



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Large Project Authorization

HEARING DATE: AUGUST 24, 2017  
CONTINUED FROM: JULY 27, 2017

*Date:* August 17, 2017  
*Case No.:* 2015-005862ENX  
*Project Address:* 975 BRYANT STREET  
*Zoning:* UMU (Urban Mixed-Use) Zoning District  
48-X Height and Bulk District  
*Block/Lot:* 3780/044  
*Project Sponsor:* Steve Vettel, Farella Braun + Martel LLP  
235 Montgomery Street  
San Francisco, CA 94104  
*Staff Contact:* Kimberly Durandet – (415) 575-6816  
[kimberly.durandet@sfgov.org](mailto:kimberly.durandet@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposed project would demolish the existing 32,407 square foot (sf) industrial building, currently authorized as a retail use and parking lot, and would construct a new four-story-over-basement, 48-foot (ft) tall, mixed-use building (measuring approximately 223,136 gross square feet (gsf)) with 185 dwelling units, 2,990 sf of ground floor retail, below-grade parking with 135 off-street parking spaces, and 123 Class 1 and 16 Class 2 bicycle parking spaces. The proposed building will provide a total of 2,969 sf of publicly-accessible open space adjacent to Kate Street, 1,440 sf of private open space, and 7,028 sf of common open space provided in courtyards and a 3,957 sf roof deck.

### SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Bryant Street between Kate and 7<sup>th</sup> Streets on Assessor's Block 3780 Lot 044 in the South of Market (SoMa) neighborhood. The project site has approximately 187.5 feet of frontage on Bryant Street and 275 feet of frontage on Kate Street. Kate Street only measures 25-ft wide. The subject parcel measures 51,563 sf, and parcel is currently occupied by a 32,407 square foot, one-story (25-ft tall) commercial (former industrial) building measuring 32,407 sf and a 19,200 sf surface parking lot.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project area along Bryant Street is characterized primarily by commercial uses in one- to three-story buildings ranging from 20-ft to 30-ft tall on the south side of Bryant Street and one-story auto-related use and Highway 101 to the west and north of the project site. Kate Street is characterized by one- to three-

story commercial/industrial uses and three- to four-story residential buildings. The building immediately adjacent to the project site is a 20-ft tall, two-story commercial building. The zoning in the immediate neighborhood is UMU (Urban Mixed Use) and P (Public). Other zoning districts in the area are: SALI (Service, Arts, and Light Industrial), PDR-1-G (Production, Distribution, and Repair-General), and RED (Residential Enclave). The area has height limits of 40-X, 48-X, 68-X and 165-J. The project site is within a quarter mile of the following local transit lines; 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 83-Mid-Market Express, 8AX-Bayshore A Express, and 8BX-Bayshore B Express. The project site is approximately .6 miles from the nearest BART (Bay Area Rapid Transit) station at Civic Center.

## **ENVIRONMENTAL REVIEW**

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on August 8, 2017 the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	August 4 , 2017	July 5, 2017	50 days
Posted Notice	20 days	August 4 , 2017	July 28, 2017	28 days
Mailed Notice	20 days	August 4 , 2017	July 5, 2017	50 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the notification for the Large Project Authorization. On July 27, 2017, the Commission continued the project to the public hearing on August 24, 2017.

## **PUBLIC COMMENT/COMMUNITY OUTREACH**

- To date, the Department has received no public comment regarding the proposal.
- Pursuant to Planning Code Section 314, the Entertainment Commission was notified about the project because it is located within 300 feet of a Place of Entertainment. The Entertainment Commission decided to not hold a public hearing on the proposed project. Although a hearing was not held to discuss the project, the Project Sponsor is in direct communication with the Entertainment Commission to address any potential issues. The Entertainment Commission



requested that the Planning Commission adopt their standard set of conditions entitled "Recommended Noise Attenuation Conditions".

## **ISSUES AND OTHER CONSIDERATIONS**

- Large Project Authorization: Since the Project would construct more than 25,000 gross square feet within an Eastern Neighborhoods Mixed-Use District, the Project requires a Large Project Authorization from the Planning Commission. As part of the Large Project Authorization (LPA), the Commission may grant exceptions from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests exceptions from the Planning Code requirements for: 1) rear yard (Planning Code Section 134); 2) permitted obstructions (Planning Code Section 136); and 3) dwelling unit exposure (Planning Code Section 140). Department staff is generally in agreement with the proposed exceptions given the overall project and its design.
- Affordable Housing: The Project has elected to pay the affordable housing fee as identified in Planning Code Sections 419.3, which requires a rate equivalent of thirty-three (33) percent of the total number of dwelling units. This requirement is subject to change under pending legislation, which is currently under review by the Board of Supervisors.
- Interim Controls-Additional Design Standards for LPAs within the Showplace Square/Potrero Hill Area Plan: The Project is located within the boundaries of the interim control for additional design standards for projects in the Showplace Square/Potrero Hill Area Plan. However, these interim controls expired on August 18, 2017.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant a Large Project Authorization (LPA) pursuant to Planning Code Section 329 to allow the demolition of the existing surface parking lot and one-story commercial building, and the new construction of a four-story (48-foot tall) mixed-use project with up to 185 dwelling units and 2,990 sf of ground floor commercial space, and to allow exceptions to the Planning Code requirements for rear yard (Planning Code Section 134), permitted obstructions (Planning Code Section 136), and dwelling unit exposure (Planning Code Section 140).

## **BASIS FOR RECOMMENDATION**

- The Project is consistent with the Planning Code, Priority Policies, and the General Plan.
- The Project is located in a zoning district where residential and retail use is principally permitted.
- The Project is an appropriate in-fill development that will add 185 new dwelling units to the City's housing stock and 2,990 square feet of commercial space in an area that encourages the development of high-density, mid-rise housing and continuous ground floor commercial frontage with pedestrian-oriented retail activities.
- The Project is compatible with the existing neighborhood character, and provides an appropriate massing and scale for the subject block.
- The Project's design is of high quality and will complement the rapidly changing nature of its location in the South of Market neighborhood.
- The project will convert an underutilized site into a productive mixed-use development.

- The Project will fully utilize the Eastern Neighborhoods Area Plan controls and pay the appropriate development impact fees.
- The Project complies with the First Source Hiring Program.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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**Attachments:**

Block Book Map

Sanborn Map

Zoning Map

Height and Bulk Map

Aerial Photographs

Context Photos

Major Project .25 Mile Map

Recommended Noise Attenuation Conditions

Project Sponsor Submittal, including:

- Reduced Plans
- Inclusionary Affordable Housing Program: Affidavit for Compliance
- Anti-Discriminatory Housing Policy
- First Source Hiring Program

Attachment Checklist

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

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

KJD

Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 419)                 | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code)              |
| <input checked="" type="checkbox"/> Transportation Sustainability Fee (Sec. 411A) | <input checked="" type="checkbox"/> Residential Child Care Requirement (Sec. 414A) |
| <input checked="" type="checkbox"/> Eastern Neighborhoods (Sec. 423)              | <input type="checkbox"/> Other   |

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## Planning Commission Draft Motion

HEARING DATE: AUGUST 24, 2017

*Case No.:* **2015-005862ENX**  
*Project Address:* **975 BRYANT STREET**  
*Zoning:* **UMU (Urban Mixed-Use) Zoning District**  
**48-X Height and Bulk District**  
*Block/Lot:* **3780/044**  
*Project Sponsor:* **Steve Vettel, Farella Braun + Martel LLP**  
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**ADOPTING FINDINGS RELATING TO THE APPROVAL OF A LARGE PROJECT AUTHORIZATION PURSUANT TO SECTION 329 OF THE PLANNING CODE, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134; 2) PERMITTED OBSTRUCTIONS PURSUANT TO PLANNING CODE SECTION 136; AND, 3) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, TO ALLOW CONSTRUCTION OF A FOUR-STORY-OVER-BASEMENT, 48-FOOT TALL, 220,146 SQUARE FEET, MIXED-USE RESIDENTIAL BUILDING WITH 185 DWELLING UNITS, 2,990 SQUARE FEET GROUND FLOOR COMMERCIAL SPACE, AND 135 OFF-STREET AUTOMOBILE PARKING SPACES AT 975 BRYANT STREET (ASSESSOR'S BLOCK 3780, LOT 044) WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT AND A 48-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On October 29, 2015 CRP/Maple Bryant Street Owner LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Large Project Authorization under Planning Code Section 329 to construct a four-story-over-basement, 48-foot tall, 220,146 square feet, mixed-use residential building with 185 dwelling units, 2,990 square feet ground floor commercial space, and 135 off-street automobile parking spaces, within the UMU (Urban Mixed-Use) District and a 48-X Height and Bulk District.

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

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

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

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

On August 8, 2017, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

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

On July 27, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No.

2015-005862ENX. On July 27, 2017, the Commission continued the proposed project to the public hearing on August 24, 2017.

The Planning Department Commission Secretary is the custodian of records, located in the File for Case No. 2015-005862ENX at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

**MOVED**, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2015-005862ENX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## **FINDINGS**

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is located on the south side of Bryant Street between Kate and 7<sup>th</sup> Streets on Assessor's Block 3780 Lot 044 in the South of Market (SoMa) neighborhood. The project site has approximately 187.5 feet of frontage on Bryant Street and 275 feet of frontage on Kate Street. Kate Street only measures 25-ft wide. The subject parcel measures 51,563 sf, and is currently occupied by a one-story (25-ft tall) commercial (former industrial) building measuring 32,407 sf and a 19,200 sf surface parking lot.
3. **Surrounding Properties and Neighborhood.** The project area along Bryant Street is characterized primarily by commercial uses in one- to three-story buildings ranging from 20-feet to 30-feet tall on the south side of Bryant Street and one-story auto related use and Highway 101 to the west and north of the project site. Kate Street is characterized by one- to three-story commercial/industrial uses and three- to four-story residential buildings. The building immediately adjacent to the project site is a 20-foot tall, two-story commercial building. The zoning in the immediate neighborhood is UMU (Urban Mixed Use) and P (Public). Other zoning districts in the area are SALI (Service, Arts, and Light Industrial), PDR-1-G (Production Distribution and Repair General) and RED (Residential Enclave). The area has height limits of 40-X, 48-X, 68-X and 165-J. The project site is within a quarter mile of the following local transit lines; 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 83-Mid-Market Express, 8AX-Bayshore A Express, and 8BX-Bayshore B Express. The project site is approximately .6 miles from the nearest BART (Bay Area Rapid Transit) station at Civic Center.
4. **Project Description.** The proposed project would demolish the existing 32,407 square foot (sf) industrial building, currently authorized as a retail use and parking lot, and would construct a new four-story-over-basement, 48-foot (ft) tall, mixed-use building (measuring approximately 223,136 gross square feet (gsf)) with 185 dwelling units, 2,990 sf of ground floor retail, below-

grade parking with 135 off-street parking spaces, and 123 Class 1 and 16 Class 2 bicycle parking spaces. The proposed building will provide a total of 2,969 sf of publicly accessible open space adjacent to Kate Street, 1,440 sf of private open space, and 7,028 sf of common open space provided in courtyards and a 3,957 sf roof deck.

5. **Public Comment.** The Department has received no public comment regarding the proposal.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Permitted Uses in UMU Zoning Districts.** Planning Code Sections 843.20 and 843.45 states that residential and retail ( $\leq 25,000$  sf per lot and up to 3,999 per use) are principally permitted use within the UMU Zoning District.

*The Project would construct 185 dwelling units and 2,990 sf of new retail use within the UMU Zoning District; therefore, the Project complies with Planning Code Sections 843.20 and 843.45.*

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

*The Project provides a rear yard in several locations: a promenade (2,969 sf); two outer courts (#1-2,437 sf and #2-3,156 sf) adjacent to Kate Street; and, three inner courts (#3-3,191 sf, #4-3,233 sf and #5-779 sf)—two inner courts are located along the north property line, while one inner court is located along the east property line. The total rear yard area provided is 15,765 sf, and is equal to 31% of the 51,562.5 sf lot area. However, the Project does not provide a code-conforming rear yard and is therefore seeking an exception to the rear yard requirement as part of the Large Project Authorization per Sec. 134(f) and 329 (see below).*

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

*The Project provides 2,969 sf of publicly accessible open space along Kate Street which will meet the open space requirement for up to 55 units at 54 sf per unit. The Project provides 18 units with Code-complying terrace private open space. The remaining 112 dwelling units require 80 square feet of common usable open space per unit for a total of 8,960 sf. A common roof deck provides 3,957 sf and the common courtyards provide 7,028 sf for a total of 10,985 sf of common usable open space. In total, the Project exceeds the required amount for the dwelling units.*

- D. **Permitted Obstructions.** Planning Code Section 136 requires bay windows to provide glazing on no less than 50% of the vertical surfaces proposed above the required open area

and 1/3 of that glazing must be on at least one surface that is at an angle of 30 degrees or more from the line of the required setback.

*The Project proposes bay windows which do not meet the glazing requirements of Planning Code Section 136. The Project is seeking an exception to the permitted obstructions requirement as part of the Large Project Authorization per Sec. 136(c)(2) and 329 (see below).*

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

*The Project organizes dwelling units to have exposure facing Bryant Street and Kate Street, which meets the Planning Code requirements. Other dwelling units face either an inner or outer court. The Department has determined that 61 units facing either the inner or outer courts require an exception because they do not meet the dimensional requirements of Section 140 and/or does not provide an unobstructed open area (see submittal, plans dated July 27, 2017, diagram AP6.01). The Project is seeking an exception to the dwelling unit exposure requirement as part of the Large Project Authorization per Sec. 140 and 329 (see below).*

- F. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit. Further, in the UMU District each dwelling unit with at least 2 bedrooms and at least 1,000 square feet of occupied floor area is permitted one auto parking space. Retail sales and services are permitted to provide one auto parking space per 500 sf of occupied floor area.

*The Project is allowed up to 139 automobile parking spaces for the proposed 185 dwelling units while the 2,995 sf of retail use is allowed up to six parking spaces. The Project proposes 135 off-street parking spaces, six for the retail use and 129 for the residential use which meet this requirement.*

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

*The Project includes 185 dwelling units and 2,990 sf of commercial use. Therefore, the Project is required to provide 122 Class 1 bicycle parking spaces and 13 Class 2 bicycle parking spaces for residential and retail uses. The Project will provide 123 Class 1 bicycle parking spaces and 16 Class 2*



*bicycle parking spaces, which exceeds the requirement. Therefore, the Project complies with Planning Code Section 155.2.*

- H. **Car-Share.** Planning Code Section 166 requires one car-share parking space for projects constructing between 50 and 200 dwelling units.

*Since the Project includes 185 dwelling units, it is required to provide one car-share parking space. The Project provides three car-share parking spaces at the basement level. Therefore, the Project complies with Planning Code Section 166.*

- I. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 24 points for the residential use and 14 points for the retail use. However, the Project submitted a completed Environmental Evaluation Application prior to September 4, 2016; therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, thus resulting in a required target of 12 points for the residential use and 7 for the retail use. A total of 19 points are required.

*As currently proposed, the Project will achieve 26 points through the following TDM measures:*

- *Parking Supply*
- *Unbundled Parking*
- *Improved Walking Conditions*
- *Bicycle Parking (Option A)*
- *Bicycle Repair Station*
- *Car Share Parking and Membership*
- *Wayfinding Signage*
- *Transportation Information Displays*
- *Tailored Transportation Marketing Services*

- 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 185 dwelling units, the Project is required to provide 75 units with at least two-bedrooms or 56 three-bedroom units. The Project provides 35 studio, 76 one-bedroom, 64 two-bedroom and 10 three-bedroom units. Therefore, the Project meets the requirements for dwelling unit mix (40% 2 or more bedrooms).*

- K. **Additional Height Limits for Narrow Streets and Alleys.** Planning Code Section 261.1(d)(1) requires that all subject frontages shall have upper stories set back at least 10 feet at the property line above a height equivalent to 1.25 times the width of the abutting narrow street.

*The Project has setback the entire building 10 feet from the property line at Kate Street to provide a publicly accessible promenade and to meet this provision of the Planning Code.*

- L. **Horizontal Mass Reduction.** Planning Code Section 270.1 applies to all buildings in the Eastern Neighborhoods Mixed Use Districts that have street or alley frontage that is greater than 200 feet in length. Such parcels must incorporate one or more mass reduction breaks in the building that reduces the horizontal scale. Such breaks shall 1) be not less than 30 feet in width; 2) be not less than 60 feet in depth from the street-facing façade; 3) extend up to the sky from a level not higher than 25 feet or the third story, whichever is lower; and 4) result in discrete building sections with a maximum plan length along the street frontage not greater than 200 feet.

*The Kate Street façade is more than 200 feet in length. The design provides two mass breaks in the form of outer courtyards one measuring at least 30 feet by 60 feet meets the criteria of Section 270.1 fulfilling this Planning Code requirement. The Project then goes beyond the requirement to provide a second mass break with only slightly less depth approximately 50 feet.*

- M. **Mid-Block Alleys.** Planning Code Section 270.2 applies to all parcels that have one or more street or alley frontages over 200 linear feet on a block face longer than 400 feet between intersections in the Eastern Neighborhoods Mixed Use Districts. For new construction on lots with frontage greater than 200 linear feet but less than 300 feet the project shall provide a publicly-accessible mid-block alley for the entire depth of the property where any of the following criteria are met: (A) There is an opportunity to establish a through-block connection between two existing alleys or streets, or (B) A portion of the subject frontage extends over the central half of the block face, or (C) Where it is deemed necessary by the Planning Department and Commission to introduce alleys to reduce the scale of large development, particularly in areas with a surrounding pattern of alleys.

*The Department reviewed the subject parcel and determined that there was no opportunity to establish a through-block connection between existing alleys or streets. In addition, the Project does not occupy more than half of the block face along the Bryant Street frontage. The Project incorporates sufficient mass breaks to reduce the scale of the development.*

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

Department by the Entertainment Commission regarding noise issues related to the project pursuant to Administrative Code Section [116.7](#).

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

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

*The Project includes more than twenty dwelling units; therefore, the TSF applies as outlined in Planning Code Section 411A.*

- P. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 419.3, the current percentage requirements apply to projects that consist of ten or more units. Pursuant to Planning Code Section 419.3, the Project must 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. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on October 2, 2015; therefore, pursuant to Planning Code Section 419.3 the Inclusionary Affordable Housing Program requirement for the Affordable Housing Fee is at a rate equivalent to an off-site requirement of 33%.

*The Project Sponsor 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 through payment of the Fee, in an amount to be established by the*

*Mayor's Office of Housing and Community Development. 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 October 2, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the Affordable Housing Fee is at a rate equivalent to an off-site requirement of 33%.*

*This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File No. 161351). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors.*

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

*The Project includes approximately 170,118 sf of new residential use. The proposed Project is subject to fees as outlined in Planning Code Section 414A.*

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

*The Project includes 170,118 sf of new construction for 185 dwelling units and 2,990 sf of non-residential use. These uses are subject to Tier 1 Eastern Neighborhood Infrastructure Impact Fees outlined in Planning Code Section 423.*

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

- A. Overall building mass and scale.**

*The Project proposes to demolish the existing 32,407 square foot industrial building, currently authorized as a retail use and parking lot, and construct a new four-story-over-basement (48-foot), 185 dwelling unit mixed-use building with below grade parking containing 135 automobile parking spaces and 123 Class 1 and 16 Class 2 bicycle parking spaces. Overall, the Project's mass and scale is consistent with the changing context of the area and residential developments along Bryant Street. The Kate Street façade is set back approximately eleven feet to provide a public promenade which goes beyond Code requirements for height limits on narrow alleys. The building mass is reduced by providing two breaks in the form of outer courtyards approximately 30 feet in width and 50-60 feet in depth along Kate Street. In addition, the Project includes projecting bay windows and massing recesses, which provide vertical modulation along the street facades. Thus, the Project is appropriate for the lot and consistent with the mass and scale of the intent of the UMU Zoning District and 48-X Height and Bulk District.*

B. Architectural treatments, facade design and building materials.

*Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design appears consistent and compatible with the surrounding neighborhood and includes the use of high-quality building materials. The material palette is comprised of wood, concrete and metal utilizing white, gold and grey for the color scheme. The façade design offers a residential scale variation of bays with a high degree of depth and texture through the provision of rain screens.*

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

*The Project is consistent with the development density established for the Project Site in the Eastern Neighborhoods Area Plan. The building's ground floor retail and residential courtyard entrance and lobby propose an active street frontage which will enhance and offer an effective and engaging connection between the public and private areas. Also, the Kate Street frontage building setback allows massing relief. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity. Off-street parking and loading are provided at the edge of the project on Bryant Street adjacent to an existing vehicle access corridor on the adjacent property. Consolidating the off-street parking and loading at this location ensure a pedestrian oriented project for the rest of the frontage.*

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

*The Project provides 2,969 sf of publicly accessible open space along Kate Street which will meet the open space requirement for up to 55 units at 54 sf per unit. In addition, the Project provides private terraces for some units at the ground level and a series of common courtyards with access from Kate Street or common corridors, which will provide amenities for the residents such as a variety of seating, an outdoor kitchen, ping pong tables and a projection/movie wall. A common roof deck with access via elevator or common stair will provide an outdoor gym, outdoor kitchen, fire pit and gaming tables. The total common usable open space provided is 10,985 sf. In total, the Project exceeds the required amount for the dwelling units.*

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

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

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

*In compliance with Planning Code Section 138.1, the Project will provide many streetscape improvements, including providing street trees and bike racks along both Bryant Street and Kate Street. The project will be setback along Kate Street to provide a promenade/sidewalk for public use which will also provide bench seating. These improvements will enhance the public realm.*

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

*Since the subject lot is a corner lot with two street frontages, the Project provides ample circulation around the Project Site. The Project includes ground floor retail along Bryant Street. There are two entry points for the residents on Kate Street through the outer courts. The buildings are connected through an interior common corridor.*

H. Bulk limits.

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

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

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

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

A. Exception for rear yards, pursuant to the requirements of Section 134(f);

(1) A comparable, but not necessarily equal amount of square footage as would be created in a code conforming rear yard is provided elsewhere within the development;

*The Project provides a rear yard in six locations, a promenade/public sidewalk, two outer courts adjacent to Kate Street and three inner courts. The total area provided is equal to 15,765 square feet or 31% of lot area. Therefore, the Project provides open space, which is equivalent to the area that would have been required in a rear yard. Further, a courtyard is provided at the northeast corner of the project to provide the beginning of a mid-block open space that subsequent projects shall consider as the area is further developed. The Commission finds this exception to be acceptable given the configuration of the lot and overall project design.*

(2) The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties or adversely affect the interior block open space formed by the rear yards of adjacent properties; and

*The Project does not unduly impede access to light and air for the adjacent properties. The adjacent property to the south is an office building with no property line windows. The adjacent property to the east is separated by a driveway. The properties across Kate Street will benefit from a setback to the*

*entire building wall and public access open space. There currently is no interior block open space, this project will provide the beginning of establishing that pattern should additional developments occur for the block.*

(3) The modification request is not combined with any other residential open space modification or exposure variance for the project, except exposure modifications in designated landmark buildings under Section 307(h)(1).

*The Project is seeking an exception to dwelling unit exposure requirements, since the Project includes dwelling units, which face onto inner and outer courts that do not meet the dimensional requirements of the Planning Code. Given the overall quality of the Project and its design, the Commission supports the exception to the rear yard requirement, since the proposed units would not be afforded undue access to light and air. Overall, the Project meets the intent of exposure and open space requirements defined in Planning Code Sections 135 and 140; therefore, this exception of the rear yard is deemed acceptable.*

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

In addition to the exception for rear yard, the Project is seeking exceptions to the requirements for permitted obstructions over streets, alleys, yards, setbacks and usable open space (§136) and dwelling unit exposure (§140).

*Planning Code Section 136 requires bay windows to provide glazing on no less than 50% of the vertical surfaces proposed above the required open area and 1/3 of that glazing must be on at least one surface that is at an angle of 30 degrees or more from the line of the required setback. The Project proposes bay windows which do not meet the glazing requirements of Planning Code Section 136. Given the overall design, composition, and unique architectural character of the proposed bay windows, the Commission finds this exception to be acceptable.*

*Planning Code Section 140 requires that dwelling units face a public street, alley or Code complying open area. The Project organizes dwelling units to have exposure facing Bryant Street and Kate Street which meets the Planning Code requirements. Other dwelling units face either an inner or outer court. The Department has determined that 61 units facing either the inner or outer courts require an exception because they do not meet the dimensional requirements of Section 140 and or does not provide an unobstructed open area. Although several units face an area that does not meet the required dimensions for dwelling unit exposure, the project provides several large courtyards to allow light to permeate the site. Given the overall design and composition, the Commission finds this exception to be acceptable.*

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

## HOUSING ELEMENT

### OBJECTIVE 1

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

#### Policy 1.1

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

#### Policy 1.8

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

*The Project is a higher density residential mixed-use development on an underutilized lot. The Project Site is an ideal infill site. The proposed Project would add 185 dwelling units to the site with a dwelling unit mix of 35 studios, 76 one-bedroom, 64 two-bedroom, and 10 three-bedroom units. The Project Site was rezoned to UMU as part of a long range planning goal to transition former industrial land and to create a cohesive, higher density residential and mixed-use neighborhood. The Project Sponsor will pay the affordable housing fee at a rate of 33% (subject to change).*

### OBJECTIVE 11

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

#### Policy 11.1

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

#### Policy 11.2

Ensure implementation of accepted design standards in project approvals.

#### Policy 11.3

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

#### Policy 11.6

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

*The Project involves the removal of the existing industrial building and parking lot, and construction of a new four-story-over-basement (48-ft tall) mixed-use building with 185 dwelling units, 2,990 sf ground floor retail, and a below grade parking containing 135 automotive parking spaces and 123 Class 1 and 16 Class 2 bicycle parking spaces. The proposed building will provide a total of 2,969 sf of publicly accessible open space adjacent to Kate Street, 1,440 sf of private open space, and 7,028 sf of common open space provided in courtyards and a 3,957 sf roof deck that includes an outdoor gym. The provision of multiple*



*courtyards and an outdoor roof deck gym provides a basis for potential community interaction for the residents of the project. The publicly-accessible promenades/sidewalk will feature benches and will provide the public and retail customers a respite and place for potential community interaction.*

**OBJECTIVE 13**

**PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.**

**Policy 13.1**

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

**Policy 13.3**

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

*The Project Site is located in an area that is transit rich with multiple MUNI lines within a ¼ mile of the project. Further, the subject property is located in the Showplace Square/Potrero Area Plan that encourages mixed-use development as it transition from non-residential uses in the northern part of Showplace Square east of the freeway.*

**SHOWPLACE SQUARE/POTRERO AREA PLAN  
LAND USE**

**OBJECTIVE 1.1**

**ENCOURAGE THE TRANSITION OF PORTIONS OF SHOWPLACE/POTRERO TO A MORE MIXED USE AND NEIGHBORHOOD-SERVING CHARACTER, WHILE PROTECTING THE CORE OF DESIGN-RELATED PDR USES.**

**Policy 1.1.2**

In the northern part of Showplace Square (around 8th and Brannan, east of the freeway and along 16th and 17th Streets) revise land use controls to create new mixed use areas, allowing mixed-income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

*The Project is located at the northern border of the plan area east of the freeway at 8<sup>th</sup> Street. This location was included to encourage mixed-use development.*

**OBJECTIVE 1.2**

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

**Policy 1.2.1**

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

**Policy 1.2.2**

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

*The mass and scale of the Project are appropriate for the site and surrounding context. The area is in transition from light industrial character toward a residential mixed-use area. The existing industrial buildings have a large footprint and are lower in height, whereas, the newer mixed use and residential buildings being constructed in the area are 4-5 stories in height and reflect a more residential modulation of urban form to define the street wall. The project is located in the northern part of Showplace Square south of the freeway and should not adversely affect view corridors.*

**OBJECTIVE 1.6**

**IMPROVE INDOOR AIR QUALITY FOR SENSITIVE LAND USES IN SHOWPLACE SQUARE/POTRERO HILL.**

**Policy 1.6.1**

Minimize exposure to air pollutants from existing traffic sources for new residential developments, schools, daycare and medical facilities.

*The Project is located in the Air Pollutant Exposure Zone and on November 6, 2015 the Project Sponsor filed an application with and will meet the Department of Public Health requirements for an approved Enhanced Ventilation System.*

**HOUSING**

**OBJECTIVE 2.3**

**REQUIRE THAT A SIGNIFICANT NUMBER OF UNITS IN NEW DEVELOPMENT HAVE TWO OR MORE BEDROOMS EXCEPT SENIOR HOUSING AND SRO DEVELOPMENTS UNLESS ALL BELOW MARKET RATE UNITS ARE TWO OR MORE BEDROOM UNITS.**

**Policy 2.3.3**

**Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments.**

*The Project provides 74 out of the 185 total dwelling units that have two or more bedrooms. This dwelling unit mix contributes to the City's stock of housing suitable for families.*

**BUILT FORM**

**OBJECTIVE 3.2**

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

**Policy 3.2.3**

Minimize the visual impact of parking.

**Policy 3.2.4**

Strengthen the relationship between a building and its fronting sidewalk.

**Policy 3.2.6**

Sidewalks abutting new developments should be constructed in accordance with locally appropriate guidelines based on established best practices in streetscape design.

*The Project proposes to locate the parking below grade with access from Bryant Street. All street frontages have an active use that meets the guidelines for ground floor residential design. The currently undeveloped street of Kate Street will be improved and a sidewalk will be added according to the Better Streets Plan.*

**RECREATION AND OPEN SPACE ELEMENT**

**OBJECTIVE 1:**

**ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM**

**Policy 1.9:**

Preserve sunlight in public open spaces.

*There is no shadow cast by the new development on any property that is under the jurisdiction of the Recreation and Park Department.*

**OBJECTIVE 3:**

**IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE**

**Policy 3.6:**

Maintain, restore, expand and fund the urban forest.

*The Project will add to the urban forest with the addition of street trees.*

**TRANSPORTATION ELEMENT**

**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.

*The Project will install new street trees as required as well as the addition of new sidewalk on Kate Street.*

**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 123 Class 1 bicycle and 16 Class 2 parking spaces in secure and convenient location.*

## URBAN DESIGN ELEMENT

### OBJECTIVE 4:

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

#### Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

#### Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

#### Policy 4.15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

*The Project will add a residential building to the currently under-utilized lot. The project would provide additional improvements to the public realm and add vitality to the area while being consistent with development in the area.*

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.

*The proposal would enhance the district by providing a new ground floor retail business and a residential building on what is currently an underutilized site. The new residential building will provide new residents, who can patron nearby neighborhood-serving retail uses, thus increasing the opportunities for local businesses.*

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

*The project area along Bryant Street is characterized primarily by commercial uses in one- to three-story buildings ranging from 20-feet to 30-feet tall on the south side of Bryant Street and one-story auto related use and Highway 101 to the west and north of the project site. Kate Street is characterized by one- to three-story commercial/industrial uses and three- to four-story residential buildings. The building immediately adjacent to the project site is a 20-foot tall, two-story commercial building. The existing housing and neighborhood character in the surrounding neighborhood would not be adversely affected.*

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

*No housing is removed for this Project. The project site does not possess any existing housing. The Project Sponsor has elected to pay the affordable housing fee, which will provide*

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

*The project site is within a quarter mile of the following local transit lines; 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 83-Mid-Market Express, 8AX-Bayshore A Express, and 8BX-Bayshore B Express. The project site is approximately .6 miles from the nearest BART (Bay Area Rapid Transit) station at Civic Center.*

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

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

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

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

- G. That landmarks and historic buildings be preserved.

