



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary CEQA Findings Downtown Project Authorization Shadow Findings

HEARING DATE: MAY 28, 2020

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Record No.: 2016-014802PRJ
Project Address: 98 FRANKLIN STREET
Zoning: C-3-G (Downtown General Commercial) Zoning District
85-X // 120/365-R-2 Height and Bulk District
Van Ness & Market Residential Special Use District
Downtown and Market & Octavia Plan Areas
Block/Lots: 0836 / 008, 009 & 013
Project Sponsor: Jim Abrams
J. Abrams Law, P.C.
One Maritime Plaza, Suite 1900
San Francisco, CA 94111
Property Owner: 98 Franklin Street, LLC
150 Oak Street, 4th Floor
San Francisco, CA 94102
Staff Contact: Christy Alexander, AICP
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Recommendation: **Approval with Conditions**

BACKGROUND

The currently proposed Market and Octavia Area Plan Amendments “the Hub plan” seek to amend the existing Market and Octavia Area Plan to generate more housing and affordable housing units, to develop and coordinate designs for streets and alleys and to update the Market and Octavia Community Improvements Neighborhood program with specific infrastructure projects in the Hub area. This vision for the Hub area, enabled by the Market and Octavia Area Plan, is slowly being realized with several development projects already built, under construction, or proposed—such as this proposed project at 98 Franklin Street (“Project”).

The proposed Hub plan and Final Environmental Impact Report (FEIR) certification are currently scheduled for adoption by the Planning Commission (“Commission”) on May 21, 2020. Approval of the Project would be contingent on the Commission having already taken the following actions: (1) certification of the Final Environmental Impact Report; followed by adoption of CEQA Findings, a Statement of Overriding Considerations and a Mitigation and Monitoring Reporting Program (MMRP) related to the Project’s impacts, under the California Environmental Quality Act (CEQA); (2) approval of an ordinance amending the General Plan to amend the Market and Octavia Plan; (3) approval of an ordinance amending the planning code to update the Market and Octavia Area Plan; (4) approval of an ordinance amending the

zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively; and (5) approval of an ordinance amending the Business and Tax Regulations and Planning Code to create the Hub Housing Sustainability District.

PROJECT DESCRIPTION

The Project includes the construction of a new 36-story mixed-use building reaching a roof height up to 365 feet. The Project includes a total of approximately 524,014 gross square feet of uses, with approximately 379,003 gross square feet of residential use (345 dwelling) situated atop a 5-story podium containing approximately 84,815 square feet of school use (French American International High School) and approximately 3,229 square feet of retail, 306 Class 1 and 57 Class 2 bicycle parking spaces, and three below-grade levels that would accommodate up to 111 vehicle parking and 3 car share spaces provided for the residential and school uses. The Project would contain a mix of 259 studio or one-bedroom units, 52 two-bedroom units, and 35 three-bedroom units, with 20 percent (or 69 dwelling units) provided as on-site affordable dwelling units.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must take the following actions:

1. **CEQA Findings.** The Commission certified The Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District FEIR on May 21, 2020. On that date, the Commission also adopted CEQA Findings for the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District; approved those ordinances, and recommended adoption of those ordinances to the Board of Supervisors. The Commission must now adopt CEQA Findings along with a Statement of Overriding Considerations related to the Project's impacts under the California Environmental Quality Act (CEQA).
2. **Downtown Project Authorization.** The Commission must approve the Downtown Project Authorization and grant exceptions from the following Code requirements: 1) awnings, canopies, and marquees (section 136.1); 2) usable open space for dwelling units (section 135); 3) dwelling unit exposure requirements (section 140); 4) reduction of ground-level wind currents in C-3 districts (section 148); 5) minimum dwelling unit mix requirements (section 207.6); 6) height limits for parcels within the Van Ness & Market Residential Special Use District (section 263.19); and 7) bulk controls (section 270) to permit new construction of a new 36-story mixed-use building reaching a roof height of up to 365 feet tall.
3. **Shadow Findings.** The Commission must adopt findings, pursuant to Section 295, that the impacts from new shadow cast onto parks under the jurisdiction of the Recreation and Park Department will not be adverse to the use of those parks. The Project has the potential to affect four parks under RPD jurisdiction, namely, Page and Laguna Mini Park, Patricia's Green, Koshland Community Park and Learning Center, and the 11th and Natoma future park site.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** As of the drafting of this report, the Department has not received any letters in opposition to the Project. The Department has received 58 letters of support from members of the French American International High School community, S.P.U.R., Mercy Housing, the Civic Center Community Benefit District, and The Church of the Advent of Christ the King. The Project Sponsor has conducted community outreach to stakeholders that include local community groups, namely: Hayes Valley Neighborhood Associates, Hayes Valley Merchants,

Civic Center Community Benefit District, SF Jazz, SF Ballet, SPUR, SF Housing Action Coalition, and SF Chamber of Commerce.

- **Inclusionary Affordable Housing Proposal.** In order to comply with the inclusionary housing requirements of Section 415, the Project would be required to provide at least 18% of the units as affordable on site. The Project proposes to satisfy the requirements by providing 20% of the Project's 345 units (69 units) as affordable to households at 50% of Area Median Income (AMI).

ENVIRONMENTAL REVIEW

The Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District FEIR was certified by the Commission on May 21, 2020. At today's hearing, the Commission will need to adopt CEQA Findings along with the Statement of Overriding Considerations related to the Project's impacts under CEQA.

BASIS FOR RECOMMENDATION

- The Department finds that the Project is, on balance, consistent with the Downtown and Market and Octavia Area Plans and the Objectives and Policies of the General Plan.
- The Project provides a substantial amount of new rental housing, including new on-site below-market rate units, on a site that is currently used as a parking lot.
- The Project is designed to contribute contemporary architecture and a massing that is compatible to the city's skyline as shaped by the cluster of new high-rise buildings proposed in the Hub area. The podium's architecture will be compatible to the existing neighborhood and contain a use (French American International School) that will significantly activate and provide improvements to the streetscape.

ATTACHMENTS & EXHIBITS:

Draft Motion – CEQA Findings, Attachment A: Findings

Draft Motion – Downtown Project Authorization, Exhibit A: Conditions of Approval

Draft Motion – Shadow Findings (4 RPD Properties)

Exhibit B – Plans and Renderings

Exhibit C – MMRP

Exhibit D – Shadow Analysis

Exhibit E – Land Use Data

Exhibit F – Maps and Context Photos

Exhibit G – Public Correspondence

Exhibit H – Project Sponsor Brief

Exhibit I – Inclusionary Affordable Housing Affidavit

Exhibit J – Anti-Discriminatory Housing Affidavit

Exhibit K – First Source Hiring Affidavit

Draft Motion
May 28, 2020

RECORD NO. 2016-014802ENV
98 Franklin Street

DRAFT MOTION

CEQA FINDINGS

ATTACHMENT A: FINDINGS

Planning Commission Draft Motion

HEARING DATE: MAY 28, 2020

Record No.: 2016-014802ENV
Project Address: 98 FRANKLIN STREET
Zoning: C-3-G (Downtown General Commercial) Zoning District
85-X // 120/365-R-2 Height and Bulk District
Van Ness & Market Residential Special Use District
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ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS OF FACT, FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND A STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO APPROVALS FOR THE PROJECT AT 98 FRANKLIN STREET TO CONSTRUCT A 36-STORY, 365 FOOT TALL BUILDING (396'8" FEET TALL INCLUSIVE OF ROOFTOP SCREENING AND EQUIPMENT) WITH THE FIRST 5 FLOORS CONSISTING OF SECONDARY SCHOOL SPACE, AND APPROXIMATELY 31 FLOORS OF RESIDENTIAL SPACE WITH UP TO 345 RESIDENTIAL UNITS LOCATED ON A 23,753 SQUARE-FOOT LOT WITHIN THE PROPOSED HUB PLAN AREA.

PREAMBLE

On October 27, 2017, Jim Abrams ("Project Sponsor") filed an Environmental Evaluation Application for the Project, and thereafter submitted a revised Application on April 13, 2018. The Planning Department ("Department") is the Lead Agency responsible for the implementation of the California Environmental Quality Act, California Public Resources Code Section 21000 et seq., ("CEQA"), the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). Environmental review for the Project, as well as a separate private development project at 98 Franklin Street, was coordinated with the environmental review of the Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan, including the Project Site. On May 23, 2018, the Department published a Notice of Preparation of an Environmental

Impact Report and Notice of Public Scoping Meeting (“NOP”) for the Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District. Publication of the NOP initiated a 30-day public review and comment period that ended on June 22, 2018. On June 12, 2018, the Department held a public scoping meeting regarding the Project.

On July 24, 2019, the Department published the Draft Environmental Impact Report (hereinafter, “DEIR”) and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission (“Commission”) public hearing on the DEIR; this notice was mailed to the Department’s list of persons requesting such notice. Notices of availability of the DEIR and the date and time of the public hearing were posted near the project site by the Project Sponsor on July 24, 2019. On July 24, 2019, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on July 24, 2019.

The EIR contains both analysis at a “program-level” pursuant to CEQA Guidelines section 15168 for adoption and implementation of the Hub Plan, and “project-level” environmental review for the Hub Plan streetscape and street network improvements, the Project, and the individual development project at 30 Van Ness Avenue. This EIR also evaluates the designation of portions or all of the Hub Plan area as a Housing Sustainability District (“HSD”), in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City and County of San Francisco (“City”) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On December 21, 2017, the Project Sponsor filed an application requesting approval of a Downtown Project Authorization pursuant to Section 309 of the San Francisco Planning Code to facilitate the demolition of the existing surface parking lot and the construction 36-story residential tower above a 5-story podium that is 365 feet tall (396’8” feet tall inclusive of rooftop screening and appurtenances). The podium (Floors 1 to 5) will be occupied by new secondary school facilities for the International High School of the French American International School. Floors 6 to 36 will contain approximately 345 rental dwelling units in a mix of studio, 1-bedroom, 2-bedroom and 3-bedroom units (including residential amenity space on floor 6). Off street parking, service vehicle loading, and residential bicycle parking would be provided in two below-grade garage levels (the “Project”).

On August 29, 2019, the Commission held a duly advertised public hearing on the DEIR, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for commenting on the DEIR ended on September 9, 2019. The Department prepared responses to comments on environmental issues received during the 46 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR.

On March 12, 2020, the Department published a Responses to Comments document. A Final Environmental Impact Report (hereinafter “FEIR”) has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, the Responses to Comments document, and an Errata document dated April 20, 2020, all as required by law.

On February 13, 2020, the Planning Commission adopted Resolutions 20653 and 20656 to initiate legislation entitled (1) Ordinance amending the General Plan to amend the Market and Octavia Plan, (2) Ordinance amending the planning code to update the Market and Octavia Area Plan, (3) Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively, and (4) Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the Commission reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, which findings are incorporated by reference as though fully set forth herein. The FEIR was certified by the Commission on May 21, 2020, 2020 by adoption of its Motion No. XXXXX.

At the same hearing and in conjunction with this motion, the Commission approved findings required by CEQA, including adoption of a Mitigation Monitoring and Reporting Program ("MMRP"), under Case Nos. 2015-000940ENV, 2017-008051ENV, and 2016-014802ENV, for approval of the Hub Plan ("Hub Plan CEQA Findings"), which findings are found in "EXHIBIT C" to this Motion No. XXXXX. The Commission adopted these findings as required by CEQA, separate and apart from the Commission's certification of the Final EIR, which the Commission certified prior to adopting these CEQA findings. The Commission hereby incorporates by reference the CEQA findings set forth in Motion No. XXXXX.

On May 21, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding (1) the General Plan Amendment to amend the Market and Octavia Plan; and (2) the ordinance amending the Planning Code to update the Market and Octavia Area Plan; (3) the Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively; (4) the Ordinance amending the Business and Tax Regulations and Planning Code to create the Hub Housing Sustainability District; and (5) an Implementation Program, consisting of the Market and Octavia Area Plan: Hub Public Benefits Document and the Market and Octavia Community Improvements Program. At that meeting the Commission adopted Resolutions _____ through _____ to recommend that the Board of Supervisors approve these five items.

On May 21, 2020, the Recreation and Park Commission recommended that the General Manager of the Recreation and Parks Department recommend to the Planning Commission that the shadows cast by the Project on six (6) properties under the jurisdiction of the Recreation and Parks Department would not be adverse to the use of these properties. As part of this recommendation, the Recreation and Park Commission adopted environmental findings in accordance with CEQA, along with an MMRP for the Project (Recreation and Park Commission Resolution No. _____).

On May 28, 2020, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the various approval for the Project, including the Downtown Project Authorization (application **2016-014802DNX**). At that meeting the Commission adopted Resolutions _____ through _____ to approve the Project. At the same hearing, the Commission determined that the shadow cast by the Project would not have any adverse effect on parks within the jurisdiction of the Recreation and Parks Department. The Commission heard and considered the testimony presented to it at the public hearing and further considered written materials and oral testimony presented on behalf of the applicant, Department staff, expert consultants, and other interested parties, and the record as a whole.

The Department's Commission Secretary, Jonas P. Ionin, is the custodian of records; all pertinent documents are located in the File for Case No. 2015-000940ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

The City and County of San Francisco, acting through the Department, fulfilled all procedural requirements of the California Environmental Quality Act, the State CEQA Guidelines, and Chapter 31.

The Department prepared the California Environmental Quality Act Findings, attached to this Motion as "ATTACHMENT A" and incorporated fully by this reference, regarding the alternatives, mitigation measures, improvement measures, environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, and the proposed MMRP attached as "EXHIBIT C" and incorporated fully by this reference, which includes both mitigation measures and improvement measures. The Commission has reviewed the entire record, including "ATTACHMENT A" and "EXHIBIT C", which material was also made available to the public.

MOVED, that the Planning Commission hereby adopts findings under CEQA, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, as further set forth in "ATTACHMENT A" hereto, and adopts the mitigation measures set forth for the Project in the MMRP attached as "EXHIBIT C", based on the findings attached to this Motion as "ATTACHMENT A", as though fully set forth in this Resolution, and based on substantial evidence in the entire record of this proceeding.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on May 28, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 28, 2020

ATTACHMENT A

98 FRANKLIN STREET MIXED-USE PROJECT

California Environmental Quality Act Findings:

FINDINGS OF FACT, EVALUATION OF MITIGATION MEASURES AND ALTERNATIVES, AND STATEMENT OF OVERRIDING CONSIDERATIONS

SAN FRANCISCO PLANNING COMMISSION

May 28, 2020

PREAMBLE

In determining to approve the Project described in Section I, Project Description below, the San Francisco Planning Commission ("Commission") makes and adopts the following findings of fact and decisions regarding the significant and unavoidable impacts of the Project, and mitigation measures and alternatives, and adopts the statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA"), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("CEQA Guidelines"), particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission adopts these findings in conjunction with the Approval Actions described in Section I.D., below, as required by CEQA, separate and apart from the Commission's certification of the Project's Final EIR, which the Commission certified prior to adopting these CEQA findings. These findings are also separate and apart from, and incorporate by reference, the CEQA findings previously adopted by the Commission in support of its approval of the Hub Plan, Hub Housing Sustainability District, and related streetscape and street network improvements.

These findings are organized as follows:

- **Section I** provides a description of the proposed project at 98 Franklin Street (hereinafter, the "Project"), the environmental review process for the Project, the City approval actions to be taken, and the location and custodian of the record.
- **Section II** identifies the Project's less-than-significant impacts that do not require mitigation.
- **Section III** identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures.

- **Section IV** identifies significant project-specific or cumulative impacts that would not be eliminated or reduced to a less-than-significant level and describes any applicable mitigation measures as well as the disposition of the mitigation measures.
- **Section V** evaluates the different Project alternatives and the economic, legal, social, technological, and other considerations that support approval of the Project and the rejection of the alternatives, or elements thereof.
- **Section VI** presents a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 that sets forth specific reasons in support of the Commission's actions and its rejection of the alternatives not incorporated into the Project.

The Mitigation Monitoring and Reporting Program ("MMRP") for the mitigation measures that have been proposed for adoption is attached with these findings as "**EXHIBIT C**" to Planning Commission Motion No. XXXXX. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP provides a table setting forth each mitigation measure listed in the FEIR that is required to reduce or avoid a significant adverse impact. "**EXHIBIT C**" also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in "**EXHIBIT C**".

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report (Draft EIR) or Responses to Comments Document (RTC) are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

SECTION I. Project Description and Procedural Background

A. The Hub Plan

The project sponsor for the Hub Plan and the Hub HSD, the San Francisco Planning Department ("Department"), proposes to implement the Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan. The Hub Plan would encourage housing and safer and more walkable streets, as well as welcoming and active public spaces and increased transportation options by changing current zoning controls applicable to the area and implementing public realm improvements. In addition, the Department proposes the designation of all or portions of the Hub Plan area as an HSD to allow the City of San Francisco (City) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements.

The Hub Plan would change current zoning controls in the Hub Plan area to meet plan objectives. This would include changes to height and bulk districts for select parcels to allow more housing, including more affordable housing. Modifications to land use zoning controls would also allow more flexibility for development of nonresidential uses, specifically office, institutional, art, and public uses. Under the proposed zoning, there would be two zoning districts, Downtown General Commercial (C-3-G) and Public

(P), and the Van Ness & Market Downtown Residential Special Use District (“SUD”) (Planning Code Section 249.33) would be expanded to encompass the entire Hub Plan area. A portion of the Veterans Commons SUD (Planning Code Section 249.46) would be changed to the Van Ness and Market Downtown Residential SUD. All sites in the Hub Plan area would continue to be zoned for residential and active commercial uses on the ground floor. In addition, the existing prohibition on certain nonresidential uses above the fourth floor would be eliminated. Further, the SUD residential-to-nonresidential ratio would increase to three square feet of residential use for every one square foot of nonresidential land use (i.e., a 3:1 ratio), with arts, institutional, replacement office, and public uses exempt from this requirement. In addition, requirements for micro retail would encourage a mix of retail sizes and uses and decrease off-street vehicular parking capacity within the Hub Plan area, a transit-rich location, by reducing the currently permitted off-street vehicular parking maximums. The Hub Plan also calls for public-realm improvements to streets and alleys within and adjacent to the Hub Plan area, such as sidewalk widening, streetlight upgrades, median realignment, road and vehicular parking reconfiguration, tree planting, the elimination of one segment of travel on Duboce Avenue, and the addition of bulb-outs.

The Hub Plan seeks to increase the space available for housing through changes to the planning code and zoning map to allow the development of a taller, larger, denser, and more diverse array of buildings and heights on select parcels within the Hub Plan area. The proposed zoning under the Hub Plan would allow for additional height at the two major intersections at Market Street and Van Ness Avenue and Mission Street and South Van Ness Avenue, with towers ranging from 250 to 650 feet. This proposed zoning would allow increases in heights for 18 sites. If all of these sites were to be developed to the proposed maximum height limit, the changes would result in approximately 8,530¹ new residential units (approximately 16,540 new residents). This estimate also assumes a 15 percent increase in the number of units to account for potential density bonuses allowed by either state or local regulations.

The Hub Plan area, which is irregular in shape and approximately 84 acres, is spread across various city neighborhoods, such as the Downtown/Civic Center, South of Market (SoMa), Western Addition, and Mission neighborhoods. The Hub Plan area is entirely within the boundaries of the Market and Octavia Area Plan. In addition to the streets in the Hub Plan area, adjacent streets such as Lily Street between Gough Street and Franklin Street, Minna Street between 10th Street and Lafayette Street, and Duboce Avenue between Valencia Street and Mission Street are included in the project.

B. Project Description

The site for the Project encompasses an approximately 23,753-square-foot lot on Assessor’s Block 0836/Lots 008, 009, and 013. It is developed with a surface parking lot with 100 parking spaces. The project site is irregular and bounded by Franklin Street to the west, Oak Street to the north, and Market Street to the south. The project site is also bounded by the 8-story building at 22 Franklin Street to the south (Assessor’s Block 0836, Lot 031) and the 1-story building to the east at 55 Oak Street (Assessor’s Block 0836, Lot 007).

¹ This represents the number of new housing units that could be built. This number does not represent capacity of housing units under the proposed zoning.

The project site at 98 Franklin Street is in the Downtown/Civic Center neighborhood, within the Downtown General Commercial (C-3-G) zoning district and the Van Ness and Market Downtown Residential SUD. The parking lot was entitled in 1970.

The proposed project at 98 Franklin Street would include a 5-story podium, consisting of school facilities for the French American International High School (levels 1 through 5). It would also include a residential amenity floor on level 6 and a residential tower with at least 345 residential units on approximately 31 floors (levels 7 through 36), reaching a height of approximately 365 feet, with an additional 31 feet, 8 inches to the top of the rooftop mechanical features. The building podium would have a trapezoidal shape, with frontages along Oak and Franklin streets, with an extension down to a frontage on Market Street. The tower would be set back approximately 17 feet from the east face of the podium, and 19 feet from the south face of the podium. The podium height would be up to a maximum of 68 feet at the roofline. In total, the structure would consist of approximately 524,014 gross square feet.

The proposed development at 98 Franklin Street would total approximately 524,014 square feet, including up to 3,229 square feet of retail, up to 84,815 square feet of school use, and up to 379,003 square feet of residential (the Project would include at least 345 residential units on floors 7 through 36). The Project would include approximately 20,804 square feet of garage uses for 111 vehicular parking spaces within three below-grade garage levels.

C. Project Objectives

The Final EIR discusses several 98 Franklin Street Project objectives identified by the Project Sponsor. The objectives are as follows:

1. Develop a new high school building for the International High School in proximity to the existing French American International School ("FAIS") and in proximity to public transportation facilities.
2. Replace an underutilized site with a vibrant mixed-use development, including an educational institution of long standing in the city.
3. Leverage the value of the 98 Franklin Street property by partnering with a residential developer to build housing in the air space above the school.
4. Develop a project that enhances the larger community and generally conforms to the objectives and policies of the Hub Plan.
5. Assist FAIS's efforts to develop a new building for the International High School on the lower five floors of the proposed building.
6. Increase the supply of housing near the Van Ness Avenue and Market Street intersection.
7. Construct a substantial number of dwelling units to contribute to implementation of the City's general plan housing element goals and the Association of Bay Area Governments' Regional Housing Needs Allocation for the city.
8. Create a mixed-use project that is generally consistent with the land use, housing, open space, and other objectives and policies of the Hub Plan.

In addition to the Project Sponsor's objectives for the Project, the Hub Plan's six primary goals are used as the project objectives for that project. The six goals are:

1. Create a vibrant mixed-use neighborhood.
2. Maintain a strong preference for housing as a desired use.
3. Encourage residential towers on selected sites.
4. Establish a functional, attractive, and well-integrated system of public streets and open spaces.
5. Reconfigure major streets and intersections to make them safer for people walking, bicycling, and driving.
6. Take advantage of opportunities to create public spaces.

In addition, the project objectives for the Hub HSD are:

1. To allow for ministerial approval of housing projects in the Hub Plan area.
2. To streamline environmental review of housing projects in the Hub Plan area.

D. Project Approvals

The Hub Plan

The Project requires approval of the Hub Plan, including the General Plan, Planning Code, and Zoning Map amendments by the Planning Commission and Board of Supervisors. On May 28, 2020, the Planning Commission recommended approval of those amendments to the Board of Supervisors.

98 Franklin Street Project

In addition to the above, the Project requires the following Planning Commission approvals:

- Certification of the FEIR.
- Approve a Downtown Project Authorization, pursuant to Planning Code section 309, for new construction or substantial alteration of structures in C-3 Districts, with exceptions to the requirements regarding: awnings, canopies and marquees (Planning Code Section 136.1); technical standards for usable open space (Planning Code Section 135); technical standards for dwelling unit exposure (Planning Code Section 140); reduction of ground-level wind currents in C-3 districts (Planning Code section 148); height limits for parcels within the Van Ness & Market Residential Special Use District (Planning Code Section 263.19); and bulk controls (Planning Code Section 270.
- Approve potential in-kind agreement for public infrastructure or facilities (including the proposed improvements to Lily Street) consistent with Planning Code requirements if proposed by the sponsor.
- Determination that the project complies with the requirements of Planning Code section 295.

Actions by Other City Departments and State Agencies

- SFMTA approval of on-street vehicular and bicycle parking and on-street loading changes.

- San Francisco Public Health approval of the use of groundwater wells during dewatering associated construction.
- SFPUC approval of:
 - landscape and irrigation plans. This applies to projects installing or modifying 500 square feet or more of landscape area.
 - the use of groundwater wells during dewatering associated construction.
- San Francisco Public Works approval of:
 - any proposed new, removed, or relocated street trees and/or landscaping within the public sidewalk.
 - streetscape changes.
 - situations where construction would need to extend beyond normal hours, between the hours of 8 p.m. and 7 a.m., such as concrete pours, crane and hoist erection and adjustment activities, site maintenance activities, and material delivery and handling.
 - and issuance of permits for wind canopies.
- San Francisco Recreation and Parks Department
 - Review and comment of general manager, in consultation with Recreation and Parks Commission, to the San Francisco Planning Commission that the project complies with the requirements of Planning Code Section 295.

E. Environmental Review

On October 27, 2017, the Project Sponsor filed an Environmental Evaluation Application for the Project. On May 23, 2018, the Department published a NOP for the EIR and Notice of Public Scoping Meeting for the Hub Plan, 30 Van Ness Avenue, 98 Franklin Street, and Hub Housing Sustainability District. Publication of the NOP initiated a 30-day public review and comment period that ended on June 22, 2018. On June 12, 2018, the Department held a public scoping meeting regarding the Project.

On July 24, 2019, the Department published the DEIR and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice. Notices of availability of the DEIR and the date and time of the public hearing were posted near the project site by the Project Sponsor on July 24, 2019. The EIR contains both analysis at a "program-level" pursuant to California Environmental Quality Act (CEQA) Guidelines section 15168 for adoption and implementation of the Hub Plan, and "project-level" environmental review for the streetscape and street network improvements, the Project, and the project at 30 Van Ness Avenue. This EIR also evaluates the designation of portions or all of the Hub Plan area as an HSD, in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City and County of San Francisco (City) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On August 29, 2019, the Commission held a duly advertised public hearing on the DEIR, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for commenting on the DEIR ended on September 9, 2019. The Department prepared responses to comments on environmental issues received during the 46 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR.

A Final Environmental Impact Report (hereinafter, "FEIR") has been prepared by the Department consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, the Responses to Comments document, and an Errata document dated April 20, 2020, all as required by law. The Initial Study is included as Appendix A to the DEIR and is incorporated by reference thereto.

Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.

On May 21, 2020, the Commission reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code. The FEIR was certified by the Commission on May 21, 2020 by adoption of its Motion No. XXXXX.

F. Content and Location of Record

The record upon which all findings and determinations related to the adoption of the proposed Project are based include the following:

- The FEIR, and all documents referenced in or relied upon by the FEIR, including the Responses to Comments document;
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the FEIR, the proposed approvals and entitlements for the Hub Plan and the Project, the Project, and the alternatives set forth in the FEIR;
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the FEIR, or incorporated into reports presented by the Planning Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Hub Plan, the Project or the FEIR;
- All applications, letters, testimony, and presentations presented to the City by the Project Sponsor and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Hub Plan, the Project, and the FEIR;
- The MMRP; and
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcripts and audio files, a copy of all letters regarding the FEIR received during the public review period, the administrative record, and background documentation for the FEIR are located at the Department, 1650 Mission Street, 4th Floor, San Francisco. The Department's Commissions Secretary,, Jonas P. Ionin, is the custodian of these documents and materials.

G. Findings about Environmental Impacts and Mitigation Measures

The following Sections II, III and IV set forth the Commission's findings about the FEIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the FEIR and adopted by the Commission as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the FEIR, these findings will not repeat the analysis and conclusions in the FEIR, but instead incorporate them by reference and rely upon them as substantial evidence supporting these findings. These findings are also separate and apart from, and incorporate by reference, the CEQA findings previously adopted by the Commission in support of its approval of the Hub Plan, Hub Housing Sustainability District, and related streetscape and street network improvements.

In making these findings, the Commission has considered the opinions of the Department and other City staff and experts, other agencies, and members of the public. The Commission finds that (i) the determination of significance thresholds is a judgment decision within the discretion of the City; (ii) the significance thresholds used in the FEIR are supported by substantial evidence in the record, including the expert opinion of the FEIR preparers and City staff; and (iii) the significance thresholds used in the FEIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Commission is not bound by the significance determinations in the FEIR (see Public Resources Code, Section 21082.2, subdivision(e)), the Commission finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the FEIR. Instead, a full explanation of these environmental findings and conclusions can be found in the FEIR, and these findings hereby incorporate by reference the discussion and analysis in the FEIR supporting the determination regarding the project impact and mitigation measures designed to address those impacts. In making these findings, the Commission ratifies, adopts and incorporates in these findings the determinations and conclusions of the FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings, and relies upon them as substantial evidence supporting these findings.

As set forth below, the Commission adopts and incorporates the mitigation measures set forth in the FEIR, which are set forth in the attached MMRP, to reduce the significant and unavoidable impacts of the Project. The Commission intends to adopt the mitigation measures proposed in the FEIR that are within its jurisdiction and urges other City agencies and departments that have jurisdiction over other mitigation measures proposed in the FEIR, and set forth in the MMRP, to adopt those mitigation measures. Accordingly, in the event a mitigation measure recommended in the FEIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these

findings or the MMRP fails to accurately reflect the mitigation measures in the FEIR due to a clerical error, the language of the policies and implementation measures as set forth in the FEIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the FEIR.

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the Commission rejecting the conclusions of the FEIR or the mitigation measures recommended in the FEIR for the Project.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

SECTION II. IMPACTS OF THE PROJECT FOUND TO BE LESS-THAN SIGNIFICANT AND THUS DO NOT REQUIRE MITIGATION

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.). Based on the evidence in the whole record of this proceeding, the Planning Commission finds that the Project will not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation:

Cultural Resources

- Substantial adverse change to individual built environment resources and/or historic districts, as defined in section 15064.5, including those resources listed in article 10 or 11 of the San Francisco Planning Code.
- In combination with past, present and future project in the vicinity of the Project site, result in demolition and/or alteration of built environment resources.

Transportation and Circulation

- Require an extended duration for the construction period or intense construction activity, the secondary effects of which could not create potentially hazardous conditions for people walking, bicycling, or driving; interfere with accessibility for people walking or bicycling; or substantially delay public transit.
- Cause substantial additional VMT or substantially induce automobile travel.
- Cause major traffic hazards.
- Cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity such that unacceptable levels of transit service could result or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels would result.

- Create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site or adjoining areas.
- Create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas.
- Result in a substantial vehicular parking deficit.
- Result in inadequate emergency access to the project site or adjoining areas.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, contribute considerably to significant cumulative impacts related to VMT or substantially induce automobile travel.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, contribute considerably to significant cumulative impacts on transit, bicycle, or pedestrian travel, loading, or emergency access.

Noise

- Generate or result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards.
- In combination with past, present, and reasonably foreseeable future projects, result in a significant cumulative impact related to vibration.
- In combination with past, present, and reasonably foreseeable future projects, result in a considerable contribution to significant cumulative impacts related to substantial temporary or permanent increase in ambient noise levels in excess of standards.

Air Quality

- Conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan.
- During Project construction or operation, violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants.
- Generate emissions that create objectionable odors affecting a substantial number of people.
- In combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, contribute considerably to cumulative regional air quality impacts.

Shadow

- Alter shadows in a manner that would substantially affect public areas or outdoor recreation facilities.
- In combination with past, present, and reasonably foreseeable future projects in the project area, create new shadow in a manner that would substantially affect outdoor recreation facilities or other public areas.

The Initial Study determined that the Project would result in a less than significant impact or no impact for the following impact areas and, therefore, these impact areas were not included in the EIR for further analysis:

- Land Use and Land Use Planning (all impacts)

- Population and Housing (all impacts)
- Transportation and Circulation (impacts to air traffic)
- Noise (impacts related to airport noise)
- Greenhouse Gas Emissions (all impacts)
- Recreation (all impacts)
- Utilities and Services Systems (all impacts)
- Public Services (all impacts)
- Biological Resources (all impacts)
- Geology and Soils (all impacts, except impacts to paleontological resources/unique geological features)
- Hydrology and Water Quality (all impacts)
- Hazards and Hazardous Materials (all impacts)
- Mineral and Energy Resources (all impacts)
- Agriculture and Forest Resources (all impacts)

Note: Senate Bill (SB) 743 became effective on January 1, 2014. Among other things, SB 743 added § 21099 to the Public Resources Code and eliminated the requirement to analyze aesthetics and parking impacts for certain urban infill projects under CEQA. The proposed Project meets the definition of a residential project on an infill site within a transit priority area as specified by Public Resources Code § 21099. Accordingly, the FEIR did not discuss the Project's impacts related to Aesthetics, which is no longer considered in determining the significance of the proposed Project's physical environmental effects under CEQA. The FEIR nonetheless provided visual simulations for informational purposes. Similarly, the FEIR included a discussion of parking for informational purposes. This information, however, did not relate to the significance determinations in the FEIR.

SECTION III. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH MITIGATION

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this Section III and in Section IV concern mitigation measures set forth in the Draft EIR to mitigate the potentially significant impacts of the Project. These mitigation measures are included in the MMRP. A copy of the MMRP is included as **"EXHIBIT C"** to the Planning Commission Motion adopting these findings.

The Project Sponsor has agreed to implement the following mitigation measures to address the potential transportation and circulation, noise, air quality, cultural resources, and geology and soils impacts identified in the Initial Study and/or FEIR. As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that, unless otherwise stated, the Project will be required to incorporate mitigation measures identified in the Initial Study and/or FEIR into the Project to mitigate or avoid significant or potentially significant environmental impacts. For the reasons set forth in the FEIR and/or the Initial Study, these mitigation measures will reduce or avoid the potentially significant impacts described in the Initial Study and/or FEIR, and the Commission finds that these mitigation measures are feasible to

implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and are included as conditions of approval in the Planning Commission's Downtown Project Authorization for the Project under Planning Code Section 309, and also will be enforced through conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, these Project impacts would be avoided or reduced to a less-than-significant level. The Planning Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

Cultural Resources

- **Impact CUL-3:** The proposed Project could result in a substantial adverse change in the significance of an individual built environment resource and/or historic district, as defined in section 15064.5, including those resources listed in article 10 or 11 of the San Francisco Planning Code, from ground-borne vibration caused by temporary construction activities. With implementation of *Mitigation Measures M-NOI-3a (Protect Adjacent Potentially Susceptible Structures from Construction-Generated Vibration)* and *M-NOI-3b (Construction Monitoring Program for Structures Potentially Affected by Vibration)* Impact CUL-3 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at pages 3.C-53 to 3.C-58; 3.C-61 to 3.C-64.

Construction activities occurring as a result of the Project are analyzed for their potential to materially impair the significance of historical resources under Impact NOI-3. Impact CUL-3 is reduced to a less-than-significant level, for the reasons on pages 3.C-53 to 3.C-58; 3.C-61 to 3.C-64 of the DEIR, and discussed under Impact NOI-3, below.

- **Impact CUL-4:** The proposed Project could cause a substantial adverse change in the significance of an archaeological resource, as defined in section 15064.5. With implementation of *Mitigation Measure M-CUL-4d: Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report*, Impact CUL-4 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at pages. 3.A-97 to 3.A-104.

The proposed project at 98 Franklin Street would include demolition of an existing surface vehicular parking lot and construction of a 31-story residential tower above a five-story podium, with one basement level to accommodate bicycle parking, loading, and other building services and two below-grade vehicular parking levels (a total of three basement levels). The project proposes a mat slab foundation with soil-cement columns across the entire site. The project proposes no building setback on the ground floor and excavation to a depth of 39 feet within the boundaries of the entire lot. The estimated amount of excavation at this location would be approximately 31,670 cubic yards. Specific underground utility relocations associated with this project are unknown but assumed to require excavation to a depth of more than 12 feet. This project also proposes improvements to Lily Street from Franklin Street to Gough Street, including a midblock crossing on Lily Street between Franklin and Gough streets and improvements on the western portion of Oak Street between Van Ness Avenue and Franklin Street. This would include ground-disturbing activities, such as those associated with the installation of lighting for people walking. Although

there are no known archaeological resources in the project vicinity, proposed construction activity would extend below the known depth of fill and into undisturbed dune and marsh deposits, which have elevated potential for containing buried archaeological resources. Therefore, project-related excavations at this location have the potential to physically damage or destroy as-yet undocumented archaeological resources, resulting in significant impacts on archaeological resources. The Project has already implemented the equivalent of Mitigation Measure M-CUL-4a: Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance as part of the DEIR. As stated on pages 3.A-97 to 3.A-104 of the DEIR, with implementation of Mitigation Measure M-CUL-4d, project-related impacts on archaeological resources would be avoided or minimized; when avoidance or minimization is impossible, impacts would be mitigated through archaeological testing. As a result, impacts on archaeological resources would be reduced to less than significant.

- **Impact CUL-5:** The proposed Project could disturb human remains, including those interred outside of formal cemeteries. With implementation of *Mitigation Measure M-CUL-4d (Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report)*, Impact CUL-5 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at page 3.A-105.

There are no known extant archaeological resources that contain human remains within the Hub Plan area; CA-SFR-28 was discovered in the Hub Plan area but was removed during construction of the Civic Center BART station. However, proposed construction activity would extend below the known depth of fill and into undisturbed dune and marsh deposits, which have elevated potential for containing buried archaeological resources and associated human remains. Therefore, excavations have the potential to damage or destroy known archaeological resource and/or as-yet undocumented archaeological resources that include human remains, resulting in a significant impact. Impacts on archaeologically significant human remains would be mitigated to a less-than-significant level with implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, M-CUL-4c, and M-CUL-4d, through avoidance or minimization of adverse effects on archaeological resources, or when avoidance or minimization is not possible archaeological monitoring to preserve significant information from an archaeological resource, as stated on pages 3.A-90 to 3.A-104 of the DEIR.

- **Impact C-CUL-3:** In combination with past, present, and reasonably foreseeable projects in the vicinity, the proposed Project could result in a significant cumulative impact on archaeological resources and human remains. With implementation of *Mitigation Measures M-CUL-4a (Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance); M-CUL-4 (Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance); M-CUL-4c (Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements); M-CUL-4d (Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report)*, Impact C-CUL-3 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at page 3.A-110.

The proposed 98 Franklin Street Project would result in excavation to a depth of 39 feet within the boundaries of the entire lot. Specific underground utility relocations associated with this project are unknown but assumed to require excavation to a depth of more than 12 feet. These ground-disturbing activities would occur in areas identified as having moderate to high sensitivity for containing buried undocumented historical and prehistoric archaeological resources, which may also contain human remains, as discussed above under Impact CUL-4. Therefore, these ground-disturbing activities have the potential to affect known and undocumented archaeological resources and human remains. The 98 Franklin Street Project when considered with cumulative projects that would include ground-disturbing activities that have the potential to encounter sediments that have moderate to high archaeological sensitivity, has the potential to contribute considerably to the overall cumulative impact on archaeological resources and human remains; the impact would be significant. Implementation of Mitigation Measures M-CUL-4a, M-CUL-4b, M-CUL-4c, in instances where street network improvements are proposed within the Hub Plan area, and M-CUL-4d would reduce cumulative impacts of the Project on archaeological resources and human remains to less-than-significant levels through avoidance or minimization of adverse effects on archaeological resources, or when avoidance or minimization is not possible archaeological monitoring to preserve significant information from an archaeological resources as stated on page 3.A-110 of the DEIR.

Noise

- **Impact NOI-2:** Construction of the proposed Project could generate a substantial temporary or permanent increase in ambient noise levels in excess of standards. With implementation of Mitigation Measure M-NOI-1a (Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use), Impact NO-2 is reduced to a less-than-significant level, for the reasons set forth in the DEIR, at pages 3.C-41 to 3.C-53 and 3.C-36 to 3.C-39.

The degree of the increase in noise levels above the ambient noise level that could occur during daytime hours, in combination with construction occurring over a two-year period in proximity to noise-sensitive receptors, would be considered a substantial temporary increase in noise during daytime hours. In addition, nighttime construction activities may also result in substantial noise increases. Therefore, construction noise from the 98 Franklin Street Project would be significant. With implementation of Mitigation Measure M-NOI-1a, noise levels from project construction at 98 Franklin Street, as well as the intensity of potential noise effects, would be reduced to the maximum extent feasible. Although the duration or frequency of the construction activities would not change as a result of this mitigation measure, the noise levels at nearby receivers would be reduced such that the temporary noise increases would be less substantial. For example, depending on the specifics of the measures outlined in the noise control plan once finalized, construction equipment would be intentionally located as far as feasible from adjacent noise sensitive receptors, and shielding to reduce noise may be incorporated, as feasible. In addition, an onsite construction complaint and enforcement manager would be designated for the project, to ensure noise complaints would be addressed. Construction noise is temporary in nature. In addition, as well as implementation of Mitigation Measure M-NOI-1a, impacts related to construction noise would be less than significant for the Project, as stated in the DEIR at page 3.C-52 to 3.C-53.

- **Impact NOI-3:** The proposed Project would generate excessive ground-borne vibration or ground-borne noise levels. With implementation of *Mitigation Measure M-NOI-3a (Protect Adjacent*

Potentially Susceptible Structures from Construction-Generated Vibration), and *Mitigation Measure M-NOI-3b (Construction Monitoring Program for Structures Potentially Affected by Vibration)*, Impact NO-3 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.C-56 to 3.C-58 and 3.C-62 to 3.C-64.

Construction of the Project would involve the use of construction equipment that could generate ground-borne vibration. The project site is surrounded by development, including some historic structures. The closest potentially historic resources to the site are the residential complexes located south of the site, 20 Franklin Street, and 1580–1598 Market Street. The closest of these is immediately adjacent to the project site. In addition, 50 Oak Street, 55 Oak Street, and 57 Oak Street are also potentially historic resources. These are located across the street diagonally from the project site, at a distance of approximately 75 feet from the project site's northern perimeter. The potentially historic resources at 50 Oak Street, 55 Oak Street, and 57 Oak Street, which would fall under the category of historic and some old buildings, are approximately 75 feet from the project's northern perimeter. A drill and a large bulldozer could both generate ground-borne vibration levels of 0.017 PPV in/sec at a distance of 75 feet. Therefore, vibration levels from equipment proposed for use at the 98 Franklin Street project site would be below the applicable damage criterion (or 0.25 PPV in/sec for historic and some old buildings) at a distance of 75 feet. 20 Franklin Street, and 1580–1598 Market Street are located directly south of the project site. At times, vibration-generating activities may not occur near the project perimeter. Activities that occur farther away from the southern perimeter of the project site would be less likely to result in damage-related vibration effects. For example, at a distance of 15 feet from nearby structures, vibration levels from the use of a large bulldozer or drill would be approximately 0.192 PPV in/sec. This is below the vibration damage criteria for all types of buildings in the project area. Should vibration-generating construction activity occur at least 15 feet away from nearby structures, impacts related to potential damage would be less than significant. However, it is possible that construction activities could occur as close as 1 to 3 feet away from the neighboring property located directly east of the project site. Because the equipment proposed for project construction would generate ground-borne vibration levels of up to 2.141 PPV in/sec at a distance of 3 feet, and even greater levels should equipment be required for use at closer distances (e.g., 1 foot), vibration levels from project construction would be expected to exceed the damage criteria for all building types at the adjacent structures (located south of the project site). Potential vibration-related damage impacts would be considered significant for the 98 Franklin Street Project. Implementation of Mitigation Measures M-NOI-3a and M-NOI-3b would ensure that any cosmetic or structural damage caused by construction-related vibration would be avoided or identified through a monitoring program and repaired as necessary to its pre-construction condition. Therefore, following the implementation of M-NOI-3a and M-NOI-3b, construction vibration impacts from the Project would be reduced to a less-than-significant level, as stated in the DEIR at pages 3.C-56 to 3.C-58 and 3.C-62 to 3.C-64.

Air Quality

- **Impact AQ-9:** Construction and operation of the Project could generate toxic air contaminants, including fine particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. With implementation of *Mitigation Measures M-AQ-5c (Best Available Control Technology for Projects with Diesel Generators and Fire Pumps)*, and *M-AQ-9c (Construction Emissions Minimization Plan for 98 Franklin Street Project)*, Impact AQ-9 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.D-86 to 3.D-93.

Construction and operation of the Project would result in emissions of PM_{2.5} and toxic air contaminants and expose onsite and nearby sensitive receptors to substantial pollutant concentrations. Construction activities that would result in such emissions include demolition, excavation, building construction and interior and exterior finishing. Off-road diesel equipment used for clearing and grading, materials handling and installation, and other construction activities would generate diesel PM and TAC emissions. Operational emissions would result from periodic testing of the backup diesel generators and additional traffic volumes that would be generated by the Project. Therefore, a project-specific health risk assessment was conducted for the Project. The Project's contribution to cancer risk at onsite and offsite receptors would be 305 and 70 in 1 million, respectively, which would exceed the significance threshold of seven per 1 million persons exposed, resulting in a significant impact. Implementation of Mitigation Measures M-AQ-5c and M-AQ-9c would reduce cancer risk levels at both offsite and onsite MEISRs. Therefore, with mitigation, the cancer risk from the Project would be reduced to a less-than-significant level, as stated in the DEIR at pages 3.D-86 to 3.D-93.

- **Impact C-AQ-2:** The Project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would contribute to exposure of sensitive receptors to substantial levels of fine particulate matter (PM_{2.5}) and toxic air contaminants under 2040 cumulative conditions. With implementation of *Mitigation Measures M-AQ-5c (Best Available Control Technology for Projects with Diesel Generators and Fire Pumps)*, and *M-AQ-9c (Construction Emissions Minimization Plan for 98 Franklin Street Project)*, Impact C-AQ-2 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.D-102 to 3.D-103, and to 3.D-108 to 3.D-112.

The Cumulative (2040) + 98 Franklin Street Project scenario analyzed the impacts from the 98 Franklin Street Project combined with the impacts from the Cumulative (2040) with Hub Plan scenario. The cumulative (2040) + 98 Franklin Street Project scenario included all of the emissions sources evaluated for the cumulative (2040) + Hub Plan scenario because the Hub Plan scenario also includes the individual projects at 30 Van Ness Avenue and 98 Franklin Street. The Project's contribution to cancer risk at onsite and offsite receptors would exceed the significance threshold of seven in 1 million persons exposed, resulting in a significant impact. Implementation of Mitigation Measure M-AQ-9c, and Mitigation Measure M-AQ-5c would be required to reduce the cancer risk. Implementation of these mitigation measures would reduce cancer risk contributions from the project at both offsite and onsite MEISRs to 0.032 µg/m³ and 0.0012 µg/m³, respectively. Therefore, because the mitigated PM_{2.5} concentration would be below the significance threshold of 0.2 µg/m, the PM_{2.5} concentration impact would be reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.D-102 to 3.D-103, and to 3.D-108 to 3.D-112.

Wind

- **Impact WI-2:** The proposed Project would create wind hazards in publicly accessible areas with substantial pedestrian use. With Implementation of *Mitigation Measure M-WI-1b (Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way)*, Impact WI-2 is reduced to a less-than-significant level, for the reasons set forth in the DEIR at pages 3.E-34 and 3.E-21 to 3.E-22.

The 98 Franklin Street Project would result in a slight net decrease of test locations exceeding the wind hazard criterion. In addition, the total number of hours with hazardous wind conditions would be reduced under the 98 Franklin Street Project. The 98 Franklin Street Project would include evergreen trees along Franklin and Oak streets, four replacement evergreen trees along Oak Street, and a canopy along the western façade of the project (along Franklin Street). The proposed landscaping is expected to improve wind hazard conditions compared with the Existing Scenario. However, because the proposed landscaping is not guaranteed to be maintained during operation of the 98 Franklin Street Project, impacts would be significant. Implementation of Mitigation Measure M-WI-1b requires a maintenance plan for landscaping and wind baffling measures in the public right-of-way. This mitigation measure would reduce the potential for a net increase in wind hazard exceedances and the hours of wind hazard exceedances through a specific maintenance plan to ensure wind baffling in perpetuity. Therefore, the wind impact from the Project would be reduced to less than significant with mitigation, for the reasons set forth in the DEIR at pages 3.E-34 and 3.E.21 to 3.E.22.

Tribal Cultural Resources

- **Impact TCR-1:** The proposed Project could result in a substantial adverse change in the significance of a tribal cultural resource. With implementation of *Mitigation Measure M-TCR-1 (Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance)*, Impact TCR-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at pages E.5-4 to E.5-5.

Prehistoric archaeological resources may also be considered tribal cultural resources. In the event that project activities associated with the Project disturb unknown archaeological sites that are considered tribal cultural resources, any inadvertent damage would be considered a significant impact. Implementation of Mitigation Measure M-TCR-1, Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance, would require the Project to be redesigned to avoid adverse effects on significant tribal cultural resource, if feasible. If preservation in place is not feasible, the measure would require implementation of an interpretative program for the tribal cultural resource, in consultation with affiliated tribal representatives. With implementation of this mitigation measure, Project would have a less-than-significant impact on tribal cultural resources, for the reasons set forth in the Initial Study at pages E.5-4 to E.5-5.

- **Impact C-TCR-1:** In combination with past, present, and reasonably foreseeable projects in the city, the proposed Project could result in a significant cumulative impact on tribal cultural resources. With implementation of *Mitigation Measure M-TCR-1 (Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance)*, Impact C-TCR-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at p. E.5-6.

Ground-disturbing activities have the potential to affect undocumented tribal cultural resources. Without mitigation, the Project, when considered against the past, present, and reasonably foreseeable future projects within and surrounding the Hub Plan area that would include ground-disturbing activities that

have the potential to encounter sediments that have moderate to high archaeological sensitivity, has the potential to contribute considerably to the overall cumulative impact on tribal cultural resources. This is because the Project has the potential to damage or destroy as-yet undocumented archaeological resources that have the potential to be eligible for listing in the California Register, and which may be considered of traditional importance to Native American tribes. Implementation of Mitigation Measure M-TCR-1, Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance, would require redesign to avoid adverse effects on significant tribal cultural resource, if feasible; and if preservation in place is not feasible, the measure would require implementation of an interpretative program for the tribal cultural resource, in consultation with affiliated tribal representatives, which would reduce the cumulative impacts of the Hub Plan and individual development projects, including the Project, on potential tribal cultural resources to less-than-significant levels by providing mitigation for impacts on these resources, as stated on page E.5-6 of the Initial Study.

Biological Resources

- **Impact BI-1:** The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on 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. With implementation of *Mitigation Measures M-BI-1 (California Fish and Game Code Compliance to Avoid Active Nests During Construction Activities)* and *M-BI-2 (Avoid Impacts on Special-status Bat Roosts During Construction Activities)*, Impact BI-1 is reduced to a less-than-significant level.

Impacts on nesting special-status birds, American peregrine falcon nests or individuals, and special-status bat roosts could be significant. The implementation of Mitigation Measures M-BI-1 and M-BI-2 would avoid impacts on nesting special-status birds, American peregrine falcon nests or individuals, and the roosts of special-status bat species through the avoidance of active nests and roosts specified in the mitigation measures, thereby reducing these impacts to a less-than-significant level, for the reasons set forth in the Initial Study at pages E.15-5 to E.15-7.

- **Impact C-BI-1:** In combination with other past, present, or reasonably foreseeable projects, the proposed Project would not result in a considerable contribution to cumulative impacts on biological resources. With implementation of *Mitigation Measures M-BI-1 (California Fish and Game Code Compliance to Avoid Active Nests During Construction Activities)* and *M-BI-2 (Avoid Impacts on Special-status Bat Roosts During Construction Activities)*, Impact C-BI-1 is reduced to a less-than-significant level, for the reasons set forth in the Initial Study at page E.15-12.

The subsequent development projects incentivized by the Hub Plan would not adversely affect biological resources; however, vegetation removal and structure demolition or modification could result in potential impacts on nesting migratory and special-status birds and roosting bats. Through the avoidance of active nests and roosts specified in the relevant mitigation measures described above (M-BI-1 and M-BI-2) and compliance with the City of San Francisco Standards for Bird-Safe Buildings (I-BI-1), subsequent

development projects incentivized by the Hub Plan would have less-than-significant impacts on sensitive species. Tree removals would require permits through public works, and subsequent tree replacement would occur pursuant to the Planning Code and the Better Streets Plan. Development projects in downtown San Francisco would be required to comply with the same laws and regulations. Therefore, with implementation of mitigation measures, no significant cumulative effects on biological resources would result from development within the Hub Plan area, including the Project, combined with the effects of development projects in the greater downtown San Francisco area. The impact would be reduced to a less-than-significant level, as stated on page E.15-12 of the Initial Study.

Geology and Soils

- **Impact GE-7:** Construction activities for the Project would directly or indirectly result in damage to, or destruction of, as-yet unknown paleontological resources or sites, should such resources, sites, or features exist on or beneath the Project site. With implementation of Mitigation Measure M-GE-1 (Inadvertent Discovery of Paleontological Resources), Impact GE-7 would be less-than-significant, for the reasons set forth on pages E.16-24 to E.16-26 of the Initial Study.

The Project could extend into the Colma formation; impacts on significant fossils would be significant. Implementation of Mitigation Measure M-GE-1, which would require that the project applicant educate construction workers, monitor for discovery of paleontological resources, evaluate found resources, and prepare and follow a recovery plan for found resources, would reduce the likelihood that significant, or unique, paleontological resources would be destroyed or lost. With implementation of this mitigation measure, the impact would be less than significant, as stated on pages E.16-24 to E.16-26 of the Initial Study.

SECTION IV. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The FEIR identifies one significant and unavoidable impact on transportation and circulation, one significant and unavoidable impact on noise, and one significant and unavoidable impact on wind.

The Planning Commission further finds based on the analysis contained within the FEIR, other considerations in the record, and the significance criteria identified in the FEIR, that feasible mitigation measures are not available to reduce the significant Project impacts to less-than-significant levels, and thus those impacts remain significant and unavoidable. The Commission also finds that, although measures were considered in the FEIR that could reduce some significant impacts, certain measures, as described in this Section IV below, are infeasible for reasons set forth below, and therefore those impacts remain significant and unavoidable or potentially significant and unavoidable.

Thus, the following significant impacts on the environment, as reflected in the FEIR, are unavoidable. But, as more fully explained in Section VI, below, under Public Resources Code Section 21081(a)(3) and (b), and

CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Planning Commission finds that these impacts are acceptable for the legal, environmental, economic, social, technological and other benefits of the Project. This finding is supported by substantial evidence in the record of this proceeding.

The FEIR identifies the following impacts for which no feasible mitigation measures were identified that would reduce these impacts to a less than significant level:

Impacts to Transportation and Circulation – Impact C-TR-1

The proposed Project, combined with past, present, and reasonably foreseeable future projects, would contribute considerably to significant cumulative construction-related transportation impacts. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measure:

- *Mitigation Measure M-TR-1: Construction Management Plan*, set forth in the DEIR at pages 3.B-56 to 3.B-58.

The Commission finds that, for the reasons set forth in the FEIR, and specifically, in the DEIR, at p. 3.B-58, although implementation of *Mitigation Measure M-TR-1* would reduce the cumulative transportation and circulation impact of the construction phase of the Project, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative impacts related to conflicts between multiple construction activities and pedestrians, bicyclists, transit vehicles and automobiles.

Impacts to Noise – Impact C-NOI-1

The proposed Project, combined with past, present, and reasonably foreseeable future projects, would make a cumulatively considerable contribution to a significant cumulative noise impact and result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following mitigation measures:

- *Mitigation Measures M-NOI-1a (Construction Noise Control Plan for Projects Within 250 Feet of a Noise-Sensitive Land Use)*, set forth in the DEIR at pages 3.C-36 to 3.C-38; and
- *M-NOI-1b (Site-Specific Noise Control Measures for Projects Involving Pile Driving)*, set forth in the DEIR at page 3.C-38.

The Commission finds that, for the reasons set forth in the FEIR, and specifically, in the DEIR, at pages 3.C-38 to 3.C-39, although implementation of *Mitigation Measures M-NOI-1a and M-NOI-1b* would reduce the cumulative noise impact resulting from the generation of substantial temporary or permanent increases in ambient noise levels, this impact would nevertheless remain significant and unavoidable because the mitigation measures would reduce but not eliminate the significant cumulative increase in ambient noise.

Impacts to Wind – Impact C-WI-1

The proposed Project, combined with past, present, and reasonably foreseeable future projects, would alter wind in a manner that would make a cumulatively considerable contribution to a significant cumulative wind impact. No feasible mitigation measures were identified that would reduce this impact to a less than significant level after consideration of several potential mitigation measures. The Project Sponsor has agreed to implement the following Mitigation Measures:

- *Mitigation Measures M-WI-1a (Wind Analysis and Minimization Measures for Subsequent Projects)*, set forth in the DEIR at pages 3.E-20 to 3.E-21; and
- *M-WI-1b (Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way)*, set forth in the DEIR at page 3.E-21.

The Commission finds that, for the reasons set forth in the FEIR, and specifically, in the DEIR, at p. 3.E-40, although implementation of *Mitigation Measures M-WI-1a and M-WI-1b* would reduce the cumulative wind impact of the Project, this impact would nevertheless remain significant and unavoidable. The specific design for subsequent reasonably foreseeable projects, when proposed, would be required not to exceed the wind hazard criterion specified in Planning Code section 148. Building articulation and landscaping features for subsequent development projects could eliminate new hazard criterion exceedances for future projects. Although future project mitigation and/or design modifications would be based on a test of existing conditions (i.e., when a future project is proposed), using section 148 alone, they would not consider other foreseeable buildings in the area. Therefore, it cannot be stated with certainty that each subsequent development project would not contribute to a cumulative impact without substantial modifications to individual project design and programs.

SECTION V. Evaluation of Project Alternatives

A. Alternatives Analyzed in the FEIR

This section describes the EIR alternatives and the reasons for rejecting the alternatives as infeasible. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that would feasibly attain most of the Project's basic objectives, but that would avoid or substantially lessen any identified significant adverse environmental effects of the project. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The Department considered a range of alternatives in Chapter 5 of the FEIR. The FEIR analyzed the Hub Plan and Hub HSD No Project Alternative (Alternative A), the Hub Plan Land Use Plan Only Alternative (Alternative B), the Hub Plan Reduced Intensity Alternative (Alternative C), the 98 Franklin Street No Project Alternative (Alternative F), and the 98 Franklin Street Reduced Intensity Alternative (Alternative

G). Each alternative is discussed and analyzed in these findings, in addition to being analyzed in Chapter 5 of the FEIR.

