Municipal Transportation Agency or the local 311 service to reserve curb parking prior to loading activities or large deliveries.</p>	<p>Project sponsor or building manager, San Francisco Municipal Transportation Agency</p>	<p>Ongoing</p>	<p>Project sponsor or building manager, San Francisco Municipal Transportation Agency, San Francisco Public Works</p>	<p>Ongoing</p>

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<p><u>Improvement Measure TR-3: Construction Traffic Management Plan</u></p> <p>The project sponsor should develop and implement a construction management plan (CMP) addressing transportation-related circulation, access, staging, and hours for deliveries. The CMP should include, but not be limited to, the following additional measures:</p> <ul style="list-style-type: none"> • Identify ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands, including encouraging and rewarding alternate modes of transportation (transit, walk, bicycle, etc.), carpooling, or providing shuttle service from nearby off-street parking facility. • Identify ways to consolidate truck delivery trips, minimizing delivery trips. • Require consultation with the surrounding community, including business and property owners near the project site, to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the project site. • Develop a public information plan to provide adjacent residents and businesses with regularly updated information regarding project construction activities and duration, peak construction vehicle activities, (e.g. concrete pours), and lane closures, and provide a construction management contact who will log and address community concerns. 	Project sponsor or contractor	Prior to and during construction	Project sponsor, San Francisco Municipal Transportation Agency	CMP considered complete upon approval of CMP by San Francisco Municipal Transportation Agency; obligation complete at completion of construction.
<p><u>Improvement Measure TR-4: Limited Delivery Time</u></p> <p>The project sponsor should restrict deliveries and truck trips to the project site during peak hours (generally 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m.)</p>	Project sponsor or contractor	During construction	Project sponsor	Considered complete at completion of construction.



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: 2015-004109ENV
Project Title: 333 12th Street
Zoning/Plan Area: WSoMa Mixed Use-General (WMUG)
55/65-X Height/Bulk District
Western SoMa Community Plan Area
Block/Lot: 3521/022
Lot Size: 29,946 square feet
Project Sponsor: Zac Shore, Panoramic Interests, (415) 701-7002
Staff Contact: Jeanie Poling, (415) 575-9072
jeanie.poling@sfgov.org

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Suite 400
San Francisco,
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Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The 333 12th Street project (proposed project) site is on 12th Street, on the block surrounded by 12th, Folsom, Norfolk, and Harrison Streets, in the South of Market neighborhood in the Western SoMa Plan Area. The proposed project would demolish a one-story 21,630-square-foot (sf) commercial building and surface parking lot and construct a 79-foot-tall (96 feet with elevator penthouse) residential building containing 200 “micro” dwelling units (110,998 gross square feet of residential use) in two eight-story wings. The project would take advantage of the state density bonus law (California Government Code sections 65915-65918), which allows waivers and concessions from local development standards for projects. Under the state density bonus law, the project would seek concessions for rear yard, dwelling unit exposure, and open space for the new dwelling units, and would also seek a waiver to increase the permitted height of the new building by two stories or 21 feet (the height district allows 55 feet, and 65 feet with conditional use authorization). **Figure 1** (page 3) shows the location of the project site within the Western SoMa Community Plan.

Parcel 22 (22,787 sf) contains a one-story commercial building, and parcel 55 (6,637 sf) contains a surface parking lot. The project would involve a lot line adjustment such that parcel 22 would increase to 25,853 sf and be developed. Parcel 55 would decrease to 3,571 sf and would not be part of the proposed development and would remain a surface parking lot.

The proposed building would encompass the entire adjusted parcel and consist of two eight-story wings with 3,978 sf of common open space in between, and 5,607 sf of common open space on the roof. The west wing would front 12th Street and the east wing would front Norfolk Street. A lobby/elevator corridor would connect the two wings along the north side of the property.¹ Individual private decks would front both Norfolk Street and 12th Street. The ground (“garden”) level would be 6 to 7 feet below grade.

¹ This document uses the convention that 12th Street runs north/south even though it actually runs northwest/southeast. This is the same convention used in the Western SoMa Program Environmental Impact Report.

The project would contain 200 dwelling units, consisting six one-bedroom units, 94 two-bedroom units, and 100 two-bedroom-plus units,² dispersed over all eight levels of the two wings of the building. The average size of a one-bedroom unit would be 360 sf, the average two-bedroom would be 437 sf, and the average two-bedroom-plus unit would be 677 sf. The proposed project would include 125 Class 1 bicycle parking spaces at the garden and ground floor levels.

In compliance with inclusionary affordable housing requirements in effect on January 12, 2016, the project would include 21 on-site affordable dwelling units, which is 14.5 percent of 148 dwelling units of the base project.³

The project would not include any on-site vehicle parking. Along the project's 12th Street frontage, two new car-share spaces would be located between two new bulb-outs, and a 40-foot-long commercial loading zone would be located along the north end of the project site. The 18-foot-wide 12th Street sidewalk would include new street tree plantings. Along the project's Norfolk Street frontage the 5-foot-wide sidewalk would be increased to 6 feet 9 inches to accommodate accessibility needs and still allow emergency vehicles to access Norfolk.

Construction of the currently proposed project would occur over approximately 18 months. Construction equipment to be used would include pile drivers, excavation machines, and a tower crane. The total amount of excavation for the project would be approximately 7,800 cubic yards of soil to a maximum depth of 12 feet. Shoring along adjacent private properties would be driven to a depth of 18 feet.

Figures 2 through 11 (pages 4 through 13) show the proposed project's plans, elevations and section.

PROJECT APPROVALS

The proposed project would require the following approvals:

- **Conditional Use Authorization** (Planning Commission)
- **Demolition, Site, and Building Permits** (Department of Building Inspection)
- **Lot Line Adjustment** and **Street Improvement Permit** (Public Works Bureau of Street Use and Mapping)
- **Dust Control Plan** and **Site Mitigation Plan** (Department of Public Health)
- **Stormwater Management Plan** (San Francisco Public Utilities Commission)

The proposed project is subject to conditional use authorization from the Planning Commission, which is the approval action for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

² Two-bedroom-plus units would have two bedrooms plus two bonus rooms that could be used as a den or living room.

³ The "base project" describes the maximum density permitted under the Planning Code without the State Density Bonus. See page 16 for a discussion of the State Density Bonus.

Figure 1. Project Site Location



[illegible]

NORFOLK ALLEY
(R.O.W. = 25'-0")

NORFOLK STREET FRONTAGE = 195'-4"

12TH ST BLDG FRONTAGE = 154'-10"

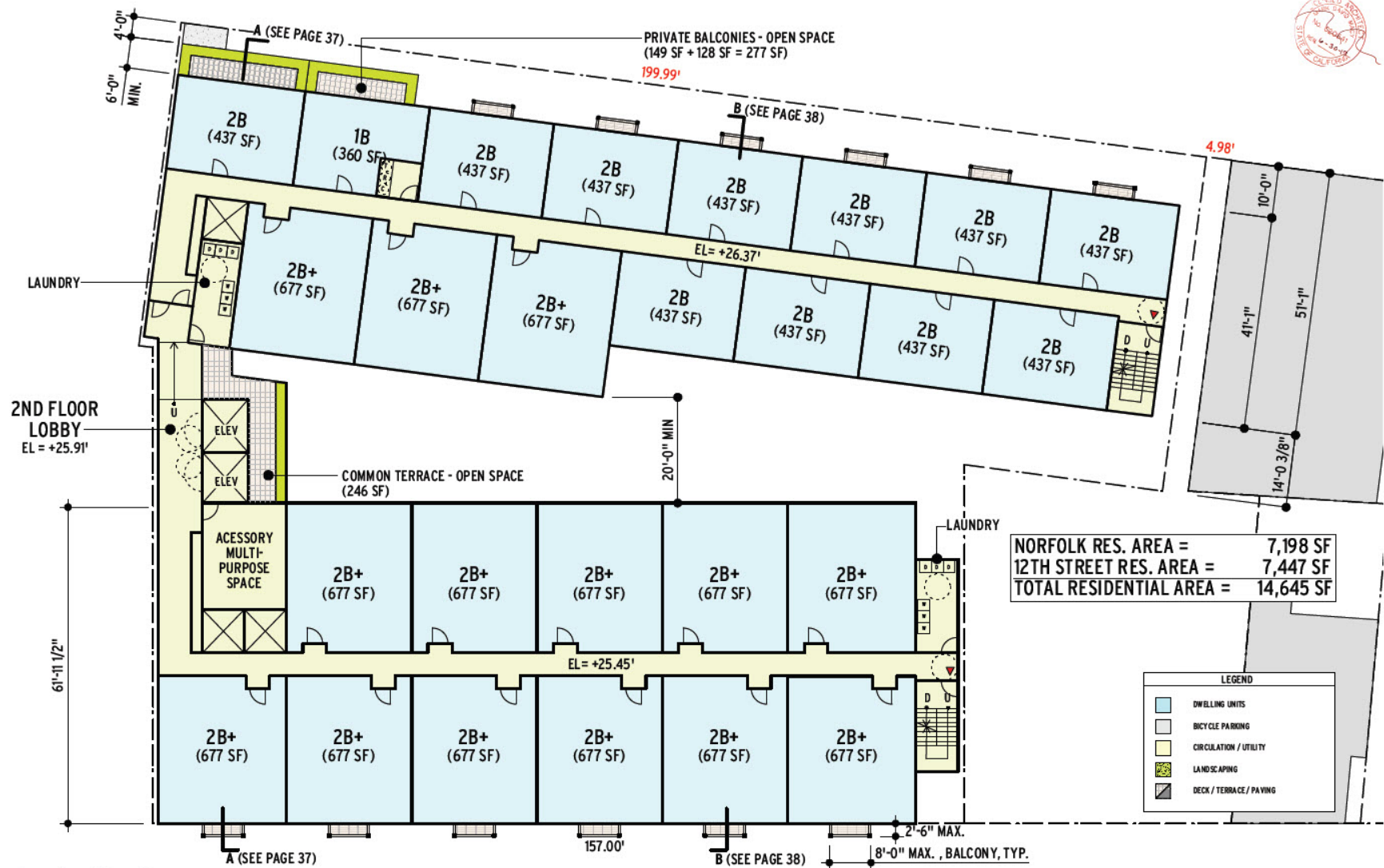
NORFOLK RES. AREA = 6,401 SF
12TH STREET RES. AREA = 5,133 SF
TOTAL RESIDENTIAL AREA = 11,543 SF

