



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Large Project Authorization

HEARING DATE: JULY 10, 2014

*Date:* July 2, 2014  
*Case No.:* **2010.0043X**  
*Project Address:* **490 South Van Ness Avenue**  
*Zoning:* UMU (Urban Mixed-Use) Zoning District  
68-X Height and Bulk District  
*Block/Lot:* 3553/008  
*Project Sponsor:* Maurice Casey, J.C.N. Developers, LLC  
630 Taraval Street  
San Francisco, CA 94116  
*Staff Contact:* Richard Sucre – (415) 575-9108  
[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)

*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposed project includes demolition of the automotive service station (measuring approximately 1,618 gross square feet) on the subject lot, and new construction of a seven-story, residential building (approximately 91,611 gross square feet) with up to 72 dwelling units, ground floor retail (approximately 655 square feet), 48 off-street parking spaces, and 83 Class 1 bicycle parking spaces. The project includes a dwelling unit mix consisting of 42 two-bedroom units and 30 one-bedroom units. The proposed project includes common open space (approximately 8,122 sq ft) via a second floor terrace (2,097 sq ft) and a roof deck (6,025 sq ft). The entrance to off-street parking is located off of Adair Street through a 12-ft wide garage opening.

### SITE DESCRIPTION AND PRESENT USE

The proposed project is located on the western portion of the block bounded by Adair Street, South Van Ness Avenue and 16<sup>th</sup> Street on a rectangular corner lot (with a lot area of 14,250± sq ft) with approximately 150-ft of frontage along South Van Ness Avenue, 95-ft of frontage along Adair Street, and 95-ft of frontage along 16<sup>th</sup> Street. Currently, the subject lot contains a vacant automotive service station.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the UMU Zoning District along a mixed-use corridor within the Mission Area Plan. The immediate neighborhood includes two-to-three stories tall, older residential properties to the north, a few larger-scale, four-story masonry apartment buildings to the west and south (including the Redstone Building at 2924-2948 16<sup>th</sup> Street and 2901-2929 16<sup>th</sup> Street), and lower-scale, one-to-two

story commercial and industrial properties across South Van Ness Avenue to the east. The project site is located along South Van Ness Avenue, which is a vehicular transit corridor, and is approximately one block away from the BART Station at 16<sup>th</sup> and Mission Streets. The west side of Van Ness Avenue primarily contains residential uses, while the east side of Van Ness Avenue contains a mix of uses, including a gas station, a car dealership, several light industrial properties, and an assortment of single-family and multi-family residential buildings. Other zoning districts in the vicinity of the project site include: PDR-1-G (Production, Distribution, Repair-General); RTO-M (Residential Transit-Oriented-Mission); and, Mission Street NCT (Mission Street Neighborhood Commercial Transit).

## ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on June 24, 2014, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 20, 2014	June 20, 2014	20 days
Posted Notice	20 days	June 20, 2014	June 20, 2014	20 days
Mailed Notice	20 days	June 20, 2014	June 20, 2014	20 days

The proposal requires a Section 312 Neighborhood notification, which was conducted in conjunction with the required hearing notification for the Large Project Authorization.

## PUBLIC COMMENT

As of July 2, 2014, the Department has received numerous public correspondences, which express either support or opposition to the proposed project. Copies of this correspondence have been included within the Commission packet.

## ISSUES AND OTHER CONSIDERATIONS

- Large Project Authorization Modifications: As part of the Large Project Authorization (LPA), the Commission may grant modifications from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests modifications from 1) rear yard (Planning Code

Section 134); 2) permitted obstructions over streets, alleys, setbacks, yards and usable open space (Planning Code Section 136); 3) dwelling unit exposure (Planning Code Section 140); and, 4) accessory use provisions for dwelling units (Planning Code Sections 329(d)(10) and 803.3(b)(1)(c)). Department staff is generally in agreement with the proposed modifications given the overall project and its design.

- **Inclusionary Affordable Housing:** The Project has elected the on-site affordable housing alternative, identified in Planning Code Section 415.6 and 419.3. The project site is located within the UMU Zoning District, and is subject to the Tier B Affordable Housing Program Requirements, which requires 16% of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 72 units and the Project Sponsor will fulfill this requirement by providing the 12 affordable units on-site.
- **Development Impact Fees:** The Project would be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Transit Impact Development Fee (655 sq ft – New Retail/Entertainment)	423 (@ \$13.90)	\$9,105
Eastern Neighborhoods Impact Fee (1,618 sq ft – Tier 1; Change in Use from PDR to Residential)	424 (@ \$5.78)	\$9,352
Eastern Neighborhoods Impact Fee (90,956 sq ft – Tier 1; New Residential)	423 (@ \$9.25)	\$841,343
Eastern Neighborhoods Impact Fee (655 sq ft – Tier 2; New Non-Residential)	423 (@ \$11.56)	\$7,572
	<b>TOTAL</b>	<b>\$867,372</b>

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

**REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant a Large Project Authorization pursuant to Planning Code Section 329 to allow the new construction of a seven-story residential building with up to 72 dwelling units, and to allow modifications to the requirements for rear yard (Planning Code Section 134), permitted obstructions over streets, alleys, setbacks, yards and useable open space (Planning Code Section 136), dwelling unit exposure (Planning Code Section 140), and accessory use provisions for dwelling units (Planning Code Sections 329(d)(10) and 803.3(b)(1)(c)).

**BASIS FOR RECOMMENDATION**

The Department believes this project is approvable for the following reasons:

- The Project complies with the applicable requirements of the Planning Code.

- The Project is consistent with the objectives and policies of the General Plan.
- The Project is located in a zoning district where residential and ground floor commercial uses are principally permitted.
- The Project produces a new mixed-use development with ground floor retail and significant site updates, including landscaping and common open space.
- The Project is consistent with and respects the existing neighborhood character, and provides an appropriate massing and scale for a corner site.
- The Project complies with the First Source Hiring Program.
- The Project adds 72 new dwelling units to the City's housing stock.
- The Project proposes a parking ratio of approximately .66 spaces per dwelling unit, or 48 off-street parking spaces, which is well below the maximum permitted ratio of .75, or 54 off-street parking spaces.
- The Project will fully utilize the Eastern Neighborhoods Area Plan controls, and will pay the appropriate development impact fees.

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

Draft Motion-Large Project Authorization  
Parcel Map  
Sanborn Map  
Aerial Photograph  
Zoning Map  
Project Sponsor Submittal  
Architectural Drawings  
First Source Hiring Affidavit  
Affordable Housing Affidavit  
Public Correspondence  
Community Plan Exemption



Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project Sponsor Submittal  |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>   |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility   |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>  |
| <input checked="" type="checkbox"/> Height & Bulk Map           | <input checked="" type="checkbox"/> Check for legibility   |
| <input checked="" type="checkbox"/> Parcel Map                  | <input type="checkbox"/> Health Dept. Review of RF levels  |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input type="checkbox"/> RF Report   |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Community Meeting Notice  |
| <input checked="" type="checkbox"/> Context Photos              | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos                 |  |

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

\_\_\_\_\_ RS \_\_\_\_\_  
Planner's Initials

*RS: G:\Documents\Large Project Authorization\2010.0043X 490 South Van Ness Ave\ExecutiveSummary\_490 South Van Ness Ave.doc*



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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## Planning Commission Draft Motion

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[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)

**ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, 2) PERMITTED OBSTRUCTIONS OVER STREETS, ALLEYS, SETBACKS, YARDS AND USABLE OPEN SPACE PURSUANT TO PLANNING CODE SECTION 136, 3) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, AND 4) ACCESSORY USE PROVISIONS FOR DWELLING UNITS PURSUANT TO PLANNING CODE SECTIONS 329(D)(10) AND 803.3(B)(1)(C), TO ALLOW CONSTRUCTION OF A NEW SEVEN-STORY RESIDENTIAL BUILDING (APPROXIMATELY 91,611 GSF) WITH UP TO 72 DWELLING UNITS (CONSISTING OF 30 1-BEDROOM UNITS AND 42 2-BEDROOM UNITS) AND A GROUND FLOOR COMMERCIAL SPACE (APPROXIMATELY 655 GSF), LOCATED AT 490 SOUTH VAN NESS AVENUE, LOT 008 IN ASSESSOR'S BLOCK 3553, WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On March 19, 2010, Maurice Casey of J.C.N. Developers, LLC (hereinafter "Project Sponsor") filed Application No. 2010.0043X (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new seven-story residential building with 72 dwelling units and a ground floor commercial space at 490 South Van Ness Avenue (Block 3553 Lot 008) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

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

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

On June 24, 2014, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable

to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On July 10, 2014, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2010.0043X.

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

**MOVED**, that the Commission hereby authorizes the Large Project Authorization requested in Application No. 2010.0043X, 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 proposed project is located on the western portion of the block bounded by Adair Street, South Van Ness Avenue and 16<sup>th</sup> Street on a rectangular corner lot (with a lot area of 14,250± sq ft) with approximately 150-ft of frontage along South Van Ness Avenue, 95-ft of frontage along Adair Street, and 95-ft of frontage along 16<sup>th</sup> Street. Currently, the subject lot contains a vacant automotive service station.
3. **Surrounding Properties and Neighborhood.** The project site is located in the UMU Zoning District along a mixed-use corridor within the Mission Area Plan. The immediate neighborhood includes two-to-three stories tall, older residential properties to the north, a few larger-scale, four-story masonry apartment buildings to the west and south (including the Redstone Building at 2924-2948 16<sup>th</sup> Street and 2901-2929 16<sup>th</sup> Street), and lower-scale, one-to-two story commercial and industrial properties across South Van Ness Avenue to the east. The project site is located along South Van Ness Avenue, which is a vehicular transit corridor, and is approximately one block away from the BART Station at 16<sup>th</sup> and Mission Streets. The west side of Van Ness Avenue primarily contains residential uses, while the east side of Van Ness Avenue contains a mix of uses, including a gas station, a car dealership, several light industrial properties, and an assortment of single-family and multi-family residential buildings. Other zoning districts in the vicinity of the project site include: PDR-1-G (Production, Distribution, Repair-General); RTO-M (Residential Transit-Oriented-Mission); and, Mission Street NCT (Mission Street Neighborhood Commercial Transit).
4. **Project Description.** The proposed project includes demolition of the automotive service station (measuring approximately 1,618 square feet) on the subject lot, and new construction of a seven-

story, residential building (approximately 91,611 gross square feet) with up to 72 dwelling units, ground floor retail (approximately 655 square feet), 48 off-street parking spaces, and 83 Class 1 bicycle parking spaces. The project includes a dwelling unit mix consisting of 42 two-bedroom units and 30 one-bedroom units. The proposed project includes common open space (approximately 8,122 sq ft) via a second floor terrace (2,097 sq ft) and a roof deck (6,025 sq ft). The entrance to off-street parking is located off of Adair Street through a 12-ft wide garage opening.

5. **Public Comment.** As of July 3, 2014, the Department has received numerous public correspondences which express either support or opposition to the proposed project. Copies of this correspondence have been included within the Commission packets.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Permitted Uses in UMU Zoning Districts.** Planning Code Sections 843.20 and 843.45 states that residential and retail uses are principally permitted use within the UMU Zoning District.

*The Project would construct new residential and retail uses within the UMU Zoning District; therefore, the Project complies with Planning Code Sections 843.20 and 843.45.*

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 5:1 for properties within the UMU Zoning District and a 68-X Height and Bulk District.

*The subject lot is 14,250 sq ft, thus resulting in a maximum allowable floor area of 71,250 sq ft for non-residential uses. The Project would construct approximately 655 sq ft of non-residential space, and would comply with Planning Code Section 124.*

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level. Therefore, the Project would have to provide a rear yard, which contains approximately 3,563 sq ft.

*Currently, the Project is designed to have full lot coverage on the ground floor level and does not provide a rear yard at the lowest level containing a dwelling unit. The Project provides open space through a series of private balconies, a second floor terrace and a roof deck. In total, the project provides all 72 dwelling units with private usable open space and common usable open space. The Project provides a total of 8,122 sq ft of open space (not including the private balconies). This amount of open space, which would have been provided through the required rear yard, is thus exceeded. The Project is seeking a modification of the rear yard requirement as part of the Large Project Authorization (See Below).*

*The Project occupies a corner lot bounded by 16<sup>th</sup> Street, South Van Ness Avenue and Adair Streets. The subject block does not possess a strong pattern of mid-block open space. By providing the second floor terrace along the west lot line, the proposed project is sensitive to the setback of adjacent building and the two residences along Adair Street.*

- D. **Usable Open Space.** Planning Code Section 135 requires a minimum of 80 sq ft of open space per dwelling unit, if not publically accessible, or 54 sq ft of open space per dwelling unit, if publically accessible. Private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq ft is located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq ft if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum area of 300 sq ft. Further, inner courts may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

*For the proposed 72 dwelling units, the Project is required to provide 5,760 sq ft of common open space.*

*In total, the Project exceeds the requirements for open space by providing a total of 8,122 sq ft of code-complying usable open space. The Project would construct common open space via a terrace on the second floor (measuring a total of 2,097 sq ft) and a roof deck (measuring approximately 6,025 sq ft). As defined in Planning Code Section 102.4, the second floor terrace is considered an outer court, since one side of this terrace faces onto Adair Street. Therefore, the project complies with Planning Code Section 135.*

- E. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction, as well as a streetscape plan, which includes elements from the Better Streets Plan.

*The Project includes the new construction of a seven-story residential building on a lot with approximately 150-ft of frontage along South Van Ness Avenue, 95-ft of frontage along Adair Street and 95-ft of frontage along 16<sup>th</sup> Street. Therefore, the Project is required to provide a total of eight street trees along South Van Ness Avenue, five street trees along Adair Street, and five street trees along 16<sup>th</sup> Street.*

*Currently, the Project includes eight street trees along South Van Ness Avenue, five street trees along Adair Street, and five street trees along 16<sup>th</sup> Street. Therefore, the proposed project complies with Planning Code Section 138.1.*

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

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

- G. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley, side yard or rear yard must be at least 25 ft in width, or an open area (inner court) must be no less than 25 ft in every horizontal dimension for the floor at which the dwelling unit is located.

*The Project organizes the dwelling units to have exposure either on 16<sup>th</sup> Street, South Van Ness Avenue or Adair Street, or off of the second floor terrace. Currently, eighteen dwelling units (consisting of the three units facing the second floor terrace on the second, third, fourth, fifth, sixth, and seventh floors) do not face onto an open area, which meets the dimensional requirements of the Planning Code. Therefore, the Project is seeking a modification of the dwelling unit exposure requirements for eighteen dwelling units as part of the Large Project Authorization (See Below).*

- H. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

*The Project meets the requirements of Planning Code Section 145.1. At grade, the off-street parking is setback by more than 25-ft from the street. The Project has one 12-ft wide garage entrance located along Adair Street. The Project features active uses on the ground floor with a corner retail store and a ground floor walk-up dwelling unit along 16<sup>th</sup> Street, and four walk-up dwelling units with direct, individual pedestrian access to a public sidewalk and the entrance to the residential lobby along South Van Ness Avenue. The ground floor ceiling height of the corner retail store is 20-ft tall. Finally, the Project features appropriate street-facing ground level spaces, as well as the ground level transparency and fenestration requirements.*

- I. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows off-street parking at a maximum ratio of .75 per dwelling unit.

*For the 72 dwelling units, the Project is allowed to have a maximum of 54 off-street parking spaces. Currently, the Project provides 48 off-street parking spaces via mechanical lifts. Of these 48 off-street parking spaces, the project includes one handicap parking space and one car-share parking space. Therefore, the proposed project complies with Planning Code Section 151.1.*

- J. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires one Class 1 bicycle parking space per dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units.

*The Project includes 72 dwelling units; therefore, the Project is required to provide 72 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces. The Project will provide 83 Class 1 bicycle parking spaces and 16 Class 2 bicycle parking spaces, which exceeds the requirement. Therefore, the proposed project complies with Planning Code Section 155.2.*

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

*Since the Project includes 72 dwelling units, it is required to provide one car-share parking space. The Project provides one car-share parking space at the ground floor level. Therefore, the proposed project complies with Planning Code Section 166.*

- L. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.

*The Project is providing off-street parking that is accessory to the dwelling units. These spaces will be unbundled and sold and/or leased separately from the dwelling units; therefore, the Project meets this requirement.*

- M. **Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms.

*For the 72 dwelling units, the Project is required to provide at least 29 two-bedroom units or 22 three-bedroom units. The Project provides 29 one-bedroom units and 43 two-bedroom units. Therefore, the Project meets and exceeds the requirements for dwelling unit mix.*

- N. **Conversion of Automotive Service Stations.** Planning Code Section 228 requires Conditional Use Authorization for conversions/change of use of automotive service station.

*Per Planning Code Section 228(c)(1), the Project is exempt from the Conditional Use Authorization requirement, since the project site is located along a Primary Transit Street designated in the General Plan.*

- O. **Narrow Streets.** Planning Code Section 261.1 outlines height and massing requirements for projects that front onto a "narrow street," which is defined as a public right of way less than or equal to 40-ft in width. Adair Street measures approximately 35-ft wide, and is considered an east-west "narrow street." On the south side of an east-west street, all subject frontages



shall have upper stories which are set back at the property line such that they avoid penetration of a sun access plane defined by angle of 45 degrees extending from the most directly opposite northerly property line. Subject frontage is defined as any building frontage more than 60-ft from an intersection with a street wider than 40-ft. The project site is located on the south side of an east-west "narrow street."

*The Project is setback to maintain a sun access plane defined by an angle of 45 degrees from the opposite northerly property line along Adair Street for the area of the Project that is more than 60-ft from the corner of Adair Street and South Van Ness Avenue. Therefore, the proposed project complies with Planning Code 261.1.*

- P. **Shadow.** Planning Code Sections 147 and 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

*Based upon a detail shadow analysis, the Project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.*

- Q. **Transit Impact Development Fees.** Planning Code Section 411 is applicable to new retail development over 800 sq ft.

*The Project includes 655 sq ft of new retail use. This use is subject to Transit Impact Development Fees, as outlined in Planning Code Section 411. These fees must be paid prior to the issuance of the building permit application.*

- R. **Inclusionary Affordable Housing Program in UMU.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Since the Project is located within the UMU Zoning District, the Inclusionary Affordable Housing Program requirement for the On-Site Affordable Housing Alternative is to provide 16% of the proposed dwelling units as affordable, as outlined in Planning Code Section 419.3.

*The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.6 and 419.3, and 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 by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning*

*Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on April 28, 2014. The EE application was submitted on January 21, 2010. Therefore, 12 dwelling units (five one-bedroom, and seven three-bedroom) of the 72 units provided will be affordable units.*

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

*The proposed project includes approximately 91,611 gross square feet of new development consisting of approximately 90,956 sq ft of residential use and 655 sq ft of retail use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.*

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

- A. Overall building mass and scale.

*The Project's mass and scale are appropriate for a large corner lot and the surrounding context, which includes larger, four-to-five story apartment complexes. The Project is of a similar height and scale as the adjacent Redstone Building at 2924-2948 16<sup>th</sup> Street. The Project addresses and defines the corner of 16<sup>th</sup> Street and South Van Ness Avenue with a projecting sunshade, articulated bay window and corner retail entrance. In addition, the Project includes projecting bay windows and massing recesses, which help to provide vertical modulation along the street facades. Along Adair Street, the Project includes massing setbacks, which help to transition the project's scale down to the adjacent three-story residence at 25-29 Adair Street. The broader context of the surrounding blocks includes a small number of older buildings that are predominantly four-to-five stories in height and a few newer residential projects that are predominantly four-stories or taller, thus indicating the neighborhood's transition towards higher density residential living given the overall neighborhood's close proximity to public transit. Thus, the project is appropriate for a corner lot and consistent with the mass and scale of the surrounding neighborhood.*

- B. Architectural treatments, facade design and building materials.

*The proposed project's architectural treatments, façade design and building materials include bay windows, open balconies, colored stucco, ceramic or stone tile, anodized aluminum windows, and colored translucent resin composite panels. The Project has three street frontages that offer a unified façade treatment. Along 16<sup>th</sup> Street, the Project is primarily rendered in ceramic or stone tile at the base with stucco above, and composite panel accents at the corner bay window. This shift in materials assists in differentiating the corner, and in defining the base/ground floor level. Along South Van Ness Avenue, the Project includes a similar façade treatment with a ceramic or stone tile base, and*

*alternating bays of stucco and composite panels. This material palette provides vertical articulation along South Van Ness Avenue, and assists in defining the ground floor level. This street façade also includes massing setbacks, which provides for open space at the ground floor and a more gracious pedestrian environment. Overall, the Project offers an architectural treatment, which provides for contemporary, yet contextual, architectural design that appears consistent and compatible with the surrounding neighborhood.*

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

*The Project provides direct access, walk-up residential units along 16<sup>th</sup> Street and South Van Ness Avenue, and a corner retail space along 16<sup>th</sup> Street, which are uses that encourage street activity/life on the lower floors. In addition, the Project includes massing setbacks along South Van Ness Avenue, which assist in providing a more open ground floor experience, while also providing for open space for the ground floor residential units. Along Adair Street, the Project provides access to the off-street parking garage via a 12-ft wide garage opening, which is the appropriate location for vehicular access. Overall, the design of the lower floors enhances the pedestrian experience and accommodates new street activity.*

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

*The Project provides the required open space for the 72 dwelling units through common open space on a second floor terrace and a roof deck. In addition, the Project includes accessory private open space for these some of these dwelling units, which are in addition to the required open space. In total, the Project provides 8,122 sq ft of common open space, which far exceeds the required amount for the dwelling units.*

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

*Planning Code Section 270.2 does not apply to the Project.*

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

*In compliance with Planning Code Section 138.1, the Project provides five new street trees along 16<sup>th</sup> Street, 8 new street trees along South Van Ness Avenue and five new street trees along Adair Street. The Project will also add bicycle parking along the sidewalk in front of the Project for public use. These improvements will enhance the public realm.*

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

*Since the subject lot has three street frontages, the Project provides ample circulation around the project site. The Project includes ground floor retail along 16<sup>th</sup> Street and walk-up ground-floor residential units along 16<sup>th</sup> Street and South Van Ness Avenue. The primary focal point for the residents would occur on South Van Ness Avenue through the residential lobby, which is adjacent to a smaller-scale retail space. Automobile access is limited to the one entry/exit (measuring 12-ft wide) along Adair Street.*

H. Bulk limits.

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

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

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

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

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

(f) Modification of Requirements in the Eastern Neighborhoods Mixed Use Districts. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified or waived by the Planning Commission pursuant to Section 329. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified by the Zoning Administrator pursuant to the procedures set forth in Section 307(h) for other projects, provided that:

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

*The Project provides for a comparable amount of open space, in lieu of the required rear yard. Overall, the project site is 14,250 sq ft in size, and would be required to provide a rear yard measuring 3,563 sq ft. The Project provides 8,122 sq ft of open space through a second floor terrace and a roof, thus exceeding the amount of space, which would have been provided in a code-conforming rear yard.*

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

*The Project does not impede access to light and air for the adjacent properties. The Project includes a significant setback above the second floor, which mirrors a setback to the adjacent property at 2926-2940 16<sup>th</sup> Street, thus forming a type of lightwell and allowing light and air along the west lot line. The existing block does not have a strong pattern of mid-block open space.*

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

*The Project is not seeking a modification to the open space requirements; however, the Project is seeking a modification to the exposure requirements for eighteen of the 72 dwelling units. Overall, the majority of the Project meets the intent of exposure requirements defined in Planning Code Section 140.*

- B. Modification of the accessory use provisions of Section 803.3(b)(1)(c) for dwelling units. Dwelling units modified under this Subsection shall continue to be considered dwelling units for the purposes of this Code and shall be subject to all such applicable controls and fees. Additionally, any building which receives a modification pursuant to this Subsection shall (i) have appropriately designed street frontages to accommodate both residential and modified accessory uses and (ii) obtain comment on the proposed modification from other relevant agencies prior to the Planning Commission hearing, including the Fire Department and Department of Building Inspection. Modifications are subject to the following:

(i) A modification may only be granted for the ground floor portion of dwelling units that front on a street with a width equal to or greater than 40 feet.

*The Project seeks modification for the five dwelling units (two two-bedroom and three one-bedroom) on the ground floor of 16<sup>th</sup> Street and South Van Ness Avenue.*

(ii) The accessory use may only include those uses permitted as of right at the subject property. However, uses permitted in any unit obtaining an accessory use modification may be further limited by the Planning Commission.

*The Project will only include accessory uses that are principally-permitted uses in the UMU Zoning District, as defined in Planning Code Section 843. The anticipated accessory uses will either be retail or home office.*

(iii) The Planning Commission may grant exceptions to the size of the accessory use, type and number of employees, and signage restrictions of the applicable accessory use controls.

*The Project is seeking modification to the accessory use provisions for dwelling units to allow for greater flexibility in the size of an accessory use on the ground floor level only, to provide for a limited number of employees, and to allow for public access.*

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

*In addition to the modification of the requirements for rear yard and accessory use provisions for dwelling units, the proposed project is seeking modifications of the requirements for permitted obstructions over streets, alleys, yards, setbacks and usable open space (Planning Code Section 136) and dwelling unit exposure (Planning Code Section 140).*

*Under Planning Code Section 136, rectangular bay windows are limited to 9-ft wide, and 3-ft deep over a street, alley, setback or usable open space. The Project proposes bay windows over the street, which exceed the dimensions outlined within Planning Code Section 136. Given the overall design and composition, the Commission finds this modification is warranted, due to the project's quality of design and the emphasis placed upon the corner by the proposed bay window, which is a strong urban design element.*

*Under Planning Code Section 140, all dwelling units must face onto either a public street, alley or open area at least 25-ft wide, or a rear yard meeting the requirements of the Planning Code. The Project organizes the dwelling units to have exposure either on 16<sup>th</sup> Street, South Van Ness Avenue or Adair Street, or along the second-story terrace. Currently, eighteen dwelling units face onto this terrace; however, this second-story terrace does not meet the rear yard requirements of the Planning Code, since the terrace is not located on the lowest level with a residential use and is not parallel to the west lot line. Despite its configuration, the terrace still provides sufficient access to light and air for the seven dwelling units, which directly face it. Given the overall design and composition of the Project, the Commission finds this modification is warranted, due to the Project's quality of design and amount of open space/open areas.*

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

## HOUSING

### Objectives and Policies

#### OBJECTIVE 1

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

#### Policy 1.1

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

*The Project is a higher density mixed-use development on an underutilized lot along a primary vehicular transit corridor. The Project site is an ideal infill site that is largely vacant. The project site was rezoned to UMU as part of a long range planning goal to create a cohesive, higher density residential and mixed-use neighborhood. To the east, the zoning is primarily PDR (Production, Distribution and Repair), while to the west, the zoning is primarily NCT (Neighborhood Commercial Transit). The project includes 12 on-*

*site affordable housing units for ownership, which complies with the UMU District's goal to provide a higher level of affordability.*

**OBJECTIVE 11**

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

**Policy 11.1**

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

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3**

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

**Policy 11.4**

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

**Policy 11.6**

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

**Policy 11.8**

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

*The architecture of this Project responds to the site's location as a transition between industrial zones and smaller-scale neighborhood commercial transit zones. The Project's facades provide a simple expression of form and materials, which emphasize the residential use and the ground floor. The exterior is designed with modern materials including stucco, resin composite panels and anodized aluminum.*

**RECREATION AND OPEN SPACE ELEMENT**

**Objectives and Policies**

**OBJECTIVE 4:**

PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

**Policy 4.5:**

Require private usable outdoor open space in new residential development.

*The Project will create private and common open space areas in a new residential mixed-use development through private balconies, second floor courtyard and a roof deck. The project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.*

## **TRANSPORTATION ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 24:**

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

#### **Policy 24.2:**

Maintain and expand the planting of street trees and the infrastructure to support them.

#### **Policy 24.4:**

Preserve pedestrian-oriented building frontages.

*The Project will install new street trees along 16<sup>th</sup> Street, South Van Ness Avenue and Adair Street. Frontages are designed with active spaces oriented at the pedestrian level.*

#### **OBJECTIVE 28:**

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

#### **Policy 28.1:**

Provide secure bicycle parking in new governmental, commercial, and residential developments.

#### **Policy 28.3:**

Provide parking facilities which are safe, secure, and convenient.

*The Project includes 83 Class 1 bicycle parking spaces in secure, convenient locations.*

#### **OBJECTIVE 34:**

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

#### **Policy 34.1:**

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

#### **Policy 34.3:**



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

**Policy 34.5:**

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

*The Project has a parking to dwelling unit ratio of .66 space per unit, which is below the permitted ratio of .75 per unit. The parking spaces are accessed by one ingress/egress point measuring 12-ft wide from Adair Street. Parking is adequate for the project and complies with maximums prescribed by the Planning Code.*

## **URBAN DESIGN ELEMENT**

### **Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.7:**

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

**OBJECTIVE 2:**

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

**Policy 2.6:**

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

*The Project is located within the Mission neighborhood, which is characterized by the mix of residential and commercial uses. As such, the Project provides articulated street façades, which respond to form and scale and material palette of surrounding buildings, while also providing a new contemporary architectural vocabulary.*

**OBJECTIVE 4:**

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

**Policy 4.5:**

Design walkways and parking facilities to minimize danger to pedestrians.

**Policy 4.13:**

Improve pedestrian areas by providing human scale and interest.

*Although the project site has three street frontages, it only provides one vehicular access point for the entire project, limiting conflicts with pedestrians and bicyclists. Numerous street trees will be planted on each street. Ample frontages, common and private open spaces, and ground floor active uses directly accessing the street will be provided. Along the project site, the pedestrian experience will be greatly improved. Currently, the site contains a vacant gas station.*

## **MISSION AREA PLAN**

### **Objectives and Policies**

#### **Land Use**

##### **OBJECTIVE 1.1**

**STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK**

##### **Policy 1.1.4**

In higher density residential areas of the Mission, recognize proximity to good transit service by eliminating density limits and minimum parking requirements; permit small neighborhood-serving retail.

##### **Policy 1.1.7**

Permit and encourage greater retail uses on the ground floor on parcels that front 16th Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

##### **OBJECTIVE 1.2**

**IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER**

##### **Policy 1.2.1**

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

##### **Policy 1.2.2**

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

##### **Policy 1.2.3**

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

#### **Housing**

**OBJECTIVE 2.3**

**ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES**

**Policy 2.3.5**

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

**Policy 2.3.6**

Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

**OBJECTIVE 2.6**

**CONTINUE AND EXPAND THE CITY'S EFFORTS TO INCREASE PERMANENTLY AFFORDABLE HOUSING PRODUCTION AND AVAILABILITY**

**Policy 2.6.1**

Continue and strengthen innovative programs that help to make both rental and ownership housing more affordable and available.

**Built Form**

**OBJECTIVE 3.2**

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

**Policy 3.2.1**

Require high quality design of street-facing building exteriors.

**Policy 3.2.3**

Minimize the visual impact of parking.

**Policy 3.2.5**

Building form should celebrate corner locations.

*The Project is a largely residential, but does include a moderate size ground floor retail component along 16<sup>th</sup> Street. The Project provides the mix of uses encouraged by the Area Plan for this location. In addition, the Project is located within the prescribed height and bulk guidelines, and includes the appropriate dwelling unit mix, since approximately 59.7% or 43 units are two-bedroom dwelling units. The Project introduces a contemporary architectural vocabulary, which is sensitive to the prevailing scale and*

*neighborhood fabric. The Project provides for a high quality designed exterior, which features a variety of materials, colors and textures, including stucco, resin composite panel, and anodized aluminum. The Project also minimizes the off-street parking to a single entrance along Adair Street. The Project will also pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees.*

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project 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 existing use on the project site was a gas station, which is currently vacant. Although the Project would remove this use, the Project does provide for a new neighborhood-serving retail establishment, as well as flexible occupancy for the ground floor dwelling units along 16<sup>th</sup> Street and South Van Ness Avenue. The Project improves the urban form of the neighborhood by removing an existing parking lot and service station. The Project would add new residents, visitors, and employees to the neighborhood, which would assist in strengthening nearby retail uses.*

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

*No housing exists on the project site. The project will provide up to 72 new dwelling units, thus resulting in a significant increase in the neighborhood housing stock. The Project is simple in design, and relates to the scale and form of the surrounding neighborhood by providing relationships to the smaller-scale housing stock as well as the larger-scale residential apartment complexes. For these reasons, the proposed project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project will not displace any affordable housing because there is currently no housing on the site. The Project will comply with the City's Inclusionary Housing Program, therefore increasing the stock of affordable housing units in the City.*

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

*The project site is well-served by public transportation. The Project is located within one block of the 16<sup>th</sup> and Mission BART Station, as well as the MUNI bus lines along Mission Street. Future residents would be afforded close proximity to bus or rail transit. The Project also provides sufficient off-street parking at a ratio of .66 per dwelling unit, and sufficient bicycle parking for residents and their guests.*

- 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 is consistent with the Mission Area Plan, which calls for mixed-use development along 16<sup>th</sup> Street. The Project would enhance opportunities for resident employment and ownership in industrial and service sectors by providing for new housing and retail spaces, which will increase the diversity of the City's housing supply (a top priority in the City) and provide new potential neighborhood-serving uses.*

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

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

- G. That landmarks and historic buildings be preserved.

*There are no landmarks or historic buildings on the project site. The Project would not impact the adjacent Redstone Building, which is a designated City Landmark.*

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

*The Project will not affect the City's parks or open space or their access to sunlight and vistas. A shadow study was completed and concluded that the Project will not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission.*

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

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

10. 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.
11. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2010.0043X** under Planning Code Section 329 to allow the new construction of a seven-story residential building with up to 72 dwelling units and ground floor retail, and a modification to the requirements for: 1) rear yard (Planning Code Section 134); 2) permitted obstructions over the street (Planning Code Section 136) 3) dwelling unit exposure (Planning Code Section 140); and, 4) accessory use provisions for dwelling units (Planning Code Sections 329(d)(10) and 803.3(b)(1)(c)), within the UMU (Urban Mixed-Use) Zoning District, and a 68-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 28, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 10, 2014.

**Draft Motion  
July 10, 2014**

**CASE NO. 2010.0043X  
490 South Van Ness Avenue**

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 10, 2014



## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a Large Project Authorization to allow for the new construction of a seven-story residential building with 72 dwelling units and ground floor commercial space, and a modification to the requirements for rear yard, permitted obstructions over the street, dwelling unit exposure, and accessory use provisions for dwelling units, located at 490 South Van Ness Avenue, Lot 008 in Assessor's Block 3553 pursuant to Planning Code Section 329 within the UMU (Urban Mixed-Use) Zoning District, and a 68-X Height and Bulk District; in general conformance with plans, dated April 28, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2010.0043X and subject to conditions of approval reviewed and approved by the Commission on July 10, 2014 under Motion No. XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 10, 2014 under Motion No. XXXXX.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

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

### **SEVERABILITY**

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

### **CHANGES AND MODIFICATIONS**

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

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

### PERFORMANCE

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

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

**Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

**Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

**Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

**Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

**Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2010.0043E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

## **DESIGN – COMPLIANCE AT PLAN STAGE**

**Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

**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. Therefore, the Project shall provide at least seven street trees along Brannan Street. 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](http://www.sf-planning.org)*

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

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

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

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

**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>*

**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](http://www.sfmta.org)*

**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](http://www.sfdph.org)*

## **PARKING AND TRAFFIC**

**Unbundled Parking.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no

longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

**Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 48 off-street parking spaces for the 72 dwelling units (or .66 off-street parking spaces for each dwelling unit) contained therein.

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

**Car Share.** Pursuant to Planning Code Section 166, no fewer than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

**Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 72 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces.

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

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

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

## **PROVISIONS**

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

*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*

**Transit Impact Development Fee.** Pursuant to Planning Code Section 411, 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](http://www.sf-planning.org)*

**Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

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

## MONITORING

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

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

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

## OPERATION

**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>*

**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>*

**Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of



concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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

## **INCLUSIONARY AFFORDABLE HOUSING**

**Eastern Neighborhoods Affordable Housing Requirements for UMU.** Pursuant to Planning Code Section 419.3, Project Sponsor shall meet the requirements set forth in Planning Code Section 419.3 in addition to the requirements set forth in the Affordable Housing Program, per Planning Code Section 415. Prior to issuance of first construction document, the Project Sponsor shall select one of the options described in Section 419.3 or the alternatives described in Planning Code Section 419.5 to fulfill the affordable housing requirements and notify the Department of their choice. Any fee required by Section 419.1 et seq. shall be paid to the Development Fee Collection Unit at DBI prior to issuance of the first construction document an option for the project sponsor to defer payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge in accordance with Section 107A.13.3 of the San Francisco Building Code.

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

### **Affordable Units**

1. **Number of Required Units.** Pursuant to Planning Code Section 415.6 and 419.3, the Project is required to provide 16% of the proposed dwelling units as affordable to qualifying households. The Project contains 72 units; therefore, 12 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 12 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

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

2. **Unit Mix.** The Project contains 29 one-bedroom and 43 two-bedroom units; therefore, the required affordable unit mix is 5 one-bedroom and 7 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
3. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than sixteen percent (16%) of the each phase's total number of dwelling units as on-site affordable units.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
5. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*
6. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development's websites, including on the internet at:

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

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



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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOH shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable*

*Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.

- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-Site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee.

## EXHIBIT B

# EXHIBIT C

## MITIGATION MONITORING AND REPORTING PROGRAM (INCLUDES IMPROVEMENT MEASURES)

<b>ATTACHMENT D: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)</b>					
<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<b>MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR</b>					
<b>Cultural Resources</b>					
<p><b>Project Mitigation Measure 1 – Mission Dolores Archeological District (Mitigation Measure J-3 in the Eastern Neighborhoods PEIR).</b> Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to issuance of grading or building permits</p>	<p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Archeological consultant shall be retained prior to any soil disturbing activities.  Date Archeological consultant retained:  _____</p>

**ATTACHMENT D:  
MITIGATION MONITORING AND REPORTING PROGRAM  
(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site<sup>1</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>2</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p>	<p>Project sponsor / archeological consultant in consultation with the ERO.</p>	<p>In the event archeological sites associated with descendant communities are found.</p>	<p>Project sponsor/ archeological consultant to contact and consult with ERO and representative of descendant group. Project sponsor/ archeological consultant to distribute Final Archaeological Resources Report to representative of the descendant group.</p>	<p>Project sponsor / archeological consultant in consultation with the ERO.</p>	<p>Archeological site associated with descendant communities found? Y N Date: _____ Persons contacted:  Date: _____ Persons contacted:  Date: _____ Persons contacted:  Date: _____  Date of distribution of Final FARR: _____</p>

<sup>1</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>2</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

**ATTACHMENT D:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
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<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>a. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>b. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p> <p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Prior to any soil-disturbing activities on the project site.</p> <p>After completion of the Archeological Testing Program.</p>	<p>Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils disturbing activities on the project site.</p> <p>Archeological consultant shall submit report of the findings of the ATP to the ERO.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p> <p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Date ATP submitted to the ERO: _____</p> <p>Date ATP approved by the ERO: _____</p> <p>Date of initial soil disturbing activities: _____</p> <p>Date archeological findings report submitted to the ERO:                      _____</p> <p>ERO determination of significant archeological resource present?                      Y    N</p> <p>Would resource be adversely affected?                      Y    N</p> <p>Additional mitigation to be undertaken by project sponsor?                      Y    N</p>

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 (Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program (AMP) shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> <li>The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</li> <li>The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;</li> <li>The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;</li> <li>The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile</li> </ul>	<p>Project sponsor/                      archeological consultant/                      archeological monitor/                      contractor(s), at the direction of the ERO.</p> <p>Archeological consultant at the direction of the ERO.</p>	<p>ERO &amp; archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout sensitive soil-disturbing activities.</p>	<p>Project sponsor/                      archeological consultant/                      archeological monitor/                      contractor(s) shall implement the AMP, if required by the ERO.</p> <p>Identify and evaluate archeological resources.</p>	<p>Project sponsor/                      archeological consultant/                      archeological monitor/                      contractor(s), at the direction of the ERO.</p>	<p>AMP required?                      Y N Date: _____</p> <p>Date AMP submitted to the ERO: _____</p> <p>Date AMP approved by the ERO: _____</p> <p>Date AMP implementation complete: _____</p> <p>Date written report regarding findings of the AMP received:                      _____</p>

**ATTACHMENT D:  
MITIGATION MONITORING AND REPORTING PROGRAM  
(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>					



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<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>• <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>• <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies.</li> <li>• <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>• <i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li>• <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</li> </ul>	<p>Project Sponsor/archeological consultant at the direction of the ERO</p>	<p>If there is a determination that an ADRP program is required.</p>	<p>Project sponsor/archeological consultant/archeological monitor/contractor(s) shall prepare and implement an ADRP if required by the ERO.</p>	<p>Project sponsor/archeological consultant at the direction of the ERO.</p>	<p>ADRP required? Y N Date: _____</p> <p>Date of scoping meeting for ADRP: _____</p> <p>Date Draft ADRP submitted to the ERO: _____</p> <p>Date ADRP approved by the ERO: _____</p> <p>Date ADRP implementation complete: _____</p>

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<p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, ERO, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Project sponsor / archeological consultant in consultation with the ERO, San Francisco Coroner, NAHC, and MDL.</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Project sponsor/ archeological consultant/ERO to contact the San Francisco Coroner/ NAHC/ MDL</p>	<p>Project sponsor / archeological consultant in consultation with the ERO, San Francisco Coroner, NAHC, and MDL.</p>	<p>Human remains and associated or unassociated funerary objects found?            Y N Date: _____            Persons contacted:              Date: _____            Persons contacted:              Date: _____            Persons contacted:              Date: _____            Persons contacted:              Date: _____</p>

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<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the archeological data recovery, inventorying, analysis and interpretation.</p>	<p>Archeological consultant to submit a Draft Final Archeological Resources Report (FARR) to the ERO and once approved by the ERO, distribution of the Final FARR</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO</p>	<p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR.</p> <p>Date Draft FARR submitted to ERO: _____</p> <p>Date FARR approved by ERO: _____</p> <p>Date of distribution of Final FARR: _____</p> <p>Date of submittal of Final FARR to information center: _____</p>

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<b>Noise</b>					
<p><b>Project Mitigation Measure 2 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 in the Eastern Neighborhoods PEIR).</b> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>	Project sponsor; project contractor(s).	Prior to issuance of a building permit.	Design measures to be incorporated into project design	Planning Department; Department of Building Inspection.	Considered complete upon approval of final construction drawing set.