In addition, in developing the Hub Plan, two individual projects, and the Hub HSD, the Department and the project sponsors analyzed a series of alternatives that were rejected and did not receive in-depth analysis in the FEIR, including various variations of the reduced development alternatives. These alternatives were rejected and not studied in depth because either they were determined to be infeasible, or they did not avoid or lessen (and sometimes increased) the impacts of the Hub Plan, the individual projects, or the Hub HSD, or were covered by the range of alternatives selected. These alternatives considered but rejected included the search for an alternative location, and design alternatives for the 30 Van Ness Avenue and 98 Franklin Street projects.

At the time the Commission adopted the Hub Plan through Resolutions No. _____, _____, and _____, the Commission approved findings required by CEQA, through Resolution No. _____, which is attached herein as "ATTACHMENT A" and incorporated by reference. That Resolution rejected as infeasible Alternative A (Hub Plan and Hub HSD No Project), Alternative B (the Hub Plan Land Use Plan Only Alternative), and Alternative C (the Hub Plan Reduced Intensity Alternative), for the reasons set forth therein. These Findings, therefore, do not repeat those reasons here, except to affirm the rejection of Alternatives A, B, and C as they pertain to the Project, because they fail to meet the Project's objectives to the same degree as the Project, and the City's policy objectives cited in Resolution No. _____.

The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the FEIR and in the record. The FEIR reflects the Planning Commission's and the City's independent judgment as to the alternatives.

The Planning Commission finds that the Project provides the best balance between satisfaction of Project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the FEIR.

B. Evaluation of Project Alternatives

CEQA provides that alternatives analyzed in an EIR may be rejected if "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible ... the project alternatives identified in the EIR." (CEQA Guidelines § 15091(a)(3).) The Commission has reviewed each of the alternatives to the Project as described in the FEIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make these Alternatives infeasible, for the reasons set forth below.

In making these determinations, the Planning Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Commission is also aware that under CEQA case law the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an

alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

In addition to Alternatives A, B, and C, already rejected in Resolution No. _____, incorporated herein by reference, the following Hub Plan alternatives and Project were fully considered and compared in the FEIR:

1. 98 Franklin No Project Alternative (Alternative F)

Under Alternative F, the proposed individual development project at 98 Franklin Street would be removed from the project and would not be built as proposed in this EIR, and the existing conditions at 98 Franklin would not change. In the near-term, the project site at 98 Franklin Street, which includes an approximately 100-space surface parking lot, would remain substantially in its existing physical condition, and the proposed new educational, residential, and retail uses would not be developed. In addition, no changes to curbside parking or loading would occur. However, with current land values and housing demand in San Francisco being relatively high, and given the project site's location near downtown, employment centers, and public transit facilities, it is unlikely that this project site would remain in its existing condition for the long term.

At the project level, Alternative F would avoid all project-specific impacts associated with the 98 Franklin Street Project. This alternative would substantially lessen the severity of the following impacts, reducing them from significant and unavoidable or less than significant with mitigation to no impact:

- Construction noise and vibration impacts (Impacts NOI-2 and NOI-3)
- Cumulative construction noise impacts (Impact C-NOI-2)
- Archaeological impacts (Impacts CUL-4, CUL-5, and CUL-6)
- Cumulative archaeological impact contribution (Impact C-CUL-3)
- Cumulative wind impact contribution (Impact C-WI-1)
- Emissions of fine particulate matter (PM_{2.5}) and toxic air contaminants from construction and operational activities (Impact AQ-9)
- Cumulative air quality impacts from (PM_{2.5}) and toxic air contaminants (Impact C-AQ-2)

Alternative F would meet none of the project objectives of the 98 Franklin Project. Under Alternative F, the proposed "high-density, mixed-use development" comprising housing units, school use, commercial square footage, parking, and streetscape improvements at 98 Franklin Street would not be implemented, resulting in less residential growth in the Hub Plan area and undermining the residential growth potential and needs of an area of the city that could accommodate it with nearby transit, job centers, services, and growth forecasts. Therefore, Alternative F would not meet or be consistent with any of the 98 Franklin Street Project objectives. Alternative D also fails to meet several of the basic objectives of the Hub Plan and the City's policy objectives, because it would be less successful than the Project at maximizing housing in an area of the city that needs it, creating "a vibrant mixed-use neighborhood," and maintaining "a strong preference for housing as a desired use." In addition, Alternative D would not prioritize and facilitate the creation of housing in the same way and to the same degree that the Project would.

The Commission concurs with these findings in the EIR, and rejects this alternative as infeasible because it fails to meet any of the basic objectives of the Project, and would be less successful than the Project at meeting the objectives of the Hub Plan and the City's policy objectives.

2. 98 Franklin Street Reduced Intensity Alternative (Alternative G)

Alternative G includes a 162,358 square foot, 120-foot tall (10-story) building that includes 54,505 square feet of residential uses, 81,000 square feet of school uses, 23,753 square feet of parking uses, and 3,100 square feet of retail uses. Under this alternative, FAIS would be located within five levels in the podium (the same as under the proposed project), and 47 residential units would be constructed in a five-story tower, as compared to 345 residential units in a 31-story tower under the proposed project. The residential units would include 10 studios, 24 one-bedroom units, eight two-bedroom units, and five three-bedroom units, as compared to 172 studios, 86 one-bedroom units, 54 two-bedroom units, and 33 three-bedroom units under the proposed project. This alternative would also include 41 below-ground parking spaces, three car share spaces, 191 bicycle parking spaces, three loading spaces, and nine permanent employees, while the proposed project would include 111 below-ground parking spaces, three car share spaces, 539 bicycle parking spaces, three loading spaces, and 14 permanent employees. As with the proposed project, one 1,500-horsepower emergency diesel generator is proposed. Unlike the proposed project, no changes to curbside parking and loading are proposed for the alternative. This alternative would reduce shadow impacts on Patricia's Green and reduce the amount of excavation required (approximately 10 feet less than the project), which would reduce impacts on archaeological resources as well as air quality and noise.

Alternative G would not avoid any project-specific impacts because it would retain the same project-level components as the project, at a reduced rate. This alternative would, however, reduce some impacts identified as significant and unavoidable and less than significant with mitigation. This alternative would substantially lessen the severity of the following impacts associated with project-level actions:

- Archaeological impacts (Impacts CUL-4, CUL-5, and CUL-6)
- Cumulative archaeological impact contribution (Impact C-CUL-3)
- Cumulative wind impact contribution (Impact C-WI-1)
- Emissions of fine particulate matter (PM_{2.5}) and toxic air contaminants from construction and operational activities (Impact AQ-9)
- Cumulative air quality impacts from (PM_{2.5}) and toxic air contaminants (Impact C-AQ-2)

Alternative G would be considered the environmentally superior alternative because it would reduce impacts when compared to the Project, while still meeting some of the Project's objectives. Alternative G, however, would reduce the development program and residential uses at 98 Franklin Street, resulting in less residential growth. When compared to the Project, Alternative G's reduction of the Project's residential component would not achieve objectives to create "a substantial number of dwelling units to contribute to the general plan housing element goals and the ABAG Regional Housing Needs Allocation for the city"

and “increase the supply of housing near the Van Ness Avenue and Market Street intersection.” Therefore, Alternative F would only partially meet the project objectives of the 98 Franklin Street Project.

The Commission concurs with these findings in the EIR, and rejects this alternative as infeasible because it (1) would fail to avoid several significant and unavoidable impacts of the Project, and (2) fails to meet several of the basic objectives of the Project. This Alternative would also be less successful than the Project at meeting the objectives of the Hub Plan and the City’s policy objectives related to the creation of housing. For these reasons, each of which is independently sufficient, the Commission rejects Alternative G as infeasible.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures, three impacts related to cumulative transportation (construction traffic), cumulative noise, and cumulative wind conditions will remain significant and unavoidable if the Project is approved. Pursuant to CEQA section 21081 and CEQA Guideline Section 15093, the Planning Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found below.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approvals, significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures and improvement measures identified in the FEIR/Initial Study and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technological, legal, social and other considerations.

In addition to the benefits of the Project described in the reasons for rejecting alternatives in Section V., which are incorporated herein by reference, the Project will have the following benefits:

1. The Project would develop a new high school in an area well served by public transportation options.
2. The Project would add up to 345 dwelling units the City's housing stock on a currently underutilized site. The City's important policy objective, as expressed in Policy 1.1 of the Housing Element of the General Plan, is to increase the housing stock whenever possible to address a shortage of housing in the City. Additionally, the Project promotes the objectives and policies of the General Plan by providing a range of unit types to serve a variety of needs. The Project would bring additional housing into a neighborhood that is well served by public transit on the edge of Downtown. The Project also would not displace any housing
3. The Project would increase the stock of permanently affordable housing by providing onsite affordable residential units (approximately 20 percent of the total number of onsite units).
4. The Project would promote the objectives and policies of the General Plan by replacing the existing surface parking lot with a residential high-rise tower that is more consistent and compatible with the surrounding high-rise residential and commercial architecture. This new development will greatly enhance the character of the existing neighborhood. In addition, the removal of the parking lot and replace with active street frontages will improve pedestrian and neighborhood safety. By including school use, the Project would promote pedestrian traffic in the vicinity and provide "eyes on the street" and encourage investment in the area. The Project would include significant streetscape improvements that would meet or exceed Better Streets Plan requirements. These changes will enhance the attractiveness of the site for pedestrians and bring this site into conformity with principles of good urban design.
5. The Project would construct a development that is in keeping with the scale, massing, and density of other structures in the immediate vicinity, and with that envisioned for the site under the Planning Code and General Plan.
6. The Project's iconic and attractive design furthers Housing Element Policy 11.1, which provides that "The City should continue to improve design review to ensure that the review process results in good design that complements existing character."
7. The Project will substantially increase the assessed value of the Project Site, resulting in corresponding increases in tax revenue to the City.
8. The Project will include a high-quality streetscape improvements in accordance with the Market and Octavia Area Plan Design Standards, which would activate the streetscape, serve to calm traffic on the street and build on the positive traits of the Hayes Valley neighborhood, extending its walkable scale outward toward the Van Ness and Market intersection.
9. The Project includes a massing scheme and wind reduction elements to avoid the creation of any net new hazardous wind conditions on any nearby public sidewalks or seating areas and would reduce hazardous wind hours over current conditions.

10. The Project provides approximately 306 Class 1 secure indoor bicycle parking spaces and 57 Class 2 bicycle rack spaces, encouraging residents and visitors to access the site by bicycle.
11. The Project promotes a number of Downtown Area Plan Objectives and Policies, including Policies 7.1 and 7.2, which further the Objective of expanding the supply of housing in and adjacent to Downtown. The Project also promotes several Market and Octavia Area Plan Objectives and Policies, including Objectives 2.3 and 2.4, which encourage increasing the existing housing stock, including affordable units.
12. The Project will create temporary construction jobs and permanent jobs in the educational sector and for building operations. These jobs will provide employment opportunities for San Francisco residents, promote the City's role as a commercial center, and provide additional payroll tax revenue to the City, providing direct and indirect economic benefits to the City.

Having considered the above, the Planning Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the Final EIR, and that those adverse environmental effects are therefore acceptable.

DRAFT MOTION

**DOWNTOWN PROJECT AUTHORIZATION
EXHIBIT A: CONDITIONS OF APPROVAL**



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: MAY 28, 2020

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Record No.: 2016-014802DNX
Project Address: 98 FRANKLIN STREET
Zoning: C-3-G (Downtown General Commercial) Zoning District
85-X // 120/365-R-2 Height and Bulk District
Van Ness & Market Residential Special Use District
Downtown and Market & Octavia Plan Areas
Block/Lots: 0836 / 008, 009 & 013
Project Sponsor: Jim Abrams
J. Abrams Law, P.C.
One Maritime Plaza, Suite 1900
San Francisco, CA 94111
Property Owner: 98 Franklin Street, LLC
150 Oak Street, 4th Floor
San Francisco, CA 94102
Staff Contact: Christy Alexander, AICP
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Recommendation: **Approval with Conditions**

ADOPTING FINDINGS TO APPROVE A DOWNTOWN PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 309 TO ALLOW A PROJECT GREATER THAN 50,000 SQUARE FEET OF FLOOR AREA WITHIN THE C-3 ZONING DISTRICT WITH REQUESTS FOR EXCEPTIONS FOR AWNINGS, CANOPIES, AND MARQUEES (SECTION 136.1); USABLE OPEN SPACE FOR DWELLING UNITS (SECTION 135); DWELLING UNIT EXPOSURE REQUIREMENTS (SECTION 140); REDUCTION OF GROUND-LEVEL WIND CURRENTS IN C-3 DISTRICTS (SECTION 148); MINIMUM DWELLING UNIT MIX REQUIREMENTS (SECTION 207.6); HEIGHT LIMITS FOR PARCELS WITHIN THE VAN NESS & MARKET RESIDENTIAL SPECIAL USE DISTRICT (SECTION 263.19); AND BULK CONTROLS (SECTION 270) TO PERMIT NEW CONSTRUCTION OF A NEW 36-STORY MIXED-USE BUILDING REACHING A ROOF HEIGHT OF UP TO 365 FEET TALL (396'8" INCLUSIVE OF ROOFTOP SCREENING/MECHANICAL EQUIPMENT) WITH APPROXIMATELY 524,014 GROSS SQUARE FEET, INCLUDING APPROXIMATELY 379,003 GROSS SQUARE FEET OF RESIDENTIAL USE WITHIN A TOWER SITUATED ATOP A 5-STORY PODIUM CONTAINING APPROXIMATELY 84,815 GROSS SQUARE FEET OF INSTITUTIONAL USE (FRENCH AMERICAN INTERNATIONAL SCHOOL) AND APPROXIMATELY 3,229 GROSS SQUARE FEET OF GROUND FLOOR RETAIL USES, LOCATED AT 98 FRANKLIN STREET, LOTS 008, 009 & 013 OF ASSESSOR'S BLOCK 0836, WITHIN THE C-3-G (DOWNTOWN GENERAL COMMERCIAL) ZONING DISTRICT AND 85-X // 120/365-R-2 HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 27, 2017, 98 Franklin, LLC (hereinafter “Project Sponsor”) filed an Environmental Evaluation Application for the Project, and thereafter submitted a revised Application on April 13, 2018, with the Planning Department (“Department”). The application packet was assigned Case Number 2016-014802ENV.

On or after December 21, 2017, the Project Sponsor submitted the following applications with the Department: Downtown Project Authorization; Shadow Analysis; and Transportation Demand Management. The application packets were accepted on or after January 10, 2018 and assigned to Case Numbers: 2016-014802DNX; 2016-014802SHD; and 2016-014802TDM, respectively.

The City and County of San Francisco, acting through the Department fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code section 21000 *et seq.*, hereinafter “CEQA”), the State CEQA Guidelines (Cal. Code. Regs. Title 14, section 15000 *et seq.*, (hereinafter “CEQA Guidelines”), and Chapter 31 of the San Francisco Administrative Code (hereinafter “Chapter 31”).

The Department determined that an environmental impact report (hereinafter “EIR”) was required. Environmental review for the Project, as well as a separate private development project at 30 Van Ness Avenue, was coordinated with the City’s Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan, including the project site. The Department provided public notice of that determination by publication in a newspaper of general circulation on May 23, 2018. The Department held a public scoping meeting on June 12, 2018 in order to solicit public comment on the scope of the project’s environmental review.

On July 24, 2019, the Department published the draft EIR (hereinafter “DEIR”) and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and of the date and time of the Planning Commission (“Commission”) public hearing on the DEIR; this notice was mailed to the Department’s list of persons requesting such notice, and to property owners and occupants within a 300- foot radius of the site on July 24, 2019. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the Site on July 24, 2019.

The EIR contains both analysis at a “program-level” pursuant to CEQA Guidelines section 15168 for adoption and implementation of the Hub Plan, and “project-level” environmental review for the Hub Plan streetscape and street network improvements, the Project, and the individual development project at 98 Franklin Street. This EIR also evaluates the designation of portions or all of the Hub Plan area as a housing sustainability district (“HSD”), in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City and County of San Francisco (“City”) to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On July 24, 2019, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on July 24, 2019.

The Historic Preservation Commission held a duly advertised hearing on said DEIR on August 8, 2018 at which the Historic Preservation Commission formulated its comments on the DEIR.

The Commission held a duly advertised public hearing on said DEIR on August 29, 2019 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 9, 2019.

The Department prepared responses to comments on environmental issues received during the 46-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR. This material was presented in a responses to comments document, published on March 12, 2020, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

The Department prepared a final EIR (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the responses to comments document, all as required by law.

On February 13, 2020, the Commission adopted Resolutions 20653 through 20656 to initiate legislation entitled (1) Ordinance amending the General Plan to amend the Market and Octavia Plan, (2) Ordinance amending the Planning Code to update the Market and Octavia Area Plan, (3) Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively, and (4) Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding (1) the General Plan Amendment amending to amend the Market and Octavia Plan; and (2) the ordinance amending the Planning Code to update the Market and Octavia Area Plan, (3) Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively, and (4) Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the Commission reviewed and considered the information contained in the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. The FEIR was certified by the Commission on May 21, 2020, by adoption of Motion No. XXXXX.

On May 21, 2020, through Motion No. XXXXX, the Commission approved findings required by CEQA, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2016-014802ENX, for approval of the Hub Plan ("Hub Plan CEQA Findings"), which are incorporated by reference as though fully set forth herein.

On May, 21, 2020, the Commission adopted Resolutions 20653 through 20656 to recommend that the Board of Supervisors approve: (1) the Ordinance amending the General Plan to amend the Market and Octavia Plan; (2) an Ordinance amending the Planning Code to update the Market and Octavia Area Plan; (3) an Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively; and (4) an Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 28, 2020, through Motion No. XXXXX, the Commission approved findings required by CEQA, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2016-014802ENV, for approval of the Project, which findings are found in Attachment C to this Motion No. XXXXX and incorporated by reference as though fully set forth herein.

On May 28, 2020, through Motion No. XXXXX, the Commission adopted findings, with the recommendation from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, that the shadows cast by the Project on four properties under the jurisdiction of the Recreation & Park Department would not be adverse to the use of these properties, and that the Commission allocate to the Project allowable shadow from the absolute cumulative shadow limits for Civic Center Plaza (where such limits have been adopted) (Case No. 2017-008051SHD). As part of this recommendation, the Recreation and Park Commission adopted environmental findings in accordance with CEQA, along with a Mitigation Monitoring and Reporting program ("MMRP") for the Project (Recreation and Park Commission Resolution No. XXXX-XXX).

The Department Commission Secretary is the custodian of records; all pertinent documents are located in the File for Case No. 2017-008051DNX, at 1650 Mission Street, Fourth Floor, San Francisco, California.

On May 28, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization application No. 2017-008051DNX.

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. 2017-008051DNX, 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 proposed project ("Project") includes the construction of a new 36-story mixed-use building reaching a roof height up to 365 feet tall (396'8" inclusive of rooftop screening/mechanical equipment). The Project includes a total of approximately 524,014 gross square feet of uses, with approximately 379,003 gross square feet of residential use (at least 345 dwelling units situated on floors 7 through 36) situated atop a 5-story podium containing approximately 84,815 square feet of school use (French American International High School) and approximately 3,229 square feet of retail, 306 Class 1 and 57 Class 2 bicycle parking spaces, and three below-grade levels that would accommodate up to 111 vehicle parking and 3 car share spaces provided for the residential and school uses. The Project would contain a mix of 259 studio or one-bedroom units, 52 two-bedroom units, and 35 three-bedroom units, with 20 percent (or 69 dwelling units) provided as on-site affordable dwelling units (also known as "Below Market Rate" units).
3. **Site Description and Present Use.** The Project Site ("Site") is an approximately 23,750 square-foot irregular-shaped corner lot located on the east side of Franklin Street, between Market Street and Oak Street, with approximately 142' of frontage along Oak Street, 54' of frontage along Market Street, and 154' of frontage along Franklin Street. The subject property (Lots 008, 009 and 013 of Assessor's Block 0836) is located within the C-3-G (Downtown General Commercial) Zoning District, the 85-X // 120/365-R-2 Height and Bulk District, and the Van Ness & Market Residential Special Use District. The Site currently contains a surface parking lot with 100 off-street vehicular parking spaces.
4. **Surrounding Properties and Neighborhood.** The Site is located within the southwestern edge of downtown in the C-3-G (Downtown Commercial, General) District. The area is characterized as an urban, mixed-use area that includes a diverse range of residential, commercial, institutional, office, and light industrial uses. Office use is prevalent located along Market Street and Van Ness Avenue, while most government and public uses are located to the north in the Civic Center. West of Franklin Street, is an NC-3 Moderate-Scale Neighborhood Commercial District that comprises a diverse mix of residential, commercial, and institutional uses. South of Market Street, and west of 12th Street, are the WSOMA Mixed Use, General and Production, Distribution and Repair (PDR) Districts. Further, the Site is within a block of the intersection of Market Street and Van Ness Avenue, two of the City's widest and most recognizable thoroughfares. As such, the Site is uniquely positioned at one of the most important transit nodes within the city: rail service is provided underground at the Van Ness Muni Metro Station as well as via historic streetcars that travel along Market Street while Bus service is provided on both Van Ness Avenue and Market Street.
5. **Public Outreach and Comments.** The Project Sponsor has conducted community outreach to stakeholders that includes local community groups, namely: Hayes Valley Neighborhood

Associates, Hayes Valley Merchants, Civic Center Community Benefit District, SF Jazz, SF Ballet, SPUR, SF Housing Action Coalition, and SF Chamber of Commerce. To date, the Department has received three support letters from organizations and businesses, including: Mercy Housing, Civic Center Community Benefit District, The Church of the Advent of Christ the King. The Department has not received any letters in opposition to the project.

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

- A. **Use Compliance within the C-3-G Zoning District and Van Ness & Market Residential Special Use District (Sections 210.2 and 249.33).** The Planning Code lists the use controls for residential and non-residential uses within the C-3-G Zoning District and the Van Ness & Market Residential Special Use District.

The Project includes a total of approximately 524,014 gross square feet of uses (total gross floor area of 449,406 gsf of uses per the Planning Code Section 102). The Project would include approximately 379,003 gross square feet of residential use, approximately 84,815 square feet of school use and approximately 3,229 square feet of retail. Residential uses, institutional school uses and sales and service use are all principally permitted within the C-3-G Zoning District. Therefore, the Project complies with Section 210.2.

Non-Residential Uses

The use controls of the Van Ness & Market Residential Special Use District require at least three occupied square feet of residential use to be provided for each occupied foot of non-residential use.

The Project includes a total of approximately 379,003 gross square feet of residential uses and approximately 88,044 gross square feet of new non-residential uses, equating to a ratio of approximately four (4) occupied feet of residential use for each occupied foot of non-residential use. While Planning Code Section 102 Occupied Floor Area calculations are not set forth in the Project's plan set, the Gross Floor Area calculations sufficiently establish that the Project will comply with Section 249.33(b)(1).

Retail Use Size

In the Van Ness & Market Residential Special Use District, Retail Sales and Service Uses are permitted up to 5,999 gross square feet in size, with Conditional Use Authorization required above 6,000 gross square feet.

The Project includes a total of one (1) retail space located on the ground floor totaling less than 6,000 gross square feet. Therefore, the Project complies with Section 210.2.

Micro-Retail (Section 249.33)

The use controls of the Van Ness & Market Residential Special Use District require at least one Micro-Retail unit for every 20,000 gross square feet of lot area, rounded to the nearest unit. Projects providing ground floor uses that are larger than 1,000 gross square feet and defined as Arts Activities, Child Care Facility, Social Service, School, Community Facility, or Public Facility are exempt from the Micro-Retail requirement. Exceptions to the micro-retail requirement may be granted through the Section 309 process, pursuant to Code Section 249.33(b)(9)(B)(iv).

The Site is 23,750 square feet, leading to a requirement of one (1) Micro-Retail units. However, the Project includes approximately 10,000 gross square feet of school uses on the ground floor, so is therefore exempt from the micro-retail requirement.

- 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 basic FAR for the C-3-G District is 6.0 to 1. Any development project within the Van Ness & Market Residential Special Use District that exceeds the base FAR shall be required to pay the Van Ness and Market Affordable Housing and Neighborhood Infrastructure Fee.

The Site is 23,750 square feet (0.55 acres) in area. Therefore, up to 142,500 square feet of Gross Floor Area is allowed under the basic FAR limit (6:1). The Project proposes a total of 449,406 gsf, for a FAR of approximately 19-to-1. All uses in any development project within the Van Ness & Market Residential Special Use District shall pay \$30.00 per net additional gross square foot of floor area in any portion of building area exceeding the base development site FAR of 6:1 up to a base development site FAR of 9:1, and \$15.00 per net additional gross square foot of floor area in any portion of building area exceeding the base development site FAR of 9:1, as set forth in Code Section 424. Conditions of Approval are included to require the Project Sponsor pay the Van Ness and Market Affordable Housing and Neighborhood Infrastructure Fee for all floor area above 6:1 FAR.

- C. Rear Yard (Section 134).** The Project is located within the Van Ness & Market Residential Special Use District where the rear yard requirements of Section 134 of Code shall not apply. Instead, lot coverage is limited to 80 percent at all levels containing a dwelling unit or group housing bedroom. The unbuilt portion of the lot shall be open to the sky except for those obstructions permitted in yards per Section 136(c) of this Code. Exceptions to the 20 percent open area may be granted pursuant to the procedures of Section 309.

The Project includes a full lot coverage podium containing non-residential uses with a tower containing residential uses (dwelling units). The footprint of the residential tower occupies approximately 64% of lot coverage, well below the limit of 80 percent of lot coverage. Therefore, the Project complies with Section 249.33(b)(5).

- D. **Publicly Accessible Open Space (Section 138).** The Planning Code requires new Non-Residential buildings, or additions of Gross Floor Area equal to 20 percent or more to an existing Non-Residential building, in the C-3-G 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 and institutional uses.

The Project would include 379,003 gross square feet of residential use, 84,815 square feet of school use and 3,229 square feet of retail. Residential and school (Educational Institutional) uses are exempt from Planning Code Section 138's requirements. Because the significant majority of the building's use will be residential and exempted Institutional space, the building is not considered a Non-Residential building and the public open space requirement does not apply to the 3,229 square feet of ground floor retail. Therefore, the Project is not subject to Planning Code Section 138.

- E. **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 improved pedestrian amenities along Franklin and Oak Streets, including, but not limited to improved and enlarged sidewalks, along with the installation of street trees and other improvements. In addition, contingent upon approval of an in-kind agreement crediting the amount owed by the Project under the Market and Octavia Community Infrastructure Fee for the full cost of the improvements, Project Sponsor may implement streetscape improvements on Lily Street between Gough and Franklin Streets, including but not limited to raised crosswalks, new street trees and a mid-alley furnished pedestrian zone. 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. Therefore, the Project complies with Section 138.1.

The Project would apply to the San Francisco Municipal Transportation Agency's (SFMTA) Color Curb Program to install a passenger loading zone (white curb) along Oak Street and a school drop off zone (white curb) on Franklin Street.

- F. **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 Site is not located in close proximity to an Urban Bird Refuge as defined in Section 139. As such, the Project is only required to include feature-related standards, and includes such features. Therefore, the Project complies with Section 139.

- G. Street Frontage in Commercial Districts (145.1).** 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 3,229 gross square feet of ground floor retail sales and service uses on Oak Street. This retail space 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 ground floor on Oak Street is comprised of a residential building lobby that is 40 feet in width, as well as a school café space near the corner of Oak and Franklin streets. The majority of the Franklin Street frontage contains the main entrance to the school, including a furnished common space for student congregation. The balance of ground floor on Franklin Street is comprised of a 20’ driveway to the building’s basement vehicle parking area, as well as a dedicated ramp providing bicycle access to the first-floor basement bicycle parking area. The frontage on Market Street contains a multi-purpose assembly space for the school and gas meter access (permitted mechanical system). The three street frontages are fenestrated with transparent windows for at least 60 percent of the total street frontage, allowing visibility into the inside of the building. The ground floor height is at least 15’. Therefore, the Project complies with Section 145.1.

- H. 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 Franklin Street, Market Street, or Oak Street 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.

- I. **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.

Background

The Hub Plan FEIR analyzed potential shadow impacts that could occur as a result of the Hub Plan, the two individual development projects (30 Van Ness Avenue and 98 Franklin Street), the Hub Housing Sustainability District (HSD), and cumulative conditions. For non-RPD parks and open spaces, the general timing of net new shadow effects was analyzed.

Existing Non-RFD Open Spaces

The Hub Plan FEIR concluded that the Project would not subject non-RPD parks and open space.

- J. **Off-Street Parking (Sections 151.1 and 249.33).** 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-G Zoning District is limited to 7% of the gross floor area for such uses. For residential uses, one off-street parking space is principally permitted for every four Dwelling Units. The Van Ness & Market Residential Special Use District permits accessory non-residential parking to be used jointly as accessory residential parking for residential uses within the same project, so long as the project provides 25% or more on-site affordable housing units as defined in Section 415, and the total number of independently accessible parking stalls (whether residential or non-residential) provided in such project shall not exceed the sum of the maximum amount of accessory residential and accessory non-residential parking spaces permitted by the Planning Code and the total

number of parking spaces used as residential accessory parking shall not exceed 0.4 spaces per each Dwelling Unit.

The Project would provide a total of 111 off-street accessory parking spaces. 86 parking spaces would be available for 345 dwelling units, equating to parking ratio of 0.25 spaces per dwelling unit (within the 0.25 ratio limit as established by Code). The balance of the parking spaces (25 spaces or approximately 4,625 gross square feet) would be available for the school uses (within the limit of 7% of non-residential Occupied Floor Area as established by the Code). The Project therefore complies with Code Section 151.1.

- K. **Off-Street Freight Loading (Sections 152.1, 153, and 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 residential units and school uses, 2 off-street spaces are required between 200,001 and 500,000 square feet of Occupied Floor Area of each use. No loading is required for retail uses under 10,000 square feet of Occupied Floor Area. 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 comply with the off-street freight loading requirement by providing one (1) space meeting the dimensional requirements of Code Section 154(b)(2) and two (2) service vehicle spaces, pursuant to Section 154(b)(2)(3). The Project therefore complies with Sections 152.1, 153, and 154.

- L. **General Standards for Location and Arrangement of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Sections 155 and 155(u)).** The Planning Code requires all off-street freight loading and service vehicle spaces in the C-3 Zoning District be completely enclosed, and access from a public Street or Alley shall be provided by means of a private service driveway that is totally contained within the structure. Such a private service driveway shall include adequate space to maneuver trucks and service vehicles into and out of all provided spaces, and shall be designed so as to facilitate access to the subject property while minimizing interference with street and sidewalk circulation. Any single development is limited 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. The maximum permitted width of a shared parking and loading garage opening is 27 feet. The Planning Code requires any projects of more than 100,000 net new gross square feet within the Hub area to develop and implement a Driveway and Loading Operations Plan (DLOP) to address project-generated commercial and passenger loading issues.

The Project includes one opening along the Franklin Street frontage: a 20-foot wide entrance for access to off-street parking and off-street loading. Therefore, the Project complies with Section 155(s)(4). The Project includes 524,014 net new gsf and the Project Sponsor will be required to prepare a DLOP for review and approval by Department staff, in consultation with the San Francisco Municipal Transportation Agency prior to issuance of the first site permit or building permit. Therefore, the Project will be in compliance with Section 155(u) prior to issuance of first site permit or building permit.

- M. **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 school uses, four Class 1 space is required for every classroom, and one Class 2 space is required for every classroom. are required for the first 5,000 gross square feet, plus one Class 2 space for each additional 50,000 occupied square feet. For general retail uses, one Class 1 space is required for every 7,500 square feet of occupied floor area and a minimum of two Class 2 spaces or one Class 2 space for every 2,500 square feet of occupied floor area. For Retail Eating and Drinking uses, one Class 1 space is required for every 7,500 square feet of occupied floor area and a minimum of two Class 2 spaces or one Class 2 space for every 750 square feet of Occupied Floor Area. 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 306 Class 1 and 57 Class 2 bicycle parking spaces, 162 Class 1 spaces and 17 Class 2 spaces associated with residential uses, 144 Class 1 spaces and 36 Class 2 spaces associated with school uses and 4 Class 2 spaces associated with the ground-floor retail uses (which are conservatively assumed to be Eating and Drinking uses given the higher requirement for that subset of Retail uses under the Code). The Class 2 bicycle parking spaces would be located along all three of the Site's street frontages (Van Ness Avenue, Oak Street and Franklin Street), with the exact location to be determined in consultation with SFMTA. The Class 1 bicycle parking would be located on the first basement floor, accessible by a dedicated ramp from Franklin Street. Therefore, the Project complies with Section 155.1 and 155.2.

- N. **Shower Facilities and Lockers (Section 155.4).** The Planning Code requires shower facilities and lockers for Institutional (school) Uses in the following amounts: four showers and 24 clothes lockers are required where the Occupied Floor Area exceeds 50,000 square feet. One shower and six clothes lockers are required where the Occupied Floor Area of retail exceeds 25,000 square feet.

The Project includes more than 50,000 square feet of institutional school uses and thus a total of 4 showers 24 lockers are required per Code. The Project would provide 4 showers and 24 lockers on the first basement floor, adjacent to the ground floor Class 1 bicycle storage area. Therefore, the Project complies with Section 155.4.

- O. **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 of residential or non-residential parking. 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. 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 three car share spaces, on the first floor of the basement immediately adjacent to the ramp from Franklin Street, for both the residential and non-residential uses where three are required by Code (two for the 365 dwelling units and one for the 25 parking spaces associated with the school use). Therefore, the Project complies with Section 166.

- P. **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.

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

The Project submitted a completed Environmental Evaluation deemed complete on or after September 5, 2016, and before January 1, 2018. Therefore, the Project must only achieve 75% of the point target established in the TDM Program Standards, resulting in a required target of 11 points (75% of 14) for the school uses and 15 points (75% of 19) for the residential uses. As currently proposed, the Project would achieve a total of 11 of its required 11 points for the school uses through the following TDM measures:

- Improve Walking Conditions (Option A)
- Bicycle Parking (Option A)
- Bicycle Repair Station
- Car-share Parking and Membership (Option A)
- Tailored Transportation Marketing Services (Option B)
- Unbundled Parking (Location E)

As currently proposed, the Project would achieve 17 points (where 15 points are required) for the residential uses through the following TDM measures:

- Improve Walking Conditions (Option A)
- Bicycle Parking (Option A)
- Bicycle Repair Station
- Car-share Parking and Membership (Option A)
- On-site Affordable Housing (Option A)
- Unbundled Parking (Location D)
- Parking Supply (Option G)

Therefore, the Project complies with Section 169.

- R. **Height: Rooftop Screening and Appurtenances (Section 141(b) and 260(b)(N)).** Pursuant to Planning Code 141, 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. In the Van Ness & Market Residential Special Use District, additional building volume may be used to enclose or screen from view the features listed in Sections 260(b)(1)(A) and 260(b)(1)(B). The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to the building, but shall meet the requirements of Section 141; shall not exceed 10 percent of the total height of any building taller than 200 feet; shall have a horizontal area not more than 100 percent of the total area of the highest occupied floor; and shall contain no space for human occupancy. The features described in Section 260(b)(1)(B) shall not be limited to 16 feet for buildings taller than 200 feet but shall be limited by the permissible height of any additional rooftop volume allowed by Section 260(b)(N).

The Project contains a rooftop parapet reaching 385' (20' over the 365' height limit) and an elevator penthouse machine room reaching 396' 8" (31'8" over the 365' height limit). These features are permitted under the Van Ness & Market Residential Special Use District and therefore comply with Planning Code Sections 260(b)(N) and 141(b).

- S. **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 (RPD).

Background

A Shadow Study was prepared by qualified consultants ("Prevision Design"). The Shadow Study provides quantitative shadow calculations for parks under the jurisdiction of RPD. The analysis was conducted according to criteria and methodology as described in (1) the February 3, 1989 memorandum titled "Proposition K – The Sunlight Ordinance" ("the 1989 memorandum") prepared by RPD and the San Francisco Planning Department ("Planning"), (2) the July 2014 memorandum titled "Shadow Analysis Procedures and Scope Requirements" ("the 2014 memorandum") prepared by Planning, and

(3) direction from current Planning and RPD staff regarding the appropriate approach, deliverables, and scope of analysis appropriate in consideration of the open spaces affected.

Note: An earlier design of the Project was reviewed for shadow impacts as part of the Hub Plan DEIR. Updates to these shadow effects due revisions to the design of the Project's parapet were subsequently detailed in the DEIR responses to comments published by the Department on March 12, 2020.

Shadow Analysis Results

The Shadow Study indicated that the Project would cast new shadows on the following four (4) properties under the jurisdiction of RPD: Koshland Community Park; Patricia's Green; Page & Laguna; and Page & Laguna Mini Park.

Koshland Community Park

The Koshland Community Park is a 0.82-acre (35,743 sf) urban park, located in the Western Addition neighborhood, occupies the northwest corner of the block and is bounded by Page Street to the north, Buchanan Street to the west, and private development along its eastern and southern borders. The park is not fenced, and the posted hours of operation are from sunrise to sunset. Entrances to Koshland Community Park are through a gate and stairs on Page Street as well as several points along Buchanan Street. The pathway diagonally bisects the upper and lower halves of the park. A half-court basketball area and playground sit on the Koshland Community Park's highest elevation and a community garden which can be accessed via terraced steps, a serpentine pathway, or several steps through the Page Street entrance occupies the sites eastern most border. A playground area featuring jungle gym and sand pit is centrally located in the park, which includes a tire swing, slide, and monkey bars. A community garden with vegetables, flowers and shrubbery occupies the eastern border of the park.

Under current conditions, the park receives 20,546,248 annual sfh of shadow. Based on a calculated TAAS of 133,014,951 sfh, Koshland Community Park's existing annual shadow load is 15.45 percent of its TAAS. Existing shadow patterns include very low levels of shadow falling throughout most of the day until late afternoon, when the western half of the park is cast in shadow. Spring and fall follow a similar pattern with most shadow falling over winter months.

The Project would result in net new shadow cast on Koshland Community Park, adding 3,963 net new annual sfh of shadow and increasing the sfh of shadow by 0.003% annually above current levels. This increase would result in a new annual total shadow load of 15.45%. Net new shadow from the Project would occur within the first nine minutes of the daily analysis period between approximately April 20 and August 22nd.

The portions of Koshland Community Park that would receive net new shadow include a portion of the community garden area in the northeastern corner of the park and a wooded area in the southeastern corner of the park. The features which could be of somewhat higher sensitivity include the community garden area, however this feature would only receive net new shadow over spring and summer in the early mornings for a short duration prior 7:15 a.m., times where lower levels of park use would be likely.

Patricia's Green

Patricia's Green is a 0.41-acre (17,903 sf) urban park, located in the Western Addition/Hayes Valley neighborhood, extends generally north-south and is bounded by Octavia Street to the east and west, Hayes Street to the north, and Fell Street to the south. The park is divided into three sections. In the northern section of the park there is a picnic seating area located along Hayes Street. It features a plaza with four picnic tables around a mature tree and a mix of wooden and concrete benches. Two additional picnic tables are located on the western side of this area along Octavia Street next to restaurants. The central section is located where the park intersects Linden Street. It contains a circular plaza with four concrete benches and eight bollards, and functions as the area for art installations. To the north and south of the center plaza are lawns. The southern section of the park contains a children's play area, which features a dome structure with ropes and bars for climbing and poured rubber safety paving. Low concrete square pillars delineate the play area and lawn, and a metal fence encloses the Fell Street side. A service building is located at the southwest corner of the park. On the periphery of the park are concrete ledges and benches interspersed with approximately 24 trees and plantings.

Under current conditions the park receives 12,029,000 annual sfh of shadow. Based on a calculated TAAS of 66,622,661 sfh, Patricia's Green's existing annual shadow load is 18.06 percent of its TAAS. The park currently experiences higher levels of shading in the early mornings and late afternoons but is otherwise predominantly unshaded from late morning through midafternoon year-round.

The Project would result in net new shadow cast on Patricia's Green, adding 298,323 net new annual sfh of shadow and increasing the sfh of shadow by 0.45% annually above current levels. This increase would result in a new annual total shadow load of 18.51%. Net new shadow from the Project would occur within the first 52 minutes of the daily analysis period between February 2nd and March 28th and again between September 14th and November 7th.

Nearly all portions of Patricia's Green would receive net new shadow from the Project. The portions of Patricia's Green that would likely be most sensitive to the addition of net new shadow would be the children's play area, the park's fixed benches, and the tables and seating areas. All these features would receive some net new shadow, the presence of which would be noticeable to users of the park present at that time. The timing of net new Project shadow would be in the early morning prior to 9:00 a.m., and the children's play area, which would potentially be the most sensitive to additional shadow, would not receive net new shadow at any point later than 8:30 a.m., corresponding to times where lower overall levels of use would be typical.

Page & Laguna Mini Park

Page and Laguna Mini Park is a 6,600-sf urban park located in the Western Addition neighborhood and is under the jurisdiction of the RPD. It is located mid-block with residences east and west and is bounded by Page Street to the north and Rose Street to the south. Page and Laguna Mini Park is enclosed by fences, one along Rose Street and another that bisects the site from east to west. Posted signage indicates that the park hours are from 6 a.m. to 10 p.m. The mini park has two entrances, one on Page Street and

one on Rose Street. The entrances are connected by a path, creating a pedestrian connection between the two streets. The mini park features two fixed benches, a designated community gardening area, and several trees ranging in size from small shrubbery to deciduous trees with larger canopies.

Under current conditions the park receives 12,469,084 annual sfh of shadow. Based on a calculated TAAS of 24,543,248 sfh, Page and Laguna Mini Park's existing annual shadow load is 50.80 percent of its TAAS. Existing shadow patterns include morning, afternoon, and evening shadow falling over the majority the park with little shadow around midday, year-round.

The Project would result in net new shadow cast on Page & Laguna Mini Park, adding 12,565 net new annual sfh of shadow and increasing the sfh of shadow by 0.05% annually above current levels. This increase would result in a new annual total shadow load of 50.85%. Net new shadow from the Project would occur within the first 22 minutes of the daily analysis period between approximately May 18 and July 25. Net new shadow would fall only on the northern edge of the park, affecting one public entry point, a portion of the paved walkways, one fixed bench, some grassy or landscaped areas, and a small section of the community garden.

The portions of Page & Laguna Mini Park that could be characterized as being of higher sensitivity include the community garden and the fixed bench; however, shadow cast by the Project would occur in the summer for a short duration (33 minutes or less) and be gone prior to 8 a.m., corresponding to times of typically lower levels of park use.

Future 11th/Natoma Park Site

In 2017 RPD acquired a property on 11th Street between Minna and Natoma streets. The site is currently occupied by buildings that would be demolished as part of converting this site to a future park. The programming of the park, environmental review, permitting, and timing of construction are not known at this time, but the site for this contemplated future park is analyzed quantitatively and graphically in this section as it is under the jurisdiction of RPD and information is included for informational purposes.

Under current conditions the location of the proposed future park would receive (assuming the removal of existing buildings on site and full use of the site for a park) 16,085,624 annual sfh of shadow. Based on a calculated TAAS of 72,829,287 sfh, the 11th/Natoma Park Site's existing annual shadow load would be 22.09 percent of its TAAS. Existing shadow patterns include early morning and later afternoon shadow falling over the majority of the park, with little to no midday and early afternoon shadow year-round.

The 98 Franklin Street Project would result in net new shadow cast on the 11th/Natoma Park Site, adding approximately 130,635 net new annual sfh of shadow and increasing the sfh of shadow by 0.18 percent annually above current levels. This increase would result in a new annual total shadow load of 22.27 percent. Net new shadow from the 98 Franklin Street Project would occur in the late afternoon/early evening (approximately 7pm) for up to 33 minutes between approximately May 4 and August 8. Net new shadow would fall only on the southern half of the park.

As the 11th/Natoma Park site is not yet a park and no future programming information has been developed nor approved, the possible features affected and qualitative impacts of project-generated shadow on such features are not determinable.

Conclusion

While the Project would cast net new shadow on four (4) existing parks, the Project would not create new shadow that would substantially and adversely affect the use or enjoyment of publicly accessible open spaces based upon the amount and duration of new shadow and the importance of sunlight to each of the open spaces analyzed.

Thus, the Project would not result in new or more severe shadow impacts than those identified in the Hub Plan FEIR. This conclusion is consistent with the findings of the Hub Plan FEIR, and the Project would not result in individual or cumulative shadow impacts beyond those analyzed in the Hub Plan FEIR, nor would it result in substantially more severe impacts than identified in the Hub Plan FEIR.

On May 28, 2020, the Commission held a duly noticed public hearing, at which the Recreation and Park Commission recommended that the General Manager of the Recreation & Park Department recommend to the Commission that the shadows cast by the Project on four (4) properties under the jurisdiction of the Recreation & Park Department would not be adverse to the use of these properties, and that the Commission find that the shadows cast by the Project on the four (4) properties would not be adverse to the use of the properties. (Case No. 2016-014802SHD).

- T. Review of Residential, Hotel, and Motel Projects (Section 314).** In addition to any other factors appropriate for consideration under the Planning Code, the Department and Commission shall consider the compatibility of uses when approving Residential Uses, Hotel Uses, or Motel Uses, as those terms are defined in Chapter 116 of the Administrative Code, adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential, hotel, or motel project takes into account the needs and interests of both the Places of Entertainment and the future residents or guests of the new development. Such considerations may include, among others: (a) the proposed project's consistency with applicable design guidelines; (b) any proceedings held by the Entertainment Commission relating to the proposed project, including but not limited to any acoustical data provided to the Entertainment Commission, pursuant to Administrative Code Section 116.6; and (c) any comments and recommendations provided to the Department by the Entertainment Commission regarding noise issues related to the project pursuant to Administrative Code Section 116.7.

The Project is located within 300 radial feet of a Place of Entertainment ("POE") and is subject to Chapter 116 of the Administrative Code. On February 21st, 2020, the Entertainment Commission received notification of the Project. In accordance with the Entertainment Commission's approved

"Guidelines for Entertainment Commission Review of Residential Development Proposals Under Administrative Code Chapter 116," Entertainment Commission staff determined that a hearing on this project was not required under Section 116.7(b) of the Administrative Code. The Entertainment Commission has adopted a set of standard "Recommended Noise Attenuation Conditions for Chapter 116 Projects". Accordingly, the Commission recommends that the Department and/or Department of Building Inspection impose these standard conditions on the development permit(s) for the Project. Therefore, the Project complies with Section 314.

- U. **Inclusionary Affordable Housing Program (Section 415 and Section 249.33).** The Planning Code Section sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of ten or more units. In the Van Ness & Market Residential Special Use District, projects that provide 20% of units as affordable to households at 50% of Area Median Income ("AMI") are not subject to the requirement for moderate- and middle-income units set forth in Section 415.6(a).

The project filed a complete Environmental Evaluation Application after January 12, 2016, but before January 1, 2018. Therefore, the Project would be required to provide 18% of units (or 62 units) as affordable units, with rent for those units set at various AMI levels pursuant to Section 415.6(a)(3). The Project proposes 345 dwelling units and proposes to comply with the requirements of Code Section 415 by providing 20% of units (or 69 units) with rent set at 50% AMI, thereby complying with the provisions of the Van Ness & Market Residential Special Use District regarding required AMI levels for affordable units.

- V. **Public Art (Section 429).** The Planning Code Section requires a project to include works of art costing an amount equal to one percent of the construction cost of the building for construction of a new building or addition of floor area in excess of 25,000 sf to an existing building in a C-3 District.

The Project will comply with this Code requirement by dedicating one percent of the Project's construction cost to works of art. The public art concept and location will be subsequently presented to the Commission at an informational presentation.

7. **Exceptions Request Pursuant to Planning Code Section 309.** The 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. **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 includes 345 dwellings units, and therefore requires private and/or common useable open space in service of the residential use. The Project includes 212 dwelling units with private balconies that meet the dimensional requirements for private useable open space (Code Section 135(f)). As such, the project is required to provide 6,384 square feet of common useable open space. The Project includes a 4,150 common open space on the roof of the tower that meets the strict dimensional requirements for common useable open space (Code Section 135(g)). The Project also includes a 3,100 square foot terrace open space associated with indoor amenities on floor 7 that does not meet the strict dimensional requirements for common useable open space, because the space is not 15 feet in every horizontal dimension. Therefore, the project proposes a total of 7,250 square feet of common open space (significantly exceeding the Code's square footage requirement), but approximately 35% of the required amount does not meet required dimensional standards.

Though the proposed common open space on floor 7 does not meet the strict dimensional requirements of Section 135, the floor plan supports that the space will provide safe and desirable outdoor living and recreation space for residents of the building. Taking together with the rooftop open space (which meets Section 135's dimensional requirements), the Project meets the intent of the provisions of Section 135.

Conclusion

The exception for dimensional standards for common open space on floor 7 is therefore warranted as the Project provides substantially more overall common open space than would otherwise be required and the open space that does not meet the Code's dimensional requirements provides safe and desirable outdoor living and recreation space for residents of the building.

- B. Permitted Obstructions (Decorative Architectural Features) Over Sidewalks (Section 136).** Within the C-3 zoning districts, the Planning Code permits decorative architectural features not increasing the interior floor area or volume of the space enclosed by the building over streets and alleys and into setbacks may project two feet, with a maximum vertical dimension of four feet. Exceptions to the permitted obstructions requirements in Section 136 for projects within the Van Ness & Market Special Use District as defined by Section 309(a)(20). The Commission shall only grant such an exception if it finds that the proposed obstructions assist the proposed development to meet the requirements of Section 148, or otherwise reduce wind speeds at the ground-level or at upper level open space.

The Project includes ground-level decorative architectural features (canopies) along all the frontages of Oak Street and Franklin Street to assist the proposed development in meeting the requirements of Section 148 or otherwise reduce wind speeds at the ground-level. Implementation of Mitigation Measure M-WI-1b (included within the MMRP for the Project), requires a maintenance plan for landscaping and wind baffling measures in the public right-of-way. This mitigation measure would reduce the potential for a net increase in wind hazard exceedances and the hours of wind hazard exceedances through a specific maintenance plan to ensure wind baffling in perpetuity. The canopies extend to the following maximum projections (beyond property lines): up to 8 feet along the Oak Street frontage; and up to 8 feet along the Franklin Street frontage.

While these decorative canopies would project up to a maximum of 8 feet beyond the property lines of the Site, exceeding horizontal dimension permitted by Section 136(d), each of the canopies are located above the minimum vertical clearance (7.5') from sidewalk grade, as required by Code. The canopy along Franklin Street would reach a maximum height of approximately 67' 4", while the canopy along Oak Street would reach a maximum height of approximately 19 feet above grade. However, because each of these decorative canopies exceed the projection limits established by Code, an exception under the (Section 309) Downtown Project Authorization process is required.

Conclusion

The exception to the permitted obstructions requirements (Section 136) is therefore warranted since the decorative canopies would assist the proposed development in meeting the requirements of Section 148 or otherwise reducing wind speeds at the ground-level.

- C. **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.

Of the 345 dwelling units proposed, 209 face on to either Franklin Street or Oak Street. 136 dwelling units face only the mid-block open space provided to the east or south of the proposed tower. The space provided at the interior of the lot on these sides is an irregularly shaped space equal to 25% or more of the lot area, but is not 25% of the lot depth or a minimum in all locations of 15 feet, meaning an exception pursuant to Section 309 is required. Adequate light and air is provided to the units because the adjacent buildings to the south and east of the Project are recently constructed residential buildings and are between 85' and 120', respectively. Only 6 of the 136 dwelling units facing the south or east mid-block open space are below the respective adjacent building's roofline. For the 6 dwelling units below the respective adjacent building's roofline, the adjacent buildings' wall do not have windows facing the shared property lines with the Project.

Conclusion

The exception to the unit exposure requirements (Section 140) is therefore warranted as the dwelling units that do not meet the area and horizontal dimension requirements are provided adequate light and air.

- D. **Reduction of Ground-Level Wind Currents in C-3 Districts.** The Planning Code requires new buildings in the C-3 Districts to be shaped or otherwise designed with wind-baffling measures, so that the development will not cause ground-level wind current to exceed, more than 10 percent of the time year round, between 7:00am and 6:00pm, the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements.

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.

Background

The Hub Plan FEIR analyzed potential wind impacts that could occur as a result of the Hub Plan, the two individual development projects (30 Van Ness Avenue and 98 Franklin Street), the Hub Housing Sustainability District (HSD), and cumulative conditions. A qualified wind consultant (Rowan Williams Davies & Irwin Inc., "RWDI") analyzed ground-level wind currents in the vicinity of the Site through a series of wind studies. Wind studies were prepared for the Hub Plan, in addition to two individual development projects (30 Van Ness Avenue and 98 Franklin Street) using wind testing analysis and evaluation methods to determine conformity with Section 148 criteria. The wind studies measured wind speeds for the existing, existing plus project, and cumulative scenario. The cumulative scenario included massing models of other potential future development in the vicinity of the Hub Plan Area. The wind measurement locations for the Project are the same as the ones used for the Hub Plan Area. Wind speed measurements were taken at a total 181 locations for the Hub Plan EIR and cumulative scenarios whereas a total of 58 Project-specific test locations were included in the assessment of potential comfort level wind impacts for the Project.

Hazard Criterion

The wind studies found that, under existing conditions, 9 of the 58 locations exceeded the 26-mph wind hazard criterion for a total of 305 hours per year. With the addition of design features, such as an overhead canopy and landscaping, some existing on-site and nearby windy areas are expected to improve the wind hazard conditions compared to existing conditions. As such, with the addition of the Project, the number of locations with hazardous wind conditions would be reduced from 9 to 8, with the total duration of wind hazards decreasing from 305 to 289 hours. As the proposed landscaping is not guaranteed to be maintained during operation of the Project, impacts would be significant under CEQA. Implementation of Mitigation Measure M-WI-1b (included within the MMRP), requires a maintenance plan for landscaping and wind baffling measures in the public right-of-way.

Pedestrian/Seating Comfort Criterion

The wind studies found that, under the existing scenario, wind speeds exceed the 11-mph comfort criterion at 45 out of 58 test locations, averaging 14.1 mph across all test locations. With the addition of the Project, a small net increase (0.6 mph) in wind speeds is expected as compared to the existing scenario. While the Project would eliminate existing wind comfort exceedances at 4 test locations, it would create wind comfort exceedances at other locations and wind speeds at a total of 51 locations would exceed the comfort criterion of 11 mph for pedestrians, resulting in a net increase of 6 test locations as compared to the existing scenario.

With implementation of the Project, the average wind speeds would increase to 14.7 mph, exceeding the 11-mph comfort criterion approximately 25 percent of the time, representing a 3 percent increase compared to existing conditions.

Conclusion

The Project would result in a net decrease of test locations exceeding the wind hazard criterion. In addition, the total number of hours with hazardous wind conditions would decrease by 16 hours under the Project. The addition of the proposed onsite landscaping (along with the combination of other wind control measures) is expected to improve the wind hazard conditions compared to the Existing Scenario.

The net addition of 6 pedestrian comfort criterion exceedances and the total 51 pedestrian comfort criterion exceedances requires an exception under the (Section 309) Downtown Project Authorization process. The exception to the ground-level wind current requirements (Section 148) is warranted since it is unlikely that the Project could be designed in a manner that would eliminate all existing comfort criterion exceedances. Moreover, the 0.6 mph net increase in wind speed across the 6 net new comfort exceedance test locations is insubstantial due to the relatively short time (3 percent) when the exceedances would occur.

- E. Dwelling Unit Mix (Sections 207.6 and 249.33).** For projects located within the Van Ness & Market Residential Special Use District, the Planning Code requires a dwelling unit mix of either: 1) no less than 40% of the total number of proposed dwelling units shall contain at least two bedrooms; or 2) no less than 30% as three bedroom units; or 3) no less than 35% as two or three bedroom units, with at least 10% as three bedroom units. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

The Project will provide a total of 345 dwelling units, with the following dwelling unit mix: 259 studio and one-bedroom units (75%), 52 two-bedroom units (15%), and 35 three-bedroom units (10%). With 63% of the dwelling units containing at least two-bedroom units (of which 14% are three-bedroom units), the Project exceeds the dwelling unit mix requirement established by Code. Therefore, an exception is required pursuant to Section 309. In considering an exception, the Commission shall consider whether the Project demonstrates a need or mission to serve unique populations or whether the Project site features physical constraints that make it unreasonable to fulfill the requirements of Section 207.6 or subsection 309(a)(19)(i). Here, the Project proposes to exceed Code-required affordable housing requirements by providing 20% of units (69 units) at rents affordable at 50% AMI, thereby providing a substantial amount of new housing affordable to households considered to be low income pursuant to Section 415.

Conclusion

The exception to the unit mix requirement (Section 207.6) is therefore warranted as the project will provide a substantial amount of new housing affordable to households considered to be low income pursuant to Section 415.

- F. **Height (Section 263.19).** In the R-2 bulk district and within the Van Ness and Market Residential Special Use District, maximum permitted building heights for both podiums and towers are expressed as two sets of numbers separated by a double slash. Each set of numbers represents the maximum heights for podium and tower applicable to the parcel and as regulated as follows: The first set of numbers represents the principally permitted height limits for the parcel, both for the podium and for the tower. The second set of numbers after the double slash represents the maximum height limits for podium and tower that can be granted by the Commission for that parcel through an exception pursuant to the procedures and findings of Section 309(a)(17). In considering such exceptions, the Commission shall consider the extent to which the project achieves the following: (A) sculpts the building massing to achieve an elegant and creative tower form that enhances the skyline; (B) reduces or minimizes potential impacts on winds and shadows; (C) provides community-serving uses, including neighborhood-oriented retail, arts, social services or public-serving uses, particularly on the ground floor; and (D) maximizes housing density within the allowed envelope.

The Site is located within the 85-X // 120/365-R-2 Height and Bulk District. The Project would construct a 5-story podium reaching a maximum height of 68', with a tower reaching a maximum finished roof height of 365', within the maximum allowable podium and tower height limits as permitted under Section 263.19, with benefit of a Section 309 exception for height.

The design of the tower features a prominent, angled shape, with each facade of the tower inset in the center (through sequentially receded window lines), such that each face of the tower presents two distinct faces. The result is a tower form that is visually distinctive from, yet also compatible with nearby towers. The tower's design results in reduced wind and shadow impacts. Further, the Project includes neighborhood-oriented retail uses on the ground floor, as well as a community-serving school use with active uses at street level. Finally, the Project maximizes residential density on the Site with 345 dwelling units located within the tower.

