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Memo to the Planning Commission

HEARING DATE: JUNE 27, 2019

Record No.:	2016-001794DNXSHD
Project Address:	95 Hawthorne Street
Zoning:	C-3-O(SD) Downtown-Office (Special Development) 320-I Height and Bulk District Downtown and Transit Center District Plan Areas
Block/Lot:	3735/012
Project Sponsor:	Trammell Crow Residential c/o: John Kevlin Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104
Property Owner:	John Hancock Life Insurance Company Attn: Robert Maulden 197 Clarendon Street Boston, MA 02116 San Francisco, CA 94103
Staff Contact:	Nicholas Foster, AICP, LEED GA – (415) 575-9167 nicholas.foster@sfgov.org
Recommendation:	**Approve with Conditions**

RECREATION AND PARK COMMISSION UPDATE

On June 5, 2019 the Capital Committee of the Recreation and Park Commission, and on June 20, 2019, the full Recreation and Park Commission conducted duly noticed public hearings at regularly scheduled meetings and recommended that the Planning Commission find that the shadows cast by the Project would not be adverse to the use of Guy Place Park.

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Executive Summary
Downtown Project Authorization
Adoption of Shadow Findings

HEARING DATE: JUNE 27, 2019

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Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The proposed project ("Project") includes the demolition of the existing five-story office building and construction of a new 42-story residential building reaching a height of 443'-9"tall (462'-3" including rooftop mechanical equipment) with approximately 3,500 square feet of ground-floor retail. The Project would contain a mix of 199 one-bedroom units, 144 two-bedroom units, and 49 three-bedroom units totaling 392 dwelling units, with 55 below market rate units. The Project would provide 107 off-street vehicle parking spaces, 4 car-share spaces, 184 Class 1 and 24 Class 2 bicycle parking spaces, and 3 freight loading spaces within a below-grade garage. The Project is utilizing the Individually-Requested State Density Bonus Program to achieve a density bonus thereby maximizing residential density on the Site.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must: 1) approve a Downtown Project Authorization, pursuant to Planning Code Sections 210.2 and 309, to allow a project greater than 50,000 square feet of floor area within the C-3 Zoning District with one exception for "Ground-level wind currents in C-3 Districts" (Section 148); 2) adopt Shadow Findings, pursuant to Planning Code Section 295, that Project

shadows would not adversely affect use of public open space at Guy Place Park, a park under the jurisdiction of or designated for acquisition by the Recreation and Park Commission, 3) adopt Findings under the California Environmental Quality Act including adoption of the Mitigation, Monitoring, and Reporting Program (MMRP), and 4) make findings related to requested waivers from development standards, including Setbacks and Streetwall Articulation (Section 132.1(c)(1)), Rear Yard (Section 134), Common Useable Open Space (Section 135(g)), Dwelling Unit Exposure (Section 140), and Height (Section 250) pursuant to State Density Bonus Law.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Department has not received any correspondence regarding the proposed Project. The Project Sponsor has conducted community outreach that includes local community groups.

- **Planning Code Exceptions.** The Project does not strictly conform to one aspect of the Planning Code. As part of the Downtown Project Authorization process, the Commission may grant exceptions from certain requirements of the Planning Code for projects that meet specified criteria. The Project requests one exception for "Reduction of Ground-Level Wind Currents in C-3 Districts" (Section 148). Compliance with the specific criteria for each exception is described in the attached draft Downtown Project Authorization motion.

  In summary, it is unlikely the Project could be designed in a manner that would affect wind conditions substantially enough to eliminate all existing exceedances, particularly considering the number of high-rise buildings existing and under construction in immediate proximity to the Project Site. The majority of the locations where wind speeds would exceed the comfort criterion are not immediately adjacent to the Project Site, making it infeasible to incorporate wind baffles or other design features to reduce wind at these locations, without creating an unattractive building or unduly restricting the development potential of the Project.

  As a result, the proposed Project would not result in new or peculiar impacts, or adverse effects of greater severity than were already analyzed and disclosed in the TCDP PEIR with respect to the wind comfort criteria. Therefore, a 309 exception is warranted pursuant to Section 148.

- **Shadows on Parks.** A Shadow Study indicates the proposed Project would cast a shadow on Guy Place Park ("Park"), a property under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department") pursuant to Section 295. The Shadow Study indicates the existing shadow on the proposed Park would be approximately 11,597,777 square foot-hours, which is 72.34 percent of theoretically available annual sunlight. With the proposed Project, Guy Place Park would be shaded for an additional 1,949 square-foot-hours during the year, an increase of 0.01 percent.

  However, as the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow on the Park as a result of the Project would be negligible. Therefore, the impact of new shadow from the proposed project on Guy Place Park would not be adverse and is not expected to interfere with the use of the Guy Place Park.

- **Inclusionary Affordable Housing.** The Environmental Evaluation Application was accepted on July 14, 2016; therefore, pursuant to Planning Code Section 415.3, the Inclusionary Affordable Housing

Program requirement for the On-site Affordable Housing Alternative is to provide a minimum of 18% of the total proposed dwelling units as affordable. The on-site Inclusionary rate is broken into three separate income tiers: 10% of the units must be made available to low-income households with affordable rents set 55% AMI, 4% must be made available to moderate income households with rents set at 80% AMI, and 4% must be made available to middle-income households with rents set at 120% AMI. A Project Sponsor may use their on-site Inclusionary units to qualify for a density bonus under the State Density Bonus Law ("State Law"). In order to achieve the maximum allowable bonus density (35%) under the State Law, the Project must provide a minimum of 11% of the units available to very low-income households (up to 50% AMI). The Project Sponsor has reduced the affordability level from 55% AMI to 50% AMI, and has increased the number of affordable units provided at 50% AMI by 1%. . Therefore, the effective inclusionary rate is 19%, and the Project qualifies for the maximum density bonus allowed by the State Law. As applied to the 291 units representing the base proportion of the project, the total on-site requirement is 55 dwelling units (28 one-bedroom, 20 two-bedroom, and 7 three-bedroom units).

- **State Density Bonus Law & Waivers.** The C-3-O(SD) Zoning District utilizes form-based density, which regulates density by the maximum permitted building volume, not as a ratio of units to lot area. Both the base density and the allowable density bonus are represented as square feet of residential gross floor area. The base density includes the amount of residential development that could occur on the project site as of right without modifications to the physical aspects of the Planning Code (ex: open space, dwelling unit exposure, etc.).

  For the Project at 95 Hawthorne Street, the base density would permit a residential project that included 352,781 gross square feet of residential uses.[1] Because the Project is providing more than 11% of the units as below market rate to very low-income households (up to 50% AMI), the Project is entitled to a 35% density bonus or 123,473 gross square feet of residential uses. The Project, including the density bonus, proposes 476,254 residential gross square feet of residential uses and 392 total dwelling units.

  Under the State Density Bonus Law, the Project is requesting five waivers from development standards, including: 1) Setbacks and Streetwall Articulation (Section 132.1(c)(1)); 2) Rear Yard (Section 134); 3) Common Useable Open Space (Section 135(g)); 4) Dwelling Unit Exposure (Section 140); and 5) Height (Section 250).

- **Transit Center District Plan & Downtown Plan.** The overarching premise of the Transit Center District Plan ("TCDP") is to continue the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service. The increase in development, in turn, will provide additional revenue for the Transit Center project and for the necessary improvements and infrastructure in the District. Meanwhile, the well-established Downtown Plan envisions a series of high-density residential areas ringing the area,

[1] Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, which permits a up to 35 percent additional density beyond the maximum allowable residential density ("base density"). Pursuant to the methodology described in Planning Director Bulletin 6, a project may qualify for 35% additional floor area if at least 11% of the units in the area represented by the base density as are affordable to very-low-income households. In addition, State Density Bonus Projects are subject to the Inclusionary Housing Fee as described in Planning Director Bulletin 6. Under the State Density Bonus Law, the Project Sponsor is entitled to a limited number of concessions or incentives, as well as waivers for any development standard that would physically preclude construction of the project at the proposed density.

enabling people to live within walking distance of the central business district. The integration of housing reduces the burden on the transit systems, and helps to enliven the central district. This Project implements the vision of both Plans through the construction of 392 dwelling units located within walking distance of the Transbay Transit Center, as well as the Downtown Core.

ENVIRONMENTAL REVIEW

On June 11, 2019, 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 Transit Center District Plan and was encompassed within the analysis contained in the Transit Center District Plan FEIR. Since the Transit Center District Plan FEIR was finalized, there have been no substantial changes to the Transit Center District Plan and no substantial changes in circumstances that would require major revisions to the FEIR 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 FEIR. The file for this Project, including the Transit Center District Plan FEIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Downtown and Transit Center District Plans and the Objectives and Policies of the General Plan. The Project would provide 392 dwelling units—49 percent of which are family-sized units (two- and three-bedroom units)—helping alleviate San Francisco's severe housing crisis.

ATTACHMENTS:

Draft Motion – Downtown Project Authorization with Conditions of Approval
Draft Motion – Adoption of Shadow Findings, pursuant to Planning Code Section 295 (includes shadow analysis)
Exhibit C – Environmental Determination (includes MMRP)
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F - Public Correspondence
Exhibit G - Project Sponsor Brief
Exhibit H – Inclusionary Affordable Housing Affidavit
Exhibit I – Anti-Discriminatory Housing Affidavit
Exhibit J – First Source Hiring Affidavit
Exhibit K – As-Built Plans
Exhibit B – Plans and Renderings

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Planning Commission Draft Motion

HEARING DATE: JUNE 27, 2019

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Recommendation:	**Approval with Conditions**

ADOPTING FINDINGS AUTHORIZING A DETERMINATION OF COMPLIANCE PURSUANT TO PLANNING CODE SECTION 309, WITH AN EXCEPTION FOR THE REDUCTION OF GROUND-LEVEL WIND CURRENTS UNDER SECTION 148, TO ALLOW THE DEMOLITION OF AN EXISTING 5-STORY COMMERCIAL OFFICE BUILDING AND NEW CONSTRUCTION OF A 42-STORY, APPROXIMATELY 444-FOOT TALL RESIDENTIAL BUILDING FEATURING 392 DWELLING UNITS ABOVE APPROXIMATELY 3,500 SQUARE FEET OF GROUND-FLOOR RETAIL, 107 OFF-STREET VEHICLE PARKING SPACES, 4 CAR SHARE SPACES, 3 FREIGHT LOADING SPACES, 184 CLASS 1 AND 24 CLASS 2 BICYCLE PARKING SPACES, LOCATED AT 95 HAWTHORNE STREET, LOT 012 OF ASSESSOR'S BLOCK 3735, WITHIN THE C-3-O(SD) DOWNTOWN-OFFICE (SPECIAL DEVELOPMENT) ZONING DISTRICT AND A 320-I HEIGHT AND BULK DISTRICT, MAKE FINDINGS RELATED TO STATE DENSITY BONUS LAW, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PREAMBLE

On February 4, 2016, John Kevlin of Reuben, Junius & Rose, LLP, acting on behalf of Trammell Crow Residential (hereinafter "Project Sponsor"), submitted an application with the Planning Department (hereinafter "Department") for a Preliminary Project Assessment ("PPA"). The PPA Letter, assigned to Case No. 2016-001794PPA, was issued on May 5, 2016.

On February 4, 2016, the Project Sponsor submitted an Environmental Evaluation Application. The application packet was accepted on July 14, 2016 and assigned Case Number 2016-001794ENV.

On July 18, 2018, the Project Sponsor filed a request, as modified by subsequent submittals, with the Department for a Downtown Project Authorization, pursuant to San Francisco Planning Code ("Code") Sections 210.2 and 309, to allow a project greater than 50,000 square feet of floor area within the C-3 Zoning District with one exception for "Ground-level wind currents in C-3 Districts" (Section 148).

On October 17, 2018, the Project Sponsor filed an application for a Shadow Analysis, pursuant to Code Section 295. The application packet was accepted on October 17, 2018 and assigned Case Number 2016-001794SHD.

On December 4, 2018, the Project Sponsor filed an application requesting approval of a Transportation Demand Management Program pursuant to Code Section 169. The application packet was accepted on October 17, 2018 and assigned Case Number 2016-001794TDM.

The Project Sponsor seeks to proceed under the State Density Bonus Law, Government Code Section 65915 et seq ("the State Law"). Under the State Law, a housing development that includes affordable housing is entitled to additional density, concessions and incentives, and waivers from development standards that might otherwise preclude the construction of the project. In accordance with the Planning Department's policies regarding projects seeking to proceed under the State Law, the Project Sponsor has provided the Department with a 291 unit "Base Project" that would include housing that is affordable to very-low, low-, and moderate-income households. Because the Project Sponsor is providing 55 units of housing affordable to very-low, low-, and moderate-income households, the Project seeks a density bonus of 35% and five waivers from the following development standards: 1) Setbacks and Streetwall Articulation (Section 132.1(c)(1)); 2) Rear Yard (Section 134); 3) Common Useable Open Space (Section 135(g)); 4) Dwelling Unit Exposure (Section 140); and 5) Height (Section 250).

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Transit Center District Plan Environmental Impact Report (hereinafter "EIR"). On May 24, 2012, the Commission reviewed and considered the Final EIR ("FEIR") and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Transit Center District Plan EIR is a program-level 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 subsequent project in the program area, the agency may approve the project as being within the scope of the project covered by the program EIR, and no new or additional environmental review is required. In

certifying the Transit Center District Plan FEIR, the Commission adopted CEQA findings in its Motion No. 18629 and hereby incorporates such Findings by reference herein.

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 June 11, 2019, 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 Transit Center District Plan and was encompassed within the analysis contained in the Transit Center District Plan FEIR. Since the Transit Center District Plan FEIR was finalized, there have been no substantial changes to the Transit Center District Plan and no substantial changes in circumstances that would require major revisions to the FEIR 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 FEIR. The file for this Project, including the Transit Center District Plan FEIR 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 Transit Center District Plan FEIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

The Planning Department Commission Secretary is the custodian of records; all pertinent documents are located in the File for Case No. 2016-001794DNXSHD, at 1650 Mission Street, Fourth Floor, San Francisco, California.

On June 27, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization No. 2016-001794DNXSHD.

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 Downtown Project Authorization as requested in Application No. 2016-001794DNX, subject to the conditions contained in "EXHIBIT A" of this motion, and to the Mitigation, Monitoring and Reporting Program contained in "EXHIBIT C", and incorporated by reference, 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. **Project Description.** The Project includes the demolition the existing five-story office building and construction of a new 42-story residential building reaching a height of 443'-9"tall (462'-3" including rooftop mechanical equipment) with approximately 3,500 square feet of ground-floor retail. The Project would contain a mix of 199 one-bedroom units, 144 two-bedroom units, and 49 three-bedroom units totaling 392 dwelling units, with 55 dwelling units provided as affordable (Below Market Rate). The Project would provide 107 off-street vehicle parking spaces, 4 car-share spaces, and 3 freight loading spaces within a below-grade garage in addition to 184 Class 1 and 24 Class 2 bicycle parking spaces. The Project is utilizing the Individually-Requested State Density Bonus Program to achieve a 35% density bonus thereby maximizing residential density on the Site.

3. **Site Description and Present Use.** The Project Site ("Site") is a 16,875 square-foot corner lot, located on the northeast corner of Hawthorne and Folsom Streets, with 150' of frontage along Hawthorne Street and 112'-6" of frontage along Folsom Street. The subject property (Lot 012 of Assessor's Block 3725) is located within the C-3-0(SD) (Downtown Office, Special Development) District and the 320-I Height and Bulk District. The property is developed with a five-story commercial office building that was built in 1908 and used as a wire rope and electric wire warehouse. The building was remodeled into a Brutalist style reinforced-concrete office building in 1960, and the majority of all five floors in the building are leased for office uses by government agencies or used by the property management office. The existing building on the Project Site was previously evaluated in the Transit Center Historic Resource Survey and was given a rating of "6Z," which means it was found ineligible for National Register, California Register, or Local designation through survey evaluation. Therefore, the existing building on the project site is not considered a historical resource pursuant to CEQA.

4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Downtown Core, and more specifically, within the Transit Center District Plan (TCDP) area. Development in the vicinity consists primarily of high-rise office buildings, interspersed with low-rise mixed-use

buildings. Immediately north of the Project Site at 75 Hawthorne is a 20-story office building, which is the headquarters of the U.S Environmental Protection Agency, Region 9. Adjacent to the proposed project to the east is a three-story office building at 620 Folsom Street. Numerous other high-rise developments are planned or under construction in the surrounding area. The 750 Harrison Street project is approximately two blocks south of the proposed project site and the eight-story residential building with 77 units over ground-level commercial space serving the residential units is currently under construction. The Transbay Block 9 project is also currently under construction and is located two blocks east of the proposed project on Folsom Street at 542-550 Howard Street (otherwise known as "Parcel F"), which would construct a 61-story tower with office, 165 residential units, a 210-room hotel, and retail and shared amenity space.

5. **Public Outreach and Comments.** The Department has not received any correspondence regarding the proposed Project. The Project Sponsor has conducted community outreach that includes local community groups.

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 the C-3-O(SD) Zoning District (Section 210.2).** Planning Code Section 210.2 lists residential and retail uses as principally permitted within the C-3-O(SD) Zoning District.

   The Project involves the construction of a new 42-story residential building with approximately 477,000 gross square feet of residential use and approximately 3,500 gross square feet ("gsf") of retail sales and service uses. As both residential and retail sales and service uses are principally permitted uses within the C-3-O(SD) Zoning District, the Project complies with Section 210.2.

   B. **Floor Area Ratio (Sections 123, 124, 128, and 210.2).** The Planning Code establishes a basic floor area ratio (FAR) for all zoning districts. For C-3 zoning districts, the numerical basic FAR limit is set in Section 210.2. The FAR for the C-3-O (SD) District is 6.0 to 1. Under Section 123, FAR can be increased to 9.0 to 1 with the purchase of transferable development rights (TDR), and may exceed 9.0 to 1 without FAR limitations by participating in the Transit Center District Mello-Roos Community Facilities District as required in Section 424.8.

   The Project Site is 16,785 square feet in size. Therefore, up to 100,710 gsf is allowed under the basic FAR limit, and up to 151,065 gsf is permitted with the purchase of TDR. The Project proposes a total of 476,254 gsf, for a floor-area ratio of approximately 28.4-to-1. Conditions of Approval are included to require the Project Sponsor to purchase TDR for the increment of development between 6.0 to 1 FAR and 9.0 to 1 FAR (50,355 gsf), and to participate in the Transit Center District Mello-Roos Community Facilities District.

C. **Setbacks and Streetwall Articulation (Section 132.1(c)(1)).** The Planning Code requires new buildings taller than 150 feet on development lots in the C-3-O(SD) district facing a street wider than 35 feet shall establish a distinctive streetwall, even where no distinct cornice line or streetwall exists, at a height between 50 and 110 feet for not less than 40 percent of the linear frontage of all street frontages of such development lot.

The Project has been designed with setbacks so that the massing will not overwhelm the corner of Folsom and Hawthorne Streets, helping to reinforce a pedestrian scale along both street frontages. Beginning at the sixth floor (or approximately 63' feet above grade), the building establishes a distinctive streetwall, with a 5'-6" setback for a length of 100 feet on the Hawthorne Street façade and a 40' setback for a length of 36'-6" along the Folsom Street façade. The linear total of provided setbacks is 136'-6", or approximately 52 percent of the 262'-10" of total linear frontage for the subject parcel, thereby exceeding the Code requirement of 40 percent. The Planning Code also requires horizontal relief; established by an upper story setback of at least 5 feet and a combination of additional upper story setback and/or horizontal projection totaling 10 feet. While the setback along the Folsom Street meets the strict requirements of the Code, the setback along the Hawthorne Street frontage is only 5'-6" and does not contain a total of at least 10 feet of horizontal relief.

Strict enforcement of the Code would require an additional setback of 4'-6", significantly reducing the total unit count by affecting at least 1-4 units per floor from level 6 through level 41. This imposed setback would ultimately physically preclude the Project at the density permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law and proposes a waiver for the reduction of site development standards for setbacks and street wall articulation, which are defined in Planning Code 132.1(c)(1).

D. **Rear Yard (Section 134(a)(1)).** The Planning Code requires that the Project provide a rear yard equal to 25 percent of the lot depth at the first level containing a dwelling unit, and at every subsequent level. Exceptions to the rear yard requirements may be granted if the building location and configuration assure adequate light and air to the residential units and the open space provided.

With a total lot depth of 112'-6" (as measured from Hawthorne Street), the required rear yard for the subject lot is 28'-2". The Project's massing is arranged in a "T" configuration, with the center of the tower fully encroaching into center of the required rear yard. As the tower's massing would encroach into the required rear yard, thereby breaking up the continuous rear yard from property line to property line, the Project therefore requires Code relief from Section 134(a)(1).

Strict enforcement of the Code would physically preclude the construction of the Project with the additional dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law and proposes a waiver for the reduction of site development standards for rear yard, which are defined in Planning Code 134.

E. **Useable Open Space (Section 135).** The Planning Code requires that a minimum of 36 square feet of private usable open space, or 48 square feet (1.33 times 36 square feet) of common usable open space be provided for dwelling units in C-3 zoning districts. The area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and exposure.

The Project provides private balconies for 116 of the 392 dwelling units that meet the strict dimensional requirements for private useable open space (Code Section 135(f)). For the balance of the 276 dwelling units, 13,248 square feet of common useable open space would be required. The Project's proposed massing creates two courtyards on the fifth floor (one inner courtyard and one outer courtyard) that each measure a depth of 36'-6". Each of these courtyards provides 3,204 square feet of open area, with the outer courtyard providing 1,538 square feet of common useable open space that meets the strict dimensional requirements of Code Section 135(g). Including the 2,197 square-foot rooftop terrace, the Project provides a total of 3,735 square feet of common useable open space where 13,248 square feet is required. The subject lot is only 16,875, which means that more than half of the subject lot would have to remain undeveloped to provide the additional 9,513 square feet of common open space needed to meet the requirements of Section 135(g). Therefore, the Project requires an additional 9,513 square feet of common open space to meet the requirements of Section 135(g).

Strict enforcement of the Code would physically preclude the construction of the Project with the additional dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law and proposes a waiver for the reduction of site development standards for common useable open space, which are defined in Section 135(g).

F. **Publicly Accessible Open Space (Section 138)**. The Planning Code requires new buildings, or additions of Gross Floor Area equal to 20 percent or more to an existing building, in the C-3-O (SD) zoning district to provide public open space at a ratio of one square-foot per 50 gross square feet of all uses, except residential uses, institutional uses, and uses in a predominantly retail/personal services building.

The Project features less than 5,000 square feet of retail uses on the ground floor occupying less than 75% of the total ground floor. Pursuant to Section 102, the retail sales and service floor area is exempt from the calculation of gross floor area. Therefore, the Project is not subject to Planning Code Section 138.

G. **Streetscape and Pedestrian Improvements (Section 138.1).** Planning Code Section 138.1 requires that additions of Gross Floor Area equal to 20 percent or more to an existing building provide streetscape improvements consistent with the Better Streets Plan. Under Section 138.1(c), the Commission may also require the Project Sponsor to install additional sidewalk improvements such as lighting, special paving, seating and landscaping in accordance with

the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan

The Project Sponsor shall comply with this requirement. The conceptual plan shows sidewalk enlargement, enhanced paving, raised crosswalks, installation of street trees, lighting, and street furniture on various public rights-of-way. The precise location, spacing, and species of the street trees, as well as other streetscape improvements, will be further refined throughout the building permit review process.

H. **Standards for Bird-Safe Buildings (Section 139).** The Planning Code outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

The Project Site is not located in close proximity to an Urban Bird Refuge as defined in Section 139. As such, the Project will include feature-related standards. Therefore, the Project complies with Section 139.

I. **Dwelling Unit Exposure (Section 140).** The Planning Code requires that at least one room of each dwelling unit must face onto a public street, a rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

The Project Site is a corner lot with Hawthorne and Folsom Streets both meeting the minimum requirements established by Code. As such, all of the dwelling units that face onto either Hawthorne or Folsom Streets meet exposure requirements. The Project's massing is arranged in a "T" configuration to maximize access to light and air for all 392 dwelling units. The resulting site plan creates two courtyards (one inner and one outer courtyard). Given the strict requirements of Section 140, 93 dwelling units that face onto the inner courtyard do not meet exposure requirements.

Strict compliance with the Code's exposure requirement would either eliminate 93 courtyard-facing dwelling units (approximately 24% of the total unit count), would require a building configured around a code-compliant rear yard, or, would require the building to be set back an additional 5 feet every floor above the 8th floor. Any of these three results would significantly reduce the habitable area of the Project and ultimately physically preclude the Project at the density permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law and proposes a waiver for the reduction of site development standards for dwelling unit exposure, which are defined in Section 140.

J. **Street Frontage in Commercial Districts (145.1(c)).** The Planning Code requires that within Downtown Commercial Districts, space for "active uses" shall be provided within the first 25 feet of building depth on the ground floor. Spaces such as lobbies are considered active uses only if they do not exceed 25% of the building's frontage at the ground level, or 40 feet, whichever is greater. Section 145.1(c)(2) of the Planning Code requires that no more than one-

third of the width or 20 feet, whichever is less, of any given street frontage of a new or altered structure parallel to and facing a street shall be devoted to parking and loading ingress or egress. With the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, space for active uses as defined in Subsection (b)(2) and permitted by the specific district in which it is located shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Section 145.1(c)(4) of the Planning Code requires that ground floor non-residential uses in all C-3 Districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade. Section 145.1(c)(5) requires the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Section 145.1(c)(6) of the Planning Code requires that within Downtown Commercial Districts, frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building.

The Project includes approximately 3,500 square feet of ground floor retail sales and service uses located along the Folsom Street frontage, with a portion of the retail space wrapping around onto the Hawthorne Street frontage. The retail space is a variable depth, and is at least 25 feet deep at all locations, meeting the strict active use requirements of Section 145.1(c)(3). The balance of the Hawthorne Street frontage contains a residential lobby measuring 40 linear feet, as allowed by Code, building-serving mechanical equipment, and the parking and loading entrance (garage entrance). The ground floor height is 20 feet tall, meeting the strict requirements of Section 145.1(c)(4). Therefore, the Project complies with Section 145.1.

K. **Shadows on Public Sidewalks (Section 146)**. The Planning Code establishes design requirements for buildings on certain streets in order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods. Section 146(c) requires that other buildings should be shaped so as to reduce substantial shadow impacts on public sidewalks, if doing so would not create an unattractive design and without unduly restricting the development potential of the site in question.

Section 146(a) does not apply to Hawthorne or Folsom Streets, and therefore does not apply to the Project. Regarding Section 146(c), the Project would create new shadows on sidewalks and pedestrian areas adjacent to the Site. The amount of shadow cast on sidewalks would vary based on time of day, day of year, and weather conditions. Additionally, in certain locations, existing and future development would mask or subsume new shadows from the Project that would otherwise be cast on sidewalks in the Project vicinity. The Project's shadows would be limited in scope and would not increase the total amount of shading above levels that are commonly accepted in dense urban areas. Therefore, the Project complies with Section 146.

L. **Shadows on Public Open Spaces (Section 147)**. The Planning Code requires new buildings in the C-3 districts exceeding 50 feet in height to be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site, to reduce substantial

shadow impacts on public plazas and other publicly-accessible spaces other than those under the jurisdiction of the Recreation and Parks Department under Section 295. The following factors shall be taken into account: (1) the amount of area shadowed; (2) the duration of the shadow; (3) the importance of sunlight to the type of open space being shadowed.

Existing Open Spaces

Annie Street Space and Annie Street Plaza

Annie Street is a pedestrian street located in downtown, between Mission Street and Market Street, and is surrounded by mid to high-rise buildings. The space at Market Street is approximately 2,060 square feet, and the opening near Mission Street is approximately 4,030 square feet and is used for both active and passive activities, such as music concerts, festivals, exhibitions and gatherings. The lane is approximately 550 feet long and is frequently used for public gatherings, while the opening towards Mission Street is a landscaped open space, mainly used for walking. The net new shadowing on Annie Street Space as a result of the proposed project would occur during November 7 through February 3, totaling 89 days. The average duration of the daily net new shadow would be 7 minutes. The net new shadow would occur between 8:12 a.m. to 8:53 a.m. and the maximum duration of the net new shadow would be 16 minutes occurring on January 18, 20, and 21, and November 19 through 23. The average size of the new shadow would be approximately 300 square feet. The largest shadow would be approximately 1,130 square feet, occurring at 8:50 a.m. on January 20.

As the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow as a result of the Project would be negligible and would not substantially affect the use and enjoyment of Annie Street and Annie Street Plaza. Therefore, the impact of new shadow from the proposed Project on Annie Street Space and Annie Street Plaza would be less than significant.

Jessie Square

Jessie Square is located on the north side of Mission Street, across from Yerba Buena Gardens. The square is situated on top a four-level underground parking garage and is surrounded by the Contemporary Jewish Museum to the north, St. Patrick's Church to the west, and high-rise buildings to the east. The sloped surface incorporates an approximately 8-foot elevation change between the Mission Street sidewalk and Contemporary Jewish Museum. There is a water feature located in the middle of the square. This open space consists of multiple areas for public gathering with benches placed sporadically on multiple areas, particularly around the water feature and on the south side of the square. There is a landscaped area east of the water feature and some isolated trees are located along the north and west border of the plaza. The open space is frequently used for outdoor events and festivals. The total area of this open space is approximately 30,060 sf square feet.

Net new shadow on Jessie Square would occur for a total of 49 days: March 10 through April 2, and September 9 through October 3. The average daily duration of the net new shadow would be 18 minutes. The net new shadow would occur between 6:55 a.m. and 7:42 a.m., and the maximum duration of net

new shadow is expected to be 32 minutes, occurring on March 23 and September 19. The average size of the new shadows would be approximately 1,450 square feet. The largest shadow would be approximately 3,640 square feet, occurring at 7:31 a.m. on March 20. As the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year and only in the early morning (before 8 a.m.), the additional shadow would be negligible and would not substantially affect the use and enjoyment of Jessie Square. Therefore, the impact of new shadow on from the proposed Project on Jessie Square would be less than significant.

Yerba Buena Gardens

Yerba Buena Gardens is an open space located approximately 0.2 miles west of the proposed Project Site. The gardens are bordered by Mission Street to the north, Howard Street to the south, Third Street to the east and Fourth Street to the west. The gardens are primarily used for passive activities. Yerba Buena Center for Arts (YBCA) is located on the east side of the garden and the Westfield Metreon Mall is located on the west side of the garden. The Esplanade is the grassy middle portion of the gardens. The Martin Luther King waterfall feature is located in the center of the gardens and is 20 feet tall and 50 feet wide, consisting of glass panels. There is a circular pedestrian walkway surrounding the Esplanade. The Upper Terrace is located above the waterfall, along the southeast side of the gardens. This stone-surfaced terrace includes a pool right above the waterfall. The terrace is primarily used for passive activities, including breakfasts, receptions, parties, weddings and gatherings for up to 500 people, or buffet-style food services for up to 2,000 people.

The East Garden is along Third Street, across from the Museum of Modern Art, located between YBCA Galleries and YBCA Theatre buildings, and is surrounded by sycamore trees. There is a water feature along the east and south edges of the open space. The garden is slightly elevated by stairs on the east side and a ramp on the west side. The ground surface contains a combination of pavement and grass, and is mainly used for public gatherings, such as breakfasts, receptions, weddings and parties for up to 500 people. There are benches throughout the open space. The total area of Yerba Buena Gardens, including the East Garden is approximately 183,920 square feet.

Net new Shadow on Yerba Buena Gardens as a result of the Project would occur during two periods each year: March 18 through June 12 (inclusive) and June 29 through September 24 (inclusive), totaling 175 days. The new shadowing would occur entirely during the first hours in the morning. No new shadows are predicted to fall on the Gardens after 7:36 am. When new shadows would occur, the average duration would be 39 minutes and the maximum duration would be 64 minutes. The longest duration shadows would occur on May 5 through 7, and August 5 and 6. The average size of the new shadows would be approximately 15,680 square feet. The largest shadow would be 51,950 square feet, occurring at 6:58 a.m. on August 22.

For Yerba Buena East Gardens, net new shadow would occur during March 22 through April 4, and September 7 through September 20, for a total of 28 days. The average duration of net new shadow would be 8 minutes. The net new shadow would occur between 7:34 a.m. and 7:58 a.m., with maximum duration of net new shadow of 13 minutes. The longest duration of net new shadow would occur on

March 27 through 29 and September 13 through 15. The average size of the net new shadow would be 51 square feet. The largest shadow would be 150 square feet, occurring at 7:55 a.m. on March 28. As the additional shadow cast by the proposed project would be occur for a brief amount of time during select portions of the year and only in the early morning (before 8 a.m.), the additional shadow would be negligible and would not substantially affect the use and enjoyment of Yerba Buena Gardens. Therefore, the impact of new shadow on from the proposed project on Yerba Buena Gardens would be less than significant.

Yerba Buena Lane

Yerba Buena Lane is an approximately 27,430 square-foot, 550-foot-long pedestrian lane northwest of Yerba Buena Garden, between Mission Street and Market Street. St. Patrick's Church is located east of the lane, and the Marriott Hotel is located west of the lane. There are retail stores along the west side of the lane. The lane includes seating areas along the walkway. The area is used for both active and passive activities.

Net new shadow on Yerba Buena Lane as a result of the proposed Project would occur during March 24 through April 13, and August 29 through September 18, totaling 42 days. The average duration of the daily net new shadow would be 17 minutes. The net new shadow would occur between 6:44 a.m. to 7:15 a.m. and the maximum duration of the net new shadow would be 26 minutes, occurring on April 6 and September 5 and 6. The average size of the new shadows would be approximately 1,250 square feet. The largest shadow predicted would be approximately 1,800 square feet, occurring at 7:06 a.m. on March 28. As the additional shadow cast by the proposed project would occur for a brief amount of time during select portions of the year and only in the early morning hours (before 8 am), the additional shadow would be negligible and would not substantially affect the use and enjoyment of Yerba Buena Lane. Therefore, the impact of new shadow on from the proposed Project on Yerba Buena Lane would be less than significant.

Moscone Pedestrian Laneway

Located approximately 0.06 miles west of the proposed Project on the east side of Third Street, Moscone Pedestrian Laneway is a 6,280 sf pedestrian-only walkway. The lane is surrounded by low to mid-rise buildings. There are bicycle stands located along the walkway, as well as landscaping. This lane is primarily used for walking.

Net new shadow on the Moscone Pedestrian Laneway as a result of the Project would occur during April 10 through September 1, totaling 145 days. The average duration of the daily net new shadow would be 108 minutes. The net new shadow would occur between 7:17 a.m. to 9:37 a.m. and the maximum duration of the net new shadow would be 127 minutes occurring on May 17, 28 and 29, and July 24 and 25. The average size of the new shadows would be approximately 560 square feet. The largest shadow would be 1,240 square feet, occurring at 9:02 a.m. on May 24. As the additional shadow cast by the proposed project would occur during select portions of the year and in the morning hours, the additional shadow would not substantially affect the use and enjoyment of Moscone Pedestrian Laneway.

Therefore, the impact of new shadow from the proposed Project on Moscone Pedestrian Laneway would be less than significant.

Emerald Park
Emerald Park is located in front of the residences at 330 Harrison Street. The park is open to the public every day of the year, although there are gates along Harrison Street. The space includes bench seating, a play structure, and a dog run.

Net new shadow on Emerald Park as a result of the Project would occur during March 1 through March 9, and October 3 through 15, totaling 22 days. The average duration of the daily net new shadow would be 5 minutes. The net new shadow would occur between 4:27 p.m. to 5:02 p.m. and the maximum duration of the net new shadow would be 10 minutes occurring on October 11 and 12. The average size of the new shadows would be about 208 square feet. The largest shadow would be 620 square feet, occurring at 4:30 p.m. on October 12. As the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow would be negligible and would not substantially affect the use and enjoyment of Emerald Park. Therefore, the impact of new shadow from the proposed Project on Emerald Park would be less than significant.

Privately-Owned Public Open Spaces (POPOS)

Marriott Courtyard A& B
Marriott Courtyard A & B is located at 299 Second Street, at the northeast corner of Folsom Street and Second Street, with a total area of approximately 2,570 square feet. It is an outdoor sitting area 4 feet below the sidewalk along Folsom Street. This space is open to the public between 8 a.m. and 5 p.m. The seating areas include umbrellas and tall landscaping along the sidewalk of Folsom Street. This area is paved with concrete and has small planters along the perimeter of the courtyard.

Net new shadow on the Marriott Courtyard A & B as a result of the Project would occur during August 12 through April 29, totaling 261 days. The average duration of the daily net new shadow would be 63 minutes. The net new shadow would occur between 1:19 p.m. to 4:03 p.m. and the maximum duration of the net new shadow would be 147 minutes occurring on September 27 and 28. The average size of the new shadows would be approximately 560 square feet. The largest shadow would be approximately 1,720 square feet, occurring at 2:38 pm on March 13. The additional shadow from the proposed Project would occur during the mid-afternoon for most of the year and therefore could adversely affect the use and enjoyment of the space, resulting in a significant impact. However, the proposed Project would not result in any significant shadow impacts that were not previously disclosed in the TCDP PEIR, nor would it result in more severe impacts than those identified in the PEIR.

611 Folsom Street Plaza
Folsom Street Plaza is located approximately 0.03 miles to the east of the Project Site and has a total area of approximately 7,680 square feet. The plaza is brick-paved with tall deciduous landscaping along the edge of the sidewalks of Folsom and Second streets. This plaza is used for both active and passive uses.

There are three rows of brick benches spanning from the middle of the plaza to the southwest end. The southwest end of the plaza is bound by a white architectural feature approximately 5 feet tall and includes planters. The north side of the plaza is mainly open for pedestrian movement. This plaza is open at all times.

Net new shadow on the 611 Folsom Street Plaza as a result of the proposed Project would occur during March 2 through October 10, totaling 223 days. The average duration of the daily net new shadow would be 163 minutes. The net new shadow would occur between 2:04 p.m. to 5:44 p.m., and the maximum duration of the net new shadow would be 210 minutes, occurring on May 25 to 27, and July 14 to 16. The average size of the new shadows would be approximately 4,170 square feet. The largest shadow would be approximately 7,560 square feet, occurring at 3:40 p.m. on May 12.

As the additional shadow cast by the proposed Project would occur during the later afternoon over a relatively large portion of the park during the majority of the year, the additional shadow would substantially affect the use and enjoyment of the 611 Folsom Street Plaza, which would result in a significant an unavoidable shadow impact. However, the proposed Project would not result in any significant shadow impacts that were not disclosed in the TCDP PEIR, nor would it result in any more severe impacts than identified in the PEIR.

Marathon Plaza

Marathon Plaza is located at 303 Second Street, approximately 0.1 miles to the east of the proposed Project Site. It is a large triangular paved plaza facing Second Street. Two sides of the plaza are bordered by midrise buildings. The south half of the plaza is an open paved space with a water fountain in the middle of the area. The north half of the plaza is mainly grass with multiple water features, architectural features and wooden benches. There are some large deciduous trees located on the edge of the open side of the plaza, along Second Street. There is deciduous landscaping along the perimeter of the plaza and small planters and flower beds in parts of the plaza. The plaza has a terraced surface incorporating steps at multiple places. It is open at all times and primarily used for passive activities. The total area of this POPOS is approximately 22,036 square feet.

Net new shadow on Marathon Plaza from the proposed project would occur from April 6 to September 4, totaling 152 days. The average duration of the daily net new shadow is 40 minutes. The net new shadow would occur between 3:37 p.m. to 5:10 p.m. and the maximum duration of the net new shadow is 81 minutes, occurring on April 20 and August 21. The average size of the new shadows would be approximately 696 square feet. The largest shadow would be approximately 3,435 square feet, occurring at 4:16 p.m. on August 4. The shadow would largely on the western portion of the plaza, which is a sidewalk, and the southern edge of plaza, which contains a fountain surrounded by pavement. Most of the seating area of the plaza, and over 85 percent of the total area of the plaza, is outside of the areas that would be affect by the additional shadow.

As the additional shadow cast by the proposed project would occur for a brief amount of time during select portions of the year, the additional shadow would not substantially affect the use and enjoyment

of the Marathon Plaza. Therefore, the impact of new shadow from the proposed Project on Marathon Plaza would be less than significant.

Proposed Open Spaces

2nd and Howard Plaza

A proposed open space will be located at 2nd and Howard Street, with a total area of approximately 28,780 square feet. The open space will be linked to the adjacent elevated Transit Center Park and is expected to be one of the entry points to the transit center itself. The site is currently occupied by low-rise buildings, which will be demolished. Portions of these buildings may be re-used as part of the new plaza design. This plaza will be located approximately 0.13 mile to the north of the project site. The concept plan of the plaza includes vertical architectural features at the edge of the sidewalks of Howard and Second streets. The plaza is to incorporate vertical connections between the Transit Center building and the Transit Center park, with a combination of elevators, escalators, ramps, or stairs. Restaurants and retail uses will be incorporated in this plaza. This plaza is expected to be used for both active and passive activities.

Net new shadow on the 2nd and Howard Plaza as a result of the Project would occur during November 18 through January 22, totaling 66 days. The average duration of the daily net new shadow would be 28 minutes. The net new shadow would occur between 11:39 a.m. to 12:30 p.m. and the maximum duration of the net new shadow would be 32 minutes occurring on December 14, 16 to 24, and 26. The average size of the new shadows would be about 350 square feet. The largest shadow would be about 910 square feet, occurring at 11:58 a.m. on December 21. As the park is currently under construction and has not opened, it is not possible to evaluate the impact of the shadow on the use or enjoyment of the park. However, as the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow would be negligible. Therefore, the impact of new shadow from the proposed Project on the 2nd and Howard Plaza would be less than significant.

Oscar Park

Oscar Park is a proposed 123,150 square-foot public open space between Howard Street and Folsom Street. Located approximately 0.16 mile to the northeast of the proposed Project, this open space will be underneath the Bay Bridge ramp. There will be elevation changes throughout the park site, which will occur through a series of ramps, stairs and sloping pads. The major features of this park will include an outdoor playground, sun deck, outdoor sports and exercise areas, beer garden, bike parking and repair area, bike lane and seating benches/ waiting areas in the middle potion of the park, along Clementina Street. The open space on the east side of Clementina Street is planned for flexible event and play space, retail space, climbing structures, public art and outdoor seating areas. The west side of the park is mainly planned for passive activities. The park is planned to be open in the spring of 2022.

Net new shadow on Oscar Park as a result of the proposed Project would occur during October 2 through March 10, totaling 160 days. The average duration of the daily net new shadow would be 107 minutes. The net new shadow would occur between 12.26 p.m. to 3:46 p.m. and the maximum duration of the net

new shadow would be 171 minutes occurring on November 28. The average size of the new shadows would be approximately 2,460 square feet. The largest shadow would be approximately 12,830 square feet, occurring at 2:37 p.m. on November 26, and would occur along the northern and eastern edge of the park.

As the park is currently under construction and has not opened, it is not possible to evaluate the impact of the shadow on the use or enjoyment of the park. However, as the additional shadow cast by the proposed Project would occur over a small portion of the total area of the park, the impact of new shadow from the proposed project on Oscar Park would be less than significant.

Essex Street Hillside

Essex Street Hillside is a proposed public open space, planned to be located near the northeast corner of Essex Street and Folsom Street, approximately 0.17 miles northeast of the Project Site. This 23,740 square-foot open space will contain grass with landscaping in isolated areas. The major features of this open space will include a dog park, a children's play area including Guy Place slide, and the Lansing stairs. A basketball court is planned on the northeast side, and Oscar Park would be located across the street, on the south side of Folsom Street. The open space will be used for both active and passive activities and is scheduled to open in 2022.

Net new shadow on Essex Street Hillside as a result of the Project would occur during March 1 through April 20, and August 21 through October 11, totaling 103 days. The average duration of the daily net new shadow would be 57 minutes. The net new shadow would occur between 3:27 p.m. to 5:31 p.m., and the maximum duration of the net new shadow would be 89 minutes on March 16. The average size of the new shadow would be approximately 2,000 square feet. The largest shadow would be approximately 7,050 square feet, at 4:36 p.m. on September 11, and would occur on the southeastern edge of the space.

As the park is currently under construction and has not opened, it is not possible to evaluate the impact of the shadow on the use or enjoyment of the park. However, as the additional shadow cast by the proposed Project would occur over a small portion of the total area of the park, the impact of new shadow from the proposed Project on Essex Street Hillside would be less than significant.

Conclusion

Although the proposed Project would result in a substantial increase in shadow on two existing POPOS (Marriott Courtyard A & B and 611 Folsom Street Plaza), which would result in a significant and unavoidable impact, this conclusion is consistent with the shadow analysis in the TCDP PEIR. The significant shadow impacts were disclosed in the TCDP PEIR, and the proposed Project would not result in substantially more severe impacts than those identified in the PEIR.

The shading duration, location and amount is consistent with the requirements of Planning Code Section 147 and the shading does not substantially adversely affect the usability of the area. These nearby POPOS are developed in conjunction with, and adjacent to, high-rise development, providing open

spaces focused to serve the occupants of, and visitors to, those developments. As such, these downtown POPOS are expected to have shadow and sunlight conditions that are generally similar to nearby pedestrian areas, in that they are shadowed daily by related or other nearby high-rise buildings. In addition, the amount of shadow cast on each of these POPOS would vary based on time of day, time of year, the height and bulk of intervening existing and proposed development, and climatic conditions (clouds, fog, or sun) on a given day. Shading would occur as well on nearby streets and sidewalks, and other open spaces as described above, but would not result in additional or more severe shadow impacts than were analyzed in the TCDP PEIR.

M. **Off-Street Parking (Section 151.1)**. The Planning Code does not require any off-street parking spaces be provided, but instead provides maximum parking amounts based on land use type. Off-street accessory parking for all non-residential uses in the C-3-O (SD) zoning district is limited to 3.5% of the gross floor area for such uses. For residential uses, one off-street parking space is principally permitted for every two dwelling units.

The Project would provide 103 off-street accessory parking spaces for the 392 dwelling units, which, equates to a parking ratio of approximately 0.26 spaces/dwelling unit. The independently-accessible parking spaces would be located within four levels of a below-grade garage. Pedestrian connections on basement levels 1 and 2 would allow building tenants access to the adjacent below-grade garage located at 75 Hawthorne Street containing approximately 118 accessory parking spaces. While building tenants would have the ability to lease unbundled parking spaces within the 75 Hawthorne Street garage (or any other off-site location for that matter), the 103 spaces provided within the subject garage are solely intended for the users of the Project. As such, no parking spaces within 75 Hawthorne are counted towards the maximum accessory parking count for the Project. Further, the Project does not include any accessory parking for the retail sales and service uses. As the parking ratio for residential uses (0.26 spaces/dwelling unit) is less that the maximum permitted by Code (0.5 spaces/dwelling unit), the Project therefore complies with Section 151.1

N. **Off-Street Freight Loading (Sections 152.1, 153, 154).** The Planning Code requires certain amounts of off-street freight loading space based on the type and size of uses in a project. For office, 0.1 spaces are required for every 10,000 gsf, rounded to the nearest whole number. For hotels and residential units, 2 off-street spaces are required between 200,001 and 500,000 gsf of each use, and hotel and residential uses exceeding 500,000 gsf are required 3 spaces, plus one space for each additional 400,000 gsf. No building in the C-3-O (SD) District can be required to provide more than six off-street freight loading or service vehicle spaces in total. Pursuant to Section 153(a)(6), two service vehicle spaces can be substituted for one required freight loading space if at least 50% of the required number of freight loading spaces are provided. Planning Code Section 154 sets forth standards as to location and arrangement of off-street freight loading and service vehicle spaces. Off-street loading spaces are required to have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet, except that the first freight loading space required for any structure or use shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.

The Project would provide 3 off-street freight loading spaces meeting the dimensional requirements of the Code, with two service vehicle spaces substituted for one required freight loading, pursuant to Section 154(b)(2). The 20-foot wide garage entrance along the Hawthorne Street frontage provides a shared opening for off-street parking and loading, which, is encouraged per Code Section 155(s)(4)(a)). As the minimum number of required off-street freight loading is provided, the Project therefore complies with Sections 152.1, 153, and 154.

O. **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages (Section 155(r))**. The Planning Code prohibits curb cuts along Folsom Street from 2nd Street to 13th Street for garage entries, private driveways, or other direct access to off-street parking or loading, except when the curb cut would create new publicly-accessible streets and alleys.

The Project Site is a corner lot with two street frontages. Planning Code Section 155(r)(2)(HH) prohibits curb cuts along Folsom Street from 2nd Street to 13th Street. Therefore, Hawthorne Street is the only street frontage available for a new curb cut. The Project would include a new 25'-8" curb cut along Hawthorne Street, accessing the below-grade garage for off-street parking and freight loading. The 20-foot wide garage entrance along the Hawthorne Street frontage provides a shared opening for off-street parking and loading, which, is encouraged per Code Section 155(s)(4)(a)). As the Project includes a new curb cut on an unrestricted street frontage, the Project therefore complies with Section 155(r).

P. **Off-Street Parking and Loading in C-3 Districts – Parking and Loading Access (Section 155(s)(4)).** The Planning Code restricts any single development to a total of two façade openings of no more than 11 feet wide each or one opening of no more than 22 feet wide for access to off-street parking and one façade opening of no more than 15 feet wide for access to off-street loading. Shared openings for parking and loading are encouraged. Within the C-3 Zoning District, the maximum permitted width of a shared parking and loading garage opening is 27 feet.

The Project includes a single 20-foot wide garage entrance along the Hawthorne Street frontage, providing a shared opening for off-street parking and loading, which, is encouraged per Code Section 155(s)(4)(a)). Therefore, the Project complies with Section 155(s)(4).

Related to passenger loading, the Project would remove the existing 40-foot on-street yellow loading space on the east side of Hawthorne Street immediately adjacent to the project site, and the existing 78-foot on-street white passenger loading space on the north side of Folsom Street (immediately adjacent to the project site). The proposed project would apply to the San Francisco Municipal Transportation Agency's (SFMTA) Color Curb Program to implement a 30-foot long commercial (yellow curb) loading zone (inclusive of two 15-foot long commercial loading spaces), a 35-foot long passenger (white curb) loading zone (inclusive of one 20-foot long passenger loading space and one 15-foot long passenger loading space), and a 10-foot red zone for a loading access ramp along the east side of Hawthorne Street adjacent to the Project Site.

Q. **Bicycle Parking (Sections 155.1, 155.2).** The Planning Code establishes bicycle parking requirements for new developments, depending on use. For projects with over 100 residential

dwelling units, 100 Class 1 spaces are required, plus 1 additional space for every four units over 100. One Class 2 space is required for every 20 dwelling units. For office, one Class 1 space is required for every 5,000 occupied square feet, and two Class 2 spaces are required for the first 5,000 gross square feet, plus one Class 2 space for each additional 50,000 occupied square feet. One Class 1 space is required for every 7,500 square feet of occupied floor area devoted to Restaurants, Limited Restaurants, and Bars. One Class 2 space is required for every 750 square feet of occupied retail area devoted to Restaurants, Limited Restaurants, and Bars, and in no case less than two Class 2 spaces. For hotel use, one Class 1 space and one Class 2 space is required for every 30 hotel rooms, plus one Class 2 space for every 5,000 square feet of occupied floor area of conference, meeting or function rooms. A Class 1 space is located in a secure, weather-protected facility and intended for long-term use by residents and employees. A Class 2 space is located in a publicly-accessible and visible location, and intended for use by visitors, guests, and patrons.

The Project includes 184 Class 1 and 24 Class 2 bicycle parking spaces (where 173 Class 1 and 22 Class 2 spaces are required by Code). The Class 1 bicycle parking spaces will be located on the second floor, within a secure, weather-projected facility, with independent access via an elevator meeting the dimensional requirements of the Code. The Class 2 bicycle parking spaces will be located along the both the Hawthorne and Folsom Street frontages. Therefore, the Project complies with Sections 155.1 and 155.2.

R. **Transportation Management Programs (Section 163)**. The Planning Code requires, for all applicable projects, that property owner provide on-site transportation brokerage services for the actual lifetime of the project.

The Project contains over 100,000 square feet of residential use (or 100 dwelling units) and is therefore subject to the requirements of Section 163. The Project will provide on-site transportation brokerage services for the actual lifetime of the project. Prior to the issuance of a temporary permit of occupancy, the property owner shall execute an agreement with the Planning Department for the provision of on-site transportation brokerage services. Therefore, the Project complies will Section 163.

S. **Car Sharing (Section 166)**. The Planning Code establishes requirements for new developments to provide off-street parking spaces for car-sharing services. The number of spaces depends on the amount and type of residential or office use. One car share space is required for any project with between 50-200 residential units. Projects with over 200 residential units but less than 400 units require two spaces. For non-residential uses, one space is required if the project provides 25-49 off-street spaces for those uses. One car share space is required for every 50 additional parking spaces devoted to non-residential use. The car-share spaces must be made available to a certified car-share organization at the building site or within 800 feet of it.

The Project includes 4 car share spaces for the residential use (392 dwelling units) where 4 are required by Code. Therefore, the Project complies with Section 163.

T. **Unbundled Parking (Section 167)**. The Planning Code requires all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.

The Project will lease or sell all accessory off-street parking spaces separately from the rental or purchase fees for dwelling units for the life of the dwelling units. Therefore the Project complies with Section 167.

U. **Transportation Demand Management (TDM) Plan (Section 169).** The Planning Code requires applicable projects to finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit.

The Project submitted a completed Environmental Evaluation Application prior to July 14, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 11 points (50% of 22). As currently proposed, the Project will achieve its required 14 points through the following TDM measures:

- Parking Supply (Option G)
- Unbundled Parking (Option C)
- Bicycle Parking (Option A)
- Car Share Parking (Option A)

Therefore the Project complies with Section 169.

V. **Dwelling Unit Mix (Section 207.7).** The Planning Code requires that no less than 25% of the total number of proposed dwelling units shall contain at least two bedrooms and that no less than 10% of the total number of proposed dwelling units shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units and units counted towards the three bedroom requirement may also count towards the requirement for units with two or more bedrooms

The Project will provide the following dwelling unit mix: 199 one-bedroom units (51%), 144 two-bedroom units (37%), and 49 three-bedroom units (12%). With 49% of the dwelling units containing at least two bedrooms, the Project exceeds the dwelling unit mix requirement. Therefore, the Project complies with Section 207.7.

W. **Height (Section 260).** Planning Code requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height.

The Project is located within a 320-I Height and Bulk District; as such, the total height of the building is otherwise limited to 320 feet above grade. The Project proposes a structure reaching a height of 443'-

9" feet to the top of the last occupiable story, with mechanical equipment and penthouses above, reaching a height of 462'-3". Up to 20 feet for rooftop mechanical equipment and screening for such feature are exempt from the height measurements of the Code, under Section 260(b)(1)((F)(ii). The additional height allows the Project to achieve the permitted 35% density bonus under the State Density Bonus Program, thereby adding 10 additional floors, or 101 additional dwelling units. The building has been designed with setbacks so that the massing will not overwhelm the corner of Folsom and Hawthorne Streets, helping to reinforce a pedestrian scale. Beginning at the sixth floor (or approximately 63' feet above grade), the building establishes a distinctive streetwall, with a 5'-6" setback for a length of 100 feet on the Hawthorne Street façade and a 40' setback for a length of 36'-6" along the Folsom Street façade. Together, these setbacks help reduce the apparent massing of the Project while providing 3,204 square feet of open space on the 5th floor that is open to the sky above. Changes in the depth of both the Hawthorne and Folsom Street façades above the 6th floor, as well as changes in materials provide variety and architectural articulation.

Strict enforcement of the Code would physically preclude the construction of the Project with the additional 101 dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law and proposes a waiver for the reduction of site development standards for height, which are defined in Section 250.

X. **Bulk (Section 270)**. The Planning Code establishes bulk controls by district. The Project Site is located in the "I" Bulk District, where controls apply above 150 feet in height. Above 150 feet in height, the maximum plan length is 170 feet and the maximum diagonal dimension is 200 feet.

The Project's maximum plan length is 150'-4" and maximum diagonal dimension is 187'-10", both of which are under the limits established by Code. Therefore the Project is compliant with Section 270.

Y. **Shadows on Parks (Section 295)**. The Planning Code requires a shadow analysis for projects over 40 feet in height to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

The Planning Department prepared an initial shadow fan that indicated the proposed Project may cast a shadow on Guy Place Park ("Park"), a property under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department"). The Park will be located at 4-8 Guy Place, in the Rincon Hill neighborhood, with a total area of approximately 4,000 square feet. The concept plan of the Park includes columns with vegetation around the perimeter, and a row of columns with vegetation through the middle section of the Park. The Park will include a combination of grass and granite pavement, with benches and water features in three separate areas.

As the Park is currently under construction and has not opened, it is not possible to conduct site visits to observe park use. Without information about observations of park use, it is not possible to assess the

effects of shading on the use and enjoyment of the park for the purpose of environmental evaluation pursuant to the California Environmental Quality Act (CEQA). An assessment of shadow impacts on the use and enjoyment of a park that is under construction would be speculative, and therefore, pursuant to the CEQA guidelines section 15145, should not be considered when making an impact determination.

To evaluate the design of the Project, a project-specific shadow study ("Shadow Study") was performed using a detailed 3-D model. The analysis performed by RWDI consultants modeled the proposed Project and site consistent with the projects architectural and engineering plan description in addition to utilizing high resolution topography mapping. RWDI's methodology and base data is considered highly accurate and to the appropriate level of detail required for a Section 295 shadow analysis. The results of the Shadow Study, including a quantitative analysis of potential shadow impacts on Section 295 parks and qualitative analysis of project consistency with other Planning Code sections regulating new shadow [Sections 146(c), 147, and 260(b)(1)(M)], and potential significant shadow impacts under CEQA were discussed in the Project's Community Plan Exemption certificate.

The Shadow Study indicates the existing shadow on the proposed Park would be approximately 11,597,777 square foot-hours, which is 72.34 percent of theoretically available annual sunlight. With the proposed Project, Guy Place Park would be shaded for an additional 1,949 square-foot-hours during the year, an increase of 0.01 percent. Shadowing of the Park from the proposed Project would occur during January 29 through January 31, February 6 through March 1, and October 11 through November 11, for a total of 59 days. The average duration of the daily net new shadow would be 11 minutes, with the net new shadow occurring between 3:23 p.m. to 4:18 p.m. and the maximum duration of the net new shadow would be 16 minutes occurring on February 18 and February 20. The average size of the net new shadows would be approximately 180 square feet. The largest shadow would be predicted to be approximately 534 square feet, occurring at 3:56 p.m. on February 16.

However, as the additional 0.01 percent shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow on the Park as a result of the Project would be negligible. Therefore, the impact of new shadow from the proposed project on Guy Place Park would not be adverse and is not expected to interfere with the use of the Guy Place Park.

Z. **Inclusionary Affordable Housing Program (Section 415)**. The Planning Code sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date of the accepted Project Application. A Project Application was accepted on July 14, 2016; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 18% of the proposed dwelling units as affordable.

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

the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be rental units and will remain as rental units for the life of the project. The Project Sponsor submitted such Affidavit on January 25, 2019. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Project Application.

The Environmental Evaluation Application was accepted on July 14, 2016; therefore, pursuant to Planning Code Section 415.3, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide a minimum of 18% of the total proposed dwelling units as affordable. The on-site Inclusionary rate is broken into three separate income tiers: 10% of the units must be made available to low-income households with affordable rents set 55% AMI, 4% must be made available to moderate income households with rents set at 80% AMI, and 4% must be made available to middle-income households with rents set at 120% AMI. A Project Sponsor may use their on-site Inclusionary units to qualify for a density bonus under the State Density Bonus Law ("State Law"). In order to achieve the maximum allowable bonus density (35%) under the State Density Bonus Law, the Project must provide a minimum of 11% of the units available to very low- income households (up to 50% AMI). The Project Sponsor has reduced the affordable rental rates from 55% AMI to 50% AMI, and has increased the number of affordable units provided at 50% AMI by 1%. Therefore, the effective inclusionary rate is 19% as applied to the 291 units representing the base proportion of the project, or 55 dwelling units (28 one-bedroom, 20 two-bedroom, and 7 three-bedroom units). If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

7. **Exceptions Request Pursuant to Planning Code Section 309.** The Planning Commission has considered the following exceptions to the Planning Code, makes the following findings, and grants each exception to the Project as further described below:

   A. Ground-level Wind Current (Section 148). In the C-3 zoning districts, new buildings are required to be shaped, or other wind-baffling measures adopted, so that the building will not cause ground-level wind currents to exceed the comfort level of 11 m.p.h equivalent wind speed in areas of substantial pedestrian use or 7 m.p.h. equivalent wind speed in public seating areas, for more than 10 percent of the time year-round, between 7 am and 6 pm. If pre-existing wind speeds exceed the comfort level, or if the building would cause speeds to exceed the comfort level, the building should be designed to reduce wind speeds to the comfort level.

   Exceptions can be granted pursuant to Section 309 allowing the building to add to the amount of time the comfort level is exceeded if (1) the building cannot be shaped and other wind-baffling features cannot be adopted without creating an unattractive and ungainly building form, and without unduly restricting the development potential of the site; and (2) the addition is insubstantial, either due to the limited amount of exceedances, the limited location where the

exceedances take place, or the short time when the exceedances occur. No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

Independent consultants RWDI analyzed ground-level wind currents in the vicinity of the Project Site, and performed a wind tunnel analysis of three scenarios: existing, existing plus Project, and Project plus cumulative. The study ("Wind Study") measured wind speeds for the existing, existing plus Project, and cumulative scenario. As with the PEIR wind study, the cumulative scenario included a model of all relevant surrounding buildings and topography within a 1,600 foot radius of the Project Site. The model included 37 grade-level wind speed sensors to measure wind speeds in crucial pedestrian areas, including the main entrance and sidewalks along adjacent and nearby streets. The number of test points in the project vicinity were greater than the number of locations in the project vicinity addressed in the TCDP PEIR wind study. Therefore, the wind assessment provides a more fine-grained analysis than the PEIR of the Project's potential wind impacts.

Comfort Criterion
Pedestrian comfort effects related to wind are evaluated based on criteria in the Planning Code and are provided for informational purposes. There are no applicable thresholds of significance under CEQA that have been adopted by the City with respect to pedestrian comfort relative to wind. Under existing conditions, wind speeds are predicted to average 12 m.p.h. across all measured locations on pedestrian walkways. Wind speeds east of the Project Site are anticipated to be moderate, generally ranging between 6 and 11 m.p.h., while most areas west of the Project Site are generally anticipated to exceed the 11 m.p.h. criterion of the Planning Code. Under the existing plus Project scenario, average wind speeds around the project site would be expected to increase slightly, resulting in a 13 m.p.h. average wind speed for all grade-level locations. Under the Project plus cumulative scenario, the addition of surrounding future developments would not be anticipated to substantially change wind comfort conditions around the Project Site. The average wind speed would remain similar to the existing plus Project scenario, at 13 m.p.h.

However, the proposed Project will result in new or additional exceedances at 6 of the 37 locations tested under the Wind Study. These include the following locations within the immediate vicinity of the Project Site: #4 (northeast corner of Hawthorne and Folsom Streets); #8 (north side of Folsom, midblock between Hathorne and Second Streets); #13 (south side of Folsom, midblock between Hathorne and Second Streets); #14 (south side of Folsom, midblock between Hathorne and Second Streets); #32 (west side of Hawthorne, midblock between Folsom and Howard Streets); and #33 (west side of Hawthorne, midblock between Folsom and Howard Streets). Net new exceedances would occur at locations #8, #13, and #14, with an average increase in wind speed of approximately 5 miles per hour. For existing exceedance locations #4, #32, and #33, two of those locations (#4 and #32) would experience an average increase in wind speed of approximately 2 miles per hour, while one location (#33) would remain the same with no increase in wind speed. Moreover, of the 15 existing exceedance locations, 12 locations will be reduced or remain the same with the addition of the Project.

Although the Project was designed to reduce the ambient wind speeds, the proposed building cannot be shaped and other wind-baffling measures cannot be adopted without significantly restricting the

development potential of the building. The balance of the new exceedances are extremely limited in terms of location because they only affect two locations on each side of Folsom Street in the vicinity of the proposed Project. All the other locations tested between and around those locations will not exceed existing wind speeds.

Hazard Criterion

The wind assessment found that that while most of the locations evaluated in the Wind Study meet the 26-m.p.h. wind hazard criterion, three locations exceed the criterion under existing conditions. Two of the locations evaluated that exceed the hazard criterion are along the project frontage on the east side of Hawthorne Street, and the third is on the south side of Folsom Street, west of Hawthorne Street. The Wind Study found that the proposed Project would reduce the number of locations that exceed the hazard criterion from three to two. As the proposed Project under the existing plus Project would result in a reduction in the number of locations that would exceed the hazard criterion, the Project would not cause adverse wind impacts or result in new hazardous wind conditions in or around the Project Site.

Conclusion

The Wind Study demonstrates that the Project would overall reduce the wind comfort exceedances, however the comfort exceedances would not be entirely reduced. Exceeding the pedestrian comfort criteria, and not eliminating all of the pre-existing comfort exceedances, requires an exception pursuant to Section 309 (Downtown Project Authorization). As such, the Project Sponsor requests one exception from the ground-level wind current requirements of the Planning Code (Section 148). The proposed Project will result in new or additional exceedances at six of the locations tested under the Wind Study. However, of the 15 existing exceedances, 12 will be reduced or remain the same with the addition of the Project.

It is unlikely the Project could be designed in a manner that would affect wind conditions substantially enough to eliminate all existing exceedances, particularly considering the number of high-rise buildings existing and under construction in immediate proximity to the Project Site. The majority of the locations where wind speeds would exceed the comfort criterion are not immediately adjacent to the Project Site, making it infeasible to incorporate wind baffles or other design features to reduce wind at these locations, without creating an unattractive building or unduly restricting the development potential of the Project.

As a result, the proposed Project would not result in new or peculiar impacts, or adverse effects of greater severity than were already analyzed and disclosed in the TCDP PEIR with respect to the wind comfort criteria. Therefore, a 309 exception is warranted pursuant to Section 148.

8. **State Density Bonus Program Findings.** Pursuant to Planning Code Section 206.6(e), the Planning Commission shall make the following findings as applicable for any application for a Density Bonus, Incentive, Concession or Waiver for any Individually Requested Density Bonus Project:

A. The Housing Project is eligible for the Individually Requested Density Bonus Program.

The Project consists of five or more dwelling units on a site that in the C-3-O(SD) Zoning District that is currently developed as a five-story structure containing only non-residential uses (office use) and is, therefore, eligible for the Individually Requested Density Bonus Program.

B. The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided.

The Project is requesting waivers from five development standards and is not seeking any concessions or incentives under the Individually Requested Density Bonus Program.

C. If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted.

The Project includes the demolition of the existing five-story office building and construction of a new 42-story residential building. The Project would contain a mix of 199 one-bedroom units, 144 two-bedroom units, and 49 three-bedroom units totaling 392 dwelling units, with 55 dwelling units provided as affordable.

In order to achieve the proposed residential density, the Project is requesting five waivers from development standards, including: 1) Setbacks and Streetwall Articulation (Section 132.1(c)(1)); 2) Rear Yard (Section 134); 3) Common Useable Open Space (Section 135(g)); 4) Dwelling Unit Exposure (Section 140); and 5) Height (Section 250). Without the waivers, the Project will be physically precluded from constructing the additional 101 units as permitted under the Individually Requested Density Bonus Program, thus preventing the Project from achieving a 35% density bonus.

D. If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met.

The Density Bonus for the Project is not based on any donation of land; and is therefore not applicable.

E. If the Density Bonus, Concession or Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met.

The requested Density Bonus for the Project is not based on the inclusion of a Child Care Facility; and is therefore not applicable.

F. If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k)(2) have been met.

The Project is not seeking any concessions or incentives under the Individually Requested Density Bonus Program.

9. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the Transit Center District Plan ("TCDP") (a sub-area of the Downtown Area Plan), the Downtown Area Plan, and the General Plan as follows:

GENERAL PLAN: HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1
Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4
Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5
Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

OBJECTIVE 11:
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

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

Policy 11.2
Ensure implementation of accepted design standards in project approvals.

Policy 11.3
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:
Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8
Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12
BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.1
Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.2
Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

Policy 12.3
Ensure new housing is sustainably supported by the City's public infrastructure systems.

OBJECTIVE 13
PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1
Support "smart" regional growth that located 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.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7
Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: COMMERCE AND INDUSTRY

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2
USE THE EXISTING TRANSPORTATION INFRASTRUCTURE AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1
Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development and coordinate new facilities with public and private development.

DOWNTOWN AREA PLAN

OBJECTIVE 2

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.1
Encourage prime downtown office activities to grow as long as undesirable consequences of growth can be controlled.

Policy 2.2
Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

OBJECTIVE 7
EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

Policy 7.1
Promote the inclusion of housing in downtown commercial developments.

Policy 7.2
Facilitate conversion of underused industrial and commercial areas to residential use.

OBJECTIVE 10
ASSURE THAT OPEN SPACES ARE ACCESSIBLE AND USABLE.

Policy 10.2
Encourage the creation of new open spaces that become a part of an interconnected pedestrian network.

TRANSIT CENTER DISTRICT PLAN: LAND USE

Policy 1.2:
Revise height and bulk districts in the Plan Area consistent with other Plan objectives and considerations.

Policy 1.4:
Prevent long-term under-building in the area by requiring minimum building intensities for new development on major sites.

TRANSIT CENTER DISTRICT PLAN: URBAN FORM

OBJECTIVE 2.2:
CREATE AN ELEGANT DOWNTOWN SKYLINE, BUILDING ON EXISTING POLICY TO CRAFT A DISTINCT DOWNTOWN "HILL" FORM, WITH ITS APEX AT THE TRANSIT CENTER, AND TAPERING IN ALL DIRECTIONS.

OBJECTIVE 2.3:

FORM THE DOWNTOWN SKYLINE TO EMPHASIZE THE TRANSIT CENTER AS THE CENTER OF DOWNTOWN, REINFORCING THE PRIMACY OF PUBLIC TRANSIT IN ORGANIZING THE CITY'S DEVELOPMENT PATTERN, AND RECOGNIZING THE LOCATION'S IMPORTANCE IN LOCAL AND REGIONAL ACCESSIBILITY, ACTIVITY, AND DENSITY.

Policy 2.3:
Create a balanced skyline by permitting a limited number of tall buildings to rise above the dense cluster that forms the downtown core, stepping down from the Transit Tower in significant height increments.

OBJECTIVE 2.12:
ENSURE THAT DEVELOPMENT IS PEDESTRIAN-ORIENTED, FOSTERING A VITAL AND ACTIVE STREET LIFE.

OBJECTIVE 2.13:
ENACT URBAN DESIGN CONTROLS TO ENSURE THAT THE GROUND-LEVEL INTERFACE OF BUILDINGS IS ACTIVE AND ENGAGING FOR PEDESTRIANS, IN ADDITION TO PROVIDING ADEQUATE SUPPORTING RETAIL AND PUBLIC SERVICES FOR THE DISTRICT.

TRANSIT CENTER DISTRICT PLAN: PUBLIC REALM

OBJECTIVE 3.8
ENSURE THAT NEW DEVELOPMENT ENHANCES THE PEDESTRIAN NETWORK AND REDUCES THE SCALE OF LONG BLOCKS BY MAINTAINING AND IMPROVING PUBLIC ACCESS ALONG EXISTING ALLEYS AND CREATING NEW THROUGH-BLOCK PEDESTRIAN CONNECTIONS WHERE NONE EXIST.

Policy 3.11
Prohibit the elimination of existing alleys within the District. Consider the benefits of shifting or re-configuring alley alignments if the proposal provides an equivalent or greater degree of public circulation.

Policy 3.12
Design new and improved through-block pedestrian passages to make them attractive and functional parts of the public pedestrian network.

OBJECTIVE 4.1:
THE DISTRICT'S TRANSPORTATION SYSTEM WILL PRIORITIZE AND INCENTIVIZE THE USE OF TRANSIT. PUBLIC TRANSPORTATION WILL BE THE MAIN, NON-PEDESTRIAN MODE FOR MOVING INTO AND BETWEEN DESTINATIONS IN THE TRANSIT CENTER DISTRICT.

Policy 4.5:

Support funding and construction of the Transbay Transit Center project to further goals of the District Plan, including completion of the Downtown Extension for Caltrain and High Speed Rail.

The Project is located within an existing high-density downtown area which was re-zoned as part of an area plan to design development around the Transbay Transit Center. The Transbay Transit Center is designed to be the Bay Area's hub of intermodal public transportation, with corresponding infrastructure improvements in this area of downtown. The overarching premise of the Transit Center District Plan ("TCDP") is to continue the concentration of additional growth where it is most responsible and productive to do so—in proximity to San Francisco's greatest concentration of public transit service. The increase in development, in turn, will provide additional revenue for the Transit Center project and for the necessary improvements and infrastructure in the District. Meanwhile, the well-established Downtown Plan envisions a series of high-density residential areas ringing the area, enabling people to live within walking distance of the central business district. The integration of housing reduces the burden on the transit systems, and helps to enliven the central district. This Project implements the vision of both Plans through the construction of 392 dwelling units located within walking distance of the Transbay Transit Center, as well as the Downtown Core.

One of the specific goals of the Transit Center Plan is to leverage increased development intensity to generate revenue that will enable the construction of new transportation facilities, including support for the Transbay Transit Center, including the Downtown Rail Extension. These revenues will also be directed toward improvements to sidewalks and other important pedestrian infrastructure to create a public realm that is conducive to, and supportive of pedestrian travel. With approximately 476,000 gross square feet of residential uses, including approximately 3,500 gross square feet of retail uses, the Project will contribute substantial financial resources toward these improvements, and will also serve to leverage these investments by focusing intense employment growth within the core of planned transportation services.

The Project would add a significant amount of housing to a site that is currently underutilized, well-served by existing and future transit, and is within walking distance of substantial goods and services. Future residents can walk, bike, or access BART, MUNI, or regional bus service from the Project Site, including all future modes of public transportation proposed to terminate in nearby Transbay Transit Center.

B. **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 complies with said policies in that:

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

   The Project would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail. Moreover, the Project would not displace any existing neighborhood-serving retail uses.

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

   The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing given the existing building contains only non-residential uses (office use). The Project would improve the existing character of the neighborhood by developing a high-density residential structure with 392 dwelling units, including on-site affordable units.

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

   The Project Site is developed as a five-story building containing only non-residential uses (office use). As such, no existing resident units will be removed. The Project will provide 392 dwelling units, adding to the City's housing supply. The Project will comply with the City's Inclusionary Affordable Housing Ordinance, providing 19 percent of the units as affordable (55 Below Market Rate units provided on-site), as well as paying the Affordable Housing Fee for the bonus density floor area conferred through the State Density Bonus Program.

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

   The Project would not impede MUNI transit service or overburden local streets or parking. The Project is at a location well-served by transit as it is located in a major transit corridor and would promote rather than impede the use of MUNI transit service. Future residents and employees of the Project could access both the existing MUNI rail and bus services. The Project also provides a minimum amount of off-street parking for future residents so that neighborhood parking will not be overburdened by the addition of new residents.

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

   The Project is wholly a residential building and would not negatively affect the industrial and service sectors, nor would it displace any existing industrial uses. The Project would also be consistent with the character of existing development in the neighborhood, which is characterized by neighborhood serving retail and residential high-rise buildings.

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

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

7. That landmarks and historic buildings be preserved.

   Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

   A Shadow Study indicates the proposed Project would cast a shadow on Guy Place Park ("Park"), a property under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department") pursuant to Section 295. The Shadow Study indicates the existing shadow on the proposed Park would be approximately 11,597,777 square foot-hours, which is 72.34 percent of theoretically available annual sunlight. With the proposed Project, Guy Place Park would be shaded for an additional 1,949 square-foot-hours during the year, an increase of 0.01 percent.

   However, as the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow on the Park as a result of the Project would be negligible. Therefore, the impact of new shadow from the proposed project on Guy Place Park would be less than significant.

   Shadow from the proposed Project on public plazas, and other publicly-accessible spaces other than those protected under Section 295 would be generally be limited to certain days of the year and would be limited in duration on those days. Shadow impacts of the proposed Project would be significant and unavoidable on both the Marriott Courtyard A & B and the 611 Folsom Street Plaza. However, these significant shadow impacts were disclosed in the TCDP PEIR, and the proposed Project would not result in new or substantially more significant impacts related to shadow that were not previously identified in the TCDP PEIR.

C. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

D. 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.

E. The Commission hereby finds that approval of the Downtown 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 Downtown Project Authorization Application No. 2016-001794DNX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 29, 2019, 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 improvement and mitigation measures identified in the Transit Center District 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 309 /Downtown 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 June 27, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 27, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a **Downtown Project Authorization and Request for Exceptions and Make Findings Related to Requested Waivers from Development Standards Pursuant to State Density Bonus Law** relating to a project that would demolish an existing 5-story commercial office building and construct of a new 42-story, approximately 444-foot tall residential building, located at 95 Hawthorne Street, within Lot 012 of Assessor's Block 3735, and exception pursuant to Planning Code Sections 309 and 148 within the C-3-O(SD) Zoning District and a 320-I Height and Bulk District; in general conformance with plans, dated **May 29, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2016-001794DNXSHD** and subject to conditions of approval reviewed and approved by the Commission on **June 27, 2019** 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 **June 27, 2019** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Additional Project Authorization**. The Project Sponsor must obtain an allocation of allowable shadow effects to properties protected by Section 295. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

7. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

8. **Transferable Development Rights.** Pursuant to Section 128, the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development which exceeds the base FAR of 6.0 to 1, up to an FAR of 9.0 to 1. The net addition of gross floor area subject to this requirement shall be determined based on drawings submitted with the Building Permit Application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

9. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

11. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

12. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

13. **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

14. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Transformer Vault Location.** 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 in consultation with Public Works shall require the following location(s) for transformer vault(s) for this project: building frontage. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, http://sfdpw.org

16. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.
For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

17. **Noise**. Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

18. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

19. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

20. **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 TDM Performance Manager at tdm@sfgov.org or 415-558-6377, www.sf-planning.org.

21. **Parking for Affordable Units.** 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

22. **Car Share.** Pursuant to Planning Code Section 166, no fewer than **4** 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

23. **Bicycle Parking.** The Project shall provide no fewer than **173** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

24. **Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than **196** off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

25. **Off-Street Loading.** Pursuant to Planning Code Section 152, the Project will provide **3** off-street loading spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

26. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

27. **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

28. **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

29. **Transportation Brokerage Services - C-3, EN, and SOMA.** Pursuant to Planning Code Section 163, the Project Sponsor shall provide on-site transportation brokerage services for the actual lifetime of the project. Prior to the issuance of any certificate of occupancy, the Project Sponsor shall execute an agreement with the Planning Department documenting the project's transportation management program, subject to the approval of the Planning Director.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

30. **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

31. **Downtown Park Fee - C-3 District.** The Project is subject to the Downtown Park Fee, as applicable, pursuant to Planning Code Section 412.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

32. **Jobs-Housing Linkage**. The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

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

33. **Residential Child Care Impact Fee.** 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

34. **Inclusionary Affordable Housing Program.** 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.

    A. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 19% of the proposed dwelling units as affordable to qualifying households. The area represented by the allowable base density accounts for 74% of the total project, or 291 of the proposed 392 units; therefore, the Inclusionary rate is applied to 291 units, and 55 affordable units are required. The Project will fulfill this requirement by providing the 55 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from the Planning Department in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").
    For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

    B. **Unit Mix.** The Project contains 199 one-bedroom, 144 two-bedroom, and 49 three-bedroom units; therefore, the required affordable unit mix is, 28 one-bedroom, 20 two-bedroom, and 7 three-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.
    For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

    C. **Mixed Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 19% of the proposed dwelling units as affordable to qualifying households, which applies to the area represented by the allowable base density, or 291 of the proposed 392 units. . Planning Code 415.6 requires 11% of the units must be affordable to low-income households, at least 4% must be affordable to moderate income households, and at least 4% must be affordable to middle income households. Rental Units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area

Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 110% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units. For any affordable units with rental rates set at 110% of Area Median Income, the units shall have a minimum occupancy of two persons. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

As required for the project to achieve a 35% density bonus under the State Density Bonus Law, the project sponsor is reducing the rental rates for the low-income units, and providing the required low-income units as affordable for a term of 55 years to households earning less than 50% of the area median income. Upon the expiration of the 55-year term, these units shall thereafter be affordable to qualifying households at a rental rate of 55% of Area Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

D. **Minimum Unit Sizes.** Pursuant to Planning Code Section 415.6(f)(2), the affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the affordable units shall not be less than the applicable percentage applied to the total residential floor area of the principal project, provided that a 10% variation in floor area is permitted.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

E. **Conversion of Rental Units**: In the event one or more of the Rental Units are converted to Ownership units, the project sponsor shall either (A) reimburse the City the proportional amount of the inclusionary affordable housing fee, which would be equivalent to the then-current inclusionary affordable fee requirement for Owned Units, or (B) provide additional on-site or off-site affordable units equivalent to the difference between the on-site rate for rental units approved at the time of entitlement and the then-current inclusionary requirements for Owned Units. The additional units shall be apportioned among the required number of units at various income levels in compliance with the requirements in effect at the time of

conversion. Should the project sponsor convert rental units to ownership units, a greater number of on-site affordable units may be required, as the Inclusionary Affordable Housing Units in ownership projects are priced at higher income levels, and would not qualify for a 35% density bonus at the very low-income level.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

F. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation shall comply with the designation standards published by the Planning Department and updated periodically.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

G. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than 19% or the applicable percentage as discussed above, of each phase's total number of dwelling units as on-site affordable units.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

H. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

I. **Expiration of the Inclusionary Rate.** Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. XXXXX, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.*

J. **Reduction of On-Site Units after Project Approval.** Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

K. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.*

i. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building; and (3) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing**.** Other specific standards for on-site units are outlined in the Procedures Manual.

ii. If the units in the building are offered for rent, the affordable units that satisfy both the Density Bonus law and the Inclusionary Affordable Housing Program shall be rented to very low-income households, as defined as households earning 50% of AMI in the California Heath and Safety Code Section 50105 and or California Government Code Sections 65915-65918, the State Density Bonus Law. The income table used to determine the rent and income levels for the Density Bonus units shall be the table required by the State Density Bonus Law. If the resultant rent or income levels at 50% AMI under the table required by the State Density Bonus Law are higher than the rent and income levels at 55% of AMI under the Inclusionary Affordable Housing Program, the rent and income levels shall default to the maximum allowable rent and income levels for affordable units under the Inclusionary Affordable Housing Program. After such Density Bonus units have been rented for a term of 55 years, the subsequent rent and income levels of such units may be adjusted to 55% of Area Median Income under the Inclusionary Affordable Housing Program, using an income tabled called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco" and shall remain affordable for the remainder of the life of the project. The initial and subsequent rent level of such units shall be calculated

according to the Procedures Manual. The remaining unit(s) being offered for rent shall be rented to qualifying households, as defined in the Planning Code and Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of fifty-five (55) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

iii. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

iv. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.

v. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

vi. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, Including penalties and interest, if applicable.

35. **Transit Center District Open Space Fee.** Pursuant to Section 424.6, the Project Sponsor shall pay a fee of to be deposited in the Transit Center District Open Space Fund.
For information about compliance, contact the Planning Department at 415-558-6378, www.sf-planning.org

36. **Transit Center District Transportation and Street Improvement Fee.** Pursuant to Section 424.7, the Project Sponsor shall pay a fee which will be deposited in the Transit Center District Transportation and Street Improvement Fund.
For information about compliance, contact the Planning Department at 415-558-6378, www.sf-planning.org

37. **Transit Center District Mello Roos Community Facilities District Program.** Pursuant to Section 424.8, the Project Sponsor is required to participate in a Transit Center District Mello Roos Community Facilities District (CFD) and to include the Project Site in the CFD prior to issuance of the First Temporary Certificate of Occupancy for the Project.
For information about compliance, contact the Planning Department at 415-558-6378, www.sf-planning.org

38. **Art.** The Project is subject to the Public Art Fee, as applicable, pursuant to Planning Code Section 429.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

39. **Art Plaques.** Pursuant to Planning Code Section 429(b), the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

40. **Art - Residential Projects.** Pursuant to Planning Code Section 429, the Project Sponsor must provide on-site artwork, pay into the Public Artworks Fund, or fulfill the requirement with any combination of on-site artwork or fee payment as long as it equals one percent of the hard construction costs for the Project as determined by the Director of the Department of Building Inspection. The Project Sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder. Payment into the Public Artworks Fund is due prior to issuance of the first construction document.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

41. **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

42. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

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

OPERATION

44. **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

45. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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

46. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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Planning Commission Draft Motion

HEARING DATE: JUNE 27, 2019

Record No.:	2016-001794DNXSHD
Project Address:	95 Hawthorne Street
Zoning:	C-3-O(SD) Downtown-Office (Special Development) 320-I Height and Bulk District Downtown and Transit Center District Plan Areas
Block/Lot:	3735/012
Project Sponsor:	Trammell Crow Residential c/o: John Kevlin Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104
Property Owner:	John Hancock Life Insurance Company Attn: Robert Maulden 197 Clarendon Street Boston, MA 02116 San Francisco, CA 94103
Staff Contact:	Nicholas Foster, AICP, LEED GA – (415) 575-9167 nicholas.foster@sfgov.org
Recommendation:	**Approval with Conditions**

ADOPTING FINDINGS WITH THE RECOMMENDATION OF THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON GUY PLACE MINI PARK BY THE PROPOSED PROJECT AT 95 HAWTHORNE STREET WOULD NOT BE ADVERSE TO THE USE OF GUY PLACE MINI PARK.

PREAMBLE

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

On February 7, 1959, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K, which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the shadow would not be significant. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted a memorandum ("1989 Memorandum") which identified

quantitative and qualitative criteria for determinations of significant shadows in parks under the jurisdiction of the Recreation and Park Department.

The 1989 Memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. Guy Place Mini Park ("Park") is a proposed new park under the jurisdiction of the Recreation and Park Department. The Park was not named in the 1989 Memorandum and is considered a small park which is shadowed more than 20 percent of the time during the year. As such, the 1989 Memorandum recommended that no additional shadow could be potentially permitted unless the shadow meets the qualitative criteria of the 1989 Memorandum. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new shadow on the Park would require hearings at the Recreation and Park Commission and the Planning Commission.