LEGEND

- DWELLING UNITS
- BICYCLE PARKING
- CIRCULATION / UTILITY
- LANDSCAPING
- DECK / TERRACE / PAVING

333 12TH STREET
 PERMIT APPLICATION # 2015-004109 - PROPOSED PROJECT
 10/09/15 PROPOSED PROJECT REV.6
 AFFORDABLE-BY-DESIGN WORKFORCE RENTAL HOUSING
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Figure 4. Second Floor



2ND FLOOR



333 12TH STREET

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 AFFORDABLE-BY-DESIGN WORKFORCE RENTAL HOUSING
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Figure 5. Third Floor (Typical Upper Floor)



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AFFORDABLE-BY-DESIGN WORKFORCE RENTAL HOUSING
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Figure 6. Roof Plan

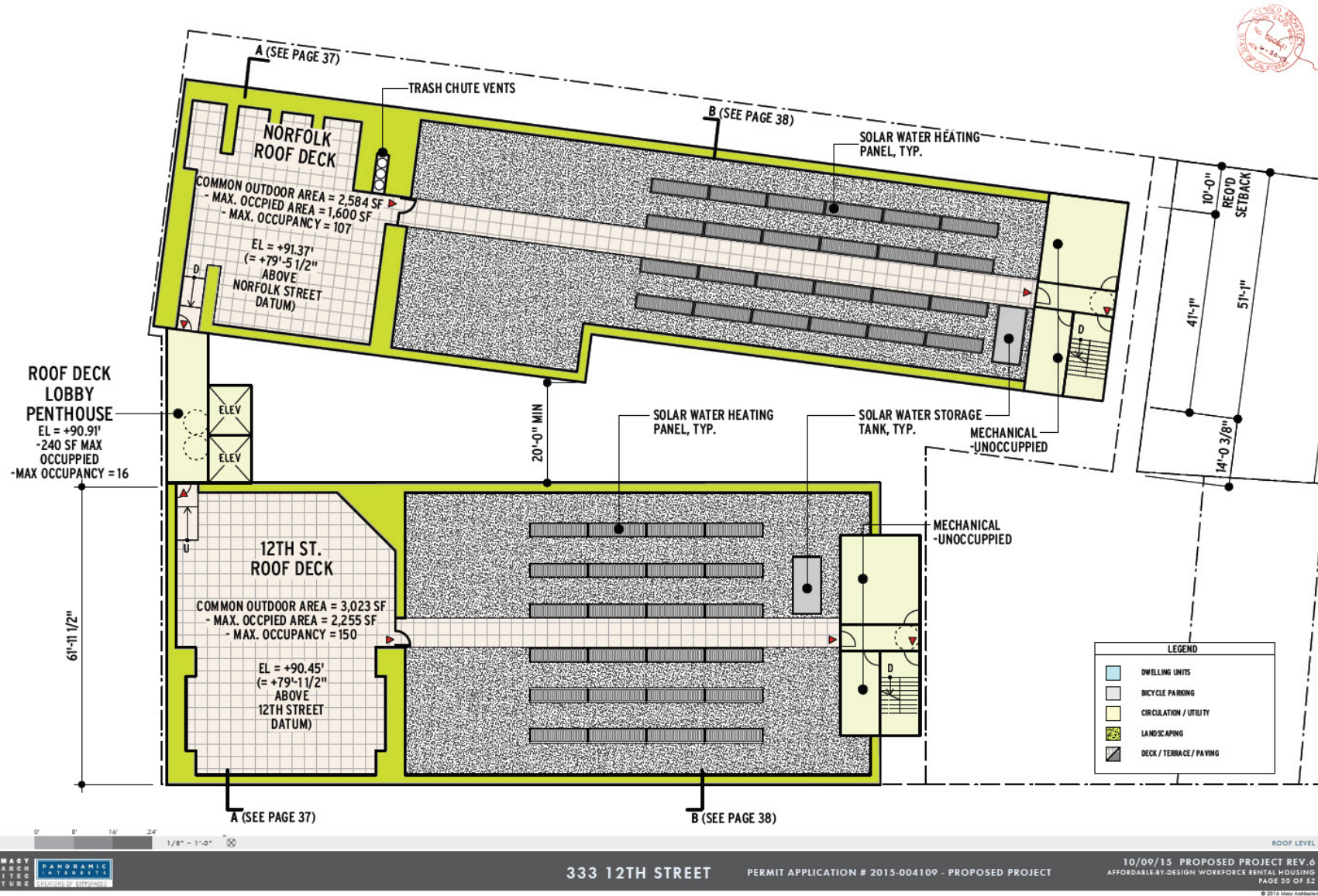


Figure 7. West (12th Street) Elevation

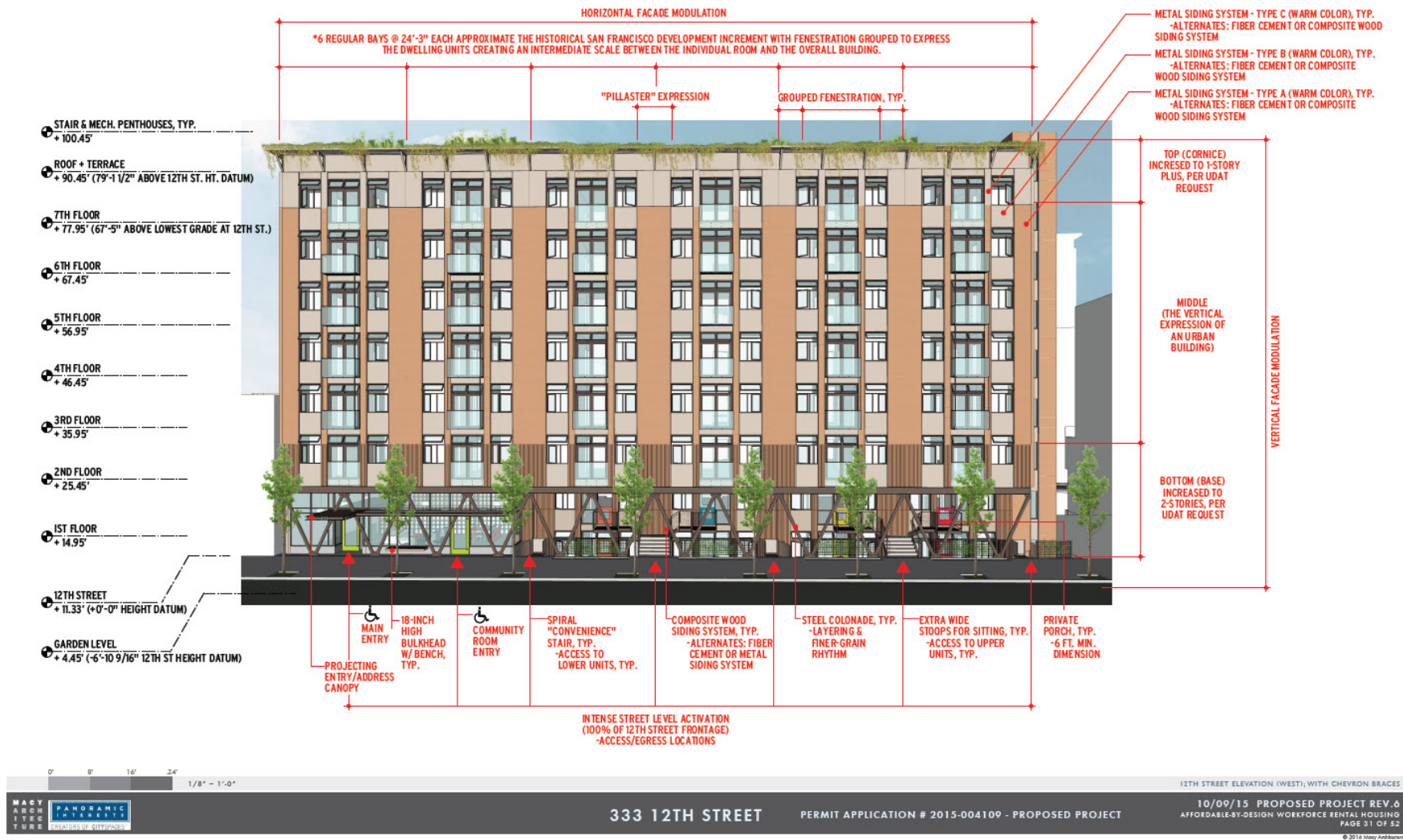
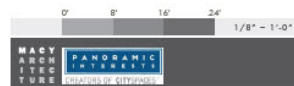
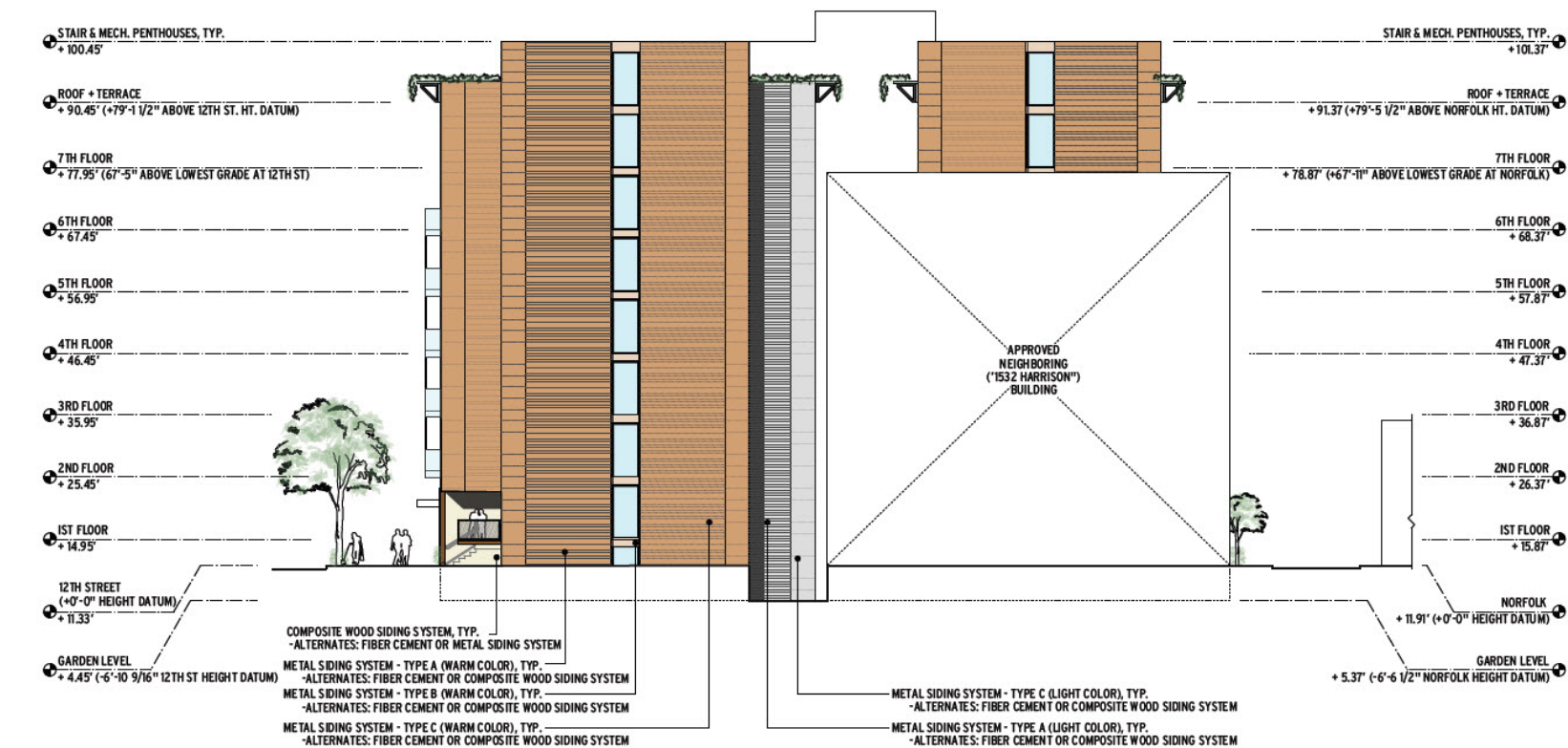


Figure 8. East (Norfolk Street) Elevation



Figure 9. South Elevation



333 12TH STREET

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AFFORDABLE-BY-DESIGN WORKFORCE RENTAL HOUSING
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Figure 10. North Elevation

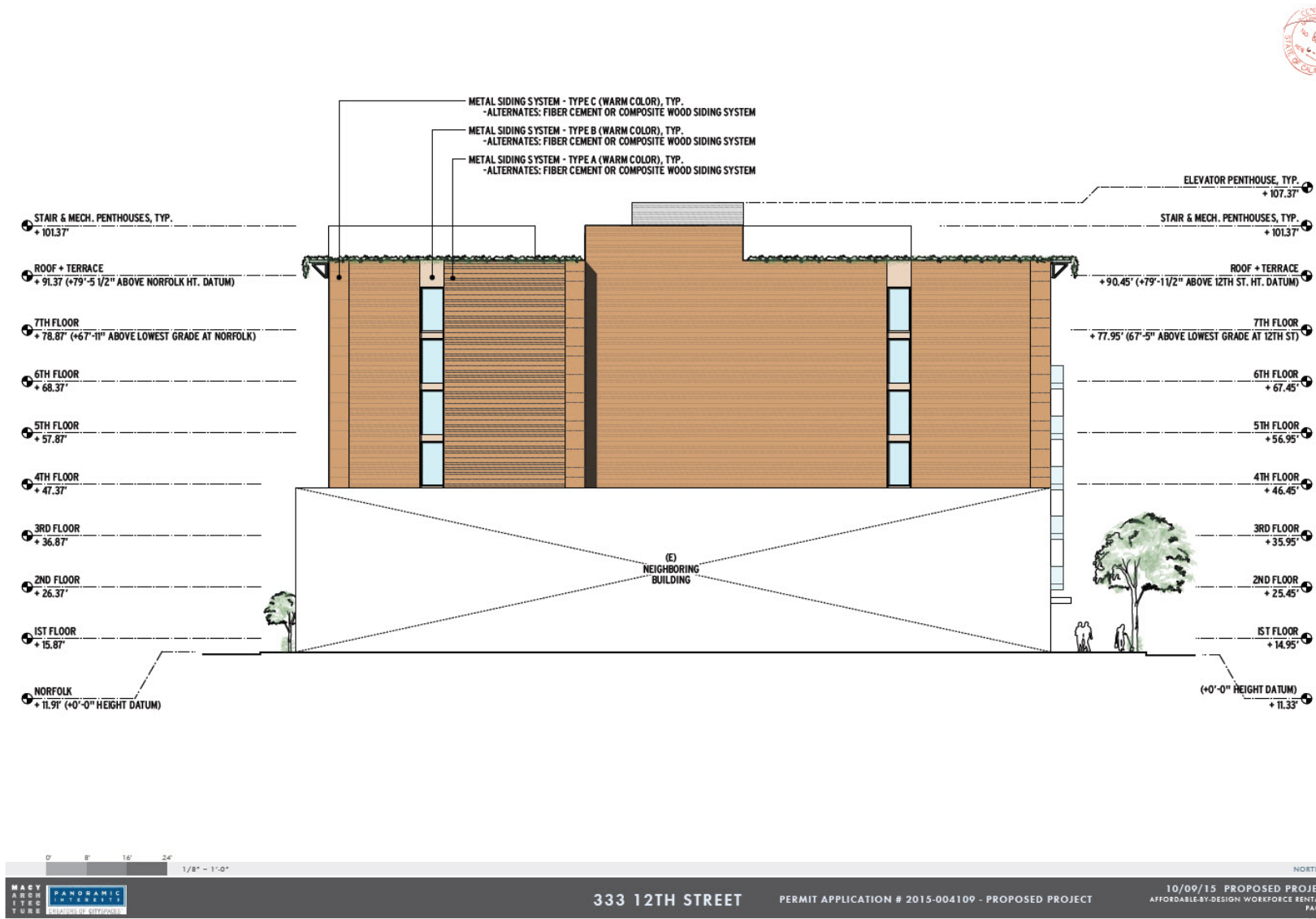
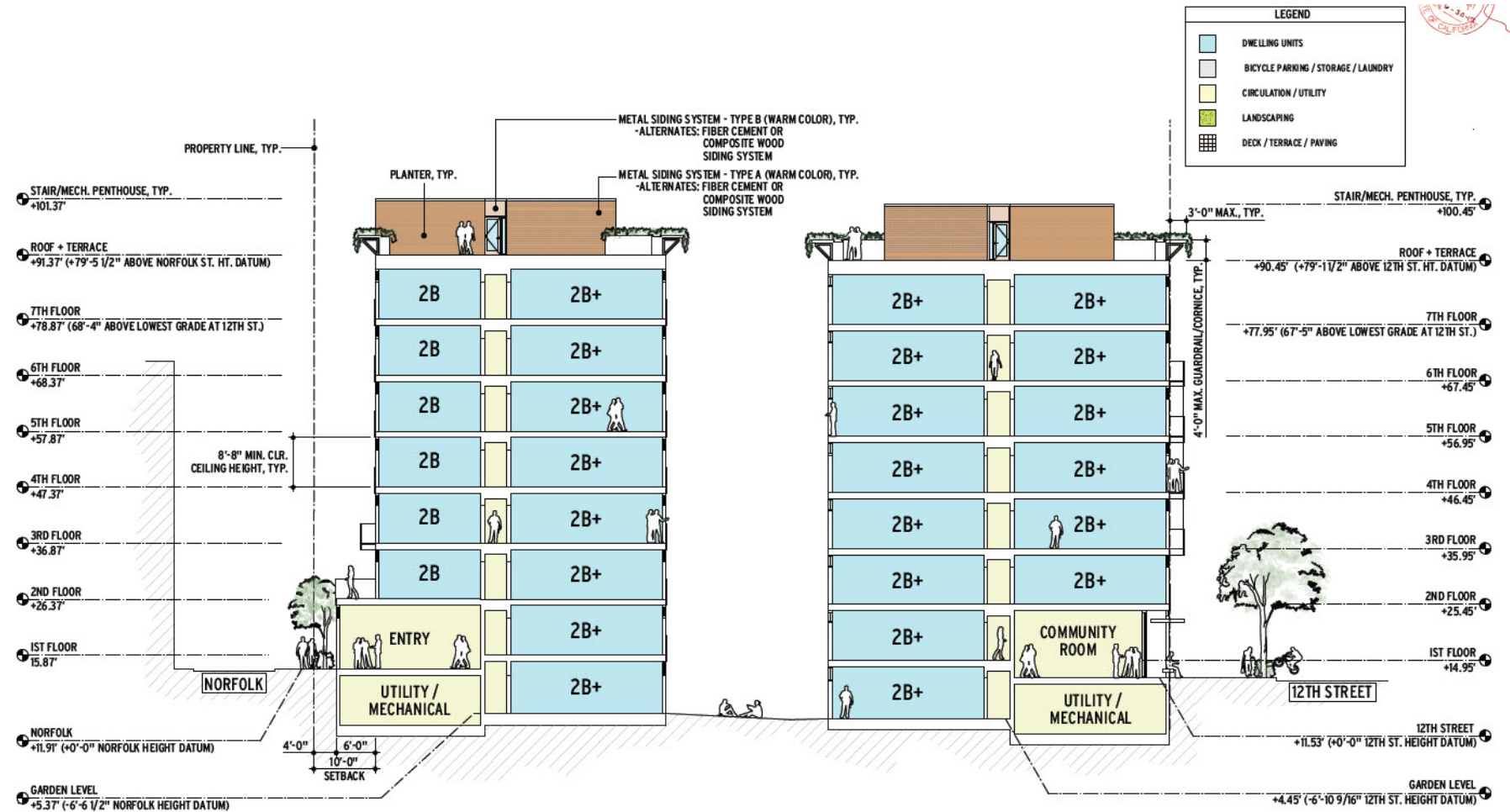


