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Executive Summary

Large Project Authorization

HEARING DATE: JUNE 5, 2014

Date:	May 29, 2014
Case No.:	**2010.0726X**
Project Address:	**2051 3rd Street**
Zoning:	UMU (Urban Mixed Use) Zoning District 68-X Height and Bulk District
Block/Lots:	3994/001B, 001C and 006
Project Sponsor:	Raintree Partners 28202 Cabot Road, Suite 300 Laguna Niguel, CA 92667
Staff Contact:	Doug Vu – (415) 575-9120 Doug.Vu@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The proposed project includes demolition of the existing structures on three separate lots, and new construction of a six-story, 68-foor tall residential building (approximately 108,790 square feet) with 93 dwelling units that include 2,165 sq. ft. of flex space, 74 off-street parking spaces, and 93 Class 1 bicycle parking spaces. The project includes a dwelling unit mix consisting of 33 studios, 22 one-bedroom units, 35 two-bedroom units, and three three-bedroom units. The proposed project includes common open space (approximately 7,939 sq. ft.), private open space for seven units via decks and balconies, and publicly accessible open space (approximately 962 sq. ft.) along the 3rd Street frontage.

The proposed project was continued at the Planning Commission's March 6, 2014 hearing at the request of the Project Sponsor, in an effort to further address neighborhood comments and refine the design of the building.

SITE DESCRIPTION AND PRESENT USE

The proposed project is located mid-block on three adjoining lots (3994/001B, 001C, and 006) with a combined area of 19,620 sq. ft. between Mariposa, Illinois, 18th and 3rd Streets in the City's Dogpatch neighborhood. The three lots would be merged as part of the project, and as a result will have 107-feet of frontages along both 3rd and Illinois Streets, with a depth of 180 feet. The two existing industrial buildings at 2051 and 2065 3rd Streets were constructed in 1927 and 1926, respectively, total 15,041 sq. ft. in area, and range in height from 12 to 25 feet. The site is also located within the Central Waterfront Subarea of the Eastern Neighborhoods Plan.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The blocks surrounding the project site include a wide range of building types, heights, and uses typically found in an Urban Mixed Use (UMU) zoning district, including residential uses. The wide 3rd Street median contains the light rail line for the Muni T train. The area east of Illinois Street consists of a Port of San Francisco shipyard where 19th and Illinois Streets intersect. A mixture of commercial, mixed residential/commercial, live/work, and industrial buildings on the adjacent block faces range from one to five stories, and approximately 15 to 65 feet in height. The topography in the area slopes downward from Potrero Hill on the west to the San Francisco Bay on the east. 3rd Street is at the bottom of Potrero Hill, although the topography continues to drop approximately twelve feet in elevation across the project site from 3rd Street to Illinois Street. The adjacent property to the south at 680 Illinois Street is a five-story, 35-dwelling Planned Unit Development approved by the Planning Commission in 2005 and completed in 2012. The other adjacent property to the north at 2011 3rd Street is a 50-foot tall, twelve-unit live/work building that was completed in 1997. The San Francisco Carpenters Union office building is located two properties to the south at 2085 3rd Street.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on December 3, 2013, 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	February 14, 2014	February 14, 2014	20 days
Posted Notice	20 days	February 14, 2014	February 14, 2014	20 days
Mailed Notice	20 days	February 14, 2014	February 14, 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 May 23, 2014, the Department has received twelve letters of support for the project, including from the Dogpatch Neighborhood Association and the San Francisco Housing Action Coalition. The Department has also received two letters of opposition identifying concerns about the scale of the project in relation to neighboring properties that is inconsistent with the Industrial Area Design Guidelines, its shadow impacts to the anticipated Crane Cove Park, and the loss of property line windows to the adjacent building at 610 Illinois Street. The Department has also received general inquiries from members of the public expressing concerns regarding the timing of construction, views, light and air, and the justification for granting the proposed rear yard and open space exceptions.

ISSUES AND OTHER CONSIDERATIONS

- The Project is consistent with the Central Waterfront Area Plan's design guidelines because the architecture responds to the site's location and provides a design that blends the industrial and the contemporary architecture of the surrounding residential and loft buildings. The Project's facades all present fenestration patterns and scale similar to the expressed frame of residential and industrial uses common in the area, and the exterior is designed with modern materials including resin, cement, and metal panels, aluminum windows, and stone. Additionally, the metal punched window openings and balconies with cement plaster recesses provide a stimulating and visually interesting form from the public right-of-way. Furthermore, variations in fenestration and treatment of the building facades allow the architecture to read as distinct pieces of a whole building.

- Crane Cove Park is an approximately nine acre site that is identified for development as a future park within the Port of San Francisco's Pier 70 Area, the former Union Iron Works/Bethlehem Steel Shipyard. Although a Draft Master Plan and Conceptual Plans have been developed, the project has not yet been reviewed and adopted by the Port Commission and other stakeholders. Therefore, it is not possible to analyze the shadow impacts of the Project to the proposed Crane Cove Park.

- The property line windows along the north and south elevations of the adjacent buildings are not protected window openings, and pursuant to the 2010 San Francisco Building Code, may not be used to provide required light and ventilation, required egress, or for required emergency rescue.

- 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 the rear yard (Planning Code Section 134), open space (Planning Code Section 135), and accessory use provisions for dwelling units (Planning Code Sections 329(d)(1) and 803.3(b)(1)(c)). Department staff is generally in agreement with the proposed modifications given the overall project and its outstanding design.

- The Project has elected the on-site affordable housing alternative identified in Planning Code Section 415.6, and these dwelling units will be rental properties. Pursuant to Planning Code Section 419.5(b), the project will utilize the Rental Incentive Alternative, which applies to properties within the UMU Zoning District. The Project Sponsor has entered into an agreement with the City to provide rental housing for 30 years under Section 419.5(b) of the Planning Code. The Project Sponsor and the City have entered into such an agreement; therefore the applicable requirements are a 13% inclusionary housing requirement and there is a $1 reduction of the Eastern Neighborhood Public Benefit Fee. If the Agreement is terminated or the units otherwise sold prior to the expiration of the 30 year period, the inclusionary requirement will return to 16% and the Project Sponsor and its Successor must pay the $1 per square foot Eastern Neighborhoods Public Benefit Fee. Both requirements would be subject to interest and/or penalties as allowed by law. The Project contains 93 units; therefore the Project Sponsor will fulfill this requirement by providing twelve 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.

- The Project would be subject to the Eastern Neighborhood Impacts Fees for the construction of new mixed-use development. These fees are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	RENTAL INCENTIVE REDUCTION	AMOUNT
Eastern Neighborhoods Impact Fee (93,176 sq. ft. – Tier 1; New Residential)	423 (@ 9.25)	419.5 (-1.00)	$768,702
		TOTAL	$768,702

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 new six-story, 68-foot tall residential building with 93 dwelling units, and to allow modifications to the requirements for rear yard (Planning Code Section 134), open space (Planning Code Section 135), and accessory use provisions for dwelling units (Planning Code Sections 329(d)(10) and 803.(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 complies with the First Source Hiring Program.
- The Project is located in a zoning district where residential and ground floor commercial uses are principally permitted.
- The Project produces a development that includes significant site upgrades, such as landscaping, private, common and publicly accessible open space along 3rd Street.
- The Project is consistent with and respects the existing neighborhood character, and is an appropriate in-fill development.
- The Project adds 93 new dwelling units to the City's housing stock.

- The project proposes a parking ratio of approximately .80 spaces per dwelling unit, or 74 spaces, which is below the maximum permitted ratio of 0.85 on this site, or 80 spaces.
- The project will fully utilize the Eastern Neighborhood controls and pay the appropriate impact fees.

RECOMMENDATION: Approval with Conditions

Attachments:
Draft Large Project Authorization Motion
Parcel Map
Sanborn Map
Aerial Photograph
Zoning Map
Housing Pipeline
Environmental Review Documents
Public Correspondence
Project Sponsor Submittal:
- Site Photographs
- Project Renderings
- Reduced Plans

Attachment Checklist

☒ Executive Summary
☒ Draft Motion
☒ Environmental Determination
☒ Zoning District Map
☒ Parcel Map
☒ Sanborn Map
☒ Aerial Photo

☒ Context Photos
☒ Site Photos
☒ Project sponsor submittal
Drawings: <u>Existing Conditions</u>
  ☒ Check for legibility
Drawings: <u>Proposed Project</u>
  ☒ Check for legibility

Exhibits above marked with an "X" are included in this packet ________DV________
Planner's Initials

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Subject to: (Select only if applicable)

- ■ Affordable Housing (Sec. 415)
- ■ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ■ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ■ Other (EN Impact Fee – Sec. 423)

Planning Commission Motion No. XXXXX

HEARING DATE: JUNE 5, 2014

Date: May 29, 2014
Case No.: **2010.0726X**
Project Address: **2051 3rd Street**
Zoning: UMU (Urban Mixed Use) Zoning District
68-X Height and Bulk District
Block/Lots: 3994/001B, 001C and 006
Project Sponsor: Raintree Partners
28202 Cabot Road, Suite 300
Laguna Niguel, CA 92667
Staff Contact: Doug Vu – (415) 575-9120
Doug.Vu@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) OPEN SPACE PURSUANT TO PLANNING CODE SECTION 135, (3) AND 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 SIX-STORY, 68-FOOT TALL 108,790 GSF RESIDENTIAL BUILDING WITH 93 DWELLING UNITS LOCATED AT 2051 3RD STREET, LOTS 001B, 001C AND 006 IN ASSESSOR'S BLOCK 3994, 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 June 14, 2012, Raintree Partners (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Large Project Authorization under Planning Code Section 329 to allow construction of a new six-story, 68-foot tall residential building consisting of 94 dwelling units, parking for up to 74 spaces, and exceptions including rear yard, open space and street frontage within the UMU (Urban Mixed Use) Zoning District and within a 68-X Height and Bulk District.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commissions 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 December 3, 2013, 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.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2010.0726X at 1650 Mission Street, Fourth Floor, San Francisco, California.

On March 6, 2014, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2010.0726X and continued the item to the June 5, 2014 public hearing at the request of the Project Sponsor.

On May 15, 2014, the Project Sponsor amended the application with the Planning Department for Large Project Authorization under Planning Code Section 329 to allow construction of a new six-story, 68-foot tall residential building consisting 93 dwelling units and parking for up to 74 spaces, and exceptions including rear yard and open space within the UMU (Urban Mixed Use) Zoning District and within a 68-X Height and Bulk District.

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. 2010.0726X, 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 mid-block on three adjoining lots (3994/001B, 001C, and 006) with a combined area of 19,620 sq. ft. between Mariposa, Illinois, 18th and 3rd Streets in the City's Dogpatch neighborhood. The three lots would be merged as part of the project, and as a result will have 107-feet of frontages along both 3rd and Illinois Streets, with a depth of 180 feet. The two existing industrial buildings at 2051 and 2065 3rd Streets were constructed in 1927 and 1926, respectively, total 15,041 sq. ft. in area, and range in height from 12 to 25 feet. The site is also located within the Central Waterfront Subarea of the Eastern Neighborhoods Plan.

3. **Surrounding Properties and Neighborhood.** The blocks surrounding the project site include a wide range of building types, heights, and uses typically found in an Urban Mixed Use (UMU) zoning district, including residential uses. The wide 3rd Street median contains the light rail line for the Muni T train. The area east of Illinois Street consists of a Port of San Francisco shipyard where 19th and Illinois Streets intersect. A mixture of commercial, mixed residential/commercial, live/work, and industrial buildings on the adjacent block faces range from one to five stories, and approximately 15 to 65 feet in height. The topography in the area slopes downward from Potrero Hill on the west to the San Francisco Bay on the east. 3rd Street is at the bottom of Potrero Hill, although the topography continues to drop approximately twelve feet in elevation across the project site from 3rd Street to Illinois Street. The adjacent property to the south at 680 Illinois Street is a five-story, 35-dwelling Planned Unit Development approved by the Planning Commission in 2005 and completed in 2012. The other adjacent property to the north at 2011 3rd

Street is a 50-foot tall, twelve-unit live/work building that was completed in 1997. The San Francisco Carpenters Union office building is located two properties to the south at 2085 3rd Street.

4. **Project Description.** The proposed project includes the demolition of the existing structures on three separate lots, and new construction of a six-story, 68-foor tall residential building (approximately 108,790 square feet) with 93 dwelling units that include 2,165 sq. ft. of flex space, 74 off-street parking spaces, and 93 Class 1 bicycle parking spaces. The project includes a dwelling unit mix consisting of 33 studios, 22 one-bedroom units, 35 two-bedroom units, and three three-bedroom units. The proposed project includes common open space (approximately 7,939 sq. ft.), private open space for seven units via decks and balconies, and publicly accessible open space (approximately 962 sq. ft.) along the 3rd Street frontage.

5. **Public Comment**. The Department has received twelve letters of support for the project, including from the Dogpatch Neighborhood Association and the San Francisco Housing Action Coalition. The Department has also received two letters of opposition identifying concerns about the scale of the project in relation to neighboring properties that is inconsistent with the Industrial Area Design Guidelines, its shadow impacts to the anticipated Crane Cove Park, and the loss of property line windows to the adjacent building at 610 Illinois Street. The Department has also received general inquiries from members of the public expressing concerns regarding the timing of construction, views, light and air, and the justification for granting the proposed rear yard and open space exceptions.

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 Section 843.20 states that residential uses are principally permitted within the UMU Zoning District.

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

   B. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth beginning at the lowest story containing a dwelling unit.

   The Project does not comply with the rear yard requirement and is seeking an exception as part of the Large Project Authorization (See discussion below).

   C. **Usable Open Space.** Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The Project has a residential open space requirement of 7,440 square feet of usable open space if private, or 5,022 square feet of publicly accessible open space.

   Although the total proposed open space (11,578 square feet) exceeds the requirement, approximately 3,708 square feet of the open space does not meet the dimensional requirements for usable open space.

Therefore, the Project does not comply with the open space requirement and is seeking an exception as part of the Large Project Authorization (See discussion below).

D. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires improvement of the public right-of-way associated with development projects. The owner or developer of a new building in this District must install street trees. Each street tree must be a minimum of 24-inch box for every 20 feet of frontage of the property along each street or public alley with any remaining fraction of ten feet or more of frontage requiring an additional tree. Planning Code Section 138.1 also requires streetscape and pedestrian elements in conformance with the Better Streets Plan when a project is on a lot that is greater than ½-acre in total area and the project includes new construction.

The project requires five street trees at each of the 3rd and Illinois Street frontages. The project proposes six street trees at each of the 3rd and Illinois Street frontages, which complies with this provision.

E. **Bird-Safe Standards.** Planning Code Section 139 outlines bird-safe standards for new construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." Feature-related hazards may create increased risk to birds and need to be mitigated. The project site is not located within an urban bird refuge.

The Project meets the requirements of Planning Code Section 139~~,~~ and does not contain any feature-related hazards such as free-standing glass walls, wind barriers, or balconies that have unbroken glazed segments 24 square feet or larger in size.

F. **Dwelling Unit Exposure.** Planning Code Section 140 requires dwelling units to have at least one window facing a street or alley, a Code-complying rear yard, open space or inner court.

All proposed dwelling units enjoy ample light and air with the proposed inner court yard, and 43 units face either 3rd or Illinois Streets, meeting the dimensional and square footage requirements for dwelling unit exposure.

G. **Street Frontages.** Planning Code Section 145.1 requires the following for street frontages in Eastern Neighborhood Mixed Use Districts: (1) not more than 1/3 the width of the building facing the street may be devoted to ingress/egress to parking; (2) off-street parking at street grade must be set back at least 25 feet; (3) "active" use shall be provided within the first 25 feet of building depth at the ground floor; (4) ground floor non-residential uses in UMU zoning district shall have a floor-to-floor height of 17-feet; (5) frontages with active uses shall be fenestrated with transparent windows; and, (6) decorative railings or grillwork placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular views.

The project complies with the requirements of Section 145.1 as follows: (1) providing one 12-foot wide garage opening, which totals less than 1/3 the width of the approximately 105-foot wide building; (2) the off-street parking at street grade is set back at least 35 feet from Illinois Street; (3) incorporating active uses on all street frontages, including commercial, dwellings with stoops and flex units within the first 25 feet of the building depth at ground floor; (4) providing a floor-to-floor ground floor height of 18 feet for the commercial frontage; and, (5) providing transparent windows at the ground floor.

H. **Shadow.** Planning Code Section 147 requires reduction of substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Planning Code Section 295. Section 295 restricts new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission.

The Shadow Analysis conducted for the Project indicates that the Project will not cast shadow upon any existing Public, Publicly Accessible or Publicly Financed or Subsidized Open Space. Crane Cove Park is an approximately nine acre site that is identified for development as a future park within the Port of San Francisco's Pier 70 Area, the former Union Iron Works/Bethlehem Steel Shipyard. Although a Draft Master Plan and Conceptual Plans have been developed, the project has not yet been reviewed and adopted by the Port Commission and other stakeholders. Therefore, it is not possible to analyze the shadow impacts of the Project to the proposed Crane Cove Park.

I. **Off-Street Parking**. Planning Section 151.1 allows for provision of up to three parking spaces for each four dwelling units. Additionally, up to one parking space is permitted for each dwelling unit that is two or more bedrooms and at least 1,000 square feet of occupied floor area, subject to the requirements of Sections 151.1(g) below. No additional parking is permitted above these amounts.

(1)(A) Parking for All Uses.
- (i) Vehicle movement on or around the project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district;
- (ii) Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal;
- (iii) All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code; and
- (iv) Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

The project proposes one twelve-foot wide vehicular access to its subterranean parking garage, therefore minimizing any impact to pedestrian spaces or movement. All parking spaces are provided underground, not visible from the street and with mechanical stackers. The proposed bicycle parking is at the ground level and will be accessible through the building lobby. The project proposes ample quality street scape improvements and active uses on the ground floor to enhance the pedestrian space and experience.

(B) Parking for Residential Uses.
- (i) For projects with 50 dwelling units or more, all residential accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for parking and maneuvering, and maximizes other uses.

Based on the proposed dwelling unit mix, the maximum number of parking spaces permitted is 80, or a parking ratio of approximately .85 spaces per dwelling unit. The project proposes 74 parking spaces, or a parking ratio of approximately .80 spaces per dwelling unit, accessible with mechanical stackers. Therefore, the project complies with the principally permitted parking amounts.

J. **Off-Street Loading.** Planning Code Section 152.1 requires no off-street freight loading spaces for a residential use in UMU Districts when the gross floor area is less than 100,000 square feet, and no loading space for a commercial use less than 10,000 square feet.

With approximately 90,000 gross square feet of residential use, the project requires no off-street loading spaces. However, one loading space at curbside facing Illinois Street has been proposed.

K. **Bicycle Parking.** Planning Code Section 155.2 requires one Class One bicycle space for each dwelling unit and one Class Two space for every 20 dwelling units.

The proposed total number of 93 dwelling units requires a total of 93 Class One bicycle parking spaces and five Class Two spaces. The project complies with this requirement by providing up to 93 Class One bicycle parking spaces and eight Class Two spaces.

L. **Car Share.** Planning Code Section 166 requires one space for projects proposing dwelling units between 50 and 200.

One car share space is required for the proposed 93 dwelling units. The project exceeds the minimum requirement by providing three car share spaces.

M. **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 off-street parking spaces provided for the dwelling units will be unbundled and sold and/or leased separately from the dwelling units. Therefore, the Project meets this requirement.

N. **Dwelling Unit Mix.** Planning Code Section 207.6 requires at least 40 percent of the total number of proposed dwelling units to contain two or more bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

The Project will provide 41 percent of the dwelling units as 2-bedroom units or larger (38 units).

O. **Height Limit.** Planning Code Section 260 requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The Project Site is within a 68-foot Height District.

The Project complies with this requirement as the height of the building does not exceed 68 feet.

P. **Inclusionary Affordable Housing Program.** Planning Code Section 419 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 419.3, these requirements would apply to projects that consist of ten or more units. The Project Sponsor has stated its intent to pursue the Rental Incentive alternative available to qualifying projects in the Urban Mixed Use District within Eastern Neighborhoods (UMU) under Planning Code Sections 415.5, 415.6 and 419.5(b). The Rental Incentive provides that projects which enter into an agreement with the City to provide all of the units in the Project as rental units for 30 years from the issuance of the certificate of occupancy shall receive two incentives: (1) a 3% reduction in its on-site inclusionary housing requirement (here from 16% to 13%) and (2) a $1 per gross square foot reduction in its Eastern Neighborhoods Public Benefit Fee. While the Department supports this concept in general, under the current Code, the project sponsor must have the agreement to provide rental housing for 30 years approved by the Board of Supervisors. Per Planning Code Section 419.3(b)(2), the project site is subject to the "Tier B" requirements.

The Project Sponsor has entered into an agreement with the City to provide rental housing for 30 years under Section 419.5(b) of the Planning Code. The Project Sponsor and the City have entered into such an agreement; therefore the applicable requirements are a 13% inclusionary housing requirement and there is a $1 per gross square foot reduction in the Eastern Neighborhood Public Benefit Fee. If the Agreement is terminated or the units otherwise sold prior to the expiration of the 30 year period, the inclusionary requirement will return to 16% and the Project Sponsor and its Successor must pay the $1 per square foot Eastern Neighborhoods Public Benefit Fee. Both requirements would be subject to interest and/or penalties as allowed by law. The Project contains 93 units; therefore the Project Sponsor will fulfill this requirement by providing twelve 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.

Q. **Eastern Neighborhoods Infrastructure Impact Fees.** The project shall comply with the provisions of Planning Code Section 423, including payment of the Eastern Neighborhoods Impact Fee, or execution of an In-Kind Agreement with the Planning Department prior to issuance of the first site or building permit.

The Project includes approximately 108,790 gross square feet of new development consisting of approximately 93,176 square feet of residential use. This use is subject to the Eastern Neighborhoods Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid by the Project Sponsor 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 massing and scale;

The Project conforms to the applicable height and bulk requirements. The community in the vicinity of the Project is constantly evolving with development in the Central Waterfront region and the recent Eastern Neighborhoods Area Plans, and contains a range of building masses. The project, with *residential and flex space will be consistent with the existing and evolving character of the area. The Project's massing will improve the character of the neighborhood and improve general pedestrian accessibility. Furthermore, from a visual perspective, the massing and scale are generally consistent with the neighboring buildings. Two recent developments at 680 Illinois and 740 Illinois Streets proposed similar building mass and scale.*

B. Architectural treatments, facade design and building materials;

The architecture of this Project responds to the site's location between the industrial nature of the Central Waterfront and the contemporary architecture of the residential buildings and lofts toward the bottom of Potrero Hill. The Project's facades all present fenestration patterns and scale similar to the expressed frame of residential and industrial uses common in the area. The exterior is designed with modern materials including resin, cement, and metal panels, aluminum windows, and stone. Additionally, the metal punched window openings and balconies with cement plaster recesses provide a stimulating and visually interesting form from the public right-of-way. Variations in fenestration and treatment of the building facades allow the architecture to read as distinct pieces of a whole.

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 ground floor character of the building is active with residential and retail oriented flex spaces along 3rd and Illinois Streets, and exposed residential entries along Illinois Street as expressed by the architecture of the building via recessed entries. The residential flex spaces, lobbies, and community spaces are carved out at the ground floor, inviting pedestrians and providing an opportunity for outdoor seating. The residential flex spaces have 17-foot clear ceiling heights at the ground floor, and curb cuts are minimized to one twelve-foot wide parking access point facing Illinois Street for the entire project. Street trees along all street frontages are proposed as required by the Planning Code, with the exception of areas adjacent to the building entries and the vehicular access point.

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 1,972 square feet of private usable open space on the building's roof and courtyard for seven dwelling units. Approximately 5,898 square feet of usable common open space is provided on the building's roof deck, and an additional 2,934 square feet of private and common open space is provided on balconies and in the courtyard. Furthermore, 893 square feet of publicly accessible open space is provided at grade adjacent to 3rd Street. Although the additional 2,934 square feet of proposed open space on balconies and in the courtyard does not meet the literal dimensional requirements of the Planning Code, the total 11,578 square feet of open spaces provided on-site exceed the square footage required and are quality usable spaces.

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

The Project proposes the installation of twelve street trees along both frontages and open spaces, and sidewalk improvements.

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

The Project proposes only one twelve-foot wide ingress/egress access at Illinois Street and is not anticipated to create circulation problems. No other ingress/egress is proposed anywhere to prevent possible conflicts and congestion.

G. Bulk limits;

The Project site is located in an X Bulk District, which provides no bulk restrictions.

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 generally meets the Objectives and Policies of the General Plan and noted in Finding 9 below.

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

A. Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth beginning at the lowest story containing a dwelling unit. The subject property is a rectangular lot with two frontages and two publicly accessible mews. Planning Code Section 329(d) allows an exception for the rear yard requirement pursuant to requirements of Planning Code Section 134(f).

1. 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:

   The Project is occupied by a residential uses including flex units, and a comparable amount of readily accessible open space. Per the Planning Code, the required rear yard should equal 25 percent of the lot area, which is approximately 4,725 square feet for this property. The proposed roof deck (6,725 s.f.) inner courtyard (3,186 s.f.), and private balconies (774 s.f.) combine to provide approximately 10,685 square feet of accessible open space.

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

   The Project will merge three underutilized lots and create a through lot fronting 3rd and Illinois Streets. The proposed inner court yard will connect with court yards from the adjacent residential buildings, will preserve access to light and air, and will result in no significant impediment on light and air to adjacent properties.

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

The Project proposes an inner court yard that connects with and compliments the court yards from the adjacent residential buildings. The collective inner courtyards constitute a mid-block open space. The subject site currently provides no inner courtyard as the existing buildings have nearly full lot coverage.

B. Planning Code Section 135 requires that usable open space be located on the same lot as the dwelling units it serves. At least 80 square feet of usable open space per dwelling unit, or 54 square feet per dwelling unit of publicly accessible open space, is required. Up to 50 percent of the publicly accessible open space may be provided off-site. The Project has a residential open space requirement of up to 7,520 square feet of usable open space if private, or 5,076 square feet of publically accessible open space.

Although the total proposed open space (10,685 square feet) exceeds the requirement, the approximately 3,186 square feet of the open space (inner courtyard) does not meet the dimensional requirements. However, the inner court yard is of significant size and appropriate design to provide quality usable open space.

C. 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 the Code and shall be subject to all such applicable controls and fees. Additionally, any building which receives a modification pursuant to this Subsection shall be 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 one two-bedroom, and two one-bedroom units on the ground floor fronting on 3rd and Illinois Streets, respectively.

(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. The anticipated 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.

9. **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 high density mixed-use development in an underutilized, transitioning industrial area. The Project site is a large opportunity site that is currently used as an exhibition space. The area around the Project site was recently rezoned to UMU as part of a long range planning goal to create a cohesive, high density residential and mixed-use neighborhood. The project includes twelve on-site affordable housing units and also provides residential flex units for commercial spaces.

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 and provides a design that blends the industrial and the contemporary architecture of residential and loft buildings. The Project's facades all present fenestration patterns and scale similar to the expressed frame of residential and industrial uses common in the area. The exterior is designed with modern materials including resin, cement, and metal panels, aluminum windows, and stone. Additionally, the metal punched window openings and balconies *with cement plaster recesses provide a stimulating and visually interesting form from the public right of way. Variations in fenestration and treatment of the building facades allow the architecture to read as distinct pieces of a whole.*

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.

Policy 4.6:
Assure the provision of adequate public open space to serve new residential development.

The Project will create private outdoor open spaces in a new residential mixed-use development through private balconies, a courtyard, roof deck, and ground floor open spaces. It 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 24.3:
Install pedestrian-serving street furniture where appropriate.

Policy 24.4:
Preserve pedestrian-oriented building frontages.

The Project will install street trees at approximately 20 foot intervals along the frontages on 3rd and Illinois Streets. Frontages are designed with active spaces oriented at the pedestrian level that have a 17 foot clear ceiling height.

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 93 Class One bicycle parking spaces in secure, convenient locations on the ground floor and eight Class Two spaces in the public right of way.

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 .80 spaces per unit, below the maximum permitted ratio of 0.85. The parking spaces are accessed by one ingress/egress point at Illinois Street. Parking is adequate for the project and complies with maximum 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 existing industrial buildings are not compatible with the visual character of the neighborhood. The Project serves as a visual transition from the residential character to the west and the industrial uses to the east. The Proposal will bring the Subject Property into greater conformity with the existing neighborhood character, and is complementary to the massing and scale of the adjacent buildings. The 93 new units of housing will provide a greater housing choice for residents.

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.

While the subject lot has two 105-foot street frontages, it only proposes one vehicular access point for the entire project, limiting conflicts with pedestrians and bicyclists. A minimum of six street trees will be planted on each street frontage. Ample active frontages, public and private open spaces, ground floor active uses, and ground floor flexible occupancy units directly accessing the street will be provided. The pedestrian experience along the Project site will be improved with widening of the sidewalk along 3rd Street.

CENTRAL WATERFRONT AREA PLAN

Objectives and Policies

Land Use
OBJECTIVE 1.2:
IN AREAS OF THE CENTRAL WATERFRONT 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 1.2.4
In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements implementation.

The project proposes development on existing underutilized parcels by merging them and introducing new rental housing with affordable units. The proposed density is the maximum allowed in order to ensure *quality and livability of the units through controlled height and unit mix requirements, and 41% of the unit mix includes two and three-bedroom units..*

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 2.3.2
Prioritize the development of affordable family housing, both rental and ownership, particularly along transit corridors and adjacent to community amenities.

Policy 2.3.3
Require that 40 percent of all units in new developments have two or more bedrooms and encourage that at least 10 percent of all units in new development have three or more bedrooms, except Senior Housing and SRO developments.

The project proposes rental housing with a minimum of 41 percent of its total units containing two and three-bedroom units.

Built Form
OBJECTIVE 3.1
PROMOTE AN URBAN FORM THAT REINFORCES THE CENTRAL WATERFRONT'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 3.1.9
New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

Although there is no prevailing pattern of rear yard or open space on the subject block, the project proposes an 6,725 s.f. roof deck and an interior court that breaks up the building mass, continues the connection to adjacent inner courtyards, and provides quality light and air for the dwelling units.

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.

The Project provides strong, repeating vertical articulation to achieve the visual presence necessary to sustain pedestrian interest and activity. Massing is differentiated with notches, recesses, projections and an interior court yard. The proposed fenestration represents the uses behind them, in this case, residential and commercial flex units, minimizes visual clutter, harmonizes with prevailing conditions, and provides *architectural interest. Proposed windows are recessed and are generally oriented vertically with metal frames.*

OBJECTIVE 4.1
IMPROVE PUBLIC TRANSIT TO BETTER SERVE EXISTING AND NEW DEVELOPMENT IN CENTRAL WATERFRONT.

Policy 4.1.5
Reduce existing curb cuts where possible and restrict new curb cuts to prevent vehicular conflicts with transit on important transit and neighborhood commercial streets.

The proposed curb cut is not located along the 3rd Street façade, which is a pedestrian and transit oriented street. Ground floor residential units and flex units with recessed entries are proposed on both 3rd and Illinois Street façades, where it is important to maintain continuous active ground floor activity, protect pedestrian movement and retail viability, and reduce transit delay and variability.

OBJECTIVE 4.8
ENCOURAGE ALTERNATIVES TO CAR OWNERSHIP AND THE REDUCTION OF PRIVATE VEHICLE TRIPS.

Policy 4.8.1
Continue to require car-sharing arrangements in new residential and commercial developments, as well as any new parking garages.

The project provides three car share spaces, exceeding the Code's requirement for one car space.

Streets and Open Space
OBJECTIVE 5.2
ENSURE THAT NEW DEVELOPMENT INCLUDES HIGH QUALITY PRIVATE OPEN SPACE.

Policy 5.2.1
Require new residential and mixed-use residential development to provide on-site private open space designed to meet the needs of residents.

Policy 5.2.2
Encourage private open space to be provided as common spaces for residents and workers of the building wherever possible.

The Project includes a roof terrace of approximately 6,725 square feet. Although the proposed interior courtyard does not meet the minimum dimensional requirements, it provides a large and unobstructed quality usable open space of approximately 3,186 additional square feet,

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

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

There are no existing neighborhood-serving retail uses on the site. The Project will provide approximately 2,165 square feet of ground floor flex spaces adequate for various commercial uses, including neighborhood serving retail, which will create opportunities for local resident employment and ownership opportunities.

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 93 new dwelling units, which will significantly increase the neighborhood housing stock. The design of the Project is compatible with the surrounding neighborhood. 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 by providing twelve BMR units, 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 3rd Street Light Rail is directly in front of the project site at the 3rd Street façade. The majority of future residents are expected to use alternative methods of transportation other than private automobiles, and the number of vehicle trips generated by this project would not impede MUNI transit service or overburden streets.

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 does not include any commercial office development as proposed. The proposal, with dwelling units and commercial flex spaces will increase the diversity of the City's housing supply, a top priority in the City, and will provide 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 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.

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

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

The Project will 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.

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

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

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

13. The Commission hereby finds that approval of the Large Project authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2010.0726X** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 15, 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 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date 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, 1650 Mission Street, Room 304, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 5, 2014.

Jonas P. Ionin
Acting Commission Secretary

AYES:
NAYS:
ABSENT:
ADOPTED: June 5, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the construction of a six-story residential building with 93 dwelling units with 94 off-street parking spaces, and a modification to the requirements for rear yard, open space, and accessory use provisions for dwelling units, located at 2051 3rd Street, Lots 001B, 001C and 004 in Assessor's Block 3994 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 May 15, 2014, and stamped "EXHIBIT D" included in the docket for Case No. 2010.0726X and subject to conditions of approval reviewed and approved by the Commission on June 5, 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 June 5, 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 Large Project Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

DESIGN

Final Materials. The Project Sponsor shall continue to work with the Planning Department on the building design and the design and development of the streetscape and pedestrian elements in conformance with the Better Streets Plan. 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 415-558-6613, 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 building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, 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. 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

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

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

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, http://sfdpw.org

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

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

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

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

AFFORDABLE HOUSING

Eastern Neighborhoods Affordable Housing Requirements for UMU. Pursuant to Planning Code Section 419.3 (formerly 319.3), 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.

Pursuant to Planning Code Section 419, the Project Sponsor has entered into an agreement with the City to provide rental housing for 30 years under Section 419.5(b) of the Planning Code. The Project Sponsor and the City have entered into such an agreement; therefore the applicable requirements are a 13%

inclusionary housing requirement and there is a $1 reduction per square foot of the Eastern Neighborhood Public Benefit Fee. If the Agreement is terminated or the units otherwise sold prior to the expiration of the 30 year period, the inclusionary requirement will return to 16% and the project sponsor and its successor must pay the $1 per square foot Eastern Neighborhoods Public Benefit Fee. Both requirements would be subject to interest and/or penalties as allowed by law. The Project contains 93 units; therefore the Project Sponsor will fulfill this requirement by providing the twelve (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.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, http://sf-moh.org/index.aspx?page=321

Unit Mix. The Project contains 33 studios, 22 one-bedroom, 35 two-bedroom, and 3 three-bedroom units; therefore, the required affordable unit mix is four studios, three one-bedroom, and five two-bedroom, for a total of twelve affordable 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.

Unit Location. The BMR 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 first construction permit.

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 BMR units.

Duration. Under Planning Code Section 419.8, all units constructed pursuant to Section 419.6, must remain affordable to qualifying households for the life of the project.

Other Conditions. The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 419 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 419. 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 MOH at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at: http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available.

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

c. 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 one hundred (100) percent of the median income for the City and County of San Francisco as defined in the Inclusionary Affordable Housing Program, an amount that translates to 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.

d. 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 MOH at least six months prior to the beginning of marketing for any unit in the building.