The proposed Park, located at 4-8 Guy Place within the Rincon Hill neighborhood, would contain a total area of 0.098 acres (4,308 square feet). The concept plan of the Park includes columns with vegetation around the perimeter , and a row of columns with vegetation through the middle section of the Park. The Park will include a combination of grass and granite pavement, with benches and water features in three separate areas. As the Park is currently under construction and has not opened to the public—tentative opening is September, 2019—it is not possible to conduct site visits to observe park use. Without information about observations of park use, it is not possible to assess the effects of shading on the use and enjoyment of the park for the purpose of environmental evaluation pursuant to the California Environmental Quality Act (CEQA). An assessment of shadow impacts on the use and enjoyment of a park that is under construction would be speculative, and therefore, pursuant to the CEQA guidelines section 15145, should not be considered when making an impact determination.

On October 17, 2018, John Kevlin of Reuben, Junius & Rose, LLP, acting on behalf of Trammell Crow Residential (hereinafter "Project Sponsor"), filed Shadow Analysis application No. 2016-001794SHD to analyze shadow impacts associated with the proposed project ("Project") located at 95 Hawthorne Street, within Lot 012 of Assessor's Block 3735. The Project includes the demolition the existing five-story office building and construction of a new 42-story residential building reaching a height of 443'-9"tall (462'-3" including rooftop mechanical equipment) with approximately 3,500 square feet of ground-floor retail. The Project would contain a mix of 199 one-bedroom units, 144 two-bedroom units, and 49 three-bedroom units totaling 392 dwelling units, with 19 percent of the total units (55 dwelling units) provided as affordable (Below Market Rate). The Project would provide 107 off-street vehicle parking spaces, 4 car-share spaces, and 3 freight loading spaces within a below-grade garage in addition to 184 Class 1 and 24 Class 2 bicycle parking spaces. The Project is utilizing the Individually-Requested State Density Bonus Program to achieve a density bonus thereby maximizing residential density on the Site. The subject property is located within the C-3-O(SD) Zoning District and a 320-I Height and Bulk District.

To evaluate the design of the Project, a project-specific shadow study ("Shadow Study") was performed using a detailed 3-D model. The analysis performed by RWDI consultants modeled the proposed Project and site consistent with the projects architectural and engineering plan description in addition to utilizing high resolution topography mapping. RWDI's methodology and base data is considered highly accurate

and to the appropriate level of detail required for a Section 295 shadow analysis. The results of the Shadow Study, including a quantitative analysis of potential shadow impacts on Section 295 parks and qualitative analysis of project consistency with other Planning Code sections regulating new shadow [Sections 146(c), 147, and 260(b)(1)(M)], and potential significant shadow impacts under CEQA were discussed in the Project's Community Plan Exemption certificate.

The Shadow Study indicates the Theoretical Annual Available Sunlight ("TAAS") on Guy Place Mini Park is 16,032,707 square-foot hours of sunlight on an annual basis. The Study shows existing shadow on the Park would be approximately 11,597,777 square foot-hours, which, is 72.34 percent of TAAS The proposed Project would result in new shadows falling on the park, adding 1,942 annual square foot hours (sfh) of shadow and increasing shadow load by 0.01% above current levels, resulting in an increase in the total annual shading from 72.34% to 72.35% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the Project would be present between February and October in late afternoon hours and would fall on the northeastern quarter of the park and cast new shadows on the park entry, the basketball court, the northern children's play area, lawn areas, and several fixed benches. Shadowing of the Park from the proposed Project would occur during January 29 through January 31, February 6 through March 1, and October 11 through November 11, for a total of 59 days . The average duration of the daily net new shadow would be 11 minutes, with the net new shadow occurring between 3:23 p.m. to 4:18 p.m. and the maximum duration of the net new shadow would be 16 minutes occurring on February 18 and February 20. The average size of the net new shadows would be approximately 180 square feet. The largest shadow would be predicted to be approximately 534 square feet, occurring at 3:56 p.m. on February 16.

On June 11, 2019, 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 Transit Center District Plan and was encompassed within the analysis contained in the Transit Center District Plan FEIR. Since the Transit Center District Plan FEIR was finalized, there have been no substantial changes to the Transit Center District Plan and no substantial changes in circumstances that would require major revisions to the FEIR 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 FEIR. The file for this Project, including the Transit Center District Plan FEIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

As the additional shadow cast by the proposed Project would occur for a brief amount of time during select portions of the year, the additional shadow on the Park as a result of the Project would be negligible. Therefore, the impact of new shadow from the proposed project on Guy Place Mini Park would be less than significant.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2016-001794SHD is located at 1650 Mission Street, Suite 400, San Francisco, California.

On June 27, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Shadow Analysis Application No. 2016-001794SHD.

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.

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. The additional shadow cast by the Project would not be adverse and is not expected to interfere with the use of the Park for the following reasons:

    a. The magnitude of the additional shadow is well below one percent of TAAS on an annual basis, and amounts to a reasonable and small loss of sunlight for a park in an area intended for increased building heights and residential density.

    b. When present, the new shadow would occur in the late afternoon entering the park between 3:23 p.m. to 4:18 p.m when lower levels of weekday and weekend use were observed relative to the peak usage time around noon, with the average duration of the net new shadow being 11 minutes, and never exceeding 16 minutes.

    c. Shading from the Project would be cast over the top of intervening buildings, which already cast shadows on the park.

    e. No single location within the park would be in continuous new shadow for longer than 16 minutes.

3. Public Outreach and Comment. The Department has not received any correspondence regarding the proposed Project. The Project Sponsor has conducted community outreach that includes local community groups.

4. A determination by the Planning Commission and the Recreation and Park Commission to allocate new shadow to the Project does not constitute an approval of the Project.

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 **DETERMINES**, under Shadow Analysis Application No. 2016-001794SHD that the net new shadow cast by the Project on Guy Place Mini Park will not be adverse to the use of Guy Place Mini Park.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 27, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

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London N. Breed, Mayor
Philip A. Ginsburg, General Manager

Date: Wednesday June 5th, 2019

To: Recreation and Park Commission
Capital Committee

Through: Philip A. Ginsburg, General Manager
Toks Ajike, Director, Capital & Planning Division

From: Brian Stokle, Planner, Capital & Planning Division

Subject: 95 Hawthorne St.,
Evaluation of Shadow on Guy Place Mini Park

Agenda Wording

Discussion and possible action to adopt a resolution recommending to the Planning Commission regarding whether or not the new shadow cast by the proposed project at 95 Hawthorne Street will have a significant adverse impact on the use of Guy Place Mini Park pursuant to Planning Code Section 295 (the Sunlight Ordinance).

Strategic Plan

The Recreation and Parks review of the shadow cast by this project supports the following objective in the Strategic Plan:

- Objective 1.2 - Strengthen the quality of existing parks and facilities.

Background

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K, which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department (RPD), unless the Planning Commission found the shadow would not be significant. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted a memorandum (the "1989 Memo") which identified quantitative and qualitative criteria for determinations of significant shadows in parks under the jurisdiction of the Recreation and Park Department. (Planning Commission Resolution No. 11595) See **Attachment A** for an overview on the quantitative and qualitative criteria.

Project Description

The project site is located at 95 Hawthorne Street, in the South of Market (SoMa) neighborhood on Assessor's Block 74, Lot 17. See **Attachment B** for a Project Location Map. The proposed project would demolish an existing building five story building, to construct a new 42-story residential building with ground floor retail space. The proposed project will be 462 feet tall, measured from Folsom Street to the

top of the mechanical penthouse would include 392 residential units, including 55 affordable units. The project includes 8 feet tall glass parapets on the rooftop at Level 42. The glass parapet will have no shadow impact, therefore, the 8 feet tall glass parapets are excluded from the shadow analysis.

See **Attachment C** for plans and images of the proposed project.

Surrounding Properties and Neighborhood

The area surrounding the proposed project site features several different zoning designations, including Downtown-Office (Special Development) (C-3-O (SD)), Downtown Support (C-3-S), Mixed use Office (MUO), Central Soma-Mixed Use Office (CMUO) and Mixed Use-Residential (MUR). Height-bulk designations vary between 200-CS to 350-CS. The existing buildings is surrounded with a mix of residential and commercial uses with buildings of varying heights from two stories tall, to Tehama's 35 stories and up to 50 stories at One Rincon Hill several blocks away.

Guy Place Park Description

Guy Place Mini Park is a public park that is under the jurisdiction of the Recreation and Park Department (RPD). The park is currently under construction and is scheduled to open later in 2019. It is a .098-acre (4,308 square feet) urban park located in the Rincon Hill neighborhood of San Francisco. The park is located on Guy Place off First Street near the approach to the Bay Bridge.

The park is designed for passive use as a respite from the urban environment. It offers contemplative space for quiet enjoyment as well as an opportunity for small-group gatherings. The design is characterized by a level site with three outdoor "rooms" that compose the park space, contain bench seating areas, and are framed with a variety of ornamental plants selected for habitat value to pollinators, seasonal interest, and pleasant fragrance. Nine new trees are included as part of the design.

No observations of park use were made as the site is currently under construction.

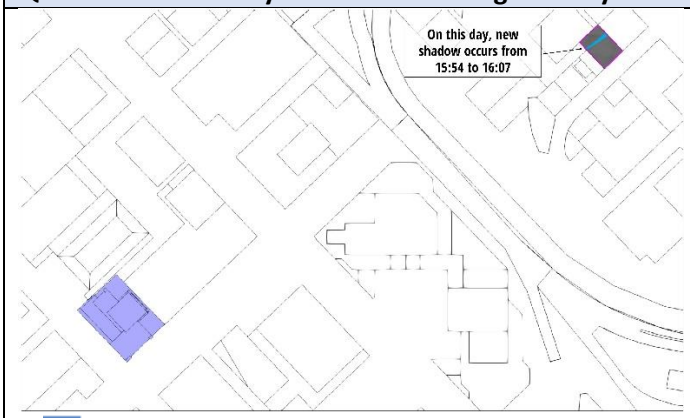
See **Attachment D** for a park diagram of Guy Place Mini Park.

Analysis of Project Impact on Guy Place Mini Park

A shadow analysis, prepared by RWDI and approved by the Planning Department, analyzed the potential shadow impacts of the 95 Hawthorne Project on Guy Place Mini Park. The proposed project would result in new shadows falling on the park, adding approximately 1,942 annual square foot hours (sfh) of shadow and increasing shadow load by 0.01% above current levels, resulting in an increase in the total annual shading from 72.34% to 72.35% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the Project would be present in late January, between February and March, as well as October through November, with all new shade occurring during late afternoon hours. The new shadow would fall through the center of the park, on areas that are already shaded during other times of the day.

See **Attachment E** for RWDI's Shadow Analysis, **Attachment F** for the Maximum Shadow Coverage Diagram.

Quantitative Summary of Shadow Findings on Guy Place Mini Park		
	Park Size: 0.98 acre or 4,308 sf	
	Square Foot Hours	**Percentage**
Theoretical Annual Available Sunlight (TAAS)	16,032,707 sfh	100%
Existing Shadow	11,597,777 sfh	72.34%
New Shadow	1,942 sfh	+0.01%
Total Shadow with Proposed Project	11,599,719 sfh	72.35%

Qualitative Summary of Shadow Findings on Guy Place Mini Park		
 *Max new shadow (February 16th at 3:56 pm)*	**Time of Day**	Early afternoon between 3:23-4:18pm
	Time of Year	End of January February to March October to November 59 total days
	Duration of Shadow	0-16 minutes, average 11 minutes
	Range in Size of New Shadow	Zero to 533.68 sf
	Day & Time of Maximum New Shading	Maximum New Shading (sfh) 533.68 sfh on Feb 18 & 20
		Largest New Shadow Area (sf) 533.68 sf, at 3:56pm on Feb 16
	Percentage of Park covered by largest shadow during Max new shading	12.39%
	Location of Shadow	Through the middle of the park
	Activities affected by new shadow	Sitting

Cumulative Shading Analysis

RWDI also analyzed new shadows cast by 18 other projects in the development pipeline. These projects were included in the analysis to determine the cumulative shadow impact on Guy Place Mini Park.

	Guy Place Mini Park
Existing Load	72.34%
95 Hawthorne	+0.01%
All Cumulative (incl. proposed project)	**+0.18%**

RWDI determined that the current design for future pipeline projects will cast a net new shadow of 0.18% on Guy Place Mini Park.

See **Attachment G** for the Cumulative Projects Map.

Project Alternative:
To eliminate all new shading on Guy Place Mini Park, any proposed project on this site would have to be reduced by 202 feet or 19 floors, resulting in the project having 228 fewer units (58% reduction) than currently planned.

Project-Related Public Good
The Project includes the following benefits to the public good:

- Approximately 392 new housing units, 193 of which will be family-sized units. Nineteen percent of the base scheme units will be below market rate, which will increase the affordable housing stock by 55 units. To promote diversity and inclusion, below market rate units will have similar finishes to market-rate units, will be evenly distributed throughout the building, and will include a commensurate mix of one-, two-, and three-units.
- The addition of the retail space and café will provide new opportunities for local employment in the service industry. The project sponsor will own/operate the building and has indicated a willingness to work with local community-based organizations to identify and fill positions with local hires.
- To address increased pedestrian activity and safety concerns along Hawthorne Street, the development includes the widening of the sidewalk and removal of motorcycle parking

Project Outreach

The project sponsor held two mandatory community meetings between February 2017 and December of 2018. Attendees of these meetings included residents, neighbors and representatives of One Hawthorne HOA, Crown Point Press, and Yerba Buena CBD, MJM Management, Yerba Buena Alliance, 246 Second Street. Between March 2017 and August 2018, the project sponsor team met or spoke on the phone with the following interested community organizations:

- **One Hawthorne Street Briefings/Meetings** – Two meetings were held with the One Hawthorne Street residential development. A briefing of the HOA Board was given on March 28, 2017 and a meeting with HOA Board members Karen Carr and Leila Benijamili was held on August 2018.
- **Yerba Buena Community Benefit District** – One meeting was held with Deputy Director, Neal Patel and Director of Programs and Services, Constance Cavallas on meeting, August 29, 2018.
- **TODCO Group** - One meeting was held on February 12, 2018, with President, John Elberling. Additional emails and phone calls were held to clarify and respond to initial issues raised.
- **SOMA Pilipinas/SOMCAN Network/Bayanihan Equity Services and West Bay Pilino Group** –On March 7, 2018 a meeting was held with Angelica Cabande, SOMOCAN, Carla Laurel, West Bay Pilpino Multi Service Center, Joy Ng, Bayanihan Equity Center. A project briefing was provided,

and initial input was provided on their areas of interests and initial community benefits that would be aligned with the project.

In addition, A project briefing was held on March 12, 2019 with District 6 Supervisor Matt Haney's Office's Abigail Rivamonte Mesa, Land Use lead. Finally, A second meeting to discuss community benefits will be held in spring 2019 with SOMOCAN, West Bay Pilipino Multi Service Center, Bayanihan Equity Center, Bessie Carmichael School, United Playaz, and West Bay.

Environmental Review

The proposed Project is subject to environmental review and approval under the California Environmental Quality Act (CEQA). The environmental determination (CPE) for this project is expected to be published no later than June 12, 2019

Staff Recommendation

Making a finding on a shadow impact on a park from a proposed development project is a policy decision for the Commission; as such, staff does not have a recommendation.

Supported By:

Currently no support letters have been presented to staff.

Opposed By:

Currently no opposition letters have been presented to staff.

Attachments

- **A.** Section 295 Background and 1989 Memo Infographic
- **B.** Project Location Map
- **C.** Project Plans and Renderings
- **D.** Guy Place Mini Park Diagram
- **E.** RWDI Shadow Analysis (Parts 1 and 2)
- **F.** Maximum Shadow Coverage Diagram
- **G.** Cumulative Projects Maps
- **H.** Resolution
- **I.** Environmental Shadow Letter

95 HAWTHORNE STREET

SAN FRANCISCO, CA

SHADOW ANALYSIS – ADDENDUM

PROJECT #1603126

MARCH 29, 2019

SUBMITTED TO

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SUBMITTED BY

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1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained by Reuben, Junius & Rose, LLP to perform a shadow analysis for the proposed 95 Hawthorne Street development in San Francisco, CA (Image 1).

RWDI conducted a shadow analysis for the Existing and Existing plus Project scenarios for the purposes of the California Environmental Quality Act (CEQA) review and for the purposes of Section 295 of the San Francisco Planning Code. The report discussing the findings from this assessment was provided to the San Francisco Planning Department on February 8, 2019 and was titled "95 Hawthorne Street – Shadow Analysis – Draft Report". RWDI received comments from the Planning Department regarding the draft report through the project sponsor on March 8, 2019. This addendum provides supplementary information requested by the Planning Department which includes:

1. Detailed analysis of project impact on Guy Place Park: Full day set of shadow plots for the worst day which is February 16, when the largest shadow occurs (Pages 1- 10 in Appendix C).

2. The location of net-new shadow on February 16 (Page 11 in Appendix C).

3. Cumulative Shadow Analysis: shadow plots for Project plus Cumulative scenario (Appendix D).

In addition, the summary of net-new shadow on each park (Tables 2 – 25) and the descriptions of shadow characteristics are also provided in this addendum.

Unless otherwise indicated, all times are referenced in Pacific Standard Time.

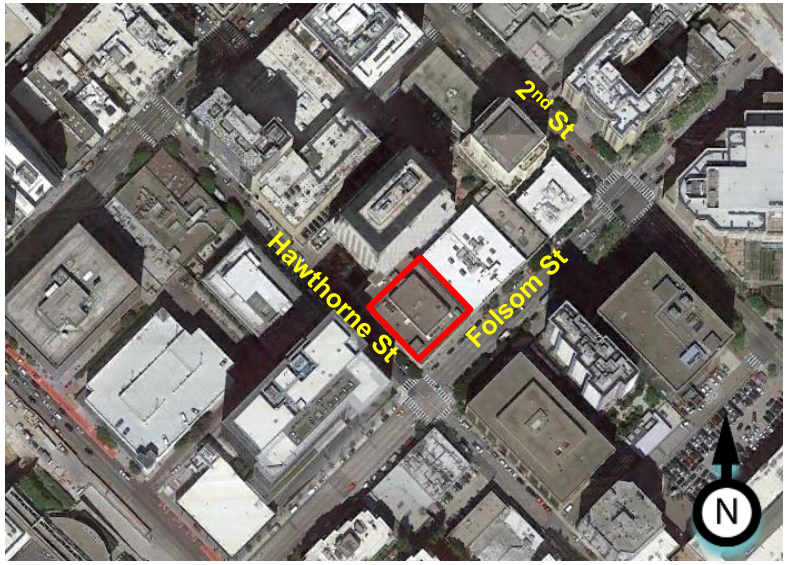
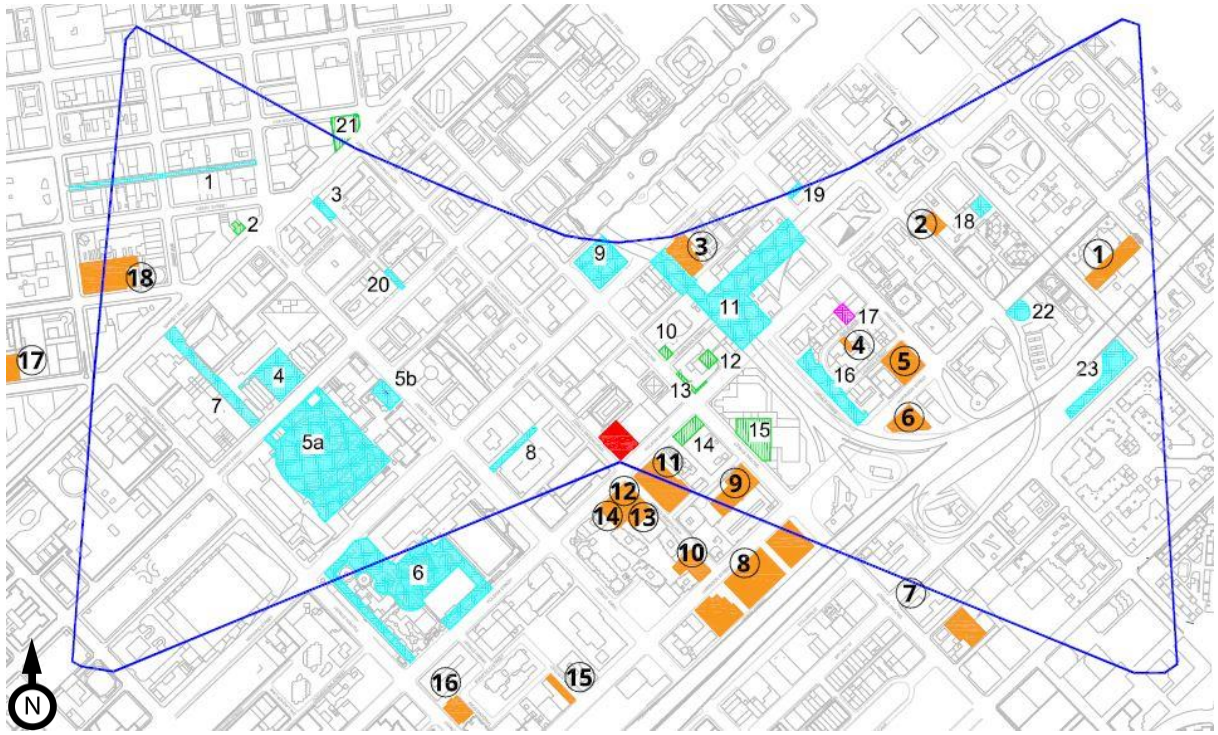


Image 1 - Aerial view of existing site and surrounding
Credit: Google™ Earth

2. PARKS AND OPEN SPACES



LEGEND:

- Proposed Building
- Cumulative Buildings
- Open Spaces
- POPOS
- Jurisdiction of the Recreation and Park Department
- Shadow Fan - Dec.2018

Open-Spaces

1 - Malden Lane
2 - 1 Kearney Street Rooftop
3 - Annie Street Space
4 - Jessie Square
5a - Yerba Buena Gardens
5b - Yerba Buena East Gardens
6 - Yerba Buena Gardens Playground
7 - Yerba Buena Lane
8 - Moscone Pedestrian Laneway
9 - 2nd and Howard Plaza
10 - 235 Second Street
11 - Oscar Park
12 - Marriot Courtyard C
13 - Marriot Courtyard A & B
15 - Marathon Plaza
14 - 611 Folsom Street Plaza
16 - Essex Street Hillside
17 - Guy Place Park
18 - 300 Beale Entrance
19 - 300 Orrick Entrance
20 - Annie Street Plaza
21 - 1 Post Street
22 - Emerald Park
23 - Rincon Hill Dog Park

Cumulative Buildings

1 - 429 Beale Street - 99'
2 - 325 Fremont Street - 250'
3 - 555 Howard Street - 385'/405'
4 - 15 Guy Place - 55'/65'
5 - 390 First Street - 138'
6 - 525 Harrison Street - 250'/265'
7 - 77 + 85 Federal Street - 65'
8 - One Vassar Development
(West to East: 350'/373', 200'/220', and 350'/385')
9 - 350 Second Street - 150'
10 - 650 Harrison Street - 131'
11 - 633 Folsom Street - 160'/175'
12 655 Folsom Street - 131'/141'
13 - 120 Hawthorne Street - 131'/141'
14 - 667 Folsom Street - 131'/141'
15 - 744 Harrison Street - 85'
16 - 345 4th Street - 85'/98'
17 - 72 Ellis Street - 130'
18 - 120 Stockton Street -104'/120'

Image 2 – Site plan showing identified open spaces and cumulative buildings

3. METHODOLOGY

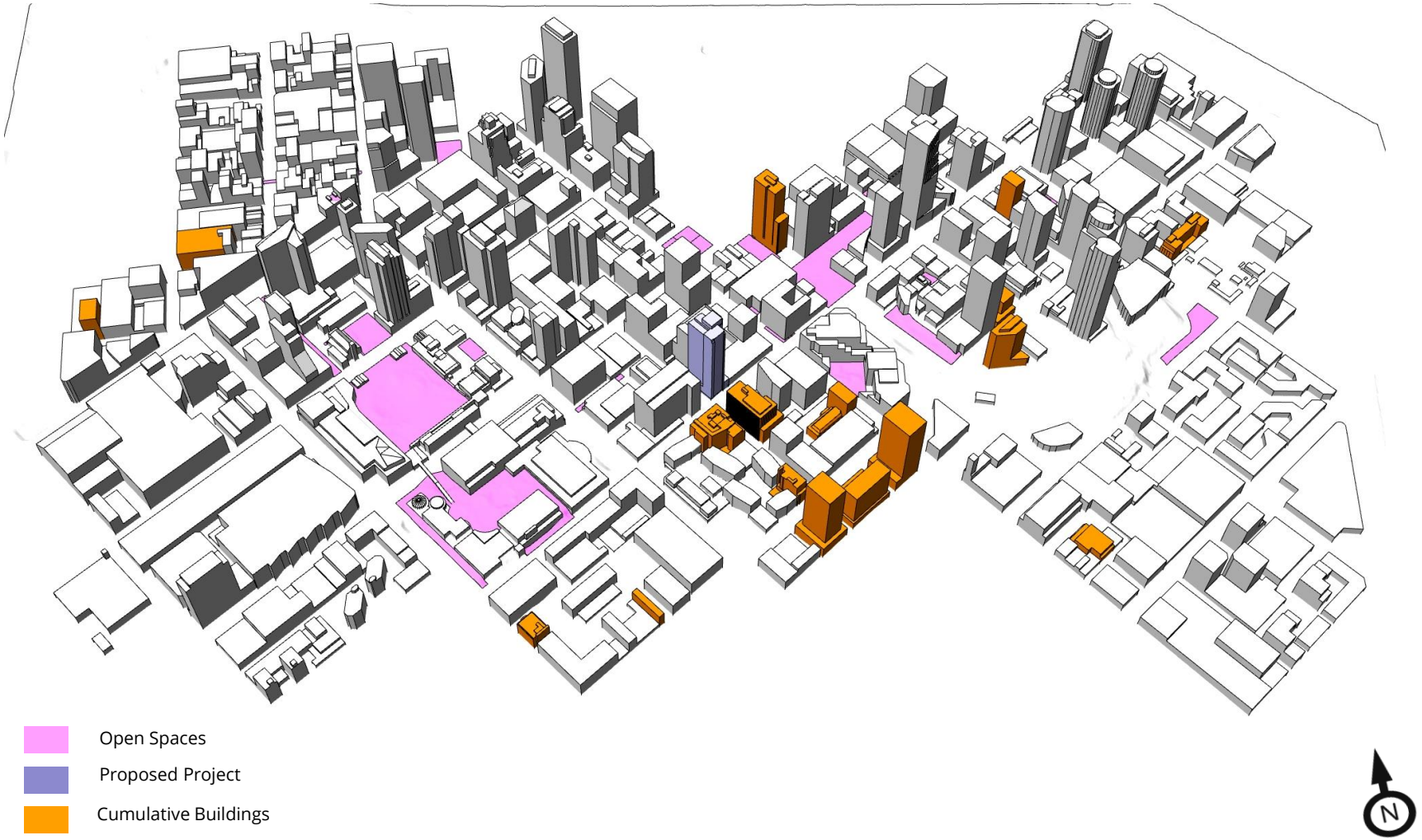


Image 3 – Plan view of the 3D model: Project Plus Cumulative Scenario

4. RESULTS

Table 1 – Parks and Open Spaces Impacted under Project plus Cumulative Scenario

Category	Location #	Name
RPD	17	Guy Place Park
Open Spaces	3	Annie Street Space
	4	Jassie Square
	5a	Yerba Buena Gardens
	5b	Yerba Buena East Gardens
	6	Yerba Buena East Gardens Playground
	7	Yerba Buena Lane
	8	Moscone Pedestrian Laneway
	9	2nd and Howard Plaza
	11	Oscar Park
	16	Essex Street Hillside
	18	300 Beale Street
	19	300 Orrick Entrance
	22	Emerald Park
	23	Rincon Hill Dog Park
POPOS	10	235 Second Street
	12	Marriot C Courtyard
	13	Marriot Courtyard A & B
	14	611 Folsom Street Plaza
	15	Marathon Plaza

4. RESULTS

Table 2 – Summary of Net Shadow on Maiden Lane (#1)

Park #1 – Maiden Lane	Study Area [sf] TASS [sf-hrs]	15,414 57,361,306
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	45,717,711 79.70%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	45,717,711 79.70% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	45,717,711 79.70% 0 0.00%

Table 3 – Summary of Net Shadow on 1 Kearney Street (#2)

Park #2 – 1 Kearney Street Rooftop	Study Area [sf] TASS [sf-hrs]	1,938 7,212,811
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	7,171,431 99.43%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	7,171,431 99.43% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	7,171,431 99.43% 0 0.00%

4. RESULTS

Table 4 – Summary of Net Shadow Annie Street Space (#3)

Park #3 – Annie Street Space	Study Area [sf] TASS [sf-hrs]	4,060 15,107,962
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	12,994,099 86.01%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	12,997,185 86.03% 3,086 0.02%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	12,997,185 86.03% 3,086 0.02%

Table 5 – Summary of Net Shadow on Jessie Square (#4)

Park #4 – Jessie Square	Study Area [sf] TASS [sf-hrs]	28,979 107,840,640
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	47,840,885 44.36%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	47,862,118 44.38% 21,232 0.02%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	47,862,145 44.38% 21,259 0.02%

4. RESULTS

Table 6 – Summary of Net Shadow on Yerba Buena Gardens(#5a)

Park #5a – Yerba Buena Gardens	Study Area [sf] TASS [sf-hrs]	173,964 647,390,716
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	196,459,390 30.35%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	198,241,544 30.62% 1,782,155 0.28%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	198,253,382 30.62% 1,793,992 0.28%

Table 7 – Summary of Net Shadow on Yerba Buena East Gardens (#5b)

Park #5b – Yerba Buena East Gardens	Study Area [sf] TASS [sf-hrs]	8,191 30,480,962
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	10,248,226 33.62%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	10,248,425 33.62% 199 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	10,252,514 33.64% 4,288 0.01%

4. RESULTS

Table 8 – Summary of Net Shadow on Yerba Buena Gardens Playground (#6)

Park #6 – Yerba Buena Gardens Playground	Study Area [sf] TASS [sf-hrs]	129,699 482,662,084
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	150,918,936 31.27%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	150,918,936 31.27% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	151,194,838 31.33% 2,75,902 0.06%

Table 9 – Summary of Net Shadow on Yerba Buena Lane (#7)

Park #7 – Yerba Buena Lane	Study Area [sf] TASS [sf-hrs]	26,510 98,653,401
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	74,075,169 75.09%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	74,089,628 75.10% 14,460 0.01%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	74,091,978 75.10% 16,809 0.02%

Table 10 – Summary of Net Shadow on Moscone Pedestrian Laneway (#8)

Park #8 – Moscone Pedestrian Laneway	Study Area [sf] TASS [sf-hrs]	6,290 23,409,166
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	17,486,397 74.70%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	17,632,942 75.32% 146,545 0.63%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	17,632,942 75.32% 146,545 0.63%

Table 11 – Summary of Net Shadow on 2nd and Howard Plaza (#9)

Park #9 – 2nd and Howard Plaza	Study Area [sf] TASS [sf-hrs]	28,799 107,173,506
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	39,930,935 37.26%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	39,941,571 37.27% 10,636 0.01%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	42,383,341 39.55% 2,452,406 2.29%

4. RESULTS

Table 12 – Summary of Net Shadow on 235 Second Street (#10)

Park #10 – 234 Second Street	Study Area [sf] TASS [sf-hrs]	1,917 7,133,149
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	5,103,308 71.54%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	5,103,308 71.54% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	5,113,369 71.68% 10,062 0.14%

Table 13 – Summary of Net Shadow on Oscar Park (#11)

Park #11 – Oscar Park	Study Area [sf] TASS [sf-hrs]	122,615 456,298,260
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	364,664,172 79.92%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	365,365,707 80.07% 701,535 0.15%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	365,922,684 80.19% 12,58,512 0.28%

Table 14 – Summary of Net Shadow on Marriot C Courtyard (#12)

Park #12 – Marriot Courtyard C	Study Area [sf] TASS [sf-hrs]	3,558 13,242,498
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	12,562,886 94.87%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	12,562,886 94.87% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	12,580,750 95.00% 17,863 0.13%

Table 15 – Summary of Net Shadow on Marriot Courtyard A & B (#13)

Park #13 – Marriot Courtyard A & B	Study Area [sf] TASS [sf-hrs]	1,968 7,325,471
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	4,683,781 63.94%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	4,838,109 66.05% 154,327 2.11%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	4,899,354 66.88% 215,572 2.94%

Table 16 – Summary of Net Shadow on 611 Folsom Street (#14)

Park #14 – 611 Folsom Plaza	Study Area [sf] TASS [sf-hrs]	7,701 28,659,164
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	22,354,811 78.00%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	24,875,597 86.80% 2,520,785 8.80%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	24,994,936 87.21% 2,640,125 9.21%

Table 17 – Summary of Net Shadow on Marathon Plaza (#15)

Park #15 – Marathon Plaza	Study Area [sf] TASS [sf-hrs]	22,289 82,945,149
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	45,577,528 54.95%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	45,647,443 55.03% 69,915 0.08%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	54,012,410 65.12% 84,34,881 10.17%

Table 18 – Summary of Net Shadow on Essex Street Hillside (#16)

Park #16 – Essex Street Hillside	Study Area [sf] TASS [sf-hrs]	27,514 102,390,239
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	30,708,579 29.99%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	30,903,266 30.18% 194,687 0.19%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	33,128,024 32.35% 2,419,444 2.36%

Table 19 – Summary of Net Shadow on Guy Place Park (#17)

Park #17 – Guy Place Park	Study Area [sf] TASS [sf-hrs]	4,308 16,032,707
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	11,597,777 72.34%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	11,599,719 72.35% 1,942 0.01%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	11,626,407 72.52% 28,629 0.18%

Table 20 – Summary of Net Shadow on 300 Beale Entrance (#18)

Park #18 – 300 Beale Entrance	Study Area [sf] TASS [sf-hrs]	4,931 18,348,756
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	14,869,114 81.04%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	14,869,114 81.04% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	14,883,601 81.12% 14,487 0.08%

Table 21 – Summary of Net Shadow on 300 Orrick Entrance (#19)

Park #19 – 300 Orrick Entrance	Study Area [sf] TASS [sf-hrs]	2,088 7,769,355
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	6,552,554 84.34%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	6,552,554 84.34% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	6,573,342 84.61% 20,788 0.27%

Table 22 – Summary of Net Shadow on Annie Street Plaza (#20)

Park #20 – Annie Street Plaza	Study Area [sf] TASS [sf-hrs]	2,012 7,488,907
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	6,238,681 83.31%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	6,238,681 83.31% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	6,238,681 83.31% 0 0.00%

Table 23 – Summary of Net Shadow on 1 Post Street (#21)

Park #21 – 1 Post Street	Study Area [sf] TASS [sf-hrs]	13,564 50,477,197
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	33,329,983 66.03%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	33,329,983 66.03% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	33,329,983 66.03% 0 0.00%

Table 24 – Summary of Net Shadow on Emerald Park (#22)

Park #22 – Emerald Park	Study Area [sf] TASS [sf-hrs]	6,573 24,461,792
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	16,395,626 67.03%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	16,396,024 67.03% 398 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	16,404,846 67.06% 9,220 0.04%

Table 25 – Summary of Net Shadow on Rincon Hill Dog Park (#23)

Park #23 – Rincon Hill Dog Park	Study Area [sf] TASS [sf-hrs]	24,962 92,893,868
Existing	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS]	22,461,751 24.18%
Proposed	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	22,461,751 24.18% 0 0.00%
Cumulative	Annual Shadow [sf-hrs] Annual Shadow [% of TAAS] Net New Shadow [sf-hrs] Net New Shadow [% of TAAS]	22,490,583 24.21% 28,832 0.03%

Guy Place Park (#17)

Park Description:

Guy Place Park will be located at 4-8 Guy Place, in the residential neighborhood of Rincon Hill. The park is expected to open to the public in late 2018 or early 2019. This park space is under the jurisdiction of Recreation and Parks Department and will be situated approximately 0.2 mile northeast of the proposed project. Total area of this park is 4,000 sqft. As shown in Image 7, the concept plan of the park include vertical planted columns around the perimeter of the park and one row of vertical planted column in the middle section of the park.

The park will be a combination of grassed and granite paved ground. The design includes three zones separating each by landscaping and vertical planted columns. There will be seating benches and water features in each zone.





Image 4 – Guy Place mini park – concept plan (left) and rendering (right)
Credit: http://sfrecpark.org/wp-content/uploads/L_Arts-Commission-Boards-small2.pdf

4. RESULTS (RPD)

Existing plus Project shadow conditions:

For Guy Place Park, new shadowing would occur during January 29 through January 31, February 6 through March 1 and October 11 through November 11, for a total of 59 days. The average duration of the daily net new shadow is 11 minutes. The net new shadow would occur between 3:23 pm to 4:18 pm and the maximum duration of the net new shadow is 16 min occurring on February 18 and February 20. The average size of the net new shadows is predicted to be 180.37 square feet. The largest shadow is predicted to be 533.68 square feet, occurring at 3:56 pm PST on February 16.

Project plus Cumulative shadow conditions:

The new shadowing at Guy Place Park would occur during July 28 through May 13, totaling 290 days. The average duration of the daily net new shadow is 61 minutes. The net new shadow would occur between 11:23 AM and 05:36 PM and the maximum duration of the net new shadow is 138 min occurring on Aug 24 and Aug 25. The average size of the new shadows is predicted to be 97.3 square feet. The largest shadow is predicted to be 533.7 square feet, occurring at 3:56 PM on February 16.

EXHIBIT C:

ENVIRONMENTAL DETERMINATON

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Community Plan Evaluation

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2016-001794ENV**
Project Address:	**95 Hawthorne Street**
Zoning:	C-3-O (SD) (Downtown Office Special Development) District 320-I Height and Bulk District
Block/Lot:	3735/012
Lot Size:	16,913 square feet
Plan Area:	Transit Center District Plan
Project Sponsor:	Oisín Heneghan, Trammell Crow Residential, (415) 381-3001
Staff Contact:	Josh Pollak, josh.pollak@sfgov.org, (415) 575-8766

PROJECT DESCRIPTION

The proposed project is located in San Francisco's Financial District at 95 Hawthorne Street, on the block bound by Howard Street to the north, Second Street to the east, Folsom Street to the south, and Hawthorne Street to the west. The project site currently contains a five-story reinforced concrete building, originally constructed in 1908, and remodeled into an office building in 1960. Development in the vicinity consists primarily of high-rise office buildings, interspersed with low-rise mixed-use buildings. Immediately north of the proposed project at 75 Hawthorne is an approximately 250-foot-tall, 20-story office building.

The proposed project would demolish the existing building and construct an approximately 444-foot-tall (approximately 462-foot-tall including rooftop mechanical equipment), 42-story mixed-use residential building with 392 residential units, approximately 3,425 square feet of retail space, totaling approximately 602,740 gross square feet. The proposed project's residential unit mix would include 199 one-bedroom, 144 two-bedrooms, and 49 three-bedrooms. Of the 392 housing units, 337 would be market rate, and 55 would be affordable. The project would include approximately 5,400 square feet of common open space available to building residents only, which would be located on the 6th floor and on a rooftop terrace on the 42nd floor. The primary residential entrance and lobby would be located midblock on Hawthorne Street. The project is proposing to use the Individually Requested State Density Bonus Program.

Construction of the proposed project would take approximately 34 months. Excavation would be conducted to a maximum depth of 58 feet below ground surface for construction of the below-grade parking levels, which would result in the removal of approximately 30,100 cubic yards of soil. The proposed project would be supported by a reinforced mat slab foundation. Impact pile driving is not proposed nor required. Nighttime construction activities would include concrete pours and crane erection and dismantling.

The *approval action* for the proposed project is the approval of the downtown project authorization by the Planning Commission. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the proposed 95 Hawthorne Street project described above and incorporates by reference information contained in the programmatic EIR for the Transit Center District Plan (PEIR)[1]. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Transit Center District Plan (TCDP) PEIR.[2]

FINDINGS

As summarized in the Initial Study-Community Plan Evaluation (Attachment A):

1. The proposed project is consistent with the development density established for the project site in the TCDP with the application of the Individually Request State Density Bonus;
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 TCDP PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the TCDP 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 TCDP 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 TCDP PEIR to mitigate project-related significant impacts (see Attachment B).

[1] San Francisco Planning Department, Transit Center District Plan and Transit Tower Final Environmental Impact Report, Planning Department Case Nos. 2007.0558E and 2008.0789E, State Clearinghouse No. 2008072073, certified May 24, 2012. Available online at: http://sf-planning.org/area-plan-eirs, accessed May 3, 2016.

[2] Project-specific studies prepared for the 95 Hawthorne Street project are available for public review at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103 as part of case file no. 2016-001794ENV. These documents are also available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental case number (2016-001794ENV) and then clicking on the "Related Documents" link.

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

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

6/11/19

Lisa Gibson
Environmental Review Officer

Date

ATTACHMENTS

A. Initial Study—Community Plan Evaluation

B. Mitigation, Monitoring and Reporting Program

cc: Oisín Heneghan, Project Sponsor; Supervisor Matt Haney, District 6; Nicholas Foster, Current Planning Division

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Attachment A
Initial Study - Community Plan Evaluation

Case No.:	**2016-001794ENV**
Project Address:	**95 Hawthorne Street**
Zoning:	C-3-O (SD) (Downtown Office Special Development) use district 320-I height and bulk district
Block/Lot:	3735/012
Lot Size:	16,913 square feet
Plan Area:	Transit Center District Plan
Project Sponsor:	Oisín Heneghan, Trammell Crow Residential, (415) 381-3001
Staff Contact:	Josh Pollak, josh.pollak@sfgov.org, (415) 575-8766

PROJECT DESCRIPTION

The project site is located at 95 Hawthorne Street within the Financial District neighborhood, on the northwest corner of Hawthorne and Folsom streets, within the Transit Center District Plan (TCDP) area. The project site is located on the block bound by Howard Street to the north, Second Street to the east, Folsom Street to the south and Hawthorne Street to the west.[1] The project site consists of one lot (Lot 012 on Assessor's Block 3735), which is 16,913 square feet and currently occupied by a five-story reinforced concrete building with several commercial and government offices. The building was originally constructed in 1908 and remodeled into an office building in 1960. The project site is about 1,250 feet from the eastbound on-ramp to the Bay Bridge at Essex Street and about 2,100 feet from the southbound on-ramp to Interstate 80 at Fourth Street.

The proposed project would demolish the existing building and construct an approximately 444-foot-tall (approximately 462-foot-tall including rooftop mechanical equipment), 42-story mixed-use residential building with 392 residential units and approximately 3,425 square feet of retail space, totaling approximately 602,740 gross square feet. The proposed project's residential unit mix would include 199 one-bedroom, 144 two-bedrooms, and 49 three-bedrooms. Of the 392 housing units, 337 would be market rate, and 55 would be affordable. The project would include approximately 5,401 square feet of common open space,[2] which would be located on the 6th floor and in a rooftop terrace on the 42nd floor. The primary residential entrance and lobby/reception area would be located midblock on Hawthorne Street, and there would be two entrances to the retail spaces on Folsom Street. The project proposes to use the Individually Requested State Density Bonus Program (described in detail under State Density Bonus below).

[1] Consistent with San Francisco practice, Market Street and streets parallel to Market Street are considered east-west streets. For example, Folsom and Mission streets are considered to run east-west while Second and Third streets are considered to run north-south.

[2] "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units, per Planning Code section 135(a).)

The proposed project would provide 184 Class I bicycle spaces in a secured room on the project's second level and 24 Class II bicycle spaces in the sidewalk along the project frontage on Folsom Street.[3] The proposed project would provide 107 off-street parking spaces within an underground five-level garage, including 5 American's with Disabilities Act- (ADA-) compliant parking spaces and 4 car-share spaces.

The proposed project would include a below-grade connection between the proposed project and the adjacent property at 75 Hawthorne, which is an approximately 250-foot-tall, 20-story office building which currently contains 120 below-grade parking spaces. Parking spaces within the off-street garage located at 75 Hawthorne Street would be made available to project residents by the building owner, who owns both the 75 Hawthorne and 95 Hawthorne properties. The 75 Hawthorne Street garage is currently used by a mix of monthly renters (on-site workers and off-site residents, respectively). No parking spaces in the 75 Hawthorne Street garage would be dedicated for project residents, but project residents would have the option of renting spaces at 75 Hawthorne on a monthly basis. The proposed project would include a new garage elevator to provide a pedestrian connection between the project site and the parking garage levels at 75 Hawthorne Street. In order to accommodate the elevator connection between the project garage and the 75 Hawthorne Street garage, the proposed project would reduce the number of parking spaces at the 75 Hawthorne Street garage from 120 spaces to 118 spaces. The garage elevator would also provide connection to the on-site Class I bicycle storage room on the second level of the proposed project and would be accessible via a pedestrian/bicyclist entrance and walkway off of Hawthorne Street on the ground floor, north of the project driveway.

The proposed project would also include a new stairway connection between the project site and the 75 Hawthorne parking garage, which would be located on basement levels 1 and 2 of the proposed 95 Hawthorne Street project. No ground-level pedestrian connection between the project site and 75 Hawthorne would be provided. The building would require a single 1,500-kilowatt emergency backup diesel generator (per California Building Code section 2702.2.15), to be located in the subsurface parking garage. Other fixed mechanical equipment, including heating, ventilation and air conditioning (HVAC) and other mechanical equipment would be installed in enclosures between levels 3 and 6, and additional HVAC and other mechanical equipment would be installed within a mechanical penthouse on the building rooftop.

The proposed project would construct a new 25-foot-wide, eight-inch-long curb cut to accommodate the turning radius of front-loading garbage trucks, ensuring proper access to the onsite loading zones. Internal vehicular access and egress to and from the proposed project's underground garage would be provided via the new curb cut and 20-foot wide driveway on the east side of Hawthorne Street along the project frontage, approximately 145 feet north of the intersection of Hawthorne and Folsom streets.

The proposed project would remove the existing 40-foot on-street yellow loading space on the east side of Hawthorne Street immediately adjacent to the project site, and the existing 78-foot on-street white passenger loading space on the north side of Folsom Street (immediately adjacent to the project site). The proposed project would apply to the San Francisco Municipal Transportation Agency's (SFMTA) Color Curb Program to implement a 30-foot-long commercial (yellow curb) loading zone (inclusive of two 15-foot-long commercial loading spaces), a 35-foot-long passenger (white curb) loading zone (inclusive of one

[3] Class I bicycle parking spaces are secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and employees (San Francisco Planning Code section 155.1). Class II bicycle parking spaces are racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guest, and patrons to the building or use (San Francisco Planning Code section 155.1).

20-foot-long passenger loading space and one 15-foot-long passenger loading space), and a 10-foot red zone for a loading access ramp along the east side of Hawthorne Street adjacent to the project site.

The proposed project would include measures to comply with the Transportation Demand Management Program (Planning Code section 169). In order to comply with the program, the proposed project would include (as described above) bicycle parking, car share parking, and on-site affordable housing. The proposed project would also unbundle parking by leasing or selling parking spaces separately from rental or purchase fees for the project and would be including parking supply at a rate of between 30 and 40 percent of the neighborhood parking rate.

The proposed project would comply with Title 24 building energy code and would demonstrate a 10 percent compliance margin with the GreenPoint rating system.

Two of the four existing trees on Hawthorne Street would be removed: one on the northernmost edge of the project frontage on Hawthorne Street to create room for the curb cut, and a second on the southernmost edge of the project frontage on Hawthorne Street to accommodate a curb ramp. Four new trees would be planted on the Hawthorne Street frontage, and five would be planted on the Folsom Street frontage, for a net total of seven new street trees. The proposed project would widen the sidewalk along the east side of Hawthorne Street from an existing width of eight feet to a new width of nine feet.

Construction of the proposed project would take approximately 34 months. Excavation would be conducted to a maximum depth of 58 feet below ground surface for the construction of the below-grade parking levels, which would result in the removal of approximately 30,100 cubic yards of soil. The proposed project would be supported by a reinforced mat slab foundation. Impact pile driving is not proposed nor required. Nighttime construction would be required for concrete pours and crane erection and dismantling.

Figure 1 in the Figures section at the end of this initial study shows the project location, and figures 2 through 21 show a site plan, basement plans, floor plans, a roof plan, elevations, renderings, and a section of the proposed project.

State Density Bonus

Under Government Code section 65915, the state density bonus law, cities are required to grant density bonuses, waivers from development standards,[4] and concessions and incentives[5] when a developer of a housing project of five or more units includes at least 5 percent of those units as housing units affordable

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

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

to moderate, low, or very low income households (between 50 and 120 percent of area median income). The amount of the density bonus and the number of concessions and incentives varies depending on the percentage of affordable units proposed and the level of affordability; generally, however, state law requires that cities grant between 5 to 35 percent density bonus, and up to three concessions and incentives, if a developer provides between 5 and 40 percent affordable units.

Additionally, project sponsors are able to request waivers from development standards if the development standards physically preclude the project with the additional density or with the concessions and incentives. State law requires that rental units be affordable for a term of no less than 55 years, and that ownership units be affordable to at least the first buyer through a shared equity agreement. Local jurisdictions are required to adopt an ordinance implementing the state density bonus law; however, absent an ordinance, local jurisdictions are still required to comply with the law.[6] In 2017, the city codified the State Density Bonus Law as the Individually Requested State Density Bonus Program in Planning Code section 206.6. The proposed project's bulk and density are consistent with that permitted for the project site in combination with the use of the Individually Requested State Density Bonus Program in planning code section 206.6.

Project Approvals

The proposed 95 Hawthorne Street project would require the following approvals:

Actions by the Planning Commission

- Downtown project authorization, pursuant to planning code sections 210.2 and 303, to allow a project greater than 50,000 square feet of floor area within the C-3 zoning district with exceptions including "ground-level wind currents in C-3 districts" (section 148);
- Adoption of shadow findings by the San Francisco Recreation and Park Commission (section 295);
- Individually requested state density bonus pursuant to planning code section 206.6 with waivers from development standards, including: 1) setbacks and streetwall articulation (section 132.1(c)(1)); 2) rear yard (section 134); 3) common and private useable open space (section 135); 4) dwelling unit exposure (section 140); and 5) height (section 250).

Actions by other City Departments

- Demolition and building permits (San Francisco Department of Building Inspection) for the demolition of the existing building and the construction of the proposed project
- Approval of proposed new and reconfiguration of existing passenger loading/unloading zones (San Francisco Municipal Transportation Agency's color curb program)
- Approval of permits to remove two existing street trees and plant nine new street trees (San Francisco Public Works)
- Site Mitigation Plan per article 22A of the Health Code (Maher Ordinance) (San Francisco Department of Public Health)
- Determination that shadow would not adversely affect open spaces under Recreation and Park Commission jurisdiction (San Francisco Recreation and Park Commission)

[6] See Government Code section 65915 generally, specifically sections 65915(a), 65915(c)(1) and (2), and 65915(c).

Actions by Other Agencies

- Permit to Operate for the backup generator (Bay Area Air Quality Management District)

The Downtown Project Authorization approval by the Planning Commission is the *approval action* for the project. The approval action date establishes the date of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This initial study evaluates the potential project-specific environmental effects of the proposed 95 Hawthorne Street project described above and incorporates by reference information contained in the programmatic EIR for the Transit Center District Plan (PEIR)[7]. The following 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 Transit Center District Plan (TCDP) PEIR[8]:

Project Specific Studies

- Geotechnical report
- Phase I environmental site assessment
- Air quality analysis
- Greenhouse gas analysis checklist
- Archeology review
- Shadow analysis
- Noise impact analysis
- Transportation impact study
- Wind analysis

[7] San Francisco Planning Department, Transit Center District Plan and Transit Tower Final Environmental Impact Report, Planning Department Case Nos. 2007.0558E and 2008.0789E, State Clearinghouse No. 2008072073, certified May 24, 2012. Available online at: http://sf-planning.org/area-plan-eirs, accessed May 3, 2016.

[8] Unless otherwise noted, project-specific studies prepared for the 95 Hawthorne Street project are available for public review at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103 as part of case file no. 2016-001794ENV. These documents are also available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental case number (2016-001794ENV) and then clicking on the "Related Documents" link.

PROJECT SETTING

Existing Setting

The project site is within the C-3-O (SD) (Downtown Office Special Development) use district and the 320-I height and bulk district. The C-3-O use district is intended to play a leading national role in finance, corporate headquarters and service industries, and serve as an employment center for the region. It consists primarily of office development, supported by residential, retail and service uses, all of which are served by City and regional transit systems. The parcels surrounding the project site on the block bound by Hawthorne Street to the west, Folsom Street to the south, Second Street to the east, and Tehama Street to the north are all within the C-3-O (SD) use district and the 320-I height and bulk district. The block south of the project site, bound by Hawthorne Street to the west, Dow Place to the south, Second Street to the east, and Folsom Street to the north, is within the C-3-S use district and 200-S height and bulk district. Other height and bulk districts within a one-block radius include 130-E, 250-S, 350-S, and 150-S.

Development in the vicinity consists primarily of high-rise office buildings, interspersed with low-rise mixed-use buildings. Immediately north of the proposed project at 75 Hawthorne is an approximately 310-foot-tall 20-story office building, which is the headquarters of the U.S. Environmental Protection Agency, Region 9. Adjacent to the proposed project to the east is an approximately 50-foot-tall three-story office building at 620 Folsom Street. Numerous other high-rise developments are under construction in the surrounding area. There are two projects in the immediate two-block area around the project site that currently under construction, which range in height from 65 to 440 feet. The Transbay Block 9 project (case no. 2007.0558E) is currently under construction and is anticipated to be completed in summer 2019. The project is located two blocks east of the proposed project on Folsom Street at 500 Folsom Street, and is constructing a 440-foot-tall, 43-story tower with 570 units and shared open spaces and amenities. The 15 Guy Place (case no. 2015-00943ENV) project is also currently under construction, is located two blocks east of the proposed project west of First Street, and is constructing a 65-foot-tall, six-story, two-family dwelling with one parking space.

The Second Street Improvement project is also currently under construction in the project vicinity. The project is located on Second Street between Market and King streets, and is planned to include one-way cycle track bicycle facilities in the northbound and southbound directions, transit boarding islands at most transit stops along with planted medians, ADA-compliant curb ramps, new street trees, site furnishings (trash receptacles, bike racks, benches, and pedestrian lighting), upgrades to the traffic signal system, and a repaved street. The first and fourth segments of the project, which covers Second Street between Market and Folsom streets, and Second Street between Townsend and King streets, respectively, have been completed. The third segment, which is in the vicinity of the proposed project, is Second Street between Folsom and Bryant streets. This segment is currently under construction as of June 2019, is expected to be completed by the end of summer of 2019.

The Third Street Transit and Safety project is currently under construction in the project vicinity. The project is implementing transit and safety improvements, including sidewalk extensions at bus stop and intersection corners, and intersection improvements on Third Street between Townsend and Market streets. Along Third Street between Howard and Harrison streets (the two-block segment closest to the project site), the project would add new pedestrian bulbs on the intersection of Howard and Third streets and remove a bus stop and relocate the transit lane on the block of Third Street between Folsom and Howard streets. The project would add a new crosswalk and improve existing crosswalks at the intersection of Third and Folsom streets, add new p.m. peak tow-away restrictions and relocate the transit lane on Third Street

between Folsom and Harrison streets. The project is currently under construction and is planned to be completed by the end of 2019.

The project site is well-served by both local and regional transit service. Local public transit service to and from the project site is provided by San Francisco Municipal Railway (Muni) bus and rail lines, while regional public transit service is provided by a variety of transit operators including the San Francisco Bay Area Rapid Transit District (BART), the Alameda–Contra Costa Transit District (AC Transit), Golden Gate Transit, and the San Mateo County Transit District (SamTrans). The project site is served by multiple bikeway facilities, including the bike lane on Folsom Street. Folsom Street is a major arterial and serves an important role for traffic circulation, generally with three travel lanes operating one-way in the eastbound direction.

Cumulative Setting

CEQA Guidelines section 15130(b)(1) provides two methods for cumulative impact analysis: the "list-based approach" and the "projections-based approach." The list-based approach uses a list of projects producing closely related impacts that could combine with those of a proposed project to evaluate whether the project would contribute to significant cumulative impacts. The projections-based approach uses projections contained in a general plan or related planning document to evaluate the potential for cumulative impacts. This project-specific analysis employs both the list-based and projections-based approaches, depending on which approach best suits the resource topic being analyzed.

The proposed project is located within the Transit Center District Plan area. The TCDP PEIR evaluated the physical environmental impacts resulting from the rezoning of this plan area, including impacts resulting from an increase of up to 1,300 net dwelling units and 7,000,000 square feet of net non-residential space through year 2030. The cumulative impact analysis provided in this initial study uses updated projections as needed for certain topics to evaluate whether the proposed project could result in new or substantially more severe cumulative impacts than were anticipated in the TCDP PEIR. For example, the cumulative transportation analysis in this initial study is based on projected 2040 cumulative conditions, whereas the TCDP PEIR relied on 2030 cumulative transportation projections.

The cumulative analysis for certain localized impact topics (e.g., cumulative shadow and wind effects) uses the list-based approach. The following is a list of reasonably foreseeable projects within the project vicinity (approximately one-quarter mile) that may be included in the cumulative analysis for individual topics as appropriate (i.e., when impacts of the project would combine with those of cumulative projects):

- 655 Folsom Street (case no. 2013.0253ENV), which would demolish a two-story commercial building and construct a new 14-story mixed-use building with 89 dwelling units, 2,300 square feet of commercial space, and 36 below-grade parking spaces;
- 555 Howard Street (case no. 2019-000494ENV), which would demolish three existing buildings and construct a new 35-story hotel with 406 guest rooms;
- 525 Harrison Street (case no. 2013.0159ENV), which would demolish a two-story former industrial building and construct a 23-story mixed-use building with 205 dwelling units, 1,000 square feet or retail, and 103 off-street parking spaces.
- Transbay Parcel F (542-550 Howard Street, case no. 2016-013312ENV), which would construct a 61-story mixed use tower with 10 floors of hotel rooms containing approximately 220 guest rooms, 16 floors of office, 26 residential floors with 175 units, and seven floors of shared amenity space.

- 462 Bryant Street (case no. 2015-010219ENV), which would add five stories of office to an existing three-story office building for a total of approximately 60,000 square feet of office use.
- 350 Second Street (case no. 2016-012031ENV), which would construct a new 130-foot-tall, 14-story building with a 297-guest-room hotel, and ground-floor restaurant use;
- 744 Harrison Street (case no. 2016-004823ENV), which would demolish a two-story vacant commercial building and parking lot, and construct an eight-story, 85-foot-tall mixed-use project, consisting of hotel, residential, and retail uses;
- 667 Folsom Street (case no. 2015-002604ENV), which would demolish existing office and industrial buildings and construct a new 13-story mixed-use building with 230 dwelling units and ground-level commercial space; and
- 400 Second Street (One Vassar, Case No. 2012.1384ENV), which would demolish existing one- to four-story buildings on the project site and construct three buildings: a 250-foot-tall office building, a 200-foot-tall hotel and office building, and a 250-foot-tall residential building.

The above projects are mapped in Figure 22 (Cumulative Projects).

Cumulative transportation projects in the area consist of the following:

- The Folsom-Howard Streetscape project completed near-term improvements on Folsom and Howard in winter of 2019 between Eleventh and Falmouth streets (between Sixth and Fifth streets), which included new signalized mid-block crossings, raised bikeway crossings, corner bulbouts that shorten crossing distances, and improved signal timing on Folsom and Howard streets. Longer-term improvements have recently undergone environmental review. The Central SoMa Plan EIR (case no. 2011.1356E) contains a project-level environmental analysis for the proposed Folsom-Howard Streetscape project, which evaluated two options for the proposed street network changes: the Howard/Folsom one-way option and the Howard/Folsom two-way option. Since the certification of the EIR, the project has been modified. Howard Street, between Fourth and Eleventh streets, would include two westbound travel lanes, a two-way cycle track along the southern curb, new bulb-outs on the north side at all intersections, parking and loading on both sides of Howard Street, turn pockets at intersection approaches, and 12-foot-wide sidewalks on both sides of the street. Folsom Street, between Second and Eleventh streets, would include two eastbound travel lanes from Fourth to Tenth streets, three eastbound travel lanes from Tenth to Eleventh and Second to Fourth streets, a two-way cycle track along the southern curb, a transit-only lane from Mabini to Tenth streets, new bulb-outs on the north side of the street (east of Eighth Street only), turn pockets at intersection approaches, and 10-foot sidewalks on both sides of the street. New and permanent transit boarding islands would replace existing, temporary transit boarding islands on Folsom Street between Eleventh Street and Fifth Street. Additional permanent transit boarding islands would be constructed between Fifth Street and Second Street. All permanent transit boarding islands would be designed to accommodate potential double berthing for the specific type of buses used on each route, where appropriate. Existing Golden Gate Transit service would be accommodated at the proposed transit boarding islands. On the two blocks of Folsom Street between Third and Second street (which includes street frontage adjacent to proposed project site), the project would remove a traffic lane on the south side of the street (opposite the proposed project site) and add a two-way bicycle lane on the south side of the street protected by a median.

- The Better Market Street project (case no. 2014.0012E), which is a coordinated multi-city agency effort currently underway to redesign Market Street, San Francisco's main thoroughfare, including transportation and streetscape improvements, including changes to roadway configuration and private vehicle access; traffic signals; surface transit, such as transit-only lanes, stop spacing, service, stop location, stop characteristics and infrastructure; bicycle facilities; pedestrian facilities; streetscapes; commercial and passenger loading; vehicular parking; plazas; and utilities. The project encompasses Market Street from Octavia Boulevard to The Embarcadero and potentially Mission Street between Valencia Street and The Embarcadero.

SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental topic.

☐ Land Use and Planning	☐ Greenhouse Gas Emissions	☐ Geology and Soils
☐ Population and Housing	☐ Wind	☐ Hydrology and Water Quality
☒ Cultural Resources	☒ Shadow	☐ Hazards & Hazardous Materials
☒ Tribal Cultural Resources	☐ Recreation	☐ Mineral Resources
☐ Transportation and Circulation	☐ Utilities and Service Systems	☐ Energy
☒ Noise	☐ Public Services	☐ Agriculture and Forestry Resources
☒ Air Quality	☒ Biological Resources	☐ Wildfire

EVALUATION OF ENVIRONMENTAL EFFECTS

The TCDP PEIR identified significant impacts related to aesthetics, cultural resources, transportation, noise and vibration, air quality, shadow, wind, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to aesthetics, cultural resources, noise, air quality, shadow, and wind. Mitigation measures were identified for the above impacts and reduced some impacts to less-than-significant; however, impacts related to aesthetics, cultural resources, transportation, noise, air quality, and shadow remained significant and unavoidable.

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the TCDP PEIR.[9] This initial study checklist provides a project-specific and cumulative analysis of environmental effects to determine whether the proposed project would result in significant impacts that are peculiar to the project or project site; that were not identified as significant project-level, cumulative, or off-site effects in the TCDP PEIR; or that were previously identified as significant effects that, as a result of substantial new information that was not known at the time that the TCDP PEIR was certified, are determined to have a more severe impact than discussed in the TCDP PEIR. Such impacts, if any,

[9] San Francisco Planning Department, Transit Center District Plan and Transit Tower Final Environmental Impact Report, Planning Department Case Nos. 2007.0558E and 2008.0789E, State Clearinghouse No. 2008072073, certified May 24, 2012. Available online at: http://sf-planning.org/area-plan-eirs, accessed May 3, 2016.

will be evaluated in a project-specific mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review will be required for the project beyond that provided in the TCDP PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183. As discussed below in this initial study checklist, the proposed project would not result in new significant environmental effects, effects that are peculiar to the project site, or effects of greater severity than were already analyzed and disclosed in the TCDP PEIR.

Mitigation measures identified in the PEIR are discussed under each topic area. Applicable project mitigation measures are denoted by topic code and number. For example, Project Mitigation Measure M-CR-1 refers to the first identified cultural resource mitigation measure that applies to the proposed project.[10] The full text of mitigation measures that are applicable to the proposed project are included in the Mitigation Monitoring and Reporting Program (Attachment B to the Community Plan Evaluation Certificate of Determination).

Updates to the Initial Study Checklist

In March 2019, the San Francisco Planning Department updated its initial study checklist to reflect revisions made by the California Natural Resources Agency to Appendix G of the California Environmental Quality Act (CEQA) Guidelines. The topics and questions in the department's revised checklist are reflected in this initial study checklist.

Regulatory Changes

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

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill project in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution 19579 replacing level of service analysis of automobile delay with vehicle miles traveled (VMT), effective March 2016 (see "CEQA Section 21099" heading below);
- Transit Effectiveness Project (aka "Muni Forward") adoption in March 2014; Vision Zero adoption by various city agencies in 2014; Propositions A (Transportation and Road Improvement Bond) and B (Transportation Set-Aside) passage in November 2014; and the Transportation Sustainability Program consisting of adoption of a transportation sustainability fee, effective January 2016; planning commission resolution 19579, effective March 2016; and adoption of a transportation demand management program, effective March 2017.

[10] Note that TCDP PEIR mitigation measure topic codes may differ from those in this initial study checklist because this initial study checklist has been updated to reflect revisions to CEQA Guidelines Appendix G (see "Updates to the Initial Study Checklist,") below.

- San Francisco ordinance establishing noise regulations related to residential uses near places of entertainment effective June 2015 (see initial study section "Noise");
- San Francisco ordinance establishing enhanced ventilation required for urban infill sensitive use developments, amended December 2014 (see initial study section "Air Quality");
- San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study section "Recreation"); and
- article 22A of the Health Code amendments effective August 2013 (see initial study section "Hazardous Materials").

CEQA Section 21099

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 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.[11] Project renderings and elevations are included in the project description.

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,* recommending that transportation impacts for projects be measured using a VMT metric. On March 3, 2016, 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). In December 2018, OPR released its *Technical Advisory on Evaluating Transportation Impacts in CEQA*, finalizing these recommendations and the Natural Resources Agency finalized updates to the CEQA Guidelines that replaced level of service with VMT as a transportation threshold in the Appendix G initial study checklist.

Therefore, impacts and mitigation measures from the TCDP PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures M-TR-1a through M-TR-1m, and this initial study does not evaluate the project's impact on vehicular level of service. Instead, a VMT and induced automobile travel impact analysis is provided in the Transportation and Circulation section.

[11] San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 95 Hawthorne, December 27, 2018.

1. LAND USE AND PLANNING

TCDP PEIR Findings

The TCDP PEIR analyzed the land use changes anticipated under the TCDP and determined that significant adverse impacts related to the division of an established community would not occur and the TCDP would not conflict with an applicable land use plan (including the General Plan), policy or regulation adopted for the purpose of mitigating an environmental effect.

Project Analysis

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*
1. LAND USE AND PLANNING—Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

1.a) The proposed project would be located in an area of primarily higher-density office development oriented around the Transit Center, which is approximately 0.2 miles north of the project site. Development patterns in this area reflect its proximity to the downtown Financial District, the Bay Bridge and I-80 off-ramps, the former Transbay Terminal, and Rincon Hill. Ground-floor retail, residential space, and institutional uses are interspersed among office uses in this area. The proposed project would result in demolition of an existing office building with access via an entrance on the corner of Hawthorne and Folsom streets. In its place, the project would construct a new mixed-use residential building within established lot lines and would have two entrances to the retail spaces on Folsom Street and one entrance to the lobby/reception area along Hawthorne Street, with a driveway on Hawthorne Street along the northern edge of the lot line, leading to below-grade parking. Therefore, the proposed project would not physically divide an established community.

1.b) The project would add residential and retail uses to the project site, which are uses that are allowed under the C-3-O zoning district and were anticipated under the TCDP. The Current Planning division of the planning department determined that the proposed project is consistent with the San Francisco Planning Code, General Plan, and C-3-O(SD) zoning, and the project's height, bulk, and density are consistent with that permitted under the state density bonus law.[12] Because the proposed land uses would be the same as those evaluated for the area in the PEIR, there would be no significant physical environmental impact resulting from the proposed project related to a conflict with a land use plan, policy, or regulation adopted for the purpose of mitigating and environmental effect.

[12] San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning, 95 Hawthorne Street, April 4, 2019.

Cumulative Analysis

The proposed project would have no impact with respect to physically dividing a community or conflicting with an applicable land use plan and therefore would not have the potential to contribute to a significant cumulative impact related to land use and planning.

Conclusion

Because the proposed project would be developed within established lot boundaries and is consistent with the zoning established in the TCDP using the Individually Requested State Density Bonus Program, implementation of the proposed project would not result in significant impacts that were not identified in the TCDP PEIR related to land use and planning, and no mitigation measures are necessary.

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2. POPULATION AND HOUSING

TCDP PEIR Findings

The TCDP PEIR concluded that the adoption of the Transit Center District Plan would induce growth in population and employment. The PEIR found that while the proposed rezoning associated with the plan would result in population and employment growth beyond what would be expected under existing zoning, the additional growth would not be substantial in the context of San Francisco and its downtown. The increase in population would not itself result in adverse physical impacts, and would serve to advance a key goal of the TCDP, which is to concentrate future employment growth where it is best served by public transit, through rezoning to allow increased density in the plan area. The TCDP PEIR found that the increased employment and household population generated by the TCDP would be in line with regionally forecasted growth for the city, and that the TCDP would not create substantial new demand for housing or reduce the existing housing supply to the extent that the Plan would result in secondary physical environmental impacts. However, the PEIR identified significant impacts on the physical environment that would result indirectly from the growth afforded under the Plan, including impacts on 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 Plan would not displace a large number of people, involving either employment or housing. The increased development potential on the opportunity sites in the plan area could result in displacement of existing office tenants, as about 550,000 square feet of office space could be demolished. However, up to 9 million square feet of new office space could be constructed. To the extent that existing office tenants would be displaced, they would likely have to relocate elsewhere in San Francisco, or outside the city, because most of the building space in the Plan area that is anticipated to be replaced is considered Class C space, whereas new office construction would be Class A space, and commercial rents would be considerably higher. No residential uses would be directly displaced by development pursuant to the plan.

Project Analysis

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*
2. POPULATION AND HOUSING—Would the project:				
a) Induce substantial unplanned 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

2.a) The proposed project would demolish an existing 5-story office building and construct a 42 story, approximately 444-foot-tall, 602,740 square-foot building with 392 housing units, and approximately 3,425 square feet of retail uses. The proposed project would also develop approximately 3,425 square feet of retail space, which would generate approximately 10 total employees at full occupancy.[13] Based on the average household size[14], the proposed project would accommodate approximately 921 people.

The Association of Bay Area Governments (ABAG) prepares projections of employment and housing growth for the Bay Area. The latest projections were prepared as part of Plan Bay Area 2040, adopted by ABAG and the Metropolitan Transportation Commission in 2017. The growth projections for San Francisco County anticipate an increase of 137,800 households and 295,700 jobs between 2010 and 2040.[15] Between 2010[16] and 2018,[17] San Francisco's population grew by 51,739 households and 183,287 jobs, leaving approximately 86,061 households and 112,413 jobs projected for San Francisco through 2040. Over the last several years, the supply of housing has not met the demand for housing within San Francisco.

The project's 392 units and 3,425 square feet of commercial space would contribute to meeting San Francisco's anticipated housing and employment needs. As part of the planning process for Plan Bay Area, San Francisco identified *priority development areas*, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Transbay Terminal priority development area; thus, it would be implemented in an area where new population growth is anticipated.

The project would also be located in a developed urban area with available access to necessary infrastructure and services (transportation, utilities, schools, parks, hospitals, etc.). Since the project site is

[13] Employment calculations in this section are based on the City of San Francisco *Transportation Impact Analysis Guidelines*, which estimate an average density of 350 square feet per employee assigned to retail space (3,425 square feet).

[14] U.S. Census Bureau, San Francisco County, California, Families and Living Arrangements, Households, 2013-2017. Available online at: https://www.census.gov/quickfacts/sanfranciscocountycalifornia. Accessed April 10, 2019.

[15] *Plan Bay Area 2010 Final Supplemental Report: Land Use and Modeling Report.* Metropolitan Transportation Commission and Association of Bay Area Government. July 2017. This document is available online at: http://2040.planbayarea.org/reports. Accessed November 7, 2018.

[16] Bay Area Census. Available: http://www.bayareacensus.ca.gov/counties/SanFranciscoCounty.htm. Accessed April 17, 2019.

[17] United States Census Bureau. *QuickFacts San Francisco County, California.* Available: https://www.census.gov/quickfacts/fact/table/sanfranciscocountycalifornia#. Accessed April 17, 2019.

located in an established urban neighborhood and is not an infrastructure project, it would not indirectly induce substantial unplanned population growth. Therefore, the estimated housing and employment growth that would be generated by the project would not result in new or more severe impacts than were identified in the TCDP PEIR. The physical environmental impacts resulting from housing and employment growth generated by the project are evaluated in the relevant resource topics in this initial study.

2.b) There are no housing units on the site; therefore, the proposed project would not displace any existing housing units, and thus would not necessitate the construction of replacement housing elsewhere. The existing office tenants would need to relocate elsewhere in San Francisco or outside the city. The TCDP PEIR noted that there would be some displacement of office tenants. Therefore, no new impact would occur related to the displacement of people.

Cumulative Analysis

The cumulative context for the population and housing topic is the City and County of San Francisco. The proposed project would provide housing units and commercial space that would result in increases in population (households and jobs). As discussed above, San Francisco is anticipated to grow by 137,800 households and 295,700 jobs between 2010 and 2040. Between 2010[18] and 2018,[19] San Francisco's population grew by 51,739 households and 183,287 jobs, leaving approximately 86,061 households and 112,413 jobs projected for San Francisco through 2040. As of the fourth quarter of 2018, approximately 70,960 net new housing units are in the pipeline, i.e., are either under construction, have building permits approved or filed, or applications filed, including remaining phases of major multi-phased projects.[20] Conservatively assuming that every housing unit in the pipeline is developed and at 100 percent occupancy (no vacancies), the pipeline would accommodate an additional 70,960 households. The pipeline also includes projects with land uses that would result in an estimated 94,600 new employees and includes the proposed project.[21,22] As such, cumulative household and employment growth is below the ABAG projections for planned growth in San Francisco. Therefore, the proposed project in combination with citywide development would not result in significant cumulative environmental effects associated with inducing unplanned population growth or displacing substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.

Conclusion

The proposed project would contribute a small portion of the growth anticipated for San Francisco. The project's incremental contribution to this anticipated growth would not result in a significant individual or cumulative impact related to population and housing. Therefore, the proposed project would not result in significant physical environmental impacts related to population and housing that were not identified in the TCDP PEIR.

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[18] Bay Area Census. Available: http://www.bayareacensus.ca.gov/counties/SanFranciscoCounty.htm. Accessed April 17, 2019.

[19] United States Census Bureau. *QuickFacts San Francisco County, California*. Available: https://www.census.gov/quickfacts/fact/table/sanfranciscocountycalifornia#. Accessed April 17, 2019.

[20] San Francisco Planning Department, 2018 Q4. Housing Development Pipeline. Available online at: *https://sfplanning.org/project/pipeline-report*.Accessed April 10, 2019.

[21] Ibid.

[22] San Francisco Planning Department, Citywide Division, Information and Analysis Group, Scott Edmundson, March 19, 2019.

3. CULTURAL RESOURCES

TCDP PEIR Findings

The TCDP PEIR determined that future development facilitated through the changes in use districts and height limits under the TCDP could have substantial adverse changes on the significance of historic architectural resources and on historical districts within the plan area. Although the precise nature of this impact could not be determined at the time, the PEIR determined that such an impact would be significant and unavoidable. To partially mitigate the impact, the PEIR identified PEIR Mitigation Measures M-CP-3a: Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) Documentation, M-CP-3b: Public Interpretative Displays, M-CP-3c: Relocation of Historical Resources, and M-CP-3d: Salvage of Historical Resources. These measures would reduce impacts to historic resources, but not to a less-than-significant level.

The TCDP PEIR concluded that construction of subsequent development projects could result in a significant impact on adjacent historic buildings. PEIR Mitigation Measures M-CP-5a: Construction Best Practices for Historical Resources and M-CP-5b: Construction Monitoring Program for Historical Resources were identified to reduce impacts to a less-than-significant level by requiring contractors to implement best-management practices during construction, as well as perform pre-construction surveys of historical resources within 125 feet of a project site.

The TCDP PEIR found that development under the TCDP could cause a substantial adverse change to the significance of archeological resources because the entire plan area could be considered generally sensitive for both prehistoric and historic-era archeological resources. PEIR Mitigation Measure M-CP-1: Subsequent Archaeological Testing Program was identified to ensure that projects developed within the TCDP area are subject to preliminary archeological review by Planning Department archaeologists. Based on the ARDTP, the in-house review would identify any data gaps and require additional investigations to make an archeological sensitivity assessment. The PEIR mitigation measure also states that any accidental discovery of human remains or potential associated funerary objects during soils- disturbing activity shall comply with all applicable laws.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
3. CULTURAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in article 10 or article 11 of the San Francisco *Planning Code*?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

3.a) 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, or otherwise determined by a local agency to be "historically significant." The proposed project involves the demolition of the existing building at 95 Hawthorne Street. The existing building is a five-story commercial office building that was built in 1908 and used as a wire rope and electric wire warehouse. The building was remodeled into a Brutalist style reinforced-concrete office building in 1960, and the majority of all five floors in the building are leased for office uses by government agencies or used by the property management office.

The existing building on the project site was previously evaluated in the Transit Center Historic Resource Survey and was given a rating of "6Z," which means it was found ineligible for National Register, California Register, or local designation through survey evaluation.[23] Therefore, the existing building on the project site is not considered a historical resource pursuant to CEQA and the proposed demolition of the building would not result in a significant historic resource impact. The project site is not located within the boundaries of any identified historic district, including the eligible New Montgomery-Mission-Second Street Conservation District, which is approximately 250 feet to the northwest of the project site. Because the existing building is not within the boundaries of the historic district it is not considered a contributor to the district. Furthermore, there is sufficient physical separation and existing buildings between the project site and this conservation district, such that the proposed new building would not result in an adverse impact on the conservation district. As such, PEIR Mitigation Measures M-CP-3a, M-CP-3b, M-CP-3c, and M-CP-3d are not required.

Construction activity can generate vibration that can cause structural damage to nearby buildings. The proposed project would require demolition of the existing building at the project site and on-site excavation to approximately 58 feet below ground surface. Neither of the two adjacent buildings to the project site are identified historic resources. Both 75 Hawthorne Street, which was built in 1987, and 620 Folsom, which was built in 1922, were evaluated in the Transit Center District Survey and are not considered historic resources. The nearest identified historic district is the New Montgomery-Mission-Second Street Conservation District, which is approximately 250 feet to the northwest of the project site, and the nearest identified historic resource is the building at 608 Folsom Street, approximately 140 feet northeast of the project site. As such, the project site is not within 125 feet of a historical resource, and the proposed project's construction activity would not result in damage to historic resources. Therefore, PEIR Mitigation Measures M-CP-5a and M-CP-5b are not required.

In conclusion, the proposed project would not result in significant impacts to historic architectural resources that were not identified in the TCDP PEIR, nor would it result in substantially more severe impacts than were previously identified in the PEIR.

3.b) The TCDP Archeological Research Design and Treatment Plan (ARDTP) maps portions of the project site as highly sensitive for buried resources.[24] Three buried prehistoric sites are present within 600 to 1,000

[23] Kelley & VerPlanck Consulting, *Transbay Center District Survey Update*, February 1, 2012, Available at: http://sfplanninggis.org/docs/DPRForms/3735012.pdf.

[24] San Francisco Planning Department, *Archaeological Research Design and Treatment Plan for the Transit Center District Plan Area, San Francisco, California*, prepared by Far Western Anthropological Research Group, Inc.; Past Forward, Inc.; and JRP Historical Consulting, LLC; February 2010.

feet of the project site. A planning department archeologist completed archeology review on November 29, 2018,[25] and determined, in agreement with the ARDTP, that the project site is archeologically sensitive and the proposed excavation to 58 feet below the ground surface could potentially effect archeological resources, resulting in a significant impact. Consistent with PEIR Mitigation Measure M-CP-1, projects found to impact archeological resources are required to prepare and implement an Archeological Testing Program (ATP) and may require data recovery to necessitate preparation of an Archeological Data Recovery Plan (ADRP). An Archeological Monitoring Plan (AMP) may also be required based on the outcome of the ATP and/or ADRP. Project Mitigation Measure M-CR-1, Archaeological Testing Program (implementing PEIR Mitigation Measure M-CP-1) is required to reduce archeological impacts of the project to a less-than-significant level, consistent with the conclusions of the PEIR. With implementation of Project Mitigation Measure M-CR-1, the proposed project would not result in significant impacts to archeological resources or human remains that were not identified in the PEIR, nor would the project result in more severe impacts than identified in the PEIR.

3.c) Archeological resources may include human burials. Human burials outside of formal cemeteries often occur in prehistoric or historic period archeological contexts. The potential for the proposed project to affect archeological resources, which may include human burials is addressed above under topic 3.b. Furthermore, the treatment of human remains and of associated or unassociated funerary objects must comply with applicable state laws. This includes immediate notification to the county coroner (San Francisco Office of the Chief Medical Examiner) and, in the event of the coroner's determination that the human remains are Native American, notification to the California Native American Heritage Commission, which shall appoint a most likely descendant.[26]

Cumulative Analysis

As discussed above, the proposed project would have no effect on historic architectural resources and therefore would not have the potential to contribute to any cumulative historic resources impact. The cumulative context for archeological resources and human remains is site specific and generally limited to the immediate construction area. For these reasons, the proposed project, in combination with cumulative projects, would not result in a cumulative impact on archeological resources or human remains.

Conclusion

The proposed project would not result in significant impacts to historic resources and impacts to archeological resources would be mitigated to less than significant levels with implementation Project Mitigation Measure M-CR-1. Therefore, the proposed project would not result in significant impacts to cultural resources that were not identified in the TCDP PEIR.

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4. TRIBAL CULTURAL RESOURCES

TCDP PEIR Findings

Based on discussions with Native American tribal representatives in San Francisco, while there are no other known or potential tribal cultural resources in San Francisco, prehistoric archaeological resources are

[25] San Francisco Planning Department, Preliminary Archeological Review: 95 Hawthorne Street. Reviewed November 29, 2018.

[26] California Public Resources Code section 5097.98.

presumed to be potential tribal cultural resources. The TCDP PEIR found that development under the TCDP could cause a substantial adverse change to the significance of archeological resources because the entire plan area could be considered generally sensitive for both prehistoric and historic-era archeological resources. Therefore, TCDP PEIR Mitigation Measure M-CP-1: Subsequent Archaeological Testing Program would also mitigate impacts to tribal cultural resources to less than significant.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
4. TRIBAL CULTURAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

For projects in San Francisco, based on the results of consultation between the City and County of San Francisco and Ohlone tribal groups, all archaeological resources of Native American origin are assumed to be potential tribal cultural resources. The preferred mitigation of impacts to such resources developed in consultation with Ohlone tribal groups is preservation in place or, where preservation is not feasible, development and implementation of archaeological and public interpretation plans for the resource, in consultation with local Native American tribes. As discussed in the Cultural Resources topic, the project site is sensitive for prehistoric resources, which may contain tribal cultural resources. Therefore, the project's proposed excavation to 58 feet below ground surface would result in a significant impact, should tribal cultural resources be encountered.

Identification of potential tribal cultural resources that would be affected by a project, followed by preservation and/or archaeological treatment and public interpretation, are within the scope of TCDP PEIR Mitigation Measure M-CP-1. Consistent with this measure, when a potential tribal cultural resource is found or suspected to be present on a project site, and where preservation is not feasible, archaeological treatment and interpretive plans would developed and implemented in consultation with an Ohlone

representative. With implementation of Project Mitigation Measure M-CR-1, the proposed project would have a less-than-significant impact on tribal cultural resources.

Cumulative Analysis

The cumulative context for tribal cultural resources is site-specific and generally limited to the immediate construction area. For this reason, the proposed project, in combination with other cumulative projects, would not result in cumulative impacts to tribal cultural resources.

Conclusion

The proposed project's impact to tribal cultural resources would be mitigated to less-than-significant levels with the implementation Project Mitigation Measures M-CR-1, Archaeological Testing Program (implementing TCDP PEIR Mitigation Measure M-CR-1). Therefore, the proposed project would not result in significant impacts to tribal cultural resources that were not identified in the TCDP PEIR.

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5. TRANSPORTATION AND CIRCULATION

TCDP PEIR Findings

The TCDP PEIR anticipated that growth associated with the zoning changes could result in significant impacts on transportation and circulation. The PEIR identified 22 transportation mitigation measures, including implementation of traffic management strategies, and traffic and transit improvements. Even with mitigation, however, the PEIR concluded that the significant adverse impacts on certain local intersections and transit, pedestrian, loading, and construction impacts would not be fully mitigated, and these impacts were identified as significant and unavoidable. Effects on emergency access were determined to be less than significant.

The PEIR anticipated that growth resulting from the zoning changes could result in significant and unavoidable with mitigation impacts on automobile delay and transit (both delay and ridership). The PEIR identified mitigation measures M-TR-1a through M-TR-1m, and M-TR-3a through M-TR-3e to address these impacts. The city is responsible for implementing these measures, not developers of individual development projects. At the time of the PEIR, the city could not guarantee the future implementation of these measures. Since PEIR certification, the city implemented some of these measures (e.g., Transit Effectiveness Project, increased transit funding, and others listed under "Regulatory Changes").

This initial study reflects two changes to the environmental review analysis because of state and local actions. The state amended CEQA to remove automobile delay as a consideration (CEQA section 21099(b)(2)). In March 2016, Planning Commission resolution 19579 implemented this state-level change in San Francisco. In February 2019, the department updated its Transportation Impact Analysis Guidelines (2019 guidelines). With that update, the department deleted the transit capacity significance criterion. The deletion is consistent with state guidance concerning the environmental benefits of new transit riders and to reflect funding sources for and policies that encourage additional ridership.[27] Accordingly, this initial study does not evaluate the project's impact on automobile delay or transit capacity.

