



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Motion 18567

HEARING DATE: MARCH 22, 2012

Date: March 22, 2012
Case No.: **2007.0030ECKMRZ**
Project Address: **8 Washington Street**
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 1, Bay 2, The Embarcadero
 San Francisco, CA 94111
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ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT, INCLUDING SPECIFIC MODIFICATIONS OF PLANNING CODE REQUIREMENTS REGARDING BULK LIMITATIONS, REAR YARD, OFF-STREET LOADING, AND OFF-STREET PARKING, AND TO ALLOW DEVELOPMENT EXCEEDING 50 FEET IN HEIGHT WITHIN AN RC DISTRICT, TO ALLOW A NON-ACCESSORY OFF-STREET PARKING GARAGE, TO ALLOW COMMERCIAL USES ABOVE THE GROUND FLOOR, AND TO ALLOW NON-RESIDENTIAL USES EXCEEDING 6,000 SQUARE FEET, PURSUANT TO PLANNING CODE SECTIONS 209.7(d), 209.8(c), 209.8(f), 253, 303, AND 304, WITH RESPECT TO A PROPOSAL TO DEMOLISH AN EXISTING SURFACE PARKING LOT AND HEALTH CLUB, AND TO CONSTRUCT A NEW HEALTH CLUB, RESIDENTIAL BUILDINGS RANGING FROM FOUR TO TWELVE STORIES IN HEIGHT CONTAINING 134 DWELLING UNITS, GROUND-FLOOR RETAIL USES TOTALING APPROXIMATELY 20,000 SQUARE FEET, AND 382 OFF-STREET PARKING SPACES, WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) DISTRICT AND THE 84-E HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On April 25, 2011, Neil Sekhri, acting on behalf of San Francisco Waterfront Partners II, LLC ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 50 feet in height within an RC District, to allow a non-accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet, and to approve a Planned Unit Development, pursuant to Planning Code Sections ("Sections") 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, to allow a project that would demolish an existing surface parking lot and health club and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces, located at 8 Washington Street, Lot 058 within Assessor's Block 0168, Lot 069 within Assessor's Block 0171, Lot 012 of Assessor's Block 0201, and Seawall Lot 351, which includes Lot 013 of Assessor's Block 0201 ("Project Site), within the RC-4 (Residential-Commercial, High Density) District and the 84-E Height and Bulk District. The project requests specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking quantities through the Planned Unit Development process specified in Section 304 (collectively, "Project"). On February 17, 2012, the Project Sponsor amended the Project application to reduce the number of dwelling units from 145 to 134, and to reduce the number of residential parking spaces from 145 to 134.

On January 3, 2007, the Project Sponsor submitted an Environmental Evaluation Application with the Department, Case No. 2007.0030E. The Department issued a Notice of Preparation of Environmental Review on December 8, 2007, to owners of properties within 300 feet, adjacent tenants, and other potentially interested parties.

On June 15, 2011, the Department published a draft Environmental Impact Report (EIR) for public review. The draft EIR was available for public comment until August 15, 2011. On July 21, 2011, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On December 22, 2011, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project.

On March 22, 2012, the Commission reviewed and considered the Final EIR and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2007.0030E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared a Mitigation Monitoring and Reporting program ("MMRP"), which material was made available to the public and this Commission for this Commission's review, consideration and action.

On March 13, 2007, the Project Sponsor submitted a request for review of a development exceeding 40 feet in height, pursuant to Section 295, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2007.0030K). Department staff prepared a shadow fan depicting the potential shadow cast by the development and concluded that the Project could have a potential impact to properties subject to Section 295. A technical memorandum, prepared by Turnstone Consulting, dated December 13, 2011, concluded that the Project would cast approximately 4,425 square-foot-hours of new shadow on Sue Bierman Park., equal to approximately 0.00067% of the theoretically available annual sunlight ("TAAS") on Sue Bierman Park.

Pursuant to Section 295, the Planning Commission and the Recreation and Park Commission, on February 7, 1989, adopted standards for allowing additional shadows on the greater downtown parks (Resolution No. 11595). At the time the standards were adopted, Sue Bierman Park did not exist in its present form and configuration. Therefore, no standards have been adopted establishing an absolute cumulative limit for Sue Bierman Park, in its present configuration. The Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing on March 22, 2012 and adopted Resolution No. 18562 establishing an absolute cumulative shadow limit equal to 0.00067 percent of the TAAS for Sue Bierman Park.

On March 22, 2012, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Sue Bierman Park will not be adverse. On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Motion No. 18563 determining that the shadows cast by the Project on Sue Bierman Park will not be adverse, and allocating the absolute cumulative shadow limit of 0.00067 percent to the Project.

On August 9, 2011, the Project Sponsor submitted a request to amend Height Map HT01 of the Zoning Maps of the San Francisco Planning Code to reclassify two portions of the southwestern area of the development site from the 84-E Height and Bulk District to the 92-E Height and Bulk District in one portion, and the 136-E Height and Bulk District in another portion (Case No. 2007.0030Z). On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Resolution No. 18566, recommending that the Board of Supervisors approve the requested Height Reclassification.

On August 9, 2011, the Project Sponsor submitted a request to amend "Map 2 - Height and Bulk Plan" within the Northeastern Waterfront Area Plan of the General Plan, to reclassify two

portions of the southwestern portion of the development site from the existing 84-foot height limit to a height of 92 feet in one portion, and 136 feet in another portion. On December 8, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Resolution No. 18501, initiating the requested General Plan Amendment. On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Resolution No. 18564, recommending that the Board of Supervisors approve the requested General Plan Amendment.

On December 1, 2011, the Project Sponsor submitted a request for a General Plan Referral, Case No. 2007.0030R, regarding the exchange of Public Trust Land, changes in use of various portions of the property (including the publicly-owned Seawall Lot 351), and subdivision associated with the Project. On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Motion No. 18565 determining that these actions are consistent with the objectives and policies of the General Plan and the Priority Policies of Section 101.1.

On March 22, 2012, the Commission adopted Motion No. 18561, adopting CEQA findings, including a Statement of Overriding Considerations, and adopting the MMRP's, which findings and adoption of the MMRP's are hereby incorporated by reference as though fully set forth herein.