Figure 11. Section



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EVALUATION OF ENVIRONMENTAL EFFECTS:

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project (Western SoMa PEIR).⁴ The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Western SoMa PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific mitigated negative declaration or environmental impact report. If no such topics are identified, no further environmental review shall be required for the project beyond that provided in the Western SoMa PEIR and this project-specific initial study in accordance with Public Resources Code 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 listed at the end of this document.

The Western SoMa PEIR identified significant impacts related to cultural and paleontological resources, transportation and circulation, wind and shadow, noise and vibration, air quality, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to cultural and paleontological resources, transportation and circulation, noise air quality, and shadow. Aside from shadow, mitigation measures were identified for all the above impacts and reduced these impacts to less than significant except for those related to cultural and paleontological resources (cumulative impacts from demolition of historic resources); transportation (program-level and cumulative traffic impacts at three intersections; and cumulative transit impacts on several San Francisco Municipal Transportation Agency (Muni) lines); air quality (program-level toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}) pollutant impacts, program-level and cumulative criteria air pollutant impacts); and noise (cumulative noise impacts). No mitigation measures were identified for shadow impacts, which were determined to be significant and unavoidable.

CHANGES IN THE REGULATORY ENVIRONMENT

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

⁴ San Francisco Planning Department. 2012. Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report (PEIR). Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Certified December 6, 2012. Available at <http://sf-planning.org/area-plan-eirs>.

- Assembly Bill 2501, effective September 2, 2016, amended Government Code section 65915 to require local government to adopt procedures and timelines for processing a density bonus application, and to require the local government to bear the burden of proof for the denial of a requested concession or incentive (see “State Density Bonus” below).
- State statute regarding aesthetics and parking impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled (VMT), effective March 2016 (see “-Aesthetics and Parking” and “Automobile Delay and Vehicle Miles Traveled” below);
- Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, the Transportation Sustainability Program process, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled (VMT) effective March 2016 (see “Transportation” below);
- San Francisco ordinance establishing Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, Health Code section 38 amended December 2014 (see “Air Quality” below); and
- San Francisco Recreation and Open Space Element of the General Plan, adopted April 2014 (see “Recreation” below); and
- Health Code Article 22A (“Maher Ordinance”), amended August 2013 (see “Hazardous Materials” below).

State Density Bonus

Under Government Code section 65915, the state density bonus law, cities are required to grant density bonuses, waivers from development standards,⁵ and concessions and incentives⁶ when a developer of a housing project of five or more units includes at least 5 percent of those units as housing units affordable to moderate, low, or very low income households (between 50 and 120 percent of area median income).⁷ The amount of the density bonus and the number of concessions and incentives varies depending on the

⁵ “Development standard” includes a site or construction condition, including but not limited to a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation. (See Government Code section 65915(0)(1)).

⁶ Concessions and incentives mean: (1) a reduction in site development standards or a modification of zoning requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions; (2) approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located; or (3) other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable, financially sufficient, and actual cost reductions. (See Government Code section 65915.)

⁷ See generally, Government Code section 65915 et seq.

percentage of affordable units proposed and the level of affordability; generally, however, state law requires that cities grant between 7 to 35 percent density bonus, and up to three concessions and incentives, if a developer provides between 5 and 40 percent affordable units. Additionally, project sponsors are able to request waivers from development standards if the development standards physically preclude the project with the additional density or with the concessions and incentives.⁸ State law requires that rental units be affordable for a term of no less than 55 years, and that ownership units be affordable to at least the first buyer through a shared equity agreement.⁹ Local jurisdictions are required to adopt an ordinance implementing the state density bonus law; however, absent an ordinance, local jurisdictions are still required to comply with the law.¹⁰

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.
- 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 initial study does not consider aesthetics or parking in determining the significance of project impacts under CEQA.¹¹ Project design details, including parking, are included in the project description.

Automobile Delay and Vehicle Miles Traveled

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 the Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA,¹² recommending that transportation

⁸ See Government Code section 65915(e).

⁹ See Government Code section 65915(c)(1) and (2).

¹⁰ See Government Code section 65915(a).

¹¹ San Francisco Planning Department, Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis, 333 12th Street, March 17, 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. 2015-004109ENV.

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 riding transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Western SoMa PEIR associated with automobile delay are not discussed in this initial study, including PEIR Mitigation Measure M-TR-1c: Traffic Signal Optimization (8th/Harrison/I-80 WB off-ramp). Instead, a VMT impact analysis is provided in the Transportation section.

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>
1. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa Community Plan implemented new policies and controls for land use, urban form, building height and design, street networks, and open space with the overarching goal to maintain the mixed-use character of the plan area and preserve existing housing while promoting new residential and resident-serving uses (including affordable housing). The plan also called for transportation control measures to support high-density growth, such as improvements to public transportation, bicycle, and pedestrian facilities and to encourage residents and employees to reduce private vehicle use. New height limits were intended to encourage commercial and ground-level retail development. The community plan changed the area's prevailing 50-X height and bulk district (including the 333 12th Street project site) to a combination of 55/65-X height and bulk districts, which allows 55 feet in height, and 65 feet with conditional use authorization. Under the Western SoMa Community Plan, the Western SoMa Mixed Use-General (WMUG) zoning district, in which the project site is located, replaced the Service/Light Industrial/Residential (SLR) use district. WMUG zoning supports a flexible mix of smaller neighborhood-serving, commercial, institutional, and industrial/PDR uses. All types of residential uses are permitted, some requiring conditional use authorization. New residential developments are encouraged to provide as much mixed-income family housing as possible.

¹² The Governor's Office of Planning and Research. "Updating the Analysis of Transportation Impacts Under CEQA." Available at <
https://www.opr.ca.gov/docs/Final_Preliminary_Discussion_Draft_of_Updates_Implementing_SB_743_080614.pdf

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

The Current Planning and Citywide divisions of the Planning Department determined that the project is consistent with the San Francisco Planning Code, General Plan, and WMUG zoning, and that the project's height, bulk, and density are consistent with that permitted under the state density bonus law.^{13, 14}

The project would not physically divide an established community, conflict with applicable land use regulations, or have a substantial impact upon the existing character of the vicinity. For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to land use and land use planning.