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<p><b>Project Mitigation Measure 3 – Open Space in Noisy Environments (Mitigation Measure F-6 in the Eastern Neighborhoods PEIR).</b> To minimize effects on development in noisy areas, for new development including noise sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4 (Siting of Noise-Generating Uses), require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.</p>	Project sponsor; project contractor(s).	Prior to issuance of a building permit.	Design measures to be incorporated into project design.	Planning Department; Department of Building Inspection.	Considered complete upon approval of final construction drawing set.
<b>Hazardous Materials</b>					
<p><b>Project Mitigation Measure 4 – Hazardous Building Materials (Mitigation Measure L-1 in the Eastern Neighborhoods PEIR).</b> The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor	Prior to any demolition or construction activities.	Removal and proper disposal of hazardous building materials.	Project sponsor.	Upon completion of proper disposal.

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**IMPROVEMENT MEASURE AGREED TO BY PROJECT SPONSOR**

**Air Quality Improvement Measure**

<p><b>Project Improvement Measure 1 – Construction Emissions Minimization</b></p> <p>A. <i>Construction Emissions Minimization Plan.</i> Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:               <ol style="list-style-type: none"> <li>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</li> <li>b) All off-road equipment shall have:                   <ol style="list-style-type: none"> <li>i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, <i>and</i></li> <li>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).<sup>3</sup></li> </ol> </li> </ol> </li> </ol>	<p>Project sponsor; project contractor(s).</p>	<p>Prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.</p>	<p>Prepare and submit a Plan.</p>	<p>Project sponsor/contractor(s) and the ERO.</p>	<p>Considered complete upon findings by ERO that plan is complete.</p>
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<sup>3</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

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<p>c) Exceptions:</p> <ul style="list-style-type: none"> <li>i. Exceptions to A(1)(a) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</li> <li>ii. Exceptions to A(1)(b)(ii) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</li> <li>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.</li> </ul>					

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<p align="center">Table A1 Off-Road Equipment Compliance Step down schedule*</p> <table border="1" data-bbox="178 435 787 743"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>**Alternative fuels are not a VDECS</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than <i>two</i> minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*					
Compliance Alternative	Engine Emission Standard	Emissions Control															
1	Tier 2	ARB Level 2 VDECS															
2	Tier 2	ARB Level 1 VDECS															
3	Tier 2	Alternative Fuel*															



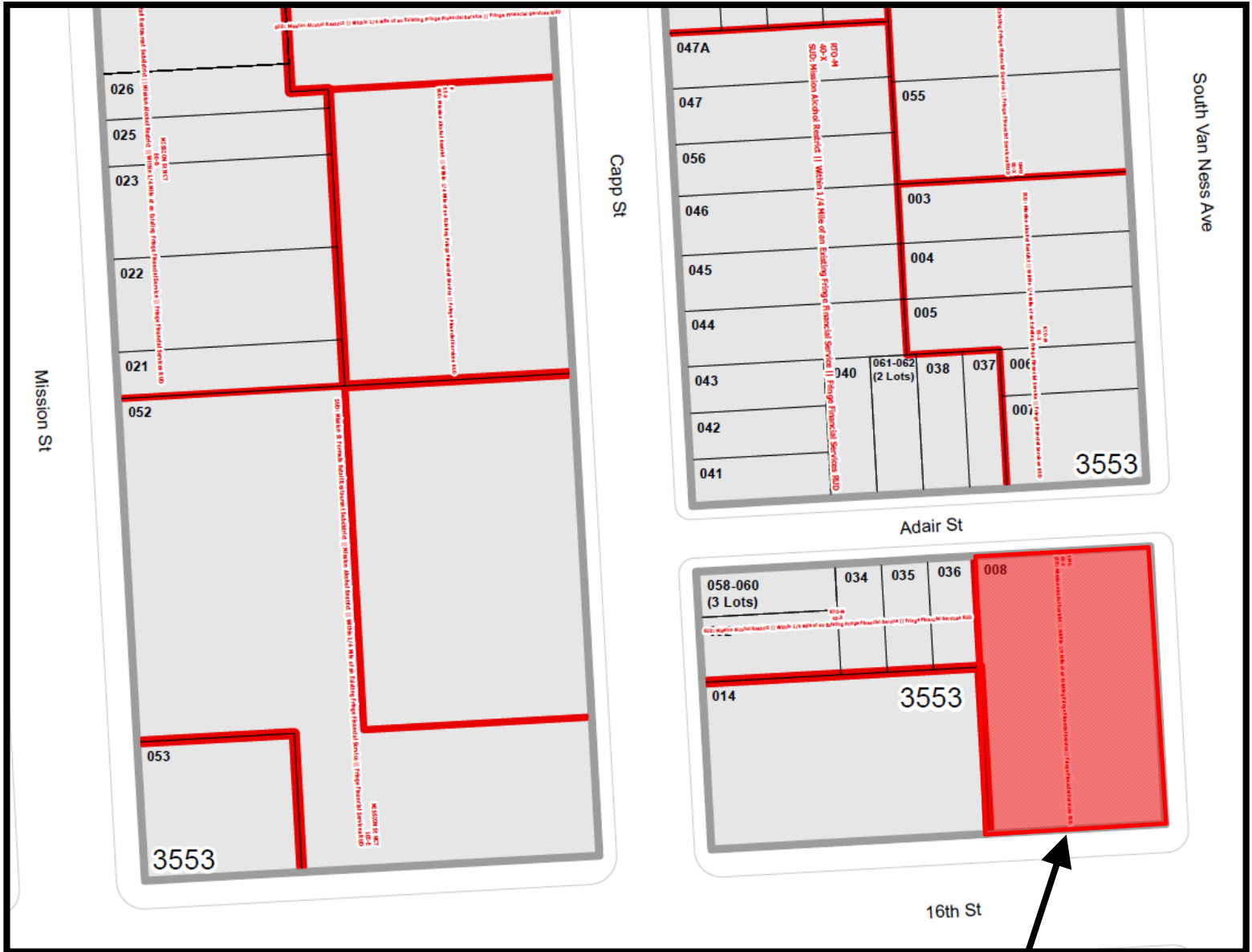
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3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.  4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.  5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.					

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<p>B. <i>Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>	Project sponsor/ contractor(s).	Monthly.	Submit monthly reports.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
<p>C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.

# Parcel Map

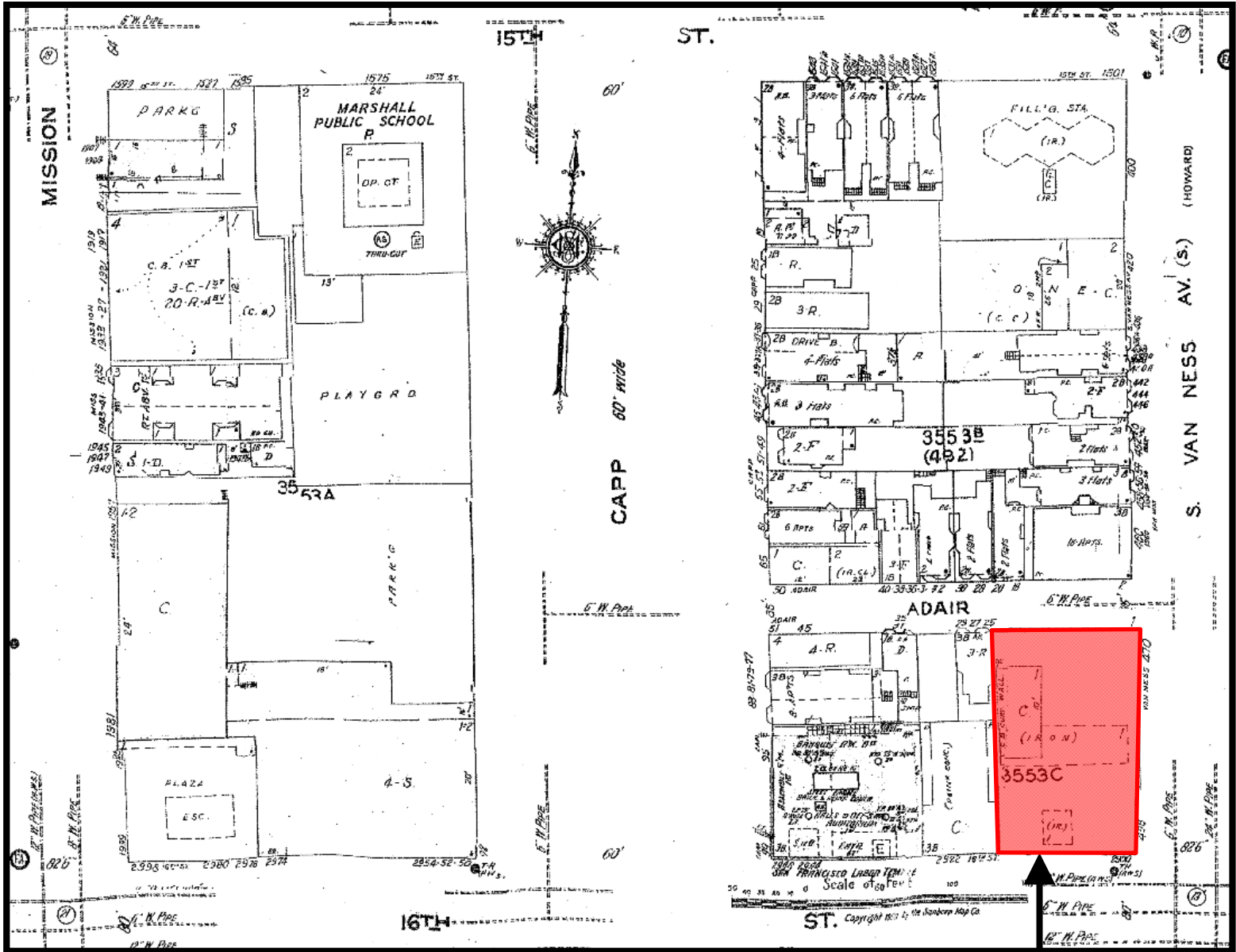


**SUBJECT PROPERTY**



Large Project Authorization Hearing  
 Case Number 2010.0043X  
 490 South Van Ness Avenue

# Sanborn Map\*



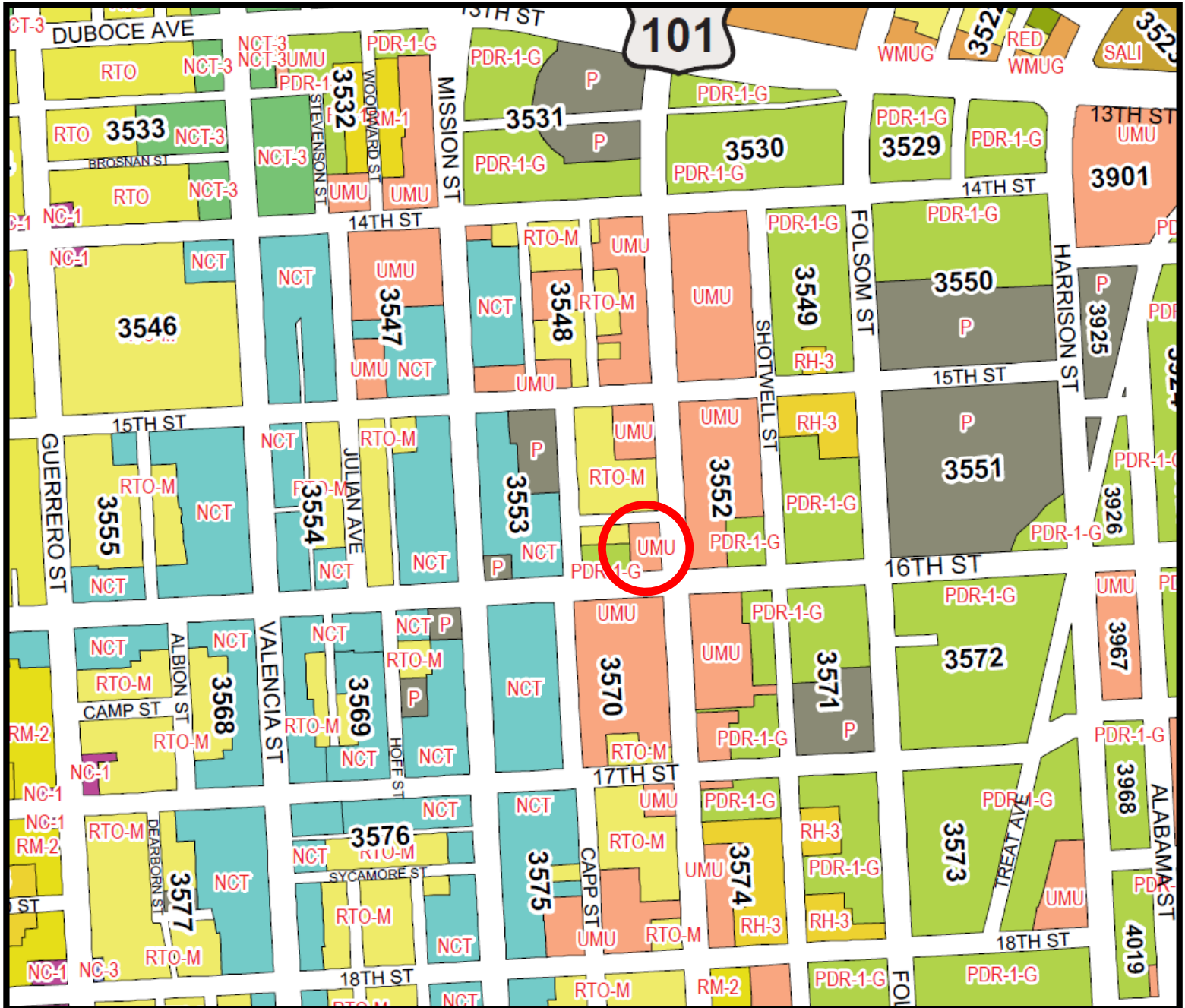
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

**SUBJECT PROPERTY**



Large Project Authorization Hearing  
 Case Number 2010.0043X  
 490 South Van Ness Avenue

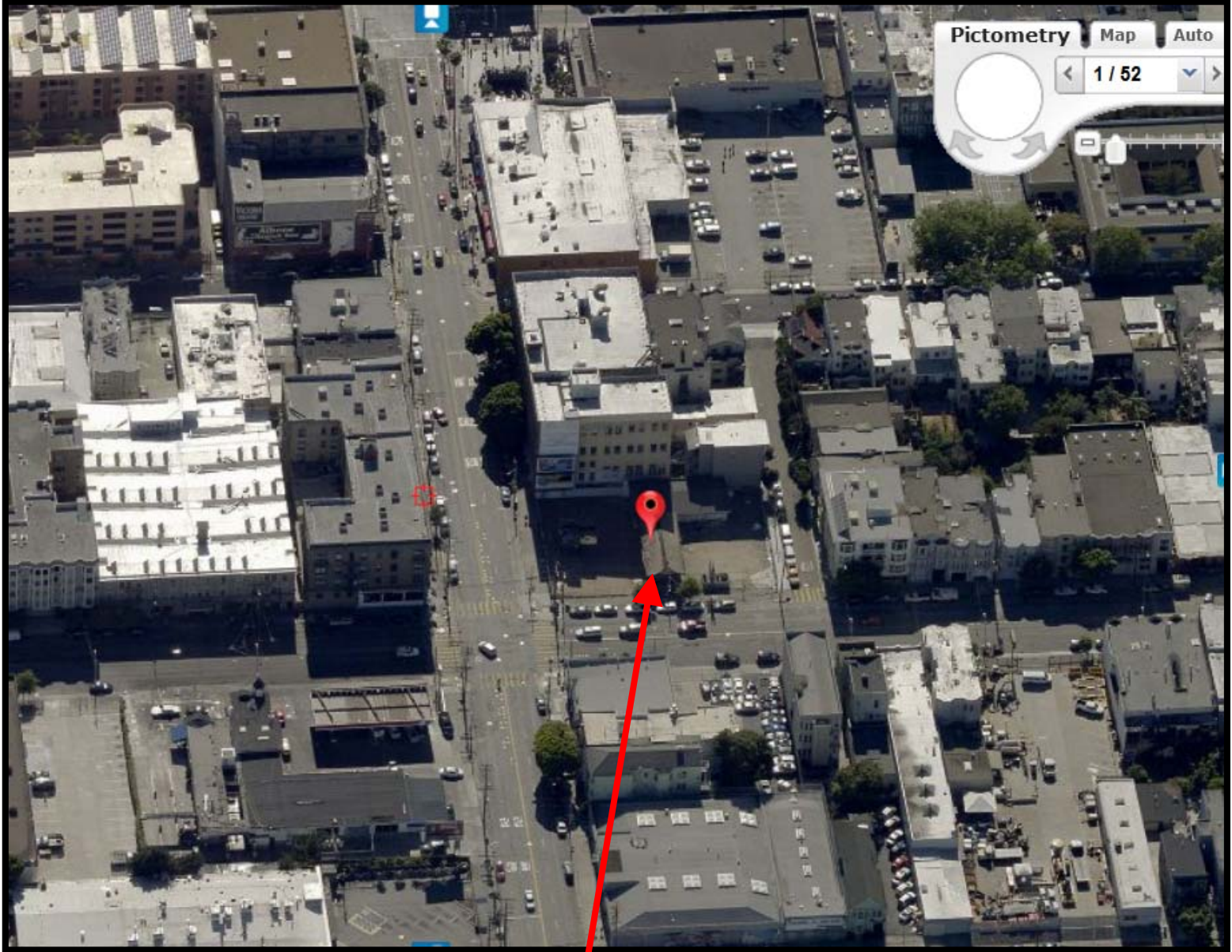
# Zoning Map



Large Project Authorization Hearing  
Case Number 2010.0043X  
490 South Van Ness Avenue



# Aerial Photo



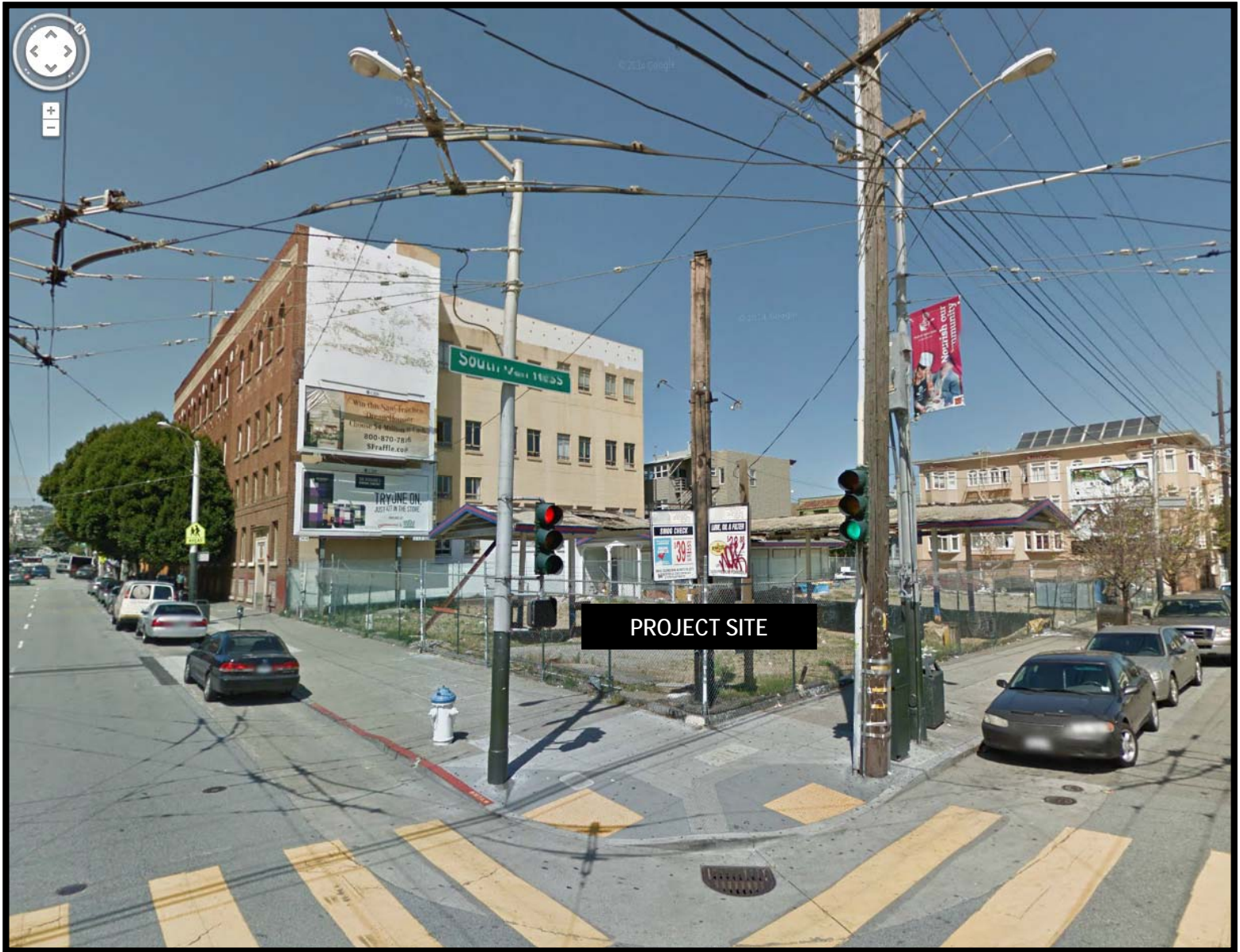
PROJECT SITE



Large Project Authorization Hearing  
Case Number 2010.0043X  
490 South Van Ness Avenue



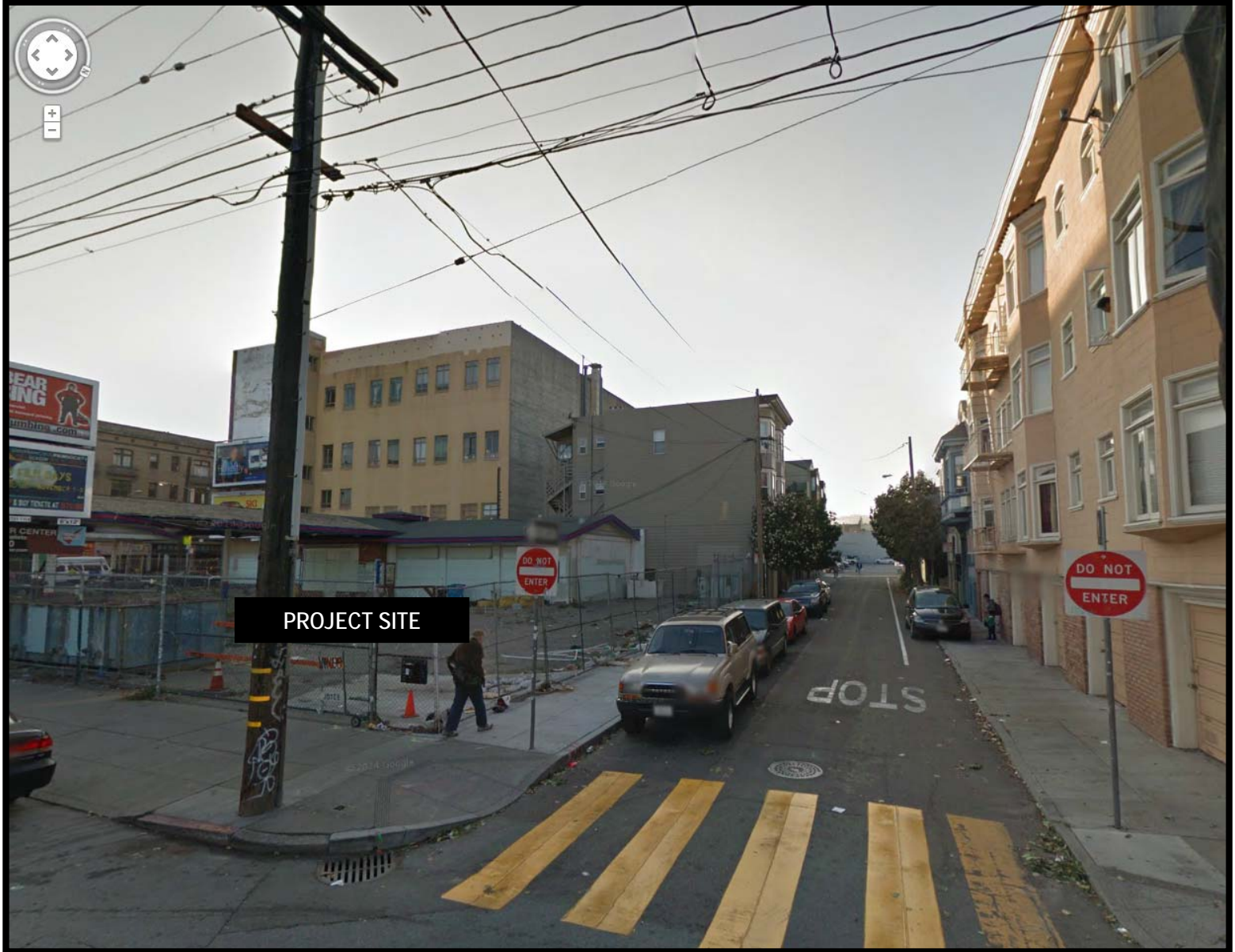
# Site Photo



490 South Van Ness Avenue, View of northwest corner of 16<sup>th</sup> and South Van Ness Ave

Large Project Authorization Hearing  
Case Number 2010.0043X  
490 South Van Ness Avenue

# Site Photo



490 South Van Ness Avenue, View along Adair Street

Large Project Authorization Hearing  
Case Number 2010.0043X  
490 South Van Ness Avenue



**Before the  
San Francisco Planning Commission**

**PROJECT SPONSOR'S SUBMITTAL IN SUPPORT OF  
LARGE PROJECT AUTHORIZATION**

**PURSUANT TO  
PLANNING CODE SECTION 329**

**FOR**

**PROPERTY LOCATED AT  
490 SOUTH VAN NESS AVENUE  
(Block 3553, Lot 008)**

**Planning Department Case No. 2010.0043X**

**Project Sponsor:  
JCN Developers**

**Hearing Date: July 10, 2014**

***Attorneys for Project Sponsor:***

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**REUBEN, JUNIUS & ROSE, LLP**

One Bush Street, Suite 600 San Francisco, CA 94104  
t] 415 567 9000 f] 415 399 9480

**PROJECT SPONSOR’S SUBMITTAL IN SUPPORT OF  
LARGE PROJECT AUTHORIZATION  
PURSUANT TO  
PLANNING CODE SECTION 329**

**490 South Van Ness Avenue, San Francisco**

**TABLE OF CONTENTS**

A.	INTRODUCTION.....	1
B.	SITE INFORMATION.....	1
C.	EXISTING SITE AND SURROUNDING AREA CONDITIONS.....	1
D.	PROJECT SUMMARY.....	2
E.	DESCRIPTION OF THE PROPOSED PROJECT .....	2
F.	EXCEPTIONS .....	3
G.	THE PROJECT FURTHERS THE POLICIES OF THE MASTER PLAN AND ... PLANNING CODE.....	5
H.	SECTION 329 DESIGN REVIEW ELEMENTS .....	6
I.	NEIGHBORHOOD OUTREACH.....	9
J.	NEIGHBORHOOD SUPPORT .....	10
K.	PRIORITY MASTER PLAN POLICIES FINDINGS .....	11
L.	CONCLUSION.....	12
	LIST OF EXHIBITS .....	13

**A. INTRODUCTION**

JCN Developers (the “Project Sponsor”) is the owner of property located at 490 South Van Ness Avenue (the “Property”) between 16<sup>th</sup> and Adair Streets. The Project Sponsor proposes to demolish a vacant former gas station and surface parking lot and construct a mixed-use building with commercial uses on the ground floor, 72 residential units, and accessory parking spaces in a basement level garage and a garage utilizing a portion of the first floor (the “Project”). The Project complies with the San Francisco Planning Code (the “Planning Code”) except as to rear yard requirements, permitted obstructions, and dwelling unit exposure. By this application, and pursuant to Section 329 of the Planning Code, the Project Sponsor seeks large project authorization, an exception to the strict application of the rear yard (Section 132), permitted obstructions (Section 136) and dwelling unit exposure (Section 140) requirements of the Planning Code.

**B. SITE INFORMATION**

Street Address:	490 South Van Ness Avenue
Cross Street:	16 <sup>th</sup> Street
Assessor’s Block/Lot:	Block 3553, Lot 008
Zoning District:	Urban Mixed Use (UMU)
Other Planning Areas:	Eastern Neighborhoods Plan Area
Height/Bulk District:	68-X
Lot Area:	14,250 square feet
Lot Dimensions:	95 ft. x 150 ft.

**C. EXISTING SITE AND SURROUNDING AREA CONDITIONS**

The Property is located in the Eastern Neighborhoods Plan Area and is within the Urban Mixed Use (“UMU”) zoning district and 68-X height and bulk district.

The Property consists of a vacant former gas station and a surface parking lot.

The other properties that are located on the Project block are mixed-use and multi-unit residential buildings, with some commercial uses that have all been rezoned to the UMU Zoning District.

Photographs of the existing buildings and surrounding area are attached as **Exhibit A**.

**D. PROJECT SUMMARY**

Present use: Vacant former gas station and surface parking lot.

Proposed use: Mixed-use (ground floor commercial, residential on upper floors, underground parking garage and partial first floor garage).

Residential units: 72 residential units including 4 studio units, 25 one-bedroom units and 43 two-bedroom units.

Commercial space: approximately 1,069 square feet.

Parking spaces: 48 residential parking spaces<sup>1</sup>.

Number of Stories: 7 stories plus basement garage (1 level).

Lot Size: Approximately 14,250 square feet.

Open Space: 2,097 gross sq. ft. on the second floor and 6,025 gsf on the roof deck.

Ground Floor Ceiling Height: The ground floor commercial space has a double height, 20'-0" ceiling at the corner of 16<sup>th</sup> Street and South Van Ness Avenue.

Rooftop Features: 6,025.32 gross sq. ft. The trellis located on the roof deck facing South Van Ness Avenue has an open lattice canopy and is open to the sky. The top of the trellis canopy frame is about 9'-4" above the structural roof.

Building Area: 91,780 gross sq. ft.

**E. DESCRIPTION OF THE PROPOSED PROJECT**

The Project would demolish a vacant former gas station and a surface parking lot at the Property and construct approximately 1,079 square feet of commercial space on the ground floor; 72 residential units; and 48 residential parking spaces. Forty-three of the 79 units will be two-

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<sup>1</sup> Pursuant to Planning Code Section 151.1, in the UMU Zoning District, residential parking is principally permitted at .75/unit. The proposal is for 0.66/unit, below that which is permitted as of right by the Planning Code.

bedroom units. The building will have a total of approximately 91,780 gross square feet of space and will be 68 feet tall.

The Project will provide active commercial uses on the ground floor and much needed housing on a site that has been vacant and underutilized for many years, thereby contributing to neighborhood vitality, neighborhood jobs, and increased security for neighbors and pedestrians. The Project will also be more aesthetically pleasing than the existing improvements on the site.

The Project includes a rear yard of 3,562 sq. ft. Section 134 of the Planning Code requires a rear yard in UMU districts consisting of 25% ( 3,187.25 sq. ft.) of a lot's depth at the first story containing a dwelling unit and above. Common open space is provided at the second floor ( 2,096.66 sq. ft.) and at the roof deck (6,025.32 sq. ft.) for a total of 8,121.98 sq. ft.

Project Sponsor seeks authorization of an exception from the strict application of rear yard requirement pursuant to Planning Code sections 134(f) and 329(d)(7), which allow a modification or waiver of the rear yard requirement if the conditions set forth in Section 134(f)(1-3) are met. As described below, all of the conditions are satisfied. The Planning Code requires a 3,562 sq. ft. rear yard. The Project provides a 3,187.25 sq. ft. rear yard. An equivalent area for the difference of 374 sq. ft. is provided along South Van Ness Avenue as a front setback of 380 sq. ft. from the street to provide more usable open space visible to the public realm and to enrich the pedestrian experience along the street.

## **F. EXCEPTIONS**

Section 329 of the Planning Code allows exceptions to the strict application of certain provisions of the Code.

### **1. COMPLIANCE WITH EXCEPTION CRITERIA FOR REAR YARDS (SECTION 134).**

Section 134(f) of the Planning Code provides that the Commission may grant a modification or waiver of the rear yard requirement, provided that the following conditions are met:

**A. Residential uses are included in the new or expanding development and a comparable amount of readily accessible usable open space is provided elsewhere on the lot or within the development.**

The Project is primarily a residential development. The lot area is 14,250 sq. ft. A rear yard consisting of 25% of the depth of the Property would create approximately 3,562 square feet of rear yard space. The Project provides a rear yard setback of 3,187.25 sq. ft., and a front yard setback of 380 sq. ft. along South Van Ness Avenue. The total of the front and rear yards is 3,567.25 sq. ft. The total is 25.03% of the lot dedicated to the front and rear yard setbacks.

Multiple properties in the vicinity consist of residential buildings that do not include areas that qualify as required rear yards or common open space, or would form areas that create qualifying dwelling unit exposure for residential uses. These conditions are particularly found on those properties that were developed prior to the enactment of zoning regulations.

**B. The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties.**

Three sides of the Project are on street frontages: South Van Ness Avenue, 16<sup>th</sup> Street and Adair Street. The neighbors to the rear have an approximately 23.7-foot buffer separating them from the Project Site for the majority of the property boundary. Thus, granting the exception will have no material affect on the adjacent properties' access to light and air.

**C. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.**

There is no significant interior block open space.

**2. PERMITTED OBSTRUCTIONS (PLANNING CODE SECTION 136).**

The Project includes permitted obstructions over the street and useable open space, which do not meet the dimensional requires of Planning Code Section 136. Specifically, the Project includes a corner bay window and a balcony over the street, both of which do not meet the dimensions specified in Planning code Section 136. Though the proposed bay window and balcony configurations do not conform to the prescribed bay window dimension per Section 136, the graphics in the attached Exhibit 2.1 – 2.4 show that the net total area of the proposed bay window and balcony projections do not exceed the maximum bay and balcony area allowed. Similar bay window envelope equivalency such as the ones being proposed on the Project have been previously approved administratively by the Planning Department. Two such projects are 1880 Mission Street and 1299 Bush Street.

Modification/exemption is sought for Exposure compliance in conjunction with the Rear Yard modification/exemption. In order to break up the façade on South Van Ness Avenue, a portion of the building is set back from the property line. Similarly, the rear elevation, a portion of the building wall projects into the rear yard open space. The width of the rear yard open space varies from 35 feet to 23 feet wide. More than half of the residential units facing the rear yard are positioned where the horizontal dimension of the rear yard is more than 25 feet.

**3. EXPOSURE (PLANNING CODE SECTION 140).**

The Project includes dwelling units which face onto an open area that is less than 25-ft. The Planning Code requirements for rear yard, sunlight access to open space, and dwelling unit exposure are intended to provide a sense of openness and separation between structures, and

ensure comfortable, usable open spaces for residents of the Project. There is no significant mid-block open space. Given the conditions on the Project Site, the Project meets the overall intent of the Planning Code requirements.

The literal enforcement of Planning Code requirements for dwelling unit exposure would restrict the Project's ability to include the proposed number of residential units within the building envelope. Expansion of the rear yard to provide Code-compliant open areas necessary to satisfy dwelling unit exposure requirements would require a commensurate reduction or elimination of the units that the exposure requirement is intended to serve. A reduction in the number of dwelling units would contradict the goals of the General Plan to focus urban development within walkable, transit-served locations and to maximize dwelling unit density.

**4. FLEXIBLE UNITS (PLANNING CODE SECTION 329(d)(10)).**

The Project Sponsor requests that all ground floor units be designated as flexible units, to be authorized for both residential and commercial uses. All ground floor units will be built to residential use standards, as authorized by Planning Code Section 329(d)(10). Any units used for commercial uses are allowed by the Code to be designated as accessory uses to the residential use in the Project. The criteria of Section 329(d)(10) are satisfied as follows:

- A. South Van Ness Avenue is greater than 40 feet in width.
- B. The accessory uses may only include those uses permitted as of right at the Property.

**G. THE PROJECT FURTHERS THE POLICIES OF THE MASTER PLAN AND PLANNING CODE**

The Project advances the policies of the Master Plan and the Planning Code. It provides housing in a mixed-use neighborhood in accordance with Master Plan policies.

The general purposes of the Code are outlined in Planning Code Section 101, which explains that the Code was adopted to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare of the City. Several of the explicit goals of the Code support the exception requested by the Project Sponsor.

Planning Code Section 101.1 establishes eight priority planning policies and requires review of applications for consistency with said policies. Review of the relevant priority planning policies shows that:

- (a) The proposed Project will be in keeping with the existing housing and neighborhood character; and

(b) The proposed Project will have a beneficial effect on the City’s supply of affordable housing, preparedness to protect against injury and loss of life in an earthquake, and commercial activity. Nine affordable units will be provided onsite.

**Housing Element**

Objective 12 of the Housing Element of the General Plan is to “Provide a Quality Living Environment.” The exception would allow the Project Sponsor to fully utilize the Property. Policy 5 of Objective 12 explains that land use should be appropriate in scale. The proposed Project respects the scale, privacy, light, air, and views of adjacent properties.

The Project advances Housing Element Policies 11.5 and 11.8 which provide as follows:

**Policy 11.5 Promote the construction of well-designed housing that enhances existing neighborhood character.**

The residential use will enhance the neighborhood character.

**H. SECTION 329 DESIGN REVIEW ELEMENTS**

Section 329(c)(1-9) of the Planning Code lists a number of physical design elements that the Commission is to consider during a 329 Review Hearing. These elements include:

**1. Overall building massing and scale.**

The Project’s mass and scale will be consistent with other mixed-use buildings in the surrounding area.

**2. Architectural treatments, faced design and building materials.**

The architectural style and façade of the Project is an appropriate, contemporary design that is consistent with other newer developments in the area. The building materials used are well within current construction standards and requirements.

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

Commercial space will be located at the corner of 16<sup>th</sup> Street and South Van Ness Avenue. Parking is mostly underground. The entry is enhanced by a 380 sq. ft. front setback along South Van Ness Avenue, along with planter boxes, front porch decks and residential entries from the street.



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

All required open space will be provided on-site. 8,447 square feet of common open space (fulfilling the open space requirement for 72 dwelling units) will be provided by 2,097 sq. ft of common space at the second floor and 6,025.32 sq. ft. of common open space at the roof deck.

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

The street frontage of the Property on South Van Ness Avenue is less than 200 feet in length and is therefore not subject to Sections 270.1 and 270.2. The Project's street frontage on South Van Ness Avenue, 16<sup>th</sup> Street, and Adair Street all provide appropriate building articulation and mass reduction through the use of vertical separations between dwelling units.

- 6. Streetscape and other public improvements, including tree planting, street furniture, and lighting.**

In accordance with Section 143 of the Code, street trees will be planted along the sidewalks adjacent to the Property. The Project also includes the planting of trees within the publicly-accessible areas along South Van Ness Avenue. Adequate lighting will be provided along all three of the Project's street frontages.

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

Adair Street runs along the Southern boundary of the Project. South Van Ness Avenue and 16<sup>th</sup> Street are major transit arteries that provide effective and adequate circulation.

- 8. Bulk limits.**

The Property has been rezoned to a 68-X height and bulk district, and the Project complies with the requirements of this district.

- 9. Ground Floor Transparency.**

The Code generally requires that 60% of the ground floor provide transparency at the street frontage (Section 145.1). All of the ground floor commercial space provides transparency at the corner of 16<sup>th</sup> Street and South Van Ness Avenue, which is the largest street frontage of the Project. While less than 60% of the ground floor, a front setback of 380 sq. ft. has been provided, in addition to eight planters to create an attractive frontage.

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

The Project is not subject to the Residential Design Guidelines (as it is not located in an RH or RM district). The Project will affirmatively promote, is consistent with, and will not adversely affect the General Plan and Mission Area Plan, specifically the Environmental Protection, Housing and Transportation Elements of the General Plan.

**General Plan**  
**Environmental Protection Element**

OBJECTIVE 4: ASSURE THAT THE AMBIENT AIR OF SAN FRANCISCO AND THE BAY REGION IS CLEAN, PROVIDES MAXIMUM VISIBILITY, AND MEETS AIR QUALITY STANDARDS.

Policy 4.2 Encourage the development and use of urban mass transportation systems in accordance with the objectives and policies of the Transportation Element.  
*The Project directly supports the use of urban mass transportation systems by creating high-density dwelling units within a short distance of the 16<sup>th</sup> Street and Mission Street BART station.*

**General Plan**  
**Housing Element**

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. Set allowable densities in established residential areas at levels which will promote compatibility with prevailing neighborhood scale and character where there is neighborhood support.

*The Project directly supports this policy, which calls for increased infill housing in a mixed-use area, by creating high-density dwelling units within a short distance of the 16<sup>th</sup> Street and Mission Street BART station.*

Policy 1.7 Encourage and support the construction of quality, new family housing.

*The Project directly supports this policy by creating 43 two bedroom units, comprising 59.7% of the total units of the Project.*

**General Plan**  
**Transportation Element**

OBJECTIVE 2: USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

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

*The Project directly supports this policy by creating high-density dwelling units within a short distance from the 16<sup>th</sup> Street and Mission Street BART station.*

**I. NEIGHBORHOOD OUTREACH**

Community outreach for the 490 South Van Ness Project began over four years ago with a 311 pre-application notice of a meeting held at the Mission SFPD Community Room on September 21, 2012. Mailers went out to nearly 150 residents and forty neighborhood groups. (See attached listing of neighborhood groups as **Exhibit B.**)

Attendance at the pre-application meeting was relatively strong. Many of the questions pertained to improving the safety of the corner with proper lighting, landscaping and ground-level business presences. Project Sponsor and architect agreed to incorporate these suggestions in the future designs.