Conclusion

The exception for height is therefore warranted as the Project achieves all four of the required criteria for granting additional height on parcels within the Van Ness & Market Residential Use District.

- G. **Bulk (Section 270).** In the R-2 Bulk District and within the Van Ness & Market Residential Special Use District, there are no bulk limitations below the podium height, and structures above the podium height shall meet the bulk limitations in Section 270(e)(2)(A-E). To ensure tower sculpting, the gross floor area of the top one-third of the height of the tower shall be reduced by not less than 10 percent from the maximum floor plates and the average diagonal of the top one-third by not less than 13% from the average diagonal of the tower, unless the overall volume is reduced by an equal or greater volume.

In the R-2 bulk district, the Commission may grant bulk exceptions through the procedures and findings of Section 309(a)(17) to increase the allowed bulk of buildings up to the limits

described in subsections (A) – (D) below. The procedures for granting exceptions to bulk limits described in Section 272 shall not apply.

(A) Towers up to 350 feet in height may not exceed an average floor area of 10,000 square feet.

(B) Towers taller than 350 feet may not exceed an average floor area of 12,000 square feet, maximum plan length of 150 feet, and maximum diagonal dimension of 190 feet.

(C) Towers taller than 550 feet in height districts of 590 feet and greater may not exceed an average floor area of 18,500 square feet between a podium height of 140 feet and 170 feet. Building mass above 140 feet shall be set back at least 10 feet from the property line for a minimum of 90% of all street frontages.

(D) Exceptions to the tower sculpting requirements may be considered up to the limits as follows:

(i) For towers less than 400 feet, the provision may be fully waived.

(ii) For Towers taller than 400 feet in height, at least one-quarter of the tower's floors shall be reduced by not less than 9% from the maximum floor areas described in (2)(B) above.

(iii) For towers between 500 and 550 feet in height, the average diagonal of the upper one-third of the height of the tower shall be reduced by not less than 5% of maximum diagonal dimension described in subsection (e).

In considering such exceptions, the Commission shall consider the extent to which the project achieves the following: (A) sculpts the building massing to achieve an elegant and creative tower form that enhances the skyline; (B) reduces or minimizes potential impacts on winds and shadows; (C) provides community-serving uses, including neighborhood-oriented retail, arts, social services or public-serving uses, particularly on the ground floor; and (D) maximizes housing density within the allowed envelope.

The Project's tower includes an average floor area of approximately 11,577 sf, while the maximum plan length is 130' and the maximum diagonal dimension is 170'3.5", all of which are within the limits established by Code. However, the gross floor area of the top one-third of the height of the tower is only reduced by approximately 5 percent from the maximum floor plates, where a ten percent reduction is required by Code. Further, the average diagonal of the top one-third of the tower is not reduced where a 13 percent reduction is required by Code.

The design of the tower features a prominent, angled shape, with each facade of the tower inset in the center (through sequentially receded window lines), such that each face of the tower presents two distinct faces. The result is a tower form that is visually distinctive from, yet also compatible with nearby towers. The tower's design results in reduced wind and shadow impacts. Further, the Project includes neighborhood-oriented retail uses on the ground floor, as well as a community-serving school use with active uses at street level. Finally, the Project maximizes residential density on the Site with 345 dwelling units located within the tower.

Conclusion

The exception for bulk is therefore warranted as the Project achieves all four of the required criteria for granting bulk exceptions on parcels within the Van Ness & Market Residential Use District.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan, the Downtown Area Plan, and the Market and Octavia Plan Area Plan as follows:

GENERAL PLAN: HOUSING ELEMENT

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.8

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

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 4.5

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 5

ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.

Policy 5.4

Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

OBJECTIVE 11

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4

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.

The Project would develop a mixed-use school and residential tower development on an existing surface parking lot located near two of the City’s most utilized streets (Market Street and Van Ness Avenue), furthering numerous policies that support a vision for “The Hub” as a vibrant, new mixed-use neighborhood. One of the overarching goals of the Market Octavia Plan Amendment is to concentrate additional growth where it is most responsible and productive to do so — maximizing residential density and on-site affordable housing near public transit service.

This Project implements the vision of the Market and Octavia Area Plan through the construction of 345 dwelling units with 20% provided as on-site affordable units, approximately 84,815 gross square feet of school use, and ground floor retail. The Project would add a significant amount of housing to a site that is currently undeveloped, 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 Site, furthering access for all residents at all income levels.

GENERAL PLAN: URBAN DESIGN ELEMENT

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.

OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

The Project would develop a mixed-use school and residential tower development on an existing surface parking lot located near two of the City's most utilized streets (Market Street and Van Ness Avenue), furthering numerous policies that support a vision for "The Hub" as a vibrant, new mixed-use neighborhood.

This Project implements the vision of the Downtown Area Plan, the Van Ness & Market Residential Use District, and "the Hub" as it is specifically designed to contribute a distinctive, and complementary massing to the city's skyline as shaped by the cluster of new high-rise buildings in "the Hub," as well as contribute to a vibrant street level experience.

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 1

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT, AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.2

Ensure the safety and comfort of pedestrians throughout the city.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs particularly those of commuters.

Policy 1.6

Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

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.

The Project would develop a mixed-use school and residential tower development on an existing surface parking lot located near two of the City's most utilized streets (Market Street and Van Ness Avenue), and is 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 Site. The Project is designed to contribute a distinctive, and complementary streetscape along with others in the cluster of new high-rise buildings in "the Hub," to better contribute to a vibrant street level experience.

DOWNTOWN AREA PLAN

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 13

CREATE AN URBAN FORM FOR DOWNTOWN THAT ENHANCES SAN FRANCISCO'S STATURE AS ONE OF THE WORLD'S MOST VISUALLY ATTRACTIVE CITIES.

Policy 13.1

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing and proposed development.

The Project would develop a mixed-use school and residential tower development on an existing surface parking lot located near two of the City's most utilized streets (Market Street and Van Ness Avenue), furthering numerous policies that support a vision for "The Hub" as a vibrant, new mixed-use neighborhood.

This Project implements the vision of the Downtown Area Plan through the construction of 345 dwelling units with 20% provided as on-site affordable units, approximately 84,815 gross square feet of school use, and ground floor retail. The Project would add a significant amount of housing to a site that is currently undeveloped, 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 Site. The Project is designed to contribute a distinctive, and complementary massing to the city's skyline as shaped by the cluster of new high-rise buildings in "the Hub," as well as contribute to a vibrant street level experience.

MARKET AND OCTAVIA AREA PLAN

OBJECTIVE 1.1

CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A SUSTAINABLE MIXED-USE URBAN NEIGHBORHOOD.

Policy 1.1.2

Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot.

Policy 1.1.5

Reinforce the importance of Market Street as the city's cultural and ceremonial spine.

Policy 1.1.8

Reinforce continuous retail activities on Market, Church, and Hayes Streets, as well as on Van Ness Avenue.

OBJECTIVE 1.2

ENCOURAGE URBAN FORM THAT REINFORCES THE PLAN AREA'S UNIQUE PLACE IN THE CITY'S LARGER URBAN FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 1.2.2

Maximize housing opportunities and encourage high-quality commercial spaces on the ground floor.

Policy 1.2.5

Mark the intersection of Van Ness Avenue and Market Street as a visual landmark.

Policy 1.2.7

Encourage new mixed-use infill on Market Street with a scale and stature appropriate for the varying conditions along its length.

OBJECTIVE 2.2

ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

Policy 2.2.2

Ensure a mix of unit sizes is built in new development and is maintained in existing housing stock.

Policy 2.2.4

Encourage new housing above ground-floor commercial uses in new development and in expansion of existing commercial buildings.

Policy 2.2.7

Without rendering new projects infeasible, increase affordable housing or other requirements on market rate residential and commercial development projects to provide additional affordable housing.

OBJECTIVE 3.1

ENCOURAGE NEW BUILDINGS THAT CONTRIBUTE TO THE BEAUTY OF THE BUILT ENVIRONMENT AND THE QUALITY OF STREETS AS PUBLIC SPACE.

Policy 3.1.1

Ensure that new development adheres to principles of good urban design.

OBJECTIVE 4.3

REINFORCE THE SIGNIFICANCE OF THE MARKET STREET STREETScape AND CELEBRATE ITS PROMINENCE AS SAN FRANCISCO'S SYMBOLIC "MAIN STREET."

Policy 4.3.3

Mark the intersections of Market Street with Van Ness Avenue, Octavia Boulevard, and Dolores Street with streetscape elements that celebrate their particular significance.

The Project would develop a mixed-use school and residential tower development on an existing surface parking lot located near two of the City's most utilized streets (Market Street and Van Ness Avenue), furthering numerous policies that support a vision for "The Hub" as a vibrant, new mixed-use neighborhood. One of the overarching goals of the Market Octavia Plan Amendment is to concentrate additional growth where it is most responsible and productive to do so—maximizing residential density and on-site affordable housing near public transit service. The increase in development, in turn, will provide additional revenue for the necessary improvements and infrastructure within the Van Ness & Market Residential Use District.

This Project implements the vision of the Market and Octavia Area Plan through the construction of 345 dwelling units with 20% provided as on-site affordable units, approximately 84,815 gross square feet of school use, and ground floor retail. The Project would add a significant amount of housing to a site that is currently undeveloped, 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 Site. The Project is designed to contribute a distinctive, and complementary massing to the city's skyline as shaped by the cluster of new high-rise buildings in the Hub, as well as contribute to a vibrant street level experience.

9. **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:

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

The Project 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. The Project will provide employment opportunities with the addition of retail uses at the ground level and school uses within the podium.

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

The Project would not negatively affect the existing housing and neighborhood character. The Site is currently used as a surface parking lot. The Project's unique mixed-use program provides amenities to visitors and residents, and contributes significantly to the neighborhood character envisioned by the Market and Octavia Area Plan.

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

The Project would not displace any housing given the Site contains only non-residential, automotive parking uses. The Project would improve the existing character of the neighborhood by developing a high-density, mixed-use building containing 345 dwelling units, including the provision of no less than 20 percent of units (or 69 units) as on-site inclusionary affordable units.

- D. 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 located in one of the most transit-rich environs in the city and would therefore 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 nominal amount of off-street parking for future residents so that neighborhood parking will not be overburdened by the addition of new residents.

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

The mixed-use Project 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 ground floor retail within residential high-rise buildings, as well as a number of longstanding institutional and public uses.

- F. 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.

- G. That landmarks and historic buildings be preserved.

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

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

A Shadow Study indicated the Project may cast a shadow on the following four (4) properties under the jurisdiction of the San Francisco Recreation and Park Department: Koshland Community Park; Patricia's Green; Page & Laguna Mini Park; and the future 11th/Natoma park site. However, based upon the amount and duration of new shadow and the importance of sunlight to each of the open spaces analyzed, the Project would not substantially affect, in an adverse manner, the use or enjoyment of these open spaces beyond what was analyzed and disclosed in the Hub Plan FEIR. The Project would not otherwise shadow public plazas and other publicly-accessible spaces other than those protected under Section 295.

10. **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.

11. 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.
12. 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. 2016-014802DNX** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated May 11 2020, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

The 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 Hub Plan FEIR 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 later of (a) the effective date of the ordinances approving the amendments to the Planning Code and General Plan required to conform the Project as shown in “EXHIBIT B” to the Planning Code and General Plan (if this Authorization is not appealed to the Board of Appeals), or (b) the date of the decision of the Board of Appeals if appealed to the Board of Appeals. Any appeal shall be made to the Board of Appeals, unless an associated entitlement is appealed to the Board of Supervisors, in which case the appeal of this Motion shall also be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103, or the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

If the City has not previously given Notice of an earlier discretionary approval of the project, the Commission’s adoption of this Motion 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 Commission ADOPTED the foregoing Motion on May 28, 2020.

Jonas P. Ionin

Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 28, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a **Downtown Project Authorization and Request for Exceptions** relating to a Project that would allow for the construction of mixed-use building up to 365-feet tall (396 feet, 8 inches inclusive of rooftop mechanical features) with a total gross floor area of approximately 449,406 gross square feet, including 345 dwelling units, approximately 84,815 gross square feet of school use, and approximately 3,229 gross square feet of retail uses located at 98 Franklin Street, within Assessor's Block 0836, Lots 008, 009, 013, pursuant to Planning Code Sections 135, 136, 140, 148, 210.2, 249.33, 263.19, 270 and 309 within the C-3-G (Downtown General Commercial) Zoning District and 85-X // 120/365-R-2 Height and Bulk District, in general conformance with plans, dated May 11, 2020, and stamped "EXHIBIT B" included in the docket for Record No. **2016-014802DNX** and subject to conditions of approval reviewed and approved by the Commission on **May 28, 2020** 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 Commission on **May 28, 2020** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the "EXHIBIT A" of this 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 Downtown Project Authorization and Request for Exceptions 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 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, unless an extension is granted by the Zoning Administrator as described below. .
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 an Act of God (such as pandemic or earthquake), 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 approval of an Ordinance amending the General Plan to amend the Market and Octavia Plan; an Ordinance amending the Planning Code to update the Market and Octavia Area Plan; and an Ordinance amending the Zoning Map to change the height and bulk classifications on the Project site. The Project Sponsor also requires the adoption of shadow findings, pursuant to Section 295.

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

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

8. **Chapter 116 Residential Projects.** The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission on February 21, 2020. These conditions state:

- A. **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form (email).

- B. **Sound Study.** Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.

- C. **Design Considerations.**

- i. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
- ii. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE’s operations and noise during all hours of the day and night.
- iii. During the design phase, project sponsor shall consider an outdoor lighting plan at the development site to protect residents as well as patrons of surrounding Places of Entertainment.

- D. **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.
- E. **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

DESIGN – COMPLIANCE AT PLAN STAGE

- 9. **Final Materials.** The Project Sponsor shall continue to work with Department staff 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 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 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. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with 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, 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. Contingent upon approval of an in-kind agreement crediting the amount

owed by the Project under the Market and Octavia Community Infrastructure Fee for the full cost of the improvements, the Project Sponsor may implement streetscape improvements on Lily Street between Gough and Franklin Streets, conceptual plans for which are included in "EXHIBIT B"; however, improvements on Lily Street are not required pursuant to Section 138.1.

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

13. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Department staff before the Department approves the architectural addendum of the Site Permit for 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 complement, 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

14. **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. Final detail regarding PG&E Transformer Vault location for the Project shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the 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>

15. **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

16. **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

17. **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.

18. **Driveway Operations and Loading Plan.** The Project must prepare and submit a Driveway Operations and Loading Plan (DLOP) in accordance with Planning Code Section 155(u). The DLOP must be submitted prior to issuance of the first site or building permit.

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

19. **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.

20. **Car Share.** Pursuant to Planning Code Section 166, no fewer than **three (3)** 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.

21. **Bicycle Parking** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than **306** Class 1 and **57** Class 2 bicycle parking spaces (**162** Class 1 and **17** Class 2 spaces

for the residential portion of the Project and **144** Class 1 and **36** Class 2 spaces for the school portion of the Project and **four** Class 2 spaces for the retail portion of the Project, or other number of Class 1 and Class 2 spaces in compliance with Planning Code Section 155.3). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

22. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than **4** showers and **24** clothes lockers.

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

23. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **111** off-street parking spaces (not including car share spaces).

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

24. **Off-Street Loading.** Pursuant to Planning Code Section 152, the Project will provide **3** off-street loading spaces (1 freight loading spaces and 2 service vehicle spaces), or another number of off-street loading spaces meeting the requirements of Section 152.

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

25. **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 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

26. **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

27. **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
28. **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
29. **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
30. **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
31. **Inclusionary Affordable Housing Program.** Pursuant to Planning Code Section 415

Affordable Units. The following Inclusionary Affordable Housing Requirements are those in effect at the time of 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 415.3, the Project is required to comply with the in-lieu fee requirement set forth in Section 415.5, the on-site requirement set forth in Section 415.6 or the off-site requirement in Section 415.7. The Project contains 345 rental dwelling units and has elected to comply by providing on-site affordable units pursuant to Section 415.6, as modified by the Van Ness & Market Residential Special Use District provision regarding income levels set forth in Section 249.33(b)(15); therefore, the Project will include 20% of dwelling units (69 dwelling units) affordable to households with 50% Average Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD"). If the Project Sponsor elects to provide affordable dwelling units in excess of the 20% of dwelling units described above, those additional affordable dwelling units would not be subject to the requirements and standards of Code Section 415.

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. **Notice of Special Restrictions.** The affordable units required pursuant to this condition shall be shown 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 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.

- C. **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.

- D. **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 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.

- E. **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 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.

- F. **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 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 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) required pursuant to this condition 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 distributed throughout the building in accordance with the requirements of the Planning Code; 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. 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.
- iii. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- iv. 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.
- v. 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 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.

32. **Market Octavia Affordable Housing Fee.** The Project is subject to the Market and Octavia Affordable Housing Fee, as applicable, pursuant to Planning Code Section 416.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
33. **Market Octavia Community Improvements Fee.** The Project is subject to the Market and Octavia Community Improvements Fee, as applicable, pursuant to Planning Code Section 421.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
34. **Market and Octavia – Van Ness & Market Street Affordable Housing Fee.** The Project is subject to the Market and Octavia – Van Ness & Market Affordable Housing Fee, as applicable, pursuant to Planning Code Section 424.3.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
35. **Art.** The Project is subject to the Public Art Fee, as applicable, pursuant to Planning Code Section 429, unless the Project installs public art generally as described in this Motion and as required below.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
36. **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
37. **Art.** Pursuant to Planning Code Section 429, the Project Sponsor and the Project artist shall consult with the Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the submittal of the first building or site permit application
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

38. **Art.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.

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

39. **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

40. **Enforcement.** Violation of any of the 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 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

41. **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 Department for information about compliance.

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

42. **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

43. **Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section [102](#), shall be subject to the following conditions:

- A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section [34](#) of the San Francisco Police Code.

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

- B. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with construction noise requirements, contact the Department of Building Inspection at 415-558-6570, www.sfdbi.org.

For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415-553-0123, www.sf-police.org.

- C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

- D. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

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

DRAFT MOTION

SHADOW FINDINGS
(4 RPD PROPERTIES)



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: MAY 28, 2020

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Record No.: 2016-014802SHD
Project Address: 98 FRANKLIN STREET
Zoning: C-3-G (Downtown General Commercial) Zoning District
85-X // 120/365-R-2 Height and Bulk District
Van Ness & Market Residential Special Use District
Downtown and Market & Octavia Plan Areas
Block/Lot: 0836 / 008, 009 & 013
Project Sponsor: Jim Abrams
J. Abrams Law, P.C.
One Maritime Plaza, Suite 1900
San Francisco, CA 94111
Property Owner: 98 Franklin Street, LLC
150 Oak Street, 4th Floor
San Francisco, CA 94102
Staff Contact: Christy Alexander, AICP
christy.alexander@sfgov.org, (415) 575-8724
Recommendation: **Adoption of Findings**

ADOPTING FINDINGS, WITH THE RECOMMENDATION FROM THE GENERAL MANAGER OF THE RECREATION AND PARKS DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW CAST UPON FOUR (4) PROPERTIES UNDER THE JURISDICTION OF THE RECREATION AND PARK DEPARTMENT (KOSHLAND COMMUNITY PARK, PAGE AND LAGUNA MINI PARK, PATRICIA'S GREEN AND THE FUTURE 11TH/NATOMA PARK SITE) BY THE PROPOSED PROJECT THAT INCLUDES NEW CONSTRUCTION ON AN EXISTING SURFACE PARKING LOT OF A NEW 36-STORY MIXED-USE BUILDING REACHING A ROOF HEIGHT OF UP TO 365 FEET TALL (396'8" INCLUSIVE OF ROOFTOP SCREENING/MECHANICAL EQUIPMENT) WITH APPROXIMATELY 524,014 GROSS SQUARE FEET, INCLUDING APPROXIMATELY 379,003 GROSS SQUARE FEET OF RESIDENTIAL USE WITHIN A TOWER SITUATED ATOP A 5-STORY PODIUM CONTAINING APPROXIMATELY 84,815 GROSS SQUARE FEET OF INSTITUTIONAL USE (FRENCH AMERICAN INTERNATIONAL SCHOOL) AND APPROXIMATELY 3,229 GROSS SQUARE FEET OF RETAIL USES, LOCATED AT 98 FRANKLIN STREET, LOTS 008, 009 & 013 OF ASSESSOR'S BLOCK 0836, WITHIN THE C-3-G (DOWNTOWN GENERAL COMMERCIAL) ZONING DISTRICT AND 85-X // 365-R-2 HEIGHT AND BULK DISTRICT WOULD NOT BE ADVERSE TO THEIR USE.

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 ("Commission"), upon recommendation from the

general manager of the Recreation and Park Department in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

In 1989, the Recreation and Park Commission and 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. On February 7, 1989, the Recreation and Park Commission and the Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Commission Resolution No. 11595). 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 expressly named in 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.

On or after December 21, 2017, Jim Abrams (hereinafter "Project Sponsor") submitted the following applications with the Planning Department (hereinafter "Department") in association with the proposed project (hereinafter "Project"): Downtown Project Authorization; Shadow Analysis; and Transportation Demand Management. The Project site (hereinafter "Site") is property at 98 Franklin Street, located on the east side of Franklin Street between Market and Oak Streets; Lots 008, 009 & 013 in Assessor's Block 0836. The Project includes the construction of a new 36-story mixed-use building reaching a roof height up to 365 feet tall (396'8" inclusive of rooftop screening/mechanical equipment). The Project includes a total of approximately 524,014 gross square feet of uses, with approximately 379,003 gross square feet of residential use (at least 345 dwelling units situated on floors 7 through 36) situated atop a 5-story podium containing approximately 84,815 square feet of school use (French American International High School) and approximately 3,229 square feet of retail, 306 Class 1 and 57 Class 2 bicycle parking spaces, and three below-grade levels that would accommodate up to 111 vehicle parking and 3 car share spaces provided for the residential and school uses. The Site is located within the C-3-G Zoning District and the 85-X // 120/365-R-2 Height and Bulk District.

A Shadow Study was prepared by qualified consultants ("Prevision Design") on February 11, 2019 that analyzed the potential shadow impacts of the Project to properties under the jurisdiction of the RPD (Case No. 2016-014802SHD). The analysis was conducted according to criteria and methodology as described in (1) the February 3, 1989 memorandum titled "Proposition K – The Sunlight Ordinance" ("the 1989 memorandum") prepared by RPD and the Department. (2) the July 2014 memorandum titled "Shadow Analysis Procedures and Scope Requirements" ("the 2014 memorandum") prepared by the Department, and (3) direction from Current Planning staff and RPD staff regarding the appropriate approach, deliverables, and scope of analysis appropriate in consideration of the open spaces affected.

The Shadow Study indicated that the Project would cast new shadows on the following four (4) properties under the jurisdiction of RPD: Koshland Community Park; Patricia's Green; Page & Laguna Mini Park; and the future 11th/Natoma Park Site, which were not named in the 1989 Memorandum.

Following guidance from the 1989 Memorandum, the existing conditions of the four affected park sites are as follows:

- Koshland Community Park is classified as a small park which is shadowed less than 20 percent of the time during the year. Per the 1989 Memorandum, there is no quantitative standard (limit) for additional shadows beyond the qualitative criteria of the 1989 Memorandum.
- Patricia's Green is classified as a small park which is shadowed less than 20 percent of the time during the year. Per the 1989 Memorandum, there is no quantitative standard (limit) for additional shadows beyond the qualitative criteria of the 1989 Memorandum.
- Page & Laguna Mini Park is classified as a small park which is shadowed approximately 50.80 percent of the time during the year. Per the 1989 Memorandum, there is no quantitative standard (limit) for additional shadows beyond the qualitative criteria of the 1989 Memorandum.
- The future 11th/Natoma Park Site is a future park site which is shadowed approximately 22.09 percent of the time during the year.

On March 12, 2020, the Department published a responses to comments document making a quantitative correction to Project shadowing on Koshland Community Park, Patricia's Green and the future 11th/Natoma park site to account for Project design revisions related to a parapet measuring approximately 32 feet above the proposed roofline.

Koshland Community Park

The Koshland Community Park is a 0.82-acre (35,743 sf) urban park, located in the Western Addition neighborhood, occupies the northwest corner of the block and is bounded by Page Street to the north, Buchanan Street to the west, and private development along its eastern and southern borders. The park is not fenced, and the posted hours of operation are from sunrise to sunset. Entrances to Koshland Community Park are through a gate and stairs on Page Street as well as several points along Buchanan Street. The pathway diagonally bisects the upper and lower halves of the park. A half-court basketball area and playground sit on the Koshland Community Park's highest elevation and a community garden which can be accessed via terraced steps, a serpentine pathway, or several steps through the Page Street entrance occupies the sites eastern most border. A playground area featuring jungle gym and sand pit is centrally located in the park, which includes a tire swing, slide, and monkey bars. A community garden with vegetables, flowers and shrubbery occupies the eastern border of the park.

Under current conditions, the park receives 20,546,248 annual sfh of shadow. Based on a calculated TAAS of 133,014,951 sfh, Koshland Community Park's existing annual shadow load is 15.45 percent of its TAAS. Existing shadow patterns include very low levels of shadow falling throughout most of the day until late afternoon, when the western half of the park is cast in shadow. Spring and fall follow a similar pattern with most shadow falling over winter months.

The Project would result in net new shadow cast on Koshland Community Park, adding 3,963 net new annual sfh of shadow and increasing the sfh of shadow by 0.003% annually above current levels. This increase would result in a new annual total shadow load of 15.45%. Net new shadow from the Project would occur within the first nine minutes of the daily analysis period between approximately April 20 and August 22nd.

The portions of Koshland Community Park that would receive net new shadow include a portion of the community garden area in the northeastern corner of the park and a wooded area in the southeastern corner of the park. The features which could be of somewhat higher sensitivity include the community garden area, however this feature would only receive net new shadow over spring and summer in the early mornings for a short duration prior 7:15 a.m., times where lower levels of park use would be likely.

Patricia's Green

Patricia's Green is a 0.41-acre (17,903 sf) urban park, located in the Western Addition/Hayes Valley neighborhood, extends generally north-south and is bounded by Octavia Street to the east and west, Hayes Street to the north, and Fell Street to the south. The park is divided into three sections. In the northern section of the park there is a picnic seating area located along Hayes Street. It features a plaza with four picnic tables around a mature tree and a mix of wooden and concrete benches. Two additional picnic tables are located on the western side of this area along Octavia Street next to restaurants. The central section is located where the park intersects Linden Street. It contains a circular plaza with four concrete benches and eight bollards, and functions as the area for art installations. To the north and south of the center plaza are lawns. The southern section of the park contains a children's play area, which features a dome structure with ropes and bars for climbing and poured rubber safety paving. Low concrete square pillars delineate the play area and lawn, and a metal fence encloses the Fell Street side. A service building is located at the southwest corner of the park. On the periphery of the park are concrete ledges and benches interspersed with approximately 24 trees and plantings.

Under current conditions the park receives 12,029,000 annual sfh of shadow. Based on a calculated TAAS of 66,622,661 sfh, Patricia's Green's existing annual shadow load is 18.06 percent of its TAAS. The park currently experiences higher levels of shading in the early mornings and late afternoons but is otherwise predominantly unshaded from late morning through midafternoon year-round.

The Project would result in net new shadow cast on Patricia's Green, adding 298,323 net new annual sfh of shadow and increasing the sfh of shadow by 0.45% annually above current levels. This increase would result in a new annual total shadow load of 18.51%. Net new shadow from the Project would occur within the first 52 minutes of the daily analysis period between February 2nd and March 28th and again between September 14th and November 7th.

Nearly all portions of Patricia's Green would receive net new shadow from the Project. The portions of Patricia's Green that would likely be most sensitive to the addition of net new shadow would be the children's play area, the park's fixed benches, and the tables and seating areas. All these features would

receive some net new shadow, the presence of which would be noticeable to users of the park present at that time. The timing of net new Project shadow would be in the early morning prior to 9:00 a.m., and the children's play area, which would potentially be the most sensitive to additional shadow, would not receive net new shadow at any point later than 8:30 a.m., corresponding to times where lower overall levels of use would be typical.

Page & Laguna Mini Park

Page and Laguna Mini Park is a 6,600-sf urban park located in the Western Addition neighborhood and is under the jurisdiction of the RPD. It is located mid-block with residences east and west and is bounded by Page Street to the north and Rose Street to the south. Page and Laguna Mini Park is enclosed by fences, one along Rose Street and another that bisects the site from east to west. Posted signage indicates that the park hours are from 6 a.m. to 10 p.m. The mini park has two entrances, one on Page Street and one on Rose Street. The entrances are connected by a path, creating a pedestrian connection between the two streets. The mini park features two fixed benches, a designated community gardening area, and several trees ranging in size from small shrubbery to deciduous trees with larger canopies.

Under current conditions the park receives 12,469,084 annual sfh of shadow. Based on a calculated TAAS of 24,543,248 sfh, Page and Laguna Mini Park's existing annual shadow load is 50.80 percent of its TAAS. Existing shadow patterns include morning, afternoon, and evening shadow falling over the majority the park with little shadow around midday, year-round.

The Project would result in net new shadow cast on Page & Laguna Mini Park, adding 12,565 net new annual sfh of shadow and increasing the sfh of shadow by 0.05% annually above current levels. This increase would result in a new annual total shadow load of 50.85%. Net new shadow from the Project would occur within the first 22 minutes of the daily analysis period between approximately May 18 and July 25. Net new shadow would fall only on the northern edge of the park, affecting one public entry point, a portion of the paved walkways, one fixed bench, some grassy or landscaped areas, and a small section of the community garden.

The portions of Page & Laguna Mini Park that could be characterized as being of higher sensitivity include the community garden and the fixed bench; however, shadow cast by the Project would occur in the summer for a short duration (33 minutes or less) and be gone prior to 8 a.m., corresponding to times of typically lower levels of park use.

Future 11th/Natoma Park Site

In 2017 RPD acquired a property on 11th Street between Minna and Natoma streets. The site is currently occupied by buildings that would be demolished as part of converting this site to a future park. The programming of the park, environmental review, permitting, and timing of construction are not known at this time, but the site for this contemplated future park is analyzed quantitatively and graphically in this section as it is under the jurisdiction of RPD and information is included for informational purposes.

Under current conditions the location of the proposed future park would receive (assuming the removal of existing buildings on site and full use of the site for a park) 16,085,624 annual sfh of shadow. Based on a calculated TAAS of 72,829,287 sfh, the 11th/Natoma Park Site's existing annual shadow load would be 22.09 percent of its TAAS. Existing shadow patterns include early morning and later afternoon shadow falling over the majority of the park, with little to no midday and early afternoon shadow year-round.

The Project would result in net new shadow cast on the 11th/Natoma Park Site, adding approximately 130,635 net new annual sfh of shadow and increasing the sfh of shadow by 0.18 percent annually above current levels. This increase would result in a new annual total shadow load of 22.27 percent. Net new shadow from the Project would occur in the late afternoon/early evening (approximately 7pm) for up to 33 minutes between approximately May 4 and August 8. Net new shadow would fall only on the southern half of the park.

As the 11th/Natoma Park site is not yet a park and no future programming information has been developed nor approved, the possible features affected and qualitative impacts of project-generated shadow on such features are not determinable.

The Department determined that an environmental impact report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on May 23, 2018. Environmental review for the Project, as well as a separate private development project at 30 Van Ness Avenue, was coordinated with the City's Hub Plan, which would amend the 2008 Market and Octavia Area Plan of the San Francisco General Plan for the easternmost portions of the Market and Octavia Area Plan, including the Site. The Department provided public notice of that determination by publication in a newspaper of general circulation on May 23, 2018. The Department held a public scoping meeting on June 12, 2018 in order to solicit public comment on the scope of the project's environmental review.

On July 24, 2019, the Department published the draft EIR (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and of the date and time of the Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on July 24, 2019. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the Site on July 24, 2019.

The EIR contains both analysis at a "program-level" pursuant to CEQA Guidelines section 15168 for adoption and implementation of the Hub Plan, and "project-level" environmental review for the Hub Plan streetscape and street network improvements, the individual development project at 30 Van Ness Avenue, and the Project. This EIR also evaluates the designation of portions or all of the Hub Plan area as a housing sustainability district ("HSD"), in accordance with Assembly Bill 73 (Government Code sections 66202 to 66210 and Public Resources Code sections 21155.10 and 21155.11). Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the City and County of San Francisco ("City") to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD.

On July 24, 2019, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on July 24, 2019.

The Historic Preservation Commission held a duly advertised hearing on said DEIR on August 8, 2018 at which the Historic Preservation Commission formulated its comments on the DEIR.

The Commission held a duly advertised public hearing on said DEIR on August 29, 2019 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on September 9, 2019.

The Department prepared responses to comments on environmental issues received during the 46-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected clerical errors in the DEIR. This material was presented in a responses to comments document, published on March 12, 2020, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

The Department prepared a final EIR (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the responses to comments document, all as required by law.

On February 13, 2020, the Commission adopted Resolutions 20653 through 20656 to initiate legislation entitled (1) Ordinance amending the General Plan to amend the Market and Octavia Plan, (2) Ordinance amending the Planning Code to update the Market and Octavia Area Plan, (3) Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively, and (4) Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding (1) the General Plan Amendment amending to amend the Market and Octavia Plan; and (2) the ordinance amending the Planning Code to update the Market and Octavia Area Plan, (3) Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively, and (4) Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the Commission reviewed and considered the information contained in the FEIR and hereby found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. The FEIR was certified by the Commission on May 21, 2020, by adoption of Motion No. XXXXX.

On May 21, 2020, through Motion No. XXXXX, the Commission approved findings required by CEQA, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2015-000940ENV, for approval of the Hub Plan ("Hub CEQA Findings"), which findings are incorporated by reference as though fully set forth herein.

On May 21, 2020, the Commission adopted Resolutions XXXXX through XXXXX to recommend that the Board of Supervisors approve: (1) an Ordinance amending the General Plan to amend the Market and Octavia Plan; (2) an Ordinance amending the Planning Code to update the Market and Octavia Area Plan; (3) an Ordinance amending the zoning map to change the land use, zoning, and height and bulk classifications in the Hub Plan area, respectively; and (4) an Ordinance amending the Business and Tax Regulations and Planning Code to create the HUB Housing Sustainability District.

On May 21, 2020, the General Manager of the Recreation & Parks Department, in consultation with the Recreation and Park Commission, recommended to the Commission that the shadows cast by the Project on four (4) properties under the jurisdiction of the Recreation & Parks Department (Koshland Community Park; Patricia's Green; Page & Laguna Mini Park; and the future 11th/Natoma park site) would not be adverse to the use of those properties. (Recreation and Park Commission Resolution No. XXXX-XXX).

On May 28, 2020, through Motion No. XXXXX, the Commission approved findings required by CEQA, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2016-014802ENV, for approval of the Project, which findings are found in "Attachment A" to this Motion No. XXXXX and incorporated by reference as though fully set forth herein.

The Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

The Commission has heard and considered the testimony presented at the public hearing and has further considered the written materials and oral testimony presented on behalf of the Project Sponsor, 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 foregoing 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 four (4) properties under the jurisdiction of the Recreation & Parks Department (Koshland Community Park; Patricia's Green; Page & Laguna Mini Park; or the future 11th/Natoma park site) for the following reasons:

- a. The magnitude of the additional shadow on each open space 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. The Project would result in net new shadow cast on Koshland Community Park, adding 3,963 net new annual sfh of shadow and increasing the sfh of shadow by 0.003% annually above current levels. This increase would result in a new annual total shadow load of 15.45%. The portions of Koshland Community Park that would receive net new shadow include a portion of the community garden area in the northeastern corner of the park and a wooded area in the southeastern corner of the park. The features which could be of somewhat higher sensitivity include the community garden area, however this feature would only receive net new shadow over spring and summer in the early mornings for a short duration prior 7:15 a.m., times where lower levels of park use would be likely.
- c. The Project would result in net new shadow cast on Patricia's Green, adding 298,323 net new annual sfh of shadow and increasing the sfh of shadow by 0.45% annually above current levels. This increase would result in a new annual total shadow load of 18.51%. The portions of Patricia's Green that would likely be most sensitive to the addition of net new shadow would be the children's play area, the park's fixed benches, and the tables and seating areas. All these features would receive some net new shadow, the presence of which would be noticeable to users of the park present at that time; however, the timing of net new Project shadow would be in the early morning prior to 9:00 a.m., and the children's play area, which would potentially be the most sensitive to additional shadow, would not receive net new shadow at any point later than 8:30 a.m., corresponding to times where lower overall levels of use would be typical.
- d. The Project would result in net new shadow cast on Page & Laguna Mini Park, adding 12,565 net new annual sfh of shadow and increasing the sfh of shadow by 0.05% annually above current levels. This increase would result in a new annual total shadow load of 50.85%. Net new shadow would fall only on the northern edge of the park, affecting one public entry point, a portion of the paved walkways, one fixed bench, some grassy or landscaped areas, and a small section of the community garden. The portions of Page & Laguna Mini Park that could be characterized as being of higher sensitivity include the community garden and the fixed bench; however, shadow cast by the Project would occur in the summer for a short duration (33 minutes or less) and be gone prior to 8 a.m., corresponding to times of typically lower levels of park use.
- e. The 98 Franklin Street Project would result in net new shadow cast on the 11th/Natoma Park Site, adding approximately 130,635 net new annual sfh of shadow and increasing the sfh of shadow by 0.18 percent annually above current levels. This increase would result in a new annual total shadow load of 22.27 percent. Net new shadow would fall only on the southern half of the park. The 11th/Natoma Park site is not yet a park and no future programming information has been developed nor approved. The shadow cast by the Project would occur

after approximately 7pm in the spring and summer and is not likely to frustrate forthcoming planning efforts for the future park.

3. The Project implements the vision of the Market and Octavia Area Plan through the construction of 345 dwelling units with 20% provided as on-site affordable units (Below Market Rate), approximately 84,815 gross square feet of school use, and 3,229 of retail use. The Project's institutional use (school) and commercial use (retail) will provide educational and new employment opportunities within an intense, walkable urban context.
4. The findings of the Commission in this motion do not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department, the recommendation of the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **DETERMINES**, under Shadow Analysis Application No. 2016-014802SHD, that the net new shadow cast by the Project will not be adverse to the use of four (4) properties under the jurisdiction of the Recreation & Parks Department (Koshland Community Park; Patricia's Green; Page & Laguna Mini Park; or future 11th/Natoma park site).

I hereby certify that the Commission ADOPTED the foregoing Motion on May 28, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 28, 2020

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT B

PLANS & RENDERINGS

98 FRANKLIN STREET

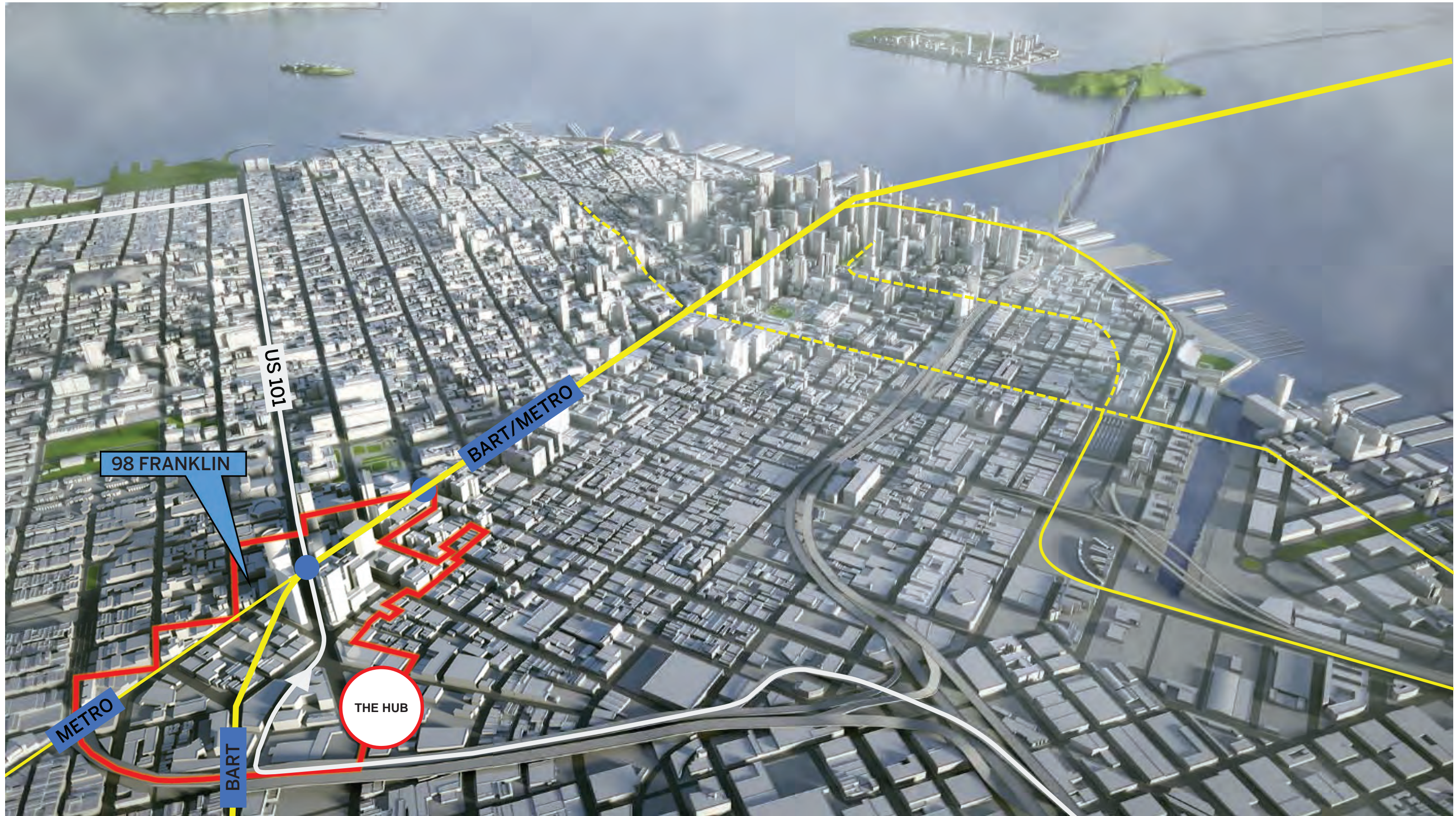
San Francisco, CA

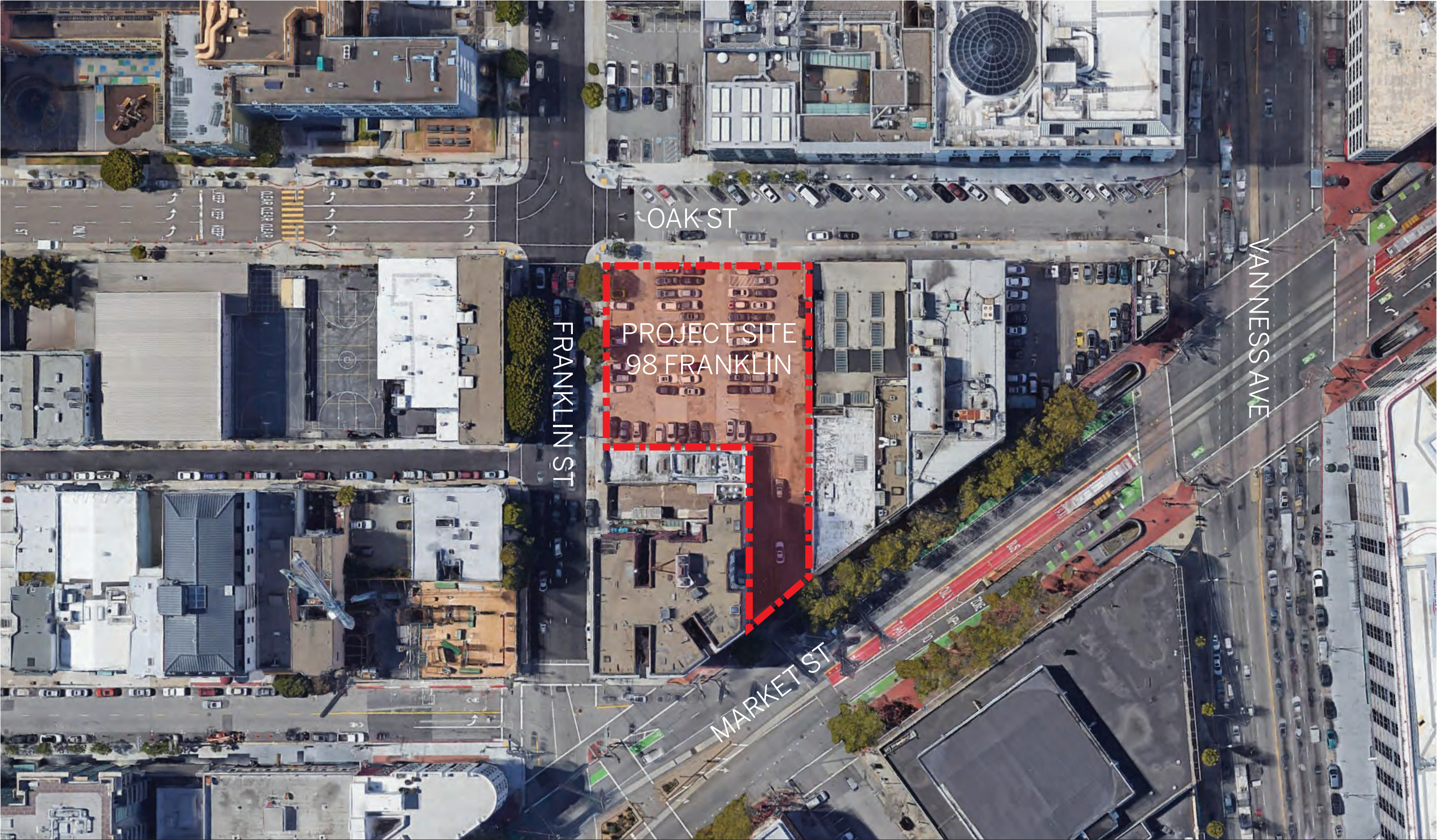
Case NO. 2016-014802 Block/Lot: 0836/008, 009, and 013

Plan Set for Section 309 Downtown Authorization
11 May 2020

SOM







1: Oak and Franklin (looking S.E.)



2 : Frankin St. (looking N.)



3 : Oak St. (looking S.)





	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
	PROJECT FEATURES			
Dwelling Units	0 units	0 units	345 units	345 units
% Affordable Units	0%	0%	20%	20%
Hotel Rooms	0 rooms	0 rooms	0 rooms	0 rooms
School	0 classrooms	0 classrooms	36 classrooms	36 classrooms
Parking Spaces ¹	+/- 100 - on grade	100 spaces	11 spaces	111 spaces
				86 Residential; 25 School
Loading Spaces ²	0 spaces	0 spaces	3 spaces	3 spaces
			1 Freight Loading + 2 Service Vehicle	1 Freight Loading + 2 Service Vehicle
Class 1 Bike Parking Requirements ³	-	-	Residential: 162 spaces - below grade School: 144 spaces - below grade	Residential: 162 spaces - below grade School: 144 spaces - below grade
Class 2 Bike Parking Requirements ⁴			Residential: 17 spaces School: 36 spaces Retail: 4 spaces	Residential: 17 spaces School: 36 spaces Retail: 4 spaces
Car Share Parking Spaces ⁵	-	-	3 spaces	3 spaces
Number of Buildings	0 buildings	0 buildings	1 buildings	1 buildings
Height of Building(s)	-	-	365' max - residential tower 68' max - school podium	365' max - residential tower 68' max - school podium
Number of Stories	-	-	31 stories - residential tower 5 stories - school podium	31 stories - residential tower 5 stories - school podium
	GROSS SQUARE FOOTAGE (GSF)			
Residential	0	0	379,003	379,003
School	0	0	84,815	84,815
Retail	0	0	3,229	3,229
Office	0	0	0	0
Industrial/PDR	0	0	0	0
Non-Residential Parking	0	0	4,625	4,625
Residential Parking	23,753	0	1,753	25,505
Below Grade BOH / Mech	0	0	26,837	26,837
Other (Hotel)	0	0	0	0
Other (Common Usable Open Space)	0	0	7,250	7,250
TOTAL GSF ⁶	23,753	0	500,262	524,014

1. Parking is calculated as .25 spaces for each residential unit, and, 7% of School sf per San Francisco Planning Code, Art. 1.5, Sec.151.1

2. Loading spaces are calculated per San Francisco Planning Code, Art. 1.5, Sec.152.1.

3. Class 1 Bike Parking is calculated per San Francisco Planning Code, Art. 1.5, Sec.155.2. Four (4) spaces for every classroom; one (1) space for every Dwelling Unit. For buildings containing more than 100 Dwelling Units, 100 Class 1 spaces plus one Class 1 space for every four Dwelling units over 100. The project exceeds the amount of Code Required Class 1 residential bicycle parking.

4. Class 2 Bike Parking is calculated per San Francisco Planning Code, Art. 1.5, Sec.155.2. "Retail" use in the table is calculated according to "Eating and Drinking Uses" in the planning code

5. Car Share Parking is calculated per San Francisco Planning Code, Art. 1.5, Sec.166. Only 2 car share spaces required by Code; amount provided exceeds Code required amounts.

6. Total GSF does not include Common Usable Open Space

Unit Mix	No. of Units	%
Total Units	345	100%
Studio / 1 Bedroom	259	75%
2 Bedroom	52	15%
3 Bedroom	35	10%

Usable Open Space	
No. of Units	345
No. of Balconies	202
Units without balconies	143
Common open space required per unit without balcony (sq ft)	48
Total common open space Provided (sq ft)*	7,250
Total common open space Required (sq ft)	6,864

*Note that 3,100 sf of Provided Common Open Space Do not meet the dimensional requirements

LEVEL	GROSS SQUARE FOOTAGE (GSF)	EXEMPTED AREA	GROSS FLOOR AREA (GFA)*
36	12,650	1,294	11,356
35	12,079	485	11,594
34	12,079	485	11,594
33	12,079	485	11,594
32	12,079	485	11,594
31	12,079	485	11,594
30	12,079	485	11,594
29	12,079	485	11,594
28	12,079	485	11,594
27	12,079	485	11,594
26	12,079	485	11,594
25	12,079	485	11,594
24	12,079	485	11,594
23	12,079	485	11,594
22	12,079	485	11,594
21	12,079	485	11,594
20	12,079	485	11,594
19	12,079	485	11,594
18	12,079	485	11,594
17	12,079	485	11,594
16	12,079	485	11,594
15	12,079	485	11,594
14	12,079	485	11,594
13	12,079	485	11,594
12	12,079	485	11,594
11	12,079	485	11,594
10	12,079	485	11,594
9	12,079	485	11,594
8	12,079	485	11,594
7	12,650	485	12,165
6	11,037	309	10,728
5	14,590	416	14,174
4	20,078	446	19,632
3	19,363	446	18,917
2	17,476	1,067	16,409
1	20,991	3,415	17,576

ABOVE GRADE			
TOTAL	467,047		445,589

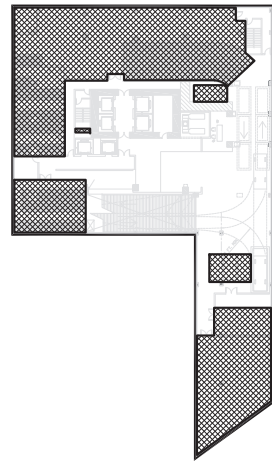
		SITE AREA	23,753
		FAR	18.76
B1	21,979	10,063	11,916
B2	17,494	14,720	2,774
B3	17,494	14,982	2,512

BELOW GRADE			
TOTAL	56,967		17,202

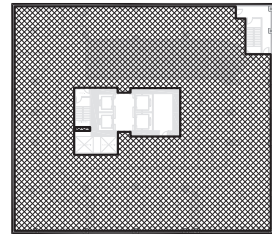
PROJECT TOTAL	524,014		462,791
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* GFA is calculated per San Francisco Planning Code, Art. 1, Sec.102

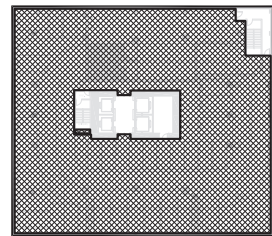
 Areas exempt from GFA calculation



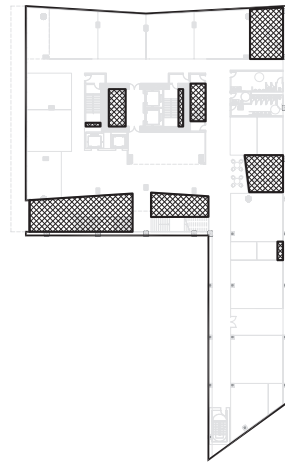
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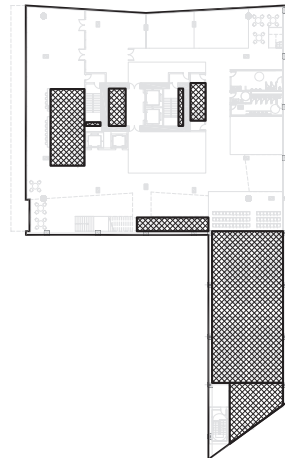
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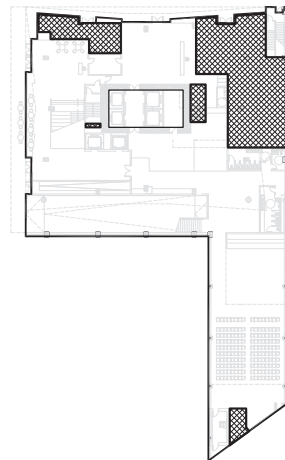
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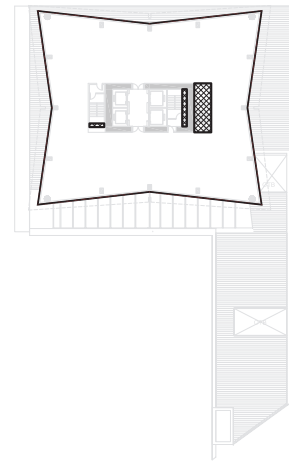
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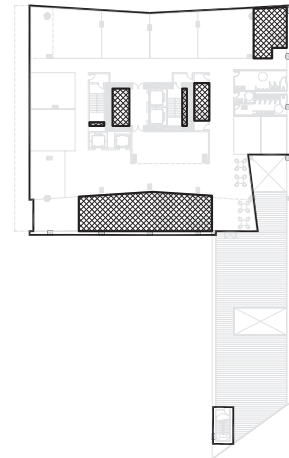
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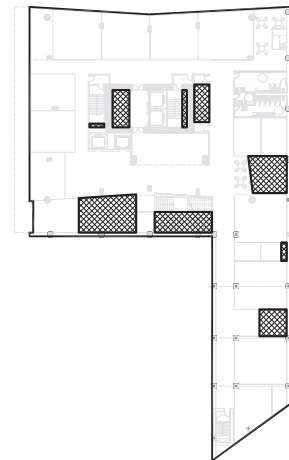
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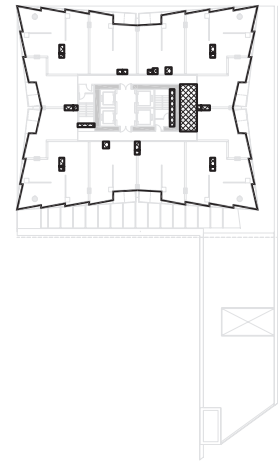
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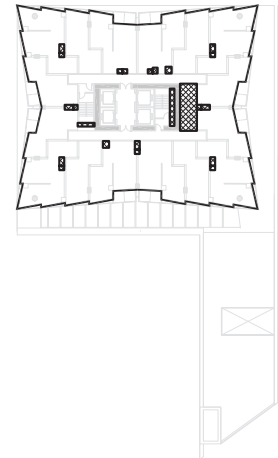
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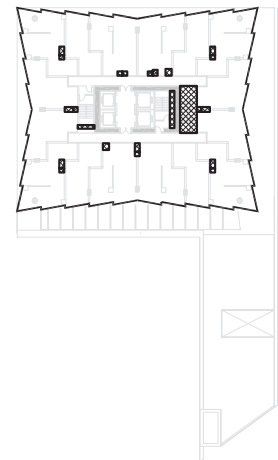
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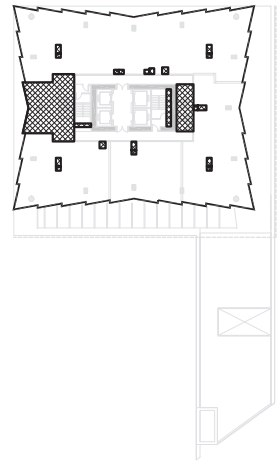
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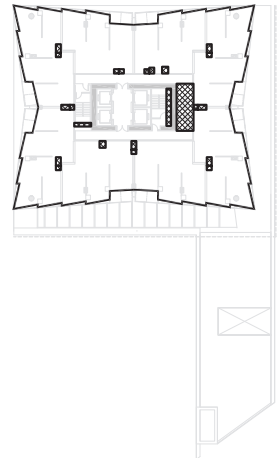
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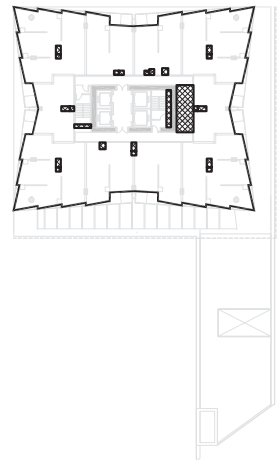
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L36