[27] San Francisco Planning Department, "Transportation Impact Analysis Guidelines Update: Summary of Changes Memorandum", February 14, 2019.

Project Analysis

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
5. TRANSPORTATION AND CIRCULATION—Would the project:				
a) Conflict with a plan, program, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

5.a to d) The proposed project would construct a 42 story, approximately 444-foot-tall, 602,740 square-foot building with 392 residential units, approximately 3,425 square feet of retail uses, 107 vehicle parking spaces, 184 Class I and 24 Class II bicycle parking spaces. A transportation impact study (TIS) was prepared for the proposed project to evaluate potential project-level and cumulative effects and is summarized herein.[28]

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 (2002 guidelines) developed by the San Francisco Planning Department.[29] The proposed project would generate an estimated 3,812 person trips (inbound and outbound) on a weekday daily basis, consisting of 1,285 person trips by auto, 897 transit trips, 1,346 walk trips and 284 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 627 person trips, consisting of 204 person trips by auto (132 vehicle trips accounting for vehicle occupancy data for the census tract in which the project site is located), 145 transit trips, 232 walk trips and 46 trips by other modes. The department used these estimates to inform the analysis of the project's impacts on transportation and circulation during both construction and operation. The following considers the effects on potentially hazardous conditions, accessibility (including emergency access), public transit delay, vehicle miles traveled, and loading.

Construction

Project construction would last approximately 34 months. During construction, the project may result in temporary closures of the public right-of-way. Affected areas would be along the east side of Hawthorne Street and the north side of Folsom Street. For the duration of the construction period, project contractors

[28] CHS Consulting Group, 95 Hawthorne Street Mixed-Use Residential Project Transportation Impact Study, San Francisco, CA, February, 2019.

[29] CHS Consulting Group, 95 Hawthorne Street Mixed-Use Residential Project Transportation Impact Study (TIS), San Francisco, CA, February, 2019. Note: the trip generation rates used in this TIS were based on the 2002 guidelines as the 2019 guidelines were not available when the TIS was drafted. The 2002 guidelines use a more conservative methodology, which means that the trip generation rates are higher than they would be using the 2019 guidelines. The impact analysis in this section is based on the 2019 guidelines.

would need to use the sidewalk area adjacent to the building site for purposes of installing shoring and staging construction. Project contractors would use the commercial loading and motorcycle parking spaces adjacent to the project site on Hawthorne Street for loading/unloading activities and haul truck staging, as well as the passenger loading and on-street parking spaces adjacent to the project site on Folsom Street. Scaffolding would be erected along the project frontage sidewalks of Folsom and Hawthorne streets to maintain pedestrian access along the sidewalk around the project site. Therefore, during construction there would be a temporary loss of existing on-street commercial loading spaces, passenger loading spaces, on-street parking spaces, or motorcycle parking spaces. No temporary or permanent relocation of Muni bus stops or rerouting of bus transit vehicles or related facilities would be required during construction.

Construction-related activities would typically occur Monday through Friday (occasional Saturdays as required) and is not anticipated to occur on Sundays or major legal holidays. The hours of construction would be enforced by the Department of Building Inspection, and the contractor would need to comply with the San Francisco Noise Ordinance, enforced by the San Francisco Department of Building Inspection, which permits construction activities seven days a week, between 7:00 a.m. and 8:00 p.m., unless a special permit is obtained to permit nighttime construction activities.

It is assumed that a portion of construction equipment and related machinery may be located on site, within the temporarily-closed sidewalk areas, and commercial and passenger loading spaces along the project frontage. Scaffolding would be constructed above the Hawthorne Street and Folsom Street sidewalks in order to maintain pedestrian flows along the project frontage. Parking lanes would be restricted along Folsom and Hawthorne streets. Vehicular access would be maintained at all times. In general, lane (travel and parking) and sidewalk closures are subject to review and approval by the Transportation Advisory Staff Committee (TASC), an interdepartmental committee that includes the San Francisco Police, Public Works, Planning, and Fire Departments and SFMTA muni operations. The project would be required to consult with SFMTA muni operations prior to construction to review potential effects to nearby transit operations.

Throughout the construction period, there would be a flow of construction-related trucks into and out of the site. The impact of construction truck traffic would be a temporary lessening of the capacities of local streets due to the slower movement and larger turning radii of trucks, which may affect traffic operations. It is anticipated that a majority of the construction-related truck traffic would use I-80/U.S. 101 and I-280 to access the project site from the East Bay and South Bay. In general, trucks and construction workers would use Harrison, Essex, and Bryant streets to gain access to and from I-80/U.S. 101 and I-280.

It is anticipated that there would be an average of 14 to 437 construction workers per day at the project site, depending on the construction phase. The trip distribution and mode split of construction workers are not known. Construction workers that drive to the site would be able to park in nearby public parking facilities in the vicinity of the project site or at available on-street, non-residential permit parking spaces. To reduce worker-vehicle demand, construction workers would be encouraged to carpool, walk, bike, or take public transportation and a shuttle service may be programmed to transport workers from off-site location(s) (yet to be determined) and to avoid parking their vehicles in and around the project site. It is also anticipated that the addition of the worker-related vehicle- or transit-trips would not substantially affect transportation conditions, as any impacts on local intersections or the transit network would be similar to, or less than, those associated with the proposed project.

The proposed project would require excavation of soils and related materials and would generate an approximate maximum of up to 8 haul trucks per day, equating to less than one truck round trip per hour.

Based on these findings, and assuming that each construction worker would drive their own vehicle to and from the project site (which, although unlikely, is assumed for purposes of providing a conservative [i.e., worst-case] estimate of construction vehicle travel demand), the proposed project would generate approximately up to 437 two-way trips (874 one-way trips) per day during peak construction periods.

Further, the project would be subject to the San Francisco Regulations for Working in San Francisco Streets (the blue book). The blue book is prepared and regularly updated by the San Francisco Municipal Transportation Agency, under the authority derived from the San Francisco Transportation Code. It serves as a guide for contractors working in San Francisco streets. The blue book establishes rules and guidance so that construction work can be done safely and with the least possible interference with pedestrians, bicycle, transit and vehicular traffic.

Construction-related activities would be temporary and limited in duration, and would not result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas. Therefore, during construction the proposed project would not result in potentially hazardous conditions and would result in less-than-significant construction-related transportation impacts.

While the proposed project's construction-related impacts would be less than significant, improvement measures, Project Improvement Measure I-TR-A: Construction Truck Deliveries During Off-Peak Periods and Project Improvement Measure I-TR-B: Construction Management Plan were identified, which would further minimize disruption of the general traffic flow on adjacent streets during the morning and evening peak commute periods, encourage coordination with SFMTA, the fire department, muni, and the planning department to determine feasible measures to reduce traffic congestion, minimize construction impacts on nearby businesses, and minimize traffic and parking demand associated with construction workers. Implementation of these improvement measures would not result in any additional transportation-related impacts.

Potentially Hazardous Conditions and Accessibility

The project would add an approximately 26-foot-wide curb cut along Hawthorne Street, which would provide private vehicles and truck ingress and egress movements in and out of the project driveway and basement parking garage at the project site. The project would add 132 p.m. peak hour vehicle trips. These vehicle trips would likely start from or end at project's new driveway or convenient loading zones and be dispersed along nearby streets. This number of vehicles trips that would be accessing the driveway and crossing over the sidewalk is not substantial.

People driving would have adequate visibility of people walking and private vehicles. Vehicle speeds entering and exiting the driveway would be slow given the width of the curb cut (approximately 26 feet) to avoid potentially hazardous conditions. In addition, the design of the project's driveway would be able to accommodate the anticipated number of vehicle trips without blocking access to a substantial number of people walking within the sidewalk. Further, the project would include several changes to the public right-of-way. Those changes include: removing the existing 40-foot-long on-street yellow loading space on Hawthorne Street and the existing 78-foot long on-street white passenger loading space on Folsom Street; applying to the SFMTA for a 30-foot-long commercial (yellow curb) loading zone, a 35-foot-long passenger (white curb) loading zone, and a 10-foot red zone for a loading access ramp along the east side of Hawthorne Street adjacent to the project; and extending the width of sidewalk on the east side of Hawthorne Street from a width of 8 feet to a new width of 9 feet. Therefore, the project would result in less-than-significant impacts with regards to potentially hazardous conditions and accessibility.

Public Transit Delay

The 2019 guidelines set forth a screening criterion for projects that would typically not result in significant public transit delay impacts. The project would add 98 inbound p.m. peak hour vehicle trips, which is well below the screening criterion of 300.[30] Therefore, the project meets the screening criterion and the project would have a less-than-significant public transit delay impact.

Vehicle Miles Traveled

The 2019 guidelines set forth screening criteria for types of projects that would typically not result in significant vehicle miles traveled impacts. The project site is an area where existing vehicle miles traveled per capita is more than 15 percent below the existing regional per capita and per employee average. The project meets this locational screening criterion and the project would have a less-than-significant vehicle miles traveled impact.

The project also meets the proximity to transit screening criterion. The project site is within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor and the project meets other characteristic requirements, such as planning code section 169, which requires implementation of a Transportation Demand Management plan, which serves to reduce VMT. This screening criterion also indicates the project's uses would not cause substantial additional VMT.

Loading

Freight/Delivery Loading

The proposed project would provide one 25 foot-by-10-foot on-site loading space and two 20 foot-by-8-foot on-site loading spaces, which would be located in the first level of the basement garage, and accessed via the 25-foot, 8-inch-long curb cut and driveway entrance/exit off of Hawthorne Street. The loading spaces would be dedicated for trucks and deliveries (e.g., residential move-in/move-out activities, large delivery of goods for retail uses, garbage pick-up activities, etc.), freight/deliveries via small trucks/vans, and for utility vehicles (e.g., plumbing, electric, and related maintenance vehicles, etc.). Loading activities for these spaces would be required by building staff to occur between 9:00 a.m. and 3:00 p.m., and between 7:00 p.m. and 11:00 p.m., in order not to conflict with Recology operations (collection of garbage, recycling and compost), the project's a.m. and p.m. peak period vehicle departures and arrivals, or p.m. peak period traffic along Hawthorne Street.

The 10-foot by 25-foot loading space would accommodate and service the majority of residential move-in/move-out activities, while the 8-foot by 20-foot spaces would accommodate smaller delivery vans and service vehicles. All pre-arranged uses of the off-street loading spaces by trucks and for deliveries (e.g., residential move-in/move-out activities, large delivery of goods for retail uses, garbage pick-up activities, as detailed above) would be required to coordinate and schedule delivery times through a reservation system, which would be managed and enforced by building staff. The reservation system would require that delivery vehicles use the loading spaces for a period of no greater than 30 minutes during the peak hour of loading demand. Other deliveries, such as smaller package deliveries, or food delivery services which are not planned in advance, would use on-street commercial loading spaces.

The proposed project would remove the existing 40-foot on-street yellow loading space on the east side of Hawthorne Street (immediately adjacent to the project site) and the existing 78-foot on-street white

[30] The screening criteria is based on the probability of inbound vehicles conflicting with buses, taking into account the amount of time it takes vehicles and buses to clear conflict areas, and an acceptable delay level of 1.4 minutes.

passenger loading space on the north side of Folsom Street (immediately adjacent the project site). The proposed project would apply to the SFMTA's Color Curb Program to implement a 30-foot-long commercial loading zone (inclusive of two 15-foot-long commercial loading spaces), a 35-foot long passenger loading zone (inclusive of two 17-foot-six-inch long passenger loading spaces), and a 10-foot red zone for a loading access ramp along the east side of Hawthorne Street adjacent to the project site. Passenger and commercial loading vehicles would be prohibited from using this space between 3:00 p.m. and 7:00 p.m. to maintain vehicle access to the left-turn lane at the intersection with Folsom Street during the p.m. peak period.

The new residential uses would generate up to approximately 15 truck freight and service vehicle trips per day, which would result in a demand for less than one loading space during the peak hour and average hour of loading activities. Similarly, the retail uses would generate less than one truck freight and service vehicle trip per day, which would result in a demand for less than one loading space during the peak hour and average hour of loading activities. The proposed project would include three on-site freight/delivery loading spaces for larger deliveries. Therefore, freight/delivery loading demands would be met by the proposed project's loading spaces. While impacts associated with freight/delivery loading would not be considered significant, Project Improvement Measure I-TR-C: Active Parking Garage Driveway Controls, was identified in the transportation analysis. This improvement measure would include active management of vehicles (which includes installing sensors at the driveway that notify vehicles, pedestrians, or bicyclists of exiting vehicles) within the on-site proposed loading zones in the ground floor garage level.

In addition, implementation of Project Improvement Measure I-TR-D: Coordination of Move-in/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations would reduce and/or eliminate any potential conflicts between pedestrians on the Hawthorne Street sidewalk and large vehicles at the project driveway location.

Passenger Loading

The proposed project would remove the existing 78-foot-long passenger loading zone along the project frontage on the north side of Folsom Street and would implement a 35-foot-long passenger loading zone, inclusive of two loading spaces and a 10-foot red zone for a loading access ramp adjacent to the project site on Hawthorne Street. Passenger loading vehicles would be prohibited from using these spaces between 3:00 p.m. and 7:00 p.m. to maintain vehicle access to the Hawthorne Street left-turn lane at the intersection with Folsom Street during the p.m. peak period.

Due to the passenger loading prohibitions between 3:00 p.m. and 7:00 p.m. at the two proposed passenger loading spaces adjacent to the project site on Hawthorne Street and lack of other nearby (within 250 feet of the project site) passenger loading zones, the peak hour demand of up to three passenger loading trips during any one minute of the peak 15 minute period generated by the proposed project during the p.m. peak hour would not be accommodated within the existing 32-foot-long on-street loading zone on Hawthorne Street, which has a capacity of two vehicles. However, the duration of any passenger loading space shortage would be short and infrequent, as the typical dwell time for passenger loading trips is approximately 1.5 minutes in duration. Additionally, any vehicle queues related to passenger loading would be confined within the Hawthorne Street roadway where vehicular traffic would have two southbound-only travel lanes, allowing vehicles to bypass any brief obstruction within the adjacent travel lane. Potential passenger loading queues would also be located at least 32 feet north (opposite the direction of vehicular traffic on Hawthorne Street) of the proposed project's pedestrian entrance and approximately

40 feet north of the nearest pedestrian crosswalk at the intersection of Hawthorne and Folsom streets, therefore, expected passenger loading would not occur within expected pedestrian paths of travel. Moreover, Hawthorne Street does not have any bicycle or transit facilities and thus the proposed project would not result in potentially hazardous conditions or significant delays affecting transit, bicycles, or pedestrians.

Overall, the project would meet the loading demand for both freight and delivery loading, as well as passenger loading, and would have a less-than-significant loading impact.

Vehicle Queuing

The proposed project would generate 98 new inbound vehicle trips (96 associated with residential use and two associated with retail use) and 34 new outbound vehicle trips (31 associated with residential use and three associated with retail use) during the weekday p.m. peak hour. The proposed project would include 107 on-site residential parking spaces. If all 107 on-site parking spaces are purchased by project residents, building management would direct project residents seeking parking to purchase publicly available parking spaces within the existing parking garage at 75 Hawthorne Street, located immediately adjacent to the project site and connected to the project site via a shared basement elevator and stairway. The inbound/outbound vehicle trips per hour would represent up to four inbound and up to two outbound vehicle trips per minute throughout the weekday p.m. peak hour at the proposed project's and the adjacent 75 Hawthorne's driveway.[31]

With 31 outbound and 96 inbound residential vehicle trips during the p.m. peak hour, the project's 107 on-site parking spaces would not accommodate the proposed project's p.m. peak hour vehicle demand, requiring excess parking demand be accommodated at the 75 Hawthorne parking garage. The 75 Hawthorne parking garage currently generates an average of 92 vehicle trips (46 inbound and 46 outbound) on an average weekday based on data collected in November 2018. During the p.m. peak hour, the 75 Hawthorne parking garage had an average occupancy rate of 18 vehicle spaces, which would result in approximately 100 available parking spaces during the average p.m. peak hour. Based on the 24-hour parking utilization, the 75 Hawthorne parking garage currently experiences low to moderate parking utilization that aligns with the typical office worker schedule with parking occupancy levels that are higher in the morning period as workers arrive and lower parking occupancy levels in the evening as workers migrate home. Therefore, the 75 Hawthorne Street parking garage, with 118 parking spaces (after removal of two spaces as part of the proposed project), would have sufficient capacity for proposed project residents to purchase parking permits, and would accommodate additional project-bound vehicle trips during the p.m. peak hour in the event that all 107 of the proposed project's onsite parking spaces are purchased by project residents.

The proposed project's driveway entrance would be located along the east side of Hawthorne Street (a one-way southbound road with two vehicle travel lanes), approximately 411 feet south of the intersection at Howard Street, which equates to approximately 22 car lengths. The existing driveway at 75 Hawthorne Street is located along the east side of Hawthorne Street, approximately 80 feet north of the proposed project's driveway and approximately 335 feet south of the intersection at Howard Street, or approximately 18 car lengths. Vehicles arriving to, or departing from, either garage would be required to yield to any pedestrians crossing each building's respective driveway curb cuts or any outbound vehicles making a left

[31] ((96 inbound vehicle trips during the p.m. peak hour*peaking factor of two/four))/15 = 3.2 vehicle trips during any one minute of the peak 15-minute period at the proposed project. ((34 outbound vehicle trips during the p.m. peak hour*peaking factor of two/four))/15 = 1 vehicle trip during any one minute of the peak 15-minute period at the proposed project.

from garage driveways onto southbound Hawthorne Street. As a result, other, non-project-related vehicles traveling along southbound Hawthorne Street may experience intermittent, temporary delays in the event vehicles destined for the parking garage are stopped along the street, due to exiting traffic from the parking garage driveway or pedestrian crossings. Because there are two travel lanes in the southbound direction along Hawthorne Street, there is adequate capacity to allow for vehicles to bypass these stopped vehicles. As there is no existing transit service currently operating along Hawthorne Street, nor would there be any foreseeable future transit service operating along Hawthorne Street, the proposed project's inbound vehicles would not result in substantial delays to transit service. For the reasons described above, the estimated number of inbound vehicles attempting to access the parking garage in the southbound direction on Hawthorne Street would not result in substantial vehicle queues or blocking of Hawthorne Street, or result in any potential vehicle spillback along Hawthorne Street to the nearby intersection at Howard Street, thereby causing safety hazards for vehicles traveling westbound on Howard Street or turning from westbound Howard Street onto southbound Hawthorne Street.

While inbound vehicle queues along Hawthorne Street are not anticipated at either the proposed project driveway or the existing driveway at 75 Hawthorne Street, any potential inbound vehicle spillback out of the respective garage driveways and onto Hawthorne Street would not result in conflicts with vehicles turning left off of southbound Hawthorne Street onto eastbound Folsom Street. The two southbound travel lanes along Hawthorne Street would provide adequate capacity to allow for non-project vehicles to bypass stopped project vehicles at both the proposed project's driveway and the existing driveway at 75 Hawthorne Street. Additionally, vehicles on this segment of Hawthorne Street were observed to travel at low speed, such that the difference in speeds between non-project vehicles merging in and out of travel lanes to circumvent project vehicles accessing the project driveway and the 75 Hawthorne Street driveway would be small, and would not result in vehicle safety hazards. The 175 existing plus project vehicles making a left-turn off of southbound Hawthorne Street onto eastbound Folsom Street during the p.m. peak hour would have enough capacity so as not to block the project driveway and cause potential safety hazards. Therefore, impacts related to traffic hazards from implementation of the project would be less than significant.

The less-than-significant impact of vehicle queuing could be further reduced through implementation of Project Improvement Measure I-TR-E: Monitoring and Abatement of Queues. This improvement measure encourages the owner/operator of the parking facility to actively monitor vehicle queues along Hawthorne Street and employ methods as needed to abate queues. As a result, minor vehicle queues would not occur along Hawthorne Street.

Although no substantial vehicle queues along Hawthorne Street are anticipated during the weekday p.m. peak period, specific traffic control measures are recommended to better manage vehicle traffic within the parking garage driveway and at the driveway location along Hawthorne Street, to reduce potential adverse effects related to vehicle queues, and to improve traffic and pedestrian safety. Project Improvement Measure I-TR-C: Active Parking Garage Driveway Controls would be used to manage vehicle traffic within the parking garage, which would include specific traffic controls to manage vehicle movements in and out of the parking garage and reduce any internal vehicle congestion within the parking garage driveway and ramp areas as well as provide adequate notification of moving vehicles at the driveway location for vehicles, cyclists, and pedestrians traveling along the east side of Hawthorne Street.

Cumulative Analysis

Construction

Construction of the proposed project may overlap with construction of other projects, particularly the projects located at: 655 Folsom Street, 667 Folsom Street, Transbay Parcel F, 555 Howard Street, and 400 Second Street. Construction activities associated with these projects would affect access, traffic, and pedestrians on streets used as access routes to and from the project sites (e.g., Folsom and Mission streets, etc.). Other projects in the area that could be under construction concurrently with the proposed project in the project vicinity include the Third Street Transit and Safety project and the Folsom-Howard Streetscape project.[32] The Third Street Transit and Safety project would likely be completed before the end of 2019, and may not overlap with construction of the proposed project. If construction of the proposed project were to overlap with the Third Street Transit and Safety project, it would not likely cause conflicts as staging and construction activities for the proposed project would occur on or adjacent to the project site on Hawthorne and Folsom street.

Construction of the Folsom-Howard Streetscape project is expected to occur between 2021 and 2023 and is likely to overlap with that of the proposed project. As construction staging for the proposed project would occur along the building frontage on Folsom Street, there may be a potential for conflict between proposed project and the Folsom-Howard Streetscape project construction activities. However, construction activities would occur on the opposite side of Folsom Street from the proposed project, and the Folsom-Howard Streetscape project would not widen sidewalks or result in physical changes along the north side of Folsom Street between Second and Third Street. Overall, cumulative projects would be subject to the blue book requirements as well, which would minimize the impact of construction activity on the transportation network.

Construction worker related vehicle- or transit-trips generated by the proposed project would not substantially affect transportation conditions, as any impacts on local intersections or the transit network would be similar to, or less than, those associated with the proposed project. Construction would require a maximum of up to 8 haul trucks per day, equating to less than one truck round trip per hour. No temporary or permanent relocation of Muni bus stop(s) or rerouting of bus transit vehicles or related facilities would be required during construction. Scaffolding would be constructed above the Hawthorne Street and Folsom Street sidewalks in order to maintain pedestrian flows along the project frontage. While on-street parking and loading spaces may be temporarily used for construction staging, vehicular access would be maintained at all times. In general, lane (travel and parking) and sidewalk closures are subject to review and approval by the Transportation Advisory Staff Committee (TASC), an interdepartmental committee that includes the San Francisco Police, Public Works, Planning, and Fire Departments and SFMTA Muni Operations. Therefore, construction activities associated with the proposed project would not result in substantial interference with pedestrian, bicycle, transit, or vehicle circulation and accessibility to adjoining areas, thereby not resulting in any potentially hazardous conditions. As such, the construction impacts of the proposed project, in combination with the construction impacts of nearby development

[32] The Second Street Improvements project is currently close to completion and would very likely be completed (status date is summer 2019) before construction of the proposed project occurs.

projects, would not contribute considerably to the cumulative significant and unavoidable impact identified in the Transit Center District Plan PEIR.

Potentially Hazardous Conditions and Accessibility

The PEIR disclosed that vehicular and other ways of travel (e.g., walking, bicycling) volumes would increase because of the plan and other cumulative projects. This volume increase would result in a potential for more conflicts between various ways of travel. The following cumulative projects are within the study area intersections that could overlap with the project's vehicle trips near the project site: 655 Folsom Street, 667 Folsom Street, and the Folsom-Howard Streetscape project. The Folsom-Howard Streetscape project would result in three eastbound travel lanes, a two-way cycle track along the southern curb, and a transit-only lane in the project vicinity on Folsom Street. The parking lane adjacent to the project site on Folsom Street would remain with implementation of the Folsom Howard Streetscape project. .

The vehicle trips from these cumulative projects would not combine to result in a potentially hazardous condition at any nearby vehicular turning movement. These cumulative projects would also not block access to a substantial number of people walking and bicycling within the sidewalk and bicycle lane. Therefore, the project, in combination with cumulative projects, would not result in significant cumulative potentially hazardous conditions and accessibility impacts.

Public Transit Delay

Public transit delay typically occurs from traffic congestion, including transit reentry, and passenger boarding delay. The project would add 132 p.m. peak hour vehicle trips and 145 p.m. peak hour transit trips. These trips would be dispersed along Mission, Howard, Folsom, Harrison, Fourth, Third, Second and First streets among multiple transit lines, including the 10, 12, 14, 25 and 30. The minor number of trips would not contribute considerably to cumulative transit delay impacts identified in the TCDP PEIR. Projects currently under construction would improve public transit. The Third Street Transit and Safety project is implementing transit and safety improvements, including relocating the transit lanes to improve transit vehicle movement, and improved transit boarding facilities. The Folsom-Howard Streetscape project would result in a transit-only lane on Folsom Street. Therefore, the proposed project would not result in new or more severe transit delay impacts than were identified in the TCDP PEIR.

Vehicle Miles Traveled

VMT by its nature is largely a cumulative impact. As described above, the project would not exceed the project-level quantitative thresholds of significance for VMT. Furthermore, the project site is an area where projected year 2040 vehicle miles traveled per capita is more than 15 percent below the future regional per capita and per employee average. Therefore, the project, in combination with cumulative projects, would not result in a significant cumulative vehicle miles traveled impact.

Loading

There are no cumulative development projects within the project block that would overlap with the project's loading demand. Under the Folsom-Howard Streetscape project, a traffic lane would be removed on Folsom Street, a dedicated transit lane would be added, and a two-way bicycle lane protected by a median would be added on the south side of Folsom Street. Parking and loading would be available on both sides of Folsom in the project vicinity. Therefore, the project, in combination with cumulative projects, would not result in a significant cumulative loading impact.

Conclusion

The TCDP PEIR projected substantial increases in congestion and consequent significant impacts to public transit. The proposed project would not result in new or more severe transportation and circulation impacts than were identified in the TCDP PEIR.

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6. NOISE

TCDP PEIR Findings

The TCDP PEIR noted that noise levels adjacent to all major streets in the TCDP plan area from Main Street to the west exceed the level, 70 decibels (dBA) Ldn, at which the General Plan noise compatibility guidelines recommend that new residential construction should be undertaken only following completion of a detailed analysis of noise reduction requirements. The PEIR identified significant impacts related to the introduction of new sensitive uses that would be affected by existing noise levels and to the exposure of persons to noise levels in excess of standards in the General Plan. The PEIR also noted that TCDP implementation may also result in temporary significant and unavoidable construction noise and vibration impacts from pile driving and other construction activities. The PEIR also identified significant impacts that would occur to non-residential sensitive receptors such as child care centers, schools and libraries, and noise from building equipment.

The TCDP PEIR included several mitigation measures (some of which are intended to guide the analysis of individual projects within the TCDP plan area and others that are intended to be implemented during the design and construction of a respective project). These mitigation measures include the following: noise surveys for residential uses (PEIR Mitigation Measure M-NO-1a), implementation of certain noise minimization measures to meet residential and non-residential noise standards (PEIR Mitigation Measures M-NO-1b and M-NO-1c[33]), and noise minimization measures to meet mechanical equipment noise standards (PEIR Mitigation Measures M-NO-1d and M-NO-1e).

With respect to construction noise, the PEIR determined that construction activities in the Plan area could expose persons to temporary increases in noise levels substantially in excess of ambient levels, but that these impacts could be mitigated to less-than-significant levels with implementation of certain noise control measures during pile driving (PEIR Mitigation Measure M-NO-2a) and other general construction noise control measures (PEIR Mitigation Measure M-NO-2b). The PEIR determined that construction activities could expose people to temporary increases in vibration levels that would be substantially in excess of ambient levels, which would result in significant and unavoidable vibration impacts. The PEIR acknowledged that specific projects may reduce vibration impacts to less than significant through adoption of PEIR Mitigation Measures M-NO-2a, M-CP-5a, and M-CP-5b; however, the PEIR determined that program-level impacts would remain significant and unavoidable.

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[33] TCDP PEIR mitigation measures M-NO-1a, M-NO-1b, and M-NO-1c address the siting of noise sensitive receptors and residential open space in noisy environments. Based on a California Supreme Court decision, the effect of existing environmental noise on a proposed project that does not exacerbate an existing environmental condition would not be considered significant under CEQA *California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369; December 17, 2015. Available at: https://caselaw.findlaw.com/ca-supreme-court/1721100.html. Therefore, because the proposed project, with implementation of other TCDP PEIR mitigation measures to reduce the project's noise impact, would not exacerbate the existing noise environment, TCDP Mitigation Measures M-NO-1a, M-NO-1b, M-NO-1c are not applicable.

Project Analysis

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
6. NOISE—Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or 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?	☐	☐	☐	☒

6.a) A noise study[34] was prepared for the proposed project that determines the noise environment at the proposed project site, maps the nearest noise-generating uses within two blocks of the project site, evaluates the proposed project's noise impact and identifies applicable mitigation measures from the TCDP PEIR to be implemented by the project.

Construction Noise

TCDP PEIR Mitigation Measures M-NO-2a and M-NO-2b relate to construction noise. Mitigation Measure M-NO-2a address individual projects that include pile driving and Mitigation Measure M-NO-2b address general construction noise control measures. As the project would not include pile driving, TCDP PEIR Mitigation Measure M-NO-2a would not be applicable.

All construction activities for the proposed project (approximately 34 months) would be subject to the San Francisco Noise Ordinance (article 29 of the San Francisco Police Code). The San Francisco Department of Building Inspection is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8 a.m. to 5 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. The noise ordinance states that it is unlawful for any person to operate any powered construction equipment (except impact equipment) if the operation of such equipment emits noise at a level in excess of 80 dB(A) when measured at a distance of 100 feet. Impact equipment must be housed with intake and exhaust mufflers, shields, or shrouds, as recommended by the manufacturer and approved by the Director of Public Works. These sections also state it shall be unlawful for any person, between the hours of 8:00 p.m. of any day and 7:00 a.m. of the following day to erect, construct, demolish, excavate for, alter or repair any building or structure if the noise level created thereby is in excess of the ambient noise level by 5 dB(A) at the nearest property plane, unless a special permit therefor has been applied for and granted by the Director of Public Works or the Director of Building Inspection.

[34]Charles M. Salter Associates, Inc. *95 Hawthorn Residences Environmental Noise Study*, April 2, 2019.

Compliance with the noise ordinance would reduce construction noise. However, because the noise ordinance does not include an overall construction noise standard and does not establish a noise limit for impact tools and equipment meeting certain requirements, compliance with the noise ordinance may not necessarily be sufficient to ensure that a project's construction noise would not result in a substantial temporary increase in ambient noise levels. Given the project's adjacency to numerous residential buildings (noise sensitive receptors), in particular those located at 246 Second Street northeast of the project site, 1 Hawthorne Street northwest of the project site, and 631 Folsom Street, east of the project site, construction noise impacts would be significant, consistent with the TCDP PEIR findings. Project Mitigation Measure M-NO-1: Construction Noise (implementing TCDP PEIR Mitigation Measure M-NO-2b) would ensure that the proposed project would not result in a significant construction noise impact by requiring specific construction noise control measures, including erecting temporary plywood noise barriers and monitoring the effectiveness of noise attenuation measures by taking noise measurements during construction. With implementation of Project Mitigation Measure M-NO-1, the proposed project would not result in significant construction noise impacts.

Operational Noise

Building Equipment

Section 2909 of the noise ordinance (article 29 of the Police Code) regulates noise from mechanical equipment and other similar sources. This would include all equipment, such as electrical equipment as well as mechanical equipment that is installed on commercial/industrial and residential properties. Section 2909 states in subsection (a)(1) that equipment operating on residential property must not produce a noise level more than 5 dBA above the ambient noise level at the property boundary. Section 2909 also states in subsection (d) that no fixed (permanent) noise source (as defined by the Noise Ordinance) may cause the noise level inside any sleeping or living room in a dwelling unit on residential property to exceed 45 dBA between 10:00 p.m. and 7:00 a.m. or 55 dBA between 7:00 a.m. and 10:00 p.m. when windows are open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed.

TCDP PEIR Mitigation Measure M-NO-1e addresses impacts related to 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 HVAC systems and other mechanical equipment that would be installed in enclosures between levels 3 and 6, and additional HVAC and other mechanical equipment that would be installed within a mechanical penthouse screen on the building rooftop. The back-up generator would only be used for emergency purposes and testing and would be located in the subsurface parking garage. Pursuant to air district permitting regulations, the back-up generator would be permitted up to 50 hours per year for testing. Due to the limited amount of operation of the generator and because the generator would be below ground, noise from the generator would not substantially increase ambient noise levels.

Unlike the proposed generator, which would operate for limited periods of time for testing and emergencies, the building's mechanical equipment would operate continuously. In compliance with TCDP PEIR Mitigation Measure M-NO-1e, the design of the proposed building includes locating mechanical equipment away from adjacent properties, enclosures for mechanical equipment between levels 3 and 6, a mechanical penthouse screen on the building rooftop, and equipment vibration isolation. In further compliance with this mitigation measure, Project Mitigation Measure M-NO-2: Mechanical Equipment,

would ensure that once installed, the buildings mechanical systems meet the requirements of the noise ordinance. Implementation of Project Mitigation Measure M-NO-2 would ensure that the proposed project would not substantially increase the ambient noise environment and noise impacts resulting from the proposed project would be less than significant.

Traffic Noise

Increases in ambient noise levels could result also from increases in traffic. A potentially significant increase in the ambient noise level due to traffic resulting from a proposed project is unlikely unless the project would cause a doubling of existing traffic levels, which is generally assumed to result in a 3 dBA increase in the existing ambient noise environment.[35] An increase of less than 3 dBA is generally not perceptible outside of controlled laboratory conditions.[36] The proposed project would generate new daily vehicle trips within the Plan area. The transportation study evaluated traffic volumes at six intersections. The intersection with the highest increase in traffic volume as a percentage would occur at the intersection of Howard and Hawthorne streets, where weekday p.m. traffic volumes would increase from 2,553 vehicles per hour to 2,651 vehicles per hour. As the project would not cause a doubling in traffic volumes, there would not be a noticeable increase in ambient noise levels in the project vicinity, and the proposed project's traffic noise impact would be less than significant.

6.b) Pile driving, usually during construction, generates the greatest amount of vibration. As discussed above, the proposed project does not include pile driving activities. However, other construction equipment can also result in construction vibration that may affect certain types of buildings, in particular historic and older buildings. As discussed in the Cultural Resources topic, no historic resources are located adjacent to the project site. The buildings adjacent to the project site were construction in 1987 and 1922 and pursuant to the Transit Center District Survey, are not considered historic resources. Therefore, it is not anticipated that construction equipment, such as bulldozers, would result in vibration at levels that could cause damage to adjacent buildings. Additionally, development projects, such as the proposed project, are not typically sources of operational vibration. Therefore, the proposed project would not result in significant impacts related to vibration.

6.c) The project site is not located within an airport land use plan area, within 2 miles of a public airport, or in the vicinity of a private airstrip. Therefore, initial study checklist question 6.c is not applicable to the proposed project.

Cumulative Analysis

The cumulative context for traffic noise analyses are typically confined to the local roadways nearest the project site. As project generated vehicle trips disperse along the local roadway network, the contribution of traffic noise along any given roadway segment would similarly be reduced. As discussed in initial study checklist question 6.a, the proposed project would not result in a perceptible increase in traffic noise. Should background traffic levels increase under 2040 cumulative conditions, the project's contribution to traffic noise would be even lower than under existing plus project conditions. Therefore, the proposed project would not result in a considerable contribution to ambient noise levels from project traffic.

[35] Caltrans, *Technical Noise Supplement*, November 2009. Available at: http://www.dot.ca.gov/env/noise/docs/tens-sep2013.pdf . Accessed: December 18, 2017.

[36] California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, pp. 2-44 to 2-45, September 2013. Available: http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf. Accessed July 30, 2017.

The cumulative context for point sources of noise, such as building HVAC systems are typically confined to the immediate vicinity in an urban environment because noise attenuates with distance and sight lines are interrupted by nearby buildings. Therefore, it is not likely that the proposed project's mechanical equipment noise would combine with that of cumulative projects to result in a significant increase in ambient noise levels.

The cumulative context for construction noise is usually not further than about 900 feet from the project site.[37] Based on the list of projects under the Cumulative Setting section above, there are multiple reasonably foreseeable projects within 900 feet of the project site that could combine with the project's noise impacts to generate significant cumulative construction noise. These projects include 655 Folsom Street, 555 Howard Street, 525 Harrison Street, Transbay Parcel F (542-550 Howard Street), 462 Bryant Street, 350 Second Street, 744 Harrison Street, 667 Folsom Street, and 400 Second Street, which could combine with the project's noise impacts to generate significant cumulative construction noise. The proposed project's construction noise, in combination with the reasonably foreseeable projects listed above, would result in a significant cumulative noise impact, consistent with the conclusions in the TCDP PEIR. Therefore, the proposed project would not result in any significant noise impacts that were not identified in the PEIR, nor would it result it in more severe impacts than identified in the PEIR. The proposed project's construction noise impact would be reduced through compliance with Project Mitigation Measure M-NO-1, however, it cannot be stated with certainty, given the amount of construction anticipated in the immediate area, that the project's contribution to cumulative construction noise would be reduced to less-than-significant levels.

Conclusion

The TCDP PEIR determined that implementation of the Transit Center District Plan would result in significant noise impacts during construction and from noise generating uses. The proposed project would implement mitigation measures identified in the TCDP PEIR to reduce construction and operational noise, referred to as Project Mitigation Measures NO-1 and NO-2. With implementation of mitigation measures identified in the TCDP PEIR, the proposed project would not result in new or more severe noise impacts than were identified in the TCDP PEIR.

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7. AIR QUALITY

TCDP PEIR Findings

The TCDP PEIR determined that future construction activity would result in significant and unavoidable impacts related to the generation of criteria air pollutants and exposure of sensitive receptors to toxic air contaminants (TACs). PEIR Mitigation Measures M-AQ-4a and M-AQ-5 were identified to reduce project-specific impacts associated with construction activities. The PEIR determined that impacts at the program-level would remain significant and unavoidable. In general, with respect to air quality, the PEIR found that project-specific impacts may be reduced to less than significant with mitigation incorporated.

[37] This distance was selected because typical construction noise levels can affect a sensitive receptor at a distance of 900 feet if there is a direct line-of-sight between a noise source and a noise receptor (i.e., a piece of equipment generating 85 dBA would attenuate to 60 dBA over a distance of 900 feet). An exterior noise level of 60 dBA will typically attenuate to an interior noise level of 35 dBA with the windows closed and 45 dBA with the windows open.

The TCDP PEIR identified significant and unavoidable air quality impacts related to exposure of existing and future sensitive receptors, such as residences and child care centers, to emissions of fine particulate matter ($PM_{2.5}$) and TACs as a result of existing and future mobile (vehicles) and stationary (generators, boilers, and cogeneration facilities) sources within and adjacent to the TCDP area. PEIR Mitigation Measure M-AQ-2 was identified to reduce impacts to sensitive receptors through the implementation of a risk and hazard overlay zone, within which certain health risk reduction policies would apply. PEIR Mitigation Measure M-AQ-3 was identified to require site-specific analyses of stationary sources and requires implementation of measures to reduce health risks where necessary; however, the PEIR determined that program-level impacts would remain significant and unavoidable.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
7. AIR QUALITY—Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

7.a) The most recently adopted air quality plan for the air basin is the Bay Area Air Quality Management District's 2017 Clean Air Plan. The primary goals of the clean air plan are to: (1) protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in health risk from toxic air contaminants; and (3) reduce greenhouse gas emissions. The clean air plan recognizes that, to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. The compact development of the proposed project and the availability of non-auto transportation options in the project area would ensure that the project would avoid substantial growth in automobile trips and consequent air pollutant emissions. In addition, as discussed above in the Population and Housing resource topic, the project site is located within the Transbay Terminal priority development area. Channeling development within such areas is a key land use strategy under Plan Bay Area to meet statewide greenhouse gas reduction goals pursuant to Senate Bill 375. Furthermore, for the reasons described in the initial study checklist topics 6.b-c, the proposed project would not result in significant air pollutant emissions or expose sensitive receptors to substantial pollutant concentrations. Therefore, the proposed project would not obstruct implementation of the 2017 Clean Air Plan.

6.b) The Bay Area Air Quality Management District (air district) prepared updated *2017 BAAQMD CEQA Air Quality Guidelines* (Air Quality Guidelines),[38] which provide screening criteria for determining whether a project's criteria air pollutant emissions would result in a cumulatively considerable net increase in nonattainment 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_2), sulfur dioxide (SO_2), 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 (air basin) experiences low concentrations of most pollutants when compared to federal or state standards. The air basin is designated as either in attainment[39] or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{10}, 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.[40] Regional criteria air pollutant impacts resulting from the proposed project are evaluated below.

Construction Dust Control

The TCDP PEIR determined that emissions from fugitive dust would be less than significant with implementation of the San Francisco Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) and PEIR Mitigation Measure M-AQ-4b: Dust Control Plan. The ordinance amended the San Francisco Building Code by adding section 106.3.2.6 to require that all construction activities that would expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. San Francisco ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission. Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The San Francisco Public Utilities Commission operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

[38] Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2017.

[39] "Attainment" status refers to those regions that are meeting federal and/or state standards for a specific criteria air pollutant. "Non-attainment" refers to regionsr that do not meet federal and/or state standards for a specified criteria air pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified air pollutant.

[40] Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2017. See pp. 3-2 to 3-3.

PEIR Mitigation Measure M-AQ-4b applies to sites that are too small (one-half acres or less) to be subject to the Dust Control Ordinance requirement to develop a dust control plan. However, the measures in the dust control ordinance for site less than one-half acre are sufficient to ensure that fugitive dust impacts would not be significant. Therefore, TCDP PEIR Mitigation Measure M-AQ-4b is not required. Compliance with the dust control ordinance would ensure that the proposed project would not result in significant construction related fugitive dust impacts.

Criteria Air Pollutants

Pursuant to the Air Quality Guidelines, projects that meet the air district's screening criteria do not have the potential to result in a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would exceed the Air Quality Guidelines screening criteria of 240 dwelling units for construction, as the proposed project would construct 392 dwelling units, and would also exceed the screening criteria of 10,000 cubic yards of soil excavation, as the proposed project would require approximately 30,100 cubic yards of excavation. As such, a detailed air quality assessment was prepared,[41] which evaluated criteria air pollutant emissions from construction and operation of the proposed project.

Construction Criteria Air Pollutants

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 34-month construction period. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod). The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts' staff. CalEEMod was used to estimate average daily construction emissions for the project, including heavy-duty off-road construction equipment, fugitive emissions from paving and architectural coating, and off-site emissions from on-road vehicles including haul trucks (such as demolition trucks and soil hauling trucks), concrete trucks, vendor trucks to deliver equipment and materials to and from the project site, and worker commutes. The input values used in the analysis were adjusted to be project-specific based on equipment types and the construction schedule as provided by the project sponsor. The air quality assessment contains detailed construction equipment lists, construction scheduling, and emissions calculations. The results of this analysis are provided in Table 1. As shown in Table 1, unmitigated project construction emissions would be above the threshold of significance the city uses for NOx.

Table 1: Daily Project Construction Emissions

	Pollutant Emissions (Average Pounds per Day)			
	ROG	**NOx**	**Exhaust PM_{10}**	**Exhaust $PM_{2.5}$**
Unmitigated Project Emissions	22.9	**65.2**	2.5	2.4
Mitigated Project Emissions	21.0	42.2	0.2	0.2
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in **bold**.

Source: BAAQMD, 2017; Environmental Science Associates, *Air Quality Technical Memorandum for the 95 Hawthorne Street Project*, January 15, 2019.

[41] Environmental Science Associates, Final Air Quality Technical Memorandum for the 95 Hawthorne Street Project, - June 3, 2019.

Therefore, Project Mitigation Measure M-AQ-1: Construction Air Quality (implementing TCDP PEIR Mitigation Measure M-AQ-4a), related to emissions exhaust by requiring engines to meet higher emission standards on certain types of construction equipment is required. Specifically, this measure requires off-road construction equipment greater than 50 horsepower to have engines that meet U.S. Environmental Protection Agency and California Air Resources Board Tier 4 interim off-road emissions standards. As shown in Table 1, Project Mitigation Measure M-AQ-1: Construction Air Quality, would reduce NOx emissions below the thresholds of significance and thus, impacts would be less than significant.

Operational Criteria Air Pollutants

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), energy use, and testing of a backup diesel generator.

CalEEMod was used to estimate average daily emissions and annual average emissions from all sources that would occur during long-term project operations. Electricity and natural gas consumption rates were estimated based on the square footage of the project's residential, retail, and parking lot land uses, using CalEEMod default values. Mobile sources were calculated in CalEEMod using project-specific vehicle trip generation rates. Emissions from freight vehicles were calculated using CARB's 2017 EMFAC model outside of CalEEMod using the project-specific freight loading demand. A San Francisco County-specific consumer product emission factor was used in CalEEMod to estimate daily ROG emissions. The daily and annual emissions associated with operation of the proposed project are shown in Table 2. Table 2 also includes the thresholds of significance the city uses.

Table 2: Summary of Operational Criteria Air Pollutant Emissions

	ROG	NOx	PM_{10}	$PM_{2.5}$
Project Average Daily Emissions (lbs/day)	10.1	4.8	3.2	1.0
Significance Threshold (lbs/day)	54	54	82	54
Project Maximum Annual Emissions (tpy)	1.8	0.9	0.6	0.2
Significance Threshold (tpy)	10.0	10.0	15.0	10.0

lbs/day = pounds per day

tpy = tons per year

Source: BAAQMD, 2017; Environmental Science Associates, *Air Quality Technical Memorandum for the 95 Hawthorne Street Project*, January 15, 2019

As shown in Table 2, 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 TCDP PEIR related to increases in non-attainment criteria air pollutants during project operations.

6.c) In addition to regional criteria air pollutants analyzed above, the following air quality analysis evaluates localized health risks to determine whether sensitive receptors would be exposed to substantial pollutant concentrations. Subsequent to publication 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 Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, or Health Code article 38 (Ordinance 224-14, effective December 8, 2014). The purpose of article 38 is to protect the public health and

welfare by establishing an *air pollutant exposure zone* and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the air pollutant exposure zone. The air pollutant exposure zone as defined in article 38 includes areas that, based on modeling of all known air pollutant sources undertaken by the city in partnership with the air district, exceed health protective standards for cumulative $PM_{2.5}$ concentration and/or cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from $PM_{2.5}$ (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal. In compliance with article 38, the project sponsor submitted an initial application to DPH on February 6, 2019.[42]

Projects within the air pollutant exposure zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction Health Risk

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 the use of heavy-duty off-road diesel vehicles and equipment during most of the anticipated 34-month construction period. Thus, the proposed project's construction emissions would result in significant health risk impacts, consistent with the findings of the TCDP PEIR. Project Mitigation Measure M-AQ-1, implementing PEIR mitigation measures M-AQ-4a and M-AQ-5, would reduce diesel particulate matter exhaust from construction equipment by at least 89 to 94 percent compared to uncontrolled construction equipment.[43]

Operational Health Risks

In regard to siting new sources of air pollutant emissions, PEIR Mitigation Measure M-AQ-3 was identified to reduce the health risk impact from new sources of diesel particulate matter. The proposed project would include an emergency back-up generator and is located within the air pollutant exposure zone. Therefore, the proposed project would result in a significant health risk impact from diesel particulate emissions resulting from the back-up generator. Project Mitigation Measure M-AQ-2: Best Available Control Technology for Diesel Generators, which would implement TCDP PEIR Mitigation Measure M-AQ-3,

[42] Sabrina Eshaghi, Reuben, Junius & Rose, Application for Article 38 Compliance Assessment on behalf of Trammell Crow Residential, February 6, 2019.

[43] PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, if ARB Level 3 VDECSs are required, they would reduce PM by an additional 85 percent. Therefore, utilizing Tier 2 and ARB Level 3 VDECS 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). The proposed mitigation measure would use Tier 4 interim off-road emission standards for equipment rated at 50 hp or greater, which would result in greater PM emission reductions than the use of Tier 2 and ABR Level 3 VDECs.

would require the generator to meet the most stringent emissions standards for particulate matter and potential effects of diesel particulate matter from the proposed emergency generator would be reduced to a less than significant level.

6.d) Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. The proposed project includes residential and retail uses that would not be expected to create significant sources of new odors. Therefore, odor impacts would be less than significant.

Cumulative Analysis

As discussed above, regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.[44] The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project would result in significant criteria air pollutant impacts, the project would result in a considerable contribution to cumulative regional air quality impacts. However, with implementation of Project Mitigation Measure M-AQ-1, the project's contribution to this significant impact would be reduced to less than significant.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add temporary construction equipment, new vehicle trips, and stationary sources of emissions from a backup generator within an area already adversely affected by poor air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Project Mitigation Measure M-AQ-1: Construction Air Quality, which could reduce construction period emissions by as much as 94 percent, and Project Mitigation Measure M-AQ-2: Best Available Control Technology for Diesel Generators, which requires best available control technology to limit emissions from the project's emergency back-up generator. Implementation of these mitigation measures would reduce the project's contribution to cumulative localized health risk impacts to a less-than-significant level.

Conclusion

For the above reasons, with implementation of Project Mitigation Measures M-AQ-1 and M-AQ-2, the project would not result in any significant air quality impacts that were not previously identified in the TCDP PEIR, nor would it result in substantially more severe impacts than those identified in the PEIR.

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[44] BAAQMD, CEQA Air Quality Guidelines, May 2017, page 2-1.

8. GREENHOUSE GAS EMISSIONS

TCDP PEIR Findings

The PEIR concluded that the adoption of the Transit Center District Plan would not directly result in greenhouse gas (GHG) emissions; however, implementation of development projects in the Plan area would result in GHG emissions. The Plan includes goals and policies that would apply to the proposed project, and these policies are generally consistent with the City's *Strategies to Address Greenhouse Gas Emissions*.[45] The PEIR concluded that emissions resulting from development under the Plan would be less than significant and no mitigation measures were required.

Project Analysis

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

The air district 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 than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the air district and CEQA guidelines. These GHG reduction actions have resulted in a 36 percent reduction in GHG emissions in 2017 compared to 1990 levels,[46] exceeding the year 2020 reduction goals outlined in the air district's *2017 Clean Air Plan*,[47] Executive Order S-3-05[48], and Assembly Bill 32 (also known as the Global Warming Solutions Act).[49,50] In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under

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

[46] San Francisco Department of the Environment, *San Francisco's Carbon Footprint (2017),* May 2019. Available at https://sfenvironment.org/carbon-footprint, accessed May 14, 2019.

[47] Bay Area Air Quality Management District, Clean Air Plan, September 2017. Available at *http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans*, accessed July 13, 2018.

[48] 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.

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

[50] 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.

Executive Orders S-3-05,[51] B-30-15,[52,53] and Senate Bill (SB) 32.[54,55,56] 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 constructing a residential high-rise tower with 392 dwelling units, approximately 3,425 square feet of retail uses, and 107 parking spaces. 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 Emergency Ride Home program[57], Transportation Demand Management program, Transportation Sustainability Fee, bicycle parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

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

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[51] 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 metric tons of carbon dioxide equivalents ($MTCO_2E$)); by 2020, reduce emissions to 1990 levels (approximately 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

[52] 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.

[53] 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.

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

[55] Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

[56] Executive Order B-15-18, which was signed in September 2018, establishes a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions after. Available at https://www.gov.ca.gov/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf, accessed September 25, 2018. The statewide executive order is slightly more aggressive than the commitment made by Mayor Mark Farrell in April 2018 for the City to reach net-zero greenhouse gas emissions by 2050. The San Francisco Department of the Environment is currently developing a plan to meet the goal of carbon neutrality.

[57] The Emergency Ride Home Program applies to all commuters who work in San Francisco and walk, bike, take transit or drive to work, and is funded by CommuteSmart.

emissions.[58] 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 would meet a GreenPoint Rated building energy efficiency certification.

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[59] and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. The proposed project would result in a net increase of seven trees. 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.[60] Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.[61]

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations and GHG impacts from the project would be less than significant. No mitigation measures are required.

Conclusion

For the reasons stated above, the proposed project would not result in a significant individual or cumulative GHG impact. Therefore, the proposed project would not result in significant GHG impacts that were not identified in the TCDP PEIR.

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9. WIND

TCDP PEIR Findings

A wind tunnel test was conducted for the TCDP PEIR. The test included massing models of other potential future development in the vicinity of the Transit Tower and were modeled as boxy, rectangular massings, extending up to the maximum height limit. The TCDP PEIR identified significant but mitigable impacts related to the substantial increases in wind speeds in publicly accessible open spaces, including City Park, and new exceedances of the section 148 Planning Code wind hazard criterion. The TCDP PEIR identified PEIR Mitigation Measure M-WI-2 (Tower Design to Minimize Pedestrian Wind Speeds) to mitigate impacts to a less-than-significant level. However, the mitigation measure only applies to specific sites, which

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

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

[60] 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.

[61] San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 95 Hawthorne Street, December 14, 2018.

include Parcel F, 524 Howard Street, 50 First Street, 181 Fremont Street, and Golden Gate University sites, and does not include the proposed project site.

Project Analysis

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
9. WIND—Would the project:				
a) Create wind hazards in publicly accessible areas of substantial pedestrian use?	☐	☐	☐	☒

9.a) Within the C-3-O (SD) District, the planning code establishes wind comfort and wind hazard criteria to evaluate new development. In terms of wind comfort criteria, wind speeds should not exceed, more than 10 percent of the time between 7 a.m. and 6 p.m., 11 miles per hour (mph) in substantial pedestrian use areas. Similarly, the hazard criterion established within the planning code requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph as averaged from a single full hour of the year. This wind hazard criterion is used by the planning department as the CEQA significance threshold for the determination of whether a project would create wind hazards in publicly accessible areas of substantial pedestrian use.

Based on the height and location of the proposed approximately 444-foot-tall building (462 feet, 3 inches including mechanical penthouse), a pedestrian wind study was prepared by a qualified wind consultant for the proposed project.[62] The wind study measured wind speeds for the existing, existing plus project, and a project plus cumulative scenario. The wind study included a model of all relevant surrounding buildings and topography within a 1,600-foot radius of the project site. The model included 37 grade-level wind speed sensors to measure wind speeds in crucial pedestrian areas, including the main entrance and sidewalks along adjacent and nearby streets. The number of test points in the project vicinity were greater than the number of locations in the project vicinity addressed in the TCDP PEIR wind study. Therefore, the wind assessment provides a more fine-grained analysis than the TCDP PEIR of the project's potential wind impacts.

Hazardous Wind Conditions

The wind assessment found that that while most of the locations evaluated in the wind study meet the 26-mile-per-hour wind hazard criterion,[63] three locations exceed the criterion under existing conditions. Two of the locations evaluated that exceed the hazard criterion are along the project frontage on the east side of Hawthorne Street, and the third is on the south side of Folsom Street, west of Hawthorne Street. The wind assessment found that the proposed project would reduce the number of locations that exceed the hazard criterion from three to two. One of the locations on the project frontage on the east side of Hawthorne Street would no longer exceed the hazard criterion.

[62] RWDI, 95 Hawthorne Street, San Francisco, CA. Pedestrian Wind Study, RWDI #1603126, December 21, 2018.

[63] The wind study uses an equivalent wind speed of 36 miles per hour over a one-minute increment (based on the actual one-minute averaged meteorological data), instead of the code value of 26 mph (based on the assumed one-hour averaged meteorological data), for the assessment of hazardous winds to account for the discrepancy in the time period over which wind speeds were measured.

As the proposed project under the existing plus project condition would result in a reduction in the number of locations that would exceed the hazard criterion, the project would not cause adverse wind impacts or result in hazardous wind conditions in or around the project site. Therefore, wind impacts from the project would be less than significant.

Pedestrian Comfort Conditions

Pedestrian comfort effects related to wind are evaluated based on criteria in the planning code and are provided for informational purposes. Under existing conditions, wind speeds are predicted to average 12 miles per hour across all measured locations on pedestrian walkways. Wind speeds east of the project site are anticipated to be moderate, generally ranging between six and 11 miles per hour, while most areas west of the site are generally anticipated to exceed the 11 miles per hour criterion of the planning code. Under the existing plus project scenario, average wind speeds around the project site would be expected to increase slightly, resulting in a 13 miles per hour average wind speed for all grade-level locations.

Cumulative Analysis

Cumulative conditions for the wind analysis included the following reasonably foreseeable projects: 524 Howard Street, 542-550 Howard Street, 555 Howard Street, 15 Guy Place, 390 First Street, 525 Harrison Street, 350 Second Street, 633 Folsom Street, 655 Folsom Street, 667 Folsom Street, 120 Hawthorne Street, 650 Harrison Street, One Vassar (400 Second Street), 462 Bryant Street, 725 Harrison Street, 744 Harrison Street, and 345 Fourth Street.[64]

Under the project plus cumulative scenario evaluated in the wind assessment, the number of hazard exceedances would further be reduced from two to one, such that there would only be one remaining location that would exceed the hazard criterion, which would be located on the project frontage on the east side of Hawthorne Street. As the proposed project under the project plus cumulative scenario would result in a reduction in the number of locations that would exceed the hazard criterion, the project would not cause adverse cumulative wind impacts or result in hazardous wind conditions in or around the project site. Therefore, cumulative wind impacts would be less than significant.

Under the project plus cumulative scenario, the addition of surrounding future developments would not be anticipated to substantially change wind comfort conditions around the project site. The average wind speed would remain similar to the existing plus project scenario, at 13 miles per hour.

Conclusion

For the reasons stated above, the proposed project would not result in significant wind impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant wind impacts that were not identified in the TCDP PEIR.

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10. SHADOW

TCDP PEIR Findings

[64] Since the wind analysis was prepared, the following projects have been completed or are currently under construction, and, as such, are considered to be part of the existing conditions: 524 Howard Street, 15 Guy Place, 390 First Street, 120 Hawthorne Street, 650 Harrison Street, 725 Harrison Street, and 345 Fourth Street.

Planning code section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The TCDP PEIR evaluated the shadow effects of plan implementation by analyzing shadow that would be cast by the Transit Tower (now the Salesforce Tower), as well as shadows cast by the other buildings that could be built, which included a total of 17 key sites, including the Transit Tower.

Shadow impacts from development of these sites in the plan area were quantified on section 295 parks that would be affected by plan implementation. The PEIR also noted that no parks subject to section 295 are within the plan area. The TCDP PEIR evaluated subsequent development projects enabled by the plan on 13 specific sites (of the total of 17 evaluated in the PEIR) in greater detail in the TCDP, based on generalized massing models of buildings at the heights that would be allowed under the TCDP. The PEIR found that new shadows from development within the Plan area would affect nine parks, eight of which have established Absolute Cumulative Limits[65] for net new shadow under section 295. Considered together, development under the TCDP would require that the Absolute Cumulative Limit be increased on eight downtown parks.

Additionally, privately-owned public open spaces (POPOS) were developed in conjunction with office buildings, many of which were created in accordance with the Downtown Plan and Planning Code provisions to provide publicly accessible space as part of private developments. Given that POPOS are typically required in areas with higher height limits and given that POPOS are typically provided on the ground floor, POPOS frequently are heavily shaded throughout the day.

The TCDP PEIR found a significant and unavoidable shadow impact as a result of plan implementation. No mitigation is available for shadow impacts on existing parks, because it not possible to lessen the intensity or otherwise reduce the shadow cast by a building at a given height and bulk. Therefore, the TCDP PEIR found a significant and unavoidable shadow impact as a result of plan implementation.

Project Analysis

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*
10. SHADOW—Would the project:				
a) Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces?	☐	☐	☐	☒

[65] The Absolute Cumulative Limit represents the maximum percentage of new shadow, expressed as a percentage of Theoretical Annual Available Sunlight (TAAS). The theoretical annual available sunlight is the amount of sunlight, measured in square-foot-hours that would fall on a given park during the hours covered by Section 295. It is computed by multiplying the area of the park by 3,721.4, which is the number of hours in the year subject to Section 295. Thus, this quantity is not affected by shadow cast by existing buildings, but instead represents the amount of sunlight that would be available with no buildings in place. Theoretical annual available sunlight calculations for each downtown park were used by the Planning and Recreation and Park Commissions in establishing the allowable Absolute Cumulative Limit for downtown parks in 1989.

10.a) To evaluate the design of the proposed project, a project-specific shadow study was performed using a detailed 3-D model of the proposed project. The results of this project-specific shadow study are discussed in a shadow analysis technical memorandum, and addendum to the memorandum, and are summarized here.[66] Compliance with Planning code section 295 would be determined independently of this initial study's evaluation of shadow impacts. The purpose of the CEQA analysis is to determine if the use and enjoyment of public parks or open spaces would be substantially and adversely effected by the proposed project. The proposed project would cast shadow on Guy Place Park, a section 295 property currently under construction, and would cast shadow on non-section 295 properties including existing open spaces, POPOS (Privately-Owned Public Open Spaces), and proposed open spaces. Each of the affected open spaces is discussed in detail below.

Open Spaces

Annie Street Space and Annie Street Plaza

Annie Street is a pedestrian street located in downtown, between Mission Street and Market Street, and is surrounded by mid to high-rise buildings. The space at Market Street is approximately 2,060 square feet, and the opening near Mission Street is approximately 4,030 square feet. The space is used for both active and passive activities, such as music concerts, festivals, exhibitions and gatherings. The lane is approximately 550 feet long. The lane opening at Market Street is frequently used for public gatherings, while the opening towards Mission Street is a landscaped open space, mainly used for walking. The net new shadowing on Annie Street Space as a result of the proposed project would occur during November 7 through February 3, totaling 89 days. The average duration of the daily net new shadow would be 7 minutes. The net new shadow would occur between 8:12 a.m. to 8:53 a.m. and the maximum duration of the net new shadow would be 16 minutes occurring on January 18, 20, and 21, and November 19 through 23. The average size of the new shadow would be approximately 300 square feet. The largest shadow would be approximately 1,130 square feet, occurring at 8:50 a.m. on January 20.

As the additional shadow cast by the proposed project would occur for a brief amount of time (average of 7 minutes) during select portions of the year and only in the morning before 9 a.m., the additional shadow as a result of the project would be negligible and would not substantially affect the use and enjoyment of Annie Street and Annie Street Plaza. Therefore, the impact of new shadow from the proposed project on Annie Street Space and Annie Street Plaza would be less than significant.

Jessie Square

Jessie Square is located on the north side of Mission Street, across from Yerba Buena Gardens. This square is situated on top a four-level underground parking garage. This plaza is surrounded by the Contemporary Jewish Museum to the north, St. Patrick's Church to the west, and high-rise buildings to the east. The sloped surface incorporates an approximately 8-foot elevation change between the Mission Street sidewalk and Contemporary Jewish Museum. There is a water feature located in the middle of the plaza. This open space consists of multiple areas for public gathering. Benches are placed sporadically on multiple areas, particularly around the water feature and on the south side of the plaza. There is a landscaped area east of the water feature and some isolated trees are located along the north and west border of the plaza. The

[66] RWDI, 95 Hawthorne Street Shadow Analysis: Project #1603126, February 8, 2019; RWDI, 95 Hawthorne Street Shadow Analysis-Addendum: Project #1603126, March 29, 2019.

open space is frequently used for outdoor events and festivals. The total area of this open space is approximately 30,060 square feet.

Net new shadow on Jessie Square would occur for a total of 49 days: March 10 through April 2, and September 9 through October 3. The average daily duration of the net new shadow would be 18 minutes. The net new shadow would occur between 6:55 a.m. and 7:42 a.m., and the maximum duration of net new shadow is expected to be 32 minutes, occurring on March 23 and September 19. The average size of the new shadows would be approximately 1,450 square feet. The largest shadow would be approximately 3,640 square feet, occurring at 7:31 a.m. on March 20. As the additional shadow cast by the proposed project would occur for a brief amount of time during select portions of the year and only in the early morning (before 8 a.m.), the additional shadow would be negligible and would not substantially affect the use and enjoyment of Jessie Square. Therefore, the impact of new shadow from the proposed project on Jessie Square would be less than significant.

Yerba Buena Gardens

Yerba Buena Gardens is an open space located approximately 0.2 miles west of the proposed project site. The gardens are bordered by Mission Street to the north, Howard Street to the south, Third Street to the east and Fourth Street to the west. The gardens are primarily used for passive activities. Yerba Buena Center for Arts (YBCA) is located on the east side of the garden and the Westfield Metreon Mall is located on the west side of the garden. The Esplanade is the grassy middle portion of the gardens. The Martin Luther King waterfall feature is located in the center of the gardens and is 20 feet tall and 50 feet wide, consisting of glass panels. There is a circular pedestrian walkway surrounding the Esplanade. The Upper Terrace is located above the waterfall, along the southeast side of the gardens. This stone-surfaced terrace includes a pool right above the waterfall. The terrace is primarily used for passive activities, including breakfasts, receptions, parties, weddings and gatherings for up to 500 people, or buffet-style food services for up to 2,000 people.

The East Garden is along Third Street, across from the Museum of Modern Art, located between YBCA Galleries and YBCA Theatre buildings, and is surrounded by sycamore trees. There is a water feature along the east and south edges of the open space. The garden is slightly elevated by stairs on the east side and a ramp on the west side. The ground surface contains a combination of pavement and grass, and is mainly used for public gatherings, such as breakfasts, receptions, weddings and parties for up to 500 people. There are benches throughout the open space. The total area of Yerba Buena Gardens, including the East Garden is approximately 183,920 square feet.

Net new Shadow on Yerba Buena Gardens as a result of the project would occur during two periods each year: March 18 through June 12 (inclusive) and June 29 through September 24 (inclusive), totaling 175 days. The new shadowing would occur entirely during the first hours in the morning. No new shadows are predicted to fall on the Gardens after 7:36 am. When new shadows would occur, the average duration would be 39 minutes and the maximum duration would be 64 minutes. The longest duration shadows would occur on May 5 through 7, and August 5 and 6. The average size of the new shadows would be approximately 15,680 square feet. The largest shadow would be 51,950 square feet, occurring at 6:58 a.m. on August 22.

For Yerba Buena East Gardens, net new shadow would occur during March 22 through April 4, and September 7 through September 20, for a total of 28 days. The average duration of net new shadow would be 8 minutes. The net new shadow would occur between 7:34 a.m. and 7:58 a.m., with maximum duration of net new shadow of 13 minutes. The longest duration of net new shadow would occur on March 27

through 29 and September 13 through 15. The average size of the net new shadow would be 51 square feet. The largest shadow would be 150 square feet, occurring at 7:55 a.m. on March 28. As the additional shadow cast by the proposed project would be occur for a limited amount of time and only in the early morning (before 8 a.m.), the additional shadow would not substantially affect the use and enjoyment of Yerba Buena Gardens. Therefore, the impact of new shadow from the proposed project on Yerba Buena Gardens would be less than significant.

Yerba Buena Lane

Yerba Buena Lane is an approximately 27,430 square-foot, 550-foot-long pedestrian lane northwest of Yerba Buena Garden, between Mission Street and Market Street. St. Patrick's Church is located east of the lane, and the Marriott Hotel is located west of the lane. There are retail stores along the west side of the lane. The lane includes seating areas along the walkway. The area is used for both active and passive activities.

Net new shadow on Yerba Buena Lane as a result of the proposed project would occur during March 24 through April 13, and August 29 through September 18, totaling 42 days. The average duration of the daily net new shadow would be 17 minutes. The net new shadow would occur between 6:44 a.m. to 7:15 a.m. and the maximum duration of the net new shadow would be 26 minutes, occurring on April 6 and September 5 and 6. The average size of the new shadows would be approximately 1,250 square feet. The largest shadow predicted would be approximately 1,800 square feet, occurring at 7:06 a.m. on March 28. As the additional shadow cast by the proposed project would occur for a brief amount of time during select portions of the year and only in the early morning hours (before 8 a.m.), the additional shadow would be negligible and would not substantially affect the use and enjoyment of Yerba Buena Lane. Therefore, the impact of new shadow from the proposed project on Yerba Buena Lane would be less than significant.

Moscone Pedestrian Laneway

Located approximately 0.06 miles west of the proposed project on the east side of Third Street, Moscone Pedestrian Laneway is a 6,280-square-foot pedestrian-only walkway. The lane is surrounded by low to mid-rise buildings. There are bicycle stands located along the walkway, as well as landscaping. This lane is primarily used for walking.

Net new shadow on the Moscone Pedestrian Laneway as a result of the project would occur during April 10 through September 1, totaling 145 days. The average duration of the daily net new shadow would be 108 minutes. The net new shadow would occur between 7:17 a.m. to 9:37 a.m. and the maximum duration of the net new shadow would be 127 minutes occurring on May 17, 28 and 29, and July 24 and 25. The average size of the new shadows would be approximately 560 square feet. The largest shadow would be 1,240 square feet, occurring at 9:02 a.m. on May 24. As the additional shadow cast by the proposed project would occur in the morning hours and not after 9:37 a.m., the additional shadow would not substantially affect the use and enjoyment of Moscone Pedestrian Laneway. Therefore, the impact of new shadow from the proposed project on Moscone Pedestrian Laneway would be less than significant.

Emerald Park

Emerald Park is located in front of the residences at 330 Harrison Street and is approximately 24,000 square feet. The park is open to the public every day of the year, although there are gates along Harrison Street. The space includes bench seating, a play structure, and a dog run.

Net new shadow on Emerald Park as a result of the project would occur during March 1 through March 9, and October 3 through 15, totaling 22 days. The average duration of the daily net new shadow would be 5

minutes. The net new shadow would occur between 4:27 p.m. to 5:02 p.m. and the maximum duration of the net new shadow would be 10 minutes occurring on October 11 and 12. The average size of the new shadows would be about 208 square feet. The largest shadow would be 620 square feet, occurring at 4:30 p.m. on October 12. As the additional shadow cast by the proposed project would occur for a brief amount of time (average of 5 minutes) during select portions of the year (22 days), the additional shadow would be negligible and would not substantially affect the use and enjoyment of Emerald Park. Therefore, the impact of new shadow from the proposed project on Emerald Park would be less than significant.

Privately-Owned Public Open Spaces (POPOS)

Marriott Courtyard A& B

Marriott Courtyard A & B is located at 299 Second Street, at the northeast corner of Folsom Street and Second Street, with a total area of approximately 2,570 square feet. It is an outdoor sitting area 4 feet below the sidewalk along Folsom Street. This space is open to the public between 8 a.m. and 5 p.m. The seating area includes umbrellas and tall landscaping along the sidewalk of Folsom Street. This area is paved with concrete and has small planters along the perimeter of the courtyard. Figure 23 shows a view of the space looking east from Second Street.

Net new shadow on the Marriott Courtyard A & B as a result of the project would occur during August 12 through April 29, totaling 261 days. The average duration of the daily net new shadow would be 63 minutes. The net new shadow would occur between 1:19 p.m. to 4:03 p.m. and the maximum duration of the net new shadow would be 147 minutes occurring on September 27 and 28. The average size of the new shadows would be approximately 560 square feet. The largest shadow would be approximately 1,720 square feet, occurring at 2:38 pm on March 13. The additional shadow from the proposed project would occur during the mid-afternoon for most of the year and therefore could adversely affect the use and enjoyment of the space, resulting in a significant impact. However, the proposed project would not result in any significant shadow impacts that were not previously disclosed in the TCDP PEIR, nor would it result in more severe impacts than those identified in the PEIR.

611 Folsom Street Plaza

Folsom Street Plaza is located approximately 0.03 miles to the east of the project site and has a total area of approximately 7,680 square feet. The plaza is brick-paved with tall deciduous landscaping along the edge of the sidewalks of Folsom and Second streets. There are three rows of brick benches spanning from the middle of the plaza to the southwest end. The southwest end of the plaza is bound by a white architectural feature approximately 5 feet tall and includes planters. The north side of the plaza is mainly open for pedestrian movement. This plaza is open at all times.

Net new shadow on the 611 Folsom Street Plaza as a result of the proposed project would occur during March 2 through October 10, totaling 223 days. The average duration of the daily net new shadow would be 163 minutes. The net new shadow would occur between 2:04 p.m. to 5:44 p.m., and the maximum duration of the net new shadow would be 210 minutes, occurring on May 25 to 27, and July 14 to 16. The average size of the new shadows would be approximately 4,170 square feet. The largest shadow would be approximately 7,560 square feet, occurring at 3:40 p.m. on May 12. Figure 24 shows a view of the plaza looking south from Folsom Street.

As the additional shadow cast by the proposed project would occur during the later afternoon over a relatively large portion of the park during the majority of the year, the additional shadow would substantially affect the use and enjoyment of the 611 Folsom Street Plaza, which would result in a

significant and unavoidable shadow impact. However, the proposed project would not result in any significant shadow impacts that were not disclosed in the TCDP PEIR, nor would it result in any more severe impacts than identified in the PEIR.

Marathon Plaza

Marathon Plaza is located at 303 Second Street, approximately 0.1 miles to the east of the proposed project site. It is a large triangular paved plaza facing Second Street. Two sides of the plaza are bordered by midrise buildings. The south half of the plaza is an open paved space with a water fountain in the middle of the area. The north half of the plaza is mainly grass with multiple water features, architectural features and wooden benches. There are some large deciduous trees located on the edge of the open side of the plaza, along Second Street. There is deciduous landscaping along the perimeter of the plaza and small planters and flower beds in parts of the plaza. The plaza has a terraced surface incorporating steps at multiple places. It is open at all times and primarily used for passive activities. The total area of this POPOS is approximately 22,036 square feet.

Net new shadow on Marathon Plaza from the proposed project would occur from April 6 to September 4, totaling 152 days. The average duration of the daily net new shadow is 40 minutes. The net new shadow would occur between 3:37 p.m. to 5:10 p.m. and the maximum duration of the net new shadow is 81 minutes, occurring on April 20 and August 21. The average size of the new shadows would be approximately 696 square feet. The largest shadow would be approximately 3,435 square feet, occurring at 4:16 p.m. on August 4. The shadow would largely on the western portion of the plaza, which is a sidewalk, and the southern edge of plaza, which contains a fountain surrounded by pavement. Most of the seating area of the plaza, and over 85 percent of the total area of the plaza, is outside of the areas that would be affected by the additional shadow.

As the additional shadow cast by the proposed project would occur mostly along the sidewalk and the fountain and because the plaza would remain mostly unshaded throughout the mid-day, the additional shadow would not substantially affect the use and enjoyment of the Marathon Plaza. Therefore, the impact of new shadow from the proposed project on Marathon Plaza would be less than significant.

Other Shading

The proposed project would also shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby 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.

Cumulative Analysis

Cumulative conditions for the shadow analysis included the following reasonably foreseeable projects: 429 Beale Street, 325 Fremont Street, 555 Howard Street, 15 Guy Pace, 390 First Street, 525 Harrison Street, 77 Federal Street, One Vassar (400 Second Street), 350 Second Street, 650 Harrison Street, 633 Folsom Street, 655 Folsom Street, 120 Hawthorne Street, 345 Fourth Street, 72 Ellis Street, and 120 Stockton Street.[67]

[67] Since the wind analysis was prepared, the following projects have been completed or are currently under construction, and, as such, are considered to be part of the existing conditions: 15 Guy Place, 390 First Street, 120 Hawthorne Street, 650 Harrison Street, 725 Harrison Street, and 345 Fourth Street.

These cumulative projects would all increase shadow on nearby parks and open spaces, contributing to the significant and unavoidable shadow impact identified in the TCPD PEIR. The proposed project would similarly contribute to the previously identified significant and unavoidable shadow impact. Therefore, the proposed project would not result in additional or more severe cumulative shadow impacts than were analyzed in the TCDP PEIR.

Conclusion

Although the proposed project would result in a substantial increase in shadow on two existing POPOS (Marriott Courtyard A & B and 611 Folsom Street Plaza), which would result in a significant and unavoidable impact, this conclusion is consistent with the shadow analysis in the TCDP PEIR. The significant shadow impacts were disclosed in the TCDP PEIR, and the proposed project would not result in substantially more severe impacts than those identified in the PEIR. Shading would occur as well on nearby streets and sidewalks, and other open spaces as described above, but would not result in additional or more severe shadow impacts than were analyzed in the TCDP PEIR.

Future Parks

The following parks and open spaces are either planned or under construction: Guy Place Park, Second and Howard Plaza, Oscar Park, and Essex Street Hillside. Given that these parks have not been completed and are not open for public use, it is not possible to conduct site visits to observe park use. Without information about park programming or observations of park use, it is not possible to assess the effects of shading on the use and enjoyment of the parks for the purpose of CEQA analysis. An assessment of impacts on the future parks would be speculative, and therefore, pursuant to CEQA Guidelines section 15145, should not be considered in making an impact determination. However, a discussion characterizing the shadow effects of the proposed project on these proposed parks is included below for informational purposes.

Section 295 Property Under Construction (Guy Place Park)

The proposed project would cast shadow on Guy Place Park, a section 295 property currently under construction as of May 2019. Guy Place Park will be located at 4-8 Guy Place, in the Rincon Hill neighborhood. The total area of the park will be approximately 4,000 square feet. The concept plan of the park includes columns with vegetation around the perimeter of the park, and a row of columns with vegetation through the middle section of the park. The park will include a combination of grass and granite pavement, with benches and water features in three separate areas.

Shadowing of Guy Place Park from the proposed project would occur during January 29 through January 31, February 6 through March 1, and October 11 through November 11, for a total of 59 days. The average duration of the daily net new shadow would be 11 minutes. The net new shadow would occur between 3:23 p.m. to 4:18 p.m. and the maximum duration of the net new shadow would be 16 minutes occurring on February 18 and February 20. The average size of the net new shadows would be approximately 180 square feet. The largest shadow would be predicted to be approximately 534 square feet, occurring at 3:56 p.m. on February 16.

Second and Howard Plaza

A proposed open space would be located at Second and Howard streets, as discussed in the Transit Center District Plan, with a total area of approximately 28,780 square feet. The open space would be linked to the adjacent elevated Transit Center Park and is expected to be one of the entry points to the transit center

itself. The site is currently occupied by low-rise buildings, which are planned to be acquired by the Transbay Joint Powers Authority, and demolished. Portions of these buildings may be re-used as part of the new plaza design. This plaza would be located approximately 0.13 mile to the north of the project site. The concept plan of the plaza includes vertical architectural features at the edge of the sidewalks of Howard and Second streets. The plaza is to incorporate vertical connections between the Transit Center building and the Transit Center park, with a combination of elevators, escalators, ramps, or stairs. Restaurants and retail uses would be incorporated in this plaza. This plaza is expected to be used for both active and passive activities.

Net new shadow on the Second and Howard Plaza as a result of the project would occur during November 18 through January 22, totaling 66 days. The average duration of the daily net new shadow would be 28 minutes. The net new shadow would occur between 11:39 a.m. to 12:30 p.m. and the maximum duration of the net new shadow would be 32 minutes occurring on December 14, 16 to 24, and 26. The average size of the new shadow would be about 350 square feet. The largest shadow would be about 910 square feet, occurring at 11:58 a.m. on December 21.

Oscar Park

Oscar Park is a public open space that is currently under construction on a 123,150 square-foot lot between Howard Street and Folsom Street. The park is planned to be open in the spring of 2022. Located approximately 0.16 mile to the northeast of the proposed project, this open space will be underneath the Bay Bridge ramp. There will be elevation changes throughout the park site, which will occur through a series of ramps, stairs and sloping pads. The major features of this park will include an outdoor playground, sun deck, outdoor sports and exercise areas, beer garden, bike parking and repair area, bike lane and seating benches/ waiting areas in the middle potion of the park, along Clementina Street. The open space on the east side of Clementina Street is planned for flexible event and play space, retail space, climbing structures, public art and outdoor seating areas. The west side of the park is mainly planned for passive activities.

Net new shadow on Oscar Park as a result of the proposed project would occur during October 2 through March 10, totaling 160 days. The average duration of the daily net new shadow would be 107 minutes. The net new shadow would occur between 12:26 p.m. to 3:46 p.m. and the maximum duration of the net new shadow would be 171 minutes occurring on November 28. The average size of the new shadows would be approximately 2,460 square feet. The largest shadow would be approximately 12,830 square feet, occurring at 2:37 p.m. on November 26, and would occur along the northern and eastern edge of the park.

Essex Street Hillside

Essex Street Hillside is a proposed public open space, planned to be located near the northeast corner of Essex Street and Folsom Street, approximately 0.17 miles northeast of the project site. This 23,740 square-foot open space would contain grass with landscaping in isolated areas. The major features of this open space would include a dog park, a children's play area including Guy Place slide, and the Lansing stairs. A basketball court is planned on the northeast side, and Oscar Park would be located across the street, on the south side of Folsom Street. The open space would be used for both active and passive activities and is

scheduled for construction documents to be completed by early 2020 and construction to start in late 2020, as of August 2018.[68]

Net new shadow on Essex Street Hillside as a result of the project would occur during March 1 through April 20, and August 21 through October 11, totaling 103 days. The average duration of the daily net new shadow would be 57 minutes. The net new shadow would occur between 3:27 p.m. to 5:31 p.m., and the maximum duration of the net new shadow would be 89 minutes on March 16. The average size of the new shadow would be approximately 2,000 square feet. The largest shadow would be approximately 7,050 square feet, at 4:36 p.m. on September 11, and would occur on the southeastern edge of the space.

11. RECREATION

TCDP PEIR Findings

The PEIR found that implementation of the Transit Center District Plan would result in an increase in the use of existing neighborhood parks and recreational facilities, but not to a degree that would lead to or accelerate their physical deterioration or require the construction of new facilities. Although the plan would increase the population of the area, the PEIR acknowledged that the Plan would primarily increase the population of office workers, who would not be anticipated to use the parks and open spaces to an extent that would cause substantial deterioration of existing facilities. The PEIR concluded that the new five-acre park above the Transit Center (which opened in August 2018 as the Salesforce Park, and as of April 2019, is scheduled to re-open later in 2019), and the public and private open space that would accompany new development within the Plan area would help to alleviate the demand that would be generated by the increase in population. In addition, the PEIR determined that City planning efforts would ensure new open spaces are provided in areas with high demand. Therefore, the PEIR concluded that implementation of the plan would have a less-than-significant impact on recreation and public space and no mitigation measures were required.

Project Analysis

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*
11. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

[68] https://sfocii.org/sites/default/files/Meetings/Commission/Supporting-Docs/2018/MEMO_URP%20OCII-SFPW%20MOU_with%20attachments.pdf

11.a) The Transit Center District Plan area, including the project site, is served primarily by Privately-Owned Public Open Spaces (POPOS) associated with nearby developments. The 611 Folsom Street Plaza is located one block east of the project site on Folsom Street, and Marathon Plaza is located one block southeast of the project site. Other POPOS include: 235 Second Street, Marriot C Courtyard, and Marriot Courtyard A & B. Larger open spaces near the project site include Yerba Buena Gardens approximately three blocks northwest of the project site, and the Salesforce Park approximately two blocks northeast of the project site. Existing smaller open spaces in the larger area include: Annie Street Space, Jessie Square, Yerba Buena Lane, Moscone Pedestrian Laneway, 300 Beale Street, 300 Orrick Entrance, Emerald Park, and Rincon Hill Dog Park. The planned Guy Place Park is approximately one-third mile southeast of the project site. Other proposed open spaces in the immediate area include Second and Howard Plaza, Oscar Park, and Essex Street Hillside.

The proposed project would add approximately 921 new residents and 10 new employees. The proposed project would include approximately 5,400 square feet of open space, including approximately 2,200 square feet in a roof terrace, and approximately 3,200 square feet of open space on the 6th floor (divided into two rooftop areas). The proposed project would also include private open space for 116 of the units in the form of private balconies.

Although new residents and workers at the project site would increase the use of nearby public and private open spaces, the provision of new open space resources and access to nearby parks, including the Yerba Buena Gardens and the Salesforce Park, would satisfy the increased demand such that existing resources would not experience overuse or accelerated physical deterioration. The proposed project would contribute to the construction and maintenance of nearby public open spaces by paying the Downtown Park Fee, the Transit Center Open Space Fee, and participating in the Transit Center Community Facilities District. Although the proposed project would introduce a new permanent population to the project site, the number of new residents and/or employees projected would not be large enough to substantially increase demand for, or use of, neighborhood parks or recreational facilities, such that substantial physical deterioration would be expected.

11.b) The proposed project would not include recreational facilities other than the open spaces detailed in the project description (the physical effects of which are evaluated in this initial study), and the permanent residential population on the site and the incremental on-site daytime population growth that would result from the proposed commercial use would not require the construction of new recreational facilities or the expansion of existing facilities.

Cumulative Analysis

Cumulative development in the project vicinity would result in an intensification of land uses and an increase in the use of nearby recreational resources and facilities. The Recreation and Open Space Element of the General Plan provides a framework for providing a high-quality open space system for its residents, while accounting for expected population growth through year 2040. In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the city's network of recreational resources. As discussed above, there are several parks, open spaces, or other recreational facilities in the vicinity of the project site, and one large new park has recently been constructed within the plan area. These existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects without resulting in physical degradation of those resources. For these reasons, the proposed project would not combine with

reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on recreational resources or facilities.

Conclusion

As discussed above, the proposed project would not result in significant individual or cumulative impacts related to recreational resources. Therefore, the proposed project would not result in a significant recreational impact that was not disclosed in the TCDP PEIR.

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12. UTILITIES AND SERVICE SYSTEMS

TCDP PEIR Findings

The TCDP PEIR describes the general environmental conditions in the plan area with respect to utilities and service systems and found that implementation of the TCDP would result in less-than-significant impacts to utilities and service systems, including wastewater, water supply, and solid waste. No mitigation measures were identified.

Project Analysis

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*
12. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Require or result in the relocation or construction of new or expanded, water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess or state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

12.a and c) The project site is located in an urban area and would connect to existing utilities including water and wastewater connections, electricity, natural gas, and telecommunications systems. The construction impacts associated with connecting to these systems are accounted for in the construction

equipment and operating assumptions that provide the basis for determining the environmental effects on various environmental resources, including construction noise and air quality. Therefore, this initial study accounts for any environmental effects associated with providing connections to these utilities.