On March 22, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.0030C.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2007.0030C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The majority of the Project Site is occupied by the Golden Gateway Swim and Tennis Club, which includes nine outdoor tennis courts, two outdoor pools, a seventeen-space surface parking lot, and seven temporary and permanent structures housing a clubhouse, pro shop, dressing rooms, lockers, showers, and other facilities. The southeasterly portion of the Project Site is comprised of Seawall Lot 351 (currently owned by the Port of San Francisco), which is developed with a 105-

space public surface parking lot. The site is irregular, but roughly triangular in shape. The widest portion of the lot fronts along Washington Street, between Drumm Street and the Embarcadero. The site tapers to a narrow point at its northernmost portion, which fronts along the Embarcadero. The Project Site measures approximately 138,681 square feet in total.

3. **Surrounding Properties and Neighborhood.** The property is located within the Northeastern Waterfront and within the former Golden Gateway Redevelopment Area, which expired in 2009. The existing buildings in the Golden Gateway Center are comprised of predominantly residential uses, within towers and low-rise buildings. Commercial uses, including a full-service grocery store, are situated at the ground floors of some of the buildings within the Center. The Financial District is situated to the south and southwest of the project site, and is characterized by an intense, highly urbanized mix of office, retail, residential, hotel uses, primarily within mid- to high-rise structures. Further to the west is the Jackson Square Historic District, a collection of low-rise structures that survived the 1906 Earthquake and Fire, which are now primarily occupied by office and retail uses. The waterfront extends along the Embarcadero across from the Project Site, and is characterized by the Ferry Building, along with a series of numbered piers and bulkhead buildings. These structures house a wide variety of maritime, tourism, and transportation functions, retail and office spaces, and public pathways and recreational areas. A number of significant parks and open spaces are located in the vicinity of the project, including Sue Bierman Park, Justin Herman Plaza, and Harry Bridges Plaza to the south, Maritime Plaza to the southwest, the Drumm Street Walkway and Sydney Walton Square to the west, Levi Plaza to the northwest, and Herb Caen Way, a linear pedestrian and bicycle path that runs along the waterfront side of the Embarcadero.
4. **Project Description.** The proposal is to demolish the existing Golden Gateway Swim and Tennis Club and the existing surface parking lot on Seawall 351, and construct a new health club, residential buildings ranging from four to twelve stories in height containing 134 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces. The health club would be situated in the northern portion of the site, between the ends of the Jackson Street and Pacific Avenue rights-of-way. The enclosed portion of the club would front along the Embarcadero, hosting gym and studio spaces, changing rooms, a cafe, a reception area, and mechanical and support spaces. The undulating roofline would reach a maximum height of approximately 35 feet, and would be planted as a non-occupied green roof. Green "living walls" are also proposed for portions of the Embarcadero elevation of the building. The exterior portion of the club includes a large rectangular lap pool, a Jacuzzi, deck and seating areas, and other recreational amenities.

The residential portion of the Project would be constructed within two buildings situated on the southerly portion of the site, with frontage along the Embarcadero, as well as Washington and Drumm Streets. The westerly building fronts along Drumm Street and a portion of Washington Street, reaching a height of eight stories (92-foot roof height) near

the intersection of Jackson Street, stepping up to a height of twelve stories (136-foot roof height) at the corner of Washington Street. The easterly building is primarily at a height of six stories (70-foot roof height), stepping down to a height of five stories (59-foot roof height) near the health club building. The residential buildings are articulated as a series of vertical masses of approximately 35 feet in width, each divided by a recess measuring approximately eleven feet wide and eight feet deep. An oval-shaped private open space area would be situated between the two buildings.

The project would include a three level subterranean parking garage, accessed from a driveway on Washington Street. The garage holds a total of 400 vehicular spaces and 81 bicycle parking spaces. A total of 134 parking spaces are proposed serve the residential units, at a ratio of one space per dwelling unit. Conditions of approval have been added to reduce the residential parking to 127 spaces. A total of 255 parking spaces would operate as general public parking, to serve the health club and other commercial uses on-site, as well as other uses in the vicinity. These spaces are intended, in part, to fulfill contractual obligations of the Port of San Francisco ("Port") to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future removal.

The Project includes several new and renovated open space areas. These open space areas consist of areas currently under Port jurisdiction, and areas of private property to be conveyed to the Port pursuant to a public trust exchange authorized under existing state legislation. Shortly after Planning Commission certification of the EIR, the Port Commission is scheduled to consider for approval the design for the open space areas as described here and transactional documents governing the project sponsor's obligations to construct and maintain the public improvements.

An area known as "Jackson Commons" would be located between the residential buildings and the health club, aligned with the existing terminus of Jackson Street. This area includes a meandering pathway, landscaping, and seating areas, serving as a visual and physical linkage through the site to the Embarcadero. The existing Drumm Street walkway, which is aligned north-south between Jackson Street and the Embarcadero, would be re-landscaped and widened by approximately seven feet. A new open space known as "Pacific Park" would be situated at the triangular northerly portion of the Project Site. The park would measure approximately 11,500 square feet, and is proposed to include grass seating areas, a play fountain and other children's play areas, and seating for the adjacent cafe. This park would be accessible from a mid-block pedestrian network that includes the Drumm Street walkway to the south, as well as a pedestrian extension of the Pacific Avenue right-of-way to the west. Immediately adjacent to Pacific Park to the south would be a new retail building to be developed on Port property which would include a restaurant and/or other commercial recreation amenities compatible with the Pacific Park use.

5. **Public Comment.** The Department has received a number of communications in support of the Project from individuals, business owners, and non-profit organizations.

These communications express support the height and density of the project, the provision of new open spaces, creation of public parking, and the restoration of an active streetwall along the Embarcadero. Although the Department has not received any specific communications in opposition to the requested entitlements, residents and organizations have expressed opposition to the Project at various public meetings and in response to the Project EIR. Specifically, these comments express concerns over topics such as increased heights near the waterfront, loss of public views, excessive parking, and changes in Public Trust lands to allow housing.

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 and Density.** Per Section 209.1(l), dwelling units are principally permitted within the RC-4 District at a density of one dwelling unit per 200 square feet of lot area. Per Section 209.8(a), a commercial uses is principally permitted at the ground floor within the RC-4 District if the use is principally permitted at the ground floor within the NC-3 District, and a commercial use above the ground floor may be permitted through Conditional Use authorization if the use is permitted as a principal or conditional use at the ground floor within the NC-3 District. Per Section 209.8(f), non-residential uses exceeding 6,000 square feet within the RC-4 District may be permitted through Conditional Use authorization. Per Section 209.7(d), a non-accessory parking garage within the RC-4 District may be permitted through Conditional Use Authorization, subject to the criteria of Section 157.