L32-L35

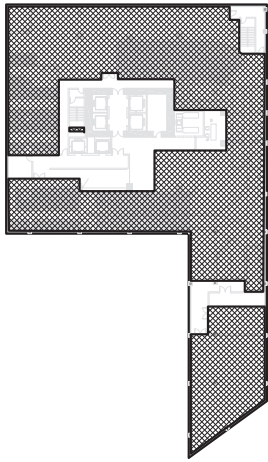


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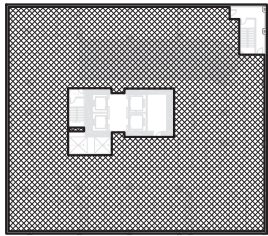
LEVEL	GROSS SQUARE FOOTAGE (GSF)	EXEMPTED AREA	OCCUPIED FLOOR AREA (OFA)*
36	12,650	1,589	11,061
35	12,079	758	11,321
34	12,079	758	11,321
33	12,079	758	11,321
32	12,079	758	11,321
31	12,079	758	11,321
30	12,079	758	11,321
29	12,079	758	11,321
28	12,079	758	11,321
27	12,079	758	11,321
26	12,079	758	11,321
25	12,079	758	11,321
24	12,079	758	11,321
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15	12,079	758	11,321
14	12,079	758	11,321
13	12,079	758	11,321
12	12,079	758	11,321
11	12,079	758	11,321
10	12,079	758	11,321
9	12,079	758	11,321
8	12,079	758	11,321
7	12,650	747	11,903
6	11,037	749	10,288
5	14,590	1,721	12,869
4	20,078	2,282	17,796
3	19,363	2,273	17,090
2	17,476	2,782	14,694
1	20,991	7,049	13,942
ABOVE GRADE			
TOTAL	467,047		426,631
B1	21,979	15,566	6,413
B2	17,494	14,720	2,774
B3	17,494	14,982	2,512
BELOW GRADE			
TOTAL	56,967		11,699
PROJECT TOTAL	524,014		438,330

* OFA is calculated per San Francisco Planning Code, Art. 1, Sec.102

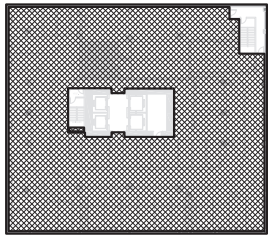
 Areas exempt from GFA calculation



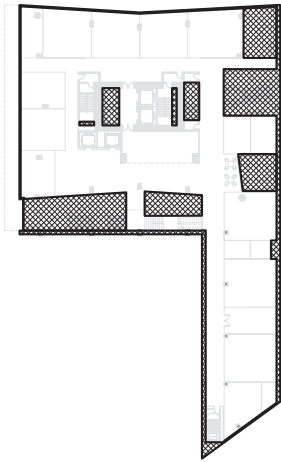
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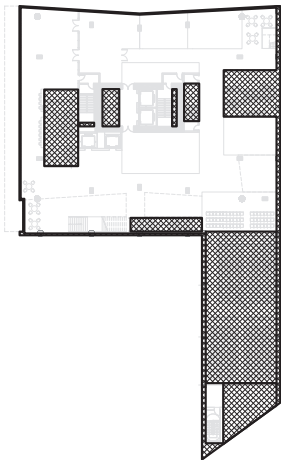
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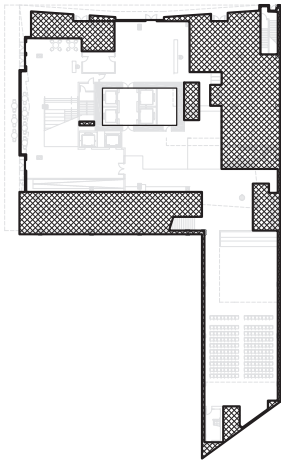
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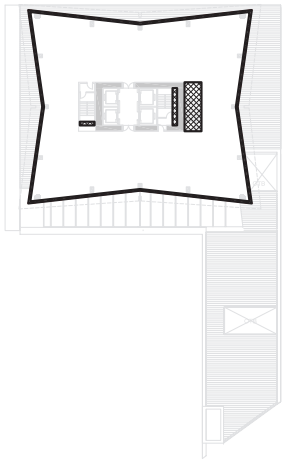
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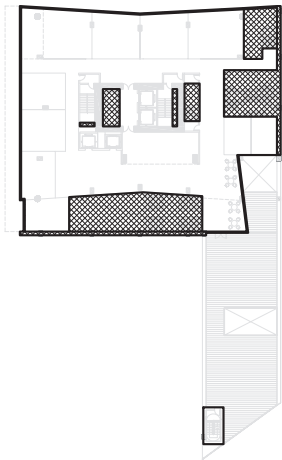
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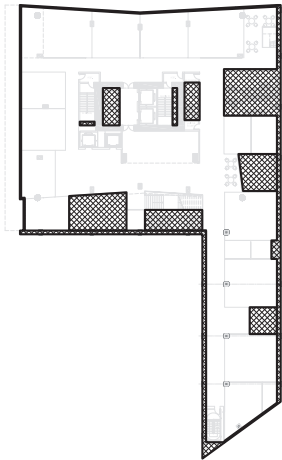
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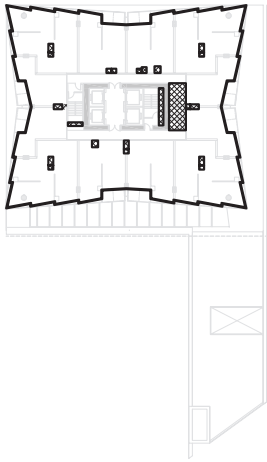
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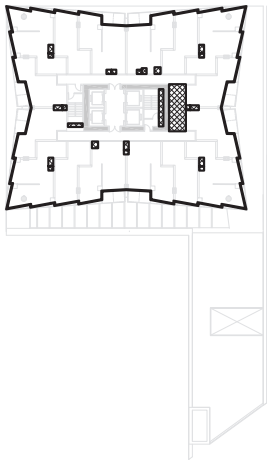
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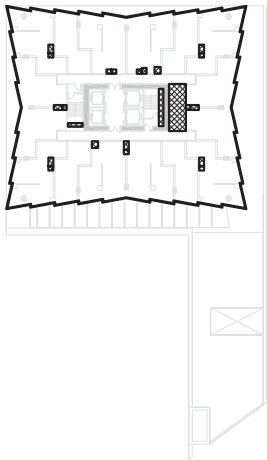
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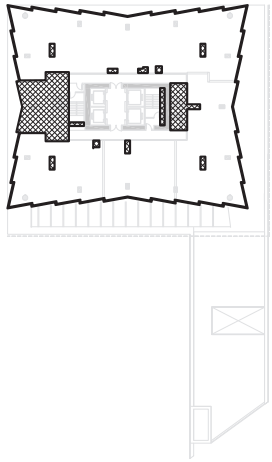
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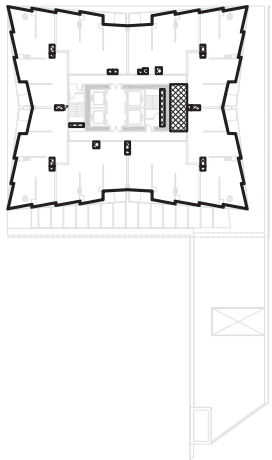
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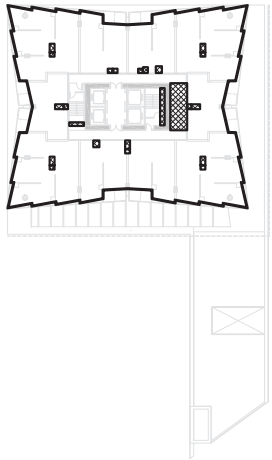
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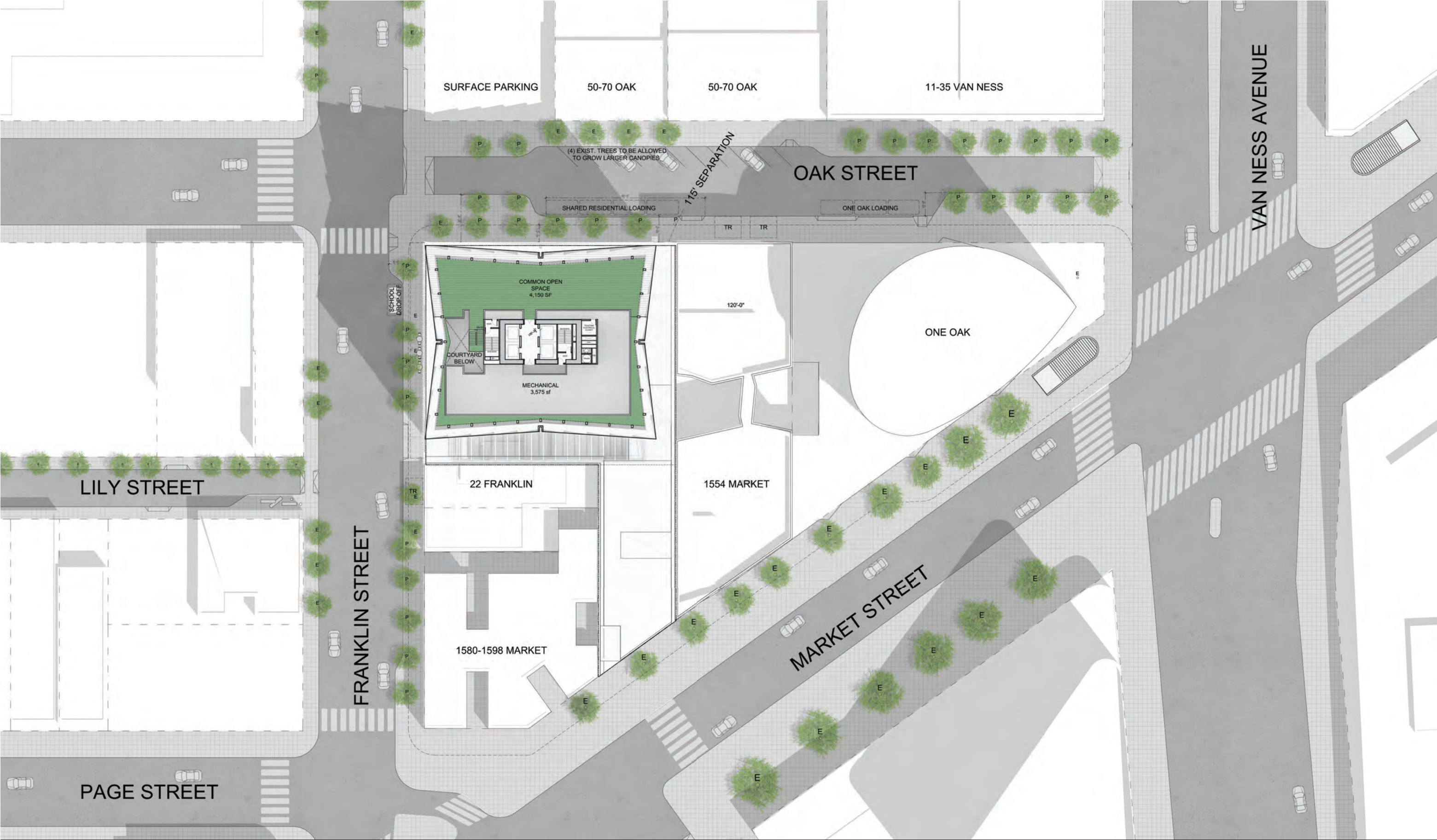
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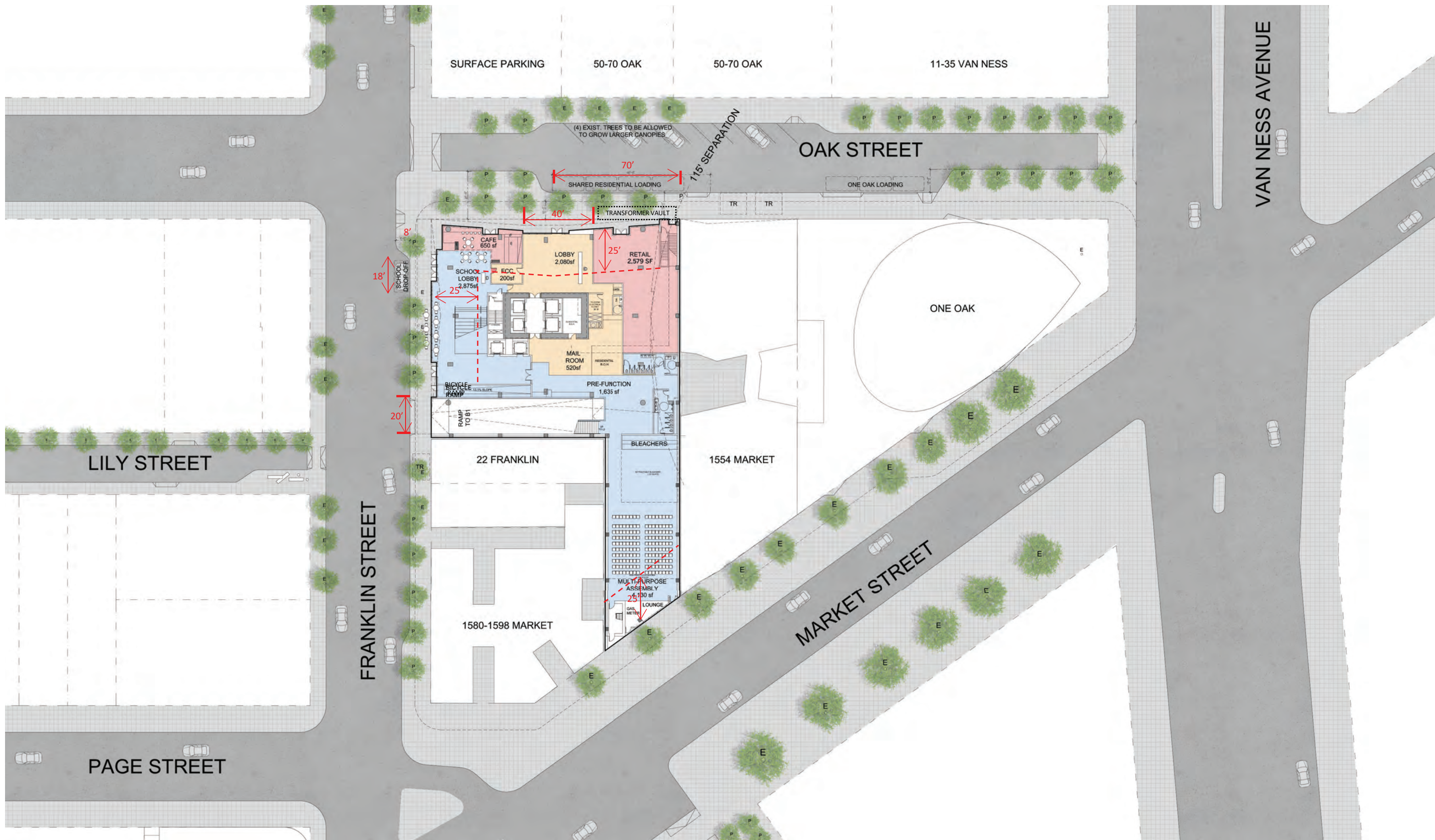


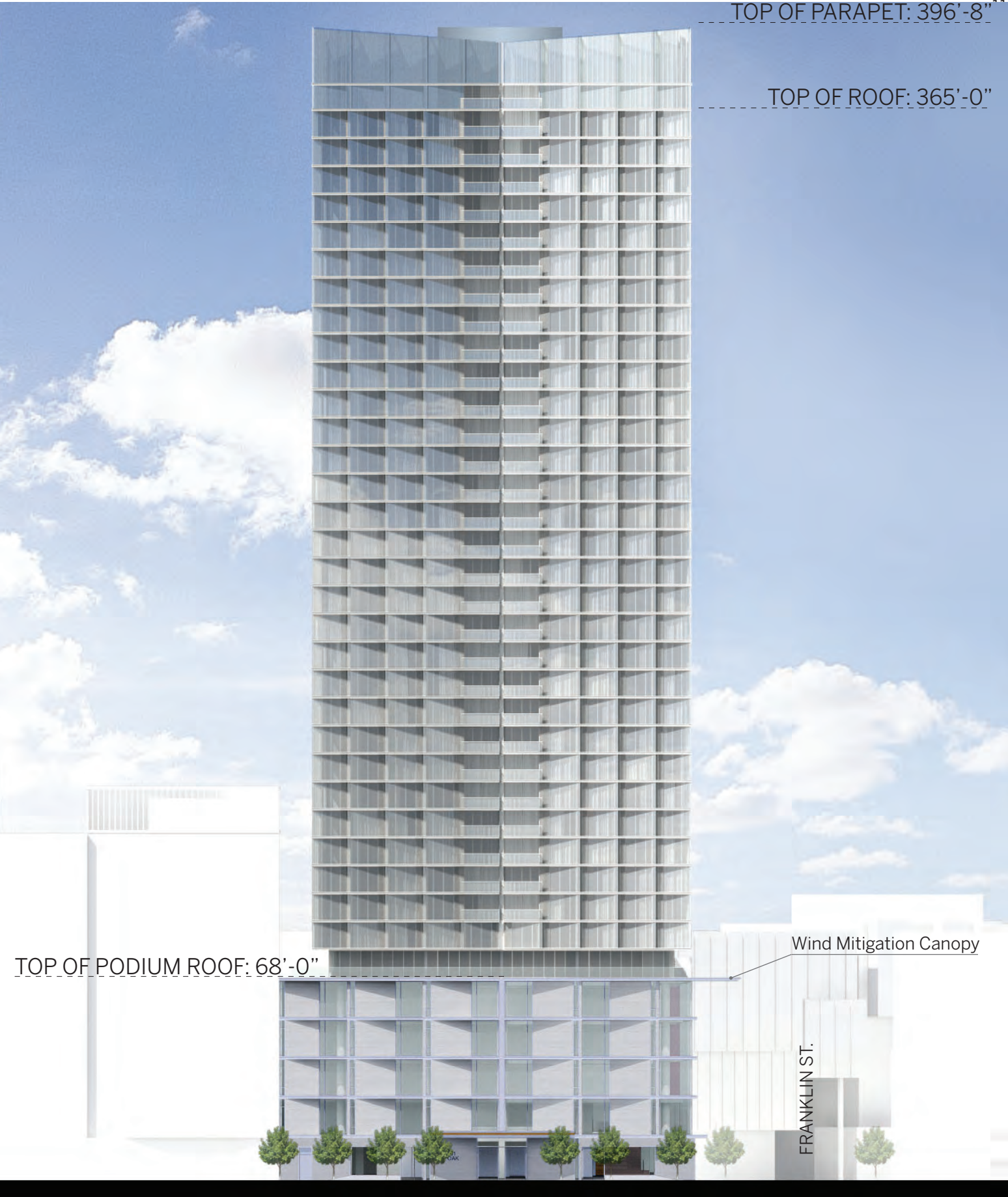
L32-L35



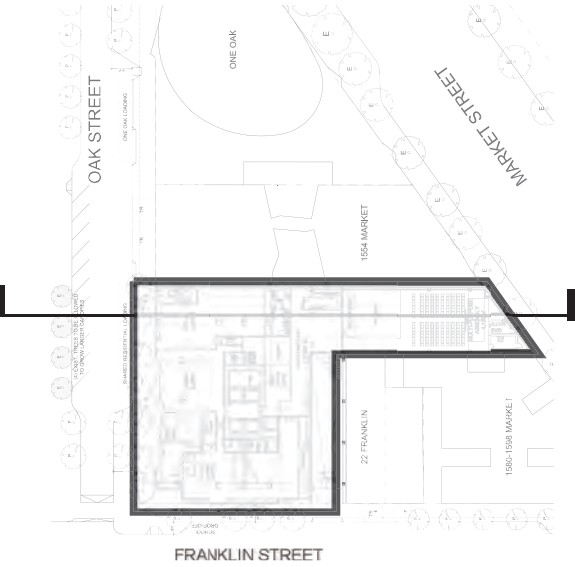
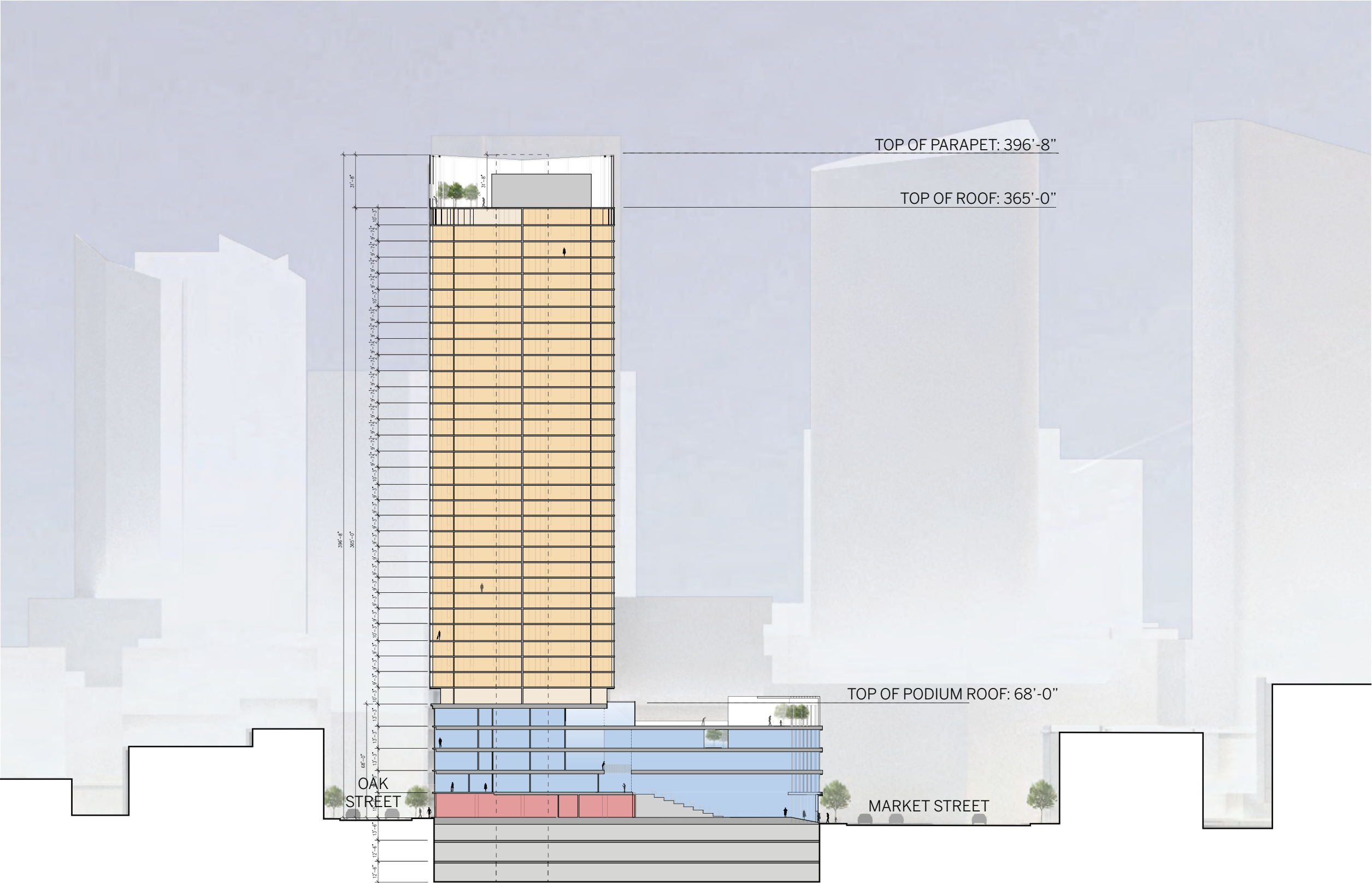
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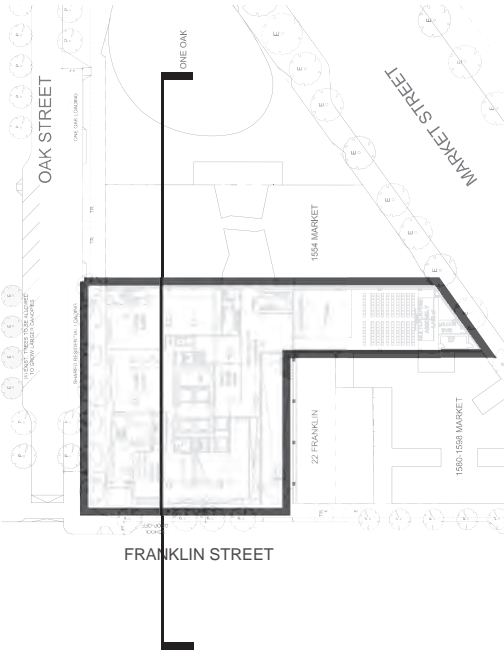
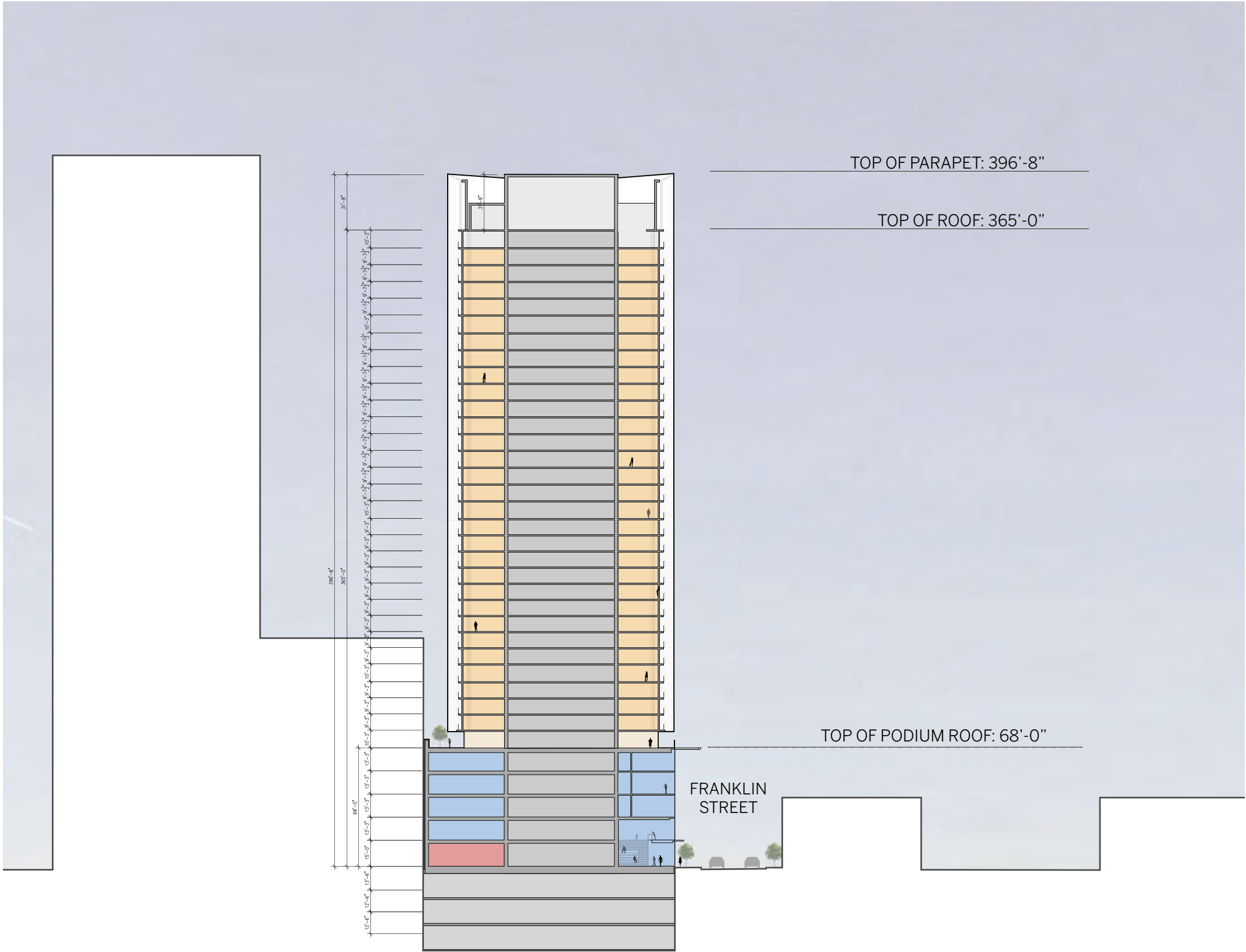


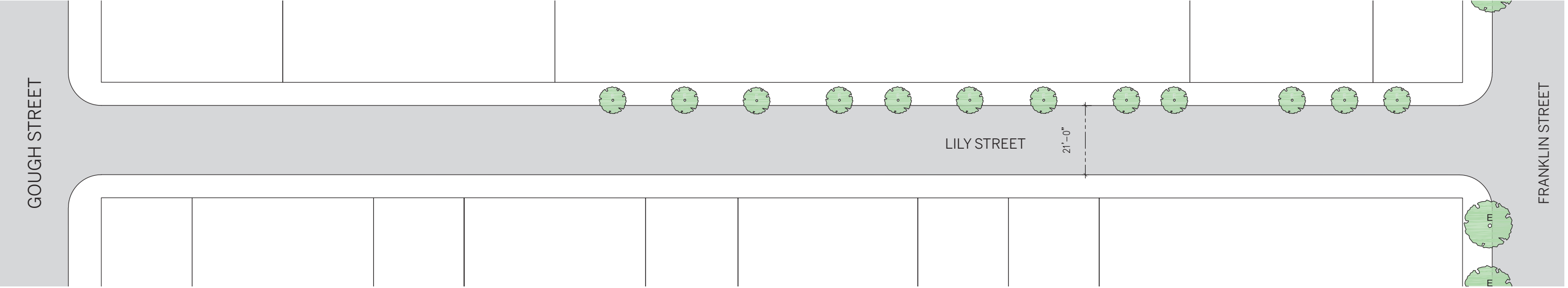




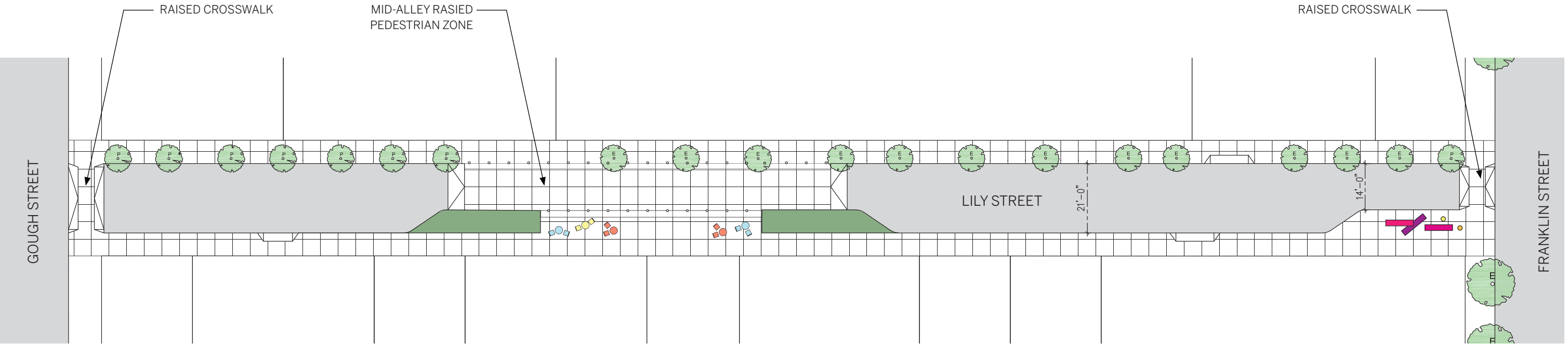




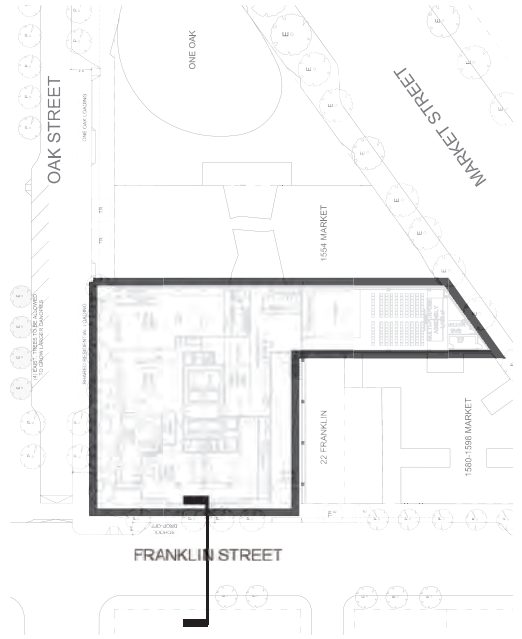


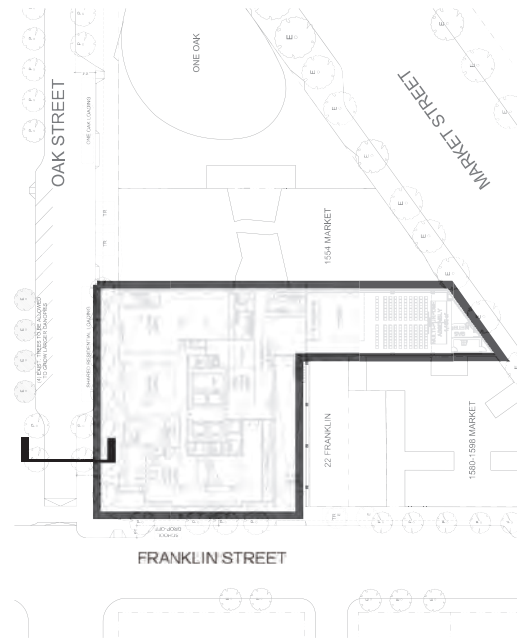


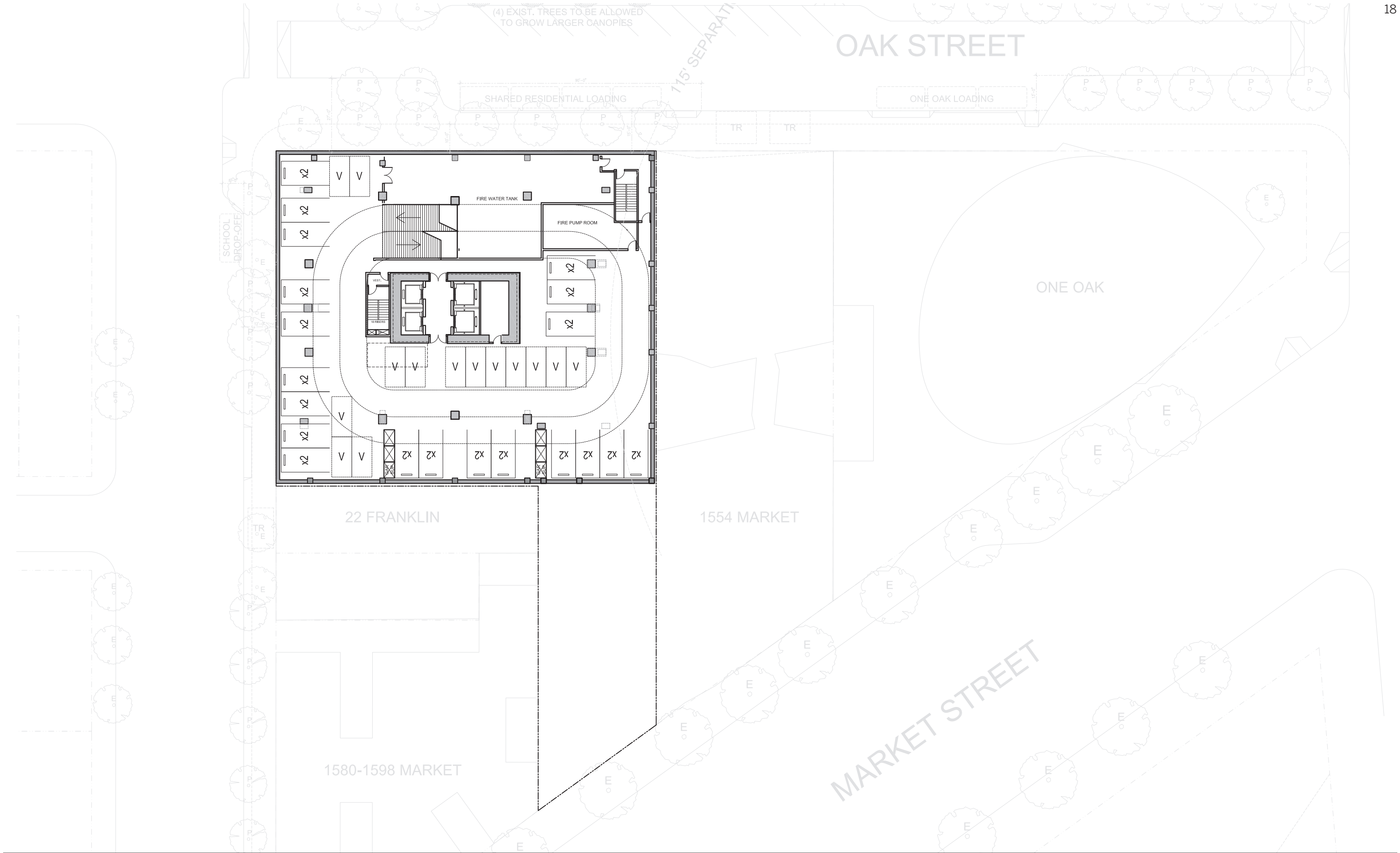
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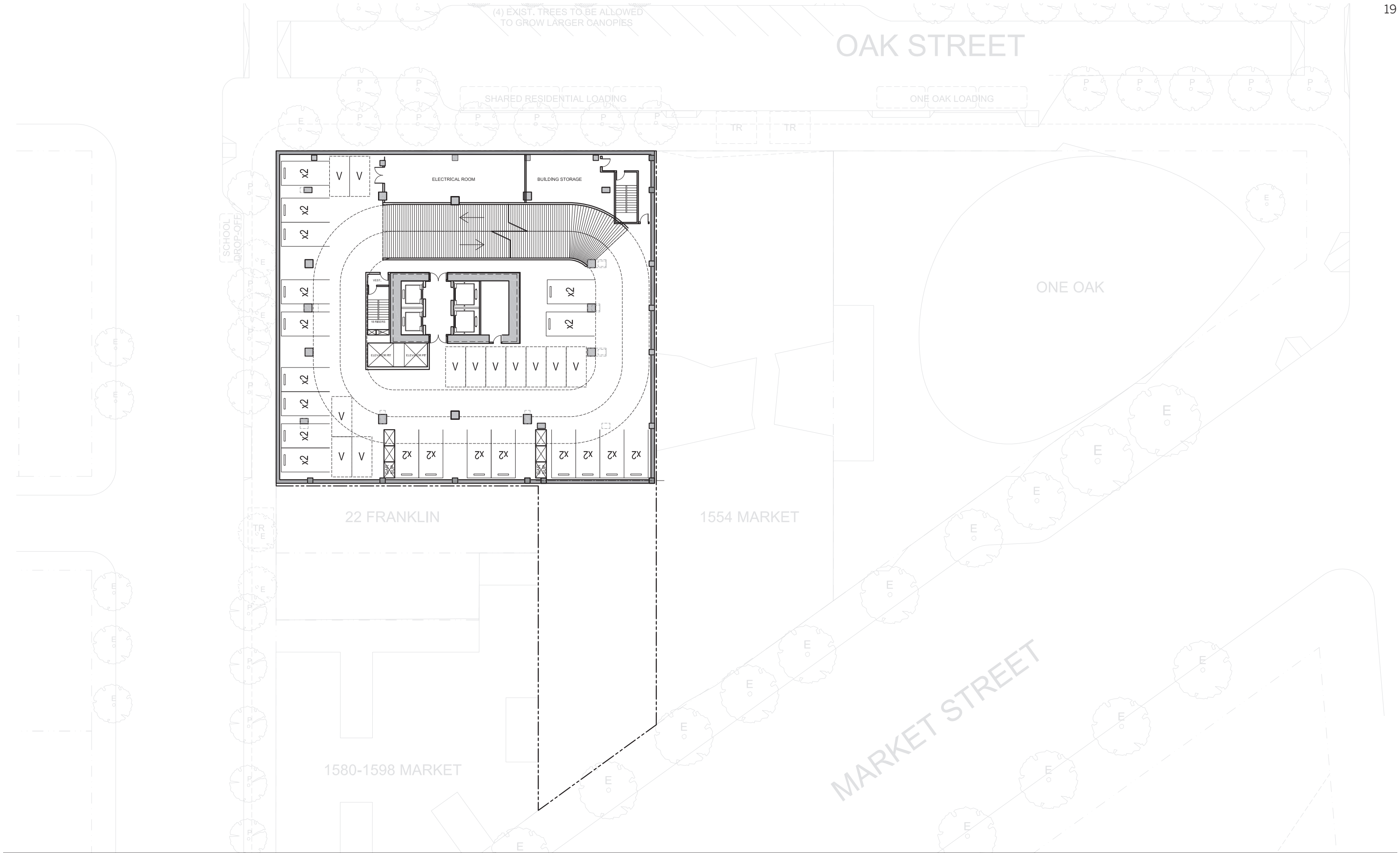