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

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

*The Project will have no negative impact on existing parks and open spaces. The Project does not have an adverse 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 on June 27, 2017 and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

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 Large Project Authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization No. 2015-005862ENX**, under Planning Code Section 329, to allow the new construction of a four-story-over-basement, 48-ft tall, mixed-use building with 185 dwelling units and 2,990 gsf of ground floor commercial use, and exceptions to the Planning Code requirements for: 1) rear yard (Planning Code Section 134); 2) permitted obstructions (Planning Code Section 136); and, 3) dwelling unit exposure (Planning Code Section 140) within the UMU (Urban Mixed Use) Zoning District and a 48-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 July 27, 2017 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 24, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 24, 2017



## EXHIBIT A

### AUTHORIZATION

This authorization is for a **Large Project Authorization** to allow demolition of the existing one-story commercial building and new construction of a four-story-over-basement mixed-use building with 185 dwelling units and 2,990 gsf of ground floor commercial use located at 975 Bryant Street, Block 3780, and Lot 044, pursuant to Planning Code Section 329 within the Urban Mixed Use (UMU) District and a 48-X Height and Bulk District; in general conformance with plans, dated July 27, 2017 and stamped "EXHIBIT B" included in the docket for Case No. **2015-005862ENX** and subject to conditions of approval reviewed and approved by the Commission on **August 24, 2017** under **Motion No XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **August 24, 2017** under Motion No. **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

6. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site

Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## DESIGN

8. **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](http://www.sf-planning.org)*

9. **Publicly Accessible Open Space.** Pursuant to Planning Code Section 135(h), the Project shall provide publicly accessible open space that follows the standards, maintenance and signage requirements specified in Planning Code Section 135(h).

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

10. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

11. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

12. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

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

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

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

14. **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](http://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](http://www.sf-planning.org)*

16. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 139 off-street parking spaces for the 185 dwelling units in the UMU Zoning Districts.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

17. **Car Share.** Pursuant to Planning Code Section 166, no fewer than one car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

18. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 122 Class 1 bicycle parking spaces and 13 Class 2 spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA’s bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

19. **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](http://www.sf-planning.org)*

## PROVISIONS

20. **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](http://www.sf-planning.org)*

21. **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](http://www.onestopSF.org)*

22. **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](http://www.sf-planning.org)*

23. **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](http://www.sf-planning.org)*

24. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING

25. **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](http://www.sf-planning.org)*

## OPERATION

26. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*
27. **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/>*
28. **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](http://www.sf-planning.org)*

## ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

29. **Chapter 116 Residential Projects.** The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission.. These conditions state:
- a) **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.
  - b) **Sound Study.** Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.
  - c) **Design Considerations.**
    - a. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a)



any entrance/egress for the residential building and (b) any parking garage in the building.

- b. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE's operations and noise during all hours of the day and night.
- d) **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.
- e) **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

## INCLUSIONARY HOUSING REQUIREMENTS

30. **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. **Requirement.** Pursuant to Planning Code Section 419.3, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable 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.

This requirement is subject to change under pending legislation to modify Planning Code Section 415 which is currently under review by the Board of Supervisors (Board File No.161351). The proposed changes to Section 415, which include but are not limited to modifications to the amount of inclusionary housing required onsite or offsite, the methodology of fee calculation, and dwelling unit mix requirements, will become effective after approval by the Board of Supervisors.

- 2. **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 the terms of the 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 Mayor's Office of Housing and Community Development ("MOHCD") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development's websites, including on the internet at:

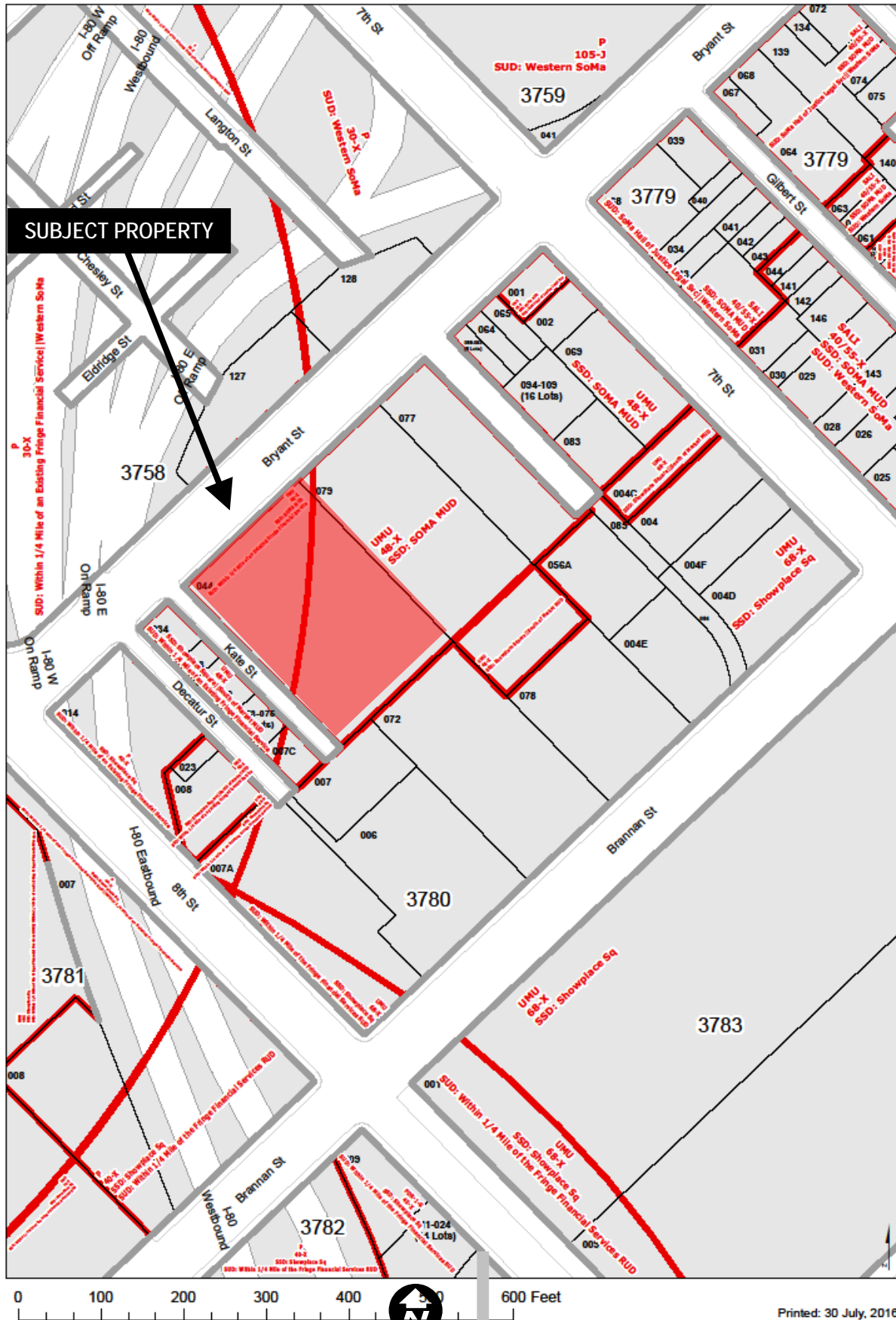


<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>

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 or rent.

- a. The Project Sponsor must pay the Fee 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.
- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy 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.
- c. If project applicant 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 Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

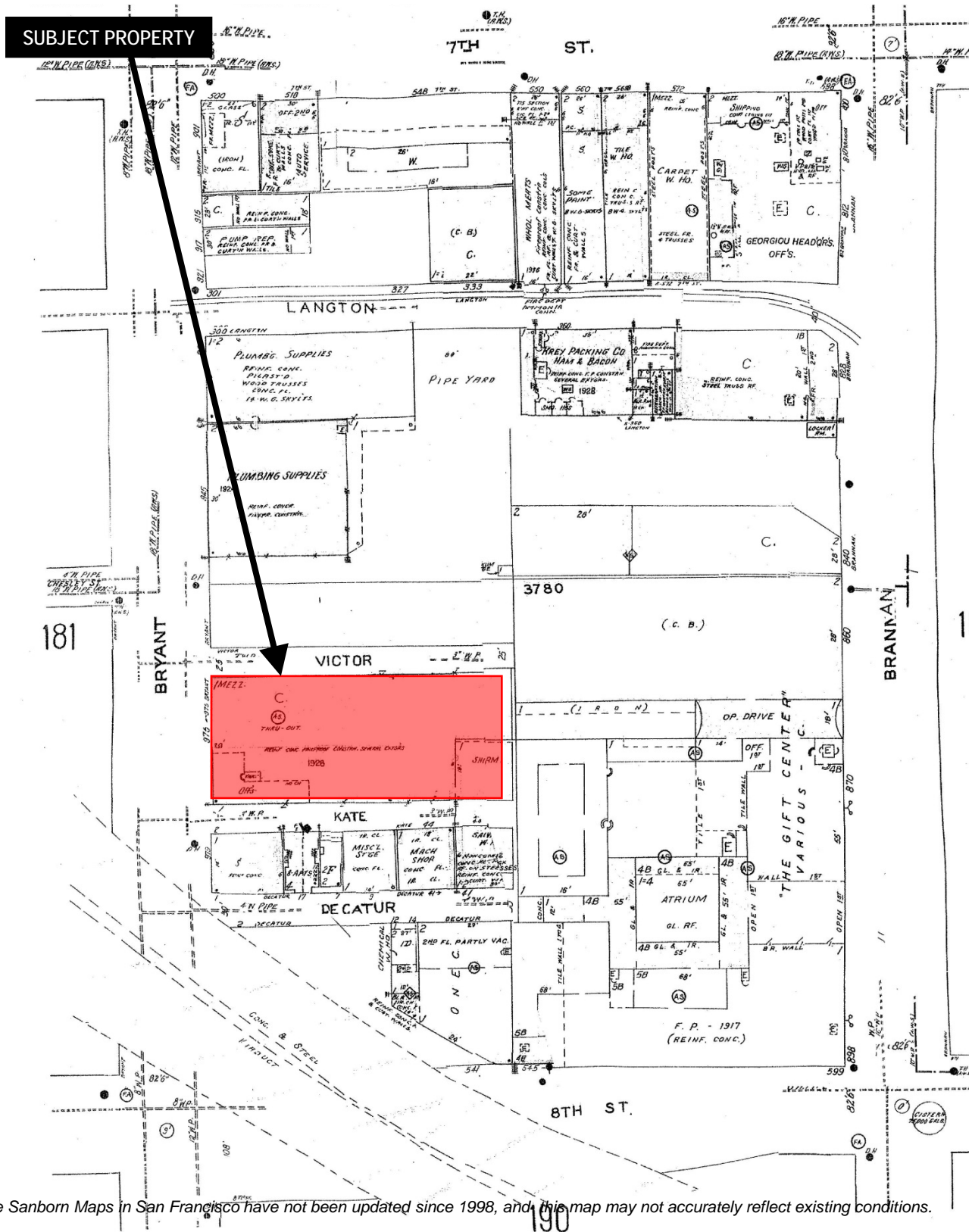
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*



Printed: 30 July, 2016

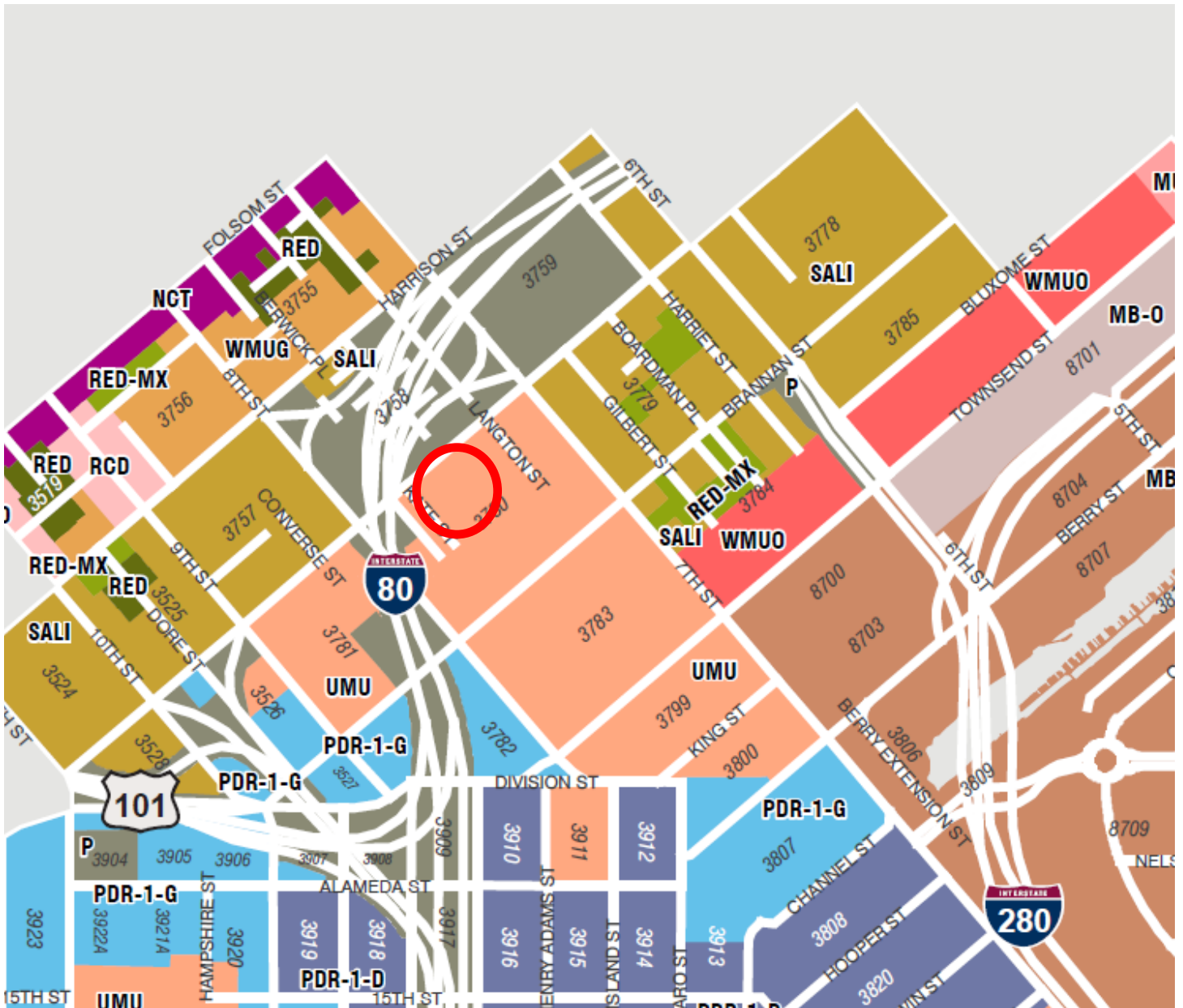
Large Project Authorization  
Case Number 2015-005862ENX  
975 Bryant Street

# Sanborn Map\*



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

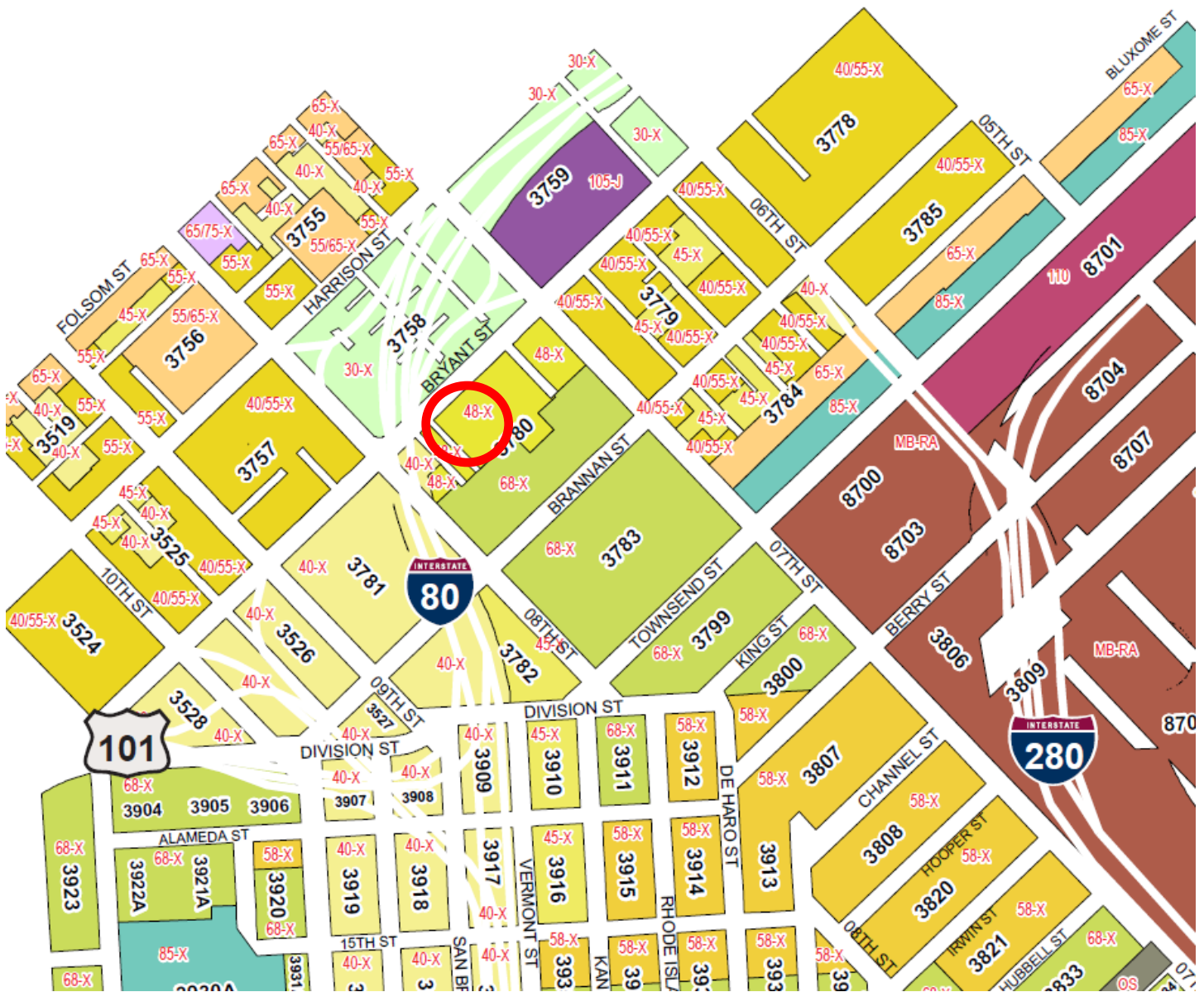
# Zoning Map



Large Project Authorization  
Case Number 2015-005862ENX  
975 Bryant Street

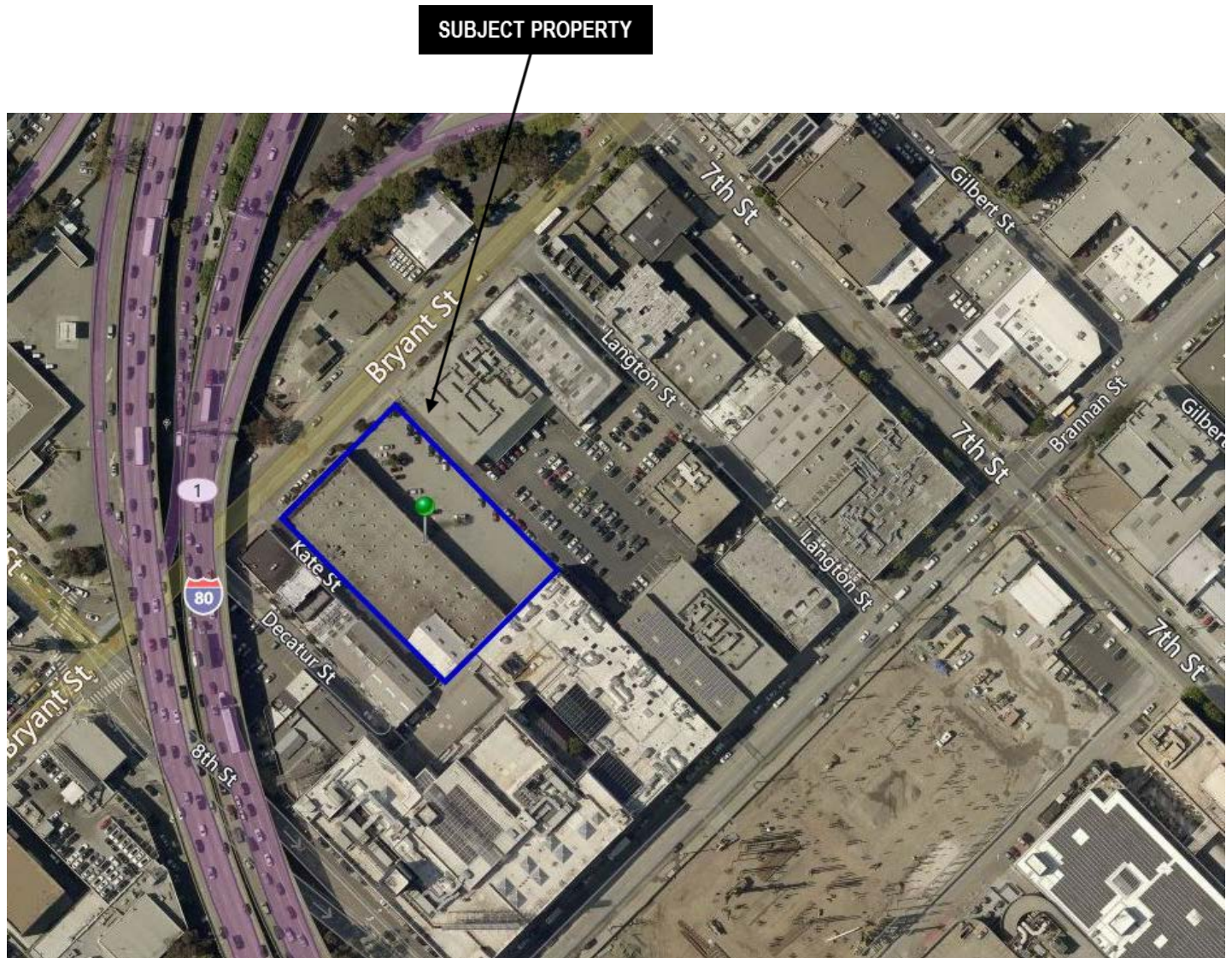


# Height and Bulk Map



Large Project Authorization  
Case Number 2015-005862ENX  
975 Bryant Street

# Arial Photo



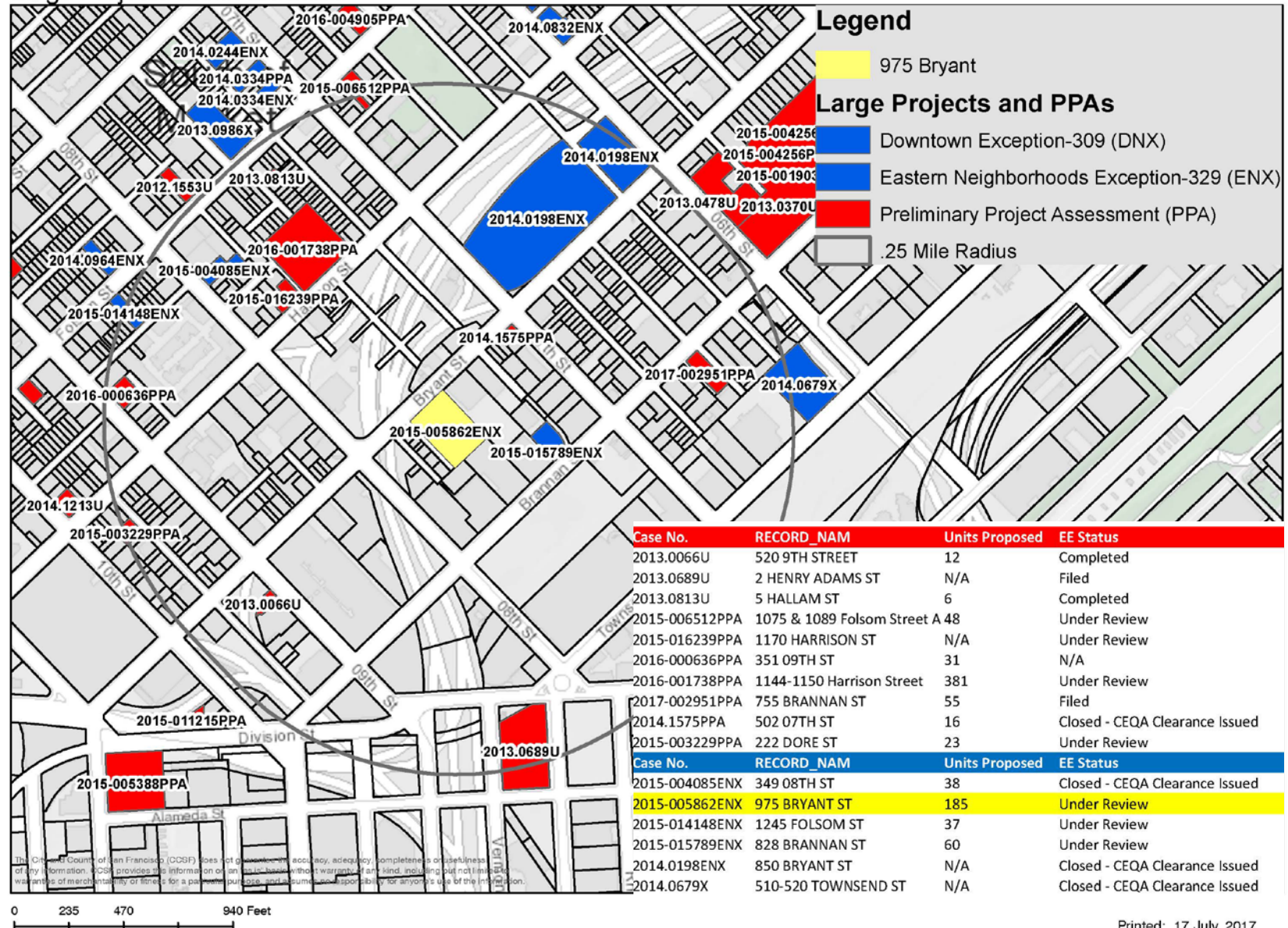
Large Project Authorization  
Case Number 2015-005862ENX  
975 Bryant Street



# Site Photo



975 Bryant Street  
Large Projects within .25 Miles







## **RECOMMENDED NOISE ATTENUATION CONDITIONS FOR CHAPTER 116 RESIDENTIAL PROJECTS:**

- Community Outreach: Project sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.
- Sound Study: Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.
- Design Considerations:
  - (1) During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
  - (2) In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE's operations and noise during all hours of the day and night.
- Construction Impacts: Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.
- Communication: Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

Case No.: 2015-005862ENV  
Project Address: 975 Bryant Street  
Zoning: UMU (Urban Mixed Use) Use District  
48-X Height and Bulk District  
Block/Lot: 3780/044  
Lot Size: 51,562 square feet  
Plan Area: Eastern Neighborhoods Area Plan, Showplace Square/Potrero Hill Plan  
Area  
Project Sponsor: Bruce Fairty, Thompson Dorfman 415-477-8115  
Staff Contact: Justin Horner (415) 575-9023 justin.horner@sfgov.org

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### PROJECT DESCRIPTION

The 975 Bryant Street project site (Assessor's Block 3708, Lot 044) is located on the southern side of Bryant Street, between Langton and Kate Streets in the San Francisco's South of Market neighborhood. The lot is currently occupied by a 32,407-square-foot, 25-foot-tall, one-story self-storage building and a 19,200-square-foot parking lot.

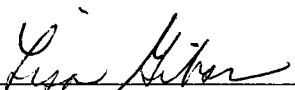
The proposed project would demolish and remove the existing self-storage building and parking lot on the site and construct a 48-foot tall, four- to five-story-over-basement, 169,160-gross-square-foot mixed-use residential building. The proposed new building would include 185 dwelling units, 2,990 square feet of ground floor retail, 135 basement vehicular parking spaces, and 139 on-site bicycle parking spaces. The proposed project would require approximately 28,650 cubic yards of excavation to a depth of up to 17 feet below grade for the construction of the basement.

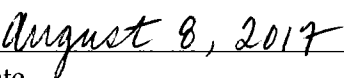
### CEQA DETERMINATION

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

### DETERMINATION

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

  
Lisa Gibson  
Environmental Review Officer

  
Date

cc: Bruce Fairty, Project Sponsor; Supervisor Kim, District 6; Kimberly Durandet, Current Planning Division; Virna Byrd, M.D.F.

## PROJECT APPROVAL

The proposed project would require approval of a large project authorization by the City Planning Commission, pursuant to Planning Code section 329. The granting of the large project authorization by the Planning Commission constitutes the *approval action* for the proposed project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the proposed 975 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. 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 Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned for industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 975 Bryant Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2,3</sup>

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing

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<sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

<sup>2</sup> San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

<sup>3</sup> San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.<sup>4</sup>

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City’s ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City’s General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 975 Bryant Street site, which is located in the Showplace Square/Potrero Hill area of the Eastern Neighborhoods, was designated as a site with buildings up to 48 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 975 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 975 Bryant Street project, and identified the mitigation measures applicable to the 975 Bryant Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>5,6</sup> Therefore, no further CEQA evaluation

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<sup>4</sup> Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

<sup>5</sup> Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 975 Bryant Street, May 17, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005862ENV.

for the 975 Bryant Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located on the southern side of Bryant Street, between Langton and Kate Streets in the San Francisco's South of Market neighborhood. The project area along Bryant Street is characterized primarily by commercial uses in one- to three-story buildings ranging from 20-feet to 30-feet tall on the south side of Bryant Street, with one-story auto related uses and Highway 101 to the west and north of the project site. The project area along Kate Street is characterized by one- to three-story commercial/industrial buildings and a four-story residential building. The building immediately adjacent to the project site is a 20-foot-tall, two-story commercial building to the north. Parcels surrounding the project site are within the UMU (Urban Mixed Use) and P (Public) Zoning Districts, and are within 30-X, 48-X and 68-X Height and Bulk districts.

The closest Bay Area Rapid Transit District (BART) stop is at Civic Center, approximately 0.6 miles northwest of the project site. The project site is within a quarter mile of several local transit lines, 10-Townsend, 12-Folsom/Pacific, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 83X-Mid-Market Express, 8AX-Bayshore A Express, and 8BX-Bayshore B Express.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 975 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 975 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to these significant and unavoidable impacts.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

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<sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 975 Bryant Street, October 18, 2016.

**Table 1 – Eastern Neighborhoods PEIR Mitigation Measures**

<b>Mitigation Measure</b>	<b>Applicability</b>	<b>Compliance</b>
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed	N/A
F-2: Construction Noise	Not Applicable: the proposed project does not include any particularly noisy construction methods.	N/A
F-3: Interior Noise Levels	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A
F-5: Siting of Noise-Generating Uses	Not Applicable. The proposed project does not include any new noise-generating uses.	N/A
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable. The proposed project includes construction in the Air Pollution Exposure	Project Mitigation Measure 2: Construction Air Quality agreed to by the project

Mitigation Measure	Applicability	Compliance
	Zone.	sponsor.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by applicable Article 39 requirements.	N/A
G-3: Siting of Uses that Emit Diesel Particulate Matter (DPM)	Not Applicable: the proposed uses are not expected to emit substantial levels of DPMs.	N/A
G-4: Siting of Uses that Emit other Toxic Air Contaminants (TACs)	Not Applicable: the proposed uses are not expected to emit substantial levels of TACs.	N/A
<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Applicable: Project site is located within an area where previous archeological studies have been performed.	Project Mitigation Measure 1: Archeological Testing has been agreed to by the project sponsor.
J-2: Properties with no Previous Studies	Not Applicable: Project site is located in area where previous archeological study was conducted.	N/A
J-3: Mission Dolores Archeological District	Not Applicable: Project site is not located in Mission Dolores Archeological District	N/A
<b>K. Historical Resources</b>		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: proposed project is not located in the Central Waterfront Plan area.	N/A
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Applicable: Proposed project includes demolition of existing building.	Project Mitigation Measure 3 (Hazardous Building Materials) has been agreed to by the project sponsor

Mitigation Measure	Applicability	Compliance
<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	N/A

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

## PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on October 22, 2016 to adjacent occupants and owners of properties within 300 feet of the project site. No public comments were received.