The Project Site measures 138,681 square feet, therefore, up to 693 dwelling units would be allowed on the subject property. The 134 dwelling units proposed for the Project complies with the density limitations for the RC-4 District. At the ground floor, the Project includes a health club (classified as "Personal Service", per the definition in section 790.116), is principally permitted within the NC-3 District. Therefore, this use is permitted within the RC-4 District. The Project Sponsor is requesting Conditional Use authorization for that portion of the health club above the ground floor. The Project includes a variety of other retail and restaurant spaces, however, no specific uses are proposed at this time. Specific commercial uses within the proposed retail spaces could require Conditional Use authorization, and may seek such authorization in the future as specific tenants are proposed. The Project Sponsor is requesting Conditional Use Authorization for non-residential uses exceeding 6,000 square feet, and for a non-accessory parking garage (see further discussion under #8 below).

- b. **Height and Bulk.** The subject property is located within the 84-E Height and Bulk District. Pursuant to Section 253, projects exceeding 50 feet within RC Districts are subject to Planning Commission review of specified criteria. Buildings within "-E" Bulk Districts are limited to a maximum horizontal dimension of 110 feet, and a maximum diagonal dimension of 140 feet above a height of 65 feet. The Planning Commission may grant modifications to these criteria through the PUD process, or through the exception process of Section 271.

The health club is proposed at a maximum height of 35 feet, therefore, this building complies with the height limitation and is not subject to the "-E" bulk limitations. The residential buildings are stepped in height across the site. The easterly residential building reaches a maximum roof height of 70 feet, and therefore complies with the height limitation. At a height of 65 feet, this building reaches a maximum horizontal dimension of approximately 220 feet, and a maximum diagonal dimension of approximately 238 feet. Therefore, this building exceeds the "-E" bulk limitations.

The westerly residential building reaches roof height of 92 and 136 feet, with the tallest portion located near the intersection of Washington and Drumm Streets. This building exceeds the height limitation, therefore, the Project Sponsor is requesting height reclassifications that would allow construction at these heights. At a height of 65 feet, this building reaches a maximum horizontal dimension of approximately 258 feet, and a maximum diagonal dimension of approximately 266 feet. Therefore, this building exceeds the "-E" bulk limitations. The Project Sponsor is requesting a modification of the bulk limitations of the project through the PUD process, as discussed further under Items #10 and #11.

- c. **Floor Area Ratio.** In the RC-4 District, Section 124 allows a Floor Area Ratio (FAR) of up to 4.8. The project site has an area of 138,681 square feet, therefore the allowable FAR would permit a building of up to 665,669 square feet of Gross Floor Area as defined in Section 102.9.

The Project would measure approximately 571,925 square feet, and therefore complies with the maximum allowable FAR.

- d. **Rear Yard.** Section 134(a)(1) of the Planning Code requires a rear yard equal to 25 percent of the lot depth to be provided at the first level containing a dwelling unit, and at every subsequent level.

The residential portion of the Project is divided into two buildings separated by an oval-shaped courtyard. distinct masses. The configuration of this courtyard does not meet the requirements for a rear yard, and thus the Project requires a modification of the rear yard requirement through the PUD process. Compliance with the PUD criteria is discussed under Item #11.

- e. **Usable Open Space.** Section 135 requires that a minimum of 36 square feet of private usable open space, or 47.9 square feet of common usable open space be provided for dwelling units within the RC-4 District. This Section specifies that the area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and exposure.

The Project includes private balconies or decks for nearly all of the dwelling units. In addition, the oval-shaped courtyard between the residential buildings contains approximately 10,000 square feet of common usable open space that meets the exposure requirements of Section 135. The project complies with the usable open space requirements of the Planning Code.

- f. **Streetscape and Pedestrian Improvements.** Section 138.1 requires that the Project include streetscape and pedestrian improvements appropriate to the site in accordance with the Better Streets Plan, as well as the planting of street trees.

The conceptual plans for the Project show substantial improvements and amenities proposed for the public right-of-way, including street trees, landscaping, enhanced paving, benches, bicycle racks, and trash receptacles along the entire frontage of the Project Site. In addition, the Project includes widened sidewalks along the Washington and Drumm Street frontages. The conditions of approval require the future submittal of a streetscape plan. Staff from the Planning Department, Port, and other appropriate agencies will coordinate with the Project Sponsor to refine the details of streetscape improvements during the building permit review to ensure compliance with Section 138.1.

- g. **Dwelling Unit Exposure.** Section 140 requires that at least one room of all dwelling units face onto a public street, a rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

The majority of the dwelling units have exposure onto Drumm Street, Washington Street, or the Embarcadero. A number of units have exposure only on the interior courtyard. Section 140 specifies that an open area (such as the courtyard) must have minimum horizontal dimensions of 25 feet at the lowest floor containing a dwelling unit and floor immediately above, with an increase of five feet in horizontal dimensions for each subsequent floor above. According to this methodology, the open area above the courtyard would need to measure at least 30 feet in horizontal dimensions at the 3rd floor, 35 feet at the 4th floor, 40 feet at the 5th floor, and 45 feet at the 6th floor of the Project. At its narrowest point, the courtyard measures approximately 60 feet in width at the sixth floor. Therefore, the project complies with the exposure requirements of Section 140.

- h. **Street Frontages.** Section 145.1 requires active uses to be located at the ground-floor of the Project, with the exception of space allow for parking, building egress, and access to mechanical systems. Active uses may include commercial uses with transparency along the sidewalk, walk-up residential units, and spaces accessory to residential uses.

Nearly the entire street frontage of the Project is occupied by ground-floor retail spaces, the health club, or open spaces would activate and enliven the streetscape. In locations where there are interruptions in active ground-floor uses (such as the residential entry and garage entry on Washington Street, or the loading entries on Drumm Street), art vitrines have been

added to the exterior that would create interest for pedestrians. The project complies with Section 145.1.