<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>
2. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Western SoMa Community Plan was to identify appropriate locations for housing to meet the citywide demand for additional housing. The Western SoMa PEIR concluded that an increase in population in the plan area is expected to occur as a secondary effect of the rezoning and that any population increase would not, in itself, result in adverse physical effects but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population throughout the community plan area. The Western SoMa PEIR determined that the anticipated increase in population

¹³ San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning, 333 12th Street. October 13, 2016.

¹⁴ San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning, November 3, 2016.

and density would not result in significant adverse physical effects on the environment. No mitigation measures related to population and housing were identified in the Western SoMa PEIR.

The proposed residential building would contain 200 dwelling units (110,938 gross square feet of residential use). Approximately 442 residents would be added the site and 45 jobs would be displaced from demolition of the existing 21,630 sf commercial building.¹⁵ These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Western SoMa Community Plan, and were evaluated in the Western SoMa PEIR.

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

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

Historic Architectural Resources

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

The project would demolish an existing single-story building constructed in 1950. The existing building and adjacent vacant lot were evaluated as part of the South of Market Area Historic Resource Survey. Based on this survey, the existing building and vacant lot were each assigned a California Historic Resource Status Code of 6Z, which defines the properties as “ineligible for [National Register], [California Register], or local designation through survey evaluation.” Therefore, the existing building and vacant lot are not considered to be historic resources for purposes of CEQA. As such, the project would not result in

¹⁵ Estimate of residents is based on an average household size of 2.21 persons per household in the 2010 Census Tract 177, where the project is located. Estimate of existing on-site commercial employment provided by the project sponsor on October 11, 2016.

the demolition or alteration of any historic resource and would not contribute to the significant historic resource impact identified in the Western SoMa PEIR.

The Western SoMa PEIR anticipated that project-specific construction activity could result in substantial damage to adjacent properties identified as historic resources. PEIR Mitigation Measures M-CP-7a (Protect Historical Resources from Adjacent Construction Activities) and M-CP-7b (Construction Monitoring Program for Historical Resources) require project sponsors, in consultation with the Planning Department, to determine whether historic buildings are within 100 feet (if pile driving is proposed) or 25 feet (if heavy equipment is proposed) of a construction site. If yes, the project sponsor must ensure that contractors use all feasible means to avoid damage to those historic buildings during demolition and construction (PEIR Mitigation Measure M-CP-7a), and undertake a monitoring program to ensure that any such damage is documented and repaired (PEIR Mitigation Measure M-CP-7b). Pile driving would occur during construction of the proposed project, and four buildings have been identified as historic resources along the south side of Folsom Street between 12th and Norfolk Streets (1539-1585 Folsom Street), within 100 feet of the project site. Accordingly and pursuant to PEIR Mitigation Measure M-CP-7a and PEIR Mitigation Measure M-CP-7b (identified as **Project Mitigation Measures 1 and 2** on page 47), the project sponsor shall:

- Incorporate into construction specifications a requirement that contractors use all feasible means to avoid damage to the structures at 1539-1585 Folsom Street, including construction techniques that reduce vibration, appropriate excavation shoring methods, and adequate security to minimize risks of vandalism and fire; and
- Prepare and implement a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired.

With implementation of Project Mitigation Measures 1 and 2, the proposed project would not contribute to construction-related historic architectural resource impacts.

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

Archeological Resources

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan could result in significant impacts on archeological resources and identified two mitigation measures that would reduce these potential impacts to a less than-significant level. Western SoMa PEIR Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment and M-CP-4b: Procedures for Accidental Discovery of Archeological Resources apply to projects involving any soils-disturbing or soils-improving activities including excavation to a depth of 5 or more feet below grade.

The project would involve excavation to a depth of 12 feet below grade. Therefore, Mitigation Measure M-CP-4a would apply to the project. The archeological testing program required as part of Mitigation Measure M-CP-4a, as discussed below, would nullify the need for an accidental discovery program; therefore, Mitigation Measure M-CP-4b would not apply to the project.

As part of project implementation of Mitigation Measure M-CP-4a, the Planning Department's archeologists conducted a preliminary archeology review of the project site and the proposed project.¹⁶ The review determined that the potential of the project to adversely affect archeological resources would be avoided by implementing one of the Planning Department's standard archeological mitigation measures (archeological testing). Therefore, in accordance with Mitigation Measure M-CP-4a (**Project Mitigation Measure 3** on page 48), the project sponsor would be required to retain the services of an archaeological consultant from the rotational department qualified archaeological consultants list maintained by the Planning Department archeologists, and the selected archeological consultant would be required to undertake an archeological testing program. The project would not result in significant impacts related to archeological resources with implementation of this mitigation measure.

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

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

¹⁶ San Francisco Planning Department, *Preliminary Archeological Review, 333 12th Street*, May 27, 2016.

The Western SoMa PEIR did not evaluate vehicle miles traveled (VMT) or the potential for induced automobile travel; however, the analysis below evaluates the project's transportation effects using the VMT metric.

The Western SoMa PEIR anticipated that growth resulting from the zoning changes could result in significant cumulative impacts on transit ridership, and identified a transportation mitigation measure, which is described further below. Even with mitigation, however, it was anticipated that the significant adverse cumulative impact on transit lines could not be fully mitigated. Thus, this impact was found to be significant and unavoidable.

The Western SoMa PEIR anticipated that adoption of the Western SoMa Community Plan could result in significant impacts on loading, and identified two loading mitigation measures. M-TR-4 would reduce loading impacts along Folsom Street to a less-than-significant level. The PEIR did not identify any mitigation measures for loading impacts along 12th Street, and the impact was determined to be significant and unavoidable. The 333 12th Street project would not remove any existing loading zones; thus, these impacts and mitigation measure M-TR-4 would not apply to the proposed project.

The Western SoMa PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, emergency access, or construction traffic. As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction traffic beyond those analyzed in the PEIR. Project-specific loading and construction issues are discussed in more detail below.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption 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 (TAZs). Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from

the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project 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 overestimate VMT.^{17,18}

For residential development, the existing regional average daily VMT per capita is 17.2.¹⁹ Average daily VMT for all three land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the TAZ in which the project site is located, 589.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 589	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 589
Households (Residential)	17.2	14.6	3.5	16.1	13.7	2.9

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 screening criteria, 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 required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable sustainable communities strategy.

Table 1 identifies the regional VMT, 15 percent below the regional average VMT, and the VMT in the TAZ in which the project site is located. In TAZ 589, the existing average daily household VMT per capita

¹⁷ 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.

¹⁸ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

¹⁹ Includes the VMT generated by the households in the development.

is 3.5. The TAZ 589 VMT average is more than 15 percent below the existing regional VMT average of 17.2, and the proposed project would not result in substantial additional VMT.²⁰ Table 1 also identifies the future 2040 regional average VMT, 15 percent below the regional average VMT, and the VMT in TAZ 589, in which the project is located. In TAZ 589, the future 2040 average daily household VMT per capita is 2.9. This average is more than 15 percent below the future 2040 regional VMT average of 16.1, and the proposed project would not result in substantial additional VMT.²¹ Furthermore, as discussed under "Changes in the Regulatory Environment, Aesthetics and Parking," above, parking impacts of a residential project on an infill site located within a transit priority area shall not be considered a significant impact on the environment. Therefore, the proposed project would not cause substantial additional VMT and impacts would be less than significant.

Although the proposed project would have less-than-significant impacts on VMT, **Improvement Measure TR-1: Implement Transportation Demand Management Measures** on page 54 is recommended for implementation to reduce project-generated VMT.

Trip Generation

The proposed project involves construction of a residential building containing 200 dwelling units (110,998 gross sf of residential use). The residential units would be comprised of six one-bedroom units, 94 two-bedroom units, and 100 two-bedroom-plus units dispersed over all eight levels of the two wings of the eight-story building. The project would provide 125 Class 1 bicycle parking spaces and no private vehicle parking spaces. Two new car-share spaces would be located in front of the project site along the 12th Street right-of-way.

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 as detailed in the transportation impact study prepared for the proposed project.²² The proposed project would generate an estimated 1,985 person trips (inbound and outbound) on a weekday daily basis, consisting of 643 person trips by auto, 862 transit trips, 189 walking trips and 291 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 344 person trips, consisting of 112 person trips by auto (104 vehicle trips accounting for vehicle occupancy data for this Census Tract), 150 transit trips, 32 walk trips, and 50 trips by other modes.

Transit

Western SoMa Mitigation Measure M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts was adopted to address significant transit impacts. Subsequently, as part of the Transportation Sustainability Program the San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154,

²⁰ San Francisco Planning Department, Eligibility Checklist for CEQA section 21099: Modernization of Transportation Analysis, 333 12th Street, March 17, 2016.

²¹ *Ibid.*

²² Stantec Consulting Services, 333 12th Street Transportation Impact Study, November 16, 2016.

effective December 25, 2015).²³ The Transportation Sustainability Fee updated, expanded, and replaced the prior Transit Impact Development Fee.

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. Service improvements in the Western SoMa community plan area include travel time reduction measures for the 14 Mission and 14 Mission Rapid route and the addition of the 49 Van Ness/Mission Rapid service.

The project site is located within a half mile of approximately 12 Muni transit lines that operate at a frequency of at least every 15 minutes during the a.m. and p.m. peak periods. Four of these lines (9 San Bruno, the 9R San Bruno Rapid, the 12 Folsom-Pacific, and the 47 Van Ness) stop one block from the project site, at Harrison and 11th streets. Given the wide availability of nearby transit, the addition of 112 p.m. peak hour transit trips would be accommodated by existing capacity. Accordingly, 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.