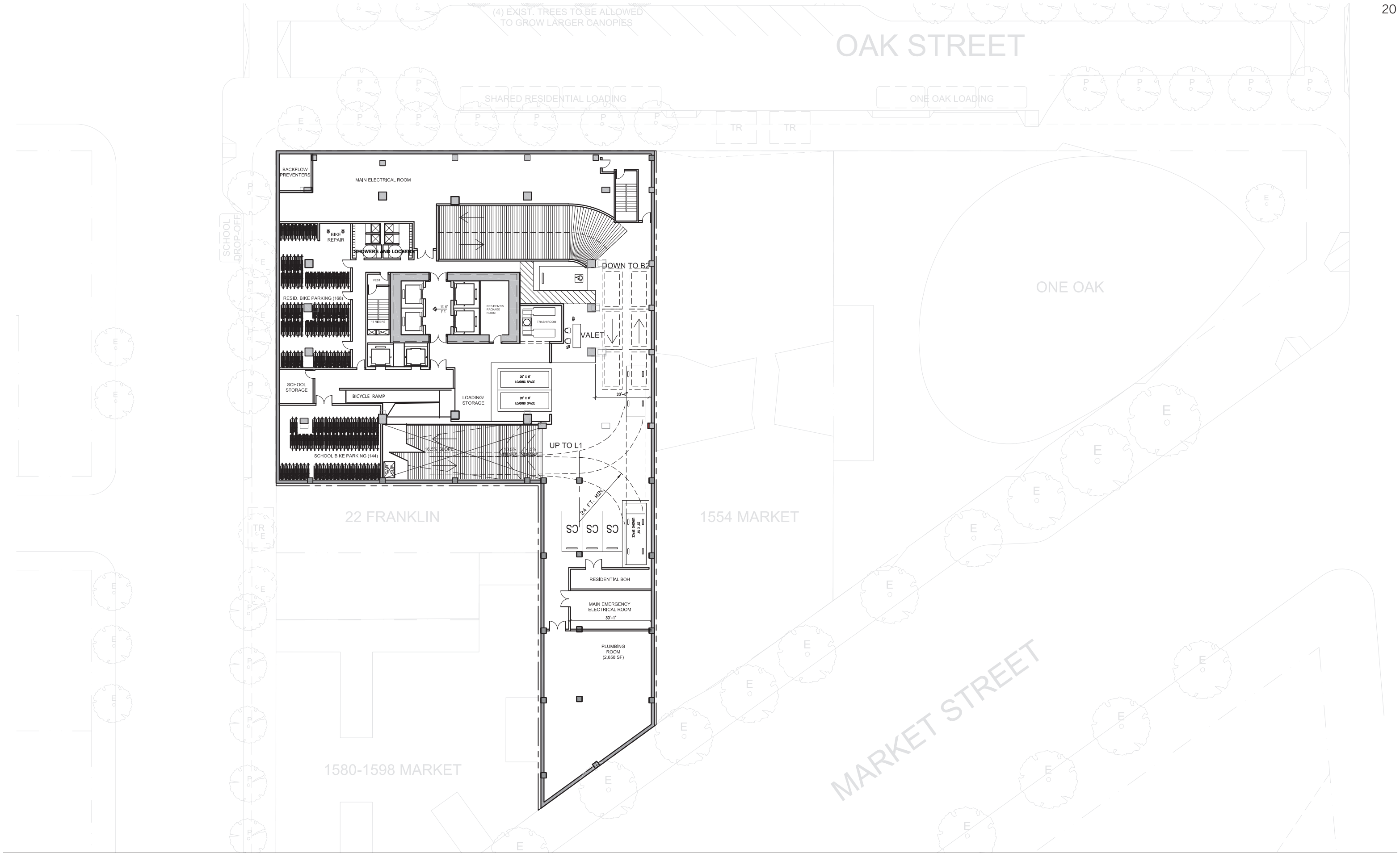
PROPOSED

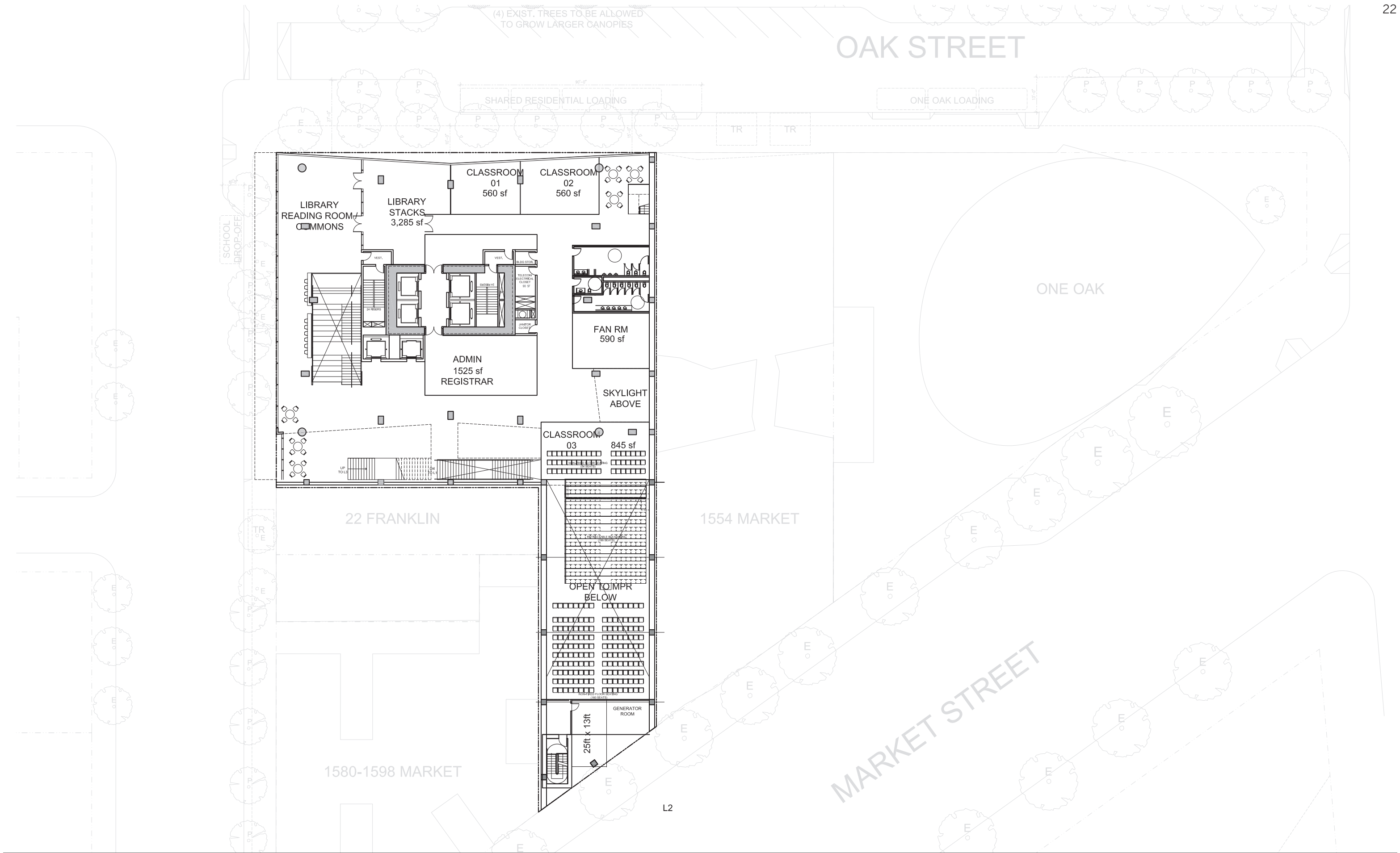


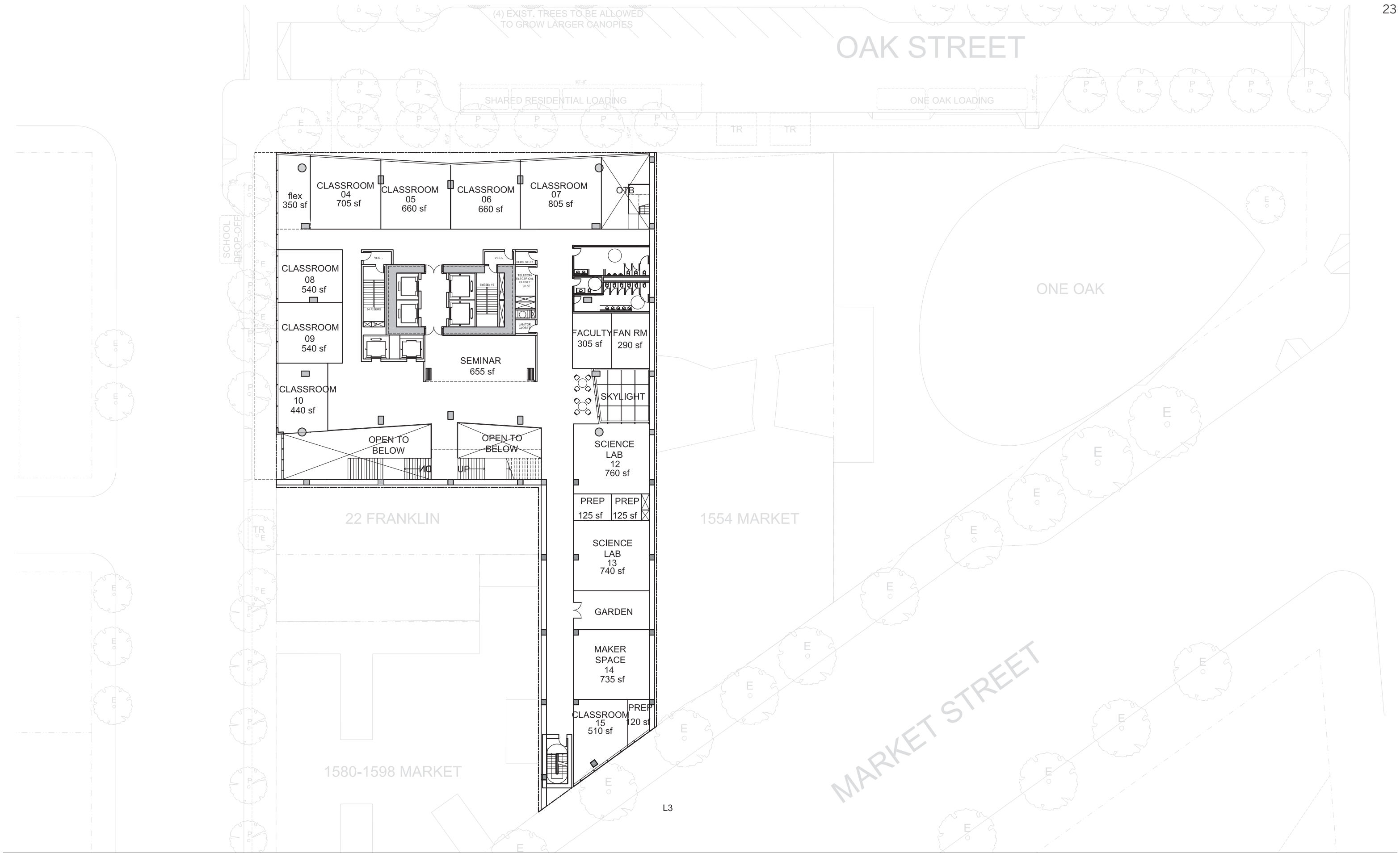


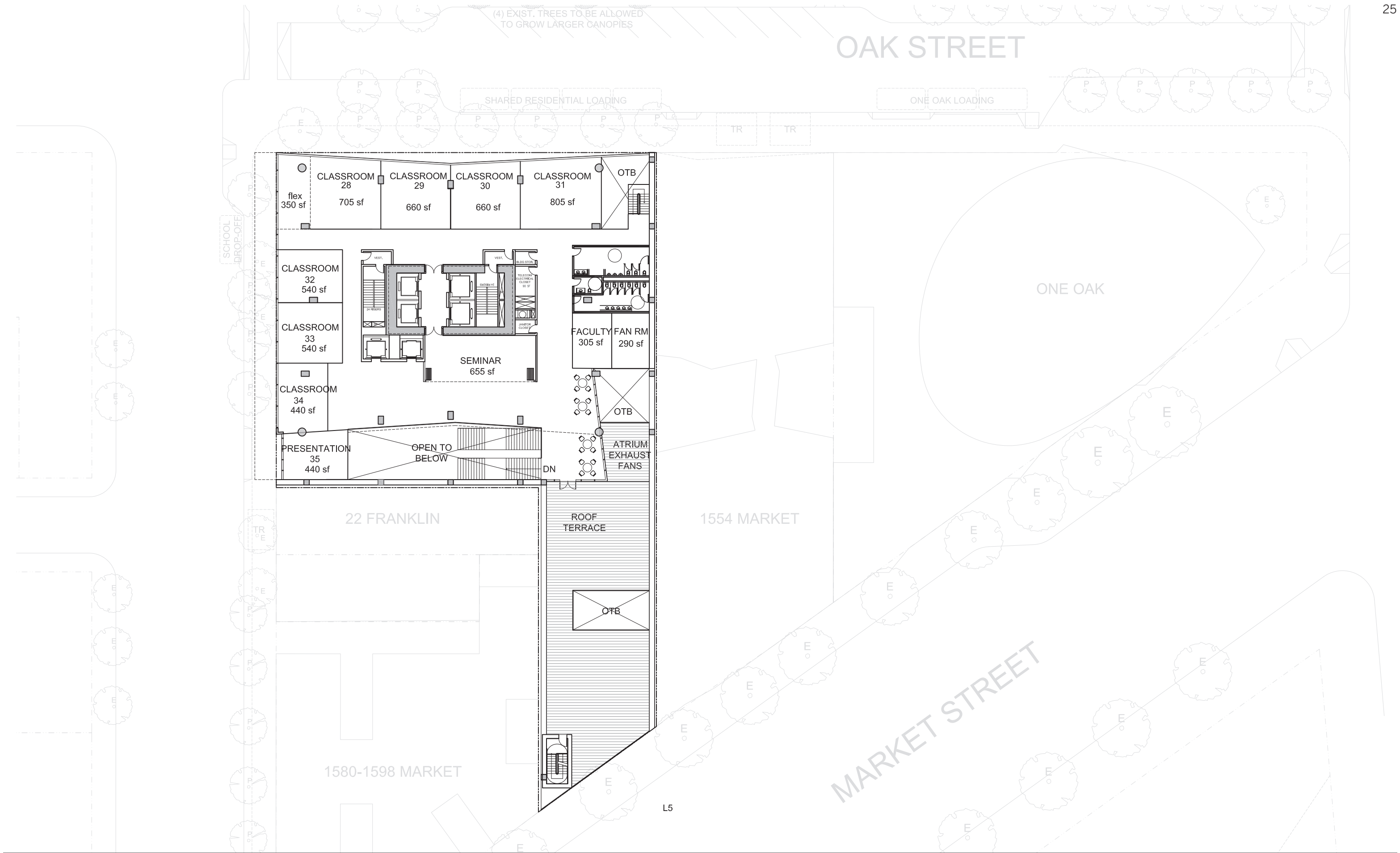


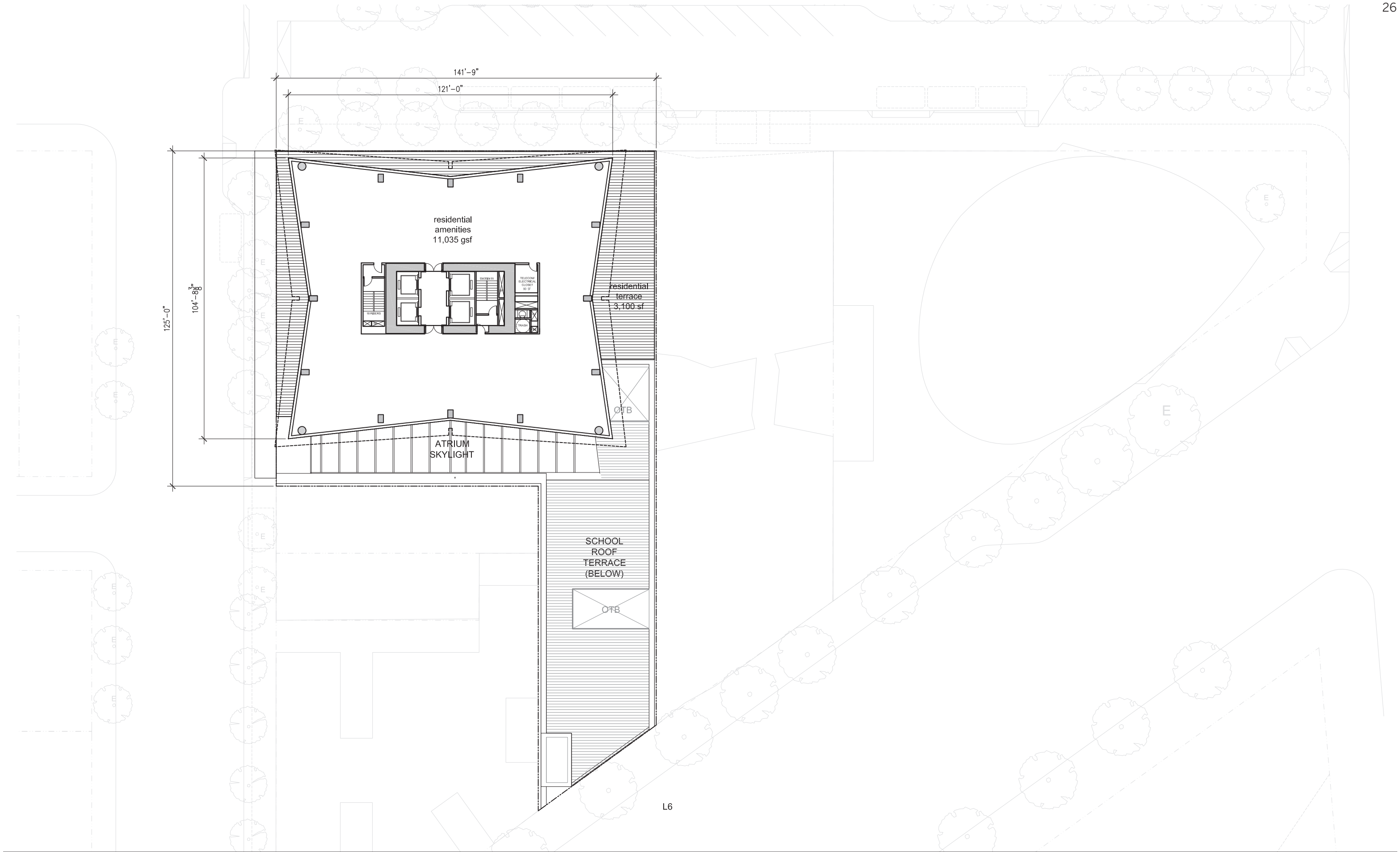


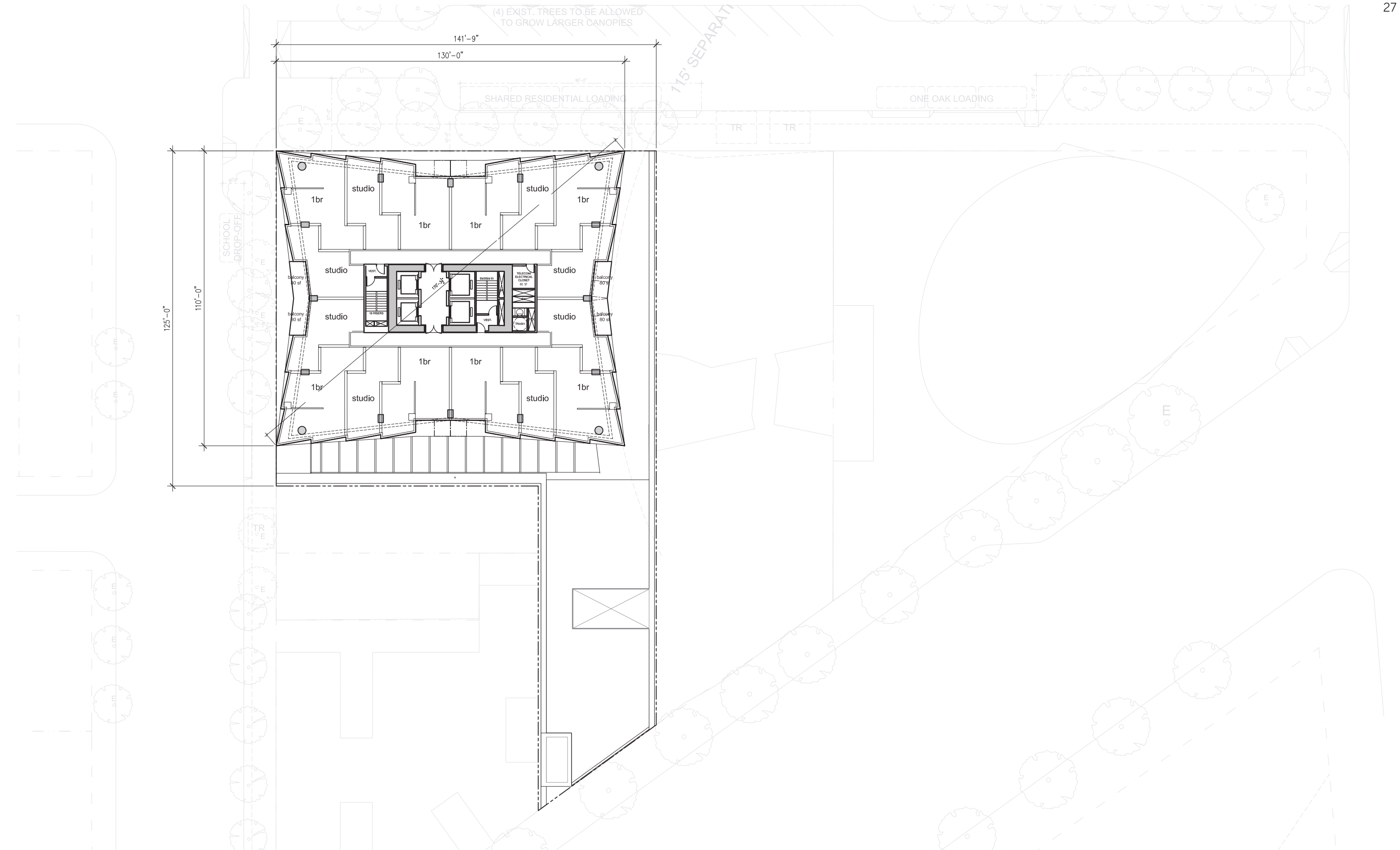


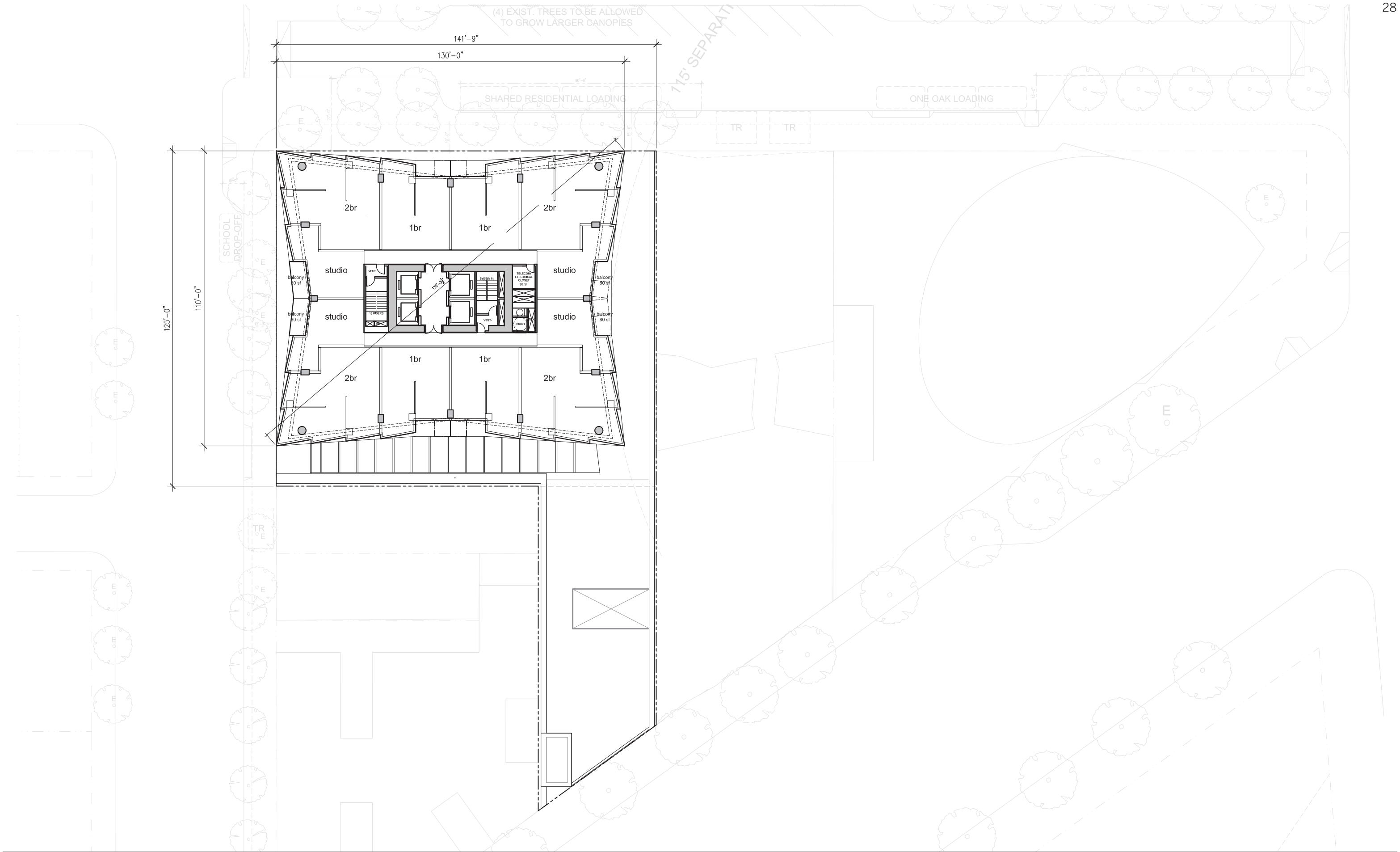


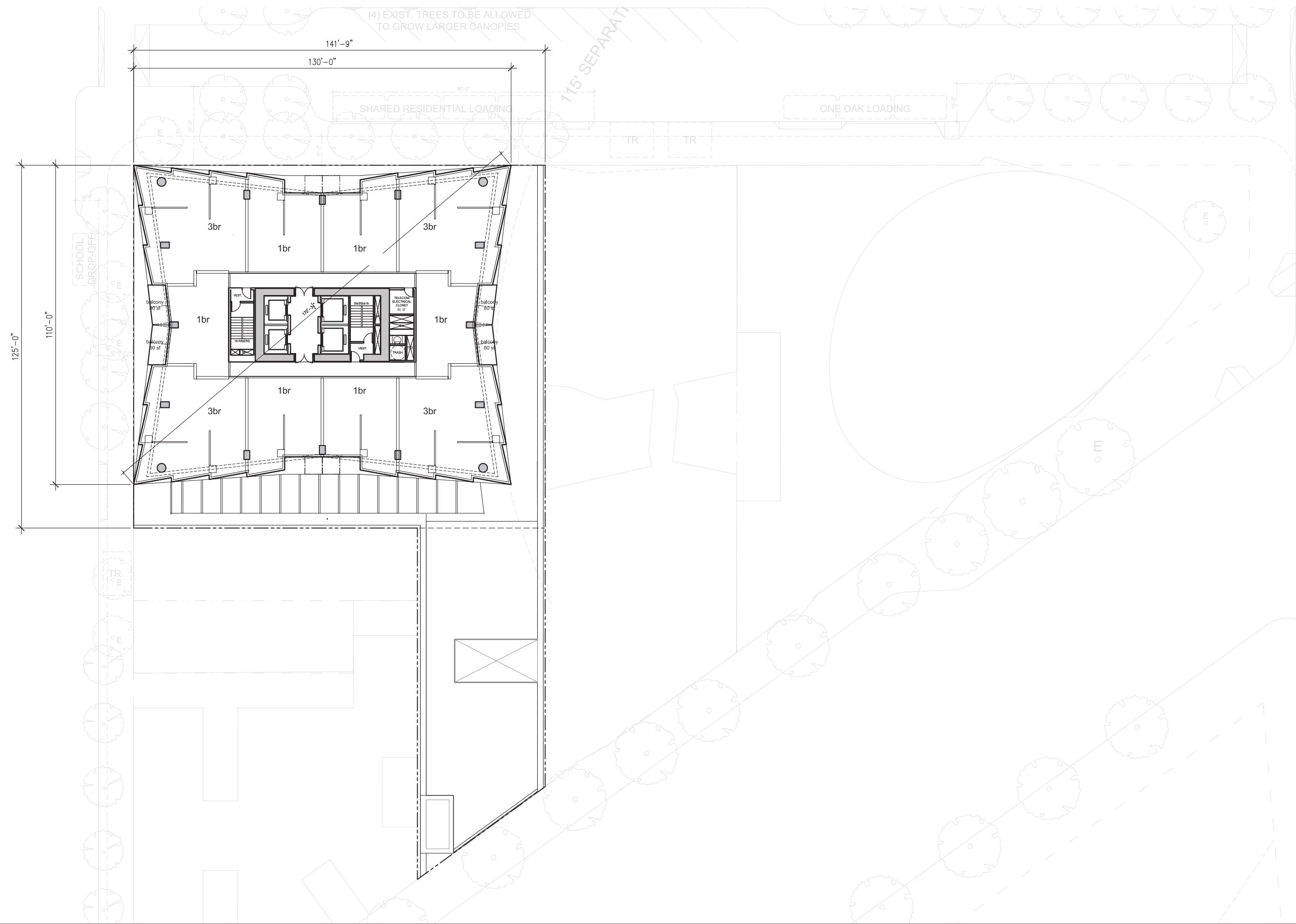


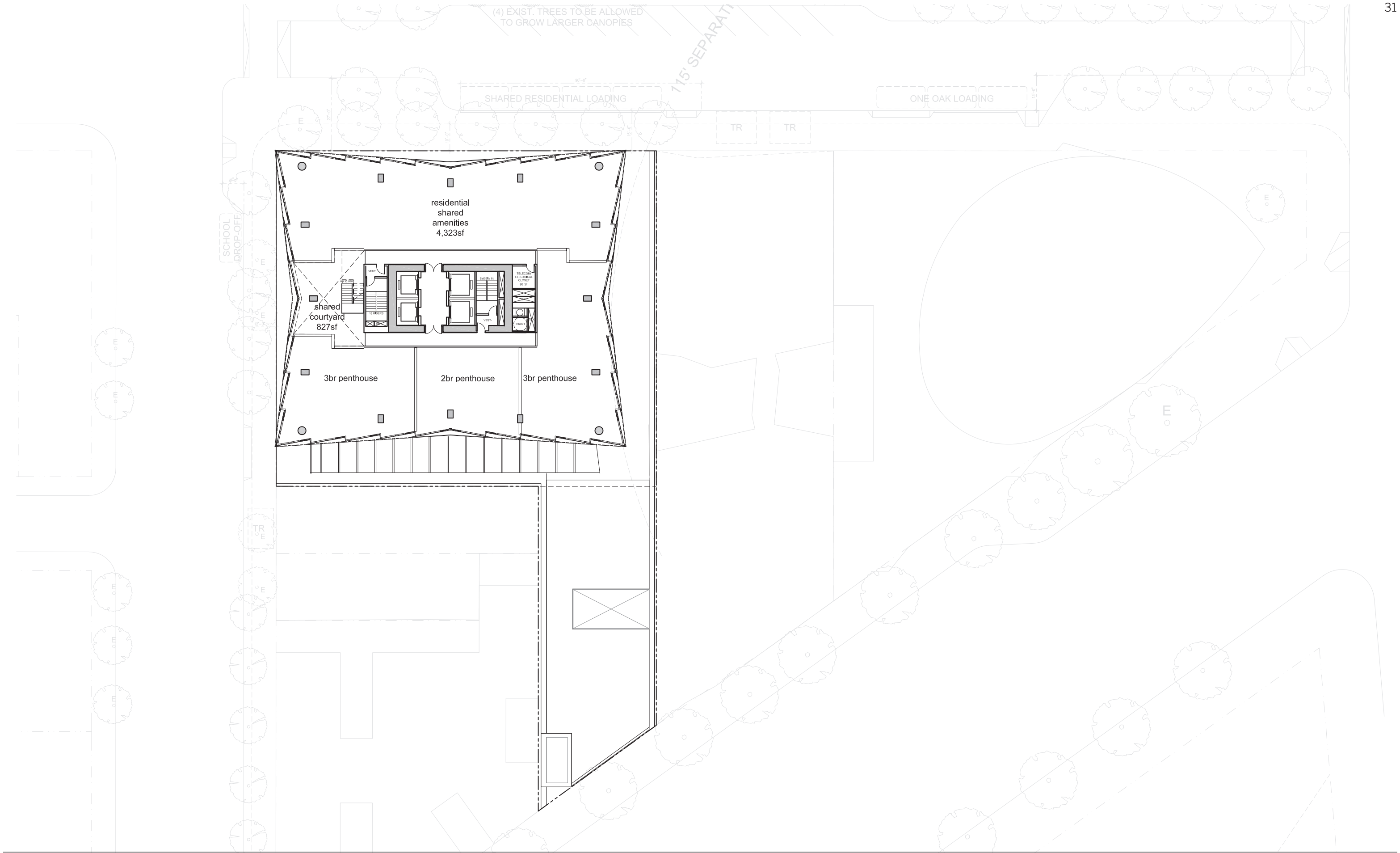


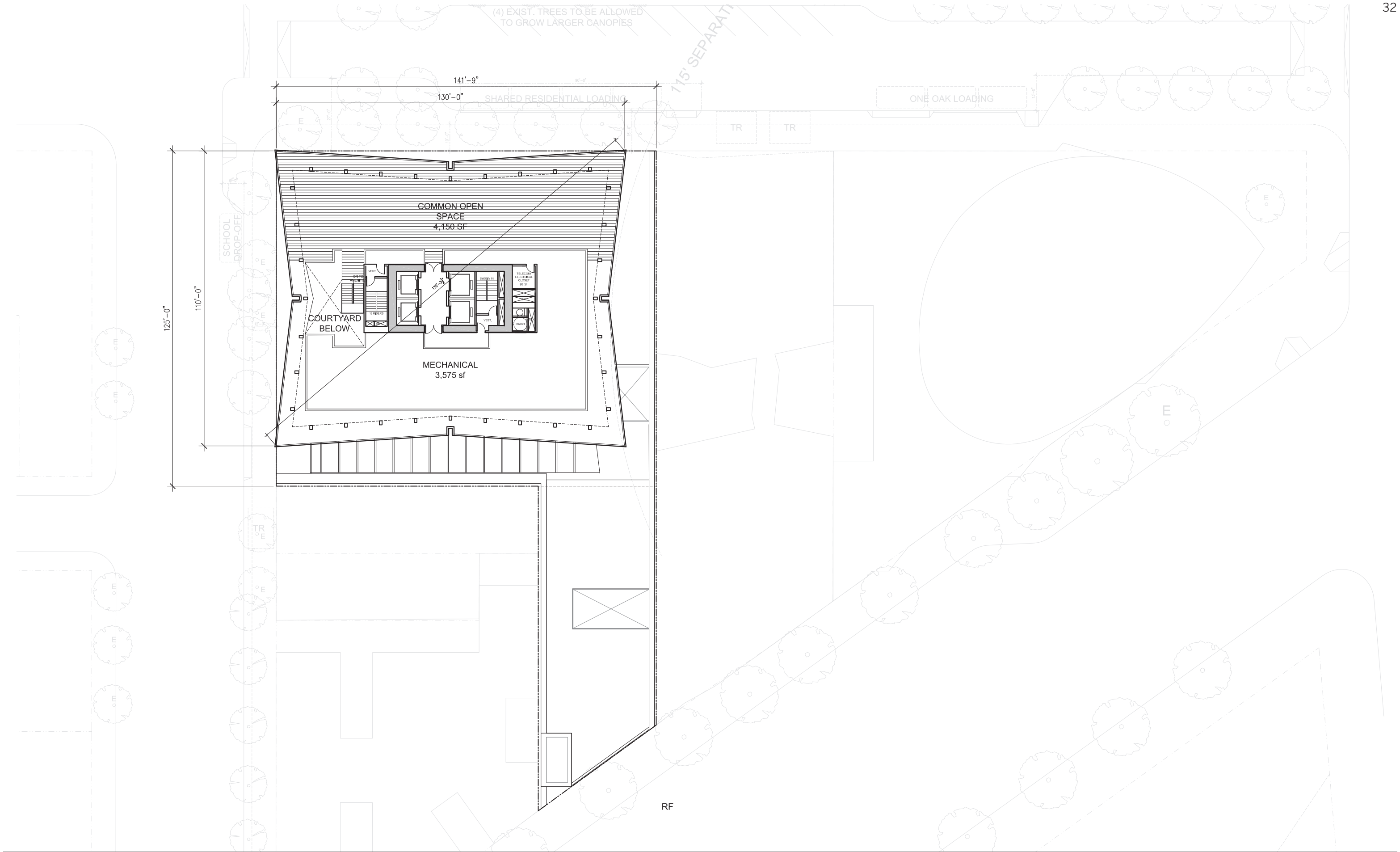














Refer to Enlarged Elevation (Pg 35)

Glass Storefront Assembly

Laminated Glass Guardrail Assembly

Insulated Glass Curtain Wall

Insulated Glass Curtain Wall with Ceramic Frit

Stone Finish

Operable Windows (Typ.)

Stone Finish

Roll Up Garage Door

Glass Storefront Assembly



Refer to Enlarged Elevation (Pg 35)

Glass Storefront Assembly

Laminated Glass Guardrail Assembly

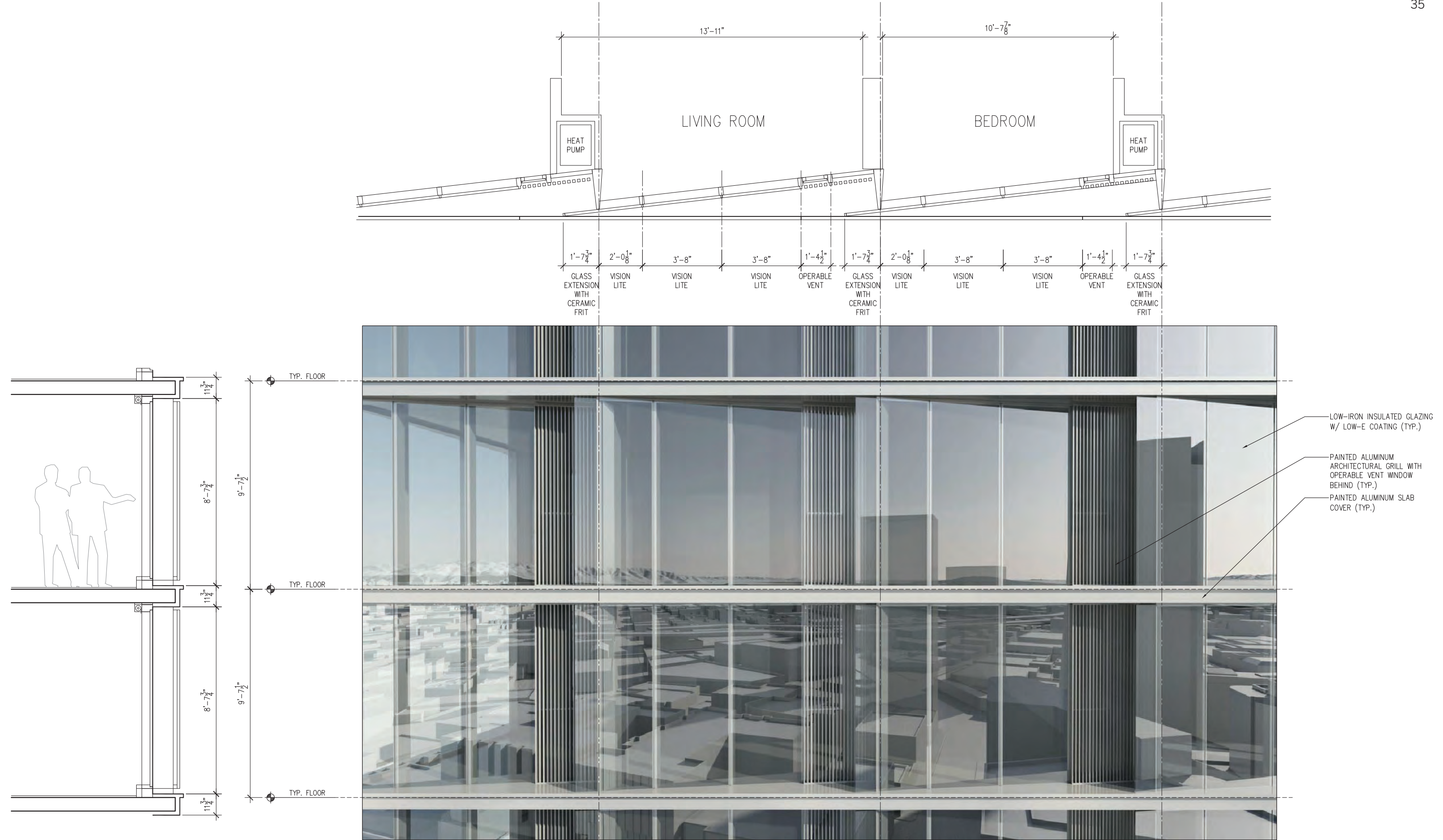
Insulated Glass Curtain Wall

Stone Finish

Operable Windows (Typ.)

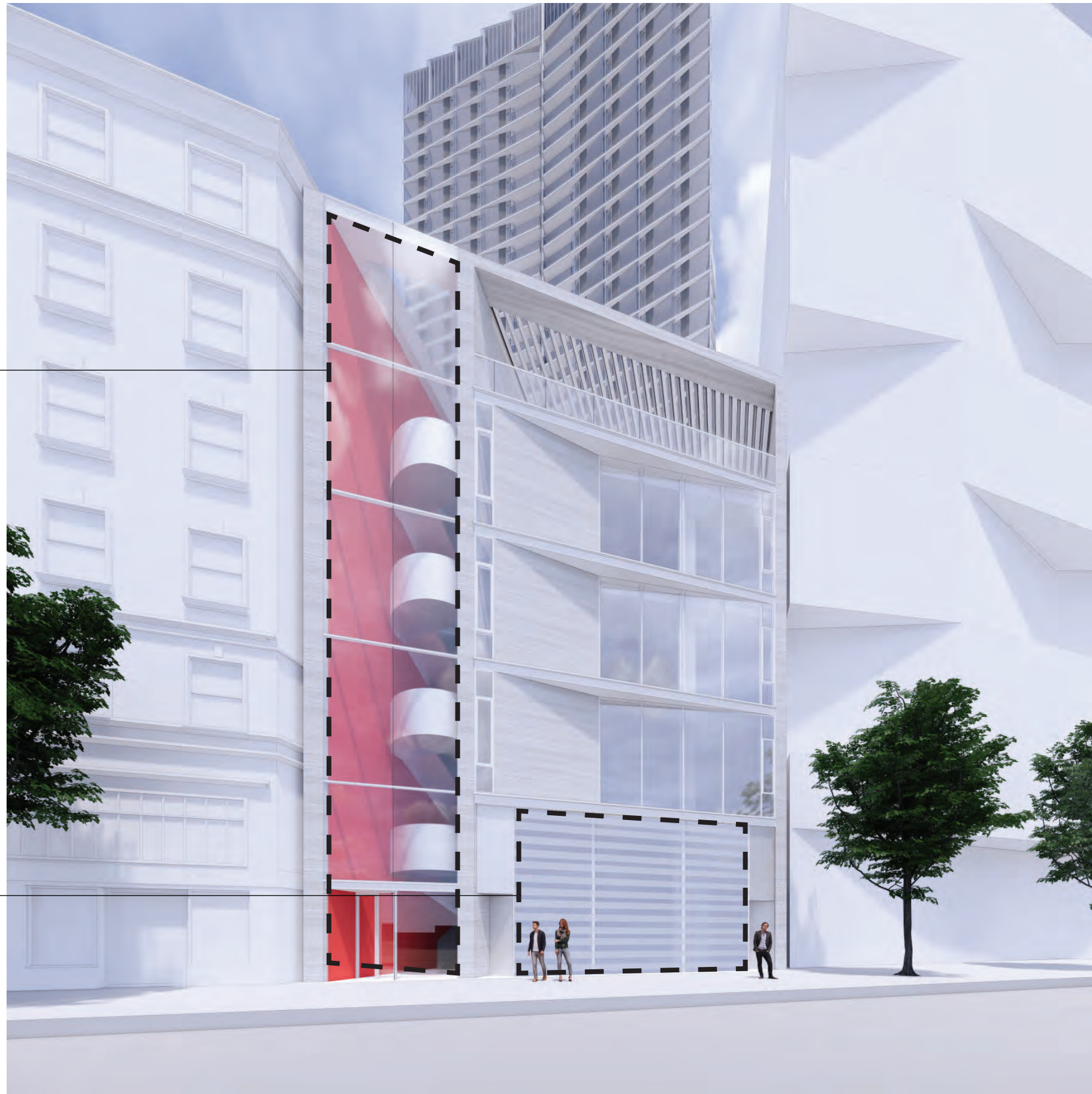
Stone Finish

Glass Storefront Assembly



Possible Public Art Location

Possible Public Art Location





Possible Public Art Location

Possible Public Art Location

TOP OF PARAPET: 72'-6"

School Terrace

ROOF TERRACE: 54'-9"

Staircase

L4: 41'-6"

Stone Finish

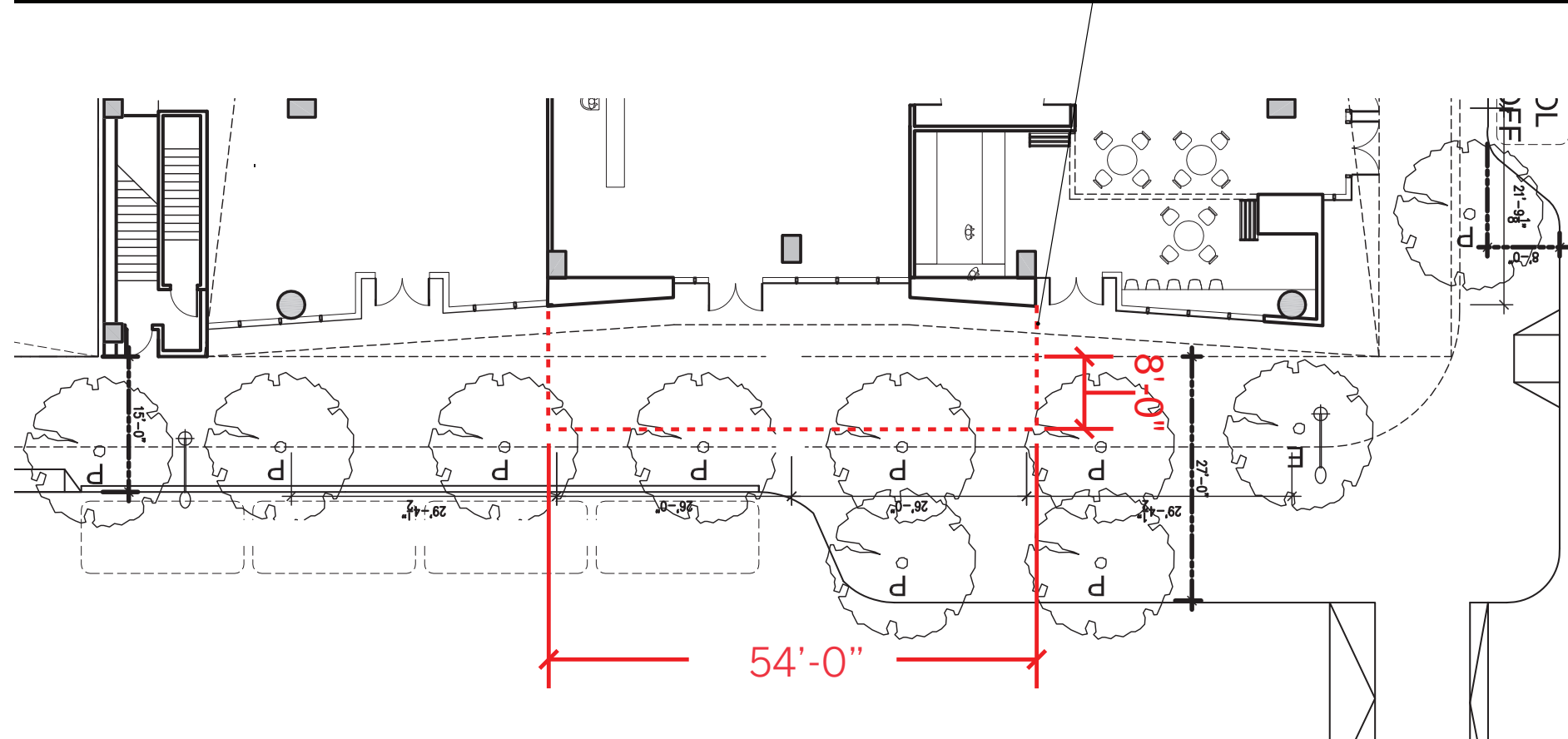
Insulated Glass Curtain Wall

L3: 28'-3"

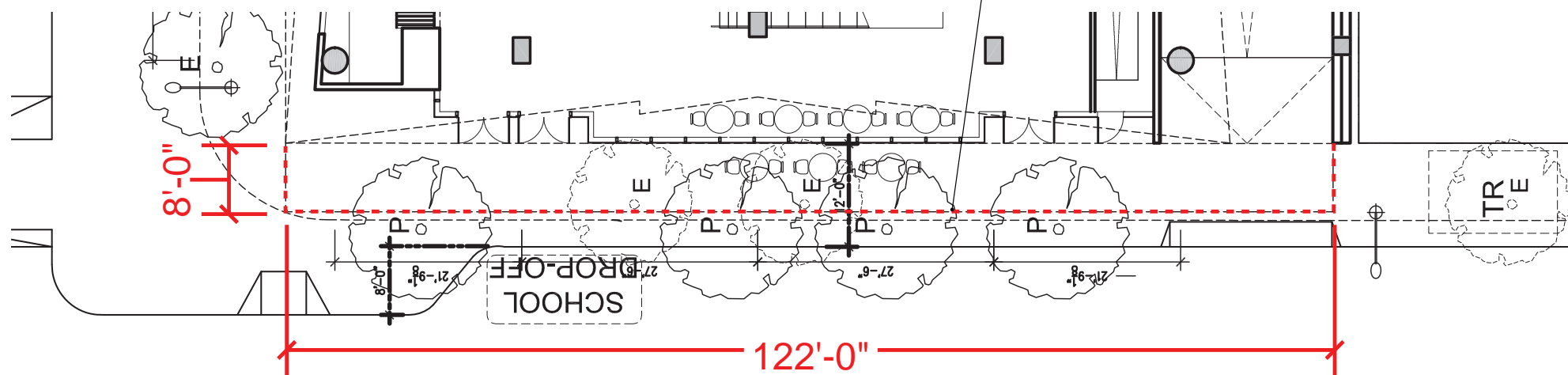
L2: 15'-0"

Fritted and Clear Glass Storefront

L1: 0'-0"



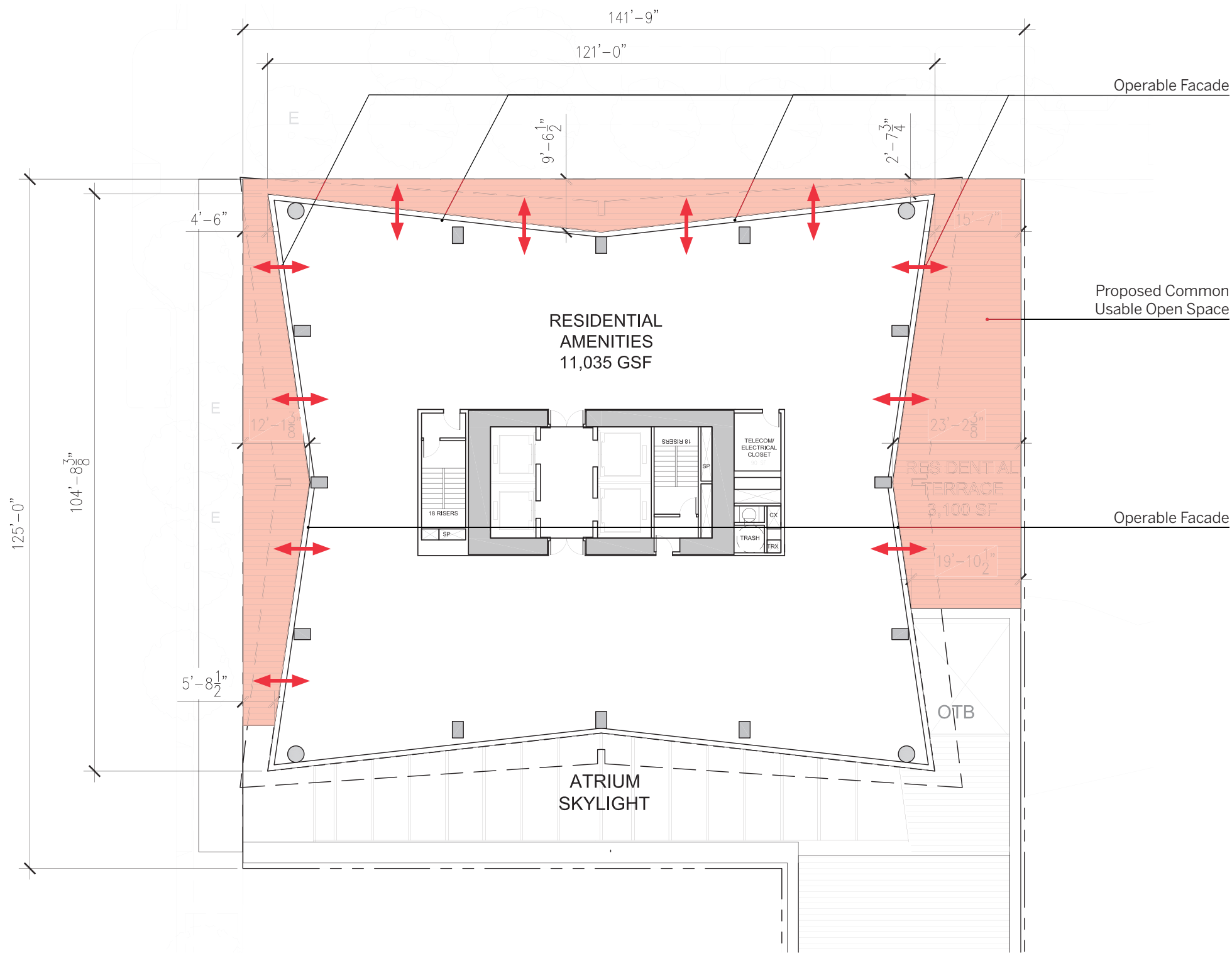
GF PLAN



GF PLAN

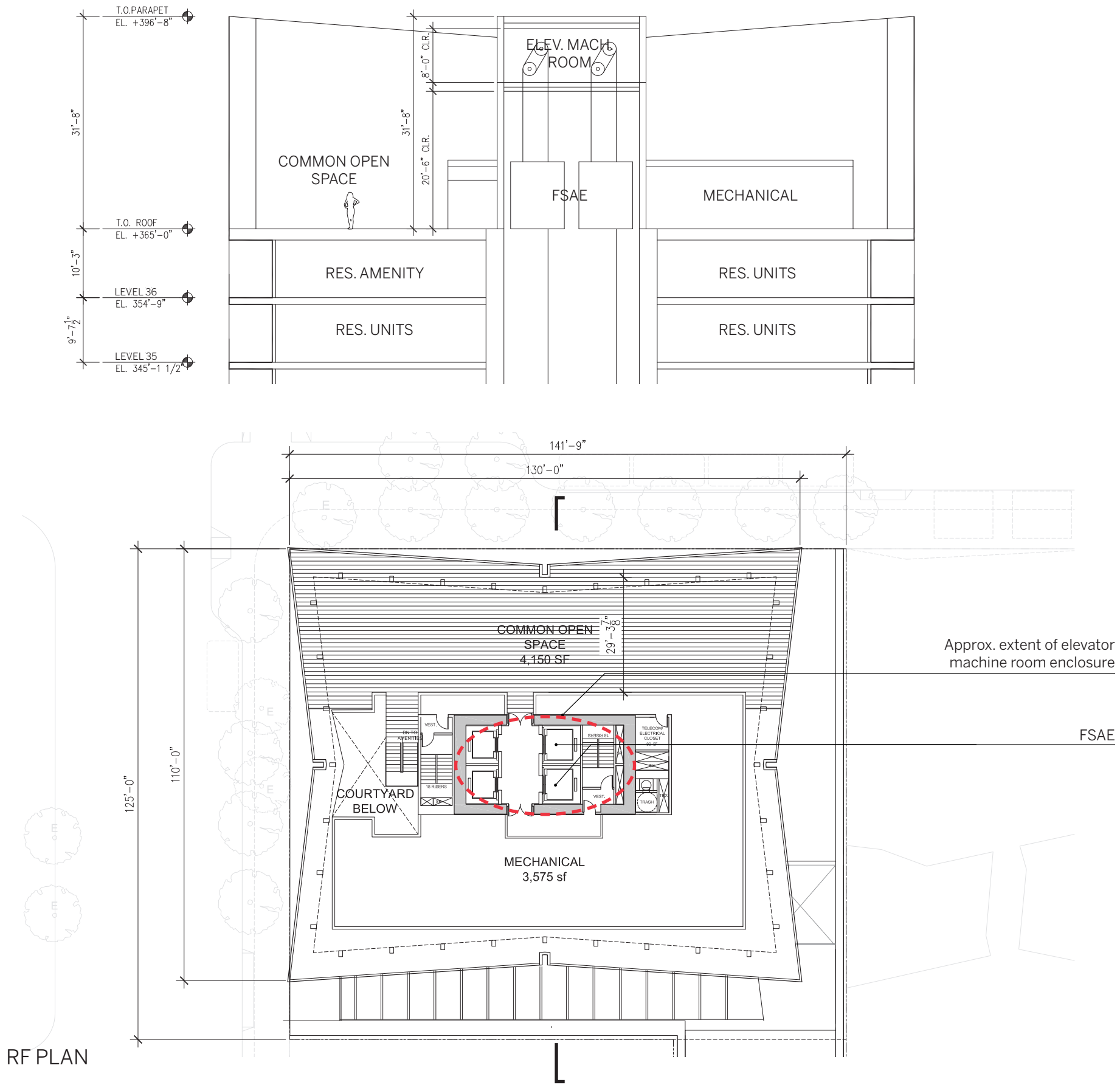
Notes:

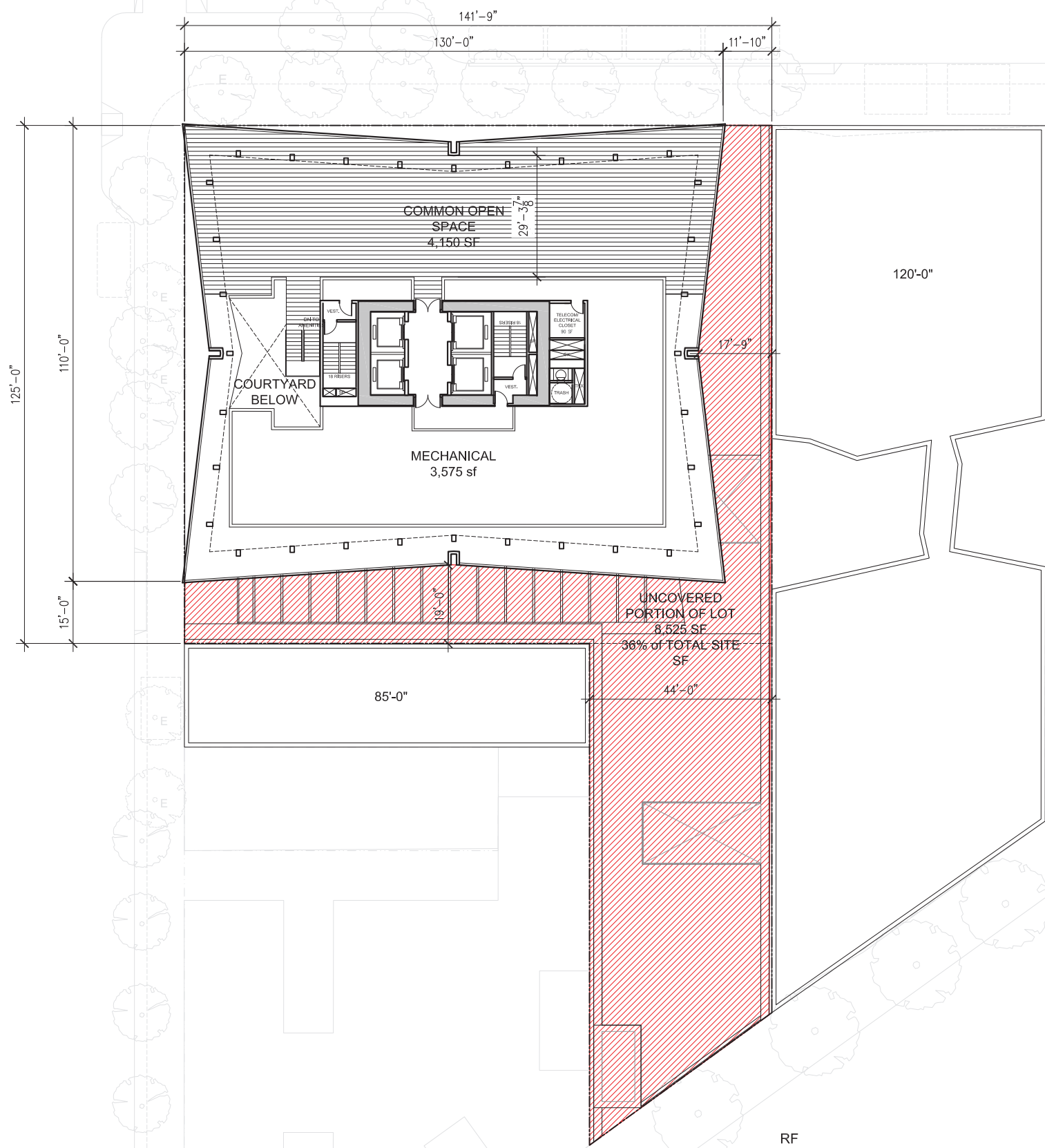
- Common open space is not 15 feet in every horizontal dimension.



L6 PLAN

- Notes:
- Less than 30% of roof area covered by mechanical equipment
 - Elevator penthouse exceeds permitted building height





- Notes:
- The project is seeking an exception to the Dwelling Unit Exposure requirements in Section 140.
 - Of the project's total 345 dwelling units, 136 face only the mid-block open space provided to the east or south of the proposed tower. The space provided at the interior of the lot on these sides is an irregularly shaped space equal to 25% or more of the lot area, but is not 25% of the lot depth or a minimum in all locations of 15 feet.
 - Adequate light and air is provided to the units because the adjacent buildings to the south and east are recently constructed residential buildings and are only 85' and 120' tall, respectively. Of the 136 units which face only the interior yard, the vast majority, 130/136, are above the roofline of the adjacent building.
 - The adjacent building walls are not set back from the property line and do not have windows facing the shared property lines with the project.













PLAN SET FOR SECTION 309 DOWNTOWN AUTHORIZATION

MAY 2020

View of Market Street Elevation

SCALE: NTS

98 FRANKLIN STREET

SKIDMORE, OWINGS & MERRILL LLP





SOM

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT C

MMRP

**TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL or TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT DEVELOPMENT PROJECTS WITHIN THE HUB PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW
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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
Cultural Resources								
M-CUL-1a: Avoid or Minimize Effects on Identified Built Environment Resources. This mitigation measure is required in recognition of Objective 3.2 of the Market and Octavia Area Plan, to which the Hub Plan is an amendment. Objective 3.2 states that the Market and Octavia Area Plan shall “promote the preservation of notable historic landmarks, individual historic buildings, and features that help to provide continuity with the past.” Policy 3.2.2 of the Market and Octavia Plan states that the plan shall “encourage rehabilitation and adaptive reuse of historic buildings and resources.” In order to meet Objective 3.2 and Policy 3.2.2, the project sponsor of a subsequent development project in the Hub Plan area that occurs on the site of a built environment historic resource or contributor to a historic district shall seek feasible means for avoiding significant adverse effects on historic architectural resources, with judgment of the significance of the impact to be based on the Secretary of the Interior’s Standards for	X				Project sponsor and qualified architectural historian.	Prior to approval of project environmental document.	Planning department preservation staff to review and approve.	Considered complete when environmental document approved by Environmental Review Officer.

¹ Implementation of the Hub Housing Sustainability District (HSD) is a procedural change that may reduce the time required for approval of projects that satisfy all of the requirements of the HSD ordinance. Designation of an HSD, through adoption of an ordinance by the San Francisco Board of Supervisors, would allow the city to exercise streamlined ministerial approval of residential and mixed-use development projects meeting certain requirements within the HSD. Qualifying projects approved under the HSD would still be required to implement mitigation measures identified in this EIR and comply with adopted design review standards and all existing city laws and regulations but would not require additional CEQA analysis. Because the Hub HSD would be a procedural change that would be shown as an overlay on zoning maps, no impacts would result from implementation of the HSD beyond those identified for the Hub Plan.

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Rehabilitation. If a project that conforms to the Secretary of the Interior’s Standards for Rehabilitation is not feasible, the project sponsor shall a.) demonstrate that infeasibility to the San Francisco Planning Department’s preservation staff, and b.) consult with the San Francisco Planning Department’s preservation and urban design staff to determine if effects on built environment resources should be minimized by retaining a portion of the existing building and incorporating it into the project, with the understanding that such minimization would still result in a significant adverse impact on historical resources. If retention of a portion of the existing building is not feasible, the project sponsor shall demonstrate that infeasibility to the San Francisco Planning Department’s preservation staff. California Environmental Quality Act Guidelines section 15364 defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” For the purposes of this mitigation measure, economic factors will not be considered. The applicability of each remaining factor would vary from project to project and be determined by staff members on a case-by-case basis.								
M-CUL-1b: Prepare and Submit Historical Documentation of Built Environment Resources. Where avoidance is not feasible, as described in Mitigation Measure M-CUL-1a, the project sponsor of a subsequent development project in the Hub Plan area shall	X				Project sponsor, qualified architectural historian, and photographer.	Prior to the issuance of any demolition, site, or building permit for the project.	Planning department preservation staff to review and approve.	Considered complete upon submittal of final Historic American Buildings Survey documentation to the

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	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
undertake historical documentation. The project sponsor shall retain a professional who meets the Secretary of the Interior’s Qualification Standards for Architectural Historian or Historian (36 Code of Federal Regulations part 61) and a photographer with demonstrated experience in Historic American Buildings Survey photography to prepare written and photographic documentation for the affected built environment resources. The Historic American Buildings Survey documentation package for each affected built environment resource shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to the issuance of any demolition, site, or construction permit for the project. The documentation shall consist of the following: <ul style="list-style-type: none"><i>Historic American Buildings Survey–level Photographs:</i> Historic American Buildings Survey standard large-format photography shall be used to document the built environment resources and surrounding context. The scope of the photographs shall be reviewed and approved by the San Francisco Planning Department’s preservation staff for concurrence, and all photography shall be conducted according to the current National Park Service Historic American Buildings Survey standards. The photograph set shall include distant/elevated views to capture the extent and context of the resource.								Preservation Technical Specialist.

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<ul style="list-style-type: none">○ All views shall be referenced on a key map of the resource, including a photograph number with an arrow to indicate the direction of the view.○ The draft photograph contact sheets and key map shall be provided to the San Francisco Planning Department’s preservation staff for review to determine the final number and views for inclusion in the final dataset.○ Historic photographs identified in previous studies shall also be collected, scanned as high-resolution digital files, and reproduced in the dataset.● <i>Written Historic American Buildings Survey Narrative Report:</i> A written historical narrative, using the outline format, shall be prepared in accordance with the Historic American Buildings Survey Historical Report Guidelines.● <i>Measured Drawings:</i> A set of measured drawings shall be prepared to document the overall design and character-defining features of the affected built environment resource. Original design drawings of the resource, if available, shall be digitized and incorporated into the measured drawings set. The San Francisco Planning Department’s preservation staff shall assist the consultant in determining the appropriate level of measured drawings.● <i>Print-on-Demand Booklet:</i> Following preparation of the Historic American Buildings Survey photography, narrative report, and								

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<p>drawings, a print-on-demand softcover book shall be produced for the resource that compiles the documentation and historical photographs. The print-on-demand book shall be made available to the public for distribution.</p> <p>Format of Final Dataset:</p> <ul style="list-style-type: none">The project sponsor shall contact the History Room of the San Francisco Public Library, San Francisco Planning Department, Northwest Information Center, and California Historical Society to inquire as to whether the research repositories would like to receive a hard or digital copy of the final dataset. Labeled hard copies and/or digital copies of the final book, containing the photograph sets, narrative report, and measured drawings, shall be provided to these repositories in their preferred format.The project sponsor shall prepare documentation for review and approval by the San Francisco Planning Department’s preservation staff, along with the final Historic American Buildings Survey dataset, that outlines the outreach, response, and actions taken with regard to the repositories listed above. The documentation shall also include any research conducted to identify additional interested groups and the results of that outreach. The project sponsor shall make digital copies of the final dataset, which shall be made available to additional interested organizations, if requested.								

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M-CUL-1c: Develop and Implement an Interpretive Program for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District. For projects that would demolish or materially alter a historical resource or contributor to a historic district, the project sponsor shall work with the San Francisco Planning Department’s preservation staff or other qualified professionals to institute an interpretive program onsite that references the property’s history and the contribution of the historical resource to the broader neighborhood or historic district. The interpretive program would include the creation of historical exhibits, incorporating a permanent display featuring historic photos of the affected resource and a description of its historical significance, in a publicly accessible location on the project site. This may also include a website. The contents of the interpretative program shall be determined by the San Francisco Planning Department’s preservation staff. Development of the interpretive displays shall be overseen by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations part 61). An outline of the format and the location and content of the interpretive displays shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to issuance of a demolition permit or site permit. The format, location,	X				Project sponsor and qualified architectural historian.	Prior to issuance of a demolition or site permit (for an outline of the format and location/content of displays) and prior to issuance of any building permits.	Planning department preservation staff to review and approve the interpretive display.	Considered complete upon installation of display or publication of website.

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content, specifications, and maintenance of the interpretive displays must be finalized prior to issuance of any building permits for the project.								
M-CUL-1d: Video Recordation for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District. For projects that would demolish or materially alter a historical resource or contributor to a historic district, the project sponsor shall work with the San Francisco Planning Department’s preservation staff or other qualified professionals to undertake video documentation of the affected historical resource and its setting. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, prior to the commencement of any demolition or project activities at the project site. The documentation shall be narrated by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations part 61). The documentation shall include as much information as possible, using visuals in combination with narration, about the materials, construction methods, current condition, historic use, and significance and historic context of the historical resource.	X				Project sponsor, qualified historic preservation individual, qualified videographer.	Prior to issuance of a demolition, site, or building permit.	Planning department preservation staff to review and approve.	Considered complete upon submittal of completed video documentation to the San Francisco Public Library or other interested historical institution.

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	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
Digital copies of the video documentation shall be submitted to the San Francisco Planning Department; archival copies of the video documentation shall be submitted to repositories including, but not limited to, the San Francisco Public Library, Northwest Information Center, and California Historical Society. The video documentation shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to issuance of a demolition, site, or building permit for the project.								
M-CUL-1e: Architectural Salvage for Projects Demolishing or Altering a Historical Resource or Contributor to a Historic District. For projects that would demolish or materially alter a historical resource or contributor to a historic district, the project sponsor shall seek feasible means for salvaging the building’s character-defining architectural features and incorporating them into either the design of the new project proposed at the site or the interpretive program that would be developed under M-CUL-1c. The project sponsor shall work closely with the San Francisco Planning Department preservation and urban design staff to determine which elements should be salvaged. In the event that reuse of salvaged elements in either the design of a new building or in an interpretive program proves infeasible or otherwise undesirable as determined by the San Francisco Planning Department preservation staff, the project sponsor may, at the direction of the San Francisco Planning Department preservation	X				Project sponsor and planning department.	Prior to the issuance of any demolition, site, or construction permit.	Planning department preservation staff to review and approve.	Considered complete upon approval of the salvage plan and after salvage activities are complete.

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
staff, be required to attempt to donate the elements to an appropriate historical or arts organization. A detailed salvage plan shall be reviewed and approved by the San Francisco Planning Department’s preservation staff prior to the issuance of any demolition, site, or construction permit for the project.								
M-CUL-1f: New Locations for Contributing Auxiliary Water Supply System Elements to Preserve Historic District Character. Where a streetscape or street network improvement proposed under the Hub Plan would require moving an Auxiliary Water Supply System hydrant, the San Francisco Planning Department shall conduct additional study to determine if it contributes to the historic significance of the Auxiliary Water Supply System. If the element is determined to be a contributing feature of the Auxiliary Water Supply System, the project sponsor shall work with the San Francisco Planning Department’s preservation staff to determine a location where the contributing Auxiliary Water Supply System hydrant could be reinstalled to preserve the historic relationships and functionality that are character-defining features of the Auxiliary Water Supply System. Generally, hydrants shall be reinstalled near the corner or the intersection from where they were removed. Any hydrant found not to contribute to the significance of the Auxiliary Water Supply System could be removed or relocated without diminishing the historic integrity of the district.		X			Project sponsor and planning department.	Prior to San Francisco Public Works approval of streetscape and street network improvements.	Planning department preservation staff to review and approve.	Considered complete with implementation of streetscape and street network improvements and, where necessary, the reinstallation of hydrants that are determined to contribute to the historic nature of the Auxiliary Water Supply System.

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M-CUL-4a: Project-Specific Preliminary Archaeological Review for Projects Involving Soil Disturbance. This archaeological mitigation measure shall apply to any subsequent development project involving any soil-disturbing or soil-improving activities including excavation, utilities installation, grading, soils remediation, or compaction/chemical grouting 2 feet or more below ground surface, for which no archaeological assessment report has been prepared. Projects to which this mitigation measure applies shall be subject to Preliminary Archaeological Review by the San Francisco Planning Department archaeologist. Based on the Preliminary Archaeological Review, the Environmental Review Officer shall determine if there is a potential for effects on an archaeological resource, including human remains, and, if so, what further actions are warranted to reduce the potential effect of the project on archaeological resources to a less-than-significant level. Such actions may include project redesign to avoid the potential to affect an archaeological resource, or further investigations by an archaeological consultant, such as preparation of a project-specific Archaeological Research Design and Treatment Plan or the undertaking of an archaeological monitoring or testing program based on an archaeological monitoring or testing plan. The scope of the Archaeological Research Design and Treatment Plan, archaeological testing, or	X	X	Complete	Complete	Project sponsor, planning department’s archaeologist or qualified archaeological consultant, and planning department Environmental Review Officer	Prior to completion of the environmental review of subsequent projects.	Planning department (Environmental Review Officer; department’s archaeologist or qualified archaeological consultant) to review and approve.	Considered complete upon completion of the Preliminary Archaeological Assessment and if necessary the Archaeological Research Design and Treatment Plan.

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archaeological monitoring plan shall be determined in consultation with the Environmental Review Officer and consistent with the standards for archaeological documentation established by the Office of Historic Preservation for the purposes of compliance with the California Environmental Quality Act (Office of Historic Preservation, Preservation Planning Bulletin No. 5). Avoidance of effects on an archaeological resources is always the preferred option.								
M-CUL-4b: Procedures for Accidental Discovery of Archaeological Resources for Projects Involving Soil Disturbance. This mitigation measure is required for projects that would result in soil disturbance and are not subject to Mitigation Measure M-CUL-4a. Should any indication of an archaeological resource, including human remains, be encountered during any soil-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the Environmental Review Officer and immediately suspend any soil-disturbing activities in the vicinity of the discovery until the Environmental Review Officer has determined what additional measures should be undertaken. If the Environmental Review Officer determines that an archaeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants	X	X			Project sponsor, archaeological consultant, and project head foreman.	During any soil-disturbing activity.	Planning department (Environmental Review Officer) to determine if an archaeological resource may be present within the project site, approve additional measures if warranted, and approve a Final Archaeological Resources Report is necessary.	Considered complete after additional measures are implemented and Final Archaeological Resources Report is approved.