- i. **Off-Street Parking and Car Sharing.** Section 151 establishes the minimum off-street parking requirements for uses within the RC-4 District. Residential uses must provide one space for each four dwelling units. Restaurant spaces that exceed 5,000 square feet must provide one parking space for each 200 square feet for floor area. Parking requirements for the uses within the health club vary based on the type and area of each use. Section 204.5 specifies a maximum number of accessory parking spaces equal to 150 percent of the required accessory spaces. Section 166 requires that the Project provide one car-share parking space based on the quantity of dwelling units, and five car-share parking spaces based on the quantity of non-residential car-share spaces.

Based on the requirements of Section 151, 34 spaces would be required to serve the residential uses, and a maximum of 51 accessory spaces would be allowed. One of the retail spaces (identified in the plans for a restaurant) measures approximately 5,500 square feet, and therefore requires 28 spaces. The various uses within the health club require 62 spaces. Therefore, a minimum of 90 spaces would be required to serve the non-residential uses on the site, and a maximum of 135 accessory spaces would be allowed.

The Project proposes 134 parking spaces to serve the residential uses. Therefore, the Project exceeds the maximum number of permitted accessory spaces, and the Project Sponsor is requesting a modification of this limitation through the PUD process. The conditions of approval would reduce the amount of residential parking in the project from the proposed 134 spaces to 127 spaces (i.e. a ratio of approximately .95 spaces per unit).

The Project proposes 80 spaces to serve the non-residential uses on-site. Therefore, the Project does not provide sufficient non-residential parking, and the Project Sponsor is requesting a modification of these requirements through the PUD process. See further discussion of the PUD modifications under Item #11 below. In addition to the accessory parking for on-site uses, the Project Sponsor proposes an additional 175 spaces within the garage to serve as general public parking for the various uses in the vicinity. The Project Sponsor is requesting Conditional Use authorization for these additional spaces as a "non-accessory parking garage use", per Section 209.7(d). See further discussion of this use under Item #8 below.

The Project provides six car-share parking spaces, and therefore complies with the requirements of Section 166.

- j. **Off-Street Loading.** Section 152 provides a schedule of required off-street freight loading spaces for all uses in districts other than C-3 or South of Market. Pursuant to this Section, residential uses measuring between 200,001 to 500,000 square feet require two off-street loading spaces. In addition, commercial uses measuring between 10,001 to 60,000 square feet require one off-street loading space.

The Project proposes approximately 307,000 square feet of residential uses, and approximately than 36,000 square feet of commercial uses. Therefore, three off-street loading spaces are required for the Project. The Project provides two loading spaces accessed via Drumm Street, as well as two "substituted service vehicle spaces" located on the second level of the parking garage. At the Commission hearing on March 22, 2012, the Project Sponsor requested an additional PUD modification to allow the substitution of two service vehicle spaces in-lieu of providing one of the required standard loading spaces. Conditions of approval have been added to ensure that these service vehicle spaces meet the size requirements of Planning Code Section 154(b)(3).

- k. **Residential Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of five or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing for the purpose of increasing affordable housing citywide.

The Project Sponsor has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program through payment of the Fee, in an amount to be established by the Mayor's Office of Housing at a rate equivalent to an off-site requirement of 20%. The project sponsor has not selected an alternative to payment of the Fee. The EE application was submitted on January 3, 2007.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. Projects that proposed a Planned Unit Development through the Conditional Use authorization process must meet these criteria, in addition to the PUD criteria of Section 304, discussed under Item 11. On balance, the project complies with the criteria of Section 303, in that:

- a. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

The Project would add significant housing opportunities at a density suitable for an urban context that is well served by public transit. In addition, the project would add new retail spaces that would provide employment opportunities, and would serve the residents of the Project and the larger neighborhood. By targeting infill, mixed-use development at such locations, residents of the Project would be able to walk, bicycle, or take transit to commute, shop, and meet other needs without reliance on private automobile use. The retail uses and public realm improvements along the streetscape would create a vibrant focal point for the area, activating the sidewalks and creating visual interest for pedestrians.

The existing development in the area surrounding the Project Site is varied in scale and intensity. The Project represents a continuation of an urban form that transitions from taller heights within the Financial District, to lower buildings along the waterfront. The residential buildings are expressed as a series of vertical modules punctured by voids that create texture and break down the massing of the buildings.

The Project is necessary and desirable for, and is compatible with the neighborhood.

- b. The use or feature as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including, but not limited to the following:
 - i. The nature of the proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures.

The Project site is an irregularly-shaped, roughly triangular lot that is adequately sized to accommodate the development. The taller residential program is situated in the larger, more regularly-shaped area at the south of the Project Site. The lower-scaled health club building and open spaces are focused toward the narrower areas to the north of the site. In lieu of providing a Code-complying rear yard, the residential buildings are arranged around a central courtyard that establishes a pattern of mid-block open space that is currently lacking on the subject block. Existing development in the vicinity varies in size and intensity, and the massing of the Project is compatible with both the taller existing development to the west and south of the Project Site, as well as the lower-scaled development that exists along the Embarcadero north of the Project Site. The Project is designed with recesses, as well as varying heights and fenestration patterns to reduce the apparent scale of the Project. The shape and size of development on the subject property would not be detrimental to persons or adjacent properties in the vicinity.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166.

The Project provides three loading spaces and six car-share parking spaces, in accordance with Planning Code requirements. The conditions of approval would reduce the amount of residential parking in the project from the proposed 134 spaces to 127 spaces. This reduced ratio is compatible with the parking ratios permitted within C-3 Districts nearby, and would therefore be appropriate to the transit-rich, pedestrian-friendly context of the Project Site. The Project also includes 255 spaces within the garage that would be accessible to the general public, in order to serve the uses on-site, and to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future

removal. Therefore, the amount of non-residential parking proposed is appropriate for the Project.

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

The Project includes residential and commercial uses that are typical of the area, and should not introduce operational noises or odors that are detrimental, excessive, or atypical for the area. While some temporary increase in noise can be expected during construction, this noise is limited in duration and would be regulated by the San Francisco Noise Ordinance which prohibits excessive noise levels from construction activity and limits the permitted hours of work. The building would not utilize mirrored glass or other highly reflective materials, therefore, the Project is not expected to cause offensive amounts of glare.