An additional community outreach meeting was held on April 23, 2014. (List of invited attendees also attached as **Exhibit C.**) The participants were Mission residents, merchants and non-profits. Project Sponsor and architect were present to dialogue and were available to address any questions that community members had about the planning process.

The general consensus was extremely positive as exhibited by the many endorsement letters that followed this meeting.

Nearby resident Marc Salomon was present and expressed concerns pertaining to setbacks and parking egress. Project architect explained that he had worked diligently with the Planning Department to respect the letter and spirit of the zoning of the site. Mr. Salomon

conceded that the design was in keeping with the zoning. However, he felt that the zoning code was inappropriate.

Project Sponsor engaged Philip Lesser to serve as their community liaison during the outreach process. As well as overseeing the aforementioned community meetings, he also solicited community input from community groups including the Mission Merchants Association, the Mission Miracle Mile Business Improvement District, Mission Housing Development Corporation and the Mission SFPD Community Policing Advisory Board.

**J. NEIGHBORHOOD SUPPORT**

The following individuals, neighborhood organizations, and businesses have submitted letters of support for the Project to the Planning Department. The letters of support are attached as **Exhibit D**.

1. Andrew Hansen; President/CEO Royal Motors, Inc;  
300/280/285 South Van Ness Avenue
2. Robert Patterson; Mission Resident; 442 Shotwell Street
3. Nat Cutler; Owner Abbots Cellar; 741 Valencia Street & Monk's Kettle;  
3155 16th Street
4. Gideon Kramer; V.P. Mission Dolores Neighborhood Association;  
48A Dorland Street
5. Marcus W. Clark; First Building Maintenance;  
Vendor to Mission Miracle Mile BID
6. Peter Gallegos; President, Mission Housing Development Corporation
7. Amy Morris; President, Mission Merchants Association
8. Chris Hickey; President, City Picture Frames; 2170 Folsom Street
9. Josette M. Maury; Property Owner, 2565 Mission Street
10. Paul Stoll: Owner Body Manipulations, 3234 16th Street
11. Jonah Buffa; Resident 62B Sycamore Street
12. Louis Cornejo, President, Urban Realty

13. Bridget Labus; Co-Owner Sixth Course, 1544 15th Street
14. Gianina Serrano; Co-Owner Sixth Course 1544 15th Street
15. Christopher Collins; Mission Merchants Association Board Member

**K. PRIORITY MASTER PLAN POLICIES FINDINGS**

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this Section 329 Application are consistent with each of these policies as follows:

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

The Project is consistent with this policy. The Property is currently vacant, and the Project would create 1,123 square feet of new retail space on its ground floor. This will significantly enhance the neighborhood-serving retail uses in the surrounding area, which currently has limited retail services. Increased retail space allows for increased employment and ownership opportunities for local residents.

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

The Project is consistent with this policy. The Project calls for the demolition of a former gas station. Neither housing nor businesses will be removed as a result of the Project. Seventy-two new dwelling units and 1,123 square feet of retail space will be created. This will help preserve the cultural and economic diversity of the neighborhood by giving residents more options for housing and more economic opportunities. By removing a vacant and aesthetically unpleasing former gas station and surface parking lot from the neighborhood, and creating new housing and economic opportunities, the Project will improve the neighborhood and increase neighborhood safety and pedestrian activity.

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

The Project is consistent with this policy. The Project will create 72 new dwelling units and 59.6% of those units will consist of two-bedroom units – giving families more housing options, which is the intent of the UMU district outlined in Planning Code Section 843. The Project will provide nine units of affordable housing onsite, consisting of 4 one-bedroom units and 5 two-bedroom units.

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

The Project is consistent with this policy. The Project is located within a short distance of the 16<sup>th</sup> Street and Mission Street BART station. Residents or employees may therefore use public transit and reduce the likelihood that commuter traffic will significantly increase. Indeed, locating housing units near public transit directly supports Policy 2.1 of the Transportation Element and Policy 1.1 of the Housing Element of the General Plan. In addition, the Project will not overburden the on-street neighborhood parking space – it will provide its own underground and partial above ground parking garage for Project residents.

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

The Project is consistent with this policy. No industrial or service sector uses will be removed by the Project, and the Project does not propose any office development. The Project's new retail space will create employment opportunities for those in the surrounding neighborhood.

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

The Project is consistent with this policy. The Project will conform to the structural and seismic requirements of the San Francisco Building Code.

**7. That landmarks and historic buildings be preserved.**

The Project will not have any impacts on landmarks or historic buildings.

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

The Property is not near any parks or public open space, and will therefore have no affect on access to sunlight or vistas.

**L. CONCLUSION**

We respectfully request that the Planning Commission approve the Project. The Project will:

- Be beneficial to the neighborhood, its residents, and the surrounding businesses;

- Provide 72 new residential units to the City's housing stock;
- Provide construction jobs;
- Provide increased tax revenues for the City;
- Make a long-vacant in-fill site productive and active;
- Add ground-floor commercial uses and create a more vibrant pedestrian environment; and
- Enhance neighborhood safety by developing the existing long-vacant lot.

Thank you for your consideration.

Respectfully submitted,

REUBEN, JUNIUS & ROSE, LLP  
Attorneys for JCN Developers

By:

  
David Silverman

Dated: June 30, 2014

## **LIST OF EXHIBITS**

- Exhibit A - List of Neighborhood Groups Contacted for Community Outreach Meeting on September 21, 2012
- Exhibit B - List of Attendees at Additional Outreach Meeting on April 23, 2014
- Exhibit C - Letters of Support for Project
- Exhibit D - Plans, Elevations, Renderings and Photographs of project site and block





# Pre Application Meeting

RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

## Neighborhood Groups

BLOCK	LOT	OWNER	OADDR	CITY	STATE	ZIP
		Julian Neighbors	1661 15th St	San Francisco	CA	94103
		Potrero Boosters Nbrhd Assn	1459 - 18th St Suite 133	San Francisco	CA	94107
Ricardo	Alva	Mission Language & Voc Sch Inc	2929 - 19th St	San Francisco	CA	94110
Erick	Arguello	Lower 24th St Merchant Assn	1065 A Hampshire St	San Francisco	CA	94110
Zoe	Astrachen	Central 26th St Nbrhd Coalition	3443 26th St	San Francisco	CA	94114
Marilyn	Bair	Inner Mission Neighbors	705 Capp St	San Francisco	CA	94110
John	Barbey	Liberty Hill Residents Assn	50 Liberty St	San Francisco	CA	94110
David	Campos	Board of Supervisors	1 Dr Carlton B Goodlett Pl #244	San Francisco	CA	94102
Buddy	Choy	Coleridge St Neighbors	157 Coleridge St	San Francisco	CA	94110
Delma Rose	Chuchwar	South Mission Nbrhd Impr Assn	3330 - 23rd St	San Francisco	CA	94110
Christine	Dias	Lexington Lookout	353 Lexington Ave	San Francisco	CA	94110
Antonio	Diaz	PODER	474 Valencia St #125	San Francisco	CA	94103
Gillian	Gillett	San Jose/Guerrero Coalition Save R Sts	4104 24th St #130	San Francisco	CA	94114
Eileen	Gold	19th St/Oakwood Nbrhd	3631 - 19th St	San Francisco	CA	94110
Bernardo	Gonzales	Twenty-Fourth St Merch Assn	2720 - 24th St	San Francisco	CA	94110
Luis	Grandados	Mission Economic Dvlpmt Assn	3505 20th St	San Francisco	CA	94110
Rick	Hauptman	SF Cmnty Calendar	4104 - 24th St #130	San Francisco	CA	94114
Sue	Hestor	Attorney at Law	870 Market St #1128	San Francisco	CA	94102
Gwen	Kaplan	Northeast Mission Business Assn	2757 16th St	San Francisco	CA	94103
S O	Kish	SF Bldg & Constr Trades Council	3159 Mission St	San Francisco	CA	94110
Philip	Lesser	Mission Merchants Association	PO Box 40280	San Francisco	CA	94140
Toby	Levine	San Jose/Guerrero Coalition Save R Sts	4104 24th St #130	San Francisco	CA	94114-3615
Peter	Lewis	Mission Dolores Nbrhd Assn	72 Landers St	San Francisco	CA	94114
Ian	Lewis	HERE Local 2	209 Golden Gate Av	San Francisco	CA	94102
Ling	Liang	Portola Nbrhd Steering Committee	4702 Mission St	San Francisco	CA	94112
Don	Marcos	Mission Hiring Hall	3042 16th St	San Francisco	CA	94103-3419
Fernando	Marti	AsianNbrhd Design	1021 Mission St	San Francisco	CA	94103
Sherr	Maurin	Fair Oaks Neighbors	149 Fair Oaks St	San Francisco	CA	94110
Jim	Meko	SOMA Leadership Council	366 Tenth St	San Francisco	CA	94103
Alison	Miller	North MissionNbrhd Alliance	1320 Stevenson St # C406	San Francisco	CA	94103
Don	Miller	Cal Watch	3101 20th St	San Francisco	CA	94110
Clint	Mitchell	Liberty Hill Nbrhd Assn	34 Hill St	San Francisco	CA	94110
Tom	Mogensen	Upper Noe Neighbors	1459 Church St	San Francisco	CA	94131
Frank	Morales	Mission Playground	3554 19th St	San Francisco	CA	94110
Paul	Nixon	Fair Oaks Neighbors	163 Fair Oaks St	San Francisco	CA	94110
Michael	Nulty	Alliance for a Better Dist 6	PO Box 420782	San Francisco	CA	94142-0782
Eric	Quezada	Mission Anti-Displacement Coalition	1189 Treat Av	San Francisco	CA	94110
Andrew L	Solow	So Van Ness Corridor Assn (SVNCA)	58 Lake Forest Ct	San Francisco	CA	94131-1025
Aaron	Straus	Mission Merchants	PO Box Drawer GG	Daly City	CA	94017-0234
Maureen	Thomas	Dolores Hts Improvement Club	366 Liberty Street	San Francisco	CA	94114
Howard	Thomton		2573 Harrison St	San Francisco	CA	94110
Debra	Walker	Developing Environments Inc	540 Alabama St	San Francisco	CA	94110



490 South Van Ness Outreach Meeting  
April 23, 2014

Antonini	Michael	(415) 533-2829	<a href="mailto:wordweaver21@aol.com">wordweaver21@aol.com</a>
Buffa	Jonah	(415) 513-8927	<a href="mailto:jonah@fellowbarber.com">jonah@fellowbarber.com</a>
Collins	Chris	(530) 306-1159	<a href="mailto:cmcollins@gatesf.com">cmcollins@gatesf.com</a>
Collins	Wendy		<a href="mailto:wendy@backandbodycare.com">wendy@backandbodycare.com</a>
Combs	Candace	(415) 531-8232	<a href="mailto:ccombs@insymmetry.com">ccombs@insymmetry.com</a>
Cornejo	Louie	(415) 786-3662	<a href="mailto:louis@urbangroupsf.com">louis@urbangroupsf.com</a>
Cutler	Nat	(415) 609-5711	<a href="mailto:nat@monkskettle.com">nat@monkskettle.com</a>
Fox	Steve	(415) 794-1047	<a href="mailto:steve@urbanputt.com">steve@urbanputt.com</a>
Gallegos	Peter	(415) 307-8463	<a href="mailto:gallegospete@sbcglobal.net">gallegospete@sbcglobal.net</a>
Gold	Benny	(415) 385-4691	<a href="mailto:ben@bennygold.com">ben@bennygold.com</a>
Hickey	Chris	(415) 722-4324	<a href="mailto:chris_hickey@citypictureframe.com">chris_hickey@citypictureframe.com</a>
Josh	Barak	(415) 640-4468	<a href="mailto:bjolish@yahoo.com">bjolish@yahoo.com</a>
Kramer	Gideon	(415) 407-1206	<a href="mailto:gykramer@earthlink.net">gykramer@earthlink.net</a>
Labus	Bridget	(415) 710-4708	<a href="mailto:bridgetlabus@sixthcourse.com">bridgetlabus@sixthcourse.com</a>
Serrano	Gianina	(415) 724-6872	<a href="mailto:gianinaserrano@sixthcourse.com">gianinaserrano@sixthcourse.com</a>
Sinette	Kieron	(415) 568-5769	<a href="mailto:mma@prolocal-sf.com">mma@prolocal-sf.com</a>
Stoll	Paul	(415) 518-0670	<a href="mailto:paul@bodym.com">paul@bodym.com</a>
Weber	Connie	(415) 647-4112	
Weber	Craig	(415) 823-3560	<a href="mailto:cpatax@sbcglobal.net">cpatax@sbcglobal.net</a>
Yuen	Edwin	(415) 516-2594	<a href="mailto:edwinnsyuefi@aol.com">edwinnsyuefi@aol.com</a>



April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

Dear Mr. Sucre:

The project sponsors of the proposed 72-residential units and 1-commercial unit building to be sited on the northwest corner of 16<sup>th</sup> and South Van Ness Avenue have apprised me of their building intentions at a community outreach meeting this evening.

The intended land use, as well as scale and design of this building all seem extremely appropriate for this important intersection of the Mission District.

Please add my endorsement to those of our neighbors for this project that will transform a vacant lot for the betterment of San Francisco.

Sincerely,

*Amy Goris*  
*President*  
*Mission Merchants Association*

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

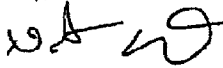
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The intended land use, as well as scale and design of this building all seem extremely appropriate for this important intersection of the Mission District.

Please add my endorsement to those of our neighbors for this project that will transform a vacant lot for the betterment of San Francisco.

Sincerely,



NAT CUTLER

OWNER

MONKS KETTLE and ABBOTS CELLAR



THE  
MONK'S  
KETTLE



Nat Cutler  
Owner - Finance / Administration

p. 415.609.5711  
e. nat@monskettle.com

San Francisco, CA

[www.monkskettle.com](http://www.monkskettle.com)  
[www.abbotscellar.com](http://www.abbotscellar.com)

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

Dear Mr. Sucre:

The project sponsors of the proposed 72-residential units and 1-commercial unit building to be sited on the northwest corner of 16<sup>th</sup> and South Van Ness Avenue, have apprised me of their building intentions at a community outreach meeting this evening.

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Please add my endorsement to those of our neighbors for this project that will transform a vacant lot for the betterment of San Francisco.

Sincerely,



Peter Gallegas  
President

Mission Housing Development Corporation



April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

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Sincerely,

*Paul Stoll*  
Paul Stoll, (415) 578-0670  
Owner BODY MANIPULATIONS  
3234 16<sup>th</sup> STREET

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

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Please add my endorsement to those of our neighbors for this project that will transform a vacant lot for the betterment of San Francisco.

Sincerely,

*Thomas W. Clark*  
*First Bldg. Maint.*  
*Mission Miracle Mile*

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

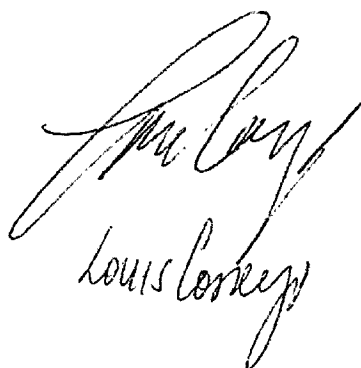
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Sincerely,



Louis Corke

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

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Sincerely,

*Joseph M. Maury*  
12565 Mission St.  
SF. CA 94107

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

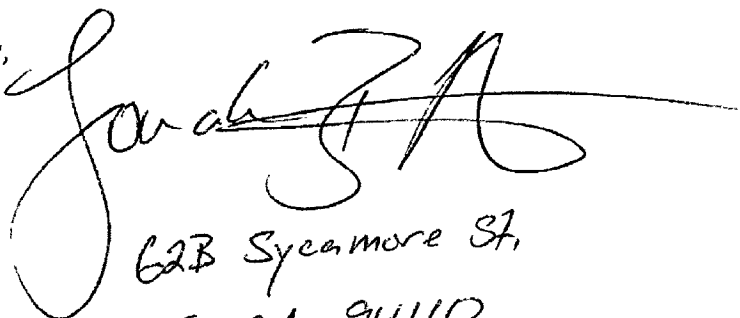
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Sincerely,



62B Sycamore St,  
SF, CA 94110

Jonah Butta

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

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Sincerely,



1544 15<sup>th</sup> ST Sixth Course

Gianina Serrano

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

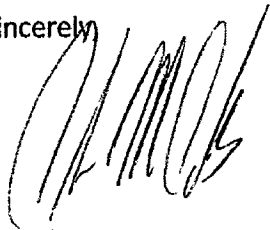
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Sincerely,



Christopher Collins  
Mission Merchants Association  
Board Member

April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

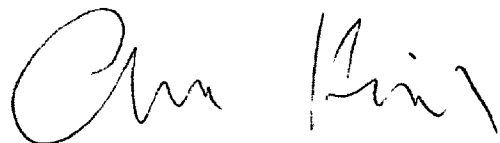
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Sincerely,



CHRIS HICKEY / 2170 FOLSOM ST SF CA 94110



April 23, 2014

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

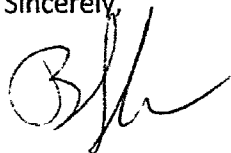
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Please add my endorsement to those of our neighbors for this project that will transform a vacant lot for the betterment of San Francisco.

Sincerely,



1544 15<sup>th</sup> St.

Sixth Floor

Bridget Labus

**ROYAL AUTOMOTIVE GROUP** EST. 1947  
Where San Francisco & The Bay Area Go for Cars  
[www.GoToRoyalSF.com](http://www.GoToRoyalSF.com)

Mr. Richard Sucre  
San Francisco Planning Department  
1650 Mission Street  
Suite 400  
San Francisco CA 94103-2479

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Avenue

Dear Mr. Sucre:

The project sponsors of the proposed 72-residential units and 1-commercial unit building to be sited on the northwest corner of 16<sup>th</sup> Street and South Van Ness Avenue have apprised me of their building intentions.

My family has done business down the block from this location for seventy years. So we are extremely well acquainted with this neighborhood.

Given the intended building use, scale and design of this building, we could not be happier to see its construction and occupancy, especially on a corner that has sat vacant for years.

Please add our endorsement to those of our neighbors for this outstanding addition to our part of San Francisco.

Sincerely,



Andrew Hansen  
President/CEO Royal Motors, Inc.

Sales 300/280/285 Van Ness Ave | Service & Parts 1525 Howard Street | Body Shop 165 14<sup>th</sup> Street, San Francisco, CA 94103 | (415)241-8100



---

**ROBERT PATTERSON**

Robert Patterson  
Mission Resident  
442 Shotwell  
San Francisco CA 94110  
USA

April 28, 2014

Mr Richard Sucre  
San Francisco Planning Department  
1650 Mission Street Suite 400  
San Francisco CA 94103

Re: Endorsement of Proposed Mixed-Use Building at 490 South Van Ness Ave.

Dear Mr Sucre:

I've been a resident of the Mission District for nearly 10 years and operate businesses in the neighborhood. I'm excited by the changes to the neighborhood over the last decade and am writing to express support for a proposed mixed use project at 490 South Van Ness

I recently had the pleasure to meet with the project sponsors / developers and architects behind a proposed mixed use residential unit project for the northwest corner of 16th and South Van Ness at a community outreach meeting held on April 23rd at the community room of the Valencia Street Police Station.

The scale, design and use case for the building are appropriate for corner and look forward to its construction and would like to add my support of the following:

The building's mixed use is important to improve the street scape of the block. The block exists currently as an eye sore and attracts crime. A mixed use building will support improvements for the neighboring businesses and residents. The "flex" space residential / work commercial spaces that project proposes for ground floor are great opportunities to support entrepreneurs on the street. The inclusion of larger 2 bedroom units in the building is positive to support families in the Mission District

I hope that the developer includes accessible homes on location vs off site as required by the SF Planning to support the Mission's historic diverse communities.

Parking lot access should be granted on Adair Street as proposed to enable safe access and not to impede traffic flow on Van Ness. While I understand that Adair Street is a small alley, its well suited for residential traffic. There is simply too much

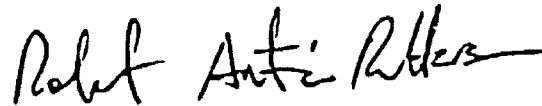
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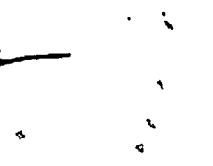
traffic on Van Ness to support another parking exit. I expect the parking lot to serve more for long term parking with its proposed stacking system. Aesthetically the building is contemporary and fits well with the Flood building next door. The building does not alter the vertical elevation of the street scape greatly and the density is welcomed considering the proximity to BART and other public transportation.

Please add my endorsement as a resident of the Mission community for this project and hope that the vacant lot can be transferred for the betterment of SF.

Sincerely yours,

A handwritten signature in black ink that reads "Robert Patterson". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Robert Patterson









# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CA 94103

**FORUM DESIGN**  
ARCHITECTS

The architecture office of Warner Schmalz

1014 Howard Street San Francisco, CA 94103  
F 415 . 252.9020 T 415 . 252.7063

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	03.17.14	LPA SUBMITTAL
⚠	04.28.14	LPA SUBMITTAL REVISION

## LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.  
SCALE:

SHEET TITLE:  
PERSPECTIVE

SHEET NUMBER:  
**LPA1.0**





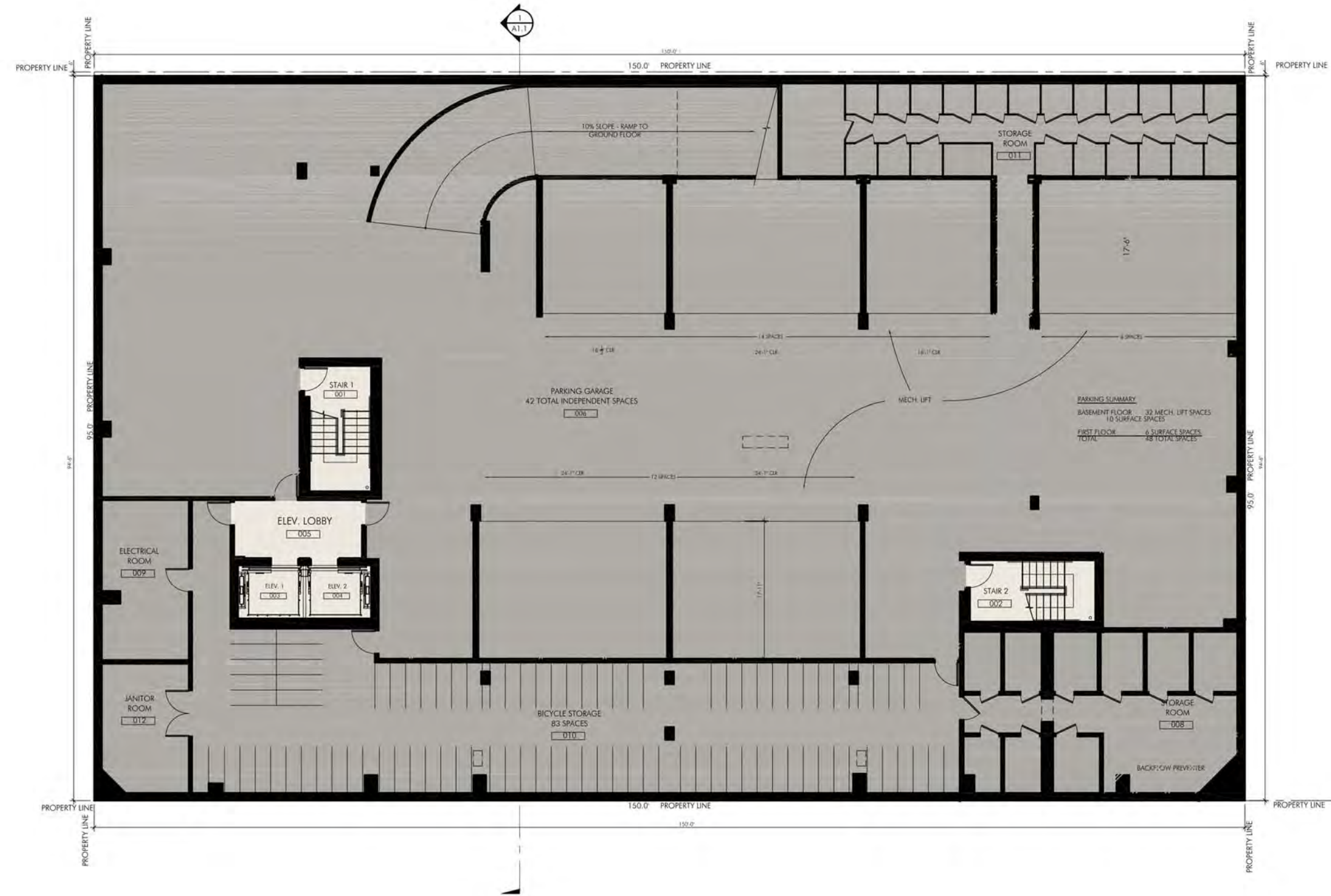
TYP. FLOOR PLAN



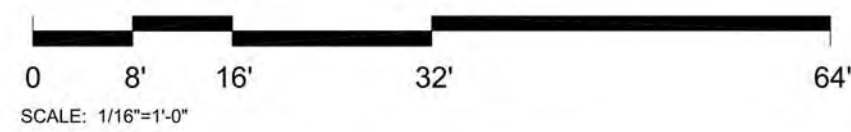
2ND FLOOR PLAN



1ST FLOOR PLAN



BASEMENT PLAN



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# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CALIFORNIA



## LPA 2.0

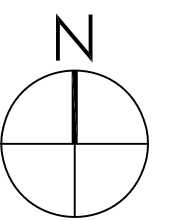
JUNE 30, 2014

**FORUM**DESIGN  
ARCHITECTS





AERIAL PHOTOGRAPH



LPA 3.0

JUNE 30, 2014

490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA

**FORUM**DESIGN  
ARCHITECTS





16TH STREET - LOOKING WEST



16TH STREET & S. VAN NESS AVENUE - LOOKING WEST



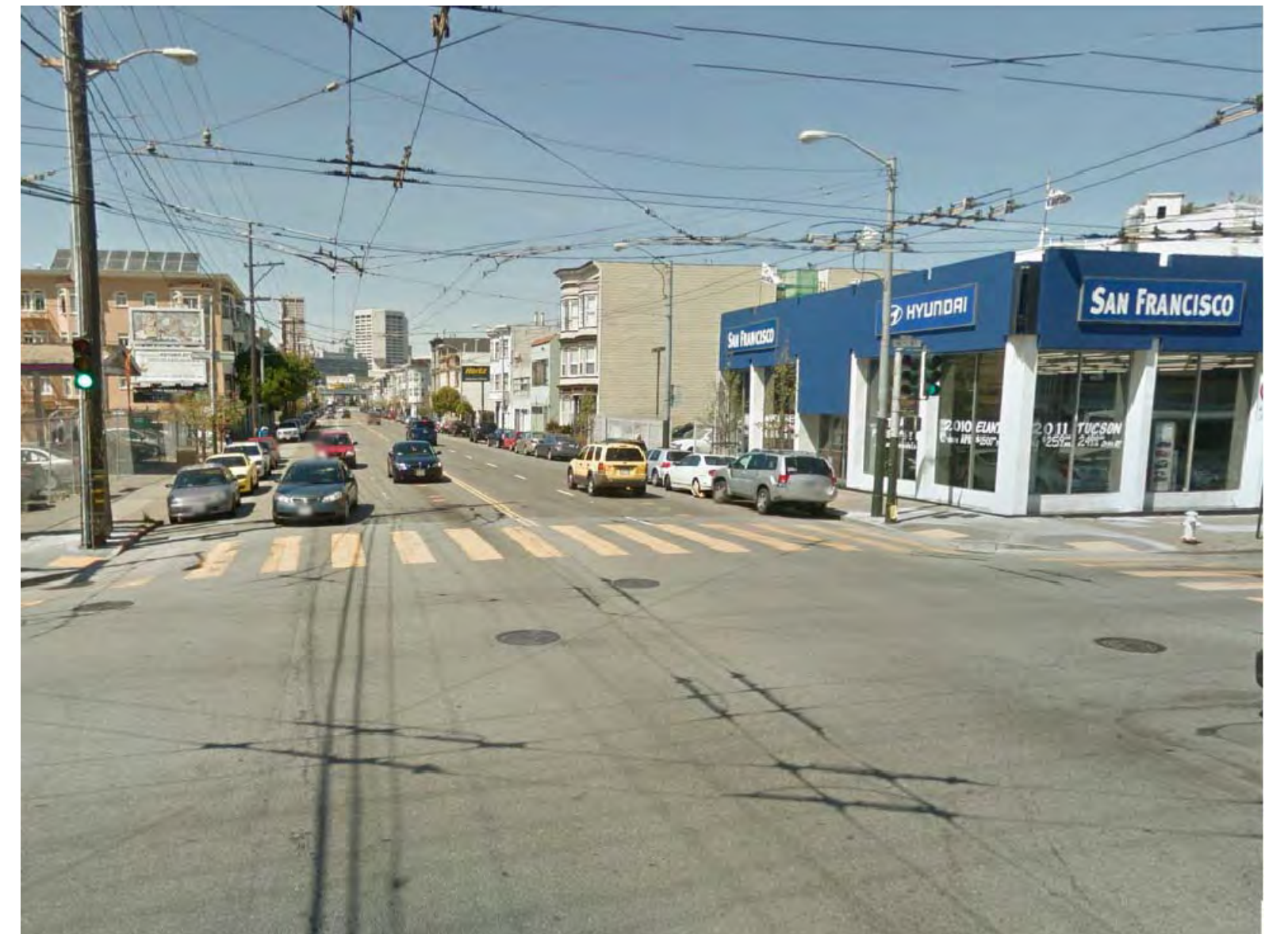
S. VAN NESS AVENUE - LOOKING NORTHWEST



S. VAN NESS AVENUE - LOOKING NORTHWEST



S. VAN NESS AVENUE - LOOKING SOUTHWEST



16TH STREET & S. VAN NESS AVENUE - LOOKING NORTH

SITE PHOTOGRAPHS

490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA

LPA 4.0

JUNE 30, 2014

FORUM DESIGN  
ARCHITECTS





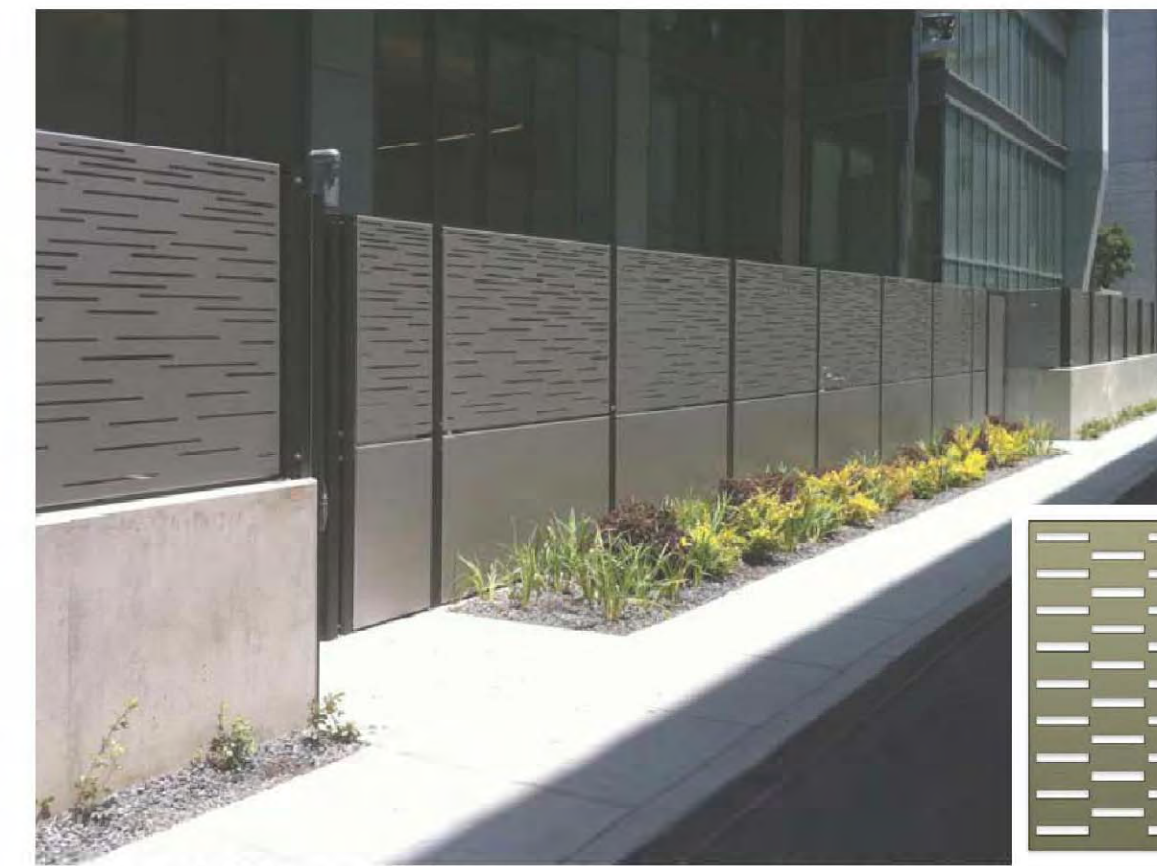
Proposed Tree  
Acer palmatum 'Bloodgood'



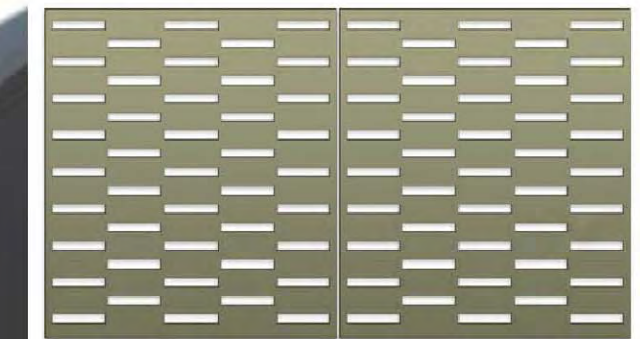
Proposed Tree  
Acer palmatum 'Sango Kaku'



Soft Seating Group



Ground Floor Private Terrace Fencing



Privacy Fence



Dining Table & Chairs



SECOND LEVEL CONCEPT

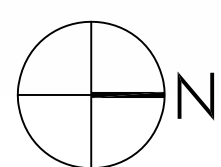
LPA 5.0

JUNE 30, 2014

SMITH+SMITH  
LANDSCAPE ARCHITECTS

FORUM DESIGN  
ARCHITECTS

490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA







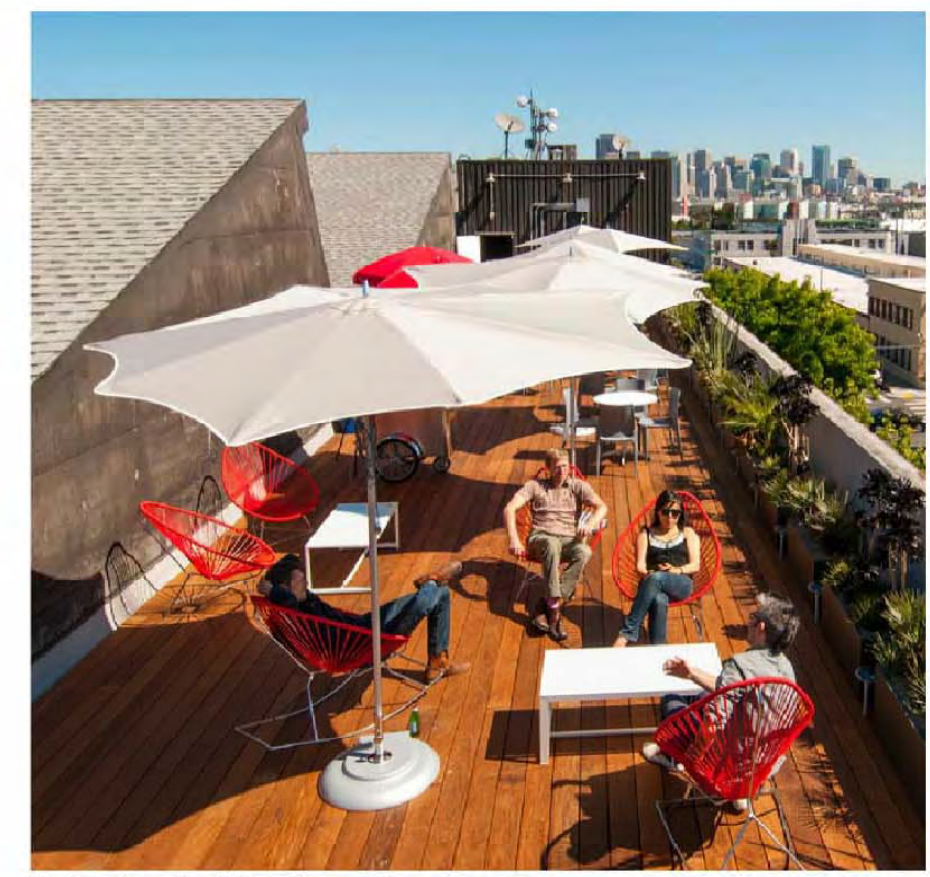
Overhead Trellis



Communal Table



Ipe Wood Deck Tiles



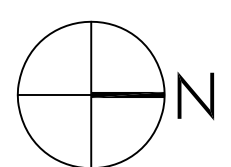
Market Umbrellas



Green Roof Sedum Panels



Lounge Chairs



490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA

ROOF LEVEL CONCEPT

LPA 6.0

JUNE 30, 2014

SMITH+SMITH  
LANDSCAPE ARCHITECTS

FORUM DESIGN  
ARCHITECTS





Acer palmatum 'Bloodgood'



Acer palmatum 'Sango Kaku'



Lophostemon confertus



Arbutus 'Marina'



Acer palmatum 'Ever Red'



Buxus 'Green Beauty'



Buxus 'Suffruticosa'



Correa 'Carmine Bells'



Escallonia 'Compakta'



Euonymus microphyllus



Hebe 'Autumn Glory'



Loropetalum 'Sizzling Pink'



Myrtus c. 'Compacta'



Nandina domestica



Phormium 'Jack Sprat'



Phormium 'Bronze Baby'



Rosmarinus 'Tuscan Blue'



Thuja occidentalis 'Emerald'



Rosa 'Flower Carpet'



Rosmarinus 'Prostratus'



Myoporum parvifolium



Ophiopogon japonica



Trachelospermum jasminoides

### Trees

<i>Acer palmatum 'Sango Kaku'</i>	Japanese Maple
<i>Acer palmatum 'Bloodgood'</i>	Bloodgood Japanese Maple
<i>Arbutus 'Marina'</i>	Strawberry Tree
<i>Lophostemon confertus</i>	Brisbane Box

### Shrubs

<i>Acer palmatum 'Ever Red'</i>	Chinese fringe bush
<i>Buxus 'Green Beauty'</i>	Green Beauty Boxwood
<i>Buxus 'Suffruticosa'</i>	True Dwarf Boxwood
<i>Correa 'Carmine Bells'</i>	Australian Fuchsia
<i>Escallonia 'Compakta'</i>	Compact Escallonia
<i>Euonymus j. 'Silver King'</i>	Silver King Euonymus
<i>Euonymus j. Microphyllus</i>	Box-leaf Euonymus
<i>Hebe 'Autumn Glory'</i>	Hebe
<i>Loropetalum chinense 'Sizzling Pink'</i>	Chinese Fringe Bush
<i>Myrtus communis 'Compacta'</i>	Common Myrtle
<i>Nandina domestica</i>	Gulf Stream Nandina
<i>Phormium tenax 'Bronze Baby'</i>	New Zealand flax
<i>Phormium tenax 'Jack Sprat'</i>	New Zealand flax
<i>Rosmarinus officianalis 'Tuscan Blue'</i>	Rosemary
<i>Thuja occidentalis 'Emerald'</i>	Arborvitae

### Groundcovers

<i>Rosa 'Flower Carpet'</i>	Carpet Rose
<i>Rosmarinus o. 'Prostratus'</i>	Rosemary
<i>Myoporum parvifolium</i>	Prostrate myoporum
<i>Ophiopogon japonica</i>	Mondo Grass
<i>Trachelospermum jasminoides</i>	Star jasmine

### Grasses

<i>Calamagrostis x acutiflora 'Karl Foerster'</i>	Feather Reed Grass
<i>Festuca glauca</i>	Blue fescue
<i>Muhlenbergia rigens</i>	Deer Grass
<i>Pennisetum setaceum 'Rubrum'</i>	Purple Fountain Grass

### Perennials

<i>Anigozanthos 'Big Red'</i>	Kangaroo Paw
<i>Anigozanthos flavidus</i>	Kangaroo Paw
<i>Euphorbia characias wulfenii</i>	Euphorbia
<i>Hemerocallis sp.</i>	Daylily
<i>Cyrtomium falcatum</i>	Holly Fern
<i>Rumohra adiantiformis</i>	Leatherleaf Fern
<i>Sutera cordata 'Snowflake'</i>	Snowflake Bacopa

### Bamboo

<i>Phyllostachys aurea</i>	Golden Goddess Bamboo
----------------------------	-----------------------

### Vines

<i>Bougainvillea sp.</i>	Bougainvillea
<i>Jasminum polyanthum</i>	Pink jasmine
<i>Ficus pumila</i>	Creeping fig

PLANT IMAGES

# LPA 7.0

JUNE 30, 2014

**SMITH+SMITH**  
LANDSCAPE ARCHITECTS

**FORUM DESIGN**  
ARCHITECTS

# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CALIFORNIA





Calamagrostis x acutiflora 'Karl Foerster'



Festuca glauca



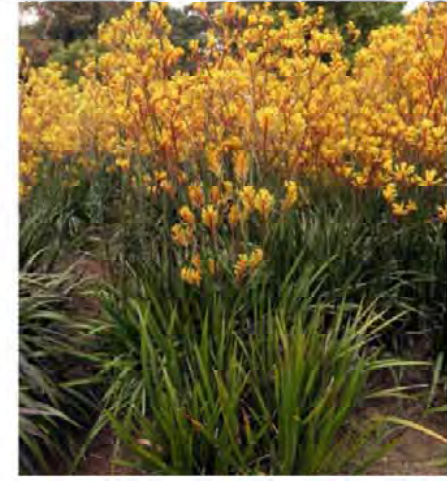
Muhlenbergia rigens



Pennisetum s. 'Rubrum'



Anigozanthos 'Big Red'



Anigozanthos flavidus



Euphorbia c. wulfenii



Hemerocallis 'Stella d'Oro'



Cyrtomium falcatum



Rumhura adiantiformis



Sutera cordata 'Snowflake'



Phyllostachys aurea



Bougainvillea sp.