## CONCLUSION

As summarized above and further discussed in the initial study<sup>7</sup>:

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

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

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<sup>7</sup> The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-005862ENV.

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<b>PROJECT MITIGATION MEASURE 1</b> <b>Archeological Resources (Archeological Testing)</b>				
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 a qualified archeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological testing program as specified herein. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (Anthropological Studies Center. Archaeological Research Design and Treatment Plan Addendum 975 Bryant Street, San Francisco, California, August 12, 2016). In instances of inconsistency between the requirement of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirements of this archeological mitigation	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Prior to issuance of site permits	Project sponsor to retain a qualified archeological consultant who shall report to the ERO.  Qualified archeological consultant will scope archeological testing program with ERO.	Archeological consultant shall be retained prior to issuing of site permit. Archeological consultant has approved scope by the ERO for the archeological testing program  Date Archeological consultant retained: _____  Date Archeological consultant received approval for archeological testing program scope: _____

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<p>measure shall prevail. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. 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)(c).</p>				
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative 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</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Considered complete upon consultation with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group.</p>

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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.		interested descendant group		
<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.	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to any soil-disturbing activities on the project site.	Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils disturbing activities on the project site.	Date ATP submitted to the ERO: _____  Date ATP approved by the ERO: _____  Date of initial soil disturbing activities: _____
At the completion of the archeological testing	Project sponsor/	After completion	Archeological	Date archeological findings report

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<p>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. 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>	archeological consultant at the direction of the ERO.	of the Archeological Testing Program.	consultant shall submit report of the findings of the ATP to the ERO.	<p>submitted to the ERO:_____</p> <p>ERO determination of significant archeological resource present?</p> <p style="text-align: center;">Y      N</p> <p>Would resource be adversely affected?</p> <p style="text-align: center;">Y      N</p> <p>Additional mitigation to be undertaken by project sponsor?</p> <p style="text-align: center;">Y      N</p>
<i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant	Project sponsor/ archeological	ERO & archeological	Project sponsor/ archeological	AMP required?

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<p>determines that an archeological monitoring program (AMP) shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> <li>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;</li> <li>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;</li> </ul>	<p>consultant/ archeological monitor/ contractor(s), at the direction of the ERO.</p>	<p>consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.</p>	<p>consultant/ archeological monitor/ contractor(s) shall implement the AMP, if required by the ERO.</p>	<p>Y   N   Date:_____</p> <p>Date AMP submitted to the ERO:_____</p> <p>Date AMP approved by the ERO:_____</p> <p>Date AMP implementation complete:_____</p> <p>Date written report regarding findings of the AMP received:_____</p>

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<ul style="list-style-type: none"> <li>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;</li> <li>The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>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</li> </ul>				

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<p>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> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>				
<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions.</p>	<p>Archeological consultant at the direction of the ERO</p>	<p>If there is a determination that an ADRP program is required</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall prepare an ADRP if required by the ERO.</p>	<p>ADRP required? Y   N   Date:_____</p> <p>Date of scoping meeting for ADRP:_____</p> <p>Date Draft ADRP submitted to the ERO:_____</p> <p>Date ADRP approved by the ERO:_____</p> <p>Date ADRP implementation</p>



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<p>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"> <li>• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>• <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>• <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies.</li> <li>• <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging</li> </ul>				complete:_____

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<p>activities.</p> <ul style="list-style-type: none"> <li><i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li><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.</li> </ul>				
<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 after the discovery to make all</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco Coroner, NAHC, and MDL.</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Project sponsor/ archeological consultant to monitor (throughout all soil disturbing activities) for human remains and associated or unassociated funerary objects and, if found, contact the San Francisco Coroner/ NAHC/ MDL</p>	<p>Human remains and associated or unassociated funerary objects found? Y N Date: _____</p> <p>Persons contacted: Date: _____</p> <p>Persons contacted: Date: _____</p> <p>Persons contacted: Date: _____</p>

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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.				<p>Persons contacted:</p> <p>Date:_____</p>

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<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 Major Environmental Analysis division of the Planning Department shall receive three copies 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>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the archeological data recovery, inventorying, analysis and interpretation.</p>	<p>Project sponsor/ archeological consultant</p>	<p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR.</p> <p>Date Draft FARR submitted to ERO: _____</p> <p>Date FARR approved by ERO: _____</p> <p>Date of distribution of Final FARR: _____</p> <p>Date of submittal of Final FARR to information center: _____</p>

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<b>PROJECT MITIGATION MEASURE 2</b> <b>Construction Air Quality</b>				
<p>The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p>A. Engine Requirements</p> <p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p> <p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p> <p>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute</p>	<p>Project sponsor/ contractor(s)</p>	<p>Prior to construction activities requiring the use of off-road equipment.</p>	<p>Project sponsor / contractor(s) and the ERO.</p>	<p>Considered complete on submittal of certification statement.</p>

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<p>idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p>				
<p>B. Waivers.</p> <p>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.</p>				

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Mitigation Measures Agreed to by Project Sponsor			Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<b>Table – Off-Road Equipment Compliance Step-down Schedule</b>						
<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>				
1	Tier 2	ARB Level 2 VDECS				
2	Tier 2	ARB Level 1 VDECS				
3	Tier 2	Alternative Fuel*				
How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. ** Alternative fuels are not a VDECS.						
C. Construction Emissions Minimization Plan. Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and			Project sponsor/ contractor(s)	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 975 Bryant Street  
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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p>				
<p>D. Monitoring. After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	<p>Project sponsor/ contractor(s)</p>	<p>Quarterly</p>	<p>Project sponsor/ contractor(s) and the ERO.</p>	<p>Considered complete on findings by ERO that Plan is being/was implemented.</p>



# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 975 Bryant Street  
File No.: 2015-005862ENV

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<b>PROJECT MITIGATION MEASURE 3</b> <b>Hazardous Building Materials</b>				
The project sponsor shall ensure that any equipment containing polychlorinated biphenyl (PCBs) or Di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.	Project Sponsor	Prior to the start of construction activities	Planning Department, in consultation with DPH.	Planning Department, in consultation with DPH.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Initial Study – Community Plan Evaluation

*Case No.:* **2015-005862ENV**  
*Project Address:* **975 Bryant Street**  
*Zoning:* UMU (Urban Mixed Use) Use District  
48-X Height and Bulk District  
*Block/Lot:* 3780/044  
*Lot Size:* 51,562 square feet  
*Plan Area:* Eastern Neighborhoods Area Plan, Showplace Square/Potrero Hill Plan Area  
*Project Sponsor:* Bruce Fairty, Thompson Dorfman 415-477-8115  
*Staff Contact:* Justin Horner (415) 575-9023 justin.horner@sfgov.org

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### PROJECT DESCRIPTION

The 975 Bryant Street project site (Assessor's Block 3708, Lot 044) is located on the southern side of Bryant Street, between Langton and Kate Streets in the San Francisco's South of Market neighborhood (See Figure 1, below). The lot is currently occupied by a 32,407-square-foot, 25-foot-tall, one-story self-storage building and a 19,200-square-foot parking lot.

The proposed project would demolish and remove the existing self-storage building and parking lot on the site and construct a 48-foot-tall, four- to five-story-over-basement, 169,160-gross-square-foot mixed-use residential building. The proposed new building would include 185 dwelling units, 2,990 square feet of ground floor retail, 135 basement vehicular parking spaces, and 139 on-site bicycle parking spaces. The proposed project would require approximately 28,650 cubic yards of excavation to a depth of up to 17 feet below grade for the construction of the basement (Figures 2-7, below). The proposed project would be built on a mat slab foundation and would not include any pile driving. Construction of the proposed project would take approximately 21 months.

The proposed 975 Bryant Street project would require the following approvals:

- A large project authorization, pursuant to Planning Code section 329 (Planning Department)
- Site/Building Permit (Department of Building Inspection)

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

Figure 1. Project Location



Figure 2. Proposed Site Plans

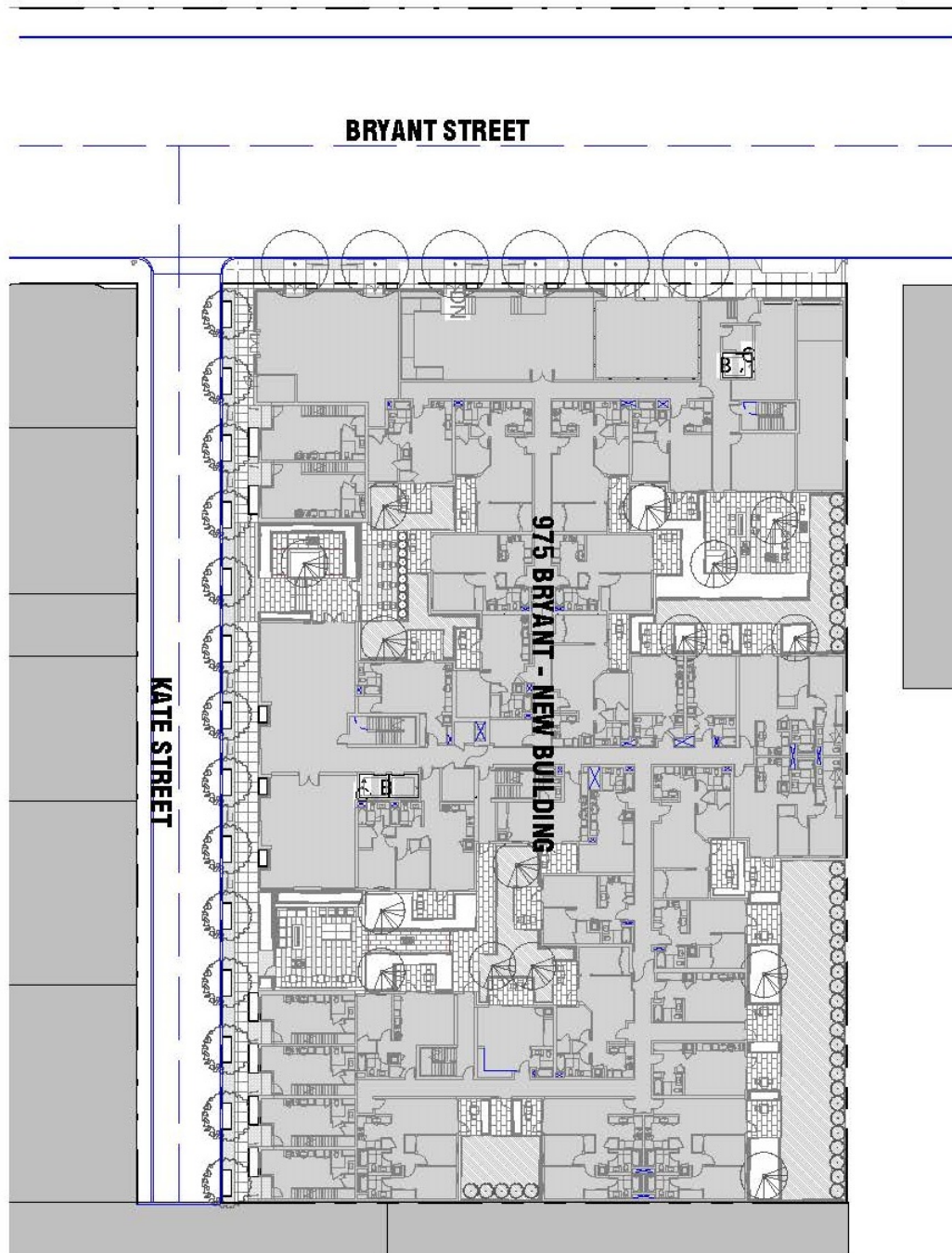


Figure 3. Proposed Basement Level

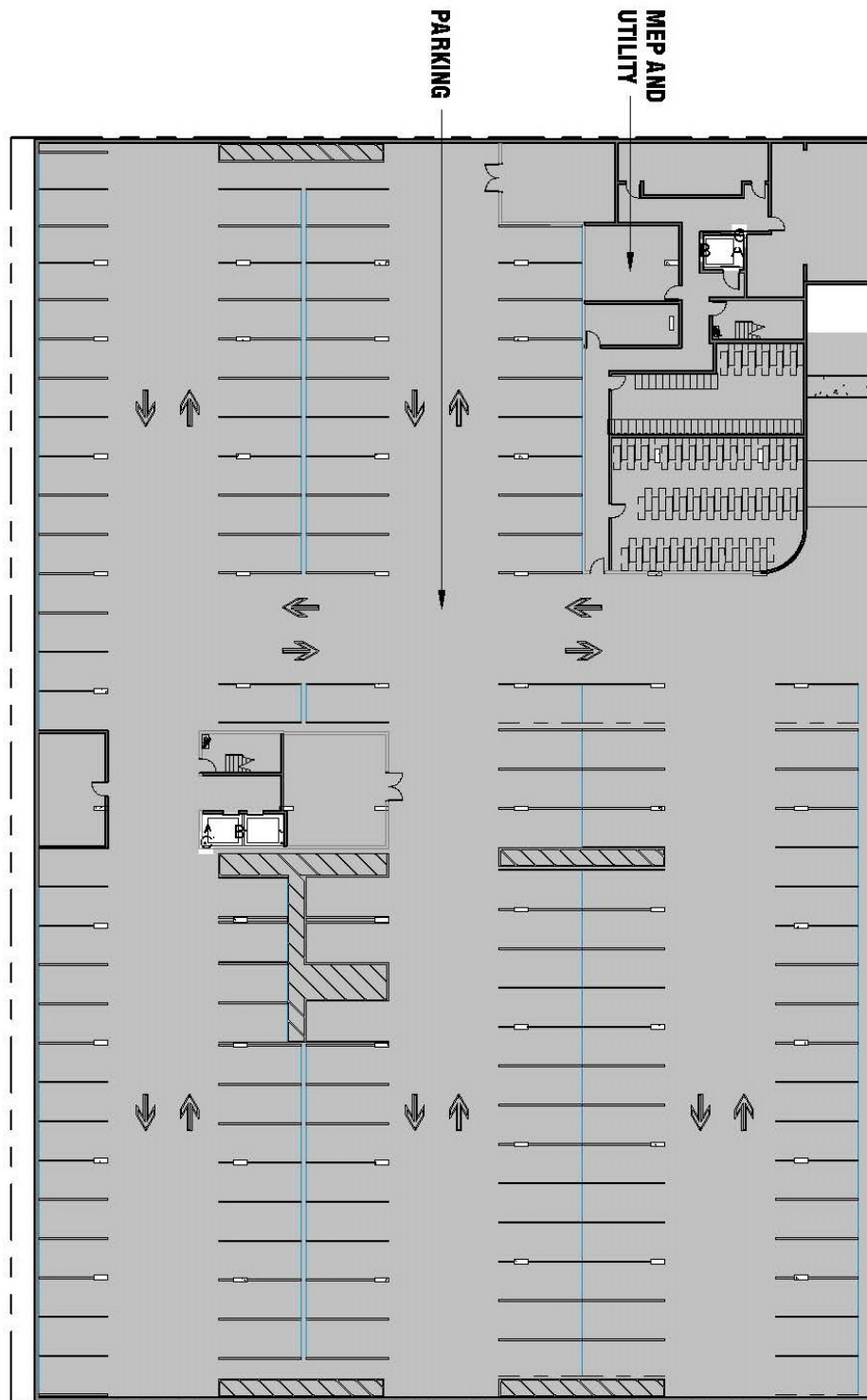




Figure 3. Proposed Ground Level

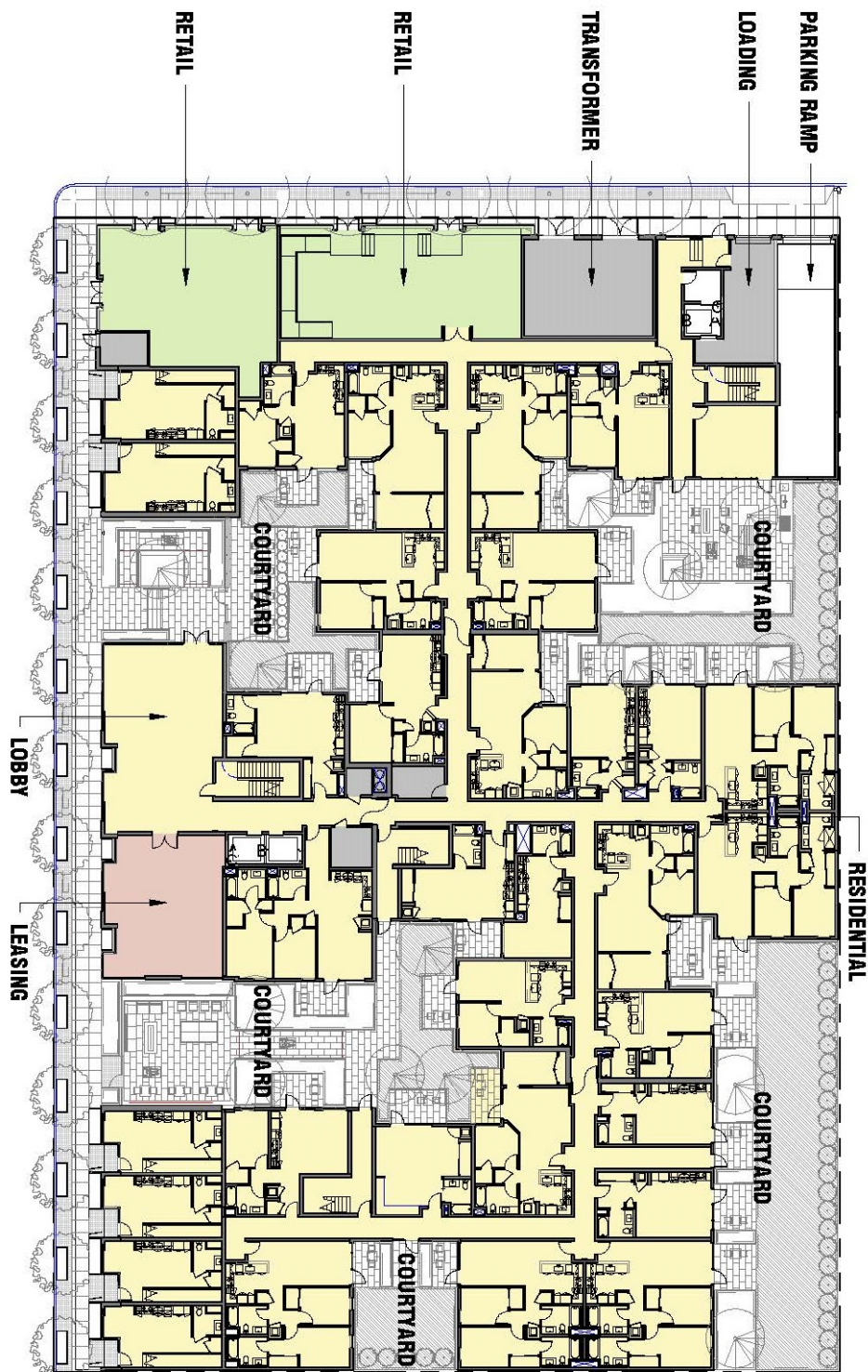


Figure 4. Proposed Second Floor

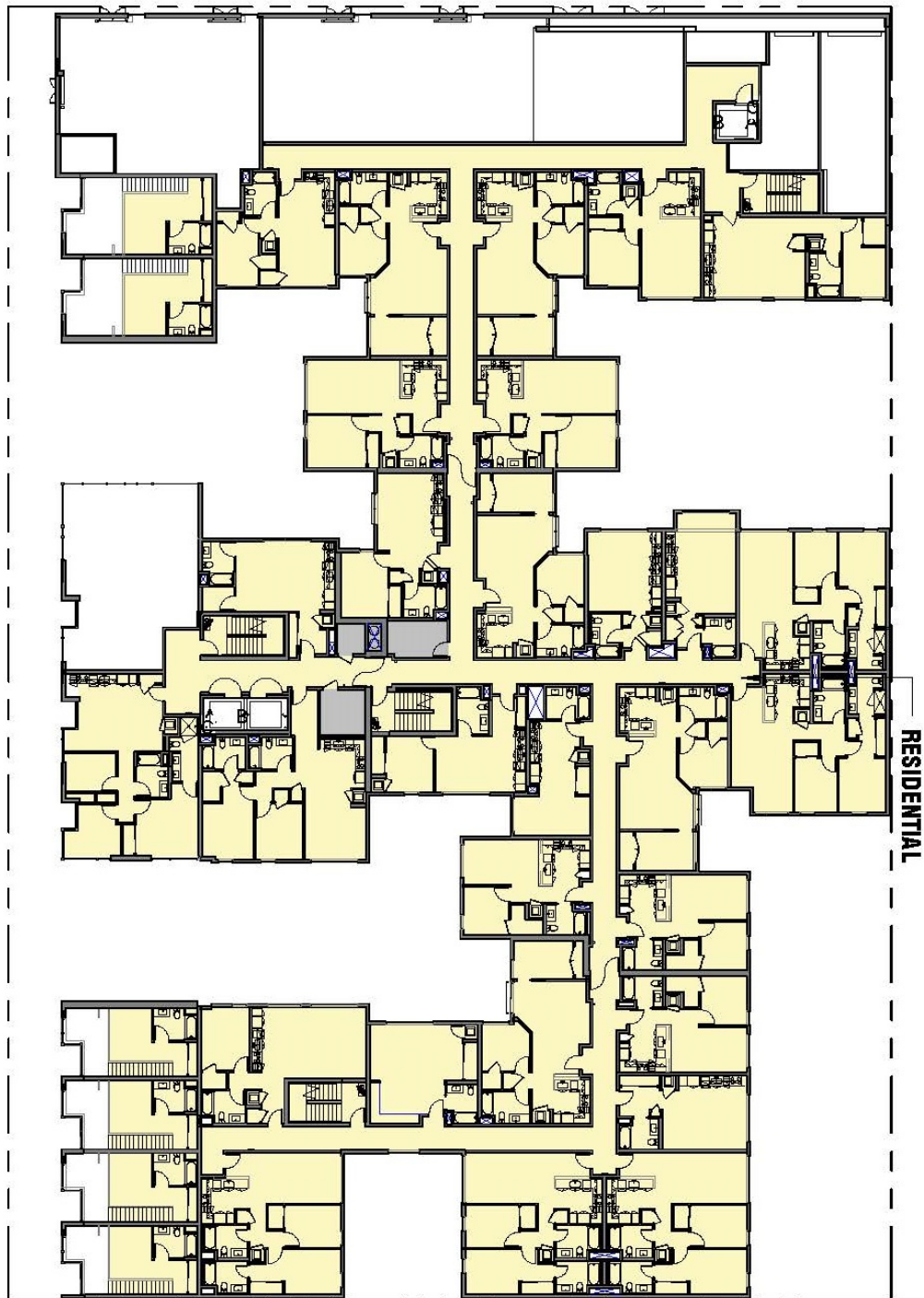




Figure 5. Proposed Third to Fifth Floors

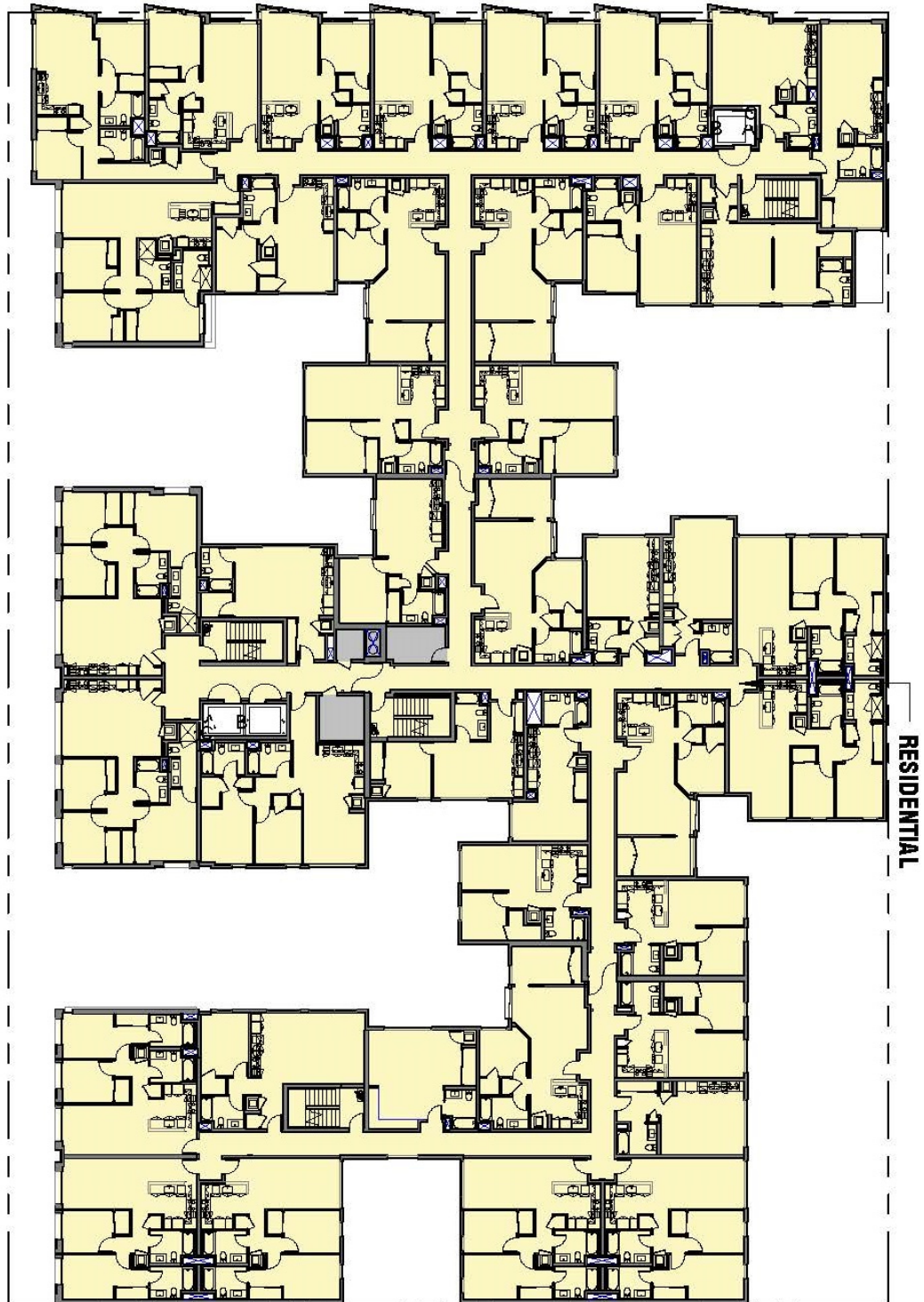




Figure 6. Proposed Roof Plan

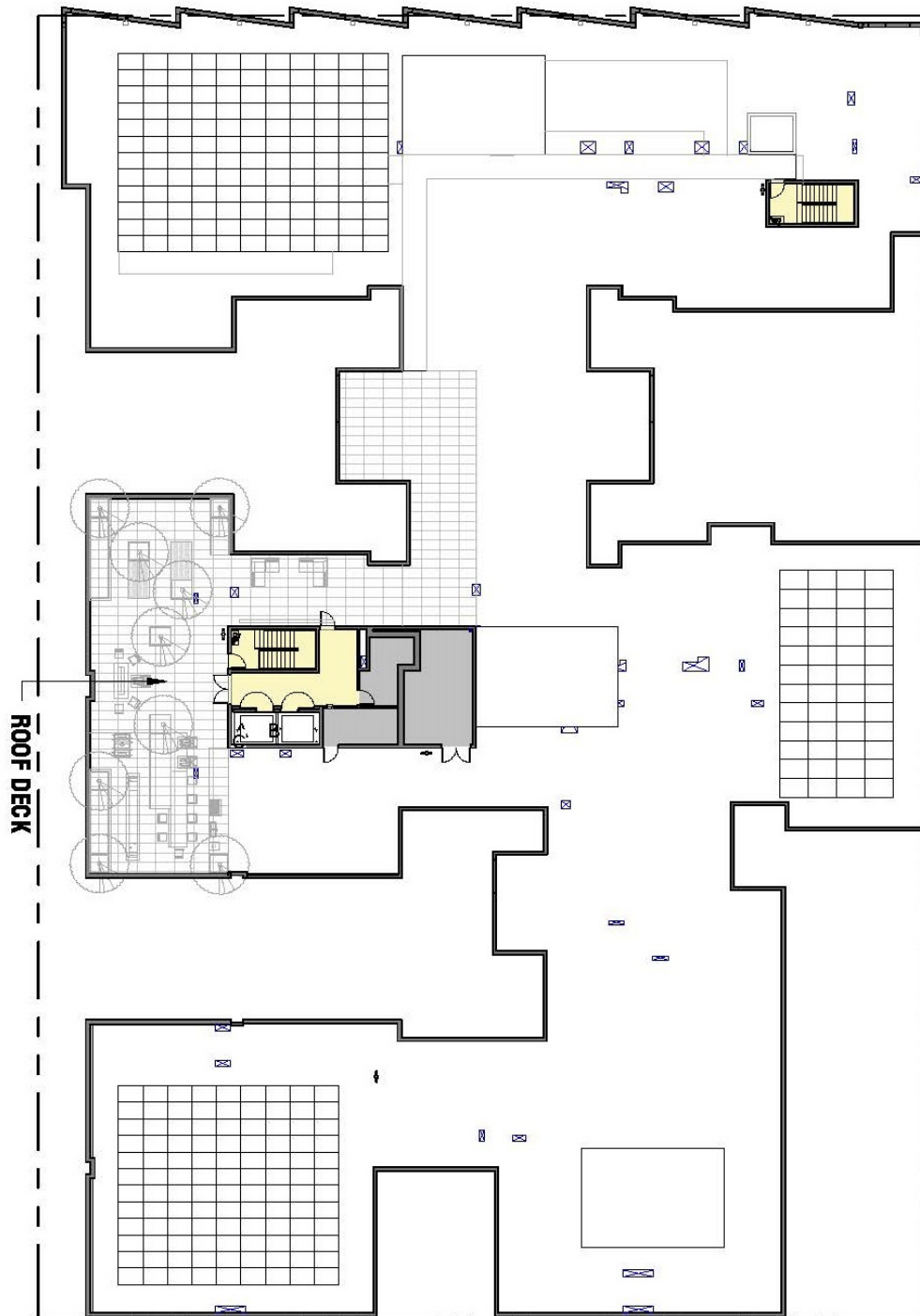


Figure 7. Proposed Elevations (Top: Kate Street; Bottom: Bryant Street)



## EVALUATION OF ENVIRONMENTAL EFFECTS

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

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

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

The proposed project would include construction of a 48-foot tall, 4- to 5-story-over-basement, 169,160 gross square foot building with 185 dwelling units, and 2,990 square feet of ground floor retail. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

## CHANGES IN THE REGULATORY ENVIRONMENT

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

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<sup>1</sup> San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “CEQA Section 21099” heading below).
- The adoption of interim controls requiring additional design standards for large project authorizations within the Showplace Square/Potrero Hill and Central Waterfront plan areas of the Eastern Neighborhoods effective February 2016 through August 2017.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation section).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control requirements, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).
- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

### **Aesthetics and Parking**

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>2</sup> Project elevations are included in the project description.

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<sup>2</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 975 Bryant Street, April 13, 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. 2015-005862ENV.