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

f. 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.

g. 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 rental units for a minimum of 30 years pursuant to requirements in Planning Code Section 419.5(b)

h. 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 419 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.

i. 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 MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

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

Car Share. Pursuant to Planning Code Section 166, no fewer than three car share spaces shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Bicycle Parking. Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 98 bicycle parking spaces (93 Class 1 spaces and 5 Class 2 spaces).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 80 off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, 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 impacts during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

EASTERN NEIGHBORHOODS INFRASTRUCTURE IMPACT FEE

Impact Fees. 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

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

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

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

OPERATION

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

Mitigation Measures. Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2004.0160E) 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

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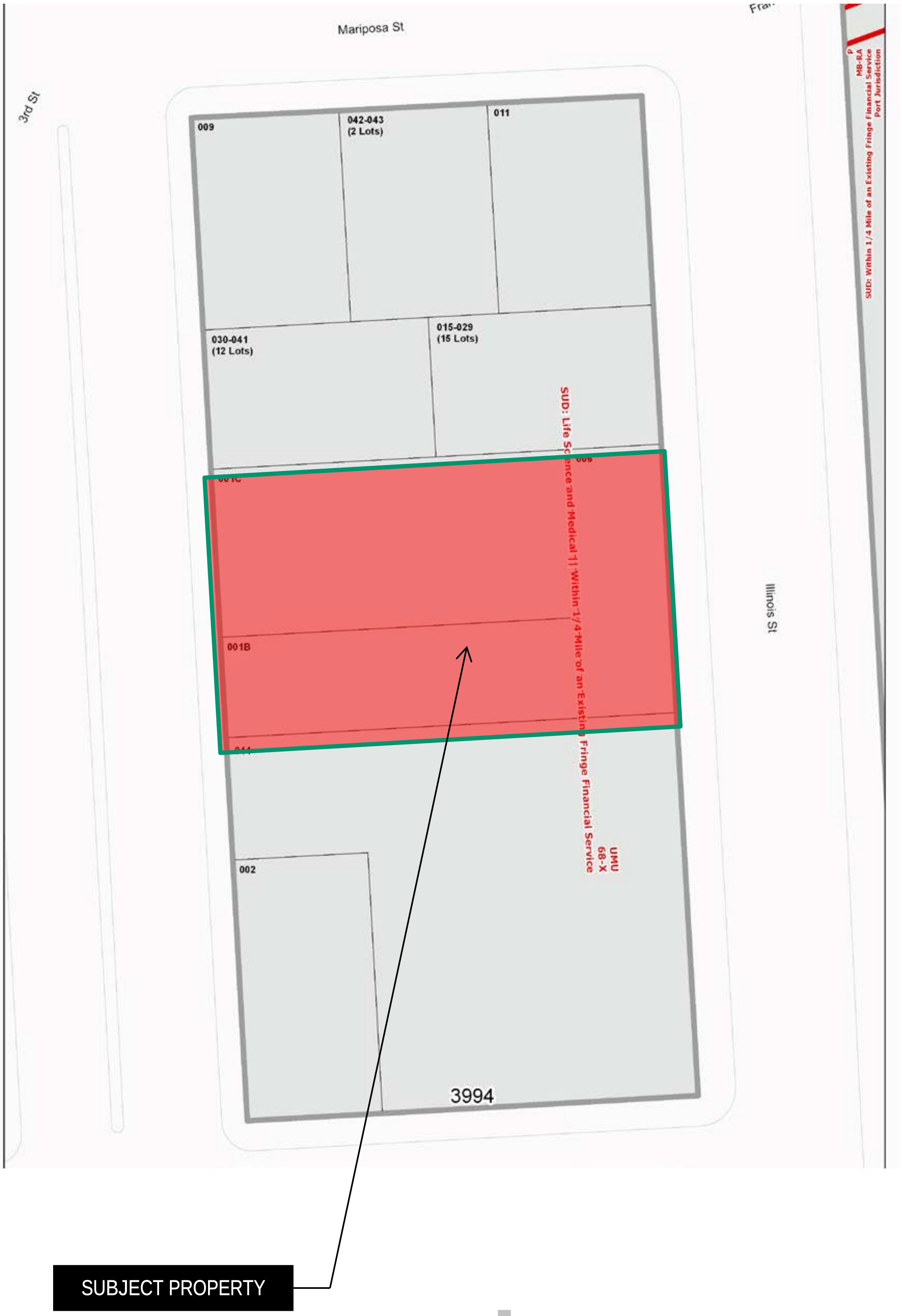
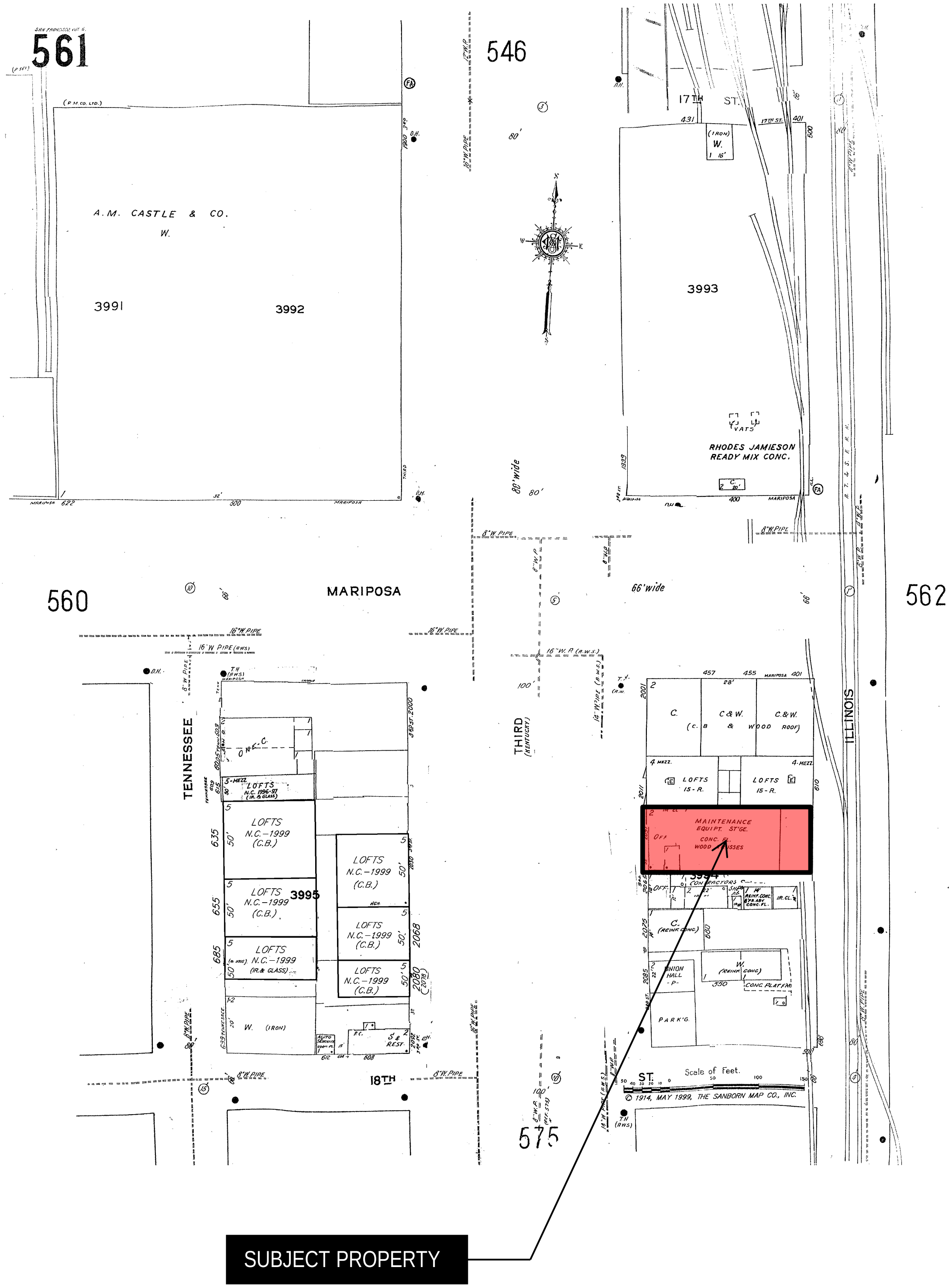
Parcel Map



Planning Commission Hearing
Case Number 2010.0726X
2051 3rd Street

SAN FRANCISCO
PLANNING DEPARTMENT

Sanborn Map*



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

Planning Commission Hearing
Case Number 2010.0726X
2051 3rd Street

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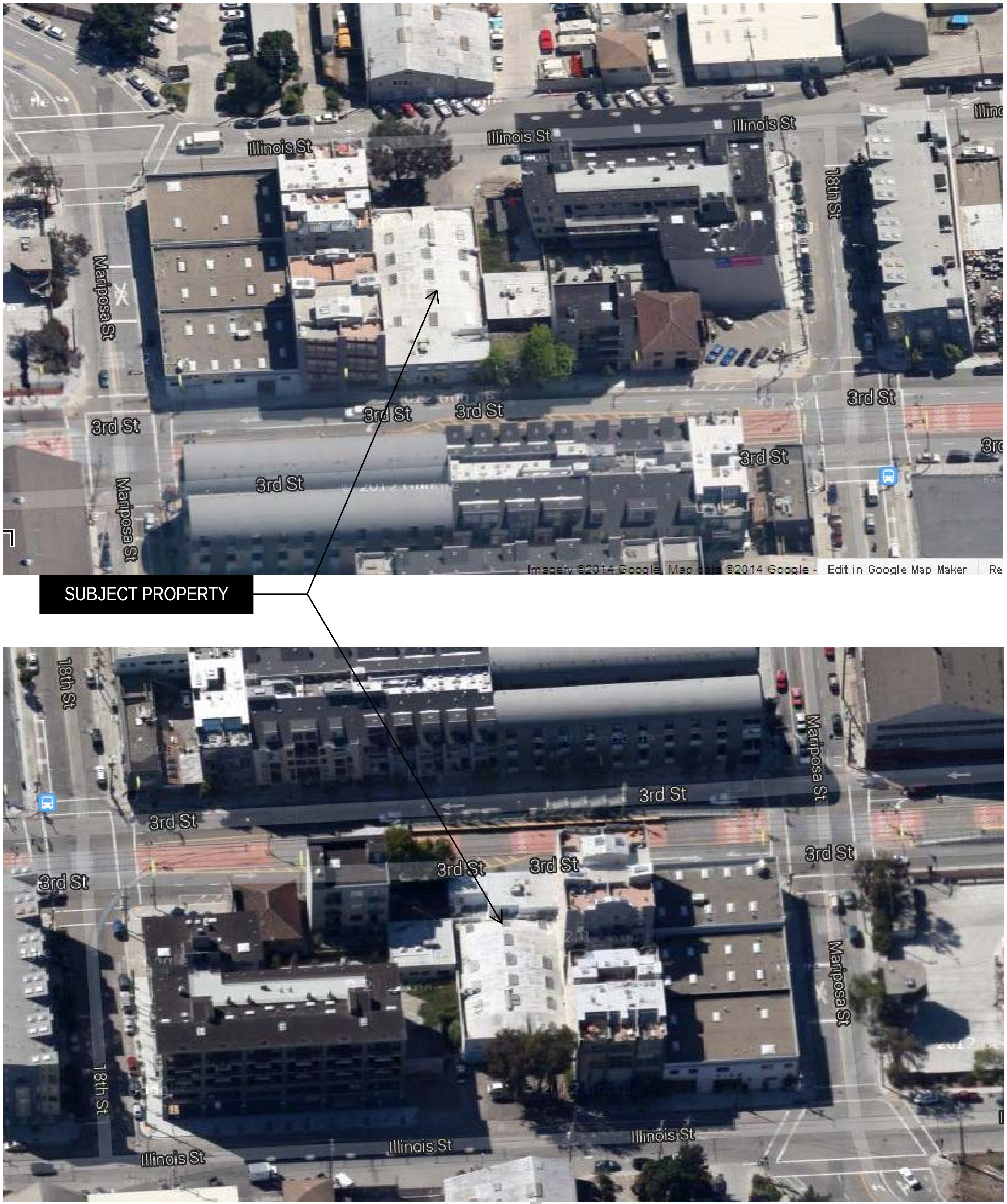
PLANNING DEPARTMENT

Aerial Photo



Planning Commission Hearing
Case Number 2010.0726X
2051 3rd Street

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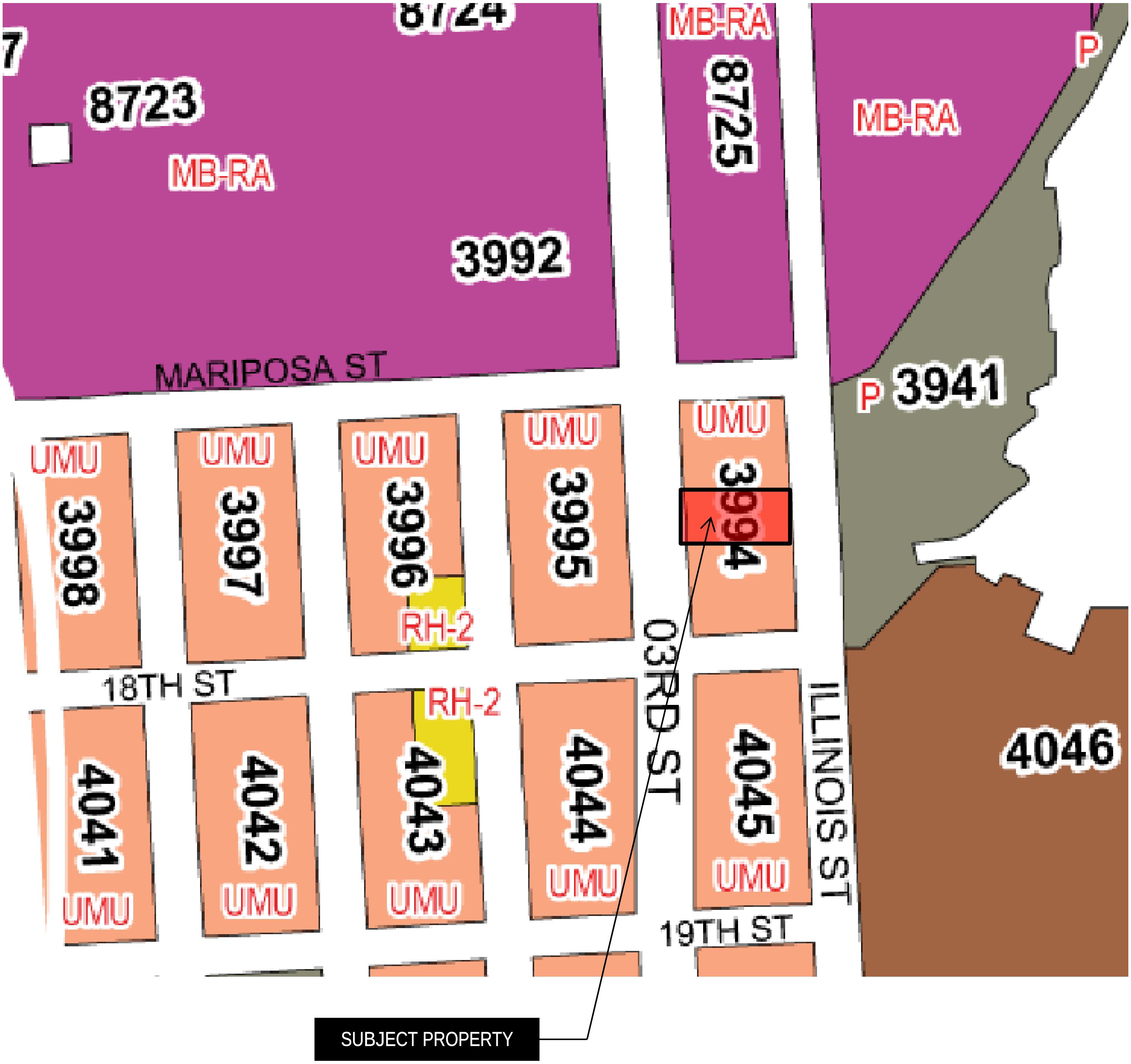
Zoning Map



Planning Commission Hearing
Case Number 2010.0726X
2051 3rd Street

SAN FRANCISCO
PLANNING DEPARTMENT

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Housing Production Summary

2007 to 2013

State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents completed units and development projects in the current residential pipeline to the fourth quarter of 2013 (Q4). The total number of entitled units is tracked by the San Francisco Planning Department and is updated quarterly in coordination with the *Quarterly Pipeline Report.* Subsidized housing units – including moderate and low income units – as well as inclusionary units are tracked by the Mayor's Office of Housing; these are also updated quarterly.

Household Income Category	RHNA Production Targets		**Residential Production 2007 - 2013 and Residential Pipeline, Q4 2013**					
				Entitled by Planning, Production Stage				
	2007-2014 RHNA Production Targets	RHNA Targets as Percentage	Completed Projects 2007 to 2013	Under Construction, Q4 2013	Building Permits Issued, Q4 2013	Entitled by Planning*, Q4 2013	TOTALS	Actual Production and Pipeline Q4 2013 as % of RHNA Targets
Very Low (< 50% AMI)†	6,589	21.1%	3,174	366	219	n/a	3,759	57.0%
Low (50-79% AMI)	5,535	17.7%	802	299	266	166	1,533	27.7%
Moderate (80-120% AMI)	6,754	21.7%	1,003	39	23	155	1,220	18.1%
Above Moderate (over 120% AMI)	12,315	39.5%	8,786	5,293	3,681	5,622	23,382	189.9%
TOTALS	**31,193**	100.0%	**13,765**	5,997	4,189	5,943	29,894	95.8%

**These totals do not include three entitled major development projects with a total of 23,714 net new units: Hunters' Point, Treasure Island and ParkMerced. While entitles, these projects are not expected to be completed during the 2007-2014 RHNA reporting period.*

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
Mitigation Measure 1 – Archeological Resources (Archeological Testing) Based on a reasonable presumption that archeological resources may be present within the project area, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried archeological 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 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 Section 15064.5 (a)(c).	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Prior to soil-disturbing activities.		Project sponsor to retain a qualified archeological consultant who shall report to the ERO.	Archeological consultant shall be retained prior to any soil disturbing activities. Date Archeological consultant retained: ____________

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
Consultation with Descendant Communities. On discovery of an archeological site an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and 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 Archeological Resources Report shall be provided to the representative of the descendant group.					
Archeological Testing Plan. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.	Project sponsor/ archeological consultant at the direction of the ERO.	Prior to any soil-disturbing activities on the project site.		Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils disturbing activities on the project site.	Date ATP submitted to the ERO:_________ Date ATP approved by the ERO:_________ Date of initial soil disturbing activities:______
At the completion of the archeological testing 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	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	Date archeological findings report submitted to the ERO:__________ ERO determination of significant archeological resource present? Y /N Would resource be adversely

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
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.					affected? Y/N Additional mitigation to be undertaken by project sponsor? Y/N
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 archeological 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;	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.	ERO & archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.		Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall implement the AMP, if required by the ERO.	AMP required? Y/N Date:______________ Date AMP submitted to the ERO:____________ Date AMP approved by the ERO:_____________ Date AMP implementation complete:___________ Date written report regarding findings of the AMP received:____________

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
• 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	Archeological consultant at the direction of the ERO	If there is a determination that an ADRP program is required		Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall prepare an ADRP if required by the ERO.	ADRP required? Y/N Date:_____________ Date of scoping meeting for ARDP:___________ Date Draft ARDP submitted to the ERO:_______________

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
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.					Date ARDP approved by the ERO:__________ Date ARDP implementation complete:___________
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)	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the archeological data recovery, inventorying, analysis and		Project sponsor/ archeological consultant	Following completion of soil disturbing activities. Considered complete upon distribution of

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
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.		interpretation.			final FARR. Date Draft FARR submitted to ERO:________________ Date FARR approved by ERO:______________ Date of distribution of Final FARR:__________ Date of submittal of Final FARR to information center:_____________
NOISE					
Mitigation Measure 2 – Noise (Mitigation Measure F-4: Siting of Noise-Sensitive Uses in the Eastern Neighborhoods Area Plans EIR) New development with noise-sensitive uses 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. The survey of the project vicinity did not identify any land uses	Project Sponsor	Prior to completion of the Community Plan Exemption		Project Sponsor	Considered complete upon finalization of the noise study and incorporation of acoustical requirements into Title 24 requirements.

	MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	**Responsibility for Implementation**	**Mitigation Schedule**	**Mitigation Action**	**Monitoring/ Reporting Responsibility**	**Monitoring Schedule**
that generate unusual noise within two blocks of the project site. Among the more prominent noise-generating uses in the vicinity are street traffic on Third and Illinois Streets, the Muni T-Third Street rail line operations, and nearby industrial uses. Given the noise environment at the project site, it would appear that conventional construction practices, which would likely include double-paned windows (which typically offer 25 to 30 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA, Ldn, as required by the San Francisco Building Code. Therefore, the noise study conducted at the project site has demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project and no further acoustical analysis or engineering is required.					
HAZARDS AND HAZARDOUS MATERIALS					
Mitigation Measure 4 – Hazardous Building Materials					
The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEHP, 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 the applicable federal, state, and local laws.	Project sponsor, contractor(s)	Prior to demolition of structures	Ensure equipment containing PCBs or DEHP and other hazardous materials is properly disposed	Project sponsor, contractor(s), DPH, various federal and state agencies	Considered complete when equipment containing PCBs or DEHP or other hazardous materials is properly disposed

SAN FRANCISCO
PLANNING DEPARTMENT

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Certificate of Determination
EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.:	**2010.0726E**
Project Title:	**2051 – 2065 Third Street/650 Illinois Street**
Zoning/Plan Area:	UMU (Urban Mixed Use) District; 68-X Height and Bulk District Central Waterfront subarea of the Eastern Neighborhoods Area Plan
Block/Lot:	3994/001B, 001C, 006
Lot Size:	19,620 square feet
Project Sponsor	Jason Check, Raintree Partners 949-606-3099
Staff Contact:	Chelsea Fordham – (415) 575-9071 Chelsea.Fordham@sfgov.org

PROJECT DESCRIPTION:

The proposed project would involve demolition of two existing industrial buildings built in 1927 and 1926, and construction of two new six-story residential buildings with a total of 94 residential units and a 77 off-street parking garage. The proposed new residential buildings would total approximately 106,962 gross square-feet and would have a height of 68 feet (see Figures 1-7 below).

[continued on next page]

EXEMPT STATUS:

Exempt per Section 15183 of the California Environmental Quality Act (CEQA)

DETERMINATION:

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

Sarah B. Jones
Environmental Review Officer

December 3, 2013
Date

cc: Jason Check, Project Sponsor
Ben Fu, Current Planning Division

Supervisor Malia Cohen, District 10
Virna Byrd, M.D.F.
Historic Preservation Distribution List

PROJECT DESCRIPTION (CONTINUED):

The 94 residential units for the proposed project would include a dwelling unit mix of 35 studio units, 19 one-bedroom units, 37 two-bedroom units, one three-bedroom unit, and two loft flex units.[1] The proposed parking garage area would be accessed from a 16-foot wide curb cut off of Illinois Street and would include 77 off-street parking spaces and 76 bicycle parking spaces. The 77 off-street parking spaces would include 69 spaces which would be provided via hydraulic stacking lifts, three Americans with Disabilities Act (ADA) accessible spaces, three car share spaces, and two electric car charging stations. The project is also proposing common spaces including open space and a community room. The 19,620 square-foot (sf) project site is located on a through lot that fronts on both Third and Illinois Streets. The project site is on the east side of Third Street and the west side of Illinois Street between Mariposa Street to the north and 18th Street to the south in San Francisco's Potrero Hill neighborhood. The project site consists of three lots (3994/001B, 001C, and 006) that front on Third and Illinois Streets and would be merged as part of the proposed project. The two existing industrial buildings at 2051 and 2065 Third Street were constructed in 1927 and 1926, respectively, and total 15,041 square feet and range in height from 25 feet to 12 feet. The site is located within the Central Waterfront Subarea of the Eastern Neighborhoods Plan. The project would require a Section 329 Large Project Authorization.

REMARKS:

California Environmental Quality Act (CEQA) State 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 that project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 2051 – 2065 Third Street/650 Illinois Street project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048).

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[1] The two ground floor units along Third Street and Illinois Street are flex/ loft units with high volume (20') front rooms on the lower level overlooked by upper level lofts and private rooms above. These flex loft are proposed to be used residents as office and/or studio spaces along Third Street and Illinois Street.

CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

2051-2065 Third Street/650 Illinois Street

Figure 1 – Project Location Map

Figure 2 - Site Plan
Source: Jon Worden Architects

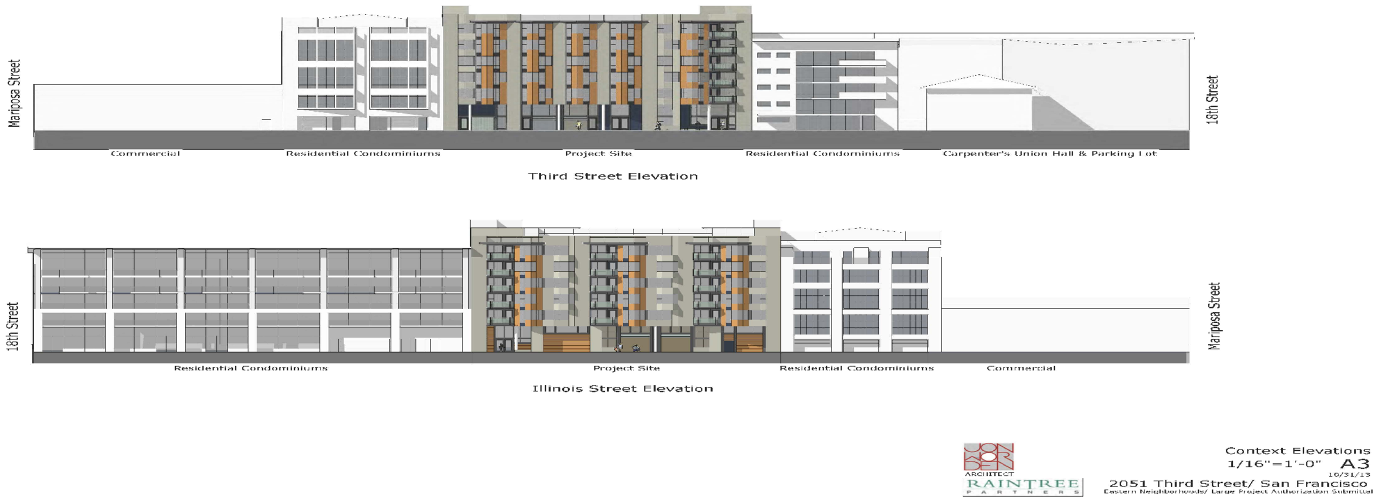


Figure 3 - Third Street and Illionis Street Elavations

Source: Jon Worden Architects

Figure 4 -Garage Floor Plan

Source: Jon Worden Architects

Figure 5 - Podium Level Floor Plan
Source: Jon Worden Architects

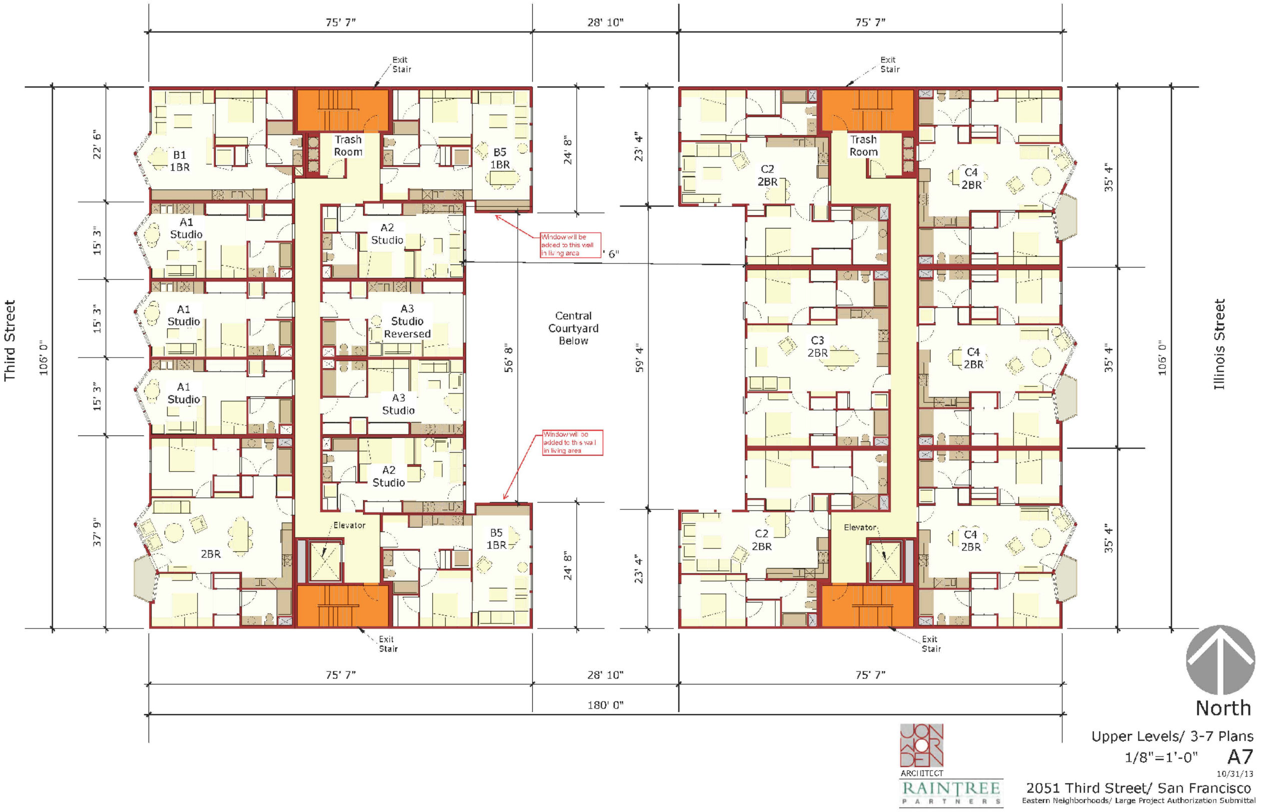
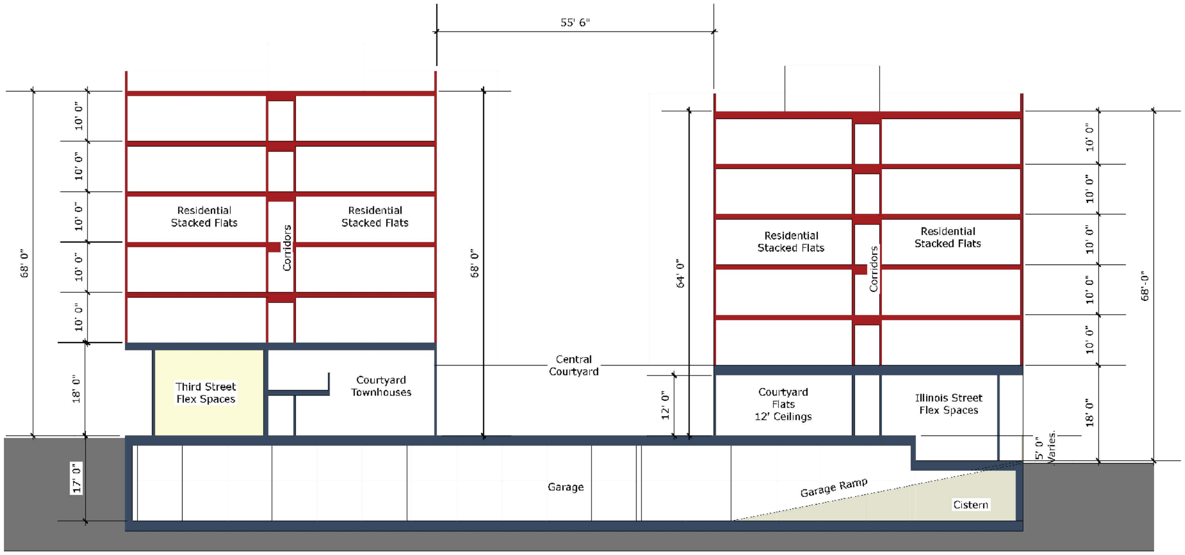


Figure 6 - Floors 3-7 Floor Plan
Source: Jon Worden Architects



ARCHITECT
RAINTREE PARTNERS

Building Section Looking North
1/8"=1'-0" A8
10/31/13
2051 Third Street/ San Francisco
Eastern Neighborhoods/ Large Project Authorization Submittal

Figure ƛ - Sections

Source: Jon Worden Architects

Project-specific studies summarized in this determination were prepared for the proposed project at 2051 – 2065 Third Street/650 Illinois Street to determine if there would be significant impacts attributable to the proposed project. These studies examined that project's potential environmental effects on historic architectural resources, archeological resources, noise, shadow, and hazardous materials. The Community Plan Exemption Checklist (Attachment A) identifies the potential environmental impacts of the proposed project and indicates whether such impacts were addressed in the Eastern Neighborhoods EIR.

This Certificate of Determination (determination) assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR. This determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods EIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods EIR that would be applicable to the proposed project at 2051 – 2065 Third Street/650 Illinois Street. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods Plan is included below, as well as an evaluation of potential environmental effects.

Background

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Rezoning and Area Plan (Eastern Neighborhoods Plan) was adopted in December 2008. The Eastern Neighborhoods Plan 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 future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods Plan also included changes to existing height and bulk districts in some areas, including the project site at 2051 – 2065 Third Street/650 Illinois Street.

During the Eastern Neighborhoods Plan 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 EIR by Motion 17659[2] and adopted the Preferred Project for final recommendation to the Board of Supervisors.[3]

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[2] Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: http://www.sfgov.org/site/planning_index.asp?id=67762.

[3] San Francisco Planning Commission Motion 17659, August 7, 2008. http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf

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

A major issue in the Eastern Neighborhoods Plan 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 EIR 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 Plan, the project site has been rezoned to Urban Mixed Use (UMU). The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further on page 4, Land Use. The 2051 – 2065 Third Street/650 Illinois Street project site, which is located in the Central Waterfront Area of the Eastern Neighborhoods, was designated and envisioned as a site with a building up to 68 feet in height and containing a mix of uses.

Individual projects that could occur in the future under the Eastern Neighborhoods Plan would undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed residential project at 2051 – 2065 Third Street/650 Illinois Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. Further, this determination finds that the Eastern Neighborhoods Final EIR adequately anticipated and described the impacts of the proposed 2051 – 2065 Third Street/650 Illinois Street, and identified the mitigation measures applicable to the proposed project. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 2051-2065 Third Street/650 Illinois Street project is necessary.

Environmental Effects

The Eastern Neighborhoods Final EIR 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 Plan. The proposed 2051 – 2065 Third Street/650 Illinois Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods Plan and would represent a small part of the growth that was forecast for the Eastern Neighborhoods Plan. Thus, the project analyzed in the Eastern Neighborhoods EIR considered the incremental impacts of the proposed 2051 – 2065 Third Street/650 Illinois Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods EIR. The following discussion demonstrates that the 2051 – 2065 Third Street/650 Illinois Street project would not result in significant impacts beyond those analyzed and disclosed in the Eastern Neighborhoods EIR, including project-specific impacts related to land use, aesthetics, air quality, archeological resources, historic architectural resources, shadow, transportation, and noise.

Land Use

The proposed project would replace two existing industrial buildings and a surface parking area totaling 15,041 square feet with two residential buildings totaling 106,962 square foot containing 94 residential units and 77 parking spaces. Planning Department staff has determined that the proposed project is consistent with the Eastern Neighborhoods Plan and satisfies the requirements of the General Plan and the Planning Code.[4,5] The project would intensify uses on the project site by constructing a larger building than the existing structures. However, the new land uses would not have an effect on the character of the vicinity beyond what was identified in the Eastern Neighborhoods FEIR. The proposed building is consistent with the height and bulk controls and the proposed uses are consistent with the UMU zoning controls of the site, all of which were analyzed in the Eastern Neighborhoods EIR. Further, because the proposed building would be located within the boundaries of three existing parcels, the project would not physically divide an established community.

The Eastern Neighborhoods Plan rezoned much of the city's industrially zoned land. The goals of the Area Plan were to reflect local values, increase housing, maintain some industrial land supply, and

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[4] Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2051 – 2065 Third Street/650 Illinois Street. This document is on file and available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400

[5] Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 2051-2065 Third Street/659 Illinois Street. This document is on file and available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400

improve the quality of all existing areas with future development. A major focus in the Area Plan 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 (Production, Distribution, and Repair) employment and businesses.

The Eastern Neighborhoods FEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed uses. Option B fell between Options A and C.

While all three options were determined to result in a decline in PDR employment, the loss of PDR jobs was determined to be greatest under Option C. The alternative ultimately selected – the 'Preferred Project' – represented a combination of Options B and C. Because the amount of PDR space to be lost with future development under all three options could not be precisely gauged, the FEIR determined that the Preferred Project would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR use in the Area Plan. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The Eastern Neighborhoods FEIR included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa that could incorporate, at a minimum, no net loss of land currently designated for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones. The measure was judged to be infeasible, because the outcome of the community-based Western SoMa planning process could not be known at the time, and the measure was seen to conflict with other City policy goals, including the provision of affordable housing. The project site is not located in Western SoMa; therefore this mitigation measure is not applicable.

The project site is in the Central Waterfront Area Plan of the San Francisco General Plan and is in the Urban Mixed Use (UMU) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially zoned area. The UMU District is also intended to serve as a buffer between residential districts and PDR Districts in the Eastern Neighborhoods. Allowed uses within the UMU District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, nighttime entertainment, and motor vehicle services (e.g., automobile sale or rental). Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. The proposed project's residential use is consistent with uses permitted within the UMU District.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Cultural Resources

Archeological Resources

The Eastern Neighborhoods EIR identified a significant impact to archeological resources and determined that *Mitigation Measures J-1: Properties with Previous Studies, J-2: Properties with No Previous Studies*, and *J-3: Mission Dolores Archeological District* would reduce the effects to a less-than-significant level. Since the proposed site is located outside Archeological Mitigation Zone A and B, and since no previous studies have been conducted on the project site, Mitigation Measure J-2 applies to the proposed project.

Pursuant to *Mitigation Measure J-2,* a Preliminary Archeological Sensitivity Study memorandum was prepared for the proposed project. [6] The Planning Department conducted an archeological assessment review[7] of the project site and found that there is a possibility that archeological features associated with ship building/repair operations (1867-1900) could be present within the project site fill matrix. If features and/or deposits associated with the 19th Century ship building facilities have research integrity and would be adversely affected by project activities, the project may have a potential adverse effect to an historical resource under CEQA. Therefore, implementation of *Mitigation Measure 3 Archeological Resources - Archeological Testing* would reduce potential effects of the proposed project to archeological resources to a less-than-significant level.

Historic Architectural Resources

The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition of buildings identified as historical resources, and 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.

Eastern Neighborhoods FEIR *Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area,* required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission). This mitigation measure is no longer relevant, because the Central Waterfront Historical Resource Survey was completed and adopted by the Historic Preservation Commission on June 15, 2011. Mitigation Measures K-2 and K-3, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply because the proposed project it is not located within the South End or Dogpatch Historic Districts.

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[6] Allison Vanderslice, EP archeologist, memorandum to Chelsea Fordham, EP planner, April 5, 2013. This memorandum is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

As discussed in the Eastern Neighborhoods Area Plans EIR, "[Central Waterfront] rezoning proposals expand residential-permitting zoning along Minnesota, Tennessee, Third and Illinois streets between Mariposa and 25th streets, as well as along 280 between Mariposa and 20th. The vast majority of this land is currently zoned Heavy Industrial (M-2). The rezoning proposals would expand residential-permitting zoning to 43 parcels containing known or potential historical resources, including 34 structures that are known historical resources." Adoption of the Eastern Neighborhoods rezoning proposals resulted in the zoning reclassification of the subject property from M-2 to UMU. The Eastern Neighborhoods Rezoning Plan height limit increases for the Central Waterfront area were proposed along Third and Illinois streets, and in the southern portion of the plan area, between 22nd and 25th streets.

The project site is currently two buildings and a vacant surface lot. The project site characteristics for each parcel are summarized below.

- **2051 3rd Street (Block 3994, Lot 001C):** The project site at 2051 3rd Street was constructed in 1927 as a warehouse and office, and was originally occupied by the Martin Ship Service, who were involved in the cleaning of large ships. 2051 Third Street is a one-story, wood-frame commercial building with vertical wood siding and a pent roof.

- **2051 3rd Street (Block 3994, Lot 001B):** The project site at 2065 3rd Street was constructed in 1926 as an office and garage, and was originally associated with the Crescent Oil Company (later known as the Crescent Pacific Oil Company), who were wholesale dealers of oil and lubricant. 2065 Third contains a two-story, concrete commercial building with double-hung vinyl-sash windows, multi-pane glass block windows, and steel roll-up doors.

- **2051 3rd Street (Block 3994, Lot 006):** The project site at 650 Illinois Street is a vacant lot measuring 37 ft by 107 ft with frontage on Illinois Street.

The two existing properties at 2051 and 2065 Third Street were surveyed by the City of San Francisco as part of the adopted Central Waterfront Historic Resources Survey in 2001, and subsequently amended in 2008. In 2001, 2051 3rd Street was assigned a National Register Status Code (NRSC) of "5S3," which designated the property as "Not Eligible for Local Listing-Is Eligible for Special Consideration in Local Planning." In August 2003, the State of California Office of Historic Preservation adopted the California Historic Resource Status Codes (CHRSC) system and converted NRSC into CHRSC. Therefore, 2051 3rd Street was converted from a NRSC of "5S3" to a CHRSC of "6L," which designates the property as "Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning."[8] In 2001, 2065 3rd Street was assigned a NRSC of "6Z1,"

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[8] California State Office of Historic Preservation, *Technical Assistance Bulletin #8: User's Guide to California Historical Resource Status Codes & Historic Resources Inventory Directory* (November 2004).

which designated the subject property as "Found ineligible for NR [National Register] with no potential for any listing." In August 2003, the Office of Historic Preservation adopted the CHRSC system, and converted NRSC into CHRSC. Therefore, 2065 3rd Street was converted from a NRSC of "6Z1" to a CHRSC of "6Z," which designates the property as "Found ineligible for NR, CR or Local designation through survey evaluation." The findings of the survey were endorsed by the Planning Commission on June 13, 2002 by Motion No. 16431.

Therefore, for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures, the three subject parcels are classified as follows:

- 2051 3rd Street = Category C (Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating That The Property Is An Historical Resource) because of its CHRSC of "6L" classification.

- 2065 3rd Street = Category C (Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating That The Property Is An Historical Resource) because of its CHRSC of "6Z" classification.

- 650 Illinois Street = Category C (Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating That The Property Is An Historical Resource) because the subject parcel is vacant with no built resources.

The subject properties at 2051 and 2065 Third Street or 650 Illinois Street do not appear to have associations with any early developers, nor have they contributed to the pattern of development for the surrounding neighborhood. Based upon the Central Waterfront Historic Resource Survey and the consultant reports, 2051 3rd Street, 2065 3rd Street and 650 Illinois Street are not eligible for inclusion in the California Register individually or as a contributor to a historic district under Criterion 1 (Events).[9,10,11] To date, no information has become available to suggest that the subject buildings have contributed to significant events within local or regional history or the cultural heritage of California and the United States. To be eligible under this criterion, a building cannot merely be associated with historic

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[9] Tim Kelley Consulting, Historical Resource Evaluation: 2051 3rd Street, San Francisco, California, January 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

[10] ICF International, Historical Resource Evaluation: 2051 3rd Street, San Francisco, California, July 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

[11] ICF International, Addendum to Historical Resource Evaluation for 2051 3rd Street, San Francisco, Addressing A Property at 2065 3rd Street, September 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

events or trends but must have a specific association to be considered significant. Additionally, based upon the Central Waterfront Historic Resource Survey and the consultant reports, it was found that no persons of known historical significance appear to have been associated with the subject buildings; therefore, 2051 Third Street, 2065 Third Street and 650 Illinois Street are not eligible for listing in California Register under Criterion 2 (Persons) either individually or as part of a historic district.