Jasminum polyanthum



Ficus pumila

### Trees

<i>Acer palmatum</i> 'Sango Kaku'	Japanese Maple
<i>Acer palmatum</i> 'Bloodgood'	Bloodgood Japanese Maple
<i>Arbutus</i> 'Marina'	Strawberry Tree
<i>Lophostemon confertus</i>	Brisbane Box

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<i>Buxus</i> 'Suffruticosa'	True Dwarf Boxwood
<i>Correa</i> 'Carmine Bells'	Australian Fuchsia
<i>Escallonia</i> 'Compakta'	Compact Escallonia
<i>Euonymus</i> j. 'Silver King'	Silver King Euonymus
<i>Euonymus</i> j. 'Microphyllus'	Box-leaf Euonymus
<i>Hebe</i> 'Autumn Glory'	Hebe
<i>Loropetalum chinense</i> 'Sizzling Pink'	Chinese Fringe Bush
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<i>Rosmarinus officianalis</i> 'Tuscan Blue'	Rosemary
<i>Thuja occidentalis</i> 'Emerald'	Arborvitae

### Groundcovers

<i>Rosa</i> 'Flower Carpet'	Carpet Rose
<i>Rosmarinus</i> o. 'Prostratus'	Rosemary
<i>Myoporum parvifolium</i>	Prostrate myoporum
<i>Ophiopogon japonica</i>	Mondo Grass
<i>Trachelospermum jasminoides</i>	Star jasmine

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<i>Festuca glauca</i>	Blue fescue
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<i>Pennisetum setaceum</i> 'Rubrum'	Purple Fountain Grass

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<i>Euphorbia characias wulfenii</i>	Euphorbia
<i>Hemerocallis</i> sp.	Daylily
<i>Cyrtomium falcatum</i>	Holly Fern
<i>Rumhura adiantiformis</i>	Leatherleaf Fern
<i>Sutera cordata</i> 'Snowflake'	Snowflake Bacopa

### Bamboo

<i>Phyllostachys aurea</i>	Golden Goddess Bamboo
----------------------------	-----------------------

### Vines

<i>Bougainvillea</i> sp.	Bougainvillea
<i>Jasminum polyanthum</i>	Pink jasmine
<i>Ficus pumila</i>	Creeping fig

PLANT IMAGES

# LPA 8.0

JUNE 30, 2014

**SMITH+SMITH**  
LANDSCAPE ARCHITECTS

**FORUM DESIGN**  
ARCHITECTS

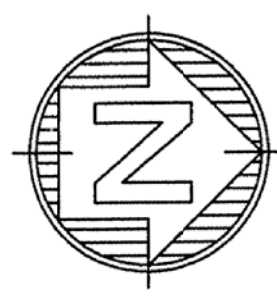
# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CALIFORNIA







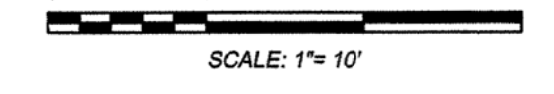
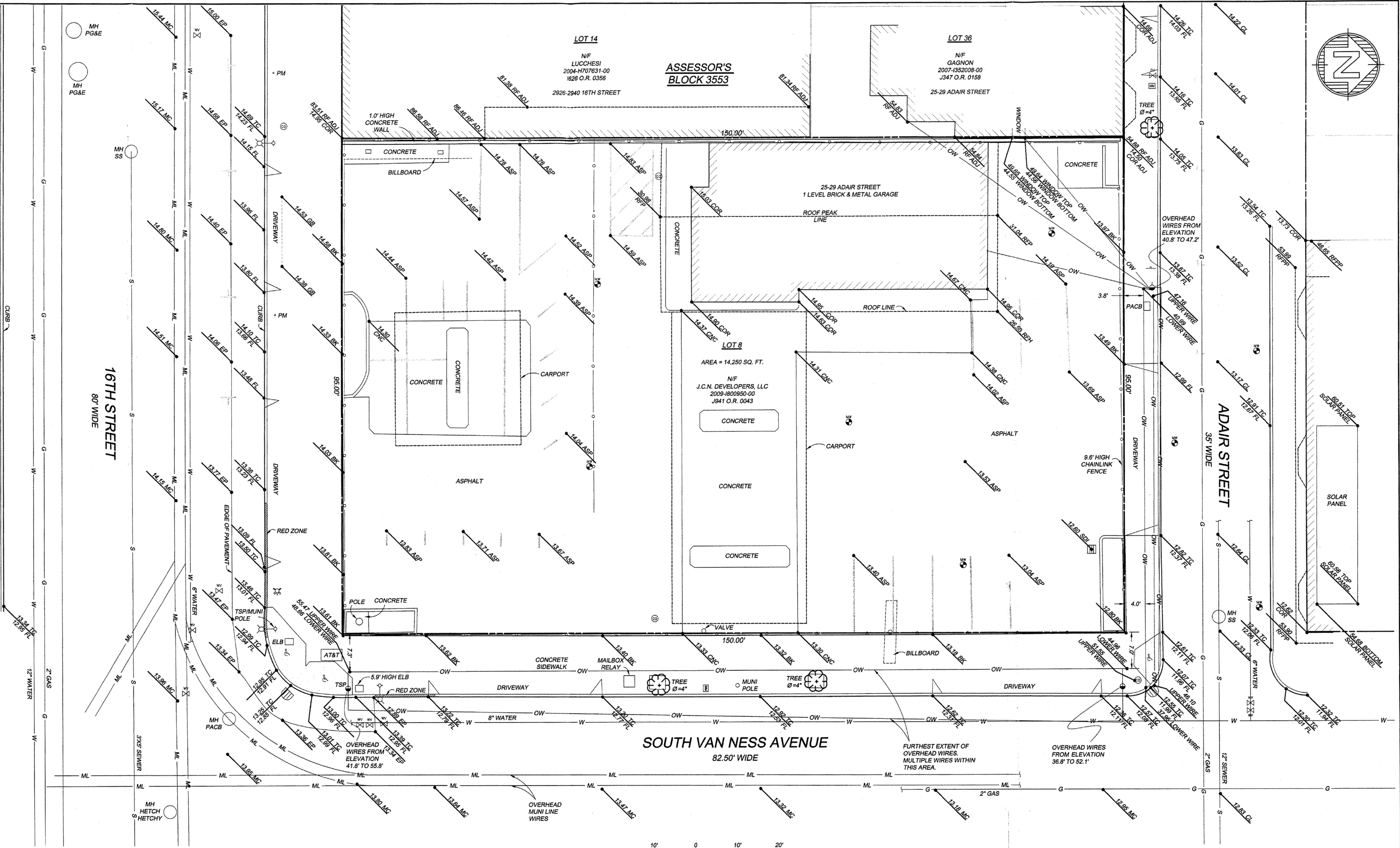


**LEGEND**

- ADJ ADJACENT BUILDING
  - ASP ASPHALT
  - BK BACK OF WALK
  - CL CENTER LINE
  - CNC CONCRETE
  - COR CORNER
  - ELB ELECTRIC BOX
  - EP EDGE OF PAVEMENT
  - FL FLOW LINE
  - GB GRADE BREAK
  - MC MIDDLE OF CURVE
  - MH MANHOLE
  - PACB PACIFIC BELL
  - PG&E PACIFIC GAS & ELECTRIC
  - PM PARKING METER
  - RF ROOF
  - RFP ROOF HIP
  - RPP ROOF PEAK
  - RPFP ROOF PARAPET
  - SDI STORM DRAIN INLET
  - SS SANITARY SEWER
  - TO TOP OF CURB
  - TSP TRAFFIC SIGNAL POLE
- 
- CHAIN LINK FENCE
  - GAS LINE
  - OVERHEAD MUNI LINE
  - OVERHEAD WIRE
  - SANITARY SEWER LINE
  - WATER LINE
- 
- Ø DIAMETER
  - ⊕ FIRE HYDRANT
  - ⊕ GAS VALVE
  - ♿ HANDICAP RAMP
  - ⊙ STREET LIGHT
  - ⊙ MONITORING WELL
  - PAINT STRIPE
  - ⊙ POWER POLE
  - ⊙ SANITARY SEWER CLEAN OUT/VENT
  - ⊙ SIGN
  - ⊙ SPOT ELEVATION
  - ⊙ STORM DRAIN INLET
  - ⊙ STORM DRAIN INLET
  - ⊙ TREE
  - ⊙ WATER METER
  - ⊙ WATER VALVE

**NOTE: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP PLEASE BE ADVISED AS FOLLOWS:**

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**SURVEY REFERENCE:**

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED:  
 LOT 008; RECORDED JULY 24, 2009, DOCUMENT NUMBER 2009-8000950-00, ON REEL J941 AT IMAGE 0043.

**UTILITY NOTE:**

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

**BOUNDARY NOTES:**

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE LAW. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

**DATE OF FIELD SURVEY:**

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON NOVEMBER 6, 2009.

**PROJECT BENCHMARK - DESCRIPTION:**

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF 15TH STREET AND MISSION STREET. ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM, N.E. CORNER LETTER "O" IN "OPEN" TOP HPFS HYDRANT. ELEVATION = 21.127'

**GENERAL NOTE:**

THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DIAPHRANES THEREOF.

**SURVEYOR'S STATEMENT:**

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY.

APR - 1 2010

DATE

*Frederick T. Seher*  
 FREDERICK T. SEHER, PLS  
 LICENSE NO. 6218  
 LICENSE EXPIRES MARCH 31, 2012



DATE:	JANUARY, 2010
SCALE:	1" = 8'
DRAWN BY:	HRF
DRAWING NAME:	1366-09
SURVEYED BY:	
CHECKED BY:	
CHECKED BY:	



**FREDERICK T. SEHER & ASSOCIATES, INC.**  
 PROFESSIONAL LAND SURVEYORS  
 SURVEYING & MAPPING  
 841 LOMBARD STREET, SAN FRANCISCO, CA 94133  
 (415) 921-7690 FAX (415) 921-7655

**ARCHITECTURAL SITE SURVEY**  
 490 SOUTH VAN NESS AVENUE, SAN FRANCISCO  
 ASSESSOR'S BLOCK 3553; LOT 008

SHEET	1
OF	1 SHEETS
FILE NO.	1366-09

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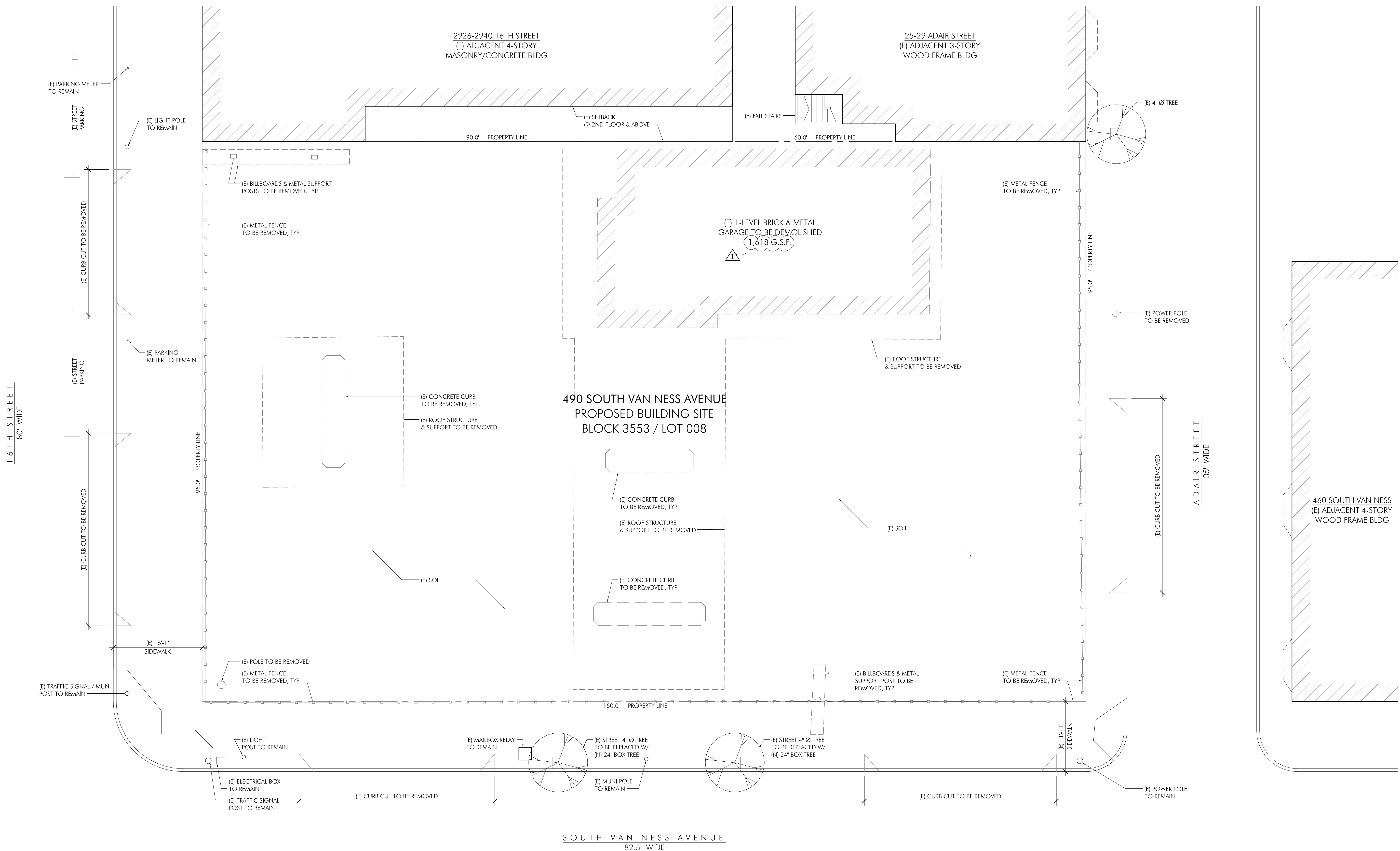
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## 1 DEMO SITE PLAN

1/8" = 1'-0"

DATE	DESCRIPTION
03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

### LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.  
SCALE: 1/8" = 1'-0"  
SHEET TITLE: DEMO SITE PLAN

SHEET NUMBER: A100.1



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**1 SITE PLAN**  
1/8" = 1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

## LPA SUBMITTAL

JOB NUMBER: 09004  
DATE: 03.17.2014  
SCALE: 1/8" = 1'-0"  
SHEET TITLE: SITE PLAN

SHEET NUMBER: A100.2

**A100.2**

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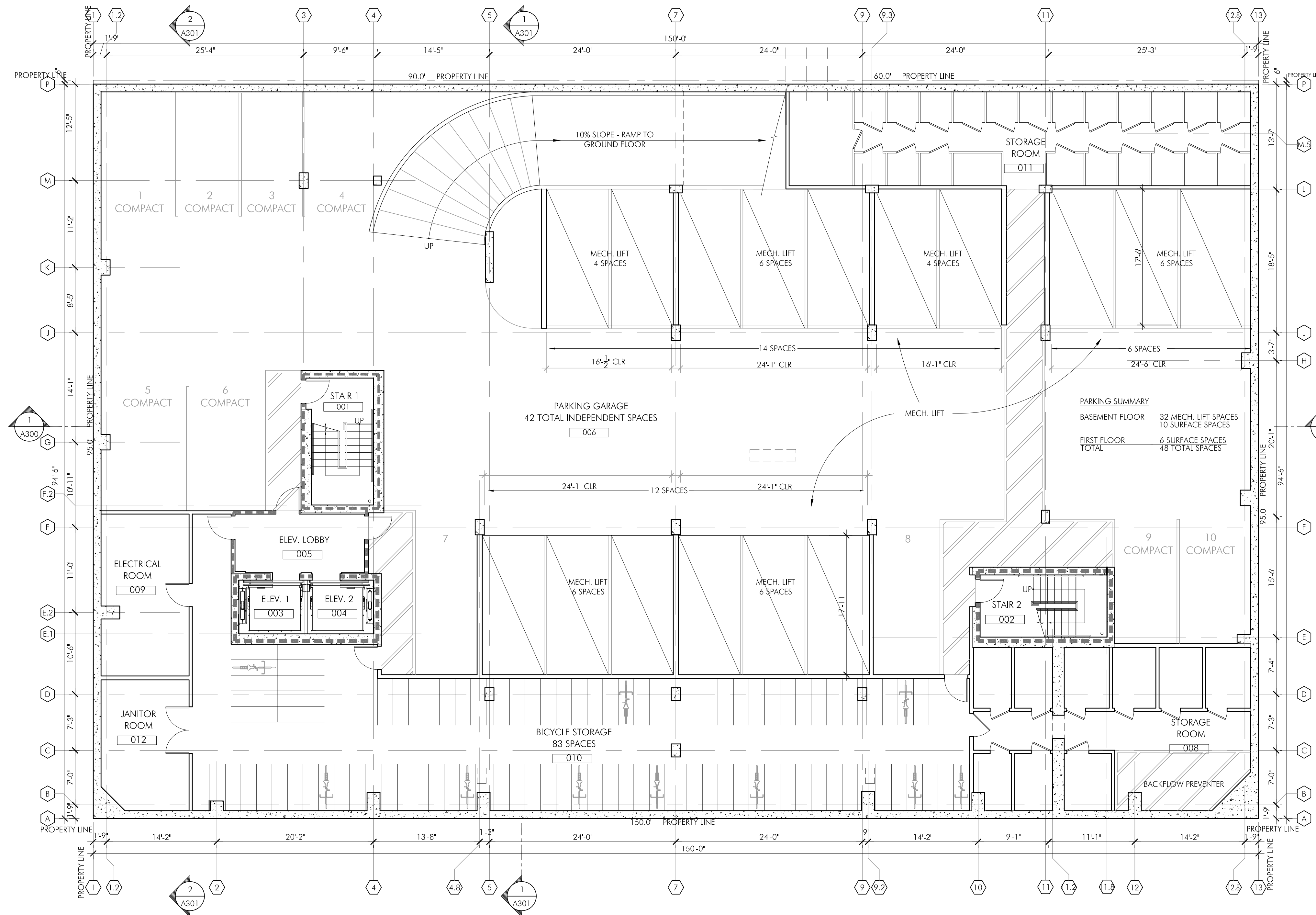
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### PARTITION LEGEND

-  1-HR FIRE-RESISTIVE WALL ASSEMBLY
-  2-HR FIRE-RESISTIVE WALL ASSEMBLY
-  3-HR FIRE-RESISTIVE WALL ASSEMBLY

NOTE: ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE ASSEMBLY, U.O.N.; SEE FIRE RESISTANCE RATING REQUIREMENTS TABLE FOR TYPE I-B BLDG ON SHT A003.1-A003.3 FOR FIRE



**1 BASEMENT FLOOR PLAN**  
1/8" = 1'-0"

	03.17.14	LPA SUBMITTAL
⚠	04.28.14	LPA SUBMITTAL REVISION

### LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.  
SCALE: 1/8" = 1'-0"  
SHEET TITLE:

BASEMENT PLAN

SHEET NUMBER:

# A101



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03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION
07.01.14	COMMERCIAL DESIGN REVISION TO MEET CODE

## LPA SUBMITTAL

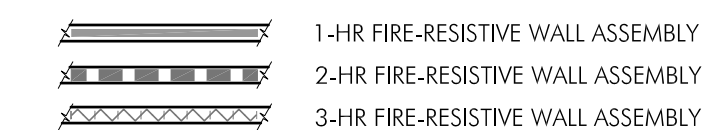
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DATE: 03.17.2014 CHECKED BY: W.S.  
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GROUND FLOOR PLAN

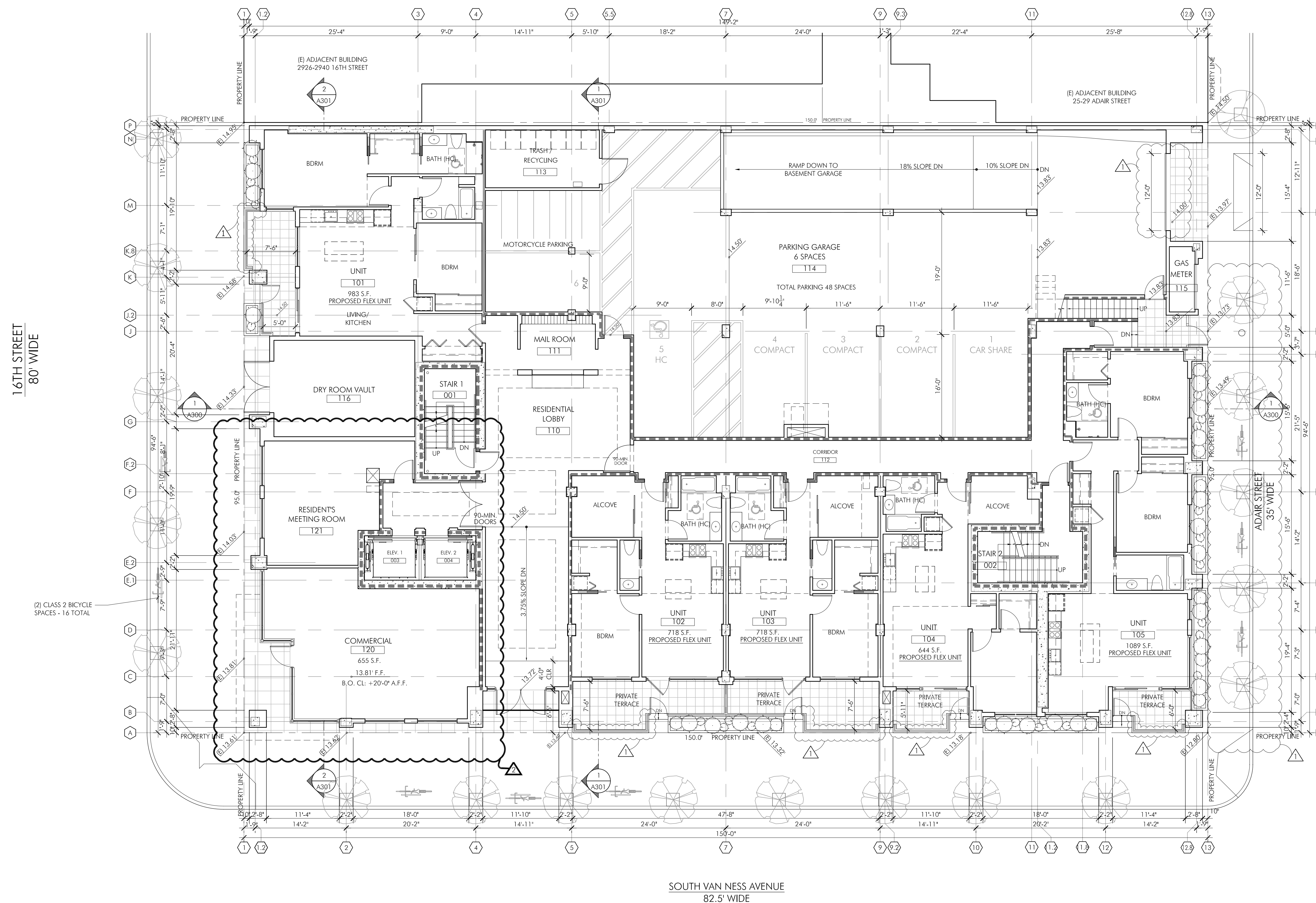
SHEET NUMBER:

# A102

### PARTITION LEGEND



NOTE: ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE ASSEMBLY



**1 GROUND FLOOR PLAN**  
1/8" = 1'-0"

# 490 SOUTH VAN NESS AVENUE

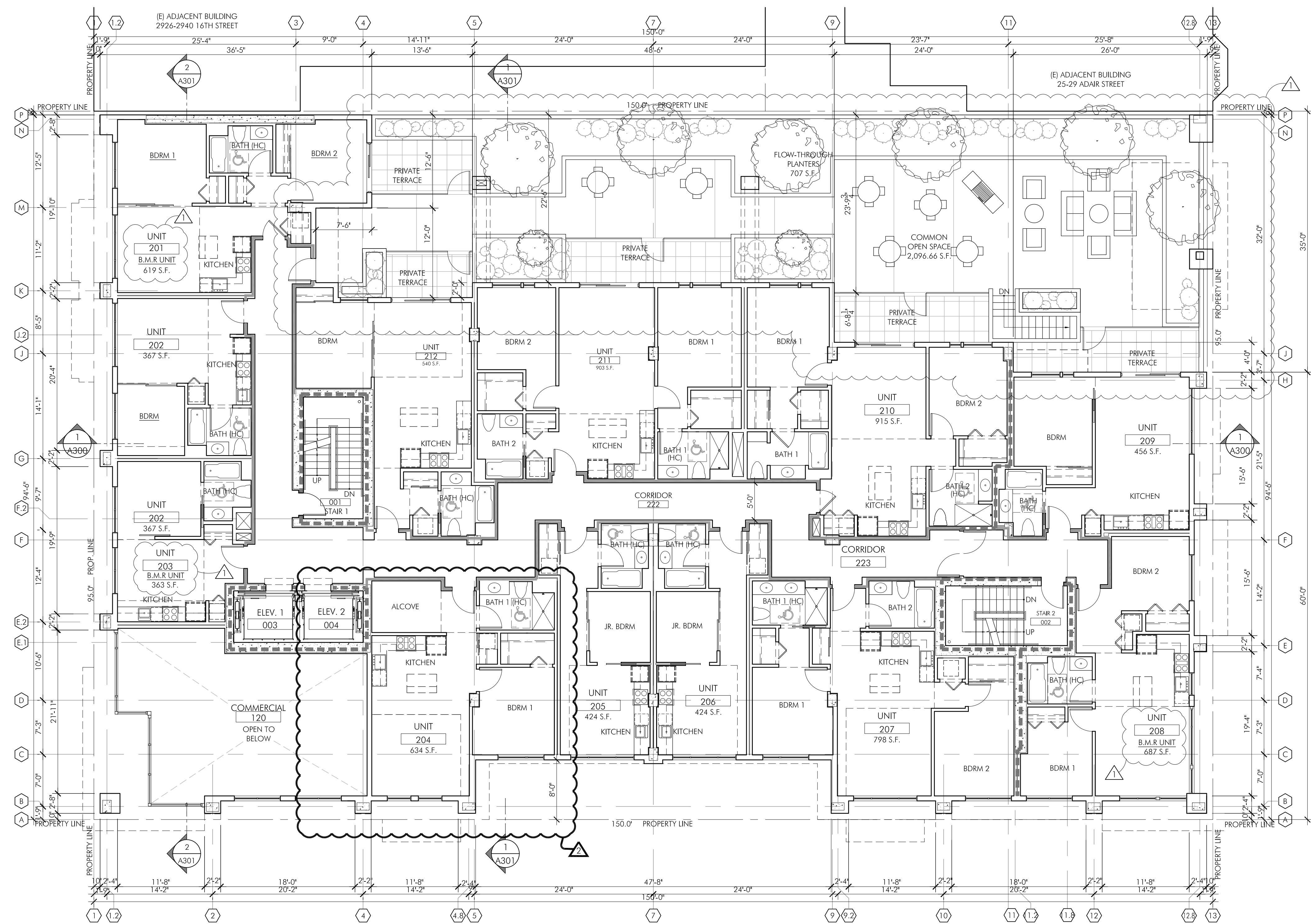
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**1 SECOND FLOOR PLAN**  
1/8"=1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION
07.01.14	COMMERCIAL DESIGN REVISION TO MEET CODE

## LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.  
SCALE: 1/8" = 1'-0"  
SHEET TITLE:

SECOND FLOOR PLAN

SHEET NUMBER:

# A103



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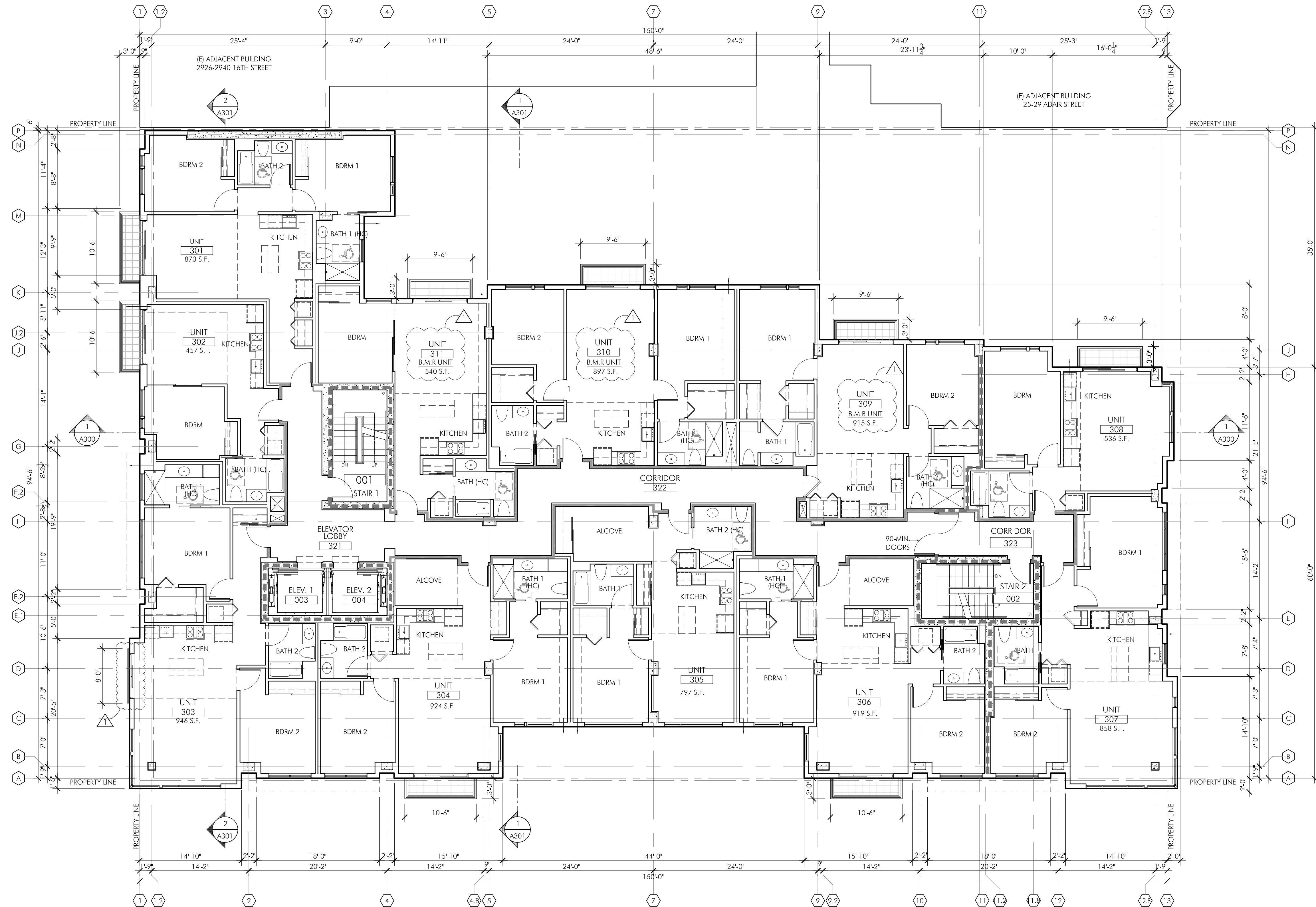
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### PARTITION LEGEND

-  1-HR FIRE-RESISTIVE WALL ASSEMBLY
-  2-HR FIRE-RESISTIVE WALL ASSEMBLY
-  3-HR FIRE-RESISTIVE WALL ASSEMBLY

NOTE: ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE ASSEMBLY.  
U.O.N.; SEE FIRE RESISTANCE RATING REQUIREMENTS TABLE  
FOR TYPE I-B BLDG ON SHT A003.1-A003.3 FOR FIRE



**1 THIRD FLOOR PLAN**  
1/8" = 1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

### LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"

SHEET TITLE:

THIRD FLOOR PLAN

SHEET NUMBER:

# A104

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04.28.14	LPA SUBMITTAL REVISION

## LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"


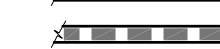

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FOURTH FLOOR PLAN

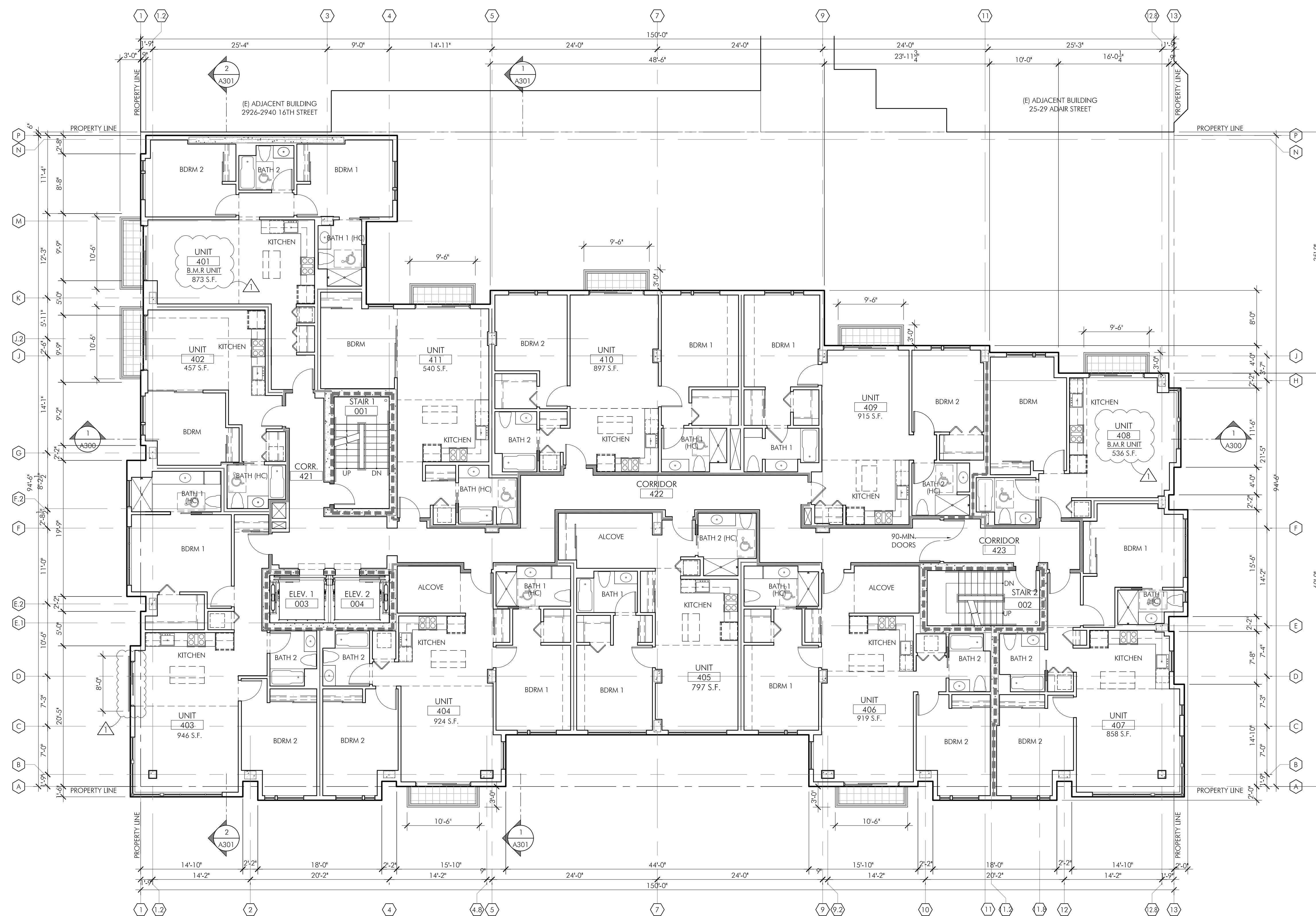
SHEET NUMBER:

# A105

### PARTITION LEGEND

-  1-HR FIRE-RESISTIVE WALL ASSEMBLY
-  2-HR FIRE-RESISTIVE WALL ASSEMBLY
-  3-HR FIRE-RESISTIVE WALL ASSEMBLY

NOTE: ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE ASSEMBLY, U.O.N.; SEE FIRE RESISTANCE RATING REQUIREMENTS TABLE FOR TYPE I-B BLDG ON SHT. A003.1-A003.3 FOR FIRE RESISTANCE RATINGS OF ALL BUILDING ELEMENTS.



**1 FOURTH FLOOR PLAN**  
1/8" = 1'-0"



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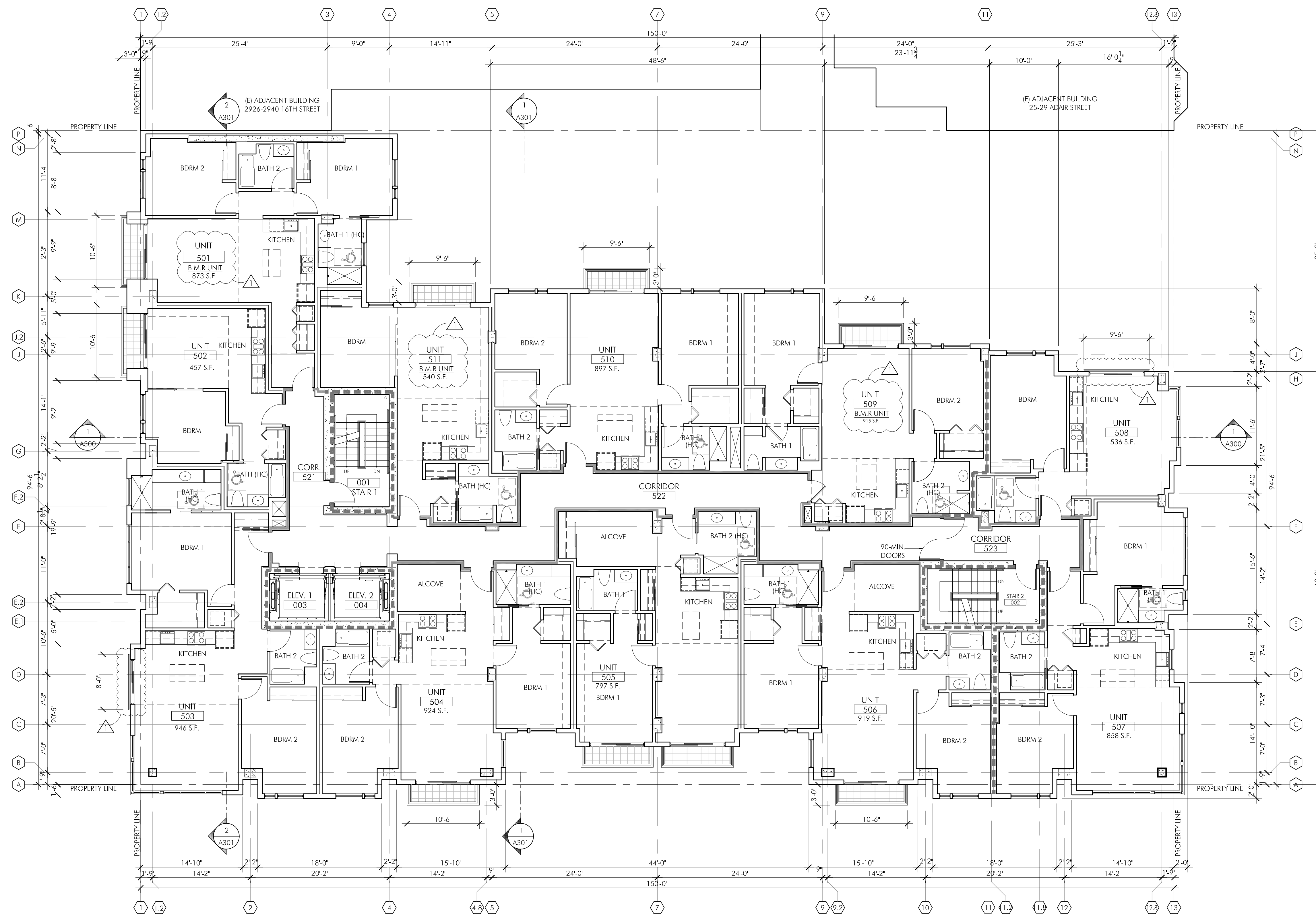
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## PARTITION LEGEND

1-HR FIRE-RESISTIVE WALL ASSEMBLY  
2-HR FIRE-RESISTIVE WALL ASSEMBLY

\* ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE RATED, U.O.N.