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater treatment and management for the east side of the city, including the project site. The project site is covered by impervious surfaces and would be required to comply with the city's Stormwater Management Ordinance. This ordinance requires the proposed project to decrease the amount of impervious area on site and reduce peak stormwater runoff compared to existing conditions. Therefore, with implementation of the proposed project, stormwater from the project site to the Southeast Water Treatment Plant would be reduced compared to existing conditions. Further, wastewater volumes generated by the project would be minimal in comparison to stormwater flows. Thus, the proposed project would not require new or expanded stormwater or wastewater facilities.

12.b) The San Francisco Public Utilities Commission (SFPUC) adopted the 2015 Urban Water Management Plan (UWMP) in June 2016. The plan estimates that current and projected water supplies will be sufficient to meet future retail demand[69] through 2035 under normal year, single dry-year and multiple dry-year conditions; however, if a multiple dry-year event occurs, the SFPUC would implement water use and supply reductions through its drought response plan and a corresponding retail water shortage allocation plan.

In December 2018, the State Water Resources Control Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, which establishes water quality objectives to maintain the health of our rivers and the Bay-Delta ecosystem (the Bay-Delta Plan Amendment).[70] The state water board has stated that it intends to implement the Bay-Delta Plan Amendment by the year 2022, assuming all required approvals are obtained by that time. Implementation of the Bay-Delta Plan Amendment would result in a substantial reduction in the SFPUC's water supplies from the Tuolumne River watershed during dry years, requiring rationing to a greater degree in San Francisco than previously anticipated to address supply shortages not accounted for in the 2015 Urban Water Management Plan.

The SFPUC has prepared a memorandum discussing future water supply scenarios given adoption of the Bay-Delta Plan Amendment.[71] As discussed in the SFPUC memorandum, implementation of the plan amendment is uncertain for several reasons and whether, when, and the form in which the Bay-Delta Plan Amendment would be implemented, and how those amendments could affect SFPUC's water supply, is currently unknown. The SFPUC memorandum estimates total shortfalls in water supply (that is, total retail demand minus total retail supply) to retail customers through 2040 under three increasingly supply-limited scenarios:

[69] "Retail" demand represents water the SFPUC provides to individual customers within San Francisco. "Wholesale" demand represents water the SFPUC provides to other water agencies supplying other jurisdictions.

[70] State Water Resources Control Board Resolution No. 2018-0059, Adoption of Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and Final Substitute Environmental Document, December 12, 2018, available at https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf.

[71] Memorandum from Steven R. Ritchie, SFPUC to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department, Environmental Planning Division, May 31, 2019.

1. Without implementation of the Bay-Delta Plan Amendment wherein the water supply and demand assumptions contained in the 2015 Urban Water Management Plan and the 2009 Water Supply Agreement as amended would remain applicable
2. With implementation of a voluntary agreement between the SFPUC and the State Water Resources Control Board that would include a combination of flow and non-flow measures that are designed to benefit fisheries at a lower water cost, particularly during multiple dry years, than would occur under the Bay-Delta Plan Amendment)
3. With implementation of the Bay-Delta Plan Amendment as adopted.

As estimated in the SFPUC memorandum, water supply shortfalls during dry years would be lowest without implementation and highest with implementation of the Bay-Delta Plan Amendment. Shortfalls under the proposed voluntary agreement would be between those with and without implementation of the Bay-Delta Plan Amendment.[72]

Under these three scenarios, the SFPUC would have adequate water to meet total retail demands through 2040 in normal years.[73] For single dry and multiple (years 1, 2 and 3) dry years of an extended drought, the SFPUC memorandum estimates that shortfalls of water supply relative to demand would occur both with and without implementation of the Bay-Delta Plan Amendment. Without implementation of the plan amendment, shortfalls would range from approximately 3.6 to 6.1 million gallons per day or 5 to 6.8 percent shortfall during dry years through the year 2040.

With implementation of the Bay-Delta Plan Amendment, shortfalls would range from 12.3 million gallons per day (15.6 percent) in a single dry year to 36.1 million gallons per day (45.7 percent) in years seven and eight of the 8.5-year design drought based on 2025 demand levels and from 21 million gallons per day (23.4 percent) in a single dry year to 44.8 million gallons per day (49.8 percent) in years seven and eight of the 8.5-year design drought based on 2040 demand.

The proposed project does not require a water supply assessment under the California Water Code. Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large "water demand" projects, as defined in CEQA Guidelines section 15155.[74] The proposed mixed-use residential project would result in 392 units and 3,425

[72] On March 26, 2019, the SFPUC adopted Resolution No. 19-0057 to support its participation in the voluntary agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency. The SFPUC submitted a proposed project description that could be the basis for a voluntary agreement to the state water board on March 1, 2019. As the proposed voluntary agreement has yet to be accepted by the state water board as an alternative to the Bay-Delta Plan Amendment, the shortages that would occur with its implementation are not known with certainty; however, if accepted, the voluntary agreement would result in dry year shortfalls of a lesser magnitude than under the Bay-Delta Plan Amendment.

[73] Based on historic records of hydrology and reservoir inflow from 1920 to 2017, current delivery and flow obligations, and fully-implemented infrastructure under the 2018 Phased Water System Improvement Program Variant, normal or wet years occurred 85 out of 97 years. This translates into roughly nine normal or wet years out of every 10 years. Conversely, system-wide rationing is required roughly one out of every 10 years. This frequency is expected to increase as climate change intensifies.

[74] Pursuant to CEQA Guidelines section 15155(1), "a water-demand project" means:

(A) A residential development of more than 500 dwelling units.

(B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.

(C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area.

square feet of commercial space; as such it does not qualify as a "water-demand" project as defined by CEQA Guidelines section 15155(a)(1) and a water supply assessment is not required and has not been prepared for the project.

While a water supply assessment is not required, the following discussion provides an estimate of the project's maximum water demand in relation to the three supply scenarios. No single development project alone in San Francisco would require the development of new or expanded water supply facilities or require the SFPUC to take other actions, such as imposing a higher level of rationing across the city in the event of a supply shortage in dry years. Therefore, a separate project-only analysis is not provided for this topic. The following analysis instead considers whether the proposed project in combination with both existing development and projected growth through 2040 would require new or expanded water supply facilities, the construction or relocation of which could have significant cumulative impacts on the environment that were not identified in the TCDP PEIR. It also considers whether a high level of rationing would be required that could have significant cumulative impacts. It is only under this cumulative context that development in San Francisco could have the potential to require new or expanded water supply facilities or require the SFPUC to take other actions, which in turn could result in significant physical environmental impacts related to water supply. If significant cumulative impacts could result, then the analysis considers whether the project would make a considerable contribution to the cumulative impact.

Based on guidance from the California Department of Water Resources and a citywide demand analysis, the SFPUC has established 50,000 gallons per day as an equivalent project demand for projects that do not meet the definitions provided in CEQA Guidelines section 15155(a)(1).75 The development proposed by the project would represent 78 percent of the 500-unit limit and 0.007 percent of the 500,000 square feet of commercial space provided in section 15155(1)(A) and (B), respectively. In addition, the proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the city's Green Building Ordinance. It is therefore reasonable to assume that the proposed project would result in an average daily demand of less than 50,000 gallons per day of water.

The SFPUC has prepared estimates of total retail demand in five-year intervals from 2020 through 2040.76 Assuming the project would demand no more than 50,000 gallons of water per day (or 0.05 million gallons per day), Table 3 compares this maximum with the total retail demand from 2020 through 2040. At most, the proposed project's water demand would represent a small fraction of the total projected retail water demand, ranging from 0.07 to 0.06 percent between 2020 and 2040. As such, the project's water demand is not substantial enough to require or result in the relocation or construction of new or expanded water facilities the construction or relocation of which could cause significant environmental effects.

Table 3: Proposed Project Demand Relative to Total Retail Demand (million gallons per day)

(D) A hotel or motel, or both, having more than 500 rooms, (e) an industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

(F) a mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section.

(G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

[75] Memorandum, from Steven R. Ritchie, Assistant General Manager, Water Enterprise, San Francisco Public Utilities Commission to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department – Environmental Planning, May 31, 2019.

[76] San Francisco Public Utilities Commission, *2015 Urban Water Management Plan for the City and County of San Francisco*, June 2016. This document is available at https://sfwater.org/index.aspx?page=75

	2020	2025	2030	2035	2040
Total Retail Demand	72.1	79	82.3	85.9	89.9
Total Demand of Proposed Project	0.05	0.05	0.05	0.05	0.05
Total Demand of Proposed Project as Percentage of Total Retail Demand	0.07%	0.06%	0.06%	0.06%	0.06%

Sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years unless the Bay-Delta Plan Amendment is implemented. As indicated above, the proposed project's maximum demand would represent less than 0.06 percent of the total retail demand in 2040 when implementation of the Bay-Delta Plan Amendment would result in a retail supply shortfall of up to 49.8 percent in a multi-year drought. The SFPUC has indicated that it is accelerating its efforts to develop additional water supplies and explore other projects that would increase overall water supply resilience in the case that the Bay-Delta Plan Amendment is implemented. The SFPUC has identified possible projects that it will study, but it has not determined the feasibility of the possible projects, has not made any decision to pursue any particular supply projects, and has determined that the identified potential projects would take anywhere from 10 to 30 years or more to implement. The potential impacts that could result from the construction and/or operation of any such water supply facility projects cannot be identified at this time. In any event, under such a worst-case scenario, the demand for the SFPUC to develop new or expanded dry-year water supplies would exist regardless of whether the proposed project is constructed.

Given the long lead times associated with developing additional water supplies, in the event the Bay-Delta Plan Amendment were to take effect sometime after 2022 and result in a dry-year shortfall, the expected action of the SFPUC for the next 10 to 30 years (or more) would be limited to requiring increased rationing. As discussed in the SFPUC memorandum, the SFPUC has established a process through its Retail Water Shortage Allocation Plan for actions it would take under circumstances requiring rationing. The level of rationing that would be required of the proposed project is unknown at this time. Both direct and indirect environmental impacts could result from high levels of rationing. However, the small increase in potable water demand attributable to the project compared to citywide demand would not substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Therefore, the proposed project would not make a considerable contribution to a cumulative environmental impact caused by implementation of the Bay-Delta Plan Amendment. Project impacts related to water supply would be less than significant.

12.d and e) The city disposes of its municipal solid waste at the Recology Hay Road Landfill, and that practice is anticipated to continue until 2025, with an option to renew the agreement thereafter for an additional six years. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris to be transported to a facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the city to separate their recyclables, compostables, and landfill trash.

The proposed project would incrementally increase total city waste generation; however, the proposed project would be required to comply with San Francisco ordinance numbers 27-06 and 100- 09. Due to the existing and anticipated increase of solid waste recycling in the city and the requirements to divert construction debris from the landfill, any increase in solid waste resulting from the proposed project would

be accommodated by the existing Hay Road landfill. Thus, the proposed project would have less-than-significant impacts related to solid waste.

Cumulative Analysis

As stated above, the small increase in potable water demand attributable to the project compared to citywide demand would not substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Thus, the proposed project would not make a considerable contribution to a cumulative environmental impact caused by implementation of the Bay-Delta plan amendment.

All projects in San Francisco would be required to comply with the same regulations described above which reduce stormwater, potable water use, and waste generation. Therefore, the proposed project, in combination with other reasonably foreseeable future projects would not result in a cumulative utilities and service systems impact.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to utilities and service systems. Therefore, the proposed project would not result in a significant utilities and service system impact that was not disclosed in the TCDP PEIR.

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13. PUBLIC SERVICES

TCDP PEIR Findings

The PEIR found that implementation of the Plan would result in less-than-significant impacts to police, fire, and park services. The increased residential and worker population in the area would result in increased demand for police and fire protection services, as well as park use, but this demand could be accommodated within existing infrastructure and planned improvements in the Transit Center District Plan area, such as new parks and open spaces, or through re-deployment of resources from other areas of the city, if needed. No mitigation measures were identified in the PEIR.

Project Analysis

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*
13. PUBLIC SERVICES—Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 of the public services such as fire protection, police protection, schools, parks, or other public facilities?	☐	☐	☐	☒

13.a) Project residents and employees would be served by the San Francisco Police Department and Fire Departments. The closest police station to the project site is the Tenderloin District Police Department at 301 Eddy Street, located approximately 0.8 miles from the site. The closest fire station to the project site is Fire Department Station 35, located approximately 0.7 miles from the project site. The increased population at the project site could result in more calls for police, fire, and emergency response. However, the increase in demand for these services would not be substantial given the overall demand for such services on a citywide basis. Moreover, the proximity of the project site to police and fire stations would help minimize the response time for these services should incidents occur at the project site.

The San Francisco Unified School District (school district) maintains a property and building portfolio that has capacity for almost 64,000 students.[77] A decade-long decline in district enrollment ended in the 2008-2009 school year at 52,066 students, and total enrollment in the district has increased to about 54,063 in the 2017-2018 school year, an increase of approximately 1,997 students since 2008.[78,79] Thus, even with increasing enrollment, school district currently has more classrooms district-wide than needed.[80] However, the net effect of housing development across San Francisco is expected to increase enrollment by at least 7,000 students by 2030 and eventually enrollment is likely to exceed the capacity of current facilities.[81]

Lapkoff & Gobalet Demographic Research, Inc. conducted a study in 2010 for the school district that projected student enrollment through 2040.[82] This study is being updated as additional information becomes available. The study considered several new and ongoing large-scale developments (Mission Bay, Candlestick Point, Hunters Point Shipyard/San Francisco Shipyard, and Treasure/Yerba Buena Islands, Parkmerced, and others) as well as planned housing units outside those areas.[83] In addition, it developed student yield assumptions informed by historical yield, building type, unit size, unit price, ownership (rented or owner-occupied), whether units are subsidized, whether subsidized units are in standalone buildings or in inclusionary buildings, and other site specific factors. For most developments, the study establishes a student generation rate of 0.8 kindergarten through 12th grade students per unit in a 100 percent affordable (below market rate) housing site, 0.25 students per unit for inclusionary affordable housing units (10 to 20 percent are below market rate), and 0.10 students per unit for market-rate housing. This analysis assumes that the project would generate 0.25 students per unit as percentage of affordable units is within the range for inclusionary affordable housing units.

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[77] This analysis was informed, in part, by a Target Enrollment Survey the San Francisco Unified School District performed of all schools in 2010.

[78] San Francisco Unified School District, Facts at a Glance, 20187, http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/sfusd-facts-at-a-glance.pdf, accessed September 13, 2018.

[79] Note that Enrollment summaries do not include charter schools. Approximately 4,283 students enrolled in charter schools are operated by other organizations but located in school district facilities.

[80] San Francisco Unified School District, San Francisco

Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population,

Growing Schools, August 31, 2016, https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf, accessed October 5, 2018.

[81] Lapkoff & Gobalet Demographic Research, Inc., Demographic Analyses and Enrollment

Forecasts for the San Francisco Unified School District, February 16, 2018,

http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/demographic-analyses-enrollment-forecast.pdf, accessed October 5, 2018.

[82] Ibid.

[83] Ibid.

The Leroy F. Greene School Facilities Act of 1998, or SB 50, restricts the ability of local agencies to deny land use approvals on the basis that public school facilities are inadequate. SB 50, however, permits the levying of developer fees to address local school facility needs resulting from new development. Local jurisdictions are precluded under state law from imposing school-enrollment-related mitigation beyond the school development fees. The school district collects these fees, which are used in conjunction with other school district funds, to support efforts to complete capital improvement projects within the city. The proposed project would be subject to the school impact fees.

Based on the student generation rate, the proposed project would be expected to generate 98 school-aged children, some of whom may be served by the San Francisco Unified School District and others through private schools in the areas. The school district currently has capacity to accommodate this minor increase in demand without the need for new or physically altered schools, the construction of which may result in environmental impacts.

Impacts to parks and recreational facilities are addressed above in Topic 11, Recreation.

Cumulative Analysis

The proposed project, combined with projected citywide growth through 2040, would increase demand for public services, including police and fire protection and public schooling. The fire department, the police department, the school district, and other city agencies have accounted for such growth in providing public services to the residents of San Francisco. For these reasons, the proposed project would not combine with reasonably foreseeable future projects to increase the demand for public services requiring new or expanded facilities, the construction of which could result in significant physical environmental impacts.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to public services. Therefore, the proposed project would not result in a significant public services impact that was not disclosed in the TCDP PEIR.

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14. BIOLOGICAL RESOURCES

TCDP PEIR Findings

The TCDP area is a dense, developed urban area with no natural vegetation communities remaining; therefore, development under the TCDP, as addressed as part of the TCDP PEIR, would not affect any special-status plants. There are no riparian corridors, estuaries, marshes, or wetlands in the plan area that could be affected by the development anticipated under the TCDP. In addition, development envisioned under the TCDP would not substantially interfere with the movement of any resident or migratory wildlife species through compliance with planning code section 139, which requires specific window and façade treatments for structures within 300 feet of, and having a direct line of sight to, an Urban Bird Refuge. However, the PEIR determined that construction in the plan area could have a significant effect on special-status birds and bats through tree removal or building demolition. The PEIR concluded that implementation of the TCDP would not result in significant impacts on biological resources with implementation of PEIR Mitigation Measures M-BI-1a: Pre-Construction Bird Surveys and M-BI-1b: Pre-

Construction Bat Surveys. PEIR Improvement Measure I-BI-2 was identified to reduce potential effects on birds from night lighting at project sites.

Project Analysis

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*
14. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

14.a-f) The proposed project would involve demolition of a building that is currently being used for commercial offices. The project would remove two large trees on Hawthorne Street (one on the northernmost edge of the project frontage on Hawthorne Street to create room for the curb cut, and a second on the southernmost edge of the project frontage on Hawthorne Street to accommodate a curb ramp), and the existing building to be demolished could provide for marginal nesting opportunities. During tree

removal activities, the proposed project could disturb nesting birds and those protected by the federal Migratory Bird Treaty Act and the California Fish and Game Code. Nesting birds may be present in the existing street trees and foliage surrounding the project site. As such, if tree removal would occur during the nesting season (January 15 through August 15) or during the breeding season (March through August), nesting birds could be disturbed. The project sponsor is required to comply with California Fish and Game Code section 3500 et al., including sections 3503, 3503.5, 3511, and 3513, which provide that it is unlawful to take or possess any migratory nongame bird or needlessly destroy nests of birds except as otherwise outlined in the code. The California Department of Fish and Wildlife enforces the code by requiring that projects incorporate measures to avoid and minimize impacts to nesting birds if any tree removal would occur during the nesting or breeding season. Therefore, because the project proposed tree removal, which may contain nesting birds, the proposed project is subject to PEIR Mitigation Measure M-BI-1a. This mitigation measure is included as Project Mitigation Measure M-BI-1: Pre-construction Bird Surveys. Removal of the trees on Hawthorne Street could also affect any special-status bat species that may be present, resulting in a significant impact. Therefore, TCDP PEIR Mitigation Measure M-B1-1b would also be applicable. This mitigation measure is included as Project Mitigation Measure M-BI-2: Pre-construction Bat Surveys. Implementation of Project Mitigation Measure M-BI-1 and M-BI-2 would reduce impacts to nesting birds and any special-status bat species that may be present to less than significant by requiring that pre-construction surveys are conducted to identify nesting birds and bats and protection measures are implemented to limit any impacts during construction.

Planning code section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes.[84] The proposed project would be required to comply with the building feature–related hazards standards of section 139 by using bird-safe glazing treatment on 100 percent of any building feature–related hazards such as free-standing glass walls, wind barriers, and balconies. The project would be subject to, and would be required to comply, with the city's regulations for bird-safe buildings. Therefore, the proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors and would not result in a significant impact to native resident or wildlife species. However, to further reduce the project's less-than-significant impacts to resident and migratory birds, the project sponsor has agreed to implement Improvement Measure I-BI-A: Night Lighting Minimization (implementing PEIR Improvement Measure I-BI-2). Additionally, the project would be required to comply with *Public Works Code* section 801 *et. seq*., which requires a permit from Public Works to remove any protected trees (landmark, significant, and street trees).

Cumulative Analysis

As the proposed project would have no impact on special-status species (other than possibly bats) or sensitive habitats, the project would not have the potential to contribute to cumulative impacts to special-status species or sensitive habitats. All projects are required to comply with federal and state regulations related to the protection of migratory birds, including the Migratory Bird Treaty Act and the California Fish and Game Code section 3500. Therefore, cumulative impacts to migratory birds would be less than significant. Similarly, all projects within San Francisco are required to comply with *Public Works Code* section 801 *et.seq.*, which would ensure that any cumulative impact resulting from tree removal would be less than significant.

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[84] San Francisco Planning Department, Standards for Bird-Safe Buildings, July 14, 2011. Available at: http://planning.sanfranciscocode.org/1.2/139, accessed on January 18, 2017.

Conclusion

As discussed above, with implementation of mitigation measures identified in the TCPD PEIR, the proposed project would not result in a significant individual or cumulative impact with respect to biological resources. Therefore, the proposed project would not result in a significant biological resources impact that was not disclosed in the TCDP PEIR.

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15. GEOLOGY AND SOILS

TCDP PEIR Findings

The TCDP PEIR found that all impacts related to geology and soils would be less than significant, including impacts related to earthquake fault, seismic groundshaking, seismically induced ground failure, or landslides. Much of the Transit Center District Plan area is located within a potential liquefaction hazard zone identified by the California Geological Survey. 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. In addition, according to the TCDP PEIR, there are no known paleontological resources in the TCDP area. The plan area is underlain primarily by fill, dune sand, and marsh deposits. The fill and dune sands do not typically contain paleontological resources, and the marsh deposits are relatively young in age and are unlikely to contain rare or important fossilized remains. Thus, the TCDP PEIR concluded that implementation of the plan would not result in significant impacts with regard to geology and soils, and no mitigation measures were identified in the PEIR.

Project Analysis

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*
15. GEOLOGY AND SOILS—Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
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.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒

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
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?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

15.a, c, and d) A geotechnical investigation was prepared for the proposed project.[85] Given that the project is located in a seismic hazard zone for liquefaction hazard, the building department is required to ensure the recommendations that address seismic hazards including liquefaction hazards in the geotechnical investigation are adhered to, according to the Seismic Hazards Mapping Act of 1990 (Public Resources Code section 2690 et seq.). Project design and the geotechnical investigation must comply with the guidelines and procedures for design review of tall buildings recently established by the building department and will undergo review by the Engineering Design Review Team with final project design.[86]

The geotechnical investigation found that the site is likely underlain by about five to ten feet of clayey/sandy fill, but most of the fill was removed from the site during the excavation of the existing basement. The native clay is underlain by dense to very dense sand, over bedrock. The top of the bedrock is anticipated to slope down from west to east, and the top of the bedrock may be within 15 feet from street grades at the west end of the site and within 60 feet at the east end of the site. The groundwater level across the site may be within the soil/bedrock interface, or on top of the clay, at depths of about 15 to 30 feet below ground surface.

The geotechnical investigation concluded that from a geotechnical standpoint, the proposed project is feasible to construct and identified specific design features for the building foundation to adequately support the proposed building. The following summarizes the geotechnical recommendations, and as discussed above, because the project site is located within a seismic hazard zone for liquefaction, the building department would ensure conformance of the proposed project's construction plans with recommendations in the geotechnical investigation during the permit review process.

[85] Langan Engineering and Environmental Services, Inc, Preliminary Geotechnical Evaluation, 95 Hawthorne Street, San Francisco, California, Langan Project No.: 731668503. October 29, 2018.

[86] The San Francisco Building Code, or local building code, is comprised of amendments to the state building code as well as the Administrative Bulletins. In particular, Chapters 16 and 18, and Administrative Bulletins AB-082, AB-083 address plan review and permit procedures for structural, geotechnical, and seismic hazard engineering. The building department has further articulated implementing procedures related to geology and soils in its Structural Information Sheets, particularly IS S-05 (geotechnical report requirements), S-18 (design review for tall buildings) and S-19 (properties subject to the seismic hazard zone protection act).

Foundations. The investigation recommends that the proposed tower may be supported on a mat foundation and anticipated that the foundation subgrade will likely consist of competent Franciscan Bedrock. In the easternmost corner of the site, where the rock is deeper than planned excavation, the investigation recommended that the mat support be extended to bedrock. The investigation also recommended that the basement walls and mat be waterproofed and designed for the high (in relation to basement depth) groundwater level. During excavation, the bedrock below the proposed project would be carved out to create a flat rock base, and the proposed project would sit on a mat foundation directly on the bedrock, with no piles.

Temporary Shoring/Underpinning. The investigation noted that as the excavation for the five-level basement would extend between 35 to 50 feet below the groundwater levels, shoring would be required to retain the excavation. The shoring could occur through a combination of a soil-cement impervious shoring system with tiebacks in soil and soil-nails (also known as rock-nails) into the bedrock. The shoring would require either grouted tiebacks or internal bracing for lateral support. The shoring would be designed for the variable depth to bedrock anticipated across the site. The investigation also recommended that the foundations adjacent to the proposed project site supporting the 75 Hawthorne and 620 Folsom buildings should be underpinned, or the shoring and permanent basement walls be designed for the surcharge from the adjacent foundations. Slant-drilled soldier piles or a dilled secant system extending into bedrock could be used to underpin the existing structures, which do not require pile driving.

Excavation and Monitoring. The investigation noted that settlement and lateral movement may occur and recommended that survey points be established on the adjacent streets and neighboring buildings to monitor the movement of the buildings and adjacent improvements during construction. The investigation also recommended that a dewatering system be installed inside the excavation to lower the groundwater to at least three feet below the lowest excavation level and maintain it at that depth until the proposed project would be able to resist the hydrostatic loads.

The proposed project would conform to state and local building codes and the building department's implementing procedures which ensures the safety of all new construction in the city. The building department would review the project construction documents for conformance with the recommendations in the project-specific geotechnical report during its review of the building permit for the proposed project and may require additional site-specific soils report(s) through the building permit application process. The state seismic hazards mapping act of 1990 requires that due to the location of the site within a liquefaction hazard zone, the measures identified in the geotechnical report that address liquefaction hazard (primarily focused on susceptible fill removal) will be made conditions of the building permit.

The building department requirement for a geotechnical report and review of the building permit application pursuant to the building department's implementation of state and local codes, including compliance with requirements specified in applicable building department administrative bulletins and information sheets, would ensure that the proposed project would have no significant impacts related to soils, seismicity, or other geological hazards.

15.b) The project site is occupied by an existing building and is entirely covered with impervious surfaces. For these reasons, construction of the proposed project would not result in the loss of substantial topsoil. Site preparation and excavation activities would disturb soil to a depth of approximately 58 feet below ground surface, creating the potential for windborne and waterborne soil erosion. However, the project would be required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and

waste runoff from a construction site. Construction projects disturbing 5,000 square feet or more such as the proposed project, must also submit an Erosion and Sediment Control Plan that details the use, location and emplacement of sediment and control devices. These measures would reduce the potential for erosion during construction. Therefore, the proposed project would not result in significant impacts related to soil erosion or the loss of top soil.

15.e) The project would connect to the city's existing sewer system. Therefore, septic tanks or alternative waste disposal systems would not be required, and this topic is not applicable to the project.

15.f) The project site is already developed with an existing building and implementation of the proposed project would not affect any unique geological feature. Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. The geotechnical investigation[87] found that the site is likely underlain by about five to ten feet of clayey/sandy fill, but most of the fill was removed from the site during the excavation for the existing basement, which extends approximately 10 feet below the ground surface. The native clay is underlain by dense to very dense sand, over Franciscan bedrock. The top of the bedrock is anticipated to slope down from west to east, and the top of the bedrock may be within 15 feet from street grades at the west end of the site and within 60 feet at the east end of the site. Sand and clay in Holocene deposits do not typically contain paleontological resources and are therefore unlikely to contain rare or important fossils. The bedrock is composed of Franciscan bedrock, which include mafic volcanic rocks that have low potential for paleontological resources. Therefore, because the proposed project would excavate in soils that typically do not contain paleontological resources, the proposed project would not result in significant impacts to paleontological resources that were not identified in the PEIR, nor would it result in new or greater impacts than identified in the PEIR.

Cumulative Analysis

The project would have no impact with regards to environmental effects of septic systems or alternative waste disposal systems or unique geologic features. Therefore, the proposed project would not have the potential to combine with effects of reasonably foreseeable projects to result in cumulative impacts to those resource topics. As discussed above, the TCDP area is not sensitive for paleontological resources and therefore the proposed project in combination with reasonably foreseeable projects would not result in cumulative impacts to paleontological resources.

Environmental impacts related to geology and soils are generally site-specific. All development within San Francisco would be subject to the same seismic safety standards and design review procedures of the California and local building codes and be subject to the requirements of the Construction Site Runoff Ordinance. These regulations would ensure that cumulative effects of development on seismic safety, geologic hazards, and erosion are less than significant. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Conclusion

[87] Langan Engineering and Environmental Services, Inc, Preliminary Geotechnical Evaluation, 95 Hawthorne Street, San Francisco, California, Langan Project No.: 731668503. October 29, 2018.

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to geology and soils. Therefore, the proposed project would not result in a significant geology and soils impact that was not disclosed in the TCDP PEIR.

16. HYDROLOGY AND WATER QUALITY

TCDP PEIR Findings

The PEIR determined that implementation of the Plan could affect water quality due to grading and earthmoving operations, the use of fuels and other chemicals, and groundwater dewatering activities during construction and demolition of various projects. In addition, operation of projects in the Plan area would result in changes to sanitary sewer flows and stormwater runoff patterns that could have an impact on water quality. The PEIR determined that compliance with all applicable regulations, including the federal Clean Water Act, the National Pollutant Discharge Elimination System (NPDES), article 4.1 of the San Francisco Public Works Code, the San Francisco Green Building Ordinance, and San Francisco's Stormwater Design Guidelines would ensure impacts to water quality are less than significant.

The PEIR determined that impacts due to the depletion of groundwater would be less than significant, as projects in the Plan area would rely on surface water and recycled water to meet their demand, and while groundwater dewatering would occur, groundwater from the Downtown San Francisco Groundwater Basin is not used for drinking water. In addition, because the Plan area is almost entirely paved, implementation of the Plan would not alter groundwater infiltration rates. Impacts from erosion and flooding, as well as impacts to the existing stormwater drainage system, were considered less than significant, as projects in the Plan area would be required to comply with San Francisco's Stormwater Design Guidelines, which would minimize stormwater runoff. No cumulative hydrology or water quality impacts were identified for the Transit Center District Plan, and no mitigation measures were required.

Project Analysis

Topics:	*Significant Impact Peculiar to Project or Project Site*	*Significant Impact not Identified in PEIR*	*Significant Impact due to Substantial New Information*	*No Significant Impact not Previously Identified in PEIR*
16. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	☐	☐	☐	☒

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
i) Result in substantial erosion or siltation on- or offsite?	☐	☐	☐	☒
ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite?	☐	☐	☐	☒
iii) 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?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to a project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

16.a) The proposed project would involve excavation to a depth of 58 feet below ground surface for the below-grade parking structure; excavation to this depth would require dewatering, given that groundwater is estimated to exist from 15 to 30 feet below grade.[88] Construction stormwater discharges to the city's combined sewer system would be subject to the requirements of article 4.1 of the *San Francisco Public Works Code* (supplemented by Department of Public Works Order No. 158170), which incorporates and implements the city's NPDES permit, and the federal Combined Sewer Overflow Control Policy. Stormwater drainage during construction would flow to the city's combined sewer system, where it would receive treatment at the Southeast Water Pollution Control Plant or other wet weather facilities and would be discharged through an existing outfall or overflow structure in compliance with the city's existing NPDES permit. Similarly, upon completion of construction, project-related wastewater and stormwater would flow into the city's combined sewer system and would be treated to standards contained in the city's NPDES permit prior to discharge into the San Francisco Bay. Therefore, compliance with applicable permits would reduce water quality impacts, and the proposed project would not result in new or more severe impacts related to violation of water quality standards or conflicting with a water quality control plan.

16.b and e) Regarding groundwater supplies, the proposed project would use potable water from the SFPUC. Groundwater from the Downtown San Francisco Groundwater Basin is not used as drinking water, and the proposed project would not result in additional impervious surfaces to the extent that it would affect groundwater recharge because the site is already fully developed with impervious surfaces. Further, upon completion of construction activities, groundwater levels would return to existing levels and no significant groundwater impact would occur as a result of dewatering required during construction. Therefore, the proposed project would not result in a significant impact with respect to a decrease in groundwater supplies or conflicting with a groundwater management plan.

16.c) The proposed project would not affect the course of a stream or river. Given the project site already comprises impervious surfaces, the proposed project would not result in an increase in impervious

[88] Langan Engineering and Environmental Services, Inc, Preliminary Geotechnical Evaluation, 95 Hawthorne Street, San Francisco, California, Langan Project No.: 731668503. October 29, 2018.

surfaces, and it would not contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems.

The project sponsor would be required to submit a Stormwater Control Plan for approval by the SFPUC that complies with the Stormwater Design Guidelines using Best Management Practices, thereby ensuring that the proposed project meets performance measures set by the SFPUC related to stormwater runoff rate and volume. Compliance with San Francisco's Stormwater Design Guidelines would reduce the quantity and rate of stormwater runoff to the city's combined sewer system and improve the water quality of those discharges. In addition, the proposed project would comply with Ordinance 109-15 (adopted June 6, 2015), which requires the on-site reuse of rainwater, graywater, and foundation drainage which would reduce stormwater runoff rate and volume.

16.d) The project site is not shown on SFPUC maps as being subject to flooding from sea level rise by 2100, assuming 36 inches of sea level rise and a 100-year storm surge.[89] Therefore, the proposed project would have no impact related to release of pollutants due to inundation and would not be expected to impede or redirect flood flows. Impacts related to inundation would be less than significant.

Cumulative Analysis

The proposed project would have no impact with respect to the following topics and therefore would not have the potential to contribute to any cumulative impacts for those resource areas: redirect or impede flood flows, release of pollutants due to inundation, alterations to a stream or river or changes to existing drainage patterns. The proposed project and other development within San Francisco would be required to comply with the Stormwater Management and Construction Site Runoff Ordinances that would reduce the amount of stormwater entering the combined sewer system and prevent discharge of construction-related pollutants into the sewer system. As the project site is not located in a groundwater basin that is used for water supply, the project would not combine with reasonably foreseeable projects to result in significant cumulative impacts to groundwater. Therefore, the proposed project in combination with other projects would not result in significant cumulative impacts to hydrology and water quality.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to hydrology and water quality. Therefore, the proposed project would not result in a significant hydrology and water quality impact that was not disclosed in the TCDP PEIR.

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17. HAZARDS AND HAZARDOUS MATERIALS

TCDP PEIR Findings

The TCDP PEIR describes the general environmental conditions in the Plan area with respect to the presence of hazardous materials and wastes, a description of hazardous building materials likely to be present, and an overview of the relevant hazardous materials regulations that are applicable. The TCDP PEIR noted that for all development under the TCDP, compliance with the San Francisco Health Code, which incorporates state and federal requirements, as well as California Highway Patrol and California

[89] San Francisco Bay Conservation and Development Commission, Adaption to Rising Tides Explorer. January, 2019 Available at: https://explorer.adaptingtorisingtides.org/explorer, Accessed: January 31, 2019.

Department of Transportation regulations, would minimize potential exposure of site personnel and the public to any accidental releases of hazardous materials or waste and would also protect against potential environmental contamination.

The plan area is not within two miles of an airport or private air strip, and there are no kindergarten through 12th grade schools within 0.25-mile of the TCDP plan area.[90] Therefore the PEIR found that topics c and e, were not applicable. The TCDP PEIR identified significant impacts related to potentially exposing workers and the public to hazardous materials as a result of contaminated soils and groundwater or demolition or renovation of buildings.

The TCDP PEIR included several mitigation measures (some of which are site dependent and some that are applicable to all projects within the plan area). These mitigation measures include requirements for preparing site assessments and corrective actions for sites located bayward of the historic tide line (PEIR Mitigation Measure M-HZ-2a), preparing site assessments and corrective actions for sites located landward of the historic tide line (PEIR Mitigation Measure M-HZ-2b), and preparing site assessments and corrective actions for all sites (PEIR Mitigation Measure M-HZ-2c). Since certification of the TCDP 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 in industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in proximity to freeways. The overarching 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 TCDP area are subject to this ordinance. Article 22A of the Health Code effectively implements TCDP PEIR Mitigation Measures M-HZ-2a through M-HZ-2c.

Similarly, the TCDP PEIR identified PEIR Mitigation Measure M-HZ-3 related to the handling of hazardous building materials. However, this mitigation measure is not necessary because regulations have been enacted to address these common hazardous building materials.

Project Analysis

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*
17. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☐	☒

[90] There are two daycare centers in the Plan area: Bright Horizons at 77 Beale Street, and Marin Day School at 199 Fremont Street

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
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

17.a) The proposed project's residential and commercial uses could use hazardous materials for building maintenance such as household chemicals for cleaning, and herbicides and pesticides for landscape maintenance. These materials are properly labeled to inform the user of potential risks as well as handling procedures. The majority of these hazardous materials would be consumed upon use and would produce very little waste. Any hazardous wastes that are produced would be managed in accordance with article 22 of the San Francisco Health Code. In addition, the transportation of hazardous materials, are regulated by the California Highway Patrol and the California Department of Transportation. The use of any of these hazardous materials are not expected to cause any substantial health or safety hazards. Therefore, potential impacts related to the routine use, transport, and disposal of hazardous materials would be less than significant.

17.b and c) The following discusses the project's potential to emit hazardous materials.

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 TCDP PEIR include asbestos, electrical equipment (such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate, 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. Regulations are in place to address the proper removal and disposal of asbestos-containing building materials, lead-based paint, and other hazardous building materials. Therefore, as discussed above, TCDP PEIR Mitigation Measure M-HZ-3 is not necessary to reduce impacts related to hazardous building materials. Compliance with these

regulations would ensure the proposed project would not result in significant impacts from the potential release of hazardous building materials.

The proposed project would demolish the existing building located on the project site constructed in 1908 and remodeled in 1960. Lead paint may be found in the building as the building was constructed prior to 1978. Lead may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Children 6 years old and under are most at risk. Demolition must be conducted in compliance with section 3425 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove interior or exterior lead-based paint on pre-1979 buildings, work practices must be used that minimize or eliminate the risk of lead contamination on the environment.

The proposed project would be subject to and would comply with the above regulations, therefore, impacts from lead-based paint would be less than significant.

Soil and Groundwater Contamination

The site is located in a Maher area, and the proposed project would require excavation to a depth of approximately 58 feet below ground surface in order to construct a five-story below-grade parking structure, which would result in the removal of approximately 30,100 cubic yards of soil. 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.

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

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I Environmental Site Assessment (ESA) has been prepared to assess the potential for site contamination.[91,92] According to the Phase I ESA, the project site was a private hospital prior to the earthquake and fire of 1906. The private hospital was replaced in 1908 by the existing structure. The 1913 Sanborn Fire Insurance map shows the 95 Hawthorne Street building being used as a wire rope and electric wire warehouse. The majority of all five floors in the building are leased for office uses by government agencies or used by the property management office. The EPA also maintains a fitness center on the second floor of the building.

The Phase I ESA did not reveal any historical or current recognized environmental concerns; however, a fuel tank, most likely an aboveground tank for a boiler was reportedly present in the basement on the 95

[91] San Francisco Department of Public Health, Contaminated Site Assessment and Mitigation Program. *SFHC Article 22A Compliance, 95 Hawthorne Street, San Francisco, EHB-SAM Case Number 1636*, Letter to Trammel Crow Residential, c/o Max Einhorn, January 4, 2018.

[92] PES Environmental Inc., Phase I Environmental Site Assessment, Hawthorne Plaza, 75 & 95 Hawthorne Street, San Francisco, CA, May, 2011.

Hawthorne building, and was reportedly removed in the mid-1960s. There are no reports or other evidence of leakage from the tank. No contamination was reportedly encountered in this area during seismic upgrade activities in the 1990s. However, based on the proposed excavation for the below-grade parking structure, a site characterization workplan would be required to be submitted to DPH for the project.[93]

The proposed project would be required to remediate any potential soil contamination described above in accordance with article 22A of the Health Code. Therefore, the proposed project would not result in any new significant impacts or more severe impacts related to hazards or hazardous materials that were not identified in the TCDP PEIR.

17.d) The proposed project is not on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. For the reasons described in the analysis of topics 17.b and c, above, the proposed project would not create a significant hazard to the public or environment.

17.e) The project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, topic 15.e is not applicable to the proposed project.

17.f) Construction of the proposed project would conform to the provisions of the building code and fire code. Final building plans would be reviewed by the building and fire departments to ensure conformance with the applicable life-safety provisions, including development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project would not obstruct implementation of the city's emergency response plan, and potential emergency response and fire hazard impacts would be less than significant.

17.g) The proposed project site is not located within an area of high or very high fire risk and is in considered "unzoned" for wildland fire risk, according to CAL FIRE's Fire Hazard Severity Zone map.[94] Therefore, topic 17.g would not be applicable to the proposed project.

Cumulative Analysis

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same regulations addressing use of hazardous waste (article 22 of the health code), hazardous soil and groundwater (article 22B of the health code) and building and fire codes addressing emergency response and fire safety. For these reasons, the proposed project would not combine with past, present, or reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Conclusion

For the above reasons, the proposed project would not result in significant hazards and hazardous materials impacts that were not identified in the TCDP PEIR.

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18. MINERAL RESOURCES

TCDP PEIR Findings

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[93] Stephanie Cushing, Director of Environmental Health, San Francisco Department of Public Health, "SFHC Article 22A Compliance 95 Hawthorne Street, San Francisco, EHB-SAM Case Number: 1636, January 4, 2018.

[94] CAL FIRE, Draft Fire Hazard Severity Zones in Local Responsibility Area, Available: http://frap.fire.ca.gov/webdata/maps/statewide/fhszl06_1_map.pdf Accessed: April 4, 2019

As noted in the TCDP PEIR, all land in San Francisco is designated as Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG). This designation indicates that there is not adequate information available for assignment to any other MRZ, and thus the site is not a designated area of significant mineral deposits.

Project Analysis

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*
18. MINERAL RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

18.a and b) The project site is not a mineral resource recovery site, it would not require quarrying, mining, dredging, or extracting locally important mineral resources on the project site, and it would not deplete non-renewable natural resources. Therefore, the proposed project would have no impact on mineral resources either individually or cumulatively.

Conclusion

Consistent with the findings in the TCDP PEIR, the proposed project would have no impact related to mineral resources, and, therefore, it would not result in any new or more severe significant project or cumulative impacts than were identified in the TCDP PEIR.

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19. ENERGY RESOURCES

TCDP PEIR Findings

With respect to energy resources, the TCDP PEIR determined that the implementation of the TCDP 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. Therefore, the TCDP PEIR concluded that implementation of the plan would not result in a significant impact on energy resources. No mitigation measures were identified in the PEIR.

Project Analysis

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
19. ENERGY RESOURCES—Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

19.a and b) Development of the proposed project would not result in unusually large amounts of fuel, water, or energy in the context of energy use throughout the city or region. The project is required, as discussed above, to comply with the transportation demand management ordinance, and because the site is located in an area that exhibits low levels of VMT per capita, it would not result in a wasteful use of fuel. As stated in the project description, the proposed project would achieve GreenPoint certification, and would demonstrate a 10 percent compliance margin with the GreenPoint rating system. Energy demand from the proposed project would be typical for a building of the size and nature proposed, and the project would meet or exceed the current state and local codes and standards concerning energy consumption, including California Code of Regulations Title 24 and the San Francisco Green Building Ordinance. Documentation showing compliance with these standards has been submitted to the city in the form of the "Compliance Checklist Table for Greenhouse Gas Analysis: Private Development Projects," described above. Title 24 and the Green Building Ordinance are enforced by the Department of Building Inspection.

In light of the above, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy and would not conflict with any state or local plan for renewable energy or energy efficiency.

Cumulative Analysis

All cumulative projects in the city are required to comply with the transportation demand management ordinance and the same energy efficiency standards set forth in the California Code of Regulations Title 24 and the San Francisco Green Building Ordinance. Therefore, cumulative impacts on energy resources would be less than significant.

Conclusion

Consistent with the findings in the TCDP PEIR, the proposed project would have a less-than-significant impact related to energy resources, and, therefore, it would not result in any new or more severe significant project or cumulative impacts than were identified in the TCDP PEIR.

20. AGRICULTURE AND FOREST RESOURCES

TCDP PEIR Findings

The TCDP PEIR determined that no agriculture or forest resources exist within the boundaries of the TCDP; therefore, development under the TCDP would have no effect on agriculture or forest resources. No mitigation measures were identified in the PEIR.

Project Analysis

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*
20. AGRICULTURE AND FOREST RESOURCES—Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

20.a-c) The project site is within an urbanized area in the City and County of San Francisco that does not contain any prime farmland, unique farmland, or farmland of statewide importance; forest land; or land under Williamson Act contract. The area is not zoned for any agricultural uses. Topics 20 a-e are not applicable to the proposed project and the project would have no impact either individually or cumulatively on agricultural or forest resources.

Conclusion

For the above reasons, the proposed project would not result in new or more severe impacts to agricultural or forest resources not identified in the TCDP PEIR.

21. WILDFIRE

TCDP PEIR Findings

The plan area is located within an urbanized area that lacks an urban-wildland interface. Therefore, the TCDP PEIR concluded that implementation of the area plan and rezoning would not result in a significant impact related to risk of loss, injury or death involving wildland fires. No mitigation measures were identified in the PEIR.

Project Analysis

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*
21. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

21.a - d) The project site is not located in or near state responsibility lands for fire management or lands classified as very high fire hazard severity zones. Therefore, this topic is not applicable to the project.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on November 7, 2018 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Three comments were received in response to the notification. The first requested a copy of the environmental review once complete. The second commented on the amount of air pollution and noise associated with ongoing construction in the project vicinity. Regarding these concerns, the TCDP PEIR analyzed construction-related noise impacts (starting on page 359) and construction-related air quality impacts (starting on page 406), and included mitigation measures to reduce these impacts, which are cited in this initial study and are applicable to the proposed project. The third comment stated that the proposed project would increase traffic and suggested reversing the one-way direction of Hawthorne Street between Folsom and Howard streets. The project-specific transportation

impact study analyzed transportation impacts and included improvement measures to address transportation-related impacts. The suggestion to reverse the direction of Hawthorne Street is noted, but is not part of the proposed project, and would require further study and evaluation by SFMTA, and is beyond the scope of the environmental review of the proposed project. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis.

The Planning Department has determined that the proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the TCDP PEIR.