Lastly, it was found that 2051 3rd Street, 2065 3rd Street, or 650 Illinois Street are not eligible for listing in the California Register under Criterion 3 (Architecture) either individually or as part of a historic district. These two former industrial properties (2051 and 2065 3rd Street) are not architecturally significant nor do they possess high artistic value or embody the distinctive characteristics of a type, period, region, or method of construction. The subject properties do not embody any notable characteristics which distinguish the buildings as historically significant and were therefore determined to not meet any of the aforementioned California Register significance criteria. Consequently, it was determined that the subject buildings are not considered historical resources for the purpose of CEQA, either as an individual resource or as a contributor to a potential historic district or district boundary extension. Therefore, the demolition of these buildings as part of the proposed project would not have an adverse impact on historical resources as defined by CEQA and this impact would be less-than-significant.

The subject property is located in the Central Waterfront neighborhood off of the Third Street corridor, which is a former industrial area that has been recently converted into a mixed-use neighborhood. Much of the recent new construction along Third Street is four- to five-stories in height and is primarily composed of apartment units. To the east of the subject parcels along Illinois Street, the surrounding neighborhood still retains much of its early industrial character. The subject parcels are located within the vicinity of the Potrero Point Historic District, which includes three historic districts including the Dogpatch Historic District, Pier 70 Historic District, and the Third Street Industrial Historic District.

The Dogpatch Historic District is designated in Article 10 of the San Francisco Planning Code. The Pier 70 Historic District has been determined eligible for listing in the National Register of Historic Places. The Third Street Industrial Historic District has been determined eligible for the California Register of Historical Resources as part of the Central Waterfront Historic Resources Survey. This eligible district extends along Third Street from the northeast corner of 18th Street to 24th Street, inclusive of PG&E's Potrero Station A and the remnants of the Western Sugar Refinery. The project site is not located within the boundaries of any of these historic districts.

In light of the above historical resources discussion, the proposed demolition of the two existing buildings facility would not contribute to the significant historical resource impact identified in the Eastern Neighborhoods EIR

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Transportation

The proposed project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, significance criterion 5c would not apply to the proposed project.

Trip Generation

Proposed Project Trip Generation: Trip generation of 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.[12] The proposed project would generate about 800 person trips (inbound and outbound) on a weekday daily basis, consisting of 580 person trips by auto, 129 transit trips, 40 walk trips and 51 by other modes. During the p.m. peak hour, the proposed project would generate an estimated 94 vehicle trips (accounting for vehicle occupancy data for this Census Tract). Due to the project's location near major transit routes, this is likely a conservative estimate of vehicle trips.

The estimated 94 new p.m. peak hour 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. Given that the proposed project would add approximately 94 new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increases average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods Final EIR evaluated three land use options. The proposed project is located in the Central Waterfront Subarea of the Eastern Neighborhoods, which included the analysis (existing and 2025 operating conditions) of intersections in the area based on proposed development plan options of the Eastern Neighborhoods. The Third St./Mariposa St. intersection (half block from project site) would change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all Plan options; the Third St./16th St. intersection (two blocks away) is anticipated to continue to operate at LOS D under 2025 weekday p.m. peak hour conditions under all Plan options; the Mariposa St./I-280 NB off-ramp intersection (four blocks away) is anticipated to change from LOS C to LOS D under all Plan

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[12] Chelsea Fordham, San Francisco Planning Department, *Transportation Calculations,* July 31, 2013. These calculations are available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

options; and the Mariposa St./I-280 SB off-ramp intersection (four blocks away) would change from LOS F to LOS B under all Plan options.[13]

The nearest Central Waterfront Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at 25th St/Indiana St. intersection (approximately 13 blocks to the south of the project site) which operated at LOS B under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under all Plan options. The other nearby Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at Third/César Chávez Street (approximately 12 blocks to the south of the project site) which operated at LOS C under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under Plan options A and B. It is likely these conditions would occur with or without the project, and the proposed project's contribution of 94 p.m. peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects, should they be approved. Under the Eastern Neighborhoods Final EIR, a specific mitigation measure to add a new traffic signal was identified for the 25th St./Indiana St. intersection. Under the Eastern Neighborhoods Final EIR, a specific mitigation measure was not proposed for the Third/César Chávez intersection and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the EIR Certification and project approval on January 19, 2009. As a result, the proposed project would have the potential to contribute to a significant impact to 2025 Cumulative conditions identified in the Eastern Neighborhoods EIR. However, the proposed project would not result in a project-specific traffic impact, therefore, requiring no further project specific analysis.

Transit

As indicated above, the proposed project is estimated to add 129 daily transit person trips, of which 22 would occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines T-Third, 22-Filmore, and 48-Quintara, and therefore, the additional 22 P.M. peak hour trips which would be spread among these transit lines and likely be accommodated on existing routes, and would result in a less-than-significant effect to transit services.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these 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 Eastern Neighborhoods. Even with mitigation,

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

however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 22 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects. The proposed project would have the potential to contribute to a significant impact to 2025 Cumulative transit conditions identified in the Eastern Neighborhoods EIR. However, the proposed project would not result in a project-specific transit impact.

Parking

Under Planning Code Section 843.08, the proposed project would not be required to provide off-street parking spaces. Pursuant to *Planning Code* Sections 151.1, residential units are permitted up to 0.75 parking spaces per dwelling unit. Additionally, *Planning Code* Sections 151.1 permits residential units in UMU District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area to have up to 1 parking space per dwelling unit. The proposed would be permitted to provide up to 80 off-street parking spaces because the proposed project would construct 55 studios and one-bedrooms, and 39 two and three bedrooms units that are over 1,000 sf. The project is proposing 77 off-street parking spaces (69 spaces which would be provided via hydraulic stacking lifts, three Americans with Disabilities Act (ADA) accessible spaces, three car share spaces, and two electric car charging stations), and would therefore comply with *Planning Code* Sections 151.1

Based on the methodology presented in the 2002 *Transportation Guidelines,* on an average weekday, the demand for parking would be 119 spaces for the proposed project. Thus, the project would have an unmet parking demand of 42 spaces. The resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions. Parking conditions are 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 deficit 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 deficit 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 deficit 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 cause 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, 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 Polices, 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 uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the estimated demand for parking would be 119 spaces. The proposed project would provide 77 off-street spaces. Thus, the project would have an unmet parking demand of an estimated 42 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit would not result in a significant impact in this case. 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. 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 are created.

Further, the project site is located in a UMU Use District where under Section 151.1 of the *Planning Code*, the proposed project would not be required to provide any off-street parking spaces. In summary, the proposed project would not result in a substantial parking deficit or create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, parking impacts would be less than significant.

In summary, the proposed project would not result in a substantial parking deficit with or without the off-street parking currently proposed that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, impacts related to parking would be less than significant.

Loading

Based on the SF Guidelines, the proposed project would generate an average loading demand of 0.15 truck-trips per hour. Planning Code Section 152.1 requires one off-street loading space for residential developments of 100,001 – 200,000 square feet. The project is proposing one on-street loading space. For projects in the Eastern Neighborhoods Mixed Use Districts that are subject to Section 329, Large Project Authorization, the Planning Commission may waive these requirements per the procedures of Section 329 if it finds that the design of the project would be improved and that such loading could be sufficiently accommodated on adjacent streets and alleys. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along Illinois Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Illinois Street.

Pedestrian and Bicycle Conditions

Based on the SF Guidelines, the proposed project would generate approximately seven p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the proposed project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

In the vicinity of the project site, there are four major Citywide Bicycle Routes. Illinois Street, from 16th Street to Cesar Chavez includes the entirety of bicycle route #5, Indiana Street comprises a portion of bicycle route #7, Mariposa Street a portion of route #23, and 16th Street a portion of route #40. Bicycle route #5 is adjacent to the project site. The proposed project would place its garage entrance and a 16”-foot-wide curb cut along Illinois Street in the vicinity of bicycle route #5. Therefore, vehicles entering and exiting the proposed garage and service entrance could result in potential conflicts with bicycle traffic and vehicles. However, the increase in vehicular trips from the proposed project would not substantially increase bicycle conflicts because the project would generate relatively low levels of traffic and would reduce the size of the existing curb cut, which is 55 feet. Therefore, the proposed project would not substantially increase bicycle conflicts from the existing conditions. 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 area.

In summary, the project would not result in a significant effect with regard to transportation.

Noise

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural, institutional, educational, and office uses. In addition, the Eastern Neighborhoods FEIR noted that projects could incrementally increase traffic-generated noise on some streets in the project area, and could result in construction noise impacts from pile driving and other construction activities. With implementation of six noise mitigation measures cited in the FEIR, Plan-related noise impacts were found to be less than significant.

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni light rail and buses, emergency vehicles, and land use activities, such as industrial uses and periodic temporary construction-related noise from nearby development, or street maintenance. The noise analysis prepared for the project states that the main source of noise that would affect the project site is vehicular traffic on Third Street and to a lesser extent traffic on Illinois Street.[14] Noises generated by residential uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. In areas where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements must be done and needed noise insulation features included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Third and Illinois Streets are both between 65.1 and 70.0 dBA. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. The Department of Building Inspections (DBI) would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the

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[14] Rosen, Goldberg, Der, & Lewitz, Inc., 2051 Third Street - Environmental Noise Analysis, January 19, 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

California Code of Regulations. Since the proposed project is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* applies to the proposed project. Pursuant to this measure, Rosen, Goldberg, Der, & Lewitz, Inc conducted a noise study that included a 24-hour noise measurement and site survey of noise-generating uses within two blocks of the project site.[15] The 24-hour noise measurement recorded a day-night noise average of 74 dBA (Ldn) on Third Street and 66 dBA (Ldn) on Illinois Street. These measurements are slightly higher than forecasted by noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 65.1 dBA and 70 dBA (Ldn) for the project block of Illinois and Third Streets (and surrounding blocks). The noise analysis site survey did identify existing noise sources within 900 feet of the site. The noise survey identified that there were cement trucks that drive along Illinois Street which are associated with a ready-mixplant to the south of the project site. Other existing nearby noise sources within 900 feet of the site include various commercial uses and a dry dock shipyard to the east across from Illinois Street, construction of the UCSF Medical Center at Mission Bay at the northwest corner of Third Street and Mariposa. There is also a Cemex ready-mix concrete plant to the north of the project site along Illinois Street.

Given the noise environment at the project site, the noise analysis concluded that it would appear that conventional residential construction, which would include double-paned windows and wall assemblies (which should provide a noise reduction of up to 31 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA (Ldn) as required by the San Francisco Building Code. The noise analysis for the project site recommends that the project sponsor use sound rated windows and possibly special exterior wall construction along Third and Illinois Street elevations. Additionally, windows that would face along Third and Illinois Street should have a source of ventilation or air conditioning system to not compromise the sound attenuation of the exterior façade and to meet the indoor noise standards. The noise analysis has demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project; therefore, no further acoustical analysis or engineering is required.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed development proposes residential uses that would not be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

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[15] Rosen, Goldberg, Der, & Lewitz, Inc., Ibid

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). 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) 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 approximately 14-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise and possibly vibration. There may be times when 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, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods EIR identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise and F-2: Construction Noise* would reduce effects to a less-than-significant level. The proposed project would involve driving approximately 150 displacement piles to support the proposed foundation. Displacement piles are typically screwed in and do not require pile driving, and therefore would not generate the noise and vibration impacts typically caused by pile driving. Therefore, Mitigation Measure F-1, which requires projects that include pile-driving and are within proximity to noise-sensitive uses to ensure that piles be pre-drilled, would not apply to the proposed project.

Mitigation Measure F-2 requires individual projects that include particularly noisy construction procedures in proximity to sensitive land uses to submit a site-specific noise attenuation measures under the supervision of a qualified acoustical consultant to the Department of Building Inspection prior to commencing construction. The project would not create noise levels that could substantially affect any nearby residents.

In addition, all construction activities for the proposed project (approximately nine months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco

Police Code) (Noise Ordinance) as outlined below. In summary, the project would not result in a significant effect with regard to noise.

Air Quality

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be reduced to less than significant. Since the project is required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality and Mitigation Measure G-1 is not applicable.

Also subsequent to publication of the FEIR, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),[16] which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may 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. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality

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[16] Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for construction-related criteria air pollutants.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("hot spots"). Air pollution hot spots were identified based on two health based criteria:

(1) Excess cancer risk from all sources > 100; and

(2) $PM_{2.5}$ concentrations from all sources including ambient $>10\mu g/m^3$.

Sensitive receptors[17] within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit toxic air contaminants (TACs), including diesel particulate matter (DPM) emissions from temporary and variable construction activities. The project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial.

Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. The proposed project's construction activities would be temporary and variable in nature. Construction would be expected to last approximately 14 months. Furthermore, the proposed project would be subject to California regulations limiting idling times to five minutes, which would further reduce sensitive receptors exposure to temporary and variable DPM emissions.[18] Therefore, the construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is not applicable to the proposed project.

Mitigation Measure G-2 requires new sensitive receptors near sources of TACs, including DPM, to include an analysis of air pollutant concentrations ($PM_{2.5}$) to determine whether those concentrations would result in a substantial health risk to new sensitive receptors. The proposed project would include new sensitive receptors. However, the project site is not located within an identified air pollution hot

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[17] The 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. Bay Area Air Quality Management District (BAAQMD), *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, page 12.

[18] California Code of Regulations, Title 13, Division 3, § 2485.

spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would construct a 94 unit residential building and thus would not be expected to be served by 100 trucks per day or 40 refrigerator trucks per day. Furthermore, the project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would construct a 94 unit residential building and would not generate more than 10,000 vehicle trips per day or 1,000 truck trips per day or include a new stationary source, items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure *G*-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD CEQA Air Quality Guidelines (May 2011) for operational-related criteria air pollutants.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to air quality.

Shadow

Planning Code Section 295 generally prohibits new buildings that would cast new shadow 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. To determine whether the proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff. This analysis concluded that the proposed project would not have the potential to cast new shadow on any property under the jurisdiction of the Recreation and Park Department.[19] The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA.

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[19] San Francisco Planning Department, letter dated April 1, 2013 (Case No. 2010.0726K), Shadow Analysis for 2051 Third St. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2010.0726E.

In light of the above, the project would not result in a significant effect with regard to shadow, nor would the project contribute to any potential cumulative shading impacts.

Hazardous Materials

Soil Contamination

The project site currently consists of two existing industrial building and a surface parking area. The buildings on the site have been used historically for various industrial purposes including a rail line and spur connecting to an ore car and truck assembly facility at 650 Illinois Street; a ship maintenance equipment facility at 2051 Third Street; and Crescent Pacific Oil Company at 2065 3rd Street. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

A Phase I Environmental Site Assessment (ESA) was prepared for the project site.[20] An ESA describes current and prior uses of the property, reviews environmental agency databases and records, reports site reconnaissance observations, and summarizes potential soil and groundwater contamination issues. The following is a summary from the Phase I ESA for the proposed project.

The Phase 1 ESAs found several recognized environmental conditions (REC's) related to the prior uses of the properties. The property was historically used for solvent storage, a paint factory, and oil company, which all represent RECs. Additionally, the ESA found that the San Francisco Fire Department records include three underground storage tanks (UST's) installed at 2065 Third Street in 1979, including one which became a leaking underground storage tank (LUST) case with the Department of Public Health (DPH) [21]. A case closure from the DPH was issued for the LUST on July 22, 2005. Additionally, according to the case closure form, two 3,000 gallon gasoline tanks and one 2,000 gallon diesel tank were removed in July, 1996. The soil samples taken after the closure of the LUST found non-detectable results for Total Petroleum Hydrocarbons (TPH) as gasoline and diesel and benzene, toluene, ethlybeneze, and xylenes (BTEX). The only detectable analyte was MTBE, at a concentration of 0.018 parts per million. Additionally, the water sample results from the case closure report found non-detectable amounts of MTBE analytes.

The project site is also located within the area of the City regulated by Article 22A of the San Francisco Health Code, also known as the "The Maher Ordinance" which is administered and overseen by the Department of Public Health (DPH). The ordinance requires that soils must be analyzed for hazardous

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[20] Piers Environmental Service, Inc, Phase I Environmental Site Assessment, 2051 and 2065 3rs Street & 650 Illinois Street, San Francisco, December, 2010. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

[21] Piers Environmental Service, Inc, Phase I Environmental Site Assessment, Ibid

wastes if more than 50 cubic yards of soil are to be disturbed. The project site is underlain by fill and is located within the Maher area, which are both considered to be REC's. In accordance with the Maher Ordinance, the project sponsor conducted subsurface investigations of the soils on the project site. [22] The Phase I report concluded that based upon the REC's at the project site and the fact that the site is within the Maher area and would disturb over 50 cubic yards of soil, the report recommended that a soil and groundwater investigation be completed for the property. Based upon those recommendations, a work plan was developed to a conduct subsurface investigation of the project site.

The work plan developed for the site installed five borings. The boring samples taken were located in the area of the former oil storage tank, the former paint factory area, and in the center and south areas of the property. Samples were not taken in the location of the former UST because previous testing when the UST's were removed determined that there were non-detectable amounts of petroleum related compounds. The subsurface soil was determined to be fill consisting of silty sandy to sandy silt with concrete fragments, and lower fill encountered at 3 to 5 feet below ground surface (bgs) consisted of brick and other debris. Additionally, weathered serpentine bedrock was encountered at 4 to 14 feet bgs. The analytical results for groundwater showed elevated levels of TPH as diesel (TPHd) and motor oil (TPHmo). Additionally, groundwater concentrations for nickel and lead exceeded the groundwater Environmental Screening Levels (ESL's) issued by the California Regional Water Quality Control Board (RWQB) in at least one groundwater sample. Soil analytical results for organic compounds showed elevated TPHd and TPHmo in two of the five soil samples.

Metal concentrations in soils exceeded residential ESL's for all five soil samples, including elevated levels of chromium (Cr), cobalt (Co), and nickel (Ni) concentrations which appear to be associated with the bedrock of the project site. Elevated metal values of lead (Pb), antimony (Sb), and arsenic (As) exceed the residential ESL in multiple fill soil samples. Additionally, copper (Cu) and zinc (Zn) exceed ESL's in two soil samples. Vanadium (V) was also found to exceed the residential ESL in all soil samples. These elevated metal values are associated with the underlying fill material at the project site. The bedrock soil samples also detected asbestos at 70 to 80% in five soil samples.

The proposed project would require excavation to 17 feet below ground surface (bgs) on the project site. The excavation could result in removal of contaminated soils.[23] These excavated soils would need to be profiled and properly disposed of in an appropriate class landfill. Additionally, the Department of Public Health, Site Assessment and Management (DPH - SAM) would require that these materials must be

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[22] Piers Environmental Service, Inc, Report of Subsurface Investigation, 2051 and 2065 3rs Street & 650 Illinois Street, San Francisco, August, 2011. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

[23] Piers Environmental Service, Inc, Phase I Environmental Site Assessment, 2051 and 2065 3rs Street & 650 Illinois Street, *ibid*

removed and disposed of at a Class I landfill. Any remaining material should be sampled and characterized and fill soils containing contaminants above the ESL should be removed. Alternatively, the materials can remain in place if a deed restriction is recorded for the property and the project would place and maintain a cap over the remaining contaminated material with annual inspections to verify the cap integrity for the DPH SAM. The deed restriction may also include restrictions on groundwater use.

The Phase 1 report found that the groundwater contaminated by petroleum haydrocarbons was generally undefined laterally, and the report recommended reducing groundwater contamination as much as feasible by over excavating and pumping. Additionally, DPH will further require that groundwater will require treatment by removal or chemical/biological treatment to achieve clean up levels of 1,000 ug/L of TPHd and TPHmo and to meet the SFPUC discharge criteria.

The project sponsor proposes to support the residential building with a concrete foundation system. This project design feature would encapsulate the soil and groundwater underneath the project site. Therefore, implementation of the proposed project would further reduce any health risk through dermal contact, inhalation, and ingestion as the proposed building's concrete foundation would provide a physical barrier between any contaminations and site users.

A site mitigation plan (SMP) has been prepared and presents measures recommended in mitigating risks to the environment and risks to workers' and project site users' health and safety from the presence of metal and petroleum related contamination in the soil. The SMP has been prepared in accordance with the request of the San Francisco Department of Public Health – Site Assessment and Mitigation (DPH-SAM).

Based on these results, DPH- SAM[24] concluded that a SMP shall be prepared for the site and must include the items listed below:

- Sampling and profiling of the excavated soil.
- Soil sampling and profiling of any over-excavated materials.
- Confirmation soil sampling in the excavation followed planned material removal. If the cleanup guideline concentrations are not met, then additional over-excavation to bedrock and/or deed restriction will be necessary.
- If materials are over excavated, another set of confirmation soil samples will be collected following over excavation.
- Soil sample analyses should include TPH, metals, asbestos, and other criteria as required by disposal facilities.

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[24] San Francisco Department of Public Health, *2051 Third Street Development. Investigation Report Review and Site Mitigation Plan Request, 2051 and 2065 Third Street and 650 Illinois Street, San Francisco, CA, DPH SAM SMED 833*. October 7, 2010. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

- A report describing soil sample locations and frequency, the analyses performed, and the criteria for retention versus off-site disposal analytical results, and a map showing sample locations must be submitted to and approved by DPH SAM prior to beginning construction.
- Groundwater will be sampled and analyzed as above.
- Areas of groundwater contamination will be over excavated and accumulated water pumped out to reduce contaminant concentrations. The effects of pumping and groundwater removal will be confirmed by sampling and analysis for TPH and metals. DPH SAM will be notified as least two days prior to performing the excavation and pumping. The results of this operation will be promptly reported to DPH SAM.
- If groundwater concentrations following pumping exceed 1000 ug/L for any petroleum component, a groundwater treatment plan will be developed and submitted to DPH SAM for review and approval. Once approved, the treatment plan will be implemented.
- Implement a Dust Control Plan including dust and asbestos control measures per SF Health Code Article 22B, the San Francisco Planning Department, San Francisco Building Department, BAAQMD, and any other involved agency.
- Prepare a contingency Plan that describes the procedures for controlling, containing, remediating, testing, and disposing of any unexpected contaminated soil, water, or other materials.
- Prepare a site specific worker Health and Safety Plan.
- Conduct asbestos clearance testing within the completed building following construction.
- Statement that the owner agrees to prepare a cap design, Cap Management Plan and develop a Deed Restriction with the DPH SAM and to record deed restrictions with the City and County of San Francisco Assessor's Office, if the materials above the ESL's will be left in place.

Additionally, should an underground tank be encountered, it shall be removed under permit with the DPH-SAM and the San Francisco Fire Department. The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods EIR related to hazards and hazardous materials.

Hazardous Building Materials

The Eastern Neighborhoods EIR identified a significant impact related to Hazardous Building Materials and determined that *Mitigation Measure L-1: Hazardous Building Materials* would reduce effects to a less-than-significant level. Since there are two existing building at the project site, *Mitigation Measure L-1* would apply to the project.

Implementation of Mitigation Measure L-1 would reduce effects related to hazardous building materials to a less-than-significant level.

Naturally Occurring Asbestos

Results of subsurface investigation indicate that the site is underlain by weathered serpentine bedrock, which was encountered at 4 to 14 feet below ground surface (bgs) and fill consisting of heterogeneous mixture of serpentine rock fragments, clay, and sand.[25] The proposed project would involve construction throughout the project site, potentially releasing serpentinite into the atmosphere.

Health Effects of Serpentinite

Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Exposure to asbestos can result in health ailments such as lung cancer, mesothelioma (cancer of the lungs and abdomen), and asbestosis (scarring of lung tissues that results in constricted breathing).[26] The risk of disease depends upon the intensity and duration of exposure;[27] health risk from NOA exposure is proportional to the cumulative inhaled dose (quantity of fibers) and increases with the time since first exposure. A number of factors influence the disease-causing potency of any given asbestos (such as fiber length and width, fiber type, and fiber chemistry); however all forms are carcinogens. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.[28]

Regulation Applicable to Serpentinite

To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001,

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[25] Earth Mechanics Consulting Engineers, "Geotechnical Investigation, Planned Development at 2051 Third Street and 650 Illionis Street, San Francisco, California," November 18, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

[26] California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: http://www.arb.ca.gov/toxics/Asbestos/1health.pdf. Accessed April 15, 2013.

[27] California Air Resources Board, Naturally Occurring Asbestos, General Information, 2002. Available online at: http://www.arb.ca.gov/toxics/Asbestos/general.htm. Accessed April 15, 2013.

[28] California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: http://www.arb.ca.gov/toxics/Asbestos/1health.pdf. Accessed April 15, 2013.

which became effective for projects located within the San Francisco Bay Area Air Basin (SFBAAB) on November 19, 2002. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,[29] and are enforced by the Bay Area Air Quality Management District (BAAQMD).

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, as discussed in the Air Quality Section, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. Dust suppression activities required by the Construction Dust Control Ordinance include: watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp which would need to be braced down, or other equivalent soil stabilization techniques could be used to stabilize stockpiles.

The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a significant hazard to the public or environment from exposure to NOA and the proposed project would result in a ***less than significant*** impact.

Mitigation Measures

The project sponsor has agreed to implement the following mitigation measures.

Project Mitigation Measure 1 – Archeological Resources (Archeological Testing)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the

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[29] California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

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).

Consultation with Descendant Communities: On discovery of an archeological site[30] associated with descendant Native Americans or the Overseas Chinese an appropriate representative[31] 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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[30] By the term "archeological site" is intended here to minimally included any archeological deposit, feature, burial, or evidence of burial.

[31] 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 Ameican 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.

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:

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, 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 – Noise (Mitigation Measure F-4: Siting of Noise-Sensitive Uses in the Eastern Neighborhoods Area Plans EIR)

New development with noise-sensitive uses 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.

The survey of the project vicinity did not identify any land uses that generate unusual noise within two blocks of the project site. Among the more prominent noise-generating uses in the vicinity are street traffic on Third and Illinois Streets, the Muni T-Third Street rail line operations, and nearby industrial uses.

Given the noise environment at the project site, it would appear that conventional construction practices, which would likely include double-paned windows (which typically offer 25 to 30 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA, Ldn, as required by the San Francisco Building Code. Therefore, the noise study conducted at the project site has demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project and no further acoustical analysis or engineering is required.

Project Mitigation Measure 3 – Hazardous Materials (Mitigation Measure L-1- Hazardous Building Materials in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)

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.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on February 6, 2013 to adjacent occupants and owners of properties within 300 feet of the project site. One member of the public expressed concerns related to impacts to private views and access to sunlight. The reduction in the accessibility to light on a private parcel resulting from a development which complies with all applicable zoning and building codes is not considered a physical environment impact under CEQA. Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While these concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment beyond the impacts identified, and mitigated as feasible, in the FEIR. No significant, adverse environmental impacts from issues of concern have been identified.

Conclusion

The Eastern Neighborhoods EIR incorporated and adequately addressed all potential impacts of the proposed 2051 – 2065 Third Street/650 Illinois Street project. As described above, the 2051 – 2065 Third Street/650 Illinois Street project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods EIR. Thus, the proposed 2051 – 2065 Third Street/650 Illinois Street project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, the proposed project is exempt from environmental review under Section 15183 and Section 21083.3 of the California Public Resources Code.

Attachment A
Community Plan Exemption Checklist

Case No.:	2010.0726E
Project Title:	2051 – 2065 Third Street/650 Illinois Street
Zoning:	UMU (Urban Mixed Use) District; 68-X Height and Bulk District
Block/Lot:	3994/001B, 001C, 006
Lot Size:	19,620 square feet
Plan Area:	Central Waterfront subarea of the Eastern Neighborhoods
Staff Contact:	Chelsea Fordham – (415) 575-9071 Chelsea.Fordham@sfgov.org

A. PROJECT DESCRIPTION

The proposed project would involve demolition of two existing industrial buildings built in 1927 and 1926, and construction of two new six-story residential buildings with 94 residential units and a 77 off-street parking garage. The proposed new residential buildings would total approximately 106,962 gross square-feet and would have a height of 68 feet.

The 94 residential units for the proposed project would include a dwelling unit mix of 35 studio units, 19 one-bedroom units, 37 two-bedroom units, one three-bedroom unit, and two loft flex units.[1] The proposed parking garage area would be accessed from a 16-foot wide curb cut off of Illinois Street and would include 77 off-street parking spaces and 76 bicycle parking spaces. The 77 off-street parking spaces would include 69 spaces which would be provided via hydraulic stacking lifts, three Americans with Disabilities Act (ADA) accessible spaces, three car share spaces, and two electric car charging stations. The project is also proposing common spaces including open space and a community room. The 19,620 square-foot (sf) project site is located on a through lot that fronts on both Third and Illinois Streets. The project site is on the east side of Third Street and the west side of Illinois Street between Mariposa Street to the north and 18th Street to the south in San Francisco's Potrero Hill neighborhood. The project site consists of three lots (3994/001B, 001C, and 006) that front on Third and Illinois Streets and would be merged as part of the proposed project. The two existing industrial buildings at 2051 and 2065 Third Street were constructed in 1927 and 1926, respectively, and total 15,041 square feet and range in height from 25 feet to 12 feet. The site is located within the Central Waterfront Subarea of the Eastern Neighborhoods Plan. The project would require a Section 329 Large Project Authorization.

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[1] The two ground floor units along Third Street and Illinois Street are flex/ loft units with high volume (20') front rooms on the lower level overlooked by upper level lofts and private rooms above. These flex loft are proposed to be used residents as office and/or studio spaces along Third Street and Illinois Street.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable final Programmatic EIR (FEIR) for the plan area.[2] Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Proj. Contributes to Sig. Impact Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination under each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the proposed project, i.e., the impact is not identified as significant in the FEIR. If any item is checked as this in a topic, these topics will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found in the FEIR and for the proposed project to be less than significant (LTS) or would have no impacts, the topic is marked LTS/No Impact and is discussed in the Checklist below.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
1.	**LAND USE AND LAND USE PLANNING—Would the project:**				
a)	Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c)	Have a substantial impact upon the existing character of the vicinity?	☒	☐	☐	☐

For a discussion of Topic 1c, please see the Certificate of Determination.

FEIR

The Eastern Neighborhoods FEIR determined that the rezoning and community plans is a regulatory program, not a physical development project; therefore, the rezoning and community

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[2] The FEIR also refers to any Initial Study that may have been conducted for the FEIR.

plans would not create any new physical barriers in the Eastern Neighborhoods. Furthermore, the Eastern Neighborhoods FEIR determined that the rezoning would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

No Peculiar Impacts

The proposed project would not create any new physical barriers in the Eastern Neighborhoods. The project site contains two existing industrial buildings and one surface parking lot. The proposed project would construct two new residential buildings totaling 68-feet-tall, six-stories, and approximately 106,962 square-feet on the entirety of the existing site. Consequently, the proposed project would not physically disrupt or divide the project area or individual neighborhoods or subareas.

The project site is in the Central Waterfront Plan of the San Francisco General Plan. The project site is in the Urban Mixed Use (UMU) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially zoned area. Allowed uses within the UMU District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, nighttime entertainment, and motor vehicle services. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. The proposed project's residential use is consistent with uses permitted within the UMU District.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
2. AESTHETICS—Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that implementation of the design policies and the height and bulk limits of the area plans would not substantially degrade the visual character or quality of the area, have a substantial adverse effect on a scenic vista, substantially damage scenic resources that contribute to a scenic public setting, or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing character of the project site and surroundings is dominated by uses typical in an urban setting, mostly one-to-three-story commercial and industrial uses and four-story mixed-use commercial/residential uses. Directly north of the project site is the proposed Mission Bay UCSF hospital campus. Additionally, southeast of the project site is Pier 70, which is an industrial ship repair facility. Public viewpoints in the project vicinity are dominated by these existing nearby buildings. There are limited views of the San Francisco Bay from some portions of the project site and the surrounding buildings. A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. The proposed project would demolish the two existing industrial buildings that range in height from 12 '– 24' and would construct two new residential building with a height of 68'. Therefore, the proposed project could limit private views of the San Francisco Bay from some nearby buildings, including adjacent residential buildings; however, the project would not degrade important public view corridors or obstruct scenic views from public areas viewable by a substantial number of people. Although some reduced private views could be an unavoidable consequence of the proposed project, any change in views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, it would not affect a substantial number of people and would not rise to a level considered to be a significant impact on the environment.

Although the new building would change the visual appearance of the project site and surroundings, it would not substantially degrade its visual character or quality. In addition, the new building would not be substantially taller than the existing development in the project vicinity such as the 5-story, 50-foot-tall building at 2011 Third Street immediately north of the project site; a 5-story, 50-foot-tall building immediately south of the project site at 2071 Third Street; and a two-story union hall building at 2085 Third Street directly south of the site. Additionally, directly across from the project site along Third Street, the existing buildings are four-story, 40-foot-tall residential buildings. The proposed building envelope and design meets Planning Code requirements for Urban Mixed Use zoning district. Therefore, the proposed project would be visually compatible in terms of the types, heights, and massing of the buildings found in the immediate project vicinity.

The new building would introduce a new source of light and glare. However, the proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Therefore, the new lighting would not adversely affect day or nighttime views in the area or substantially impact other people or properties because the lighting would not extend beyond the project site.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to aesthetics.

The new building would be visible from some residential and commercial buildings within the project site vicinity, which could reduce private views. Reduced private views on private property would be an unavoidable consequence of the proposed project and may be an undesirable change for those individuals affected. Nonetheless, the change in private views would not exceed those commonly expected in an urban setting and would not constitute a significant impact under CEQA.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
3.	**POPULATION AND HOUSING—Would the project:**				
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)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☐	☒
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR 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 FEIR.

No Peculiar Impacts

One of the objectives of the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) was to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing. According to the FEIR, the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. The proposed project would increase the population on site by constructing a 106,962 square foot residential building containing 94 residential units and 77 off-street parking spaces. This increase in population would not be expected to have an adverse physical environmental impact.

The proposed project is not anticipated to create a substantial demand for increased housing because it would not provide retail /commercial space on the project site. Additionally, the proposed project would not displace substantial numbers of people because the project site is currently occupied by two vacant industrial buildings. Thus, no displacement would occur as a result of project implementation.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☒	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Please see the Certificate of Determination for discussion of this topic.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
5.	**TRANSPORTATION AND CIRCULATION—Would the project:**				
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☐	☐	☐	☒
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒
e)	Result in inadequate emergency access?	☐	☐	☐	☒
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?	☒	☐	☐	☐

Please see the Certificate of Determination for discussion of this topic.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
6.	**NOISE—Would the project:**				
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?	☒	☐	☐	☐
b)	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c)	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
d)	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
g)	Be substantially affected by existing noise levels?	☒	☐	☐	☐

Please see the Certificate of Determination for discussion of this topic.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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:**				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
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)?	☒	☐	☐	☐
d)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e)	Create objectionable odors affecting a substantial number of people?	☒	☐	☐	☐

Please see the Certificate of Determination for discussion of this topic.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
8. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Greenhouse Gas Emissions

The project proposes to construct a new residential building which would contribute to the cumulative effects of climate change by emitting greenhouse gases (GHGs) during construction and operational phases. Construction of the proposed project is estimated at approximately 14 months. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

As discussed above, the BAAQMD studies provide methodologies for analyzing GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified GHG Reduction Strategy, as defined in the BAAQMD's studies. On August 12, 2010, the San Francisco Planning Department submitted a draft of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.[3] This document 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 studies.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's studies and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[4]

Based on the BAAQMD's studies, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals,

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[3] San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: http://www.sfplanning.org/index.aspx?page=1570.

[4] Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: http://www.sfplanning.org/index.aspx?page=1570. Accessed November 12, 2010.

projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions,* new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions. Applicable requirements for the proposed project are shown below in Table 1.

Table 1

Greenhouse Gas Regulations Applicable to 2051 – 2065 Third Street/650 Illinois Street

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Project related employees would be limited to leasing staff, maintenance staff and potential employees of flex unit tenants who would be eligible for the emergency ride home program.
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project proposes two class 1 bicycle storage areas. The project proposes 94 dwelling units would provide 42 Class 1 bicycle spaces and 34 additional stacking bicycle spaces totaling 76 spaces. The project as proposed meets the requirements of Planning Code, Section 155.5.
Car Sharing Requirements (San Francisco Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project as proposed will provide the required amount of car share space by the provision of three car share spaces.
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	X Project Complies ☐ Not Applicable	The project would be allowed 80 maximum residential parking spaces per Section 151.1 of the planning code. The project proposes 77 parking spaces with the inclusion of a mechanical

Regulation	Requirements	Project Compliance	Discussion
Planning Code Section 151.1)		☐ Project Does Not Comply	parking system, which would comply with Section 151.1.
		Energy Efficiency Sector	
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project will provide energy efficiency at a minimum of 15% above Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would disturb over 5,000 square feet, which subjects the project to the SFPUC's stormwater design guidelines, which emphasize low impact development using a variety of Best Management Practices for managing stormwater runoff. The project would comply with these requirements.
San Francisco Water Efficient Irrigation Ordinance	Projects that include 1,000 square feet (sf) or more of new or modified landscape are subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will have hardscape podium top and roof deck open space landscape area in excess of 5,000sf. The project will comply with the provisions of the San Francisco Water Efficient Irrigation Ordinance.

Regulation	Requirements	Project Compliance	Discussion
	Tier 1: 1,000 sf <= project landscape < 2,500 sf Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals. See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape		
Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply with the Residential Water Conservation Ordinance.

Regulation	Requirements	Project Compliance	Discussion
Waste Reduction Sector			
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project is the construction of a residential building which would be required to comply with the Mandatory Recycling and Composting Ordinance. There are two sets of trash chutes, one set per building and two dumpster rooms one off each street frontage.
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would require the demolition of two existing buildings prior to construction and would comply with the San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)
San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be require the full demolition of two existing buildings prior to construction and would comply with the San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)

Regulation	Requirements	Project Compliance	Discussion
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project has 106 feet of frontage on both Third Street and Illinois Street and would therefore require five street trees on each frontage. There are currently five street trees on Third Street that would be removed and the project proposes to plant six additional street trees along Illinois Street.
Construction Site Runoff Pollution Prevention for New Construction (San Francisco Building Code, Chapter 13C)	Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems. Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1). Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP). See the SFPUC Web site for more information: www.sfwater.org/CleanWater	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would develop and implement construction activity pollution prevention and site run-off controls adopted by the San Francisco Public Utilities Commission, as applicable.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2,	**If meeting a LEED Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36. (Not applicable for New High Rise	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Any VOCs used by the project will meet SCAQMD Rule 1168.

Regulation	Requirements	Project Compliance	Discussion
13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	residential) **If meeting a GreenPoint Rated Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.		
Low-emitting materials (San Francisco Building Code, Chapters 13C.4. 103.2.2,	For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points. For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points. For Alterations to residential buildings submit documentation regarding the use of low-emitting materials. **If meeting a LEED Standard:** For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable. **If meeting a GreenPoint Rated Standard:** Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will meet a GreenPoint Rated designation in excess of 75 points.

Regulation	Requirements	Project Compliance	Discussion
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)	**If meeting a LEED Standard:** Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** Interior wall and ceiling paints must meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	**If meeting a LEED Standard:** Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.