The Western SoMa Community Plan PEIR identified less-than-significant impacts relating to exceedance of the capacity utilization standards for Muni lines or regional transit providers, or a substantial increase in delays or operating costs. However, the Western SoMa Community Plan PEIR identified significant cumulative (2030) transit impacts for the “Other Lines” corridor, which includes the J Church, 10 Townsend, 12 Folsom-Pacific, 19 Polk, and 27 Bryant routes within the southeast screenline related to additional programmatic growth. The Western SoMa PEIR identified Mitigation Measure M-C-TR-2 to impose development impact fees. Even with this mitigation, however, the cumulative transit impact of development within the Western SoMa plan area was found to be significant and unavoidable, and a statement of overriding considerations related to this impact was adopted as part of the PEIR certification and community plan approval. The proposed project’s 150 p.m. peak hour transit trips would represent a 1 percent contribution to the northeast corridor Muni screenline and 0 percent contribution to all other Muni corridors and regional transit carriers. As such, the proposed project would not make a cumulatively considerable contribution to the unacceptable levels of cumulative transit service identified in the Western SoMa PEIR. Mitigation Measure M-C-TR-2 is, therefore, not applicable to the proposed project. However, as discussed above, the proposed project would be subject to the Transportation Sustainability Fee.

Loading

The project is expected to generate approximately three daily truck trips, anticipated as small delivery trucks and vans and large and small moving vans for residential move-in and move-out activities. This loading demand would be expected to be accommodated by the proposed on-street loading zone on 12th Street, or the existing 34-foot-long commercial vehicle loading zone on the east side of 12th Street immediately north of the project site. Therefore, impacts related to loading would be less than significant. To further reduce less-than-significant impacts related to loading, **Improvement Measure TR-2: Coordination of Move-in/Move-Out Operations and Large Deliveries** (see page 55) is

²³ 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.

recommended to enforce appropriate loading procedures to avoid any blockages along 12th and Norfolk streets during loading activities and to reduce any potential conflicts between delivery vehicles, movers and other users of adjacent roadways (e.g., transit vehicles, bicyclists), and pedestrians walking along these adjacent streets.

Construction

Construction associated with the proposed project would generate a maximum of four truck trips per day in addition to up to 18 vehicle-trips by construction workers per day, depending on the construction phase. It is anticipated that the addition of the worker-related vehicle- or transit-trips would not substantially affect transportation conditions, as any impacts on local intersections or the transit network would be similar to, or less than, those associated with the proposed project. Construction workers who drive to the site would cause a temporary spike in parking demand. Construction workers would likely utilize on-street parking available in the vicinity of the project site or park in the SoMa Hub Parking Garage, located at 244 12th Street, approximately 650 feet from the proposed project site. Throughout the construction period, there would be a flow of construction-related trucks into and out of the project site. The impact of construction truck traffic would be a temporary lessening of the capacities of local streets due to the slower movement and larger turning radii of trucks, which could affect traffic operations.

Overall, the construction-related transportation impacts for the proposed project would be less than significant because they are temporary and intermittent in nature and limited in its effects. Nevertheless, **Improvement Measures TR-3: Construction Management** and **TR-4: Limited Delivery Time** (see pages 55-56) are recommended to reduce potential conflicts between construction activities and pedestrians, transit, and autos.

Conclusion

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Western SoMa Community Plan PEIR related to transportation and circulation and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Western SoMa PEIR. No mitigation would be warranted.

<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"/>

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
d) 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 Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to traffic-generated noise levels along major streets throughout the plan area. The Western SoMa PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.²⁴ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

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. 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, the Department of Building Inspection (DBI) would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24

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

acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses requires a noise analysis for new development including commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity in order to reduce potential conflicts between existing sensitive receptors and new noise-generating uses. The proposed residential development would not include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. Therefore, Mitigation Measure M-NO-1c would not apply to the proposed project.

Mitigation Measures M-NO-2a: General Construction Noise Control Measures and M-NO-2b: Noise Control Measures during Pile Driving require implementation of noise controls during construction in order to reduce construction-related noise impacts. The proposed project would involve construction of an eight-story residential building and, therefore, would contribute to construction-related noise impacts. The project would be subject to Mitigation Measures M-NO-2a—detailed under **Project Mitigation Measure 4** on page 51—in order to reduce these impacts to a less-than-significant level. Project construction will require pile driving and could potentially result in vibration effects typically generated by pile-driving activities; thus, Mitigation Measure M-NO-2b would apply to the proposed project and is included as **Project Mitigation Measure 5** on page 52, and would reduce the construction noise and vibration impacts to less-than-significant levels.

In addition, all construction activities for the proposed project (occurring over the course of approximately 18 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The noise ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA²⁵ (L_{dn} ²⁶) 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 the Department of Public Works (DPW) or the Director of DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work exceeds 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 DPW authorizes a special permit for conducting the work during that period.

The Department of Building Inspection 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, occupants of the nearby properties could be disturbed by construction noise. Construction noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby

²⁵ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

²⁶ The L_{dn} is the L_{eq} , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

properties. 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 (approximately 18 months), intermittent, and restricted in occurrence and level, and because the contractor would be subject to the noise ordinance. Compliance with the noise ordinance would reduce any construction-related noise effects on nearby residences to the greatest extent feasible.

In May 2015, in recognition of both the potential noise effects on nearby residences from places of entertainment (e.g., nightclubs and bars with live music and/or disc jockeys) and of the cultural and economic importance to the City of places of entertainment, the Board of Supervisors passed, and the Mayor signed into law, Ordinance 70-15, which made amendments to the San Francisco Building, Administrative, Planning, and Police Codes that require attenuation of exterior noise for new residential structures and acoustical analysis; to require consultation between the Planning Department and the Entertainment Commission regarding proposed residential uses within 300 feet of places of entertainment, including notifying a potential residential project sponsor if there are nearby places of entertainment; to allow the Entertainment Commission to conduct a hearing, attended by the residential project sponsor, on such a project and to provide comments and recommendations to the Planning Department regarding the project; to require the Planning Department to consider noise issues in reviewing the project, to preclude a place of entertainment from being declared a public or private nuisance on the basis of noise for residents of residential structures developed since 2005; and to require disclosure to residential renters and buyers of potential noise and other inconveniences associated with nearby places of entertainment. The project site is within 300 feet of several places of entertainment and thus would be subject to the noise and notification requirements of Ordinance 70-15.

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, initial study topics 5e and 5f are not applicable.

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

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

<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>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Construction Dust Control

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

Criteria Air Pollutants

The Bay Area Air Quality Management District's (BAAQMD) CEQA Air Quality Guidelines (Air Quality Guidelines) provide screening criteria for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. The project proposes 200 dwelling units, which is below the Air Quality Guidelines' construction and operational screening criteria for criteria air pollutants.²⁷ Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects is required for projects generating more than 3,500 vehicle trips resulting in excessive criteria pollutant emissions. The proposed project would generate approximately 643 daily vehicle trips.²⁸ Therefore, Mitigation Measure M-AQ-2 would not apply to the proposed project.

²⁷ Bay Area Air Quality Management District. CEQA Air Quality Guidelines. Updated May 2011, Table 3-1.

²⁸ Stantec Consulting Services, 333 12th Street Transportation Impact Study, November 16, 2016.

Health Risk

Subsequent to certification of the Western SoMa PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, or Health Code Article 38 (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 developments 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, such as the proposed project, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

Mitigation Measures M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants and M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards require projects to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. For projects with construction activities located in an Air Pollutant Exposure Zone, Mitigation Measures M-AQ-6 and M-AQ-7 require submittal of a Construction Emissions Minimization Plan to the Environmental Review Officer for review and approval. Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips.

Construction of the proposed project would last approximately 18 months, and diesel-generating equipment would be used for the duration of construction. Because project construction would generate criteria air pollutant emissions below applicable thresholds, Mitigation Measure M-AQ-6 would not apply to the proposed project. Nonetheless, the project site is located within an identified Air Pollutant Exposure Zone; therefore, Mitigation Measure M-AQ-7 would apply to the proposed project. Mitigation Measure M-AQ-7 is detailed in **Project Mitigation Measure 6** on page 53. Compliance with this mitigation measure would result in less-than-significant air quality impacts from project-related construction vehicles and equipment.

Sensitive Land Uses

For sensitive-use projects within the Air Pollutant Exposure Zone as defined by Article 38, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of the DPH that the applicant has an approved Enhanced Ventilation Proposal.

The proposed project is within the Air Pollutant Exposure Zone; therefore, in compliance with Article 38, the project sponsor submitted an initial application to the DPH.²⁹ The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of PEIR Mitigation Measure M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors. Therefore, PEIR Mitigation Measure M-AQ-3 is not applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

Mitigation Measure M-AQ-4: Siting of Uses that Emit PM_{2.5} or DPM and Other TACs involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The project proposes construction of an eight-story residential building containing 200 dwelling units. The project would not generate more than 10,000 vehicle trips or 1,000 truck trips per day or include a new stationary source, such as a diesel emergency generator, that would emit TACs as part of everyday operations. The project site is located within an identified Air Pollutant Exposure Zone and would result in an increase in construction- and operational-related criteria air pollutants, including from the generation of daily vehicle trips and energy demand. The proposed project is below the screening criteria provided in the Air Quality Guidelines for construction- and operational-related criteria air pollutants. Thus, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure M-AQ-4 is not applicable to the proposed project.