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

The Project provides open space in the form of private decks, common open space for residents of the Project, and publicly-accessible open spaces within the widened and renovated Drumm Street Walkway, the newly-created Jackson Commons toward the center of the site, and the newly-created Pacific Park at the northern portion of the site. In addition, the Project would provide landscaping, furnishings, and other pedestrian amenities within the public rights-of-way fronting the Project Site, including widened sidewalks along Washington and Drumm Streets. Parking is provided within a subterranean garage accessed via Washington Street, and would not adversely impact the quality of the streetscape. Conditions of approval require that, as the Project proceeds through the review of building permits, the Project Sponsor will continue to work the Department staff to refine details of project massing, lighting, signage, materials, street trees, and other aspects of the design.

- c. Such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

The Project generally complies with the applicable sections of the Code, with certain exceptions. The uses contemplated for the Project, and the proposed density are permitted within the RC-4 District. The Project seeks a number of modifications to the requirements of the Planning Code through the PUD process. The purpose of the PUD process is to allow well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the project generally meets the intent of these Planning Code requirements and would not adversely affect the General Plan. The requested modifications, and compliance with the PUD criteria are discussed under Item #11.

Considered as a whole, the Project would add housing, commercial goods and services, and new open space areas, to create an vibrant, active mixed-use node. The Project Site is well-served by transit and commercial services, allowing residents to commute, shop, and reach amenities by walking, transit, and bicycling. The Project conforms with multiple goals and policies of the General Plan, as described in further detail in Item #12.

8. **Planning Code Section 157** establishes criteria for the Commission to consider when reviewing applications for parking exceeding accessory amounts. On balance, and as modified by conditions of approval, the Project complies with said criteria as follows:

The Project proposes 134 parking spaces to serve the residential uses, exceeding the number of accessory spaces permitted within the RC-4 District. The conditions of approval would reduce the amount of residential parking in the project from the proposed 134 spaces to 127 spaces. This reduced ratio is compatible with the parking ratios permitted within C-3 Districts nearby, and would therefore be appropriate to the transit-rich, pedestrian-friendly context of the Project Site. The Project also includes 255 spaces within the garage that would be accessible to the general public, in order to serve the uses on-site, and to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future removal. Therefore, the amount of non-residential parking proposed is appropriate for the Project. The specific Section 157 findings are set forth below:

(a) Demonstration that trips to the use or uses to be served, and the apparent demand for additional parking, cannot be satisfied by the amount of parking classified by this Code as accessory, by transit service which exists or is likely to be provided in the foreseeable future, by car pool arrangements, by more efficient use of existing on-street and off-street parking available in the area, and by other means;

Residential Parking: *The 51 residential spaces that the proposed project is permitted to provide under the RC-4 zoning controls, equaling a parking ratio of 0.375 spaces per dwelling unit, would not adequately accommodate the automobiles of the residents and therefore result in an increased demand for the on-street neighborhood parking. The provision of 127 residential parking spaces for 134 residential units (representing a parking ratio of approximately 0.95) would provide a sufficient but not excessive amount of off-street parking. Such a parking ratio would also be comparable to allowed in the neighboring C-3 District. The Project's transportation study found no evidence that transit, car pooling, or existing parking facilities could accommodate the total demand for parking.*

Public Parking Garage: *The 90 spaces to serve the Ferry Building, Piers 1.5 - 5 and Ferry Building waterfront area will largely replace the surface parking spaces that currently exist on Seawall Lot 351, which currently accommodate approximately 105 cars on a valet basis. The 90 spaces for Port uses are a continuation of existing parking that the Port is contractually obligated to provide. These parking spaces are necessary to support the continued viability of the Ferry Building, the Ferry Plaza Farmer's Market, Piers 1.5 - 5, and the Ferry Building waterfront area. While the Ferry Building is well served by transit, the economic vitality of the Ferry Building and Farmer's Market depends upon weekday support by local residents and businesses, many of whom purchase large quantities of goods that require transport by automobile with conveniently located*

parking. Adjacent weekday parking is not readily available, as parking in the Embarcadero Center is fully occupied by building tenants and visitors, parking on the plaza behind the Ferry Building is currently prohibited under existing BCDC permits, and Pier ½ is slated for removal. Limited on-street parking along The Embarcadero exists, but is unavailable during the hours of 3:00 p.m.-7:00 p.m. Furthermore, a parking study commissioned by the Port and completed in 2008 concluded that a minimum of 250 – 500 new parking spaces would need to be constructed to meet the future demand of the area.

(b) Demonstration that the apparent demand for additional parking cannot be satisfied by the provision by the applicant of one or more car-share parking spaces in addition to those that may already be required by Section 166 of this Code.

Residential Parking: *The proposed project would provide car-share parking spaces in compliance with Section 166 of the Planning Code, and other car-share parking spaces are generally abundant in the area. There is no evidence that providing more car-share spaces than the number required by the Code would satisfy any of the unsatisfied off-street parking demand.*

Public Parking Garage: *There is no evidence that providing more car-share spaces than the number required by the Code would satisfy any of the unsatisfied off-street parking demand for the Ferry Building, Pier 1.5 – 5 and the Ferry Building waterfront area. Such spaces serve customers whose trips originate in the area, but are traveling else. Additional car-share spaces would not accommodate "destination" visitors arriving in the area.*

(c) The absence of potential detrimental effects of the proposed parking upon the surrounding area, especially through unnecessary demolition of sound structures, contribution to traffic congestion, or disruption of or conflict with transit services;

Residential Parking: *The proposed additional residential parking would not have detrimental effects on the surrounding area. The additional residential parking would be accommodated within the below ground garage that is already part of the proposed project, thus no structures would be demolished in order to provide the additional residential parking. Furthermore, the additional residential parking spaces above the maximum amount permitted under the RC-4 parking controls would have a negligible contribution to traffic congestion and conflict with transit services. Given the proposed project's close proximity to transit, it is anticipated that residents will generally use transit, walk and ride bicycles for the majority of trips to and from the project site. The EIR prepared for the proposed project concluded that the proposed project would not result in significant impacts to transit systems, pedestrians, or bicycles in the vicinity of the proposed project.*

Public Parking Garage: *The proposed 175 spaces would not have detrimental effects on the surrounding area because the majority of those spaces would serve as a continuation of an existing parking use on Seawall Lot 351. Furthermore, the proposed parking would be beneficial by moving the existing surface parking lot on Seawall Lot 351 and replacing it with an underground parking facility. In place of the existing surface parking lot, Seawall Lot 351 would be developed with new residential, retail, restaurant, and open spaces uses that would enliven and activate Washington Street and The Embarcadero. The 175 parking spaces would be*

accommodated within the below ground garage that is already part of the proposed project, thus no structures would be demolished in order to provide the additional residential parking.