**1 FIFTH FLOOR PLAN**  
1/8" = 1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

## LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.  
SCALE: 1/8" = 1'-0"  
SHEET TITLE:

FIFTH FLOOR PLAN

SHEET NUMBER:

# A106

# 490 SOUTH VAN NESS AVENUE

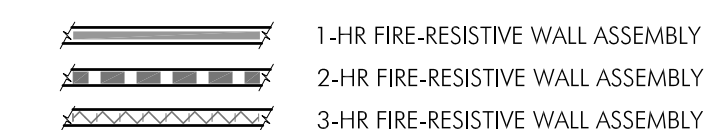
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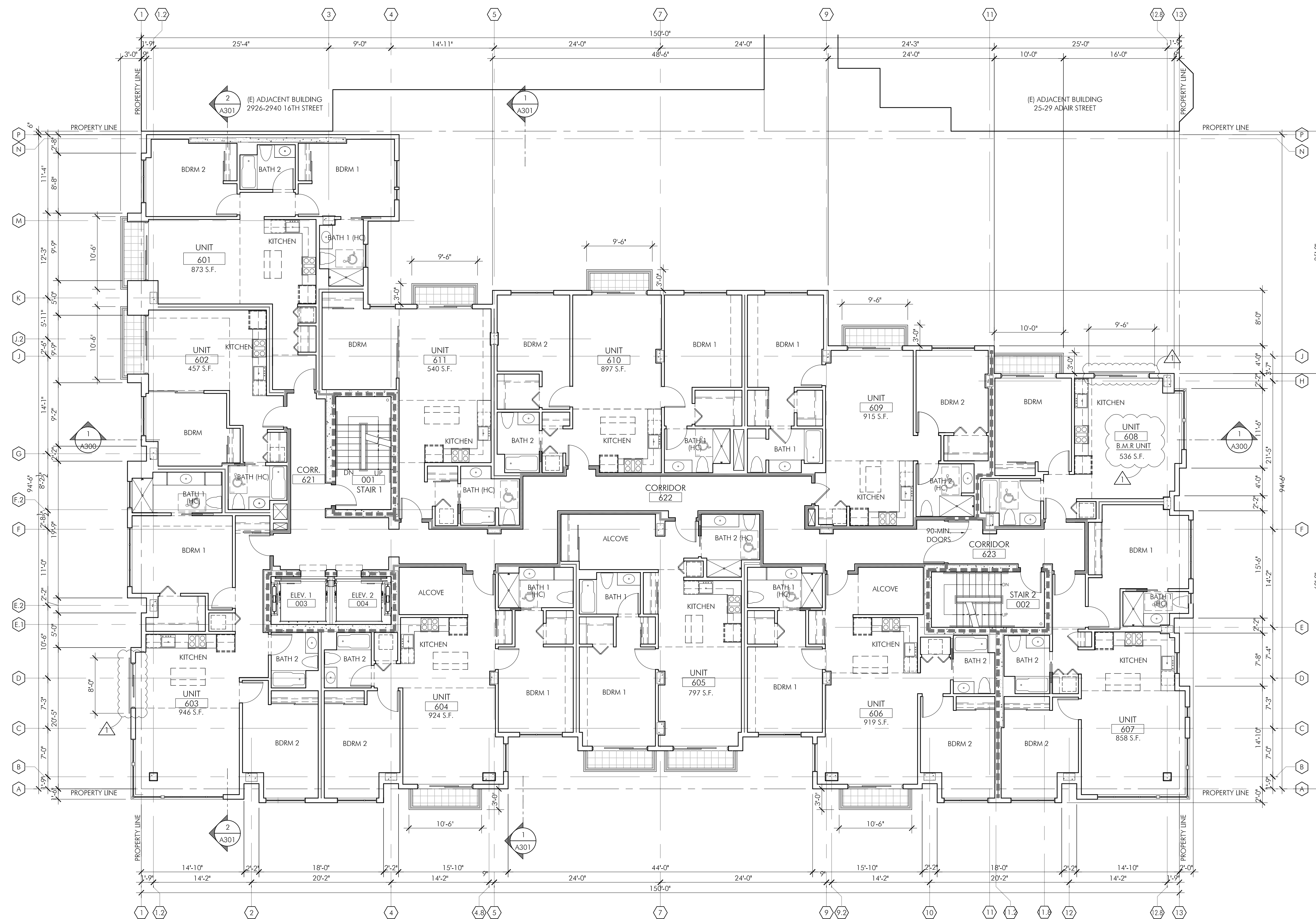
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## PARTITION LEGEND



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FOR TYPE I-B BLDG ON SHT A003.1-A003.3 FOR FIRE  
RESISTANCE RATINGS OF ALL BUILDING ELEMENTS.



03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

## LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"  
SHEET TITLE:

SIXTH FLOOR PLAN

SHEET NUMBER:

# A107

**1 SIXTH FLOOR PLAN**  
1/8" = 1'-0"



# 490 SOUTH VAN NESS AVENUE



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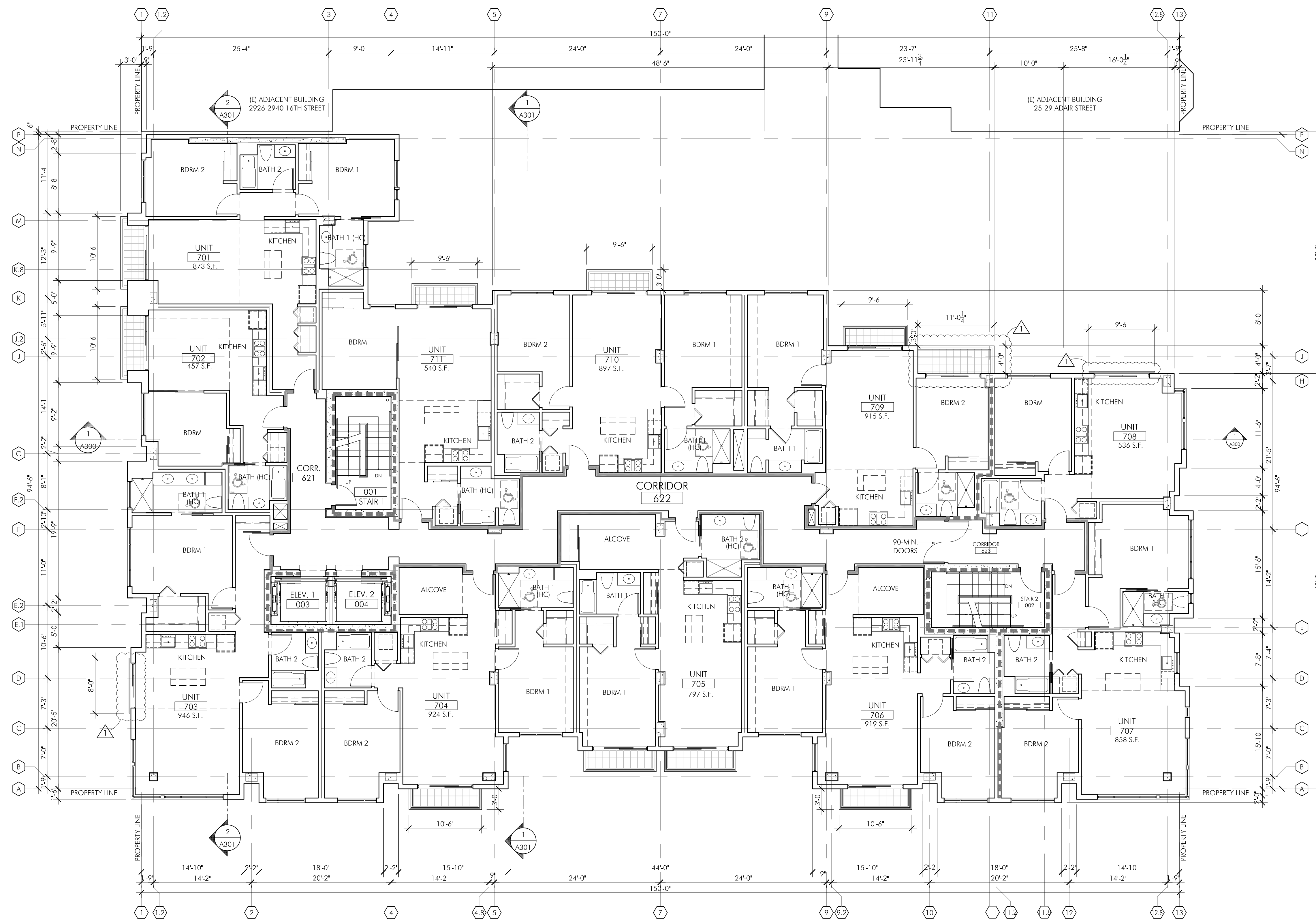
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### PARTITION LEGEND

-  1-HR FIRE-RESISTIVE WALL ASSEMBLY
-  2-HR FIRE-RESISTIVE WALL ASSEMBLY

\* ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE RATED, U.O.N.



**1 SEVENTH FLOOR PLAN**  
1/8" = 1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

### LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"

SHEET TITLE: SEVENTH FLOOR PLAN

SHEET NUMBER:

# A108

# 490 SOUTH VAN NESS AVENUE

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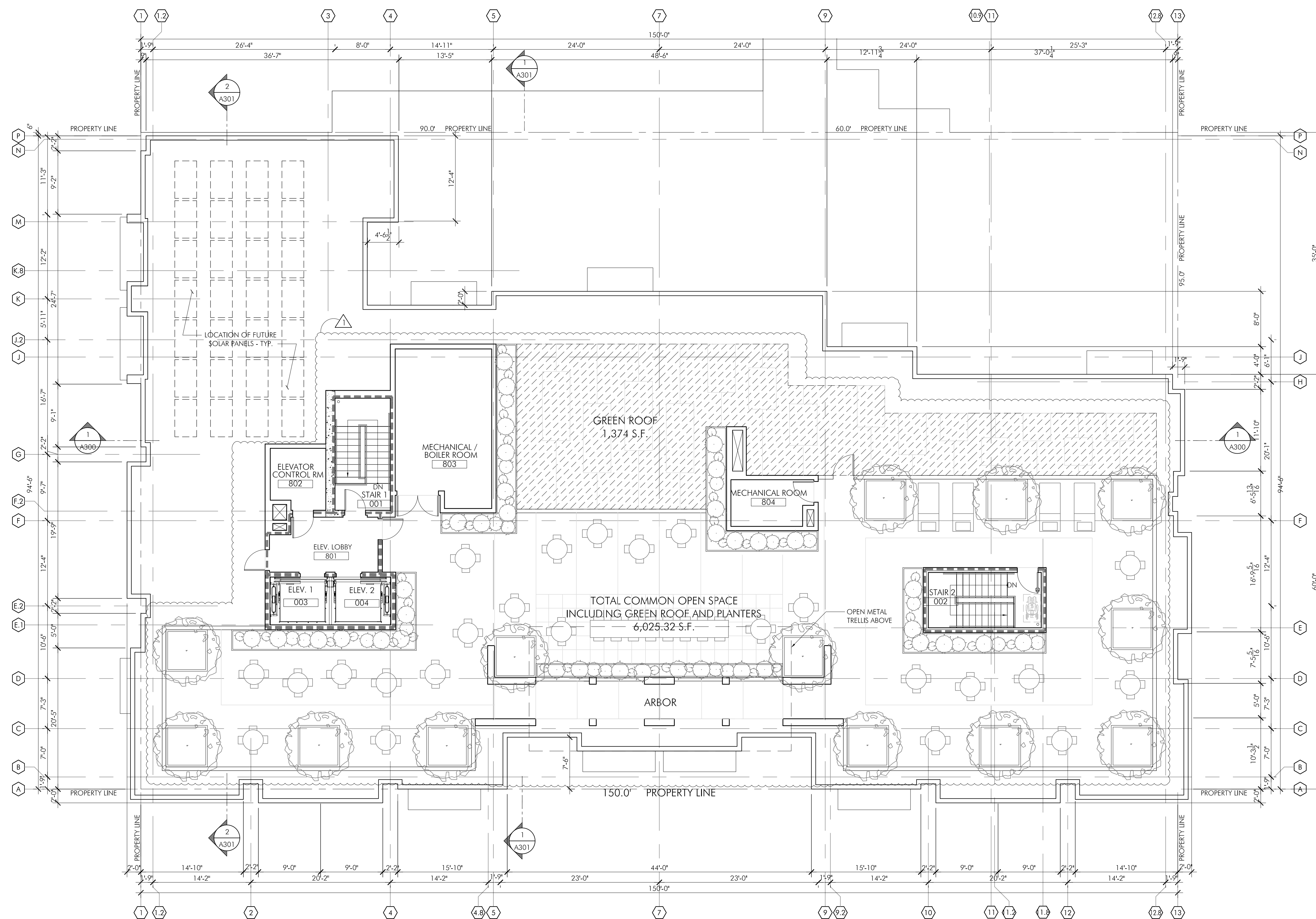
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## PARTITION LEGEND

-  1-HR FIRE-RESISTIVE WALL ASSEMBLY
-  2-HR FIRE-RESISTIVE WALL ASSEMBLY

\* ALL EXTERIOR WALLS ARE 1-HR FIRE-RESISTIVE RATED, U.O.N.



**1 ROOF PLAN**  
1/8" = 1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

## LPA SUBMITTAL

JOB NUMBER: 09004  
DATE: 03.17.2014  
SCALE: 1/8" = 1'-0"  
SHEET TITLE: ROOF PLAN

DRAWN BY: T.H.L.  
CHECKED BY: W.S.  
SHEET NUMBER: A109



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**2 EAST EXTERIOR ELEVATION - S. VAN NESS AVE.**  
1/8" = 1'-0"

**KEY NOTES:**

- ① CERAMIC OR STONE TILES
- ② CERAMIC OR STONE COLUMN BASE
- ③ ANODIZED ALUMINUM WINDOW
- ④ ANODIZED ALUMINUM STOREFRONT SYSTEM
- ⑤ METAL RAIL W/ COLORED TRANSLUCENT RESIN PANEL
- ⑥ EXTERIOR COMPOSITE PANELS BY TRESPA OR EQ.
- ⑦ INTERGRAL COLOR CEMENT PLASTER
- ⑧ METAL RAILING - PAINTED
- ⑨ OPEN METAL TRELLIS



**1 SOUTH EXTERIOR ELEVATION - 16TH ST.**  
1/8" = 1'-0"

DATE	DESCRIPTION
03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

**LPA SUBMITTAL**

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"

SHEET TITLE:  
**EXTERIOR ELEVATIONS -  
S. VAN NESS & 16TH**

SHEET NUMBER:

**A200**

# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CA 94103

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**2 WEST EXTERIOR ELEVATION**  
1/8" = 1'-0"

**KEY NOTES:**

- 1 CERAMIC OR STONE TILES
- 2 CERAMIC OR STONE COLUMN BASE
- 3 ANODIZED ALUMINUM WINDOW
- 4 ANODIZED ALUMINUM STOREFRONT SYSTEM
- 5 METAL RAIL W/ COLORED TRANSLUCENT RESIN PANEL
- 6 EXTERIOR COMPOSITE PANELS BY TRESPA OR EQ.
- 7 INTEGRAL COLOR CEMENT PLASTER
- 8 METAL RAILING - PAINTED
- 9 OPEN METAL TRELLIS



**1 NORTH EXTERIOR ELEVATION - ADAIR ST.**  
1/8" = 1'-0"

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

**LPA SUBMITTAL**

JOB NUMBER: 09004 DRAWN BY: T.H.L.

DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"

SHEET TITLE:  
**EXTERIOR ELEVATIONS -  
NORTH & WEST**

SHEET NUMBER:

**A201**



# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CA 94103

**FORUM DESIGN**  
ARCHITECTS  
The architecture office of Warner Schmalz

1014 Howard Street San Francisco, CA 94103  
F 415 . 252.9020 T 415 . 252.7063

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03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION

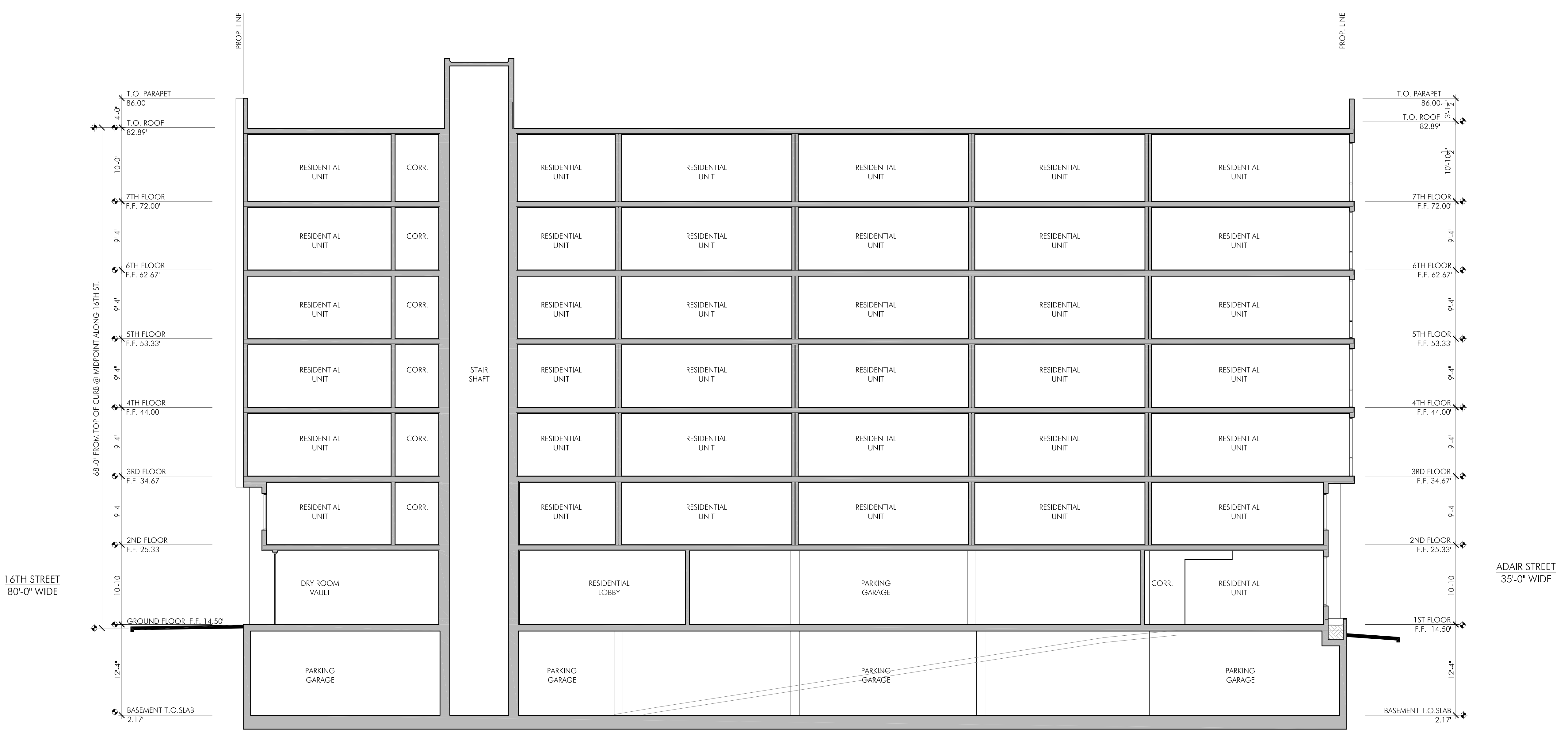
## LPA SUBMITTAL

JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"

SHEET TITLE: BUILDING SECTION A-A

SHEET NUMBER: **A300**



**1 BUILDING SECTION**  
1/8" = 1'-0"

# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CA 94103

**FORUM DESIGN**  
ARCHITECTS  
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1014 Howard Street San Francisco, CA 94103  
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2940-2944  
16TH STREET

03.17.14	LPA SUBMITTAL
04.28.14	LPA SUBMITTAL REVISION
07.01.14	COMMERCIAL DESIGN REVISION TO MEET CODE

## LPA SUBMITTAL

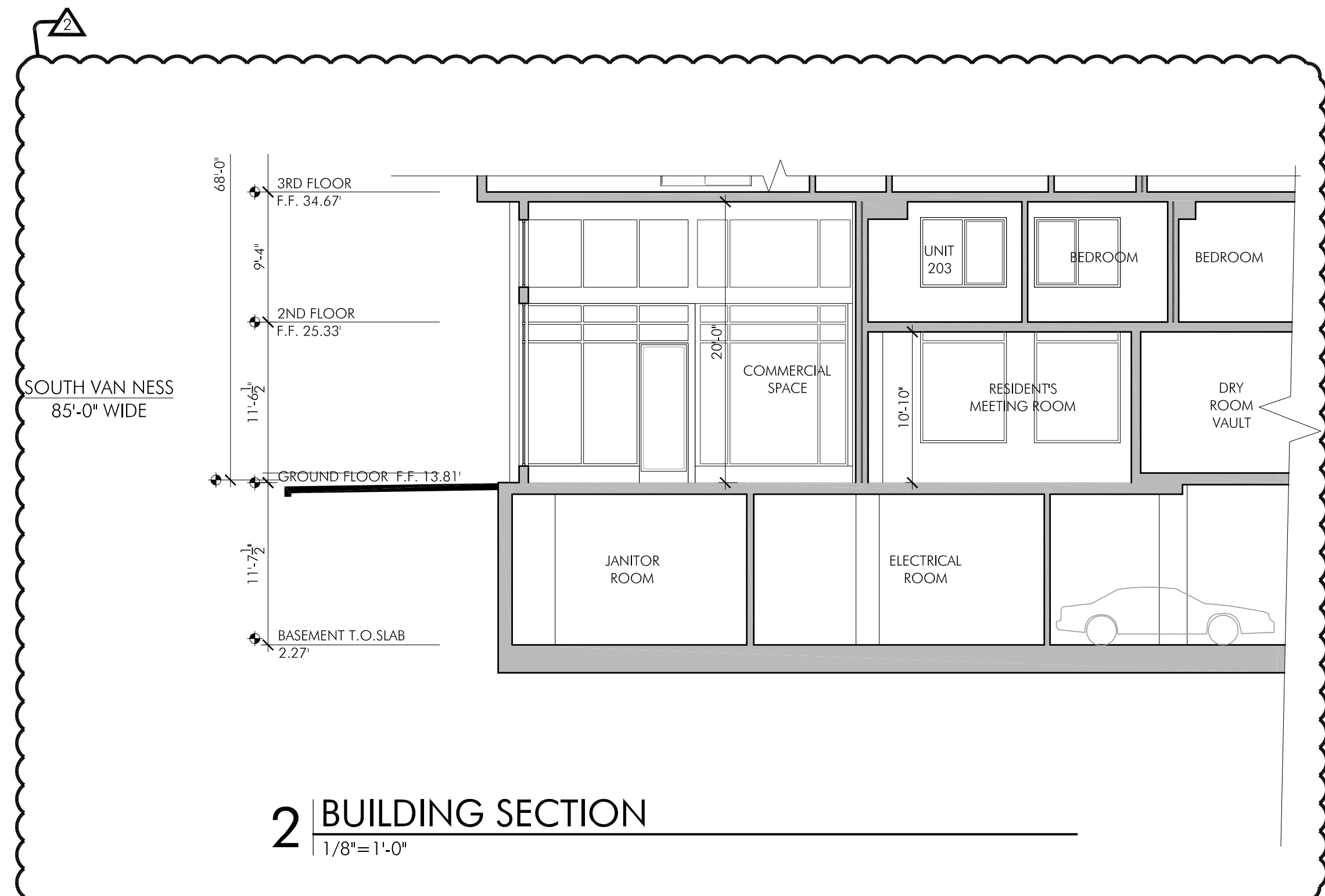
JOB NUMBER: 09004 DRAWN BY: T.H.L.  
DATE: 03.17.2014 CHECKED BY: W.S.

SCALE: 1/8" = 1'-0"

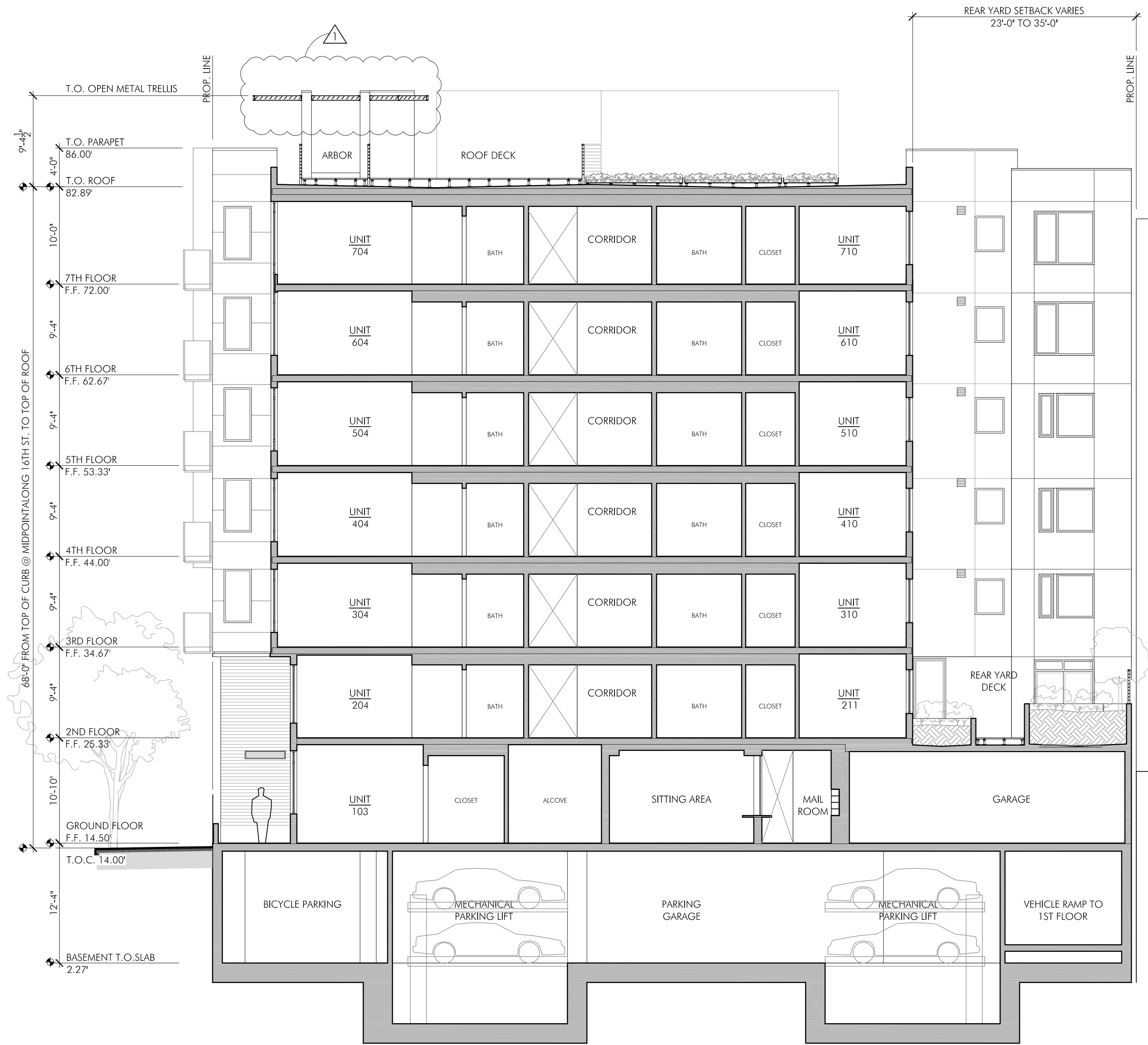
SHEET TITLE: BUILDING SECTION B-B

SHEET NUMBER:

# A301

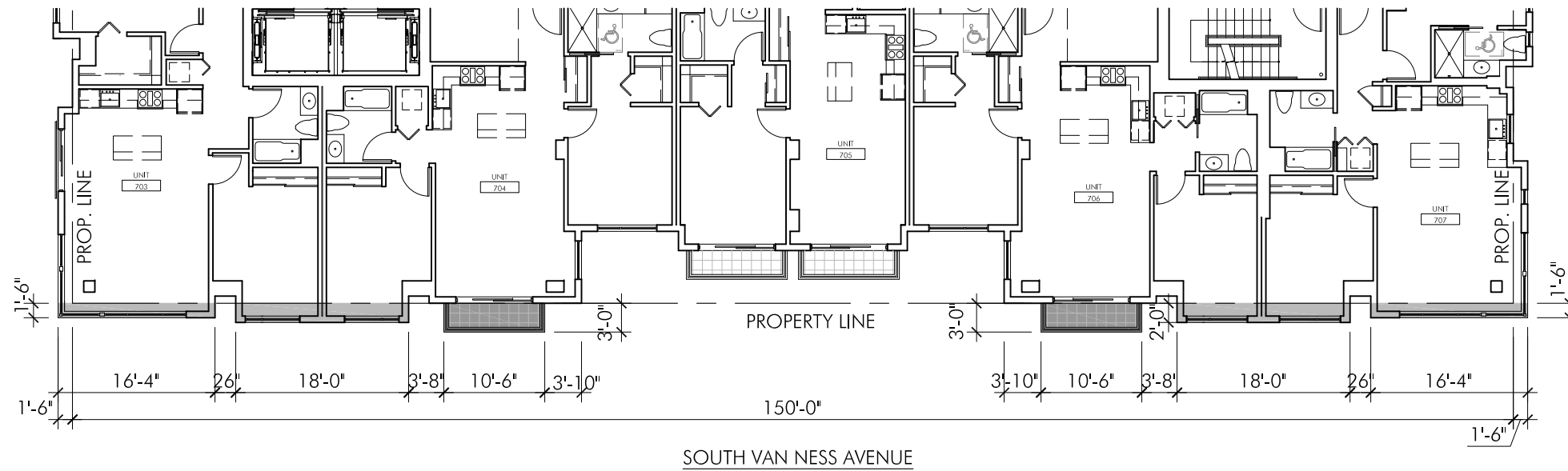


**2 BUILDING SECTION**  
1/8" = 1'-0"



**1 BUILDING SECTION**  
1/8" = 1'-0"

TYPICAL FLOOR PLAN  
FACING SOUTH VAN NESS AVE



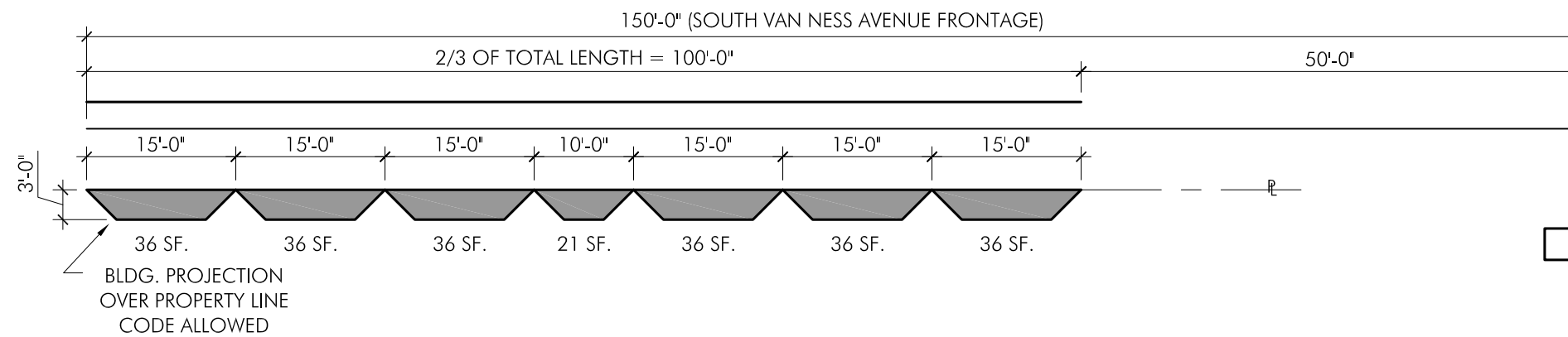
ELEVATION ON SOUTH VAN NESS AVENUE

PROPOSED  
BAY WINDOWS & BALC.



= 63 SF. (BALCONIES TOTAL)  
 = 121 SF. BLDG. TOTAL  
**= 184 SF. (TOTAL BLDG. + BALCONIES)**

CODE ALLOWED  
BAY WINDOWS & BALC.



**= 237 SF. (TOTAL BLDG. + BALCONIES)**

BAY WINDOWS ON SOUTH VAN NESS AVENUE

490 SOUTH VAN NESS AVENUE

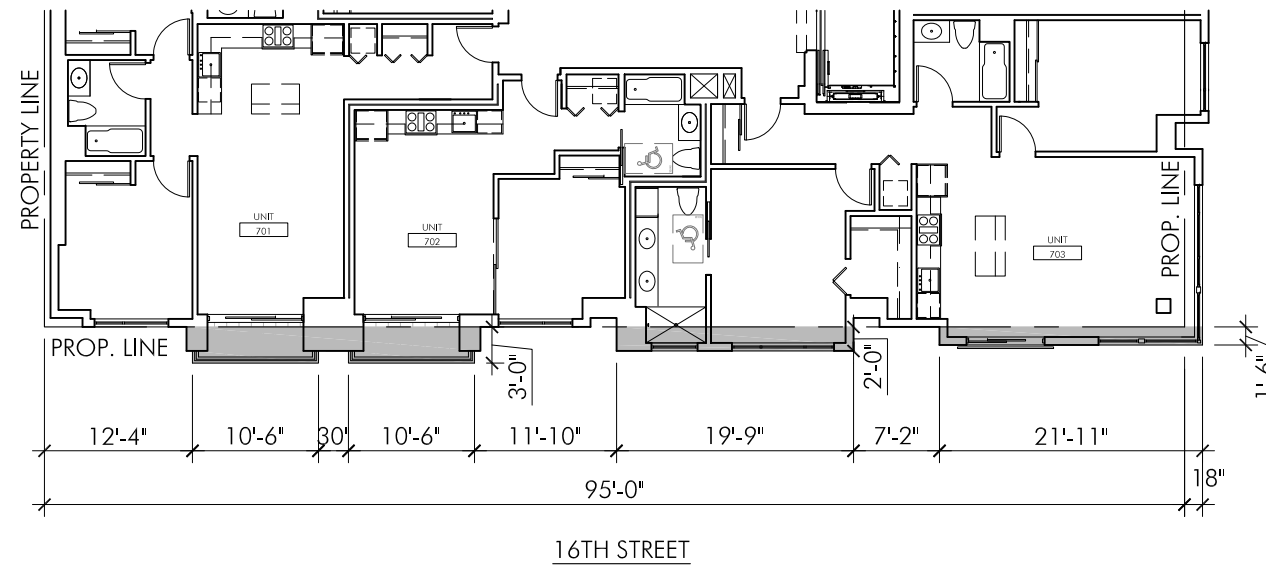
SAN FRANCISCO, CALIFORNIA 94103

EXHIBIT 2.1

APRIL 28, 2014

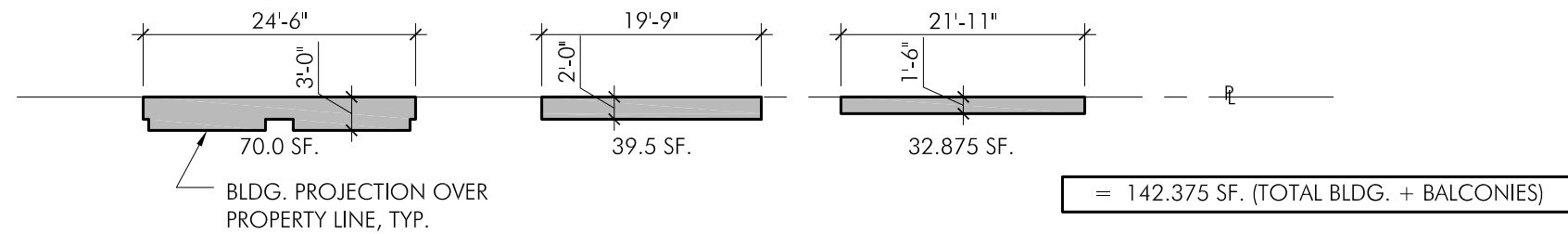
**FORUM**DESIGN  
ARCHITECTS

TYPICAL FLOOR PLAN  
FACING 16TH STREET

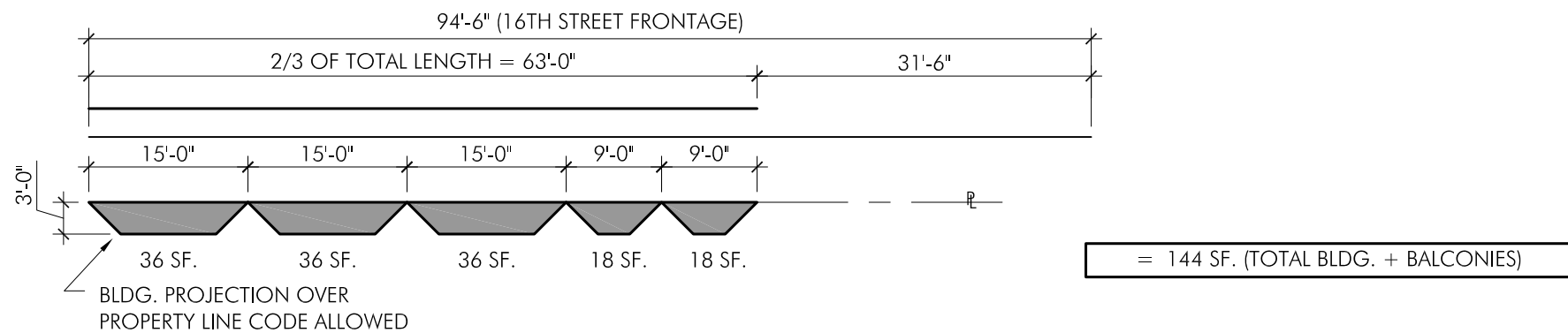


ELEVATION ON 16TH STREET

PROPOSED  
BAY WINDOWS & BALC.



CODE ALLOWED  
BAY WINDOWS & BALC.

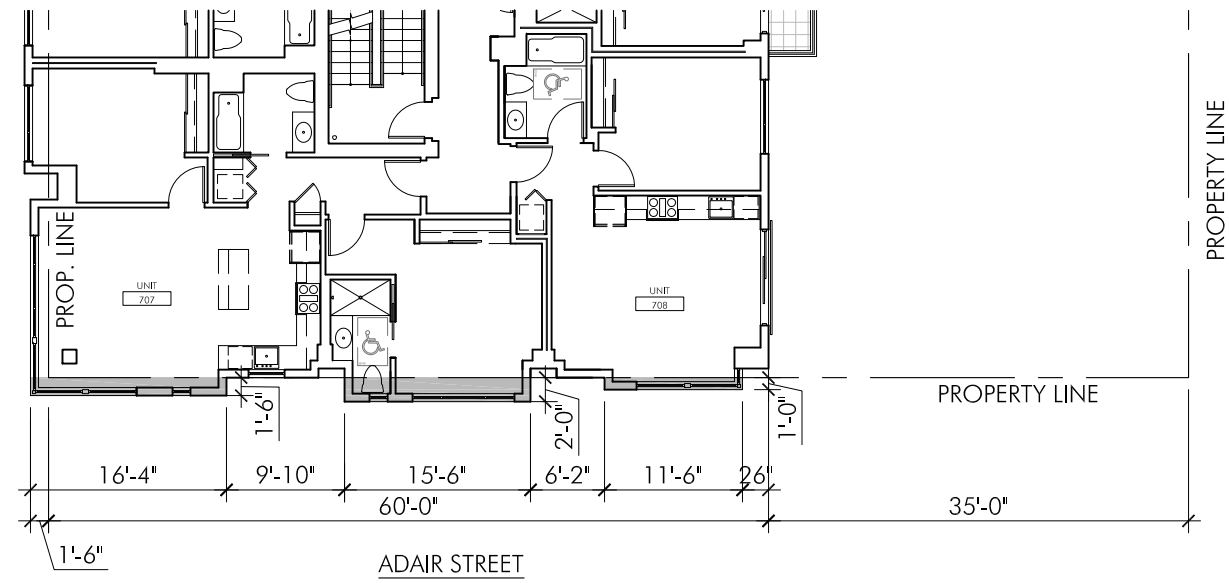


BAY WINDOWS ON 16TH STREET  
490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94103

EXHIBIT 2.2  
APRIL 28, 2014  
FORUM DESIGN  
ARCHITECTS

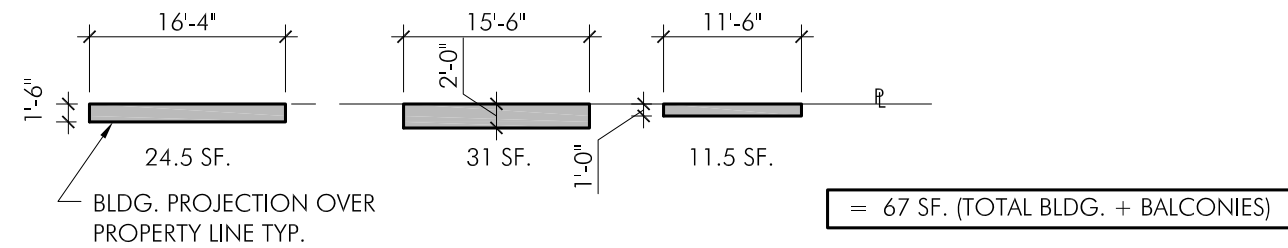


TYPICAL FLOOR PLAN  
FACING ADAIR STREET

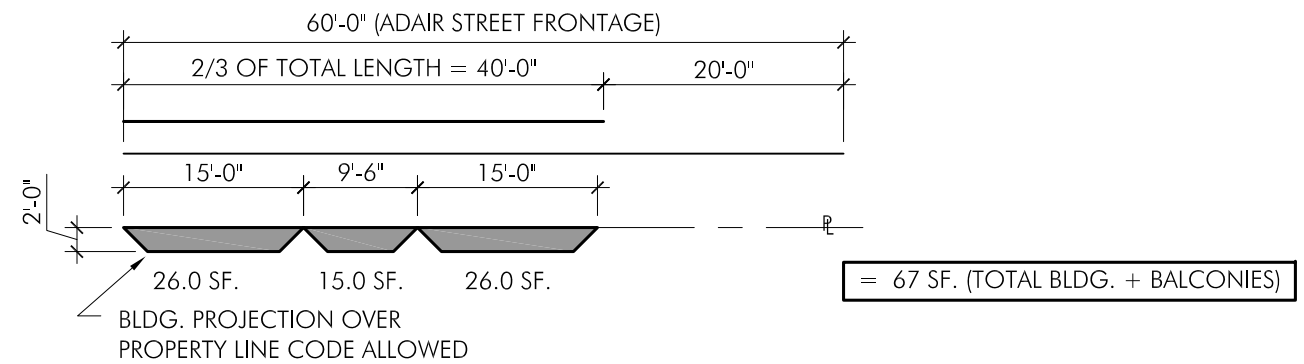


ELEVATION ON ADAIR STREET

PROPOSED  
BAY WINDOWS & BALC.