Regulation	Requirements	Project Compliance	Discussion
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	**If meeting a LEED Standard:** Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure. **If meeting a GreenPoint Rated Standard:** Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced GHG emissions levels; (3) San Francisco has met and exceeded AB 32 GHG reduction goals for the year 2020; (4) current and probable future state and local GHG reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be subject to and would comply with these requirements. In addition, the proposed project was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions.*[5]

For the above reasons, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to GHG emissions.

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[5] San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist, August 5, 2013 . This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400 as part of Case No. 2010.0726E.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
9. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☒	☐	☐	☐

For a discussion on Topic 9b, please see the Certificate of Determination.

FEIR

Wind impacts are directly related to building design and articulation and the surrounding site conditions. The Eastern Neighborhoods FEIR determined the rezoning and community plans would not result in a significant impact to wind because the Planning Department, in review of specific future projects, would continue to require analysis of wind impacts, where deemed necessary, to ensure that project-level wind impacts would be mitigated to a less-than-significant level. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The proposed 68-foot-tall building would be similar in height to existing buildings in the area. For the above reasons, the proposed project is not anticipated to cause peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to wind.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
10. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒
c) Physically degrade existing recreational resources?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have a significant adverse effect on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of courtyards and common roof decks. The project location is served by the following existing parks: Espirit Park, Port open space, and future Mission Bay open spaces. With the projected addition of 94 residential units, the proposed project would be expected to result in a small increase in demand for recreational facilities. The increase in demand would not be in excess of amounts expected and provided for in the area and the City as a whole. The additional use of the recreational facilities would be relatively minor compared with the existing use and therefore, the proposed project would not result in substantial additional physical deterioration of existing recreational resources. Thus, the proposed project would not result in significant impacts, either individually or cumulatively, in regard to recreation facilities, nor require the construction or expansion of public recreation facilities. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to recreational resources.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
11. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

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

No Peculiar Impacts

The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. The proposed project would have sufficient water supply available from existing entitlement, and solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would not result in a significant solid waste generation impact. Utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
12.	**PUBLIC SERVICES— Would the project:**				
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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR 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 FEIR. Impacts on parks and recreation are discussed under Topics 9 and 10.

No Peculiar Impacts

The proposed project would not substantially increase demand for police or fire protection services and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services. The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already disclosed in the Eastern Neighborhoods FEIR, associated with public services.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
13. BIOLOGICAL RESOURCES— Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods project area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Eastern

Neighborhoods would largely consist of new construction of housing in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Eastern Neighborhoods FEIR concluded that implementation of the Plan would not result in any significant effects related to biological resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing project site is covered entirely by existing buildings and a surface parking area. Similar to the rest of the Eastern Neighborhoods Area Plan area, the project site does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat.

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark Tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and have been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A Significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, that is greater than 20 feet in height or which meets other criteria. A Tree Disclosure Statement prepared for the project site noted that there is one Significant tree and four street trees on the project site. The proposed project would remove the four existing street trees to allow for construction of the proposed project, and would include the planting of six new trees along Illinois Street. The removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure that potential impacts to trees protected under the City's Tree Preservation Ordinance would be less than significant. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Furthermore, in September 2011, the Board of Supervisors approved Planning Code Section 139 amendments to incorporate bird-safe building standards into the code, and adopted the Standards for Bird-Safe Buildings. Planning Code Section 139, Standards for Bird-Safe Buildings, focuses on buildings that create location specific hazards and building feature-related hazards. Location-specific hazards apply to buildings within 300 feet of, and having a direct line of sight to, an urban bird refuge, including open spaces 2 acres and larger dominated by vegetation, wetlands, or open water. Building feature–related hazards include free-standing clear glass walls, skywalks, greenhouses on rooftops, and balconies that have unbroken glazed segments measuring 24 square feet or larger. The Standards for Bird-Safe Buildings include guidelines for use and types of glass and façade treatments, wind generators and grates, and lighting treatments that would prevent impacts on avian species.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to biological resources.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
14. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR concluded that the project would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, liquefaction, and landslides. The FEIR 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 risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the FEIR concluded that the project would not result in significant impacts to geology. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

A geotechnical investigation was prepared for the proposed project.[6] The following discussion relies on the information provided in the geotechnical investigation.

The topography of the project site slopes slightly downward towards the northeast at an average inclination of approximately 30:1. Geotechnical soil borings were excavated to a maximum depth of approximately 71.5 feet below ground surface (bgs). Based on the soil analysis of the borings, the project site is underlain by artificial fill to a depth of 25 feet, marsh deposits between a depth of 25 to 30 feet, and alluvial deposits to the maximum depth explored of 71.5 feet. The artificial fill of heterogeneous mixture of serpentine rock fragments, clay and sand. Groundwater was encountered at depths of 11 to 15 feet bgs. Additionally, groundwater would vary with time and seepage of groundwater may be encountered near the ground surface during rain or irrigation upslope of the project site.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. No known active faults cross the project site. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault, located approximately 7.1 miles southwest from the project site. The proximity would likely result in strong earthquake shaking at the project site.

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 project site conditions, a quantitative liquefaction analysis was performed. The results of the analysis show that there are isolated sandy pockets within the fill that may be subject to liquefaction during strong to moderate earthquake shaking. These liquefiable soils were observed between the depths of about 11 and 35 feet. Additionally, the geotechnical report states that the impact of liquefaction on the planned improvements would be limited to settlements of improvements supported on or near the ground surface, such as utilities and flatwork, and settlement should be limited to one inch due to post-liquefactions volumetric strain. The geotechnical investigation also found that there is a potential for seismic densification of the fill materials at the subject site during strong earthquake shaking. During earthquake shaking, loose granular soils above the

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[6] Earth Mechanics Consulting Engineers, "Geotechnical Investigation, Planned Development at 2051 Third Street and 650 Illionis Street, San Francisco, California," November 18, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

groundwater may densify resulting in the settlement of the ground surface. Seismic densification from ground shaking may result in less than one half inch of settlement at the project site.

The geotechnical investigation concluded the potential hazard associated with lateral spreading, tsunami inundation, seiches, landsliding, and corrosive soils would not be significant at the project site.

The geotechnical investigation provided recommendations for the proposed project's site preparation, grading, seismic design, and foundation design and recommends that a deep foundation extending through the fill and marsh deposits and into competent alluvial deposits be used. This would be anticipated to be either drilled piers or driven piles. Additionally, the investigation recommends that during construction activities temporary slopes would be necessary during excavations and underpinning of adjacent structures during construction may be necessary. The deep support system would be intended to reduce potential liquefaction, differential settlement, and compressibility.

Based on the above-noted recommendations, the geotechnical investigation concluded that the project would not cause significant geology and soil impacts. The proposed project would follow the recommendations of the geotechnical investigation by incorporating the recommendations into the final building design, including drilling approximately 150 displacement piles to support the proposed foundation to approximately 30 feet bgs, subject to the building permit review process. The Department of Building Inspection, through this process, reviews the geotechnical investigation to determine the adequacy of necessary engineering and design features to ensure compliance with all Building Code provisions regarding structural safety. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the project site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to geology and soils.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
15. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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)?	☐	☐	☐	☒
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 of siltation on- or off-site?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

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

No Peculiar Impacts

The existing project site is completely covered by two existing buildings and a surface parking area. The proposed project would construct a new building on the entirety of the project site. Groundwater is relatively shallow throughout the project site at approximately 11 to 15 feet below grade. The proposed project's excavation has the potential to encounter groundwater, which could impact water quality. Any groundwater encountered during construction of the proposed project 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. Although dewatering would be required during construction, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources.

The proposed project would not increase the amount of impervious surface area on the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be required to implement Low Impact Design (LID) approaches and stormwater management systems in compliance with the Stormwater Design Guidelines. Therefore, the proposed project would not have significant runoff and drainage impacts. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hydrology and water quality.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
16. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☐	☒

Please see the Certificate of Determination for discussion of this topic.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
17. MINERAL AND ENERGY RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the project would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in the use of large amounts of fuel, water, or energy 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 the Department of Building Inspection. The project 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 FEIR concluded that implementation of the plan would not result in a significant impact to mineral and energy resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. The energy demand for the proposed project would be typical for such projects and would meet, or exceed, current state or local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to mineral and energy resources.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
18. AGRICULTURE AND FOREST RESOURCES: 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Plan Area; therefore implementation of the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR.

The Eastern Neighborhoods FEIR did not analyze the effects on forest resources, which do not exist in the area

No Peculiar Impacts

The existing project site consists of two existing buildings and a surface parking area and is located within the Central Waterfront area analyzed under the Eastern Neighborhoods FEIR. Therefore, no agricultural uses, forest land, or timberland exist at the project site. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to agricultural resources.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:				
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?	☐	☒	☐	☐
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.)	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections and transit impacts on seven Muni lines), cultural (demolition of historical resources), and shadow (impacts on parks).

No Peculiar Impacts

The proposed project would include construction of a 94 unit residential building. As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods FEIR.

C. DETERMINATION

On the basis of this review, it can be determined that:

☒ The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**

☒ All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.

Sarah B. Jones
Environmental Review Officer
for
John Rahaim, Planning Director

DATE December 3, 2013

2051 THIRD STREET

SAN FRANCISCO, CA

PLANNING SUBMITTAL

MAY 15, 2014

RAINTREE PARTNERS

JON WORDEN ARCHITECT

BDE ARCHITECTURE

1. Looking Southeast from Mariposa & Third

1. Looking Southeast from Mariposa & Third

Site Aerial/ Context Plan

3. Looking East from Across Third Street

4. Looking Northwest from 18th & Illinois

5. Looking Northwest from Across 18th

PROJECT TEAM

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CONTACT: JOAN PALILEO

PROJECT TEAM 3

1/4"=1'-0"

PLANNING INFORMATION:

PROJECT LOCATION:	SAN FRANCISCO, CA
BLOCK/LOT:	3994/1B, 1C & 6
ZONING DISTRICT:	EASTERN NEIGHBORHOOD UMU
HEIGHT & BULK:	68-X
LOT AREA:	0.44 ACRES (19,085 SF)
PROJECT DESCRIPTION:	TWO (5) STORY TYPE IIIA RESIDENTIAL BUILDINGS OVER A MIXED-USE, TYPE IA CONCRETE PODIUM AND SUBTERRANEAN GARAGE. 93 RESIDENTIAL UNITS, COMMON FACILITIES AND 74 CAR GARAGE.

BUILDING CODE ANALYSIS:

CONSTRUCTION TYPE:	TYPE IIIA & 1A
OCCUPANCY CLASSIFICATION:	R-2, S-2, M, A-3, B
MAXIMUM BUILDING HEIGHT:	68'-0" (MEASURED FROM EACH STREET FRONTAGE)
MAXIMUM NUMBER OF STORIES:	6 STORIES: (5) STORIES 111A OVER (1) STORY TYPE 1A WITH LOFT & BASEMENT, PER CBC 501.1, 504.2 & 509.2

PARKING SUMMARY:

ALLOWABLE PARKING:	2-3 BDRM UNITS OVER 1000 SF: 38 UNITS X 1.0/UNIT = 38 SPACES STUDIO - 1 BDRM UNITS: 56 UNITS X 0.75/UNIT = 42 SPACES
MAXIMUM ALLOWABLE PARKING:	80 SPACES
PARKING PROVIDED:	74 SPACES (74 SPACES/93 UNITS = 80%) * INCLUDES 3 ADA SPACES, 3 CAR SHARE SPACES & 3 EV SPACES

BIKE PARKING:

REQUIRED BIKE PARKING:	1 BIKE / UNIT (CLASS 1) = 93 SPACES 1 BIKE / 20 UNITS (CLASS 2) = 5 SPACES
PROVIDED BIKE PARKING:	94 SPACES: CLASS 1 8 SPACES: CLASS 2

ACCESSIBILITY:

BATHING AND TOILET FACILITIES:	PER 2010 CBC CHAPTER 11A, ONE COMPLYING BATHROOM PER UNIT WILL BE IN ACCORDANCE WITH 1134A.2 OPTION 2.

PROJECT INFORMATION 2

SHEET INDEX			
A1	PROJECT INFORMATION	A15	BUILDING SECTION - LOOKING NORTH
A2	AREA & OPEN SPACE CALCULATIONS	A16	BUILDING SECTION - LOOKING NORTH
A3	ALTA SURVEY	A17	BUILDING SECTION - LOOKING NORTH
A4	SITE PLAN	A18	TYPICAL UNIT PLANS
A5	BASEMENT PLAN	A19	THIRD STREET PERSPECTIVE
A6	FIRST FLOOR PLAN	A20	ILLINOIS STREET PERSPECTIVE
A7	MEZZANINE PLAN	A21	THIRD STREET PERSPECTIVES
A8	SECOND-FIFTH FLOOR PLAN	L1	THIRD STREET PLANS AND SECTIONS
A9	SIXTH FLOOR PLAN	L2	THIRD STREET PERSPECTIVE - LOBBY ENTRY
A10	ROOF PLAN	L3	THIRD STREET PERSPECTIVE - FLEX SPACE
A11	THIRD STREET ELEVATION	L4	ILLINOIS STREET PLAN AND SECTIONS
A12	ILLINOIS STREET ELEVATION	L5	ILLINOIS STREET PERSPECTIVE - LOBBY ENTRY AND DRIVEWAY
A13	NORTH AND SOUTH ELEVATIONS	L6	ILLINOIS STREET PERSPECTIVE - FLEX SPACE
A14	DIAGRAMMATIC SECTIONS THROUGH ROOF DECKS	L7	ROOF DECK AND COURTYARD PERSPECTIVES

SHEET INDEX 1

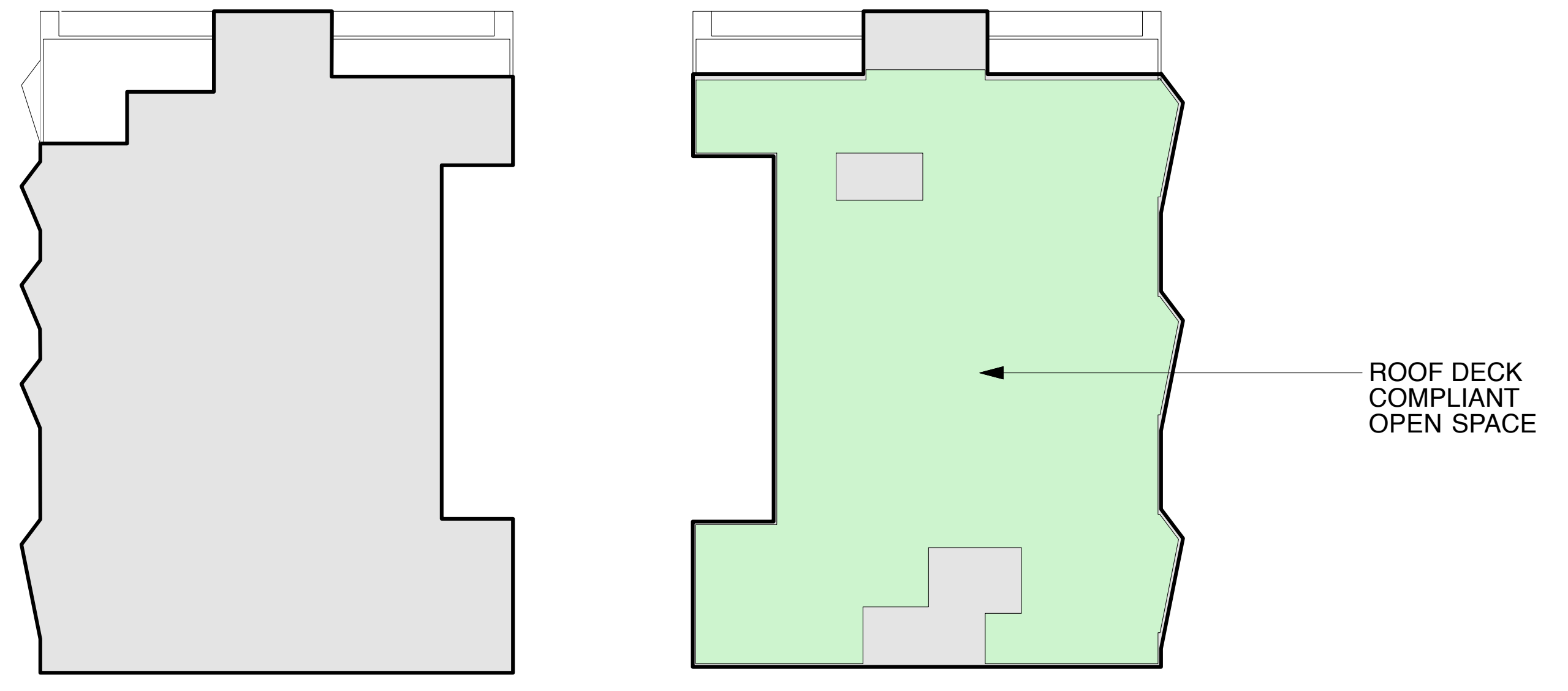
PROJECT INFORMATION

A1

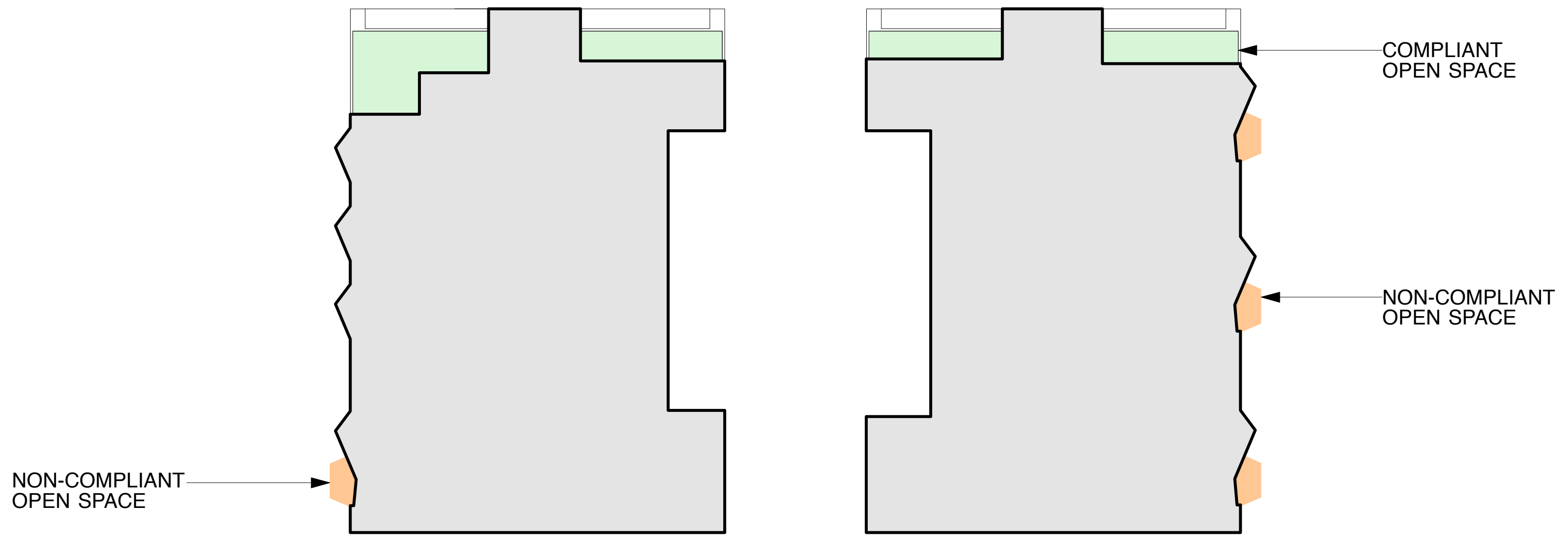
2051 THIRD STREET

SAN FRANCISCO, CA

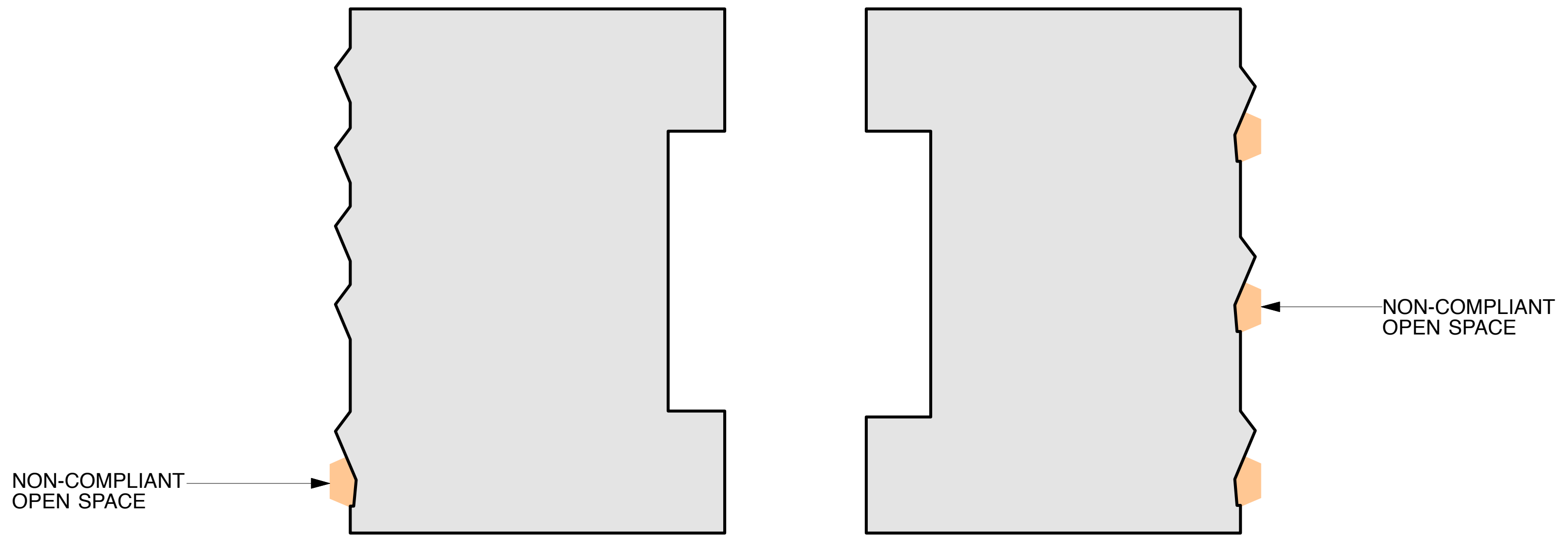
MAY 15, 2014



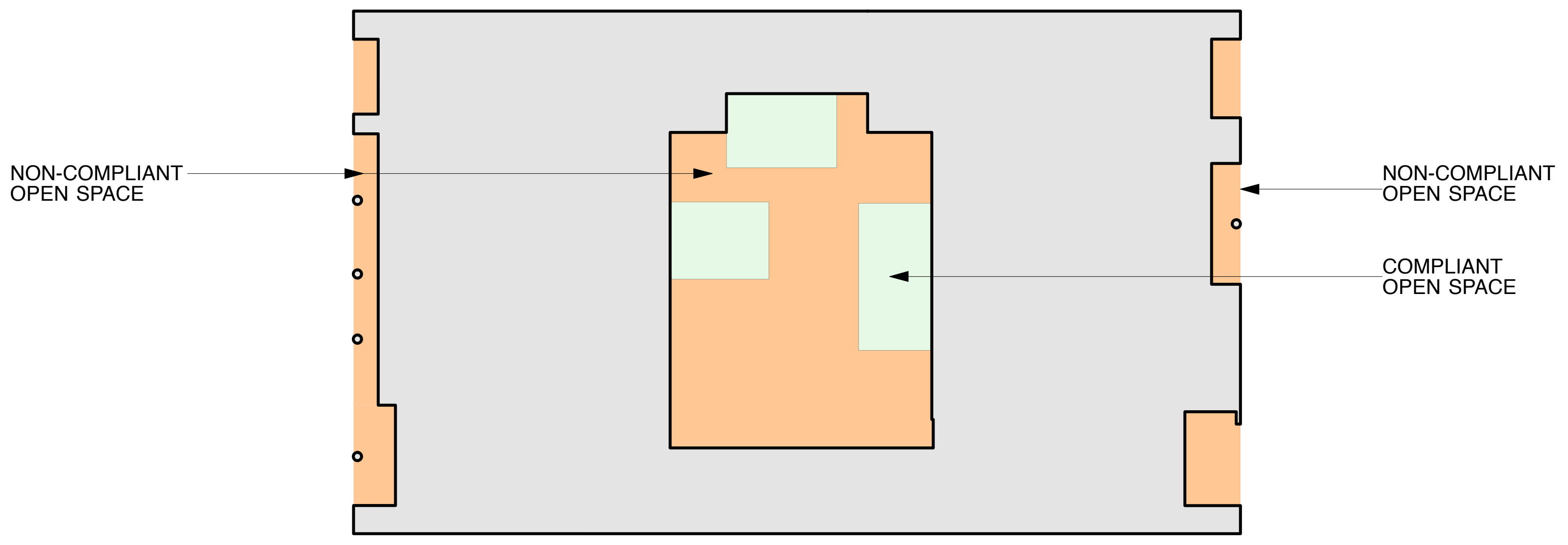
OPEN SPACE DIAGRAM - ROOF PLAN 6



OPEN SPACE DIAGRAM - SIXTH FLOOR 5



OPEN SPACE DIAGRAM - SECOND THROUGH FIFTH FLOORS 4



OPEN SPACE DIAGRAM - FIRST FLOOR 3

UNIT AREAS - REVISED					THIRD STREET BUILDING							ILLINOIS STREET BUILDING								
	TYPE	VARIATION	AREA (NET SF)*	GARAGE	FLR 1	MEZZ	FLR 2	FLR 3	FLR 4	FLR 5	FLR 6	FLR 1	FLR 2	FLR 3	FLR 4	FLR 5	FLR 6	UNIT TOTAL	AREA BY TYPE - NET (SF)	UNITS BY TYPE
STUDIOS	A1		463	-	-	-	3	3	3	3	2	-	-	-	-	-	-	14	6,482	
	A2		447	-	-	-	2	2	2	2	1	-	-	-	-	-	-	9	4,023	
	A3		473	-	-	-	2	2	2	2	2	-	-	-	-	-	-	10	4,730	
																				33
ONE BEDROOM UNITS	B1		672	-	-	-	1	1	1	1	-	-	-	-	-	-	-	4	2,688	
	B2		605	-	2	-	-	-	-	-	-	-	-	-	-	-	-	2	1,210	
	B3		637	-	2	-	-	-	-	-	-	-	-	-	-	-	-	2	1,274	
	B4		593	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	593	
	B5		654	-	-	-	2	2	2	2	1	-	-	-	-	-	-	9	5,886	
	B6		533	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	533	
	B7		808	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	808	
	B8		600	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	600	
	B9		683	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	683	
																				22
TWO BEDROOM UNITS	C1		1,045	-	-	-	1	1	1	1	1	-	-	-	-	-	-	5	5,225	
	C2		1,033	-	-	-	-	-	-	-	-	-	1	1	1	1	-	4	4,132	
		C2.1	1,015	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
		C2.2	1,101	-	-	-	-	-	-	-	-	-	1	1	1	1	1	5	5,505	
	C3		994	-	-	-	-	-	-	-	-	-	1	1	1	1	1	5	4,970	
	C4		1,002	-	-	-	-	-	-	-	-	-	3	3	3	3	2	14	14,028	
	C5		997	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
	C6		1,039	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1,039	
	C7		805	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	805	
																				35
THREE BEDROOM UNITS	D1		1,259	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	1,259	
	D2		1,274	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1,274	
	D3		1,217	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	1,217	
																				3
	TOTAL AREA																		68,964	
	TOTAL UNITS				6		11	11	11	11	9	4	6	6	6	6	6	93		

GROSS BUILDING AREAS -	REVISED PLAN		THIRD STREET BUILDING							ILLINOIS STREET BUILDING						
		GARAGE	FLR 1	MEZZ	FLR 2	FLR 3	FLR 4	FLR 5	FLR 6	FLR 1	FLR 2	FLR 3	FLR 4	FLR 5	FLR 6	AREA BY TYPE - GROSS (SF)
RESIDENTIAL		-	3,566	1,374	6,376	6,376	6,376	6,376	5,554	3,634	6,267	6,267	6,267	6,267	5,631	70,331
LOBBY / CORRIDORS / CIRC.		1,351	2,521	1,295	1,040	1,040	1,040	1,040	1,137	1,837	1,028	1,028	1,028	1,028	1,045	17,458
AMENITIES**		-	1,894	597	-	-	-	-	-	-	-	-	-	-	-	2,491
PARKING		15,614	-	-	-	-	-	-	-	-	-	-	-	-	-	15,614
FLEX / COMMERCIAL	NOTE: 2,165 SF OF FLEX UNIT SPACE IS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
	INCLUDED IN THE RESIDENTIAL SF TOTALS.															
UTILITIES / MEP		2,096	25	-	40	40	40	40	-	460	31	31	31	31	31	2,896
																TOTAL: 108,790

TOTAL UNITS PER BUILDING:

THIRD STREET BUILDING	59
ILLINOIS STREET BUILDING	34
TOTAL UNITS:	**93**

*NET AREA IS MEASURED TO EXTERIOR FACE OF STUD OF EXTERIOR WALLS, TO THE CENTERLINE OF THE CORRIDOR WALLS AND TO THE CENTERLINE OF THE PARTY WALLS

** INCLUDES BIKE STORAGE, COMMUNITY ROOM, MAIL ROOM AND FITNESS LOFT

UNIT AREA & GROSS AREA SUMMARY 2

COMPLIANT OPEN SPACE			
COMMON USABLE OPEN SPACE	ROOF DECK ON ILLINOIS ST BLDG	5,898 SF	
PRIVATE USABLE OPEN SPACE	PRIVATE DECKS AT COURTYARD	1,145 SF	
PRIVATE USABLE OPEN SPACE	PRIVATE ROOF DECKS AT 6TH FLR	827 SF	
TOTAL COMPLIANT OPEN SPACE PROVIDED		**7,870 SF**	
NON-COMPLIANT OPEN SPACE			
PUBLICLY ACCESSIBLE OPEN SPACE	STREET LEVEL	962 SF	
COMMON USABLE OPEN SPACE	COURTYARD	2041 SF	
PRIVATE USABLE OPEN SPACE	BALCONIES	774 SF	
TOTAL NON-COMPLIANT OPEN SPACE PROVIDED		**3,777 SF**	
TOTAL PROVIDED OPEN SPACE (COMPLIANT AND NON-COMPLIANT)		**11,647 SF**	
TOTAL UNITS		93 UNITS	
REQUIRED OPEN SPACE (COMMON OR PRIVATE USE)		93 UNITS X 80 SF / UNITS	7,440 SF
TOTAL OPEN SPACE REQUIRED			**7,440 SF**

OPEN SPACE CALCULATION 1

AREA & OPEN SPACE CALCULATIONS

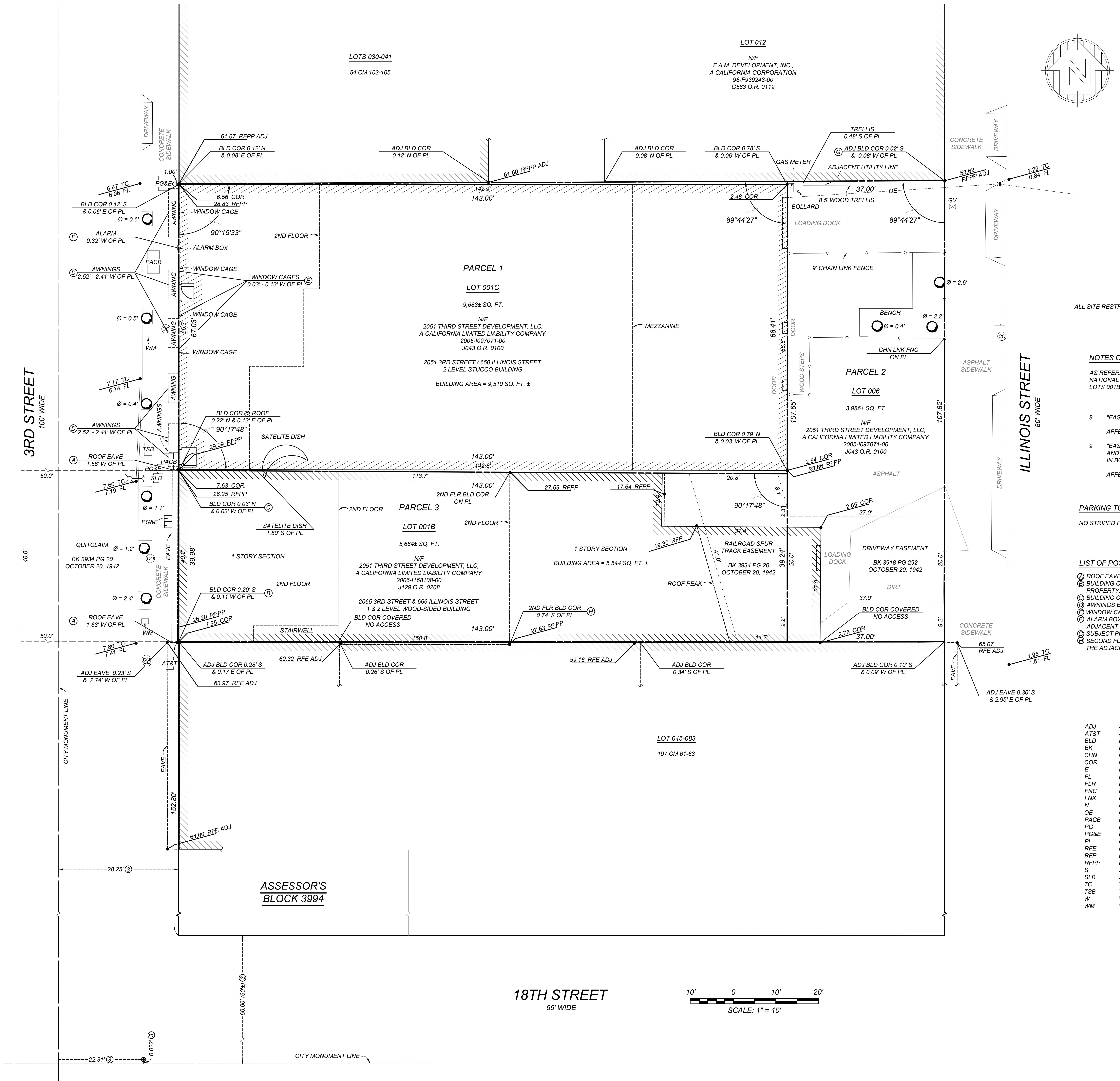
A2

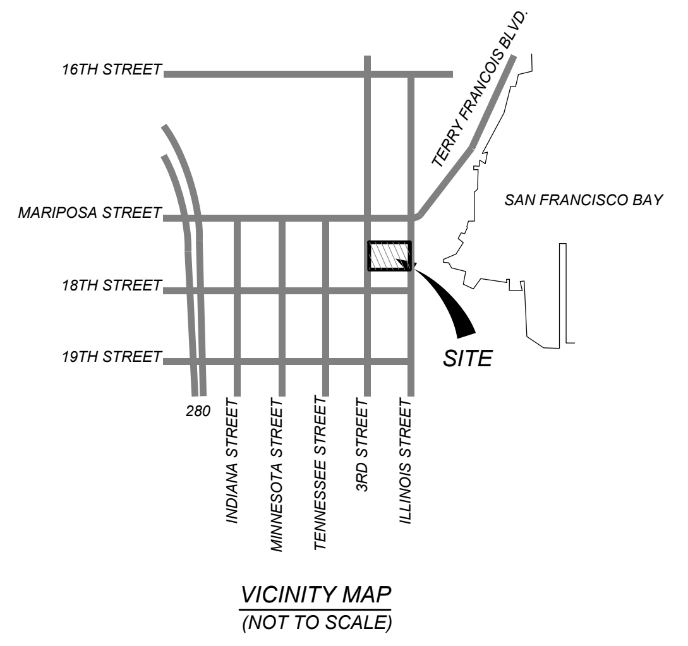
BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014





VICINITY MAP
(NOT TO SCALE)

SITE RESTRICTIONS:

HEIGHT :	GENERALLY, 68-X, SEE ZONING MAP
ZONING:	UMU - URBAN MIXED USE
SETBACKS:	NONE

ALL SITE RESTRICTIONS WERE OBTAINED FROM THE CITY OF SAN FRANCISCO PLANNING DEPARTMENT

NOTES CORRESPONDING TO SCHEDULE "B":

AS REFERENCED IN THE PROFORMA ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, NATIONAL COMMERCIAL SERVICES, ORDER NO. NCS-511617-SC, FOR PROPERTY IDENTIFIED AS LOTS 001B, 001C AND 006, ASSESSOR'S BLOCK 3494, SAN FRANCISCO, CA, DATED MARCH 12, 2012.

8 "EASEMENT AGREEMENT", RECORDED OCTOBER 20, 1942, IN BOOK 3918 AT PAGE 292.

AFFECTS PARCEL THREE

9 "EASEMENT FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF RAILROAD SPUR AND APPURTENANCES AND INCIDENTAL PURPOSES", RECORDED OCTOBER 20, 1942, IN BOOK 3934 AT PAGE 20

AFFECTS PARCEL TWO

PARKING TOTAL:

NO STRIPED PARKING

LIST OF POSSIBLE ENCROACHMENTS:

Ⓐ ROOF EAVE ENCROACHES 1.56' - 1.63' WEST OVER THE PROPERTY LINE ONTO THE RIGHT OF WAY.
Ⓑ BUILDING CORNER ENCROACHS 0.20' SOUTH OVER THE PROPERTY LINE ONTO THE ADJACENT PROPERTY, AND 0.11' WEST OVER THE PROPERTY LINE ONTO THE RIGHT OF WAY.
Ⓒ BUILDING CORNER ENCROACHES 0.03' WEST OVER THE PROPERTY LINE ONTO THE RIGHT OF WAY.
Ⓓ AWNINGS ENCROACH 2.41' - 2.52' WEST OVER THE PROPERTY LINE ONTO THE RIGHT OF WAY.
Ⓔ WINDOW CAGES ENCROACH 0.03' - 0.13' WEST OVER THE PROPERTY LINE ONTO THE RIGHT OF WAY.
Ⓕ ALARM BOX ENCROACHES 0.32' WEST OVER THE PROPERTY LINE ONTO THE RIGHT OF WAY.
Ⓖ ADJACENT BUILDING CORNER ENCROACHES 0.02' SOUTH OVER THE PROPERTY LINE ONTO THE SUBJECT PROPERTY.
Ⓗ SECOND FLOOR BUILDING CORNER ENCROACHES 0.74' SOUTH OVER THE PROPERTY LINE ONTO THE ADJACENT PROPERTY.

LEGEND:

ADJ	ADJACENT
AT&T	AT&T BOX
BLD	BUILDING
BK	BOOK
CHN	CHAIN
COR	CORNER
E	EAST
FL	FLOW LINE
FLR	FLOOR
FNC	FENCE
LNK	LINK
N	NORTH
OE	OVERHEAD ELECTRIC
PACB	PACIFIC BELL
PG	PAGE
PG&E	PACIFIC GAS & ELECTRIC
PL	PROPERTY LINE
RFE	ROOF EAVE
RFP	ROOF PEAK
RFPP	ROOF PARAPETT
S	SOUTH
SLB	STREET LIGHT BOX
TC	TOP OF CURVE
TSB	TRAFFIC SIGNAL BOX
W	WEST
WM	WATER METER

—○—	CHAIN LINK FENCE
Ø	DIAMETER
○—☼	LIGHT POST
-◐	POWER POLE
—○—	SIGN
◯	TREE
○	FOUND NAIL AND TAG R.C.E. 12149
◉	STANDARD CITY MONUMENT (OR AS NOTED)

LEGAL DESCRIPTION:

THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE COUNTY OF SAN FRANCISCO, CITY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEGINNING AT A POINT ON THE EASTERLY LINE OF 3RD STREET, AS WIDENED, DISTANT THEREON 192.78 FEET NORTHERLY FROM THE NORTHERLY LINE OF 18TH STREET; THENCE DEFLECTING 90°17' 48" TO THE RIGHT AND RUNNING EASTERLY 143.00 FEET; THENCE NORTHERLY PARALLEL TO SAID EASTERLY LINE OF 3RD STREET 68.42 FEET; THENCE DEFLECTING 90° 15' 33" TO THE LEFT AND RUNNING WESTERLY 143.00 FEET TO SAID EASTERLY LINE OF 3RD STREET; THENCE SOUTHERLY ALONG SAID LINE OF 3RD STREET 67.03 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF POTRERO NUEVO BLOCK NO. 413.