Figures



Figure 1: Location Map

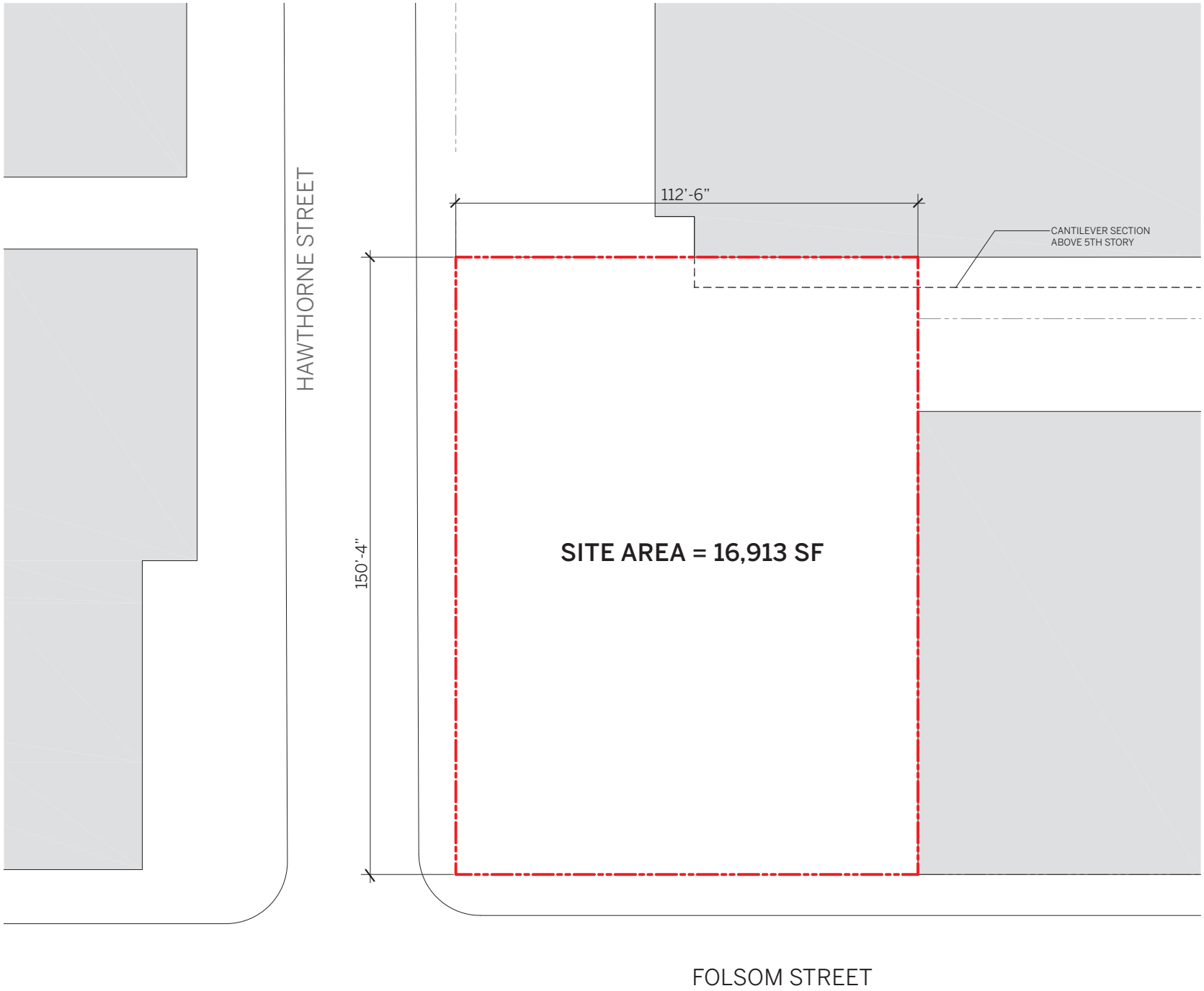

Figure 2: Site Map

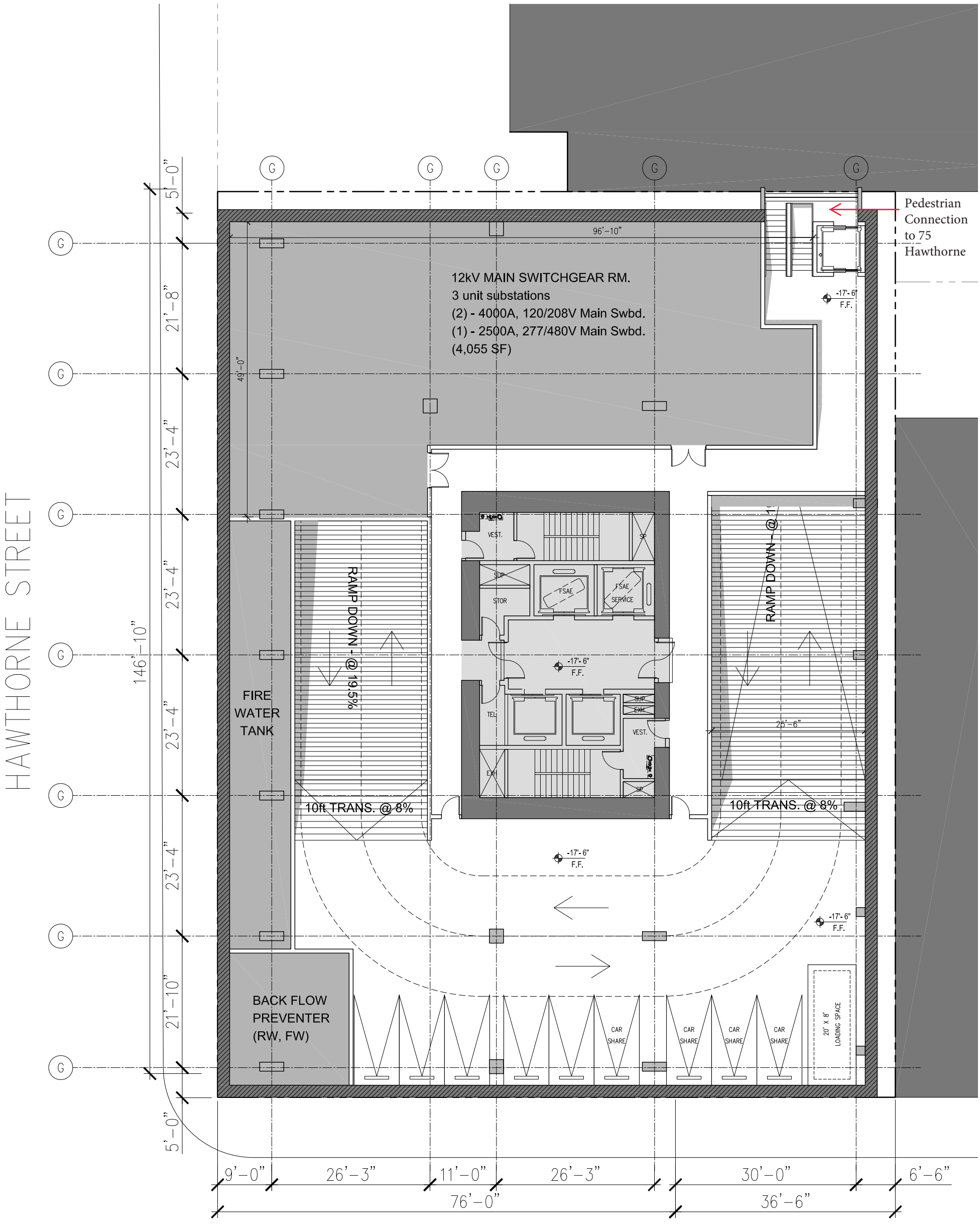

Figure 3: Basement Level B1

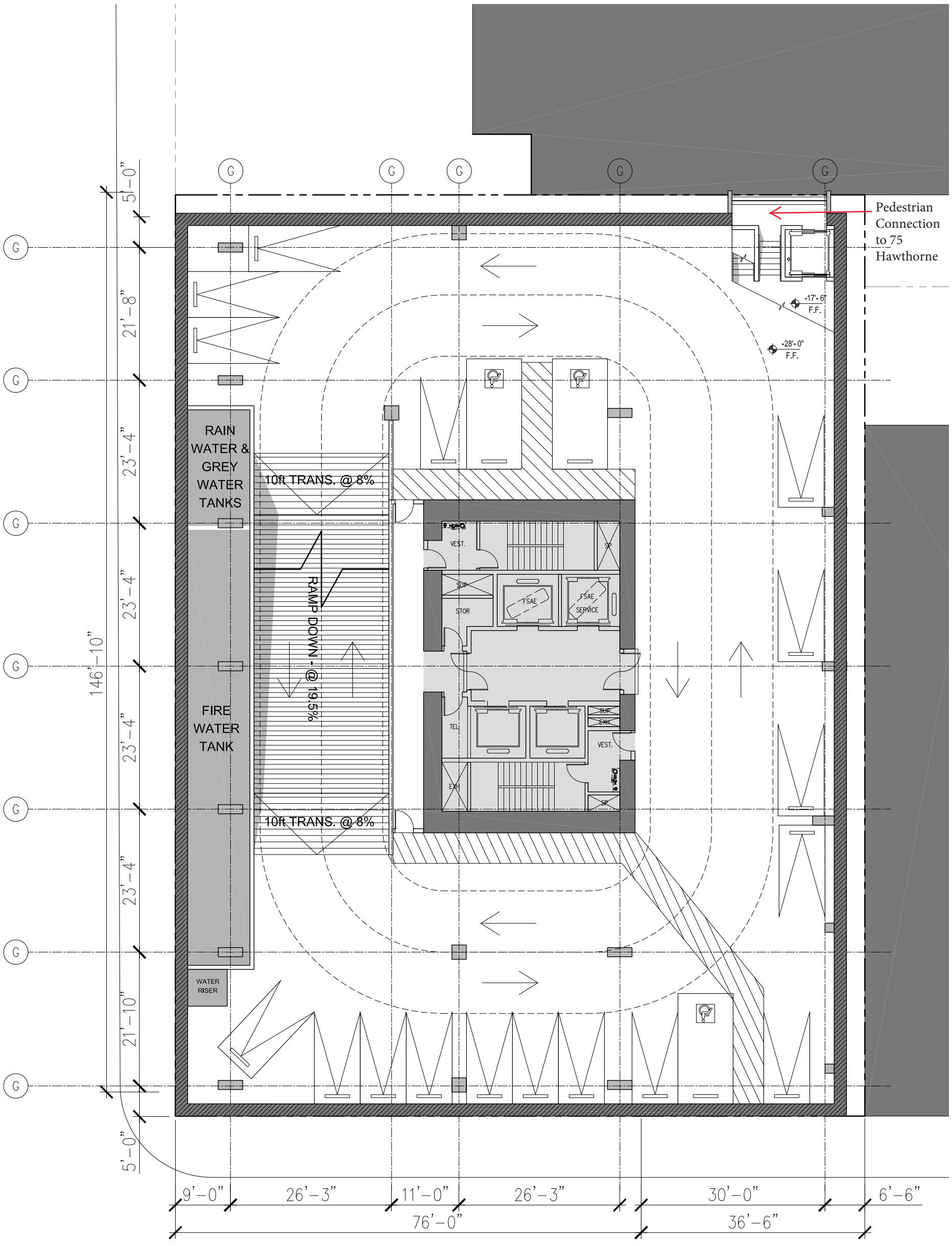

Figure 4: Basement Level B2

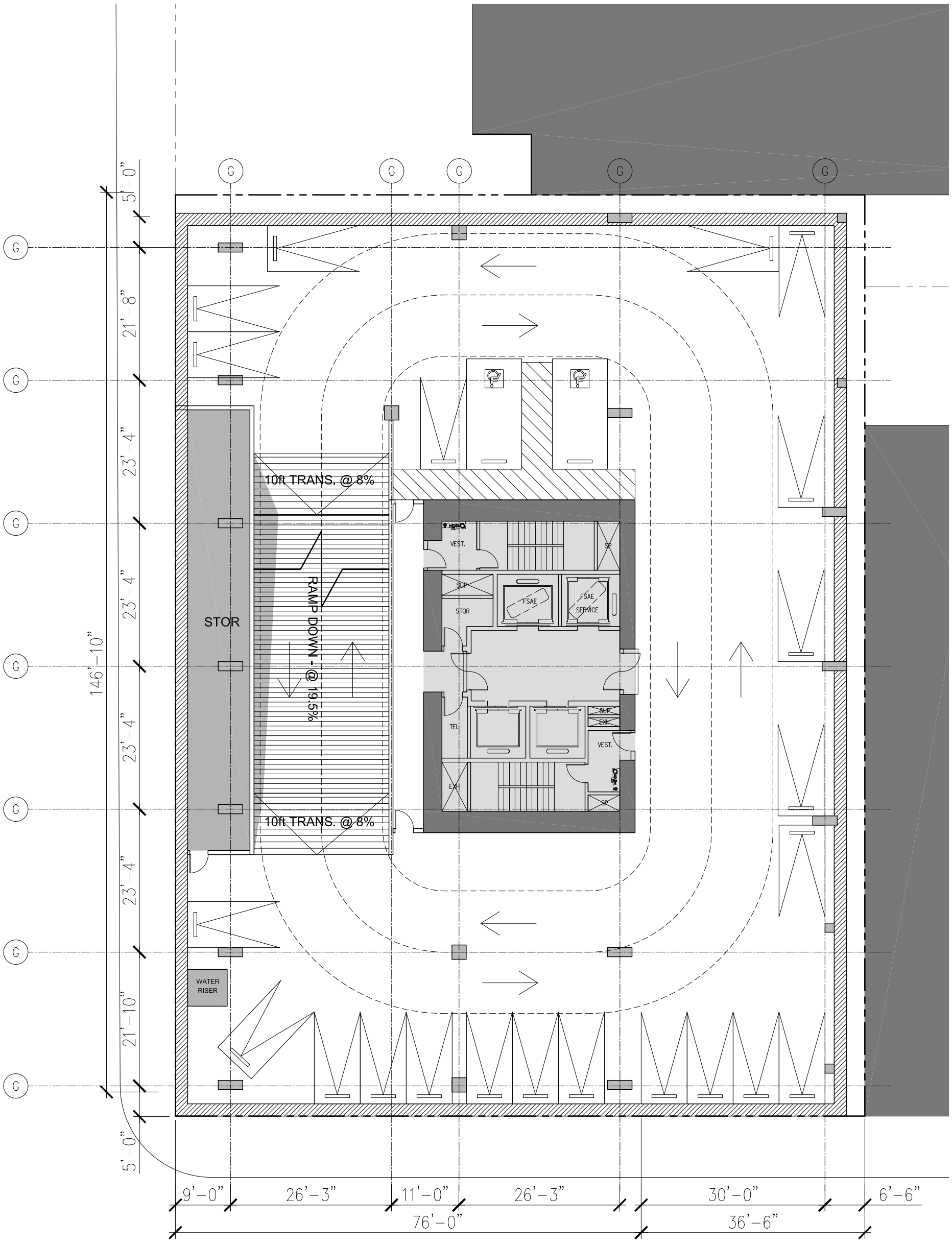

Figure 5: Basement Levels B3-B4

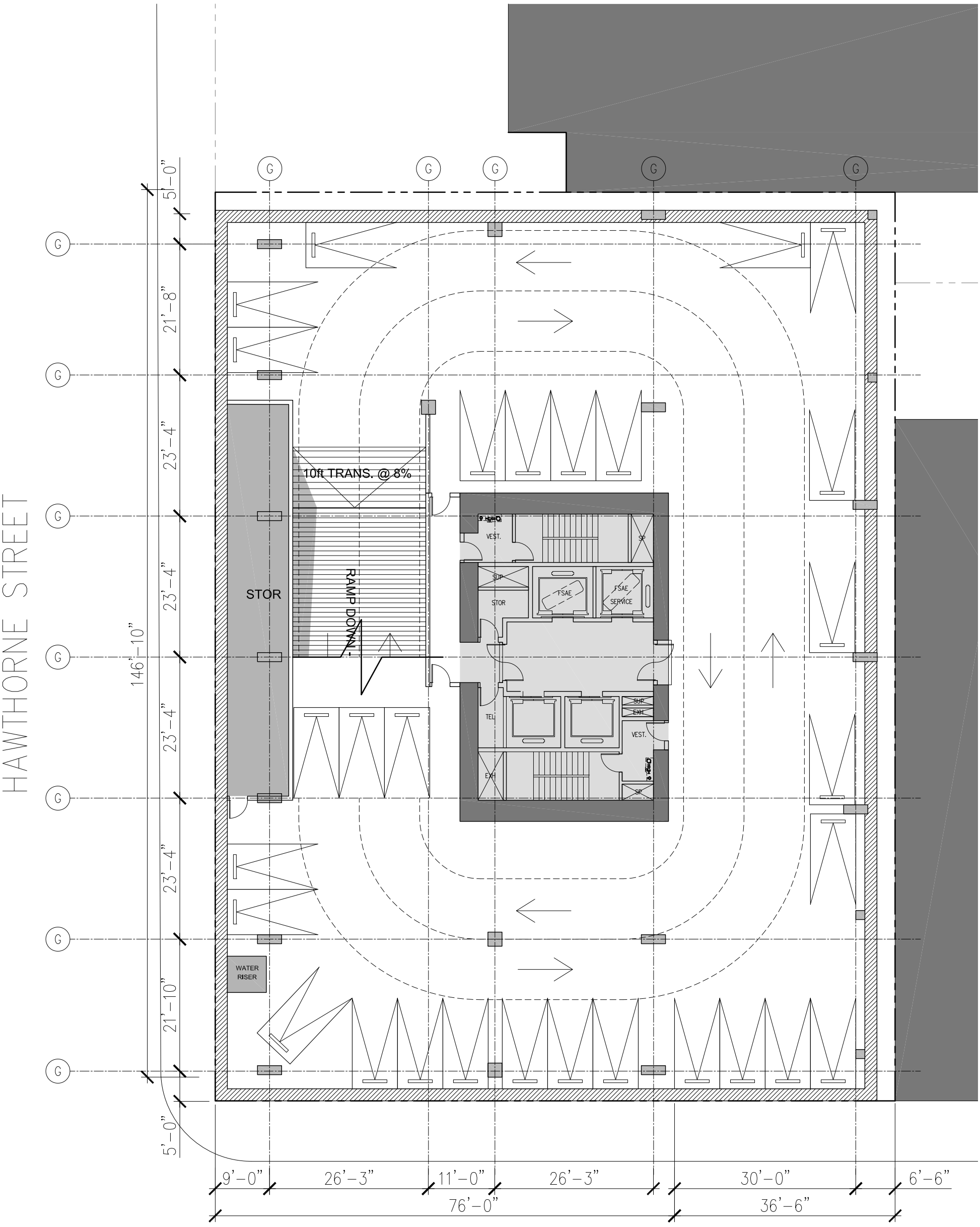

Figure 6: Basement Level B5

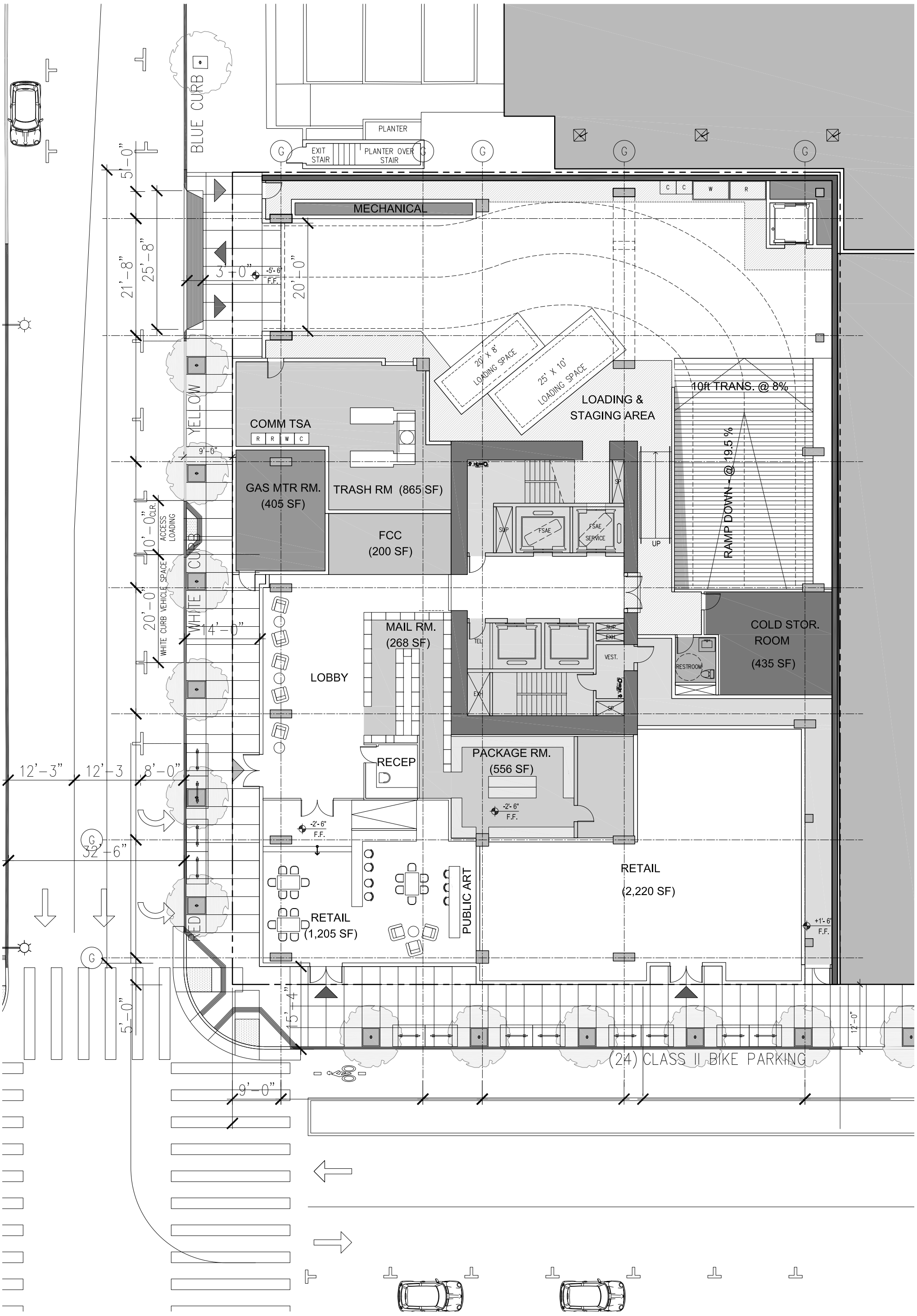

Figure 7: Ground Level

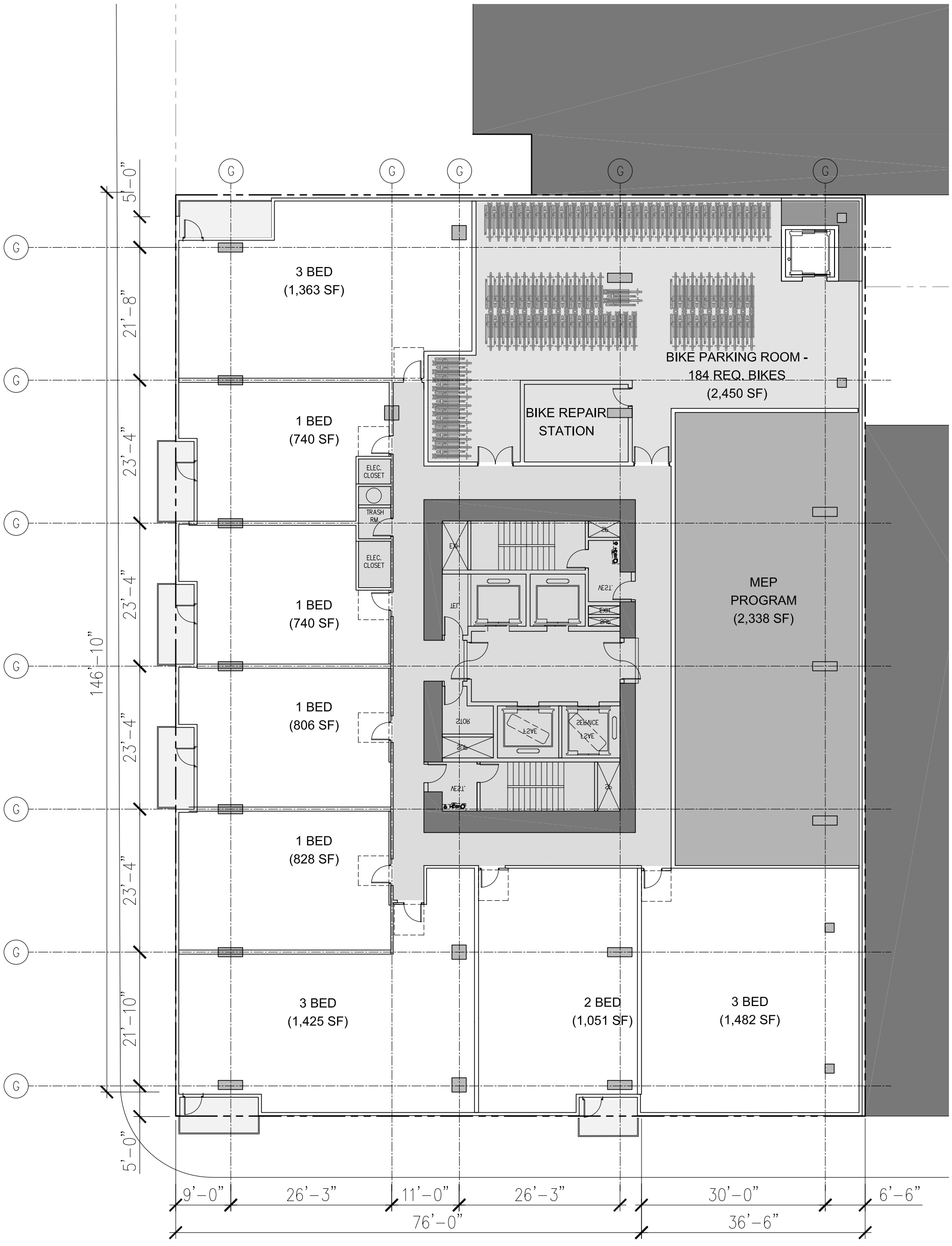

Figure 8: Level 2

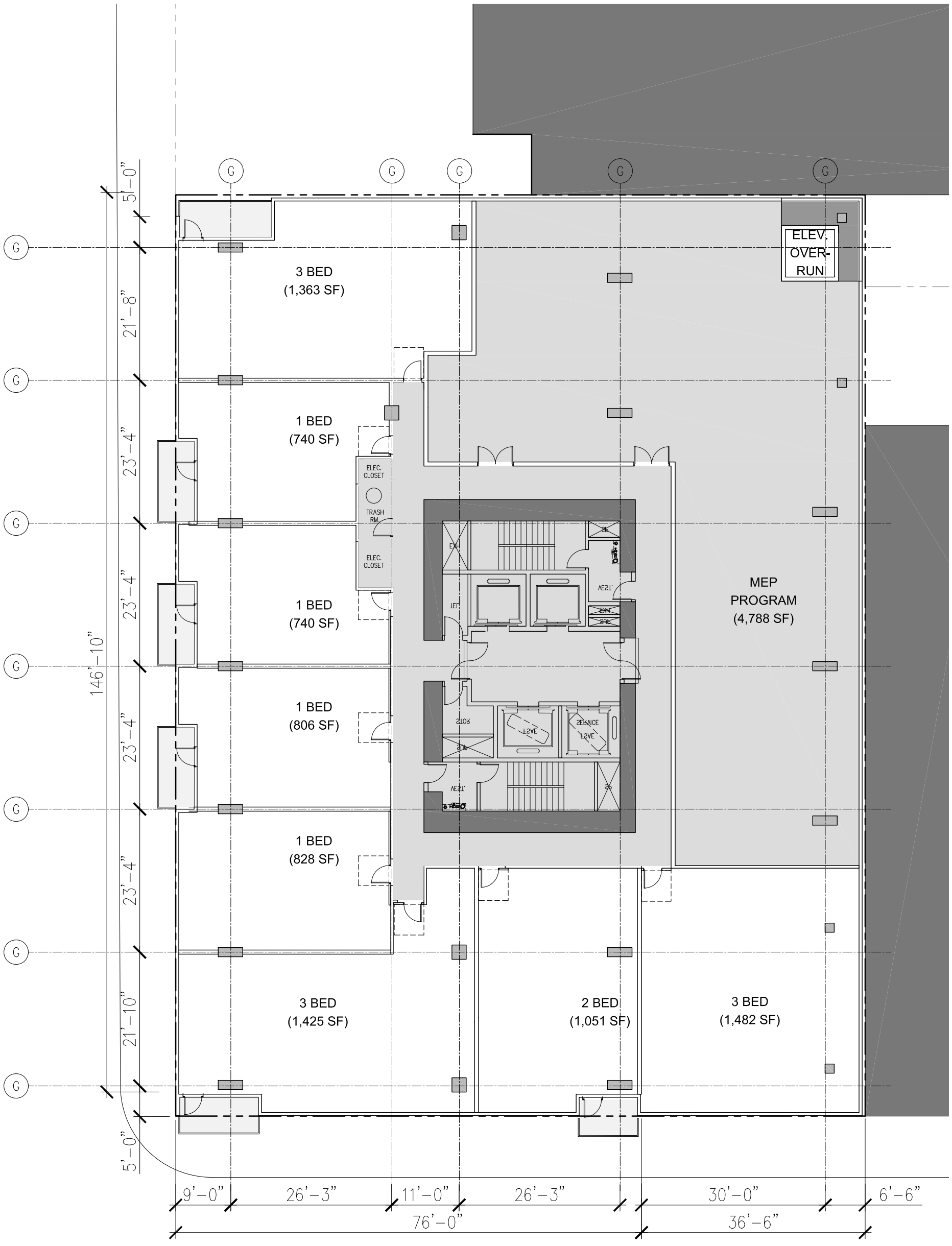

Figure 9: Levels 3-5

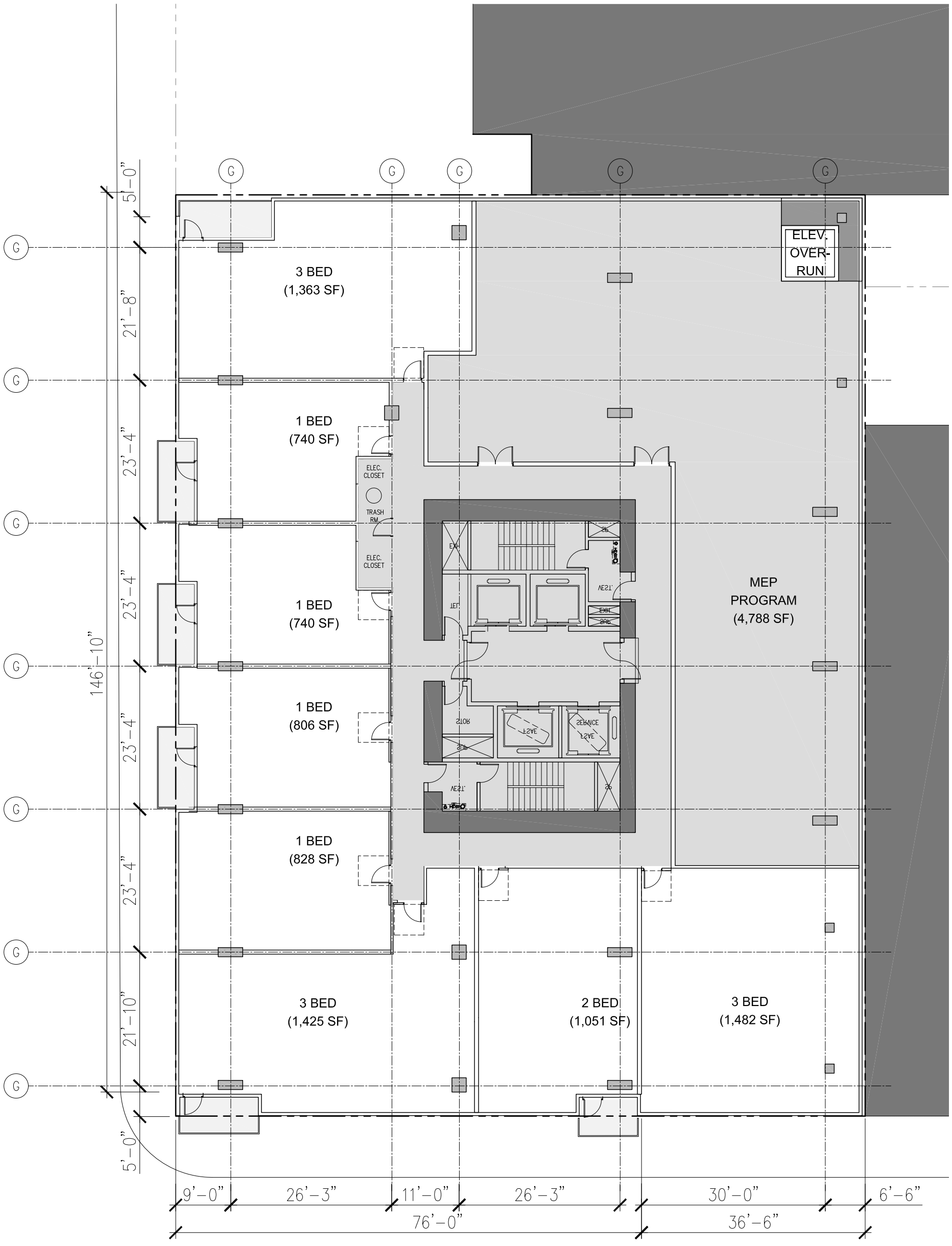

Figure 10: Level 6

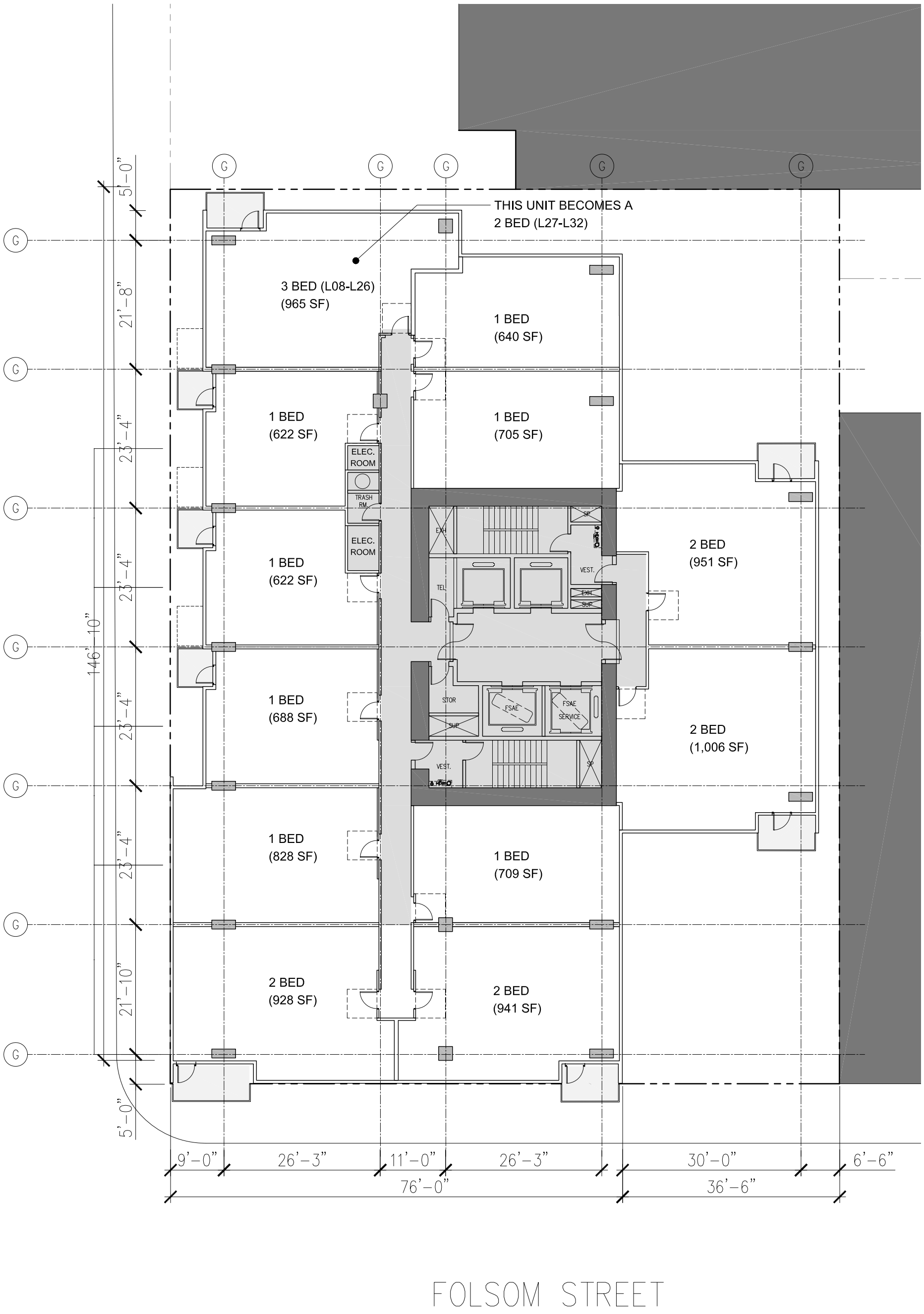

Figure 11: Levels 8-32

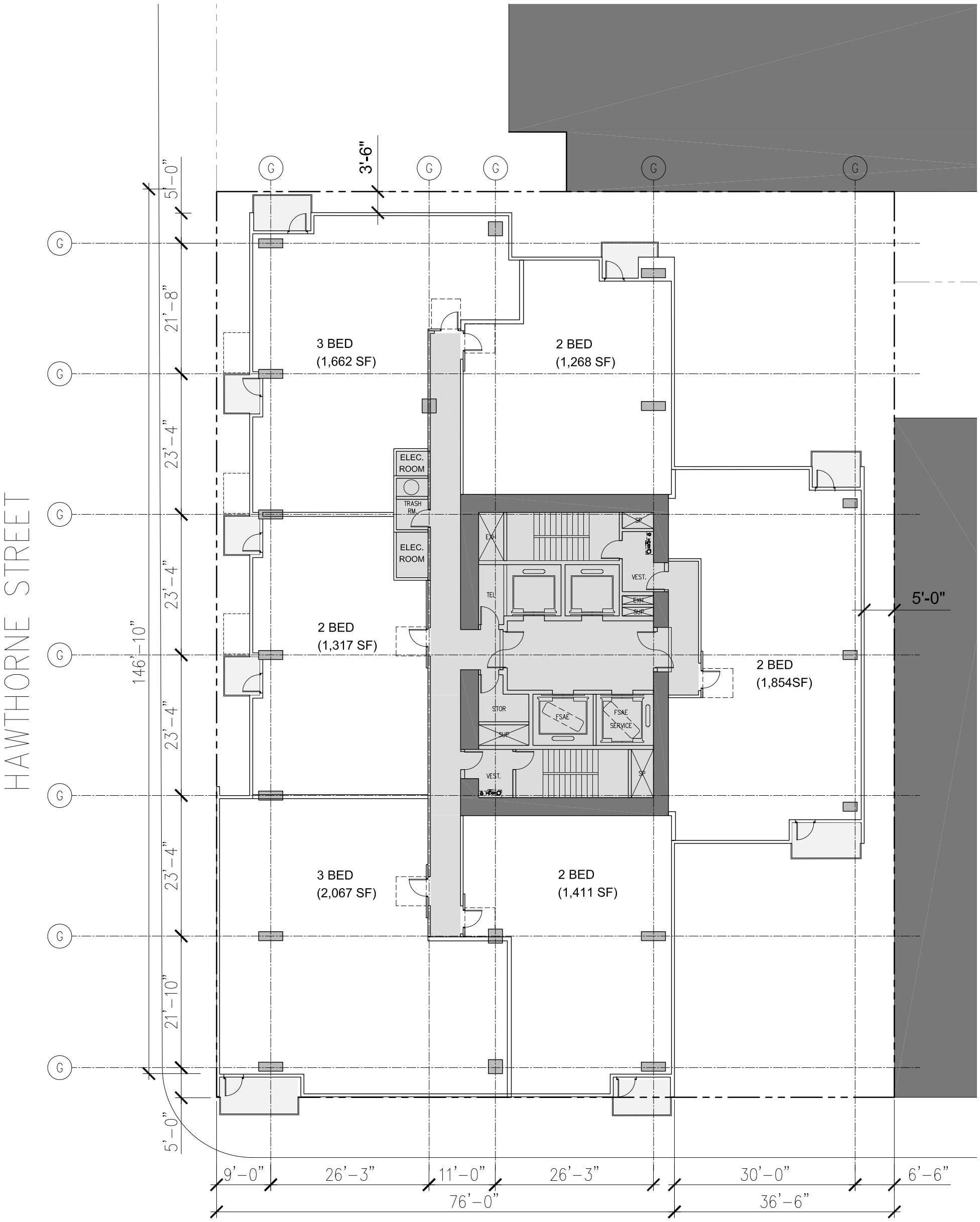

Figure 12: Levels 33-37

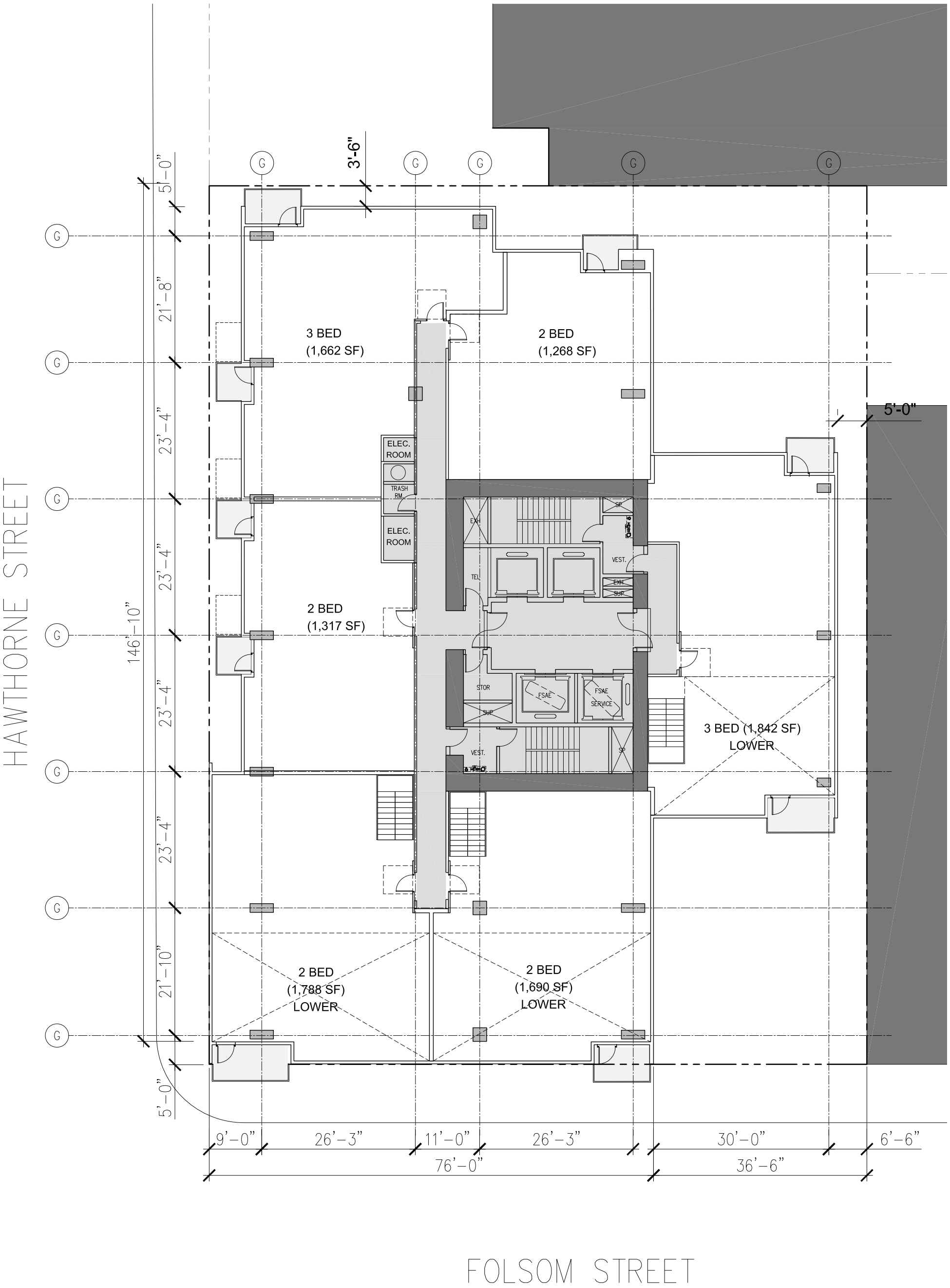

Figure 13: Levels 38+40

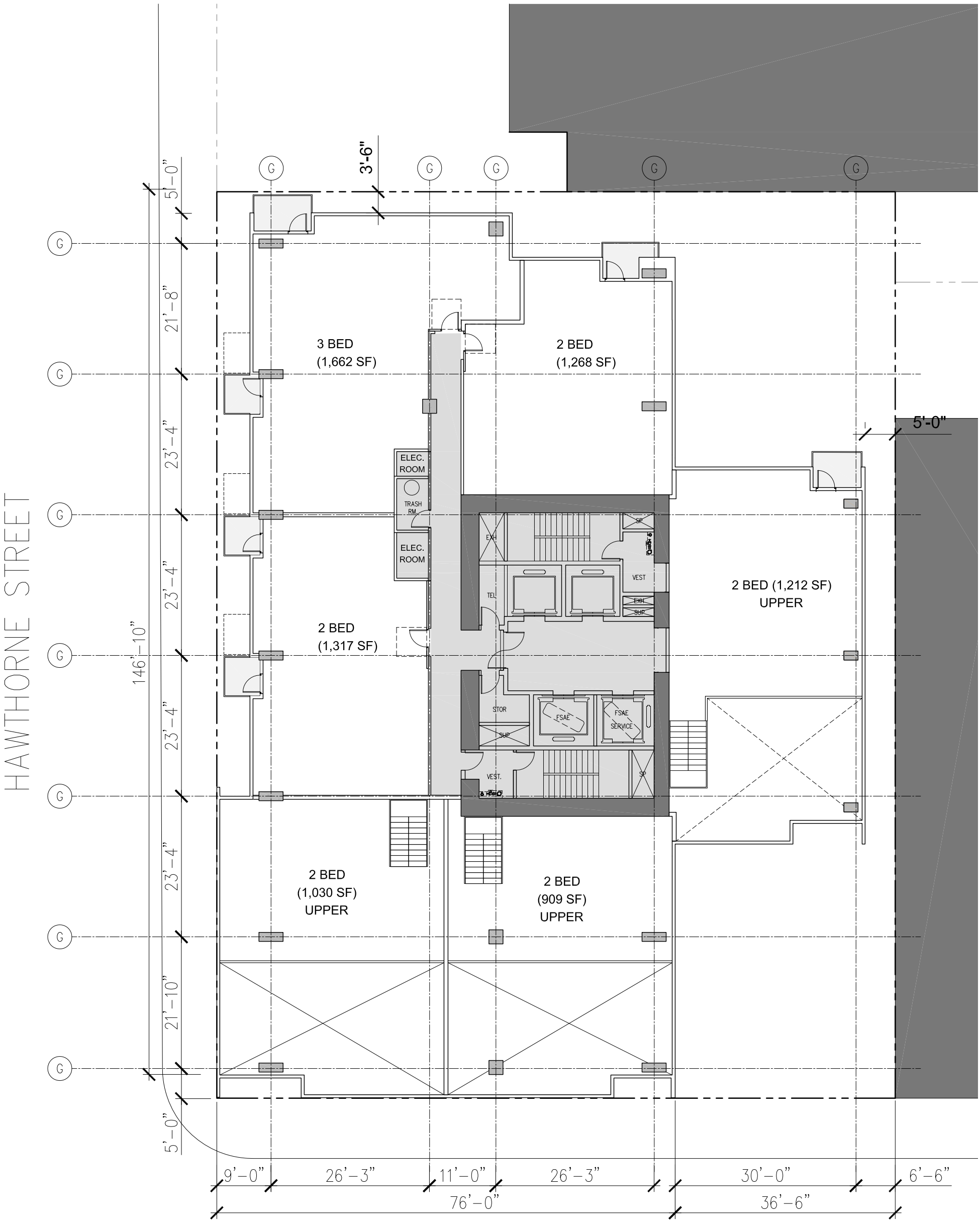

Figure 14: Levels 39+41

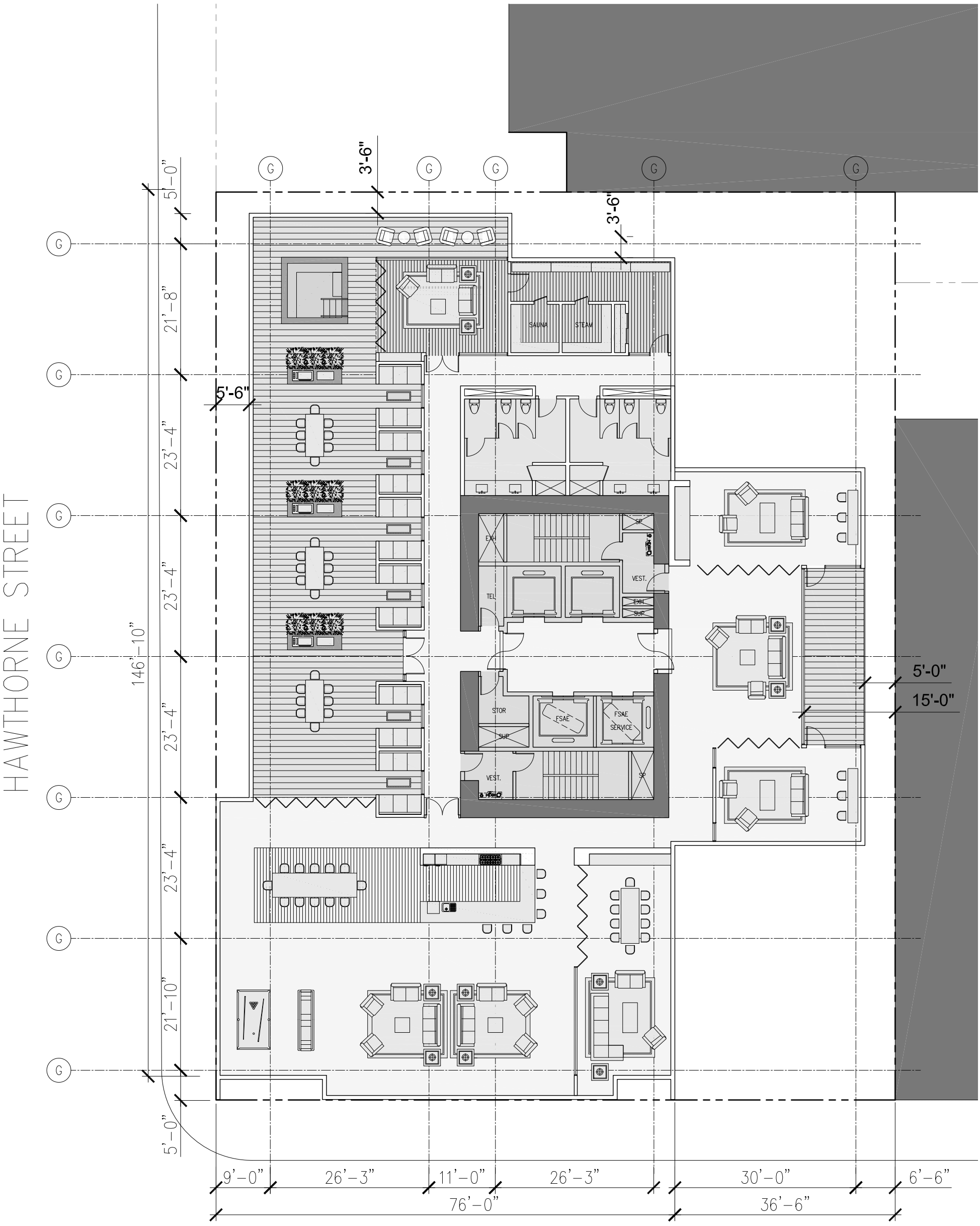

Figure 15: Level 42

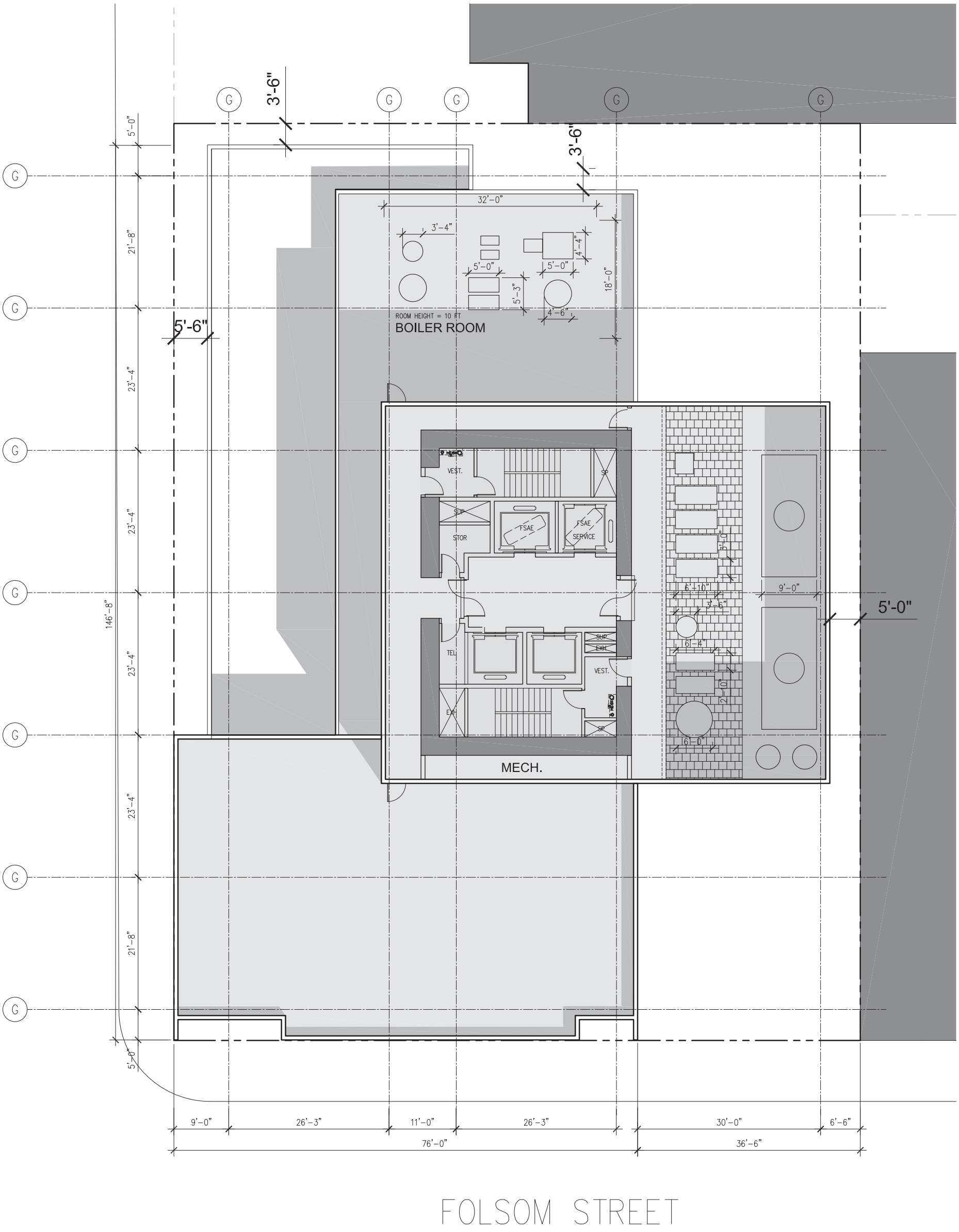

Figure 16: Roof/Mechanical Penthouse



Figure 17: West and South Elevations



Figure 18: North and East Elevations





Figure 19: Renderings from: (L) Folsom & 3rd (looking east) and (R) Folsom & 2nd (looking west)



Figure 20: Rendering from Hawthorne & Folsom
(Looking northeast)

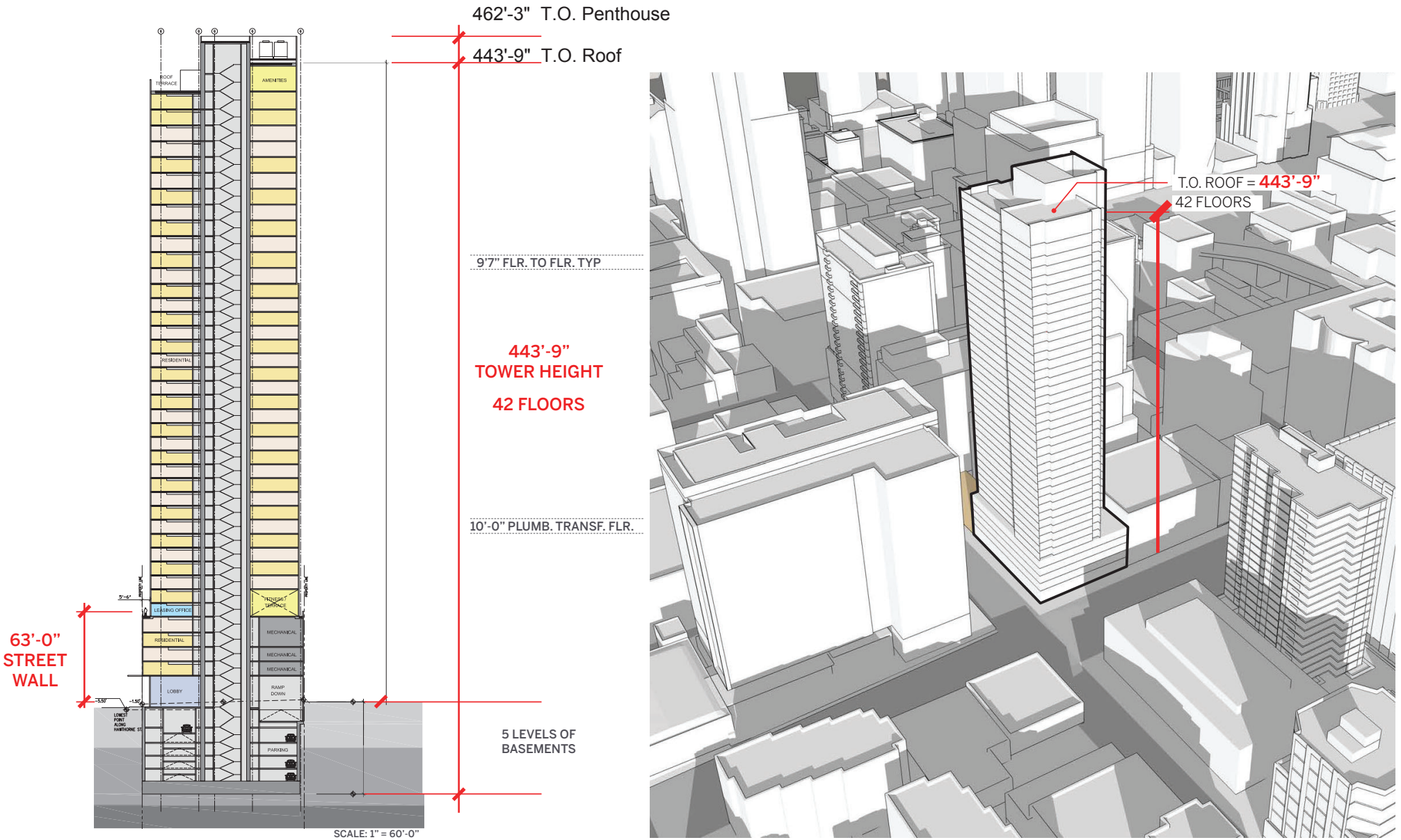

Figure 21: Section and Perspective (looking northeast)



Figure 22: Cumulative Projects



Figure 23: View of Marriott Courtyard A&B, Looking East from Second Street



Figure 24: View of 611 Folsom Street Plaza, Looking East from Second Street

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ATTACHMENT B: 95 HAWTHORNE STREET MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION/IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Report Responsibility	Status/Date Completed
Mitigation Measures from the TCDP PEIR				
Archeology				
Project Mitigation Measure M-CR-1: Archeological Testing Program (Implementing TCDP PEIR Mitigation Measure M-CP-1) 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 and on human remains and associated or unassociated funerary objects. 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. After the first project approval action or as directed by the Environmental Review Officer (ERO), the project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c). Consultation with Descendant Communities: On discovery of an archeological site[1] associated with descendant Native Americans, the Overseas Chinese, or	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to issuance of any permit for soil-disturbing activities and during construction activities.	Project sponsor/ archeological consultant and ERO.	Considered complete upon ERO's approval of FARR.

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

ATTACHMENT B: 95 HAWTHORNE STREET MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION/IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Report Responsibility	Status/Date Completed
other potentially interested descendant group an appropriate representative[2] 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 (FARR) shall be provided to the representative of the descendant group. Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program, the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO				

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

ATTACHMENT B: 95 HAWTHORNE STREET MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION/IMPROVEMENT MEASURES	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Report Responsibility	Status/Date Completed
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 (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 undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and 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/foundation installation/construction activities and equipment until the deposit is evaluated. 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				

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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.				

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Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98). Final Archeological Resources Report. The archeological consultant shall submit a Draft 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. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an interpretation plan for public interpretation of all significant archeological features. Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public				

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distribution version of the FARR. 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 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 or additional final report content, format, and distribution than that presented above.				
Noise				
Project Mitigation Measure M-NO-1: Construction Noise (Implementing TCDP PEIR Mitigation Measure M-NO-2b) The project sponsor and general contractor shall adhere to the following measures to reduce construction noise: • Temporary plywood noise barriers shall be used along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels. For the noise barrier to be effective, it must be minimum 8 feet high, 2 psf, and constructed without cracks or gaps. Where gates are needed for access to the site, they shall be closed when not in use. • Equipment and trucks used for project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). • Stationary noise sources (e.g., generators, compressors) shall be located as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, as needed. To further reduce noise, stationary equipment shall be located in pit areas or excavated areas (e.g., dewatering pumps), as feasible. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered shall be used wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall	Project sponsor and project contractor.	During construction.	Project sponsor to provide planning department with monthly reports during construction period.	Considered completed upon receipt of final monitoring report at completion of construction.

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be used, along with external noise jackets on the tools. • All work shall be performed in a manner that minimizes noise to the extent feasible; uses equipment with effective mufflers; undertakes the noisiest activities during times of least disturbance to surrounding residents and occupants, as feasible; and selects haul routes that avoid residential buildings, where such routes are otherwise feasible. • Prior to the issuance of a building permit, along with the submission of construction document, the project sponsor shall submit to the planning department and department of building Inspection a list of measures to respond and track complaints pertaining to construction noise. These measures shall include 1) information regarding the noise complaint procedures and phone numbers for notifying the building department, public health department, and police department, 2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times, 3) designation of an on-site noise enforcement manager, and 4) notification to neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activity (defined as activities generating noise level of 90 dBA or greater) about the estimated duration of the activity. • The effectiveness of noise attenuation measures shall be monitored by taking noise measurements during construction.				
Project Mitigation Measure M-NO-2- Mechanical Equipment (Implementing TCDP PEIR Mitigation Measure M-NO-1e) The project acoustical consultant has provided recommendations to reduce noise from the mechanical systems associated with the project, including locating equipment away from adjacent properties, providing barrier walls to reduce direct noise, and including equipment vibration isolation. These recommendations from the acoustical consultant shall be included in the final design of the project. In addition, prior to a certificate of occupancy, the project sponsor shall submit documentation to the planning department demonstrating that the building's mechanical systems meet the noise limits specified in section 2909 of the San Francisco Police Code (i.e., a 5 dB increase at the property plane and interior limits of 55 dBA and 45 dBA for daytime and nighttime hours, respectively). In the event the analysis does not demonstrate the noise levels meet these requirements, additional noise	Project sponsor.	Prior to receipt of a certificate of occupancy.	Project sponsor to provide planning department with analysis that building mechanical systems meet specified noise ordinance requirements.	Considered completed upon receipt of final project design incorporating reduction measures and analysis demonstrating compliance with the specified noise ordinance requirements.

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reduction measures shall be installed until it is demonstrated that these noise limits have been met.				
Air Quality				
Project Mitigation Measure M-AQ-1: Construction Air Quality (Implementing TCDP PEIR Mitigation Measure M-AQ-4a and M-AQ-5) The project sponsor or the project sponsor's contractor shall comply with the following: A. *Engine Requirements*. 1. All off-road equipment greater than 50 horsepower (hp) shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 4 Interim off-road emission standards. 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. 5. Renewable diesel shall be used in all off-road diesel equipment. 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,	Project sponsor and project contractor.	During construction.	Project sponsor to submit Construction Emissions Minimization Plan to the ERO for review and approval; project sponsor to provide planning department with quarterly reports documenting compliance with the plan.	Considered complete upon receipt of final monitoring report at completion of construction activities.

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the contractor must submit documentation that the equipment used for onsite power generation meets the requirements of subsection (A)(1) and that average daily construction emissions would not exceed 54 pounds per day.

2. The ERO may waive the equipment requirements of subsection (A)(1) if: a particular piece of off-road equipment meeting Tier 4 Interim off-road equipment standards is not available or technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; or installation of the equipment would create a safety hazard or impaired visibility for the operator. The waiver must demonstrate to ERO satisfaction that average daily emissions would not exceed a performance standard of 54 pounds per day of NOx emissions. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment, according to Table 2 below.

Table 2 – Off-Road Equipment Compliance Step-down Schedule

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

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.

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

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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. 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 M-AQ-2: Best Available Control Technology for Diesel Generators (Implementing TCDP PEIR Mitigation Measure M-AQ-3) The project sponsor shall ensure that the backup diesel generator meets or exceeds one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality	Project sponsor and project contractor; air district.	Prior to issuance of permit for backup diesel generator.	Project sponsor and project contractor.	Considered complete upon submittal of documentation of compliance.

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Management District (air district) approves of its use. The project sponsor shall submit documentation of compliance with the air district New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the planning department for review and approval prior to issuance of a permit for a backup diesel generator from any city agency.				
Biological Resources				
Project Mitigation Measure M-BI-1: Pre-Construction Bird Surveys (Implementing TCDP PEIR Mitigation Measure M-BI-1a) Pre-construction nesting bird surveys shall be conducted by a qualified biologist between February 1st and August 15th if vegetation (trees or shrubs) removal or building demolition is scheduled to take place during that period. If special-status bird species are found to be nesting in or near any work area or, for compliance with federal and state law concerning migratory birds, if birds protected under the federal Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Wildlife (CDFW) and/or the U.S. Fish and Wildlife Service (USFWS) Division of Migratory Bird Management may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.	Project sponsor and project contractor; CDFW; USFWS.	Prior to tree removal activities.	Project sponsor and project contractor.	Considered complete upon submittal of pre-construction nesting bird survey.
Project Mitigation Measure M-BI-2: Pre-Construction Bat Surveys (Implementing TCDP PEIR Mitigation Measure M-BI-1b) The project shall hire a qualified biologist to conduct pre-construction special-status bat surveys. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at	Project sponsor and project contractor; CDFW.	Prior to tree removal activities.	Project sponsor and project contractor.	Considered complete upon submittal of pre-construction bat survey.

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a distance to be determined in consultation with CDFW. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would necessary.				

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Project Improvement Measures				
Transportation and Circulation				
Project Improvement Measure I-TR-A: Construction Truck Deliveries During Off-Peak Periods The project sponsor shall ensure that truck movements are limited to hours approved by SFMTA to further minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor(s) will meet with the Sustainable Streets Division of the SFMTA, the fire department, muni, and the planning department as needed to determine feasible measures to reduce traffic congestion, including potential transit disruption, and pedestrian circulation impacts during construction of the project. The project sponsor will be required to reimburse the SFTMA for any temporary striping and signage changes during project construction. To minimize cumulative traffic impacts due to project construction, the project sponsor will coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known.	Project sponsor; SFMTA; fire department; muni; planning department.	During construction.	Project sponsor.	Considered complete after the completion of construction.
Project Improvement Measure I-TR-B: Construction Management Plan The project sponsor will include the following: • Carpool and Transit Access for Construction Workers – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor will include methods to encourage carpooling, shuttle use, bicycling, walking, and transit use to the project site by construction workers in the construction management plan contracts. • Project Construction Updates – As an improvement measure to minimize construction impacts on nearby businesses, the project sponsor will provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns.	Project sponsor.	During construction.	Project sponsor.	Considered complete after the completion of construction.

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Project Improvement Measure I-TR-C: Active Parking Garage Driveway Controls In order to reduce the potential for queuing of vehicles accessing the project site via Hawthorne Street as well as to reduce and/or eliminate any potential conflicts between vehicles entering and exiting the project driveway and conflicts between moving vehicles and other users of the roadway (e.g., cyclists, pedestrians in sidewalk areas), the project sponsor will install active parking management controls at the off-street parking garage driveways at 95 Hawthorne Street and 75 Hawthorne Street, as well as within the off-street garage area. Sensors will be installed at the gated parking garage ramps and at the driveway entrance/exit lanes at Hawthorne Street for each garage to notify of any outbound vehicles and pedestrians within the driveway and ramp area. Upon exiting the parking garage, vehicles traveling along the garage ramp and approaching the gate will then trigger a sensor that will activate an electronic sign, signal, or audible devices at the driveway entrance to notify any vehicles, pedestrians, or bicyclists of the exiting vehicle. Additional traffic calming and safety treatments will be installed within the parking driveway area. Specific signage will be installed to notify drivers exiting the parking driveway to slow, stop, and yield to any pedestrians walking along the sidewalk on Hawthorne Street (e.g., "Caution: Pedestrian Crossings", "Watch for Pedestrians", "Exit Slowly", "STOP" etc.). Diagonal mirrors will also be installed so that motorists exiting the parking garage and pedestrians on the sidewalk can see each other. The project sponsor will also install rumble strips or similar devices to maintain slow speeds for vehicles exiting the parking garage.	Project sponsor.	Ongoing.	Project sponsor.	Ongoing.
Project Improvement Measure I-TR-D: Coordination of Move-In/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on Folsom Street or Hawthorne Street (in the event that the off-street loading spaces are occupied, or the truck size exceeds 25 feet in length), residential move-in and move-out activities and larger	Project sponsor; SFMTA; Recology.	Ongoing.	Project sponsor.	Ongoing.

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deliveries will be scheduled and coordinated through building management. For retail uses, appropriate delivery times should be scheduled and should be restricted to occur before 7:00 a.m., between the hours of 10:00 a.m. and 4:00 p.m., and after 8:00 p.m. No deliveries will occur between 4:00 p.m. and 8:00 p.m. to avoid any conflicts with peak commute period traffic as well as pedestrians and bicyclists on adjacent streets. Appropriate move-in/move-out and loading procedures should be enforced to avoid any blockages of any streets adjacent to the project site over an extended period of time and reduce potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Folsom Street or Hawthorne Street. Curb parking for movers on Folsom Street or Hawthorne Street should be reserved through SFMTA or by directly contacting the local 311 service. It is recommended that residential move-in/move-out activities be scheduled during weekday midday hours between 10:00 a.m. and 4:00 p.m. and/or on weekends to avoid any potential conflicts with peak commute period traffic and all users of adjacent roadways. The project sponsor will coordinate with Recology and enforce strict garbage pick-up periods. Such pick-up times should be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 2:00 p.m., and no garbage pick-up activities shall occur after 3:00 p.m. to avoid any conflicts with vehicle traffic and pedestrians on Hawthorne Street. Specific loading procedures (as described above) should also be enforced for Recology vehicles during garbage pick-up periods.				
Project Improvement Measure I-TR-E: Monitoring and Abatement of Queues The project sponsor will ensure that recurring vehicle queues do not occur adjacent to the site (i.e., at the proposed project's driveway, at the existing driveway at 75 Hawthorne Street, or along the Hawthorne Street commercial and passenger loading spaces). It will be the responsibility of the owner/operator of the building to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle	Project sponsor.	Ongoing.	Project sponsor.	Ongoing.

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queue is defined as one or more vehicles approaching within one car length of a stopped vehicle which must therefore come to a stop as well.[3] If a recurring queue occurs, the owner/operator of the building will employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the loading zone, the street(s) adjacent to the zone, and the associated land uses (if applicable). Suggested abatement methods include but are not limited to the following: redesign of loading zone to improve vehicle circulation; use of off-site parking facilities or shared parking with nearby uses; and travel demand management strategies such as additional bicycle parking, customer shuttles, and delivery services. If the Planning Director, or his or her designee, suspects that a recurring queue is present, the department should notify the property owner in writing. Upon request, the owner/operator will hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant will prepare a monitoring report to be submitted to the department for review. If the department determines that a recurring queue does exist, the facility owner/operator should have 90 days from the date of the written determination to abate the queue.				
Biological Resources				
Project Improvement Measure I-BI-A: Night Lighting Minimization (Implementing TCDP PEIR Improvement Measure I-BI-2) The project sponsor will implement bird-safe building operations to prevent and minimize bird strike impacts in compliance with the voluntary San Francisco Lights Out Program, which can include but are not limited to the following measures: Reduce building lighting from exterior sources by: • Minimizing amount and visual impact of perimeter lighting and façade up-lighting and avoid up-lighting of rooftop antennae and other tall equipment, as well as of any decorative features; • Installing motion-sensor lighting; • Utilizing minimum wattage fixtures to achieve required lighting	Project sponsor.	During construction.	Project sponsor.	Considered complete after the completion of construction.

[3] HCM Method for Measuring Intersection Control Delay. Traffic Analysis Toolbox Volume VI: Definition, Interpretation, and Calculation of Traffic Analysis Tools Measures of Effectiveness, Office of Operation, Federal Highway Administration, US Department of Transportation (February 1, 2017). Accessible online at: https://ops.fhwa.dot.gov/publications/fhwahop08054/sect3.htm

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levels. • Reduce building lighting from interior sources by: • Dimming lights in lobbies, perimeter circulation areas, and atria; • Turning off all unnecessary lighting by 11:00 p.m. through sunrise, especially during peak migration periods (mid-March to early June and late August through late October); • Utilizing automatic controls (motion sensors, photo-sensors, etc.) to shut off lights in the evening when no one is present; • Encouraging the use of localized task lighting to reduce the need for more extensive overhead lighting; • Scheduling nightly maintenance to conclude by 11:00 p.m.; • Educating building users about the dangers of night lighting to birds.				

EXHIBIT D:

LAND USE DATA

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Land Use Information

PROJECT ADDRESS: 95 HAWTHORNE ST
RECORD NO.: 2016-001794DNX

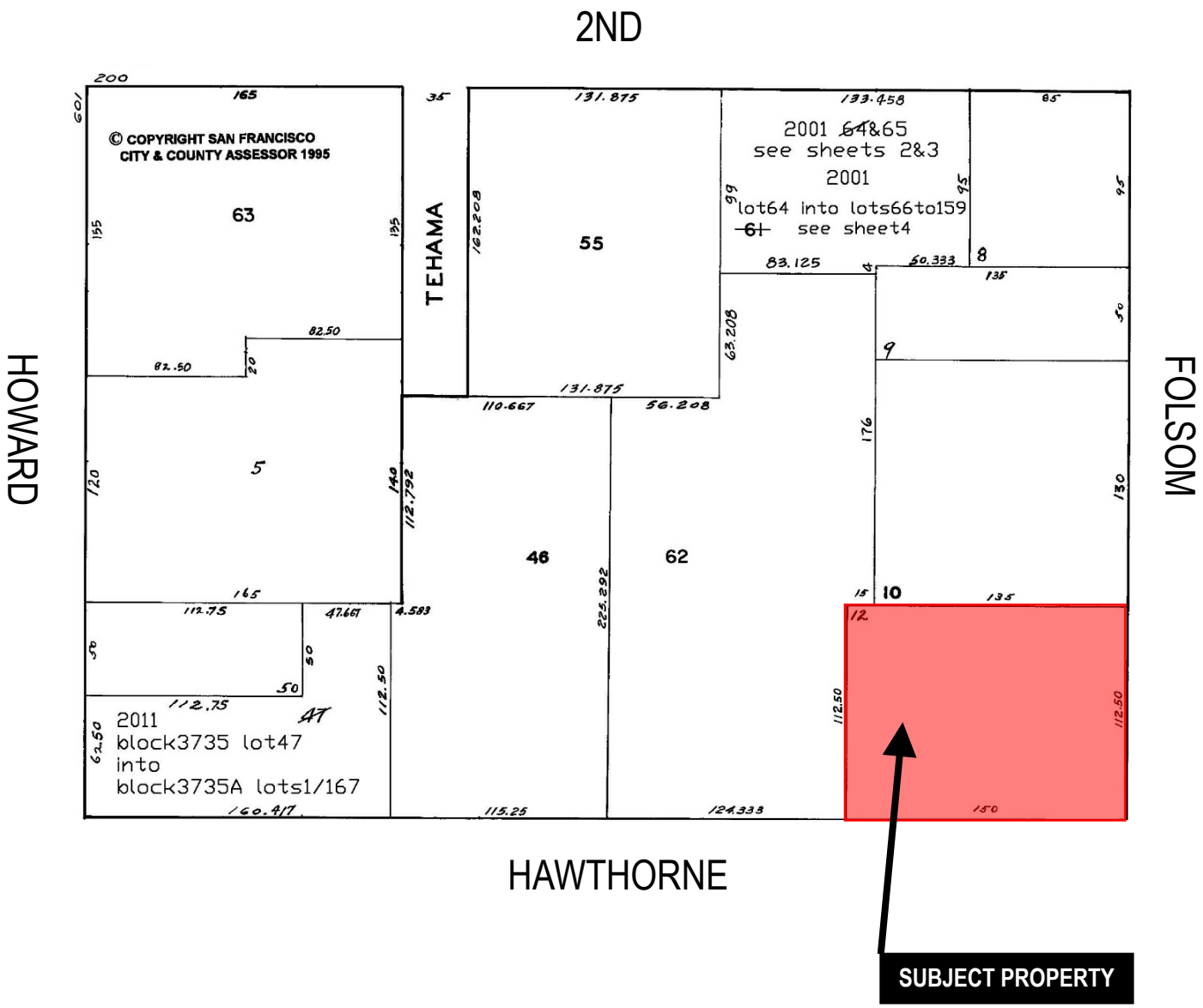
	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	80,665	80,665
Residential GSF	0	476,254	476,254
Retail/Commercial GSF	0	3,425	3,425
Office GSF	84,375	0	(84,375)
Industrial/PDR GSF *Production, Distribution, & Repair*	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	7,911
Public Open Space	0	0	0
Other ( )	0	0	0
TOTAL GSF	84,375		560,344
	EXISTING	NET NEW	**TOTALS**
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	55	55
Dwelling Units - Market Rate	0	337	337
Dwelling Units - Total	0	392	392
Hotel Rooms	0	0	0
Number of Buildings	1	1	1
Number of Stories	5	42	42
Parking Spaces	0	107	107
Loading Spaces	0	3	3
Bicycle Spaces	0	208	208
Car Share Spaces	0	4	4
Other ( )			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	199	199
Two Bedroom Units	0	144	144
Three Bedroom (or +) Units	0	49	49
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

EXHIBIT E:

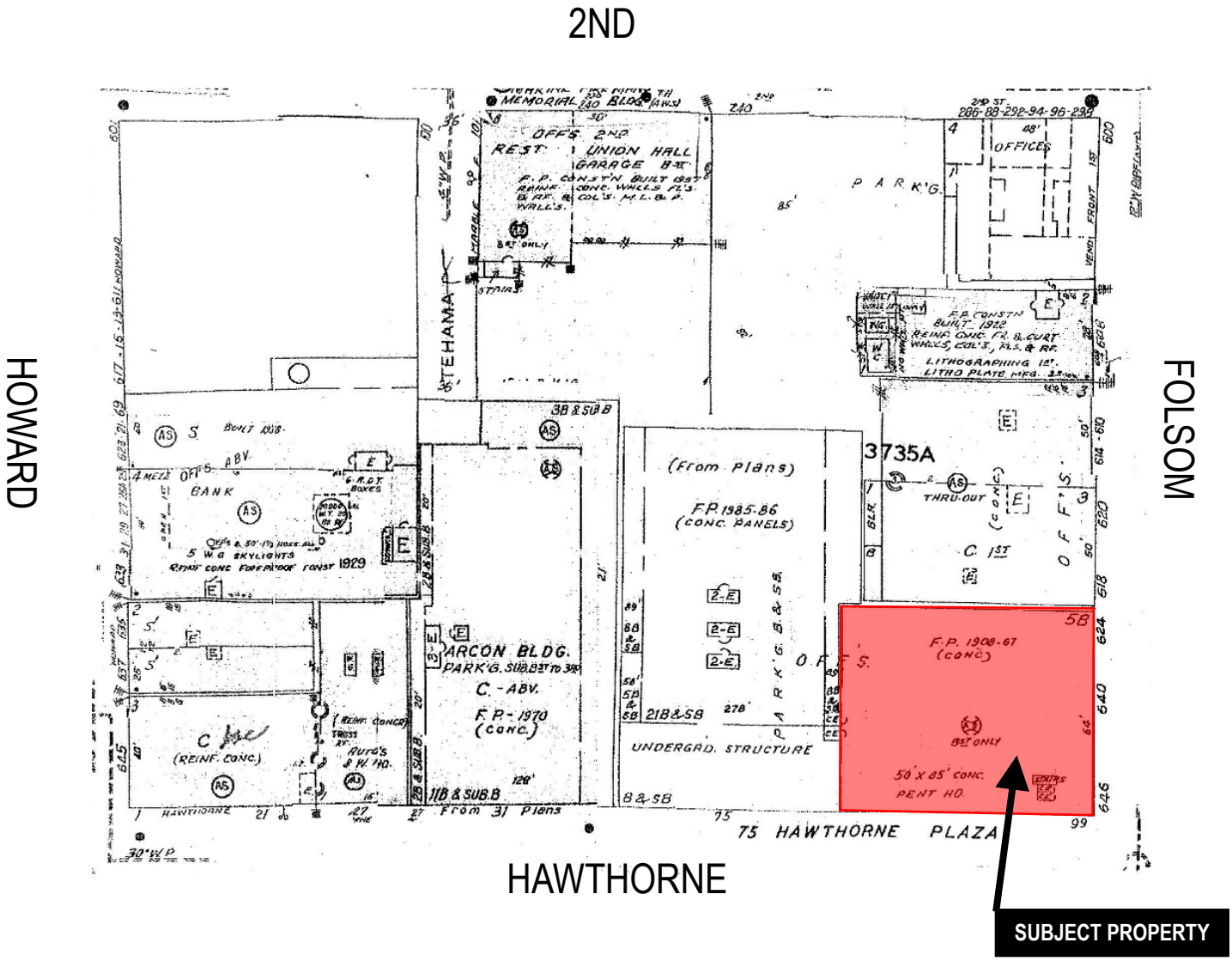
MAPS AND CONTEXT PHOTOS

Parcel Map



Downtown Project Authorization
Case Number 2016-001794DNX
95 Hawthorne Street

Sanborn Map*

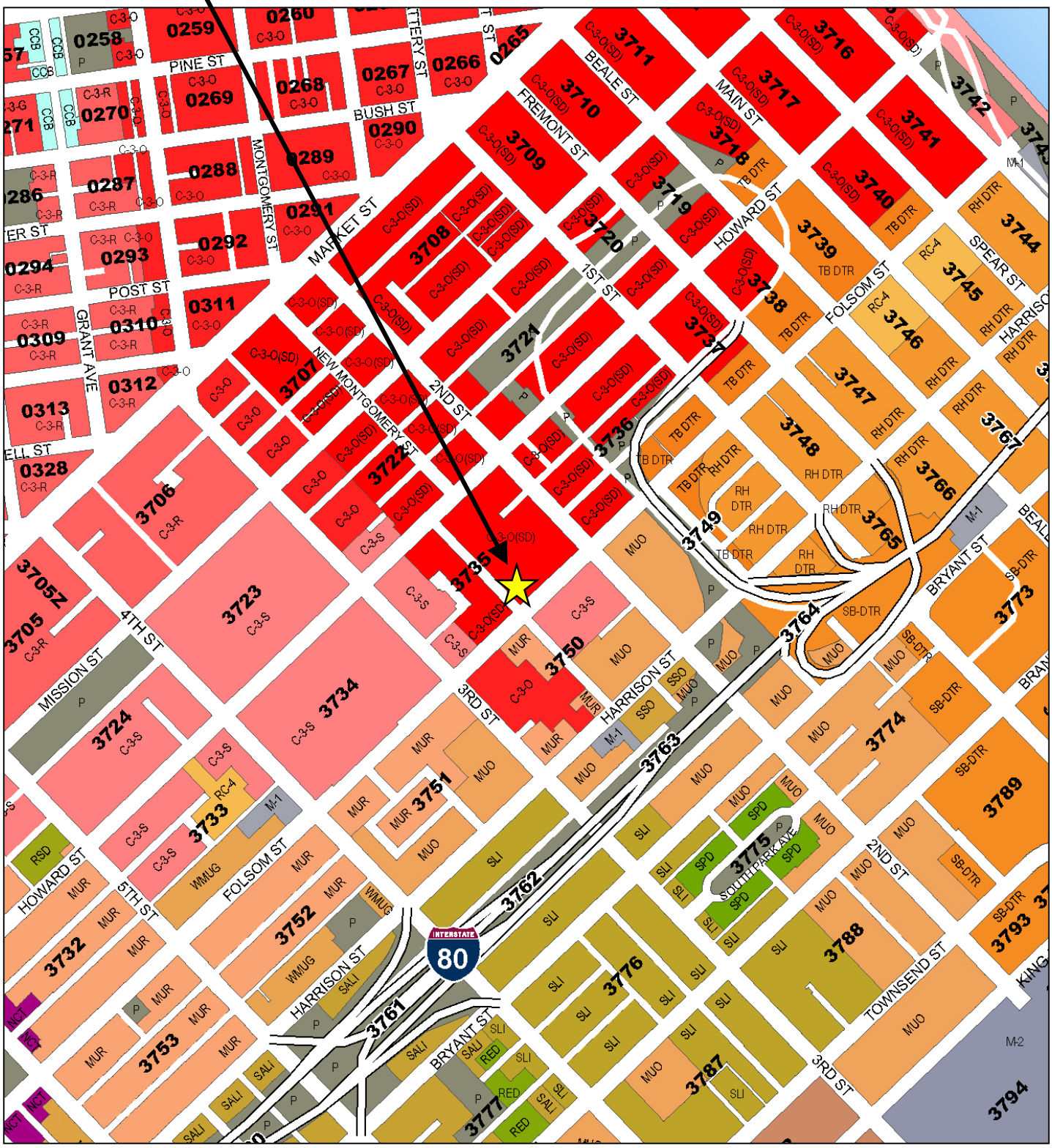


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Downtown Project Authorization
Case Number 2016-001794DNX
95 Hawthorne Street

SAN FRANCISCO
PLANNING DEPARTMENT

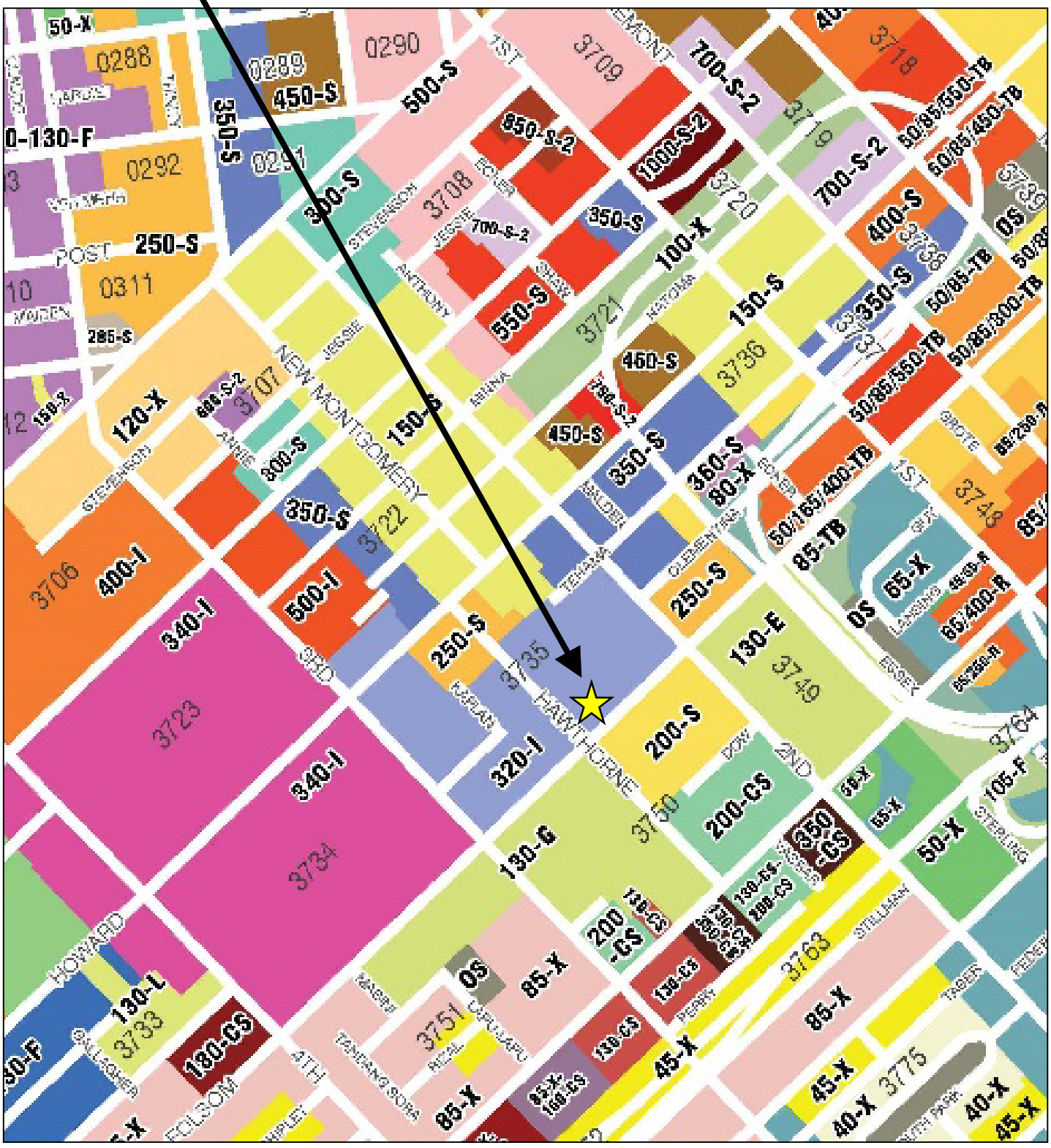
Zoning Map



Downtown Project Authorization
Case Number 2016-001794DNX
95 Hawthorne Street

SAN FRANCISCO
PLANNING DEPARTMENT

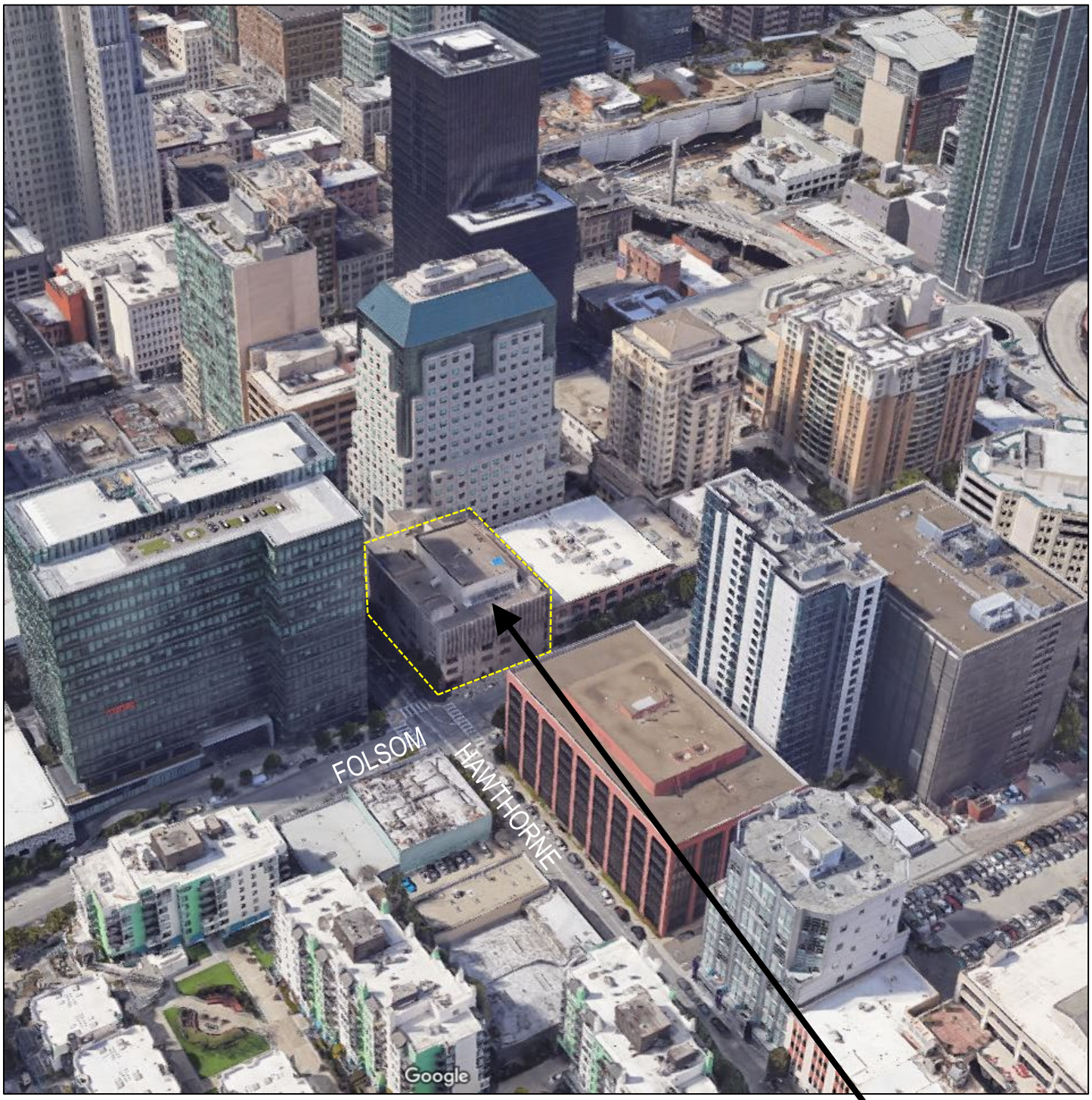
Height and Bulk Map



Downtown Project Authorization
Case Number 2016-001794DNX
95 Hawthorne Street

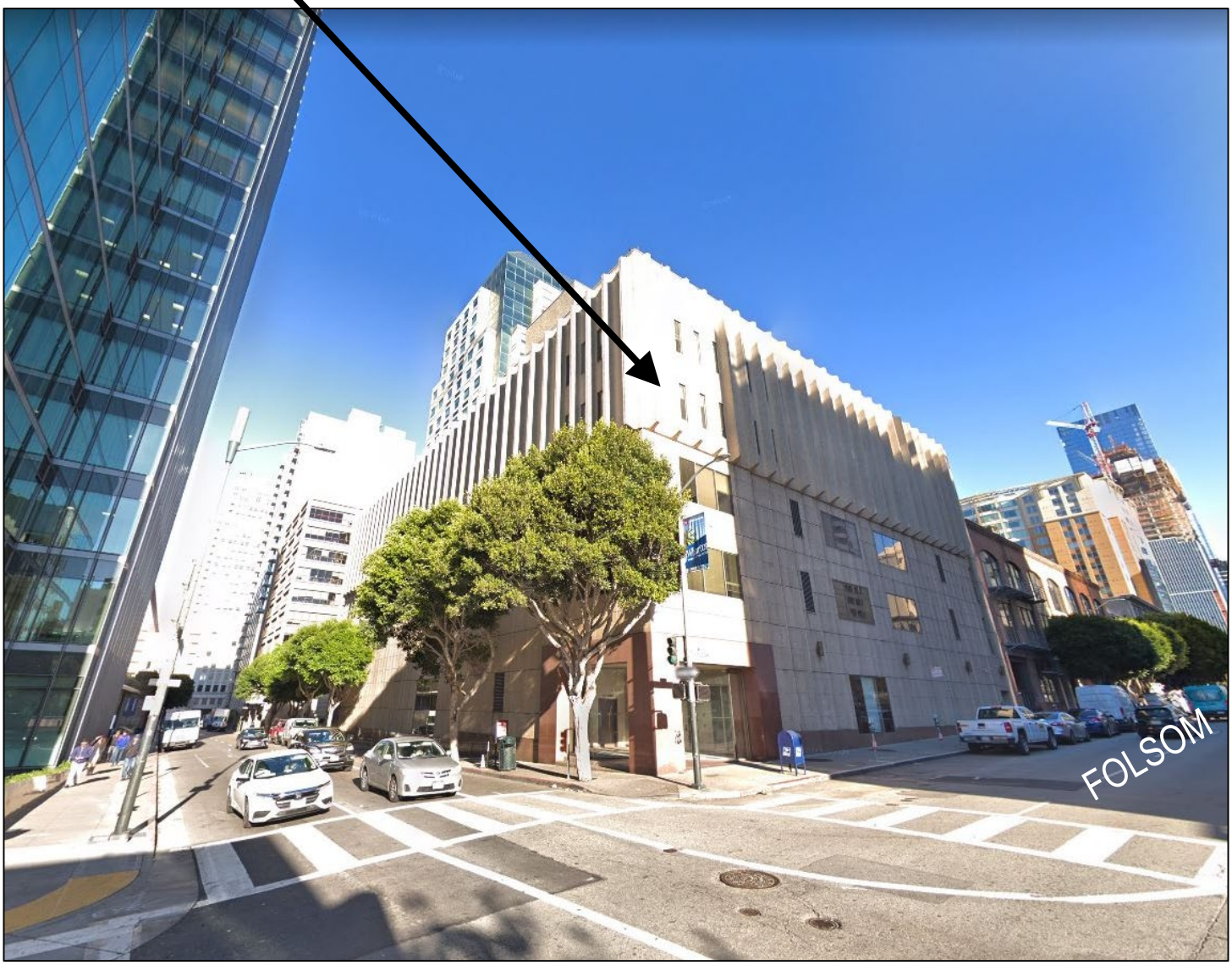
SAN FRANCISCO
PLANNING DEPARTMENT

Aerial Photo



Downtown Project Authorization
Case Number 2016-001794DNX
95 Hawthorne Street

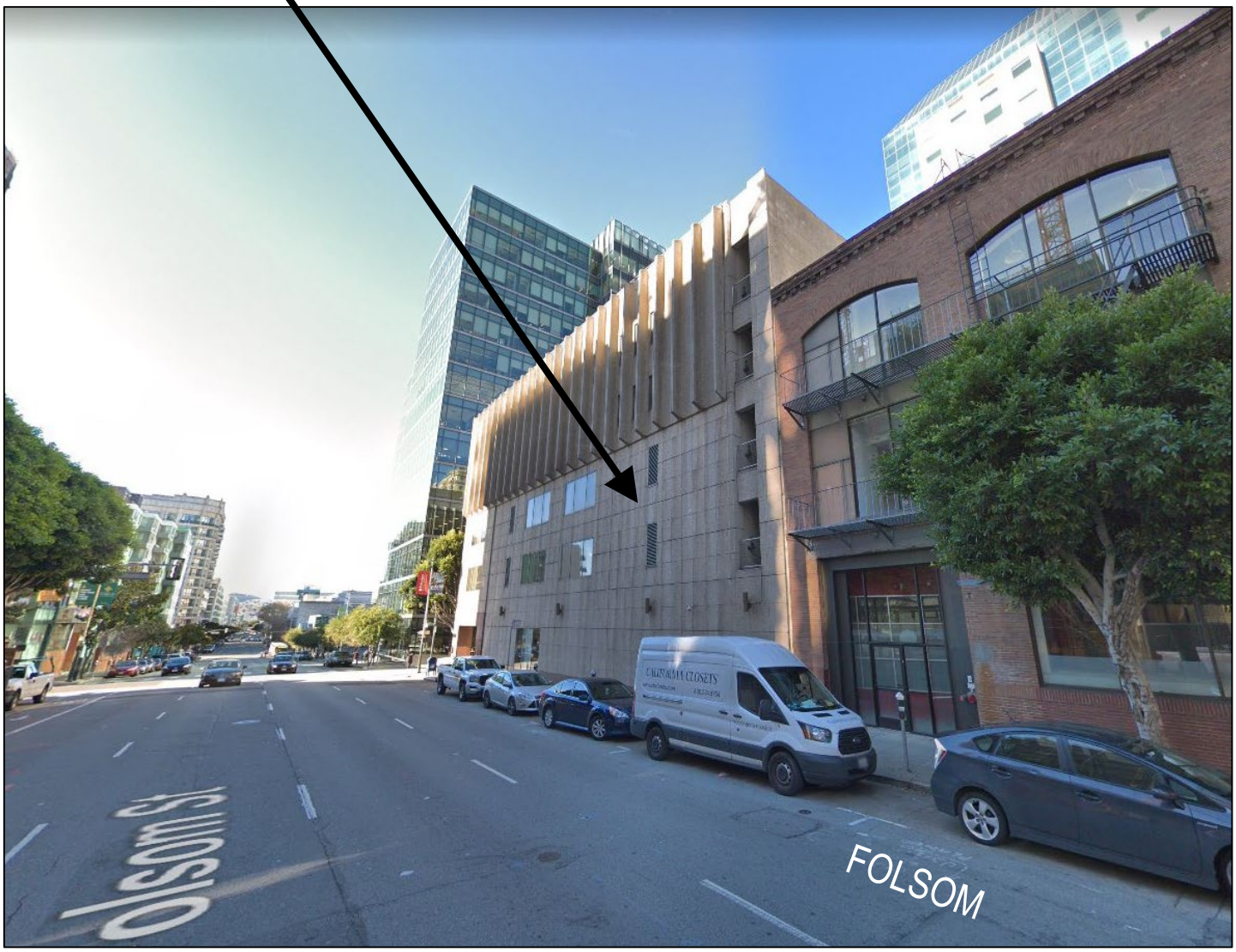
Site Photos



Street view of Project Site from corner of Hawthorne/Folsom Streets (looking N).

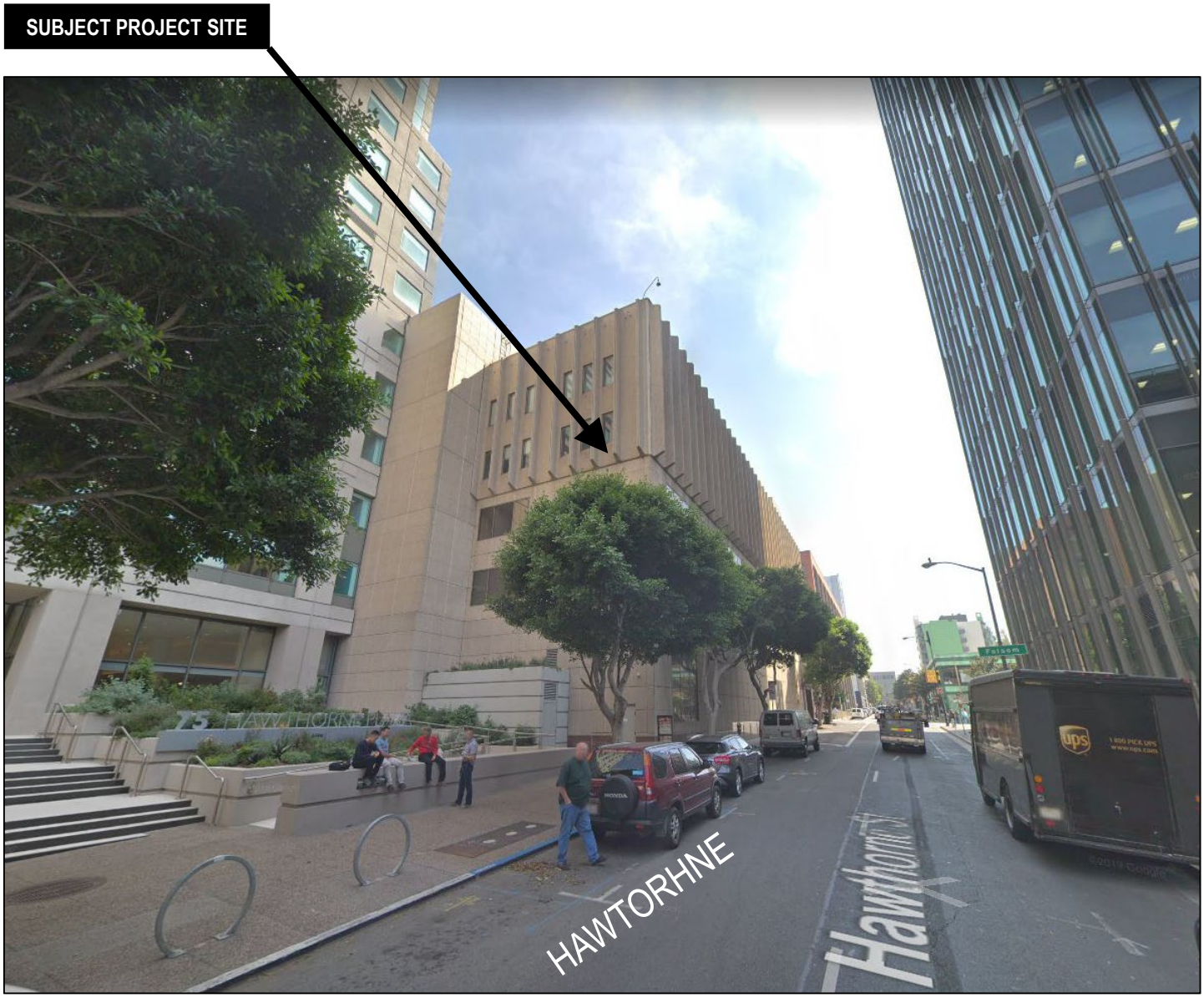
Site Photos

SUBJECT PROJECT SITE



Street view from Project Site from Folsom Street (looking W).

Site Photos



Street view from Project Site from Hawthorne Street (looking SE).

EXHIBIT F:

PUBLIC CORRESPONDENCE

EXHIBIT G:

PROJECT SPONSOR BRIEF

REUBEN, JUNIUS & ROSE, LLP

John Kevlin
jkevlin@reubenlaw.com

June 17, 2019

Delivered by Email (nicholas.foster@sfgov.org)

Myrna Melgar, Commission President
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94107

Re: 95 Hawthorne Street
Planning Case Number: 2016-001794
Hearing Date: June 27, 2019
Our File No.: 10220.01

Dear President Melgar and Commissioners:

This office represents Trammel Crow Residential ("TCR" or "Project Sponsor"), the sponsor of the project at 95 Hawthorne Street (the "Property"). The project proposes a 42-story mixed-use project, featuring 392 units, 193 of which will be family-sized units, and 3,425 square feet of ground floor retail in an appropriate infill location currently occupied by a vacant office building (the "Project"). The Project Sponsor will set aside 19% of the base project units for affordable housing, including 11% of the base project units for very low income households earning up to 50% of area median income ("AMI"), which is at a lower AMI level and a higher rate than what would be required under the Planning Code for the base project. Therefore, the Project is entitled to a density bonus pursuant to state law. The affordable housing fee will also apply to the density bonus units. By utilizing the state density bonus, the Project will maximize the density on the site while also maintaining compatibility with the overall district character. We look forward to presenting the Project to you on June 27, 2019.

A. Existing Site and Project Description

The Project site at 95 Hawthorne Street is an approximately 16,913 square foot lot on the corner of Folsom and Hawthorne Streets in the C-3-O(SD) zoning district. The site is developed with a 5-story office building that is currently vacant. The Project Sponsor proposes to redevelop this site with a mixed-use project. The Project will add 392 residential units to the housing stock in an area where housing is strongly encouraged. The unit mix is as follows: 199 one-bedrooms (51%), 144 two-bedrooms (37%), and 49 three-bedrooms (12%). Private open space will be provided for 116 units in the form of balconies, and a total of 5,401 square feet of common residential open space will be provided throughout the building, including two courtyards and a roof terrace. Off-street parking and loading will be accessible from a 25'-8" shared driveway along Hawthorne, with two loading spaces located on the ground floor, one loading space located on level 1 of the basement, and 107 off-street parking spaces located

entirely in the five-level basement (including 4 car share spaces and 5 accessible spaces). The Project also includes 184 Class 1 and 24 Class 2 bicycle parking spaces.

The Project requires a Downtown Project Authorization, pursuant to Section 309, for the new construction of a building in a C-3 district. In addition, the Project is proposed under California Government Code Section 65915 *et. seq.*, commonly known as the "Density Bonus Law," and codified in Planning Code Section 206.6 (Individually Requested State Density Bonus Program). The Density Bonus Law entitles a project providing at least 11% very-low-income units to a 35% density bonus plus concessions or incentives, as well as waivers of any development standards that would physically preclude construction at the bonus density.

The Project will provide 11% of the base unit to households at 50% AMI. Compared to what would have been required for the base project under the Planning Code, the number of affordable units provided is higher and the AMI level for the units is lower. In addition, the Project will set aside 4% of the base units for households at 80% AMI, and 4% for households at 110% AMI. In total, 19% of the base scheme units will be below market rate, which will increase the affordable housing stock by 55 units, and the density bonus units will be subject to the affordable housing fee. Because the Project is providing 11% of the base units to very-low income households, it is entitled to a 35% density bonus under state law. The 35% density bonus equates to 101 bonus units or 123,473 square feet of additional residential space. In order to allow for the 392 units permitted under the Density Bonus Law on this constrained site, the Project requires waivers and exceptions from a few development standards under the Planning Code.

B. Project Benefits

Approval of the Project will provide the following substantial benefits to the neighborhood and the City at large:

- Needed Uses. The Planning Commission approval of the Project will allow for the site to be developed with 392 units, as opposed to the approximately 291 that would be principally permitted on this site. The addition of 392 dwelling units will bring new life to the site and increase the City's housing stock where this type of multi-family development is encouraged. With 193 of the units providing two to three bedrooms, the Project will help further the City's goal of keeping families in San Francisco by creating more family-sized units.

- Affordable Housing. Maximizing the density on the site has the benefit of adding additional affordable housing units. Nineteen percent of the base scheme units will be below market rate, which will increase the affordable housing stock by 55 units. Of the 55 affordable housing units, 32 will be available to households at 50% AMI, 11 units will be available to households at 80% AMI, and 12 units will be available to households at 110% AMI. To promote diversity and inclusion, below market rate units will have similar finishes to market-rate units, will be evenly distributed

throughout the building, and will include a commensurate mix of one-, two-, and three-bedroom units. In addition, the Project Sponsor will provide the affordable housing fee for the additional residential square footage provided under the density bonus law.

- Building Design and Urban Form. The building lobby seamlessly integrates with the outdoors and the glass facades to create an invitation for passersby to enter into the lobby and remain. The proposed building integrates high quality design and creates a defined and active street wall. The building's transparent façade features a prominent entry lobby with pedestrian scale lighting and artwork that enlivens the ground floor space. The base of the building will be designed with floor-to-ceiling glazing to create a visual experience for the pedestrian and provide direct engagement with the street wall. The Folsom Street frontage and the corner of Folsom and Hawthorne will include two new commercial spaces with retail that will serve the local community and incorporates public art. The Hawthorne Street frontage will provide a lobby and lounge area further defining the street wall and fostering positive activations of the corner lot.

- Local Opportunities for Employment. The addition of the two retail spaces will provide new opportunities for local employment in the service industry. The Project Sponsor will own/operate the building and has indicated a willingness to work with local community-based organizations to identify and fill positions with local hires.

- Streetscape Enhancements. To address increased pedestrian activity and safety concerns along Hawthorne Street, the development includes the widening of the sidewalk and removal of motorcycle parking. To further activate the streetscape, street tree selection will be coordinated to create a sense of continuity down Hawthorne Street. Any additional street furniture selections will be considered in conjunction with the Yerba Buena Community Benefit District's Street Life Plan.

- Impact Fees. The Project will pay into a number of impact fees, including those that support child care services, public schools, open space, and transportation and infrastructure improvements. Specifically, the Project will be subject to the following fees: Child Care; Schools; Transportation Sustainability; Transit Center Open Space and Transportation; and Inclusionary Housing.

- Significant Neighbor and Community Vetting. The Project Sponsor has been committed to neighborhood engagement since the outset of the entitlement process. The Project team has conducted numerous community meetings and follow-up discussions with interested parties, including neighbors and community representatives, as discussed in greater detail below.

C. Community and Neighborhood Outreach

The Project Sponsor has prioritized transparency and community engagement throughout the Planning review process. For over two years, the Project Sponsor has conducted extensive neighborhood outreach in order to share information about the Project and solicit feedback from the community.

The Sponsor hosted two general community meetings on February 8, 2017 and again on December 11, 2018. Meeting invitations were mailed out to over 300 property owners/tenants/businesses within a 300-foot radius of the Project site. In addition, door-to-door canvassing was conducted in a four-block radius of the site over the period of two days to invite local businesses and residents to the meetings. These meetings were intended to discuss the Project and review the proposed plans with adjacent neighbors and neighborhood organizations. In addition to the general community meetings, the Sponsor has met with Supervisor Matt Haney's Office and participated in numerous calls, meetings, and presentations with various community groups including the following:

- Yerba Buena Community Benefit District
- Yerba Buena Alliance
- TODCO Group
- SOMCAN
- West Bay Pilipino Group
- Bayanihan Equity Center
- One Hawthorne Street Residential Development

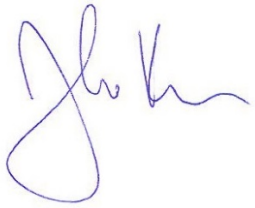
Throughout the process, the Project Sponsor has been committed to addressing community concerns.

D. Conclusion

The Project will improve the existing conditions by adding housing along with on-site affordable housing units to the City's housing stock. The Project is consistent with applicable, objective development standards and, as confirmed through the CPE, will not cause significant impacts to public health or safety beyond those identified in the Transit Center District Plan EIR. The state Housing Accountability Act (Cal. Gov. Code Sec. 65589.5) precludes the disapproval of projects that are consistent with applicable development standards and that do not impact public health or safety. Consistent with this state mandate to alleviate the housing shortage in California, we urge you to approve the Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

cc: Joel Koppel, Commission Vice-President
Frank S. Fung, Commissioner
Milicent A. Johnson, Commissioner
Rich Hillis, Commissioner
Kathrin Moore, Commissioner
Dennis Richards, Commissioner
Nicholas Foster, Project Planner

EXHIBIT H:

INCLUSIONARY AFFORDABLE HOUSING AFFIDAVIT

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419

San Francisco Planning

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

1/29/19
Date

I, Robert Maulden,
do hereby declare as follows:

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

95 Hawthorne Street
Address

3735/012
Block / Lot

The subject property is located within the following Zoning District:

C-3-O(SD)
Zoning District

320-I
Height and Bulk District

Special Use District, if applicable

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?
☐ Yes ☒ No

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:

2016-001794DNX
Planning Case Number

N/A
Building Permit Number

This project requires the following approval:

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

☐ Zoning Administrator approval (e.g. Variance)

☐ This project is principally permitted.

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

Nicholas Foster
Planner Name

A complete Environmental Evaluation Application or Project Application was accepted on:

2/9/2016
Date

The project contains 392 total _total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:
☐ This project is 100% affordable.
☐ This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?
☐ Yes _____ ☒ No
(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?
☐ Yes _____ ☒ No
(If yes, please indicate HOME-SF Tier)

Is this project an Analyzed or Individually Requested State Density Bonus Project?
☒ Yes ☐ No

C Please indicate the tenure of the project.

☐ **Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.

☒ **Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental untis for the life of the project. The applicable fee fate is the rental fee rate.

D 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)

☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units
(Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)

☐ Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)

☐ Land Dedication (Planning Code Section 419)

The applicable inclusionary rate is:

18% of the base project (10% at 55% AMI, 4% at 80% AMI, and 4% at 110% AMI)

On-site, off-site or fee rate as a percentage

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

Residential Gross Floor Area

E The Project Sponsor acknowledges that any change which results in the reduction of the number of on-site affordable units following the project approval shall require public notice for a hearing and approval by the Planning Commission.

F The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

(1) Inform the Planning Department and the Mayor's Office of Housing and Community Development 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.

G The Project Sponsor acknowledges that in the event that one or more rental units in the principal project become ownership units, the Project Sponsor shall notifiy the Planning Department of the conversion, and shall either reimburse the City the proportional amount of the Inclusionary Affordable Housing Fee equivalent to the then-current requirement for ownership units, or provide additional on-site or off-site affordable units equivalent to the then-current requirements for ownership units.

I For projects with over 25 units and with EEA's accepted between January 1, 2013 and January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

J For projects with EEA's/PRJ's accepted on or after January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project within 30 months of the Project's approval, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor is issued a site or building permit.

K If a Project Sponsor elects to completely or partially satisfy their Inclusionary Housing requirement by paying the Affordable Housing Fee, the Sponsor must pay the 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.

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
392 total/291 base	0	0	199	144	49

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.4. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

+1% at 50% AMI for density bonus

☒ **On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4): 18 % of the unit total.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
55 units	0	0	28	20	7

LOW-INCOME	Number of Affordable Units: 32	% of Total Units: 10% of base project + 1% for SDB	AMI Level: 50% AMI for density bonus
MODERATE-INCOME	Number of Affordable Units: 11	% of Total Units: 4% of base project	AMI Level: 80% AMI
MIDDLE-INCOME	Number of Affordable Units: 12	% of Total Units: 4% of base project	AMI Level: 110% AMI

☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7 or 419.3): % of the unit total.

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

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

AMI LEVELS:	Number of Affordable Units:	% of Total Units:	AMI Level:
	Number of Affordable Units:	% of Total Units:	AMI Level:
	Number of Affordable Units:	% of Total Units:	AMI Level:

UNIT MIX TABLES: CONTINUED

☐ **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. On-Site ☐ % of affordable housing requirement.

If the project is a State Density Bonus Project, please enter "100%" for the on-site requirement field and complete the Density Bonus section below.

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

2. Off-Site ☐ % of affordable housing requirement.

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

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

Income Levels for On-Site or Off-Site Units in Combination Projects:			
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

3. Fee ☐ % of affordable housing requirement.

Is this Project a State Density Bonus Project? ☒ Yes ☐ No

If yes, please indicate the bonus percentage, up to 35% 35%, and the number of bonus units and the bonus amount of residentail gross floor area (if applicable) 352, 781 sf base project * 1.35 = 476, 254 sf density bonus

I acknowledge that Planning Code Section 415.4 requires that the Inclusionary Fee be charged on the bonus units or the bonus residential floor area.

Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

This project will replace the affordable units to be demolished, converted, or removed using the following method:

- ☐ On-site Affordable Housing Alternative
- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance
- ☐ Off-site Affordable Housing Alternative (Section 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

John Hancock Life Insurance Company, U.S.A.
Company Name

Robert Maulden
Name (Print) of Contact Person

197 Clarendon Street
Address

Boston, MA 02116
City, State, Zip

Phone / Fax

rmaulden@jhancock.com
Email

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. 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:
Robert Maulden, Managing Director

Executed on this day in:

Location:

Date:
1/29/19

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:

EXHIBIT I:

ANTI-DISCRIMINATORY HOUSING AFFIDAVIT

SUPPLEMENTAL INFORMATION FOR
Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:
John Hancock Life Insurance Company (USA)

PROPERTY OWNER'S ADDRESS:
197 Clarendon Street
Boston, MA 02116

TELEPHONE:
( )

EMAIL:
rmaulden@jhancock.com

APPLICANT'S NAME:
Trammell Crow Residential attn: Oisin Heneghan

Same as Above ☐

APPLICANT'S ADDRESS:
39 Forrest Street, Suite 201
Mill Valley, CA 94941

TELEPHONE:
(415) 381-3001

EMAIL:
oheneghan@tcr.com

CONTACT FOR PROJECT INFORMATION:

Same as Above ☒

ADDRESS:

TELEPHONE:
(

EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):

Same as Above ☒

ADDRESS:

TELEPHONE:
( )

EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT:
95 Hawthorne Street

ZIP CODE:
94105

CROSS STREETS:
Folsom and Howard Streets

ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3735 / 012	C-3-O(SD)	320-I

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
☒ New Construction ☒ Demolition ☐ Alteration ☐ Other: _____	0 units	392 Units	392 Units

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? NATIONAL

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

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

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

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

Applicant's Affidavit

Under penalty of perjury the following declarations are made:
a: The undersigned is the owner or authorized agent of the owner of this property.
b: The information presented is true and correct to the best of my knowledge.
c: Other information or applications may be required.

Signature: _____ Date: 1/29/19

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

Robert Maulden, Managing Director
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: _____	

EXHIBIT J:

FIRST SOURCE

HIRING AFFIDAVIT

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)
95 Hawthorne Street	3735/012

BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)
N/A	2016-001794DNX	N/A

PROJECT SPONSOR	MAIN CONTACT	PHONE
Trammell Crow Residential	Oisin Heneghan	(415) 381-3001

ADDRESS	
39 Forrest Street, Suite 201	
CITY, STATE, ZIP	EMAIL
Mill Valley, CA 94941	oheneghan@tcr.com

ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
392 units	~3,400 sf	443' - 9"/42 floors	$180,000,000

ANTICIPATED START DATE
January 2020

Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
☐	Project is wholly Residential
☐	Project is wholly Commercial
☒	Project is Mixed Use
☒	A: The project consists of ten (10) or more residential units;
☐	B: The project consists of 25,000 square feet or more gross commercial floor area.
☐	C: Neither 1A nor 1B apply.