CODE ALLOWED  
BAY WINDOWS & BALC.



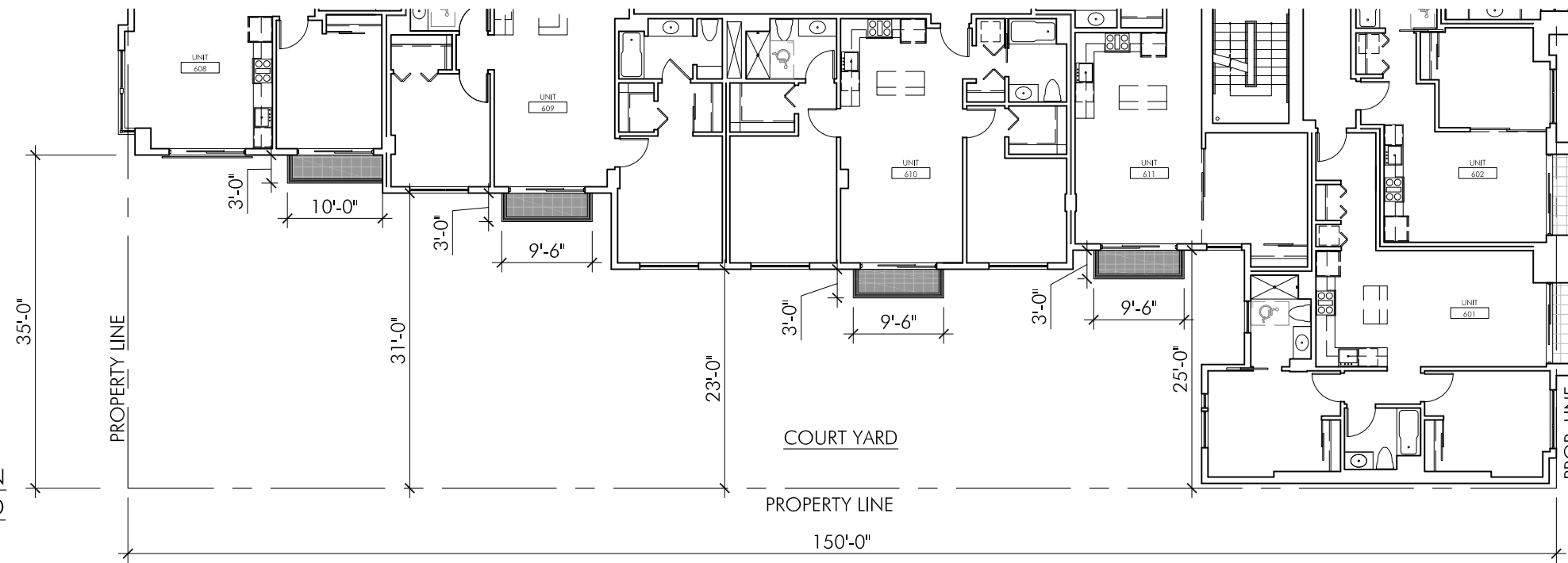
BAY WINDOWS ON ADAIR STREET  
490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94103

EXHIBIT 2.3

APRIL 28, 2014

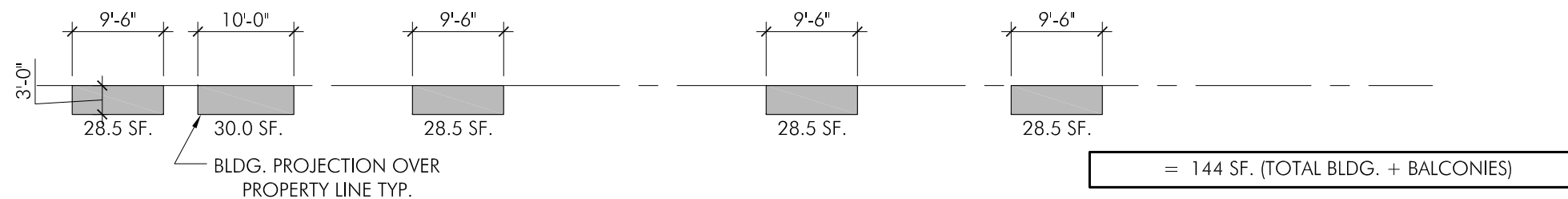
FORUM DESIGN  
ARCHITECTS

TYPICAL FLOOR PLAN  
FACING COURT YARD

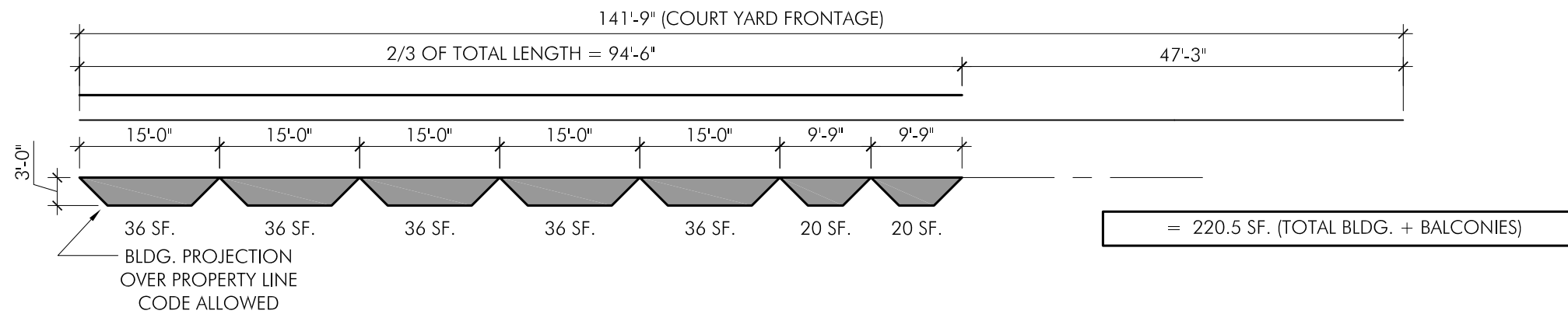


ELEVATION @ COURT YARD

PROPOSED  
BAY WINDOWS & BALC.



CODE ALLOWED  
BAY WINDOWS & BALC.

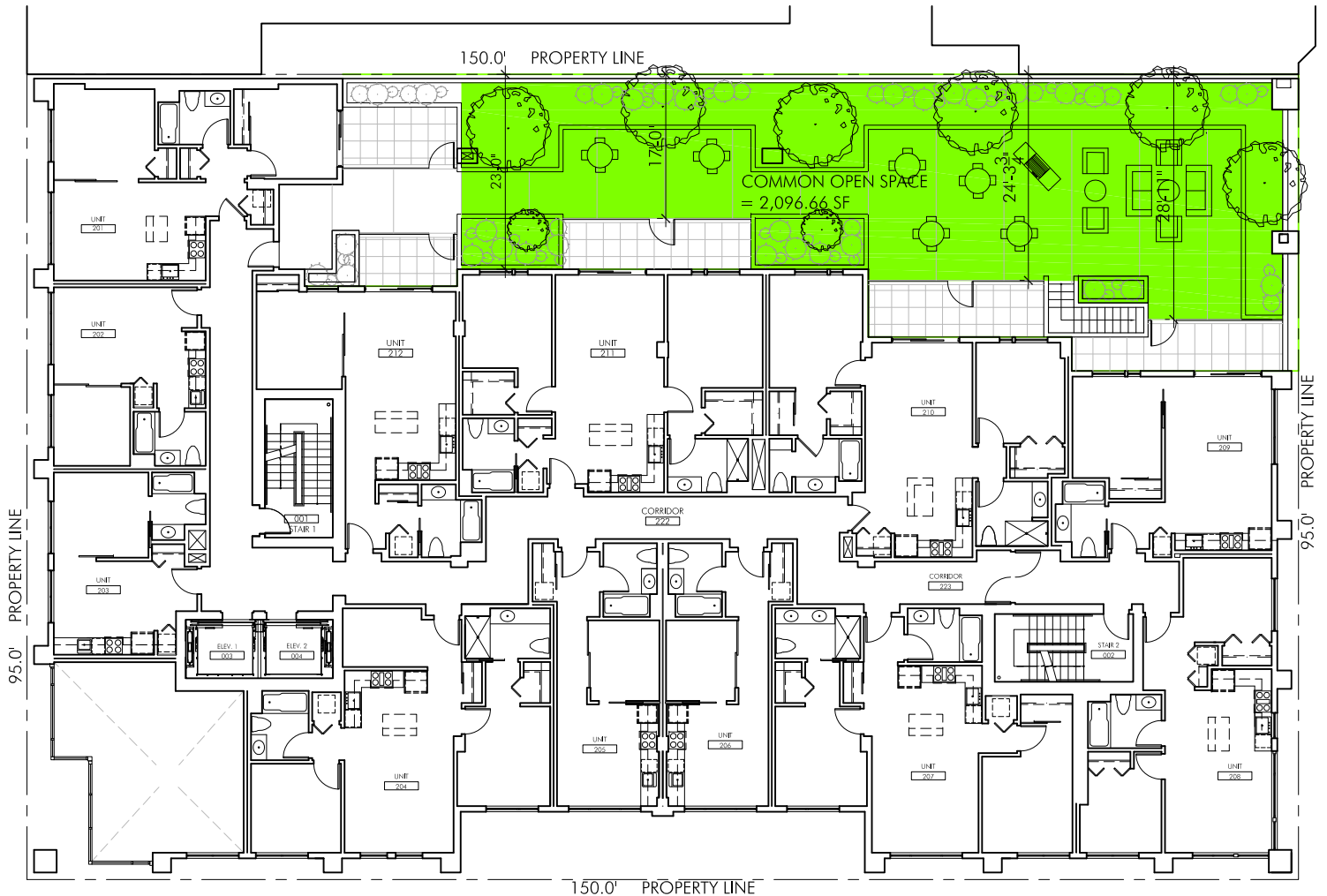


BAY WINDOWS ON COURT YARD  
490 SOUTH VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94103

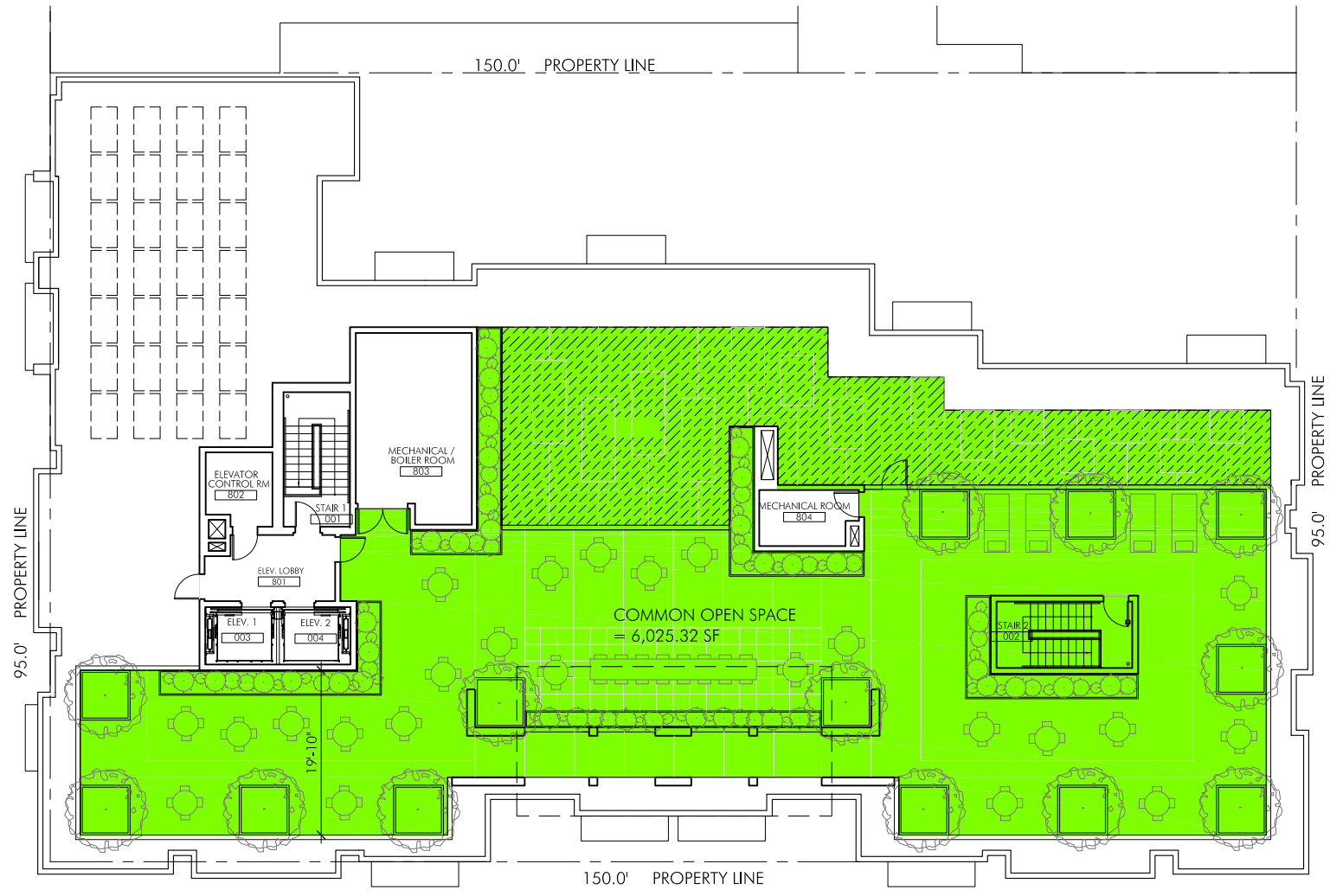
EXHIBIT 2.4

APRIL 28, 2014

FORUM DESIGN  
ARCHITECTS



SECOND FLOOR PLAN



ROOF PLAN

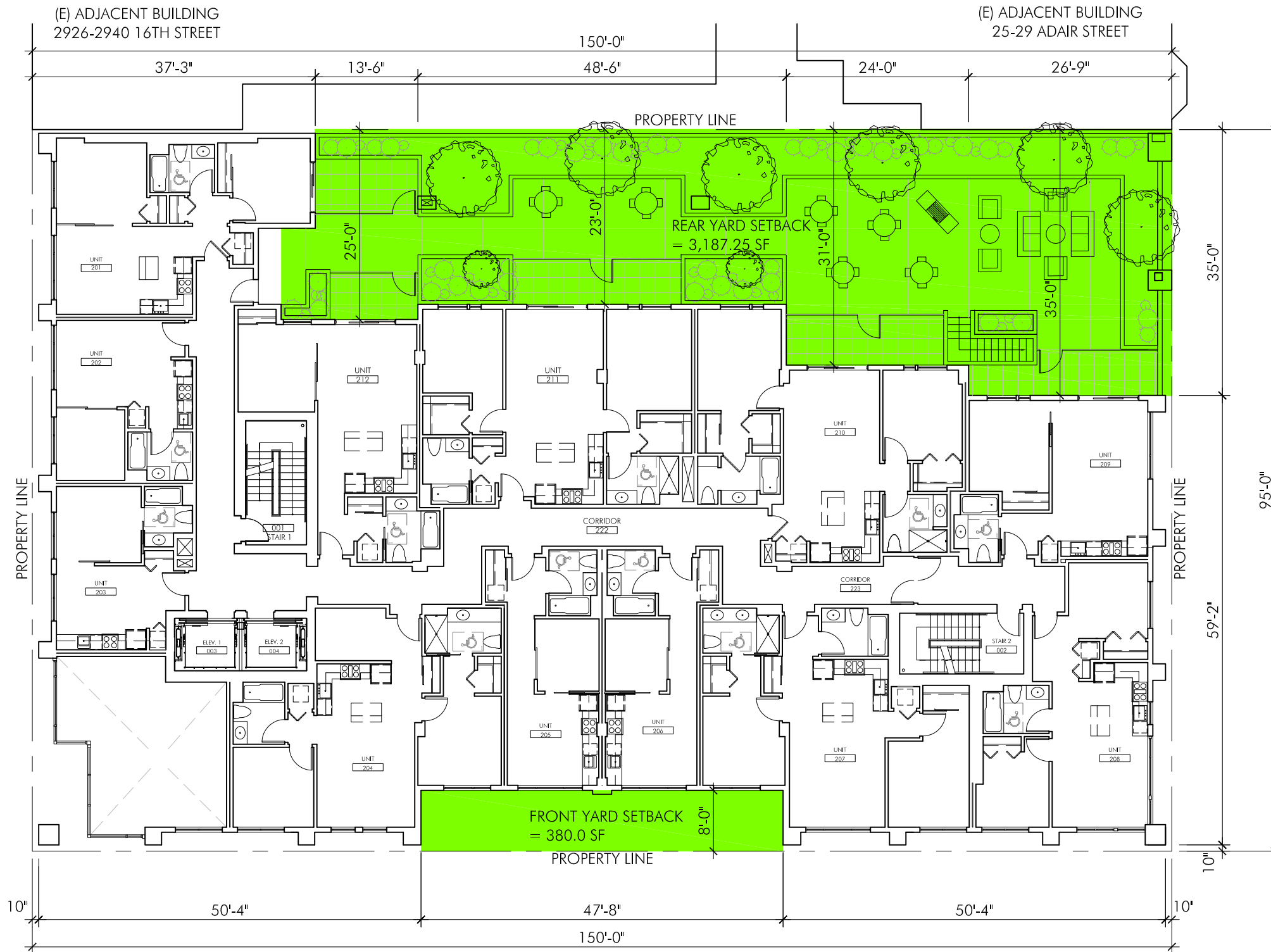
LEGEND  
 COMMON OPEN SPACE

2ND FLOOR LEVEL :	2096.66 SF
ROOF LEVEL :	6025.32 SF
TOTAL :	8121.98 SF

COMMON OPEN SPACE CALCULATION  
**490 SOUTH VAN NESS AVENUE**  
 SAN FRANCISCO, CALIFORNIA 94103

**EXHIBIT 3**  
 APRIL 28, 2014  
**FORUM DESIGN**  
 ARCHITECTS

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LEGEND

REAR YARD SETBACK AREA

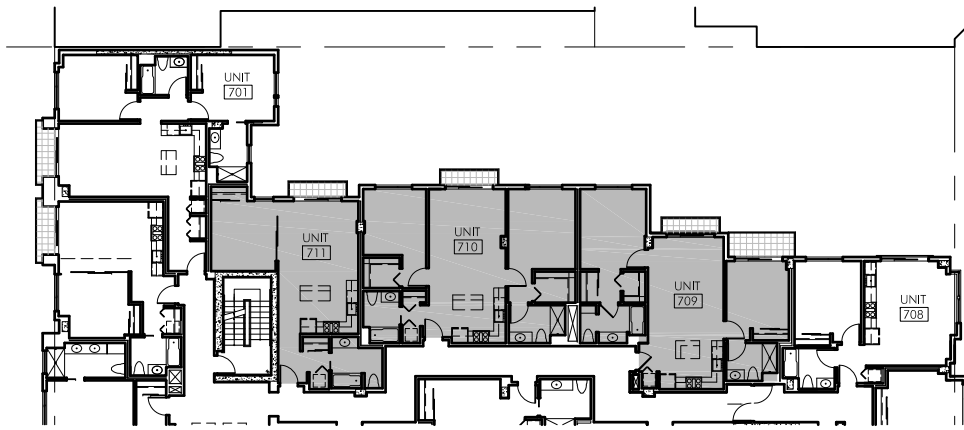
LOT AREA	:	14,250 SF
25% OF LOT AREA (CODE ALLOWED)	:	3562.5 SF
REAR YARD SETBACK	:	3187.25 SF
FRONT YARD SETBACK	:	380.00 SF
TOTAL PROPOSED	:	3567.25 SF
PERCENTAGE	:	25.03 %

REAR YARD CALCULATION

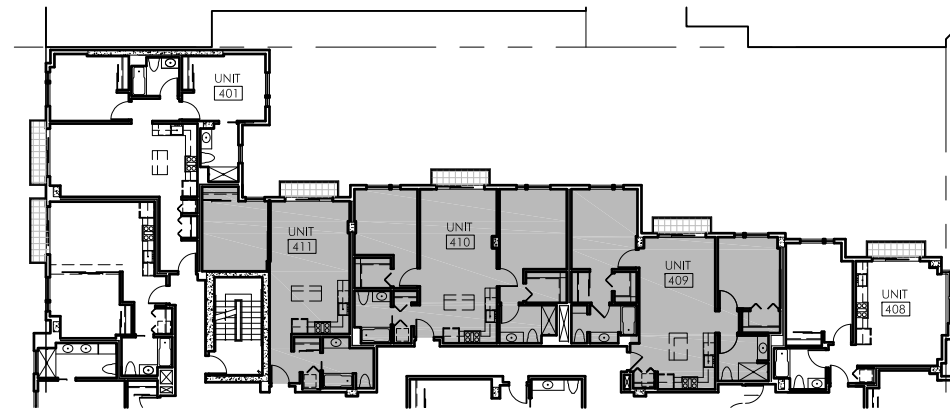
# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CALIFORNIA 94103

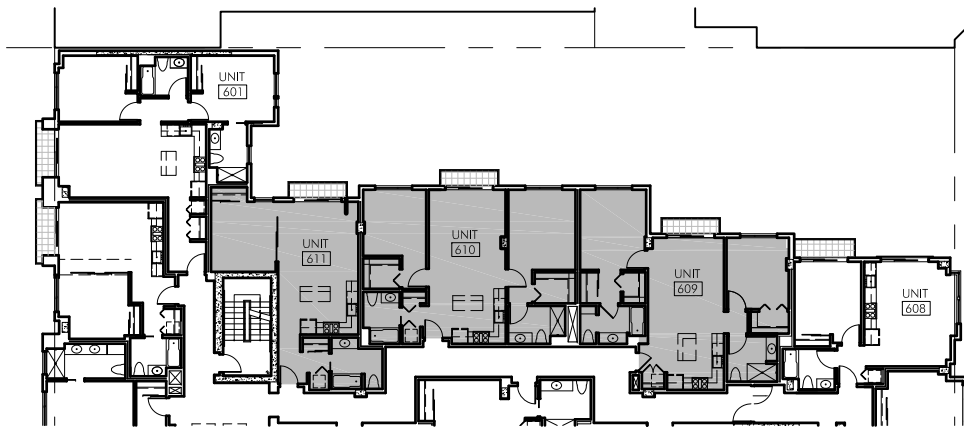
EXHIBIT 1  
APRIL 28, 2014  
**FORUM**DESIGN  
ARCHITECTS



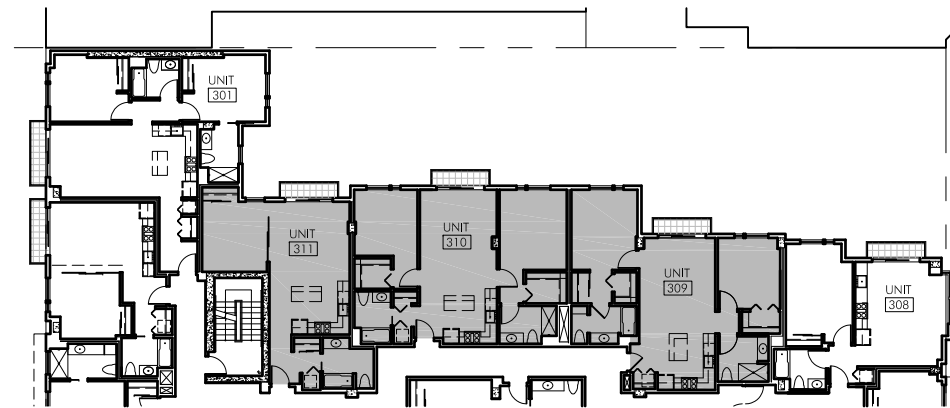
SEVENTH FLOOR PLAN



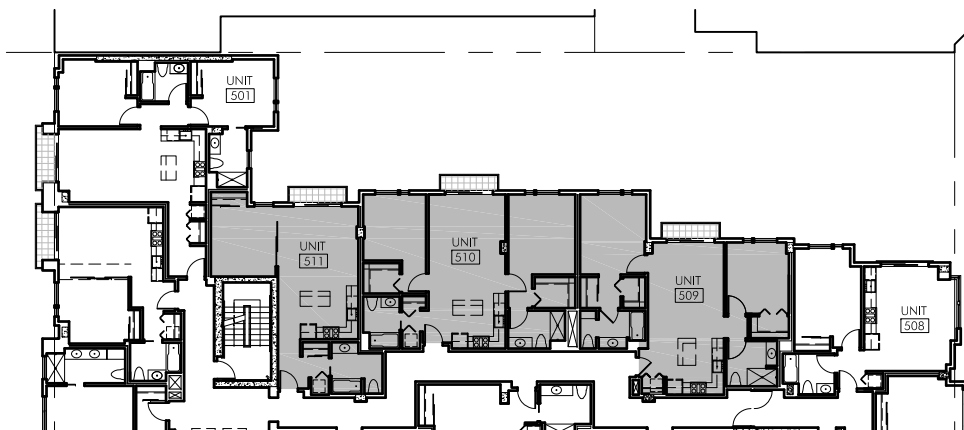
FOURTH FLOOR PLAN



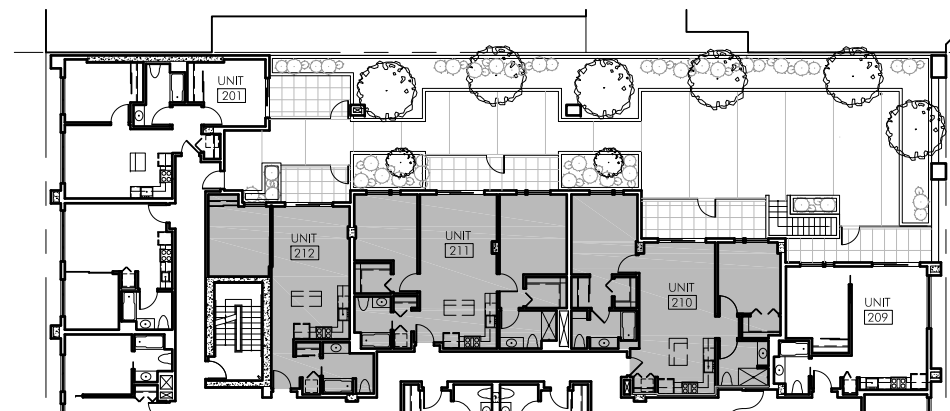
SIXTH FLOOR PLAN



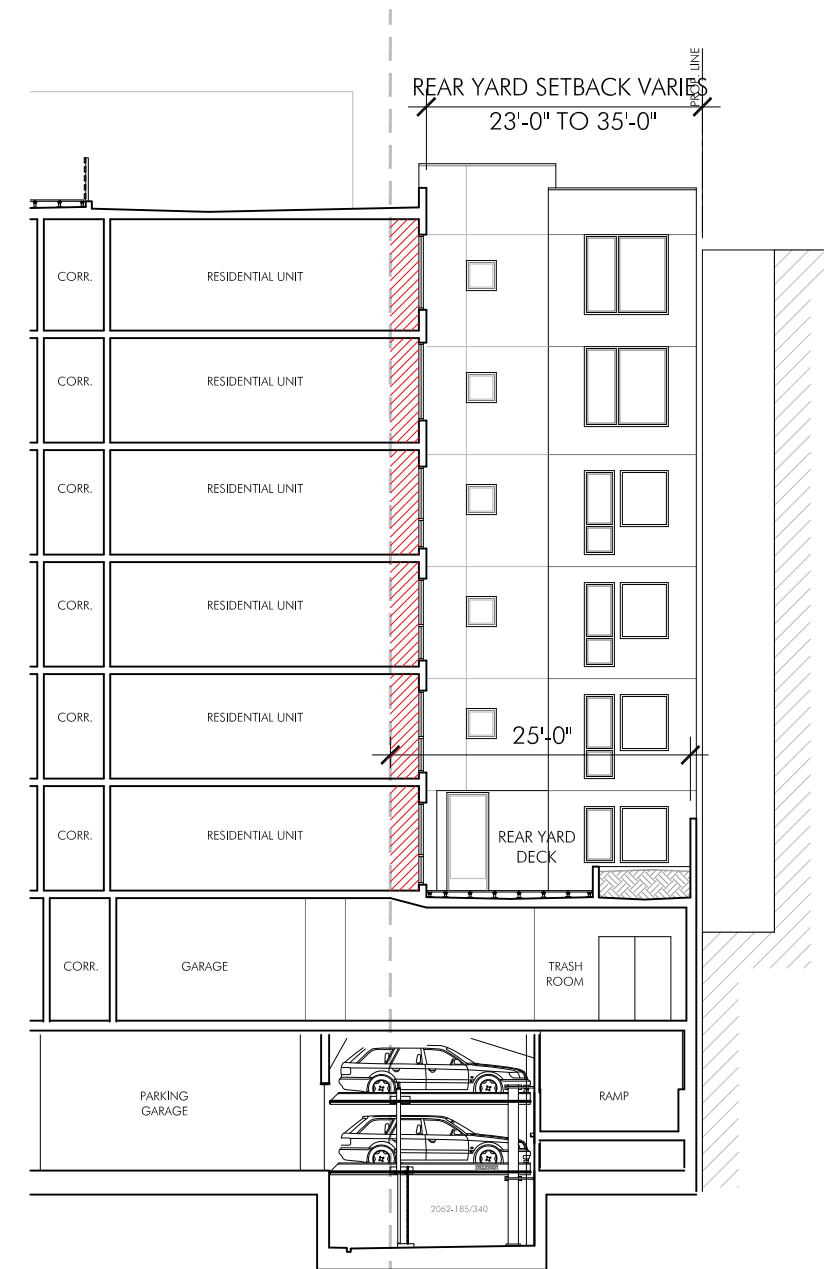
THIRD FLOOR PLAN



FIFTH FLOOR PLAN



SECOND FLOOR PLAN



BUILDING SECTION - EAST/WEST

LEGEND

- DWELLING UNITS THAT DO NOT MEET THE REQUIREMENTS FOR EXPOSURE
- AREA WITHIN 25' OF REAR YARD

DWELLING UNITS FACE ON AN OPEN AREA

# 490 SOUTH VAN NESS AVENUE

SAN FRANCISCO, CALIFORNIA 94103

## EXHIBIT 4

JUNE 25, 2014

**FORUM** DESIGN  
ARCHITECTS





SAN FRANCISCO  
PLANNING  
DEPARTMENT

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

T: 415.558.6378  
F: 415.558.6409

## AFFIDAVIT FOR First Source Hiring Program Administrative Code Chapter 83

For all projects subject to Administrative Code Chapter 83, this completed form must be filed with the Planning Department prior to any Planning Commission hearing or, if principally permitted, Planning Department approval of the site permit.

PROJECT ADDRESS		BLOCK/LOT(S)
490 South Van Ness Avenue		3533/008
BUILDING PERMIT APPLICATION NO.	CASE NO (IF APPLICABLE)	MOTION NO.
	2010.0043X	

Please check the boxes below that are applicable to this project. Select all that apply.

- 1A. The project is wholly residential.
- 1B. The project is wholly commercial. (For the purposes of Administrative Code Chapter 83, any project that is not residential is considered to be a commercial activity.)
- 1C. The project is a mixed use.
- 2A. The project will create ten (10) or more new residential units.
- 2B. The project will create 25,000 square feet or more of new or additional gross floor area.
- 3A. The project will create less than ten (10) new residential units.
- 3B. The project will create less than 25,000 square feet of new or additional gross floor area.

If you checked either 2A or 2B, your project is subject to the First Source Hiring Program. Please contact the First Source Hiring Program Manager with the San Francisco Human Services Agency's Workforce Development Division to develop a contract to satisfy this requirement.

If you checked 3A and 3B, your project is not subject to the First Source Hiring Program.

For questions, please contact the First Source Hiring Manager at (415) 401-4960. For frequently asked questions, you may access First Source information at [www.onestopsf.org](http://www.onestopsf.org)

# Affidavit for First Source Hiring Program

## Contact Information and Declaration of Sponsor of Principal Project

NAME: Maurice Casey	
ADDRESS: 630 Taraval Street San Francisco, CA 94116	TELEPHONE: (415 ) 661-7940
	FAX: (415) 563 8935
	EMAIL: jcn490svanness@yahoo.com

I hereby declare the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Administrative Code Chapter 83.

Maurice Casey  
Signature Maurice Casey

Date 4-28-14

# Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

June 26, 2014

Date

I, JCN Developers, do hereby declare as follows:

a. The subject property is located at (address and block/lot):

490 South Van Ness Avenue Avenue

Address

3533/008

Block / Lot

b. The proposed project at the above address is subject to the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq.

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

2010.0043X

Planning Case Number

Building Permit Number

This project requires the following approval:

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

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

Rich Sucre

Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) UMU - Tier B
- No

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

- This project uses California Debt Limit Allocation Committee (CDLAC) funding.
- This project is 100% affordable.

c. This project will comply with the Inclusionary Affordable Housing Program by:

- Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).
- On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).



d. If the project will comply with the Inclusionary Affordable Housing Program through an On-site or Off-site Affordable Housing Alternative, please fill out the following regarding how the project is eligible for an alternative and the accompanying unit mix tables on page 4.

- Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>2</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:
  - Direct financial contribution from a public entity.
  - Development or density bonus or other public form of assistance.
  - Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

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

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

f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this day in:

San Francisco, California  
Location

6/30/2014  
Date

Maurice Casey  
Signature

MAURICE CASEY Principal  
Name (Print), Title

(415) 760 8108  
Contact Phone Number

cc: Mayor's Office of Housing  
Planning Department Case Docket  
Historic File, if applicable  
Assessor's Office, if applicable

<sup>2</sup> California Civil Code Section 1954.50 and following.

Affidavit for Compliance with the Inclusionary Affordable Housing Program

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name <b>JCN Developers</b>	Company Name
Print Name of Contact Person <b>Maurice Casey</b>	Print Name of Contact Person
Address <b>630 Taraval Street</b>	Address
City, State, Zip <b>San Francisco, CA 94116</b>	City, State, Zip
Phone, Fax <b>415 760 8108 / 415 563 8935</b>	Phone, Fax
Email <b>jcn490svanness@yahoo.com</b>	Email
I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.  <i>Maurice Casey</i> _____ Signature	I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.  _____ Signature
Name (Print), Title <b>MAURICE CASEY, Principal</b>	Name (Print), Title

## Sucre, Richard (CPC)

---

**From:** marc salomon <marcsalomon@gmail.com>  
**Sent:** Tuesday, June 17, 2014 7:25 PM  
**To:** Sucre, Richard (CPC)  
**Subject:** Re: 490 South Van Ness Avenue Planning Commission Hearing

Thank you, Richard.

I had a rolling sunshine request for all electronic public records with Corey Teague that he informed me was still active when I last saw him about a year ago. Departmental policy is supposed to ensure that requests follow projects across personnel. Am I correct in assuming that this sunshine request did not follow the project once it became your responsibility and that there are electronic public records that were not forwarded to be as required under the law?

The neighborhood has some design concerns with this project that the Marhsall PTA shares, especially as pertains to parking, and alley setback controls. The point of a rolling sunshine request was to give the neighborhood heads up as to the progress of the project. When the department does not follow through on its statutory obligations, neighbors cannot know when the right time to approach the department is.

best,

-marc

On Tue, Jun 17, 2014 at 6:19 PM, Sucre, Richard (CPC) <[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)> wrote:

Hello Marc,

Since you have expressed interest in the project at 490 South Van Ness Avenue, I am forwarding you a copy of the public notice. This project has been scheduled for the July 10<sup>th</sup> Planning Commission Hearing. Feel free to send me any information that you would like the Planning Commission to consider. The Commissioner packets become available a week in advance of the public hearing, and will be available for download from the Department's website.

Please let me know if you have any questions or if you would like to see the updated project plans.

Thank you,

Rich



**Richard Sucre**  
**Preservation Technical Specialist/Planner, Southeast Quadrant, Current Planning**

Planning Department | City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
Direct: 415-575-9108 | Fax: [415-558-6409](tel:415-558-6409)

Email: [richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)

Web: [www.sfplanning.org](http://www.sfplanning.org)





# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Case No.: 2010.0043E  
Project Address: 490 South Van Ness Avenue  
Zoning: UMU (Urban Mixed-Use) Zoning District  
68-X Height and Bulk District  
Block/Lot: 3553/008  
Lot Size: 14,250 square feet  
Plan Area: Eastern Neighborhoods Area Plan  
Project Sponsor: Warner Schmalz; Forum Design; (415) 252-7063;  
w.schmalz@forumdesign.com  
Staff Contact: Melinda Hue; (415) 575-9041;  
Melinda.Hue@sfgov.org

### PROJECT DESCRIPTION:

The project site is located on the northwest corner of South Van Ness Avenue and 16th Street in the Mission neighborhood. The project site is located on the block bordered by Capp Street, Adair Street, South Van Ness Avenue, and 16th Street. The approximately 14,250-square-foot (sf) project site currently has a 1,618-sf one-story vacant building that was previously used for auto service and two canopies associated with the previous auto-related uses. There are four existing billboards on the project site and temporary fencing currently exists around the perimeter of the project site.

*(Continued on next page.)*

### EXEMPT STATUS:

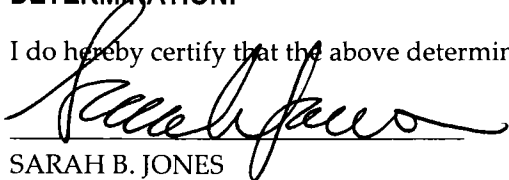
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### REMARKS:

(See next page.)

### DETERMINATION:

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

  
SARAH B. JONES

Environmental Review Officer

June 24, 2014  
Date

- cc: Warner Schmalz, Project Sponsor  
Rich Sucre, Current Planner and Preservation Planner  
Supervisor David Campos, District 9 (via Clerk of the Board)  
Virna Byrd, M.D.F.  
Exclusion/Exemption Dist. List  
Historic Preservation Distribution List

**PROJECT DESCRIPTION (continued):**

The project site during its previous use as a gas station/auto-repair business was, in its entirety, covered by structures and paving. Excavation for the purposes of project-site remediation occurred between January and March 2012 in accordance with a Department of Public Health (DPH) approved Corrective Action Plan. Thus the project site, other than beneath the on-site building, the two canopies and billboard appurtenances, was excavated and is now surface soil that was restored to grade level.

The proposed project would involve demolition of the existing building, canopies, and billboards on the project site and construction of new development on-site. The proposed building would be seven stories over a one-level basement (15 feet in depth) and approximately 68-foot-tall (excluding the parapet, roof-top elevator/stair/mechanical penthouse and roof-top open metal trellis), as measured from the top of curb at the midpoint of the property line along South Van Ness Avenue up to the structural roof. The proposed building would include a four-foot-tall parapet and an approximately nine-foot-tall roof-top elevator/stair/mechanical penthouse and roof-top open metal trellis above the structural roof. The building height, as measured from the top of the curb to the roof-top elevator/stair/mechanical penthouse and trellis, would be approximately 77 feet. The proposed building's average floor-to-floor height would be approximately nine-and-a-half feet with the exception of the ground floor commercial space at the corner of 16th Street and South Van Ness Avenue, which would be approximately 20 feet tall.

The proposed project would include the construction of a 91,780-sf building containing 72 dwelling units, 1,123-sf of commercial area, and 48 parking spaces. The ground floor of the proposed building would include 1,123-sf of commercial area located at the corner of 16th Street and South Van Ness Avenue and five dwelling units located along 16th Street, South Van Ness Avenue and Adair Street. The five ground-floor dwelling units are proposed as flexible units per Planning Code Section 329(d)(10), which would allow these ground-floor dwelling units to have either residential only or residential with accessory commercial uses.

The ground floor of the proposed building would also include six parking spaces in a parking garage that would be accessed from a 12-foot-wide curb cut off of Adair Street. The parking garage would also include 42 parking spaces (32 mechanical lift spaces and 10 surface spaces) in the basement. The proposed project would involve excavation of up to approximately 15 feet below ground surface (bgs) to accommodate the one-level basement and building foundation beneath the entire project site. To accommodate the mechanical parking lifts in a portion of the basement, an additional seven feet of excavation would be required, resulting in a total excavation depth of approximately 22 feet bgs for approximately 17 percent of the project site. Approximately 9,780 cubic yards of soil would be excavated from the project with the proposed development.

In accordance with Planning Code Section 155.2, a total of 99 bicycle parking spaces would be provided as part of the project, with 83 Class 1 bicycle parking spaces located at the basement level and 16 Class 2 bicycle parking spaces located on the sidewalk along 16th Street, South Van Ness Avenue, and Adair Street. The proposed project would also include common open spaces, including a 2,097-sf outdoor deck on the second floor and a 6,025-sf roof deck.



**Project Approval**

The project would require Large Project Authorization per Section 329 of the Planning Code. Approval of the Section 329 application by the Planning Commission would constitute the Approval Action date. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

**REMARKS:**

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

This determination evaluates the potential project-specific environmental effects for the 490 South Van Ness Avenue project described above, and incorporates by reference information contained within the programmatic Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods PEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048), which is the underlying EIR for the proposed project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" to) the proposed project.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR. This determination does not identify new or additional information that would alter the conclusions of the PEIR. In addition, this determination identifies mitigation measures contained in the Eastern Neighborhoods PEIR that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods PEIR as well as an evaluation of potential environmental effects are provided in the Community Plan Exemption (CPE) Checklist for the proposed project.<sup>1</sup>

**BACKGROUND:**

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods Area Plans) was adopted in December 2008. The Eastern Neighborhoods Area Plans was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and

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<sup>1</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2010.0043E.

future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods Area Plans also included changes to existing height and bulk districts in some areas, including the project site at 490 South Van Ness Avenue.