ASSESSOR'S BLOCK 3994, LOT 001C

PARCEL TWO:

LOT 6, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "PARCEL MAP, BEING A SUBDIVISION OF ASSESSOR'S LOT 5, BLOCK 3994, ALSO BEING A PORTION OF POTRERO NUEVO BLOCK NO. 413, SAN FRANCISCO, CALIFORNIA", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, ON AUGUST 21ST, 1985 IN BOOK 31 OF PARCEL MAPS, AT PAGE 40.

EXCEPTING THEREFROM:

ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UNDERLYING THE PROPERTY, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OIL AND GAS AND RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE AND DISPOSE OF SAID MINERALS BY ANY MEANS OR METHODS SUITABLE TO GRANTOR, ITS SUCCESSORS AND ASSIGNS, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH A MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF BY GRANTEES, THEIR HEIRS AND ASSIGNS AS RESERVED BY UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION BY INSTRUMENT RECORDED MAY 26, 2004, OFFICIAL RECORDS, RECORDERS SERIAL NUMBER 2004-H730520-00.

ASSESSOR'S BLOCK 3994, LOT 006

PARCEL THREE:

BEGINNING AT A POINT ON THE EASTERLY LINE OF 3RD STREET, AS WIDENED, DISTANT THEREON 152.80 FEET NORTHERLY FROM THE NORTHERLY LINE OF 18TH STREET, RUNNING THENCE NORTHERLY AND ALONG SAID LINE OF 3RD STREET 39.98 FEET; THENCE DEFLECTING TO THE RIGHT 90° 17' 48" AND RUNNING EASTERLY 143 FEET; THENCE SOUTHERLY PARALLEL WITH SAID LINE OF 3RD STREET 39.24 FEET TO A LINE DRAWN AT RIGHT ANGLES TO THE EASTERLY LINE OF 3RD STREET FROM THE POINT OF COMMENCEMENT; THENCE WESTERLY ALONG THE LINE SO DRAWN 143 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BEING A PORTION OF POTRERO NUEVO BLOCK NO. 413.

ASSESSOR'S BLOCK 3994, LOT 001B

MAP AND DEED REFERENCES:

① GRANT DEED RECORDED DECEMBER 23, 2005, ON REEL J043 AT IMAGE 0100, DOCUMENT NUMBER 2005-I097071-00, ON FILE IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO.

② GRANT DEED RECORDED APRIL 28, 2006, ON REEL J129 AT IMAGE 0208, DOCUMENT NUMBER 2006-I168108-00, ON FILE IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO.

③ MONUMENT MAP NO. 324, ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

PROJECT BENCHMARK - DESCRIPTION:

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF 3RD STREET AND 18TH STREET; ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. N.W. CORNER, +CUT CONC. CESS.
ELEVATION = 9.809'

NATIONAL FLOOD INSURANCE PROGRAM NOTE:

THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IS RESPONSIBLE FOR ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. FEMA HAS NOT IDENTIFIED ANY FLOOD HAZARD AREAS IN THE CITY AND COUNTY OF SAN FRANCISCO AND THAT THE CITY IS NOT PARTICIPATING IN THE NATIONAL FLOOD INSURANCE PROGRAM.

NOTE:

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

GENERAL NOTES:

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

BOUNDARY NOTES:

1. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED
2. ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

SURVEYOR'S CERTIFICATION:

TO FIRST AMERICAN TITLE INSURANCE COMPANY ; RAINTREE-EVERGREEN LLC, A DELAWARE LIMITED LIABILITY COMPANY; RAINTREE 2051 THIRD STREET, LLC, A DELAWARE LIMITED LIABILITY COMPANY; AND LANDMARK LAW GROUP, INC., A CALIFORNIA CORPORATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 11(B), [13], 14, 16, 17, 18, 19, 20(A) OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON APRIL 20, 2012

No. 6216

Frederick T. Seher
FREDERICK T. SEHER, PLS
LICENSE NO. 6216
LICENSE EXPIRES: MARCH 31, 2014

APRIL 27, 2012
DATE:

DATE: APRIL, 2012
SCALE: 1" = 10'
DRAWN BY: OG
DRAWING NAME: ALTA / ACSM
SURVEYED BY:
CHECKED BY:
CHECKED BY:

NO.	BY	DATE	REVISIONS
1	O.G.	3-17-14	ADJ. ROOF ELEVATIOINS ADDED

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

ALTA / ASCM LAND TITLE SURVEY
2051 - 2065 3RD STREET & 650 - 666 ILLINOIS STREET, SAN FRANCISCO, CA 94158
ASSESSOR'S BLOCK 3994, LOTS 001B, 001C & 006

SHEET 1 OF 1 SHEETS
JOB NO. 1615-12

ALTA SURVEY

A3

NOTE: DETAILED INFORMATION ON ADJACENT BUILDINGS IS BASED ON THE OWNER'S FIELD DIMENSIONS, NOT SURVEY INFORMATION. ALL INFORMATION REGARDING THE ADJACENT BUIDINGS IS APPROXIMATE.

SITE PLAN 1/16"=1'-0"

A4

BDE
ARCHITECTURE

2051 THIRD STREET

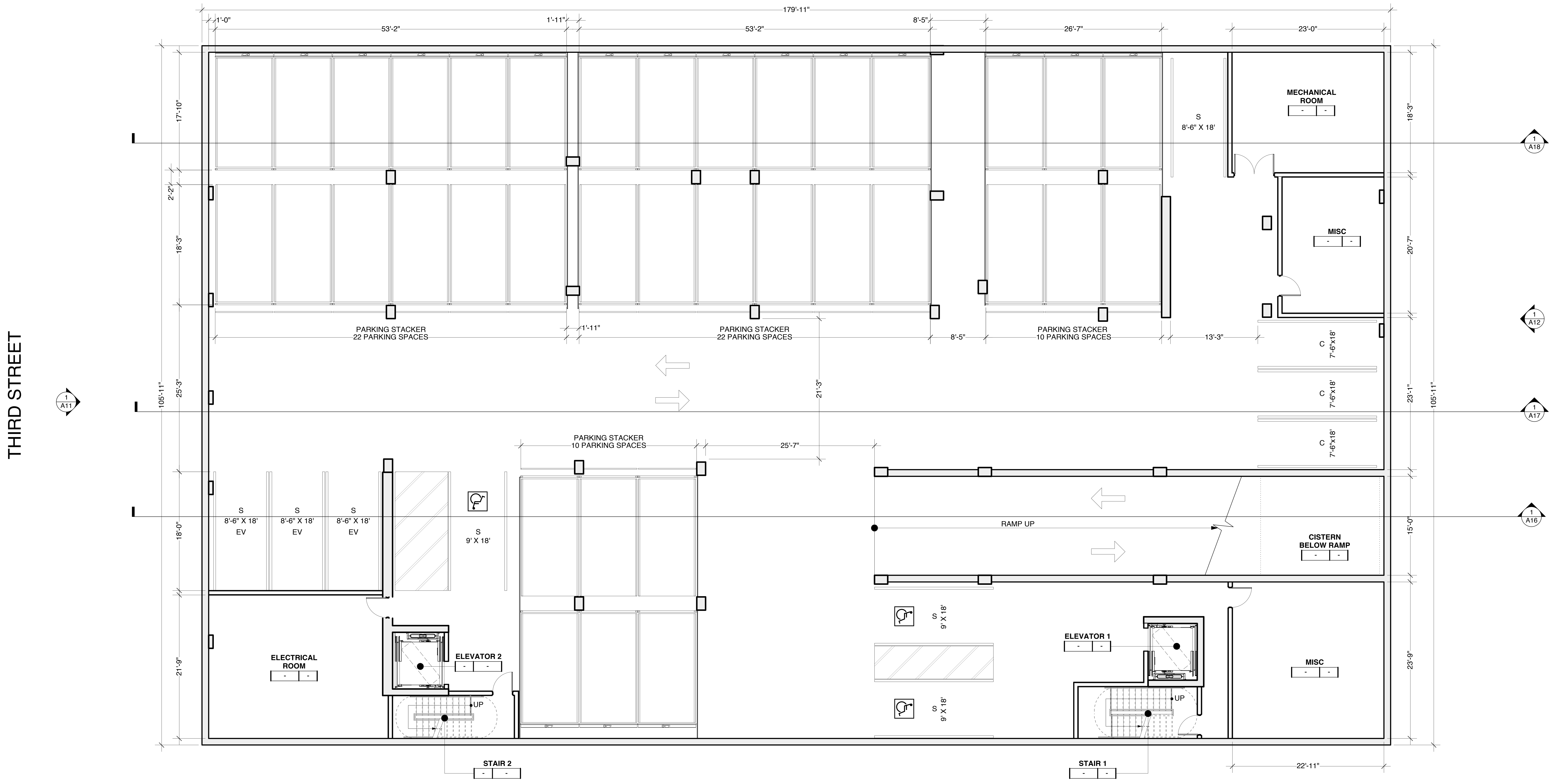
SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

① APPROXIMATE LOCATION OF ADJACENT BUILDINGS

② APPROXIMATE LOCATION OF ADJACENT BUILDINGS BELOW



PARKING COUNT

WITH STACKERS:
74 PARKING SPACES

WITHOUT STACKERS:
18 TANDEM STALLS (36 SPACES)
10 SINGLE SPACES
46 PARKING SPACES TOTAL

BASEMENT PLAN

1/8"= 1'-0"

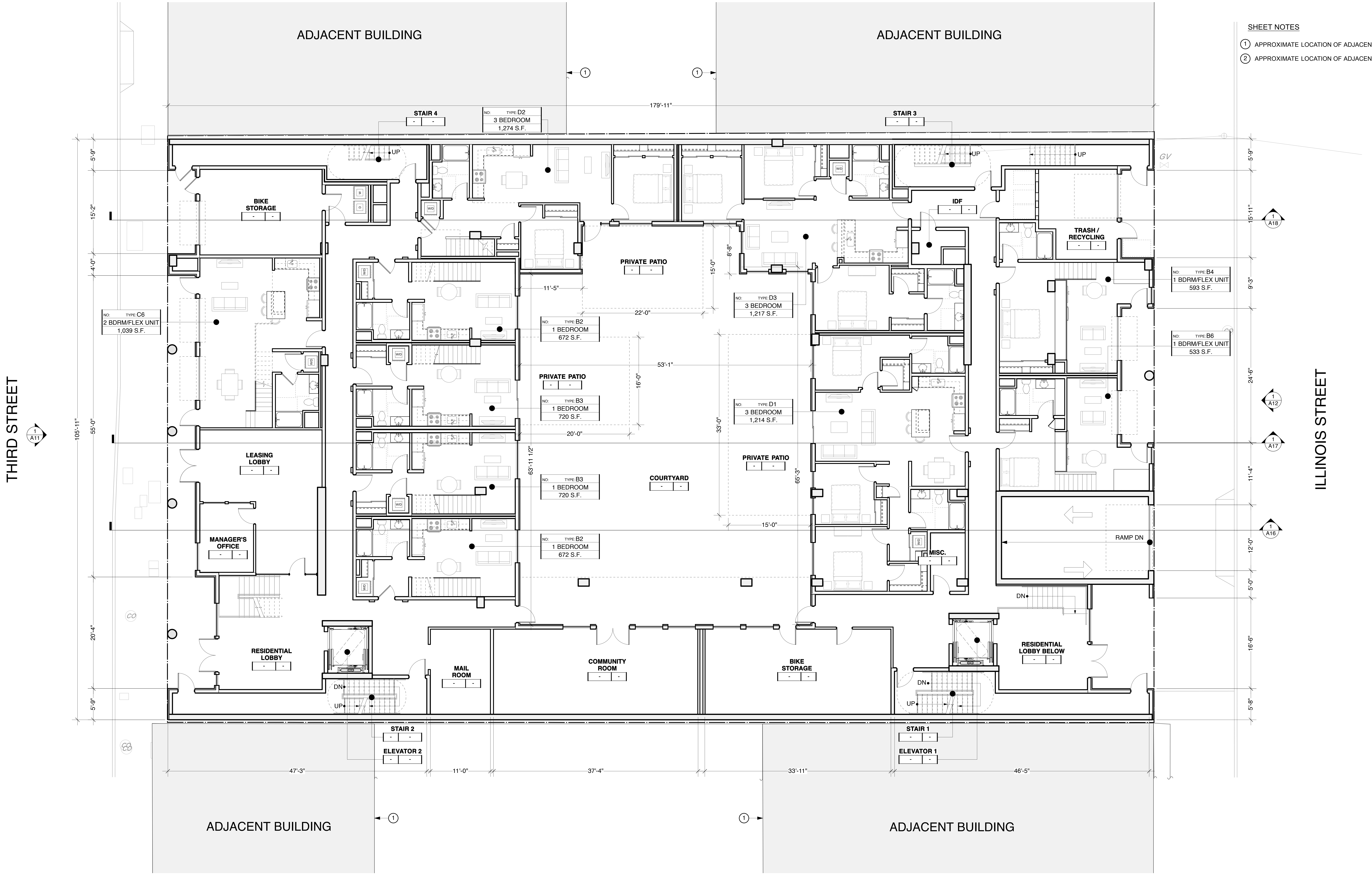
A5

BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014



SHEET NOTES

① APPROXIMATE LOCATION OF ADJACENT BUILDINGS

② APPROXIMATE LOCATION OF ADJACENT BUILDINGS BELOW

FIRST FLOOR PLAN

1/8" = 1'-0"

A6

BDE
ARCHITECTURE

2051 THIRD STREET

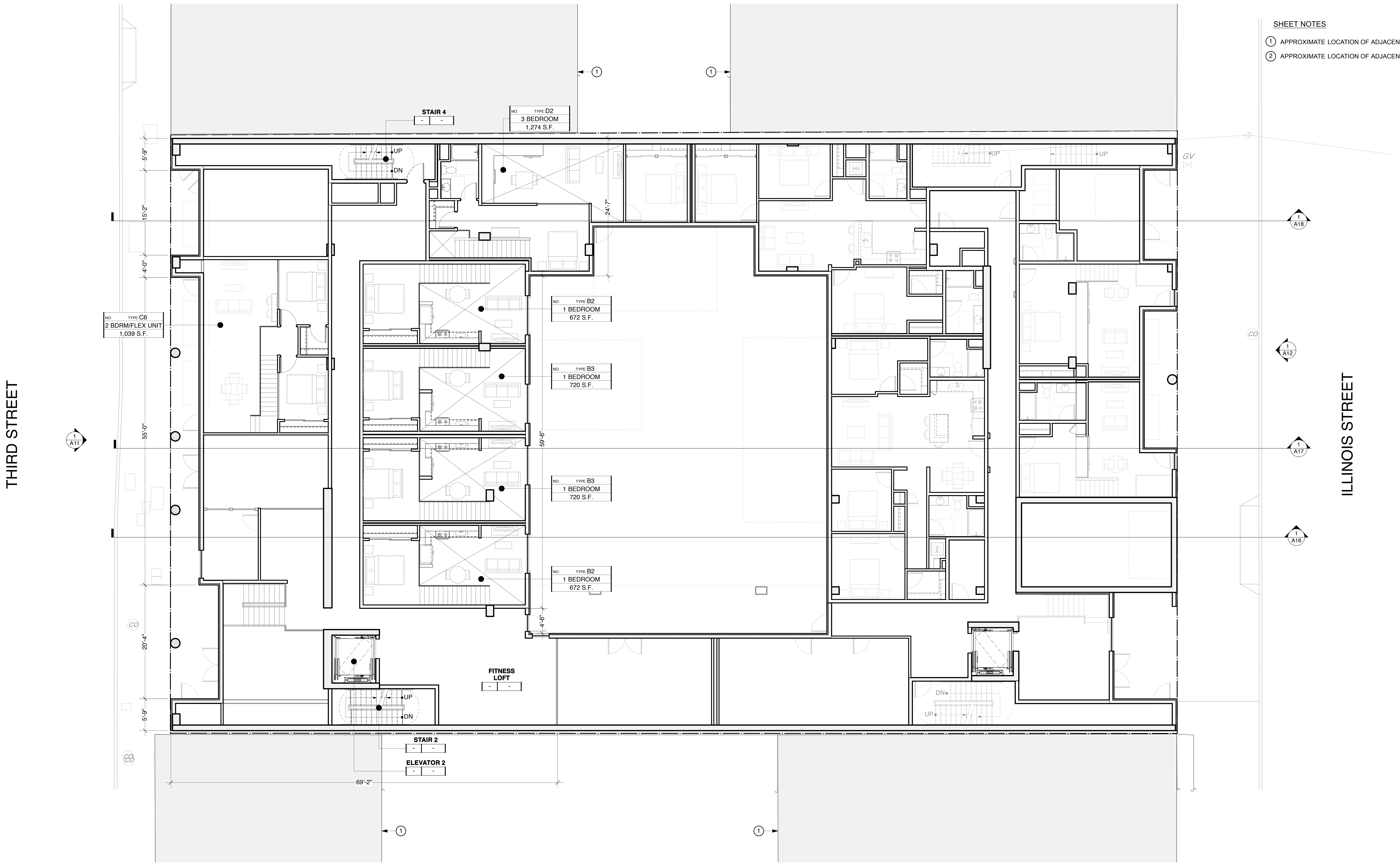
SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

① APPROXIMATE LOCATION OF ADJACENT BUILDINGS

② APPROXIMATE LOCATION OF ADJACENT BUILDINGS BELOW



MEZZANINE PLAN

1/8"= 1'-0"

A7

BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

1. APPROXIMATE LOCATION OF ADJACENT BUILDINGS
2. APPROXIMATE LOCATION OF ADJACENT BUILDINGS BELOW

SECOND - FIFTH FLOOR PLAN

1/8"= 1'-0"

A8

BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

① APPROXIMATE LOCATION OF ADJACENT BUILDINGS
② APPROXIMATE LOCATION OF ADJACENT BUILDINGS BELOW

SIXTH FLOOR PLAN

1/8"= 1'-0"

A9

3DE ARCHITECTURE

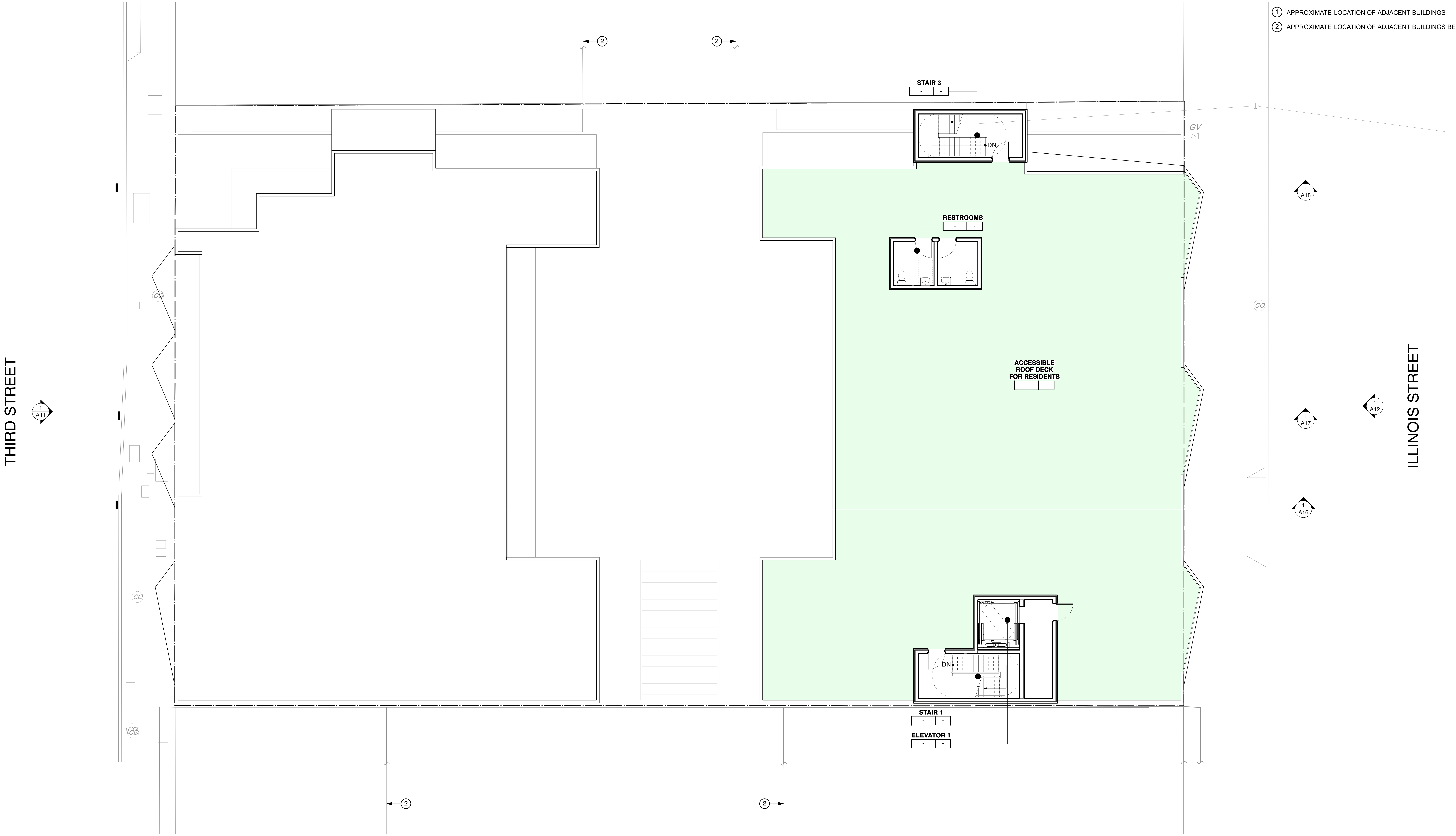
2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

① APPROXIMATE LOCATION OF ADJACENT BUILDINGS
② APPROXIMATE LOCATION OF ADJACENT BUILDINGS BELOW



ROOF PLAN

1/8"= 1'-0"

A10

BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

1. TWO-TONE COLORED CEMENT PLASTER
2. METAL FRAME RAILING W/ HORIZOTAL BAR OR GLASS INFILL PANELS
3. STAIR TO ROOF BEYOND
4. PAINTED METAL FASCIA
5. ALUMINUM OR VINYL WINDOWS AND DOORS
6. METAL FRAME RAILING AND PERFORATED METAL INFILL PANELS
7. RESIN PANEL SIDING, OR PLASTER
8. 12" DIAMETER CONCRETE COLUMNS
9. FOLD-UP AWNING DOOR W/ OPTIONAL GLAZING
10. RECESSED ACCENT WALL PANELS: COLORED PLASTER OR WOOD SIDING
11. SERVICE DOOR: WOOD RESIN-FACED DOOR
12. PAINTED METAL PANEL, OR PLASTER
13. STONE BASE
14. GARAGE DOOR: WOOD RESIN-FACED DOOR OR METAL GRATE ROLL-UP DOOR
15. OUTLINE OF ADJACENT BUILDING
16. ROOF DECK OF ADJACENT BUILDING
17. PARAPET WALL
18. VINE SCREEN
19. EXISTING BUILDING
20. OUTLINE OF PROPOSED PROJECT
21. OPEN SPACE SQUARE FOOTAGE INDICATED IN THIS SET DOES NOT REQUIRE A ROOF DECK ON THE THIRD STREET BUILDING. DASHED LINE INDICATES THE REMOVAL OF THE STAIR TOWER TO THE ROOF.
22. WINDOW ON ADJACENT BUILDING. SIZE AND LOCATION ARE APPROXIMATE, BASED ON PHOTOGRAPHS

NOTE: ADJACENT BUILDING DIMENSIONS AND ADJACENT WINDOW DIMENSIONS AND WINDOW LOCATIONS ARE APPROXIMATE

THIRD STREET ELEVATION

1/8"= 1'-0"

A11

ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

① TWO-TONE COLORED CEMENT PLASTER
② METAL FRAME RAILING W/ HORIZOTAL BAR OR GLASS INFILL PANELS
③ STAIR TO ROOF BEYOND
④ PAINTED METAL FASCIA
⑤ ALUMINUM OR VINYL WINDOWS AND DOORS
⑥ METAL FRAME RAILING AND PERFORATED METAL INFILL PANELS
⑦ RESIN PANEL SIDING, OR PLASTER
⑧ 12" DIAMETER CONCRETE COLUMNS
⑨ FOLD-UP AWNING DOOR W/ OPTIONAL GLAZING
⑩ RECESSED ACCENT WALL PANELS: COLORED PLASTER OR WOOD SIDING
⑪ SERVICE DOOR: WOOD RESIN-FACED DOOR
⑫ PAINTED METAL PANEL, OR PLASTER
⑬ STONE BASE
⑭ GARAGE DOOR: WOOD RESIN-FACED DOOR OR METAL GRATE ROLL-UP DOOR
⑮ OUTLINE OF ADJACENT BUILDING
⑯ ROOF DECK OF ADJACENT BUILDING
⑰ PARAPET WALL
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NOTE: ADJACENT BUILDING DIMENSIONS AND ADJACENT WINDOW DIMENSIONS AND WINDOW LOCATIONS ARE APPROXIMATE

ILLINOIS STREET ELEVATION

1/8"= 1'-0"

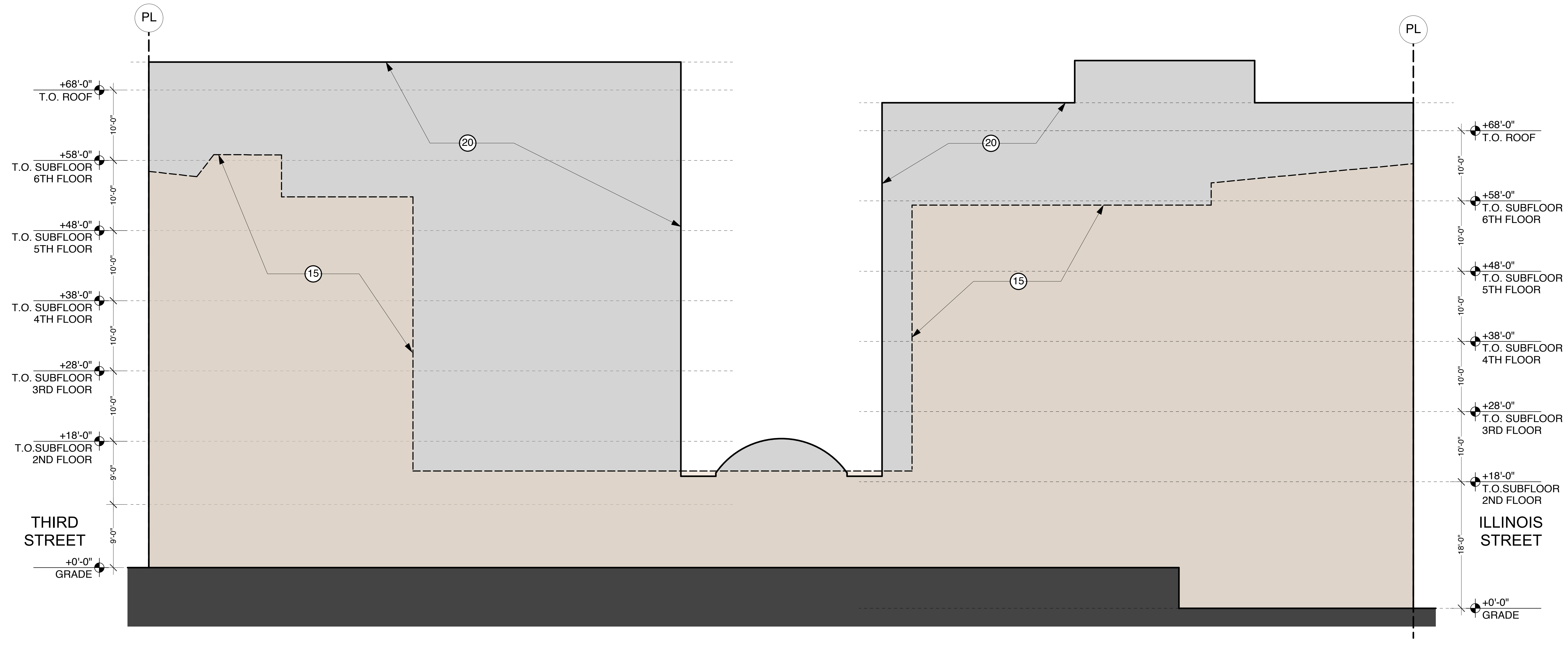
A12

ARCHITECTURE

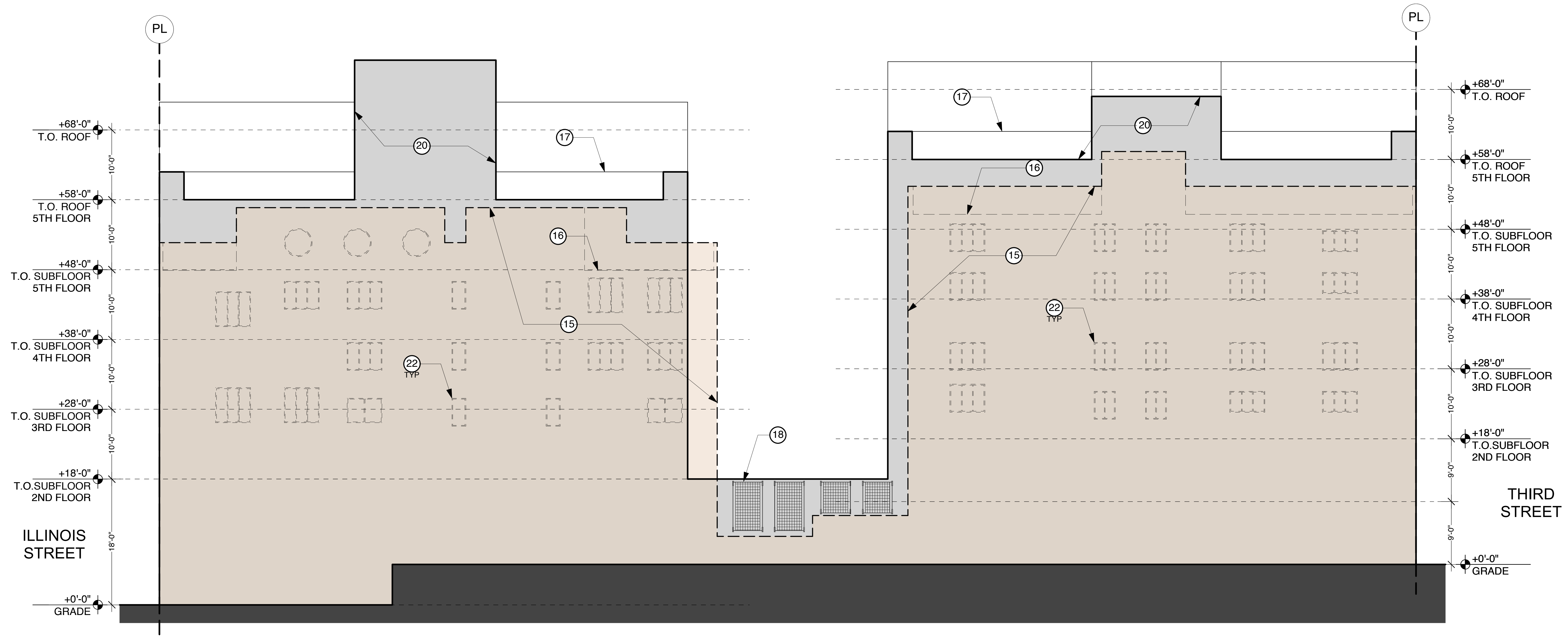
2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014



SOUTH ELEVATION 2



NORTH ELEVATION 1

SHEET NOTES

① TWO-TONE COLORED CEMENT PLASTER

② METAL FRAME RAILING W/ HORIZOTAL BAR OR GLASS INFILL PANELS

③ STAIR TO ROOF BEYOND

④ PAINTED METAL FASCIA

⑤ ALUMINUM OR VINYL WINDOWS AND DOORS

⑥ METAL FRAME RAILING AND PERFORATED METAL INFILL PANELS

⑦ RESIN PANEL SIDING, OR PLASTER

⑧ 12" DIAMETER CONCRETE COLUMNS

⑨ FOLD-UP AWNING DOOR W/ OPTIONAL GLAZING

⑩ RECESSED ACCENT WALL PANELS: COLORED PLASTER OR WOOD SIDING

⑪ SERVICE DOOR: WOOD RESIN-FACED DOOR

⑫ PAINTED METAL PANEL, OR PLASTER

⑬ STONE BASE

⑭ GARAGE DOOR: WOOD RESIN-FACED DOOR OR METAL GRATE ROLL-UP DOOR

⑮ OUTLINE OF ADJACENT BUILDING

⑯ ROOF DECK OF ADJACENT BUILDING

⑰ PARAPET WALL

⑱ VINE SCREEN

⑲ EXISTING BUILDING

⑳ OUTLINE OF PROPOSED PROJECT

㉑ OPEN SPACE SQUARE FOOTAGE INDICATED IN THIS SET DOES NOT REQUIRE A ROOF DECK ON THE THIRD STREET BUILDING. DASHED LINE INDICATES THE RI OF THE STAIR TOWER TO THE ROOF.