## Automobile Delay and Vehicle Miles Traveled

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

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

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

The Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the plan area throughout the lifetime of the plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the plan area under the No Project scenario. Within the Showplace Square/Potrero Hill subarea, the Eastern Neighborhoods PEIR considered the effects of losing up to

<sup>3</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).

approximately 999,000 square feet of PDR space through the year 2025. The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR space. This impact was addressed in a *statement of overriding considerations* with CEQA findings and adopted as part of the Eastern Neighborhoods Rezoning and Areas Plans approval on January 19, 2009.

Development of the proposed project would result in the net loss of approximately 32,407 square feet of PDR building space and this would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The project site is currently occupied by a self-storage business. The project site is located in the UMU District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project is consistent with the development density established for the site under the Eastern Neighborhoods Rezoning and Area Plans. As stated above, the PEIR acknowledges that the loss of PDR space resulting from development under the adopted rezoning and area plans would have a significant and unavoidable cumulative impact on land use. The proposed loss of 32,407 square feet of existing PDR uses represents a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR, but would not result in new or more severe impacts than were disclosed in the PEIR. As such, the project's contribution to this cumulative impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

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

The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the UMU District and is consistent with the bulk, density and land use envisioned in the Showplace Square/Potrero Hill Area Plan. The proposed project is consistent with the plan's goal of maximizing development potential in keeping with neighborhood character, and meets this objective by meeting an array of housing needs with respect to unit mix and community services.<sup>4,5</sup>

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

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<sup>4</sup> Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 975 Bryant Street, May 17, 2017.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 975 Bryant Street, October 18, 2016.

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City’s industrially zoned areas to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: “would induce substantial growth and concentration of population in San Francisco.” The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

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

households, and states moreover that lower-income residents of the Eastern Neighborhoods, who also disproportionately live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

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

The proposed project would include 185 residential units and approximately 3,000 sf of retail space. These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project’s contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

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

### Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco



Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The existing building on the project site, built in 1928, was previously evaluated in a historical resources survey and found ineligible for national, state or local listing.<sup>6</sup> Therefore, the proposed project, which includes the demolition of the existing building, would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

### **Archeological Resources**

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

The proposed project is located in the archeological mitigation zone J-1 (Properties with Previous Studies), and requires preparation of an addendum to the archeological research design and treatment plan on file for the project area.<sup>7</sup> Therefore, an addendum was prepared for the environmental evaluation of the proposed project.<sup>8</sup> The project addendum concluded that soils disturbing activities (excavation and foundation support) resulting from the proposed project have the potential to adversely affect archeological deposits and features. According to the addendum, the native sand dune deposits underlying the project site have a moderate sensitivity for late Holocene period prehistoric archeological sites beginning at a depth of 4 feet. Also, the project site has high sensitivity for historic period, largely 19<sup>th</sup> century domestic deposits associated with residents of the former working class enclaves along Victor Street, Kate Street and White Place that occupied the site. The addendum notes that such

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<sup>6</sup> SF Planning Department, Showplace Square/Northeast Mission Historic Resources Survey, June, 2011. <http://sf-planning.org/showplace-square-northeast-mission-historic-resource-survey>. Accessed: May 4, 2017.

<sup>7</sup> McIlroy and Praetzellis, *SF-80 Bayshore Viaduct Seismic Retrofit Projects: Vanished Community: 19<sup>th</sup> Century San Francisco Neighborhoods from Fourth Street to Mission Creek and Beyond*, 1997.

<sup>8</sup> Mary, et. al, *Archaeological Research Design and Treatment Plan Addendum 975 Bryant Street*, May 2016.

prehistoric and historical period archeological deposits or features have the potential to significantly contribute to a number of research themes and questions identified in the document, and, thus, under CEQA, would be legally significant archeological resources. Implementation of the Project Mitigation Measure 1: Archeological Testing would ensure that the potential adverse effects of the proposed project on legally-significant archeological resources would be reduced to a less-than-significant level. The full text of Project Mitigation Measure 1: Archeological Testing can be found in the “Mitigation Measures” section below.

<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>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.<sup>9</sup> Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.

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

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 121 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

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

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

### **Vehicle Miles Traveled (VMT) Analysis**

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

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the city have lower VMT ratios than other areas of the city. These areas of the city can be expressed geographically through transportation analysis zones. 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

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<sup>9</sup> Stantec Consulting Services, 975 Bryant Transportation Impact Study, February 28, 2017.

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 site. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>10,11</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>12</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>13</sup> Average daily VMT for both land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 604.

**Table 1 Daily Vehicle Miles Traveled**

<u>Land Use</u>	<u>Existing</u>			<u>Cumulative 2040</u>		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 604</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 604</u>
Households (Residential)	17.2	14.6	2.6	16.1	13.7	2.0
Employment (Retail)	14.9	12.6	10.0	14.6	12.4	9.4

<sup>10</sup> 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.

<sup>11</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>12</sup> Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

<sup>13</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a transportation analysis zone 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.

As mentioned above, existing average daily VMT per capita is 2.6 for the transportation analysis zone the project site is located in, 604. This is 85 percent below the existing regional average daily VMT per capita of 17.2. For retail uses, the average retail employee VMT in this TAZ is 10.0. This is 33 percent below the existing regional average retail employee VMT of 14.9. Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential and retail uses would not result in substantial additional VMT and impacts would be less-than-significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.<sup>14</sup>

Therefore, the proposed project would not cause substantial additional VMT, thus impacts would be less than significant.

### **Trip Generation**

The proposed project would demolish the existing commercial building and parking lot on the site and construct a 48-foot tall, four- to five-story-over-basement, 169,160 gross square foot building. The proposed new building would include 185 dwelling units, 2,990 square feet of ground floor retail, 135 basement vehicular parking spaces, and 139 on-site bicycle parking spaces.

As discussed above under *Automobile Delay and Vehicle Miles Travelled*, automobile delay and road congestion shall not be considered environmental impacts under CEQA. The following discussion of trip generation is presented for informational purposes only. 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.<sup>15</sup> The proposed project would generate an estimated 2,573 person trips (inbound and outbound) on a weekday daily basis, consisting of 954 person trips by auto, 767 transit trips, 676 walk trips, and 176 trips by other modes. During the p.m. peak hour, the proposed project would generate an

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<sup>14</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 975 Bryant Street*, April 12, 2016

<sup>15</sup> Stantec Consultant Services, *975 Bryant Street Transportation Impact Study*, February 28, 2017.

estimated 406 person trips, consisting of 151 person trips by auto (116 vehicle trips accounting for vehicle occupancy data for this census tract), 121 transit trips, 105 walk trips, and 29 trips by other modes.

## Transit

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

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

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<sup>16</sup> 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.

<sup>17</sup> <http://tsp.sfplanning.org>

23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is located within a quarter mile of several local transit lines including Muni lines 10-Townsend, 12-Folsom/Pacific, 14-Mission 14R-Mission Rapid, 19-Polk, 27-Bryant, 47-Van Ness, 83X-Mid-Market Express, 8AX-Bayshore A Express, and 8BX-Bayshore B Express. The proposed project would be expected to generate 767 daily transit trips, including 121 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 121 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni line 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 121 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

### **Conclusion**

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

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.<sup>18</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

<sup>18</sup> Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the Eastern Neighborhoods PEIR determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).



### **Construction Noise**

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would not include any pile driving or any particularly noisy construction methods. Therefore, neither mitigation measure would apply to the proposed project.

In addition, all construction activities for the proposed project (approximately 21 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the noise ordinance. The noise ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works or the Director of the Department of Building Inspection to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Public Works Director authorizes a special permit for conducting the work during that period.

The building department is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 21 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the noise ordinance which would reduce construction noise impacts to a less-than-significant level.

### **Operational Noise**

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project includes residential uses and 2,990 square feet of ground floor retail. Neither use would be anticipated to generate noise at levels that would substantially increase ambient noise in the vicinity of the project site. Therefore, Eastern Neighborhoods PEIR Mitigation Measure F-5 would not apply to the proposed project impacts resulting from the proposed project would be less than significant.

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, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval processes to ensure that the design of new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

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

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

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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>
<b>6. AIR QUALITY—Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>19</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the area plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.<sup>20</sup>

### Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and

<sup>19</sup> The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

<sup>20</sup> The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions.

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

### **Criteria Air Pollutants**

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the San Francisco Bay Area Air Basin (SFBAAB) experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment<sup>21</sup> or unclassified for most criteria pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."<sup>22</sup> The Bay Area Air Quality Management District (BAAQMD) prepared updated *2011 BAAQMD CEQA Air Quality Guidelines* (Air Quality Guidelines),<sup>23</sup> which provided new methodologies for analyzing air quality impacts. The Air Quality Guidelines also provide thresholds of

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<sup>22</sup> San Francisco Planning Department, Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed May 8, 2017.

<sup>22</sup> San Francisco Planning Department, Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed May 8, 2017.

<sup>23</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

significance for those criteria air pollutants that the SFBAAB is in non-attainment. These thresholds of significance are used by the City.

### Construction

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 21 months. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Memorandum.<sup>24</sup> The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 513 working days. As shown in Table 2, unmitigated project construction emissions would not be above the threshold of significance for criteria pollutants.

**Table 2: Daily Project Construction Emissions**

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NO <sub>x</sub>	Exhaust PM <sub>10</sub>	Exhaust PM <sub>2.5</sub>
Unmitigated Project Emissions	9.24	21.14	1.26	1.2
Significance Threshold	54.0	54.0	82.0	54.0

Source: BAAQMD, 2011; San Francisco Planning Dept.

### Operation

The proposed project would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating, and combustion of other fuels by building and grounds maintenance equipment), and energy usage. Operational-related criteria air pollutants generated by the proposed project were also quantified using CalEEMod and provided within the Air Quality Memorandum. Default assumptions were used where project-specific information was unknown.

The daily and annual emissions associated with operation of the proposed project are shown in Table 3. Table 3 also includes the thresholds of significance the City utilizes.

**Table 3: Summary of Operational Criteria Air Pollutant Emissions**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Project Average Daily Emissions (lbs/day)	16.77	21.32	0.57	0.55
Significance Threshold (lbs/day)	54	54	82	54
Project Maximum Annual Emissions (tpy)	3.06	3.89	0.1045	0.0996
Significance Threshold (tpy)	10.0	10.0	10.0	10.0

lbs/day = pounds per day

<sup>24</sup> SF Planning Dept, *Air Quality Memorandum*, May 8, 2017. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-005862ENV.

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tpy = tons per year

Source: BAAQMD, 2011; San Francisco Planning Department

As shown in Table 3, the proposed project would not exceed the threshold of significance for operational criteria air pollutant emissions. For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the Eastern Neighborhoods PEIR related to contribution to violations of air quality standards or substantial increases in non-attainment criteria air pollutants.

### Health Risk

Since certification of the PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The 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<sub>2.5</sub> concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the Air Pollutant Exposure Zone, such as the proposed project, 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<sub>2.5</sub> (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 Public Health that the applicant has an approved Enhanced Ventilation Proposal. In compliance with article 38, the project sponsor has submitted an initial application to DPH.<sup>25</sup>

### Construction

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during 15 months of the anticipated 20-month construction period. Thus, Project Mitigation Measure 2: Construction Air Quality has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 2 Construction Air Quality would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.<sup>26</sup> Therefore, impacts related to

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<sup>25</sup> John, Kevlin, *Application for Article 38 Compliance Assessment*, November 6, 2015.

<sup>26</sup> PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/bhp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/bhp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

construction health risks would be less than significant through implementation of Project Mitigation Measure 2 Construction Air Quality. The full text of Project Mitigation Measure 2 Construction Air Quality is provided in the Mitigation Measures Section below.

### Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day, nor would the proposed project include a back-up diesel generator. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable.

### Conclusion

For the above reasons, with the implementation of Project Mitigation Measure 2 Construction Air Quality, the project would not result in significant air quality impacts that were not identified in the PEIR.

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

The Eastern Neighborhoods PEIR assessed the greenhouse gas (GHG) emissions that could result from rezoning of the Showplace Square/Potrero Hill Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E<sup>27</sup> per service population,<sup>28</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

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

<sup>27</sup> CO<sub>2</sub>E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

<sup>28</sup> Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions*<sup>29</sup> 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,<sup>30</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,<sup>31</sup> Executive Order S-3-05<sup>32</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>33,34</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>35</sup> and B-30-15.<sup>36,37</sup> 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 replacing a 32,400-sf commercial use with a 48-foot-tall, five-story building with 185 residential units and 2,990-sf of retail. 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 reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, Transportation Sustainability Fee, bicycle parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These requirements reduce GHG

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<sup>29</sup> 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](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

<sup>30</sup> ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

<sup>31</sup> Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

<sup>32</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>33</sup> 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](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>34</sup> 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.

<sup>35</sup> 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 MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>36</sup> Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>37</sup> 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.



emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation, Irrigation ordinances, and Energy Conservation ordinances, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>38</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>39</sup> and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>40</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>41</sup>

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

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<sup>38</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>39</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>40</sup> 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.

<sup>41</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 975 Bryant Street*, January 20, 2016.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
<b>8. WIND AND SHADOW—Would the project:</b>				
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

According to the *Eastern Neighborhoods EIR*, and based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. As the changes in the permitted heights under the Eastern Neighborhoods Plan included few new locations with heights in excess of 80 feet, wind impacts were judged to be less-than-significant at the plan level of analysis.<sup>42</sup> Although the proposed 48-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

## Shadow

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

The proposed project would construct a 48-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks.<sup>43</sup> The shadow fan shows that the proposed project would not cast new shadow on public spaces protected under Section 295.

<sup>42</sup> SF Planning Department, *Eastern Neighborhoods Final EIR, Part 13, Appendices*, page 31. This document can be found at [http://sf-planning.org/sites/default/files/FileCenter/Documents/3989-EN\\_Final-EIR\\_Part-13\\_Appendices.pdf](http://sf-planning.org/sites/default/files/FileCenter/Documents/3989-EN_Final-EIR_Part-13_Appendices.pdf) (accessed July 10, 2017).

<sup>43</sup> SF Planning, Shadow Fan for 975 Bryant Street, May 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-005862ENV.

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

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

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

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

As part of the Eastern Neighborhoods Plan's adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and the Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information

and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17<sup>th</sup> and Folsom, are both set to open in 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to “Transportation” section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population to the project area.

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

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<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>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
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 Eastern Neighborhoods PEIR determined that the anticipated increase in population as a result of plan implementation would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes city-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater

infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

In September 2015, the City entered into a landfill disposal agreement with Recology, Inc. for disposal of all solid waste collected in San Francisco at the Recology Hay Road Landfill in Solano County. The Recology Hay Road Landfill is permitted to accept up to 2,400 tons per day of solid waste, at that maximum rate the landfill would have capacity to accommodate solid waste until approximately 2034. At present, the landfill receives an average of approximately 1,850 tons per day from all sources, with approximately 1,200 tons per day from San Francisco; at this rate landfill closure would occur in 2041. The City's contract with the Recology Hay Road Landfill is set to terminate in 2031 or when 5 million tons have been disposed, whichever occurs first. At that point, the City will either further extend the Recology Hay Road Landfill contract or find and entitle another landfill site. The proposed project, which would include construction waste and operational waste associated with the residential use, would generate a minimal amount of solid waste to be deposited at the landfill. Therefore, the proposed project would be served by landfills with sufficient permitted capacity to accommodate its solid waste disposal needs.

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

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

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in substantial adverse physical impacts associated with the provision of, or need for new or physically altered public services, including fire protection, police protection, libraries, and public schools. No mitigation measures were identified in the PEIR.

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

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

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

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS—Would the project:</b>				
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 Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.



A geotechnical investigation was prepared for the proposed project.<sup>44</sup> The primary geotechnical concerns outlined in the report are the presence of loose fill that would affect the support of the sides of the excavation and adjacent buildings and streets during the construction of the basement. The report concludes that the proposed project could be supported on a spread-type foundation consisting of spread footings bottomed with dense sand. The report also recommends a soldier-pile-and-lagging shoring system to reduce any effect on neighboring properties and the underpinning of any adjacent structures supported on spread footings.

The California Seismic Hazards Mapping Act protects public safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failures or hazards caused by earthquakes. The California Geological Survey designates the project site as within an area that may be prone to earthquake-induced ground failure during a major earthquake due to liquefaction hazard. Because of this, site design and construction must comply with the Seismic Hazards Mapping Act, its implementing regulations, and the California Department of Conservation's guidelines for evaluating and mitigating seismic hazards. In addition, adequate investigation and mitigation of failure-prone soils is also required by the mandatory provisions of the state building code. The San Francisco Building Code has adopted the state building code with certain local amendments. The regulations implementing the Seismic Hazards Mapping Act include criteria for approval of projects within seismic hazard zones that require a project shall be approved only when the nature and severity of the seismic hazards at the site have been evaluated in a geotechnical report and appropriate mitigation<sup>45</sup> measures have been proposed and incorporated into the project as applicable.

The project is required to conform to the state and City building codes, which ensures the safety of all new construction in the City. In particular, Chapter 18 of the state building code provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, section 1804.1 requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift including seismic considerations. Sections 1808 and 1809 specify requirements for foundations systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in Chapter 16 for the structure's seismic design category and soil classification at the project site. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and

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<sup>44</sup> Lagan Treadwell Rollo, *Preliminary Geotechnical Study*, 975 Bryant Street, San Francisco, California, April 17, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-005862ENV.

<sup>45</sup> In the context of the SHMA, "mitigation" refers to measures that reduce earthquake hazards, rather than the Mitigation Measures that were identified in the programmatic EIR, which are required by the California Environmental Quality Act (CEQA) to reduce or avoid environmental impacts of a proposed project.

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

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

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

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

The project site is currently occupied by a 32,407-sf one-story commercial building and a surface parking lot that cover the entire parcel with impervious surfaces. The proposed project would similarly occupy the entire site, so there would be no net increase in impervious surfaces. As a result, the proposed project would not increase stormwater runoff.

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

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

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

### **Hazardous Building Materials**

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Project Mitigation Measure 3: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Project Mitigation Measure 3 would apply to the proposed project. See the full text of Project Mitigation Measure 3 in the Mitigation Measures Section below.

### **Soil and Groundwater Contamination**

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

The proposed project would excavate to a depth of up to 17 feet bgs on a site that has a history of the storage and uses of hazardous materials, including underground fuel and solvent storage tanks. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor 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.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and an ESA has been prepared to assess the potential for site contamination.<sup>46</sup> According to the ESA, there were four underground fuel and solvent storage tanks previously located on the property that were removed in 1986 and 1990. A "Case Closure" letter for the removal of these tanks was issued by the State Regional Water Quality Control Board on March 11, 1998. Minor soil contamination was observed during the removal process, and the affected soil was off-hauled concurrently with the removal of five underground storage tanks from the SFMTA municipal service station across Bryant Street from the project site. Subsequent soil sampling indicated there was no environmentally-significant contamination from these tanks on the project site and no remedial activities have been mandated. A visual inspection of the site on April 10, 2015 indicated that there were no reportable quantities of hazardous materials stored or generated on the site. There were no drums, containers or storage tanks observed, no evidence of surface fill or holes, no pungent or noxious odors, and no evidence of underground storage tanks.

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

Therefore, through compliance with the requirements of the Maher Ordinance, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption,

<sup>46</sup> RGA Environmental, Environmental Site assessment 975 Bryant Street, San Francisco, May 4, 2015.

including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

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

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

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

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

## MITIGATION MEASURES

### Project Mitigation Measure 1: Archeological Testing

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. The archeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project archeological research design and treatment plan (Anthropological Studies Center. *Archaeological Research Design and Treatment Plan Addendum 975 Bryant Street, San Francisco, California, August 12, 2016*) at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirement of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirements of this archeological mitigation measure shall prevail. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. 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 site<sup>47</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>48</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

*Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be

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<sup>47</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>48</sup> 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.

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 2: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)**

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

### *A. Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the

applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

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

**Table – Off-Road Equipment Compliance Step-down Schedule**

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

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

\*\* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
  1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type,

equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

### **Project Mitigation Measure 3: Hazardous Building Materials**

The project sponsor shall ensure that any equipment containing polychlorinated biphenyl (PCBs) or Di(2-ethylhexyl) phthalate (DEPH), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.



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BRYANT ST

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Cover

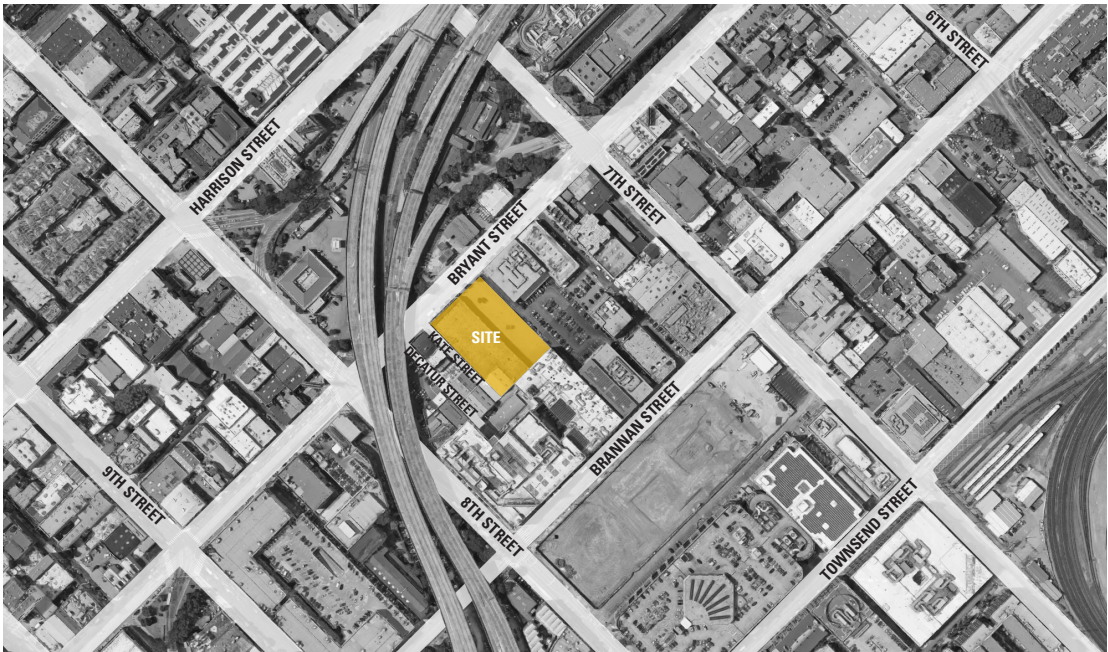
AP1.00





## Urban Location

NTS



## Neighborhood Location

NTS

## Sheet List

- AP1.00 - Cover
- AP1.01 - Location Maps and Sheet List
- AP1.02 - Material Palette
- AP1.03 - Survey
- AP1.04 - Survey
- AP1.05 - Landscape Site Plan
- AP1.06 - Landscape Roof Plan
- AP1.07 - Landscape Materials
- AP1.08 - Landscape Details
- AP1.09 - Site Plan
- AP1.10 - Project Data
- AP1.11 - Unit Matrix and Typical Units

- AP2.00 - Floor Plan - Level P1
- AP2.01 - Floor Plan - Level 1
- AP2.02 - Floor Plan - Level 2
- AP2.03 - Floor Plan - Level 3
- AP2.04 - Floor Plan - Level 4
- AP2.05 - Floor Plan - Level 5
- AP2.06 - Roof Plan

- AP3.01 - Elevation - Bryant and Kate Streets
- AP3.02 - Elevation - North and East

- AP3.11 - Sections
- AP3.12 - Sections

- AP4.01 - Building Details

- AP5.01 - Rendering - Kate and Bryant (Day)
- AP5.02 - Rendering - Kate and Bryant (Night)
- AP5.03 - Rendering - On Kate Street
- AP5.04 - Rendering - Kate Street Townhomes

- AP6.01 - Section 140 Tabulation and Floor Plan Diagrams
- AP6.02 - Courtyard Sections
- AP6.03 - Courtyard Sections

## Notes

- 1 - Parking in the basement is unbundled per SF Planning Code Section 167
- 2 - Bird safe glazing per SF Planning Code Section 139 is not required on this project.

# 975

## BRYANT ST

### Project Sponsor:

Trammel Crow Residential  
39 Forrest Street  
Suite 201  
Mill Valley, CA 94941  
Contact: Tyler Evje  
Tel: 415 381 3028  
Email: tevje@tcr.com

### Architect:

Kwan Henmi Architecture/Planning  
456 Montgomery Street  
Suite 200  
San Francisco, CA 94104  
Contact: Dan Moberly  
Tel: 415 901 7230  
Fax: 415 777 5102  
Email: dan@kwanhenmi.com

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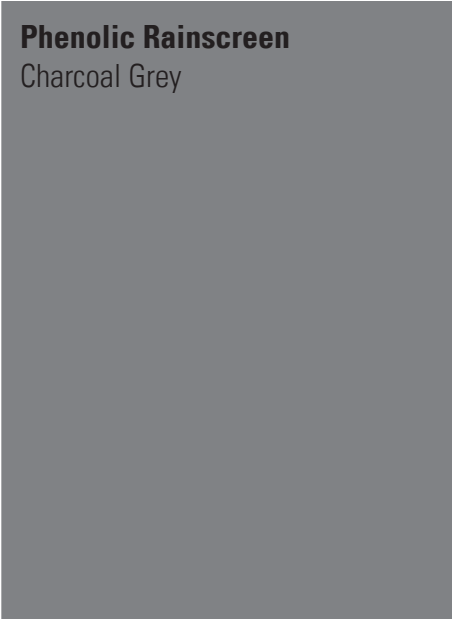
Location Maps  
and Sheet List

# AP1.01

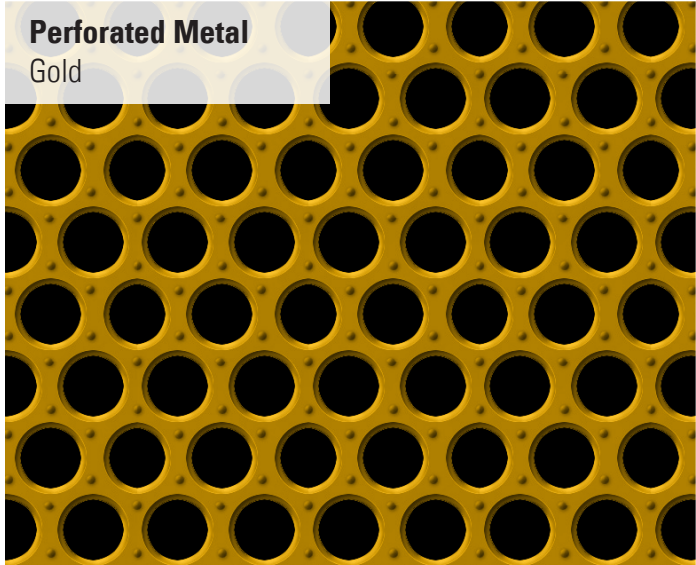


**Phenolic Rainscreen**  
Gold

**Phenolic Rainscreen**  
White



**Phenolic Rainscreen**  
Charcoal Grey



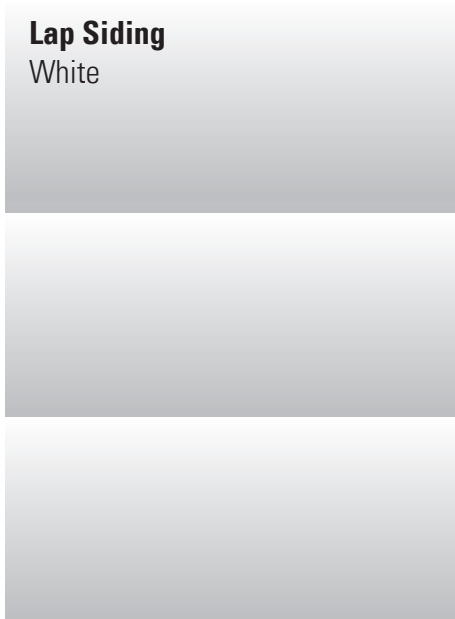
**Perforated Metal**  
Gold



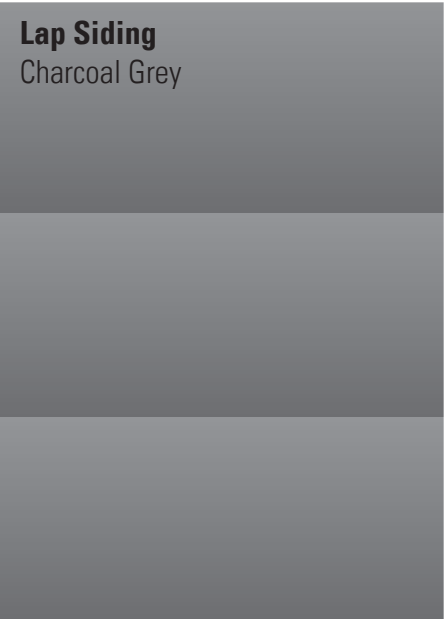
**Metal Louver**  
Gold



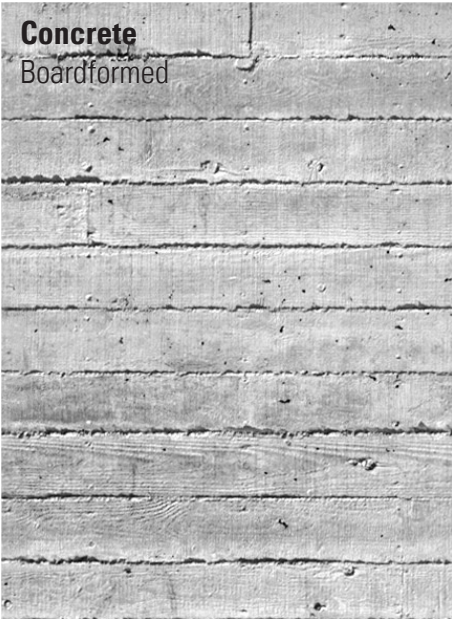
**Metal Louver**  
White



**Lap Siding**  
White



**Lap Siding**  
Charcoal Grey



**Concrete**  
Boardformed

# Material Palette

- Phenolic Panel Rainscreen**
- Gold
  - White
  - Charcoal Grey

- Metal Louvers**
- Gold
  - White

- Perforated Metal**
- Gold

- Concrete**
- Boardformed

- Lap Siding**
- White
  - Charcoal Grey



Drawing Number:		
Date: 04/09/15	No.	Revisions
Scale: 1"=10'		
Design:		
Drawn: RCS		
Approved: AC		
Job No: 2015002-50		