(d) In the case of uses other than housing, limitation of the proposed parking to short-term occupancy by visitors rather than long-term occupancy by employees; and

Residential Parking: The additional parking would support residential uses. Thus, this criterion is not applicable to the Project.

Public Parking Garage: The 175 spaces will be used to serve visitors to the retail, restaurant, and waterfront uses of the Ferry Building, Pier 1.5 - 5 and Ferry Building waterfront area. The spaces will not be used for long term occupancy.

(e) Availability of the proposed parking to the general public at times when such parking is not needed to serve the use or uses for which it is primarily intended.

Residential Parking: The residential parking spaces will be used on a continuous basis by residents of the proposed project, and it is not anticipated that there will be times when the general public could use these spaces. Furthermore, for operational and security reasons, the residential parking will be separate from the public parking garage. The proposed project will also include a public parking component, which will be available to serve the general public who are visiting the project's commercial uses and the Ferry Building waterfront area.

Public Parking Garage: The 175 spaces would be provided primarily to serve the Ferry Building, Piers 1.5 - 5 and Ferry Building waterfront area, including the Ferry Plaza Farmer's Market. To the extent that these uses did not require some or all of the 175 spaces, then the space could be available for other uses, including the project's onsite commercial uses.

9. **Planning Code Section 253** specifies that, because the Project exceeds 50 feet in height within an RC District, the Commission shall consider the expressed purposes of the Code, of the RC Districts, and of the height and bulk districts.

a. **RC-4 (Residential-Commercial, High Density) District.** Section 206.3 describes that the RC-4 District contains, "...a mixture of high-density dwellings similar to those in RM-4 Districts with supporting commercial uses."

The Project would add 134 dwelling units, a new health club, and numerous ground-floor retail spaces in a manner that is appropriate for the context of the Project Site. The retail uses would provide goods and services to residents and visitors in the area, and would activate the adjacent public rights-of-way. The Project is compatible with the dense residential development of the existing complex of buildings within the Golden Gateway, as well as the urban intensity and mix of uses found in the nearby C-3 District.

b. **84-E Height and Bulk District.** Section 251 establishes that the general purposes of the height and bulk district are to relate the scale of new development to be

harmonious with existing development patterns and the overall form of the City, respect and protect public open spaces and neighborhood resources, and to synchronize levels of development intensity with an appropriate land use and transportation pattern.

The Project is massed over the Project Site in a manner that situates the tallest portions of the project at the southwestern corner, relating to the background of taller existing buildings within the Embarcadero Center and the Golden Gateway Center. Buildings within the project step down in height toward the north and to the east, with the eastern residential building and the health club relating to the Embarcadero at a height lower than the permitted 84-foot height limit. The northernmost portion of the Project Site left as a new public open space area ("Pacific Park"), further reinforcing the stepped massing of the overall project. This transition in height sculpts the form of the Project in a manner that is sympathetic to the shorter residential, commercial, and bulkhead buildings situated along the Embarcadero, and preserves the legibility of the progression of taller buildings within the Financial District to the southwest. The Project Sponsor is requesting height reclassifications at the southwestern portion of the Project Site that would enable this urban form.

10. **Planning Code Section 271** identifies a process whereby the Commission may permit exceptions to the applicable bulk limitations if a project meets one of the following reasons:

- a. Achievement of a distinctly better design, in both a public and a private sense, than would be possible with strict adherence to the bulk limits, avoiding an unnecessary prescription of building form while carrying out the intent of the bulk limits and the principles and policies of the General Plan; or
- b. Development of a building or structure with widespread public service benefits and significance to the community at large, where compelling functional requirements of the specific building or structure make necessary such a deviation.

Because the Project is seeking a modification of the bulk limitations through the PUD process, the process described by Section 271 does not apply. It should be noted, however, that the project meets both of the specified reasons for granting bulk exceptions.

Given the size of the Project Site, strict adherence to bulk limitations would artificially constrain the building forms that could be proposed for the Project. The design of the Project achieves the intent of the bulk limitations by arranging the residential portion within two separate buildings separated by a wide, oval-shaped courtyard. The buildings are articulated as a series of vertical masses of approximately 35 feet in width, each divided by a recess measuring approximately eleven feet wide and eight feet deep. The pedestrian realm is defined by a tall ground floor with extensive glazing providing views into active retail spaces, framed by a procession of awnings. The uppermost floors

of the residential buildings are setback in a penthouse configuration, finished with curtain wall glazing that is distinct from the grid of solid walls at lower floors. These three elements create a tripartite arrangement that visually breaks the massing of the Project into discrete, legible elements.

Clustering the residential program of the Project at the southern portion of the site facilitates an overall site plan that delivers numerous public benefits, including the provision of new open spaces and pedestrian connections to the waterfront. In addition, the Project would provide substantial streetscape improvements along all frontages, as well as a publicly-accessible parking garage that would bolster the commercial viability of the Ferry Building and enable broader access to the recreational amenities of the waterfront.

11. **Planned Unit Development.** Section 304 establishes criteria and limitations for the authorization of PUD's over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. In cases of projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area, such projects may merit modification of certain Code requirements. On balance, the Project complies with said criteria in that it:

a. Affirmatively promotes applicable objectives and policies of the General Plan;

See discussion under Item #12.

b. Provides off-street parking adequate for the occupancy proposed.

The project proposes 134 parking spaces to serve the residential uses, exceeding the number of accessory spaces permitted within the RC-4 District. The conditions of approval would reduce the amount of residential parking in the project from the proposed 134 spaces to 127 spaces. This reduced ratio is compatible with the parking ratios permitted within C-3 Districts nearby, and would therefore be appropriate to the transit-rich, pedestrian-friendly context of the Project Site. The Project also includes 255 spaces within the garage that would be accessible to the general public, in order to serve the health club and commercial uses on-site, and to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future removal. Therefore, the amount of non-residential parking proposed by the Project Sponsor is appropriate for the Project.

c. Provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open space required by this Code;

The Project provides open space in the form of private decks, common open space for residents of the Project, and publicly-accessible open spaces within the widened and renovated Drumm Street Walkway (adding approximately 2,890 square feet to this area), the newly-created Jackson Commons (measuring approximately 10,450 square feet) toward the center of the site, and the newly-created Pacific Park at the northern portion of the site (measuring approximately 11,840

square feet). In addition, the Project would provide landscaping, furnishings, and other pedestrian amenities within the public rights-of-way frontage the Project Site, including widened sidewalks along Washington and Drumm Streets.

d. Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of the Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property.