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

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>
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 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 project's GHG impact is less

²⁹ San Francisco Department of Public Health, Application for Article 38 Compliance Assessment for 333 12th Street, February 22, 2016.

than significant. San Francisco's Strategies to Address Greenhouse Gas Emissions³⁰ 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,³¹ exceeding the year 2020 reduction goals outlined in the BAAQMD's 2010 Clean Air Plan,³² Executive Order S-3-05,³³ and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{34,35} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05³⁶ and B-30-15.^{37,38} 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 demolishing a one-story commercial building and surface parking lot and constructing an eight-story building containing 200 dwelling units. 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.

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

³⁰ 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 October 13, 2016.

³¹ ICF International, Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco, January 21, 2015.

³² 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 October 13, 2016.

³³ Office of the Governor, Executive Order S-3-05, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed October 13, 2016.

³⁴ 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 October 13, 2016.

³⁵ 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.

³⁶ 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).

³⁷ Office of the Governor, Executive Order B-30-15, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed October 13, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

³⁸ 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.

reduce the project's GHG emissions related to transportation, energy use, waste disposal, and conservation.

Compliance with the City's transportation management programs, transportation sustainability fee, and bicycle parking 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 project would be required to comply with the energy efficiency requirements of the City's Green Building Requirements and would meet and exceed the GreenPoint rated system. The project would also comply with San Francisco's Stormwater Management Ordinance, Green Building requirements for water use reduction, the Residential Energy Conservation Ordinance, and the Water Efficient Irrigation Ordinance, thereby reducing the proposed project's energy-related GHG emissions.³⁹

The project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance and Demolition Debris Recovery Ordinance, which would 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 energy,⁴⁰ and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Compliance with regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁴¹ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁴²

For the above reasons, the project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. Therefore, the project would result in a less-than-significant impact with respect to GHG emissions. The proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR and no mitigation measures are necessary.

³⁹ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴⁰ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

⁴¹ 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.

⁴² San Francisco Planning Department, Compliance Checklist Table for Greenhouse Gas Analysis: Table 1. Private Development Projects, 333 12th Street, September 21, 2016.

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

Wind

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would have a potentially significant impact related to the alteration of wind in a manner that would substantially affect public areas. However, the PEIR determined that this impact could be reduced to a less-than-significant level with implementation of Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing, which would require a wind analysis for any new structures within the plan area that have a proposed height of 80 feet or taller. The proposed building including the elevator penthouse would be 96 feet in height; thus in compliance with Mitigation Measure M-WS-1, a screening-level wind analysis was conducted.⁴³

The screening-level wind analysis considered existing conditions and proposed development near the project site, including the local street grid, widths, and orientation. Four wind tunnel tests in the south of Market area were reviewed to compare the project site to other sites. The technical memo concluded that the proposed 79-foot-tall building would divert some of the predominant approaching winds directly onto adjacent sidewalks but that with the exception of an area on the 12th Street sidewalk, wind speeds along the surrounding sidewalks would not be expected to result in noticeable changes due to the project. The building would likely result in changes of ± 2 mph (or less) in the 10 percent exceeded wind speeds that occur on nearby sidewalks.

The analysis concluded that the proposed project would not cause a new wind hazard or aggravate an existing hazard. There is no reason to conclude that modification of the design of the project would improve the existing wind conditions that now occur in the vicinity of the project site. Thus, wind tunnel testing of the project is not warranted.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the Western SoMa PEIR related to wind.

Shadow

The Western SoMa PEIR determined that implementation of the Plan and Rezoning of the Adjacent Parcels would have a significant and unavoidable impact related to the creation of new shadows in a manner that would substantially affect outdoor recreation facilities or other public areas. No mitigation measures were identified in the PEIR.

⁴³ Charles Bennett, ESA, Technical Memorandum, Potential Wind Effects of Proposed Residential Project, 333 12th Street Development, San Francisco, California. November 10, 2016.

Planning Code section 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Parks Department between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The proposed project would construct a building 79 feet in height with an elevator penthouse that rises to 96 feet in height). To determine whether the proposed project would conform to section 295, the Planning Department conducted a preliminary shadow fan analysis, which determined that the project would not cast shadows on any public open spaces or recreational resources, including but not limited to parks under the jurisdiction of the San Francisco Recreation and Parks Department and the approved Eagle Plaza, a 175-foot-long linear pedestrian plaza along 12th Street starting about 50 feet to the south of the project site.⁴⁴ Therefore, the project would not contribute to the significant shadow impact identified in the Western SoMa Community Plan PEIR.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the Western SoMa Community Plan PEIR related to shadow.

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

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

The Recreation and Open Space Element (ROSE) of the San Francisco General Plan was updated in April 2014. Policy 2.1 of the ROSE prioritizes acquisition of open space in high needs areas, and the Western SoMa neighborhood is recognized in the ROSE as a high needs area. Policy 2.11 of the ROSE encourages that privately developed residential open spaces, including common spaces, in the downtown and multi-family zoning districts be increased.

The proposed project would include over 11,000 sf of open space, including common open space between the two wings of the building and on the roof of both wings, and private open space for individual units.

⁴⁴ San Francisco Planning Department, 333 12th Street Shadow Fan, November 14, 2016.

Furthermore, beginning 50 feet south of the project site, 175 linear feet of the 12th Street roadway will be converted into "Eagle Plaza," a public pedestrian plaza. Eagle Plaza is anticipated to be completed in early 2020, about a year after the 333 12th Street project is expected to be occupied. With the addition of both on-site open space and new public open space in the project vicinity, the population increase resulting from the proposed project would not lead to the physical deterioration of existing recreational facilities nor require construction of new or expansion of existing facilities that could have a significant adverse impact on the environment.

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

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

The Western SoMa PEIR determined that the anticipated increase in population in the plan area 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.

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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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 Western SoMa PEIR determined that the anticipated increase in population in the community plan area would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on public services beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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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"/> |
| 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"/> |

<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>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Western SoMa PEIR determined that the community plan would result in significant but mitigable impacts on special-status birds and bats that may be nesting in trees or roosting in buildings that are proposed for removal/demolition as part of an individual project. As identified in the PEIR, Mitigation Measure M-BI-1a, Pre-Construction Special-Status Bird Surveys, and M-BI-1b, Pre-Construction Special-Status Bat Surveys would reduce these impacts to less-than-significant levels.

PEIR Mitigation Measure M-BI-1a requires that building permits issued for construction of projects within the community plan area include conditions of approval requiring pre-construction special-status bird surveys when trees would be removed or buildings would be demolished. The proposed project is subject to PEIR Mitigation Measure M-BI-1a, identified as **Project Mitigation Measure 7** on page 53, which requires pre-construction special-status bird surveys to be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period.

PEIR Mitigation Measure M-BI-1b requires pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or when vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. The proposed project would not involve removal of large trees but would involve demolition of a building that is expected to be vacant for three months prior to demolition. Thus, PEIR Mitigation Measure M-BI-1b would apply to the proposed project and is included as **Project Mitigation Measure 8** on page 54. Implementation of this mitigation measure would reduce impacts on bats to a less-than-significant level.

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR concluded that implementation of the community 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 risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the PEIR concluded that the project would not result in significant impacts related to geological hazards. No mitigation measures were identified in the PEIR.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the city. Therefore, potential damage to structures from geologic hazards such as liquefaction hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application

pursuant to its implementation of the building code. A geotechnical investigation was prepared for the proposed project which provided recommendations for building design.⁴⁵ The geotechnical report notes that the site is underlain by potentially liquefiable soil at depths between 5 and 22 feet and anticipates excavation to range from 9 to 12 feet below ground surface. The report recommends that a structural engineer/civil engineer knowledgeable in excavation support design a shoring system that is required along adjacent private properties. (The shoring will be installed with pile drivers; the vertical steel beams and plate shoring will be left in place after shotcrete walls are poured.⁴⁶) The geotechnical report states that the proposed below-grade level may be supported on a stiffened mat foundation that is underlain by waterproofing and designed to resist hydrostatic uplift pressures. The report concluded that the site can be developed as planned, provided the recommendations presented in the report are incorporated into the project plans and specifications and properly implemented during construction. The primary geotechnical concerns at the project site are relatively shallow groundwater relative to the proposed excavation depth, and the potential for up to 1-1/2 inches of seismically induced settlement due to liquefaction. The proposed project would comply with the recommendations of this geotechnical review by incorporating the recommendations into the final building design subject to DBI review.

In light of the above, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Western SoMa PEIR, and no mitigation measures are necessary.

<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"/>

⁴⁵ Rockridge Geotechnical, Final Geotechnical Investigation, Proposed Residential Building, 333 12th Street, San Francisco, California, April 14, 2016.

⁴⁶ Zac Shore, Panoramic Interests, email to Jeanie Poling, November 4, 2016.