KH

# AP1.03

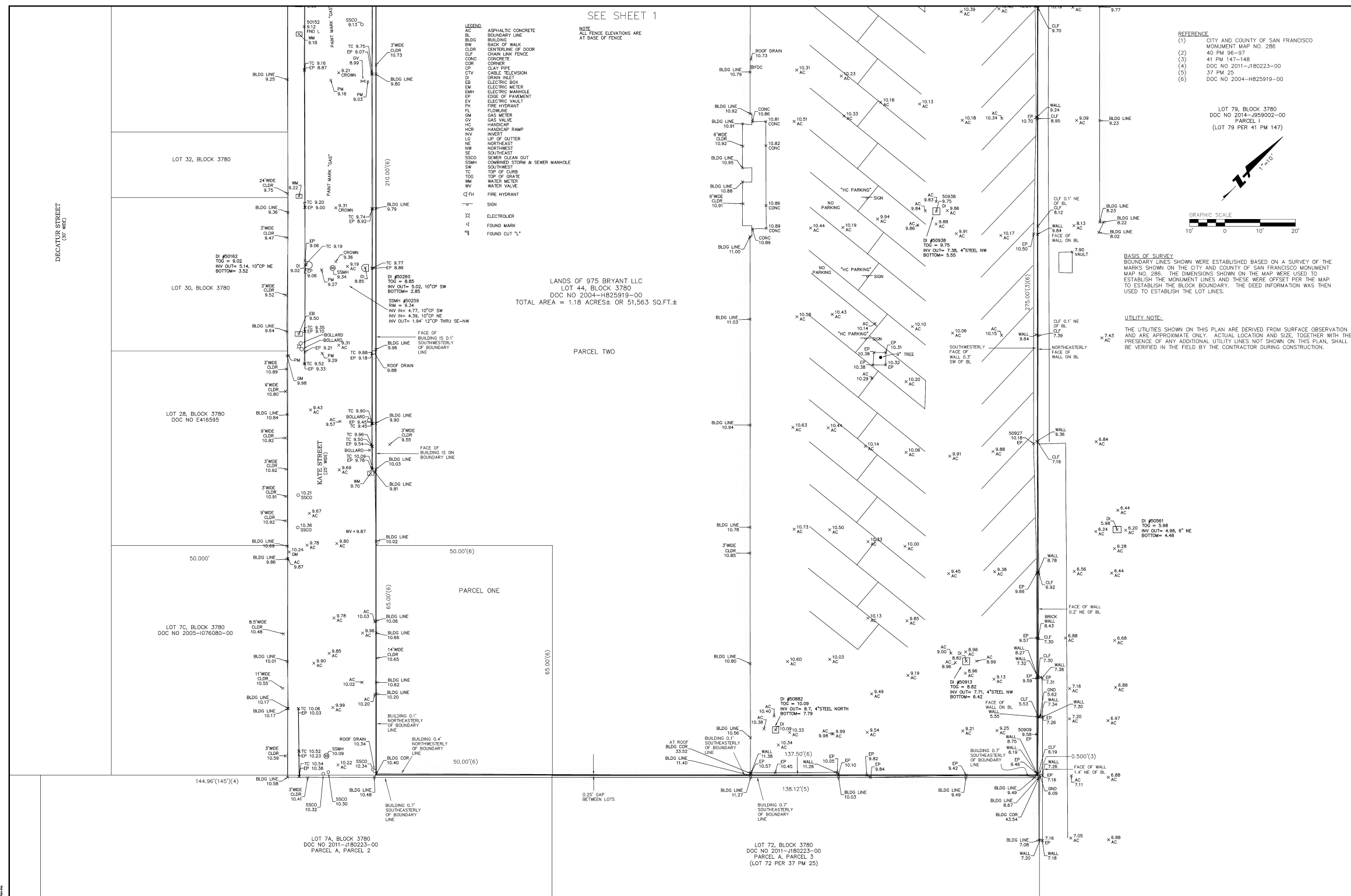


05/01/15  
DATE



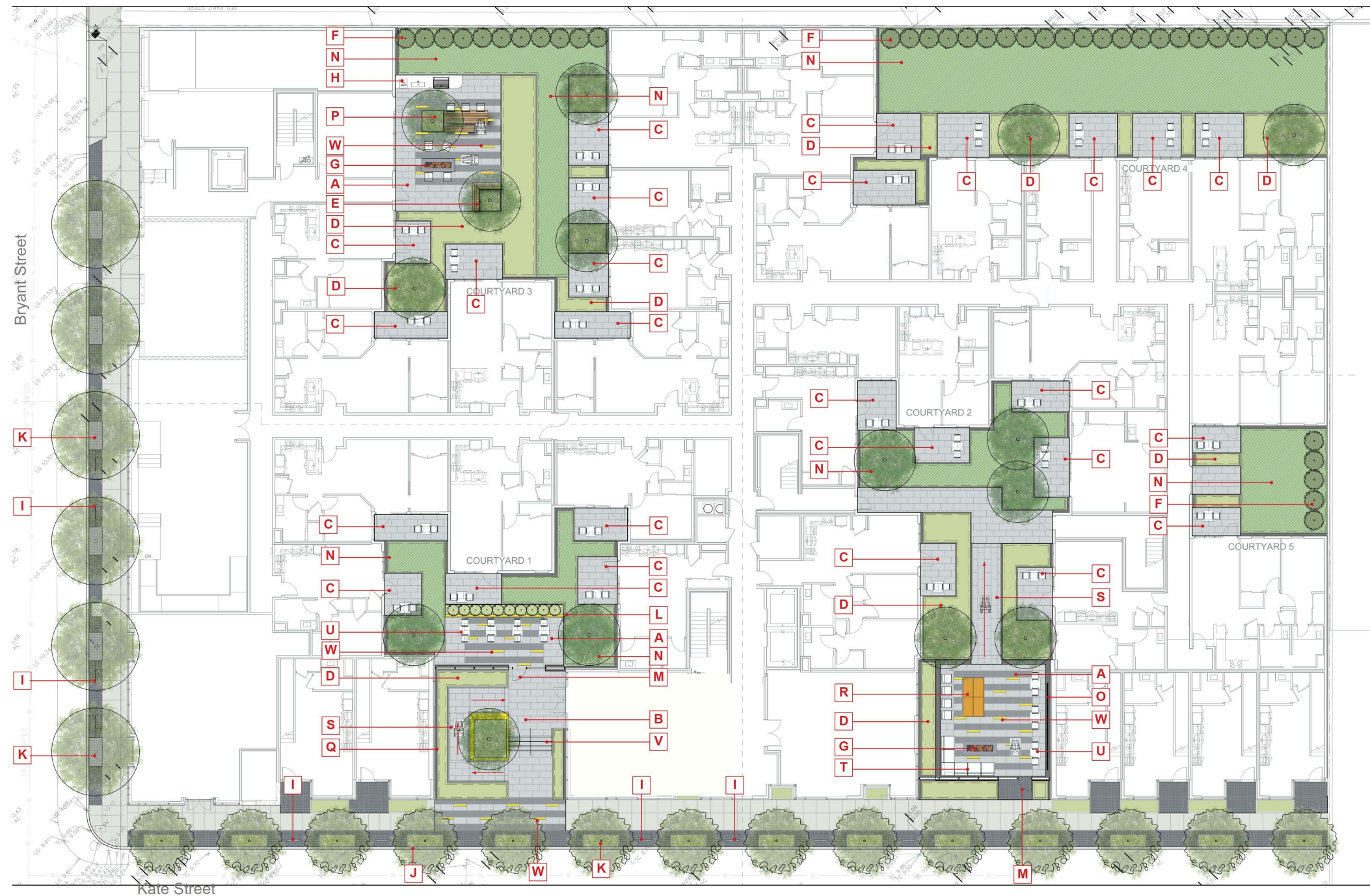
2 OF 2

# AP1.04



# 975

## BRYANT ST



### LEGEND

- A.** COMMUNAL COURTYARD
- B.** ENTRY PLAZA
- C.** PRIVATE PATIO
- D.** RAISED PLANTER
- E.** TREE PLANTER/ BENCH SEATING
- F.** SCREEN PLANTING
- G.** FIRE FEATURE
- H.** OUTDOOR KITCHEN / BBQ
- I.** BIKE PARKING
- J.** RAISED STREET TREE PLANTER
- K.** NEW STREET TREE
- L.** FEATURE WALL
- M.** SECURED GATE
- N.** FLOW THRU PLANTER
- O.** PROJECTION/MOVIE WALL
- P.** WOOD TREE TABLE
- Q.** VINE WALL
- R.** PING PONG TABLE
- S.** ACCESSIBLE RAMP
- T.** LOUNGE SEATING
- U.** HIGH TOP SEATING
- V.** ENTRY STEPS
- W.** IN GROUND LIGHTING

**Creo** landscape architecture  
 466 Geary Street, Suite 300  
 San Francisco, CA 94102  
 t.415.688.2506  
 www.creolandarch.com

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Landscape Site Plan

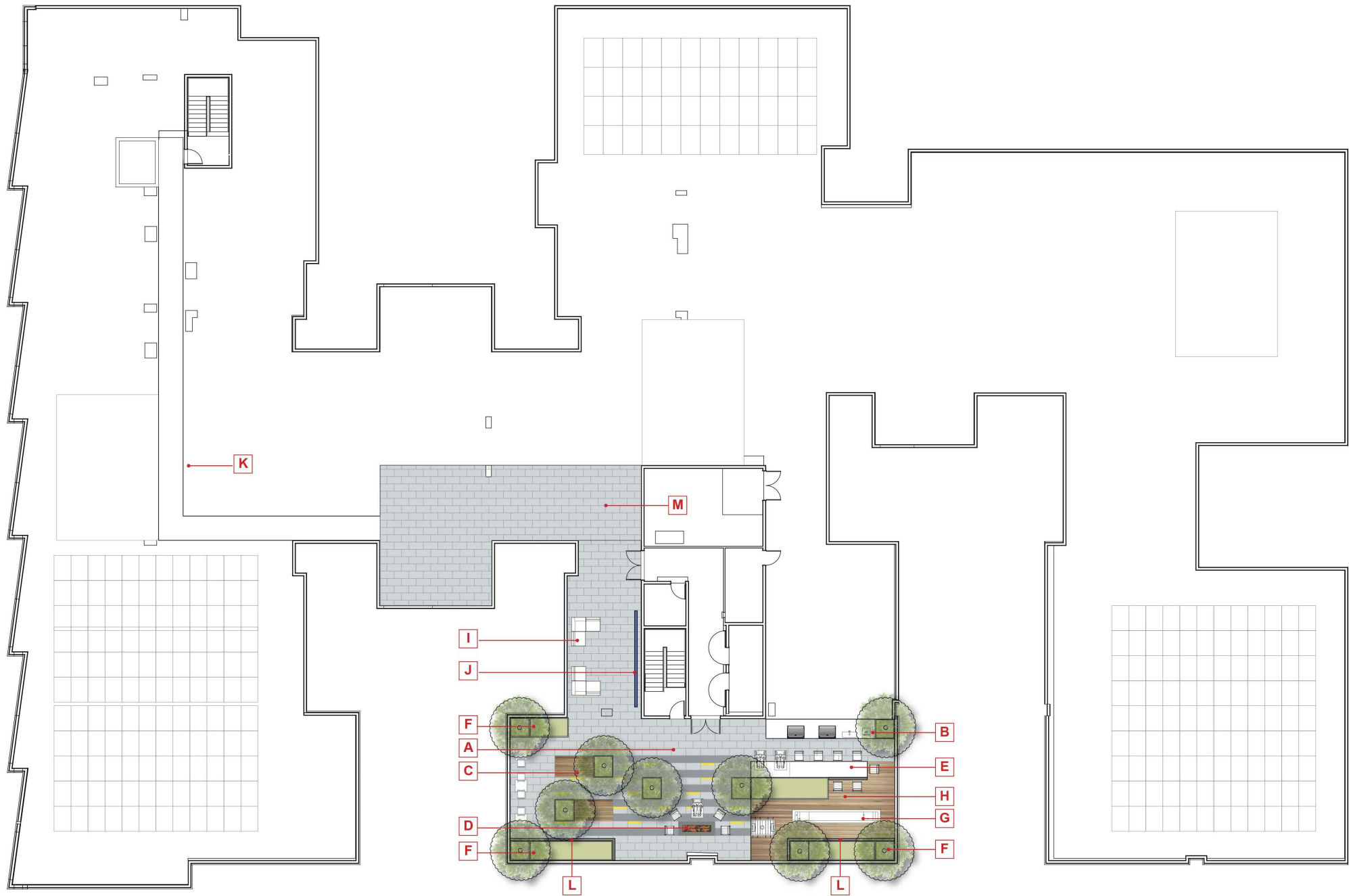
# AP1.05

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BRYANT ST

LEGEND

- A. COMMUNAL PATIO
- B. OUTDOOR KITCHEN (W/ 2X BBQ, ICE MAKER + SINK)
- C. TREE PLANTER/ BENCH SEATING
- D. FIRE PIT
- E. STAND UP BAR
- F. RAISED PLANTER
- G. GAMING TABLES
- H. WOOD DECK
- I. LOUNGE SEATING
- J. A.V. WALL
- K. EGRESS PATHWAY
- L. SHELVES
- M. OUTDOOR GYM AREA



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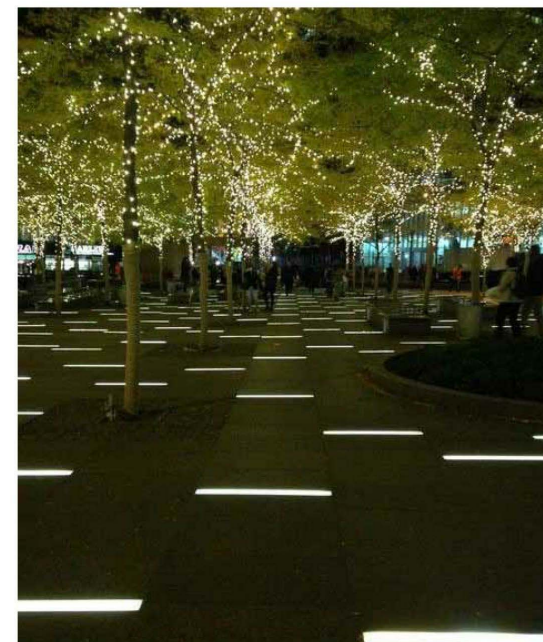
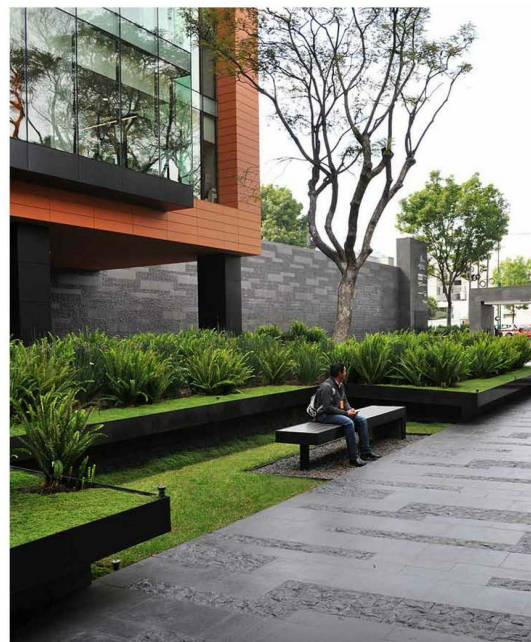
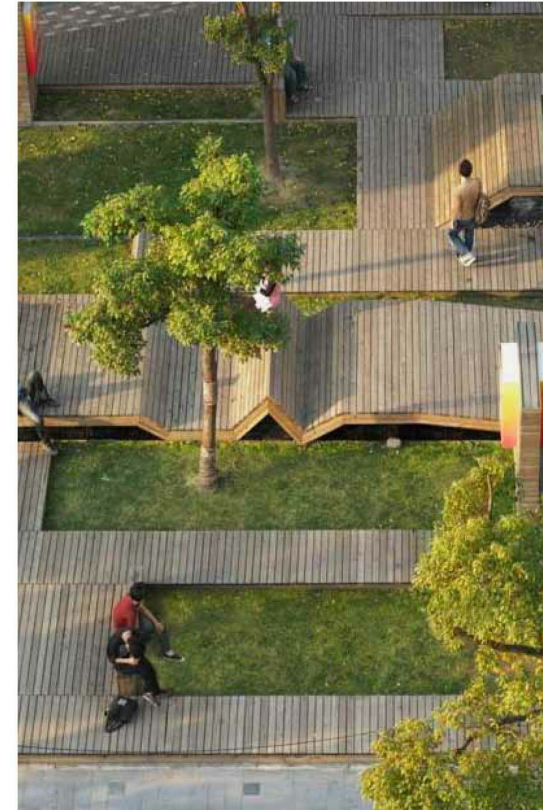
Landscape Roof Plan

AP1.06



# 975

## BRYANT ST



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San Francisco, CA 94102  
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Landscape Materials

# AP1.07

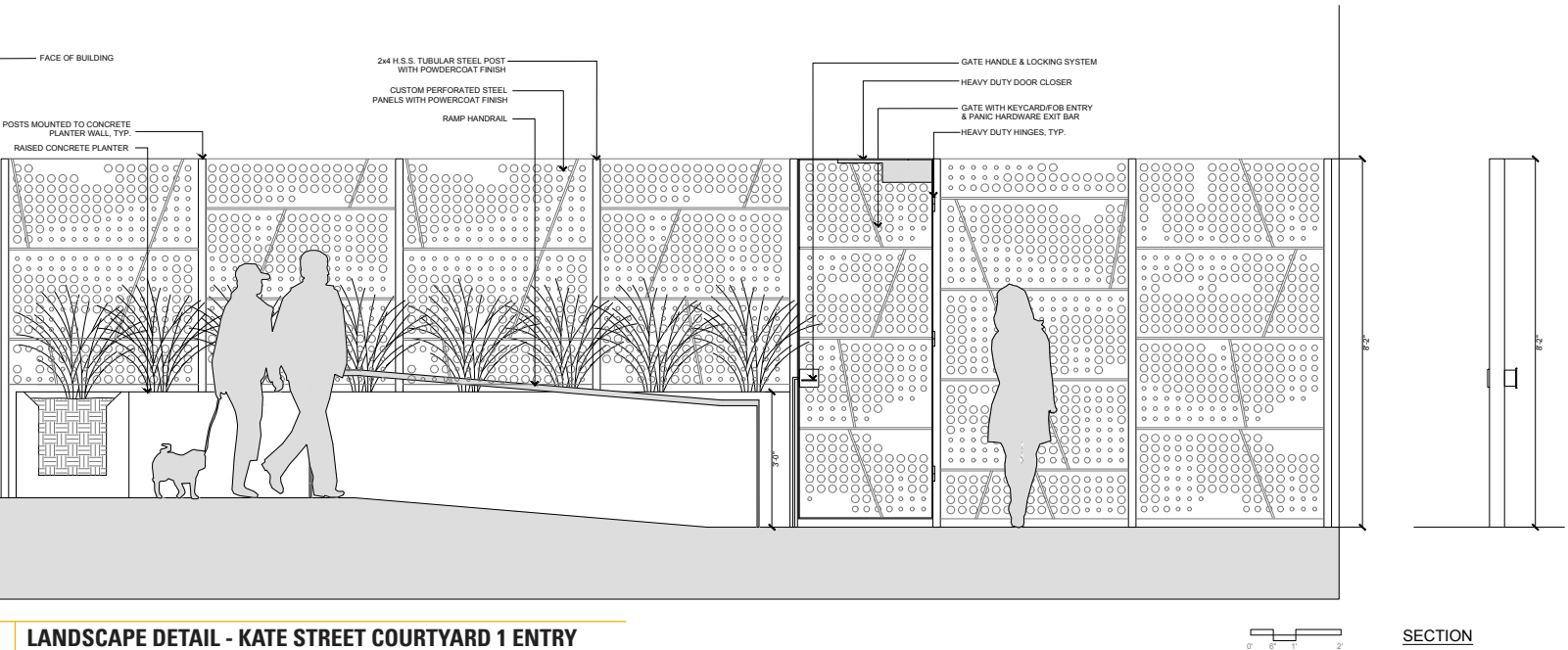


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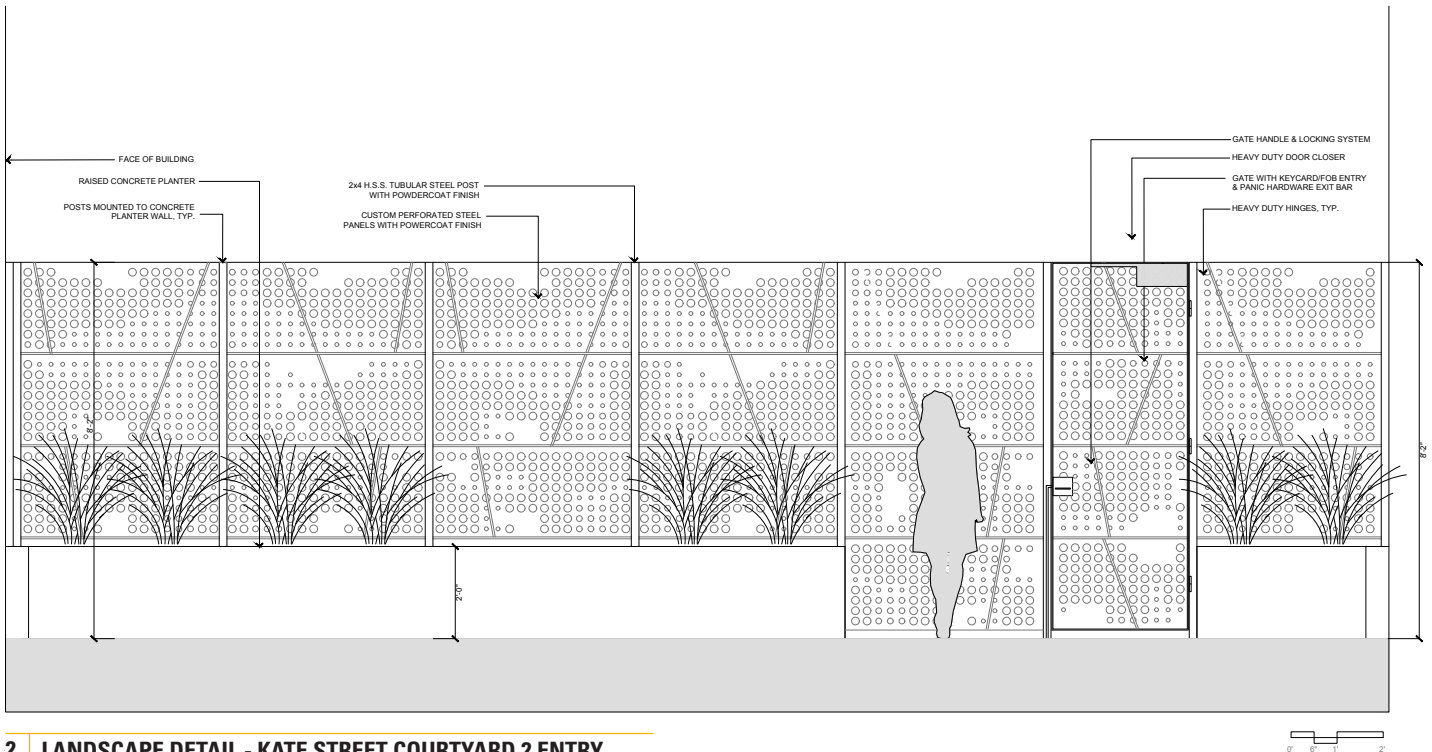
## BRYANT ST

DETAIL  
AREA 1  
DETAIL  
AREA 3

DETAIL  
AREA 2



1 | LANDSCAPE DETAIL - KATE STREET COURTYARD 1 ENTRY



2 | LANDSCAPE DETAIL - KATE STREET COURTYARD 2 ENTRY



3 | LANDSCAPE DETAIL - KATE STREET BENCH-PLANTERS

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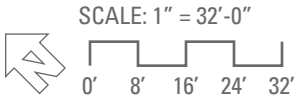
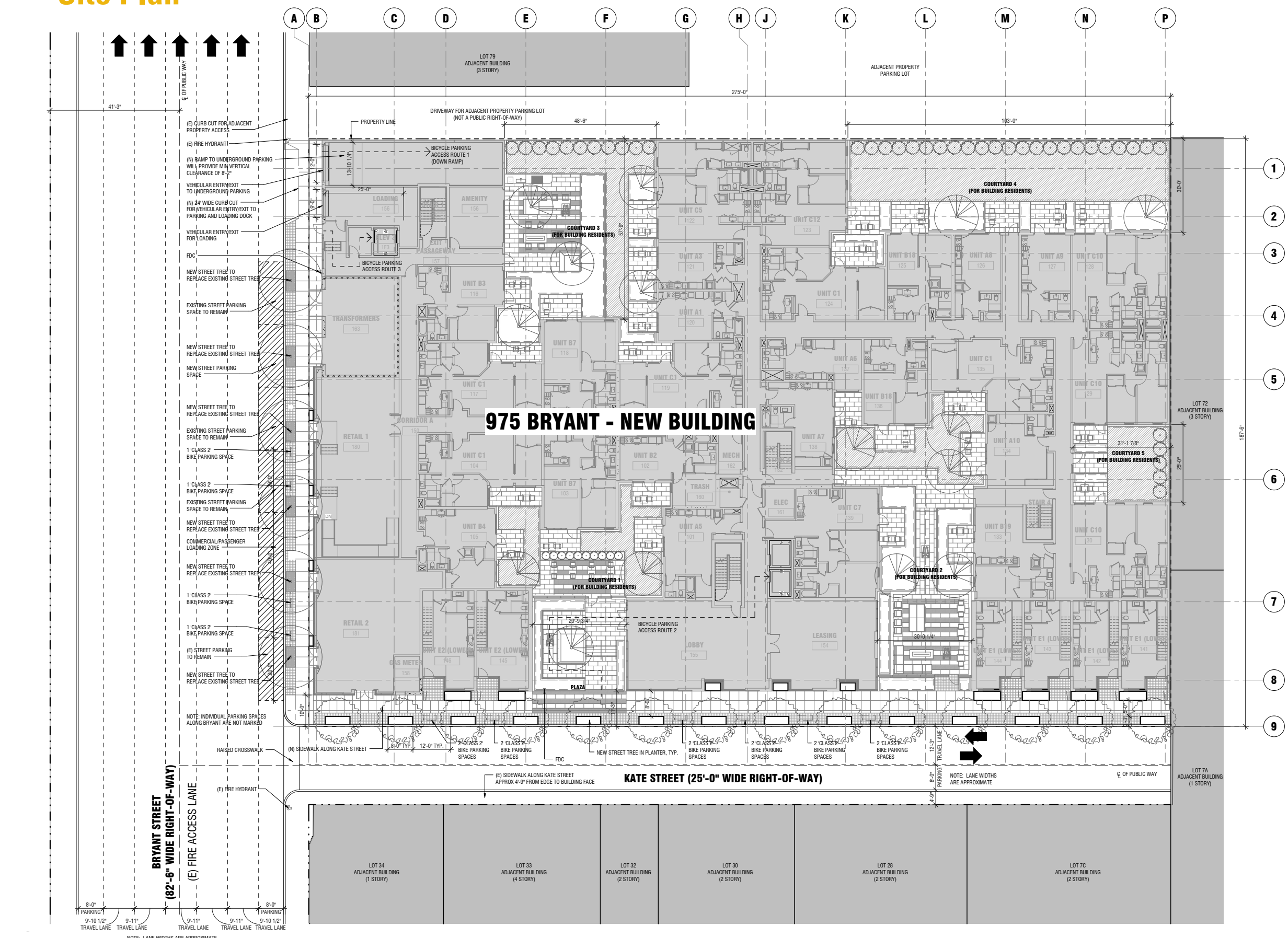
KH

Landscape Details

AP1.08

Site Plan

975  
BRYANT ST



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Site Plan

AP1.09

Project Data

975 Bryant Street				6.26.2017						
				TOTAL	Level P1	Level 1	Level 2	Level 3	Level 4	Level 5
Gross Residential SF w/Parking				220,146 sf	50,028 sf	34,841 sf	27,886 sf	35,797 sf	35,797 sf	35,797 sf
Gross Residential SF				170,118 sf						
Net Residential SF (Res. Units Only)				138,135 sf		23,605 sf	21,200 sf	31,110 sf	31,110 sf	31,110 sf
Floor Plate Efficiency						76.33%	76.02%	86.91%	86.91%	86.91%
Leasing						1,000 sf				
Retail 1						1,425 sf				
Retail 2						1,565 sf				
Amenity						350 sf				
Corridor					830 sf	3,020 sf	3,245 sf	3,235 sf	3,235 sf	3,235 sf
Elev/Stairs					390 sf	940 sf	900 sf	890 sf	890 sf	890 sf
BOH (incl Transformers, Trash, MEP, Utilities)					2,980 sf	935 sf	305 sf	305 sf	305 sf	305 sf
Lobby (incl Mail and Package)						1,250 sf				
Loading Dock						410 sf				
Garage Ramp (lost area)					1,225 sf					
Parking (incl Bike Parking)					45,660 sf					
		Avg. Size	%	TOTAL		Level 1	Level 2	Level 3	Level 4	Level 5
Studios		497 sf	18.9%	35		8	6	7	7	7
1 BRs (Incl. Townhomes)		668 sf	41.1%	76	0	14	11	17	17	17
2 BRs		915 sf	34.6%	64	0	11	11	14	14	14
3 BRs		1,137 sf	5.4%	10	0	0	1	3	3	3
Unit Count				185		33	29	41	41	41

Site Area	51,560 sf						
Rear Yard							
Required	12,890 sf						
Provided	16,050 sf						
Open Space	sf						
Total Units	185 DU						
Provided Publicly Accessible Open Space	2,969 sf (Adjacent to Kate Street)						
serves	54 DU @54 sf / Unit						
Remaining Units	131 DU						
Required Open Space for Remaining Units	10,480 sf						
Provided Private Open Space for Units	1,440 sf						
serves	18 DU @80 sf / Unit						
Remaining Units	113 DU						
Required Common Open Space for Remaining Units	9,040 sf @80 sf / Unit			Courtyard 1	Courtyard 2	Courtyard 3	
Provided Common Open Space Provided Exclusive of Roof Deck	7,028 sf			1,973 sf	2,551 sf	2,504 sf	
Provided Common Open Space Roof Deck	3,957 sf						

Residential Bike Parking							
Class 1							
Required Class 1 (100 spaces + 1 for every 4 units above 100)	122 spaces						
Provided Class 1 - Wall Mounted (up to 1/3 of total)	40 spaces						
Provided Class 1 - Floor Mounted (Remainder)	82 spaces						
Class 2							
Required Class 2	10 spaces						
Provided Class 2	10 spaces						
Retail and Leasing Bike Parking							
Class 1							
Required Class 1 (1 for every 7,500 sf)	1 space						
Provided Class 1	1 space						
Class 2							
Required Class 2 (1 per 750sf but not less than 2)	6 spaces						
Provided Class 2	6 spaces						

Residential Vehicle Parking Provided							
Total Vehicle Parking Provided	135 spaces			Inclusive of Accessible, Van Accessible Spaces and Car Share			
Standard (excluding Accessible & Car Share)	129 spaces						
Accessible (2% of 139 spaces)				3 spaces, Inclusive of Typ Accessible and Van Accessible			
Van Accessible (1 per 8 accessible)	1 spaces						
Typ Accessible	2 spaces						
Car Share				3 spaces			

Vehicle Parking Allowed							
Total Vehicle Parking Allowed	155 spaces						
Residential	spaces per unit						
170 units	0.75			128 spaces			
15 2+ Bed units >1000 sf	1			15 spaces			
Retail	Spaces per area						
2,995 sf	500			6 spaces			
Car Share							
1 Required + 5 optional				6 spaces			

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BRYANT ST

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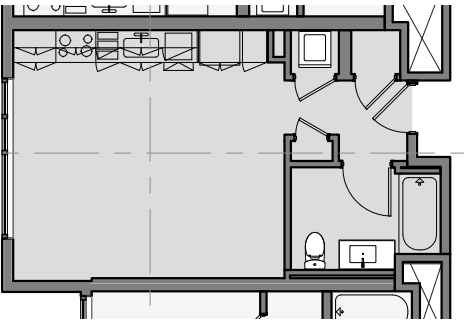
Project Data