NOTES:
- If you checked **C**, this project is NOT subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked **A or B**, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit *www.workforcedevelopmentsf.org*
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	$50	0	0
Boilermaker	$50	0	0
Bricklayer	$50	0	0
Carpenter	$77	18	96
Cement Mason	$60	10	48
Drywaller/ Latherer	$40	10	48
Electrician	$38	4	24
Elevator Constructor	$75	2	10
Floor Coverer	$40	2	10
Glazier	$40	2	10
Heat & Frost Insulator	$40	0	0
Ironworker	$68	2	10
		TOTAL:	128

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Laborer	$54	4	24
Operating Engineer	$60	2	10
Painter	$40	2	10
Pile Driver	$60	2	10
Plasterer	$40	4	24
Plumber and Pipefitter	$40	4	24
Roofer/Water proofer	$40	4	24
Sheet Metal Worker	$40	2	10
Sprinkler Fitter	$40	2	10
Taper	$40	4	24
Tile Layer/ Finisher	$40	2	10
Other:	$40	0	0
		TOTAL:	180

	YES	NO
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?	120	

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Robert Maulden, Managing Director	rmaulden@jhancock.com	

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) 1/29/19

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

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

EXHIBIT K:

AS-BUILT PLANS

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO, CALIFORNIA

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SYMBOLS

- CONCRETE BLOCK
- CEMENT MORTAR, PLASTER OR SAND
- CONCRETE
- EARTH
- FLOOR TILE OR CORK
- GLASS
- GRAVEL OR CRUSHED STONE
- INSULATION, ACOUSTICAL OR THERMAL
- MARBLE
- STEEL - LARGE SCALE
- METAL - SMALL SCALE
- METAL - ELEVATION
- STONE
- CERAMIC VENEER
- TERRAZZO
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- CERAMIC TILE
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- WOOD - FINISH
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- 5 / A-6 — SECTION LETTER OR NUMBER, DRAWING NUMBER
- 3 / A-5 — DETAIL NUMBER OR LETTER, DRAWING NUMBER
- 100 / A — ROOM NUMBER DOOR SWINGS INTO DOOR DESIGNATION
- A — COLUMN LINE LETTER OR NUMBER
- 103 — ROOM NUMBER
- 4 — DETAIL NUMBER OR LETTER
- 6 — WINDOW TYPE
- LOUVER TYPE
- INTERIOR PARTITION TYPE
- (E) EXISTING

ABBREVIATIONS

A.T.	ACOUSTIC TILE
BLK.	BLOCK
BD.	BOARD
C.I.	CAST IRON
C.B.	CATCH BASIN
CLG.	CEILING
CEM.	CEMENT
C.O.	CONCRETE OPENING
CLOS.	CLOSET
CSK.	COUNTERSUNK
DET.	DETAIL
DIA.	DIAMETER
DN.	DOWN
D.S.	DOWNSPOUT
D.F.	DRINKING FOUNTAIN
ELEC. CAB.	ELECTRIC CABINET
EL.	ELEVATION
EXP. JT.	EXPANSION JOINT
FIN.	FINISH
F.E.C.	FIRE EXTINGUISHER CABINET
F.H.C.	FIRE HOSE CABINET
FL.	FLOOR
FTG.	FOOTING
G.I.	GALVANIZED IRON
GA.	GAUGE
GYP. BD.	GYPSUM BOARD
H.B.	HOSE BIBB
LAV.	LAVATORY
MFR.	MANUFACTURER
MAX.	MAXIMUM
MIN.	MINIMUM
N.I.C.	NOT IN CONTRACT
№	NUMBER
OB.GL.	OBSCURE GLASS
OPG.	OPENING
O.D. - I.D.	OUTSIDE DIAMETER - INSIDE DIAMETER
PART'N.	PARTITION
PLAS.	PLASTER
PR.	PAIR
R.	RISER
R.D.	ROOF DRAIN
S.S.	SERVICE SINK
S.	SINK
STL.	STEEL
T.	TREAD
VERT.	VERTICAL OR VERTICALLY
VEST.	VESTIBULE
W.C.	WATER CLOSET
WPFG.	WATERPROOFING
WD.	WOOD
W.I.	WROUGHT IRON
YD.	YARD
M.O.	MASONRY OPENING
RWL.	RAIN WATER LEADER
TERR.	TERRAZZO
T.C.	TOP OF CONCRETE OR CURB
T.W.	TOP OF WALL
F.S.	FACE OF STUD
F.C.	FACE OF CONCRETE
P.B.	PANIC BARS

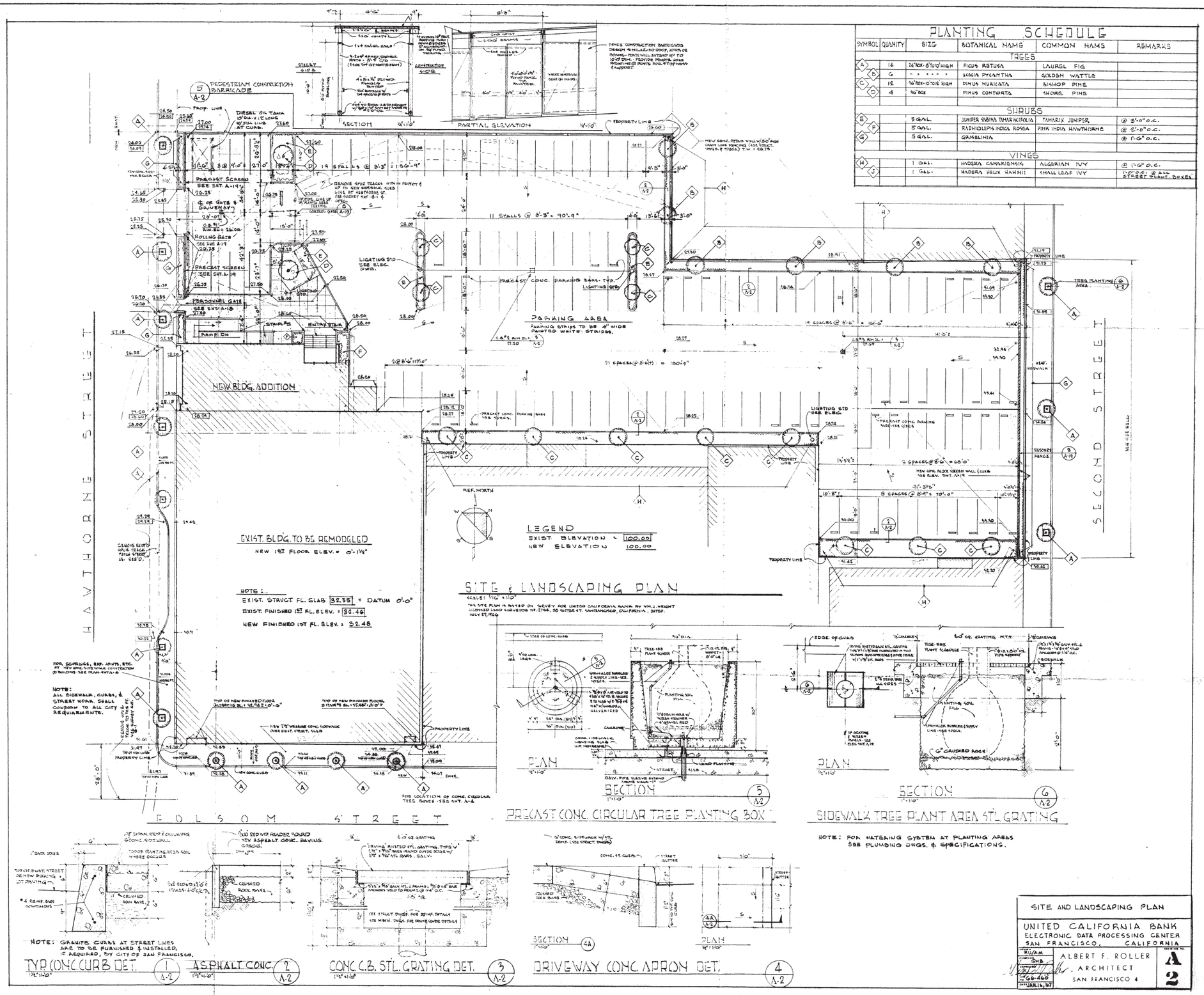
TITLE SHEET

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO, CALIFORNIA

RMU | SMO | 66-460 | 12/16/67

ALBERT F. ROLLER, ARCHITECT
SAN FRANCISCO 4

A 1



PLANTING SCHEDULE

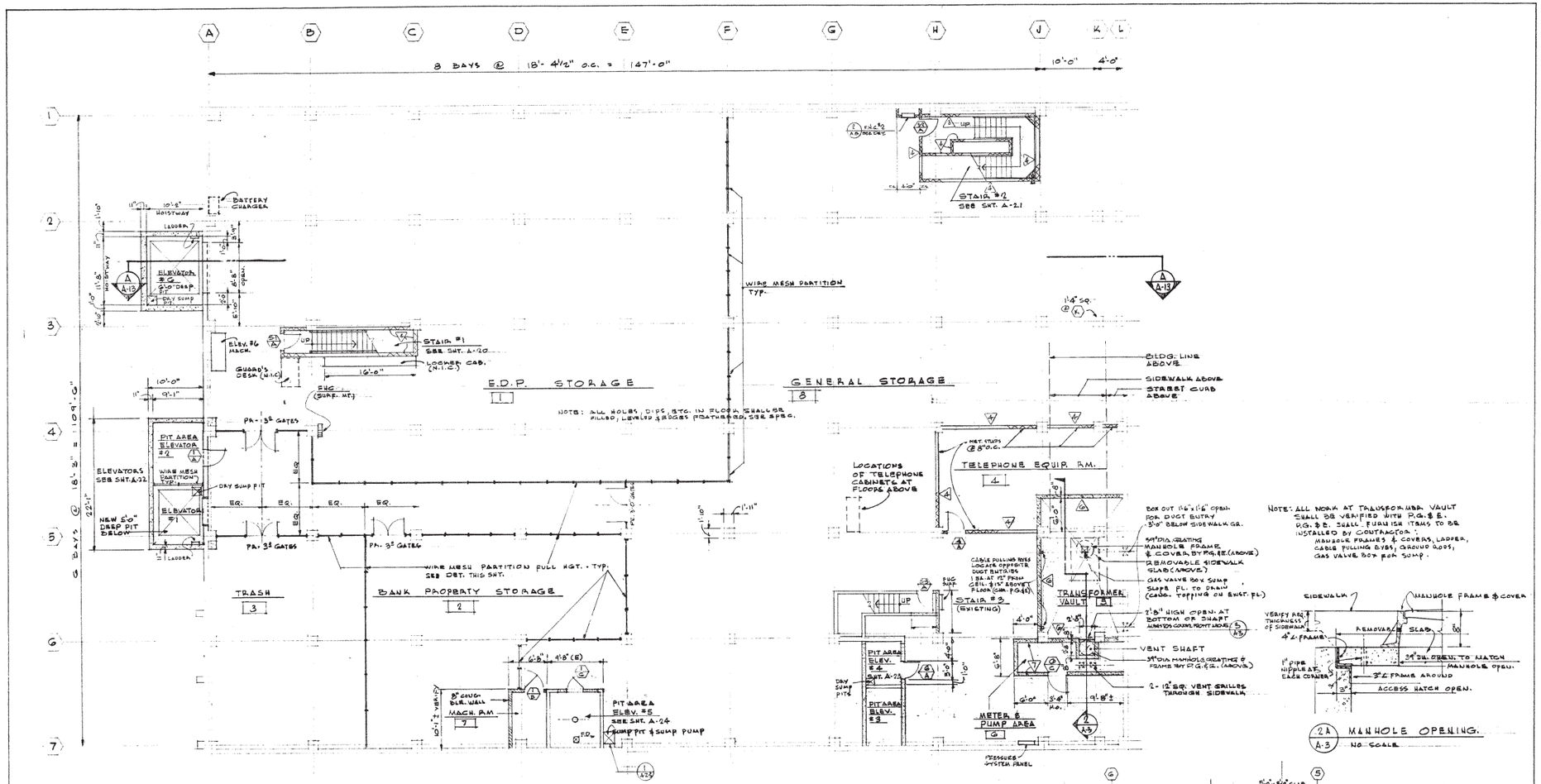
SYMBOL	QUANITY	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
			TREES		
A	14	24"BOX - 8'-10'-10' HIGH	FICUS RETUSA	LAUREL FIG	
B	6	" " " " "	ACACIA PYCANTHA	GOLDEN WATTLE	
C	12	36"BOX - 10'-10'-12' HIGH	PINUS MURICATA	BISHOP PINE	
D	4	36" BOX	PINUS CONTORTA	SHORE PINE	
			SHRUBS		
E		5 GAL.	JUNIPER SABINA TAMARISCIFOLIA	TAMARIX JUNIPER	@ 3'-0" O.C.
F		5 GAL.	RADHIOLEPIS INDICA ROSEA	PINK INDIA HAWTHORNE	@ 2'-0" O.C.
G		5 GAL.	GRISELINIA		@ 1'-6" O.C.
			VINES		
H		1 GAL.	HADERA CANARIENSIS	ALGERIAN IVY	@ 1'-6" O.C.
J		1 GAL.	HADERA HELIX HANNII	SMALL LEAF IVY	1'-0" O.C. @ ALL STREET PLANT BOXES

SITE AND LANDSCAPING PLAN

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO, CALIFORNIA

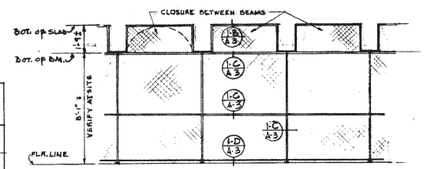
ALBERT F. ROLLER
ARCHITECT
SAN FRANCISCO 4

A 2

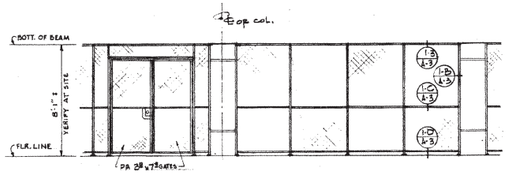


ROOM FINISH SCHEDULE

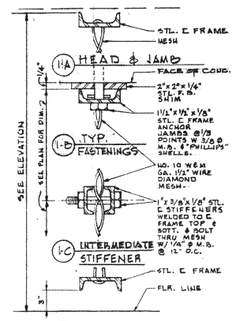
NO.	ROOM	FLOOR	BASE	WALLS	WAINSCOT	CEILING	PAINTING HT.	PAINTING WDW.&DR.	PAINTING TRIM FIN.	REMARKS
1	E.D.P. STORAGE	COMPOS.	PAINTED VINYL	CONC. PLASTER		EXPOSED CONC.	7'-0	●	●	●
2	BANK PROPERTY STORAGE	COMPOS.	PAINTED	CONC.		EXPOSED CONC.	7'-0	●	●	●
3	TRASH	COMPOS.	PAINTED	CONC.		EXPOSED CONC.	7'-0	●	●	●
4	TELEPHONE EQUIPMENT RM.	COMPOS.	VINYL	PLASTER		5/8" GYP. BOARD	8'-0	●	●	●
5	TRANSFORMER VAULT	COMPOS.	PAINTED	CONC. CONC. BLK.		EXPOSED CONC.	7'-0			
6	METER & PUMP AREA	COMPOS.	PAINTED	CONC. CONC. BLK.		EXPOSED CONC.	7'-0	●	●	●
7	MACHINE RM.	COMPOS.	PAINTED	CONC. CONC. BLK.		EXPOSED CONC.	7'-0	●	●	●
8	GENERAL STORAGE	COMPOS.	PAINTED VINYL	CONC. CONC. BLK. PLASTER		EXPOSED CONC.	9'-0	●	●	●
	STAIR #1	COMPOS.	VINYL	PLASTER				●	●	●
	STAIR #2	COMPOS.	VINYL	PLASTER				●	●	●
	STAIR #3	COMPOS.	PAINTED	CONC.				●	●	●
	ELEVATOR #1	—	—	CONC.				—	—	●
	ELEVATOR PIT AREA - TYP.	CONC.	—	CONC.				—	—	●



FULL HEIGHT TO BOTTOM OF SLAB
1/4" = 1'-0"

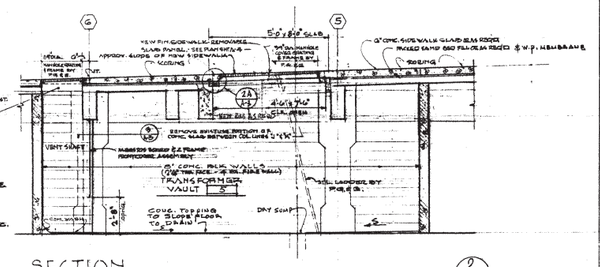


FULL HEIGHT TO BOTTOM OF BEAM
1/4" = 1'-0"

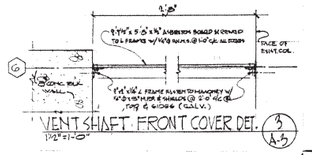


SECTION DETAILS
SCALE: 3" = 1'-0"

1 A-3 WIRE MESH PARTITION
SCALE: AS NOTED



SECTION
1/4"=1'-0"
2 A-3



VENT SHAFT FRONT COVER DET.
1½"=1'-0"
3 A-3

BASEMENT FLOOR PLAN

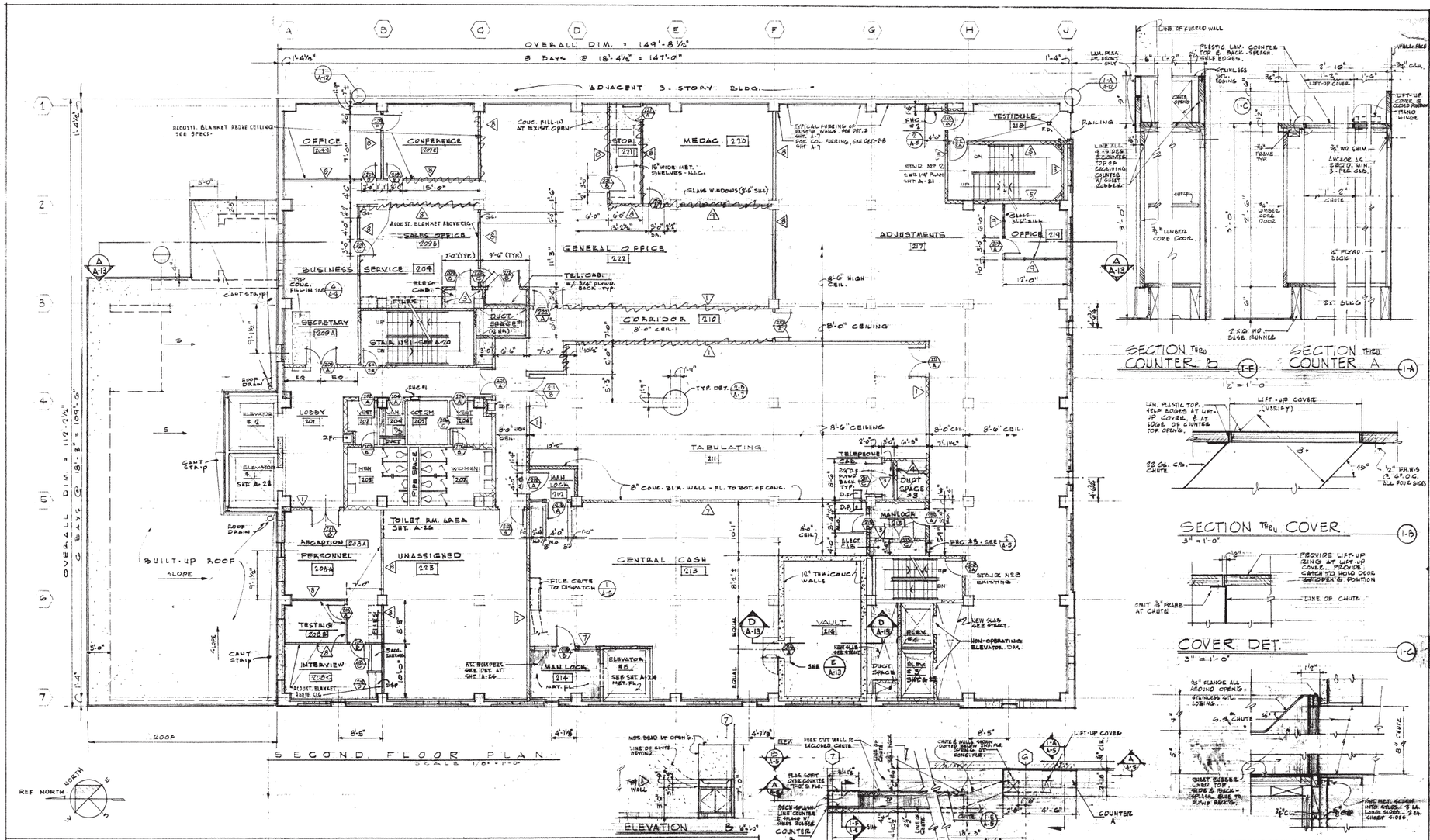
UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO CALIFORNIA

DRAWN	CHECKED	APPROVED
RT/RU	SWG	

JOB NO. 66-460
DATE JAN. 10, '67

ALBERT F. ROLLER
ARCHITECT
SAN FRANCISCO 4

DRAWING NO. A 3



ROOM FINISH SCHEDULE

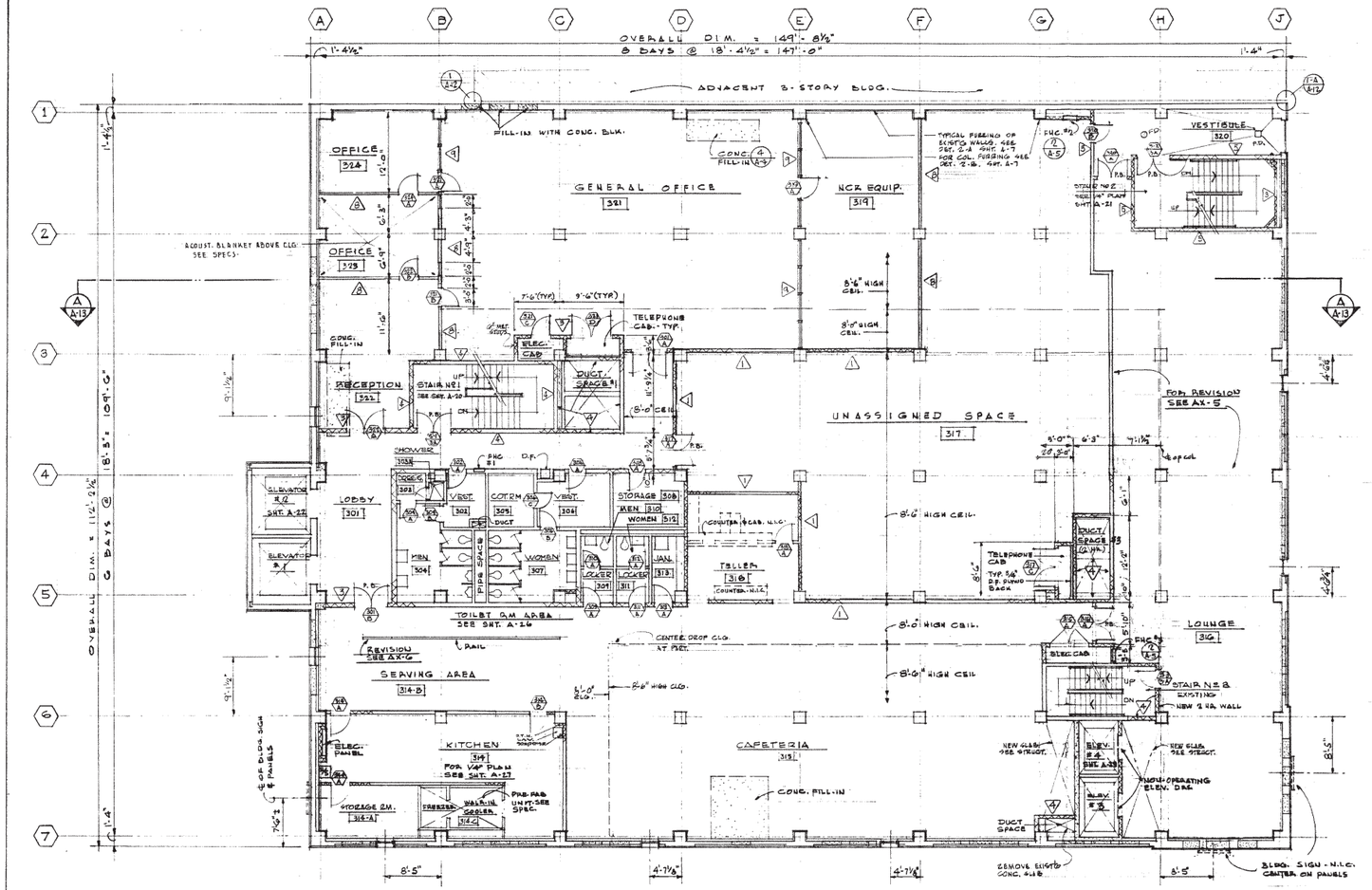
NO.	ROOM	FLOOR	BASE	WALLS	WAINSCOT	CEILING	PAINTING HT.	PAINTING WALL	PAINTING CLG.	PAINTING TRIM	PAINTING FIN.	REMARKS
201	LOBBY	VINYL ASBESTOS	VINYL	PLAS.		ACOUST. TILE	8'6"	●	–	●		
202	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'0"	●	●	●		
203	MEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'0"	–	●	●		
204	JANITOR	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'0"	●	●	●		
205	COT ROOM	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'0"	●	●	●		
206	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'0"	●	●	●		
207	WOMEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'0"	–	●	●		
208 A,B,C	PERSONNEL RECEPT., TEST., INTERV.	VINYL ASBESTOS	VINYL	PLAS.		ACOUST. TILE	8'6"	●	–	●		
209 A,B,C,D	BUSINESS SERV. DOC., SALES, OFF. CONF.	VINYL ASBESTOS	VINYL	PLAS. OR GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
210	CORRIDOR	VINYL ASBESTOS	VINYL	PLAS. OR GYP. BD.		ACOUST. TILE	8'0"	●	–	●		
211	TABULATING	VINYL ASBESTOS	VINYL	PLAS OR GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
212	MAN LOCK	VINYL ASB	VINYL	PLAS		ACOUST. TILE	8'0"	●	–	●		
213	CENTRAL CASH	VINYL ASB	VINYL	PLAS		ACOUST. TILE	8'6"	●	–	●		
214	MAN LOCK	MBT. FLOOR	VINYL	PLAS.		ACOUST. TILE	8'6"	●	–	●		
215	MAN LOCK	VINYL ASB.	VINYL	PLAS.		ACOUST. TILE	8'0"	●	–	●		
216	VAULT	VINYL ASB.	VINYL	½" PLAS. ON CONC.		½" PLAS. ON CONC.	8'6"	●	●	●		
217	ADJUSTMENTS	VINYL ASB	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
218	VESTIBULE	COMPOS.	COMPOS.	PLAS.		PLAS.	11'6"	●	●	●		
219	OFFICE	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
220	MEDAC	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
221	STORAGE	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
222	GENERAL OFFICE	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'6"	●	–	●		
223	UNASSIGNED	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'6"	●	●	●		
	STAIR #1 & #2	*	—	VINYL	PLAS.	EXPOSED MET. STAIR SOFFITS		●	●	●		CONCRETE TREADS & LANDINGS
	STAIR #3 (EXT.)	—	—	—				●	●	●		
		—	—	—	—			—	—	●		
	ELEVATOR SHAFTS - TYP.	—	—	CONC.	—			—	—	●		
	TELS. & ELECT. CABS.	VINYL ASBESTOS	VINYL	PLAS		PLAS.	8'6"	●	●	●		

SECOND FLOOR PLAN

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO CALIFORNIA

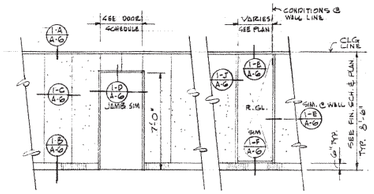
ALBERT F. ROLLER, ARCHITECT
SAN FRANCISCO 4

DRAWING NO. A 5

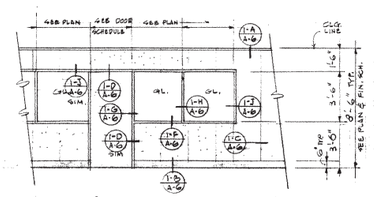


THIRD FLOOR PLAN

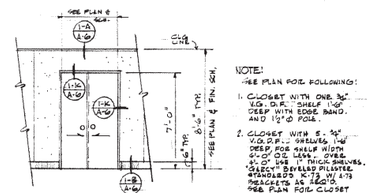
SCALE 1/8"=1'-0"



TYPE A WALLS 1/4" = 1'-0"



TYPE B WALLS 1/4" = 1'-0"



CLOSET W/ SLIDING DOOR

1/4" = 1'-0"

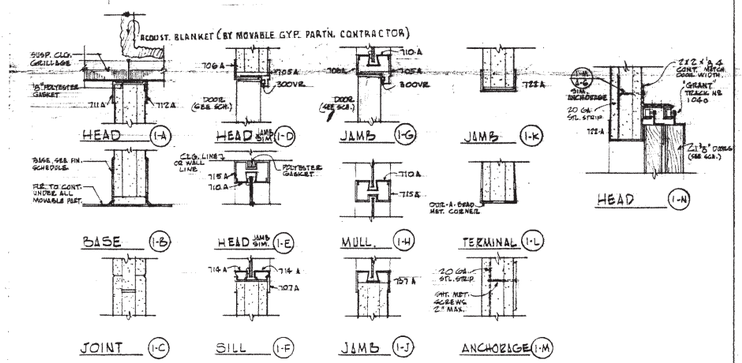
NOTE:
SEE PLAN FOR FOLLOWING:
1. CLOSET WITH ONE 36" I.D. D.F. SHELF 1'-6" DEEP WITH EDGE BAND AND 1'-0" FOIL.
2. CLOSET WITH 5 - 36" W.D.D.F. SHELVES, 1'-6" DEEP, FOR SHELF WIDTH 6'-0" OR LESS, OVER 6'-0" USE 1" THICK SHELVES. "SELECT" BEVELED PILASTER STANDARDS K-73 W/ K-73 BRACKETS AS REQ'D. SEE PLAN FOR CLOSET WIDTH.

NOTE: WOOD DOORS, SHELVING, ETC. UNDER SECT. "CARPENTRY"

ROOM FINISH SCHEDULE

NO.	ROOM	FLOOR	BASE	WALLS	WAINSCOT	CEILING	PAINTING: HT.	WALLS	CLG.	TRIM	FIN.	REMARKS
301	LOBBY	VINYL ASBESTOS	VINYL	PLAS.		ACOUST. TILE	8'-6"	●	—	●		
302	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	●	●		
303	DRESSING RM.	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	—	●	●		
303A	SHOWER	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		CERAMIC TILE	7'-0"	—	—	●		
304	MEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	—	●	●		
305	CGT. ROOM	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	●	●		
306	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	●	●		
307	WOMEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	—	●	●		
308	STORAGE	VINYL ASB.	VINYL	PLAS.		PLAS.	8'-0"	●	●	●		
309	LOCKER	VINYL ASB.	VINYL	PLAS		PLAS	8'-0"	●	●	●		
310	MEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	—	●	●		
311	LOCKER	VINYL ASB	VINYL	PLAS		PLAS	8'-0"	●	●	●		
312	WOMEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	—	●	●		
313	JANITOR	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	●	●		
314	KITCHEN	QUARRY TILE	QUARRY TILE	PLASTER		WET CLAD ACOUSTIC TILE, PLAS.	8'-0"	—	●	●		
314A	STORAGE	VINYL ASBESTOS	VINYL	PLASTER		WET CLAD ACOUSTIC TILE, PLAS.	8'-0"	—	●	●		

NO.	ROOM	FLOOR	BASE	WALLS	WAINSCOT	CEILING	PAINTING: HT.	WALLS	CLG.	TRIM	FIN.	REMARKS
314B	SERVING AREA	QUARRY TILE	QUARRY TILE	LAM. PLASTIC, PLAS.		WET CLAD ACOUST. TILE, PLAS.	8'-0"	●	—	●		* PLASTER AT NCR WALL
314C	FREEZER, WALK-IN COOLER	PRE-FABRICATED UNIT COMPLETE										
315	CAFETERIA	*QUARRY T.	QUARRY T.	*LAM. PLAS.		*WET CLAD ACOUST. TILE	8'-0"	●	—	●		* AT SERVING COUNTER.
316	LOUNGE	VINYL ASB.	VINYL	PLASTER, PLACED GYP. BD.		ACOUST. TILE	8'-0"	●	—	●		
317	UNASSIGNED	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'-0"	●	—	●		
318	TELLER	VINYL ASBESTOS	VINYL	PLAS.		ACOUST. TILE	8'-0"	●	—	●		
319	NCR EQUIP.	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'-0"	●	—	●		
320	VESTIBULE	Compos.	Compos.	PLAS.		PLAS.	11'-0"	●	●	●		
321	GENERAL OFFICE	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'-0"	—	●	●		
322	RECEPTION	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'-0"	—	●	●		
323	OFFICE	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'-0"	—	●	●		
324	OFFICE	VINYL ASBESTOS	VINYL	PLAS. GYP. BD.		ACOUST. TILE	8'-0"	—	●	●		
	TELEP & ELEC. CAB.	VINYL ASB.	VINYL	PLAS.		PLAS.	8'-0"	●	●	●		
	STAIR #1	* —		VINYL		PLAS.						CONC. TREADS & LANDINGS
	STAIR #2	* —		VINYL		PLAS.						CONCRETE TREADS & LANDINGS
	STAIR #3 (EXIST)	—	—	Conc.		—						
	ELEVATOR SHAFTS - TYP.			Conc.		—		—	—	●		



MOVABLE WALLS DETAILS 3" = 1'-0"

NOTE: 1. ALL NUMBERS (REFS.) ABOVE ARE "VAUGHAN WALLS" BY U.S. GYPSUM COMPANY. (SEE 4/A6.) SEE PLANS FOR LOCATION AND LAYOUT OF MOVABLE WALLS.

2. REINFORCED CLG. SHIELD SYSTEM WITH DIAG. WIRE BRACING @ 12'-0" MIN. AT ALL PARTITIONS EXTENDING TO BOTTOM OF SUSP. CLG. ONLY. DIAG. BRACING SHALL BE PERPENDICULAR TO PARTITIONS.

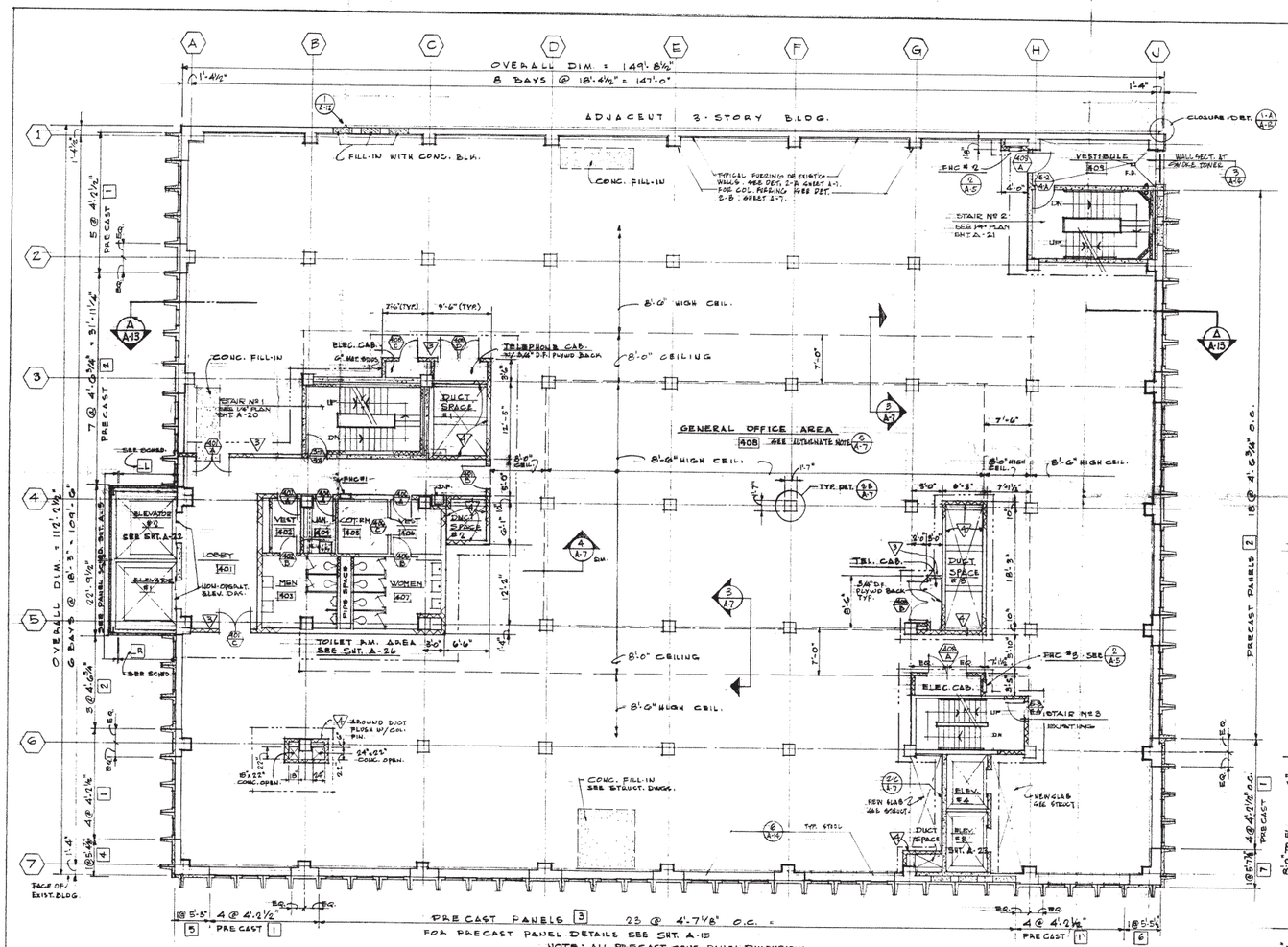
1 REVISED 8/17/67

THIRD FLOOR PLAN

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO CALIFORNIA

ALBERT F. ROLLER
ARCHITECT
SAN FRANCISCO 4

A6



FOURTH FLOOR PLAN

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

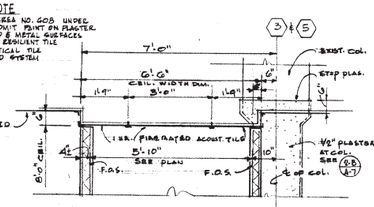
REF. NORTH

ROOM FINISH SCHEDULE

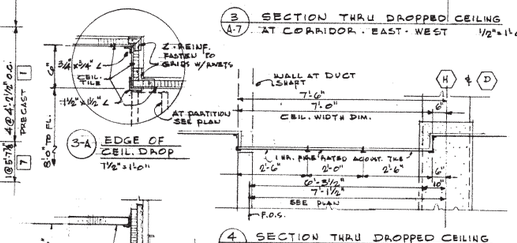
No.	ROOM	FLOOR	BASE	WALLS	WAINSCOT	CEILING	PAINTING HT.	PAINTING MTL.	PAINTING C.G.	PAINTING WDW.	PAINTING FIN.	REMARKS
401	LOBBY	VINYL ASBESTOS	VINYL	PLAS.		ACOUST. TILE	8'-0	●	–	●		
402	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0	●	●	●		
403	MEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0	–	●	●		
404	JANITOR	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0	●	●	●		
405	COT ROOM	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0	●	●	●		
406	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0	●	●	●		
407	WOMEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0	–	●	●		
408	GENERAL OFFICE AREA	* VINYL ASB.	* VINYL	PLAS.		ACOUST. TILE *	8'-0	●	–	●		* SEE ALTERNATE NOTE 5/A-7
409	VESTIBULE	COMPOS.	COMPOS.	PLAS.		PLAS.	11'-2	●	●	●		
	ELEC. CAB. AND TELEPHONE CAB.	VINYL ASB.	VINYL	PLAS. W.P.		PLAS.			●	●	●	
	STAIR #1	* —	VINYL	PLAS.		EXPOSED MET. CONN.		●	●	●		CONC. TREAD & LANDING
	STAIR #2	* —	VINYL	PLAS.		EXPOSED MET. STAIR SOFFITS		●	●	●		CONCRETE TREAD & LANDING
	STAIR #3	—	—	CONC.				●	●	●		
	ELEVATOR SHAFTS - TYP.			CONC.					–	–	●	

5/A-7 ALTERNATE NOTE

FOR GENERAL OFFICE AREA NO. 408 UNDER ALTERNATE NO. 2, OMIT PAINT ON PLASTER AND CONC. WALLS & WOOD & METAL SURFACES TO BE FINISHED; OMIT RESILIENT TILE AND BASE; OMIT ACOUSTICAL TILE CEILING INCLUDING GRID SYSTEM AND HANGERS.

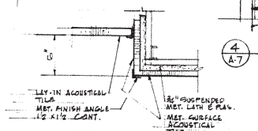


3/A-7 SECTION THRU DROPPED CEILING AT CORRIDOR - EAST - WEST 1/2"=1'-0"

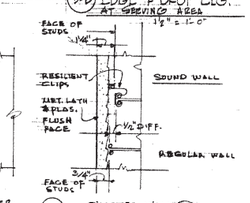


3-A EDGE OF CEIL. DROP 1½"=1'-0"

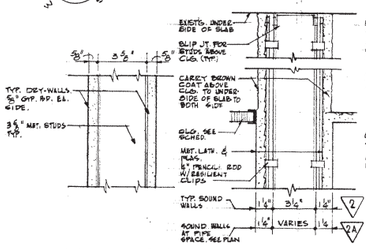
4/A-7 SECTION THRU DROPPED CEILING AT CORRIDOR - SOUTH (SIM. AT NORTH) 1/2"=1'-0"



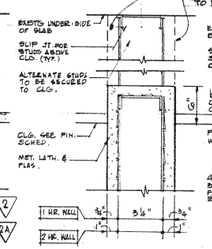
3-B EDGE & DROP CLG. AT SEATING AREA 1½"=1'-0"



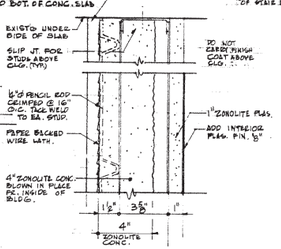
DRY WALL TYP 1 / SOUND WALL



ONE HOUR WALL TYPE 3 / TWO HOUR WALL TYPE 4

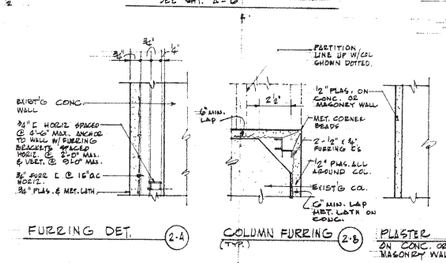


FOUR HOUR WALL TYPE 5

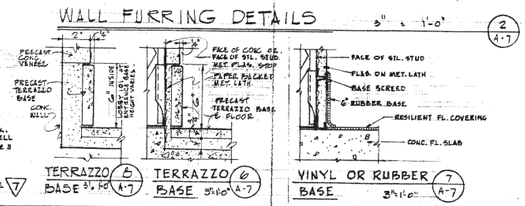


FURRING DET. 2-A / COLUMN FURRING (TYP.) 2-B / PLASTER ON CONC. OR MASONRY WALLS 2-C / PLASTER WALL JUNCTION OF SOUND & REGULAR WALL. 2-D

NOTE: FOR WALL TYPES 6 & 7 SEE SHT. A-6



WALL FURRING DETAILS 3" = 1'-0" 2/A-7

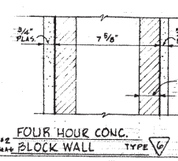


TERRAZZO BASE 5 / TERRAZZO BASE 6 / VINYL OR RUBBER BASE 7

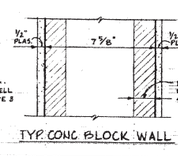
1/A-7 INTERIOR WALL DET. 3" = 1'-0"

NOTE:

1. WHEREVER MET. STUDS STUT. EXTEND TO UNDERSIDE OF SLAB SEE INTEGRATED BY DWGS., MECH. EQUIP. & SPEC. PROVIDE ½" E BRACING AT EA. SIDE OF WALL AND AT EA. SIDE OF OPENING. ANGLE OF BRACING MAX. 45° WITH UNDER SIDE OF SLAB.
2. ALL MET. STUDS SPACED @ 16" O.C. UNLESS OTHERWISE NOTED ON PLAN.
3. ALL CONC. BLK. WALLS SHALL BE FROM CONC. SLAB FLOOR TO CONC. CEIL. SLAB.
4. FOR DIAG. BRACING OF PART. EXTENDING TO BOT. OF SUSP. CLG. SEE DET. 1/A-6 NOTE #2

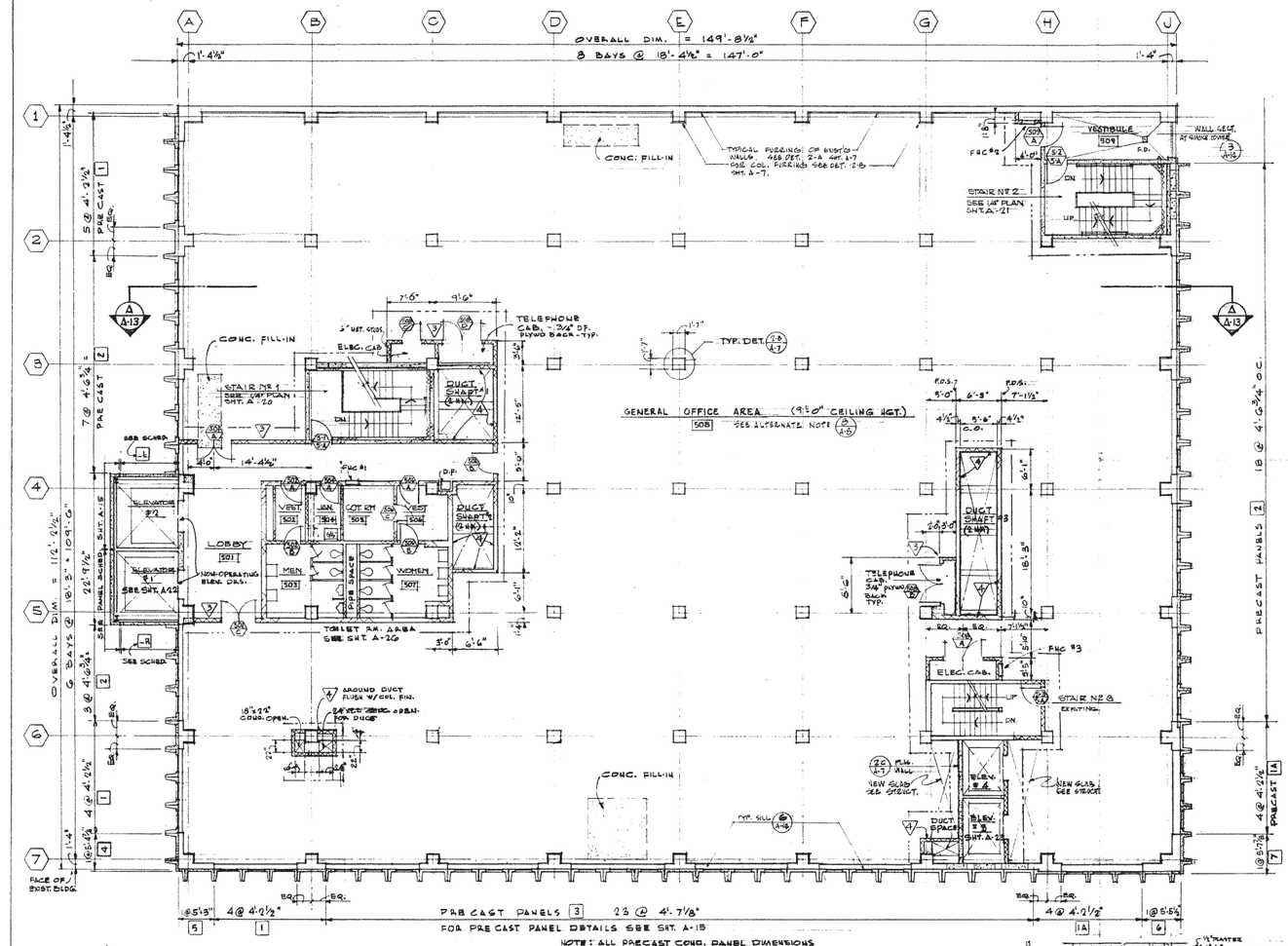


FOUR HOUR CONC. BLOCK WALL TYPE 6



TYP. CONC BLOCK WALL TYPE 7

FOURTH FLOOR PLAN - TYPICAL INTERIOR WALL DETAILS	
UNITED CALIFORNIA BANK	
ELECTRONIC DATA PROCESSING CENTER	
SAN FRANCISCO CALIFORNIA	
DRAWN: Rut/Ref	ALBERT F. ROLLER ARCHITECT SAN FRANCISCO 4
CHECKED: GMG	
JOB NO. 2-GG-460	
DATE: JUNE 16, '67	DRAWING NO. A-7



ROOM FINISH SCHEDULE

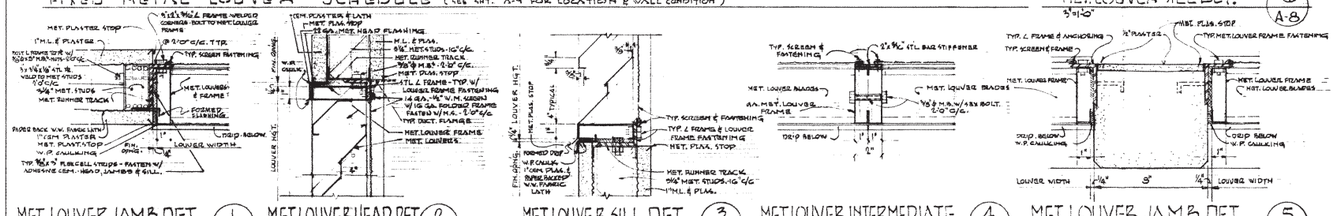
No.	ROOM	FLOOR	BASE	WALLS	WAINSCOT	CEILING	PAINTING HT.	PAINTING WDW. CLG.	PAINTING TERR. FIN.	REMARKS
501	LOBBY	VINYL ASBESTOS	VINYL	PLAS.		ACOUST. TILE	9'-0"	●	– ●	
502	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	● ●	
503	MEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	–	● ●	
504	JANITOR	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	● ●	
505	CUT ROOM	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	● ●	
506	VESTIBULE	VINYL ASBESTOS	VINYL	PLAS.		PLAS.	8'-0"	●	● ●	
507	WOMEN	VITREOUS TILE	CERAMIC TILE	CERAMIC TILE		PLAS.	8'-0"	–	● ●	
508	GENERAL OFFICE AREA	* VINYL ASB.	* VINYL	* PLASTER		ACOUST. TILE ⅝	9'-0"	*	– ●	SEE ALTERNATE NOTE 2-B A-8
509	VESTIBULE	COMPOS.	COMPOS.	PLAS.		PLAS.	11'±	●	● ●	
	TELEPHONE CAB. & ELECTRIC CAB.	VINYL ASB.	VINYL	PLAS.		PLAS.	8'±			
	STAIR #1	* —	VINYL	PLAS.		EXPOSED MET. STAIR		●	● ●	CONC. TABADS & LANDING
	STAIR #2	* —	VINYL	PLAS.		EXPOSED MET. STAIR SOFFITS		●	● ●	CONCRETE TREADS & LANDING
	STAIR #3			CONC.				●	● ●	
	ELEVATOR SHAFTS - TYP.								●	
601	MECH. EQUIP. RM.	SMOOTH CONC.	CONC.	PLASTER		MONOKOTE (3 HR.)	10'	●	– ●	
602	BOILER RM.	SMOOTH CONC.	CONC.	PLASTER		MONOKOTE (2 HR.)	10'	●	– ●	
603	OFFICE	SMOOTH CONC.	CONC.	PLASTER		PLASTER	8'-0"	●	● ●	
604	TOILET RM.	SMOOTH CONC.	CONC.	PLASTER		PLASTER	8'-0"	●	● ●	
605	ELEVATOR #3 & #4 MACH. RM.	CONC. MET. DECK		CONC. PLASTER		MONOKOTE (2 HR.)	8'-0"		●	
606	ELEVATOR #1 & #2 MACH. RM.	CONC. MET. DECK		CONC. PLASTER		MONOKOTE (3 HR.)	8'-0"		●	

2-B A-8 ALTERNATE NOTE

FOR GENERAL OFFICE AREA NO. 508 UNDER ALTERNATE NO. 1. OMIT PAINT ON PLASTER & CONC. WALLS. OMIT WOOD & METAL SURFACES TO BE FINISHED. OMIT RESILIENT TILE AND BASE. OMIT ACOUSTICAL TILE CEILING INCLUDING GRID SYSTEM AND HANGERS.

FIXED METAL LOUVER SCHEDULE (SEE SHT. A-9 FOR LOCATION & WALL CONDITION)

NOTE: ALL LOUVERS TO BE "AIROLITE" TYPE T 618 EXTRUDED ALUMINUM INSULITE BETWEEN FERROUS AND NON-FERROUS METALS (SEE SPEC.)



MET. LOUVER JAMB DET. 1 A-8 3"=1'-0"

MET. LOUVER HEAD DET. 2 A-8 3"=1'-0"

MET. LOUVER SILL DET. 3 A-8 3"=1'-0"

MET. LOUVER INTERMEDIATE MULLION DET. 4 A-8 3"=1'-0"

MET. LOUVER JAMB DET. 5 A-8 3"=1'-0"

MET. LOUVER SILL DET. 6 A-8 3"=1'-0"

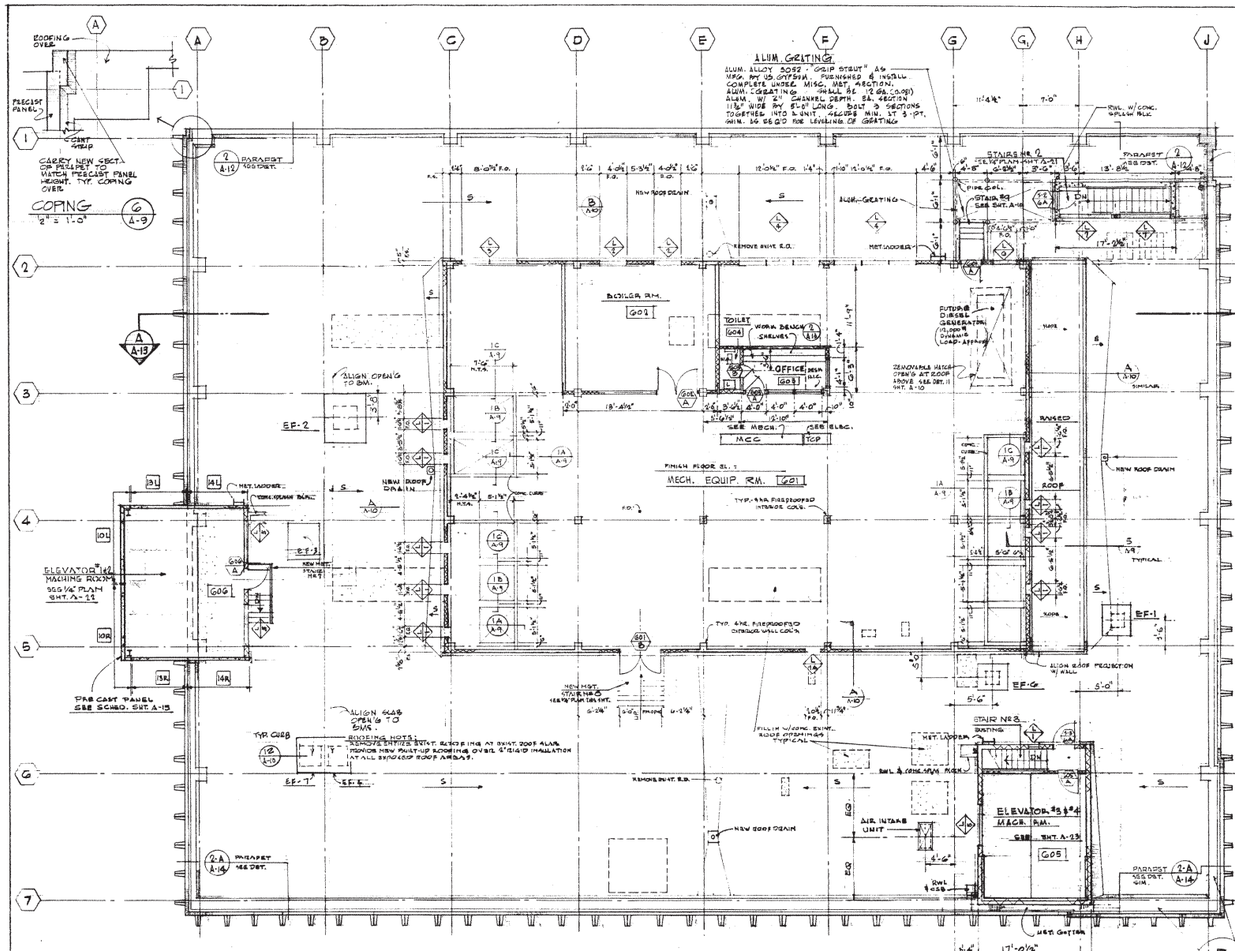
MET. LOUVER HEAD DET. 7 A-8

FIFTH FLOOR PLAN - LOUVER SCHEDULE & DETAILS

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO CALIFORNIA

ALBERT F. ROLLER
ARCHITECT
SAN FRANCISCO 4

DRAWING NO. A-S



ROOF PLAN, PENTHOUSE
FLOOR PLAN & ELEVATIONS

UNITED CALIFORNIA BANK
ELECTRONIC DATA PROCESSING CENTER
SAN FRANCISCO CALIFORNIA

ALBERT F. ROLLER
ARCHITECT
SAN FRANCISCO 4

A 9

EXHIBIT B:

PLANS

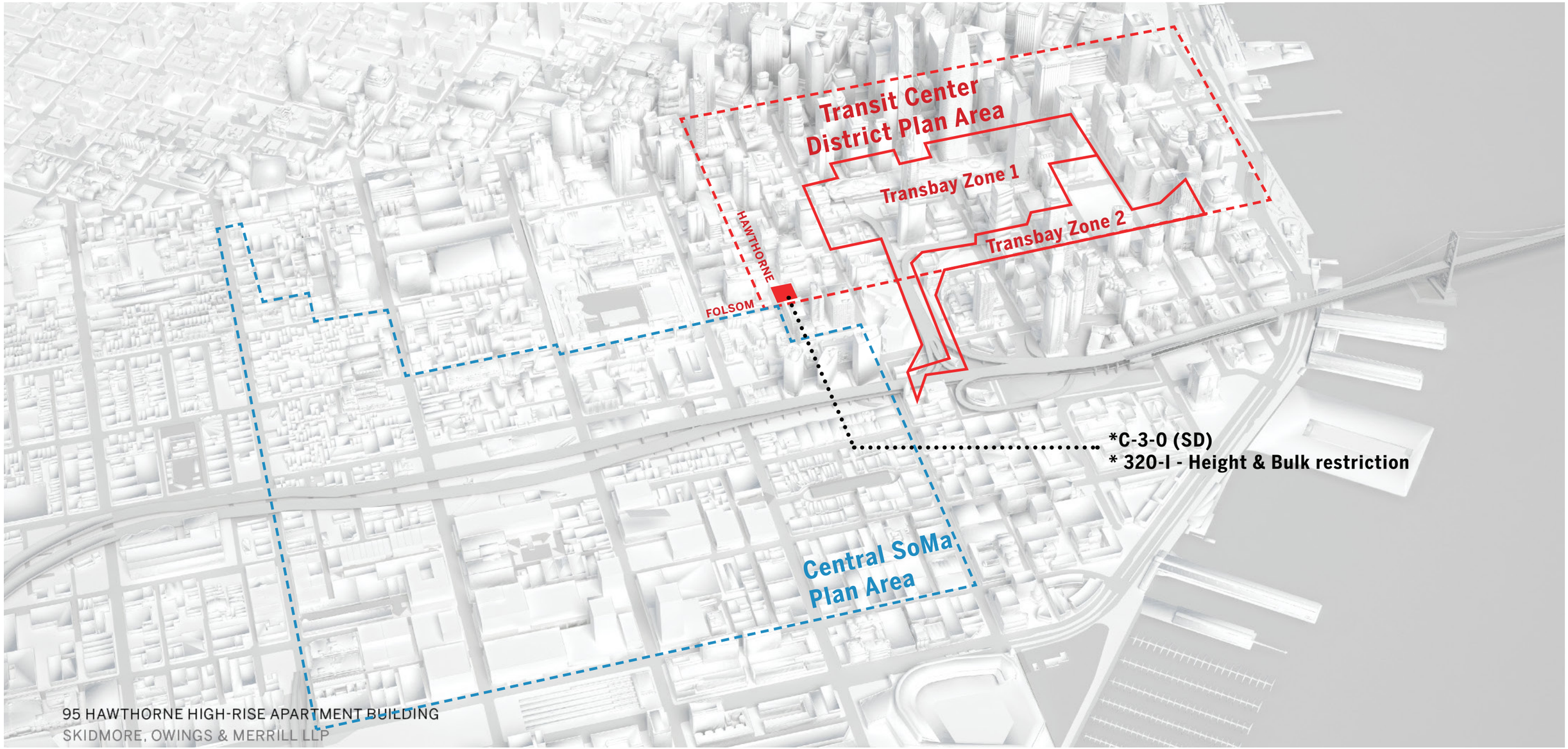
95 HAWTHORNE HIGH-RISE APARTMENT BUILDING
JOHN HANCOCK LIFE INSURANCE COMPANY
TRAMMELL CROW RESIDENTIAL
DENSITY BONUS PACKAGE - REVISION 5.0
MAY 29 2019

SOM

Content:

- Urban Context Plan
- Neighborhood Context Diagram
- Existing Conditions
- SF Planning Requirements
- Base Project
- Density Bonus Scheme
- Summary Chart

URBAN CONTEXT PLAN
95H DENSITY BONUS APPLICATION

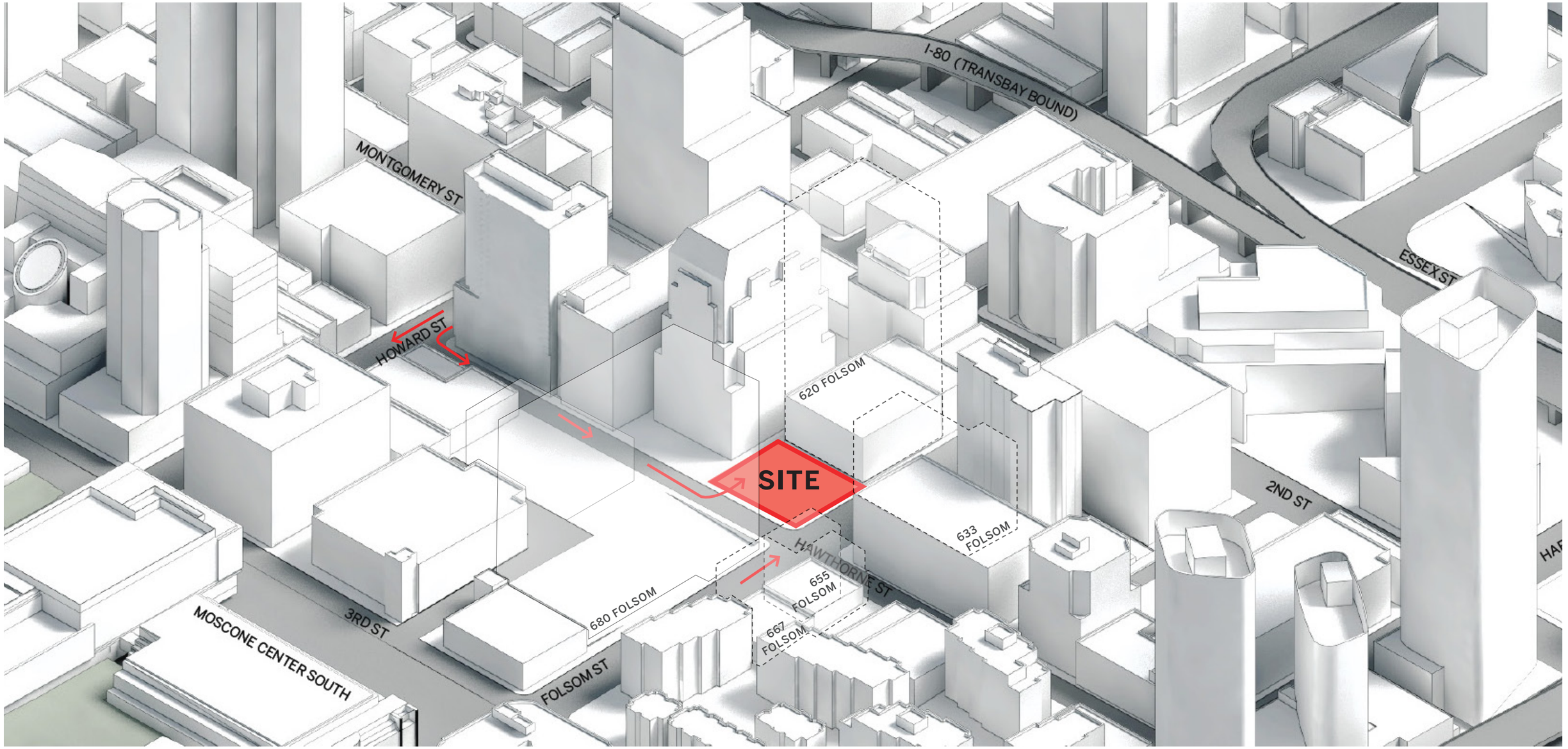


95 HAWTHORNE HIGH-RISE APARTMENT BUILDING
SKIDMORE, OWINGS & MERRILL LLP

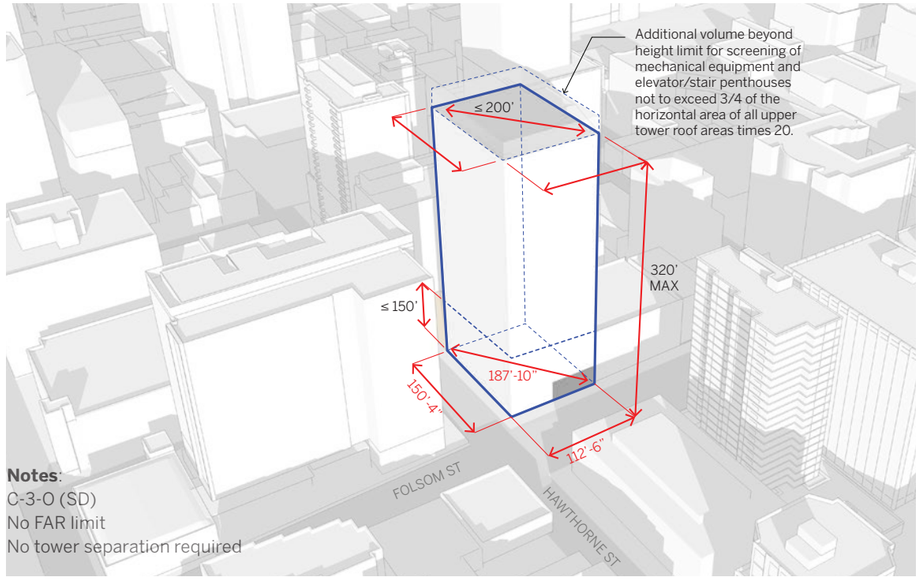
EXISTING CONDITIONS
95H DENSITY BONUS APPLICATION



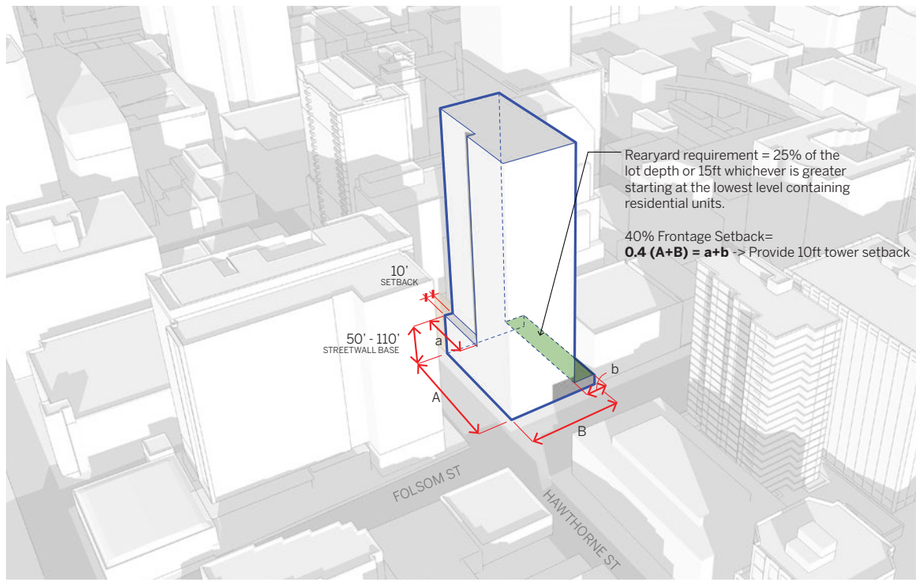
NEIGHBORHOOD CONTEXT DIAGRAM
95H DENSITY BONUS APPLICATION



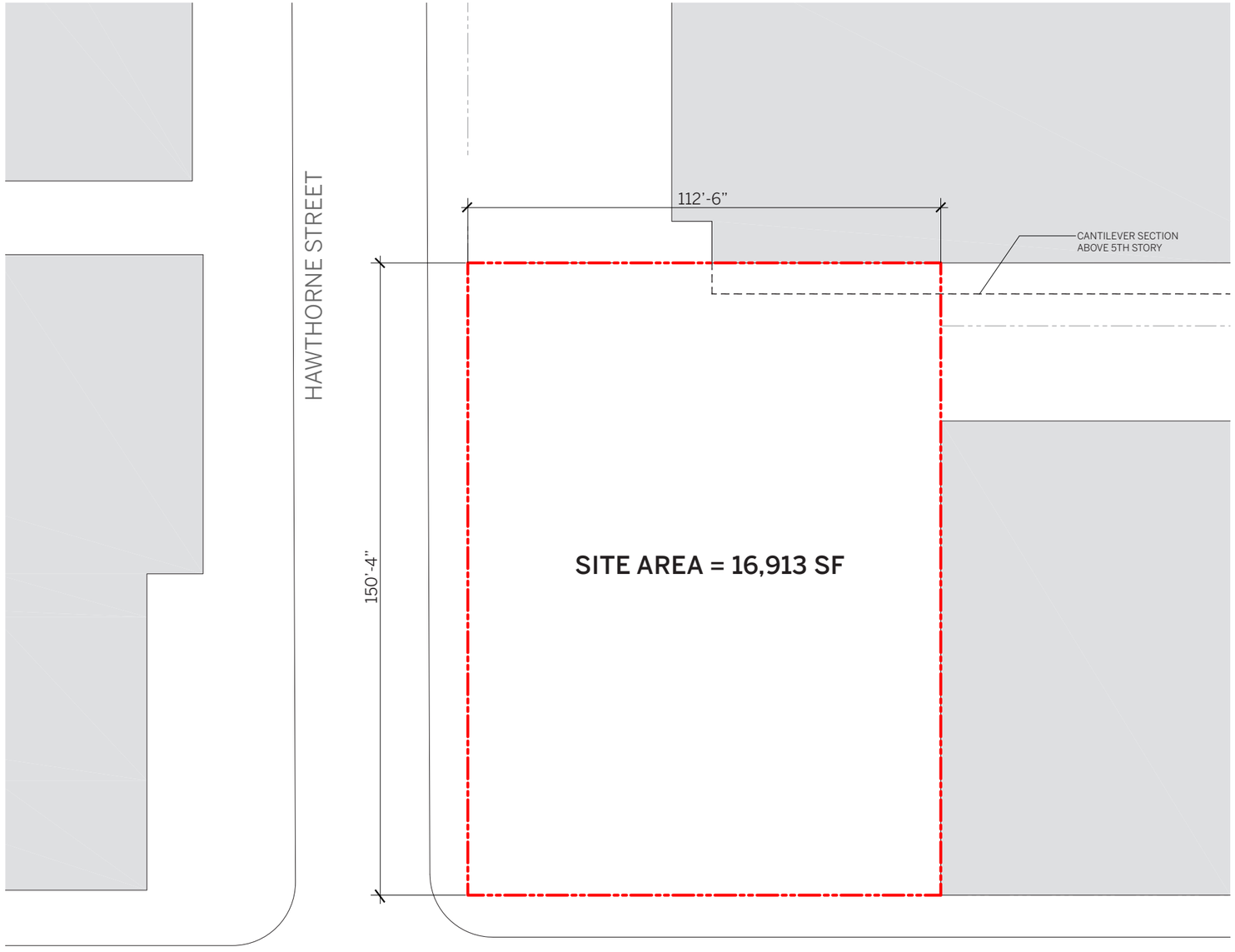
SF PLANNING REQUIREMENTS
95H DENSITY BONUS APPLICATION



320-I HEIGHT AND BULK LIMITS



STREET WALL & REAR YARD REQUIREMENTS



BASE PROJECT

BASE PROJECT
PROJECT INFORMATION

Base Project

Site Area	16,913 sf	
Project Area		
Residential GSF	352,781 sf	
Residential NSF	246,081 sf	
Above Grade GSF	383,531 sf	
Parking GSF	80,665 sf	
Project Total GSF	464,196 sf	
Residential Units		
Studios	66	(23%)
1-Bedroom	110	(38%)
2-Bedroom	67	(23%)
3-Bedroom	46	(16%)
Total Units	291	(100%)
Required Affordable Housing		
50% AMI	32	(11%)
80% AMI	11	(4%)
110% AMI	12	(4%)
Total Units	55	

Project Requirements	
Zoning / Height & Bulk	C-3-0 (SD)/320-I
Lot Coverage	25% Rearyard
FAR	No Limit
Tower Separation	None
Building Setback @ L01	None
I Bulk District	Above 150ft = Max. diagonal=200ft / Max. length=170ft.
Street Wall Base	50ft - 110ft
Tower Setback	5’ to 10’ on Street facing of @ least 40% of Linear Frontage
Dwelling Unit Mix	At least 15% 2-Bedrooms & 10% 3-Bedrooms
Residential Open Space	36sf/unit if Private Open Space 48sf/unit if Common Open Space
Parking	Not required for any use
Residential Parking Max.	Up to .5/Unit Permitted
Car Share Parking	2 spaces for < 201 units + 1space for every add. 200 units
Bicycle Parking	100 spaces/100 units + 1space/4units
Residential Loading	2 Spaces / 201,000sf - 500,000sf
Retail Loading	Not required for less than 10,000sf

BASE PROJECT
LEVEL 01 PLAN

Base Project

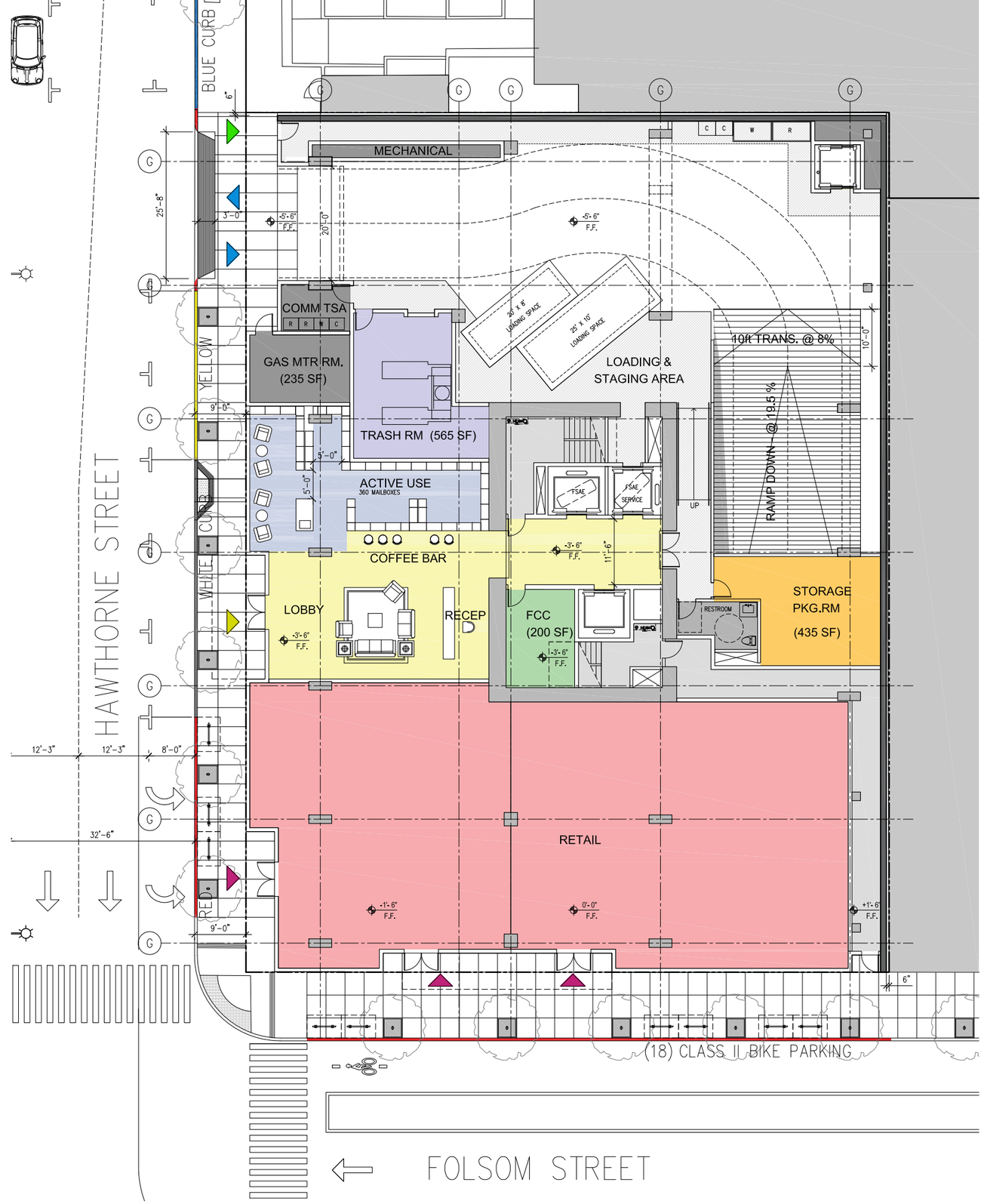
Per SF Planning Definition of Gross Floor Area, all areas of Level 01 have been excluded from the Residential GFA except for:

Package Room	**435 sf**
Mail Box Room	**769 sf**
L01 Residential GFA	**1,204 sf**

Per SF Planning Section 152.1: Projects between 200,001 and 500,000 sf of Residential Use Occupied Floor Area & Retail less than 10,000 sf require 2 Loading Spaces.

Per SF Planning Sections:
(154.b.2) The first required loading space = 25'L x 10'W min.
(153.a.6) In C-3 Districts, substitution of two service vehicle spaces for each required off-street loading space may be made.
(154.b.3) Each substituted space = 20'L x 8'W min.