<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>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is entirely covered by impervious surfaces, and the proposed building and courtyard areas would fully occupy the project site. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site or an increase the amount of runoff and drainage from the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the project sponsor would be required to incorporate into the project low-impact design approaches and stormwater management systems identified in the Stormwater Design Guidelines. Through compliance with the Stormwater Management Ordinance, the proposed project would not adversely affect runoff and drainage.

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

<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"/>

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

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

The Western SoMa PEIR identified potentially significant impacts related to hazardous building materials and determined that PEIR Mitigation Measure M-HZ-2, Hazardous Building Materials Abatement, would reduce these impacts to a less-than-significant level. The proposed project would involve demolition of a building constructed in 1950; therefore Mitigation Measure M-HZ-2 (**Project Mitigation Measure 9** on page 54) would apply to the proposed project.

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

Subsequent to the FEIR certification, the San Francisco Board of Supervisors amended Health Code Article 22A, which is administered and overseen by the Department of Public Health (DPH) and is also known as the Maher Ordinance. Amendments to the Maher Ordinance became effective August 24, 2013, and require sponsors of projects that disturb more than 50 cubic yards of soil to retain the services of a qualified professional to prepare a Phase I environmental site assessment (ESA) that meets the requirements of Health Code section 22.A.6. Mitigation Measure M-HZ-3 of the Western SoMa PEIR

related to contaminated soil and groundwater is therefore superseded by the Maher Ordinance and, accordingly, does not apply to the proposed project.

A Phase I ESA was prepared for the project to assess the potential for site contamination and level of exposure risk associated with the project.⁴⁷ According to the Phase I ESA, the site was originally located at or near the shoreline of Mission Bay, an area that was extensively filled for commercial and industrial development beginning in approximately the 1870s. The site was developed with multiple residential structures by at least the 1880s and changed to commercial/industrial use by 1931. Previous on-site operations included plaster works, bottling works and warehousing, electrical supplies warehousing, and an automobile service shop.

The Phase I ESA revealed no evidence of known hazardous material contamination. Absent further information regarding the specific nature of fill material, historical chemical use, chemical handling practices, and associated wastes, however, the Phase I ESA cannot rule out the possibility that spills or releases of chemicals or petroleum products may have adversely affected the soil and groundwater conditions at the site.⁴⁸ In compliance with the Maher Ordinance, the project sponsor submitted an initial Maher Application to DPH.⁴⁹

The Maher Ordinance requires that, if the project site has a record of hazardous substances in the ground or soil water, a work plan be submitted to DPH, including soil and groundwater sampling. If concerns are identified during sampling and testing, a site mitigation plan may be required as part of approval by DPH for issuance of an approval to commence the project. The Department of Public Health issued a letter approving the Phase I ESA and requesting that a Phase 2 Site Characterization Report and Work Plan be submitted to DPH.⁵⁰ The sampling and analysis should include testing of the soil, groundwater, and soil vapor. Contingent up the submitted documentation and analytical reports, a site mitigation plan and a dust control plan must be developed and submitted to DPH. These plans must be approved by DPH prior to issuance of any building permit.

Through compliance with the Maher Ordinance, the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to hazardous soil and/or groundwater. Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Western SoMa PEIR.

⁴⁷ Environ, Phase I Environmental Site Assessment Report, 333 and 351 Street, San Francisco, California, April 3, 2015.

⁴⁸ The Maher Map identifies sites that are known or suspected to contain contaminated soil and/or groundwater.

⁴⁹ San Francisco Department of Public Health, Maher Ordinance Application, 333 12th Street, received September 29, 2015.

⁵⁰ San Francisco Department of Public Health, Environmental Health, Phase 1 Environmental Site Assessment Approval, Residential Development, 333 12th Street, San Francisco, EHB-SAM No. –SMED: 1325, November 16, 2016.

<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 Western SoMa PEIR determined that the community plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in the 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 community plan area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Western SoMa PEIR concluded that implementation of the community plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Western SoMa PEIR.

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

<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>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Western SoMa PEIR.

MITIGATION MEASURES

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

The project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings at 1539–1585 Folsom Street, using construction techniques that reduce vibration, using appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.

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

The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of 1539–1585 Folsom Street to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be

substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.

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

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

Consultation with Descendant Communities: On discovery of an archeological site⁵¹ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁵² 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.

⁵¹ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁵² 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 archaeologist.

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

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project 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 activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

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

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California 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 4 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)

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

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques

(e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).

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

Project Mitigation Measure 5 – Noise Control Measures During Pile Driving (Mitigation Measure M-NO-2b of the Western SoMa PEIR)

For individual projects within the Draft Plan Area and Adjacent Parcels that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible:

- The sponsor of a subsequent development project shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive

receptors and reduce noise levels by 5 to 10 dBA, although the precise reduction is a function of the height and distance of the barrier relative to receptors and noise source(s);

- The sponsor of a subsequent development project shall require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- The sponsor of a subsequent development project shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- The sponsor of a subsequent development project shall require that the construction contractor limit pile-driving activity to result in the least disturbance to neighboring uses.

Additionally, because pile driving would occur within proximity to historical resources, the project sponsors would be required to incorporate Mitigation Measures M-CP-7a, Protect Historical Resources from Adjacent Construction Activities (Project Mitigation Measure 1, on page 47) and Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources (Project Mitigation Measure 2, on page 47).

Project Mitigation Measure 6 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR)

To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Plan Area and on the Adjacent Parcels shall undertake a project-specific construction health risk analysis to be performed by a qualified air quality specialist, as appropriate and determined by the Environmental Planning Division of the San Francisco Planning Department, for diesel-powered and other applicable construction equipment, using the methodology recommended by the Bay Area Air Quality Management District (BAAQMD) and/or the San Francisco Planning Department. If the health risk analysis determines that construction emissions would exceed health risk significance thresholds identified by the BAAQMD and/or the San Francisco Planning Department, the project sponsor shall develop a Construction Emissions Minimization Plan for Health Risks and Hazards designed to reduce health risks from construction equipment to less-than-significant levels.

All requirements in the Construction Emissions Minimization Plan must be included in contract specifications.

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

Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated

by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.

Project Mitigation Measure 8 – Pre-Construction Special-Status Bat Survey (Mitigation Measure M-BI-1b of the Western SoMa PEIR)

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

Project Mitigation Measure 9 – Hazardous Building Materials Abatement (M-HZ-2 of the Western SoMa PEIR)

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

Improvement Measure TR-1: Implement Transportation Demand Management Measures

TR-1(a): Identify TDM Coordinator: The project sponsor should identify a TDM coordinator for the project site. The TDM coordinator is responsible for the implementation and ongoing operation of all other TDM measures included in the proposed project. The TDM coordinator may be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco (TMASF)), or the TDM coordinator may be an existing staff member (e.g., property manager); the TDM coordinator does not have to work full-time at the project site. The TDM coordinator would be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM coordinator would provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.

TR-1(b): Provide Transportation and Trip Planning Information to Building Occupants:

- **Move-in packet:** Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), where transit passes could be purchased, the 511 Regional Rideshare Program and nearby bike and car-share programs, and where to find

additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, and San Francisco Bicycle and Pedestrian maps upon request.

- ***Posted and Real-time Information:*** A local map and real-time transit information should be installed on site in a prominent and visible location, such as within a building lobby. The local map should clearly identify transit, bicycle, and key pedestrian routes, and also depict nearby destinations and commercial corridors. Real-time transit information via NextMuni and/or regional transit data should be displayed on a digital screen.

TR-1(c): Allow City Access for Data Collection: As part of an ongoing effort to quantify the efficacy of TDM measures in general, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. Any on-site activity would require sponsor or property management approval and be coordinated through the TDM coordinator. The building sponsor or a contracted transportation brokerage service (e.g. TMA) should be responsible for administering periodic tenant surveys as part of an ongoing program monitoring effort.

TR-1(d): Implement Bicycle Measures:

- ***Parking:*** The project sponsor should increase the number of on-site secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).
- ***Bay Area Bike Share:*** Project sponsor should cooperate with the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage.

TR-1(e): Provide Bicycle Signage. The project sponsor should provide signage indicating the location of on-site bicycle parking facilities.

Improvement Measure TR-2: Coordination of Move-in/Move-Out Operations and Large Deliveries

To avoid blockages and reduce conflicts along 12th and Norfolk Streets during loading activities, the project sponsor or building manager should contact SFMTA or the local 311 service to reserve curb parking prior to loading activities or large deliveries.

Improvement Measure TR-3: Construction Traffic Management Plan

The project sponsor or contractor should develop and implement a construction management plan (CMP) addressing transportation-related circulation, access, staging, and hours for deliveries. The CMP should include, but not be limited to, the following additional measures:

- Identify ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands,

including encouraging and rewarding alternate modes of transportation (transit, walk, bicycle, etc.), carpooling, or providing shuttle service from nearby off-street parking facility.

- Identify ways to consolidate truck delivery trips, minimizing delivery trips.
- Require consultation with the surrounding community, including business and property owners near the project site, to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the project site.
- Develop a public information plan to provide adjacent residents and businesses with regularly updated information regarding project construction activities and duration, peak construction vehicle activities, (e.g. concrete pours), and lane closures, and provide a construction management contact who will log and address community concerns.

Improvement Measure TR-4: Limited Delivery Time

The project sponsor should restrict deliveries and truck trips to the project site during peak hours (generally 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m.).