AP1.10

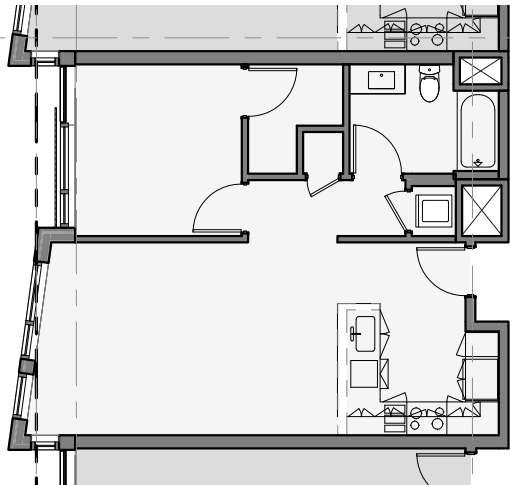
Unit Matrix

Unit Matrix						
	Level 1	Level 2	Level 3	Level 4	Level 5	Total
Studios						
A1	1	1	1	1	1	5
A2		1	1	1	1	4
A3	1					1
A4			1	1	1	3
A5	1	1	1	1	1	5
A6	1	1	1	1	1	5
A7	1					1
A8	1					1
A9	1	1	1	1	1	5
A10	1	1	1	1	1	5
Total Studios						35
1 BRs (Incl. Townhomes)						
B1			4	4	4	12
B7	2	2	2	2	2	10
B2	1	1	1	1	1	5
B3	1	1	1	1	1	5
B4	1	1	1	1	1	5
B5		1	1	1	1	4
B13			1	1	1	3
B14			1	1	1	3
B18	2	3	3	3	3	14
B19	1	1	1	1	1	5
B21		1	1	1	1	4
E1	4					4
E2	2					2
Total 1 BRs						76
2 BRs						
C1	5	5	5	5	5	25
C2			1	1	1	3
C5	1	1	1	1	1	5
C7	1	1	1	1	1	5
C10	3	3	5	5	5	21
C12	1	1	1	1	1	5
Total 2 BRs						64
3 BRs						
D1			2	2	2	6
D2			1	1	1	3
D6		1				1
Total 3 BRs						10
Total Units						185

Typical Units



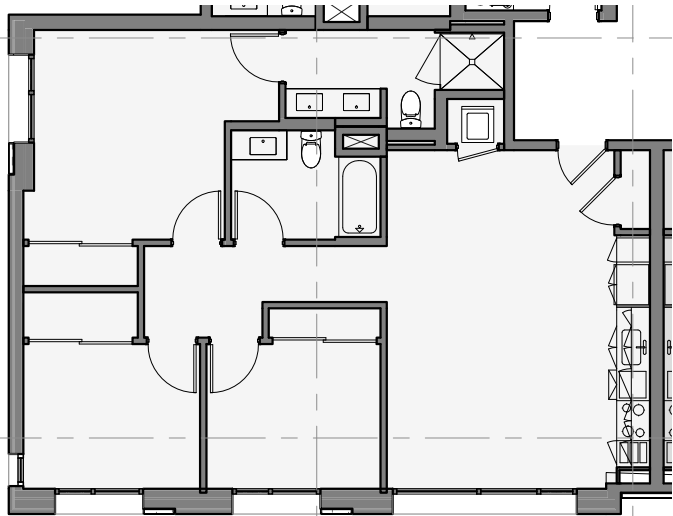
Unit Type A1 (Studio)



Unit Type B1 (1 Bed)



Unit Type C10 (2 Bed)



Unit Type D1 (3 Bed)

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BRYANT ST

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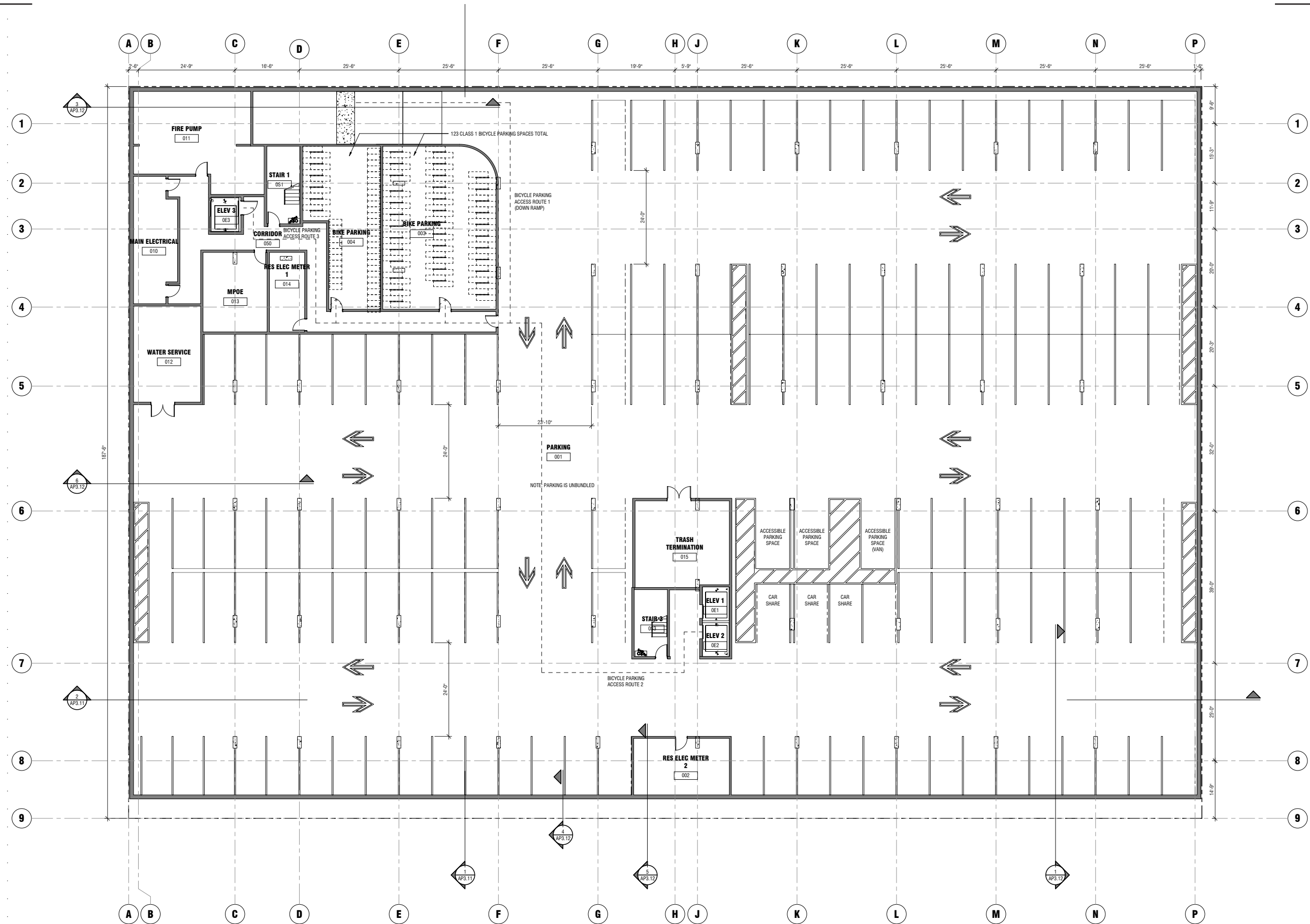
Unit Matrix and  
Typical Units

AP1.11



# 975

## BRYANT ST



SCALE: 1" = 25'-0"

27 JUL 2017

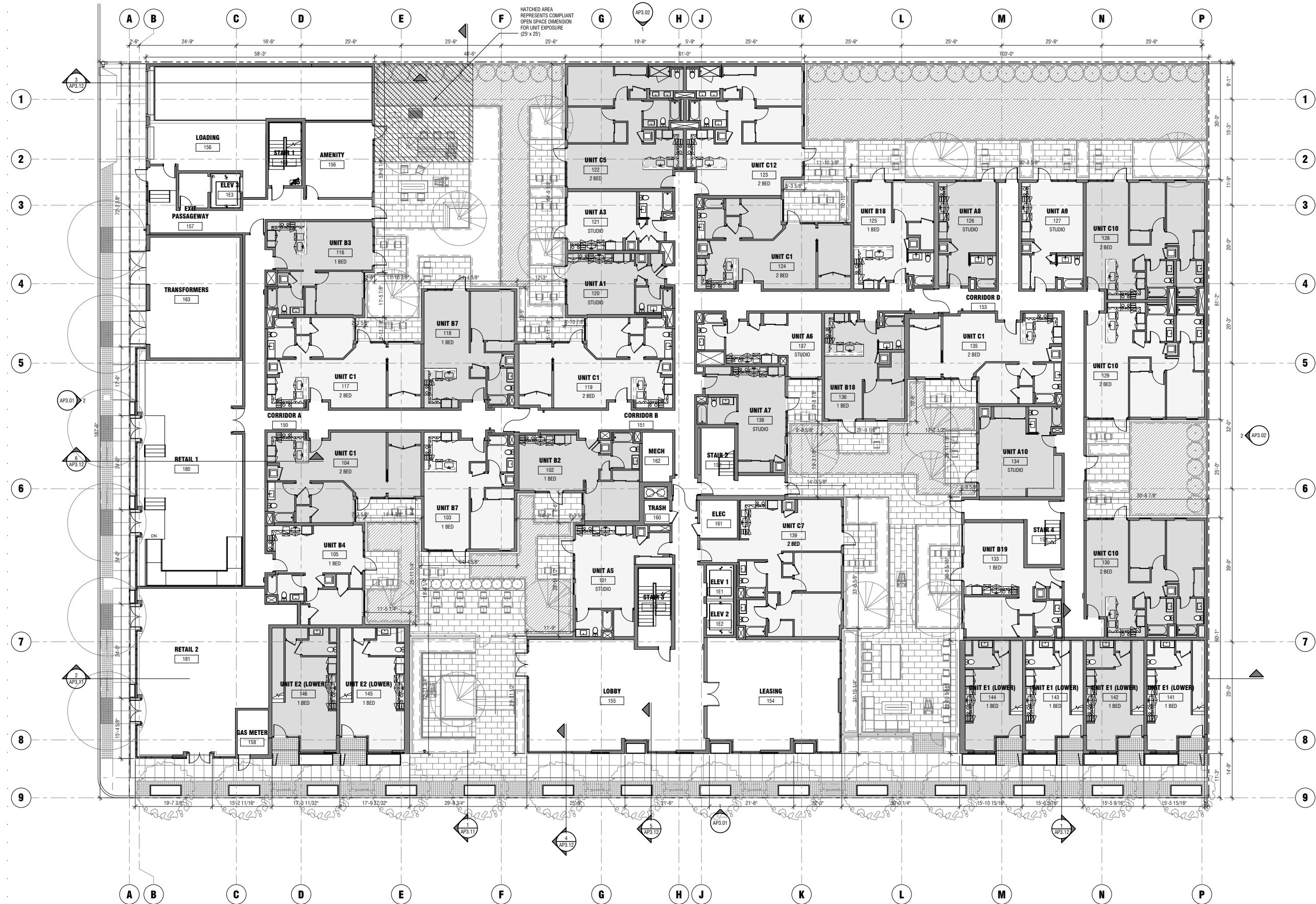
KH

Floor Plan  
- Level P1

# AP2.00

# 975

## BRYANT ST



SCALE: 1" = 25'-0"

0' 5' 10' 15' 20' 25'

27 JUL 2017

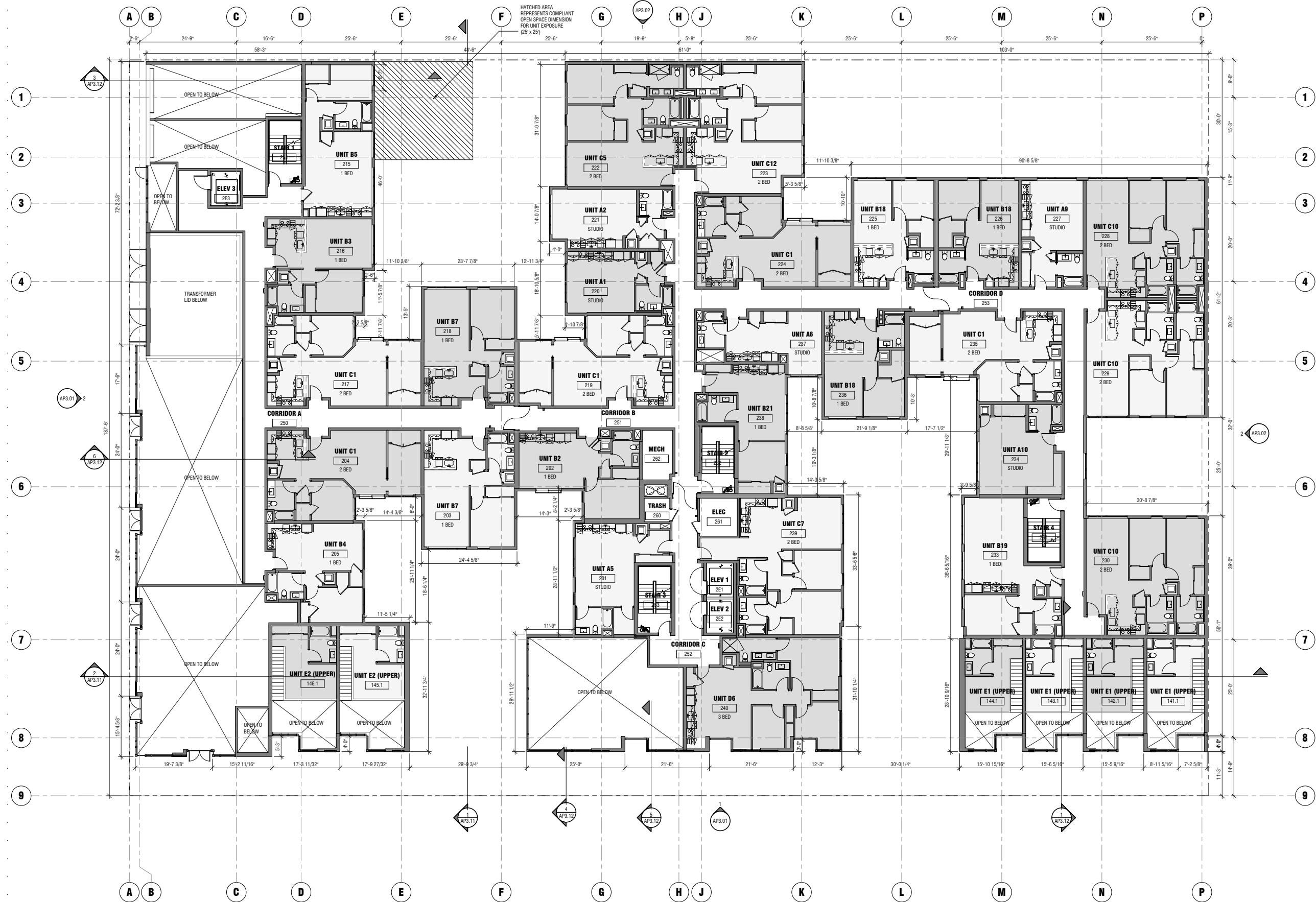
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Floor Plan  
- Level 1

AP2.01

# 975

## BRYANT ST



SCALE: 1" = 25'-0"

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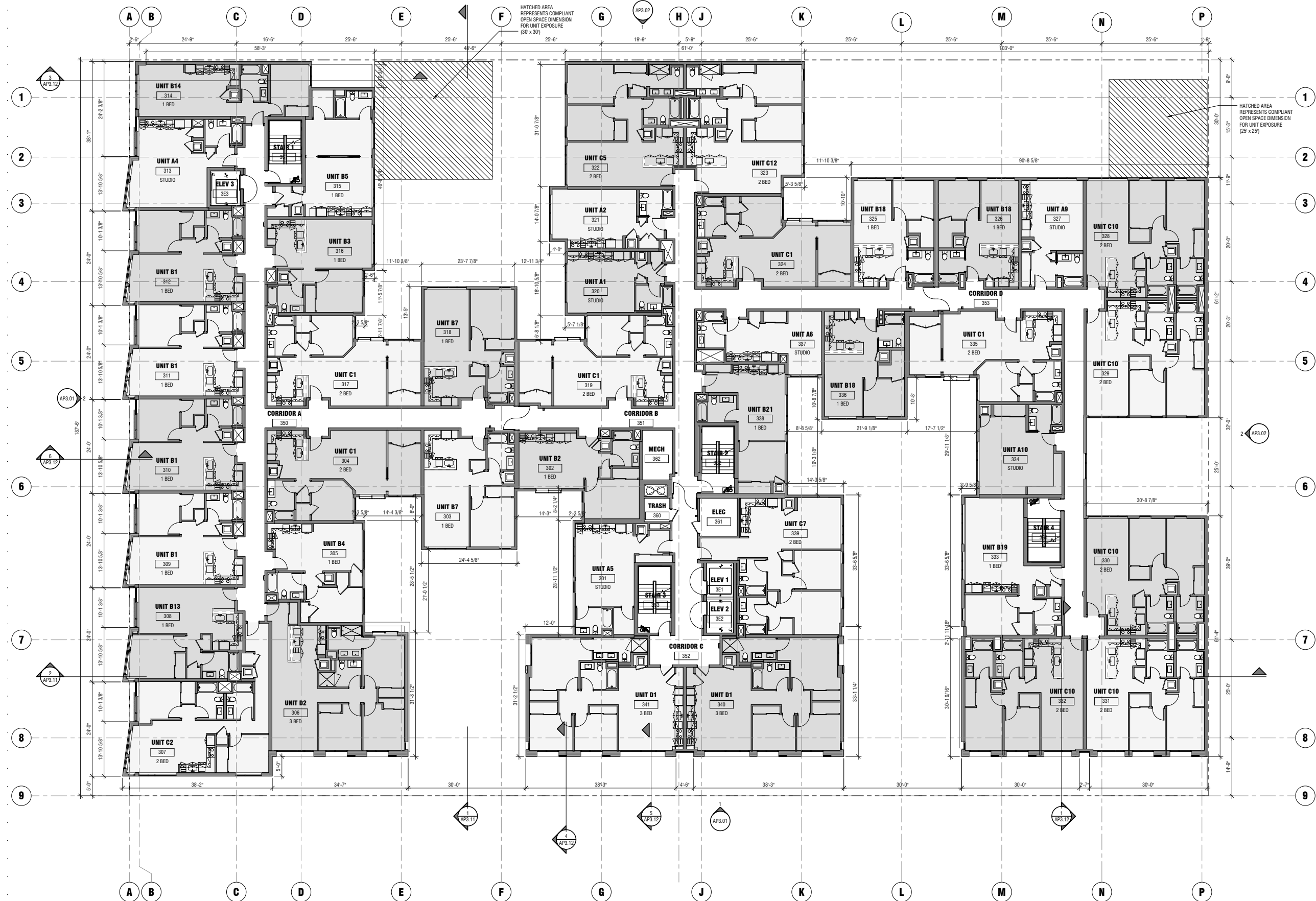
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Floor Plan  
- Level 2

AP2.02

# 975

## BRYANT ST



SCALE: 1" = 25'-0"

0' 5' 10' 15' 20' 25'

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Floor Plan  
- Level 3

AP2.03



# 975

## BRYANT ST

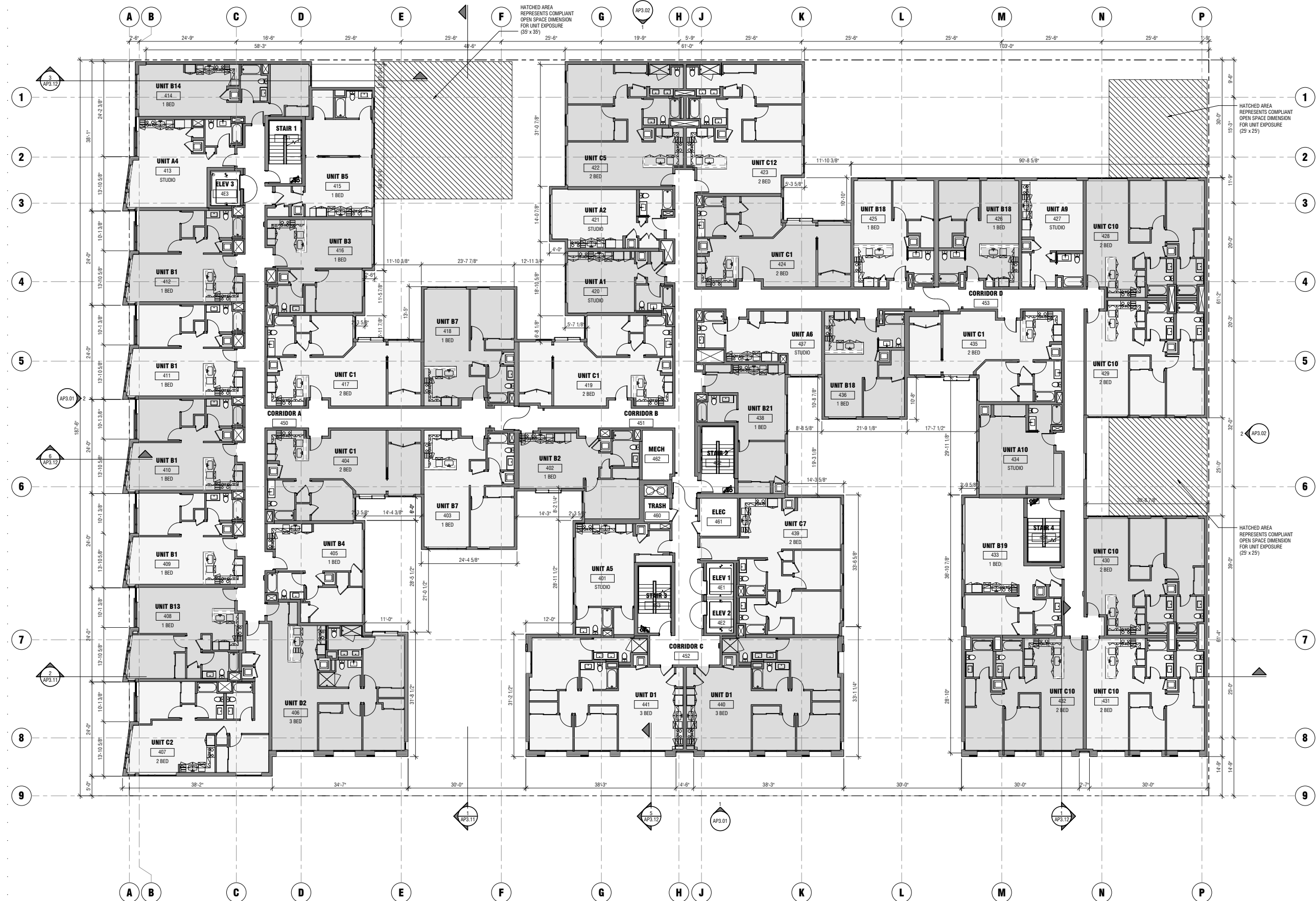
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27 JUL 2017

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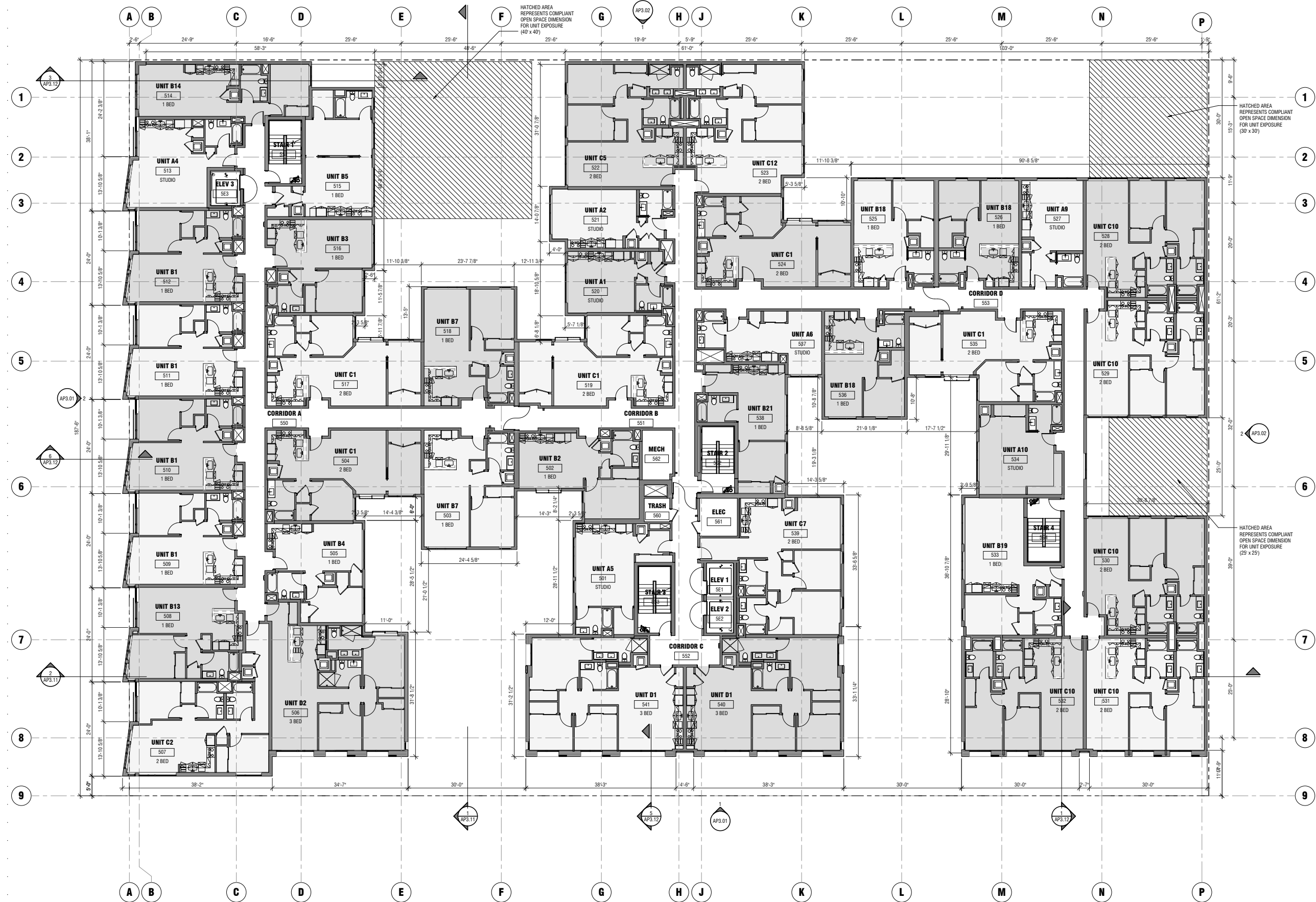
Floor Plan  
- Level 4

# AP2.04



# 975

## BRYANT ST



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27 JUL 2017

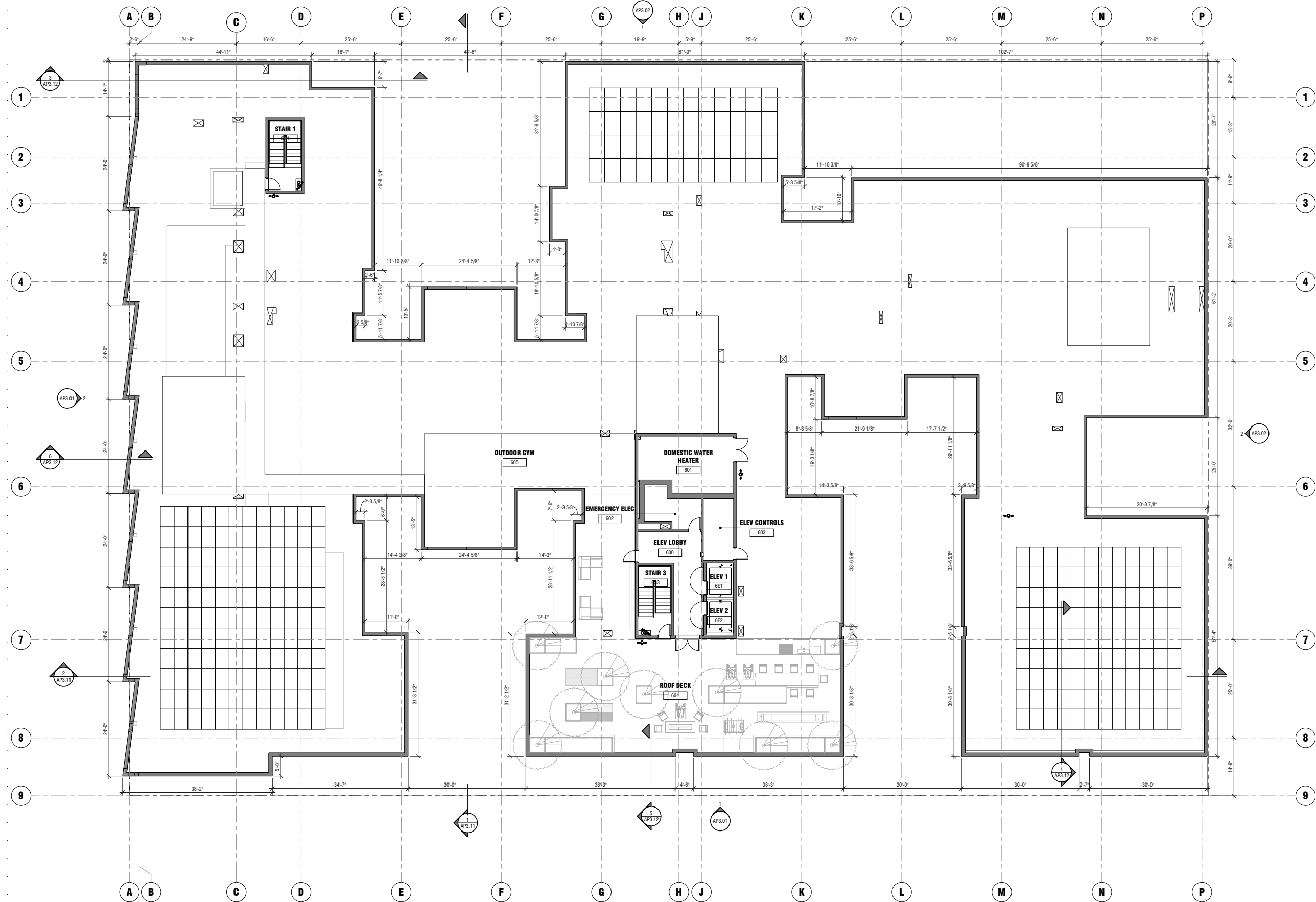
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Floor Plan  
- Level 5

AP2.05

# 975

## BRYANT ST



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0' 5' 10' 15' 20' 25'

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KH

Floor Plan  
- Level 6

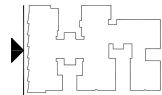
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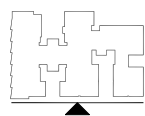
# 975 BRYANT ST



2 BUILDING ELEVATION - BRYANT



1 BUILDING ELEVATION - KATE



SCALE: 1" = 25'-0"

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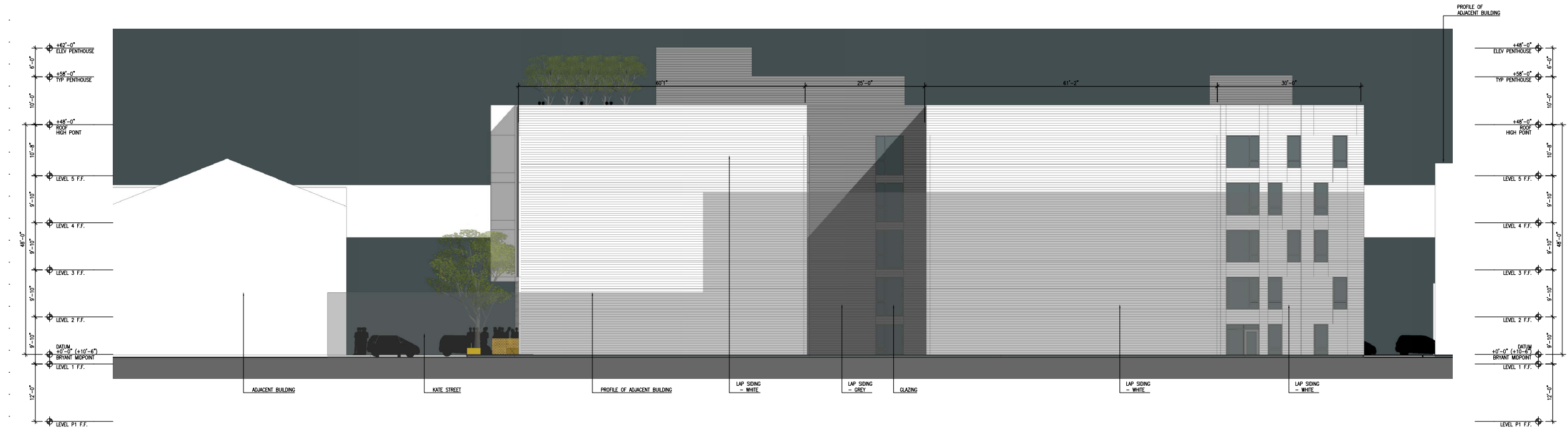
Elevation  
- Bryant and Kate Streets