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maintained by the San Francisco Planning Department archaeologist. The archaeological consultant shall advise the Environmental Review Officer as to whether the discovery is an archaeological resource, whether it retains sufficient integrity, and whether it is of potential scientific/historical/cultural significance. If an archaeological resource is present, the archaeological consultant shall identify and evaluate the archaeological resource. The archaeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the Environmental Review Officer may require, if warranted, specific additional measures to be implemented by the project sponsor. Measures might include preservation of the archaeological resource in situ, an archaeological monitoring program, an archaeological testing program, or an archaeological treatment program. If an archaeological treatment program, archaeological monitoring program, or archaeological testing program is required, it shall be consistent with the San Francisco Planning Department’s Environmental Planning Division guidelines for such programs. The Environmental Review Officer may also require that the project sponsor immediately implement a site security program if the archaeological resource is at risk from vandalism, looting, or other damaging actions. If human remains are found, all applicable state laws will be followed, as outlined in Impact CUL-7, and an archaeological treatment program will be implemented in								

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consultation with appropriate descendant groups and approved by the Environmental Review Officer. The project archaeological consultant shall submit a Final Archaeological Resources Report to the Environmental Review Officer that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report. Copies of the Draft Final Archaeological Resources Report shall be sent to the Environmental Review Officer for review and approval. Once approved by the Environmental Review Officer, copies of the Final Archaeological Resources Report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one copy, and the Environmental Review Officer shall receive a copy of the transmittal of the Final Archaeological Resources Report to the Northwest Information Center. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a compact disc of the Final Archaeological Resources Report, along with copies of any formal site recordation forms (California Department of Parks and Recreation 523 series) and/or documentation for nomination to								

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the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the Environmental Review Officer may require a different final report content, format, and distribution from that presented above.								
M-CUL-4c: Requirement for Archaeological Monitoring for Streetscape and Street Network Improvements. Based on reasonable potential that archaeological resources may be present within the Hub Plan area, in instances where streetscape and street network improvements are proposed that include soil disturbance of 2 feet or more below the street grade, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources and human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archaeological consultant from the rotational Qualified Archaeological Consultants List maintained by the San Francisco Planning Department archaeologist. After the first project approval action, or as directed by the Environmental Review Officer, the project sponsor shall contact the San Francisco Planning Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the Qualified Archaeological Consultants List. The archaeological consultant shall undertake an archaeological monitoring program.		X			Project sponsor, planning department’s archaeologist or qualified archaeological consultant, and planning department Environmental Review Officer.	Archaeological Monitoring Program, including worker training: development of program work scope prior to commencement of project-related-soil-disturbing activities; monitoring activity to occur during site excavation and construction, as per the Archaeological Monitoring Program. Archaeological Data Recovery Program: If required, the development of work	The archaeological consultant to prepare the Archaeological Monitoring Program and, if required, the Archaeological Data Recovery Program and Final Archaeological Resources Report. Planning department Environmental Review Officer to review and approve.	Considered complete on approval of Archaeological Monitoring Program by Environmental Review Officer; submittal of report regarding findings of Archaeological Monitoring Program, Archaeological Data Recovery Program, and Final Archaeological Resources Report; and findings by the Environmental Review Officer that the Archaeological Monitoring Program, Archaeological Data Recovery Program, and Final Archaeological

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All plans and reports prepared by the consultant, as specified herein, shall be submitted first and directly to the Environmental Review Officer for review and comment and considered draft reports, subject to revision until final approval by the Environmental Review Officer. Archaeological 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 Environmental Review Officer, 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 archaeological resource, as defined in California Environmental Quality Act Guidelines section 15064.5(a) and (c). <i>Consultation with Descendant Communities:</i> On discovery of an archaeological site ² associated with descendant Native Americans, overseas Chinese, or other potentially interested descendant group, an appropriate representative ³ of the descendant group and the Environmental Review Officer shall be contacted. The representative of the descendant group shall be given the					scope would occur prior to commencement of continued soil-disturbing construction activities; recovery activities would occur during and subsequent to construction activity, as per Archaeological Data Recovery Program. Treatment of human remains: upon discovery, if applicable. Final Archaeological Resources Report: upon completion of the		Resources Report is implemented.	

² The term “archaeological site” is intended here to minimally include any archaeological deposit, feature, burial, or evidence of burial.

³ 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 San Francisco Planning Department archaeologist.

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opportunity to monitor archaeological field investigations of the site and offer recommendations to the Environmental Review Officer regarding appropriate archaeological treatment of the site, recovered data from the site, and, if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group. <i>Archaeological Monitoring Program.</i> The archaeological monitoring program shall minimally include the following provisions: <ul style="list-style-type: none">• The archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological monitoring program reasonably prior to commencement of any project-related soil-disturbing activities. The Environmental Review Officer, in consultation with the project archaeologist, shall determine which project activities shall be archaeologically monitored. In most cases, any soil-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the potential risk these activities pose to archaeological resources and their depositional context.• The archaeological consultant shall undertake a worker training program for soil-disturbing workers that shall include						Archaeological Monitoring Program and Archaeological Data Recovery Program, and prior to issuance of a temporary certificate of occupancy.		

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<p>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 archaeological resource.</p> <ul style="list-style-type: none">• The archaeological monitor(s) shall be present on the project site, according to a schedule agreed upon by the archaeological consultant and the Environmental Review Officer until the Environmental Review Officer has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.• The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.• If an intact archaeological deposit is encountered, all soil-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/ construction crews and heavy equipment until the deposit is evaluated. In the case of pile driving or deep foundation activities (foundation, shoring, etc.), if the archaeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archaeological resource, the pile driving or deep foundation activities shall be terminated								

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<p>until an appropriate evaluation of the resource has been made in consultation with the Environmental Review Officer. The archaeological consultant shall immediately notify the Environmental Review Officer of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the Environmental Review Officer.</p> <p>If the Environmental Review Officer, in consultation with the archaeological consultant, determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:</p> <ul style="list-style-type: none">• The proposed project shall be redesigned to avoid any adverse effect on the significant archaeological resource, or• An archaeological data recovery program shall be implemented, unless the Environmental Review Officer determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. <p>If an archaeological data recovery program is required by the Environmental Review Officer, the archaeological data recovery program shall be conducted in accordance with an archaeological</p>								

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data recovery plan. The project archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological data recovery plan. The archaeological consultant shall prepare a draft archaeological data recovery plan that shall be submitted to the Environmental Review Officer for review and approval. The archaeological data recovery plan shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the archaeological data recovery plan shall identify which scientific/historical research questions are applicable to the expected resource, which data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, shall 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 archaeological resources if nondestructive methods are practical. The scope of the archaeological data recovery plan shall include the following elements: <ul style="list-style-type: none"><i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.<i>Cataloguing and Laboratory Analysis.</i> Descriptions of selected cataloguing system and artifact analysis procedures.								

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<ul style="list-style-type: none">• <i>Discard and Deaccession Policy.</i> Descriptions of and rationale for field and post-field discard and deaccession policies.• <i>Interpretive Program.</i> Consideration of an onsite/offsite public interpretive program during the course of the archaeological data recovery program.• <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.• <i>Final Report.</i> Descriptions of proposed report format and distribution of results.• <i>Curation.</i> Descriptions of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><i>Human Remains, Associated or Unassociated Funerary Objects.</i> The treatment of human remains and associated or unassociated funerary objects discovered during any soil-disturbing activity shall comply with applicable state and federal laws, including immediate notification of the coroner of the City and County of San Francisco and, in the event of the coroner’s determination that the human remains are Native American remains, notification of the California Native American Heritage Commission, which shall appoint a most likely descendant (Public Resources Code section</p>								

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5097.98). The Environmental Review Officer shall also be immediately notified upon discovery of human remains. The archaeological consultant, project sponsor, Environmental Review Officer, and most likely descendent shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (California Environmental Quality Act Guidelines section 15064.5(d)) within six days of the discovery of the human remains. This proposed timing shall not preclude the Public Resources Code section 5097.98 requirement that descendants make recommendations or preferences for treatment within 48 hours of being granted access to the site. The agreement shall 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 Environmental Review Officer to accept recommendations of a most likely descendant. The archaeological 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 an agreement has been made or, otherwise, as determined by the archaeological consultant and the								

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Environmental Review Officer. 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 (Public Resources Code section 5097.98). <i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report to the Environmental Review Officer that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. The Draft Final Archaeological Resources Report shall include a curation and deaccession plan for all recovered cultural materials. The Draft Final Archaeological Resources Report shall also include an Interpretation Plan for public interpretation of all significant archaeological features. Copies of the Draft Final Archaeological Resources Report shall be sent to the Environmental Review Officer for review and approval. Once approved by the Environmental Review Officer, the consultant shall also prepare a public distribution version of the Final Archaeological Resources Report. Copies of the Final Archaeological Resources Report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one copy, and the Environmental Review								

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Officer shall receive a copy of the transmittal of the Final Archaeological Resources Report to the Northwest Information Center. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound and one unlocked, searchable portable document format copy on compact disc of the Final Archaeological Resources Report, along with copies of any formal site recordation forms (California Department of Parks and Recreation 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high interpretive value of the resource, the Environmental Review Officer may require a different or additional final report content, format, and distribution than that presented above.								
M-CUL-4d: Requirements for Archaeological Testing Consisting of Consultation with Descendent Communities, Testing, Monitoring, and a Report. Based on a reasonable presumption that archaeological 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 maintained by the San Francisco Planning Department			X	X	Project sponsors and qualified archaeological consultants.	After the first project approval action or as directed by the Environmental Review Officer.	Planning department archaeologist and Environmental Review Officer to review and approve.	Considered complete when all plans and reports are approved by the Environmental Review Officer.

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archaeologist. After the first project approval action or as directed by the Environmental Review Officer, the project sponsor shall contact the San Francisco Planning Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the Qualified Archaeological Consultants List. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer for review and comment, and shall be considered draft reports subject to revision until final approval by the Environmental Review Officer. Archaeological 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 Environmental Review Officer, 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 archaeological resource as defined								

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in California Environmental Quality Act Guidelines sections 15064.5 (a) and (c). <i>Consultation with Descendant Communities:</i> On discovery of an archaeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative of the descendant group and the Environmental Review Officer shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archaeological field investigations of the site and to offer recommendations to the Environmental Review Officer regarding appropriate archaeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group. <i>Archaeological Testing Program.</i> The archaeological consultant shall prepare and submit to the Environmental Review Officer for review and approval an archaeological testing plan. The archaeological testing program shall be conducted in accordance with the approved archaeological testing plan. The archaeological testing plan shall identify the property types of the expected archaeological 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								

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archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and evaluate whether any archaeological resource encountered on the site constitutes a historical resource under the California Environmental Quality Act. At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the Environmental Review Officer. If, based on the archaeological testing program, the archaeological consultant finds that significant archaeological resources may be present, the Environmental Review Officer in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. No archaeological data recovery shall be undertaken without the prior approval of the Environmental Review Officer or the San Francisco Planning Department archaeologist. If the Environmental Review Officer determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: <ul style="list-style-type: none">The proposed project shall be redesigned to avoid any adverse effect on the significant archaeological resource; or								

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<ul style="list-style-type: none">A data recovery program shall be implemented, unless the Environmental Review Officer determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. <p><i>Archaeological Monitoring Program.</i> If the Environmental Review Officer in consultation with the archaeological consultant determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none">The archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological monitoring program reasonably prior to commencement of any project-related soil-disturbing activities. The Environmental Review Officer in consultation with the archaeological consultant shall determine which project activities shall be archaeologically monitored. In most cases, any soil-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.The archaeological consultant shall undertake a worker training program for soil-disturbing workers that shall include								

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<p>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 archaeological resource.</p> <ul style="list-style-type: none">• The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the Environmental Review Officer until the Environmental Review Officer has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.• The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.• If an intact archaeological deposit is encountered, all soil-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. In the case of pile driving or deep foundation activities (foundation, shoring, etc.), if the archaeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archaeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of								

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<p>the resource has been made in consultation with the Environmental Review Officer. The archaeological consultant shall immediately notify the Environmental Review Officer of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the Environmental Review Officer.</p> <p>Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the Environmental Review Officer.</p> <p><i>Archaeological Data Recovery Program.</i> The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan. The archaeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archaeological data recovery plan prior to preparation of a draft archaeological data recovery plan. The archaeological consultant shall submit a draft archaeological data recovery plan to the Environmental Review Officer. The archaeological data recovery plan shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the archaeological data recovery plan shall identify which</p>								

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scientific/historical research questions are applicable to the expected resource, which data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, shall 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 archaeological resources if nondestructive methods are practical. The scope of the archaeological data recovery plan shall include the following elements: <ul style="list-style-type: none">• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.• <i>Cataloguing and Laboratory Analysis.</i> Descriptions of selected cataloguing system and artifact analysis procedures.• <i>Discard and Deaccession Policy.</i> Descriptions of and rationale for field and post-field discard and deaccession policies.• <i>Interpretive Program.</i> Consideration of an onsite/offsite public interpretive program during the course of the archaeological data recovery program.• <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.								

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<ul style="list-style-type: none">• <i>Final Report.</i> Descriptions of proposed report format and distribution of results.• <i>Curation.</i> Descriptions of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><i>Human Remains, Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-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 Native American Heritage Commission, who shall appoint a most likely descendant (Public Resources Code section 5097.98). The Environmental Review Officer shall also be immediately notified upon discovery of human remains.</p> <p>The archaeological consultant, project sponsor, Environmental Review Officer, and most likely descendant 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</p>								

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appropriate dignity (California Environmental Quality Act Guidelines section 15064.5(d)). The agreement shall 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 Environmental Review Officer to accept recommendations of a most likely descendant. The archaeological 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 archaeological consultant and the Environmental Review Officer. 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 (Public Resources Code section 5097.98). <i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report to the Environmental Review Officer that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods								

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employed in the archaeological testing/monitoring/data recovery program(s) undertaken. The Draft Final Archaeological Resources Report shall include a curation and deaccession plan for all recovered cultural materials. The Draft Final Archaeological Resources Report shall also include an Interpretation Plan for public interpretation of all significant archaeological features. Copies of the Draft Final Archaeological Resources Report shall be sent to the Environmental Review Officer for review and approval. Once approved by the Environmental Review Officer, the consultant shall also prepare a public distribution version of the Final Archaeological Resources Report. Copies of the Final Archaeological Resources Report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one copy and the Environmental Review Officer shall receive a copy of the transmittal of the Final Archaeological Resources Report to the Northwest Information Center. The Environmental Planning division of the San Francisco Planning Department shall receive one bound and one unlocked, searchable portable document format copy on compact disc of the Final Archaeological Resources Report along with copies of any formal site recordation forms (California Department of Parks and Recreation 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high								

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interpretive value of the resource, the Environmental Review Officer may require a different or additional final report content, format, and distribution than that presented above.								
Tribal Cultural Resources								
M-TCR-1: Project-Specific Tribal Cultural Resources Assessment for Projects Involving Ground Disturbance. This tribal cultural resources cultural mitigation measure shall apply to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, or compaction/chemical grouting at depths that would extend into sand dune and marsh deposits, that occurs at depths of 2 feet or more below the ground surface. Projects to which this mitigation measure applies shall be reviewed for the potential to affect a tribal cultural resource in tandem with Preliminary Archaeological Review of the project by the San Francisco Planning Department senior archaeologist. For projects requiring a Mitigated Negative Declaration or Environmental Impact Report, the San Francisco Planning Department “Notification Regarding Tribal Cultural Resources and the California Environmental Quality Act” shall be distributed to the San Francisco Planning Department tribal distribution list. Consultation with California Native American tribes regarding the potential of the project to affect a tribal cultural resource shall occur	X	X	X	X	Planning department’s archaeologist, California Native American tribal representative, planning department-qualified archaeological consultant; project sponsors.	The environmental review of 30 Van Ness Avenue and 98 Franklin Street for potential to affect a tribal cultural resource and conduct outreach has been completed. For subsequent projects, potential to affect a tribal cultural resource and conduct outreach during environmental review. Prior to issuance of demolition permit for preservation in place or interpretive program, if needed following	Planning department archaeologist to review the potential for a project to affect a tribal cultural resource, perform outreach, and review plan for preservation in place or interpretive program; planning department-qualified archaeological consultant, project sponsor implement an interpretive program of the tribal cultural resource.	Considered complete if no Tribal Cultural Resource is discovered or Tribal Cultural Resource is discovered and either preserved in-place or project effects to Tribal Cultural Resources are mitigated by implementation of planning department-approved interpretive program.

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at the request of any notified tribe. For all projects subject to this mitigation measure, if the San Francisco Planning Department senior archaeologist determines that the proposed project may have a potential significant adverse effect on a tribal cultural resources, then the following shall be required as determined warranted by the Environmental Review Officer. If the Environmental Review Officer determines that preservation-in-place of the tribal cultural resource is both feasible and effective, based on information provided by the applicant regarding feasibility and other available information, then the project’s archaeological consultant shall prepare an archaeological resource preservation plan. Implementation of the approved archaeological resource preservation plan by the archaeological consultant shall be required when feasible. If the Environmental Review Officer determines that preservation in place of the tribal cultural resource is not a sufficient or feasible option, then the project sponsor shall implement an interpretive program of the tribal cultural resource in coordination with affiliated Native American tribal representatives. An interpretive plan produced in coordination with affiliated Native American tribal representatives, at minimum, and approved by the Environmental Review Officer shall be required to guide the interpretive program. The plan shall identify proposed locations for installations or displays, the proposed content and materials of those displays or installation,						identification of a potential significant adverse effect on a tribal cultural resources.		

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifact displays and interpretation, and educational panels or other informational displays								
Transportation and Circulation								
M-TR-1: Construction Management Plan. For projects within the Hub Plan area, the project sponsor shall develop and, upon review and consultation with the San Francisco Municipal Transportation Agency and San Francisco Public Works, implement a Construction Management Plan to address issues related to transportation-related circulation, access, staging, and hours of delivery. The Construction Management Plan would disseminate appropriate information to contractors and affected agencies regarding coordinating construction activities to minimize disruption and maintain circulation in the project area to the extent possible, with particular focus on ensuring connectivity for transit, people walking, and people bicycling. The Construction Management Plan would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by San Francisco Municipal Transportation Agency, San	X	X			Project sponsor.	Prior to the start of project construction and throughout the construction period.	Project sponsors to develop the plan; San Francisco Municipal Transportation Agency, San Francisco Public Works, and planning department to review and approve.	Considered complete upon approval of each construction management plan and completion of each project’s construction.

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Francisco Public Works, other City departments and agencies, the California Department of Transportation. If it is determined during a subsequent project-level transportation study that construction of the proposed project would overlap with adjacent project(s) so as to result in transportation-related impacts, the project sponsor or its contractor(s) shall consult with City departments such as San Francisco Municipal Transportation Agency and San Francisco Public Works and conduct interdepartmental meetings, as deemed necessary by San Francisco Municipal Transportation Agency, San Francisco Public Works, and the department, to coordinate a Construction Management Plan with adjacent project(s) to minimize the severity of any disruption to adjacent land uses and transportation facilities by overlapping construction-related transportation impacts to the extent feasible and commercially reasonable in light of noise regulations, labor and contract requirements, available daylight hours, and critical-path construction schedules. Based on review of this plan, the project may be required to consult with San Francisco Municipal Transportation Agency Muni Operations prior to construction to review potential effects on nearby transit operations. The Construction Management Plan shall include a range of measures for the project sponsor, with San Francisco Municipal Transportation Agency concurrence, to select and prioritize to								

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minimize disruption to the extent feasible so that overall circulation in the project area is maintained to the extent possible. Potential measures to be included in the Construction Management Plan shall include, but not be limited to, the following: <ul style="list-style-type: none"><i>Restricted Truck Access Hours</i> – Limit truck movements between the peak hours of 7 a.m. and 9 a.m. and between 4 p.m. and 7 p.m. to the extent feasible and commercially reasonable in light of noise regulations, labor and contract requirements, available daylight hours, and critical-path construction schedules, as well as other times, if required by San Francisco Municipal Transportation Agency, to minimize disruptions to vehicular traffic, including transit during the a.m. and p.m. peak periods.<i>Construction Truck Routing Plans</i> – Identify optimal truck routes between regional facilities and the project site, taking into consideration truck routes of other development projects and any construction activities affecting the roadway network.<i>Carpooling, Bicycle, Walking, and Transit Access for Construction Workers</i> – The construction contractor shall encourage carpooling, bicycling, or walking to the project site as well as transit options for construction workers. These methods could include providing transit subsidies to construction workers, providing secure bicycle parking spaces, participating in free-to-employee ride-matching programs from www.511.org, participating in the emergency ride-home program through the								

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<div>City (www.sferh.org), or providing transit information to construction workers.</div> <ul style="list-style-type: none"><i>Project Construction Updates for Adjacent Businesses and Residents</i> – To minimize construction impacts on access, the project sponsor shall provide nearby residences and adjacent businesses with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), and travel-lane closures. At regular intervals, to be defined in the Construction Management Plan and, if necessary, the Coordinated Construction Management Plan, a regular email notice shall be distributed by the project sponsor to adjacent neighbors, residents, and others, as requested, providing current construction information of interest to neighbors as well as contact information for those with specific construction inquiries or concerns.								
Noise and Vibration								
M-NOI-1a: Construction Noise Control Plan for Projects within 250 Feet of a Noise-Sensitive Land Use. The project sponsor for each subsequent development project under the Hub Plan located within 250 feet of a noise-sensitive land use or proposing or required to conduct nighttime construction shall develop a noise control plan to ensure that project noise from all construction	X		X	X	Project sponsor for projects located within 250 feet of a noise-sensitive land use or proposing to conduct nighttime construction.	Prior to the issuance of building permits and along with the submission of construction documents to the	Planning department to review and approve the plan and to review monitoring reports, as needed; health department or police department for complaints.	Considered complete upon approval of the Construction Noise Control Plan for each subsequent development project and

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activities (including construction, demolition, and excavation, etc.) is minimized to the maximum extent feasible, with a goal of construction noise not exceeding 90 dBA and 10 dBA above the ambient noise level at noise-sensitive receptors. The measures specified by the project sponsor for each individual project shall be reviewed and approved by the San Francisco Planning Department prior to the issuance of building permits. Measures that may be used to restrict noise include, but are not limited to, those listed below. <ul style="list-style-type: none">• Locate construction equipment, including stationary noise sources (e.g., temporary generators), as far as feasible from adjacent or nearby noise-sensitive receptors.• Stationary noise sources (e.g., generators and compressors) located in proximity to noise-sensitive land uses shall be muffled, enclosed within temporary enclosures, and shielded by barriers (which can reduce construction noise by as much as 5 dB).• Electric motors rather than gasoline- or diesel-powered engines shall be used to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used (which can reduce noise levels from exhaust by approximately 10 dB). External jackets						planning department for development of the plan. During construction for plan implementation. If noise monitoring is required, reporting to be submitted to the planning department regularly as established in the noise monitoring plan.		after construction is complete.

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<p>on the tools themselves shall also be used (which could reduce noise by approximately 5 dB).</p> <ul style="list-style-type: none">Construction contractors shall be required to use “quiet” gasoline-powered compressors or electrically powered compressors as well as electric rather than gasoline- or diesel-powered forklifts for small lifting, where feasible.Prohibit idling of inactive construction equipment for prolonged periods (i.e., more than two minutes).Prohibit or limit gasoline or diesel engines from having unmuffled exhaust systems.Ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds).Ensure that impact tools (e.g., jack hammers, pavement breakers, rock drills) used for project construction are hydraulically or electrically powered, when possible. Quieter equipment shall be used instead of impact equipment, when feasible (such as drills rather than impact equipment).Electric motors rather than gasoline- or diesel-powered engines shall be used to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower								

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noise levels from the exhaust by about 10 A-weighted decibels. External jackets on the tools themselves shall be used, which could achieve a reduction of 5 A-weighted decibels. <ul style="list-style-type: none">Construction contractors shall be required to use “quiet” gasoline-powered compressors or electrically powered compressors as well as electric rather than gasoline- or diesel-powered forklifts for small lifting, where feasible.Undertake the noisiest activities during times of least disturbance to surrounding residents and occupants.Limit nighttime construction to the extent feasible. If nighttime construction is determined to be necessary, a special permit shall be obtained from the Director of Public Works or the Director of Building Inspection. Nighttime construction activities shall comply with the requirements of the permit. In addition, the contractor shall employ the measures discussed above (e.g., limiting idling, locating equipment far from noise-sensitive receptors, using noise-reducing enclosures, etc.) or other feasible measures to reduce noise such that interior noise at nearby receptors is reduced to the extent practicable (below 45 A-weighted decibels, equivalent sound level, where feasible).If required by the San Francisco Planning Department, based on the degree of construction, proximity of sensitive uses, or a noise complaint, project sponsor shall monitor the noise levels								

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<p>during periods of noisy construction activities (demolition, excavation, etc.). A plan for noise monitoring and reporting shall be provided to the San Francisco Planning Department for review prior to the commencement of construction.</p> <p>Prior to the issuance of the building permit, along with the submission of construction documents, the project sponsor shall submit to the San Francisco Planning Department a list of measures for responding to and tracking complaints pertaining to construction noise. These measures shall include onsite posting and a noise hotline, and may include:</p> <ul style="list-style-type: none">• A procedure and phone number for notifying the San Francisco Planning Department, the health department, or the police department of complaints (during regular construction hours and off hours).• A sign posted onsite describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction.• Designation of an onsite construction complaint and enforcement manager for the project.								
M-NOI-1b: Site-Specific Noise Control Measures for Projects Involving Pile Driving. For subsequent development projects under the Hub Plan that require pile driving, a set of site-specific noise attenuation measures shall be prepared under the	X				Project sponsor and qualified acoustical consultant for projects that require pile driving.	Prior to and during the period of pile-driving.	Planning department to review and approve noise attenuation measures and to review daily noise measurements	Considered complete after implementation of noise attenuation measures

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supervision of a qualified acoustical consultant and reviewed and approved by the San Francisco Planning Department prior to the commencement of any pile driving activity. These attenuation measures shall be included in the construction of the project and include as many of the following control strategies, and any other effective strategies, as feasible to reduce noise from pile driving at nearby noise-sensitive land uses: <ul style="list-style-type: none">Require the construction contractor to erect temporary plywood or similar solid noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels;Require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, with consideration of geotechnical and structural requirements and soil conditions;Require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements, at a distance of 100 feet, at least once per day during pile-driving; andRequire that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.						periodically, police department (on complaint basis).	during pile-driving activities.	

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M-NOI-3a: Protect Adjacent Potentially Susceptible Structures from Construction-Generated Vibration. The project sponsor for subsequent development projects in the Hub Plan area shall consult with the San Francisco Planning Department’s environmental planning and preservation staff (as applicable) to determine whether adjacent or nearby buildings constitute structures that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby potentially susceptible buildings within 100 feet of a construction site for a subsequent development project shall be considered if pile driving would be required at that site; if no pile driving would occur, potentially susceptible buildings within 25 feet of vibration-generating construction activity, such as the use of excavators, drill rigs, bulldozers, and vibratory rollers, shall be considered. If buildings adjacent to construction activity are identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods to help reduce vibration-related damage effects may include maintaining a safe distance between the construction site and the potentially affected building, to the extent possible, based on site constraints, or using construction techniques that reduce vibration, such as concrete saws instead of jackhammers or hoe-	X		X	X	Project sponsor.	Prior to and during construction activities.	Planning department’s environmental planning/preservation staff to review and approve, police department (on complaint basis).	Considered complete after implementation of vibration attenuation measures during construction activities.

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rams to open excavation trenches, non-vibratory rollers, or hand excavation to the extent feasible. For projects that would require piles, “quiet” pile-driving technologies (such as predrilling piles or using sonic pile drivers) shall be used, as feasible; appropriate excavation shoring methods shall be employed to prevent the movement of adjacent structures; and adequate security shall be ensured to minimize risks related to vandalism and fire.								
M-NOI-3b: Construction Monitoring Program for Structures Potentially Affected by Vibration. For structures located close enough to experience vibration levels that could result in building damage, as determined by compliance with Mitigation Measure M-NOI-3a, the project sponsor shall undertake a monitoring program to minimize damage to adjacent buildings and ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet of pile driving activities and within 25 feet of other vibration generating activities, shall be followed and include the following components: <ul style="list-style-type: none">Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of potentially affected historic buildings identified by the San Francisco Planning Department within 100 feet of planned pile driving activity or within 25 feet of other vibration generating activity to document and photograph the	X		X	X	Project sponsor, historic architect or qualified historic preservation professional.	Prior to the start of any ground-disturbing activity, during construction, and regular periodic inspections of each building during ground-disturbing activity on the project site.	Planning department’s preservation staff to review and approve preconstruction survey and monitoring program and review periodic monitoring reports.	Considered complete after construction and remediation activities are complete.

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<p>existing conditions of the building(s). If nearby affected buildings are not potentially historic, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of potentially affected buildings within 100 feet of pile driving activity or within 25 feet of other vibration generating construction activity.</p> <ul style="list-style-type: none">Based on the construction and condition of the resource(s), the consultant shall also establish a standard maximum vibration level that shall not be exceeded at any building, based on existing conditions, character-defining features, soil conditions, and anticipated construction practices (common standards are a peak particle velocity of 0.25 inch per second for historic and some old buildings, a peak particle velocity of 0.3 inch per second for older residential structures, and a peak particle velocity of 0.5 inch per second for new residential structures and modern industrial/commercial buildings, as shown in Table 3.C-7, p. 3.C-20).To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and prohibit vibratory construction activities that generate vibration levels in excess of the standard.Should vibration levels be observed in excess of the selected standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible								

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(e.g., pre-drilled piles could be substituted for driven piles, if feasible, based on soil conditions, or smaller, lighter equipment could be used in some cases). The historic preservation professional (for effects to historic buildings) and/or structural engineer (for effects to non-historic structures) shall conduct regular (every three months) inspections of each building during ground-disturbing activity on the project site. Should damage to any building occur, the building(s) shall be remediated to their pre-construction condition at the conclusion of ground-disturbing activity on the site.								
M-NOI-4: Noise Analysis for Projects in Excess of Applicable Noise Standards. To reduce potential conflicts between existing sensitive receptors and new noise-generating uses developed under the Hub Plan, a noise analysis shall be required for new development that includes noise-generating activities or equipment (e.g., outdoor gathering areas; places of entertainment; heating, ventilation, and air-conditioning equipment) with the potential to generate noise levels substantially in excess of ambient noise levels or in excess of any applicable standards. This analysis shall include, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of and with a direct line of sight to the subsequent development project site. It shall also include at least one 24-hour noise measurement (with maximum noise level readings that permit accurate description of maximum levels	X		Complete	Complete	Planning department; project sponsor for projects that include noise-generating activities or equipment, and acoustical consultant.	Analysis to be completed during environmental review of subsequent development projects in the Hub Plan area, prior to the first project approval action.	Planning department to review and approve.	Considered complete upon project approval by planning department/ Planning Commission via approval of final plan set by the Department of Building Inspection.

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
reached during nighttime hours). This analysis shall be conducted prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would not adversely affect nearby noise-sensitive uses, would not substantially increase ambient noise levels, and would not result in noise level in excess of any applicable standards. All recommendations from the acoustical analysis necessary to ensure that noise sources would meet applicable requirements of the noise ordinance and/or not result in substantial increases in ambient noise levels shall be incorporated into the building design and operations. Should such concerns be present, the San Francisco Planning Department may require the completion of a detailed noise control analysis (by a person qualified in acoustical analysis and/or engineering) that includes the incorporation of noise reduction measures (including quieter equipment, construction of barriers or enclosures, etc.) prior to the first project approval action.								
Air Quality								
M-AQ-4a: Construction Emissions Analysis for Projects Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds. Subsequent development projects that do not meet the applicable screening levels in Table 3.D-6, p. 3.D-	X		Complete	Complete	Project sponsors of projects that do not meet the applicable screening levels, planning department	During environmental review of subsequent development projects in the Hub Plan area.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon approval of analysis by Environmental Review Officer.

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47, of this EIR or that the planning department otherwise determines could exceed one or more significance thresholds for criteria air pollutants shall undergo an analysis of the project’s construction emissions. If no significance thresholds are exceeded, no further mitigation is required. If one or more significance thresholds are exceeded, Mitigation Measure M-AQ-4b shall be implemented.								
M-AQ-4b: Construction Emissions Minimization Plan Above Screening Levels or That Exceed Criteria Air Pollutant Significance Thresholds or as Required in Impact AQ-7. If required based on the analysis described in Mitigation Measure M-AQ-4a or as required in Impact AQ-7 the project sponsor shall submit a construction emissions minimization plan to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. 1. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: a) Where access to alternative sources of power is reasonably available, portable diesel engines shall be prohibited; b) All off-road equipment shall have:	X				Project sponsor; planning department.	Prior to the issuance of demolition permits (plan development). Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Within six months of the completion of construction activities, the project sponsor shall submit to the Environmental Review Officer a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase Considered complete upon planning department review and acceptance of Construction Emissions Minimization Plan and

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i. Engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board Tier 2 off-road emission standards (or Tier 3 or Tier 4 off-road emissions standards if NO _x emissions exceed applicable thresholds), <i>and</i> ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) ⁴ , and iii. Engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99). iv. Any other best available technology offered at the time that future projects are submitted to the planning department for review may be included in the Plan as substitutions for the above items i through iii. c) Exceptions: i. Exceptions to 1(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance,								when construction is complete.

4 Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore VDECS would not be required.

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<div><div>the sponsor shall submit documentation of compliance with 1(b) for onsite power generation.</div><div>ii. Exceptions to 1(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an air board Level 3 VDECS (1) is technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an air board Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to 1(b)(ii), the project sponsor shall comply with the requirements of 1(c)(iii).</div><div>iii. If an exception is granted pursuant to 1(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedule in Table M-AQ-4B:</div></div>								

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<div>Table M-AQ-4b Off-Road Equipment Compliance Step-Down Schedule*</div> <table><tr><th>Compliance Alternative</th><th>Engine Emission Standard</th><th>Emissions Control</th></tr><tr><td>1</td><td>Tier 2**</td><td>Air Board Level 2 VDECS</td></tr><tr><td>2</td><td>Tier 2</td><td>Air Board Level 1 VDECS</td></tr></table> <div>* How to use the table. If the requirements of 1(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met.</div> <div>** Tier 3 off road emissions standards are required if NOx emissions exceed applicable thresholds.</div> <div>iv. Exceptions to 1(b)(iii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a renewable diesel is not commercially available in the SFBAAB. If an exception is granted pursuant to this</div>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2**	Air Board Level 2 VDECS	2	Tier 2	Air Board Level 1 VDECS							
Compliance Alternative	Engine Emission Standard	Emissions Control														
1	Tier 2**	Air Board Level 2 VDECS														
2	Tier 2	Air Board Level 1 VDECS														

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<div>section, the project sponsor shall provide another type of alternative fuel, such as biodiesel (B20 or higher).</div> <div>v. Prior to any waiver sought by a project sponsor, the sponsor shall provide documentation demonstrating that by granting the waiver, the project would not exceed any applicable criteria air pollutant threshold.</div> <div>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable State regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</div> <div>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</div> <div>4. The construction emissions minimization plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating),</div>								

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horsepower, engine serial number, and expected fuel use and hours of operation. For the VDECS installed: technology type, serial number, make, model, manufacturer, air board verification number level, and installation date and hour meter reading on installation date. For off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.								
5. The construction emissions minimization plan shall be kept on-site and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the construction emissions minimization plan and a way to request a copy of the Plan. The project sponsor shall provide copies of the Plan as requested.								
6. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 4, above. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each								

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<p>construction phase. For each phase, the report shall include detailed information required in Paragraph 4. In addition, for off-road equipment not using renewable diesel, reporting shall indicate the type of alternative fuel being used.</p> <p>7. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.</p> <p>It should be noted that for specialty equipment types (e.g., drill rigs, shoring rigs and concrete pumps) it may not be feasible for construction contractors to modify their current, older equipment to accommodate the particulate filters, or for them to provide newer models with these filters pre-installed. Therefore, alternative compliance options are provided for in Mitigation Measure M-AQ-4b.</p>								

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M-AQ-5a: Educate Residential and Commercial Tenants Concerning Low-VOC Consumer Products. Prior to receipt of any building permit and every five years thereafter, the project sponsor shall develop electronic correspondence to be distributed by email or posted on-site annually to tenants of the project that encourages the purchase of consumer products and paints that are better for the environment and generate less volatile organic compound (VOC) emissions. The correspondence shall encourage environmentally preferable purchasing and shall include contact information and links to SF Approved. ⁵	X				Project sponsor; subsequent project owner; Homeowners’ Association (for condominium projects).	Prior to receipt of final Certificate of Occupancy and every five years thereafter.	Planning department and Department of Building Inspection to review and approve.	Project sponsor to submit written information to planning department prior to Department of Building Inspection issuance of Certificate of Occupancy; Sponsor or Owner to continue submittals at 5-year intervals (ongoing).
M-AQ-5b: Reduce Operational Emissions for Projects That Exceed Criteria Air Pollutant Thresholds. Proposed projects that would exceed the criteria air pollutant thresholds shall implement the additional measures, as applicable and feasible, to reduce operational criteria air pollutant emissions. Such measures may include, but are not limited to, the following: <ul style="list-style-type: none">For any proposed refrigerated warehouses or large (greater than 20,000 square feet) grocery retailers, provide electrical hook-ups for diesel trucks with Transportation Refrigeration Units at the loading docks.	X				Project sponsor; subsequent project owner, as applicable based on mitigation measure; Homeowners’ Association (for condominium projects).	For warehouses and large grocers, prior to issuance of building permit. Ongoing for maintenance use of architectural coatings. For other measures, schedule to be determined by planning department.	Planning department and Department of Building Inspection to review and approve.	For warehouses and large grocers, considered complete upon approval of final construction plan set. Ongoing for maintenance use of architectural coatings. For other measures, schedule to be determined by planning department.

⁵ SF Approved (sfapproved.org) is administrated by the San Francisco Department of Environment staff, who identifies products and services that are safer and better for the environment (e.g., those that are listed as “Required” or “Suggested”).

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<ul style="list-style-type: none">Use low- and super-compliant VOC architectural coatings in maintaining buildings. “Low-VOC” refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District Rule 1113; however, many manufacturers have reformulated to levels well below these limits. These are referred to as “Super-Compliant” architectural coatings.Other measures that become available and are shown to effectively reduce criteria air pollutant emissions onsite or offsite if emissions reductions are realized within the air basin. Measures to reduce emissions onsite are preferable to offsite emissions reductions.								
M-AQ-5c: Best Available Control Technology for Projects with Diesel Generators and Fire Pumps. All diesel generators and fire pumps shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with a California Air Resources Board Level 3 Verified Diesel Emissions Control Strategy. All diesel generators and fire pumps shall be fueled with renewable diesel, R99, if commercially available. Additional restrictions limiting the hours per year that generators may be tested may also be required, as determined necessary by the San Francisco Planning Department. For each new diesel backup generator or fire pump permit submitted for a project, including any associated generator pads, engine and filter specifications shall be submitted to the San	X			X	Project sponsors of projects with new diesel generators and/or fire pumps; planning department.	For specifications, prior to issuance of building permit for diesel generator or fire pump. For maintenance, ongoing.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Equipment specifications portion considered complete when equipment specifications approved by Environmental Review Office. Maintenance portion is ongoing and records are subject to planning department review upon request.

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Francisco Planning Department for review and approval prior to issuance of a permit for the generator or fire pump from the San Francisco Department of Building Inspection. Once operational, all diesel backup generators and Verified Diesel Emissions Control Strategy shall be maintained in good working order in for the life of the equipment and any future replacement of the diesel backup generators, fire pumps, and Level 3 Verified Diesel Emissions Control Strategy filters shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator or fire pump is located shall maintain records of the testing schedule for each diesel backup generator and fire pump for the life of that diesel backup generator and fire pump and provide this information for review to the Planning Department within three months of requesting such information.								
M-AQ-7a: Additional Air Quality Improvement Strategies to Reduce Hub Plan-Generated Emissions and Population Exposure. The planning department, in cooperation with other interested agencies or organizations, shall consider additional actions for the Hub Plan area with the goal of reducing Hub Plan-generated emissions and population exposure including, but not limited to: <ul style="list-style-type: none">Collection of air quality monitoring data that could provide decision makers with information to identify specific areas of	X				Planning Department, in cooperation with other interested agencies or organizations.	Strategy will be developed within four years of the Hub Plan adoption.	Planning Department, in cooperation with other interested agencies or organizations.	Ongoing for the duration of the Hub Plan.

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the Hub Plan were changes in air quality have occurred and focus air quality improvements on these areas; <ul style="list-style-type: none">• Additional measures that could be incorporated into the City’s Transportation Demand Management program with the goal of further reducing vehicle trips;• Incentives for replacement or upgrade of existing emissions sources;• Other measures to reduce air pollutant exposure, such as the distribution of portable air cleaning devices; and• Public education regarding reducing air pollutant emissions and their health effects. The department shall develop a strategy to explore the feasibility of additional air quality improvements within four years of Hub Plan adoption.								
M-AQ-7b: Air Quality Analysis That Considers the Siting of Uses That Emit Particulate Matter (PM_{2.5}), Diesel Particulate Matter, or Other Toxic Air Contaminants. To minimize potential exposure of sensitive receptors to diesel particulate matter or substantial levels of toxic air contaminants as part of everyday operations from stationary or area sources (other than the sources in Mitigation Measure M-AQ-5c), the San Francisco Planning Department shall require, during the environmental review process of subsequent development projects, but not later than the	X		Complete	Complete	Project sponsors of projects with stationary equipment other than diesel generators and fire pumps that emit PM 2.5, diesel particulate, or other toxic air contaminants, as determined by the planning department.	Prior to first project approval action.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon Environmental Review Officer review and approval of air quality analysis and implementation of any required measures to reduce emissions.

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first project approval action, the preparation of an analysis by a qualified air quality specialist that includes, a site survey to identify residential or other sensitive receptors within 1,000 feet of the project site. For purposes of this measure, sensitive receptors are considered to include housing units; child care centers; schools (high school age and below); and inpatient health care facilities, including nursing or retirement homes and similar establishments. The assessment shall also include an estimate of emissions of toxic air contaminants from the source from the subsequent development and shall identify all feasible measures to reduce emissions. These measures shall be incorporated into the project prior to the first approval action.								
M-AQ-7c: Design Land Use Buffers Around Active Loading Docks. For subsequent development projects that include loading docks that would be expected to accommodate more than 100 trucks per day (or 40 transportation refrigeration trucks per day), locate truck activity areas including loading docks and delivery areas as far away from sensitive receptors (such as residences, child care, or medical facilities) as feasible.	X		X	X	Project sponsor.	Prior to approval of final plan set.	Planning department and Department of Building Inspection to review and approve.	Considered complete upon approval of final plan set.
M-AQ-7d: Implementation of Mitigation Measures M-AQ-4b and M-AQ-5c for Projects within the Existing or Future Air Pollutant Exposure Zone. All construction within the existing APEZ or newly added parcels that meet the APEZ criteria (Block 3505, Lots	X		X	X	Project sponsor.	Prior to the start of diesel equipment use on site.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon planning department review and acceptance of

TABLE A: MITIGATION MEASURES ADOPTED AS CONDITIONS OF APPROVAL or TO BE ADOPTED AS CONDITIONS OF APPROVAL FOR SUBSEQUENT DEVELOPMENT PROJECTS WITHIN THE HUB PLAN AREA, AS DETERMINED TO BE APPLICABLE DURING SUBSEQUENT PROJECT REVIEW (TO BE IMPLEMENTED BY THE CITY AND COUNTY OF SAN FRANCISCO OR PROJECT SPONSORS)

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
007 and 008; Block 3503, Lot 004; and Block 0814, Lot 003), shall implement M-AQ-4b . All subsequent development projects that include diesel generators or diesel fire pumps within the existing APEZ or newly added parcels that meet the APEZ criteria, as listed above, shall implement Mitigation Measure M-AQ-5c .								Construction Emissions Minimization Plan.
M-AQ-7e: Update Air Pollution Exposure Zone. The Department of Public Health in coordination with the Planning Department is required to update the Air Pollution Exposure Zone Map in San Francisco Health Code Article 38 at least every five years. The Planning Department shall coordinate with the Department of Public Health to update the Air Pollution Exposure Zone, taking into account updated health risk methodologies and traffic generated by the Hub Plan.	X				Planning Department and Department of Public Health (DPH).	Ongoing at 5-year intervals.	Planning Department and Department of Public Health.	Ongoing at 5-year intervals.
M-AQ-9a: Construction Emissions Minimization Plan for 30 Van Ness Avenue Project. Prior to construction, the 30 Van Ness Avenue project sponsor shall submit a construction emissions minimization plan to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. Upon approval of construction emissions minimization plan, the sponsor shall implement the plan. The plan shall detail project compliance with the following requirements: 1. All construction equipment shall contain engine tiers consistent with the U.S. Environmental Protection Agency engine tiers as			X		Project sponsor.	Prior to the start of diesel equipment use on site.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon planning department review and acceptance of Construction Emissions Minimization Plan.

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
<p>provided in Table M-AQ-9a, Construction Equipment Summary for 30 Van Ness Avenue Project, below.</p> <p>Documentation of equipment tiers for in-use equipment shall be maintained onsite as part of the plan.</p> <p>2. All off-road engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99), if commercially available.</p> <p>3. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>5. The construction emissions minimization plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to, equipment type, equipment manufacturer, equipment identification number,</p>								

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	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
<p>engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation.</p> <p>The construction emissions minimization plan shall be kept onsite and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the construction emissions minimization plan and a way to request a copy of the plan. The project sponsor shall provide copies of the plan as requested. Should any deviations from the requirements or the equipment in Table M-AQ-9a be proposed prior to or during construction, the project sponsor shall demonstrate, to the satisfaction of the ERO, that an equivalent amount of emissions reduction would be achieved.</p> <p><i>Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 5, above.</p>								

TABLE M-AQ-9A: CONSTRUCTION EQUIPMENT SUMMARY FOR 30 VAN NESS AVENUE PROJECT

Phase	Project Equipment at Site	Horsepower	Equipment Quantity	Usage Hours per Weekday	Usage Hours per Saturday	Controlled Equipment Details		Equipment Usage Data	
						Fuel	Control	Start	End
Demolition	Concrete/Industrial Saws	81	1	2.0	2.0	Diesel	Tier 4f	5/1/2020	11/1/2020
	Rubber Tired Dozers	247	1	1.0	1.0	Diesel	Tier 4f	5/1/2020	11/1/2020
	Sweepers/Scrubbers	64	1	2.0	2.0	Diesel	Tier 4f	5/1/2020	11/1/2020
	Excavators	158	1	2.4	2.4	Diesel	Tier 4f	5/1/2020	11/1/2020
Site Preparation	Tractors/Loaders/Blackhoes	97	1	8.0	8.0	Diesel	Tier 4f	11/2/2020	1/31/2021
	Excavators	158	3	8.0	8.0	Diesel	Tier 4f	11/2/2020	1/31/2021
	Road Cleaner/Sweepre/Scrubber	64	1	4.0	4.0	Diesel	Tier 4f	11/2/2020	1/31/2021
Grading	Rubber Tired Dozers	247	1	1.0	1.0	Diesel	Tier 4f	2/1/2021	4/30/2021
	Tractors/Loaders/Backoes	97	2	6.0	6.0	Diesel	Tier 4f	2/1/2021	4/30/2021
	Shoring Equipment (Boring Rigs)	221	2	2.4	2.4	Diesel	Tier 4f	2/1/2021	3/1/2021
	Tie Back Equipment (Drilling Rigs)	221	2	2.4	2.4	Diesel	Tier 4f	3/2/2021	3/30/2021
	Ground Improvement (Drilling Rig)	221	1	2.4	2.4	Diesel	Tier 4f	4/1/2021	4/30/2021
	Sweepers/Scrubbers	64	1	8.0	8.0	Diesel	Tier 4f	2/1/2021	4/3/2021
Building Construction	Cranes	231	1	3.0	3.0	Electric	N/A	8/1/2021	12/1/2022
	Forklifts	89	2	4.5	4.5	Propane	N/A	5/1/2021	12/31/2023
	Tractors/Loaders/Backoes	97	2	2.0	2.0	Diesel	Tier 4f	5/1/2021	12/31/2023
	Tower Crane	231	1	3.0	3.0	Electric	N/A	9/1/2021	5/1/2022
	Aerial Lifts (#1)	63	1	8.0	8.0	Electric	N/A	11/1/2021	3/1/2023
	Aerial Lifts (#2)	63	1	8.0	8.0	Electric	N/A	11/1/2021	5/1/2022
	Concrete Pumps	84	2	2.0	2.0	Electric	N/A	7/1/2021	10/1/2022
Paving	Welders	46	6	0.80	0.80	Electric	N/A	5/1/2021	12/31/2023
	Tractors/Loaders/Backhoes	97	1	5.3	5.3	Diesel	Tier 4f	11/1/2022	5/1/2023
	Concrete/Industrial Saws	81	2	2.0	2.0	Diesel	Tier 4f	11/1/2022	5/1/2023
Architectural Coating	Air Compressors	78	1	3.0	3.0	Electric	N/A	11/1/2021	1/1/2023

Notes: Project equipment was provided by the project sponsor.
Abbreviations:
N/A = not applicable
Tier 4f = Tier 4 Final
Tier 4i = Tier 4 Interim

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Mitigation Measures		Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
		Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
	Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in Paragraph 5. <i>Certification Statement and Onsite Requirements.</i> Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.								

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
M-AQ-9b Best Available Control Technology for Diesel Generators for 30 Van Ness Avenue Project. The two proposed diesel generators shall have engines that meet Tier 4 Final emission standards and be fueled with renewable diesel, R99, if commercially available. The project sponsor shall limit testing of the emergency diesel generators to no more than 20 hours per year. Each diesel backup generator permit shall be submitted to the San Francisco Planning Department for review and approval prior to issuance of a permit for the generator from the San Francisco Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The project sponsor shall maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and provide this information for review to the planning department within three months of requesting such information.			X		Project sponsor.	Yearly on project site.	Planning department, department of building inspection.	Continuous.
M-AQ-9c: Construction Emissions Minimization Plan for 98 Franklin Street Project. Prior to construction, the 98 Franklin Street project sponsor shall submit a Construction Emissions Minimization Plan to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. Upon approval of Plan, the sponsor shall implement the				X	Project sponsor.	Prior to the start of diesel equipment use on site.	Planning department (Environmental Review Officer, Air Quality technical staff) to review and approve.	Considered complete upon planning department review and acceptance of Construction Emissions Minimization Plan.

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
Plan. The plan shall detail project compliance with the following requirements: 6. All construction equipment shall contain engine tiers consistent with the United States Environmental Protection Agency (USEPA) engine tiers as provided in Table M-AQ-9c: Construction Equipment Summary for 98 Franklin Street Project, below. Documentation of equipment tiers for in-use equipment shall be maintained on site as part of the plan. 7. All off-road engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99), if commercially available. 8. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable State regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit. 9. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.								

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
10. The construction emissions minimization plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information 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 use and hours of operation. The construction emissions minimization plan shall be kept onsite and available for review during working hours by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the construction emissions minimization plan and a way to request a copy of the Plan. The project sponsor shall provide copies of the Plan as requested. Should any deviations from the requirements or the equipment in Table M-AQ-9a be proposed prior to or during construction, the project sponsor shall demonstrate, to the satisfaction of the ERO, that an equivalent amount of emissions reduction would be achieved. Reporting. Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in Paragraph 5, above.								

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in Paragraph 5. Certification Statement and Onsite Requirements. Prior to the commencement of construction activities, the project sponsor shall certify (1) compliance with the construction emissions minimization plan, and (2) all applicable requirements of the construction emissions minimization plan have been incorporated into contract specifications.								

TABLE M-AQ-9C: CONSTRUCTION EQUIPMENT SUMMARY FOR 98 FRANKLIN STREET PROJECT									
						Controlled Equipment Details		Equipment Usage Data	
	Phase	Project Equipment at Site	Horsepower	Equipment Quantity	Usage Hours per Weekday	Fuel	Control	Start	End
	Demolition	Concrete/Industrial Saws	81	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
		Excavators	67	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
		Rubber Tired Dozers	247	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
		Skid Steer Loaders	73	1	8.0	Diesel	Tier 4i	6/1/2021	6/5/2021
	Shoring	Drill Rig	500	1	4.5	Diesel	Tier 4i	6/8/2021	8/7/2021
		Excavators	67	1	1.5	Diesel	Tier 4i	6/8/2021	8/7/2021
		Cranes	275	1	1.0	Diesel	Tier 4i	6/8/2021	8/7/2021
		Tieback rig	250	1	3.0	Diesel	Tier 4i	6/8/2021	8/7/2021
		Rough Terrain Forklift	100	1	1.0	Diesel	Tier 4i	6/8/2021	8/7/2021
		Generator	40	1	4.0	Diesel	Tier 4f	6/8/2021	8/7/2021
	Excavation	Excavators	250	3	6.0	Diesel	Tier 4i	8/10/2021	10/30/2021
		Skid Steer Loaders	75	2	6.0	Diesel	Tier 4i	8/10/2021	10/30/2021
	Building Construction	Cranes	231	1	3.0	Electric	N/A	11/2/2021	8/5/2023
		Forklifts	89	1	2.1	Propane	N/A	11/2/2021	8/5/2023
		Welders	46	2	0.16	Electric	N/A	11/2/2021	8/5/2023
		Sissor lifts	89	1	1.5	Electric	N/A	11/2/2021	8/5/2023
		Signal Boards	6.0	2	8.0	Electric	N/A	11/2/2021	8/5/2023
	Paving	Pavers	130	1	4.0	Diesel	Tier 4i	8/1/2023	8/5/2023
		Rollers	50	1	4.0	Diesel	Tier 4i	8/1/2023	8/5/2023
	Architectural Coating	Airless Paint Sprayers	78	3	4.0	Electric	N/A	1/7/2023	8/5/2023
Notes: Project equipment was provided by the project sponsor.									
Abbreviations:									
N/A = not applicable									
Tier 4f = Tier 4 Final									
Tier 4i = Tier 4 Interim									
Wind									

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
<p>M-WI-1a: Wind Analysis and Minimization Measures for Subsequent Projects. All projects proposed within the Hub Plan area that would have a roof height greater than 85 feet shall be evaluated by a qualified wind expert, in consultation with the San Francisco Planning Department, to determine their potential to result in a new wind hazard exceedance or aggravate an existing pedestrian-level wind hazard exceedance (defined as the one-hour wind hazard criterion with a 26 mph equivalent wind speed).</p> <p>If the qualified expert determines that wind-tunnel testing is required due to the potential for a new or worsened wind hazard exceedance, such testing shall be undertaken in coordination with San Francisco Planning Department staff, with results summarized in a wind report.</p> <p>The buildings tested in the wind tunnel may incorporate only those wind baffling features that can be shown on plans. Such features must be tested in the wind tunnel and discussed in the wind report in the order of preference discussed below, with the overall intent being to reduce ground-level wind speeds in areas of substantial use by people walking (e.g., sidewalks, plazas, building entries, etc.):</p> <p>1. <i>Building Massing.</i> New buildings and additions to existing buildings shall be shaped to minimize ground-level wind speeds. Examples of these include setbacks, stepped facades,</p>	X		Complete	Complete	Project sponsor for projects with a roof height greater than 85 feet.	During the environmental review process for subsequent development projects.	In coordination with San Francisco Municipal Transportation Agency and San Francisco Public Works, the planning department to review and approve wind testing scope of work, wind report, and wind reduction measures.	Considered complete upon approval of final construction plan set.

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
<p>and vertical steps in the massing to help disrupt downwashing flows.</p> <p>2. <i>Wind Baffling Measures on the Building and on the Project Sponsor's Private Property.</i> Wind baffling measures shall be included on future buildings and/or on the sponsor's private property to disrupt vertical wind flows along tower façades and through the project site. Examples of these may include staggered balcony arrangements on main tower façades, screens and canopies attached to the buildings, rounded building corners, covered walkways, colonnades, art, landscaping, free-standing canopies, or wind screens.⁶</p> <p>Only after documenting all feasible attempts to reduce wind impacts via building massing and wind baffling measures on a building, shall the following be considered:</p> <p>3. <i>Landscaping and/or Wind Baffling Measures in the Public Right-of-Way.</i> Landscaping and/or wind baffling measures shall be installed to slow winds along sidewalks and protect places where people walking are expected to gather or linger. Landscaping and/or wind baffling measures shall be installed</p>								

⁶ Solid windscreens have a greater effect at reducing the wind speeds to immediate leeward side of the screens; however, outside of this area of influence, the winds are either unaffected or accelerated. Porous windscreens have less of an impact to the immediate leeward side; however, they have an increased area of influence and are less likely to cause any accelerations of the winds further downwind.

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This table identifies Plan-level and Project-level mitigation measures to be implemented by the City and County of San Francisco, project sponsors of the 30 Van Ness Avenue and 98 Franklin Street Projects, or project sponsors for subsequent development projects in the Hub Plan area. The project applicability columns indicate which project is required to implement a given mitigation measure. For subsequent development projects in the Hub Plan area, during subsequent environmental review, the Planning Department would determine the applicability of each measure and prepare a project-specific Mitigation and Monitoring Reporting Program to be adopted with each subsequent project.

Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
on the windward side of the areas of concern (i.e., the direction from which the wind is blowing). ⁷ Examples of wind baffling measures may include street art to provide a sheltered area for people to walk and free-standing canopies and wind screens in areas where people walking are expected to gather or linger. If landscaping or wind baffling measures are required as one of the features to mitigate wind impacts, <i>Mitigation Measure M-WS-1b</i> (below) shall also apply.								
M-WI-1b: Maintenance Plan for Landscaping and Wind Baffling Measures in the Public Right-of-Way. If it is determined that an individual subsequent development project could not reduce additional wind hazards via massing or wind baffling measures on the subject building, the project sponsors shall prepare a maintenance plan for review and approval by the San Francisco Planning Department to ensure maintenance of the features in perpetuity.	X		X	X	Project sponsor for projects with a roof height greater than 85 feet.	During the environmental review process for subsequent development projects.	In coordination with San Francisco Municipal Transportation Agency and San Francisco Public Works, Planning department to review and approve.	Ongoing.