The proposed residential density is permitted within the RC-4 District.

e. Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

As discussed under Item #6(b) above, the Project Sponsor is requesting height reclassifications for the southwestern portion of the site, allowing the westerly residential building to exceed the existing 84-foot height limit. Should these height reclassifications be approved, the Project would conform to the height limits established by Article 2.5. The Project does not request any deviations from the provisions for measurement of height.

Planned Unit Development Modifications. The Project Sponsor requests a number of modifications from the requirements of the Planning Code. These modifications are listed below, along with a reference to the relevant discussion for each modification:

- i. *Rear Yard Configuration: Item #6(d)*
- ii. *Parking Quantities: Items #6(i) and #8*
- iii. *Bulk Limitations: Items #6(b) and #10]*
- iv. *Off-Street Loading: Item #6(j)*

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

COMMERCE AND INDUSTRY ELEMENT:

Objectives and Policies

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

Policy 6.10:

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The Project would replace an existing surface parking lot and health club with an intense, mixed-use development suited to an urban context. The Project includes 134 dwelling units. Residents of these units would shop for goods and services in the area, bolstering the viability of the existing businesses. In addition, the Project would provide 20,000 square feet of commercial uses, as well as a new health club that would contribute to the economic vitality of the area, fulfill a recreational needs for residents, and would activate the streetscape.

URBAN DESIGN ELEMENT:

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1:

Recognize and protect major views in the city, with particular attention to those of open space and water.

Policy 1.2:

Recognize, protect, and reinforce the existing street pattern, especially as it is related to topography.

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 relationship and transitions between new and older buildings.

Policy 3.5:

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

The Project massing is arranged to locate the tallest portions of the project at the southwestern corner, relating to the background of taller existing buildings within the Embarcadero Center and the Golden Gateway Center. Buildings within the project step down in height toward the north and to the east, with the eastern residential building and the health club relating to the Embarcadero at a height lower than the permitted 84-foot height limit. The northernmost portion of the Project Site left as a new public open space area ("Pacific Park"), further reinforcing the stepped massing of the overall project. This transition in height sculpts the form of the Project in a manner that is sympathetic to the shorter residential, commercial, and bulkhead buildings situated along the Embarcadero, and preserves the legibility of the progression of taller buildings within the Financial District to the southwest.

NORTHEASTERN WATERFRONT AREA PLAN:

Objectives and Policies

OBJECTIVE 2

TO DIVERSIFY USES IN THE NORTHEASTERN WATERFRONT, TO EXPAND THE PERIOD OF USE OF EACH SUBAREA, AND TO PROMOTE MAXIMUM PUBLIC USE OF THE WATERFRONT WHILE ENHANCING ITS ENVIRONMENTAL QUALITY.

Policy 3.1:

Develop uses which generate activity during a variety of time periods rather than concentrating activity during the same peak periods.

OBJECTIVE 7

TO STRENGTHEN AND EXPAND THE RECREATION CHARACTER OF THE NORTHEASTERN WATERFRONT AND TO DEVELOP A SYSTEM OF PUBLIC OPEN SPACES AND RECREATION FACILITIES THAT RECOGNIZES ITS RECREATIONAL POTENTIAL, PROVIDES UNITY AND IDENTITY TO THE URBAN AREA, AND ESTABLISHES AN OVERALL WATERFRONT CHARACTER OF OPENNESS AND VIEWS, WATER AND SKY, AND PUBLIC ACCESSIBILITY TO THE WATER'S EDGE.

Policy 7.1:

Develop recreation facilities attractive to residents and visitors of all ages and income groups.

Policy 7.2:

Provide a continuous system of parks, urban plazas, water-related public recreation, shoreline pedestrian promenades, pedestrian walkways, and street greenways throughout the entire Northeastern Waterfront.

OBJECTIVE 10

TO DEVELOP THE FULL POTENTIAL OF THE NORTHEASTERN WATERFRONT IN ACCORD WITH THE UNUSUAL OPPORTUNITIES PRESENTED BY ITS RELATION TO THE BAY, TO THE OPERATING PORT, FISHING INDUSTRY, AND DOWNTOWN; AND TO ENHANCE ITS UNIQUE AESTHETIC QUALITIES OFFERED BY WATER, TOPOGRAPHY, VIEWS OF THE CITY AND THE BAY, AND ITS HISTORIC MARITIME CHARACTER

Policy 10.1:

Preserve the physical form of the waterfront and reinforce San Francisco's distinctive hill form by maintaining low structures near the water, with an increase in vertical development near hills or the downtown core area. Larger buildings and structures with civic importance may be appropriate at important locations.

Policy 10.2:

Preserve and create view corridors which can link the City and the Bay.

OBJECTIVE 22

TO DEVELOP A MIXTURE OF USES WHICH WILL PROVIDE A TRANSITION BETWEEN THE INTENSE CONCENTRATION OF OFFICE ACTIVITY IN THE DOWNTOWN AREA AND THE RECREATION ACTIVITIES OF THE WATERFRONT, WHICH WILL GENERATE ACTIVITY DURING EVENINGS AND WEEKENDS TO COMPLEMENT THE WEEKDAY OFFICE USES IN THE ADJACENT DOWNTOWN AREA.

Policy 26.1:

Maintain the Golden Gateway residential community and neighborhood-serving retail uses.

The Project incorporates dwelling units, multiple retail and restaurant spaces, and a new health club, diversifying the mix of land uses in the area and creating new opportunities for residents to satisfy convenience needs in the immediate area. This mix of uses would help to generate pedestrian activity and attract visitors from beyond the immediate area to contribute to an environment that is vibrant throughout the day and evening hours. The provision of public parking would serve help to broaden access to the recreational amenities of the waterfront, and would bolster the viability of the businesses in and around the Ferry Building. The site planning and heights of the buildings proposed buildings within the Project represent a continuation of an

urban form that transition from taller heights within the Financial District, to lower buildings along the waterfront.