Loading Space 25' x 10' (L1 Level)	**1 Space**
Loading Space 20' x 8' (L1 Level)	**1 Space**
Loading Space 20' x 8' (B1 Level)	**1 Space**
Off-Street Loading Provided	**3 Spaces**



5 10 20 40 FEET

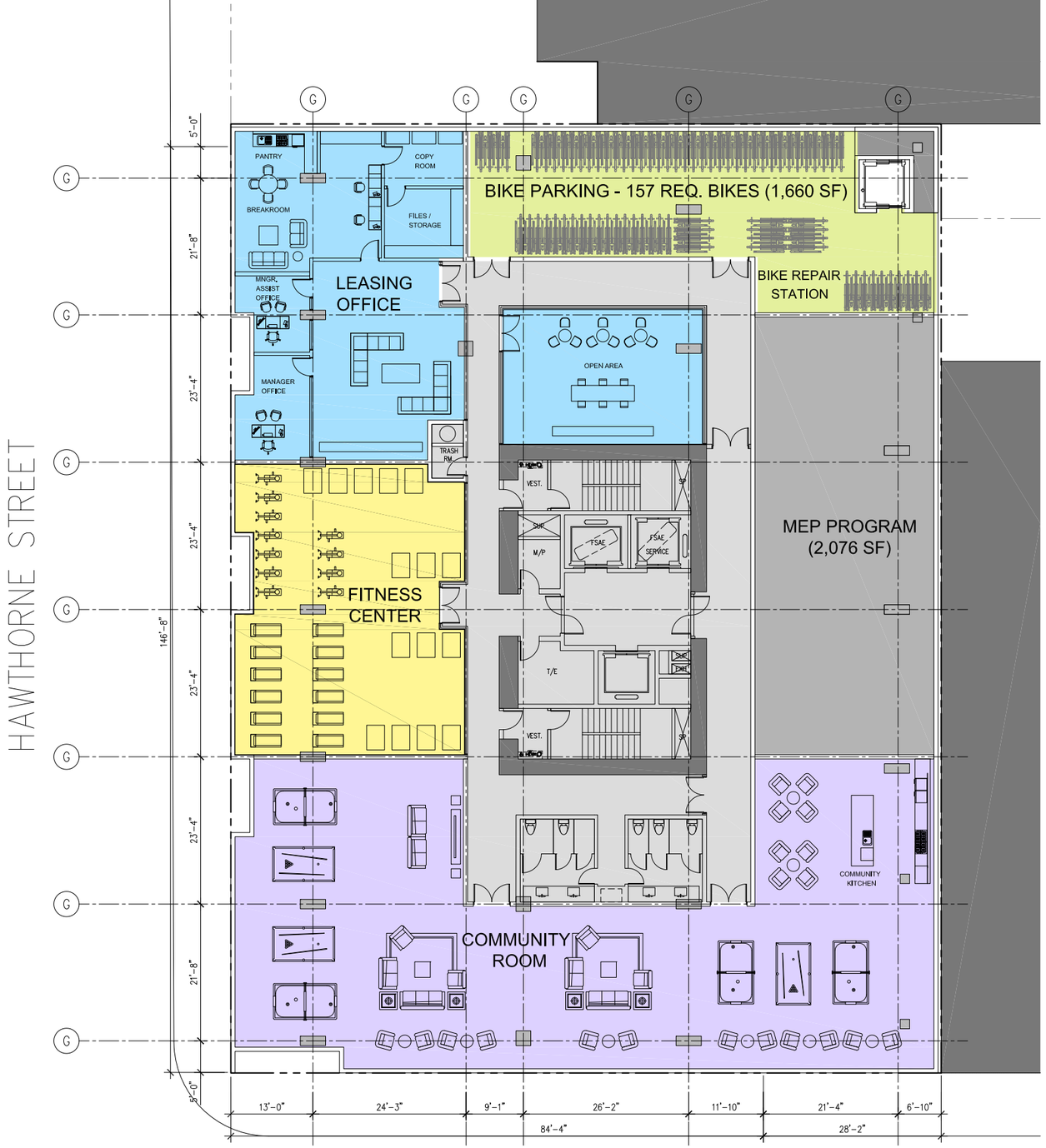
BASE PROJECT
LEVEL 02 PLAN

Base Project

Per SF Planning Definition of Gross Floor Area, the following areas have been excluded from the Total Residential Gross Area calculation:

LEVEL 02

Bike Parking Room	**1,660 sf**
MEP Room	**2,076 sf**
MEP Shafts/Closets & Trash Room	**388 sf**
Total Excluded Areas	**4,124 sf**



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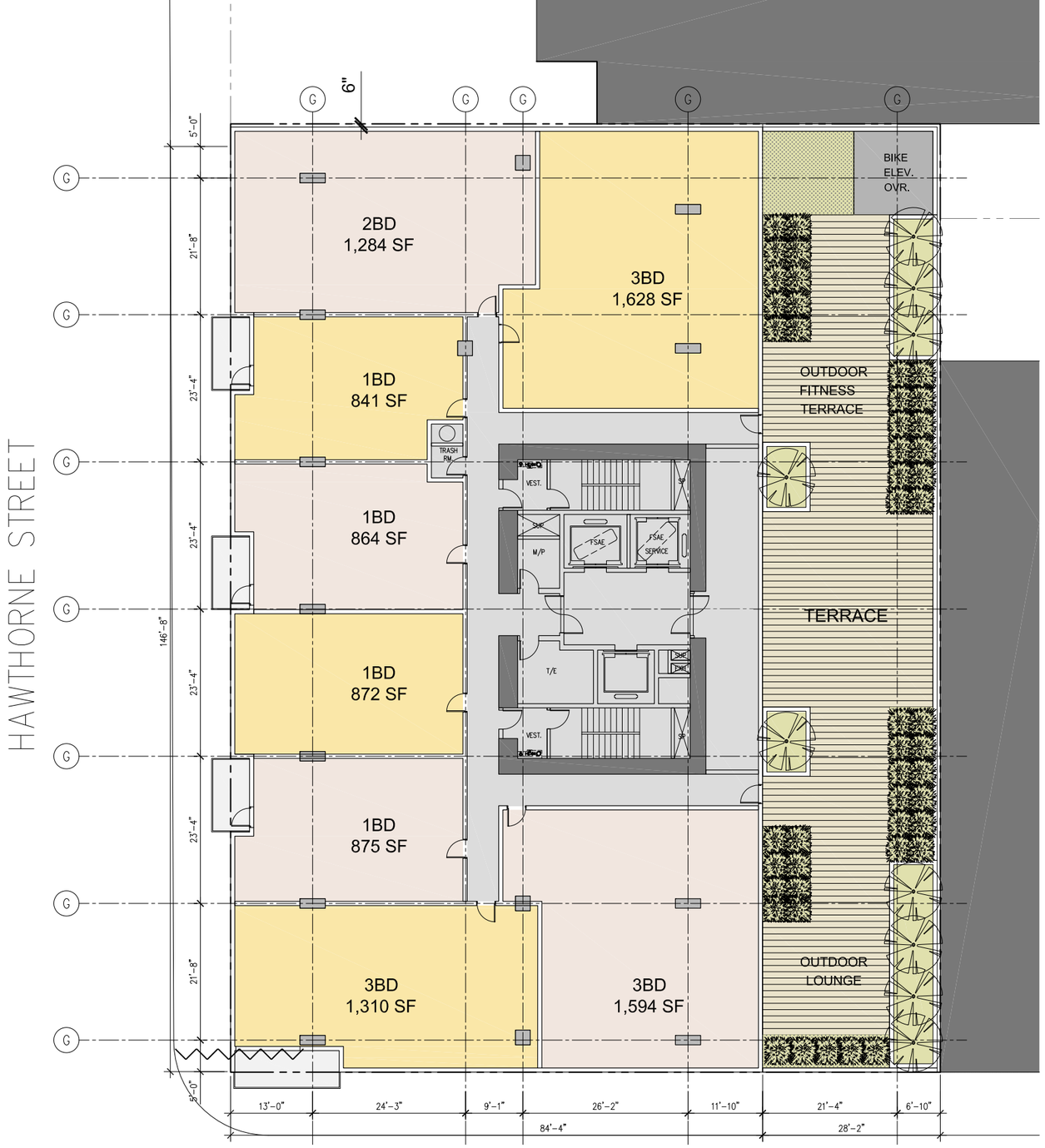
BASE PROJECT
LEVEL 03 PLAN



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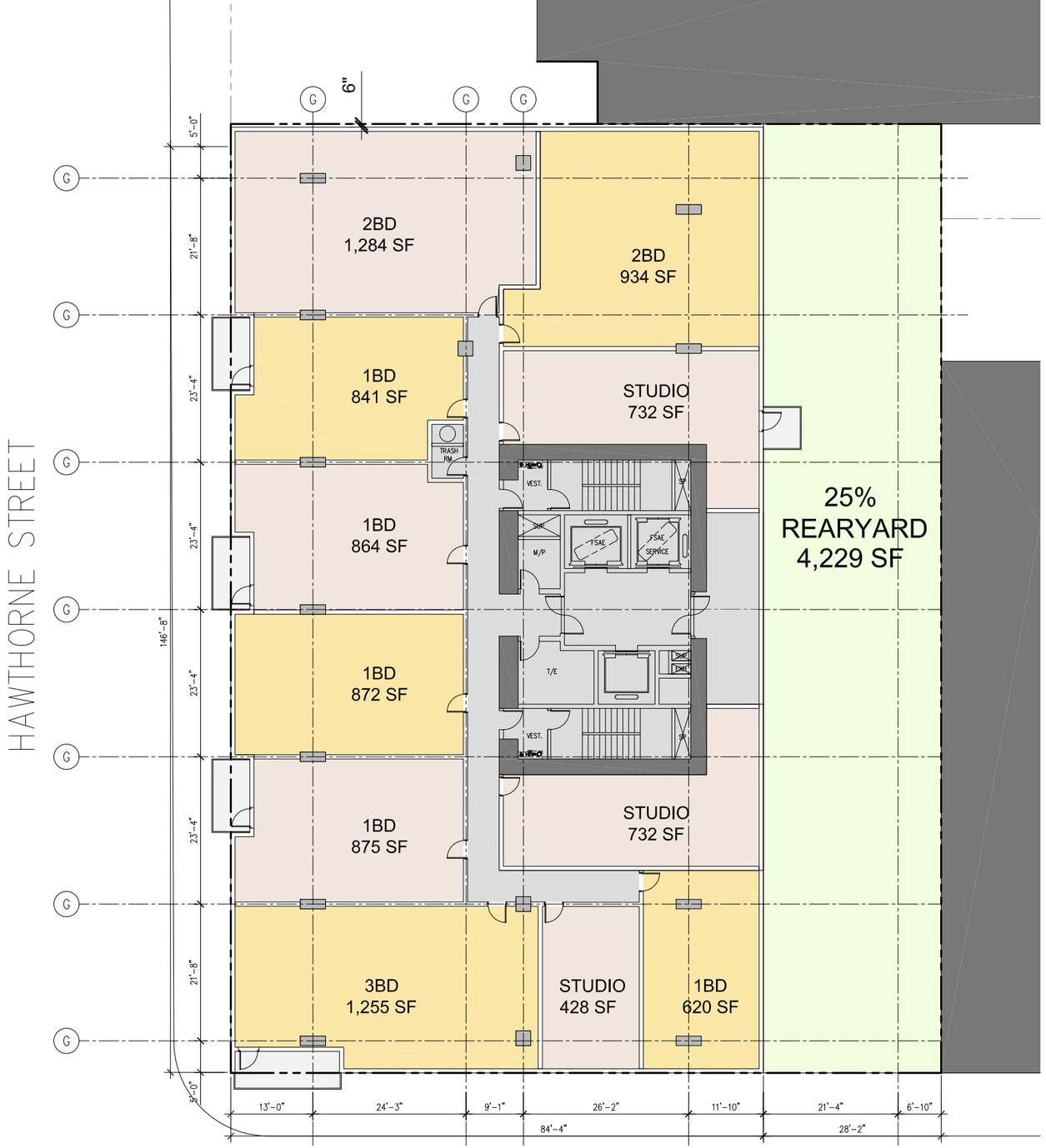
BASE PROJECT

LEVEL PODIUM TYPICAL (L04 -L05)



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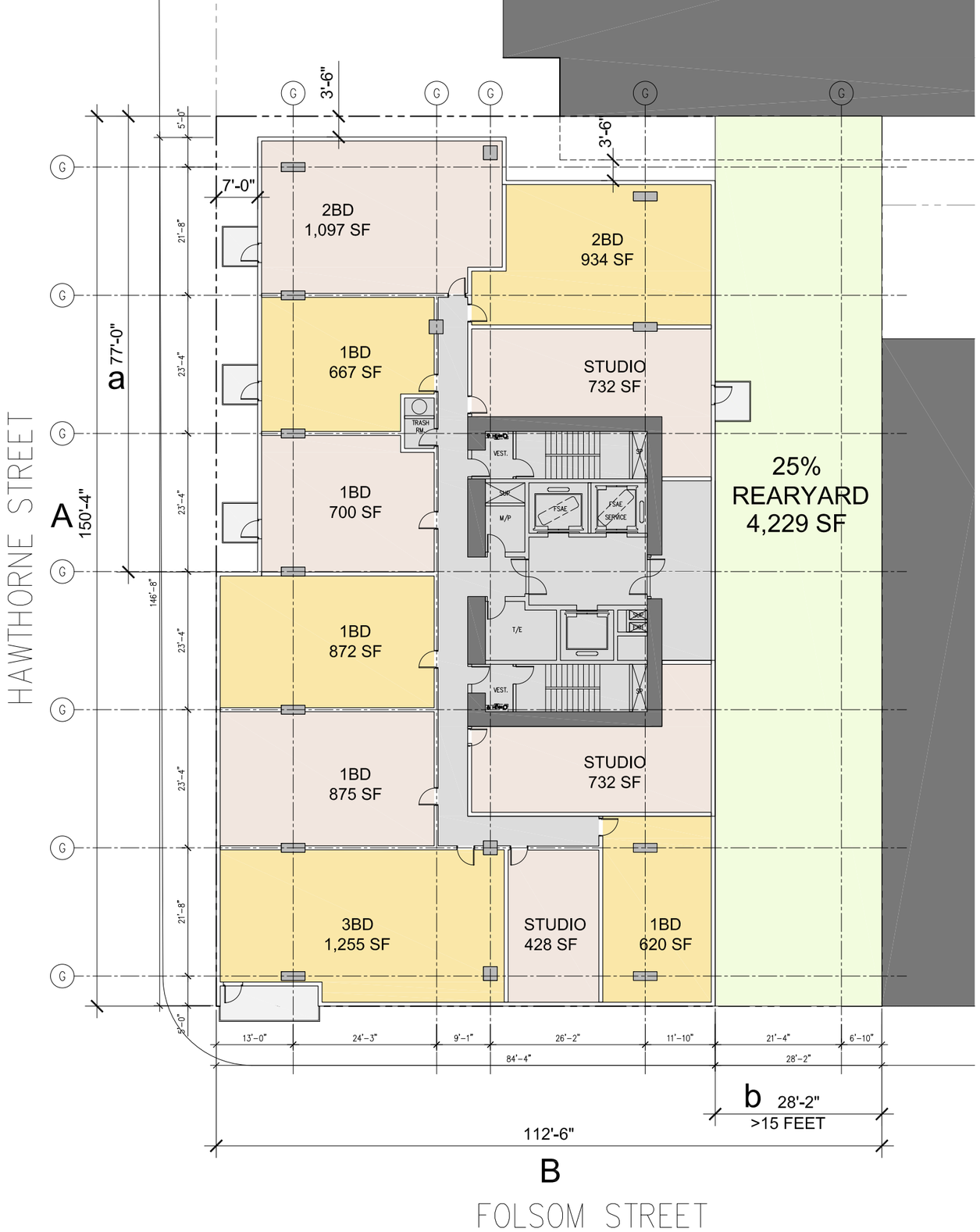
BASE PROJECT
LEVEL TOWER TYPICAL (L06 - L25)

Base Project

Typical Floorplate Gross Area	**11,607sf**
Net Net Residential Area	**8,170 sf**
Net Net to Gross Ratio	**70.4%**
Units per Floor	**11 units**
Balconies per Floor	**5 typ.**
Street Frontage = A + B =	**262’ - 10”**
40% of linear frontage =	**105’ - 2”**

a + b = 105’ - 2” (40% Required Frontage Setback)



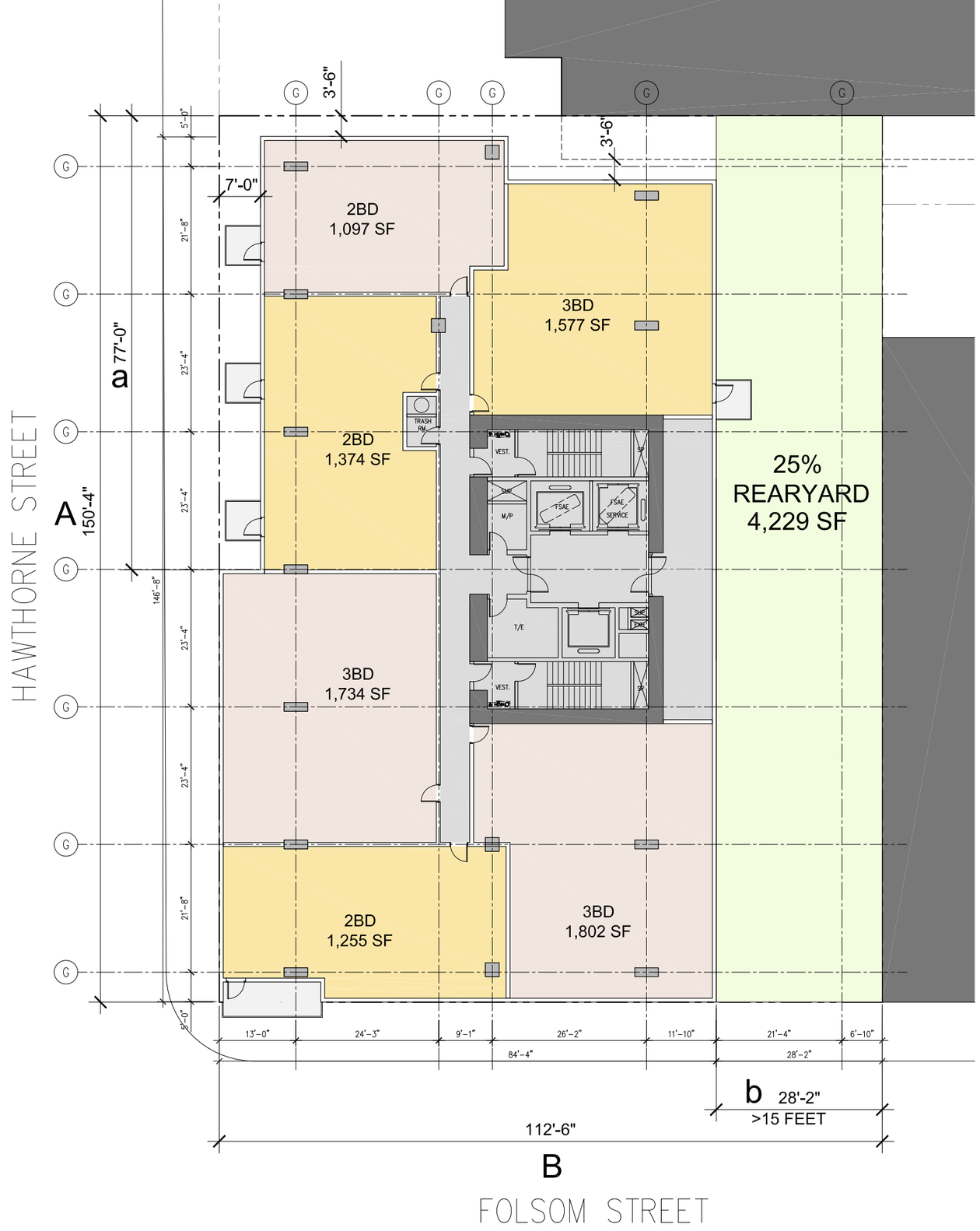
5 10 20 40 FEET

BASE PROJECT
LEVEL TOWER 6 UNITS/FLR (L26 - L31)

Base Project

Typical Floorplate Gross Area	**11,607sf**
Net Net Residential Area	**8,170 sf**
Net Net to Gross Ratio	**70.4%**
Units per Floor	**6 units**
Balconies per Floor	**5 typ.**
Street Frontage = A + B =	**262’ - 10”**
40% of linear frontage =	**105’ - 2”**

a + b = 105’ - 2” (40% Required Frontage Setback)



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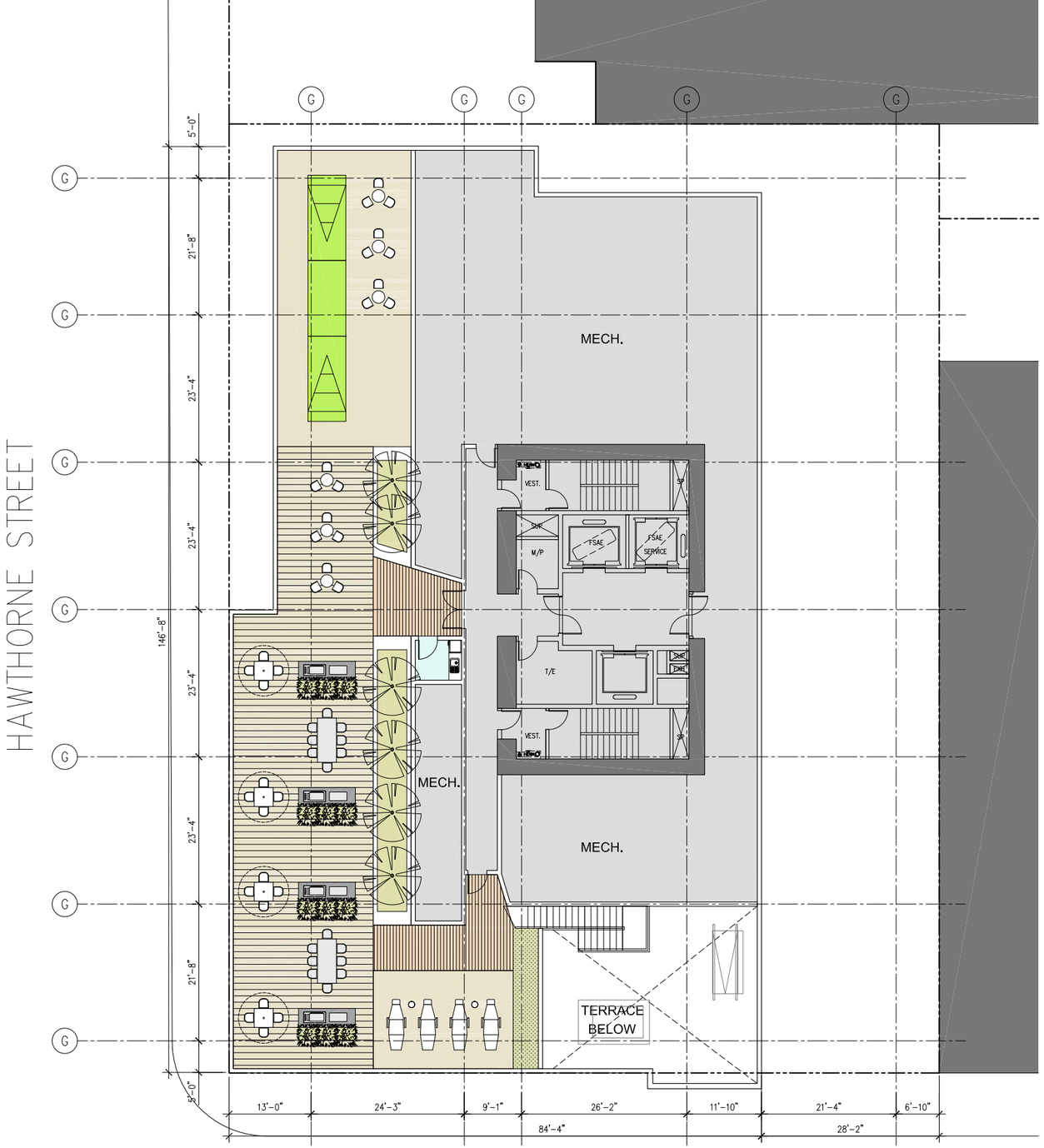
BASE PROJECT
LEVEL 32 PLAN



5 10 20 40 FEET

FOLSOM STREET

BASE PROJECT
ROOF PLAN



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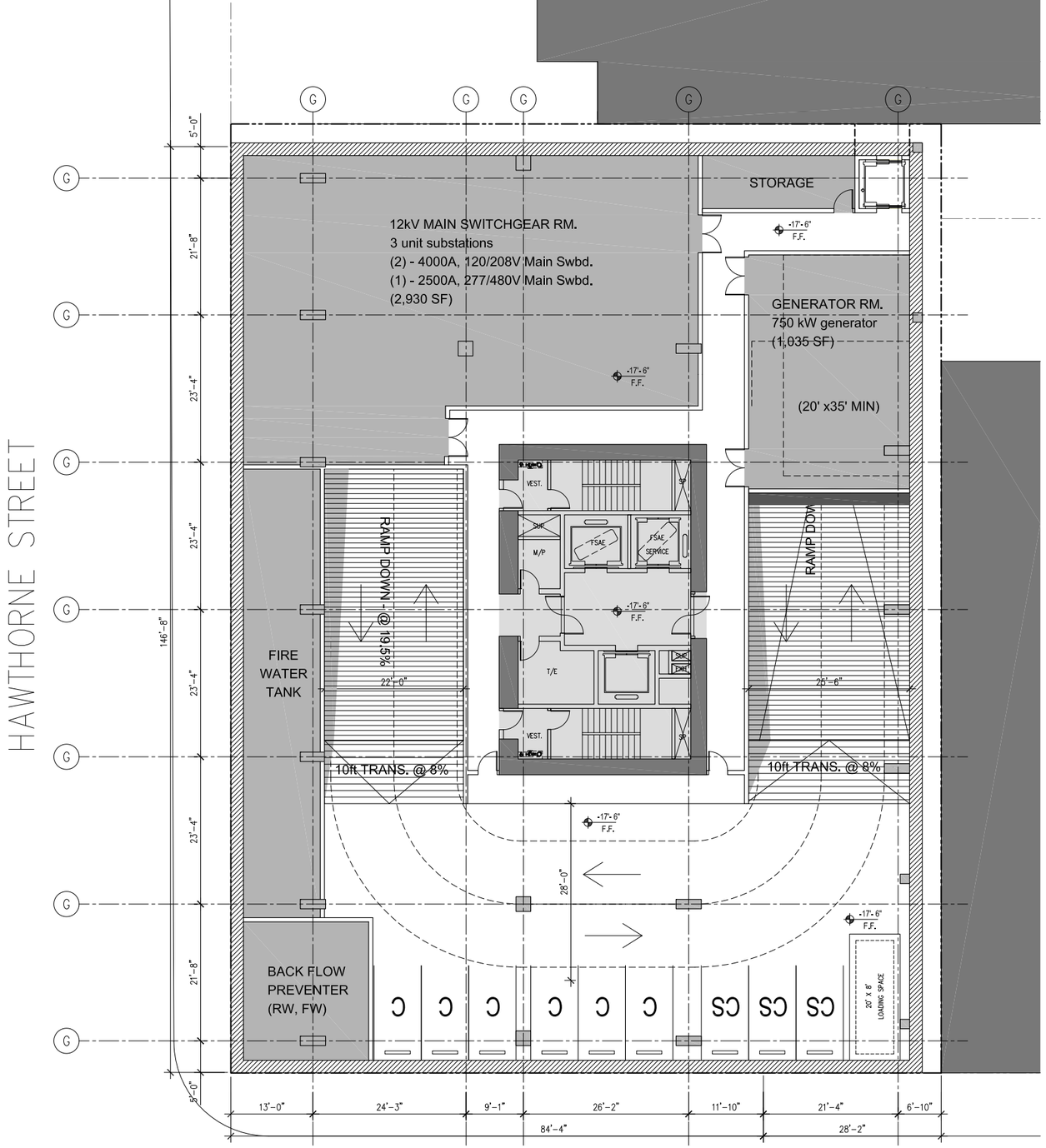
BASE PROJECT
LEVEL BASEMENT 01 PLAN

Base Project

Electrical Program	**Level B1**
Generator	**Level B1**
Water Tanks	**Level B1**
Self-Parking Spaces at Level B1	**6 Spaces**
Required Car Share Spaces	**3 Spaces**
Loading Space 20’ x 8’	**1 Spaces**



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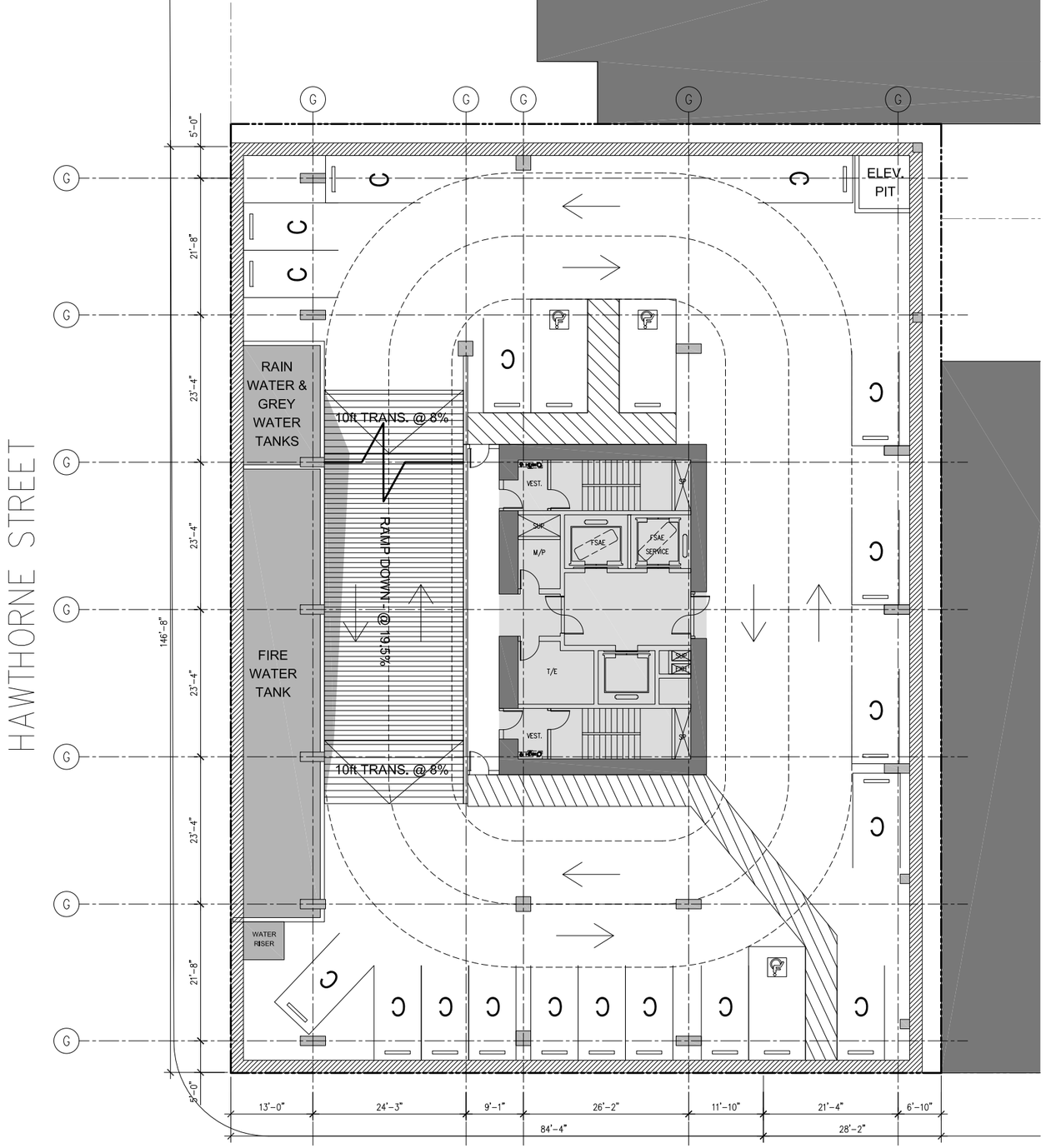
BASE PROJECT
LEVEL BASEMENT 02 PLAN

Base Project

Water Tanks	**Level B2**
Self-Parking Spaces at Level B2	**18 Spaces**
ADA Parking	**3 Spaces**



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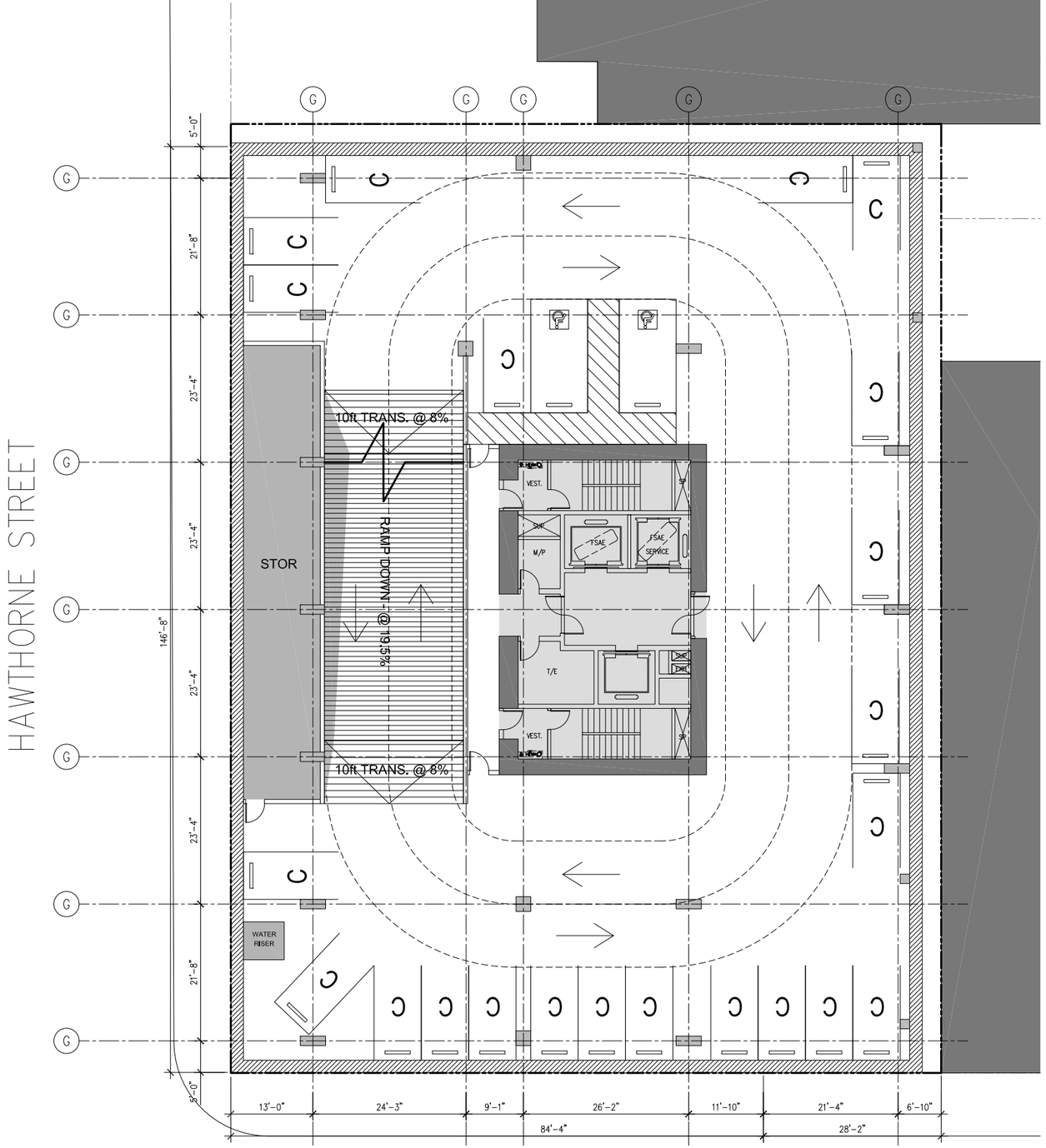
BASE PROJECT
LEVEL BASEMENT 03 -04 PLAN

Base Project

Self-Parking Spaces at Level B3	**22 Spaces**
ADA Parking	**2 Spaces**
Self-Parking Spaces at Level B4	**25 Spaces**



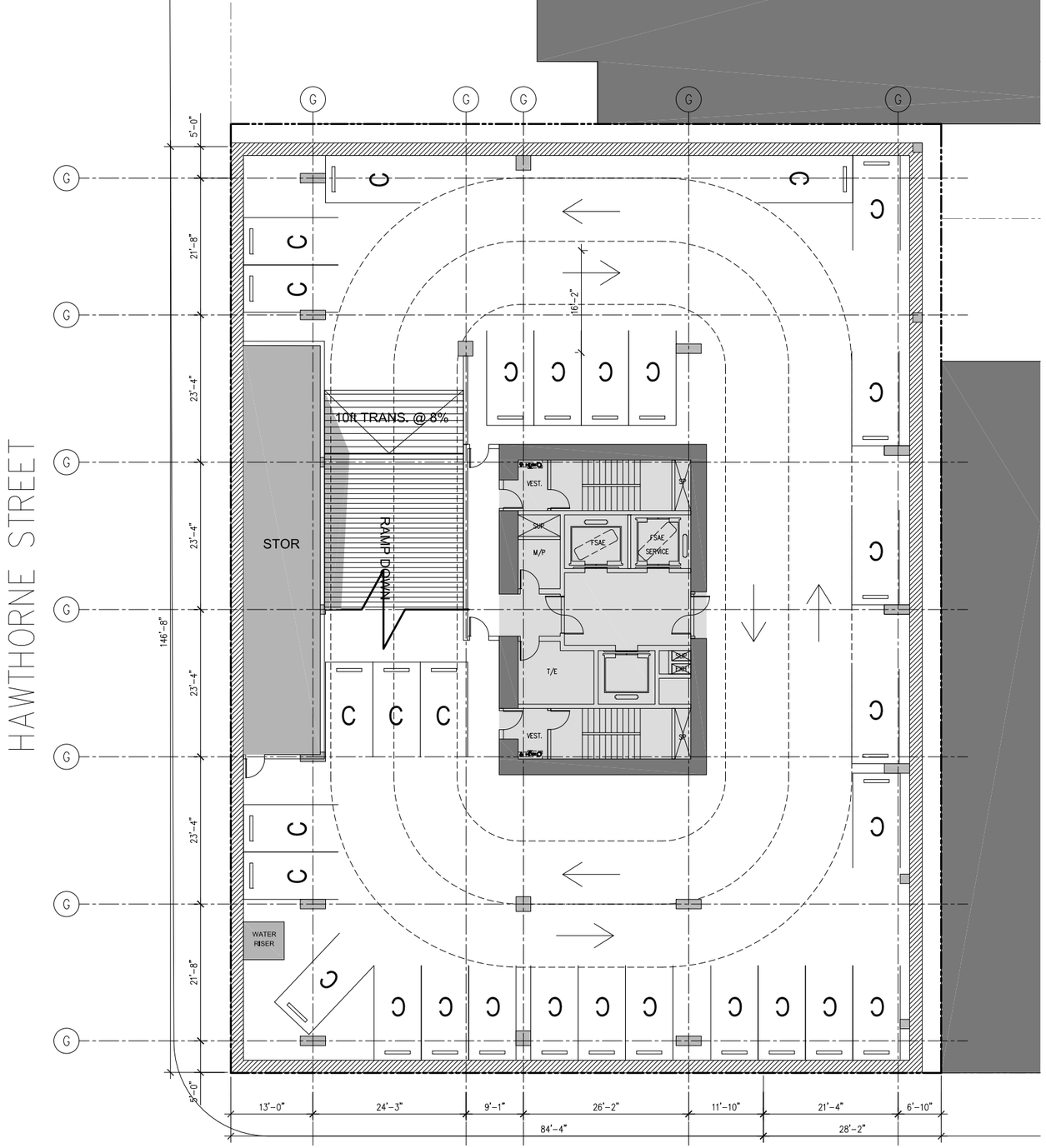
5 10 20 40 FEET

BASE PROJECT
LEVEL BASEMENT 05 PLAN

Base Project

Self-Parking Spaces at Level B5 **29 Spaces**

PARKING LEVEL	NO. SPACES
B1	9
B2	21
B3	24
B4	25
B5	29
TOTAL	**108 SPACES**



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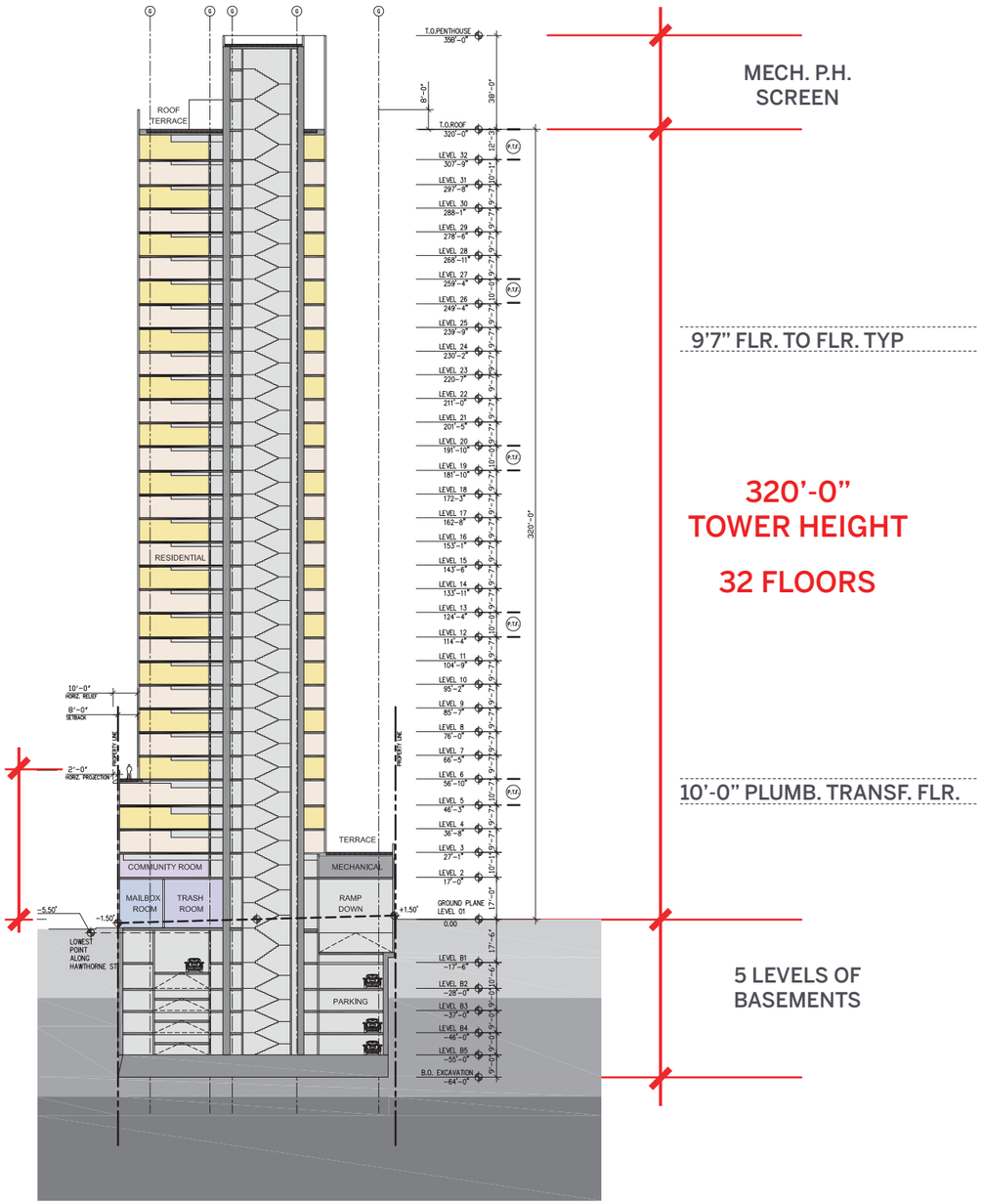
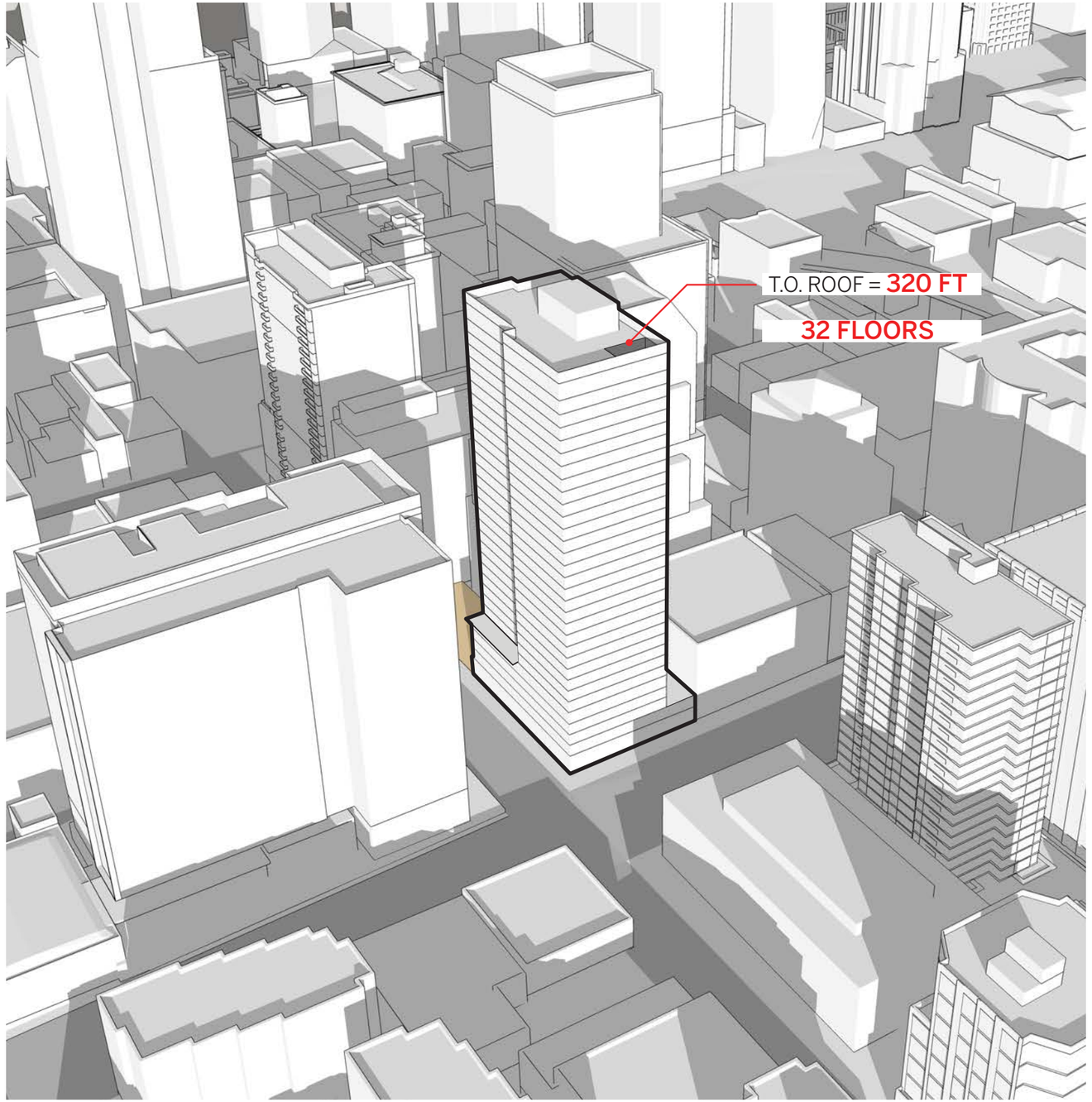
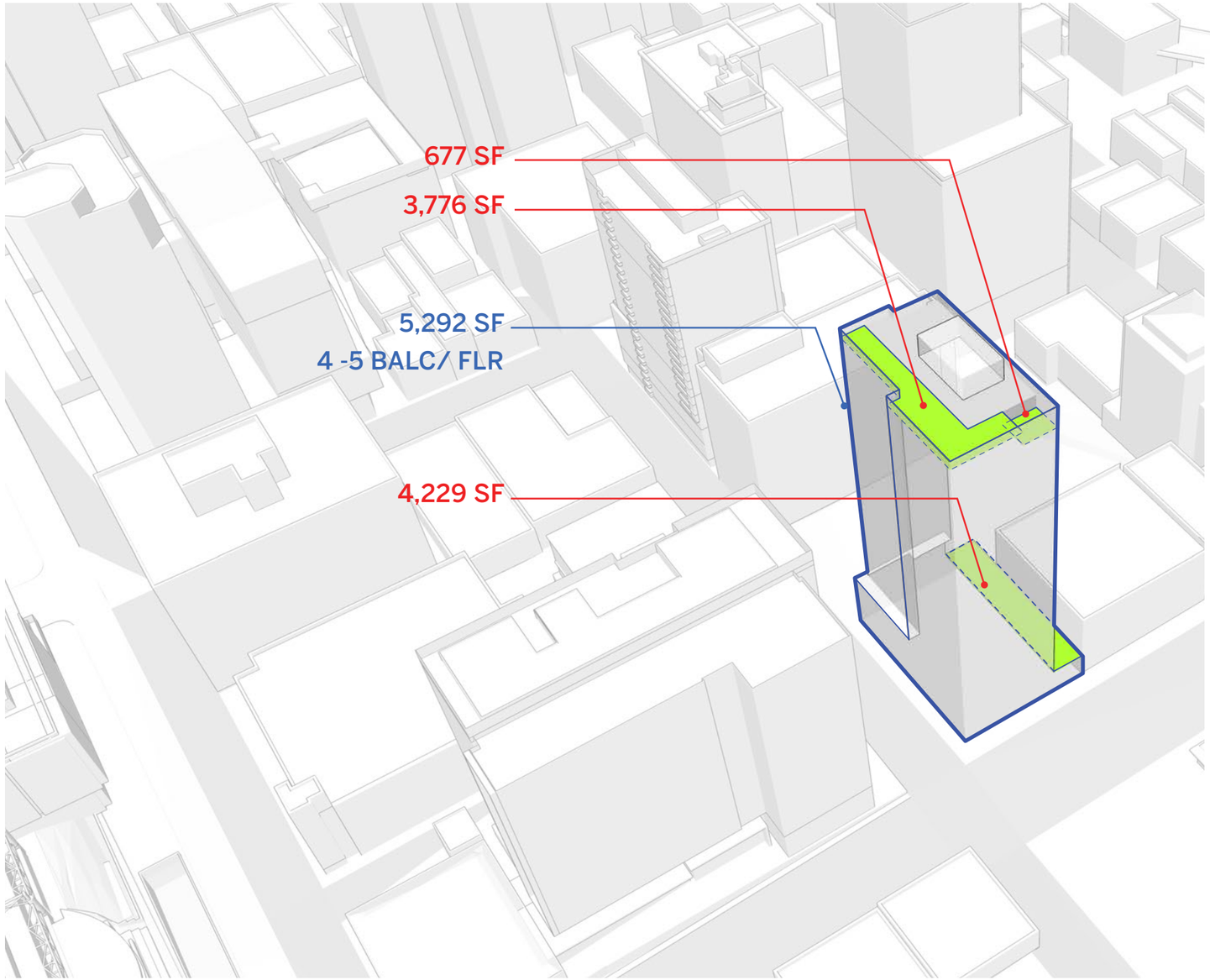
BASE PROJECT
SECTION & PERSPECTIVE





BASE PROJECT
OPEN SPACE DIAGRAM



COMMON OPEN SPACE (COS) 8,682 SF

REARYARD	4,229 SF
LEVEL 32 TERRACE	677 SF
ROOF TERRACE	3,776 SF

UNITS/COS = 8,682 SF / 48sf/UNIT = 180 UNITS

291 UNITS - 180 UNITS = 111 UNITS

PRIVATE OPEN SPACE (POS) 3,996 SF
(111 UNITS X 36sf)

POS/FLR = 3,996 SF / 30 FLOORS = 165 SF /FLR

BALC/FLR = 133/36 SF / 36SF/BALC = 3.7 BALC / FLR
(3 - 4 BALC / FLR)

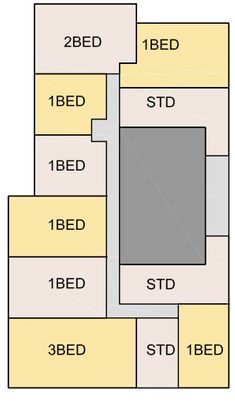
BASE PROJECT
AREA CHART

Base Project

Total Residential Gross Area	**352,781 sf**
Total Net Net Residential Area	**246,081 sf**
Efficiency (Net Net to Gross Ratio)	**68%**
Total Units	**291 units**

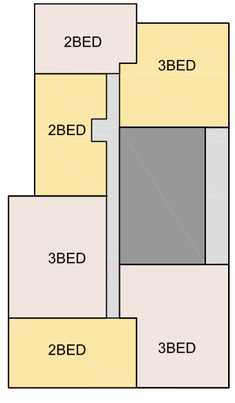
Unit Mix A (L04 - L31)

STUDIO	3
1BED	5
2BED	2
3BED	1
TOTAL	**11**



Unit Mix B (L32)

STUDIO	0
1BED	0
2BED	3
3BED	3
TOTAL	**6**



	OVERALL BUILDING DATA									
	FLOOR	PROGRAM TYPE	INITIAL GROSS AREA (SF)	EXCLUDED AREAS (BIKES, MEP,L01) (SF)	GROSS RESIDENTIAL AREA (PER PLANNING CODE) (SF)	TOWER CORE/ CIRC. (SF)	NET NET RESID. AREA (SF)	Net Net to Gross Ratio 91%	BOMA Efficiency (Net to Gross Ratio) 100%	# OF UNITS
TOWER	ROOF	ROOF DECK								
	32	RESIDENTIAL TOWER	**10,930**	388	**10,542**	3,464	**6,794**	62.2%	68.3%	**5**
	31	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**6**
	30	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**6**
	29	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**6**
	28	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**6**
	27	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**6**
	26	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**6**
	25	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	24	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	23	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	22	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	21	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	20	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	19	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	18	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	17	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	16	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	15	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	14	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	13	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	12	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	11	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	10	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	9	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	8	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	7	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
	6	RESIDENTIAL TOWER	**11,607**	388	**11,219**	2,629	**8,170**	70.4%	77.3%	**11**
PODIUM	5	RESIDENTIAL PODIUM	**12,635**	388	**12,247**	2,629	**9,105**	72.1%	79.2%	**11**
	4	RESIDENTIAL PODIUM	**12,635**	388	**12,247**	2,629	**9,105**	72.1%	79.2%	**11**
	3	RESIDENTIAL PODIUM	**12,635**	388	**12,247**	3,122	**8,657**	68.5%	75.3%	**8**
	2	MECH / AMENITY PODIUM	**16,724**	4,124	**12,600**	3,930	**--**	0.0%	76.5%	**--**
	1	LOBBY/ RETAIL/ LOADING	**16,190**	14,986	**1,204**	2,974	**--**			**--**
	ABOVE GRADE TOTAL (GSF)		**383,531**	**30,750**	**352,781**	**87,102**	**246,081**			
	% Unit Type Area to Total Net Area/ Total Unit Count)									**291**
	Overall Average Floor Net to Gross Ratio							68%	77%	
		Required BMR units =							18%	52

	FLOOR	PROGRAM TYPE	GROSS AREA SQ. FT.	CORE/ CIRC. SQ.FT
BELOW GRADE	B1	RAMP /HC PARKING/ MEP	16,133	3,322
	B2	PARKING	16,133	3,246
	B3	PARKING	16,133	2,439
	B4	PARKING	16,133	2,439
	B5	PARKING	16,133	2,439
	BELOW GRADE TOTAL (GSF)		**80,665**	**13,885**

UNIT MIX			MIN.REQ.
	STUDIO	27%	-
	1BD	45%	-
	2BD	23%	15%
	3BD	16%	10%
	TOTAL	**100%**	

	TOTAL PROJECT AREA	**464,196** GSF

Unit Mix B

Unit Mix A

* ALL AREAS ON L01 (EXCEPT FOR PACKAGE AND MAIL ROOMS) HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA (14,986 SF)

* MEP, TRASH & BIKE PARKING AREAS ON LEVEL 2 HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA
(2,076 SF (MEP) + 1,660 (BIKES) + 388 SF (MEP & TRASH TYP.)= 4,124 SF

*NON-STAIR / ELEVATOR SHAFTS, MEP CLOSETS & TRASH ROOMS ON EACH FLOOR TYP. HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA (388 SF /FLR TYP.)

SUMMARY CHART

95H DENSITY BONUS APPLICATION

	TOTAL GROSS AREA	TOTAL UNITS
BASE PROJECT	**352, 781 sf**	**291 units**
DENSITY BONUS (+35%)	**476, 254 sf**	**392 units**

DENSITY BONUS SCHEME

DENSITY BONUS SCHEME
PROJECT INFORMATION

Density Bonus Project

Site Area	16,913 sf
Project Area	
Residential GSF	476,254 sf
Residential NSF	340,326 sf
Above Grade GSF	522,077 sf
Parking GSF	80,665 sf
Project Total GSF	602,742 sf

Residential Units

Studios	0	(0%)
1-Bedroom	199	(51%)
2-Bedroom	144	(37%)
3-Bedroom	49	(12%)
Total Units	392	(100%)

Required Affordable Housing

50% AMI	32
80% AMI	11
110% AMI	12
Total Units	55

List of Waivers and Incentives/Concessions

1. Height — **443’ - 9” to the T.O. Roof**

2. Rearyard Requirement — **19% Rearyard starting at Level 06 - Section 134**

3. Residential Common and Private Open Space (See Page 51)

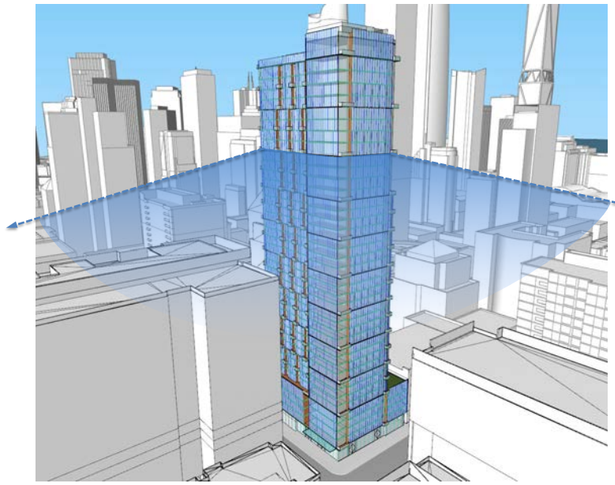
116 Balconies and 3,735 sf of Common Open Space --> Provided
Waiver for the 9,513 sf of Common Open Space --> Required

4. Upper-Level Setback / Horizontal Projection — **Section 132.1**

5. Dwelling Unit Exposure (Units facing Northeast courtyard) — **Section 140**

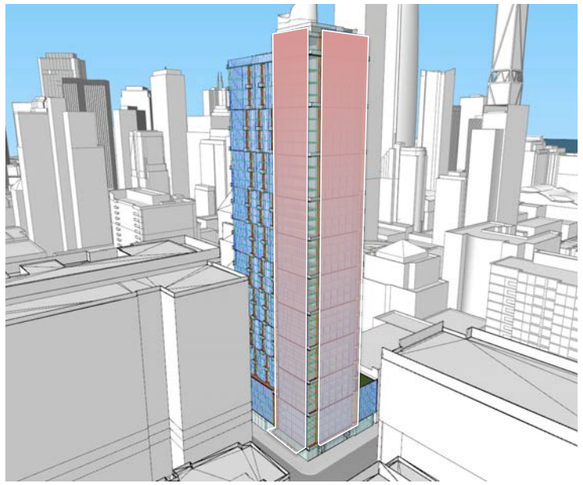
LVL 38 - 41	6
LVL 33 - 37 (2units/flr x 5flrs)	10
LVL 8 - 32 (3units/flr x 25flrs)	75
LEVEL 7	2
TOTAL	**93**

DENSITY BONUS SCHEME
BUILDING CONCEPT



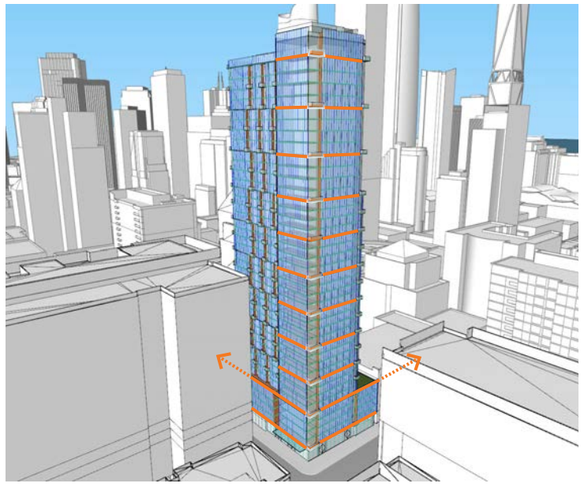
MAXIMIZE VIEWS

The project massing maximizes the building perimeter with compliant dwelling exposures and access to unobstructed views to the South and West.



PROMINENT CORNER

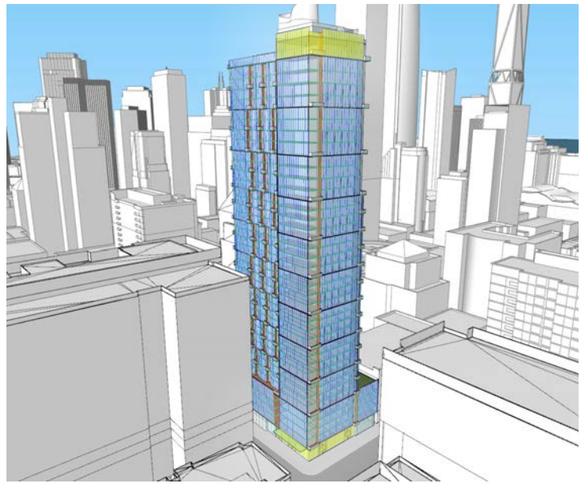
The building corner or ‘bay window’volume becomes a strong identity-giving element, an important architectural feature and an urban gesture that is recognizable at the city scale.



ARTICULATION AT MULTIPLE SCALES

The building is articulated at multiple scales. The tower height is divided into a series of four-height volumes that establish a vertical rhythm and reflect the surrounding medium-scale neighboring buildings.

Balconies are deployed to give the building’s primary facade a fine-grained, individual scale and residential character.



DISTINCTIVE CROWN & GROUNDFLOOR

The building crown resolves naturally against the skyline with a composition of glass parapets at various heights. A double-height indoor living space occupies the tower corner and is linked to a generous outdoor terrace that faces West.

At the intersection of Hawthorne and Folsom St., the ground-floor retail and the building lobby will be highly visible from the street level.

DENSITY BONUS SCHEME
LEVEL 01 PLAN

Density Bonus Scheme

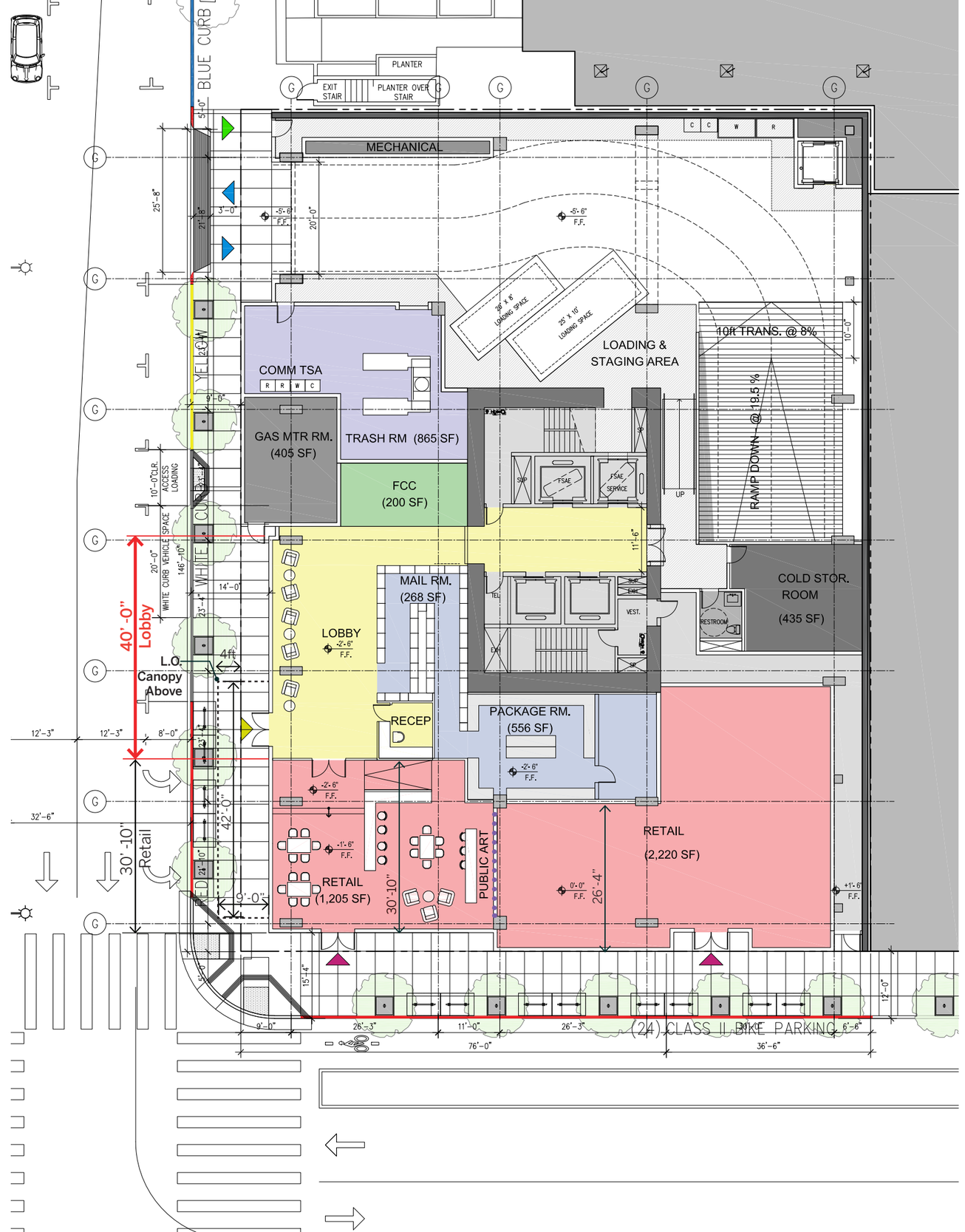
Per SF Planning Definition of Gross Floor Area, all areas of Level 01 have been excluded from the Residential GFA except for:

Mail Box Room	**268 sf**
Package Room	**556 sf**
Cold Storage Room	**435 sf**
L01 Residential GFA	**1,259 sf**

Per SF Planning Section 152.1: Projects between 200,001 and 500,000 sf of Residential Use Occupied Floor Area & Retail less than 10,000 sf require 2 Loading Spaces.

Per SF Planning Sections:
(154.b.2) The first required loading space = 25'L x 10'W min.
(153.a.6) In C-3 Districts, substitution of two service vehicle spaces for each required off-street loading space may be made.
(154.b.3) Each substituted space = 20'L x 8'W min.

Loading Space 25' x 10' (L1 Level)	**1 Space**
Loading Space 20' x 8' (L1 Level)	**1 Space**
Loading Space 20' x 8' (B1 Level)	**1 Space**
Off-Street Loading Provided	**3 Spaces**



5 10 20 40 FEET

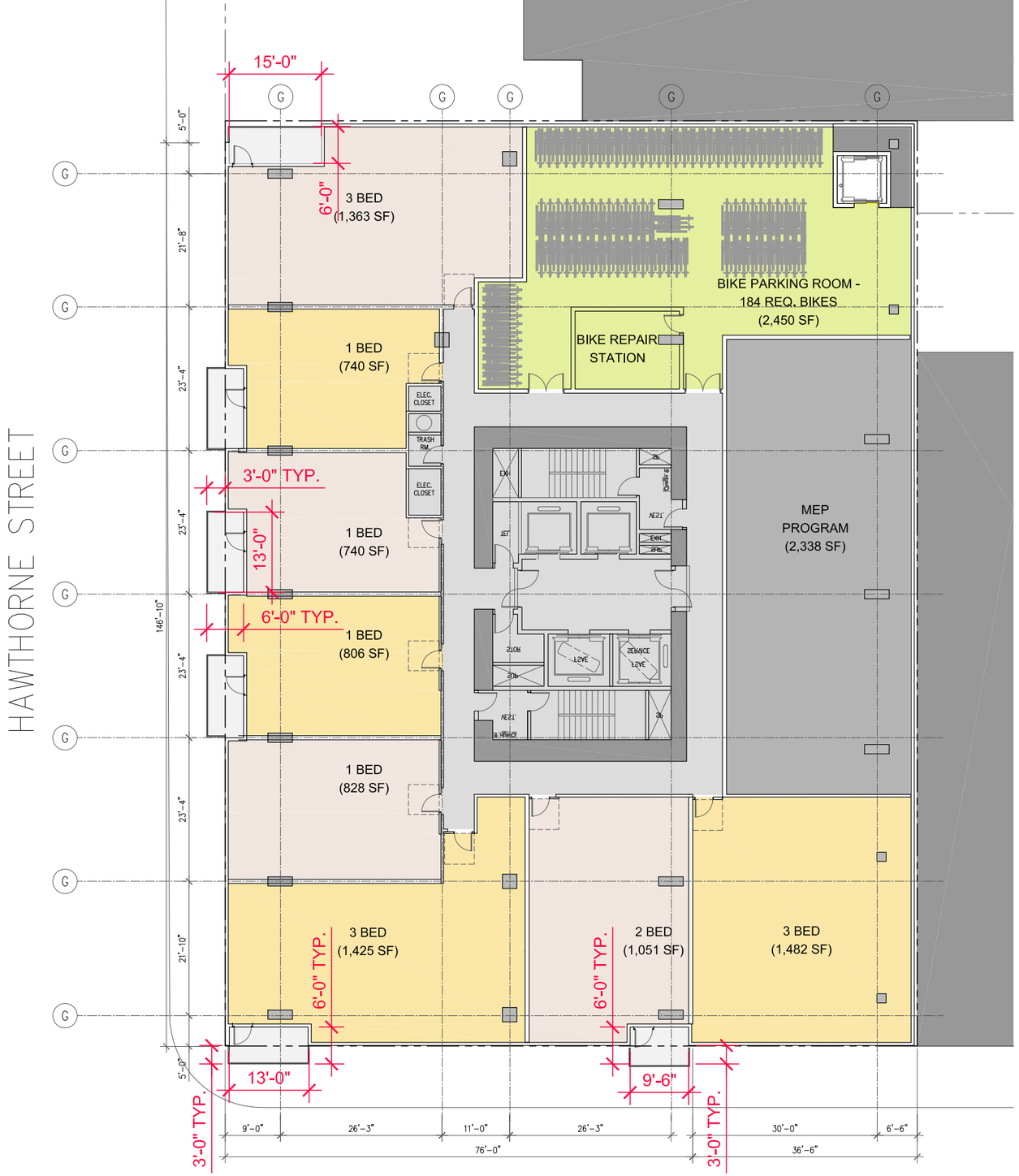
DENSITY BONUS SCHEME
LEVEL 02 PLAN

Density Bonus Scheme

Per SF Planning Definition of Gross Floor Area, the following areas have been excluded from the Total Residential Gross Area calculation:

LEVEL 02

Bike Parking Room	**2,450 sf**
MEP Room	**2,338 sf**
MEP Shafts/Closets & Trash Room	**410 sf**
Total Excluded Areas	**5,198 sf**



5 10 20 40 FEET

DENSITY BONUS SCHEME
LEVEL 03, 04 & 05 PLAN

Density Bonus Scheme

Per SF Planning Definition of Gross Floor Area, the following areas have been excluded from the Total Residential Gross Area calculation:

LEVEL 03

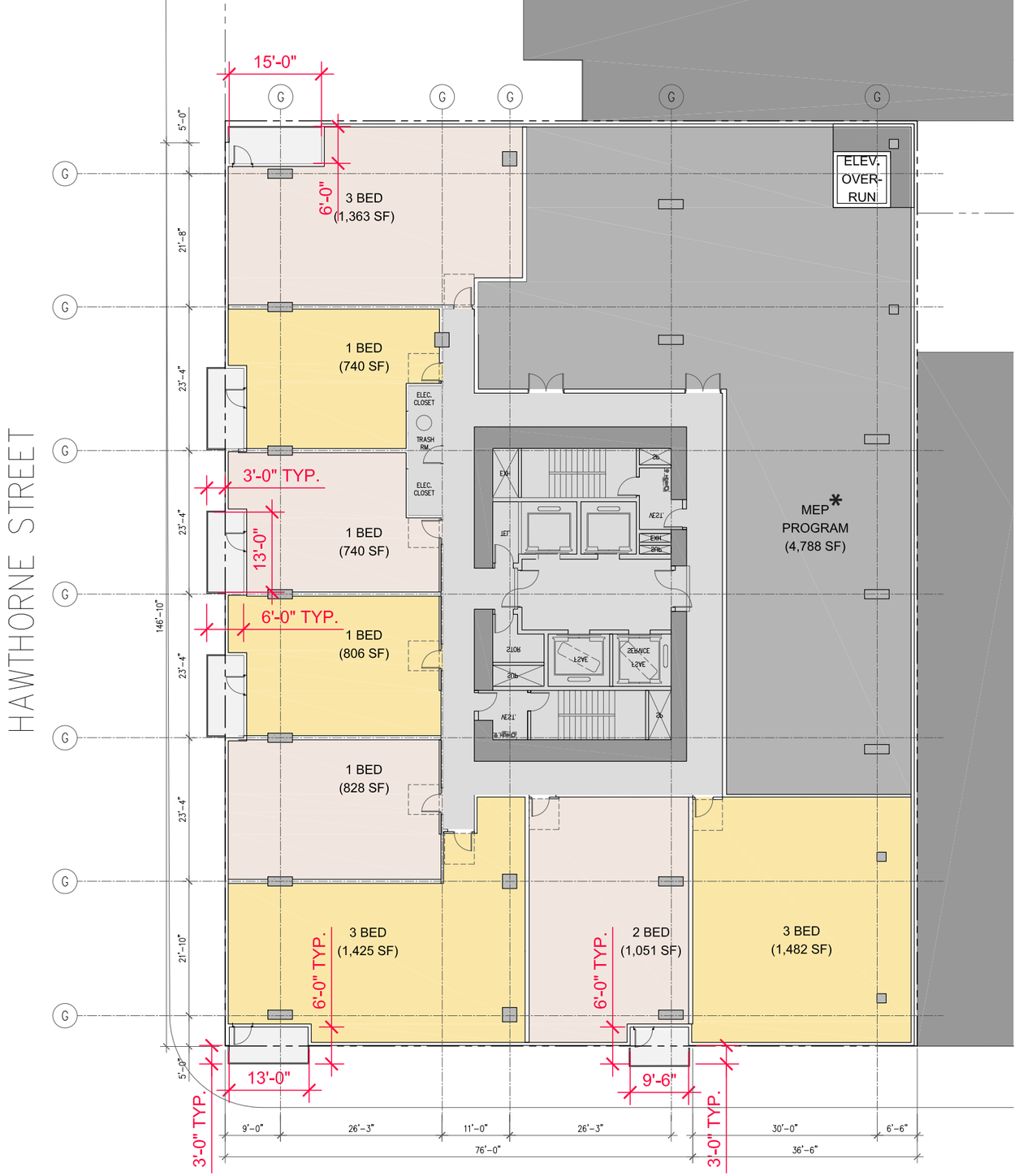
MEP Room	**4,788 sf**
MEP Shafts/Closets & Trash Room	**410 sf**
Total Excluded Areas	**5,198 sf**

LEVEL 04

MEP Room (Double Height Space)	**4,788 sf**
MEP Shafts/Closets & Trash Room	**410 sf**
Total Excluded Areas	**5,198 sf**

LEVEL 05

MEP Room	**0 sf**
MEP Shafts/Closets & Trash Room	**410 sf**
Total Excluded Areas	**410 sf**



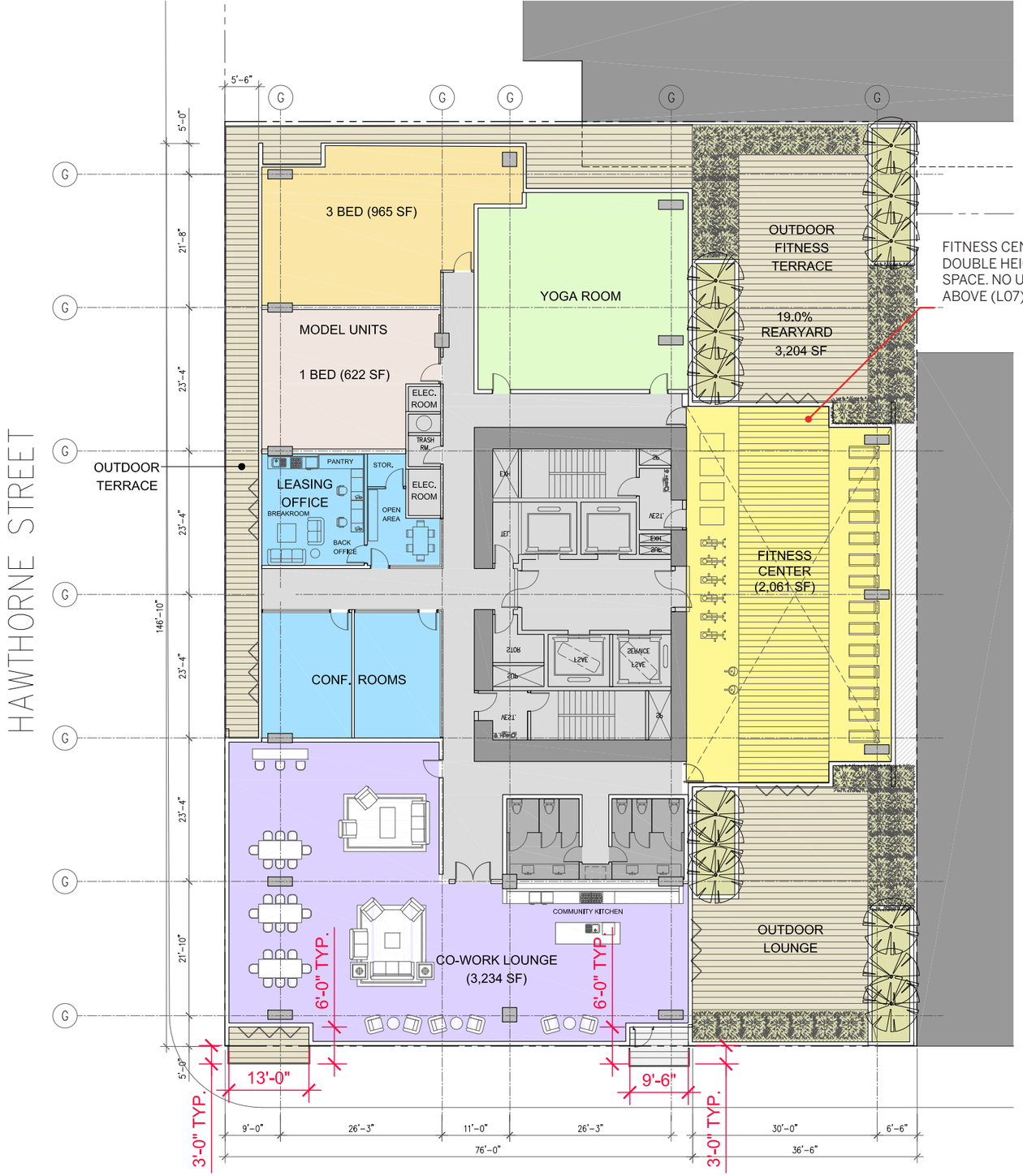
* Per building mechanical requirements, the MEP Room on Level 04 is a double height space.

FOLSOM STREET

5 10 20 40 FEET

DENSITY BONUS SCHEME

LEVEL 06 PLAN / PODIUM TERRACE

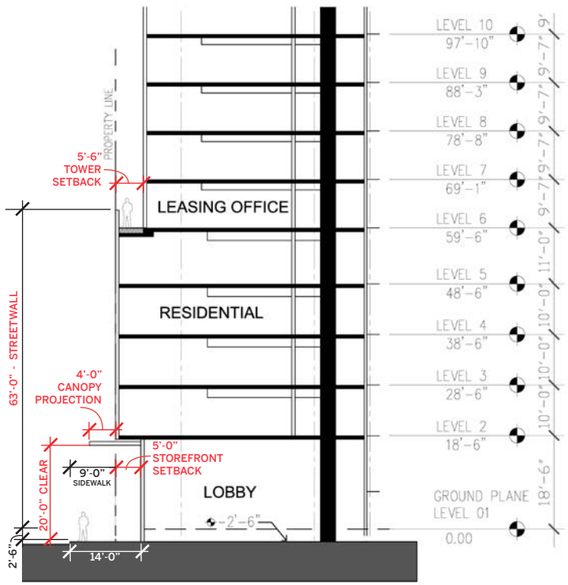


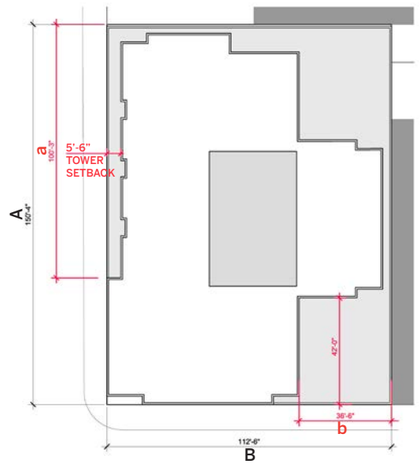
5 10 20 40 FEET

DENSITY BONUS SCHEME
TYPICAL TOWER PLAN L08 - L32 (12 UNITS)

Density Bonus Scheme

Typical Floorplate Gross Area	**12,287 sf**
Net Net Residential Area	**8,839 sf**
Net Net to Gross Ratio	**71.9%**
Units per Floor	**12 units**

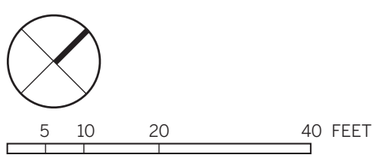


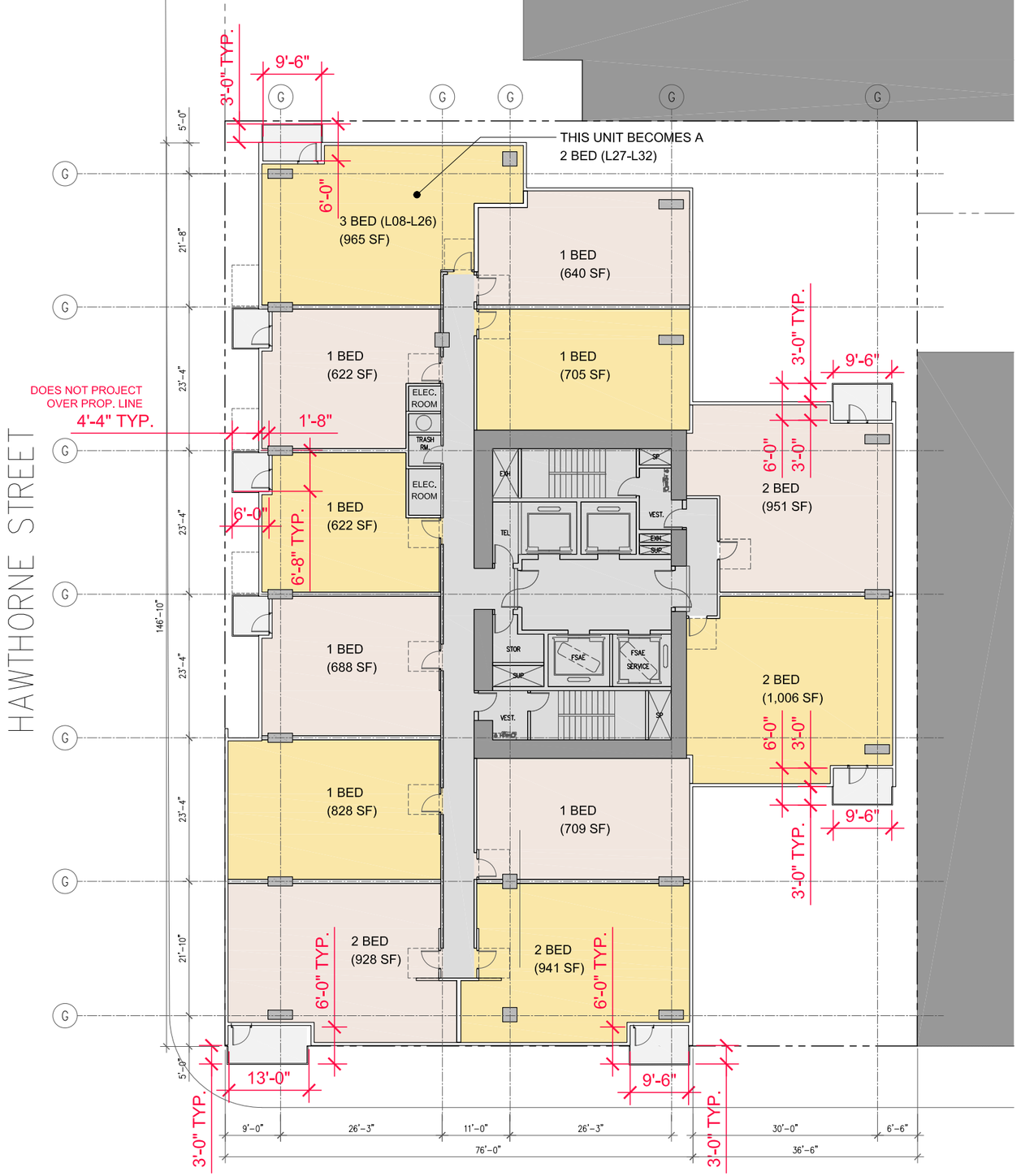


Street Frontage = A+B= **262’-10”**
Required 40% Linear Frontage = **105’-2”**

Provided Frontage Setback = a+b = **136’-9”**
Provided Tower Setback = **5’-6”**

*See Upper Level Setback **Waiver** - Page 26

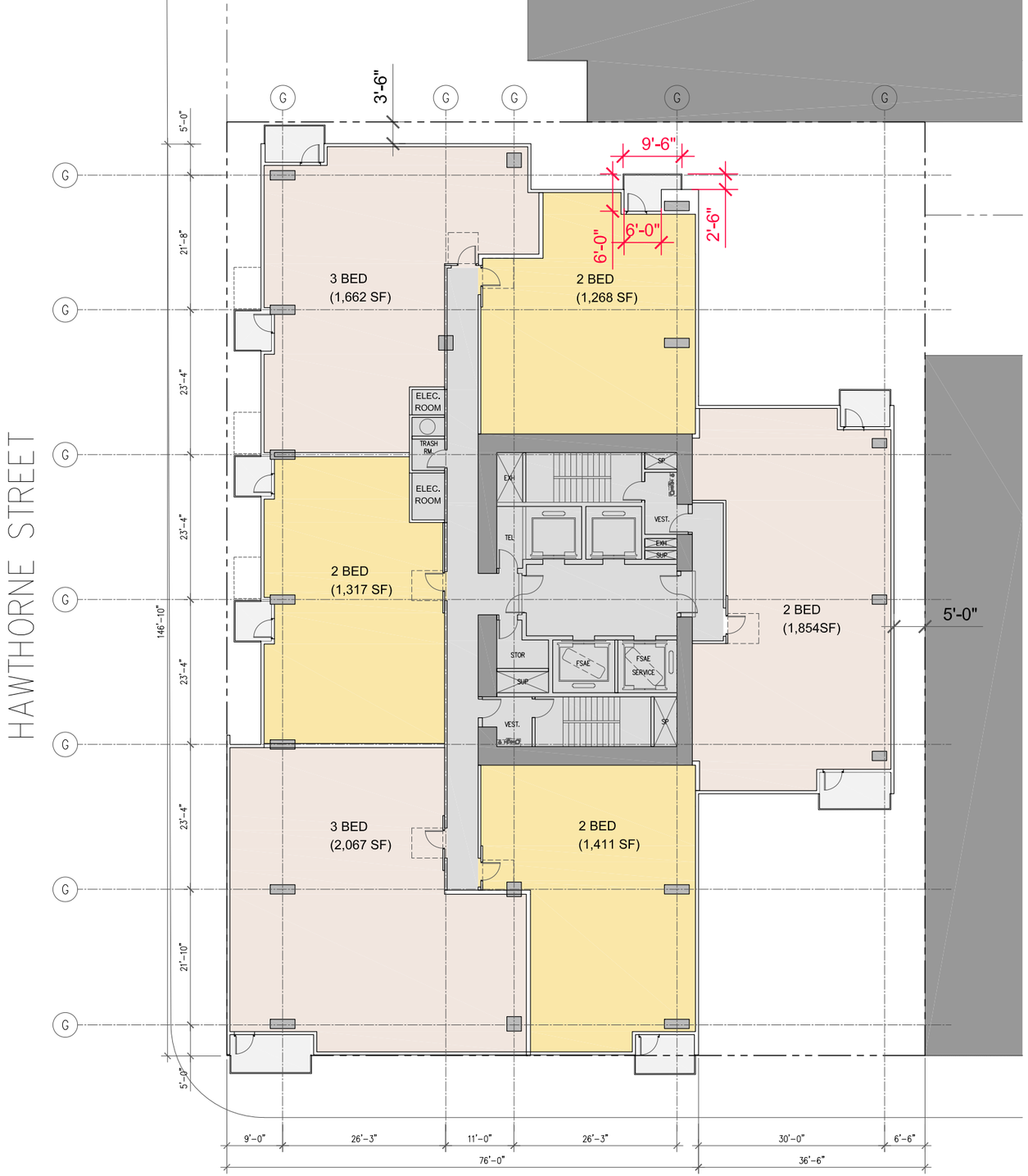




DENSITY BONUS SCHEME
TYPICAL TOWER PLAN L33 - L37 (6 UNITS)

Density Bonus Scheme

Typical Floorplate Gross Area	**12,188 sf**
Net Net Residential Area	**8,717 sf**
Net Net to Gross Ratio	**71.5%**
Units per Floor	**6 units**

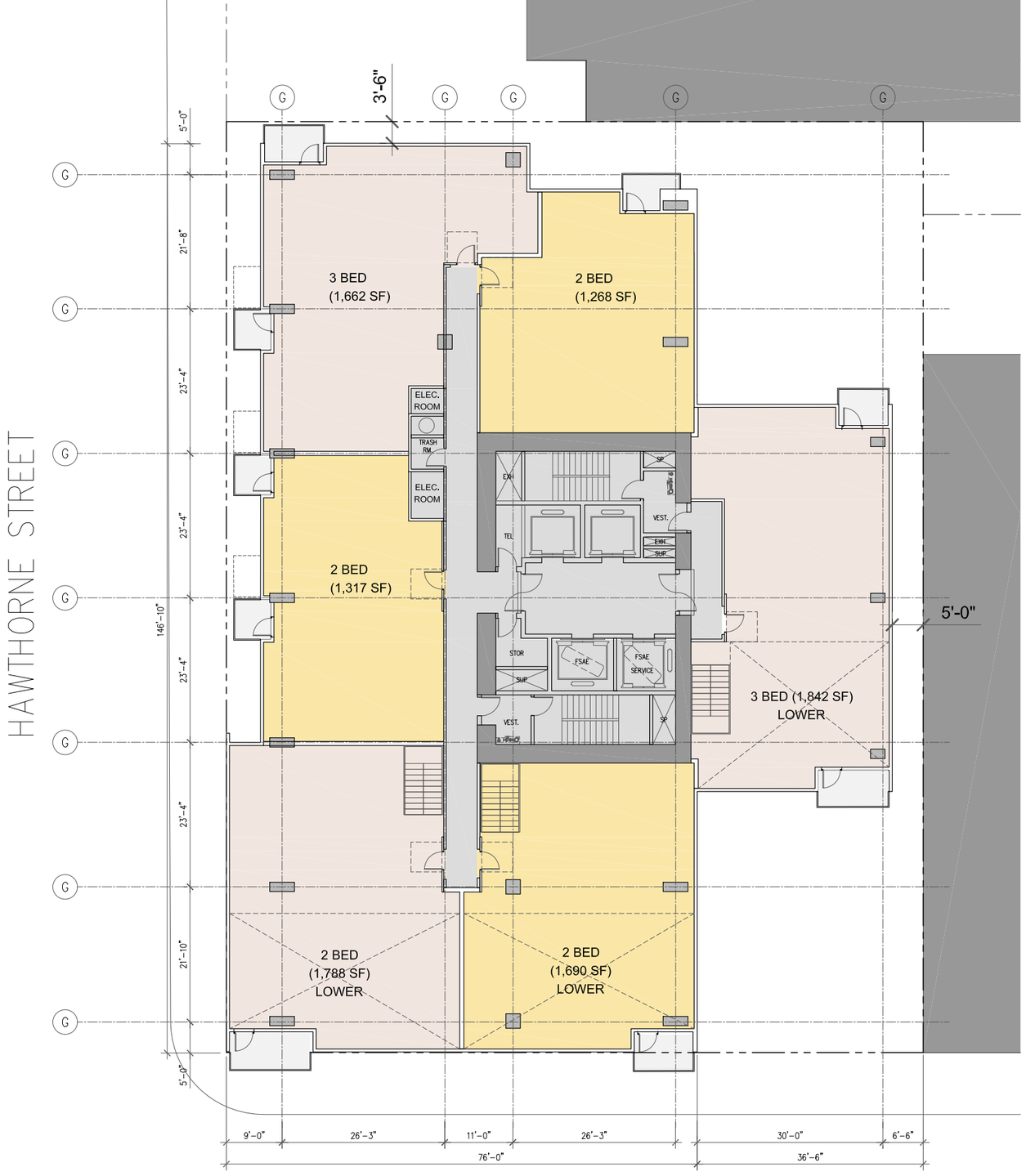


5 10 20 40 FEET

DENSITY BONUS SCHEME
TYPICAL TOWER LOFT PLAN L38 & L40 (LOWER)

Density Bonus Scheme

Typical Floorplate Gross Area	**12,175 sf**
Net Net Residential Area	**8,705 sf**
Net Net to Gross Ratio	**71.5%**
Units per Floor	**6 units**

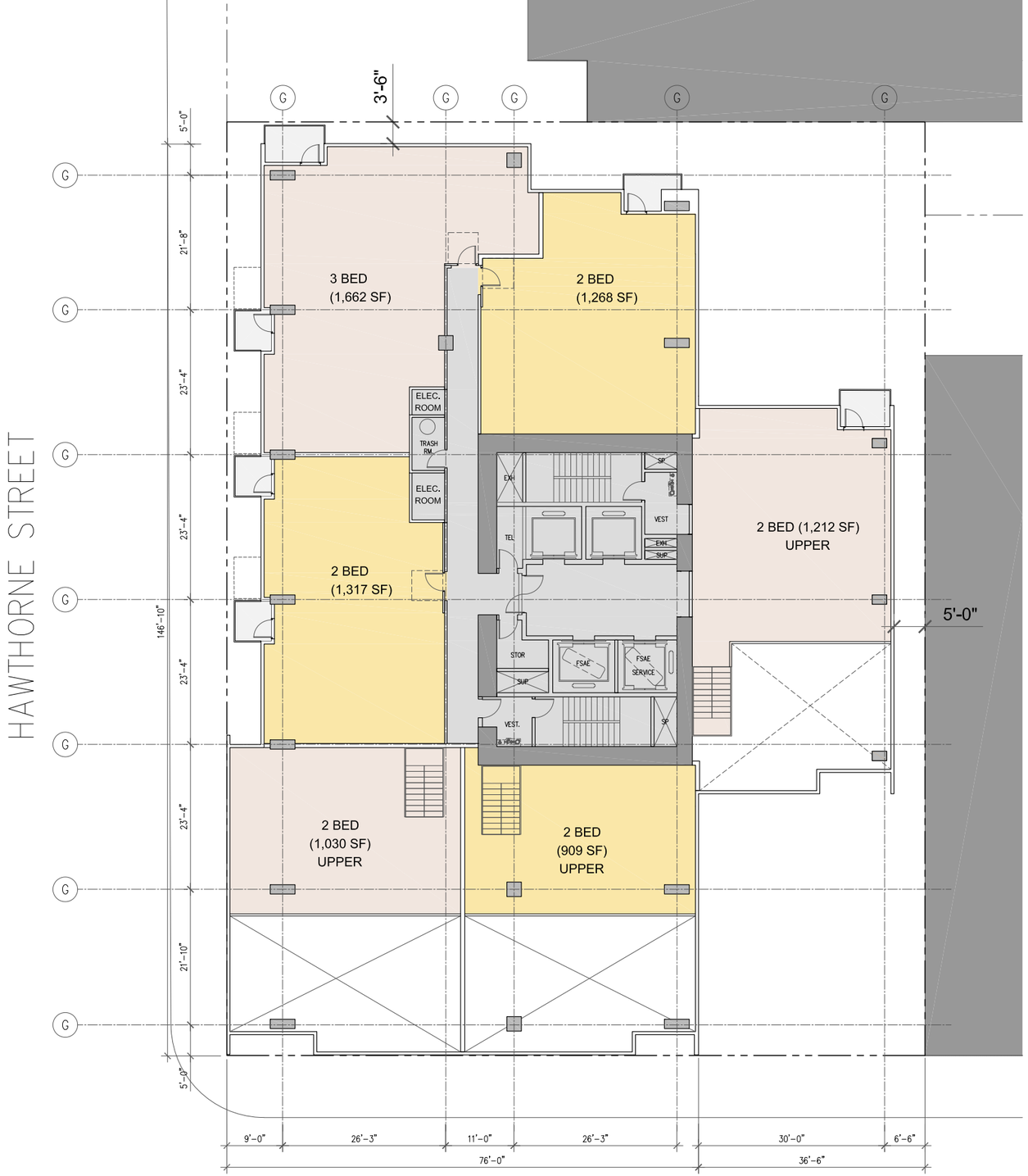


5 10 20 40 FEET

DENSITY BONUS SCHEME
TYPICAL TOWER LOFT PLAN L39 & L41 (UPPER)