AP3.01



# 975

## BRYANT ST



2 BUILDING ELEVATION - EAST



1 BUILDING ELEVATION - NORTH

SCALE: 1" = 25'-0"

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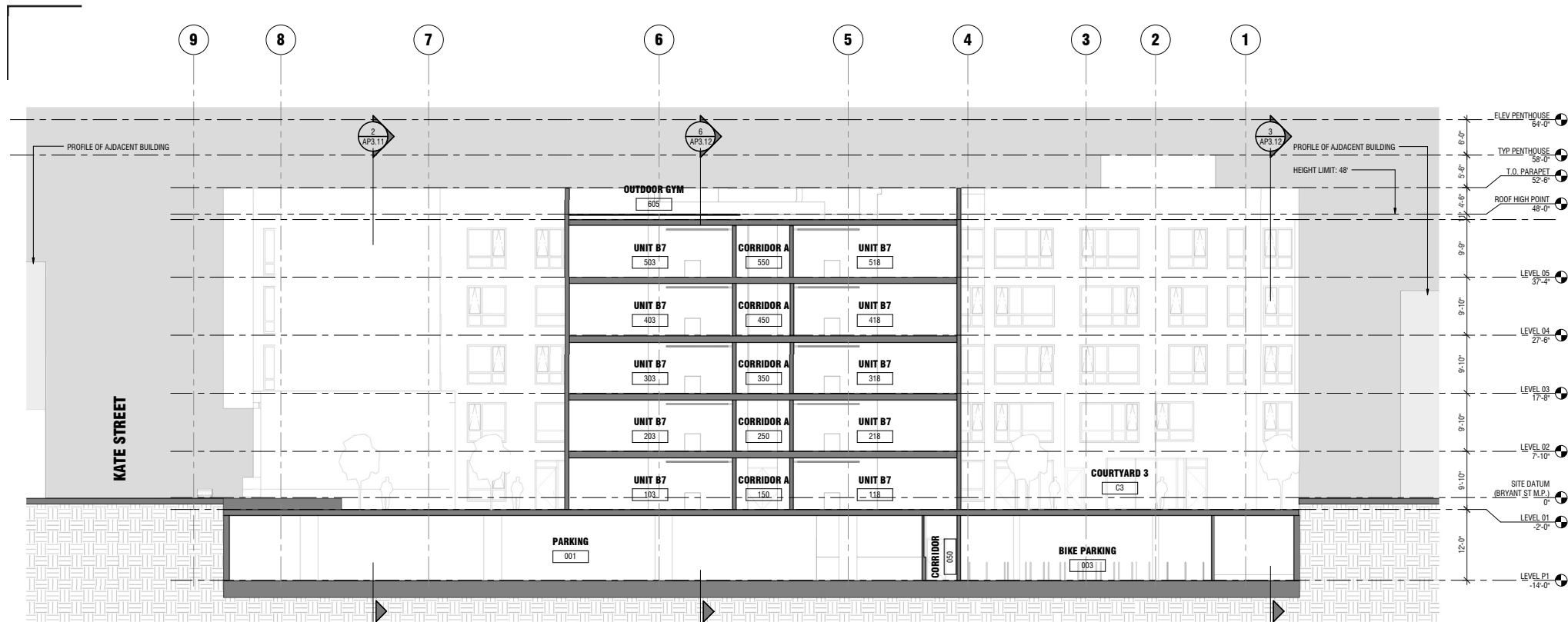
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Elevation  
- East and North

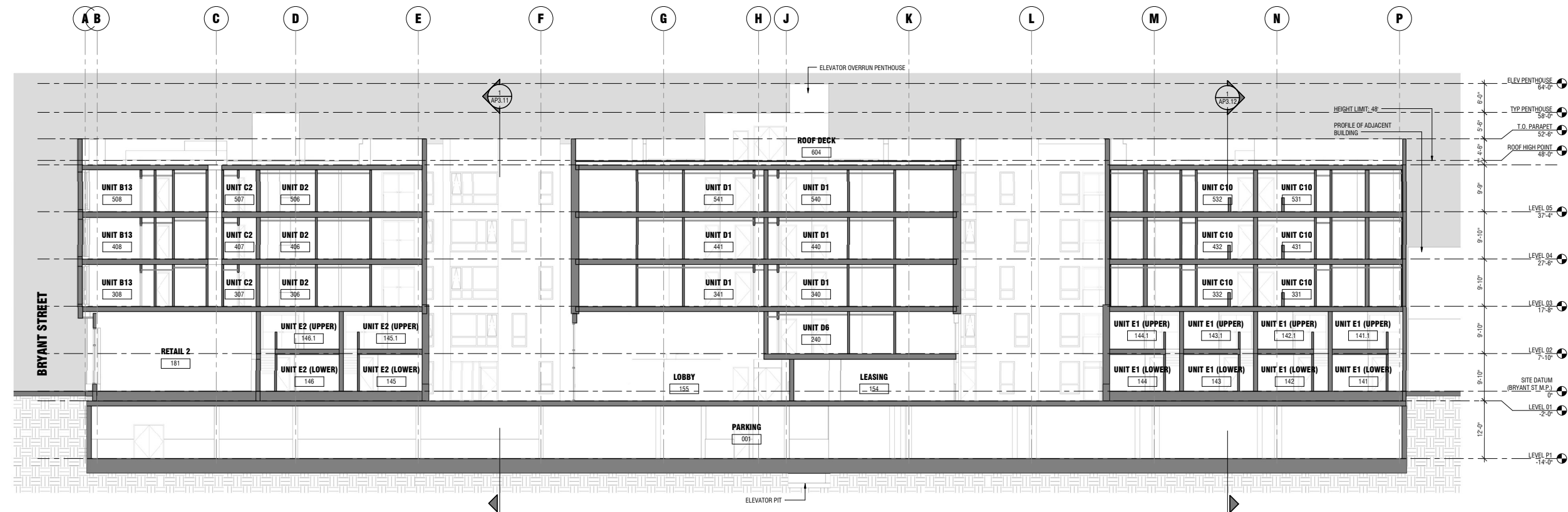
AP3.02

# 975

## BRYANT ST



1 BUILDING SECTION - TRANSVERSE



2 BUILDING SECTION - LONGITUDINAL

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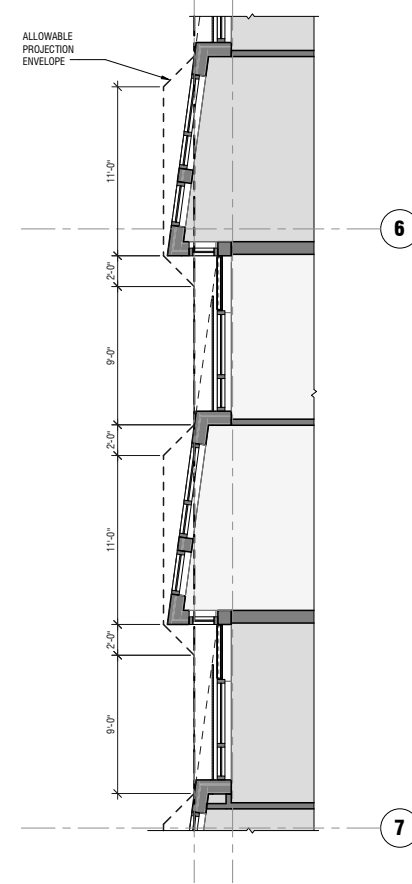
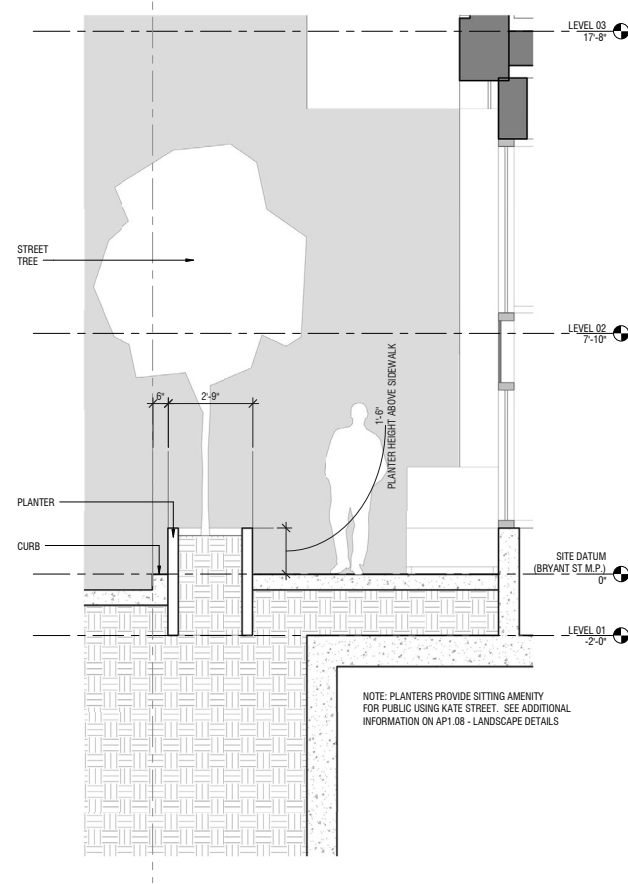
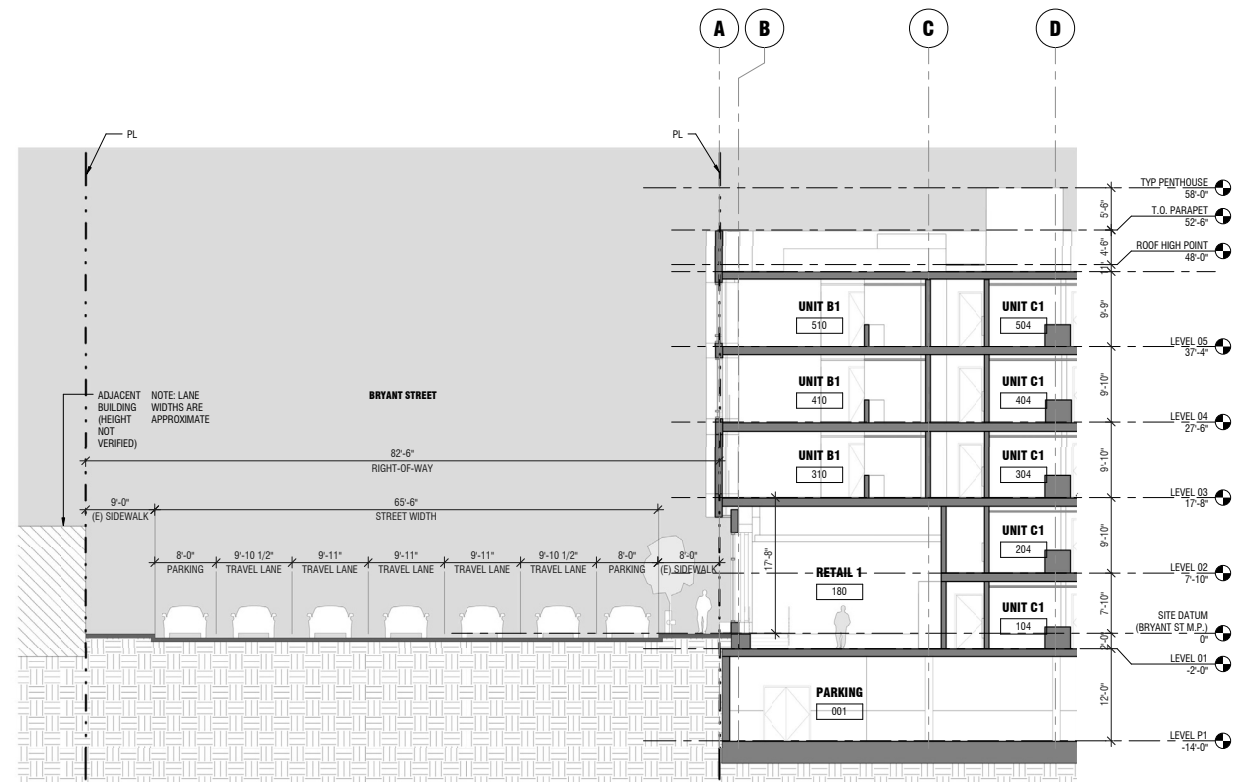
KH

Sections

# AP3.11

# 975

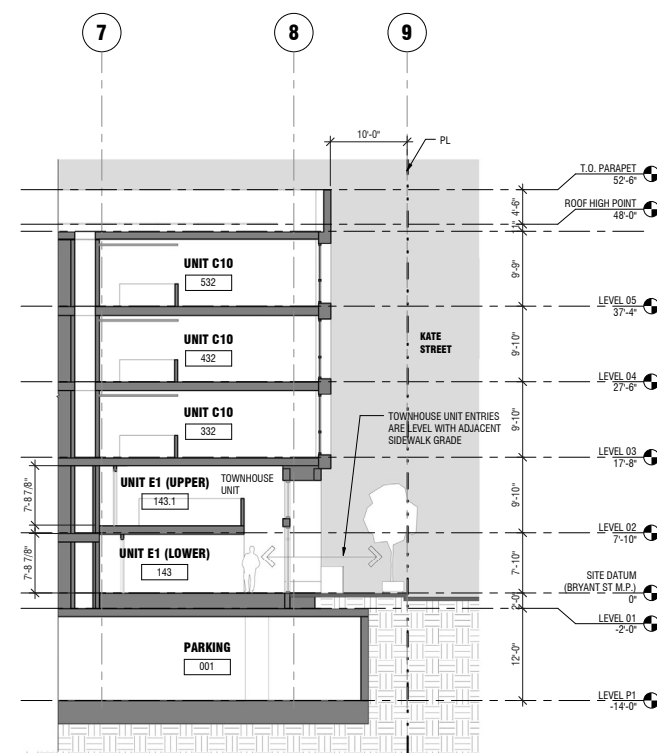
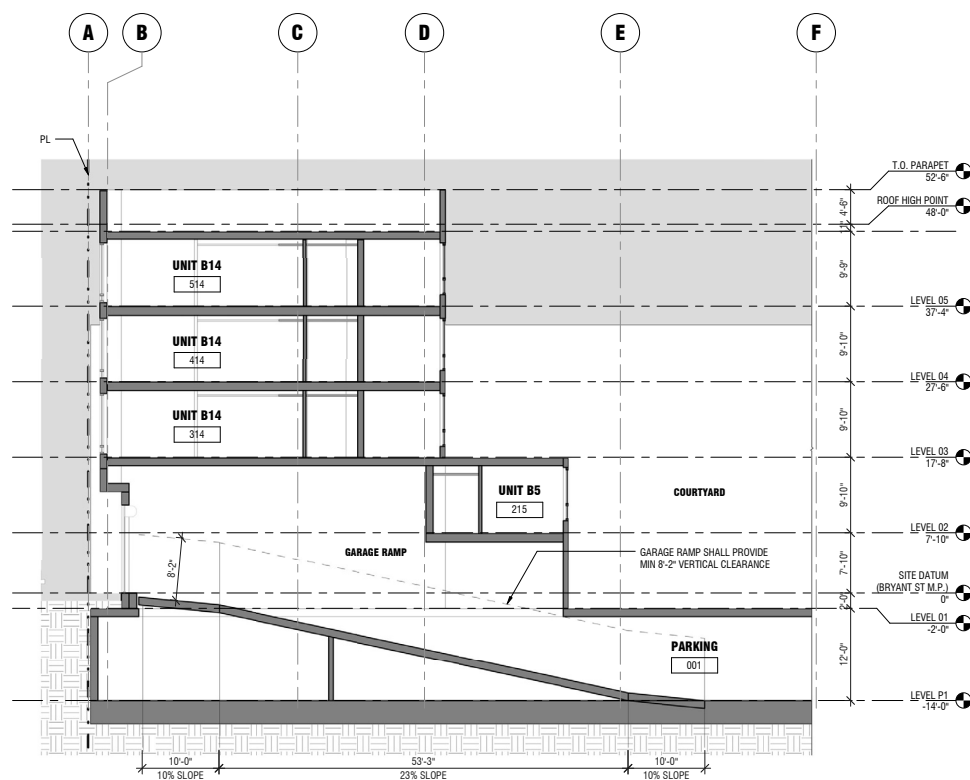
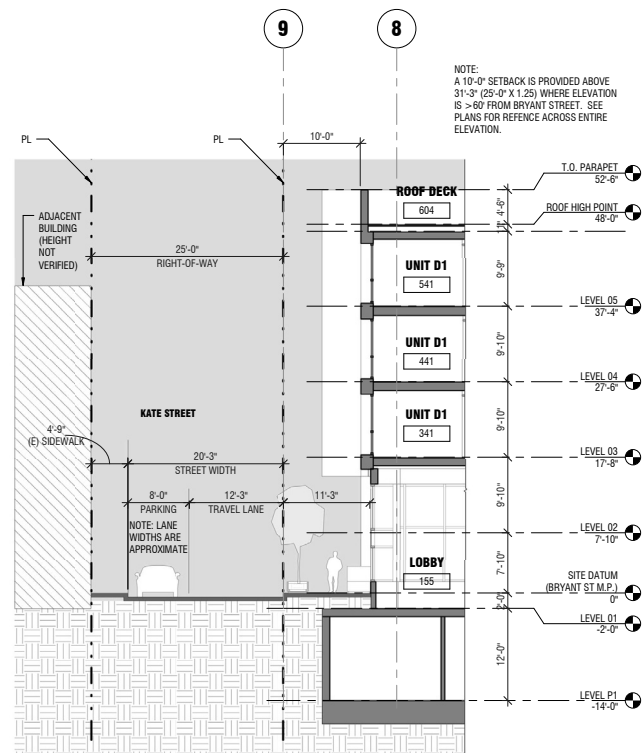
## BRYANT ST



6 STREET SECTION - BRYANT

4 KATE STREET PLANTER SECTION

2 BRYANT FACADE BAY PROJECTION



5 STREET SECTION - KATE

3 GARAGE RAMP SECTION

1 TOWNHOUSE SECTION

27 JUL 2017

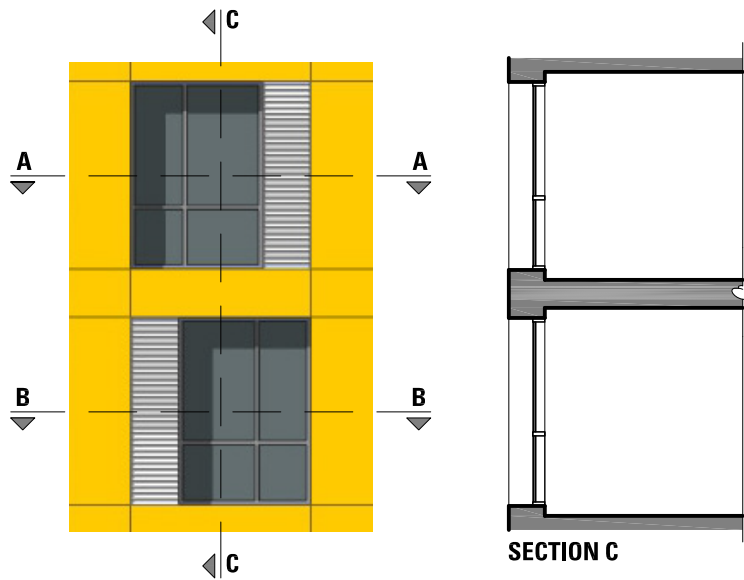
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Sections

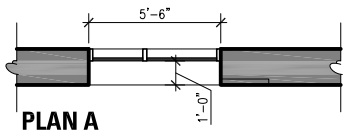
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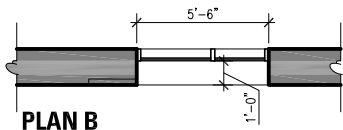
DETAIL  
AREA



SECTION C



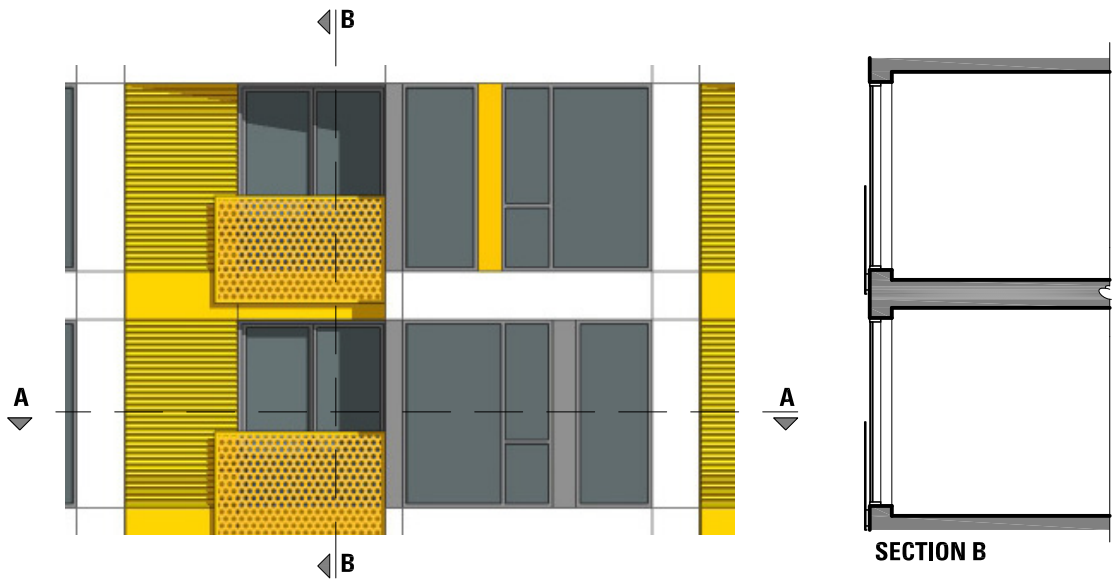
PLAN A



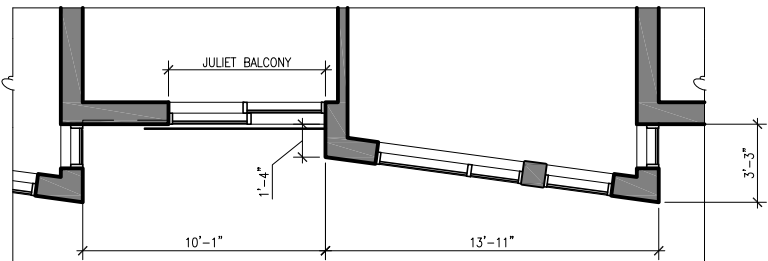
PLAN B



DETAIL  
AREA



SECTION B



PLAN A



# 975

## BRYANT ST



27 JUL 2017

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Rendering  
- Bryant and Kate (Day)

# AP5.01



# 975

## BRYANT ST



27 JUL 2017

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Rendering  
- Bryant and Kate (Night)

# AP5.02





# 975

## BRYANT ST

27 JUL 2017

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Rendering  
- On Kate Street

# AP5.03





# 975

## BRYANT ST

27 JUL 2017

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Rendering  
- Kate Street Townhomes

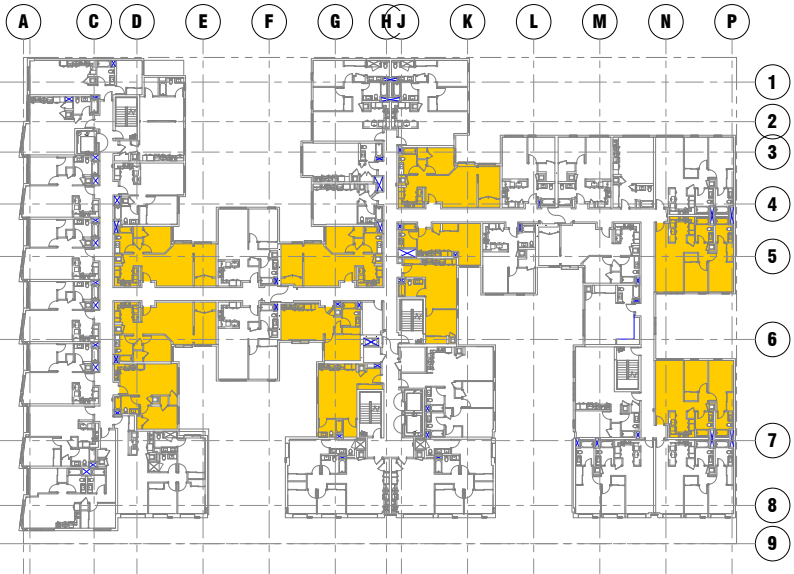
# AP5.04



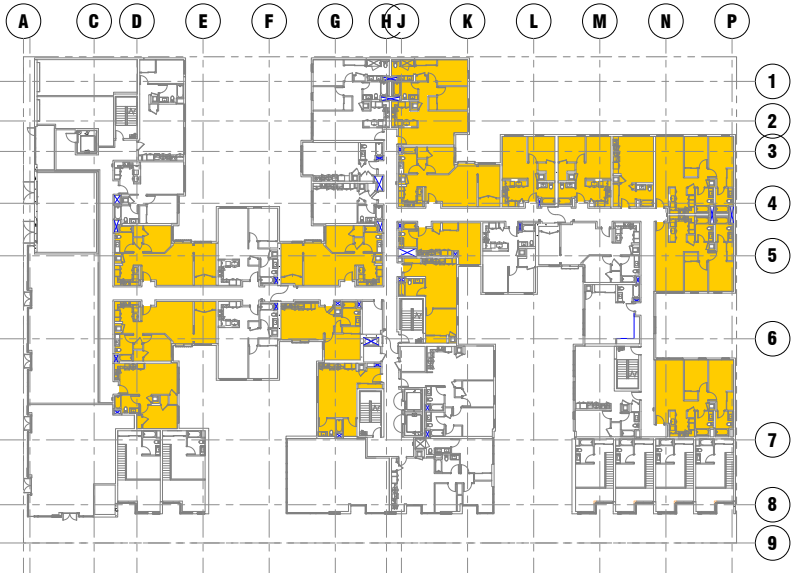
UNITS WHICH REQUIRE SECTION 140 EXCEPTION

LEVEL	UNIT NUMBER	UNIT TYPE	LEVEL	UNIT NUMBER	UNIT TYPE	LEVEL	UNIT NUMBER	UNIT TYPE
LEVEL 01			LEVEL 02			LEVEL 04		
LEVEL 01	101	UNIT A5	LEVEL 02	201	UNIT A5	LEVEL 04	401	UNIT A5
LEVEL 01	102	UNIT B2	LEVEL 02	202	UNIT B2	LEVEL 04	402	UNIT B2
LEVEL 01	104	UNIT C1	LEVEL 02	204	UNIT C1	LEVEL 04	404	UNIT C1
LEVEL 01	105	UNIT B4	LEVEL 02	205	UNIT B4	LEVEL 04	405	UNIT B4
LEVEL 01	117	UNIT C1	LEVEL 02	217	UNIT C1	LEVEL 04	417	UNIT C1
LEVEL 01	119	UNIT C1	LEVEL 02	219	UNIT C1	LEVEL 04	419	UNIT C1
LEVEL 01	123	UNIT C12	LEVEL 02	223	UNIT C12	LEVEL 04	424	UNIT C1
LEVEL 01	124	UNIT C1	LEVEL 02	224	UNIT C1	LEVEL 04	437	UNIT A6
LEVEL 01	125	UNIT B18	LEVEL 02	225	UNIT B18	LEVEL 04	438	UNIT B21
LEVEL 01	126	UNIT A8	LEVEL 02	226	UNIT B18			
LEVEL 01	127	UNIT A9	LEVEL 02	227	UNIT A9			
LEVEL 01	128	UNIT C10	LEVEL 02	228	UNIT C10	LEVEL 05	501	UNIT A5
LEVEL 01	129	UNIT C10	LEVEL 02	229	UNIT C10	LEVEL 05	502	UNIT B2
LEVEL 01	130	UNIT C10	LEVEL 02	230	UNIT C10	LEVEL 05	504	UNIT C1
LEVEL 01	137	UNIT A6	LEVEL 02	237	UNIT A6	LEVEL 05	505	UNIT B4
LEVEL 01	138	UNIT A7	LEVEL 02	238	UNIT B21	LEVEL 05	517	UNIT C1
						LEVEL 05	519	UNIT C1
			LEVEL 03			LEVEL 05	524	UNIT C1
			LEVEL 03	301	UNIT A5	LEVEL 05	537	UNIT A6
			LEVEL 03	302	UNIT B2	LEVEL 05	538	UNIT B21
			LEVEL 03	304	UNIT C1			
			LEVEL 03	305	UNIT B4			
			LEVEL 03	317	UNIT C1			
			LEVEL 03	319	UNIT C1			
			LEVEL 03	324	UNIT C1			
			LEVEL 03	329	UNIT C10			
			LEVEL 03	330	UNIT C10			
			LEVEL 03	337	UNIT A6			
			LEVEL 03	338	UNIT B21			

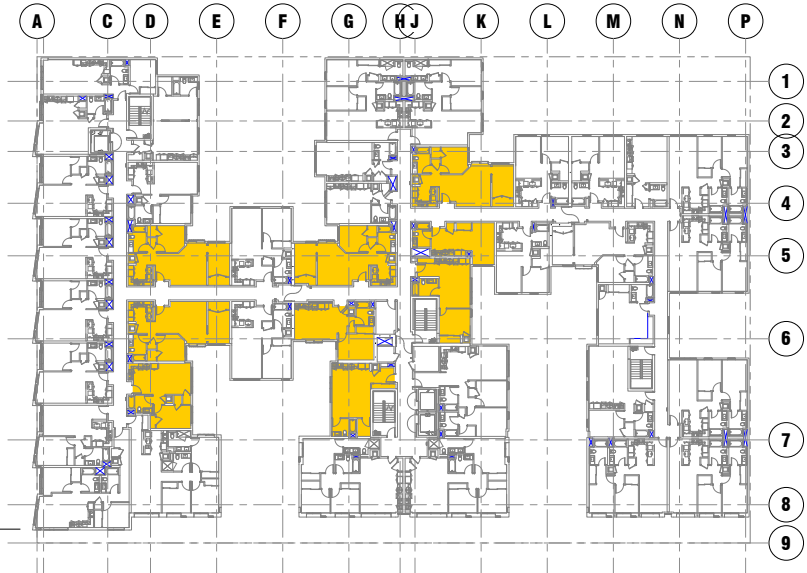
TOTAL UNITS THAT REQUIRE SEC 140 EXCEPTION: 61



LEVEL 3 (NTS)