Portions of the project to be approved by the Port Commission would widen and enhance the existing Drumm Street walkway, and would create a new linear open space ("Jackson Commons") that extends from the existing terminus of Jackson Street. These spaces strengthen and expand an existing network of richly landscaped pedestrian connections that link important open spaces, including Sydney Walton Square, Sue Bierman Park, and Justin Herman Plaza. In addition, Jackson Commons would create a new visual and physical linkage through the site to the waterfront. The project also contributes to the variety of recreational opportunities through the creation of Pacific Park at the northerly portion of the site. This Park is proposed to include passive recreational areas, as well as a play fountain and other play equipment for children, fulfilling a recreational need that is lacking in the area.

HOUSING ELEMENT:

Objectives and Policies

OBJECTIVE 1

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

Policy 1.1:

Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households.

Policy 1.3

Identify opportunities for housing and mixed-use districts near downtown and former industrial portions of the City.

Policy 1.4:

Locate in-fill housing on appropriate sites in established residential neighborhoods.

The Project would add residential units to an area that is well-served by transit, services, and shopping opportunities. The site is suited for dense, mixed-use development, where residents can commute and satisfy convenience needs without frequent use of a private automobile. The Project Site is located immediately adjacent to employment opportunities within the Financial District, and is in an area with abundant local- and region-serving transit options.

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

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

The new residents in the Project would patronize area businesses, bolstering the viability of surrounding commercial establishments. In addition, the Project would include retail spaces to provide goods and services to residents in the area, contribute to the economic vitality of the area, and would define and activate the streetscape.

- 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 diminish existing housing stock, and would add dwelling units in a manner that enhances the vitality of the neighborhood.

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

No housing is removed for this Project. The Project Sponsor would be required to contribute to the City's Inclusionary Affordable Housing Program.

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

A wide variety of goods and services are available within walking distance of the Project Site without reliance on private automobile use. In addition, the area is well served by public transit, providing connections to all areas of the City and to the larger regional transportation network.

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

The Project would demolish the existing health club on the site, however, a new health club would be constructed. In addition, the project would include retail spaces that would provide employment and ownership opportunities for area residents.

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

The Project is designed and would be constructed to conform to the structural and seismic safety requirements of the City Building Code.

G. That landmarks and historic buildings be preserved.

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

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

The Project would cast minor additional shadows on Sue Bierman Park, however, these new shadows would not be adverse to the use of the Park. The Project would provide substantial new open space areas that are accessible to the public.

14. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
15. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2007.0030C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 22, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18567. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 22, 2012.

Linda D. Avery
Commission Secretary

AYES: Fong, Antonini, Borden, Miguel

NAYS: Sugaya, Wu

ABSENT: Moore

ADOPTED: March 22, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization for a building exceeding 50 feet in an RC District, to allow a non-accessory off-street parking garage, to allow non-residential uses exceeding 6,000 square feet, to allow commercial uses above the ground floor, and to approve a Planned Unit Development with specific modifications of Planning Code regulations regarding bulk limitations, rear yard, off-street loading, and off-street parking quantities, for a project that would demolish an existing surface parking lot and health club and construct a new health club, residential buildings ranging from four to twelve stories in height containing 134 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and a maximum of 382 off-street parking spaces located at 8 Washington Street, Assessor's Block 168/Lot 58, Block 171/69, Block 201/Lot 12 and Seawall Lot 351, which includes Lot 13, pursuant to Planning Code Sections 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, within the RC-4 District and the 84-E Height and Bulk District; in general conformance with plans, dated March 22, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2007.0030C and subject to conditions of approval reviewed and approved by the Commission on March 22, 2012 under Motion No 18567. The authorization and the conditions contained herein pertain to those areas of the property subject to building permits issued by the Department of Building Inspection and reviewable by the Planning Commission and not to those areas of the property within the jurisdiction of the Port Commission.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 22, 2012 under Motion No 18567.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18567 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to construct the project and/or commence the approved use is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

3. **Mitigation Measures.** Mitigation measures described in the MMRP for the EIR prepared for the project Case No. 2007.0030E) 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

DESIGN – COMPLIANCE AT PLAN STAGE

4. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and

detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

5. **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

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

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

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

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

8. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.

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

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

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

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

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

10. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

11. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

12. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a pedestrian streetscape improvement plan to the Planning Department for review in consultation with the Department of Public Works and the Department of Parking and Traffic prior to Building Permit issuance.

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

13. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along

the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

PARKING AND TRAFFIC

14. **Car Share.** Pursuant to Planning Code Section 166, no fewer than six car share spaces 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

15. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2 and 155.4, the Project shall provide no fewer than 81 bicycle parking spaces.

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

16. **Parking Maximum.** The Project shall provide no more than 127 independently accessible off-street parking spaces to serve the residential uses on-site, excluding car share spaces. The Project shall provide no more than 255 independently accessible off-street parking spaces for general public parking and to serve the non-residential uses on-site.

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

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

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

18. **Queuing.** It shall be the responsibility of the owner/operator of any off-street parking facility primarily service a non-residential use, as determined by the Planning Director, with more than 20 parking spaces (excluding loading and car-share spaces) to ensure

that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles blocking any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Suggested abatement methods include, but are not limited to the following: redesign of facility layout to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of "LOT FULL" signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, or delivery services; and/or parking demand management strategies such as parking time limits, paid parking, or validated parking.

If the Planning Director, or his or her designees, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

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

19. **Off-street Loading.** Pursuant to Planning Code Section 152, the Project will provide three off-street loading spaces. The Project may substitute two service vehicle space meeting the size requirements of Planning Code Section 154(b)(3) within the second level of the proposed parking garage to substitute for the required third full-sized off-street loading space.

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

PROVISIONS

20. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and 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 415-401-4960, www.onestopSF.org

21. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411 (formerly Chapter 38 of the Administrative Code), the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

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

22. **Affordable Units**

- a. **Requirement.** Pursuant to Planning Code 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%).

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 at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

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

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

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

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 at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- c. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOH prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Inclusionary Affordable

Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

- d. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- e. If project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

MONITORING - AFTER ENTITLEMENT

22. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

23. **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

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

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

25. **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>

26. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

27. **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