Density Bonus Scheme

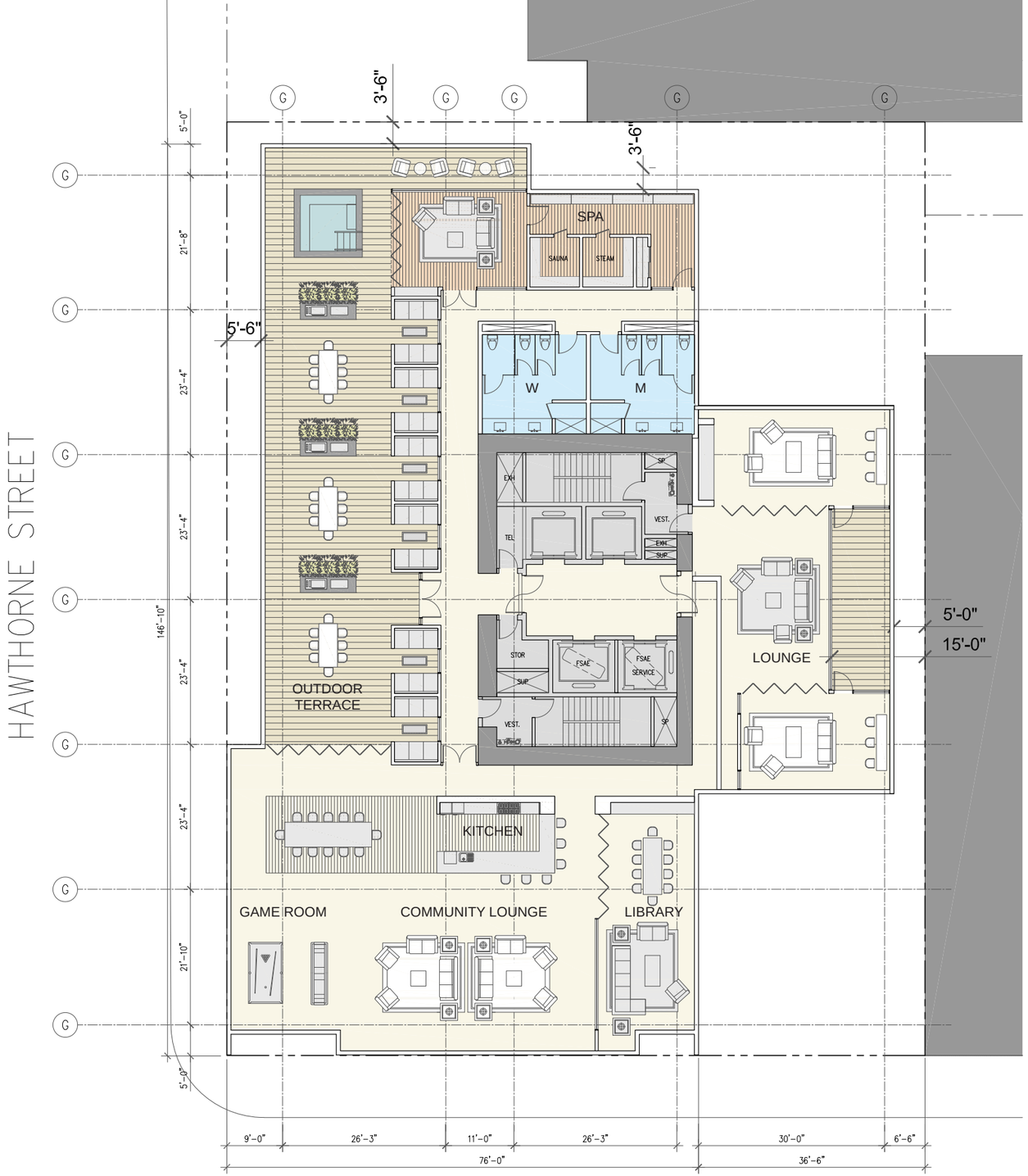
Typical Floorplate Gross Area	**9,835 sf**
Net Net Residential Area	**6,576 sf**
Net Net to Gross Ratio	**66.9%**
Units per Floor	**3 units**



5 10 20 40 FEET

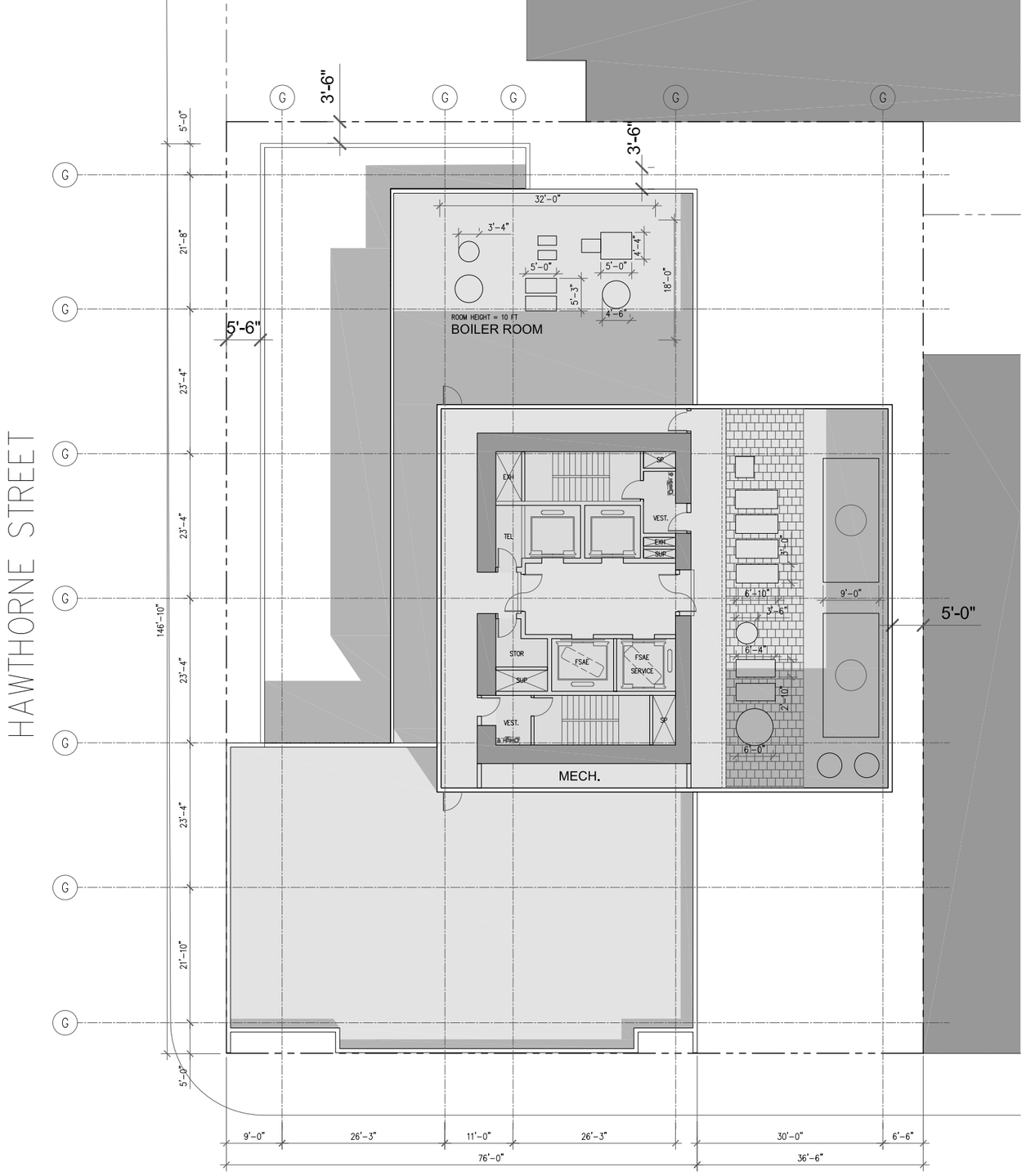
DENSITY BONUS SCHEME

LEVEL 42 PLAN / ROOF TERRACE



5 10 20 40 FEET

DENSITY BONUS SCHEME
ROOF PLAN / MECHANICAL PH

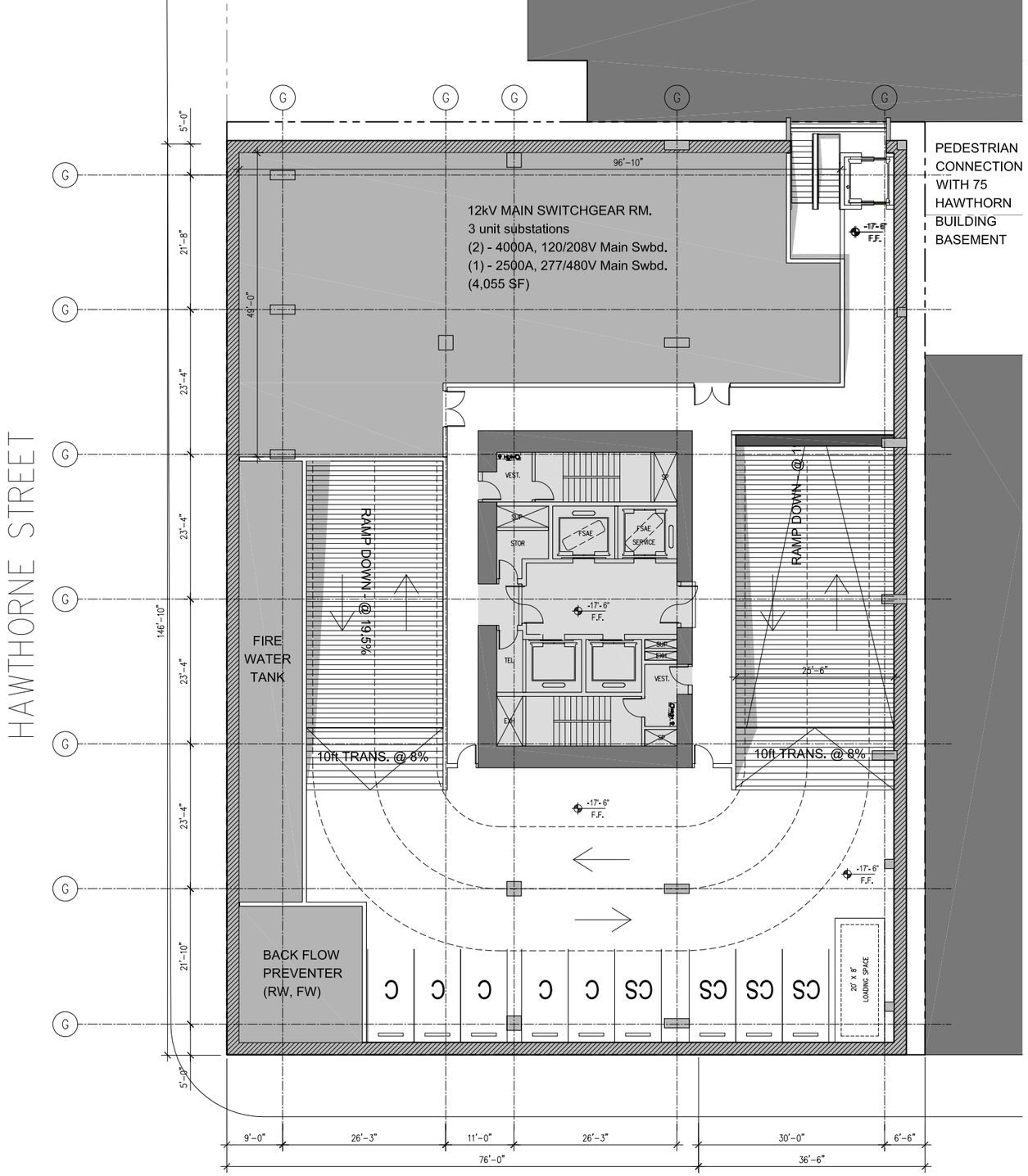


5 10 20 40 FEET

DENSITY BONUS SCHEME
LEVEL BASEMENT 01 PLAN

Density Bonus Scheme

Electrical Program	**Level B1**
Water Tanks	**Level B1**
Self-Parking Spaces at Level B1	**5 Spaces**
Required Car Share Spaces	**4 Spaces**
Loading Space 20’ x 8’	**1 Spaces**

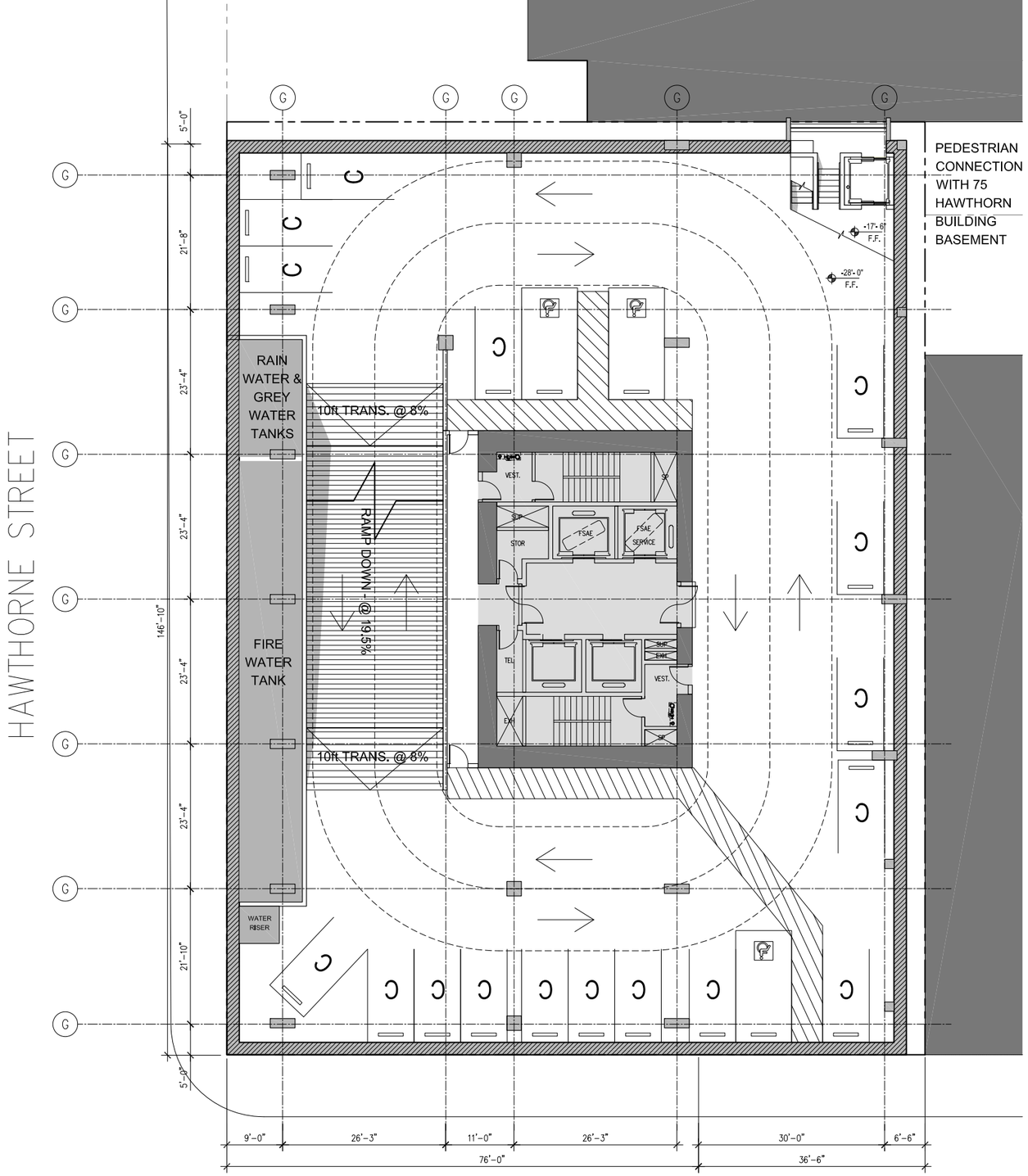


5 10 20 40 FEET

DENSITY BONUS SCHEME
LEVEL BASEMENT 02 PLAN

Density Bonus Scheme

Water Tanks	**Level B2**
Self-Parking Spaces at Level B2	**17 Spaces**
ADA Parking	**3 Spaces**



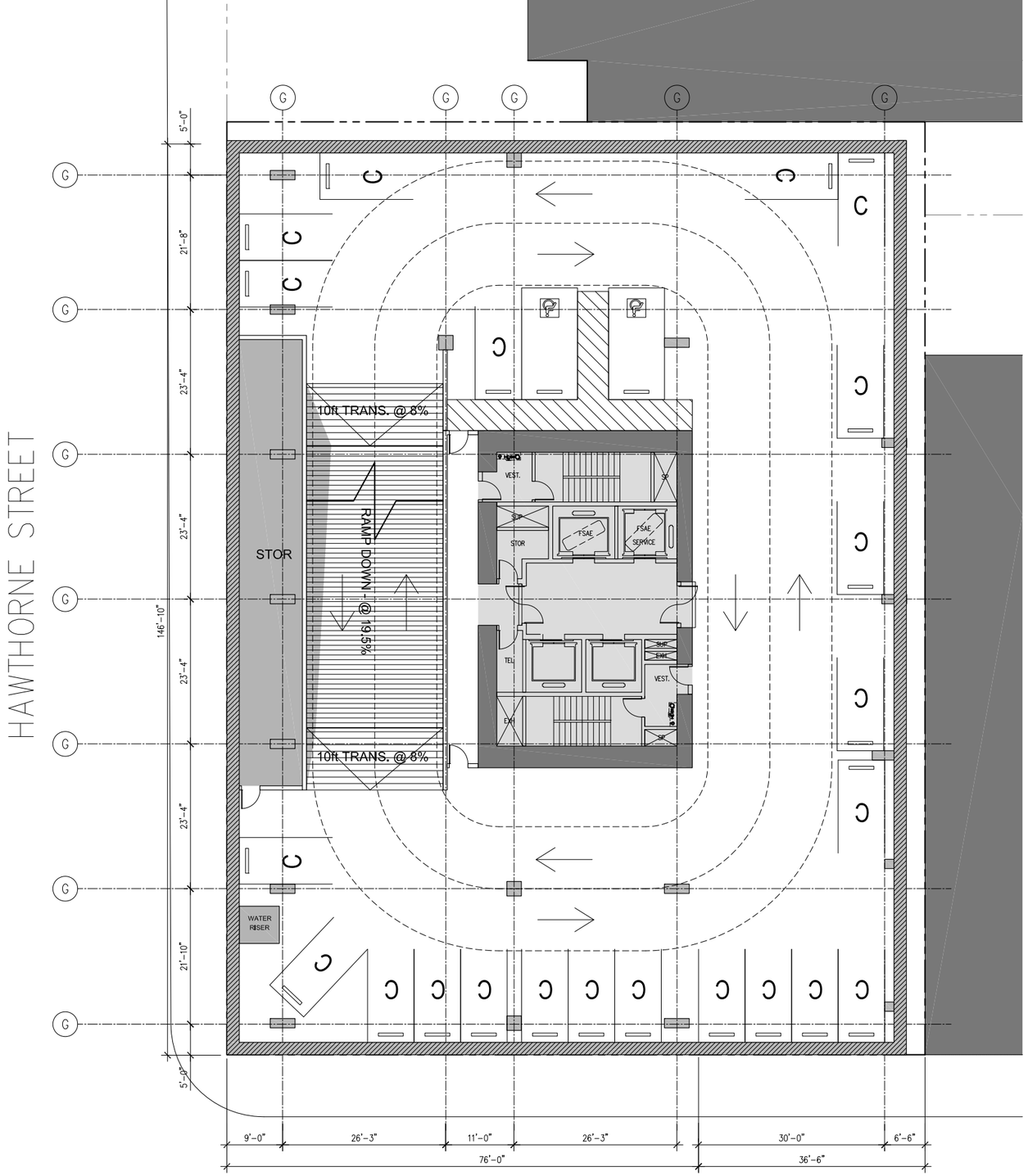
FOLSOM STREET

5 10 20 40 FEET

DENSITY BONUS SCHEME
LEVEL BASEMENT 03 & 04 PLAN

Density Bonus Scheme

Self-Parking Spaces at Level B3	**22 Spaces**
ADA Parking	**2 Spaces**
Self-Parking Spaces at Level B4	**25 Spaces**



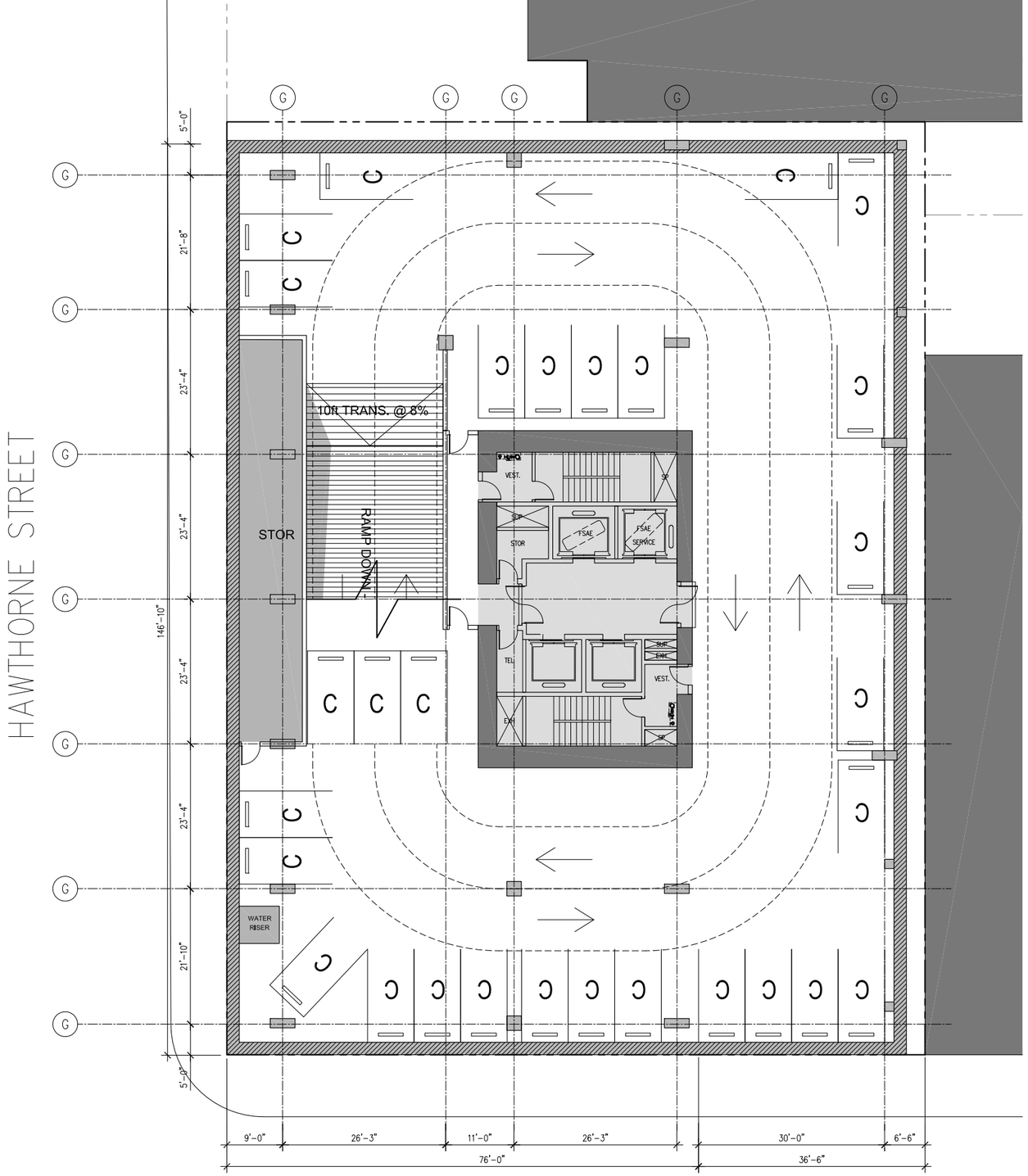
5 10 20 40 FEET

DENSITY BONUS SCHEME
LEVEL BASEMENT 05 PLAN

Density Bonus Scheme

Self-Parking Spaces at Level B5 **29 Spaces**

PARKING LEVEL	NO. SPACES
B1	9
B2	20
B3	24
B4	25
B5	29
TOTAL	**107 SPACES**



5 10 20 40 FEET

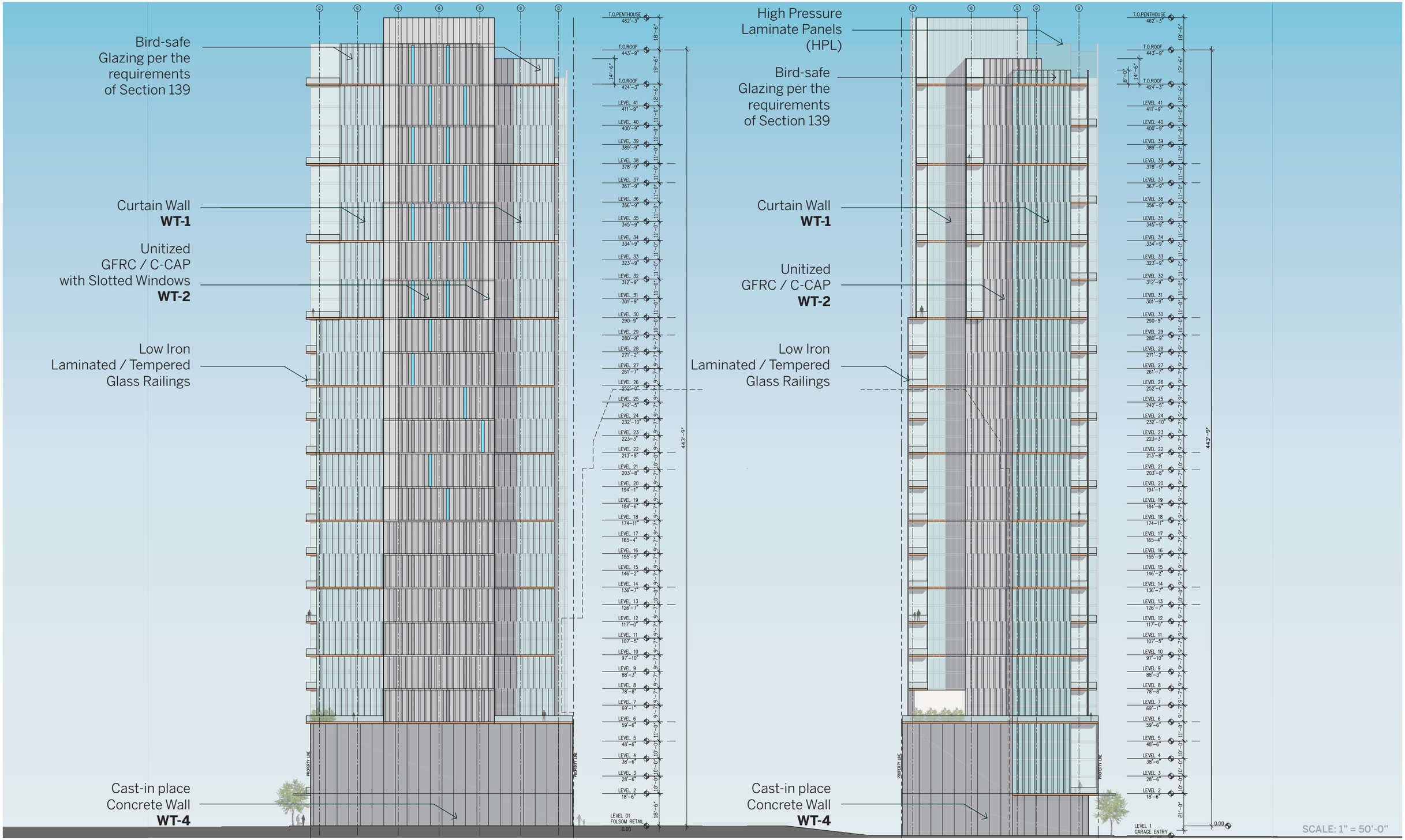
DENSITY BONUS SCHEME

WEST & SOUTH ELEVATIONS



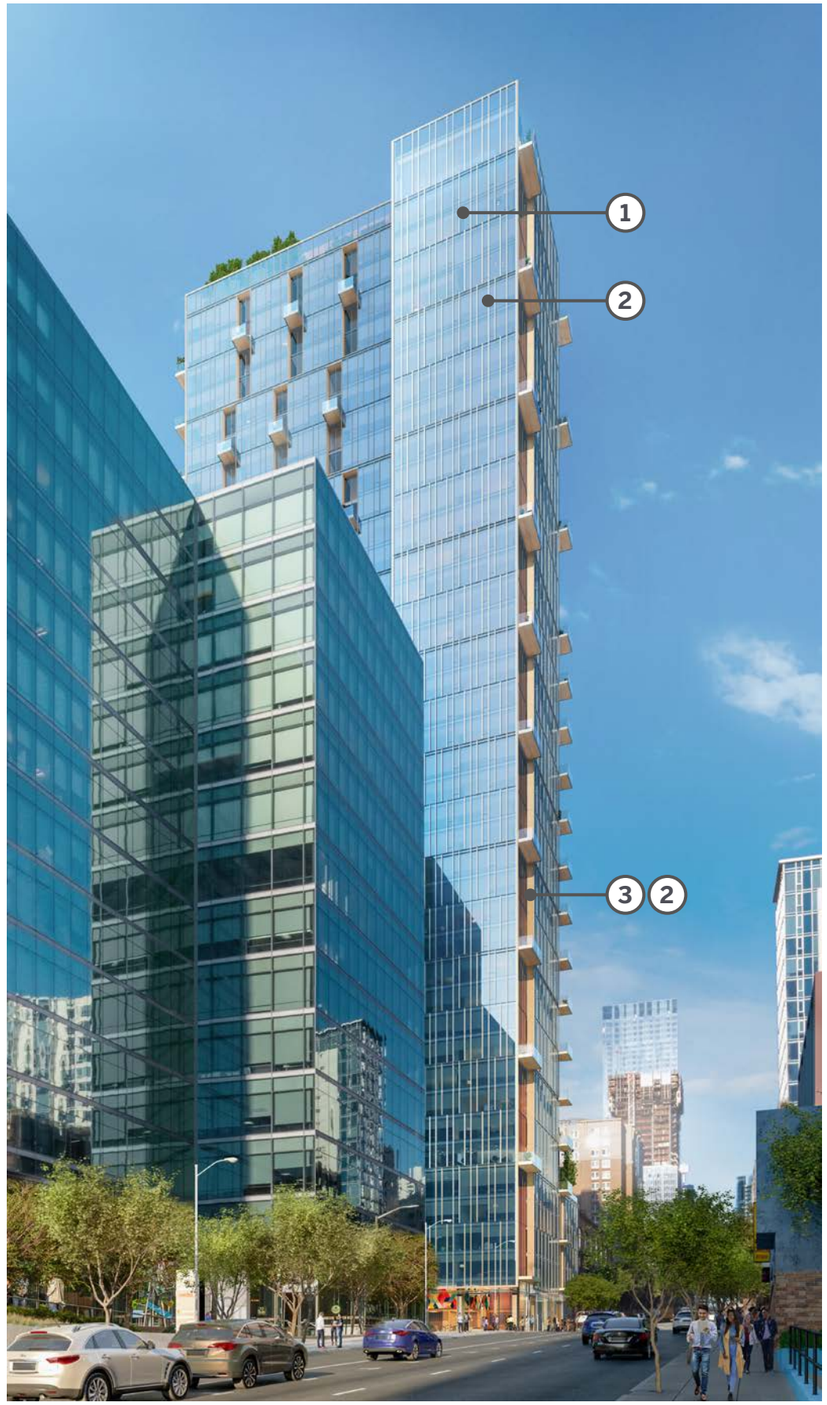
DENSITY BONUS SCHEME

NORTH & EAST ELEVATIONS



SCALE: 1" = 50'-0"

DENSITY BONUS SCHEME
PERSPECTIVES





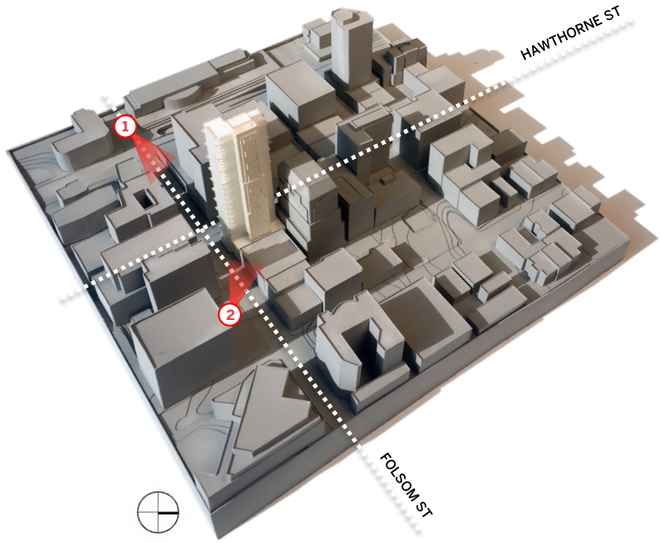


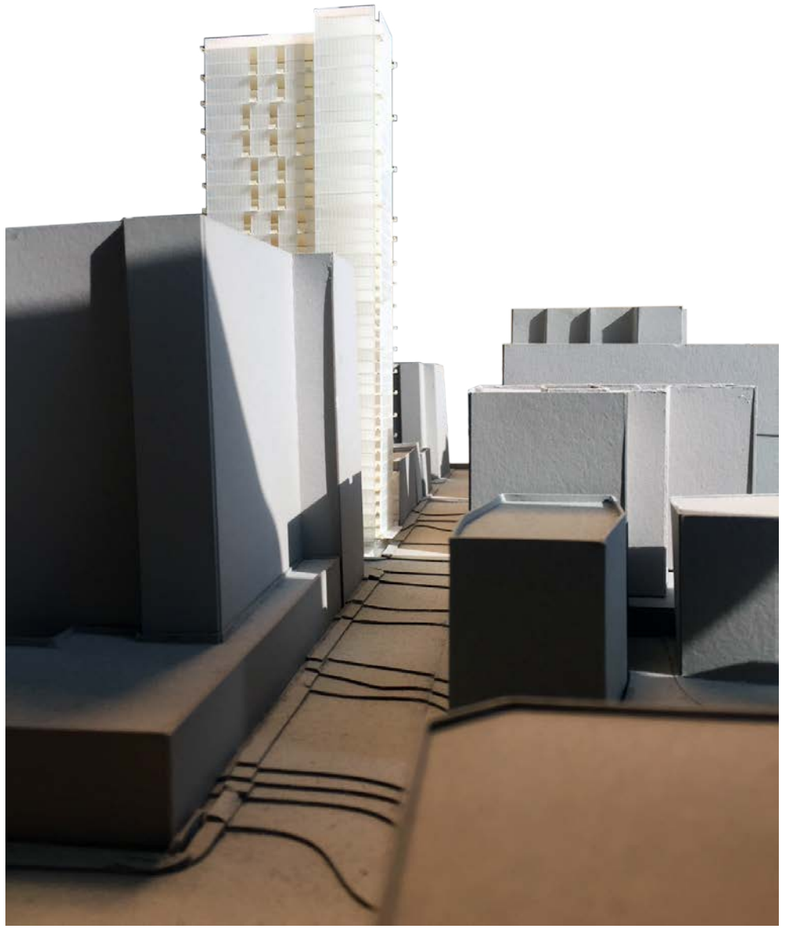
MATERIAL BOARD

1 Grey Glass
2 White Aluminum
3 Wood High-Pressure Laminate (HPL) Panels
4 White Precast

DENSITY BONUS SCHEME
PERSPECTIVES

DENSITY BONUS SCHEME
PERSPECTIVES



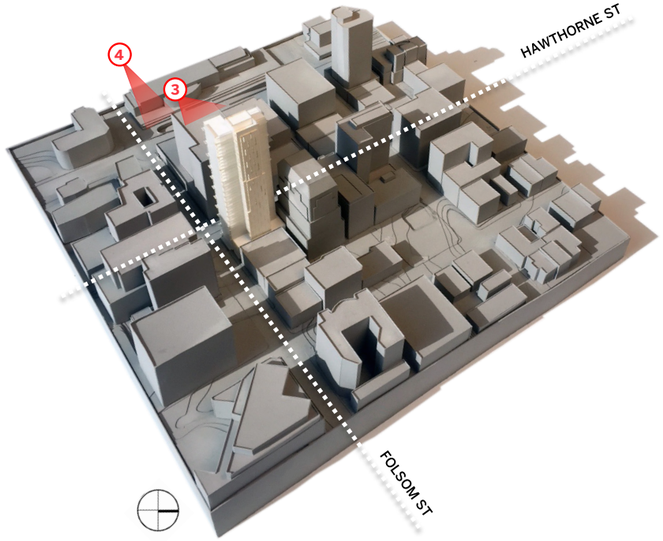


MODEL PERSPECTIVE - **VIEW 01**



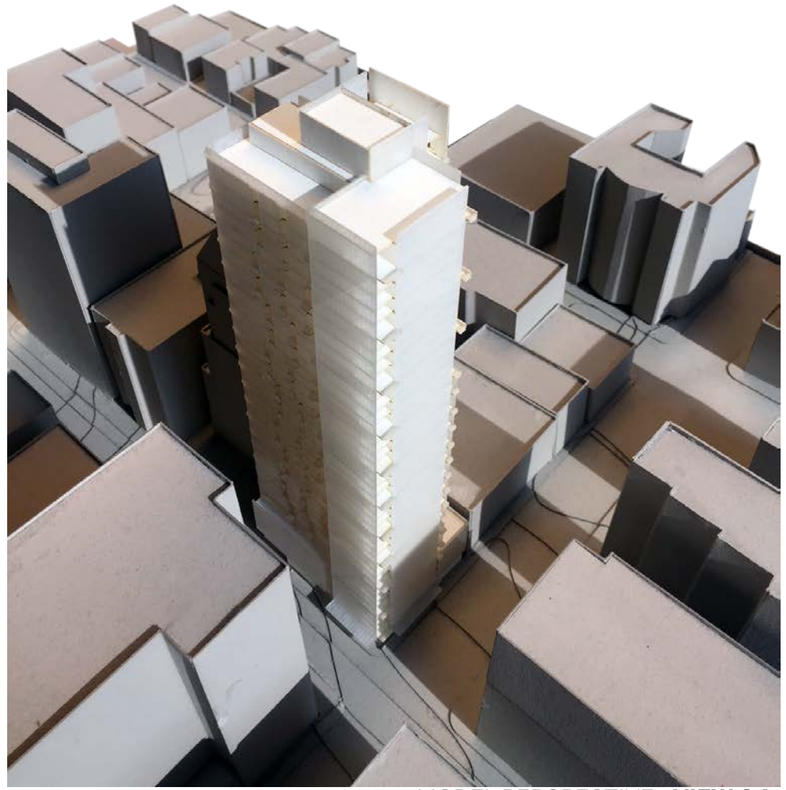
MODEL PERSPECTIVE - **VIEW 02**

DENSITY BONUS SCHEME
PERSPECTIVES



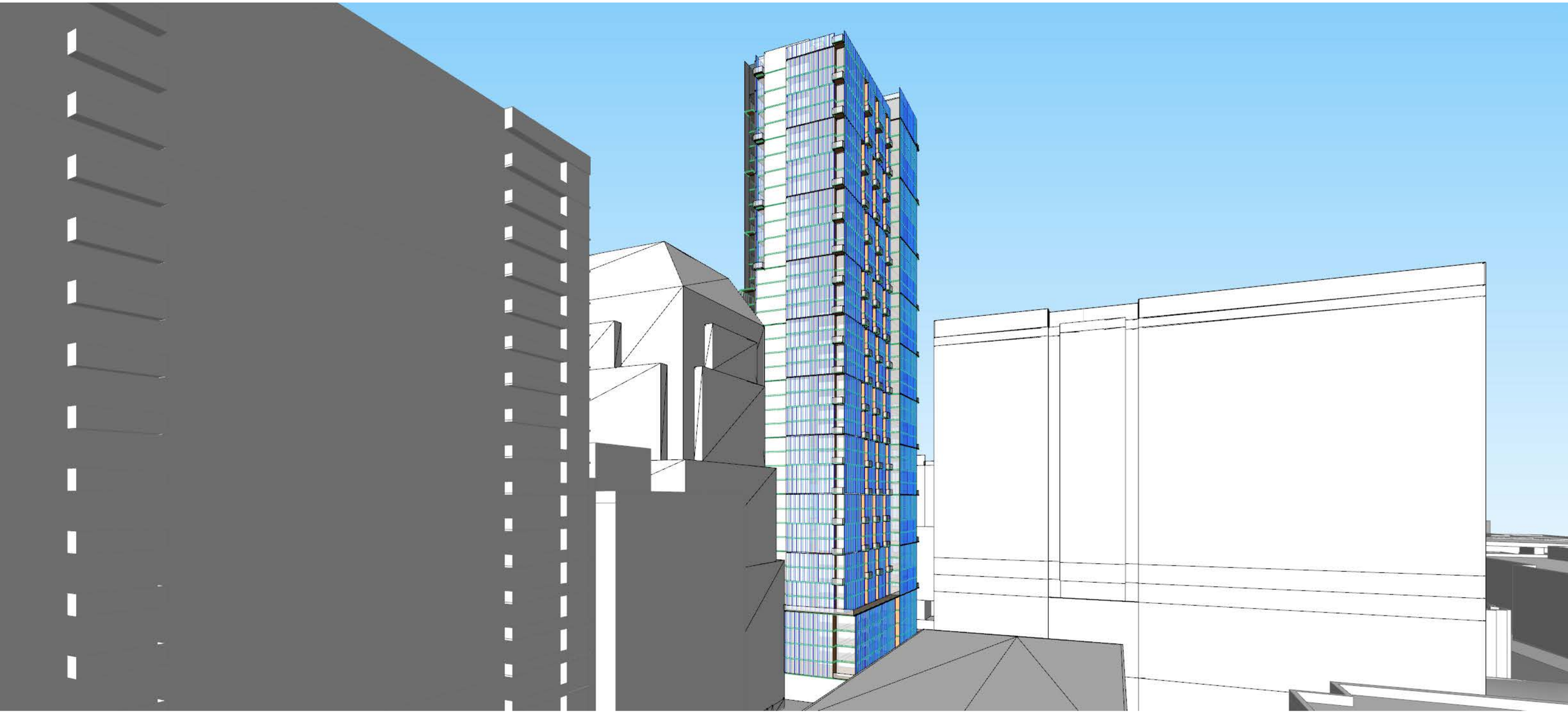


MODEL PERSPECTIVE - **VIEW 03**

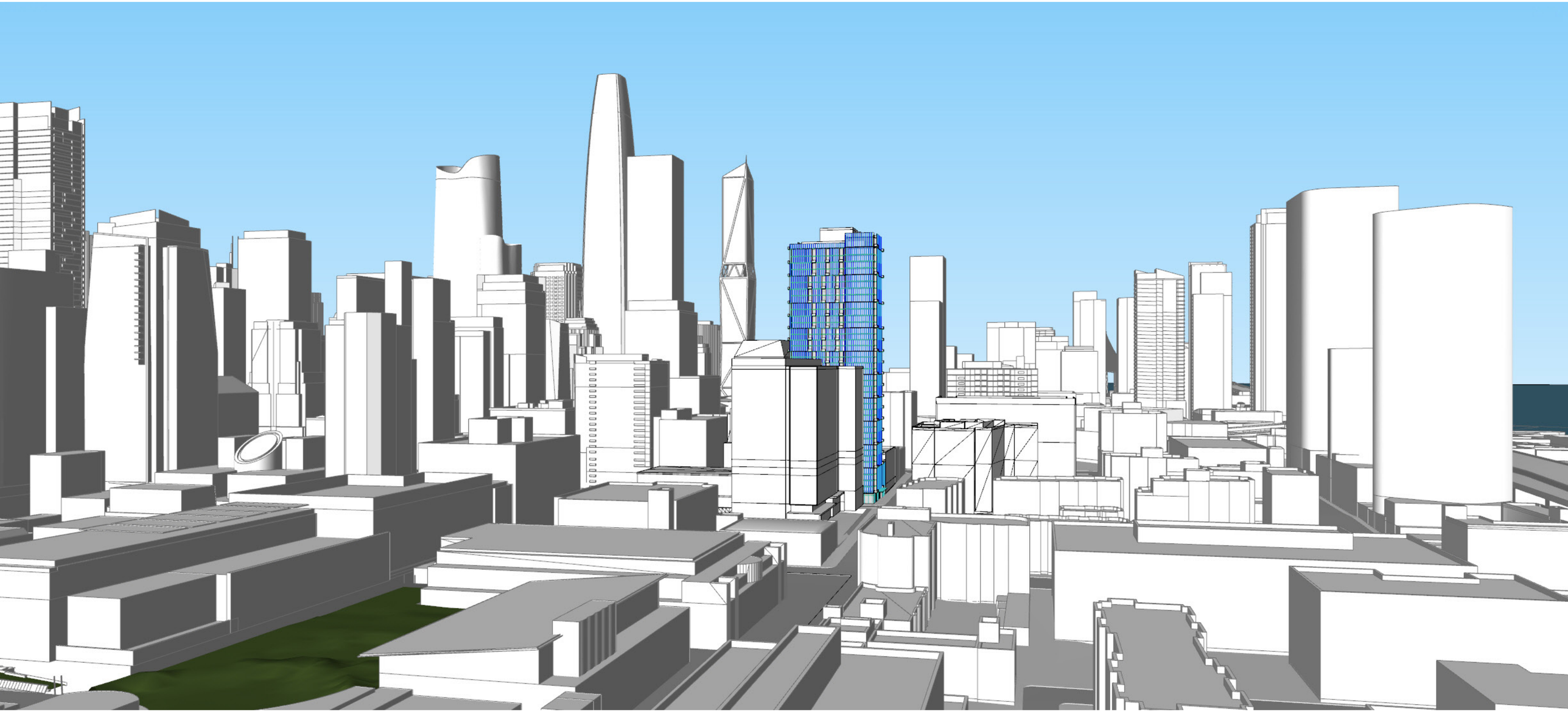


MODEL PERSPECTIVE - **VIEW 04**

DENSITY BONUS SCHEME
VIEW ALONG HAWTHORNE ST.

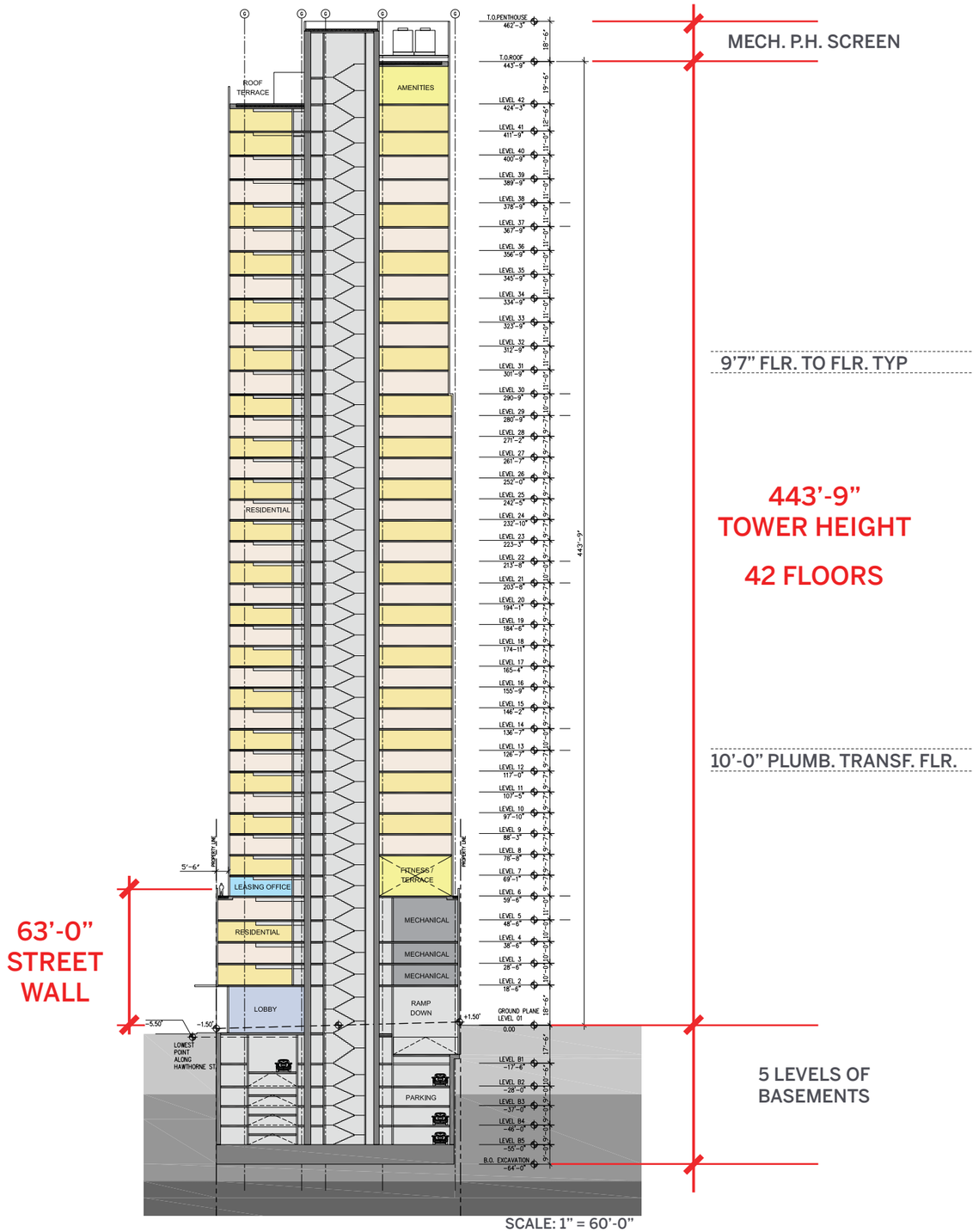


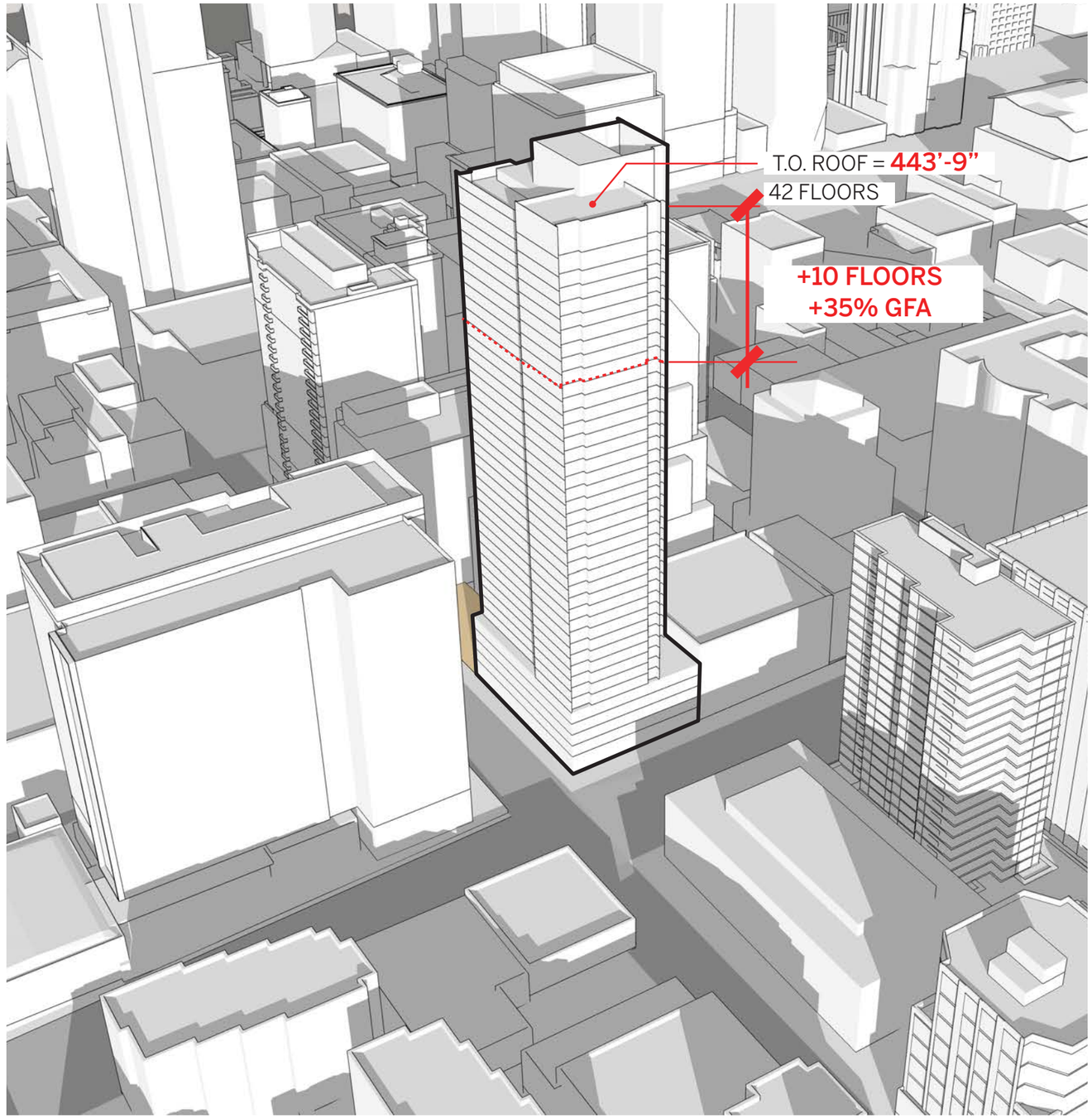
DENSITY BONUS SCHEME
VIEW ALONG FOLSOM ST.



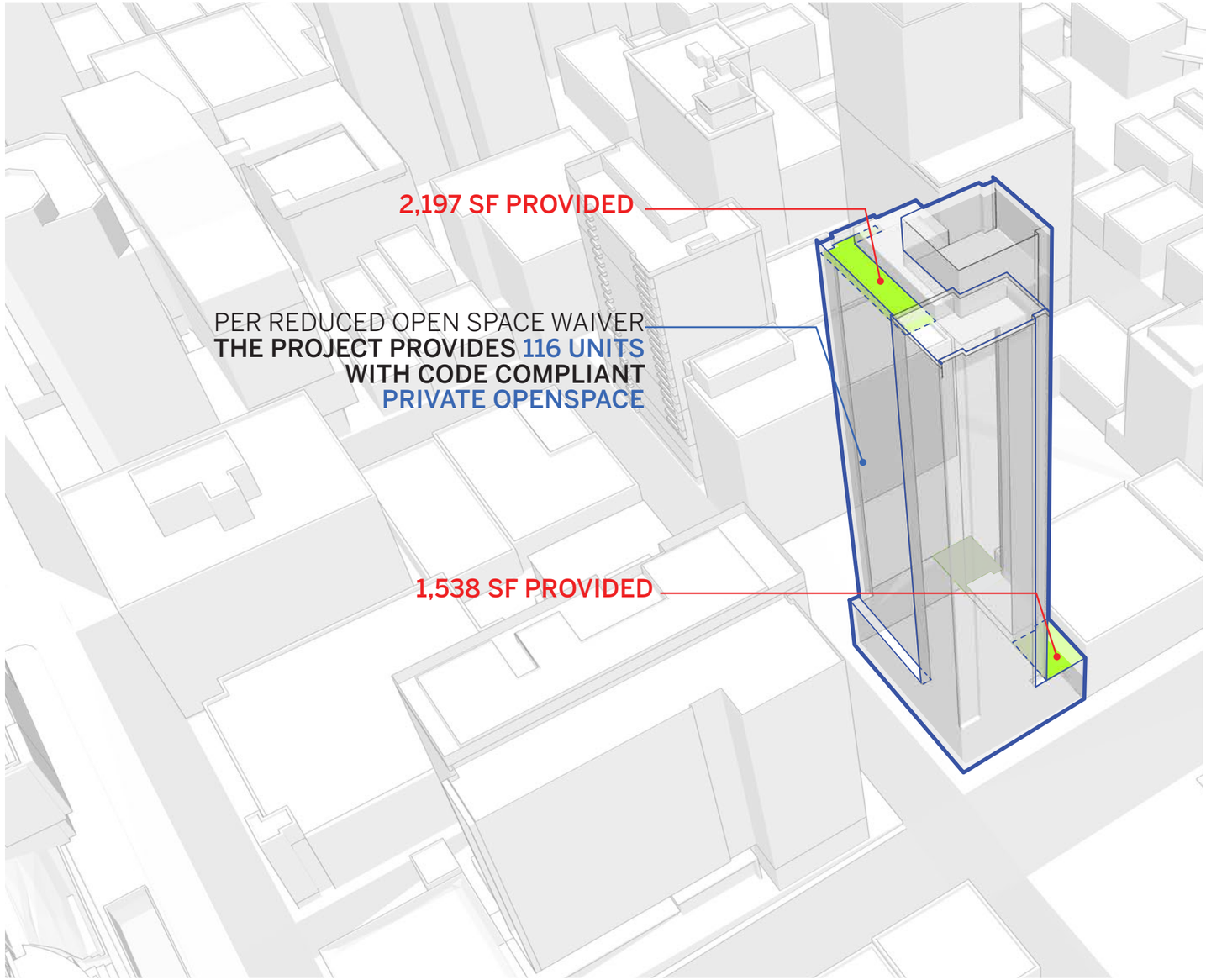
DENSITY BONUS SCHEME

SECTION & PERSPECTIVE





DENSITY BONUS SCHEME
OPEN SPACE DIAGRAM



392 TOTAL UNITS
116 UNITS W/ CODE COMPLIANT PRIVATE OPEN SPACE

276 UNITS (REMAINDER)

REQ'D COMMON OPEN SPACE (COS)	13,248 SF (276 UNITS X 48sf)
PROVIDED COMMON OPEN SPACE (COS)	3,735 SF
- PODIUM TERRACE	1,538 SF
- ROOF TERRACE	2,197 SF
WAIVER (COS)	9,513 SF OF COMMON OPEN SPACE

DENSITY BONUS SCHEME
AREA CHART

Density Bonus Scheme

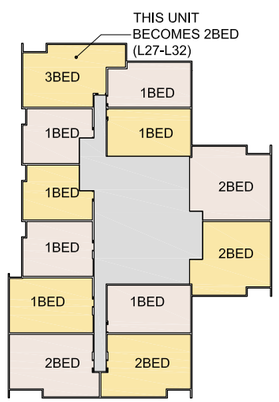
Total Residential Gross Area	**476,254sf**
Total Net Residential Area	**340,326 sf**
Efficiency (Net Net to Gross Ratio)	**69%**
Total Units	**392 units**

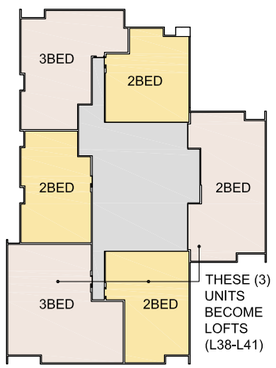
Unit Mix A (L08 - L32)

STUDIO	0
1BED	7
2BED	4
3BED	1
TOTAL	**12**

Unit Mix B (L33 - L41)

STUDIO	0
1BED	0
2BED	4
3BED	2
TOTAL	**6**





	OVERALL BUILDING DATA											
	FLOOR TYPE	FLOOR NUMBER	PROGRAM TYPE	GROSS AREA (SF)	EXCLUDED AREAS (BIKES, MEP,L01) (SF)	GROSS RESIDENTIAL AREA (PER PLANNING CODE) (SF)	TOWER CORE/ CIRC. (SF)	NET NET RESID. AREA (SF)	Net Net to Gross Ratio 91%	BOMA Efficiency (Net to Gross Ratio) 100%	# OF UNITS	
TOWER	TR	ROOF										
	R	42	ROOF TERRACE/ AMENITIES	**10,118**	410	**9,708**	3,121	--			--	
	A	41	RESIDENTIAL TOWER	**9,835**	410	**9,425**	2,609	**6,576**	66.9%	73.5%	**3**	
	B	40	RESIDENTIAL TOWER	**12,175**	410	**11,765**	2,609	**8,705**	71.5%	78.6%	**6**	
	A	39	RESIDENTIAL TOWER	**9,835**	410	**9,425**	2,609	**6,576**	66.9%	73.5%	**3**	
	B	38	RESIDENTIAL TOWER	**12,175**	410	**11,765**	2,609	**8,705**	71.5%	78.6%	**6**	Unit Mix B
	C	37	RESIDENTIAL TOWER	**12,188**	410	**11,778**	2,609	**8,717**	71.5%	78.6%	**6**	
	C	36	RESIDENTIAL TOWER	**12,188**	410	**11,778**	2,609	**8,717**	71.5%	78.6%	**6**	
	C	35	RESIDENTIAL TOWER	**12,188**	410	**11,778**	2,609	**8,717**	71.5%	78.6%	**6**	
	C	34	RESIDENTIAL TOWER	**12,188**	410	**11,778**	2,609	**8,717**	71.5%	78.6%	**6**	
	C	33	RESIDENTIAL TOWER	**12,188**	410	**11,778**	2,609	**8,717**	71.5%	78.6%	**6**	
	D1	32	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D1	31	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D1	30	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D1	29	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D1	28	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D1	27	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	Unit Mix A
	D2	26	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	25	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	24	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	23	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	22	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	21	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	20	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	19	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	18	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	17	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	16	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	15	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	14	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	13	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	12	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	11	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	10	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	9	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,574	**8,839**	71.9%	79.1%	**12**	
	D2	8	RESIDENTIAL TOWER	**12,287**	410	**11,877**	2,609	**8,807**	71.7%	78.8%	**12**	
	D2*	7	RESIDENTIAL TOWER	**10,291**	410	**9,881**	2,609	**6,991**	67.9%	74.6%	**10**	
	Am	6	RESIDENTIAL AMENITIES	**12,287**	410	**11,877**	2,843	**5,010**	40.8%	76.9%	**2**	
PODIUM	E2	5	RESIDENTIAL / AMENITIES	**11,610**	410	**11,200** *	3,214	**8,310**	71.6%	72.3%	**8**	
	E2	4	RESIDENTIAL / MECHANICAL	**16,576**	5,198	**11,378** *	3,392	**8,310**	50.1%	79.5%	**8**	
	E2	3	RESIDENTIAL / MECHANICAL	**16,576**	5,198	**11,378** *	3,392	**8,310**	50.1%	79.5%	**8**	
	E2	2	RESIDENTIAL / MECHANICAL	**16,576**	5,198	**11,378** *	3,392	**8,310**	50.1%	79.5%	**8**	
	GF	1	LOBBY/ RETAIL/ LOADING	**15,908**	14,649	**1,259** *	3,409	--			--	
	ABOVE GRADE TOTAL (GSF)			**522,077**	**45,823**	**476,254**	**113,238**	**340,326**				
	% Unit Type Area to Total Net Area/ Total Unit Count)										**392**	
	Overall Average Floor Net to Gross Ratio								69%	78%		

BELOW GRADE	FLOOR		PROGRAM TYPE	GROSS AREA SQ. FT.	CORE/ CIRC. SQ.FT
	B1		RAMP /HC PARKING/ MEP	16,133	3,322
	B2		PARKING	16,133	3,246
	B3		PARKING	16,133	2,439
	B4		PARKING	16,133	2,439
	B5		PARKING	16,133	2,439
	BELOW GRADE TOTAL (GSF)			**80,665**	**13,885**

UNIT MIX			MIN.REQ.
	STUDIO	0%	-
	1BD	51%	-
	2BD	37%	15%
	3BD	12%	10%
	TOTAL	**100%**	

	TOTAL PROJECT AREA	**602,742** GSF

* ALL AREAS ON L01 (EXCEPT FOR PACKAGE AND MAIL ROOMS) HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA (14,649 SF)

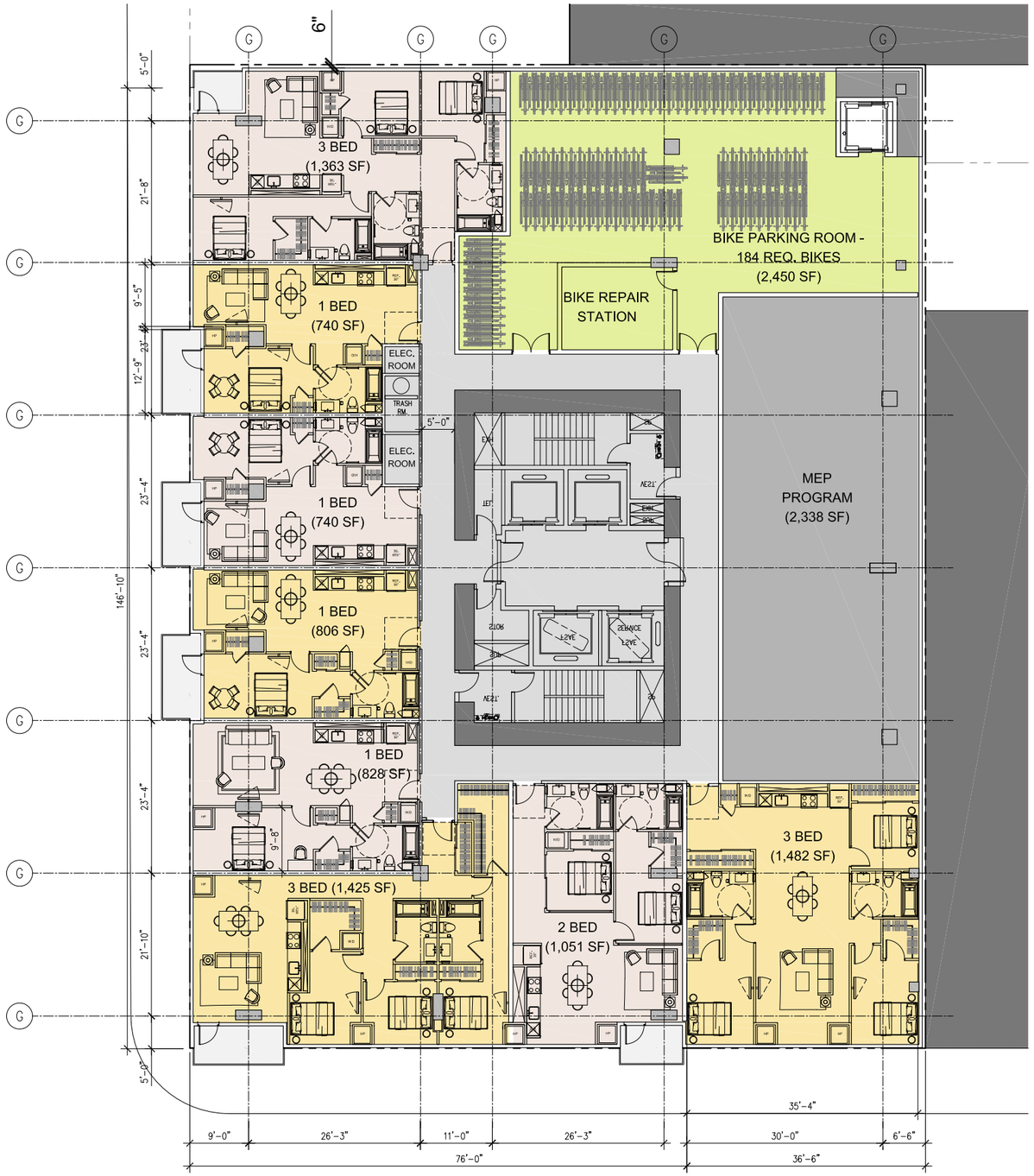
* MEP, TRASH & BIKE PARKING AREAS ON LEVEL 2 HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA
2,338 SF (MEP ROOM) + 2,450 (BIKES) + 410 SF(MEP & TRASH TYP.)= 5,198 SF

* MECHANICAL AREAS ON LEVELS 3, 4 & 5 HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA
LEVEL 03 & 04 = 4,788 (MEP ROOM) + 410 SF (MEP & TRASH TYP.)= 5,198 SF
LEVEL 05 = 410 SF (MEP & TRASH TYP.)

*NON-STAIR / ELEVATOR SHAFTS, MEP CLOSETS & TRASH ROOMS ON EACH FLOOR TYP. HAVE BEEN EXCLUDED FROM THE RESIDENTIAL GFA (410 SF /FLR TYP.)

DENSITY BONUS SCHEME

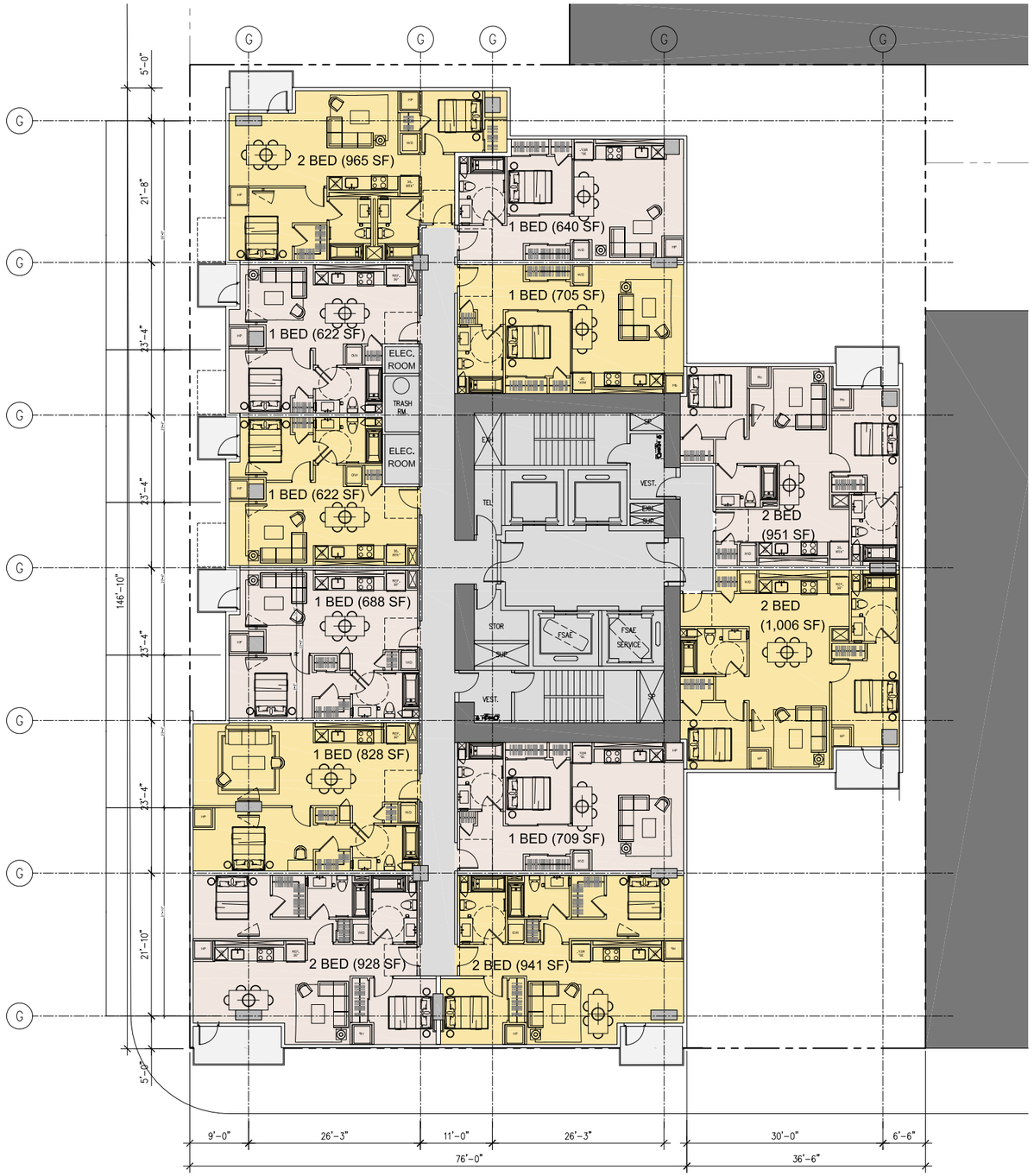
TYPICAL PODIUM LAYOUT - **8 UNITS** PER FLOOR



5 10 20 40 FEET

DENSITY BONUS SCHEME

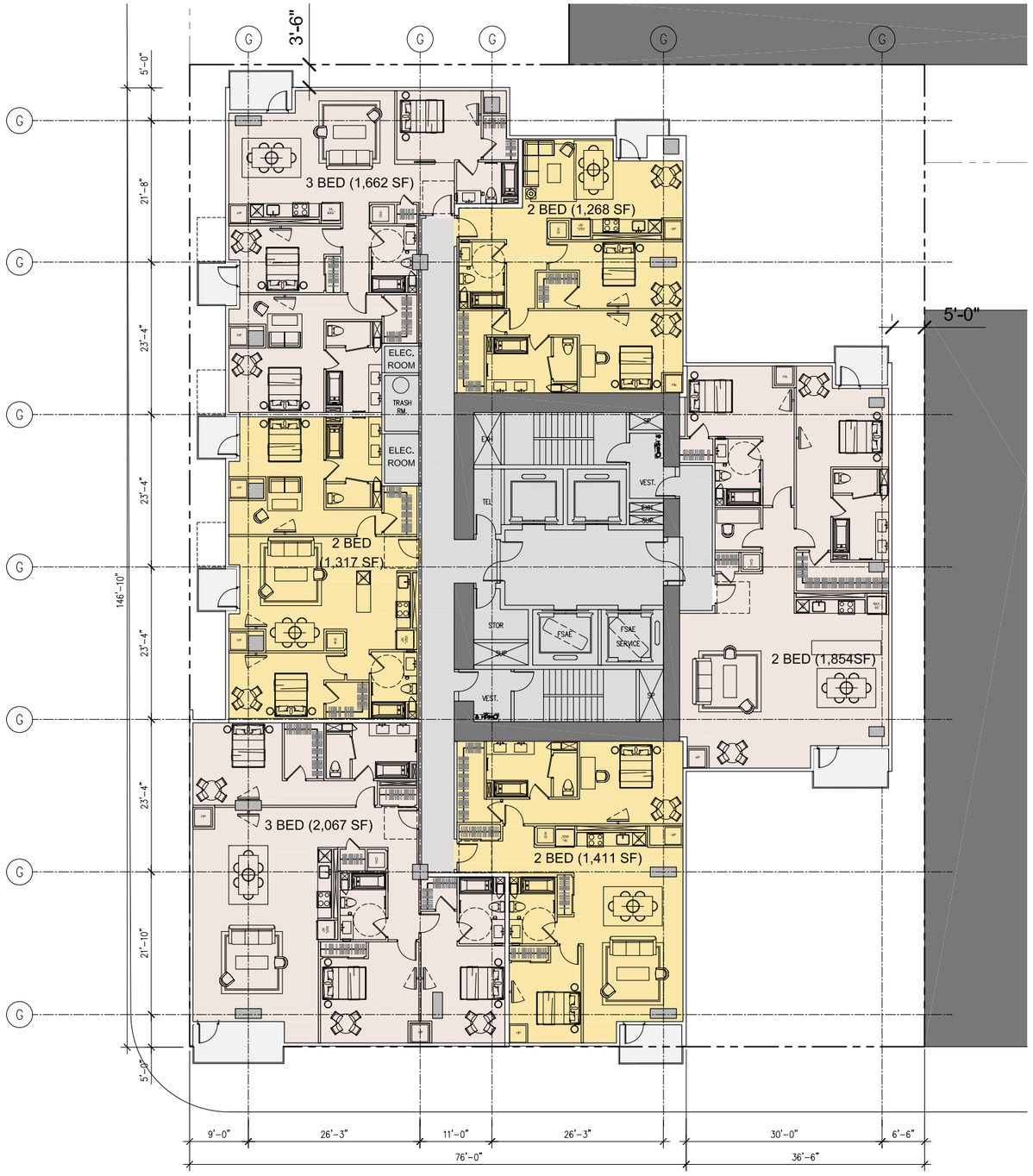
TYPICAL TOWER LAYOUT - **12 UNITS** PER FLOOR



5 10 20 40 FEET

DENSITY BONUS SCHEME

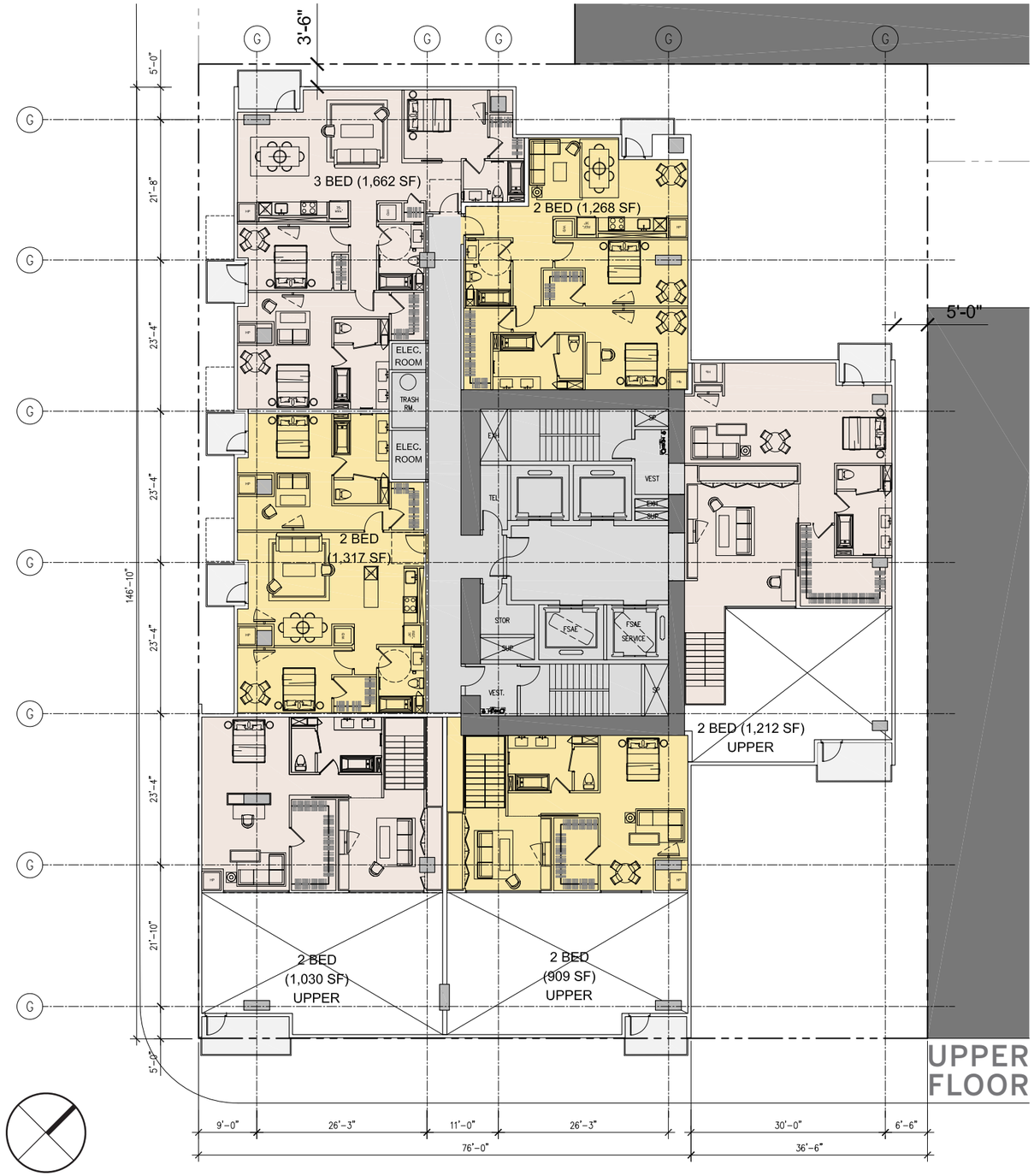
TYPICAL TOWER LAYOUT - **6 UNITS** PER FLOOR

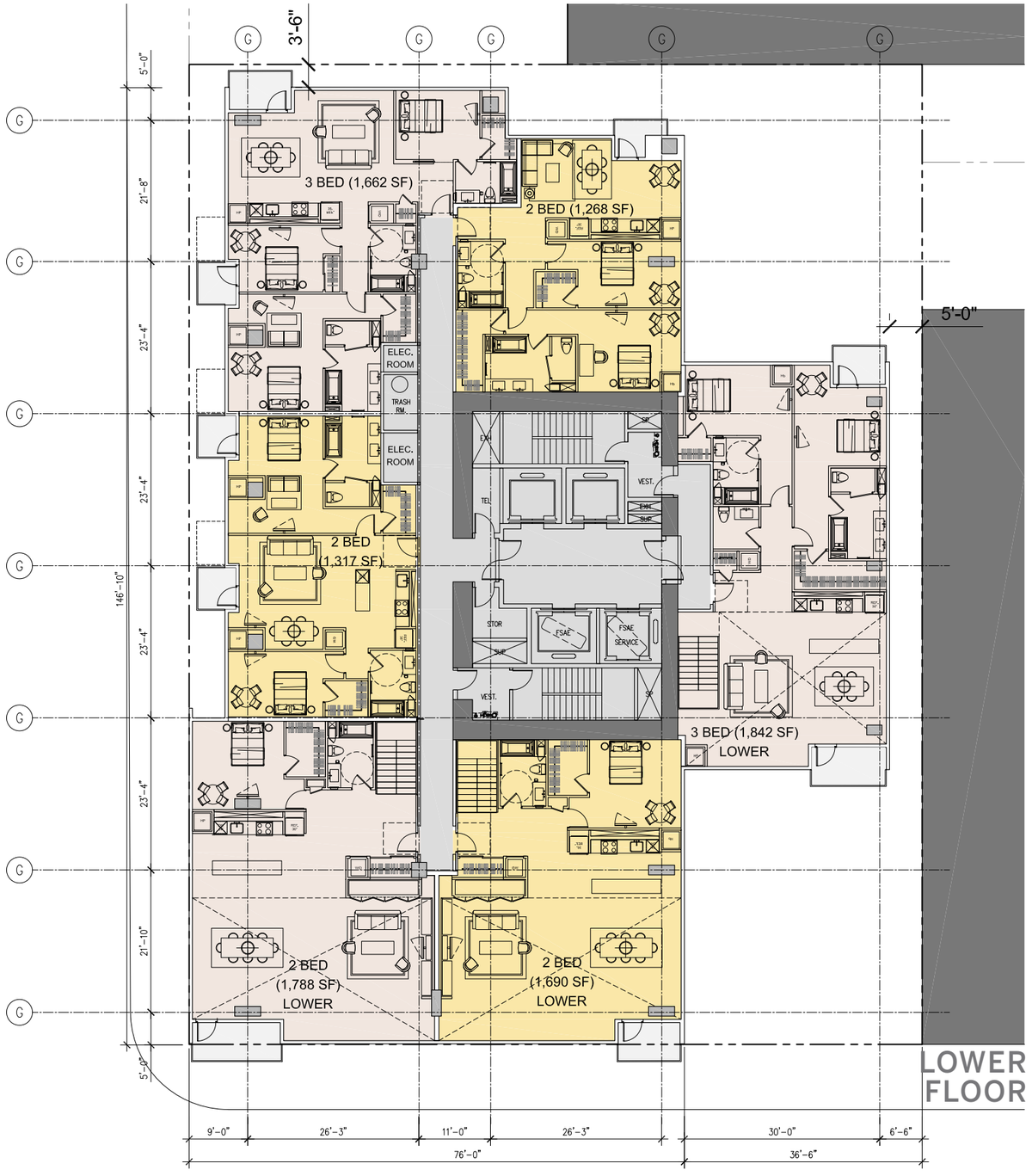


5 10 20 40 FEET

DENSITY BONUS SCHEME

TYPICAL TOWER LAYOUT - **LOFTS (6 UNITS)**





5 10 20 40 FEET

SUMMARY CHART

SUMMARY CHART
95H DENSITY BONUS STUDY

Density Bonus GFA = 476, 254 sf **(1.35X)**

Density Bonus GFA = 392units **(1.35Y)**

	BASE PROJECT	DENSITY BONUS SCHEME
Total Gross Area	352, 781 sf **(X)**	(**+10 floors**) 476, 254 sf **(1.35X)**
Total Units	291 units **(Y)**	392 units **(1.35Y)**
Tower Height	320 ft	443’ -9”
Stories **Units per Floor**	32 levels 11 units/flr	42 levels 12 & 6 units/flr
Rearyard Percentage	25 %	19%

SOM