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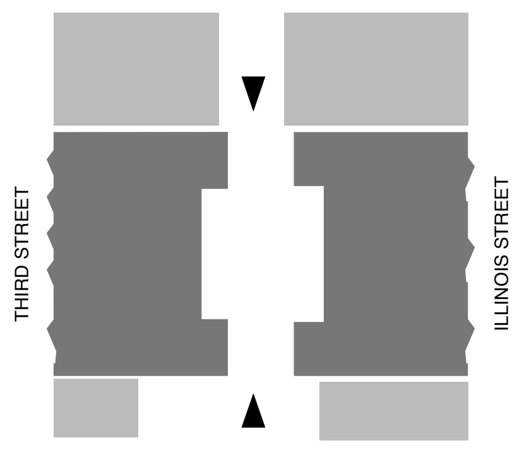

NORTH AND SOUTH ELEVATIONS

3/32"= 1'-0"

A13

BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

SHEET NOTES

① TWO-TONE COLORED CEMENT PLASTER
② METAL FRAME RAILING W/ HORIZOTAL BAR OR GLASS INFILL PANELS
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⑫ PAINTED METAL PANEL, OR PLASTER
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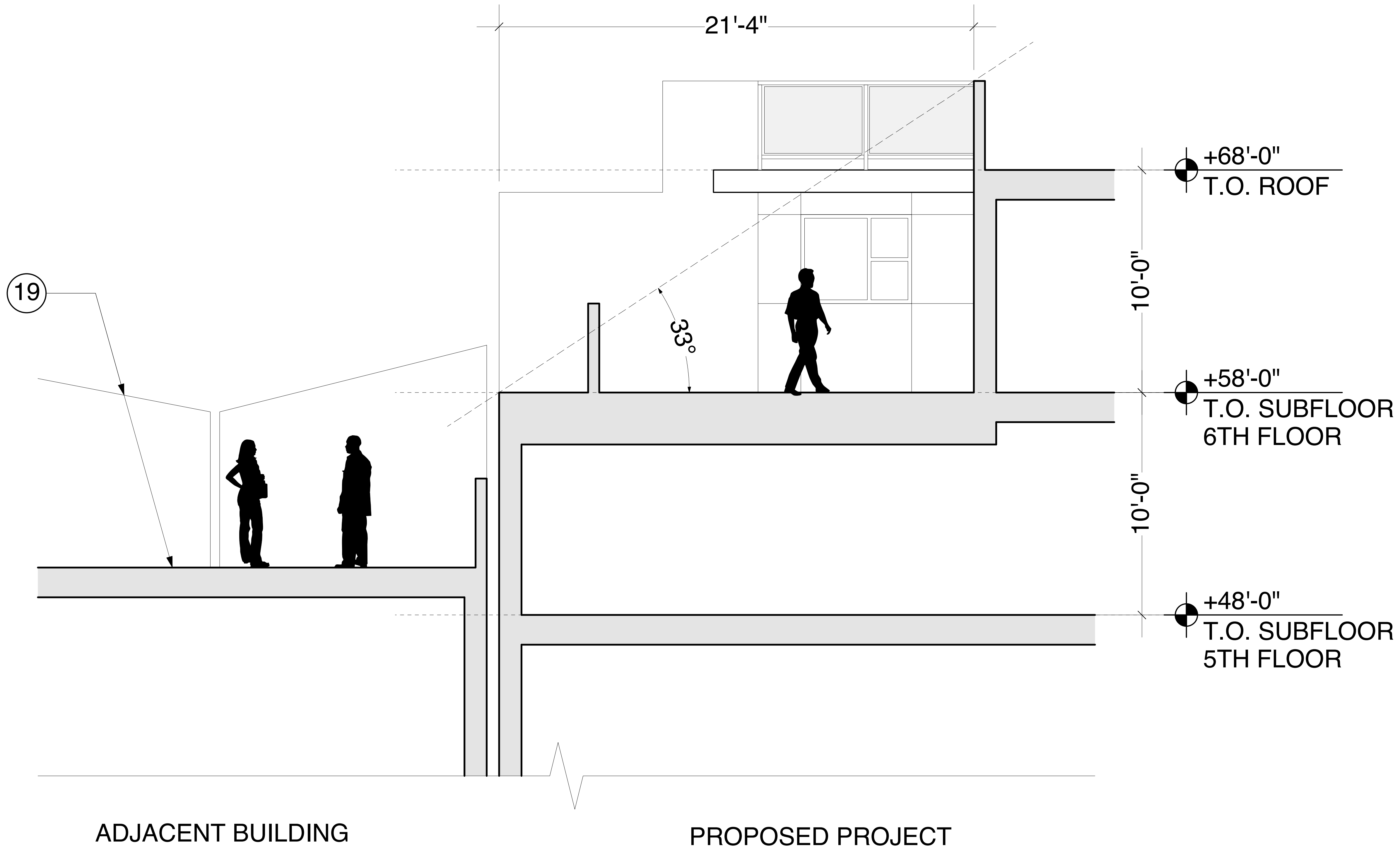
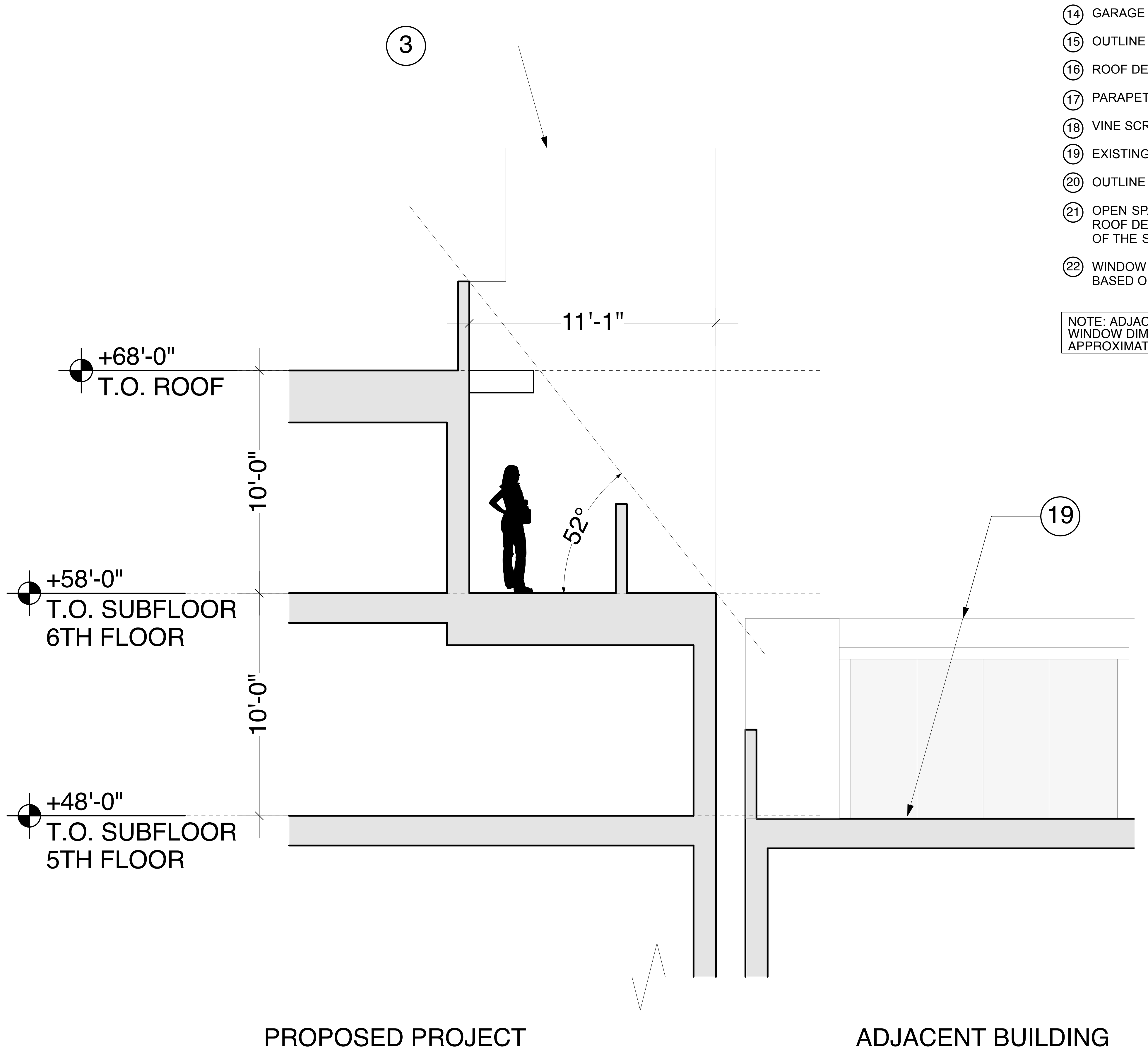
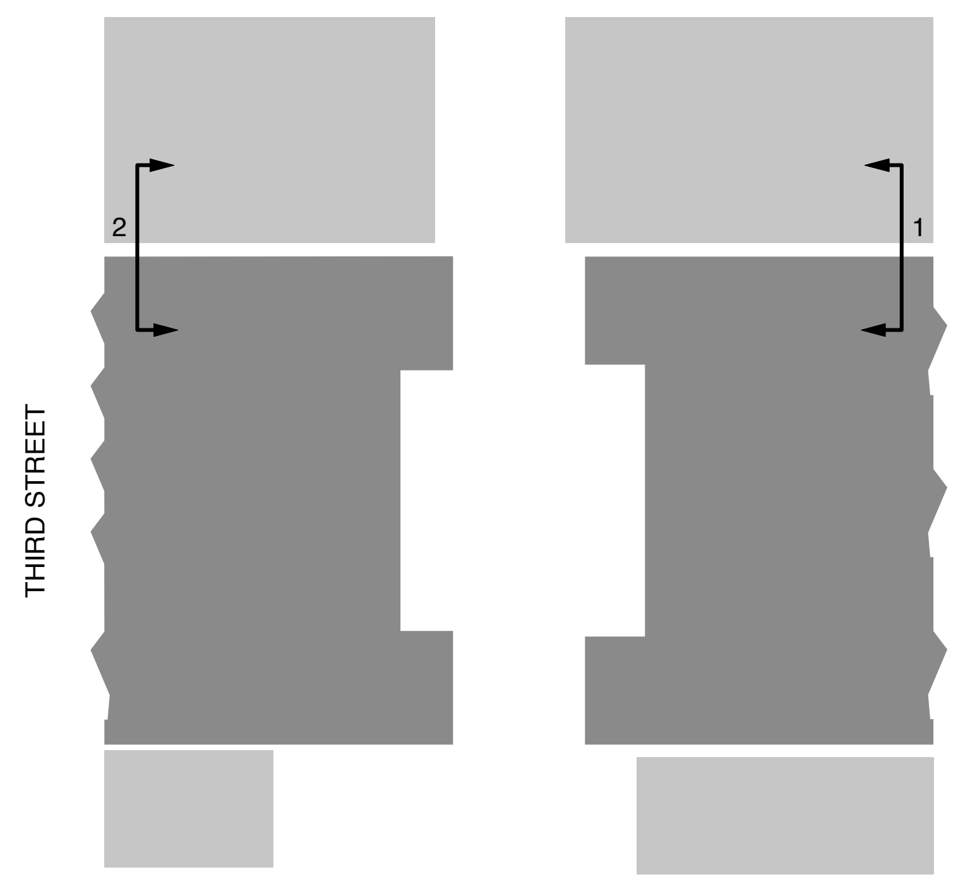


SECTION THROUGH ROOF DECKS LOOKING EAST 2



SECTION THROUGH ROOF DECKS LOOKING WEST 1



DIAGRAMMATIC SECTIONS THROUGH ROOF DECKS

1/4"=1'-0"

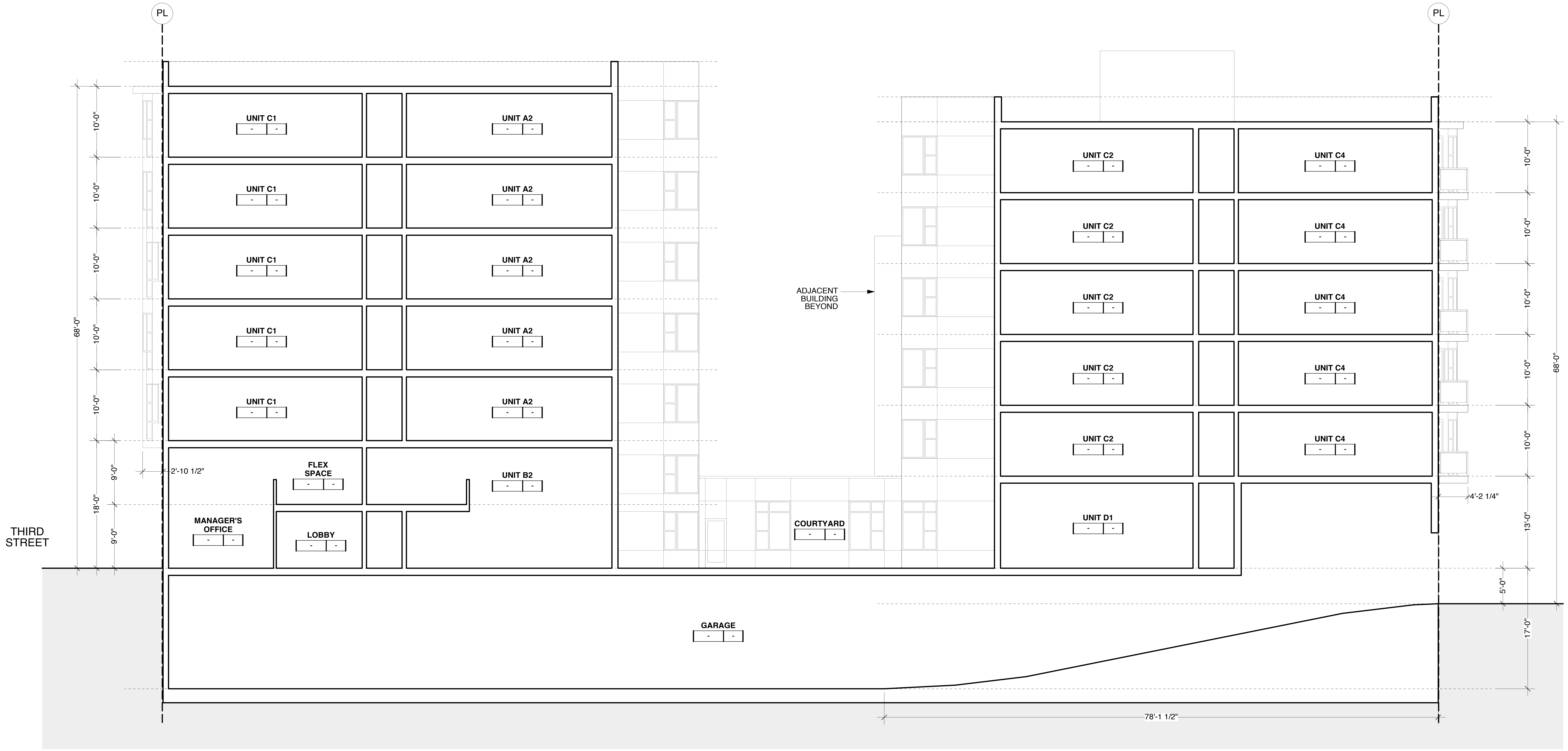
A14

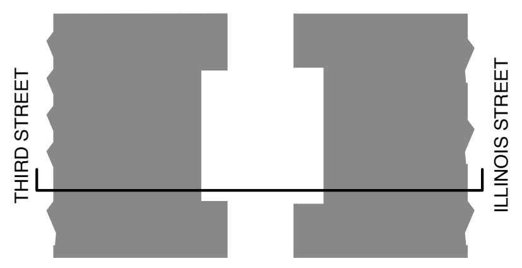
BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014





BUILDING SECTION - LOOKING NORTH

1/8"=1'-0"

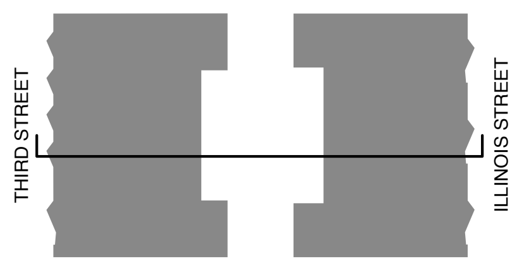
A15

3DE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014



BUILDING SECTION - LOOKING NORTH

1/8"=1'-0"

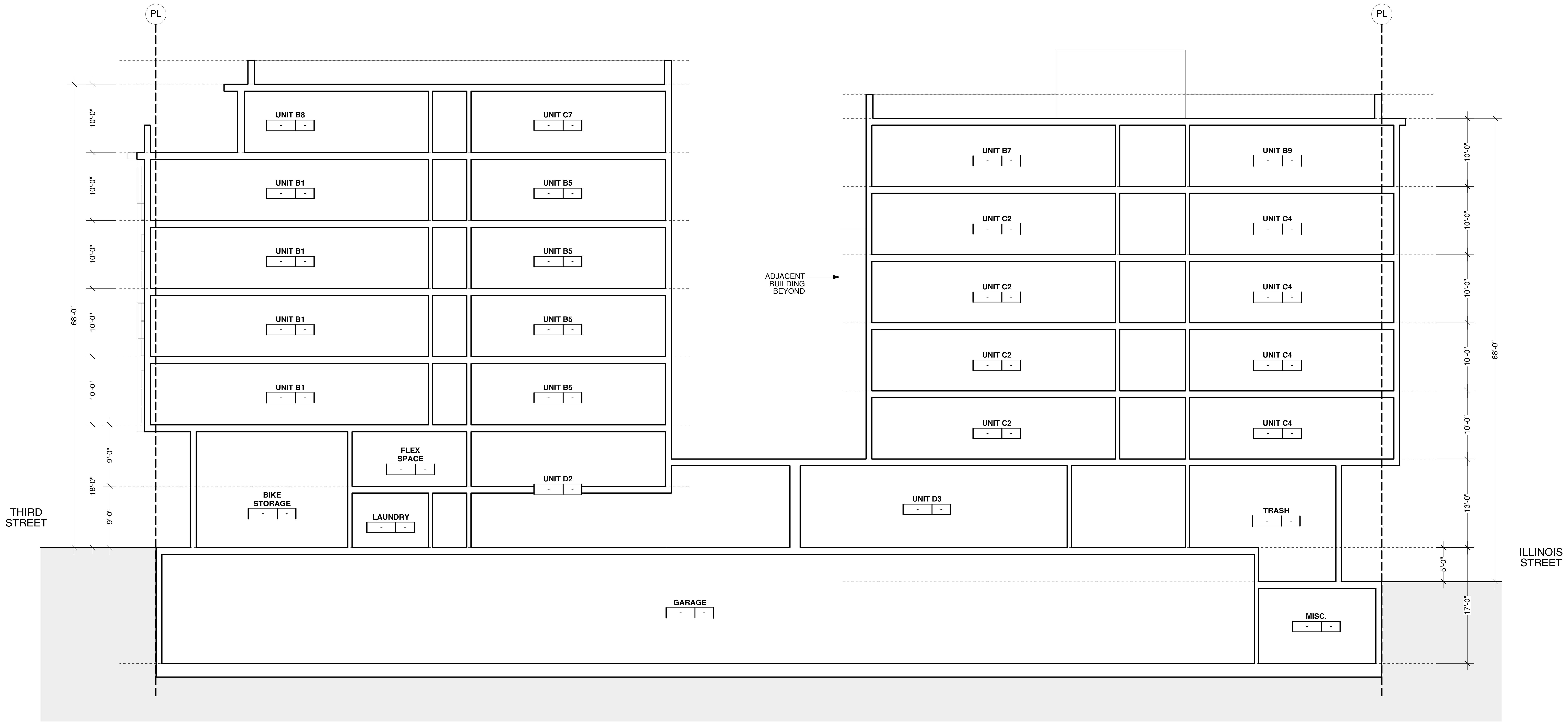
A16

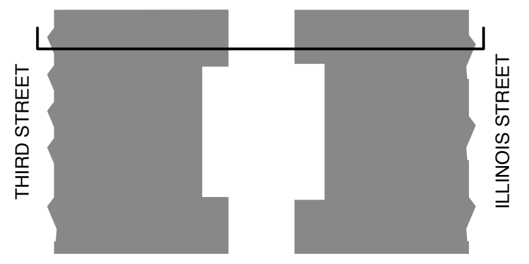
BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014





BUILDING SECTION - LOOKING NORTH

1/8"=1'-0"

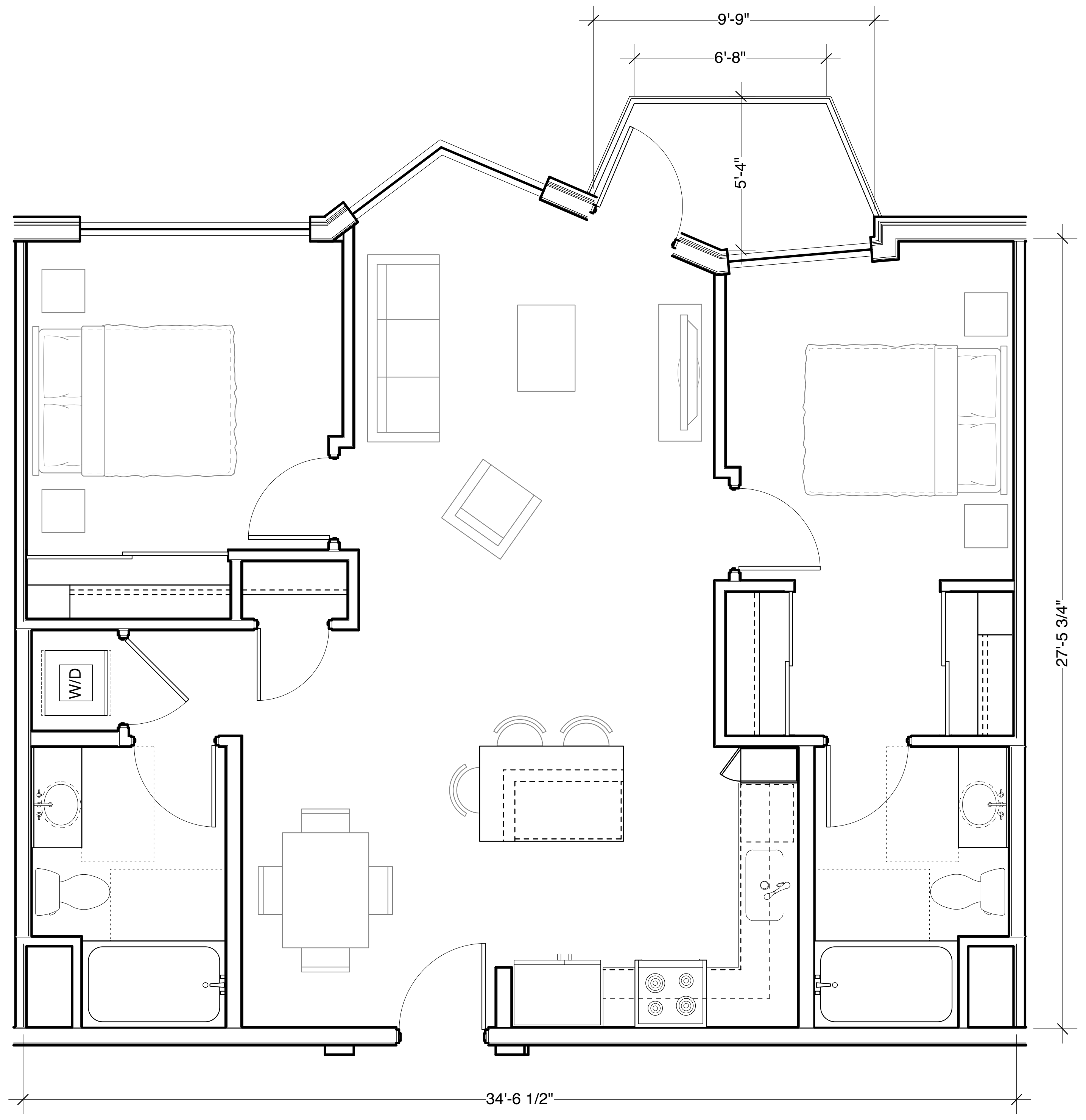
A17

BDE ARCHITECTURE

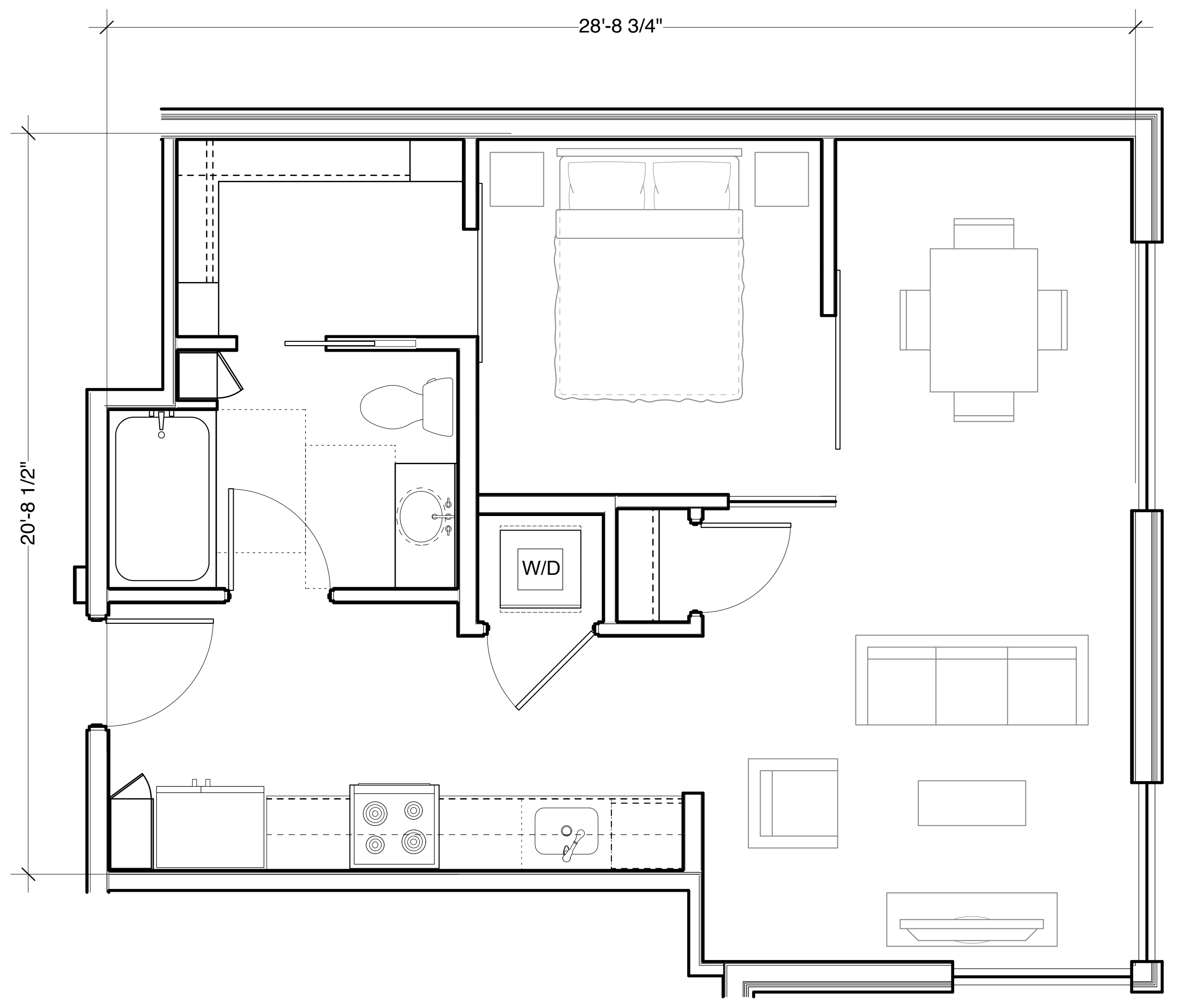
2051 THIRD STREET

SAN FRANCISCO, CA

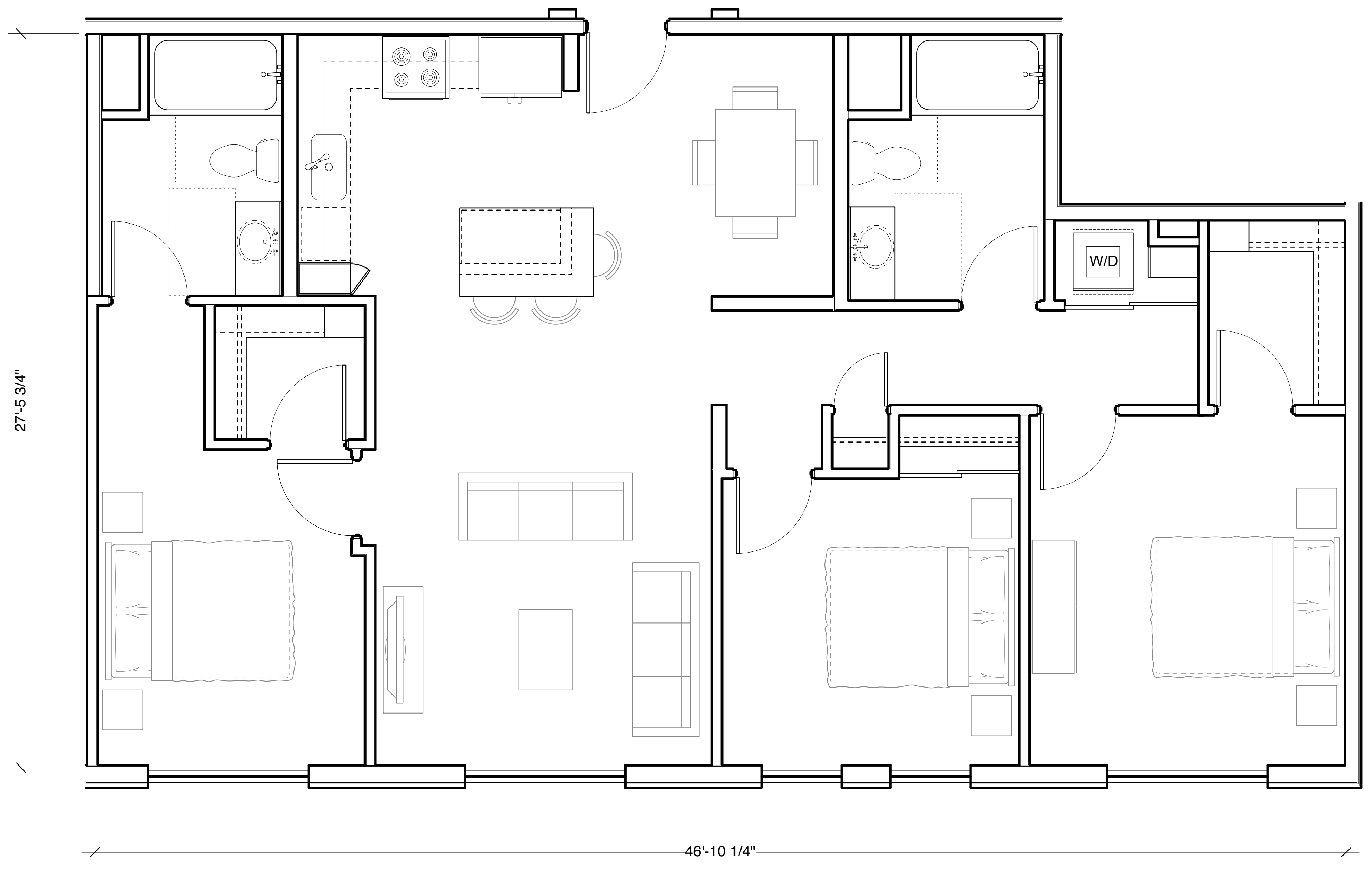
MAY 15, 2014



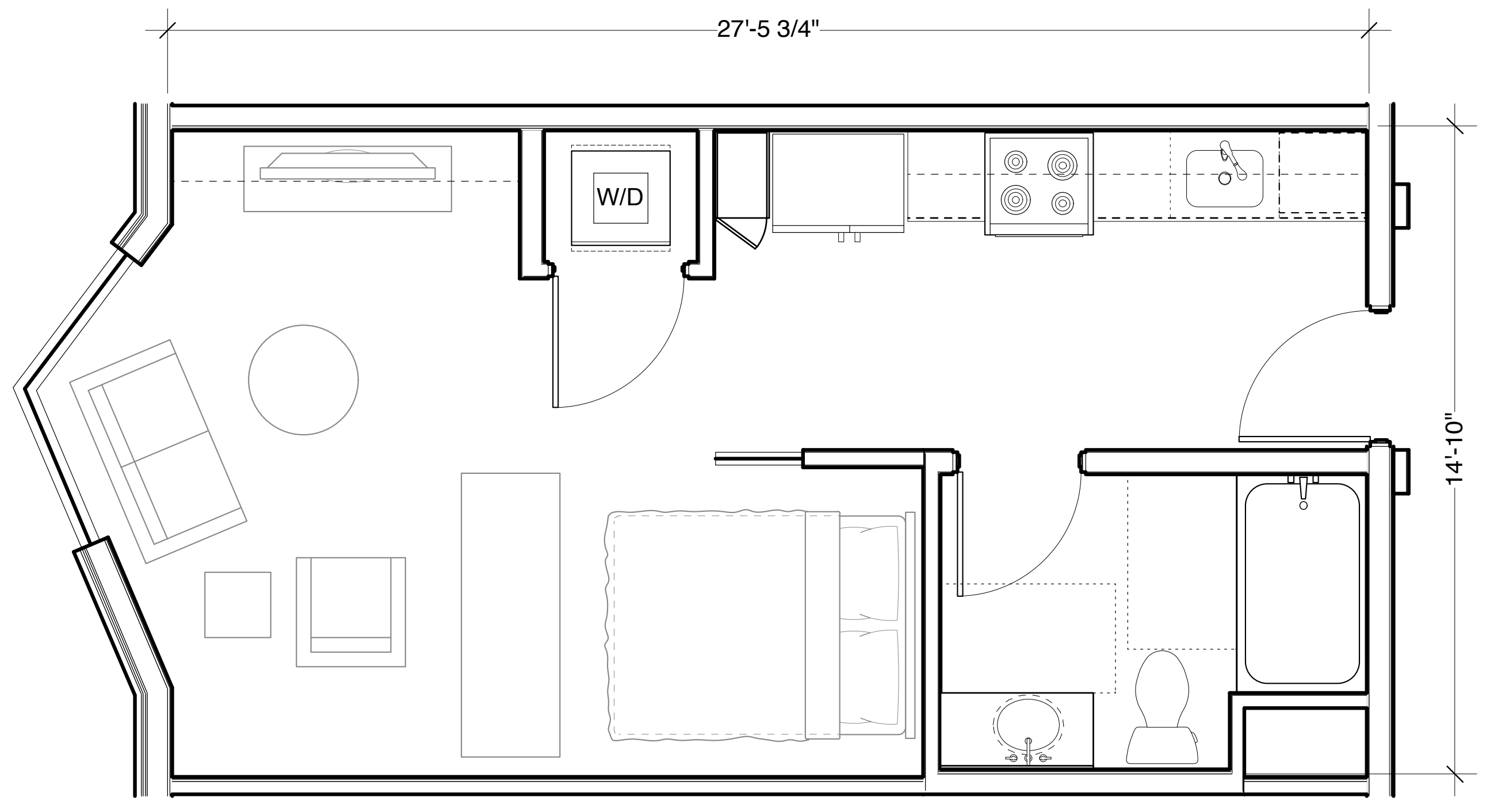
UNIT C4 4
1/4" = 1'-0"



UNIT B5 2
1/4" = 1'-0"



UNIT D1 3
1/4" = 1'-0"



UNIT A1 1
1/4" = 1'-0"

TYPICAL UNIT PLANS

1/4"= 1'-0"

A18

BDE
ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

THIRD STREET PERSPECTIVE

A19

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

ARCHITECTURE

ILLINOIS STREET PERSPECTIVE

A20

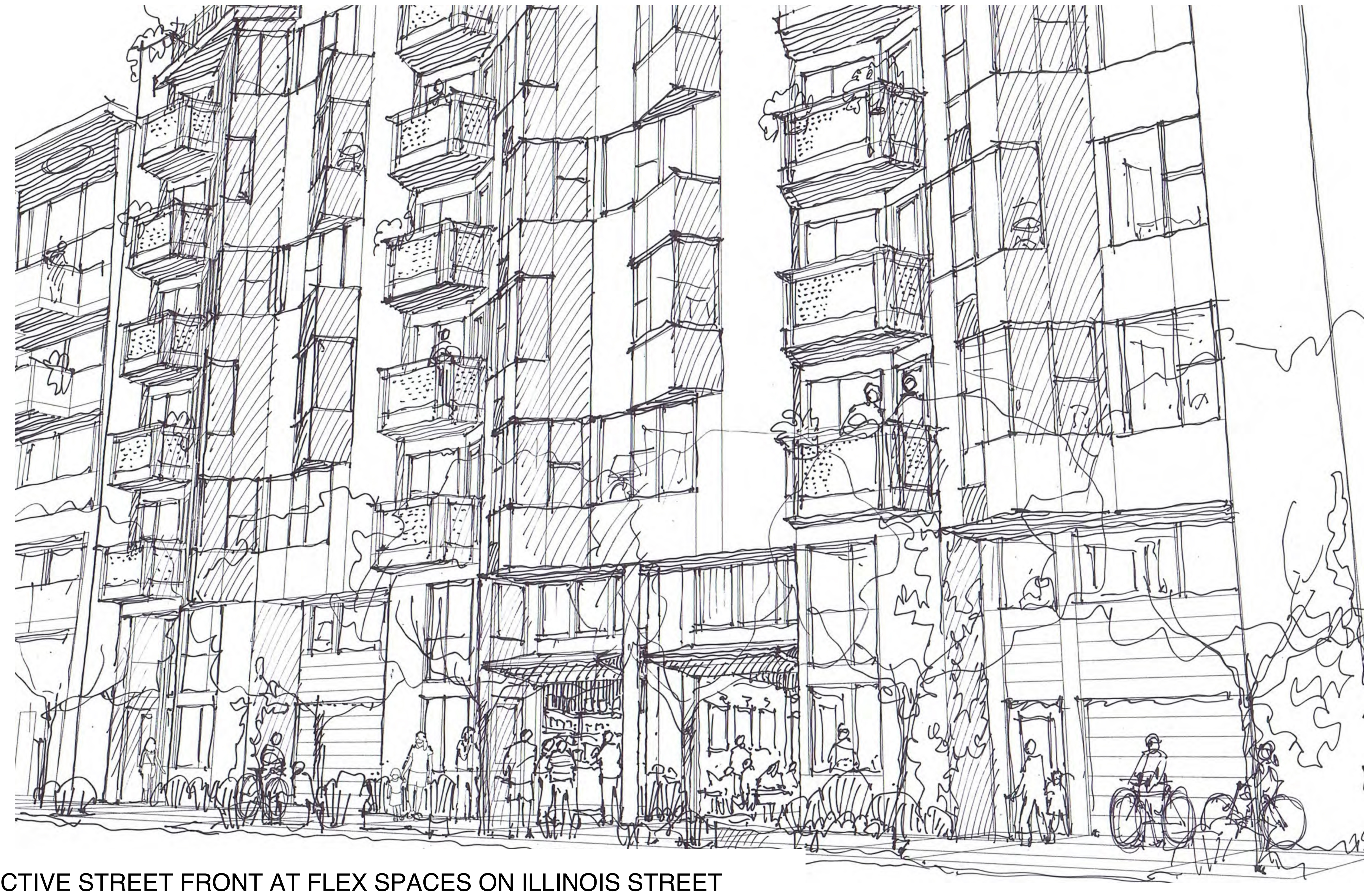
BDE
ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

ILLINOIS STREET PARAPET



ACTIVE STREET FRONT AT FLEX SPACES ON ILLINOIS STREET

THIRD STREET RESIDENTIAL LOBBY ENTRANCE

THIRD STREET PARAPET

NOTE: THE SKETCHES DO NOT ACCURATELY DEPICT THE ADJACENT BUILDING HEIGHTS OR THE MODIFIED DESIGN. PLEASE REFER TO THE ELEVATIONS FOR THE CORRECT BUILDING HEIGHTS AND DESIGN.