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

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods PEIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Eastern Neighborhoods PEIR.

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in CPE Checklist, under Land Use. The 490 South Van Ness Avenue project site, which is located in the Mission area of the Eastern Neighborhoods, was designated as a site with building up to 68-X feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether

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

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

additional environmental review would be required. This determination concludes that the proposed project at 490 South Van Ness Avenue is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 490 South Van Ness Avenue project, and identified the mitigation measures applicable to the proposed 490 South Van Ness Avenue project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4,5</sup> Therefore, no further CEQA evaluation for the proposed 490 South Van Ness Avenue project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING:

The project site, which is located on the northwest corner of South Van Ness Avenue and 16th Street, is in the Mission neighborhood approximately three blocks south of Highway 101 and approximately two blocks east of the 16th Street BART Station. The immediate area around the project site is characterized by a mix of uses. To the west, adjacent to the project site, is the Redstone Building which includes office and ground-floor retail uses. The project site is also adjacent to residential uses, some accompanied by ground floor commercial uses. To the east are auto related uses, with a Hyundai car dealership located on the northeast corner of South Van Ness Avenue and 16th Street and a gas station is located on the southeast corner of the same intersection.

## POTENTIAL ENVIRONMENTAL EFFECTS:

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Area Plans. The proposed 490 South Van Ness Avenue project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 490 South Van Ness Avenue project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed change of the approximately 14,250-sf project site from the previous PDR use (auto service) to residential and commercial uses represents a small part of the loss of PDR space analyzed in the Eastern Neighborhoods PEIR and would not result in a cumulatively considerable contribution to the significant and unavoidable cumulative land use impact related to the loss of PDR use identified in the

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<sup>4</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 490 South Van Ness Avenue, February 24, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 490 South Van Ness Avenue, May 13, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.



Eastern Neighborhoods PEIR. In regards to significant and unavoidable transportation impacts related to traffic and transit, project-generated vehicle and transit trips would not contribute considerably to significant and unavoidable cumulative traffic and transit impacts and would not be a substantial portion of the overall additional traffic and transit volume anticipated to be generated by Plan Area projects. The proposed project would not contribute to significant and unavoidable historic architectural resources impacts since the proposed project would not involve the demolition of a historic resource and would not cause a significant adverse impact upon any nearby adjacent historic resources. The proposed project would not contribute to significant and unavoidable shadow impacts since the proposed project would not result in shadows on any nearby parks.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to: Noise (F-1, F-2, F-3, F-4, F-5, and F-6), Air Quality (G-1, G-2, G-3, and G-4), Archeological Resources (J-1, J-2, and J-3), Historical Resources (K-1, K-2, and K-3), Hazardous Materials (L-1), and Transportation (E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, and E-11).

As analyzed and discussed in the CPE Checklist, the following mitigation measures identified in the Eastern Neighborhoods PEIR do not apply to the proposed project. PEIR Mitigation Measure E-1 Traffic Signal Installation would not apply because the proposed project is not in proximity to the intersections identified in the PEIR Mitigation Measure E-1 Traffic Signal Installation. PEIR Mitigation Measure E-2 Intelligent Traffic Management; Mitigation Measure E-3 Enhanced Funding; Mitigation Measure E-4 Intelligent Traffic Management; Mitigation Measure E-5 Enhanced Transit Funding; Mitigation Measure E-6 Transit Corridor Improvements; Mitigation Measure E-7 Transit Accessibility; Mitigation Measure E-8 Muni Storage and Maintenance; Mitigation Measure E-9 Rider Improvements; Mitigation Measure E-10 Transit Enhancement; and Mitigation Measure E-11 Transportation Demand Management would not apply to the proposed project because they call for improvements and programs that are associated with the implementation of the overall Eastern Neighborhoods Area Plans rather than a specific development project.

PEIR Mitigation Measure F-1 Construction Noise would not apply to the proposed project as project construction would not involve pile driving and Mitigation Measure F-2 Construction Noise has been superseded by the Noise Ordinance. PEIR Mitigation Measure F-3 Interior Noise Levels would not apply because the proposed project would be subject to Title 24 of the California Code of Regulations. PEIR Mitigation Measure F-5 Siting of Noise-Generating Uses would not apply as the proposed project would consist mainly of residential uses, which is not considered a noise-generating use.

PEIR Mitigation Measure G-1 Construction Air Quality has been superseded by the Construction Dust Control Ordinance and Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project because the project site is not located within an Air Pollutant Exposure Zone. PEIR Mitigation Measure G-3 Siting of Uses that Emit DPM and Mitigation Measure G-4 Siting of Uses that Emit Other TACs are not applicable to the proposed project as it would not include a use that would emit diesel particulate matter or other toxic air contaminants.

PEIR Mitigation Measures J-1 Properties with Previous Studies and J-2 Properties with No Previous Studies are not applicable to the proposed project since the project site is located within the Mission Dolores Archeological District. PEIR Mitigation Measure K-1 Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area, Mitigation Measure K-2 Amendments to Article 10 of the Planning

Code Pertaining to Vertical Additions in the South End Historic District (East SoMa), and Mitigation Measure K-3 Amendments to Article 10 of the Planning Code Pertaining to Alternations and Infill Development in the Dogpatch Historic District (Central Waterfront) are not applicable to the proposed project since it does not involve the alteration or demolition of a historic resource.

As discussed in the CPE Checklist, Eastern Neighborhoods PEIR Mitigation Measure F-4 Siting of Noise-Sensitive Uses, Mitigation Measure F-6 Open Space in Noisy Environments, Mitigation Measure J-3 Mission Dolores Archeological District, and Mitigation Measure L-1 Hazardous Building Materials were determined to apply to the proposed project for the following reasons. The project site is located along streets with noise levels above 60 dBA (Ldn) so Mitigation Measures F-4 Siting of Noise-Sensitive Uses and F-6 Open Space in Noisy Environments, addressing interior noise levels, siting of noise-sensitive uses, and open space in noisy environments are applicable. Since the project site is located in the Mission Dolores Archeological District and the project would require excavation for a sub-grade garage, Mitigation Measure J-3 Mission Dolores Archeological District is applicable. Also, the project would involve the demolition of an existing structure, so Mitigation Measure L-1 Hazardous Building Materials addressing the removal of hazardous building materials is applicable.

With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the PEIR. In addition the project sponsor has agreed to implement Project Improvement Measure 1 Construction Emissions Minimization addressing construction-related air quality impacts. Please see the CPE Checklist for the complete text of the applicable mitigation measures and improvement measure.<sup>6</sup>

### **Public Notice and Comment**

A "Notification of Project Receiving Environmental Review" was mailed on October 8, 2010 and January 6, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Comments received included concerns regarding the following: project-related construction impacts (noise and air quality); transportation impacts (traffic, transit capacity, pedestrian safety); hazardous materials at the project site; impacts on potential archeological resources at the project site; impacts of the project on the adjacent historic Redstone Building; shadow and wind impacts resulting from the project; and project impacts on public services such as police services. The proposed project would not result in significant and unavoidable environmental impacts (i.e. impacts that are not mitigable) associated with the environmental issues identified by the public.

### **Conclusion**

The Eastern Neighborhoods PEIR incorporated and adequately addressed all potential impacts of the proposed 490 South Van Ness Avenue project. As described above, the proposed 490 South Van Ness Avenue project would not have any project-specific significant adverse effects that are peculiar to the project or its site that were not examined in the Eastern Neighborhoods PEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods PEIR. Thus, the proposed project would not have any new significant impacts, either individually or cumulatively, on the environment not previously identified in the Eastern Neighborhoods PEIR, nor

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<sup>6</sup> Please refer the CPE Checklist for a complete discussion and full text of mitigation and improvement measures applicable to the proposed project.

would any environmental impacts be substantially greater than described in the Eastern Neighborhoods PEIR. Therefore, the proposed project is exempt from further environmental review pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines.





# SAN FRANCISCO PLANNING DEPARTMENT

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## Community Plan Exemption Checklist

*Case No.:* **2010.0043E**  
*Project Address:* **490 South Van Ness Avenue**  
*Zoning:* UMU (Urban Mixed-Use) Zoning District  
68-X Height and Bulk District  
*Block/Lot:* 3553/008  
*Lot Size:* 14,250 square feet  
*Plan Area:* Eastern Neighborhoods Area Plan (Mission subarea)  
*Project Sponsor:* Warner Schmalz; Forum Design; (415) 252-7063;  
w.schmalz@forumdesign.com  
*Staff Contact:* Melinda Hue; (415) 575-9041;  
Melinda.Hue@sfgov.org

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Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

The project site is located on the northwest corner of South Van Ness Avenue and 16th Street in the Mission neighborhood. The project site is located on the block bordered by Capp Street, Adair Street, South Van Ness Avenue, and 16th Street. The approximately 14,250-square-foot (sf) project site currently has a 1,618-sf one-story vacant building that was previously used for auto service and two canopies associated with the previous auto-related uses. There are four existing billboards on the project site and temporary fencing currently exists around the perimeter of the project site.

The project site during its previous use as a gas station/auto-repair business was, in its entirety, covered by structures and paving. Excavation for the purposes of project-site remediation occurred between January and March 2012 in accordance with a Department of Public Health (DPH) approved Corrective Action Plan. Thus the project site, other than beneath the on-site building, the two canopies and billboard appurtenances, was excavated and is now surface soil that was restored to grade level.

The proposed project would involve demolition of the existing building, canopies, and billboards on the project site and construction of new development on-site. The proposed building would be seven stories over a one-level basement (15 feet in depth) and approximately 68-foot-tall (excluding the parapet, roof-top elevator/stair/mechanical penthouse and roof-top open metal trellis), as measured from the top of curb at the midpoint of the property line along South Van Ness Avenue up to the structural roof. The proposed building would include a four-foot-tall parapet and an approximately nine-foot-tall roof-top elevator/stair/mechanical penthouse and roof-top open metal trellis above the structural roof. The building height, as measured from the top of the curb to the roof-top elevator/stair/mechanical penthouse and trellis, would be approximately 77 feet. The proposed building's average floor-to-floor height would be approximately nine-and-a-half feet with the exception of the ground floor commercial space at the corner of 16th Street and South Van Ness Avenue, which would be approximately 20 feet tall.

The proposed project would include the construction of a 91,780-sf building containing 72 dwelling units (29 one-bedroom and 43 two-bedroom units), 1,123-sf of commercial area, and 48 parking spaces. The

ground floor of the proposed building would include 1,123-sf of commercial area located at the corner of 16th Street and South Van Ness Avenue and five dwelling units located along 16th Street, South Van Ness Avenue and Adair Street. The five ground-floor dwelling units are proposed as flexible units per Planning Code Section 329(d)(10), which would allow these ground-floor dwelling units to have either residential only or residential with accessory commercial uses.

The ground floor of the proposed building would also include six parking spaces in a parking garage that would be accessed from a 12-foot-wide curb cut off of Adair Street. The parking garage would also include 42 parking spaces (32 mechanical lift spaces and 10 surface spaces) in the basement. The proposed project would involve excavation of up to approximately 15 feet below ground surface (bgs) to accommodate the one-level basement and building foundation beneath the entire project site. To accommodate the mechanical parking lifts in a portion of the basement, an additional seven feet of excavation would be required, resulting in a total excavation depth of approximately 22 feet bgs for approximately 17 percent of the project site. Approximately 9,780 cubic yards of soil would be excavated from the project with the proposed development.

In accordance with Planning Code Section 155.2, a total of 99 bicycle parking spaces would be provided as part of the project, with 83 Class 1 bicycle parking spaces located at the basement level and 16 Class 2 bicycle parking spaces located on the sidewalk along 16th Street, South Van Ness Avenue, and Adair Street. The proposed project would also include common open spaces, including a 2,097-sf outdoor deck on the second floor and a 6,025-sf roof deck.

### **Project Approval**

The project would require Large Project Authorization per Section 329 of the Planning Code. Approval of the Section 329 application by the Planning Commission would constitute the Approval Action date. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

### **EVALUATION OF ENVIRONMENTAL EFFECTS:**

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed the programmatic Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods PEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048).<sup>1</sup> Items checked "Project-Specific Significant Impact Not Identified in PEIR" identify topics for which the proposed project would result in a significant impact that is specific to the project, i.e., the impact is not identified as significant in the Eastern Neighborhoods PEIR. Any impacts not identified in the Eastern Neighborhoods PEIR are addressed in the CPE Checklist below.

Items checked "Significant Unavoidable Impact Identified in PEIR" identify topics for which a significant impact is identified in the Eastern Neighborhoods PEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the significant impact identified in the

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

Eastern Neighborhoods PEIR. Mitigation measures identified in the Eastern Neighborhoods PEIR are discussed under each topic area, and mitigation measures that are applicable to the proposed project are identified on pp. 50-57.

For any topic that was found to result in less-than-significant (LTS) impacts in the PEIR and for the proposed project, or would have no impacts, the topic is marked “No Significant Impact (Project or PEIR)” and is discussed briefly in the CPE Checklist below.

#### **AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT**

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

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

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

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<sup>2</sup> San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 490 South Van Ness Avenue, February 19, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2010.0043E.



Figure 1: Project Site



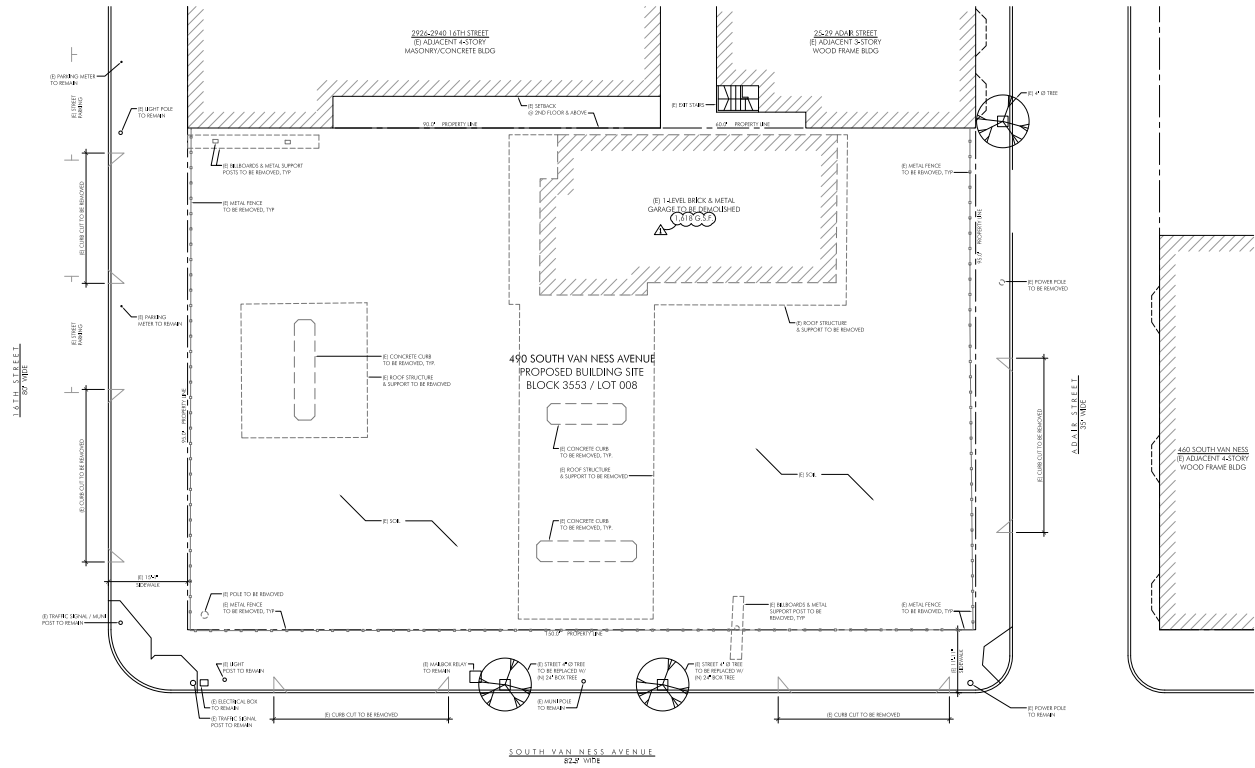


Figure 2: Existing Site Plan

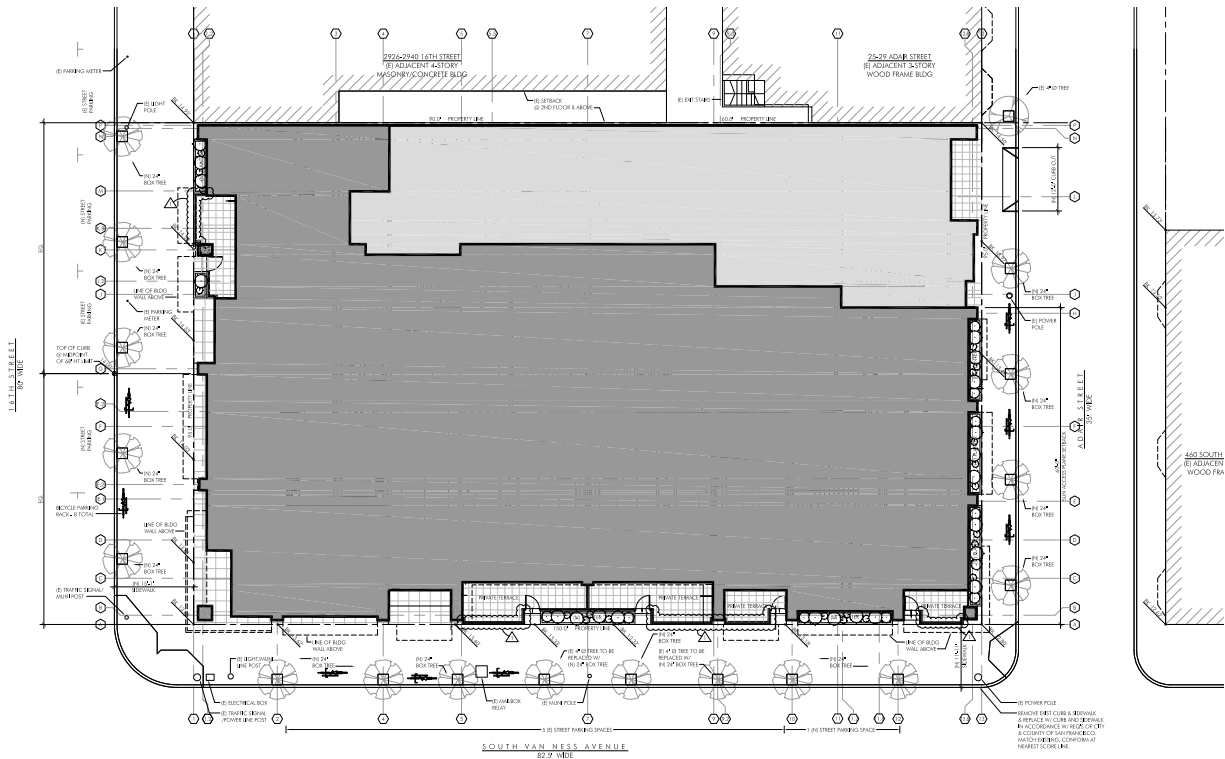


Figure 3: Proposed Site Plan

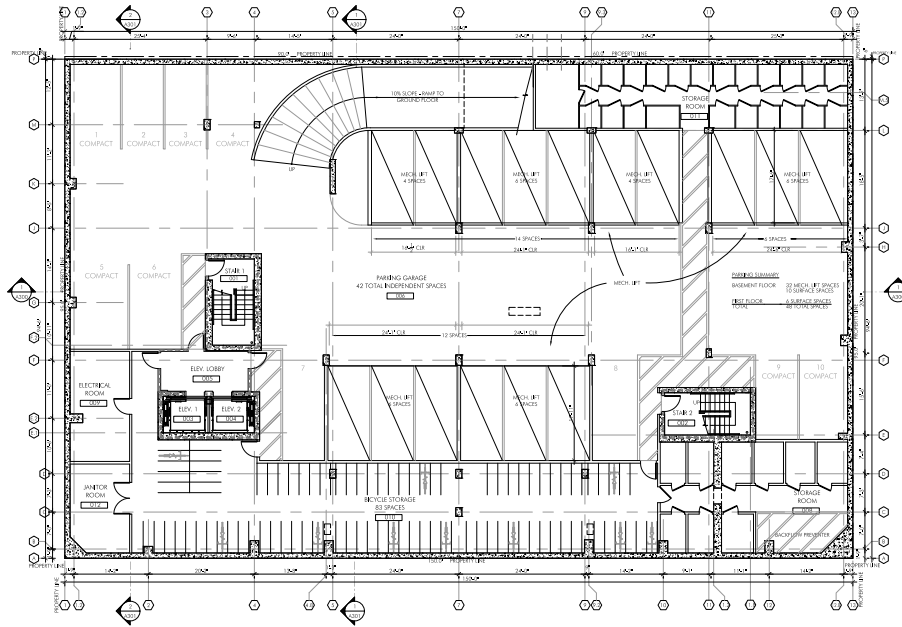


Figure 4: Basement Floor Plan

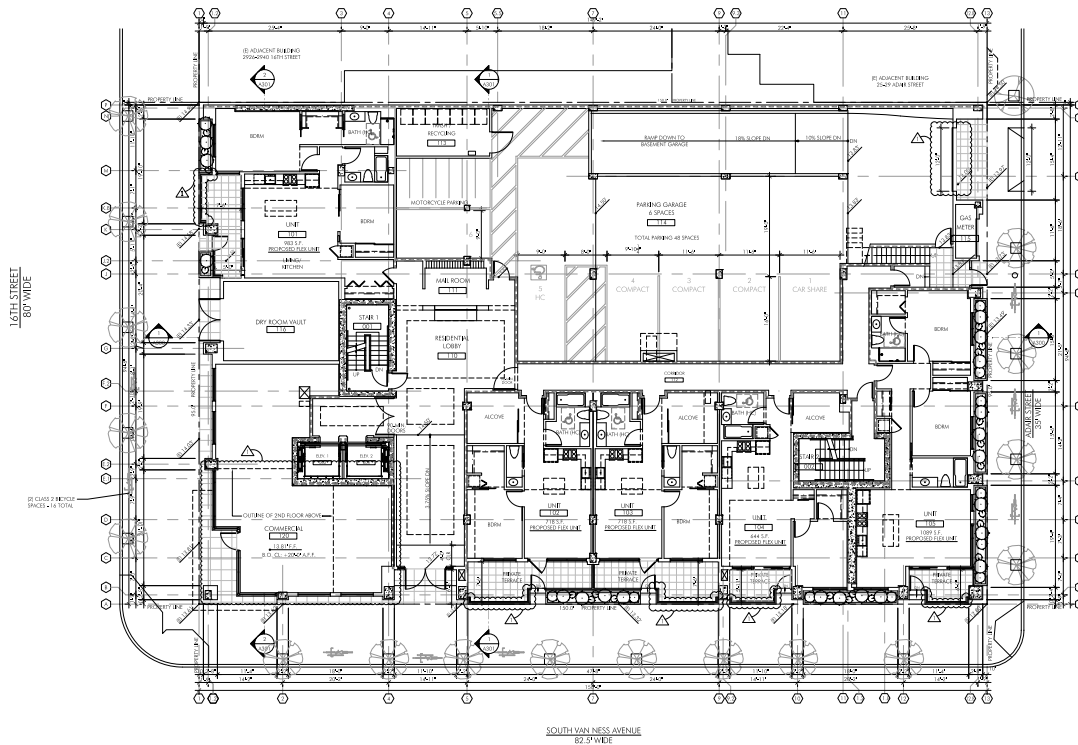


Figure 5: Ground Floor Plan



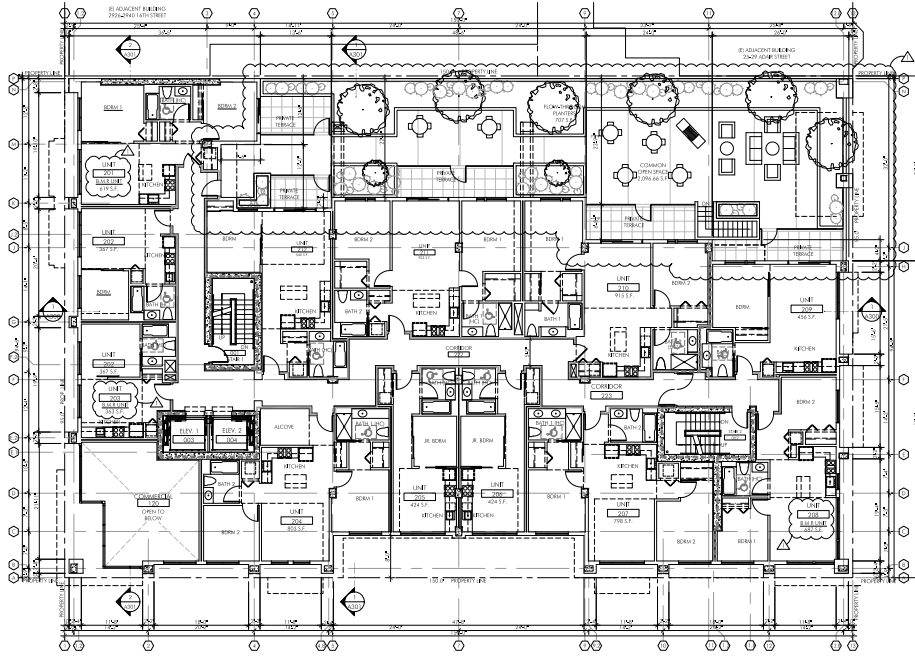


Figure 6: Second Floor Plan

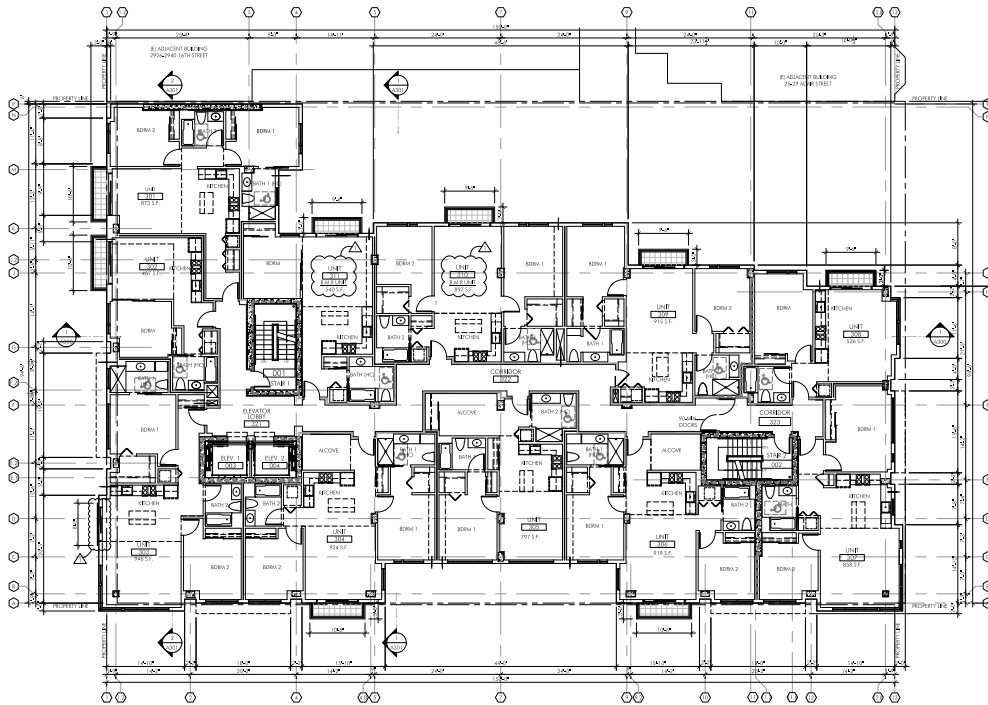


Figure 7: Third Floor Plan

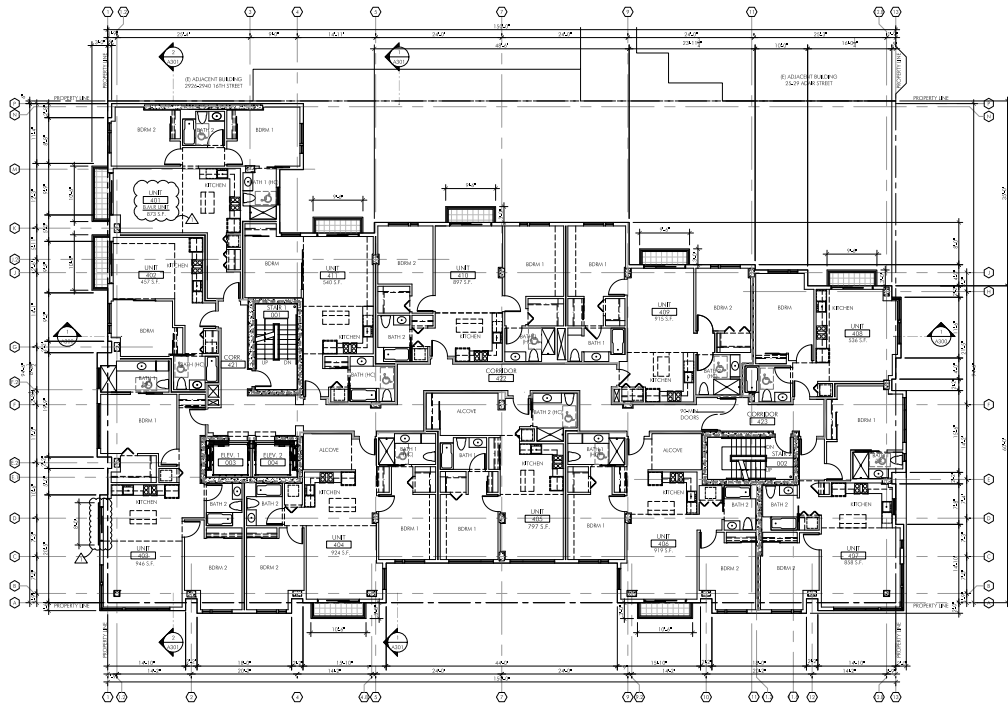


Figure 8: Fourth Floor Plan

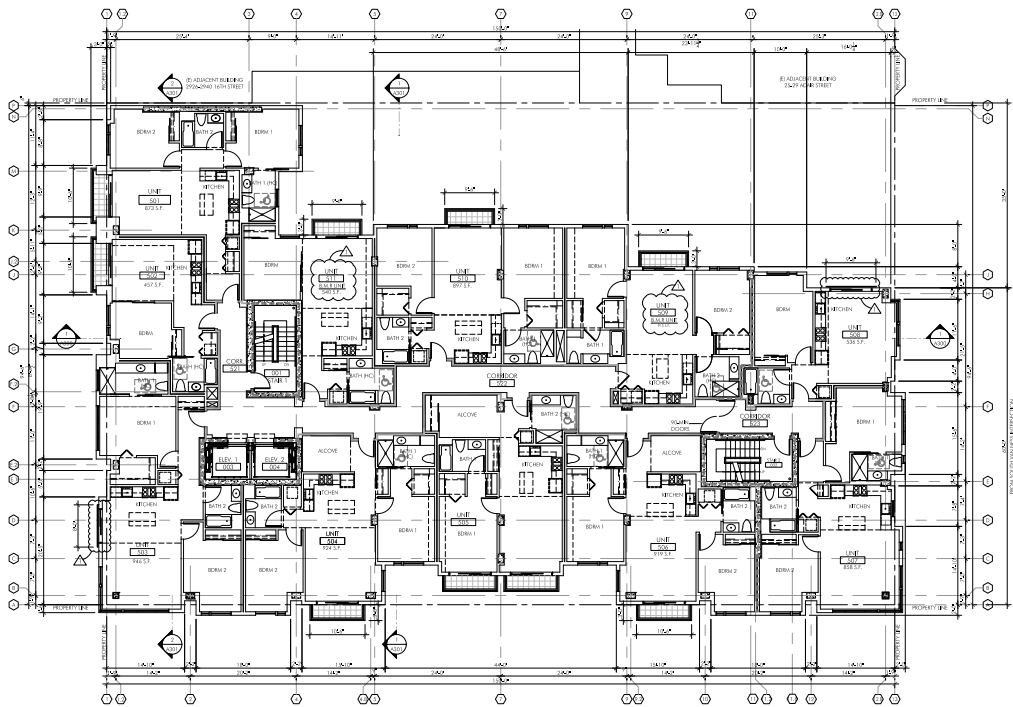


Figure 9: Fifth Floor Plan

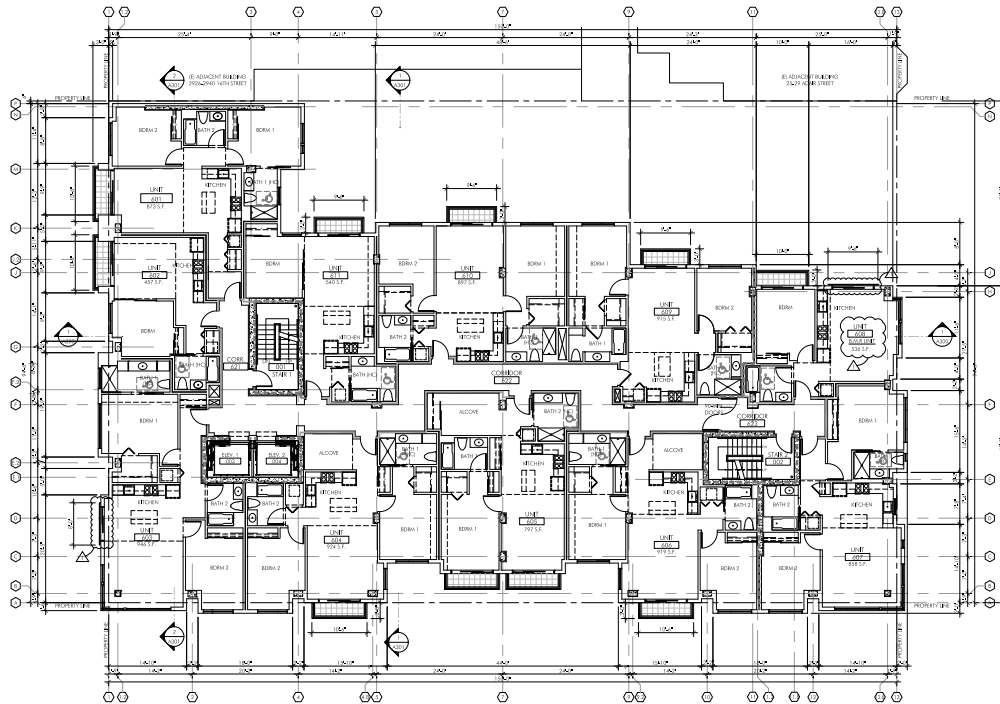


Figure 10: Sixth Floor Plan

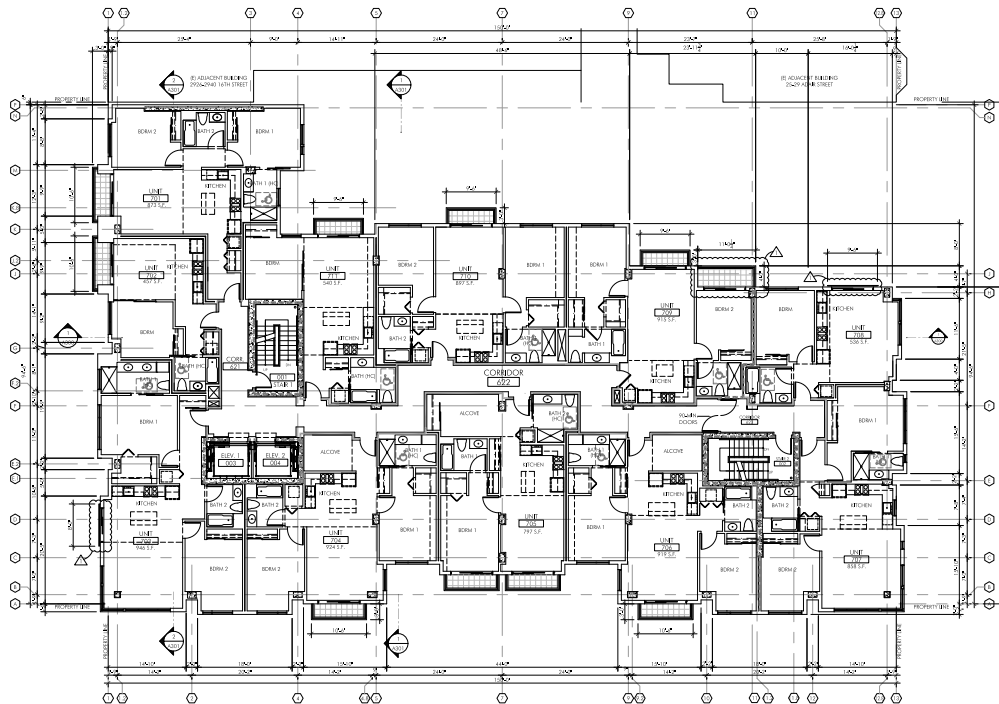


Figure 11: Seventh Floor Plan



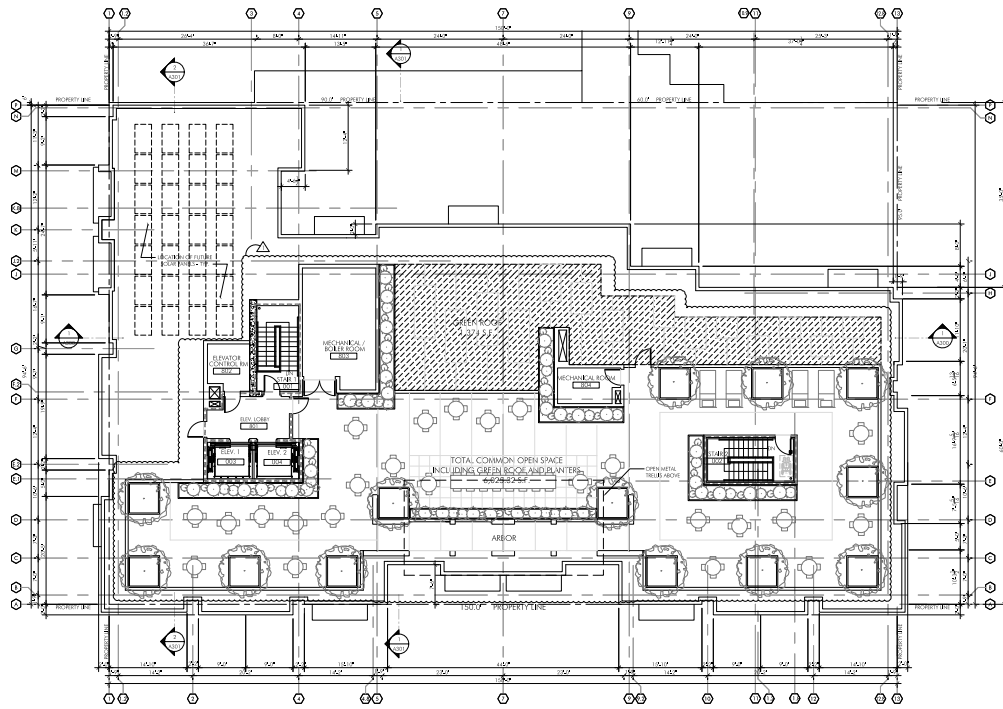


Figure 12: Roof Plan



Figure 13: South Exterior Elevation - 16th Street



Figure 14: East Exterior Elevation - S. Van Ness Ave



Figure 15: West Exterior Elevation

- KEY NOTES:**
- CERAMIC OR STONE TILES
  - CERAMIC OR STONE COLUMN BASE
  - ANCHORED ALUMINUM WINDOW
  - ANCHORED ALUMINUM STOREFRONT SYSTEM
  - METAL RAIL W/ COLORED TRANSPARENT RESIN PANEL
  - EXTERIOR COMPOSITE PANELS BY TRESPA OR EQ.
  - INTEGRAL COLOR CEMENT PLASTER
  - METAL RAILING - PAINTED
  - OPEN METAL TRELLIS



Figure 16: North Exterior Elevation - Adair St.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>1. LAND USE AND LAND USE PLANNING—Would the project:</b>						
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods PEIR determined that adoption of the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods Area Plans) would result in a significant unavoidable impact on land use due to the cumulative loss of production, distribution, and repair (PDR) uses. The proposed project is not located in the Western South of Market (SoMa) subarea. The approximately 14,250-sf project site currently has a 1,618-sf one-story vacant building that was previously used for auto service and two canopies associated with the previous auto-related uses. The proposed change in use at the project site from PDR to residential and commercial represents a small part of the loss of PDR use analyzed in the Eastern Neighborhoods FEIR and would not result in a cumulatively considerable contribution to the significant and unavoidable cumulative land use impact related to the loss of PDR use identified in the Eastern Neighborhoods FEIR. Furthermore, the Citywide Planning and Neighborhood Planning Divisions of the Planning Department have determined that the proposed project is permitted in the UMU District and is consistent with the height, density, and land uses as specified in the Mission Subarea of the Eastern Neighborhoods Area Plans, maintaining the mixed character of the area by providing ground floor commercial space with residential units above.<sup>3,4</sup>

For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

<sup>3</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 490 South Van Ness Avenue, February 24, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

<sup>4</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 490 South Van Ness Avenue, May 13, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.



Topics:	Project-Specific Significant Impact Not Identified in PEIR	Significant Unavoidable Impact Identified in PEIR	Mitigation Identified in PEIR	PEIR Mitigation Applies to Project	PEIR Mitigation Does Not Apply to Project	No Significant Impact (Project or PEIR)
<b>3. POPULATION AND HOUSING— Would the project:</b>						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The Eastern Neighborhoods PEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in the Plan Area. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the Eastern Neighborhoods PEIR.