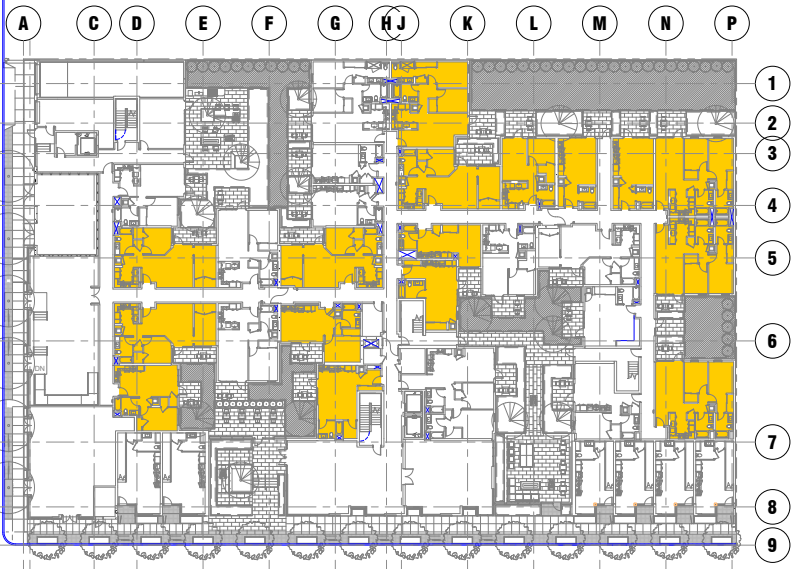
LEVEL 2 (NTS)



LEVEL 5 (NTS)



LEVEL 4 (NTS)



LEVEL 1 (NTS)

975  
BRYANT ST

27 JUL 2017

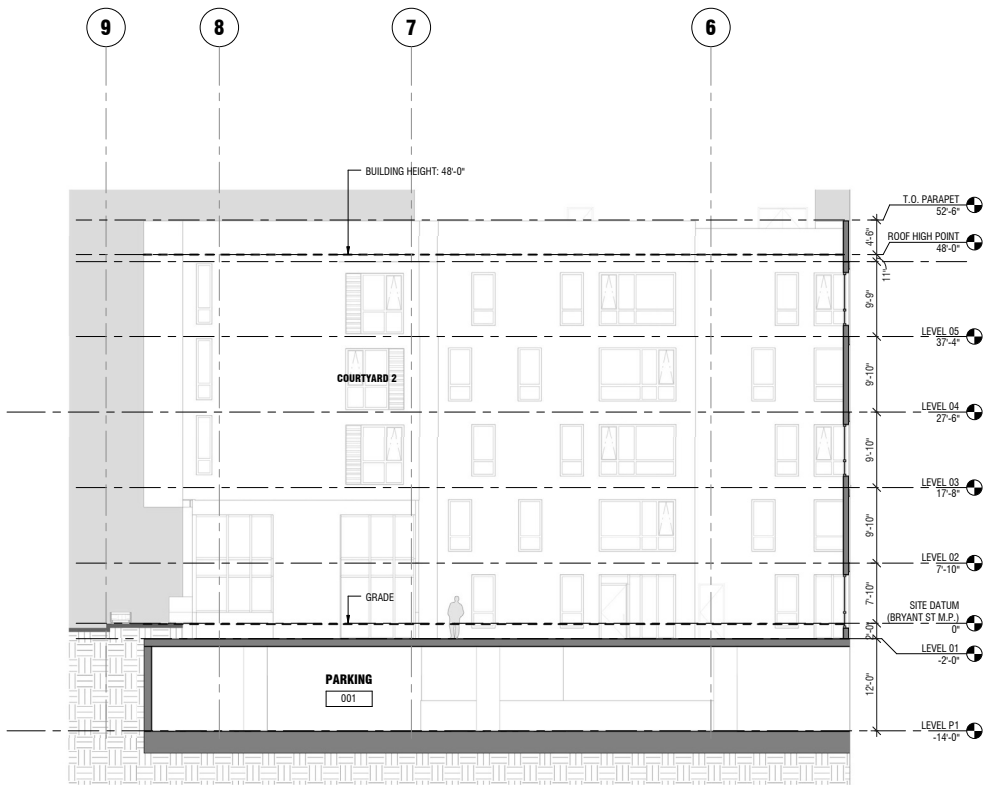


Section 140 Compliance  
Diagram and Tabulation

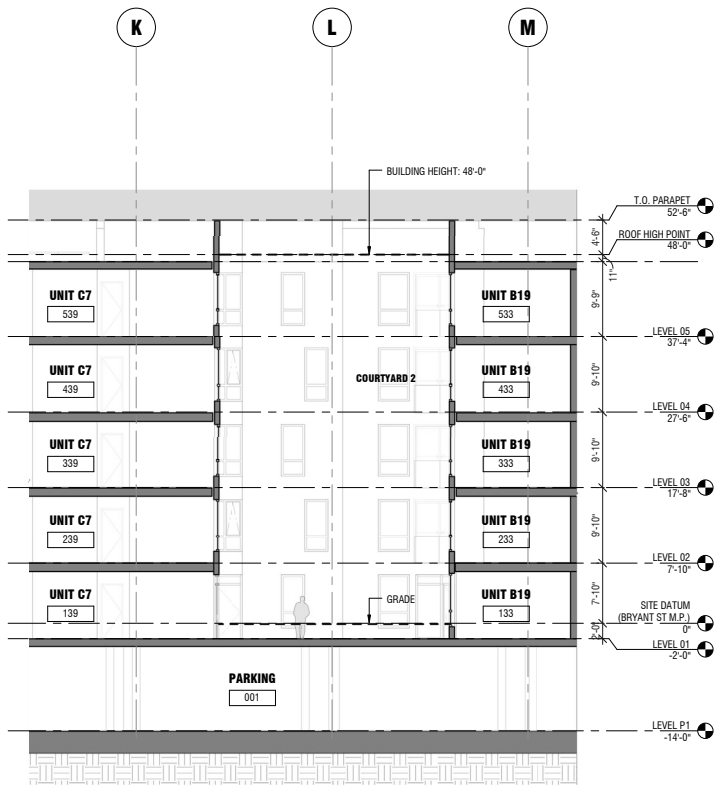
AP6.01

# 975

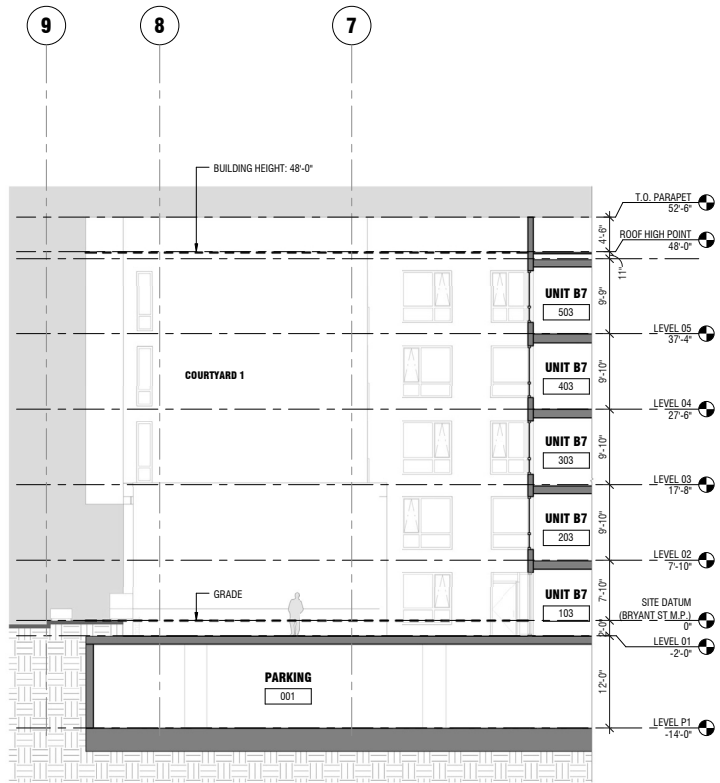
## BRYANT ST



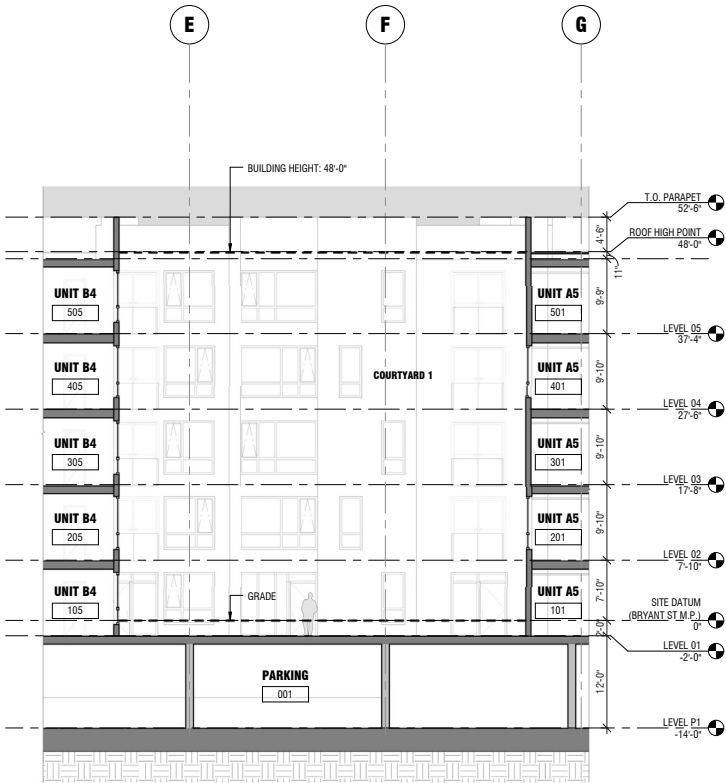
4 COURTYARD 2 SECTION



3 COURTYARD 2 SECTION



2 COURTYARD 1 SECTION



1 COURTYARD 1 SECTION

27 JUL 2017

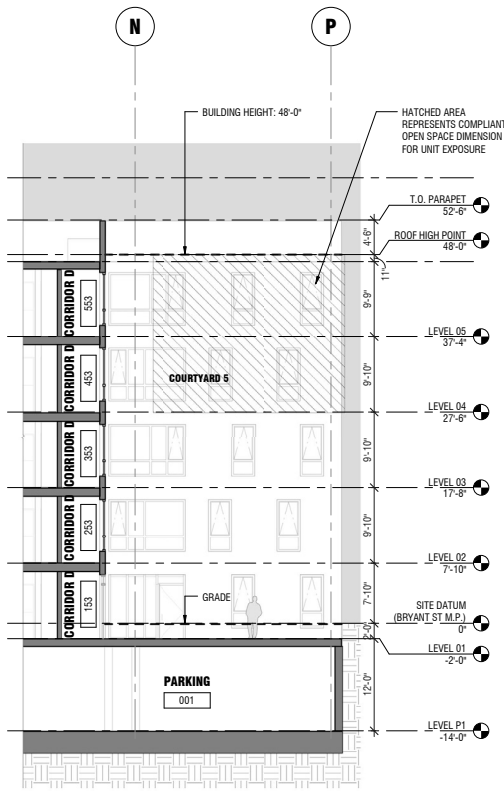
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Courtyard Sections

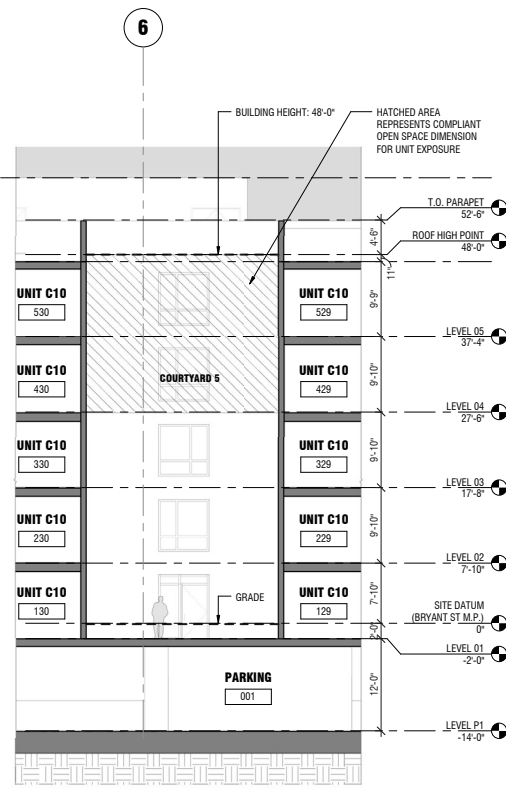
# AP6.02

# 975

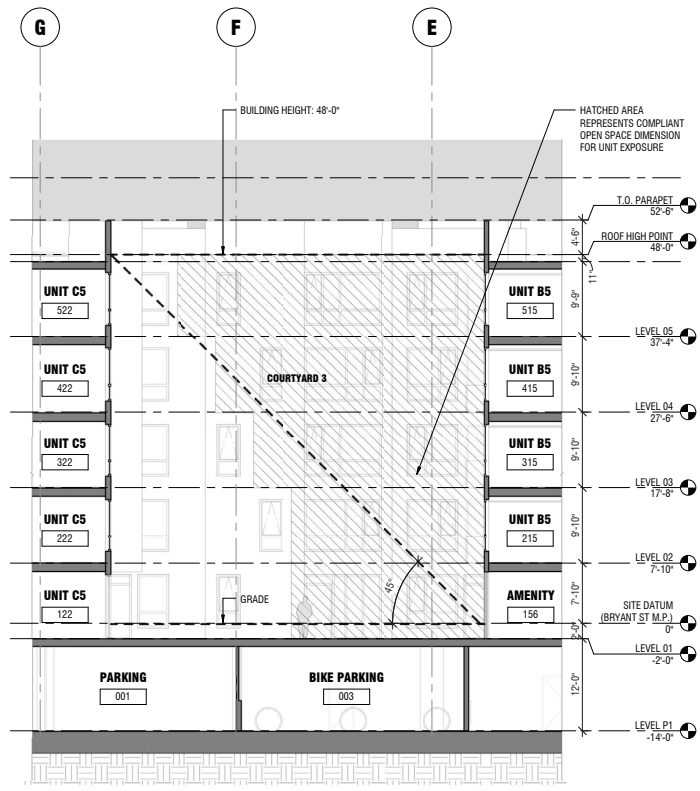
## BRYANT ST



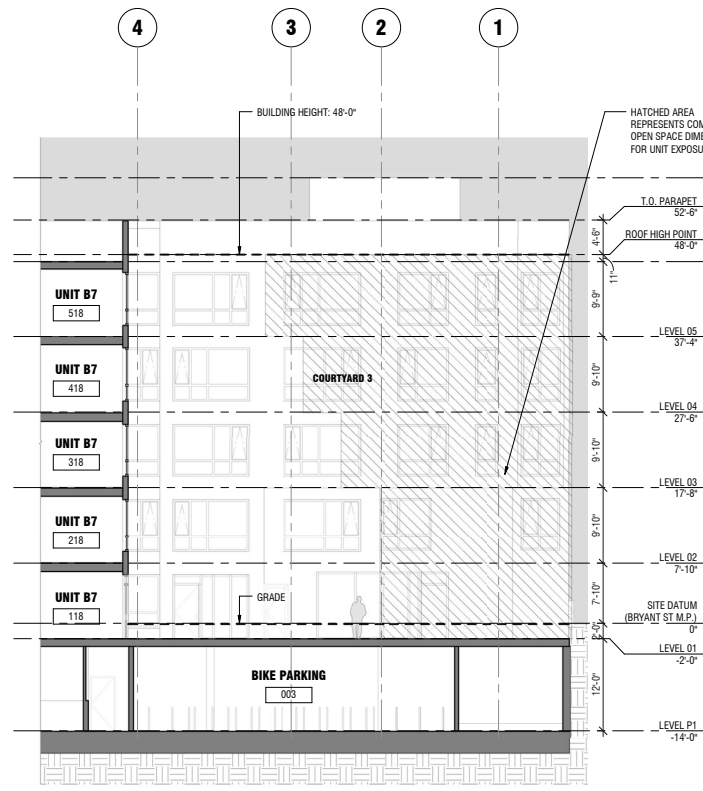
6 COURTYARD 5 SECTION



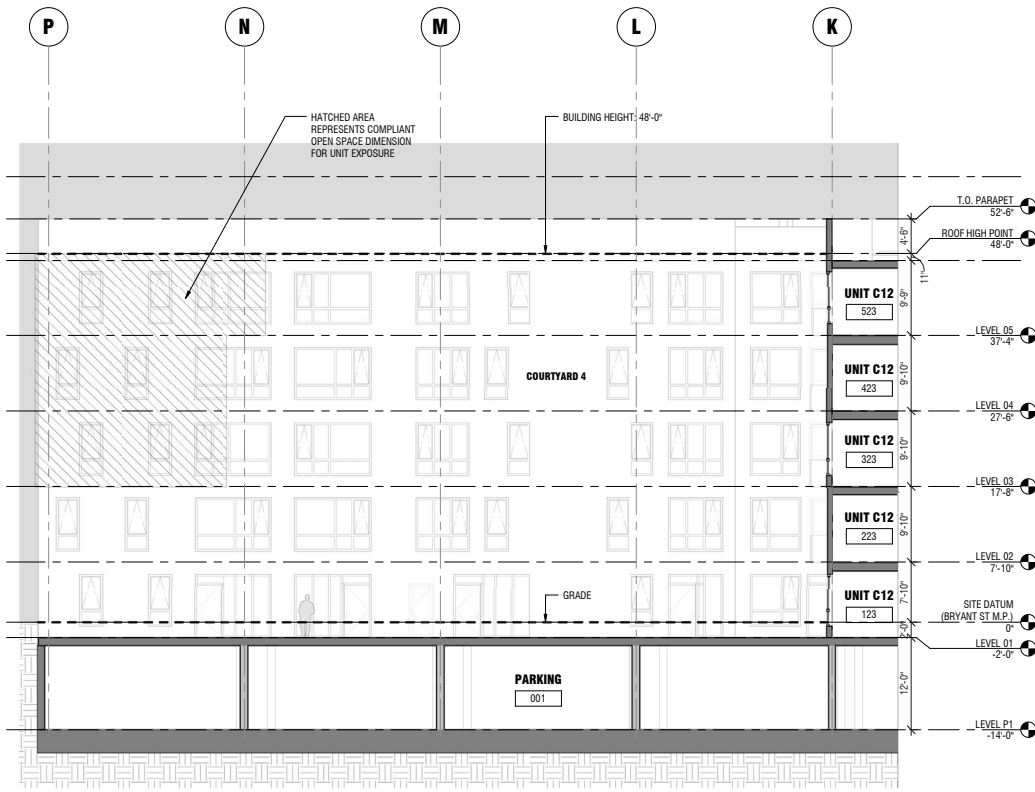
5 COURTYARD 5 SECTION



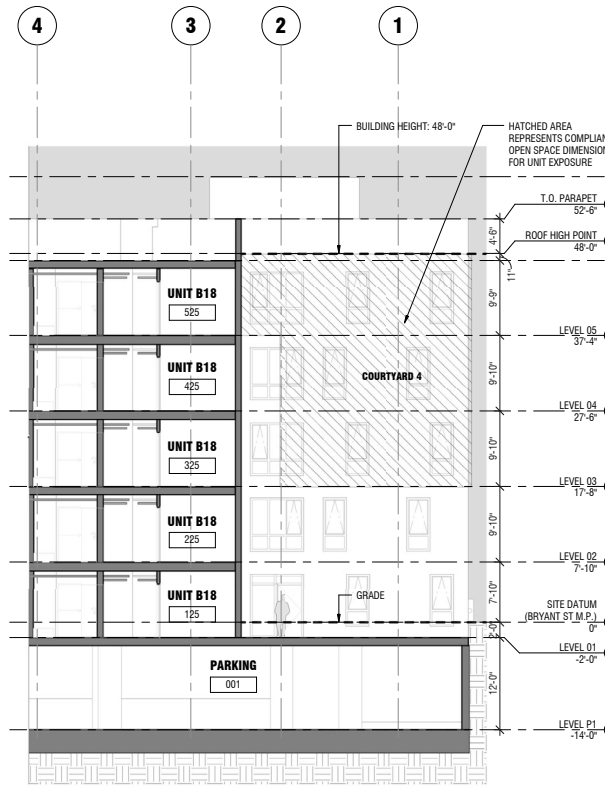
4 COURTYARD 3 SECTION



3 COURTYARD 3 SECTION



2 COURTYARD 4 SECTION



1 COURTYARD 4 SECTION

27 JUL 2017

KH

Courtyard Sections

AP6.03

July 6, 2017

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

Re: 975 Bryant Street (Case No. 2015-005862X)  
Hearing Date: July 27, 2017

Dear President Hillis and Commissioners:

I am writing on behalf of Trammell Crow Residential, the project sponsor of the 975 Bryant Street mixed use project (the "Project"). The Project site is located in the block bound by Bryant, 8<sup>th</sup>, Brannan and 7<sup>th</sup> Streets, at the corner of Bryant and Kate Street, a narrow alley running south from Bryant Street. The site is zoned UMU (Urban Mixed Use), is within a 48-X height and bulk district, and the Showplace Square/Potrero Area Plan.

Consistent with the zoning, area plan and height limit, the Project proposes to demolish a single story commercial building and construct a new 4- to 5-story 48-foot tall mixed use building containing 185 dwelling units (including 10 three-bedroom and 64 two-bedroom homes), 3,000 square feet of high ceiling retail space along Bryant Street, and over 15,000 square feet of public and private open space. The main residential entry is on Kate Street, which is only 25 feet in width. The effective width of Kate Street will be widened to 35 feet by setting the building back from the western property line by 10 feet and incorporating public open space improvements and townhouse entries on Kate Street. The design also incorporates two wide courtyards opening onto Kate Street to break up the mass of the building and three additional interior courtyards. The Project proposes 135 parking spaces in a basement level garage (less than the amount of parking principally permitted in the UMU district), 3 car share spaces, 139 Class 1 and Class 2 bike parking spaces, and one off-street loading space.

The Project architects are DLR Group|Kwan Henmi . The final design has been refined in response to Planning Department input and has the support of UDAT. Your Commission package contains the Project plans, elevations and renderings.

**The Sponsor Conducted Outreach to the Community and is Unaware of Any Opposition.** The sponsor has worked with neighbors of the Project in development of the design, particularly those residing on Kate Street. Most recently, the final design was presented to neighbors in December 2016 and received a favorable response. We are not aware of any opposition.



**The Department Has Published a Community Plan Exemption.** The CPE found no unmitigated environmental impacts associated with the Project. The CPE incorporates three standard mitigation measures from the Eastern Neighborhoods Plan EIR. The sponsor has agreed to implement each of the three mitigation measures.

**The Project Warrants Approval of a Large Project Authorization.** Both the dwelling units and retail space are principally permitted in the UMU district and are consistent with the objectives and policies of the Showplace Square/Potrero Area Plan.

An LPA is required pursuant to Planning Code Section 329 because of the size of the project (any Eastern Neighborhoods project containing more than 25,000 square feet requires the Commission to authorize an LPA) and for the Commission to consider one requested exception: a unit exposure exception for 61 of the 185 units that face interior courtyards. All units face onto Bryant Street, Kate Street or courtyards of at least 25 to 40 feet in width, but not all of the courtyards strictly meet the “inverted pyramid” requirement of Planning Code Section 140 for inner courts. The Planning Department is in support of this single exception, given the difficulty in meeting Section 140 unit exposure requirements for projects of more than four stories, and granting of the exception is necessary to support construction in this location of the 185 units proposed. In all other respects, the Project complies with the underlying zoning, height and bulk limitations, open space standards, mass reduction requirements, parking maxima, and loading and bike parking minimums.

For each of these reasons, we request that the Commission approve the 975 Bryant Street Project on July 27. Please contact me if we can provide you with any further information prior to the hearing or if you would like to meet in advance of the hearing.

Very truly yours,



Steven L. Vettel

cc: Planning Commissioners  
Kimberly Durandet, Planner  
Bruce Dorfman and Tyler Evje, Trammell Crow Residential  
Dan Moberly, DLR Group|Kwan Henmi

July 21, 2017

Tyler Evje  
Development Associate  
Trammel Crow Residential  
39 Forrest Street, Suite 201  
Mill Valley, CA 94941

Dear Mr. Evje,

After reviewing design plans for 975 Bryant Street, San Francisco, I must commend you and your staff for such an excellent job.

As a long time property owner of 5 Decatur Street, San Francisco, I welcome the 975 Bryant Street project. It will enhance the neighborhood and be a beautiful addition to our lovely city of San Francisco.

Sincerely,

*Margaret Farragher*  
Margaret Farragher



# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



**San Francisco  
Planning**

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

Date: August 16, 2016

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

From: San Francisco Planning Department

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

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

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

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

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

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

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

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

The Project contains: <b>185</b>	UNITS	The zoning of the property is: <b>UMU</b>	Complete EEA was submitted on: <b>10/2/15</b>
-------------------------------------	-------	--	--

### CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

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

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

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

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



AFFIDAVIT

# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415 & 419



**San Francisco  
Planning**

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

6/20/17

Date

I, William Thompson,  
do hereby declare as follows:

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

975 Bryant St.

Address

3780 / 044

Block / Lot

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

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

2015-005862 ENX

Planning Case Number

Building Permit Number

This project requires the following approval:

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

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

Kimberly Durandet

Planner Name

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

☒ Yes Tier A ☐ No

( If yes, please indicate Affordable Housing Tier )

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

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

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

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



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

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

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

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

<sup>1</sup> California Civil Code Section 1954.50 and following.

**F** Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:

No. of Affordable Units:	% Affordable Units:	AMI Level:

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

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

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

Executed on this day in:

Mill Valley, CA

Location

6/20/17

Date

Sign Here

Signature

Bruce Dorfman, Vice President

Name (Print), Title

(415) 381-3001

Contact Phone Number

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

## UNIT MIX TABLES

### Number of All Units in PRINCIPAL PROJECT:

<b>TOTAL UNITS:</b>	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
<b>185</b>		<b>35</b>	<b>76</b>	<b>64</b>	<b>10</b>

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

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

### Number of Affordable Units to be Located ON-SITE:

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

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

### Number of Affordable Units to be Located OFF-SITE:

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

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

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

1. Fee  % of affordable housing requirement.

2. On-Site  % of affordable housing requirement.

### Number of Affordable Units to be Located ON-SITE:

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

3. Off-Site  % of affordable housing requirement.

### Number of Affordable Units to be Located OFF-SITE:

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

**Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT**

CRP/Maple Bryant Street Owner, L.L.C.

Company Name

Tyler Evje

Name (Print) of Contact Person

39 Forrest Street, Suite 201

Mill Valley, CA 94941

Address

City, State, Zip

(415) 381-3001

tevje@tcr.com

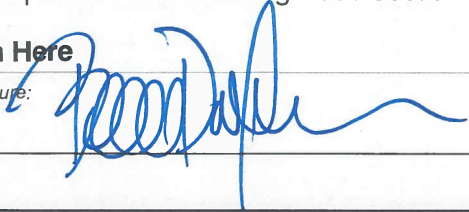
Phone / Fax

Email

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

**Sign Here**

Signature:



Name (Print), Title:

Bruce Dorfman, Vice President

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

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

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

**Sign Here**

Signature:

Name (Print), Title:





SAN FRANCISCO  
PLANNING  
DEPARTMENT

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

T: 415.558.6378  
F: 415.558.6409

# SUPPLEMENTAL INFORMATION PACKET FOR Anti-Discriminatory Housing Policy

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

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

## WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

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

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

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

## HOW IS THIS INFORMATION USED?

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

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

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

## WHAT PART OF THE POLICY IS BEING REVIEWED?

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

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

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

## INSTRUCTIONS:

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

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

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

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**SAN FRANCISCO  
PLANNING  
DEPARTMENT**

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

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

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

**Planning Information Center (PIC)**  
1660 Mission Street, First Floor  
San Francisco CA 94103-2479

TEL: **415.558.6377**  
*Planning staff are available by phone and at the PIC counter.  
No appointment is necessary.*



# SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
CRP/Maple Bryant Street Owner, L.L.C.	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
39 Forrest Street, Suite 201	( 415 ) 381-3001
Mill Valley, CA 94941	EMAIL:
	bdorfman@tcr.com

APPLICANT'S NAME:	
Bruce Dorfman	
APPLICANT'S ADDRESS:	TELEPHONE:
39 Forrest Street, Suite 201	( 415 ) 381-3001
Mill Valley, CA 94941	EMAIL:
	bdorfman@tcr.com

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

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

## 2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:	
975 Bryant Street, San Francisco, CA		94103	
CROSS STREETS:			
Bryant St. and Kate St.			
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:	
3780 / 044	UMU	48-X	
PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	0	185	185
<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? WA, CA, CO, TX, FL, GA, NC, MD, MA, DC

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

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

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

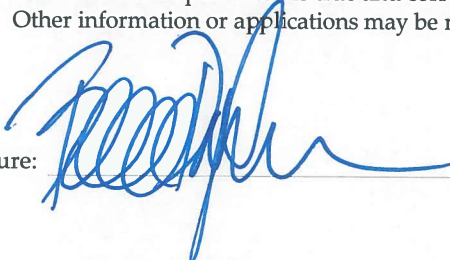
Human Rights Commission contact information  
[hrc.info@sfgov.org](mailto:hrc.info@sfgov.org) or (415)252-2500

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

6/27/17

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

Bruce Dorfman, Vice President

Owner / Authorized Agent (circle one)

## PLANNING DEPARTMENT USE ONLY

### PLANNING DEPARTMENT VERIFICATION:

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

Notification of Incomplete Information made:

To: \_\_\_\_\_ Date: \_\_\_\_\_

BUILDING PERMIT NUMBER(S):

DATE FILED:

RECORD NUMBER:

DATE FILED:

VERIFIED BY PLANNER:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Phone: \_\_\_\_\_

ROUTED TO HRC:

DATE:

☐ Emailed to: \_\_\_\_\_



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)	
975 Bryant St., San Francisco, CA 94107		3780/044	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
PROJECT SPONSOR	MAIN CONTACT	PHONE	
Trammell Crow Residential	Tyler Evje	(415) 569-4554	
ADDRESS			
39 Forrest St., Ste. 201			
CITY, STATE, ZIP		EMAIL	
Mill Valley, CA 94941		tevje@tcr.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
185	1,565	48' / 5 floors	\$50M
ANTICIPATED START DATE			
Q1 2018			

#### Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none"><li>If you checked <b>C</b>, 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.</li><li>If you checked <b>A</b> or <b>B</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.</li><li>For questions, please contact OEWD's CityBuild program at <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a> or (415) 701-4848. For more information about the First Source Hiring Program visit <a href="http://www.workforcedevelopmentsf.org">www.workforcedevelopmentsf.org</a></li><li>If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.</li></ul>	

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	\$50	0	0	Laborer	54	2	12
Boilermaker	\$50	0	0	Operating Engineer	60	1	5
Bricklayer	\$50	0	0	Painter	40	1	5
Carpenter	\$77	9	48	Pile Driver	60	1	5
Cement Mason	\$60	5	24	Plasterer	40	2	12
Drywall/Latherer	\$40	5	24	Plumber and Pipefitter	40	2	12
Electrician	\$38	2	12	Roofer/Water proofer	40	2	12
Elevator Constructor	\$75	1	5	Sheet Metal Worker	40	1	5
Floor Coverer	\$40	1	5	Sprinkler Fitter	40	1	5
Glazier	\$40	1	5	Taper	40	2	12
Heat & Frost Insulator	\$40	0	0	Tile Layer/Finisher	40	1	5
Ironworker	\$68	1	5	Other:	40	0	0
		<b>TOTAL:</b>	<b>128</b>			<b>TOTAL:</b>	<b>90</b>

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

YES NO

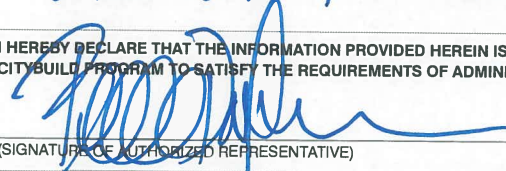
☐ ☒

☐ ☒

☒ ☐

60

### Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Bruce Dorfman, Vice President	bdorfman@tcr.com	415-381-3001
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)		(DATE)
		6/27/17

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](mailto: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](http://www.workforcedevelopmentsf.org) Email: [CityBuild@sfgov.org](mailto:CityBuild@sfgov.org)