⁷ Landscaping typically impacts winds locally; the larger the tree crown and canopy, the greater the area of influence. Tall, slender trees with little foliage have little to no impact on local winds speeds at ground level because of the height of the foliage above ground. Shorter street trees with larger canopies help reduce winds around them but their influence on conditions farther away is limited.

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	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
Biological Resources								
M-BI-1: California Fish and Game Code Compliance to Avoid Active Nests during Construction Activities: For any project activities that result in removal or disturbance of existing trees through adjacent construction activities, tree project applicant(s) shall avoid impacts on nesting birds though compliance with the relevant California Fish and Game Code by implementing one or more of the following: <ul style="list-style-type: none">Undertaking tree removal during the non-breeding season (i.e., September through January 15) to avoid impacts on nesting birds or conducting preconstruction surveys for work scheduled during the breeding season (March through August).Conducting, by a qualified biologist, preconstruction surveys no more than 15 days prior to the start of work during the nesting season to determine if any birds are nesting in the vegetation to be removed or in the vicinity of the construction to be undertaken.Avoiding any nests identified by a qualified biologist and establishing a construction-free buffer zone designated by a qualified biologist, which will be maintained until nestlings have fledged.	X	X	X	X	Project sponsor.	Prior to and during construction.	Planning department to review and approve.	Considered complete upon completion of construction activities.

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Mitigation Measures	Project Applicability				Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
	Hub Plan Subsequent Projects and Hub HSD ¹	Hub Plan Streetscape and Street Network Improvements	30 Van Ness Avenue Project	98 Franklin Street Project				
M-BI-2: Avoid Impacts on Special-status Bat Roosts during Construction Activities: Project applicant(s) shall avoid impacts on maternity colonies or hibernating bats if identified by avoiding structural demolition between April 1 and September 15 (maternity season) and between October 30 and March 1 (hibernation) to the extent feasible. Bat roost avoidance shall be accomplished by the following steps: <ul style="list-style-type: none">The project applicant(s) shall retain a qualified biologist to conduct a bat habitat assessment of the structures proposed for demolition. The assessment may be conducted at any time of year but should be conducted during peak bat activity periods (March 1–April 15, September 1–October 15) if possible. Qualified biologists shall have knowledge of the natural history of the species that could occur and sufficient experience related to determining bat occupancy in buildings and bat survey techniques. The biologist shall examine both the inside and outside of accessible structures for potential roosting habitat as well as routes of entry to the structures. If the biologist concludes that the building does not provide suitable bat roosting habitat, no further actions are necessary and work may commence. If the results of the survey are inconclusive or the biologist identifies potential roost sites, the following steps shall be implemented:	X	X	X	X	Project sponsor for projects with large trees to be removed and/or vacant buildings to be demolished; qualified biologist.	Prior to issuance of demolition or building permits when trees would be removed or buildings demolished as part of an individual project.	Planning department to review and approve.	Considered complete upon issuance of demolition or building permits.

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<ul style="list-style-type: none">The project applicant(s) shall implement measures under the guidance of a qualified bat biologist to exclude bats from using the building as a roost site, such as sealing off entry points with one-way doors or enclosures. Installation of exclusion devices shall occur before maternity colonies establish or after they disperse, generally between March 1 and 30 or between September 15 and October 30, to preclude bats from occupying a roost site during demolition. Exclusionary devices shall be installed only by or under the supervision of an experienced bat biologist. <p>The qualified biologist shall conduct a follow-up survey to confirm that the exclusion measures have excluded bats. If follow-up surveys determine that bats are still present, the biologist shall modify the exclusion measures to effectively exclude bats from the structure. Following successful exclusion of the bats and confirmation of their absence by the biologist, demolition or structural modification shall commence.</p>								
Improvement Measure I-BI-2: Lighting Minimization during Hours of Darkness. In compliance with the voluntary San Francisco Lights Out Program, the department could encourage buildings developed pursuant to the Hub Plan to implement bird-safe building operations to prevent or minimize bird-strike impacts, including, but not limited to, the following measures:	X	X	X	X	Project sponsor.	Prior to issuance of building permits.	Planning department to review and approve.	Considered complete upon issuance of building permits.

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<ul style="list-style-type: none">• Reduce building lighting from exterior sources by:<ul style="list-style-type: none">◦ Minimizing the amount and visual impact of perimeter lighting and façade uplighting and avoiding up-lighting on rooftop antennae and other tall equipment as well as of any decorative features• Installing motion-sensor lighting<ul style="list-style-type: none">◦ Using low-wattage fixtures to achieve required lighting levels• Reduce building lighting from interior sources by:<ul style="list-style-type: none">◦ Dimming lights in lobbies, perimeter circulation areas, and atria◦ Turning off all unnecessary lighting by 11 p.m. through sunrise, especially during peak migration periods (mid-March to early June and late August to late October)◦ Using 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<ul style="list-style-type: none">◦ Scheduling nightly maintenance to conclude by 11 p.m.◦ Educating building users about the dangers of lighting to birds during hours of darkness								

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Geology and Soils								
M-GE-1: Inadvertent Discovery of Paleontological Resources. Before the start of any excavation activities, the project applicant(s) shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology, who is experienced in teaching non-specialists. The qualified paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, the proper notification procedures should fossils be encountered, and the laws and regulations protecting paleontological resources. The qualified paleontologist shall also make periodic visits during earthmoving at high sensitivity sites to verify that workers are following the established procedures. If potential vertebrate fossils are discovered by construction crews, all earthwork or other types of ground disturbance within 25 feet of the find shall stop immediately, and the monitor shall notify the project sponsor, the qualified paleontologist, and the Environmental Review Officer. The fossil shall be protected by an “exclusion zone” (an area approximately 5 feet around the discovery that is marked with caution tape to prevent damage to the fossil). Work in the affected area shall not resume until a qualified professional paleontologist can assess the nature and importance of the find. Based on the	X	X	X	X	Project sponsor; qualified paleontologist.	Before the start of any excavation activities.	Planning department to review and approve.	Ongoing during construction. Considered complete once ground disturbing activities are complete or once the planning department approves the recovery plan, if required.

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scientific value or uniqueness of the find, the qualified paleontologist may record the find and allow work to continue or recommend salvage and recovery of the fossil. The qualified paleontologist may also propose modifications to the stop-work radius, based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology’s 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, as well as currently accepted scientific practice, and subject to review and approval by the Environmental Review Officer. If required, treatment for fossil remains may include preparation and recovery so they can be housed in an appropriate museum or university collection (e.g., the University of California Museum of Paleontology). This may also include preparation of a report for publication describing the finds. The department shall ensure that information on the nature, location, and depth of all finds is readily available to the scientific community through university curation or other appropriate means. The project sponsor shall be responsible for ensuring that the paleontologist’s recommendations regarding treatment and reporting are implemented, including the costs necessary to prepare and identify collected fossils and any curation fees charged for university or museum storage.								

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT D

SHADOW ANALYSIS



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

Date: May 21, 2020

To: Recreation and Park Commission

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

From: Javier del Castillo, Capital & Planning Division

Subject: 98 Franklin Street
Evaluation of Shadow on 1) Page and Laguna Mini Park, 2) Patricia's Green, 3) Koshland Community Park and Learning Center, and 4) the 11th and Natoma Future Park Site

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 98 Franklin Street will have a significant adverse impact on the use of 1) Page and Laguna Mini Park, 2) Patricia's Green, 3) Koshland Community Park and Learning Center and 4) the 11th and Natoma Future Park Site, pursuant to the Planning Code Section 295 (the Sunlight Ordinance).

Strategic Plan

The Recreation and Park Department 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, adopted by the voters in 1985 as Proposition K, prohibits the City from issuing building permits for structures greater than 40 feet in height that would cast a shadow on property under the jurisdiction of (or designated for acquisition by) the Recreation and Park Department (RPD), unless the Planning Commission, after consultation with the Recreation and Park Commission, finds the shadow would not have a significant adverse impact on the use of the park property. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted a memorandum (the "1989 Memo") which identified quantitative and qualitative criteria for determining whether a shadow's impact on a park is significant. (Planning Commission Resolution No. 11595) These criteria include the time of day when the shadow appears, the time of year, the size of shadow, duration of shadow, location of shadow, and public good served by the project. See **Attachment A** for an overview on the quantitative and qualitative criteria. The 1989 Memo established a maximum limit of new shadow, or Absolute Cumulative Limit (ACL), for 14 downtown parks, including Civic Center Plaza. The ACLs are expressed as a percentage of the Theoretically Available Annual Sunlight (TAAS) on the park.



Project Background

The Market & Octavia Area Plan

The San Francisco Planning Department is seeking to amend the Market and Octavia Area Plan, an area plan that was adopted in 2008. The proposed amendments are the result of a multi-year public and cooperative interagency planning process that began in 2016. The overall Market and Octavia Area Plan includes the general area within a short walking distance of Market Street between the Van Ness Avenue and Church Street Muni stations and along the new Octavia Boulevard that replaced the Central Freeway. The area known as “the Hub”, which was a key sub-area of the Market and Octavia Area Plan, was envisioned as a “vibrant new mixed-use neighborhood” with several thousand new housing units and a transformation of the streets and open spaces to support the new population. Numerous policies and zoning actions in the adopted Market and Octavia Area Plan support this vision including the creation of the Van Ness and Market Downtown Residential Special Use District (SUD) which facilitates the development of a transit-oriented, high-density, residential development around the intersections of Market Street and Van Ness Avenue and Mission Street and South Van Ness Avenue. This vision for the Hub area enabled by the Market and Octavia Area Plan is slowly being realized with several development projects already been built or currently under construction and major infrastructure projects identified in the area plan, such as Van Ness BRT, are under construction.

The currently proposed Market and Octavia Area Plan Amendments seek to amend the existing Market and Octavia Area Plan to generate more housing and affordable housing units, to develop and coordinate designs for streets and alleys and to update the Market and Octavia Community Improvements Neighborhood program with specific infrastructure projects in the Hub area.

Project Description

The proposed project at 98 Franklin Street is located on Assessor’s Block 0836/Lot 013. See **Attachment B** for a Project Location Map. The L-shaped building would extend to the south of the lot and have frontages along Franklin, Oak, and Market Streets. The project would demolish the existing surface vehicular parking lot and construct of a 31-story, 365-foot tall, mixed-use (residential/school) building that would serve as the new high school for the French American International School (grades 9-12 of FAIS). The Project Sponsor is a partnership between Related California and the FAIS. The proposed project would include a residential tower above a 5-story school podium. The tower would be situated in the northwest portion of the site. The podium would be approximately 68 feet tall at the roofline. The 31-story tower would extend up to approximately 365 feet in height to the roofline. A parapet would extend an additional 20 feet above the roofline, as permitted by the Planning Code. The project includes approximately 510,000 square feet, including approximately 384,100 square feet of residential uses (market-rate/affordable), 3,100 square feet of retail uses, and 81,000 square feet of school uses. The residential portion of the project provides 345 apartment units with the following dwelling unit mix: 172 studios (50%), 86 one-bedrooms, (25%), 54 two-bedrooms (15%), and 33 three-bedrooms (10%). Twenty percent (or 69 dwelling units) of the 345 residential dwelling units proposed would be designated as affordable in order to satisfy the inclusionary affordable housing requirements of the Planning Code. Retail space for a restaurant (e.g., café) would be provided on the ground floor and the podium would include a private two-story indoor open space for residential and school uses, a residential lobby, and a multi-purpose assembly room on the ground floor. The project includes a three-level parking garage

containing 111 vehicular parking spaces, bicycle parking, loading, and other building services. See **Attachment C** for project renderings and elevations.

Surrounding Properties and Neighborhood

The site is located within the southwestern edge of downtown in the C-3-G (Downtown Commercial, General) Zoning District. The area is characterized as an urban, mixed-use area that includes a diverse range of residential, commercial, institutional, office, and light industrial uses. Office use is prevalently located along Market Street and Van Ness Avenue, while most government and public uses are located to the north in the Civic Center. West of Franklin Street is an NC-3 Moderate-Scale Neighborhood Commercial District that comprises a diverse mix of residential, commercial, and institutional uses. South of Market Street, and west of 12th Street, are the WSOMA Mixed Use, General and Production, Distribution and Repair (PDR) Districts. Further, the site occupies a prominent position near the intersection of Market Street and Van Ness Avenue, two of the City's widest and most recognizable thoroughfares. As such, the site is uniquely positioned near one of the most important transit nodes within the city: rail service is provided underground at the Van Ness Muni Metro Station as well as via historic streetcars that travel along Market Street while Bus service is provided on both Van Ness Avenue and Market Street.

Park Description and Shadow Analysis

A shadow analysis prepared by PreVision Design analyzed the potential shadow impacts of the 98 Franklin Project on parks under the jurisdiction of RPD. The proposed project will shade four parks including Page and Laguna Mini Park, Patricia's Green, Koshland Community Park and Learning Center and the 11th and Natoma Future Park Site. See **Attachment D** for the shadow analysis report. Also see **Attachment E** for a net new shadow fan diagram from the proposed project.

1. Page & Laguna Mini Park

Park Description

Page & Laguna Mini Park, located on lot 015 of Assessor's Block 0852, is a 6,557-sf (or 0.15-acre) park under RPD jurisdiction with a community garden in Hayes Valley between two Victorian homes. The park fronts on Page Street, which is lined with mature street trees. The fenced linear park contains a curving central walkway with flowering beds and apple trees with seating for passive recreation. There is a tree line primarily in the west side of the park. The park is used for passive recreation. See **Attachment F** for a Park Diagram of Page & Laguna Mini Park.

Analysis of Project Impact on Page and Laguna Mini Park

A shadow analysis prepared by PreVision Design analyzed the potential shadow impacts of the 98 Franklin Project on Page and Laguna Mini Park. The proposed project would result in new shadows falling on the park, adding approximately 12,565 square foot hours (sfh) of shadow and increasing shadow load by 0.05% above current levels, resulting in an increase in the total annual shading from 50.80% to 50.85% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the project would occur within the first 20 minutes of the daily analysis period between approximately May 18th and July 25th. The day of maximum net new shadow would occur on June 21st and would shade the northern edge of the park. The worst shadow days (largest area of new shadow) from the new project would occur on June 14th and June 28th at 6:48 am, when the project would create 943 sf of new shadow, covering approximately 14.3% of the park. See **Attachment F** for the Maximum Shadow Coverage Diagram.

Quantitative Summary of Shadow Findings on Page & Laguna Mini Park		
Park Size: 0.15 acres (or 6,595 sf)		
	Square Foot Hours	Percentage (of TAAS)
Theoretical Annual Available Sunlight (TAAS)	24,543,248 sfh	100 %
Existing Shadow	12,469,084 sfh	50.80%
New Shadow	12,565 sfh	+0.05%
Total Shadow with Proposed Project	12,481,649 sfh	50.85%
Qualitative Summary of Shadow Findings on Page & Laguna Mini Park		



LARGEST ANNUAL NET NEW SHADOW PROFILE
JUNE 14 & JUNE 28

6:48 AM

Time Of Day	Early Morning	Amount, Dates & Time Of Maximum New Shading	943 sf, Jun14th and Jun 28 th at 6:48 A.M.
Time Of Year	Between May 18 th and July 25 th	Location/Area Of Shadow	Northern edge of park
Daily Duration Of New Shadow When Present	Zero to 22 min. (Approx. 15 min)		

Range In Area Of New Shadow	Zero to 943 sf (0.0%-14.3% of total area)	Activities Affected By New Shadow	Existing
			1. Pathway 2. Bench 3. Community Garden 4. Park Entrance

2. Patricia's Green

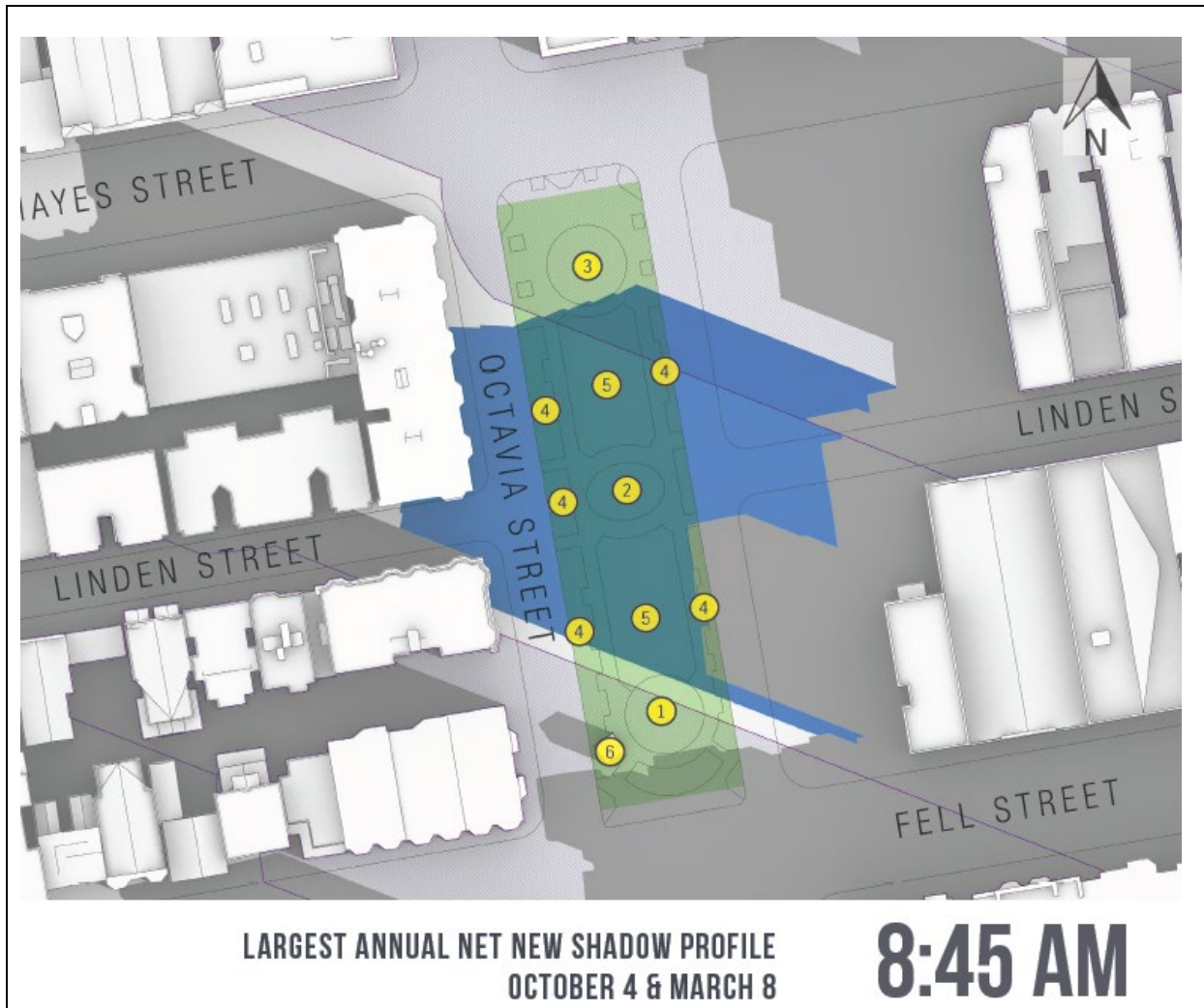
Park Description

Patricia's Green, occupying portions of lots 33 and 67 of Assessor's Block 817 and of the Octavia Street right-of-way, is a 17,903-sf (or 0.41-acre) urban park under RPD jurisdiction. Patricia's Green is bounded by Hayes Street to the north, by Fell Street to the south, and to the east and west by the north- and south-bound lanes of Octavia Street. The park features two open lawns, a paved plaza along Hayes Street, picnic benches, and a children's play area, as well as new art exhibits every 6 months. The park is also surrounded by many shops and restaurants. See **Attachment G** for a Park Diagram of Patricia's Green.

Analysis of Project Impact on Patricia's Green Park

A shadow analysis prepared by PreVision Design analyzed the potential shadow impacts of the 98 Franklin Project on Patricia's Green Park. The proposed project would result in net new shadows cast on Patricia's Green, adding approximately 298,323 net new annual sfh of shadow and increasing the sfh of shadow by 0.45% annually above current levels. This increase would result in a new annual total shadow load of 18.51% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the project would occur within the first 52 minutes of the daily analysis period between February 2nd through March 28th and again between September 14th and November 7th. The worst shadow day (largest area of new shadow) from the new project would occur on March 8th and October 4th and cover 10,822 sf, covering approximately 60.5% of the park. The dates of maximum net new shadow on the park due to 98 Franklin Street would occur at on March 1st and October 11th. See **Attachment G** for a Maximum Shadow Coverage Diagram.

Quantitative Summary of Shadow Findings on Patricia's Green Park		
Park Size: 0.41 acres (or 17,903 sf)		
	Square Foot Hours	Percentage (of TAAS)
Theoretical Annual Available Sunlight (TAAS)	66,622,661 sfh	100 %
Existing Shadow	12,029,525 sfh	18.06%
New Shadow	298,323 sfh	+0.45%
Total Shadow with Proposed Project	12,327,848 sfh	18.51%
Qualitative Summary of Shadow Findings on Patricia's Green Park		



Time Of Day	Early Morning	Amount, Dates & Time Of Maximum New Shading	10,822 sf, Mar 8 th & Oct 4 th at 8:45 A.M.
Time Of Year	Between Feb 2 nd and Mar 28 th & Sept 14 th and Nov 7 th	Location/Area Of Shadow	Northern half of park
Daily Duration Of New Shadow When Present	Zero to 52 min Approx 40 min		
Range In Area Of New Shadow	Zero to 10,822 sf (0.0%-60.5% of total area)	Activities Affected By New Shadow	Existing 2. Center Plaza / Art Area 3. Picnic Area 4. Planting/Benches 5. Lawn

3. Koshland Community Park and Learning Center

Park Description

Koshland Community Park is a 35,775 sf (0.82 acre) park featuring children's play equipment and community garden plots lined by large leafy trees. In the northwestern corner there is a half-court basketball court connected to the rest of the park by a meandering concrete path that connects it with the children's play equipment and the community garden plots. Koshland Community Park occupies the northwestern corner of a large block bounded by Page Street to the north, Buchanan Street to the west, Haight Street to the south and Laguna Street to the East. See **Attachment H** for a Park Diagram of Koshland Community Park and Learning Center.

Analysis of Project Impact on Koshland Community Park and Learning Center

A shadow analysis prepared by PreVision Design analyzed the potential shadow impacts of the 98 Franklin Project on the Koshland Community Park. The proposed project would result in increased net new shadow cast on Koshland Community Park, adding 3,963 net new annual sfh of shadow increasing the sfh by 0.003% annually above current levels. This increase would result in a new annual total shadow load of 15.450% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the project would occur for up to approximately nine minutes in the early morning between approximately April 20 and August 22. Net new shadow from the proposal would fall along the northeastern and southeastern corners of the park, affecting a portion of the community garden area in the northeastern corner and a wooded area in the southeastern corner. The maximum area affected at any point would be 783 square feet or less. The worst shadow day (largest area of new shadow) from the new project would occur on June 14th and June 28th and cover 783 sf. The date of maximum net new shadow on the park due to 98 Franklin Street would occur at on June 21st. See **Attachment H** for a Maximum Shadow Diagram of Koshland Community Park and Learning Center.

Quantitative Summary of Shadow Findings on Koshland Community Park		
Park Size: 0.82 acres (or 35,743 sf)		
	Square Foot Hours	Percentage (of TAAS)
Theoretical Annual Available Sunlight (TAAS)	133,014,951 sfh	100%
Existing Shadow	20,546,822 sfh	15.447%
New Shadow	3,963 sfh	0.003%
Total Shadow with Proposed Project	20,550,786 sfh	15.450%
Qualitative Summary of Shadow Findings on Koshland Community Park		



LARGEST ANNUAL NET NEW SHADOW PROFILE
JUNE 14 & JUNE 28

6:48 AM

Time Of Day	Early Morning	Amount, Dates & Time Of Maximum New Shading	783 sf on June 14 th and June 28 th at 6:48 A.M.
Time Of Year	Approx. April 20 th to Aug 22 nd (57 - 69 days)	Location/Area Of Shadow	Northeastern and southeastern portions of park.
Daily Duration Of New Shadow When Present	Zero to 9 min Approx 5 min.		
Range In Area Of New Shadow	Zero to 783 sf (0.0%-2.2% of total area)	Activities Affected By New Shadow	Existing
			1. Entry 2. Community Garden 3. Grassy area 4. Hardcourt

4. Future 11th and Natoma Park Site

Park Description

The 11th and Natoma Future Park Site (Assessors Block 3510/Lots 035, 037, 039, 055, 056) is 19,570-sf (or 0.45-acre) and is in Western SoMa, a light industrial area that includes residential and commercial uses as envisioned by the Western SoMa Area Plan. Significant population growth is anticipated east of the site within the proposed Central SoMa Plan area, west of the site within the Market Octavia Plan, and to the north-west of the site as part of the Hub initiative. The 11th and Natoma Future Park Site was strategically selected for acquisition to serve the growing dense populations of the emerging and park-poor neighborhoods with the understanding of the anticipated up-zoning changes and incoming growth of residential developments. See **Attachment I** for a Park Diagram of the Future 11th and Natoma Park Site.

Analysis of Project Impact on 11th and Natoma Future Park Site

A shadow analysis prepared by PreVision Design analyzed the potential shadow impacts of the 98 Franklin Project on the 11th and Natoma Future Park Site. The proposed project would result in net new shadows cast on the 11th and Natoma Future Park Site, adding approximately 130,635 net new annual sfh of shadow and increasing the sfh of shadow by 0.18% annually above current levels. This increase would result in a new annual total shadow load of 22.27% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the project would occur in the late afternoon / early evening for up to 33 minutes between May 4th and August 8th. The worst shadow day (largest area of new shadow) from the new project would occur on June 7th and July 5th and cover 4,925 sf, covering approximately 25.2% of the park site. The date of maximum net new shadow on the park due to 98 Franklin Street would occur at on June 28th and July 14th. See **Attachment I** for a Maximum Shadow Diagram of the Future 11th and Natoma Park Site.

Quantitative Summary of Shadow Findings on Future 11 th and Natoma Future Park Site		
Park Size: 0.45 acres (or 19,570 sf)		
	Square Foot Hours	Percentage (of TAAS)
Theoretical Annual Available Sunlight (TAAS)	72,829,287 sfh	100%
Existing Shadow	16,085,624 sfh	22.09%
New Shadow	130,635 sfh	0.18%
Total Shadow with Proposed Project	16,216,258 sfh	22.27%
Qualitative Summary of Shadow Findings on 11 th and Natoma Future Park Site		



LARGEST ANNUAL NET NEW SHADOW PROFILE
JUNE 14 & JUNE 28

7:00 PM

Time Of Day	Evening	Amount, Dates & Time Of Maximum New Shading	4,925 sf on June 14 th and June 28 th at 7:00 P.M.
Time Of Year	Approx. May 4 th - Aug 8 th (85-97 days)	Location/Area Of Shadow	Southern portion of park.
Daily Duration Of New Shadow When Present	Zero to 33 min Approx 26 min		
Range In Area Of New Shadow	Zero to 4,925 sf (0.0%-25.2% of total area)	Activities Affected By New Shadow	Existing
			Not Applicable as Park Concepts have not yet been developed.

Cumulative Shading Analysis

Cumulative shadow analysis for The Hub Plan, the 30 Van Ness Avenue Project, the 98 Franklin Street Project, and The Hub Housing Sustainability District (HSD) EIR ("Shadow Analysis Report for The Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District (HSD) EIR", by PreVision Design, dated Feb. 11, 2019) (See **Attachment J** for Cumulative Shadow Analysis and Shadow Coverage Diagram for the Hub Plan, 30 Van Ness Ave, 98 Franklin Street project and Hub Housing Sustainability District EIR (Prevision Design) serves as the basis for the shadow analysis within the Draft Environmental Impact Report (EIR) for the 98 Franklin Project. In its cumulative analysis, the PreVision Design report analyzed new shadows cast by 98 Franklin Street Project and other projects near the subject project including the 30 Van Ness Avenue Project and the 10 South Van Ness Avenue Mixed-Use, as well as, projects in the development pipeline and foreseeable future. The Draft EIR for the 98 Franklin Street Project found that the proposed project in combination with past, present and reasonably foreseeable future projects in the project area would not create new shadow in a manner that would substantially affect outdoor recreation facilities or other public areas and that the proposed project would not make a cumulatively considerable contribution to a significant cumulative shadow impact.

*Hub Projects Cumulative Shadows Table**

RPD Park		Park Size (Acres)	Existing Shadow Load**	Proposed Projects			Hub Pipeline Cumulative†
				10 South Van Ness Avenue	98 Franklin Street	30 Van Ness Avenue	
				%	%	%	
1	M. Hayward PG	5.04	14.65%			0.04%	0.09%
2	Buchanan Mall	1.81	26.13%	0.003%			0.01%
3	Hayes Valley PG	0.61	33.29%	0.024%		0.01%	0.07%
4	Koshland Park	0.82	15.45%	0.064%	0.003%	0.02%	0.32%
5	Page/Laguna Mini Park	0.15	50.80%	0.058%	0.05%		0.29%
6	Patricia's Green	0.41	18.06%	0.319%	0.45%	0.28%	1.99%
7	Civic Center Plaza	5.12	10.20%			0.002%	0.09%
8	11 th /Natoma Park	0.45	22.09%	1.438%	0.18%		6.77%
9	Howard & Langton Mini Park	0.23	41.03%	0.002%		0.004%	0.05%
10	Gene Friend Rec	1.02	48.29%				1.32%
11	Victoria Manalo Draves Park	2.53	6.43%				0.51%

*The "Hub Projects Cumulative Shadows Table" above pulls data from shadow analysis prepared by PreVision Design for the Hub EIR/30 Van Ness/98 Franklin, as well as, the shadow analysis data prepared by FASTCAST for the 10 South Van Ness project but was prepared by RPD staff as an aide only to summarize the cumulative shadow values per park across all three Hub projects collectively (30 Van Ness Avenue, 98 Franklin Street, and 10 South Van Ness).

**The "Existing Shadow Load" column values are pulled from the shadow analysis prepared by PreVision Design for The Hub EIR which differ from the existing shadow load values prepared by FASTCAST for the 10 South Van Ness Avenue project.

† Cumulative projects refer to all pipeline projects in the Hub Plan Area.

Project-Related Public Good

The Project Sponsor identified the following public benefits:

- The project would construct a project at a height and density envisioned by “The Hub”.
- The project would construct 345 apartment units to increase the City’s supply of housing in an area designated for high-density residential uses due to its proximity to downtown and accessibility to local and regional transit.
- Twenty percent (or 69 units) of the 345 residential dwelling units proposed would be affordable units.
- The project would contribute toward the City’s family housing stock in that 87 of the 345 dwelling units proposed (or 25%) are family-sized units (two-bedroom or larger).
- The project would help activate the district by providing approximately 3,100 sf of retail to create a more vibrant pedestrian atmosphere in the area of “The Hub”.
- The project would include retail space for a restaurant (e.g., café) on the ground floor.
- The project includes comprehensive public realm improvements along its frontages including street trees and sidewalk widening.

Project Outreach Summary

The Project Sponsors have met with the merchant community, including local business owner and HVNA merchant liaison board member, Lloyd Silverstein, who was in the process of rebuilding a Hayes Valley Merchant Association. Mr. Silverstein has expressed support for the project and recommended broad outreach to local merchants. The Project Sponsor has asked Mr. Silverstein to forward their contact information and their desire to share information about their plans with his membership. They support efforts to engage the small business community, understanding the financial devastation they have experienced as a result of the current Shelter-in-Place Ordinance. The Project Sponsor presented to the Civic Center CBD Board on April 23, 2020.

The Project Sponsor is engaged in ongoing discussions regarding community interests with neighborhood representatives anticipates a favorable outcome. Our outreach has resulted in commitments for letters of support from SFJAZZ, San Francisco Ballet, Church of the Advent of Christ the King and HVNA board member Lloyd Silverstein.

The Project Sponsor has met with the following organizations:

Neighborhood Associations	Hayes Valley Neighborhood Associations
	Hayes Valley Merchants
	Civic Center CBD
Cultural Associations	SF Jazz
	SF Ballet
Citywide Organizations	SPUR
	San Francisco Housing Action Coalition
	San Francisco Chamber of Commerce

Environmental Review

The Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Project, and Hub Housing Sustainability District (HSD) were analyzed in one Environmental Impact Report (EIR). The 30 Van Ness project is subject to environmental review and approval under the California Environmental Quality Act (CEQA). The Draft EIR was released on July 24, 2019. The Final EIR is expected to be certified by the Planning Commission on May 14, 2020. The Final EIR is available online: <https://sfplanning.org/environmental-review-documents>

Staff Recommendation

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

Supported By

Currently letters of support from the Civic Center Central Business District and the Church of Advent have been submitted to staff.

Opposed By

Currently no opposition letters have been submitted to staff.

Attachments

- A. Section 295 Background and 1989 Memo Infographic
- B. Project Location Map: The Hub Plan Area and Map of Affected Public Open Spaces
- C. Proposed Project Renderings and Elevations
- D. PreVision Design Shadow Analysis Report: Section 295 Shadow Analysis Report for the Proposed 98 Franklin Project (Feb 12, 2020)
- E. Net New Shadow Fan Diagram from Proposed Project
- F. Page and Laguna Mini Park: Park Diagram and Maximum Shadow Coverage
- G. Patricia's Green: Park Diagram and Maximum Shadow Coverage
- H. Koshland Community Park and Learning Center: Park Diagram and Maximum Shadow Coverage
- I. 11th and Natoma Future Park Site: Park Diagram and Maximum Shadow Coverage
- J. Cumulative Shadow Analysis & Shadow Coverage Diagram
- K. Letters of Support
- L. Draft Resolution

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT E

LAND USE DATA



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 98 FRANKLIN ST
RECORD NO.: 2016-014802PRJ

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

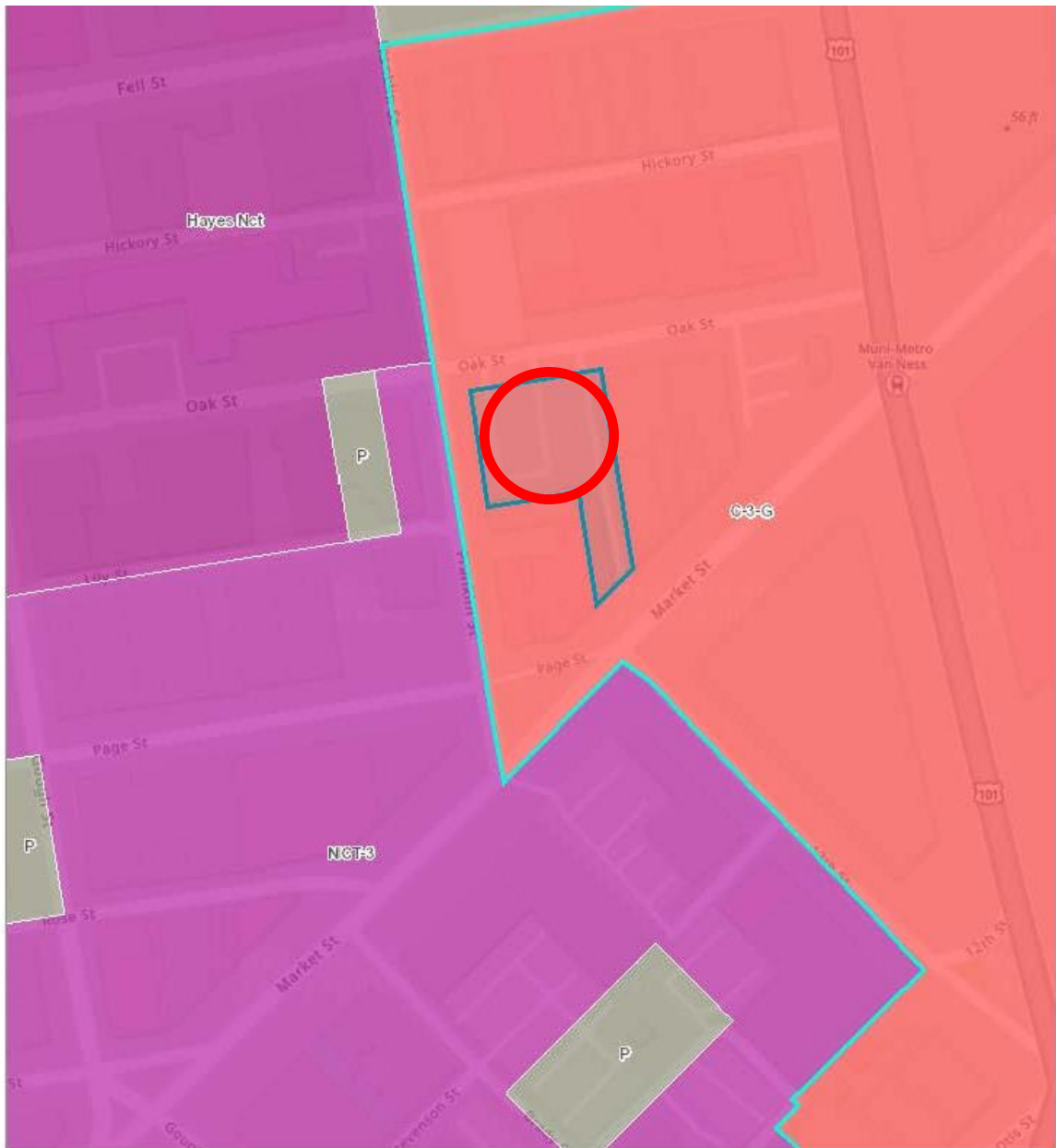
	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF			
Residential GSF	0	379,003	379,003
Retail/Commercial GSF	0	3,229	3,229
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>			
Medical GSF			
Visitor GSF			
CIE GSF	0	84,815	84,815
Usable Open Space	0	7,250	7,250
Public Open Space			
Other ()			
TOTAL GSF			
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	69	69
Dwelling Units - Market Rate	0	276	276
Dwelling Units - Total	0	345	345
Hotel Rooms			
Number of Buildings	0	1	1
Number of Stories	0	36	36
Parking Spaces	100	111	11
Loading Spaces	0	3	3
Bicycle Spaces	0	363	363
Car Share Spaces	0	3	3
Other ()			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	35	35
Two Bedroom Units	0	52	52
Three Bedroom (or +) Units	0	258	258
Group Housing - Rooms			
Group Housing - Beds			
SRO Units			
Micro Units			
Accessory Dwelling Units			

EXHIBIT F

MAPS & CONTEXT PHOTOS

Zoning Map

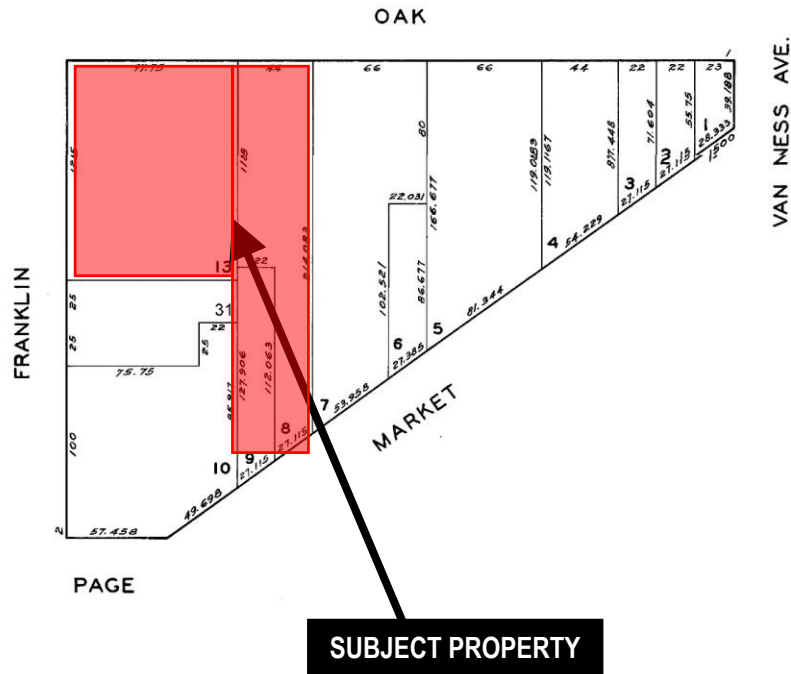
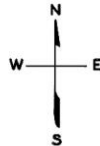


Parcel Map

LOTS MERGED
 Lot 19A INTO Lot 5 - 1929
 " 18 " " 7 - 1944
 " 14 " " 13 - "
 " 17 " " 16 - "
 " 16 " " 8 - 1945
 " 15 " " 13 - 1951
 Lots 11 & 12 into lot 31 for 2016 roll

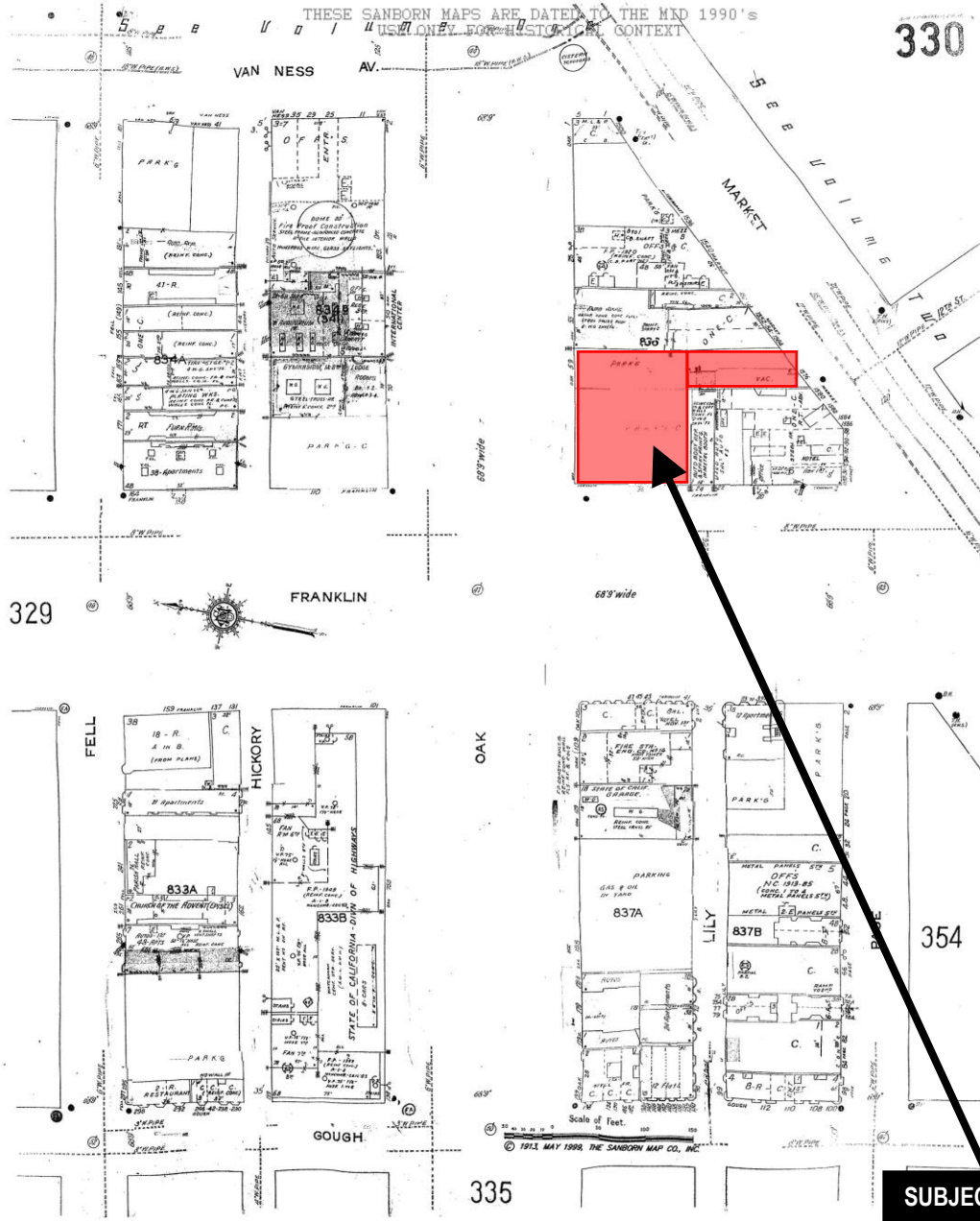
© COPYRIGHT SAN FRANCISCO
 CITY & COUNTY ASSESSOR 1995

836
 W. A. BLK. 71
 REVISED 2016



Downtown Project Authorization Hearing
 Case Number 2016-014802PRJ
 98 Franklin Street

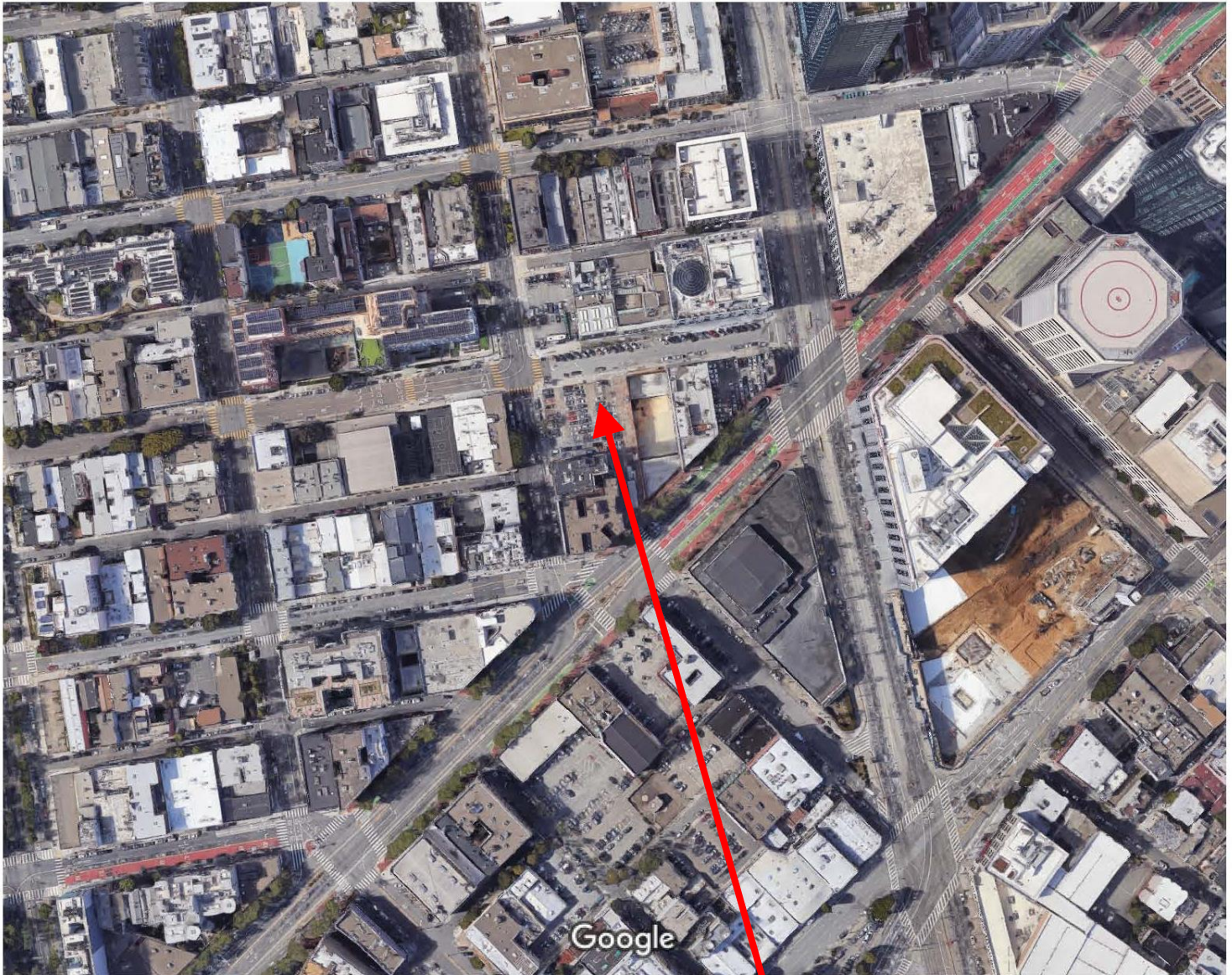
Sanborn Map*



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



Aerial Photo



Imagery ©2020 Google, Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 Google

100 ft

SUBJECT PROPERTY

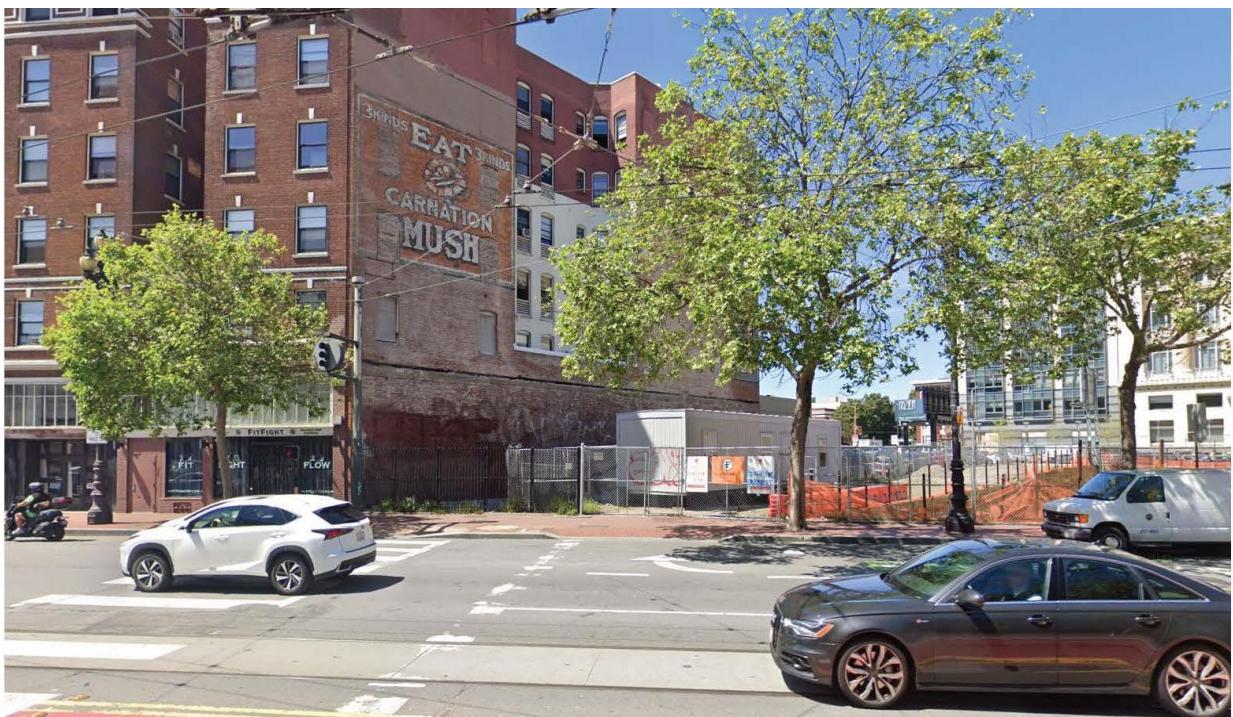


Downtown Project Authorization Hearing
Case Number 2016-014802PRJ
98 Franklin Street

Site Photos



Corner of Franklin and Oak Streets



Market St Frontage

Downtown Project Authorization Hearing
Case Number 2016-014802PRJ
98 Franklin Street

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT G

PUBLIC CORRESPONDENCE

From: [Amy Guggenheim Shenkan](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: 98 Franklin - requesting your support
Date: Tuesday, May 19, 2020 9:08:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Amy Shenkan and we live in Pac Heights. I'm a parent of a 10th grader at IHS and have been a member of the French American and International High School community since our daughter started Pre-K there in 2008. I also served on the board of the school and remain very committed to its mission which seems even more important during this crisis specifically and during this period in our history more broadly.

FAIS is San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The school has expanded over time and its facilities need to expand with it. The school has creatively found a solution that seems great for the kids and great for the neighborhood. 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

We would really value your support of French American International School and the 98 Franklin Street development. Though our daughter will be an alum of IHS before the new school is built, we are so excited for the future students of IHS and for the enhancements to the neighborhood we've come to love.

Thank you for your consideration. I do hope that you and your families are staying healthy!

Sincerely,

Amy G Shenkan



SPUR

San Francisco | San Jose | Oakland

April 30, 2020

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

RE: SPUR Endorsement of 98 Franklin Street

Dear Planning Commissioners:

Related California presented the 98 Franklin Street project to SPUR's Project Review Advisory Board at our October 17, 2019 meeting for review and consideration. **The SPUR Project Review Advisory Board finds this development proposal to be an appropriate set of uses for this location and endorses the development of 98 Franklin by a partnership between Related California and the French American International High School.**

SPUR is generally focused on policies, plans and codes rather than on individual projects. In order to make infill development easier, we prefer to help set good rules around zoning, fees, housing affordability, sustainability, etc. However, on occasion, our Project Review Advisory Board will review and endorse development proposals of citywide or regional importance, evaluating their potential to enhance the vitality of the city and region according to the policy priorities and principles of good placemaking supported by SPUR.

98 Franklin is a significant mixed-use, mixed-income development project planned for this infill site located at 57 Oak Street and 1576 Market Street in the Market Street Hub portion of the Market Octavia Plan. Currently an L-shaped vehicular parking lot, the proposed project will transform the site into a 31-story residential tower over a 5-story podium building housing the French American International High School (FAIS). As proposed, the project will include up to 345 apartment units (25 percent of which will be affordable), school classrooms, offices and facilities, and 3,100 square feet of ground floor retail. The project represents an innovative approach to vertically integrate a mix of uses that will further enhance this important neighborhood at the intersection of Civic Center and Hayes Valley, and it enables a much-needed expansion of FAIS's urban campus.

SPUR affirms that 98 Franklin:

- ✓ **Is located at an appropriate location for development**, near transit and infrastructure and not on a greenfield site. This site is located near the critical junction of Van Ness and Market Street, at

the center of San Francisco, a block from a Muni station and future Van Ness BRT. It is located within the Market Octavia Plan, one of the city's most successfully implemented area plans.

- ✓ **Provides an appropriate mix of land uses** of residential and retail, contributing to a diverse stock of housing, fostering economic development and providing amenities and services to the surrounding community. This complex project makes good use of the half-acre site, serving a 400-student school in addition to creating 345 apartment units.
- ✓ **Provides sufficient density at the site** with a residential density of 632 units per acre, supporting adjacent transit and preventing underutilization of land, serving the future needs of Bay Area residents. It revitalizes an underutilized site currently used for car parking.
- ✓ **Creates a good place for people and contributes to a walkable environment** with active ground floor uses – building entries and a planned café – on the Oak Street and Franklin Street frontages. In addition, new street trees are planned as part of the project's wind mitigation efforts. We appreciate the limited parking that is being provided, the elimination of a curb cut and the location of loading, trash collection and bike storage below ground, reducing interference with pedestrian and vehicular activity.

The SPUR Project Review Advisory Board finds this development proposal to be an appropriate set of uses for this location and endorses the 98 Franklin project. Overall, we are impressed with the building tower design and the close attention to ground floor activity at the Oak and Franklin Street frontages. We are interested to see how the sliver of Market Street façade develops and would encourage the sponsor to use that opportunity to showcase public art or highlight the school's identity on Market Street. Even if Market Street is not the front of the building and will not have an entry there, we think there is potential for that façade. Lastly, we have some concerns about street safety for youth crossing the intersection at Oak and Franklin since the new school facilities are diagonal from the main school campus at 150 Oak Street. We encourage the city to facilitate whatever changes (infrastructure, technology, light-timing, etc.) might be needed to ensure the safety of people traveling through the neighborhood, particularly students.

Please do not hesitate to contact us or Kristy Wang, SPUR's Community Planning Policy Director, with any questions or clarifications.

Sincerely,

Charmaine Curtis
Co-Chairs, SPUR Project Review Advisory Board

Diane Filippi

cc: SPUR Board of Directors



May 5, 2020

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


Dear Commission President Koppel and Commissioners,

Mercy Housing is pleased to support the 98 Franklin Street Development, which will add much-needed housing to the Van Ness/Market HUB. In partnership with Catholic Charities, Mercy Housing has been the longtime owner/manager of the neighboring Derek Silva Community which provides 68 apartments of affordable housing for people living with HIV/AIDS and is the largest residential AIDS housing facility in San Francisco.

Mercy Housing is in favor of Related/ French American's proposal to activate an underutilized surface parking lot with 345 mixed-income rental units – of which 25% will be on-site affordable. We particularly appreciate that 98 Franklin will make design improvements to the public realm and pedestrian rights-of-way. It will provide welcome streetscape improvements to Oak and Lily Streets, with public art that suits the character of this vibrant neighborhood offering much-appreciated neighborhood-amenities for our residents to enjoy.

We look forward to welcoming 98 Franklin to the neighborhood and request your approval of the 98 Franklin Street development.

Sincerely,



Doug Shoemaker
President, Mercy Housing California

Mercy Housing California

1256 Market Street, San Francisco, California 94102 o | 415-355-7100 f | 415-355-7101
2512 River Plaza Drive, Suite 200, Sacramento, California 95833 o | 916-414-4400 f | 916-414-4490
1500 S. Grand Avenue, Suite 100, Los Angeles, California 90015 o | 213-743-5820 f | 213-743-5828
TTY | 800-877-8973 or 711 mercyhousing.org/california

Mercy Housing is sponsored by communities of Catholic Sisters

LIVE IN HOPE



April 16, 202016

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

Dear Commission President Koppel and Commissioners,

I am the Rector of The Church of the Advent Christ the King located at 261 Fell Street in Hayes Valley. I am writing to express our support of the 98 Franklin development. For over a century, our parish has existed as a cornerstone of religious and community life in Hayes Valley. Our parish and FAIS have a long history partnering together — sharing event space and working together to improve Hayes Valley.

I not only serve at the parish; my family and I live on the premises. We especially appreciate their presence along Hickory Street. The Security Personnel work with our Church to create a livable space for all. We also interact regularly with staff and students. Their presence creates a positive place to live as opposed to the large empty building which was there before they moved in.