THIRD STREET PERSPECTIVES

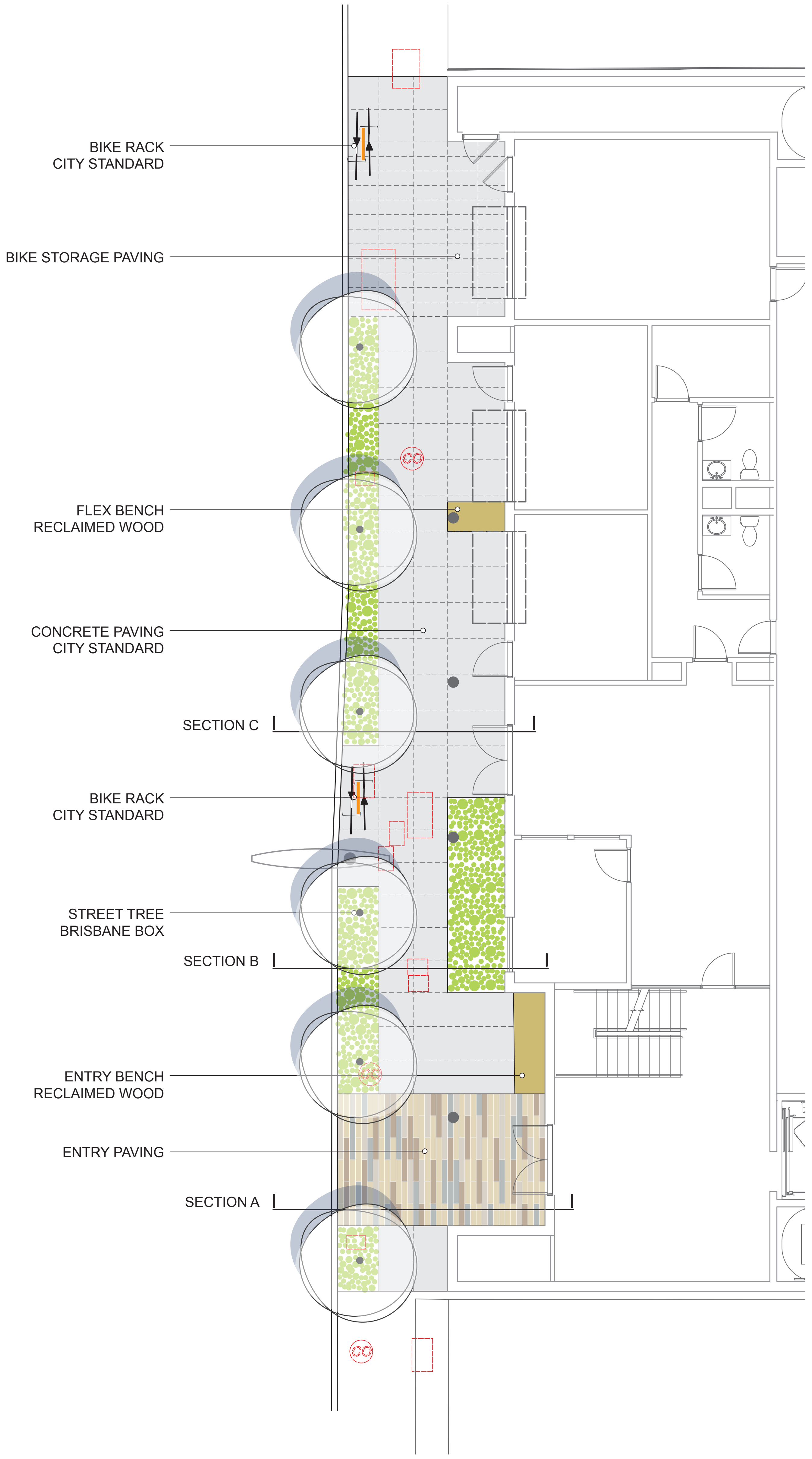
A21

BDE ARCHITECTURE

2051 THIRD STREET

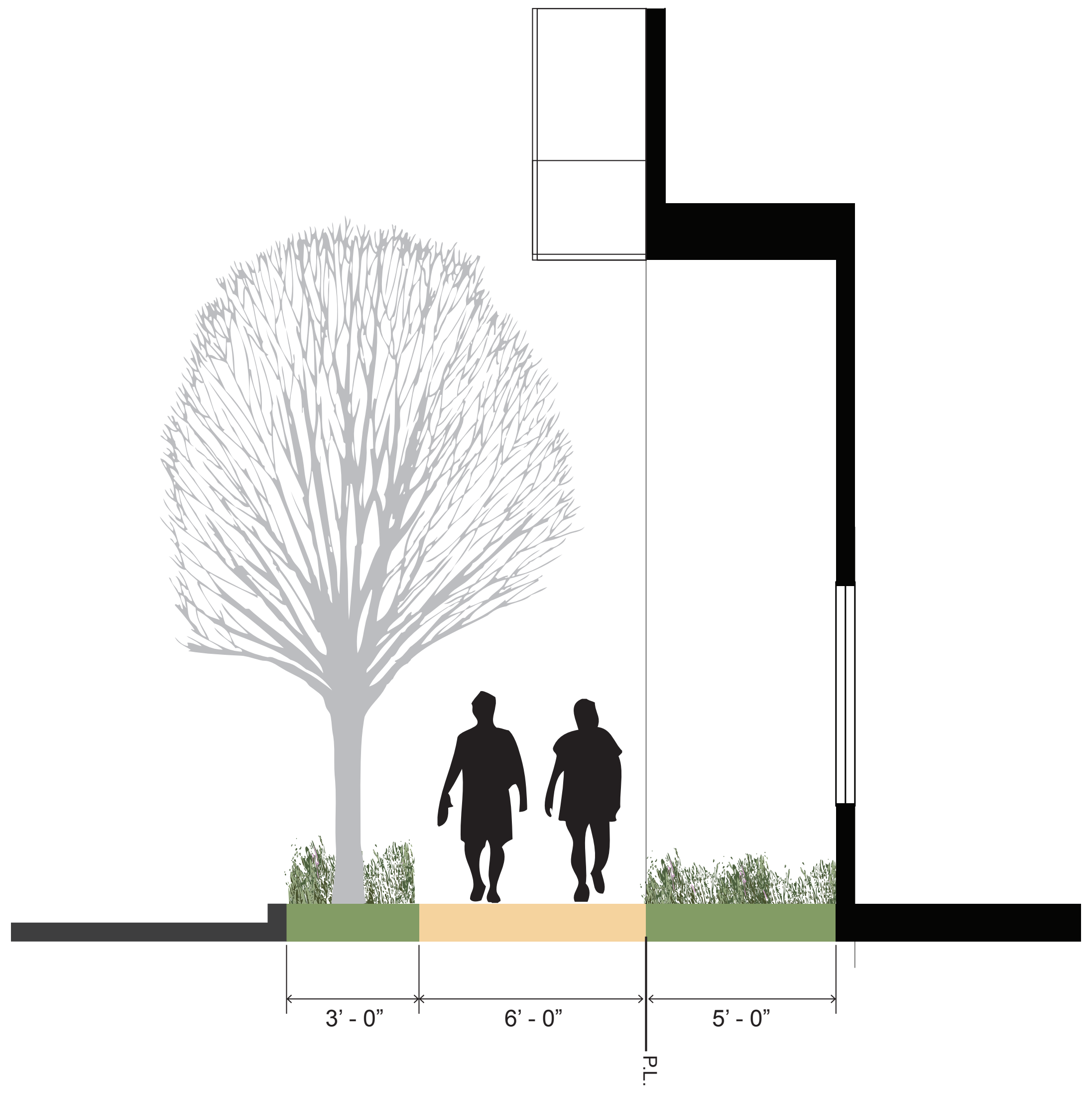
SAN FRANCISCO, CA

MAY 15, 2014



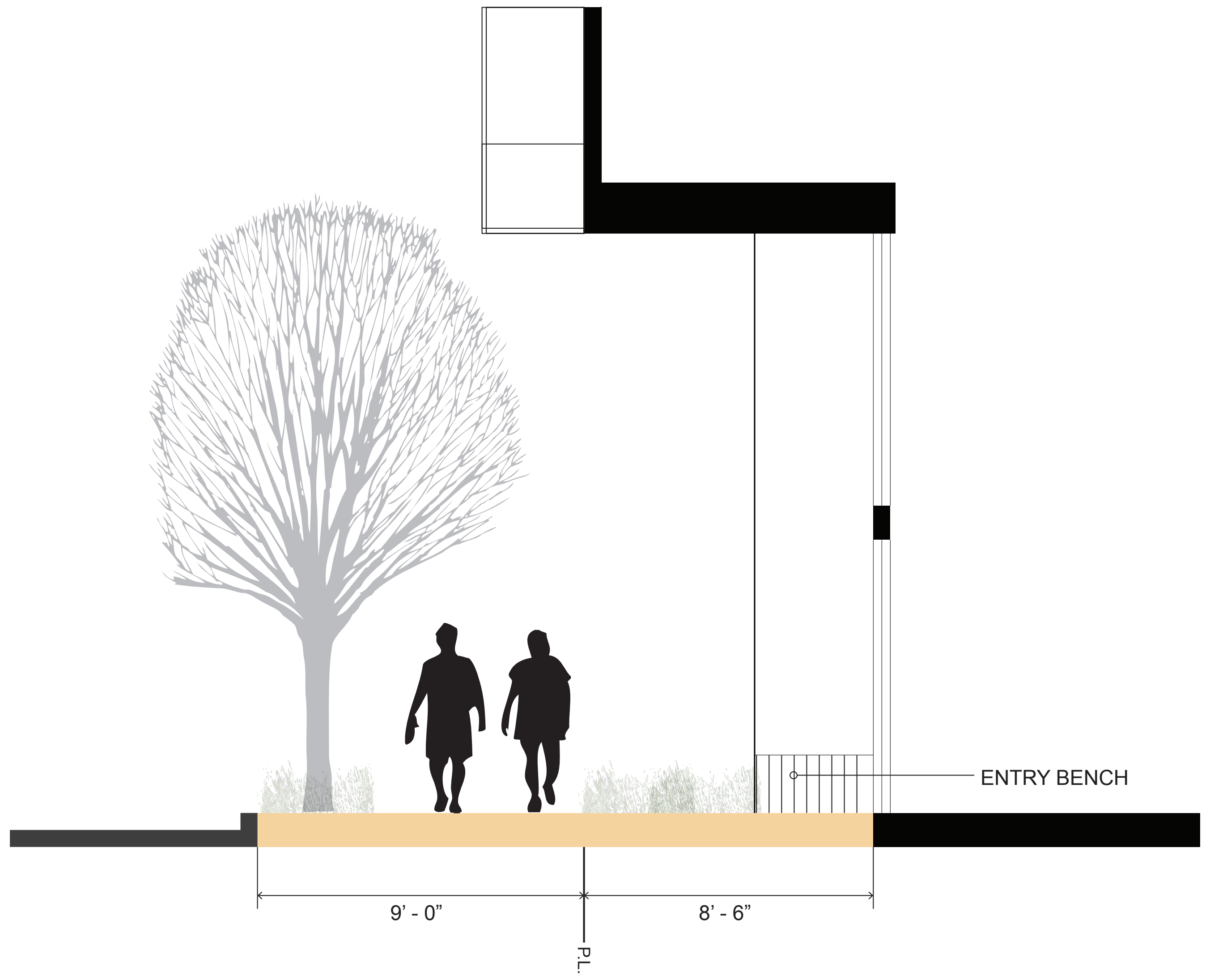
3RD STREET STREETSCAPE - PLAN

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



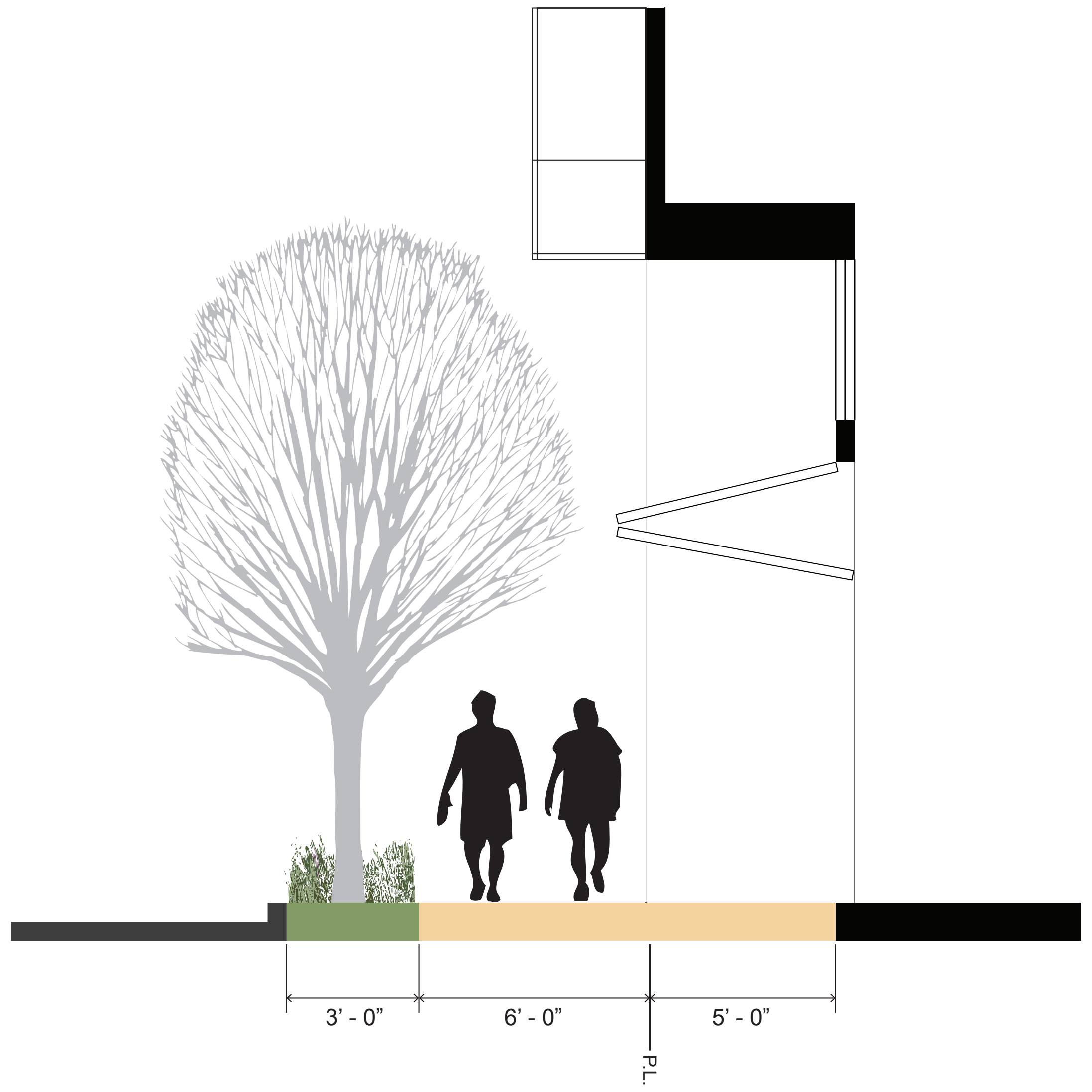
3RD STREET STREETSCAPE - SECTION B

SCALE: 1/4" = 1' - 0"



3RD STREET STREETSCAPE - SECTION A

SCALE: 1/4" = 1' - 0"



3RD STREET STREETSCAPE - SECTION C

SCALE: 1/4" = 1' - 0"

THIRD STREET PLAN AND SECTIONS

L1

BDE ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

THIRD STREET PERSPECTIVE - LOBBY ENTRY

THIRD STREET PERSPECTIVE - FLEX SPACE

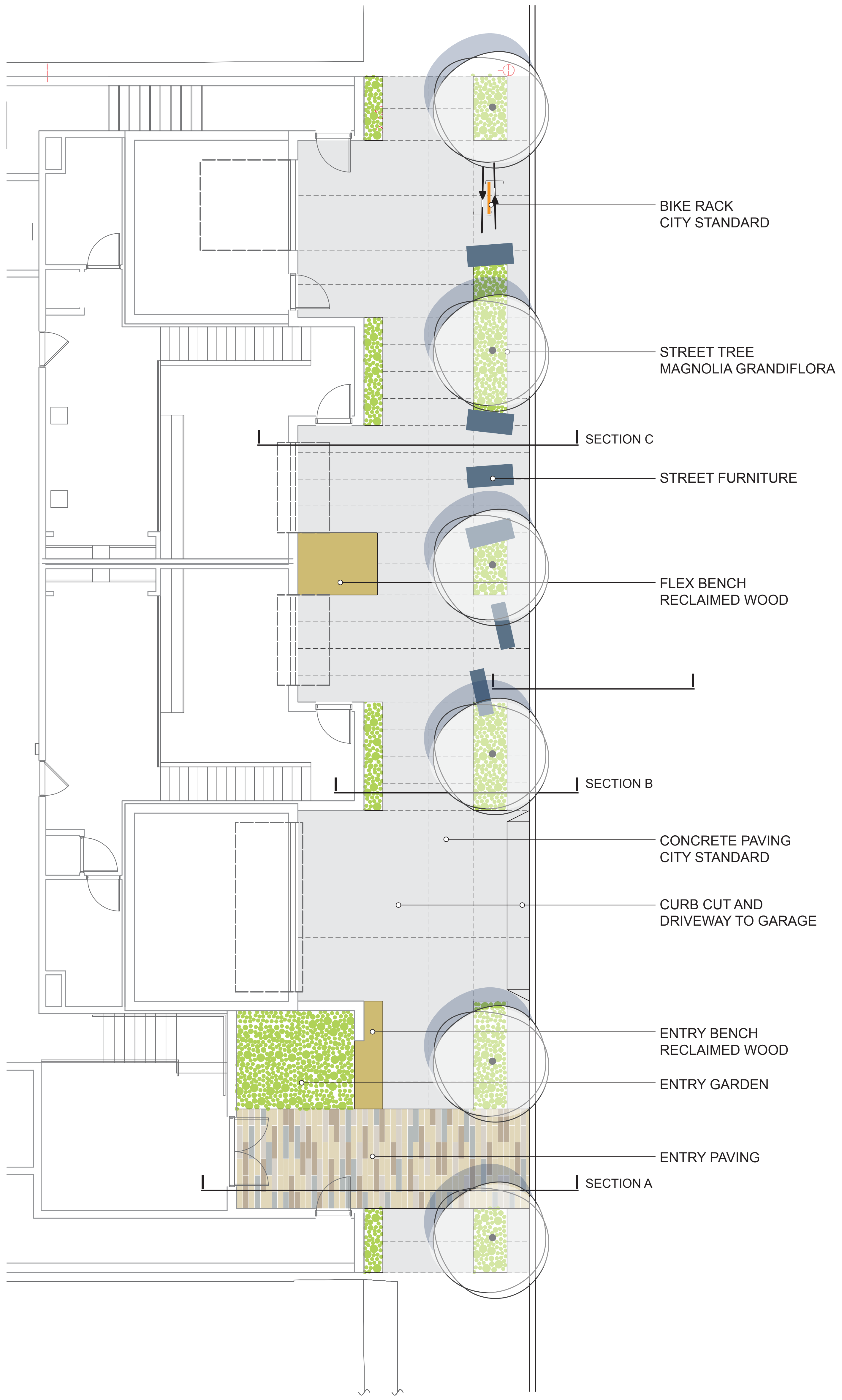
L3

BDE ARCHITECTURE

2051 THIRD STREET

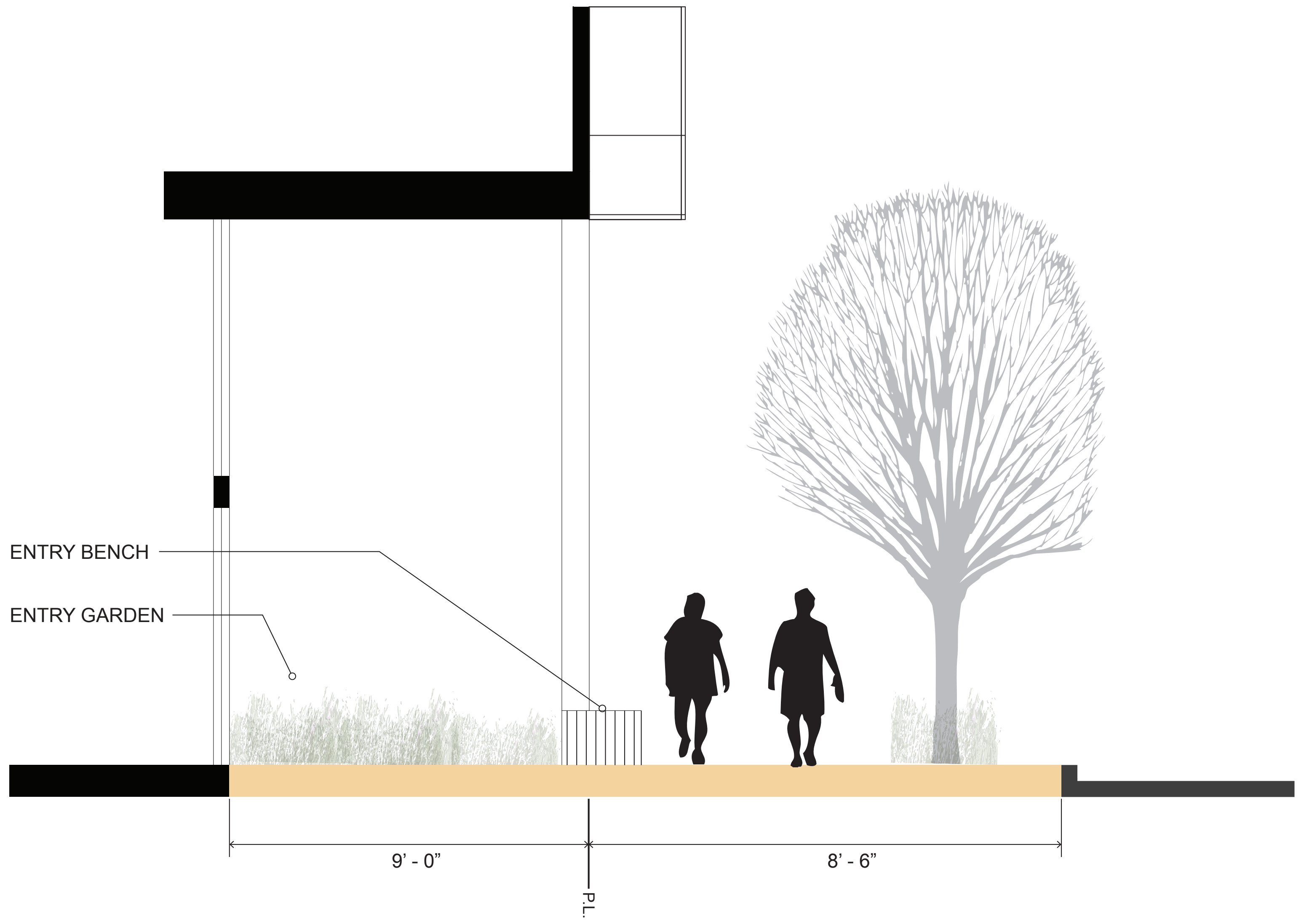
SAN FRANCISCO, CA

MAY 15, 2014



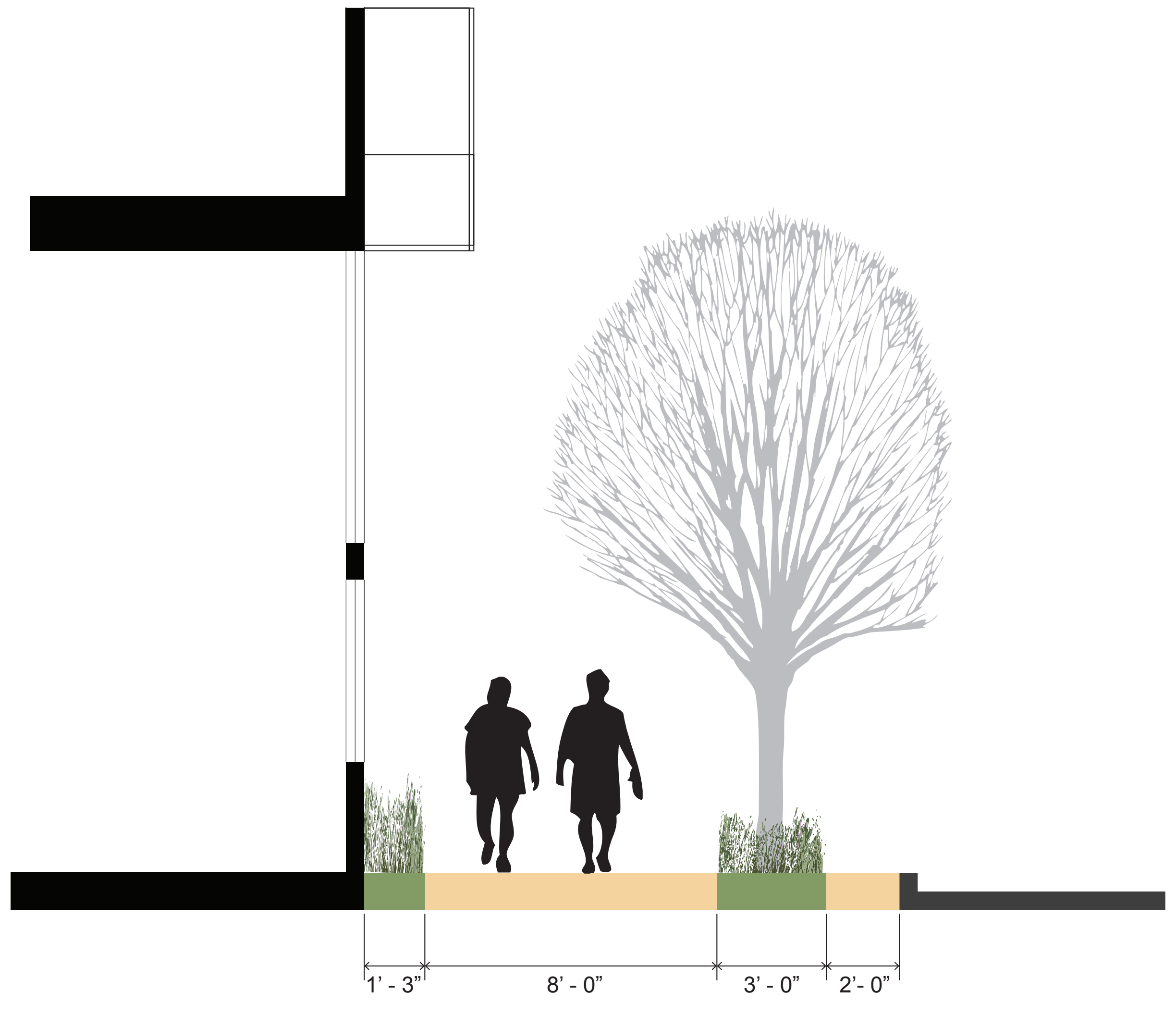
ILLINOIS STREET STREETSCAPE - PLAN

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



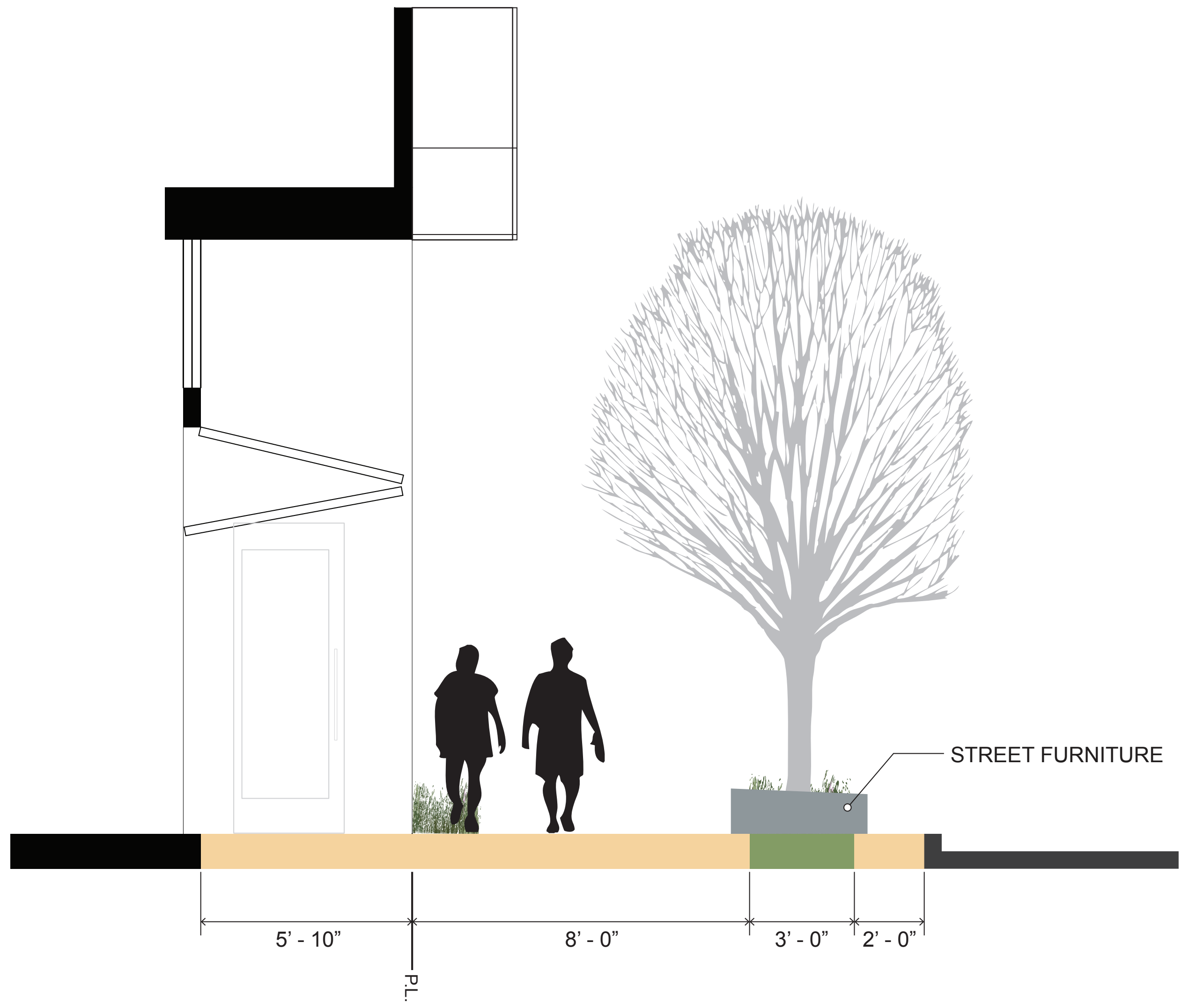
3RD STREET STREETSCAPE - SECTION A

SCALE: 1/4" = 1' - 0"



ILLINOIS STREET STREETSCAPE - SECTION A

SCALE: 1/4" = 1' - 0"



ILLINOIS STREET STREETSCAPE - SECTION B

SCALE: 1/4" = 1' - 0"

ILLINOIS STREET PLAN AND SECTIONS

ILLINOIS STREET PERSPECTIVE - LOBBY ENTRY AND DRIVEWAY

L5

BDE
ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

ILLINOIS STREET PERSPECTIVE - FLEX SPACE

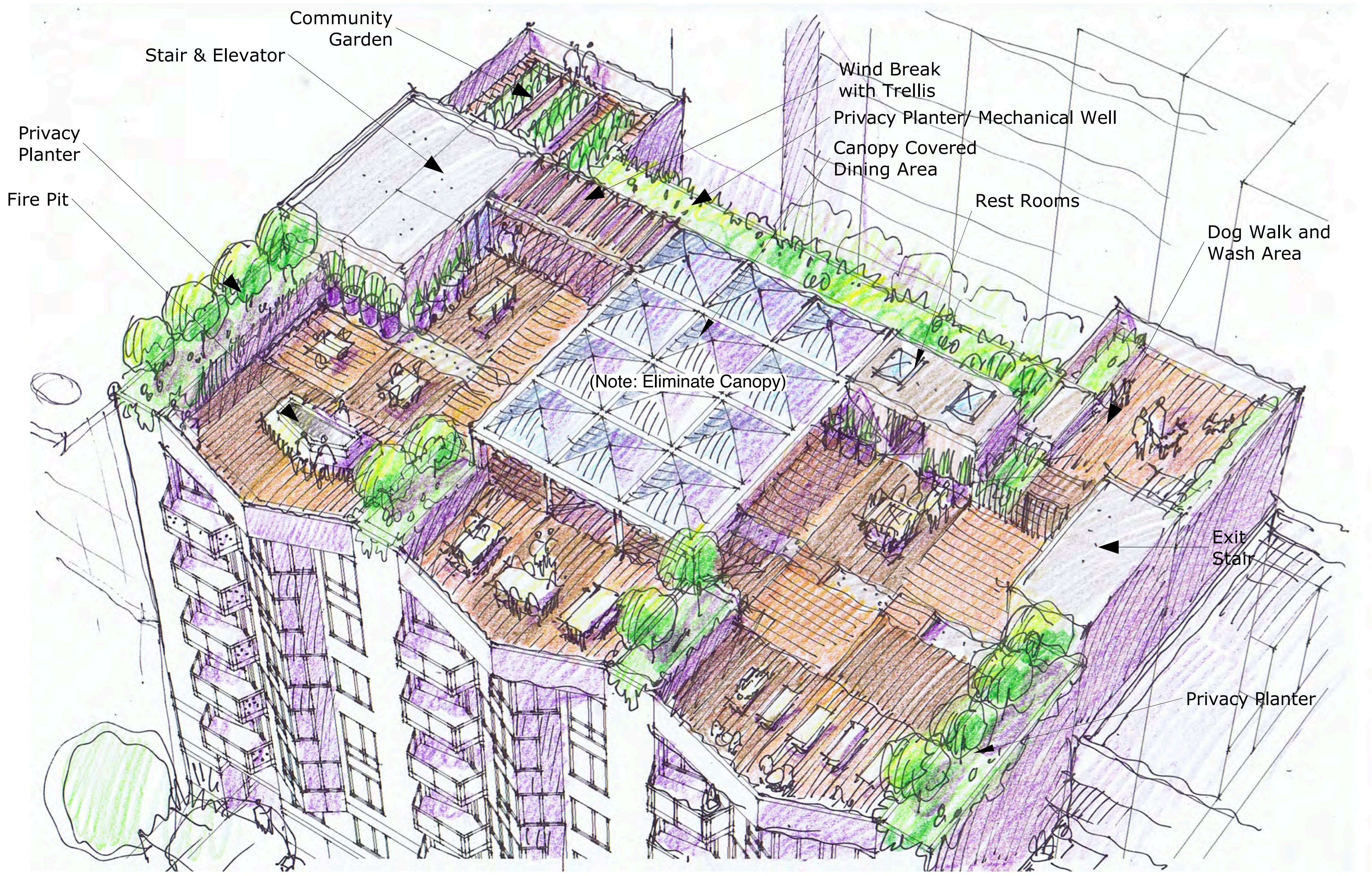
L6

BDE ARCHITECTURE

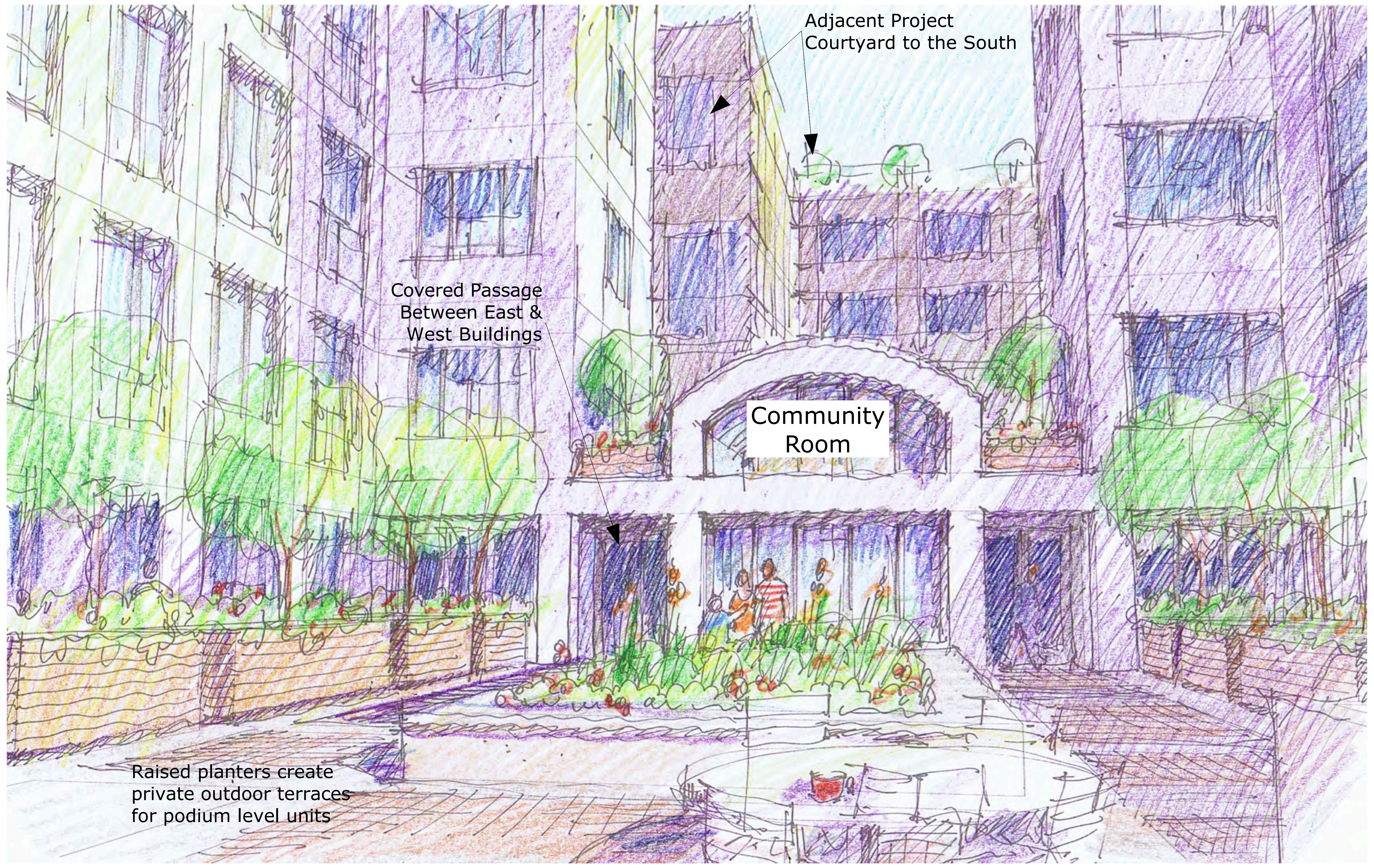
2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014



ROOF DECK CONCEPT 2



COURTYARD CONCEPT LOOKING SOUTH 1

NOTE: THE SKETCHES DO NOT ACCURATELY DEPICT THE ADJACENT BUILDING HEIGHTS OR THE MODIFIED DESIGN. PLEASE REFER TO THE ELEVATIONS FOR THE CORRECT BUILDING HEIGHTS AND DESIGN.

ROOF DECK AND COURTYARD PERSPECTIVES

L7

ARCHITECTURE

2051 THIRD STREET

SAN FRANCISCO, CA

MAY 15, 2014

REUBEN, JUNIUS & ROSE, LLP

May 23, 2014

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

Re: 2051 Third Street
Planning Case No. 2010.0726X
Hearing Date: June 5, 2014
Our File No.: 6527.02

Dear President Wu and Commissioners:

This office represents Raintree 2051 Third Street LLC, the Project sponsor ("Sponsor") of a proposed 93-unit residential development (the "Project") to be located at 2051 Third Street in the Dogpatch neighborhood of San Francisco's Central Waterfront area (the "Property"). The Project would directly advance goals of the Eastern Neighborhoods Plans by constructing an attractive high-density residential development on an underutilized parcel in a transitioning industrial area. The Project has been thoughtfully designed to respect the character of existing neighborhood while incorporating new active street frontages and public realm improvements that will support the growing community.

The Sponsor respectfully requests that the Planning Commission grant a large project authorization to allow the Project to proceed. We look forward to presenting the Project to you on June 5, 2014.

A. Surrounding Neighborhood

The Property is a 0.44 acre through lot with frontage on the east side of Third Street and west side of Illinois Street, between Mariposa and 18th Streets in the Dogpatch neighborhood of the Central Waterfront area. The site slopes down approximately six feet between Third and Illinois Streets, and is currently occupied by two older, non-historic industrial buildings. To the immediate north and south of the Property are relatively recent multi-unit residential developments.

The Property's Urban Mixed Use ("UMU") Zoning district is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area, and to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The Project proposes an ideal use for the site, as construction of new housing is expressly encouraged for this area by the Central Waterfront Area Plan, and the Project's residential character would complement surrounding land uses.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben[1] | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Kenda H. McIntosh | Jared Eigerman[2,3] | John McInerney III[2]
1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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B. Project Description

The Project would demolish the mostly vacant industrial buildings at the site and construct a new six-story building containing 93 rental units, active ground-floor uses, and a subterranean parking garage with 74 space-efficient parking spaces through the utilization of a car stacker system and two electric car charging stations. Ample open space would be provided through an attractive ground-level central courtyard; a landscaped rooftop deck featuring a community garden, dining area, fire pit, and dog walk; private residential balconies; and a number of inviting, publicly-accessible seating areas located in landscaped recesses along the Project's street frontage. In addition, residents would enjoy a range of building amenities including residential lobbies, indoor grade-level bicycle storage, a community room, and fitness loft.

The Project would complement the busy, newly-renovated urban boulevard atmosphere along Third Street by lining its ground floor with a 17-foot tall residential lobby, leasing area, and 2,165 square feet of "flex" spaces that are envisioned for use as small offices, coffee kiosks, art studios, or other active uses. These spaces will be inviting to residents in the surrounding neighborhood. By contrast, the Project's Illinois Street frontage would respect its comparatively quiet, waterfront atmosphere by providing access to subterranean parking, a residential lobby, and ground-floor dwelling units which could also be used as flex spaces.

C. Summary of Project Benefits

The Project will provide significant benefits to the City, including the following:

- **Smart Infill Development that Furthers Goals of the Eastern Neighborhoods Plans.** The Central Waterfront Plan (the "Plan") was adopted in 2008 as part of the Eastern Neighborhoods rezoning effort. The Project would be consistent with its underlying zoning controls and would further the intent of the Plan by (1) locating a new high-density residential development on an underutilized lot in this transitioning industrial area; (2) constructing a form of development that is consistent and compatible with the surrounding land uses; and (3) improving the public realm by incorporating new ground-floor active uses and attractive streetscape improvements that will support anticipated growth in the surrounding community.

- **Addition of 93 New Dwelling Units To the City's Housing Stock.** San Francisco is suffering from a housing shortage that has resulted in pent-up demand and an undesirable escalation in rental and for-sale housing prices. The Project would construct **93 new dwelling units**, increasing the amount of available housing within the City. These units would be provided in a diverse mix of sizes and configurations (33 studio units; 22 one-bedroom units; 35

two-bedroom units; and 3 three-bedroom unit) that would serve the needs of a broad range of potential occupants.

- **On-site Affordable Housing Units**. The Project would satisfy the Inclusionary Affordable Housing Program by providing **12 new on-site below market rate rental units in a diverse mix of type and sizes.** This would represent 13% of the Project's total housing units, furthering a core goal of the Eastern Neighborhoods Plans to "provide a significant amount of new housing affordable to low, moderate and middle income families and individuals, along with 'complete neighborhoods' that provide appropriate amenities for these new residents."

- **Provision of Long-term Rental Housing**. The Sponsor intends to enter an agreement with the City of San Francisco, **pledging to operate all 93 of its units as rental housing for a 30-year period.** The production of additional rental housing is encouraged by the Housing Element of the General Plan, which states that San Francisco is a "City of renters – which enables incredible diversity of age, income, and household type," and should make a concerted effort to encourage the continued development of rental housing. Rental housing is favored because it is more immediately accessible, and often more affordable than for-sale housing options. Thus, the Project's agreement to provide new long-term rental housing will directly benefit City residents and further policy goals of the General Plan.

- **Generous and Diverse Open Spaces.** The Planning Code requires that the Project provide 80 square feet of usable open space per dwelling unit, or 54 square feet per unit if publicly-accessible. For the Project's 93 dwelling units, this would require a total of 7,440 square feet of open space, or 5,022 square feet if publicly-accessible. The Project would meet this requirement by **providing 7,870 square feet of open space through a landscaped rooftop decks overlooking the San Francisco Bay and spacious private residential decks.** These areas would provide residents with a range of amenities including a community garden, dining area, fire pit, numerous seating areas and dog walk. Further, the Project would create a number of additional outdoor areas that meet the intent of the Code but not its strict dimensional requirements for usable open space. These areas would include a 2,041 square foot central courtyard with fountain; 962 square feet of publicly-accessible streetscape seating areas located in landscaped recesses along the Project's street frontages; and 774 square feet of privately-accessible juliet balconies. **In total, the Project would provide approximately 11,647 square feet of outdoor living space**, greatly exceeding the intent of the Code.