The proposed project would result in 72 new dwelling units and 1,123 square feet of commercial area. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Area Plans and evaluated in the Eastern Neighborhoods PEIR.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Historic Architectural Resources**

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Area. The Eastern Neighborhoods PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Area could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The Planning Department has determined that the project site does not include any historic resources. Directly adjacent to the project site on the west is San Francisco Landmark No. 238 – the San Francisco Labor Temple (commonly known as the Redstone Building at 2926-2948 16th Street), which was constructed in 1914 and is significant as a headquarter and center of union activity. Although located adjacent to a San Francisco Landmark, the proposed project would not impair the integrity of this adjacent landmark because the project design would address the surrounding context. Specifically, the proposed project is located against the Redstone Building’s secondary façade (facing South Van Ness Avenue), which is unadorned as compared with its highly ornamental 16th Street façade. Further, the overall scale and massing of the proposed project is in keeping with the adjacent Redstone Building. Therefore, the proposed project would not cause a significant adverse impact upon any nearby or

adjacent historic resources.<sup>5</sup> As such, none of the Eastern Neighborhoods PEIR mitigation measures related to historic resources apply.

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

### **Archeological Resources**

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

The proposed project is located within the Mission Dolores Archeological District, which comprises properties that contain or have the potential to contain archeological deposits associated with the San Francisco Hispanic Period (1776-1850). The proposed project is subject to Eastern Neighborhoods PEIR Mitigation Measure J-3 Mission Dolores Archeological District. Project Mitigation Measure 1 Mission Dolores Archeological District (see page 50 below), which implements Eastern Neighborhoods PEIR Mitigation Measure J-3 Mission Dolores Archeological District, would apply to the proposed project and reduce potential effects to archeological resources to a less-than-significant level.<sup>6</sup>

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

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<sup>5</sup> San Francisco Planning Department, Historic Resource Evaluation Response for 490 South Van Ness Avenue, November 27, 2013. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.

<sup>6</sup> San Francisco Planning Department, Environmental Planning Preliminary Archeological Review: Checklist for 490 South Van Ness Avenue, revised May 16, 2014. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2005.0408E.



<u>Topics:</u>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>5. TRANSPORTATION AND CIRCULATION—Would the project:</b>						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods PEIR anticipated that growth resulting from the proposed zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with implementation of these mitigation measures, however, it was anticipated that the significant cumulative traffic impacts at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable, even with mitigation measures incorporated.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, topic 16c from the CEQA Guidelines, Appendix G is not applicable.

## Trip Generation

The proposed project would include 72 new dwelling units and 1,123 square feet of new commercial area. The proposed project would include 48 off-street parking spaces and 99 bicycle parking spaces.

Trip generation for the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>7</sup> The proposed project would generate an estimated 816 person trips (inbound and outbound) on a weekday daily basis, consisting of 268 person trips by auto, 282 transit trips, 195 walk trips and 71 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 31 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

## Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site are shown below in Table 1. The proposed project would generate an estimated 31 new p.m. peak hour vehicle trips that would travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause nearby intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative (2025) impacts relating to weekday p.m. peak hour traffic conditions, with the Preferred Project having significant cumulative impacts at several intersections.

Of the intersections listed in Table 1 below, significant cumulative impacts were identified for the following intersections:

- South Van Ness Avenue/Howard Street/13th Street (Options A, B, C)
- Mission Street/Otis Street/13th Street (Options A, B, C)
- 13th Street/Folsom Street (Options B, C)

Specific mitigation measures were not proposed for these three intersections but general mitigation measures were proposed for the entire Plan Area. These include intelligent traffic management, enhanced transportation funding, and parking management to discourage driving. Even with the incorporation of mitigation, however, cumulative impacts at these three intersections were found to be still significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative traffic impacts was adopted as part of the Eastern Neighborhoods PEIR Certification and project approval. The proposed project would not contribute considerably to these significant cumulative traffic impacts because conditions as its contribution of 34 p.m. peak hour vehicle trips would not be a

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<sup>7</sup> San Francisco Planning Department, Transportation Calculations for 490 South Van Ness Avenue, April 30, 2014. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

**Table 1: Intersection Level of Service near 490 South Van Ness Avenue, Baseline and Project Alternatives – Weekday PM Peak Hour**

Intersections	Baseline	2025 Option A	2025 Option B	2025 Option C
South Van Ness Ave/16th St (corner of project site)	B	B	B	B
South Van Ness Ave/Howard St/13th St (three blocks north of project site)	E	E	F	F
Mission St/16th St (two blocks west of project site)	C	D	D	D
Mission St/Otis St/13th St (three blocks north, one block east of project site)	E	E	E	E
Valencia St/16th St (four blocks west of project site)	B	C	C	C
Valencia St/15th St (four blocks west, one block north of project site)	B	C	C	C
13th St/Folsom St (three blocks north, one block east of project site)	C	D	E	E

Source: San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, certified January 19, 2009. File No. 2004.0160E.

substantial portion of the overall traffic volume or the overall new vehicle trips anticipated to be generated by Plan Area projects.

For the above reasons, the proposed project would not result in significant impacts on traffic, either individually or cumulatively, that were not identified in the Eastern Neighborhoods PEIR.

### Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 12, 14, 14L, 22, 33, and 49 and the regional transit stop for BART at Mission Street/16th Street. The proposed project would be expected to generate 282 daily transit trips, including 47 during the p.m. peak hour. Given the wide availability of transit options nearby, the addition of 47 p.m. peak hour transit trips would be accommodated by existing transit capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in transit delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant and unavoidable impacts on seven Muni lines. The project site is located within a quarter-mile of three of these Muni lines: 22, 33, and 49. Mitigation measures proposed to reduce these significant transit impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in the Plan Area. Even with the incorporation of mitigation, however, significant cumulative impacts on the above Muni lines were found to be still significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the Eastern Neighborhoods PEIR Certification and project approval.



The proposed project would not contribute considerably to the above-noted significant and unavoidable cumulative transit impacts as its minor contribution of 47 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Plan Area projects. The proposed project would also not contribute considerably to 2025 significant cumulative transit impacts.

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

### **Pedestrian**

The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median, or other conditions that could adversely affect pedestrians. The proposed project would remove two existing curb cuts along 16th Street, remove two existing curb cuts along South Van Ness Avenue, and remove one existing curb cut along Adair Street. A new 12-foot-wide curb cut is proposed along Adair Street to provide vehicular access to the garage. Adair Street is not identified in the *General Plan* as a "Citywide Network Pedestrian Street," "Neighborhood Commercial Street," or "Neighborhood Network Connection Street." As such, the proposed project would not result in a hazard to pedestrians or otherwise substantially interfere with pedestrian accessibility to the project site and adjoining areas. Pedestrian activity may increase as a result of the proposed project, but not to a degree that would result in substantial overcrowding on public sidewalks. For the above reasons, the proposed project would not result in significant impacts on pedestrian safety that were not identified in the Eastern Neighborhoods PEIR.

### **Bicycle**

Existing Class II bikeways (bicycle lanes) runs on 14th Street (two blocks north of the project site), on 17<sup>th</sup> Street (one block south of the project site), and Valencia Street (four blocks west of the project site). An existing Class III bikeway (bicycle route) extends along 16th Street from Mission Street (two blocks east of the project site) and intersects with the Class II bikeway on 16th and Valencia Streets. An existing Class III bikeway also extends along Hoff Street from 16th Street (three blocks west of the project site) and intersects with the Class II bikeway on Hoff and 17th Streets. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the project vicinity.

A new 12-foot-wide curb cut is proposed along Adair Street to provide vehicular access to the garage; however Adair Street is not classified as a bikeway nor does it intersect with any bikeways. In addition, the frequency of vehicles entering and exiting the project site would not be substantial enough to cause a substantial hazard to bicyclists. For the above reasons, the proposed project would not result in significant impacts related to bicycle safety that were not identified in the Eastern Neighborhoods PEIR.

### **Loading**

Planning Code Section 152.1 requires no off-street loading for residential development or retail use less than 10,000-sf in gross floor area. The proposed project includes 71,744-sf of residential use and 1,123-sf of commercial space. Therefore, off-street loading spaces are not required for the proposed project and the proposed project would meet the loading requirements of the Planning Code.

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

**Emergency Access**

The proposed project would not close off any existing streets or entrances to public uses. Therefore, the proposed project would not result in any significant impacts related to emergency access that were not identified in the Eastern Neighborhoods PEIR.

**Construction**

The proposed project's construction activities would last approximately 20 months (2014-2016) and would include below-ground construction. Although construction activities would result in additional vehicle trips to and from the project site related to construction workers and material and equipment deliveries, these activities would be temporary and limited in duration. Therefore, the proposed project's construction would not result in significant transportation impacts that were not identified in the Eastern Neighborhoods PEIR.

**Parking**

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

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

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.<sup>8</sup> The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development,

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<sup>8</sup> San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 490 South Van Ness Avenue, February 19, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2010.0043E.

induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco *General Plan* Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

The parking demand for the new residential and commercial uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 103 spaces. The proposed project would provide 48 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 55 spaces. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

The Planning Code does not require provision of any off-street parking spaces for the proposed project. It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. If the project were to be ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 103 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are being provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>6. NOISE—Would the project:</b>						
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods PEIR identified potential conflicts related to location of residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods PEIR noted that implementation of the Area Plans would incrementally increase traffic-generated noise on some streets in the Plan Area and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce significant noise impacts to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 Construction Noise and F-2 Construction Noise relate to construction noise. Mitigation Measure F-1 Construction Noise addresses individual projects that include pile-driving, and Mitigation Measure F-2 Construction Noise addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project

would include a mat foundation<sup>9</sup> (which would not require pile driving) and therefore would not generate the noise and vibration impacts typically caused by pile driving.<sup>10</sup> Because the proposed project would not include pile driving and would be required to comply with the San Francisco Noise Ordinance, as discussed below, Eastern Neighborhoods PEIR Mitigation Measures F-1 Construction Noise and F-2 Construction Noise would not be required.

In addition, all construction activities for the proposed project (approximately 20 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately nine months, occupants of the nearby properties could be disturbed by construction noise. There may be instances when project-related construction noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary (limited in duration to approximately 20 months), intermittent, and restricted in occurrence and level, as the project contractor would be subject to and required to comply with the Noise Ordinance.

Eastern Neighborhoods PEIR Mitigation Measures F-3 Interior Noise Levels, F-4 Siting of Noise-Sensitive Uses, and F-6 Open Space in Noisy Environments include additional measures for individual projects that include new noise-sensitive uses. Eastern Neighborhoods PEIR Mitigation Measure F-3 Interior Noise Levels requires that for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to California Noise Insulation Standards in Title 24, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Eastern Neighborhoods PEIR Mitigation Measure F-4 Siting of Noise-Sensitive Uses requires the preparation of an analysis that includes, at minimum, a site survey to identify potential noise-generating uses within 900 feet of and that have a direct line-of-sight to the project site, and at least one 24-hour noise measurement (with maximum noise levels taken every 15 minutes) to demonstrate that acceptable interior noise levels consistent with Title 24 can be attained. Since the proposed project is subject to Title 24, Eastern Neighborhoods PEIR Mitigation Measure F-3 Interior Noise Levels is not applicable. Eastern Neighborhoods PEIR Mitigation Measure F-4 Siting of Noise-Sensitive Uses, as listed

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<sup>9</sup> Diarmuid MacNeill, Dolman Engineers. Email to Melinda Hue, San Francisco Planning Department, 490 South Van Ness - foundation, March 11, 2014. This email is available for review as part of Case File No. 2010.0043E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

on page 53 below, is applicable to the proposed project since the proposed project would include residential uses, thereby introducing new noise-sensitive uses to an area with an existing traffic noise level of between 65.1 dBA and 75 dBA (Ldn).

In accordance with Eastern Neighborhoods PEIR Mitigation Measure F-3 Interior Noise Levels, the project sponsor has conducted an environmental noise assessment demonstrating that the proposed project can feasibly attain acceptable interior noise levels consistent with Title 24 requirements.<sup>11</sup> Walsh Norris & Associates, Inc. conducted noise measurements at three locations at the project site. The average measured daily noise exposure levels (Ldn) was 74.0 dBA at the southwest corner of the project site, located mid-block, along 16th Street, 74.2 dBA at the frontage of the site along South Van Ness Avenue, and 66.0 dBA at the northwest corner of the project site along Adair Street. Walsh Norris & Associates, Inc. also conducted a survey of noise-generating uses within 900 feet of the project site, the closest being Auto City Repair on the southeast corner of 16th Street and Mission Street. Most of the nearby noise-generating uses identified are auto-related uses such as auto repair shops and do not have a direct line-of-sight to the project site.<sup>12</sup>

To achieve acceptable interior noise levels consistent with Title 24 requirements, the project sponsor would be required to install windows with noise reduction ratings of up to Sound Transmission Class (STC) 35 for the residential units facing the street and up to STC 30 for the residential units facing the second-floor deck. The windows could be operable, but would need to be in the closed position to meet the interior noise level standard. Therefore, the residential units would require a supplemental ventilation system that does not compromise the sound attenuation of the proposed building's exterior façade. With installation of the appropriate windows, the project would comply with Title 24 interior noise-level requirements and thus would be consistent with Eastern Neighborhoods PEIR Mitigation Measure F-4 Siting of Noise-Sensitive Uses.

Eastern Neighborhoods PEIR Mitigation Measure F-6 Open Space in Noisy Environments requires that open space required under the Planning Code for individual projects located in noisy areas be protected, to the maximum feasible extent, from existing ambient noise levels. The proposed project includes residential uses and open space areas as required by the Planning Code so Eastern Neighborhoods PEIR Mitigation Measure F-6 Open Space in Noisy Environments, as listed on page 53, is applicable to the project. Accordingly, the proposed building's second-floor deck would be located away from 16th Street and South Van Ness Avenue, shielded from those two busy streets by the building itself, and the roof-top open space would be located 68 feet above the street level with landscaping around the perimeter.

Eastern Neighborhoods PEIR Mitigation Measure F-5 Siting of Noise-Generating Uses addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. Ambient noise levels in San Francisco are largely influenced by traffic-related noise. The project site is exposed to traffic noise levels of between 65.1 dBA and 75 dBA. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels perceptible to most people (a three decibel noise increase). The proposed project would not double traffic volumes because the proposed project would generate approximately 268 daily vehicle trips, with approximately 37 trips during the p.m. peak-hour. In addition, operation of the proposed project would not include any other constant or short-term noise-

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<sup>11</sup> Walsh Norris & Associates, Inc., Acoustical Evaluation: Exterior Noise Report for 490 South Van Ness Avenue, San Francisco, CA, May 2, 2013. This document is available for review as part of Case File No. 2010.0043E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>12</sup> Ibid. p. 3.

generating sources (e.g., diesel generators) that would generate substantial additional noise in the project vicinity. Since the proposed development would include residential uses that would not be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, Eastern Neighborhoods PEIR Mitigation Measure F-5 Siting of Noise-Generating Uses is not applicable to the proposed project.

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

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

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>7. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.—Would the project:</b>						
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>13</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). All other air quality impacts were found to be less than significant.

**Construction Dust Control**

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping, and other measures. The regulations and procedures set forth by the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of

<sup>13</sup> The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality. Therefore, the portion of Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is not applicable to the proposed project.

### Health Risk

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality addresses air quality impacts during construction, Mitigation Measure G-2 Air Quality for Sensitive Land Uses addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3 Siting of Uses that Emit DPM and G-4 Siting of Uses that Emit Other TACs address proposed uses that would emit DPM and other TACs.

Subsequent to certification of the Eastern Neighborhoods PEIR, San Francisco, in partnership with the Bay Area Air Quality Management District (BAAQMD), inventoried and assessed air pollution and exposures from mobile, stationary, and area sources within San Francisco and identified portions of the City that result in additional health risks for affected populations (“Air Pollutant Exposure Zone”). The Air Pollutant Exposure Zone was identified based on two health based criteria:

- (1) Areas where the excess cancer risk from all sources is greater than 100; or
- (2) Areas where fine particulate matter (PM<sub>2.5</sub>)<sup>14</sup> concentrations from all sources (including ambient concentrations) are greater than 10 micrograms per cubic meter (µg/m<sup>3</sup>).

The project site is not located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and the remainder of Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality that requires the minimization of construction exhaust emissions is not applicable to the proposed project. Project Improvement Measure 1 Construction Emissions Minimization (see page 54 below) has been identified to further reduce these less-than-significant construction-related air quality impacts.

The proposed project would include development of residential uses which is considered a sensitive land use for purposes of air quality evaluation. As discussed above, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and Eastern Neighborhoods PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project.

While the proposed project is not within an Air Pollutant Exposure Zone, the project is subject to Health Code Article 38. Pursuant to Article 38, projects proposing ten or more residential units on sites where the PM<sub>2.5</sub> concentration exceeds the 0.2 µg/m<sup>3</sup> action level are required to install ventilation systems or otherwise redesign the project to reduce indoor PM<sub>2.5</sub> concentrations in habitable areas of the proposed dwelling units by 80 percent of outdoor PM<sub>2.5</sub> levels. Air quality modeling was conducted to determine if the project site exceeds the Article 38 action level for PM<sub>2.5</sub>. Results of this assessment indicate that the maximum average annual exposure to PM<sub>2.5</sub> for proposed future sensitive receptors at the project site would exceed the action level of 0.2 µg/m<sup>3</sup>.<sup>15</sup> Therefore, the project sponsor would be required to install air filtration systems for the proposed building that would be capable of removing 80 percent of outdoor PM<sub>2.5</sub> concentration indoors for all proposed residential dwelling units.

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<sup>14</sup> Exposures to fine particulate matter (PM<sub>2.5</sub>) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease. (Source: DPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008)

<sup>15</sup> San Francisco Department of Public Health, Memorandum to Bruce D. Baumann & Associates, 490 South Van Ness Air Quality Assessment, December 15, 2010. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2010.0043E.

The proposed residential land uses are not uses that would emit substantial levels of DPM or other TACs and Eastern Neighborhoods PEIR Mitigation Measures G-3 Siting of Uses that Emit DPM and G-4 Siting of Uses that Emit Other TACs are not applicable.

### **Criteria Air Pollutants**

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”<sup>16</sup> The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>17</sup> for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed BAAQMD significance thresholds. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

For the above reasons, none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the Eastern Neighborhoods PEIR.

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<sup>16</sup> San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

<sup>17</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>8. GREENHOUSE GAS EMISSIONS—Would the project:</b>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the greenhouse gas (GHG) emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide-equivalents (CO<sub>2</sub>E) per service population,<sup>18</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines allow for projects that are consistent with a Qualified GHG Reduction Strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy)<sup>19</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s Qualified GHG Reduction Strategy in compliance with the BAAQMD’s guidelines. These actions have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD’s 2010 Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 (also known as the Global Warming Solutions Act.)<sup>20,21</sup> Therefore, projects that are consistent with San Francisco’s GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project may include the Commuter Benefits Ordinance, Emergency Ride Home Program,

<sup>18</sup> Memorandum from Jessica Range, MEA to MEA staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

<sup>19</sup> San Francisco Planning Department, Strategies to Address Greenhouse Gas Emissions in San Francisco, 2010. The final document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

<sup>20</sup> San Francisco Department of Environment (DOE), “San Francisco Community-Wide Carbon Emissions by Category.” Excel spreadsheet provided via email between Pansy Gee, DOE and Wade Wietgreffe, San Francisco Planning Department. June 7, 2013.

<sup>21</sup> The Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.



Bicycle Parking requirements, Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, SF Green Building Requirements for Energy Efficiency, and Stormwater Management.

The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.<sup>22</sup> Furthermore, the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, and would not result in impacts associated with GHG emissions beyond those calculated in the Eastern Neighborhoods PEIR.

As a result, the proposed project would not result in any significant impacts associated with GHG emissions impacts, either individually or cumulatively.

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<sup>22</sup> Greenhouse Gas Analysis: Compliance Checklist, May 20, 2013. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>9. WIND AND SHADOW—Would the project:</b>						
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Wind

No significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Area Plans. Specific projects within the Plan Area require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods PEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods PEIR.

Based upon experience of the Planning Department staff in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. A wind evaluation of the proposed 68-foot-tall (with a four-foot-tall parapet and nine-foot-tall elevator/stair/mechanical penthouse and rooftop open metal trellis) building by ESA concluded that the proposed project would not cause or contribute to an exceedance of the wind hazard criterion of the Planning Code in the project site vicinity.<sup>23</sup> For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

As a result, the proposed project would not have any significant wind impacts, either individually or cumulatively.

## Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Area Plans, certain sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because these parks are not subject to Section 295 of the Planning Code (i.e., they are under jurisdiction of City departments other than the Recreation and Parks Department or are publicly accessed but privately owned). The Eastern Neighborhoods PEIR could not conclude that the Eastern Neighborhoods Area Plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown development proposals could not be determined at the time of preparation of the

<sup>23</sup> Charles Bennett, ESA, Wind Evaluation of Proposed Project, 490 South Van Ness Street, ESA 130024, January 23, 2013 and Email to Melinda Hue, Planning Department, Wind Evaluation of Proposed 490 South Van Ness Street Project, June 3, 2014. These documents are available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2010.0043E.

Eastern Neighborhoods PEIR. Therefore, the Eastern Neighborhoods PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the Eastern Neighborhoods PEIR for this significant and unavoidable shadow impact.

The proposed project would consist of a 68-foot-tall building with a four-foot-tall parapet and nine-foot-tall elevator/stair/mechanical penthouse and rooftop open metal trellis (that is a total of approximately 77 feet in height above ground level). Therefore, the Planning Department staff prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast net-new shadow on nearby parks. The shadow fan analysis prepared by Planning Department staff found that the proposed project would not cast shadow or have a shadow impact on any property under the jurisdiction of the Recreation and Parks Commission. Additionally, graphics prepared by Forum Design shows that the proposed project would not cast any net-new shadows on the Marshall School or its associated open/recreation spaces located at 15th Street and Capp Street.<sup>24</sup>

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

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

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<sup>24</sup> Forum Design, Marshall School Shadow Study, 490 South Van Ness Avenue, August 15, 2013. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2010.0043E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>10. RECREATION—Would the project:</b>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR.

The proposed project would provide on-site common open space for passive recreational use for project residents on the rooftop and on a second-floor deck area. The proposed project would also be served by the following existing parks in the project vicinity: Franklin Square, Kidpower Park, Mission Playground, and Mission Dolores Park.

The proposed project is within the development projected under the Eastern Neighborhoods Area Plans, and there would be no additional significant impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.



<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the Eastern Neighborhoods PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Area Plans, there would be no additional significant impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>12. PUBLIC SERVICES—Would the project:</b>						
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the Eastern Neighborhoods PEIR.

As the proposed project is within the development projected under the Eastern Neighborhoods Area Plans, there would be no additional significant impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>13. BIOLOGICAL RESOURCES— Would the project:</b>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site previously contained auto-related uses and it was previously completely paved. No landscaping, trees or other vegetation exist on the project site. There are currently two street trees adjacent to the project site on the sidewalk along South Van Ness Avenue which would be replaced with new street trees as part of the proposed project. There are no candidate, sensitive, or special-status species, riparian habitat, or wetlands on the project site; thus implementation of the proposed project would not adversely affect a candidate, sensitive, or special-status species, a riparian habitat, or wetlands.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional significant impacts on biological resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>14. GEOLOGY AND SOILS—Would the project:</b>						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Area Plans would indirectly increase the Plan Area population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The Eastern Neighborhoods PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plans (including new development

under the Area Plans) would not result in significant impacts with regard to geology and seismic-related issues, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation report was prepared for the proposed project.<sup>25</sup> The following discussion relies on the information provided in this geotechnical investigation report. Geotechnical soil borings to approximately 51 feet bgs at the project site generally encountered sand-clay soil mixtures. Groundwater is relatively shallow throughout the project site, approximately 10 feet bgs. The proposed project would involve on-site excavation beyond this depth (approximately 15 to 22 bgs) and may encounter groundwater. Approximately 9,780 cubic yards of soil would be excavated from the project with the proposed development.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault located about 6.8 miles to the southwest. The proposed project would likely be exposed to strong shaking during an earthquake event. However, a review of published maps does not show any active faults crossing the project site and there was no evidence of faulting observed at the project site during reconnaissance. Therefore, the potential risk for damage to the proposed project due to surface rupture from earthquake faults is low. The project site is located within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco. Based on the soil analysis of the geotechnical soil borings, there is a relatively low potential for damage to the proposed project from liquefaction at the project site. Additionally, there is a low risk for damage to the proposed project from seismically-induced lateral spreading, seismic densification, and slope instability.

The geotechnical report provided recommendations for the proposed project's construction. These recommendations include, but are not limited to, a mat foundation, waterproofing below-grade walls, and dewatering to remove groundwater from the project site in order to excavate and construct the proposed basement level which would be approximately 15 to 22 feet bgs. The geotechnical report indicates that the project site is suitable for the proposed project, provided that the recommendations presented in the geotechnical report are incorporated into the design and construction of the project.

The final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. DBI will review the geotechnical report and building plans for the proposed project to determine the adequacy of the proposed engineering and design features and to ensure compliance with all applicable San Francisco Building Code provisions regarding structural safety. The above-referenced geotechnical investigation report would be available for use by DBI during its review of building permits for the site. In addition, DBI could require that additional site specific soils report(s) be prepared in conjunction with permit applications, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils or geology. For these reasons, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

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<sup>25</sup> Earth Mechanics Consulting Engineers, "Geotechnical Investigation, Planned Development at 490 South Van Ness Avenue, San Francisco, CA" May 8, 2013 and "Geotechnical Report Update, Proposed Development at 490 South Van Ness Avenue, San Francisco, CA" January 9, 2014. These documents are available for review as part of Case File No. 2010.0043E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>15. HYDROLOGY AND WATER QUALITY—Would the project:</b>						
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunamis, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site was previously a gas station/auto-repair business, and it was, in its entirety, covered by impervious surface. Excavation for the purposes of site remediation occurred between January and March 2012 in accordance with a DPH-approved Corrective Action Plan and the project site, other than beneath the on-site building, two canopies and billboard appurtenances, was excavated and is now surface soil that was restored to grade level. The lot coverage with project development would be 100 percent, which would be similar to the 100 percent impervious surface condition during the previous auto-related use of the project site. Additionally, the proposed project would include approximately 707 square-feet of pervious flow-thru planter area at the proposed building's second-floor deck and approximately 1,374 square-foot pervious green roof area, so runoff from the project site is not anticipated to increase substantially compared to existing and past conditions.

In accordance with the City's Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to Low Impact Design (LID) approaches and stormwater management systems to comply with the Stormwater Design Guidelines. In addition, the project sponsor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) that would be reviewed, approved, and enforced by the San Francisco Public Utilities Commission. The SWPPP would specify best management practices and erosion and sedimentation control measures to prevent sedimentation from entering the City's combined stormwater/sewer system.

Groundwater is relatively shallow throughout the project site, approximately 10 feet bgs. The proposed project would involve on-site excavation beyond this depth (approximately 15 to 22 feet bgs) and may encounter groundwater. Any groundwater that is encountered during construction would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Effects from lowering the water table due to dewatering at the project site, if any, would be temporary and would not be expected to substantially deplete groundwater resources. As a result, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge.

The project site is not in a designated flood zone, thus the proposed project would not place housing within a 100-year flood hazard area, would not impede or redirect flood flows in a 100-year flood hazard area, and would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. As shown on Map 5, Tsunami Hazard Zones, San Francisco, 2012, in the Community Safety Element of the *General Plan*, the project site is not within a tsunami hazard zone.<sup>26</sup> As a result, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche or tsunami.

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<sup>26</sup> San Francisco Planning Department, San Francisco General Plan, Community Safety Element, p. 15. Available online at [http://www.sf-planning.org/ftp/General\\_Plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf)



For these reasons, the proposed project would not result in significant impacts on hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>16. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

### **Hazardous Building Materials**

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of such existing buildings. Hazardous building materials addressed in the Eastern Neighborhoods PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint in older buildings may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with the disturbance of hazardous building materials including PCBs, DEHP, and mercury and determined that Eastern Neighborhoods PEIR Mitigation Measure L-1 Hazardous Building Materials would reduce these impacts to a less-than-significant levels. Because the proposed development includes demolition of an existing building, Eastern Neighborhoods Mitigation Measure L-1 Hazardous Building Materials (see page 54 below) would apply to the proposed project.

### **Soil and Groundwater Contamination**

A Phase I Environmental Site Assessment Report (Phase I) for the project site was prepared and indicates that a gasoline station was constructed on the site in 1936, modernized in 1974 with the current structures on the project site, and this was subsequently converted to an automotive tune-up business in 1983.<sup>27</sup> The project site currently includes a 1,618-sf vacant building, two canopies and four billboards.

The project site entered into the San Francisco Department of Public Health Hazardous Waste Local Oversight Program (DPH LOP) in 1998 as part of the removal of USTs associated with the previous gas station and auto tune-up use on-site and subsequent subsurface soil and groundwater investigations were conducted in 2000, 2001, and 2004.<sup>28</sup> The Phase I report determined that there was a potential of additional USTs at the project site; therefore additional subsurface soil and groundwater investigation was conducted in 2012. Excavation for the purposes of remediation occurred between January and March 2012 in accordance with a DPH-approved Corrective Action Plan. The project site, other than beneath the building, the two canopies, and billboard appurtenances on-site, was excavated to depths of 12 to 16 feet bgs. Four previously unknown USTs were encountered along Adair Street during remediation excavation. The four USTs were removed under the authority of and with permits from the DPH Hazardous Materials and Waste Program (HMWP). A significant odor issue occurred during Correction Action Plan excavation; in response, work was stopped, abatement measures implemented, and air samples collected to fully address the odor issue.<sup>29</sup> DPH then issued a Closure/No Further Action Letter for the project site on March 21, 2013.<sup>30</sup> The Closure/No Further Action Letter determined that the site

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<sup>27</sup> AllWest Environmental, Inc., Environmental Site Assessment 490 S. Van Ness Avenue, San Francisco, CA 94103, January 16, 2010. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

<sup>28</sup> San Francisco Department of Public Health, Remedial Action Completion Certification for Underground Storage Tank (UST) Case, Commercial Property, 490 South Van Ness Avenue LOP Site Number: 11063, March 21, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

<sup>29</sup> San Francisco Department of Public Health, Site Mitigation Plan Approval 490 South Van Ness Avenue, San Francisco SMED 819, July 2, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.

<sup>30</sup> Ibid.

investigation and corrective action carried out at the project site was in compliance with the requirements and regulations of the San Francisco Health and Safety Code and that no further action related to petroleum release(s) at the project site was required.

DPH will maintain oversight of the construction of the proposed project under the DPH Site Assessment and Mitigation Program (DPH SAM). The proposed project is enrolled into the DPH Voluntary Remedial Action Program (SMED 819) and a Site Mitigation Plan (SMP) has been prepared for the proposed project and conditionally approved by DPH.<sup>31</sup>

The SMP describes soil handling profiling, storage, transportation and disposal procedures. The SMP also addresses groundwater removal and sampling, nuisance abatement, confirmation sampling, contingency actions, and includes a health and safety plan, dust control plan, and descriptions of vapor intrusion controls and mechanical ventilation for the project site. Soil handling procedures would include segregation of soils in areas of potential contamination on the project site and profiling and transportation to the appropriate landfill. Groundwater would be pumped for the dewatering during project construction and discharged to the sewer per a San Francisco Public Utilities Commission permit. Odor and dust control procedures that were developed and implemented during the corrective action excavation would be implemented during the proposed project's construction excavation. The SMP also includes a description of the proposed vapor/waterproofing barrier that would be implemented during project construction. The following conditions listed below would apply to the proposed project and would be submitted to DPH SAM as an addendum to the SMP or with the final project report prior to construction of the proposed project.

- Amend the SMP nuisance abatement section to include procedures for collecting air samples for laboratory analysis and field analysis in the event of nuisance odors. The laboratory analyses and/or field analyses should be selected to identify the odor causing chemicals.
- Groundwater samples should be collected and analyzed near the beginning and near the end of construction dewatering. Samples should be analyzed for Total Petroleum Hydrocarbon (TPH) and Volatile Organic Compound (VOC).
- DPH SAM recommends that the Health and Safety Plan include the use of respirators if nuisance odors persist. DPH SAM recommends that site workers receive respirator training as part of their Hazardous Waste Operations and Emergency Response (HAZWOPER) training.
- Any vapor barrier, venting or ventilation system designs should be signed and stamped by an appropriately licensed engineer and submitted to DPH SAM at least two weeks prior to installation.
- Prepare and submit to DPH SAM a final project report describing SMP implementation, following completion of construction earthwork.
- The final project report shall include a summary of SMP implementation, site map showing areas of excavation and fill, sample locations and depths, tables summarizing analytical data, and included as appendices: Copies of permits (including dewatering permit if needed) manifests or bills of lading for removed soil and/or water, laboratory reports of chemical analyses.

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<sup>31</sup> San Francisco Department of Public Health, Site Mitigation Plan Approval 490 South Van Ness Avenue, San Francisco SMED 819, July 2, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2010.0043E.



The project site is not located within an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or in the vicinity of a private airstrip. Therefore, the proposed project would not result in a safety hazard for people residing or working at the project site.

In San Francisco, fire safety is ensured through the provisions of the Building Code and the San Francisco Fire Code. During the review of the building permit application, DBI and the San Francisco Fire Department will review the project plans for compliance with all regulations related to fire safety. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires.

For these reasons, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>17. MINERAL AND ENERGY RESOURCES—Would the project:</b>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the Area Plans would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the Eastern Neighborhoods PEIR.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.—Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the Plan Area; therefore the Eastern Neighborhoods Area Plans would have no effect on agricultural resources. No mitigation measures were identified in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:</b>						
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The proposed project would include construction of 72 new residential units and 1,123 square feet of commercial area at the project site. As discussed in this document, the proposed project would not result in new, significant environmental effects, or effects of greater severity than those that were already analyzed and disclosed in the Eastern Neighborhoods PEIR.



**MITIGATION MEASURES AND IMPROVEMENT MEASURES****Project Mitigation Measure 1 – Mission Dolores Archeological District (Mitigation Measure J-3 of the Eastern Neighborhoods PEIR)**

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

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>32</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative<sup>33</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

33 An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archaeologist.

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify

the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated

funerary objects (CEQA Guidelines, Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

#### **Project Mitigation Measure 2 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR)**

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

#### **Project Mitigation Measure 3 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR)**

To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.



**Project Mitigation Measure 4 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods PEIR)**

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

**Project Improvement Measure 1: Construction Emissions Minimization**

A. ***Construction Emissions Minimization Plan.*** Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
  - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
  - b) All off-road equipment shall have:
    - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and
    - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).<sup>34</sup>
  - c) Exceptions:
    - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
    - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions

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<sup>34</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1.

**Table A1: Off-Road Equipment Compliance Step-down Schedule**

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

**How to use the table:** If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

\* Alternative fuels are not a VDECS.

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.
- B. ***Reporting.*** Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. ***Certification Statement and On-site Requirements.*** Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

# EXHIBIT C

## MITIGATION MONITORING AND REPORTING PROGRAM (INCLUDES IMPROVEMENT MEASURES)

<b>ATTACHMENT D: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)</b>					
<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>

### MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR

<b>Cultural Resources</b>					
<p><b>Project Mitigation Measure 1 – Mission Dolores Archeological District (Mitigation Measure J-3 in the Eastern Neighborhoods PEIR).</b> Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to issuance of grading or building permits</p>	<p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Archeological consultant shall be retained prior to any soil disturbing activities.  Date Archeological consultant retained:  _____</p>



**ATTACHMENT D:**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site<sup>1</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>2</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p>	<p>Project sponsor / archeological consultant in consultation with the ERO.</p>	<p>In the event archeological sites associated with descendent communities are found.</p>	<p>Project sponsor/ archeological consultant to contact and consult with ERO and representative of descendant group. Project sponsor/ archeological consultant to distribute Final Archaeological Resources Report to representative of the descendant group.</p>	<p>Project sponsor / archeological consultant in consultation with the ERO.</p>	<p>Archeological site associated with descendent communities found?  Y N Date: _____  Persons contacted:  Date: _____  Persons contacted:  Date: _____  Persons contacted:  Date: _____  Date of distribution of Final FARR: _____</p>

<sup>1</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>2</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

**ATTACHMENT D:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>a. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>b. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to any soil-disturbing activities on the project site.	Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils disturbing activities on the project site.	Project sponsor/ archeological consultant at the direction of the ERO.	Date ATP submitted to the ERO: _____ Date ATP approved by the ERO: _____ Date of initial soil disturbing activities: _____
	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the Archeological Testing Program.	Archeological consultant shall submit report of the findings of the ATP to the ERO.	Project sponsor/ archeological consultant at the direction of the ERO.	Date archeological findings report submitted to the ERO: _____ ERO determination of significant archeological resource present? Y    N Would resource be adversely affected? Y    N Additional mitigation to be undertaken by project sponsor? Y    N

**ATTACHMENT D:**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program (AMP) shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> <li>The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</li> <li>The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;</li> <li>The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;</li> <li>The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/ excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile</li> </ul>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.</p> <p>Archeological consultant at the direction of the ERO.</p>	<p>ERO &amp; archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout sensitive soil-disturbing activities.</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall implement the AMP, if required by the ERO.</p> <p>Identify and evaluate archeological resources.</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.</p>	<p>AMP required?  Y   N   Date: _____</p> <p>Date AMP submitted to the ERO: _____</p> <p>Date AMP approved by the ERO: _____</p> <p>Date AMP implementation complete: _____</p> <p>Date written report regarding findings of the AMP received:  _____</p>

**ATTACHMENT D:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures)**

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<p>driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>					



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<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>• <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>• <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies.</li> <li>• <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>• <i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li>• <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</li> </ul>	<p>Project Sponsor/archeological consultant at the direction of the ERO</p>	<p>If there is a determination that an ADRP program is required.</p>	<p>Project sponsor/archeological consultant/archeological monitor/contractor(s) shall prepare and implement an ADRP if required by the ERO.</p>	<p>Project sponsor/archeological consultant at the direction of the ERO.</p>	<p>ADRP required? Y N Date: _____</p> <p>Date of scoping meeting for ARDP: _____</p> <p>Date Draft ARDP submitted to the ERO: _____</p> <p>Date ARDP approved by the ERO: _____</p> <p>Date ARDP implementation complete: _____</p>

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 MITIGATION MONITORING AND REPORTING PROGRAM  
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<p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, ERO, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Project sponsor / archeological consultant in consultation with the ERO, San Francisco Coroner, NAHC, and MDL.</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Project sponsor/ archeological consultant/ERO to contact the San Francisco Coroner/ NAHC/ MDL</p>	<p>Project sponsor / archeological consultant in consultation with the ERO, San Francisco Coroner, NAHC, and MDL.</p>	<p>Human remains and associated or unassociated funerary objects found?          Y N Date: _____          Persons contacted:            Date: _____          Persons contacted:            Date: _____          Persons contacted:            Date: _____          Persons contacted:            Date: _____</p>

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<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the archeological data recovery, inventorying, analysis and interpretation.</p>	<p>Archeological consultant to submit a Draft Final Archeological Resources Report (FARR) to the ERO and once approved by the ERO, distribution of the Final FARR</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO</p>	<p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR.</p> <p>Date Draft FARR submitted to ERO: _____</p> <p>Date FARR approved by ERO: _____</p> <p>Date of distribution of Final FARR: _____</p> <p>Date of submittal of Final FARR to information center: _____</p>

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<b>Noise</b>					
<p><b>Project Mitigation Measure 2 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 in the Eastern Neighborhoods PEIR).</b> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>	<p>Project sponsor; project contractor(s).</p>	<p>Prior to issuance of a building permit.</p>	<p>Design measures to be incorporated into project design</p>	<p>Planning Department; Department of Building Inspection.</p>	<p>Considered complete upon approval of final construction drawing set.</p>



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<p><b>Project Mitigation Measure 3 – Open Space in Noisy Environments (Mitigation Measure F-6 in the Eastern Neighborhoods PEIR).</b> To minimize effects on development in noisy areas, for new development including noise sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4 (Siting of Noise-Generating Uses), require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.</p>	Project sponsor; project contractor(s).	Prior to issuance of a building permit.	Design measures to be incorporated into project design.	Planning Department; Department of Building Inspection.	Considered complete upon approval of final construction drawing set.
<b>Hazardous Materials</b>					
<p><b>Project Mitigation Measure 4 – Hazardous Building Materials (Mitigation Measure L-1 in the Eastern Neighborhoods PEIR).</b> The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor	Prior to any demolition or construction activities.	Removal and proper disposal of hazardous building materials.	Project sponsor.	Upon completion of proper disposal.

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**IMPROVEMENT MEASURE AGREED TO BY PROJECT SPONSOR**

**Air Quality Improvement Measure**

<p><b>Project Improvement Measure 1 – Construction Emissions Minimization</b></p> <p>A. <i>Construction Emissions Minimization Plan.</i> Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:</p> <p>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</p> <p>b) All off-road equipment shall have:</p> <p>i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, <i>and</i></p> <p>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).<sup>3</sup></p>	<p>Project sponsor; project contractor(s).</p>	<p>Prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.</p>	<p>Prepare and submit a Plan.</p>	<p>Project sponsor/contractor(s) and the ERO.</p>	<p>Considered complete upon findings by ERO that plan is complete.</p>
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<sup>3</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

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<p>c) Exceptions:</p> <ul style="list-style-type: none"> <li>i. Exceptions to A(1)(a) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</li> <li>ii. Exceptions to A(1)(b)(ii) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</li> <li>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.</li> </ul>					

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<p align="center">Table A1 Off-Road Equipment Compliance Step down schedule*</p> <table border="1" data-bbox="178 435 787 743"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.</p> <p>**Alternative fuels are not a VDECS</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than <i>two</i> minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*					
Compliance Alternative	Engine Emission Standard	Emissions Control															
1	Tier 2	ARB Level 2 VDECS															
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<p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p>					

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<p>B. <i>Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>	Project sponsor/ contractor(s).	Monthly.	Submit monthly reports.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
<p>C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.