98 Franklin Street proposes to activate an underutilized surface parking lot bringing much-needed mixed-income housing to Hayes Valley. Additionally, the project will provide new neighborhood-serving amenities including ground-floor retail and significantly enhanced public spaces with new streetscape improvements and public art.

This project at 98 Franklin Street presents a rare opportunity to further improve our community and create a world-class academic building for French American International School — a diverse and innovative school with deep roots in San Francisco and in Hayes Valley in particular.

We appreciate FAIS' commitment to our neighborhood, and welcome the quality of life and public realm improvements that 98 Franklin will provide the Hayes Valley community. The Church of the Advent Christ the King encourages your support of 98 Franklin Street.

Sincerely,



The Reverend Paul D. Allick

From: [Ed Shenkan](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: 98 Franklin - requesting your support
Date: Tuesday, May 19, 2020 10:38:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Ed Shenkan and we live in Pac Heights. I'm a parent of a 10th grader at IHS and have been a member of the French American and International High School community since our daughter started Pre-K there in 2008. I remain very committed to its mission which seems even more important during this crisis specifically and during this period in our history more broadly.

FAIS is San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The school has expanded over time and its facilities need to expand with it. The school has creatively found a solution that seems great for the kids and great for the neighborhood. 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide 80+ affordable units which San Francisco desperately needs.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

We would really value your support of French American International School and the 98 Franklin Street development. Though our daughter will be an alum of IHS before the new school is built, we are so excited for the future students of IHS and for the enhancements to the neighborhood we've come to love.

Thank you for your consideration. I do hope that you and your families are staying healthy!

Sincerely,

Ed Shenkan

From: [Erica Kodiyan](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Erica Kodiyan](#); [Manu Kodiyan](#); [Preston, Dean \(BOS\)](#); [Alexander, Christy \(CPC\)](#); [Aaron Levine](#); lcuadra@bergdavis.com
Subject: 98 Franklin Letter of Support by a FAIS family member and local community member
Date: Monday, May 18, 2020 8:11:29 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Erica Kodiyan. I am a West Mission/ **San Francisco resident and I'm the parent of Isabella Kodiyan, 7th grader** and have been a member of the French American and International High School community for **10 years**.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The mixed-use project will provide at 80+ affordable units which San Francisco desperately needs and market rate units along with occupied commercial space.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets and helping to breathe new life into the community.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American Internal School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Erica Kodiyan

From: [Tamara Dust](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: 98 Franklin Street - letter in support
Date: Tuesday, May 19, 2020 1:56:18 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Tamara York. I live in the Outer Richmond of San Francisco and I'm the parent of Rousseau a wonderful 5-yr-old. I've have been a member of the French American and International High School community for 2 years.

Our school is special and for an international family like ours, is unique. We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds who speak many languages and will hopefully be able to give back to the world. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Haves Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world- class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Tamara York

415-517-9841

From: [Iwan Thomis](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: 98 Franklin Street Development and French American International High School
Date: Tuesday, May 19, 2020 10:26:03 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners

I have been a San Francisco/District 5 resident for the last 23 years and I am a parent of a junior student at the French American International High School. I have just reviewed the latest plans and ideas for the development of the site at 98 Franklin and wanted to express my enthusiastic support for the vision shown here.

The neighborhood around the current school site has seen a lot of positive change recently, not least with redevelopment of buildings on Van Ness. However, there remain many problems in the area and it does not always feel safe. Adding the density of both additional housing, retail, and a bustling school would surely create a better overall environment. It seems that this would also fit with the improvements to SFMTA services on Van Ness. This part of the city has been challenging for many years and I am pleased to see how it might now become more connected and secure.

Although my son will have graduated long before this development is complete I am excited that this work would provide opportunity for future students, housing for many, and a better, safer, more live-able environment for all in the neighborhood.

Please support this plan and the long-term health of our city.

Many thanks in advance

yours sincerely

Iwan Thomis

From: [David Evans](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: 98 Franklin Street
Date: Tuesday, May 19, 2020 10:12:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I'm writing in support of the proposed 98 Franklin Street mixed-use development project. My name is David Evans and I'm a resident of San Francisco. Both of my children attend French American, my daughter Oona is in first grade and my son Heath is starting pre-kindergarten this fall. We love the global perspective of the school and the school community. I'm especially excited that this project could be completed by the time my children are ready for high school. I can only imagine how inspiring it would be to attend a high school like the one planned, one that they can both reach easily via public transit.

I'm also very interested generally in smart, transit-oriented developments like this one which will bring both added housing to San Francisco, plus a generous proportion of needed affordable units without requiring public funds, plus add fresh ground floor commercial space in this neighborhood. This development will I believe serve the community long term and feels very consistent with other developments along the Market Street corridor in recent years, which have had a significantly positive effect.

I sincerely hope you will approve this project for a new International High School and 98 Franklin Street development.

Thank you for your time and consideration!
David Evans

From: [Ahmed Khaishgi](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: 98 Franklin Street: Long-Time SF Resident Letter of Support
Date: Monday, May 18, 2020 7:48:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Ahmed Khaishgi. I have lived in San Francisco for the last 21 years and have seen the city develop and evolve.

We love the City and are raising our 3 children in the city. We have two children who attend the French American and International High Schools (FAIS/IHS) and will have a child at the school through 2032!

The School

As you know, FAIS / IHS is San Francisco's oldest and largest international school. In these divisive times, FAIS/IHS have created a true community of the best of San Francisco, with immense racial and socio-economic diversity while maintaining great academic rigor.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, transit-orientated development that will serve San Francisco well into the future.

The project will provide 80+ affordable units which San Francisco desperately needs. This project will improve pedestrian rights-of-way - improving Oak and Lily Streets.

The project will also reduce vandalism. Population and pedestrian density – which the additional residents, new retail, and improved streetscape will create – always reduces vandalism.

French American International School has a great history of working with the Hayes Valley community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Closing

The 98 Franklin project is a unique opportunity to create a world- class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Ahmed Khaishgi
455 Frederick Street
San Francisco, CA 94117



April 23, 2020

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

RE: 98 Franklin Street

Dear Planning Commissioners:

Project sponsor Related has presented its proposed development (in partnership with the French American School) for residential dwellings and a school facility at 98 Franklin to the Board of Directors of the Civic Center Community Benefit District (CCCBD). The development site is located within CCCBD District boundaries.

Important aspects of this development which directly support CCCBD's mission and serve to enhance neighborhood cleaning, safety and positive public realm activation are listed below.

PRE-DEVELOPMENT/CONSTRUCTION COORDINATION WITH CCCBD AND THE COMMUNITY

- ✓ Clean and neat construction barricade with a cleanable and easy-to repair surface
- ✓ Evening lighting and security (personnel and/or cameras) at the site
- ✓ Sufficient notice of traffic, noise and vibration impacts
- ✓ Cooperation with CCCBD and City agencies to remove any blight or safety concerns negatively impacting the community

POST DEVELOPMENT

- ✓ New building with high, transparent facades on Franklin and Oak Streets
- ✓ New and wide sidewalks on Franklin and Oak Streets
- ✓ High quality pedestrian-scale exterior lighting and security cameras
- ✓ 24 hour, on-site building staff
- ✓ Traffic control monitors on Franklin Street
- ✓ Hearty street trees on Lily Street cared for an on-going landscape maintenance program
- ✓ Mid-alley pedestrian zone on Lily Street managed and maintained by building staff
- ✓ Active ground-floor tenancy with transparent storefronts
- ✓ Public art on the Market Street entrance
- ✓ Assembly space on the Market Street side
- ✓ Increased foot traffic new residents and students will enhance sidewalk vibrancy and safety; and add patrons for District businesses, arts and cultural venues, and community events and programs

We look forward to continued pre-construction and construction updates and look forward to working with the Project's sponsors throughout the course of development and beyond.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tracy Everwine', written over a light blue horizontal line.

Tracy Everwine
Executive Director

From: [Farzin Shadpour](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Advocating for the Hub/98 Franklin Project
Date: Monday, May 18, 2020 10:19:39 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Farzin Shadpour. I am a San Francisco Resident. I'm the parent of Yehudi and Ivry Shadpour and have been a member of the French American and International High School community for 4 years.

The School

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American Internal School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

Closing

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Respectfully,

-Farzin Shadpour

From: pickering@sbcglobal.net
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Preston, Dean \(BOS\)](#); [Alexander, Christy \(CPC\)](#)
Subject: Comments on 98 Franklin (Hub) project
Date: Wednesday, May 20, 2020 11:42:55 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commissioners Koppel, Alexander and Preston,

My name is John Pickering and I am writing today to lend my support to the proposed 98 Franklin Street development. I am a lifetime resident of San Francisco and 8-year member of the French American and International High School community.

Ours is San Francisco's oldest and largest international school and our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

From: [Laura Zander](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Enthusiastic support for the 98 Franklin Project
Date: Tuesday, May 19, 2020 2:05:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

My name is Laura Zander and I am a San Francisco resident, a French American International School parent, and the CFO of the Exploratorium. I have stood before the Board of Supervisors most recently expressing my support for the Seawall project. I am reaching out to you to express my support for the proposed 98 Franklin Street development. I believe firmly in this project even though it is unlikely that my son will benefit from it except as an alumnus!

FAIS and International High School is San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, place-making, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you!

Sincerely,

Laura R. Zander

(415) 601-2918.

Laura R. Zander
732A Liggett Ave.
San Francisco, CA 94129
M: (415) 601-2918
E: laura.r.zander@gmail.com

From: [Brian J Keil](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Expressing my support for the 98 Franklin St project
Date: Tuesday, May 19, 2020 3:11:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

My name is Brian Keil. I've been a San Francisco resident since 1994. My son, Gabriel, is currently a 6th grader at French American International School (FAIS). We've been a part of the FAIS Community since 2012. I am contacting you to express my support, and ask for yours, for the proposed 98 Franklin Street development.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better. FAIS has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

The 98 Franklin project is a **unique** opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular. The new campus will establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place. My son and so many other children will be beneficiaries of this project.

Additionally, 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. The project will:

- Provide at 80+ affordable units which San Francisco desperately needs
- Propose design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.
- Create increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism

Thank you for your consideration. I strongly encourage your support of French American International School and the 98 Franklin Street development.

Regards,

Brian Keil

From: [Daniel McGrath](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Expressing Our Support for the Hub 98 Franklin Project
Date: Wednesday, May 20, 2020 10:10:44 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Dan McGrath and I'm a San Francisco resident in the Sunnyside neighborhood. I'm also a parent to two boys attending International High School and I've been a member of the French American and International High School community for 3 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you.

Dan McGrath

From: [Laura Dinu](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: French American International School Letter of Support
Date: Tuesday, May 19, 2020 2:22:20 PM
Attachments: [FAIS letter of support.docx](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is **Laura Dinu**. I am a San Francisco resident as well as a native, having grown up in the Outer Sunset. I'm the parent of **Liam Dinu** and have been a member of the French American and International High School community for 2 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you.

Laura Dinu

917.355.8780

From: [Nicole Bernstein](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#); [Aaron Levine](#); lcuadra@bergdavis.com; [Jeffrey Trær Bernstein](#)
Subject: Future French American Campus
Date: Tuesday, May 19, 2020 9:57:03 AM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Nicole Bernstein, I'm a San Francisco resident, and I'm the parent of a 4-yr-old boy who attends French American. We are excited to be a part of the French American community and hope that our son will attend through high school, hopefully at a state-of-the-art campus at 98 Franklin.

The FAIS community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Best,
Nicole & Jeffrey Bernstein

From: [Ionin, Jonas \(CPC\)](#)
To: [Alexander, Christy \(CPC\)](#)
Cc: [Feliciano, Josephine \(CPC\)](#)
Subject: FW: I support the 98 Franklin Project!
Date: Tuesday, May 19, 2020 8:00:32 AM

Jonas P. Ionin,
Director of Commission Affairs

Planning Department|City & County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6309|Fax: 415-558-6409

jonas.ionin@sfgov.org
www.sfplanning.org <<http://www.sfplanning.org/>>

On 5/18/20, 6:35 PM, "CHRISTIAN BONOMO" <chris@c3h.org> wrote:

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel & Planning Commissioners,

I whole-heartedly support the proposed 98 Franklin Street development. My name is Christian P. Bonomo and I have lived in San Francisco for 25 years. Additionally, I am the parent of three children that have attended French American and/or International High School. As such, I have been a member of the French American and International High School community for 14 years.

French American International School is San Francisco's oldest & largest international school. The community is diverse - bringing together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

Over my quarter century living in our city, I have seen Hayes Valley blossom. The project at 98 Franklin will help to continue this process. It provides additional housing to the city, including 80+ affordable units. It will liven up that part of the neighborhood with foot traffic from both the school community & residents.

A long time ago the French American International School made a big bet on the community when it moved into 150 Oak. During the ensuing time, it has shown itself to be a stalwart part of the neighborhood and has worked with the community to develop many dormant properties. It looks forward to extending its roots in the neighborhood with the 98 Franklin project.

Please give your support to the French American International School and the 98 Franklin Street development. Thank you & be safe.

Best,
Christian P. Bonomo

From: [Diane Novo](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Hub/98 Franklin Project
Date: Tuesday, May 19, 2020 9:09:14 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Diane Novo and I am a San Francisco resident and lived in Hayes Valley for many years. I'm also an employee of the French American International School for the past 5 years.

French American is San Francisco's oldest and largest international school and our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

Sincerely,

Diane Novo

"Service to others is the rent you pay for your room here on earth"
~ Muhammad Ali

Diane Novo
Academic Technology Supervisor
(415) 558-2000
[150 Oak Street | San Francisco, CA 94102 | USA](#)



From: [Daniel Klingebiel](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: I support The Hub and development of 98 Franklin Street for the International High School and Affordable Housing
Date: Monday, May 18, 2020 9:18:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Daniel Klingebiel. I'm the parent of Maia and Colton Klingebiel, both soon to become High School students, and have been a member of the French American and International High School community for 42 years.

The School

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban

landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

Closing

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Daniel Klingebiel

Daniel Klingebiel, CFM

He/Him/His

Executive Director

National Center For International Schools

150 Oak Street

San Francisco, CA 94102-7702

T - (415) 865.6040

F - (415) 865.6042

E - daniel@ncissf.org



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From: [David Fukuda](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: I Support the Hub/98 Franklin Project
Date: Wednesday, May 20, 2020 8:43:56 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is David Fukuda. I am a San Francisco resident and I'm the parent of Alessio Fukuda and have been a member of the French American and International High School community for one year. I also have an incoming 9th grader to the school.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. The project will provide at 80+ affordable units which San Francisco desperately needs, as well as a new home for our high school. Our high schools current school shares its facilities with the elementary and middle schools.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Haves Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism. This is exactly the type of smart development that the City needs

Thank you for your consideration,

David Fukuda

From: [Tiffany Kulkarni](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: International High School Franklin Project
Date: Tuesday, May 19, 2020 9:22:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Commission President Koppel and Planning Commissioners,

As a parent of students at French American International School, I wanted to express my support for the proposed 98 Franklin Street Development.

As you might already know, International is the oldest and largest international school, bringing together a diverse group of students. Our school mirrors the diversity of the city, making 98 Franklin a great opportunity not just for the school but for the city. The project will provide at 80+ affordable units which San Francisco desperately needs while also providing our student population with much needed learning spaces.

I strongly encourage your support French American International School and the 98 Franklin Street development.

Thank you Tiffany Kulkarni

From: [Tony Fenner-Leitao](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Letter of support for French American International School project at 98 Franklin
Date: Tuesday, May 19, 2020 1:36:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my strong support for the proposed 98 Franklin Street development. My family lives in San Francisco and 2 of our 3 children (we hope the third will join) attend French American and International High School.

The school is unique in San Francisco, indeed California, in that it is its largest international school, forming a community that brings together people from many backgrounds, experiences, geographies. The one thing we all have in common is that we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

I believe 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. Further in my opinion the project will

- provide at least 80+ affordable units which San Francisco desperately needs.
- design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.
- help address the Hayes Valley neighborhood's challenges with vandalism as Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.
- provide further support to the Hayes Valley commercial community (restaurants, retail).

As I am sure you know the school has a history of working collaboratively with the community-several dormant properties have been developed, security staff added, and neighborhood foot traffic increased.

The most exciting part about this project is that it is a unique opportunity to create a truly world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Many thanks for your consideration.

Sincerely,

Tony Fenner-Leitao
tony.fennerleitao@gmail.com
+1 415 4299116

From: [Charlotte Brook](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Local Parent in favor of the Hub/98 Franklin Project
Date: Wednesday, May 20, 2020 2:33:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Charlotte Brook. I am a San Francisco resident and parent of 2 children who attend the French American International School, and have been part of the community for 8 years.

I also work a block away and see daily how the area could be improved by this kind of development; one which supports low-income housing, education, and small business, as well as elevating the general look and feel - and safety of the neighborhood.

FAIS is San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Charlotte Brook
40 Dorchester Way
San Francisco
SF
CA 94127

From: [Tali Alban](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Local resident support for the Hub/98 Franklin Project
Date: Wednesday, May 20, 2020 5:34:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Tali Alban and I have lived in Hayes Valley, right across the street from the French American and International High School, for the past 13 years. I am also a member of the French American school community, with a child in first grade and another in third, both of whom started in the preschool.

As you may know, the International High School is San Francisco's oldest and largest international school. Both the lower school and high school communities bring together people from many backgrounds, which is one of the reasons my family selected this community for our children's education. Together, we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way; providing welcome and much needed streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism. And, in the upcoming post-pandemic times, as the city and world recover, such additional retail will provide additional opportunities for economic recovery to the city and neighborhood.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood. As a neighborhood resident, I have been thankful to the school's presence even before we were members of the school's community.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and

sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you,

Tali Alban

tali.alban@gmail.com

301 Gough Street

San Francisco, CA 94102

From: [Sébastien Dufresnes](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: My full support for the French American + International school project
Date: Monday, May 18, 2020 5:18:47 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Sébastien DUFRESNES, I'm a Hayes Valley resident I'm a faculty and have been a member of the French American and International High School community for 13 years.

The School

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

Thanks for supporting and voting for this great project!

Sébastien DUFRESNES
Upper School French
[150 Oak Street | San Francisco, CA 94102 | USA](#)



From: [Alistair Hamilton](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: My optimism of the Hub/98 Franklin Project
Date: Tuesday, May 19, 2020 11:59:14 AM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my optimism for the proposed 98 Franklin Street development and its critical role in the continued advancement of the mission of French American and International High School. My name is Alistair Hamilton and I lead the Creative and Performing Arts department and proudly occupy our Arts Pavilion at 66 Page/65 Lily St.

I am proud to represent the Arts at San Francisco's oldest and largest international school. Our community brings together people from many backgrounds and I have the distinct pleasure to bring our student and adult populations together through a series of concerts, performances, exhibitions, and screenings. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better. Our rich community has been such a positive member of Hayes Valley and we are united in our optimism for the success this project will bring our students.

Providing 80+ affordable units which San Francisco desperately needs, 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98

Franklin Street development. Thank you.

Alistair

--

Alistair Hamilton (He/Him/His)

Head of Creative and Performing Arts

[150 Oak Street | San Francisco, CA 94102 | USA](#)



From: [Konrad Ng](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: My Voice of Support for the Hub/98 Franklin Project
Date: Tuesday, May 19, 2020 9:29:07 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners:

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Konrad Ng. I am a San Francisco resident and I am the parent of Maya and have been a member of the French American and International High School community for 5 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Kind regards,

Konrad H. Ng, M.D.

Board Certified in Physical Medicine & Rehabilitation
Fellowship Trained in Interventional Pain Management



Multidisciplinary and Interventional Pain Management

2100 Webster Street, Suite 314 | San Francisco, CA 94115
1580 Valencia Street, Suite 703 | San Francisco, CA 94110
Tel: (415) 737-0555 | Fax: (415) 737-0595 | www.phspine.com

From: [Kimberly Branagh](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Our family supports the Hub/98 Franklin Project!
Date: Tuesday, May 19, 2020 2:53:39 PM
Attachments: [98 Franklin letter 2020.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Kimberly Branagh

BP Investments

1793 Union St.

San Francisco, CA 94123

M.# 415.516.1060

F.# 925.962.9650

[*kimberlybranagh@gmail.com*](mailto:kimberlybranagh@gmail.com)

[*www.laserenaproperties.com*](http://www.laserenaproperties.com)

From: [Philippe Sanchez](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Please consider my strong support for the Hub/98 Franklin Project
Date: Monday, May 18, 2020 6:24:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I'd like to express here my strong (!) support for the proposed 98 Franklin Street development.

My name is Philippe Sanchez. I am a proud San Francisco resident, the CEO of San Francisco based company, the parent of two bright young adults Maximilien and Odessa both students and alumni of the French American High School, and a trustee and board member of the French American and International High School (IHS).

As you probably know, IHS is San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

I'm personally proud and very excited by the prospect of the 98 Franklin project. Mixed-use, mixed-income, placemaking, transit-orientated development... This world-class project will serve San Francisco well into the future and will make us even prouder our our city and its ability to encourage the creation of a remarkable high school facility and a diverse and innovative institution.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you.

Philippe

Philippe Sanchez
226 Edgewood Avenue
San Francisco, CA 94117
CEO, Foxeye Robotics
Cell +1 (415) 602 6462
pxsanchez@gmail.com
[linkedin.com/in/philippesanchez](https://www.linkedin.com/in/philippesanchez)

From: [Chris Beahn](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Please support 98 Franklin
Date: Monday, May 18, 2020 6:36:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon,

I would ask that you support the 98 Franklin Street development. I am excited to have a true multi-use project which can provide affordable and market-rate housing, schooling and retail, in my neighborhood. The density is good, the transit options are great, and the bicycle accessibility is good.

I have lived in Hayes Valley/Lower Haight for 14 years and have appreciated the changes I have seen, from the reinvention of Octavia to the redevelopment of Haight and Laguna. More recently, I have loved the slow streets -- although not the circumstances that brought them about. I have 2 kids (4 and 7) that my wife and I are raising in the neighborhood, and both now attend the French American. The school has been part of our lives for just a few years, but has been part of Hayes Valley for decades. Maybe my youngest will even get to attend classes in the new building?

98 Franklin will provide a great boost to the surrounding blocks, ensuring more traffic and life to improve the thoroughfare from Van Ness to Franklin, Gough, Hayes Valley and the Lower Haight. This will make the entrance to our neighborhoods more inviting.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you,
Chris Beahn, neighborhood resident since 2005

From: [Karim E](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#)
Subject: Please support the 98 Franklin Project
Date: Wednesday, May 20, 2020 4:39:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Karim ElKatcha and I am a SoMA resident. My wife, Mira and I are the parents of 2 children and have been a member of the French American and International High School community for 3 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

The ElKatcha Family

From: [Natalie Drieu](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Gilles Drieu](#); [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: SF Resident Support for the Hub/98 Franklin Project
Date: Tuesday, May 19, 2020 11:58:58 AM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Natalie Zee Drieu. I am a San Francisco native and resident in SOMA/South Beach area. I'm the parent of Chloe Drieu and have been a member of the French American and International High School community for since 2011.

What I love the most about our city is the diverse cultures. I am Chinese-American and my parents met in San Francisco almost 50 years ago in Chinatown.

I also met my French native husband here in this city. French-American International School is one of the oldest and largest international schools. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Best,
Natalie Drieu

From: [Laurance Lee](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Strongly support the project at 98 Franklin, the Hub Project
Date: Monday, May 18, 2020 6:29:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my strong unqualified support for the proposed 98 Franklin Street development. My name is Laurance Lee, a native San Franciscan and a current resident. I'm the parent of Elysia Lee, grade 9, and have been a member of the French American and International High School community for 11 years. I have volunteered at the school for every year, including serving as the Parent Teacher Association President. I know the school and its administration very well.

French American and International High School

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better. The school is a gem of an asset to its students, the staff, the neighborhood, the community, the City, and families in the Bay Area. I remember the days when Hayes Valley was a lot less clean and the school has contributed to the area in so many ways over the years.

The Project

I can speak about this project not just as a member of the school community, but as a practicing real estate developer who specializes in mixed use projects that are designed to contribute actively to the neighborhood community.

98 Franklin is exactly the kind of mixed-use, mixed-income, place-making, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

Closing

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Laurance Lee

From: [C Ellison](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#); aaronl@frenchamericansf.org; lcuadra@bergdavis.com
Subject: Support 98 Franklin Street & the HUB
Date: Tuesday, May 19, 2020 12:58:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Christopher W. Ellison, and I am a resident of the Marina District in San Francisco. I am the parent of two children at the French American and International High School (FAIS) and have been a member of the school for five years.

I am a huge believer in both the FAIS school itself and the development commitment it is taking on, as well as the general development of the "HUB". FAIS is San Francisco's oldest and largest international school, and the community is diverse in background and culture. The development of the 98 Franklin project allows for the much needed expansion of the school grounds, allowing for greater access to modern teaching tools and techniques, increasing the ability for the school to reduce a large student population into smaller groups for focused learning, and generally reducing overcrowding of the hallways. Whether it is a concern for today or a plan for the future, we cannot overlook the fact that expanding the grounds of a school that takes in students from PK4 through High School is imperative. Simply put, expanding the school grounds to increase common areas (hallways, etc.) and student distancing should be a public priority for the future. This project is being built for the future and will increase the likelihood that our children can continue to attend some form of school should another pandemic break out that requires reduced class sizes and distancing. The beauty of the 98 Franklin project is that this is just an added benefit to an already extremely beneficial and impactful project that, on its own, will only further increase the intellectual capital and future economic growth of our great City.

In addition, the project will provide at 80+ affordable housing units that San Francisco desperately needs. This project proposes design improvements to the public infrastructure and pedestrian rights-of-way, including streetscape enhancements to Oak and Lily Streets. The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism, as well as significantly more lighting in the area. The additional ad valorem taxes from the development should also help an already strained public service budget.

French American International School has a history of working

collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

--

Onward!

Chris W. Ellison
(405) 996-6111 cell phone

From: [Amy Johnson](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support for 98 Franklin - French American International High School building
Date: Tuesday, May 19, 2020 11:54:36 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Amy Johnson, San Francisco resident (district 1) and parent of Juliette & Corinne Johnson. I have been a resident of San Francisco for 20 years and a part of the French American community for 7 years.

As San Francisco's oldest and largest international school, our community brings together people from many backgrounds in the shared vision of developing compassionate, confident, and principled students who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco now and well into the future. The project provides 80+affordable unites, while improving the public realm and making the neighborhood more pedestrian friendly.

The project will also help address the Haves Valley neighborhood's challenges with vandalism, which we have personally experienced. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world- class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Amy Johnson - 2508 Mcallister St.

From: [Jordan Otis](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#); [Nina Geneson](#)
Subject: Support for Development Project at 98 Franklin Street in San Francisco
Date: Tuesday, May 19, 2020 8:19:17 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I write on behalf of myself and my wife, Nina Geneson, to express our support for the proposed development at 98 Franklin Street in San Francisco. Both Nina and I are San Francisco natives who live in the City with our children, Colton and Kiara, who are in Pre-Kindergarten at French American. We have been a members of the French American and International High School community for the past year, and look forward to continuing to be part of this community for many years to come.

French America International School is San Francisco's oldest and largest international school. One of the primary reasons we chose French American for our children's educations is the school's community, which is incredibly diverse and brings together people from many different backgrounds. We are proud to be part of a community that strives to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The development at 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. We understand that the project will provide 80+ affordable units, which we can all agree San Francisco desperately needs. This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets. We also understand that the project will also help address the Hayes Valley neighborhood's challenges with vandalism by increasing pedestrian activity in the area – through additional residents, new retail, and improved streetscapes – which will act as a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood. Located in the Hub District, the 98 Franklin project is a unique opportunity to create a world- class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

Both my wife and I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you for your attention and consideration.

Jordan Otis & Nina Geneson

From: [Ettore Leale](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support for new school at 98 Franklin Street - The Hub
Date: Tuesday, May 19, 2020 1:34:34 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Ettore Leale I'm a San Francisco resident and I'm the parent of a 5th Grader and a 7th Grader and have been a member of the French American and International High School community for 8 years. We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better. 98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. The project will provide at 80+ affordable units which San Francisco desperately needs This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets. The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood. Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular. The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you.

Best regards,
Ettore

From: [Eunice Gillan](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support for the 98 Franklin Street Development
Date: Tuesday, May 19, 2020 10:41:41 AM

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Dear Commission President Koppel and Planning Commissioners,

My name is Eunice Gillan-Short and I am a teacher at French American and International High School in my fifth year at the school. I am contacting you to express my support for the proposed 98 Franklin Street development.

French American and International High School is a school to be very proud of. As San Francisco's oldest and largest international school, we have a diverse community that brings people together from many different backgrounds. This diversity is our strength and we strive to create a deep shared culture that develops compassionate, confident, and principled young people who will make the world a better place. When I moved to San Francisco five years ago, French American and International quickly became my second family, a sentiment I know many at the school feel.

98 Franklin is a very important project for our school, but I would also like to highlight the benefits it will have for the city of San Francisco well into the future. As a mixed-use and mixed-income development with the advantage of being close to transit lines, it has immense potential for the city, especially as the project will provide more than 80 affordable units which are desperately needed. Furthermore, a development such as this will provide clear enhancements to Oak Street and Lily Street, and will act as a natural deterrent to vandalism, given the proposed additional residents, retail space and improved streetscape.

One of the things I am most proud of with regards to French American and International is our history of working collaboratively with the community. In the past, the school has successfully developed several previously dormant properties, and the added security staff and pedestrians that this brought to the area have been a welcome addition to the city. I can say with great confidence that the 98 Franklin Street project would follow in a similar vein and I have no doubt that the city would benefit greatly from it. Approval of this project would open up a unique opportunity to create a world-class high school facility for our school and allow us to continue to develop the diverse and innovative institution that we are, as well as strengthen the already deep roots we have in Hayes Valley and San Francisco, and our continued collaborative work with the community.

I, therefore, strongly urge your support of French American and International High School and the 98 Franklin Street development. It is a truly remarkable school which is fully deserving of this facility.

Thank you in anticipation.

Yours truly,

Eunice Gillan-Short

Humanities Teacher

+1 415-558-2000

[150 Oak Street | San Francisco, CA 94102 | USA](#)



From: [gino fortunato](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support for the French American International School Project at 98 Franklin St
Date: Tuesday, May 19, 2020 7:46:13 AM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Gino Fortunato and I am a resident of the Lake district in San Francisco. I'm the parent of Nicholas Fortunato and have been a member of the French American and International High School community for 10 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs, a need that is getting more desperate all the time.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Kind Regards,

Gino Fortunato

From: [Katia Aouat](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support for the Hub/98 Franklin - Great project for the community
Date: Tuesday, May 19, 2020 9:20:14 AM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Katia Aouat. I work in the Hayes Valley and I am a San Francisco resident. I'm the parent of two kids: Saskia Rafoni, who will start her junior year during Fall 2020 at French American International High School and Ulysses Rafoni, entering 6th grade in the Fall 2020 at French American International School. I have been a member of the French American International community for 22 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you.

Katia Aouat

Professeur de Français

French American International School | International High School

Lycée International Franco-Américain

150 Oak Street | San Francisco, CA 94102 | USA

www.frenchamericansf.org



From: [Nigel Chanter](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support for the Hub/98 Franklin Project and for Affordable Housing
Date: Tuesday, May 19, 2020 8:17:49 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Nigel Chanter, I'm a Cole Valley resident and the parent of Alice Chanter, and I have been a member of the International High School community for two years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. My wife and I came to San Francisco over 25 years ago from London and Hong Kong, originally working for a software company founded by two professors at Berkeley University.

The project at 98 Franklin will provide 80+ affordable units which San Francisco so desperately needs. My wife and I volunteer every week with Project Homeless Connect and St. Anthony's Foundation so we are personally keenly aware of the issues that surround affordable housing.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic. Prior to IHS our daughter attended the Chinese American International School, co-located in the same building, so we have seen first hand the improvements that have come to Hayes Valley in the last 12 years.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of the 98 Franklin Street development.

Sincerely,

Nigel Chanter

From: [Christophe de Bord](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Preston, Dean \(BOS\)](#); [Alexander, Christy \(CPC\)](#)
Subject: Support for the Hub/98 Franklin Project
Date: Tuesday, May 19, 2020 3:02:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Christophe de Bord. [I'm a San Francisco resident] I'm the parent of Patrick de Bord and have been a member of the French American and International High School community for 10 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Christophe de Bord

From: [Erin Niemasik](#)
To: [Ionin, Jonas \(CPC\)](#); [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Cc: LCuadra@bergdavis.com; aaronl@frenchamericansf.org
Subject: Support of International High School Project at 98 Franklin Street
Date: Wednesday, May 20, 2020 11:29:19 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Erin Niemasik and I have two children enrolled in the school. I'm a San Francisco resident and a physician in the community. I'm the parent of Oliver and Henry Niemasik and have been a member of the French American and International High School community for 2 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the

98 Franklin Street development. Thank you.

My Best wishes,

Erin Niemasik, MD

From: [Stephane de Bord](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support of the 98 Franklin Street Housing Project.
Date: Tuesday, May 19, 2020 12:00:37 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Stephane de Bord. I'm a San Francisco resident and I'm the parent of 2 high schoolers and one middle schooler and have been a member of the French American and International High School community for 14 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Best,

Stephane P. de Bord
201 Mission Street, 12Fl.
San Francisco, CA 94105
(o) 415-727-2606
(c) 415-225-5456

From: [Daniel Paz](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Support our school.
Date: Tuesday, May 19, 2020 9:49:21 AM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Daniel Paz, I've been a teacher at International High School for 32 years and my two children attend it.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Daniel Paz
Spanish teacher

+1 415-558-2000

[150 Oak Street | San Francisco, CA 94102 | USA](#)



From: [Farshad Mashayekhi](#)
To: [Ionin, Jonas \(CPC\)](#); [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Aaron Levine](#); LCuadra@bergdavis.com; [Nazanin Hakim](#)
Subject: Supporting 98 Franklin Project
Date: Wednesday, May 20, 2020 8:52:32 AM

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Dear Commission President Koppel and Planning Commissioners,

We are contacting you to express our support for the proposed 98 Franklin Street development.

As residents of San Francisco since 2002, and parents of two children (age 12 and 11) attending French American School, we have been a member of the school community for 8 years. The school and its community represent the best of the city: a diverse, compassionate, and principled culture that bring together people from many backgrounds.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

98 Franklin brings tremendous help for the school's mission, and it also offers much to the city and the neighborhood: affordable housing units, retail space, and enhancement to streetscape.

We strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you,

Nazanin Hakim, DDS

Farshad Mashayekhi, PhD

770 23rd Ave, San Francisco, CA 94121

(415) 407-0250

From: [Elsa Lundy](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Supporting the 98 Franklin Project as part of the HUB
Date: Tuesday, May 19, 2020 4:49:50 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Elsa Lundy, and I am a resident of San Francisco's District 5. I'm the parent of Zoe Lundy, a student at the French American International School. I have been a member of this school community for 2 years, and a resident of District 5 for 10 years.

Our wonderful international school is brings together people from many backgrounds, and creates a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, transit-orientated development that will serve San Francisco well into the future, and specifically breath new life into this troubled intersection.

I support this project because of:

- The 80+ affordable units which San Francisco desperately needs
- The design improvements to the public realm and pedestrian rights-of-way
- The streetscape enhancements to Oak and Lily Streets.
- The natural decrease in vandalism thanks to increased pedestrian activity
- A world-class high school facility for a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

The new campus will be a distinct civic landmark that is representative of our school's culture, mission, and sense of place - and of San Francisco's too.

I strongly encourage your support of French American International School and the 98 Franklin Street development, and I thank you in advance for your thoughtful consideration.

Best regards,
Elsa Lundy
1962 Ellis St.

From: [Adhamina Rodriguez](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Supporting the 98 Franklin Street mixed-use Project
Date: Wednesday, May 20, 2020 10:56:39 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Adhamina Rodriguez. I have been a San Francisco resident/worker for over 20 years, and I am a Local Business Enterprise (LBE) certified business owner in San Francisco. I am also the mother of three children in the French American and International High School community.

Our school brings together people from many different backgrounds. We value diversity and strive for a sustainable future our children and our city. 98 Franklin is a mixed-use, mixed-income, transit-oriented development that will make San Francisco a more livable city.

The project will provide 80+ affordable units, will enhance the city streetscape with greenery, stormwater provisions and pedestrian paths, and will contribute to reduce vandalism in the neighborhood with new uses and residents. Furthermore, the project strives to become a model of sustainable design and construction for the students and the community, a teaching tool beyond LEED Gold certification. The project will pursue the nexus of people, place and profit. These goals, sometimes perceived as competing interests, must be pursued jointly to achieve true sustainability, also known as the Triple Bottom Line: environmental stewardship, social equity, and economic prosperity. High-density, mixed-use, carbon-neutral buildings are key to make San Francisco a resilient city.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

If you have any questions, please feel free to contact me directly.

Thank you,

Adha

Adhamina Rodriguez
333 Main St. 9B
San Francisco, CA 94105
415-559-0331

From: [Perle Deutsch](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Supporting the FAIS/98 Franklin Project
Date: Monday, May 18, 2020 10:15:54 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Perle Deutsch. I am a Sunnyside resident. I'm the parent of Yehudi and Ivry Shadpour and have been a member of the French American and International High School community for 4 years.

The School

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98

Franklin Street development.

Thank you.

Perle Deutsch

From: [Julie Strong](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Supporting the innovative 98 Franklin project
Date: Monday, May 18, 2020 5:12:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Julie Strong, and I am the Director of Teaching and Learning and have been a member of the French American and International High School community for 1 year. Previously I lived in the Inner Sunset for 13 years.

The School

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs.

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District, the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture,

mission, and sense of place.

Closing

This project is the type of innovative community-based approach that has made San Francisco a world-class city, and I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Sincerely,

Julie Strong

Julie Strong, Ph.D. (She/Her/Hers)
Director of Teaching and Learning, Accreditation Coordinator
[+1 415-558-2097 \(direct\)](#)
150 Oak Street | San Francisco, CA 94102 | USA



From: [Julie Rouette](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#); LCuadra@bergdavis.com; [Aaron Levine](#)
Subject: Teacher Support of the 98 Franklin Project
Date: Tuesday, May 19, 2020 11:08:52 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Julie Rouette and I am a teacher and have been a member of the French American and International High School community for 4 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development. Thank you.

Julie Rouette
Teacher of Mathematics
[150 Oak Street | San Francisco, CA 94102 | USA](#)



From: [Cigdem Gencer](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: The Hub/98 Franklin Project - Please support this important advancement for our school, our neighborhood and community!
Date: Monday, May 18, 2020 8:29:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Cigdem Gencer. I am a 20-year San Francisco resident. My son has attends 7th grade at the French American International School, and we have been active members of the French American and International High School community throughout the past 8 years, and the Hayes Valley neighborhood for even longer than that.

French American and International High School is San Francisco's oldest and largest international school. One of the most important reasons we chose our school is that our community brings together people from diverse backgrounds, experiences, and socio-economic levels. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

The Project

98 Franklin is exactly the kind of mixed-use, mixed-income, place-making, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs. This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets. The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood. Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley, in particular. The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

I also want to express my gratitude for you, for keeping our government functioning, and thinking for the future during this particularly challenging time.

With deep appreciation,

Cigdem Gencer

From: [Annie Gmail](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Writing to give our support for the 98 Franklin Project
Date: Wednesday, May 20, 2020 9:28:28 PM

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Dear Commission President Koppel and Planning Commissioners,

My family and I are reaching out because as long-time residents of San Francisco, with a child attending French American, we wanted to very much express our support for the proposed 98 Franklin Street project. As an active member of French American for the last 5 years, our daughter will be at the school for several more years. I have been going to Hayes Valley since I was single and it was a much different neighborhood. I still love to shop there at stores like Dish and dine at Absinthe and chez mama. When French American bought the property and laid out plans to build the high school there and continue to add to the community we could not have been more thrilled. One of the things we love about the school is that it's varied community – children from all over not just the bay area, but the world – some on scholarships, financial aid, and some just with hard-working parents wanting their kids to get some global exposure and give back to the community. It's part of what makes it such a great international school and not just a typical school – all of the different backgrounds and experiences driving a unique culture from which we can all learn.

A friend of mine was head of HUD with the local government some years ago, so I am intimately familiar with some of the requirements and needs of San Francisco, and the associated permitting and such. I think the plan that French American has laid out for 98 Franklin is just the type that the city could use – offering some mixed income usage affordable units (I believe it is 80 in total) right near transportation that will help fuel the city. And it's in what is now a parking lot. Helping to improve that part of Hayes Valley near Market Street would continue to aid that neighborhood in its renewal and we certainly hope that it will also help to address the challenges with vandalism. I know the school continues to work with the community and has helped to develop and recreate several properties, added security staff, and helped increase foot traffic in the neighborhood.

This is really a unique project with the ability to serve both the needs of the city, and the neighborhood of Hayes Valley, and the school itself, by bringing a world-class facility to the neighborhood.

We hope that you will register our support for this project and we would ask for yours as well.

Thank you,

Annie Leschin

From: [Andre de Castilho](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Writing to show my support for the Hub/98 Franklin Project
Date: Wednesday, May 20, 2020 1:22:52 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Andre de Castilho, I'm a Cole Valley/ San Francisco long time resident and I'm a parent of a French American 7th grader and have been a member of the French American and International High School community for 9 years.

French American Internations is one of San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Yours truly,

Andre de Castilho

From: [Roberto Lartigue](#)
To: [Ionin, Jonas \(CPC\)](#)
Cc: [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: WRT the Hub / FAIS / 98 Franklin
Date: Wednesday, May 20, 2020 1:04:56 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Roberto Lartigue. I have lived in SF for 25 years, currently in District 8, and I'm the parent of a 10 year old that goes to FAIS and have been a member of the school community since she started in pre-k .

FAIS is San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future. As a family that visits Hayes Valley / Civic Center on a daily basis, we know that the area around Market and Van Ness is in need of improvement. This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets. This will also help the neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

As a city resident, we are all faced daily with our city's challenges wrt homelessness and affordability. The project will provide at 80+ affordable units which the city, and its most vulnerable, desperately need.

For the school and our community, the project is a unique opportunity to create a world- class high school facility – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular. The new campus is uniquely positioned to establish us in San Francisco's urban landscape, and will be a distinct civic landmark that is representative of our culture, mission, and sense of place. In addition, FAIS has a history of working collaboratively with the community, and the school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

I strongly encourage your support of French American International School and the 98

Franklin Street development.

Thanks,

Roberto Lartigue

681 Duncan Street

From: [Zeev Vax](#)
To: jonas.ionin@sfgov.org; [Alexander, Christy \(CPC\)](#); [Preston, Dean \(BOS\)](#)
Subject: Zeev Vax support for the Hub/98 Franklin Project
Date: Wednesday, May 20, 2020 9:17:08 PM

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Dear Commission President Koppel and Planning Commissioners,

I am contacting you to express my support for the proposed 98 Franklin Street development. My name is Zeev Vax I'm San Francisco resident and I'm the parent of Luca Bana-Vax and have been a member of the French American and International High School community for 12 years.

We are San Francisco's oldest and largest international school. Our community brings together people from many backgrounds. Together we strive to create a shared culture that develops compassionate, confident, and principled people who will make the world better.

98 Franklin is exactly the kind of mixed-use, mixed-income, placemaking, transit-orientated development that will serve San Francisco well into the future.

The project will provide at 80+ affordable units which San Francisco desperately needs

This project proposes design improvements to the public realm and pedestrian rights-of-way - providing welcome streetscape enhancements to Oak and Lily Streets.

The project will also help address the Hayes Valley neighborhood's challenges with vandalism. Increased pedestrian activity – which the additional residents, new retail, and improved streetscape will create – is a natural deterrent to vandalism.

French American International School has a history of working collaboratively with the community. The school has developed several previously dormant properties, added security staff, and helped increase foot traffic in the neighborhood.

Located in the Hub District – the 98 Franklin project is a unique opportunity to create a world-class high school facility for the French American International School – a diverse and innovative institution, with deep roots in San Francisco and Hayes Valley in particular.

The new campus is uniquely positioned to establish us in San Francisco's urban landscape and will be a distinct civic landmark that is representative of our culture, mission, and sense of place.

I strongly encourage your support of French American International School and the 98 Franklin Street development.

Thank you,

Zeev Vax

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT H

PROJECT SPONSOR BRIEF

J. ABRAMS LAW, P.C.

One Maritime Plaza Suite 1900
San Francisco, CA 94111

Jim Abrams
Jabrams@jabramslaw.com
(415) 999-4402

May 19, 2020

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

Re: 98 Franklin Street

Dear President Koppel and Planning Commissioners:

This firm represents 98 Franklin Street, LLC, project sponsor of the proposed project at 98 Franklin Street (the “Project”). We are pleased to present the Project for your consideration, and respectfully request your approval of the Downtown Project Authorization and associated approvals for the Project.

The Project is an exceptional example of infill development, as it would replace an existing 100-space surface parking lot with a new high school and about 345 rental apartments. The apartments would serve a broad range of incomes, with 25% of the units provided at below market rates. The high school would be operated by the French American International School.

The Project’s on-site affordable housing is notable, as the amount provided greatly exceeds the currently applicable 18% “on-site” requirement under the Planning Code. The Planning Code permits these units to be provided at a range of affordability levels (from 50% AMI to 110% AMI). Rather than providing this range, 20% of Project’s units would be affordable to low income households (those earning 50% AMI or less). The Project would also voluntarily provide an additional 5% of units as affordable to moderate income households (those earning 100% AMI or less).

In addition to increasing its on-site affordable unit percentage from 18% to 25%, the Project would pay \$6 million in affordable housing fees, which, using current “gap” financing numbers used by the Planning Department, would allow MOHCD to build another 25 affordable housing. This results in an effective 32% affordable housing production rate.

The Project has been designed by Skidmore, Owings, and Merrill, architect of a number of landmark buildings to San Francisco. The building’s elegant shape and facade would complement the designs of the nearby proposed 10 South Van Ness and 30 Van Ness projects.

With guidance from Planning Department, Public Works and SFMTA staff, the Project has been designed to address a number of urban planning objectives, including widening the sidewalks and planting specimen street trees along both Franklin and Oak streets to enhance pedestrian circulation in and around the Project, and locating all loading (i.e. move-in/move -out and trash) below grade, thereby reducing interference with traffic on adjoining streets.

We look forward to presenting the Project in further detail during forthcoming hearing on May 28th and appreciate your consideration.

Sincerely,

Jim Abrams, Esq.

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT I

**INCLUSIONARY AFFORDABLE
HOUSING AFFIDAVIT**

SAN FRANCISCO
PLANNING DEPARTMENT



COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

Date: October 24, 2018

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

From: San Francisco Planning Department

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

All projects that include 10 or more dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Planning Code Sections 415 and 419. Every project subject to the requirements of Planning Code Section 415 or 419 is required to pay the Affordable Housing Fee. A project may be eligible for an Alternative to the Affordable Housing Fee. All projects that can demonstrate that they are eligible for an Alternative to the Affordable Housing Fee must provide necessary documentation to the Planning Department and Mayor's Office of Housing and Community Development.

At least 30 days before the Planning Department and/or Planning Commission can act on the project, this Affidavit for Compliance with the Inclusionary Affordable Housing Program must be completed. Please note that this affidavit is required to be included in Planning Commission packets and therefore, must comply with packet submittal guidelines.

The inclusionary requirement for a project is determined by the date that the Environmental Evaluation Application (EEA) or Project Application (PRJ) was deemed complete by the Department ("EEA/PRJ accepted date"). There are different inclusionary requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached charts to determine the applicable requirement. Charts 1-3 include two sections. The first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

For projects with complete EEA's/PRJ's accepted on or after January 12, 2016, the Inclusionary Affordable Housing Program requires the provision of on-site and off-site affordable units at a mix of income levels. The number of units provided at each income level depends on the project tenure, EEA/PRJ accepted date, and the applicable schedule of on-site rate increases. Income levels are defined as a percentage of the Area Median Income (AMI), for low-income, moderate-income, and middle-income units, as shown in Chart 5. Projects with a complete EEA accepted prior to January 12, 2016 must provide the all of the inclusionary units at the low income AMI. **Any project with 25 units or more and with a complete EEA accepted between January 1, 2013 and January 12, 2016 must obtain a site or building permit by December 7, 2018, or will be subject to higher Inclusionary Housing rates and requirements. Generally, rental projects with 25 units or more be subject to an 18% on-site rate and ownership projects with 25 units or more will be subject to a 20% on-site rate.**

Summary of requirements. Please determine what requirement is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) or complete Project Application (PRJ) was submitted deemed complete by Planning Staff. Chart 1-A applies to all projects throughout San Francisco with EEA's accepted prior to January 12, 2016, whereas Chart 1-B specifically addresses UMU (Urban Mixed Use District) Zoning Districts. Charts 2-A and 2-B apply to rental projects and Charts 3-A and 3-B apply to ownership projects with a complete EEA/PRJ accepted on or after January 12, 2016. Charts 4-A and 4-B apply to three geographic areas with higher inclusionary requirements: the North of Market Residential SUD, SOMA NCT, and Mission Area Plan.

The applicable requirement for projects that received a first discretionary approval prior to January 12, 2016 are those listed in the "EEA accepted before 1/1/13" column on Chart 1-A.

CHART 1-A: Inclusionary Requirements for all projects with Complete EEA accepted before 1/12/2016

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

*except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet, which are subject to the requirements of 25+ unit projects at or below 120 feet.

CHART 1-B: Requirements for all projects in UMU Districts with Complete EEA accepted before 1/12/2016

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

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

CHART 2-A: Inclusionary Requirements for Rental projects with Complete EEA/PRJ accepted on or after 1/12/16

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

CHART 2-B: Requirements for Rental Projects in UMU Districts with Complete EEA/PRJ accepted on or after 1/12/16

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	19.6%	19.6%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 3-A: Inclusionary Requirements for Owner projects with Complete EEA/PRJ accepted on or after 1/12/16

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%

CHART 3-B: Requirements for Owner Projects UMU Districts with Complete EEA/PRJ accepted on or after 1/12/16

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

Complete EEA/PRJ Accepted
BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site UMU											
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%	14.4%	15.0%	15.0%	15.0%	15.0%	15.0%
Tier A 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Fee or Off-site UMU											
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Land Dedication in UMU or Mission NCT											
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 25+ unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 25+ unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 25+ unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%	40.0%

CHART 4-A: Inclusionary Requirements for Rental projects with Complete EEA/PRJ accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Rental Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%
Low Income (55% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (80% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Middle Income (110% AMI)	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%

CHART 4-B: Inclusionary Requirements for Owner projects with Complete EEA/PRJ accepted on or after 1/12/16 located in the North of Market Residential Special Use District, the Mission Area Plan, or the SOMA Neighborhood Commercial Transit District.

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-site											
10-24 unit projects	12.0%	12.5%	13.0%	13.5%	14.0%	14.5%	15.0%	15.0%	15.0%	15.0%	15.0%
25+ unit projects*	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Fee or Off-site											
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%

**Complete EEA/PRJ Accepted
BEFORE: →**

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Ownership Projects - North of Market Residential SUD; Mission Plan Area; SOMA NCT with 25+ units											
INCLUSIONARY RATE	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%	27.0%
Low Income (80% AMI)	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%
Moderate Income (105% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (130% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

CHART 5: Income Levels for Projects with a complete EEA/PRJ on or after January 12, 2016

Projects with complete EEA Application on or after January 12, 2016 are subject to the Inclusionary rates identified in Charts 2 and 3. For projects that propose on-site or off-site Inclusionary units, the Inclusionary Affordable Housing Program requires that inclusionary units be provided at three income tiers, which are split into three tiers. Annual increases to the inclusionary rate will be allocated to specific tiers, as shown below. Projects in the UMU Zoning District are not subject to the affordability levels below. Rental projects with 10-24 units shall provide all of the required Inclusionary units with an affordable rent at 55% Area Median Income (AMI), and ownership projects with 10-24 units shall provide all of the required Inclusionary units at sales price set at 80% AMI.

Complete EEA/PRJ Accepted BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	18.0%	19.0%	20.0%	20.5%	21.0%	21.5%	22.0%	22.5%	23.0%	23.5%	24.0%
Low Income (55% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (80% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%
Middle Income (110% AMI)	4.0%	4.0%	4.0%	4.25%	4.5%	4.75%	5.0%	5.25%	5.5%	5.75%	6.0%

Complete EEA/PRJ Accepted BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
On-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	20.0%	21.0%	22.0%	22.5%	23.0%	23.5%	24.0%	24.5%	25.0%	25.5%	26.0%
Low Income (80% AMI)	10.0%	11.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%	12.0%
Moderate Income (105% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%
Middle Income (130% AMI)	5.0%	5.0%	5.0%	5.25%	5.5%	5.75%	6.0%	6.25%	6.5%	6.75%	7.0%

Complete EEA/PRJ Accepted BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
Off-Site: Rental Projects with 25+ units											
INCLUSIONARY RATE	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%	30.0%
Low Income (55% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (80% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
Middle Income (110% AMI)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%

Complete EEA/PRJ Accepted BEFORE: →

	1/1/18	1/1/19	1/1/20	1/1/21	1/1/22	1/1/23	1/1/24	1/1/25	1/1/26	1/1/27	1/1/28
Off-Site: Ownership Projects with 25+ units											
INCLUSIONARY RATE	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%
Low Income (80% AMI)	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%	18.0%
Moderate Income (105% AMI)	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
Middle Income (130% AMI)	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%	7.0%

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

May 18, 2020

Date

I, Jim Abrams,
do hereby declare as follows:

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

98 Franklin Street

Address

0836 / 008, 009 & 013

Block / Lot

The subject property is located within the following Zoning District:

C-3-G

Zoning District

85-X // 120/365-R-2

Height and Bulk District

Van Ness & Market Residential

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:

2016-014802

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:

Christy Alexander

Planner Name

A complete Environmental Evaluation Application or Project Application was accepted on:

October 27, 2017

Date

The project contains 345 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 units for the life of the project. The applicable fee rate 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:

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 notify 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:
345	n/a	259 studios and one-bedroom apartments (75%)	52 (15%)	35 (10%)	

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.

See also, 249.33

☒ **On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4): % 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:
69	n/a	52 studios and one-bedroom apartments (75%)	10 (15%)	7 (10%)	

LOW-INCOME	Number of Affordable Units 69 (See 249.33)	% of Total Units 20	AMI Level 50%
MODERATE-INCOME	Number of Affordable Units n/a	% of Total Units	AMI Level
MIDDLE-INCOME	Number of Affordable Units n/a	% of Total Units	AMI Level

☐ **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

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% _____, and the number of bonus units and the bonus amount of residential gross floor area (if applicable) _____

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:
N/A					

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

98 Franklin Street, LLC

Company Name

Jim Abrams

Name (Print) of Contact Person

1 Maritime Plaza, Suite 1900

Address

415 999-4402

Phone / Fax

San Francisco, CA 94111

City, State, Zip

jabrams@jabramslaw.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:

Jim Abrams, authorized agent

Executed on this day in:

Location:

Date:

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 J

**ANTI-DISCRIMINATORY
HOUSING AFFIDAVIT**



SUPPLEMENTAL INFORMATION PACKET FOR Anti-Discriminatory Housing Policy

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

T: 415.558.6378
F: 415.558.6409

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

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

WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

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

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

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

HOW IS THIS INFORMATION USED?

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

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

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

WHAT PART OF THE POLICY IS BEING REVIEWED?

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

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

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

INSTRUCTIONS:

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

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

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

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

Central Reception

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

TEL: **415.558.6378**

FAX: **415 558-6409**

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

Planning Information Center (PIC)

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

TEL: **415.558.6377**

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

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
98 Franklin Street, LLC	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
150 Oak Street, 4th Floor	(415) 558-2039
San Francisco, CA 94102	EMAIL:
Attn: Aaron Levine	aaronl@frenchamerican.com

APPLICANT'S NAME:	
Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE:
	()
	EMAIL:

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

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

2. Location and Project Description

STREET ADDRESS OF PROJECT:		ZIP CODE:
98 Franklin Street		94102
CROSS STREETS:		
Franklin Street and Oak Street		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0836 / 008,009,013	C-3-G/ Van Ness and Market Resi SUD	85-X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Demolition <input type="checkbox"/> Alteration <input type="checkbox"/> Other: _____	None	About 286 units 329	About 286 units 329

Compliance with the Anti-Discriminatory Housing Policy

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

☐ YES ☒ NO

1a. If yes, in which States? _____

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

☐ YES ☐ NO

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

☐ YES ☐ NO

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

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

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____

Date: _____

4/26/2020

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

Aaron J. Levine
☒ 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:
<input type="checkbox"/> Emailed to: _____	

Draft Motion
May 28, 2020

RECORD NO. 2016-014802PRJ
98 Franklin Street

EXHIBIT K

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)	
98 Franklin Street		0836/ 008,009, 013	
BUILDING PERMIT APPLICATION NO.		CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)
		2016-014802DNX	
PROJECT SPONSOR		MAIN CONTACT	PHONE
[REDACTED] 98 Franklin Street, LLC		Aaron Levine	415 558-2039
ADDRESS			
150 Oak Street, 4th Floor			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94102		aaronl@frenchamerican.org	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
About 286 units	About 800 square feet	320 feet tall	\$78,500,000.00
ANTICIPATED START DATE			
As soon as possible			

Section 2: First Source Hiring Program Verification

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

Continued...

Section 3: First Source Hiring Program – Workforce Projection

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

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

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

TRADE/CRAFT	ANTICIPATED WAGE JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED WAGE JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	PREVAILING WAGE	0	0	Laborer	PREVAILING WAGE	60	350
Boilermaker		2	10	Operating Engineer		2	15
Bricklayer		0	0	Painter		8	40
Carpenter		50	300	Pile Driver		0	0
Cement Mason		4	20	Plasterer		1	8
Drywall/Latherer		30	150	Plumber and Pipefitter		20	130
Electrician		30	150	Roofer/Water proofer		10	50
Elevator Constructor		4	20	Sheet Metal Worker		10	60
Floor Coverer		5	30	Sprinkler Fitter		5	30
Glazier		5	20	Taper		5	30
Heat & Frost Insulator		3	20	Tile Layer/ Finisher		5	30
Ironworker		16	80	Other:			
		TOTAL:	800			TOTAL:	743

* we intend to comply w/ SF Administrative Code.

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

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

EMAIL

PHONE NUMBER

Aaron J. Levine, Manager

aaronl@frenchamerican.org

415-254-4886

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)

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