- **Improving Pedestrian Experience**. The Project would fill-in the street wall between its two adjacent residential neighbors, and line its ground-floors along Third and Illinois Streets with a range of inviting new active uses adjacent to publicly-accessible recessed and landscaped seating areas. The flex spaces provided at the Project's ground floor could be used for an array of purposes to serve residents of the surrounding community and enliven the surrounding sidewalk. Thus, the Project would improve pedestrian experience on both sides of the block.
- **Job Creation.** The Project will create jobs during construction and increase the City's workforce. The attractive new on-site leasing office and flex spaces will also create the potential for up to 8 new full and part-time positions, many of which are anticipated to be filled by local residents.
- **Development Impact Fees**. The Project will generate significant development fees – **roughly $1.6 million dollars** – to be used to improve transportation, open space, streetscapes, and other public amenities in the neighborhood.

D. Exception Requested.

The Project requires one exception to the Planning Code under Section 329, from the traditional rear yard setback requirement.

The Planning Code requires a rear yard equivalent to 25 percent of the total lot area or 15 feet, whichever is greater, beginning at the lowest story containing a dwelling unit. However, due to the site's through-lot configuration, a traditional rear yard setback would eliminate required active uses along one of the Property's street frontages, diminish pedestrian experience in the neighborhood, and result in a less efficient building design. For these reasons, the Project would provide a 53-foot wide, attractively-landscaped central courtyard in lieu of a rear yard. **The courtyard would create a visual connection at all levels of the building to existing mid-block open space to the north, and would maximize access of light and air to open spaces on both adjacent properties.** The courtyard would be comparable in size to the required rear yard area, and would fulfill the intent of the Code by assuring the protection and continuation of established midblock open spaces, and maintaining a scale of development appropriate to the district and consistent with the location of adjacent buildings.

E. Community Support

Even before submitting an application, the Sponsor had already demonstrated its commitment to working closely with neighbors and community stakeholders to design the Project in manner that complements the surrounding urban environment and responds to existing mid-block open space patterns. In direct response to concerns raised by nearby residents at a 2012 pre-application meeting, the Sponsor committed to re-designing the Project in order to align its central courtyard with existing mid-block open spaces to its east and west. This change reduced the potential density of the Project, but was embraced by the Sponsor as a means of maximizing light and air to its existing residential neighbors. In addition, the Sponsor has voluntarily participated in an iterative design review of the Project with the Dogpatch Neighborhood Association ("DNA"), and has incorporated many of their suggestions regarding exterior materials, streetscape elements, garage door aesthetics and other elements into the Project's final design. At the request of the DNA, the Sponsor has also included 3 three-bedroom units to provide an option for larger family housing.

The Project has received endorsement letters from a number of its neighbors, as well as the Dogpatch Neighborhood Association and San Francisco Housing Action Coalition. These letters are attached as **Exhibit A**.

F. Conclusion

The Project would create a new, thoughtfully-designed six-story residential building on a currently underutilized site in the Dogpatch Neighborhood of the Central Waterfront area. Its ground-level active uses and attractive streetscape improvements would re-activate this previously underutilized industrial site and create a more inviting atmosphere for residents and pedestrians. In addition, the Project will provide 93 units of desirable long-term rental housing including 12 new on-site below market rate units. For all of these reasons and those listed in the application, we urge that you support this Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Melinda A. Sarjapur

Enclosures

cc: Vice-President Rodney Fong
Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Rich Hillis
Commissioner Kathrin Moore
Commissioner Bill Sugaya

Jonas P. Ionin – Acting Commission Secretary
John Rahaim – Planning Director
Scott Sanchez – Zoning Administrator
Doug Vu – Project Planner
Jason Check – 2051 Third Street Development, LLC
Richard Price – 2051 Third Street Development, LLC

DOGPATCH
NEIGHBORHOOD ASSOCIATION

February 3, 2014

Re: Raintree Partners development proposal, 2051 Third St. & 650 Illinois St. Dogpatch

The Dogpatch Neighborhood Association (DNA) voted at our January 2014 meeting, to support the residential/mixed use/development proposal (UMU zoning) by Raintree Partners.

The DNA BOD (1 meeting) and DNA (three meetings) met with the developer team since June 2013 to discuss design, exterior materials, streetscape, mixed use on street level, garage door aesthetics, making the roof parapets as translucent/inconspicuous as possible, parking, bike parking, car share, sustainable building/maintenance and general likes/dislikes/issues within the neighborhood. The developer also met with neighbors and changed the interior courtyard to align with the two adjacent properties to take advantage of and not adversely affect light and air provided by those two courtyards. We understand that the developer is continuing to work with immediate neighbors to resolve a few light/air issues.

The sponsor and architect have responded to our many concerns and comments. We asked and they did include some 3 bedroom units for growing family options, street frontage “inverted” parklets at their street frontage for more public interaction and to provide more pleasing green space at sidewalk level, actual usable flex space/mixed use on the ground floor, usable roof open space for residents’ need for relaxing and getting light and air, dog walking, vegetable gardening.

We understand that the project will have 94 apartment units with a few 3-bdrm units with 2 bathrooms suitable for growing families, 77 car parking spaces, 94 bike park spaces.

We look forward to working with the planning/building dept. and the developer team as they move forward into final details and construction and anticipate this to be a positive addition to the neighborhood.

Sincerely,

Janet Carpinelli
President

1459 18th Street • #227 • San Francisco • California 94107

San Francisco
HOUSING
ACTION
COALITION

Jason Check, Director of Development
Raintree Partners
25 Taylor Street
San Francisco, CA 94102

January 21, 2014

Re: 2051 3rd Street, Mixed-Use Development

Dear Mr. Check,

Thank you for bringing your proposed development for 2051 3rd Street to the San Francisco Housing Action Coalition's (SFHAC) Project Review Committee. Following our review and discussion, the Committee believes your project has many merits and will contribute to SFHAC's mission of increasing the supply of well-designed and well-located housing in San Francisco. Therefore, we are pleased to give our full endorsement of your project.

Please see our letter that reflects how your project meets our guidelines. We have also offered a couple of recommendations we would like you to consider as you move forward with your designs, particularly pertaining to your proposed increase of car parking.

A copy of the project review guidelines we applied in reviewing your project is attached. Your project meets our guidelines in the following ways:

Project Description:
You are proposing a multifamily development, consisting of 94 apartments with two to four flex spaces.

Land Use:
The current site consists of three parcels that house underutilized commercial buildings. The surrounding uses consists primarily of residential and some commercial. Several new developments are being built in the vicinity, including the UCSF Medical Center expansion as well as the redevelopment of Crane Cove Park. The SFHAC believes this is an entirely appropriate location for housing. Your project should help activate the area, which has been rather dormant due to the underutilized industrial and commercial space that has occupied the area.

Density:
There is no maximum allowable density on the site. The density of your site, at 211 dwelling units-per-acre, is compatible with several of the newer developments in the Potrero and Dogpatch neighborhoods. Additionally, the height and massing of your

proposed project is consistent with the adjacent condominium projects. For these reasons, we feel the proposed density works well with the neighborhood.

Affordability:
The SFHAC is extremely pleased that you are proposing to provide 13 below–market-rate (BMR) units on-site at 55 percent of the area median income (AMI). This meets the required percentage for Urban-Mixed-Used (UMU) zoning at 14 percent. You expressed to us that it is not financially feasible for your project to exceed this amount.

Parking and Alternative Transportation:
Your project is located directly in front of the Muni stop that is served by the K-Ingleside/Third Street Muni line. The City is expected to increase the capacity of this line, which will allow it to serve greater ridership as more residents move into the neighborhood. Additionally, your project is served by the Route 91 bus line, which stops in front of the site.

SFHAC recommends that you reduce the 76 car parking spaces you are currently proposing. We understand you increased the number of spaces, from an initial proposal of 54, in response to concerns raised by residents in the Dogpatch neighborhood. However, since the location of your project is well served by several transit lines, it should not demand such a high number of parking spaces. We would much rather you increase the number of CarShare spots, instead.

Finally, we completely support your provision of 94 Class 1 bicycle parking spaces, which achieves a 1:1 ratio of bicycle parking spaces to residential units.

Preservation:
There are no structures of significant historic or cultural merit on the site.

Urban Design:
The SFHAC commends you for the measures you have taken in this category. The project's designs should create active, vibrant uses, while contributing to the evolving landscape of the Dogpatch neighborhood. You are proposing two to four flex spaces, two of which will include living quarters. You have designed these spaces with the intention of activating the streetscape. In your presentation to our Project Review Committee, you said that these spaces could be used as small service retail shops or boutique office spaces in the future. You have also set the building back along the residential entrance to encourage more activity on the street.

We're pleased to see that you have exceeded the required amount of open space. The required amount is 7,520 square feet, while you are proposing 9,800 square feet, an increase of 30 percent. Your project's open space includes 5,900 square feet on the roof deck and 3,900 square feet in the courtyard. You are proposing to put a cottage in the courtyard, which is intended to be used by guests visiting residents of the building. The SFHAC has never seen this in a project and is interested to see how it will work in yours. The roof consists of numerous amenities that will encourage activity on site.

You have only proposed one curb cut, which is to allow for garage access on the Illinois street side of the site. We appreciate that you have chosen to place it on Illinois Street rather than 3rd Street.

Environmental Features:
You are planning several measures in your project that will enhance the sustainability of the building. These features include: solar thermal boilers, low VOC paints, energy-efficient appliances and a cistern for grey water collection. To address water conservation, you have proposed drought-resistant plantings, permeable services where appropriate, low-flow plumbing fixtures and dual-flush toilets. At the time of your presentation to our Endorsement Committee, you had not established a LEED or Green Point certification target, but we encourage you to shoot for the highest reasonably possible.

Community Input:
The SFHAC recognizes that you have engaged the community and various stakeholders in your outreach. You have met with the Dogpatch Neighborhood Association several times and are in contact with the Potrero Boosters. You have also engaged many local business and residents of the adjacent condominium developments. These efforts appear to have helped improve the project's design.

These include removing two stacks of units to open up your courtyard to provide light to the adjacent condominium developments. The street-level flex spaces and landscape features are also designs that were implemented in response to community input.

Thank you for submitting this project to the SFHAC's Project Review Committee. Please keep us abreast of any changes or updates with this project. We are pleased to support your excellent project as it moves forward. Let us know how we may be of assistance.

Sincerely,

Tim Colen, Exceutive Director

SFHAC Project Review Criteria

Land Use: Housing should be an appropriate use of the site given the context of the adjacent properties and the surrounding neighborhood and should enhance neighborhood livability.

Density: The project should take full advantage of the maximum unit density and/or building envelope, allowable under the zoning rules.

Affordability: The need for affordable housing, including middle income (120-150 of Area Median Income) housing, is a critical problem and SFHAC gives special support to projects that propose creative ways to expand or improve unit affordability beyond the legally mandated requirements.

Parking and Alternative Transportation: SFHAC expects the projects it endorses to include creative strategies to reduce the need for parking, such as ample bicycle storage, provision of space for car-share vehicles on-site or nearby, un-bundling parking cost from residential unit cost, and measures to incentivize transit use. Proximity to transit should result in less need for parking.

In districts with an as-of-right maximum and discretionary approval up to an absolute maximum, SFHAC will support parking exceeding the as-of-right maximum only to the extent the Code criteria for doing so are clearly met. In districts where the minimum parking requirement is one parking space per residential unit (1:1), the SFHAC will not, except in extraordinary circumstances, support a project with parking in excess of that amount.

Preservation: If there are structures of significant historic or cultural merit on the site, their retention and/or incorporation into the project consistent with historic preservation standards is encouraged. If such structures are to be demolished, there should be compelling reasons for doing so.

Urban Design: The project should promote principles of good urban design: Where appropriate, contextual design that is compatible with the adjacent streetscape and existing neighborhood character while at the same time utilizing allowable unit density: pleasant and functional private and/or common open space; pedestrian, bicycle and transit friendly site planning; and design treatments that protect and enhance the pedestrian realm, with curb cuts minimized and active ground floor uses provided.

Projects with a substantial number of multiple bedroom units should consider including features that will make the project friendly to families with children.

Environmental Features: SFHAC is particularly supportive of projects that employ substantial and/or innovative measures that will enhance their sustainability and reduce their carbon footprint.

Community Input: Projects for which the developer has made a good faith effort to communicate to the community and to address legitimate neighborhood concerns, without sacrificing SFHAC's objectives, will receive more SFHAC support.

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name AMIRR SAEED Signature

Business Name (if applicable) COPY WORLD Title Manager

Address 2001 3rd St. City San Francisco

Zip Code 94107 Phone Number (415) 647-3507

Email info@sfcopyworld.com

~~Additional Comments~~

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name KRYSTAL KING Signature

Business Name (if applicable) M. TEIXEIRA INTL Title OFFICE MANAGER

Address 725 18th ST City SF

Zip Code 94107 Phone Number (415) 401-7778

Email krystal@soapstones.com

~~Additional Comments~~

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name Hye Cho Signature

Business Name (if applicable) The Sandwich Shop Title

Address 635 19th st City SF

Zip Code 94107 Phone Number (415) 282-1754

Email

Additional Comments

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name Signature

Business Name (if applicable) Potrero Launch Title Asst Mgr

Address 2235 3rd St City SF

Zip Code 94107 Phone Number 415) 626.3100

Email potrerolaunch@firestoneres.com

Additional Comments

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name Erwin Neubauer Signature

Business Name (if applicable) Title

Address 601 19th St. City S.F.

Zip Code 94110 Phone Number ( )

Email

~~Additional Comments~~

* * *

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name TRAVIS PERRY Signature

Business Name (if applicable) DogPatch CAFE Title BARISTA

Address 2295 South 3RD City SAN FRAN

Zip Code 94124 Phone Number (405) 762-2651

Email Perry.Travis@gmail.com

~~Additional Comments~~

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name Frank Wolf Signature

Business Name (if applicable) Arrow Paper Co Title President

Address 750 18th Street City SF

Zip Code 94107 Phone Number (415) 864-0900

Email frank@arrowpaper.com

~~Additional Comments~~

Dear San Francisco Planning Commission:

I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name Shane ONeil Signature

Business Name (if applicable) Arrow Paper Title Operations

Address 750 18th St City SF

Zip Code 94107 Phone Number (415) 864-0900 x 203

Email Shane@arrowpaper.com

~~Additional Comments~~

Dear San Francisco Planning Commission:

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Print Name Thomas J. Ryan Signature

Business Name (if applicable) Leo's Tire & Automotive Title Pres.

Address 2230 Third St City San Francisco

Zip Code 94107 Phone Number (415) 861-4300

Email

~~Additional Comments~~

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I support the proposed development at 2051 Third Street, a transit-oriented luxury apartment community located in Dogpatch neighborhood. **I believe that 2051 Third Street will be an asset to the Dogpatch community and an excellent addition to housing in San Francisco.** It will provide much in-demand housing near transit and jobs, plus make needed improvements to the existing underutilized and aging buildings, which will enhance the quality of life in the community.

Print Name Ever Aldana Signature

Business Name (if applicable) Title

Address 625 Mariposa St City SF CA

Zip Code 94107 Phone Number (415) 864-2644

Email

~~Additional Comments~~

From:	lorie maak <610loriemaak@gmail.com>
Sent:	Tuesday, May 13, 2014 5:06 PM
To:	Vu, Doug (CPC); Banales, Julian (CPC)
Cc:	Vdzack@aol.com; Vivian Wu; Jim Mager; jake rheinfrank; Amy Bickerton; Maria Topacio; Rockne Boger; Steven Perham; Todd Kelley; Tony Kelly; Topher Delaney
Subject:	2051 3rd Street Development / Raintree Development

Hi there Doug,

I am a loft owner at 610 Illinois Street. I understand you have now been assigned the 2051 3rd Street project since Ben Fu left the city.

The loft owners at 610 Illinois Street and 2011 3rd Street have very serious concerns and issues with the development as planned for 2051 3rd Street and as a normal citizen of the city, not a professional developer, I am writing to you for some guidance.

I had been lead to believe that the IADG, Industrial Area Design Guidelines, along with the San Francisco Planning Department: Eastern Neighborhoods Community Planning Guide, Central Waterfront, constituted the design guidelines for new development in our area. I have read every page of both of these documents and find that there are substantial conflicts with what those 2 city documents outline and the proposed plans for 2051 3rd Street by Raintree Development. **My question is, are those two city documents actually the guidelines we as community members can reference for new development in our area?**

The other issue I wanted your assistance with is in regards to the substantial number of windows which are on the south sides of our live/work loft buildings. These windows are in jeopardy of being totally covered by the new development. When our lofts were built in 1996 and 1997, the city encouraged the property line windows and they were legally installed. At the time we all moved in the area was still mostly zoned industrial and it is my understanding the windows presented no issue as the height of any new industrial buildings was controlled to be below our window height. Since there have been changes in the zoning it seems as our legal windows are in serious jeopardy.

No one between our two buildings ever recalls signing a document that detailed the potential complete coverage of our windows. I doubt this document exists as the zoning at the time would not have required it to be written. **My question is, do you know of the existence of this document and how I may get a copy? Also, if this document does not exist what accommodations can we expect a developer may make for us to maintain our light and air? Can we expect they design with setbacks for our windows?**

I welcome the opportunity to work with you collaboratively on this new development. We are all for smart, appropriate and well designed development in our area and are confident there is a solution which will support the existing neighborhood fiber as well as the developer's interests.

I look forward to hearing from you.

thank you,

Lorie Maak Ingram
610 Illinois Street, #205

San Francisco, CA 94107
415-517-3557

SMW | LAW OFFICES OF
STEPHEN M. WILLIAMS

1934 Divisadero Street | San Francisco, CA 94115 | TEL 415.292.3656 | FAX 415.776.8047 | smw@stevewilliamslaw.com

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

March 20, 2014

RE: **2051 3rd Street; Hearing Date: March 27, 2014;**
2010.0726X—Under Planning Code Section 329 for Large Project Authorization and Exceptions Including Rear Yard, Open Space and Street Frontage

President Wu and Members of the Commission:

Introduction

This office was retained earlier this month to represent the surrounding neighbors of this proposed project including the Homeowners Associations (HOA's) of the adjacent buildings to the north. The neighbors requested a continuance of the hearing on this matter originally scheduled for March 6, 2014 because the new developer had not met with them to review the project.

The parties were able to meet to discuss the Project on March 12, 2014 (the first available date from the development team), but were unable to reach any resolution. The 2011 Third Street Building has 15 units and is northwest of the subject site and the Shipyard Lofts has 12 units and is located at 610 Illinois Street (northeast of site). These live-work residential building were constructed in 1996 and 1997.

The proposed Project is to be located in what is a rare and special area of the mostly industrial Central Waterfront. This area was specifically designated as a "*residential* *enclave*" located within an industrial zoned area before the change of zoning in 2008. Attached hereto as Exhibit 1 is a page from the Industrial Area Design Guidelines (IADG's) showing that this particular subject block was considered a "residential enclave"-- an industrial area with significant residential use. As stated therein, any new buildings must be compatible with, and complementary to the prevailing residential pattern and structures.

As shown above, the subject site is flanked on both the north and the south side by *smaller* residential structures. The proposed location for this in-fill development calls for a sensitive design to avoid negative impacts to the neighboring residential buildings. Attached as Exhibit 2 is the Assessor's Block Map showing the site and the location of the adjacent HOA buildings. Even greater care should be used now that the Eastern Neighborhoods Plan has changed the zoning of the area to Mixed Use.

The neighbors first learned that the site was slated for development at a pre-application meeting in the year 2011—however, that proposal was much smaller. The preliminary project assessment memorandum produced by the Planning Department and dated October 14, 2010 contains the following project description at page 1:

> *The proposed project would demolish the existing buildings, merging the existing 3 lots, and erect two new three-story-over-garage, mixed-use building with 60 dwelling units, 43 off street parking spaces, 2000 sf of retail space, and totaling 80,000 square feet of area.*(Preliminary Project Assessment, "PPA," Dated October 14, 2010 Attached as Exhibit 4)

Of particular note in the PPA is the fact that the Dept noted that the center courtyard, which is serving as the rear yard, was *"insufficiently wide to allow for sun access and exposure."* Moreover, the Dept concluded, *"Project sponsor should consider widening the courtyard and providing a stepback at the upper-level units to create a wider solar access fan."* (See page 7 of Exhibit 4)

At that time, the Project Sponsor was Mike Wiley, of Palo Alto Partners, representing the 2051 3rd Street LLC. The Project proposed the merger of three lots and creation of a very large, through lot between 3rd Street and Illinois Street. (The Board should note that lot mergers are *disfavored* in the Eastern Neighborhoods Plan to preserve affordability and fine grain design—See Exhibit 3) The neighbors attempted to impress upon Mr. Wiley the importance of shaping the design to ensure that their homes would retain access to light and air. Mr. Wiley assured the neighbors he had their best interests at heart and would work closely with them to ensure a compatible project that would not negatively affect their properties.

The neighbors heard nothing more from Mr. Wiley or about the Project. Unbeknownst to the neighbors, in May 2013, the Project was sold to *Raintree Partners*. Raintree is a private commercial real estate investment company engaged in the acquisition, development and redevelopment of multifamily residential properties in the major West Coast markets, with a particular geographic focus in California

Raintree immediately increased the size of the proposed Project. Attached hereto as Exhibit 5 is a letter dated August 7, 2013, from Raintree to Planner Ben Fu announcing its acquisition of the Project and its "revision." Raintree did not meet with the adjacent neighbors to explain the changes made to the Project—Raintree did not meet with the adjacent neighbors at all until March 12, 2014. Below is a table of the changes made to the Project by Raintree.

	Original Project	**Raintree Revision**	**% Increase**
Units	**88**	**94**	**8%**
Gross sq.ft.	**89,967**	**106,313**	**16%**
Height	**56'9"**	**68'**	**17%**
Rear Yard (Center Courtyard)	**3898sf (82% of code)**	**3175sf (66%)**	**-16 %(decrease)**
Parking	**52**	**74**	**30%**

The Project requires numerous 'exceptions" which act as the equivalent of variances under the Eastern Neighborhoods' Planning Code amendments. The Dept continued to issue requests that the courtyard/rear yard be increased in size as it had in October 2010. However, the courtyard was reduced in overall size. Its width was reduced from 55' to 53' and the openings facing the neighbors were reduced from 32' to 28'8". Raintree also determined to add a "cottage" to the rear yard that will further block access to light.

The impact on the northern neighbors is substantial. Although, because the developers have failed to comply with the most basic code requirements for notice and supplying drawings, the full extent of the impacts is not known. This Project cannot be moved forward for a myriad of reasons. The developers have simply failed to comply with the Code in numerous ways. Ignoring for the moment the discretionary issues in the application such as design and compatibility with neighboring structures, the plans are not Code-compliant or complete.

Summary of Code Violations and Failures to Provide Substantial Information:

1. Plans are completely substandard and do not contain north and south elevations or the "outlines" of neighboring structures. The openings and heights of neighboring structures are not shown on any portion of the plans (or photos from developer). No analysis of impacts possible—AT ALL.

2. Section 312 Notice not satisfied. The Neighbors (and the Commission) have not been provided with dimensions of the basic features, elevations and site plan of the proposed Project including the position of the adjacent buildings.

3. Shadow Analysis and Environmental Review Inadequate. Directly across Illinois Street to the east is the location of the City newest and most anticipated park---Crane Cove Park. No mention or review of the shadows to be cast on the park in the Prop K Shadow Study or reviewed under the Environmental Analysis.

4. Project violates numerous provisions of the applicable Design Guidelines for the Central Waterfront and mandates of compatibility in General Plan and Eastern Neighborhoods Plan. Over-sized Project will affect light and air to neighbors.

The Project Plans Are Not Code Compliant, Lack Basic Elevations and it is Impossible to Evaluate the Scale of the Project, Impacts to Adjacent Buildings or Exterior Dimensions ---The Neighbors Have NOT Received Code Required Notice

The Project plans lack the most basic information or analysis needed for an intelligent review and assessment of the proposed Project and its impacts. The plans as submitted to the Department and as submitted to the public do not provide the needed dimensions and elevations absolutely required on all projects---We need adjacent building elevations!

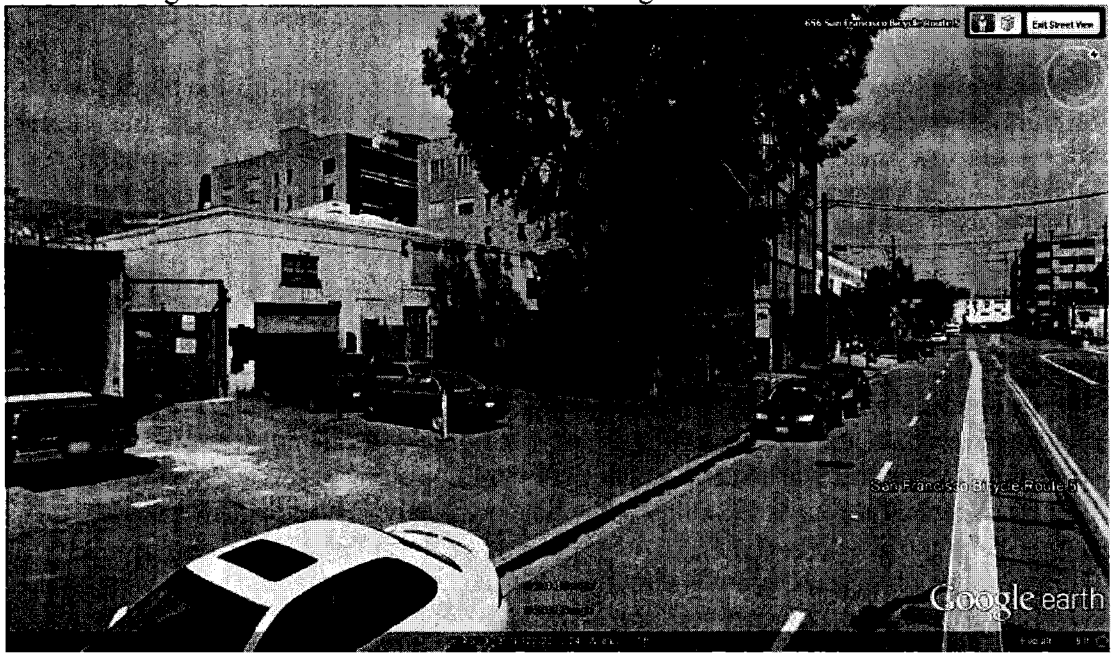
The plans do not contain elevations for the north or the south views of the proposal, only those for east and west. As a result, the traditional "outline" of the adjacent buildings is absent from the plans. It is unclear how this happened, but the lack of these elevations makes it impossible to judge the impacts to the adjacent homes. The proposal is to construct a solid wall at least fifteen feet (15') taller than both the adjacent buildings which will block light and air to the 27 units to the north.

The plans as submitted without elevations or adjacent buildings do not comply with the Code. Indeed, Planning Code Section 312 (and common sense) *mandates* that such information be provided not only to the Planning Department but also to the adjacent neighbors. Specifically, the Code section states in relevant part as follows:

> *It* (notice to the neighbors) *shall include a description of the proposal compared to any existing improvements on the site with dimensions of the basic features, elevations and site plan of the proposed project including the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference scale, existing and proposed uses and commercial or institutional business name, if known.* (Planning Code Section 312(d) (2))

The 2011 3rd Street Building and the Shipyard Lofts Building at 610 Illinois Street to the north of the project site have numerous windows, decks and setbacks at the property line. These openings include property line windows for individual units and for common space such as stairwells and hallways. The roof of the adjacent buildings have decks and open areas where the neighbors spend much of their time. As seen below, 2011 3rd Street has numerous such openings. This view is from 3rd Street looking towards the northeast across the subject site as it fronts on 3rd Street.

A view across the subject property looking to the northwest as it fronts on Illinois Street (below) also shows the numerous lot line windows and other openings on the Shipyard Lofts Building and the 2011 3rd Street HOA Building.



There is no depiction of the windows and openings of the adjacent buildings anywhere in the packet—not on the plans or on any photos. Obviously, no analysis has been done on the impacts this Project will have on the neighboring residential units, how much light will be lost, and how much shadow will be cast by the proposed new structure. The lack of fundamental information requires this Project be returned to the Dept for further review and provision of plans with elevations depicting the adjacent buildings.

The Project Overwhelms Both Neighboring Buildings in Scope and Size and Violates Numerous Provisions of the Design Guidelines

The proposal is to merge three existing development lots into one, demolish two existing buildings on the site and construct a new, very large six-story-plus building of 94 units. The building would be located in what is now the required rear yard of the new lot. The project also seek multiple exceptions to further reduce the rear yard of the new lot below the minimum 25% and to reduce open space and street frontage requirements. As noted in the table above, the proposal provides a fraction of the required rear yard of 25%.

The Dept repeatedly asked that the Project increase the center courtyard area and provide setbacks at the upper floors to allow more light to reach the lower floor and the courtyard itself. However, in response, the Project was *increased* in height and the courtyard was *reduced* in size. This is not good planning practice or design practice. The "exceptions" cannot be justified and have direct negative impacts on the neighbors.

Attached hereto are Design Guidelines for the Central Waterfront. These Guidelines echo the General Plan policies and emphasize that new construction must be compatible with, and appropriate for, the built environment of the existing neighborhoods. In this instance, the Project is designed as if there is no context and as if there were no buildings around it. Indeed as noted above, the plans fail to depict or acknowledge the existing buildings.

The proposed Project is taller than both neighbors are and overwhelms the block facades on Illinois Street as well as on Third Street. As requested by the Department, the interior courtyard (rear yard) should be increased in size and substantial setbacks should be incorporated at the upper floors to provide light to the lower units of the Project and to the adjacent neighbors to the north.

The Shadow Analysis and Environmental Review Fail to Acknowledge or Protect a Major New Park---Located Directly Across the Street

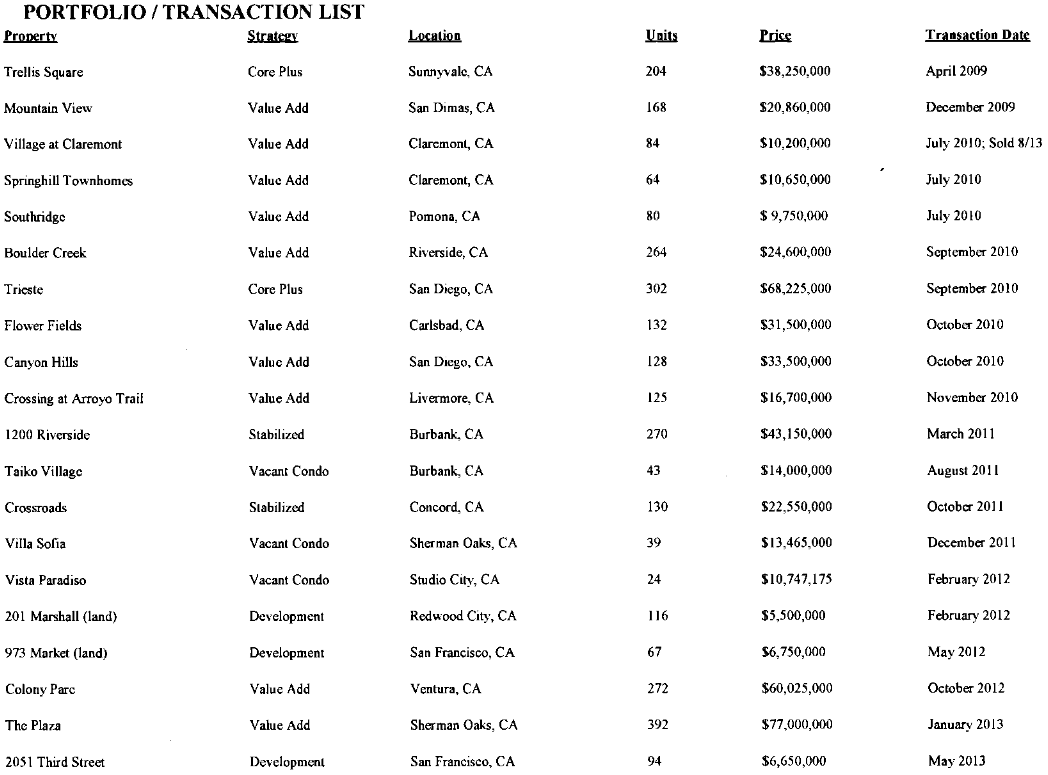
The shadow analysis was completed on April 1, 2013. The environmental review relies on that shadow fan and concludes that the new building will cast no shadows on open space near the subject site. (See page 28-29 of the Environmental Exemption in the Dept Packet). Attached hereto as Exhibit 7 is the Shadow Analysis dated April 1, 2013.

However, the proposed Project is directly across the street from what is known as "PIER 70 --Crane Cove Park." This 9-acre site is slated to become one of the most celebrated new parks in the City. It is uniquely located within an eligible National Historic District at Pier 70. Attached hereto as Exhibit 8 is a copy of a map showing the new Crane Cove Park and the approximate location of the proposed project directly across Illinois street.

The proposed project, if constructed as proposed, will cast shadows on the park for most of the day. The Project height was increased to the absolute maximum of 68 feet *to the* *roof.* With its parapets and other roof top penthouses etc, it will exceed 80 feet. An analysis of the impacts of the proposed Project and its maximum height, which is greater than all of the surrounding buildings on the block face, must be part of the shadow analysis in the Planning Dept packet as well as the shadow analysis of the environmental review.

The Project is Far Over-Parked and is Located on a Major Transit Line

Raintree acquired this Project for $6,650,000 in May 2013. It is among the very smallest project Raintree has in its Portfolio. Attached is the Portfolio List from the Raintree site. Note the subject property at the bottom.



PORTFOLIO / TRANSACTION LIST

Property	Strategy	Location	Units	Price	Transaction Date
Trellis Square	Core Plus	Sunnyvale, CA	204	$38,250,000	April 2009
Mountain View	Value Add	San Dimas, CA	168	$20,860,000	December 2009
Village at Claremont	Value Add	Claremont, CA	84	$10,200,000	July 2010; Sold 8/13
Springhill Townhomes	Value Add	Claremont, CA	64	$10,650,000	July 2010
Southridge	Value Add	Pomona, CA	80	$ 9,750,000	July 2010
Boulder Creek	Value Add	Riverside, CA	264	$24,600,000	September 2010
Trieste	Core Plus	San Diego, CA	302	$68,225,000	September 2010
Flower Fields	Value Add	Carlsbad, CA	132	$31,500,000	October 2010
Canyon Hills	Value Add	San Diego, CA	128	$33,500,000	October 2010
Crossing at Arroyo Trail	Value Add	Livermore, CA	125	$16,700,000	November 2010
1200 Riverside	Stabilized	Burbank, CA	270	$43,150,000	March 2011
Taiko Village	Vacant Condo	Burbank, CA	43	$14,000,000	August 2011
Crossroads	Stabilized	Concord, CA	130	$22,550,000	October 2011
Villa Sofia	Vacant Condo	Sherman Oaks, CA	39	$13,465,000	December 2011
Vista Paradiso	Vacant Condo	Studio City, CA	24	$10,747,175	February 2012
201 Marshall (land)	Development	Redwood City, CA	116	$5,500,000	February 2012
973 Market (land)	Development	San Francisco, CA	67	$6,750,000	May 2012
Colony Parc	Value Add	Ventura, CA	272	$60,025,000	October 2012
The Plaza	Value Add	Sherman Oaks, CA	392	$77,000,000	January 2013
2051 Third Street	Development	San Francisco, CA	94	$6,650,000	May 2013

The first thing Raintree did when it obtained this Project was to increase the parking by more than 30%. It also changed the construction from steel frame to wood frame. In other words, it made the Project much cheaper to build and added the suburban sensibilities of far-increased parking. This is inappropriate for the policies and programs instituted in San Francisco and the proposed parking for the Project should be returned to its prior level. The Project is located on San Francisco's newest and most efficient mass transit line and the over-parking instituted by Raintree should be eliminated.

Conclusion

The proposed Project does not comply with the Planning Code and the plans supplied to the Commission and to the public fall far below the standard required by Section 312. The plans completely fail to provide north and south elevations or information on the location of the adjacent buildings. The adjacent buildings cannot be compared to the proposed Project.

The building requests numerous exceptions that will create negative impacts on the neighboring buildings. The design of the proposed structure has not been sculpted or tailored in any manner to improve light and air to the neighbors. The Project does not provide any "good neighbor" gestures---at all.

The Shadow Analysis fails to mention a major park directly across the street from the Project and at the maximum height, the Project will Shadow the open space for much of the day. The Project must be returned to the Dept for a complete set of plans and more complete analysis on the impacts of this massive proposal.

Sincerely,

Stephen M. Williams,

On Behalf of the Shipyard Lofts HOA and 2011 3rd Street HOA

SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR
Compliance with the Inclusionary Affordable Housing Program

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

T: 415.558.6378
F: 415.558.6409

Date: **January 11, 2013**

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

From: **San Francisco Planning Department**

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

All projects that involve five or more new dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Section 415 of the Planning Code. Every project subject to Section 415 must pay an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% of the total number of units proposed (or the applicable percentage if subject to different area plan controls or requirements).

A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new on- or off-residential units rather than offer them as rental units. Second, the project may be eligible for an Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act. All projects that can demonstrate that they are eligible for an alternative to the Affordable Housing Fee must provide the necessary documentation to the Planning Department and the Mayor's Office of Housing. Additional material may be required to determine if a project is eligible to fulfill the Program's requirements through an alternative.

Before the Planning Department and/or Planning Commission can act on the project, this *Affidavit for Compliance with the Inclusionary Affordable Housing Program* must be completed.

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[1] California Civil Code Section 1954.50 et.al.

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

2/14/2014
Date

I, JASON CHECK, do hereby declare as follows:

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

2051 3RD STREET, 650 ILLINOIS
Address

3994/001Bk/006
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:

2010.0726X
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:

BEN FU
Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

☒ Yes (if yes, please indicate 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.[2] 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 though 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:

LAGUNA NIGUEL, CA
Location

2/26/14
Date

Jason Check
Signature

JASON CHECK, DIRECTOR
Name (Print), Title

949-365-5600
Contact Phone Number

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

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[2] California Civil Code Section 1954.50 and following.

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
94	–	35	21	37	1

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

☒ On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12%* of the unit total.* NOTE: USING 13% PER CODE SECTION 419.5(b)

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
12	–	4	3	5	–

☐ Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address	
Area of Dwellings in Off-Site Project (in sq. feet)		
Off-Site Block/Lot(s)	Motion No. (if applicable)	Number of Market-Rate Units in the Off-site Project

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

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

1. Fee ____________ % of affordable housing requirement.

2. On-Site ____________ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

3. Off-Site ____________ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address	
Area of Dwellings in Off-Site Project (in sq. feet)		
Off-Site Block/Lot(s)	Motion No. (if applicable)	Number of Market-Rate Units in the Off-site Project

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name RAINTREE 2051 THIRD STREET LLC	Company Name
Print Name of Contact Person JASON CHECK	Print Name of Contact Person
Address 28202 CABOT RD. STE. 300	Address
City, State, Zip LAGUNA NIGUEL, CA 92677	City, State, Zip
Phone, Fax 949-365-5600	Phone, Fax
Email jcheck@raintreepartners.com	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. Jason Check Signature JASON CHECK, DIRECTOR Name (Print), Title	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